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PROCEEDINGS AND DEBATES OF THE 88th CONGRESS, SECOND SESSION

SENATE

Tuesday, January 7, 1964

The 7th day of January being the day prescribed by Public Law 88-247, 88th Congress, 1st session, for the meeting of the 2d session of the 88th Congress, the Senate assembled in its Chamber at the Capitol.

The **PRESIDENT** pro tempore, Hon. Carl Hayden, a Senator from the State of Arizona, called the Senate to order at 12 o'clock meridian.

The Chaplain, Rev. Frederick Brown Harris, D.D., of the city of Washington, offered the following prayer:

God of our fathers in years that have gone, and God our help amid the flood of mortal ills prevailing, as the new year summons these spokesmen for democracy to play their parts in this free forum of a people's will before it is dared here to face the vital issues of this fear-haunted day, we would in reverence and dedication lift our hearts to Thee, whose light alone floods our mortal lives with deathless splendor.

In this new hour of solemn convocation, as with great expectations the second chapter of this Congress is opened, with tangled problems waiting on its pages, may fallible judgments be bent to Thy wisdom, and may human limitations lean upon the steadying assurance: The eternal God is our refuge, and underneath are the everlasting arms.

As the days that beckon demand that crucial decisions be recorded in this Chamber of governance, the consequences of which will reverberate around the earth, keep before these servants of the public weal, we pray, the undimmed goal of a better world cleansed of its needless misery and agony, of its gnawing hunger, and of its binding fetters. May we be counted by the future as marching with the builders of a redeemed earth whose dividing chasms will be bridged at last by a universal brotherhood.

In the dear Redeemer's name we pray. Amen.

CALL OF THE ROLL

Mr. **MANSFIELD**. Mr. President, I suggest the absence of a quorum.

The **PRESIDENT** pro tempore. The clerk will call the roll.

The Chief Clerk called the roll, and the following Senators answered to their names:

[No. 1 Leg.]

Aiken
Bayh
Beall
Bennett
Bible
Byrd, W. Va.
Case
Church
Clark
Cooper
Dirksen
Dodd
Dominick
Douglas
Ellender
Gore
Gruening
Hartke
Hayden
Holland
Hruska
Humphrey
Javits
Johnston
Jordan, N.C.
Jordan, Idaho
Keating
Kennedy
Kuchel
Lausche
Mansfield
McClellan
McGovern
McIntyre
McNamara
Metcalf
Miller
Morse
Morton
Moss
Mundt
Pearson
Pell
Proxmire
Randolph
Robertson
Scott
Simpson
Smith
Sparkman
Stennis
Talmadge
Tower
Walters
Williams, Del.
Yarborough
Young, N. Dak.
Young, Ohio

Mr. **HUMPHREY**. I announce that the Senator from New Mexico [Mr. Anderson], the Senator from Alaska [Mr. Bartlett], the Senator from Maryland [Mr. Brewster], the Senator from North Dakota [Mr. Burdick], the Senator from Virginia [Mr. Byrd], the Senator from Nevada [Mr. Cannon], the Senator from Mississippi [Mr. Eastland], the Senator from Oklahoma [Mr. Edmondson], the Senator from North Carolina [Mr. Ervin], the Senator from Arkansas [Mr. Fulbright], the Senator from Michigan [Mr. Hart], the Senator from Alabama [Mr. Hill], the Senator from Hawaii [Mr. Inouye], the Senator from Washington [Mr. Jackson], the Senator from Missouri [Mr. Long], the Senator from Louisiana [Mr. Long], the Senator from Washington [Mr. Magnuson], the Senator from Minnesota [Mr. McCarthy], the Senator from Wyoming [Mr. McGee], the Senator from Oklahoma [Mr. Monroney], the Senator from Maine [Mr. Muskie], the Senator from Wisconsin [Mr. Nelson], the Senator from Oregon [Mrs. Neuberger], the Senator from Rhode Island [Mr. Pastore], the Senator from Connecticut [Mr. Ribicoff], the Senator from Georgia [Mr. Russell], the Senator from Florida [Mr. Smathers], the Senator from Missouri [Mr. Symington], the Senator from South Carolina [Mr. Thurmond], and the Senator from New Jersey [Mr. Williams] are absent on official business.

I further announce that the Senator from California [Mr. Engle] is necessarily absent.

Mr. **KUCHEL**. I announce that the Senator from Colorado [Mr. Allott], the Senator from Kansas [Mr. Carlson], the Senator from New Hampshire [Mr. Cotton], the Senator from Nebraska [Mr. Curtis], the Senator from Hawaii [Mr. Fong], the Senator from Arizona [Mr. Goldwater], the Senator from Iowa [Mr. Hickenlooper], the Senator from New Mexico [Mr. Mechem], the Senator from Vermont [Mr. Prouty], and the Senator from Massachusetts [Mr. Saltonstall] are necessarily absent.

The Senator from Delaware [Mr. Boggs] is necessarily absent to attend the funeral of a friend.

The **PRESIDENT** pro tempore. A quorum is present.

LIST OF SENATORS BY STATES

Alabama.—Lister Hill and John J. Sparkman.

Alaska.—E. L. Bartlett and Ernest Gruening.

Arizona.—Carl Hayden and Barry Goldwater.

Arkansas.—John L. McClellan and J. W. Fulbright.

California.—Thomas H. Kuchel and Clair Engle.

Colorado.—Gordon Allott and Peter H. Dominick.

Connecticut.—Thomas J. Dodd and Abraham A. Ribicoff.

Delaware.—John J. Williams and J. Caleb Boggs.

Florida.—Spessard L. Holland and George A. Smathers.

Georgia.—Richard B. Russell and Herman E. Talmadge.

Hawaii.—Hiram L. Fong and Daniel K. Inouye.

Idaho.—Frank Church and Len B. Jordan.

Illinois.—Paul H. Douglas and Everett McKinley Dirksen.

Indiana.—Vance Hartke and Birch E. Bayh.

Iowa.—Bourke B. Hickenlooper and Jack Miller.

Kansas.—Frank Carlson and James B. Pearson.

Kentucky.—John S. Cooper and Thruston B. Morton.

Louisiana.—Allen J. Ellender and Russell B. Long.

Maine.—Margaret Chase Smith and Edmund S. Muskie.

Maryland.—J. Glenn Beall and Daniel B. Brewster.

Massachusetts.—Leverett Saltonstall and Edward M. Kennedy.

Michigan.—Pat McNamara and Philip A. Hart.

Minnesota.—Hubert H. Humphrey and Eugene J. McCarthy.

Mississippi.—James O. Eastland and John Stennis.

Missouri.—Stuart Symington and Edward V. Long.

Montana.—Mike Mansfield and Lee Metcalf.

Nebraska.—Roman L. Hruska and Carl T. Curtis.

Nevada.—Alan Bible and Howard W. Cannon.

New Hampshire.—Norris Cotton and Thomas J. McIntyre.

New Jersey.—Clifford P. Case and Harrison A. Williams, Jr.

New Mexico.—Clinton P. Anderson and Edwin L. Mechem.

New York.—Jacob K. Javits and Kenneth B. Keating.

North Carolina.—Sam J. Ervin, Jr., and B. Everett Jordan.

North Dakota.—Milton R. Young and Quentin N. Burdick.

Ohio.—Frank J. Lausche and Stephen M. Young.

Oklahoma.—A. S. Mike Monroney and J. Howard Edmondson.

Oregon.—Wayne Morse and Maurine B. Neuberger.

Pennsylvania.—Joseph S. Clark and Hugh Scott.

Rhode Island.—John O. Pastore and Claiborne Pell.

South Carolina.—Olin D. Johnston and Strom Thurmond.

South Dakota.—Karl E. Mundt and George S. McGovern.

Tennessee.—Albert Gore and Herbert S. Walters.

Texas.—Ralph W. Yarborough and John G. Tower.

Utah.—Wallace F. Bennett and Frank E. Moss.

Vermont.—George D. Aiken and Winston L. Prouty.

Virginia.—Harry Flood Byrd and A. Willis Robertson.

Washington.—Warren G. Magnuson and Henry M. Jackson.

West Virginia.—Jennings Randolph and Robert C. Byrd.

Wisconsin.—William Proxmire and Gaylord Nelson.

Wyoming.—Gale W. McGee and Milward L. Simpson.

NOTIFICATION TO THE PRESIDENT

Mr. MANSFIELD submitted the following resolution (S. Res. 245) which was read, considered by unanimous consent, and agreed to:

Resolved, That a committee consisting of two Senators be appointed by the President pro tempore to join such committee as may be appointed by the House of Representatives to wait upon the President of the United States and inform him that a quorum of each House is assembled and that the Congress is ready to receive any communication he may be pleased to make.

NOTIFICATION TO THE HOUSE

Mr. DIRKSEN submitted the following resolution (S. Res. 246), which was read, considered by unanimous consent, and agreed to:

Resolved, That the Secretary inform the House of Representatives that a quorum of the Senate is assembled and that the Senate is ready to proceed to business.

HOUR OF DAILY MEETING

Mr. HUMPHREY submitted the following resolution (S. Res. 247), which was read, considered by unanimous consent, and agreed to:

Resolved, That the hour of daily meeting of the Senate be 12 o'clock meridian unless otherwise ordered.

ORDER OF BUSINESS

Mr. MANSFIELD. Mr. President, the President of the United States will address a joint session of the Congress on tomorrow. Inasmuch as the time lapse will be so short, and as a courtesy, I would suggest that the Senate wait to hear the President before proceeding to its own business for this session. Therefore, in accordance with the usual practice, I would propose that no bills be introduced or other morning business be transacted for the remainder of the session today.

Mr. DIRKSEN. Mr. President, will the Senator yield?

Mr. MANSFIELD. I yield.

Mr. DIRKSEN. I thought perhaps the majority leader could acquaint the Senate with what the business of the week will be.

Mr. MANSFIELD. There will be no business transacted today. It is not anticipated that there will be any business tomorrow. I shall discuss with the distinguished minority leader what the situation will be on Friday and Monday and endeavor to make a report to the Senate on that aspect of the question when the Senate meets tomorrow.

ADJOURNMENT

Mr. MANSFIELD. Mr. President, if no Senator desires to speak, I now move that the Senate stand in adjournment until 12 o'clock noon tomorrow, when it will assemble in a body to proceed to the Chamber of the House to hear in joint session the message of the President of the United States.

The motion was agreed to; and (at 12 o'clock and 23 minutes p.m.) the Senate adjourned until tomorrow, Wednesday, January 8, 1964, at 12 o'clock meridian.

HOUSE OF REPRESENTATIVES

TUESDAY, JANUARY 7, 1964

This being the day fixed by Public Law 247, 88th Congress, enacted pursuant to the 20th amendment to the Constitution, for the meeting of the 2d session of the 88th Congress, the Members of the House of Representatives of the 88th Congress met in their Hall, and at 12 o'clock noon were called to order by the Speaker, the Honorable JOHN W. MCCORMACK, a Representative from the State of Massachusetts.

The Chaplain, Rev. Bernard Braskamp, D.D., offered the following prayer:

The first four words of the 12th chapter of the book of Ecclesiastes: *Remember now Thy Creator.*

Almighty God, our Father, as we go forth into this new year and enter upon the 2d session of the 88th Congress, may we remember that we are not only the creatures of a passing day, but also the citizens of a timeless eternity.

We humbly acknowledge that Thou hast placed us within the years to become the heirs of a life that is beyond the years and that we are privileged to do something that is big with eternal significance.

Grant that our President, our Speaker, and our chosen Representatives, who have been entrusted with a high vocation, may seek to have this session dominated by exalted aspirations and ambitions and by lofty motives and purposes.

May nothing that they do be at variance with their moral and spiritual responsibility to help release and cultivate the hidden splendor of humanity and to assist all mankind in walking the highways of peace and good will.

We pray that in discharging their difficult tasks they may not merely have regard to the judgment of their constituents and fellow men but be supremely sensitive and responsive to Thy divine judgment.

We thank Thee for Thy servant who has answered the rollcall up yonder. Grant unto the members of his bereaved family the consolations of Thy grace.

Hear us as we unite in offering unto Thee, the prayer of our Blessed Lord:

Our Father, who art in heaven, hallowed be Thy name. Thy kingdom come. Thy will be done, on earth, as it is in heaven. Give us this day our daily bread. And forgive us our debts, as we forgive our debtors. And lead us not into temptation, but deliver us from evil. For Thine is the kingdom, and the power, and the glory, forever.

Amen.

CALL OF THE HOUSE

The SPEAKER. The Clerk will call the roll to ascertain the presence of a quorum.

The Clerk called the roll, and the following Members answered to their names:

[Roll No. 1]

Abbitt
Abernethy
Addabbo
Alger
Anderson
Andrews, Ala.
Andrews, N. Dak.
Arends
Ashmore
Aspinall
Auchincloss
Avery
Ayres
Baldwin
Barrett
Barry
Bass
Bates
Battin
Becker
Beckworth
Beermann
Belcher
Bell
Bennett, Fla.
Berry
Blatnik
Boggs
Boland
Bolton, Frances P.
Bolton, Oliver P.
Brademas
Bray
Brock
Bromwell
Brooks
Brotzman
Brown, Calif.
Brown, Ohio
Broyhill, N.C.
Broyhill, Va.
Bruce
Buckley
Burke
Burkhalter
Burleson
Burton
Byrne, Pa.
Byrnes, Wis.
Cannon
Carey
Casey
Cederberg
Chelf
Clancy
Clark
Clawson, Del.
Cleveland
Collier
Conte
Cooley
Corbett
Corman
Cunningham
Curtin
Daddario
Dague
Daniels
Davis, Ga.
Davis, Tenn.
Dawson
Delaney
Dent
Denton
Derounian
Devine
Diggs
Dingell
Dole
Donohue
Dorn
Dowdy
Downing
Duncan
Edmondson
Edwards
Elliott
Ellsworth
Everett
Evins
Fallon
Farbstein
Fascell
Feighan
Findley
Finnegan
Fisher
Flood
Flynt
Fogarty
Ford
Foreman
Forrester
Fountain
Fraser
Frelinghuysen
Friedel
Fulton, Pa.
Fulton, Tenn.
Fuqua
Gallagher
Garmatz
Gary
Gathings
Gibbons
Gilbert
Gill
Glenn
Gonzalez
Goodell
Goodling
Grant
Gray
Green, Oreg.
Griffiths
Gross
Grover
Hagen, Calif.
Haley
Halleck
Halpern
Hanna
Hansen
Harding
Harris
Harrison
Harsha
Harvey, Ind.
Harvey, Mich.
Hawkins
Hays

Healey
Hechler
Hemphill
Henderson
Herlong
Hoeven
Hoffman
Holland
Horan
Horton
Huddleston
Ichord
Jarman
Jennings
Jensen
Joelson
Johansen
Johnson, Calif.
Johnson, Pa.
Johnson, Wis.
Jonas
Jones, Ala.
Jones, Mo.
Karsten
Kastenmeier
Keith
Kelly
Keogh
Kilburn
Kilgore
King, Calif.
King, N.Y.
Kirwan
Kluczynski
Kornegay
Kunkel
Kyl
Laird
Landrum
Langen
Lankford
Leggett
Lennon
Lesinski
Libonati
Lipscomb
Long, La.
Long, Md.
McClory
McDade
McDowell
McFall
McLoskey
McMillan
Macdonald
Madden
Mahon
Marsh
Martin, Calif.
Martin, Nebr.
Mathias
Matsunaga
Matthews
May
Michel
Mills
Minish
Minshall
Monagan
Montoya
Moore
Moorhead
Morgan
Morris
Morrison
Morse
Mosher
Multer
Murphy, Ill.
Murphy, N.Y.
Natcher
Nedzi
Nix
O'Brien, N.Y.
O'Hara, Ill.
O'Hara, Mich.
O'Konski
Olsen, Mont.
O'Neill
Osmers
Ostertag
Passman
Patman
Patten
Pelly
Perkins
Philbin
Pickle
Pike
Pilcher
Pillion
Pirnie
Poage
Poff
Pool
Price
Pucinski
Purcell
Quillen
Reid, Ill.
Reid, N.Y.
Reifel
Reuss
Rhodes, Pa.
Rich
Rielhman
Rivers, Alaska
Rivers, S.C.
Roberts, Tex.
Rodino
Rogers, Colo.
Rogers, Fla.
Rogers, Tex.
Rooney, N.Y.
Rooney, Pa.
Roosevelt
Rosenthal
Rostenkowski
Roush
Roybal
Rumsfeld
Ryan, N.Y.
St. George
St Germain
St. Onge
Saylor
Schadeberg
Schenck
Schneebeli
Schweiker
Schwengel
Scott
Secrest
Selden
Senner
Sheppard
Short
Shriver
Sibal
Sickles
Sikes
Siler
Sisk
Smith, Calif.
Smith, Iowa
Smith, Va.
Snyder
Springer
Stafford
Staggers
Stephens
Stinson
Stratton
Sullivan
Taft
Taylor
Teague, Tex.
Thomas
Thompson, La.
Thompson, N.J.
Thompson, Tex.
Thomson, Wis.
Toll
Trimble
Tuck
Tuten
Udall
Ullman
Van Deerlin
Vanik
Van Pelt
Vinson
Waggonner
Wallhauser
Watson
Watts
Weaver
Weltner
Westland
Whalley
Wharton
White
Whitener
Wickersham
Widnall
Wilson, Bob
Wilson, Charles H.
Wilson, Ind.
Wright
Wydler
Wyman
Young
Younger
Zablocki

The SPEAKER. On this rollcall 342 Members have answered to their names. A quorum is present.

COMMITTEE TO NOTIFY THE PRESIDENT

Mr. BOGGS. Mr. Speaker, I offer a preferential resolution and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. Res. 602

Resolved, That a committee of three Members be appointed by the Speaker on the part of the House of Representatives to join with a committee on the part of the Senate to notify the President of the United States that a quorum of each House has assembled and Congress is ready to receive any communication that he may be pleased to make.

The resolution was agreed to.

The SPEAKER. The Chair appoints as members of the committee on the part of the House to join with a committee on the part of the Senate to notify the President of the United States that a quorum of each House has been assembled and that the Congress is ready to receive any communication he may be pleased to make, the gentleman from Louisiana [Mr. Boggs], the gentleman from Georgia [Mr. Vinson], and the gentleman from Indiana [Mr. Halleck].

NOTIFICATION TO SENATE

Mr. CANNON. Mr. Speaker, I offer a resolution and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. Res. 603

Resolved, That the Clerk of the House inform the Senate that a quorum of the House is present and that the House is ready to proceed with business.

The resolution was agreed to.

DAILY HOUR OF MEETING

Mr. SMITH of Virginia. Mr. Speaker, I offer a resolution and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. Res. 604

Resolved, That until otherwise ordered, the daily hour of meeting of the House of Representatives shall be at 12 o'clock meridian.

The resolution was agreed to.

RECESS

The SPEAKER. The House will stand briefly in recess until the committee appointed to notify the President is ready to report.

Accordingly (at 12 o'clock and 34 minutes p.m.), the House stood in recess subject to the call of the Chair.

AFTER RECESS

The House was called to order by the Speaker at 12 o'clock and 44 minutes p.m.

REPORT OF COMMITTEE TO NOTIFY THE PRESIDENT

Mr. BOGGS. Mr. Speaker, your committee on the part of the House to join a like committee on the part of the Senate to notify the President of the United States that a quorum of each House has been assembled and is ready to receive any communication that he may be pleased to make has performed that duty. The President asked us to report that he will be pleased to deliver his message at 12:30 o'clock p.m., January 8, 1964, to a joint session of the two Houses.

JOINT SESSION OF THE TWO HOUSES, WEDNESDAY, JANUARY 8

Mr. BOGGS. Mr. Speaker, I offer a concurrent resolution and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. Con. Res. 250

Resolved by the House of Representatives (the Senate concurring), That the two Houses of Congress assemble in the Hall of the House of Representatives on Wednesday, January 8, 1964, at 12:30 o'clock in the afternoon, for the purpose of receiving such communications as the President of the United States shall be pleased to make to them.

The concurrent resolution was agreed to.

A motion to reconsider was laid on the table.

RECESS ON JANUARY 8

Mr. BOGGS. Mr. Speaker, I ask unanimous consent that on Wednesday, January 8, 1964, it may be in order for the Speaker to declare a recess at any time subject to the call of the Chair.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

GENERAL LEAVE TO EXTEND REMARKS IN THE RECORD

Mr. BOGGS. Mr. Speaker, I ask unanimous consent, without establishing a precedent, that each Member have permission to extend his remarks in the Congressional Record and to include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Louisiana?

Mr. GROSS. Mr. Speaker, reserving the right to object, I assume that is for today only?

The SPEAKER. The gentleman is correct. The permission is granted only for today.

Is there objection to the request of the gentleman from Louisiana?

There was no objection.

DISPENSING WITH BUSINESS IN ORDER ON CALENDAR WEDNESDAY THIS WEEK

Mr. BOGGS. Mr. Speaker, I ask unanimous consent that business in order under the Calendar Wednesday rule on Wednesday of this week may be dispensed with.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

PRIVATE CALENDAR TO BE CALLED WEDNESDAY, JANUARY 8

Mr. BOGGS. Mr. Speaker, I ask unanimous consent that the call of the Private Calendar be transferred to tomorrow, January 8.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

SPECIAL ORDER TRANSFERRED

Mr. BOGGS. Mr. Speaker, I ask unanimous consent that the special order previously granted for today to the gentleman from Texas [Mr. Patman] be transferred to January 13 and that it may be called before any special order scheduled for January 13.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

ADMISSION TO JOINT SESSION OF CONGRESS ON WEDNESDAY, JANUARY 8, 1964

The SPEAKER. The Chair desires to make an announcement. After consultation with the majority and minority leaders, and with their consent and approval, the Chair announces that on Wednesday, January 8, 1964, the date set for the joint session to hear an address by the President of the United States, only the doors immediately opposite the Speaker and those on his left and right will be open. No one will be allowed on the floor of the House who does not have the privileges of the floor of the House.

MESSAGE FROM THE SENATE

A message from the Senate by Mr. McGown, one of its clerks, announced that the Senate had passed the following resolutions:

S. Res. 245

Resolved, That a committee consisting of two Senators be appointed by the President pro tempore to join such committee as may be appointed by the House of Representatives to wait upon the President of the United States and inform him that a quorum of each House is assembled and that the Congress is ready to receive any communication he may be pleased to make.

S. Res. 246

Resolved, That the Secretary inform the House of Representatives that a quorum of the Senate is assembled and that the Senate is ready to proceed to business.

BILLS AND JOINT RESOLUTIONS APPROVED AFTER SINE DIE ADJOURNMENT

The President, subsequent to the sine die adjournment of the Congress, notified the Clerk of the House that on the following dates he had approved and signed bills and joint resolutions of the House of the following titles:

On December 17, 1963:

H.J. Res. 335. Joint resolution designating the 17th day of December of each year as "Wright Brothers Day;" and

H.R. 2906. An act to amend part II of the Interstate Commerce Act in order to provide an exemption from the provisions of such part for the emergency transportation of any accidentally wrecked or disabled motor vehicle in interstate or foreign commerce by towing; and

H.R. 5691. An act to amend title 38 of the United States Code to allow the Administrator of Veterans' Affairs to delegate to the chief medical director in the Department of Medicine and Surgery, authority to act upon the recommendations of the disciplinary boards provided by section 4110 of title 38, United States Code; and

H.R. 6518. An act to improve, strengthen, and accelerate programs for the prevention and abatement of air pollution; and

On December 18, 1963:

H.R. 1414. An act for the relief of Jan and Anna Smal (nee Dworzanski); and

H.R. 4955. An act to strengthen and improve the quality of vocational education and to expand the vocational education opportunities in the Nation, to extend for 3 years the National Defense Education Act of 1958 and Public Laws 815 and 874, 81st Congress (federally affected areas), and for other purposes; and

H.R. 5703. An act granting an extension of patent to the United Daughters of the Confederacy; and

H.R. 5753. An act relating to the effective date of the qualification of the Steamship Trade Association of Baltimore-Waterfront Guard Association pension fund as a qualified trust under section 401(a) of the Internal Revenue Code of 1954; and

H.R. 5902. An act for the relief of Eric Voegelin and Luise Betty Onken Voegelin; and

H.R. 6316. An act for the relief of Generoso Bucci Cammisa; and

H.R. 7268. An act for the relief of Mrs. Ingrid Gudrun Schroder Brown.

On December 19, 1963:

H.R. 1233. An act to provide for the reinstatement and validation of U.S. oil and gas lease numbered Sacramento 037552-C, and for other purposes; and

H.R. 1271. An act for the relief of Dr. Jae H. Yang; and

H.R. 1273. An act for the relief of Bay Kow Jung; and

H.R. 1432. An act for the relief of Pasquale Marrella; and

H.R. 1475. An act for the relief of John William Horling; and

H.R. 1495. An act for the relief of Ching Heing Yen and Ching Chiao Hoang Yen; and

H.R. 1542. An act for the relief of Mrs. Sandra Bank Murphy; and

H.R. 1566. An act for the relief of Mrs. Annie Zambelli Stiletto; and

H.R. 3366. An act for the relief of Ferenc Molnar; and

H.R. 3908. An act for the relief of Jeung Sing, also known as Chang Sheng and Rafael Chang Sing; and

H.R. 4479. An act to provide for the conveyance to the State of California of certain mineral rights reserved to the United States in certain real property in California; and

H.R. 4507. An act for the relief of Angeliki Devaris; and

H.R. 4862. An act for the relief of Tricia Kim; and

H.R. 5453. An act for the relief of Mrs. Denise Jeanne Escobar (nee Arnoux); and

H.R. 6038. An act for the relief of Mariano Carrese and Vincenzina Ciavattini Restuccia; and

H.R. 6624. An act for the relief of Mrs. Concetta Foto Napoli, Salvatore Napoli, Antonina Napoli, and Michela Napoli; and

H.R. 6975. An act for the relief of Giuseppe Maida, his wife, Caterina Maida, and their children, Antonio and Vittoria Maida; and

H.R. 8720. An act to amend the Manpower Development and Training Act of 1962; and

H.R. 8747. An act making appropriations for sundry independent executive bureaus, boards, commissions, corporations, agencies, and offices, for the fiscal year ending June 30, 1964, and for other purposes.

On December 21, 1963:

H.R. 1221. An act for the relief of Nick Masonich; and

H.R. 1395. An act for the relief of Rear Adm. Walter B. Davidson; and

H.R. 1545. An act to provide for the relief of certain enlisted members and former enlisted members of the Air Force; and

H.R. 2238. An act for the relief of Erwin A. Suehs; and

H.R. 2305. An act for the relief of Zoltan Friedman; and

H.R. 2944. An act for the relief of Hurley Construction Co.; and

H.R. 3662. An act for the relief of Mrs. Margaret Patterson Bartlett; and

H.R. 4141. An act for the relief of Smith L. Parratt and Mr. and Mrs. Lloyd Parratt, his parents; and

H.R. 4276. An act to provide for the creation of horizontal property regimes in the District of Columbia; and

H.R. 4288. An act for the relief of Mrs. M. Orta Worden; and

H.R. 4839. An act for the relief of certain persons involved in the negotiations of forged or fraudulent Government checks issued at Parks Air Force Base, Calif.; and

H.R. 5289. An act for the relief of Mrs. Zara M. Schreiber; and

H.R. 5495. An act for the relief of the city of Binghamton, N.Y.; and

H.R. 5778. An act to amend title 39, United States Code, to increase from 10 to 20 miles the area within which the Postmaster General may establish stations, substations, or branches of post offices, and for other purposes; and

H.R. 6001. An act to authorize the conveyance to the Waukegan Port District, Illinois, of certain real property of the United States; and

H.R. 7601. An act for the relief of the city of Winslow, Ariz.; and

H.R. 8751. An act to amend the act of March 2, 1931, to provide that certain proceedings of the AMVETS (American Veterans of World War II), shall be printed as a House document, and for other purposes; and

H.R. 9139. An act making appropriations for military construction for the Department of Defense for the fiscal year ending June 30, 1964, and for other purposes.

On December 23, 1963:

H.R. 1289. An act for the relief of Maria Mereghetti (Mother Benedetta) and Annunziata Colombo (Mother Cherubina); and

H.R. 2985. An act to amend section 1391 of title 28 of the United States Code, relating to venue generally; and

H.R. 3005. An act to amend sections 510 and 591 of title 10, United States Code, to remove the requirement that an alien must make a declaration of intention to become a citizen of the United States before he may be enlisted or appointed in a reserve component; and

H.R. 4062. An act to amend the act authorizing the transmission and disposition by the Secretary of the Interior of electric energy generated at Falcon Dam on the Rio Grande to authorize the Secretary of the Interior to also market power generated at Amistad Dam on the Rio Grande; and

H.R. 4157. An act to enact part II of the District of Columbia Code, entitled "Judiciary and Judicial Procedure" codifying the general and permanent laws relating to the judiciary and judicial procedure of the District of Columbia; and

H.R. 4338. An act to amend title 37, United States Code, to authorize travel and transportation allowances for travel performed under orders that are canceled, revoked, or modified, and for other purposes; and

H.R. 4759. An act for the relief of W. V. Grimes, James A. Powell, Frank Grove, Harry P. Nash, Jr., and Michael J. Neofitou; and

H.R. 5179. An act to authorize the Postmaster General to enter into agreements for the transportation of mail by passenger common carriers by motor vehicle, and for other purposes; and

H.R. 5746. An act for the relief of Robert H. Bagby; and

H.R. 6756. An act to revise the boundaries of Mesa Verde National Park, Colo., and for other purposes; and

H.R. 6808. An act for the relief of the Shelburne Harbor Ship & Marine Construction Co., Inc.; and

H.R. 7044. An act to amend Public Law 193, 83d Congress, relating to the Corregidor-Bataan Memorial Commission.

On December 30, 1963:

H.R. 1211. An act to admit the vessels *Fort Town, Maple City,* and *Windmill Point* to American registry and to permit their use in the coastwise trade; and

H.R. 1532. An act for the relief of Herbert R. Schaff; and

H.R. 1560. An act for the relief of Constantinos A. Grigoras (Gregoras); and

H.R. 2292. An act for the relief of Marvin M. Greenlee; and

H.R. 2364. An act for the relief of the Clay County Hospital, Brazil, Ind.; and

H.R. 4099. An act for the relief of Jesse Leigh, Jr.; and

H.R. 5338. An act to enact the Uniform Commercial Code for the District of Columbia, and for other purposes; and

H.R. 6181. An act for the relief of Mr. Rudolph Sanderson, of Meriden, Kans.; and

H.R. 6468. An act for the relief of Harold J. Burke; and

H.R. 6754. An act making appropriations for the Department of Agriculture and related agencies for the fiscal year ending June 30, 1964, and for other purposes; and

H.R. 6807. An act for the relief of H. W. Robinson and Co., Inc.; and

H.R. 6868. An act making appropriations for the legislative branch for the fiscal year ending June 30, 1964, and for other purposes; and

H.R. 7019. An act to provide further compensation to Mrs. Johnson Bradley for certain land and improvements in the village of Odanah, Wis., taken by the Federal Government; and

H.R. 7063. An act making appropriations for the Departments of State, Justice, and Commerce, the judiciary, and related agencies for the fiscal year ending June 30, 1964, and for other purposes; and

H.R. 7431. An act making appropriations for the government of the District of Columbia and other activities chargeable in whole or in part against the revenues of said District for the fiscal year ending June 30, 1964, and for other purposes; and

H.R. 8667. An act authorizing additional appropriations for the prosecution of comprehensive plans for certain river basins; and

H.R. 9413. An act to provide for the coinage of 50-cent pieces bearing the likeness of John Fitzgerald Kennedy; and

H.J. Res. 680. Joint resolution requesting the President to designate 1964 as "United States Customs Year"; and

H.J. Res. 778. Joint resolution to provide for participation by the Government of the United States in the Hague Conference on Private International Law and the International (Rome) Institute for the Unification of Private Law, and authorizing appropriations therefor; and

H.J. Res. 848. Joint resolution to provide for the designation of the month of February in each year as "American Heart Month"; and

H.J. Res. 880. Joint resolution establishing that the second regular session of the 88th Congress convene at noon on Tuesday, January 7, 1964.

On December 31, 1963:

H.R. 9140. An act making appropriations for certain civil functions administered by the Department of Defense, certain agencies of the Department of the Interior, the Atomic Energy Commission, the St. Lawrence Seaway Development Corporation, the Tennessee Valley Authority, and certain river basin commissions for the fiscal year ending June 30, 1964, and for other purposes.

On January 6, 1964:

H.R. 9499. An act making appropriations for foreign aid and related agencies for the fiscal year ending June 30, 1964, and for other purposes.

HOUSE BILLS DISAPPROVED AFTER SINE DIE ADJOURNMENT

The message further announced that the President had disapproved of bills of the House of the following titles:

MARKING REQUIREMENTS FOR CERTAIN IMPORTED ARTICLES

H.R. 2513

I am withholding my approval from H.R. 2513, a bill to require, with respect to every imported article removed from its container and repackaged, that the new package be marked with the name of the country of origin if, under present law, the original container must be so marked, with failure to do so subjecting the repackager—regardless of whether he is the importer, the distributor, the retailer or any other handler of the merchandise—to fine, imprisonment, and seizure and forfeiture of the article. Such a bill was vetoed by President Eisenhower in 1961. A second provision of the bill would require that all sawed lumber and wood products be marked with the country of origin, a provision which specifically violates our longstanding trade agreement with Canada.

This bill would raise new barriers to foreign trade and invite retaliation against our exports at a time when we are trying to expand our trade and improve Western unity.

This bill would impose new costs upon our merchants and consumers at a time when we are trying to keep all costs and prices down.

This bill would saddle new and unworkable burdens upon our Bureau of Customs at a time when we are trying to reduce Government expenditures.

This bill would encourage new price increases in lumber and homebuilding at a time when we are trying to expand our housing opportunities.

This bill would aggravate our relations with Canada at a time when we are trying to improve those relations at every level.

There is no need for this bill. The Federal Trade Commission already has authority to require disclosure of the foreign origin of articles offered for sale where there may be danger of deception of the purchaser. The Federal Tariff Commission already has authority to protect domestic industries against serious economic injury resulting from imports. A unanimous Commission decision last February, in fact, found that the facts did not entitle the softwood lumber industry to such protection.

Approval of this bill, in short, is clearly not in the best interests of all the United States.

LYNDON B. JOHNSON.

DECEMBER 31, 1963.

CLAIM OF ROBERT ALEXANDER

H.R. 4505

I am withholding my approval from H.R. 4505, a bill to confer jurisdiction on the Court of Claims to entertain, hear, and determine a motion for a new trial on the claim of Robert Alexander.

Mr. Alexander was selected out of the Foreign Service in 1953. In 1958, he brought suit in the Court of Claims for lost salary, alleging that his separation was invalid. On January 20, 1960, the court concluded, after considering all the evidence presented by Mr. Alexander, that his claim had no merit. His complaint was accordingly dismissed, and on April 16, 1960, his motion for rehearing was denied. He now seeks to obtain reconsideration of the court's judgment against him on the basis of additional evidence.

Mr. Alexander has had his day in court. The full facilities of a court for discovering and producing evidence were available to him. While the circumstances of his case may have made it difficult at the time to obtain evidence, there is nothing in the record to indicate that diligent use of the court's procedures would have failed to obtain the evidence relating to the handling of his discharge which he now offers to establish.

In these circumstances it is unnecessary to consider the relevance of the testimony offered. Mr. Alexander had a year after the court's judgment within which to move to set it aside on the basis of newly discovered evidence, an opportunity which he failed to use. This period of grace has a definite limit because a court's judgment must become final at some point in time in order that all parties may conduct themselves thereafter in reliance upon it.

Unless such a judgment becomes final in circumstances which have prevented a litigant from taking advantage of opportunities for proof accorded to all alike, it should not be set aside. In the absence of such circumstances in Mr. Alexander's case, I am constrained to withhold approval from H.R. 4505.

LYNDON B. JOHNSON.

THE WHITE HOUSE, *December 31, 1963.*

STATEMENT BY THE PRESIDENT ON H.R. 9140

I have today approved the Public Works Appropriations Act.

This does not mean approval of that provision in the act which precludes the Panama Canal Company from disposing of any real property or any rights to the use of real property without first obtaining the approval of the appropriate legislative committees of the House and Senate. Four Attorneys General of the United States have held provisions of this nature unconstitutional. The opinions of the Attorneys General point out that it is either an unconstitutional delegation to congressional committees of powers which reside only in the Congress as a whole, or an attempt to confer Executive powers on the committees in violation of the principle of separation of powers set forth in the Constitution.

I concur in these views.

However, it is entirely proper for the committees to request information with respect to the disposal of property, and I recognize the desirability of consultations between officials of the executive branch and the Congress. Therefore, it is my intention to treat the provision as a request for information and to direct that the appropriate legislative committees be kept fully informed with respect to disposal and transfer actions taken by the Panama Canal Company.

LYNDON B. JOHNSON.

DECEMBER 31, 1963.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. ALBERT (at the request of Mr. BOGGS), for January 7 to 9, 1964, on account of illness.

Mr. STEED (at the request of Mr. BOGGS), for January 7 to January 18, 1964, on account of official business.

Mr. BOW (at the request of Mr. HALLECK), for today, on account of official business.

Mr. Hosmer (at the request of Mr. Halleck), for today, on account of official business.

THE LATE HON. HOWARD H. BAKER, A REPRESENTATIVE FROM THE STATE OF TENNESSEE

The SPEAKER. The Chair recognizes the gentleman from Tennessee [Mr. Quillen].

Mr. QUILLEN. Mr. Speaker, it is with great sadness and heartfelt sorrow that I inform the House that our beloved and esteemed colleague, Howard Baker, passed away this morning, Tuesday, January 7, 1964, at 10:04 a.m.

Howard H. Baker was an outstanding and dedicated individual. He put his country and his service to others above self. He courageously served his people, his district, his State, and his country; and his devotion to duty will long be remembered.

Born January 12, 1902, the gentleman from Tennessee [Mr. Baker] was the son of the late Judge James F. Baker and the former Helen Keen Baker of Somerset, Ky. His father was born in Campbell County, Tenn. on Cedar Creek, and moved to Huntsville, Tenn., at the age of 18 to establish a home in Scott County.

His father was a successful lawyer, a partner of the late Judge H. B. Lindsay at Huntsville, and publisher of a weekly newspaper, the Cumberland Chronicle. His mother was the daughter of Maj. A. T. Keen, of the First Kentucky Cavalry in the War Between the States.

The gentleman from Tennessee [Mr. Baker] was also a Knoxvillian as well as a Scott Countian. At the time of his passing, he resided at Beechwood Road, Topside, Knoxville, Tenn. When he was 10 years old, his father purchased a home in north Knoxville at 728 North Fourth Avenue. From then until June 1924, when young Howard H. Baker returned to Huntsville to establish his law practice, the Baker family resided 9 months of each year in Knoxville.

He began his education in the grade school at Huntsville and continued his studies in Knoxville at Peabody and Boyd elementary schools. He was an alert pupil and was graduated from Knoxville High School in June 1918, at the age of 16.

He then entered the University of Tennessee, graduating with an A.B. degree in June 1922, and with an LL.B. degree from the University of Tennessee College of Law in June 1924. While attending the University of Tennessee, he was president of the senior class of 1922; and president of the student honor system.

While attending the University of Tennessee college of law, the gentleman from Tennessee [Mr. Baker] became a member of Phi Alpha Delta legal fraternity, and was one of five students selected to help organize the Tennessee Law Review. He became its first editor in chief.

He began his service to the people of Tennessee as a member of the Tennessee Legislature in 1929–30, where he made an outstanding record as a Republican member of the House of Representatives of Tennessee. From 1934 to 1948 he served as attorney general of the 19th judicial circuit, comprising the counties of Fentress, Scott, Morgan, Campbell, Anderson, and Claiborne. As attorney general, he fought diligently for the best interests of the people he knew and loved so well.

He was first elected to the 82d Congress, November 7, 1950, and was subsequently reelected to the 83d, 84th, 85th, 86th, 87th, and 88th Congresses.

He became a member of the Ways and Means Committee in his second term in Congress and has served with distinction as a ranking Republican member of that committee.

Howard Baker's life and public service were filled with achievements and accomplishments of lasting meaning to the people of our State and Nation.

Howard Baker was a devoted husband, father, and grandfather. He is survived by his wife, the former Irene Bailey, of Sevierville, Tenn.; three children, Howard H. Baker, Jr., Mrs. William C. Wampler, and Mrs. Michael Patestides.

Mrs. Baker is a wonderful and lovely person, and I know that each of you join me in extending heartfelt sympathy to her and the members of the family in their great sorrow, which we share.

Mr. Speaker, I offer a resolution.

The Clerk read the resolution, as follows:

H. Res. 605

Resolved, That the House has heard with profound sorrow of the death of the Honorable Howard H. Baker, a Representative from the State of Tennessee.

Resolved, That a committee of 17 Members of the House with such Members of the Senate as may be joined be appointed to attend the funeral.

Resolved, That the Sergeant at Arms of the House be authorized and directed to take such steps as may be necessary for carrying out the provisions of these resolutions and that the necessary expenses in connection therewith be paid out of the contingent fund of the House.

Resolved, That the Clerk communicate these resolutions to the Senate and transmit a copy thereof to the family of the deceased.

The resolution was agreed to.

The SPEAKER. The Chair appoints as members of the funeral committee the following members on the part of the House: Mr. Quillen, Mr. Boggs, Mr. Davis of Tennessee, Mr. King of California, Mr. Murray, Mr. Byrnes of Wisconsin, Mr. Evins, Mr. Herlong, Mr. Watts, Mr. Derounian, Mr. Alger, Mr. Bass, Mr. Jennings, Mr. Everett, Mr. Schneebeli, Mr. Fulton of Tennessee, and Mr. Brock.

The SPEAKER. The Clerk will report the remainder of the resolution.

The Clerk read as follows:

Resolved, That as a further mark of respect, the House do now adjourn.

The resolution was agreed to.

ADJOURNMENT

Accordingly (at 12 o'clock and 55 minutes p.m.), the House adjourned until tomorrow, Wednesday, January 8, 1964, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

1483. A letter from the Clerk, U.S. House of Representatives, transmitting, in compliance with the requirements of rule III, clause 2 of the rules of the House of Representatives, a list of reports which it is the duty of any officer or department to make to Congress (H. Doc. No. 273); to the Committee on House Administration and ordered to be printed.

1484. A letter from the Clerk, U.S. House of Representatives, transmitting, in compliance with the provisions of paragraph 102 of title 2 of the Code of Laws of the United States, a report for the period July 1, 1962, to June 30, 1963, as prepared by the Committee on House Administration pursuant to the provisions of House Resolution 476 of the 87th Congress; to the Committee on House Administration.

1485. A letter from the Clerk, U.S. House of Representatives, transmitting, in compliance with the provisions of paragraphs 103 and 104 of title 2 of the Code of Laws of the United States, a report for the period July 1, 1962, to June 30, 1963, as prepared by the Committee on House Administration pursuant to the provisions of House Resolution 476 of the 87th Congress; to the Committee on House Administration.

1486. A letter from the Postmaster General and the Chairman, Board of Trustees, Postal Savings System, transmitting the report of operations of the Postal Savings System for the fiscal year ended June 30, 1963, pursuant to section 1 of the act approved June 25, 1910 (H. Doc. No. 261); to the Committee on Post Office and Civil Service and ordered to be printed.

1487. A letter from the Assistant Secretary of the Interior, transmitting the report of the Secretary of the Interior on the Whitestone-Coulee unit, Okanogan-Similkameen division, Chief Joseph Dam project, Washington, pursuant to section 9(a) of the Reclamation Project Act of 1939 (53 Stat. 1187) (H. Doc. No. 201); to the Committee on Interior and Insular Affairs and ordered to be printed with illustrations.

1488. A letter from the Director, Bureau of the Budget, Executive Office of the President, transmitting a report that the appropriation to the Department of Agriculture for forest protection and utilization, Forest Service, for the fiscal year 1964, has been apportioned on a basis which indicates the necessity for a supplemental estimate of appropriation, pursuant to section 3679, Revised Statutes, as amended; to the Committee on Appropriations.

1489. A letter from the Director, Bureau of the Budget, Executive Office of the President, transmitting a letter reporting that appropriation to the Department of the Interior for management and protection, National Park Service, for fiscal 1964, has been reapportioned, necessitating a supplemental estimate of appropriation regarding fire suppression activities, pursuant to section 3679 of the Revised Statutes, as amended, (31 U.S.C. 665); to the Committee on Appropriations.

1490. A letter from the Acting Deputy Director, Bureau of the Budget, Executive Office of the President, transmitting a report that the appropriation to the Department of Labor for unemployment compensation for Federal employees and ex-servicemen, for the fiscal year 1964, has been apportioned on a basis which indicates the necessity for a supplemental estimate of appropriation pursuant to section 3679, Revised Statutes, as amended (31 U.S.C. 665); to the Committee on Appropriations.

1491. A letter from the Director, National Science Foundation, transmitting a report showing a violation of subsection (a) of section 3679 of the revised statutes, as amended (31 U.S.C. 665(i)(2)); to the Committee on Appropriations.

1492. A letter from the Secretary of the Army, transmitting a report on the Department of the Army aviation personnel above the grade of major, to be paid such officers for the period July 1 to December 31, 1963, pursuant to section 301(g) of title 37, United States Code; to the Committee on Armed Services.

1493. A letter from the vice president, Chesapeake & Potomac Telephone Co., transmitting a statement of receipts and expenditures of the Chesapeake & Potomac Telephone Co., for the year 1963, pursuant to the act of March 4, 1913; to the Committee on the District of Columbia.

1494. A letter from the Comptroller General of the United States, transmitting a report on the erroneous purchase of a technical data package from the Westinghouse Electric Corp. by the Department of the Navy; to the Committee on Government Operations.

1495. A letter from the Comptroller General of the United States, transmitting a report on the inadequate collection procedures and other weaknesses in the administration of the programs for making advances for public works planning, which programs are administered by the Community Facilities Administration, a constituent unit of the Housing and Home Finance Agency; to the Committee on Government Operation.

1496. A letter from the Secretary of the Treasury, transmitting a combined statement of receipts, expenditures, and balances of the U.S. Government for fiscal year ended June 30, 1963, pursuant to section 15 of the act of July 31, 1894 (5 U.S.C. 264) and section 114 of the act of September 12, 1950 (31 U.S.C. 66b); to the Committee on Government Operations.

1497. A letter from the Public Printer, transmitting the Annual Report of the Government Printing Office for the fiscal year ended June 30, 1963, pursuant to provisions of the act of January 12, 1895 (sec. 19, ch. 23, 28 Stat. 603); to the Committee on House Administration.

1498. A letter from the Surgeon General, Department of Health, Education, and Welfare, transmitting the report of the 1963 Evaluation Conference of the professional nurse traineeship program, pursuant to section 307(e) of the Public Health Service Act; to the Committee on Interstate and Foreign Commerce.

1499. A letter from the Assistant Secretary of the Interior, transmitting proposed amendment No. 1 to concession permit No. NPS–WASO–IX–62–6, which authorizes Mrs. Viola H. Montgomery to provide facilities and services at Muir Woods National Monument which extends the permit for 1 year through December 31, 1964, including also a copy of the original permit and a financial summary for years 1958–62, pursuant to the act of July 31, 1953 (67 Stat. 271), as amended by the act of July 14, 1956 (70 Stat. 543); to the Committee on Interior and Insular Affairs.

1500. A letter from the clerk, U.S. Court of Claims, transmitting a statement of all judgments rendered by the U.S. Court of Claims for the year ended September 30, 1963, pursuant to provisions of section 791(c), title 28, United States Code; to the Committee on the Judiciary.

1501. A letter from the U.S. Attorney, U.S. Department of Justice, transmitting a letter advising the termination of prosecutive action against *S. Sloan Colt, Joseph G. Carty* v. *Contempt of Congress* (2 U.S.C. 192); to the Committee on the Judiciary.

1502. A letter from the Administrator, Federal Aviation Agency, transmitting a draft of proposed legislation entitled "A bill for the relief of John A. Peralta"; to the Committee on the Judiciary.

1503. A letter from the Postmaster General, transmitting a draft of proposed legislation, entitled "A bill to extend the authority of the Postmaster General to enter into leases of real property for periods not exceeding 30 years, and for other purposes"; to the Committee on Post Office and Civil Service.

1504. A letter from the Administrative Assistant Secretary, Department of Agriculture, transmitting a report on positions established under Public Law 313, 80th Congress, pursuant to Public Law 87–367; to the Committee on Post Office and Civil Service.

1505. A letter from the Assistant Secretary of the Interior, transmitting a certification that an adequate soil survey and land classification has been made of the lands in the Lyman project and that the lands to be irrigated are susceptible to the production of agricultural crops by means of irrigation, pursuant to Public Law 172, 83d Congress; to the Committee on Appropriations.

1506. A letter from the Director of Personnel, Department of Commerce, transmitting the Department of Commerce report of scientific and professional positions established under the authority contained in 72 Stat. 213a, 5 U.S.C. 1161(e), pursuant to 72 Stat. 214, 5 U.S.C. 1163; to the Committee on Post Office and Civil Service.

1507. A letter from the Board of Directors, Tennessee Valley Authority, transmitting the 30th annual report of activities for the fiscal year ending June 30, 1963; to the Committee on Public Works.

1508. A letter from the Chairman, Subversive Activities Control Board, transmitting the 13th Annual Report of the Subversive Activities Control Board, pursuant to section 12(c) of the Subversive Activities Control Act of 1950, Public Law 831, 81st Congress, 2d session; to the Committee on Un-American Activities.

1509. A letter from the Chairman, the Renegotiation Board, transmitting the Eighth Annual Report of the Renegotiation Board, pursuant to section 114, Public Law 870, 84th Congress; to the Committee on Ways and Means.

PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. BROYHILL of North Carolina:

H.R. 9566. A bill to grant certain Government officers and employees the opportunity to examine and reply to certain evaluations of their promotion qualifications, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. EDWARDS:

H.R. 9567. A bill to create four judicial districts for the State of California, to provide for the appointment of four additional district judges for the State of California, and for other purposes; to the Committee on the Judiciary.

By Mr. WHITE:

H.R. 9568. A bill to establish a U.S. mint in Shoshone County, Idaho; to the Committee on Public Works.

By Mr. WYDLER:

H.R. 9569. A bill to provide for the inclusion of St. George's Church, Hempstead, N.Y., in the Registry of National Historic Landmarks; to the Committee on Interior and Insular Affairs.

By Mr. RIEHLMAN:

H.J. Res. 882. Joint resolution designating the week of February 16–23, 1964, as "National Ski Week"; to the Committee on the Judiciary.

By Mr. CLARK:

H. Con. Res. 251. Concurrent resolution expressing the sense of the Congress that the motto "In God We Trust" should continue to be inscribed upon the coins of the United States, and that the words "under God" should continue to be a part of the pledge of allegiance to the flag; to the Committee on Banking and Currency.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. ADDABBO:

H.R. 9570. A bill for the relief of Israel Steinberg; to the Committee on the Judiciary.

By Mr. BERRY:

H.R. 9571. A bill for the relief of Christos K. Tsappas (also known as Christas M. Chapas); to the Committee on the Judiciary.

By Mr. BOLAND:

H.R. 9572. A bill for the relief of Momcilo and Sokolka Radosavljevic; to the Committee on the Judiciary.

By Mr. CEDERBERG:

H.R. 9573. A bill for the relief of Wolfgang Stresemann; to the Committee on the Judiciary.

By Mr. CURTIN:

H.R. 9574. A bill for the relief of Hadi Ozer; to the Committee on the Judiciary.

By Mr. DINGELL:

H.R. 9575. A bill for the relief of Krystyna Widz; to the Committee on the Judiciary.

By Mr. FINO:

H.R. 9576. A bill for the relief of Baingio and Sabrina Arrica; to the Committee on the Judiciary.

By Mr. HOSMER:

H.R. 9577. A bill for the relief of Migirdic Aleksan Kapamaci, his wife, Maryam Kapamaci, and their minor children, Rober Kapamaci and Manuk Kapamaci; to the Committee on the Judiciary.

By Mr. JOELSON:

H.R. 9578. A bill for the relief of Mrs. Consuelo Moreira Martinez de Fojon; to the Committee on the Judiciary.

By Mr. SMITH of California:

H.R. 9579. A bill for the relief of Miss Anahid Nerses Grashian; to the Committee on the Judiciary.

By Mr. STINSON:

H.R. 9580. A bill for the relief of Yih-Ho Pao and his wife, Joanne T. Pao; to the Committee on the Judiciary.

H.R. 9581. A bill for the relief of Look Gok Men, also known as Kwock Man Luke; to the Committee on the Judiciary.

PETITIONS, ETC.

Under clause 1 of rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

567. By the SPEAKER: Petition of John E. Lee, city clerk, Bayonne, N.J., urging adoption of civil rights legislation; to the Committee on the Judiciary.

568. Also, petition of Board of County Commissioners, Spokane, Wash., requesting establishment of a U.S. mint in Spokane, Wash.; to the Committee on Public Works.

569. Also, petition of Luigi Antonini, president, United-Italian American Labor Council, Inc., New York, N.Y., requesting favorable action on S. 108, making October 12, Columbus Day, a national holiday; to the Committee on the Judiciary.

570. Also, petition of Henry Stoner, Avon Park, Fla., requesting certain information from the House Armed Services Committee; to the Committee on Armed Services.

571. Also, petition of Henry Stoner, Avon Park, Fla., urging the U.S. delegate to the United Nations to urge a joint nuclear warhead blockade by U.N. powers against all Asia; to the Committee on Foreign Affairs.

572. Also, petition of Henry Stoner, Avon Park, Fla., requesting certain information from the House Banking and Currency Committee relating to bank loans; to the Committee on Banking and Currency.

573. Also, petition of Henry Stoner, Avon Park, Fla., relative to the economy drive now on in Federal affairs and requesting a certain requirement relating to all Federal agencies; to the Committee on Government Operations.

574. Also, petition of Henry Stoner, Avon Park, Fla., requesting a correction in the permanent Record by the Joint Committee on Printing; to the Committee on House Administration.

575. Also, petition of Henry Stoner, Avon Park, Fla., requesting the Joint Committee on Printing to make certain corrections in the Congressional Record; to the Committee on House Administration.

576. Also, petition of Henry Stoner, Avon Park, Fla., relative to the holding of elections relating to the filling of vacancies in the House of Representatives; to the Committee on House Administration.

577. Also, petition of Henry Stoner, Avon Park, Fla., relative to the wording used in the introduction of bills in the House of Representatives; to the Committee on House Administration.

578. Also, petition of Henry Stoner, Avon Park, Fla., relative to the age of the Speaker of the House of Representatives as stated in the Congressional Record on Friday, December 20, 1963; to the Committee on House Administration.

579. Also, petition of Henry Stoner, Avon Park, Fla., relative to the vacancy created by the death of the late Representative Green of Pennsylvania; to the Committee on House Administration.

580. Also, petition of Henry Stoner, Avon Park, Fla., relative to Hon. Margaret Chase Smith's candidacy for Vice President of the United States; to the Committee on House Administration.

581. Also, petition of Henry Stoner, Avon Park, Fla., relative to legislating that an impartial test be made for Krebiozen, the reputed cancer cure; to the Committee on Interstate and Foreign Commerce.

582. Also, petition of Henry Stoner, Avon Park, Fla., relative to certain information relating to the assassin of President Kennedy; to the Committee on the Judiciary.

583. Also, petition of Henry Stoner, Avon Park, Fla., relative to the tenure of judgeships in the United States; to the Committee on the Judiciary.

584. Also, petition of Henry Stoner, Avon Park, Fla., relative to a decision of the special three-judge Federal court in Houston, Tex., outlawing all 23 Texas congressional districts; to the Committee on the Judiciary.

585. Also, petition of Henry Stoner, Avon Park, Fla., relative to giving life tenure to the judges of the U.S. Tax Court and the U.S. Court of Military Appeals; to the Committee on the Judiciary.

586. Also, petition of Henry Stoner, Avon Park, Fla., relative to the operation of the electoral college; to the Committee on the Judiciary.

587. Also, petition of Henry Stoner, Avon Park, Fla., relative to the operation of the Sergeant at Arms of the House of Representatives; to the Committee on the Judiciary.

588. Also, petition of Henry Stoner, Avon Park, Fla., relative to accepting the correct U.S. constitutional terminology in designating the end result of the lawmaking process of Congress; to the Committee on the Judiciary.

589. Also, petition of Henry Stoner, Avon Park, Fla., relative to bringing pressure on the President to appoint Hon. Harold R. Moskovit to a high position in the Government; to the Committee on Post Office and Civil Service.

590. Also, petition of Henry Stoner, Avon Park, Fla., relative to extending the use of the franking privilege; to the Committee on Post Office and Civil Service.

591. Also, petition of Henry Stoner, Avon Park, Fla., relative to providing for a Joint Committee on Subsidies and Tax Exemptions; to the Committee on Rules.

592. Also, petition of Henry Stoner, Avon Park, Fla., relative to requiring the Committee on Banking and Currency to publish certain documents; to the Committee on Rules.

593. Also, petition of Henry Stoner, Avon Park, Fla., relative to improving the elevator service in the House of Representatives; to the Committee on Public Works.

594. Also, petition of Henry Stoner, Avon Park, Fla., relative to naming a new park near the Cannon House Office Building the Kennedy Park; to the Committee on Public Works.

595. Also, petition of Henry Stoner, Avon Park, Fla., relative to modernizing the entrances to the House of Representatives; to the Committee on Public Works.

596. Also, petition of Henry Stoner, Avon Park, Fla., relative to having all U.S. Employment Service units issue cards of identification; to the Committee on Ways and Means.

EXTENSIONS OF REMARKS

Independence Day of Burma

EXTENSION OF REMARKS

OF

HON. ADAM C. POWELL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 7, 1964

Mr. POWELL. Mr. Speaker, January 4 marked the 16th anniversary of Burma's independence. I take this opportunity to extend congratulations to His Excellency, U Win Maung, the President of Burma; His Excellency, Gen. Ne Win, the Prime Minister; and His Excellency, the Burmese Ambassador to the United States, On Sein.

Burma became an independent sovereign state at 4:20 a.m., on January 4, 1948. It was the moment which the Burmese astrologers considered most propitious. The attainment of independence by Burma was not only a signal success for Burmese nationalism, but was also a tribute to British statesmanship. The people will long remember the dignity and grace with which the British ended their rule over Burma and left it free.

Independence came to Burma without bloodshed, without resentment, and without ill feeling. The ease of the transition was misleading in that it gave little hint of the many problems and difficulties that lay ahead. Shortly after independence several armed groups began to oppose the Government. The most significant of these have been the disaffected minority races, especially the Karens, the Shans, and the Kachins. Two rival Communist parties have also been in armed opposition since independence. Their numbers have been reduced in recent years, but they still remain a substantial threat to the peace.

While the forces of insurrection in Burma are not at present a critical threat to the Government, their harassing activities have seriously unsettled the stability of Burma. Under these adverse conditions the Government has not been able to properly concentrate on the social and economic development of the country. Gen. Ne Win has set out to solve the great problem of factions in Burma. It is to be hoped that he will succeed in unifying the country behind his leadership.

Mr. Speaker, in its foreign relations Burma has preferred to follow a policy of nonalinement. It has preferred not to take sides on the political issues dividing the free world and the Communists. It is a fact, however, that the Government has taken steps to put down the Communist insurgents within its own borders. In this way, it has shown that it is aware of the dangers of Communist subversion.

The relations between the United States and Burma have always been cordial. We have supported Burma in its attempt to solve its many problems free from the interference of outside forces. Today the United States continues to believe that Burma's economic and political growth as a free nation is important to the Asian area and to all the countries of the free world.

Drama Demonstration Project

EXTENSION OF REMARKS

OF

HON. JOHN F. SHELLEY

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 7, 1964

Mr. SHELLEY. Mr. Speaker, one of the most disturbing facts in modern American society is the increasing gap between our advantaged citizens and those who have suffered from economic and cultural disadvantages. The numbers of these disadvantaged have increased. The statistical evidence in terms of crime and delinquency is becoming all too evident.

A group of concerned individuals and community organizations in San Francisco have formed a grassroot committee working with and in a disadvantaged community in San Francisco. Among other programs pertaining to the motivational development and education of culturally deprived youth, a new program was created which may become significant nationally in terms of motivational and educational developments.

Mrs. Irving Levy, working with the San Francisco Western Addition District Council, and as chairman of the Councils Motivation for Youth Committee, prepared a new approach to the motivation and education of culturally disadvantaged youth in junior high schools. Working with the San Francisco Unified School District and the United Community Fund a program was prepared to use drama as an instrument for teaching the unmotivated child in his subject matter in school. This proposal was to initiate the program on a demonstration basis, not only in school, but to continue drama and creative art programs in all of the recreational and group work agencies in the area surrounding the school so that the youth in the program would be assured of continuity in their lives. This program not only offers subject matter, but, equally, it offers vocational guidance and image building that these youth so badly need. It offers these youngsters an opportunity not only to learn a skill but the chance to show it off to a variety of audiences including patients in hospitals, homes for the mentally retarded, and the aged. It makes the youth recognize they are learning something which will give them a skill as well as to feel that they are offering something to other people in the community. It also gives them something which will be of value in their leisure time all of their lives.

In my mind, Mr. Speaker, this project is a startlingly good example of a creative approach in meeting head on the challenges the culturally deprived child presents to us. From an overview it ties in well with the Youth Employment Act and various compensatory education programs.

Further details regarding the drama demonstration project can be obtained from the Western Addition District Council, 2501 Sutter Street, San Francisco. This bold and imaginative program is one, Mr. Speaker, I am sure a number of our colleagues would be quite interested in.

Independence of Sudan

EXTENSION OF REMARKS

OF

HON. ADAM C. POWELL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 7, 1964

Mr. POWELL. Mr. Speaker, on January 1, the Sudan celebrated the eighth anniversary of its independence. On this memorable occasion, we wish to send warm felicitations to the President of the Supreme Council of the Armed Forces, Lt. Gen. Ibrahim Abboud; and His Excellency, the Sudanese Ambassador to the United States, Dr. Osman Hadary.

Sudan was one of the first African states to attain independence in the post-World War II emergence of newly independent nations in Africa.

Sudan is also one of the most interesting and crucial of the newly independent African nations because it serves as a bridge between the Middle East and Africa, both geographically and culturally. Situated to the south of the United Arab Republic and separated from Arabia by the Red Sea, the northern part of the Sudan is inhabited chiefly by Arab-speaking Muslims while the southern plain is peopled by seminomadic negroid tribes. North and south are joined together by the lifegiving Nile whose waters cultivate Sudan's cotton crop, the basis of the country's economy.

Much has been achieved in the Sudan during its first 8 years of independence. The government of President Abboud, which attained power in a military coup in 1958, has successfully consolidated its power after an initial period of instability during which it was threatened by radical, anti-Western elements.

But the most startling gains have been in the economic sphere. The well-known Gezira irrigation scheme, begun in 1925, has been substantially enlarged, and with it the production of cotton has been considerably increased. This and other irrigation projects are operated on a partnership basis between the Sudan Government, which receives 40 percent of the cotton crop; the tenants, who also receive 40 percent; and a marketing board, which receives 20 percent. The Government is responsible for the irrigation system, the local population for the labor on the land, and the board for practical administration and the ginning and marketing of the cotton.

A good indication of the soundness of the Sudanese economy is the fact that the country can meet its vital needs through export earnings and regularly return a surplus to the national budget with which to finance a large portion of its development plans. A 10-year development plan which went into effect in 1961 envisioned an annual growth rate of 5.2 percent over the period 1961–71. Of the $1.5 billion total expenditures projected by the plan some $960 million was to be financed by the Sudanese Government.

While cotton is still the Sudan's most important crop, reaching a production of more than 1 million bales during 1962, the Government has encouraged crop diversification to lessen the present dependence on a single crop. Wheat acreage is being rapidly increased with a view to eventual self-sufficiency, and plantation crops such as tea, coffee, rice, castor bean, and kenaf are being developed.

A beginning has also been made in industrial development—chiefly in light industry, such as fruit canning and chemicals, and in the processing of the country's primary products, such as sugar refining, cardboard manufacture, and textile production. The Government is eager to encourage private industrial development and has agreed to grant tax concessions and other privileges.

For your remarkable achievements since independence we congratulate you, President Abboud and the people of the Sudan, and express our best wishes for a continued fruitful development.

Congressman Ben F. Jensen Asks the President a Few Pointed Questions—The Most Important Question Is, Will He?

EXTENSION OF REMARKS

OF

HON. BEN F. JENSEN

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 7, 1964

Mr. JENSEN. Mr. Speaker, will our new President remove all socialistic roadblocks to progress as did West Germany, by giving the green light to investment capital and by not trying to fool the people? Let us not forget that in less than 5 years after being devastated by World War II, the West German mark was accepted at face value worldwide, and the people enjoyed prosperity again.

Will he insist on a balanced budget starting next July 1, so that taxes can be safely reduced, so that the slogan, "Sound As a Dollar," will again ring true in all nations, so that the flight of our dwindling gold supply will be halted before it leads to a greatly reduced value of the dollar in your pocket, bringing financial disaster to all Americans, be they rich or poor?

Will he explain to the American people the fact that the ultimate consumer of goods and services must pay every penny appropriated and spent by his or her local, State, and Federal Government, and that over 70 percent of our goods and services are bought, used, and consumed by people whose annual income is less than $6,000, and hence these so-called "little people" are really footing most of the bill? Will he explain that the claims by the big spenders that they are helping the little people by "soaking the rich," is just so much political claptrap, for business and industry must add every tax to the first cost and high operating expenses on all commodities sold, or soon be forced to close shop?

Will our new President use the same good American business sense while in the White House that he has used in amassing his own personal fortune?

Will he admonish the heads of our nearly 50 million American families that under our constitutional, competitive, free private enterprise system of government, husbands and wives establish a sovereign government of their own choosing, which is their home, and that their future, the future of their children and their country depends entirely upon just how well these combined 50 million American sovereign governments perform day after day, by first taking care of themselves and their families, if able to work and earn a good honest living, by being law-abiding, and by living up to their own citizenship responsibilities, for therein lies the future happiness and prosperity of our blessed land?

Will he say, "Fellow citizens, this is the American way so plainly provided for in our U.S. Constitution, which was built for and around the individual, so different from the demands of the Communist dictators wherein all the people must think and work only for the State"?

We are anxiously waiting and hoping, Mr. President, that you will.

Independence of Cameroon

EXTENSION OF REMARKS

OF

HON. ADAM C. POWELL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 7, 1964

Mr. POWELL. Mr. Speaker, on January 1, the Federal Republic of Cameroon celebrated the fourth anniversary of her independence. On this memorable occasion, we wish to send warm felicitations to His Excellency the President, Ahmadou Ahidjo, and to His Excellency the Cameroon Ambassador to the United States, Jacques Kuoh Moukouri.

Four years ago, French Cameroon took its place as the Republic of Cameroon at the head of the procession of African States which were to achieve independence during 1960. Less than a year later, in October 1961, the British Southern Cameroons joined its already independent neighbor to form the Federal Republic of Cameroon. This was the first experiment in the union of a British territory and a French territory, and observers were none too optimistic about its chances for success.

The federal republic inherited some serious problems from both of its federated states. When French Cameroon achieved independence the central government was struggling to keep in power against a revolt instigated by a dissident political group. A state of emergency had been declared in 11 out of 21 of the country's departments. A number of banana plantations—bananas are the staple crop—had been devastated. Quibbling and rivalry threatened the coalition government. The British Southern Cameroons were hardly more stable; revolt was expected to flare up at any moment.

Surprisingly the union of the two territories took place without serious incident; the transition was amazingly smooth. Much of the credit for this successful union and for the prosperous development of the federal republic must be given to Ahmadou Ahidjo, the patient and skillful President of the Federal Republic of Cameroon.

The Constitution, which provides that President and Vice President must be chosen from different parts of the federation and includes both a national federal assembly and legislative assemblies of the federated states, has worked satisfactorily. English and French are both official languages. The franc has replaced the pound as the monetary unit. French-officered Cameroonian troops have kept order, and British civil servants on contract have continued to work for the federal government.

In fact, the pessimistic prognosis of 1960 has been proved quite wrong. Politically, Cameroon has become one of the most stable of the new African countries. Its economic recovery has been outstanding. The Government is pursuing an active policy of assisting the development of agriculture, which is the basis of the Cameroon economy. The production of cocoa, Cameroon's chief export crop, has been expanded. A second crop, coffee, is becoming increasingly important to Cameroon's export tills.

On the African scene federation enhanced Cameroon's stature. Cameroon held a central position in the French-speaking Union of African and Malagasy States, and with the formation of the Organization of African Unity has become a stanch supporter of continent-wide cooperation. Cameroon's relations with the United States have consistently been cordial. As an indication of our interest in the welfare of the Federal Republic of Cameroon the United States has extended bilateral assistance, as well as multilateral aid through the United Nations and the European Economic Community. A number of Cameroonian students have already come to the United States on educational exchange programs, and we heartily welcome and encourage further contact between the people of Cameroon and those of the United States.

We offer sincere congratulations, President Ahidjo and the people of Cameroon, on the fourth anniversary of your independence.

Pilot Radio Corp.: Pioneering Free Enterprise

EXTENSION OF REMARKS

OF

HON. ROBERT R. BARRY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 7, 1964

Mr. BARRY. Mr. Speaker, the communications industry has played a most decisive role in influencing our daily lives. Since the introduction of the radio, a host of new products and technical developments have poured forth from the Nation's manufacturers so that today we are not only more knowledgeable but have a greater understanding of the world we live in. It is hard to believe that this industry is little more than half a century old.

Recently, one of the pioneering radio equipment manufacturers in our Nation—Pilot Radio Corp.—moved into a new $2 million plant in Yonkers, N.Y. It is a company whose history has spanned 45 exciting years of developments in the home entertainment industry and which has pioneered many of the developments that today we take for granted.

Its continued development of new products in stereo high fidelity is widening the world of information and entertainment for all of us. Therefore, I feel the following will be of interest to my colleagues and ask them to join me in saluting the Pilot Radio Corp., for the significant contribution it has made to the communications industry.

In 1919 America was recovering from its baptism of fire as a major world power. In that year, when radio was still in the crystal stage—and television, color TV, FM broadcasting and stereophonic sound were developments either unheard of or in the thinking stage—the Pilot Radio Corp. started in business.

From the beginning the company produced quality radio equipment for the home. The company's insistence on quality soon made Pilot the largest parts manufacturer in the world for radio hams and experimenters.

In the ensuing years Pilot has entered almost every phase of the home entertainment industry, maintaining and strengthening its reputation as a manufacturer of quality equipment. The company's growth since 1919 has been sparked by its continual emphasis on new developments and it has become widely known in its field as a pioneering firm.

The following are a few of its achievements, which have influenced the home entertainment industry in America and the world.

The first shortwave radio made available to the public was the Pilot Super Wasp, introduced in 1925.

The first TV broadcast demonstrated at New York University used equipment developed and produced by Pilot. The picture was flashed across the Hudson River from station WRNY in New Jersey in 1928. A year later, Pilot's station W2XCL received a U.S. Government television station license.

In 1930, Pilot introduced the Midget and Auto Pilot automobile radios. Also in that year Pilot technicians made a flying laboratory tour in the company's research airplane to South America to study weather and its effects on radio transmission.

Commercial TV receivers were produced by Pilot in 1937 and in that same year, the company introduced the Nation's first self-contained battery powered portable radio with shortwave. Two years later, the first commercial FM receivers and phonographs were put on the market.

In 1948, Pilot introduced the first television receivers to sell for less than $100. Its model TV–37 sold for $99 at a time when most receivers were selling for $400.

These developments are only a sample of the pioneering developments contributed by the company. And today Pilot is carving out a new reputation for itself in the stereophonic high fidelity field.

If television is the king of the communications world, then high fidelity is the crown prince. Interest in high fidelity is at an all-time peak. Stereo consoles and components are the featured attractions in living rooms throughout the Nation. Increased leisure time is enabling more and more Americans to enjoy the cultural enrichment offered by radio, records, and television. The boom in high fidelity is increasing our awareness of the spoken as well as the musical world. Radio programs and records are not confined to music, but include plays, lectures, dramatic readings, even foreign language courses.

This cultural explosion has been fed, to a great extent, by the high fidelity industry. After World War II the first of the high fidelity components, FM tuners, found their way into thousands of homes. Many of these tuners were made by Pilot, for the company was the first to introduce them to the American public in 1947.

Five years later Pilot was again at the forefront of the industry when it decided to concentrate its facilities on the production of high fidelity equipment exclusively. In 1957, with the development of stereo, it began its production of stereo components. Then in 1961 the company introduced one of the first precision instruments for the reception of FM multiplex stereo broadcasts and in 1962 it developed a unique signal sampling circuit for FM stereo reception that utilizes no operating controls.

The company today is applying advancements made in rocket and missile research to its consoles and components. It recently developed the first completely transistorized stereo portable phonograph to accommodate an AM/FM stereo tuner, and is now using solid state circuitry selectively to insure better sound reproduction.

Pilot is one of the few manufacturers of stereo equipment to maintain quality control over the cabinets for its consoles. It employs skilled craftsmen to make and hand finish all cabinets in the woodworking facilities of its new plant.

Under the leadership of a new chief officer, Roland J. Kalb, also a Westchester County resident, the company is showing new growth as it meets the continuing demand for stereo systems that all but bring the concert hall into the living room.

Mr. Kalb, who was trained as an engineer in Vienna, and who saw service in the French underground during the early years of World War II, arrived in the United States penniless, but an expert in radio design and marketing. Since taking over Pilot's direction, he has furthered the company's tradition of producing only the best and is helping it reach new heights in the wonder world of stereo high fidelity.

Americans can be proud of the achievements of this 45-year-old pioneering company. Yonkers residents especially are proud to have Pilot as a new neighbor and wish it continued success in the exciting years to come. I am happy to offer my congratulations as it begins its 46th year in the home entertainment industry.

Independence Day of Western Samoa

EXTENSION OF REMARKS
OF

HON. ADAM C. POWELL

OF NEW YORK
IN THE HOUSE OF REPRESENTATIVES
Tuesday, January 7, 1964

Mr. POWELL. Mr. Speaker, the first sovereign Polynesian state was inaugurated on January 1, 1962, when Western Samoa became independent. The anniversary of the important occasion is being observed today, and I take this opportunity to congratulate Head of State Chief Malietoa Tanumafili II, Prime Minister Fiame Mata'afa Faumina, and the people of Western Samoa.

New Zealand occupied the group of tropical islands in the South Pacific in 1914 and administered it as a mandate and, later, as a trusteeship. In a plebiscite in May 1961 a substantial majority of the Samoan voters expressed themselves in favor of independence on January 1, 1962.

The young nation, now 2 years old, is often pictured as a romantic South Sea island area where nature supplies most of the simple needs of the people with a minimum of effort. But the Western Samoans know that although the islands are endowed generously with beauty and a favorable climate, these are not enough to face the reality and demands of independence.

The nation's population, now about 150,000, is increasing rapidly. The rate of growth is among the world's highest. The average annual cash income is less than $30 a person. While it is true that cash requirements are not extensive in this South Sea island society, the needs are still greater than the income.

The economy is based on tropical agriculture. The three chief products are copra, cocoa, and bananas, and all three are threatened in varying degrees by diseases, typhoons, and other problems. New food and export crops are needed to provide for the growing population, but further land development is, of course, limited.

It is also true that there are only a few leaders of real competence among the Western Samoans, although there may be some in the making. Very few have had the training or the education to prepare them to handle the problems of government. New Zealand must, to an extent, accept responsibility for this state of affairs. In carrying out its mandate New Zealand's biggest fault was its failure to give the Samoans technical and administrative training. On the other hand, New Zealand has much on the credit side; it showed a remarkable willingness to grant the people of Western Samoa independence at an early stage; and it has given the Samoans considerable financial benefits. New Zealand is contributing $225,000 a year toward educational development in Western Samoa. As an independence gift, New Zealand also donated assistance to strengthen the administrative system at a cost of $125,000 a year for 5 years.

Western Samoa, unlike many newly independent countries, has not sought to establish many diplomatic posts overseas. It has realized that it not only would be an expensive undertaking, but that it would also divert talent abroad just when it is most needed at home. Western Samoa's foreign affairs are handled through New Zealand diplomatic missions.

For the present the Polynesian state does not propose to join the United Nations, although it has become a member of the United Nations' Economic Commission for Asia and the Far East—ECAFE. The step has made Western Samoa eligible for assistance from the agency.

The question of joining the British Commonwealth has also been put aside for the moment by Western Samoa. For the time being the Commonwealth countries are treating the new state more or less as if it were a member.

Modern Western Samoa is working hard today to make itself an effective and responsible member of the world community. The progress of the first Polynesian state of the 20th century meanwhile is being watched closely by other island groups in the Pacific that are approaching independence.

What I Believe and Why

EXTENSION OF REMARKS
OF

HON. BASIL L. WHITENER

OF NORTH CAROLINA
IN THE HOUSE OF REPRESENTATIVES
Tuesday, January 7, 1964

Mr. WHITENER. Mr. Speaker, an article entitled "What I Believe and Why," written by President Lyndon B. Johnson in April 1959, appeared in the Reader's Digest of January 1964.

I think this is a significant article, and for that reason I ask unanimous consent that it be made a part of the RECORD today:

WHAT I BELIEVE AND WHY

(By Lyndon B. Johnson, President of the United States)

(NOTE.—President Johnson wrote this revealing declaration of his personal and political philosophy when both he and the late President Kennedy were serving in the U.S. Senate. First published in the Texas Quarterly, it is reprinted here from the April 1959 Reader's Digest.)

I am a free man, an American, a U.S. Senator, and a Democrat—in that order. I am also a liberal, a conservative, a Texan, a taxpayer, a rancher, a businessman, a consumer, a parent, a voter, and not as young as I used to be nor as old as I expect to be—and I am all these things in no fixed order.

I am unaware of any descriptive word in the second sentence which modifies, amends, or is related by hyphenation to the terms listed in the first sentence. In consequence, I am not able to define my political philosophy by the choice of a one- or two-word label.

At the heart of my own beliefs is a rebellion against this very process of labeling and filing Americans under headings: regional, economic, occupational, religious, racial, or otherwise. I bridle at the casualness with which we ask each other, "What is your political philosophy?" I resent the question not because I suspect it of guile and cunning, but for its innocence. Our political philosophies, I have found, are the sum of our life's experience. God made no man so simple or his life so sterile that such experience can be summarized in an adjective.

I regard the right to hold one's own political philosophy as a cornerstone of American freedom. Our Constitution is distinctive in that it prescribes no national dogma: economic, social, or religious. The mandate of our American system—and perhaps its ultimate genius—is that the people shall be the true philosophers of the government within limits set by our Nation's basic law.

This is an ennobling concept, but it has certain frailties and we seem quick nowadays to crush it. We crush out the individuality of our political beliefs and, by this process of high-speed sorting and classifying Americans, automate our choice of courses and sterilize our explorations of the reasons why. The American in me, as well as the Texan, reacts strongly against the merging of the individual into the mass in the name of dogma.

Some might point to the Senate, where I serve, and suggest that the example there of a two-party, two-philosophy system contradicts this thesis. The opposite is so. Had I not been privileged to serve in Congress, I might never have come to hold the respect for individuality of philosophy that I do.

The very purpose of our Congress is to arrive at national decisions by bringing together 534 individuals, representing some 174 million individuals, to achieve a consent on the way the Nation should go. Were we bound by rigid dogmas, there would be no more cause for assembling Congress than for bringing the Soviet Presidium together. We are not so bound, and it is a great part of my own philosophy that the Congress reaches a very dubious decision when its choices are made solely by head counts of the partisan division.

This leads to a listing of the specific tenets of my own beliefs:

First. I believe every American has something to say and, under our system, a right to an audience.

Second. I believe there is always a national answer to each national problem, and, believing this, I do not believe that there are necessarily two sides to every question.

Third. I regard achievement of the full potential of our resources—physical and human—to be the highest purpose of governmental policies, next to the protection of those rights we regard as inalienable.

Fourth. I regard waste as the continuing enemy of our society, and the prevention of waste—of resources, of lives, of opportunity—to be the most pressing of the responsibilities of our Government.

These tenets, I concede, are simple. They are certainly personal, for I have developed them over 50 years from my own experience.

Concerning the first, I realize that in these times it may seem excessively idealistic. But I do not believe that it is, either in principle or in practice.

Always in my work at Washington I am reminded of my own origins. I was born to the hill country of Texas, a remote region then and still remote today. My neighbors and relatives there live independently, self-contained. They are distant from many national issues, yet neither distance nor limited information makes them any less a party to the decisions we reach in Congress. Knowing them as I do, I know that it would be much more difficult for me to secure unanimous agreement among them than among the Senators in Washington. In this individuality, my neighbors are not different from Americans everywhere. There is likely to be merit in the views of the minority. We have an obligation to seek out that merit, and not merely to content ourselves with obliging the majority. For the majority's wisdom—however wise—is never the sum of all wisdom.

What we do too often now is to resort to expedients. To grant audiences to 174 million Americans would be exhausting. So we make our classifications, and our cross-classifications, which permit us to forgo the listening and the searching we ought to do. Trouble compounds when, having made our divisions on one basis, we extend the application to other issues and other decisions. Adopting such a pattern, we construct false equations which produce false answers.

This equation process is much a part of our party systems, and contributes to the myth that "there are two sides to every question." True, there are two parties. That is not the same as two sides. But, by maintaining the two-side concept, we satisfy our consciences that when a partisan majority has prevailed there is no need to reexamine an issue. Our reasoning is that since there are two sides, either side would have been acceptable, and hence the answer decided by political strength does not require closer scrutiny.

This popular view is, I feel, counter to our basic American philosophy. I do not believe we have arrived at an answer until we have found the national answer—the answer all reasonable men can agree upon—and our work is not done until that answer is found, even if the process requires years.

Here fits the third tenet of my philosophy—and the fourth. Had America been bound by the Constitutional Convention to the philosophies of the 18th century—and by the limits of the wisdom and vision of those times—we would not have the nation that is ours today. Our rising greatness through more than 180 years has come from our freedom to apply our accumulating knowledge to the processes of our self-government. Or, to state it another way, this has come because America's course has been left to the living. Thus, the 18th-century Constitution has allowed for growth so that it is still strong, still good for our 20th century.

Our Nation, like all other nations, is possessed of certain resources—of nature, of position and of the human mind. Whatever we are to be, we must build from those things at our disposal, and to content ourselves with less than the ultimate potential is to deny our heritage and our duty.

Obviously, having come from a land like Texas, I feel this strongly. Of all endeavors on which I have worked in public life, I am proudest of the accomplishments in developing the Lower Colorado River. It is not the damming of the stream or the harnessing of the floods in which I take pride, but rather in the ending of the waste of the region.

The region—so unproductive in my youth—is now a vital part of the national economy and potential. More important, the wastage of human resources in the whole region has been reduced. New horizons have been opened to young minds, if by nothing more than the advent of electricity into rural homes. Men and women have been released from the waste of drudgery and toil against the unyielding rock of the Texas hills. This is fulfillment of the true responsibility of government.

Conversely, the elimination of waste of this sort carries with it a continuing obligation for government—at all levels—not to create waste itself by extracting from the people the fruits of their new opportunities through improvident excesses in spending and taxing. This is an increasingly critical problem.

These, then, are the tenets of my political philosophy. Some who equate personal philosophies with popular dogmas might inquire, endlessly, as to my "position" on this or that issue. Philosophies, however, are not made of answers to issues, but of approaches more enduring and encompassing. With these approaches I have set down I can seek and, I believe, find answers to issues as they arise.

By personal choice I am a Democrat, for in that party I can best apply and express my beliefs. But I am, as I said in the beginning, a free man, an American, a U.S. Senator and a Democrat, in that order—and there, for me, the classifying stops.

Minority Views on House Joint Resolution 871

EXTENSION OF REMARKS

OF

HON. FRED SCHWENGEL

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 7, 1964

Mr. SCHWENGEL. Mr. Speaker, this joint resolution makes the following principal changes in the National Cultural Center Act, Public Law 85–874; 72 Stat. 1698, as amended:

First. The National Cultural Center is renamed to John F. Kennedy Center for the Performing Arts and is designated as the sole national memorial to the late John Fitzgerald Kennedy within the city of Washington and its environs.

Second. The Board of Trustees of the John F. Kennedy Center for the Performing Arts is required to submit an annual report of its operations, including a detailed statement of all money received and disbursed by it, to Congress, in addition to submitting such a report to the Smithsonian Institution as required by existing law.

Third. The Board is directed to provide within the Center a suitable memorial in honor of the late President and is required to transmit to Congress a detailed report of any such memorial which it proposes to provide. The Board of Regents of the Smithsonian Institution must approve such memorial before it is provided.

Fourth. Appropriations are authorized in the maximum amount of $15,500,000, to match dollar-for-dollar private contributions, for the purpose of carrying out the act. Under existing law the entire cost of the Center is to be financed by private contributions.

Fifth. The Board is authorized to issue revenue bonds having a total face value not in excess of $15,400,000, and the Secretary of the Treasury is directed to purchase such bonds, to finance parking facilities for the Center.

Sixth. The Secretary of the Treasury is authorized to accept on behalf of the United States any gift which he finds to have been contributed in honor of or in memory of the late President John F. Kennedy and to pay the money to appropriate appropriations or other accounts.

I have strongly supported the National Cultural Center from its inception, and I took a leading role in the enactment last year of a 3-year extension of the time during which funds might be raised for its construction.

There are millions of people in America who want a memorial to the late President, John F. Kennedy, and I am one of them, but they, and I, want it to be a suitable and adequate memorial. I introduced a bill, H.R. 9463, to accomplish this very purpose. The millions who sense the need for an adequate memorial should have a voice in its selection, if it is to be national in character and a truly adequate and appropriate memorial. If we build a memorial that does not adequately reflect President Kennedy's deep interest in the basic freedoms, in the dignity and rights of the individual, in his desire for world peace, and in the other things, including the breaking of the religious barrier to the Presidency, that he fought for so valiantly, we will do a great disservice to his memory, and future generations of Americans, and the late President's family, will be dissatisfied and grieved over our failure to act with prudence now. It has been reported that Mrs. John F. Kennedy has become embarrassed because of the naming of so many things after her late husband. Let's not add to the grief of this brave and gracious lady by acting in blind haste to establish a national memorial that may prove to be inadequate.

The National Cultural Center may have the potential of an appropriate memorial if it, and the memorial features to be provided therein, properly reflect the important things for which President Kennedy stood. But there is no assurance that this will be the case, for wholly inadequate thought and study have been given to the matter. If a memorial commission were established, as provided by H.R. 9463, we would not become victims of our own emotional hysteria, dashing about madly looking for ways to express our abhorrence of the horrible crime that took his life and to express our affection for his memory. Such expressions of national feeling for our martyred President are laudable, but a permanent national memorial conceived in emotionalism may not withstand the critical analysis of history. The Washington Monument and the Lincoln and Jefferson Memorials were carefully planned in an atmosphere of calm reflection, and they are adequate and in good taste.

Numerous local and State public facilities have already been, or are being, renamed in his honor, such as Idlewild International Airport in New York City, NASA Launch Operations Center, and Cape Canaveral itself, in Florida, a street from O'Hare Airport to the Loop in Chicago, a toll road from Baltimore, Md., to Wilmington, Del., and others that we hear of from day to day. It has been proposed to rename the Cape Cod Seashore and the District of Columbia Stadium after him. As one of its final acts last session, the Congress authorized the coinage of a new 50-cent piece with the likeness of the late President on it. All these things may be well and good, but mature and considered judgment should be the genesis of a national memorial yet to be constructed, rather than frenzied haste to atone, in some small way, for our shame over the assassination of a uniquely gifted young leader of our country.

I am not in favor of haste merely for haste's sake. Good taste, human compassion, and the need for exercise of mature judgment demand that we take sufficient time to calmly and dispassionately evaluate the greatness of the man and then to design and construct a suitable memorial depicting his greatness that will be supported by history.

House Joint Resolution 871 was hastily drafted and rushed through the Committee on Public Works during the closing days of the 1st session of the 88th Congress. Time was not permitted for adequate questioning of witnesses, and many serious questions as to the adequacy of the Center as a memorial, as to its adequacy as a center for the performing arts, and as to its financial feasibility were summarily passed over. A majority of the committee ordered the joint resolution reported on December 17, 1963, and the committee report was filed the same day, without even affording time for the preparation of minority views to be filed with the report.

What a national disgrace it would be if President Kennedy's memory was limited solely to his interest in the performing arts, and if his national memorial should be a bankrupt theater with, what some claim will be, inadequate seating capacity and without a live resident orchestra to accompany touring operas, ballets, and other performing groups. Testimony before the committee indicated these unfortunate eventualities to be entirely possible, but a majority of the committee, intent upon rushing the joint resolution through, would not permit the time to inquire in detail as to these matters.

I believe the establishment of a national memorial to President Kennedy should follow the time-honored and proven procedure of creating a memorial commission to give full study and consideration to the type of memorial that would be most appropriate to his rightful place in history. It was to serve this end that I introduced H.R. 9463 to establish a John Fitzgerald Kennedy Memorial Commission, to be composed of 13 members, made up of 4 Members of the House of Representatives to be appointed by the Speaker of the House, 4 Members of the Senate to be appointed by the President of the Senate, and 5 members to be appointed by the President of the United States from among private citizens of the United States. This commission would have the duty to make a full and complete study and evaluation with respect to any plan or plans for a memorial and to consult with the members of the immediate family of the late President. My bill would require that the commission submit to the Congress a preliminary report of its findings and recommendations within 6 months after the commission is organized and to submit a final report setting forth the results of its study and evaluation, together with its recommendations, within 3 years.

There is ample precedence for this procedure. By an act approved February 9, 1911, a Lincoln Memorial Commission was created. This commission recommended construction of the now well-known and much visited Lincoln Memorial, for which $3,678,720 was appropriated by Congress. This memorial, which was dedicated on Decoration Day, 1922, is generally accepted by historians and others as being as nearly perfect a memorial to President Lincoln as could be designed.

The Thomas Jefferson Memorial was constructed in accordance with recommendations made by the Thomas Jefferson Memorial Commission, which was created by an act of Congress approved June 26, 1934. Congress appropriated $3,405,064 for its construction, and the memorial was dedicated on April 13, 1943—the 200th anniversary of the birth of President Jefferson.

By an act approved August 11, 1955, Congress established the Franklin Delano Roosevelt Memorial Commission and even more recently, by an act approved April 8, 1960, Congress established the James Madison Memorial Commission, to consider and formulate plans for the design, construction, and location of permanent memorials to these two great Presidents.

There is no reason why a similar commission should not be established to develop plans for a memorial to President Kennedy. In fact, precedence as well as good sense dictates that such a commission should be established to study fully the proposal of making the National Cultural Center the national memorial to President Kennedy as well as to consider alternatives. The real danger in rushing ahead at this time to fix forever the permanent memorial to President Kennedy is that no thought has been given to any alternatives to the Cultural Center proposal, which alternatives might be found to be far more suitable. On the other hand, if such a commission should find that the Cultural Center would be a fully adequate memorial, appropriate memorabilia can be added later without delaying commencement of construction of the Center.

Although I have been a dedicated supporter of a performing arts center in the city of Washington, I am equally, if not more, interested in the establishment of a suitable national memorial to President Kennedy. If both of these purposes can be served adequately by the same facility, then it will have my full support. We do not now know this to be a fact, however. We must not let our enthusiasm for the National Cultural Center override our better judgment and permit the memory of our late President to be used to promote funds for the Center, in derogation of the establishment of a proper memorial. We may be taking unjustified advantage of a deeply sentimental situation. If what we do proves to be a mistake, it will evidence a national instability that is not truly reflective of our national character.

In my opinion, House Joint Resolution 871 should not be enacted at this time, but instead, a bill similar to H.R. 9463, to establish a John Fitzgerald Kennedy Memorial Commission, should be enacted. I propose to offer the House of Representatives an opportunity to substitute the provisions of H.R. 9463 for those of House Joint Resolution 871. However, if House Joint Resolution 871 is to be enacted now, it should be amended to provide, at least, for the appointment of a congressional commission to pass upon the details of any memorial to President Kennedy proposed to be provided within the Center. To accomplish this purpose, in the event the provisions of H.R. 9463 are not substituted for those of House Joint Resolution 871, I plan to offer an amendment to House Joint Resolution 871 substantially as follows:

Page 3, line 11, strike out "subsection" and insert in lieu thereof "subsections".

Page 3, line 17, after "Institution" insert the following: "and the John Fitzgerald Kennedy Memorial Commission".

Page 3, strike out line 18 and insert in lieu thereof the following: "'such memorial.

"'(e) There is hereby established a Commission to be known as the John Fitzgerald Kennedy Memorial Commission to be composed of eight members chosen as follows:

"'(1) Four Members of the House of Representatives to be appointed by the Speaker of the House of Representatives; and

"'(2) Four Members of the Senate to be appointed by the President of the Senate.

Any vacancy in the Commission shall not affect its powers but shall be filled in the same manner in which the original appointment was made. Five members of the Commission shall constitute a quorum. The Commission shall cease to exist sixty days after its approval of a memorial as provided in subsection (d) of this section.'; and".

Report of Activities of the House Committee on Armed Services

EXTENSION OF REMARKS

OF

HON. CARL VINSON

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 7, 1964

Mr. VINSON. Mr. Speaker, under unanimous consent to extend my remarks, I insert in the CONGRESSIONAL RECORD the report of activities of the House Committee on Armed Services, including the report of the Subcommittee for Special Investigations, for the 1st session of the 88th Congress:

REPORT OF THE ACTIVITIES OF THE HOUSE COMMITTEE ON ARMED SERVICES, 88TH CONGRESS, 1ST SESSION

During the 1st session, 88th Congress, 229 meetings were held by the full Committee on Armed Services and its subcommittees, as follows:

Full committee	74
Subcommittee No. 1	16
Subcommittee No. 2	8
Subcommittee No. 3	63
Central Intelligence Agency Subcommittee	5
National Military Airlift Subcommittee	5
Real Estate and Construction Subcommittee	11
Research and Development Subcommittee	27
Special Investigations Subcommittee	20
Total meetings	229

COMMITTEE ACTIONS

A total of 38 bills and resolutions were reported to the House. Of this number, 36 were passed by the House and 2 are pending on the House Calendar. Of the bills passed by the House, 17 have been enacted into law and 19 are pending before the Senate.

In addition to these legislative actions, 134 acquisition and disposal projects were referred to the Real Estate and Construction Subcommittee for consideration; 125 of these projects were approved, 2 disapproved, and 7 withdrawn by the department which made the submission.

There were 35 printed hearings and special reports, containing 6,890 pages of printed hearings and reports.

RÉSUMÉ OF COMMITTEE ACTIONS

Private laws

Private Law 88-35, H.R. 2192, To Authorize the Readmittance of Walter Sowa, Jr., to the U.S. Naval Academy

Mr. Sowa was admitted to the U.S. Naval Academy as a congressional candidate from the second district of New Hampshire on July 1, 1957, and discharged on July 11, 1960, for reason of physical disability caused by deafness. After thorough examination, approved by the Bureau of Medicine and Surgery, Department of the Navy, Mr. Sowa was found to be physically qualified for reinstatement to the Academy. Legislation was necessary, however, because Mr. Sowa exceeded the maximum age established by law for appointment to the Academy; and since the number of midshipmen at the Naval Academy may not exceed limitations established by law.

Public laws

Public Law 88-2, H.R. 2438, To Extend the Induction Provisions of the Universal Military Training and Service Act, and for Other Purposes

This law extends the authority to induct individuals into the Armed Forces from July 1, 1963, to July 1, 1967, a period of 4 years.

Also, it extends the suspension on strength limitations of the Armed Forces from July 1, 1963, to July 1, 1967, a period of 4 years.

It also extends the Dependents Assistance Act, the law under which E-1's, E-2's, E-3's, and E-4's with 4 years of service or less are entitled to increased allowances, because of dependents, from July 1, 1963, to July 1, 1967, a period of 4 years.

In addition, it extends the so-called doctors draft law from July 1, 1963, to July 1, 1967, a period of 4 years.

Finally, it extends from July 1, 1963, to July 1, 1967, the authority to grant special pay to physicians, dentists, and veterinarians who are ordered to active duty before that date.

Public Law 88-8, S. 1089 (H.R. 307), To Authorize the Sale, Without Regard to the Six-Month Waiting Period Prescribed, of Cadmium Proposed To Be Disposed of Pursuant to the Strategic and Critical Materials Stock Piling Act

This legislation provides congressional approval of the disposition of 2 million pounds of cadmium held in the national stockpile. In addition, the bill waives the 6-month waiting period ordinarily required for the disposal of strategic and critical materials from the national stockpile.

Public Law 88-28, H.R. 2440, To Authorize Appropriations During Fiscal Year 1964 for Procurement, Research, Development, Test, and Evaluation of Aircraft, Missiles, and Naval Vessels for the Armed Forces, and for Other Purposes

Public Law 88-28 provided authorization in the amount of $15,314,291,000 for defense programs for fiscal year 1964 in two major areas.

It included authorization of appropriations in the amount of $11,915,200,000 for the procurement of aircraft, missiles, and naval vessels in form identical to previous enactments of the fund authorizations required pursuant to section 412(b) of Public Law 86-149, as initially approved August 10, 1959.

It also included a similar authorization of appropriations in the amount of $3,399,091,000 for the research, development, test, and evaluation of aircraft, missiles, and naval vessels as required for the first time by the amendment to section 412(b) contained in Public Law 87-436, approved April 27, 1962.

Section 412(b) of Public Law 86-149 provided that "no funds may be appropriated after December 31, 1960, to or for the use of any armed force of the United States for the procurement of aircraft, missiles, or naval vessels, unless the appropriation of such funds has been authorized by legislation enacted after such date."

Public Law 87-436, added to the authority quoted above: "* * * the research, development, test, or evaluation of aircraft, missiles, or naval vessels * * *."

Public Law 88-41, H.R. 2439, To Authorize the Secretary of Defense To Lend Certain Army, Navy, and Air Force Equipment and Provide Certain Services to the Boy Scouts of America For Use in the 1964 National Jamboree, and for Other Purposes

This legislation authorized the Secretary of Defense to lend certain Army, Navy, and Air Force equipment and to provide other logistical services as may be necessary to support the Sixth National Jamboree of the Boy Scouts of America to be held at Valley Forge State Park, Pa., during the period beginning in July and ending in August 1964.

Public Law 88-63, H.R. 6681, To Improve the Active Duty Promotion Opportunity of Air Force Officers From the Grade of Major to the Grade of Lieutenant Colonel

This law permits the Department of the Air Force to exceed the numerical limitations on the number of officers who may serve in the grade of lieutenant colonel by 4,000 for a period of 1 more year.

Public Law 88-77, H.R. 2998, To Amend Titles 10, 14, and 38, United States Code, With Respect to the Award of Certain Medals and the Medal of Honor Roll

This law expands the authority for the award of the Medal of Honor, the Distinguished Service Cross, the Navy Cross, the Air Force Cross, and the Silver Star by the various military departments, and the Coast Guard, with respect to the Medal of Honor, so our Government can give proper recognition to acts of heroism and gallantry which may occur during cold war conditions short of situations when our Armed Forces are at war with an enemy of the United States. Personnel receiving the Medal of Honor under the qualifying provision of this law will have their names placed on the Medal of Honor roll and receive the certificate and pension provided by sections 561 and 562 of title 38, United States Code, beginning at age 50.

Public Law 88-82, S. 546, To Authorize the Secretary of the Navy To Grant Easements for the Use of Lands in the Camp Joseph H. Pendleton Naval Reservation, Calif., for a Nuclear Generating Station.

This legislation authorizes the granting of an easement for the use of approximately 90 acres of land located in the extreme northwest corner of Camp Pendleton, Calif., to Southern California Edison Co. and San Diego Gas & Electric Co. The easement, to be granted at fair market value, will permit the two companies to construct and operate a nuclear generating plant on the land. Additional easements will be granted for access road, railroad sidings, and transmission lines.

Public Law 88-107, Senate Joint Resolution 51 (H.J. Res. 367), To Authorize the Presentation of an Air Force Medal of Recognition to Maj. Gen. Benjamin D. Foulois, Retired

The purpose of this law is to appropriately recognize the outstanding contributions of Maj. Gen. Benjamin D. Foulois, retired, to the development of airpower.

Public Law 88–110, H.R. 6996, To Repeal Section 262 of the Armed Forces Reserve Act, as Amended, and To Amend the Universal Military Training and Service Act, as Amended, To Revise and Consolidate Authority for Deferment From, and Exemption From Liability for Induction for, Training and Service for Certain Reserve Membership and Participation, and To Provide a Special Enlistment Program, and for Other Purposes

The purpose of the legislation is to consolidate into one provision of law the authority for the special enlistment active duty for training programs available to Reserve personnel.

The law provides the departments with authority to continue in effect a modified form of the so-called 6-month training program available to non-prior-service personnel. The program would permit enlistments for a 6-year period of Reserve service, 4 months or more of which would be performed on active duty for training.

The law will provide equity in the Reserve program by establishing a maximum 6-year Reserve obligation for all personnel.

Public Law 88–132, H.R. 5555, To Amend Title 37, United States Code, To Increase the Rates of Basic Pay for Members of the Uniformed Services, and for Other Purposes

This law is the Uniformed Services Pay Act of 1963. It provides:

1. Increases in basic pay for members of the uniformed services with over 2 years of service.

2. Permanent professors at the Military and Air Force Academies after 36 years of service are entitled to a pay supplement of $250 a month, not to be included in computing retired pay.

3. Increased special pay for physicians and dentists at the 6-year point from $200 to $250 a month; and from $250 to $350 at the 10-year point.

4. Recomputation of retirement pay:

Persons retired prior to June 1, 1958, who are paid retired pay under the Career Compensation Act, may elect to recompute their retirement pay under pay scales in effect on September 30, 1963, or receive a 5-percent cost-of-living increase, based upon their retirement pay, whichever is greater.

Persons retired after June 1, 1958, but before April 1, 1963, receive a 5-percent cost-of-living increase based upon their retirement pay.

All persons originally retiring after April 1, 1963, will compute their retirement pay based upon the new pay scales in Public Law 88–132.

Persons retired under laws other than the Career Compensation Act receive a 5-percent cost-of-living increase.

Retired and retainer pay in the future will be adjusted to reflect changes in the Consumer Price Index. In January of each calendar year after 1963, the Secretary of Defense shall determine the percent that the annual average of the Consumer Price Index (all items—U.S. city average) published by the Bureau of Labor Statistics for the preceding calendar year has increased over that for 1962 or, if later, for the calendar year preceding that in which the most recent adjustment in retired or retainer pay has been made under this law. If the Secretary determines the percent of that increase to be 3 or more, the retired or retainer pay of a member or former member of the Armed Forces who became entitled to that pay before January 2 of the year in which the Secretary makes that determination shall, as of April 1 of that year, be increased by that percent, adjusted to the nearest one-tenth of 1 percent.

5. Submarine pay for certain members training for duty on nuclear-powered submarines is authorized.

6. Incentive pay for duty inside a high- or low-pressure chamber is authorized.

7. Multiple payments of incentive pay is authorized.

8. Special pay for duty subject to hostile fire providing $55 a month is authorized. It is not retroactive.

9. Foreign duty pay is hereafter permissive. The President is given the authority to authorize foreign duty pay in the locations outside the continental United States that he selects.

10. A new family separation allowance of $30 a month is authorized for those serving in grade E–4 (more than 4 years of service) and above, where dependents are prevented from being with their service sponsor. It is not authorized for those occupying Government quarters.

11. Officers in the grade of major and above who are without dependents quarters may elect not to occupy Government quarters even though they are available, and at the same time be eligible to receive their quarters allowances.

Public Law 88–145, S. 812, To Provide for the Release of Restrictions and Reservations on Certain Real Property Heretofore Conveyed to the State of Arkansas by the United States of America

The purpose of this law is to authorize the Secretary of the Army to release certain restrictions and reservations on certain real property previously conveyed to the State of Arkansas by the Secretary of the Army upon payment by the State of Arkansas to the United States of the fair market value of the property concerned.

The objective of the legislation is to grant relief to the Arkansas State Board of Education which is the unwitting victim of circumstances over which it had no control.

Public Law 88–154, S. 1994, To Authorize the Disposal, Without Regard to the Prescribed 6-Month Waiting Period, of Certain Waterfowl Feathers and Down From the National Stockpile

This legislation authorizes disposal of approximately 5,800,000 pounds of waterfowl feathers and down from the national stockpile and waives the requirement for a 6-month waiting period before this disposal could begin.

Public Law 88–174, H.R. 6500, To Authorize Certain Construction at Military Installations, and for Other Purposes

The purpose of this legislation is to provide military construction authorization and related authority in support of the military departments during fiscal year 1964.

The total authorization granted is as follows:

New authorization:	
Title I (Army)	$199,633,000
Title II (Navy)	202,462,000
Title III (Air Force)	488,367,000
Title IV (Defense agencies)	24,403,000
Title V (Housing)	685,312,000
Subtotal	1,600,177,000
Deficiency authorization:	
Title I (Army)	$3,209,000
Title II (Navy)	87,000
Title III (Air Force)	166,000
Total	3,462,000
Title VII (Reserve components):	
Army National Guard	7,500,000
Army Reserve	4,700,000
Naval and Marine Corps Reserve	5,700,000
Air National Guard	15,970,380
Air Force Reserve	4,600,000
Total	38,470,380
Deficiency authorizations:	
Army National Guard	84,000
Army Reserve	60,000
Total	144,000
Grand total of all authorities	1,642,253,380

Public Law 88–228, S. 1767, To Authorize the Secretary of the Army To Convey a Certain Parcel of Land to the State of Delaware, and for Other Purposes

This law authorizes the Secretary of the Army to convey to the State of Delaware certain property located at the Fort Miles Military Reservation which is now excess to military requirements.

Public Law 88–236, H.R. 3005, To Amend Sections 510 and 591, of Title 10, United States Code, To Remove the Requirement that an Alien Must Make a Declaration of Intention To Become a Citizen of the United States Before He May Be Enlisted or Appointed in a Reserve Component

This law eliminated an obsolete requirement in the statutes relating to enlistments and appointments in the Reserve Forces.

Public Law 88–238, H.R. 4338, To Amend Title 37, United States Code, to Authorize Travel and Transportation Allowances for Travel Performed Under Orders that Are Canceled, Revoked, or Modified, and for Other Purposes

This law authorizes reimbursement to a member of the uniformed services for travel performed by himself and/or his dependents, or both, under orders that direct him to make a permanent change of station and that are canceled, revoked, or modified, directing his return to the station from which he was being transferred, or are modified to direct him to make a different permanent change of station.

This law is retroactive to October 1, 1949.

At the close of the 1st session, 88th Congress, the following bills which were reported to the House of Representatives by the Committee on Armed Services were—

1. Pending on the House Calendar:

H.R. 6600, to amend title 10, United States Code, with respect to the appointment of the members of the Joint Chiefs of Staff.

H.R. 9124, to amend title 10, United States Code, to vitalize the Reserve Officers' Training Corps programs of the Army, Navy, and Air Force, and for other purposes. (Considered by House under suspension of rules, on December 2, 1963, and failed of passage.)

2. Passed by the House and pending in the Senate:

H.J. Res. 375, providing for appropriate ceremonies in connection with the raising and lowering of the flags of the United States surrounding the Washington Monument.

H.R. 189, to authorize the conveyance of certain Federal land under the jurisdiction of the Naval Ordnance Test Station, China Lake, Calif., to the county of Kern, State of California.

H.R. 384, to amend title 10, United States Code, to provide that members of the Armed Forces shall be retired in the highest grade satisfactorily held in any armed force, and for other purposes.

H.R. 393, to make retrocession to the Commonwealth of Massachusetts of jurisdiction over certain land in the vicinity of Fort Devens, Mass.

H.R. 2512, to clarify the status of members of the National Guard while attending or instructing at National Guard schools established under the authority of the Secretary of the Army or Secretary of the Air Force, as the case may be, and for other purposes.

H.R. 2664, to amend section 6(o) of the Universal Military Training and Service Act to provide an exemption from induction for the sole surviving son of a family whose father died as a result of military service.

H.R. 2988, to amend title 10, United States Code, to provide for participation by members of the Armed Forces in international sports activities.

H.R. 2989, to further amend the Missing Persons Act to cover certain persons detained in foreign countries against their will, and for other purposes.

H.R. 3179, to provide that judges of the U.S. Court of Military Appeals shall hold office during good behavior, and for other purposes.

H.R. 4177, to authorize the Secretary of the Army to convey to the city of St. Paul, Minn., all right, title, and interest of the United States in and to certain lands heretofore conveyed to such city.

H.R. 4739, to amend section 406 of title 37, United States Code, with regard to advance movement of dependents and baggage and household effects of members of the uniformed services.

H.R. 6000, to amend title 10, United States Code, to change the method of computing retired pay of certain enlisted members of the Army, Navy, Air Force, or Marine Corps.

H.R. 6767, to amend title 10, United States Code, to provide gold star lapel buttons for the next of kin of members of the Armed Forces who lost or lose their lives in war or as a result of cold war incidents.

H.R. 7248, to change the designated use of certain real property conveyed by the Department of the Air Force to the city of Fort Walton Beach, Fla., under the terms of Public Law 86-194.

H.R. 7356, to amend title 10, United States Code, relating to the nomination and selection of candidates for appointment to the Military, Naval, and Air Force Academies.

H.R. 7499, to authorize the Secretary of the Air Force or his designee to convey 0.25 acre of land to the city of Oroville, Calif.

H.R. 8200, to further amend the Federal Civil Defense Act of 1950, as amended, to provide for shelter in Federal structures, to authorize payment toward the construction or modification of approved public shelter space, and for other purposes.

H.R. 8265, to confer jurisdiction over the Iowa ordnance plant reservation upon the State of Iowa.

H.R. 8427, to provide for the establishment of a Central Intelligence Agency retirement and disability system for a limited number of employees, and for other purposes.

RÉSUMÉ OF ACTIVITIES OF SPECIAL SUBCOMMITTEES

National Military Airlift Subcommittee

March 1, 1963, the chairman appointed a special Subcommittee on National Military Airlift to review the actions taken to implement the recommendations contained in the 1960 report of the previous Airlift Subcommittee.

The subcommittee was to determine the degree to which the previous recommendations had been implemented, update all the salient points pertinent to military airlift, and determine whether or not any new problems had arisen during the 3-year interval.

The review revealed that of the 11 recommendations made in the 1960 report, 10 had been implemented in whole or major part. The one recommendation on which no action had been taken was the redesignation of MATS as the Military Airlift Command. At the conclusion of this year's review the subcommittee reiterated its conviction that sound reasons exist for this redesignation.

The subcommittee was gratified to learn that the long-range airlift capabilities of MATS have been increased by 60 percent over the past 3 years, and that this capability will be quadrupled by 1968 if the current C-141 procurement program is fully implemented. However, deficiencies in airlift capabilities remain because of the Army reorganization under the ROAD concept and because of increased emphasis on maintaining a quick reaction capability to move Army forces to any trouble spot in the world.

The deficiencies result in part from the fact that substantial tonnages of very heavy and outsized equipment that is organic to an Army division cannot be air transported at all, or can now be transported only in the C-124 and C-133 aircraft. Both of these aircraft currently are planned to be phased out of the active inventory in the 1968-69 time period.

It is the judgment of the subcommittee that a new, very large, turbine-powered aircraft must be developed as a followon for the C-124's and C-133's. The subcommittee recommended the earliest possible approval of plans for the development of such an aircraft.

Subcommittee for Special Investigations

House Resolution 84, passed by the House, January 31, 1963, authorizes the Committee on Armed Services, acting as a whole or by subcommittee appointed by the chairman of the Committee on Armed Services, to conduct a full and complete investigation and study of all matters—

1. Relating to the procurement, use, and disposition of material, equipment, supplies, and services, and the acquisition, use, and disposition of real property, by or within the Department of Defense;

2. Relating to the military and civilian personnel under the jurisdiction of the Department of Defense;

3. Involving the laws, regulations, and directives administered by or within the Department of Defense;

4. Involving the use of appropriated and nonappropriated funds by or within the Department of Defense;

5. Relating to scientific research and development in support of the armed services; and

6. All other matters within the legislative jurisdiction conferred by law or the rules of the House of Representatives upon the Committee on Armed Services.

House Resolution 146, passed by the House February 27, 1963, appropriated $150,000 for the expenses of conducting the investigations and inquiries authorized by House Resolution 84. Both resolutions were made effective from January 4, 1963.

On January 29, 1963, by Committee Resolution No. 5, the Committee on Armed Services authorized a special investigations subcommittee, with the members of the majority to be selected by the chairman of the committee and those from the minority to be selected upon recommendation of the ranking minority member of the full committee. Pursuant to this authority, Chairman VINSON, by letter dated January 31, 1963, to Hon. PORTER HARDY, JR., appointed the following as members of the subcommittee: Hon. PORTER HARDY, JR., chairman; Hon. RICHARD E. LANKFORD, Hon. OTIS G. PIKE, Hon. WALTER NORBLAD, and Hon. CHARLES S. GUBSER.

This subcommittee has jurisdiction over such matters as are assigned to it by the chairman of the full committee in accordance with House Resolution 84.

The subcommittee operates within the general scope of subcommittees previously organized by the Committee on Armed Services, under successive resolutions since the 81st Congress. The subcommittee's rules appear in a document entitled "Rules and Organization of the Subcommittee for Special Investigations of the Committee on Armed Services, U.S. House of Representatives, Under Authority of House Resolution 84, 88th Congress." The rules were adopted at an executive session of the subcommittee on March 5, 1963, and ordered to be printed for the information of persons having business before the subcommittee.

The professional staff and clerical assistance authorized under House Resolution 146 consist of a special counsel, an investigator, and three clerical employees.

The monthly and cumulative expenses of the subcommittee are reported in its monthly report, submitted by the chairman of the full committee to the chairman of the Committee on House Administration. These expenses also were reported in detail in the CONGRESSIONAL RECORD of this year.

STUDIES RESULTING IN REPORTS AND/OR HEARINGS

1. Relation of cost data to military procurement

The authority of the General Accounting Office to examine cost data was challenged by a contractor from whom the Department of the Air Force had purchased electronic equipment under a contract which totaled approximately $2 million. The contractor, Hewlett-Packard Co. of Palo Alto, Calif., sought support for its position in part in Public Law 87-653. The immediate purpose of the subcommittee's inquiry was to review the facts to determine the need for or desirability of recommending legislative action to clarify the intent of Congress in existing legislation.

After several weeks of investigation both in Washington, D.C., and at Dayton, Ohio, a hearing was held on May 22, 1963, at which representatives of the General Accounting Office and the Department of Defense testified. Representatives of the Department of the Air Force and Hewlett-Packard Co. attended as observers.

The subcommittee has taken no further action, since the General Accounting Office and Hewlett-Packard Co. agreed to submit the dispute to the courts for judicial determination. The matter is presently being handled by the Department of Justice.

The hearings have been printed.

2. Russian trawlers traffic in U.S. territorial waters

The subcommittee received reports concerning the activity of the Russian fishing fleet, particularly along the coast of Florida. After several weeks of investigation, both in Washington and the field, public hearings were held on July 9 and 10. Testimony was received from representatives of the U.S. Coast Guard, the Department of State, the Department of the Navy, and a private charter-boat operator. The hearings were printed.

The subcommittee submitted a unanimous report to the chairman of the full committee which recommended, among other things (1) that the Departments of State and the Navy, and the Coast Guard adopt a uniform national policy which would permit the Coast Guard to take such immediate and unilateral action as may be required in the national interest whenever vessels having electronic or other capabilities which constitute a threat to the security of our country are found transiting our territorial waters; and (2) that the Seventh Coast Guard District publicize the assistance which civilian sources could render to augment its surveillance activities, and, particularly, invite commercial and private boatowners to report all sightings of Iron Curtain craft in U.S. coastal waters.

The agencies concerned were requested to comment on the recommendations. Their responses indicated general agreement; the Coast Guard response contained the details of the national policy on the surveillance of the Russian trawlers, as well as the procedures established by the three agencies to implement the policy. The policy, if fully implemented, would meet generally the subcommittee's recommendations.

3. Air defense system changes

On April 26, 1963, the Department of Defense, through its Office of Public Affairs, announced "a realinement of the U.S. air defense forces." The announcement identified by location the 6 semiautomatic ground environment (SAGE) direction centers and 17 long-range radars that would be closed.

At the direction of the chairman of the full committee, an investigation was initiated in May 1963 to determine the procedural manner in which the decision was made and the effect of the planned changes on our defense system. The investigation entailed the review and analysis of several thousand pages of Department of Defense, North American Air Defense Command, and Air Defense Command documents, the interview of numerous military and Department of Defense personnel and 3 days of hearings, June 20, and July 11 and 18, which, because of the nature of the security information involved, were held in executive session.

The subcommittee's unanimous report, also classified, was transmitted to the chairman of the full committee by letter from the chairman of the subcommittee on October 28, 1963. Chairman Vinson, in turn, transmitted copies of the report to the Secretary of Defense and the Secretary of the Air Force, inviting any comments they cared to make, particularly with respect to the report's salient conclusions. Secretary Zuckert's reply of November 6, 1963, indicated his support for the Air Force position expressed to the subcommittee by Assistant Secretary Imirie and General LeMay. An interim acknowledgment of November 1, 1963, was received from the Office of the Secretary of Defense, but no official comment on the conclusions has been made by Mr. McNamara.

4. Air Force procurement policies, procedures, and practices

In order to examine certain stated Air Force procurement policies, procedures, and practices and compare them with actual performance, the subcommittee chose as a case study contracts between the Air Force and TYCO Laboratories, Inc. The contracts call for basic research in the field of energy conversion; their costs to date are $1,150,000, and the Air Force has stated that before the work is completed the cost to the Government may run as high as $10 million. The contracts are sponsored by the Air Force Cambridge Research Laboratories, one of the tenant organizations at Hanscom Air Force Base, Bedford, Mass.; the laboratories are a part of the Air Force Office of Aerospace Research. Procurement services are provided the laboratories by the Electronic Systems Division (ESD), the host organization at Hanscom. ESD is a part of the Air Force Systems Command.

The subcommittee's inquiry to date has been directed toward determining whether the Air Force has properly executed its contracting responsibilities; particularly, whether the procurement function of ESD has been dominated in this instance by Cambridge Research Laboratories.

The study is not complete at this date. Five days of public hearings have been held, August 21, November 12, 13, and 14, and December 2, 1963. A report is being drafted and it is expected that it will be ready for submission to the chairman of the full committee in early January 1964.

GENERAL ACCOUNTING OFFICE AND SUBCOMMITTEE ACTIVITIES

The reports of the General Accounting Office on subjects within the purview of the subcommittee are referred to the subcommittee as they are issued.

CONTINUING STUDIES

The subcommittee has under continuing study a number of specific cases which fall into rather definite groupings. Practically all of these relate to procurement, including such categories as sole source, small business, inadequacy or restrictiveness of bid invitation specifications, etc.

SENATE

Wednesday, January 8, 1964

The Senate met at 12 o'clock meridian, and was called to order by the President pro tempore.

Rev. Silas G. Kessler, D.D., moderator of the general assembly, the United Presbyterian Church in the U.S.A., and pastor of the First Presbyterian Church, Hastings, Nebr., offered the following prayer:

Almighty God, who hast made and preserved us a nation, we acknowledge Thee to be the Lord. Thou dost rule and overrule in the affairs of men and of nations. Thou dost seek to bless and to guide all the sons of men, and we would be numbered among those who follow in holy obedience the way which Thou dost chart.

We give Thee most hearty thanks, our Father, for the lavish bounties showered upon us as a people, for Thy grace which sustains us throughout all our earthly pilgrimage, for Thy mercy which covers all our sin, and for Thy truth which leads unto the perfect day.

Cause Thy favor and Thy benediction, we beseech Thee, to rest upon these, Thy servants, upon whose shoulders rest the awesome burdens of government. Grant them the wisdom which is from above, that they may always discern the right and may then be valiant for the things which make for greatness and for goodness in the life of the Nation. May all their service this year be fruitful for life, liberty, and the pursuit of happiness.

This we pray in the name of the Lord of Hosts, whose favor is better than life, and whose faithfulness endureth unto all generations. Amen.

THE JOURNAL

On request of Mr. Mansfield, and by unanimous consent, the reading of the Journal of the proceedings of Tuesday, January 7, 1964, was dispensed with.

ATTENDANCE OF SENATORS

The following additional Senators attended the session of the Senate today:

Clinton P. Anderson, a Senator from the State of New Mexico; J. Caleb Boggs, a Senator from the State of Delaware; Daniel B. Brewster, a Senator from the State of Maryland; Harry Flood Byrd, a Senator from the State of Virginia; Carl T. Curtis, a Senator from the State of Nebraska; J. Howard Edmondson, a Senator from the State of Oklahoma; Sam J. Ervin, Jr., a Senator from the State of North Carolina; Philip A. Hart, a Senator from the State of Michigan; Lister Hill, a Senator from the State of Alabama; Edward V. Long, a Senator from the State of Missouri; Russell B. Long, a Senator from the State of Louisiana; Eugene J. McCarthy, a Senator from the State of Minnesota; Edmund S. Muskie, a Senator from the State of Maine; John O. Pastore, a Senator from the State of Rhode Island; Abraham Ribicoff, a Senator from the State of Connecticut; Richard B. Russell, a Senator from the State of Georgia; Leverett Saltonstall, a Senator from the State of Massachusetts; George A. Smathers, a Senator from the State of Florida; and Harrison A. Williams, Jr., a Senator from the State of New Jersey.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Bartlett, one of its reading clerks, informed the Senate that a quorum of the House is present and that the House is ready to proceed with business.

The message announced that a committee of three Members had been appointed by the Speaker, on the part of the House of Representatives, to join with a committee on the part of the Senate to notify the President of the United States that a quorum of each House has assembled and Congress is ready to receive any communication that he may be pleased to make.

The message also announced that the House had agreed to a concurrent resolution (H. Con. Res. 250) establishing that the two Houses of Congress assemble in the Hall of the House of Representatives on Wednesday, January 8, 1964, at 12:30 o'clock in the afternoon, in which it requested the concurrence of the Senate.

The message communicated to the Senate the intelligence of the death of Hon. Howard H. Baker, late a Representative from the State of Tennessee, and transmitted the resolutions of the House thereon.

REPORT OF COMMITTEE TO NOTIFY THE PRESIDENT

Mr. MANSFIELD. Mr. President, your committee appointed on the part of the Senate to join a similar committee on the part of the House of Representatives to notify the President of the United States that a quorum of each House has assembled and is ready to receive any communication he may be pleased to make, begs to report that they have performed that duty, and that the President advised us that he would be pleased to address the two Houses in joint session at 12:30 o'clock p.m., today.

JOINT SESSION TO RECEIVE COMMUNICATION FROM THE PRESIDENT

The PRESIDENT pro tempore. The Chair lays before the Senate a concurrent resolution of the House of Representatives, which will be read.

The concurrent resolution (H. Con. Res. 250) was read, as follows:

Resolved by the House of Representatives (the Senate concurring), That the two Houses of Congress assemble in the Hall of the House of Representatives on Wednesday, January 8, 1964, at 12:30 o'clock in the afternoon, for the purpose of receiving such communications as the President of the United States shall be pleased to make to them.

Mr. MANSFIELD. Mr. President, I ask unanimous consent for the immediate consideration of the resolution.

There being no objection, the resolution was considered and agreed to.

Mr. MANSFIELD. Mr. President, I suggest the absence of a quorum.

The PRESIDENT pro tempore. The clerk will call the roll.

The Chief Clerk proceeded to call the roll.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDENT pro tempore. Without objection, it is so ordered.

JOINT SESSION OF THE TWO HOUSES—ADDRESS BY THE PRESIDENT OF THE UNITED STATES ON THE STATE OF THE UNION (H. DOC. NO. 251)

Mr. MANSFIELD. Mr. President, I move, in accordance with House Concurrent Resolution 250, that the Senate now proceed in a body to the Hall of the House of Representatives.

The motion was agreed to; and (at 12 o'clock and 11 minutes p.m.) the Senate, preceded by its Secretary (Felton M. Johnston), its Deputy Sergeant at Arms (Robert G. Dunphy), and the President pro tempore, the Senator from Arizona [Mr. Hayden], proceeded to the Hall of the House of Representatives to hear the address by the President of the United States on the state of the Union.

(The address by the President of the United States, this day delivered by him to the joint session of the two Houses of Congress, appears in the proceedings of the House of Representatives in today's Record.)

LEGISLATIVE SESSION

Upon the conclusion of the joint meeting of the two Houses, the Senate returned to its Chamber at 1 o'clock and 30 minutes p.m., and was called to order by the President pro tempore.

Mr. MANSFIELD. Mr. President, I assume that it is now in order to introduce bills, insert articles and speeches in the Record, and even to make speeches.

The PRESIDENT pro tempore. Morning business is in order.

LIMITATION OF DEBATE DURING MORNING HOUR

Mr. MANSFIELD. Mr. President, I ask unanimous consent that there be the usual morning hour, and that there be a time limitation of 3 minutes connected therewith.

The PRESIDENT pro tempore. Without objection, it is so ordered.

APPOINTMENT BY THE PRESIDENT PRO TEMPORE

The PRESIDENT pro tempore. The Chair announces the appointment of the Senator from Massachusetts [Mr. Kennedy] as a member of the U.S. delegation to the Canadian-United States Parliamentary Conference in lieu of the Senator from Connecticut [Mr. Dodd], who is resigning.

EXECUTIVE COMMUNICATIONS, ETC.

The PRESIDENT pro tempore laid before the Senate the following letters, which were referred as indicated:

Report on Judgments Rendered by U.S. Court of Claims (S. Doc. No. 54)

A letter from the clerk, U.S. Court of Claims, Washington, D.C., transmitting, pursuant to law, a report on judgments rendered by that court, for the year ended September 30, 1963 (with an accompanying report); to the Committee on Appropriations and ordered to be printed.

Reports on Reapportionment of Appropriations

Two letters from the Director, Bureau of the Budget, Executive Office of the President, reporting, pursuant to law, that certain appropriations in the Department of Agriculture and Department of the Interior were reapportioned on a basis which indicates the necessity for supplemental estimates of appropriations; to the Committee on Appropriations.

A letter from the Acting Deputy Director, Bureau of the Budget, Executive Office of the President, reporting, pursuant to law, that the appropriation to the Department of Labor for "Unemployment compensation for Federal employees and ex-servicemen," for the fiscal year 1964, had been apportioned on a basis which indicates the necessity for a supplemental estimate of appropriation; to the Committee on Appropriations.

Report on Overobligation of an Appropriation

A letter from the Director, National Science Foundation, reporting, pursuant to law, on the overobligation of an appropriation within that Department; to the Committee on Appropriations.

Report on Flight Pay, Department of the Army

A letter from the Secretary of the Army, transmitting, pursuant to law, a report on flight pay, for the 6-month period ended December 31, 1963 (with an accompanying report); to the Committee on Armed Services.

Publication Issued by Federal Power Commission

A letter from the Chairman, Federal Power Commission, Washington, D.C., transmitting, for the information of the Senate, a publication issued by that Commission, entitled "Statistics of Electric Utilities in the United States, 1961, Publicly Owned" (with an accompanying document); to the Committee on Commerce.

Report of the Chesapeake & Potomac Telephone Co.

A letter from the vice president, the Chesapeake & Potomac Telephone Co., Washington, D.C., transmitting, pursuant to law, a report of that company, for the calendar year 1963 (with an accompanying report); to the Committee on the District of Columbia.

Report of the Renegotiation Board

A letter from the Chairman, the Renegotiation Board, Washington, D.C., transmitting, pursuant to law, a report of that Board, for the fiscal year ended June 30, 1963 (with an accompanying report); to the Committee on Finance.

Report on Receipts, Expenditures and Balances of U.S. Government

A letter from the Secretary of the Treasury, transmitting, pursuant to law, a report on the receipts, expenditures and balances of the U.S. Government, for the fiscal year ended June 30, 1963 (with an accompanying report); to the Committee on Finance.

Report of Veterans' Administration

A letter from the Administrator of Veterans Affairs, Veterans' Administration, Washington, D.C., transmitting, pursuant to law, a report of that Administration, for the fiscal year ended June 30, 1963 (with an accompanying report); to the Committee on Finance.

Report on Erroneous Purchase of a Technical Data Package From Westinghouse Electric Corp.

A letter from the Comptroller General of the United States, transmitting, pursuant to law, a report on the erroneous purchase of a technical data package from Westinghouse Electric Corp. for $1,010,000, Department of the Navy, dated December 1963 (with an accompanying report); to the Committee on Government Operations.

Report on Certain Costs Under Fixed-Price Contracts With Space Corp., Dallas, Tex.

A letter from the Comptroller General of the United States, transmitting, pursuant to law, a report on overestimated costs included in prices negotiated for modification of aircraft engine test stands under fixed-price contracts with Space Corp., Dallas, Tex., Department of the Air Force, dated December 1963 (with an accompanying report); to the Committee on Government Operations.

Report on Certain Public Works Planning, Housing and Home Finance Agency

A letter from the Comptroller General of the United States, transmitting, pursuant to law, a report on the inadequate collection procedures and other weaknesses in the administration of the programs for making advances for public works planning, Community Facilities Administration, Housing and Home Finance Agency, dated December 1963 (with an accompanying report); to the Committee on Government Operations.

Certification of Adequate Soil Survey and Land Classification, Lyman Project, Wyoming

A letter from the Assistant Secretary of the Interior, reporting, pursuant to law, that an adequate soil survey and land classification has been made of the lands in the Lyman project, Wyoming, and that the lands to be irrigated are susceptible to the production of agricultural crops by means of irrigation (with an accompanying paper); to the Committee on Interior and Insular Affairs.

Proposed Amendment to Concession Permit at Muir Woods National Monument

A letter from the Assistant Secretary of the Interior, transmitting, pursuant to law, a proposed amendment to the concession permit of Mrs. Viola H. Montgomery, at Muir Woods National Monument (with accompanying papers); to the Committee on Interior and Insular Affairs.

Report on Merlin Division, Rogue River Basin Project, Oregon

A letter from the Assistant Secretary of the Interior, transmitting, pursuant to law, a report on the Merlin Division, Rogue River Basin project, Oregon, dated July 1962 (with an accompanying report); to the Committee on Interior and Insular Affairs.

Report on Whitestone Coulee Unit, Okanogan-Similkameen Division, Chief Joseph Dam Project, Washington

A letter from the Assistant Secretary of the Interior, transmitting, pursuant to law, a report on the Whitestone Coulee Unit, Okanogan-Similkameen Division, Chief Joseph Dam project, Washington, dated January 1962 (with an accompanying report); to the Committee on Interior and Insular Affairs.

REPORT OF SECRETARY OF THE SENATE

A letter from the Secretary of the Senate, transmitting, pursuant to law, his report of receipts and expenditures, for the fiscal year ended June 30, 1963 (with an accompanying report); ordered to lie on the table and to be printed.

SUSPENSION OF DEPORTATION—WITHDRAWAL OF CASE

A letter from the Commissioner, Immigration and Naturalization Service, Department of Justice, relating to the suspension of deportation in the case of Dr. Zoltan Agardy, transmitted to the Senate under date of May 1, 1963, and requesting withdrawal of the case; to the Committee on the Judiciary.

REPORT ON 1963 EVALUATION CONFERENCE OF THE PROFESSIONAL NURSE TRAINEESHIP PROGRAM

A letter from the Surgeon General, Department of Health, Education, and Welfare, transmitting, pursuant to law, a report on the 1963 evaluation conference of the professional nurse traineeship program (with an accompanying report); to the Committee on Labor and Public Welfare.

EXTENSION OF AUTHORITY OF POSTMASTER GENERAL RELATING TO CERTAIN LEASES OF REAL PROPERTY

A letter from the Postmaster General, transmitting a draft of proposed legislation to extend the authority of the Postmaster General to enter into leases of real property for periods not exceeding 30 years, and for other purposes (with accompanying papers); to the Committee on Public Works.

REPORT ON POSITIONS ESTABLISHED UNDER PUBLIC LAW 313

A letter from the Administrative Assistant Secretary, Department of Agriculture, reporting, pursuant to law, on positions established under Public Law 313, in that Department, during the year 1963 (with an accompanying paper); to the Committee on Post Office and Civil Service.

REPORT OF TENNESSEE VALLEY AUTHORITY

A letter from the Chairman and Directors, Tennessee Valley Authority, Knoxville, Tenn., transmitting, pursuant to law, a report of that Authority, for the fiscal year ended June 30, 1963 (with an accompanying report); to the Committee on Public Works.

REPORT OF GOVERNMENT PRINTING OFFICE

A letter from the Public Printer, U.S. Government Printing Office, Washington, D.C., transmitting, pursuant to law, a report of that Office, for the fiscal year ended June 30, 1963 (with an accompanying report); to the Committee on Rules and Administration.

PETITIONS AND MEMORIALS

Petitions, etc., were laid before the Senate, and referred as indicated:

By the PRESIDENT pro tempore:

A resolution adopted by the Municipal Council of the city of Bayonne, N.J., favoring the enactment of civil rights legislation as proposed by the President of the United States; to the Committee on the Judiciary.

A resolution adopted by the Board of Aldermen of the city of St. Louis, Mo., relating to the death of the late President, John F. Kennedy; ordered to lie on the table.

A joint resolution of the Legislature of the State of Wisconsin; to the Committee on Labor and Public Welfare:

"JOINT RESOLUTION 89

"Joint resolution memorializing Congress to enact legislation providing for nursing home care for veterans

"Whereas many thousands of veterans of our Nation's modern wars have attained an age when the onset of illness, disability, and infirmity require care and treatment under the generally recognized designation of nursing home care; and

"Whereas the Veterans' Administration has determined officially that it has the authority to provide such care; and

"Whereas the President of the United States by memorandum of August 12, 1963, has authorized the Administrator of Veterans' Affairs to provide such a program of treatment; and

"Whereas the House of Representatives on September 17, 1963, has recognized the need for such a program by its approval of H.R. 8009, 1st session, 88th Congress; and

"Whereas H.R. 8009 is now being considered in the U.S. Senate by reference to its Committee on Labor and Public Welfare; and

"Whereas the enactment of H.R. 8009 would mean that additional Federal funds would be paid to the State of Wisconsin, through the Grand Army Home for Veterans at King; and

"Whereas enactment of H.R. 8009 would close an existing gap in the medical and hospital programs of the Veterans' Administration: Now, therefore, be it

"*Resolved by the senate (the assembly concurring)*, That the Congress and the President of the United States be urged to enact and approve H.R. 8009; and be it further

"*Resolved*, That copies of this resolution be sent forthwith to the President of the United States, the Speaker of the House of Representatives, the President of the Senate, and to each Wisconsin Member of Congress.

"JACK B. OLSON,
"*President of the Senate.*
"LAWRENCE R. LARSEN,
"*Chief Clerk of the Senate.*
"ROBERT D. HAASE,
"*Speaker of the Assembly.*
"KENNETH E. PRIEBE,
"*Chief Clerk of the Assembly.*"

BILL INTRODUCED

A bill was introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. MANSFIELD (for himself and Mr. METCALF):

S. 2417. A bill to authorize the appropriation of funds for the construction, reconstruction, and improvement of the Alaska Highway; to the Committee on Public Works.

(See the remarks of Mr. MANSFIELD when he introduced the above bill, which appear under a separate heading.)

RESOLUTIONS

HEARINGS ON KEEPING OPEN THE YEAR-ROUND HIGHWAY NO. 20 IN YELLOWSTONE NATIONAL PARK

Mr. MANSFIELD (for Mr. McGEE) submitted a resolution (S. Res. 248) providing for hearings on desirability of keeping open the year-round Highway No. 20 in Yellowstone National Park, which was referred to the Committee on Interior and Insular Affairs.

(See the above resolution printed in full when submitted by Mr. MANSFIELD, which appears under a separate heading.)

ADDITIONAL FUNDS FOR INVESTIGATION OF MIGRATORY LABOR

Mr. WILLIAMS of New Jersey submitted the following resolution (S. Res. 249); which was referred to the Committee on Labor and Public Welfare:

Resolved, That section 4 of S. Res. 22, Eighty-eighth Congress, first session, authorizing an investigation of migratory labor, agreed to March 14, 1963, is amended by striking out "$68,750" and inserting in lieu thereof "$73,750."

DEATH OF THE LATE REPRESENTATIVE HOWARD H. BAKER

Mr. GORE submitted a resolution (S. Res. 250) relating to the death of Hon. Howard H. Baker, late a Representative from the State of Tennessee, which was considered and agreed to.

(See the above resolution printed in full when submitted by Mr. GORE.)

IMPROVING THE ALASKA HIGHWAY

Mr. MANSFIELD. Mr. President, periodically there are discussions about the need to improve transportation services between continental United States and our sister State of Alaska. There have been a number of studies, commission reports, and legislative recommendations in this regard, but there has been little in the way of accomplishment. The people of Montana and the Northwest are especially interested in a program which will bring about early reconstruction and improvement of the Alaska Highway.

An all-weather highway between Northwestern United States and Alaska would be of great service to the State of Montana. The roadbed has been there for some time; but many sections are in need of reconstruction, and others are closed during the harsh winter months.

My able junior colleague from Montana, Senator METCALF, and I have sent to the desk proposed legislation which would authorize the appropriation of the necessary funds to cooperate with Canada in reconstructing and maintaining the Alaska Highway. We feel that the highway is of mutual importance to these two great nations. While it is entirely on Canadian soil, we hope that a joint effort will provide the impetus to get the project underway. The enactment of this legislation will make the necessary funds available to permit the U.S. Government to actively negotiate such a cooperative venture.

It is our hope that the Senate will seek early reports on this proposal so that public hearings may be scheduled at an early date.

Mr. President, I ask unanimous consent to have the text of this bill printed at the conclusion of my remarks.

The PRESIDENT pro tempore. The bill will be received and appropriately referred; and, without objection, the bill will be printed in the RECORD.

The bill (S. 2417) to authorize the appropriation of funds for the construction, reconstruction, and improvement of the Alaska Highway, introduced by Mr. MANSFIELD (for himself and Mr. METCALF), was received, read twice by its title, referred to the Committee on Public Works, and ordered to be printed in the RECORD, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That there are hereby authorized to be appropriated such sums as may be necessary, to remain available until expended, to enable the United States to cooperate with the Government of Canada in the construction, reconstruction, and improvement of the Alaska Highway within the borders of that country.

Sec. 2. Expenditure of the sums herein authorized shall be subject to receipt of satisfactory assurances from the Government of Canada that appropriate commitments have been made by that Government to assume at least one-half of the expenditures proposed to be incurred henceforth by that country and the United States in the improvement of the Alaska Highway within the boundaries of Canada, specifically a single highway extending from Dawson Creek, British Columbia, to Fairbanks, Alaska, with a connection to Haines, Alaska.

Sec. 3. The construction work authorized by this Act shall be under the joint administration of the Secretary of Commerce and the Minister of Public Works, or other similar official, of the Government of Canada. The Secretary of Commerce shall consult with the Secretary of State with respect to matters involving the foreign relations of the United States, and such negotiations with the Government of Canada as may be required to carry out the purposes of this Act.

Sec. 4. Construction work to be performed under contract shall be advertised for a reasonable period by the Minister of Public Works, or other similar official, of the Government of Canada, and contracts shall be awarded pursuant to such advertisements with the concurrence of the Secretary of Commerce; but no part of the appropriations authorized in this Act shall be available for obligation or expenditure until the Government of Canada shall have entered into an agreement with the United States which shall provide, in part, that said Government—

(1) will provide, without participation of funds herein authorized, all necessary rights-of-way for the construction of the Alaska Highway, which shall forever be held inviolate as a part of the highway for public use;

(2) will not impose any highway toll, or permit any such toll to be charged, for use by vehicles or persons of any portion of the highway constructed under the provisions of this Act;

(3) will not levy or assess, directly or indirectly, any fee, tax, or other charge for the use of said highway by vehicles or persons of the United States that does not apply equally to vehicles or persons of such country;

(4) will grant reciprocal recognition of vehicle registration and drivers licenses; and

(5) will provide for the year-round maintenance of the highway, including snow removal, after its completion in condition adequately to serve the needs of present and future traffic.

Sec. 5. The provisions of this Act shall not create or authorize the creation of any obligation on the part of the Government of the United States with respect to any expenditures for highway construction heretofore or hereafter undertaken in Canada, other than the expenditures authorized by the provisions of this Act.

Mr. GRUENING. Mr. President, will the Senator from Montana yield?

The PRESIDENT pro tempore. Does the Senator from Montana yield to the Senator from Alaska?

Mr. MANSFIELD. I yield.

Mr. GRUENING. I express my appreciation of the move made by the two Senators from Montana to make a study of the transportation needs of Alaska.

Alaska has suffered for many years from the defective transportation; that has been one of the great obstacles to its development. So nothing could be more important, in connection with the future development of Alaska, than improvement of the methods of transportation, whether by air, highway, or sea. Therefore, I know the people of Alaska will be particularly grateful because of the effort being made by the Senators from Montana.

Mr. MANSFIELD. I thank the Senator from Alaska.

HEARINGS ON DESIRABILITY OF KEEPING OPEN THE YEAR ROUND HIGHWAY 20 IN YELLOWSTONE NATIONAL PARK

Mr. MANSFIELD. Mr. President, one of the best known of our Nation's many wonderful national parks is Yellowstone National Park. This scenic wonderland occupies parts of Montana, Idaho, and Wyoming, with the majority of the park being in Wyoming. Naturally, these three States derive considerable economic benefit from the many visitors from other States and nations who visit this park every year.

Mr. President, at the present time one of the major highways through this park, U.S. Highway 20, is not maintained on a year-round basis, but is closed in the wintertime. My good friend, the able and distinguished senior Senator from Wyoming [Mr. McGee] has proposed that this highway be maintained during the winter, since traffic in this area has increased in recent years and since the highway is maintained up to the park boundary year round by the Wyoming Highway Department.

It gives me great pleasure, Mr. President, acting in behalf of the Senator from Wyoming, to submit for him a resolution calling upon the Committee on Interior and Insular Affairs to hold hearings on the advisability of keeping open the 80-mile stretch of road. I heartily support this resolution, since it would mean much to the economies of all the States concerned and would provide the winter traveler with a better opportunity to visit the scenic attractions of the West.

I ask unanimous consent that the resolution lie on the table until January 17, in order to permit other Members, who may wish to do so, to join as cosponsors.

The PRESIDENT pro tempore. The resolution will be received and appropriately referred; and, without objection, the resolution will lie on the desk, as requested by the Senator from Montana.

The resolution (S. Res. 248) was referred to the Committee on Interior and Insular Affairs, as follows:

Resolved, That the Committee on Interior and Insular Affairs is hereby directed to conduct open hearings relating to the desirability of keeping open for public highway purposes on a year-round basis that portion of U.S. Highway Numbered 20 which is situated within the boundaries of Yellowstone National Park; and be it further

Resolved, That such hearings be held at the earliest possible time.

REDUCTION OF INDIVIDUAL AND CORPORATE INCOME TAXES—AMENDMENT (AMENDMENT NO. 380)

Mr. DIRKSEN submitted an amendment, intended to be proposed by him, to the bill (H.R. 8363) to amend the Internal Revenue Code of 1954 to reduce individual and corporate income taxes, to make certain structural changes with respect to the income tax, and for other purposes, which was referred to the Committee on Finance and ordered to be printed.

ADDRESSES, EDITORIALS, ARTICLES, ETC., PRINTED IN THE RECORD

On request, and by unanimous consent, addresses, editorials, articles, etc., were ordered to be printed in the Record, as follows:

By Mr. RANDOLPH:

Article, "West Virginian for 1963," by George Lawless, in the December 19, 1963, issue of the Charleston (W. Va.) Sunday Gazette-Mail; congratulatory letter, dated January 7, 1964, from Senator Jennings Randolph to the Honorable Cyrus R. Vance, Secretary of the Army.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Hackney, one of its reading clerks, announced that the House had passed, without amendment, the following bills of the Senate:

S. 585. An act for the relief of Agaram K. Sreekanth;

S. 1196. An act for the relief of Mrs. Maria Nowakowski Chandler; and

S. 1524. An act for the relief of Hai Yung Jung and Johnny Jung.

THE STATE OF THE UNION MESSAGE BY PRESIDENT LYNDON B. JOHNSON

Mr. DODD. Mr. President, I believe that President Johnson today delivered the most effective state of the Union message in my memory.

In domestic affairs it outlined a program of humanitarian advance combined with fiscal responsibility that all can understand and that all should support.

It sets forth a program of priorities which gives proper concern both to the problems of the Nation and the burdens of the taxpayers.

In foreign affairs, it spelled out a policy of peace through strength.

It pictured America as a nation confident of its strength, determined to maintain its freedom, committed to independence and progress for its neighbors, and dedicated to pursue every honorable path to peace.

I fully support the President's legislative recommendations and I believe that he has presented a program so reasonable, so fair, and so properly balanced that it will win the overwhelming support of the American people.

FOREIGN POLICY

Mr. SPARKMAN. Mr. President, the test of any leader in the free world today is in terms of how he measures up in firmness and strength against communism, in terms of his understanding of the problems of the emerging nations, in terms of his desire to build a lasting peace, and in terms of his ability to articulate and assert his policies to the other nations. Today President Johnson proved his measure of world leadership in his state of the Union message.

The world—including the Communist bloc—can take note that the United States is not resigning, and will not resign, from its responsibilities to the free world, nor will it cease to negotiate from a position of strength, and it will continue to have as its goal "a world without war."

I think President Johnson's message was a remarkable and most hopeful statement of foreign policy—one which should have the wholehearted support of Congress and the Nation and one which should inspire confidence and hope to our friends around the world.

THE PROBLEM OF POVERTY

Mr. BYRD of West Virginia. Mr. President, it pleased me to see President Johnson give special emphasis to the problem of poverty in America. He called on Congress and all America to declare an unconditional war on this blight on our society, this deadening drag to our economy.

The President is realistic enough to know that this is not an easy problem to solve, nor can the job be done overnight. But as the richest nation on earth, we can afford to win it.

His program of action will require not one but many pieces of legislation. No single program can meet a problem of this magnitude, nor can Congress do it alone, as the President said.

While nearly every Member of Congress agrees with the President's objectives in this war to end poverty, there will be some disagreement as to method and as to the urgency, but I am convinced that we will achieve major progress before we adjourn.

The President is to be commended for his grasp of this great and complex problem of poverty amidst general prosperity and for his realistic legislative program to attack this blight. I feel that if the Congress enacts this program it will be very meaningful to the needy people of West Virginia as well as to those in other parts of Appalachia and in pockets of poverty throughout this country.

Mr. GRUENING. Mr. President, President Lyndon Johnson's state of the Union message was great. It is a classic in directness, forthrightness, clarity, forcefulness, and setting forth an admirable, practical, necessary, and attainable program. I find myself in warm and enthusiastic agreement with its purposes. I shall do my utmost to help carry them out and to give our President the action he calls for, and which the Nation needs, although I may reserve my judgment on details.

Though these proposals are far-reaching, they are also in the main reasonable and essential.

I particularly applaud President Johnson's declaration of war on poverty. I have long contended that, in this, the wealthiest nation on earth, in our affluent society, continued unemployment is a shocking anomaly and a needless disgrace. President Johnson deserves all-out support in seeking to end it.

It is for this reason that 10 months ago I sponsored legislation providing additional funds for an accelerated public works program, the appropriations for which have been exhausted with many worthwhile projects waiting. They are needed to diminish unemployment. I hope that as a result of President Johnson's forthright and vigorous leadership, this legislation to eliminate unemployment will be speedily enacted. It will in my judgement do more than the proposed tax cut, concerning which in the present form of the pending legislation I have definite reservations. It is still too much a bill "to make the rich richer."

I also hope that while he is giving his attention to the depressed situation in Appalachia, and its chronic unemployment and poverty, President Johnson will likewise consider that a similar situation exists in Alaska particularly among our Indian and Eskimo people, which needs to be remedied by the type of constructive action which he proposes.

I likewise applaud his support of all measures to eliminate racial discrimination in support of civil rights.

It was a great message. Much more can be, and will be, said about it. It was an inspiration to us who heard it, and I am confident that it will have the overwhelming support of the majority of the people of America.

Mr. WILLIAMS of New Jersey. Mr. President, the United States, and the world at large, can be encouraged by the imaginative, forthright state of the Union message delivered today by President Johnson. He stated in clear terms that we are concerned about peace abroad and about democracy at home—and that we will not rest until both goals are a reality.

I was greatly moved by President Johnson's attack on poverty for surely the existence of poverty in this country is a bitter contrast to our high ideals.

Over 30 million Americans live in abject poverty. Definitions of poverty vary, and some experts say that as many as 40 or 50 million people are involved. How we define poverty in a land which prides itself on prosperity is, perhaps, the wrong issue. Whether the poor constitute 30 million, 40 million, or 50 million people is a question of statistics which completely ignores the essential issue. Namely, why do we have poverty, and how can we eliminate it?

The spectrum of poverty is broad. Unlike the poverty of an underdeveloped nation, poverty in America is scarcely visible.

The average American rarely sees a migratory farm family; Indian reservations are seldom visited; rural slums occupy the outskirts of a prosperous town; city slums are avoided by most suburban dwellers; mental institutions are known, but consciously avoided; and our elderly are loved, but often forgotten. In short, some of our Nation's worst examples of human hardship exist just outside the mainstreams of normal society and, as a consequence, are seldom understood or assisted.

Judged by the living standards we apply to the general population, our Nation's poor are an indictment that our society is creating, to use Gunner Myrdal's term, an "underclass." In so doing, we demonstrate that we are derelict in our duty to make our cherished ideals of equal opportunity a reality for all.

This Nation cannot stand aside with the smug complacency; we cannot say that the poor are wicked and deserve their misery.

Clearly, Mr. President, the 20th century is not the time for 19th century sophistries. Rather, it is a time to come forward with realistic measures based on sound economic thinking. These measures, I am proud to say, this administration has developed, is developing, and will continue to develop until poverty is a harsh memory in American history.

We must realize that the elimination of poverty is not a utopian goal. It is a practical economic necessity. The costs of poverty are staggering and are a constant drain on our economy.

Some figures will illustrate the size of this burden. Total outlays for public assistance—State, local, and Federal—from 1951 to 1961 was over $32 billion.

If public assistance payments remain at their present rate, by 1980 we will have spent more than $75 billion just to keep people alive at a subsistence level. Given the expected rise in population, the figure would be closer to $90 billion.

Cut adrift from the framework of our economy, the poor are unable to contribute to its well-being either through consumer purchases or by their tax dollar. In short, the poor are the outsiders of our economy in that they earn little, cost much, and contribute nothing.

Thus, Mr. President, for sound economic and humanitarian reasons, we must eliminate the causes of poverty in this Nation.

The hydra-headed problem of poverty cannot be effectively confronted or eliminated by a single measure or a narrow approach. Poverty involves a number of factors, and it is often difficult to isolate which factor is a symptom and which factor is a cause of poverty. But with the action program suggested today by President Johnson, I am confident that we can see the total demise of poverty in America within the next two decades.

As chairman of the Senate Subcommittee on Migratory Labor and the National Service Corps, I have been deeply concerned with the groups in our country who comprise a major segment of the poor.

The migratory farm family, for example, has long been involved in the self-perpetuating conditions of illiteracy and insecurity of poverty. And although they do not constitute the greatest number of our Nation's poor, the magnitude of their problems is almost beyond measure.

The subcommittee has been working to develop a legislative program which would bring migrant farm families into the mainstreams of our generally productive society. In so doing, we have developed a comprehensive program to meet the health, education, and employment needs of the migrant.

Part of this legislative program, the Migrant Health Act, Public Law 87-962, is operating in 21 States, and constitutes a major legislative breakthrough. More importantly, this program demonstrates that day after day needed health and medical services can be provided for the poor within the traditional free enterprise framework.

Early last session the Senate developed and passed measures which would provide educational opportunities to migrant children and adults—S. 521—daycare for migrant children—S. 522—eliminate harmful child labor—S. 523—crew leader registration—S. 524—a National Advisory Council on Migratory Labor—S. 525—and grants to improve sanitation facilities used by migrant farm families—S. 526.

I am confident moreover, that the concepts and the approach taken in the development of these measures could be applied to the other poverty-stricken citizens.

The migrant education bill—S. 521—for example, recognizes the wisdom of providing Federal aid where it is most needed.

This bill, which the Senate passed in June, is perhaps one of the first attempts to channel educational aid to families of low income, a concept supported in a recent statement by former Ambassador Galbraith. Doubtless, a similar approach could be utilized with respect to low income groups wherever they exist.

The housing measure—S. 981—which I hope to see passed by the Senate this session, can have a significant impact on eliminating inadequate, unsafe housing in rural areas, and will benefit thousands of citizen farm families who heretofore have not been provided the opportunity to obtain decent low-cost housing.

Among the many sound approaches developed to fight poverty, one of the most important is the National Service Corps. During the Senate hearings on this measure, and during field trips, I saw firsthand the serious needs that this program could meet. We found, for example, that many of our poor, because of their location or physical and social handicaps, have problems which are not reached by existing broad-gaged measures. As Secretary of Labor Wirtz testified:

> We have a tax program * * *. We have * * * other programs * * * which will meet most of the problems in this country for most of the people * * *. I know by bitter experience the inapplicability of * * * those programs to the * * * individual who * * * cannot bring himself under their benefits * * *. S. 1321 would * * * approach these problems not in terms of administering overall programs, but in terms of meeting the needs of particular human individuals.

Moreover, it has become increasingly difficult in recent years to provide our citizens the individual attention that was possible in the Nation's formative years.

The Service Corps, by calling up the talents and idealism of Americans, will assist this long-neglected portion of our population beset by poverty. By a dramatic but practical example, Corps volunteers can inspire other citizens to volunteer for public service, help local communities with existing public service programs, and will awaken the Nation's concern over the hardships and sufferings which persist even in prosperous times

Thus, the Service Corps offers practical help and hope to the millions of Americans living in grinding poverty. And as President Johnson said today:

> We must create a National Service Corps to help the economically handicapped of our own country as the Peace Corps helps those abroad.

President Johnson's decision to bring his administration fully into the struggle against poverty is a major landmark in the history of American progress and the realization of our democratic ideals and our humanitarian precepts. I am confident, moreover, that each of us will pull together and assist him in this most noble endeavor.

CIVIL RIGHTS

Mr. **DOUGLAS**. Mr. President, President Johnson has set the pace for the achievement of our highest goals by calling for speedy and decisive action in both world affairs and domestic issues.

On the issue of civil rights, alone, he made it clear that this was no time for a slow walk. As he said, employment, education, housing, and public facilities must be open to all Americans, regardless of color, and I strongly hope that he will get what he asked for in this session of Congress; namely, passage of the civil rights bill. We should not permit undue delay nor should we water down the bill by leaving out the provisions on public accommodations or fair employment practices. Let the people, the President, and the Congress work together and pass the bill as it now appears. I congratulate the President on his support of this provision for which many of us have worked for years.

PROPOSED TAX REDUCTION

Mr. **PROXMIRE**. Mr. President, the state of the Union message delivered by President Johnson calls for action instead of talk. It is a message full of commonsense for the common good. It is hard-hitting, concise, and specific, and most of all attacks with energy and courage the mounting budget. Specific economies have been made.

The President rightly is cutting out waste.

The President rightly is tightening up our defense budget.

The President rightly is putting the taxpayers' money to the best possible use.

He reduces the budget, he slashes the deficit, and he shows a grasp of our fiscal problem. The President is telling the American people in straightforward terms we must cut out needless spending if we are going to keep our economy strong and our future bright.

I applaud his unequivocal declaration that this Nation will get a dollar's worth for every dollar spent. I endorse his demands to cut back where cutting back is wise. Most of all, I say "Amen" to the entire approach to budget management.

Having said that, I reiterate that I think this is no time to reduce taxes. The fact is that a tax cut is being justified not on the usual orthodox justification that revenues exceed spending and therefore taxes can be cut and still cover obligations, but entirely on the economic theory basis that the tax cut is needed to expand the economy and to make it grow faster. In fact the President's proposals still anticipate a deficit even with optimistic revenue assumptions.

What kind of economy have we today? Is it stagnant? Of all the times in the past 10 years to cut taxes for the purpose of booming the economy, this is probably the least justifiable time. The stock market has reached an alltime high and gives promise of going higher every day. Income is at an alltime high. Savings are at an alltime high. Corporate profits are at an alltime high. The gross national product last year increased 5 percent, one of the best performances the Nation has ever had.

Only the other day, the January issue of Fortune magazine was published. Fortune has done an excellent job of forecasting. The widely respected economists who work for that fine publication predicted that in the coming year, without a tax cut, we would have an increase in the gross national product of close to 5 percent—more, if there were a tax cut. They also predict price increases that will be sharper if those are cut.

A number of the most prominent economists in America, those associated with top universities and our largest corporations, were queried by U.S. News & World Report recently on the economy in 1964, and uniformly they lined up on the side of predicting expanding economy in the coming 12 months. There was no question about it in their minds. There was not a single economist among those listed who did not agree that under all the circumstances the economy will move ahead this year. Economists can be wrong. But certainly all indications are that we are going to boom ahead.

At a later date, when I have more time, I plan to discuss the predictions and opinions of those economists.

However, I think we ought to keep firmly in mind that if the tax cut is designed to stimulate the economy, and we consider the economic situation at present, there is very little justification for a tax cut.

The country has been brainwashed for a tax cut for a long time. Both President Kennedy and President Johnson have used the vast influence and prestige of the Presidency toward this end. President Kennedy was an articulate man, as is President Johnson. Both have been highly persuasive in their different ways. The country is now, apparently, to have a tax cut. The Gallup Poll indicates that the public by a 2-to-1 vote, favors a tax cut. We who vote against a tax cut will be voting against the majority convictions in our States.

But I believe that on the basis of principle, on the basis of sound economic doctrine, even on the basis of Keynesian economic doctrine, a tax cut cannot be justified now.

The big question we ought to ask if a tax cut is made now—and President Johnson asks for the full cut by the end of January, with withholding down to 14 percent, and the full impact of the tax cut to be felt from February on—then what will hapen if we move into something like a recession in 1965? Our big ammunition will be used up. The business cycle will not be repealed.

We know we still live in a free enterprise, capitalistic economy, and that there will be a fluctuation in the business cycle as time goes on. We must have fluctuations if we are to have a free economy.

A distinguished Senator advocated 2 years ago that we should not fire our tax cut guns until we see the whites of the recession eyes. I think that is still sound counsel. Therefore, although I think the President's message is excellent in virtually every respect—it came down strongly on the side of civil rights and contained an excellent statement about the economy and war on poverty—I believe that to advocate a tax cut now, especially the kind of tax cut that we are to get, does not make good economic sense.

Mr. JOHNSTON. Mr. President, with President Johnson's appeals for cutting taxes, for reducing the budget, for passage of medical care for the aged under social security, for waging war against poverty and unemployment, I agree. These have been my goals in the U.S. Senate, and they shall continue to be endeavors of mine. I look forward to cooperating with him on these matters.

However, I cannot agree with him on civil rights legislation, nor with any further foreign aid legislation. We must realize that Congress cannot legislate racial and religious tolerance and understanding, and we cannot buy friends abroad with giveaway programs, regardless of how efficient these programs may be.

I found the President's message warm and enthusiastic. His call for war against poverty and unemployment is one in which I think we can all enlist with wholehearted enthusiasm. It seems incredible that in the most prosperous country in the history of the world, poverty should still be a factor. In fact, I am afraid that many Americans have considered it so incredible that they have refused to believe it and have closed their eyes to the real misery and suffering in our midst.

The abolition of poverty has been one of the oldest and most lasting of mankind's dreams. If we accomplish even a part of this purpose we justly can be proud of our record.

It now behooves every Senator to do everything in his power to carry out the program that the President has laid before us—to wipe out poverty in the United States and the causes of it.

ACCELERATED PUBLIC WORKS PROGRAMS

Mr. RANDOLPH. Mr. President, the magnificent and meaningful state of the Union message by President Johnson is of significant and very real interest to West Virginia. I make reference to the words of the Chief Executive when he expressed the determination of the administration to work for solutions to the special problems of the States of the Appalachian region. The President said:

> We must launch a special effort in the chronically distressed areas of Appalachia.
>
> We must expand our small but successful area redevelopment program.

President Johnson emerges as the architect of action in his state of the Union address. In his message he has developed a blueprint for hope and progress that embraces every man, woman, and child in the Nation.

The goals so clearly set forth and so forcefully stated by our leader are laudable and attainable. It will be a privilege to work for and to support implementing legislation.

The President's program proposals are not for the poor or underprivileged alone. He made this clear. This is as it should be. But I especially commend the Chief Executive's emphasis on the objective to not only "relieve the symptoms of poverty but to cure it." And I applaud his pronouncement that "our goal is not merely to spread the work" but definitely "to create more jobs."

Unemployment and poverty are morally wrong and they are as dangerous to the economic structure of the Nation as are cancerous cells in the human body. The President is right in proclaiming the vital need for prompt action to attack these problems. He is also accurate and forthright in emphasizing that no single legislative act will suffice.

I am encouraged and gratified by President Johnson's declarations that "we must launch a special effort in the chronically distressed areas of Appalachia" and that "we must expand our small but successful area redevelopment program." It is my judgment that a key phase of the plans for Appalachia and for redevelopment areas generally would be authorization and appropriations to continue the vital acceleration of public works. We must continue to update and upgrade our communities, and, in the doing, provide both economic stimulation and new job opportunities in the areas especially needing redevelopment. A program of at least a billion dollars is needed and indicated to help eligible communities meet these essentials.

In terms of the youth of our country, the President's message not only gives our young people a vision of better education, better schools, and more employment opportunities, it also gives meaning to this vision by including forceful recommendations. Legislation is proposed to make it a reality. There should be an affirmative and a prompt response by Congress.

As President Johnson stated, we must enact youth employment measures "to put jobless, aimless, hopeless youngsters to work on useful projects." There should not be a further wasting of time. The legislation to fulfill our goal for a better and fuller life for the youth of America should be passed promptly. This positive program has had and will continue to have my active support.

For the President's program as a whole I feel there will be not only a favorable response by Congress but also approval by the American people.

DANGER OF A CONSTITUTIONAL CRISIS

Mr. JAVITS. Mr. President, it is always a matter of pride to every American to hear the President speak. Without regard to party, our Presidents generally speak the aspirations which are in the hearts of all Americans. It makes us very proud. That is just as true of President Johnson as it was of our beloved and departed President Kennedy, President Eisenhower, President Truman, and those before them.

It is our task here to assess what has been said in more detail than can be done in the general glow of pride we feel in the expression of general aspirations.

There are two things that stand out about the President's state of the Union message about which I feel it is my duty to comment. First, while I am encouraged by the President's words on medical care for the aged, tax reduction, civil rights, and the President's declaration of "unconditional war on poverty," the President, I am sure without any intent to do so, and with the best heart, resorted to a superficial generality which is more of a slogan than anything else. Everyone is against poverty, against sin, and for motherhood, and always has been; and the President's use of "poverty" as an umbrella to cover the critical issue of unemployment tends to confuse welfare programs with endemic unemployment, and tends also to brush under the rug of welfare the administration's signal failure to deal in even a minimum way with the Nation's No. 1 economic problem—endemic unemployment. In November 1963, for example, the rate of unemployment stood at 5.4 percent of the labor force as compared to 5.3 percent a year before. The number of unemployed in this period increased from 3.8 million to close to 4 million. There are between 20 and 40 million Americans who are considered as living in poverty today. One out of 5 families are earning less than $3,000 a year. There is clearly a difference between endemic unemployment and endemic poverty.

In respect to unemployment, we must deal with retraining, education, rapid progress in equality of job opportunity, amendment of antitrust laws, new productivity, automation and other matters of that kind.

I do not believe that either the unemployed or the poor would be served by lumping the two problems together. The problem of dealing with endemic unemployment is different from that dealing with endemic poverty, which has been with us for years. I hope the President will screen efforts that have to do with unemployment from those which have to do with poverty, and with questions of human dignity, and with hard core problems that may exist in big cities, where people need and deserve effective opportunity as Americans.

I hope very much that what I say will be taken constructively by the President in terms of making a sharp distinction, which must be made if we are to obtain effective action against unemployment and poverty. They are very different and should not be dealt with under the same umbrella.

Regarding everything the President said with respect to our general aspirations and ideals, I would be inclined to agree with him. The question is, Can he deliver? We are faced with surveys which show the low estate to which the Congress has fallen in the eyes of Americans, a low estate almost tantamount to a constitutional crisis, as to whether or not we can act in the trilogy which represents the Federal Government. The prospect that Congress may be in session all this year, as we are told, is not a good augury. Congress remained in session all last year and accomplished very little. I urge that Congress get to work on congressional reform. I hope measures relating to that subject on the calendar will be taken up, particularly the measure having to do with the pistol pointed at the head of the Senate—namely, the filibuster.

I ask unanimous consent that there be printed in the Record as a part of my remarks an article in the New York Post and an editorial in the New York Times.

There being no objection, the article and editorial were ordered to be printed in the Record, as follows:

[From the New York Post, Jan. 6, 1963]

HARRIS FINDS VOTERS VETO RECORD OF CONGRESS, 2 TO 1

(By Louis Harris)

There is every indication that American voters are in revolt against the 88th Congress. By nearly 2 to 1, the public registers a vote of no confidence in the job this Congress has done to date.

There is widespread belief Congress has dragged its feet at a time when action was required. Chief blame for the delays is leveled at southern Democrats generally in the House and Senate, closely followed by congressional committee chairmen and the Republican minority.

Back in October and again just before adjournment, a carefully drawn cross-section of the public was asked to rate the job Congress had done. Here is the weighted trend among those with opinions (approximately 8 in every 10 people in each case):

Rating of 88th Cong.

[In percent]

	Dec.	*Oct.*
Positive	35	41
Negative	65	59
(Not sure)	(22)	(17)

This essentially negative public assessment contrasts sharply with the 76-percent positive rating accorded President Johnson in his first days in office. Most important, however, is the fact that the trend of public opinion about the Nation's top legislative body is distinctly downward.

The 1963 session of Congress may have been the longest in peacetime, but the public impression is that very little was accomplished. Here are the comments as people with opinions volunteered them:

Profile of 88th Cong.

	Percent
Negative	65
Not done much	21
Avoided major bills	8
Too slow	7
Didn't cooperate with J.F.K	7
Everything stalled in committee	7
Civil rights not passed	6
Too much bickering	4
Medicare not passed	2
Not interested in people	2
Education bill not passed	1

	Percent
Positive	35
Trying hard	17
Passed some good bills	6
Making some progress	6
Blocked bad bills	4
An average Congress	2

When asked directly where the responsibility for the delays in Congress rest, those interviewed tend to focus chief attention on southern Democratic committee chairmen. Here are the weighted figures:

Responsibility for delay

	Percent
Southern Democrats	38
Committee chairmen	21
Republican opposition	21
Democratic leadership	14
Northern Democrats	6
(Not sure)	(22)

While the brunt of criticism is centered on the southern Members with chief seniority, the Republican minority in Congress does not escape sharing some of the public blame. This fact could weaken a GOP issue against the Democrats in the 1964 election.

Undoubtedly, the death of President Kennedy sharpened some of the criticism of Congress. A clear majority of those with opinions says it wants the Kennedy program passed:

Congress and J.F.K. program

	Percent
Should be passed	64
Should not be passed	36
(Not sure)	(19)

In fact, Congress failure to act on the major elements of the Kennedy legislative program has now become the principal point of criticism by the public.

[From the New York Times, Jan. 7, 1964]

CONGRESS: SLUMBER OR ACTION?

The 88th Congress reconvenes today, on notice from its leaders that it may once again be meeting from one end of the calendar to the other. This is as doleful a prospect for the country as it must be for our nonlegislating legislators. A repetition of the slow-motion record of the 1st session will not only leave many urgent national problems unattended; it will contribute further to undermining public confidence in this key branch of the Federal Government.

Two major bills awaiting action are civil rights and tax reduction. The House Rules Committee will begin this week its own hearings on the rights bill, with no one too sure how much time must pass before Chairman Smith gives his imperial nod to let it move to the House floor. When the bill finally gets to the Senate, it faces the certainty of indefinite delay through every device of parliamentary evasion and filibuster that its enemies among the Southern Democrats can muster. How well its fair employment and public accommodations provisions will survive this infighting is anybody's guess.

The imminence of the national elections and the stress the administration has put on the $11 billion tax cut as the key to a high-level economy make passage of the truncated tax bill virtually certain. There seems no prospect that either the White House or Congress will do anything serious about reviving the tax reforms that are far more essential to a sound tax measure than across-the-board reductions.

Cutting taxes without closing loopholes will merely accentuate the inequities that now shut millions of Americans out of effective participation in the richness of our economy. President Johnson intends to submit a variety of new programs for reducing poverty and large-scale unemployment. If these are to be translated into action, Congress will have to demonstrate more responsiveness to the challenges of human misery than was evident last year.

Medical care for the aged, Federal aid for public schools, a basic overhaul of the unemployment insurance system, funds for urban mass transit, housing, action on the wilderness and other conservation bills, a new battle over foreign aid—all these and more await the returning Congressmen. Despite the volume and complexity of the issues, there is no valid reason why Congress should not complete its business before the opening of the Republican National Convention in mid-July. The experience of the 86th Congress when it met for 3 weeks after the nominating conventions in 1960 makes it plain that a campaign is a wretched backdrop for genuine legislative accomplishment. Both parties ought to resolve now to act, not dawdle.

PRESIDENT JOHNSON CALLS FOR EXPANDED FOOD-FOR-PEACE PROGRAM

Mr. McGOVERN. Mr. President, I was pleased to hear President Johnson call his state of the Union message for "increased use of our food as an instrument of peace."

Our agricultural abundance is truly one of our most priceless assets in today's world. Through our food-for-peace program we are enabling 40 million schoolchildren overseas to enjoy a school lunch daily. We are participating directly in the feeding of an equal number of hungry men, women, and children abroad. Our sales of farm commodities through Public Law 480 for local currency is preventing hunger and inflated food prices all across Asia, Africa, and Latin America.

We have been reminded in the current Russian wheat sale negotiations, of the great value of our food abundance. All of us who believe in a world of peace and health and strength and hope are indebted to the productive efficiency of the American farmer.

It is good to know that Secretary of Agriculture Orville Freeman in speaking for the Johnson administration, testified before the House Subcommittee on Wheat yesterday that the administration strongly favors passage of a voluntary wheat certificate plan. The well-being of our wheat farmers is a necessary precondition to a continuing and expanding food-for-peace program.

ATTACKING RURAL POVERTY—SPEECH BY CHARLES S. MURPHY, UNDER SECRETARY OF AGRICULTURE

Mr. WALTERS. Mr. President, a reasoned, realistic approach to the problems of rural America is a vital part of any effort to cure the unemployment and inadequate economic growth ills which trouble the whole of our society.

Speaking on December 13, 1963, at a "plant-to-prosper" luncheon meeting of rural leaders in Memphis, Tenn., Under Secretary of Agriculture Charles S. Murphy pictured the achievements, the frustrations, and the potentials of the rural segment of our economic and social system.

He cited the impact of poverty on rural areas, and outlined a two-pronged attack upon it designed not only for remedial action in the country but carrying, as well, fringe benefits reaching into the city.

With the aim of contributing to a better understanding among all of our people about what is being done and what must be done in the days ahead in combating rural poverty and making rural America a more effective contributor to national growth, I request unanimous consent to include in the Record the text of Under Secretary Murphy's Memphis address.

There being no objection, the address was ordered to be printed in the Record, as follows:

Attacking Rural Poverty

They tell me there are people in this audience who have been going to plant-to-prosper meetings for more than a quarter of a century. No harvest season would be complete for these folks and for thousands of others throughout the mid-South without this occasion—this day of paying tribute to men and women who have used their heads and their hands to a farm a little better, live a little better, this year than last.

You have seen momentous changes take place in agriculture and in our rural economy since plant to prosper began.

You have seen the trials and tribulations of the 1930's, the years of the great depression. Anyone who lived through those days will never forget them. Poverty was general then; we were all caught up in it.

You have seen the tremendous demands that World War II placed on the American farmer. And I still thrill at the way our farmers rose to meet that challenge. Thank God they had the resources, the land and equipment, the skill and the spirit that freemen bring forth when their way of life is threatened.

Then after the war, you saw the rebuilding years of the late 1940's—UNRRA—the Marshall plan—the indispensable role of American agriculture in making the world whole after the most devastating struggle in history. You have seen how our marvelously productive and efficient system of agriculture makes it possible for the United States to be the leader of the free world—and how we are sharing the fruits of our abundance with the people of other lands through the food-for-peace program.

You and I have seen many awe-inspiring events take place in the past three decades. We have watched a technological revolution, spurred first by the war effort and then by many other factors, turn American agriculture upside down and inside out.

Through all this turmoil, your plant to prosper concept—your idea of showing thousands the path to progress by calling attention to those who found the way—has been a constructive, moving force. You have helped great numbers of our people make the greatest possible contribution and get the greatest possible reward from the roles they were cast to play in this ever-changing drama of rural America.

This drama has not been by any means an unbroken success story. It has its bright side. We have fed ourselve and a large part of the world around us. But life on the farm is not a bed of roses. It is a constant battle challenging the energy and determination, the skill and courage, of men and women, day in and day out, year after year.

Unfortunately, the farmer has benefited relatively little from the increased efficiency of American agriculture. Most of the rewards have been passed along to others in the form of relatively lower prices.

A few stark figures attest the intensity of the continuing struggle of many of our farm people for their fair share of our national wealth.

Sixteen years ago, in 1947, the net income of farmers was $17.3 billion. In 1960, it was $11.7 billion. Meantime, the total national income went up from about $200 billion to $415 billion. In other words, while the total national income was doubling, net income from farming was going down over 30 percent. Farmers received less than one-third as large a share of the national income in 1960 as they did in 1947.

We have managed to achieve some improvement since 1960. The net farm income in 1962 was about $900 million above 1960.

But we don't have the problem licked.

For one thing, we are chasing constantly spiraling farm costs. In 1961, we raised gross farm income by $1.6 billion, but increased farm costs ate up half of that. In 1962, we raised gross farm income still another $1.3 billion, but increased farm costs ate up almost all of that. This year, farm costs will eat up more than the gain in gross income.

Why is this? It's because of the basic nature of farming economics.

Farmers still have trouble getting the price they should obtain for the products they sell. But they can't duck the bills they receive for the machines and equipment and other production resources they have to buy.

It has often been said that farming is the only business in the world that buys everything at retail and sells everything at wholesale. There is far too much truth in that.

Farmers are plagued, too, by the fact that they have not been able to take advantage of the new techniques and still temper and time their output to the demands of the market. Most other producers have been able to make the adjustments essential to increasing both the volume of their business and the size of their income. Farmers still struggle with supply management problems.

The harsh economics of American agriculture have not been without benefit to the Nation as a whole. In no other country does the consumer eat for less than 19 percent of the average family's spendable income, or have so nutritious and diversified a diet. Khrushchev, for one, would dearly love to be able to duplicate the power of our agricultural system. But while we take justifiable pride in our tremendous capacity to make two blades of grass grow where only one grew before, we struggle for ways to give rural people who produce the food the same share of American prosperity that has been obtained by urban consumers.

The cold hard fact of the matter is our farmers have not fared as well as those who work in the other sectors of our economy. Our farmers have not yet realized the full promise of America.

Parallel to—and often part and parcel of—the struggle of farmers for parity income is the struggle for existence of so many of our rural communities. Many of the people who live in the country and in small towns who are not farmers have been bypassed by the rising tide of prosperity.

It is not a pleasant fact to face—but the bitter truth is that nearly half of the poverty in the United States exists in rural areas. This fact should govern our thinking and planning concerning remedial measures. But this is not always the case. The spotlight of the metropolitan press is focused constantly on urban slums and urban poverty; their rural counterparts are taken for granted and overlooked. Government agencies often appear to fall into the same pattern of thinking.

Following are a few of the pertinent statistics:

The percentage of rural families with incomes below the poverty line is almost twice as large as the percentage of urban families.

Over 12 million rural people live under conditions of dire poverty measured by any reasonable standard.

When underemployment is added to unemployment, nearly 20 percent of the rural adult male labor force is idle (1959 figures). The idleness is about half farm and half nonfarm.

One-fifth of the million children born in rural America each year are born into poverty-ridden families.

Three-quarters of the families and individuals employed as farm laborers have total annual incomes below nationally accepted standards of adequacy.

Rural America has almost three times the proportion of dilapidated and substandard houses as urban America.

The average rural citizen has 1.4 years less of education than his urban counterpart.

Only 30 percent of rural young people go to college, compared to 50 percent of urban youth. In many rural communities, the high school graduate is still the exception rather than the rule.

Scores of rural communities, and whole counties, are composed predominantly of low-income people, who simply lack the resources for providing adequate schools or other public services. Of those counties with the lowest median family incomes and the lowest rate of increase in incomes, 91 percent have no population center as large as 5,000 persons.

As outmigration continues, rural public meeting places are abandoned. Social services taken for granted in urban communities are not provided in small towns, or rural areas.

Rural children received one-third less medical service than those in and near cities in 1957–58.

The mortality rate of children 5 to 14 is 50 percent higher in rural than urban areas and 100 percent higher for ages 14 to 24.

Forty-four percent of rural handicapped children are out of school compared to 31.5 percent of urban.

Rural mental health clinics served only 2 percent of the children served by such clinics in the Nation.

This is not a pretty picture to paint. But we have to face up to it. We can't solve the problem unless we recognize that it exists. You can't just sweep things like this under the rug and forget them.

Facing the reality of rural poverty and moving to do something about it is the challenge before us today. It is the challenge before the Commercial Appeal and other great newspapers, the challenge before local leaders and rural communities, before local and State governments, before the Extension Service and the Farmers Home Administration and all the agencies who are dedicated to the welfare of rural people.

We believe we have made major progress in the past 3 years in getting the skeleton of rural poverty out of the closet, and in opening up a major offensive against this evil. But we have a long way to go, and we need the help of every rural leader.

This is an age-old fight, and it will not be won in a day. But it will not be won at all unless we take some far-reaching measures.

The attack on poverty and the conservation of human resources in rural America calls for action on two fronts:

1. The maintenance of a production-price pattern for agriculture that will provide parity of income for the adequate and efficient family farm.

2. Programs designed specifically to develop alternative sources of rural income and to wipe out pockets of rural poverty which the commodity price structure alone cannot remedy.

Actions in these two areas complement one another. Better farm income is reflected in greater employment opportunity in construction, and retail and personal service fields, as well as in increased utilization of professional services.

Let there be no mistake about it. Agriculture is still the backbone of the rural economy—as it is, indeed, the bedrock of the economy of the whole Nation. Nevertheless, the fact remains that only about one-fourth of the people who live in rural areas live on farms. Not only must we see to it that those engaged in farming have an opportunity to make a decent living; the other three-fourths of our rural people must have a similar opportunity.

The problem is accentuated by the fact that the number of people who can make a decent living farming will continue to grow smaller. This is the inevitable result of the increasing efficiency and productivity of the American farmer. Fewer and fewer farmers will be able to produce all the food and fiber we can use. We estimate that of the boys growing up on American farms today, only 1 in 10 will have the opportunity to make a living as the operator of an adequate family farm when he grows up.

Many people are moving away from our farms. During the 1950's, more than half of America's 3,000 counties lost population, and most of these were rural. This trend will probably continue, but to the extent that it can be slowed by developing economic opportunity in rural areas, both the countryside and the city will benefit. The depopulation of rural America destroys both social values and property values. At the same time, many of the social and economic problems of cities have arisen from the immigration of rural people who were ill prepared for city life and whom the cities were ill prepared to receive.

Transferring a low-income family from a rural slum to an urban slum solves very little, either for this generation or the next. In fact, there is a tragic similarity between the unemployment problem in the cities and the underemployment of people in rural areas. To a great extent, both problems represent a triumph of the machine and a failure of man who made the machine.

Former President Truman in noting this recently urged the American people not to dismiss the unemployed in both city and countryside as simply "unfortunate casualties of the industrial age," nor abandon them "to life of tragic idleness, for which they are in no way responsible."

Something like 8 million jobs beyond those now in prospect are needed in this decade to absorb the young people coming of working age and the present unemployed and underemployed. To the extent that these jobs can be created in rural areas, social and social and economic adjustments will be easier and dislocations minimized. Problems arising from urban congestion and from rural depopulation alike will be alleviated. There is every reason, therefore, why the attack on rural poverty must emphasize rural development as a preferable alternative to mass relocation—recognizing, of course, that some relocation will inevitably take place.

This is the approach taken by the USDA. During the past 3 years there has been a major reorientation of the Department's activities to focus them more effectively on rural economic development. The job that needs to be done is so big, we can claim only that we have made a good beginning. But we are sure we are headed in the right direction.

Time will not permit me to tell you all the things we have done and are doing. But by way of illustration, I would like to mention some of the measures that have been taken to refurbish and rearm one of the Department's agencies which is an old friend of the plant to prosper campaign—the Farmers Home Administration.

Much of what I have to say about the Farmers Home Administration could also be said about our other agencies engaged in rural areas development—Extension, Rural Electrification Administration, Soil Conservation Service, Agricultural Stabilization and Conservation Service, Economic Research Service, the Forest Service, and others.

In 1961, recognizing that within the framework of the Farmers Home Administration lay one of the most powerful tools for rural areas development, we moved to strengthen its endeavors.

We sought and obtained legislation that broadened its activities in a dozen different areas.

We moved to place men in charge of its operations who were sympathetic to the problems of rural people.

Howard Bertsch was appointed administrator. He had a long history of helping rural people both as a director of the old Farm Security Administration and as a Ford Foundation director in Iran.

State directors were appointed who believed in their program and would work at it with enthusiasm—men like "Dutch" Cavender in Tennessee, Herman Hankins in Arkansas, "Ben" Fatherree in Mississippi, and Everett Jose in Missouri.

With new leadership and new direction, new authorities and new funds, the Farmers Home Administration took on new life.

In 1960, the Farmers Home Administration in the four States of Mississippi, Tennessee, Missouri, and Arkansas loaned $46 million; in 1963 they loaned $121 million. These figures, especially to an audience that knows the Farmers Home Administration, speak for themselves.

Every dollar that the Farmers Home Administration invests in a farm or rural community makes an impact far greater than its initial value.

Every family that is strengthened by the Farmers Home Administration adds immeasurably to the strength of the community around them.

The Farmers Home Administration is now able to help meet a broad range of rural needs.

The Farmers Home Administration can help farmers handicapped by age and lack of skills make a living on the land. The FHA had been shut off from helping this group.

The Farmers Home Administration can now make loans to families who live in small towns, as well as to farmers, for the construction of decent, safe and sanitary housing. The FHA can also finance housing adapted to the needs of the elderly.

What has really happened is that in the past 3 years we have gotten underway in rural areas a housing program of the type that urban areas have been enjoying for a long, long time.

The Farmers Home Administration can finance the development of rural water systems in rural communities. This has turned out to be one of the most successful ventures in rural areas development.

The Farmers Home Administration can finance the development of fishing, hunting, and other outdoor recreational facilities. This not only provides added income for rural people, makes multiple use of our land resources, and takes land out of crop production, but it also gives urban people the outlet they are seeking for recreation.

I could go on enumerating the changes in direction that have taken place in all our agencies to help stimulate economic development in rural communities.

We have been heartened by the response to our efforts.

There is no question about the interest that exists in rural areas. Rural people want to survive. Given just a little encouragement, they are eager to use their own resources and to reach out for the resources they need.

Example: In nearby Tennessee within the past 2 years, the community of Yorkville has set aside an industrial site and is lining up industry, the bank has launched an extensive modernization program, a doctor's center has been built, a rural water system has been constructed with the help of the Farmers Home Administration, a rural telephone system has been expanded with the help of the Rural Electrification Administration.

Example: In Bolivar County, Miss., a group of farmers and their neighbors are building a recreation center. A 500-acre lake will be used for fishing and will be surrounded by picnicking and camping sites. With development funds from the Farmers Home Administration, they are not only increasing the attractiveness of their community but are removing some 100 acres from cotton, soybeans, and rice.

Example: Looking ahead to the time when funds will be available to local public bodies in rural communities for broad-scale development efforts, the Arkansas Legislature, at the request of leaders from rural areas, has recently authorized the creation of rural development corporations.

Example: In Hickory County, Mo., rural people are moving to make the development and maintenance of recreation plus retirement facilities a dominant industry. A building boom is in full force around a recently created manmade lake. Some 70 subdivisions have been laid out. The services of the Missouri Extension Service, REA, SCS, FHA, and many other agencies have been tapped by local leaders.

But truly these achievements, notable as they are, have just scratched the surface in opening up new avenues to rural prosperity and to greater opportunities for all our farm and rural people.

The job is stupendous, but the possibilities and rewards are infinite.

The accomplishments and the inspiration brought about by the plant-to-prosper campaign are living examples of what the right kind of motivation can do.

With all of us working together, you who represent the ones in the forefront of midsouth development, and countless others throughout this broad land who know and appreciate the importance of rural America, there is no limit to what we can achieve.

TRIBUTE TO PHILIP GOLDBERG

Mr. WALTERS. Mr. President, I ask unanimous consent to have printed in the RECORD articles from two fine Tennessee newspapers concerning the remarks of Philip Goldberg, one of the country's outstanding young business executives. Mr. Goldberg's observations are both timely and informative, and they carry a message to all of us.

There being no objection, the articles were ordered to be printed in the RECORD, as follows:

[From the Johnson City (Tenn.) Press-Chronicle, Dec. 12, 1963]

MILLIGAN STUDENTS HEAR INSURANCE EXECUTIVE GOLDBERG

"Is it possible that our emphasis on scientific education to the exclusion of the humanities may well be putting our higher education on a vocational basis?"

This was a question asked of Milligan College students and faculty yesterday by Phil Goldberg of New York City.

Goldberg, chairman of the Ric Group, Inc., an operating management corporation which includes seven life insurance companies, spoke at the regular chapel exercises at Milligan. Loyal American Life of Alabama and Sovereign States Life Insurance Co. of Tennessee are members of the Ric Group.

"What good will it do for our scientists to teach us to span the distance to the stars, and yet we fail to learn to bridge the short distance to the hearts of men? What value is it to us for scientists to point us to the heavens while our hatemongers push us to the brink of hell?" said Goldberg.

ASSASSINATION

Referring to the recent assassination of President Kennedy, the speaker said Americans are better housed, better educated, and better provided for, yet fall prey to hate and the propaganda of hate. "Science teaches us how to reason and the scientific method, but has not taught us to love rather than hate," he said.

LACK OF SINCERITY

Speaking of the lack of sincerity and realism in our patriotism and religion, Goldberg said, "Faith like patriotism has been watered down. There are more church and temple goers than ever before. But it is doubtful to what extent the motivations are geared to religion. People will belong to congregations and parishes for a host of reasons that only peripherally involve religious principles—they go because their neighbor goes and it is the thing to do in the community. So many are so cynical and religion becomes a Sunday thing and not something to live every day of our lives."

A recent winner of the Human Relations Award of the American Jewish Community, Goldberg said he is as strong an advocate of Christian religious education as he is of the ideals of Judaism and challenged the students against allowing the inroads of atheism.

"Ask not that your burdens be made lighter, but that your backs be made stronger; not that the obstacles be removed but that your vision be extended beyond the horizons of these obstacles," he concluded.

Goldberg, author of several books including "Immortality on the Installment Plan," "Estate Planning," and "Planning Taxes for Todays and Tomorrows," was introduced by Steve Lacey, chairman of Milligan's board of trustees.

[From the Nashville Banner, Dec. 12, 1963]

Mart Advance Due to L.B.J.: Goldberg

The abrupt advance on the stock market after Lyndon Johnson became President indicated the confidence of businessmen in Johnson's experienced leadership, according to Philip J. Goldberg, one of the country's leading insurance executives.

Goldberg, cochairman of the board of Reinsurance Investment Corp. of New York, was honored at a dinner at Richland Country Club Wednesday night.

"Once the Nation emerged from the immediacy of the shock of President Kennedy's assassination, it recognized the business acumen of Lyndon Johnson and confidence was restored," said Goldberg.

"Mr. Johnson knows what he is doing and knows where he is going. His forthright approach has impressed businessmen. And, of course, the stock market made its tremendous jump when Mr. Johnson took over."

The 42-year-old Goldberg, whose corporation controls seven major insurance agencies, including Sovereign States of Nashville, spoke earlier in the day at Milligan College.

"Life insurance is a booming business," Goldberg said. "We are doing so well that it is difficult to offer comparative figures and estimates."

Goldberg, author of three books on estate and tax planning and charity endowments through life insurance, has for 7 consecutive years sold more than $30 million in life insurance per year.

By comparison, insurance men often pride themselves on the ability to sell $1 million per year.

IGNORANCE IS AN ENEMY OF ECONOMICS

Mr. MILLER. Mr. President, one of the best analyses of the "something-for-nothing" philosophy of big Government spending has been written by Columnist Henry J. Taylor in the Cedar Rapids, Iowa, Gazette of December 28. Writing on the premise that "economics has an enemy called ignorance" which blindly leads millions to think they can get something for nothing through Government spending, Mr. Taylor suggests a simple plan to make the public aware of what this all means.

He would have the cure begin with editors bluepenciling "Federal funds" into "taxpayers' funds." This, he believes, would bring home the lesson that Federal money—as he puts it—"is found only in the sacrifices of all taxpayers—which means everybody." Repetition, Mr. Taylor adds, will result in educating the people to the point where they will not only become aware of this situation but to eventually call "halt" to this spending.

I subscribe to this viewpoint and I believe most thinking voters do, too.

I ask unanimous consent that the column, entitled "You Don't Get 'Something for Nothing'; Ignorance Is an Enemy of Economics," be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

[From the Cedar Rapids (Iowa) Gazette, Dec. 28, 1963]

Ignorance Is an Enemy of Economics

(By Henry J. Taylor)

If Government spending is cut, will national spending decrease and drop us into a slump. The prospect should being cheer, not fear, for the new year.

Economics has an enemy called ignorance. It makes millions think they get something for nothing through Government spending. Politicians cash in glowingly. Bureau jobs can mean votes.

In 1950 there was 1 Department of Agriculture employee for every 125 farmers. Now there is 1 for every 63 farmers. At this rate there would be one bureaucrat in the Department for every farmer by 1990. Hey, they're on the taxpayers' payrolls.

Will Rogers once said, "I can remember way back when a liberal was one who was generous with his own money."

Every time we read that "the Government" will pay for something it sounds like found money. But the money is found only in the sacrifices of all taxpayers—which means everybody.

For a worker may never see a tax bill but he pays it just the same. The Government pays for nothing. Words can be the marihuana of man.

FEDERAL FUNDS

If editors began the cure by always bluepenciling "Federal funds" into "taxpayers' funds" it would help mightily. Repetition can result in education. For, hey, that's our money.

A government is never a source of wealth. A government is a spender, not an earner. Everything the Government says it will give to the people it must first take away from the people. A government does not provide anything. It can only create the conditions. The people must create the wealth.

Regimes (anywhere) do not go under merely because they are bankrupt. They simply print more paper currency and bonds. Thus it is vital to realize that all government spending does not add one whit to the national wealth. How much richer are you when you buy a car on the installment plan or take out a loan at the bank?

Taxes are by far the largest item of costs of production, all of which must be passed on in the prices for everything we buy. The Defense Department alone spends more than the before-taxes profits of all corporations in our Nation. Then these enterprises pay 52 percent of those "profits" to help pay for what is spent. In addition, the average factory worker with two dependents delivers more than $500 a year directly out of his pocket to the Washington spenders.

No wonder taxpayers need a fallout shelter to protect them from the waste. Most breadwinners can live on what they earn but not on their take-home pay after taxes. And as for smaller enterprises, they are hardest hit: Bankruptcies in the last year, at 86,000, reached a 23-year high.

If spending is reduced and taxes are reduced as much as the spending, the money does not disappear. At present the Government merely takes it from us and the bureaucrats spend it. Our earnings merely pass over to their control. But if more money is left in the pockets of those who earn it and less is put in the hands of politicians who burn it, we can (and will) spend that money as we ourselves prefer.

The issue is not a question of prosperity. Fundamentally, the issue only involves who is to do the spending. If a workman delivers $500 to Washington and some bureau buys a cannon, that cannon gives employment to its makers and "circulates" money. But if the earner had that $500 (and who can't use it?) his wife could buy a refrigerator or other needed things. Her purchases would likewise give employment and "circulate" money. Where's the slump?

READJUSTMENTS

Certainly, there would have to be major readjustments, some of them far reaching. True, a plant making nothing but cannons would suffer. But the economy as a whole need not fall to a lower level.

Instead, with a reduction in Government spending, the billions in taxes not sent to Washington come home to roost in lower prices and a higher standard of living for all our people everywhere. Every dollar counts, and economy in Government is the biggest, brightest New Year's present we could get for 1964.

GEN. DOUGLAS MacARTHUR

Mr. MILLER. Mr. President, it was my pleasure to be counted among those cosponsoring a bill to bestow six-star rank on General of the Army Douglas MacArthur. His service to this Nation has been inestimable. When the pages of history are written, his exploits will far overshadow most others.

The St. Louis Globe-Democrat, in an editorial on December 20, fittingly sums up the greatness of this American, and I believe it will be of interest to every Member of the Senate.

I ask unanimous consent that the editorial, entitled "For General MacArthur, a Sixth Star Now" be placed in the RECORD.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

[From the St. Louis Globe Democrat, Dec. 20, 1963]

FOR GENERAL MACARTHUR, A SIXTH STAR NOW

There is scarcely a person in America who honors character, courage, and splendid dedication to his country who would not, if he were a Senator, join with Senator SYMINGTON and those many other Senators who have cosponsored a bill to provide a six-star rank for General of the Army Douglas MacArthur.

It is most appropriate that the Nation accord this one final tribute to General MacArthur as he approaches his 84th birthday. In all the annals of history, there is no military genius whose career rivals that of Douglas MacArthur, either in sheer brilliance of performance or in length of active service.

From the time he graduated first in his class at West Point in 1903—with a record still unmatched—until he retired almost half a century later, General MacArthur has been an inspiration to the officers and men who served with or under him, to the Nation and to the world.

In 1944, a grateful Congress conferred on Douglas MacArthur and three other outstanding generals the rank of General of the Army, and on four great admirals the equal rank of fleet admiral.

That recognition was for most distinguished services up to that time. Most of the great men so honored retired from active service soon after World War II and, of these, only Generals of the Army Dwight D. Eisenhower and Omar Bradley, who was promoted later, and Fleet Adm. Chester W. Nimitz are still alive.

General MacArthur's great service, however, did not end on V–J Day. He followed up the masterful military campaigns of World War II with the most outstanding occupation in the history of the world, where Japan—which he ruled as Supreme Commander of the Allied Forces—was converted from a vicious enemy into a strong and firm friend of the West, and remains so today.

There is nothing to match this turning of foe into friend.

In addition, General MacArthur commanded the forces which threw back the overwhelming weight of the North Korean and Chinese Communist onslaught against South Korea in 1950. His landing at Inchon will be studied as long as students learn and praise military strategy.

General MacArthur deserves the highest rank within the country's gift, not to set him apart from other military commanders of World War II, but in recognition also of his incomparable services after that time, as well as for the extraordinary length and brilliance of his career.

Only General Pershing has held six-star rank in the American Forces and, without detracting from his fine command in World War I, General Pershing was not General MacArthur's peer as a military leader.

No one has more merited the grateful thanks and recognition of our people than Gen. Douglas MacArthur. We hope that the Congress, early in the next session, while General MacArthur can still know the Nation's gratitude, will quickly pass the bill honoring this great and noble man.

PHANTOM BUDGETS

Mr. MILLER. Mr. President, in the January 7 issue of the Chicago Tribune, an editorial entitled "Phantom Budgets" merits the attention of Members of the Senate and readers of the CONGRESSIONAL RECORD, particularly in view of the impending budget request which will be furnished Congress in the near future.

I ask unanimous consent that the editorial be printed in the RECORD.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

[From the Chicago Tribune, Jan. 7, 1963]

PHANTOM BUDGETS

Take the $98.8 billion budget which President Kennedy submitted for 1964 last January. Watch it carefully. Subtract cuts of $6.3 billion which Congress made in appropriations requested by the administration—and how much is left? About $101.3 billion.

This is the sort of arithmetic which taxpayers must cope with if they want to keep track of their tax dollars. According to the Council of State Chambers of Commerce, which has drawn up a "box score" on 1964 Federal appropriations, the amount actually requested by the administration for 1964 was not $98.8 billion, or even $99.1 billion—the revised figure used last fall by Budget Director Gordon. It was $107.6 billion—and this doesn't even include $25 billion or so which is spent by Federal trust funds and not included in the administrative budget.

There are so many ways of identifying, grouping, and arranging the budget figures that by the time they reach Congress in the form of money requests it is almost impossible to recognize the figures, let alone to reconcile them with those appearing in the budget. Congress is handed what amounts to a set of scarecrow figures which it can slash away at and still somehow end up with a sum which is larger than the administration told us it wanted in the first place.

Thus, the administration can assume credit for keeping the budget under $100 billion (which is a little like a merchant boasting that he has reduced the price of a $1 item from $1.98 to $1.48). Congress can assume credit for saving $6.3 billion (even though such authoritative critics as former President Eisenhower and Senator BYRD said the budget could have been trimmed by $12 billion. In addition, the council reports, nearly $1 billion of the cuts Congress did make were merely bookkeeping cuts or postponements).

In short, everybody seems to be happy except the taxpayer, who finds that he is going to have to put up more than $101 billion, either in cash or in the more subtle loss in the value of his money created by deficit spending. The final figure will probably be larger still, because, as the council points out, the amount set aside in the budget for interest on the national debt—a permanent item which does not require annual appropriations—appears to be underestimated by about $500 million.

Congress should not leave it to private agencies to figure out that the budget figures mean as little as they do. It should undertake, as one of its own important duties, the job of telling the public how well the budget is being adhered to. As matters stand, neither the President's budget nor the "cuts" made by Congress deserve the taxpayer's confidence. Obviously this goes for President Johnson's promised budget of less than $101 billion. Even if he sticks by it, there is no telling what to expect when the figures start disappearing up people's sleeves.

THE FREE FLOW OF INFORMATION—THE IOU'S (CH. 1)

Mr. METCALF. Mr. President, the free flow of information in the public interest has long been an overriding concern of mine. I have often stated my conviction that the right to know is essential to the orderly and effective conduct of the business of a democratic government. The decisionmaking function of the Congress is in large part dependent on the information which reaches the individual lawmaker, for to legislate wisely he must have a reliable and highly developed system of acquiring and analyzing information.

It is traditional in our system of government that information shall come to a Member of Congress from citizens in his district or elsewhere who communicate regarding matters of legislation, and it is traditional that individuals or groups may properly inform Congressmen of their views and appear before congressional committees for this purpose. The resulting stream of communication between citizen and lawmaker is fundamental to our democratic processes.

A THREAT TO DEMOCRATIC PROCESS

But suppose someone with ruthless calculation is manipulating this stream of communication for his own profit. Then you would have a debasement of the democratic process that might very well threaten the proper functioning of a basic element in our American way of life.

If one person or group is able to so corrupt the relationship between the public and the Congress, then other persons and other groups certainly could be expected to do likewise—to engineer the flow of alleged public expression until the entire stream of information on which congressional decisions are in large part made would be polluted by propagandists.

What I want to describe now is just such a situation. By means of skillfully contrived stimuli, many of our citizens the country over are being manipulated as pawns in a gigantic propaganda game.

The purpose of this game is to motivate American citizens into initiating certain actions. These action involve, among other things, a flow of communications to the Members of Congress. And, if the blueprint for this Machiavellian operation is successful, Members of Congress will face a torrent of mail, telegrams and telephone calls—all a part of a deliberately calculated plan to pressure Congress into a premeditated course of legislative decisions.

The name of this poisonous plan is Project Action.

I can document the fact that an entire segment of American industry is back of it. Sponsors of the plan are a group of businesses who call themselves the investor-owned utilities. I think we can shorten that term to the IOU's. These IOU's as I shall report in this and subsequent speeches, are indeed indebted to an American public which they have misled and overcharged.

The target for Project Action is another group of business firms—the small business enterprises known as the consumer-owned rural electric systems.

OBJECTIVE IS ELIMINATION

The obvious objective is to eliminate the latter group of business organizations as a factor in the American utility industry.

The technique involved in this campaign, I am convinced, is wrong. Moreover it is a dangerous threat to our democratic processes because, if it works, our democratic processes would not.

The objective, I believe, is wicked. Certainly, it is not in the public interest for one segment of American industry to so rig the flow of information from the public to Congress that an important, though small, segment of American business will be hamstrung if not completely wiped out.

For these reasons I feel it my duty to alert Members of Congress about the designs being made to influence their actions.

Likewise, I feel it my duty to warn citizens—the members of the community clubs, the chambers of commerce, the PTA's and the other citizens groups—to be wary of the golden net that is being spread for them.

They need to know about Project Action, how it works, what it is designed to accomplish and who is to benefit from it.

Project Action is a public relations package. It was put together by Vari-com International, of Boulder, Colo. A power company, the Public Service Co. of Colorado, served as technical adviser. Electrical World, the trade magazine that caters to the electric utility industry, reports that the power companies' public information program—the program commonly known as PIP—is handling the sale of the package to the individual electric companies around the country.

A FULL-COLOR MOVIE

Key item in the package is a 30-minute full-color sound movie, called "The Power Within."

Along with the movie are a number of items to help the local electric company perform its propaganda job on the citizens in its local community. I will document the fact that this is a diabolical scheme to manufacture synthetic public opinion.

There is, for example, a 40-page program guide that explains all the psychological tricks for softening up and manipulating an audience. It tells the man in charge how to arrange the chairs for best effect, how to introduce the movie, how to make the most of the spell laid over the group, and how to focus the energies of the crowd on the predetermined objective of pressuring Congress.

Project Action gives every evidence of being carefully planned and outlined down to the finest detail. It shapes up as a lethal propaganda weapon conceived for and dedicated to a single purpose: "gaining action from audiences * * * and support for legislation by telegram and letter."

Dr. Horace M. Gray, professor of economics at the University of Illinois, in a presentation to the Midwest Economics Association recently made an analysis of propaganda campaigns conducted by some business such as the utility industry is conducting, and he described the techniques used to "justify its intrusion into national politics and its large outlays for political activity and propaganda in connection therewith."

"DEVIL THEORY"

Dr. Gray declared that "in general, it relies on two techniques: identification of its self-interest with the public welfare, and appeal to a 'devil theory.'" He expanded on this thesis by saying:

> The first involves direct, positive affirmation of a mutuality of interest; the second involves creation of a "devil" from whose sinister designs only big business can save us. The Nation, it is alleged, is beset by subversive forces and false ideologies which threaten to destroy democratic freedom and private capitalism, and to plunge the country into socialist tyranny * * *. By happy coincidence, the most effective way to frustrate these insidious designs is to support national policies recommended by big business.

This is exactly the technique used in Project Action. Create a devil, frighten the citizens with it, then tell them how to drive the devil out.

Perhaps things have not changed so much as we think since the days of the Salem witches.

MANUAL FOR MANIPULATION

In carrying out Project Action each local power company is expected to round up audiences, show them the film, and persuade them to deluge Congress with letters, telegrams, and telephone calls. Fortunately for the local power company official, he does not have to figure out how to do this all by himself. Big Brother who planned Project Action has everything pegged for him, in the instruction manual which comes with the movie.

First of all, Big Brother tells what the main problems are: getting an audience, opening minds, identifying problems, showing a solution, motivating, and getting action.

The manual begins by telling the local power company official about 75 types of organizations to contact—every kind from the chamber of commerce to PTA's and church groups. The only ones omitted seem to be the Boy Scouts and the Camp Fire Girls. No doubt an oversight.

The program manual prescribes how to arrange the room for the show, how to check the lighting and check the equipment. It provides a speech for introducing the local power company official to the audience, and then a speech for this official to make in presenting the film.

Here are the concluding words. Imagine them ringing out, as if in unison, before gatherings all over America:

> It presents to us a dire challenge—a challenge which none of us can leave unnoticed. Immediately after the film is over, we're going to do something unusual in connection with that challenge.

OPENING THE MINDS

This, according to the manual, succeeds in "partially opening the minds" of the captive audience.

The film is then presented to complete the softening-up process by "conditioning and motivating your audience before returning it to you for action." The manual assures its users:

> The film builds steadily. * * * For the first time * * * facts are being presented in a way everyone can understand * * * by a person everyone respects. The viewer is not jerked into the middle of complex and misunderstood problems. He is led slowly and continually at a pace that is comfortable, while at the same time informative and interesting.

Such is the blueprint that the manipulators of so-called grassroots opinion are using to outline their strategy. But the manual goes on, and I quote:

> Many parts of your presentation may be considered tangible items that fall into place in the viewer's mind as they occur. This may be said of the "mind opening" segment, when a conditioning or preparatory statement is being made and evaluated. It may also be true of the problem identification section of the film, where he actually sees and hears problems arrayed and interpreted. It is certainly true in the solution segment, for he is receiving a direct message to do something * * * and he realizes and understands it immediately.

Take note of that confidence. The manipulators are confident that their victims will receive the message and realize and understand it immediately.

However, the manual is yet to come to the payoff. That comes next. I shall quote further:

> There is another step in the complete communications process that is harder to recognize, however, for there is no definite time it is laid out to see or hear with the normal human senses.
>
> This is motivation. While it is the most intangible element compared to other parts of the process, it is the one spark that puts the other segments of the presentation into true perspective, and causes the intense desire to take action of some kind, whatever may be suggested to the audience.

I invite the attention of Senators to the fact that, according to the manipulators, the audience should now be ready for the word—not only ready but eager to obey. But as the manual points out there is more to the plot than what has already been revealed. I quote:

> With the film there are many more uses of motivation * * * some extremely subtle. They have been carefully created and placed to avoid no one in the quest for supporters. Planned and interjected throughout the plot, they build within each viewer as the story progresses, eventually pushing the action button within his heart and mind. They transfer empathy and emotion into works and deeds.
>
> This is the actual ignition for all the fuel you've added to this point. This is the key which turns on the motor for action.

BLUEPRINT FOR INDOCTRINATION

There it is: the private utilities' psychological blueprint for indoctrinating a service club, a woman's club, a church group, or a PTA. This is the pattern for engineering thinking. Or, in plainer terms, for brainwashing.

The program manual has further advice for the man showing the film. He is not going to be left without adequate instruction. I quote:

> During the showing of the movie, avoid excess movements, noise or entrances and exits. Your story is powerful and educational * * * it has been designed to get the action you desire * * * you want nothing to distract a single viewer if it can be avoided. Their complete absorption of the message is taking place at this critical point, they are being prepared to accept your

suggestions at the close * * *. Even the slightest deviation in sight or sound can distract the viewer, for he must receive both the visual and the audio messages in complete harmony if he is to receive the entire story you desire him to have.

To help you obtain every ounce of motivation and receptivity possible from the audience: Leave the lights off for a few seconds, and then turn them up slowly in single circuits if possible. A sudden brilliance, noise, movement, or change of atmosphere can destroy much of the feeling you have created in each individual. Speak clearly but quietly for the same purpose as you had in slowly relighting the room; don't destroy a good mood or future reaction in anyone's mind. Resume activities to bring your action segment of the meeting into being. Your associate can begin giving out the cards * * *. By this time the room has been illuminated, you still have the audience's attention, and you can accomplish action.

"A FICTITIOUS CONGRESSMAN"

The movie which presumably has the audience spellbound at this point consists mainly of a discussion between a farmer, his son, and a fictitious Congressman who is the mouthpiece for the power company propaganda line. This so-called Congressman immediately identifies himself with the audience through appeals to family ties, good fellowship, individual initiative, and similar accepted values of American daily life. Next he proceeds to identify the Devil. This turns out to be a composite of REA, Federal hydroelectric projects, and any Government activity which stands in the path of power company privilege.

The Congressman sets up strawmen consisting of the usual power-company scarewords—subsidized rates, unfair competition, Government interference, and all the rest—then proceeds to knock them down with incredible distortions of truth. Fact, reason, and logic are conspicuous by their utter absence. The kindest description I can give his arguments is to use the word Stuart Chase coined for this kind of talk. In his well-known study of semantics, "The Tyranny of Words," Mr. Chase invented a label for words used with false meaning or without meaning. He calls them "blab." And that is what the writers of this film have put into their main character's mouth. He has a lot to say, but when it comes out, it is all blab. It sounds impressive to the uninformed, but it means nothing.

However, the blab creators who wrote this film are counting on the fact that people in a motion picture audience are not likely to be analytical, especially when they are being told their families, their homes, and their very government are being undermined. So they listen to the Congressman's blab, and they hear him tell exactly how to drive out the "devil" and make America safe for all the things they believe in.

How are they going to do this? By writing, wiring, and calling their Representative. By acting immediately to relay the power company message—in their own words—to this Congress.

This is the message of the movie, as it ends with all the stops out—a melodramatic climax of loud music, a quotation from Lincoln read by a voice run through an echo chamber, and exhortations for prayer.

DO NOT BETRAY SOURCE

Before the impact of all this can wear off, the captive viewer is pressured to sign a card consenting to putting his name on a message to his Congressman. Incidentally, these cards go onto a mailing list which the power company will use later for follow-up propaganda.

In addition to firing off a telegram, the audience is urged to write as individuals to Members of Congress, the power company official hands out sample letters, various types of stationery, pens, and stamped envelopes.

The manual warns that these envelopes should not be metered or addressed, and they should have a variety of stamps, lest they "betray the source of the letters to the recipient."

I quote from the manual:

> Sample letters should be on various colored and sized stationery and handwritten. This will give members of your audience an authentic guide, yet, because it looks as though it is an actual letter someone has written, avoids the chance of copying and standardized letters coming from your audience to any one Congressman. This will allow the action obtained to appear spontaneous to the recipient and not as though it were a planned concerted effort by any one interested group. See sample note earlier.
>
> Stationery which is passed out should vary in color and size for the reasons outlined above.
>
> Envelopes should conform to the stationery and carry individual stamps. Not metered postage which will betray the source of the letters to the recipient.

Project Action brings up echoes of a past the power industry has been trying to live down since the 1920's. Thirty years ago, a Senate resolution started the Federal Trade Commission on an investigation of the electric industry which uncovered what was called the most highly organized peacetime effort to shape public opinion in the United States.

The story of that hearing, and what it unearthed, is told in a book published in 1931 and called "The Public Pays." The author was a newspaperman and writer named ERNEST GRUENING, now the distinguished junior Senator from the State of Alaska. I am happy to know that a new edition of this fine work will soon be issued.

"The Public Pays" documents the sordid electric industry campaign in the 1920's to indoctrinate every man, woman, and child in this country through cold-blooded, calculated infiltration of the press, radio, the schools, the colleges, and even the churches. To the electric industry of that day, everyone had his price, and the industry was prepared to pay it. The investigation required 3 years of hearings, and accumulated 14,293 pages of evidence, all attesting to the diligence of the power companies to buy their way into the good graces of the American people.

A STORY RETOLD

"The Public Pays" is a book that should be reread today by every Member of this Congress, in self-protection. Methods may be a bit smoother in 1963 than in the 1920's, but the guiding hand is still the same one that bought disinterested college professors to make academic studies, wrote magazine articles for the signature of clubwomen, pressured authors to rewrite school textbooks, paid traveling expenses and supplied editorials for editors, and even proposed that clergymen "can do the utilities a great deal of good if we can interest them in our business."

Does history indeed repeat itself? Back in the 1920's the electric companies had a speakers bureau which in 1 year addressed 18,423 audiences consisting of 2½ million people—a large number in those days.

Project Action now has its movie, with a spokesman who can get the message across to tens of millions of people from coast to coast.

In the 1920's the industry was told by its public relations people how to interest and present its message to groups including women's clubs, high school classes, grade school classes, colleges, farm groups, fraternal organizations, and church groups.

Project Action outlines practically the same procedure.

In the 1920's the industry often used a front man as a speaker, representing him as an attorney, writer, or professor, rather than as someone on their payroll.

Project Action has its phony Congressman as front man.

SAME OBJECTIVES

The utilities are more subtle in their methods today, but have their objectives changed? The propaganda they were peddling then is not much different from what the fictitious Congressman in this movie has to say.

In the twenties they were attacking municipal ownership; in the sixties the target is rural electric and the Federal wholesale power programs.

In the twenties they warned of bolshevism; today the approach is less specific but still warns of "dangerous trends" and danger to the Government.

In the twenties they talked about the little people who owned the power companies—today we get a playback on the same story.

In a speech which became part of the evidence in the FTC investigation of the twenties, a utilities executive stated:

> None but the blind, deaf, and dumb are justified in doubting the existence of efforts, insidious, and deliberately promoted, to change the intrinsic character of our Government, and eventually its form.

The modern power company spokesman, using a more elusive touch, puts it this way in the movie:

> Let's call it what it is * * * just as the companies swallowed by TVA, it is a back-door Federal takeover of the investor-owned companies * * *. Each of us has to take a stand and be counted * * * or keep on being led down this path of no return.

In the twenties the power companies were getting papers to run editorials like this one:

> The real capitalists of this country—are not the people of immense wealth, but the great middle class, those who work in offices, stores, and factories.

The movie-created Congressman puts it this way in 1963:

> Who do you think the mysterious they are? A handful of Wall Street manipulators? Ed,

> the owners of private utilities aren't they, but we * * * you and I and Bill and practically everyone here in Barnes County, and in counties all across the land. Take Margaret Lewis, the widow, for example. She actually owns some utility stock.

CONCENTRATED CONTROLS

While this is very touching, it does not paint the same picture as the facts which appear in a volume called "Top Stockholders of Private Power Companies," compiled this year by the Electric Consumers Information Committee. Based on the 1961 reports made by private power companies to the FPC, the study shows that the widows and orphans who own stock have a pretty minute role in the utility business.

The holders of power company stocks are completely dominated by financial firms, most of them headquartered in eastern banking centers. For example, 22 financial firms are listed 405 times among the top 10 holders of power company stocks, with total holdings of 48,574,153 shares.

By contrast, the rural electric systems which Project Action seeks to torpedo are really local people engaged in private enterprise. These are the people who had the enterprise to organize and run a business to bring themselves electric power when the profit electric companies refused to serve them.

They have borrowed long-term money from the Federal Government—as have many other businesses, large and small—and they are repaying that money, with interest—$1.2 billion to date has been paid.

They are serving the sparsely settled areas the power companies scorned.

These businesses though small, have created a new market for electrical supplies and equipment which adds $1 billion to our gross national product each year.

Why is the giant Goliath electric industry so intent on wiping out the small David of the consumer-owned utilities? The commercial companies dominate the field to the extent of selling 81 percent of the electric power in this country to 79 percent of the electric consumers. But this apparently is not enough.

It is clearly evident from their well-financed campaigns that the private power companies want to destroy any enterprise which can be used as a yardstick for their operations.

A COVERUP OF OVERCHARGES

They want to root out anything that can remind the public that electric consumers are being fleeced through excessive electric bills, as was demonstrated in the recent study of reports filed with the Federal Power Commission by the power companies. The study revealed the shocking information that 80 utilities have overcharged their customers more than $2 billion in a 5-year period. In addition, stockholders of 33 companies received tax-free dividends totaling $102 million in 1962.

So the power companies, to save the public image, and keep a firm grip on their bonanza, have set out to eliminate the rural electric systems that serve territory only one-tenth as well populated, that obtain revenue per mile of line only one-fifteenth as great, and that are truly locally owned and operated small business institutions.

But why? Why such an exhibition of fear of small business? After all, electric utilities are prospering as never before. According to Electrical World 1962 profits showed a 10.02 percent gain over 1961.

Is it possible that their top management believes elimination of rural electric cooperatives will cause these profits to go still higher?

That is the only conclusion that can be drawn.

CUSTOMERS PAY

The cost of producing "Project Action" must run into hundreds of thousands of dollars. Local power companies will pay about $850 for each package, and the industry leadership is pressuring its people to saturate the country with the movie and the propaganda that goes with it.

Ultimately, the company customers, the ratepayers, must bear the burden of paying for this great outpouring of propaganda. And, if the campaign succeeds in doing away with the yardstick these ratepayers can well expect to bear an additional burden of increasingly higher rates.

Actually, "Project Action" is only a part of a bigger, more comprehensive campaign that the utilities are using in this fight. A multimillion-dollar budget, for example, is behind a series of national magazine advertisements which furiously attack REA and consumer-owned utilities. A network television show is being planned.

These messages of venom have been so bad that even the President of the United States has publicly criticized them as "particularly ugly."

Is this the way to build business in a democracy? Or, is it the way to build special privilege to a higher degree of perfection?

Economist Dr. Gray, quoted earlier, has this to say:

> These masters of power, these men who live by and for power, certainly believe that propaganda is a necessary and indispensable tool for the concentration and maintenance of economic power. Otherwise, as rational beings, they would not devote such lavish outlays to it.

In earlier days, Franklin D. Roosevelt commented upon a similar situation. In 1938 he declared:

> The liberty of a democracy is not safe if the people tolerate the growth of private power to a point where it becomes stronger than their democratic State itself.

I am not suggesting that such a situation exists today. But I am saying that when a strong private industrial complex deliberately plans to frustrate the normal functioning of our governmental system, when it sets itself up to manipulate the normal relationship of the people with their legislative representatives—then, I believe, there is a threat, a threat to deprive us of our democratic system.

A GOLDEN NET IS SPREAD

This is the reason I am speaking out today, to warn Senators, as trusted guardians of the welfare of this Nation, that a danger exists in this greed-inspired drive to flood the Congress with propaganda letters. We must be alert to understand what is behind their appeals to us to strengthen their hand and their economic position.

And all across this Nation people in their homes, in their clubs, at PTA, at church meetings—must be alert—as they read, as they listen to the radio, watch television.

A golden propaganda net has been spread for all of us. Its meshes are often so fine as to be invisible, but they are there, and we must avoid them if we are to remain free people.

Mr. President, I ask unanimous consent to insert in the body of the RECORD, immediately following these remarks, the full text of the Project Action manual to which I have referred.

There being no objection, the manual was ordered to be printed in the RECORD, as follows:

PROJECT ACTION MANUAL

INTRODUCTION

Your company has joined with others in the investor-owned electric industry to undertake the important task of attempting to educate the public about the growing threat of government encroachment into private enterprise.

Your management has chosen you to serve in the most important capacity in its attempt to inform your public of the full significance of the trend to nationalization of certain industries.

Your capacity is important because it is the pivot point of all efforts to be initiated by this program.

Your industry and your company have accepted a great responsibility—the responsibility of creating grassroots support of private enterprise in an attempt to stem the tide of government competition in many fields, and particularly in the field of electric power.

Project Action was developed to aid and guide you in this program. It is designed to:

1. Arouse public interest in the private enterprise philosophy.
2. Educate the public of the full significance of government encroachment.
3. Cause the public to act in behalf of free enterprise.

Project Action is a complete program. This guide will furnish you with step-by-step suggestions for effective accomplishment of every phase of the program—arousing interest, conducting meetings, obtaining action.

THE PHILOSOPHY OF PROJECT ACTION

There has been set forth a challenge—a challenge in the form of the growing threat by government competition to the basic foundation of our Nation's economic system—a challenge which, if not opposed, could eventually lead to the destruction of our democratic private enterprise system.

Government is today involved in nearly 20,000 commercial and industrial endeavors which are normally the domain of private initiative and enterprise.

The investor-owned electric utility industry finds itself most deeply involved in the fight for the preservation of the private enterprise system. Nationalization of electric power and its philosophy has grown widespread during the past 30 years. Proponents of this philosophy have promised that its magnitude will become even greater.

Important strides have been made in opposition by the investor-owned electric industry during recent years. There is an increasing awareness within Congress of this growing threat and of the serious trend it represents. Many are taking determined stands in behalf of free enterprise and the investor-owned electric companies.

However, to date, not enough legislators have been influenced to act upon any alteration of the trend. There has been little support from their constituents to force action. On the other hand, proponents of nationalization of power have gathered great support in opposition of attempted legislation and have successfully stalemated in committee any attempts to correct existing situations.

In the meantime, certain Government agencies have deviated greatly from the purposes for which they were created. These deviations have been made without control of Congress, without any understanding of their significance by the public. In fact, because of the lack of understanding by the people, these agencies have built an extremely favorable image in the eyes of many.

Congressmen who would fight to alter the practices of REA, TVA, BPA, SPA, and others, need the support of their constituents. In fact, before any action can be taken, they must have the support of those who elect them—they must have grassroots support.

But before the people will lend their support, they must understand—understand fully the present practices of REA, TVA, etc.; understand completely the trend which they represent; understand the true implications of Government in business; understand the effects upon each of them as a taxpayer, as a protector of our heritage.

This is not an easy task.

The individual, without understanding, would rather have the Government take care of him; "big business won't."

You are well aware of the public image of your company and others just like yours across the country. In the public's mind, yours is a "big" company; it is cold and impersonal. The public's mind is closed to your needs, occasionally hostile to your desires.

It is not an easy task to educate this mind to gain its support.

Your industry is presently involved in attempting this task.

Almost daily news stories tell of the specific problems confronting the investor-owned utility industry, editorials are appearing across the country in opposition to the practices of the REA and others, well conceived advertisements spell out the issues in detail.

Yet the public has not risen to the defense of your industry.

News articles and advertisements fall within the realm of optional perception to the public. Perhaps your public elects to read or hear your message, perhaps its mind is closed to your appeals, perhaps it does not accept the premise that Government competition is wrong.

And, aside from the optional factors, even if the public does take notice of a news story or advertisement, most are still unable to understand the full significance of the problems. At best, the public can be exposed to only fragments of the problem at a given time.

Then how is the task to be accomplished?

Only through a concentrated program of substance, a program which will assure the public's complete concentration upon the issues and the problems, can the people be made to understand.

Only through a concentrated program of substance, a program designed to motivate the public and cause individuals to act in all parts of the Nation, can such a task be accomplished.

Here is such a program.

THIS IS PROJECT ACTION

Project Action is designed to gain public support of private enterprise and opposition to further Government encroachment into the electric industry.

Project Action will open the public's mind and arouse its interest.

Project Action will educate the public fully of the problems confronting investor-owned electric industry today.

Project Action will motivate the public to want to support private enterprise.

Project Action will cause the public to act, will gain actual individual participation and build grassroots support for the preservation of the private enterprise system.

Study this book carefully. Become knowledgeable about all the problems of Government encroachment in all areas of business. Read the supplementary materials included in this program. They will allow you to be prepared for any circumstance, for any question. Examine your company needs and review the industry's goals. Organize your thinking and that of those who will assist you. Adopt a plan which will accomplish results in your area, then work that plan. Work your plan for action.

THE COMMUNICATION PROCESS

The communications process embodied in your Project Action program will enable you to make use of all methods of communications.

Basically, the communications process consists of these 6 steps, whether your audience is 1 or 100—an "insider" or an "outsider":

1. Getting an audience.
2. Opening minds.
3. Identifying problems.
4. Showing a solution.
5. Motivating.
6. Getting action.

We will take them one at a time, briefly explaining the purpose of each step and its importance to the overall process.

GETTING AN AUDIENCE

This, basically, is getting a meeting secured with the right group, under the right circumstances to accomplish the intended purpose.

Whether your audience is an "internal group" (such as stockholders and employees) or an "external group" (which is all other segments of the populace you want to reach), you will have the tools and methods to reach them and have a smooth working process to apply to your audience.

To accomplish the first step requires direction of efforts. It may require getting an audience with 1 or 2 people in order to get to 50 more. It may produce an audience only after several direct and indirect contacts have been made. And, it may come about only by your naming which day in your schedule would be better.

In any event, it starts the ball rolling toward any number of audiences you need in your program plans. It must be given priority handling because its effectiveness or ineffectiveness has direct bearing upon the results in the last and vital phase of the communications process, getting action.

OPENING MINDS

Once you are before your selected audience, your job is ready and waiting, opening the long-closed minds to a message of importance.

You must assume that, in some respects, the mind of any individual in any audience may be closed. This applies to your "internal" groups as well as the "external groups."

For the "external" group, these may be valid reasons for a closed mind:

Indifference to the problems of the "big, rich industry."

Disbelief in the utility industry side of the story.

Unaware that the problem exists in the first place, or,

Doubtful that it is as important or dangerous as you say. Besides, he is not personally concerned anyway.

For an "internal" group (employees, stockholders, etc) the actual reasons for a closed mind may be different, but they represent a need to have the individual mind opened wide to what may be the most important message they will ever receive:

Avoidance: "This is top management's job."

Futility: "Nothing I can do would help anyway."

Complexity: "Complicated, uninteresting, useless."

Lack of knowledge: "What problem?"

Conveyance of responsibility: "We elect people to worry about Government problems, we worry about utilities."

Unimportant: "Not as vital to me or my business as other things I have to worry about."

In the use of your Project Action program, you will find the mind begins to open with your remarks prior to the film showing, and the beginning of the film continues opening the mind to receive the problem identification and solution.

The purpose in getting minds opened is to create a "oneness" of thought in your audience. The door must be opened to receive, understand, and retain the message. If this is done, then the problem identification and the suggested solutions will fall upon receptive ears and cause action from willing hands and hearts.

The goal we work for—action.

IDENTIFYING PROBLEMS

Now, with opened minds, the audience awaits the presentation of the large and important problems that might affect each or all of them.

As yet, they may be totally unaware of the number or scope of the problems represented in this film presentation, and at this point it is better that they not know the entire pattern of what is to follow.

If you presented these problems one at a time in full detail and explanation, completely supplemented with all available facts, figures, and statements, you could well spend a few days in front of your audience without ever accomplishing your purpose.

This is the reason for the film, "The Power Within." In this way, you act as an agent, partially opening the mind before the film, and letting the film quickly condition and motivate your audience before returning it to you for action.

As the film progresses through to its conclusion, it is building toward the ultimate objective of action from the audience:

(A) It is interesting at first—pleasant, believable and true to life. It introduces people much like many we know. Every viewer becomes a part of the story. In his mind each person seeing the film steadily accepts the characters and surroundings, accepts their problems and their dreams, and like them, seeks his own solutions.

(B) It is important and revealing, a Congressman giving his views on the problems, and overcoming objections that nearly every viewer would admit were similar to his own before the film started. The strong central character is an important influence on the viewer, his word is accepted unquestioningly. For the first time, these facts are being presented in a way everyone can understand, by a person everyone respects.

(C) It builds steadily, placing little problems here and there, backing them up with facts and figures, indicating the trends already underway and what the eventual dangers in them could be. But, most important, the viewer is not "jerked" into the middle of complex and misunderstood problems. He is led slowly and continually at a pace that is comfortable, while at the same time informative and interesting.

(D) It affects everyone by identifying problems that are now of deep concern to each citizen—employee, businessman, or scholar—each person who has mind enough to think for himself. Problems that were "someone else's thorn" just a few minutes ago are now "my problems." Now that these areas have been brought to life, everyone suddenly recognizes evidence in his own locality that is an example of the film's warnings. The viewer sees that he is affected, and is resolving himself to the fact that he carries some of the responsibility for doing something about it.

At no place in the presentation of the problems have you been handed the distasteful and uncomfortable task of being an "alarmist," "the injured one," or an "agitator," as some audiences would tend to classify a person making such a presentation in the normal manner.

To them, you are a person who has brought along an entire cast of interesting and important people who act as third party influences to explain the many ramifications of the problems. Your Congressman has presented your case fully and accurately, in an interesting, authoritative manner.

And, while these problems are being exposed, you become a member of the audience, receiving the message as others are, becoming "one of them" for the time they must have with their own thoughts and interpretations of your message. Only after they have been fully conditioned do you again assume a role of leadership in causing action.

SHOWING A SOLUTION

At the same time the characters and the plot in the film were identifying and supporting the factual problems, they were also leading each person in the audience to a point where something must be done.

As personal involvement in the story line builds, these thoughts are not usually in the mind of each person present: "What can we do?" "Where do we start?" "How can one person do anything that counts?" "Will it help if we do attempt any action?"

These thoughts have been anticipated in advance. These and other feelings which come to bear during your presentation were considered when the film was made, and the answers they deserve were provided too.

Again, through authoritative, believable and sage counsel, each viewer is told what he can do, what he should do, and, diplomatically, what he must do if he is a person of principles and character.

A strong, reliable third party has informed him: "It's your responsibility, let your representative know what you want, this is power in the people, and it must be expressed to keep our country the great land of opportunity it is today."

The solution? Each person may see a different one. A combination of solutions that are equally effective may be one consideration he has at times. Whatever it is, and however it comes, he knows he must be heard where it counts the most.

He will be open to your suggestions and guidance to accomplish whatever is necessary, but at least he is now ready to take the important final step: action.

MOTIVATING

Many parts of your presentation may be considered tangible items that fall into place in the viewer's mind as they occur.

This may be said of the mind-opening segment, when a conditioning or preparatory statement is being made and evaluated. It may also be true of the problem identification section of the film, where he actually sees and hears problems arrayed and interpreted. It is certainly true in the solution segment, for he is receiving a direct message to do something and he realizes and understands it immediately. There is another step in the complete communications process that is harder to recognize, however, for there is no definite time it is laid out to see or hear with the normal human senses.

This is motivation.

While it is the most intangible element compared to other parts of the process, it is the one spark that puts the other segments of the presentation into true perspective, and causes the intense desire to take action of some kind, whatever may be suggested to the audience.

Motivation is the silent worker throughout the film. It is present when the viewer begins to recognize people like himself or someone he knows, when problems affect his life or that of a friend or neighbor, when he sees the proud heritage of a great nation stand in jeopardy, and when he realizes that this is his country, his duty to himself and his fellow man. These are the applications of motivation in your film presentation.

With the film there are many more uses of motivation, some extremely subtle. They have been carefully created and placed to avoid no one in the quest for supporters. Planned and interjected throughout the plot, they build within each viewer as the story progresses, eventually pushing the action button within his heart and mind. They transfer empathy and emotion into words and deeds.

This is the actual ignition for all the fuel you've added to this point.

This is the key which turns on the motor for action.

GETTING ACTION

Your audience has responded. The message has been delivered, understood, believed and accepted. Your viewers have been conditioned as never before to give you the cooperation and support necessary to accomplish the purpose you had in mind when this meeting was first considered and arranged.

They are ready for action.

This is the precise moment that has been anticipated, planned and worked for from the beginning. At this point, you assume the role of a guide and leader, guiding thoughts and actions toward the specific act you have in mind and leading the audience through to the final details which implement your plan.

In a following section, you have the various ways action may be taken, depending upon the circumstances of your meeting and the group with which you are working. You will already have in mind the specific action formula that is best for this group and for your overall program plans.

Be sure each step in your participation at this point is well learned and easily portrayed for your audience. Make certain every single item of material you need is ready for use when needed. Through the conclusion of the meeting from this point on, you are in command of this group, either solely or jointly with members of the group. The results of this phase of the program depend on all you've learned and practiced. Make it count.

Whether your specific action planned for this group is a telegram or a letter, it is the right one to do the right job as planned.

This is action.

ARRANGING MEETINGS

External groups

In this section, we are dealing with the actual contacts and process steps in arranging the meetings which you will conduct for various audiences.

First, we consider the external groups, for the plans in this direction must of necessity be more carefully considered than those of the internal groups.

Selecting the group

As you begin making program plans in your territory, you may use the page in this section which identifies a large number of groups found in most areas. You may select the ones in your community which come closest to being ideal groups, judged by these four factors:

1. Is it a group of important people? A group that can lend weight and prestige to my program in the community?
2. Is it a group from which I can obtain the action I want? Does it have projects or philosophies that can be likened to the program's aims?
3. Is it a group that might have special accessibility because of a close friend or associate who is a member of the group now?
4. Is it a group that would be easily accessible? Does it have regular meetings? Time for programs?

In some cases, all these factors may be present. In others, only two or three of the criteria will be met. The list included in this section will let you check, in the order that appears best to you, the ones you want to contact first.

POSSIBLE SOURCES OF GROUPS THAT SHOULD SEE PROJECT ACTION

1. Look for local associations comprised of members of these business and professional interests: Accountants, advertisers, architects, attorneys, bankers, contractors, dairymen, dentists, druggists, engineers, florists, grocers, hardware, insurance, manufacturing, merchants, news sources, physicians, printers, and secretaries.
2. Look for special interest groups such as these: Athletic clubs, flying clubs, conservation groups, boating clubs, investment clubs, gardening clubs, parents associations, and fishing clubs.
3. Look for military and veterans clubs and organizations: AmVets, Air Force Association, American Legion, Catholic War Veterans, Coast Guard League, Disabled American Veterans, Jewish War Veterans, Korean War Veterans, Marine Corps League, National Guard, and Reserve units (Army, Air Force, Navy, Marine Veterans of Foreign Wars).
4. Look for health, education and welfare groups: Adult education classes, correspondence classes, dentists-dental assistants, city-county welfare agencies, Community Chest agencies, parent-teachers association, physicians, nurses, Red Cross, and teachers' associations.
5. Look for these civic and fraternal organizations: B'nai Brith, Civitan, Eagles, Eastern Star, Elks, Knights of Columbus, Knights of Pythias, Knights Templar, Lions International, Masonic Lodge, Moose, Oddfellows, Sertoma, and Woodmen of the World.
6. Look for unions: Barbers-beauticians, carpenters, electricians, musicians, masonry, painters, printers, railroad, transportation, and white collar.

THE FIRST CONTACT

After you have made your selections of local groups and placed them in a priority list, you are ready to make your first contact.

The special mailing prepared for you makes this job easier to accomplish, gives strong company influence to your program and provides a simple and efficient manner of followup contacts to definitize the various meeting dates in accordance with the schedule you wish to maintain.

1. Prepare a list to whom you wish the mailing sent. This will be the program chairman, the club officers, or even an individual influential member whom you know.
2. When mailing the announcements, consider the number of mailings to be made, followed up, answered, and contacted. If your list is rather large, you may want to space your mailings far enough apart to avoid a big rush at first, as well as provide continual requests from your mailings.
3. As the reply cards are returned, they should be forwarded to you, allowing you

to check your copy of the list to see what reception your mailing has received.

Contact the people replying by telephone or personal call, whichever may be the more practical for you. If any of these factors are unknown, determine them in your telephone call or visit:

(A) The size of this group.

(B) The number of all members and guests who will probably be present at the meeting.

(C) When the next (or most preferred) meeting date is scheduled, and at what time of day.

(D) How much program time is allowed.

(E) Where the meetings are held, the actual room within the building.

(F) What accommodations this room offers in the way of seating, lights, electrical outlets, etc.

(G) If possible, get some data on these additional items:

(1) What type of people belong to this group—business, professional, etc. The more you know about the personality of a group, the better prepared you will be to "slant" your meeting to the group's interests.

(2) What the club's philosophies and projects are, and how they will mesh with your program's purposes.

(3) Any key members that you may personally know and give some advance conditioning before the meeting date.

(4) Note: Special previews: In contacts such as the above, you may find it necessary occasionally to offer the person a private preview of the film prior to the meeting date. This may be well worth your time in arranging, and if you think the occasion warrants it, ask the person if he would like to have one.

The private preview can do these things for you:

(a) Remove any doubts or fears the person may have about presenting an unknown subject to his group, thereby allowing him to feel more at ease and willing to arrange your meeting.

(b) If your private preview makes an ally of this person, you have gained invaluable assistance in getting yourself and your program properly to the membership; getting assistance and cooperation in the action process of the meeting; and getting good referrals and suggestions to other groups.

(H) Pin down the actual meeting details, get the commitment for the film showing, discussion period, etc.

(J) If the group has a newsletter or bulletin, tell this contact man you will furnish him advance copy to go to members in the bulletin, getting better attendance and participation in the club program.

CONTACT FOLLOWUP

After making the telephone or personal contact with the group member, after you have all the information possible about the group and after you have made a definite meeting arrangement date and time, there are a few other followup steps you may want to consider to assure yourself the most favorable circumstances for your program:

Followup letter

If your contact man agreed to furnish premeeting announcement notices in the membership bulletin, this is good reason to write, including the data, and thank him for the telephone conversation and arrangements. Here are some good points to include in the letter, which would be written the same day the call or visit was made:

1. Thank him again for his interest in your public information program and its value to every member in his group.

2. Mention the exact date, time and location of the meeting agreed upon earlier.

3. Mention that you will, if he has no objections, go by the meeting place ahead of time to be sure that everything needed for a good program will be on hand and arranged in a manner that gives the best program possible.

4. Indicate that your program is available to all other groups and he should feel free to have any other club officer or member contact you to arrange a meeting.

Arrangements

You know what materials you will need at the meeting, and how many of each. You should be familiar with the equipment specifications for a good program. These are: adequate projection, screen, sound, etc., and the demands these make upon the actual meeting room: lights, size, arrangement, etc. (See the special check list in this section, and use the special wallet card for an effective check.)

It is a good idea to go by the meeting location a day or two in advance if you are unfamiliar with it, just to be sure the necessary arrangements can be made to give you the best circumstances for the meeting. If the meeting is being held in a popular meeting place, such as a hotel or even some restaurants, the management can help you secure and arrange the needed items for your program.

You may prefer to bring your own projector, sound equipment, screen or other hardware items, because you are familiar with their operation and limitations. In some instances, however, the location itself may have items which will save you work and time.

ARRANGING MEETINGS

Internal groups

You and your company management will be planning the introduction of your project action program to each employee and as many stockholders as possible. For many reasons, this planning is the most productive, for it is reaching the groups who have the most interest in the company, its problems and their effect upon them as individuals, and the solution to those problems. The varied deep interest inherent in this group will produce the greatest percentage of participation and action. These are a few factors that should be considered in getting meetings arranged:

Employees

1. Where are they located? How many different offices, units, and divisions are to be considered?

2. What is the order you would like to use in presenting the program to various segments of employees, such as:

(A) Staff and middle management.

(B) Department heads or supervisors.

(C) General employees, or, perhaps this arrangement would best fit your company and its employees:

(a) Staff and management.

(b) Department heads and supervisors at the same time as employees in their divisions.

3. What premeeting announcements would you make to all employee groups?

4. What additional meeting arrangements must be made, in the event that facilities present cannot accommodate your scheduling?

5. What times of day or week do supervisors and department heads recommend for a time which will interfere least with normal operations?

Stockholders

1. From stockholders listed, what cities appear to be central locations that would include the majority of stockholders?

2. What locations within the cities present the best meeting accommodations? Are they available when you want them?

3. Is there a stockholder's meeting already scheduled? If so, can this become a part of it?

4. What premeeting announcements and promotion do you think are necessary? Is there other pertinent company or industry material you would want to include with the meeting announcements?

5. What management people from the company are available to participate in your meetings with stockholders?

6. What scheduling will be best timed to arrange the meetings so that company people can be on hand as well as a majority of the stockholders in that area?

SPECIAL PREMEETING LETTER TO EMPLOYEES

Here is a sample that may be used as a guide in preparing a similar letter for your employees:

"It is with pleasure that your company announces a new public information program to be presented to every employee. The name of this program is Project Action.

"Based on a 30-minute color movie, the program presents some of the issues and challenges being met today by every investor-owned electric company in the Nation. It is interesting, eye-opening and inspiring, and portrays for each of us the importance of our role in a free-enterprise company.

"Your company management believes the value of this program to be so great that it is making allowances of time and space so that each of us may see this dynamic presentation. The benefits to everyone will be many, for the powerful message it brings has long been needed.

"Space here does not allow a more thorough explanation of the entire program to be given, but I can assure you it will be one of the most vital and worthwhile programs ever presented to any citizen.

"Sincerely,

"Your meeting is arranged for:

"Date.

"Time.

"Place."

Note: The above sample letter includes these important points you will want to work into your own letter:

1. It is brief, and readership is higher than in a lengthy explanation.

2. It is interesting, "new public information program," "30-minute color movie," "issues and challenges" and "dynamic presentation" give higher interest to the reader.

3. It is important, because it is a letter to the employee, even if not personally typed, it conveys the message more certainly than the "bulletin board" approach, although the group notice board can be used for other notices of the same content.

4. It may be signed by either the company president, personnel officer, etc. The signature should carry the same importance and interest factors as does the letter.

5. It tells when, where and what time for each person in this group, department, division, etc.

SPECIAL ANNOUNCEMENT LETTER TO STOCKHOLDERS

As with the employee letter, you may want to draft your own, but this sample includes the pertinent points of good communications for this announcement:

"It is with pleasure that your company management announces the introduction of a new public information program. The name of this program is Project Action.

"This is a program long needed for its forthrightness and impact. It deals with the ever-growing issues involved between Government-owned or subsidized power and the investor-owned electric utilities. It dramatically portrays the investor-owned company in its true role of one of the strongest defenders of a nation based upon free competition.

"The foundation of this program will be a new 30-minute color movie which explores, interestingly and informatively, the growth and trend of Government power, its cost to the citizen and the solutions to this problem.

"You are one of some 4 million citizens across the Nation who have a deep interest in this area because of your ownership in the Nation's investor-owned electric companies. However, as a conscientious and concerned citizen and taxpayer, you find that vou also have other deep, fundamental interests.

"This program will be presented on (month and day) at (time) in the (location) (city and State).

"We sincerely urge you and any interested friends or associates to be with us at this important special meeting. Please use the enclosed reply card so that we may plan our meeting properly.

"Sincerely,

"President or Board Chairman."

Note: Again, keep it brief, interesting, and important. You touch upon what, when, where, and why for your company's owners. The urging from the president or board chairman adds importance and value, as does the special reply card, a guide for which is on the following page.

SPECIAL REPLY CARD FOR STOCKHOLDER LETTER

You may produce this card in the quantity needed for the number of stockholders to be invited to all meetings. Enclosed with each letter, it adds importance to the message, and aids in assuring better attendance.

"Yes, I am making plans to be at the special stockholders' meeting of the (company name) company, to be held at (date, place, and time).

"Signature of stockholder.

"Name.

"City."

PREMEETING FOLLOWUP

Again, as with all groups, you may want to check the facilities, the equipment and the material you will need.

The special "check list" is on the following page, and should be used whenever needed. The special wallet card containing a brief of this same information should be carried with you and your regular associates, to be immediately available.

You may also want to make a second mailing to stockholders, enclosing other material you have which would be of interest to them, reminding them of the meeting or reminding them to return their reservation cards.

Be sure the schedules of other company personnel participating in the meeting are such that there will be time planned for them to be in attendance.

Work with any management people participating to go over the introductions, program outline, and other material that will be covered in this series of meetings, especially the action that will be asked of the audience.

PREMEETING CHECKLIST

Here is a list you should read through at least a half hour before every meeting. Use it as a working guide in making the last minute preparations for a good meeting:

1. Room arrangement: Is seating adequate for number expected? Is seating arranged for best showing? What is best line of projection? Where should projector be placed? Screen? Extra speakers?

2. Lighting: Check location and light control of each switch. Determine if this switch also controls wall outlets to be used for projection. Check window closures, drapes, blinds, etc. Also check for any doors which should be left closed during meeting.

3. Equipment: Place projector and screen in most favorable positions. Thread film, connect speakers. Give a test run for yourself, checking: focus, sound, brilliance (projection bulb strength). During test, turn out lights, locate and correct any light leaks, such as doors, drapes, etc.

4. Materials: Count out quantities of each material to be needed, provide a few extras for safety.

5. Trial run: With your associate (or group member who will be assisting you) go through all the meeting steps, determining who will do what and when. Take special precaution to cover responsibilities of running the projector, turning lights off and on, passing out materials, etc.

6. Introduction: You are now ready for the meeting. The last thing is to have handy the standard introduction to be used in introducing you to the group. If you have not furnished this to the group member assigned this duty, give it to him in advance of the precise time it is to be used. Let him become familiar with points, putting them in his own words.

ROOM LAYOUT AND SPECIAL PROPS

In many instances, you will not be able to do much about the way a room is arranged for your film showing. This is due to the many luncheon and business groups with whom you will be meeting.

However, just a few minor changes can sometimes make quite a difference in the effectiveness of your program. These changes can usually be made with a minimum of disturbance to the scheduled format of the group.

In other cases, you will be the one who arranges the location and all other details for your audience. This is where you can have everything just the way you want it, and be assured of having the best conditions possible for your program.

CONDUCTING MEETINGS

There are three major segments to the program presentation that occur in every meeting. Each is important and vital to its success.

The introduction of you and the introduction you give your movie sets the mental stage of every member of the audience for the message to follow. If it is done well, the message is received by an open mind.

The presentation of the story is handled largely by the movie; opening minds, presenting problems, identifying solutions and requesting corrective measures be initiated. Your summation to this presentation and transition into the next meeting segment is all important to the meeting and the results you receive from it.

The action that you suggest, sponsor, and encourage will be taken if everything to this point has been a series of blended activities leading to a climax. Whether an internal group of employees or an external group of businessmen, the action planned for them is logical, practical, and workable if everything before has prepared the group for this step.

THE INTRODUCTION YOU RECEIVE

This is one of the most important steps in any meeting you will hold.

Normally, you would expect the president or program chairman to explain your entire background and pertinent facts and ideas about the program which you are about to present.

Because the psychology of "The Power Within" is such that it is a complete, self-contained mind opener, educator, and motivator, it is suggested that your introduction be kept as brief as possible. This will show you to make your opening remarks and move quickly into the film. It will also alleviate the possibility of creating any adverse preconceived ideas about your program before it is presented.

Following is a suggested format for the introduction given you by a representative of the group with which you are meeting.

Introduction

"We have a highly unusual program in store for us today. It is one which brings a vital message to all Americans. What we are about to see will be of interest to each of us. It concerns a way of life we have that is sometimes forgotten in our busy world.

"Here with the program for us today is ———— who will tell you a little more about his presentation."

THE INTRODUCTION YOU GIVE YOUR PROGRAM

After being introduced by a member of your audience, you have the full attention of each person for a short while. This time factor is important to you, for you must immediately increase and hold their attention until the film can deliver its message.

You must also set the stage for your call for action which will follow the film * * * create a curiosity about what will follow in order to dissuade your audience from leaving the room as soon as the fim ends.

Caution should also be exercised at this point not to tell too much about the program * * * not to defeat the psychology built into "The Power Within."

Here are two standard introductions which you may use.

FILM INTRODUCTION FOR INTERNAL GROUPS

"We are going to see a film today (tonight) which has a very important message for each of us. I think that you, too, will agree to its importance, for it touches each of us not only as an American, but directly because of the industry with which we are associated.

"In fact, it presents to us a very dire challenge—a challenge which none of us can leave unnoticed.

"Immediately after the film is over, we're going to do something unusual in connection with that challenge.

"Now, let's see 'The Power Within.' "

FILM INTRODUCTION FOR EXTERNAL GROUPS

"Thank you Mr. (s)————.

"I am extremely happy to have the opportunity to bring you this program. In fact, I am proud to show you this film and the very important message which it contains.

"I think that you, too, will agree that this message is important to each of us, regardless of our position or our place in the community; it touches each of us as an American.

"In fact, it not only touches us, it presents a very definite challenge to each of us—a challenge which none can leave unnoticed.

"Immediately after the film is over, we're going to do something unusual in connection with that challenge.

"Now, may we see, 'The Power Within.' "

SHOWING THE MOVIE

With your audience prepared for the message and your equipment loaded, focused, and ready to start, there are few seconds lost in transferring the attention from your introduction to the film story.

In all your meetings, it is extremely desirable to have a company associate helping you so that he can be at the projector or the light switch, and your harmonious activities quickly come into play to make the movie loom importantly on the screen in view of each person.

During the showing of the movie, avoid any excess movements, noise, or entrances and exits: Your story is powerful and educational—it has been designed to get the action you desire—you want nothing to distract a single viewer if it can be avoided. Their complete absorption of the message is taking place at this critical point, they are being prepared to accept your suggestions at the close.

If any focus or sound adjustments are still necessary after the movie begins, make them quickly and permanently in one activity. Sometimes, even the slightest deviation in sight or sound can distract the viewer, for he must receive both the visual and the audio messages in complete harmony if he is to receive the entire story you desire him to have.

AFTER THE MOVIE ENDS

Despite other film showings you may have seen in the past, the after-film techniques used here are suggested to help you obtain every ounce of motivation and receptivity possible from the audience:

Leave the lights off for at least a few seconds, and then turn them up slowly or in single circuits if possible. A sudden brilliance, noise, movement, or change of atmosphere can destroy much of the feeling you have created in each individual.

Speak clearly but quietly, for the same purpose as you had in slowly relighting the room: Don't destroy a good mood or future reaction in anyone's mind.

Resume activities to bring your action segment of the meeting into being. Your associate can begin giving out the cards, passing out folders, and performing the other duties suggested in the following section of this guide. By this time, the room has been illuminated, you still have the audience's attention, and you can accomplish action.

THE GOAL IS ACTION

After an effective film showing, you are ready to obtain action from your audience. Through "The Power Within," you have aroused the curiosity of the audience; you have shown the problem; you have shown a solution; you have motivated your audience to act upon that solution.

However, the members of your audience will not, as a body, jump to act upon the problem; they will have good intentions to act tonight when they get home, to do something tomorrow, or when "I get the chance." You must help them act.

There is no other time better suited for action than immediately following the film when you, the conductor of the meeting, will have control of action.

Quick action from external groups

A telegram technique: Here is a method which will allow you to obtain action quickly, effectively, from any external group.

It involves very little effort on the part of anyone—only a signature from the individuals in your audience.

It will be effective because it allows your audience to act while it is still motivated by the film.

Following are suggested concluding remarks for you to use after the film to obtain action and a sample "action" card which includes a suggested message for the telegram itself. All an individual must do to act is read the card which pledges his support to the principles of private enterprise and consent to have his name included on a telegram which includes the names of others of his group and which will be sent to his Congressmen.

CONCLUDING REMARKS FOR "THE POWER WITHIN"—TELEGRAM TECHNIQUE

After the film is completed and you have followed the procedures outlined earlier, say:

"The Government is today involved in nearly 20,000 commercial and industrial enterprises. I believe that you will agree that this is a challenge for each of us * * * the challenge of a problem that tomorrow may affect any number of others, perhaps even your business.

"Private enterprise is being challenged on its very existence as the basic foundation of our economic principles.

"Serious-minded citizens agree that now is the time to meet this challenge * * * to stop Government encroachment."

(At this point have associate pass out action cards.)

"The only certain means we, as free citizens, have to make ourselves heard is through our Congressmen. My associate is passing among you now a card which bears a message which we in the electric industry would like to send to our representatives in Washington.

"If you agree that something must be done to protect our rights of private enterprise, that the challenge must be met now, you have the opportunity right now to aid in this fight.

"Here is the opportunity to take just 1 minute of your time * * * 1 minute to help protect a way of life for all future generations, simply by reading this card * * * and, if you agree, sign your name as a sponsor of the message that will be sent by telegram to our Congressman tonight (today).

"Are you ready to accept the challenge?"

(Collect the cards after the meeting and add the names to your telegram.)

Card

Yes. I believe that America is the greatest nation on earth and that individual initiative, ambition, and drive, through free enterprise, has built an economic system that is the envy of every nation in the world. I further believe that each of us must do all he can to combat any threat to the very system that has made America great.

I want my name to appear as one of the sponsors of the telegraph message which appears on the reverse side of this card and is to be sent to legislators who represent us.

Signed——————.

Telegram

To the named Congressman at his address:

"We the undersigned are becoming extremely concerned with increasing Government encroachment into areas which by our American heritage have become free enterprise endeavors and have helped make our Nation strong. We believe that such encroachment perils the economic foundations of our Nation. We are particularly concerned with the unfair competition that exists from the REA program against investor-owned power companies. We pledge you our support and urge you to take any action possible to (1) cause REA cooperatives to pay their fair share of Federal and State income taxes; (2) cause REA to pay current interest rates on funds borrowed from the U.S. Treasury; (3) require REA to pay own administrative expenses; and (4) remove the cloak of secrecy which presently surrounds REA loans.

A SPECIAL FOLLOWUP FOR THE TELEGRAM TECHNIQUE

Here is a method which will allow you an additional approach to action after your audience has responded to your appeal for a telegram.

From the action cards you collected to acquire the names to be included with the telegram, you have a list of those members of your audience who were sufficiently motivated to act.

Write those who take action

A few days after you have held the meeting in which the telegram was sent, write to each of those whose names were included with the telegram, and include the brochure, "The Power of the People," which is included at the end of this section, with your mailing.

This brochure, together with the suggested letter which follows, should give you an effective direct-mail approach for further action.

DEAR MR. ——————: I wish to take this opportunity to thank you for the time, attention, and help you gave during our recent meeting of (group). Your support in the message which was sent to our Congressman was most gratifying. You have helped to strike a needed blow in the fight against Government competition and encroachment.

However, this need not be the only blow we, as individual citizens can strike for the preservation of our basic economic concepts. Each of us can continue to make our views known to our elected representatives and question what progress is being made to aid in the solution to this problem.

I urge you to individually write to your Congressman, and further outline your beliefs to him. I have enclosed a brochure which outlines the film we saw last week. This brochure, "The Power of the People," brings out all the facts pertinent to the problem of growing Government competition and lists the names and addresses of your representatives in Washington.

I feel certain that your Congressmen would welcome receiving further correspondence from you.

Very truly yours,

(Your name).

LETTER TECHNIQUE FOR ACTION WITH EXTERNAL GROUPS

A personally written letter is the most powerful form of action that can be derived from any group.

Occasionally, some of the external groups with whom you will be meeeting may be able to utilize this approach to action. Such groups should be those which you can categorize as "knowledgeable" about the problem of Government encroachment—perhaps members of the chamber of commerce and other business groups.

Use the "Power of the People" brochure

Your closing remarks can vary to allow your audience to act individually at some time after the meeting. By furnishing them with the "Power of the People" brochure and sample letters, you will give your audience literature which recaps the film, outlines the facts of the problem, as well as the names and addresses of your Congressmen.

As mentioned earlier, this brochure is enclosed at the end of this section.

Concluding remarks for letter technique

After film is completed, say:

"The Government is today involved in nearly 20,000 commercial and industrial enterprises.

"I believe that you will agree that this is a challenge for each of us, the challenge of a problem that tomorrow may affect any number of others, perhaps even your business.

"Private enterprise is being challenged on its very existence as the basic foundation of our economic principles.

"Serious-minded citizens agree that now is the time to meet this challenge, to stop Government encroachment.

(At this point pass out brochure and sample letters.)

"The only certain way we, as free citizens, have to be heard is through our Congressmen. My associate is passing among you now a means to have your voice heard.

"If you agree that now is the time to meet this challenge, now is the time to protect our economic principles for all future generations, here is your opportunity to take just 5 minutes of your time to protect our way of life.

"Take the brochure and sample letters home with you, read them, and if you are ready to meet the challenge, write your Congressmen.

"The brochure will give you all the facts, the names and addresses of our legislators. The sample letters, while not to be copied, will serve as a guide for your letter.

"Thank you for your time and attention."

DEAR SENATOR: I have become greatly concerned about Government encroachment into areas of private enterprise. I am particularly concerned about the increasing competition to investor-owned electric companies by the REA.

I want to pledge you my support and urge you to take any action possible to curtail Government competition in this area.

Also, I don't believe that REA cooperatives should be allowed to borrow from the U.S. Treasury at interest rates that are less than what the Treasury must pay for its money.

Thank you for your time and attention.

Very truly yours,

DEAR CONGRESSMAN: I wish to take a moment of your time for consideration of a problem which some of my neighbors and I believe to be a threat to the basic economic principles of our country.

We have been discussing the growth and apparent changing attitude of REA and are shocked by the way things are going.

Not only is REA now in competition with investor-owned, taxpaying electric companies, here in our area, but we hear they are loaning money to businesses in other parts of the country and, in effect, going into competition with lending institutions. This doesn't seem fair or right, considering that REA is tax subsidized, and is able to acquire money at 2 percent interest from the Government—even though the Government pays more for its money than that.

Can't something be done about this?

Sincerely,

HOW TO OBTAIN ACTION FROM STOCKHOLDERS AND EMPLOYEES AFTER SHOWING FILM

Earlier, employees and stockholders of your company were classified as internal audiences, more or less "controlled" groups because they would be directly effected by increasing Government encroachment into the electric industry and are sympathetic to your company's problems. These two groups should comprise your most receptive audience * * * and from them you should be able to obtain the most effective form of action, a personally written letter.

The preceding pages contain sample letters and a suggested means for their utilization with internal groups.

After following standard procedures (outlined previously) when the film is completed, here is a suggested means to aid you in obtaining action from either internal group, employees or stockholders. Necessary props to aid your conclusion are:

For each member of the audience:

1. A pen.
2. A blank piece of stationery (various types preferred—see samples).
3. A sample letter (see sample shown earlier).
4. A stamped (not metered) envelope—not addressed.
5. "The Power of the People" brochure.

CONCLUDING REMARKS FOR "POWER WITHIN"

"I believe that you will agree that this is a challenge which affects each of us * * * one which threatens our industry and others which have helped make this Nation the strong fortress of democracy that it is today.

"Serious-minded citizens agree that none of us can allow this increasing competition and encroachment to continue."

(At this point have associate point out props to each member of the audience.)

"If you agree that something must be done to meet this challenge * * * to protect our rights of private enterprise, you have the opportunity right now to aid in this fight.

"My associate has just placed (is placing) before you several items—a pen, paper, a stamped envelope, and a brochure outlining what is believed to be an effective solution to the problem. Also on the sheet are the names and addresses of several of our legislative representatives. There is also a sample of a letter that has been written before about this very same problem. Please use it only as a guide to the letter you write in your own words.

"Here is your opportunity to take just 5 minutes of your time * * * 5 minutes to help protect a way of life for all future generations * * * simply by making your views known to your Congressman.

"The envelope is stamped * * * the brochure will guide you * * * if you have any questions, raise your hand.

"You may mail your letter yourself, or we will be happy to mail it for you if you will just leave it on the table.

"If you wish, you may take these materials home and write your letter at your leisure.

"Thank you for your attention."

About the samples

Sample letters should be on various colored and sized stationery and handwritten. This will give members of your audience an "authentic" guide, yet, because it looks as though it is an actual letter someone has written, avoids the chance of copying and standardized letters coming from your audience to any one Congressman. This will allow the action obtained to appear spontaneous ,to the recipient and not as though it were a planned, concerted effort by any one interested group. See sample note earlier.

Stationery which is passed out should vary in color and size for the reasons outlined above.

Envelopes should conform to the stationery and carry individual stamps * * * not metered postage which will betray the source of the letters to the recipient.

"Power of the People" brochure sample enclosed at the end of this section. Available in quantity from Project Action.

A DIRECT MAIL APPROACH FOR STOCKHOLDERS

Ideally, both employees and stockholders would see "the power within" and have the opportunity to receive all the facts regarding the threat to your company. However, this will not always be possible—undoubtedly some of your stockholders live in widespread areas and far from your company's area of operation. But—

Your stockholders are important. Consider the impact that could be derived if only one-tenth of your stockholders could be prompted to write to the Congressmen who represent their area—write specifically about the problem of government encroachment and its concern to the investor-owned electric industry.

Then, consider the impact which could be caused if only a minimal amount of all the some 4 million shareholders of electric utility stock in the country could be motivated to act: Your company's stockholders should be one of the first groups contacted with your project action program. Here is a method which will allow you to contact all your stockholders, no matter where they are located.

Proven effective techniques have been utilized in creating a suggested direct mail program.

These techniques encompass a process of (1) gain attention; (2) identify problems; (3) show solution; (4) call for action.

The suggested program consists of a letter directed to your stockholder and a suggested brochure to be used as an enclosure. The letter suggested here is written specifically about encroachment via REA.

You may find this letter apropos for your geographical area, or you may need to revise it to some extent to conform with your particular company policy.

The folder is designed to be used in areas where REA is the specific problem. Copies may be ordered from project action at quantity discount prices.

If the folder does not conform to your company's problems, it may serve as a guide for the format of one which you may create.

TO THE COMPANY,
Stockholder,
At his address.

DEAR STOCKHOLDER: Management of your company is becoming greatly concerned with a problem which we feel threatens the very basis of our Nation's fundamental economic system.

That problem is Government encroachment and competition with the investor-owned electric industry through the deviation of the Rural Electrification Administration.

No, we do not condemn the original purpose of the act which created REA; in fact, we recognize the greatness the accomplishment attained by REA in electrifying rural America.

Today, through the combined efforts of REA and investor-owned companies, 98 percent of the Nation's farms are electrified. The task is complete * * * yet, REA remains and has stepped up its lending activities for unnecessary power-producing stations and transmission lines to the point of direct competition with investor-owned companies across the country.

Today five out of six new REA customers are nonfarm; over 80 percent are urban, commercial, or industrial in character and are enjoying a subsidy that is denied their neighbors and competitors—a subsidy which you, as a taxpayer, must underwrite.

REA cooperatives pay no Federal income taxes, yet their net profit in 1961 was $87 million.

REA cooperatives may borrow from the U.S. Treasury at 2-percent interest rates. The Treasury must pay approximately 4 percent currently to acquire its funds.

Through section 5 of the REA Act, cooperatives have loaned money at rates convenient to them to ski resorts, gravel plants, lumber companies, and others.

Congress presently has no control over the administration of funds.

And further compounding the problem, some REA cooperatives have been able to reinvest 2 percent moneys in 4-percent Treasury bonds.

The right of investor-owned, taxpaying companies to generate and distribute electricity has been challenged by advocates of stronger Government control of our American private enterprise system.

Tomorrow, which other major industry will be threatened?

We urge you to read the enclosed folder, to learn the facts about this "Creeping Shadow."

If you share our views and concern over the threat of increasing Government control, why not invest a few minutes of your time to help preserve our private enterprise system? Write your Congressmen, make your views known to them.

This is the only certain means we, as free citizens, have to protect our investor-owned industries from Government encroachment and competition. Why not act today?

Very truly yours,

(PRESIDENT, your company).

THE CREEPING SHADOW BROCHURE

A copy of this brochure is included at the end of this section.

It is designed to be used with your stockholder mailing. It deals especially with the problems presented by the deviation of REA. Your company may order copies in quantity from Project Action if the content is suitable to your problems and geographical region. If the content does not apply to your company, use this brochure as a guide for designing literature which answers your needs.

The last panel of the brochure is left blank so that it may be imprinted with specific recommendations for action made by your company, names and addresses of your Congressmen, and your company name. Your company will probably want to make its own recommendations on this panel.

Here is a suggestion which may be used: Your Congressmen need your support to fight Government encroachment into free enterprise. If you share our concern about this important threat, make your views known to them.

Specifically, we believe that REA cooperatives should be required to:

1. Pay Federal income taxes on their net profit (net margins).
2. Pay at least the same interest for money borrowed from the U.S. Treasury as the Government must pay for these funds.

3. Itemize and justify to Congress all loans. Then list names and addresses of the legislators who represent your area.

OTHER ACTION TO GAIN

Gain contacts into other groups

When meeting with either internal or external groups, you will find that individuals in your audiences are active in other groups.

These individuals can be extremely helpful in enabling you to have the opportunity to show "The Power Within" to other groups.

If it is your desire to gain additional contacts to other groups, consider using these remarks after your concluding statements on the film:

"There is another way that you, as individual citizens may aid in this fight.

"I am certain that most of you belong to other groups and clubs here within the community.

"If you feel that other groups to which you belong would find this film an interesting and informative program, we would certainly like to make it available to them.

"I would welcome the names of any groups you can give me to contact. I will be happy to discuss this with you just after this meeting."

APPENDIX

Project Action

PRICE SCHEDULES

	Prices for each, plus shipping						
	1	2	3	4	5 to 9	10 to 14	15 or more
Complete programs (film plus program guide)	$675	$650	$625	$600	$575	$525	$475
Film prints only (after purchase of 1 or more complete programs)	625	600	575	550	525	475	425

PROGRAM COMPONENTS

	Prices, per thousand including imprinting plus shipping			
	5,000 [1]	10,000	20,000	50,000
"Creeping Shadow" brochure	$26.65	$22.70	$17.45	$13.85
"Power of the People" brochure	58.00	46.50	40.50	35.50
"The Power Within," direct-mail piece	44.00	31.50	25.50	19.00

	Prices for each plus shipping costs		
	25	50	100
Meeting cue cards	$0.05	$0.04	$0.03
Meeting checklists	.05	.04	.03
Movie script	1.50	1.40	1.25
Sec. 17 of Hoover report	1.00	.93	.85
Empire Bldg. folder	.10	.09	.075
"Deviation of the REA"	.50	.45	.40
"The Facts About the TVA Power Business"	.40	.35	.35
Program guide (includes 1 each of above)	75.00	67.50	58.00

[1] Minimum quantity 5,000.

PROJECT ACTION ORDER FORM

PROJECT ACTION,
Post Office Box 932,
Boulder, Colo.:

Please send to the address below the indicated quantities of the following components of Project Action and bill my company according to the prices listed on your current price schedule.

Name ____________________________

Company __________________________

Address ___________________________

City (zone) and State ___________________

Complete Project Action programs.

Prints of film, "The Power Within."

Program guides.

Copies of the "Creeping Shadow" brochure (minimum 5,000).

Copies of the "The Power of the People" brochure (minimum 5,000).

Copies of "The Power Within" direct mail piece (minimum 5,000).

Copies of the meeting cue card (minimum 25).

Copies of the meeting checklists (minimum 25).

Copies of the script to "The Power Within" (minimum 25).

Copies of the reprint of section 17 of the Hoover Commission Reports (minimum 25).

Copies of the "Empire Building" folder (minimum 25).

Copies of "Deviation of the REA" (minimum 25).

Copies of "The Facts About the TVA Power Business" (minimum 25).

If you wish these items imprinted, please include a glossy proof of your company signature and any other information you wish with your order.

PREMEETING CHECKLIST

Check these items at least one-half hour before meeting time

1. Room arrangement: Number and arrangement of seats. Best location for projector, screen.
2. Lighting: Location and control of each switch. Check wall outlet to be used with lights off. Check closures all windows, doors.
3. Equipment: Place projector, screen, speakers; thread film, connect all units. Test run equipment, checking sound, focus, light leaks, etc.
4. Materials: Count out quantities to be used plus a few extras.
5. Trial run: With associate, go through meeting steps, determine who does what and when, such as projector, lights, materials, etc.
6. Introduction: Have standard introduction page ready for person to introduce you. Furnish it in advance of time to be used for his familiarization.

MEETING GUIDE CARD

This card is designed only to refresh your memory at certain points or functions you have during a meeting. It is not intended to be a complete instruction device within itself, and should be relied on only after you are fully familiar with the pertinent portions of the program guide manual.

FILM INTRODUCTION FOR INTERNAL GROUPS

"We are going to see a film today which has a very important message for each of us. I think you will agree to its importance, for it touches each of us not only as an American but directly because of the industry with which we are associated.

"In fact, it presents to us a very dire challenge, a challenge which none of us can leave unnoticed.

"Immediately after the film is over, we're going to do something unusual in connection with that challenge.

"Now, let's see 'The Power Within.' "

FILM INTRODUCTION FOR EXTERNAL GROUPS

"Thank you, I am extremely happy to have the opportunity to bring you this program. In fact, I am proud to show you this film and the very important message which it contains.

"I think you will agree that this message is important to each of us, regardless of our position or place in the community; it touches each of us as an American.

"In fact, it not only touches us, it presents a very definite challenge to us, a challenge which none can leave unnoticed.

"Immediately after the film is over, we're going to do something unusual in connection with that challenge.

"Now, may we see 'The Power Within.' "

After the film

1. Leave lights off a few seconds.
2. Speak clearly but quietly.
3. Resume activities for action.

THE TELEGRAM TECHNIQUE FOR EXTERNAL GROUPS

Points to remember for your statements:

"Government involved in nearly 20,000 commercial enterprises—a challenge for each of us.

"Private enterprise being challenged.

"Serious minded citizens agree now is the time to meet challenge—stop Government encroachment."

Associate passes out action cards.

"Only means to be heard is through Congressmen—this card bears message we in electric industry would like to send Representatives.

"If you agree something must be done to protect our rights of private enterprise, you have the opportunity right now.

"Here is opportunity to take 1 minute of your time—help protect way of life for all future generations—read the card, sign it if you agree, as a sponsor of the message that will be sent by telegram.

"Are you ready to accept this challenge?"

Collect cards, add names to telegram.

LETTER TECHNIQUE WITH EXTERNAL GROUPS

Statement is same as first part of telegram technique, until associate passes out materials.

Associate passes out "Power of the People" brochure and sample letters.

"Take the brochure and sample letters home with you—read them—if you are ready to meet the challenge, write your Congressman.

"The brochure will give you facts—names and addresses of legislators. Sample letters are not to be copied, but serve as guide for your letter.

"Thank you for your time and attention."

CONCLUDING REMARKS FOR "POWER WITHIN" FOR USE WITH INTERNAL GROUPS

"I believe you agree this is a challenge affecting each of us—threatening our industry and others.

"Serious minded citizens agree none of us can allow increased competition and encroachment to continue."

Associate passes out pen, stationery, sample letter, stamped envelope, "Power of People" brochure.

"Here are several items—and the names and addresses of legislators. Please use sample letter only as a guide for your letter that should be in your own words.

"Opportunity to take just 5 minutes of your time—help protect way of life for all future generations—by making your views known to your Congressmen.

"You may mail your letter, or leave it here and we will.

"You may take materials home and write at your own leisure."

GAINING CONTACTS INTO OTHER GROUPS

If you desire additional group contacts, these remarks may be made after your regular concluding statements:

"There is another way you as individual citizens may aid in this fight.

"I am certain that most of you belong to other groups and clubs here within the community.

"If you feel that other groups to which you belong would find this film an interesting and informative program, we would certainly like to make it available to them.

"I would welcome the names of any groups you can give me to contact. I will be happy to discuss this with you just after the meeting."

"THE POWER WITHIN" A NEW COMMUNITY SERVICE PRESENTATION FOR ALL ORGANIZATIONS, CLUBS AND GROUPS

Now available without cost to all groups, organizations and clubs in your community, is the new full-color-and-sound movie called "The Power Within," being offered as a community service presentation.

As program content, it brings to the membership a finer appreciation of the power of the individual citizen * * * the effect he has on his own future as well as that of the Nation. It is more than just entertainment fare, for it dramatically portrays our system of free competition industry and the challenges it faces in the present-day world. Whether your membership is old or young, business owners or employees, students or parents, there is a vital message for everyone.

Please use the reply card below to give us the necessary information so that the movie may be scheduled for your group as soon as possible. There is no cost involved, and a private showing in advance of your meeting date can be arranged for you if desired.

SCHEDULE YOUR PROGRAM SOON

Please complete the blanks regarding name, attendance, preferred date and location so that we may contact you to confirm a definite meeting date and time. If you would prefer some other person be contacted for meeting confirmation, fill this name in the space for your signature.

"Yes: I would like to request a meeting date for members of the ____________ to see the film, 'The Power Within.'

"Our usual attendance is about __________. We meet every ____________ at ____________ in ____________.

"Please contact me to confirm a definite date we may have this program. We prefer this be on ____________.

"Signed ____________.

"Typed name and title ____________.

"Address ____________. Telephone ______.

"THE POWER WITHIN"

(Copyright 1963, Varicom International, Inc., Post Office Box 932, Boulder, Colo.)

Music: Title music is big and inspirational in mood.

Sound: As camera tilts down, fade in the sounds of a countryside awakening * * * birds chattering, a rooster's crow, a distant train whistle.

At Jenkins' Farm.

NARRATOR. (After Jenkins appears). His name is Ed Jenkins and he is a farmer. He raises corn, wheat, and feed for his cattle, and he has never known any other life.

Ed Jenkins, a strong man with hard, calloused hands. Hands like those which guided his parent's team across the wide country, across silent plains and lonely nights, through axle-deep mud and drifting snow, to settle and tame a measure of security from the clawing wilderness. Ed Jenkins, a pioneer out of pioneer stock.

A happy man, this farmer, satisfied with his lot. He sees his daily work not as a chore, but as a meaningful contribution to his family and his Nation. An independent man—rough as cinders, hard as slate, and one who speaks his mind.

This is a special day for Ed Jenkins. His youngest boy is coming for a visit.

This knowledge is a warm fire deep inside him. He had been able to provide this lad with a gift as precious as freedom itself, and one which he has never received, an education.

What is impossible for such a boy? What wonders might he one day accomplish? Yes, life has indeed been good for Ed Jenkins.

Music. Build to end sequence.

Music. Music sequences into light, happy "traveling music."

Sound. Typical words of greeting: "Good to see you again, Son;" "Oh Mom, you haven't aged a day," "Giddyup, Grandpa," etc.

HILDA. (Rapid fire) Now Ed, don't just stand there, take everyone's coats. Honestly, he'd stand and watch his own funeral. William, you should have worn a heavier coat. You know the nights out here. Pat, honey, you look like next year's spring. How you can keep your shape after two children is beyond me. Here now, I've got some cookies for these youngsters and I've got a big thrasher's dinner for everybody. Mike and Judy, come on now, we'll parade out to the kitchen and just see what's in the old cookie jar. (Grandkids and Hilda exit.)

PAT. (following behind and smiling) I'll come with you and help with dinner.

HILDA. Nonsense now, you just stay put. You've had a long drive and (door shuts behind Pat).

BILL. (off camera and laughing) No change?

ED. No change (crosses to chair). Billy, she seems as young as the day we married (slowly and sentimentally as he settles into chair). Yep, she's quite a woman (changing pace, as jerked out of his own thoughts). Now, then, what about you? How is the world's greatest printing salesman?

BILL. (half heartedly) Fine, Dad, just fine.

ED. You know, you never were a good liar. What's eating you?

BILL. Oh, same tune everyone else sings, I guess, not enough money to go around.

ED. Aw, come on Mister. You maybe don't have two silos full, but I don't see you have any complaints either. Unless they cut your pay since the last time I saw you.

BILL. (serious now) All right, Dad, I'll level with you. Things have changed in this old world since you were a young man. Like prices. Dad, you're almost self-sufficient here, grow most of your own food, a home paid for years ago, a suit once a year, this isn't true in town.

I'm no exception, believe me, young families have a heck of a time nowadays getting by, inflation for example, and taxes.

ED. (smiling) It seems to me those taxes weren't just invented yesterday.

BILL. (still serious) Dad, look, when you and Grandpa John started this farm you didn't have to pay out a single penny for income tax, right.

ED. Sure, but——

BILL. So you had a chance to get started without any kind of Federal drain on your income. All right, for all practical purposes the income tax started in the 1930's. By that time you and Mom had made a pretty good start. And even then it was only a tiny amount, 4 percent of your income. Nowadays, I'm paying upwards of 20 percent of my income and the long range trend keeps going up. And it's not just that, social security, these payments have gone up umpteen percent. And State taxes, and local taxes, sales tax, property tax, luxury tax, school tax, excise tax.

ED. Hold it, hold it. Hold on a minute. I give up, you're probably right. It sure seems to be getting worse, all right. But it's not all bad. You got an education, son. That's important and don't you forget it. If you have a hard time stretchin' your pay, forget it, quit, strike out on your own. With an education like yours you could start your own printing shop. This is America, son. You can make your own way here.

I built this farm with nothing but these (holding up hands). You got the brains and you got the gumption. Make your own way. Build your own life. Heck, if it's money you need, I don't have much, but you know I'd help any way I can, and——

BILL. Dad, to you I'm probably gonna sound like the laziest man in the world. No spunk, no initiative. But I've thought about doing just that, starting my own business. Thought about it quite a while.

ED. And?

BILL. And under the circumstances, I don't think it's wise. You know Groveville. We haven't added two businesses to the town in the last 10 years. But lately things have started looking up. Several Government facilities have been moving in, military bases, the Federal center, and now that new research institute.

Well, anyway, I figure it'll be murder trying to cut into the printing dollars of any of the established businesses. But with this new Government activity, I might have a chance. Even if I could just get a tiny percent of their work, it'd be a toehold and I could fan out from there.

ED. Makes sense. What happened.

BILL. What happened was that the Government doesn't seem to let out any business at least not enough to dip your toe into. Most of them have their own facilities, inhouse, that do their own work. And what they don't do themselves, they get from the Government Printing Office in Washington. So it was no runs, no hits, no errors, and nobody left on the bases (pause).

ED. Judas Priest. That stinks worse'n my hog pen. Who says the Government's s'posed to get in the printing business. Haven't they got enough to do countin' money and marchin' soldiers?

It's gettin' so's a man can't even farm his own land without the Government's say-so. I tell you that burns me up. Billy, you give up too easy. You gotta quit lettin' the bureaucrats push you around.

BILL. (smiling) I haven't seen you this way since that deer hunter shot your prize bull.

ED. It's no laughin' matter, son. When Uncle Sam starts competing with his citizens, it's a pretty sorry day.

If the Army, or the Post Office, or the State Department started planting wheat next door, you can bet I wouldn't just sit on my hands. You gotta fight for your rights in this world. Now you sit tight, I want to make a phone call.

Hello, Mildred, is the Congressman in? (aside to Bill) I been playin' poker with this old scoundrel for 15 years. (Seriously.) He's a good man, Bill , and I'm sure he'll be able to * * * (into phone) hello, Alec. Listen, what are you doing this afternoon? Yeah, Oh, an hour or so, I guess.

Yeah, Well Bill is here. That's right, my boy, and he's brought a few things up that we'd kinda like to kick around with you. OK, fine, 2 o'clock. Bye now, boy. (Hanging up.) (To Bill.) If I know my man, he'll kick up such a fuss back in Washington that the Government will even get rid of their printing presses.

(In Congressman's office.)

CONGRESSMAN. You mean you're just starting to get riled up about this?

ED. Well, I——

CONGRESSMAN. Didn't you ever listen to any of my campaign speeches?

ED. Sure, but——

CONGRESSMAN. Confound it Ed, you're just pointing out one litle facet of this thing * * * one tiny drop in an enormous bucket of swill.

You've pointed out an instance of Government getting into the printing business. I wonder if you realize how extensive this is. (Taking Hoover report off shelf.) This book summarizes the findings of the Hoover Commission, who, back in the early 1950's spent 2½ years studying the workings of Government. Never before in the history of the United States has so thorough an inquiry been made into the activities of Government.

The Commission found that even back then the Government Printing Office in Washington was depriving private printers of $55 million a year worth of business. Another $285 million was handled by other Federal agencies who operated a total of 327 printing plants.

ED. There, you see, Billy, we'll get ourselves an investigation here yet.

CONGRESSMAN. Hold your horses, Ed, that's not all the Commission found.

They learned the Government also operated 46 large commercial-type bakeries, 71 meat-cutting plants, 360 laundries and 438 commissary stores. They found no fewer than 2,500 separate industrial or commercial-type facilities in the Defense Department alone. Everything from paint factories to movie studios from dental manufacturing to ice cream plants.

Now you tell me, how much competition does that represent?

ED. (Slow whistle.)

BILL. Well, how do these things get started, how can this go on?

CONGRESSMAN. That's easy, we all want it to.

ED. Now wait just a darned minute there, Alec. You know me and you know blamed well I have never held to any Government-owned businesses. Why I——

CONGRESSMAN. Ed, if I thought for a second, I'll bet I could name 10 different ways you're encouraging this thing. But let's just take one example probably the most significant of all. Your farm's in an REA area isn't it, Ed?

ED. Sure. I helped form the original co-op, must be 25 years ago. Still on the board as a matter of fact. What's that got to do with it?

CONGRESSMAN. That's just the whole point is all. Isn't your co-op using Federal funds to compete with investor-owned power companies?

ED. Oh, you're a sneaky devil. Why that's not the same thing at all.

CONGRESSMAN. Well, let's just see. Before you fellows came in I was just reviewing a Government film we were showing in a committee hearing not long ago. It's supposed to show what a fine job the Government has done in the power business.

I'd like to show you this and make some comments of my own, points that came out at the hearings.

ED. Fair enough, I'd like to see it. Get the lights there Bill.

(Music: Film, title, music.)

GOVERNMENT NARRATOR. This is the story of rural power, the story of a dream come true for the farmers of America.

The story begins in the heart of America, its farmlands. In the 1930's farming was a hard job. A little more than 10 percent of the Nation's farmers had electricity. And then, by act of Congress, a miracle was born, the Rural Electrification Administration, and almost overnight America's farm families made a dramatic discovery.

CONGRESSMAN. There is no denying that REA provided a highly needed service. The original act was a fine thing for all concerned.

BILL. Well, how come the Government got into the act in the first place? How come the power companies didn't build those lines?

CONGRESSMAN. You're seeing the reason right on the screen there. Building distribution lines out to rural areas was a losing proposition.

ED. That's true, Alec. Why, right here for example, our co-op had to build electric lines to farms that in many cases were miles apart.

CONGRESSMAN. Yes, and remember this was in depression days. Dollars were hard to come by and electrifying rural America was pretty costly compared to the amount of electricity farmers could afford to pay for at that time. But in spite of these conditions, private companies did their part in rural power too. In fact almost half the country's farms today are served by investor-owned utilities. But let's get back to the film.

GOVERNMENT NARRATOR. This is the power that changed the face of rural America, that made possible a revolution in farming. Today a full 98 percent of all farms have been electrified, a tribute to the hard work of the REA and the co-ops themselves. This progress was * * *

Sound: Voice fades as Congressman turns down the volume.

CONGRESSMAN. Any comments on that, Ed?

ED. Just that it seems like a pretty good job to me. Just look at the difference electricity made in farming methods. Why we'd be dead without it.

CONGRESSMAN. Very true, Ed, but that isn't the point. The point is that the original purpose of REA was to bring electric power to the farmers. As you see here, 98 percent of the farms are already using electricity, and today 5 out of 6 new REA customers aren't even farmers. So why should the American taxpayer keep pouring out larger and larger amounts to REA? But wait, let's hear what our Government man has to say about your rates.

GOVERNMENT NARRATOR. * * * to every farm. These inexpensive rates have given America's rural population a unique place in our society. It has stimulated * * *

Sound: Fade as Congressman turns down volume.

CONGRESSMAN. I'll say it's unique. When an REA customer makes out his check, he probably pays less than a private company's customer because the taxpayer, in a sense, is paying part of the electric bill. That's because co-ops don't pay the taxes on their income that private companies have to pay. Not only that, but when they get their loans from REA they get them at interest rates about half the going rate, about half what the Government itself, has to pay for the money. Who makes up the difference? Well, you've got 80 percent of the population financing the low rates of the other 20 percent. But here's another part of the story that should interest you. In the beginning, REA helped not only in providing the power to rural America, but loaned the farmers money which enabled them to purchase their wiring, machinery, and appliances at extremely low interest rates. This enabled families who could not otherwise afford these conveniences an inexpensive way to enjoy the full benefits of electricity. This was accomplished under section 5 of the REA act.

Turn on the lights a minute, would you, Bill?

I want to show you a report of our hearings on these section 5 loans. Again, there's no doubt that the original purpose of these loans was praiseworthy, but listen to what we found these loans were being used for lately. And remember, this is taxpayer-subsidized money.

(Referring to report.) Recently REA section 5 loans have gone to a gravel-crushing plant in North Dakota, lumber companies in Minnesota and Idaho, a textile mill in North Carolina, a ski resort in Illinois and an auto racing factory in Texas.

Now, I ask you what kind of a frankenstein have we created anyway? How could banks compete with REA's interest rates on such loans? You've got REA competing in the loan business as well as the power business.

ED. Now wait a minute, Alec, I'll admit that the section 5 loans have gone pretty far afield, but as for competing in the power business, that's pretty hard to swallow.

If you expect me to pull out the crying towel for private utilities you're barking up the wrong tree. For one thing they're a monopoly. For another they've already got more money than they know what to do with and besides they * * *.

CONGRESSMAN. They? They? Who do you think the mysterious "they" are? A handful of Wall Street manipulators?

Ed. The owners of private utilities aren't "they" but we, you and I and Bill and practically everyone here in Barnes County, and in counties all across the land.

Take Margaret Lewis, the widow, for example. She actually owns some utility stock. And there are 4 million others like her in the country.

Or, take Charlie Connorley, and thousands like him from all walks of life. Part of the money they pay on their insurance premiums each month is invested with and loaned to utilities.

Earnings from these investments ultimately help accumulate funds which are paid to policyholders in dividends, retirement income, and other benefits.

Let's take young Jessie Hill. She's putting her summer job money into a mutual savings account. Part of that money will be invested in utilities to earn interest and help finance that education she's saving for.

Bill Murray also has an interest. Part of his union dues are invested in utilities to help guarantee him a comfortable retirement. One union I know has more than $30 million in utility holdings.

One way or another, just about all of us have a stake in this thing. Pension funds, trusts, insurance companies, mutual funds, charitable and fraternal organizations all have utility holdings.

This is public ownership in its broadest, truest sense. We, the people of America, have an investment of close to $50 million in private utilities, and we'll spend another $120 billion in the next 2 years to improve our facilities. We'll also pay a hundred billion in taxes in the next 20 years. In fact, we are investors in the largest single taxpaying industry in the country.

When we encourage Government competition in the power field, we're taking money out of our own pockets.

BILL. But I always thought a little Government competition would be a good thing. After all, like Dad says, utilities are a monopoly.

CONGRESSMAN. But a regulated, legal monopoly, Bill, regulated as to the prices that may be charged. Regulated on the amount of profit that may be earned. Regulated as to the dividends that may be paid to us as investors. This is the true and proper role of Government, regulation * * * and not competition.

And get this. While the cost of living has almost tripled since the early 1900's the price of electricity has been continually dropping. Now it's only one-third of what it used to be. Does that sound unfair?

Ed. All right, Alec, you've made your point. But it doesn't seem to me like our little co-op and others like us are gonna put anybody out of business.

Congressman. It seems like I've heard that before, Ed. Ever hear of TVA?

Ed. Of course I have * * * everyone has * * * but don't tell me that's all wrong too. It did a lot of good, didn't it.

Congressman. Yes, it did * * * but, like REA it went much further than it was intended to go. But, here, let's take a look at that part of the Government power story.

Now here you see what the original purpose of the TVA was: flood control, soil conservation, and navigational waterways.

All these were badly needed, and this great undertaking in the valley of Tennessee did provide these benefits to those people.

When it began, Congress was told that any electricity received from this project would be minor, just the hydroelectric power that could be generated from the dammed up water itself * * * certainly this would be no competition to anyone.

But later, the TVA squeezed out all the hydropower they could, and then they even built steam generators to produce more Now, steam plants are three-fourths of its power output. Today the TVA is the biggest power system in the entire country.

And thanks to the American taxpayer again it offers cheaper rates, just like REA. So cheap, in fact, 20 investor-owned utilities couldn't fight the unfair competition and were swallowed up.

There's another side that's ironic, too, the industrial northeast pays one of the largest shares of the Nation's taxes, and of course provided a large portion of the funds to create the TVA. Now, many businesses move out of these industrial areas to take advantage of the TVA subsidized rates.

This can happen in REA areas too, creating unfair advantages for one business over a competitor because his low power rates are subsidized by our taxes.

Congressman. Well, enough of that for now, Bill, would you get the lights?

Don't ever say "it can't happen" because it is happening every day, Bill, you and millions more in our younger generations are being saddled with more and more taxes of every name and kind to finance these programs, and we still operate at a deficit every year. The national debt has risen a frightening pace through every administration.

Ed. Alec, I see now I've been unfair to the young folks—like Bill today—for not being able to make ends meet, but I never saw this side of the story before, no wonder it's hard to get in business, or buy a home, or——

Congressman. Most Americans don't realize this Ed. If they did, they could raise enough cain to get it corrected.

And, since you mentioned buying a home, I'll give you a real good example of the REA system.

Congressman. Bill, just suppose you had received an REA loan to buy a $15,000 home. You couldn't, of course, but just suppose you could. You'd have had a 35-year mortgage. You'd have gotten it at about 2 percent interest. You would have made no down payment. And you would have made no payments or principal or interest for 3 years. Sound like a good deal?

(Exclamations from Ed and Bill: Wow, sure is, sure does, etc.)

Congressman. Now, your monthly payments would have been a little over $50 and the total interest paid would have been less than $6,000. Under a more conventional 6-percent loan that you could get your payments on the same loan for the same time would be about $85 monthly, and you'd pay more than $20,000 in interest. That's nearly 350 percent more.

(More exclamations—almost inaudible.)

Congressman. Now, you multiply this type of thing by the millions of dollars poured into co-op loans and you see the unfair advantage they have in competing with utilities that are owned by the investor, and you see why our taxes just keep on rising and being used against us without justification.

Ed. Alec, I hadn't thought about it before but our co-op got its loan at 2 percent, and this was money the Government had to pay 4 percent for on bonds. So there's a loss right there.

Congressman. Right, and on top of that some co-ops reinvest a part of their loan in those same 4-percent Government bonds, and that means you're paying interest on your own money. And, worse than that, the co-ops don't even pay their share of the normal taxes to provide this money in the first place.

Ed. You know, up 'till now, I didn't see this as a taxpayer. I guess I've been enjoying a free ride without even realizing where the train was goin'.

Congressman. It's not a free ride, Ed, in this case, you and other taxpayers are buying the tickets, and it looks like the train is going somewhere you didn't even want to go.

But, here's another case in point, right in your own co-op you're making plans to tie in with other co-ops to build your own generating plant. This could be done all over the country.

Ed. Then we'd have one giant network of Government-financed power that would be in direct competition with companies owned and run by free enterprise.

It's bad enough now, back in 1932, the Government owned only 7 percent of the Nation's power, now that's jumped to 24 percent and it's still expanding all across the country.

Alec, it's high time something was done about this, if only every taxpayer could see this side of the picture, and how it's costing them more every day.

Congressman. It's not just the cost, Ed, it's also a trend we've just about become numb toward. This very thing could make our so-called land of opportunity a thing of the past someday. But, let's call it what it is, just as the companies swallowed up by TVA, it is a back-door Federal takeover of the investor-owned companies.

Bill. If it's going this way in power, couldn't it happen just as easily in baking or in transportation, or oil or anything else?

Congressman. Your're right, Bill, and if you recall, in other countries where this has happened, it usually began with the power industry. I remember Sam Rayburn's statement back in 1936 when he cosponsored the REA Act. He said "we're not intending to go out and compete with anyone" but listen to what the Hoover Commission reported: "Federal competition in the power field is more extensive than any single field and has taken on many aspects which are the negation of our fundamental economic system."

Ed. Alec, there's a word for where all this is heading.

Why doesn't someone up there at the top know about these things? Can't they do something?

Congressman. Yes, we know about it, Ed, even the Secretary of the Treasury recommended to the President that the Government should at least raise their loan rates of interest to what the Government has to pay for the money.

Other Congressmen are fighting to stop this trend, too, one from the Midwest just recently put in the Congressional Record his strong feelings about REA, and getting financial control of it back in Congress where it belongs.

Ed. Then, why doesn't Congress back them up? Why can't you get the laws we need to stop this nonsense?

Congressman. Ed, it is up to Congress to get these laws passed, but it must be legislation that the people want, it has to be beneficial to the majority of the citizens we represent.

I don't have the least idea what you want unless you tell me, how can I or any other man you elect stand up and say "this is what my people want, this is what they've asked me to do," you let me know how you feel.

How many times have you sent me a wire or written a postcard? How many times have you or any of your neighbors ever written anyone elected to serve you? Just to say how you feel about the issues and their effect on you?

You and every other citizen must be heard from, it's your responsibility as an American to use the powers that other nations have lost by remaining silent, the power of the individual voice, and the power of the individual vote. Each of us have to take a stand and be counted, or keep on being led down this path of no return.

It's like lighting candles, Ed, if every person wrote just one letter to just one of their Representatives, think of the power of the people that would be.

Think about this, isn't our wonderful way of life worth the few minutes of time it takes to say "this is what I want, this is what I feel is best for Americans, this is what our country needs."

Ed. Is it really that easy? Alec? Are our letters read up there? Do they mean anything?

Congressman. You bet they do. They mean a lot, because you're writing the people who want your vote and support. If they can get enough support on any issue for their people, they'll go to bat for you in a way that will make you proud.

Bill. I'm more concerned about this power problem now than I am about the problems I had when I came here, but how do I start to put in my word? What do I ask my Representative to do?

Congressman. It's simple, son, because you're only asking for the Nation to get back to the solid principles of government.

Ask that Congress regain control of the situation and guard the purse strings of the taxpayer. Ask that anything be done to stop big government from getting bigger, and using your own money to compete with you in the power industry and any other area.

Ask for fairness and equality, not only in the Government lending programs, but in other issues that hurt every one of us taxpayers.

And, tell your man in Congress that you'll support him to the hilt and influence every one you can, if he takes this stand.

Flyer Advertising Film

THE POWER OF THE PEOPLE: A MESSAGE TO THOSE WHO VALUE THEIR HERITAGE

"There is, deep within the roots of America, a power that surpasses all others, a power which declared a band of determined people independent and caused them to fight for the establishment and protection of that independence.

"This is the power of the people.

"We realize that we must not reserve this power for use only when our way of life is threatened from without.

"We realize the importance of the utilization of that great power to guide our Nation and preserve our heritage, for ourselves and for our heirs.

"You are asked to use your initiative to inform, support, and encourage those legislators whom you have helped elect to office, to take the time to utilize your 'power' to aid them in representing your interests; they have the daily task of creating, revising, and administering the laws by which we are governed. The use of your power is determined by you; you must transmit your power to your legislators to tell them how to act in your behalf.

"The action which you are asked to take is merely an investment of a few minutes of your time, use this opportunity wisely and as often as you wish, on any issue which you feel concerns you, your family, our business or your Nation.

"Your Congressmen want to hear from you. They need to hear from you if they are to act wisely in your behalf.

"Don't ever forget, it is your Government—created to serve you. The responsibility to maintain and guard our precious way of life is yours; yours is the challenge of keeping this great democracy truly a 'land of opportunity.'

"Sincerely,

"ALEC."

QUOTES FROM FAMOUS AMERICANS

The issues and problems outlined in the movie, "The Power Within" are neither new or lightly regarded. These quotations will give you an indication of their importance to other Americans both in and out of politics:

"The legitimate object of government is to do for a community of people whatever they need to have done, but cannot do at all or cannot so well do for themselves—in their separate and individual capacities. In all that the people can individually do as well for themselves, government ought not to interfere."—ABRAHAM LINCOLN.

"Any government, like any family, can for a year spend a little more than it earns. But you and I know that a continuance of that habit means the poorhouse,"—FRANKLIN D. ROOSEVELT.

"There is far more danger in public monopoly than there is in private monopoly, for when the Government goes into business it can always shift its losses to the taxpayers. If it goes into the power business it can pretend to sell cheap power and then cover up its losses. The Government never really goes into business, for it never makes ends meet * * * it just mixes a little business with a lot of politics and no one ever gets a chance to find out what is actually going on."—THOMAS A. EDISON.

"The trend has gone far, but it is by no means irreversible. At the bottom of any new attack on this problem must lie the conviction that private enterprise and local responsibility are in themselves good, and that any derogation from these must be made only under the pressure of necessity or of some unusual circumstances."—HERBERT HOOVER.

"The way to protect human rights is not to socialize them. The chief threat to human rights is no longer of too little government. * * * Freedom's greatest threat today is too much government, that all limits to government action may be swept away."—BERNARD BARUCH.

"Where private enterprise can and is willing to do the job I think it should be left free to do so * * * government enterprise should be primarily addressed to the maintenance and enforcement of competition * * * not its destruction. I believe with all my heart that the job of widely using the resources with which nature endowed the United States is very largely a job of private action."—ADLAI E. STEVENSON.

A SUMMARY OF FACTS FROM "THE POWER WITHIN"

Higher taxes, more taxes to support Government-in-business ventures in electric power. Money received from all citizens to provide benefits for only a few.

Mismanagement of moneys allows Government electric facilities to receive loans at interest rates less than the cost to the Treasury for that money, again, letting the taxpayer make up the difference so that Government power can be offered to 20 percent of the population for less cost.

Loss of congressional control in supervising these loans has created an even greater threat: money intended by law to provide a service to once needy areas is now loaned (at the favorable rates of interest) to commercial, entertainment, industrial, and personal ventures.

Protected competition has been created to oppose private industry, such as your electric utilities. These taxpaying industries must compete with the lower tax-subsidized rates, the restrictions imposed on operation and development and the income-tax-free protection offered Government power facilities.

Significant trends have developed which are mushrooming into every business area, more Government ownership and operations, restrictions and controls in all areas of business, competing unfairly with some industries, depriving all business of needed income.

ACTION YOU CAN TAKE AS AN INDIVIDUAL OR AS A GROUP

As a group

1. Take group action in communicating with your Congressmen. A general message, with members' names attached, can state the beliefs and philosophies of a concerned segment of their constituency. There is no political alinement present when a band of individuals express beliefs and views that are made in the behalf of every citizen in the Nation.

2. Encourage leaders in public opinion to support your actions, help in your efforts to protect our way of life, and express publicly their own personal stand in these issues. Editors, newsmen and other prominent local personalities will provide their assistance once they are informed of the basis and need for their actions.

3. Ask every member to take his own individual course of action as outlined on this page. Let them know that the group places their approval and encouragement on such worthy efforts. Remind them that this message is also available to other groups to which he belongs, and is a recommended program for any of them.

As an individual

1. Personally write, wire, or call your Congressman. Outline the facts you know, state your beliefs toward the corrections needed, support and encourage them to take whatever action is available to alter these trends.

2. Inform others about the issues and the facts with which you are acquainted. Explain how every taxpayer can be affected by this one Government encroachment. Encourage them to take action similar to your own, and get the same program which you saw presented to any groups to which they or their family members belong.

3. Encourage other groups to see "The Power Within." As a member of any business, fraternal, civic, educational or trade group, you can contribute a program that carries a message desperately needed by all Americans, and provide an opportunity to participate in the development of our form of democracy.

WHICH IS THE BEST ACTION FOR YOU?

The letter

One of the highest forms of personal communications, a letter indicates the writer has a deep interest in the subject and cared enough to invest the time to express his views. The letter, when received, gets the attention it deserves, for it represents an important contact with a constituent, one which will not be lightly regarded.

The telegram

A telegram says "urgent" to the person receiving it. The special delivery, the speed of communications, the unusual appearance compared to other mail received, all combine to get the wire read first, and remember, in a Congressman's duties, there is only one thing more important than a contact with a constituent, that is an "urgent" contact.

The telephone

If you personally know or have met your Congressman, a personal telephone call can have a great deal of weight on his later decisions. The telephone represents a very deep interest and conviction, for the legislator realizes the additional urgency and importance that could have activated the call.

"You are now in a position to exercise one of your fundamental rights as an American, the privilege of making your beliefs, your views, and your concerns heard in the Nation's highest legislative halls.

"We are lucky, for not every citizen in this world has this right. In many instances, this and other rights were lost because they weren't exercised soon enough, or often enough. It is a very small obligation we have to ourselves and future generations, but its importance cannot be overstated.

"I urge you to accept this opportunity to take action. This challenging opportunity that requires your belief in all that our system of government represents, to invest the few minutes of time it takes to have a voice in your future."

FROM RURAL ELECTRIFICATION TO EMPIRE BUILDING

America is the greatest nation on earth. It stands as a beacon of freedom which gives hope to millions of humans who are forced to live under the political dogma that people exist for the state, not that the state exists for the people.

Today, this basic element of freedom is threatened by the gradual, but progressive, expansion of the Federal Government into traditionally free enterprise areas.

According to Rowland R. Hughes, a former U.S. Director of the Bureau of the Budget, the Federal Government "is, among other things, the largest electric power producer in the country, the largest insurer, the largest lender and the largest borrower, the largest landlord and the largest tenant, the largest holder of grazing land and the largest holder of timberland, the largest owner of grain, the largest warehouse operator, the largest shipowner, and the largest truck-fleet operator."

The list of commercial-industrial activities of the Government includes over 19,000 nonmilitary agencies alone. Far from discontinuing its business activities, Government is continually adding to them in competition with taxpaying, investor-owned companies.

Free enterprise is one of democracy's greatest strengths. The individual's right to venture his skill and capital in the hope of improving his lot in life has made this country the envy of the world with the highest standard of living ever achieved by any nation in history.

No group of Americans in this country's diversified economy deserves more credit for this achievement or more exemplifies the free enterprise system than farmers, ranchers, and other rural people.

It is indeed ironic then, that a large segment of these rural people is being used without their knowledge or consent to further entrench the Federal Government in the electric industry, through abuses of the federally financed rural electrification program by public power enthusiasts.

RURAL ELECTRIFICATION PROGRAM BACKGROUND

This program got its start as an emergency agency in 1935, during the heart of the depression. It was formally approved by Congress in 1936 and was to have the purpose of financing the extension of electric service to persons in rural areas who did not have central station service. Rural electric cooperatives were formed to serve their own members.

To encourage rural electrification and to help the cooperatives get on their feet financially, Congress, recognizing the financial problems of the times, gave them certain advantages. Among these were exemption from Federal income taxes and the right to borrow money from the U.S. Treasury at an interest rate equal to that which the U.S. Treasury paid for its funds.

An interest rate of 2 percent was set by Congress in 1944 when the average cost of Treasury borrowing was near that rate. Nineteen years of spiraling costs have followed. However, the 2 percent interest rate still prevails despite the fact that the current cost of long-term money to the Treasury is double that rate and the cooperatives are now financially able and should pay the going interest rate which the Federal Treasury pays.

Through the combined efforts of the investor-owned utility companies and the REA cooperatives, 98 percent of America's farms have been electrified. Investor-owned electric companies serve directly 43 percent of the total, and many companies make power available to cooperatives for resale at rates which average about 30 percent less than the standard wholesale price.

Now that the task of bringing electricity to the nation's farms is virtually complete, the Rural Electrification Administration has stepped up its lending activities for unnecessary power producing stations and high-voltage transmission lines, as opposed to distribution-type facilities as Congress intended.

HUGE GENERATION AND TRANSMISSION FACILITIES NEVER INTENDED BY CONGRESS

Huge generation and transmission co-ops (G.T. Co-ops), groups of cooperatives that band together to buy electricity or build generation and transmission facilities—are being organized throughout the country. These "super co-ops," whose generation and transmission facilities in many cases duplicate and compete with existing facilities, were never visualized by Congress when the original act was passed.

This certainly was not the intent of Sam Rayburn, the late distinguished Democratic Speaker of the House of Representatives, who had this to say on April 9, 1936, when he sponsored the bill to create the Rural Electrification Administration:

"We are not, in this bill, intending to compete with anybody. By this bill we hope to bring electricity to the people who do not now have it. This bill was not written on the theory that we were going to punish somebody or parallel their lines or enter into competition with them."

Officials of the Rural Electrification Administration recognized that Congress expected rural electric cooperatives to be almost exclusively distributors of electricity. In 1936, the first Administrator of the REA program told a committee of the House of Representatives that:

"In 99 instances out of 100 they (REA co-ops) are going to buy current from existing plants."

Contrast this original interpretation of the role which generating and transmission systems would play in the rural electrification program to those expressed by the present REA Administrator who has said:

"This generation and transmission authority of REA is the very heart of the Rural Electrification Act. It is the cooperative's bill of rights, for it gives co-ops the assurance that they can be self-sufficient if they have to be. Reflecting this fact, we recently added a new criterion to the condition under which we will approve generation and transmission loans in the future. In addition to our traditional criteria of adequacy, dependability, and cost of power, REA will henceforth make loans when necessary to protect the security and effectiveness of REA-financing systems."

Traditionally the "heart" of the Rural Electrification Act has been to finance distribution type rural electric cooperatives to assist in bringing electricity to the Nation's farms located in sparsely settled rural areas.

The effect of this new criterion is to substitute, as the "heart" of the act, the financing of Government-subsidized generation and transmission cooperatives which do not directly serve a single farm and were never contemplated by Congress.

Indicative of the ever-increasing percentage of loans being made for generation and transmission facilities is the fact that in the first 18 years of REA's existence through fiscal 1954, G. & T. loans totaled $550 million, or 18.8 percent of all electrification loans granted. During the 6 fiscal years 1955–60, G. & T. loans totaled $63 million or 35.7 percent of all electrification loans granted. By 1961 this figure had jumped to $155 million or 55 percent of the total. Approximately the same percentage occurred in 1962.

G. & T. loans anticipated in 1963 will rise to between 65 and 68 percent of the proposed $400 million electrification loans and the total will far exceed the G. & T. loans granted in any previous years.

Since rural electrification is for all practical purposes completed, it would seem that its growth should be confined to the legitimate goal of promoting increased farm usage of electricity.

Instead, through the use of bureaucratic directives and governmental secrecy surrounding loan applications the program is being expanded far beyond the original intent of Congress and is being used as a stepping stone by public power enthusiasts to place taxpayer subsidized power facilities in direct competition with investor-owned, taxpaying electric companies.

For instance, today over half of the REA customers in America do not fall in the farm service category. Five out of every six new REA customers now being added are urban, commercial, or industrial in character. Over 80 percent of these new customers are nonfarm customers enjoying subsidies that are denied their neighbors and competitors.

NEW SECTION 5 LOAN CRITERIA WARPS ACT'S INTENT

This obvious change in the character of the REA program promises to become even more pronounced under the policy of the REA's present Administrator who has told cooperative members:

"To help you encourage new production and service businesses, REA is broadening the use of section 5 loans. You will be able to extend this kind of financing to the purchase and installation of electric-powered machines and equipment in factories and commercial establishments in your service areas."

Up to this time low-cost loans made under the provisions of section 5 in the REA Act have been made to finance wiring, electrical and plumbing appliances, and equipment to encourage farmers to make use of electric service.

This new criterion has so warped the original intent of the act that we now see 2-percent REA loans being given to rural electric cooperatives to finance a housing development, a sawmill, a commercial seed-cleaning and retail hardware store, a commercial seed potato business, and a gravel crushing and washing operation.

How far afield the REA is going in making 2-percent REA loans is typified by the recent action of the Jo-Carroll Electric Cooperative of Elizabeth, Ill., which loaned $30,000, borrowed at 2 percent, to a recreational resort customer at 4 percent for the purchase of electrically operated snowmaking equipment for a ski slope.

This whole idea of putting the REA into the banking business in competition with taxpaying banks and other private lending agencies was never visualized by the framers of the Rural Electrification Act and could drive taxpaying lending institutions to the wall.

In early 1962, Representative DON L. SHORT, of North Dakota, told the REA Administrator:

"You have gotten into a field where it seems to me that the REA is almost becoming a small business administration. I think that it deviates somewhat from the concept that most people have as to the purpose of the REA program."

REA LARGEST FEDERAL POWER SPENDER

It is clear that the words "rural" and "farm" have little meaning in terms of the REA's present objectives.

It has become the largest spender of all the Federal power programs. In fiscal 1963, REA estimates it will be spending more money than either the Corps of Engineers ($238.8 million) or the Bureau of Reclamation ($185.2 million) have requested for their power programs built in conjunction with multipurpose water resource development.

Federal power agencies such as the Bureau of Reclamation and Corps of Engineers must submit to Congress detailed explanations for every project request including both new and continued projects.

Ironically, the REA, which is its biggest power borrower, furnishes Congress no detailed justifications for its annual budget requests of hundreds of millions of dollars, except for those of administrative expenses which have already cost the Nation's taxpayers $110 million since REA's inception.

Commenting on this aspect of the REA program, the Honorable ROBERT H. MICHEL, U.S. Representative from Illinois, said:

"Essentially, Congress has not adequately exercised its constitutionally granted 'financial control.'

"There is no question that the REA Administrator, under the law, should and does have the authority to study, recommend, and approve REA loans, but this does not supersede Congress' authority to decide how Federal funds—including REA's—should be spent."

As matters now stand, once the Administrator has received congressional approval of REA's yearly appropriation, he has a free hand in how the money is loaned.

In the case of REA loan applications to finance super co-op generation and transmission systems he makes practically no attempt to analyze whether existing sources of supply are adequate, dependable, and available at reasonable costs.

This type analysis must be made before the Administrator or anyone else can intelligently and legitimately decide whether granting of the loan will be in the public interest or a waste of millions of taxpayers' dollars.

On the contrary, the Administrator shields, in a cloak of secrecy, cost analysis and other details of these loan applications, from Congress, from the press, general public, and suppliers of electricity in the area who must have this information in order to determine whether they can supply the power required at reasonable costs.

It's not too hard to understand why the REA and some of the cooperatives want to keep cost analyses secret when you consider that in many cases the loan could not be justified because existing sources are plentiful and cheaper. The average charge for electricity made by all G. & T. cooperatives to their members is 9.1 mills a kilowatt-hour. On the other hand, the average wholesale price that investor-owned companies charge electric distribution cooperatives is 7.8 mills a kilowatt-hour.

COLORADO-UTE MEMBERS WILL PAY MORE FOR HAYDEN POWER

A good case in point is the current proposal of the Colorado-Ute Electric Association, Inc., of Montrose, Colo., to build an unnecessary 150,000-kilowatt steam-electric generating station near Hayden, in western Colorado.

The iron cloak of secrecy surrounding this $30.5-million steamplant in western Colorado was finally penetrated through much prodding by the press and ultimately a subpena issued by the U.S. District Court of the District of Columbia to the REA to produce its records pertaining to the loan.

It was eventually disclosed that the primary purpose and justification for such a large powerplant, which would eventually have a generating capacity of 600,000 kilowatts and cost around $120 million, would be to provide power to the Salt River Power District in Arizona, 700 miles away, and to firm up the Colorado River storage project hydroelectric system of the U.S. Bureau of Reclamation.

Salt River Power District is not an eligible REA borrower and serves parts of the rapidly growing and prosperous Phoenix suburbs and adjacent areas. This means that taxpayers' funds at 2 percent interest rates would be used in large part to subsidize this fast-growing Phoenix area.

Although the loan has been granted by the REA, subsequent appraisal of Colorado-Ute's cost analysis and other pertinent data on the Hayden plant indicate that existing sources of power available to Ute's co-op members are both adequate and available at reasonable costs.

For instance, the evidence disclosed individual cooperative members of Colorado-Ute, as preference customers, are eligible to receive Colorado River storage project power which, with other sources, will more than satisfy their needs in the foreseeable future and which could be purchased at less cost than Colorado-Ute power.

These facts were disclosed during hearings before the Public Utilities Commission of Colorado which granted Colorado-Ute a permit to build the Hayden plant by a 2-to-1 decision announced in February 1963.

Commissioner H. S. Bjelland, who voted in favor of granting the permit, acknowledged the availability and adequacy of CRSP power to take care of the cooperative's needs when he stated in his concurring opinion:

"Even as the record clearly establishes that Ute needs more power, it equally clearly establishes that Ute's immediate needs and reasonable future needs can be satisfied by purchasing hydroelectric power from the Colorado River project. This source of power is stable and the price is reasonable."

In his concurring opinion he also stated:

"It is to be noted in passing that Ute's proposal to build the Hayden plant would not be economically feasible were it not for the availability of 2-percent loan money from the Rural Electrification Administration. The funds of such administration, of course, come from the Federal Government. The Federal Government will lose approximately $1 million a year on the Ute loan simply because the Government is paying 4 percent to borrow the money which it loans to Ute at 2 percent."

It is significant, indeed, that the chairman of the commission, Henry E. Zarlengo, cast his vote against the granting of the permit. One paragraph in the chairman's dissenting opinion stands out as a masterful and uncontradictory summation of the thousands of pages of evidence which were presented in the case. He states: "The testimony and exhibits in this proceeding clearly establish that the members of Colorado-Ute have available to them adequate present and future supplies of power at reasonable prices from existing sources, and that exchanging these sources of supply would in effect be swapping 'a bird in the hand, for two in the bush'; actual experience, for future theoretical expectation; the known, for the unknown."

As this publication goes to press, the protestants in the case, Public Service Co. of Colorado and Western Colorado Power Co., intend to file a petition for a rehearing with the Public Utilities Commission.

COLORADO-UTE LOAN HAS NATIONWIDE IMPLICATIONS

Construction of the proposed Hayden plant and transmission system would have nationwide as well as areawide implications.

Because the Salt River district is located 700 miles from the Hayden plant, it is planned that the Bureau of Reclamation will sell power from the Colorado River storage project's Glen Canyon Dam in northern Arizona to Salt River. The Bureau will then take the power from the proposed REA Hayden plant in northwestern Colorado as replacement electricity for upper basin preference power users.

Tying the REA plant into the power facilities of the Bureau's water storage project would make it possible for the Bureau to use this back-door method of bypassing the scrutiny of Congress which has never permitted the Bureau of Reclamation to firm up its hydroelectric power facilities with federally financed steam electric plants.

This is not an isolated case. It is becoming increasingly clear that powerplants and transmission lines financed by REA are being so located as to tie in with other Federal power facilities.

Through Federal transmission interconnections between Federal hydroelectric generating facilities and REA-financed steamplants a huge federalized power system would become an accomplished fact at an equally huge and unnecessary cost to the Nation's taxpayers.

This ganging up of Federal power agencies to accomplish their objectives by using the back-door approach, thus bypassing the approval of Congress, from which they derive their authority, is apparently condoned by the Rural Electrification Administration.

Its Administrator stated in 1961:

"As President Kennedy made clear in a preelection address at Billings, Mont., the administration wants Federal interties constructed to link power areas served by big Federal hydro projects. We have an interest in this plan. The new Assistant Secretary of Interior for Power, Kenneth Holum, has a desire to work closely with REA and its representatives in planning for these interties."

Since Congress has never allowed any Government hydroelectric power project outside of the Tennessee Valley to build supporting steam electric plants, it seems more than a coincidence that REA loans, which are approved behind closed doors, rather than through the process of open hearings, congressional or otherwise, are being used to accomplish the same objective.

This devious use of the REA program is completely foreign to the intent of the act.

If the Rural Electrification Administration intends to continue upon a program of financing G. & T. super co-ops which have the additional subsidy of paying no income taxes, then the REA should be compelled to provide Congress with justifications concerning loans of $5 million or more for such facilities and to hold public hearings before such loans can be granted.

TAX AND INTEREST SUBSIDIES SHOULD BE OVERHAULED

As mentioned, loans are made to REA cooperatives at 2 percent interest, or only about one-half the rate which the Treasury now pays on its long-term borrowings. The interest subsidy cost to taxpayers is substantial. For example, in the Colorado-Ute case Commissioner Bjelland found that for Colorado-Ute to make its profit of $1 million per year the Federal Government (the taxpayers) will lose $1 million per year due to the cost of long-term Federal debt.

Some cooperatives which have money borrowed from REA at 2 percent have reloaned their money to the Government at going interest rates of approximately 4 percent. Over $250 million has been reinvested in Government securities at about double the subsidized 2 percent rate. This may be good business for the co-ops involved but hardly for the taxpayers who must foot the bill.

In addition there are tax subsidies involved. They pay no Federal income tax on the assumption they are not a "free enterprise profitmaking" organization. Yet in 1961, figures computed by the Federal Department of Agriculture showed cooperatives made a "net margin" (net profit) of over $87 million (after all expenses, including depreciation, interest, and the minor payment of some taxes, not including State or Federal income taxes, which they do not pay).

These two items—below-cost interest and no Federal income taxes—have over the past years already cost the Federal Government over $1 billion.

Robert T. Patterson, former professor of economics at Claremont Men's College, in his book, "The Tax Exemption of Cooperatives," analyzes all types of cooperatives and says:

"Under the present tax provisions for cooperatives and their patron members, at least $150 million is lost to the Federal Government each year * * *. The amount of lost revenue is, however, a minor consideration compared with the significance of the tax privilege as an impediment to free competition."

GRASSROOTS MEMBER UNAWARE OF REA DEVIATION

It is evident that many "grassroots" and higher level members of the rural electric cooperatives are not in accord with the philosophy of public power advocates who wish to change the basic character of the REA program.

A recent power issue survey was taken of co-op members throughout the State of Indiana, where the Hoosier Cooperative Energy, Inc., recently received the largest REA G. & T. loan in history for $60 million. It indicated that 63 percent of the coop members believe co-ops should pay the same interest rate the Government pays for borrowed money and 76 percent didn't even know that cooperatives do not pay the same taxes as invester-owned companies.

Both the American Farm Bureau and American National Cattlemen's Association have recently adopted resolutions proposing that future REA loans to rural electric cooperatives should be made at not less than the cost of money to the Government.

It is clear that relatively few but politically powerful advocates of federalized Government power are using the REA and its member co-ops, without their knowledge and consent, as pawns in their attempts to make their dreams of a nation-wide Government-owned power system a reality.

CONCLUSION

Together, the rural electric cooperatives and the investor-owned utilities have done a remarkable job of bringing electricity to nearly every farm in the United States. However, it is evident that the rural electrification program is being expanded far afield from the published intention of the original sponsors of the act.

Under the circumstances, it seems imperative for us to encourage needed reforms in this worthwhile program which will correct unfair economic differences between cooperatives, Federal power agencies and investor-owned electric utilities, in the fields of taxes, money costs, subsidies, preference, Federal influence and regulatory procedures.

Specifically, we believe that rural electric cooperatives should be required to:

1. Pay Federal and State income taxes on their net margins (net profits), at least on that portion which is not rural in character.

2. Pay at the very least the same cost for money they borrow from the Government as the U.S. Treasury must pay for its funds. They should also be required to pay their own administrative expenses which currently cost the Nation's taxpayers approximately $10 million annually.

3. Itemize and justify in detail for Congress all generation and transmission projects costing more than $5 million. This will give Congress an opportunity to study the justification of REA construction programs in the same way that it considers the power programs of the Bureau of Reclamation and Corps of Engineers. It will also remove the shroud of secrecy surrounding the loaning of taxpayers' funds for huge G. & T. loans, insuring that the most advantageous source of power is being utilized to serve any area.

Today, the right of private enterprise to generate and distribute electricity is being challenged by those who advocate more and more Government control of our American free enterprise system. Tomorrow, the challenge may be directed at a number of other major industries.

Fortunately in a democracy such as ours, we have the prerogative to inform our representatives at all levels of government, from city councils, to State legislatures, to the national Congress as to our desires concerning those issues in which we have an interest.

Your elected representative is interested in your opinions and wants to be responsive to them. If the foregoing facts surrounding the changing character of the rural electrification program are of concern to you, make your views known to your Congressmen.

This is the only sure and certain way we all have, as citizens, to preserve our free enterprise system from Government encroachment whether it becomes a hazard to the electric industry or any other industry.

LEAFLET ON SECTION V LOANS

SECTION 5 LOANS NOW FAR AFIELD OF INTENDED PURPOSE

As mentioned, section 5 loans were set up at 2 percent interest in order to aid the farmer purchase wiring, appliances and equipment and take advantage of electric service.

Today, section 5 loans, still available at 2 percent interest to cooperatives, are being used to finance a housing development, a saw mill, a retail hardware store, a gravel plant and a ski resort, among others. In some instances, these loans are being made at 4 percent interest, putting REA in unfair competition with taxpaying banks and other lending institutions.

LOSS TO YOU AS TAXPAYER

REA cooperatives pay no Federal income taxes under the assumption that they are not "free enterprise profitmaking" organizations. Yet in 1961 the net profit (net margin) of cooperatives in the country was over $87 million, according to the U.S. Department of Agriculture.

Loss of taxes from these cooperatives in addition to low interest on money loaned them has already cost the Federal Government over $1 billion. An additional $150 million is lost each year to the Government because of this tax subsidy.

In some instances, cooperatives have borrowed money at 2 percent from the U.S. Treasury and reloaned that same money to the Government at the rate of approximately 4 percent.

You, as a taxpayer, and we, as a taxpaying company, must foot the bill.

WHAT CAN BE DONE?

"A great shadow came upon the land. A welcome shadow for it gave shelter and relief from the great sun that caused drought and suffering among our people.

"Now suffering is done but the shadow remains. And its shelter would turn to oppression.

"And the people knowing the shadow as friend pay no heed to its growing magnitude.

"The shadow would cover us all.

"We must build a light and cause our people to see the light and free our land of the shadow while its good yet remains."

THE GROWING THREAT OF GOVERNMENT ENCROACHMENT

In 1954 a subcommittee of the House Committee on Government Operations, under Representative Harden, found a continuing trend toward more Government business enterprise—"From 1929 to 1948 public wealth has grown more than 278.5 percent while private wealth has increased only 78.7 percent * * * in 1929 the public wealth represented only 15 percent of the total national wealth, in 1948 the public wealth amounted to 27.3 percent. Is this creeping socialism?"

Today, Government business enterprise has extended into many fields—lending, transportation, manufacturing, personal services. The list has grown to include almost 20,000 commercial-industrial activities in nonmilitary agencies alone.

A former U.S. Director of the Bureau of the Budget stated that the Federal Government is "among other things, the largest electric power producer in the country, the largest insurer, the largest lender and the largest borrower, the largest landlord and largest tenant, the largest holder of grazing land and the largest holder of timberland, the largest owner of grain, the largest warehouse operator, the largest shipowner, and the largest truck-fleet operator."

The very basis of our economic system is being threatened. Day after day, more and more investor-owned, taxpaying companies are finding themselves in competition with the Government which their taxes support.

DEVIATION OF REA THREATENS INVESTOR-OWNED ELECTRIC INDUSTRY

In 1935, in the heart of the depression, the Rural Electrification Administration was formed as an emergency measure. Its intended purpose was to aid the farmer through extension of electricity to rural areas which were not otherwise served through central station service. Section 5 of the act, which was formally approved by Congress in 1936, was added to allow loans to be made to the farmer for installing wiring and purchasing electrical equipment. Rural Cooperatives were established to serve their own members.

To help the cooperatives financial foundation, Congress allowed them exemption from Federal incomes taxes and the right to borrow money from the U.S. Treasury at the same interest rate which the Treasury paid for its funds.

In 1944, Congress set the interest rate at 2 percent, near the rate of cost of the Treasury at that time. This same interest rate is in effect today, although a spiraling economy has nearly doubled the cost which the Treasury now has to pay for its funds.

Today, through the combined efforts of investor-owned electric companies and the REA, 98 percent of the Nation's farms have been electrified. However, the REA has increased its lending activities for power producing stations and transmission lines in competition with investor-owned companies.

INTENTION OF REA WAS NOT TO COMPETE WITH TAXPAYING COMPANIES

Huge generation and transmission cooperatives—groups of cooperatives which band together to buy electricity or build generating and transmission facilities—are now being organized all over the country. These supercooperatives are in many cases duplicating investor-owned facilities and entering into direct competition, which was never intended when the act was passed.

In 1936, the first Administrator of the REA program stated to the House of Representatives that:

"In 99 instances out of 100 they (REA co-ops) are going to buy current from existing plants."

Yet, the Hoover Commission, in its study of Government business enterprise in 1953, stated in regard to Government encroachment in the electric industry:

"Such competition * * * in the power field is more extensive than in any other single Government field and has taken on many aspects which are the negation of our fundamental economic system."

Today, 5 out of every 6 new REA customers are nonfarm. They are urban, commercial or industrial in character and enjoy a subsidy which is denied their neighbors and competitors. And 80 percent of our people are taxed to pay for this subsidy enjoyed by the other 20 percent.

THE FACTS ABOUT THE TVA POWER BUSINESS

(By Edwin Vennard, vice president and managing director, Edison Electric Institute)

The Tennessee Valley Authority (TVA) has been a controversial issue for about 30 years. Some refer to it as a great and successful Government project with benefits to the people of the area and to the Nation. Others refer to it as an experiment in socialism which should never be repeated.

From a close study of the project since its creation, it appears that most of the disagreement has stemmed either from a lack of knowledge or from a misunderstanding of the facts.

For the moment, let us not discuss the ideological or political aspects of TVA. Let us also pass over flood control, navigation, soil conservation, malaria control, and like matters. Let us limit our discussion to the power business of TVA.

TVA was created by an act of Congress in 1933 to provide for Federal Government development of the Tennessee River. It was labeled primarily a navigation and flood control project with electric power as a byproduct incidental to the main functions. TVA was authorized to sell incidental electric power to the people of the area. In 1961, 83 percent of TVA's investment was in power facilities and 74 percent of the energy produced was by coal-burning steamplants. TVA has turned into a large power system furnishing electric utility service to a large area of the country. In the way it is built and run, it is like any other large electric power company.

To bring TVA into focus, let us review America's electric supply system and the part that TVA plays in it.

America, with almost one-sixteenth of the world's people, has over one-third of the world's power capacity—more than the total of the next five nations combined, and almost three times that of the next ranking country, Soviet Russia, figure 1 (not printed in RECORD). Figure 2 (not printed in RECORD) shows the transmission line network of the United States. Figure 3 (not printed in RECORD) shows how the two nations, United States and U.S.S.R., compare in terms of land area and miles of transmission line. With only one-third of the land area of Russia, we have about four and one-half times the transmission line mileage of the Russians. The relative well-being of the peoples of the two nations shows up in the kilowatt-hours per capita regarded by many as one of the best single measures of the standard of living.

In the United States there are about 400 investor-owned power companies serving about 79 percent of the Nation's customers. The rest are served by various forms of Government-financed power suppliers. TVA is the largest of these.

Figure 5 (not printed in RECORD) shows, for the total electric utility industry, the demand for electric power and the capability available to serve it. The 75.7 percent share of the capacity furnished by the investor-owned companies and the 24.3 percent furnished by Government-sponsored utilities are shown on the chart. TVA's total power capability is 12.5 million kilowatts or about 27 percent of the total Government and cooperative power capability of 45.8 million kilowatts. TVA's 12.5 million kilowatts is 6 percent of the Nation's total power supply. Figure 6 (not printed in RECORD) shows the area of the country served by TVA.

TVA is a wholesale supplier of electricity. It serves less than 200 customers. Among them are 102 city-owned electric systems, 51 rural electric cooperatives, and 2 small investor-owned utilities. TVA also sells power directly to about 3 dozen industrial plants and Federal defense agencies with very large or unusual power requirements.

In 1961, TVA sold 27.4 billion kilowatt-hours, about 45 percent of its total sales, to one customer, the Atomic Energy Commission (AEC), another agency of the Federal Government. This is about as much electricity as is used by all the New England States for all purposes. This customer not only uses a great amount of energy but uses it at a very high load factor, since it uses electric power around the clock, every day, every night of the year.

Investor-owned companies also serve the Atomic Energy Commission. Because of the unusual size and nature of the load, the companies formed separate corporations to serve the business.

In order to analyze the TVA power business and compare it to investor-owned companies, two adjustments have to be made. First, the AEC business is removed from TVA, and, second, the wholesale business of TVA is combined with its municipal distributors. TVA then is quite similar to a large investor-owned company. Its total power capacity is then about 8 million kilowatts, or 4 percent of the Nation's total. Throughout the article we shall be referring to the TVA as adjusted.

The following table shows the top 10 electric utility enterprises on the basis of customers, kilowatt-hour sales, kilowatts of demand, gross operating revenue, and investment. TVA, as adjusted, is also shown in the table. It can be seen from this table that, as adjusted, TVA is indeed comparable to other large electric power systems.

Largest U.S. electric utility enterprises, 1960

System	Electric plant investment (billion dollars)	Total annual electric revenue (million dollars)	Peaks (million kilowatts)	Annual kilowatt-hour sales to ultimate customers (billion kilowatt-hours)	Ultimate customers (millions)
Consolidated Edison Co. of New York, Inc.	2.35	528	4.35	18.9	2.80
Pacific Gas & Electric Co.	2.16	417	4.96	21.6	1.98
Commonwealth Edison Co.	2.07	469	4.59	21.6	2.07
Tennessee Valley Authority [1]	1.86	201	5.99	31.0	.85
American Electric Power Co., Inc.	1.74	338	4.88	24.3	1.41
Southern Co., Inc., The	1.61	318	4.74	19.8	1.58
Southern California Edison Co.	1.48	306	3.47	16.9	1.63
Public Service Electric & Gas Co.	1.15	256	2.80	12.1	1.41
Detroit Edison Co., The	1.14	272	2.74	13.5	1.28
Philadelphia Electric Co.	1.09	224	------------	12.6	1.05
Niagara Mohawk Power Corp.	1.08	226	3.18	15.6	1.10
Texas Utilities Co.	------------	------------	2.79	------------	------------

[1] Excluding AEC; including municipal distributors.

NOTE.—Where no figure is shown, company ranks below top 10 in specified category. Table 1, at the end of this article, gives figures in customers, kilowatt-hours, kilowatts, etc., in addition to rank.

COST OF MONEY, TAXES AND THE PRICE OF ELECTRICITY

Much of the controversy about TVA stems from its pricing policy. TVA's rates are low compared to those of most investor-owned companies. The low TVA rates result in a greater use of service in the Tennessee Valley. TVA claims that the low rates permit use of mass production methods with lower costs, and that the venture is profitable to the Government. TVA rates are claimed to serve as a yardstick for the rates of the power companies. On the other hand, the companies claim that TVA's rates are not a fair measure of companies' rates in that all the costs of furnishing service are not included in the rates. Let us examine these contentions.

In the electric power business it takes an investment of about $4.50 for each $1 of annual gross revenue—no matter how the investment is financed. For the ordinary manufacturing business, an investment of only 47 cents is needed for each dollar of revenue. Because of this high investment, taxes and the cost of capital take quite a large portion of gross revenue. The annual cost of money in the market is somewhere around 6 percent of the investment, this being about the return that people expect when they invest their money in a power enterprise. The annual taxes on investor-owned companies amount to about 5 percent of the investment. The cost of money and taxes, therefore, take 11 percent of the investment, and 11 percent of $4.50 amounts to 49½ cents. In other words, about half of the $1 of gross revenue is required to pay these two items of cost.

A power supplier that is freed of the burden of paying the full cost of money and taxes is thus relieved of about half the cost of furnishing service. The price for electricity can then be half of what it would otherwise be, and still cover the other costs of doing business.

IMPROVEMENTS IN EFFICIENCY

The electric power business as a whole has been characterized by constant improvements in efficiency. First, there were small isolated plants serving each community. Progress in transmission technology made it possible to interconnect many communities which could then be served from a larger and more efficient central station. Then the companies began to interconnect their systems. This made it possible to build still higher central power stations. The result has been a continuing trend toward larger generating units operating at higher and higher temperatures and pressures with greater efficiencies. Pooling facilities by means of transmission lines of higher and higher voltages has brought about further economies. As a result, investment cost per kilowatt in powerplants has been held down despite the fact that construction costs have almost doubled in the past 15 years. Along with this has gone a gradual decrease in the pounds of fuel needed to produce a kilowatt-hour.

All of this means that in the power business, generally speaking, the cost of making and delivering additional units of electricity has been less than the average cost of all units. On account of this, from the early days of this industry—before the turn of the century—rates have been designed with a sliding scale feature so that the average per-unit price to the customer goes down as he uses more electricity. This has brought down the average revenue per kilowatt-hour sold. This is shown in figure 11 (not printed in RECORD) for all uses of electricity and in figure 12 (not printed in RECORD) for residential service. The appropriate price index is shown for comparison. The average revenue per kilowatt-hour has declined over the past 10 or 15 years despite the fact that inflation has brought about increases across the board in the cost of labor, materials, and supplies.

These promotional rates were designed to encourage increased use of service. But in designing rates, one basic economic fact must be kept in mind. As a result of the many factors described above, the cost of making one more kilowatt-hour is likely to be less than the average cost per kilowatt-hour. The lowest step in the rate may approach this cost of making an added kilowatt-hour. If the rate goes below this cost, all added sales will diminish the company's earning position, and the company's percent return will decline. This has been happening to a certain extent in the investor-owned industry.

TVA'S LOW RATES

In the light of these facts, let us see what is happening in the case of TVA's rates.

When Congress established TVA in 1933, TVA was not required to pay any interest on the funds it got from the Government. Neither was TVA required to pay any Federal income taxes. It is not known why TVA was excused from paying these two important items of expense. Possibly it was for the reason that TVA was intended primarily to be a river development project, and electric power production was only incidental. Whatever the reason, TVA was not required to pay and did not pay any interest on funds appropriated for it from 1933 through 1959.

The gross appropriations by Congress for the TVA power business had amounted to $1.4 billion through 1961. It is necessary to repeat this as few people realize: For 26 years TVA paid no interest on this money.

Over the years when Congress was appropriating funds to the TVA, Government spending was greater than income and the Government had to borrow money. If we apply the interest rate the Government paid for borrowed money to the funds appropriated to TVA, we find that interest on these funds cost the Government $469,882,711 from 1934 to 1961. TVA paid interest of $41,432,000 in 1961 and prior to this paid only $9,665,972 on $65 million of bonds sold to the Treasury and the Reconstruction Finance Corporation, which bonds have since been redeemed.

TVA has made payments to the general fund and through 1960 these payments amounted to $185,059,000. In addition, payments totaling $65,072,000 have been made in redemption of bonds sold in fiscal 1939–41. During fiscal year 1961, payments to the U.S. Treasury totaled $51,432,000, made up of $41,432,000 of interest and $10 million of repayment as provided under Public Law 86–137. This is sometimes referred to as a return on the Government investment, but it falls short of meeting the Government's out-of-pocket cost of money.

TAXES

Two of the main sources of revenue to the Federal Government are personal income taxes and taxes on the income of corporations. Naturally, the tax paid by the corporation is included in the price of the goods or service it sells. The corporation has no income except from the sale of its product or service.

In this sense, investor-owned companies, like other corporations, are tax collectors for the Government's account. The taxes paid by the power companies amount to 24 cents for each $1 of revenue. On the other hand, all Government power enterprises pay taxes equivalent to only about 3¼ cents per $1 of their revenue. In other words, the 21 percent of the customers in America who get their power from a Government-financed power supplier are excused from paying as part of their electricity bill the same taxes as are collected from the 79 percent of people who buy their power from investor-owned companies.

TVA makes certain payments in lieu of taxes to State and local governments. Also, the distributors make similar payments to their local governments. However, these combined payments in 1961 amounted to only 0.91 percent of the gross plant investment of TVA (excluding AEC) and its municipal distributors. On the average, electric companies pay 2.3 percent of their gross plant investment in State and local taxes yearly. This is about 2½ times the rate paid by TVA.

In addition, companies pay, on the average, 2.8 percent of their gross plant in Federal income taxes. TVA and its municipal distributors pay no Federal income taxes.

ADJUSTMENT FOR COST OF MONEY AND TAXES

The effect of these two items on TVA's revenue can be easily calculated. According to Federal Power Commission (FPC) statistics, the Nation's investor-owned companies, on the average, earn 5 percent on gross plant (or about 6 percent on net plant). Such earnings are required for free-market financing. Also, according to FPC statistics, the total taxes of investor-owned companies are equivalent to 5.1 percent of gross plant. If TVA were required to pay 5 percent return on its gross plant account, and pay in taxes the equivalent of 5.1 percent of its gross plant account, it would be necessary to increase TVA's gross operating revenue by 56 percent. This means that its rates must be raised 56 percent to produce this revenue.

If we raise all of TVA's rates by 56 percent and compare them to the rates of the investor-owned companies operating under similar conditions we find they are about the same.

This is to be expected, for TVA has never claimed to have found a new way to make and distribute electricity. It uses the same kind of generators, transmission system, and distribution systems; it follows the same procedures in accounting and meter reading and engineering; it employs the same kind of people.

There is nothing about Government that makes men who work there more efficient than men who work in ordinary business enterprises.

Government-power advocates often state that they serve as competition for the electric companies. They say this is a healthy situation which is really good for the companies.

The situation is like a 100-yard dash in which one of the runners is permitted to start on the 50-yard line. This favored runner may win the race but he can hardly claim to be a faster runner because of his victory. This is not competition in the sense in which the word is usually used.

RELATIONSHIP BETWEEN RATES AND USE OF SERVICE

The price of a commodity or service has a bearing on the amount of it that can be sold. People can be encouraged to use more electricity by reducing the price. Investor-owned companies have followed this practice since the beginning of the business. However, this does not mean that earnings or efficiency can be improved by making a rate below the cost of service.

To a large extent, TVA's rates ignore two of the principal items of expense: cost of money and taxes. As a result, TVA is selling service below cost.

For example, in its residential rate TVA has a step of 4 mills a kilowatt-hour. A part of the electricity used for house heating and water heating falls on this step. This is less than half of the actual price of furnishing space heating and water heating service, no matter whether the enterprise is financed by Government or through the free market.

The rates are so designed as to place a floor between 7 and 7½ mills on the average rate, regardless of use. This is below cost.

That the 4-mill block in the rate is far too low can quickly be gathered from this fact: Remember TVA sold 27.4 billion kilowatt-hours in 1961 to AEC. AEC's load factor is about 97 percent as compared to a much lower load factor for residential house heating. TVA charges 3.83 mills per kilowatt-hour for this energy it sells to AEC—nearly the same price at which TVA sells a block of energy for retail house heating.

TVA reports that about one-fifth of its customers are heating their homes electrically. Reports also show that some of the urban areas using TVA power have electric water heating saturations as high as 80 percent. This is understandable because the energy is sold for these two services for about half price.

If we adjust TVA's sale of electricity for home use by reducing the house heating and water heating to the national average (which is about what it would be if TVA were not selling the service below cost), then the use of energy per customer in TVA's territory would be about the same as the average for the Nation.

INDUSTRIAL SALES

The same subsidies found in TVA's residential service also apply to TVA's sales of energy to big industries. These rates would have to be raised about 56 percent if TVA were required to pay a 5 percent return on its investment and taxes equivalent to those paid by investor-owned companies.

Because of these below-cost rates of TVA, some industries locate in TVA's territory instead of in other parts of the country. One might well ask why the taxpayers of New York State should be taxed to subsidize industrial electric rates of TVA so TVA can attract industries from New York to Tennessee.

TVA turns this question aside by replying that TVA buys generators and equipment from suppliers all over the country. But on the other hand, so do the investor-owned companies and so would investor-owned companies if they still operated in Tennessee.

TVA would still buy generators and equipment even if it had to pay the market price of money and taxes.

TVA argues that its very low rates encourage people to use many appliances which are made by manufacturers from other States. This seems like a strange argument. "You give me $50 and I will use that to buy a bicycle from you. We both benefit. I get the bicycle and you get the business."

NEW INDUSTRIES TO TVA AREA

Electric energy is a vital ingredient of industrial growth. In a modern society most of our production is by machinery. About 98 percent of all the work in America is done by machines and most of these machines are run electrically. Electricity is available everywhere in the United States. On the average, the cost of electricity is only about three-fourths of 1 percent of the total cost of manufacture. Although electricity is an important ingredient, its cost is not a major item for most manufacturers.

Some industries, such as aluminum plants, require quite a large amount of electric power in relation to the value of their product. For such industries the cost of electricity may be more than 10 percent of the cost of the finished product. For this reason we find a number of plants, such as aluminum plants, going to the TVA area because there the electricity can be bought at something like half-price. If it were not for the below-cost rates of TVA, some of these industries would likely locate in other parts of the country and pay the market price of power.

THE YARDSTICK

TVA rates, insofar as they improperly take into account cost of money and taxes, are not a proper measure of the rates of investor-owned companies. Because of this fact the yardstick idea ceases to have merit. If the yardstick idea has merit, then the same rules that apply to investor-owned companies should apply to TVA; TVA should pay the market price of money and taxes equivalent to those of the investor-owned companies.

Gen. Herbert D. Vogel, Chairman of the TVA, had this to say on the subject in 1956: "I cannot ignore the very real advantages accruing to any system which operates for minimum earning rather than a normal profit and which is not required by law to pay interest on its obligations or income taxes to the Federal Government. In all fairness, it must be admitted that these result in consumer advantages not enjoyed by the customers of private power companies. Any talk about establishing a measure for the cost of power without reference to these factors is, of course, absurd."

Some years ago, a bill in Congress proposed that TVA pay taxes equal to those paid by investor-owned companies. During the debate on the issue, Senator Norris, the father of TVA, had this to say: "If we go to that extreme, Senators can see that the TVA would be out of business in 3 months."

Since the Federal Government uses investor-owned companies as a means of collecting taxes from people, why does it not also use TVA for this purpose? Why should the people of Tennessee be deprived of the privilege of paying Federal income taxes in their electricity bill as do other citizens?

ANALYSIS OF TVA EXPENSES

TVA has given wide publicity to its claims that TVA operating expenses, on a kilowatt-hour basis, are lower than those of investor-owned companies. Many reasons are given for these claims, the principal one being that TVA uses the "mass production" technique of increased volume and relies upon this to decrease its unit costs. TVA speaks of the "Henry Ford method."

Naturally, volume has a bearing on expense and all economists know that the aim of any business enterprise should be to increase the volume as a means of lowering or holding down unit costs. This is a basic economic principle in the power business. It was not discovered or originated by TVA. This principle is applied by all power enterprises and has been since the beginning.

A careful analysis of TVA's expenses shows that TVA has not found any new and less costly way of making and distributing electricity.

Following is one of the tables that has been given wide publicity by TVA and its supporters:

Cost of producing and marketing electric power

[Mills per kilowatt-hour of energy sold]

	TVA area fiscal year 1958 (as stated by TVA)	Privately owned[1] utilities in United States calendar year 1957 (as reported by FPC)	TVA area costs as approximate percentage of privately owned utilities
Operating expenses:			
Production	2.00	4.52	40
Transportation and distribution	.51	1.57	30
Customer accounting and collecting	.13	.51	30
Sales promotion	.05	.27	20
Administration and general	.32	1.05	30
Depreciation	1.16	1.66	70
Total	4.17	9.58	50
EXCLUDING SERVICE TO ATOMIC ENERGY COMMISSION (AEC)			
Operating expenses:			
Production	1.66	4.67	40
Transportation and distribution	.96	1.69	60
Customer accounting and collecting	.25	.55	50
Sales promotion	.09	.29	30
Administration and general	.51	1.13	50
Depreciation	1.74	1.76	100
Total	5.21	10.09	50

[1] Same as investor-owned utilities.

A similar statement appears in the TVA pamphlet, "TVA Power 1960–61." The following is quoted from page 23:

"LOW COSTS

"Operating costs are unusually low on the combined TVA-distributor system. The cost of production last year averaged 1.97 mills for each kilowatt-hour sold. This was less than half the 4.26-mill average for the Nation's privately owned utilities. Other items of operating expense—transmission, distribution, customer's accounting, sales promotion, and administrative and general—followed a similar pattern, averaging only 40 to 50 percent of the national averages."

The table and the statement err in four major respects.

1. The kilowatt-hour is not the proper unit to use in comparing all expenses. For example, customer accounting and collecting expense does not vary with kilowatt-hours but rather with the number of customers.

2. It is not proper to compare TVA with the whole investor-owned industry. The comparison should be with investor-owned companies operating under similar conditions—that is, serving a southern area with low-cost coal supplies and labor.

3. It is an obvious error to use comparisons including AEC. TVA sells about 27.4 billion kilowatt-hours per year to AEC. The table shows customer accounting and collecting expense as 0.13 mills per kilowatt-hour; at this rate this expense would amount to over $3,500,000 for the one customer, AEC. Obviously, it doesn't take over $3,500,000 a year to read the meter, make out a bill, collect the money, and enter the account for one customer.

4. As TVA sells electricity below cost, its customers use more kilowatt-hours. (If TVA gave it away, people would use still more.) Dividing this greater number of kilowatt-hours into the operating expense gives a lower cost for each kilowatt-hour but it is an error to conclude that this proves any greater efficiency of operation.

Let us take a simple example to illustrate the principle.

Suppose that a manufacturer of tin cups has set a selling price of 10 cents per cup, and on this basis he can sell 10,000 cups per month, which bring him income of $1,000. His labor cost is $400 per month, or 4 cents per cup.

Now let us suppose that someone gave him an amount equal to help of his total operating cost, as the taxpayers do for TVA. Now the manufacturer can cut the price of his cups to 5 cents. At this price he is able to sell 20,000 cups. This means that his labor cost is not 4 cents per cup, but 2 cents per cup ($400/20,000). Has this manufacturer cut his labor cost in half, and is this a valid basis for a claim of greater efficiency?

COMPARISON WITH INVESTOR-OWNED COMPANIES OPERATING UNDER SIMILAR CONDITIONS

There are two comparable investor-owned companies operating under conditions somewhat similar to TVA. These are the Southern Co. and the Middle South Utilities Co., both neighbors of TVA. The following table shows how they compare:

Year ended Dec. 31, 1959	TVA[1] system	Middle South Utilities Co.	The Southern Co.
Customers served	970,464	896,603	1,539,039
Kilowatt-hours sold (thousands)	27,589,463	10,440,566	20,965,773
Gross revenue	$197,258,009	$169,776,273	$295,304,979
Kilowatts of capacity	6,706,000	2,530,700	4,209,720
Percent steam generation	[2] 39.3	98.9	85.9
Percent hydro generation	[2] 60.7	1.1	14.1
Load factor (percent)	60.0	57.9	61.6

[1] Service to AEC removed and wholesale business of TVA combined with retail business of its municipal distributors. Fiscal year ended June 30, 1958.

[2] For TVA as a whole, including AEC, the fiscal year 1959 figures are steam generation, 75 percent, hydro generation, 25 percent.

STEAM PRODUCTION COST

Most of TVA's steamplants have been built since World War II, and hence are newer than some of the plants of investor-owned companies. It is erroneous to compare their efficiency with all investor-owned plants. The following table shows the 25 most efficient plans in the United States for 1960 with their heat rates in British thermal units per kilowatt-hour:

Most efficient steam-electric generating stations for 1961 based on heat rate

Rank	Station	System	Heat rate, B.t.u. per kilowatt-hour
1	Eddystone	Philadelphia Electric Co.	8,760
2	Breed	Indiana & Michigan Electric Co.	8,819
3	Mercer	Public Service Electric & Gas Co.	8,894
4	Dickerson	Potomac Electric Power Co.	9,006
5	Clinch River	Appalachian Power Co.	9,022
6	Karn, D. E.	Consumers Power Co.	9,060
7	Kanawha River	Appalachian Power Co.	9,086
8	Allen, G. G.	Duke Power Co.	9,100
9	Sporn, Philip	Ohio Power Co, and Appalachian Power Co.	9,123
10	River Rouge	Detroit Edison Co.	9,160
11	Clifty Creek	Indiana-Kentucky Electric Corp.	9,168
12	Muskingum River	Ohio Power Co	9,180
13	Sammis	Ohio Edison Co	9,182
14	Mandalay Beach	Southern California Edison Co.	9,197
15	South Oak Creek	Wisconsin Electric Power Co	9,197
16	St. Clair	Detroit Edison Co.	9,200
17	McMeekin, Silas	South Carolina Electric & Gas Co	9,211
18	Tanners Creek	Indiana & Michigan Electric Co.	9,213
19	Kammer	Ohio Power Co	9,223
20	Segco	Southern Electric Generating Co.	9,226
21	Bay Shore	Toledo Edison Co.	9,264
22	Sevier, John	Tennessee Valley Authority	9,280
23	Gallatin	do	9,290
24	Kyger Creek	Ohio Valley Electric Corp.	9,335
25	Bergen	Public Service Electric & Gas Co.	9,338

This is not intended to prove that TVA is inefficient, but merely to point out the fallacy in the table published by TVA implying far greater efficiency than the investor-owned companies.

PROPER ALLOCATION OF COSTS

The various items of electric utility expense are, in the main, functions of three facors; namely, (a) sales (in kilowatt-hours or dollars), (b) customers, or (c) size of plant required (in kilowatts or dollar value). Generally, expenses are more nearly related to one of these factors than the others. For example, as previously indicated for AEC, customer accounting and collecting expense is more closely related to the number of customers than to kilowatt-hour sales, and a more nearly true picture is presented if the comparison is made on the proper basis. The following table shows the proper comparisons of operating expenses.

	TVA System	Middle South Utilities Co.	The Southern Co.
Sales-related: Production cost, hydro, mills per kilowatt-hour	0.69		0.65
Customer-related:			
Distribution expense per customer (annual)	$14.59	$13.98	$10.32
Customer accounting and collecting expense per customer (annual)	$4.75	$4.87	$5.22
Sales promotion expense per customer (annual)	$2.02	$4.85	$3.36
Related to size of plant, demand or investment:			
Transmission expense, percent of investment in transmission facilities	2.10	2.02	1.75
Depreciation, percent of gross investment	2.57	[1] 2.66	2.55
Other:			
Administrative and general expense, percent of other operating expenses	10.4	(2)	12.1

[1] Including gas and transit utilities.
[2] Not available.

As might be expected, we find little difference in the various expense items of TVA as compared to investor-owned companies.

HAS TVA RAISED LIVING STANDARDS?

Advocates of the TVA idea claim that TVA has raised living standards. This is something in which all of us are interested. The living standards in the TVA territory and in the South generally have been lagging behind the rest of the country. One purpose of the TVA was to bring about a more rapid improvement. Naturally, spending $2 billion in one area will have an effect on its economy.

The investor-owned power companies, as a group, are now making new investments at the rate of $3.3 billion per year. This is equal to 1½ new TVA's every year in terms of capital formation. This annual new investment is 10 percent of all of the new plant and equipment spending for all business enterprises in the United States. In the South, growth has been above the national average with the result that capital expenditures for power facilities in that area have been above the national average, both in TVA territory and in the non-TVA territory in the South.

Let us look at some economic indicators to see whether TVA's claims about the economy of the Tennessee area are valid.

In terms of population, Tennessee gained 22 percent from 1940 to 1960, while 10 other Southeastern States gained 31 percent. In personal income per capita, Tennessee gained 362 percent during 1940–60, while the others gained 361 percent, but in total personal income Tennessee fell behind the others, gaining 462 percent as against 528 percent for the 10 other Southeastern States.

Tennessee compared with the other 10 Southeastern States

	Tennessee	10 other States
Percent gain in—		
Population (1940–60)	22	31
Personal income per capita (1940–60)	362	361
Total personal income (1940–60)	462	528
Bank deposits (1940–59)	463	514
Employment in manufacturing (1939–60)	107	94

FIG. 14.—*Tennessee compared with the other 10 Southeastern States*

Population	5th.
Personal income per capita	6th.
Total personal income	5th.
Small light and power sales	4th.
Small light and power customers	4th.
New business incorporations	6th.
Cash receipts from farm marketing	8th.
Employment in manufacturing	3d.
Construction contracts awarded	4th.
Percent total personal income tax paid	5th.
Business firms in operation	6th.

In total bank deposits, Tennessee gained 463 percent during 1940–59, while the other States gained 514 percent. Tennessee's employment in manufacturing gained 107 percent during 1939–60 as against 94 percent for the other Southeastern States.

Percentage figures are sometimes misleading, so let us see how Tennessee ranks in comparison with the other Southeastern States (fig. 14). (In all cases the figures are for 1960.)

Among the other 10 Southeastern States, Tennessee ranks fifth in population; sixth in personal income per capita; fifth in total personal income; fourth in small light and power sales; fourth in small light and power customers; sixth in business firms in operation; sixth in new business incorporations; eighth in cash receipts from farm marketing; third in employment in manufacturing; fourth in construction contracts awarded; and fifth in percent total personal income tax paid.

These facts hardly furnish an honest basis for claims that the State's economy has been improved above those of its neighbors.

I was recently in Mexico City at a power seminar sponsored by the United Nations Economic Commission for Latin America. Some 160 delegates were there from Central and South America to discuss and evaluate means of developing electric power systems for their nations. TVA representatives attended this meeting and handed out leaflets and showed movies portraying TVA as a profitable enterprise, without discussing the cost of money and tax exemptions. They pointed to TVA's low rates and the high average use in the TVA area. Their presentation was designed to promote the idea of government operation of the power business.

On the same program delegates from Russia appeared and promoted the same idea. In Russia, of course, the Government owns all power enterprises as it owns all other business operations. It seemed rather strange to me to find my own Government on the same side as Russia on this issue, particularly with regard to Central and South America, where we are supposed to be trying to stop Communist encroachment.

While we were meeting in Mexico City discussing power, our Government had representatives at a Conference of the Inter-American Economic and Social Council at Punta del Este, Uruguay, discussing a $20 billion financing operation in which the United States would play a large part. The main aim of this Conference was to check the rising tide of collectivism in South America.

Why, then, do we at the same time promote TVA's, or collective ownership of power, in Latin America? In Latin America, power facilities take on the order of 10 to 15 percent of all new capital. Even now, Latin American governments are having trouble getting the money to build necessary roads, hospitals, schools, and the like.

In the United States, about 79 percent of the customers are served by companies which are financed in the free market. Maybe we can afford one TVA here because we have 79 percent of the people paying extra so that the remaining 21 percent can get electricity below cost. But if our Government had to finance all the power facilities in this country it would have to assume a large and unnecessary burden. Yet this is what we are in effect asking our Latin American neighbors to do when we urge them to create TVA's. Somehow, it doesn't make sense.

REVENUE BOND FINANCING

Prior to 1959 all of TVA's financing came from appropriations by the Congress. The Government got the money to finance TVA either from tax revenues, or by selling Government bonds. Some small amount came from cash receipts taken in by TVA itself. In the power business, owing to the large investment per dollar of gross revenue, earnings alone are not enough to finance new property extensions.

In 1959, the TVA Act of 1933 was amended to permit the TVA to sell its own bonds in the open market and to require the TVA to pay interest to the Federal Government on appropriated capital. Interest would be at the computed average interest rate payable by the Federal Treasury upon its marketable public obligations. The 1959 amendment also requires TVA to repay $1 billion to the Treasury in annual installments. These annual installments are to range from $10 million per year for the first 5 years to $20 million for each year thereafter.

The 1959 amendment made no change in TVA's exemption from Federal income taxes nor that of its distributors, the municipalities and cooperatives which purchase TVA power at wholesale.

The interest due the Federal Treasury is to be paid after TVA pays interest on the bonds sold in the open market. In other words, the Government's investment of $1.4 billion in TVA power facilities ranks second to the revenue bonds sold.

TVA still enjoys large Government subsidies and, as may be expected, it has had no trouble selling bonds in the free market.

The 1959 amendment does not change two basic facts about TVA:

1. TVA is not required to pay the Government the going rate of return that people want for the use of their money when used in the power business.

2. TVA's taxes, on the basis of percent of gross plant for the combined operations, continue to be about one-sixth of the equivalent total taxes paid by investor-owned companies.

This new financing does not change the fact that if TVA had to pay 5 percent on its total gross plant account and taxes equivalent to those paid by investor-owned companies, TVA would still have to raise its rates 56 percent. In other words, the Nation's taxpayers continue to subsidize the below-cost rates of TVA.

What shall we do with TVA?

TVA is now a large full-fledged electric utility business serving a large section of the country. It should be treated as any other public utility.

For economic reasons, all public utilities are sole suppliers in the area they serve, because duplication of facilities would be wasteful. In place of direct competition there is Government regulation of public utilities in America. All investor-owned companies are under some kind of regulation, mostly by State commissions. These commissions have jurisdiction over the price of service; they see to it that both the customer and the investor are treated fairly.

TVA is not under regulation. The reason the rates of TVA are a source of controversy is that there is no independent body to oversee the rates with the aim of balancing the interests of the owner and the user.

The first step in solving the TVA problem should be to put it under appropriate Government regulation.

This would not be hard to do. Here is a possible way:

1. The power business should be separated from the other functions of the TVA such as flood control, navigation, soil conservation, malaria abatement, fertilizer production, and the like. The power business of TVA could be set up as a separate Government corporation. The other functions of TVA could be handled by appropriate departments of Government.

2. The electric service to the Atomic Energy Commission should be separated from the regular TVA business. Then TVA power operations would not be distorted by the AEC load.

3. TVA should be put under the jurisdiction of the Federal Power Commission by an amendment to the TVA act. The Federal Power Commission could be asked to fix rates of TVA to earn the market price of money on the total power investment and pay taxes on the basis of percent of plant account equivalent to the taxes paid by investor-owned companies.

If this were done, the American taxpayers, who are the owners of TVA, would get a fair return on their investment. The people of Tennessee and the TVA area would have the privilege of paying, in their electricity bills, the same taxes as are paid by most other Americans in their electricity bills.

The controversy over TVA arises mainly because of discrimination against the 79 percent of the American people who are customers of investor-owner companies. TVA's artificially low rates and the political motivation behind them are readily apparent. The American taxpayer is paying a large part of the electric bills of TVA customers. Once informed of it the American people have never allowed large-scale favoritism or special treatment for the people of one area at the expense of people elsewhere. Until this unfairness is corrected the controversy will very likely continue.

When this unfairness has been eliminated and the TVA has been put on the same footing as other utility enterprises, we can then move on to discuss the ideology of the TVA method—the question whether the Government should run business enterprises in competition with its citizens—this in spite of the fact that investor capital is ready, willing, and able to finance all the power needs of the people of the TVA area, now and in the future.

TABLE I.—*Largest U.S. electric utility enterprises, 1960*

System	Ultimate customers		Kilowatt-hour sales to ultimate customers		Peak demand		Total electric revenue		Electric plant investment	
	Millions	Rank	Billion kilowatt hours	Rank	Million kilowatts	Rank	Million dollars	Rank	Billion dollars	Rank
Consolidated Edison Co. of New York, Inc	2.80	1	18.9	6	4.35	6	528	1	2.35	1
Pacific Gas & Electric Co	1.98	3	21.6	4	4.96	2	417	3	2.16	2
Commonwealth Edison Co	2.07	2	21.6	3	4.59	5	469	2	2.07	3
TVA (excluding AEC; including municipal distributors)	.85	10	31.0	1	5.99	1	201	------	1.86	4
American Electric Power Co., Inc.	1.41	7	24.3	2	4.88	3	338	4	1.74	5
Southern Co., Inc., The	1.58	5	19.8	5	4.74	4	318	5	1.61	6
Southern California Edison Co	1.63	4	16.9	7	3.47	7	306	6	1.48	7
Public Service Electric & Gas Co	1.41	6	12.1	10	2.80	9	256	8	1.15	8
Detroit Edison Co., The	1.28	8	13.5	9	2.74	------	272	7	1.14	9
Philadelphia Electric Co	1.05	------	12.6	------	------	------	224	10	1.09	10
Niagara Mohawk Power Corp	1.10	9	15.6	8	3.18	8	226	9	1.08	------
Texas Utilities Co	------	------	------	------	2.79	10	------	------	------	------

NOTE.—Where no figure is shown, company ranks below top 10 in specified category.

HOOVER COMMISSION REPORT

DIGEST AND ANALYSIS OF THE HOOVER COMMISSION REPORT NO. 17

The Commission on Organization of the Executive Branch of the Government (new Hoover Commission) studied and made recommendations in 19 areas of Federal Government operations. It presented reports, totaling 1,632 pages, plus task force reports of several million words. As a public service, the bipartisan, privately sponsored Citizens Committee for the Hoover Report prepared an objective digest and analysis of each Commission report. Report No. 17 is reproduced here.

"We are faced with questions of equitable distribution of water use between the various needs; questions of equitable taxation for their support; questions of Federal versus State relations; problems of participation of States, local communities, and private enterprise in water development and, above all, the need for established national policies which will bring the greatest possible development of these resources for all our people."

I. Background facts

Scope of this report: The significance of the proper development of water resources cannot be underestimated. "For water as well as air, land, and minerals, is equally the primary human necessity. And water can be made to do many things in the service of man." Competition for available supplies by major types of users, and the threat of shortages at a time when demand is increasing, tend to underscore this acknowledged importance.

In recognition of the scope of the problem, the Hoover Commission established a task force of 26 members to get a wide coverage of professional talent. The task force, in turn, was divided into task groups, each responsible for one of the four major areas of inquiry—(1) power generation and distribution, (2) reclamation and water supply, (3) flood control, and (4) improvements to navigation.

Although the Commission commended its task force for having made "the most exhaustive study of our water problems in all their phases that has yet been undertaken," the Commission report, based on investigation by its own staff and the experience of Commission members, as well as on the task force recommendations—is, on the whole, a more moderate document than the task force report. The Commission "committed itself only in respect to the recommendations it makes in this report."

Magnitude of the problem: Since the organization of the Government Congress has appropriated funds for water improvements. Between then and 1954, the Federal Government appropriated about $14.3 billion for water resource projects, not including almost $3 billion of Rural Electrification Administration expenditures and loans.

Of the $14.3 billion appropriated through 1954, about $9.5 billion has been spent since 1941.

In addition, projects now authorized will cost about $18.5 billion. Projects under discussion—but not yet authorized—would bring the total to over $70 billion.

This Federal expenditure has given the country 237 improved harbors, 28,400 miles of navigable inland waterways, more than 7 million acres of irrigated land, about 20-million-kilowatt capacity of electrical power (installed or under construction), and great improvement in protection against floods.

The Commission studied four major aspects of the water problem—(1) reclamation and irrigation, (2) flood control, (3) navigation, and (4) electric power. Some facts about each of these help to define the dimensions of the areas of water interest.

The Bureau of Reclamation reported in 1953 that a total of about 7.1 million acres of irrigable land were under Federal projects out of a total of about 25.8 million irrigated acres. At that time non-Federal activities had developed about three-quarters of the total acreage.

Authorized flood control projects number 1,033. Of this number, 349 have been completed at a cost of $1.5 billion. The estimated cost of 84 projects now under construction is $4.2 billion.

In 1820, Congress appropriated funds for surveys of certain river improvements. As of June 30, 1954, $4.5 billion had been appropriated for river and harbor improvement and maintenance, and for canals. Of that sum, $4 billion has been expended since 1910.

As of June 30, 1953, the Federal Government had an investment of over $9.6 billion in power projects—existing, under construction, and authorized. Federal power represented 7 percent of total generating capacity in 1933; 12.4 percent in 1953; on completion of present authorized programs it is estimated that it will comprise about 17 percent of the Nation's total generating capacity.

Development of the problem: "The demand for water will increase with every step in the growth of our population and every step of our scientific discoveries and inventions."

Industrial needs are expected to rise in the next 25 years by 138 billion gallons per day; domestic consumption by 7 billion gallons per day.

At the same time, water is being withdrawn at the rate of 180 billion gallons per day, and sewage and industrial wastes are being discharged into streams, lakes, and coastal waters.

"With our growth of population and the increasing use of water, we are now arriving at a stage where there is in certain areas competition for supplies."

In the Central Valley of California there is competition between the use of stored water for irrigation, power, navigation, dilution of sewage and industrial wastes, and fish, wildlife, and recreation, as well as for use in maintaining the balance between salt and fresh water.

In the Pacific Northwest, great dams have interfered with the passage of mature salmon to spawning grounds.

There are conflicts between those who would erect reservoirs and those who would preserve scenic values—e.g. Dinosaur National Monument, Glacier National Park, McKenzie River.

The considerable use of water for air conditioning is creating a problem in many parts of the country.

There is also competition between States and between basins—all indicating impending shortages.

Anxiety over water supplies—and the need for coordinated policies—have been stressed by many groups, including the first Hoover Commission. The Congress has, from time to time, constantly assumed greater responsibilities in water development. However: "Policy statements of the Congress deal largely with separate water uses, separately conceived and separately enacted. Other laws enacted from time to time establish individual projects and define areas of authority and in this way to some extent fix the intent of the Congress. But overlaps and gaps occur, and an overall policy for water utilization and the Federal interest therein does not exist."

II. Findings and recommendations

The last 50 years have witnessed a vast expansion of Federal activities—involving construction as well as regulation—in the conservation and use of water. The trend is toward increased outlay with each decade. During this period problems have arisen with respect to equitable distribution among competing users, Federal-State relations, taxation for the support of projects, etc.

Water ranks as a primary human necessity and these problems must be resolved in the best national interest. The 15 recommendations of the Hoover Commission with respect to water resources and power were designed to meet the need "for established national policies which will bring the greatest possible development of these resources for all our people."

The Commission reviewed problems in water development which point to the imperative need for a national water policy. This report quoted the task force:

"Federal development of water resources is carried on today under a complex of conflicting policies which have been evolving to meet changing conditions, needs, and pressures for well over a century of direct Federal activity, and which cause competition, duplication, and waste."

Details were cited to emphasize the need for clarification and coordination.

Differences in authorization policies—for instance, the Bureau of Reclamation may investigate and survey projects without congressional authorization. The Corps of Engineers must have such authorization.

Agency overlaps and conflicts—overlap and diffusion of authority among the 25 principal Federal agencies in water resources is illustrated by these facts: 12 agencies are concerned with flood-damage abatement; 9 with irrigation; 8 with drainage; 10 with watershed treatment; 7 with improvements to navigation; 9 with pollution control; 10 with recreation, fish and wildlife conservation; 9 with power transmission and distribution; 15 with power generation; and 13 with water supply.

Conflicts at the State level—one source of conflict arises from the fact that proposed projects in the same river basin may involve several agencies of the Federal Government. "One result is that local interests play one Federal agency against another to secure the greatest benefits. The situation in the Central Valley of California, where both the Corps of Engineers and the Bureau of Reclamation are working on parts of the Central Valley project with different policies as to irrigation is a case in point."

A major need for clarification arises from weaknesses in methods of determining benefits from—and justification of—projects.

"When projects for water resources development are presented to the Congress by the Federal agencies for authorization or for appropriations, they are usually accompanied by statements of benefits and justification. These calculations have been expanded from systems of direct benefits into nebular indirect benefits.

"If the cost of a project is underestimated * * * obviously the benefits and justifications upon which Congress made its decision have been misleading."

Examples of the contrast between original and final estimates of costs are given:

The cost of the reclamation portion of the Missouri River Basin project was estimated at $840 million in 1944. In 1953 the same work was estimated at $3,717 million—an increase of about 343 percent. "If the cost of many of these projects had been better estimated at the start they might not have been authorized by the Congress."

Estimates of benefits have also been excessive. For example, the construction cost per acre of irrigated land for a group of Bureau of Reclamation proposed projects varied from $140 to $1,475 per acre, the weighted average being $509 per acre. A group of the task force stated that probably none of the land in these units—if provided with a full water supply—would have an average market value of more than $150 per acre.

"Therefore, whatever amount above that sum was contributed by the Federal Government must be regarded as an indirect subsidy based on local and national benefits, or an amount in this case of about $56,000 to create a new 160-acre farm."

Other problems are raised by the question of adequate division of costs of multiple-purpose dams, which usually have a relation to all four branches of water development.

Irrigation and hydroelectric power, administered by the Bureau of Reclamation, are set up to make some return to the Federal Government or to use power revenue to reduce the cost of irrigation.

Flood control and navigation make no financial reimbursement to the Government.

"There has naturally been an effort by the Bureau of Reclamation to allocate much of the cost of flood control and irrigation [sic], and by the Corps of Engineers for more allocation to those phases with reimbursable costs."

There is a lack of uniformity in the principles applied by various agencies in the allocation of costs of multiple-purpose projects. "The Corps of Engineers as the contructing agency, the Department of the Interior as the marketing agency, and the Federal Power Commission as the rate approval agency, all have a direct interest in the allocations. It is not surprising that there have been controversies and differences of opinion as to the proper allocations of costs for these projects."

The Commission pointed out that, with some exceptions, the river basin level is the critical place for coordination of water development projects. All of the major Federal water development agencies—Corps of Engineers, Bureau of Reclamation, Soil Conservation Service of the Department of Agriculture, and the Federal Power Commission—deal with development of the same major river basin at the same time—as do the interested States and private enterprise.

"It must be evident that there is imperative need for a clear definition of the role and policies of the Federal Government in the framework of a consistent national water policy and the coordination of Federal and State agencies which will progressively promote conservation and development of this vital natural resource for the Nation as a whole, as well as for States and local communities." Recommendation 1—on a national water policy—is basic to the entire report.

Recommended: that the Congress adopt a national water policy on the following nine points;

(a) That water resources be developed to assure their optimum use and maximum contribution to the national economic growth, strength, and general welfare.

(b) That water resources development generally be undertaken by drainage areas—locally and regionally.

(c) That the Federal Government assume responsibility only when participation or initiative is necessary to further—or safeguard—the national interest or to accomplish broad national objectives; where projects are beyond the means or needs of local or private enterprise because of size, complexity, or potential multiple purposes. Otherwise responsibility should be discharged by State and local governments, local organizations, or private enterprise.

(d) That in participating in water resources and power development, the Federal Government should—without waiving its constitutional rights—take into account the rights and laws of the States concerning waters within their boundaries.

(e) That the Federal Government provide advisory assistance to local and State agencies that are undertaking water resource and power development projects.

(f) That Congress have substantial evidence that the project is economically justified and financially feasible—and that it is essential to the national interest—before authorizing or appropriating funds for Federal participation.

(g) That one Federal agency be made responsible for collecting and reviewing the adequacy of hydrologic data.

(h) That all Federal agencies administering revenue-producing water resource and power projects pay all cash revenues to the Treasury as miscellaneous receipts and receive annual appropriations for cash operating expenditures.

(i) That regulation of rates for sale of electrical energy by Federal agencies be vested in the Federal Power Commission.

There is a long history of attempts to secure better organization at the top levels of Government and in the field. The present situation is that, on May 26, 1954, the President created a Cabinet Committee on Water Resources to review the whole subject and, at the same time, approved the duties of an Interagency Committee on Water Resources to secure greater coordination and resolve conflicts.

Recommended: that a water resources board be created (including the President's present Cabinet and Interagency Committees on Water Resources and five public members). That the Bureau of the Budget staff be strengthened by such professional staff as will enable it to perform fully the function of evaluating the merits of water development projects presented for appropriations.

In addition to these general recommendations for a national water policy, the Commission made recommendations with respect to each of the major uses of water.

Power: The Commission found that Federal legislation enacted in the last half century in the field of electrical power, taken with administrative practices, "has produced a multitude of inconsistencies and conflicts in policies and action."

Differences exist in criteria used in estimating benefits, as well as in interest rates paid on Government capital, rates for selling power, method of allocation of power cost of multiple-purpose dams, and the inclusion of interest and supervision charges during the construction period.

As of June 30, 1953, the power investment for all Federal projects (including those under construction and those authorized) exceeded $9.6 billion. With this large investment in a major water use there must be adequate standards for determining the degree of financial success of Federal power projects. The task group on power generation recommended these criteria:

That the Government receive 3 percent interest annually on its investment in order to assure return of its own long-term borrowing costs.

That the investment be returned in annual installments in not more than 50 years for hydroelectric plants and 35 years for steamplants.

That capital costs of each project include all such costs as preliminary investigation, design, acquisition of land and water rights, relocation of facilities, etc.

That there be annual provision for replacement of the plants during amortization periods.

That the projects pay local taxes equal to those of private electric utilities.

That the earnings include an amount equal to the Federal tax exemption (based on the tax payments of private utilities).

Calculated on these criteria, the deficiencies accumulated by seven Federal power projects, as of June 30, 1953, was $331,591,045.

"Obviously, the claims of profits earned for the Federal Government on these projects cannot be sustained."

According to the Commission, the generation of hydroelectric power by the Federal Government is characterized by three major problems, each of which needs to be resolved.

First, Federal power is subsidized power—less than 10 percent of the total population will benefit directly when present projects are completed.

"This subsidy is even more sharply illustrated in the case of the States of New York, New Jersey, and Pennsylvania, which have 20 percent of the total population, and pay 29 percent of the taxes and receive no Federal power."

The "preference laws," enacted by Congress mainly since 1933, provide another form of subsidy.

"These laws require that Federal power must be preferentially sold to nonprofit power agencies, mostly municipalities and cooperatives. The Federal agencies pay little if any State or local taxes and no Federal taxes. The nonprofit distribution agencies pay no Federal and little State and local taxes. They are able to issue securities which are free from Federal taxes and thus carry the lowest interest rates in the market."

The task force estimated that these tax exemptions and other uneconomical rate-making practices caused revenues from Federal power sales to fall about 40 percent below the value of the power in 1953.

"The task force insists that if the Federal Government does engage in business activities normally conducted by private individuals, it should charge rates which recover at least the actual cost of conducting them."

Recommended: That Congress empower and direct the Federal Power Commission to fix the rates on Government power sale at such levels as will: (a) eliminate inequities now imposed on a great majority of the people; (b) amortize and pay interest on the Federal investment in power, plus an amount which will equal Federal tax exemption based on Federal taxes paid by private utilities; and (c) provide payments in lieu of taxes to State and local governments.

Also, that private utilities be permitted to purchase a fair share of Federal power.

Second, the Commission pointed out that Federal power projects have extended their fields of activity.

The Tennessee Valley Authority, when originally established, had power generation as an adjunct to navigation and flood control. The Authority has embarked on an expansion program which includes building steamplants. The Authority establishes rates without reference to any regulatory body.

Recommended: That the Government or its agencies cease building steamplants and provide for the equation of their powerloads by interconnection with the grids of neighboring systems.

That no further building of transmission lines be undertaken where such transmission service can be provided by non-Federal agencies.

Third, the Commission stated that: "It is clear that in the field of power the Government is conducting functions and activities which are competitive with private enterprise."

In line with its congressional directive to study methods for abolishing nonessential services and those competitive with private enterprise, the Commission looked for constructive solutions.

"The practical fact is that the Federal Government is hugely in the business of producing and distributing electrical power in consequence of water development through the necessary building of multiple-purpose dams. The problems involved cannot be solved by simple recommendations that such activities should cease and these projects be sold."

Recommended: That the Columbia River Basin system, the Hoover-Parker-Davis Dams Administration, the Central Valley project of California, the Missouri River Basin project, the Southwestern Power Administration, and the Southeastern Power Administration all be incorporated and made subject to the Government Corporation Control Act.

That they and the Tennessee Valley Authority be required to secure capital for future improvement, when authorized by the Congress, by issuing their own securities to the public, without subordinating the present Federal investment, relieving the taxpayers of this burden. (In such instance, recommendation 1(h) should be amended so as not to apply to the interest an amortization on such public issues and to allow them to pay these items from their own funds.)

These recommendations deal with the major existing power projects. However, it is necessary to plan for future projects. President Eisenhower has already announced a policy of private participation in the electrical cost of multiple-purpose power projects.

Recommended: That, in respect to the power component of new multiple-purpose projects, (a) private enterprise be offered the opportunity to provide the capital for the electrical component and dispose of the power through their own systems (which are subject to regulation of rates by Federal and State authorities). However, the management of the dams should remain in the Federal Government.

Reclamation and irrigation: It is obvious that there are large subsidies from the general taxpayer to many irrigation districts, and equally it is certain that the load of charges are in many projects too great for the former to bear.

The Commission made a number of suggestions worthy of consideration by the Water Resources Board which we have proposed, to alleviate this situation. One is particularly pertinent to the problem of calculating benefits and justifications for project authorizations and appropriations.

"Justifications [to] be based on the relation to the value per acre of similar lands already under irrigation in similar regions. For instance, if similar lands already irrigated are valued at $200 per acre, Congress could expect to get part of such a sum back by district payments. If Congress should feel that the indirect benefits to the community and the Nation justified larger Federal aid, then it should be also on the acreage basis. This method would * * * bring[ing] the amount of subsidy into the open in terms comprehensible by the public."

Generally with respect to reclamation and irrigation, the Commission indicated conditions necessary for the success of reclamation projects. They should be technically feasible and financially sound, have fertile soil, capable of production over long periods of years, and have an adequate and suitable water supply.

Lastly, there should be available farmers who are "interested in and enthusiastic for" irrigation agriculture.

Through the years the Federal Government has, in many instances, limited the amount of acreage that could be held in Federal projects by any one farmer—usually to 160 acres. The limitation is enforced through control of water delivery. The task force considered limitation justifiable but "the criteria * * * should not be based on a rigid limitation of acreage but on a basis to meet local conditions."

Recommended: That Congress amend the present acreage limitations to meet local conditions.

Over a period of time Congress has departed from the original concept of a single reclamation revolving fund by creating other revolving funds. The intermingling of these "tends to obscure the financing of projects and the subsidies involved."

Recommended: That revolving funds be abolished and all moneys payable into these funds go into the general fund of the Treasury and all project funds be appropriated by Congress.

Flood control: Since 1824, when the Federal Government began to develop water resources by making navigation improvements, peacetime duties in the field of water resources have been assigned to the Corps of Engineers. As this program grew, additional duties were assigned to the corps.

In the meantime, the Department of Agriculture has tried for many years to slow down the flow of floodwaters by means of reforestation, vegetal land cover, creation of local soil conservation districts, and other valuable activities.

"However, the expansion of the Department of Agriculture's activities into a great program of building headwater dams under the Flood Control Act of 1936 has raised many questions of conflict and overlap with the Corps of Engineers."

The Commission's recommendation was made in view of the engineering competence of the corps, because its staff operates in all streams of the country, and because "another large engineering organization is undesirable in the Federal Government." The Department of Agriculture employs 934 engineers.

Recommended: That the construction of headwaters dams in the flood control program of the Soil Conservation Service be transferred to the Corps of Engineers.

Navigation: "Navigation improvements obviously are necessary to provide for the national defense, to conserve the national domain, and to facilitate international and interstate commerce. The Federal interest is paramount and the Federal responsibility is basic."

With respect to navigation, also, there are problems of evaluation and economic justification.

At present the Government maintains inland waterways free of charge at great annual expense, although it imposes tolls for inland canals, the Panama Canal, and the St. Lawrence Seaway.

"There is no distinguishing fact, theory, or principle to support user charges for the Panama Canal and on the St. Lawrence Seaway, which does not equally support user charges for inland waterways."

Such a charge would quickly demonstrate which waterways are now obsolete, in addition to "relieving the taxpayers of the country of the cost of providing special privilege mostly to large shippers of bulk commodities and to large-size pleasure craft."

Recommended: That Congress authorize a user charge on inland waterways, except for smaller pleasure craft, sufficient to cover their maintenance and operation, and authorize the Interstate Commerce Commission to fix such charges.

The user charge would show which waterways no longer need to be maintained and repaired. Another saving could be realized by reducing the backlog of authorized projects.

Recommended: That all projects declared obsolete or unsound by the Chief of Engineers be removed from congressional authorization.

III. Why this report is important

The second Hoover Commission was instructed by the Congress to make recommendations to promote efficiency and economy in Government. More specifically, the Commission was instructed by the Congress to make recommendations with respect to:

"Abolishing services, activities, and functions not necessary to the efficient conduct of Government; and

"Eliminating nonessential services, functions, and activities which are competitive with private enterprise; and

"Eliminating duplicating and overlapping of services, activities, and functions."

Water is a vital natural resource. It is apparent from the present status of Federal activities that improvements of all three types are essential in this field.

The first question which requires a definitive answer is:

Who is to determine the priorities to be given to the major uses of water?

As water shortages make the problem increasingly acute, there must be some machinery for an intelligent decision. A national policy is necessary—but it cannot be a rigid policy dictated from Washington. The major uses of water vary from region to region—as does the competition among users or beneficiaries. Therefore, a policy must be established which recognizes broad, general national needs and, at the same time, permits problems to be resolved on the basis of local and regional needs.

Another matter which demonstrates the urgent need for a national water policy is raised by the question:

Who is responsible for failures in the national water policy?

The Commission stated that the Federal agencies concerned with water development are highly competent; their record for safe engineering design is enviable, as is their success in carrying out large engineering projects. Personal weaknesses are not involved—they are signally free of the taint of dishonesty.

Therefore, most of the blame must be placed on the lack of consistent national policies, and the absence of adequate provisions for review, inspection, and coordination of projects at Washington and basin levels.

The question of hidden subsidies was brought up in several Commission reports. It is relevant also to the problem of water development.

Is it consonant with our basic principles to tax 90 percent of the people to provide benefit for the other 10 percent?

Under some circumstances, nine-tenths of the citizenry would undoubtedly be willing to provide a vital resource to the rest of the Nation. However, with evidence that projects have been based on unsound economic premises, justification for imposing such a tax burden is sometimes dubious.

It must also be remembered that citizens of some areas of the country are required to subsidize programs which may give other regions a competitive advantage.

When we turn to the special problem of the use of water for the generation of hydroelectric power, there are two important facts to be considered: (1) there is an ever-increasing demand for electrical energy in our Nation, and (2) the portion of the total amount of power generated by Federal projects has multiplied almost 20 times over 20 years (from 0.7 percent in 1933 to 12.4 percent in 1953).

The proponents of Federal power argue that it is cheaper than power generated by private enterprise. This may be true—if one accepts the partial bookkeeping characteristic of Government business enterprises. When all costs are considered this myth of cheap power is quickly dispelled. However, even if the rate per kilowatt-hour was actually less for Federal project-generated electricity, it would be expensive in terms of our basic economic and political beliefs. The question is not one of the cost per kilowatt-hour. The crucial question is:

Do we want the National Government to dominate such an important segment of our economy?

The Commission stated that:

"Such competition * * * in the power field is more extensive than in any other single governmental field and has taken on many aspects which are the negation of our fundamental economic system."

In addition to this "competition"—which does not include full costs—Government activity in this field presents another problem.

"The tenor of task force finding is that where private enterprise is driven from the field in large areas, the Federal Government creates an element of monopoly in and must assume for all time the responsibility to furnish power to those areas."

The major importance of this report is that it shows ways in which to develop water resources to benefit all the people—without sacrificing our basic social and economic system.

This report is very moderate in its tone and in its recommendations. The Commission did not recommend that the Federal Government sell its existing hydroelectric power projects, and it realized fully that the Government must be responsible for building large, complex multiple-purpose water projects that might involve hydroelectric installations.

IV. Summary of recommendations and action needed to implement report

The 15 recommendations in this report are summarized below. Although the Hoover Commission reported to the Congress (which created it), some of the recommendations can be implemented by Executive action. Others require further study by Congress or the executive branch. To indicate the major type of action needed for each recommendation (some have several parts which are variously implemented), the following symbols are used:

L—Legislative action.
L(R)—Presidential reorganization plan.
E—Executive action.
S—Further study.

Recommendation Number, Substance, and Action Needed

To provide a clear and consistant national water policy as the framework for the conservation and development of this vital resource:

1. Congress should adopt a national water policy on the following points:

(a) Develop water resources to assure optimum use and maximum contribution to national economic growth, strength, and general welfare.

(b) Water resources development generally should be undertaken by drainage areas—local and regional.

(c) The Federal Government should assume responsibility only: when it is necessary to further or safeguard the national interest or accomplish broad national objectives; or where size, complexity, or potential multiple purposes or benefits put the project beyond the means or needs of local or private enterprise. Otherwise, the responsibility for development should be discharged by State or local governments, or by local organizations, or private enterprise.

(d) In participating in water resources and power development, the Federal Government should, without waiving its constitutional rights, take account of the rights and laws of the separate States concerning waters within their boundaries.

(e) The Federal Government should provide advisory assistance to State and local agencies undertaking water resources and power development projects.

(f) Before Congress authorizes or appropriates funds for Federal participation in any water project, it should have substantial evidence of economic justification and financial feasibility of the project, and its essentiality to national interest.

(g) Make one Federal agency responsible for collecting and reviewing adequacy of hydrologic data.

(h) All Federal agencies administering revenue-producing water resource and power projects should pay all cash revenues to the Treasury as miscellaneous receipts and receive an annual appropriation for operating expenses.

(i) The Federal Power Commission should regulate rates for sale of electricity by all Federal agencies.—L.

2. Create a Water Resources Board (to be made up of the President's Committee on Water Resources and the Interagency Committee)—L.

3. Strengthen the Bureau of the Budget's professional staff to enable it to perform fully the function of evaluating merits of water development projects presented for appropriations—E.

To modernize reclamation and irrigation programs:

4. Congress should amend present acreage limitations to meet local conditions—L.

5. Abolish revolving funds. All moneys payable into them should go into the general fund of the Treasury and all project funds should be appropriated by Congress—L.

To eliminate duplication:

6. Transfer construction of headwater dams in the flood control program from the Soil Conservation Service to the Corps of Engineers—L(R).

To avoid unnecessary and unwise expenditures:

7. All projects declared obsolete or unsound by the Chief of Engineers should be removed from congressional authorization—L.

To remove a subsidy and to show which waterways are now obsolete:

8. Congress should authorize a user charge to cover maintenance and operation on inland waterways (except for smaller pleasure craft). Rates to be fixed by the Interstate Commerce Commission—L.

To make power rates cover production costs:

9. Congress should empower and direct the Federal Power Commission to fix rates on Government power sales at levels that will—(a) eliminate inequities now imposed upon the great majority of people; (b) amortize and pay interest on the Federal investment, plus an amount equal to the Federal tax exemption; (c) provide payments in lieu of full taxes to the State and local governments equivalent to those private utilities would pay.—L.

To prevent the development of steampower by the Federal Government:

10. The Government or its agencies should cease building steamplants and provide for equation of power loads by interconnection with the grids of neighboring power systems.—L.; E.

To eliminate uneconomic and iniquitous practices:

11. (a) Permit private utilities to purchase a fair share of Federal power; (b) no further building of transmission lines should be undertaken where such service can be provided by non-Federal agencies.—L.; E.

To minimize competition with private enterprise in future development of Government power:

12. Incorporate the following agencies and make them subject to the Government Corporation Control Act: Columbia River Basin system, Hoover-Parker-Davis Dams Administration, the Central Valley Project of California, the Southwestern Power Administra-

tion, the Missouri River Basin project, and the Southeastern Power Administration.—L.

13. Require these agencies and the Tennessee Valley Authority to secure capital for future improvements (when authorized by Congress) by issuing their own securities without subordinating the present Federal investment—L.

14. Appoint representatives from the States concerned, as well as Federal representatives, to these boards—L.

15. In respect to the power component of new multiple purpose projects, (a) Offer private enterprise the opportunity to provide capital for the electrical component and dispose of the power through their own systems (being subject to regulation of rates by Federal and State authorities). Management of the dams shall remain with the Federal Government; (b) If private capital is not available, the power should be offered for sale prior to construction to the private utilities, the States, municipalities, and cooperatives on terms that protect the Federal interest—L.

Summary of action needed

Legislative action, 13 recommendations.
Executive action, 2 recommendations.

Mr. GRUENING. Mr. President, will the Senator from Montana yield?

Mr. METCALF. I gladly yield to the Senator from Alaska.

Mr. GRUENING. I thank my good friend, the distinguished junior Senator from Montana, for his kind reference to the book "The Public Pays," which, as he said, was published 31 years ago by the Vanguard Press and was a summary of some 80-odd, thick, printed volumes issued by the Federal Trade Commission. The book disclosed the far-reaching, far-flung propaganda attempt by the privately owned public utilities under the leadership of Samuel Insull, to indoctrinate the American people with false doctrines and to pervert public opinion. It penetrated the schools, the colleges, the service clubs, newspapers, magazines, lecture platforms and, in fact, used every avenue of approach to the public. In the words of one of its propagandists, it used every medium except skywriting.

I am glad to say that the book is about to be republished in a paperback edition, with a new introduction. Its purport will be that the public still pays, and that the same tactics which were so fully exposed and condemned by the Federal Trade Commission are still being practiced to the detriment of the American people.

I congratulate the junior Senator from Montana for his fight in exposing this continuing malfeasance, and particularly for his efforts in behalf of the REA, which is one of the great achievements of the administration of Franklin D. Roosevelt, and which the contemporary private utility propaganda seeks to destroy. The REA has brought low-cost electricity and resulting benefits to the people of rural America, benefits which they never would have had without the far-reaching REA program which has been carried on so well under various leaders, and particularly at the present time under Norman Clapp. In Alaska we have a dozen REA cooperatives. They are invaluable. The REA does not deserve the kind of antagonism and attack to which the private utilities are subjecting it. It deserves the continuing support of Congress and the executive.

Mr. METCALF. I am delighted to have the Senator from Alaska say these things about my exposé of the attack on the Rural Electrification Administration. I am delighted to learn that his book will be republished and reissued. It is a book that every Member of Congress and everyone else who is concerned about the dissemination of such propaganda should read.

As the Senator from Alaska has again said, the same influences and the same power companies are using the same methods that he exposed in those days so long ago, to try to destroy REA in America.

MEDICAL CARE FOR THE AGING

Mr. JAVITS. Mr. President, last Thursday it was announced that during the first week of the new session, together with other Republicans, I would introduce a bill for comprehensive health care for the aging providing a dual public-private plan of benefits. A great deal of spontaneous interest in this new proposal is being shown from all parts of the country following the announcement last week.

At the request of several of my other Senate Republican colleagues who would like more time to study this new bill, my associates and I have now rescheduled the introduction of this bill for the week of January 13, when it will be introduced. At the present time, Senators CASE, COOPER, KEATING, KUCHEL, and MARGARET CHASE SMITH are sponsoring the new bill.

The bill embodies the recommendations of the National Committee on Health Care of the Aged, which was established in 1962 at my suggestion to take a fresh and independent look at the problem of providing adequate health care for persons 65 years of age and over.

I am gratified to know that one of the last official acts of President Kennedy was to issue a statement hailing this report and its importance in this field.

The bill goes far beyond any existing proposal developed to meet the urgent needs of our older citizens. It comes closest to meeting the specifications laid down by health care experts and at the same time deserves to and should attract support on a bipartisan basis. My colleagues and I deeply believe that this is the bill for medical care for the aging which has the best chance of being accepted by Congress at this session.

TRIBUTE TO SENATOR CLARK

Mr. MANSFIELD. Mr. President, in the Philadelphia Inquirer of December 21, 1963, appears an editorial reference to the President's praise of our distinguished colleague, the Senator from Pennsylvania [Mr. CLARK], for his work on the Manpower Development and Training Act.

The Senator from Pennsylvania and I do not see eye to eye on every issue that comes before the Senate, but I respect him at all times for his courage and for the honesty with which he holds his convictions. With reference to the Manpower Development and Training Act, let me say that the citation of his tireless efforts by the President and the laudatory editorial comments which he has received from the Philadelphia Inquirer are richly deserved. The Senator from Pennsylvania has performed an outstanding service to the Nation in giving effectiveness to this highly significant piece of legislation. I ask unanimous consent that the editorial be included at this point in the RECORD.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

PRESIDENT'S PRAISE OF SENATOR CLARK

Whether or not motivated in part by political considerations, President Johnson's praise of Senator JOSEPH S. CLARK for his efforts in behalf of changes in the Manpower Development and Training Act of 1962 was thoroughly deserved.

The President seemed to go all out to give Senator CLARK credit for amendments to the Manpower Training Act which broaden its scope by removing some of the age and educational limitations in the original legislation.

The fact is, of course, that when President Johnson was majority leader of the Senate, Senator CLARK did not always see eye to eye with him on some of his policies and decisions. But it is just possible that Mr. Johnson, in singling out CLARK for unusual plaudits on the manpower training project, was looking toward the 1964 presidential campaign and Mr. CLARK's position as senior Senator from a great northern industrial State now under Republican rule.

But the President's remarks certainly could not be construed as a partisan tribute to CLARK. Without the Pennsylvania Senator's vigorous support there is a question whether the training bill could have passed in 1962. This newspaper, at that time, strongly lauded CLARK's patient, persistent endeavors to get the measure over the hurdles.

Much remains to be done to make the training program truly effective. But it is heartening to find the President, in this matter, giving credit where credit is due.

THE CHARACTER OF THE PRESIDENT

Mr. MANSFIELD. Mr. President, in the New York Times of January 8, appears an article, by the able Washington correspondent, James Reston, which provides a most penetrating insight into the character of the President of the United States. Those who know Lyndon B. Johnson will recognize at once the unusual accuracy of Mr. Reston's portrayal. Those who do not will be able to derive a better understanding of his nature from this exceptional article.

Each President of this Nation is circumscribed by the constitutional boundaries of the Office. But within those confines, each puts the mark of his own personality on the leadership of the United States.

President Johnson will do so in the same way his predecessors have done. The line from President Kennedy is unbroken. As did his predecessor, President Johnson will seek restlessly after the security and welfare of the Nation. But as James Reston makes clear, the President will be himself in the process. He will seek this objective in his own way and fashion. That is as it should be. Indeed, that is how it must be if the Nation as a whole is to profit from the great dedication and the unique abilities of Lyndon B. Johnson.

Mr. President, I ask unanimous consent that the article be inserted at this point in the Record.

There being no objection, the article was ordered to be printed in the Record, as follows:

The State of the President and Other Matters

(By James Reston)

Washington, January 7.—The President's state of the Union message is usually formal and useful, like a report card from the headmaster, but the reader or viewer should not be misled.

It is not the whole story. It is the beginning and destination of the journey without a road map, and it tells little or nothing about the state of Lyndon Johnson.

This is an important omission. The only way to get a complete state of the Union message from President Johnson is to wire him for sound and cut him loose without a text in the well of the House of Representatives. But since this is unlikely, the only alternative is to give a few personal impressions of the man from the sidelines.

He is going into the big battle with Congress like a football coach going into the big game. He is exhilarated but vaguely apprehensive, and like all prudent coaches he is constantly talking about the remarkable powers of the opposition.

THE POLITICAL ODDS

The balance of political power is probably much more favorable to him than he says. He is going to have a savage fight over taxes and civil rights in the Congress, but in the presidential election campaign his Republican opposition is deeply divided, and he benefits greatly from the prospect that the American people are not likely to be wildly enthusiastic about having three different Presidents in a single year.

In the first 7 weeks of his administration the President has done a remarkable job of maintaining a line with the Kennedy administration while putting his own personal stamp on the Presidency.

The other day, walking around his ranch in Texas, he said, "The best fertilizer for a piece of land is the footprints of its owner," and he applies this doctrine not only to the L.B.J. Ranch but to the conduct of the Presidency.

It was widely assumed when he took over that he would not have much time to do anything more than make a few minor changes in the Kennedy budget, but he has been working 18 hours a day ever since to make it reflect his own personal mixture of liberalism, conservation, populism, and political pragmatism.

He carries around in his left hip pocket, for example, a slip of paper showing how he cut about $10 billion from the budget requests of the major Government departments and how he used some of the savings to increase the budget of the Labor, and Health, Education, and Welfare Departments.

He is fascinated with the idea of using surplus food as an instrument of foreign policy and at the same time cutting the cost of storing food at home. He is constantly talking about the problem of the teenage dropouts from school and studying the possibility of cutting down teenage unemployment by expanding the high schools into junior colleges, and transforming obsolete military bases into special schools for critically poor neighborhoods.

Mr. Johnson's qualities are energy, boundless confidence in his intuitive judgment about what men will and will not do, a shrewd gift of anticipating trouble ahead, and a tireless, almost nagging, persistence in following things through to a decision.

This is true whether he is blocking and tackling the Joint Chiefs of Staff or trying to buy a piece of land. He was driving along Texas Highway No. 1 last Sunday when he passed a farm across the road from his own.

With one hand on the wheel, he picked up his radio telephone, called his ranch manager, and told him to look into buying it. But that wasn't enough. He wanted to know where the manager was, how many minutes would it take him to get to the farm, how long to get back. He demanded—and got—a report at 2:45, 15 minutes before he flew to Austin to see the Governor. Meanwhile, in less than an hour, he had lunch, said goodby to the staff at the ranch, and gave specific orders about who was to fly in helicopter No. 1 and who in No. 2.

President Kennedy's eloquence was designed to make men think; President Johnson's hammerblows are designed to make men act. He is not concerned with the fastidious refinements of speech. He is a vivid, earthy talker who either persuades or stuns his hearers.

THE REPRESENTATIVE MAN

The preparation of a Kennedy budget or speech was a calm and sophisticated debate; the preparation of a Johnson budget is a wrestling match. Intellectual Europe and America preferred the Kennedy style, not because it was typically American, but because it wasn't.

President Johnson, on the other hand, is a representative American, one who represents our popular characteristics. In this sense he is now starting out on a journey that will test not only him but the efficiency and temper of the American character and system.

Maybe he will do more with his program in Congress than Kennedy did with his, and maybe he won't. But if he doesn't, it won't be because he has any doubts about the system or any lack of knowledge about how to make it work.

SENATOR PELL'S PLAN TO EXCHANGE CONCESSIONS WITH RUSSIA

Mr. MANSFIELD. Mr. President, shortly before Christmas, the distinguished columnist of the New York Times, Arthur Krock, referred to the significant contribution which has been made by the Senator from Rhode Island [Mr. Pell] to constructive thought on the question of a divided Berlin and a divided Germany.

The Senator's contribution lies in his exploration of a practical means whereby the Western position in Berlin may be strengthened at the same time that the prospects for peace are strengthened. He seeks these twin objectives, moreover, without sacrifice to communism of any position, territory, or people now in the Western camp. His proposals are designed to strengthen peace and freedom. They represent the kind of thoughtful initiative which the Communists will be hard pressed either to ignore or to parry. I ask unanimous consent that the article, which appeared in the December 23, 1963, issue of the New York Times, be included at this point in the Record.

There being no objection, the article was ordered to be printed in the Record, as follows:

[From the New York Times, Dec. 22, 1963]

The German Problem: Pell's Plan To Exchange Concessions With Russia Is Reexamined

(By Arthur Krock)

Washington, December 21.—The joint statement which President Johnson and Chancellor Erhard of West Germany will issue after their post-Christmas conferences in Texas, assuming they follow the protocol for such occasions, may possibly surprise the watching world by announcing some progress in easing the "German problem" that is the central tension of the cold war. But it is much more likely that the name by which the statement is identified hereafter will provide the only fresh material for history.

Since presumably it will be composed and issued on or in the vicinity of the meetings the statement will invite such refreshing colloquial names as the "Pedernales," "Stonewall" or "L.B.J. Ranch communique." The Pedernales is, by geographical courtesy, the river, and Stonewall is the village, that most closely abut the L.B.J. Ranch—the initials of which are well known to be those of Lyndon Baines Johnson, its owner, who also is President of the United States.

PELL'S FORMULA

The prospect that, like so many previous conferences, this one will produce none of the hard decisions required to advance a practical formula for breaking the East-West impasse over Berlin and the two Germanys has not discouraged one of the few American politicans who has ventured to advocate such a formula. He is Senator Claiborne Pell, of Rhode Island, and he is spending the period just before the conferences at L.B.J. Ranch in urging consideration of his plan on the White House staff members who advise the President in matters of foreign policy.

When Pell's proposal was made on the floor of the Senate, President Kennedy privately expressed great interest in it and commended the few newspapers which circulated the ideas. He showed this same interest in conversation with the Rhode Island Senator. But Mr. Kennedy never indicated an intention to bring the Pell plan into the area of diplomatic negotiation. And whether he ever discussed it specifically with Mr. Johnson is not known.

PRICE CALLED LOW

But Pell's renewed activities are designed to induce the new President to give the proposition some thought as he prepares for his talks with Chancellor Erhard. In the words of the Senator, the proposal is that:

"The Berlin-Helmstedt Autobahn be ceded to West Germany as an unlimited corridor of access to West Berlin. In exchange, recognition by the United States of the Oder-Neisse (Polish) frontier line and of the East German Government."

His argument is that, by this exchange of concessions, the West would secure the specific, internationally guaranteed access corridor it has never had, without yielding to the Communists a single person or an inch of territory that is not already under their domination. Pell contends that this arrangement could have especially beneficial effects for the West, among them:

"It would place the West in the position of backing Poland's claim against Germany.

It would mean that Poland, the most independent Communist nation, would no longer depend on the Kremlin to champion Polish territorial claims. Moreover, General de Gaulle some years ago accepted this frontier as the proper Polish-German boundary.

"Our overall objective in Europe is the reduction of tensions so that the ground may be paved for the eventual reunification of Germany. In Berlin itself, the most sensitive boiling point, the key word with regard to the wall should be the achievement of what Mayor Willy Brandt, of West Berlin, described to me as 'porosity,' the freer flow of peoples back and forth in the divided city. And this flow unquestionably would be from East to West."

LETTERS OF COMMENT

On each occasion when the Senator has expounded his idea in the Senate, letters of comment have followed in great numbers. The trend of these from citizens in West Germany has persuaded him that, though politics and the fear of risking a good trading position with the Kremlin have restrained Washington and London from proposing practical measures to break the impasse, his plan is highly acceptable to the average German citizen. His private conversations with Western officials have convinced him that they would welcome moves to "rectify the sterility of our policy vis-a-vis Berlin and Germany" were it not for the inflexible opposition of the West German Government.

This, PELL told the Senate, cedes to the political majority at Bonn control of the policymaking of the United States toward a condition which will continue to endanger the entire world population until and unless it is relieved. Supplemental measures he has urged include the establishment in Berlin of various United Nations agencies—now operating in Geneva and in Paris.

POWERFUL OPPOSITION

But there are powerful factors in opposition to the ideas of the Rhode Island Senator. And, though he may succeed in his effort to call the President's attention to his formula before entering into the conference with Chancellor Erhard, that will probably be the end as well as the beginning. One of these adverse factors PELL himself acknowledged—that "no German politician can take the lead in advocating" an exchange of concessions, regardless of any potential of Western benefit they may possess. Another obstacle exists in the fact that President Johnson is greatly influenced in foreign policy by the views of former Secretary of State Acheson, who is adamant against even the slightest indication of a trade with the U.S.S.R. involving Germany. And American reactions to his proposal have evoked such responses as this: (From a citizen of Massachusetts) "I am ashamed that a Democratic Senator is so disregardful of the fate of 17 million people separated from their countrymen."

But the Senator's critics are most unlikely to have occasion for further disturbance by any reflection of the Pell plan in the Pedernales communique, or whatever it may be called. The East-West impasse over Germany persists because the U.S. politicians who deal with it are captives of their own records, in which commonsense and statesmanship have been conspicuous by their absence.

CATTLE AND BEEF IMPORTS

Mr. MANSFIELD. Mr. President, in recent weeks there has been an increasing and justified expression of concern about the importation of cattle and beef products and the effect that it is having on the domestic cattle industry. I have noted that more and more of our colleagues here in the Senate and House of Representatives are expressing their concern about the situation. The CONGRESSIONAL RECORD contains a wealth of supporting information.

The cattle market is dropping; in fact, in some areas the livestock interests are beginning to suffer economically. The increase in cattle and beef imports may not be the only cause, but in my observations they certainly are a major one. My distinguished colleague, the junior Senator from North Dakota [Mr. BURDICK] informed me that between 1956 and 1962 there was an average of 890 million pounds imported while in 1962 there were 1.9 billion pounds imported and this year the increase is even larger. This situation cannot be handled lightly when we are presented with such information as this.

In addition to the import situation the livestock producer is confronted with customer preferences and changing marketing patterns. These matters need attention but I feel that the most beneficial action at this time would be the establishment of a quota system on imports.

There has been quite a bit of talk about legislation. I do not think this is the quickest way; in fact it might confuse an already complex situation. I have discussed this matter with a number of officials in the administration and I feel that this can be done administratively under existing law.

Senator BURDICK was successful in getting the Senate Finance Committee to adopt a resolution directing the Tariff Commission to begin an investigation of the impact of foreign beef imports on the domestic market. I hope the Commission will act expeditiously in this matter. I believe there is sufficient authority under the Trade Expansion Act and through executive action to bring about some relief.

The livestock industry is one of our most basic industries in our country; it cannot be allowed to drift. I commend this matter of increased cattle and beef imports to the attention of our President and his counselors, and ask that it be given immediate attention and action at the executive level.

Mr. President, while I was in Montana, I received from the Secretary of Agriculture a message to the effect that a meeting would be called this afternoon—January 8 at 3 p.m.—to consider the difficult situation confronting the cattle industry. It was my understanding at that time that a number of Members of Congress would meet informally with the Secretary of Agriculture to consider ways and means to cope with the grave economic difficulty confronting the cattle industry and the Nation. As the Senate knows, imports of frozen beef from Australia and New Zealand have increased from 890 million pounds in 1956 to 1.9 billion pounds in 1962. This is a situation which does not call for tariffs, but does call for a reasonable quota system which will insure that the American cattle producer has the first and foremost claim on the American market.

Therefore, while understandable because of reasons beyond the Secretary's control, I was extremely disappointed to be informed by the Department of Agriculture that the meeting scheduled for today, Wednesday, January 8, had been postponed. It would be my hope that this meeting will be rescheduled at the earliest possible moment, to the end that we may face up to the crisis confronting the cattle industry and that the necessary steps may be taken to insure to the American cattle producers every right, consideration, and protection to which they are entitled in maintaining their full share of this most important segment in our economy.

A TRIBUTE

Mr. MANSFIELD. Mr. President, the death of President Kennedy was a profound shock not only to this Nation but to people everywhere. Many in other lands shared the grief which we experienced. Some expressed this shock and grief with great sensitivity and very deep feelings.

In this connection, I invite the attention of Senators to an article by Mr. Eric Nicol on President Kennedy's death which was referred to me by Mr. James J. Flaherty of the Great Falls Chamber of Commerce. Mr. Nicol's tribute to Mr. Kennedy appeared as a column in the Vancouver Province which is published in Vancouver, British Columbia. It is a moving and eloquent comment which reveals not only the high esteem and affection in which the late President was held by our northern neighbors but also the sense of bitter loss, so similar to our own, which his death occasioned among Canadians.

I ask unanimous consent that the editorial previously referred to be printed in the RECORD.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

A TRIBUTE

"Never send to know for whom the bell tolls."

Our grief, this numbing November weekend, was sharpened I think by our sensing that violence has won out over reason.

The assassin's bullet sought the brain, the seat of man's only hope against the tyranny of superstition, hate, and the prodding demons of war. From President Kennedy's superb mind the missile sped on to lodge in the hearts of all of us.

The head that was doing its level best to lead us out of the primitivism of emotional response—"in my judgment," was his characteristic preface to a statement—lost out to a bolt-action rifle as crude in its lethal purpose as a stone age club.

Because most of us identified ourselves gratefully with the young President's intellectual strength, his determination to make reason the master of the tumultuous forces threatening to sunder the world, the ripping away of that support by a sole agent of the powers of darkness has made the loss more than a matter of simple sorrow for the passing of a great nation's leader.

By extension we recognize the sniper's rifle as the symbol of nuclear war, triggered by some madman at the least expected moment.

In last Friday's triumph of extremism, of passion, of the irrational and irrevocable act, we see that America is not Harvard. It is also Dallas, Tex. It is the country where the gun is still more widely admired, as the instrument of policy, than is power of intellect.

The author of the New Frontier was felled in the heartland of the old frontier. The violence and stupidity of the TV western has won out over the lonely struggle of a brilliant man to stimulate his fellow countrymen to abandon the path of valiant ignorance.

President Kennedy is the lucky one. He died young, without suffering, at the height of his powers. He will never know the bitterness of the downgrade of glory. Whom the Gods love die young.

What we mourn today, consciously or otherwise, is our surviving him to live in a world which, when it dies, will very likely be destroyed from ambush.

In the textbook warehouse of all our accumulated knowledge and wisdom there squats this ape creature, chewing on fried chicken and waiting for the moment to squint down the 'scope.

We cannot give up our effort to flush him out. But we have felt the scalp crawl on the back of our neck even as we witness, today, the grieving of an entire globe. In death, the face in the flag-draped coffin looks strangely like our own.

"Therefore never send to know for whom the bell tolls; it tolls for thee."

—ERIC NICOL.

MISGUIDED FOREIGN AID

Mr. MILLER. Mr. President, a prime example of how our generous foreign aid policy is coming back to haunt us is shockingly related in an article appearing in the January 5 edition of the New York Times, and scathingly underscored in a related editorial in the Washington Daily News of January 6.

It seems that Cambodia, into which we have poured $367 million in military and economic aid since 1946, is now serving as a main supply route for arms shipments to Communist forces in South Vietnam.

According to the Times:

> A high-level U.S. military spokesman reported today a "measurable increase" in Communist-bloc arms shipments into South Vietnam during the last 6 months.
>
> Other well-informed military sources estimated that roughly three-quarters of these contraband shipments were moving through normal commercial channels into neighboring Cambodia and then down the Mekong River into South Vietnam.

The absurdity of this situation is well set out in the editorial of the Washington Daily News. It expresses the thinking of many taxpayers whose hard-earned $367 million is down the drain. I read the editorial, which is aptly entitled "How Zany Can We Get?"

> A high-ranking U.S. military spokesman in Saigon confirms that a major portion of Communist bloc arms to the Reds of South Vietnam has been flowing through Cambodia. Worse still, over a highway built with American aid.
>
> Currently, the United States is trying to appease the "neutralist" Prince Sihanouk of Cambodia who in a fit of pique cut off the $30 million a year we've been giving his country. We're supposed to be terribly dejected because Sihanouk won't take any more of our money—to build highways for the logistical benefit of the Communist aggressor. Which is about as senseless as anything we've heard at the start of this new year.

I should like to add, "at the start of this new year or any year."

Atop this affront comes the report in today's Washington Post:

> A million dollars' worth of American radio equipment will probably go to waste as a result of Cambodia's renunciation of U.S. aid.

The equipment, according to the report, was shipped to Cambodia for use as national police communications network before the aid was rejected; but since Cambodia has no technicians sufficiently trained to assemble the equipment, it languishes in a warehouse.

It seems to me that some effort should be made to reclaim this equipment. If it is not, one of two things could occur: Communist technicians may be invited in to assemble it, or it may be shipped to a Communist nation. And this would be an even bigger insult to us.

Cambodia's flirtation with the Communists, however, does not prevent it from turning to the West for other assistance. In noting a report in the Post on January 7—that Cambodia had announced that France has offered it military aid that includes what is reported as a complete 100-vehicle armored squadron of the latest type and 18 aircraft—I had hoped France had made no such offer, and that, in any event, such military aid will not be furnished.

But the article in today's Post dashes my hopes. Not only has the offer been made, but the United States has officially welcomed the French agreement to provide military and economic assistance to Cambodia. This can only lead one to wonder exactly what is going on.

Mr. President, I ask unanimous consent that the New York Times article, entitled "Flow of Red Arms Into South Vietnam Is Reported Rising," and the Washington Post articles, entitled "Sihanouk Says France Offers Him Full Squadron of Armor, 18 Aircraft" and "French Aid to Cambodia Given Welcome by U.S.," be printed in the RECORD.

There being no objection, the articles were ordered to be printed in the RECORD, as follows:

[From the New York Times, Jan. 5, 1964]

FLOW OF RED ARMS INTO SOUTH VIETNAM IS REPORTED RISING

(By Hedrick Smith)

SAIGON, SOUTH VIETNAM, January 4.—A high-level U.S. military spokesman reported today a "measurable increase" in Communist-bloc arms shipments into South Vietnam during the last 6 months.

Other well-informed military sources estimated that roughly three-quarters of these contraband shipments were moving through normal commercial channels into neighboring Cambodia and then down the Mekong River into South Vietnam.

These sources said weapons, ammunition, and explosives were shipped in Communist-bloc vessels from Chinese or North Vietnamese ports to Sihanoukville, Cambodia's principal port on the Gulf of Thailand.

From there, they said, the arms shipments were sent to commercial consignees in the Cambodian capital of Pnompenh and then loaded on barges and sampans for the trip down the Mekong River, the Bassac River and hundreds of canals into the hands of Vietnamese Communist guerrillas. Although the U.S. spokesman did not confirm that Cambodia was the main channel for Communist-bloc arms shipments, he strongly implied that this was the case.

He said American military experts had been particularly disturbed by recent Government captures of Chinese-made machineguns, 57- and 75-millimeter recoilless rifles and a cache of largely Chinese-manufactured ammunition in areas near the Cambodian border.

The cache, seized last month in western Dinh Tuong Province, included a rocket launcher, 60-millimeter mortars and 7 tons of ammunition, mines, grenades and equipment.

"It did open our eyes to discover such a large cache about 35 to 40 miles southwest of Saigon," the spokesman said.

CACHE NEAR SALIENT

He noted that the site of the cache was "not too far from the Cambodian salient which juts into Vietnam."

The military spokesman said that the Communists, with such increases in outside arms supplies and more training for their guerrillas, had been able to "somewhat increase the strength of their regular forces in South Vietnam during the last year.

"They are better equipped and better organized than 12 months ago," he declared.

U.S. military sources noted, however, that even with the recent growing influx of Communist-bloc arms, the largest part of the guerrillas' weapons still consisted of American-made arms and munitions captured from Government forces.

FOUR ROUTES DISCUSSED

The American officer discussed four main external routes used to support the guerrillas—the South China Sea to points along Vietnam's east coast, overland through Laos to western Vietnam, secret airdrop, and "one of the many waterways from Cambodia to Vietnam."

He eliminated airdrops and the South China Sea as likely routes and added that the Laotian overland route, once considered an important channel for guerrilla supplies, was impractical for the type of heavy arms and ammunition moving into South Vietnam recently.

The military spokesman was careful, however, to explain that "the fact that Cambodia is a transit point does not prove collusion" on the part of the Cambodian Government of Prince Norodom Sihanouk.

U.S. officials have repeatedly said that Cambodian customs and border guards are "woefully inadequate" to police the border with South Vietnam even with the best of intentions. Today spokesmen laughed embarrassedly, however, when newsmen noted that it was "curious" that Cambodians had not intercepted any sizable Communist contraband shipment.

The Mekong River system is an excellent supply line for the Communists because vessels normally traveling on the Mekong are not subject to search and seizure by South Vietnamese authorities.

An agreement between Cambodia, Laos and Vietnam in the mid-nineteen-fifties established the Mekong as an international waterway and guaranteed Cambodia and Laos unhampered shipping rights.

The problem for the South Vietnamese is complicated by the fact that hundreds of canals flow through the Mekong delta southwest of Saigon, enabling sampans, each capable of carrying several tons of supplies, to elude detection.

The U.S. military spokesman said the Communists were using the Mekong waterways to ship not only guns and ammunition but also chemicals for explosives, metals and other raw materials for assembly at "covert workshops" in guerrilla-controlled areas of South Vietnam.

Government forces recently seized two boatloads of potassium nitrate, used in gunpowder, on the Bassac River—a branch of the Mekong.

Although U.S. military sources were firm in reporting the rise in Communist-bloc arms flowing to South Vietnam in the latter half of 1963, they were unable to give estimates of the volume of the contraband shipments.

"We can't measure it accurately," the American spokesman said.

[From the Washington Post, Jan. 7, 1964]

Sihanouk Says France Offers Him Full Squadron of Armor, 18 Aircraft

Phnom Penh, Cambodia, January 6.—France has offered Cambodia military aid that includes "a complete 100-vehicle armored squadron of the latest type" and 18 aircraft, it was announced here today.

Prince Norodom Sihanouk, the Chief of State, made the announcement after talking here with Pierre Messmer, French Armed Forces Minister.

Sihanouk said France also had offered to send many more teachers here and to establish high schools, an agricultural school and a teachers' training college.

France also is considering a large, low-interest loan to build a railroad line from Phnom Penh to the port of Sihanoukville, about 85 miles west of Phnom Penh, he said.

Messmer and his delegation, who arrived here Saturday, toured the port today. They are expected to end their visit Tuesday night.

Sihanouk recently stopped accepting any U.S. aid, declaring it inconsistent with his policy of total neutrality for Cambodia.

At a banquet last night, Sihanouk said Messmer had expressed "the clear and unambiguous position of France, her total support of our neutrality and our territorial integrity, her backing for our project of an international conference (to guarantee neutrality), her decision to grant Cambodia very considerable aid, without conditions * * *."

He added, "We are happy to note that after a very long silence France seems determined to play in Asia the role imposed on her by the past * * *. France is perhaps today the only power capable of throwing a solid bridge between East and West."

[From the Washington Post, Jan. 8, 1964]

French Aid to Cambodia Given Welcome by United States

The United States yesterday officially welcomed a French agreement to provide military and economic assistance to Cambodia.

State Department press officer Robert J. McCloskey said that "as we understand it, France is planning a sizable quantity of economic and military aid which would be helpful to Cambodia to maintain its independence, neutrality, and national integrity. These are objectives which we share."

McCloskey reported that virtually all U.S. military and economic aid personnel had left the country. January 15 was the deadline set by Prince Norodom Sihanouk, the Cambodian chief of state, for the end of the American aid program.

(Reuters reported at Bangkok that Thai Foreign Minister Thanat Khoman said that French military aid to Cambodia would be regarded as support for the Indochina nation's hostility against Thailand and South Vietnam. Thanat told reporters that such French aid to Cambodia would seriously affect the situation in southeast Asia.)

French Visit Reported Planned by Sihanouk

Phnom Penh, January 7.—Cambodian Chief of State Prince Norodom Sihanouk was reported today to be planning to visit France next spring to discuss the possibility of a French loan for national development projects in this southeast Asian country.

French Defense Minister Pierre Messmer, who is on a visit to Cambodia, has said that France will give this country military trucks and aircraft and will support Cambodia's request for an international guarantee of its neutrality.

Western observers here believe that Sihanouk is moving toward a reestablishment of French influence in his country rather than an alliance with Communist China.

One Million Dollar Radio Setup Strained in Phnom Penh

Hong Kong, January 7.—A million dollars' worth of American radio equipment will probably go to waste as a result of Cambodia's renunciation of U.S. aid, it was learned yesterday.

The equipment, shipped to Cambodia for use as a national police communications network, arrived in Phnom Penh shortly before November 20, when Prince Norodom Sihanouk announced that he would reject American assistance.

It may never be installed. Cambodia has no technicians sufficiently trained to assemble the complex equipment or to maintain it if foreigners can be found to install it. The equipment is now stored in a Phnom Penh warehouse.

Meanwhile, according to American aid officials who have arrived in Hong Kong, Phnom Penh is a city filled with doubt, uncertainty, and economic fears.

A handful of the approximately 250 American military and economic technicians are completing the job of buttoning up the $30 million U.S. program. During the past month a fleet of small American Navy ships has been plying the Mekong River between Penh and Saigon, moving the effects of the some 200 families involved.

Few, if any, of the technicians would elect to return to Cambodia if they could.

"We had sound programs in operation there, we liked the Cambodian people and we thought—we knew—Cambodia was getting plenty of benefit from our effort," said one.

"In other words, it was worthwhile. But then the speeches (by Sihanouk) and his abuse of us began. It was quite a kick in the stomach.

"It's not an easy thing to leave a truly worthwhile project half finished. But they kicked us out. Unwanted when I left, I never looked back."

POETIC TRIBUTE TO THE LATE PRESIDENT KENNEDY

Mr. MORSE. Mr. President, the best poetic tribute to President Kennedy which I have yet seen has been written by Mr. Howard C. Zimmerman, of Eugene, Oreg.

I ask unanimous consent to have it printed at this point in the Congressional Record.

There being no objection, the poem was ordered to be printed in the Record, as follows:

I Heard the Drums

I heard the drums in Washington—
  Muffled, marching, slow;
I saw the kings and princes come,
  Bereaved that he should go.
I paused beside the catafalque
  To touch the mournful bier;
I thrilled at honor humbly paid
  For service rendered dear.

I wept within the Capitol
  Among the pressing throng;
I lifted grief as sacrifice
  In the chalice of a song.
I followed caisson step to step
  Along the avenue;
I dignified with silent tears
  The only chief I knew.

I listened to the bugler's taps,
  The cannoneer's salute;
I patterned sunbeams on the lips
  And tombstones standing mute.
I bowed my hatless head in shame
  To know the need for praise,
A growing spirit crushed to dust
  In the summer of his days.

I watched the kings and princes leave,
  The presidents depart
I stood alone beside a flame
  To reconstruct my heart.
I searched for deathless, faithful truth
  Across bleak Arlington.
I touched the shadow of his hope;
  I rose and journeyed on.

—Howard C. Zimmerman.

A CALL TO EXCELLENCE IN REPUBLICAN LEADERSHIP

Mr. KUCHEL. Mr. President, I have read with great interest a statement released on Monday. January 6, by a group of young Republicans in Cambridge, Mass., known as the Ripon Society. The society, of course, takes its name from the town in which, almost 110 years ago, on February 28, 1854, the Republican Party as such was founded. The membership of this group is composed of business and professional men, faculty and students, and active Republican leaders in the Greater Boston area.

Their statement, "A Call to Excellence in Leadership—An Open Letter to the New Generation of Republicans," is one which merits the careful and earnest consideration of all Republicans, young and old alike. It merits serious study by all Americans who want a strong two-party system, and a vigorous and revitalized Republican Party, which can develop and articulate the public policies, foreign and domestic, which are needed to improve and further the aims of our Republic. These young men have called not for the simple solution, which is traditionally the solution of the sophist who sees the world in absolutes, and in black or white, depending on his perspective. They have noted, instead, that a variety of means are available to resolve some of the great searing issues which confront our country and that there are no simple nostrums in a complex world edging its way toward progress in a complex century. In brief, they call for the application of intelligence to politics and of moderation to our problems. They call for thinking; they call for action; and they call upon the young people of America to see the Republican Party as a vehicle which will advance the cause of all citizens regardless of their race or economic status.

In a time in both our party's and our Nation's history when there is, as never before, a need for constructive thought combined with dedicated action, the open letter of the Ripon Society deserves the careful consideration of us all. I commend its members for having made it.

I ask consent that the statement entitled "A Call to Excellence in Leadership—An Open Letter to the New Generation of Republicans" be printed in the RECORD.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

A CALL TO EXCELLENCE IN LEADERSHIP—AN OPEN LETTER TO THE NEW GENERATION OF REPUBLICANS FROM THE MEMBERS OF THE RIPON SOCIETY, CAMBRIDGE, MASS.

For a moment a great republic stood still. Everywhere men reacted first in disbelief and horror, then in anger and shame, and then in more measured thought and silence. The President is dead. A nation is in mourning.

History provides us with few such occasions to pause and reflect upon the state of our society and the course of its politics. While we yet sorrow, so must we seize this moment before our thoughts slip away to be lost in the noise of "life as usual."

It is in this context that we have chosen to speak. We speak as a group of young Republicans to that generation which must bear the responsibility for guiding our party and our country over the coming decades. We speak for a point of view in the Republican Party that has too long been silent.

The Republican Party in 1964 faces not only an election but a decision. Shall it become an effective instrument to lead this Nation in the remainder of the 20th century? Shall it emerge from the current flux of American politics as the new majority party? Or shall it leave the Government of the Nation to a party born in the 1930's and without a leader capable of transforming its disparate elements to meet the challenge of a radically new environment? We are convinced that the choices the Republican Party makes this year will have an incalculable effect on the destiny of our Nation.

We should like to approach this decision from three aspects—the strategy for achieving a new Republican consensus, the nature of a Republican philosophy appropriate to our times, and the qualities of excellence required in our leadership.

TOWARD A NEW REPUBLICAN CONSENSUS

Election results in 1960 and 1962 indicate that there is no clear political consensus in the country. We are perhaps at one of those points in our political history when a new majority is about to emerge.

American politics has been by and large one-party politics. A single party has been dominant for considerable periods in our past history—the party of Thomas Jefferson, the party of Abraham Lincoln, and most recently the party of Franklin Roosevelt. Each of these great parties emerged during a period of revolution in political ideas and was based upon a new majority consensus.

The Roosevelt coalition of the 1930's is still the majority party in this country. It continues to control both Houses of Congress and the majority of State governorships. Yet its loyalties are fading, its base is eroding, and its dynamism has been exhausted. F.D.R. forged his great coalition of the urban minorities, trade unions, "liberal" intellectuals, farmers, and the Democratic South on a program to meet the economic distress of the depression years. Accordingly, the Democratic Party of today looks back to 1932 and 1936 and has never quite been able to escape the dialog of domestic politics from that period. In a real sense the Democratic coalition of the 1930's, dedicated to the preservation of its economic and social gains since the great depression has become the "stand pat" conservative party of today.

John F. Kennedy was attempting to rebuild the Roosevelt coalition—to infuse it with the idealism of a new generation that found the political issues of the depression years increasingly irrelevant. He was seeking to lift the Democratic Party to a broader international concern. If, as appeared likely, he had faced the exponent of a virulent Republican conservatism in 1964, he might well have built a majority that would have assured the renewed dominance of the Democratic Party.

But fate deprived him of that opportunity—and fate also delivered control of his party to a leader far closer to the era of Roosevelt than to his own. Lyndon Johnson, it can safely be predicted, will try to put Roosevelt's coalition back together once again. But if he succeeds, will he be able to educate and transform his party and Nation to the tasks of the future? Trained as an apprentice of the New Deal; representing the southern wing of his party with its decidedly regional orientation; inclined by temperament to national rather than international concerns; will he not be a "prisoner of the past?" While the Nation may admire his knowledge of and ability to manipulate political power, Lyndon Johnson is not likely to fire the hearts and minds of Americans. His, at best, would be an administration of "continuity."

If the Democratic Party, bound to the cliches and fears of past history, is incapable of providing the forward-looking leadership this country needs, the Republican Party must. There are at least two courses open to the party—the strategy of the right and the strategy of the center. We feel strongly that the center strategy is the only responsible choice the party can take.

The strategy of the right is a strategy for consolidating a minority position. It is perhaps best described as an effort to build a coalition of all who are opposed to something. As an "anti" movement it is not surprising that it has been singularly devoid of positive programs for political action. The size and enthusiasm of the conservative movement should not be discounted, however. It represents a major discontent with the current state of our politics, and, properly channeled, it could serve as a powerful constructive force. But the fact remains that the strategy of the right, based as it is on a platform of negativism, can provide neither the Republican Party an effective majority nor the American people responsible leadership.

The strategy of the right should be rejected for another basic reason. It is potentially divisive. Just as Disraeli warned the British Conservative Party a century ago of the dangers of the "two Englands," so would we speak out against a party realignment of the small States of the West and South against the urban centers of America—or any similar realignment that would pit American against American on the basis of distrust or suspicion. We must purge our politics of that rancor, violence, and extremism that would divide us. In the spirit of Lincoln, we must emphasize those goals and ideals which we hold in common as a people: "With malice toward none; with charity for all; with firmness in the right, as God gives us to see the right, let us strive to finish the work we are in; to bind up the Nation's wounds; * * * to do all which may achieve and cherish a just and lasting peace among ourselves, and with all nations."

We believe that the future of our party lies not in extremism, but in moderation. We believe that moderate course of progressive Republicanism can be justified both in terms of strategy and philosophy. The moderate course offers the Republican Party the best chance to build a durable majority position in American politics. This is the direction the party must take if it is to win the confidence of the "new Amercans" who are not at home in the politics of another generation: the new middle classes of the suburbs of the North and West—who have left the Democratic cities but have not yet found a home in the Republican Party; the young college graduates and professional men and women of our great university centers—more concerned with "opportunity" than "security"; the moderates of the new South—who represent the hope for peaceful racial adjustment and who are insulted by a racist appeal more fitting another generation. These and others like them hold the key to the future of our politics.

Since 1960 John F. Kennedy had moved with shrewd political understanding to preempt the political center. Republican moderates for the most part remained silent. By 1964 the Republican Party, perhaps with a Presidential nominee from the conservative right, would have had great difficulty in reclaiming the center. Now the very transfer of power means that the center is once again contestable. We believe that the Republican Party should accept the challenge to fight for the middle ground of American politics. The future lies here. The party that will not acknowledge this political fact of life and courageously enter the contest for power does not merit and cannot possibly win the majority support of the American people.

Must the Republican Party then adopt Kennedy-New Frontier programs to compete for the center? No. Such a course would be wrong and it would smack so obviously of "political opportunism" as to insure its defeat. The Republican appeal should be rooted in a moderate Republican philosophy and should call forth the best leadership and vision the party can produce from its rich history and current strengths. As Republicans, we must prove to the American people that our party, unbeholden to the hostages of a faded past, is a more flexible instrument for the governing of this great Nation and for the realization of the noble American aspirations of human dignity and peace with honor. What then are the dimensions of a moderate yet dynamic Republican approach that can galvanize the elements of a new Republican consensus?

TOWARD A MATURE REPUBLICAN PHILOSOPHY

A Republican philosophy capable of capturing the imagination of the American people must have at least three attributes. It must be oriented toward the solution of the major problems of our era—it must be "pragmatic" in emphasis. It must also be "moderate" in its methods—concerned more with the complexities of the means toward a solution than with a simplistic view of the ends. And finally, it must marry these attributes of pragmatism and moderation with a passion to get on with the tasks at hand.

Our philosophy must be oriented toward the solution of problems. The image of "negativism" that has too frequently been attached to our party must be dispelled. The new generation in American politics is looking for a party that is able to grasp the realities of its world, that exhibits a sensitivity to the problems that are its concern. This means that the first task of the Republican Party is to recognize and to begin devising approaches to the problems of the last half of the 20th century. We note only the most salient of domestic problems: The legitimate aspirations of the Negro in the northern cities, as well as in the South; the human adjustments to the process of automation in industry and in business; the phenomenon of the megalopolis with the attendant problems in housing, transportation, and community services; the emphasis of quality in our educational system, our health services, and our cultural services in general.

The Democratic Party will have solutions or purported solutions to all these domestic problems. But does it have the imagination demanded by the new world we face? Or will its answers merely be retreads of the New Deal, more of the same, more indiscriminate massive Federal spending, more Government participation in the economic and social life of the Nation and individual?

The greatest mistake would be for the Republican Party to turn its back on these problems. Without this beginning we cannot utilize the strengths of our free enterprise system, of the individual initiative that has characterized our citizenry, of the infinite variety of our private institutions, the potential strengths of our several levels of government. If we fail here, just as if we fail to contest the center, the battle will go to the Democrats by default.

If our times demand new vision and new solutions on the domestic scene, how much greater is the need on the international front. The greatest challenge this Nation will face in 1965, 1970, and 1975 will most likely be decisions in its foreign policy. Merely to continue our foreign policy will not be enough. The American President must now serve as the first statesman of the world. America must assume the responsibilities commensurate with its power.

We must have the creative imagination and political sophistication to shape our policies to meet constantly changing distributions of power. At the same time we must have the perspective to give our foreign policy a direction that will meet the test of decades. We must get on with the paramount task of forging a new relationship with Europe. This will involve a new and more realistic approach to the question of nuclear sharing. The problems of the alliance—political, military, and economic—will demand the finest qualities of statesmanship, of political engineering, of shrewd bargaining and compromise of which we are capable as a people. In our relationships with the Communist nations we must be sensitive to the diffusion of power within the bloc and the opportunities and dangers this affords. We must recognize and develop those areas of common interest such as arms control measures to reduce the chances of war by miscalculation or accident. At the same time we must check Communist aggression in whatever form it takes. We must develop a strategy for economic, technical, and military assistance that both merits the support of the American people and fulfills our commitments and responsibilities as leader of the free world.

Vision is a recognition of problems; it is a function of leadership. The Republican Party has produced a proud lineage of pragmatic statesmen since Lincoln. It is our hope that once again it will provide the leadership to meet the occasion.

While our philosophy and our program must be pragmatic so must it be moderate. Simply to define the problems is not to solve them. The moderate recognizes that there are a variety of means available to him, but that there are no simple unambiguous ends. He recognizes hundreds of desirable social goals where the extremist may see only a few. The moderate realizes that ends not only compete with one another, but that they are inextricably related to the means adopted for their pursuit. Thus he will most likely set a proximate goal. While working for limited realizable objectives he will be especially concerned with the means, the environment in which the goals are achieved. The moderate chooses the center—the middle road—not because it is half way between left and right. He is more than a nonextremist. He takes this course since it offers him the greatest possibility for constructive achievement.

In contrast, the extremist rejects the complexity of the moderate's world. His is a state of mind that insists on dividing reality into two antithetical halves. The gray is resolved into black and white. Men are either good or evil. Policies are either Communist or anti-Communist. It is understandable that the incredible complexity and mounting frustrations of our world will cause men to seek one right answer—the simple solution. The moderate cries out that such solutions do not exist, but his would appear to be a thankless task. Who will reward him for telling them their dreams can never be? It is not surprising that the doctrinaire has always reserved his greatest scorn for the pragmatist and not for his opposite number. The moderate poses the greatest danger to the extremist because he holds the truth that there is no "truth."

Moderation is not a full-blown philosophy proclaiming the answers to all our problems. It is, rather, a point of view, a plea for political sophistication, for a certain skepticism to total solutions. The moderate has the audacity to be adaptable, to seek the limited solution most appropriate to the needs of his nation, its institutions, and its people. The Republican moderate approaches these problems from a more conservative perspective, the Democratic moderate from a more liberal one. The fact that we may meet on common ground is not "me-tooism." It is time to put away the tired old notion that to be "real Republicans" we must be as different as possible from our opponents. There is no more sense in that view than in the idea that we must be for isolationism, prohibition, or free love because our opponents are not. It is time we examined the merits of a solution in itself rather than set our policy simply in terms of the position the Democratic Party may have taken. We would do well to hear Paul's injunction to the Philippians: "Finally, brethren, whatsoever things are true, whatsoever things are just * * * if there be any virtue, and if there be any praise, think on these things."

Today we feel that the Republican Party must once again affirm its great tradition of pragmatism blended with political responsibility. But can the moderate produce the image of conviction and dedication that has been so much a part of the attraction of extremists throughout history? Is the "flaming moderate" just a joke, or is he a viable political actor? Can we be emotional about a politics so pluralistic, so relative, so limited in its range of available maneuver? Perhaps we share the too abundant enthusiasm of youth but we feel that we not only can—we must. We must show our world that our emotion can be aroused by a purpose more noble and a challenge more universal than the cries of an irresponsible extremism. Tempered with an honest uncertainty we must be ever willing to enter upon yet another crusade. We must learn to be as excited about openmindedness as we once were about final answers, as dedicated to partial solutions as we have been to panaceas. We must engage life as we find it, boldly and courageously, with the conviction that if we and reason endure we shall surely succeed and with the knowledge that the greatest sin is not to have fought at all.

TOWARD EXCELLENCE IN REPUBLICAN LEADERSHIP

The assassination of John F. Kennedy has put the Republican Party in the position of fighting the election of 1968 in 1964. It has required that the party define not only a new strategy and a positive program but that it choose the men who are to lead it in these great tasks. The party must now find these men; men who can forge a new national party; men who can renew the great progressive Republican tradition; men who possess the qualities of excellence that we should be the first to see as "the Kennedy legacy."

It is still too early to take the full measure of our late President. As Republicans we have disagreed and still disagree with many of the programs of his New Frontier. As members of the responsible opposition we have been critical of his administration's performance. But as Americans and as members of a generation still younger than his, there was something in John F. Kennedy that we admired. It would be petty indeed to deny this, dishonest to deny that we look for no lesser qualities in the future leadership of our own party.

John F. Kennedy brought to the Presidency a perspective of the years ahead. His vision of America and its role in the world was not simply the product of youth, of that "new generation of Americans" to whom the torch had been passed. It was derived from those qualities of mind and spirit that comprise his legacy to us: his sense of imagination and inquisitiveness, his subtle and keen intelligence, his awareness of the ultimate judgment of history, his courage to affirm life, his love for the art of politics, his respect for excellence. Robert Frost had spoken of his era as an "age of poetry and power." He brought to the Presidency a style and a zest that challenged the idealism and won the enthusiasm of our generation.

Republicans protested with candor that there was too much style and not enough substance to his policies. Now, fate has denied us a full answer. The merits of the man and his leadership will be debated long beyond the coming campaign; but there are lessons in his life and death that we cannot completely escape. We have witnessed a change in the mood of American politics. After Kennedy there can be no turning back to the old conceptions of America. There can be no turning away from the expectations of greatness that he succeeded in imparting to our vision.

To all thinking Republicans the meaning of November 22 should be clear. The Republican Party now has a challenge to seek in its future leadership those qualities of vision, intellectual force, humaneness and courage that Americans saw and admired in John F. Kennedy, not in a specious effort to fall heir to his mantle, but because our times demand no lesser greatness. Our party should make the call to excellence in leadership virtually the center of its campaign platform for 1964. The Republican Party should call America's finest young leaders into the political arena. It should advance its talented younger leadership now to positions of responsibility within the national Republican Party and the Congress. Great government requires great men in government. In a complex age, when truth is relative and total solutions elusive we can do no more than pledge the very best qualities of mind and soul to the endless battle for human dignity. And we dare do no less at every level of social activity, from the Presidency to the town selectman. As Republicans, we feel confident that Americans everywhere will join such an appeal.

We issue this call to excellence in leadership with the full realization that there is much essential work yet to be done before the November elections: the selection of the candidates, the building of a record in the 88th Congress, the shaping of the party platform, the planning of strategy for the campaign. We have not nor do we pretend to spell out a specific course of action. We fear, however, that these efforts will fail unless the party is motivated and directed by the broader and deeper concerns we have voiced. Without this vision and sense of purpose, the Republican Party will most certainly fail in the broadest sense of providing America the responsible leadership it needs.

The moderates of the Republican Party have too long been silent. None of us can shirk the responsibility for our past lethargy. All of us must now respond to the need for forceful leadership. The moderate progressive elements of the Republican Party must strive to change the tone and the content of American political debate. The continued silence of those who should now seek to lead disserves our party and Nation alike. The question has often been asked, "Where does one find 'fiery moderates' "? Recent events show only too clearly how much we need such men. If we cannot find them, let us become them.

REVIEW AND REVISION NEEDED

Mr. SIMPSON. Mr. President, it is a rare opportunity for a Senator to place in the Record an editorial which is written by a good and respected friend about the speech of another equally good and respected friend. Today I have that distinction.

Mr. James M. Flinchum, the fine editor of the Wyoming State Tribune, wrote on December 22, 1963, of the need for a comprehensive review of our laws and policies governing the administration and usage of our federally owned lands. Mr. Flinchum quotes from a speech given by Mr. Paul N. Carlin to the 54th Western Forestry Conference. His speech, which was placed in the Congressional Record on December 18 by Congressman Aspinall, is a major contribution to the study of public land laws. It gives us a better understanding of the need for a review and revision of our public land laws. Mr. Carlin, a product of the University of Wyoming, is presently the assistant director for Federal ownership problems of the National Association of Counties here in Washington. He has been of great assistance to the Government employees and Members of Congress who deal with the public land problems.

I am pleased to have two Wyoming men team up on a problem which needs the immediate attention of Congress.

Mr. President, I ask unanimous consent to have printed in the Record at this point this excellent editorial by James M. Flinchum.

There being no objection, the editorial was ordered to be printed in the Record, as follows:

We Need This Land Law Now

Historically, the availability of public lands was the key to the development of the United States in its formative years.

The first colonists came here from England, followed by peoples from other parts of Europe, looking for lands where they might establish homes and make a living; essentially they were refugees not only from political persecution but also the racking poverty that afflicted the common masses of Britain and the western European nations of two and three centuries ago.

Free land and an opportunity to start anew, plus the chance to live in relative comfort and a degree of political freedom were the lures that led these people across the seas and into the challenge of a raw, new world.

These same attractions drew succeeding generations from a settled society on the Atlantic seaboard in the Original Thirteen Colonies, westward across the continent until finally they came to the Pacific, and the end of the westward trek.

The agricultural economy that prevailed in that time has been supplanted by a pyramidal industrial economy today that has drawn fresh waves of migration from the rural areas to the cities; the diffused population of 60 years ago has been drawn for the most part into a series of megapolises.

Despite this trend, and regardless of the technological perfections in American agriculture that permit relatively fewer American farmers than ever to produce more than in previous times, the demand for land usage must inevitably continue. This is particularly so here in the West which remains an area of comparatively sparse population and vast spaces.

By the year 1980 two-thirds of our Nation's population will reside in cities, says Paul N. Carlin, assistant director for Federal ownership problems of the National Association of Counties. In a recent speech to the 54th Western Forestry Conference, Mr. Carlin had some significant things to say about the future of this Nation's public lands policies.

Mr. Carlin notes that 48 percent of the total land acreage of the 11 Western States still is owned by the Federal Government including that part reserved under the system of public land withdrawals and reservations that began on March 1, 1872, with the setting aside by act of Congress of Yellowstone National Park.

Yet, says Mr. Carlin, the safety valve for the development of the West in the future will be the public lands, adding: "It is essential that a national policy be developed now, before it is too late, which will provide broad statutory guidelines to encourage the maximum utilization and to govern the disposition of this valuable resource."

Withdrawals of the public domain for specific purposes such as national parks, national forests and the like—even for temporary dedications—have also proven that once this is done, it is almost impossible to get this action revoked.

Decisions regarding the wilderness areas already have been made, Mr. Carlin points out, adding that the remaining differences will eventually be resolved on the anvil of compromise.

And yet, even more intensive pressures over uses of the public lands now are beginning to be felt: Demands that areas be set aside for recreation, for example. The accompanying illustration shows that objectives of a so-called wild rivers study team in which 12 streams, including the Green River in our own State, will be surveyed for their recreation potentials. This study aims at leading to the designation of a nationwide system of wild rivers in which the streams would be maintained in their free-flowing state so that their natural beauty and recreational values might be preserved for present and future generations, according to a release we read on the subject.

Warns Mr. Carlin: If specific policy guidelines are not provided to the Federal agencies such as the Bureau of Land Management, we have only ourselves to blame if the final result is another unnecessary battlefield such as the one on which the wilderness bill was fought.

The point of Mr. Carlin's speech was an endorsement of the proposed Public Land Law Review Commission bill which would provide the framework for public lands policy guidelines.

For the public lands States, a comprehensive review of our laws and policies governing the administration and usage of these federally owned areas would stand as one of the finest and most far reaching achievements ever obtained by Congress.

FEDERAL CREDIT CONTROL BILL

Mr. SIMPSON. Mr. President, with the facetiously titled truth-in-lending bill due to be discussed at a public hearing in Boston, Mass., Saturday, it seems appropriate to place in today's Record a searching editorial on the bill's anomalies that appeared in the Riverton, Wyo., Ranger, issue of December 18, 1963.

Editors Roy and Robert Peck examine the simple annual rate portion of the bill in relation to the hypothetical example of a shopper paying interest on an inconsistent balance over a 4-month period.

After concluding the example, the editors observe that the truth-in-lending bill looks like it is laden with more headaches, confusion, and trouble than it is filled with promise of clarity and understanding.

Showing a comprehension of the bill that surmounts that of most of the bill's proponents, the Riverton Ranger editors admit that—

> The intent of the measure has merit, but the snarl of bookkeeping that it would entail would be crippling for a business. It couldn't help but raise costs of operation * * * nor does it appear the measure would give the consumer a clear idea as to how much he pays in interest and service charges.

Mr. President, I recommend this perceptive editorial to the attention of the Senate, and I ask that it be printed in the body of the Record with my remarks.

There being no objection, the editorial was ordered to be printed in the Record, as follows:

Not So Simple Rate

The consumer needs to be better educated about the true costs of credit and money borrowed at interest. Protecting the buyer against excessive credit costs is the intent of S. 750, the Federal credit bill.

The bill has been labeled a truth-in-lending bill. But from a first look at the measure, it doesn't look like it could possibly work. The intent of the measure has merit. But the snarl of bookkeeping that it would entail would be crippling for a business. It couldn't help but raise costs of operation, costs that the consumer for whom the bill is written, would have to pay.

Nor does it appear the measure would give the consumer a clear idea as to how much he pays in interest and service charges. The bill asks that a simple annual rate of interest be calculated and revealed to the customer.

It's not that simple. For example, a woman charges a $60 item at a department store on January 2. On February 2 she charges through another purchase $85 more, but makes a $10 payment on February 27 against the $85, having paid the $60 item off when she bought the $85 order.

If a store charged 1½ percent of the beginning balance each month, the simple annual interest rate would vary from an apparent 19 percent during one period, 14 percent for another month, 0 percent for 2 other months. The 4-month average was 9.9 percent.

If the customer was told, as the bill would require, that the simple annual rate was 0 percent 1 month, 13 percent the next month, 19 percent the next month, would she be relieved to know or dismayed to find out?

In the study mentioned the total service charge over the 4-month period was $2.04 or less than 2 cents a day on average based on the actual days of credit received. The simple annual rate was under 10 percent.

We're against the customer getting stung by loan sharks, against retailers charging excessively for credit. There are already State laws on the subject.

The truth-in-lending bill now before the Congress looks like it is laden with more headaches, confusion, and trouble than it is filled with promise of clarity and understanding.

THE GOLD RESERVE REQUIREMENT

Mr. DOUGLAS. Mr. President, the Joint Economic Committee has for some time considered the advantages and disadvantages of modifying or repealing the

25-percent gold reserve requirement against Federal Reserve note and deposit liabilities. At the present time, nearly $12.5 billion of our $15.5 billion gold reserve is immobilized by this requirement, and is therefore not automatically available for the defense of the dollar. Many believe that the requirement no longer serves a useful domestic purpose and weakens the international position of the dollar.

When the Joint Economic Committee held hearings on the balance of payments in November 1963, a number of leading bankers were invited to state their views concerning the gold reserve requirement. Replies were received from Mr. Henry C. Alexander of the Morgan Guaranty Trust Co., Mr. L. D. Brace, of the First National Bank of Boston, Mr. George S. Moore, of the First National City Bank of New York, Mr. David Rockefeller, of the Chase Manhattan Bank, and Mr. Jesse W. Tapp, of the Bank of America. All but the last communication were included in the printed record of the Joint Economic Committee November hearings on the balance of payments which was released on December 30. Unfortunately, Mr. Tapp's communication arrived too late to be included in that publication. However, his excellent statement is properly part of the public record, and I therefore ask unanimous consent to include it in the CONGRESSIONAL RECORD.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

THE GOLD RESERVE REQUIREMENT

In my judgment, the 25-percent gold certificate reserve requirement against Federal Reserve note and deposit liabilities serves no constructive use at the present time. As a practical matter it does not limit the expansibility of the money supply. When circumstances require expansion of the money supply, the monetary authorities should not be prevented from expanding it, whether by a fixed gold reserve requirement or by any other arbitrary rule of thumb.

The international movement of gold is not the proper determinant of the money supply of a nation. That money supply, of course, should be held in check if inflation threatens, but gold movements constitute neither a faithful mirror of inflation nor the most effective bulwark against it. What is important is that the monetary authorities under all circumstances be permitted ample scope for flexible administration of the money supply, and not be bound by a rigid, limiting formula which would potentially subject our internal economy to stresses and strains engendered by sporadic flights of gold.

The 25-percent gold reserve requirement poses problems for the full execution of U.S. policy at home and abroad. Speculation against the dollar is fed by the illusion that the United States is running out of gold. This false view is engendered by the legal requirement apparently impounding some $12 billion of our gold reserve at the present time. Such speculation leads directly to losses of gold from the Treasury's stock, and also tends to worsen our balance-of-payments position.

A question will inevitably arise: When should the elimination or reduction of the gold reserve requirement take place? In a sense there is no good or easy time for this move. During periods in which the United States is building up its gold stock the necessity to make this change is less obvious though still present; on the other hand, during periods in which the United States is losing gold, such a move is opposed on the ground that it might appear as a sign of weakness and thus precipitate a disorderly gold market. Surely, however, the possibility of such disorder is increased the nearer we move to the point where all of our gold is supposedly tied up by the Federal Reserve requirement; the more closely this point is approached, the greater will be our difficulties with those who fear or hope the worst for the U.S. position in the world. Even if removal of the gold reserve requirement under present conditions were to be misconstrued as an indication of monetary weakness, it would be better to face this fact while we still have a fairly large excess reserve. Removal of this requirement, however, would not be a demonstration of weakness, but of strength—an earnest of the pledges of both Democratic and Republican administrations that all of our gold stands behind our international obligations.

It is recognized, however, that misconceptions about the role of gold are widely present both in this country and abroad. A concerted educational effort is in order to promote public understanding of the fact that the dollar will actually be strengthened by the removal of the gold reserve requirement.

Of course, no one should be led to expect that lifting this gold reserve requirement will solve our international payments problems. Strong efforts along other lines will also be necessary to bring our international payments into a tolerably balanced position. The double program of lifting this gold requirement and of eliminating our balance-of-payments deficit should be pursued simultaneously if the United States is to retain its position of world economic leadership.

ASSISTANT SECRETARY OF LABOR ESTHER EGGERTSEN PETERSON

Mr. MOSS. Mr. President, in the appointment of Assistant Secretary of Labor Esther Eggertsen Peterson as Presidential Assistant for Consumer Affairs, President Lyndon B. Johnson has chosen one of the ablest and most charming women ever to serve in any administration. Utah is proud of Esther. We expect her to do her usual outstanding job. I ask unanimous consent to have printed at this point in the RECORD an editorial from the Salt Lake Tribune of January 5, 1964.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

NEW FIRST FOR UTAHAN

Utah long has been justifiably proud of Esther Eggertsen Peterson, native of Provo, graduate of Brigham Young University, and former teacher at the College of Southern Utah.

The talented and gracious lady who 3 years ago became the first woman Assistant Secretary of Labor, now becomes Assistant to the President for Consumer Affairs. While continuing as Assistant Secretary and Director of the Labor Department's Women's Bureau, Mrs. Peterson will also be the leading voice in Government for the consumer which President Johnson says he wants to be "loud, clear, uncompromising, and effective." She heads a nine-member special committee to study and speak for consumer interests.

Mrs. Peterson, whose grandparents pushed a handcart from Omaha to Salt Lake Valley more than a century ago, has pioneered in her own way. Never afraid of controversy, she is already on record favoring the "truth in packaging" and "truth in lending bills," which so far have made scant headway in Congress. She was quoted recently as not seeking "equal rights" for women in the sense they are wanted by some feminist crusaders. Sexual equality by law would mean the end of some advantages women now enjoy.

Women, she said, should make the best of their natural qualities, some of which for some purposes are superior to those of men.

This mother of three sons and a daughter, now grown, went into the labor-consumer movement by way of Columbia University and the industrial department of the YWCA in Boston, where she taught at Windsor School. Next she went to the Bryn Mawr Summer School for Workers and then to the Amalgamated Clothing Workers Union, where she directed education and legislation in Washington. Later she was legislative representative for the entire AFL-CIO.

Characteristically, Mrs. Peterson has invited consumers to write her at the White House about their problems. We are confident she will do much to help solve such problems.

VOLUNTARY WHEAT CERTIFICATE PROGRAM ENDORSED BY SECRETARY FREEMAN

Mr. McGOVERN. Mr. President, I was most impressed by the splendid statement of Secretary Freeman before the House Subcommittee on Wheat which the Secretary offered yesterday.

Mr. Freeman urged passage of the kind of voluntary wheat certificate legislation which I introduced last July. As the Secretary said, such legislation can prevent a drop of $600 million in wheat income this year.

I trust that the Congress will move quickly to enact this needed legislation.

I ask unanimous consent that Secretary Freeman's testimony be printed at this point in the CONGRESSIONAL RECORD.

There being no objection, the testimony was ordered to be printed in the RECORD, as follows:

TESTIMONY OF THE SECRETARY OF AGRICULTURE, ORVILLE L. FREEMAN, BEFORE THE WHEAT SUBCOMMITTEE OF THE HOUSE AGRICULTURE COMMITTEE, JANUARY 7, 1964

Mr. Chairman, members of the committee, I am here today to testify in support of action on a wheat program for 1964. In the absence of such action, the income of wheat farmers will fall sharply * * * and agriculture will suffer a serious loss (estimated at $600 million a year) that will be felt adversely throughout the Nation's economy.

We are all aware of the economic impact of a $600 million decline in the wheat farmers' income, particularly at a time when strong efforts are being made to encourage a more rapid growth in the economy of the whole Nation. A wheat program is essential, and this administration is prepared to work closely with the Congress to insure that prompt action is taken in the interest of the farmer, the rural economy, and the Nation. I am here today for that purpose.

This administration has, from the beginning 3 years ago, sought to develop commodity programs directed toward the basic goals of reducing surplus stocks, holding down Government costs and strengthening farm income.

In the case of wheat, we believed that if two-thirds of the wheat producers voting in a referendum chose a program of marketing quotas, this would be the most effective way to achieve these goals of higher income, reduced stocks, and lower Government costs. However, when the growers voted the program down, it was clear the farmers faced a substantial decline in farm income unless they could arrive at sufficient agreement on a wheat program that could be enacted and would further progress toward those three basic goals.

I am confident that we can develop wheat legislation that will improve the opportunity for increased farm income without a substantial increase in budget expenditures and, at the same time, will continue the welcome reduction in wheat stocks still at surplus levels which began in 1961 with legislation enacted by the Congress.

We believe action on wheat is essential. Wheat farmers as a group * * * and all groups of farmers * * * are entitled to more income, not to less. At a time when bread is still a scarce commodity to millions of people in this world, the American consumer has so abundant a supply that bread is scarcely given a passing thought. The achievement of the American family farm in providing a wealth of food and fiber is little short of magic. Yet it is poorly appreciated and even more poorly rewarded. Instead, attention is more often focused on the cost of farm programs, and the disparity between farm and nonfarm returns for comparable effort is largely forgotten. Yet farm income per capita is less than 60 percent of the income of the nonfarm earner. Surpluses receive far more attention than the surprisingly low real cost of food in this country—about 19 percent of the average family budget. Yet no other nation has ever eaten so well for so small a part of the disposable income of its people as the United States.

Today, with less than 8 percent of our population engaged in farming, most Americans fail to recognize that farm commodity programs are as essential to their continued good fortune as they are to the family farmer. The consumer tends to forget that the family farmer deserves much of the credit for the high abundance of low-cost food we enjoy. Without the family farm system of agriculture, there would be no assurance of abundance; and without commodity programs, there is no assurance that the family farm system would survive.

The Communist countries—where scarcity rather than abundance is the problem—envy the productive ability of our agriculture. Yet they refuse to admit the productivity which flows from the incentives, and the flexibility and adaptability of free enterprise family farming will never be achieved under their system. And, as yet, no other system has been designed that can match the productive capabilities of our family farms.

Thus, so long as overproduction and low prices are the silent companions of abundance, commodity programs will be essential to the family farm system of agriculture. So long as agriculture is subject to the volatile effects of a massive scientific and technological revolution; so long as productivity per farmworker grows 6 percent and more each year; so long as we continue to produce more each year from less land with fewer people, commodity programs will be necessary. They are not welfare programs, but essential tools of adjustment for the well being of the family farmer as well as every single American citizen.

Most wheat farmers understand this as do most other farmers. Some people may think that the vote in the wheat referendum last May was a rejection of all responsible farm programs. Such an interpretation ignores the fact that the wheat farmer in effect voted not once but twice last year—once by ballot and once with his wheat drill.

It is clear from the recent crop report that most of the winter wheat acreage—probably over 80 percent—has been seeded within the allotment which would have taken effect had farmers voted yes in the referendum. There was no massive expansion of wheat acreage as we had feared. There has been no massive acreage expansion because the wheat farmer this fall voted with his wheat drill for a continuation of wheat programs.

I am here to urge that this committee respond to this voluntary action on the part of farmers by enacting a voluntary wheat program. We can scarcely ignore the faith implied by the farmers' action. The overwhelming majority of wheat farmers recognize, as they indicated to me repeatedly this fall when I met with thousands of them, that a wheat program is essential. I agree, and am here to urge quick action by this committee on a voluntary wheat program.

Otherwise, despite the fact that acreages generally have so far been kept within allotments, the wheat farmer faces the prospect of a $600 million decline in income. A decline in farm income of this magnitude will have a sharply adverse effect on the national economy at a time when all America is striving to increase the national economic growth rate.

It is clear, from the record of the past 3 years, that even modest programs * * * designed to be responsive to current needs * * * can have a decisive influence on farm income. The feed grain program, the emergency wheat programs and the administrative actions taken to raise support prices on a number of commodities * * * all these have combined to help increase farm income. Since 1960 farmers and the Nation have benefited from an increase in net farm income of some $2.5 billion greater than if farm income had remained at 1960 levels. Gross farm income has been $8 billion greater over the past 3 years.

This increase in farm income played an important part in the upturn of our economy. The $8 billion cumulative increase in income since 1960 has enabled farmers to spend more for both the farm enterprise and family living. For example, farmers invested $521 million more in tractors, $900 million more in autos and $310 million more in other farm machinery and equipment in the past 3 years than otherwise would have been possible with a 1960 level of income. The increase in gross farm income also enabled farmers to spend about $1,780 million more for purchased feed and about $286 million more for fertilizer and lime. Furthermore, farm families were able to spend some $1,560 million more for food, clothing and household furnishings because of their enhanced income position.

And, in 618 selected agricultural counties, deposits in insured commercial banks in June 1963 were some 20 percent higher than in June 1960. Indications are that this measure of financial activity rose about 8 percent during 1963.

The enactment of a wheat program for 1964 will enable the wheat producing areas of our Nation to avoid the depressing influence of a decline in the income of the wheat farmer which not only will affect most directly the wheat States of Kansas, Nebraska, North and South Dakota, Texas, Oklahoma, Washington, Montana, and Idaho, but also the entire economy.

There are a number of proposals designed to strengthen wheat farmer income now before this committee. Each has certain advantages and some disadvantages. The administration will be available at all times to assist the committee as it considers these proposals.

In general, the Johnson administration will be guided by the conditions which President Kennedy set down last year. These, you will recall, are that a wheat program should maintain farm income, that Government costs should not be excessive, and that it should continue to reduce surpluses.

Within these guidelines the program should be a voluntary one. It should incorporate the certificate system because that system will be the least costly to the taxpayer. It will maintain both the price of wheat received by the farmer and also consumer prices at current levels.

Let me repeat: A voluntary certificate program can (1) insure stable consumer prices, for wheat users will pay approximately the same for wheat this year as they did in 1963; (2) insure that wheat farm income will be substantially higher than the level estimated for 1964 under current law; (3) hold the line on budget costs; (4) accomplish another substantial reduction in the carryover supplies of wheat * * * in the neighborhood of 100 million bushels more than would otherwise be the case.

If the wheat farmer is to benefit from a voluntary certificate program, there must be swift action. Because the benefits are so apparent, and the need is so great, we are prepared to make all necessary resources available to the committee and to the Congress.

We are eager, ready, and willing to help you in any way we can. We urge the committee's prompt, affirmative action.

THE RUSSIAN WHEAT SALE APPROVED BY THE SOUTHWESTERN MILLER

Mr. McGOVERN. Mr. President, the Southwestern Miller, published by the Sosland Publishing Co., at Kansas City, Mo., is a conservative weekly magazine of the milling and bakery trades and is probably one of the best sources of information in the Nation on wheat and cereal grains.

In its December 31 issue, the Southwestern Miller carried an editorial on sales of wheat to both Russia and China, discussing their population and food problems, and concluded that such sales may be doubly rewarding to the free world. Their editorial concludes:

> If the mounting millions of people succeed in obtaining food, including U.S. wheat and flour, they are most likely to cooperate with the free world for peace and progress. By moving promptly for direct selling to these countries, the United States may be doubly rewarded—with the cash returns and with the world peace and progress upon which this Nation is spending billions.

I ask unanimous consent to include the full text of the Southwestern Miller editorial in the RECORD.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

SALES TO RUSSIA AND CHINA

Some excitement developed in the American wheat and flour trade last week following disclosure that the Department of Commerce had issued licenses covering exports of Hard wheat to Russia in an amount of $40,640,000, representing 500,000 tons. But the licenses were issued only under a new policy of the Department of Commerce that makes them available on certification of serious negotiations with ultimate buyer. Actual sales, it was revealed, are being held up by the refusal of the Russian buyers to comply with the American Government requirement that half of the purchases be shipped in U.S.-flag vessels. Sentiment is growing in the United States that this impediment to sales to Russia should be resolved. The requirements of Russia and also of China, another Communist country, are of a nature that should speed up American action to enable the wheat industry to share directly in this business. Our Government is already on record as favoring sales to Russia.

Russia and Communist China have a population equal to almost one-third of that of the entire world. Their buying outside of the United States is a dominant factor in wheat and flour markets. China, it is now reported, has already booked grain that calls for shipments to the end of 1965. Long-term contracting is also credited to Russia's satellites. The advance buying, according to a report from Canada, points to a good level of exports until July 1966 by the Dominion. From London comes a report that the international grain trade there now leans to the view that the Communist demand for grain surpluses of the world is here to stay, at least for 2 or 3 years, or until such time as they can build up reserves. "Clearly, none has any reserve from previous harvests," the London report adds.

Argentina is the latest wheat-exporting country to join in making sales to Russia. Canada and Australia are the largest sellers to Russia and also the leaders in export workings to Communist China. France, West Germany, and Italy have also made sales to the Soviet. Even Mexico has lately traded with Communist buyers. The United States, in fact, is the only major exporting country not selling wheat or flour directly to the Soviet and to Red China.

Opponents of American trading with the Communist countries are finding themselves in a minority that is not in accord with the policies of other democratic countries, including Britain and France. They have sought to apply brakes on the wheat sales by legislation to ban export guarantees by the Export-Import Bank on the Soviet takings, but this has been resolved by a compromise that leaves decisions on credits to the President. He has already intervened to further the sales. The facts are that the Russians have given evidence that they are ready to pay cash. The ocean shipping requirement, which originated with President Kennedy's announcement of a decision for the business, therefore remains the only stumbling block so far as the United States is concerned.

Russia's anxiety over supplies of wheat and other grain is reflected in an announcement by Premier Khrushchev of a program involving expenditures of $10,500 million in the next 7 years to provide fertilizer for agriculture. That expenditure will be part of a total of more than $25 billion to be used for the building of 200 new chemical plants and the rebuilding of more than 500 now in operation. The 1963 output of fertilizers in Russia is placed at 15,900,000 tons for agriculture, and by 1964 it is estimated that collective and state farms will receive approximately 22 million tons.

Even with the ambitious fertilizer program, Russia may continue an importer of wheat, in the opinion of some trade observers. Doubt is also expressed that China will be able to catch up with its expanding demands through home production. Premier Khrushchev, in announcing his fertilizer program for agriculture, noted that his Central Statistical Administration expects the Russian population to reach more than 226 million by January 1, 1964, to rise to about 250 million by 1970, and to amount to about 280 million by 1980. China's population is growing even more rapidly.

If the mounting millions of people succeed in obtaining needed food, including U.S. wheat and flour, they are most likely to cooperate with the free world for peace and progress. By moving promptly for direct selling to these countries, the United States may be doubly rewarded—with the cash returns which they offer and with the world peace and progress upon which this Nation is spending billions.

TRIBUTE TO THE LATE PRESIDENT KENNEDY FROM YUGOSLAVIA

Mr. LAUSCHE. Mr. President, recently I received a letter from a Slovenian citizen, presently residing in Austria, which I believe contains thoughts that are worthy of being weighed and considered by the citizens of our country.

I have eliminated from the letter the place of origin, the identity of the writer, and other information which might identify the person who wrote the communication.

I ask unanimous consent that this letter be printed at this point in the RECORD.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

Highly Esteemed Senator LAUSCHE: The very tragic death of the late President Kennedy aroused the world over deep sorrow as well as indignation and concern of the entire free world; what will happen now? The decisive first speech with all its guarantees allayed somewhat this concern and indignation with the awareness that the new President will continue the policies of his predecessor.

It is very interesting to note what I heard with my own ears in Austria the very next day after the assassination; namely, that this crime had been committed by rightist circles, and this even before we had read in the newspapers that the murderer, Oswald, himself admitted being a Communist.

All freedom-loving people now are asking themselves with some anxiety whether the United States, after this supreme sacrifice, will recognize the dangers that threaten it from the Communist side and will take more decisive steps for its self-defense.

Most of all, all the freedom-loving people in Yugoslavia are wondering why America can't understand that all this so-called peaceful coexistence and her cultural cooperation with the Communist nations is a true Trojan horse of the Greek story through which communism is penetrating into free nations with the bill being footed by the nation who takes this lure. They are asking themselves wonderingly what does America get out of it. It is said that Yugoslavia has become a true Mecca for many American diplomats who let themselves be guided there from one banquet to another, and draw all their knowledge of that country from 100-percent Communists. I heard some workers say that they almost don't believe that there is really such a prosperity in America, or else American diplomats would not try so hard here to be guided around and feted, while millions of people lack even the very necessities of life. The late President Kennedy certainly could save some of the praise for the wonderful receptions accorded by the clique whose victim he became in such a short time.

Innumerable spy trials the world over are sufficiently clear proof of the intentions of communism and of the fears entertained by all those who have had a taste of communism and know it well from all angles.

In recent time, Vietnam in Asia has been becoming a very sore spot where Americans are dying in increasing numbers.

Perhaps it is true that the principal Communists in Vietnam have hidden behind the monastery walls and from there now are clandestinely carrying out their plans. Much in the same manner as in the years 1942 through 1945 they succeeded in doing this in Ljubljana where they hid in hospitals and monasteries and from there unseen continued with their criminal work. In the Franciscan monastery they had their radio station in the cell of one of the most illustrious fathers who held two doctor's degrees.

Day after day we listen to the Voice of America spouting nice statements about peaceful coexistence of nations. * * * How can people in the countries behind the Iron Curtain still keep up their hope of freedom when those who have been torturing them for so many years are being supported. All of this is a mockery of all freedom-loving people. * * *

The most-favored-nation treatment in trade with the United States which will be enjoyed also by Yugoslavia will, of course, be advantageous only to the Communist potentates who will use this privilege for anything imaginable. For, not so long ago a local man who has for the last 40 years lived in the large Yugoslav port * * * told us here that he saw there with his own eyes piles of opium which is being exported all over the world. He said: "If I were so lucky as to get at least 1 kilogram of it, I could live well." Where in the world can this sort of business be done better than in Communist nations in order to make their bosses live well, while the people still starve today?

Excuse me, dear Senator, for these lines which have been written with the best intention to keep you posted on the truth also from this side.

I wish you a joyous and pleasant Christmas and a happy and healthful New Year full of great successes on the side of truth and justice.

With the highest esteem,
Yours ever truly and gratefully,
——— ———.

ANNUAL LEGISLATIVE REPORT OF THE ANTI-DEFAMATION LEAGUE OF B'NAI B'RITH

Mr. JAVITS. Mr. President, the major portion of the annual legislative report to the Anti-Defamation League of B'nai B'rith is devoted to a review of civil rights developments in the 1st session of the 88th Congress and a forecast of what is in store for the 2d session. Civil rights and liberties has been a major concern of the ADL throughout the 50 years of its activities, and it is generally recognized as one of the leading nongovernmental organizations in the field.

Respect for the human dignity of all men and the safeguarding of their full rights as citizens of the United States are the tasks to which the ADL has dedicated itself. This report, therefore, has more than its usual significance at this time.

I ask unanimous consent to have printed in the RECORD excerpts from the report to the Anti-Defamation League of B'nai B'rith, prepared by its Washington representatives, Herman Edelsberg and David Brody, entitled, "Civil Rights in the 88th Congress, 1st Session," December 31, 1963.

The PRESIDING OFFICER. Without objection, it is so ordered.

There being no objection, the excerpts were ordered to be printed in the RECORD, as follows:

CIVIL RIGHTS IN THE 88TH CONGRESS, 1ST SESSION

As never before, civil rights dominated the headlines in 1963. Stories of the Negro revolution—of victories, defeats and smoldering truces—spanned the country. Even as the Nation reeled from the assassination of its President, its leaders found it necessary to search the civil rights implications. But the year in Congress closed with an all too familiar ending—Congress once again had failed to act.

The legislative year began in low key. The biennial effort to curb the filibuster in the Senate failed dismally. The House Rules Committee was enlarged but remained a stumbling block to civil rights. As late as February 28, President Kennedy's estimate of America's civil rights needs and possibilities permitted him to propose to Congress a modest reform bill.

This first Kennedy bill emphasized voting rights and sought to make a sixth grade education proof of literacy in Federal elections and to authorize the appointment of Federal voting registrars in counties where less than 15 percent of qualified Negroes are registered to vote. Finally, it provided a 4-year extension of the life of the Civil Rights Commission and technical and financial aid to schools that encountered desegregation problems.

Clearly, the force of the new mood abroad in the land was not reflected in this narrow bill. Within a few months after the Kennedy message, long pent-up Negro grievances and aspirations burst with revolutionary impatience North and South—in Philadelphia as well as Birmingham, in Maryland as well as Mississippi. Strongholds of massive resistance like Birmingham employed police dogs, cattle prods and fire hoses; but finally the banners which had proclaimed "No, Never" to desegregation were hauled down. Grudging but meaningful starts toward equal opportunity were made.

It was only yesterday that the civil rights movement was debating priorities in legislation. The Attorney General spoke of voting as the key right, while the Housing Administrator said equal job opportunity was the door opener. But the new Negro mood made timetables and strategic priorities obsolete. Rev. Martin Luther King, Jr. could say, when asked about his civil rights goals, "Here, now, all." And the Supreme Court, obviously dissatisfied with foot dragging by some district courts, found it necessary to say, "The basic guarantees of the Constitution are warrants for the here and now."

THE ADMINISTRATION BILL

The uprising in the Negro community brought a new and sympathetic response from President Kennedy. A few hours after receiving Governor Wallace's surrender at the University of Alabama on June 11, he went on TV to warn that the Nation faced a revolution in race relations and that positive reforms must be made by all if the issue is not to be fought out in the streets. On June 19, he sent to Congress a new package of civil rights bills that was the most comprehensive and meaningful ever sponsored by any administration. In addition to the measures proposed in February, Kennedy called for legislation:

1. Desegregating hotels, restaurants, places of amusement, retail establishments.

2. Authorizing the Attorney General to bring suits to desegregate schools in cases where a Negro parent is unable—because of poverty or fear of reprisal—to do so. (This is the old part III limited to school cases.)

3. Extending Federal action to promote equal job opportunity, including (a) increased funds for vocational training, youth employment and similar programs; (b) statutory basis for Vice President Johnson's Committee on Equal Employment Opportunity and extension of its authority over Federal construction projects (Executive action to be accelerated against discrimination by unions); and (c) "support" of pending FEP legislation. (The expression of "support" in contrast to direct sponsorship was regarded as relegating FEP to a lower priority than other items, and it was not included in the bill sent to Congress.)

4. Establishment of a Community Relations Service to act as a mediation agency in racial tension situations.

5. Authorizing Federal Government to withhold funds—grant, loan or insurance—from any State program in which racial discrimination occurs. (This blanket authorization would grant the Executive power in an area it claims is now "questionable" and would replace individual Powell amendments which, in practical effect, frequently jeopardize passage of the social welfare bills to which the are attached.)

The bills were introduced by Chairman CELLER in the House (H.R. 7152) and by Majority Leader MANSFIELD (with 42 cosponsors, 34 Democrats and 8 Republicans) in the Senate; S. 1731 was the omnibus bill; S. 1732 excerpted the public accommodation section and went to the Commerce Committee; S. 1750 was the package without the public accommodation section and was cosponsored by Minority Leader DIRKSEN.

Never before had there been so much support—grassroots, editorial, political—for a civil rights bill. Church groups rallied to the cause as if it were a new religious tenet. They were present in force not only for the awe-inspiring but ceremonial August 28 march on Washington, but for buttonholing Congressmen on the Hill. The Birmingham riots had given the measure a special impetus and some suggested that it might be called the Governor Wallace or the "Bull" Connor bill in ironic tribute to the unintended contributions of these extremists. Indeed, the pictures of fire hoses trained on praying Negroes and police dogs snarling at Negro children played a large part in hardening national determination to secure justice for Negroes. But the prime mover in developing support for the bill was the Negro himself—his increased determination, organization and effort—and his potentially dangerous impatience.

The fate of the legislation was, however, far from assured. There was evidence to suggest that white suburbs in the North were reacting against Kennedy because he was pushing "too far too fast" for the Negro. But a Harris poll in November showed a 2 to 1 majority among American voters for the civil rights bill. A majority of the Members of the House and Senate, backed by the leadership, seemed ready to vote for it, but the problem once again was whether they would get the chance to say "yea" or "nay." The rules of Congress, Senator JOSEPH CLARK, Democrat, of Pennsylvania, has said, "are stacked against the people." Walter Lippmann complained that "manipulations of the delaying devices" in Congress paralyzed the Executive and made government unworkable. Would the bill get past the Rules Committee in the House unscathed—and in time? Could it survive a filibuster in the Senate?

The answer would depend largely on whether or not the old Dixie-conservative Republican coalition, which has had the effective say in Congress for nearly a generation would still control—or whether a new civil rights coalition would in the words of Senator KEATING, "submerge party labels and narrow political considerations in the interest of the Nation's welfare."

Committee hearings on the measure were thorough and extensive. In the House a subcommittee headed by Chairman CELLER looked at the whole package. In the Senate, where Senator EASTLAND presided over a Judiciary Committee that had never reported a civil rights bill, the leadership decided to bypass him by holding hearings on the public accommodation section of the bill before Senator MAGNUSON's Commerce Committee. (Jurisdiction was vested in that committee because the hinge on which the Federal effort to outlaw discrimination in restaurants and hotels turned was the effect on interstate commerce.) In a futile exercise, Attorney General Kennedy appeared nine times before the Judiciary Committee where most of the time was consumed by Senator ERVIN, Democrat, of North Carolina, arguing that the bill was unconstitutional.

The first hitch developed over the Republican contention, shared by some civil rights leaders, that the administration's commerce approach to the public accommodations bill was inadequate. They argued that there was no moral justification for subjecting some establishments to the ban on discrimination while exempting others because their smaller size did not affect interstate commerce. Republicans contended that the 14th amendment outlawing discriminatory State action was the moral and effective approach. State action (without which Federal jurisdiction could not be asserted) could be found, they argued, in the fact that places of public accommodation almost invariably held licenses from the States and the effectuation of discrimination involved State custom and State action. The issue also carried political and economic overtones. Republicans had generally opposed the New Deal legislation which was based on the commerce clause; they did not want to see it extended into new areas. The 14th amendment, on the other hand, was the Republican Reconstruction amendment. Although constitutional lawyers argued that if the Republican contention were sustained by the Supreme Court it would give the Federal Government powers not heretofore envisioned, its sponsors did not seem to believe that it would encroach as much on traditional State areas. In any event, legal scholars agreed that the commerce clause approach was the safer and surer constitutional route.

The House subcommittee held hearings during the period May 8 to August 2 on the various civil rights bills, and finally on October 21 reported out a bill far more comprehensive than the Kennedy recommendations. It gave the Attorney General: (a) power to initiate suits to enjoin any civil rights violation (the classic part III); (b) it added an FEPC to police discrimination in all firms employing 25 or more; (c) extended the voting provisions to State elections; (d) made the Civil Rights Commission a permanent agency.

The subcommittee action was hailed by the Leadership Conference on Civil Rights which regarded the bill as a tribute to the efficacy of the grassroots campaign. But it was bluntly deplored by the administration. Attorney General Kennedy came before the full Judiciary Committee to argue that the new draft gave the Attorney General vast powers of ill-defined dimension which he neither wanted nor should have. He had a Philadelphia lawyer's field day in spelling out the undesirable possible implication of the sweeping subcommittee draft of part III. But his real concern was something more than limiting Federal intervention to cases based on race or religion; if it were only that, the remedy could have been effected without an elaborate showdown meeting before the full committee. His real complaint was that the bill with its additional controversial provisions could not be passed.

This was not news to many of the members of the subcommittee. They realized that the bill was being overloaded to the point where it might capsize. They saw seven of nine southern members vote in committee for the strongest provisions in the unconcealed expectation that this would doom the bill to total defeat. But liberal Democrats and Republicans, concerned about the possible political repercussions, were reluctant to take the responsibility for dropping any of the provisions favored by the civil rights groups. The Attorney General thereupon decided to bell the cat himself. He appeared before the full committee and reminded them that the bill could pass only with bipartisan support, that partisan considerations must be set aside—"else the country will be the loser." He spelled out the kind of bill that might win such support, and he indicated willingness to strengthen the basic administration proposal to meet some of the subcommittee recommendations.

Following the Attorney General's public appearance, a series of intensive conferences with Republican and Democratic leaders was held at the White House, on Capitol Hill, and in hotel rooms where draftsmen could work undisturbed. The ranking Republican on the Judiciary Committee, WILLIAM MCCULLOCH, of Ohio, proved that he was interested in a bill, not an issue. Much to the surprise of veteran Republican partisans, MCCULLOCH brought along with him the minority leader, the redoubtable CHARLES HALLECK, of Indiana. (Some conservative Republicans caucused and chided HALLECK for throwing away partisan advantage. Others believed he had shrewdly preserved partisan advantage by merely helping to bring the bill to the floor where "the bill will tear the Democratic Party apart." But still others believed HALLECK came along in the Taft tradition of problem-solving. Speaker MCCORMACK and Majority Leader CARL ALBERT praised him as a valued ally on the bill.)

Finally, out of the conferences came on October 29 a compromise bill, improved and strengthened over the original administration bill, and carrying the promise of important Republican support. Included were:

1. An FEPC—although enforcement is entrusted to the district courts in a de novo proceeding if the Commission fails to secure a negotiated solution.

2. Part III, authorizing the Attorney General to intervene in private suits brought to prevent denial of the equal protection of the laws on the ground of race, religion or national origin.

However, some good provisions had to be sacrificed:

1. The voting section was returned to its original form covering only Federal elections. The authorization to courts to appoint temporary voting referees where less than 15 percent of Negroes in a political unit are registered to vote was dropped. (But original jurisdiction was given to a three-judge Federal court in the hope of bypassing obstructionist district judges).

2. The public accommodations section was limited to hotels, motels, movies, sports arenas, and gasoline stations that offer services to interstate travelers. Retail establishments, beauty parlors, and swimming pools were excluded.

HOUSE RULES COMMITTEE

It was not until November 21, more than 3 weeks after it approved the bill, that the Judiciary Committee sent its report to the House Rules Committee. That committee, to nobody's surprise showed no interest in expediting the bill.

At the beginning of the year the administration had won a modest victory when, despite the opposition of the Southern bloc and the Republican leadership, the House voted to keep the Rules Committee at the figure of 15 members—the figure to which it had first been raised in the preceding Congress after a close vote. The margin of victory for the administration was more substantial this time—235 to 196 with some 50 Southern Democrats voting with the administration. The path was thus eased for many items on the Kennedy legislative program, but the power balance on civil rights was left unchanged. The 15 members are split among 5 Northern Democrats, 5 Southern Democrats, and 5 Republicans. The administration would therefore need three of the five Republicans to clear a civil rights bill for floor action.

The assassination of President Kennedy on November 22 had produced in its wake a surge of sympathy for the Kennedy program. Pollster Samuel Lubell reported that white voters in the North were readier to follow the new administration's lead; earlier in the month he had found an "angry backlash" over Negro demands. In his masterful first speech on Congress, President Johnson alined himself unequivocally with the civil rights bill. He said: "First, no memorial oration or eulogy could more eloquently honor President Kennedy's memory than the earliest passage of the civil rights bill for which he fought so long. We have talked long enough in this country about equal rights. We have talked for 100 years or more. Yes, it is time now to write the next chapter—and to write it in the books of law."

But the response of Chairman HOWARD SMITH of the Rules Committee, as well as that of some conservative Republicans, was that the emotionalism surrounding the Kennedy funeral was an inappropriate climate in which to debate the civil rights bill. Mr. SMITH made it plain that despite the extensive hearings in the Judiciary Committee, he wanted his Rules Committee to debate the bill again.

The liberals countered by proposing a discharge petition. This route had been tried 813 times in the past 40 years; it had succeeded only 22 times. Petitions have, however, sometimes prodded the Rules Committee to act when the petition neared the goal of 218 signatures. Led by Congressmen CELLER and BOLLING, Democrat, of Missouri, and with the support of Speaker MCCORMACK and the White House, the petition was offered for signatures on December 9. Congressman HALLECK, for the Republican leadership, said he was opposed to the discharge petition route and Congressman SMITH offered a diversion by promising to have the Rules Committee begin hearings in January 1964. At the end of the first day, 131 of the requisite 218 had signed. By the session's end, the petition had acquired 173 signatures. The steam went out of the petition drive when on December 18, Congressman SMITH promised that the Rules Committee would begin hearings January 9, and the leadership predicted that House action would be completed before the end of the month. The attempt to have the Congress stay in session through December proved unavailing against the claims of Christmas.

THE SENATE AND CLOTURE

In the Senate the Commerce Committee voted 14 to 3 to report favorably the public accommodations section of the administration bill (Oct. 8). In the face of the House slow-down several Senators urged Majority Leader MANSFIELD to take up the accommodations measure and have it amended on the floor to include the whole civil rights package. MANSFIELD refused, saying that the Senate would wait for the House bill. The parliamentary maneuver which permitted the bypassing of EASTLAND's Judiciary Committee in 1957 and 1960 would again be used to make the House bill the pending business in the Senate.

The Senate will be the fiery test. Rule XXII, which permits the filibuster to hang like a sword of Damocles over civil rights legislation, remains intact. Only once in 35 years has cloture been successfully invoked to shut off a filibuster; in 1962 the Senate voted 63 to 27 to end the mild talkathon on the Telstar bill, which liberals were attacking as a giveaway to private industry. To achieve cloture on this occasion, the Senate produced a rare combination of forces—administration regulars, two Southern Democrats and the entire Republican Party except GOLDWATER and TOWER—while five Southerners ducked the vote. Twenty-five Senators (6 Democrats, 19 Republicans) who had opposed cloture on the literacy test bill which couldn't even muster a majority (the vote was 43 to 53) voted for it on Telstar.

When the new Senate convened in January, there were solid indications that a majority existed for an amendment of rule XXII to permit a three-fifths vote to cut off a filibuster. Once again, however, the question was how the majority would get to vote, and the Senate was mired by this problem until January 31. On that date by a vote of 53 to 42 it tabled the constitutional question submitted by Senator ANDERSON, Democrat, of New Mexico: "Does a majority of the Senate have the right under the Constitution to terminate debate at the beginning of a session and proceed to an immediate vote on a rule change notwithstanding the provision of the existing Senate rules?"

Vice President Johnson in a decision that seemed to diverge from earlier rulings made by Vice President Nixon had said that the constitutional issue must be decided by the Senate itself. This, of course, posed the dilemma of how the Senate could shut off the pending filibuster unless the presiding officer finally determines to gavel the question to a vote after reasonable debate, even though Senators are still demanding the floor. The Johnson position was espoused by Majority Leader MANSFIELD and Minority Leader DIRKSEN, thus dooming the Anderson effort.

On February 6, Senator HUMPHREY introduced a petition signed by a majority of the Senate (51) favoring a more liberal cloture rule. The petition had, unfortunately, no parliamentary effect. The next day, February 7, the issue was finally shelved when the Senate liberals sought the two-thirds to impose cloture and failed 54 to 42.

Cloture, then, appears to be the key to the civil rights bill. Only what two-thirds of the Senate is prepared to accept is what the majority can pass. In a suggestion that was far less reassuring than it was intended to be, Senate Republican Leader DIRKSEN said, "Who knows, we may be able to contrive a bill that requires no cloture." He reminded his hearers that the 1957 and 1960 bills managed by former Majority Leader Lyndon Johnson were passed without a filibuster. But the price paid then for getting southerners to yield their filibuster weapon was a heavy one, however, necessary given the political complexion of the Senate. Senator DIRKSEN has announced his opposition to the public accommodations section of the bill; will he vote for cloture on a bill that contained this crucial section? Otherwise, if cloture is to be achieved we must expect that the House bill will be watered down to pick up the extra votes required to make two-thirds.

There is, however, another alternative to cloture. It has no successful precedents and few champions, but it had a formidable advocate in January 1963—Vice President Lyndon Johnson. He told a group of civil rights leaders who were visiting him on the pending rules change that a filibuster could be broken by "bringing in the cots." He spelled out the tactic—round-the-clock sessions and strict applications of the rules of the Senate until the filibusterers have run out of wind and water; then a majority can bring the Senate to a vote in less than a month.

"Congress," said President Kennedy on June 11, "must make the commitment it has not fully made in this century to civil rights." The chances are real that under President Johnson, Congress will do that. The new President has an unmatched knowledge of the Congress—its capabilities, its levers of power, its pitfalls, its personalities—and a determination to pass the civil rights bill.

President Johnson has said, "I always seek the best and do the possible." Too often the "possible" has implied a watered-down result obtained without struggle, tears, or challenge to the powers that be. But what is possible without struggle is quite different from what is possible with sweat and tears. No Senator in our generation knew how to exert maximum effort for a possible legislative result as effectively as Lyndon Johnson. He has put his mind, heart, and prestige behind the civil rights bill—and because of this it has become more possible.

ANTISEGREGATION AMENDMENTS

This year, the Powell amendment to deny Federal funds to segregated institutions was offered to an unprecedented number of bills. Sometimes the sponsor was one who, like Senator JAVITS, impatient with the failure of Congress to enact civil rights legislation, felt he could not in good conscience vote Federal moneys to perpetuate the segregated status quo; at other times, the sponsor was one who used the amendment in the hope of killing the basic Federal aid legislation which he opposed by making it politically dangerous for southern liberals to vote for it.

In the Senate, the principal sponsor of the amendment was Senator JAVITS, who offered it to a variety of measures. Each time the result was the same. After a few minutes of debate, the amendment was tabled. Among the bills to which the amendment was offered (and the votes thereon): were: supplemental appropriations bill to withhold funds for segregated rural housing programs for the elderly (H.R. 5517), 47 to 38; mental health bill (S. 1576), 43 to 27; HEW appropriation bill to bar payments to segregated hospitals (H.R. 5888), 44 to 37; the National Service Corps—commonly called the Domestic Peace Corps bill (S. 1321), 49 to 41, (Senator TOWER, Republican, of Texas, was a cosponsor); medical school aid bill (H.R. 12), 39 to 37; agriculture appropriations bill (H.R. 6754), 46 to 22; and the federally impacted areas school aid bill (H.R. 4955), 54 to 35.

Senator TOWER, an opponent of the Youth Conservation Corps measure (S. 1) offered the amendment twice but it was tabled by votes of 50 to 41 and 58 to 33. Earlier, by vote of 71 to 15, the Senate adopted a Tower amendment to make sure that no one would be excluded from enrolling in the program on account of race, color, or creed.

In the House, the amendment was also offered to the medical school aid bill (H.R. 12) by SIBAL, Republican, of Connecticut, and rejected by a vote of 146 to 186. So too amendments to the HEW appropriations bill (H.R. 5888) offered by RYAN, Democrat, of New York, to withhold aid from segregated school districts in communities crowded by Federal installations and segregated hospitals were rejected in absentee-marked sessions by votes of 25 to 79 and 26 to 75, respectively.

The difficult decision which supporters of civil rights face when confronted with a Powell amendment was no better illustrated than in the vote on the amendment to the bill to continue and expand Federal aid to vocational schools (H.R. 4955). Two Republican sponsored amendments by BELL, Republican, of California, and SNYDER, Republican, of Kentucky, were rejected by votes of 146 to 194 and 181 to 217 respectively in an emotionally charged debate largely along party lines. Such steadfast civil rights supporters as ROOSEVELT, Democrat, of California, and CELLER, Democrat, of New York, opposed the amendment, the latter charging that it was designed to "torpedo" the bill. But equally stalwart "civil righters" such as LINDSAY, Republican, of New York, and RYAN, Democrat, of New York, supported the amendment.

The five Negro Congressmen split down the middle. Two, HAWKINS, Democrat, of California, and DAWSON, Democrat, of Illinois, voted against the amendment; two, POWELL, Democrat, of New York, and NIX, Democrat, of Pennsylvania, voted for; DIGGS, Democrat, of Michigan, merely voted present. HAWKINS took the floor to say that the amendment would endanger the bill "and deprive more Negroes of needed training than even whites." POWELL, speaking for the amendment, said it was up to each Member to vote his conscience.

Opponents of the amendment had a new solid argument this year. The passage of the administration's civil rights bill with its provision for withholding funds from segregated institutions will lay to rest this issue which was first dramatized in the forties when Senator Bricker, Republican, of Ohio, offered an antisegregation amendment to the housing bill in the hope of driving away such housing supporters as Senators HILL and SPARKMAN of Alabama.

The PRESIDING OFFICER. Is there further morning business? If not, morning business is closed.

PRESIDENT JOHNSON'S STATE OF THE UNION MESSAGE

Mr. MORSE. Mr. President, I rise to register, for the RECORD, my congratulations to the President for the great speech he delivered to the country at today's joint session of Congress. In his speech he reached the pinnacles of high statesmanship. In fact, to use a colloquialism, I think it can correctly be said that in the speech the President "laid it on the line" and, I believe, carried out effectively a great challenge which his predecessor, the late John F. Kennedy, enunciated in his historic inaugural address, when he said, "Ask not what your country can do for you, ask what you can do for your country."

Today, President Johnson outlined, by a series of challenges to Congress, a course of action, which, if we take it, will leave historians with no doubt as to what this Congress did for the country; so it was a source of great gratification to me that in today's state of the Union message, the President paid special attention to the problems of our Nation's youth.

Because of my work as chairman of the Subcommittee on Education I have been greatly concerned for many years about the failure on the part of the American people—through their legislative bodies, State and national—to fulfill their duties of citizen statesmanship in respect to meeting the educational needs of our youth.

For a long time there have been headlined stories about dropouts, about juvenile delinquents, about unemployed young people. Unfortunately, those stories are in the same class as Mark Twain's observation about the weather—everyone talks about it but no one does anything about it.

The President is going to do something about it. He asks for youth unemployment legislation and for a national service corps. He also asks for an improvement in the quality of teaching, training, and counseling in our hardest hit areas.

The President pointed out that $1,000 invested today in salvaging an unemployable youth can return $40,000 or more in the youth's lifetime. What is more important to our country is that it can convert that youth from a liability to an asset.

I would add a vital statistic or two to the vital statistics the President mentioned in his state of the Union address. The President is correct when he points out that if we salvage for employment an unemployable youth—speaking undoubtedly of the dropout—we will also increase our wealth through that individual by at least $40,000.

There are two other vital statistics I should like to have Senators keep in mind. If we take a young man, "A," who has doubt as to whether he will continue his high school education to graduation, and if we succeed in providing him with the incentives that will result in graduation, his lifetime earnings on the average, as a high school graduate, will be in the neighborhood of $275,000 to $290,000. Think of the difference that would mean in tax dollars that young man "A" will be able to pay into the Treasury of the United States during his lifetime, if we save him from becoming a high school dropout.

I give the Senate another vital statistic. What are the average lifetime earnings of a college graduate? They are in the neighborhood of $450,000. Compare that with the lack of taxpaying ability of the unemployed person. In this age of automation, the percentage of unemployability, not of unemployment, will increase in that category of our citizens known as the dropouts. It is important that we continue the fight in Congress for adequate legislation in the field of education. We have done a remarkably good job in the first session of Congress in the passage of the higher education bill and the vocational education training bill. The President of the United States was kind enough—but accurate also—when he pointed out, at the time he signed the legislation, that it marked the greatest advance in the field of education since Lincoln signed the Morrill Act in 1862.

We still have a long way to go because the colleges and universities of America can be no better than the grade schools and the high schools of America. In the long run the quality of the grade schools and the high schools determines more than any other criterion the quality of the colleges of America.

Senators have heard me say many times in this Chamber—and I intend to continue to repeat it until Congress lives up to its responsibility in respect to the grade schools and the high schools of America—that we cannot continue to cheat tens of thousands of American young men and women out of a college education because of our failure to maintain grade schools and high schools of sufficient scholastic quality so that their graduates can qualify for successful college work.

I serve notice today that I shall proceed with all possible dispatch to seek to accomplish in this session of Congress the passage of a Federal aid to grade schools and high schools bill.

Important as the legislation was for vocational training and higher education in the previous session of Congress, the most important educational need in America is the improvement of the grade schools and high schools. It cannot be done unless the Federal Government is willing to assume its fair share of the cost burden. That means Federal aid to grade schools and high schools—elementary and secondary schools.

I am glad the President made the point in his speech today regarding the need to give attention to the problem of the unemployable youth—unemployable because he is a school dropout.

We are confronted with a problem, and the President is proposing a solution. I hope the second session of the 88th Congress will go down in history as the one which responded adequately to the challenge.

Mr. GORE. Mr. President——

Mr. MORSE. Mr. President, I turn now to a correlated issue also bearing upon the President's address today, but first I yield to the Senator from Tennessee.

Mr. GORE. I have listened with interest and approbation to the eloquent remarks of the distinguished Senator from Oregon. I have been much impressed with his delineation and depiction of the needs for aid to education and the necessity for increasing emphasis upon developing the minds of the young people of our country. I applaud the Senator, and want him to know that I stand ready in this battle to increase and improve the quality of education.

In an affluent society such as ours, I believe we need to give more attention to cultural and intellectual achievements, and not to be so materialistic as to believe that the achievement of economic goals constitutes the overall endeavor of our society.

Mr. MORSE. I completely agree with the Senator from Tennessee.

As chairman of the Subcommittee on Education I owe him much, because as we have battled our way in the Senate over the past several years, trying to obtain final approval of Federal aid to education legislation, the Senator from Tennessee has always been of great assistance to me. I believe it is fitting he should emphasize the point that an educated man is a man who not only has an earning capacity but is also enlightened in the field of the arts and culture, and that we need to pay attention to American cultural life.

I know that the Senator from Tennessee is realistic in regard to the problems that confront us in passing proposed legislation through the Senate.

One of the arguments constantly encountered—and it has been a costly argument to Congress—is that "we cannot afford it." For years the Senator from Oregon has been stressing the point that we cannot afford not to invest in the youth of the country. It is the richest treasure and potential treasure that we have.

The reason I used those two vital statistics today—between $275,000 and $290,000 average lifetime earnings of the high school graduate and the $450,000 lifetime earnings of the college graduate—is to stress the fact that we cannot afford to waste that economic potential in the form of this great human resource.

All we are asking, really, is a loan from the taxpayers of the United States, because the resulting increased earning power of high school and college graduates will return to the Treasury of the United States many times the cost of their education by way of any Federal aid money that would go into such education. And since we put them through high school, or help them get through high school and college, we also bring out the type of enlightened citizen to which the Senator from Tennessee has referred. That is the cultured man and woman, the man and woman with an appreciation for the arts, the man and woman who really has an appreciation of the great intangible values, which, I agree with the Senator from Tennessee, are, after all, more precious than material values.

Mr. GORE. Mr. President, will the Senator yield?

Mr. MORSE. I yield.

Mr. GORE. All too many misguided citizens seem to regard all Federal expenditures as money down the proverbial rathole, strange as it may seem. Many of those individuals who so mistakenly regard Federal expenditures as wasteful and useless are themselves our greatest economic entrepreneurs, our most courageous investors.

What the Senator from Oregon is advocating, it seems to me, may be more accurately described as an "investment" in America's future, rather than a "loan." It is an investment not only in our country's economic potential, but also in its cultural and intellectual attainment.

Mr. MORSE. The Senator expresses a point of view with which I completely agree.

We can call them "loans"; we can call them "investments." We might also say that all I am asking for is the payment of very reasonable insurance premiums because the educational program for which I am fighting constitutes an insurance policy for the perpetuation of our American system of government and our American system of life. I do not care from what angle the subject is approached or how it is labeled. It is a "must." The President of the United States is quite correct, I believe, in his challenge to the Congress for us to deliver on that "must."

Mr. GORE. Mr. President, will the Senator yield?

Mr. MORSE. I yield.

Mr. GORE. Like the distinguished Senator from Oregon, I listened with rapt attention and interest to the address of the President of the United States. It was excellent. He advocated many worthwhile programs, most of which I support. I must admit that I found myself a bit puzzled as to how tax reduction fits into the pattern. As I listened to the speech—and, indeed, as a Senator, as I assessed the needs of our society—it seemed to me that the need is for active programs of improvement, such as the one to which the Senator has devoted his remarks, and that, insofar as revenue is concerned, the Government needs more, not less.

Mr. MORSE. The senior Senator from Oregon is waiting with great interest the report of the Senate committee on the tax bill. The Senator from Tennessee knows, I believe, that the senior Senator from Oregon has, since 1947, been an advocate of tax reduction programs. In that year I introduced my first bill based upon the Committee for Economic Development program of 1947.

I wish to issue the following caveat at the present time: So far as my position on the tax bill is concerned, I am for a tax reduction program. But I am going to scrutinize it very carefully to see to it that it is a fair program, and that it is a program which is also based upon ability to pay, for I take the position that taxes, in the first instance, should be based upon ability to pay, and any tax reduction program ought also to be based upon the same principle of ability to pay.

The tax reduction program should conform to that principle. If it does not, it will result in the unfair aggrandizement of the rich and the increasing of further burdens upon the poor.

So I am waiting for the final offerings of the Senate Finance Committee on this subject. None of its members will have more influence upon the senior Senator from Oregon than the two I see facing me now—the Senator from Tennessee [Mr. GORE] and the Senator from Illinois [Mr. DOUGLAS].

Mr. GORE. Mr. President, will the Senator yield?

Mr. MORSE. I yield.

Mr. GORE. I am aware of the long advocacy of the distinguished senior Senator from Oregon with respect to a more equitable Federal income tax law. The Senator will perhaps be interested to know that Secretary Dillon testified before the Committee on Finance that the increase in take-home pay for some high-bracket-income taxpayers, as a result of the pending bill, would be as much as 84 percent. That is almost a doubling of after-tax income.

Measure that beside the increase of only 5 or 6 percent in take-home pay for the average working man or woman in the country. I do not think this is measuring the two taxpayers by the yardstick of ability to pay.

When Mr. Henry Ford appeared before the Senate Committee on Finance, he urged the committee to speedily report the tax bill, because it would give an increase in "take-home pay" to the mass of our people. I was glad that he put it in those terms, because "take-home pay" is a phrase which many people understand. It is a term which means most to the average citizen with respect to the heavy hand of the Federal Government in taxation.

So I thanked him for expressing it in those terms. I asked Mr. Ford if he knew how much increase in take-home pay the bill would provide for the average industrial worker. He said that he had not computed it. I said that I had, because, as one who tried to represent all the people, I found it necessary to do so. So I related to him that a worker with an average taxable income of $4,000 would receive a 5-percent increase in take-home pay. Then I asked him if he knew what the increase in take-home pay would be for a corporation executive with a salary and bonus which would give him a taxable income of $300,000 a year. He said he did not know; he had "not figured it out." I remarked to him that, though I did not represent many such fortunate individuals, I had computed it. While the bill would increase the take-home pay of an industrial worker with a $4,000-a-year taxable income by $3 a week, the increased take-home pay of this corporate official would be $1,000 a week.

Then I asked Mr. Ford if he thought that was fair. His answer was, "Yes, since it has taken so long for him to work his way up in his company." I did not make this remark to Mr. Ford, but I turned to my distinguished colleagues to my right and left and commented on how long it took Mr. Ford to "work his way up."

Mr. GORE subsequently said: Mr. President, previously I made reference to the testimony of Mr. Henry Ford. Because I have quoted the testimony from my recollection, and lest I do an injustice to Mr. Ford, I ask unanimous consent that the actual colloquy be printed in the Record at this point.

Mr. MORSE. I join in the unanimous-consent request that the colloquy be printed in the Record at this point.

There being no objection, the excerpt from the testimony was ordered to be printed in the Record, as follows:

Senator Gore. Mr. Ford, in your letter to me of October 11, you used the term which is very dear to the heart of the people who work for the Ford Motor Co., very dear to the heart of working people everywhere. It is a term that they understand, "take-home pay." I read from your letter:

"And regardless of the decision on retroactivity, the effective date of increased take-home pay for the more than 60 million Americans subject to income tax payroll deductions certainly would be delayed"—

And so on. Do you know what the increase in take-home pay would be for—well, let's take a simple example. Take a single taxpayer working for me or for you; I am not trying to find a Ford employee directly, please understand. Take a single taxpayer with taxable income of $4,000 a year. Do you know how much his increase in take-home pay would be per week?

Mr. Ford. No, sir.

Senator Gore. It would be less than $3 per week. Do you know what the increase in take-home pay, income after taxes, would be for a single corporation executive, with a taxable income of $300,000 a year?

Mr. Ford. No, sir.

Senator Gore. Do you have any idea?

Mr. Ford. No, sir. I have not figured it out.

Senator Gore. Well, I have a table prepared by experts and it will be more than $1,000 per week. Now, since you have not bothered—since you had not figured it out, I give you this information, not as prepared by me but as prepared by the technical experts of this committee. Do you think it is fair to give a tax reduction of less than $3 a week to one man and more than $1,000 a week to another?

Mr. Ford. Well, sir, I had no knowledge of how they in the House arrived at the amounts and the spread of the amounts. Nor have we in the committee undertaken any position in this. I think that if a man has worked his way up in an organization to the point where his salaries and emoluments are in a certain area, why, the reduction which will be applied to him, naturally, will be a greater figure than that of the fellow who has a lower base pay.

Senator Gore. In terms of social justice, or on any terms, do you support this kind of bill?

Mr. Ford. I have no criticism of this bill in this respect; no, sir.

Mr. GORE. I ask my distinguished friend if he thinks it is measuring fairly by the equitable yardstick of ability to pay——

Mr. MORSE. The answer is "no."

Mr. GORE. The Senator's answer was loud and clear, but I think his answer will be more audible if I complete the question.

Mr. MORSE. I thought the Senator had.

Mr. GORE. Does the Senator think it is measuring fairly with the yardstick of ability to pay for the Congress to pass a bill which increases the take home pay for the mass of our citizens by only $3 a week and for others by as much as $1,000 a week? Is that equity? Is that fairness? Is that social justice?

Mr. MORSE. The answer still is "no," but I say to my friend from Tennessee that the President made a plea for a tax reduction bill, and he placed preference on a certain approach. Being the great expert he is in the legislative process, I am sure he recognizes the possibility that getting the bill as introduced in the Senate and the House passed without amendment has about as much chance as a snowball in a hot oven, and that it is necessary for us to consider amendments that will perfect the bill.

If the Senator from Tennessee and other Senators bring out facts such as are now being brought out, I do not think we are going to have much trouble getting amendments. I only want the Record to show that I hope to be able to vote for a tax reduction bill that I find to be fair and equitable. I do not share the point of view, which has been expressed—although I am open to persuasion—that this is not the time for a tax reduction bill. There are some who hold that point of view. I have not been convinced of the soundness of that position. But I shall do my best to work for a tax reduction bill that will be justifiable from the standpoint of fairness and effectiveness.

Mr. GORE. Mr. President, will the Senator yield further?

Mr. MORSE. I yield.

Mr. GORE. I believe nine amendments to the tax bill have already been adopted by the Senate Finance Committee. I give the distinguished Senator from Oregon the benefit of my considered judgment—I wonder if other members of the Finance Committee present on the floor will not agree—that these amendments make the bill worse, more inequitable, less progressive, less in accordance with the yardstick of ability to pay, than the bill was when it came to the committee.

Mr. DOUGLAS. Mr. President, will the Senator yield?

Mr. MORSE. I yield to the Senator from Illinois.

Mr. DOUGLAS. That is my general judgment as well. The amendments thus far have been distinctly in the direction of diminishing the taxes which otherwise the well-to-do and those with high income would pay.

Mr. GORE. Mr. President, will the Senator yield?

Mr. MORSE. I yield.

Mr. GORE. I asked the Treasury Department, the officials of which kept saying the amount of revenue from the upper brackets was inconsequential, or very small, to furnish the committee a table showing the amount of taxes which a typical taxpayer in various income groups pays under present law. I think it is fair to say that this table not only shocked many editorial writers, but many Members of Congress also, and it was a shock to me. We hear a great deal about confiscatory tax rates, about people who pay 91 percent. This table, which is printed in part 2 of the hearings, prepared by the Treasury, not by the senior Senator from Tennessee, shows that the typical taxpayer with an income of $100,000 a year pays, not 50 or 60 or 70 percent, not 40 or 42 percent, but pays some $33,000.

If the Senator is astounded by that figure, let me call attention to the fact that the percentage of tax payment for higher income goes, not up, but down. I am using the Treasury's own terms, and the Treasury's own table.

Would the Senator consent to my putting the table in the Record at this point?

Mr. MORSE. I am delighted.

Mr. GORE. Mr. President, I ask unanimous consent to place in the Record at this point, in table form, this astounding and statistical information from the Treasury Department.

There being no objection, the table was ordered to be printed in the Record, as follows:

TAX SAVINGS AND INCREASE IN AFTER-TAX INCOME UNDER HOUSE BILL

Married couple with 2 dependents, with typical dividends, capital gains and other income [1] and typical itemized deductions

Adjusted gross income [1]	Present law		House bill		Tax cut or increase in after-tax income		
	Tax	After-tax income [2]	Tax	After-tax income [2]	Amount	Percentage tax cut	Percentage increase in after-tax income
$3,000	0	$3,131	0	$3,131			
$4,000	$143	3,987	$103	4,027	$40	28	1
$5,000	299	4,827	219	4,907	80	27	2
$6,000	455	5,671	339	5,787	116	26	2
$7,500	719	6,917	569	7,067	150	21	2
$10,000	1,193	8,993	972	9,214	221	19	2
$12,500	1,657	11,079	1,373	11,363	284	17	3
$15,000	2,196	13,189	1,830	13,555	366	17	3
$17,500	2,745	15,288	2,296	15,737	449	16	3
$20,000	3,369	17,344	2,820	17,893	549	16	3
$25,000	4,755	21,271	3,983	22,043	772	16	4
$30,000	6,322	25,139	5,297	26,164	1,025	16	4
$40,000	10,026	32,305	8,392	33,939	1,634	16	5
$50,000	14,254	38,947	12,217	40,984	2,037	14	5
$75,000	23,799	57,421	20,672	60,548	3,127	13	5
$100,000	33,965	79,247	29,670	83,542	4,295	13	5
$200,000	63,318	184,262	56,675	190,905	6,643	11	4
$500,000	154,249	567,116	138,216	583,149	16,033	10	3
$1,000,000	261,929	1,239,659	238,037	1,263,551	23,892	9	2

[1] Includes such income as wages and salaries, interest, rents, business and partnership income, royalties and typical dividends and capital gains. Estimates of typical dividends and realized capital gains and itemized deductions are based on 1960 tax return data.

[2] After-tax income exceeds AGI for very high income taxpayers because 50 percent of the long-term capital gains, which constitute a high proportion of income for such taxpayers, is included in AGI under present law and 40 percent is included under the House bill.

Source: Office of the Secretary of the Treasury, Office of Tax Analysis, Oct. 11, 1963.

Mr. GORE. The table refers to the typical taxpayer, again using the Treasury's term; not some "odd ball," or a man with an unusual situation; but, I repeat, the typical taxpayer. Before the committee this morning Assistant Secretary Surrey seemed to interpret the word "typical" as average. However, I will leave it to him to say. The word in the official document is "typical."

Let me restate: The "typical" taxpayer with an adjusted gross income of $1 million a year pays, not 91 percent, not 33 percent, but 26 percent of adjusted gross income.

The term "adjusted gross income" is one which does not include income from tax-exempt municipal bonds or one-half of capital gains. Too many items are completely excluded from adjusted gross income. However, even after all these benefits are given—and there are several I have not mentioned—we still come down to the adjusted gross income of $1 million a year, and then this taxpayer pays only 26 percent of that.

I daresay there are a number of employees in the Senator's office who pay on taxable income a tax of more than 20 percent.

Does the Senator find these facts surprising and astounding?

Mr. MORSE. I find them very disturbing.

Mr. GORE. When the bill comes to the floor it will be necessary, for those who sincerely seek to represent the welfare of all of the people, to seek to bring some equity into the tax law. There is a great danger to our society that if the average citizen realizes that the affluent people in the country are paying such a small percentage of their real income in taxes, he may well hold the whole taxing process in contempt.

As the Senator from Oregon knows, this is a voluntary program in that we rely on voluntary compliance.

Let me complete this analysis by giving one more illustration.

The typical taxpayer with $1 million of adjusted gross income has an actual income, according to this table, of about $1,500,000.

Therefore, when we consider his total income, he is paying, not 91 percent, not even 20 percent, but 17 percent. Therefore, it seems to me that if we are to use the yardstick which the Senator himself has held out as our standard, ability to pay, then it will be necessary to consider some public interest amendments to the bill.

Mr. MORSE. I thank the Senator very much for the contributions he has made to the discussions this afternoon. I repeat my major premise; namely, that I hope we can write a tax reduction bill which will be fair and equitable, and to that end I shall give the closest possible study and attention to the recommendation which the Senator from Tennessee and the Senator from Illinois and other Senators will make when the bill reaches the floor of the Senate.

I believe we have a clear duty to see to it that we do not pass an inequitable tax reduction bill.

THE PRESIDENT'S STATE OF THE UNION MESSAGE—FOREIGN AID

Mr. MORSE. Mr. President, the President of the United States, in his notable and historic speech today, made reference to foreign policy in respect to foreign aid. He was challenging Congress to make this session a session that will prove to be the best in history. He challenged us to make it a session which will achieve the "most effective, efficient foreign aid program ever."

To that aim and objective I pledge to the President of the United States my support.

Having made the pledge of my support, it does not mean that I place upon myself any obligation to agree with the President on any number of proposals that he may make in order to carry out his evaluation and definition of the words "most effective, efficient foreign aid program ever."

I agree with the President that we have an obligation to so modify our foreign aid program that it will be efficient and effective. To that end I have devoted myself, as a member of the Foreign Relations Committee of the Senate, for the past several years, starting some 5 years ago, urging a revamping of our foreign aid program, and in 1963 I made it one of my major legislative objectives in the Senate.

I announce today on the floor of the Senate that it will continue to be one of my two or three major legislative objectives in the coming session of Congress—education, which I have already touched on this afternoon, being another.

Mr. CLARK. Mr. President, will the Senator yield?

Mr. MORSE. I yield.

Mr. CLARK. Mr. President, I recall that last fall the Senator from Oregon informed me—and I am sure that he full well meant it—that he and his Subcommittee on Education of the Committee on Labor and Public Welfare, a subcommittee on which I have the honor to serve, intended to give the Senate an opportunity to vote, before the 88th Congress expired, on all the recommendations which President Kennedy had made in the omnibus education bill. I believe that is the least we owe to the memory of our departed President and to the strong convictions of President Johnson. I pledge myself to help the Senator from Oregon in his attempt to bring from the committee and to give to the Senate an opportunity to vote for all the educational recommendations which the executive arm of the Government has sent to Congress.

Mr. MORSE. I thank the Senator very much. Earlier this afternoon I assured the Senate that I would proceed with all the dispatch possible to further as rapidly as possible the adoption of a Federal aid to education bill dealing with elementary and secondary schools, and that I intend to do everything possible to bring before the subcommittee and the full committee and the Senate, for final action, the best legislation that we can agree upon to carry out every one of the objectives of President Kennedy in respect to the omnibus education bill, which I had the privilege of introducing for him in the Senate, and which was cosponsored by the Senator from Pennsylvania and other colleagues on our committee.

By way of a slight digression, it is very interesting that in the press of my State in recent days an uninformed columnist has spread a great deal of misinformation about the record of the senior Senator from Oregon in respect to the higher education bill, the vocational education bill, and all the other parts of President Kennedy's education program, seeking to leave the impression with the people of my State that I held out for the omnibus bill and thereby for a time jeopardized the passage of education legislation in the previous session of Congress.

The Senator from Pennsylvania well knows that I was the one who coined the phrase that although I wanted the omnibus bill, I would settle for a "minimus" bill, if that was all I could get, but that I would try to conduct hearings on as much of the President's program as I could in that session of Congress. I announced at the very beginning that after hearings were completed, I would stand ready and willing to send to the floor of the Senate segments of the bill for Senate action. The Senator will recall that at one of the committee hearings, I said I was in favor of bringing a higher education bill before the Senate for consideration while the committee continued hearings on other parts of the bill.

I welcome the intervention of the Senator from Pennsylvania. Not only do I wish to thank him for the great help he was to me; I also wish to take this occasion to keep the record straight as to what the record of the senior Senator from Oregon was in the committee concerning moving as rapidly as possible on the total bill, but segment by segment.

Mr. CLARK. Mr. President, will the Senator from Oregon yield?

Mr. MORSE. I yield.

Mr. CLARK. I commend the Senator from Oregon for the fine generalship he showed in the educational field during the 1st session of the 88th Congress. It was due to his wise understanding of the old maxim that politics is the art of the possible that we were able to make what President Kennedy described as the most significant contribution of any Congress to the advancement of education. This was the result of the activities of the senior Senator from Oregon, who led that fight as the floor manager of the bill and with great wisdom and political astuteness steered it to passage.

Mr. MORSE. The Senator from Pennsylvania is gracious, as always; but the Senator from Oregon did not do it; we all did it together in the Senate, ably assisted by our majority leader, by our whip, and also by many of our colleagues on the Republican side of the aisle. We would not have been successful in conference had we not had the able assistance of my colleague in the House, Representative GREEN, of Oregon; the chairman of the House committee, Representative ADAM CLAYTON POWELL; and the chairman of the House Subcommittee on Vocational Education, Representative **Perkins**, who performed notable service in behalf of vocational education.

So I am not interested in the matter of credit; I am interested in results. We all worked as an effective team.

Mr. GORE. Mr. President, will the Senator from Oregon yield?

Mr. MORSE. I yield.

Mr. GORE. Lest the position of the senior Senator from Tennessee be misunderstood by those who disseminate to the country some of the views expressed by Senators on the floor of the Senate, I should like to observe to the able senior Senator from Oregon that I have seldom heard a state of the Union address during which I applauded as many times and as frequently as was the case with the great state of the Union message to which we have just listened.

I said a few minutes ago that most of the programs which President Johnson advocates find enthusiastic favor with me. As the Senator from Oregon and the Senator from Pennsylvania were exchanging views, I quickly again studied the President's state of the Union address. A quick look indicates to me that of the programs within the description of which and the proposal of which the President used the word "must," out of 23 or 24 I find sympathy with at least 20, and enthusiastic support of most of those 20.

The fact that I am less than reluctant to support a severe reduction in Government revenue, when the activation of these worthwhile programs will require more expenditures, not less, should not in any way diminish my overall favorable, even enthusiastic, endorsement of the state of the Union address. To add a point to this one item of disagreement, I find it of questionable advisability to have to accept a reduction in Government revenue when it seems to me the need is for greater revenue, not less. There is the additional factor of inequity in the present law, which, instead of being improved by the pending bill, would be made worse.

I am grateful to the Senator for the opportunity to state this overall view.

Mr. MORSE. I am honored to be able to afford the Senator the opportunity to do so.

As I was saying before the recent intervention by the Senator from Pennsylvania, for which I thank him, I intend at this session of Congress to make education and foreign policy two of my major efforts. I shall do everything I can to be of assistance to the President in trying to bring about the necessary reforms in the foreign aid program that will result in its becoming a more effective and efficient foreign aid program.

However, I add a third caveat, which I shall repeat now: That does not mean that I expect to be in agreement with the President on all the recommendations he makes, in which he proposes reforms, or so-called reforms, that he believes will make the program more effective and more efficient.

Since Congress completed work on the foreign aid appropriation bill December 30, to the accompaniment of dire predictions, warnings, and threats as to the evils that would befall the United States if less than $3 billion in new money were provided, the public has learned that the predictions, warnings, and threats were efforts to mislead rather than to inform Congress and the public.

Not only does the AID have the $3 billion Congress appropriated, but it also has $670 million left from last year that is uncommitted, or recovered from canceled programs. That means that AID really has $3.67 billion to spend on foreign aid in fiscal 1964.

This existence of large sums still unspent and even unobligated from previous years is one reason why the program needs to be cut. It is why it is hard to take seriously any more the dire predictions, threats, and warnings of what will happen to U.S. foreign relations if Congress does not provide the amounts requested. The carryover of $670 million before another penny is appropriated makes the case that we have been appropriating too much.

But the press also tells us that a new and all-out effort is in the works within the administration to obfuscate even further the foreign aid program. It is inevitable that there should be a certain bureaucratic epitome that would call for throwing Congress off the track for a few years by dividing up foreign aid functions and placing them in several different agencies. If it is true, as it is reported in the New York Times of January 7, that Under Secretary of State George Ball is recommending this reorganization that would put military aid in the Defense Department, development lending in the Export-Import Bank, and technical assistance in the State Department, then Mr. Ball can only look forward to even rougher treatment from Congress of the nonmilitary elements of foreign aid. Mr. Ball apparently is proceeding on a totally false assumption that policy guidance for all elements of foreign aid can be provided from an Under Secretary of State, while the programs are administered and appropriated for in a variety of other agencies. He should know that policy control from one department over activities of another department is one of the devices of public administration that just does not work. Moreover, Mr. Ball will find Congress even more opposed to foreign aid extended to further purely political objectives. This has been one of the major objections raised in Congress this year against the program. Too much of it has been for shortrun political purposes.

I do not know what Mr. Bell, the head of AID, has in mind for what the New York Times calls "a greatly tightened program, budget, and administration" for foreign aid under its existing structure. I do know that Congress is far more interested in reorganization of the program itself than in reorganization of its administration. I am one Member of Congress who is not going to be interested in the shifts of administration; I am only going to look for shifts in amounts and purposes and criteria for aid.

But whatever changes are made by the administration, Congress still will have to review the program itself, because in the field of foreign policy, the primary responsibility, under the Constitution, is that of Congress, not of the President. So I do not propose to agree to delegation to the President of the constitutional authority of Congress to decide by law the appropriations of the taxpayers' funds that are to be made available for expenditure in our foreign aid program, including military aid and economic aid. I want the President to know that I am unalterably opposed to any transfer of the administration of military aid from the Secretary of State to the Secretary of Defense. The Secretary of Defense is not the Secretary of State; and in many instances military aid is the most vital part of our foreign policy in connection with the underdeveloped areas of the world. So I do not propose to remain silent if an attempt is made to transfer this authority from the Secretary of State to the Secretary of Defense. The Secretary of Defense should not exercise authority in connection with the determination of foreign policy. His duty is to administer military aid as an arm of service to the Secretary of State, who is the agent of the President in connection with the administration of foreign policy. On several occasions I have warned—as I shall continue to do, here on the floor of the Senate—about this matter, for I am well aware of the criticism which is made of my frequent speeches in regard to foreign aid.

Nor can military aid be separated from economic aid as a practical matter. I have already spoken at length on the clear interrelation of the two. Wherever we have large military aid programs, we also have large economic aid programs, because military establishments require a considerable economic foundation.

It continues to be my opinion that it is completely unsound to try to build indigenous military forces in countries that cannot support them without large-scale economic aid from us because that only means that the United States is the economic base for these foreign military establishments.

Let me say to those who have criticized my frequent speeches, "You ain't heard nothin' yet." If the course of action of the officials of any agency in connection with our foreign aid necessitates the making of frequent speeches on the floor of the Senate in disclosing what they are up to, if their activities are not in the interest of the public. That is why I spoke so frequently during the previous session, and why I brought the facts to the attention of the Senate. I based my case on the facts, for I always know the facts before I make speeches.

I serve notice that I shall do my best to warn the American people that there is afoot an endeavor to conceal under the rug of the Pentagon a large segment of our foreign aid. In my judgment, it would be a great administrative mistake to transfer to the Pentagon the control of military aid, because military aid is only one of the means we use when we try to help direct the underdeveloped areas of the world to the cause of freedom. I know the bureaucrats are attempting to engage in their old shell game. They consider what vehicle will perhaps result in the least opposition by Congress, and they realize that considerable public opposition can be developed against Members of Congress who seem to be opposing the military. In fact, they even raise questions about the patriotism of Members of Congress.

I repeat that the Pentagon should have no authority in regard to the formulation of foreign policy, including military aid. That policy must be determined outside the Pentagon; and when it is determined, the Pentagon should be able to carry it out.

That does not mean that I do not recognize the importance of obtaining the advice and counsel of the Secretary of Defense and his associates. However, one of the things that worries me in regard to our foreign policy is the growing tendency to transfer to the Pentagon more and more policymaking functions. I know the Secretary of State will deny that; but, as a member of the Senate Committee on Foreign Relations, I have had many opportunities to evaluate what is going on in the Pentagon and in the State Department; and I repeat, most respectfully, that the Secretary of State should rise in opposition to any attempt to transfer from the State Department to the Pentagon the making of foreign policy. I say to the Secretary of State, "Your job is not worth having unless you carry out your obligation, under our constitutional system of government, to see to it that the making of our foreign policy is never turned over to the military, not even to a civilian Secretary of Defense."

However, we have only to examine the current press to find article after article in which there are predictions of exactly what is afoot; and in this speech I shall make my opposition to that so clear that there will be no room for doubt.

Consequently, I am somewhat at a loss to understand fully what Mr. Bell had in mind when he said—according to the New York Times—that he calls for "a greatly tightened program, budget and administration" for foreign aid under its existing structure.

I repeat that regardless of what changes may be made by the administration, Congress should never forget that it will have to review the program, and it cannot pass the buck—as it attempted to do during the previous session.

One of my criticisms of the action taken by the Senate Foreign Relations Committee was that although it sustained many of my criticisms of the foreign aid program, it passed the buck to the executive branch, instead of doing the job which, under the Constitution, it—not the executive branch—should do.

Yesterday I received a letter that I want to make public because it makes the case against foreign aid far better than I could make it. It is from a U.S. colonel in South Vietnam. Over the past months, I have received mail from dozens of enlisted men in various parts of the world itemizing the misuse and uselessness of much of our aid, both military and economic. But this is from an officer of high rank.

He states:

> Speaking in behalf of a number of U.S. Army personnel in Vietnam, I wish to express our admiration and commendation to you for your patriotic fight to reduce the foreign aid bill. We support your stand 100 percent.
>
> I have personally seen foreign aid operating all over the world and it is undoubtedly the most poorly administered and wasteful program ever undertaken by our country. It is an international shame.
>
> We wish you continued success in your battle and please rest assured that we believe the majority of Americans are in complete agreement with you.

I can assure this officer that I am going to continue the battle; and I believe I can also assure him that the majority of Americans are in agreement with me that drastic revisions in foreign aid are necessary.

The American people will support a sound foreign aid program. But they will not support a program that sends money to countries that divert their own resources into campaigns against neighbors who are also friendly to us; or to countries whose wealthy classes prefer to invest abroad than at home; to countries where aid is entirely our idea and not theirs, as was so graphically demonstrated in Cambodia. The American people are fed up with sending money abroad for projects that are politically inspired and economically wasteful. If anyone "downtown" in the executive branch of the Government can come up with a program that makes these changes, it will win the support of Congress and the public, no matter which agency runs it.

It will be carrying out what I interpret to be not only the challenge, but the instructions of the President of the United States in his state of the Union address today when he said that he hoped this would be a session which would achieve the most efficient and most effective foreign aid program ever.

If the administration does not reduce the expenditures for foreign aid, eliminate its waste and corruption-causing inefficiencies in many places in the world, cut the recipient countries by more than half, and adopt sound conditions, restrictions and criteria for a foreign aid program that will advance the need for economic freedom for the mass of the people in the underdeveloped areas of the world, then the Congress will have to do these things for the administration.

The exportation of economic freedom to the underdeveloped areas of the world, based primarily on a fiscally sound loan program project by project, rather than foreign aid deals carried on between our Government and other governments, is the best way to prevent communism from advancing its program for bringing the underdeveloped areas of the world under the heel of Communist economic enslavement.

As a member of the Foreign Relations Committee, I await with expectancy the program of the administration which will be offered in the not too distant future for the new Foreign Aid Reorganization Act.

I hope it will be a program that will put into effective policy the recommendations contained in the Foreign Relations Committee report of the last session. If it does not, we are in for a long siege; we are in for another battle against inefficient, ineffective, and corruption-causing foreign aid in the underdeveloped areas of the world.

Mr. President, I ask unanimous consent to have printed in the RECORD at this point, three newspaper clippings relating to foreign aid.

There being no objection, the articles were ordered to be printed in the RECORD, as follows:

[From the New York Times, Jan. 7, 1964]

FOREIGN AID AGENCY PLANS OWN REFORMS

(By Tad Szulc)

WASHINGTON, January 6.—The Agency for International Development, fighting for its life and for what it considers a rational foreign aid program, is preparing a reorganization plan of its own to meet congressional criticism.

The plan will be presented by David E. Bell, the Administrator, to an eight-man top level review committee late this week or early next week. The panel has until January 15, to submit recommendations to President Johnson on how the program should be managed.

The Agency proposal calls for the maintenance of the existing foreign aid structure but with a greatly tightened program, budget, and administration.

The most drastic of other proposals is that advocated by the State Department. It provides for the abolition of the Agency and the assumption of all foreign aid policymaking by a new Under Secretary of State for Economic Development Affairs.

SCATTERING OF FUNCTIONS

The program itself would be distributed among various agencies. Thus, military aid would be shifted to the Defense Department; development lending would go largely to the Export-Import Bank, and technical assistance would be taken over by the State Department's Cultural Affairs Bureau.

This plan is supported by Under Secretary of State George W. Ball, who is also the Chairman of the Presidential Review Committee.

It represents the merger of two concepts—one of putting the aid program under the State Department and the other of "scattering" the functions—that were submitted to the Committee after it was named December 20 by the President.

Under a third concept, the Bell plan, the aid agency would be reorganized, its administration improved, its goals revalued, and its budget reduced.

The Agency now functions in the State Department, but with a considerable degree of autonomy and with its own programing, analysis, and evaluation staffs. Mr. Bell, as AID Administrator, reports directly to the Secretary of State and the President.

Under the State Department plan foreign aid policy recommendations would be made by the Assistant Secretaries of State for each geographical area. The decisions, therefore, would be made by political officials, rather than by economic development specialists who now staff the AID.

BALL GETS LITTLE SUPPORT

Under Secretary Ball is said to be virtually alone in the committee in advocating absorption of the Agency by the State Department.

Although he has told the group that he is not inalterably wedded to his ideas, it is believed that he will fight hard for them, particularly if he finds political support this week.

Committee sources do not rule out the possibility that the committee will remain split and will produce two reports. In any event, President Johnson is expected to make the policy decision in time for his foreign aid message to Congress, this month or early in February.

It was congressional resistance to the foreign aid program that led Mr. Johnson to order its urgent review.

But what appeared at first to be a study designed to improve the administration of AID has turned into a major policy dispute.

Under Secretary Ball is arguing that foreign aid should become a tactical instrument of U.S. foreign policy.

In this sense, his proposed changes are closely related to a fundamental shift in philosophy.

The opposing school of thought—represented by the Agency, most of the other review committee members, much of the economic community and the international financial organizations—is that foreign aid must remain a coherent long-range program.

BALL'S VIEWS ATTACKED

These groups bitterly dispute the State Department's argument that the national interest would be better served if AID were to be used as a short-range weapon of foreign policy.

Under Secretary Ball has used the word "globaloney" to describe much of the present foreign aid thinking, but opponents believe his approach is erroneous.

At the closed sessions of the review committee, opposition to Mr. Ball's views has been strongly expressed by several members, notably Eugene Black, former President of the International Bank for Development and Reconstruction, and by Sargent Shriver, Peace Corps Director.

Outside the committee, those actively opposing the Ball position are reported to include George D. Woods, President of the World Bank.

Those fighting abolition of the Agency contend that the traditional policy of assisting the economic development of underdeveloped countries has served American interests.

Their view coincides with the evaluation of foreign aid issued last week by Henry T. Heald, Ford Foundation president.

In it, Mr. Heald said that "from the viewpoint of sheer self-interest, the tensions and turbulence that continued deprivation of great masses of people would generate almost certainly would cause this country incalculably more than it now contributes abroad."

Advocates of the present approach to foreign aid believe that economic growth in these countries can be achieved only through rational, well-integrated, long-range programs that are not subject to day-to-day policy pressures.

They say that in dismembering the aid structure, the United States would lose the experience and the sophistication acquired in 15 years of assistance programs.

They say that the problem facing the United States is not how much to spend abroad, but how to spend it usefully and in the context of sound economies.

SIXTY-ONE NATIONS GET U.S. MILITARY AID: WHOM ARE THEY GOING TO FIGHT?

(By Henry J. Taylor)

Our military assistance dollars leap like flying fish to 61 countries abroad, including such hardy U.S. outposts as Luxembourg and Ethiopia. Is it too much to ask: Whom are all these countries going to fight?

Congress and the public need the courage to attack the word "defense." The word evokes a sanctity. It carries its own built-in approval; we're willing to sacrifice anything—and always toward the security of our great country.

As one result, many "defense" programs never die, they just fade away.

Presidential clamor for no cuts in foreign aid does not reveal that banana peel. Yet nearly half ($1.8 billion) of the taxpayers' $4.1 billion for 1962 foreign aid went for so-called military assistance.

The whole timeworn charade, faced by the question: "Whom are they going to fight?" needs a stern updating and a good hard look at realities.

For example, from the end of World War II to June 30, 1960, we sent Brazil $152 million for tanks, trucks, weapons, and electronic equipment. Whom were they going to fight then? Whom now? And why shouldn't Brazil equip its own forces? Yet, we sent Brazil another $22.8 million last year in military assistance. We even sent little Uruguay's army, strategically at the end of nowhere, $2 million. It might as well have been dumped into the Inca ghost city of Machu Picchu.

Peru's forces picked up $10 million from our till at the same time. We gave Colombia $9.8 million, Chile $8.3 million, Ecuador $2.3 million. Whom are Peru, Colombia, Chile, or Ecuador going to fight? Or Spain? In 1962 Spain's army got $35.3 million, twice as much as our economic aid.

Two years ago President Kennedy gave Ethiopian Emperor Haile Selassie a converted $2 million yacht. By describing this goodie as a "floating command post," the glittering goodie was tucked under our military assistance program, a facet the foreign aid administration belatedly confirmed. Moreover, the operating cost of putt-putting the Lion of Judah around in the Red Sea was likewise charged under this abused heading.

We're lucky we didn't give the Emperor our latest atomic cruiser, the *Long Beach*—which cost $320 million. For the results have soured, despite another $10 million to him under the same heading in 1962.

State Department officials agree that the lion arrived for his Presidential visit bristling with indignation because we've also given arms to Somalia, a rival republic on Africa's East Coast. Yet, who are Ethiopia and Somalia to fight except each other?

With small exception, previous aid to India has been economic—a whopping $8 billion. Now Nehru is to receive important military assistance as well. All grows worse in Pakistan by this remedy. Although U.S. economic aid to this stanch ally has totaled more than $2 billion, and exceeded $400 million last year alone, our alliance melts like butter in the sun. Neither India nor Pakistan is half as concerned about fighting any American enemy as about fighting the other. And is it seriously contended that our military assistance dollars to either, or both, would stop an attack by Red China?

Belgium, in a new wave of prosperity, is now sufficiently well off to announce a half-billion dollars of her own money for Congo security, which is all to the good. Yet we sent Belgium $15.9 million as military assistance in our foreign aid program for 1962. Prosperous Italy, as well, got $70.7 million, Norway $47.1 million, Denmark $44.4 million, the Netherlands $25.3.

These five countries received no 1962 economic aid. But the bill for their military assistance totaled a tidy $200 million. Why?

In tapping the taxpayers' purse the New Frontier cannot spend the same dollars twice. Mr. Kennedy's profound weakness in handling our borrowed billions is his failure to apply priorities.

In addition to a nearly incredible defense budget of $51.6 billion we should not also be drained for so-called military assistance tucked inside the foreign aid bill unless each supported country is vital.

While warning us against cuts, President Kennedy continues to skip the "Whom are they going to fight?" question entirely.

[From the Oregonian, Dec. 17, 1963]

NATO LOAD TOO BIG

President Johnson, like the late President Kennedy, has assured our NATO Allies that the United States will continue to keep the equivalent of six Army divisions in Western Europe as long as they are needed. In view of ex-President Eisenhower's belief that not more than one U.S. division is needed in Western Europe, and this only to show the flag, and in view of the 3-day airlift of an entire division from Texas to Germany, President Johnson should be more explicit.

Needed for what? To prevent a Russian invasion, or to continue to encourage our NATO Allies not to meet their commitments in manpower and weapons? To help the booming economy of Western Europe, or to continue American deficits of payments and pressure on the dollar? Needed to assure U.S. security, which relies on nuclear weapons and delivery superiority, or needed to prevent President Charles de Gaulle from completely dominating Western Europe?

There is obviously a need for a great debate on the issues of NATO comparable to that in 1950–51, when with Gen. Dwight D. Eisenhower's support the Truman administration won the argument for sending five divisions to Europe to be included in a conventional force shield of 40 divisions.

Now the United States has more than 250,000 Army personnel—the equivalent of more than six divisions—and 110,000 Air Force personnel in Western Europe, mostly in West Germany. But instead of the 30 NATO divisions which have been the revised goal for the central front, there are about 24. France plans to reduce its ground forces from 705,000 to 450,000. The Soviet Union is reducing its conventional armed forces. Secretary McNamara's last estimate is that the NATO countries have 5.8 million men under arms, and the Warsaw Pact (Communist) countries have 4.3 million. NATO ground forces in Europe total 2.2 million, opposed by about 3 million Warsaw Pact ground forces. With the demonstrated mobility of U.S. troops, the shield seems more than adequate. If it is not, let France and other NATO backsliders meet their NATO quotas.

General Eisenhower, who built NATO as its supreme commander in the 1950's, when the Communists were testing out armed aggression in Korea, had this to say last October:

"I believe that the United States has the right and the duty of insisting that her NATO partners assume more of the burden of defending Western Europe * * *. Unless we take definite action, the maintaining of a permanent troop establishment abroad will continue to overburden our balance-of-payments problems and, most important, will discourage the development of the necessary military strength Western European countries should provide themselves."

President Johnson's response to the changed situation in Europe which led former NATO Commander Eisenhower to alter his view in the past decade is to promise to leave approximately one-third of our military power in Europe for an indefinite and presumably endless time. At the same time, he is demanding savings at the Pentagon and aid in building a strong domestic economy. The issue of NATO must be resolved. But there is not even in progress a study of NATO and alternatives, on which such grave decisions should be based. Mr. Johnson's easy promise to our NATO Allies is not reassuring.

Mr. MORSE. Mr. President, I yield the floor.

Mr. HUMPHREY obtained the floor.

Mr. CLARK. Mr. President, will the Senator yield?

Mr. HUMPHREY. I am glad to yield.

Mr. CLARK. If the Senator from Minnesota wishes to proceed, that is all right, but it will take me 15 or 20 minutes. I will be glad to have the Senator finish before I speak.

Mr. HUMPHREY. I would appreciate it.

Mr. CLARK. Can the Senator from Minnesota inform me how long he will speak?

Mr. HUMPHREY. No more than 10 minutes.

Mr. CLARK. I thank the Senator.

AN ANTIQUE DEVICE—LINKING POLITICAL OPPONENTS TO COMMUNISM WITHOUT EXACTLY SAYING THEY ARE COMMUNISTS

Mr. HUMPHREY. Mr. President, I wish to call attention to a brief but lucid editorial published in this morning's Baltimore Sun.

The editorial notes that a recently announced candidate for the Republican presidential nomination has sought to "link his political opponents to communism without exactly saying that they are Communists."

It is proper, at the beginning of this election year, to express hope that all candidates for political office will not use what the Baltimore Sun calls "a device of some antiquity." Unfortunately, we have witnessed major political campaigns in this country in which innuendos have been used to blemish the patriotism of vast segments of our population. I hope and pray we will not see a repetition of this in 1964. President Johnson, in his state of the Union message of today, sets the proper standard of political conduct worthy of the respect of every American citizen.

He said:

> We have in 1964 a unique opportunity and obligation—to prove the success of our system—to disprove those cynics and critics at home and abroad who question our purpose and our competence.
>
> If we fail—if we fritter and fumble away our opportunity in needless, senseless quarrels between Democrats and Republicans, or between the House and the Senate, or between the South and the North, or between Congress and the administration—then history will rightfully judge us harshly. But if we succeed—if we can achieve these goals by forging in this country a greater sense of union—then, and only then, can we take full satisfaction in the state of the Union.
>
> Here in the Congress, you can demonstrate effective legislative leadership by discharging the public business with clarity and dispatch—voting each important proposal up or voting it down but at least bringing it to a fair and final vote.
>
> Let us carry forward the plans and programs of John Fitzgerald Kennedy—not because of our sorrow or sympathy—but because they are right.
>
> In his memory, I especially ask all members of my own political faith—in this election year—to put country ahead of party, and to debate principles, not personalities.

The Sun's editorial is timely, and the President's remarks I have just quoted are equally timely and very much needed as guidelines for conduct in American public life.

Mr. President, I ask unanimous consent to have printed in the RECORD the editorial titled "Antique Device."

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

[From the Baltimore (Md.) Sun, Jan. 8, 1964]

ANTIQUE DEVICE

> Mr. GOLDWATER's latest effort involves a device of some antiquity, that of linking his political opponents to communism without exactly saying that they are Communists. He does not say that the Democratic Party is Communist, or even that Communists are mixed up with it. A practiced orator says nothing so crass or so easily disproved. He says only that the Democrats have not disavowed Communist support, and so faintly clouds with treasonous connections an entire political party and the national administration. Hints of this kind have been thrown out by earlier aspirants to national office, and they caused quite a stir at the time. But the tactic though tried is not true: there are more Democrats than there are Republicans and they object to being insulted even in a discreet and backhanded manner. They rejected the last presidential candidate who said things like that. Someone ought to tell Mr. GOLDWATER.

DIRECT PAYMENTS—THEY CAN WORK FOR COTTON AND WHEAT

Mr. HUMPHREY. Mr. President, on March 30, 1960, Representative W. R. POAGE, of Texas, vice chairman of the Committee on Agriculture of the House of Representatives, released for the use of that committee a report entitled "The Farm Problem." I recently have reread that report and find it as fresh and illuminating today as the time it was written.

I invite the attention of Senators to the following sentences from his introduction:

> The family farmers of America made possible our fantastic economic development. One thing all of these farmers have in common—they have provided food and fiber for the rest of society without receiving a comparable share of the Nation's wealth in return for their contributions.
>
> In this disparity of income lies the real farm problem and until there is some effective adjustment of income—some substantial increase of farm income—we are but soothing our own conscience when we talk patronizingly of the money we spend on agricultural research, agricultural credit, rural roads, rural schools, or even soil conservation.
>
> There must be new wealth created annually. The farmers of America are our greatest creators of new wealth. All of us need a prosperous agriculture.

In his report, Representative POAGE demonstrated a great range of knowledge of agriculture. He not only presented an analysis of the situation, but made recommendations as to needed program changes. These program revisions were designed to alleviate the shortcomings and inconsistencies of the then existent program. I am most pleased at his foresight in cutting through the fog to the heart of needed changes. Truly, he kept in view the essential objectives to expand farm buying power and to protect the Nation's food supply.

In this 1960 report he foresaw that the cotton producer was faced with loss of markets to synthetics and to foreign-produced cotton. In the case of both cotton and wheat he stated that direct payments could do the job. He foresaw the need that these crops move through the normal channels of trade. He foresaw that the costly movement of commodities into Commodity Credit Corporation inventory and later resale is an uneconomic use of resources. He foresaw that with a payment program, budgetary control could be exercised over costs. He foresaw that with a payment program, payments would go directly into farmers' income. And finally, he foresaw that the consumer would benefit.

I recommend that the entire report be read by my colleagues. However, in view of the urgent need for new legislation for cotton and wheat, I ask unanimous consent to have printed in the RECORD the chapter entitled "Direct Payments—They Can Work for Cotton and Wheat," from Representative POAGE's report.

There being no objection, the chapter was ordered to be printed in the RECORD, as follows:

DIRECT PAYMENTS—THEY CAN WORK FOR COTTON AND WHEAT

(Taken from "The Farm Problem, as seen by Congressman W. R. POAGE," printed for use of the Committee on Agriculture, Mar. 30, 1960.)

> Many people forget that a substantial part of our market for cotton and for wheat is found in the export trade. When this situation exists, it becomes practically impossible for us to balance supply and demand. To the extent that the crop goes into export we control neither the supply nor the demand. We can pretty well estimate, although we cannot control, the world demand for these commodities, but we have no way of preventing producers in other lands from increasing the world supply of these commodities to a point far beyond what the market will take at a reasonable price.
>
> As has been pointed out, this administration has sought to deal with this problem by paying substantial subsidies to exporters, thereby enabling the exporters to buy the commodity on the American market or from the Government warehouses at substantially the support price and then sell it abroad at a much lower price. (In actual practice the Government often acquires the commodity at the support price and sells to the exporter at the low price. The result is the same.) Only when we make the export subsidy large enough to cover the difference between the American price and the price at which foreigners are willing to sell do we displace any foreign sales. Then we have violent protests from foreign suppliers. Oftimes the United States becomes a residual supplier—that is, we supply only that portion of the world demand which remains after all foreign producers have sold their crops.
>
> In the case of cotton, American producers are faced with another difficulty. Synthetic fibers will, if the price of cotton goes too high on the domestic market, take over that market just as foreign-grown cotton will take over the foreign market if our price is too high. It is true that at the moment competition from synthetics is not as severe as was anticipated 2 or 3 years ago, but the threat is always in the background.
>
> Many of us have felt that the most practical program for cotton, and probably for wheat, would involve the use of the same tools that have worked so successfully with sugar and wool. We would, of course, retain

production controls just as we do in the case of sugar so that there might be no unneeded surplus dumped on the market. We would then require that the producer sell his commodity in the open market. This would probably mean at about world prices and through the normal channels of private trade. We would then, within whatever limits were determined to be reasonable, make direct payments to the producer for all or a part of the difference between the average market price and a predetermined fair price. This would immediately eliminate the cost of storage of any future crops. It would eliminate the export subsidy and would take the Government completely out of the commodity business.

Congress would, of course, have to make a decision as to how much money we are willing to spend on the support of these crops. Having made that decision we should tailor the supports to fit the resources available. Since these resources would all be channeled directly into the pockets of farmers, it seems reasonable to suppose that we could give farmers more real help with a smaller expenditure of tax money than we now give where a very large portion of our tax money is going to pay storage costs.

The direct payment plan does not contemplate that payments should depend upon what the individual farmer actualy gets for his crop, but rather upon what the market offered. Thus, if the support price on cotton were 32 cents and the world price 26 cents, an individual producer might, through poor marketing, receive only 22 cents for his cotton, but his payment would be only 6 cents. On the other hand, if some other farmer were able to market his cotton at well above the world average price, he would receive the same payment, thus maintaining incentive to produce and market in the most efficient manner.

Of course, direct payment programs could be made applicable only to that portion of the crop which was used domestically. This would require considerably more regimentation but it would allow a substantially larger payment per unit. However, assuming that we are going to pay a fixed total amount, it has seemed to me to be better to make the payment on all production, regardless of the commodities' ultimate use, and to thereby let the commodities move freely.

The great advantages of the direct payment method are, first, that all the money spent in the support of price goes into the hands of the producer. Unless we feel that there is some reason for subsidizing the storage business, it seems clear that we should try to confine the payment of tax money to producers.

In the second place, this program would allow commodities to move into the domestic market at a lower figure than is now possible. Obviously, the consumer will benefit, and it is equally clear that domestic processors will benefit because they would become more nearly competitive in the purchase of supplies as compared with foreign processors. This, in turn, would keep American producers (especially cottongrowers) more competitive with synthetics.

An interesting sidelight on the direct payment program is that it is usually attacked, not by discussing its merits but by referring to it as the "Brannan plan." Actually, the direct payment program was part of the 1935 act 11 years before Mr. Brannan became Secretary of Agriculture and was then known as the "Oscar Johnson plan." While Mr. Brannan did propose the use of direct payments for perishable commodities, this was only a minor part of his so-called plan and today we find his most violent critics strongly urging that we adopt many of the major features of the plan.

THE DOCTRINE OF COMMONSENSE

Mr. HUMPHREY. Mr. President, in the January 1964 issue of the American Legion magazine, National Cmdr. Daniel F. Foley writes a powerful and telling editorial entitled "The Doctrine of Commonsense." Commander Foley has been known all his life as a man who abhorred extremism of all kinds. He has fought throughout his life for the principles of fairness and reasonableness which are espoused in his splendid editorial message to his fellow Legionnaires.

His call to the American Legion is direct and vital:

> We stand today as a buffer against extremism of both the left and the right. We neither need nor want rigid conformity. Nor can we permit a few overzealous and unreasoning individuals to overbalance the commonsense and judgment of the people.

These are strong, bright words from the elected head of the largest veterans organization in the world.

I salute my fellow Minnesotan, this distinguished American, for his wise and prudent advice to his fellow veterans.

Mr. President, I ask unanimous consent to have printed in the RECORD the editorial written by National Cmdr. Daniel F. Foley, entitled "The Doctrine of Commonsense."

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

THE DOCTRINE OF COMMONSENSE

(By National Cmdr. Daniel F. Foley)

(NOTE.—National Commander Foley signed the following editorial a week before President John F. Kennedy was assassinated in Dallas, Tex., on November 22. The murder of the President gives tragic emphasis to Mr. Foley's warning that extremists are modern anarchists who, satisfied that they are right, acknowledge no higher law than their own judgment.)

At a time of rapid change and recurring crisis in national affairs, one factor remains constant. The loudest noise and the most confused counsel continue to come from extremists.

By "extremists" I mean those individuals who would save America by forsaking its free institutions. I mean not just Communists and neo-Fascists who openly assail our system but, more especially, those who, in the conviction that theirs is the only right view, have lost sight of—and faith in—the fundamental processes of self-government.

You know the type as well as I do. They claim to have the one true answer to every problem. They talk of setting aside the law when the law offends them. They are quick to cry "treason," slow to admit error, and indifferent to arguments and facts that do not support their beliefs. They are not really leftists or rightists—but simply modern anarchists—though many of them would be shocked at the idea.

There are two basic flaws in this brand of extremism.

It violates the spirit and traditions of real Americanism.

It seeks a course of action that is bound to fail.

As Legionnaires we bow to no one in our concern and zeal for the future security and greatness of America. Because we are Legionnaires we share a special responsibility to observe and uphold the institutions which alone can be the means of realizing that future.

Now, more than ever before, Americans need to keep their values in clear focus. Our resort must be to reason, not to emotion; to persuasion, not to violence; to perseverance, not to panic. It isn't necessary or desirable that we all think alike. It is essential that we espouse our differences reasonably with good will and due regard for other opinions.

Honest disagreement honorably expressed cannot divide Americans. But disagreement waged with weapons of fear and hate and bad faith can cost us not only our unity but our character and purpose as a free people.

Abraham Lincoln in a previous era of strong feeling said: "There is no grievance that is a fit object of redress by mob law." By the same token, there is no grievance now that cannot be voiced and fairly met within the tested channels of the democratic system.

I often wonder if those who advocate extremism really understand the enormity of their disservice to their country.

Nikita Khrushchev is fond of stating, as he did recently in the presence of visiting American businessmen, that the capitalist system is headed for an early collapse. He's not basing that hope altogether on the thrust of Communist military and economic power. The Communists believe as an article of faith that human beings are incapable of governing themselves—that a free society such as ours inevitably will generate excesses and frictions that will destroy it.

The citizen who defies the law or falsely demeans the motives and authority of governmental institutions is helping Khrushchev's cause—not America's. The citizen who seeks recourse to hatred or violence as the answer to the Nation's problems is turning away from an acceptable and workable American solution.

The American Legion has always asserted its right to speak out vigorously and candidly on public issues. We've never shied away from controversy or from criticism of policies we believe to be wrong—and I am confident we will continue on that course. At the same time, I assure you that our criticism will be constructive and responsible.

The U.S. Supreme Court in recent years has rendered decisions specifically in the areas of law enforcement and religious expressions in schools, with which the American Legion strongly disagrees. We formulated our position in the democratic way—through discussion at the local, State, and National levels. We've stated our views plainly and with force, but without impugning the motives of those who disagree or attacking the authority and prestige of the courts.

We believe the national interest warrants increased American efforts to neutralize and eliminate the Communist regime in Cuba. But while insisting upon a new policy, we question the wisdom of our present policy, not the character and good faith of its architects.

We champion the needs of disabled and aging war veterans whose past services are too soon forgotten by many of their countrymen. But our difference with those who oppose us is one of judgment, not of patriotism; and the best hope for our cause lies in education and persuasion, not vindictiveness.

This is the American way. It's the only way that works in a free society.

By practicing responsible Americanism this American Legion of ours has served as a stabilizing force in the Nation's life. We stand today as a buffer against extremism of both the left and the right. This is a position in which every Legionnaire may take pride and which every Legionnaire should consciously seek to strengthen.

We neither need nor want rigid conformity. Nor can we permit a few overzealous and unreasoning individuals to overbalance the commonsense and judgment of the people.

Ours is a big country with big and perplexing problems. The answers do not come easily. They will not come at all if substantial numbers of Americans permit themselves to be led into extravagances of hate and fear.

NINETY-THREE PERCENT OF MINNESOTANS LIKE THE WAY PRESIDENT JOHNSON TOOK OVER THE PRESIDENCY

Mr. HUMPHREY. Mr. President, recently the Minneapolis Tribune conducted a Statewide poll, requesting their reaction to the way that President Johnson has taken on the duties of the Presidency.

I am happy to report that Minnesotans responded with their usual intelligence and basic commonsense, with a vote of 93 percent favorable.

Only 2 percent of those polled in the State of Minnesota were unfavorably impressed.

Mr. President, this is so nearly unanimous that one can say for all practical purposes that the people of Minnesota have absolute confidence in our new President, and that when he runs for reelection this year, he will be accorded another tremendous vote of confidence at the polls.

While the Minnesota poll is perhaps the most outstanding record of the American public's confidence in our new President, I am also pleased to report, following a meeting with the political leadership of the Democratic Party from the 14 States of the Midwest Conference of the Democratic Party, that President Johnson is accorded extremely high support from all the polls taken in those 14 States. It is the considered judgment of these experienced political officers that President Johnson will carry the Midwest against any Republican candidate by a margin only comparable to that enjoyed by President Roosevelt in his first reelection in 1936.

Over and over again, the reports from the Midwest are that here is a President who is strong, who is confident, who is a leader, who has a heart. Midwesterners were deeply impressed by the way in which the President took over the reins of office after the assassination of our beloved President Kennedy with not a falter, without a tremor. From labor, from business, from the farmers, from the housewives, and from young people and old, I have received countless expressions of gratification that President Johnson is proving to be the kind of President that President Kennedy would have wished him to be.

Mr. President, I ask unanimous consent to have printed in the RECORD an article published in the Minneapolis Sunday Tribune of December 22, 1963, entitled "Ninety-three Percent Like Way Johnson Took Over." It is good reading for everyone who is interested in the affairs of our Nation.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

NINETY-THREE PERCENT LIKE WAY JOHNSON TOOK OVER

Minnesotans are in overwhelming agreement about President Johnson on these two points:

They like the way Mr. Johnson has taken on the duties of the Presidency since the death of John F. Kennedy.

They expect he will be nominated by the Democratic Party for President in 1964.

In a statewide survey by the Minneapolis Tribune's Minnesota poll, those two points of view are expressed by Minnesota men and women, regardless of place of residence in the State, age, education, or political affiliation.

A question which poll field reporters put to a balanced sampling of voting-age residents in December was:

"When it comes to the way Lyndon B. Johnson has taken on the duties of the Presidency, are you favorable or unfavorably impressed?"

Ninety-three percent of the people say they are favorably impressed by the manner in which Mr. Johnson assumed his Presidential responsibilities. Two percent have unfavorable reactions, and 5 percent are noncommittal.

When people with favorable reactions were asked what has impressed them most about President Johnson, they answered in these ways:

	Percent
L.B.J. is decisive, efficient, kept Government operating	38
Like his decision to continue Kennedy administration policies and personnel, provides continuity	27
L.B.J. well prepared for Presidency, experienced in politics	20
L.B.J. personal qualities: Friendly, honest, sincere, patient, aggressive, courageous	11
Other answers	20
Don't know	6
Total	122

(The column totals more than 100 percent because many Minnesotans cited several things about President Johnson that impressed them.)

People also mention that President Johnson is trying to do his best for the whole Nation, approve of his speeches and manner of speaking, feel that he is determined to cut Government spending, and give a variety of other favorable reactions.

State residents also were asked:

"President Johnson has asked all members of the Kennedy Cabinet to stay in office. In the next few months, do you expect there will be quite a few changes in the Cabinet, or not very many?"

	Percent
Quite a few changes will take place in Cabinet	12
Not very many	62
None	21
No opinion	5
Total	100

When asked what changes might take place in the President's Cabinet, only 28 percent of the entire sample suggested any specific Cabinet posts. Singled out most frequently were Attorney General Robert F. Kennedy, the late President's brother, and Secretary of Agriculture Orville Freeman.

Another question in the survey was:

"Do you think Lyndon B. Johnson will be the Democratic Party's 1964 candidate in the presidential race, or do you think someone else is more apt to be nominated?"

	Percent
L.B.J. will be nominated	91
Someone else will be nominated	5
No opinion	4
Total	100

REPORT OF THE PRESIDENT'S COMMISSION ON REGISTRATION AND VOTING PARTICIPATION

Mr. HUMPHREY. Mr. President, on March 30, 1963, the late President Kennedy established by Executive order the President's Commission on Registration and Voting Participation. The Commission, under the chairmanship of the distinguished political scientist, Richard M. Scammon, Director, Bureau of the Census, was charged with a most critical task: to determine the reasons for low voter turnout in America and to recommend solutions for this condition.

The Commission entered upon a detailed study and analysis of the election laws and practices of the 50 States. A wide variety of expert opinion was sought and considered. The voting practices in other democracies were studied and compared with those prevalent in America. In November the Commission filed its report with President Johnson.

I have recently read this outstanding document. The Commission enumerates 21 specific standards relating to registration and voting which should serve as guides for equitable procedures in the several States. These are recommendations which every Member of Congress and every American should read carefully; moreover, the Congress and the State legislatures should be prepared to act promptly on these recommendations.

Why do I say this? I quote from the Commission's report:

> Voting in the United States is the fundamental act of self-government. It provides the citizen in our free society the right to make a judgment, to state a choice, to participate in the running of his government—in the community, the State, and the Nation. The ballot box is the medium for the expression of the consent of the governed.

Surely no citizen of America can disagree with this description of voting as the fundamental act of self-government. If this assumption is accepted, the fact that one-third of our adults do not vote in presidential elections and one-half do not vote in congressional elections is indeed deeply disturbing. The Commission has attributed this poor record of voting participation to psychological and legal factors and has outlined various procedures for attacking both these sources of nonregistration and nonvoting.

I would like to compliment the distinguished membership of the Commission and the able staff, under the direction of my good friend, Prof. Donald G. Herzberg, of the Eagleton Institute and Douglass College. It is my great privilege to know personally a number of the Commissioners; this fact only heightens my admiration for the distinct service they have rendered this Nation.

Mr. President, I ask unanimous consent that the full text of the report of the President's Commission on Registration and Voting Participation be printed at this point in the RECORD.

There being no objection, the report was ordered to be printed in the RECORD, as follows:

REPORT OF THE PRESIDENT'S COMMISSION ON REGISTRATION AND VOTING PARTICIPATION, NOVEMBER 1963

LETTER OF TRANSMITTAL

PRESIDENT'S COMMISSION ON
REGISTRATION AND VOTING
PARTICIPATION,
Washington, D.C., November 26, 1963.

THE PRESIDENT,
The White House.

DEAR MR. PRESIDENT: Your Executive order of March 30 creating this Commission charged it with the responsibility of studying the reasons for low voter turnout in America and of recommending solutions for this condition.

During the past 8 months, the Commission has made a detailed analysis of the election laws and practices of the 50 States and has studied the electoral systems of other democracies. It has solicited the opinions of many hundreds of citizens in the fields of National, State, and local government, politics, civic and social work and political science. Staff members of the Commission have interviewed a number of officials directly concerned with election administration at the State, county, and municipal levels.

The Commission has met regularly to discuss the implications of the information which has been compiled, and to draw up the report which we now have the honor to submit.

We are most grateful, Mr. President, both for the opportunity you have given us to make a comprehensive study of this subject, and for your continuing interest in our work.

Respectfully,
Richard M. Scammon, Chairman; Bert L. Bennett, Jr., Brendan Byrne, Robert A. Forsythe, Evron M. Kirkpatrick, J. Bradshaw Mintener, John A. Perkins, Ruth Schertz Phillips, Roy L. Reuther, Victoria Schuck, and Leon H. Washington, Jr.

SUMMARY

One-third of our adults do not vote in presidential elections, and more than half do not vote in congressional elections. The reasons for America's low voter participation are both psychological and legal.

Psychological causes of low turnout must be attacked by education and educational programs. Every citizen and group has a responsibility to join in this effort.

The Commission endorses the practice of comprehensive register-and-vote campaigns to encourage and inform potential voters. We specifically call for a new effort by our schools in the teaching of citizenship, and we underscore the great responsibility of parents in citizenship education.

The Commission strongly believes that effective two-party competition in all areas of the Nation will build and maintain interest in public affairs and lead to greater voter participation. We commend the two-party system and all efforts to strengthen that system.

Restrictive legal and administrative procedures in registration and voting disfranchise millions. To overcome such restrictions, taking into account the disparity in law and practice among the States, we recommend the following specific standards:

Standard I: Each State should create a commission on registration and voting participation, or utilize some other existing State machinery to survey in detail its election law and practices.

Standard II: Voter registration should be easily accessible to all citizens.

Standard III: State residence requirements should not exceed 6 months.

Standard IV: Local residence requirements should not exceed 30 days.

Standard V: New State residents should be allowed to vote for President.

Standard VI: Voter registration should extend as close to election day as possible, and should not end more than 3 or 4 weeks before election day.

Standard VII: Voter lists should be kept current.

Standard VIII: No citizen's registration should be canceled for failure to vote in any period less than 4 years.

Standard IX: Voter registration lists should be used only for electoral purposes.

Standard X: States should provide absentee registration for voters who cannot register in person.

Standard XI: Literacy tests should not be a requisite for voting.

Standard XII: Election day should be proclaimed a national day of dedication to our American democracy.

Standard XIII: Polling places should be so equipped as to eliminate long waiting periods.

Standard XIV: Polling places should be open throughout the day and remain open until at least 9 p.m.

Standard XV: The States should provide every possible protection against election fraud.

Standard XVI: Voting by persons 18 years of age should be considered by the States.

Standard XVII: Candidacy should be open to all.

Standard XVIII: The right to vote should be extended to those living on Federal reservations.

Standard XIX: Absentee voting by mail should be allowed for all who are absent from home on primary or general election day.

Standard XX: The poll tax as a qualification for voting should be eliminated.

Standard XXI: Each State should keep informed on other States' practices and innovations in election administration.

The implementation of these standards will guarantee the right to vote to every citizen, assuring in fact what we proclaim in theory—the supremacy of the individual in American political life.

CHAPTER 1. THE DIMENSIONS OF THE PROBLEM

Voting in the United States is the fundamental act of self-government. It provides the citizen in our free society the right to make a judgment, to state a choice, to participate in the running of his government—in the community, the State, and the Nation. The ballot box is the medium for the expression of the consent of the governed.

Those who vote do so for many reasons. To some, voting may be a patriotic duty. To others it may be the culmination of work and effort in behalf of a candidate or a political party. Still others may regard it as a serious responsibility to insure the continuation of freedoms which the right to vote protects. The citizen who does not vote relinquishes the opportunity to govern.

It is a tribute to the vitality of our Republic that since the founding of our Nation, we have never canceled or postponed an election scheduled by the Federal or State Constitutions or by statute. No civil war, world war, epidemic, or depression has halted our electoral machinery.

It is also significant that throughout our history of unhindered elections, we have maintained a system of voluntary voting. Nothing in this country makes voting mandatory—unless it is the conscience of the voter himself. The American people have always rejected, and the Commission rejects now, any system of compulsory voting.

The voluntary nature of voting is a strength in our election system. As one of the oldest democracies in the world, with a tradition of free elections and voluntary balloting, we should have one of the world's best voting records. Though our ideal is universal suffrage, a substantial number of our people cannot or do not choose to vote.

U.S. turnout has fluctuated

American elections have not always been characterized by low voter participation. Turnout was consistently high in the later 1800's, with a peak of 85.8 percent of adult enfranchised males voting in 1876. Yet in the early 1900's, voter participation declined steadily, dwindling to 44.2 percent in 1920. It never reached 60 percent in the era of Franklin D. Roosevelt, and has only slightly exceeded that percentage in the past decade.

Still fewer people vote in congressional elections. Since 1920, the national turnout in nonpresidential election years has never touched 50 percent, ranging from a low of 30.1 percent in 1926 to a high of 48.9 percent in 1962. Voter participation in congressional elections is significantly greater in years when a President is chosen.

Election systems and electoral participation vary from State to State. In the 1960 presidental election, voter participation was highest in Idaho, where 80.7 percent of the adult population went to the polls. (See app. 3 for turnout percentages for all States.) Consistently, the Southern States send the lowest proportion of their citizens to the polls. Although the development of a two-party system in several parts of the South has been accompanied by an increase in voter participation, turnout in Southern States remains relatively low, ranging in 1960 from 25.5 percent in Mississippi to 53.5 percent in North Carolina. In some Southern States, party primary elections have attracted more voters than the general election.

The Executive order establishing the President's Commission on Registration and Voting Participation specifically exempts it from exploring matters placed under the jurisdiction of the U.S. Commission on Civil Rights. Consequently, we have not dealt directly with the problems over which it has primary jurisdiction. Our Commission unanimously endorses the right of every adult citizen to vote, whatever his race, color, religion, or national origin.[1]

Other democracies do better

Voter participation in the United States is often contrasted with participation in other countries. It should be pointed out, however, that turnout figures for other countries are not strictly comparable to U.S. figures. The different bases of calculation tend somewhat to inflate foreign participation figures and deflate U.S. figures. The statistical chasm, for example, between the U.S. turnout of 63.8 percent and Denmark's 85.5 percent in 1960 would not be so wide if identical measures were used.

Even with adjusted figures, the plain fact remains that citizens of other democracies vote in greater relative numbers than Americans. The United States, leader of the free world, lags behind many other free countries in voter participation.

Voter turnout in Italy, for example, has topped 92 percent in each of the last four national elections. All Italian citizens over 21 (other than felons, bankrupts, and the mentally ill) are eligible to vote, with the exception that 25 is the minimum age for voting for Italian Senators. Italy's procedure for registration and voting is direct and simple. Municipal and communal officials compile lists of electors, resulting in the automatic registration of nearly all eligible persons. A citizen whose name is inadvertently omitted from the list can easily restore it. Italians vote on Sunday and until Monday noon.

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[1] At the request of Commissioners Byrne, Phillips, Reuther, Shuck, and Washington, excerpts from the 1963 Report of the U.S. Commission on Civil Rights are included below.

Participation in West Germany's Federal elections has almost matched Italy's performance, ranging from 78.5 to 87.8 percent during the last 15 years. Like Italy, West Germany utilizes automatic registration and imposes no literacy or property requirements for voting. Elections are held on Sunday.

Participation in Canada's last three general elections has approximated 80 percent, with voting usually on a Monday. Canadian registration law provides that enumerators must visit each dwelling in the country and register every possible voter. The statutory voting age in Canada is 21, although any member of the armed forces on active duty may vote regardless of age.

The Scandinavian countries also enjoy high voter turnout. In every recent national election in Finland, Norway, Sweden, and Denmark, participation has been significantly greater than in the United States. Registration procedures in the Scandinavian countries are similar to those in Italy and West Germany, with local government units taking the initiative to enroll every potential voter.

In sum, a citizen of another democracy is more likely to vote than is an American. What accounts for the widespread failure to exercise democracy's most fundamental and precious freedom? Why do so many Americans—in 1960, more than 35 million—not vote on election day? The answers to these questions fall into two main categories: psychological and legal.

Psychological causes of low voter turnout

By far the most important psychological factor affecting an individual's decision to vote is his identification with a political party. A strong Democrat or Republican, as our studies show, is much more likely to cast a ballot than a person who feels little or no allegiance to a party. When an election is expected to be close, the strong partisan is even more inclined to vote.

Of course, this is not to say that all or even most nonpartisan or independent voters have poor voting records, but the voter who identifies himself with a party seems to be more regular in his balloting. Beyond party commitment, a person is likely to vote if he has a personal interest in the candidate, campaign, or issues; if he becomes concerned about the outcome of an election; or if he feels that his vote will be fairly counted and may really make a difference.

Taken together, these variables add up to the elector's sense of political involvement. Studies of recent presidential elections show that persons whose involvement was low were less likely to vote.

Characteristics such as education, age, and sex also relate closely to voter involvement and participation. The more formal educational experience a person has had, the more likely he is to be politically involved, to feel that his vote counts, and to vote. Our research also shows that voter participation tends to increase with age until the late fifties. Young people not only vote less than older persons but are less strongly allied with political parties.

In addition, young people move most frequently. As a consequence, precisely those persons least involved in politics often must overcome an added obstacle to voting. The older person is more highly motivated to vote and less likely to have to go through the process of registration. The younger person is less involved in politics to start with, he moves more often, and he must expend more time and effort to stay on the registration books.

Voter participation among women is approximately 10 percent lower than among men. Since women are a significantly larger element in our adult population than men, their lower participation tends to reduce the national average.

Legal and administrative causes of low voter turnout

Restrictive legal and administrative procedures for registration and voting are a major reason for low participation. Many election laws and administrative practices are unreasonable, unfair, and outmoded. They obstruct the path to the ballot box, disfranchising millions who want to vote. An unexpected business trip or a broken ankle can deprive a citizen of his right to vote. He may lose his vote by moving across the street. And he may discover that because he failed to vote 2 years ago he cannot vote now.

Registration systems: The exercise of the franchise in the United States usually requires two deliberate acts on two different days: registration and voting. The finest voting system in the world is of no avail if registration inhibits participation. Registration procedures often require a visit to the county courthouse, with such attendant inconveniences as making the trip during working hours and standing in long lines. Although the great majority of States provides permanent registration, only half enable voters to register in their precincts rather than at one county office. Only 17 States allow registration by mail. (See app. 2 below for summary of State voting laws.)

Registration systems originally were established to provide up-to-date lists of eligible voters to prevent multiple voting and other electoral frauds. But often the systems used have had a quite different effect. Frequently registration has become an obstacle course for the voter rather than an assistance to voting.

A different problem is posed by registration provisions designed for the simple purpose of preventing people from voting and so keeping political power in the hands of one or another group. For example, one State is considering a plan to cut off registration many months before election day.

In too many States, registration closes more than a month before the election, when political campaigns are not in full swing and peak interest has not been achieved. Early closing dates coupled with the inconvenience of many registration procedures discourage potential voters. Unlike registration systems in other Western democracies, where the initiative is with local officials and the process is simple and direct, registration in the United States often imposes undue burdens on citizens who desire to vote.

Residence requirements: Residence qualifications serve two principal purposes: allowing the voter to become acquainted with local problems and candidates, and preventing election fraud. Yet they also prevent many citizens from voting in presidential elections. Some States have attempted to meet this problem: 15 now permit presidential voting by new residents and seven allow former residents to vote for President. Similarly, some States permit intercounty and interprecinct movers to vote by absentee ballot in the precinct where they formerly voted.

Yet such modernization has been slow and has not kept pace with our high rate of population mobility. It has been estimated, for example, that 4 million citizens were disfranchised by residence requirements in 1950, 5 million in 1954, and 8 million in 1960. In a public opinion survey of the 1952 presidential election, 12 percent of the nonvoters cited residence requirements as their reason for not voting.

U.S. Census Bureau figures reveal that more than 20 million adults changed residence in 1961. Of these, 13 million moved within their counties, 6 million moved from county to county, and 3 million moved from State to State. Such a high rate of mobility is likely to continue, and millions of Americans will discover that change of residence— from State to State, county to county, or even street to street—may deprive them of their vote.

Absentee provisions: Absentee voting laws also disfranchise many potential voters. In 16 States, more than mere absence is required for absentee voting, with the result that businessmen, students, vacationers, and handicapped and incapacitated persons often cannot vote. Three States do not even provide for civilian absentee balloting of any kind.

All States now allow absentee voting by members of the Armed Forces, and 47 States provide a similar mechanism for civilian Federal employees. Yet civilians residing on Federal reservations under the exclusive jurisdiction of the Federal Government are denied the right to vote in all but three States. Since many of these persons have no State residence, they lose the power to exercise their franchise.

Election day problems: Many election day procedures also discourage citizens from voting. Polling places in many areas close in late afternoon or early evening and potential voters who are not allowed time off from work to vote must rush to the polls during the time of heaviest voting. The early closing hours dissuade many from making the effort. Polling places are sometimes relatively inaccessible to voters. Overpopulated precincts cause long lines which may turn away potential voters. In addition, lengthy ballots and frequent elections often cause "voter fatigue."

The act of voting—like the act of registration—often is onerous. In some States it is easier to get a hunting or fishing license or a pistol permit than to register and vote. Today, the average American must expect to go to the polls often, or if not often, to face a complicated ballot when he does. The polling place may be crowded, and he may expect to wait in line. In the face of unreasonable inconvenience, he may elect to stay home on election day.

CHAPTER 2. THE REMEDIES FOR VOLUNTARY NONVOTING

The citizen who does not bother to vote is both a source of despair and a challenge. To increase his desire to vote, many groups have made him the focus of appeal and persuasion. Their efforts have sometimes been intense and continuing, sometimes half-hearted and sporadic. In specific instances they have succeeded, and the unmotivated citizen has marked his ballot. In general they have failed, and low voter turnout persists.

Apathy, unconcern, and indifference, coupled with the notion that one vote does not count, constitute a troubling condition which no pat formula can quickly rectify. Yet certain remedies are capable of improving voter turnout.

The most obvious method of combating apathy is a register-and-vote campaign. Political parties, civic, business, and labor groups, public bodies and officials employ the techniques of publicity and persuasion to encourage citizens to register and vote.

A good example is the campaign of Philadelphia's Non-Partisan Register and Vote Committee. The work of this organization is made possible by the city's modern registration laws, which permit mobile, branch, and inplant registration.

Directed by civic and governmental leaders, the Philadelphia committee enlists the aid of practically every type of communication medium and almost all community groups. Labor and management, women's organizations, youth groups, civic, fraternal, and veterans' organizations, professional groups, editors, broadcasters, and businessmen, municipal employees, schoolchildren—all these and many others contribute to the assault on apathy. Registration week—for newly naturalized citizens, young voters, married persons, people who have moved—publicize registration requirements. Register-and-vote messages are sounded in baseball parks, theaters, and other places of public recreation. Schoolchildren bring similar messages home to their parents.

All mail of Philadelphia city agencies, as well as telephone and gas bills, contains register-and-vote reminders. Announcements are made at all city functions. A labor-management subcommittee arranges inplant registration. In the month before registration closes, boxes appear regularly in local newspapers detailing the schedule of traveling registrars and the days remaining in the registration period. Political leaders receive flyers for distribution telling citizens how and where to register.

Drives produce results

These procedures merely highlight the Philadelphia campaign. Many supplemental techniques round out the committee's program. The result of such effort has been a marked increase in voter participation.

In 1956, a concentrated, weeklong registration drive in Davenport, Iowa, added 2,267 names—one-third of the city's nonregistrants—to the registration rolls. Radio and television, newspapers, schools, churches, city officials, and more than 20 community organizations worked to give Davenport block-by-block coverage in the drive.

In the same year, Wausau, Wis., and Highland Park, Ill., engaged in a contest to see which city would be the first to register 100 percent of its citizens. Massive, heavily publicized campaigns, employing many of the techniques outlined above, produced impressive results in both cities. Highland Park registered 99.4 percent of its potential voters and Wausau was close behind with 99.1 percent. A followup, get-out-the-vote campaign in Wausau produced a 90.7-percent turnout on election day.

Stirring people up is in the best tradition of American politics, and we commend the practice of well-organized, comprehensive register-and-vote campaigns. Yet exhortation alone cannot do the job, and such campaigns are superficial if they consist only of admonitory slogans, however well-publicized and oft repeated. Increasing the number of citizens who journey to the polls should not be merely an exercise in coaxing.

What publicity and persuasion can and should accomplish is the nourishing of a meaningful sense of political participation. The worthwhile register-and-vote campaign transcends mere emotional appeal and strikes at the core of apathy. For while encouragement is important, information is vital, and the meaningful register-and-vote campaign both encourages and informs. It tells people whether they must register, and how, when, and where to do it. It tells people about the mechanics of voting. And it tells them about the candidates and issues.

Such an educational approach can boost a citizen's desire to vote. It can attack directly the psychological causes of low voter participation.

One vote does count

The educational register-and-vote campaign should take special aim at the citizen who thinks his vote does not count. History discredits that notion.

In 1884, less than one additional vote per precinct in one State would have elected James G. Blaine, President. He lost to Grover Cleveland in New York by only 1,149 votes out of a total of 1,125,159. If he had carried New York, he would have won the election.

In 1948, President Truman won Ohio by 7,107 votes and California by 17,865. If one voter in only half the precincts in those States had changed his mind, Governor Dewey would have captured 50 more electoral votes, President Truman would have lost 50, and the election would have been thrown into the House of Representatives.

In 1960, John F. Kennedy's national plurality was less than one vote per precinct. He defeated Vice President Nixon by less than 120,000 votes out of almost 69 million votes cast.

A single vote was never more valuable than in 1962. The Governor of Massachusetts was elected by only 5,341 votes; the Governor of North Dakota was elected by only 2,007; the Governor of Vermont by 1,348; the Governor of Maine by 483; the Governor of Rhode Island by 398; and the Governor of Minnesota, after 3 months of recounting and certifying ballots, was elected by the hairline margin of 91 votes.

Also in 1962, Alabama came within 6,803 votes of electing its first Republican to the U.S. Senate. South Dakota elected a Senator by 597 votes. Minnesota's 6th Congressional District elected its U.S. Representative by 348 votes, and New York's 15th District elected its Congressman by 383.

A lone ballot has often meant victory or defeat in local elections. A mayor and a city treasurer in Ohio, a councilman in Arizona, a State legislator in Pennsylvania—all recently won office by one vote. On November 5, 1963, a candidate for councilman in a Cincinnati suburb was hospitalized for an emergency appendectomy and was unable to go to the polls. He lost by one vote.

We could fill this report with additional proof of the importance of a single ballot, but these examples make the point. We strongly urge register-and-vote committees to direct their fire at the citizen who thinks he is politically helpless. Every means of publicity and public information should be used to bury the myth that one vote does not count.

Each citizen can help

The task of informing citizens and urging them to register and vote is the responsibility of all of us. Businesses should encourage voter participation among employees by providing time off for voting. Labor unions should encourage members to take advantage of such provisions, and should seek to arrange in-plant registration. Civic and fraternal organizations should encourage members to be registered. State and local governments could designate registration weeks for young people, new citizens, and other groups. Clergymen might wish to call attention to registration and voting campaigns.

Leadership for such local efforts to improve voter participation has long been provided by the American Heritage Foundation. Through a variety of programs, this organization has stimulated citizen and group interest in public affairs, and has waged a continuing battle against low voter turnout.

Special efforts are needed by youth groups and women's organizations. Young people, the least politically active segment of the population, should be encouraged to participate in politics. Local communities, where State law permits, could designate young volunteer registrars, not only to enroll persons of the same age group but also to infuse register-and-vote drives with dynamism. Alternatively, States and communities should authorize canvassing by young people to inform citizens of their rights and obligations as voters, and of the mechanics of registration and voting. Young members of social, professional, civic, fraternal, and other groups would perform effectively in registration drives, particularly in areas where there are many young couples.

We have noted that fewer women than men vote. Women's organizations can strike a major blow against the notion that only men should be concerned with politics and government. Women, often with more time than men to devote to public affairs, have a unique opportunity to inform and encourage all citizens. The League of Women Voters in many States has taken the lead in disseminating information about the electoral system and about particular campaigns and candidates. We look forward to the continuation and expansion of the League's activities, and urge all women's organizations to engage actively in similar and cooperative programs.

We must underscore the responsibility of the mass communications media in combating voluntary nonvoting. Newspapers, radio, and television command—indeed, monopolize—the attention of the American electorate. In a sense, they are quasi-public institutions, responsible to the public. They hold the key to adult education.

We urge newspapers to cooperate with register-and-vote campaigns by printing the details of registration and voting procedures as well as campaign and candidate information. We urge radio and television to expand the public service time devoted to debates and forums, and to inform listeners when, where, and how to register and vote.

We cannot emphasize too strongly the importance of the communications media. Attempts to reduce voluntary nonvoting depend in large measure on the custodians of the printed and spoken word. If information is to reach the apathetic citizen, it must reach him primarily through mass media channels.

Importance of education

These approaches to the problem of nonvoting will not in themselves create a nation of instant voters and obliterate apathy. Greater motivation and better understanding must be achieved, and that achievement depends on formal education.

It is not enough merely to transfer the problem to an abstraction called education, and confidently await a future when all citizens magically will be more learned. Education is the best hope, but that hope will die unfulfilled unless educators make a new effort. We must face the fact that our schools are not doing the job.

The teaching of citizenship in our elementary and secondary schools needs a major overhaul. A trip to the firehouse and a slide down the fireman's pole are now many times substituted for realistic instruction in government and politics. American education has failed to do justice to politics and politicians. The failure is part of a larger failure—American education has placed too little emphasis on subject matter that will provide a broad understanding of our system of government. The school child tends to be taught social studies passively. He is not shown in a meaningful way how he as a person relates to his world. His responsibilities as a citizen in a free society are not made clear.

It is small wonder that we are a nation of cynics when it comes to our politics.

Social studies courses and textbooks should be reexamined; there is an urgent need to develop new curricula.

One certain outgrowth of a successful reappraisal of our teaching will be a better understanding of government by our children. Our children can learn what citizenship in this Nation implies—both its privileges and responsibilities. And this learning can be done in ways that are meaningful to students at different age levels.

In addition, much can be done to supplement the academic effort and to stimulate student interest. Mock elections can be held; candidates and political leaders can be brought into meetings with students; significant, not just ceremonial, field trips to the city hall, the courthouse, and the State Capitol can be arranged. Opportunities are limitless to awaken student interest and demonstrate to them the relationship between their vote and the operation of government.

Responsibility for education in politics rests also in the home. How many parents talk to their children about the act of voting—what it means and what it accomplishes? How many parents take their children to the polls or to election return centers on election night? Here is where children can sense that something significant is happening even though they may not be capable of understanding it fully. This type of family activity will serve to upgrade the importance of voting in young minds.

Partisanship helps

A great ally of education in the long-range fight against apathy is politics itself—the two-party system. Effective two-party competition prompts political involvement, spurs interest in politics and campaigns, and strengthens a person's feeling that his vote counts. We believe that two-party competition is essential to build and maintain interest in public affairs, and consequently leads to greater voter participation. It is no coincidence that the growth of the Republican Party in the South has impelled many more voters of both parties toward the polls.

The entirely commendable efforts of nonpartisan groups and citizens to encourage voting and interest in public affairs should receive the encouragement of every citizen and be considered complementary to, and not as the rival of, effective two-party activity. Although studies have demonstrated the committed, party-oriented voter to be better informed, more concerned about public affairs, and more likely to vote than his uncommitted neighbor, there are citizens who prefer to work on many issues with a nonpartisan group.

CHAPTER 3. INVOLUNTARY NONVOTING

To make recommendations with respect to the involuntary nonvoter, the Commission had first to consider in detail the general authority and jurisdiction exercised over elections in this country.

Under our Federal system of Government, constitutional responsibilities for elections are divided between the Nation and the State. Every election held in the United States is within the jurisdiction of both the National Government and the State governments to some degree.

Varying points of view arose within the Commission on the point of the division of authority and power between the United States and the several States in the conduct of Federal elections. These viewpoints are set forth below:

"Commissioner BYRNE. Not being a constitutional lawyer or a member of the judiciary, I don't feel qualified to try to unravel this esoteric problem. Perhaps, one practical way to make progress in this delicate area—were we to prescind from the controversial subject of bona fide literacy tests—would be to offer the following proposed constitutional amendment for study, public discussion and consideration by the Congress and the States:

" 'SECTION 1

" 'Every citizen of the United States of the age of 18 years, or older, who has resided in any State or territory 6 months and in the voting precinct 30 days, shall be entitled to vote at any election therein, in which candidates for any public office are elected (but in primary elections, only if he is an enrolled member of the party), except that the privilege of voting shall not extend to persons in confinement for crime nor to persons adjudicated unsound of mind; and no citizen of voting age shall be deprived of the right to vote for presidential and vice-presidential electors because of failure to meet State residence requirements by having changed his address before the elections.

" 'SECTION 2

" 'Congress shall have power to enforce this article by appropriate legislation.'

"The proposed amendment, it is hoped, would engender further study, clarification and understanding of this vital constitutional question—the essential preliminaries to an ultimate solution."

"Commissioner FORSYTHE. This Commission was charged with studying the problem of low voter participation in both presidential and congressional elections. These two types of national elections are constitutionally dissimilar from each other and from State elections.

"Presidential elections are primarily under State control because the composition of the electoral college is a matter for State determination. Since all States today elect rather than appoint their presidential electors, national antidiscrimination powers apply to presidential elections. If the electoral college fails to elect a President, the responsibility passes to the U.S. House of Representatives.

"Under our Constitution there are lines of demarcation between the powers of the Federal Government and those of the State governments in the election of Congressmen and U.S. Senators.

"The Constitution, by article I, section 2, and the 17th amendment, states most explicitly that those persons voting for Representatives and U.S. Senators shall possess the same qualifications as those entitled to vote for members of the most numerous branch of the State legislature. It would appear clear that the qualifications prescribed by the States for electors of the most numerous branch of their legislatures are adopted by this provision of the Constitution as the qualifications for the election of Representatives and U.S. Senators.

"Article I, section 4, of the Constitution states: 'The times, places, and manner of holding elections for Senators and Representatives shall be prescribed in each State by the legislature thereof; but the Congress may at any time by law make or alter such regulation * * *.' This provision, however, does not speak of the 'qualifications' of voters.

"Congressional and senatorial elections are also subject to amendments XIV, XV, and XIX of the Federal Constitution.

"As a result of these constitutional provisions, the States occupy primary jurisdiction over elections, including elections of U.S. Representatives and U.S. Senators. The Congress itself holds to this theory of State authority in the matter of voter qualification as evidenced by the fact that throughout our history the main concerns of Congress have been to set the date for its own election and to regulate campaign expenditures and fraudulent practices. The Congress has not seen fit to challenge the basic doctrine of State responsibility in establishing voter qualification. There is no indication that the Congress today would act to change the present system.

"It is for this very reason that the Commission in this report proceeds to recommend standards for States to consider in regard to changes in voter qualification requirements rather than recommendations for congressional action."

"Commissioner KIRKPATRICK (Commissioners Bennett, Perkins, and Scammon concurred). While the question of the constitutional right of Congress to determine voter qualifications will be settled only by congressional action and judicial review, I believe that Congress does have such power. I particularly believe this is the case with respect to congressional power to correct or prevent discriminatory State action that denies the vote to Negroes. Such denial is clearly forbidden by the Constitution and I believe Congress has the power to make that prohibition effective. At the same time, with the exception of corrective congressional action in the case of the denial of the vote to Negroes, I believe the general determination or regulation of voter qualifications is best left to the several States in those matters discussed by this Commission; it is, therefore, to the several States that the recommendations of this Commission should be and are addressed."

"Commissioner SCHUCK (Commissioners Phillips, Reuther, and Washington concurred). The provisions in article I, sections 2 and 4, relating to the election of Senators and Representatives and in article II, section 2 relating to the selection of presidential electors (once the State has determined upon popular election) must be interpreted in light of the subsequent amendments to the Constitution and especially the 13th, 14th, 15th, and 19th amendments. Whatever may have been the situation before 1865, clearly thereafter and in particular in 1868, 1870, and 1920, the preexisting parts of the Constitution which concerned the electoral process, Federal or State, were profoundly altered. Those amendments made a wholly new adjustment between the State and Federal functions in a great many respects including that of electoral processes.

"The States' occupancy of the field of voter qualifications remains subject to all the provisions of the Constitution. Congress is expressly given power to enforce the 13th, 14th, and 15th amendments and consequently has the power, and the duty, to eliminate denials of due process or equal protection of the laws whenever it appears that citizens are improperly denied the privilege of participating in the electoral process.

"Should the States continue to require unreasonable registration procedures, residential requirements, etc., Congress should in our opinion exercise its power to correct such unfairness.

"That Congress has such power with respect to elections, both State and Federal, has been made clear in the recent case of *Baker* v. *Carr* (369 U.S. 186, 1962) and the series of cases subsequent to it. The Supreme Court has held that equality in electoral influence is a proper right of judicial protection. The last section of the 14th amendment contains a grant of power to the Congress as wide as that granted by the amendment to the Court."

Despite the differing viewpoints represented above, it is the unanimous opinion of the Commission that recommendations for solutions to the immediate problem of low voter participation may be advanced without a resolution of the constitutional questions. It is to that practical end of getting action within the present electoral system that the Commission makes specific recommendations.

These recommendations are made for the consideration of all concerned with our electoral process. Some will affect certain authorities more than others, but the Commission would be gratified if all citizens would consider the suggestions which follow.

Standard I: Each State should create a Commission on Registration and Voting Participation, or utilize some other existing State machinery to survey in detail its election law and practices

The Commission feels that the utilization of a general review of each State's election law and practices by that State would be the most useful way to relate the specifics of this report to the problems of each jurisdiction. This standard can be met through the appointment of a special State commission within the executive branch, by the creation of a State legislative commission, or through the use of existing departments, offices, and officials. The nature of the machinery should include citizen representation and will depend on State evaluations of the best method by which to approach this problem. Some States already have begun such a review.

Local jurisdictions, such as counties and cities, are urged to review in detail their electoral practices and procedures. In many instances the Commission has found that local election administrators will be able to implement these recommended standards without State action.

Standard II: Voter registration should be easily accessible to all citizens

Once a person registers, he is likely to vote. But many people are discouraged, if not barred outright, by complicated and inaccessible registration. In Idaho, where registrars are authorized to canvass house by house, and North Dakota, which has no registration at all, voter turnout is very high.

Registration policies alone did not cause 81 percent of Idaho's potential voters and 79 percent of North Dakota's to turn out for the 1960 presidential election. Other factors were at work. But the average American is far more likely to vote if few barriers stand between him and registration.

Door-to-Door Registration

A number of States and local jurisdictions have developed ways to facilitate registration. Idaho, for example, pays deputy registrars, one in each precinct of the State to keep registration rolls up to date. Door-to-door canvassing is authorized and encouraged. Canada similarly uses teams of enumerators, two in each electoral district, to canvass each residence during the seventh week before every parliamentary election, for the purpose of compiling new and accurate registers of voters. In this manner, each adult receives a personal reminder that he is eligible to vote, that an election is on the way, and that it is in the public interest for him to get on the registration books and go to the polls. Idaho, like Canada, turned out 81 percent of its potential electorate in the most recent major election. The States may learn from the voter registration systems used in Idaho and Canada, and the Commission hopes other States will adopt similar plans.

Deputy Registrars

California has approached the problem of voter registration in a similar manner. There, State law authorizes the appointment of deputy registrars and door-to-door canvassing. The election law of California provides: "County clerks, in order to promote and encourage voter registration, shall enlist the support and cooperation of interested citizens and organizations, and shall deputize as registrars qualified citizens in such a way as to cover most effectively every section of the county (1962 Election Code, p. 52)."

The effectiveness of the law in California, as in other States, depends on the local official in charge of its administration. In Alameda County, for example, the county clerk has compiled a fine instruction booklet for deputy registrars, who in addition have the benefit of instruction in special classes. In Los Angeles County, the registrar of voters has developed an outstanding training program for deputy registrars. Every effort is made to have full and fair registration.

Precinct and Mobile Registration

Another successful method for overcoming inconvenient and ineffective registration systems is precinct, neighborhood, or mobile registration. We are concerned that some States prohibit such registration, despite the wishes and ingenuity of the local officials. These States require a registrant to make what may be a lengthy trip to the county courthouse, perhaps during working hours. Such restrictive laws are the antithesis of the system in Idaho. These prohibitions against local initiative should be repealed.

The Commission recognizes the problem of rising registration and election costs. One effective and inexpensive way to meet these costs is to follow the example of Fresno County, Calif., which has had great success in registering voters at fire stations. This practice might well be broadened in urban areas to make firehouses, police stations, and libraries year-round neighborhood voter registration centers. By utilizing these existing city and county officers and their present staffs, an additional public service could be provided with minimum expenditures. Every citizen can locate these government offices in his neighborhood, and all are open around the clock or beyond normal working hours.

Standard III. State residence requirements should not exceed 6 months

Every year more than 20 million adults in this country move to new residences. Most find themselves without a vote even if they move only across town or across a city street.

Residence requirements can and should be geared realistically to the election on hand. A person who has resided anywhere in a State for 6 months ought to be allowed to vote for statewide offices. He should not have his vote taken away simply because he moves within the State shortly before election day.

Standard IV. Local residence requirements should not exceed 30 days

If a voter has satisfied the State requirements, he should be allowed to vote in county and city elections after 30 days' residence.

Standard V. New State residents should be allowed to vote for President

No American should be deprived of the right to vote for President and Vice President because he changed his address before the election and did not have time to meet State residence requirements. Arizona, California, Colorado, Connecticut, Idaho, Illinois, Kansas, Massachusetts, Maine, Missouri, Nebraska, New Jersey, Ohio, Oregon, and Wisconsin have set a good example by allowing a new arrival to cast his ballot for President if he can demonstrate that he would have qualified to vote in the place from which he moved, and that he has not voted and will not vote elsewhere.

Arizona, Connecticut, Maryland, New Jersey, Vermont, Wisconsin, and Wyoming permit absentee voting by former residents who have not met residence requirements in their new States. If all States allowed presidential voting by new residents, absentee voting by former residents would not be necessary. Meanwhile, presidential voting by new residents could be eased if States agreed, perhaps on a reciprocal basis, not to charge a fee for certifying that a former resident was qualified to vote. This fee at present amounts to a poll tax on new residents who wish to vote for President.

Standard VI. Voter registration should extend as close to election day as possible, and should not end more than 3 or 4 weeks before election day

Idaho is exemplary in this respect. The deadline for registration there is 9 p.m. on the Saturday prior to the Tuesday election. This poses no problem in the preparation of poll books, because Idaho has no last-minute rush of registrants as many other jurisdictions have, since it employs continual canvassing to keep its registers up to date.

Other States, by adopting facets of the Idaho plan, could also bring their registration deadlines closer to election day. Some States still adhere to registration cutoff dates as much as 9 months prior to election day. Three or four weeks is not an unreasonable deadline, even under the most complicated system of registration. In States with large and mobile populations, it may require 3 weeks to put central records in shape and supply current registration lists. It takes 3 weeks in New York. The Commission feels that the nearer the close of registration is to election day the better.

We urge continuing registration, with an educational campaign launched well before the deadline. Greater accessibility of registrars would allow voter registration deadlines to be moved closer to election day.

Standard VII. Voter lists should be kept current

It is important that voter registration lists be kept up to date. Rosters which exceed the number of potential voters or even the adult population of a county or municipality are an invitation to cynicism if not to fraud. The concern created this year by publication of overregistration figures in certain counties is good evidence that proper administration of voter registration systems is essential. Election officials should give constant attention to this problem. For the voters who move within the jurisdiction, simple procedures to transfer registration should be available.

Standard VIII. No citizen's registration should be canceled for failure to vote in any period less than 4 years

The Commission supports permanent, personal registration. Some registration systems force people who vote only in presidential elections to reregister every year they plan to vote. Such provisions make little sense. It is unreasonable for a would-be voter, who thinks he is still registered, to be told on election day that his name has been removed from the roster for failure to vote in the last election and that, as a result, he cannot vote.

It is important, moreover, that any voter scheduled for removal from the rolls for failure to vote be notified of that fact. He should be sent a postcard, which he could return if he desires to remain on the rolls. This procedure would insure that no citizen who still resides in the jurisdiction and who desires to remain eligible to vote would be removed against his will.

Some jurisdictions clear registration lists of all persons who have missed two consecutive elections. The Commission believes this is an unnecessary requirement. States such as Delaware, Illinois, Iowa, Minnesota, Nebraska, New Jersey, New Mexico, Oklahoma, South Dakota, Tennessee, Washington, and West Virginia require reregistration only after a voter has missed all elections in a 4-year period. We believe such a provision is a reasonable standard which meets the needs of fairness and efficiency.

Standard IX. Voter registration lists should be used only for electoral purposes

It has been indicated to the Commission that some persons do not register to vote because the voter registers in their counties are used for tax assessment, jury selection, and other nonvoting purposes. While the Commission is fully aware of the importance of these other civic responsibilities, we believe that registration lists should not be used for these purposes.

Standard X. States should provide absentee registration for voters who cannot register in person

We urge the replacement of restrictive statutes which prevent the registration of fully qualified Americans who cannot come in person to places of registration.

Federal personnel, military and civilian, usually must register in absentia. The Federal Voting Assistance Act of 1955 (Public Law 296) is tailored to their specific needs. Under the supervision of the Department of Defense, the act has made possible a substantial increase in the voting participation of military personnel and oversea Government workers. Each of the 50 States has adopted at least a portion of the model State law proposed by Public Law 296. Some States have adopted it in full.

The key provision of this model law authorizes the potential voter to fill out one postage-free airmail postcard for the purpose of applying to the chief election officer in his hometown or county for both absentee registration and an absentee ballot. This procedure cuts the red tape which used to impede voting by military personnel and oversea Federal workers.

In addition, each State should provide voter registration by mail for other qualified citizens living abroad.

Serious problems confront handicapped and physically incapacitated adults who wish to register. Many have a strong desire to vote, but in some areas impediments to their registration are insurmountable.

Two methods are available for the registration of these citizens—registration by mail and special canvassing. Some communities employ canvassers to visit nursing homes, hospitals, and similar institutions to seek registrants. Other jurisdictions provide registrars who respond to telephone requests to visit private homes where incapacitated adults live. Such registrars also provide absentee ballot applications for those who expect to be unable to vote in person.

Standard XI. Literacy tests should not be a requisite for voting

A minority of our States continues to impose some form of literacy test as a condition of registration. The problem posed by such tests depends on the State in question. Literacy tests in some States are unfairly administered, particularly to deprive Negroes of their right to vote. Only with rigid safeguards is a State likely to eradicate the sort of maladministration reported by the U.S. Commission on Civil Rights. Racial discrimination by means of unfair administration of literacy tests is a perversion of the democratic process.

A more basic question, though, is whether any literacy test can be justified today. When noncitizens could vote, literacy requirements made some sense, but today only citizens may vote, and the process of naturalization involves a test for literacy, so the original reasons for the test as a part of registration are gone.

Many media are available other than the printed word to supply information to potential voters. The Commission is not impressed by the argument that only those who can read and write or have a sixth grade education should have a voice in determining their future. This is the right of every citizen no matter what his formal education or possession of material wealth. The Commission recommends that no literacy test interfere with the basic right to suffrage.[2]

Standard XII. Election day should be proclaimed a national day of dedication to our American democracy

The President by proclamation and the Congress by resolution should proclaim the even-year general election day as a national day of dedication to our American democracy. At the same time, the States should consider declaring the day a half-day legal holiday.

If election day were a half-day holiday, the privilege of a free ballot would be underscored. A half-day holiday would also alleviate congestion at the polls. We have observed that voting tends to concentrate during certain times: before the workday begins, during lunch hours, and after 5 p.m. Because our population is presently increasing at the rate of 3 million per year, the accommodation of voters is becoming a major problem. The day is fast approaching when 100 million Americans will be voting. If election day were a half-day holiday, a more even flow through the polls undoubtedly would result.

The Commission in its deliberations noted with interest the spectacular voter turnout in several European countries which have weekend or Sunday voting. We considered the advantages and disadvantages of holding general elections on Saturday and/or Sunday in the United States, but the Commission is not prepared to recommend nationwide voting on days of religious worship.

Standard XIII. Polling places should be so equipped as to eliminate long waiting periods

An overcrowded polling place, with its congestion and long lines, creates an unhappy atmosphere. Polling places can accommodate efficiently only a certain number of voters. To eliminate congestion, States should write into law realistic maximum sizes for voting precincts. Oversized precincts should be split or sufficient facilities provided to avoid jamming the polls.

Standard XIV. Polling places should be open throughout the day and remain open until at least 9 p.m.

The original purpose of closing the polls at an early hour was to allow time to count the ballots. Most cities and many smaller communities now have voting machines, which have accelerated vote tallying. In others, officials begin the counting task early in the day.

We are convinced that late openings and early closing of the polls discourages or prevents some citizens from voting. Some people do not get time off from work to vote and often have to travel a considerable distance to the polls. Since they must vote during the rush periods, they encounter long lines. When polling hours are the same as working hours, the voter faces unreasonable inconvenience.

While the Commission recognizes that small, rural precincts may complete polling and close at an early hour, we find no general argument for the early closing of the polls. Keeping most voting places open until 9 p.m. would remove a real bottleneck to greater voter turnout.

Standard XV. The States should provide every possible protection against election fraud

Public confidence in the integrity of the ballot is a most important element in our elections. The more certain a voter is that his ballot will not be lost through error or fraud, the more likely he is to cast his ballot. Happily, election fraud today in America is small compared to what it was two generations ago. Indeed, the Commission has been impressed by how much has been done in past years to guarantee a full, counted vote to each citizen.

The Commission recommends that the States provide every possible protection against electoral fraud. For example, the Commission specifically recommends that the States provide effective bipartisan election boards and poll watchers representing both parties in all polling places.

Standard XVI. Voting by persons 18 years of age should be considered by the States

The Commission is concerned over the low-voter participation of the age group from 21 to 30. We believe a major reason for this low turnout is that, by the time they have turned 21 (the minimum voting age in 46 of the 50 States) many young people are so far removed from the stimulation of the educational process that their interest in public affairs has waned. Some may be lost as voters for the rest of their lives.

Despite the growing enrollment in institutions of higher education, it is a fact that only a minority of Americans are still in school when they near or reach their 21st birthdays. We believe that each State should carefully consider reducing the minimum voting age to 18.

If 18 is adopted as a minimum age, we also recommend programs under which registration of students could be facilitated, perhaps through voter registration days at high schools themselves.

States might also incorporate in the curriculum of high school senior classes a three-point plan of action to inspire good citizenship:

1. Explanation of the importance of a single vote to the American way of life.
2. Information on the requirements and mechanics of registration.
3. Demonstration of the actual process of voting in the local community.

If such citizenship programs are to be developed, it is clear that teacher training must be improved also to insure that teachers have a firm grasp of the principles upon which good citizenship rests.

Standard XVII. Candidacy should be open to all

In some States, minority parties must meet unreasonable requirements to secure places on primary and general election ballots. The cost of primary elections in States where primary costs are charged to the parties is often too high to be borne by a minority party. Similarly, the required number of votes cast in a previous election for a party to secure a place on subsequent ballots discourages normal party competition. Such restrictive requirements tend to diminish party competition and consequently impede voter participation.

Individuals face similar obstacles, once their parties have qualified. High filing fees and undue petition standards undoubtedly keep some citizens from running for office. Certainly no one can object to reasonable filing fees nor to a minimum signature requirement as a prerequisite for candidacy, but it is of the essence of our democratic system that any person or party seeking office be assured every reasonable opportunity to appear on the ballot.

Standard XVIII. The right to vote should be extended to those living on Federal reservations

At this moment, several hundred thousand American citizens living on certain Federal reservations such as military posts, national parks, and veterans' hospitals do not have the right to vote. Throughout the United States there are more than 5,000 pieces of land where the Federal Government exercises exclusive jurisdiction. Most residents of these enclaves do not have State residence for voting purposes.

Until 1940 these residents were exempted from all State taxes. In that year Congress enacted the Buck Act permitting the States to tax them. The result for these people is taxation without representation.

Three States, California, Utah, and West Virginia, do allow citizens on Federal enclaves to vote. The courts in these States held that for purposes of voting these persons were residents of the State. In addition, California has enacted into law a statute which permits all qualified citizens on these Federal reservations to vote as residents of the State. We recommend to the attention of each State the legislative action of California.

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[2] See individual views above.

Standard XIX. Absentee voting by mail should be allowed for all who are absent from home on primary or general election day

Today all States except Mississippi, New Mexico, and South Carolina provide absentee balloting for at least some of their nonmilitary citizens. Of the 47 States with civilian absentee voting, 34 give voting privileges to all otherwise qualified persons who expect to be too far from home on election day to vote in person. In the other States, a person must be unavoidably absent or have special status, such as a businessman on a regular trip or a student at an accredited college or university.

Even in the States with liberal absentee voting laws, some prospective voters find it difficult and laborious to go through the steps to apply for a ballot and cast a vote either because of early deadlines, requirements that ballots be obtained in person or other complicated procedures. Persons whose absence on election day is unplanned are often disfranchised. For example, the person who becomes hospitalized after the deadline for obtaining absentee ballots has passed usually loses his vote. Similarly, citizens residing abroad are disfranchised when they must apply for an absentee ballot in person.

The Commission believes that absence, avoidable or unavoidable, is not a valid reason for disfranchisement. If a person deserves to vote, he also deserves to be able to vote when he is out of town or incapacitated; he deserves an absentee balloting system which does not make the exercise of the right to vote difficult and vexatious.

Standard XX. The poll tax as a qualification for voting should be eliminated

No American should have to buy his right to vote in any election.

Standard XXI. Each State should keep informed of other States' practices and innovations in election administration

In our studies, we have been impressed by the number of interesting and important ways some States and election officials are meeting the problems confronting them. Election laws and procedures must constantly be examined and reevaluated by the States if these laws and procedures are going to keep pace with a growing United States. Listed below are some specific areas we believe are of special importance, but the list is by no means exhaustive.

A. Training of election officials: Every State should provide special instruction for election officials as some do now. One of the surest ways to guard against fraud is to have capable, knowledgeable officials at each polling place.

B. Technical advances in the voting process: Electronic devices which speed up the voting process are now being developed and are being tested in some States. We urge all the States to be alert to these new methods of voting and ballot counting.

C. Information on candidates and issues: Several States now publish and send to each registered voter booklets containing information about the candidates and public questions which will appear on the next ballot. This procedure assures that each voter will have access to information concerning the next election. We believe all the States would do well to institute similar practices designed to improve the level of information of the electorate.

D. Data compilation: Registration and election statistics should be accessible to the general public. Our research was sometimes stifled by the lack of sufficient data. We suggest that each State provide a central location for the compilation of registration and election statistics, and follow the example of those States which publish such data in their manuals or bluebooks.

E. Frequency of elections: One reason for nonvoting is "voter fatigue." In one eastern community, eight elections have been held in a single year. The Commission urges that the States study this problem in conjunction with a study of ballot complexity.

F. Nature of the ballot: A recent ballot in a midwestern State measured 2,414 square inches, contained 246 names, and warned each voter that he could not stay in the voting booth longer than 1 minute. We recommend that each State examine its ballot, with an eye toward determining whether it can be shortened and simplified.

CONCLUSION

We began this report with a description of the many reasons, both psychological and institutional, why more citizens do not register and vote. We then laid out a blueprint for action to improve America's record of participation. We heartily agree with former President Eisenhower, who said in a letter to the Commission: "As our electorate becomes more knowledgeable—and in my judgment it is doing so every day—it becomes less patient with the legal hurdles and roadblocks which prevent it from exercising freedom of choice in the truest sense."

While the Commission has been charged with the responsibility of suggesting means to increase voter participation, we do not contend that every citizen must vote in order to make our democracy work. In our society the freedom to cast or not cast a ballot must remain with the individual. Our purpose has been to devise methods to guarantee that every citizen who wishes to register and vote may do so without unreasonable or unnecessary obstacles.

If our election mechanics can so guarantee the right to vote to every citizen, then we will be able to return to the responsible elector as the keystone of our democratic system. Without such guarantees, we encourage irresponsibility. With them, we offer to every American the opportunity to be a full citizen.

ADDITIONAL STATEMENTS

Dissenting statement by Commissioner Byrne on literacy tests (standard XI)

Do you think it essential that the American voter be able to read the language in which our ballot is written? If you do, you'll probably differ with standard XI: "Literacy tests should not be a requisite for voting." If you don't, how would you vote on the following proposition:

Har A-Partiet Lovet Mer Enn Det Kan Holde?

This question in Norwegian is still Greek to me and means as much to me as an American ballot does to every illiterate. If it doesn't make any real difference whether an American voter can or cannot read the language of a ballot, why don't we print our ballots in Chinese or Swahili?

How many illiterates are there in the United States? On February 12, 1963, the Bureau of the Census stated that there were in 1960 about 3 million illiterates and about 8 million functional illiterates (14 years old and over).

The Bureau defines "illiteracy as the inability to read and write a simple message either in English or in any other language. Illiteracy in this sense, should be clearly distinguished from 'functional illiteracy,' a term used by the Army in World War II to refer to persons who were incapable of understanding the kind of written instructions that are needed for carrying out basic military functions or tasks. Since that time, the term 'functional illiterate' has been commonly used to denote a person who has completed fewer than 5 years of school."

Reasonable people entertain conflicting convictions on the wisdom of literacy tests. Some political scientists oppose all literacy tests; others approve them provided they are simple, objective and discrimination-proof.

In States with a large non-English-speaking citizenry, some favor the option of taking a literacy test in another language. For example, in Hawaii, you may take the test in English or Hawaiian.

The National Municipal League, noted for its model election laws, recommends "a reasonable literacy test to determine ability, except for physical cause, to read and write English."

The literacy test has been abused in certain areas but I am not convinced that good citizenship demands its across-the-board abolition. Isn't it a fallacy that the abuse of something is an argument against its use, the so-called Anti-Saloon League syndrome?

Shouldn't we distinguish between the literacy test as such and unfair, discriminatory requirements? The prostitution of the literacy examination as a subterfuge to exclude Negroes or any other group from the suffrage because of race, religion, or national origin, is a violation of the U.S. Constitution. I deplore the chicanery of barring voters from the polls because they do not interpret the Constitution correctly, even though erudite justices differ sharply in their interpretations. But to equate such subjective and fraud-fraught tests, which have sometimes excluded Negro Ph. D.'s from voting, with objective and fraud-proof literacy tests is unrealistic.

The rationale for the bona fide literacy test is the same as that for the minimum-age requirement. Both stem from the premise that some minimal standards in knowledge and understanding are needed to make an intelligent choice at the polls. By what subtle logic can you ban the one and retain the other?

In the future, as universal public education improves, the need for literacy tests will probably vanish. In the meantime, what is so unreasonable about a State's reserving its constitutional right (upheld by the U.S. Supreme Court as recently as 1959) to require a voter—unless he is blind—to demonstrate his ability to read the language of our ballot, a ballot upon which so much depends in this most critical and challenging period of our history?

Statement by Commissioner Forsythe on literacy tests (standard XI) (Commissioner Mintener concurred)

In my opinion certain additional information should be pointed out in regard to the use of literacy tests as a requisite for voting. At present 19 States have a literacy test. Seven of those States were among the top 20 States in voter turnout in 1960. Eleven of the States had a voter turnout of over 63 percent. Three of the States had a voter turnout between 51 and 54.5 percent. Four of the literacy test States ranked lowest in voter turnout. The evidence I have seen does not indicate that the literacy test per se is a bar to suffrage.

It is equally clear, however, that in certain States the literacy test has been used as a device to deprive people of their right to vote. The Commission was unanimous in condemnation of that type of action.

However, the U.S. Supreme Court did unanimously uphold the literacy test of North Carolina in 1959 (*Lassiter* v. *Northampton Election Board*, 360 U.S. 45). Further, the Department of Justice under the present administration and its predecessor administration has not found evidence of discriminatory use of literacy test in 15 of the 19 States which employ such tests.

In my opinion each State which has a literacy test should reevaluate the use of and the need for the test. States should evaluate their tests on the basis of whether the test constitutes a bar to voting and whether it is being used in a discriminatory manner. If a literacy test does not prohibit a high voter participation and if it is not being used as a discriminatory device, I think the State should make the determination concerning whether there will be continued use of the test.

Statement by Commissioner Kirkpatrick on literacy tests (standard XI) (Commissioners Bennett, Phillips, Reuther, Scammon, Schuck, and Washington concurred)

"I had supposed that the great fundamental principle, that all men were equal in their rights was settled, and forever settled in this country. I had supposed, sir, that there was some meaning in those words, and some importance in the benefits resulting from them. I had supposed from the blood and treasure which its attainment had cost, that there was something invaluable in it."

It is now 142 years since these words were spoken by John Cramer in the New York Constitutional Convention of 1821, and we might suppose that this great fundamental principle had long since been firmly established. Unhappily, this is not the case.

I had supposed that this Commission would be unanimous on the fundamental principle that all men are equal in their political rights, but it is not; one member has written a dissent to the recommendation of the Commission that literacy tests should be abolished. As a result, I think it important to make a more extensive statement in support of the Commission recommendation and the principles upon which it is based.

A democratic system rests ultimately on the belief that each man is the best judge of his own interests and that he should have, through the ballot box, a voice in choosing those who govern him. On what grounds should we deny to the person who has not learned to read the rights we accord to others? That he cannot read the ballot? Then shall we also disfranchise the blind? That he cannot read newspapers? Then shall we disfranchise the deaf because they cannot hear radio or television? That he will not be an informed voter? Then shall we require that each voter pass a test in current events? The arguments for a literacy requirement lack cogency. Their superficial merits vanish under scrutiny.

The assumption that the illiterate should not be permitted to vote because he cannot have informed himself about the election or the issues rests on a cluster of untenable assumptions. It assumes that information can be acquired only by way of the printed word and that knowledge gleaned from radio, television, or conversation is somehow inferior to that gained from newspapers or magazines. It assumes that persons who can read, do read—to inform themselves about election issues—though no study of voting behavior has demonstrated that knowledge follows literacy. It assumes either that the capacity to judge one's own interests is dependent upon the ability to read, or that persons who cannot read do not deserve to have their interests represented. And when advocated as the sole test for voters, it assumes that of all the differences among adult citizens, the ability to read alone has important implications for voting.

Literate men are not equally well informed, nor equally rational, nor equally moral, nor equally rich, nor equally devoted to their country. Neither are the illiterate. Who would argue that the political judgment of a literate man of doubtful morality or patriotism is better than that of an honest but illiterate patriot? Literary tests are a remnant of class discrimination. They discriminate against the poor, the aged, and rural inhabitants. It is not the wealthy who can neither read nor write. It is the poor and the dispossessed. Literacy tests have no more place in a modern democracy than property tests, which we have long since abandoned.

Democracy is built on the belief that wise decisions can emerge from the diverse and conflicting beliefs, experiences, and conditions of all the people. It affirms the still radical doctrine that each individual—by virtue of his humanity—has rights and responsibilities. Should a man be excused from obedience to a law he cannot read? Should he be denied participation in an election because he cannot read the ballot? Or should election officials assist him as they assist the blind?

Voting is the fundamental political right of citizens in a democracy. The right to vote is the right to influence officials and policy. To be denied the vote is to be denied the guarantee that one's interests will be taken into account when policy is made. There is no justifiable test of property, race, color, national origin, religion, or education for disfranchising one class of citizens.

The principles asserted here are as old as our Nation itself. In 1776 all 13 of the Original States joined unanimously in declaring:

"We hold these truths to be self-evident, that all men are created equal, that they are endowed by their Creator with certain unalienable Rights, that among these are Life, Liberty, and the pursuit of Happiness. That to secure these rights, Governments are instituted among Men, deriving their just powers from the consent of the governed."

And from the very beginning of our history, these principles found eloquent expression in demands for extension of the suffrage. In 1829, the nonfreeholders of the city of Richmond, Va., presented to the Virginia Constitutional Convention a memorial protesting their exclusion from the suffrage. Based on the principles of the Declaration of Independence, it provides as eloquent a guide today as it did then:

"Experience has but too clearly evinced, what, indeed, reason had always foretold, by how frail a tenure they hold every other right, who are denied this (the suffrage), the highest prerogative of freemen. * * *

"A regulation which, instead of the equality nature ordains, creates an odious distinction between members of the same community; robs of all share, in the enactment of the laws, a large portion of the citizens bound by them, and whose blood and treasure are pledged to maintain them. * * *

"Surely it were much to be desired that every citizen should be qualified for the proper exercise of all his rights, and the due performance of all his duties. But the same qualifications that entitle him to assume the management of his private affairs, and claim the other privileges of citizenship, equally entitled him, in the judgment of your memorialists, to be entrusted with this, the dearest of all his privileges, the most important of all his concerns. * * *

"The enjoyment of all other rights, whether of person or property, they will not deny, may be as perfect among those deprived of the privilege of voting, as among those possessing it. It may be as great under a despotism, as under any other form of government. But they alone deserve to be called free, or have a guarantee for their rights, who participate in the formation of their political institutions, and in the control of those who make and administer the laws. To such as may be disposed to surrender this, or any other immunity, to the keeping of others, no practical mischief may ensue from its abandonment; or if any, none that will not be justly merited. Not so with him who feels as a freeman should; who would think for himself and speak what he thinks; who would not commit his conscience or his liberty to the uncontrolled direction of others. To him the privation of right, of that especially, which is the only safeguard of freedom, is practically wrong. So thought the Fathers of the Republic. It was not the oppressive weight of the taxes imposed by England on America: it was the assertion of a right to impose any burdens whatever upon those who were not represented; to bind by laws those who had no share, personal or delegated, in their enactment, that roused this continent to arms."

It is wholly in accord with our American tradition to live by this eloquent statement of the case for democracy. If we do so, we will abolish literacy tests that are often discriminatory in practice and always wrong in principle; we will give meaning to the Declaration of Independence; we will bring our practices into conformity with the only legitimate basis for democratic government.

Excerpts from the 1963 report of the United States Commission on Civil Rights (inserted by request of Commissioners Byrne, Phillips, Reuther, Schuck, and Washington)

The conclusion is inevitable that present legal remedies for voter discrimination are inadequate. In many instances, litigation has not secured to qualified American citizens the right to vote.

In seven States, the right to vote—the abridgment of which is clearly forbidden by the 15th amendment to the Constitution of the United States—is still denied to many citizens solely because of their race.

The Commission now believes that the only effective method of guaranteeing the vote for all Americans is the enactment by Congress of some form of uniform voter qualification standards. The Commission further believes that the right to vote must, in many instances, be safeguarded and assured by the Federal Government. Adequate legislation must include both standards and implementation.

APPENDIX 1. EXECUTIVE ORDER ESTABLISHING THE PRESIDENT'S COMMISSION ON REGISTRATION AND VOTING PARTICIPATION

Whereas less than 65 percent of the U.S. population of voting age cast ballots for presidential electors in 1960, and

Whereas popular participation in government through elections is essential to a democratic form of government; and

Whereas the causes of nonvoting are not fully understood and more effective corrective action will be possible on the basis of a better understanding of the causes of the failure of many citizens to register and vote; Now, therefore, by virtue of the authority vested in me as President of the United States, it is ordered as follows:

SECTION 1. (a) There is hereby established the President's Commission on Registration and Voting Participation (hereinafter referred to as the Commission).

(b) The Commission shall be composed of not more than 11 members, each of whom shall be appointed by the President. One of the members of the Commission shall be designated by the President as the Chairman thereof.

SEC. 2. The Commission shall:

(a) Study the reasons for the failure of many citizens to register and vote in elections for selection of Members of Congress, the President, and Vice President including:

(1) Laws which restrict registration and voting on the basis of residence, economic status, or other reasons,

(2) Procedures for registration of voters,

(3) Absentee voting provisions, and

(4) Causes of nonvoting by persons who are otherwise qualified to vote.

(b) Prepare and present to the President recommendations for increasing citizen participation in Government through the exercise of the right to vote.

SEC. 3. The Commission shall not consider matters placed under the jurisdiction of the Commission on Civil Rights by the Civil Rights Act of 1957 (71 Stat. 634), as amended.

SEC. 4. All who may be in a position to do so are requested to furnish the Commission information pertinent to its work and otherwise to facilitate the Commission's work.

SEC. 5. Each member of the Commission shall receive compensation of $75 for each day such member is engaged upon the work of the Commission, except that any member who then receives other compensation from the United States shall serve as such member without compensation under this order. The Commission is authorized to appoint such personnel as may be necesary to assist the Commission in connection with the performance of its functions without regard to the civil service and classification laws, but no such personnel shall receive compensation at a rate in excess of $17,500 per annum. The Commission is authorized to obtain services in accordance with the provisions of section 15 of the act of August 2, 1946 (5 U.S.C. 55a), at rates not in excess of $75 per diem for individuals.

SEC. 6. The compensation of the members and personnel of the Commission, lawful allowances therefor, and any other necessary expenses arising in connection with the work of the Commission shall be paid from the appropriation appearing under the heading "Special Projects" in title III of the Treasury-Post Office Departments and Executive Office Appropriation Act, 1963, 76 Stat. 310, and such appropriation as may be provided for the same purposes for the fiscal year 1964. Such payments shall be made without regard to the provisions of section 3681 of the Revised Statutes and section 9 of the act of March 4, 1909, 35 Stat. 1027 (31 U.S.C. 672 and 673).

SEC. 7. The General Services Administration is hereby designated as the agency which shall provide administrative services for the Commission on a reimbursable basis.

SEC. 8. The Commission in its discretion may transmit to the President such preliminary or interim report or reports as it may deem appropriate. It shall transmit its principal study and recommendations to the President not later than November 30, 1963, together with such supporting materials as it deems appropriate. The Commission shall terminate not later than 60 days after the submission of its principal report to the President.

JOHN F. KENNEDY.

THE WHITE HOUSE, *March 30, 1963*.

APPENDIX 2.—*Voting turnout and election law*[1]

[Vote in presidential elections as a percentage of civilian population of voting age, by State, with provisions of election laws facilitating participation. Key: ★=statewide, ☆=some areas only]

Turnout				Residence in State under 1 year	No literacy test	Permanent registration	General civilian absentee registration permitted	Precinct registration	Registration closes within 1 month of election	Civilian absentee vote	Mere absence a ground for absentee vote	Absentee ballot application by mail	Polls open 12 hours or longer	Presidential voting by new residents	Presidential voting by former residents
1920	1940	1960	State												
57.9	75.1	80.7	Idaho	★	★	★	★	★	★	★	★	★	★	★	----
63.8	80.3	80.1	Utah	----	★	★	★	★	★	★	★	★	★	----	----
56.6	72.4	79.4	New Hampshire.	★	----	★	----	----	★	★	★	★	☆	----	----
63.7	75.2	78.5	North Dakota	----	★	(1)	(2)	(2)	(2)	★	★	★	★	----	----
52.8	79.5	78.3	South Dakota	----	★	★	----	----	★	★	★	★	----	----	----
67.8	81.4	77.3	West Virginia	----	★	★	★	★	----	★	----	★	★	----	----
53.3	69.6	77.0	Minnesota	★	★	☆	★	----	★	★	★	★	★	----	----
71.0	79.8	76.9	Indiana	★	★	★	----	----	★	★	----	★	★	----	----
43.6	67.4	76.8	Connecticut	----	----	★	----	----	★	★	★	★	★	★	★
62.7	74.1	76.5	Iowa	★	★	☆	★	★	★	★	----	★	★	----	----
41.2	69.5	76.1	Massachusetts	----	----	★	----	★	----	★	★	★	☆	★	----
53.1	78.4	75.7	Illinois	----	★	★	----	★	★	★	★	★	★	★	----
47.3	67.4	75.1	Rhode Island	----	★	★	----	☆	----	★	★	★	☆	----	----
45.4	72.2	74.0	Wyoming	----	----	☆	★	★	★	★	★	★	----	----	★
69.5	76.8	73.6	Delaware	----	----	★	----	★	★	★	----	★	★	----	----
45.9	69.6	73.4	Wisconsin	----	★	☆	★	----	★	★	★	★	☆	★	★
41.6	60.2	72.6	Maine	★	----	★	----	----	★	★	★	★	★	★	----
41.4	62.7	72.5	Vermont	----	★	----	----	----	★	★	----	★	☆	----	★
47.3	61.8	72.4	Michigan	★	★	★	★	----	★	★	★	★	★	----	----
46.5	66.5	72.3	Washington	----	----	★	----	★	★	★	★	★	★	----	----
48.2	64.3	72.3	Oregon	★	----	★	★	★	★	★	★	★	★	★	----
48.0	69.6	71.8	New Jersey	★	★	★	----	----	----	★	★	★	★	★	★
65.4	73.3	71.8	Missouri	----	★	☆	----	----	★	★	★	★	★	★	----
51.7	76.9	71.4	Colorado	----	★	★	----	☆	★	★	★	★	★	★	----
51.8	73.6	71.4	Nebraska	★	★	☆	★	----	★	★	★	★	★	★	----
55.8	69.6	71.4	Montana	----	★	★	★	★	----	★	★	★	☆	----	----
56.8	72.4	71.3	Ohio	----	★	☆	★	----	----	★	----	★	★	★	----
36.7	64.2	70.5	Pennsylvania	----	★	★	----	★	----	★	----	★	★	----	----
55.7	74.0	70.3	Kansas	★	★	☆	★	----	★	★	★	★	☆	★	----
40.7	66.9	67.4	California	----	----	★	----	★	----	★	★	★	★	★	----
44.5	67.4	67.0	New York	----	----	☆	★	☆	☆	★	----	★	★	----	----
47.6	60.3	63.8	Oklahoma	----	----	★	----	☆	★	★	★	★	☆	----	----
56.9	64.4	62.1	New Mexico	----	★	★	★	★	★	----	----	----	----	----	----
52.1	70.6	61.2	Nevada	★	★	★	----	★	★	★	----	★	☆	----	----
71.2	59.3	59.2	Kentucky	----	★	★	----	★	----	★	----	----	----	----	----
49.7	55.7	57.2	Maryland	----	★	☆	----	★	----	★	★	★	☆	----	★
35.4	52.0	54.5	Arizona	----	----	★	★	----	----	★	★	★	★	★	★
44.5	42.6	53.5	North Carolina	----	----	★	----	☆	★	★	★	★	★	----	----
		51.3	Hawaii	----	----	★	★	★	★	★	★	★	----	----	----
35.3	30.6	50.3	Tennessee	----	★	★	----	----	★	★	★	★	----	----	----
36.0	39.8	50.0	Florida	----	★	☆	----	☆	★	★	★	★	★	----	----
		45.5	Alaska	----	★	(2)	(2)	(2)	(2)	★	----	★	★	----	----
13.6	27.1	44.8	Louisiana	----	----	☆	----	★	★	★	★	----	★	----	----
19.8	27.0	41.8	Texas	----	★	(1)	(2)	(2)	(2)	★	★	★	☆	----	----
21.2	18.2	41.1	Arkansas	----	★	(2)	(2)	(2)	(2)	★	----	★	----	----	----
19.1	22.0	33.4	Virginia	----	★	★	----	★	★	★	★	★	★	----	----
20.8	18.9	31.1	Alabama	----	----	★	----	★	★	★	----	----	----	----	----
8.6	10.1	30.5	South Carolina	----	----	----	----	★	★	----	----	----	----	----	----
10.4	17.6	30.4	Georgia	----	----	★	----	----	----	★	★	★	★	----	----
9.4	14.7	25.5	Mississippi	----	----	★	----	★	----	----	----	----	----	----	----

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[1] The information in this chart has been checked with responsible officials in every State. In certain instances, it has not been feasible to show in detail specific exceptions to general provisions.

[2] No registration.

APPENDIX 3.—*U.S. voter participation figures, 1920–62—turnout in elections for President and House of Representatives*

[Vote as a percentage of the civilian population of voting age]

Year	President	Representatives
1962	----	48.9
1960	63.8	59.4
1958	----	43.4
1956	60.1	56.6
1954	----	42.2
1952	62.0	58.2
1950	----	41.6
1948	51.5	48.6
1946	----	37.6
1944	56.3	53.0
1942	----	32.7
1940	59.7	56.2
1938	----	44.5
1936	57.5	54.0
1934	----	41.8
1932	52.9	50.2
1930	----	34.1
1928	52.3	48.2
1926	----	30.1
1924	44.3	41.0
1922	----	32.4
1920	44.2	41.4

Source: U.S. Bureau of the Census, "Statistical Abstract of the United States: 1962," 83d edition, Washington, D.C., 1962.

Turnout in presidential elections, 1920–60

[Vote as a percentage of the civilian population of voting age]

State	1960	1956	1952	1948	1944	1940	1936	1932	1928	1924	1920
Alabama	31.1	28.3	24.6	12.7	16.4	18.9	18.4	17.6	18.8	13.6	20.8
Alaska	45.5	---	---	---	---	---	---	---	---	---	---
Arizona	54.5	50.8	54.4	44.0	43.4	52.0	45.6	46.6	38.8	34.9	35.4
Arkansas	41.1	39.9	37.6	22.8	22.0	18.2	17.1	22.5	20.9	15.4	21.2
California	67.4	63.8	68.0	58.9	62.9	66.9	59.6	55.9	49.7	41.9	40.7
Colorado	71.4	67.6	75.1	64.4	76.2	76.9	73.3	71.5	64.6	56.5	51.7
Connecticut	76.8	76.6	79.6	63.7	70.2	67.4	63.8	58.3	57.7	44.8	43.6
Delaware	73.6	72.1	79.8	66.9	68.9	76.8	77.3	72.8	73.5	67.8	69.5
Florida	50.0	45.9	50.3	34.5	36.3	39.8	31.8	30.2	30.5	16.7	36.0
Georgia	30.4	29.7	30.1	20.4	18.2	17.6	17.7	16.4	15.6	11.5	10.4
Hawaii	51.3	---	---	---	---	---	---	---	---	---	---
Idaho	80.7	77.6	82.2	65.3	76.3	75.1	71.2	73.4	62.7	63.1	57.9
Illinois	75.7	73.2	76.0	68.1	79.4	78.4	76.3	68.6	65.5	55.8	53.1
Indiana	76.9	71.8	74.4	65.3	76.2	79.8	76.5	76.4	72.3	68.1	71.0
Iowa	76.5	73.2	75.7	62.8	72.0	74.1	72.3	67.8	68.3	67.9	62.7
Kansas	70.3	67.2	72.0	64.1	68.3	74.0	73.4	68.9	65.0	63.0	55.7
Kentucky	59.2	58.8	59.2	49.8	59.7	59.3	60.2	67.4	68.1	60.6	71.2
Louisiana	44.8	36.4	39.9	27.1	26.3	27.1	25.4	22.5	19.7	12.1	13.6
Maine	72.6	62.8	62.5	47.6	60.5	60.2	58.8	60.2	54.1	40.1	41.6
Maryland	57.2	54.5	58.8	40.7	47.5	55.7	56.2	49.1	54.2	39.2	49.7
Massachusetts	76.1	75.7	77.8	65.9	73.0	69.5	63.1	58.0	59.7	44.3	41.2
Michigan	72.4	68.1	67.0	52.4	63.7	61.8	58.5	56.6	48.8	46.0	47.3
Minnesota	77.0	67.7	72.3	65.5	70.2	69.6	66.5	62.7	63.3	56.1	53.3
Mississippi	25.5	21.7	24.1	16.7	16.8	14.7	14.4	13.8	15.2	12.1	9.4
Missouri	71.8	67.8	72.2	61.2	68.9	73.3	75.4	68.7	67.6	61.7	65.4
Montana	71.4	71.0	72.6	65.4	70.8	69.6	68.0	67.4	61.0	55.7	55.8
Nebraska	71.4	67.1	73.4	59.6	75.9	73.6	72.9	69.1	68.6	60.9	51.8
Nevada	61.2	62.8	71.5	59.2	62.3	70.6	63.5	63.7	54.9	48.1	52.1
New Hampshire	79.4	75.2	78.9	67.3	78.1	72.4	70.1	68.5	66.9	57.4	56.6
New Jersey	71.8	69.0	71.1	59.2	70.9	69.6	67.4	62.3	63.6	50.4	48.0
New Mexico	62.1	59.6	61.0	57.1	59.0	64.4	65.2	66.2	55.9	57.3	56.9
New York	67.0	66.0	68.3	60.8	74.1	67.4	61.7	56.0	60.2	47.2	44.5
North Carolina	53.5	48.2	52.8	36.7	43.1	42.6	47.3	43.7	43.0	36.1	44.5
North Dakota	78.5	70.6	75.2	64.0	71.0	75.2	74.8	71.4	69.7	61.4	63.7
Ohio	71.3	65.0	70.0	55.8	69.5	72.4	67.7	61.3	61.6	52.1	56.8
Oklahoma	63.8	63.6	71.8	56.2	62.0	60.3	55.6	53.7	50.1	47.4	47.6
Oregon	72.3	68.2	67.5	55.9	59.7	64.3	59.9	57.5	53.1	51.5	48.2
Pennsylvania	70.5	65.7	66.3	54.6	64.1	64.2	68.3	48.8	55.3	39.7	36.7
Rhode Island	75.1	73.7	81.6	62.3	65.3	67.4	70.1	62.9	58.9	52.0	47.3
South Carolina	30.5	25.2	29.4	13.4	11.0	10.1	12.4	12.1	8.5	6.5	8.6
South Dakota	78.3	73.5	75.1	66.7	70.8	79.5	75.6	73.4	69.5	55.9	52.8
Tennessee	50.3	46.3	44.8	28.5	31.0	30.6	29.9	26.1	25.9	23.0	35.3
Texas	41.8	37.9	42.3	24.7	30.5	27.0	23.4	25.8	23.0	23.9	19.8
Utah	80.1	75.2	81.4	74.7	76.2	80.3	75.2	75.1	68.2	64.3	63.8
Vermont	72.5	67.4	66.2	54.1	63.6	62.7	64.1	62.0	62.0	47.6	41.4
Virginia	33.4	33.5	31.7	22.1	23.9	22.0	22.3	21.7	23.6	17.7	19.1
Washington	72.3	70.8	71.9	61.4	65.6	66.5	63.3	59.9	50.4	45.4	46.5
West Virginia	77.3	75.2	75.9	67.5	74.1	81.4	81.2	78.5	73.5	72.4	67.8
Wisconsin	73.4	67.4	73.3	59.2	71.2	69.6	65.3	60.7	58.6	50.9	45.9
Wyoming	74.0	67.8	75.1	62.2	75.6	72.2	71.3	71.3	65.5	63.4	45.4
Total United States	63.8	60.1	62.0	51.5	56.3	59.7	57.5	52.9	52.3	44.3	44.2

Sources: U.S. Bureau of the Census, "Statistical Abstract of the United States: 1962," 83d edition, Washington, D.C., 1962 (for civilian population of voting age figures, 1920, 1940, 1960); Population Division, U.S. Bureau of the Census (for estimates of civilian population of voting age, 1924–36,1944–56); Richard M. Scammon, ed., "America Votes," Vol. IV (Pittsburgh: University of Pittsburgh Press), 1962 (for votes cast in presidential elections, 1948–60); "Statistics of Presidential and Congressional Elections, 1920–58," compiled under direction of Clerk of House of Representatives (for votes cast in presidential elections, 1920–44).

MEMBERS OF THE COMMISSION

Richard M. Scammon, Commission Chairman, Director of the Bureau of the Census, U.S. Department of Commerce, since 1961. Following 5 years in the Army during World War II, served on Gen. Lucius Clay's military government staff in Germany. Chief, Division of Research for Western Europe, U.S. Department of State, 1948–55. Director of elections research for the private, nonprofit Governmental Affairs Institute, 1955–61. Editor of the four-volume series "America Votes."

Bert L. Bennett, immediate past chairman, North Carolina Democratic Executive Committee. General partner in Quality Oil Co., Winston-Salem, N.C. Director of 14 corporations. Active in civic and religious life of the community. Navy veteran with service in both Atlantic and Pacific theaters during World War II. Was president of the student body at University of North Carolina.

Brendan Byrne, executive director, the American Heritage Foundation. Directed nationwide "Register, Vote on an Informed Basis and Contribute to Your Political Party" program, 1958, 1960, and 1962. Has conducted, since 1957, a continuing educational program on the need to modernize archaic election laws. Author of "Let's Modernize Our Horse and Buggy Election Laws." Former public affairs and philanthropic consultant, magazine editor, and educator. Commissioner, New York City Board of Education 1961–63.

Robert A. Forsythe, State chairman, Minnesota Republican Party. Attorney. Assistant Secretary of Health, Education, and Welfare, 1959–60. Administrative assistant to U.S. Senator Edward J. Thye, 1955–59. Chief counsel, U.S. Senate Small Business Committee, 1953–55. Faculty member, Speech Department, College of St. Catherine, 1946–53. A.B., St. Olaf College. LL.B., University of Minnesota, 1949. World War II veteran, 1942–46.

Evron M. Kirkpatrick, executive director, American Political Science Association. Former professor of political science; chairman, social science division, University of Minnesota. Former chief, psychological intelligence and research staff, U.S. Department of State. Author of political science textbooks and board member of numerous educational institutions and foundations.

Bradshaw Mintener, attorney. General counsel, U.S. Chocolate Manufacturers Association and American Cocoa Research Institute. Assistant Secretary of Health, Education, and Welfare, 1954–56. Vice president and general counsel, Pillsbury Mills, 1946–54. Chairman, Department of Social Welfare, National Council of Churches. Member of numerous civic and governmental advisory committees.

John A. Perkins, president, University of Delaware. Undersecretary of Health, Education, and Welfare, 1957–58. Has been professor of political science, University of Michigan; president, American Society for Public Administration; vice president, American Political Science Association; editor, "Public Administration Review." Author of several books and numerous professional articles.

Ruth Schertz Phillips, president, League of Women Voters of the United States. Elected in 1958, reelected in 1960 and 1962. League member since 1926. Officer of League of Women Voters of Illinois 1947–57, including presidency 1953–57. Has two married children and six grandchildren. Widow of the late Robert J. Phillips.

Roy L. Reuther, director, Citizenship-Legislative Department and administrative assistant to the president, United Automobile Workers Union (AFL–CIO). Deputy director, national voters' registration committee, 1960, and national director, AFL–CIO voter registration campaign, 1962. Chief, Labor Morale Division, War Production Board. Service with Army Engineers, World War II.

Victoria Schuck, professor of political science, Mount Holyoke College. Former president, New England Regional Political Science Association and secretary, American Political Science Association; member, Massachusetts Commission on Interstate Relations, 1957–60; member, board of trustees of the University of Massachusetts since 1958; chairman, planning board of the town of South Hadley; member, Massachusetts Advisory Committee to the U.S. Civil Rights Commission; advisory editor, Encyclopaedia Britannica; author, numerous articles on Federal-State relations and State government.

Leon H. Washington, Jr., editor and publisher of the Los Angeles Sentinel. Born in Kansas City, Kans., the son of Leon H. and Blanche Washington. Attended Washburn College, Topeka, Kans. Went to Los Angeles in 1928, and in 1934 founded the Los Angeles Sentinel, which under his leadership has grown to be the largest Negro newspaper west of Chicago with a circulation of more than 35,000. Crusader for human rights for all Americans. Initiated a dramatic campaign through his newspaper entitled "Don't Spend Your Money Where You Can't Work."

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THE PRESIDENT'S MESSAGE TO CONGRESS

Mr. HUMPHREY. Mr. President, I wish to join the many Senators who today have spoken about the President's state of the Union message. This marvelous statement is a program that calls for action. It is a statement of purpose, goals, and objectives, which should send throughout the world renewed hope for peace and for the extension of freedom and security to a very unhappy and suffering mankind. It is also a message of reassurance to the American people, particularly to those who are so frequently forgotten in the busy life of our Nation.

I was pleased that President Johnson saw fit to single out for particular attention the young of our country, the students, and also the elderly. Indeed, he added a third category—those who, through no fault of their own, are the victims of misfortune; physical, mental, social, or economic. The President wisely pointed out that a government that is to command respect and enjoy the confidence of its citizenry must be a government that concentrates its attention upon those who are in the dawn of life—the youth; those who are in the twilight of life—the elderly; and those whom we might call people in the shadows of life or in the storm clouds of life—the disabled, the handicapped, the needy, and the unemployed.

The message was that of a man who has a deep sense of compassion. It was the message of a President who has a big and a strong heart. It was the message of a President who understands that the purpose of democratic government is to guarantee justice for one and all. The real purpose of government, of orderly society, is to assure justice. President Johnson's message was one of social justice. It was one of strength. It was one of charity. It was one of kindness. And yet it was one of boldness.

In his message the President demonstrated that a nation does not have to prove its strength by beating upon its armor plate in order to terrify the adversary and to command the attention of the loyal and the faithful. Strength, if it is present, is quickly comprehended by friend and foe alike. True strength does not need description. It is obvious. It is so apparent that there is no need even to describe it. We have built great strength in America—military, economic, political, and moral—throughout the years of our Republic. We have added to that strength in the past few years, particularly during the administration of President Kennedy. It is that reservoir of strength which now permits President Johnson to lead from strength, to negotiate from strength, and to follow the fine admonition of President Kennedy when he said that we will never be afraid to negotiate, but we should never negotiate from fear. I only paraphrase the brilliant remarks of the late and beloved President in his inaugural address.

Today we saw and heard a President deliver a message that represents strength without being belligerent, firmness without being arrogant, and justice without being self-righteous. I wish to compliment the President. I believe that he has given us a stirring message of reassurance and dedication. He has given us a commitment of his personal life, of this Government, and of this Nation that we are going forward to complete the unfinished business of this great democracy. Since taking office as President, by his words and deeds, President Johnson has taken the initiative in showing the world that he is a man of peace. He is doing everything in his power to reach that goal.

For many years the headlines of the world's press were occupied by the men in the Kremlin as they proclaimed their so-called desires for peace. We knew that the statements were hypocritical. We knew that the statements were not true. But the propaganda of the Communist political system and the effective propaganda of the leaders of communism had millions and millions of people in the world believing that it was from Moscow that the message of peace was coming.

Now the dove of peace is on the shoulders of the President of the United States. Yet the President of the United States represents the most powerful nation in the world. In a real sense, he follows the advice of Theodore Roosevelt, who suggested that we "speak softly, but carry a big stick." The strength exists, and the soft word of conciliation, of negotiation, of understanding, is present.

I am happy to say that we live in a time in which the forces of decency have been able to claim the honors of peacemaker. The late beloved Pope John XXIII, possibly more than any other man in our lifetime—indeed, in many a century—broke through the cold war of bitterness, doubt, suspicion, and animosity to launch a great effort for understanding, peace, and social justice. He has been followed by the present Pope, Pope Paul, who in recent days has given the world renewed hope for peace.

The forces of decency, morality, and spiritual truth are on the march, and the cause of peace is in good hands, in the hands of those who are peacemakers.

I am proud of the message of our President. I am highly pleased with it. I am also very much heartened by the continuous, sincere, dedicated efforts of the President, not only in word but in deed, for the achievement of a just and enduring peace.

In his state of the Union message he has pledged his administration to another great objective, to an an unrelenting war—as he put it, unconditional war—on poverty, and upon the companions of poverty—ignorance and disease—here at home.

Mr. GORE. Mr. President, will the Senator yield?

Mr. HUMPHREY. Let me finish this thought, then I shall yield.

I am confident that Congress will match the President's determination and will respond to his call with positive action, because he has asked for action.

I am also confident that Congress will honor the President's call for an effective, comprehensive civil rights program. This is the fulfillment of the guarantees of our Constitution. As the President has so well noted, those who could fight together and die together might very well expect to have a world in which men could walk together, travel together, work together, and live together.

That was a remarkable passage in the President's message, one that touched my heart, one that I am sure moved every person that heard it.

I now yield to my friend from Tennessee.

Mr. GORE. The President's declaration of unconditional war on poverty appeared to me to be worthy of the standards of our greatest humanitarian Presidents. The passage in his speech to which the Senator has just referred received one of the most vigorous manifestations of applause. I was one of those who applauded it.

In the President's proposal to wage unconditional war upon poverty, he went further and identified the group who suffered this poverty, this one-fifth of our people who live either on relief or in poverty—many in abject poverty. It is for this that the social conscience of the Nation should cry out.

The distinguished senior Senator from Minnesota and the senior Senator from Tennessee may disagree with one measure or another, or upon the details of them, and disagree as to the possible effectiveness of a proposal. Both he and I may disagree with the President on occasion. But I am sure the senior Senator from Minnesota, the senior Senator from Tennessee, the senior Senator from Pennsylvania, and most Senators on the Democratic side of the aisle, will applaud vigorously most of the realistic steps in the unrelenting war against poverty. It is out of poverty that much of crime comes. It is out of poverty that much of our suffering comes. It is because of poverty that most of our talents are lost, both of the young and of the old.

I congratulate the Senator on the able speech he has made. I wish to join him in many of the plaudits he has expressed.

Mr. HUMPHREY. I thank the Senator from Tennessee, who has always been in the forefront of the struggle to give a better break to our citizenry, to give more justice and a fair reward for their efforts.

I wish to conclude my comments on the President's speech. I mentioned the civil rights section of the speech. We all recognize that it is controversial legislation. I thought the President put the purpose of such legislation in proper perspective, in beautiful and moving words. I remind my colleagues of what the President said. He said:

> Today Americans of all races stand side by side in Berlin and in Vietnam. They died side by side in Korea. Surely they can work and eat and travel side by side in America.

That remarkable logic is compelling. There is no refutation of it. It seems to me it is this kind of direct, simple, forceful, and profound reasoning that will move the Nation and the Congress to take the action required to provide the guarantees of citizenship and equal privileges, opportunities, and immunities under the law.

I am hopeful that the party of Abraham Lincoln, the Great Emancipator, will join the party of Andrew Jackson and Thomas Jefferson to meet its moral responsibility on civil rights. As the President made crystal clear, a moral obligation is involved. A moral issue is at stake. There is no room for partisanship in this issue. Every American suffers when any other American is injured or denied equal justice; and every American profits when all Americans are treated fairly and are given the equal protection of the law.

Therefore, the Senator from Minnesota stands today not as a Democrat, but as an American, appealing for bipartisan and nonpartisan action to forward the great program of civil liberties, civil rights, and human rights which we all thought were guaranteed to us by the Declaration of Independence and the Constitution, and which today need to be fortified by statute as well as the daily living of citizens.

I invite the attention of my colleagues to the fact that there were those, however, who, according to their own pronouncements, found this message somewhat disappointing.

For example, the senior Senator from South Dakota [Mr. MUNDT] called it a disappointing message insofar as the farm areas are concerned. Of course, every Senator is entitled to his own opinion. I merely wish to state for the record that President Johnson has been giving daily attention to the problems of American agriculture. I know, because I have been with him when he gave this attention to the problems of our farmers.

This morning, at the direction of the President of the United States, the Secretary of Agriculture met with livestock producers and livestock feeders from all over America, in order to do something about the drastic drop in livestock prices.

The President spoke to the Secretary of Agriculture in the Speaker's room in the Capitol even before he delivered his state of the Union message to a joint session of Congress.

I have before me today's Washington Evening Star. An article on the front page deals with the President's concern for agriculture and the problems of the farmers:

> At his first Cabinet meeting he mentioned the problem briefly. Two days later Secretary of Agriculture Freeman was called to the White House.
>
> The President, the Secretary was told, wanted to discuss some problems with him.
>
> They sat down in the President's oval Office for a review of farm programs and, the Secretary quickly discovered, a detailed discussion of the poverty problem.
>
> "It was something uppermost in his mind," the Secretary said later. "He wanted to do something about it and wanted to do it at once."

This article also notes that when the President discusses the poverty problem, he is not talking about poverty in cities alone; he is talking about places where there is more poverty than anywhere else; namely, in the rural areas of America. He is talking about the rural slums of America, the shacks of the sharecroppers, and about the little farmer who ekes out a living. These problems are close to the heart of our President.

President Johnson comes from rural America. President Johnson knows rural America. President Johnson does not need the advice of his critics on rural America and its problems.

The President of the United States has asked the Secretary of Agriculture to give increased and new attention to the problems of agriculture, rural housing, farm credit, the wheat program, cotton, and other commodities. The Secretary of Agriculture is testifying this week before the Committee on Agriculture of the House of Representatives on programs which the administration wishes to see enacted.

I come from a relatively rural State, even though in the State of Minnesota the population is becoming more and more urbanized. Approximately 30 percent of our people live in rural areas. We are proud of our rural areas. We are proud of the quality of our farmers and the character of the family life of our farm people. We are proud of our rural communities. I invite anyone who wishes to do so to come to see them. There are few places in the world which can equal them in cleanliness or wholesomeness or a basic sense of decency. But our farmers have economic problems. This administration is committed to alleviating those problems. This administration is committed to a program of parity for American agriculture. This administration is committed to finding ways and means of aiding American agriculture without unnecessary regulation or compulsion.

We are committed to finding ways and means of helping the American farmer and American producer achieve greater prosperity without too much regulation, and without too many people interfering in his operations. I say to the critics of the President's message on agriculture that deeds speak much more loudly than words, and much more effectively. President Johnson's record on agriculture, when he has had an opportunity to spend a period of time in the White House, will clearly, unequivocally, and forcefully show that he is a man who understands agriculture and is a friend of agriculture and is doing effective work for our American farmers.

Mr. CLARK. Mr. President, I rise to commend the President of the United States on his excellent state of the Union message. It was a perfectly wonderful message. In this case brevity was the soul of clarity, conviction, and compassion.

The high priorities the President gave to the war against poverty and unemployment, the search for peace and disarmament, and the duty of the Congress to give his comprehensive program a fair test by bringing it to a vote were particularly gratifying to me.

I am completely in accord with the President's goals, and look forward to supporting his specific legislative proposals. He can count on me to do what I can to help him get his program enacted by July—from civil rights and the tax cut to urban renewal and youth employment.

Certain specifics in the President's message are within the range of my committee responsibilities and my long-time interest during the period that I have been in the Senate. I was delighted that the President referred to the American citizen's "hopes for a fair chance to make good" and "for fair play from the law"—which I take to mean civil rights legislation.

I also was delighted to have him make reference to the American citizen's "hopes for a fulltime job on fulltime pay"—which I take to mean a massive attack on unemployment—"his hopes for a decent home for his family in a decent community"—which means a continuation, on a massive scale, of housing and urban renewal programs—"his hopes for a good school for his children with good teachers"—which I take it means adequate Federal aid to education from grade to graduate school—and "his hopes for security when faced with sickness, unemployment, or old age"—which I assume means a reference to the problem of health care for the elderly people under social security.

I was delighted by the President's unconditional declaration of war on poverty in America, on his emphasis, as weapons in the attack on poverty, of better schools, better health, better homes, better training and job opportunity, to help more Americans, especially young Americans, escape from squalor and misery.

I take special pleasure in his determination to launch a special effort in the economically distressed areas of Appalachia, which includes a significant part of my own State; for an extension of the area redevelopment program; for the enactment of youth opportunity legislation; for a broadening of the food stamp plans; and for the creation of a National Service Corps to help the economically handicapped.

I commend the President for his recommendations to modernize our unemployment insurance program and establish a high level commission on automation, and for his commitment to extend the coverage of our minimum wage laws as well as for the extension of the library program and the Hill-Burton Act; also for recommending an expansion of the program for the training of more nurses; for providing hospital insurance for elderly citizens; for providing a mass transit program, and, of course, for the proposed tax cut.

As the President told us, "Our goal is to create more jobs." That is a special responsibility of the Subcommittee on Manpower and Employment, of which I have the honor to be chairman, and on which the junior Senator from Rhode Island [Mr. PELL], whom I see in the Chamber, is a most valuable member.

Needless to say, I support the President's efforts to secure a comprehensive civil rights law, and his eloquent recital of the fact that "today Americans of all races stand side by side in Berlin and Vietnam. They died side by side in Korea. Surely they can work and eat and travel side by side in America."

Turning briefly to the foreign picture, I was delighted with the statement by the President that "our ultimate goal is a world without war, a world made safe for diversity, in which all men, goods, and ideas can freely move across every border and boundary"; with the second of his 10 different ways in which we must advance in 1964, that being "new proposals at Geneva toward the control and eventual abolition of arms"; and with his eloquent and witty comment:

> We intend to bury no one—and we do not intend to be buried.

The eloquent peroration of the President's speech, in which he refers to our goal as being "a Nation that is free from hate, a world of peace and justice, freedom and abundance, for our time and for all time to come," must rally all Americans and all Senators, Republican and Democratic alike.

There remains the problem of how we are to complete this task. There remains the difficult problem resulting from the fact that during the previous session Congress was quite incapable of attending to the public business. I shall have more to say on that subject as the days go by.

I hope very much that certain minor measures relating to the reform of Senate rules will be brought promptly to the floor of the Senate and adopted. I shall support that effort. But I point out that we are a long way from fulfilling our responsibility in Congress; that the sound program of the President has little prospect of success in Congress as it is presently organized, unless we change our ways.

Mr. President, I ask unanimous consent to have printed at this point in the RECORD an editorial entitled "Congress: Slumber or Action?" published in the New York Times of Tuesday, January 7, 1964.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

CONGRESS: SLUMBER OR ACTION?

The 88th Congress reconvenes today, on notice from its leaders that it may once again be meeting from one end of the calendar to the other. This is as doleful a prospect for the country as it must be for our nonlegislating legislators. A repetition of the slow-motion record of the first session will not leave many urgent national problems unattended; it will contribute further to undermining public confidence in this key branch of the Federal Government.

Two major bills awaiting action are civil rights and tax reduction. The House Rules Committee will begin this week its own hearings on the rights bill, with no one too sure how much time must pass before Chairman SMITH gives his imperial nod to let it move to the House floor. When the bill finally gets to the Senate, it faces the certainty of indefinite delay through every device of parliamentary evasion and filibuster that its enemies among the Southern Democrats can muster. How well its fair employment and public accommodations provisions will survive this infighting is anybody's guess.

The imminence of the national elections and the stress the administration has put on the $11 billion tax cut as the key to a high-level economy make passage of the truncated tax bill virtually certain. There seems no prospect that either the White House or Congress will do anything serious about reviving the tax reforms that are far more essential to a sound tax measure than across-the-board reductions.

Cutting taxes without closing loopholes will merely accentuate the inequities that now shut millions of Americans out of effective participation in the richness of our economy. President Johnson intends to submit a variety of new programs for reducing poverty and large-scale unemployment. If these are to be translated into action, Congress will have to demonstrate more responsiveness to the challenges of human misery than was evident last year.

Medical care for the aged, Federal aid for public schools, a basic overhaul of the unemployment insurance system, funds for urban mass transit, housing, action on the wilderness and other conservation bills, a new battle over foreign aid—all these and more await the returning Congressmen. Despite the volume and complexity of the issues, there is no valid reason why Congress should not complete its business before the opening of the Republican National Convention in mid-July. The experience of the 86th Congress when it met for 3 weeks after the nominating conventions in 1960 makes it plain that a campaign is a wretched backdrop for genuine legislative accomplishment. Both parties ought to resolve now to act, not dawdle.

Mr. CLARK. Mr. President, that editorial refers to the fact that Congress is leaving "many urgent national problems unattended," and that if Congress does not attend to its business promptly "it will contribute further to undermining public confidence in this key branch of the Federal Government."

The editorial states:

> The experience of the 86th Congress when it met for 3 weeks after the nominating conventions in 1960 makes it plain that a campaign is a wretched backdrop for genuine legislative accomplishment. Both parties ought to resolve now to act, not dawdle.

I take it we are under obligation, as the President said in his address, to see to it that we dispose of our legislative business by this summer—and we can if we set our own house in order.

I ask unanimous consent to have printed at this point in the RECORD an article entitled "Government Unworkable," written by Walter Lippmann, and published in the Washington Post several weeks ago.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

GOVERNMENT UNWORKABLE

(By Walter Lippmann)

This session of Congress has a spectacular record of refusing to consider the major proposals of the Chief Executive. On some of these proposals there may be a majority opposed in one House or in the other. Some measures, had the Congress been allowed to vote, would have commanded a majority in both Houses. The critical fact is that by a manipulation of the delaying devices which are embedded in the committee system, the legislative branch of the Government has been prevented from debating and voting on most of the legislation proposed by the President.

We have here in its American form the critical disease of democratic government; namely, the paralysis of the executive by the elected assembly. Democratic government based on the popular election of representative assemblies is a difficult form of government, and the great majority of mankind have never enjoyed it. Many countries have tried it and have failed to make it work. Except here, it has never before been tried on a continental scale, and there is no certainty that we shall long be able to make it work. The system did not work when slavery was at issue, and there are serious reasons for asking ourselves whether the system as it exists today will be able to cope with the world as it is in the middle of the 20th century. Will it be able to cope with the grave issues which beset a nation composed of great urbanized, industrialized masses and destined to live in a revolutionary world? A government in which the chief executive cannot induce the legislature to consider his proposals is dangerously weak.

If we look at the advanced countries—those which have attained a certain level of education and wealth—we must recognize, I believe, that democracy has been unworkable where the executive was paralyzed. In what we call the free world of Western Europe, one can count on the fingers of one hand the countries where representative democracy as it was conceived in the 19th century, is still working reasonably well.

Aside from Portugal and Spain, Greece, and Turkey, what do we see on the Continent? In France, General de Gaulle, and elsewhere, the muffling of representative democracy by coalitions of the mass parties. Austria and Belgium are ruled by coalitions which exclude or compromise the issues between the Christian Democrats and the Social Democrats, the two parties to which the great mass of the people belong. Italy is now experimenting with such a coalition, and there is reason to think that West Germany will have to come to it also. Only in Britain, the Scandinavian countries, and Switzerland is representative democracy working well.

Whether the solution is authoritarian, as under Salazar, Franco, and De Gaulle, or is a coalition which suspends party conflict, the common element is the liberation of the executive from the paralyzing grip of the representative assembly.

This problem, which is the central theme of West European politics, is also our central problem. I do not know what will happen if we cannot remedy the paralysis of the executive. But I do know that there is no greater necessity for men who live in communities than that they be governed, self-governed if possible, well-governed if they are fortunate, but in any event, governed.

If the diagnosis is correct, if the trouble from which we suffer is that the legislature paralyzes the executive, then the remedy is, I submit, clear. It is also simple. Let each House of the Congress pass a rule that any measure proposed by the President and certified as important, must be put to a vote by some specified date or within some specified time.

The rules and practices of the House of Commons make impossible the fantastic spectacle of a tax proposal by the President in the summer of 1962 which will not be ready to be voted on at the beginning of 1964. When I was in London recently, I asked the Chancellor of the Exchequer what he would do if he had to operate under such conditions. I can only report that he was speechless.

There are a number of other things that ought to be changed in Congress, notably the excessive respect for seniority. But a rule which gives indisputable priority to a request of the President is, I believe, the essential reform to make the congressional system workable.

Mr. CLARK. Mr. President, I commend to all Senators the suggestions made by Mr. Lippmann in his article for congressional reorganization which would make it possible for us to meet our commitments.

Finally, I ask unanimous consent to have printed at this point in the RECORD an article entitled "Public Resents 88th Congress 'Foot Dragging,'" written by Louis Harris, and published in the Philadelphia Inquirer of January 6, 1964.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

PUBLIC RESENTS 88TH CONGRESS FOOT DRAGGING

(By Louis Harris)

There is every indication that the American voters are in revolt against the 88th Congress. By nearly 2 to 1, the public registers a vote of no confidence in the job this Congress has done to date.

There is widespread belief Congress has dragged its feet at a time when action was required. Chief blame for the delays is leveled at southern Democrats generally in the House and Senate, closely followed by congressional committee chairmen and the Republican minority.

Back in October and again just before adjournment, a carefully drawn cross section of the public was asked to rate the job Congress had done.

Rating of 88th Cong.

[In percent]

	December	October
Positive	35	41
Negative	65	59
(Not sure)	(22)	(17)

This essentially negative public assessment contrasts sharply with the 76 percent positive rating accorded President Johnson in his first days in office. Most important, however, is that the trend of public opinion about the Nation's top legislative body is distinctly downward.

The 1963 session of Congress may have been the longest in peacetime, but the public impression is that very little was accomplished. Here are the comments as people volunteered them in their own words:

Profile of 88th Cong.—Total with opinions

	Percent
Negative	65
Not done much	21
Avoided major bills	8
Too slow	7
Didn't cooperate with J. F. K.	7
Everything stalled in committee	7
Civil rights not passed	6
Too much bickering	4
Medicare not passed	2
Not interested in people	2
Education bill not passed	1
Positive	35
Trying hard	17
Passed some good bills	6
Making some progress	6
Blocked bad bills	4
An average Congress	2

When asked directly where the responsibility for the delays in Congress rests, those interviewed tend to focus chief attention on southern Democratic committee chairmen:

Responsibility for delay

	Total (weighted) percent
Southern Democrats	38
Committee chairmen	21
Republican opposition	21
Democratic leadership	14
Northern Democrats	6
Not sure	22

While the brunt of criticism is centered on the southern Members with seniority, the Republican minority in Congress does not escape sharing some of the public blame.

Undoubtedly, the death of President Kennedy sharpened some of the criticism of Congress. A clear majority of the public says it wants the Kennedy program passed:

Congress and J. F. K. program

	Total (weighted) percent
Should be passed	64
Should not be passed	36
Not sure	19

In fact, Congress' failure to act on the major elements of the Kennedy legislative program has now become the principal point of criticism by the public. On a number of other pieces of legislation passed in the last session, the 88th Congress comes off rather well:

Rating on specific legislation

[In percent]

	Positive	Negative
Keeping the U.S. military strong	81	19
Supporting the space program	78	22
Ratification of the test ban treaty	73	27
Railroad strike legislation	63	37
Passing Kennedy program	38	62

(As reported in previous Harris surveys, large majorities favor the early passage of the administration's tax bill (67 to 33 percent) and the civil rights bill (62 to 38 percent).

The trouble Congress has with the public obviously is over what people believe are errors of omission rather than of commission.

Mr. CLARK. Mr. President, this poll makes it clear that the rating of the 88th Congress by the people of the United States is very bad, indeed. It shows that in December the people gave Congress a positive rating of 35 percent and a negative rating of 65 percent; and that the profile of the 88th Congress is an ugly one.

The poll places responsibility for the delay, and it points out that Congress has not done the job that the people want it to do, namely, passing the program of President John Fitzgerald Kennedy.

I have had personal experience during many campaigns in Pennsylvania with the polls conducted by Louis Harris. He has always been accurate. To my way of thinking, what he says concerning the temper of the people of the United States with respect to Congress is entirely true. I hope that Members of Congress, both on this side and the other side of the Capitol, will take to heart the condition in which we find ourselves—our bad position with the people of the United States—and take the steps necessary to remedy our present inadequacies, so that we may measure up to our constitutional responsibilities.

PILGRIMAGE OF POPE PAUL TO THE HOLY LAND

Mr. PELL. Mr. President, Pope Paul VI's visit to Jerusalem, to Nazareth, to Bethlehem, to the historic and deeply meaningful sites of the Holy Land and the Biblical past, has given renewed inspiration to all men striving for peace in our own century.

We are all aware that most significant precedents have been established by this remarkable pilgrimage. Pope Paul is the first of his eminent office to travel by airplane and the first to visit the land of Christ's birth. These two elements combine to unite a particular symbol of our modern way of life with religious heritage. In the long flow of time, no other Pope has ever made such a journey.

Yet we are impressed, also, by a sense of continuity. The meeting between Pope Paul and Ecumenical Patriarch Athenagoras I, of Constantinople, was the first to occur between a Pope and a Patriarch in more than 500 years. The meeting ended over five centuries of "silence and expectation," in the Pope's words. In his address to the Patriarch, however, Pope Paul made special mention of the inspiration of his predecessor, Pope John XXIII. "He, too, yearned for this meeting," Pope Paul said; and we feel, in this seeking toward ultimate reconciliation between the Roman Catholic and Orthodox Churches, the benign guidance of John XXIII, and we perceive his vision of religious unity, which Pope Paul has now brought closer to reality.

Pope Paul spoke of the will "to work to surmount disunity, to break down barriers, to engage resolutely upon the path which leads to reconciliation."

These words come to us with unusual impact. We hear them against the background of early Christianity, and from an area which in recent times has been torn apart by Israel-Arab strife. We are reminded of initial religious discord, of the eloquence of St. Paul, the Pope's namesake, who came from the Holy Land to Rome and martyrdom; and we remember that for the first time in nearly 20 centuries a pope, with historic implication, has reversed the journey of Peter, the fisherman called Simon, from Jerusalem to Rome: Peter, the founder of the church Pope Paul so illustriously represents. We think of this momentous return journey to the source of Christendom in relation to the Mount of Olives, the ancient battlefield of Armageddon, the Garden of Gethsemane, and to the Via Dolorosa, the Way of Sorrow along which Jesus bore His cross and crown of thorns.

We think of the steps mankind has taken since that day, sometimes forward, sometimes resolute, sometimes faltering—and then of the quiet voice of a great and gifted spiritual leader appealing once again, and yet in an altogether new frame of reference, for harmony and progress toward universal understanding.

In this respect—just as did the renowned utterances of Pope John—Pope Paul's words speak out to all men of good will, no matter what their faith or creed. To heads of state, to citizens of every country, Pope Paul from the Holy Land addressed his message imploring the grace of true brotherhood among all peoples. At President Johnson's request, expressed by his emissary Sargent Shriver, the Pope's prayers go out to the United States, to the work of our President and our Government in the quest for peace.

Mr. President, as we begin a new year, it would seem appropriate that we join together ourselves, as men of good will, in reaffirming our determination to meet our own challenges and to reach the goals before us.

THE DECLARATION OF DELOS

Mr. PELL. Mr. President, our Nation and our world are becoming increasingly urbanized. In fact, the urban population is growing twice as rapidly as the general population, and more urban construction will occur in the next 40 years than has taken place, until now, in the history of man. This broad concept, this reaching for an understanding of the situation that will develop in the year 2000, should be fundamental to our forward planning. Yet, faced as we are with these developments, virtually no thought is given to the total science of art or the total guide for planning, as they apply to ever increasing human needs.

Prof. Constantinos Doxiadis, the Greek architect and town planner, calls this the science of "ekistics." This is a more complicated word for the broad, simple, and orderly development of a planned city, combining into one overall framework, and one overall frame of reference all the many diverse elements which involve its growth.

I am always surprised that more Government officials and planners do not view the importance of this total picture. In our own Capital City of Washington, we are still benefiting from the famous L'Enfant plan; but, here, too, we must think in terms of adapting our city to the dynamic requirements of the future.

This month's American Institute of Architects Journal has a most interesting article on this discussion. A recent gathering of eminent individuals from various countries and of various backgrounds—archeology, sociology, architecture, geography, law, economics—went on a cruise in the Aegean Sea this past summer. As a result of the conferences held during this cruise, the various individuals all agreed on a statement of principle, which they called the Declaration of Delos.

This Declaration of Delos I have found most interesting and invite it to the attention of Senators. Therefore, I ask unanimous consent to have it printed in the RECORD.

There being no objection, the declaration was ordered to be printed in the RECORD, as follows:

THE DECLARATION OF DELOS

Meeting in Delos on this, the 12th day of July 1963, we the undersigned, drawn from a wide range of different disciplines, nations, political allegiances and cultural groups, affirm and declare that:

The city throughout history has been the cradle of human civilization and progress. Today, like every other human institution, it is profoundly involved in the deepest and widest revolution ever to overtake mankind.

This revolution proceeds under the sign of dynamic change. In the next 40 years, the world's population will rise to 7 billion. Science and technology determine more and more of the processes of human living. As they advance, man's social behavior is profoundly modified. These changes present themselves in every field as a danger matched by an even greater opportunity. Man can use atomic power to reduce every human settlement to the shambles of Hiroshima. It may give them enough energy to fulfill all human needs. The world's population may far outstrip its food supply. Even to keep pace, today's food production must rise threefold by the year 2000. Yet for the first time, we also have the means of securing enough food for everyone.

These paradoxes are widely felt. What is not realized is that the failure to adapt human settlements to dynamic change may soon outstrip even disease and starvation as the gravest risk, short of war, facing the human species.

A universal feature of the worldwide revolution is the movement of people into urban settlements at an ever faster rate. World population increases by 2 percent a year, urban population by over 4 percent. In the next 40 years, more urban construction will take place than hitherto in the whole history of man. It is already evident that wrong projections of urban development produce inexcusable waste. The absence of any forecasts leads to chaos in the cities, to the undermining of civic order and the destruction of precious and diverse historical traditions. Thus, the need for the rational and dynamic planning of human settlements both now and in the foreseeable future is inherent in the urban situation today.

Man can act to meet this new crisis. There are sufficient resources for the task. Modern technology permits mobilization of material means on a wholly new scale. Developed nations spend $150 million a year on armaments and still their national incomes go up. Billions are spent each year on social services, some of which are made necessary by the inadequacies of urban life. Once a problem is recognized, the resources for meeting it can be found. These resources are not, it is true, uniformly available. Some societies still lack the means for action. But this is not an absolute shortage and while they achieve modernization, their lack can be made good by sustained assistance from more technologically advanced areas.

Guidelines for policy are also clearer than ever before, thanks in part to the great extension of systematic studies in human behavior. The aim must be to produce settlements which satisfy man not only as parent and worker, but as learner and artist and citizen. His active participation is essential in framing his own environment. He must be able to use creatively the still unforeseen possibilities of advancing technology. Planning itself must insure that such possibilities are not excluded by a static view of human settlements. Above all, the citizen should feel at ease in his own culture and open to the cultures of others.

When we turn to the applications of these principles to the problems of urbanization, we feel the need for the most far-reaching reform and reinforcement of existing institutions and procedures. At present, educational systems at every level have not yet taken sufficient action to meet the new problems of human settlement or to explore the possibilities of meeting them through rational planning. In the universities, the application of the basic sciences to human welfare has been fragmented. They have dealt with parts of man—his health, his nutrition, his education—not with the whole man, not with man in community. Thus, we underline with all possible urgency our belief that in every action of ours, in the agencies dealing with these problems at a national or international level, in the institutions of higher learning, whether public or private, our society requires:

(a) To establish in its own right a new discipline of human settlements.

(b) To initiate basic research of the most far-reaching kind.

(c) To bring together specialists from other relevant disciples to work together on projects in this field.

(d) To work out new methods of training the men who can assume leadership and responsibility in the sphere of action.

(e) To attract some of the best young minds into this new area of research, development, and practice.

We come from different nations, from different cultural backgrounds. Our politics differ, our professions are various. But we believe that the problem of human settlements is a general and fundamental problem in our new dynamic world and that it must be viewed and studied in such a way that it will, in common with all great scientific disciplines, transcend our local differences. We agree that the practical implementation of policy—in such vital fields as land-use, the location of investment or the planning of cities over time—will be determined by domestic politics and needs, and as citizens we pledge ourselves to attempt to bring these issues into the active political dialog of our local societies. But we are not divided in what we wish most strongly to affirm—that we are citizens of a worldwide city, threatened by its own torrential expansion, and that at this level our concern and commitment is for man himself.

LIST OF SIGNERS

Charles Abrams (United States), housing expert and visiting professor, MIT.

Edmund N. Bacon (United States), executive director, Philadelphia City Planning Commission.

Stewart Bates (Canada), president, Central Mortgage & Housing Corp.

Petro Bidagor Lasarte (Spain), Director General of Planning, Ministry of Housing.

A. K. Brohi (Pakistan), Senior Advocate of the Supreme Court.

C. S. Chandrasekhara (India), Secretary General, East Asia Regional Organization for Planning and Housing.

Walter Christaller (Germany), professor emeritus of regional geography; vice president, Regional Science Association, U.S.A.

Jacob L. Crane (United States), city planning consultant.

Richard Llewellyn Davies (Britain), chairman, Department of Architecture, London University.

C. A. Doxiadis (Greece), president, Athens Technological Institute.

Leonard Duhl (United States), psychiatrist, National Institute of Mental Health.

O. E. Fischpich (U.N.), Assistant Director General, Technical Department, FAO.

Lyle C. Fitch (United States), president, Institute of Public Administration, New York.

R. Buckminster Fuller (United States), director, generalized science exploration, Southern Illinois University.

Clifford Furnas (United States), president, State University of New York at Buffalo.

S. Giedion (Switzerland), professor of art history, Zürich and Harvard University.

J. Gorynski (Poland), Under Secretary, Ministry of Communal Administration and Housing.

Eiichi Isomura (Japan), professor of sociology, Tokyo University.

Barbara Ward Jackson (Britain), economist and author.

Sture Linner (U.N.), Director of United Nations Special Fund programs in Greece, representative of the United Nations Technical Assistance Board.

M. S. Makiya (Iraq), principal, Department of Architecture, University of Baghdad.

Edward S. Mason (United States), Lamont University professor, Harvard University.

Sir Robert Matthew (Britain), president, Royal Institute of British Architects.

Margaret Mead (United States), president, American Anthropological Association; associate curator of ethnology, American Museum of Natural History, New York.

Marshall McLuhan (Canada), director, Center for the Study of the Extension of Man, University of Toronto.

Waclaw Ostrowski (Poland), professor of town planning, Technical University, Warsaw.

Alfred R. Otoo (Ghana), chief development officer, Accra-Tema metropolitan area.

David Owen (U.N.), Executive Chairman, Technical Assistance Board of the United Nations.

Charles H. Page (United States), professor of sociology, Princeton University.

E. Papanoutsos (Greece), vice president, Athens Technological Institute.

Shafik H. El-Sadr (United Arab Republic), Under Secretary of State for the Ministry of Housing and Public Utilities.

Carl Schweyer (Germany), President, International Federation of Housing and Planning.

C. H. Waddington (Britain), professor of animal genetics, University of Edinburgh.

Sir Robert Watson Watt (Britain), Center for the Study of Democratic Institutions, Santa Barbara, Calif.

CENTRAL INTELLIGENCE AGENCY

Mr. PELL. Mr. President, the current issue of the Saturday Evening Post contains an excellent and thought provoking article entitled "The CIA Is Getting Out of Hand," by the distinguished junior Senator from Minnesota [Mr. McCarthy].

This is a subject that has long interested me, both as a Senator and in my previous work as a Foreign Service officer and with refugees from behind the Iron Curtain. In fact, I was a cosponsor of Senator McCarthy's resolution in the 87th Congress calling for the establishment of a joint committee concerned with this subject.

Senator McCarthy's article is explicit, lucid, and speaks for itself. I ask unanimous consent that it be printed at this point in the Record.

There being no objection, the article was ordered to be printed in the Record, as follows:

The CIA Is Getting Out of Hand

(By Senator Eugene McCarthy)

Wrapped in its cloak of secrecy, the U.S. Central Intelligence Agency modestly hints it has overthrown foreign governments, admits that it violates international law and does not deny that one of its exploits wrecked a summit conference. The CIA, in short, is making foreign policy and, in so doing, is assuming the roles of the President and the Congress. It has taken on the character of an invisible government answering only to itself. This must stop. The CIA must be made accountable for its activities, not only to the President but also to Congress through a responsible committee.

Recent events in South Vietnam raise questions as to how CIA actions may critically affect U.S. foreign affairs. In early September it was reported that the CIA was giving money—some $3 million a year in "direct, under-the-table aid"—to the Diem regime's special corps that raided Buddhist pagodas in Saigon. The CIA payments were made even though the U.S. Government publicly deplored the raids, part of the repression of the Buddhists which helped bring about the downfall of the Diem regime.

In Laos, too, the CIA pursued policies that conflicted with official and public policies of the State Department. In 1958 a highly volatile Laos was governed by a loose coalition headed by neutralist Prince Souvanna Phouma. The situation was hardly ideal. but to Ambassador Horace Smith and the U.S. State Department this coalition government seemed to offer the best hope for a stable Laos. According to Smith, the CIA, with the backing of the Pentagon, threw its support behind right-wing leader Gen. Phoumi Nosavan. In August 1960 Sovanna Phouma was overthrown, and Phoumi Nosavan installed Prince Boun Oum, an ineffectual leader, as titular head of the Government. The Communists then sought to take over the country. Gen. Phoumi Nosavan's troops proved unwilling to fight. All of Laos appeared on the verge of going Communist. Frantic diplomatic maneuvers restored a coalition government under neutralist Souvanna Phouma in June 1962, but in the meantime millions of dollars of U.S. aid had been wasted and vast confusion spread about U.S. aims in Laos.

Ambassador Smith is not the only member of the U.S. diplomatic corps to complain about CIA spooks who flit through U.S. embassies while pursuing their own brand of foreign policy. Nor is Laos the only country where the CIA has helped engineer a coup. In 1953 the government of Premier Mohammed Mossadegh of Iran fell because of CIA efforts, says the CIA. Who, if anyone, authorized the Agency to overthrow Mossadegh is unknown. Actually, many authorities dispute the CIA's role in the Iranian coup, but since the Agency hides behind its cloak of secrecy, its claims cannot be effectively challenged.

The CIA also claims to have masterminded the overthrow of the Communist-influenced government of Jacobo Arbenz Guzman in Guatemala in 1954. In this instance the result undoubtedly benefited the United States, but the question remains as to whether the CIA is the proper tool for such endeavors.

Possibly the mightiest achievement of the CIA was the development of the U–2 reconnaissance aircraft. Surveillance through the U–2 has provided U.S. intelligence with an enormous amount of useful information, and the CIA deserves a great deal of credit for the development of the U–2 as an information tool. But the CIA's usage of the U–2 is something else again. Shortly before a summit conference between President Eisenhower and Premier Khrushchev in 1960, a U–2 was shot down 1,200 miles inside Soviet territory. At first we denied any plane was missing; then an official statement said a weather plane must have strayed off course; and finally we admitted aerial surveillance and justified it as necessary to defend our country. Apparently nobody in the CIA ever fully evaluated the consequences of a U–2 failure over Soviet soil. We had no cover story, and our President arrived at the Paris summit conference with the CIA's egg all over his face.

The U–2 failure over Sverdlovsk involved far more than a daring gamble to obtain intelligence. Because the flight was scheduled on the eve of the Eisenhower-Khrushchev summit meeting, the CIA mission became an uncalculated risk jeopardizing the immediate foreign policy of the United States and trespassing upon the prerogatives of the White House, the State Department and the Congress. The CIA in effect made foreign policy, and we in Congress who are charged with advice and consent for foreign affairs stood by helplessly because we knew nothing of the U–2 activities.

Again, the CIA overplayed its legitimate role in the Bay of Pigs invasion. Those who condemn the CIA for the tactical failures of this fiasco blame the Agency for the wrong errors. Its first mistake was to assume the authority to raise an army on U.S. soil, even though the troops were Cuban refugees, without both Presidential and congressional approval. The responsibility for organizing and sustaining armed forces lies with Congress, not a supersecret intelligence agency. Second, the CIA was engaged in an invasion which might possibly be construed as an act of war; only Congress has the right to declare war. Because the CIA operates in the way it does, very few of us in Congress had advance knowledge of the invasion plans or were consulted as to the wisdom of such an adventure.

When Congress created the CIA in 1947, it gave the Agency no power to make foreign policy. The purpose of the CIA was to centralize the collection and evaluation of intelligence. Less than 20 years later—with 14,000 employees, including specialists in intelligence analysis and espionage, U–2 pilots and assassins—the Director of the Central Intelligence Agency is rated one of the half dozen most powerful men in Washington. And as Stewart Alsop reported, "CIA, the Battle for Secret Power," the Saturday Evening Post, July 27–August 3, 1963, "The CIA spends a lot more money than the State Department, and at times it has had more real power and influence on high policy."

Defenders of the activities of the CIA say we can no longer afford the luxury of foreign policy conducted according to the rules of the U.S. Constitution. Under the Constitution, Congress has the power to declare war and the responsibility to give advice and consent to the President in making treaties with foreign nations. Congress is also the source of all foreign-policy legislation, including all appropriations for foreign affairs.

The authors of the Constitution, admittedly, lived in a different era. The cold war, with its highly developed tactics of espionage, counterespionage, and subversion, presents problems which go far beyond the imaginings of the men who wrote the Constitution. A new clandestine organization devoted to the gathering and evaluating of intelligence must impinge somewhat upon the functions of some of the traditional agencies.

This information center, however, has no business taking over the roles of the State Department, Defense Department, and Congress, as well as carrying the Nation to the edge of war. In any event, if we must revise the functions of the recognized Government agencies, then let us do it through proper legislative channels, not by covert acts of the CIA.

In theory the President, with the help of his Cabinet and the National Security Council, controls and directs the CIA. But the President is the nominal head of hundreds of agencies and cannot be kept fully informed at all times of the activities of an agency as large and as powerful as the CIA. Even if the CIA were fully under Presidential control, the basic question of the right and duty of Congress to participate in decisions regarding the many Central Intelligence Agency activities would remain unanswered. The issue is not one of Executive control or of efficient administration of the CIA. It is the fundamental question of congressional responsibility. Do or do not the elected representatives of the people have the right to know what a critically important agency is doing?

I believe the only means of keeping the CIA within its proper limits without jeopardizing its need for secrecy is a congressional watchdog committee. Procedures should be established to insure that the judgment and will of Congress are reflected in the major decisions and actions of the CIA. Such controls would also end conflicts between the CIA and other U.S. operations abroad. We who must appropriate funds for the CIA would be provided with enough information to determine whether effective use is made of the money. If the United States should suffer foreign-policy reverses, it would be possible to assess the damage, determine who was to blame, and take steps to prevent future mistakes.

A watchdog committee would also stop some of the irresponsible talk concerning U.S. activities abroad. The presence of Soviet missiles in Cuba 18 months after the Bay of Pigs invasion, for example, loosed a torrent of oratory on the magnitude of the Soviet threat in Cuba. If the CIA had briefed a watchdog committee, certain inaccurate statements which stemmed from ignorance of the facts would never have been uttered.

Opponents of the watchdog proposal argue that the CIA already reports to subcommittees of the Senate Appropriations and Armed Services Committees. At best, such reports are superficial. The CIA decides for itself just how much or how little Congress ought to know.

In April 1956 during the course of a discussion on the Senate floor of the advisability of establishing a joint watchdog committee, Senator Mike Mansfield raised the question, "How many times does the CIA request a meeting with the particular subcommittees of the Appropriations Committee and the Armed Services Committee?" Senator Leverett Saltonstall, a member of both committees, replied, "* * * at least twice a year that happens in the Armed Services Committee and at least once a year it happens in the Appropriations Committee. I speak from knowledge during the last year or so. * * *"

After the U-2 episode, Senator Willis Robertson, a member of the Appropriations Committee, said on the floor of the Senate, "I have been hearing testimony presented before the Committee on Appropriations by the Central Intelligence Agency for 13 years. Never were we told during that time what the money was to be used for. It was a deep, dark secret. I did not know, and today I asked a number of members of our defense subcommittee if they knew that the Central Intelligence Agency owned and operated planes, and they said they did not." We do not permit other Government operations, no matter how sensitive, to feed us only the information they think is good for us. The Central Intelligence Agency ought not to be privileged to do so.

How might such a watchdog committee function? In the early years of the Eisenhower administration, a task force headed by Gen. Mark W. Clark conducted a thorough study of the CIA for the Hoover Commission. The task force recommended that a small permanent bipartisan commission, composed of Members of both Houses of Congress and other public-spirited citizens commanding the utmost national respect and confidence, be established by act of Congress to make periodic surveys of the organizations, functions, policies, and results of the Government agencies handling foreign intelligence operations; and to report, under adequate security safeguards. The proposed watchdog commission should be empowered by law to demand and receive any information it needed for its own use.

The Hoover Commission itself differed somewhat from the recommendations of the Clark task force. It recommended the establishment of two agencies: a committee charged with reporting to the President periodically and a permanent watchdog joint committee of the House and the Senate. Incidentally, among those who at that time supported such control over the CIA was Senator John F. Kennedy.

Congress has never adopted the watchdog committee recommendation, largely because some of its Members fear that the security of the CIA inevitably would be compromised by such a committee. Such fears are, I believe, unwarranted. The watchdog committee arrangement has worked well in the case of the Joint Committee on Atomic Energy, which handles highly sensitive and secret information. That committee has an excellent security record. Its 18 members have proved to be fully as reliable as the hundreds of civil service personnel, military personnel, and presidential appointees who have knowledge in this highly sensitive field.

A small, select joint committee on intelligence would provide the necessary safeguards against abuses of power by the CIA. It would enable Congress to acquire the knowledge needed for an evaluation of our intelligence activities. More than that, it would, in keeping with our constitutional system, insure that Congress is included in the making of decisions vital to the security and well-being of the United States.

Mr. YOUNG of Ohio. Mr. President, will the Senator from Rhode Island yield?

Mr. PELL. I yield to the Senator from Ohio.

Mr. YOUNG of Ohio. First, I desire to compliment the distinguished junior Senator from Rhode Island upon rendering an important and needed public service in bringing to the attention of all Senators the article written by the Senator from Minnesota [Mr. McCarthy]

On Monday evening, at the airport in Cleveland, I purchased a Saturday Evening Post, intending to pass a part of the time on the trip to Washington by reading the various and diverse items in that magazine. On opening it, the first thing I saw was a picture of the distinguished junior Senator from Minnesota, and the extremely important article written by him.

I have known the Senator from Minnesota since the day in January 1959, when we took our oaths as Senators of the United States. I was aware of his outstanding record as a Member of the House of Representatives where he served for 10 years, and of his previous years as a distinguished educator.

During my service with the Senator from Minnesota, and in the course of our work, I have come to hold him in the highest esteem as one of the great public servants of the United States. He is the author of several books, the title of one of which is "Frontiers of American Democracy." I have read and profited from reading that book.

I point out that the article in the Saturday Evening Post was written by a most respected Senator and a great American. I read it carefully, and brought it to the attention of other Senators.

I call attention to the recommendations the Senator from Minnesota made, namely, for the establishment of a small joint congressional watchdog committee to provide necessary safeguards against abuses of power by the Central Intelligence Agency. I hope that during this session the Senator from Rhode Island [Mr. Pell]; the author of the article, the distinguished junior Senator from Minnesota [Mr. McCarthy]; the distinguished senior Senator from Minnesota [Mr. Humphrey], the majority whip, who is in the Chamber at this time; the distinguished Senator from Michigan [Mr. McNamara]; and all other Senators will work together to prevent further unbridled and unchecked action by the Central Intelligence Agency, which has been meddling with the formation of our foreign policy and has been acting—as it did at the time of the Bay of Pigs incident, as well as at other times—as a law unto itself.

I hope all Senators will read the fine article written by the Senator from Minnesota, and published in the Saturday Evening Post.

I also hope that later in this session the Senate will take constructive action to carry out the proposals made by the junior Senator from Minnesota.

LEGISLATIVE PROGRAM

Mr. HUMPHREY. Mr. President, at the completion of the business of the Senate for today, I shall move that the Senate adjourn until noon on Friday next.

GERMANENESS OF DEBATE, UNDER CERTAIN CIRCUMSTANCES

Mr. HUMPHREY. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of Calendar No. 486, Senate Resolution 89, so that this resolution will be the pending business.

The PRESIDING OFFICER (Mr. Pell in the chair). Is there objection?

There being no objection, the Senate proceeded to consider the resolution (S. Res. 89) providing for germaneness of debate under certain circumstances, which had been reported from the Committee on Rules and Administration, with amendments, on page 1, line 5, after the word "has", to insert "first"; in line 6, after the word "Senate", to insert "on any calendar day"; in line 7, after the word "of", to strike out "four" and insert "three"; and on page 2, line 2, after the word "consideration", to strike out "when reasonably related thereto"; so as to make the resolution read:

Resolved, That rule VIII of the Standing Rules of the Senate be amended by adding at the end thereof the following paragraph:

"At the conclusion of the morning hour or after the unfinished business or pending business has first been laid before the Senate on any calendar day, and until after the duration of three hours, except as determined to the contrary by unanimous consent or on motion without debate, all debate, motions (but not including amendments offered to the bill or resolution under consideration) and appeals shall be germane."

SALE OF BRITISH BUSES TO CUBA

Mr. KEATING. Mr. President, I wish to comment on the sale of British buses to Cuba. This deliberate breach by a British firm of the economic boycott of Cuba, which is the most significant element of United States policy toward Cuba, is a pointed reminder of the critical problem which faces the United States in this hemisphere. This $12 million deal will make it possible for Castro to get the Cuban transportation system going again. All of us know that Castro has been trying to obtain from various countries spare parts for the Cuban transportation system. He has tried to obtain them from the United States, through various intermediaries, including Mexico and other Latin American countries. However, in the past he did not have much success. Cuban transportation is largely based on equipment acquired from the United States. The recent sale of British buses to Cuba will make it possible for Castro to get the creaking Cuban transportation machinery going again. Not only was the sale made, but a 5-year credit was extended. This is tantamount to a program of foreign economic assistance, and certainly goes beyond the normal commercial terms of trade, particularly where Communist-bloc nations are concerned. There is increasing evidence that the French are also interested in expanding commercial activities in Cuba.

The British point to United States wheat sales to the Soviet Union and say, "If the Americans can sell wheat to the Russians at a heavily subsidized price, why can't we sell our buses to Castro?"

However, this is an entirely different matter, for neither the British nor any of our other allies have an economic boycott policy in regard to sales of nonstrategic goods to the Soviet Union, whereas the United States and many Latin American countries do have this policy in regard to Cuba. Furthermore, our grain sales have been normal commercial transactions calling for 18-month credit—similar to that provided by Canada—whereas the extension of 5-year credit to a Communist nation indicates a new trend in trade that requires government backing.

The British action is largely the result of halfhearted and ineffective measures by the United States.

We have not succeeded in persuading anyone that the United States has a persistent and meaningful policy toward Cuba. For instance, Congress passed and the late President Kennedy signed a resolution declaring U.S. determination to prevent the export of terrorism from Cuba to other nations in this hemisphere. Yet, 2 months ago, a cache of Communist weapons was found in Venezuela, and it had been shipped to Venezuelan terrorists from Cuba. What has been done since that time? Absolutely nothing.

The OAS has incontrovertible evidence of Castro's interference in the domestic affairs of other Latin American States. Yet, no action has been taken. It is not surprising that our allies in Western Europe do not take American policies too seriously.

Mr. President, the time has come for the United States and our Latin American allies to make clear to the entire world exactly what our policy toward Cuba is and how it is to be implemented. Why should American firms give up lucrative business in Cuba so that our British allies can reap the profits instead? This situation is intolerable; and it is the more so when American individuals and firms are taxed to provide to the British Government military assistance that permits such activity, and indeed encourages it, through Government backing for 5-year credit terms.

It is unfortunate, indeed, that while the nations of this hemisphere, as Venezuela has requested, are working to weaken Castro, our European allies are doing everything they can to strengthen him. Surely the time has come for the United States to put this issue squarely before all our allies, and to insist on a united stand against communism in the Western Hemisphere.

I hope very much that the President will grasp this renewed opportunity to urge emphatically a united policy on our free world allies.

SECURITY CLEARANCES IN STATE DEPARTMENT—THE OTEPKA CASE

The PRESIDING OFFICER (Mr. Hruska in the chair). The Senator from Iowa [Mr. Miller] is recognized.

Mr. MILLER. Mr. President, the Internal Security Subcommittee of the Senate Judiciary Committee has released previously classified hearing reports relating to the Otepka case—the latest release being this morning.

This unfortunate and completely unnecessary situation apparently grew out of a relaxing of security standards in the State Department through the use of an emergency clearance procedure in an alarmingly large number of cases. It is reported that such a procedure, which permits the granting of a security clearance without the customary full-scale investigation, has been used more than 150 times during the past 3 years—compared to only 5 or 6 times during the 8 years of the Eisenhower administration.

I can understand why an emergency clearance procedure might be followed on rare occasions, but I must say that I cannot comprehend such a widespread use in view of the especially sensitive nature of State Department operations. There are still a great many people who honestly believe that there are a good many Communists or Communist sympathizers on the State Department payrolls. It is, of course, possible that there are a number of undesirables on the payroll of our various Government agencies. No matter how closely our clearance procedures are followed, some of these individuals are almost bound to get through. But of all times to relax our security investigations, this is the poorest. Not only is the danger just as great or greater, but the confidence of the American people in the integrity of their Government, and particularly in the State Department, is shaken.

If the Otepka case serves no other purpose, it should cause the Secretary of State to direct an almost complete elimination of these emergency clearances and a full-scale investigation of all of those persons who have heretofore been granted such a clearance—just to make sure that the relaxing of our security clearance procedure has not resulted in any undesirables getting into the State Department. I believe a full report of such action should be furnished the Congress.

The reason why these previously granted emergency clearance cases should be given a full-scale investigation is because the record made by the Senate Internal Security Subcommittee demonstrates that some of the people involved in granting these clearances are untrustworthy.

Three individuals in particular gave false and misleading testimony to the subcommittee. Two of these have since resigned from the Department. I refer to John F. Reilly, former Deputy Assistant Secretary for Security, and Elmer D. Hill, former Chief of the Division of Technical Services, Office of Security. Instead of letting them resign, I think the Secretary should have had them fired. If he had had the benefit of the entire record, I believe he would have done so.

The record of Mr. Reilly's sworn testimony before the subcommittee appears in the hearings report for November 15, and I ask unanimous consent that portions of the report which I have designated be printed in the Record at this point in my remarks.

There being no objection, the excerpts were ordered to be printed in the Record, as follows:

STATE DEPARTMENT SECURITY

FRIDAY, NOVEMBER 15, 1963.

U.S. SENATE, SUECOMMITTEE TO INVESTIGATE THE ADMINISTRATION OF THE INTERNAL SECURITY ACT AND OTHER INTERNAL SECURITY LAWS, OF THE COMMITTEE ON THE JUDICIARY, WASHINGTON, D.C.

The subcommittee met, pursuant to notice, at 10:35 a.m., in room 2300, New Senate Office Building, Senator James O. Eastland (chairman), presiding.

Present: Senators Eastland, John L. McClellan, and Thomas J. Dodd.

Also present: J. G. Sourwine, chief counsel; Samuel J. Scott, assistant counsel; and Benjamin Mandel, director of research.

Senator Dodd. Mr. Reilly, do you solemnly swear the testimony you give before this subcommittee will be the truth, the whole truth, and nothing but the truth, so help you God?

Mr. Reilly. I do.

* * * * *

Mr. Sourwine. Do you believe, sir, that your statements, as initially given to the committee, when you testified on August 6 were and remain accurate?

Mr. Reilly. Yes. And may I amplify on that, please?

Mr. Sourwine. Yes, go ahead.

Mr. Reilly. The series of questions that were asked me by Mr. Sourwine—and I am prepared, and I would like the opportunity to go through each one of them.

Mr. Sourwine. You have that opportunity right here now.

Mr. Reilly. Yes.

I understood, particularly from the first question asked—it asked whether there had been compromise of conversations with a telephonic or room conversation of Mr. Otepka.

Mr. SOURWINE. Mr. Reilly, let me read you this question:

"Have you ever engaged in or ordered the bugging or tapping or otherwise compromising telephones or private conversations in the office of an employee of the State Department?"

And you replied, "No, sir."

And I said, "You never did?"

And you said, "That is right."

Senator MCCLELLAN. What page is that?

Mr. SOURWINE. I am reading from page 9 of our print, Senator.

Mr. REILLY. As I understood then, and now understand the question, I was being asked whether I had undertaken actually to intercept and compromise conversations, whether they be room or telephonic conversations. This had not been achieved. And it has not been achieved today.

Mr. SOURWINE. You have already contradicted right there.

The CHAIRMAN. Now, wait a minute.

Have you ever engaged in or ordered?

Mr. REILLY. First, I did not engage in. And I don't mean that as a weasel word. The questioning that day—I think Mr. Sourwine will recall——

The CHAIRMAN. Had you ordered it?

Mr. REILLY. I did not order. And we did not compromise. That is my—I took the question as a whole, Senator.

The CHAIRMAN. Just what did you do?

Mr. REILLY. Well, I did ask Mr. Hill if he would undertake to find out if there was some feasible way, short of putting a device in Mr. Otepka's office.

I know perfectly well if such a technique were to be utilized, the chances of it being detected were great, and I didn't want that. I had not at that time determined if I would use such a system, if it were feasible.

But, at least, if the burn trash cover which I had ordered failed to produce anything, then I would have considered the possibility of that. I wanted to know if it were possible, without putting a device in his room, or putting a device in his telephone, to monitor his room conversation—not his telephone conversations. If that had been desired—I am not an engineer—but if that had been desired——

The CHAIRMAN. Why did you want to monitor his room conversations?

Mr. REILLY. Because I had reason to suspect that Mr. Otepka was without the authority of the Department and I believed without the knowledge of this committee, privately furnishing information to a member of the staff of this committee.

Mr. SOURWINE. Meaning me, Mr. Reilly?

Mr. REILLY. Yes, Mr. Sourwine.

The CHAIRMAN. Proceed.

Mr. SOURWINE. Mr. Reilly, do you distinguish in meaning between the words "undertake" and "accomplish"?

Mr. REILLY. Are you referring now to some specific question, Mr. Sourwine?

Mr. SOURWINE. I am just referring to the words, Mr. Reilly. I want to know how you understand them.

Do you see a difference between the words "undertake" and "accomplish"?

Mr. REILLY. Undertake means to me to start forth. Accomplish means to achieve.

Mr. SOURWINE. Yes.

Now, your own words a few moments ago included that word "undertake." And I understood what you said to mean that you felt you were being asked on August 6 whether you had undertaken the bugging or tapping or compromising of the telephone.

Mr. REILLY. Compromising, yes.

Mr. SOURWINE. And you said you had not undertaken it.

The CHAIRMAN. He said he ordered the monitoring——

Mr. SOURWINE. I understand, Senator.

The CHAIRMAN (continuing). Of private conversations.

Is that it?

Mr. REILLY. I said I did not order it, sir. I don't see—I am not trying to quarrel with you, Mr. Chairman.

The CHAIRMAN. I know you are not trying to quarrel with me. I am just trying to find out what you said.

Mr. REILLY. What I said was: I asked them—I asked Hill and he, in turn, asked Schneider to join with him to take a survey to see if there were some way, for possible future use that there could have been accomplished, without the placing in the room or in the phone of a device.

The CHAIRMAN. That was to monitor private conversations, wasn't it?

Mr. REILLY. I had not made a determination at that time that I would so utilize it, sir, and we did not so utilize it. And it was in that context that I answered the question Mr. Sourwine asked me that morning.

Mr. SOURWINE. May I proceed?

Now, let's get back to the question asked you here a moment ago, in which you answered and used the word "undertake."

Mr. REILLY. Might I have that answer read back to me, please?

Mr. SOURWINE. You don't remember it?

Mr. REILLY. I don't remember my precise words.

(The answer, as recorded, was read.)

Mr. SOURWINE. When you said you understood you were being asked whether you were undertaking it, did you comprehend that the question included ordering somebody else to do it?

Mr. REILLY. What I understood the question, sir, to mean is had we compromised whether I or others acting under me, had we actually compromised Mr. Otepka's conversations?

Mr. SOURWINE. Now, when is a telephone compromised—in the language used in the Department, in your office?

Mr. REILLY. In my mind, it is compromised when conversations are intercepted and divulged.

Mr. SOURWINE. Isn't it compromised when a device or connection is used in connection with that telephone by which conversations may be intercepted by an unauthorized person?

Mr. REILLY. Not in my mind, and not as I understood the question that day.

Mr. SOURWINE. You mean if the telephone of Senator MCCLELLAN is tapped so that someone, if they put on the earphones, can listen to his conversations, that telephone is not compromised unless there is somebody there listening, and he is talking? Is that what you are telling us?

Mr. REILLY. That is what I am telling you. That is my understanding of the question, and it is in that vein that I so answered on that day, sir.

Mr. SOURWINE. You only compromise a telephone when you are actually listening to conversations?

Mr. REILLY. No. And when somebody has authorized it, sir.

Mr. SOURWINE. Has authorized what?

Mr. REILLY. The listening to the conversations.

Mr. SOURWINE. You mean you authorized the putting on of the tap or the device—you don't compromise the telephone until you tell somebody to use it?

Mr. REILLY. As I understand, the darned thing didn't work.

Mr. SOURWINE. We will come to that later, in just a minute.

Senator MCCLELLAN. Was that your fault—that it didn't work?

Mr. REILLY. Well, in a sense, Senator MCCLELLAN, perhaps it was, because I asked them to try to think of some system other than the ordinary systems.

Senator MCCLELLAN. Why did you want something other than the ordinary systems?

Mr. REILLY. Because, as I had said earlier, I felt that the ordinary system—you would run a heck of a risk——

Senator MCCLELLAN. Of being detected?

Mr. REILLY. Absolutely.

Senator MCCLELLAN. What you are trying to do is do your best to compromise it without being caught. That was your objective, wasn't it?

That is what you just said.

Mr. REILLY. No. What I said, sir, and what I stand on, is that I had not authorized it. I merely wanted to find out if it were possible to do some system like this. I would then, at some later time, decide or not decide.

Senator MCCLELLAN. Well, the whole object was to compromise it without being found out, wasn't it? That is what you wanted a survey made for, according to your own testimony—to get by with something.

Mr. REILLY. If I decided to utilize it.

* * * * *

Mr. SOURWINE. Just what did you suggest to them? What did you tell them you wanted done?

Mr. REILLY. I wanted them to explore whether it was possible, without the placing of a device either in the phone or in the room, to come up with some system that would pick up room conversation.

Senator DODD. You say you wanted to do it without a device? Is that what you said?

Mr. REILLY. Yes. It is my understanding that what was done in this instance was simply the repositioning of an existing wire within the telephone instrument.

Mr. SOURWINE. Isn't that a device for listening?

Mr. REILLY. I did not consider that the installing of a device. And I still don't, sir.

The simple repositioning of an existing wire.

Mr. SOURWINE. I see.

You used the words "install a device" because, I suppose, they were used in your questioning on August 6.

Mr. REILLY. That is correct. That is the way I understood.

Mr. SOURWINE. You now take the position this was not installing a device.

Did you know, when I talked to you on August 6—the committee was here, and these questions were asked—what we were trying to get at?

Mr. REILLY. May I tell you what I thought you were trying to get at, and still think you were trying to get at?

Mr. SOURWINE. Yes.

Mr. REILLY. That Mr. Otepka's conversations were in fact being compromised. And they were not.

Mr. SOURWINE. You did not think we were trying to find out whether you had ordered anything done to the telephone which would result in putting the conversations over that telephone in jeopardy, or in providing a listening device for the rest of the room?

Mr. REILLY. I did not think that you were asking whether we had ever considered or whether we had ever made any steps toward this, without authority to utilize such steps.

Mr. SOURWINE. Well, this question was asked:

"Did you tell Clarence Schneider to install an electrical device to compromise Mr. Otepka's telephone——

"Mr. REILLY. No, sir."

"Mr. SOURWINE (continuing). So that all conversations in his office could be heard whether or not that phone was on the hook?

"Mr. REILLY. No, sir.

"Mr. SOURWINE. Did you know this had been done?

"Mr. REILLY. No, sir."

Mr. SOURWINE. That doesn't say that anybody listened. That says "was something done so that the conversations could be heard."

Mr. REILLY. I understood, and I still understand, sir, that you were asking me whether a listening device were placed in his phone or in his room.

Mr. SOURWINE. Well, now, what Mr. Schneider did was to create, within the phone, a device through which conversations in the room might be heard, isn't that true?

Mr. REILLY. No, I did not so understand the question.

Mr. SOURWINE. Well, isn't that what Mr. Schneider did?

Mr. REILLY. Mr. Schneider did a simple thing. He moved a wire.

Mr. SOURWINE. All right. That is what he did. But the result of that was to transform that ordinary telephone mouthpiece receiver into a listening device, isn't that correct?

Mr. REILLY. If the thing had been—well, obviously it didn't because the thing fizzled.

The CHAIRMAN. Answer his question.

Mr. SOURWINE. The effect was to transform it into a listening device, wasn't it? How efficient that device might have been is another matter.

But what he did was the accomplishment of a standard technique for transferring a telephone mouthpiece receiver into a listening device. Isn't that right?

Mr. REILLY. Yes. But he did not install—the question asked me was: "Did I tell him to install an electrical device?" I did not tell him to install an electrical device, and he did not install an electrical device, sir.

Mr. SOURWINE. You don't think that what resulted from his tampering with the telephone was an electrical device?

Mr. REILLY. Not in my understanding of it. That is my understanding.

Mr. SOURWINE. I see. And you thought we were asking you about it within terms of this reserved understanding.

Mr. REILLY. I thought you were talking about one thing, the actual compromise. And it was within that framework that I understood all of the questions.

* * * * *

Senator MCCLELLAN. All right. If we are not technical, let me ask you this question:

Have you ever engaged in or ordered the bugging or tapping or otherwise compromising telephones or private conversations in the office of an employee of the State Department?

Mr. REILLY. I took that question as a whole, sir.

Senator MCCLELLAN. I want you to take it as a whole, and then each part of it, and tell me how you can now say that you were honest with the committee, that you were candid with the committee, even though you say you were on cross-examination, and that you told the committee the truth, when you answered that question "No, sir."

Mr REILLY. First, I understood the question to mean the actual compromising of conversations.

Senator MCCLELLAN. It says, "ordered." It didn't say you had to accomplish it at all. You know what giving an order is.

Mr. REILLY. Well, first, I did not order that any conversations be compromised.

Senator MCCLELLAN. It is "or otherwise compromising telephones." Now, the telephone was compromised when it was rigged so that it became a listening device.

Mr. REILLY. I did not so understand the question at the time—in the framework. I understood that Mr. Sourwine was endeavoring to find out whether or not we had compromised. And he says, "or otherwise compromised." Therefore, I take that the earlier——

Senator MCCLELLAN. You get technical here and say, "We didn't use this system, we didn't use that, I was having them experiment on another system." That is what you are saying. So, obviously, you understood the meaning of this question, "or otherwise compromising" meaning using any other device, or any other arrangement out of a survey or without a survey, as the case may be, that brought about the compromising of that phone.

Mr. REILLY. No. I understood, and I now, in seeing the print here—"compromising telephones or private conversations"—I thought it was compromising telephonic or compromising conversations.

Senator MCCLELLAN. Well, it was your intention, then, when you testified here before—and you made every effort to withhold from the committee everything that you possibly could—by answering the questions just as narrowly, to as limited an extent as you possibly could at the time, and still satisfy the committee?

Mr. REILLY. I did not volunteer additional information that I felt was outside the precise scope and phraseology of the questions.

Senator MCCLELLAN. What is your position down there—what are some of your duties in the position you occupy—to protect the security of the country, is that right?

Mr. REILLY. Yes, sir.

Senator MCCLELLAN. In doing so, don't you have to frequently interrogate people?

Mr. REILLY. Yes, sir.

Senator MCCLELLAN. If you——

Mr. REILLY. Not I personally, sir.

Senator MCCLELLAN. Well, you are head of the division, you supervise it.

Mr. REILLY. That is correct.

Senator MCCLELLAN. Had you, or one of your subordinates under your direction, interrogated somebody on the same facts and circumstances, and had the same questions been asked in the pursuit of your duties, and those working under you, and you had gotten the same answers from a suspect, wouldn't you agree with me that he was lying at the time?

Mr. REILLY. No, sir, I would not agree with you that he was lying at the time. I would say that he had not answered—

Senator MCCLELLAN. Truthfully?

Mr. REILLY (continuing). Fully, sir. He did not volunteer anything that was not asked.

Senator MCCLELLAN. Now, then, let's give you every latitude here that you are claiming, and let's for the moment just agree that it is legitimate—if anybody can stretch it that far—the position you took.

Is the Congress now to assume—congressional committees—that when we have a State Department employee down here, we have got to cross-examine him up and down, crosswise, and otherwise in order to get the truth out of him, because here is an example of how they will withhold and how technical they will be when they appear before a senatorial committee?

Mr. REILLY. No, sir.

Senator MCCLELLAN. Is this a fair example of what we are confronted with when we call on people in the executive branch of the Government, particularly the State Department, to come up here and testify and tell us the truth?

Mr. REILLY. No, sir. I don't think that is a fair example.

Senator MCCLELLAN. Why isn't it?

Mr. REILLY. I don't think that that is done customarily, sir.

Senator MCCLELLAN. Why did you do the uncustomary thing?

Mr. REILLY. Because this was at the end of a rather grilling, grueling, 2½-hour session. I think Mr. Sourwine and I had engaged in a few sharp comments back and forth, regrettably.

Senator MCCLELLAN. Well, the committee just wanted to get the facts. And you admit now you withheld the facts from them, did you not?

Mr. REILLY. The committee, as I understood it, sir——

Senator MCCLELLAN. You know the committee wanted to get the facts.

You don't mean to say you didn't have that much intelligence when you came down here to know that the committee wanted to get at the truth of this thing. You knew that didn't you?

Mr. REILLY. Senator——

Senator MCCLELLAN. Well, say you did or did not. You can say yes or no, whether you knew that.

Mr. REILLY. I thought that the committee felt that Mr. Otepka's telephone and his room conversations were being compromised. I wanted to make it clear——

Senator MCCLELLAN. All right. They wanted to get the truth.

Now, you didn't tell them the truth, did you? You did not tell the committee the truth the day you testified when you gave those answers, did you? Honestly. Just lay it on the record. Did you? I want to know if you will contend now that you told the truth then.

Mr. REILLY. I answered those questions truthfully; yes, sir.

Senator MCCLELLAN. Did you tell the committee the truth that day—the whole truth and nothing but the truth—as you took an oath to do?

Mr. REILLY. As I said, sir, I considered the question in the nature of cross-examination. I answered the questions as I understood them. I did not volunteer anything beyond that.

To the extent that that——

The CHAIRMAN. You didn't give all the information you had. That is what you are saying.

Mr. REILLY. Nor did I think that it was required by the questions asked me, Mr. Chairman.

Senator MCCLELLAN. Let me ask you this:

If you had a witness that you interrogated on a matter of security down there, that would be as evasive as you have been, would you regard him as cooperating with you?

Mr. REILLY. I feel that I have cooperated with you today, and I feel that is why I filed the statement with you.

Senator MCCLELLAN. Well, if you cooperated today, do you say then by that, do you imply you did not cooperate the other time you were here?

Mr. REILLY. I didn't cooperate as fully as I might have, and as I say, I apologize, I regret it.

* * * * * *

Mr. SOURWINE. Mr. Reilly, you said a moment ago "That is why I filed the statement," meaning you filed the statement because you wanted to cooperate with the committee?

Mr. REILLY. Yes, and I did not want——

Mr. SOURWINE. You did not want what?

Mr. REILLY. I did not want further misunderstanding to exist between the committee and myself.

Mr. SOURWINE. Mr. Reilly, isn't it a fact that you were told that the Secretary of State wanted you to file a statement?

Mr. REILLY. Yes.

Mr. SOURWINE. Isn't that why you filed it?

Mr. REILLY. But I was not compelled so to file it, sir.

Mr. SOURWINE. You are an employee of the Department of State.

Mr. REILLY. Yes.

Mr. SOURWINE. The Secretary's expression of his wish with regard to your action is about as compelling as anything, short of physical force, isn't it?

Mr. REILLY. Well, the statement and the signature and the letter, sir, were wholly voluntary on my part. I did not feel I was being in any way coerced to do this, Mr. Sourwine.

Mr. Sourwine. You had been told the Secretary wanted it done, and you did it, isn't that right?

Mr. Reilly. You can put it that way. But that still does not imply to me the Secretary said, "Reilly, do this."

Senator Dodd. Would you have done it if he did not say it? Would you have given us this statement, if the Secretary of State had not indicated that he wanted you to?

Mr. Reilly. When the letter or memorandum was delivered to the Secretary, and wherein the committee made the statement that it "knew the whole story," I felt certain it didn't know the whole story.

Senator Dodd. So you didn't tell us about it?

Mr. Reilly. So I did tell you about it.

Senator Dodd. When?

Mr. Reilly. In this.

Senator Dodd. After the Secretary had told you to.

Mr. Reilly. He asked me to.

* * * * *

The Chairman. I know. But whose idea was it that you write a letter?

Mr. Reilly. It originated with the Secretary.

Mr. Sourwine. Mr. Chairman, I have no further questions.

Mr. Hill is waiting.

The Chairman. Had you told somebody you had not given us the full information? Is that the reason the Secretary got you to write the letter?

Mr. Reilly. I explained to the Secretary what I have explained to you gentlemen today, yes.

Mr. Sourwine. Personally, you mean, face to face you explained it?

Mr. Reilly. No.

Mr. Sourwine. You discussed with him the testimony you had given, and what the facts were?

Mr. Reilly. And my understanding of the questions.

Mr. Sourwine. When did you do this?

Mr. Reilly. It was some weeks back.

Mr. Sourwine. It was some weeks prior——

Mr. Reilly. Two weeks or so ago, give or take——

Mr. Sourwine. It was 2 weeks or so before the colloquy on the Senate floor between Senator Dodd and Senator Thurmond?

Mr. Reilly. It was prior to that, yes.

Senator Dodd. It was after the Secretary received the memorandum from the committee?

Mr. Reilly. That is correct, sir.

Mr. Sourwine. But you received no instructions or suggestions that the Secretary's desire was that you should write a statement and give it to the committee?

Mr. Reilly. No. I immediately started to prepare a statement, sir.

Mr. Sourwine. I am trying to find out whether, on the occasion of your discussion with the Secretary, about your testimony and what the facts were, he had then indicated to you his feeling that you should write a statement or a letter to the committee.

Mr. Reilly. Now, let me see. If he indicated to me, then, sir?

Mr. Sourwine. Yes.

Mr. Reilly. Yes.

Mr. Sourwine. He did?

Mr. Reilly. Shortly thereafter, within a matter of hours or a day or so.

Mr. Sourwine. So that you had been told prior to the colloquy between Senator Dodd and Senator Thurmond, that the Secretary wanted you to send a supplementary statement to the committee?

Mr. Reilly. And I was drafting——

Mr. Sourwine. You were working on it?

Mr. Reilly. I was drafting such a statement, yes.

Mr. Sourwine. So when Mr. Ehrlich, on the night of the 5th, after the colloquy between the two Senators, in which perjury was mentioned, came to you or reached you by phone, and called you to his office for the purpose of completing such a statement and letter, it was no surprise to you?

Mr. Reilly. Oh, no.

Mr. Sourwine. That wasn't the first time you had heard that the Secretary desired you to do this?

Mr. Reilly. No, no.

* * * * *

Mr. Reilly. One of my assignments was to find out if there had been people furnishing information?

Senator Dodd. To whom?

Mr. Reilly. If people had been, without authority, leaking information. It wasn't a specific assignment. It was an assignment to make a good Office of Security.

Mr. Sourwine. I thought the question was precise. The question is: Did you ever tell anybody that you had been put in the job to do a job on the Office of Security and that one of your assignments was to get Otepka?

Mr. Reilly. I don't think I ever said anything in quite those words, sir.

Mr. Sourwine. Do you think you might have?

Senator Dodd. Wait a minute.

"Quite those words?" You know, we have to be awfully careful with you. We have learned the hard way, if we don't ask the right questions we don't get the right answers.

Mr. Reilly. I am not trying to weasel here. I am trying to recall, sir, if I might have made such a statement.

Mr. Sourwine. Well, was it a fact that you had been assigned to the State Department position to do a job on the Office of Security?

Mr. Reilly. No.

Mr. Sourwine. And one of your assignments was to get Otepka?

Mr. Reilly. Nobody said that to me.

Mr. Sourwine. Anything of that nature? Had it been conveyed to you that it was desirable, and you were expected to achieve the elimination of Otepka from the job as head of the Division of Evaluations?

Mr. Reilly. No, sir, I had not been given any such instructions.

Mr. Sourwine. Then you could not possibly have told anybody that that was the fact, could you? Why are you in doubt about it?

Mr. Reilly. I might have, in a personal conversation, made some semifacetious remark during the course of some very difficult events in the last year. This has not been an easy situation.

Mr. Sourwine. You might have said something like that facetiously, you said?

Mr. Reilly. I might have, yes.

Senator Dodd. I think that is a rather grim way to joke, don't you.

Mr. Reilly. Well, I think it is rather grim, sir, also, when a person is appointed to a job and endeavors to get along with all of his subordinates, to find then that one of his subordinates has other plans.

Senator Dodd. Think what you told us. You were asked by Mr. Sourwine if you ever told anybody that you were assigned—in part—to get Otepka. Now, if you went down there to get him, he never had a chance to do anything to you. You were in operation from the beginning. Isn't that so?

Mr. Reilly. Yes. And I will say this. I entered my office on April 16, 1962, and it was my desire from the beginning to get along with any and all of the personnel there in the Office of Security.

Mr. Sourwine. You are not confused between "get" and "get along with," are you?

Mr. Reilly. No, I am not. No, no. What I am trying to explain is that I made every effort——

Senator Dodd. Before you went on the job, did you know Otepka?

Mr. Reilly. I had never met him, sir.

Senator Dodd. Had you ever heard of him?

Mr. Reilly. Yes, sir.

Senator Dodd. From whom?

Mr. Reilly. I heard of him from my predecessor, Mr. Boswell, who, before I took over, briefed me on various of the personnel.

Senator Dodd. Did he tell you that he thought you should get rid of Otepka?

Mr. Reilly. He told me that he had found Otepka troublesome.

* * * * *

Mr. Sourwine. You knew there had been, for some time prior to your entry into the Department, an effort to get Otepka out, is that correct? You knew that from Mr. Boswell?

Mr. Reilly. That is correct.

Mr. Sourwine. And you were led to believe and did believe—is it true—that this was entirely on Mr. Boswell's own responsibility?

Mr. Reilly. That is my understanding, sir.

Mr. Sourwine. When you continued the effort to get Mr. Otepka out, were you doing it entirely on your own responsibility?

Mr. Reilly. Yes, sir.

Mr. Sourwine. I have no more questions, Mr. Chairman.

Senator Dodd. I have only one.

Mr. Reilly. Well, now, at the outset—the actions that were taken on June 27, when he was detailed—that was with the authority of Mr. Crockett, my superior.

Senator Dodd. Detailed—what do you mean by that?

Mr. Reilly. When he was detailed from his official duties as Chief of Evaluations to undertake a study.

* * * * *

Mr. Sourwine. Have you talked with Mr. Crockett about this case since you got the evidence from the burn bag to which you have referred?

Mr. Reilly. I have, sir.

Mr. Sourwine. Isn't it your impression from your talks with Mr. Crockett that Mr. Crockett is in sympathy with your efforts to get Mr. Otepka out?

Mr. Reilly. The efforts are not my efforts, sir. They are the Department's efforts at this point.

Mr. Sourwine. Well, you told us a moment ago that you had undertaken this entirely on your own responsibility. Was that false when you told us that?

Mr. Reilly. No. I said the initial efforts. Now you are talking about the present efforts. I want to distinguish between them.

Mr. Sourwine. I am trying to find out whether your present impression is that Mr. Crockett is in sympathy with the efforts which you originally undertook entirely on your own authority to get rid of Mr. Otepka.

Mr. Reilly. My answer to that is "Yes, sir."

Mr. Sourwine. He has told you this in so many words, has he?

Mr. Reilly. Yes, sir.

Mr. Sourwine. Has he told you that the Secretary's position was the same as his?

Mr. Reilly. He has not, sir.

Mr. Sourwine. Has he represented to you that what he was saying was the view of the Department, or only his own view?

Mr. Reilly. That it was his view, sir.

Mr. Sourwine. Do you regard the views of a superior, such as Mr. Crockett, to be the views of the Department?

Mr. Reilly. The Department—yes, the Department as a department, as an institution; yes.

Mr. Sourwine. You think if Mr. Crockett tells you he favors something, you assume that means the Department favors it, is that correct?

Mr. Reilly. Well, he is my direct superior, sir; yes.

Mr. Sourwine. You thereby assume the Department. Would you say what you have done in that line, that is toward getting

Otepka out—since you talked with Mr. Crockett about this matter—has, therefore, been in pursuance to instructions of the Department—carrying out the wishes of the Department?

Mr. Reilly. I cannot say on that, sir. I think——

Mr. Sourwine. I thought you had said—but maybe I am wrong—I thought you said it was the Department's effort.

Mr. Reilly. Well, I mean as opposed to simply the Office of Security.

Mr. Sourwine. Yes.

Mr. Reilly. The Office of Personnel had to—had the responsibility for——

Mr. Sourwine. Well, didn't you attempt to convey to the committee here, a few minutes ago, the idea that it is now the Department which wants to get Otepka out? Not just you. That what you undertook initially under your own authority is now the effort of the Department?

Mr. Reilly. The Office of Personnel of the Department, which also is under Mr. Crockett.

Mr. Sourwine. Are you carefully distinguishing so as not to carry it any higher than Mr. Crockett?

Mr. Reilly. Well, I very simply—the only instruction that has been given me today is not to get into anything bearing on the merits of the pendency of the Otepka case.

Mr. Sourwine. Well, I don't think this goes to the merits. Leaving aside the question of whether that instruction is proper, I am only asking you now about whether it is true—as I have been led to believe by what you have said here—that your understanding is that the Department of State, as a matter of policy of the Department, wants to get Otepka out.

Mr. Reilly. They want to give him the full proceedings to which he is entitled under the appropriate regulations.

Mr. Sourwine. That is not the question.

Senator Dodd. You sure you used the right word—full what?

I thought you said full proceedings?

Mr. Reilly. Yes, to follow under civil service proceedings.

Senator Dodd. You didn't mean works?

Mr. Reilly. No, sir.

Mr. Sourwine. Of course, to paraphrase the statement which was read to the press at a briefing on this matter: at that time it was stated—I boil this down a little bit—that the Department had affirmed the Department's charge against Otepka.

Mr. Reilly. Yes.

Mr. Sourwine. And that Mr. Otepka has the right to appeal to the Department from the Department's affirmation of the Department's charges.

Mr. Reilly. Yes, sir.

Mr. Sourwine. You know that to be true?

Mr. Reilly. Yes, sir.

Mr. Sourwine. That being the case, do you have any doubt that it is the Department's present policy to try to get rid of Otepka?

Mr. Reilly. I think that is quite clear.

Mr. Sourwine. I think it is quite clear, too.

Mr. Reilly. John Ordway has affirmed the initial findings, charges.

Mr. Sourwine. You think he did that without the knowledge and consent of his superiors?

Mr. Reilly. I am quite sure he did not.

Mr. Sourwine. Well, of course not. The Secretary knew about it, didn't he?

Mr. Reilly. I am not trying to quibble.

Mr. Sourwine. You knew that the Secretary knew what was going on, and was in sympathy, didn't you?

Mr. Reilly. I don't know whether the Secretary has been fully briefed on the facts or not, sir .

Mr. Sourwine. Well, you briefed him yourself on the Otepka case, have you not? Did you withhold information from him?

Mr. Reilly. I talked to him about this.

Mr Sourwine. You briefed him in full on the Otepka case before there was any discussion of a statement up here, did you not?

Mr. Reilly. I did not brief him in full. I haven't been in the man's presence that often. I have told him——

Mr. Sourwine. How long did you spend with him, briefing him on the Otepka case?

Mr. Reilly. I would say not more than 3 or 4 minutes, sir.

Mr. Sourwine. Just 3 or 4 minutes? Is that because he would not give you any more time?

Mr. Reilly. No. I don't know what——

Mr. Sourwine. Because you told him all you felt he should know about it in 3 or 4 minutes?

Mr. Reilly. No, sir.

Mr. Sourwine. Did you tell him all you thought he should know about it?

Mr. Reilly. I told him that I felt he was without authority of the Department furnishing information. That is my best recollection of what I told him, sir.

Mr. Sourwine. Were you not called to the Secretary's office for the purpose of briefing him on the Otepka case?

Mr. Reilly. On what occasion, sir?

Mr. Sourwine. On any occasion.

Mr. Reilly. Well, I honestly don't recall having been called to the Secretary's office specifically for that. I certainly have prepared briefing materials that went to Mr. Ehrlich for utilization.

Mr. Sourwine. Have you prepared any briefing materials for the Secretary on the Otepka case?

Mr. Reilly. Not specifically as such. I have prepared briefing materials that I have turned over to others. Whether or not they went to the Secretary or not, I cannot say, sir.

Mr. Sourwine. Were they intended to go to the Secretary, or expected to go to the Secretary?

Mr. Reilly. I thought they were going to go to the Under Secretary.

Mr. Sourwine. That is Mr. Ball?

Mr. Reilly. Yes.

Mr. Sourwine. Now, was that briefing inadequate? Were those briefing materials deficient in detail, or in statement of pertinent facts?

Mr. Reilly. I don't believe they were, sir.

Mr. Sourwine. How can you then say the Secretary has not been properly briefed?

Mr. Reilly. I don't know what Mr. Ball has done with the material. I cannot speak for him, sir.

Mr. Sourwine. But you have not briefed the Secretary adequately and properly yourself. Is that what you are saying?

Mr. Reilly. That is what I am saying.

Mr. MILLER. The record of Mr. Hill's sworn testimony before the subcommittee appears in the hearings report for November 18, just released today and clearly reveals the falsity of Mr. Reilly's testimony—not only at the time of his original testimony before the subcommittee but during his testimony on November 15. I ask unanimous consent that portions of this report which I have designated be printed in the Record at this point in my remarks.

There being no objection, the excerpts were ordered to be printed in the Record, as follows:

Excerpts From Hearings on State Department Security, Monday, November 18, 1963

FURTHER TESTIMONY OF ELMER DEWEY HILL, ACCOMPANIED BY SIDNEY SACHS

Mr. Hill. I should like to read it into the record. Thank you.

I, Elmer Dewey Hill, wish further to amplify statements which I have made concerning listening to telephone conversations on Mr. Otepka's office telephone.

In my testimony on July 9, 1963, and my letter of November 6, 1963, I stated that Mr. Schneider and I arranged telephone wires so that we could hear telephone conversations on Mr. Otepka's telephone. Nevertheless, on careful review of that testimony and letter, I feel that the implication is that, in fact, no such conversations were heard. I make this statement to correct such an implication.

In our testing of the arrangement which Mr. Schneider and I had made, over a brief period recordings were made of telephone calls on Mr. Otepka's telephone. They turned out to be of no consequence and were erased.

Senator Dodd. Erased?

Mr. Hill. Yes, erased. When I gave my prior testimony and wrote the letter, I was under the impression, which I am now satisfied was erroneous, that, especially since no information of any consequence was obtained, my duty required me to speak and write as I did.

I now feel, however, that this reasoning was faulty and, accordingly, I have stated these facts explicitly to senior officers of the State Department, to whom I have submitted my resignation, and I am prepared to answer any further questions this committee may have.

Senator Dodd. For the record, I think that I should say that I have been notified this morning of your resignation and, also, of the resignation of Mr. Reilly. I believe I was told that Mr. Reilly resigned this morning. And I so state for the record.

* * * * *

Mr. Sourwine. Mr. Hill, when you testified on July 9, in response to the question, "Do you know of a single instance in which the Department has ever listened in on the telephone of an employee?" you answered, "I cannot recall such an instance."

In the light of your statement this morning, are we to understand that you did, at that time, recall the instance of listening in on Mr. Otepka's telephone, but that you felt it your duty to give the answer that you did?

Mr. Hill. Yes, sir.

* * * * *

Mr. Sourwine. During the 2 days, over how long a total period—minutes or hours—was the terminal connection hooked up so that you could record or listen?

Mr. Hill. I believe that it was hooked up most of 1 day and part of the next day.

Mr. Sourwine. During that time did you have individuals listening in?

Mr. Hill. I myself from time to time listened to it because I was concerned with trying to improve the system, checking its operations.

Mr. Sourwine. Who else listened?

Mr. Hill. And Mr. Schneider, probably did.

Mr. Sourwine. Did anyone else?

Mr. Hill. No, sir; I do not believe so.

Mr. Sourwine. That is Mr. Clarence Schneider?

Mr. Hill. Yes, sir.

Mr. Sourwine. How many different recordings were made of conversations?

Mr. Hill. How many different conversations were recorded?

Mr. Sourwine. If you know, approximately.

Mr. Sachs. That is a different question—is that the one you meant?

Mr. Sourwine. Well, I will take your phrasing.

Mr. Hill. Oh, I would say a dozen, perhaps more.

Mr. Sourwine. Were these all conversations over the telephone, or were some of them conversations in the rooms that were not conducted over the telephone?

Mr. HILL. These were all over the telephone.

Mr. SOURWINE. What was done with those recordings?

Mr. HILL. Well, I believe that either I or Mr. Schneider gave the recordings to another individual.

Mr. SOURWINE. To whom?

Mr. HILL. I really do not know who that was. I will simplify it—it was not a person that I had any contact with, some stranger to me.

Mr. SOURWINE. Why did you give these recordings to someone who was a stranger?

Mr. HILL. Mr. Reilly's request.

Mr. SOURWINE. Mr. Reilly knew about these recordings?

Mr. HILL. Yes.

Mr. SOURWINE. Had he heard them?

Mr. HILL. I do not know whether he had heard them or not. I do know of one incident that he referred to, one telephone conversation. I do not know how this knowledge came to him, whether he listened to the recording or it was reported to him by another person who listened to the recording, but there was one telephone conversation which did seem interesting to him.

Mr. SOURWINE. He knew about at least one conversation?

Mr. HILL. Yes.

* * * * *

Mr. SOURWINE. Let me get at it this way: Did you tell Mr. Reilly about that particular conversation?

Mr. HILL. I believe I may have mentioned to him that there did not seem to be anything very interesting to him on this tape. However, there was one conversation that might be.

Mr. SOURWINE. Did you then tell him what that was?

Mr. HILL. Yes, sir; I believe I did.

Mr. SOURWINE. Do you see—just a little bit ago I understood you to say that you did not know how Mr. Reilly heard that conversation.

Mr. HILL. Well, if you understood what the conversation was, you would be able to appreciate how I could refer to it so as to identify it, but not divulge its contents.

Mr. SOURWINE. Is that what you did?

Mr. HILL. Yes, sir. As I recall.

* * * * *

Mr. SOURWINE. Your instructions with regard to the gimmicking of this telephone, did they come from Mr. Reilly or from Mr. Belisle?

Mr. HILL. Mr. Reilly.

Mr. SOURWINE. Directly to you?

Mr. HILL. Yes, sir.

Mr. SOURWINE. Orally?

Mr. HILL. Yes, sir.

* * * * *

Mr. SOURWINE. You were asked on July 9: "Are these not normal security measures which in proper circumstances would be indicated and would be taken?"

And you stated: "I have never engaged in this—in that type of security measure."

The fact was that you had engaged in it; is that not true?

Mr. HILL. Yes, sir. I believe this was my obligation to the Department to do as I did.

Mr. SOURWINE. Yes.

Mr. HILL. To answer as I did.

Mr. SOURWINE. You were asked if the Office of Security had authority to do this, and instead of replying directly, you stated voluntarily: "I personally have not ever been requested to do such a thing."

The fact was that you had been requested to do it, had you not?

Mr. HILL. Yes, sir.

Mr. SOURWINE. You had been ordered to do it by Mr. Reilly?

Mr. HILL. Well, he actually asked me to undertake to look into how difficult it would be to do it. I do not think this should be lost sight of, that, really, the telephone recording was an accidental, almost, byproduct of this attempt. The feeling on Mr. Reilly's part that—and it seemed pretty obvious to me at the time—that we were not going to get anything of much significance over the telephone because the telephone conversations would be guarded and fragmentary and what we should try to do, if we could, is to pick up room conversations, conversations taking place in the room.

* * * * *

Mr. SOURWINE. Then you were asked the next question, the second question that followed: "But you say your division has never done it, has never been called upon?"

And you answered: "We have never been called upon; no, sir."

The fact was that you had been called upon, had you not?

Mr. HILL. Yes, sir.

Mr. SOURWINE. All right, but you thought that you had to give that answer in order to comply with your obligations to the Department?

Mr. HILL. Yes, sir.

Mr. SOURWINE. And you were asked specifically:

"Did you ever have anything to do with tapping the telephone of Mr. Otepka, the Chief of the Division of Evaluations in the Office of Security?"

And you said: "No, sir."

Mr. HILL. Yes, sir.

Mr. SOURWINE. Of course, you knew at the time that you had modified this telephone?

Mr. HILL. I had modified the telephone. There is a technicality here.

Mr. SOURWINE. Well, you were aware of the technicality, were you not?

Mr. HILL. Of the technicality, being the distinction between tapping, which is a simple—much simpler thing to do——

Mr. SOURWINE. Yes?

Mr. HILL (continuing). And so-called bugging.

* * * * *

Mr. SOURWINE. Now this question:

"Did you ever have anything to do with placing a listening device in Mr. Otepka's office?"

And your answer: "No, sir."

As a matter of fact, you did have, did you not?

Mr. HILL. In the sense that the modification of the telephone was——

Mr. SOURWINE. Was a listening device?

Mr. HILL. Yes.

Mr. SOURWINE. Which was not in his office before you made the conversation?

Mr. HILL. Yes, sir.

* * * * *

Mr. SOURWINE. In your letter of transmittal under date of November 6 to your supplementary statement, you said: "I believe that my answers to these questions were correct."

As a matter of fact, you knew that they had not been correct, is that true?

Mr. HILL. Yes, sir.

Mr. SOURWINE. I ask that this letter dated November 6, together with the attached statement be made a part of the record at this point.

(The letter dated November 6, with attached statement, follows:)

DEPARTMENT OF STATE,
Washington, D.C., November 6, 1963.

Hon. JAMES O. EASTLAND,
Chairman, Subcommittee on Internal Security, Senate Committee on the Judiciary, U.S. Senate.

DEAR MR. CHAIRMAN: A copy of my testimony before the Subcommittee on Internal Security on July 9, 1963, has recently been made available to me. Upon review of this testimony I have concluded that mention of an incident which occurred last March would serve to clarify my responses to Mr. Sourwine's questions concerning interception of conversations in Mr. Otepka's office. I believe that my answers to these questions were correct. I would like, however, to have the attached statement inserted in the record of my testimony in order that there be no misunderstanding.

If you approve my request I suggest that the statement and this letter be inserted at page 1107 of my testimony.

I enclose the copy of my testimony which was made available to me.

Sincerely,

ELMER DEWEY HILL.

"On Monday, March 18, 1963, Mr. John F. Reilly, Deputy Assistant Secretary for Security, asked me to explore the possibility of arranging some way to eavesdrop on conversations taking place in Mr. Otepka's office. Mr. Reilly explained to me that he would only consider such a technique if other investigative methods failed.

"Later that day, I discussed the technical aspects of this matter with Mr. Clarence J. Schneider who, at that time, was serving as Chief of the Technical Operations Branch of the Division of Technical Services. We agreed on the approach to be used—modifying the wiring of Mr. Otepka's telephone instrument—and decided to return that evening to try the approach.

"That evening Mr. Schneider and I altered the existing wiring in the telephone in Mr. Otepka's office. We then established a circuit from Mr. Otepka's office to the Division of Technical Services laboratory by making additional connections in the existing telephone system wiring.

"Mr. Schneider and I tested the system and found we would be unable to overhear conversations in Mr. Otepka's office, except actual telephone conversations, because electrical interference produced a loud buzzing sound. (It was never contemplated that an attempt would be made just to monitor Mr. Otepka's telephone line in order to overhear conversations on it.)

"I reported our unsuccessful effort to Mr. Reilly the following morning. Mr. Schneider has told me that during that day he asked an officer in the Division of Domestic Operations of the Office of Security whether he had, or knew where to acquire, equipment which would eliminate such a buzzing sound. Mr. Schneider assured me that he did not discuss with the officer the specific application for which the equipment was needed. I also attempted during that day to obtain such equipment, but was unsuccessful.

"On the following day, March 20, Mr. Reilly informed me that I should not pursue the matter further because he had found the type of information he was looking for from an examination of Mr. Otepka's classified trash. Mr. Reilly directed me to disconnect the wiring connections which Mr. Schneider and I had made. That evening, Mr. Reilly, Mr. Schneider, and I met in the Office of Security. In the space of a few minutes, I removed the extra connections which Mr. Schneider and I had made in Mr. Otepka's telephone while Mr. Reilly and Mr. Schneider stayed in the hall outside Mr. Otepka's office.

"To summarize, for a 2-day period it might have been possible to intercept conversations taking place in Mr. Otepka's office if certain technical problems could have been resolved. These problems never were resolved and the wiring connections which were made were removed without any conversations having been intercepted."

Mr. SOURWINE. In your statement you said that Mr. Reilly had asked you to explore the possibility of arranging some way to eavesdrop on conversations, to be placed in Mr. Otepka's office, and then you said or you wrote, "Mr. Reilly explained to me that he would only consider such a technique if other investigative methods failed."

Did you understand that by that Mr. Reilly did not want you to hook anything up without further orders?

Mr. Hill. No, sir.

* * * * *

Mr. Sourwine. All right, Mr. Hill. If I am wrong, correct me.

Mr. Hill. Mr. Reilly took the view that we were still trying to do what he asked us to do when the recorder was hooked up, and when these connections had been made, that we were in the process of making an attempt. Therefore, the go-ahead on recording room conversations was never given. However, since during the course of the tests of all of the system and the equipment involved we did get telephone conversations, he did utilize telephone conversations. In effect, he had someone listen to them.

Mr. Sourwine. Who did he have listen to them?

Mr. Hill. I do not know.

* * * * *

Mr. Sourwine. But he knew that you had set it up with sufficient success to report to him telephone conversations?

Mr. Hill. Yes.

Mr. Sourwine. He knew that you had recorded them?

Mr. Hill. Yes.

Mr. Sourwine. And he gave instructions as to the disposition of the tapes on which you had recorded them?

Mr. Hill. Yes.

Senator Dodd. I can see that. It is clear now.

Mr. Sourwine. You were, certainly, justified under those circumstances in assuming that he approved what you had done. You felt that you were doing what he wanted?

Mr. Hill. Yes, sir.

Mr. MILLER. The record of Mr. David I. Belisle, special assistant to the Deputy Assistant Secretary for Security, was released yesterday. It reveals that Mr. Belisle misled the subcommittee during his previous sworn testimony. Whether he committed perjury is for others to say. But in all charity, I must say that his testimony reveals such a complete lack of candor before the duly elected representatives of the taxpayers that he should be forced to resign. Neither the Congress nor the people it represents can have confidence in him any longer. His continuance on the Federal payroll will only cause continued criticism, bad feeling, and suspicion between the executive branch and the legislative branch of the Government.

Mr. President, I ask unanimous consent that portions of this report which I have designated be printed in the Record at this point in my remarks.

There being no objection, the excerpts were ordered to be printed in the Record, as follows:

State Department Security

(Excerpts from hearings of U.S. Senate Subcommittee To Investigate the Administration of the Internal Security Act and Other Internal Security Laws, of the Committee on the Judiciary, Washington, D.C., Thursday, November 14, 1963)

The subcommittee met, pursuant to notice, at 10:35 a.m., in room 2300, New Senate Office Building, Senator James O. Eastland, chairman, presiding.

Present: Senators Eastland, John L. McClellan, Thomas J. Dodd, Everett McKinley Dirksen, Roman L. Hruska, Kenneth B. Keating, and Hugh Scott.

Also present: J. G. Sourwine, chief counsel; Alan D. McArthur, associate counsel; Samuel J. Scott, assistant counsel; and Benjamin Mandel, director of research.

Senator Dodd. Mr. Belisle, will you raise your right hand. Do you solemnly swear that the testimony you will give before this subcommittee will be the truth, the whole truth, and nothing but the truth, so help you God?

Mr. Belisle. I do.

TESTIMONY OF DAVID I. BELISLE, SPECIAL ASSISTANT TO DEPUTY ASSISTANT SECRETARY FOR SECURITY, DEPARTMENT OF STATE

Senator McClellan. What I don't quite understand is: When you were here and testified and were being interrogated, you had the same knowledge and information then that you conveyed in the letter, did you not?

Mr. Belisle. I had; yes, sir, but——

Senator McClellan. Did you not know from the questions asked you that the committee was seeking information regarding those wiretaps and getting of testimony and information in that manner? You knew that is what they were inquiring about, didn't you?

Mr. Belisle. Yes, sir.

Senator McClellan. Did you feel that in not disclosing what you had heard and what you had been told down there—did you not feel at that time that you were withholding from this committee information that it wanted and needed?

Mr. Belisle. Senator, in my own judgment I did not consider that I was withholding any information, inasmuch as I felt that I had the information secondhand. It was hearsay information.

Senator McClellan. It wasn't very secondhand from those who did it—told you they did it. That wasn't very secondhand, was it?

Mr. Belisle. Hearsay.

Senator McClellan. You don't regard that as secondhand, do you?

Mr. Belisle. I regard it as secondhand; yes, sir. Hearsay.

Senator McClellan. You mean if a fellow sits here and tells you, "I did a thing," tells you that, you regard it as secondhand and you felt the committee didn't need to know that he had told you that when you were testifying before?

Mr. Belisle. Well, that was my judgment, sir.

Senator McClellan. At the time—you mean that was your honest judgment at the time you sat there and testified?

Mr. Belisle. That was my honest judgment at the time I sat here and testified.

* * * * *

Senator Dirksen. And you mean there was no discussion about the bug?

Mr. Belisle. Oh, at that time, yes. He told me that we—that they had made the—studied the feasibility of getting this thing in there and the thing had fizzled. They got nothing but noise, and he pulled it out.

Senator Dirksen. Then he did tell you that a bug was tried, shortly after you got back from Costa Rica.

Mr. Belisle. Right.

Senator Hruska. Now, Mr. Witness, in your testimony on July 29 this question was asked you:

"Do you have any information with respect to the tapping of the telephone of Mr. Otto Otepka, Chief of the Division of Evaluations of the Department of State?"

Mr. Belisle. Right.

Senator Hruska. The answer was "No, sir."

The Chairman. Now, wait a minute. Was that a truthful answer?

Senator Hruska. Was that a truthful answer?

Mr. Belisle. I have to say, sir, in my judgment that was a truthful answer and I based that on the fact that I did not feel that I had to testify to hearsay information.

Senator Hruska. Mr. Belisle, the question is: Do you have any information with respect to it? It doesn't mean firsthand, secondhand, thirdhand, or any other kind. The question was plain: Do you have any information with respect to the tapping of that telephone? Now, Mr. Belisle, do you want to sit there and tell us that in your best judgment at that time you did not have any information on it?

Mr. Belisle. Sir, I am not saying that. I am saying that in my——

The Chairman. Was your answer truthful now?

Mr. Belisle. In my own judgment I said that I felt that, inasmuch as I did not have any firsthand information, that I could answer the question, "No."

Senator Hruska. That is not what you said. You said, "No, sir."

Mr. Belisle. That is right.

Senator Hruska. Let me ask you this question: Did you, on July 29, 1963, have any information with respect to the tapping of the telephone of Mr. Otto Otepka, the Chief of the Division of Evaluations of the Department of State?

Mr. Belisle. I had no firsthand information, sir. I had information——

Senator Hruska. What information did you have at that time?

Mr. Belisle. I had information that was told to me by Mr. Reilly that they tried to do it and that fizzled.

Senator Hruska. Well——

Senator Dirksen. That is information.

Senator Hruska. The next question was "Do you know whether this was done?"

And the answer was: "No, I do not."

Mr. Belisle. Right.

Senator Hruska. Is that a truthful answer in your judgment?

Mr. Belisle. In my judgment I felt that I—as I said before, this being hearsay information, I do not know that this was done. I still do not know that this was done.

Mr. Sourwine. Do you doubt Mr. Reilly's statement?

Mr. Belisle. No, I do not.

Mr. Sourwine. Do you think it was done?

Mr. Belisle. I do not know, but it was a question——

The Chairman. That is not the question. He asked him if he had information. He said he didn't.

Senator Dodd. Are you a lawyer?

Mr. Belisle. No, sir; I am not.

Senator Dodd. You don't really know what hearsay is, technically?

Mr. Belisle. No, sir. Except——

The Chairman. But you did have information, didn't you?

Mr. Belisle. I had information which, in my judgment, was hearsay.

* * * * *

Senator Hruska. Now then, let me ask you this question as of now: Did you know, on July 29, 1963, that a listening device had been placed in Mr. Otepka's office?

Mr. Belisle. Well, let me say that, when you are talking about listening device, I think everybody has his own interpretation of it. I understood Mr. Sourwine to say did I place a listening device in his office. I answered "No." Did I know if it had been done, and I took Mr. Sourwine to mean was there a microphone placed in his office, and I said "No."

Senator Hruska. Mr. Belisle, perhaps you might have thought a microphone was involved but the plain question was whether you knew a listening device had been placed in Mr. Otepka's office. That was the plain question. It didn't say "microphone." It said a "listening device."

The Chairman. Did he have knowledge of a listening device.

Senator Hruska. And did you know if this was done. My question then is this: Did you know, on July 29, 1963, that a listening device had been placed in Mr. Otepka's office?

Mr. Belisle. As I say again, Senator, I had no firsthand knowledge and that is why I answered——

Senator HRUSKA. Had you been told at that time that a listening device had been placed?

Mr. BELISLE. No. I had been told that they had tried it and it didn't work, and a listening——

Senator HRUSKA. Who told you?

Mr. BELISLE. A listening device? No.

Senator HRUSKA. Who told you?

Mr. BELISLE. Mr. Reilly.

* * * * *

Senator HRUSKA. If you read a newspaper account of an event, would you consider the text of that news article information on that subject?

Mr. BELISLE. Yes.

Senator HRUSKA. Suppose the reporter, instead of having communicated his account of that event in print in the newspaper, would step up to you and describe that event. Would you consider that to be information?

Mr. BELISLE. Yes. I would consider it to be information, I suppose.

Senator HRUSKA. And yet you don't feel that when this question was asked you: "Do you have any information with respect to the tapping of the telephone of Mr. Otepka?" you don't feel that what Mr. Reilly had told you about all of this wiretap business, you don't feel that that was information?

Mr. BELISLE. Senator, I can only say that I answered that question in my own judgment. I felt this was hearsay information and I did not have firsthand knowledge of it, so therefore I answered it as I did.

Senator HRUSKA. Of course, Mr. Belisle, you didn't say: "No, sir, no firsthand information." Your answer said, "No, sir."

Mr. BELISLE. Right.

Senator HRUSKA. And you knew at that time, didn't you, that the committee was trying to get information of any kind about it and that is what the question was that was put to you; did you not?

Mr. BELISLE. I knew; yes, sir.

Senator HRUSKA. You knew that.

The CHAIRMAN. And you knew you were withholding information from this committee; did you not?

Mr. BELISLE. Sir, I did not feel I was withholding information. As I said before, I did not—it was my considered judgment that this was hearsay information and therefore I could not answer——

The CHAIRMAN. Of course, that is a pretext. You know better than that.

Mr. BELISLE. Sir?

The CHAIRMAN. That is an excuse. You know better than that.

Mr. BELISLE. That was my judgment, sir.

Senator KEATING. Had you ever taken an oath before in any proceeding?

Mr. BELISLE. Yes, sir.

Senator KEATING. Do you know the nature of that oath?

Mr. BELISLE. Yes, sir.

Senator KEATING. Do you know a part of that oath is that you will tell the whole truth?

Mr. BELISLE. Yes, sir.

Senator HRUSKA. Did you consider that you had told the whole truth in answer to the question: "Do you have any information with respect to the tapping of Mr. Otepka's telephone?"

Mr. BELISLE. Senator, in my judgment, I felt I had answered the question truthfully. That is all I can say. This was my considered judgment and I answered it that way.

Mr. SOURWINE. Do you still feel that way?

Mr. BELISLE. I still feel that this was hearsay information, of which I had no firsthand knowledge, and I answered your question, what I considered to be truthful.

Mr. SOURWINE. I take it, then, that you feel you have nothing to apologize to the committee——

Mr. BELISLE. Listen, I apologized to the committee. I apologized to the State Department for all of the newspaper publicity. I apologized to my family and everything else. But——

The CHAIRMAN. Why do you apologize?

Mr. BELISLE. Well, I apologize for getting them, getting all the publicity and I apologized to the committee for——

The CHAIRMAN. Wasn't it because you didn't tell the truth to this committee? Wasn't that the reason?

Mr. BELISLE. I apologized to them for having—to you people for thinking that I misled you, to the State Department for getting bad publicity as a result of my testimony, and to my family also.

Mr. SOURWINE. Do you yourself feel that you have any culpability, Mr. Belisle?

Mr. BELISLE. No, sir.

Senator DIRKSEN. Any what?

Mr. SOURWINE. Culpability.

Mr. BELISLE. No, sir.

Senator DODD. Let me ask you a question. Before you testified before this committee, were you briefed or did you receive any instructions from anybody or any advice or were any suggestions made to you?

Mr. BELISLE. No, sir.

Senator DODD. None at all.

Mr. BELISLE. I got—the only advice I got was from Mr. Crockett and that is: "Well, you have to go down there and tell the truth."

Senator SCOTT. Were you so advised prior to your testimony of July 29, 1963?

Mr. BELISLE. Yes, sir.

Senator SCOTT. Mr. Belisle, a further question which was put to you was, first, whether you had any information with respect to the tapping of the telephone, and you said, "No, sir." The next question by Mr. Sourwine was, "Do you know whether this was done?"

Your answer, Mr. Belisle, was "No; I do not." And now you have said, and said in your letter, that in fact you had discussed it on your return from Costa Rica with Mr. Reilly.

Now, if that is the case, then what you said before the committee on the 29th of July 1963, was not true. Is that not a fact?

Mr. BELISLE. No, sir. I don't believe that, sir. I did not know it was done.

Senator SCOTT. Didn't you say in your subsequent letter that Mr. Reilly told you it was done?

Mr. BELISLE. Yes, sir; I have.

Mr. SOURWINE. You are taking the position, are you, that you don't know anything unless you yourself participated in it or saw it happen.

Mr. BELISLE. This is the position I take; yes, sir.

Senator SCOTT. You were, of course, actually covering your superior, Mr. Reilly, were you not, in this testimony of the 29th of July?

Mr. BELISLE. Covering him?

Senator SCOTT. Yes, because you had had a conversation with Mr. Reilly in which he told you that there had been this tap of the telephone. Nevertheless you said here you did not know. Your answer was, "No; I do not." You did not know whether this was done. This would mean, then, that when your superior makes a statement of fact to you, your answer to it indicates that you do not believe the statement of fact, and therefore are you saying here now that Mr. Reilly was not telling you the truth or that you mistrusted him or that you refused to accept as factual the statement made by your superior?

Mr. BELISLE. No, sir.

Senator SCOTT. Then what are you saying?

Mr. BELISLE. I am saying as I said before that I, in my own considered judgment, I could answer the question and did answer the question that I thought truthfully because I had no firsthand knowledge of this information——

Senator SCOTT. You didn't tell the committee you had no firsthand knowledge.

Mr. BELISLE. No, sir; I didn't.

Senator SCOTT. To you, then, the only kind of knowledge, the only concept you have of the word knowledge is something you see happening; is that right?

Mr. BELISLE. Something that I can testify to; yes, sir.

Senator SCOTT. In other words, you wouldn't have any knowledge that Pearl Harbor occurred because you weren't in Honolulu at that time; is that right? Would you carry it to that extreme, and if you would not, tell us why not.

Mr. BELISLE. Well——

Senator HRUSKA. Would the Senator yield?

Senator SCOTT. I would like to get an answer to that.

Mr. BELISLE. Well, I would say I would only know what I read in the papers.

Senator SCOTT. Just as you would only know what Mr. Reilly told you.

Mr. BELISLE. Right, sir.

Senator SCOTT. And had you been asked anything about Pearl Harbor that you read in the papers, you would have commented on it, would you not?

Mr. BELISLE. Well, certain things you believe in and you don't know but you believe.

Senator SCOTT. Don't you believe in Mr. Reilly?

Mr. BELISLE. Sure, I believe in Mr. Reilly.

Senator SCOTT. I yield.

Senator HRUSKA. You would in that event, in the instance of Pearl Harbor, you would have had information about Pearl Harbor, would you not have?

Mr. BELISLE. Yes, sir. But I wouldn't have had firsthand knowledge but I would have had information.

Senator HRUSKA. Yes.

Senator KEATING. In retrospect, Mr. Belisle, when you said you had no information on this subject, don't you think it would have been better to explain what you meant by that, at that time?

Mr. BELISLE. In retrospect I think it would have been much better.

Mr. SOURWINE. You went to college, didn't you?

Mr. BELISLE. No, sir.

Senator MCCLELLAN. You know now that your answers were completely evasive, don't you, of what the committee wanted to get? You were trying to be evasive and trying to withhold the information the committee wanted.

Mr. BELISLE. Senator, I say again I did not; in my considered judgment, I did not think they were evasive.

Senator MCCLELLAN. You don't consider them not evasive? You mean to——

Mr. BELISLE. No.

Senator MCCLELLAN (continuing). You mean to sit there now and say to this committee that the answers—you gave under oath to tell the truth and the whole truth—you mean to say now they were not evasive?

Mr. BELISLE. Well, I think you can interpret——

Senator MCCLELLAN. How do you interpret them as of this minute?

Mr. BELISLE. As of this minute, as I said, not having had firsthand information. I still feel that I answered your questions correctly, sir.

Senator MCCLELLAN. You say your answers were not evasive of the truth?

Mr. BELISLE. Well, evasive of the truth.

Senator MCCLELLAN. Yes. Plain, straight, evasive of the truth.

Mr. BELISLE. I don't think so; no, sir.

Senator HRUSKA. The question was "any information." It wasn't "firsthand" information and it was plain English. It said did you have any information. Can you still sit there and tell this committee that, in your considered judgment, you were telling the truth when you answered "No, sir"?

Mr. BELISLE. Senator, I said in my considered judgment I did not have firsthand information of it, and therefore that is why I answered it that way.

Senator Hruska. Mr. Chairman, I think that explanation is an affront to this whole committee.

The Chairman. It is.

Mr. Belisle. I am sorry, sir.

* * * * *

TESTIMONY OF THOMAS EHRLICH, OFFICE OF LEGAL ADVISER, DEPARTMENT OF STATE

* * * * *

Mr. Sourwine. Do you mean the committee to understand—do you want the committee to understand that you received instructions indirectly from the Secretary of State through Mr. Ball in a matter of this importance and proceeded to act on those instructions without the knowledge or consent of your superior, Mr. Abram Chayes?

Mr. Ehrlich. Well, perhaps I should explain why this is so.

Mr. Sourwine. It is so, is it?

Mr. Ehrlich. Yes. I was not acting under the instructions of Mr. Chayes. Mr. Chayes knew that I was working for Mr. Ball and I think it probably is more accurate to say that I was working for Mr. Ball rather than directly for the Secretary, at least it was through Mr. Ball.

Shortly—at some point after the committee's memorandum—10-page memorandum—was received by the Secretary, Mr. Ball asked me to look into the general—the matters that were covered in that memorandum, for him directly, and not with Mr. Chayes, in other words, that I was to be detailed to work for Mr. Ball.

Mr. Sourwine. I see. And did you do this?

Mr. Ehrlich. Yes; I did.

Mr. Sourwine. What conclusion did you reach with respect to those matters?

Mr. Ehrlich. Well, there were 10 pages of matters and all of them frankly, the purpose of my doing this was to work with the Secretary in preparing his statement, his testimony before you, I believe it was 3 weeks ago.

Mr. Sourwine. Did you reach any conclusion as to whether any of the statements in that 10-page memorandum were false or misleading or in any way untrue?

Mr. Ehrlich. Well, I reached a number of conclusions about them. I frankly would have to see the statements before I could comment about them.

Mr. Sourwine. Did you find any of the statements in that 10-page statement which in your judgment were untrue or misleading?

Mr. Ehrlich. Yes; I did.

Mr. Sourwine. Did you convey this impression to Mr. Ball?

Mr. Ehrlich. Yes; and I prepared—yes, I did, and to the Secretary.

Mr. Sourwine. And to the Secretary.

Senator Dodd. You are referring to the memorandum which you and I put to the Secretary in writing?

Mr. Sourwine. Yes, sir.

Did you convey this in writing?

Mr. Ehrlich. I gave the Secretary part of my judgments in writing and part orally.

Mr. Sourwine. And did the Secretary then, to you or to Mr. Ball in your presence, indicate that he favored the writing of such statements or that he wished to see this done?

Mr. Ehrlich. That he did wish to see statements prepared.

Mr. Sourwine. So that thereafter when you conveyed to Mr. Belisle and Mr. Reilly and Mr. Hill the Secretary's desire that this be done, you were conveying to them something that you had yourself heard the Secretary express as his wish.

Mr. Ehrlich. No, because—I don't mean a flat no. I mean that the time the Secretary—I remember hearing the Secretary discuss this—was several days before the 5th. The time, the day of the 5th I don't—as I remember it, I don't know that I talked to the Secretary about this.

Mr. Sourwine. Then the Secretary's expression with respect to the desire that clarifying or amplifying or correcting statements be made was expressed to Mr. Ball in your presence at a time several days prior to the colloquy on the floor between Senator Dodd and Senator Thurmond.

Mr. Ehrlich. Yes.

* * * * *

Mr. Sourwine. I have just one more question. Was a copy of each of these letters or any one of them furnished to the Secretary of State or sent to his Office?

Mr. Ehrlich. He, I know, saw them. I don't think he read them. In other words, he saw the papers. I don't think he read them over, though, before they came to the committee.

Mr. Sourwine. Did he see them after they were signed or before?

Mr. Ehrlich. After they were signed.

Mr. Sourwine. After they had been signed. How did he see them? Did you show them to him?

Mr. Ehrlich. No. I believe Mr. Ball did.

Mr. Sourwine. Mr. Ball took them to the Secretary?

Mr. Ehrlich. Yes.

Mr. Sourwine. Were you present at the time?

Mr. Ehrlich. Yes, I was.

Mr. Sourwine. And did Mr. Ball hand them to the Secretary?

Mr. Ehrlich. Yes.

Mr. Sourwine. Did he look at them?

Mr. Ehrlich. He glanced at them. I don't think he read them carefully.

Mr. Sourwine. Did he look at them one by one or did he just look at the top one?

Mr. Ehrlich. I honestly don't remember other than it is my best recollection that he did not at least read one through carefully.

Mr. Sourwine. But you do know that Mr. Ball handed them to him.

Mr. Ehrlich. Yes.

Mr. Sourwine. He had them in his hand and he was told what they were, is that right?

Mr. Ehrlich. Yes.

Mr. Sourwine. He knew what they were.

Mr. Ehrlich. Yes.

Mr. Sourwine. And then he handed them back. What did he say?

Mr. Ehrlich. I don't remember that he said anything.

Mr. Sourwine. Well, did he indicate that it was all right, go ahead, send the letters?

Mr. Ehrlich. Yes.

Mr. MILLER. Mr. President, the record reveals that the Secretary of State has received some of the information disclosed before the Internal Security Subcommittee, and that the Under Secretary received at least as much and probably more. No one knows the extent of the information they received, but it is understandable that in their busy positions, they would not have taken the time to minutely go over the entire record. However, this matter has gone so far that I am afraid it is going to be necessary for them to do so. I have already indicated what action I believe should be taken by the Secretary regarding the emergency security clearences.

And what of Mr. Otto Otepka, the 47-year-old career civil servant who in 1953 was named an evaluator in the State Department Security Division and who was awarded the highest honor of the State Department for his accomplishments as Deputy Head of the Division?

It appears that he provided information to the Senate Internal Security Subcommittee relating to the relaxed security clearance policy and procedures in the State Department. There may well have been others who did so, but his information was formally recorded before the subcommittee. First, it was reported that he would be fired. Then he was reported to have been suspended. Then it was reported that he would be retained but moved out of the Security Division. His eventual fate will be decided by the Secretary of State, who has directed a special investigation by former Ambassador Flake and Colonel French.

I am advised that the proceedings within the Department with respect to Mr. Otepka will not be made public, although it is possible that the record thereof will be released to the public to the extent security matters permit. I should judge that the vital matters surrounding Mr. Otepka's activities would not involve such matters insofar as alleged violation on his part of State Department regulations are concerned.

But, regardless of State Department regulations, if a situation becomes so serious with respect to our security procedures in the Department that Mr. Otepka or anyone else feels compelled to come to a duly authorized subcommittee of Congress to report the situation, I would say that he has performed a service to the people who are paying the bill, to his country, and to his conscience. This is not to say that there should be frivolous action on the part of employees in the State Department, or other agencies, running to Congress over the least little thing. But someone of Mr. Otepka's stature certainly makes it a prima facie case that what he was doing was anything but frivolous. The fact that security in the Department was involved indicates that the matter was anything but frivolous.

All of us will be carefully awaiting developments. The reputation of the State Department hangs in the balance. And, I might add, anyone who gets the idea that Mr. Otepka must be punished as a matter of saving face for the Department will be seriously mistaken, in view of the record that has already been made.

Mr. President, I ask unanimous consent that articles on the Otepka case published in the Des Moines Register for December 21, 25, and 28, 1963, and the Washington Post for January 7, 1964, be printed in the Record.

There being no objection, the articles were ordered to be printed in the Record, as follows:

[From the Des Moines Register, Dec. 21, 1963]

OFFICIALS SAY OTEPKA WILL REGAIN POST

(By Clark Mollenhoff)

Washington, D.C.—High-level State Department officials said Friday that former chief security evaluator Otto Otepka will be reinstated, and charges against him will be dropped.

The decision of the State Department was a result of a White House suggestion after a meeting this week in which Senator Thomas Dodd, Democrat, of Connecticut, emphasized demands that Otepka be rehired.

The White House assured the Senate Judiciary Committee a week ago that Otepka would be reinstated. However, the State Department has denied there were any plans.

WANTED PUNISHMENT

State Department officials had opposed the suggestions that Otepka be rehired, and reiterated the belief that he should be punished for having given classified information to a congressional committee without clearing with his superiors.

Senator DODD convinced the White House that the Johnson administration would be headed for deep trouble if it did not take a strong hand and reinstate Otepka.

Representative WILLIAM CRAMER, Republican of Florida, told the House Rusk and Deputy Under Secretary William Crockett were engaged in an effort to oust Otepka for telling the truth to a congressional committee and for producing records to substantiate the truth of his statements.

HIS CAREER

Otepka, a 47-year-old career civil servant, in 1953 was named an evaluator in the State Department Security Division.

His work was regarded as outstanding during the Eisenhower administration, and in 1958 he was awarded the Department's highest honor for his accomplishments as a deputy head of the Division.

Although he believed in high security standards, Otepka opposed arbitrary security decisions that were not supported by evidence. It was Otepka who cleared Wolf Ladejinsky in 1954, when some persons in the State Department and Agriculture Department sought to label Ladejinsky as a security risk.

At the outset of the Kennedy administration, Otepka got along well with his superiors. He was offered an assignment for special training at the War College.

DIFFER ON STANDARDS

In 1962 friction developed between Otepka and one of his superiors. Otepka believed the security standards should be retained at the same level. Some of his superiors believed the standards established under the Eisenhower administration were unreasonably high.

One point of controversy was the "emergency clearance procedure" that allowed the Secretary of State to grant security clearances without a full-scale investigation.

This emergency clearance was used only five or six times in the entire Eisenhower administration, but it was used more than 150 times in the first 2 years under Secretary Rusk.

[From the Des Moines Register, Dec. 25, 1963]

RUSK INSISTS HE HANDLES OTEPKA CASE

(By Clark Mollenhoff)

WASHINGTON, D.C.—Secretary of State Dean Rusk is personally responsible for the details of the handling of the Otepka case since October 5, he said Tuesday.

The Secretary said he has read all of the testimony made available to the State Department relative to "untruthful" testimony of three high State Department officials.

Under sharp pressure from Congress, Rusk forced the resignation of Deputy Assistant Secretary John F. Reilly and Elmer D. Hill, a special assistant to Reilly.

SPECIAL CASES

David Belisle, chief assistant to Reilly, has been removed from any overall responsibility in the State Department security division, and has been working on special security cases, the State Department reported Tuesday.

Rusk said he did not rely on subordinates to analyze the information on the handling of the Otepka case and the activities of Reilly, Hill, and Belisle. He said transcripts of all testimony and other information was sent to him personally, and was read by him.

Secretary Rusk said he had approved letters Reilly, Hill, and Belisle sent to the Senate Internal Security Subcommittee November 6, 1963, to clarify their testimony of late July and early August.

In that testimony all three denied knowledge that wiretaps had been attached to the telephone of Chief Security Evaluator Otto Otepka.

NOVEMBER 6 LETTERS

Their November 6 letters admitted knowledge that a listening device was placed on Otepka's telephone for 3 days, from March 18 through March 20, 1963.

However, the letters denied knowledge of any other incidents that might be considered an effort to use a listening device on Otepka's telephone or to place a listening device in his office.

Since receiving those letters, the Internal Security Subcommittee has taken further testimony from Hill in which he admitted that there was further wiretapping of Otepka at Reilly's direction, and that an actual recording was made of the conversations.

Hill has testified that he turned these recordings over to some other State Department officials at Reilly's direction. The State Department admits that Hill has changed his story and has stated that recordings were made, but contends there is still no evidence that knowledge of these recordings went to the Assistant Secretary of State or above.

DETAILS FROM DODD

Secretary Rusk contends that he had no knowledge of the basic allegations of "untruthful statements" by Reilly, Hill, and Belisle until October 5, 1963, when a memorandum from the Senate Judiciary Committee was delivered to him in New York where he was attending a U.N. session.

Subcommittee Vice Chairman THOMAS DODD, Democrat, of Connecticut, delivered the letter to Rusk and explained the problem.

ORIGINAL STORY

Last July 9, Committee Counsel Jay Sourwine asked Hill:

"Did you ever have anything to do with placing a listening device in Mr. Otepka's office?"

Hill: "No, sir."

Sourwine: "Did you have any knowledge of it, if it was done?"

Hill: "No, sir."

REVISED VERSION

On November 6, Hill wrote to the Senate Internal Security Committee that on March 18, Reilly asked him to explore the possibility of eavesdropping on conversations in Otepka's office. He said he discussed it with Clarence J. Schneider, chief of technical operation branch, and that they decided they could install a listening device in Otepka's telephone. Hill added:

"Mr. Schneider and I tested the system and found we would be unable to overhear conversations in Mr. Otepka's office, except actual telephone conversations, because electrical interference produced a loud buzzing sound. It was never contemplated that an attempt would be made just to monitor Mr. Otepka's telephone line in order to overhear conversations on it."

Hill stated that an effort was made to get some equipment to eliminate the buzzing sound, but on March 20, Reilly informed him that it would not be necessary to pursue the wiretap further because information had been obtained from Otepka's wastepaper burn bag indicating he was giving State Department information to the Senate Internal Security Committee.

Hill now admits that he made a recording of conversations on Otepka's wire, and gave the recording to another man in Reilly's presence.

Reilly continues to testify under oath that no actual interceptions of conversations took place.

[From the Des Moines Register, Dec. 28, 1963]

JOB HUNTER FEARS TALK ON WIRETAP

(By Clark Mollenhoff)

WASHINGTON, D.C.—Electronics expert Elmer Dewey (Bud) Hill said Friday wiretaps were used to make several recordings of conversations on the telephone of State Department security evaluator Otto Otepka.

However, the 34-year-old former State Department technician said he did not want to discuss the details of conflicts between his story and the story of others in the State Department who deny recordings were made of Otepka's telephone conversations.

"I'm going to have to go out and get a job in private industry, and I don't want to get crosswise with the officials of the State Department," Hill said.

"I'm going to have to depend on the State Department for references, and I don't want to make things any more difficult for them than I have to under the circumstances."

COULD BE ROUGH

He said things could be pretty rough in getting another job if his testimony makes it difficult for Secretary of State Dean Rusk, Deputy Under Secretary William Crockett, or John F. Reilly, recently resigned Deputy Assistant Secretary of State in charge of the Security Division.

"Reilly has his position to look out for; so does Crockett, and so does Secretary Rusk," Hill said. "I don't want to do anything that would put them in a more embarrassing situation."

Hill said he gave testimony last July in which he denied listening devices had been attached to Otepka's telephone because it was what the Department wanted.

CHANGED STORY

He said he has changed his story to admit the actual recording of the Otepka telephone conversations "because I felt I had to tell the truth to avoid trouble."

However, he explained that he did not want to give any explanation of his dealing with State Department officials because this may irritate them and result in bad references.

"I've told the truth to the Senate Internal Security subcommittee, and I don't want to give any more explanations unless I have consulted my lawyer," Hill said.

The transcript of the executive session testimony given by Hill has not been made public yet, but Senator THOMAS DODD, Democrat of Connecticut, has made reference to it in a Senate floor speech.

DENIED KNOWLEDGE

DODD said Reilly, Hill, and David I. Belisle, an assistant to Reilly, had testified in July and August "that they knew nothing about the installation of a listening device in Mr. Otepka's office."

"Reilly and Belisle," he went on, "re-called before the committee (in mid-November), stated that none of Otepka's conversations had been overheard because of electronic difficulties."

Hill testified that tape recordings had been made of several conversations, that Reilly had expressed particular interest in one conversation, and that he had turned the tapes over to an unidentified third party at Reilly's direction.

Reilly continues to claim he had no knowledge that any recordings were made, and to deny that any recordings were ever given to him or delivered to others at his request. He and Hill resigned from the State Department.

Hill, a native of Los Angeles, Calif., received an M.A. degree from Stanford University in 1957. He had been a research associate at Stanford for more than 5 years when he was hired by the State Department in January 1962, as electronics expert for the security division.

[From the Washington (D.C.) Post, Jan 7, 1964]

RUSK HELPED OTEPKA CASE CLARIFICATION

Secretary of State Dean Rusk intervened personally to set the record straight on sworn testimony three subordinates gave to the Senate Internal Security Subcommittee.

This was brought out yesterday when the subcommittee made public the record of a closed hearing held November 14 in its continuing investigation of State Department security practices.

Two of the subordinates, John F. Reilly and Elmer Dewey Hill, have since resigned. Reilly was Deputy Assistant Secretary of State for Security. Hill was chief of the division of technical services in the security office.

The third, David I. Belisle, who was Reilly's special assistant, is still working for the Department.

Reilly, Hill, and Belisle all swore to the subcommittee last summer that they had no knowledge of any listening devices being installed in the office of Otto F. Otepka, veteran State Department security officer.

RIGGING ADMITTED

But in statements they submitted to the subcommittee on November 6, they acknowledged that wiring in Otepka's telephone had been rigged last March to permit eavesdropping.

Otepka, accused by the Department of unauthorized disclosure of information to the subcommittee's chief counsel, was dismissed last fall over the subcommittee's protest. He has an appeal pending.

Thomas Ehrlich of the State Department's legal office testified at the November 14 hearing that the supplemental statements of Reilly, Hill, and Belisle were submitted after Rusk said he wanted that done.

The subcommittee had called Rusk's attention to their sworn denials of the "bugging" of Otepka's phone.

J. G. Sourwine, the subcommittee's chief counsel, asked Ehrlich if he regarded the November 6 statements as "merely supplemental or clarifying or do they correct the testimony previously given?"

Ehrlich replied that the thrust of Sourwine's question, as he understood it, was "whether one or more of the individuals committed perjury." He said "I could not give that legal judgment without a very, very careful answer."

GAVE THREE ASSISTANCE

Testifying that he had assisted Reilly, Hill, and Belisle in preparing the statements, Ehrlich said they were completed the night of November 5—shortly after Senator THOMAS J. DODD, Democrat, of Connecticut, had told the Senate that the subcommittee had evidence of Otepka's phone being tapped and spoke of possible perjury.

But Erhlich emphasized that Rusk had said several days before DODD's speech that he wanted Reilly, Hill, and Belisle to submit statements amplifying their testimony to the subcommittee.

Belisle, who was the principal witness at the November 14 hearing, was asked if DODD's speech about possible perjury had anything to do with the submission of the statements within 24 hours.

"I would imagine that it did; yes, sir," Belisle replied.

SALE OF WHEAT TO RUSSIA

Mr. MILLER. Mr. President, on December 30 I remarked on the Senate floor that:

> There comes a time when one feels that he must vote in protest against certain things that are taking place.

In the course of those remarks, relating to the foreign aid appropriation bill, I said that it is unthinkable for the American taxpayer to underwrite the credit and good faith of the Soviet Union to pay up bills in connection with the sale of wheat to that Communist nation. I questioned whether it would be in our national interest to do so. Recent news articles tend to bear this out. Not only is the United States underwriting the sale of wheat to the Soviet Union but, in addition, according to the Washington Evening Star of January 4 and the Wall Street Journal of January 6, the American taxpayer will pick up shipping costs in order to complete this sale. I would like to quote pertinent paragraphs in this connection. The Journal noted:

> Closing of the deal in Moscow was undoubtedly aided by a U.S. decision to grant the company an abnormally large $25 million subsidy so it could offer higher priced American wheat at lower world quotations and also soak up some shipping costs the Russians had balked at paying.

The article was referring to the sale of about 37 million bushels of wheat by the Continental Grain Co. of New York to the Soviet Union.

Apparently, our good will extends only to the Soviet Union, not to our friends. I quote the last paragraph of that Journal article:

> Underlining the abnormally big subsidy on the Durum destined for Russia is the fact that on December 30 the Department refused to pay a 59-cent subsidy on 110,000 bushels and on Friday refused to pay 73 cents on 37,333 bushels. These smaller export deals were for Durum to be exported to free world destinations.

I have long maintained that the wheat sale—as the Waterloo, Iowa, Courier, noted in an editorial on December 22—should either be conducted on a cash basis or canceled. This makes sense in view of the fact that practically every report indicates that the Soviets need this wheat in order to stifle grumblings on the shortages arising from a disastrous grain harvest. This situation is vividly portrayed in an interpretative report by Bernard Gwertzman in the Washington Evening Star of January 6.

But, Mr. President, more is involved here than that. The American public not only is not receiving the full story but it is being deceived or misled.

I should like to quote from these articles to emphasize what I mean.

From the Washington Evening Star of January 4:

> One Department official questioned about the possibility that the Durum subsidy included both an export and a transportation subsidy denied flatly that there was a transportation subsidy. But another said the Department does not contend that no indirect transportation subsidy is involved.

The Department referred to here is the Department of Agriculture.

Now I should like to quote from an article appearing in today's New York Times:

> Secretary of Commerce Luther H. Hodges said today that the price of Durum wheat sold to the Soviet Union by a private trader last week had been specially arranged by the Government to offset part of the cost of shipping.
>
> Mr. Hodges freely discussed this aspect of the arrangement at a press conference. The point was specifically denied by Agriculture Department officials last week.
>
> Mr. Hodges said he was not familiar with every detail of the transaction. But he said: "It is my understanding that the price of some of the wheat was set so the seller would be able to absorb part of the shipping cost."
>
> Agriculture officials had flatly denied that the large subsidy was in any way an attempt to offset shipping costs. They said they would have approved a 72-cent subsidy on any transaction as large as the Russian sale "regardless of the country of destination."

I believe this speaks for itself. There is an old saying in newspaper circles that a correction never catches up with the original story. And I am afraid that this is what is occurring in this wheat sale, with the administration giving out only what it wants the public to believe. I feel that it is about time the American people receive the full and accurate story on these wheat transactions.

The lack of good faith of the Soviet Union is more than sufficiently demonstrated in its failure to meet its United Nations obligations. In yesterday's Washington Post appeared an article by Louis B. Fleming that the Soviet Union is one of 26 U.N. members facing voting loss as the result of being in arrears in assessments. Mr. Fleming points out that latest statistics show that the largest debt is that of the Soviet Union—$61 million—almost half of the $134 million deficit with which the U.N. ended the year 1963. It will be interesting to see whether the U.N. voting rights will be suspended for the Soviet Union and the other nations because of failure to pay their just debts in accordance with the U.N. Charter as interpreted by the World Court.

If the Soviet Union is planning to undermine the United Nations, it could not have selected a better course. The Des Moines, Iowa, Register underscores the implications in an editorial of December 26. Let me quote from that editorial:

> The U.S. position is that nobody needs to do anything or vote on the question. If Russia has not paid up by the time of the first rollcall at the next session, Russia has automatically lost its vote and its name should be passed on the rollcall. The wording of article 19 seems to support this argument.
>
> However, a ruling by the presiding officer would be required. He will be elected next fall, the representative of some small, reasonably neutral country. His responsibility will be a heavy one on this issue, and he may find it expedient to rule that the Assembly must vote on enforcement of article 19. This is a vote that might well fail to carry, and the results then would be serious for the future of the U.N.

I would say that the results would be disastrous, for the members of the U.N. would have decided to not live up to the U.N. charter.

Regardless of this outcome, it is clear that some method must be devised to prevent the United Nations from continually facing these financial crises. As the Wall Street Journal noted in a perceptive article on December 30:

> In time, it's conceivable that the cumulative effect of such deficits could bring the U.N. to a point where it couldn't meet such current obligations as payroll and other housekeeping expenses.

Then it adds what is becoming too evident to the American taxpayer:

> But past history suggests some way will be found to prop it up.

Let me continue to quote:

> In effect, that's what has happened already. Even the bond issue, though a loan, was actually a device for permitting the United States and other countries to meet the expenses for peacekeeping which the Soviets and others refused to pay.

After next year, the article continues:

> The U.N.'s financial future could depend on whether the world body can miraculously achieve a unity of purpose that has previously eluded it. Failing that, it can still survive if its angels—particularly the U.S. Government—are content to go on paying more than their share of the bills.

The big question then is: How long will the American taxpayer be willing to be an "angel" to bail out the U.N., especially if a majority of its members are willing to let expediency rise over the principles contained in the charter? The answer, I believe, is that only so long as the United Nations exists as a genuine moral force can the American taxpayer conscientiously support it. That moral force will cease to exist if a majority of the members, by their action, repudiate the charter.

Mr. President, I ask unanimous consent that the following articles be printed in the RECORD:

First. "Russia Buys U.S. Wheat With Help From Uncle Sam," from the Wall Street Journal.

Second. "Freight Subsidy on Wheat Seen; Cost to United States Put at $26 Million," from the Evening Star.

Third. "United States Should Not Pledge Russ Wheat Payment," from the Waterloo, Iowa, Courier.

Fourth. "More Grumbling in Russia," from the Evening Star.

Fifth. "Hodges Says Big Wheat Subsidy Is Design To Cut Soviet Costs," from the New York Times.

Sixth. "26 U.N. Members Face Vote Loss Over Debts," from the Washington Post.

Seventh. "The U.N.'s Money Problem," from the Des Moines Register.

Eighth. "The U.N.'s Shaky Finances," from the Wall Street Journal.

There being no objection, the articles were ordered to be printed in the RECORD, as follows:

[From the Wall Street Journal, Jan. 6, 1964]

RUSSIA BUYS U.S. WHEAT WITH HELP FROM UNCLE SAM—CONTINENTAL GRAIN CO.'S SALE IS VALUED AT $90 MILLION AT PRICE-SUPPORTED LEVEL—SUBSIDY TOTALS $25 MILLION

WASHINGTON.—After more than 3 months of tedious on-again, off-again negotiations, Russia finally began buying U.S. wheat, with considerable assistance from Uncle Sam.

Continental Grain Co., New York, sold Russia 1 million metric tons of wheat, or about 37 million bushels, worth $90 million at Government price-supported domestic prices. Federal officials said it is the largest commercial sale of wheat ever by a single U.S. company.

Closing of the deal in Moscow was undoubtedly aided by a U.S. decision to grant the company an abnormally large $25 million subsidy so it could offer higher-priced American wheat at lower world quotations and also soak up some shipping costs the Russians had balked at paying.

This unusual shipping aid, legal though not officially acknowledged as being specifically for freight costs, discloses the administration's eagerness for at least one wheat agreement with Russia. Plagued by drought and chronic mismanagement of its state-controlled farm sector, Russia had never before bought any U.S. wheat, except small amounts for seed and research. Responding to Soviet feelers in mid-September, the administration on October 9 publicly committed itself to the desirability of selling subsidized surplus farm goods to Iron Curtain countries.

HAMPERED NEGOTIATIONS

Continental's president, Michel Fribourg, attested to the administration's deep interest in helping the company overcome the tangle of bureaucratic and political obstacles, both national and international, that constantly hampered the negotiations. "We have maintained close liaison and cooperation with officials of the U.S. Government in each step of the negotiations," Mr. Fribourg said.

The wheat sold to Russia was covered by export licenses issued by the Commerce Department for slightly more than 1.5 million tons of wheat and flour worth $125.6 million. Of this amount, licenses for $85 million were issued over the weekend. Besides Continental, licenses covering wheat sales to Russia were issued to Bunge Corp., New York, and Kerr Grain Co., and Helix Milling Co., both of Portland, Oreg.

The validity of all these licenses is conditioned on half the wheat being hauled in U.S. vessels if available, a requirement that until now has blocked wheat sales to the Soviet. Freight rates on U.S.-owned ships are between $5 and $6 a ton higher than those charged by foreign ships for the United States-to-U.S.S.R. run, and the Russians have refused to buy U.S. wheat at prices raised by these higher shipping costs.

But the extra-large U.S. subsidy permits Continental not only to absorb the shipping rate difference but may also result in filling up most truly available American shipping space, paving the way for more grain sales to Russia and making further subsidy fattening unnecessary for the United States.

Continental's transaction with the Soviet is for cash. Counting freight costs, the Reds will pay about $78.5 million, according to Mr. Fribourg. Delivery is to be made by April 15. Assuming the 37 million bushels of wheat is worth $90 million at current prices and that Government stocks eventually will be depleted by an equal amount, the U.S. Treasury may receive a net $65 million after paying the $25 million subsidy.

SALE WOULD AID UNITED STATES

Other benefits cited by Government officials and Mr. Fribourg included the calculations that Federal storage costs of $5 million a year will be avoided, that surplus wheat stocks will be reduced by about 3.4 percent of the total carryover of 1.1 billion bushels held mostly by the Government and that the sale will help reduce the U.S. balance-of-payments deficit, which ran just under $3.6 billion in 1963.

Echoing the late President Kennedy's words of October 9, Mr. Fribourg declared: "This shipment will result in an important new source of volume for the Nation's railways, barge and shipping companies."

Continental, one of the Nation's largest grain exporters, has agreed to sell Russia the following:

Five hundred thousand metric tons (18,372,500 bushels) of No. 2 Hard Red Winter wheat to be shipped from U.S. gulf ports to Russian Black Sea ports. The United States will pay Continental a subsidy of 65 cents a bushel.

One hundred thousand metric tons (3,674,333 bushels) of No. 2 Hard Red Winter wheat, also at a subsidy of 65 cents, from west coast ports to Siberian ports.

Fifty thousand tons (1,823,500 bushels) of No. 2 White wheat subsidized at 51 cents a bushel, from the west coast to Siberian ports.

Three hundred and fifty thousand tons (12,860,050 bushels) of No. 2 Amber Hard Durum wheat, subsidized at 72 cents a bushel for half delivered through February and 73 cents a bushel on the rest delivered through April 15 from the east coast to the Black Sea.

Subsidies are paid in the form of surplus U.S.-owned wheat; actually the Government issues negotiable certificates representing the surplus grain to the company, which has the right to redeem them in either wheat or in cash by selling the certificates to other traders.

Neither the company nor the Government disclosed the exact net price of most of the wheat. Presumably, this depends on the day that Continental actually purchases the wheat, probably in commodity markets, since prices fluctuate daily.

But the price Continental will pay for the Durum wheat, the kind used in making noodles and spaghetti, is known because the company had to buy it all from Uncle Sam, who owns nearly all the Durum surplus. This price was $2.505 a bushel, which the Government maintains is the statutory minimum price but which traders noted is about 16 cents below the latest market price at Minneapolis. Durum prices, however, fluctuate widely because realtively small amounts are sold daily, compared to breadmaking Red and White wheats.

It is on the Durum wheat that the extra-large subsidies are to be paid to help solve the shipping problem. The Durum subsidies of 72 and 73 cents a bushel amount to $5 or $6 a ton more than the 58-cent subsidy granted on an export sale of 30,000 bushels of Durum on December 19. This $5- or $6-a-ton figure happens to be just about equal to the current difference between American and foreign shipping rates.

Underlining the abnormally big subsidy on the Durum destined for Russia is the fact that on December 30 the Department refused to pay a 59-cent subsidy on 110,000 bushels and on Friday refused to pay 73 cents on 37,333 bushels. These smaller export deals were for Durum to be exported to free world destinations.

[From the Washington Evening Star, Jan. 4, 1964]

FREIGHT SUBSIDY ON WHEAT SEEN—COST TO UNITED STATES PUT AT $26 MILLION

Russia has contracted to buy 37 million bushels of U.S. wheat, paying $78.5 million in cash in a deal which will cost U.S. taxpayers $26 million in subsidies.

The size of the subsidy indicated it may include part of the added cost of shipping some of the grain in U.S. vessels—a condition at which Russia had balked in early negotiations. It was not clear whether or not shipping costs were considered in the subsidy arrangement.

The sale was formally disclosed yesterday by both the Agriculture Department and the Continental Grain Co., the giant New York grain concern that engineered the deal with the Government's backing.

BIGGEST DEAL ON RECORD

A Department spokesman said the Continental sale was the largest single commercial grain deal ever made by an American concern. He said the Russians will pay in cash.

The Department said the Continental sale amounts to about one-fourth of the total the Soviet Union is expected to buy during the current marketing year.

Prospects of an additional sale of 500,000 tons of wheat and 50,000 tons of flour arose in action of the Commerce Department in issuing export licenses for that quantity to three other exporters—the Bunge Corp. of New York, the Kerr Grain Co. of Portland, Oreg., and the Helix Milling Co. in the Pacific Northwest.

But these companies had not yet applied to the Department for export subsidies on the grain.

VALUED AT $90 MILLION

The wheat sold to the Russians by Continental will have a value of about $90 million at U.S. ports. The Soviets will pay approximately $78.5 million for the grain delivered at their ports.

For years, the Department has been offering export subsidies on wheat because U.S. prices have been held above comparative world levels by grower price support programs. Exporters have been able to make sales abroad only when the subsidies were sufficient to make up the difference between the higher U.S. prices and the lower world prices.

But the size of the subsidy approved for the Continental sale appeared to be larger than necessary to make up the difference between the domestic and world prices. The subsidy goes to the seller, not the buyer.

When the late President John F. Kennedy directed last fall that Soviet bloc areas be made eligible for export subsidies, he specified that half the grain sold such areas be moved in U.S.-flag ships to the extent available.

U.S. RATES HIGHER

The Soviets balked at use of American ships because their freight rates were higher than those of foreign vessels.

The possibility that the Continental deal may carry indirect freight subsidies was seen in the export subsidies the Department will pay on nearly 13 million bushels of Durum class wheat involved in the Soviet sale.

The Department agreed to pay a subsidy averaging 72.5 cents a bushel on the durum. This was more than 15 cents higher than the agency had paid on other recent subsidized sales of this type of wheat. Durum is used for making macaroni, spaghetti, and similar products.

This extra amount in the Durum subsidy was equivalent to about $1,750,000 based on the difference between recent subsidy payments and that approved for Continental.

The subsidy rates on the remaining part of the 37 million bushels range from 51 to 65 cents a bushel, depending on class of wheat and ports from which it will be shipped. The other types are used mainly for flour for bread and other baking purposes.

One Department official questioned about the possibility that the Durum subsidy included both an export and a transportation subsidy denied flatly that there was a transportation subsidy. But another said the Department does not contend that no indirect transportation subsidy is involved.

Continental simply made an offer to sell and export the nearly 13 million bushels of Durum if the Department would give it subsidies averaging 72.5 cents a bushel.

Both the officials who were questioned said the offer was accepted simply and solely because it provided the Government an opportunity to rid itself of a fourth of a large Durum surplus at a time when the Department had expected to be burdened with storage of the grain for 2 or 3 years at an annual storage cost of $1.8 million.

The export demand for Durum seldom has been more than 9 million bushels and the domestic usage more than 25 million bushels annually. By comparison, the Durum surplus was around 50 million bushels.

In other words, the Continental Durum deal apparently was regarded by the Department as something of a "fire sale" rather than a straight commercial deal that characterized the subsidies approved for the other types of wheat.

[From the Waterloo Courier, Dec. 22, 1963]

UNITED STATES SHOULDN'T PLEDGE RUSS WHEAT PAYMENT

A national discussion resulted from the proposal that the United States sell surplus wheat to Russia. We believe there was general agreement that the wheat should be sold but that the sale be conducted as a straight business transaction without any Government subsidy of any kind.

Now, however, it develops that the Government has authority to guarantee payment to the one who arranges such foreign sales and that it proposes to use this authority to guarantee payment on the Russian wheat deal.

Learning of this, the U.S. House of Representatives voted to bar the use of the Government guarantee. But the Senate, in voting for the foreign aid bill, has refused to accept the House action; and the issue caused a day-long wrangle in Congress Saturday.

The outcome is not known, as this is written, but the restriction in any case is a desirable one. If exporters cannot arrange satisfactory payment terms with Russia, the public would not want the sale completed. The exporters will make enormous profits on the sale. There is no reason why they should not accept whatever risks are involved in getting paid.

Iowa's Senators **HICKENLOOPER** and **MILLER** both voted to sustain the House action. They adopted the reasonable view that the wheat sale should either be conducted on a business basis or canceled.

[From the Washington Evening Star, Jan. 6, 1964]

MORE GRUMBLING IN RUSSIA

(By Bernard Gwertzman)

Russia's heavy purchases of wheat from the United States should assure the Soviet people of an adequate bread supply this winter, experts here said today.

But the multimillion dollar purchases, coming on top of previous sales by Canada and Australia, are not expected to end grumbling in Russia over the Kremlin's failure to provide a high standard of living.

Analysts of the Soviet scene have reported an unusual amount of complaining by Russians in recent months over their living conditions. The griping seemed to be especially stimulated by news of last summer's disastrous grain harvest.

Not only have many citizens feared bread shortages, but they have also complained about low salaries, high costs of living, and shortages of needed and high-quality consumer goods. And despite a tremendous construction campaign, there still are many complaints about unsatisfactory dwellings.

WHEAT HARVEST 25 PERCENT DOWN

Since the communications media in Russia are strictly controlled, these complaints are not widely publicized. But analysts here receive considerable information from indirect references in the press and radio as well as from reports from Moscow of conversations with Russian citizens and eyewitness accounts of grumbling in stores and in the streets.

The best estimates now are that the Soviet wheat harvest last year was 25 percent less than in 1962 when about 55 million tons were collected. Russia's purchases from Canada, Australia, and the United States should contribute about 11 million additional tons—bringing the total close to 1962's output, but 1962 was not a particularly good year.

Since bread makes up about a third of the diet, any threat of a shortage in that commodity causes alarm among the populace. Bread cannot be hoarded since it grows stale, but citizens have persisted in lining up outside bakeries every morning in anticipation that the shelves might be bare later on.

BLACK MARKET APPEARS

Actually, the Government has provided an ample amount of breadstuffs, observers report. The large amounts purchased in this country should keep the stores stocked until the next harvest is brought in.

An unofficial rationing system of one large loaf per customer has been aimed at preventing speculation on the black market, but many cases of theft and illegal sales have been reported.

Courts have been urged by the press to deal severely with those caught dealing on the black market.

A recent speech at a conference of Moscow Communist leaders by a local factory official noted that "we have definite hardships." The speaker said that older Soviet citizens experienced worse hardships, but "as soon as a small hitch in supply occurs the snails appear immediately."

RUSSIANS COMPLAIN

"They come out of their shells * * * they begin to play on this shortage and to speculate. * * * Sometimes we go on a subway or a trolley on the way to work and we hear how ignorant people talk rubbish."

A letter writer to Izvestia recently was severely chastized for complaining that his standard of living has not improved significantly.

Izvestia noted that "the more we receive in goods, the greater grows the demand."

Premier Khrushchev seems well aware of these complaints and has promised the people a better life in his recent speeches. It is this concern with the morale of the citizens—as well as the Soviet image abroad—that has led Russia to spend hard-needed gold reserves for wheat.

The Communist leaders have shown a determination to keep the standard of living at least at its present level. The tremendous costs involved in arms expenditures and space research have so far prevented the Soviet citizen's standard of living from approaching that of the West.

[From the New York Times, Jan. 8, 1964]

HODGES SAYS BIG WHEAT SUBSIDY IS DESIGNED TO CUT SOVIET COSTS

(By Eileen Shanahan)

WASHINGTON, January 7.—Secretary of Commerce Luther H. Hodges said today that the price of Durum wheat sold to the Soviet Union by a private trader last week had been specially arranged by the Government to offset part of the cost of shipping.

Mr. Hodges freely discussed this aspect of the arrangement at a press conference. The point was specifically denied by Agriculture Department officials last week.

Mr. Hodges said he was not familiar with every detail of the transaction. But he said, "It is my understanding that the price of some of the wheat was set so the seller would be able to absorb part of the shipping cost."

Transporting at least half the grain in American ships, whose rates are higher than the rates of others, is required under rules laid down by President Kennedy for the transaction. The extra cost stalled negotiations for the wheat sale for some weeks, while the Russians sought a less expensive deal.

COMPANY GETS SUBSIDY

The Agriculture Department agreed to pay a subsidy of 72 cents a bushel to the Continental Grain Co. on the 350,000 tons of Durum wheat included in last week's $90 million sale. There are about 37 bushels to a ton of wheat.

The subsidy was as much as 14 cents higher than other recent subsidy payments on Durum wheat.

Agriculture officials had flatly denied that the large subsidy was in any way an attempt to offset shipping costs. They said they would have approved a 72-cent subsidy on any transaction as large as the Russian sale "regardless of the country of destination."

The subsidy on export sales of wheat is paid to the exporter to enable him to meet the world price for wheat. The American price is higher than the world price.

A total subsidy of about $25 million was paid on the million-ton sale to Russia, of which the Durum wheat constituted about a third.

TOTAL COST $78.5 MILLION

Thus, wheat valued at $90 million in this country will be bought by the Soviet Government for $65 million, plus the costs of transportation. The total bill to the Russian Government, including transportations costs, is estimated at $78.5 million.

Mr. Hodges also announced today that the Commerce Department had granted additional licenses to export grain and other products to the Soviet Union and its European satellites.

The new licenses authorize the sale of $42 million worth of wheat to the Soviet Union, $9 million in wheat to Bulgaria, $545,000 in raw cotton to Hungary, and $133,000 in tobacco to East Germany.

In addition, the Commerce Department announced that it had amended two licenses issued in November for the sale of wheat to Hungary, increasing the permissible quantity to be sold. A license originally issued for $7,538,000 worth was increased to $8,292,000 and a separate license originally issued for $8 million worth was increased to $8,855,000.

TWENTY-SIX U.N. MEMBERS FACE VOTE LOSS OVER DEBTS

[From the Washington Post, Jan. 7, 1964]

(By Louis B. Fleming, the Los Angeles Times)

UNITED NATIONS, N.Y., January 4—Twenty-six members of the United Nations, including the Soviet Union and Nationalist China, face the loss of their votes in the General Assembly this year if they don't pay up some of the money they owe the world organization.

The United Nations itself won't say anything about the subject, but an estimate based on recent financial reports here indicates that the delinquent members will have to pay more than $24 million to avoid application of article 19 of the charter.

The list of nations facing action under article 19 is the longest in the history of the world organization.

The provisions of article 19 probably will not be tested until September, when the General Assembly is scheduled to convene for its annual session. The test could come sooner only if there were an emergency session of the Assembly.

As in the past, most of the delinquents by then probably will have made payments sufficient to relieve them of the possible loss of their votes.

The Soviet Union and four Communist allies have said, however, that they will maintain their refusal to pay for peacekeeping and some other U.N. operations and thus will face a direct challenge under terms of the article. They previously had been able to avoid application of article 19 by paying something on their regular accounts.

The United States is committed to forcing application of article 19 against the Soviet Union.

Under the terms of article 19, any member owing more than 2 years in assessments loses its vote in the Assembly though it can still talk, debate and join in other activities.

The United Nations ended 1963 with a deficit of about $134 million, most of it owed to member states for services in the peacekeeping operations in the Congo and Middle East.

The debt could be alleviated quickly if the delinquent members paid what they owe. Fifty-four of the 113 members of the United Nations owe about $72 million for Congo operations and 46 members owe $27 million for Middle East peacekeeping operations, according to the most recent figures released here.

The obligations of only 26 of the debtor nations appear high enough to bring them under article 19, however.

The largest debt is that of the Soviet Union, which owes about $61 million and will have to pay about $14 million, including close to $6 million on the peacekeeping account, to avoid discipline under article 19.

The second largest debtor is Nationalist China, which owes about $15 million, roughly $4 million over the allowable limit to avoid article 19.

Along with the Soviet Union, four other Communist States will have to pay some of their peacekeeping obligations for the first time to avoid a test of article 19. They are Byelorussia, Poland, Rumania, and the Ukraine.

Three other Communist States—Bulgaria, Czechoslovakia and Hungary—have debts bringing them under terms of article 19, but they can avoid the penalties by paying regular budget debts and postpone having to pay any peacekeeping assessments for another year.

Egypt, which has refused to support the Middle East peacekeeping operation, will have to make a payment on that account this year in the amount of about $52,000, plus about $15,000 on regular budget expenses, if it is to avoid application of article 19.

Also subject to article 19 as of January 1 are Argentina, Bolivia, Chile, Costa Rica, Cuba, the Dominican Republic, Haiti, Mexico, Nicaragua, Panama, Paraguay, Uruguay, Guatemala, Jordan, Yemen, and Belgium.

Of these, about a half dozen of the Latins have worked out a progress payments program with the Secretariat which will help them avoid imposition of article 19. And Belgium has announced that it will pay its peacekeeping obligations, thus eliminating its debt.

[From the Des Moines Register, Dec. 26, 1963]

THE U.N.'S MONEY PROBLEM

Only by timely adjournment of its 18th General Assembly last week did the United Nations put off a showdown on a critical issue: Can members who disagree with a majority vote refuse to accept its mandate? The World Court has ruled, in effect, that they cannot when that mandate involves paying assessments for a U.N. program.

The question is that of Russia and France versus the U.N. peacekeeping forces in the Mideast and the Congo. Both countries call these forces illegal, and neither has paid its assessment toward their maintenance. The Russian delinquency alone is $54 million, well over one-third of the U.N.'s total indebtedness.

By ruling these special assessments a part of the U.N. budget, the World Court upheld the applicability of article 19 of the United Nations Charter: Any country which becomes 2 years delinquent in payment of its obligations to the U.N., "shall lose its vote" in the General Assembly.

Although Russia pays its regular dues fairly faithfully, its delinquency on the special assessments will reach the equivalent of 2 full years of contributions on January 1. In effect, this means next September when the 19th General Assembly convenes, unless a special session is called sooner. (France will be 2 years behind in the fall of 1965.)

The Russians made it clear last week that they do not intend to pay. The United States made it just as clear that it expects to insist that article 19 be enforced. This insistence may not mean much, though. The president of the General Assembly, Dr. Carlos Sosa Rodriguez, reflected a fairly widespread feeling when he said there are "political" as well as legal considerations.

He means it would do more harm than good to take away Russia's vote. Quite possibly Russia would walk out of the U.N. for a time. This would be unfortunate.

However, as U.S. Ambassador Adlai Stevenson said, article 19 should be enforced if the U.N. is to be an "action agency," because "once you begin to erode or interpret the charter too flexibly, you very soon will have no sustaining body of legal structure to support the United Nations."

The U.S. position is that nobody needs to do anything or vote on the question. If Russia has not paid up by the time of the first rollcall at the next session, Russia has automatically lost its vote and its name should be passed on the rollcall. The wording of article 19 seems to support this argument.

However, a ruling by the presiding officer would be required. He will be elected next fall, the representative of some small, reasonably neutral country. His responsibility will be a heavy one on this issue, and he may find it expedient to rule that the Assembly must vote enforcement of article 19. This is a vote that might well fail to carry, and the results then would be serious for the future of the U.N.

[From the Wall Street Journal, Dec. 30, 1963]

THE U.N. SHAKY FINANCES—THEY'RE ROOTED IN SOME BASIC POLITICAL DIVISIONS

(By Melvin D. Barger)

NEW YORK.—In the Controller's office on the 37th floor of the United Nations main building on the East River here, the old problem of money is giving rise to some new worries.

Just now it's the cash supply which, as Secretary General U Thant noted recently, is causing considerable anxiety. As things now stand, the U.N. probably will head into the new year with no more than $38.5 million in the till, scarcely enough for 3 months' operation and certainly a far cry from the $86 million it had last January. Its unpaid obligations are up $13 million from a year ago, to $173 million from $160 million. And since the organization's cash receipts are usually smaller in the first half of the year than in the last half, while expenditures are fairly even, there's a good possibility that a cash squeeze of some proportions could develop in a few months.

But U.N. officials hasten to explain that, despite continuing concern, there is no immediate danger of a breakdown in U.N. operations.

For the long term, however, the outlook is less certain. In fact, it's hard to see how the U.N. ever will achieve a comfortable financial position if there's no fundamental change in the political fissures that account for the present trouble. Extended another few years, this basic division could push the U.N. to the brink of bankruptcy. And if something like another Congo crisis should erupt, calling for an expensive peacekeeping operation, the chances are good that the U.N. could survive only by direct assistance from its chief angels—the United States and the other industrialized countries which even now pay most of the bills. Just what the long-term U.S. financial role should be is the subject of a report released today by the State Department's Advisory Committee on International Organizations.

The U.N. current money trouble stems mainly from the Congo operation and, to a lesser extent, the costs of maintaining U.N. forces in the Middle East. These are not particularly expensive as military operations go and could easily be borne by the nations involved, but the flat refusal of some major countries—the Soviet Union in particular—to pay their assessments for these ventures has created mounting financial problems.

OFFICIALS ARE OPTIMISTIC

Still, you get a fair amount of optimism from U.N. officials such as Bruce Turner, Controller since 1955 and the executive most involved with the cash problems. A soft-spoken New Zealander, Mr. Turner has presided over the U.N. finances during some other difficult days; there were the early months of 1961, for example, when the organization had to contend with a $60 million deficit as a result of the previous year's Congo operations. He's confident that the money will always come from somewhere.

Other U.N. spokesmen see it the same way. The U.N. couldn't collapse simply through a cash crisis alone, they contend, because nobody really wants to see it collapse. Even the Soviets have always come through with their regular assessments, and their present refusal to pay special assessments for the peacekeeping operations, the U.N. officials believe, cannot be interpreted as an attempt to topple the U.N. structure itself. Nonetheless, this refusal creates a thorny problem, for without the Congo and Middle East deficits the U.N. financial woes would all but disappear.

To control its finances, the U.N. maintains separate budgets for its various functions. Most of the conventional expenses are covered in the regular budget, which for 1964 is a relatively modest $101 million. There is also an account for the Middle East, which is now $33.4 million in arrears, as well as a special account for the Congo, almost $100 million in arrears. Budgets for such agencies as the World Health Organization and the Children's Fund (UNICEF) operate outside the regular U.N. structure and are not even in the Secretary General's jurisdiction.

SECRETARY GENERAL CAN BORROW

To meet all its expenses on the regular and peacekeeping accounts, the organization needs at all times a cash cushion of at least $20 to $30 million, roughly a minimum for about 2 months' operation. But since the first quarter usually yields no more than 15 percent of the year's assessments while the second quarter brings in at best another 25 percent, there's little likelihood that the $38.5 million now on hand will stretch out to the third quarter, when the United States pays its big assessment.

If a squeeze develops, the Secretary General has the option of borrowing from certain other U.N. funds, particularly the Special Fund, which has about $100 million in cash. However, this money is held in trust for aid programs in member countries, and there is a possibility that its frequent use, even on a loan basis, for other purposes, could raise objections from Special Fund contributors.

Additional cash might be obtained by marketing the remaining $50 million of the $200 million bond issue authorized for the Congo expenses. But the bond sales have been lagging, giving a hint that further sales may come hard.

The United Nations does not have the option of engaging in short-term borrowing from banks or other lenders; when such a proposal was made a few years ago it was opposed partly on the ground that it was beneath the dignity of a world body to borrow commercially.

For the present, U.N. efforts to ease the current trouble center on collecting what is already due in assessments. Mr. Turner's office has evolved a highly diplomatic system of dunning, and may persuade a certain number of its delinquent contributors to pay at least enough to meet current expenses. One factor that works to the U.N. advantage—at least in terms of an immediate financial pinch—is that some of its larger bills are owed to governments (for peacekeeping expenses) rather than to private firms. The bills are slow to be presented, and they also require a reasonable review in Mr. Turner's office. The effect is to forestall an immediate drain on cash.

Longer lasting relief may come from the fact the U.N. has trimmed the size and cost of its Congo operations by two-thirds since last summer. Though the General Assembly voted $18 million to provide for forces in the Congo through the middle of 1964, the hope is that such forces will not be needed there after that. There's no prospect for a similar termination of the Middle East policing activities, but this at least is a far less expensive venture.

THE SOVIET DEBT

The Soviet Union alone owes $37 million for the Congo as well as almost $16 million for the Middle East. Its satellites are in arrears another $14 million. Another delinquent is France, which owes about $16 million on the Congo but refuses to pay on the ground that the General Assembly didn't actually have the authorization to conduct such a peacekeeping operation. Still another nation with a sizable past-due bill is Nationalist China, where the problem is chiefly inability to pay.

The dispute over the U.N. peacekeeping activities is also beginning to spill over into the deliberations on the regular budget. Now the Soviets are challenging certain items in that budget which are related to peacekeeping. They indicate, for example, that they will refuse to pay their share of the interest and amortization costs of the bond issue, expenses for a U.N. memorial cemetery in Korea, and certain special missions and field services. This threatens to deepen the deficits for the coming year.

What can be done to break such intransigence? One possible course of action was suggested recently by U.S. Ambassador Adlai Stevenson, who indicated that the United States would press to have the Soviets deprived of their voting rights in the General Assembly when they became a full 2 years in arrears—a stipulation of article 19 in the U.N. Charter. But there's some doubt as to how this sanction ought to be applied, and when the World Court reviewed an aspect of this question last year the decision was split. It's also not certain that the other nations who make up the 113-member General Assembly would be willing to force the Soviets into a showdown on this issue.

LONG-TERM UNCERTAINTY

It's the difficulty of ending this impasse that makes the U.N. financial future uncertain over the long term, and puts the responsibility for its ultimate solution far beyond the reach of professional staff members like Mr. Turner. Possessing little authority to force collection of its assessments, the organization can look forward only to increasing deficits with each dispute over basic policy. In time, it's conceivable that the cumulative effect of such deficits could bring the U.N. to a point where it couldn't meet such current obligations as payroll and other housekeeping expenses. But past history suggests some way will be found to prop it up.

In effect, that's what's happened already Even the bond issue, though a loan, was actually a device for permitting the United States and other countries to meet the expenses for peacekeeping which the Soviets and others refused to pay. The United States alone purchased 50 percent of the bonds.

It's clear from talking with U.N. officials that they don't relish the idea of embarking on another operation like the Congo, which at its peak was costing $10 million a month. Forty-two countries haven't as yet paid their shares of these costs, a fact that sharply illustrates the U.N. financial limitations in attempting to serve as a peacekeeping force.

As Ambassador Stevenson put it last year, the organization is doomed to impotence without a sound program to finance matters authorized by the General Assembly or the Security Council. "We cannot expect the United Nations to survive from day to day by passing a cup like a beggar in the streets," he said.

But for the next year at least, it appears that there'll be enough in the cup to keep the U.N. bills paid. After that, the U.N. financial future could depend on whether the world body can miraculously achieve a unity of purpose that has previously eluded it. Failing that, it can still survive if its angels—particularly the U.S. Government—are content to go on paying more than their share of the bills.

Mr. MILLER. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. MILLER. Mr. President, I ask unanimous consent that further proceedings under the call of the quorum be suspended.

The PRESIDING OFFICER. Without objection, it is so ordered.

FOREIGN AID APPROPRIATIONS

Mr. MILLER. Mr. President, during the debate on the foreign aid appropriation bill there were some criticisms from various areas of the press regarding the reduction in the original budget requests for foreign aid. The fact that the Congress finally approved a foreign aid appropriation bill of $3 billion plus about $250 million of carryover, after extended debate and consideration, speaks for itself.

In today's Washington Daily News, an article by Henry J. Taylor entitled "How Come Aid Chief Comes Up With $669 Million?" points out the difficulty the committees of Congress had in extracting from the AID administrators information necessary to arrive at a sound appropriation. Of course, the inference in the article is that the AID administrators were padding their requests. The article points out something that ought to be brought home to the American taxpayers, and I ask unanimous consent to have it placed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

[From the Washington Daily News, Jan. 8, 1964]

They Should Be Fired—How Come Aid Chief Comes Up With $669 Million?

(By Henry J. Taylor)

Any crowd that threw President Johnson off the rails as grossly as it did about foreign aid needs should be fired by 9 o'clock tomorrow morning.

How come Foreign Aid Chief David E. Bell, Budget Director Kermit Gordon, White House Economic Adviser Walter W. Heller, et al, now find they have on hand $669 million they swore up and down—and repeatedly—that they didn't have?

Hey, that's our money. What are men like that doing behind the steering wheel?

AGONIZINGLY

Here was President Johnson suddenly and agonizingly hurled into facing large and immediate decisions. He was entitled to be given the score, and given it right, by men who would really level with him. He still is. Yet, these special pleaders let him lay his full prestige on the line, and at once hold the Congress on the edge of its Christmas chairs, do battle with old Senate friends and go into a regular barroom brawl demanding no aid cut below $3.1 billion. "It's rock bottom," Mr. Johnson stated to former colleagues. "I need every nickel of it." The President, of course, honestly thought he did.

In perfect good faith the President insisted to House Subcommittee Chairman OTTO E. PASSMAN, Democrat, of Louisiana, that failure to equal last year's economic support abroad would be dangerous. He depended, of course, chiefly on Messrs. Bell, Gordon, and Heller.

ON THE BUTTON

Mr. PASSMAN told the President that the Aid Agency had about $670 million (he hit it right on the button) still uncommitted and unspent. Standing his ground, he stated that if $3 billion, or less, new money were voted, the agency would have available as much economic aid as last year and that only a limited reduction was indicated in so-called military assistance.

Beginning last August, Representative PASSMAN had confronted Messrs. Bell, Gordon and Heller alike with this fact. But the committee got no place. Having received what Representative PASSMAN described as "only evasions and doubletalk" from the AID Director, he stated in an interview with this writer (Aug. 21) that Bell should resign. "Dr. Bell has the habit of writing letters that say one thing and mean another," the chairman stated. "I find it absolutely impossible to get him to level with me or with the committee."

SMOKESCREEN

But when President Johnson took over, the AID managers hauled out their same smokescreen complex contentions and fiscal abacadabra.

The AID Agency, State Department and other spending groups beat a hurried call for citizens' committees and others to condition the public mind to the idea (as usual) that a single nickel cut was a surrender to communism. In truth, no thoughtful objector ever opposed the purposes of wisely administered foreign aid. After all, taxpayers have devoted more than $100 billion to foreign aid across 16 years.

Instead, the mounting objections were based on the proven waste, inefficiency, duplication and downright stupidity of parts of programs long since too large to support and too complex to understand. These specific weaknesses were perpetrated so hugely, year in and year out, that no honest stewardship of public funds could any longer stomach such an uncut mess. The vested interests in the AID Agency nevertheless simply repeated endlessly that a cut would be fatal.

ENOUGH

But when congressional courage prevailed, what do we discover now? Suddenly there's enough. AID Director Bell has suddenly—within days—found $669 million still available from previously voted funds and says that fiscal 1964 economic aid abroad can thus approximately equal 1963.

They cannot unsay what they have been saying. If Dr. Bell, Mr. Gordon, and Mr. Heller knew that truth all the time, as Representative PASSMAN pointed it out to them last summer, doesn't this represent the equivalent of unfaithfulness to Congress and to President Johnson, no less? And if they didn't know it, incompetence like this, on such a $669 million scale, makes them utterly unsuited to handle our citizens' money.

THE PRESIDENT'S STATE OF THE UNION MESSAGE

Mr. HART. Mr. President, I am sure that many Senators commented earlier today on the moving state of the Union message to which we listened with attention.

It occurred to me that while my exposure to these messages has been brief in comparison with that of the majority of Senators, I would never be exposed to a message which was more precise, specific, and direct. There was no "fudging." There was no obscuring. There was no overstatement or understatement. It was a recital of the facts as the President sees them by the clock of history, which happens to read "1964."

It described, however, the whole course of action which this free society ought to take if it is to respond to the demands with which history confronts us.

Let us take the section of the message that dealt with civil rights. Could anything have been more clear, more specific, more forthright than what the President told us and the people of America a few hours ago? The President did not suggest half measures. He did not say that we must abolish some discrimination. He said that all racial discrimination must go, so far as it is in the reach of the writ of the Government of the United States.

I know that some in Congress would prefer to postpone this more difficult problem; to extend, if possible, another hundred years the day of decision. There are some who will vigorously and sincerely oppose the legislation. But no longer can any American be denied his basic constitutional right; and we rest at ease with our conscience and the future.

I think most Members of Congress recognize this, and that a civil rights bill will pass this year. I shudder to think of the consequences if this prediction proves wrong. I do not "buy" the notion that in saying this I am suggesting that we are acting only in response to threats. Not at all.

Our failure to react to the clear message that confronts us across the country would be inexcusable folly. I would repeat again the words of President Johnson when he talked to us and to America about the elimination of discrimination. He said:

> This is not merely an economic issue—or a social, political, or international issue. It is a moral issue—and it must be met by the passage this session of the bill now pending in the House.

With moving eloquence, he brought it home to all who would have eyes that see and minds willing to accept and register what those eyes relate to the mind. He said:

> Today Americans of all races stand side by side in Berlin and Vietnam. They died side by side in Korea. Surely they can work and eat and travel side by side in America.

If I might add a footnote, those white markers that designate the places of rest of Americans who died in military service across the world mark the places of honored rest of both white and Negro Americans. How, in the light of those experiences of ours as a people, we can longer defer the action that President has outlined to us, I shall never understand.

When we do act, as I hopefully and confidently believe we will, our action will reflect in large measure the leadership that President Johnson has displayed, and continues to display, in this most difficult legislative area.

I join Senators who spoke earlier in saluting the President of the United States on a message which I am sure in history's verdict will be assigned a high place in history. Bitter though the debate may become, I hope that the outcome will be one which the verdict of history will accord at least a passing grade, because if we fail in this test, I believe time will soon run out on us as a nation, and then history will accord us the same sort of footnote treatment it has accorded other nations which once held the center of the stage, but dillydallied, until it was too late, with making the necessary reforms.

President Johnson has done his part. It is now up to us to respond by doing ours.

DEATH OF REPRESENTATIVE HOWARD H. BAKER, OF TENNESSEE

The PRESIDING OFFICER. The Chair lays before the Senate House Resolution 605, which will be read by the clerk.

The legislative clerk read as follows:

> *Resolved,* That the House has heard with profound sorrow of the death of the Honorable HOWARD H. BAKER, a Representative from the State of Tennessee.
>
> *Resolved,* That a committee of seventeen Members of the House with such Members of the Senate as may be joined be appointed to attend the funeral.
>
> *Resolved,* That the Sergeant at Arms of the House be authorized and directed to take such steps as may be necessary for carrying out the provisions of these resolutions and that the necessary expenses in connection therewith be paid out of the contingent fund of the House.
>
> *Resolved,* That the Clerk communicate these resolutions to the Senate and transmit a copy thereof to the family of the deceased.
>
> *Resolved,* That as a further mark of respect the House do now adjourn.

Mr. GORE. Mr. President, the resolution of the House of Representatives which has just been read to the Senate announces the sad and untimely death of one of Tennessee's beloved and most useful sons.

HOWARD H. BAKER led a life that was exemplary in many respects. As a young citizen of a mountainous county, he became a civic leader, a respected man in his church, a beloved man among the people with whom he lived and worked.

He came to know the problems of the lowly, the distressed, the hard pressed. This knowledge never left him. When later he held exalted positions, he remembered the knowledge of his youth, of the struggle and humanity of which he was a part, from which he had come.

He was elected a district attorney in a large, mountainous area, composed of several counties. He demeaned himself with honor and acquitted himself with credit.

An able man, a student of the law, and of the nobility and foibles of his fellow man, he tempered justice with mercy in the exercise of his responsibilities as prosecuting attorney.

He was a popular man, held in warm esteem by countless thousands of people.

Later he was elected to the U.S. Congress. I served with him in the House of Representatives. After my election to the Senate, we worked together. And when I say that we worked together, I wish to emphasize that the personal and political and official equations between

Representative HOWARD BAKER and myself were good. He was easy to work with.

He was a gentleman, understanding, tolerant, and considerate, willing to consider and ready to yield to the other man's point of view if circumstances and logic so dictated. He was generous and able.

Mr. BAKER was a leader of his party, first in his congressional district and in the eastern part of the State of Tennessee, and then in the entire State and in the Nation. Nevertheless, loyalty to party yielded in many instances, when he thought party policy was not on all fours with the welfare of the mass of people, the like of which he represented and whence he had come.

An example is the Tennessee Valley Authority. It mattered not how the storm raged against this agency a few years ago. Representative HOWARD BAKER was the Rock of Gibraltar on his side of the aisle, and there were always some who were influenced by him. Not only did he stand beneficially and foursquare for TVA, which was an important activity in his congressional district, but he played an important part in the atomic energy program.

It was during his term as district attorney that the Manhattan District, with all the secret operations of this great undertaking at that time, was commenced at Oak Ridge, Tenn., within the district which he served.

General BAKER, as he was called at that time, handled the security matters and the prosecutions and law enforcement of this vast Federal undertaking, where the requirements of security were so strict, so severe, and so necessary.

In Congress, he played an important part in bringing homeownership to Oak Ridge, which originally had been a 100-percent-owned Federal community. In large measure, as a tribute to the work of Representative BAKER, with whom it was my pleasure to work in this as in many other respects, Oak Ridge, Tenn., now has the largest percentage of homeownership of any community in the world, going, as I have said, from a 100-percent Government-owned community to the proud estate of homeownership, to the largest extent of any place in the world, or at least of any place in the United States of which we have any knowledge.

In many respects Representative HOWARD BAKER was a man apart, a truly good man, a man who possessed the powers of reason, who in the heat of battle could exercise reasoned judgment.

The State of Tennessee and the United States have lost a great citizen. I have lost a personal friend, a trusted colleague. To all members of his family, I extend the deepest sympathy. I know the members of his family. Howard Baker, Jr., is an able young man of whom his late father was justly proud. I have visited in the home of Howard Baker, Jr., whose wife is the only daughter of the distinguished minority leader of the Senate. They have a beautiful home. They have children in whom their late paternal grandfather took enormous pride and from whom he had experienced love and joy.

He has two lovely daughters, both of whom are now married.

They are Mrs. Michael Patestides of New York City, and Mrs. William G. Wampler, of Bristol, Va.

To the children and to the grandchildren and to his devoted and charming but now disconsolate widow I extend the deepest of sympathy.

It is a great loss to them, to the people of his congressional district, to the State of Tennessee, and to the Nation.

Mr. DIRKSEN. Mr. President, it is no easy assignment for one to call his son-in-law out of a Federal Power Commission hearing early in the morning to acquaint him with the fact that within the hour his father had suffered an aortic aneuryism, which had afflicted the late Senator from Tennessee, Mr. Kefauver, and had taken his life before he could reach the hospital.

My grandchildren are the grandchildren also of the very distinguished late Representative from the State of Tennessee.

I learned to develop great affection and great respect for the mark he had made in the halls of national affairs.

At a reasonably early time in his congressional service, he was elevated to a spot on the Committee on Ways and Means, which is regarded as a prize assignment in the House of Representatives.

There he brought to bear the fine mind which had been sharpened from the day he left the law school of the University of Tennessee more than 40 years ago. There was in HOWARD BAKER all of the ruggedness of the surrounding hills and tall mountains of the area where he lived.

One needs to live close to the rugged terrain that marks that section of Tennessee to know the robustness and ruggedness that it imparts to one who resides in territory like that.

HOWARD BAKER was, indeed, a great servant of his community. He left a distinctive impress, not only on the community, but on the State that he served as a sort of deputy attorney general and then as a Representative from the Second Congressional District of Tennessee.

One need only become familiar with the area where he lived to understand, from its history and tradition, what it can do for a person. As I recall, Scott County, where he resided so long before he moved to Knoxville, was so rugged in its convictions that in the days of civil rebellion and strife it had actually seceded and presented and set itself up as a State. That is truly a tribute to the conviction and ruggedness of the people who reside there. HOWARD BAKER partook of that quality.

So the Nation and the State of Tennessee have lost a great public servant. The Second Congressional District of Tennessee, likewise, loses one who, in his 14th year, has served it with fidelity and the greatest of devotion. His place will be difficult to fill.

I shall in person extend my sympathy and condolences to the family when I see them tonight, when I get to Knoxville, Tenn.

I am grateful for the most gracious remarks and the testimonial sentiment uttered by the distinguished senior Senator from Tennessee [Mr. GORE].

Mr. KEATING. Mr. President, I should like to say just one word about the passing of our colleague in the other body, the Honorable HOWARD H. BAKER, of Tennessee. It is a personal loss to me since I served with him in the House and considered him a good, personal friend. I offer this expression of deepest condolence to his family and friends.

In 13 years of service, Congressman BAKER exhibited great loyalty to the Nation and to his constituency. In years marked by important and controversial legislation, HOWARD BAKER felt a deep commitment to serve his own people fully and honestly.

He will be missed in the Congress and in the country for his straightforward and conscientious work on many problems, particularly in the field of taxation and those matters dealt with by the House Subcommittee on Ways and Means, of which he was such a valued member.

Mr. GORE. Mr. President, I submit a resolution and ask for its immediate consideration.

The PRESIDING OFFICER. The resolution will be stated.

The legislative clerk read as follows:

> *Resolved,* That the Senate has heard with profound sorrow the announcement of the death of Honorable HOWARD H. BAKER, late a Representative from the State of Tennessee.
>
> *Resolved,* That a committee of four Senators be appointed by the Presiding Officer to join the committee appointed on the part of the House of Representatives to attend the funeral of the deceased Representative.
>
> *Resolved,* That the Secretary communicate these resolutions to the House of Representatives and transmit an enrolled copy thereof to the family of the deceased.

The PRESIDING OFFICER. Is there objection to the present consideration of the resolution?

There being no objection, the Senate proceeded to consider the resolution.

The PRESIDING OFFICER (Mr. HRUSKA in the chair). Without objection, the resolution is unanimously agreed to; and under the second resolving clause the Chair appoints the two Senators from Tennessee [Mr. GORE and Mr. WALTERS], the Senator from Illinois [Mr. DIRKSEN], and the Senator from Kentucky [Mr. COOPER] members of the committee on the part of the Senate.

ADJOURNMENT TO FRIDAY

Mr. GORE. Mr. President, as a further mark of respect to the memory of the deceased Representative BAKER, and in accordance with the previous order of the Senate, I move that the Senate adjourn until Friday, at 12 o'clock noon.

The motion was unanimously agreed to; and at 5 o'clock p.m. the Senate adjourned until Friday, January 10, 1964, at 12 o'clock meridian.

HOUSE OF REPRESENTATIVES

WEDNESDAY, JANUARY 8, 1964

The House met at 12 o'clock noon.

The Chaplain, Rev. Bernard Braskamp, D.D., offered the following prayer:

I Corinthians 4: 2: *It is required of stewards that they be found faithful.*

Most merciful and gracious God, as we enter upon the business of the 2d session of this 88th Congress, may we be faithful stewards and inspired with such integrity of character and conduct that daily we shall stand and walk before Thee and our fellow men unashamed and unafraid.

May it be the passionate longing of our President, our Speaker, and all leaders of church and state to be supremely desirous of helping groping and struggling humanity find the way out of darkness and confusion into the radiant light and liberty of a better day.

Grant that in this high and holy adventure we may not rely primarily upon human wisdom and human ingenuity but upon the God of all grace whose resources of wisdom are inexhaustible and whose strength is invincible.

In Christ's name we pray. Amen.

THE JOURNAL

The Journal of the proceedings of yesterday was read and approved.

RECESS

The **SPEAKER**. The Chair declares the House in recess at this time subject to the call of the Chair.

Accordingly (at 12 o'clock and 2 minutes p.m.), the House stood in recess subject to the call of the Chair.

AFTER RECESS

The recess having expired, the House was called to order by the Speaker at 12 o'clock and 18 minutes p.m.

MESSAGE FROM THE SENATE

A message from the Senate by Mr. McGown, one of its clerks, announced that the Senate had passed without amendment a concurrent resolution of the House of the following title:

H. Con. Res. 250. Concurrent resolution establishing that the two Houses of Congress assemble in the Hall of the House of Representatives on Wednesday, January 8, 1964, at 12:30 o'clock in the afternoon.

JOINT SESSION OF THE HOUSE AND SENATE HELD PURSUANT TO THE PROVISIONS OF HOUSE CONCURRENT RESOLUTION 250 TO HEAR AN ADDRESS BY THE PRESIDENT OF THE UNITED STATES

The SPEAKER of the House presided.

The Doorkeeper announced the President pro tempore and Members of the U.S. Senate, who entered the Hall of the House of Representatives, the President pro tempore taking the chair at the left of the Speaker, and the Members of the Senate the seats reserved for them.

The **SPEAKER**. On the part of the House the Chair appoints as members of the committee to escort the President of the United States into the Chamber: The gentleman from Louisiana [Mr. BOGGS], the gentleman from Georgia [Mr. VINSON], the gentleman from Missouri [Mr. CANNON], the gentleman from Indiana [Mr. HALLECK], and the gentleman from Illinois [Mr. ARENDS].

The **PRESIDENT** pro tempore. On the part of the Senate the Chair appoints as members of the committee of escort the Senator from Montana [Mr. MANSFIELD], the Senator from Minnesota [Mr. HUMPHREY], the Senator from Florida [Mr. SMATHERS], the Senator from Georgia [Mr. RUSSELL], the Senator from Illinois [Mr. DIRKSEN], the Senator from California [Mr. KUCHEL], and the Senator from Vermont [Mr. AIKEN].

The Doorkeeper announced the ambassadors, ministers, and chargés d'affaires of foreign governments.

The ambassadors, ministers, and chargés d'affaires of foreign governments entered the Hall of the House of Representatives and took the seats reserved for them.

The Doorkeeper announced the Chief Justice of the United States and the Associate Justices of the Supreme Court.

The Chief Justice of the United States and the Associate Justices of the Supreme Court entered the Hall of the House of Representatives and took the seats reserved for them in front of the Speaker's rostrum.

The Doorkeeper announced the Cabinet of the President of the United States.

The members of the Cabinet of the President of the United States entered the Hall of the House of Representatives and took the seats reserved for them in front of the Speaker's rostrum.

At 12 o'clock and 31 minutes p.m. the Doorkeeper announced the President of the United States.

The President of the United States, escorted by the committee of Senators and Representatives, entered the Hall of the House of Representatives, and stood at the Clerk's desk. [Applause, the Members rising.]

The **SPEAKER**. Members of the Congress, I have the great pleasure, the high privilege, and the distinct honor of presenting to you the President of the United States. [Applause.]

THE STATE OF THE UNION—ADDRESS OF THE PRESIDENT OF THE UNITED STATES (H. DOC. NO. 251)

The **PRESIDENT**. Mr. Speaker, Mr. President, Members of the House and Senate, my fellow Americans, I will be brief, for our time is necessarily short and our agenda is already long.

Last year's congressional session was the longest in peacetime history. With that foundation, let us work together to make this year's session the best in the Nation's history.

Let this session of Congress be known as the session which did more for civil rights than the last hundred sessions combined; as the session which enacted the most far reaching tax cut of our time; as the session which declared all-out war on human poverty and unemployment in these United States; as the session which finally recognized the health needs of all of our older citizens; as the session which reformed our tangled transportation and transit policies; as the session which achieved the most effective, efficient foreign aid program ever; and as the session which helped to build more homes and more schools and more libraries and more hospitals than any single session of Congress in the history of our Republic. All this and more can and must be done. It can be done by this summer.

And it can be done without any increase in spending. In fact, under the budget that I shall shortly submit, it can be done with an actual reduction in Federal expenditures and Federal employment.

We have in 1964 a unique opportunity and obligation—to prove the success of our system—to disprove those cynics and critics at home and abroad who question our purpose and our competence.

If we fail—if we fritter and fumble away our opportunity in needless, senseless quarrels between Democrats and Republicans, or between the House and the Senate, or between the South and the North, or between the Congress and the administration—then history will rightfully judge us harshly. But if we succeed—if we can achieve these goals by forging in this country a greater sense of union—then, and only then, can we take full satisfaction in the state of the Union.

Here in the Congress, you can demonstrate effective legislative leadership by discharging the public business with clarity and dispatch—voting each important proposal up or voting it down but at least bringing it to a fair and a final vote.

Let us carry forward the plans and programs of John Fitzgerald Kennedy—not because of our sorrow or sympathy—but because they are right.

In his memory today, I especially ask all Members of my own political faith—in this election year—to put your country ahead of your party, and to always debate principles, never debate personalities.

For my part, I pledge a progressive administration which is efficient and honest and frugal.

The budget to be submitted to the Congress shortly is in full accord with this pledge. It will cut our deficit in half, from $10 billion to $4.9 billion. It will be, in proportion to our national output, the smallest budget since 1951. It will call for a substantial reduction in Federal employment, a feat accomplished only once before in the last 10 years. While maintaining the full strength of our combat defenses, it will call for the lowest number of civilian personnel in the Department of Defense since 1950.

It will call for total expenditures of $97.9 billion—compared to $98.4 for the current year, a reduction of more than $500 million. It will call for new obligational authority of $103.8 billion—a reduction of more than $4 billion below last year's request of $107.9 billion.

But it is not a standstill budget—for America cannot afford to stand still. Our population is growing. Our economy is more complex. Our people's needs are expanding. But by closing down obsolete installations, by curtailing less urgent programs, by cutting back where cutting back seems to be wise, by insisting on a dollar's worth for a dollar spent, I am able to recommend in this reduced budget the most Federal support in history for education, for health, for retraining the unemployed, and for helping the economically and the physically handicapped.

This budget, and this year's legislative program, are designed to help each and every American citizen fulfill his basic hopes: His hopes for a fair chance to make good; his hopes for fairplay from the law; his hopes for a full-time job on full-time pay; his hopes for a decent home for his family in a decent community; his hopes for a good school for his children with good teachers; and his hopes for security when faced with sickness, or unemployment, or old age.

Unfortunately many Americans live on the outskirts of hope—some because of their poverty, and some because of their color, and all too many because of both. Our task is to help replace their despair with opportunity.

This administration today here and now declares unconditional war on poverty in America. I urge this Congress and all Americans to join with me in that effort.

It will not be a short or easy struggle—no single weapon or strategy will suffice—but we shall not rest until that war is won. The richest nation on earth can afford to win it. We cannot afford to lose it. One thousand dollars invested in salvaging an unemployable youth today can return $40,000 or more in his lifetime. Poverty is a national problem, requiring improved national organization and support. But this attack, to be effective, must also be organized at the State and local level and must be supported and directed by State and local efforts.

For the war against poverty will not be won here in Washington. It must be won in the field—in every private home, in every public office, from the courthouse to the White House.

The program I shall propose will emphasize this cooperative approach to help that one-fifth of all American families with incomes too small to even meet their basic needs.

Our chief weapons in a more pinpointed attack will be better schools, and better health, and better homes, and better training, and better job opportunities to help more Americans—especially young Americans—escape from squalor and misery and unemployment rolls where other citizens help to carry them.

Very often a lack of jobs and money is not the cause of poverty but the symptom.

The cause may lie deeper—in our failure to give our fellow citizens a fair chance to develop their own capacities—in a lack of education and training, in a lack of medical care and housing, in a lack of decent communities in which to live and bring up their children.

But whatever the cause, our joint Federal-local effort must pursue poverty, pursue it wherever it exists, in city slums and small towns, in sharecropper shacks, or in migrant worker camps, on Indian reservations, among whites as well as Negroes, among the young as well as the aged, in the boomtowns, and in the depressed areas.

Our aim is not only to relieve the symptoms of poverty but to cure it—and, above all, to prevent it. No single piece of legislation, however, is going to suffice. We will launch a special effort in the chronically distressed areas of Appalachia. We must expand our small but our successful area redevelopment program. We must enact youth employment legislation to put jobless, aimless, hopeless youngsters to work on useful projects. We must distribute more food to the needy through a broader food stamp program. We must create a National Service Corps to help the economically handicapped of our own country as the Peace Corps now helps those abroad. We must modernize our unemployment insurance and establish a high level Commission on Automation. If we have the brainpower to invent these machines, we have the brainpower to make certain that they are a boon and not a bane to humanity. We must extend the coverage of our minimum wage laws to more than 2 million workers now lacking this basic protection of purchasing power. We must, by including special school aid funds as part of our education program, improve the quality of teaching and training and counseling in our hardest hit areas. We must build more libraries in every area—and more hospitals and nursing homes under the Hill-Burton Act—and train more nurses to staff them. We must provide hospital insurance for our older citizens, financed by every worker and his employer under social security contributing no more than $1 a month during the employee's working career to protect him in his old age in a dignified manner, without cost to the Treasury, against the devastating hardship of prolonged or repeated illness. We must, as a part of a revised housing and urban renewal program, give more help to those displaced by slum clearance, provide more housing for our poor and our elderly, and seek as our ultimate goal in our free enterprise system a decent home for every American family. We must help obtain more modern mass transit within our communities as well as low-cost transportation between them. Above all, we must release $11 billion of tax reduction into the private spending stream to create new jobs and new markets in every area of this land.

These programs are obviously not for the poor or the underprivileged alone. Every American will benefit by the extension of social security to cover the hospital costs of their aged parents. Every American community will benefit from the construction or modernization of schools, libraries, hospitals and nursing homes—from the training of more nurses—and from the improvement of urban renewal and public transit. And every individual American taxpayer and every corporate taxpayer will benefit from the earliest possible passage of the pending tax bill—from both the new investment it will bring and the new jobs that it will create.

That tax bill has been thoroughly discussed for a year. Now we need action. The new budget clearly allows it. Our taxpayers surely deserve it. Our economy strongly demands it. And every month of delay dilutes its benefits in 1964 for consumption, for investment, and for employment. For until the bill is signed, its investment incentives cannot be deemed certain, and the withholding rate cannot be reduced—and the most damaging and devastating thing you can do to any businessman in America is to keep him in doubt and to keep him guessing on what our tax policy is. And I say that we should now reduce to 14 percent instead of 15 percent our withholding rate. I, therefore, urge the Congress to take final action on this bill by the 1st of February if at all possible. For however proud we may be of the unprecedented progress of our free enterprise economy over the last 3 years, we should not and we cannot permit it to pause. In 1963, for the first time in history, we crossed the 70 million job mark—but we will soon need more than 75 million jobs. In 1963, our gross national product reached the $600 billion level—$100 billion higher than when we took office. But it easily could and it should be still $30 billion higher today than it is. Wages and profits and family income are also at their highest levels in history—but I would remind you that 4 million workers and 13 percent of our industrial capacity are still idle today. We need a tax cut now to keep this country moving.

For our goal is not merely to spread the work. Our goal is to create more jobs. I believe the enactment of a 35-hour week would sharply increase costs, would invite inflation, would impair our ability to compete and merely share instead of creating employment. But I am equally opposed to the 45- or 50-hour week in those industries where consistently excessive use of overtime causes increased unemployment. So, therefore, I recommend legislation authorizing the creation of tripartite industry committees to determine, on an industry-by-industry basis, as to where a higher penalty rate for overtime would increase job openings without unduly increasing costs—and authorizing the establishment of such higher rates.

Let me make one principle of this administration abundantly clear: All of these increased opportunities—in employment, in education, in housing, and in every field—must be open to Americans of every color. As far as the writ of Federal law will run, we must abolish not some but all racial discrimination.

For this is not merely an economic issue—or a social, political or international issue. It is a moral issue—and it must be met by the passage this session of the bill now pending in the House.

All members of the public should have equal access to facilities open to the public. All members of the public should be equally eligible for Federal benefits that are financed by the public. All members of the public should have an equal chance to vote for public officials, and to send their children to good public schools, and to contribute their talents to the public good.

Today Americans of all races stand side by side in Berlin and in Vietnam. They died side by side in Korea. Surely they can work and eat and travel side by side in their own country.

We must also lift by legislation the bars of discrimination against those who seek entry into our country, particularly those with much-needed skills and those joining their families. In establishing preferences, a nation that was built by the immigrants of all lands can ask those who now seek admission: "What can you do for our country?" But we should not be asking: "In what country were you born?"

For our ultimate goal is a world without war, a world made safe for diversity, in which all men, goods, and ideas can freely move across every border and every boundary.

We must advance toward this goal in 1964 in at least 10 different ways, not as partisans but as patriots.

First, we must maintain—and our reduced defense budget will maintain—that margin of military safety and superiority obtained through 3 years of steadily increasing both the quality and the quantity of our strategic, our conventional and our antiguerrilla forces. In 1964 we will be better prepared than ever before to defend the cause of freedom—whether it is threatened by outright aggression or by the infiltration practiced by those in Hanoi and Havana who ship arms and men across international borders to foment insurrection. And we must continue to use that strength, as John Kennedy used it in the Cuban crisis and for the test ban treaty, to demonstrate both the futility of nuclear war and the possibilities of lasting peace.

Second, we must take new steps—and we shall make new proposals at Geneva—toward the control and the eventual abolition of arms. Even in the absence of agreement we must not stockpile arms beyond our needs or seek an excess of military power that could be provocative as well as wasteful. And it is in this spirit that in this fiscal year we are cutting back our production of enriched uranium by 25 percent. We are shutting down four plutonium piles. We are closing many nonessential military installations. And it is in this spirit that we today call on our adversaries to do the same.

Third, we must make increased use of our food as an instrument of peace, making it available—by sale, or trade, or loan or donation—to hungry people in all nations which tell us of their needs and accept proper conditions of distribution.

Fourth, we must assure our preeminence in the peaceful exploration of outer space, focusing on an expedition to the moon in this decade—in cooperation with other powers if possible, alone if necessary.

Fifth, we must expand world trade. Having recognized in the act of 1962 that we must buy as well as sell, we now expect our trading partners to recognize that we must sell as well as buy. We are willing to give them competitive access to our market—asking only that they do the same for us.

Sixth, we must continue, through such measures as the interest equalization tax as well as the cooperation of other nations, our recent progress toward balancing our international accounts.

This administration must and will preserve the present gold value of the dollar.

Seventh, we must become better neighbors with the free states of the Americas—working with the councils of the OAS, with a stronger Alliance for Progress, and with all the men and women of this hemisphere who really believe in liberty and justice for all.

Eighth, we must strengthen the ability of free nations everywhere to develop their independence and raise their standard of living—and thereby frustrate those who prey on poverty and chaos. To do this, the rich must help the poor—and we must do our part. We must achieve a more rigorous administration of our development assistance, with larger roles for private investors, for other industrialized nations, and for international agencies and for the recipient nations themselves.

Ninth, we must strengthen our Atlantic and Pacific partnerships, maintain our alliances and make the United Nations a more effective instrument for national independence and international order.

Tenth, and finally, we must develop with our allies new means of bridging the gap between the East and the West, facing danger boldly wherever danger exists, but being equally bold in our search for new agreements which can enlarge the hopes of all while violating the interests of none.

In short, I would say to the Congress that we must be constantly prepared for the worst and constantly acting for the best.

We must be strong enough to win any war, and we must be wise enough to prevent one.

We shall neither act as aggressors nor tolerate acts of aggression.

We intend to bury no one—and we do not intend to be buried.

We can fight, if we must, as we have fought before—but we pray that we will never have to fight again.

My good friends and my fellow Americans, in these last 7 sorrowful weeks we have learned anew that nothing is so enduring as faith and nothing is so degrading as hate.

John Kennedy was a victim of hate, but he was also a great builder of faith, faith in our fellow Americans, whatever their creed or their color or their station in life; and faith in the future of man, whatever his divisions and differences.

This faith was echoed in all parts of the world. On every continent and in every land to which Mrs. Johnson and I traveled, we found faith and hope and love toward this land of America and toward our people.

So I ask you now, in the Congress and in the country, to join with me in expressing and fulfilling that faith—in working for a nation—a nation that is free from want and a world that is free from hate—a world of peace and justice, and freedom and abundance, for our time and for all time to come.

[Applause, the Members rising.]

At 1 o'clock and 16 minutes p.m., the President, accompanied by the committee of escort, retired from the Hall of the House of Representatives.

The Doorkeeper escorted the invited guests from the Chamber in the following order:

The members of the President's Cabinet.

The Chief Justice of the United States and the Associate Justices of the Supreme Court.

The ambassadors, ministers, and chargés d'affaires of foreign governments.

JOINT SESSION DISSOLVED

The SPEAKER. The Chair declares the joint session of the two Houses now dissolved.

Accordingly, at 1 o'clock and 18 minutes p.m., the joint session of the two Houses was dissolved.

The Members of the Senate retired to their Chamber.

RECESS

The SPEAKER. The Chair declares the House in recess until 2 o'clock.

Accordingly (at 1 o'clock and 25 minutes p.m.), the House stood in recess.

AFTER RECESS

The recess having expired, the House was called to order by the Speaker at 2 o'clock p.m.

REFERENCE OF PRESIDENT'S MESSAGE

Mr. BOGGS. Mr. Speaker, I move that the message of the President be referred to the Committee of the Whole House on the State of the Union and ordered printed.

The motion was agreed to.

GREAT BRITAIN SUPPLYING CUBA WITH $10 MILLION WORTH OF CERTAIN EQUIPMENT

Mr. ROGERS of Florida. Mr. Speaker, I ask unanimous consent to address the

House for 1 minute and to revise and extend my remarks.

Mr. SPEAKER. Is there objection to the request of the gentleman from Florida?

There was no objection.

Mr. ROGERS of Florida. Mr. Speaker, all of us have been shocked by the news that Great Britain has entered into an agreement with Communist Cuba to supply them with $10 million worth of equipment. Great Britain, knowing that it is the official policy of this Government and the nations of this hemisphere to isolate Cuba, has seen fit to ignore this policy.

I think it is high time for this Government to take action to show its displeasure. The best way to do it is for this Congress itself to take action by passing a bill that has been introduced to close the ports of this Nation to the ships of any government which allows its ships to trade with Cuba. If we were to close the ports of this Nation to the British ships until they stopped this shipping to Cuba, we would have a quick reaction and we would quickly isolate Cuba and get rid of Castro and his Communist government in Cuba.

PRIVATE CALENDAR

The SPEAKER. This is Private Calendar day. The Clerk will call the first bill on the Private Calendar.

OUTLET STORES, INC.

The Clerk called the first bill on the Private Calendar (H R. 2300), for the relief of the Outlet Stores, Inc.

Mr. ANDERSON. Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

DR. AND MRS. ABEL GORFAIN

The Clerk called the bill (H.R. 2706) for the relief of Dr. and Mrs. Abel Gorfain.

Mr. GROSS. Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Iowa?

There was no objection.

CHARLES WAVERLY WATSON, JR.

The Clerk called the bill (H.R. 2728) for the relief of Charles Waverly Watson, Jr.

Mr. CONTE. Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

JOHN F. MacPHAIL

The Clerk called the bill (H.R. 5145) for the relief of John F. MacPhail, lieutenant, U.S. Navy.

Mr. ELLSWORTH. Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Kansas?

There was no objection.

ALEXANDER HAYTKO

The Clerk called the bill (H.R. 6092) for the relief of Alexander Haytko.

There being no objection, the Clerk read the bill, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the limitation on the time within which applications for disability retirement are required to be filed under section 7(b) of the Civil Service Retirement Act (5 U.S.C. 2257(b)) is hereby waived in favor of Alexander Haytko, Los Angeles, California, a former employee of the Department of the Air Force, and his claim for disability retirement under such Act shall be acted upon under the other applicable provisions of such Act as if his application had been timely filed, if he files application for such disability retirement within sixty days after the date of enactment of this Act. No benefits shall accrue by reason of the enactment of this Act for any period prior to the date of enactment of this Act.

SEC. 2. Notwithstanding any other provision of law, benefits payable by reason of the enactment of this Act shall be paid from the civil service retirement and disability fund.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

CAROLINE G. JUNGHANS

The Clerk called the bill (H.R. 8878) for the relief of Caroline G. Junghans.

Mr. HEMPHILL. Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from South Carolina?

There was no objection.

ESTATE OF PAUL F. RIDGE

The Clerk called the bill (H.R. 4361) for the relief of the estate of Paul F. Ridge.

There being no objection, the Clerk read the bill, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Paul H. Ridge and Hilda Ridge Neill, as executors of the estate of Paul F. Ridge, who died a resident of Alamance County, North Carolina, on July 15, 1957, the sum of $5,581.28, with interest thereon at the rate of 6 per centum per annum from October 15, 1958, to the date of payment under this Act. The payment of such sum shall be in full settlement of all claims of said estate against the United States for refund of Federal estate taxes erroneously paid by reason of the inclusion in said estate of a farm in which the said Paul F. Ridge held only a courtesy interest, plus interest: *Provided,* That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with the enactment of this Act, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

With the following committee amendment:

Page 1, line 9, strike out "October 15, 1958" and insert "May 31, 1962".

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

ROBERT E. McKEE GENERAL CONTRACTOR, INC., AND KAUFMAN & BROAD BUILDING CO.

The Clerk called the bill (H.R. 4972) for the relief of Robert E. McKee General Contractor, Inc., and Kaufman & Broad Building Co., a joint venture.

There being no objection, the Clerk read the bill, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Robert E. McKee General Contractor, Incorporated, of Santa Fe, New Mexico, and Kaufman and Broad Building Company, of Phoenix, Arizona, the sum of $145,203. The payment of such sum shall be in full settlement of all the claims of Robert E. McKee General Contractor, Incorporated, and Kaufman and Broad Building Company, against the United States, remaining unpaid, for certain additional amounts due on account of work performed under a contract (numbered AF 20 (602)-636) with an agency of the United States (dated September 24, 1959) for the construction in connection with the housing project built under title VIII of the National Housing Act at Selfridge Air Force Base, Michigan. The necessity for payment of additional amounts under the contract arose because of unforeseen expenses resulting from errors in the topographical survey, but such payment could not be made on account of the statutory per-unit ceiling contained in section 505 of the Act of September 28, 1951 (65 Stat. 365): *Provided,* That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

With the following committee amendment:

Strike out all after the enacting clause and insert: "That notwithstanding the per-unit cost restrictions of section 803(b)(3) of the National Housing Act, as amended (12 U.S.C. 1748(b)(3)(B), or any statute of limitations, jurisdiction is hereby conferred on the United States Court of Claims to hear, determine, and render judgment on the claims of Robert E. McKee General Contractor, Incorporated, and Kaufman and Broad Building Company, against the United States, for certain additional amounts due on account of work performed under a contract (numbered AF20(602)-636) with the United States dated September 24, 1959, for the construction in connection with the housing project built under title VIII of the National Housing Act at Selfridge Air Force Base, Michigan, including payment of additional amounts under the contract because of unforeseen expenses resulting from errors in the topographical survey incident to the contract."

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

J. D. WALLACE & CO., INC.

The Clerk called the bill (H.R. 6748) for the relief of the J. D. Wallace & Co., Inc.

There being no objection, the Clerk read the bill, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to the J. D. Wallace and Company, Incorporated, of Warsaw, Indiana, the sum of $29,828.61. The payment of such sum shall be in full settlement of all claims of such corporation against the United States on account of the cancellation of the contract numbered AF09(603)-35205 awarded to such corporation by the Department of the Air Force on January 26, 1960, and subsequently canceled on or about June 23, 1960, after partial performance under such contract by such corporation. No part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

MARIA MANGANO

The Clerk called the bill (H.R. 1450) for the relief of Maria Mangano.

There being no objection, the Clerk read the bill, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, for the purposes of the Immigration and Nationality Act, Maria Mangano shall be held and considered to have been lawfully admitted to the United States for permanent residence as of the date of the enactment of this Act, upon payment of the required visa fee. Upon the granting of permanent residence to such alien as provided for in this Act, the Secretary of State shall instruct the proper quota control officer to deduct one number from the appropriate quota for the first year that such quota is available.

With the following committee amendment:

Strike out all after the enacting clause and insert the following: "That, the Attorney General is authorized and directed to cancel any outstanding orders and warrants of deportation, warrants of arrest, and bond, which may have issued in the case of Maria Mangano. From and after the date of the enactment of this Act, the said Maria Mangano shall not again be subject to deportation by reason of the same facts upon which such deportation proceedings were commenced or any such warrants and orders have issued."

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

EWALD JOHAN CONSEN

The Clerk called the bill (H.R. 1455) for the relief of Ewald Johan Consen.

There being no objection, the Clerk read the bill, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, for the purposes of the Immigration and Nationality Act, Ewald Johan Consen shall be held and considered to have been lawfully admitted to the United States for permanent residence as of March 3, 1957.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

ANNA DEL BAGLIVO

The Clerk called the bill (H.R. 2190) for the relief of Anna Del Baglivo.

There being no objection, the Clerk read the bill, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, for the purposes of the Immigration and Nationality Act, Anna Del Baglivo shall be held and considered to have been lawfully admitted to the United States for permanent residence as of the date of the enactment of this Act, upon payment of the required visa fee. Upon the granting of permanent residence to such alien as provided for in this Act, the Secretary of State shall instruct the proper quota-control officer to deduct one number from the appropriate quota for the first year that such quota is available.

With the following committee amendment:

Strike out all after the enacting clause and insert in lieu thereof the following: "That, the Attorney General is authorized and directed to cancel any outstanding orders and warrants of deportation, warrants of arrest, and bond, which may have issued in the case of Anna Del Baglivo. From and after the date of the enactment of this Act, the said Anna Del Baglivo shall not again be subject to deportation by reason of the same facts upon which such deportation proceedings were commenced or any such warrants and orders have issued."

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

ELIZABETH RENEE LOUISE GABRIELLE HUFFER

The Clerk called the bill (H.R. 5617) for the relief of Elizabeth Renee Louise Gabrielle Huffer.

There being no objection, the Clerk read the bill, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, in the administration of section 301(b) of the Immigration and Nationality Act, and section 16 of the Act of September 11, 1957, Elizabeth Renee Louise Gabrielle Huffer shall be held and considered to have complied with the provisions thereof if she establishes residence in the United States prior to attaining the age of twenty-six years.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

TERESA ELLIOPOULOS AND ANASTASIA ELLIOPOULOS

The Clerk called the bill (H.R. 7347) for the relief of Teresa Elliopoulos and Anastasia Elliopoulos.

There being no objection, the Clerk read the bill, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, in the administration of the Immigration and Nationality Act, Teresa Elliopoulos and Anastasia Elliopoulos may be classified as eligible orphans within the meaning of section 101 (b)(1)(F) of that Act, upon approval of petitions in their behalf by Mr. and Mrs. Michael J. Grassi, citizens of the United States, pursuant to section 205(b) of that Act, subject to all the conditions in that section relating to eligible orphans.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

AGARAM K. SREEKANTH

The Clerk called the bill (S. 585) for the relief of Agaram K. Sreekanth.

There being no objection, the Clerk read the bill, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, for the purposes of section 2 of the Act entitled "An Act to facilitate the entry of alien skilled specialists and certain relatives of United States citizens, and for other purposes", approved October 24, 1962 (76 Stat. 1247), Agaram K. Sreekanth shall be held and considered to be an alien eligible for a quota immigrant status under the provisions of section 203(a)(1) of the Immigration and Nationality Act on the basis of a petition filed with the Attorney General prior to April 1, 1962.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

MRS. MARIA NOWAKOWSKI CHANDLER

The Clerk called the bill (S. 1196) for the relief of Mrs. Maria Nowakowski Chandler.

There being no objection, the Clerk read the bill, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That notwithstanding the provisions of section 212 (a)(23) of the Immigration and Nationality Act, Mrs. Maria Nowakowski Chandler may be issued a visa and be admitted to the United States for permanent residence if she is found to be otherwise admissible under the provisions of that Act: *Provided,* That this exemption shall apply only to a ground for exclusion of which the Department of Justice or the Department of State has knowledge prior to the enactment of this Act.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

HAI YUNG JUNG AND JOHNNY JUNG

The Clerk called the bill (S. 1524) for the relief of Hai Yung Jung and Johnny Jung.

There being no objection, the Clerk read the bill, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, notwithstanding the provisions of the second sentence in section 205(c) of the Immigration and Nationality Act, the petitions filed in behalf of Hai Yung Jung and Johnny Jung by Mr. and Mrs. Warren Hugh Cateron pursuant to the provisions of section 205(b) of that Act may be approved, subject to all the conditions in that section relating to eligible orphans.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

EDITH AND JOSEPH SHARON

The Clerk called the bill (H.R. 1295) for the relief of Edith and Joseph Sharon.

There being no objection, the Clerk read the bill, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That Edith and Joseph Sharon, who lost United States citizenship under the provisions of section 5 of the Immigration and Nationality Act, may be naturalized by taking prior to one year after the effective date of this Act, before any court referred to in subsection (a) of section 310 of the Immigration and Nationality Act or before any diplomatic or consular officer of the United States abroad, the oaths prescribed by section 337 of the said Act. From and after naturalization under this Act, the said Edith and Joseph Sharon shall have the same citizenship status as that which existed immediately prior to its loss.

With the following committee amendment:

Page 1, lines 4 and 5, strike out "section 5 of the Immigration and Nationality Act" and insert "section 401(e) of the Nationality Act of 1940,".

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

AGNESE BRIENZA

The Clerk called the bill (H.R. 1723) for the relief of Agnese Brienza.

There being no objection, the Clerk read the bill, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, for the purposes of the Immigration and Nationality Act, Agnese Brienza shall be held and considered to have been lawfully admitted to the United States for permanent residence as of the date of the enactment of this Act, upon payment of the required visa fee. Upon the granting of permanent residence to such alien as provided for in this Act, the Secretary of State shall instruct the proper quota control officer to deduct one number from the appropriate quota for the first year that such quota is available.

With the following committee amendment:

Strike out all after the enacting clause and insert in lieu thereof the following: "That, in the administration of the immigration laws, Agnese Brienza shall be deemed to be within the purview of section 25(a) of the Act of September 26, 1961 (75 Stat. 657)."

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

ELISABETH WERNER

The Clerk called the bill (H.R. 1725) for the relief of Elisabeth Werner.

There being no objection, the Clerk read the bill, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, for the purposes of the Immigration and Nationality Act, Elisabeth Werner shall be held and considered to have been lawfully admitted to the United States for permanent residence as of the date of the enactment of this Act, upon payment of the required visa fee. Upon the granting of permanent residence to such alien as provided for in this Act, the Secretary of State shall instruct the proper quota control officer to deduct one number from the appropriate quota for the first year that such quota is available.

With the following committee amendment:

Strike out all after the enacting clause and insert the following: "That the Attorney General is authorized and directed to cancel any outstanding orders and warrants of deportations, warrants of arrest, and bond, which may have issued in the case of Elisabeth Werner. From and after the date of the enactment of this Act, the said Elisabeth Werner shall not again be subject to deportation by reason of the same facts upon which such deportation proceedings were commenced or any such warrants and orders have issued."

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

MRS. LEUNG CHI KING

The Clerk called the bill (H.R. 2948) for the relief of Mrs. Leung Chi King.

There being no objection, the Clerk read the bill as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, for the purposes of the Immigration and Nationality Act, Leung Chi King shall be held and considered to have been lawfully admitted to the United States for permanent residence as of the date of the enactment of this Act, upon payment of the required visa fee. Upon the granting of permanent residence to such alien as provided for in this Act, the Secretary of State shall instruct the proper quota-control officer to deduct one number from the appropriate quota for the first year that such quota is available.

With the following committee amendment:

Strike out all after the enacting clause and insert in lieu thereof the following: "That the Attorney General is authorized and directed to cancel any outstanding orders and warrants of deportation, warrants of arrest, and bond which may have issued in the case of Mrs. Leung Chi King. From and after the date of the enactment of this Act, the said Mrs. Leung Chi King shall not again be subject to deportation by reason of the same facts upon which such deportation proceedings were commenced or any such warrants and orders have issued."

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

JOHN GEORGE KOSTANTOYANNIS

The Clerk called the bill (H.R. 8322) for the relief of John George Kostantoyannis.

There being no objection, the Clerk read the bill, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, for the purposes of sections 101(a)(27)(A) and 205 of the Immigration and Nationality Act, John George Kostantoyannis shall be held and considered to be the minor natural-born alien child of Peter and Agnes Gost, citizens of the United States: *Provided,* That the natural parents of the beneficiary shall not, by virtue of such parentage, be accorded any right, privilege, or status under the Immigration and Nationality Act.

With the following committee amendment:

Strike out all after the enacting clause and insert in lieu thereof the following: "That, for the purposes of sections 203(a)(2) and 205 of the Immigration and Nationality Act, John George Kostantoyannis shall be held and considered to be the natural-born son of Mrs. Agnes Gost, a citizen of the United States: *Provided*, That the natural father and step-mother of the beneficiary shall not, by virtue of such relationship, be accorded any right, privilege, or status under the Immigration and Nationality Act."

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

WLADYSLAWA PYTLAK JAROSZ

The Clerk called the bill (H.R. 7821) for the relief of Wladyslawa Pytlak Jarosz.

There being no objection, the Clerk read the bill, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That Wladyslawa Pytlak Jarosz, who lost United States citizenship under the provisions of section 401(e) of the Nationality Act of 1940, may be naturalized by taking prior to one year after the effective date of this Act, before any court referred to in subsection (a) of section 310 of the Immigration and Nationality Act or before any diplomatic or consular office of the United States abroad, the oaths prescribed by section 337 of the said Act. From and after naturalization under this Act, the said Wladyslawa Pytlak Jarosz shall have the same citizenship status as that which existed immediately prior to its loss.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

The **SPEAKER**. This concludes the call of the Private Calendar.

JOHN F. KENNEDY CENTER FOR THE PERFORMING ARTS

Mr. O'NEILL. Mr. Speaker, by direction of the Committee on Rules, I call up the resolution, House Resolution 595, and ask for its immediate consideration.

The Clerk read the resolution, as follows:

Resolved, That upon the adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the joint resolution (H.J. Res. 871) providing for renaming the National Cultural Center as the John F. Kennedy Center for the Performing Arts, authorizing an appropriation therefor, and for other purposes. After general debate, which shall be confined to the joint resolution and shall continue not to exceed two hours, to be equally divided and controlled by the chairman and ranking minority member of the Committee on Public Works, the joint resolution shall be read for amendment under the five minute rule. At the conclusion of the consideration of the joint resolution for amendment, the Committee shall rise and report the joint resolution to the House with such amendments as may have been adopted, and the previous question shall be considered as ordered on the joint resolution and amendments thereto to final passage without intervening motion except one motion to recommit.

CALL OF THE HOUSE

Mr. GROSS. Mr. Speaker, I make the point of order that a quorum is not present.

The **SPEAKER**. The gentleman from Iowa makes the point of order that a quorum is not present. Evidently, a quorum is not present.

Mr. BOGGS. Mr. Speaker, I move a call of the House.

A call of the House was ordered.

The Clerk called the roll, and the following Members failed to answer to their names:

[Roll No. 2]

Albert
Ashbrook
Baring
Bass
Bennett, Mich.
Betts
Blatnik
Cahill
Cameron
Celler
Cohelan
Davis, Tenn.
Diggs
Dingell
Elliott
Fogarty
Giaimo
Gubser
Hagen, Calif.
Harsha
Hébert
Holifield
Hosmer
Karth
Kee
Knox
Laird
MacGregor
Mailliard
Martin, Mass.
May
Miller, N.Y.
Milliken
Morton
Moss
Murray
O'Brien, Ill.
Pepper
Pillion
Powell
Price
Quie
Rhodes, Ariz.
Robison
Shipley
Slack
Stubblefield
Talcott
Teague, Calif.
Tupper
Utt
Van Deerlin
Westland
White
Winstead

The **SPEAKER**. On this rollcall 374 Members have answered to their names, a quorum.

By unanimous consent, further proceedings under the call were dispensed with.

JOHN F. KENNEDY CENTER ACT

The **SPEAKER**. The Chair recognizes the gentleman from Massachusetts [Mr. O'NEILL].

Mr. O'NEILL. Mr. Speaker, I yield myself such time as I may consume, following which I yield 30 minutes to the gentleman from Ohio [Mr. BROWN].

Mr. Speaker, House Resolution 595 provides for consideration of House Joint Resolution 871, a joint resolution providing for renaming the National Cultural Center as the John F. Kennedy Center for the Performing Arts, authorizing an appropriation therefor, and for other purposes. The resolution provides an open rule with 2 hours of general debate.

Nothing was more characteristic of President John F. Kennedy than his support of the arts in America. He was concerned with the quality of the American civilization which he led and was a follower of the arts himself. More than this, he believed that through its artists a society expressed its highest values. He knew that the ultimate judgment of history upon the works and worth of midtwentieth century America would rest not only on our ability to protect freedom and extend opportunity, but also on the quality of our cultural achievements and what those achievements told of our Nation. John F. Kennedy knew and understood that the history of man is witness to the validity of that belief and found it congenial to his own temperament and enthusiasms.

The establishment of a climate within which the arts could flourish, and man could find opportunity for expression of his noblest thoughts and deepest passions, was a central objective of his administration. Certainly the naming of the Center after John F. Kennedy will serve as an additional spur and incentive to the directors to realize the limitless possibilities which were the heart of his vision.

Mr. Speaker, I urge the adoption of House Resolution 595.

Mr. BROWN of Ohio. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, my colleague on the Committee of Rules, the gentleman from Massachusetts, has explained this rule. It makes in order the consideration of House Joint Resolution 871, with 2 hours of general debate, and it is subject to amendment under the 5-minute rule.

I can agree with all my friend, the gentleman from Massachusetts, has said about the late President John F. Kennedy.

I had the pleasure of knowing him personally, and his family, for many years, perhaps better in many ways than many members of his own party here in the House of Representatives. I have the highest respect and the highest regard for his memory as well as for the accomplishments during his lifetime. I feel it is proper and appropriate that tribute be paid to his memory in one form or another, but I question very much the wisdom of doing that which this resolution provides for today.

I have been in this body for a great many years. I have lived in Washington for a long, long time—25 years in one apartment building. I have watched some of the things that have happened here in Washington on the civic and local level, sometimes with amazement, sometimes with amusement. I have watched the maneuvers that went on in connection with the construction and the building of a great stadium here in Washington, a stadium for which the taxpayers in my district and the taxpayers in your district are picking up the checks and meeting the costs thereof today. This is in direct conflict with the promises and pledges that were made to this House.

I am not unaware of the fact that several years ago a group interested in culture and in the arts locally banded together to build a cultural center here in Washington—a worthy objective, if they wish to do it. They organized, they solicited funds, and they continued to solicit funds throughout the year. I understand they did have pledged or raised in cash something around $13 million—most of it in the form of pledges. I said at that time that I had the experience in the past of serving on some church boards for some of my fellow Christians in this matter of making pledges, and that after they had been made, many were never paid off. Thus, I was not too much sold on the idea of using pledges as a basis on which to start construction of any large project. When we pinned down the witnesses, it seemed that the amount of cash that had actually been raised was a relatively small amount and that most of it had gone for expenses in one form or another. But others can testify as to that in discussing the bill.

Then suddenly came the tragic death of a great President in Dallas, Tex. I have a feeling deep down in my bones, as we say in southern Ohio, that perhaps some people here in Washington saw in that tragic happening the opportunity to unload the project that they had failed to put over in the form of this Cultural Center by suggesting that it be renamed the John F. Kennedy Cultural Center as a tribute to the late lamented President to be operated under a board of trustees. The board, I presume, is the same board that is already attempting to build and erect this great institution.

What is provided here, for the first time in our history so far as I can ascertain, is that the U.S. Government put up $15,500,000 in hard cash for this particular organization to go ahead and to build this Cultural Center to be named in memory of President Kennedy. Now the people behind this Center are good, fine people—some of them are my good friends. I do not question their integrity or their interest in the arts as much as I do question their wisdom or at least the wisdom of some of them. Now it is proposed that the taxpayers put in one-half the money, money which is entrusted to Representatives in Congress by the people of your district.

Those who already started on this project can and are supposed to match it, but there is no requirement that they raise their funds; only that the Federal Government give the $15.5 million direct.

Another item in this legislation that has caused a lot of the great newspapers of this country to begin to take a second look at this whole project, and which appears to be most objectionable, is that the Federal Treasury is to guarantee the payment of revenue bonds, up to $15,400,000, and the interest thereon which would be issued by this organization to build a three-level garage underneath the Cultural Center. This garage is to be near the Potomac, where they probably will have to pump the Potomac River out of it every few days. If the garage does not pay off—and I do not believe there is anyone in the world that will tell you it will pay off—the Federal Treasury is to pick up the tab. How? By a back-door approach? To do this would require no appropriation from Congress or no action from Congress whatsoever. It is just that you guarantee $15.4 million on the bonds for the parking garage. This is practically $31 million that we are being asked to pay out of the funds that belong to the taxpayers of all of this country, primarily—and I say the word advisedly—primarily to furnish to the city of Washington and the District of Columbia a great Cultural Center that they have been wanting for a long, long time, and which they may need, for that matter. It is something that may be entirely desirable. I think perhaps it is. Of course, the frosting on the cake, in order to get us to buy it, is that we are going to name it the John F. Kennedy Memorial Cultural Center.

I think there are other ways, just as many people have said, in which we can better honor the memory of an assassinated President, a man with whom we served, than by moving into an action such as this. I think we should have learned something from our experience with the stadium. I think we should at least realize that here is a warning sign which is being held up—stop, look, and listen—let us be sure. No one objects to a proper type of memorial for the President of the United States, but when we do have a memorial erected, whatever it may be, to John Fitzgerald Kennedy and his memory, and to the services that he gave to his country and to the world, that memorial should come from the hearts and the pocketbooks and the wishes of the individual citizens of this country. It should be, if it comes from the Treasury at all, paid for directly and not through some other organization picking up a project that has been floundering around for a long while and failing of accomplishment and then saying, "Well, here is a way to get it paid for and to get the work done. We will name it after Mr. Kennedy in order to get the wherewithal to finish this project."

So, for that reason, Mr. Speaker, I expect to oppose this bill.

Mr. O'NEILL. Mr. Speaker, I have no requests for time on this side.

Mr. BROWN of Ohio. Mr. Speaker, I yield 9 minutes to the gentleman from Iowa [Mr. GROSS].

Mr. GROSS. Mr. Speaker, in view of the so-called state of the Union message that we heard only a few minutes ago and the time spent by President Johnson in telling us of the poverty stricken in this country, as well as the spending the Federal Government must do to take care of the multitude of impoverished, I think it is most audacious on the part of the Democrat leadership of the House of Representatives to call up the Cultural Center bill this afternoon. I would have thought the leadership could at least have spared us this sort of thing on the same day. I cannot associate a cultural center that obligates the Federal taxpayers of this country to the extent of some $30 to $50 million with the speech of the President and his claims that he stands for economy and frugality in government. Somehow or other I am too old fashioned to be able to associate this kind of spending with the poverty that we heard so much about only a few minutes ago.

In the time allotted to me I wish to read a few statements which were made on this subject in the past on the floor of the House, and thus were printed in the CONGRESSIONAL RECORD.

Let me begin by saying that we have had assurances times without number that this Cultural Center was not going to cost the taxpayers any money, that it was all going to be built out of voluntary subscriptions.

I give you the statement of one of the first witnesses, the gentleman from Virginia [Mr. SMITH]. This was in 1958, when the bill first came to the Congress. It was S. 3335, entitled "An act to provide for a National Cultural Center which will be constructed with voluntary contributions on a site made available in the District of Columbia."

What did the gentleman from Virginia [Mr. SMITH] say?

He said:

> I just wonder why there should be opposition to this bill. It does not cost the Government any money. They are going to have a magnificent structure here. The money is going to be raised by voluntary contribution and they will have a magnificent building here for the performing arts. It is very badly needed—

I ask Members to listen to this—

> and we get it free.

The gentleman from Texas [Mr. WRIGHT], another of the promoters of the Cultural Center, said:

> I certainly concur in what my colleague, the gentleman from Virginia [Mr. SMITH], has said.

Another quotation:

> Mr. FULTON of Pennsylvania. Mr. Speaker, as one of the cosponsors of this legislation I rise in strong support of this bill for a National Cultural Center. It has been said that this will not cost the Government any money.
>
> No, it will not.
>
> The people of the country should be pleased that the civic-minded citizens of Washington, D.C., and of this country are taking on themselves the civic obligation to provide this Cultural Center for this great and growing city.

Then into the colloquy came Mr. Seely-Brown, of Connecticut, who is no longer a Member of the House. He said:

> Mr. Speaker, I want to make two points. First, this is not going to cost the taxpayers a cent; is that correct?

The gentleman from New Jersey [Mr. THOMPSON] responded by saying:

> Not one cent; that is correct.

Then I got into the argument:

> Mr. GROSS. Make no mistake about it, this is a legislative blank check * * *. I do not think any Member of this House would want to stake his reputation on the statement here and now that all the money for the construction of this $25 to $50 million Cultural Center is going to be raised from philanthropic sources.

The gentleman from New Jersey [Mr. THOMPSON] responded:

> I would stake my reputation on it, for the record.

Now let us take another trip to the floor of the House, on August 5, 1963, only about 6 months ago. Apparently the gentleman from Virginia [Mr. SMITH] was beginning to have some doubts about how free the Cultural Center was to be for the taxpayers of Virginia and of Iowa, because he did not project himself into the debate at that time. The gentleman from Alabama [Mr. JONES], another of the promoters of this enterprise, brought the gentleman from Virginia right back down the sawdust trail.

I read again from the CONGRESSIONAL RECORD, this time only last August:

> Mr. JONES of Alabama. Mr. Speaker, this extension—this authorization—does not authorize the expenditure of one red penny.
>
> The gentleman from Iowa—

Said the gentleman from Alabama [Mr. JONES]—

> mentioned the debate on the floor when the bill was first considered by the House 5 years ago. He mentioned the comments of the

> distinguished gentleman from Virginia [Mr. SMITH].
>
> Now, the gentleman from Virginia [Mr. SMITH] stated then, and correctly so, that this bill would not cost the taxpayers any additional sum, other than the cost of the land which was being donated in the District of Columbia to the Cultural Center. Now, that is the long and the short of it.

There was to be no cost to the taxpayers, but somehow or other the promoters have forgotten their fine assurances and are ready now to put the taxpayers right in the middle, between the long and the short of it. The taxpayers will be in now clear up to their eyebrows, if this joint resolution is approved.

I continue to read the comments of the gentleman from Alabama [Mr. JONES]:

> This is unique legislation. The funds for this building are being raised by voluntary contribution.

The gentleman from Alabama [Mr. JONES] also said:

> It was further advised that those who are handling this program are certain that within the 3-year extension provided by this legislation the additional $20 million needed to build a cultural center will be raised.

Continue to quote from the remarks of the gentleman from Alabama [Mr. JONES] only last August:

> I can assure you that the committee feels from the evidence it received in the hearings that this legislation will give the Cultural Center sufficient time to raise the additional funds needed to construct the building * * *.
>
> I would like to point out once again that no additional Federal funds are involved in this legislation.

Then again the gentleman from New Jersey [Mr. THOMPSON] entered the debate on August 5, 1963. The gentleman from New Jersey said:

> The trustees are now making significant progress and the outlook for reaching their financial goal is very promising.

Exactly how promising is it? I said before the Committee on Rules a few days ago that I know of no mass meetings that have been held either in Virginia, Alabama, New Jersey, Texas, or any other State demanding this kind of spending at this time. I know of no mass meetings in the State of Iowa urging me to spend some $30 million to $50 million on a Cultural Center in Washington, D.C.

If any of you know of any mass meetings in your districts demanding putting on pressure, giving you an arm twist a la President Johnson, if any of you have had such treatment in behalf of this Cultural Center, I would be pleased to have you tell me about it.

This bill, I trust, will be amended to provide for a commission to take care of a memorial for the late President Kennedy, a complete substitute for the resolution. In view of the testimony of the promoters of this project that the money is being raised by popular subscription, there is absolutely no reason here today to load this superdooper cultural palace onto the backs of the taxpayers of your State and mine, your congressional district and my congressional district.

Mr. BROWN of Ohio. Mr. Speaker, I yield 3 minutes to the gentlewoman from Illinois [Mrs. REID].

Mrs. REID of Illinois. Mr. Speaker, it has been just a very few months since the Congress amended the National Cultural Center Act to provide for an additional 3-year period in which funds could be raised through voluntary contributions for the construction of the National Cultural Center here in Washington, D.C. At that time—as one of the congressional members of the Board of Trustees of the Center—I was able to allay the fears of many of my colleagues by assuring them that there was no intention of ever requesting or needing Federal funds for completion and maintenance of the Center.

Today we are asked to change the name of this Center to the John F. Kennedy Center for the Performing Arts as a memorial to the late President Kennedy and to authorize the payment of Federal funds for construction in the amount of $15.5 million as well as a $15.4 million loan for parking facilities.

As everyone knows, of course, the Center was started in 1958 under President Eisenhower as a bipartisan project, with land donated by the Congress. Because of the tremendous interest of the late President Kennedy in the performing arts and in this Center, I think it would, indeed, be a fitting memorial to him—and I certainly endorse the changing of the name.

On the other hand, I feel very strongly that such memorial to the late President Kennedy would mean much more if we continued to raise the money through voluntary contributions. In this regard, I think that the press—which has been urging congressional approval of this Kennedy memorial—can do a great service by alerting their readers to the fundraising drive to insure the beginning of construction in the very near future.

According to reports by the press, Mrs. Kennedy has received as many as 20,000 messages of sympathy and reverence for her husband in 1 day—and I understand she is still receiving approximately 6,000 such messages daily.

Would not this proposed memorial have much greater meaning and be more of a tribute to the late President Kennedy if it were built through voluntary contributions given by the millions who have been so shocked and grieved over the untimely and tragic death of the late President Kennedy? I honestly think this is so. I also think that by continuing to build this memorial through voluntary contributions we could really prove to the world that the American people as individuals do, indeed, care about culture and the performing arts.

Mr. BROWN of Ohio. Mr. Speaker, I yield such time as he may desire to the gentleman from Illinois [Mr. McCLORY].

Mr. McCLORY. Mr. Speaker, I congratulate my colleague, the gentlewoman from Illinois [Mrs. REID], for her forthright and constructive statement on the John F. Kennedy Center Act, House Joint Resolution 871. In addition, I want to associate myself with her remarks and to support the position which she has taken. Her service as a congressional member of the Board of Trustees of the Center and her cultural and educational background provide the gentlewoman from Illinois [Mrs. REID] with the judgment and perspective needed at this hour. I share with her the view that it would seem appropriate to rename the National Cultural Center in honor of our late President, John F. Kennedy. However, to couple this expression of respect with the appropriation of a large amount of Federal funds as contemplated by this measure is most unfortunate. As the gentlewoman from Illinois [Mrs. REID] and others have brought out in debate, the Cultural Center was intended to be financed through private contributions and the legislation which is sought to be amended here today was presented to the Congress with that assurance. To now depart from that assurance with the representation that this is a memorial to the late President is most unfortunate.

Mr. BROWN of Ohio. Mr. Speaker, I yield the balance of the time on this side to the gentleman from Iowa [Mr. SCHWENGEL].

Mr. SCHWENGEL. Mr. Speaker, I ask unanimous consent to file minority views as part 2, Report No. 1050, to accompany House Joint Resolution 871.

The SPEAKER. Is there objection to the request of the gentleman from Iowa?

There was no objection.

Mr. SCHWENGEL. Mr. Speaker, I rise today with somewhat of a heavy heart because it may appear to some that I stand in opposition to a noble objective and a noble idea and a very fine project for Washington, D.C. But I want to assure you I am not. Indeed, those of us who are opposing this idea to direct this along another course in a sensible direction and for a saner approach at some appropriate time might be doing them a favor by causing them to pause and think about these things.

Mr. Speaker, today we are discussing a subject on which all of us have strong feelings. I do not believe that we are debating whether or not there should be a memorial to our late President, but rather what form it should take and what procedure should be followed to insure that whatever form of memorial is chosen, it be the most fitting to the memory of John F. Kennedy. House Joint Resolution 871 provides that a Cultural Center to be built here in Washington be named "the John F. Kennedy Center for the Performing Arts." Today in all good conscience and faith I must rise to oppose this resolution. I do so, not as a Republican against a Democrat, but as one who is interested in history. As all of you know history is of great interest to me and I have devoted much time to its study. Throughout history there have been many great men who have had memorials built in their honor. In almost all of these cases the memorials have been built well after the deaths of the people whom they honor. There is a reason for this. Time is a great teacher. It is only as time passes that the efforts of any person during his or her lifetime can be fully evaluated and that his or her greatest achievements can be recognized and acknowledged. This is the major reason why I am opposing this resolution. It is far too soon for any of us to tell what the major contribution of President Kennedy will in the end turn out to be. Certainly any memorial to President Kennedy should highlight his greatest achievement. We are in no position now to say what this is or what it will be. Only time and history can tell us what honor or memorial is best fitting for John F. Kennedy. In the end, it may prove that this particular honor will be just that and then I will support it fully. But now is not the time to make that decision. Calm and serious deliberation is needed, not haste and ill-considered efforts.

Those of us who are opposing the action proposed here today have been subjected to some vicious, unfair and undeserved criticism. We have been cast as being opposed to culture. It has even been suggested we from Iowa who have opposed this measure are reflecting our State, implying that the State of Iowa lacks culture. This is dangerous and irresponsible criticism that just cannot be borne out. I am not going to defend the State of Iowa's contribution to this Nation's culture, it speaks for itself.

Let me say for myself, however, that I have been, am now and always will be a supporter of any measure that could contribute to enriching the culture of this Nation.

I would like to make one more point. When I spoke for the extension of the termination date of the Board of Trustees for the National Cultural Center I assured this House that at no time would tax money be used to help finance its construction. I did so because I had been assured—those vitally interested in the Center assured me that the extra time they were requesting would be sufficient to raise the needed money by public subscription. I now find that this assurance of this pledge has been broken. In reality we are being asked to authorize almost $31 million for the Cultural Center, of which $15 million is to be spent to build a parking facility, which, if even in continuous use, could not pay 2 percent interest a month on the $15 million needed for its construction. So you see I cannot in good conscience violate an assurance, a promise that I and other Members of this House made earlier by voting to approve this authorization.

I want to emphasize again that I am in full accord with those who wish to honor the memory of our late President.

I am so glad that the gentlewoman from Illinois has spoken as she has. She is a member of the Board, and I am glad she is, because she has ability of her own besides ideas of her own that can be used in making a contribution in this important area.

Mr. O'NEILL. Mr. Speaker, I move the previous question on the resolution.

The previous question was ordered.

The resolution was agreed to.

A motion to reconsider was laid on the table.

IN THE COMMITTEE OF THE WHOLE

Mr. JONES of Alabama. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the joint resolution (H.J. Res. 871) providing for renaming the National Cultural Center as the John F. Kennedy Center for the Performing Arts, authorizing an appropriation therefor, and for other purposes.

The SPEAKER. The question is on the motion.

The motion was agreed to.

Accordingly, the House resolved itself into the Committee of the Whole House on the State of the Union for the consideration of the joint resolution, House Joint Resolution 871, with Mr. RAINS in the Chair.

The Clerk read the title of the joint resolution.

By unanimous consent, the first reading of the joint resolution was dispensed with.

The CHAIRMAN. Under the rule, the gentleman from Alabama [Mr. JONES] will be recognized for 1 hour, and the gentleman from New Jersey [Mr. AUCHINCLOSS] will be recognized for 1 hour.

The Chair recognizes the gentleman from Alabama [Mr. JONES].

Mr. JONES of Alabama. Mr. Chairman, I yield myself 10 minutes.

Mr. Chairman, I rise today to speak in support of the bill to change the name of the National Cultural Center to the John F. Kennedy Center for the Performing Arts. I do so in sorrow and solemnity, because no one can contemplate the circumstances behind this bill without a heavy heart. The dark chain of tragedy which resulted in the murder of our young and gallant President will remain forever a sequence of horror in our national life. Nothing that we the living can do will assuage the grief or weaken the shame.

Yet, I also rise in support of this bill in a spirit of pride—pride in our late President, who also was our colleague in the House and Senate, and pride in our Nation. John Fitzgerald Kennedy was a man exceptional in the breadth and range of his knowledge and his interests. But all the subjects of his concern, however remote one might seem from another, were related to the strong central purpose of his life—his love for this country and his hope that our land and our people would have a chance to develop their own best potentialities. His vision of the American destiny included the issues of economics, law, and public administration which have been the conventional stuff of politics. But his vision extended to the cultural life of the Nation. I venture to say that no President in our long history since Thomas Jefferson had so lively a concern for the intellectual and artistic health of our Nation, or so profound an understanding of the central place of the arts in civilized society. As he said in a speech at Amherst College just 1 month before his death:

> I see little of more importance to the future of our country and our civilization than full recognition of the place of the artist.

The proposal to rename the National Cultural Center in his memory does not imply any lessening of his interest in a hundred other matters of national and international import. It does not imply that he regarded the performing arts as the most important thing in the world. It does imply, what is beyond dispute, that he considered the arts an organic and essential part of our national life. And it does imply, what is also beyond dispute, that, more than any other President in our Nation's history, he acknowledged and defined the responsibility of Government to the Nation's cultural life.

Government—

He said—

> can never take over the role of patronage and support filled by private individuals and groups in our society. But Government surely has a significant part to play in helping establish the conditions under which art can flourish—in encouraging the arts as it encourages science and learning.

It is not to create something new, but to rename an institution which has an existence and identity of its own in honor of a man who was deeply concerned with that institution and with the relationship between Government and the arts of which this institution will be, we confidently believe, a shining symbol.

The belief in the significance of the arts was a fundamental part of President Kennedy's vision and of his faith. It arose, I believe, from his profound knowledge of history. He knew the elements in society which confer distinction and immortality on a nation. He knew that President Eisenhower's Commission on National Goals was everlastingly correct when it said—and I quote from the Commission's report of 1960:

> In the eyes of posterity, the success of the United States as a civilized society will be largely judged by the creative activities of its citizens in art, architecture, literature, music, and the sciences.

Knowing this, he carried on the campaign for the National Cultural Center—and I can think of no better way to honor his insight, his devotion and his lofty conception of this Nation than to give our National Cultural Center his name.

Now, Mr. Chairman, this resolution, which has been reported by the Committee on Public Works, has been carefully considered. The committee did all in its power to see to it that there would be proper safeguards, proper employment of funds, and to see that those funds were inspected and placed in total public view.

I am pleased that the gentleman from Iowa [Mr. GROSS] pointed out the changes made by this resolution in the original act. These changes, as I have pointed out in my formal statement, are brought about by the loss of our late beloved President.

Under House Joint Resolution 871, the National Cultural Center is renamed the John F. Kennedy Center for the Performing Arts.

The requirement of existing law that the Board submit to the Smithsonian Institution an annual report of its operations including a detailed statement of all moneys received and disbursed by it is amended to require that this report also be furnished to the Congress.

The Board will be given a specific directive to provide within the center a proper memorial which would be becoming to the memory of our late President.

We have an advisory board, we have the Smithsonian Institution, and we have the trustees of the Cultural Center. We have three boards that will deliberate on and consider anything that would be placed in this memorial.

An appropriation is authorized hereunder that will equal the aggregate amount of funds to be raised by the trustees. The Board cannot expend nor can the Congress appropriate any more than the trustees have on hand in cash or other articles of value.

The $15.5 million that is authorized in this resolution will be conditioned on the fact that the Board of Trustees have the money on hand before they would be eligible to receive an appropriation.

We provided a new requirement in the bill, the construction of a garage; as the distinguished gentleman from Ohio [Mr. BROWN] stated, a 3-level garage that would accommodate some 1,600 automobiles and that would cost approximately $15.4 million. The money would be procured under the Second Liberty Loan Act which would assure reimbursement. There have been careful surveys made to determine whether or not the revenue would be sufficient to retire those bonds.

The report is favorable and there is reasonable expectation that we will have sufficient income to retire those obligations. There is nothing new about the employment of the Second Liberty Loan Act. We have had it legislatively for a number of years. Mr. Chairman, you will recall that when we had up the St. Lawrence Seaway that, too, was questioned as to whether or not the revenues would be sufficient to retire the debt. The then President, Mr. Eisenhower, insisted that we not make an appropriation but employ that financing device.

I do not see that there will be any great question in the use of this bond issue for the Cultural Center because of the operation of the garage. It will be operated by private enterprise and be available at all hours of the day to receive and discharge automobiles. The surveys of reputable engineers have indicated that the income from parking revenues will be sufficient to pay off the bonds.

A great number of people throughout the United States have sent in small contributions to the Treasury and to the White House, in denominations of $1 to $25. In order that the recipient of these funds, the Treasury, may make a discharge to the trustee of the center it is necessary for us to have a legislative vehicle for them to make that proper disbursement. There is no objection to that provision in the bill.

The seventh provision of the bill provides that the Center shall be the sole national monument to the late President within the city of Washington and its environs. That has been included without objection.

The testimony that we received from Senators SALTONSTALL and FULBRIGHT before a joint hearing of the House and Senate Public Works Committees, indicated they supported this resolution.

Mr. Chairman, I would like to invite your attention to the report on House Joint Resolution 871, page 3, which sets out a letter from the President of the United States to the chairman of the Committee on Public Works of the House of Representatives, the gentleman from New York, Hon. CHARLES A. BUCKLEY. The letter is dated December 11, 1963, and reads as follows:

> DEAR MR. CHAIRMAN: I should like to take this opportunity to express my wholehearted support for the joint resolutions (S.J. Res. 136 or H.J. Res. 828) presently before the Congress to rename the National Cultural Center in honor of President Kennedy. It seems to me that a center for the performing arts on the beautiful site selected would be one of the most appropriate memorials that a grateful nation could establish to honor a man who had such deep and abiding convictions about the importance of cultural activities in our national life. In this connection, it is my understanding that the Kennedy family would prefer to have the Center named "The John F. Kennedy Center for the Performing Arts" in order to indicate more specifically the nature of the memorial to him.

Mr. Chairman, I submit to the committee we have brought out a very timely resolution, one that is a fitting tribute to our late President.

I recommend its passage.

Mr. AUCHINCLOSS. Mr. Chairman, I yield 10 minutes to the gentleman from Florida [Mr. CRAMER].

Mr. CRAMER. Mr. Chairman, there are two or three things that on the record ought to be fully clarified. In the first place, I do not think anyone with regard to this legislation opposes culture or opposes the establishment of a National Cultural Center in Washington, D.C. As a matter of fact, Congress has enacted twice such legislation providing for public subscriptions and contributions, but not for appropriations.

The fundamental issue is if the whole concept of the Cultural Center is to be changed from public contributions to that of spending taxpayers' money for the 50 percent of the cost of that facility, at least the structure, and a 100-percent bond issue guaranteed by the Federal Government for $15.4 million for the garage, whether or not there should be an adequate appropriation process protection in the legislation which has been included in most legislative acts previously passed in reference to this matter.

The second fundamental consideration, so far as I am concerned, is if in fact this is going to be a memorial, a memorial to President Kennedy in the Nation's Capital, as such it is a memorial belonging to the people of the United States of America, and properly so. If that is the case, if that is the real objective, and apparently it is and Federal matching moneys being proposed, then I think the Congress has the responsibility to make certain that whatever that memorial is it is adequate, it properly exemplifies the record of the past President, that it properly indicates the contributions made by him as President of the United States for all time in the future.

So these concepts of a memorial as such should be made major and not secondary to the construction of a cultural center as such, in my mind, in considering this legislation. As a matter of fact, I think the gentleman from Alabama will agree, he having acted as chairman of an almost unprecedented joint meeting of the Committees on Public Works of the House and Senate, that the gentleman from Florida made as much of a contribution as anybody else in trying to make certain if this is to be a memorial, if Federal funds are to be used, that memorial will be adequate to the President, that Congress will have a right to review the aspects of the memorial as they would have if a commission were established. And, incidentally, this has always been the procedure in the past for Presidential memorials, that is, through a commission made up of Members of Congress, so that Congress can study it at length and will see that it is the sort of memorial that is adequate and proper for all time in the future, representing what that past President contributed to his country and to the world in the nature of constructive objectives.

It is important for Congress in deviating from this past precedent to make certain that the legislation is written in a manner that still acknowledges and still accepts and still protects the safeguards that Congress must have in the appropriation processes and the safeguard that Congress should demand to make certain this memorial is adequate, timely, and it is going to last for many years to come.

My concern has been that perhaps in the rush of this thing, this bill having been submitted some 11 days after the President's tragic assassination, in an effort to get the memorial underway, perhaps some of the basic considerations have been overlooked. Therefore, I have made a number of proposals in an effort to try to accommodate the Cultural Center into a memorial for the President, and to wed the two concepts.

I was criticized by the press for these suggestions, and I will be highly criticized today because I am trying to make some changes which I think should be acceptable, particularly in the matter of the bond issue, because that is a backdoor spending proposal, with no review whatsoever by the Congress of the United States.

With regard to the garage, I challenge anyone to suggest, even the Board itself, exactly what the garage is going to cost, whether it is economically feasible or not, particularly in view of the fact that the rough estimates were an approximation of $10,000 per car being the cost.

I should like to see anybody amortize a cost of that size.

I am in favor basically of the construction of a National Cultural Center for the Performing Arts in the city of Washington or the District of Columbia. I think it could be made an appropriate, fitting memorial to the late President. I am not opposed to the purposes of the bill, to rename the National Cultural Center as the John F. Kennedy Center for the Performing Arts, although I would prefer it to be called the John F. Kennedy Memorial Center for the Performing Arts. The bill properly declares it to be the sole memorial in the city of Washington. Why do I insist on that? History has shown that the more memorials you have the less they mean. That is the reason each memorial in Washington for eight past Presidents has been one well thought out, and stands today as a true, exclusive, national memorial to his record.

I am opposed to the appropriation of Federal funds to match private funds for the construction, or getting blanket funds from the Treasury of the United States to construct parking facilities in connection with the Center if appropriate safeguards are not provided in the legislation. It has been my objective to offer amendments to accomplish that. I just cannot understand however why a parking garage, the cost of which we do not know, which the board itself in testifying could not substantiate as economically feasible, why the Treasury of the United States should be directed to pay out $15 million mandatorily, issue bonds on the request of the board, mandatorily issue bonds, without any review whatsoever by the Congress of the United States.

We did not even do that in connection with the TVA. The TVA is cited as an example for this legislation. I have the TVA legislation before me, Public Law 86-37, and that act clearly shows under amended section 15(c) that these bonds to be issued by TVA are public subscription bonds. They are not Treasury bonds, and only in certain instances could Treasury bonds be issued, and that is if the Secretary of the Treasury vetoed the private sale of bonds. But this is a mandatory Treasury bond issue for this amount of money, with no review whatsoever by the Congress. Under TVA some congressional review was included. I am sure some Members remember there was a major fight on the bill, as to whether or not there should be congressional review of the bond issue provisions. A review was included. So you cannot cite that as a precedent for this unless you put congressional review in it.

Mr. JONES of Alabama. Mr. Chairman, will the gentleman yield?

Mr. CRAMER. I yield.

Mr. JONES of Alabama. There is no reason why we cannot put similar language in this resolution as that in the TVA bond bill. This had blessing of the Eisenhower administration.

Mr. CRAMER. Yes, and of the gentleman from Florida.

Mr. JONES of Alabama. The gentleman is in opposition to this.

Mr. CRAMER. No; I was not in opposition to the bond issue. I was in opposition to not providing congressional review.

Mr. JONES of Alabama. The gentleman's position is that we have not used similar language in this bill.

Mr. CRAMER. The gentleman, therefore, admits that the Congress of the United States in exercising its wisdom provided for congressional review. That is what I am asking be done in this instance, that in exercising its wisdom this House accept my amendment that makes the bond issue subject to the appropriation act. Otherwise there is no question but that it is 100-percent back-door spending.

I am amazed that the gentleman from Alabama and our committee were not willing to accept that amendment, because, in my opinion, it would have taken the major controversy out of the legislation.

Mr. JONES of Alabama. All safeguards will be employed to see that the Board of Regents of the Smithsonian and the General Accounting Office and the Appropriations Committee will review these administrative details.

Mr. CRAMER. What protection is there and what review by the Congress is there when you have on page 5, section 9 of the bill, this language:

> The Secretary of the Treasury is authorized and directed to purchase any obligations of the Board to be issued under this section and for such purpose the Secretary of the Treasury is authorized to use as a public debt transaction—

And so forth. Does not the gentleman admit and agree there is no review by Congress in section 9 whatsoever, and the gentleman does not intend there should be any?

Mr. JONES of Alabama. The gentleman is entirely in error. You have to appropriate money here in the Congress for the purpose of matching the funds.

Mr. CRAMER. The gentleman is evading the issue. I admit there is review on the $15 million we are going to match.

The gentleman should equally admit there is no review by the Congress on the garage bond issue. It is backdoor spending—there is no question about it. On the bond issue, the Secretary of the Treasury is instructed to issue bonds on the request of the Board.

Mr. JONES of Alabama. Of course, I will not admit that this is back-door spending nor do I admit that the Congress will not have a review of it. I think we have been as careful as we know how to meet these requirements.

Mr. CRAMER. The gentleman will have to admit, however, even though he is not willing to admit the obvious, in this instance I think the gentleman will have to admit in order to fully clarify it and make it certain you have congressional review it would be a very simple matter to accept my amendment and make it definitely subject to the appropriation process. Then there would not be any question about it, would there, I ask the gentleman? If he says there is a review, why does he object to my amendment writing it into the law, I ask the gentleman?

Mr. JONES of Alabama. It is as specific as it can possibly be, in this as in every other appropriation that we make. The gentleman has been a member of the Committee on Public Works and he has seen time and time again where we authorize the construction of Federal buildings and the Committee on Appropriations has the authority and responsibility and duty to examine and to determine how much they are willing to appropriate just as they will in this instance.

Mr. CRAMER. The gentleman knows full well there is no comparison with what we do in authorizing buildings which are subject to appropriation by the Congress, and this provision for the issuance of bonds directly by the Treasurer without review through the sale under the Liberty Bond Act, of bonds. The Board demands the bonds and the Secretary mandatorily must issue them. The Congress has absolutely nothing to say about it. I am utterly amazed that the gentleman would not admit that that is a fact. And this goes further, I suggest to the gentleman, than any instance that I know of with regard to the issuance of Treasury bonds without review of any kind by the Congress. I think it is essential that the Congress takes a look at the parking facility and the fiscal soundness of it and determine for itself whether this is a good project. After all, they are asking for 100 percent Federal, guaranteed money. Now that is not unreasonable. I am amazed that in order to get the controversy out of this legislation, the Committee on Public Works would not accept this simple amendment making the bond issue subject to the appropriation process, and I intend to offer an amendment to that effect at the proper time.

Mr. JENSEN. Mr. Chairman, will the gentleman yield?

Mr. CRAMER. I am delighted to yield to the gentleman.

Mr. JENSEN. Is the gentleman telling the House that if this proposed legislation, House Joint Resolution 871, is made the law of the land that the Committee on Appropriations will have no chance to have hearings or to pass on this appropriation?

Mr. CRAMER. The gentleman is a far greater authority on that than I am. But if the gentleman will read section 9 on page 4—and I am referring to the borrowing authority as contained in the bill—he will find I am sure and I hope he has and I would like to ask him his advice; it is my opinion without equivocation or question that there is no necessity for and there in fact will be no review by the Congress of any kind before this $15.4 million can be and will probably be made available to this Board because the Treasury is instructing the Treasurer to do so.

Mr. JENSEN. That is the way I find it. That is the way I get it. Certainly, the gentleman is right in his assumption that this is not only a bill to authorize this expenditure but also an appropriation bill as it is written in its present form. There is no question about it. I am for a memorial to Kennedy but not for back-door financing. Now I would like to ask the gentleman another question. Has there ever been a monument erected or a building of this nature erected in the United States of America to the memory of William McKinley who was assassinated?

Mr. CRAMER. There is one, I believe, in Ohio, but there is none in the Nation's Capital.

Mr. JENSEN. I have never been able to find one.

Mr. CRAMER. Yes; and, of course, it puts us in an interesting situation because we still do not have a Franklin Delano Roosevelt Memorial.

Mr. JENSEN. That is right.

Mr. CRAMER. We do not have a Franklin Delano Roosevelt Memorial in Washington, D.C., after these many years. It took from 1865 until an authorization in February 1911, in order to get underway a memorial for Abraham

Lincoln. Now I am not pleading the case of delay and I do not want to be so misunderstood. But I am pleading the case of adequate deliberation.

Mr. JENSEN. The gentleman is right. I agree with him completely.

Mr. CRAMER. As I say, I am pleading the case of adequate deliberation and adequate protection by the Congress to make certain that this is a proper memorial. We are all for a cultural center as such and I am for an adequate memorial to Kennedy and the reason for providing for matching funds is to make this a proper memorial to the President of the United States. My objective is to try to protect that interest of the people of the country in that regard.

Mr. JENSEN. May I say that the House Committee on Appropriations has for the past many years insisted that there shall be no more back-door spending and I am happy to say that up to this time—this year—there is no back-door spending. The Export-Import Bank, you will remember, wanted us to give them $2 billion additional spending authority and we said we would if they would permit the House to pass on the needed funds, and they finally said they did not need the money.

Here we have for the first request for back-door spending that has come to this Congress during the last session and this session.

Mr. CRAMER. The gentleman put his finger on it, being on the Committee on Appropriations and a much greater authority than the gentleman from Florida. It is a fact—there is no question about this, and I think members of our committee understand this—that the Board does not have to come back to the Congress for the bonding of the garage in any respect whatsoever because the bond issuing authority is self-executing. All they have to do is make a request to the Secretary of the Treasury, and he has the duty to make the money available from Liberty bond funds. This is not subject to the Government Corporation Control Act, which was at least a protection in the Tennessee Valley Authority situation. This is not subject to the Government Corporation Control Act. There is no requirement whatsoever on them with respect to congressional review.

Mr. Chairman, I am in favor of the construction of a National Cultural Center for the Performing Arts in the city of Washington, D.C., and I think that it could be made an appropriate living memorial to the late President, John Fitzgerald Kennedy. I am not opposed to the purposes of House Joint Resolution 871, to rename the National Cultural Center as the John F. Kennedy Center for the Performing Arts, and to designate it as the sole national memorial to the late President within the city of Washington, D.C., and its environs. I am opposed to the appropriation of Federal funds to match private contributions for the construction of the Center, or the authorization to borrow funds from the Treasury of the United States to construct parking facilities in connection with the Center, if appropriate appropriations safeguards are not provided in the legislation.

I believe that Congress should give more careful consideration to this important legislation than has been the case. House Joint Resolution 871 was hastily drafted and rushed through the Committee on Public Works during the closing days of the last session of Congress in an atmosphere approaching emotional hysteria.

Under existing law, as enacted in 1958 and amended in 1959 and 1963, the National Cultural Center is to be constructed solely by private contributions and without any memorial features. By designating the Center as the sole national memorial to the late President and by providing Federal funds to defray part of its cost, many new considerations have been introduced which have not been fully considered by the committee, nor properly provided for in this joint resolution.

The joint resolution on which hearings were held was House Joint Resolution 828, which was introduced on December 3, 1963, just 11 days after the death of President Kennedy. This resolution simply provided for renaming the National Cultural Center as the John Fitzgerald Kennedy Memorial Center, and authorized the appropriation of Federal funds in amounts equal to that given, bequeathed, or devised to the trustees of the Center. During the hearings held on this resolution on December 12 and 16, it became apparent that a majority of the Committee on Public Works was intent upon rushing this legislation through the committee as quickly as possible, apparently in hopes of completing floor action last year. However, questioning of witnesses by myself and a number of my colleagues disclosed numerous grave deficiencies in the legislation, and a new joint resolution was drafted and subsequently introduced as House Joint Resolution 871, in an effort to overcome some of these shortcomings.

House Joint Resolution 871 is a substantial improvement over its predecessor, House Joint Resolution 828; however, it is still deficient in several respects and should be corrected by this body before final passage. Before discussing particular provisions of this legislation, it might be helpful to briefly review the historical and traditional way in which Presidential memorials have been handled in the past.

Construction of the Washington Monument on its present site, in accordance with a resolution enacted by Congress in January 1848, was made possible by freewill contributions by patriotic citizens and organizations, gathered by the Washington National Monument Society, and by congressional appropriations. The monument cost a total of $1,394,147 of which $300,000 was contributed by private sources and $1,094,147 was from congressional appropriations. It was completed in December 1884, and was formally dedicated on February 21, 1885.

The Lincoln Memorial was designed and constructed in accordance with recommendations made by the Lincoln Memorial Commission, created by an act approved February 9, 1911, 46 years after his death. The cost of the Lincoln Memorial was defrayed by congressional appropriations in the total amount of $3,678,720, after attempts made by the Lincoln Memorial society to secure private contributions proved to be unsuccessful. This memorial, which is generally agreed to be a perfect memorial to President Lincoln, was dedicated on Decoration Day in 1922.

Congress followed precedent when on June 26, 1934, it authorized establishment of the Thomas Jefferson Memorial Commission to formulate plans for the construction of a memorial honoring President Thomas Jefferson. A total of $3,405,064 was appropriated for construction of this memorial in accordance with recommendations of the Thomas Jefferson Memorial Commission. Work began with ground breaking on December 15, 1938, and the memorial was completed and formally dedicated on April 14, 1943—the 200th anniversary of the birth of Thomas Jefferson.

Recently Congress has reaffirmed the traditional practice of establishing memorial commissions to formulate plans for the design, construction, and location of memorials to past Presidents by an act approved August 11, 1955, to establish a Franklin Delano Roosevelt Memorial Commission, and, even more recently, by an act approved April 8, 1960, Congress established the James Madison Memorial Commission. All of these Commissions reported to Congress, and Congress retained control over construction of the memorials.

There is no reason why a similar commission should not have been established to develop plans for a memorial to President Kennedy. In my opinion it would be far more preferable to follow this time-honored and proven procedure to appoint a commission to fully and dispassionately consider all aspects of the type of a memorial that should be constructed to honor President Kennedy than to enact the legislation now before us, which has been conceived in an atmosphere of haste and with no thought being given to any alternative type of memorial to the late President.

However, if Congress decided that the traditional method of developing plans for establishing presidential memorials is to be departed from in this instance, then it is essential that Congress also provide appropriate safeguards in the legislation to assure that the memorial features of the Center are appropriate, that public funds authorized to be appropriated are used solely for construction of the Center, and that adequate congressional controls are retained over the authority to borrow money from the Treasury of the United States to finance construction of parking facilities. This need for safeguards is particularly apparent when we consider that the John F. Kennedy Center for the Performing Arts alone, excluding land and parking facilities, will cost almost four times as much as the combined costs of the Washington Monument, the Lincoln Memorial, and the Thomas Jefferson Memorial.

House Joint Resolution 871 places a limitation of $15.5 million upon the total amount of funds that may be appropriated to match private contributions, which is a substantial improvement over the predecessor joint resolution, House

Joint Resolution 828, which would have authorized appropriations without any limit, to match dollar for dollar all private contributions, even though in excess of that needed to construct the Center. However, the present provision has two glaring deficiencies. This provision, which commences on page 3 at line 22 of House Joint Resolution 871, authorizes appropriation to the Board, "for use in accordance with this act," of amounts which in the aggregate will equal gifts, bequests, and devises of money and other properties held by the Board, except that not to exceed $15.5 million shall be appropriated.

The term "this act" refers to the National Cultural Center Act as amended, and as it would be amended by House Joint Resolution 871. By authorizing funds to be appropriated to the Board "for use in accordance with this act" would clearly make such funds available for use by the Board in carrying out any of its authority or duties under the act, which go far beyond the mere construction of the John F. Kennedy Center for the Performing Arts. For example, the Board is authorized to maintain and administer the Center after it is constructed; it is authorized to present classical and contemporary music, opera, drama, dance, and poetry from this and other countries; to present lectures and other programs; to develop programs for children and youth and the elderly in such arts designed specifically for their participation, education, and recreation; to provide facilities for other civic activities; to solicit funds; to employ officers and employees of the Center; and to provide parking facilities for the Center. Thus, under the language of this joint resolution, the $15.5 million authorized to be appropriated could be used for any of these purposes as well as for the actual construction of the Center itself, which, I understand, was the sole intended purpose for this authorization.

Unless the Congress is ready at this time to undertake the obligation of financing the promotional cost of soliciting private contributions and the cost of administering and maintaining the Center after it is built, including the salaries of officers and employees of the Center, as well as the cost of production and overhead, the language of this joint resolution should be amended to limit the use of the $15.5 million, authorized to be appropriated, solely for construction of the Center itself.

The second safeguard needed with respect to this provision is to assure that sufficient funds will be available for completion of construction of the Center before any Federal funds are permitted to go into the project.

Under the present language of House Joint Resolution 871, Federal funds are authorized to be appropriated to match private contributions as such contributions are received. At the present time a total of some $13 million has been subscribed to the Center; however, only approximately $5 million of this is in cash and the remainder are pledges, some of which are conditional in their terms. It is estimated that the total cost of construction of the Center, excluding land and parking facilities, will be approximately $30 to $31 million, and it is to pay one-half of this cost of construction of the Center that $15.5 million would be authorized to be appropriated by House Joint Resolution 871. Thus, for the Center to be actually completed, it will be necessary for private contributions to be actually paid in cash or property in the amount of at least $15.5 million, with promotional cost, salaries, and other expenses requiring additional contributions for their financing.

It would seem foolhardy for Congress to authorize the appropriation of any Federal funds unless sufficient private contributions have actually been received, which, together with the authorized Federal funds, will pay the entire cost of construction of the Center. If construction should be commenced prior to the availability of sufficient money to complete construction, and if insufficient private contributions should subsequently be received to complete the Center, then Congress would have to undertake the obligation of providing the additional needed funds for the Center, or the memorial to President Kennedy would remain in an uncompleted state indefinitely.

To assure that sufficient moneys are available to complete the Center before construction is commenced, House Joint Resolution 871 should be amended to provide that no Federal funds shall be appropriated until contributions in the amount of $15.5 million or one-half of the cost of construction of this Center, whichever is less, have actually been received by the Board.

An additional safeguard should also be added with respect to the provision for borrowing authority to finance construction of parking facilities, which provision commences on page 4, line 6 of the joint resolution. This joint resolution would authorize the Board of Trustees of the Center to issue revenue bonds in the total face value of $15,400,000, and would direct the Secretary of the Treasury to purchase such bonds, for the purpose of financing the construction of parking facilities to be used in connection with the Center as well as for commercial parking not connected with use of the Center.

There is a serious question as to whether the parking facilities presently planned to be constructed underground, beneath the Center, at an estimated cost of $14 million, will be self-liquidating. Time was not permitted during the hearings to inquire in depth as to the economic feasibility of the proposed parking facility, and it would appear highly appropriate for Congress, through the usual appropriation procedure, to retain a measure of control over the use of Federal funds for this purpose, so as to assure that the parking facility to be constructed is a sound and feasible one. The parking facility will be constructed entirely by Federal loan, for it is felt that this is not a proper purpose for solicitation of private contributions.

Under the present language of House Joint Resolution 871, the Secretary of the Treasury would be directed by the Congress to purchase revenue bonds issued to construct this parking facility, and not only would the Secretary be unable to exercise any discretion in the matter, but there is no provision for further congressional review of the actual details of the project itself, including its self-liquidating capabilities.

House Joint Resolution 871 should be amended to authorize the Secretary of the Treasury to purchase these revenue bonds in such amounts only as may be authorized in appropriation acts from time to time. Such an amendment would permit a continuing review of this matter by the Appropriation Committees and the Congress, and would avoid the backdoor financing provisions of the present bill, which completely bypasses the normal appropriation process.

Mr. Chairman, I shall offer amendments to accomplish these purposes at the appropriate time.

I favor construction of both a cultural center and a national memorial to President Kennedy in the city of Washington. The combining of these two into one facility is a laudable objective if they are properly wed with congressional blessing. For Congress to bless this union, it should assure that both purposes will be carried out and that public funds will be properly expended with adequate safeguards to protect the public interest. It is to serve these purposes that I shall offer amendments to House Joint Resolution 871.

Mr. WRIGHT. Mr. Chairman, I yield 8 minutes to the gentleman from Massachusetts [Mr. MACDONALD].

Mr. MACDONALD. Mr. Chairman, before I get into a prepared statement I have about this subject, I would like to point out to some of the Members on the left side of the aisle that some of us on the right think that there is already a living memorial to President McKinley. We hear the words memorializing him come out of their mouths almost daily and certainly weekly.

I would like to ask of the gentleman from Iowa, who is one whom I respect and I believe does fulfill a very good purpose here in the Congress and fulfills a function which many of us perhaps should do—I would like to ask him this question. It has been a long time—at least 9 years that I have been here—since I have heard the gentleman from Iowa be for anything. I have heard the gentleman be against almost everything on which he takes the well of the House to speak. I would like to ask him what is his program; what does he approve of?

Mr. JENSEN. Mr. Chairman, will the gentleman yield? Is he talking about you or me?

Mr. GROSS. You will have to ask him.

Mr. MACDONALD. I yield to the gentleman from Iowa [Mr. GROSS].

Mr. GROSS. Let me say to the gentleman from Massachusetts that I believe in fiscal solvency and I doubt very much that President Kennedy himself would want a memorial with a big mortgage attached to it as this resolution would provide. I am trying to vote for fiscal sanity, for fiscal responsibility in this country, irrespective of how my votes may appear in the Record. Does that satisfy the gentleman?

Mr. MACDONALD. It is the best explanation I have had of his attitude. Yes, sir.

Now, Mr. Chairman, I would like to continue with what I have to say about this resolution.

Mr. Chairman, I rise to support House Joint Resolution 871 which, as we all know, provides that the National Cultural Center here in Washington be designated as the John F. Kennedy Center for the Performing Arts, and which also authorizes an appropriation to implement this fact. I know that the distinguished chairman of this committee, the gentleman from New York [Mr. Buckley], the ranking minority member from New Jersey [Mr. Auchincloss], and the chairman of the Subcommittee on Public Buildings and Grounds, the gentleman from Alabama [Mr. Jones], had done a very thorough job on this legislation and through their efforts we have before us today a very clear and well-drafted resolution.

As all of us who have read the preamble to this resolution know, the John F. Kennedy Center for the Performing Arts "shall be the sole national monument to his memory within the city of Washington and its environs." President Kennedy, to my own personal knowledge, was very interested in, and worked constantly for, a center for the performing arts here in the Capital of our country. There is absolutely no doubt in my mind that if President Kennedy had the opportunity to say what kind of memorial he would prefer having named in his honor, he would instantly say that this long-overdue project for our National Capital would be the one closest to his desires.

President and Mrs. Kennedy were tremendously interested in the creation of this Center, for we must not forget that although Jack Kennedy was outstanding in many fields, he was outstanding in the arts. I am sure we all remember he won a coveted Pulitzer Prize for his writings. Two of his books were on the all time best seller list and his mastery of the subtleties of the English language surpassed that of any other head of state that history records.

President and Mrs. Kennedy brought to the White House, and thus to the attention of the American people, a deep appreciation and understanding for creative endeavor which had been unknown to that distinguished mansion. Both Mrs. Kennedy and the President brought recognition and inspiration to all the arts and the artists who live in that world. I remember very well a speech which President Kennedy made at Amherst College in which he said:

> I look forward to an America which will reward achievement in the arts as we laud achievement in business or states craft. I look forward to an America which will raise the standard of artistic accomplishment and which steadily enlarge cultural opportunities for all our citizens. I look forward to an America which commands respect throughout the world not only for its strength, but for its civilization as well.

President Kennedy had clearly demonstrated his deep commitment to a center for the performing arts here in our Nation's Capital, both as a Senator from Massachusetts and as President of the United States. On October 15, 1962, he designated the week of November 26 through December 2, 1962, as National Cultural Center Week by Presidential proclamation. I know of my own knowledge that he solicited the helpful work of a very close mutual friend, K. Lemoyne Billings, to help raise funds for this Center and to follow this project very closely. I also know that President Kennedy personally approved of the present proposed site location of the Center and as recently as August 19, 1963, he approved a statute to extend the time for the receipt of construction funds, as well as to increase the number of trustees of the Center. It was Mrs. Kennedy's and the President's plan to entertain some 80 persons in this month of January 1964, at the White House to raise funds for the Cultural Center. They both looked forward to the day when this Center would become a reality, hoping that it would add mutual respect between the arts and government, which is an art in itself in a peculiar way.

After his terrible death it seemed that a spontaneous reaction spread throughout the Nation to have the National Cultural Center dedicated as a memorial to President Kennedy. I know that President Johnson consulted with members of the Kennedy family, who felt that the dedication of the Center met with their complete approval. Writer Charles Bartlett, also a close friend of President Kennedy, eloquently set forth the reasons why the Center would be the most fitting memorial. In an article written just the week after the President's assassination. Bartlett said that this proposal "is one answer to the hopes that his death may yield some of the inspirations of his life."

The John F. Kennedy Center for the Performing Arts is a project not only of importance to the Capital, but to the life of our Nation as a whole. Washington, D.C., is the only capital of any nation in the world that, to my knowledge, has no proper facilities for the performing arts. This Center, in addition to being an outstanding attraction here in the Nation's Capital, would, in my judgment, stimulate the performing arts and encourage cultural pursuits throughout the 50 States of our Nation.

However, most importantly the Center will serve to underline the importance of the intellectual and cultural life which President Kennedy reawakened here in our Nation.

As one who knew the President well for over 28 years, I know of no memorial which could be more appropriate to his goals of excellence in the arts, which he felt that the American people would love. I strongly urge that favorable action will be taken today on this legislation to bring to reality a memorial which is so fitting to the spirit of the man and so much desired by those who knew him, people who loved him, and who still mourn him.

Mr. AUCHINCLOSS. Mr. Chairman, I yield 5 minutes to the gentleman from California [Mr. Baldwin].

Mr. BALDWIN. Mr. Chairman, I rise in support of House Joint Resolution 871.

It seems to me, judging from the discussion on the floor and from some of the discussion in our committee when the committee was holding hearings on this measure, that there are three primary issues before us.

The first is whether we should approve a specific memorial at this time to be designated after the late President John F. Kennedy, or whether we should appoint a commission to devote extended time in the future to a determination as to what memorial should be selected for this purpose.

The second question is whether we should provide for a Federal contribution on a matching basis for the construction of a memorial.

Third is the question of how to finance the construction of the garage to be used in connection with the memorial.

These are the three issues that have been primarily the basis for discussion throughout the debate today and in the hearings before the committee.

On the first issue of whether or not we should at this time designate this specific National Cultural Center as a memorial named after the late President Kennedy or whether we should designate a commission to devote an extended period of time to focus on a suitable memorial, I do not think we should be necessarily frozen into the position that might have occurred in the case of past memorials.

In previous instances, to the best of my knowledge, there was no particular proposal then underway or under construction or definitely planned that necessarily fit the image of the person who was assassinated or died in public office, as the case might be.

In the case of the Washington Memorial and in the case of the Lincoln Memorial a commission was set up and they devoted an extensive period of time to determining what would be a suitable memorial to the President who had died. But in this case there is a proposal that was already in motion before the assassination of the late President Kennedy that was fitting and suitable and one that typified his interest in the affairs of our Nation's Capital. It seems to me to be perfectly in order to seize on this opportunity which is available to us because of an authorization already passed by the Congress to construct a National Cultural Center and to designate this building in honor of the late President Kennedy.

On the second issue, whether or not there should be a Federal contribution for this purpose. There has been quoted here a number of times today statements made during the debates that occurred at the time we passed a bill early in the 1st session of the 88th Congress extending the period of time to collect voluntary contributions for the Center. It is true the great majority of the House felt then that we should simply extend the period of time to collect voluntary contributions. But the situation now is not the same as then. In the intervening time the assassination of the President occurred, therefore the situation is not the same today.

We are now endeavoring to find a suitable memorial in the Nation's Capital to designate in honor of the late President Kennedy and it seems to me it is appropriate to provide Federal contributions for this purpose as we ended up doing with other memorials in Washington for former Presidents of the United States.

The third question is whether or not we should provide some means of financing the garage separate and distinct from the construction of the main memorial itself. I might say when the bill was first introduced and came before our committee shortly before Christmas the proposal was that the Federal contribution was to be up to $25 million and that was on the basis of financing by Federal contributions one-half of the total cost of constructing the whole proposition, not only the cultural center itself but the garage as well.

There was a feeling among the members of the committee we should not require a Federal appropriation for the construction of the garage since that would be operated on a lease basis and that we should endeavor to make the garage self-financing. And it was that effort to lower the Federal contribution that resulted in the specific provision dealing with the garage, providing temporary borrowing authority to construct it, then providing that the cost would be repaid by the amounts collected by the rentals of the garage. So the effort involving this section of the bill was to reduce the Federal contribution and to make the garage self-supporting.

Mr. WRIGHT. Mr. Chairman, I yield 10 minutes to the gentleman from New Jersey [Mr. THOMPSON].

Mr. THOMPSON of New Jersey. Mr. Chairman, the impression created by the Widnall letter is that the Cultural Center which we now propose as a memorial to President Kennedy is a hasty promotion advanced by irresponsible people.

Nothing could be further from the truth. The facts are that the Center is the result of bipartisan legislation which had its genesis under the administration of General Eisenhower.

The letter of the gentleman from New Jersey [Mr. WIDNALL]—see CONGRESSIONAL RECORD, volume 109, part 19, page 25584—alleges that the pending legislation is riddled by "many major defects." It then asks 10 questions designed to create misconceptions about the proposal and to sow doubt about its soundness.

Basically, these questions allege two defects—that the Center is too large for the proposed site and that revenue from the parking facility will not be sufficient "to pay the annual interest, let alone the operating costs and reduction of—the loan—principal."

As a trustee for the proposed Center and as one who originally sponsored the Cultural Center legislation, I would like to reply to these alleged "major defects" and to answer those questions which may have caused some concern among my colleagues. And I must ask you to bear with me, because while it is always easy to level a broadside in a few short sentences, it is not always easy to reply in such pithy style.

Before addressing myself to these items, I would like to point out that the gentleman from New Jersey [Mr. WIDNALL] has misconstrued a comment I made in 1961. This comment was lifted out of context and used in the letter in such a way as to indicate criticism of the present Cultural Center legislation. He quoted me as stating that:

> The Center is far larger than the population of the metropolitan area of the Nation's Capital can reasonably or realistically be expected to use.

Had the gentleman from New Jersey [Mr. WIDNALL] checked more closely, he would have discovered that this comment was made in reference to the initial proposal for a $75 million Cultural Center complex. I need not remind you that this is not the proposal we have before us today.

Now to the alleged major defects. First the gentleman from New Jersey [Mr. WIDNALL] implies that the Center will be too large for the proposed site. This is not true. The site will be approximately 18 acres, not 9 acres as stated in the gentleman from New Jersey's [Mr. WIDNALL'S] letter.

Secondly, he states that the applicants admit that revenue from the parking facility will not be sufficient to pay interest on the loan, let alone the operating costs and the loan principal itself. This is also untrue. The distinguished group of architects and engineers who designed the proposed 1,600-car underground facility are considered the outstanding experts in parking systems and parking plans. They worked closely with the park service and other Government agencies to fashion a facility that would serve not only patrons of the Center, but transient parkers and Government employees who work in the surrounding area. The estimated cost of the substructure or parking facility is $13,866,238. The projected annual operating cost would be $167,000 and the project income—based on the second year of operation—would be $766,300, according to the economic or feasibility report submitted by the architects and engineers. This report also indicates that the trend toward increased parking and business activity will produce even higher annual income in the years ahead.

Now to the remaining questions—rhetorical, redundant and otherwise—in the Widnall letter.

The gentleman from New Jersey [Mr. WIDNALL] asks why Federal funds are now needed for the Cultural Center when Congress had previously been told that the project could be realized through private contributions? In explanation, I offer simply the loss of the man on whom this hope for private support was based. President and Mrs. Kennedy were able to enlist the support of leaders of the American business community for the project. As examples, I would cite contributions previously made by the Ford, Rockefeller, and Mellon Foundations. President Kennedy was confident that through his leadership, he could raise the money to build the Center during the next 5 years. Clearly, he planned to leave it as one of the enrichments of his tenure in the White House. Unfortunately, his untimely death opened the possibility—and perhaps, the need—of securing the money immediately through an appropriation by Congress. The appropriation for this project will be matched dollar-for-dollar by voluntary contributions from the public—an ideal way for the children and citizens of our country to share in this great undertaking. As you know, some $13 million has already been collected from or pledged by private sources.

The gentleman from New Jersey [Mr. WIDNALL] asks:

> Should a presidential memorial be built with borrowed money—in effect, should it be subject to a first mortgage?

This question again raises the bogyman of financial failure. The Cultural Center Board of Trustees, which includes six Members of Congress and nine other public officials, is authorized to issue $15,400,000 in revenue bonds to the Secretary of the Treasury to finance the parking facility. Interest payment on these bonds may be deferred by the Secretary of the Treasury, but any interest payments so deferred shall themselves bear interest after June 30, 1972. The Board is also required to submit an annual report to both Congress and the Smithsonian Institution of which it is a bureau. I do not see any objection to a loan for this type of self-liquidating facility.

The gentleman from New Jersey [Mr. WIDNALL] questions whether there is a "proven need" for a cultural center "aside from the memorial aspects." The concept that the Nation needed and should have an appropriate stage to accommodate and encourage the performing arts in its Capital City has been endorsed by every occupant of the White House for the past quarter of a century. Presidents Hoover, Roosevelt, Truman, Eisenhower, and Kennedy all recognized that Washington had the unfortunate distinction of being the only major capital in the world lacking such facilities. As a result, all endorsed this project as a national need. Their attitude was epitomized by President Kennedy's comment that:

> I see little of more importance to the future of our country and our civilization than the full recognition of the place of the arts.

The gentleman from New Jersey [Mr. WIDNALL] asks whether administration of a presidential memorial should be:

> Governed largely outside the control of Congress by a largely self-perpetuating board of lay citizens appointed by the President without review by Congress?

In answer I would note that Congress itself established the board of trustees in 1958 and provided that it be composed of 15 specific public officials—the Secretary of Health, Education, and Welfare, the Librarian of Congress, the Assistant Secretary of State for Public Affairs, the Chairman of the Commission of Fine Arts, the President of the District of Columbia Board of Commissioners, the Chairman of the District of Columbia Recreation Board, the Director of the National Park Service, the Commissioner of the U.S. Office of Education, the Secretary of the Smithsonian Institution, 3 Members of the House of Representatives ex officio and 3 Members of the Senate appointed by the President of the Senate and 30 general trustees. In addition, the Center is a bureau of the Smithsonian Institution which has on its Board of Regents other Members of the House and Senate, the Chief Justice of the Supreme Court and other distinguished public officials. Furthermore, we have provided that the Center shall report to both the Smithsonian Institution and Congress. Finally, with respect to the memorial, it is specifically provided in section 6, subdivision (d) that the Board shall give Congress:

> A detailed report of any memorial which it proposes * * * and no such memorial shall be provided until it is approved by the Smithsonian Board of Regents. I think this recitation demonstrates that the public interest is well represented. Do we need more?

The gentleman from New Jersey [Mr. WIDNALL] asks whether the site is desirable in light of some criticism of it. In answer, let me say simply, that the site has been passed upon by every official agency involved, including the National Capital Planning Commission, the Fine Arts Commission, Presidential advisers, and others.

Finally, the gentleman from New Jersey [Mr. WIDNALL] questions whether this is a suitable memorial for President Kennedy and suggests that Congress should appoint a commission to study other proposals. If there was any one thing which set President Kennedy off from the other great Presidents of our country, it was the sense of creative purpose, the cultural dignity and style, the dedication to the highest ideals of man, the appreciation of both our cultural heritage and the arts which he brought to the White House. No President in our history did more to encourage appreciation and support for culture and the arts than did this man. He and Mrs. Kennedy brought to the White House a deep appreciation and passion for creative endeavor. They made poets, musicians, and writers feel at home in the most powerful and respected residence on earth. They stimulated an intellectual and cultural reawakening that has had a profound impact on our national life—a life which too often stresses only the crass and the materialistic. And, finally, if there was any "faltering'" in the effort to establish a National Cultural Center—as was suggested in another of the gentleman from New Jersey [Mr. WIDNALL'S] questions, it was not during John Kennedy's tragically short term in the White House. President Kennedy and his wife had a strong personal interest in the Cultural Center project. They gave the idea force and form and a singularly personal leadership without which it could hardly have achieved its present development.

The John F. Kennedy Center for the Performing Arts is founded on the idea that, in art, man achieves the highest expression of the human spirit, and that, in the expression of its many arts a civilization achieves the highest measure of its excellence. Again let me quote our late, great President who said:

> If art is to nourish the roots of our culture, society must set the artist free to follow his vision wherever it takes him.

How could we better preserve in a functional form the lesson and magic of this man's character and dedication?

What more fitting memorial could we give him?

Mr. ROOSEVELT. Mr. Chairman, will the gentleman yield?

Mr. THOMPSON of New Jersey. I yield to my colleague, the gentleman from California.

Mr. ROOSEVELT. May I say to the gentleman in answer to his last question, I think no more fitting memorial can be given to the late President. I think too it would be well if I were allowed to comment very briefly on some of the material that has been circulated with reference to this legislation. It has been indicated that one of the reasons not to be enthusiastic about this bill is that some of the work on memorials for other Presidents has not yet been concluded—including a memorial for my father. I think it would be well to point out that this is not the fault of anybody in this body, nor is it the fault of the times nor is it the fault of anybody else. It is merely because the work of the Commission appointed has not been completed. It does not seem to me that that enters into the merits of this bill in any way, shape, or form.

Mr. THOMPSON of New Jersey. Would the gentleman not agree with me that had there been a proposal by the Franklin Delano Roosevelt Memorial Commission as acceptable to your family and to his millions of friends as this proposal is to the family and friends of the late President John Fitzgerald Kennedy that the memorial would long since have been underway?

Mr. ROOSEVELT. The gentleman is absolutely correct. There was, of course, great controversy about the first proposal for my father's memorial. As the gentleman said, members of my own family were not for it. Therefore, it did not have the unanimous backing of the family nor, indeed, of most of the community, which this bill has.

I think I can also say to the gentleman in all fairness as far as I am concerned the precedents for this bill are many. The other memorials here in Washington have also been partly contributed to by the Congress. So we are not setting a new precedent. I think this bill is not only appropriate but it will, I hope, be enthusiastically and overwhelmingly supported by this body.

Mr. THOMPSON of New Jersey. I thank the gentleman.

In conclusion, Mr. Chairman, I would like to thank my beloved and distinguished colleague from Alabama, the chairman of the Subcommittee on Public Buildings and Grounds [Mr. JONES] and the great chairman of the Committee on Public Works, the gentleman from New York [Mr. BUCKLEY] for their enthusiasm and their interest and their dedication and also for their sophistication in the handling of this matter. We are all very grateful to the gentleman from Alabama [Mr. JONES] and the gentleman from New York [Mr. BUCKLEY] and to the members of that wonderful committee.

Mr. AUCHINCLOSS. Mr. Chairman, I yield 7 minutes to the gentleman from Iowa [Mr. SCHWENGEL].

Mr. BEERMANN. Mr. Chairman, I make the point of order that a quorum is not present.

The CHAIRMAN. The Chair will count. One hundred and two Members are present, a quorum.

The gentleman from Iowa [Mr. SCHWENGEL] is recognized for 7 minutes.

Mr. SCHWENGEL. Mr. Chairman, there is no one in this House, on either side of the aisle, who more strongly favors both a cultural center and an appropriate and adequate memorial here in the Capital, to the late President John Fitzgerald Kennedy, than I do. Along with my concern for my district, for my State, and for the public interest nationally, a major interest of mine since I first came to Washington in 1954, has been devoted to bringing about a cultural center for the Nation's Capital. In fact it has been a mutual fascination with the history of our country that first brought me into personal contact with President Kennedy and began a friendship which I shall always cherish and of which I am enormously proud. The very first bill President Kennedy signed when he took office was the one I initiated and sponsored calling for the reenactment of the Lincoln first inaugural on the steps of the Capitol—a most successful event. I am indebted to him for his personal letters to me in support of other projects I spearheaded to help bring American history and the American tradition to the great mass of the American people. My feelings, along with those of all of us, were so intense at the time of the tragedy that took him from us that I directed the presses to be stopped so that we could insert properly and with dignity, into the then pending book about the Capitol, "We, the People," an especially moving photograph of the President lying in state in the rotunda of the Capitol. My feelings for a fitting memorial to President Kennedy are personal as well as official and it is because of this dual and deep interest in having the memorial both correct and significant, and of having a truly superb cultural center, that I am opposed to the proposition now before us in its present form.

What is the basis of my opposition?

I am opposed to it—I repeat, in this form—because it is a project that has not been carefully thought out and because it has been caught up in an overwhelming sweep of emotion that does not allow for calm, considered judgment on just what would be a proper memorial to the late lamented President.

I am opposed to it because I am loath to see this memorial to the late beloved President made part of the smudge across the landscape of history created by the cloud of bridges and plazas, hospitals and schools, libraries and stadiums, airports and causeways, express roads and streets all willy-nilly named Kennedy under the emotional impact of the assassination, and without regard for design, beauty, reverence, and without coordination.

Thus, my aim is not to honor President Kennedy less but indeed to honor him more.

And obviously once we have here committed ourselves to this particular memorial idea we shall have foreclosed the consideration of any future and better idea that might have more pertinently and more fittingly served the purpose we are trying to serve.

So the question is: Is the proposition to name this proposed cultural center the John F. Kennedy Center for the Performing Arts the ideal concept for a fitting memorial? If it is, it should be done.

But the question of whether it is or is not, or whether some other form of memorial would be more suitable, ought to be left to informed, knowledgeable, qualified authorities and experts, and not to a sudden, emotionally harried decision of the Congress. Once such a body of experts has decided upon a fitting and proper memorial, pertinent to the name and career, the accomplishments and the life of John Fitzgerald Kennedy, then such a body can make its recommendations to the Congress and the Congress—acting in concert with the Kennedy family after due deliberation—can make the decision.

It is in line with this—I believe—cool and reasoned thinking, that I offered House Resolution 9463. This is the resolution that provides for a John F. Kennedy Memorial Commission. With this Commission the resolution proposes judgment and consultation would be invited from nationally recognized architects, from historians, from the Fine Arts Commission, and from the Smithsonian Institution and the Library of Congress, from sculptors and literary people, and those concerned mostly with the arts. And, of course, there would be the highly respected views of the President's widow and other members of his family.

Then, it seems to me, we would have a memorial which would be significant probably for all time and which would be above criticism and which would reveal that the Congress had, at least, given due and diligent thought and consideration to the idea.

But this is not the only ground for my opposition.

When the question of the National Cultural Center Commission was before this House and I took a strong position in its favor and, of course, in favor of the Center, it was made clear, as all of you will remember it, that there would be no use of Federal funds for the project.

With me, Mr. Chairman, this is a point of honor.

I should like at some time to escape the entrenched and unfortunate notion that the one sure way to answer every problem is to stuff the congressional hand into the Federal till and pull out a money miracle. Let us not debase a noble intent by canceling and denying the people's will to do something for the late President and instead have it done by Government fiat. This, it seems to me, is the easy, perhaps now it seems the popular, certainly the least distinguished way to perform a profoundly motivated deed for expressing the people's depth of respect and their bereavement.

If I judge the public temper correctly the American people themselves—directly, not through Government—want to exercise a reverent and a generous impulse.

The American people, I believe, want to perform this gesture of money gifts for the memorial out of their own hearts, privately—not legislatively.

We are not building a bridge, or constructing a dam, or putting up a post office. We are as a people eager to pay tribute to a President who has won the admiration and the affection of the American citizen, and this tribute is not to be dispensed by a law appropriating funds, simply because this seems to be the easiest and the least burdensome way and because it can be done quickly by a vote of this House and that of the other body. Does not doing it easily, mean doing it cheaply and irreverently?

It is because of this that I hold the authorization to appropriate $15 million for the Cultural Center, and the further provision to loan an additional $15,400,000 to underwrite the cost of parking facilities, as unworthy of the inherent decency involved in a memorial to the late President. Moreover, experience shows that this is precisely the type of Government loan that is rarely, if ever, paid back, one reason being that the arithmetic of the case makes it a practical financial impossibility, since the initial cost—some $10,000—for each parking space, constitutes a kind of construction and fiduciary absurdity. Let us not cheapen everything, especially something like this, with the inevitable touch of the dollars from the Federal Treasury. Let the memorial, this or any other, emerge as an act of volition, something from the heart of the American people, and not from the vaults of the American Treasury.

Is it not better for the name of Kennedy that the tribute should come directly and privately from the people who loved him, and not legislatively and routinely by an act of authorization for an appropriation like an item in the Federal budget? The Government still has its contribution to make for the Cultural Center in terms of land and location and by giving to the project the majesty of its official imprimatur, should it be decided that the Center be named in honor of the late President.

Thus, Mr. Chairman, we are not debating whether or not there should be a memorial to our late President, but rather what form it should take and what procedure should be followed to make it indeed a shrine for the ages and one that will enhance the prestige both of the Capital and of the name of the man whose untimely death stunned the whole free world.

I hasten to add, and repeat Mr. Chairman, that the creation of this Commission by the Congress would not necessarily rule out the objective of the bill before us at this time. Indeed, it might very well respond to the wishes of the promoters of the Cultural Center. And, if it did, it probably would have, in addition to naming the Center in memory of him, a memorial within the center that would be much more appropriate and adequate than it will be if we hastily enter into this proposition now.

Mr. Chairman, if we pass this legislation and then find in 5, 10, 15, or 20 years from now that we made a mistake, it will be embarrassing to the Members of the Congress who made this judgment without proper and adequate consideration and to those who are interested in culture and the arts in Washington, D.C., and throughout the Nation.

If, on the other hand, after a commission specifically appointed to hear the testimony and to evaluate propositions and ideas, presents the idea for another memorial and if it is built and is adequate and truly indicative of the great contributions made by President Kennedy, then we will have revealed to ourselves and to the world a kind of stability that is characteristic of our people.

Mr. Chairman, at this point, it might be well to observe that the future may hold that Mr. Kennedy's greatest contribution was not in the field of cultural, as legislation before us would imply.

Rather, it might be in the field of foreign affairs, the promotion and adoption of the test ban treaty which was approved by the Senate with bipartisan support under his leadership and which may prove to be a contribution that transcends far beyond our imagination any other contribution he made.

Or, it may be that his grappling with the challenging civil rights question and his pressing for positive action on this front would rank high as we review his accomplishments in the future.

Or, it may be his breaking of the religious barrier and his leadership in this area that will stand out in the future; his proving that a Catholic can be elected President of the United States may prove to be a far greater contribution to our time than we realize at the present. There were many who were thrilled to see this Catholic leader take his stand on the separation of church and state; a bulwark in the American set of ideals.

Mr. Chairman, I would like to say again that I hope I am not misunderstood in the position I am taking on this matter. I knew President Kennedy rather well because of our kindred interest in history and other matters. I am one who most surely wants to have an adequate and appropriate memorial built to his memory here in Washington, D.C. However, I am as convinced as I can be that if we pass this bill without amendment, we are making a sad mistake.

Some mention was made that the people of the District were greatly in favor of this. Because of my interest in this and because before the Christmas vacation I felt we were making a mistake, I issued some public statements on the matter. I took the position in the committee against this bill and I went before the Committee on Rules and asked that it not be immediately considered and sent to the floor and that instead of the 1 hour asked for, if it were sent to the floor, that we grant 2 hours for debate so we could have some discussion and debate about it. I also asked for an open rule rather than a closed rule, which the committee granted, and I asked that the consideration of it be postponed until after vacation.

These three requests were granted.

Mr. McCORMACK. Mr. Chairman, will the gentleman yield?

Mr. SCHWENGEL. I yield.

Mr. McCORMACK. The gentleman's requests were not granted. The leadership was not going to program the resolution until this month. Let us get the record clear.

Mr. SCHWENGEL. I did not refer to the leadership. I said that the promoters of it were asking for immediate consideration.

Mr. McCORMACK. Do not try to get more credit than you are entitled to.

Mr. SCHWENGEL. Very well. The gentleman does not deny that I was at the committee hearing, I am sure, and that I asked for these things there and that they were granted.

Whether the committee acted because of the gentleman's judgment probably is not debatable, if the gentleman says that is the fact. The gentleman and I did not have a discussion about it, so I had no way to know about that.

If I have in any way embarrassed the gentleman with the statement, I apologize. I did not mean to leave the implication that the gentleman seems to have understood.

I believe that the majority of the people in this district are not necessarily in favor of the joint resolution. I know the feeling nationwide, based upon the mail that I have received—and I have received hundreds of letters, but have received only two letters critical of my position. I am sure the people of the country would like to have us take some time on this matter.

A typical letter I have received expresses the feeling for all the people who have written. I wish to read a portion of it:

> This letter provides me also with an opportunity to tell you how right I think you are in having questioned the propriety of designating the proposed cultural center as a memorial to Kennedy. It is not easy for me to take any position that would seem to retard the advancement of the center. As an ANTA board member—and long before that—I have been an ardent advocate of greater Government recognition and financial aid to the arts. Furthermore, although I am politically an independent, I have found myself generally to be more sympathetic to the Democratic point of view than the Republican. I admired John Kennedy and I voted for him. Furthermore, I believe the man, and what he stood for should be enduringly and fittingly memorialized.
>
> But a building that is to house a cultural center should be a functional structure, designed exclusively to fulfill its purpose. Equally so, any memorial to John F. Kennedy, must be a thoughtfully designed project, inspired by and symbolic of the totality of the man's achievements. Merely to tack his name onto a structure and allocate some money to its completion—

And I ask Members to listen—

> is a cheap and lacklustre expedient; a disservice both to Kennedy and to a proper recognition of the place of the arts in our American society.

I do not have the permission of this man to file the letter and reveal his name, but I believe it should be noted that many Members would recognize this gentleman as a great and outstanding citizen of the State of New York.

Mr. JONES of Alabama. Mr. Chairman, will the gentleman yield?

Mr. SCHWENGEL. I yield.

Mr. JONES of Alabama. Did the author of the statement the gentleman just read, wish to present his views to the committee, when the committee was in session?

Mr. SCHWENGEL. Of course, this was so rushed the people did not have an opportunity to do so. This is one reason why I should like to take some time.

Mr. JONES of Alabama. I thought we were rather deliberate. We have considered the cultural center since 1958. We went through the proposal again in July of last year. The main change we made was to change the name to "John F. Kennedy" and to provide Federal funds.

Mr. SCHWENGEL. I have some ideas on that, as the gentleman knows. The gentleman also knows that I have been a strong booster for a cultural center and that I have been helpful in many ways through the years in this regard.

I am arguing now that we should not act too hastily in deciding now and forever that this is to be the sole memorial to the late President Kennedy.

I say that if we pass this proposed legislation and find—5, 10, 15, or 20 years from now—that we have made a mistake, it will be mighty embarrassing to the Members of Congress who made the judgment without proper and adequate consideration. It will be embarrassing to those interested in culture. It will be embarrassing to the arts. It will be embarrassing to the city.

This is one of the reasons why I plead with the Members of the House not to make a judgment on this now on this important matter.

I felt so strongly about this that I introduced a bill which would provide for the creation of a John Fitzgerald Kennedy Memorial Association.

I plead with the House not to vote for the joint resolution but to vote for an amendment which I shall present at the proper time, later.

Mr. AUCHINCLOSS. Mr. Chairman, I yield 7 minutes to the gentleman from New Jersey [Mr. WIDNALL].

Mr. STINSON. Mr. Chairman, I make the point of order a quorum is not present.

The CHAIRMAN. The Chair will count. [After counting.] Ninety-nine Members are present, not a quorum.

The Clerk will call the roll.

The Clerk called the roll, and the following Members failed to answer to their names:

[Roll No. 3]

Albert
Ashbrook
Baring
Bass
Bell
Bennett, Mich.
Betts
Blatnik
Cahill
Cameron
Clausen,
Don H.
Cohelan
Davis, Tenn.
Derwinski
Duncan
Fogarty
Fulton, Tenn.
Giaimo
Gubser
Hébert
Holifield
Jarman
Karth
Kee
Kilburn
Laird
Long, Md.
McClory
MacGregor
Mailliard
Martin, Calif.
Martin, Mass.
Martin, Nebr.
Miller, N.Y.
Milliken
Morton
Moss
Murray
O'Brien, Ill.
Powell
Price
Purcell
Quie
Quillen
Rhodes, Ariz.
Robison
Selden
Sheppard
Shipley
Slack
Staebler
Steed
Stubblefield
Talcott
Teague, Calif.
Tupper
Ullman
Utt
Westland
White
Winstead

Accordingly, the Committee rose, and the Speaker having resumed the chair, Mr. RAINS, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the joint resolution—House Joint Resolution 871—and finding itself without a quorum, he had directed the roll to be called, when 369 Members responded to their names, a quorum, and he submitted herewith the names of the absentees to be spread upon the Journal.

The Committee resumed its sitting.

The CHAIRMAN. At the time the Committee rose, the gentleman from New Jersey [Mr. WIDNALL] had been recognized for 7 minutes. The gentleman from New Jersey is recognized.

Mr. WIDNALL. Mr. Chairman, I had hoped we could approach the subject matter today—and I believe we have approached the subject matter today—in accordance with what President Johnson said earlier in his state of the Union message, when he asked us "to debate principles and not personalities." I believe this has been true of the debate thus far.

I hope we can consider House Joint Resolution 871 today fully on its merits, and look at its several provisions calmly and objectively, as we must, because in this regard we are legislating for a Presidential memorial for the ages and not something which is transient.

I believe there is no substance to any argument that there is a controversy as to the proposed renaming of the National Cultural Center. I fully agree with this renaming. I intend to offer an amendment later to put that into effect and to not change the present method of voluntary subscriptions for the Center.

I believe there is a definite issue involved, however, as to whether the present plan is sound and will be lasting and appropriate as a suitable memorial in Washington to the late President Kennedy.

It is my sincere hope that the Congress will take this opportunity to develop sound legislation for this great project.

May I say in full substantiation of my own good faith with respect to a cultural center, as also with respect to the renaming of the Cultural Center, that I introduced House Joint Resolution 851, which is similar to the proposals in the Senate and House and the proposal of President Johnson, to name the National Cultural Center in honor of our mourned President. It would provide for national competitions in the arts, something which President Kennedy was known to favor, and the best site in the Nation's Capital, not the present questionable site. It would provide $5 million of Federal funds on a matching basis. This was similar to a bill introduced in the Senate by Senator FULBRIGHT and many of his colleagues. It would authorize an appropriation to maintain the Center and its operation.

I found that members of the committee, and also members of the board of trustees, rather loath to discuss who would take care of the operational costs. It was said the revenues would provide for this but, certainly, unless there are going to be proper arrangements, and unless there are changes with respect to the parking facilities, I would estimate there would be about $2 million a year needed for the operation and maintenance of this Center on a regular appropriated basis. This is just by comparison with similar operations in other cities throughout the country. No cultural center has ever been on a profit-making basis.

In taking a serious position on this, and entering into the controversy over it, I honestly believe if you are going to have a memorial to a great President you should not be involved each year in a financial controversy over appropriation items and over making up deficits in the operation of a Presidential memorial. It does not seem fitting, it does not seem appropriate.

It has been said earlier, I think by the gentleman from New Jersey [Mr. THOMPSON] that the parking facilities they talk about are going to pay off, that they had reputable people estimate the income and also the expenses.

I have here the testimony before the committee when Mr. Roger Stevens, chairman of the board, said they showed estimated rentals of $766,000 and expenses roughly $167,000. There would be $600,000 available. He said nothing about the expenses of paying the principal and interest on $15.4 million that was to be borrowed. He estimated later in the testimony that revenues would not be sufficient to pay the principal and interest. So, inevitably, there is going to be the question of a Government appropriation in order to take care of these efforts.

In view of the fact that my name was used by the same gentleman from New Jersey [Mr. THOMPSON], in connection with a quote I attributed to him, I would like to call his attention to the fact the quote I used as to his remarks was taken from his own newsletter of March 28, 1961. I will read it more fully. The gentleman from New Jersey [Mr. THOMPSON] said then:

> When I backed the proposal I had in mind the construction of a comparatively modest multipurpose auditorium here in Washington which could serve as a showplace for the performing arts, related traveling painting and sculpture exhibitions, and so on. But recent newspaper reports indicate that the committee appointed by President Eisenhower to bring the Center into being is contemplating something far more grandiose. The Center, under present plans, is far larger than the population of the metropolitan area of the Nation's Capital can reasonably or realistically be expected to use. It will, in addition, require the destruction of worthwhile existing buildings. The Congress gave the Center a site almost as large as that of the Lincoln Center in New York City on which six major buildings will be located. I do not believe the additional land called for in two bills before the Congress is needed, or that the powers of the Congress should be exerted to obtain it. Especially is this true when perfectly suitable theaters are being torn down in Washington to provide parking lots.

I believe the gentleman from New Jersey [Mr. THOMPSON] also estimated, when he appeared before the House Public Works Committee in 1958, that the total cost for the Cultural Center would be somewhere between $10 and $15 million. Now it is being talked about as being $30 million. Instead of the parking being included in the $30 million, $15,400,000 additional is needed, something new we did not know about until this bill came up. The architect talked about the cost being $30 million for the superstructure, and there has been no testimony, no understanding, of what else is going to have to be appropriated in order to make this a workable building to furnish, equip and maintain properly a fine Presidential memorial.

Do not misunderstand me. I am not talking economy dollars, but dollars spent with the full knowledge of the American people and the Congress as to the need and the use. We, the Congress, certainly have the responsibility in representing our citizens to fully understand the purport and full meaning of a taxpayer-supported enterprise, as this will prove to be.

For the first time in our history, Congress is being asked to authorize and pay the major cost of a Presidential memorial which, once it is built, must be maintained as a business.

During the hearings held by the House Public Works Committee, only one witness, Chairman Roger Stevens, was heard on the matter of costs, and he assured the committee that this project would pay for itself and would not be a burden to the taxpayers.

Comparable cultural centers in other big American cities have assumed that they would need annual operating funds.

Lincoln Center has found that construction costs doubled original estimates, and its annual operating costs are also much greater than estimated.

Congress has been given rosy predictions regarding the District Stadium, and the Government has now had to step in in order to make the interest payments.

It is apparent, I think, that the greatest value of the Cultural Center Memorial will be to those who are able to afford the admission prices to the attractions that it will present. It follows that the Center will be of more value to the residents of Washington than to your constituents and mine who visit Washington.

Further, because the cost of admission to the Center's attractions will be high, and they will be high, make no mistake about that, many millions of Americans who visit our Nation's Capital will be excluded from the fullest enjoyment of a memorial such as House Joint Resolution 871 will provide.

Everyone, regardless of economic circumstances or cultural interests, can enjoy the free and simple magnificence of the Washington, Jefferson, and Lincoln Memorials.

These then, are some of the questions central to House Joint Resolution 871.

It is disappointing that no figures have been offered the Members of this House by the Committee on Public Works as to the admission prices to be charged for cultural events at the proposed memorial to President Kennedy.

Let me attempt, therefore, to supply this oversight in order to help us come to some conclusion here this afternoon as to the probable admission prices which your constituents and mine must be prepared to pay for the cultural presentations in this cultural center.

This memorial is a business. If it does not receive a subsidy such as other cultural centers receive, then it must pay its way by commercial revenues such as admission prices.

A good place to look for a comparison would be the symphony hall at Lincoln Center which is now in operation. Remember that the Lincoln Center Symphony Hall was also built with contributed funds, on land assembled by urban renewal powers. The cost of the land was assumed by the city and the Federal Government, so the comparison is reasonably just and accurate:

Lincoln Center Hall (2,658 seats)

398 seats	$7.50
1,146 seats	6.00
420 seats	5.00
510 seats	4.00
184 seats	3.00

Constitution Hall, District of Columbia Symphony Concerts (3,810 seats)

260 seats	$5.50
466 seats	4.25
748 seats	3.50
937 seats	3.00
1,399 seats	2.25

Constitution Hall, which is not a memorial, and has no Federal funds or subsidy, provides virtually as many seats at $2.25 as Lincoln Center provides at $7.50 and $6.

More than half of the seats at any major symphony concert at Constitution Hall are $3 or less.

In addition, I am informed that the New York Philharmonic Symphony Orchestra pays higher rents at Lincoln Center than it did at Carnegie Hall, its old home.

There appear to have been no adequate studies that would indicate a need, now, or in the years immediately ahead, for the three theaters that the Congress is being asked to appropriate $15.5 million in matching funds for, plus $15.4 million for garages, plus providing approximately 4 acres of land at a cost of $3.3 million—acreage which will be obtained with Federal funds by the National Capital Planning Commission.

Last August 5 on the House floor I was told by the gentleman from Alabama [Mr. JONES] when we were considering an amendment to extend the life of the National Cultural Center by 3 years, that no additional land was needed.

Further, when even earlier, it was suggested that the cost of the land for the Center be borne, not by the Federal Government, but by the District of Columbia, the very newspapers in the District of Columbia that have now gone all-out in urging Congress to adopt House Joint

Resolution 871 were just as strongly opposed to the District paying for the land for the Center.

As to the need for the three theaters which the National Cultural Center will provide, let me point out that several theaters have recently been destroyed in the District of Columbia because patronage had fallen off so they could not pay their way.

The Capitol Theater in the National Press Club Building—one of the finest in the entire country—was destroyed for this reason.

The Belasco Theater on Lafayette Square, the Washington Civic Auditorium, near the Interior Department Building, the Columbia Theater at 12th and F Streets, and the Shubert Theater on Ninth Street only half a block from the historic Patent Office Building—which is now to be a great cultural center and art museum—have all been destroyed.

The Advisory Committee on Pennsylvania Avenue, whose members were appointed by President Kennedy, was critical of the present plans and site on these grounds:

First. The site is so far from the center of the Nation's Capital that it could do little to enrich the city's cultural life;

Second. The present site is not served by major public transportation facilities;

Third. The cultural center is out of proportion to the rest of the buildings in Washington.

The National Cultural Center is certainly out of proportion of other Presidential memorials, though it is not out of proportion to the Pentagon, or the new, New House Office Building, or the Capitol Building itself.

The New York Times on December 11, 1963, said that the National Cultural Center "seems doomed to be a well-landscaped traffic island in the midst of freeways; culture over a giant car park. Pedestrians will undoubtedly be able to burrow over or under the automotive obstacle race, but this is peculiarly bad planning. As it stands now, the National Cultural Center is a well-intentioned gesture, dubiously sited, promising prettiness but shortchanging the possibility of architectural greatness—a backhanded tribute to culture and Mr. Kennedy."

The Evening Star assured us in yesterday's editorial that House Joint Resolution 871 "does not bar a later second look at the question of alternate site for the structure."

Certainly, if we are to put major Federal funds into this project the site selected should be not only the finest in the District, but should also be easily accessible to the public.

At the time of his testimony on December 12 before the joint hearings of the Senate and House Public Works Committee in the House caucus room, the Chairman of the National Cultural Center's Board of Trustees stated that construction costs of the garage would be $10,800,000. In House Joint Resolution 871, which was introduced 1 day later, borrowing authority is asked for $15,400,000.

This astounding proposal would put a first mortgage on a Presidential memorial for the first time in our history.

Further, according to the testimony of Mr. Stevens on December 16, which I was present and heard, the best anticipated revenues from the use of this parking garage will not be enough to pay the annual interest charges, let alone the operating costs or any reduction whatsoever of the principal of the 30-year loan that is sought.

It is clear that, under the present plan, which excludes private enterprise, a further $15,400,000 contribution from the Federal Treasury will be the end result. It will be difficult, I think, to explain to our constituents that while they can see the Lincoln, Jefferson, and Washington monuments free, it will cost them $1 to park and see the memorial to President Kennedy.

The Congress appropriates slightly more than $2 million annually for the operation and maintenance of the National Gallery of Art.

Certainly, a National Cultural Center of the Performing Arts is more expensive to operate than a gallery of pictures. Yet, no funds are provided to cover operating costs, or maintenance costs, of this Presidential memorial.

Mr. AUCHINCLOSS. Mr. Chairman, I yield myself 10 minutes.

Mr. Chairman, I should like to review briefly the history of this project. When it was first considered a few years ago I opposed it, and I addressed the House to that end. I opposed it because it was not properly organized, in my opinion, and was not properly thought out. Since that time steps have been taken, very material steps have been taken, to readjust the whole situation and the picture, the whole approach, is different.

Mr. Roger Stevens was selected to lead this reorganization. I happen to know Mr. Stevens and his reputation. He is a man who has been successful, eminently successful, in the promotion of Broadway plays. He has been successful, and eminently successful, financially very successful, in operations of construction of theaters and buildings and the development of land. I will place in the RECORD a history of Mr. Stevens, permission for which I received in the House before we went into the Committee of the Whole. He has been to see me on more than one occasion since he took over, and we have discussed the various problems that presented themselves in the organization and the promotion of this undertaking. I am convinced that his reorganization plan is sound and can be financed properly.

As a matter of fact, financial plans were going forward very successfully under Mr. Stevens' leadership until the tragic event which cast the whole world into gloom, the assassination of the President of the United States. That stopped lots of things and made us all sorrowful. Up to that time the President of the United States was very, very much interested in the development of this Cultural Center. His interest was reflected in the business world and among men of means who were in a position to subscribe liberally and freely to this undertaking; and they did. So it was perfectly natural, in my mind. So when this assassination of the President occurred it was natural that people would think, "How can we honor this man, the President of the United States?" And they turned to the idea of this Cultural Center because of his interest in it, his definite interest in it, and his effort to promote it. What better memorial could be found or could be thought of for him under these tragic circumstances?

Since the time of his death, it has been suggested that the United States of America officially should take recognition of the need and desire for such a memorial and participate officially in the cost thereof—a perfectly natural thing and justified in every way. I venture to say that the people of the United States of America approve of this idea 100 percent and there will not be any opposition to it.

Mr. Chairman, I do not yield to anyone in my desire for economy in government—we need it. We need it badly. But when we are considering a memorial to the President of the United States whether he be a Democrat or a Republican—he is our President so let us not be penny wise and pound foolish. This is no time to think about money, in my humble opinion, when we are honoring a President of the United States with a memorial which we know from his past life he would have liked to have.

Mr. Chairman, there is one feature in this bill which I feel is very important, and I refer to section 11 on page 5 which reads:

> The John F. Kennedy Center for the Performing Arts, designated by this Act, shall be the sole national memorial to the late John Fitzgerald Kennedy within the city of Washington and its environs.

I think it is very important that if the United States of America is going to contribute through its Federal Government to this memorial that it should be the only memorial to him in the city of Washington. That is one reason.

Another reason why this provision should be maintained is that it would be most helpful to those who are collecting contributions from the general public to know that it will be the only memorial in the Capital City. I emphasize this because the bill that was considered in the other body struck out the word "sole" and I feel that the House should insist on keeping it in the bill and I hope the House will do so.

My friends, this is the time for us to consider what is eminent and fitting as a memorial to our assassinated President from the Nation, in which the Nation will participate, located in the Capital City of our great country. It seems to me, the provision contained in this act is a natural and perfect memorial to the President. I am advised by those who know, that public contributions since the President's tragic death have come in very liberally, and as far as I can tell from what I have been told, a large part of the money has been raised or promised and, of course, I refer to outside contributions to match the Government share. So, my friends, let us do our duty in this matter of a memorial to a President of the United States killed in office. Let us go forward and unanimously, if it is possible, but overwhelmingly, support this memorial and let the world know what we think about him.

Mr. Chairman, at this point I include the biography that I referred to earlier.

BIOGRAPHY OF ROGER L. STEVENS

Roger L. Stevens, appointed by President Kennedy on September 2, 1961, to be Chairman of the Board of Trustees of the National Cultural Center, is not only a leading businessman but is also one of America's most successful theatrical producers.

Among the more than 100 plays he has either produced or coproduced are "A Man for All Seasons," "Five Finger Exercise," "West Side Story," "The Caretaker," "A Far Country," "Mary, Mary," "The Visit," "Best Man," "Pleasure of His Company," "Time Remembered," "Major Barbara," "Cat on a Hot Tin Roof," "Bus Stop," "Bad Seed," "Sabrina Fair," "Tea and Sympathy," "The Fourposter," and many others which have consistently been among the 10 best plays of the year.

His business activities, largely in real estate, have included some of the Nation's most important projects. He was, for instance, head of the syndicate which purchased the Empire State Building in 1951. He is a director of the City Investing Co., and other corporations, as well as chairman of the board of University Properties in Seattle and of Davidson Bros., Midwest department store chain. His business activities encompass numerous projects of similar magnitude.

Apart from being one of the country's top producers, his additional activities in the theater include being president of the Producers Theater, president of the Phoenix Theater, past president of the New Dramatists Committee. He is also a member of the executive committee of the American Shakespeare Festival and Academy, treasurer of ANTA, member of the board of the Metropolitan Opera Co., etc.

He was born in Detroit, Mich., on March 12, 1910. After attending school in Ann Arbor, he was graduated from the Choate School in 1928 and attended the University of Michigan. His honorary degrees include doctor of humanities at Wayne State University and doctor of humane letters at Tulane University.

Mr. PELLY. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Washington?

There was no objection.

Mr. PELLY. Mr. Chairman, under this joint resolution the National Cultural Center which Congress formerly authorized to be constructed by private subscription would be renamed the John F. Kennedy Center for the Performing Arts. It would be designated as the sole national memorial within the District of Columbia to our late President.

I must say, Mr. Chairman, I think the haste in taking up this proposal is a great mistake. Certainly the Congress, and I am sure the American people favor the idea of establishing a memorial to President Kennedy, but I for one agree with the New York Times which editorialized on January 7, 1964, that Congress is being too hasty out of a sense of grief, irrespective of meaning or appropriateness.

The National Cultural Center, under the provisions of this resolution would be financed to a great extent with taxpayers' money instead of the previous plan of limiting Federal Government participation to the providing of the site.

The better part of wisdom, it seems to me, would be to authorize a commission to study all proposals and to recommend the best way to honor President Kennedy's memory. I shall support an amendment to that effect which I understand will be offered.

If that amendment fails and the parliamentary situation is such that I am able to do so I hope to offer an amendment to change one provision of this resolution. The change I would make has to do with the backdoor spending authority in this resolution for borrowing $15.4 million from the U.S. Treasury for construction of parking facilities.

I feel strongly, Mr. Chairman, that no memorial should be mortgaged. It should follow the same requirement that goes with the statues of distinguished Americans placed in our Capital. They must first be paid for in full in order to qualify.

In summary, let me say I shall first support a substitute resolution which I am told is to be offered by our colleague from Iowa [Mr. SCHWENGEL] and which would delay a decision until there has been due consideration of the best way to pay tribute to the memory of John F. Kennedy.

If that amendment is not adopted I shall hope some of the valid objections that have been raised will be met, including my own, by amendments. Otherwise, Mr. Chairman, I cannot in all conscience support this resolution much as I would like to honor Mr. Kennedy.

Mr. FULTON of Pennsylvania. Mr. Chairman, will the gentleman yield?

Mr. AUCHINCLOSS. I yield to the gentleman from Pennsylvania.

Mr. FULTON of Pennsylvania. Mr. Chairman, it is a pleasure to favor passage of House Joint Resolution 871, providing for renaming the National Cultural Center as the John F. Kennedy Center for the Performing Arts, authorizing an appropriation therefor. This is a fitting memorial for President John F. Kennedy, respected by all the American people. This bill should be a bipartisan measure voted and passed by a large majority. President Kennedy was the President of all of us in the United States regardless of our party or our positions and we should honor and respect his service in this high office bestowed by the will of the American people.

There is no doubt that the United States of America needs a cultural center of high standing and I have long favored the construction of a cultural center in our Nation's Capital, Washington, D.C. When bills for a U.S. National Cultural Center were first entered I was one of the cosponsors of such a cultural program and testified before the House legislation committee in favor of such legislation. I believe as a forward looking Representative that the United States and the American people will, by the action of this Congress today in passing the Cultural Center bill, greatly benefit not only this generation but many generations to come. This act by Congress will be a tremendous addition to our American cultural heritage as well as cultural progress for the future. A question has been raised about naming the Cultural Center in honor of President John F. Kennedy.

I favor naming the U.S. Cultural Center in honor of John F. Kennedy because of his great interest and that of his good wife, Jacqueline Kennedy, in working and stimulating the interest in the arts and the advancement of culture during their entire public service. President Jack Kennedy served with many of us in this historic U.S. House of Representatives where we are sitting today. We Members of Congress should be proud that our friend and fellow Member, Jack Kennedy, was advanced to U.S. Senator and then chosen as leader, Commander in Chief, and President by the votes of all the people in 1960. As one who highly respected his friendship with President Kennedy since his days of service in the House of Representatives, I believe we owe this fitting tribute to a man who never forgot his old friends when he entered the White House. I can say with deep gratitude on my own part, that one of the finest characteristics of President and Jacqueline Kennedy was that they were always cordial, pleasant, and more than warmhearted in their personal interest to those of us who have known them through the years. We in this House should be the first to recognize, regardless of party, the fine service and dedication to public duty of our colleague, Jack Kennedy, who started out his public career on this very floor of the House of Representatives of the U.S. Capitol.

In conclusion, I urge my Republican colleagues as well as my Democrat colleagues at this time to forget politics in order to honor John F. Kennedy and as well to provide the American people with this U.S. Cultural Center for our own progress in this generally and goodly heritage for further generations. On November 27, 1963, I filed H.R. 9263, designating the Museum of History and Technology of the Smithsonian Institution as a memorial for John F. Kennedy, a cultural institution which would have been fine, but now I am backing this larger memorial.

I wish to call the attention of the House of Representatives to a joint resolution which I have this day filed at the request of my good friend of the Pennsylvania Supreme Court, Justice Michael A. Musmanno. Justice Musmanno is a highly competent student and writer on the U.S. Constitution as well as on government procedures and structures. Justice Musmanno has a distinguished record in the Pennsylvania State Legislature, on the bench of the Common Pleas Court of Allegheny County, Pittsburgh, Pa., as well as on Pennsylvania's highest court, the Supreme Court of the Commonwealth of Pennsylvania.

Justice Musmanno has been interested in proposed resolutions, bills, and legislation concerning Presidential succession in the case of disability. The present tragic circumstance connected with the assassination of John F. Kennedy has brought this into focus, so that the present is a good time for Congress to consider this vital question which is not clear in the U.S. Constitution or the U.S. statutes. In 1958, at the request of Justice Musmanno, I introduced a resolution for a constitutional amendment on the subject of Presidential disability and succession. Today, I introduce a joint resolution proposing an amendment to the Constitution of the United States on Presidential power and succession, which I enter upon his request, and I hope the reasoned views of Justice Musmanno will be given every consideration in the U.S. Congress.

The text of the resolution is as follows:

H.J. RES. 884

Joint resolution proposing an amendment to the Constitution of the United States on Presidential power and succession

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled (two-thirds of each House concurring therein), That the Executive power shall be vested in a President of the United States of America who may delegate, in writing, such powers and duties as in his discretion he shall deem appropriate, to the Vice President whose exercise of such delegated powers and duties shall have the same legal effect as if performed by the President.

SEC. 2. In case of the removal of the President from office, or of his death, resignation, or inability to discharge the powers and duties of the office of President, the Vice President shall become President.

SEC. 3. When the Vice President is to serve as President for a period in excess of six months, a Second Vice President shall be elected to perform all the powers and duties of the Vice President for the period the Vice President shall be President. The Second Vice President shall be elected by Congress from not less than three persons duly qualified under the Constitution and recommended for election by the national committee of the political party of which the President is a member. The said Vice President and Second Vice President shall continue to serve as President and as Vice President until the President resumes his power and duties in accordance with the approval of the Presidential Commission on Prevention of Lapse of Executive Power, or a President shall be elected.

SEC. 4. Upon ratification of this amendment, the House and Senate Judiciary Committees shall as a Joint House and Senate Judiciary Committee, constitute itself as a permanent Presidential Commission on Prevention of Lapse of Executive Power, which shall decide, by a two-thirds vote, whether the President, in the event he is apparently disabled or unable to discharge the powers and duties of his office for any reason, is in fact so disabled or is unable to function and whether the Vice President shall assume the powers and duties of the President during such disability or period when the President is unable to perform the functions of his office.

The Presidential Commission on Prevention of Lapse of Executive Power will also decide by a two-thirds vote when the President's disability or the circumstances which made it impossible for him to discharge his duties and powers as President, shall have ceased, whereupon the President and Vice President shall resume the powers and duties of the office of President and Vice President, respectively.

SEC. 5. The Vice President shall not be President of the Senate or preside over that body as heretofore.

SEC. 6. The President of the Senate shall be chosen by the Senate from their body and he will not, because of such Presidency be relieved of any of his duties or deprived of any of his authority as Senator. When participating in debate, he will relinquish the chair to the President pro tempore who will also be chosen by the Senate from their body. The President may, at his pleasure, authorize any Member of the Senate temporarily to preside in his stead.

SEC. 7. Congress shall have power to enforce this article by appropriate legislation.

SEC. 8. This article shall be inoperative unless it shall have been ratified as an amendment to the Constitution by the legislatures of the several States, as provided in the Constitution, within seven years from the date of the submission thereof to the States by the Congress.

SEC. 9. This article shall take effect immediately after ratification by the requisite number of States after submission thereof.

Mr. FALLON. Mr. Chairman, I yield 2 minutes to the distinguished Speaker of the House, the gentleman from Massachusetts [Mr. MCCORMACK].

Mr. McCORMACK. Mr. Chairman, we have just listened to one of the finest speeches I have ever heard in the Congress of the United States in my 35 years of service in this body. The thoughts just expressed come from the mind of a big man and I hope that the spirit of the gentleman from New Jersey [Mr. AUCHINCLOSS] will be represented in a bipartisan way when this bill comes up for a vote. I know of no better way to properly and fittingly honor the memory of our late beloved President who gave his life for our country in the performance of his duty than in the manner provided by this legislation.

I am very happy to hear the gentleman's statement. I did not intend to make any remarks, but the speech made by my friend from New Jersey [Mr. AUCHINCLOSS] I felt called for an observation on my part, first to compliment him for the fine, noble outlook that he has taken on this matter and on this bill. Secondly, I wish to commend him highly for it and to commend to all of the Members of the House that we follow such leadership. I am only too glad to join with the gentleman in the remarks that he has made.

Mr. AUCHINCLOSS. Mr. Chairman, I yield such time as he may desire to the gentleman from New York [Mr. HALPERN].

Mr. HALPERN. Mr. Chairman, I rise in support of this legislation which would rename and rededicate the National Cultural Center in memory of our late President John Fitzgerald Kennedy. I am proud to be a cosponsor of this bill and to have given it my wholehearted endorsement in testimony before the joint meeting of the House and Senate Public Works Committees in December. I feel it is the least we can do for our late President—for our Capital City—for our Nation—and yes, for the entire world to see as a showcase of American culture in the performing arts.

Why do I feel so strongly that this proposed memorial is both appropriate and sound? Principally, Mr. Chairman, because the concept of a vital, living memorial seems to me to be undeniably the most fitting tribute we could make to our late President.

President Kennedy's wide interest and support for the arts, and his ideas and ideals concerning the important role of artistic achievement in our society would be perfectly symbolized in this great center for the performing arts, which would serve the American people admirably with programs suitable for a broad national audience. It would be a fitting tribute to the memory of a dynamic and energetic man whose spirit could never be captured in a cold, lifeless monument.

Mr. Chairman, there is another factor I think we should consider. From the very first moments of his Presidency, John Fitzgerald Kennedy made of his youthfulness a personal source of pride. He was proud to be the first President born in this century, and he inspired young people from all over the Nation to take a new interest and an active participation in their Government. He also inspired them to dedicate their youthful strength and imagination to worthy international service through such organizations as the Peace Corps, which has been a vehicle for our youth to carry American know-how in many diverse fields all over the world. This then is another factor which makes the proposed cultural center eminently fitting as a memorial to our late, young President. For it will reflect the achievements of youth—young and aspiring singers, dancers, actors, and other disciples of the performing arts—all will find inspiration in this graceful structure beside the Potomac. All will be assisted by the associations they can make with older, more experienced artists at the center for the performing arts.

How fitting that these developing young artists should find in the Nation's Capital a dynamic center for the performing arts dedicated to the President who so appreciated the strength, creativity, idealism, and vigor of youth.

Mr. Chairman, I also suggest that we remember the consistent support our late President gave to the National Cultural Center here in the Nation's Capital. In every way possible, by supporting legislation, by appointments to the National Cultural Center Board of Trustees, and by leading a national fundraising campaign, President Kennedy worked to create a National Cultural Center. This deep interest in and forceful support for the project is another reason why it would be a most fitting tribute to his memory.

Similarly, I think we should remember how both President and Mrs. Kennedy supported the arts by opening the White House to celebrated musicians, dramatists, writers, painters, and sculptors. On more than one occasion they made of that stately mansion a home for the presentation of some of the finest examples of contemporary American art.

The late President also appointed a Special Consultant on the Arts who issued an invaluable report on the relationship betwen the National Government and the arts. Acting on one of the recommendations contained in this historic report, President Kennedy created by Executive order a Special Advisory Council on the Arts, to study and make recommendations on means of improving and strengthening the cultural life of this country.

Mr. Chairman, the young President whose memorial we discuss today was a Democrat—and a good one. I am a Republican, but I feel that the memorial under consideration deserves bipartisan support in order that we may achieve a twofold objective: a fitting tribute to President Kennedy, and a stimulus to the artistic success of the Cultural Center, by associating it in name and spirit with President Kennedy.

Let us raise this memorial with this double purpose. Looking backward, let us memorialize that vigorous, smiling young leader with a memorial fitting for one who could capture the imagination and fond regard of the entire world by the simple spell of his magnetic personality.

Looking forward, let us think of the generations of young Americans yet to come who will find strength and inspiration at this shrine dedicated to the highest cultural excellence our Nation can attain.

Mr. AUCHINCLOSS. Mr. Chairman, I yield such time as he may desire to the gentleman from Indiana [Mr. Bray].

Mr. BRAY. Mr. Chairman, I believe that a fitting memorial should be constructed to our late President, John F. Kennedy, but I want to point out that there has not been any adequate study made as to what this memorial should be.

Certain parties are attempting to save a previously proposed project that is failing in realization by changing the name of the "National Cultural Center" to the "John F. Kennedy Center for the Performing Arts" and by appropriating $30 million of the American taxpayers' money to accomplish this.

Some time ago Congress was persuaded to dedicate certain ground owned by the Government and to authorize construction on this ground of the National Cultural Center without any expense to the American taxpayer. The money was to be raised by popular subscription. The efforts to raise this money failed, and this present bill is an attempt to get the Government to use taxpayers' money to bail out this project to which the public has already refused to subscribe. Such is unfair to the memory of our late President.

This legislation is capitalizing on the name of our deceased President in getting Congress to appropriate what amounts to $30 million in taxpayers' money for this project which was planned long before President Kennedy was killed.

Mr. AUCHINCLOSS. Mr. Chairman, I yield such time as he may desire to the gentleman from Ohio [Mr. Schenck].

Mr. SCHENCK. Mr. Chairman, everyone will agree, I am sure, that an appropriate memorial should be provided in the Capital City of our great Nation to commemorate the life and service of our late President, John Fitzgerald Kennedy, who died a tragic and untimely death from the bullets of an assassin.

It was with this thought in mind, Mr. Chairman, and as the senior ranking Republican member of the Committee on House Administration that I introduced H.R. 9472 on December 12, 1963. My bill provides for the appointment of a John F. Kennedy Memorial Commission to study and consider all suggestions and ideas to provide an appropriate and proper memorial to honor the life and service of the late President, John Fitzgerald Kennedy. The appointment of such a John F. Kennedy Memorial Commission is entirely in keeping with the creation of memorials to do proper honor to the memory of other great Americans. The most recent example, Mr. Chairman, is that of the Franklin Delano Roosevelt Memorial Commission on which Commission I have had the honor and privilege of serving since the very beginning.

This Commission has the responsibility to develop a fitting and proper memorial to honor the life and service of former President Franklin Delano Roosevelt, who served our Nation longer than any other President in the history of the United States, and during the time of the terrible World War II as well as a particularly trying time related to our national economy. The memorial commemorating the life and service of our former great President, Franklin Delano Roosevelt, is to be built entirely by public contributions and not by the appropriation of taxpayers' dollars.

It appears to me, Mr. Chairman, as a member of the Franklin Delano Roosevelt Memorial Commission that this memorial for Franklin Delano Roosevelt should be decided upon prior to the final decision on the John F. Kennedy memorial, whatever it may be finally determined to be.

Some 6 years or so ago, Mr. Chairman, the Congress approved the construction of a Cultural Center in our Nation's Capital City. This Cultural Center was to be financed entirely by the contributions of everyone who could and desired to contribute for this purpose and to be constructed on ground owned and to be donated by our Federal Government.

The Congressional Record, Mr. Chairman, is filled with assurances of all those who proposed the construction of the Cultural Center that not 1 cent of taxpayers' funds would ever be requested or used for this Cultural Center.

Recently, Mr. Chairman, it was proposed to change the name of this National Cultural Center to the John Fitzgerald Kennedy Cultural Center, and with this change in the naming of the Cultural Center I have absolutely no objection in such designation providing it meets with the approval of the family of the late President. It would also seem that changing the the name of this Cultural Center to the John Fitzgerald Kennedy Cultural Center would encourage financial contributions from many people who perhaps would not contribute to this project otherwise.

House Joint Resolution 871, however, which is being considered here today, was introduced on December 13, 1963. It proposes not only to change the name to the John Fitzgerald Kennedy Center for the Performing Arts, but also proposes the appropriation of taxpayers' funds up to $15 million to match public contributions and approximately another $15 million as a loan for the construction of parking facilities which loan will no doubt turn out to be granted.

Mr. Chairman, I want to emphasize that I have absolutely no objection to changing the name of the originally proposed National Cultural Center to the John F. Kennedy Center for the Performing Arts if this change meets with the approval of the President's family. I am also for the provision of an appropriate and fitting memorial to honor the life and service of our late President, John F. Kennedy. I feel, however, Mr. Chairman, that the consideration of such a memorial should be left in the hands of a John F. Kennedy Memorial Commission, such as I provided for in my bill, H.R. 9472, which I introduced on December 12, 1963, and which is now waiting for consideration in the Committee on House Administration on which I have the honor to serve as the senior ranking Republican member. Therefore I shall vote against House Joint Resolution 871 and shall urge the approval of my bill, H.R. 9472, or one of the other 25 similar bills which provide for the appointment of a similar John F. Kennedy Memorial Commission, so that the designing and construction of an appropriate memorial to honor our late President John F. Kennedy be in the regular and proper manner through public contributions and not through the appropriation of taxpayers' dollars.

Mr. AUCHINCLOSS. Mr. Chairman, I yield 3 minutes to the gentleman from New York [Mr. Lindsay].

Mr. LINDSAY. Mr. Chairman, I think that Washington should have a cultural center. I also think there should be a suitable memorial to the late President. But I think the Record should be made complete and at least one statement made on the floor as to the complexities of the task we undertake and the difficulty of doing this project right. I think in my own congressional district there is a heavier concentration of creative people in the arts than in any congressional district in the United States. It is the national headquarters for the living theater, music, opera, the dance, off-Broadway, and advance art work in every field of artistic expression. It is a district that knows some of the headaches involved in trying to create not just bricks and mortar but for carrying out the purposes for which the edifice was created. The committee report that we have before us today, for example, does not have a single word in it about what is to be in the Cultural Center—not a single word has been stated on the floor of the House this afternoon about what kind of cultural activity we expect to bring to Washington and to put before the Washington community.

I do not say that by way of destructive criticism, but I say that because it is indicative of the kind of difficulty and the kind of trouble we can walk into if we are not careful.

Mr. JONES of Alabama. Mr. Chairman, will the gentleman yield?

Mr. LINDSAY. Yes. I am glad to yield to the gentleman from Alabama.

Mr. JONES of Alabama. I would like to call the gentleman's attention to the public law that was enacted in 1958 which described the type of use that is to be made of it.

Mr. LINDSAY. The gentleman oversimplifies the problem. The fact of the matter is that now we are suggesting Federal money go into a cultural center project which was not suggested in 1958. That makes all the difference. Let us be honest about it. Originally there was no thought of Federal money.

Mr. JONES of Alabama. Mr. Chairman, will the gentleman yield further?

Mr. LINDSAY. I am glad to yield.

Mr. JONES of Alabama. I understood the gentleman to say that there was not any recognition as to the type of program which will be used in the building. I merely point out to the gentleman that there was a general understanding on the scope of use in 1958, when the original proposal was made.

Mr. LINDSAY. The gentleman still misses the point of what I am trying to say.

Any time that Federal money is involved there are some difficult problems. On occasion I have traipsed down to the State Department to try to sell the people in charge of the cultural exchange program on the idea of sending overseas more imaginative material than the tired, obvious, and rather dull productions that were being sent. I received the very frank comment that the State Department could not afford to send over anything controversial as Congressmen would start kicking. When, last year, the Martha Graham dance group was sent abroad—a splendid choice in my judgment—the howls came from Congress. I thought it was unfortunate that complaint was lodged against "Phaedra"—a beautiful and sensitive dance—but nevertheless complaint was made and next time State will probably retreat before it begins.

I don't object to Federal money, providing we are aware of the limitations it places. We use Federal money here because this is the seat of the Federal Government and this is a Federal project. This is the U.S. Capital and it is a showpiece. The cultural center will be a part of this great showpiece. But it will need support, public and private, if it is to be done well. Perhaps I am spoiled by my home community, New York City, but it seems plain that there is not a dynamic artistic colony in Washington, or even one that is widely and dynamically appreciative of the arts. I am not sure the community here will really support this project. But the whole Nation comes to Washington and the Nation is entitled to the best in its Capital. I thought that all of the pious pledges that were made at the time the National Cultural Center Act was being debated, about "no Federal money," were silly. But now in this "Alice in Wonderland" we do it under the guise of a memorial to the late President. I do not object to that either. But why do we always have to wander around in this wonderland?

Mr. AUCHINCLOSS. Mr. Chairman, I yield 3 minutes to the gentleman from New York [Mr. Fino].

Mr. FINO. Mr. Chairman, last month—to be exact, December 17—I voiced objection to a bill to coin a John F. Kennedy 50-cent piece.

My opposition at that time to that measure was not aimed at the purpose of the legislation, but rather at the tremendous haste in pushing it through the Congress.

I felt then, as I do now, that a proper memorial for our late President was just and proper; however, because of the rash of memorials all at one time, these memorial tributes were becoming meaningless.

Now we have another measure before the House to rename the National Cultural Center as a memorial to the late President Kennedy.

This Congress approved this Cultural Center in the last session. It was to be financed through public subscriptions, with the Federal Government providing the site.

Now, under the guise of a memorial to the late President Kennedy, we are asked to change the original idea of a public subscription and to have the Federal Government subsidize this project to the tune of over $30 million.

I am opposed to spending the taxpayers' money in this particular manner.

I agree with the position taken by the New York Times when it said editorially on yesterday, January 7, 1964:

> There is no need for haste or waste, which are so inconsistent with the President's character, particularly with his sense of fitness and his intellectual deliberation.

I agree with the New York Times when it suggests that the National Cultural Center should stand on its own merits.

If we insist on renaming this Center for President Kennedy, we can do it—and I am all for it—but let us not go haywire with the taxpayers' money.

Mr. AUCHINCLOSS. Mr. Chairman, I yield 1½ minutes to the gentleman from New York [Mr. Horton].

Mr. HORTON. Mr. Chairman, the passage of this joint resolution to lend Federal support to the erection of a John F. Kennedy Center for the Performing Arts can have tremendous significance in demonstrating the concern of the Federal Government for an important aspect of our American culture. I fully endorse this joint resolution and shall vote for it.

I fear that our democracy has moved much too slowly in granting encouragement to the arts. While we prize highly the characteristics of our Government institutions that bring distinction to the United States, we have tended to overlook the high level of cultural accomplishment which adds luster to our country.

As the National Capital, Washington should have available the physical facilities in which the performing arts can be adequately showcased. Much progress has been made in this direction with the private subscription drive for the National Cultural Center.

Now that the Federal Government plans to undertake a memorial project to our late President, I think it is quite appropriate to merge these two movements for the more swift realization of both.

On numerous past occasions, I have spoken out in favor of Federal encouragement for the arts. The possibilities for such patronage are limitless and, I believe, completely consistent with democratic principle. Properly conceived and implemented, Federal support of the arts need not contain even the slightest suggestion of bureaucratic intervention in an area which must have as its foundation complete freedom.

I think Government action in helping to build a cultural facility where artists can expose their talents unquestionably meets the qualification of providing Government assistance without Government control. Just as Federal ownership of the Capitol does not limit free speech in this Chamber, free artistic expression would not be trammeled in a center whose construction was aided with Federal funds.

Forthright and positive response to this measure can be the answer to a challenge of the ages: bequeathing to future generations something of value and worth. If our generation wishes to leave behind a better society, let us do all we can to add endurance to the arts.

Mr. AUCHINCLOSS. Mr. Chairman, I yield the balance of my time to the gentleman from Wisconsin [Mr. O'Konski].

Mr. O'KONSKI. Mr. Chairman, we have listened this afternoon to what I consider to be one of the greatest speeches ever delivered by a President of the United States on the real problems facing our people and our Nation. He talked about 40 million American people within the confines of the United States who are going daily without either enough to eat, enough to wear, without adequate housing, without adequate funds to pay their medical bills, or without jobs. That is 40 million Americans living in poverty.

I especially liked that part of his speech which I thought was the keynote of his address when he said:

> Let us now here resolve to declare unconditional war on poverty within the United States of America.

I applaud him for that statement, and I shall back him in that unconditional declaration of war on poverty.

However, I cannot reconcile that news media of our Nation within the next few hours will have headlines "The Congress's first answer to President Johnson's plea for an unconditional war against poverty in our land was to borrow $31 million to build a palace of culture in the Nation's Capital." I cannot reconcile doing that at this time.

I believe in a fitting memorial for the late President, John F. Kennedy. He was a great President. He gave this country a feeling of hope and something new that was very much needed. I was a personal friend of his. On many occasions I left my friends on the left and joined with you people on the right in helping him with his program. I believe that he tried to do the best for America. I loved him. I fairly worshiped the man. But I do not think we are going at this thing in the right way.

Very frankly, I thought deeply about this over the Christmas holidays. I came to the conclusion that there is too much obvious commercialism behind this thing. A project that was destined to failure is using the tragic event to use the President's name to obviate a failure.

It reminds me of a book I read recently written by a woman in California on the high cost of dying. There is too much of the aspect of the undertakers taking advantage of the emotions, of the fears and the sadness of the bereaved in trying to extract from them every dollar that they possibly can before the body is cold. This bill gives me too much of that kind of an impression.

A memorial for President Kennedy? Yes, by all means. But let us give him a fitting memorial representative of his life and his work. A memorial resurrecting a failure is not a true memorial. A memorial on borrowed money is not a true memorial. Let us appoint a congressional committee as was done for President Lincoln to come up with a memorial of real meaning and one befitting the whole character of a great President.

Mr. JONES of Alabama. Mr. Chairman, I yield such time as he may desire to the gentleman from West Virginia [Mr. HECHLER].

Mr. HECHLER. Mr. Chairman, I rise in support of this legislation.

Mr. Chairman, this bill to establish the John F. Kennedy Center for the Performing Arts should be passed without further delay. No project was closer to the late President's heart than the Cultural Center, and no person had a keener appreciation of the value of the arts than President Kennedy. I believe that the members of President Kennedy's family are in a far better position to know what he felt than many fellows and newspapers who took potshots at him and his policies while he was alive. As for me, I would like to go along with what his family feels would be the best memorial for this incomparable man.

Some have talked about Abraham Lincoln, and the length of time which elapsed before the Lincoln Memorial was built. They seem to think we ought to sit around and wait an equal amount of time after President Kennedy's death before doing anything further to memorialize him. I fail to see why we have to follow to the letter what happened with the Lincoln Memorial. I seem to recall that Lincoln felt that the dead hand of the past should not block new ideas, new approaches, and progress in the future. Lincoln believed in change and the dynamic nature of the world in which he lived.

Now along comes the staid old New York Times, the oracle of the Ivy League, to tell us "Congress would do well to pause." The Times yesterday editorialized that "at least we think more time should pass before an irrevocable decision is made." The Times feels, and I quote:

> There is no need for haste or waste, which are so inconsistent with the President's character.

Of course, President Kennedy never believed in waste, but I submit that he did believe in haste for what was worthwhile. Without haste, he would never have been elected the youngest President in American history. He lived his whole life as though he knew that God would take him at a relatively early age. When he really believed in something, he pressed forward to bring an ideal toward reality.

Thus it was with the Cultural Center during his lifetime. He really believed in the Cultural Center, and the concept beautifully represented his highest ideals. Nothing could be more appropriate to President Kennedy's memory than this project.

I cannot resist calling attention to the editorial in yesterday's New York Times which preceded the one which the opponents of the John F. Kennedy Center for the Performing Arts have quoted so freely today. The preceding editorial is entitled "Congress—Slumber or Action?" In it the New York Times castigates Congress for its inability to act constructively on needed legislation. In one breath, the Times jumps all over Congress for its failure to take action, and in the very next breath the Times wants Congress to slow down, take it easy, delay for many years, diddle and dawdle, and use less haste when it comes to something which is demonstrably needed and highly appropriate.

So, let us get moving on this job which we face. I hope that the Congress will vote overwhelmingly in support of this legislation, turn our backs on the customary series of crippling amendments and recommital motions, and display the constructive statesmanship which our late President exemplified in his all too brief term of office.

Mr. JONES of Alabama. Mr. Chairman, I yield such time as he may desire to the gentleman from Massachusetts [Mr. BOLAND].

Mr. BOLAND. Mr. Chairman, House Joint Resolution 871, renaming the National Cultural Center as the John F. Kennedy Center for the Performing Arts, has the enthusiastic support of a great cross section of the American people as the most popular, most appropriate, and useful memorial that could be placed in the Nation's Capital. It meets the most exacting tests of what a truly great memorial to a truly great President should be. It has the support of Mrs. John F. Kennedy and the Kennedy family, and their views, of course, are to be considered with great respect.

Mr. Chairman, I sponsored H.R. 9259 to designate the Center as a memorial to our late, beloved President, John F. Kennedy. Many other Members of this body and of the Senate have sponsored proposals all tending in the direction of what is accomplished by the proposal we are now considering.

I believe that one of the most cherished hopes of John Fitzgerald Kennedy was that this country might become a wholly great and brilliant civilization. In this fond hope was recognition that the arts are central to a nation's purpose and strength, and a necessity to a mature and advanced society. He understood that it is the arts and artists which fortify the fabric of our national life, which afford it an inward quality, and which infuse it with pride and hope.

The late President Kennedy, striving toward a goal of excellency of our society, sustained and promoted the arts that they might provide new vitality and vision for our land. Key to his efforts was the project of a great cultural center which he viewed as a most important responsibility. Shortly before the 1960 elections he stated:

> The National Cultural Center should be erected as speedily as possible.

After assuming office, he lent his leadership and succeeded in nourishing the flagging project. He acted to fill vacancies on the National Cultural Center Board of Trustees and appointed a chairman who is conducting a vigorous fundraising campaign for the completion of the project. The President actively promoted legislation supporting the Center. In a letter to leaders of Congress, he wrote:

> The National Cultural Center is the most significant cultural undertaking in the history of this city and has enormous importance to the cultural life of the Nation as a whole.

Only a year ago he led a national fundraising benefit telecast, saying at that time:

> Behind the storm of daily conflict and crisis, the dramatic confrontations, the tumult of political struggle, the poet, the artist, the musician continues the quiet work of centuries, building bridges of experience between peoples, reminding man of the universality of his feelings and desires and despairs, and reminding him that the forces that unite are deeper than those that divide.

On this occasion he assured fellow patrons of the arts supporting the cultural center that our country would one day be known, "not as much for our victories in battles and politics, but for our contributions to the enrichment of the spirit."

Speaking at the recent ground-breaking ceremonies for the Robert Frost Memorial Library at Amherst College, President Kennedy expressed his hopes for America:

> I look forward to a great future for America, a future in which our country will match its military strength with our moral strength, its wealth with our wisdom, its power with our purpose. I look forward to an America which will not be afraid of grace and beauty, which will protect the beauty of our natural environment, which will preserve the great old American houses and squares and parks of our national past, and which will build handsome and balanced cities for our future. I look forward to an America which will reward achievement in business or statecraft. I look forward to an America which will steadily raise the standards of artistic accomplishment and which will steadily enlarge cultural opportunities for all of our citizens. And I look forward to an America which commands respect throughout the world not only for its strength but for its civilization as well.

Because he looked forward to an America which reflected the highest form of civilization, because he fostered the National Cultural Center that the environment for artistic achievement might be benefited, because he felt deeply the significance of arts for society, and because he himself represented the qualities of greatness, the National Cultural Center must be a memorial to John Fitzgerald Kennedy. Through the renaming of this Center we might, with inspiration from his name, fulfill in part his aspiration for our society.

Mr. WRIGHT. Mr. Chairman, I thank the gentleman from Alabama for those remarks.

The bill before us is not and should not be considered a partisan bill, for what we seek is not a commemoration for a member of a political party, but a fitting memorial to the 35th President of the United States. This bill was passed in the other body on a voice vote with strong bipartisan support, with no objection being offered, just as a few years ago when the Taft Memorial Act was passed to memorialize that great Senator from the State of Ohio, no voice was raised in opposition.

Today we hear discordant voices, none overtly complaining about the memorial to John F. Kennedy. The objections we hear voiced on the floor here today do not question the propriety of a memorial to the memory of that great President. The objections we hear do not question the need for a National Cultural Center.

What objections we have heard remind me of what happens so often in every community where some one member of a school board, while protesting that he is for the new school, finds objection to the place where it is to be located, finds objection to the person who is chosen as the architect, finds objection to the manner in which it is to be financed, finds objection to the bonding firm which is to handle the bonds, finds objection to every little pestiferous detail, all the while professing to be for the project.

Today we vote for or against this memorial to the memory of John Fitzgerald Kennedy. This is the memorial that the Kennedy family has desired. This is a memorial which will carry out and perpetuate one of the great interests of his career. This is the project to which he and Mrs. Kennedy devoted time and energy and effort and sincere concern. This is the project they desired.

Some complain that a precedent is being set because we are appropriating Federal money. Mr. Chairman, we appropriated Federal money for the Lincoln Memorial. We appropriated Federal money for the Jefferson Memorial. How much better it is to appropriate Federal moneys to be matched by private contributions dollar for dollar, penny for penny, in the construction of a living memorial, not just sticks and stones, not just earth and rock, but something that will carry on into the future the ideals and the inspirations that John F. Kennedy gave to this Nation.

One hundred years from now schoolchildren in this land will be repeating: "Ask not what your country can do for you, but ask what you can do for your country."

This is our opportunity, Mr. Chairman, to put aside pettiness, to put aside little, partisan bickering, and to unite, to come together in firm and affirmative support for this memorial.

Mr. McDOWELL. Mr. Chairman, I rise in support of House Joint Resolution 871 as reported.

I wholeheartedly endorse the plan to rename the National Cultural Center as the John Fitzgerald Kennedy Center of the Performing Arts, and introduced a bill, H.R. 9269, for this purpose. I am especially pleased that the Center's trustees have endorsed the name which I first proposed.

President Lyndon B. Johnson's endorsement of this proposal and for providing for matching contributions has met with enthusiastic support on the part of the American people.

In my eulogy of President Kennedy on December 5, I said:

> John Fitzgerald Kennedy possessed a rare and deep insight into the history of man and of the world, without which there is no recognition of the understanding of the rapture of life. No marble; no gilded monuments of kings and princes shall outlive; no war's quick fire shall burn the living record of the memory of John Fitzgerald Kennedy.

Both President Kennedy and Mrs. Kennedy were deeply interested in the arts, and envisioned the arts as an important and central part of our lives. This was manifested throughout his administration. Robert Frost read a poem at the inauguration of President Kennedy, quite possibly the first time that the arts had been so honored.

What could be more fitting then, than that a memorial be erected, a living memorial in which the poetry of the Bible, of Shakespeare, of Milton, of Robert Frost, and of other great poets of the world who have espoused the cause of mankind—as President Kennedy himself espoused the cause of mankind—could be read?

Let us in the John Fitzgerald Kennedy Memorial Center encourage the poets, young and old, for President Kennedy always encouraged them. He always had artists around him at the White House where they were given the same marks of recognition previously reserved for captains of industry, the generals and the admirals, and the great leaders of other nations.

The artists were greatly surprised at the interest of President Kennedy, for he made them feel at home, and made the country feel that this was the normal state of affairs at the White House.

Here, then, was a President who was interested in the arts and in artists the year around and not just for a few days prior to the presidential election.

As President Kennedy brought youth and laughter into the White House, he also manifested his interest in young people, and especially in young artists. He wanted to establish an American music and art prize similar to national art prizes in Europe where they are an important part of the cultural life of all leading nations.

President Kennedy spoke often to the young artists at the White House about his hopes for presenting young artists at the National Cultural Center.

A distinguished cultural leader from the University of Delaware, Dr. C. Robert Kase, is in charge of a national university theater festival which had the blessing of President Kennedy. The festival will be held in the Nation's Capital in May 1964, under the auspices of the National Cultural Center.

Because of President Kennedy's personal interest in the establishment of a national music and art prize, I provided for such a prize in by bill, H.R. 9269, as part of the John Fitzgerald Kennedy Memorial Center. I also provided for national competitions in the arts, to be held in the National Cultural Center, since this, too, was something President Kennedy was deeply interested in.

I would hope that these features, competitions, and prizes in the arts will be part of the memorial, because this would give the John Fitzgerald Kennedy Center a special identification with President Kennedy in line with his own hopes and dreams, and would carry out and implement his own great vision.

I do not think I can say anything nearly so eloquent about the arts and their central part in our lives as President Kennedy himself in his many speeches on this subject.

Mr. ULLMAN. Mr. Chairman, as an early sponsor of this legislation I strongly support its passage and congratulate the Committee on Public Works for bringing it to us in the present form. There could be no more fitting memorial to John F. Kennedy than this living center of culture which was so dear to his heart. The bill allows the American people to contribute financially and fittingly provides for Federal matching funds to complete this great project. The people of America and the world will be proud to share in this fine effort. I urge the unanimous passage of this legislation.

Mr. ZABLOCKI. Mr. Chairman, I rise in support of the legislation before this body creating the John F. Kennedy National Cultural Center for the performing arts.

For too long now, the Federal Government has appeared to ignore the importance of the arts in the life of our people. This seeming indifference to cultural matters springs, perhaps, from the fact that our country was carved out of a wilderness and for many years practical considerations alone consumed our national attention.

Today, however, we are no longer a new, struggling nation of pioneers. We have grown into the strongest, wealthiest nation on earth. Our people are blessed with more leisure time than those of any other land.

Now we must begin to use that leisure, that position of wealth and strength, to foster the arts. For history judges nations not only by their armies and industrial production, but also by the things of beauty they have created in the fields of art, music, dance, literature, and drama.

The National Cultural Center represents our recognition that the arts have a significant contribution to make to our national life and image—and deserve to be fostered by our Government.

More than that, the Center will provide a showcase for the artistic achievements of our Nation, past, present, and future. With the heavy annual influx of visitors from over the Nation and the world, Washington has long needed a facility of this kind.

It is fitting that we name this Center for our late, beloved President Kennedy. For it was he, with his wife Jacqueline, who brought new emphasis to the arts in our Nation.

It was he who invited our country's leaders in the arts to the White House. It was he who honored artists in ceremonies and presentations. It was he who founded the President's Commission on the Arts.

There could be no finer tribute to the memory of our martyred leader than to establish this Center and name it in his memory.

Mr. Chairman, tonight on the Virginia side of the Potomac River, in Arlington Cemetery, there burns a flame over the grave of our slain hero. That flame is a symbol of the light of leadership which President Kennedy gave our Nation during his years in office.

Today it is fitting that our Nation honor our late President with still another beacon, a living memorial which shall bring the light of leadership in the arts to our children and our children's children.

Mr. MORSE. Mr. Speaker, I joined with my colleagues in introducing the legislation before us today because I believe that to rededicate the National Cultural Center as the John Fitzgerald Kennedy Memorial Center would be the most appropriate memorial to our late President.

Although the Center has been in the planning stages since President Eisenhower endorsed the idea in 1958, President Kennedy and his wife gave the Center real impetus and sought to insure that our Nation's Capital would have a suitable place for the performing arts. The approval with which this proposal was greeted is an indication of how fitting a memorial it will be.

Here we will have a living monument where Americans from all over the country can appreciate the performing arts in a setting worthy of their dignity.

President Kennedy was aware that nations are judged in the sweep of history as much by the quality of the arts and the support they receive as by the prosperity of their economies and the strength of their defenses. He sought by his own example to encourage Americans to know and respect the arts. We can do no less than to follow his lead and insure the success of the Center.

Mr. JONES of Alabama. Mr. Chairman, I have no further requests for time.

The CHAIRMAN. All time has expired.

The Clerk will read the joint resolution for amendment.

The Clerk read the joint resolution, as follows:

Whereas the late John Fitzgerald Kennedy served with distinction as President of the United States, and as a Member of the Senate and House of Representatives; and

Whereas the late John Fitzgerald Kennedy dedicated his life to the advancement of the welfare of mankind; and

Whereas the late John Fitzgerald Kennedy was particularly devoted to the advancement of the performing arts within the United States; and

Whereas by his untimely death this Nation and the world has suffered a great loss; and

Whereas it is the sense of the Congress that it is only fitting and proper that a suitable monument be dedicated to the memory of this great leader; and

Whereas the living memorial to be named in his honor by this joint resolution shall be the sole national monument to his memory within the city of Washington and its environs: Now, therefore, be it

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the National Cultural Center Act (Public Law 85–874; 72 Stat. 1698) is amended as follows:

(1) In section 1 by striking out "National Cultural Center Act" and inserting in lieu thereof "John F. Kennedy Center Act";

(2) By striking out "National Cultural Center" each place that it appears in such Act (including the title of such Act but excluding clauses (2) and (3) of subsection (b) of section 2 of such Act) and inserting in lieu thereof at each such place the following: "John F. Kennedy Center for the Performing Arts";

(3) In section 4—

(A) by striking out "and" at the end of paragraph (3),

(B) by striking out "Cultural Center." in paragraph (4) of section 4 of such Act and inserting in lieu thereof "John F. Kennedy Center for the Performing Arts,", and

(C) by adding at the end thereof the following:

"(5) provide within the John F. Kennedy Center for the Performing Arts a suitable memorial in honor of the late President."

(4) In subsection (c) of section 6 of such Act by inserting immediately after "Smithsonian Institution" the following: "and to Congress";

(5) By adding at the end of section 6 the following new subsection:

"(d) The Board shall transmit to Congress a detailed report of any memorial which it proposes to provide within the John F. Kennedy Center for the Performing Arts under authority of paragraph (5) of section 4 of this Act, and no such memorial shall be provided until the Board of Regents of the Smithsonian Institution shall have approved such memorial."; and

(6) By adding at the end thereof the following new sections:

"APPROPRIATIONS

"SEC. 8. There is hereby authorized to be appropriated to the Board for use in accordance with this Act, amounts which in the aggregate will equal gifts, bequests, and devises of money, securities, and other property, held by the Board under this Act, except that not to exceed $15,500,000 shall be appropriated pursuant to this section.

"BORROWING AUTHORITY

"SEC. 9. To finance necessary parking facilities for the Center, the Board may issue revenue bonds to the Secretary of the Treasury payable from revenues accruing to the Board. The total face value of all bonds so issued shall not be greater than $15,400,000. The interest payments on such bonds may be deferred with the approval of the Secretary of the Treasury but any interest payments so deferred shall themselves bear interest after June 30, 1972. Deferred interest may not be charged against the debt limitation of $15,400,000. Such obligations shall have maturities agreed upon by the Board and the Secretary of the Treasury but not in excess of fifty years. Such obligations may be redeemable at the option of the Board before maturity in such manner as may be stipulated in such obligations, but the obligations thus redeemed shall not be refinanced by the Board. Each such obligation shall bear interest at a rate determined by the Secretary of the Treasury taking into consideration the current average rate on current marketable obligations of the United States of comparable maturities as of the last day of the month preceding the issuance of the obligations of the Board. The Secretary of the Treasury is authorized and directed to purchase any obligations of the Board to be issued under this section and for such purpose the Secretary of the Treasury is authorized to use as a public debt transaction the proceeds from the sale of any securities issued under the Second Liberty Bond Act, as amended, and the purposes for which securities may be issued under the Second Liberty Bond Act, as amended, are extended to include any purchases of the Board's obligations under this section.

"GIFTS TO UNITED STATES

"SEC. 10. The Secretary of the Treasury is authorized to accept on behalf of the United States any gift to the United States which he finds has been contributed in honor of or in memory of the late President John F Kennedy and to pay the money to such appropriation or other accounts, including the appropriation accounts established pursuant to appropriations authorized by this Act, as in his judgment will best effectuate the intent of the donor.

"NATIONAL MEMORIAL

"SEC. 11. The John F. Kennedy Center for the Performing Arts, designated by this Act, shall be the sole national memorial to the late John Fitzgerald Kennedy within the city of Washington and its environs."

SEC. 2. In addition to the amendments made by the first section of this Act, any designation or reference to the National Cultural Center in any other law, map, regulation, document, record, or other paper of the United States shall be held to designate or refer to such Center as the John F. Kennedy Center for the Performing Arts.

Mr. JONES of Alabama (interrupting the reading of the joint resolution). Mr. Chairman, I ask unanimous consent that the joint resolution be considered as read and open to amendment at any point.

The CHAIRMAN. Is there objection to the request of the gentleman from Alabama?

There was no objection.

AMENDMENT OFFERED BY MR. CRAMER

Mr. CRAMER. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. CRAMER: Page 5, line 2, strike out "and directed".

Page 5, line 3, after "section" insert the following: "in amounts provided in appropriation Acts".

Page 5, after line 9, insert the following: "No bonds may be issued or purchased under authority of this section until the Board shall have submitted to Congress a detailed engineering and economic feasibility study and report of the proposed parking facilities, including, but not limited to, construction plans and estimates of revenues to be received from such facilities."

Mr. CRAMER. Mr. Chairman, this amendment can be very simply explained. It simply prevents backdoor spending. Congress has time and again, particularly in recent years, opposed backdoor spending. This would require this board to come before the Congress and submit to it its estimate of the cost of construction of this parking facility—we are talking now about a parking facility exclusively—to come before the Congress and justify the amount of money requested from the Treasury which the Treasury under the act now—my amendment would change it—is directed to issue. My amendment would authorize the Treasury to buy the bonds after submitting justification for the construction and the cost to the Congress and to the Committee on Appropriations together with the question of whether it is feasible or not and how they are going to pay for it.

It has been well said here in the debate this afternoon that there should not be a memorial approved with a longtime mortgage existing on it. This would guarantee that these Treasury-purchased bonds would be repaid, by review of the Congress. We have no assurance whatsoever otherwise under the wording of the language in section 9 on page 4. There is no question but what this is back-door spending. There is no question but what there is no precedent for the direct purchase of bonds by the Treasury of the United States—meaning taxpayers' money—purchasing bonds directly out of the Treasury on the request of a nongovernmental agency. The TVA, for instance, a wholly owned Government corporation—even in that instance where under peculiar circumstances we authorize the Government, that is the Treasury, to purchase bonds, that was only with a review by the Congress of the United States and through the appropriation processes. So that cannot possibly be cited as a precedent. So all I am trying to do is to write into the bond-buying authority review by the Congress of the United States because otherwise it is nothing but an absolute and complete back-door spending procedure. We are not only authorizing the garage, not knowing its cost, although we have the estimate of $10,000 per car under their proposal, and I do not think that is fiscally feasible—we are not only authorizing the building of the garage, but we are also appropriating money with no review by the Congress of the United States. This is simply a non-back-door spending amendment and it is not intended to cripple the bill in any way. I do not take my hat off to anybody in my efforts to try to make this a sound bill and one which will acknowledge the congressional responsibility to make this a true, lasting, and proper memorial to a past President and a tragically assassinated past President Kennedy. This amendment will give the Congress the right to review this.

Mr. PELLY. Mr. Chairman, will the gentleman yield?

Mr. CRAMER. I yield to the gentleman.

Mr. PELLY. I support the amendment that has been offered by the gentleman. I had planned to offer a somewhat similar amendment, and I shall vote for the gentleman's amendment and I do hope the House will adopt this amendment which would eliminate the back-door spending and provide for an appropriation.

Mr. CRAMER. I thank the gentleman. If this amendment is not adopted, I am seriously concerned about setting a bad precedent in the name of a memorial for President Kennedy the latter of which many of us approve and support, myself included. I am seriously concerned about setting a precedent for borrowing from the Treasury without review by the Congress and having it be made a part of the budget and without even being submitted to the Congress and reviewed by the proper appropriation committees. Now, admittedly, the committee put some words in the committee report which suggested that the appropriations under this act will be subject to review, and obviously the appropriation for the building but not for the garage are. But this is a bond issue, a direct purchase by the Treasury to the Board on its request with no review whatsoever, and I challenge anyone to prove to the contrary regardless of what the report itself says because the Treasurer is directed to issue the bonds upon the request of the Board.

Mr. PELLY. I have always thought that it would be a wise provision and requirement that when a statue of a distinguished American is placed in this Capital that it must be paid for in full. I would hope that we would not have a mortgage on this memorial to our late President.

Mr. CRAMER. I suggest to the gentleman that by the adoption of this amendment at least the Congress will have the opportunity to make sure that the plans that are made and the bond issue that is purchased from the Treasury will provide for adequate amortization of the bonds through the payment of parking costs to pay for the garage, and you will not have an indefinitely existing bond issue on this memorial.

Mr. JONES of Alabama. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, when we were presented with the problem of trying to build a garage to accommodate the vehicles that were to be housed in the immediate vicinity of the proposed memorial, as the gentleman from California [Mr. BALDWIN] has pointed out, we needed a revenue producing operation that would save the Government the cost of this facility which represents some $15,400,000. The trustees and the principals in the Cultural Center engaged the services of a very fine private group to examine the construction and the costs and go into the question of the revenues that would be produced and to examine the question of the operation of this facility. Every angle of the financial setup was covered and a report was made. It is estimated we will get $700,000 a year in net revenue.

Now there has been some discussion of backdoor spending. This is a big horse that somebody is always trying to ride.

Now, we have had ample precedent for the use of such a section as is included in this bill. I am quite sure most of you will recall when we were writing the bill with reference to the St. Lawrence Seaway we came in with an identical proposition. Mr. CRAMER points out that the Tennessee Valley Authority was a situation where we used bonds such as we have in this bill. For further safeguards we have three Members from the Senate and three Members from the House on the board of trustees. We have Members from the House and the Senate, including the chairmen of the Appropriations Committees and the chairman of the board of regents of the Smithsonian Institution, who will examine this to see that the proper use is being made of that money. Let me call your attention to what the report on this resolution says. On page 4 of the report is a section on financial accountability. It says:

> Since this bill provides for the expenditure of Federal funds in connection with the Center, it is clear that the Director of the Bureau of the Budget and the Comptroller General must and do have authority to examine and audit the financial records of the board for all purposes.

We have put every safeguard that is imaginable into this. We have the finest Members of the House and Senate on the board to make all the decisions and to examine all the accounts. Just how many more boards do you want? We have an advisory board which to recommend to the Smithsonian Institute just what will be placed in the building. We have been careful, and every safeguard has been put into this bill.

Mr. WIDNALL. Mr. Chairman, will the gentleman yield?

Mr. JONES of Alabama. I am glad to yield to the gentleman from New Jersey.

Mr. WIDNALL. Will there be any free parking available to citizens of the United States around the Cultural Center?

It is my understanding the only parking available will be within the Center, for which a minimum charge will be $1.

Mr. JONES of Alabama. The rest of them just do not have parking spaces, period. This is an activity unlike all of the other memorials. So I do not think that we ought to start comparing them. This is something unprecedented.

Mr. WIDNALL. I just wanted to call attention of the House to the fact that American citizens will have to pay a good sized parking fee in order to get to a Presidential memorial.

Mr. JONES of Alabama. I will say to the gentleman from New Jersey it will be the same parking accommodations that our people have at the Capitol of the United States. I hope the amendment will be defeated.

Mr. PUCINSKI. Mr. Chairman, I move to strike the last word.

Mr. Chairman, President Kennedy was a strong foe of all forms of censorship. I ask for this time to ask the chairman of the committee whether the language on page 4, in the paragraph that the chairman just cited, about financial accountability, means that the Bureau of the Budget and the Comptroller General, in the event that the obligations on this cultural center are not met, will have some control or direction over the type of cultural activity that will be performed in that center. In other words, if the directors of this cultural center rent these facilities to a Shakespearean festival and it develops that this festival does not attract sufficient customers and becomes a losing financial proposition, can either one of these Federal agencies then come to the directors of this cultural center at some later date and say, "You lost money on this Shakespearean festival, and therefore you cannot have any of this kind of activity at this center again?" The purpose of my question is to establish legislative intent regarding any possible censorship over the activities in this cultural center by any bureaucrat.

Mr. JONES of Alabama. The answer is "No."

Mr. PUCINSKI. Then, what does this language mean?

Mr. JONES of Alabama. It means there will be financial accountability.

Mr. PUCINSKI. To whom?

Mr. JONES of Alabama. To the Bureau of the Budget.

Mr. PUCINSKI. By whom?

Mr. JONES of Alabama. The Bureau of the Budget and the Comptroller General, just like they do every other agency in the activities of the Federal Government, will have the authority to examine and audit the financial records of the board.

Mr. PUCINSKI. That is the point I am asking about, Mr. Chairman. I want to assure that these Federal agencies will not be able to impose any form of restrictions on the type of cultural activities which will be performed. I want to assure that the Directors of the Center will be responsible for the cultural or moral standards of activities in the Center and not some bureaucrat in one of the Federal agencies.

Mr. JONES of Alabama. The gentleman will recall that the act of 1958 set forth the duties and responsibilities of the Board with respect to the performances to be scheduled and held in the building.

Mr. PUCINSKI. Mr. Chairman, the distinguished gentleman from New Jersey [Mr. THOMPSON] was the chairman of a subcommittee of my Committee on Education and Labor, which held hearings on a National Cultural Commission. At the time of those hearings one reason why the National Cultural Commission was not created was because there was some serious concern that a National Cultural Commission, conceivably, might start to impose some sort of direction, censorship, or whatnot on the cultural activities in our Nation.

Before I support this proposed legislation, I should like to have the assurance from the chairman of the committee which is sponsoring the legislation today that the language referred to on page 4, as to financial accountability, would not in any way give to the Director of the Bureau of the Budget or the Comptroller General any right to serve as a censor over the type of cultural activity which will be conducted in the Cultural Center.

Mr. THOMPSON of New Jersey. Mr. Chairman, will the gentleman yield?

Mr. PUCINSKI. I should like to have an answer from the chairman, if I may, for the purpose of establishing some legislative history.

Mr. THOMPSON of New Jersey. I can help the gentleman.

Mr. PUCINSKI. I yield.

Mr. THOMPSON of New Jersey. The answer to the gentleman's question is in the negative. There is no right, nor should there be—nor will there be.

Parenthetically, I add that no subcommittee of which I have ever been the chairman has held such hearings as the gentleman described. We did have hearings on the status of the performing arts, but not on any National Cultural Commission.

Mr. PUCINSKI. The record will speak for itself. I served on that subcommittee.

Do I have an assurance from the chairman of the committee that the language as to financial accountability, for the purpose of establishing legislative intent, does not mean that the Director of the Bureau of the Budget or the Comptroller General or any of their aids or subordinates will have any power to act as censors over the type of cultural activity which is to be performed at this Center?

Mr. JONES of Alabama. It does not.

Mr. PUCINSKI. I thank the gentleman.

Mr. LINDSAY. Mr. Chairman, will the gentleman yield?

Mr. PUCINSKI. I yield.

Mr. LINDSAY. I believe the gentleman is putting the shoe on the wrong foot. When the State Department sent abroad the Martha Graham troupe, from where did the howls come? They came from the Congress. Congress called the State Department representatives on the carpet and called them up to the Hill to explain themselves. Congress frightened the art community.

That is why I raised a question earlier with the chairman of the subcommittee, as to whether he was aware of the fact that as soon as Federal money becomes involved in the proposal there will be problems, and the problems will develop not so much from the bureaucrats downtown as from some of those who serve in the House of Representatives.

Mr. PUCINSKI. I believe the chairman of the committee stated the case properly. We do not have to have any fear about censorship merely because Federal funds are involved.

That was the only purpose of my question.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Florida [Mr. CRAMER].

Mr. CRAMER. Mr. Chairman, I demand tellers.

Tellers were ordered, and the Chairman appointed as tellers Mr. CRAMER and Mr. JONES of Alabama.

The Committee divided, and the tellers reported that there were—ayes 92, noes 129.

So the amendment was rejected.

AMENDMENT OFFERED BY MR. GROSS

Mr. GROSS. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. GROSS: On page 3, line 18, strike out the semicolon, the word "and", and all of lines 19 through 23.

On page 4, strike all of lines 1 through 25.

On page 5, strike all of lines 1 through 9.

Mr. GROSS. Mr. Chairman, I call the attention of the Members to page 3 of the bill. My amendment would strike out the semicolon in line 18 and the word "and", and strike everything thereafter through page 4, and through line 9 on page 5.

If my amendment is adopted, and I hope it will be, it will strike out the $15.5 million for the memorial center—that is, the Federal taxpayers' contribution—and the $15.4 million obligation for the superduper parking arrangement that is being proposed.

Mr. Chairman, I would point out to those of you who propose to support this legislation that there is another late President of the United States, Franklin Delano Roosevelt, for whom a memorial is being considered. If you vote to spend $15.5 million for this project, plus $15.4 million for a parking garage, you will have killed the campaign that is now being carried on to raise by popular subscription the money for the Franklin Delano Roosevelt Memorial. It simply follows that the campaign to raise money by voluntary means for the Franklin Delano Roosevelt Memorial will end with passage of this kind of a bill.

I would point out further, Mr. Chairman, that only a few months ago Member after Member rose on the floor of this House, in the month of August 1963 to be exact, to tell us how well the campaign was then proceeding for the financing of a cultural center in Washington, D.C., without the aid of Federal funds.

As late as last September, the Wall Street Journal said:

> Representative WRIGHT, Texas Democrat, one of the original congressional sponsors, observes wryly that there is no great ground swell in Congress to support a cultural center with public funds.

I trust Congress is still of the same mind today, that the Members are not about to obligate the taxpayers to spend $15,500,000 for a cultural center and $15,400,000 for a parking garage to go with it when every dime of those amounts will have to be borrowed and added to the Federal debt of more than $310 billion.

With respect to the parking garage, if Congress underwrites the cost of a parking garage for a cultural center in Washington, D.C., there is no reason why the same Congress should not underwrite the cost of a parking garage for a fine arts center or theater in Chicago, Los Angeles, New York, St. Louis, or any other city of the United States. As a matter of fact, I can see no reason why Congress should not guarantee the bonds for parking lots in any community in the United States and for any purpose. Why not?

If the taxpayers are going to be forced to provide funds for a parking garage in Washington, D.C., so that those in evening gowns, mink coats, and tuxedos, who partake of culture are not even exposed to the evening dew, then I suggest that these taxpayers are entitled to the same kind of car parking treatment when they go forth to enjoy their brand of culture and entertainment.

Or are those who inhabit Washington, D.C., a special breed that must have special privileges?

Mr. Chairman, in view of the financial condition of the U.S. Treasury this is no time to obligate the citizens of this country to spending millions of dollars for this purpose. I ask for the adoption of my amendment to strike the Federal obligation of more than $30 million.

Mr. WRIGHT. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, this amendment would strike out all the funds in the entire bill and would render somewhat meaningless the entire program.

Mr. BOW. Mr. Chairman, I rise in support of the amendment.

Mr. Chairman, earlier in the day something was said about a memorial to William McKinley. I represent the same congressional district here that McKinley once represented in this body. His memorial is built in my home city of Canton, Ohio. I think it is very interesting to know that this beautiful memorial to William McKinley was entirely supported by public subscription. McKinley was a beloved President of the United States. The country mourned his passing as we have mourned the passing of John Kennedy. I think it is perfectly proper that we should change the name of this Center to the John F. Kennedy Center for the Performing Arts.

Knowing of the great love and affection the people throughout the entire United States have for the late John Kennedy, I am convinced that funds would be made available by public subscription to complete this memorial as they were to complete the memorial to William McKinley. We have the precedent of the public supporting the funds for these memorials. It seems to me it would be a mistake to change that precedent.

The gentleman from Texas [Mr. WRIGHT] has said we would make this joint resolution meaningless. It seems to me that is an admission it would be difficult to make, because before on the floor of this House he has said it would all be done by public subscription. If this could be done before the horrible assassination of the President, I am convinced there are many, many more people who would be willing to make contributions to this cultural center in the name of the late President than would have made them otherwise.

I would hope this House would follow the example of the past. When we build a memorial it should be a memorial given by all the people of this country, not through taxes but through the love and affection they have had for the great man who was struck down. I would support the amendment offered by the gentleman from Iowa and hope that we would let the people themselves complete this project, as was originally intended.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Iowa [Mr. GROSS].

Mr. GROSS. Mr. Chairman, I ask for tellers.

Tellers were ordered, and the Chairman appointed as tellers Mr. GROSS and Mr. JONES of Alabama.

The Committee divided and the tellers reported that there were—ayes 102, noes 148.

So the amendment was rejected.

AMENDMENT OFFERED BY MR. SCHWENGEL

Mr. SCHWENGEL. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. SCHWENGEL: Page 3, line 11, strike out "subsection" and insert in lieu thereof "subsections".

Page 3, line 17, after "Institution" insert the following: "and the John Fitzgerald Kennedy Memorial Commission".

Page 3, strike out line 18 and insert in lieu thereof the following: " 'such memorial.

" '(e) There is hereby established a Commission to be known as the John Fitzgerald Kennedy Memorial Commission to be composed of eight members chosen as follows:

" '(1) Four Members of the House of Representatives to be appointed by the Speaker of the House of Representatives; and

" '(2) Four Members of the Senate to be appointed by the President of the Senate.

Any vacancy in the Commission shall not affect its powers but shall be filled in the same manner in which the original appointment was made. Five members of the Commission shall constitute a quorum. The Commission shall cease to exist sixty days after its approval of a memorial as provided in subsection (d) of this section.'; and".

Mr. JONES of Alabama. Mr. Chairman, I raise a point of order on the amendment, but I reserve the point of order.

Mr. SCHWENGEL. Mr. Chairman, I think I have demonstrated my position and stated the arguments for the proposition that we are entering into this in too much haste. I had hoped that my plea here would cause the House to pause and take another look in order to make sure that what we are doing is really in the public interest and in the interest of providing an adequate and appropriate memorial for our late and lamented President. It is evident that I have not been too successful, so I now offer an amendment which will make it possible for Members of the House and the Senate, where the President served and where he has many friends, to have some voice in deciding what type of a memorial within the cultural center should be there in order to pay proper respect and honor to the man whom we are trying to honor. I think this would improve the bill and in part at least attain the objective I have been pleading for as we considered this important matter. I hope that the Members of the House in their wisdom will support this amendment, because I think it will improve the bill and give a lot of us a lot more confidence in the ultimate objectives of this legislation.

Mr. JONES of Alabama. Mr. Chairman, I am not going to insist on the point of order. I withdraw my point of order, but I just want to comment very briefly on this amendment. This amendment is just adding another burden on the various committees that have already been established. We have a very fine representation from the House and the Senate on this. Therefore, I hope the amendment will be voted down.

Mr. SCHWENGEL. Mr. Chairman, will the gentleman yield for a question? The gentleman does not want to imply that the Speaker or the presiding officer of the Senate would appoint anybody who would be unfriendly toward this project, does he?

Mr. JONES of Alabama. I am not making that suggestion at all, because he already has authority and we have ample people to serve on the board of trustees, such as the gentleman from Texas here.

Mr. SCHWENGEL. It is not true that when we voted on the provisions to provide for Members of Congress to serve on the cultural center committee we never had in mind that there should be a memorial of any kind?

Mr. JONES of Alabama. No; but they are men of great capabilities and capacity, so I am quite sure they will serve well.

Mr. SCHWENGEL. There are other Members of Congress who are competent and who would dedicate their special interests and talents to this. There are many Members on this side and on the other side who are very well qualified to do this.

Mr. JONES of Alabama. I think the present arrangement will be satisfactory.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Iowa [Mr. SCHWENGEL].

The amendment was rejected.

AMENDMENT OFFERED BY MR. KYL

Mr. KYL. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. KYL: Strike out all after the resolving clause and insert in lieu thereof the following: "That the Secretary of the Interior shall construct within the District of Columbia on a site, to be chosen by him, a center for the performing arts to be known as the 'John F. Kennedy Center for the Performing Arts.' Such Center shall be of such design as the Secretary may determine, and shall be suitable for the presentation of performances of the various performing arts.

"SEC. 2. There is hereby authorized to be appropriated not to exceed $30,000,000 to carry out the purposes of this joint resolution.

"SEC. 3. (a) The National Cultural Center Act is hereby repealed.

"(b) All funds and property received under the National Cultural Center Act, and income therefrom, shall vest in the Board of Regents of the Smithsonian Institution and shall be used by the Board of Regents of the Smithsonian Institution to carry out the purposes of the Act entitled 'An Act to provide for the transfer of the Civil Service Commission Building in the District of Columbia to the Smithsonian Institution to house certain art collections of the Smithsonian Institution', approved March 28, 1958, and for the acquisition of works of art to be housed in the building referred to in such Act; except that such funds or property, and the income therefrom, shall rest in an organization designated by the donor of such funds or property at the time of the making of the donation thereof, if, at such time, such organization is described in section 501(c)(3) of the Internal Revenue Code of 1954 and is exempt under section 501(a) of such Code, and if, at such time, a contribution, bequest, legacy, devise, or transfer to such organization is deductible under section 170, 2055, or 2106 of such Code.

"(c) The National Capital Planning Commission shall make any land acquired under the National Cultural Center Act available for use in the National Capital park and playground system."

Amend the title of the joint resolution so as to read: "Joint Resolution authorizing the Secretary of the Interior to construct the John F. Kennedy Center for the Performing Arts, authorization an appropriation therefor, and for other purposes."

Mr. JONES of Alabama. Mr. Chairman, I make a point of order against the amendment. It is not germane to the pending joint resolution. It would establish conditions which would not be akin to the various sections of the proposal now before the House. It would also set up an amendment to the Internal Revenue Code of 1954 and establish jurisdictions over and beyond those contained in the Reorganization Act of 1946, as amended.

The CHAIRMAN. Does the gentleman from Iowa desire to be heard on the point of order?

Mr. KYL. I do, Mr. Chairman.

Mr. Chairman, this amendment follows both purposes of the original legislation. There is no new language in the joint resolution which was not included in the previous act passed by the Congress. The language which is used here was merely taken from that act, which is to be amended by this amendment.

The CHAIRMAN (Mr. RAINS). It is the opinion of the Chair that the point of order is well taken because the amendment refers to funds from certain other acts which are not incorporated in the joint resolution at all. It is the judgment of the Chair that the point of order is well taken.

Mr. KYL. Mr. Chairman, may I be heard on that decision?

The CHAIRMAN. The Chair has already ruled that the point of order is well taken.

AMENDMENT OFFERED BY MR. FINDLEY

Mr. FINDLEY. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. FINDLEY: Page 4, line 4, add a new paragraph to read as follows: "The authorization for an appropriation contained in this Act shall not be effective until such time as the receipts of the Government for the preceding fiscal year have exceeded the expenditures of the Government for such year, as determined by the Director of the Bureau of the Budget."

Mr. JONES of Alabama. Mr. Chairman, I make a point of order against the amendment, because it would restrict the appropriation to be made available under the terms of section 8, starting on line 22, page 3.

The CHAIRMAN (Mr. RAINS). In the interest of being expeditious, the Chair rules that the point of order is not well taken, because the amendment involves a limitation on an appropriation.

The gentleman from Illinois is recognized for 5 minutes in support of his amendment.

Mr. FINDLEY. Mr. Chairman, the U.S. capital city is the mecca of tourists from home and abroad, and in many ways is the show window of the republic. It is the focal point of free world activity. As such, it should be a center for cultural activities as well as government.

President Kennedy will be remembered for the stimulus he and Mrs. Kennedy gave to cultural activities.

Therefore, it seems to me altogether fitting that a cultural center be established here in Washington and that it bear the Kennedy name.

Should the Federal Government contribute $15 million toward the cost of the center? To answer that question, we should know from where the money will come.

The Congress whacked about $6 billion from the fiscal year 1964 budget, but the year is expected to show a deficit of over $9 billion nonetheless. For all President Johnson's cutbacks in chauffeured limousines and Defense Department personnel, even the most optimistic expect a $10 billion deficit in fiscal 1965.

Therefore, we must face facts in considering this $15 million proposal. One fact is we simply do not have the money and will not have it in the immediate future.

Another fact is that, if this bill passes, the $15 million will go on the cuff, charged to future generations as a part of our mountainous Federal debt.

To me, it would be grotesque to go the fiscally immoral route of deficit-financing to bring into being a center for displaying the cultural achievements of our civilization.

A balanced budget—a pause in our deficit-financing—would be a thing of beauty, a notable milestone of our culture. The adoption of my amendment would of course provide President Johnson with a strong incentive to keep his budget-cutting ax in motion, anxious as he would be to make possible the construction of this fitting memorial to our late President.

If my amendment is adopted, we can all in good conscience vote for this bill because the money cannot be spent until we have it.

And on the cornerstone, or in the foyer of this edifice to our Nation's culture, could be this inscription: "This Memorial Center paid for today, not by mortgaging tomorrow."

The CHAIRMAN. The question is on the amendment offered by the gentleman from Illinois [Mr. FINDLEY].

The amendment was rejected.

AMENDMENT OFFERED BY MR. WIDNALL

Mr. WIDNALL. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. WIDNALL: Strike out all after the resolving clause and insert in lieu thereof the following: "That the National Cultural Center, authorized to be constructed by the National Cultural Center Act (72 Stat. 1698), shall be known and designated hereafter as the 'John F. Kennedy Center for the Performing Arts'. Any law, map, regulation, document, record, or other paper of the United States in which such Center is designated or referred to as the National Cultural Center shall be held to designate or refer to such Center as the 'John F. Kennedy Center for the Performing Arts'."

Mr. WIDNALL. Mr. Chairman, this is the amendment I referred to earlier in my remarks. It would leave the Cultural Center operation exactly as it is today with all the rights that the present trustees have, the power to raise funds through voluntary subscription. The only change would be in the naming of the Center. The National Cultural Center would now become the John F. Kennedy Center for the Performing Arts.

I believe this is something that is wholeheartedly approved by Members of this House regardless of political affiliation. It is something that will be a great credit to all of us, if an opportunity is given the people of the United States to subscribe fully to this by voluntary subscriptions. Certainly the feeling is there, a feeling of great loss to our Nation and to the world. I am sure if they knew that this Center was being named the John F. Kennedy Center for the Performing Arts there would be no hesitation in subscribing fully to that program.

This is a very simple amendment, and I urge its adoption.

The CHAIRMAN. The question is on the amendment offered by the gentleman from New Jersey [Mr. WIDNALL].

The question was taken; and on a division (demanded by Mr. WIDNALL) there were—ayes 92, noes 132.

So the amendment was rejected.

AMENDMENT OFFERED BY MR. WIDNALL

Mr. WIDNALL. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. WIDNALL: Page 3, after line 6, insert the following:

"(6) In subsection (c) of section 5 by inserting immediately before the period at the end thereof ', except that the Comptroller General of the United States shall make an annual audit and forward it, together with his recommendations, to the President and the Congress';".

Renumber the succeeding paragraphs accordingly.

Mr. WIDNALL. Mr. Chairman, I think this is a very serious amendment. We are embarking on an entirely new sort of operation as far as the Congress is concerned and setting a precedent today. I strongly believe that when public funds are involved, as they increasingly will be with respect to this program, they should be controlled through the Comptroller General's Office and an audit submitted to the Congress of the United States and to the President. I strongly urge the adoption of this amendment.

Mr. BOGGS. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, the gentleman from Alabama, the chairman of the subcommittee, has pointed out in the debate here on several occasions this afternoon that the matter which the gentleman from New Jersey seeks to get at is already covered in specific language found on page 4 of the report and is made a part of the record, of course, in the report and in this debate.

I think the debate is about concluded on this measure. I should like to take this opportunity to congratulate especially the gentleman from Alabama [Mr. JONES], the gentleman from Texas [Mr. WRIGHT], and the other members of this committee who have worked so hard for this project. As the gentleman from Texas [Mr. Wright] pointed out, it is so easy to be opposed to any type of civic development. All of us have seen this happen in our own cities and our own towns, and we know how difficult it is to be constructive and forward-looking and how easy it is to do what the former great Speaker of the House of Representatives, Mr. Rayburn, used to call "nit-picking." If I may use the expression, I think there has been quite a bit of that here this afternoon.

The important thing is to add to the beauty, the dignity, and the character of the great Capital of the United States, Washington, D.C. I know that some of us are critical of our Nation's Capital, but we, the Members of Congress, have the responsibility for running the Capital of the United States. I know this project represents the work of many, many dedicated people who live here and who live elsewhere. As the chairman of this committee and other members of the committee pointed out, the late great President was for this project. He believed in it, and when he felt that the performing arts should be centered in the Capital of the United States he made a point that should live with us for many generations to come.

I have seen our Capital improve a great deal. I have seen this building improve. I have seen the developments around the Capital. I have seen the Southwest area development, and the slums removed from the center of our Capital.

I am hopeful that the people who have worked so hard for this project, the civic leaders of this community and the Members of Congress who have studied it, will succeed. I hope the House in a few minutes will pass this joint resolution and that we will go ahead in a very sound, constructive way to erect a very fine monument to a very great President, whom all of us miss a great deal.

Mr. JONES of Alabama. Mr. Chairman, I move to strike out the requisite number of words.

Mr. Chairman, I certainly do not intend to delay further deliberations on the pending joint resolution. However I could not let this moment escape me without paying deserved tribute to those men and women who have worked so devotedly in raising the funds and giving of their time and efforts to creating this memorial. They are serving without pay and many times at great inconvenience to themselves. It is through their dedication and loyalty to the high and noble purpose of erecting a cultural center here in the District of Columbia that it will come into being.

As the gentleman from New Jersey [Mr. Auchincloss] pointed out to you, Roger Stevens, the chairman of the Center, is a man of great ability. Ralph Becker, a prominent lawyer in the District of Columbia, has worked diligently as general counsel of the Center. They have both rendered invaluable service and advice to our committee. I am quite sure we all take satisfaction in seeing that their labors have borne fruit.

Mr. GROSS. Mr. Chairman, will the gentleman yield?

Mr. JONES of Alabama. Mr. Chairman, I ask for a vote on the amendment.

Mr. GROSS. Mr. Chairman, I move to strike out the last word.

The CHAIRMAN. Has the gentleman from Alabama yielded the floor?

Mr. JONES of Alabama. Mr. Chairman, I will yield to the gentleman, if he wants me to.

Mr. GROSS. Mr. Chairman, at the proper time I shall move to strike out the requisite number of words.

Mr. JONES of Alabama. Mr. Chairman, I yield to the gentleman. Does the gentleman from Iowa want me to yield?

Mr. GROSS. I will ask the gentleman a question on my own time, if the gentleman does not mind.

The CHAIRMAN. Does the gentleman from Alabama yield the floor?

Mr. JONES of Alabama. I yield the floor, Mr. Chairman.

Mr. GROSS. Mr Chairman, I move to strike out the last word.

The CHAIRMAN. The gentleman from Iowa is recognized.

Mr. GROSS. Mr. Chairman, I would like to ask the gentleman a question: Whether the architect on this job has not already been paid nearly $200,000 for his dedication?

Mr. JONES of Alabama. A number of professional people have been paid by the trustees. That is to be expected and that is the reason they raised the money.

Mr. GROSS. The gentleman from Alabama spoke of the architect's great dedication. Can the gentleman corroborate the report I have that he has been paid nearly $200,000?

Mr. JONES of Alabama. Yes, I understand——

Mr. GROSS. Can the gentleman tell us the amount that has been paid out thus far to others involved in this project who he says are dedicated?

Mr. JONES of Alabama. I think it is rather amazing that the charges have been so low.

Mr. GROSS. Would it be a million dollars or more than a million dollars that has been paid out to the dedicated up to this point?

Mr. JONES of Alabama. You mean to the architect?

Mr. GROSS. Not just to the architect but including the other dedicated persons that the gentleman was talking about.

Mr. JONES of Alabama. I do not recall the money that has already been expended. I think the money has been used frugally.

Mr. GROSS. I would appreciate it and I think others would appreciate it, if at this point in the Record the gentleman would supply the amount that has already been paid out to the dedicated persons that the gentleman has referred to.

Mr. JONES of Alabama. If they are available, I will be glad to supply them.

The CHAIRMAN. The question is on the amendment offered by the gentleman from New Jersey [Mr. Widnall].

The amendment was rejected.

The CHAIRMAN. Under the rule, the Committee rises.

Accordingly the Committee rose; and the Speaker having resumed the chair, Mr. Rains, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee having had under consideration the joint resolution—House Joint Resolution 871—providing for renaming the National Cultural Center as the John F. Kennedy Center for the Performing Arts, authorizing an appropriation therefor, and for other purposes, pursuant to the resolution, House Resolution 595, he reported the resolution back to the House.

The SPEAKER. Under the rule, the previous question is ordered.

The question is on the engrossment and third reading of the joint resolution.

The joint resolution was ordered to be engrossed and read a third time, and was read a third time.

Mr. SCHWENGEL. Mr. Speaker——

The SPEAKER. For what purpose does the gentleman from Iowa rise?

Mr. SCHWENGEL. Mr. Speaker, I offer a motion to recommit.

The SPEAKER. Is the gentleman opposed to the joint resolution?

Mr. SCHWENGEL. I am opposed to the joint resolution Mr. Speaker.

The SPEAKER. The gentleman qualifies.

The Clerk will report the motion to recommit.

The Clerk read as follows:

Mr. Schwengel moves to recommit the joint resolution, House Joint Resolution 871, to the Committee on Public Works.

The SPEAKER. The question is on the motion to recommit.

The motion to recommit was rejected.

The SPEAKER. The question is on the passage of the joint resolution.

Mr. GROSS. Mr. Speaker, on that I ask for the yeas and nays.

The SPEAKER. The gentleman from Iowa demands the yeas and nays. Members in favor of taking this vote by the yeas and nays will rise and remain standing until counted.

Seventeen Members have risen, an insufficient number.

The yeas and nays were refused.

The SPEAKER. The question is on the passage of the joint resolution.

The joint resolution was passed.

A motion to reconsider was laid on the table.

Mr. JONES of Alabama. Mr. Speaker, I ask unanimous consent to take from the Speaker's table Senate Joint Resolution 136, a similar joint resolution to House Joint Resolution 871 just passed; strike out all after the enacting clause of Senate Joint Resolution 136, and insert the provisions of House Joint Resolution 871.

The Clerk read the title of the joint resolution.

The SPEAKER. Is there objection to the request of the gentleman from Alabama?

Mr. CRAMER. Mr. Speaker, reserving the right to object, and it is not my intention to object, but I want the Record fully clarified. Will the gentleman confirm the fact, as I understand it, that the effect of his motion is to substitute the language of the House joint resolution under the Senate joint resolution number without changing the wording of the House joint resolution? Specifically I refer to section 11 in the House joint resolution, which says, "The John F. Kennedy Center for the Performing Arts designated by this act, shall be the sole national memorial to the late John Fitzgerald Kennedy within the city of Washington and its environs," and the Senate joint resolution has excluded the word "sole."

Mr. JONES of Alabama. The gentleman from Florida is correct.

Mr. CRAMER. Then, I withdraw my reservation of objection.

Mr. GROSS. Mr. Speaker, reserving the right to object, correct about what? What is gentleman saying, then, about this language?

Mr. JONES of Alabama. The statement that the gentleman from Florida [Mr. CRAMER] made is correct.

The SPEAKER. Is there objection to the request of the gentleman from Alabama?

Mr. CRAMER. Reserving the right further to object, so that the RECORD will be clear, my question was with respect to the word "sole" National Cultural Center. That word "sole" will remain in the resolution under the Senate number as it was in the House resolution under the gentleman's motion. Is that not correct?

Mr. JONES of Alabama. The answer is "Yes."

Mr. CRAMER. I thank the gentleman.

The SPEAKER. Is there objection to the request of the gentleman from Alabama?

There was no objection.

The Clerk read the joint resolution, as follows:

Whereas the late John Fitzgerald Kennedy served with distinction as President of the United States, and as a Member of the Senate and House of Representatives; and

Whereas the late John Fitzgerald Kennedy dedicated his life to the advancement of the welfare of mankind; and

Whereas the late John Fitzgerald Kennedy was particularly devoted to the advancement of the performing arts within the United States; and

Whereas by his untimely death this Nation and the world has suffered a great loss; and

Whereas it is the sense of the Congress that it is only fitting and proper that a suitable monument be dedicated to the memory of this great leader; and

Whereas the living memorial to be named in his honor by this joint resolution shall be the national monument to his memory within the city of Washington and its environs: Now, therefore, be it

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the National Cultural Center Act (Public Law 85–874; 72 Stat. 1698) is amended as follows:

(1) In section 1 by striking out "National Cultural Center Act" and inserting in lieu thereof "John F. Kennedy Center Act";

(2) By striking out "National Cultural Center" each place that it appears in such Act (including the tile of such Act but excluding clauses (2) and (3) of subsection (b) of section 2 of such Act) and inserting in lieu thereof at each such place the following: "John F. Kennedy Center for the Performing Arts";

(3) In section 4—

(A) by striking out "and" at the end of paragraph (3),

(B) by striking out "Cultural Center." in paragraph (4) of section 4 of such Act and inserting in lieu thereof "John F. Kennedy Center for the Performing Arts,", and

(C) by adding at the end thereof the following:

"(5) provide within the John F. Kennedy Center for the Performing Arts a suitable memorial in honor of the late President."

(4) In subsection (c) of section 6 of such Act by inserting immediately after "Smithsonian Institution" the following: "and to Congress";

(5) By adding at the end of section 6 the following new subsection;

"(d) The Board shall transmit to Congress a detailed report of any memorial which it proposes to provide within the John F. Kennedy Center for the Performing Arts under authority of paragraph (5) of section 4 of this Act, and no such memorial shall be provided until the Board of Regents of the Smithsonian Institution shall have approved such memorial."; and

(6) By adding at the end thereof the following new sections:

"APPROPRIATIONS

"SEC. 8. There is hereby authorized to be appropriated to the Board for use in accordance with this Act, amounts which in the aggregate will equal gifts, bequests, and devises of money, securities, and other property, held by the Board under this Act, except that not to exceed $15,500,000 shall be appropriated pursuant to this section.

"BORROWING AUTHORITY

"SEC. 9. To finance necessary parking facilities for the Center, the Board may issue revenue bonds to the Secretary of the Treasury payable from revenues accruing to the Board. The total face value of all bonds so issued shall not be greater than $15,400,000. The interest payments on such bonds may be deferred with the approval of the Secretary of the Treasury but any interest payments so deferred shall themselves bear interest after June 30, 1972. Deferred interest may not be charged against the debt limitation of $15,400,000. Such obligations shall have maturities agreed upon by the Board and the Secretary of the Treasury but not in excess of fifty years. Such obligations may be redeemable at the option of the Board before maturity in such manner as may be stipulated in such obligations, but the obligations thus redeemed shall not be refinanced by the Board. Each such obligation shall bear interest at a rate determined by the Secretary of the Treasury, taking into consideration the current average rate on current marketable obligations of the United States of comparable maturities as of the last day of the month preceding the issuance of the obligations of the Board. The Secretary of the Treasury is authorized and directed to purchase any obligations of the Board to be issued under this section and for such purpose the Secretary of the Treasury is authorized to use as a public debt transaction the proceeds from the sale of any securities issued under the Second Liberty Bond Act, as amended, and the purposes for which securities may be issued under the Second Liberty Bond Act, as amended, are extended to include any purchases of the Board's obligations under this section.

"GIFTS TO UNITED STATES

"SEC. 10. The Secretary of the Treasury is authorized to accept on behalf of the United States any gift to the United States which he finds has been contributed in honor of or in memory of the late President John F. Kennedy and to pay the money to such appropriation or other accounts, including the appropriation accounts established pursuant to appropriations authorized by this Act, as in his judgment will best effectuate the intent of the donor.

"NATIONAL MEMORIAL

"SEC. 11. The John F. Kennedy Center for the Performing Arts, designated by this Act, shall be the national memorial to the late John Fitzgerald Kennedy within the city of Washington and its environs."

SEC. 2. In addition to the amendments made by the first section of this Act, any designation or reference to the National Cultural Center in any other law, map, regulation, document, record, or other paper of the United States shall be held to designate or refer to such Center as the John F. Kennedy Center for the Performing Arts.

AMENDMENT OFFERED BY MR. JONES OF ALABAMA

Mr. JONES of Alabama. Mr. Speaker, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. JONES of Alabama: Strike out the preamble and all after the resolving clause of Senate Joint Resolution 136 and insert the preamble and provisions of House Joint Resolution 871 as passed.

The SPEAKER. The question is on the amendment offered by the gentleman from Alabama.

The amendment was agreed to.

The joint resolution was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

A similar House joint resolution (H.J. Res. 871) was laid on the table.

GENERAL LEAVE TO EXTEND

Mr. JONES of Alabama. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks on the resolution just passed.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

DR. CHARLES J. ZINN

Mr. KEOGH. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. KEOGH. Mr. Speaker, this month one of the most dedicated, hardworking staff members of this House will have completed 25 years of service on Capitol Hill. It is a pleasure for me to pay tribute to my good and longtime friend, and former classmate at Fordham University Law School, Dr. Charles J. Zinn, law revision counsel to the Committee on the Judiciary.

Charlie Zinn came to Washington in January of 1939 to serve as counsel to the old Committee on Revision of the Laws, which committee I was privileged to serve as chairman. For many years he devoted himself to the demanding and tedious work of revising the District of Columbia Code and the United States Code.

At this time, I must recognize, also, the great work done at the outset and, ever since, by the West Publishing Co. and its former editor in chief, Maj. Harvey T. Reid, without whose cooperation we could not have initiated the demanding work of revising and enacting the several titles of the Codes.

The Committee on the Judiciary is charged with the duty of preparing and publishing the annual supplements to the United States Code and the District of Columbia Code. In addition, it also is required to prepare new editions of these codes "not oftener than once in each 5 years." As an indication of the magnitude of this job, it will be of interest to note that, when Dr. Zinn first assumed his duties as Law Revision Counsel, the United States Code was a one-volume edition, while the 1961 edition consists of 13 volumes with a total of 11,756 pages.

The District of Columbia Code, not so many years ago, was a one-volume publication of several hundred pages. Today, it is three volumes with a total of 2,670 pages, plus a supplement of 254 pages. All of the revision work is performed under the direct supervision of Dr. Zinn.

The committee also is engaged in a long-term project of enacting into positive law all of the titles of the United States Code and the District of Columbia Code. Under the direction of Dr. Zinn, there have been enacted into law so far 17 titles of the United States Code, and there is pending at the present time a bill to enact title 5 into law. As to the District of Columbia Code, the House passed a bill during the first session of the 88th Congress enacting into law titles 11 to 17 inclusive of the said Code, and the bill passed the Senate on December 6, 1963, and was enacted into law on December 23, 1963.

These tremendous accomplishments in bringing order to the statutes would not now be a reality but for the competence and skillful guidance of Dr. Zinn.

Dr. Zinn's quiet demeanor and unassuming manner belie his long list of accomplishments. Since 1952, he has been a professorial lecturer-in-law at the George Washington University; parliamentary adviser to the Government of Pakistan, 1962 to date; member, board of directors of the Panama Canal Company, 1961 to date; member, Secretary of the Interior's Advisory Committee on the Virgin Islands Code, 1955 to date; member, Governor's Committee on Revision of Canal Zone Code, 1959 to date; member, U.S. Advisory Committee on International Rules of Judicial Procedure, 1959 to date; member, National Legislative Conference, 1958 to date; member, executive committee of Inter-Parliamentary Union Association of Secretaries General of Parliaments, 1957 to present; member of the advisory board of the Catholic Lawyer.

He has given generously of his time and talents to the Brooklyn Bar Association, board of trustees, 1945–51; Brooklyn Catholic Lawyers Guild, board of governors, 1942–45; New York State Bar Association; American Bar Association; Phi Alpha Delta Law Fraternity; Justice, District of Columbia Alumni chapter, 1953–54; Society of Medical Jurisprudence; District of Columbia Political Science Association, president, 1958; American Peace Society, board of directors, 1958 to date; Catholic Association for International Peace; Sons of Veterans of the Civil War, commander, Lafayette Camp 1943–45; Royal Arcanum, regent, W. S. Hancock Council, 1939–40.

Dr. Zinn is the author of the following publications: "How Our Laws Are Made"—now a House and Senate document; "American Congressional Procedure"; "The Veto Power of the President"; and "Extent of the Control of the Executive by the Congress of the United States."

He also has written numerous articles for law journals and periodicals. He has made extensive lecture and other tours in Europe, the Middle East, Far East, South America, and the Caribbean.

Dr. Zinn received his A.B. and LL.B. from Fordham University and his LL.M. and S.J.D. from Georgetown University. In 1947, he received the Fordham College Encaenia Award for Outstanding Achievement. Admitted to the New York bar and the District of Columbia bar, he engaged in the active practice of the law in New York for many years.

It is my hope that we shall be fortunate enough to have the benefit of Dr. Zinn's outstanding services for many years to come and that he and his charming and devoted wife, Ethel, will continue to enjoy good health, good fortune, and every happiness.

ECONOMIC DIFFICULTIES IN THE EASTERN MOUNTAIN COMMUNITIES

Mr. BROYHILL of North Carolina. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and include two newspaper articles.

The SPEAKER. Is there objection to the request of the gentleman from North Carolina?

There was no objection.

Mr. BROYHILL of North Carolina. Mr. Speaker, in the CONGRESSIONAL RECORD, volume 109, part 19, pages 25549–25550, I discussed the dissatisfaction which certain areas in the Appalachian Mountains feel about the misrepresentation of economic conditions that have appeared in the Nation's press.

Many of our eastern mountain communities are encountering longstanding economic difficulties about which they have been able to do little. However, other areas are actively seeking to develop their resources and are making great progress.

Watauga County, N.C., in my congressional district, has been singled out as an economically depressed area apparently by persons who have not taken the trouble to visit the county or to investigate the great strides toward self-improvement which this county has made. To set the record straight, I wish to call to the attention of those who will find it useful the following factual information from the Watauga Democrat of Boone, N.C., about the economic progress of this county and its active and progressive people.

WATAUGA COUNTY HAS FULL SHARE OF PROSPERITY IN U.S. SURGE

NEW YORK, December 28.—To what extent has Watauga County participated in the current business surge? What gains were made in retail sales and in income during the past fiscal year?

According to a detailed report for the period, which covers the 12 months ending June 30, 1963, solid progress was made locally. Wages went up for most working people. Spending rose proportionately.

The report, giving the first breakdown figures for the fiscal year, has just been released by the Standard Rate and Data Service. It contains comparable information for every section of the country.

The volume of business chalked up by retail merchants in Watauga County, it shows, reached $14,665,000, topping the previous $13,163,000.

The gain, which amounted to 11.4 percent, compares favorably with that in the United States as a whole, 5.9 percent. In the State of North Carolina the rise was 7.5 percent.

Locally, as well as nationally, the advance was along a broad front, with most lines of business benefiting from the increase in consumer spending.

New cars accounted for a large part of the total retail volume. Sales of appliances, including such major hard goods as refrigerators, washers, and dryers, were considerably higher.

Much of the upward push took place in the second half of the year, when the public confidence in the economy was fully restored.

It showed itself in a general loosening of the purse strings, which had been held in some restraint ever since the stock market debacle of 1962.

The report shows that Watauga County residents had a net spendable income in the year, after paying their taxes, of $18,449,000. In fiscal 1962, it was $16,666,000.

It amounted to $4,091 in disposable income, on the average, per local household.

The economic indicators point to a continuation of good business in 1964, even though the unemployment problem is still with us, unabated. Optimism concerning the year's prospects is more general than it has been since 1960. The biggest factor is the consuming public, which has more money to spend than ever before.

BUSINESS IN BOONE MAKES SHARP GAINS—CHAMBER MAKES SURVEY; SALES ARE AHEAD OF 1962

A survey conducted by the Boone Chamber of Commerce reveals that the business district enjoyed a healthy growth in 1963 over 1962, even more than was the degree of growth in 1962, bringing further proof that Boone is the outstanding shopping center of the entire region.

Department stores had a substantial increase, even after the lull caused by the assassination of President Kennedy, the extreme cold weather, and the drop in Burley tobacco prices.

Variety stores reported at least a 15-percent increase over 1962.

Drugstores, 10 percent or more over previous year.

Furniture stores, excellent increases.

Automobile sales hit a record volume. Dealers report 15- to 30-percent increase. One dealer reported more cars sold during May and June than he sold during the entire year of 1960.

Hardware stores tell of at least a 30-percent increase, and stated that they would have had a much greater increase but for the assassination of the President, lower Burley prices, and an unusually cold December. Grocery sales as high as 28-percent increase.

Building suppliers, at least 20-percent increase.

Hotels, at least as good as 1962. With limited facilities, they had to turn many away.

There are many more motels than in 1962, but they report a substantial increase.

Transportation and communications, much better. Big increase in worldwide travel.

A 20-percent increase is noted in industry and a 20- to 25-percent increase in employment.

Banking, best year in history.

Insurance, 20- to 30-percent increase over 1962.

Loan companies substantial increase.

Building contractors say they are unable to keep up with demands for new homes and other structures.

Herman W. Wilcox, chamber of commerce president, who conducted the survey, points out that more motels are being built and on the planning boards than in 1962, and sees a continuation of the growth of the town and the county in the new year.

CONRAD L. WIRTH

Mr. ASPINALL. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and include editorials.

The SPEAKER. Is there objection to the request of the gentleman from Colorado?

There was no objection.

Mr. ASPINALL. Mr. Speaker, today the long and distinguished career of Conrad L. Wirth with the National Park Service comes to an end. Connie is retiring after 15 years as Director and 32 years of dedicated service with that agency. Upon this occasion, I would like to publicly express my appreciation to Connie for the cooperation he has given the Interior and Insular Affairs Committee and pay a special tribute to his long and distinguished service. During this career of public service, which spans all but 15 years of the life of the National Park Service, Connie has contributed immeasurably to the welfare and enjoyment of millions of American citizens. I doubt if any other single man has done more in our time to preserve the rich outdoor legacy for future generations to enjoy. The outstanding public service which he has rendered to the Nation and its people could only come from one whose whole being and energy was dedicated to the welfare of his fellow citizens.

Mr. Wirth has been honored in many ways for his accomplishments in the field of parks and recreation. In 1946, he received the Pugsley Gold Medal for long and valuable service in behalf of the national parks; received honorary fellowship in American Institute of Park Executives, October 1954; he is a life member of the board of directors of the National Conference on State Parks; a life member of the board of trustees of the National Geographic Society; a fellow of the American Society of Landscape Architects; a director of the American Institute of Park Executives; a director on the board of the American Shore and Beach Preservation Association; and a member of the American Planning and Civic Association and other organizations.

He received an honorary degree of doctor of landscape architecture from his alma mater, the University of Massachusetts, June 7, 1953. On December 14, 1954, Queen Julianna of the Netherlands awarded him a citation honoring him with the rank of commander in the Order of Orange-Nassau. On June 20, 1955, he received an honorary degree of doctor of civil law from New England College. On March 12, 1956, he received the Distinguished Service Award of the Department of the Interior, in recognition of outstanding service in promoting and administering the national park system. On October 1, 1957, he received the 1957 Conservation Award of the American Forestry Association, in recognition of outstanding service in the conservation of American resources of soil, water, and forests. On June 1, 1958, he received honorary degree of doctor of humanities from the North Carolina State College of Engineering of the University of North Carolina. On January 21, 1959, he was awarded the Horace Marden Albright Scenic Preservation Medal for 1958, for accomplishments in the field of conservation. In January 1959, he was awarded the George Robert White Medal of Honor by the Massachusetts Horticultural Society, for his inspiring leadership in the great task of helping to preserve the magnificent heritage of natural beauty and historic significance of the national park system throughout the United States. On March 2, 1959, he was one of 10 recipients of the National Civil Service League's Career Service Award for 1959. On September 22, 1959, he received the American Automobile Association Achievement Award for 1959.

On April 11, 1961, he received the Rockefeller Public Service Award for 1960–61 for "achievement and long and distinguished career service in conservation and resources." On April 13, 1961, he was awarded by the State University College of Forestry at Syracuse University, the College of Forestry 50th Anniversary Distinguished Service Medal for dedicated leadership in national park administration. On September 26, 1962, he was elected president of the American Institute of Park Executives, Inc. On April 16, 1963, he was awarded the 1963 Gold Medal of the Civil War Round Table of Washington, D.C., for preserving Civil War battlefields through "Mission 66." On June 8, 1963, he was recipient of a University of Massachusetts Alumni Medal for "distinguished professional service."

Mr. Speaker, Connie Wirth has indeed had a distinguished career.

I am including as a part of these remarks a few of the many editorials that stem from Connie's retirement:

[From the Washington Evening Star]

MISTER PARK SERVICE

We have sometimes been critical, even strongly critical, of the stiff-necked attitude of the National Park Service. When it stands like Horatius at the bridge, blocking some project vital to the emerging new Washington, patience runs low.

On the other hand, if it had not been for the National Park Service, Washington might well have lost, or perhaps never have acquired, what amounts to one of the finest park systems in the world.

Since 1951, Conrad L. Wirth has been "Mister Park Service" to us.

Connie Wirth's retirement as Park Service Director was announced last Friday, 4 days after Assistant Secretary of the Interior Carver made a speech to park superintendents that was highly critical of the organization's attitudes and contained the implication that the Interior Department high command had lost patience with Mr. Wirth.

Among other things Mr. Carver charged the Service with resorting to a semireligious mystique to thwart Interior Department policies. He said it fostered a public-be-damned attitude and was not cooperating with the Department's new Bureau of Outdoor Recreation.

Mr. Wirth denies that his retirement was hastened by his superiors. And Interior Secretary Udall, since Mr. Carver's speech, has taken pains to praise Mr. Wirth's record and to disavow to Mr. Wirth's subordinates Mr. Carver's implied slap. It is now clear that George B. Hartzog, who is to succeed Mr. Wirth as Director, was one of five men recommended for the post by Mr. Wirth. His selection does not presage an about face in national park policy.

We are glad that this is the case. For to sacrifice to expediency or popular demands of the moment the basic policy of conserving natural America for generations yet unborn could have tragic consequences.

The men who fathered the park movement were zealots. They were missionaries. Without these qualities the movement never would have got off the ground. The men who continue their work must have the same basic zeal.

While we intend to continue to argue the merits of specific decisions on the use of park land, we do not believe that a soft policy concerning such use should be adopted. We congratulate Connie Wirth on 32 years of dedicated service to the Nation and especially to its Capital. If his successor does as well, we will all have been very ably served.

[From the Memphis Press-Scimitar]

IN APPRECIATION OF "CONNIE" WIRTH

"One of the greatest, finest, best public servants anywhere in the world."

That is what Lyndon Johnson, only 2 months before he became President, said of Conrad L. Wirth, who voluntarily retires as Director of the National Park Service on January 11.

"I suspect there is no other single man in the United States who has done so much for the healthful recreation and pleasure of so many people, along with promoting conservation of our historic areas."

This was said of Wirth by a man noted for his conservatism, Senator HARRY BYRD, of Virginia.

Wirth was with the National Park Service for 33 of the 47 years of its existence, its Director for 12 years.

Early in his career he did a creative job in conservation by supervising the work of the Civilian Conservation Corps (CCC) in State, county, and metropolitan parks throughout the country. His administrative ability had a large part in proving what youth camps could do for conservation, and what this camp experience could do for youth.

When he became Director of National Parks in 1951, Wirth was confronted with a problem which only statesmanship could solve, and he brought statesmanship to the job. The problem was: How to accommodate the vast throngs that increased population was sending to the national parks, and yet preserve the wilderness character that gives them their unique value? The answer was a program that would add to the areas, expand, and improve their facilities, imbue the personnel of the Park Service with renewed idealism and renewed dedication to the preservation of unspoiled nature, and establish such good relations with Congress, the administration, and the public that the seemingly conflicting needs of use and preservation would both be successfullly met.

Since Wirth's imminent departure from the Park Service has become known, enthusiastic tributes have been paid to him at many meetings. On one such occasion Dan Beard, Jr., regional director of parks of the Southwest, said:

"He is 'Connie' to 10,000 people. He is the world's greatest authority on all park values and problems of administration."

On another such occasion, Frank Masland, manufacturer, of Carlisle, Pa., who is former Chairman of the Advisory Board on National Parks, and in that capacity got a closeup of Connie, said of him:

"Connie gave light to an ideal. He gave the Park Service purpose. Those on an 8-hour day gave a 14-hour day service."

Secretary Udall praised Wirth as an "outstanding public servant" who ranks "on the highest honor role of those * * * who have done the most to preserve a rich outdoor legacy for the American people."

But Secretary Udall's action has spoken louder than his words in showing esteem of the outgoing Director. He allowed Wirth to pick his successor. Wirth submitted a list of five career men whom he thought worthy; Udall selected one of them, George Hartzog. Those who know both men are confident that Hartzog will carry on both Wirth's ideals and his practical performance. This well-founded confidence is the true measure of Wirth's success.

[From the Wheeling (W. Va.) News-Register]

A Career Ends

An announcement over the weekend that Conrad L. Wirth, Director of the National Park Service in the Department of the Interior, planned to retire early next year served to remind that Mr. Wirth long has been a friend of Wheeling.

Going back to the early days of the Civilian Conservation Corps (CCC)—Wheeling first became acquainted with the personable, dedicated, hardworking visionary Mr. Wirth. At that time he was instrumental in establishing a CCC camp at Oglebay Park for sound, basic, needed improvement of this now nationally known and envied recreational facility.

Throughout his lifetime of laudable service to our Nation as a career man with the National Park Service and in recent years as its Director, Conrad Wirth has maintained a helpful, constant, and increasing personal interest in our Wheeling park system. He served for years as an active member, director, and officer in the 65-year-old American Institute of Park Executives, now headquartered in Oglebay Park's old Mansion Guest House and he just concluded a term of accomplishment as president of that association of North American park people.

As head of the National Park Service, Director Wirth saw to it that West Virginia's Harpers Ferry became a national monument which included a utilization of old Storer College there as a training school for parks personnel and with local glassmen established the already famous working replica of America's first "free enterprise"—the 1608 Glasshouse at Jamestown, Va. These are but two examples of his good deeds that are dear to our hearts. His national parks program has brought that system and Service to the point where this year, at least 1 million persons enjoy these properties daily.

As for long years he cooperated with Wheeling's late W. P. Wilson and Homer Fish regarding our parks so he has willingly continued to be available and helpful to our present parks superintendent, Earl Gaylor, and our commission chairman, Sam L. Good.

Mr. Wirth, or "Connie" as a few fortunate local citizens are privileged to call him, has had a proud, distinguished public career and as he voluntarily retires from the Department of the Interior, he does so with the well-deserved approving applause of millions of grateful people, which we hope will touch his heart and in some way reward him for his lifelong dedication to the parks and people of America. After retirement, in January, we earnestly hope Mr. and Mrs. Wirth will more often visit Wheeling, enjoy our friendship, continue to give us wise counsel as our parks become increasingly valuable each and every year, and rest comfortably in this appreciative community.

[From the Roanoke Times]

A Public Service Well Done

One of this Nation's most important assets is its national park system which comprises some 200 areas, including 31 parks, and covers 26 million acres. Each year the system draws 100 million Americans to enjoy its benefits.

One of the men chiefly responsible for all this is Conrad L. Wirth, who has just retired after 12 years as Director of the National Park Service. Mr. Wirth literally grew up with the Park Service, having been with it in all but the first 15 of its 47 years of existence, and he deserves a great deal of credit for the Service's popularity both in Congress and among Americans generally.

The familiar Mission 66 program designed to greatly strengthen the national park system was conceived by Mr. Wirth, who then diligently worked for its approval and saw it well on its way to fruition when he stepped down. In this section of Virginia, with its great national forests and popular Blue Ridge Parkway, Mr. Wirth is widely known and his work appreciated.

Praise for the Park Service comes from Senator Byrd, who said, in commenting on Wirth's retirement, "I regard the national park system as one of the most worthwhile of all Federal programs." And Senator Byrd paid this tribute to Mr. Wirth in remarks on the Senate floor: "I suspect there is no other single man in the United States who has done so much for the healthful recreation and pleasure of so many people, along with promoting conservation of our natural resources and preservation of our historic areas." In retirement as well as during his more active years, Mr. Wirth has earned the gratitude of millions of Americans.

[From the Conservation News, published by the National Wildlife Federation]

Mission 66 a Testimony to Vision of "Connie" Wirth

As reported in the November 1, 1963, issue of Conservation News, Conrad L. Wirth, Director of the National Park Service since 1951, is retiring from office in January 1964. Born in 1899, "Connie" Wirth had already logged many accomplishments and many years of park experience when he became Director. He has been a dedicated crusader, putting his whole heart into the preservation of the parks, at the same time maintaining that "parks are for people."

Wirth directed the Civilian Conservation Corps, first the State and county work and then the Department of the Interior's entire CCC program This, it has been said, advanced the Nation's park program by at least 20 years. In 1936, he initiated the movement which resulted in passage by Congress of the Park, Parkway and Recreational Area Study Act. But the crowning achievement of his career is Mission 66, the dramatic and imaginative National Park System development program which caught the attention of the public and won the support of Congress by the magnitude of its design.

In the 10 years following World War II, a deep concern for the National Parks plagued Conrad Wirth. The parks were deteriorating. They had suffered through the lean war and postwar years. Appropriations had been cut to the bone, all but absolutely essential work had stopped, and staffs had been trimmed to mere skeleton forces. Yet, in the postwar years, droves of visitors flocked to the parks. Their impact hastened the deterioration. Clearly, something had to be done to call attention to the plight of the parks. It was then that Wirth conceived a fresh and objective idea of park development, and he gave it the name of Mission 66, to commemorate in 1966 the 50th anniversary of the National Park Service.

Wirth named a special task force which enunciated the following guidelines: Preservation of park resources is a basic requirement; substantial and appropriate use of the national park system is the best means of assuring the perpetuation of the System; and adequate and appropriate developments are required for public use and appreciation of any area, and for prevention of overuse.

From this beginning, the goals of Mission 66 evolved as: Better public accommodations and services; campgrounds, roads and other improvements provided by the Government; a more adequate, better-trained staff; effective presentation and interpretation of the historic and natural scene; acquisition of needed park lands; cooperative planning for a national recreation program; and preservation of wilderness and the historic and natural scene.

The parks already accommodate more visitors than the number planned for by 1966. The original goals are now reaching achievement, and will continue under a new long-range plan to provide for constantly growing demands.

Thus, Mission 66 is a vital force that will leave its mark upon the National Park System and Service. This, in turn, will remain an enduring testimony to the vision and devotion of Conrad L. Wirth.

BRITISH BUS DEAL WITH COMMUNIST CUBA PROVES "BUST" OF ADMINISTRATION'S ANTI-CASTRO TRADE POLICIES

Mr. BEERMANN. Mr. Speaker, I ask unanimous consent that the gentleman from Florida [Mr. Cramer] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Nebraska?

There was no objection.

Mr. CRAMER. Mr. Speaker, the British bus deal with the Cuban Communist Government proves what a complete "bust" the administration's efforts to isolate, through trade restrictions, Castro's island fortress have been.

Our lack of real determination to provide needed leadership to accomplish trade restrictions is best evidenced by the administration's failure to protest this deal. This deal could be accomplished only with the British Government's acquiescence. The opening of an office in Havana by the British firm, Leyland Motor, Ltd., specifically required approval by Castro and the British.

Such a sale, with an operating office in Havana, amounts to tacit recognition of the Castro government by Great Britain and leads to the logical question, "Is this the first step toward normalizing trade relations with Cuba, toward eventual recognition?"

This is an example of the natural aftermath of the administration's push for trade of wheat with Russia on credit because Great Britain can logically ask, "what is wrong with our trading buses with the Communists when the U.S. Government is trading wheat on credit with the Communists?"

It is obvious that the wheat on credit deal has undercut the strength of our moral position calling for trade restrictions against Communist Cuba in the eyes of the world. We are reaping the harvest of this clandestine compromise already.

The press report covering this bus deal, from the Washington Post of Wednesday, January 8, follows:

CASTRO MAKES BIG BUS DEAL IN BRITAIN

> MIAMI, January 7.—The Fidel Castro government announced today a $10 million deal with a British firm in an effort to rehabilitate Cuba's broken-down bus system.
>
> Havana Radio said the agreement calls for early delivery by Leyland Motor, Ltd., of 400 buses with 45-passenger capacity each and $1.1 million in spare parts.
>
> The broadcast, monitored here, said the British firm announced it will establish an office in Havana with commercial and technical personnel.
>
> In Washington, officials said the administration has told Britain it is unhappy with the sale but has filed no formal protest. They said the administration was aware of negotiations between the British firm and Cubans, and had been in touch with the British Government on this and other sales to Cuba for a long time.

ARE TAXPAYERS FINANCING WHEAT SHIPMENTS TO RUSSIA?

Mr. BEERMANN. Mr. Speaker, I ask unanimous consent that the gentleman from Illinois [Mr. FINDLEY] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Nebraska?

There was no objection.

Mr. FINDLEY. Mr. Speaker, to what extent are the U.S. taxpayers financing bargain rate shipments of wheat to Russia? The strange, secretly concluded deal with Continental Grain Co. for shipment of Durum wheat to Russia, just announced last week, leaves many questions unanswered.

Today I sent this telegram to President Johnson:

> On Monday I requested that you suspend the export license to Continental Grain Co. for shipment of Durum wheat to Russia until questionable legal aspects are clarified. My request is even more urgent and pertinent in light of conflicting statements yesterday by two members of your Cabinet.
>
> The American people are deeply concerned about this strange new policy of using U.S. tax dollars to finance trade with the Communists and are entitled to know which Cabinet officer has the facts straight.
>
> Agriculture Secretary Freeman stated yesterday to the House wheat subcommittee that the 72-cent subsidy approved for Continental did not include a subsidy for shipping. Mr. Freeman described my questioning on this point as spurious.
>
> The same day Commerce Secretary Hodges told a press conference it was his understanding that the shipping subsidy was included and was the reason why Continental got the abnormally high subsidy. As the officer responsible for issuing export licenses to Communist countries, Secretary Hodges certainly should know what he is talking about.
>
> If the shipping subsidy was included, what is the legal authority for this?
>
> If no shipping subsidy was included, what authority and justification can be given for granting preferential treatment to a Communist country? This is especially distressing in view of Secretary Freeman's admission to the wheat subcommittee that he had denied preferential treatment to at least one free world customer a few days before he granted the bargain to Russia.
>
> The best price friendly countries have received recently was 59 cents on December 19.
>
> In his testimony Secretary Freeman also admitted the bargain to Continental was not on a competitive bid basis, and indeed, so far as he knew, was the only bid for Durum wheat that day. What is the authority for granting preferential treatment to Continental?
>
> I respectfully repeat my request that the export license be suspended until questionable legal aspects are clarified and until conflicts in statements by your two Cabinet officers are resolved.
>
> PAUL FINDLEY,
> *Member of Congress.*

I challenged the legality of the transaction in a letter Monday to the Comptroller General, Joseph Campbell. The text of my letter follows:

> DEAR MR. CAMPBELL: I would appreciate a report at the earliest possible date on questionable legal aspects of the export transaction announced Friday by the Department of Agriculture, involving the sale of about 13 million bushels of Durum wheat to Continental Grain Co. for resale to Russia.
>
> 1. It appears to me that the Department of Agriculture exceeded its authority in granting an abnormally high export subsidy in this transaction. The rate paid was 72½ cents a bushel, 14½ cents a bushel higher than that granted for recent exports of the same wheat variety.
>
> In fact, the Wall Street Journal today reports as follows: "Underlining the abnormally big subsidy on the Durum destined for Russia is the fact that on December 30 the Department refused to pay a 59-cent subsidy on 110,000 bushels, and on Friday refused to pay 73 cents on 37,333 bushels. These smaller export deals were for Durum to be exported to free world destinations."
>
> Most news reports explain the abnormal export subsidy as an indirect subsidy to cover part of the cost of ocean shipping.
>
> The Associated Press on January 5, reporting the Continental Grain transaction said, "One Department official questioned about the possibility that the Durum subsidy included both an export and a transportation subsidy denied flatly that there was a transportation subsidy. But another said the Department does not contend that no indirect transportation subsidy is involved."
>
> These questions arise:
>
> Does the Department of Agriculture have the legal authority to grant preferential treatment in establishing export subsidy rates on Durum wheat? It is quite clear that Continental Grain Co. was singled out for this special rate. This preferential rate was not announced publicly to the trade in advance, and since the announcement of the Continental transaction, the preferential rate has been withdrawn.
>
> Did the Department of Agriculture seek competitive bids before granting the abnormal subsidy? If not, why not? Does the Department of Agriculture have the authority to grant subsidies on commercial shipping beyond U.S. ports?
>
> If so, does the Department of Agriculture have authority to include an indirect transportation subsidy in establishing an export subsidy rate? It is my understanding that the authority for establishing export subsidies cannot include the cost of transportation beyond U.S. ports.
>
> If the hidden freight subsidy is construed to be legal, is the Government guaranteed a refund if the freight subsidy is not needed in its entirety?
>
> 2. It appears that the Department of Commerce violated its own published regulations in issuing the export license for this transaction.
>
> I call your attention to Export Bulletin 883 of the Commerce Department, issued November 13, 1963, which requires each export license application must be accompanied by form FC 842. This form must list the quantity, value of commodities involved, and numerous other details. Was it properly filled out in advance of the issuance of the license to Continental? From what I have learned, it appears impossible that this requirement could have been met.
>
> This question arises:
>
> Did the Commerce Department have the legal authority to waive regulations in issuing the export license to Continental?
>
> Prompt attention to this request is in the public interest, as this bizarre transaction, if not challenged, may be cited as the precedent for future deals.
>
> Sincerely yours,
>
> PAUL FINDLEY.

Text of my telegram on Monday to the President:

> Respectfully urge that you suspend the export license to Continental Grain Co., which Friday received an abnormally high export subsidy for shipment of Durum wheat to Russia, until questionable legal aspects of the deal are clarified by the Comptroller General.
>
> PAUL FINDLEY,
> *Member of Congress.*

THE OTTO OTEPKA CASE UP TO DATE

Mr. BEERMANN. Mr. Speaker, I ask unanimous consent that the gentleman from California [Mr. HOSMER] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Nebraska?

There was no objection.

Mr. HOSMER. Mr. Speaker, on December 30, last, the respected American Security Council issued a paper prepared by its Washington bureau chief, Frank J. Johnson, bringing up to date the facts on the Otto Otepka case. Because of its important relevance to the national security, I have asked the paper be here reproduced in full as follows:

THE CASE OF OTTO OTEPKA

> On September 23, 1963, a long-smoldering issue broke into public view when the State Department served notice on the Chief of the Evaluation Division of the Office of Security, Otto Otepka that it proposed to fire him for actions unbecoming to an officer of the Department of State. On November 5, 1963, Otepka's answer to the charges was disregarded and the action was carried out subject to appeal and review by Secretary Rusk.
>
> The reasons given for firing Otepka are based mainly on charges that he cooperated with the Senate Internal Security Subcommittee (SISS) in the course of its still continuing investigation into State Department security procedures. The real reason, however, apparently lies in Otepka's obstinate and conscientious effort to do his job too well. In trying to keep persons of questionable character or affiliation out of sensitive Government positions, he made a nuisance of himself in the eyes of his superiors. In placing loyalty to country, as he saw it, above institutional loyalty to the State Department, he violated the latter's code. In the eyes of State Department officials, he is out of step with the times.

Mr. Otepka is a professional security officer and a good one. He came to the State Department in 1953 as a personnel security evaluator under the late Scott McLeod. In 1960 his State Department efficiency report noted his long experience with and extremely broad knowledge of laws, regulations, rules, criteria, and procedures in the field of personnel security. He is knowledgeable on communism and its subversive efforts in the United States. To this he adds perspective balance and good judgment. This was the last efficiency report he received. His knowledge for correct procedures and insistence that they be carried out was to lead to his undoing.

On January 20, 1962, Otepka was downgraded from Deputy Director of the Office of Security to Chief of the Evaluation Division. This Division has authority to clear persons who do not, in the judgment of its Chief, warrant an adverse ruling. Where there is derogatory information, the case is required to proceed through higher channels; any higher official may overrule the Evaluation Division and grant a clearance, but only the Deputy Under Secretary for Administration may concur and suspend the individual. After hearings are held only the Secretary of State may actually separate the man.

This procedure has particular application to Otepka, because it concerns a security case in which he was importantly involved—that of William Arthur Wieland. In part, this case is responsible for Otepka's troubles.

These difficulties really began in 1959 when the new Director of the Office of Security, William Boswell, a Foreign Service officer who was not a security expert, announced that he was going to eliminate the "McLeod image." Scott McLeod had been the first Administrator of the Bureau of Security and Consular Affairs until 1957. McLeod's strict procedures succeeded in eliminating many security risks from the State Department, though apparently at some cost to the "morale" of a number of Foreign Service officers. Boswell proposed to place Foreign Service officers in a position to check on other Foreign Service officers—an arrangement to which Otepka objected in principle.

Otepka personally worked on two major personnel security cases—John Stewart Service and William Wieland. Service had been separated from the State Department in 1950 for turning over documents to Philip Jaffe, publisher of Amerasia magazine (a definitely pro-Communist publication). He was ordered reinstated by the Supreme Court in 1956. In readjudicating his case, Otepka found that he was not a loyalty risk, but raised questions as to his judgment and conduct. Service was subsequently cleared on all counts and sent as consul general to Liverpool. He retired in 1961. Wieland was a State Department desk officer who had a hand in shaping U.S. policy toward Cuba, both before and after Castro's takeover. To his superiors, he was an apologist for Castro, although he told friends privately as early as 1958 that Castro "is a Communist." A full security check was done on Wieland in response to an allegation that he, himself, was a Communist. Otepka's conclusions did not support this charge, but did raise questions as to Wieland's integrity, based in part on falsehoods in his testimony before the Senate Internal Security Subcommittee. Nevertheless, Wieland was "cleared" by Roger Jones, Deputy Under Secretary for Administration. He did so in September 1961 on the basis of only the "digest" of the Wieland findings, without first obtaining the recommendation of the intervening head of the Bureau of Security and Consular Affairs, and without notifying the Office of Security of his decision. Not until January 25, 1962—1 day after the Wieland case was raised at a Presidential news conference, was Otepka notified in writing by Boswell that Jones had, in fact, closed out the Wieland case. Otepka objected to these irregular procedures. In the Service case the procedure in clearing him had at least been correct; not so in the case of Wieland.

Another of Otepka's assignments, beginning in October 1960, was to integrate new information into the security files of high-ranking Presidential appointees. In some cases there he discovered that there was derogatory information on these individuals, including affiliation with Communist front organizations.

This was the general situation when Otto Otepka initially testified before the Senate Internal Security Subcommittee—at its request—on November 16, 1961, regarding personnel reductions in the Office of Security: He and his immediate superior, Boswell, did not see eye to eye on how best to run the Office of Security; Otepka disagreed with the final decisions made to clear both Service and Wieland and had pointed out irregularities in the procedures followed with Wieland; the position which he held, that of Deputy Director of Security, was about to be abolished and he, himself, downgraded, in part because it was alleged that his work on the Wieland case and his continuing work on the Presidential appointees was interfering with his administrative responsibilities as Deputy Director—an allegation which he denies. In his testimony, Otepka steadfastly honored his commitment not to reveal confidential information, but otherwise he related facts and expressed his opinions to the SISS honestly and frankly. This testimony was a further irritant to his superiors.

Early in 1962 Otepka first became aware that Secretary of State Rusk had granted 152 security waivers to high-ranking State Department personnel on the basis of nothing more than national agency checks, pending a more complete background investigation. This had been done only five times during the previous administration. While this procedure may sometimes be defensible on the grounds that a new man's services are urgently needed, there were some of the 152 cases where the agency checks disclosed derogatory information, including possible Communist affiliation. Furthermore, Otepka learned, and brought to the attention of his superiors, the fact that some persons had been appointed to State Department jobs, without any notification whatsoever to the Office of Security. He also discovered examples of backdating security waivers and clearances. On March 8, 1962, both Boswell and Jones denied to the SISS any knowledge of this procedure, but as a result of a memorandum to that effect from Otepka, Jones was first forced to report to the subcommittee on March 20, that an investigation was underway and then to report on April 30 that there had been 152 waivers and a total of 44 cases of backdating waivers and clearances.

The point at issue, in all this, was that the Department of State was allowing unauthorized personnel, not provably safe, to handle classified material and was then seeking to "cover up" for this laxity by backdating the clearances and even the waivers. Otepka's crime lay in telling about these irregular procedures and in so doing, causing embarrassment to Boswell and Jones. Otepka's testimony on April 12, 1962, brought the facts to the surface and caused Roger Jones, on June 7, to state to the subcommittee that while he did not challenge anything Otepka said, "I don't think it—the testimony—was appropriate." Otto Otepka had by now become a major annoyance to the Department of State.

An effort was made about this time to rid the Security Office of the troublesome Otepka by assigning him to instruction at the National War College. Ordinarily, this is a very desirable assignment, and Otepka at first accepted it. He changed his mind, however, when he realized that the motivation in sending him to the War College was to get rid of him. In April 1962, John Reilly, a Justice Department attorney succeeded Boswell as Director of the Security Office, allegedly with instruction to "do a job on the Security Office and get Otepka."

Reilly stated to Otepka that he would have no reemployment rights in the Security Office after finishing at the War College, whereupon Otepka declined the appointment. Jones testified on June 7 that the War College assignment for Otepka was decided upon in connection with the question of what we could do to get him out from under stress.

Events took their course. On September 10, 1962, Otepka submitted a memorandum to Reilly recommending that certain appointees to the Advisory Committee on International Organizations not be cleared on a blanket basis without further investigation because there was derogatory information about some of them. The recommendation was overruled. About the same time, new derogatory information came to light on the Wieland case, causing it to be reopened. Early in 1963, Reilly asked Otepka to voluntarily disqualify himself from further interest in the case because of his strong feelings. Otepka refused, although he did state to Reilly that he did not wish to get too fully involved lest it take him off of his other duties.

At some point, Reilly came to suspect that Otepka might be cooperating privately with the SISS counsel, J. G. Sourwine, in the latter's efforts to get to the bottom of the situation. Both Reilly and Otepka testified in February 1963, and it was after that, on March 13, that Reilly directed a surreptitious inspection of the contents of Otepka's "burn bag" (wastebasket for classified information). On March 19 the burn bag search was successful, because a carbon paper was discovered containing a list of questions which Otepka prepared for Sourwine, who later asked them of Reilly. In addition, a typewriter ribbon was discovered on June 10 containing additional proposed questions which Otepka furnished to Sourwine.

Otepka admits the validity of this evidence, which is the basis of one of the charges against him. He also acknowledges a second charge—that he turned over certain documents to Sourwine. This came about in the following way:

In February and March 1963, Otepka testified four times before the Internal Security Subcommittee in executive (closed) session, in all cases at the request of the subcommittee. During April and May, Reilly testified five times, after having been furnished a transcript of Otepka's testimony. The testimony of the two put them in sharp conflict with each other concerning certain facts. (Otepka's questions for Sourwine probably helped to bring out this conflict.) Sourwine pointed this out to Otepka on May 23, 1963, and showed him the transcript of Reilly's testimony. One important discrepancy related to Otepka's September 10, 1962, memorandum to Reilly. Despite the memorandum, Reilly testified that there was no substantial derogatory information on any of the eight appointees and that the case of only one of them had even been brought to his attention prior to their appointment. Other Reilly testimony disparaged Otepka's integrity and emotional balance.

Otepka had long felt that both his professional competence and character were under attack. He felt morally and legally entitled to defend himself now that his accuser was on record with untruthful testimony. Therefore, he drew up a 39-page memorandum answering the Reilly statements and accompanying it with certain documents which supported his own position. Among these documents was a copy of his September 10, 1962, memorandum to Reilly, which he himself had classified "confidential," and a copy of a Reilly memorandum dated September 17, 1962, which indicated that he (Reilly) was familiar with Otepka's memorandum. The documents disproved Reilly's assertion that Otepka had never presented the derogatory information to him.

Otepka's superiors said nothing to him about the first burn bag discovery, but after the second one on June 10, they evidently decided that he could no longer be tolerated and must be eliminated in the near future. The furnishing of questions to Mr. Sourwine did not in itself violate any written regulation. For the purpose of making a legal case against him, it was necessary to charge him with the technical crime of "declassification" and "mutilation" of classified documents without following the prescribed procedure. The "evidence," all allegedly discovered in his burn bag on June 18, consisted of Xeroxed copies of the tops and bottoms of classified documents. The clippings contained the classification indicators of the documents. This is the third general charge against Otepka.

Otepka denies emphatically that he had anything to do with the clippings. He is not even specifically charged with doing the clipping—only that they were found in his burn bag. No charge is made that the declassified documents were subsequently turned over to the SISS, although that is the unofficial implication. Unless such a charge is formally made the simple technical violation is meaningless. Every intelligence analyst in Washington violates the same "rule" everytime he tears up a classified document and throws it in his burn bag. It is done by everyone. Otherwise files would soon overflow.

Again, however, the point is simply that Otepka's superiors found it necessary, apparently, to "plant" evidence of this sort in his burn bag in order to build a legal case against him. (This is almost certainly the case if Otepka's denial is true.) Even after June 18 (the last day of the burn bag surveillance), nothing was said to him. Instead, on June 27, without warning, he was locked out of his office, denied access to files, and placed in isolation. He was given the job of writing a new handbook on security matters but was provided no materials to work with and no secretary. There was no explanation whatever—only a lecture from Reilly on "institutional loyalty" to the State Department. Otepka's answer was that he placed loyalty to country first.

The State Department hoped, apparently, that this procedure might cause Otepka to quit in disgust, thus avoiding the necessity of bringing the charges against him which it was preparing. But on August 12, 1963, Otepka again testified in executive session and this time the State Department liaison officer was asked to leave the room. Otepka now had less reason to worry about the sensitivities of those who were tormenting him.

Three days later, on August 15, Otepka was subjected to an FBI interrogation, during which he voluntarily and openly recounted all his actions, including the fact that he turned over to Sourwine the two documents which proved Reilly's testimony to be incorrect as well as another unclassified document relating to personnel clearance procedures. Such a voluntary admission to the FBI concerning these documents strengthens the veracity of Otepka's denial of any knowledge of the burn bag clippings and supports the suggestion that they were plants.

The FBI interrogation thus provided this additional basis for the charges against Otepka, and his testimony to the SISS of August 12 (State is still in ignorance of what he said that day) provided the final impetus to fire him, which has now occurred. On August 15 an order was issued prohibiting members of the Security and Passport Offices from contacting or testifying before the SISS without express permission. Despite indications from Secretary Rusk on October 22 that this ban would be relaxed, it remains officially in force.

On November 9, a new wrinkle in the Otepka case occurred when the SISS revealed that Reilly and two other State Department officials had written letters to the subcommittee clarifying their testimony of July and August in which all three had categorically denied that any order had been given or attempt made to install listening devices in Otepka's office. The letters followed a charge by Senator DODD in the Senate on November 5 that "although a State Department official has denied under oath that this was done, the Subcommittee on Internal Security has proof that the tap was installed." Now Reilly admitted, in his clarification that on March 18, 1963, he had directed Mr. Elmer Hill, Chief of the Division of Technical Services, "to undertake a survey of the feasibility of intercepting conversations in Mr. Otepka's office." According to Hill's letter, that evening he "altered the existing wiring in the telephone in Mr. Otepka's office." Both men claimed that the attempt to overhear conversations was dropped after the first burn bag discovery on March 19, but the contrast with their flat denials under oath that any such attempt had been made caused the State Department to put both men on "administrative leave" pending an investigation. On November 18, 1963, they both resigned and Hill, in a further clarification, admitted to the Senate committee that the tap on Otepka's phone had, in fact, been successful and conversations had been recorded. Under these circumstances, the credibility of the State Department's witness has become open to serious doubt.

Thus we have the Otepka case as it now stands. It seems likely to become a "cause celebre" in American politics. Otepka was not, apparently, a popular man; he rubbed many people the wrong way. The charges that he cooperated with the SISS counsel in preparing some of his questions and that he turned over at least three documents to him are true by his own admission. There can be no question, however, of the legality of his action, because the right of a Government employee to furnish information to congressional committees is established by statute. The United States Code, title 5, paragraph 652(d) reads: "(d) The right of persons employed in the civil service of the United States, either individually or collectively, to petition Congress, or any Member thereof, or to furnish information to either House of Congress or to any committee or member thereof, shall not be denied or interfered with."

A Presidential directive of March 13, 1948, under which Otepka is charged, does not prohibit disclosure of information absolutely, but proscribes the disclosure of documents "relative to the loyalty of employees or prospective employees" except under a special procedure for determining whether it is in the public interest to do so—a determination to be made only by the President. But any such procedure was foreclosed to Otepka, politics being politics.

The points immediately at issue therefore, are whether, considering all the circumstances, it was ethically proper for Otepka to give the documents to the SISS counsel and whether it is proper for the State Department to fire him for having done so.

In judging this question it should be noted that Otepka never at any time stated anything but the truth, nor is he anywhere charged with prevarication. His actions were so justifiable, in his own eyes, that he prepared his questions for Sourwine in his office, giving them to his secretary to type. He testified in every instance at the request of the Senate Internal Security Subcommittee. He provided the SISS with information only because it was pointed out to him that his testimony was at variance with that of his superiors and that they were attacking his competence and integrity. The information which he provided supports his own statements and casts serious doubt on the truthfulness of some of those who now accuse him. At least two instances of untruthfulness on their part have now been admitted. This casts doubt on the character of some of the men who have been responsible for State Department security. It is surely proper to ask who is, in fact, guilty of conduct "unbecoming an officer of the Department of State"—he who told the truth or those who told something less than the truth.

The more important question, which the Otepka case symbolizes, is whether or not the procedures which Otepka criticized, and which led him to be impaled on the horns of the dilemma, do allow genuine security risks to occupy sensitive State Department positions. The Department argues in the negative.

"We are not witch hunting any more," a spokesman says, adding that "we have no security risks, and he knows it." Otepka replies only that he does not know of any Communists in the State Department. There are other kinds of security risks and the laxity exposed by Otepka leaves little reason for confidence in the Department's handling of its own security matters.

Perhaps Otepka is guilty of overzealousness in the performance of his duty. But if so, the American people are well served by such a man who at least places loyalty to duty and country above office politics.

Let us wish Otto Otepka well.

NEW YEAR'S SPEECH BY THE PRESIDENT OF THE REPUBLIC OF POLAND

Mr. BEERMANN. Mr. Speaker, I ask unanimous consent that the gentleman from Illinois [Mr. DERWINSKI] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Nebraska?

There was no objection.

Mr. DERWINSKI. Mr. Speaker, as we continue the legislative schedule of the day following the state of the Union message by the President earlier this afternoon, I believe it to be most appropriate for me to direct the attention of the Members of the House to the New Year's speech by the President of the Republic of Poland.

His Excellency August Zaleski, President of the Republic of Poland, addressed members of the Polish Government in exile and representatives of Polish organizations and of the Polish community in Great Britain on January 5, 1964:

NEW YEAR'S SPEECH BY THE PRESIDENT OF THE REPUBLIC OF POLAND (LONDON, JANUARY 5, 1964)

Looking back as usual at the past year and the world situation, we are struck by the fact that new people have taken up the reins of office in many of the Western countries. We see this in the United States, Great Britain, Italy, and in West Germany. The change in the United States was caused by a crime which shook the whole world.

On the other hand, there were no changes of this kind in the East, where power remains in the hands of the same Communist autocrats as before.

Likewise, Poland is still governed by the same people obediently carrying out the orders of their Russian masters. The free expression of thought is still stifled there, and religion is still persecuted. The freedom of the monasteries is restricted ever more greatly, the building of new churches and religious instruction are hampered whilst all the chicanery of a system of excessively high taxation is constantly applied. In the campaign against the church, methods are often used which make the Communist regime simply ridiculous in the eyes of the civilized world. Celebrating the millenary of Poland's conversion to Christianity, the International Union of Catholic Women published a collection of sermons, speeches, and writings by the Cardinal Primate of Poland. Sixty thousand copies of this publication were sent to Poland as a gift. Although the collection comprised texts already known in Poland, the Communist authorities seized the whole edition and sent it to the Jeziorna papermills for pulping.

In the economic field, Poland is suffering the same shortcomings as the whole Soviet Empire. When, after nearly 50 years of Communist rule in Russia, the lords of the Kremlin made the "epochmaking discovery" that agricultural production can be increased by using artificial fertilizers, the chief of the Warsaw regime hastily observed the same and promised to increase "the level of mineral fertilizers" during the next few years. Not unexpectedly, he announced this will be done gradually and by dint of economies in expenditure on the extension of "social, cultural, and sporting life" as also on "the building of dwelling accommodation." There can be no talk of decreasing outlays on the heavy industries, so necessary to Russia. The Communist Economic Community, Comecon, remains under the orders of the Russian authorities and would in fact never agree to this. In short, the interests of the Polish consumer will again be sacrificed to build up the power of the Russian Empire.

Nonetheless, funds will be found to strengthen the censorship, for things have come to such a pass that some writers go so far as to publish press articles in which they demand that the population be provided with such luxuries as bread, meat—even coffee and tea. These lacks are, of course, most sedulously concealed from Western tourists, who are specially catered for.

If it comes to that, we can frankly state that many people in the West have no wish to perceive the real state of affairs not only in east-central Europe but also in the whole Soviet Empire. One has the impression that these people wish to be deceived so that they could quietly enjoy the prosperity current in the Western world. There are some who imagine it will be possible to establish an alliance with Russia to face the common menace of China; they forget that the Russo-Chinese differences of opinion do not extend to the main goal of the Communists—to revolutionize all mankind—but merely concern the means by which communism is to be imposed upon the whole world.

There are even some people, in America, who assert that the Soviet police-state system maintains order and a regulated life amongst 200 million Russians and the many additional millions of population in the so-called satellite countries; that the disintegration of the Russian Communist empire, while contributing to an extension of freedom, would nevertheless be a catastrophe for the set order of the world even greater than was disappearance of the Austro-Hungarian monarchy from the map of Europe.

It is difficult to establish whether notions of this type, probably comparable in their nature to the policy of the appeasers in Nazi times, are likely to secure a following amongst public opinion. After all, the policies of the new governments in the four Western democracies are still unknown: it will be necessary to await the outcome of the several conferences between the statesmen who have freshly assumed office.

The difficulties in the way of defining Western policy are further complicated by the fact that general elections will be held in the United States and Great Britain during 1964 and these may lead to far-reaching changes in the given governments. Another unpredictable element is that election campaigns often yield the temptation to seek popularity even to the detriment of foreign policy if not by concessions on vital points then in the best case by postponing decisions on controversial matters. We must remember there are a great many matters to be reconciled and that they are very involved ones.

Along the farflung borderline of the Communist world—from Kamchatka to the so-called Iron Curtain in Europe—a number of armed conflicts caused by the Communist aim of constant expansion are under way. The Communist urge toward world revolution is not confined to this field. The activities of the Communists reach far beyond their present frontiers. It can be safely stated no part of the world is free of Communist-bloc agents ready to seize every opportunity of propagating communism and to stir up the civil strife or local wars which facilitate revolutionary upheavals.

The Soviet Government has in fact just seized such an opportunity to step up its activities on the international arena. The Soviet Prime Minister's visit to Poland and the unusual choice of locality for this purpose may imply it has some specially great significance not only for us Poles but also in respect of many issues connected with the situation in Europe. The Soviet Government asserts this situation is "especially dangerous" in view of the concentration of troops belonging to the two principal antagonistic military alinements. Moreover, the Soviet Government has proposed the inauguration of negotiations for the conclusion of a new treaty for the renunciation of war as a means of settling territorial disputes.

The worth of such treaties signed by Russia is best known by us Poles. Neither the League of Nations pact nor the Kellogg pact for eliminating war prevented Russia from attacking Poland in 1939; furthermore, it was none other than Russia who approached Germany with the proposal of signing a treaty for another partition of Poland.

The present Russian proposal raises quite a number of involved matters. Two of them interest us Poles particularly. The head of the Russian Government affirms that Formosa since ancient times is a component part of the Chinese state and should therefore be restored to China. Apart from the fact that Formosa, present-day Taiwan, is the only free part of China since it has not been thrust under the influence of Russian communism, it would be interesting to learn whether Russia is prepared to restore to China those parts of the Chinese state which are in her possession, as also whether Russia intends to restore to Poland those territories of the Polish Republic which she annexed although these are no less since ancient times a component part of the Polish state.

We should like to know whether the passage in the Russian proposals which declares that "differences in social and state systems" should not serve as a basis for "the violation by one state of the territorial integrity of another" likewise embraces cases in which given nations change their social and political systems? In other words, if the Polish nation decided to switch from the Communist system imposed by Russia to a democratic one, would not Russia send her troops to Poland as happened in Hungary in 1956?

Various countries will harbor very many such doubts.

It can therefore be expected that the coming international conferences for establishing a common policy toward the Soviet Union will have so many debatable matters on the agenda that more than one international crisis may break out and much time elapse before world peace is consolidated. Yet this can be attained only if peace is based on justice and respect for the right of nations to self-determination.

Hence, it is with hope in our hearts that we greet the holy father's words uttered just before his pilgrimage to the Holy Land and expressing trust that this pilgrimage will yield "for the world, an abundance of graces, light, good deeds, and peace and unity among people."

Mr. Speaker, we should rededicate ourselves in this year of 1964 to establishing a key foreign policy position for the restoration of freedom to all peoples dominated by Soviet colonial forces. Freedom for the oppressed victims of communism rather than peaceful coexistence with that false ideology should be our policy.

L.B.J.: HOW A FORMER SEGREGATIONIST NOW TALKS STRONG CIVIL RIGHTS

Mr. BEERMANN. Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. DEROUNIAN] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Nebraska?

There was no objection.

Mr. DEROUNIAN. Mr. Speaker, President Johnson today told the people of the United States how desperately he wants a strong civil rights bill. In view of this assertion it is interesting to go over the record of the President during the time he served in the Congress of the United States.

Representative Johnson voted against abolishing the poll tax in 1942, again in 1943, again in 1945, and still again in 1947.

Still as a Member of the House of Representatives, in 1946, Mr. Johnson voted against the amendment to the school lunch bill which would have denied participation to those who have discriminated because of race, color, or national origin of children.

In 1948, Senator Johnson supported the resolution which gave the consent of Congress to the Southern Education Compact, regarded as an evasion of the Supreme Court decision requiring equal educational opportunities to Negroes.

In 1957, Senator Johnson proposed and supported a motion to kill a move to ease Senate rules limiting debate as a prelude to action on civil rights legislation, for a motion to send the civil rights bill to the unfriendly Judiciary Committee with instructions to report on it in 7 days, and voted to eliminate that part of the civil rights bill which permitted the Attorney General to start civil action for relief in civil rights cases.

In 1958, Senator Johnson voted against confirming Wilson White as Assistant Attorney General in charge of the Justice Department Civil Rights Division.

In 1959, Senator Johnson voted against legislation barring aid to countries practicing racial or religious discrimination against Americans unless the President believes national security is involved.

In 1960, Senator Johnson voted to kill the motion to limit debate by invoking cloture on any civil rights filibuster, proposed, and supported a motion to kill a move to add to the pending administration bill part III, empowering the Attorney General to seek injunctions to protect civil rights, and voted for the motion to kill a provision for court-appointed referees or other officers to register Negroes after the court ruling on discrimination.

As Vice President and presiding officer of the Senate, Johnson made rulings to make it more difficult to stop filibusters.

No one denies that any Member of Congress has the right to vote any way he wishes. If President Johnson has now swung full circle to an avid proponent of civil rights, he is to be commended. But until he admits this fact in words not to be misunderstood, then I urge that what he says on the subject behind closed doors and on the telephone, away from public view, be watched most carefully. I am not persuaded by any man who wears two hats.

AMERICAN AIRLINES RATE HOAX

Mr. BARRY. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. BARRY. Mr. Speaker, I hold in my hand a full-page advertisement that appeared in the Washington Evening Star on January 7, 1964, and in other major dailies such as the Los Angeles Times. This ad appears to be a deliberate effort to mislead the American public.

The advertisement to which I refer was placed by American Airlines, which alleges that "new family discounts will provide the lowest jet fares for family travel." This is not true.

Until the new rates are put into effect by American Airlines, a family of four may travel first class from Washington to Los Angeles cheaper than the same family will soon fly between the two cities by coach. In fact it will be more expensive to fly American Airlines between most major cities by coach than it now is for first class.

The facts are: The present first-class fare from Washington to Los Angeles is $176.45. Because a man's wife and his children may travel at half fare on first class, the total fare for a family of four is $414.14 exclusive of tax. Under the new so-called reduced rates coach fare between Washington and Los Angeles for the head of the family will be $137.25. But the wife and children must pay 75 percent or $102.95 each. Accordingly, for a family of four with no children under 12 the total is now $446 exclusive of tax.

Mr. Speaker, how can American Airlines honestly assert that they are going to provide "the lowest jet fares for family travel" when their new rates will cost a family more to travel on a coach flight than it presently does on first class?

There has been all too much misleading advertising concerning air travel rates, and not enough fair dealing with the public.

In the near future I intend to take the floor to spell out some of the ill-considered prevailing rate structures that have hurt the American public and are counter to the U.S. objective to preserve our balance of payments by encouraging tourism in America.

There is much more in the nationwide American Airlines advertisement than meets the casual eye. This appears to be a slick effort to disguise the fact that first-class family travel is going to be increased as of January 15, 1964. On that date a family of four traveling first class between Washington and Los Angeles will face a rate increase to $496.43. This amounts to an increase of $55.29 over the present first-class fare of $441.14.

As one dedicated to unshackling the American businessman from burdensome Government regulation, this misleading display from a great airline is a saddening event.

Mr. Speaker, I insert the advertisement in the RECORD at this point:

[From the Washington (D.C.) Evening Star, Jan. 7, 1964]

"A FIRST-CLASS TICKET HAS NO BUSINESS COSTING $39.20 MORE THAN COACH"—C. R. SMITH, PRESIDENT, AMERICAN AIRLINES

Why American Airlines is reducing its first-class and family coach fares:

Starting January 15, we are reducing our first-class fares and our coach fares for families.

Mainly a service for people on business, first class provides extra privacy, extra room and extra service to make work and thinking easier while traveling.

But on long flights the cost has been so much higher than coach—$39.20 extra to Los Angeles, for instance—that we felt it was out of line.

Cities	Coach fare	1 class	Old 1st class	New 1st class	Saving
Washington to Los Angeles	$137.25		$176.45	$152.75	$23.70
Washington to Dallas	74.25		94.10	86.25	7.85
Washington to San Francisco [1]	129.90	$145.00	173.40	152.75	20.65
New York to Los Angeles	145.10	153.00	186.90	160.90	26.00
Dallas to San Francisco	90.50		115.85	103.50	12.35
Detroit to San Francisco	120.30		154.20	133.70	20.50
Boston to Los Angeles	152.25		196.45	167.25	29.20
New York to Phoenix	128.45		165.05	143.45	21.60
Los Angeles to Philadelphia	141.40	149.00	181.95	156.60	25.35
San Francisco to New York	145.10	153.00	186.90	160.90	26.00

[1] By way of Chicago.

NOTE.—All fares 1 way plus tax.

On our Los Angeles flights, this difference will now be reduced to only $15.50.

And it will be proportionately less on our other flights. (The chart will give you samples of our new first-class fares.)

In coach, wives and their children now will fly for 25 percent off the regular fare when traveling with husbands—the lowest fare since the beginning of the jet age.

The husband pays $137.25 to Los Angeles. But the wife and children pay only $102.95 each. (Under 12, it's only $68.55)

Family discounts have been available in first class for some time, but we believe that this is the first time that family savings have been offered at coach fares. The new family discounts will provide the lowest jet fares for family travel. American will be able to bring air travel within reach of many who have not enjoyed it in the past.

FURTHER LEGISLATIVE PROGRAM

Mr. HALLECK. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Indiana?

There was no objection.

Mr. HALLECK. Mr. Speaker, I have asked for this time for the purpose of inquiring of the acting majority leader what he can tell us, if anything, concerning the program for the balance of the weekend, for the convenience of the Members, concerning the program for next week. I realize that we shall meet tomorrow and possibly he would prefer not to announce the program for next week until tomorrow.

Mr. BOGGS. Mr. Speaker, I appreciate the gentleman's question and his attitude. In light of the unfortunate passing of our distinguished colleague from Tennessee [Mr. BAKER], and in view of the fact that a great many Members have expressed a desire to attend the funeral services in Tennessee tomorrow, it was thought appropriate not to have any legislative business tomorrow; the next day would start the weekend, so we decided it would be best not to schedule any further legislative business for this week.

The program for next week, of course, is still undecided, but it appears that there will be several bills, some of a noncontroversial nature. The airport bill, scheduled for this week, has been transferred to next week, and will probably be called up on Tuesday. The rice allocation bill, which came out of the Committee on Agriculture unanimously, I think, will be scheduled for Monday. The bill having to do with indigent defendants will probably be considered on Wednesday. Further program will be announced on tomorrow.

Mr. HALLECK. I thank the gentleman.

DEFICIENCIES WITHIN THE FEDERAL AVIATION AGENCY

Mr. BOGGS. Mr. Speaker, I ask unanimous consent that the gentleman from Texas [Mr. GONZALEZ] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Louisiana?

There was no objection.

Mr. GONZALEZ. Mr. Speaker, since the early part of 1962 I have been reporting the deficiencies that exist within the Federal Aviation Agency. I began asking questions about air safety and other aviation matters after learning of the FAA's plans to close down and abandon a new Air Route Traffic Control Center in San Antonio and to construct a new one in Houston. The circumstances surrounding this announcement were peculiar in that it came after hearings on appropriations for the FAA had been held, and there had been no request for a new Center at these hearings. Naturally, I requested justification for this move, and I put forth several questions for the FAA Administrator to answer. The Administrator, Najeeb E. Halaby, at first was unavailable. I have since found him to be evasive, elusive, and at best nonresponsive. His inability or unwillingness to answer a straight question in a straight way intensified my determination to learn the truth.

On May 10, 1962, I made a written request that the Comptroller General of the United States examine the economic and financial aspects of the proposed closing of the San Antonio Center and the construction of the new one at Houston. After much prodding I did elicit some figures from the FAA which purported to justify an expenditure of more than $8 million for the construction of the new Center on the grounds of economy, and I submitted these figures along with my request to the Comptroller General. It seemed strange to me that the public would be saving money by abandoning an adequate ARTC Center in one city and spending more than $8 million to build a new one less than 200 miles away. I looked forward to the GAO report. After 3 months the 37-page report came. It was a disappointment because it confirmed my suspicions that the FAA Administrator was being less than candid with me.

The report summarized itself by stating:

> We can express no opinion on the reasonableness of the estimated cost savings.

One of the reasons that no such opinion could be expressed was because the vital figure in the FAA's justification for the move concerned an alleged saving of more than $5 million that was to be obtained by the installation of an electronic computer in the new Center by the year 1970. It required a 16-year projection of the alleged resultant savings to show that the move was an economical one.

There were many flaws in this reasoning, including the fallacy of justifying a move by projecting figures over a 16-year period when a facility only 4 years old was being closed and when the Federal agency involved has a history of closing such facilities soon after their construction. For example, a similar ARTC Center, at Slidell, La., was abandoned by the FAA before it was occupied or used at all. But the most obvious flaw in the economic justification was that such a computer, if it exists or if it will exist by the year 1970, would just as easily be installed in the San Antonio Center with the same cost-saving results.

Important as economy in the Federal Government is, there is an even more important facet to the problem surrounding the proposed closing of the San Antonio Center. This is the problem of air safety. Certainly air safety is worth any price, and if the abandonment of one ARTC Center and the construction of a new one, no matter how costly, would increase air safety then I would support such a plan. In my judgment the abandonment of the San Antonio Center and the construction of the new one will cost the American people millions of dollars. But if such a move added to the safety of air traffic in the area served by the present Center, then I would support it.

From the beginning I have argued that this move will jeopardize the safety of air traffic in the San Antonio and surrounding areas. It is a fact that there is a peculiar type of air traffic in the San Antonio area.

San Antonio is unique in the sense that it is a military center of activities. In 1962 San Antonio ranked third in the Nation in the number of military aircraft departures. A full 57 percent of all air traffic handled by the San Antonio Center was of a military nature. The overwhelming portion of this traffic was generated by bases in and around San Antonio, and by bases nearer to San Antonio than to Houston. These bases include: Randolph Air Force Base, Kelly Air Force Base, Kingsville Naval Air Station, Lackland Air Force Base, Laredo Air Force Base, Chase Naval Air Station and Corpus Christi Naval Air Station. Further, military aviation is of such a nature that great increases in the amount of air traffic can be expected with little notice, as in emergency situations such as the Berlin airlift and the Cuban crisis. These increases are of such a nature that intimate coordination between the military and the ARTC Center is an absolute necessity for reasons of security and efficiency. The proximity of the San Antonio Center to the military complex in and around the city makes this type of coordination possible, just as the distance between Houston and these bases makes such close coordination impossible.

I have been raising these points for almost 2 years now. During this time the Administrator has been unable to satisfactorily answer the questions I have raised. His unsatisfactory answers have led to further investigation on my part and for many months I have been pointing out the grave situation that exists in the field of air safety. Despite the lack of leadership, the incompetence and the indifference exhibited by the Administrator, I have tried to keep the discussion free from personalities. At issue is a much more crucial matter than whether or not a petty and petulant bureaucrat gets his way.

I have dealt on the San Antonio problem for a special reason. For it is well known that our new President has a home and a ranch near San Antonio. This vital fact means that air safety in the San Antonio area has become more important than ever. Whether we have air safety in this region is now of utmost importance to every man, woman, and child in the United States and in the world. Johnson City is within the region served by the San Antonio ARTC Center. Bergstrom Air Force Base is within this region. Austin is within this region.

With these facts in mind, I would like to quote from a letter written to Najeeb E. Halaby on April 26, 1963:

> This facility, as are many more, is approximately 20 percent below the authorized controller complement. This situation will get worse before it improves, as we know of at least three controllers who will be transferred shortly.
>
> Is this nationwide snowballing of controller vacancies going to end in a smoking pile of burned aluminum and flesh? This is a revolting thought but it very well could be so.

Mr. Speaker, this letter was written by the Executive Director of the Air Traffic Control Association, Mr. Edward H. Cockerham. The San Antonio Center is the facility referred to. The ATCA is composed of all the FAA controllers throughout the United States. These are the men who have the primary on-the-job responsibility for air safety, civil and military. They are responsible for the safety of private aircraft, commercial aircraft, and military aircraft. The lives of the man on the street and the President are in their hands.

I have recently checked into the charge made by the Air Traffic Control Association in April and have found that the San Antonio ARTC Center is still approximately 20 percent below the authorized controller complement.

For almost 2 years I have been warning of the dangers within our aviation safety system generally and of the potentially dangerous situation in the San Antonio area. The problem is a much greater one now. We have seen aircraft transformed "into a smoking pile of aluminum and flesh." The memory of the crash at Elkton is still fresh in our minds. And the fact that the last three accident reports published by the CAB have implicated the FAA as being partially responsible for each crash in question is also fresh in our minds. These facts compel me to make the following statement:

If the San Antonio ARTC Center is abandoned and closed, the safety of aircraft flying in this area can no longer be guaranteed. I am hereby serving notice on the Administrator of the FAA that on his head will rest the guilt and the responsibility for the first "smoking pile of aluminum and flesh" that results from the closing of the San Antonio Center.

SUMMARY OF NET BUDGET RECEIPTS AND EXPENDITURES

Mr. BOGGS. Mr. Speaker, I ask unanimous consent that the gentleman from Missouri [Mr. CANNON] may extend his remarks at this point in the RECORD and include tables and charts.

The SPEAKER. Is there objection to the request of the gentleman from Louisiana?

There was no objection.

Mr. CANNON. Mr. Speaker, in conformity with practice, I include for the information of Members a tabulation of budget receipts and expenditures in the first 5 months—to November 30—of fiscal year 1964 with pertinent comparisons.

BUDGET RECEIPTS

In contrast to budget expenditures which tend to recur more evenly throughout the fiscal year, the normal pattern of budget receipts shows September, December, March, and June as peak months; and receipts in the first half—July–December—of the fiscal year are usually lower than in the January–June second half.

Budget revenues were officially estimated at $86,900 million in last January's budget for the current fiscal year 1964, which, if realized, would exceed actual fiscal 1963 revenues by $524 million. That is the last official budget estimate; the Secretary of the Treasury updated the figure to $88,800 million in testimony on the last debt limit bill, which, if realized, would mean a $2,424 million increase over actual fiscal 1963 revenues. In any event, in the first 5 months of the fiscal year—a relatively low collection period—actual budget revenues amounted to $31,463 million—some $697 million higher than the corresponding 5 months of last year.

BUDGET EXPENDITURES

Budget expenditures were officially projected in the budget last January at $98,802 million for fiscal 1964 which, if held to, would represent an increase of $6,160 million over the fiscal 1963 actual budget expenditure. On a straight monthly basis, it would mean an average of $8,233 million per month, in contrast to which the expenditures in the first 5 months, July–November, averaged $8,109 million which, in turn, compares with $7,943 million in the corresponding 5 months last year; the national defense monthly average was up $6 million over a year ago and the monthly average for all other items—nondefense—was $160 million higher.

But in the most recent testimony before the Ways and Means Committee, the Secretary of the Treasury informally presented a revised estimate of $97,800 million net budget expenditures for fiscal 1964, in contrast to the original estimate of $98,802 million; supporting details are not available. This would represent an increase over fiscal 1963 of $5,158 million; expenditures in the first 5 months, July–November were $830 million higher than those for the same 5 months last year; both defense and nondefense were up. The revised estimate of $97,800 million translates into a straight monthly average of $8,150 million in contrast to which, as noted, the actual average for the first 5 months was $8,109 million.

As in all past budgets, the original January budget expenditure—disbursements—estimate of $98,802 million for fiscal 1964 represented a composite of first, estimated disbursements in fiscal 1964 from appropriations made in prior years—$42,353 million, or approximately 43 percent, and therefore not directly affected by current congressional action on the 1964 appropriation bills; second, $1,202 million estimated first-year expenditure in fiscal 1964 associated with proposals for new legislation; third, roughly $11,781 million estimated to be expended from permanent appropriations recurring automatically under prior law and therefore not required to be voted on in the current session; and fourth, thus leaving only about $43,466 million of the total $98,802 million original spending estimate for 1964 subject to direct action in the appropriation bills of the current session.

EXPENDITURES FOR DEFENSE, SPACE, AND INTEREST—AND ALL OTHER PROGRAMS

Messages and statements have emphasized that the expenditure estimates and programs for fiscal 1964 were so constructed that total proposed administrative budget expenditure for all programs other than national defense, space, and interest were slightly below the fiscal 1963 level—as originally forecast—for such programs. The original net budget estimate for fiscal 1964 for such other programs was $29,066 million. In the meantime, actual expenditures in fiscal 1963 for comparable purposes did not go as high as forecast in last January's budget, with the result that the $29,066 million stands as an increase of $1,711 million over fiscal 1963 rather than being below that year. In the first 5 months—July–November—of fiscal 1964, expenditures for such other programs were $13,050 million—about $125 million below the corresponding expenditure in July–November of last year.

SURPLUS OR DEFICIT

Whether the budget deficit is the $11,902 million originally estimated, the $9 billion informally projected by the Secretary before the Ways and Means Committee, or some other amount, fiscal 1964 represents the 28th year of budget deficits in the last 34 years. In summary, here are the official administrative budget deficit figures of the last 3 years:

[In millions of dollars]

	Administrative budget deficits	
	From July 1, 1961, to date	For 3 fiscal years, 1962–64
Fiscal 1962 (from July 1, 1961)	6,378	6,378
Fiscal 1963	6,233	6,233
Fiscal 1964 (5 months to Nov. 30, 1963)	9,081	
Fiscal 1964 (informal estimate to Ways and Means Committee on the last debt bill)		9,000
Total, as above	21,692	21,611

And in total, actual budget expenditures in the fiscal year closed on June 30 last, and those now informally projected by the Secretary for the current fiscal year 1964, compare with certain earlier years as follows:

[In millions of dollars]

	Administrative budget spending	
	Over fiscal 1961	Over fiscal 1954
Fiscal 1963 actual:		
National defense	+5,261	+5,769
Other than national defense	+5,866	+19,336
Total, 1963 over	+11,127	+25,105
Fiscal 1964 current estimate: Total, 1964 current informal estimate over	+16,285	+30,263

THE PUBLIC DEBT

Mr. Speaker, after 5 months of budget operations in the current fiscal year 1964 the total public debt, both direct and guaranteed, stood at $308,932,504,993.29 and compares with certain earlier dates as shown in the following table:

	Federal public debt, direct and guaranteed				
	Fiscal 1954	Fiscal 1961	Fiscal 1962	Fiscal 1963	Fiscal 1964 (at Nov. 30 1963)
1. The debt at end of period (in billions)	$271.3	$289.2	$298.6	$306.5	$308.9
2. Amount per capita (in dollars)	1,670	1,575	1,600	1,619	1,621
3. Average for a family of 4 (in dollars)	6,680	6,300	6,400	6,476	6,484

In conclusion, Mr. Speaker, the following table elaborates the receipt and expenditure situation more fully:

Net budget receipts and expenditures (the traditional administrative budget) 5 months of fiscal 1964 versus 5 months of fiscal 1963 and comparisons with full year estimates

[In millions of dollars]

	Actual for 5 months (to Nov. 30)			Budget estimates for all of fiscal 1964 compared to actual results for all of fiscal 1963			1964 estimates over 1963	
	Fiscal 1964	Fiscal 1963	1964 compared to 1963	Budget estimates for 1964 [1]	Informal Treasury revision [2]	Actual, 1963	Original estimates over 1963	Informal Treasury revision over 1963
1. Budget receipts (net)	31,463	30,766	+697	86,900	88,800	86,376	+524	+2,424
2. Budget expenditures (net):								
(a) National defense (per official budget classification)	21,639	21,609	+30	55,433	(3)	52,755	+2,678	(3)
(b) Other than national defense	18,905	18,105	+800	43,369	(3)	39,887	+3,482	(3)
Total expenditures, net	40,544	39,714	+830	98,802	97,800	92,642	+6,160	+5,158

See footnotes at end of table.

***Net budget receipts and expenditures (the traditional administrative budget) 5 months of fiscal 1964 versus 5 months of fiscal 1963 and comparisons with full year estimates*—Continued**

[In millions of dollars]

	Actual for 5 months (to Nov. 30)			Budget estimates for all of fiscal 1964 compared to actual results for all of fiscal 1963			1964 estimates over 1963	
	Fiscal 1964	Fiscal 1963	1964 compared to 1963	Budget estimates for 1964 [1]	Informal Treasury revision [2]	Actual, 1963	Original estimates over 1963	Informal Treasury revision over 1963
3. Net surplus (+) or deficit (−)	−9, 081	−8, 948	+133	−11, 902	−9, 000	−6, 266	[4]−5, 636	[4]−2, 734
4. Average monthly expenditure:								
(a) National defense	4, 328	4, 322	+6	4, 619	(3)	4, 396	+223	(3)
(b) Other than national defense	3, 781	3, 621	+160	3, 614	(3)	3, 324	+290	(3)
Total monthly average	8, 109	7, 943	+166	8, 233	8, 150	7, 720	+513	+430
1. Dividing net budget expenditures on the basis emphasized by the budget message of January 1963—								
(a) National defense	21, 639	21, 609	+30	55, 433	(3)	52, 755	+2, 678	(3)
(b) Space	1, 485	837	+468	4, 200	(3)	2, 552	+1, 648	(3)
(c) Interest	4, 370	4, 093	+277	10, 103	(3)	9, 980	+123	(3)
(d) See other expenditures	13, 050	13, 175	−125	29, 066	(3)	27, 355	+1, 711	(3)
Total expenditures, net	40, 544	39, 714	+830	98, 802	97, 800	92, 642	+6, 160	+5, 15

[1] As per original budget, Jan. 17, 1963.

[2] Given by Secretary of Treasury to Ways and Means Committee in connection with last public debt limit bill (H. Rept. 885, p. 4).

[3] No breakdowns available.

[4] That is to say, these 2 estimates represent a projected deficit in fiscal 1964 higher, by $5,636 million and $2,734 million respectively, than the deficit actually experienced in fiscal 1963.

Sources: Monthly Treasury Statement for November 30, 1963; budget for 1964; and monthly Treasury statement for June 30, 1963.

CONGRESSIONAL REFORM

Mr. BOGGS. Mr. Speaker, I ask unanimous consent that the gentleman from New Jersey [Mr. JOELSON] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Louisiana?

There was no objection.

Mr. JOELSON. Mr. Speaker, since I consider congressional reform to be a crying need, on November 13, 1963, I introduced a bill directed toward that end. This bill was referred to the House Committee on Rules. I find this ironic and frustrating.

Since one of the prime motives of my bill is to eliminate the power of the Rules Committee in general and its chairman in particular, it has as much chance of favorable consideration by that committee as the proverbial snowflake in Hades.

If the people of the United States were fully aware of how fossilized congressional rules and procedures work contrary to fundamental democracy, they would be clamoring for corrective measures.

SUUMMARY OF THE YEAR'S ACTIVITIES

The SPEAKER. Under previous order of the House, the gentleman from New York [Mr. ADDABBO] is recognized for 15 minutes.

Mr. ADDABBO. Mr. Speaker, at the end of each session since I came to Congress 3 years ago I have summarized the year's activities, reprinted them at my expense, and mailed them to my constituents. Each of the 3 years has been a breaking of the previous year's longest peacetime session and this past year has surpassed all.

My only regret has been that the lengthy session reduced the time I would have spent in my district personally discussing and obtaining the views and attending to the needs of my constituents.

From many quarters today we hear criticism of the Congress. Newspapers, magazines, and indeed a number of Congressmen themselves have attacked what is called the "stand still" record of the 88th Congress.

As a nation, perhaps, we have become obsessed with speed. We fly from coast to coast in 5 hours; we patronize the 5-minute car wash; we demand headache remedies that begin working within 60 seconds, and the trend is to all types of instant food.

It is only natural, I suppose, that some people would come to expect instant wisdom and instant legislation from the Congress of the United States. Fortunately, or unfortunately, there can be no such thing. Some basis for criticism may exist, but the record of Congress simply cannot be judged by the number of laws passed.

It is interesting to note that some of the people accusing Congress of dwadling and wasting time are at the same time fearful of Congress surrendering its authority to the executive branch. These individuals urge us to get busy and pass some laws, but they are not anxious for the lawmaking branch to simply rubber-stamp administration requests.

I believe the 88th Congress is doing the job the Constitution assigns to the National Legislature. Quality, not quantity, should be the criterion. We must be judged on the wisdom and need for the laws we enact. Are they good laws? Were they really needed? Will they correct the grievances which prompted their passage?

My summary includes most of the bills that are of widespread interest.

MEDICAL AND HEALTH

Public Law 88–129 provides for a 3-year program of $175 million in matching grants to expand facilities of medical, dental, nursing, and related type colleges and $30.7 million for student loans.

Public Law 88–156 provides for $350 million in aid to States for maternal and child health services, crippled children's programs, and maternity care and research projects to prevent mental retardation.

Public Law 88–164 provides $238 million to aid States in providing mental retardation research facilities and in constructing community mental health centers.

EQUAL PAY FOR WOMEN

Public Law 88–38 prohibits discrimination in pay on the basis of sex in work that is subject to the minimum wage laws.

This measure had been before Congress for 18 years.

HOUSING

Public Law 88–158 increases to $275 million the loans to organizations constructing housing for the elderly.

Public Law 88–54 extends for 2 years the authority of FHA to insure mortgages.

MILITARY FORCES

Public Law 88–132 increases the pay for members of the Armed Forces and readjusts pay schedules to encourage reenlistments so that less men will need to be drafted.

EDUCATION

Public Law 88–204 authorizes $400 million per year to aid college classroom construction. Colleges and universities would be required to pay at least two-thirds of the cost of each construction project.

Public Law 88–210 provides for new grants to States to expand vocational education programs and extends the National Defense Education Act for 1 year and the Impacted Areas Act for 2 years. The total amount of money available for student loans was increased by about 50 percent.

This is the most legislation for education that has been passed in any Congress since the Land-Grant College Act of 100 years ago.

HIGHWAY

Public Law 88–157 extends the interstate highway program through 1971 and continues the billboard control program for 2 years.

MANPOWER TRAINING

Amendments were passed to extend the job training program an additional year and make some 16- to 19-year-olds eligible who could not finish high school.

INTERNATIONAL

Public Law 88–200 authorized an expansion of about one-half in the Peace Corps. Congress has indicated it intends to replace some foreign aid grants with Peace Corps programs which cost much less and most believe will be more effective.

Public Law 88–186 extended the Arms Control Research Agency through 1965.

The nuclear test ban treaty was negotiated by President Kennedy and ratified by the Senate.

Foreign aid was extended, but reduced about $2 billion below the recommendation of the bipartisan advisory committee headed by General Clay and forwarded as a part of the budget request. The formula under which it was reduced cut some of the grant programs which have not been very effective, but it also reduced some of the loan programs that have not been subject to criticism and limited the President in administration of the law so that he cannot now shift concentration to the more efficient aspects of the program.

CIVIL RIGHTS

Extended the Civil Rights Commission for 1 year and devoted several months to the development of legislation which will come up in the House in January. A discharge petition will either have enough names accumulated by then, or Representative **Howard Smith**, of Virginia, chairman of the House Rules Committee, will have concluded hearings resulting in a rule.

The proposed civil rights legislation gives to all persons, on a Federal basis, about the same rights and privileges shared by all in New York under long-existing New York State Law.

YOUTH EMPLOYMENT CORPS

A bill authorizing a program to employ jobless youths between 16 and 22 years of age in conservation and hometown work passed the Senate and is pending in the House Rules Committee. Passage in the House is possible, but doubtful.

TAXES

A big tax cutting bill with some revisions in deductions allowable passed the House and is expected to pass the Senate in January. It will probably be effective to any income received after January 1, 1964.

This legislation has given added benefits to our senior citizens.

VETERANS

Public Laws 21 and 134 increase payments to dependents of veterans who died of service-connected disabilities.

Public Law 88–151 permits the Veterans' Administration to waive recovery on home loans in certain hardship cases.

Public Law 88–20 provides additional compensation for service-connected loss of hearing in both ears.

Public Law 88–22 increases benefits for veterans suffering complete loss of speech.

DEFENSE COSTS

Most of our Federal taxes are still being spent for defense costs. Our inventory of modern weapons such as the Polaris submarine has been increased to where we may be able to reduce annual purchases and still have an adequate supply for any eventuality. Savings of at least $500 million per year have been made by changing procurement policies in the past 2 years. Even though new weapons are more complicated and cost more per unit, it appears that it may now actually be possible to maintain our defense needs with less money or at least without the further annual increases that we have had for many years.

BUDGETS

Congress still spends most of its time working on appropriation measures and looking for places to reduce budget requests. As a member of the Appropriations Committee, I have become more and more aware of the need for a businessman's budget which more accurately reflects changes in accounts receivable, debts accumulated, and assets sold and purchased. A loan that will be paid back to the Government next year is now included the same as a nonrecoverable expense this year and contracts that obligate us for many years to come are only included to the extent we paid on them this year. I believe President Johnson will seek to change the budgeting procedures so they are more meaningful. The table below does not reflect these changes but is really a table showing budget requests and appropriations made. That is the only kind of a budget we now have.

RECAP

Total budget requests, $98,768,867,051.

Total authorized by Congress, $92,403,980,284.

Total reduction by Congress, $6,364,886,767.

Departmental appropriations, 88th Cong., 1st sess. (for regular activities)

Title	Budget estimates	Amount as passed (House)	Amount as passed (Senate)	Amount enacted
Interior	$674, 169, 000	$597, 860, 200	$627, 859, 900	$612, 061, 750
Related agencies	354, 340, 000	330, 765, 500	357, 833, 500	346, 394, 750
Treasury	1, 153, 230, 000	1, 095, 910, 000	1, 112, 200, 250	1, 103, 650, 000
U.S. Tax Court	1, 893, 000	1, 890, 000	1, 890, 000	1, 890, 000
Post Office	4, 976, 964, 000	4, 885, 000, 000	4, 940, 750, 000	4, 925, 500, 000
Executive Office of the President	14, 058, 000	13, 641, 000	14, 041, 000	13, 841, 000
Labor	427, 220, 000	384, 844, 000	384, 844, 000	350, 078, 000
Related agencies	30, 940, 000	29, 550, 000	29, 550, 000	30, 105, 000
Health, Education, and Welfare	5, 301, 314, 000	5, 035, 542, 000	5, 036, 742, 000	5, 090, 904, 000
Supplemental, 1963	1, 641, 507, 106	1, 438, 691, 506	1, 488, 683, 841	1, 467, 430, 491
Supplemental, 1963 (CCC)	508, 172, 000	508, 172, 000	508, 172, 000	508, 172, 000
Agriculture	1, 582, 417, 000	1, 530, 934, 000	1, 562, 957, 340	1, 546, 945, 000
Related agencies	4, 786, 338, 000	4, 448, 523, 000	4, 483, 781, 000	4, 466, 152, 000
Legislative	148, 580, 245	140, 038, 919	168, 273, 069	168, 273, 069
State	359, 721, 000	305, 051, 000	325, 033 000	323, 849, 000
USIA	208, 236, 000	163, 470, 000	170, 620, 000	166, 220, 000
Justice	355, 506, 000	343, 799, 000	344, 477, 000	343, 899, 000
Judiciary	59, 084, 900	58, 127, 900	58, 127, 000	58, 127, 000
Commerce	996, 572, 000	833, 818, 000	798, 300, 100	795, 625, 100
Related agencies	172, 716, 000	139, 204, 000	140, 885, 000	135, 089, 000
Defense	49, 014, 237, 000	47, 082, 009, 000	47, 339, 707, 000	47, 220, 010, 000
District of Columbia	289, 581, 800	284, 286, 800	319, 587, 725	313, 093, 424
Independent offices	14, 658, 588, 000	13, 102, 718, 700	13, 300, 214, 650	13, 224, 518, 000
Military construction	1, 966, 400, 000	1, 562, 964, 000	1, 617, 489, 000	1, 585, 880, 000
Public works	4, 561, 747, 000	[illegible], 276, 116, 400	4, 500, 963, 200	4, 406, 272, 700
Foreign aid	4, 525, 325, 000	3, 097, 280, 000	3, 299, 503, 000	3, 200, 000, 000
Total	98, 768, 867, 051	91, 690, 206, 925	92, 932, 484, 575	92, 403, 980, 284

Indeed a great many factors combined in making this session of Congress unusual and perhaps even unique; the most tragic event being the assassination of our President John F. Kennedy. It was my privilege, with heartfelt grief, to attend the 3-day mourning for our President and to witness the majesty of Mrs. John F. Kennedy. I did this personally and on behalf of all my constituents and conveyed their regrets to Mrs. John F. Kennedy and the late President's family.

I shall endeavor and always try to fulfill the interests and needs of the people of my district. In carrying out this purpose I have always sought their views and maintained a district office for their convenience at 93-11 101st Avenue, Ozone Park, and have requested they write me at my Washington office at room 1720, New House Office Building, Washington, D.C. Again I invite my constituents to continue to avail themselves of this service so that they might personally participate in their Government and to visit this great Capital.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted as follows:

To Mr. **Duncan**, for January 9, 1964, through January 15, 1964, inclusive, on account of official business (Wilderness bill hearings, Committee on Interior and Insular Affairs).

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

Mr. **Gross**, for 15 minutes, on tomorrow.

Mr. Harris, for 1 hour, on Thursday.

Mr. Addabbo (at the request of Mr. Boggs), for 15 minutes, today, and to revise and extend his remarks.

EXTENSION OF REMARKS

By unanimous consent, permission to extend remarks in the Congressional Record, or to revise and extend remarks, was granted to:

Mr. Fino.

Mr. Auchincloss to revise and extend remarks made on House Joint Resolution 871 and to include extraneous matter.

(The following Members (at the request of Mr. Beermann) and to include extraneous matter:)

Mr. Dague in two instances.

Mr. Martin of Massachusetts.

Mr. Auchincloss.

(The following Members (at the request of Mr. Boggs) and to include extraneous matter:)

Mr. Jones of Alabama.

Mr. Murphy of New York.

Mr. St. Onge in two instances.

ADJOURNMENT

Mr. BOGGS. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 6 o'clock and 58 minutes p.m.), the House adjourned until tomorrow, Thursday, January 9, 1964, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

1510. A letter from the Assistant Secretary of the Interior, transmitting the report of the Secretary of the Interior on the Merlin division, Rogue River Basin project, Oregon, pursuant to section 9(a) of the Reclamation Project Act of 1939 (53 Stat. 1187) (H. Doc. No. 202); to the Committee on Interior and Insular Affairs and ordered to be printed with illustrations.

1511. A letter from the Administrator, Veterans' Administration, transmitting the annual report of the activities of the Veterans' Administration for the fiscal year ending June 30, 1963, pursuant to the provisions of 38 U.S.C. 214 (H. Doc. No. 258); to the Committee on Veterans' Affairs and ordered to be printed with illustrations.

1512. A letter from the Administrative Assistant Secretary of the Interior, transmitting additional information relating to a letter dated December 13, 1962, pertaining to eight scientific or professional positions in the Department of the Interior authorized by Public Law 313, 80th Congress; to the Committee on Post Office and Civil Service.

1513. A letter from the Chairman, U.S. Civil Service Commission, transmitting a report covering a Civil Service Commission position in grade GS-18, pursuant to Public Law 854, 84th Congress; to the Committee on Post Office and Civil Service.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. SCHWENGEL: Committee on Public Works. Minority views on House Joint Resolution 871. Joint resolution providing for renaming the National Cultural Center as the John F. Kennedy Center for the Performing Arts, authorizing an appropriation therefor, and for other purposes; without amendment (Rept. No. 1050, pt. II). Referred to the Committee of the Whole House on the State of the Union.

Mr. PATMAN: Committee on Banking and Currency. H.R. 9022. A bill to amend the International Development Association Act to authorize the United States to participate in an increase in the resources of the International Development Association; with amendment (Rept. No. 1093). Referred to the Committee of the Whole House on the State of the Union.

PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. GARMATZ:

H.R. 9582. A bill relating to the effective date of the qualification of Sheet Metal Workers Local Union No. 122 pension fund as a qualified trust under section 401(a) of the Internal Revenue Code of 1954; to the Committee on the Judiciary.

By Mrs. KEE:

H.R. 9583. A bill to designate the authorized Justice Reservoir on the Guyandot River, W. Va., as the R. D. Bailey Reservoir; to the Committee on Public Works.

H.R. 9584. A bill to amend title II of the Social Security Act to reduce from 62 to 50 the age at which widow's benefits become payable thereunder; to the Committee on Ways and Means.

By Mrs. KELLY:

H.R. 9585. A bill to provide that the United States shall reimburse the States and their political subdivisions for real property taxes not collected on real property owned by a foreign government and therefore exempt from taxation; to the Committee on Foreign Affairs.

By Mr. THOMPSON of New Jersey:

H.R. 9586. A bill to provide for the establishment of a National Council on the Arts to assist in the growth and development of the arts in the United States; to the Committee on Education and Labor.

H.R. 9587. A bill to provide for the establishment of a National Council on the Arts and a National Arts Foundation to assist in the growth and development of the arts in the United States; to the Committee on Education and Labor.

By Mr. WICKERSHAM:

H.R. 9588. A bill prohibiting lithographing or engraving on envelopes sold by the Post Office Department, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. FARBSTEIN:

H.R. 9589. A bill to establish a National Economic Conversion Commission, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. GOODELL:

H.R. 9590. A bill to amend the prevailing wage section of the Davis-Bacon Act to provide judicial review of wage determinations issued by the Secretary of Labor, to provide judicial review of enforcement proceedings instituted by the Secretary of Labor, and for other purposes; to the Committee on Education and Labor.

By Mr. THOMPSON of New Jersey:

H.J. Res. 883. Joint resolution amending Public Law 86-683 to authorize the appropriation of funds for the New Jersey Tercentenary Celebration Commission; to the Committee on the Judiciary.

By Mr. FULTON of Pennsylvania:

H.J. Res. 884. Joint resolution proposing an amendment to the Constitution of the United States on presidential power and succession; to the Committee on the Judiciary.

By Mr. CANNON:

H. Con. Res. 252. Concurrent resolution authorizing the printing as a House document of a compilation of addresses and remarks by Congressman Daniel J. Flood relating to the Panama Canal, and of additional copies thereof; to the Committee on House Administration.

MEMORIALS

Under clause 4 of rule XXII, memorials were presented and referred as follows:

By the SPEAKER: Memorial of the Legislature of the State of Wisconsin, memorializing the President and the Congress of the United States to act favorably on pending resolutions establishing a standing Veterans' Affairs Committee of the U.S. Senate; to the Committee on Rules.

Also, memorial of the Legislature of the State of Wisconsin, memorializing the President and the Congress of the United States to enact legislation providing for nursing home care for veterans; to the Committee on Veterans' Affairs.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. BARRY:

H.R. 9591. A bill for the relief of Mr. and Mrs. Albert J. Holland; to the Committee on the Judiciary.

By Mr. BROWN of California:

H.R. 9592. A bill for the relief of Norton Patrick Easton; to the Committee on the Judiciary.

By Mr. CHENOWETH:

H.R. 9593. A bill for the relief of Ann Georgette Graham; to the Committee on the Judiciary.

By Mr. DANIELS:

H.R. 9594. A bill for the relief of Maritsa Bitzikis; to the Committee on the Judiciary.

By Mr. DANIELS:

H.R. 9595. A bill for the relief of Graziella Orecchio; to the Committee on the Judiciary.

By Mr. LINDSAY:

H.R. 9596. A bill for the relief of Dr. Sadashiv V. Phansalkar; to the Committee on the Judiciary.

By Mr. NIX:

H.R. 9597. A bill for the relief of Miss Sylvie D. Bouganim; to the Committee on the Judiciary.

By Mr. POWELL:

H.R. 9598. A bill for the relief of Jean Allenby Nicholas; to the Committee on the Judiciary.

By Mr. RIVERS of South Carolina:

H.R. 9599. A bill to revive the office of General of the Armies of the United States and to authorize the President to appoint General of the Army Douglas MacArthur to such office; to the Committee on Armed Services.

By Mr. VAN PELT:

H.R. 9600. A bill for the relief of Christos Panagiotopoulos; to the Committee on the Judiciary.

PETITIONS, ETC.

Under clause 1 of rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

597. By the SPEAKER: Petition of Henry Stoner, Avon Park, Fla., relative to taking steps to promote the idea of a nuclear patrol about the borders of Communist China to prevent nuclear warheads from entering Communist China; to the Committee on Foreign Affairs.

598. Also, petition of Henry Stoner, Avon Park, Fla., relative to alleged connections between the CIA and the executed Bulgarian spy Ivan Assen Georgiev; to the Committee on Foreign Affairs.

599. Also, petition of Henry Stoner, Avon Park, Fla., requesting that the Joint Committee on Printing attempt to change the spelling in the Congressional Record of "madam" to a more appropriate "madame"; to the Committee on House Administration.

600. Also, petition of Henry Stoner, Avon Park, Fla., relative to legislation to require electronic eyes at all entrances to the U.S. Capitol for security reasons; to the Committee on House Administration.

601. Also, petition of Henry Stoner, Avon Park, Fla., requesting that the Joint Committee on Printing have placed in the Congressional Record Zip code numbers relating to Congress; to the Committee on House Administration.

602. Also, petition of Henry Stoner, Avon Park, Fla., relative to abolishing the so-called seniority rule in determining the committee chairman in the House of Representatives; to the Committee on Rules.

EXTENSIONS OF REMARKS

National Cultural Center

EXTENSION OF REMARKS

OF

HON. JOSEPH W. MARTIN, JR.

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 8, 1964

Mr. MARTIN of Massachusetts. Mr. Speaker, we consider today a bill to name the proposed National Cultural Center in memory of the late President John F. Kennedy.

I am honored to have filed this bill. I did so because I believe in the high purposes of the Cultural Center and because I believe this is the most fitting of the memorials proposed for the late and beloved leader from my home State of Massachusetts.

I am honored, too, to have filed it because I believe that such a memorial should be nonpartisan in origin and nonpartisan in its adoption by this Congress. The memory of President Kennedy belongs to the whole Nation; to the whole world; to all the people he sought to serve.

Someday this Cultural Center will be a source of pride to every American. It will be a cultural stimulus to the Nation, and it will be a home for the arts in the Nation's Capital.

Ever since the dawn of Christianity, nations have been proud of their cultural progress. We have considered ourselves one of the foremost, yet, in some respects, we have lagged behind foreign nations in the support that we have given to the fine arts. We must be as anxious to lead in this endeavor as we are in any other.

The late President Kennedy and his remarkable wife, Jacqueline, made a conspicuous contribution to the elevation of our taste for the fine arts. Music and poetry and painting received recognition in the Kennedy administration far beyond any that those arts had received in prior years. Both of them possessed artistic good taste which all good Americans have envied and appreciated. This good taste gave their administration a class that was good for the country and its people. I know that John F. Kennedy would be proud to have this Cultural Center bear his name. This can be a real memorial to him and a mark of honor to his wonderful widow.

This Congress must approve a suitable memorial for the late President and appropriate adequate funds for it. It must be located in Washington, D.C., the city which was so dear to his heart and in which he did so much for humanity.

If we approve this bill today, we will forestall some less worthy memorial later. We will assure that what funds are to be appropriated will be spent usefully in a great national endeavor. We will be paying timely and appropriate homage to our late and beloved President, John F. Kennedy.

Howard H. Baker

EXTENSION OF REMARKS

OF

HON. PAUL B. DAGUE

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 8, 1964

Mr. DAGUE. Mr. Speaker, the year that is gone—the 1st session of the 88th Congress—has been the most gruelling in my 17 years in the House and the frustrations, the disappointments, and the unrelenting pressures to which we have been subjected have resulted in all too many of our colleagues being called to their eternal rest. Perhaps, too, the fact that we are the constant targets of those who want only to make capital out of Congress resistance to bad legislation has been a prime reason for the fatalities that marked last year's legislative path.

Today we mourn the passing of a distinguished and dedicated colleague who was a tower of strength on our Ways and Means Committee where he lent his not inconsiderable talents to the reporting of good legislation or, which is equally important, to withholding immature measures that could only add to the socialistic menace which is bearing down upon us. Howard Baker was a man who recognized a basic commitment to represent the interests of his constituents but he also accepted the larger mandate stemming from national welfare as a whole. Good men of this man's stature are not readily encountered and he will indeed be hard to replace.

One of our cherished privileges was that of service with Mr. Baker's son-in-law, the Honorable William C. Wampler, who was here with us in the 83d Congress. During that period we came to appreciate the fine traditions of the Baker family, not only through the father but also through the daughter, and our hearts go out to those who suffer in this bereavement. Mrs. Dague joins with me in a prayerful petition that the family of our late colleague will find consolation in the assurance that there are so many who mourn with them in this sad hour.

Hon. Howard H. Baker

EXTENSION OF REMARKS

OF

HON. ROBERT E. JONES

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 8, 1964

Mr. JONES of Alabama. Mr. Speaker, it is with a heavy heart that I join my colleagues in mourning the sudden passing of Howard H. Baker of Huntsville, Tenn. The House has lost a Member, whose personal charm and magnetism made him firm friends on each side of the aisle. He merited and had the respect and affection of everyone in the Congress.

Howard Baker was a legislator and a public servant who not only was an exemplar of the best traditions of the Congress but enhanced them by his service here. A man of firm convictions and principles he had that rare quality of being able to disagree without being disagreeable, of vigorous opposition without offense and a candid honesty which added to the admiration and respect we had for him.

In coming to the House, Howard Baker brought vast experience in human relations and public service which helped make him such a valuable counsel on the Ways and Means Committee and in the daily deliberations of the House itself. Before coming to the Congress, he long had been acknowledged as a leader and thinker in the affairs of Tennessee and an outstanding member of the bar, with a reputation that was not bounded by State lines. He was almost as widely known and respected in my own State of Alabama as he was in Tennessee. He came well equipped to serve here because of his service in the Tennessee Legislature, as an attorney general, a judge, and had a keen interest and knowledge of national and international affairs because of his repeated elections as a delegate to national Republican conventions.

HOWARD BAKER was loved, honored, and respected as a person and as a public figure. He contributed greatly to our recent history and national well-being and his memory will be cherished as long as any of his colleagues remain to miss him. To Mrs. Baker and his three children, I extend my deepest sympathy.

William Joseph Green, Jr.

EXTENSION OF REMARKS

OF

HON. PAUL B. DAGUE

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 8, 1964

Mr. DAGUE. Mr. Speaker, the ever-swinging scythe of the Grim Reaper has taken its heavy toll of our Pennsylvania delegation and we stand with bowed heads as we contemplate the loss of these colleagues who so completely earned our affection and respect while they were laboring in the legislative vineyard with us.

Especially have we been touched by the untimely passing of BILL GREEN who was taken at the apex of his career and who left the national scene at a time when this Nation can so ill afford to lose a public servant of his stature. Incidentally, this brief eulogy will probably be read by partisans who will have difficulty in understanding how legislators of such diverse political viewpoints could feel themselves so bereft when a colleague of the opposite persuasion is called to his eternal reward. To answer them is simply to emphasize that disagree we may in matters of policy but in the end we judge our brother by his code of ethics and by how he discharged his obligations and kept his word. A worthy opponent in the legislative lists was this departed warrior but with it all he was one who called his shots and hesitated not to be magnanimous in victory.

The record will probably reveal that BILL GREEN and I voted alike on but few issues and I suspect that our political philosophies were as far apart as the poles. But having said that I am sure that each of us, according to his lights, wanted the same thing; namely, a life of peace and security for all mankind. I also have within me the firm conviction that had I ever wanted a favor, political or otherwise, I would have found our Philadelphia friend ready and willing to lend me a hand.

It was my sad privilege to join in the sacred rites observed in his passing and I could not help being impressed, as one of a different denomination, by the dignity and solemnity of the requiems intoned in his behalf. And I am sure that in his place of quiet rest beyond the sunset Bill has been pleased to observe that he has had a place in my humble if ineloquent prayers.

This departed friend left a loving wife and devoted children who will not quickly be turned from their sorrow. But we who are still in our pilgrimage must remember them in our devotions, and Mrs. Dague and I shall prayerfully petition the Master to enfold them in His comforting arms.

The Korean Wall

EXTENSION OF REMARKS

OF

HON. JOHN M. MURPHY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 8, 1964

Mr. MURPHY of New York. Mr. Speaker, under the leave to extend my remarks in the RECORD, I include the following text of a television speech that I will deliver on Sunday, January 12, in New York as a result of the observations of a trip that I made to Korea and South Vietnam between December 14 and 24, 1963. At that time I discussed the military, economic, and political situations with representatives of their countries. The following pertains particularly to the demilitarized zone in Korea which can be appropriately called the Korean wall:

THE KOREAN WALL

(By JOHN M. MURPHY, Member of Congress)

We in the West tend to symbolize the cold war with the Berlin wall, which runs like an ugly scar across the former capital of Germany. Its identification in our minds with Communist tyranny was etched even sharper over the Christmas holidays, when the Red puppet leaders of East Germany briefly opened the wall to admit West Berliners for visits with their relatives in East Berlin.

But while the free world's attention was focused on the Berlin wall, I was viewing another wall—a less dramatic one, perhaps, but even more grim and far deadlier. This wall is, prosaically enough, a strip of dirty, weather-worn engineer's tape, two inches wide, which stretches 151 miles across the Korean Peninsula from the Han River estuary in the west, to just below the 39th parallel in the east.

It passes between bleak, snow-covered hills which still bear the gashes of shell fire, the charred and splintered trees and the debris of a war that is not yet over. It winds through frozen valleys, threading brushwood and weeds that cover former farmlands now sown with a deadly crop of mines. Two thousand meters out from it, and paralleling it north and south, are strands of rusty barbed wire. Posted along the wire at intervals, like silent sentinels, are yellow and black signs which warn: Caution—no admittance—DMZ.

This is the demilitarized zone, the line of ground contact between the opposing sides at the moment of cease fire, which now separates the Republic of Korea from the Communist north. Inside this no man's land nothing moves except the ceaseless wind, and the silence is oppressive. There are no bricks and mortar here, but this is a wall, unseen but hostile, and there are no openings in it even for Christmas.

In Berlin there is at least some contact between East and West, a sense of communication with those on the other side. People do pass through the wall, and there is no readily discernible feeling of deep enmity in the air. Nor is there an urgent sense of danger; frustration, perhaps, and even bitterness, but the Berliners seem convinced that, somehow, an accommodation will be worked out for whatever crisis confronts them.

Not in Korea. The hostility between North and South is as deep and total as it was a decade ago, when I fought there as a young infantry officer just out of West Point. What contact there is between sides on the Military Armistice Commission is coldly official; as always, the Communist members lie, insult, and obstruct; it is basic with them to violate the terms of the truce. Their double-dealing long ago became so brazen that we do not permit their inspection teams on our side of the line.

On the troop level, there is every attitude of war except actual shooting, and at times there is even that. We—and when I say "we" I am speaking of the United Nations Command—have roughly 1 million men under arms in South Korea. The vast majority, of course, are Republic of Korea troops, augmented by our own 1st Cavalry and 7th Infantry Divisions and a token force of British and Turkish troops.

The line is patrolled constantly, day and night, by both sides. They pass in hostile silence, and sometimes the North Koreans spit on our men as they file by. On strategic hills we have built concrete bunkers, manned around the clock and protected against infiltrators by coils of barbed wire, mines, and trip flares. Twice daily helicopters fly the 151 miles of the truce line to flush out enemy probers.

For in Korea there is only an armistice—the longest armistice in history—and, in my opinion, there will be no peace settlement worked out in the foreseeable future. Perhaps we may in time arrive at an accommodation with the Russians, but in Korea we are dealing with the Red Chinese, who, at this point in history, can be dealt with only by force. In Korea, as in every other area of their influence, the Peking Marxists play a waiting game, constantly probing to find a weak spot, military or economic, and exploit it.

The danger in Korea is clear and present. Behind that wall of silence lies an implacable foe, restrained from another savage assault only by the realization that we maintain a superior force to oppose them. Behind this force is American determination and American money and resources, a combination far more powerful than any Peking can muster. Peking is quite aware of this.

But Peking is also aware that there is a growing dissatisfaction—or perhaps disenchantment is the better word—with foreign aid in this country, a feeling that a reappraisal is due. There is no doubt but that savings can and should be made, that there have been waste and mismanagement in the aid program, that we have been wide of our target in many areas. No program so vast could be perfectly administered. But to advocate sweeping slashes in military and economic aid, without regard for the critical areas of the cold war, is to court disaster.

This is precisely what Peiping is waiting for in Korea, in South Vietnam, in Cambodia—everywhere the Red tentacles reach. In Korea, we have spent more than $5 billion since World War II, militarily and economically. We lost 54,246 dead and counted 103,284 wounded in defending the country from Communist invaders. Last year, we spent more than $90 million. Were we justified in expending this blood and treasure? Having just returned from 2 weeks in Korea—2 weeks in which I conferred at length with civil and military officials and talked with scores of South Koreans in all walks of life—I can tell you that the answer is "Yes."

Some Americans might ask, "What difference does it make to a powerful country like the United States if Red China does take Korea, or South Vietnam, or Cambodia? They're a long way off." Militarily, we could cope with such a setback. But that is not the point. The point is that such conquests would not necessarily make us weaker, but would make Red China far, far more powerful. Economically, Peiping is in trouble. Its resources are strained simply to feed its people.

Every acre of rice land, every factory it can seize, free, in Red China the equivalent in manpower and raw material for further conquest. The amazingly fertile fields of Vietnam alone would feed Red China's millions, enabling them to throw all their energies into building Red China's war machine. This is the thought we must keep uppermost in our minds when we consider the value of continued foreign aid. Every man we arm, every factory we underwrite to strengthen the economy of a threatened country such as Korea, is a defeat for communism.

It is our will alone that is keeping the enemy on the other side of that silent wall in Korea. We must not let it weaken.

Do We Maintain Two Standards in Dealing With Communism?

EXTENSION OF REMARKS

OF

HON. PAUL A. FINO

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 8, 1964

Mr. FINO. Mr. Speaker, if ever there was reason for the American people to be confused, disturbed, and disgusted, it was given yesterday when this administration criticized and denounced the British sale of buses and spare parts to Cuba.

The State Department's opposition to this deal with Cuba because it "does not help our efforts to isolate the Cuban regime," is a farce.

How can we, in good conscience, justify our criticism of this sale of nonstrategic goods when we are selling one-quarter billion dollars worth of wheat to Russia, Bulgaria, and other Iron Curtain countries?

Do we maintain two standards in dealing with communism? Is the Cuban brand of communism any different than Russia's?

How can we expect other countries to respect our wishes when we speak from both sides of our mouths? How can we expect our allies to respect us when we rap them for selling nonstrategic material to a Communist country and then we go ahead and feed our Communist enemies?

Is it any wonder that our American people are confused and disturbed?

Hon. Cyrus R. Vance, Secretary of the Army, Named West Virginian of 1963 by Charleston (W. Va.) Sunday Gazette-Mail

EXTENSION OF REMARKS

OF

HON. JENNINGS RANDOLPH

OF WEST VIRGINIA

IN THE SENATE OF THE UNITED STATES

Wednesday, January 8, 1964

Mr. RANDOLPH. Mr. President, the Honorable Cyrus R. Vance, Secretary of the Army, is an outstanding example of capability, experience, and dedication in public office—a citizen of high ideals who believes himself compelled to serve his country to the limits of his abilities.

For his significant contributions to the well-being of our land, and for the manner in which he epitomizes the energy and individuality of his native State, the Charleston (W. Va.) Sunday Gazette-Mail has selected Cyrus Roberts Vance as "West Virginian of 1963."

From schoolboy athlete to Cabinet member, "Bob" Vance's life has been one of continuous achievement. He has worked hard, and has attained much. Leaving the Navy after distinguished World War II service, Secretary Vance won recognition in the legal profession as a partner in a prominent New York firm. In 1957 he came to Washington as consulting counsel to the Preparedness Investigating Subcommittee of the Senate Committee on Armed Services, and later was appointed as General Counsel to the Department of Defense. In mid-1962, the Clarksburg native succeeded Elvis J. Stahr, Jr., another West Virginian, as Secretary of the Army.

In the December 19, 1963, issue of the State magazine of the Gazette-Mail, editorial staff writer, George Lawless, describes Cyrus Vance the man, and explores the complex and demanding world in which he lives and works. I commend Mr. Lawless' article to the attention of my colleagues and urge that they join me in expressing heartfelt gratitude and congratulations to the West Virginian of 1963, a gifted and devoted public servant, the Honorable Cyrus R. Vance.

I ask unanimous consent that the Sunday Gazette-Mail article, "West Virginian for 1963," be printed in the RECORD, together with my congratulatory letter to Secretary Vance dated January 7, 1964.

There being no objection, the article and letter were ordered to be printed in the RECORD, as follows:

WEST VIRGINIAN FOR 1963

(By George Lawless)

In a few days Cyrus Roberts Vance is slated to take over the No. 2 post in an organization charged with awesome responsibility—defense of the free world.

Vance, 46, is expected to replace Roswell Gilpatric as Deputy Defense Secretary under Robert S. McNamara.

A native of Clarksburg, the tall, tousled Secretary of the Army is the Sunday Gazette-Mail's selection of "West Virginian of 1963."

For the past 18 months, as boss of almost 2 million military and civilian personnel, with an annual budget exceeding $5 billion and with branch offices in 58 countries, Vance has commanded one of the biggest businesses in peacetime history.

In that period, he has weathered several major crises, starting with the Cuban confrontation and Berlin flareups and continuing through racial battles in Mississippi and Alabama. Vance also is credited with helping to realine and reorganize the U.S. Army into the world's most effective strike force.

Last August 2, at White Sulphur Springs, Vance told southern Governors' conference that the United States and its NATO allies could win a conventional war with Russia. This offhand remark points up the changes wrought in our Defense Establishment since the midfifties, when the West depended almost solely on a "Chinese wall" of nuclear bombers to retaliate to any aggression.

"This country * * * continues to require the best defense in the world—a defense which is suited to the sixties," declared the late President Kennedy last January. "It means improved air and defense missiles, improved civil defense, a strengthened antiguerrilla capacity, and flexible nonnuclear forces. For a division of well-equipped men on a border may be more useful to our real security than the multiplication of awesome weapons beyond all rational need."

This new military posture—and the man who may ultimately be charged with its total implementation—makes Cyrus Vance one of the most important men of our century.

He was appointed General Counsel to the Department of Defense on January 4, 1961, as one of President-elect Kennedy's first official moves. Vance succeeded Secretary of the Army Elvis Stahr, former president of West Virginia University, 17 months later. Stahr left to become president of Indiana University.

During his tenure as General Counsel, Vance earned the reputation of being "the hardest worker in the Pentagon."

He's the only man there, said an awed aide, "who comes to work earlier and stays at the office longer than McNamara."

There are, indeed, some striking similarities in the makeup of McNamara and Vance. Both are wholly dedicated to their job, both are precise, confident, and controlled.

"Very incisive mind, unusual integrity, good balance and judgment," are words coworkers use to describe Vance.

The only evidence of his bad judgment—from the average person's viewpoint—might be the mankilling schedule he maintains. He's always at his Pentagon office desk well before 8 a.m. each day and rarely leaves before 9 p.m. This often includes Saturdays and Sundays.

"My wife (Gay) wishes I could organize my time better so I could shorten my hours," Vance grins, then adds a note of seriousness:

"There's just so much to be done. You literally could work 24 hours a day and still wouldn't get all the work done."

This almost total dedication to duty is pleasing to the hard-driving McNamara, former president of Ford Motor Co. He reportedly found the more relaxed approach of former Army Secretary Stahr a bit irksome.

Cyrus (Bob) Vance was born on St. Patrick's Day in 1917 in an old family mansion at the corner of Pike and Sixth Streets in West Clarksburg.

He was the fourth generation of Vance in the city. His great-grandfather, Col. Cyrus Vance, was a former mayor of Clarksburg. His grandfather, Col. John Vance, was a member of the first succession legislature at Wheeling.

Bob is one of two boys born to Mr. and Mrs. John Carl Vance. His brother, John, is 2 years older and former assistant attorney general under Governor Marland. John practiced law in Clarksburg until 3 years ago, when he became a writer and editor for the American Bar Association's Legal Journal at Rochester, N.Y.

Bob Vance was a Navy lieutenant and gunnery officer abroad destroyers for 20 months during World War II.

He attended Kent School, a private prep school in Connecticut, and Yale University. He received his B.A. degree in economics in 1939, went on to Yale Law School. In 1942 he was graduated cum laude.

After Navy service, he was named assistant to the president of Mead Corp., a manufacturer of paper products, with headquarters in New York. In the following year, he joined the law firm of Simpson, Thacher & Bartlett, one of the leading Wall Street legal concerns. Vance was made a full partner in 1952.

He married Grace Elsie Sloane, daughter of the retired head of W. & J. Sloane Co., of New York, in 1947. The Vances have five children, Elsie, 15, Amy Sloane, 13, twins Grace Roberts and Camilla, 12, and Cyrus Roberts, Jr., 9.

The foregoing is bare biography.

It chronicles the rapid rise of a bright young man to a high position in the business world. It illustrates the career path a well-trained, wealthy man would normally take.

But behind this brief outline is the story of an exceptional individual, a man who has the destinies of millions locked in his agile mind.

Who is Bob Vance? How did he get there and where is he going? Those are questions impossible to answer, but some insight can be gained by tracing his career. The rounding out of a personality can be partly done by probing the thoughts of loved ones, close friends, and colleagues.

The search begins in the Pentagon, through the giant spaghetti bowl of corridors to room 3E718, located on the outer ring of the puzzle palace overlooking a mall. Here is where the man spends most of his waking hours; in its spacious confines history is being written.

On a typical day, he will have awakened around 6 a.m., skimmed through three newspapers during a hearty breakfast while awaiting the arrival of his civilian chauffeur. ("Bob absolutely refuses to use an enlisted man for the job; he believes it's not a military function," a close friend confides.)

He usually arrives at his giant oaken desk between 7:15 and 7:30 a.m. On it is a carefully prepared memorandum—which he had written immediately before departure the previous evening—outlining the chores of the day. He reviews it as he drinks a cup of strong coffee, 1 of about 15 during the day ("a carryover from my Navy days").

When the daily schedule is set in his mind, Vance whips across the hall to the cable room, where he reads overnight dispatches from his worldwide organization. After dictating replies, he returns to his desk for the beginning of a series of conferences. On an average day, between 35 and 40 high-placed personages will meet with him, interspersed by almost constant phone calls. And always, lurking in the tight schedule, is that quick summons from the White House or the Hill or the Strategy Board.

Glaring balefully across the large room at the oil-painted resemblance of Elvis Stahr is the portrait of Henry L. Stinson, the only man appointed twice as Army Secretary. The flag-lined office in itself is a fascinating study. About 20 by 50 feet of buff rug and off-white walls, the Secretary's suite is more of a living quarters than an office. Off to one side is a complete kitchen, from which luncheons are served almost daily at noontime conferences with key figures. Another feature is a bedroom, where he sleeps spasmodically during prolonged crises. It includes a handsome trophy case filled with awards and mementos of his military tours, but visitors are rarely permitted to inspect it. Displayed prominently in the case is the West Virginia Distinguished Service Medal awarded during his visit last summer to the 16th Special Forces encampment. The Preston County site, incidentally, is the only National Guard encampment he has visited during his term of office.

Vance has strong ties to West Virginia, although his residence in the Mountain State has been relatively brief.

He was only 6 months old when his father, a highly successful insurance man, accepted a post in New York as vice president of Baird & Co., an international insurance firm. The family moved to sedate Bronxville, N.Y. Mr. Vance headed the war materials insurance board during World War I. When Bob was 5 years old, the father suddenly contracted pneumonia and died.

The family returned to Clarksburg and took up residence at 123 Main Street West, in an imposing old two-story colonial home built in 1804. It is the oldest residence in Clarksburg.

At this point, Mrs. Amy Vance became the dominant factor in molding the man who now holds one of the most critical posts in Government. Today a tireless civic worker in Clarksburg, Mrs. Vance had some rather progressive ideas about rearing her fatherless children 40 years ago. She sought to teach them self-discipline, independence, and personal integrity.

"She has always given me good advice," says Bob Vance. "I remember the year she took us to Switzerland, to a private school near Clarens on Lake Geneva. She insisted that we learn to speak French. So she placed us with a Swiss family that could not speak English."

Mrs. Vance explains: "I felt that if they were to learn the language, they'd have to live with it. I only visited them on weekends, and little English was spoken even then."

"I think this is a good example of her efforts to teach us self-reliance," her son remarked. "It taught us to adapt to change."

This early oversea experience paid off in another way years later. During World War II, brother John served behind the lines as an intelligence agent in advance of General Patton's 3d Army, speaking French like a native in successfully contacting underground fighters.

Bob Vance decided to be a lawyer when he was about 8 years old. He explained:

"We used to spend Sundays with the John W. Davises. (The families are related; James H. Davis III, State senator from Kanawha County, is a distant cousin.) I used to browse in Mr. Davis' law library. I remembered the smell of bound leather, and those wonderfully big shelves of law books."

Davis, a distinguished attorney and former Democratic candidate for President in 1921, used to pose legal problems to young Bob and ask for solutions. Flattered, Bob would spend hours researching the law library before delivering an opinion.

He was enrolled at Kent School shortly after the family's return to Clarksburg in 1930, and spent only summers at home after that. At school, he earned the nickname of "Spider" as star wing on the hockey team.

"I grew about 8 inches in 1 year," said the slim 6-footer, "and I was all elbows and knees coming down the ice." Vance also rowed crew and played football. Coincidentally, Kent had a rousing sports rivalry with nearby Choate, where another passable football player named John F. Kennedy was enrolled.

During World War II both Kennedy as a PT-boat commander and Vance as a destroyer gunnery officer participated in a number of engagements, including the Solomons campaign, but never met.

At Yale, Vance played varsity wing on the hockey team, was a member of the Fence Club, Scroll and Key, Torch Honor Society, and, in law school, was selected student director of the Yale Moot Court of Appeals.

(A back injury suffered in a hockey game at Yale caused recurring pain, until last fall Vance was forced to undergo corrective surgery during the height of the Cuban crisis.)

As an up-and-coming civil trials lawyer at Simpson, Thacher & Barlett, Vance handled a number of important cases. His firm represented, among others, Texas oil interests and the Ford Motor Co.

Vance first entered Government service in 1957, when Russia's launching of sputnik shook up U.S. defense planners. During 1957–60 he was special counsel to the Preparedness Investigating Subcommittee of the Senate Committee on Armed Services. Later he was named consulting counsel to the Special Senate Committee on Space and Astronautics. Chairman of the latter committee was Senator Lyndon B. Johnson, Democrat, of Texas.

"Senator Johnson told me that the work probably would only take a couple of weeks," Vance recalled smilingly. "Four months later we were still hard at it, working practically around the clock."

Vance was known in Washington as a quiet, highly competent legal prober during the space hearings. "He was around 2 weeks before many of us realized he was there," one key figure in the hearings remembers.

His committee performance, coupled with his economics background, led to a telephone call to his New York office 1 day late in 1960.

"It was right before Christmas, and I was asked to come to Washington as counsel for the Department of Defense. I only had a couple of days to give an answer. * * * It really shook up our plans for the holidays," he recalled.

Vance was labeled a "Lyndon Johnson man" by several Washington columnists who considered him a protege of the then Vice President. Later, as his stature rose in the Deparment, he was tagged with the term "McNamara's man."

Vance bridles at both implications.

"I like to consider myself my own man," he snapped, then added with a grin, "I believe you should be loyal to the people you work for and do the best job you can." In answer to the obvious question, ex-Navyman Vance replied: "I cheered for Army during that game."

Washington pundits feel that Vance is the man who has President Johnson's "ear on national security matters." And his precision of thought, orderliness and attention to detail draws McNamara's respect.

Vance, quite expectedly, is a fast and voracious reader. He can speed read through a thick sheaf of reports and replay every vital phrase.

"He has a photographic memory," his mother, Mrs. Amy Vance, said pridefully. "I remember one time we took a motor trip out West. Bob had been on the same route years before—and he remembered every turn in the road before we came to it."

Joseph P. Condry, a boyhood chum in Clarksburg, said Bob Vance excelled in all sports as a boy. "But he probably wasn't a natural athlete like his brother John. Bob's ability came through long practice."

Condry, an attorney, State racing commissioner and executive secretary of the West Virginia Savings & Loan Association, recollected:

"Bob used to come back to Clarksburg every summer. He wasn't the typical snobbish kid home from prep school. I remember we'd play tennis every day, and he had a controlled, perfect swing. Most of us in the west side gang would slop the ball around, but Bob would stick to the form he was taught, even to the extent of losing a game."

Daniel V. Louchery, Clarksburg attorney and former State Republican chairman, recalled Bob as a serious boy, but added "we did all the things that growing boys do."

Louchery, who practiced law for 5 years with John Vance before the latter went to Rochester in 1960, was a classmate of John F. Kennedy at Choate.

Col. William E. Miller, lifelong friend of Bob Vance, remembers spending endless hours at the comfortable old Vance home. "We must have eaten a million gallons of peanut butter," he grinned. Miller, assistant adjutant general in the West Virginia National Guard, was instrumental in getting Vance to visit Camp Dawson, where he was post commandant, during last summer's special forces training exercise.

According to his mother, Bob Vance likes to wear plain combat fatigues during his visits to military installations. During last summer's giant Operation Big Lift to Germany, Vance startled a number of GI's when he approached them to chat in company with a group of top generals. "They thought he was a lowly private at first," an aide commented.

His working uniform, however, is usually an Ivy League-cut suit, preferably pinstriped, and he wears red ties, badly knotted. Because of his long work hours, he and his pretty blonde wife, Gay, do little entertaining at their magnificent Georgetown home, acquired from outgoing Navy Secretary John Connally, who resigned to run successfully for Governor of Texas. Connally presently is recuperating from wounds incurred during the November 22 assassination of President Kennedy.

The $22,000-a-year Army Secretary and his wife try to avoid the Washington social swim, preferring to devote their rare hours at home with the children and puttering around in their garden.

An Episcopalian, Vance is a former vestryman in the Church of the Heavenly Rest, looks forward to Sunday services in Washington when time permits. "It's the only time our family is ever completely together," he remarked. His oldest daughter, Elsie, attends St. Timothy School at Baltimore, and and the four younger children are enrolled at Potomac School.

A man of Spartan habits, probably inherited from his Welsh ancestors, Vance sips an occasional highball at social functions, and sparingly smokes cigars and cigarettes.

He is painfully reluctant to talk about himself, but he describes with obvious pride the things "we feel we have achieved in the past few years." A team thinker, Vance frequently lapses into the third person when describing his mission.

"We have improved our Army's combat readiness immeasurably in the past 3 years," he says. "Another major achievement has been the development of a strategy of flexible response * * * we are making good progress toward greater mobility involving air assault."

With the job always unfinished, what about his future? "I'll stay on the job as long as the President wants me to," he answers humbly.

Eventually, however, he hopes to form his own private law firm.

"I feel every person who has had certain advantages should give some thought to public service," he observed. "I've always felt very strongly that all of us have an obligation * * * to me it is just as important to make a contribution at the local level as it is in State or Federal Government. We all have a duty to perform."

That is the man—Cyrus Robert Vance—who is our choice for "West Virginian of 1963."

U.S. SENATE,
COMMITTEE OF PUBLIC WORKS,
January 7, 1964.

Hon. CYRUS R. VANCE,
Secretary of the Army,
Department of Defense,
Washington, D.C.

DEAR CYRUS: Congratulations on your selection by the Sunday Gazette-Mail of Charleston as "West Virginian for 1963." The fully merited designation places your name on a select honor roll of distinguished natives and citizens of our State who have made vital and important contributions to the progress of West Virginia and the Nation. To have been so appropriately honored in West Virginia's centennial year is another distinction which justifies the commendation which I am privileged and pleased to extend.

May this new year give to you added achievement and a sense of constructive service as you carry forward the vital assignment in our Defense Department.

Very truly,
JENNINGS RANDOLPH.

The President's State of the Union Address

EXTENSION OF REMARKS
OF

HON. WILLIAM L. ST. ONGE

OF CONNECTICUT
IN THE HOUSE OF REPRESENTATIVES
Wednesday, January 8, 1964

Mr. ST. ONGE. Mr. Speaker, I am deeply impressed with President Johnson's State of the Union address. I feel that he has the strength of conviction and ideas. He is a man of action with a keen grasp of the Nation's problems. He possesses the leadership and the ability to deal with these problems at this crucial period in our history. I think the Nation is fortunate to have a man of his capacity and talents as its leader.

What specifically appeals to me is President Johnson's strong attack on poverty and his efforts to eradicate this evil from our country where many millions of people still suffer the ravages of poverty. I am particularly pleased of the way he is continuing the struggle toward realization of the Kennedy program, especially civil rights, tax reduction, and medical care for our elderly citizens.

I am also in accord with the various other proposals advocated by President Johnson today and I trust this will mark the beginning of a highly successful Johnson program in the best interests of the Nation.

The President's statement that "we will not be buried" indicates his awareness of the Communist problem. The strength of our Armed Forces is proof positive that we will not knuckle under to Communist threats.

I am convinced the American people will support President Johnson in all these endeavors, both at home and abroad.

Hon. Howard Baker

EXTENSION OF REMARKS
OF

HON. JAMES C. AUCHINCLOSS

OF NEW JERSEY
IN THE HOUSE OF REPRESENTATIVES
Wednesday, January 8, 1964

Mr. AUCHINCLOSS. Mr. Speaker, the sudden death of a warm friend whose character you highly respected is always a great shock and impresses one that life on this planet is not eternal. From the first day that I met HOWARD BAKER when he came to Congress, a warm friendship developed and over the years our ties of mutual understanding became stronger and stronger. Quiet and unassuming in his manner, he had an active and most intelligent mind, devoted to service and supported by a courage and strength of will which was extraordinary. It was natural that he made many friends and the respect that they had for him was convincing testimony of his sterling character.

He served his country well as a Member of Congress and contributed much in the consideration of legislation. In meeting his responsibilities to his constituents he was most conscientious and there is no doubt that he will be hard to replace.

I extend my sincere sympathy to his widow and children and I feel sure they will be comforted in the knowledge of the glory of his life of service.

HOUSE OF REPRESENTATIVES

THURSDAY, JANUARY 9, 1964

The House met at 12 o'clock noon.

The Chaplain, Rev. Bernard Braskamp, D.D., offered the following prayer:

James 4: 8: *Draw nigh to God and He will draw nigh to thee.*

O God, our Father, who art the Supreme Ruler of the universe and the guiding intelligence in the life of men and nations, we have entered upon a new day with difficult tasks and grave responsibilities but Thy presence and power are with us.

May this moment of prayer be one of cleansing of heart and consecration of purpose. Purge us from everything that dwarfs and deadens our capacities for noble and devoted service.

Unite us with the heroic who everywhere are faithfully and courageously endeavoring to safeguard our heritage of liberty. May we understand more clearly that freedom can only be the sure and abiding possession of those who have the will to defend it.

Grant that all to the extent of their ability and with equal fidelity may seek to hasten the dawning of that blessed day of prediction when peace and righteousness, concord and amity shall prevail.

Hear us in Christ's name. Amen.

THE JOURNAL

The Journal of the proceedings of yesterday was read and approved.

MESSAGE FROM THE SENATE

A message from the Senate by Mr. McGown, one of its clerks, announced that the Senate had passed a resolution as follows:

S. RES. 250

Resolved, That the Senate has heard with profound sorrow the announcement of the death of Honorable HOWARD H. BAKER, late a Representative from the State of Tennessee.

Resolved, That a committee of four Senators be appointed by the Presiding Officer to join the committee appointed on the part of the House of Representatives to attend the funeral of the deceased Representative.

Resolved, That the Secretary communicate these resolutions to the House of Representatives and transmit an enrolled copy thereof to the family of the deceased.

Resolved, That as a further mark of respect to the memory of the deceased, the Senate do now adjourn until Friday next.

The message also announced that the President pro tempore of the Senate, pursuant to section 1, Public Law 86-42, had appointed Mr. KENNEDY to serve as member of the U.S. group of the Canada-United States Interparliamentary group at a conference to be held in Washington, D.C., beginning January 14, 1964, vice Mr. DODD, resigned.

PROGRAM FOR BALANCE OF THE WEEK AND NEXT WEEK

Mr. HALLECK. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Indiana?

There was no objection.

Mr. HALLECK. Mr. Speaker, may I inquire of the acting majority leader about the program for the balance of the week and then the program for next week?

Mr. BOGGS. Mr. Speaker, in response to the inquiry of the gentleman from Indiana, there will be no further program for the balance of this week. As I said yesterday, there are a number of Members who went to Tennessee for the funeral of our late colleague, the gentleman from Tennessee, Mr. Baker. I plan to ask unanimous consent for the House to go over until Monday. There is no program for today.

Monday is District day, but there are no District bills to be considered. We will consider on Monday H.R. 3742, rice acreage allotments, under an open rule with 1 hour of debate.

For Tuesday and the balance of the week we will consider S. 1153, amendments to Federal Airport Act, under an open rule with 2 hours of debate.

H.R. 7457, representation of indigent defendants, under an open rule with 2 hours of general debate.

Conference reports may be brought up at any time, and any further program will be announced later.

ADJOURNMENT FROM TODAY UNTIL MONDAY NEXT

Mr. BOGGS. Mr. Speaker, I ask unanimous consent that when the House adjourns today it adjourn to meet on Monday next.

The SPEAKER. Is there objection to the request of the gentleman from Louisiana?

Mr. GROSS. Mr. Speaker, reserving the right to object, have we already embarked in this session of Congress on the Thursday to Tuesday Club arrangement? Can the gentleman tell us when we are going to start doing business 5 days a week so that we may have some assurance of getting out of here next year without having spent 12 months in slow motion?

Mr. BOGGS. Mr. Speaker, I do not think the gentleman would expect us to have business today when we are burying one of our colleagues.

Mr. GROSS. I am speaking of the Fridays hereafter.

Mr. BOGGS. I can tell the gentleman we are going to schedule legislation as quickly as we can and as quickly as the committees can report legislation. We are asking the committees to cooperate.

Mr. GROSS. As I see it now, I am going to give the leadership an opportunity to schedule business on Friday hereafter so that we can get the legislative machinery in operation. I was in hopes that the Democratic leadership would start immediately in this session and schedule reasonable workweeks—that is, 5-day workweeks—so that we can get the legislative business out of the way.

It will be my purpose during the remainder of this session, unless something happens to change my mind, to do what I can to see that the House meets on Friday so that we can take care of the legislative program and get out of here in reasonable season this year.

Mr. BOGGS. I appreciate the lecture of the gentleman.

Mr. Speaker, I renew my request.

The SPEAKER. Is there objection to the request of the gentleman from Louisiana?

There was no objection.

DISPENSING WITH CALENDAR WEDNESDAY

Mr. BOGGS. Mr. Speaker, I ask unanimous consent that the business in order on Calendar Wednesday of next week be dispensed with.

The SPEAKER. Is there objection to the request of the gentleman from Louisiana?

There was no objection.

FOREIGN AID PROGRAM

Mr. PASSMAN. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include a table.

The SPEAKER. Is there objection to the request of the gentleman from Louisiana?

There was no objection.

Mr. PASSMAN. Mr. Speaker, unfortunately some segments of the press evidently have paid very little attention in prior years to some of the important portions of our subcommittee's hearings on the budget requests for the foreign aid program or to certain statistical statements which, as chairman of the subcommittee handling the money bill for foreign aid, I have issued from time to time with relation to unexpended and unobligated funds on hand to the credit of the program.

Every year since I have been chairman of the Subcommittee on Foreign Operations Appropriations, beginning with fiscal year 1956, the foreign aid program has had large unobligated cash carryovers. This fiscal year has been no different in this respect than prior years, other than that for the first time the press has seen fit to give emphasis to this fact.

However, in all fairness, I must say that the officials of the Agency for International Development have not withheld facts in this regard. Specifically, Mr. David Bell, the AID Administrator, should be exonerated from any implication which might have been made that he had been guilty of evasions or coverups regarding these particular facts. The truth is that during the hearings held by our subcommittee a tentative figure was established as to the amount of unexpended funds that would be on hand as of June 30 and again, subsequent to closing the hearings, we reestablished the amount of unexpended funds that would be available and, of this total, the amount that was in an unobligated category.

So I repeat, motivated by a spirit of fairplay, that there has been no coverup on the part of AID officials with regard to these facts. The statements that are currently being published with respect to AID's unexpended and unobligated funds are the figures which were given to the Members of Congress and released publicly months ago and which were again restated when the foreign aid appropriation bill was presented to the House in December.

Foreign Operations Subcommittee on Appropriations: Foreign aid funds by program and amount from prior years' appropriations on hand unexpended June 30, 1963, revised and certified

TITLE I

Unexpended, June 30, 1963:	
Military assistance	$2,421,741,138
Development loans (credits)	2,210,008,162
Development grants	401,934,508
Alliance for Progress	871,506,483
Chilean reconstruction	17,765,353
Supporting assistance	365,561,363
Contingency fund	336,251,726
International organizations	134,340,178
Investment surveys	1,500,000
Acquisition of property	4,138,154
Investment guarantees	268,585,914
Borrowing authority, ECA	544,626
Administrative expenses, AID	10,047,137
Administrative expenses, State	785,105
Joint control areas	4,764
Total	7,044,714,611

TITLE II

Unexpended, June 30, 1963:	
Peace Corps	$34, 384, 236
Ryukyu Islands	4, 189, 207
Cuban refugees	17, 207, 763
Migrants and refugees	8, 753, 814
International Development Association	232, 320, 000
Inter-American Development Bank	200, 000, 000
Total	496, 855, 020
Grand total, titles I and II	7, 541, 569, 631

Foreign Operations Subcommittee on Appropriations, unobligated funds by program and amount on hand as of June 30, 1963

TITLE I

Unobligated June 30, 1963:	
Military assistance (a)	$22, 390, 013
Military assistance (b)	3, 450, 442
Development loans (credits) (b)	96, 169, 761
Development grants (a)	47, 399, 786
Alliance for Progress (b)	93, 640, 773
Alliance for Progress (a)	2, 703,951
Chilean reconstruction (n)	-----------
Supporting assistance (a)	6, 039, 971
Contingency fund (a)	127, 098, 666
International organizations (a)	336, 227
Investment surveys (a)	1, 100, 310
Acquisition of property (b)	3, 573, 308
Investment guarantees (b)	117, 842, 760
Borrowing authority, ECA (b)	544, 626
Administrative expenses, AID (a)	1, 971, 174
Administrative expenses, State (a)	15, 304
Joint control areas (a)	4, 764
Total, title I	524, 281, 836

TITLE II

Unobligated June 30, 1963:	
Peace Corps (a)	$3, 863, 971
Ryukyu Islands (a)	9, 468
Cuban refugees (a)	14, 082, 863
Migrants and refugees (a)	1, 943, 262
International Development Association (n)	-----------
Inter-American Development Bank (b)	200, 000, 000
Total, title II	219, 899, 564
Grand total, titles I and II	744, 181,400

CRIME REPORTS FOR THE DISTRICT OF COLUMBIA

Mr. McMILLAN. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and include certain reports.

The SPEAKER. Is there objection to the request of the gentleman from South Carolina?

There was no objection.

Mr. McMILLAN. Mr. Speaker, I include at this point in the CONGRESSIONAL RECORD the last three weekly crime reports I have received for the District of Columbia.

I am certain that the members of the House District Committee and Members of the House consider the pending crime legislation the most important legislation pending for the District of Columbia at the present time.

GOVERNMENT OF THE
DISTRICT OF COLUMBIA,
METROPOLITAN POLICE DEPARTMENT,
January 7, 1964.

The Honorable JOHN L. McMILLAN,
Chairman, Committee on the District of Columbia, House of Representatives, Washington, D.C.

DEAR CONGRESSMAN McMILLAN: Forwarded herewith are copies of the weekly crime report for the District of Columbia for the week beginning December 29, 1963.

Sincerely yours,
ROBERT V. MURRAY,
Chief of Police.

Government of the District of Columbia—Metropolitan Police Department—Pt. I offenses reported Dec. 29, 1963, through Jan. 4, 1964

Classification	Week beginning—		Change	
	Dec. 22, 1963	Dec. 29, 1963	Amount	Percent
Criminal homicide	--------	3	+3	--------
Rape	--------	1	+1	--------
Robbery	66	74	+8	+12
Aggravated assault	73	53	−20	−27
Housebreaking	173	195	+22	+13
Grand larceny	15	23	+8	+53
Petit larceny	132	130	−2	−2
Auto theft	118	114	−4	−3
Total	577	593	+16	+3

GOVERNMENT OF THE
DISTRICT OF COLUMBIA,
METROPOLITAN POLICE DEPARTMENT,
December 31, 1963.

The Honorable JOHN L. McMILLAN,
Chairman, Committee on the District of Columbia, House of Representatives, Washington, D.C.

DEAR CONGRESSMAN McMILLAN: Forwarded herewith are copies of the weekly crime report for the District of Columbia for the week beginning December 22, 1963.

Sincerely yours,
ROBERT V. MURRAY,
Chief of Police.

Government of the District of Columbia—Metropolitan Police Department—Pt. I offenses reported Dec. 22 through Dec. 28, 1963

Classification	Week beginning		Change	
	Dec. 15, 1963	Dec. 22, 1963	Amount	Percent
Criminal homicide	1	--------	−1	−100. 0
Rape	1	--------	−1	−100. 0
Robbery	61	66	+5	+8. 2
Aggravated assault	44	73	+29	+65. 9
Housebreaking	173	173	--------	--------
Grand larceny	25	15	−10	−40. 0
Petit larceny	146	132	−14	−9. 6
Auto theft	94	118	+24	+25. 5
Total	545	577	+32	+5. 9

GOVERNMENT OF THE
DISTRICT OF COLUMBIA,
METROPOLITAN POLICE DEPARTMENT,
December 23, 1963.

The Honorable JOHN L. McMILLAN,
Chairman, Committee on the District of Columbia, House of Representatives, Washington, D.C.

DEAR CONGRESSMAN McMILLAN: Forwarded herewith are copies of the weekly crime report for the District of Columbia for the week beginning December 15, 1963.

Sincerely yours,
ROBERT V. MURRAY,
Chief of Police.

Government of the District of Columbia—Metropolitan Police Department—Pt. I offenses reported Dec. 15 through Dec. 21, 1963

Classification	Week beginning		Change	
	Dec. 8, 1963	Dec. 15, 1963	Amount	Percent
Criminal homicide	1	1	--------	--------
Rape	3	1	−2	−66. 7
Robbery	59	61	+2	+3. 4
Aggravated assault	44	44	--------	--------
Housebreaking	191	173	−18	−9. 4
Grand larceny	30	25	−5	−16. 7
Petit larceny	186	146	−40	−21. 5
Auto theft	128	94	−34	−26. 6
Total	642	545	−97	−15. 1

FEDERAL BUREAUCRACY AT ITS WORST

Mr. DORN. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from South Carolina?

There was no objection.

Mr. DORN. Mr. Speaker, Kenneth Holum, Assistant Secretary of the Interior for Water and Power, came into my congressional district last Friday, January 3, and advocated the discredited and overwhelmingly rejected proposal to build another Federal Government dam on the Savannah River at Trotters Shoals.

Mr. Holum did not extend me the usual courtesy of notifying me he was to speak in my congressional district and to sign Federal power contracts. I received no invitation to be present at the contract signing although Hartwell Dam could not have been a possibility without my support.

I first read about Mr. Holum's visit and speech in my district in the newspapers. My office in Washington received a release through the mail on Saturday, January 4.

Mr. Holum came into my district to sign these Federal power contracts, but the real effect of his visit was to peddle Federal Government power which the Department of Interior is finding most difficult to sell to a great majority of municipalities in North Carolina and South Carolina.

Incidentally, Mr. Speaker, I warn and urge any municipality signing this contract to study every clause of this contract very carefully. I believe it is a step toward complete Federal control of our municipalities and local governments.

Mr. Holum, in urging the construction of Trotters Shoals, exemplified high-handed Federal Government bureaucracy at its worst. His action was an insult to the Legislature of South Carolina which unanimously adopted a resolution against Trotters Shoals. His action was an insult to the Governors of South Carolina, both past and present, who have opposed Trotters Shoals. His action was an insult to the Committee on Public Works of the U.S. House of

Representatives which held hearings last year for a week and which repudiated Trotters Shoals. His action is an insult to the overwhelming majority of the South Carolina congressional delegation who have opposed Trotters Shoals.

Mr. Speaker, as a South Carolina Democratic Representative in the Congress for more than 15 years, I resent this modern-day Federal Government bureaucratic carpetbagger coming down at Government expense to tell the people of South Carolina what they need and what they ought to do. I resent this political conspiracy concocted in Washington against me and the best interests of my people.

Mr. Holum, on November 18, speaking in Nashville, Tenn., where he advocated Trotters Shoals in spite of the fact that it was being rejected by the Public Works Committee, charged that the fight against Trotters Shoals was led by private utilities.

Mr. Speaker, this was a completely false statement. I have led the fight for industry on the Savannah River rather than another Government dam at Trotters Shoals which would completely flood the Piedmont section of the Savannah River Valley and give the Federal Government complete control of the most important section of the river. I am advocating instead of Trotters Shoals the investment of $300 million in private industry with thousands of jobs, development of our timber resources and millions of dollars in taxes. My people need better schools. Our teachers need more pay. My young people need opportunity. We must eliminate poverty. This can be accomplished through industry, jobs, progress, and tax revenue. I am for prosperity and full employment in the Savannah Valley. Trotters Shoals would create permanent poverty.

Mr. Aubrey J. Wagner, Chairman of the Tennessee Valley Authority, speaking in Cookeville, Tenn., on August 9 last year before the Conference on Resources Development said:

> Important as it can be, we must not assume that recreation alone can solve the economic problems of any sizable area. Rarely, if ever, is this true.
>
> I have pointed out that $156 million has been invested in water-base recreation facilities in the Tennessee Valley. The waterfront docks and resorts directly furnish the equivalent of 2,000 full-time jobs. These are impressive figures.
>
> Yet a single newsprint mill in the valley provides more employment than all of the boat docks, and its investment surpasses the entire investment in recreation on all of TVA's reservoirs. This is an important comparison to remember.

I agree with Mr. Wagner.

It is improper to project himself into the Trotters Shoals controversy just before the South Carolina Democratic primary, and therefore I think Mr. Holum should apologize to the Democrats of South Carolina or resign.

REV. BERNARD BRASKAMP, CHAPLAIN, HOUSE OF REPRESENTATIVES

Mr. SIKES. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Florida?

There was no objection.

Mr. SIKES. Mr. Speaker, I pay high tribute to the inspiring work done here by the beloved Chaplain of the House, Rev. Bernard Braskamp. His daily invocations are more than requests for divine guidance. They are messages of hope and inspiration and guidance which will live on in the annals of the Congress long after we who are here have departed.

His wonderful words help us to begin each day with a resolve for better and higher service. And in the days which lie ahead each prayer will merit careful reading and rereading. They are more, much more than devotions for today.

THE LATE JAMES W. RYAN

Mr. O'HARA of Illinois. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. O'HARA of Illinois. Mr. Speaker, in the death of the Honorable James W. Ryan the city of Chicago, the State of Illinois, and our country have suffered a great loss. He was one of God's noblemen, and his sudden passing has brought deep grief to the thousands of men, women, and children whom he served in countless ways and by whom he was beloved. He was my close, my warm friend for more than half a century, from the time when we in our youth served together in the Legislature of Illinois in the administration of Gov. Edward F. Dunne.

For 38 years he was the Democratic committeeman of the seventh ward in the city of Chicago, the ward of my own residence, and after his retirement as ward committeeman in 1960 remained as president of the regular Democratic organization of the ward, ever active and tireless in promoting the interest of the party of his faith and the welfare of the community and of his neighbors regardless of party. There was no worthy civic activity or work of his church to which he did not give himself unstintingly.

Thirty-eight years as ward committeeman in the great city of Chicago, playing his part all these years in the making of Presidents, of Governors, of mayors, of judges, and of the countless other public officials. The influence of James W. Ryan in the molding of the world in which we live is beyond calculation. No man ever enters and stays in politics, at whatever level, unless he genuinely likes people and in serving them finds an inner satisfaction that is far above monetary evaluation. James W. Ryan, as legislator, as ward committeeman, as president of the ward organization, as chief deputy clerk of Cook County and in recent years as assistant bailiff of the municipal court, lived by the finest traditions of dedicated public service. He has done to the fullest measure his share in making this a better world for all of us, a better land for our children, and our children's children. His works and his memory will live on.

To his noble wife Helen; his daughters, Mrs. Virginia Ross, Mrs. Patricia Lynch, and Mary Helen; his sisters, Mayme Jung, Norine McNichols and Sister Mary Norine, R.S.M.; his brothers, Police Capt. John H. and Matthew J., and his grandchildren go my deepest sympathy.

Mr. Speaker, I ask unanimous consent that the beloved dean of the Illinois delegation [Mr. O'BRIEN] be permitted to extend his remarks at this point in the RECORD, and that all other Members who wish to do so may extend their remarks following the remarks of the gentleman from Illinois [Mr. O'BRIEN].

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. O'BRIEN of Illinois. Mr. Speaker, lamented today in Chicago is the passing of a distinguished citizen, James W. Ryan.

Jim Ryan, as he was known to an ever increasing circle of friends, was a man of character who had been endowed with a generous nature at birth.

He served his city, his State, and his fellow man with an intense desire and an urge to be helpful.

His service in the Illinois State Legislature began in 1913 and when he had completed two terms his interest in it never lagged.

He was active in promoting the welfare of the Democratic Party in Chicago and in Illinois. In the city he loved and to which he was so dedicated, Chicago, he served as Democratic ward committeeman of the seventh ward from 1922 until 1960. He had been president, too, of the seventh ward regular Democratic organization and in that capacity again demonstrated his forceful and fair nature in civic affairs.

To his widow, Mrs. Helen Ryan, and to his three daughters, let us join their host of friends in extending our sympathy in their bereavement. And to his surviving three sisters, one of whom is Sister Mary Norine, R.S.M., let us say that we, too, share their sorrow in the passing of a worthy brother.

Mr. LIBONATI. Mr. Speaker, the recent death of deputy bailiff of the municipal court, James Ryan, marks the passing of one of the leaders who served in the Democratic ranks to build up the power of political control in the city of Chicago. As the committeeman of the seventh ward, he contributed much to the Democratic strength of the city and county candidates.

He was a gentle and kindly man who knew only one axiom—loyalty to party—and even to his very death, worked at the ward level to insure strong support for the ticket. Upon his retirement from the committeemanship several years ago because of age, he surprised his successor, the distinguished State committee chairman, James Ronan, in his strong, spirited continued activity.

Jim Ryan was an astute politician and played an important part in the development of many hopeful leaders, both in public and party offices. He had a warm and friendly feeling toward people, and was ever ready to serve the needs of his many friends. His popularity in political circles, and practical knowledge of politics made him an important adviser in party policy, based on public appeal. His whole life was spent in the service of others—many oldtimers will miss his support and services, and young men, aspirants for political preferment, will feel the loss of his guidance and advice.

He was a credit to the people that he represented, and a great leader in civic, political, and spiritual activities of his community.

We of the Illinois delegation mourn his passing and send our heartfelt condolences to his beloved wife Helen, his daughters Mary Helen, Mrs. Virginia Ross, and Mrs. Patricia Lynch, his sisters Mrs. Mayme Jung, Mrs. Norine McNichols, and Sister Mary Norine, R.S.M., and his brothers Matthew J. Ryan and Police Capt. John H. Ryan. The State of Illinois and the city of Chicago have lost one of their most valuable citizens, and the Democratic Party a loyal and powerful leader. May the good Lord grant an everlasting blessed peace to his soul.

Mr. DAWSON. Mr. Speaker, I have been deeply touched by the passing of James W. Ryan. He was a fine man. For many years we were associated in the councils of the Democratic Party of Cook County as committeemen from South Side wards. I shall miss him very much. His was a life of dedication to his party and the public welfare. I extend my warmest sympathy to Mrs. Ryan, his daughters, sisters, and brothers.

Mr. MURPHY of Illinois. Mr. Speaker, I rise at this time to express my heartfelt sorrow at the loss of my very dear friend, James W. Ryan, and to extend my sympathy to the members of his family who are bereaved by the death of this great man.

Mr. Speaker, Mr. Ryan was a lifelong resident of the south side of Chicago, and for the past 43 years was very active in the civic and political life of the South Shore community.

Mr. Speaker, Mr. Ryan in his position as ward committeeman of the seventh ward, was a member of the Cook County Central Committee of the Democratic Party for 40 years. I was an intimate friend of James Ryan and for 24 years I had the privilege of serving with him on the Cook County Central Committee while I was representing the 17th ward. He was also a close personal friend of my family and that of my wife's family, all of whom were neighbors in the South Shore community.

Mr. Speaker, this man was a lifelong supporter of the ideals and principles of the Democratic Party and one of the great Democratic leaders in Chicago. He was a forerunner in the fight against juvenile delinquency, and a member of numerous business, civic, fraternal, and religious organizations.

Mr. Speaker, the city of Chicago has lost a man of great stature and dignity—one who was known far and wide for his sympathy and understanding of the problems of his fellow man.

Mr. PRICE. Mr. Speaker, I wish to join with my colleagues from Chicago in expression of deep grief at the passing of James W. Ryan and in tribute to the memory of a dear friend and a dedicated and beloved leader in the councils of the Democratic Party. He had a long and distinguished career in public office, both as a legislator and in later years in administrative posts in the government of Cook County and of the city of Chicago. He was dearly beloved by all who knew him. His place in the history of our State and of the city of Chicago is secure.

Mrs. Price joins me in warmest sympathy to his devoted wife, his three fine daughters, his sisters, his brothers, and his grandchildren.

Mr. KLUCZYNSKI. Mr. Speaker, the sudden passing of James W. Ryan has deeply saddened the Chicago delegation as we gather for the 2d session of the 88th Congress. He was a fine gentleman, a great American, with a heart filled with love for all his fellow men. He served with distinction as a member of the General Assembly of Illinois, as deputy clerk of Cook County and more recently as assistant bailiff of the municipal court. For 38 years he was the Democratic committeeman of Chicago's seventh ward, retiring in 1960 in favor of his close friend, James A. Ronan, the dynamic Democratic State chairman of Illinois and member of Governor Kerner's cabinet. Jim Ryan continued to serve his party and his ward with fidelity and dedication to the last day of his life as president of the seventh ward regular Democratic organization.

To his wife Helen, his daughters and the other members of his devoted family Mrs. Kluczynski and I extend our deepest sympathy.

Mr. ROSTENKOWSKI. Mr. Speaker, I wish to take this opportunity to pay tribute to the late Hon. James W. Ryan of Chicago—a dedicated public servant, whose service to his people will never be forgotten. But most of all I pay tribute to James W. Ryan, the man, who was a friend to me in the early days of my political life. Mr. Ryan's public service began in 1914, 14 years before my birth, and continued until 1960, when he decided to retire and turn the reins of his leadership to men he had groomed to follow in his footsteps. For 38 years this man served the people of the seventh ward as their committeeman and took his rightful seat in the Cook County Democratic Committee. He first took office as an elected representative in the Illinois State Legislature in 1914 and subsequently served as deputy county clerk. His many years of outstanding service in public life are a benediction to his memory and will be an inspiration to those who continue in his absence.

Having had the privilege of knowing this man, whose wisdom I shall long remember, I know he will be sorely missed by those who were near and dear to him. However, his ability, his accomplishments, his constructiveness, his noble character, and all that he stood for, will be an everlasting monument of his life on earth. It is with this thought in mind that I call your attention to this man who served the public as we now do to give us strength to carry on with our task.

FIREARMS LEGISLATION

Mr. STINSON. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and include an editorial.

The SPEAKER. Is there objection to the request of the gentleman from Washington?

There was no objection.

Mr. STINSON. Mr. Speaker, much has been said of late concerning firearms legislation. The most knowledgeable and influential group that is directly concerned with this subject is the National Rifle Association.

In the January 1964 issue of their publication, the American Rifleman, they outlined their position which I would like to bring to the attention of all Members.

REALISTIC FIREARMS CONTROLS

The American people and the peoples of the world mourn the death of President John F. Kennedy. This was an incredible tragedy which shocked all civilized human beings. To those who treasure the right to keep and bear arms and the other basic American freedoms, the use of a rifle to assassinate our Nation's leader is a calamity added to our grief at his loss.

In this disturbing time, there is a tendency to seek a sweeping solution to crimes of violence. The days following the tragic events on November 22, 1963, saw the eruption in the press, radio, and television of a highly emotionalized reaction to the weapon with which the terrible deed was performed. Never before has there been such a wave of antifirearm feeling or such vocal and almost universal demand for tighter controls over the mail-order sales of guns. Although much of this was hysterical in nature, it has had its impact upon the U.S. Congress and it most certainly will have its impact upon the legislature of each of the 50 States.

No group of individuals has done more over the years, or is doing more now, to evaluate the problems related to firearms and to protect the right of law-abiding American citizens to keep and bear arms, than members of the National Rifle Association of America. The NRA believes that firearms legislation is of insufficient value in the prevention of crime to justify the inevitable restrictions which such legislation places upon law-abiding citizens. Nevertheless, it does not oppose proposed legislation to prohibit the sale of firearms to persons who have been convicted of a crime of violence, fugitives from justice, mental incompetents, and other undesirables, or to proposed legislation to make the sale of firearms to juveniles subject to parental consent.

The National Rifle Association is opposed to the registration of the ownership of firearms at any level of government; to the requirement of a license to purchase or possess a firearm; to control measures which levy discriminatory or punitive taxes or fees on the purchase or ownership of firearms; and to legislation which denies or interferes with individual rights of our citizens or is designed for the purpose of circumventing due process of law.

Reputable gun owners maintain that legislation should not be aimed at the firearm but at its misuse. The NRA does not oppose reasonable legislation regulating the carrying of a concealed handgun, but it does oppose the theory that a target shooter, a hunter, or a collector should be required to meet the same conditions. It strongly supports legislation providing severe additional penalties for the use of a dangerous weapon in the commission of a crime.

It is certain that antifirearm sentiment will remain a vital problem for some time. Regardless of what the U.S. Congress may ultimately do in the way of Federal legislation, it is certain that many State legislatures will attempt solutions of one kind or another. Nothing in the present crisis has changed the fundamental policy of the National Rifle Association of America with respect to the purchase, possession, and use of firearms by law-abiding American citizens for lawful purposes.

It is important that each gun owner formulate a policy to govern his own thinking and that he accept the responsibility, as well as the privilege, of making his views known to his elected representatives. The time for hysteria and name calling is over. It is time now to point out calmly and logically the areas in which legislation is proper and effective in discouraging the ownership and misuse of firearms by criminals and other undesirables. The lawmakers must be enlightened on the views of reputable citizens who believe in the second amendment to the Constitution of the United States of America and who believe in the preservation of our heritage to keep and bear arms. Then, and only then, will we have the basis for developing realistic firearms controls.

AGRICULTURE IGNORED

Mr. HOEVEN. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Iowa?

There was no objection.

Mr. HOEVEN. Mr. Speaker, it is very significant that President Johnson in his state of the Union message on yesterday did not even mention agriculture and its many problems. He made reference to practically every other segment of our economy which leads one to wonder whether or not the President is very much concerned about the welfare of the American farmer and his declining income.

Does not the President know that the cotton producers in this country are in trouble? Has he already forgotten that he himself and the Secretary of Agriculture are urging the Congress to enact new wheat legislation without delay? Does the President not know that increased meat imports from foreign countries are creating havoc and deep concern in the cattle producing areas of the country and that dairy farmers are also looking for some solution of their problems?

Yet the President makes no mention of the plight of the American farmer in his state of the Union message. Some explanation would seem to be fitting and proper.

THE STATE DEPARTMENT HANDLING OF OTEPKA CASE

The SPEAKER pro tempore (Mr. Boggs). Under previous order of the House, the gentleman from Iowa [Mr. Gross] is recognized for 15 minutes.

Mr. GROSS. Mr. Speaker, I ask unanimous consent to revise and extend my remarks and include newspaper articles.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Iowa?

There was no objection.

Mr. GROSS. Mr. Speaker, articles in the Des Moines Register which relate interviews with Secretary of State Dean Rusk, John F. Reilly, and Elmer D. Hill, corroborate the allegation of our colleague, Representative Cramer, of Florida, that Rusk has become a willing partner in the effort to oust a loyal State Department security official, Otto F. Otepka.

Taken together with transcripts of testimony from the Senate Internal Security Subcommittee, these articles establish:

First. Secretary Rusk has been aware of all the testimony and communications to the Senate subcommittee since the first week of last October when he was served notice that the subcommittee had evidence indicating perjury by some of his top employees.

Second. Secretary Rusk had specific knowledge of the testimony of Reilly, Hill, and David I. Belisle, given last July and August, in which they denied knowledge of any wiretaps or listening devices used on Otepka's telephone or in his office.

Third. With the transcripts of testimony by Reilly, Hill, and Belisle available to him, Secretary Rusk permitted and even approved their letters of November 6, 1963, to the Senate subcommittee, in which they admitted listening devices were used on Otepka's telephone.

In these letters they tried to palm off their earlier testimony as correct; that they were merely seeking "to amplify" the record, but at the same time using this left-handed means of admitting their initial testimony was untrue. In other words, under oath they lied to the subcommittee.

Now there is additional testimony by Mr. Hill in which he admits actual recordings were made of Otepka's conversations, and Reilly and some other officials had knowledge of this.

To this date I have seen no criticism of Reilly, Belisle, and Hill by Secretary Rusk or by Deputy Under Secretary of State William Crockett. But the State Department is busy peddling stories to the public trying to discredit and defame Otepka, whose only offense has been telling the truth to a congressional committee about conditions in the Security Division of the State Department.

The record indicates that Rusk has the attitude that Reilly attributes to him when Reilly says he has not been criticized by high State Department officials for installing the listening device on Otepka's telephone or for giving untruthful testimony about it.

The fact that the inaccurate letters were written in the State Department's legal office, and approved by Secretary Rusk, raises some extremely serious questions about this case—questions more serious than the propriety of the tactics used against Otepka and even more serious than the initial giving of lying statements before the Senate Internal Security Subcommittee.

Mr. Speaker, I have long insisted that there should be a thorough and sweeping investigation of the State Department. I renew that insistence today and call upon President Johnson to take such action without further delay.

[From the Des Moines (Iowa) Register, Dec. 25, 1963]

Rusk Insists He Handles Otepka Case

(By Clark Mollenhoff)

Washington, D.C.—Secretary of State Dean Rusk is personally responsible for the details of the handling of the Otepka case since October 5, he said Tuesday.

The Secretary said he has read all of the testimony made available to the State Department relative to untruthful testimony of three high State Department officials.

Under sharp pressure from Congress, Rusk forced the resignation of Deputy Assistant Secretary John F. Reilly and Elmer D. Hill, a special assistant to Reilly.

SPECIAL CASES

David Belisle, chief assistant to Reilly, has been removed from any overall responsibility in the State Department Security Division, and "has been working on special security cases," the State Department reported Tuesday.

Rusk said he did not rely on subordinates to analyze the information on the handling of the Otepka case and the activities of Reilly, Hill, and Belisle. He said transcripts of all testimony and other information was sent to him personally, and was read by him.

Secretary Rusk said he had approved letters Reilly, Hill, and Belisle sent to the Senate Internal Security Subcommittee November 6, 1963, to clarify their testimony of late July and early August.

In that testimony all three denied knowledge that wiretaps had been attached to the telephone of Chief Security Evaluator Otto Otepka.

NOVEMBER 6 LETTERS

Their November 6 letters admitted knowledge that a listening device was placed on Otepka's telephone for 3 days, from March 18 through March 20, 1963.

However, the letters denied knowledge of any other incidents that might be considered an effort to use a listening device on Otepka's telephone or to place a listening device in his office.

Since receiving those letters, the Internal Security Subcommittee has taken further testimony from Hill in which he admitted that there was further wiretapping of Otepka at Reilly's direction, and that an actual recording was made of the conversations.

Hill has testified that he turned these recordings over to some other State Department official at Reilly's direction. The State Department admits that Hill has changed his story and has stated that recordings were made, but contends there is still no evidence that knowledge of these recordings went to the Assistant Secretary of State or above.

DETAILS FROM DODD

Secretary Rusk contends that he had no knowledge of the basic allegations of "untruthful statements" by Reilly, Hill, and

Belisle until October 5, 1963, when a memorandum from the Senate Judiciary Committee was delivered to him in New York where he was attending a U.N. session.

Subcommittee Vice Chairman Thomas Dodd, Democrat, of Connecticut, delivered the letter to Rusk and explained the problem.

ORIGINAL STORY

Last July 9, Committee Counsel Jay Sourwine asked Hill:

"Did you ever have anything to do with placing a listening device in Mr. Otepka's office?

"Hill. No, sir.

"Sourwine. Did you have any knowledge of it, if it was done?

"Hill. No, sir."

REVISED VERSION

On November 6, Hill wrote to the Senate Internal Security Subcommittee that on March 18, Reilly asked him to explore the possibility of eavesdropping on conversations in Otepka's office. He said he discussed it with Clarence J. Schneider, chief of technical operation branch, and that they decided they could install a listening device in Otepka's telephone. Hill added:

"Mr. Schneider and I tested the system and found we would be unable to overhear conversations in Mr. Otepka's office, except actual telephone conversations, because electrical interference produced a loud buzzing sound. It was never contemplated that an attempt would be made just to monitor Mr. Otepka's telephone line in order to overhear conversations on it."

Hill stated that an effort was made to get some equipment to eliminate the buzzing sound, but on March 20, Reilly informed him that it would not be necessary to pursue the wiretap further because information had been obtained from Otepka's wastepaper burn bag indicating he was giving State Department information to the Senate Internal Security Subcommittee.

Hill now admits that he made a recording of conversations on Otepka's wire, and gave the recording to another man in Reilly's presence.

Reilly continues to testify under oath that no actual interceptions of conversations took place.

NOT REBUKED, SAYS REILLY

(By Clark Mollenhoff)

Washington, D.C.—John F. Reilly said Thursday no one at the State Department is angered with him despite charges that he wiretapped chief security evaluator Otto Otepka and then lied about it.

Reilly said his resignation as Deputy Assistant Secretary of State in charge of the Security Division was "voluntary," and involved no reprimand or other criticism from Secretary of State Dean Rusk or Deputy Under Secretary William Crockett.

"I resigned because I did not feel I could effectively serve Secretary Rusk in the light of the relations with the congressional committee," Reilly said.

REMAIN FRIENDLY

Despite the charges of the Senate Judiciary Committee that Reilly gave "untruthful" testimony under oath, Reilly said "there is nothing derogatory in my (personnel) record, and I don't believe there is any way in which my acts were regarded as improper by my superiors."

Reilly said he has continued to have amiable relations with Rusk and Crockett.

"I am sure that if you talk with Mr. Crockett, he will tell you nothing I did was regarded as wrong. There is no basic disagreement with my superiors. I don't think we find ourselves in an adversary position."

WIRETAP ISSUE

Reilly said he is "standing by" his testimony before the Senate International Security Subcommittee in which he denied that he had ever ordered a wiretap to be put on Otepka's telephone last March.

He has since admitted that a listening device was attached to Otepka's telephone, but contends it was attached for experimental purposes and with no intention to intercept or record the conversations.

Senator Thomas Dodd, Democrat of Connecticut, has said Elmer D. Hill, a former State Department electronics expert, testified he made several recordings at Reilly's instruction and turned them over to Reilly.

[From the Des Moines (Iowa) Register, Jan. 2, 1963]

TELL OF REILLY'S UNDER-OATH DENIAL THAT HE RECORDED OTEPKA'S CALLS

(By Clark Mollenhoff)

Washington, D.C.—The Senate Internal Security Subcommittee released testimony Wednesday showing that John F. Reilly made statements under oath denying any recording of telephone conversations of chief security evaluator Otto Otepka.

The transcript shows that members of the Senate committee have charged Reilly, a former Deputy Assistant Secretary of State, with being "evasive" and "misleading" in testimony last August in which he denied any listening devices were connected to Otepka's telephone.

ACTED AS LOOKOUT

Since then Reilly has admitted that he directed Elmer D. Hill, an electronics expert, to experiment with attachments on Otepka's telephone, and acted as a lookout in the hall when Hill and another technician disconnected the wires that had changed Otepka's telephone into a microphone.

Senator Thomas Dodd, Democrat, of Connecticut, has contended that Reilly and other high State Department officials may be involved in perjury in denying the use of a listening device.

The new testimony shows that Reilly insisted on November 15 that there was no actual interception of Otepka's conversations.

The transcript shows that Reilly said "The darned thing (the listening equipment) didn't work."

Throughout his testimony, Reilly insisted that his August testimony was not false because in his mind Otepka's telephone was not "compromised."

Reilly insisted that when he answered questions in August, he regarded compromising of a telephone conversation as actually listening to conversations and divulging the contents of the conversation to others.

AUGUST TESTIMONY

In August, Reilly was asked: "Have you ever engaged in or ordered the bugging or tapping or otherwise compromising telephones or private conversations in the office of an employee of the State Department?"

Reilly answered: "No, sir."

When Counsel J. G. Sourwine asked again: "You never did?" Reilly replied: "That is right, sir."

Senator John McClellan, Democrat, of Arkansas, said that Reilly's performance "is a sad commentary" on high officials in the State Department.

"If we call people in high responsible positions in Government down here before this committee, trying to pursue our duties, and trying to get the truth, and then we find such evasion and such withholding and such technical excuses and alibis for not giving the committee the truth, I want to tell you gentlemen our task, our job is tremendous beyond comprehension."

Under questioning, Reilly said that when he went to the State Department he might have "semifacetiously" said that one of his duties was "to get Otepka."

However, he insisted that it was not a campaign to "get Otepka" that had resulted in the direction to Hill for the listening device on Otepka's telephone.

Otepka had been involved in policy differences on security matters with Reilly and with Reilly's predecessor, William Boswell.

Otepka objected to what he considered to be lax standards in the use of "emergency security clearance" on 150 occasions in the first 2 years of the Kennedy administration, compared with only 5 such emergency clearances in the entire Eisenhower administration.

WIELAND CASE

There also was some dispute over the handling of a number of cases, including the case of William Wieland, the controversial head of the Caribbean desk, who was under sharp criticism from Congress for his actions in connection with Fidel Castro's takeover in Cuba.

Otepka found that Wieland had not disclosed some facts in his background and had given misleading information on other matters, and recommended that Wieland be dropped as "unsuitable" because of a lack of judgment and lack of integrity. He did not find Wieland disloyal.

Despite the Otepka recommendations, Wieland was retained in the Department and the case was closed. It is reported that Otepka became aware of some new information, and sought to have the Wieland case opened again.

Reilly states that last March he was not out to get Otepka, but "I was thinking of how I could ascertain whether or not Mr. Otepka was getting me."

Reilly testified that he believed Otepka was cooperating with the Senate Internal Security Subcommittee, and was furnishing information to the committee to use in questioning Reilly and others.

Reilly said it is his view that Government employees have a responsibility not to tell Congress things that might embarrass either their superiors or their department.

EFFECTIVE WAY

On March 13, Reilly said he talked with his assistant, David I. Belisle, about ways of obtaining more information on Otepka's activity including a wiretap, a listening device in his room, and an examination of Otepka's wastepaper "burn bag."

On March 18, he said he directed Hill to experiment and find an effective way to monitor Otepka's conversations. At the same time, Reilly started a systematic search of Otepka's burn bag and this search resulted in a carbon paper that showed that Otepka had written a list of questions to be asked of his superiors.

Reilly said that many of these questions were asked of him when he appeared before the Senate Internal Security Subcommittee later.

Reilly revealed that when he came to the State Department, in April 1962, his predecessor, Boswell, had indicated that he had been trying to get rid of Otepka because he regarded the veteran chief evaluator as troublesome.

Reilly said when he decided to use the listening devices on Otepka's telephone, he did not consult Deputy Under Secretary William Crockett or higher authority. However, he stated that when he obtained information that Otepka had furnished questions to Sourwine that he had the support of Crockett and the Department in steps taken to oust Otepka.

He said that Crockett is in sympathy with the effort to oust Otepka, and that he believes it is the Department policy to get rid of Otepka.

[From the Des Moines (Iowa) Register, Dec. 28, 1963]

JOB HUNTER FEARS TALK ON WIRETAP

(By Clark Mollenhoff)

WASHINGTON, D.C.—Electronics expert Elmer Dewey (Bud) Hill said Friday wiretaps were used to make "several recordings" of conversations on the telephone of State Department security evaluator Otto Otepka.

However, the 34-year-old former State Department technician said he did not want to discuss the details of conflicts between his story and the story of others in the State Department who deny recordings were made of Otepka's telephone conversations.

"I'm going to have to go out and get a job in private industry, and I don't want to get crosswise with the officials of the State Department," Hill said.

"I'm going to have to depend on the State Department for references and I don't want to make things any more difficult for them than I have to under the circumstances."

COULD BE ROUGH

He said "things could be pretty rough" in getting another job if his testimony makes it difficult for Secretary of State Dean Rusk, Deputy Undersecretary William Crockett, or John F. Reilly, recently resigned Deputy Assistant Secretary of State in charge of the Security Division.

"Reilly has his position to look out for, so does Crockett, and so does Secretary Rusk," Hill said. "I don't want to do anything that would put them in a more embarrassing situation."

Hill said he gave testimony last July in which he denied listening devices had been attached to Otepka's telephone "because it was what the Department wanted."

CHANGED STORY

He said he has changed his story to admit the actual recording of the Otepka telephone conversations "because I felt I had to tell the truth to avoid trouble."

However, he explained that he did not want to give any explanation of his dealing with State Department officials because this may irritate them and result in bad references.

"I've told the truth to the [Senate Internal Security] Subcommittee, and I don't want to give any more explanations unless I have consulted my lawyer," Hill said.

The transcript of the executive session testimony given by Hill has not been made public yet, but Senator THOMAS DODD, Democrat, of Connecticut, has made reference to it in a Senate floor speech.

DENIED KNOWLEDGE

DODD said Reilly, Hill, and David I. Belisle, an assistant to Reilly, had testified in July and August "that they knew nothing about the installation of a listening device in Mr. Otepka's office."

"Reilly and Belisle," he went on, "recalled before the committee (in mid-November), stated that none of Otepka's conversations had been overheard because of electronic difficulties."

Hill testified that tape recordings had been made of several conversations, that Reilly had expressed particular interest in one conversation, and that he had turned the tapes over to an unidentified third party at Reilly's direction.

Reilly continues to claim he had no knowledge that any recordings were made, and to deny that any recordings were ever given to him or delivered to others at his request. He and Hill resigned from the State Department.

Hill, a native of Los Angeles, Calif., received an M.A. degree from Stanford University in 1957. He had been a research associate at Stanford for more than 5 years when he was hired by the State Department in January 1962 as electronics expert for the Security Division.

BELISLE TALE AN AFFRONT, PROBERS SAY: HEDGE ON WIRETAP HELD "INCREDIBLE"

(By Clark Mollenhoff)

WASHINGTON, D.C.—State Department Security Specialist David I. Belisle admitted he was told last March of efforts to wiretap the telephone of Chief Security Evaluator Otto Otepka.

A transcript of testimony released Monday by the Senate Internal Security Subcommittee showed that committee members regarded Belisle as "evasive" and "untruthful" in making earlier denials that he had any information on the wiretaps.

TAKEN NOVEMBER 14

Belisle's testimony was taken November 14 in a closed session of the Senate Internal Security Subcommittee after investigators had obtained conclusive evidence that a wiretap was placed on Otepka's telephone last March.

Although two persons involved in denial of knowledge of the wiretaps have resigned in the aftermath of Senate charges of "perjury," Secretary of State Dean Rusk has allowed Belisle to remain an official of the State Department.

In the transcript released Monday, Belisle told committee members he did not intend to be evasive or to mislead them last July 29 when he stated under oath that he had "no information" relative to a wiretap on Otepka's telephone.

Belisle insisted that he believed his testimony under oath did not require that he give "secondhand" or "hearsay" testimony when asked if he had any "information" about such wiretaps.

He explained that he heard about the wiretap from John F. Reilly, the Deputy Assistant Secretary of State in charge of the Security Division. Reilly told him of the wiretapping of Otepka's telephone a few days after the events, Belisle admitted.

"AN AFFRONT"

Senator THOMAS DODD, Democrat, of Connecticut, Senator JOHN MCCLELLAN, Democrat, of Arkansas, and Senator ROMAN HRUSKA, Republican, of Nebraska, declared that Belisle's testimony was "incredible" and "an affront" to the members of the committee.

MCCLELLAN declared that it was not "hearsay" testimony on the wiretaps when Belisle obtained his information from Reilly, the man who had directed the effort to tap Otepka's wire.

Chairman JAMES O. EASTLAND, Democrat, of Mississippi, said that under the Belisle theory on "hearsay" a witness could deny having information about a murder, even though he had been told about the crime by the murderer.

The transcript showed that the committee members uniformly regarded Belisle as being "evasive" and "untruthful" under oath in earlier testimony.

They regarded him as also lacking in frankness in continuing to insist that he was justified in not telling the committee "the whole truth" as required by his oath.

Under questioning, Belisle said "the whole intent [of the wiretap and searches of Otpka's office] was to determine what information he [Otepka] was giving to the [Internal Security] Subcommittee."

Belisle admitted that on March 13 he discussed with Reilly ways to determine what information Otepka might be giving to Congress.

THE CONVERSATION

In this conversation, Reilly discussed the possibility of using some listening device on Otepka's telephone or in his office at the State Department, and also mentioned that he might examine typewriter ribbons and carbon papers in Otepka's wastepaper "burn bag."

Belisle said he was in Costa Rica on March 18, 19, and 20 when Reilly directed Elmer D. (Bud) Hill, an electronics specialist, to experiment with a wiretap device on Otepka's telephone.

Belisle testified that Reilly told him of the effort a few days later and informed him it had not been highly successful.

(Belisle and Reilly continue to claim the wiretap effort was thwarted by a humming sound on the line. However, Senator DODD has made a Senate speech in which he says Hill has changed his story and now says that several recordings were made and were turned over to Reilly.)

In the face of his present admission of knowledge of the attempted wiretap on Otepka's telephone, Belisle continued to insist that he did not lie to the committee last August when he denied any knowledge.

WHAT HE SAID

At that time Belisle was asked by Chief Counsel Sourwine: "Do you have any information with respect to the tapping of the telephone of Mr. Otto Otepka?"

"No, sir," Belisle answered.

"Do you know whether this was done?" Sourwine followed up.

"No, I do not," Belisle answered.

"Did you have anything to do with the placing of a listening device in Mr. Otepka's office?" Sourwine asked.

"I did not, sir," Belisle answered.

"Do you know if this was done?" Sourwine asked.

"I do not," Belisle answered.

After the State Department was notified that the Internal Security Subcommittee had evidence establishing that a wiretap was placed on Otepka's telephone, Belisle wrote a letter to "amplify" his testimony, saying he had no "firsthand" knowledge.

Mr. CRAMER. Mr. Speaker, will the gentleman yield?

Mr. GROSS. I am delighted to yield to the distinguished gentleman from Florida.

Mr. CRAMER. I congratulate the distinguished gentleman from Iowa for his efforts, despite the criticism, toward bringing all the facts to light, as the Internal Security Subcommittee of the other body and also certain Members of the other body have been trying to do for some time. The facts the gentleman is putting into the RECORD at this time, I am confident, will help accomplish that. I, too, of course, have been subject to all sorts of criticism by the State Department for likewise having insisted that the truth of this matter be fully determined and that the American people be advised as to the truth. In my opinion, this is one of the grossest examples of attempted, purposeful coverup of the truth by the State Department in my memory.

Of course, let me say this, the reason I became interested in it and remain interested in it is because of the fundamentals, as I am sure the gentleman is likewise concerned about, that are involved in this particular case. There are basic fundamental principles involved here. Since when is the Congress of the United States through its properly constituted committees not permitted, because of some regulation in existence or other excuse in the executive branch of the Government, to inquire into the facts regarding information within the jurisdiction of that committee?

Mr. Otepka was called as a witness before the committee, was he not, I ask the gentleman from Iowa?

Mr. GROSS. That is correct.

Mr. CRAMER. And he answered the questions posed to him by that committee, did he not?

Mr. GROSS. That is right. Under oath.

Mr. CRAMER. And he had no alternative but to answer the questions to the fullest extent of his knowledge, did he, I ask the gentleman?

Mr. GROSS. That is absolutely correct.

Mr. CRAMER. It appears to me—and I ask the gentleman if he does not agree with it—that the effort with regard to Otepka appears to be an intended, purposeful effort to try to intimidate other Government employees by making an example out of Otepka. Does it not appear to the gentleman from Iowa that is what it is?

Mr. GROSS. It certainly does.

Mr. CRAMER. It appears to me it is. Setting up Otepka as an example that, under the threat of being publicly discredited, in the future no other Federal employees should come before any committees and give information other than that previously approved by the agency, even though under oath and pursuant to the request of the committee.

Mr. GROSS. The gentleman is exactly right and especially so with respect to the State Department.

Mr. CRAMER. And does not the gentleman feel that unless the Congress of the United States, as the Internal Security Subcommittee tried to do and as the gentleman is trying to do and as I am trying to do and as many Members of the other body have been trying to do, fully explores this thing and unless the facts are all brought out and the rights of Congress to investigate are protected, that other witnesses unquestionably would be intimidated with Otepka's firing under these circumstances?

Mr. GROSS. It would certainly have that effect. That is right.

Mr. CRAMER. Does not the gentleman further believe no State Department investigative authority has the right under our separation of powers between the executive and the legislative and the acknowledged necessity for Congress to inquire into matters relating to legislation to investigate members of the staff of a Senate investigating committee, which even the State Department did not deny, when I charged them with that, in their statement in reply?

Mr. GROSS. I agree with the gentleman, and I compliment him for the information that he has provided to the House on this subject.

Mr. CRAMER. For instance, in reply to my charge that certain employees of the Senate committee had been under investigation by the State Department, the reply of the State Department was a denial that:

> A State Department security officer or that the Department was investigating employees of the Senate Internal Security Subcommittee.

I know the gentleman notices, as I do, how carefully worded that statement is—"was investigating," meaning present tense.

Mr. GROSS. That is right.

Mr. CRAMER. It does not deny that they have in the past attempted to or in fact had investigated employees of a duly constituted congressional committee.

Mr. GROSS. The gentleman is correct.

Mr. CRAMER. Therefore, the State Department did not deny that, but by implication it admitted it. It also admitted that the meeting to which I referred in my memorandum which I placed in the RECORD took place. They admitted certain information I placed in the RECORD was correct but questioned some of the implications of it otherwise. I ask the gentleman this question further. I further charged at the time that it was my opinion that Mr. Rusk, who admittedly, as Secretary of State, has been in on this matter from the very beginning—and the gentleman from Iowa repeated that statement here today—is hardly an impartial person nor would anyone else in the State Department under his jurisdiction be an impartial person for investigating further all the facts of the Otepka case.

Mr. GROSS. That is right.

Mr. CRAMER. Does not the gentleman agree with that?

Mr. GROSS. I certainly do. And the offer by Secretary Rusk to pick one of six employees within the Department of State to sit on his—Otepka's—appeal is a travesty. Employees of the State Department cannot be unprejudiced in this matter in the light of what has happened and has been demonstrated before the Senate Internal Security Subcommittee. Otepka cannot possibly rest his case with any one of six persons or a dozen persons from within the State Department, selected by Secretary Rusk to sit on his case.

Mr. CRAMER. Does not the gentleman agree that the State Department by handling it in this manner using a State Department employee as one of the investigators, are themselves opening themselves up to the charge, by their own action, of a whitewash of the entire case?

Mr. GROSS. Exactly so.

Mr. CRAMER. Does not the gentleman feel the simple way to avoid such a charge would be for the President to appoint an impartial review board with no relationship to the State Department and not under the jurisdiction or the control of Secretary Rusk if confidence in the State Department's action in this respect as well as in others among the American people is to be maintained?

Mr. GROSS. That is the only way Otto Otepka could begin to get a fair hearing on his appeal.

Mr. CRAMER. I ask the gentleman further—and I am sure he is familiar with the most recent report and release of testimony from the Internal Security Subcommittee with respect to the testimony of Mr. Belisle who, incidentally, even though, as the gentleman said, he lied before the committee—and I concur in the gentleman's conclusion—still the fact is he remains in the State Department. The other two gentlemen, Mr. Reilly and Mr. Hill, who likewise falsified their statements before the committee are no longer with the Department. This is not only my charge, but it is a repetition of charges made in the other body as well—that falsification of testimony is obvious on the record.

Mr. GROSS. Yes. And admitted in a left-handed way by the individuals themselves.

Mr. CRAMER. Yes, by submitting a memorandum "clarifying" their testimony in the first instance before the committee.

I said in my previous statement—and it has now been confirmed—that those clarifying statements were cleared over the desk of Secretary Rusk. Is that not the gentleman's information?

Mr. GROSS. That is exactly correct—and also over the desk of the legal officer of the State Department.

Mr. CRAMER. Yes. The Internal Security Subcommittee, based upon sworn testimony, made the evidence available to the press and made certain statements concerning it this week. The committee said that the Belisle tale was "an affront" to the committee; that two persons involved in denial of knowledge of the wiretaps have resigned in the aftermath of Senate charges of perjury; that Secretary of State Dean Rusk has allowed Belisle to remain an official of the Department; that State Department security specialist David I. Belisle admitted he was told last March of efforts to wiretap the telephone of chief security evaluator Otto Otepka, which he had denied in the first instance before the committee; is that not correct?

Mr. GROSS. That is correct.

Mr. CRAMER. I ask the gentleman if he will ask unanimous consent to make this report on the committee's findings a part of the RECORD following his remarks?

Mr. GROSS. I already have that permission.

Mr. CRAMER. I congratulate the gentleman on his efforts. It is my hope, as I am sure it is the hope of the gentleman, that the Johnson administration will take whatever steps are believed necesssary as to appointing a truly impartial factfinding group that can get to the bottom of this question, to determine the true facts, and to make certain that the American people are fully informed and to make sure that the power and authority of the Congress to investigate is not prejudiced and that other Government employees are not intimidated by this action and, of equal and perhaps greater importance, that no injustice is done to Otto Otepka who has had more than 20 years of exemplary service in the security division of the State Department.

Mr. GROSS. I thank the gentleman.

Mr. PUCINSKI. Mr. Speaker, will the gentleman yield?

Mr. GROSS. I am glad to yield to the gentleman.

Mr. PUCINSKI. I am under the impression that Mr. Otepka now has a case pending in one of the courts. Is that an erroneous impression?

Mr. GROSS. I do not believe that he has yet taken his case to any court. He has an appeal pending as a result of his being ousted from the State Department, being fired from the State Department.

Mr. PUCINSKI. I am under the impression that the ouster is now pending before the court.

Mr. GROSS. That may be the fact, but I am not aware of it.

Mr. PUCINSKI. If this matter does not in fact get into court, would the gentleman be satisfied if an impartial committee were appointed to study all the facts in this matter?

Mr. GROSS. Yes, if a truly impartial committee were appointed.

Mr. PUCINSKI. I would see no objection to that and I do not believe Secretary Rusk would object. I believe this is a case which certainly has gained nationwide attention. Perhaps it would be an excellent idea to have an impartial committee appointed.

Mr. GROSS. It could not be truly impartial and be composed of anyone from the State Department, under the circumstances.

Mr. PUCINSKI. I would have no objection to the appointment of an impartial group, totally disassociated from the State Department, to look into this matter to get to the bottom of this thing. It would not surprise me one bit to see the administration do just that.

Mr. GROSS. I appreciate the gentleman's statement.

REPORT ON GENEVA SPACE RADIO COMMUNICATION CONFERENCE AND PROGRESS MADE IN ESTABLISHING GLOBAL COMMUNICATION SATELLITE SYSTEM

The SPEAKER pro tempore (Mr. Boggs). Under previous order of the House, the gentleman from Arizona [Mr. Harris] is recognized for 60 minutes.

Mr. HARRIS. Mr. Speaker, I asked for this time today in order that I might give to the House information on some most interesting developments in the field of international telecommunications.

Today I have the privilege of reporting to you, Mr. Speaker, on the results of one of the most important and successful international conferences held in recent years, and the significance of that Conference to the establishment of a global satellite communications system.

May I remind you, Mr. Speaker, that in the last Congress there was enacted a landmark piece of legislation. It was the Communications Satellite Act of 1962. Before beginning my report, I would like to call attention to the declaration of policy and purpose of that far-reaching and important legislation.

In my judgment, those of us who have participated in the formulation, the enactment and finalization of that program during the last Congress helped to make history. In my judgment, the contributions which this program may make to the future of this country and our civilization cannot be anticipated at this moment. This communication program that we in this country developed and that we propose to utilize with other countries of the world may greatly affect the future of this Nation and of other peoples of the world.

DECLARATION OF POLICY AND PURPOSE

> SEC. 102. (a) The Congress hereby declares that it is the policy of the United States to establish, in conjunction and in cooperation with other countries, as expeditiously as practicable a commercial communications satellite system, as part of an improved global communications network, which will be responsive to public needs and national objectives, which will serve the communication needs of the United States and other countries, and which will contribute to world peace and understanding.
>
> (b) The new and expanded telecommunication services are to be made available as promptly as possible and are to be extended to provide global coverage at the earliest practicable date. In effectuating this program, care and attention will be directed toward providing such services to economically less developed countries and areas as well as those more highly developed, toward efficient and economical use of the electromagnetic frequency spectrum, and toward the reflection of the benefits of this new technology in both quality of services and charges for such services.
>
> (c) In order to facilitate this development and to provide for the widest possible participation by private enterprise, United States participation in the global system shall be in the form of a private corporation, subject to appropriate governmental regulation. It is the intent of Congress that all authorized users shall have nondiscriminatory access to the system; that maximum competition be maintained in the provision of equipment and services utilized by the system; that the corporation created under this Act be so organized and operated as to maintain and strengthen competition in the provision of communications services to the public; and that the activities of the corporation created under this Act and of the persons or companies participating in the ownership of the corporation shall be consistent with the Federal antitrust laws.
>
> (d) It is not the intent of Congress by this Act to preclude the use of the communications satellite system for domestic communication services where consistent with the provisions of this Act nor to preclude the creation of additional communications satellite systems, if required to meet unique governmental needs or if otherwise required in the national interest.

It will be recalled that we had some difficulty formulating and finalizing this legislation. Our own Committee on Interstate and Foreign Commerce held extensive hearings. It was considered over a period of several weeks in executive session. The appropriate committees of the other body and the other body discussed it at length before we finally concluded the consideration of this program. Even though there were serious questions raised during the course of this consideration, I think developments to date have justified the action of our committee in arriving at its decision and they have justified the decision of the Congress in approving the establishment of an early global communication program.

That leads me to make this observation: So many times when we have the far-reaching, important landmark programs on which we are legislating, we do not proceed to follow through to see how they work out. But I told this House at the time that we were going to follow through. Because of the controversial nature of the program I felt it was the thing we should do.

We have followed through and kept up with the progress of this program. Let me say to you that has been remarkable. In my judgment it is proceeding along the lines that we intended. I am encouraged by the progress made thus far. There have been difficulties, to be sure. Many problems still have to be worked out, and many of them have been worked out. But as the declaration of policy states so positively and specifically, this program requires the cooperation of other countries if it is going to be successful, and we are making good progress toward that objective.

SPACE RADIO COMMUNICATION CONFERENCE

In the fall of last year, I had the great honor of being designated by the Speaker of this great body to serve as a member of the U.S. delegation to the Space Radio Communication Conference held in Geneva, Switzerland, from October 7, 1963, through November 8, 1963. Our esteemed colleague on the Committee on Interstate and Foreign Commerce, Abner W. Sibal, was designated to serve together with me on that delegation, and my good friend and committee colleague, William L. Springer, was present as an observer during part of the time.

Technically the Space Radio Conference is known as the Extraordinary Administrative Radio Conference of the International Telecommunication Union to Allocate Frequency Bands for Space Radio Communications. More specifically, the purpose of that Conference was to secure agreement internationally with respect to the allocation of frequencies in the radio spectrum for satellite communications, space research, navigational satellites, meteorological satellites, telecommand, telemetry, tracking of space vehicles; amateur radio, and radio astronomy.

The importance which the United States attached to that Conference was demonstrated by the composition and size of the U.S. delegation as well as the careful preparations which had gone into the formulation of the U.S. proposals to that Conference.

Our delegation of some 30 persons from Government agencies, the Congress, industry and academic life was led by Mr. Joseph H. McConnell who had been given the status of a U.S. Ambassador. Mr. McConnell, at present president of Reynolds Metals Inc., has had extensive experience in the field of communications while serving from 1941 until 1949 as executive vice president of RCA-Victor, and as president of NBC until 1953. To assist him in connection with foreign policy matters, Ambassador Jacob D. Beam, a career diplomat with extensive experience in dealing with Iron Curtain countries, was assigned as one of the two Vice Chairmen of the delegation. T. A. M. Craven, a former FCC Commissioner, with extensive background in international telecommunications matters was the second Vice Chairman of the delegation.

Outstanding technical experts and veterans in international telecommunications negotiations such as, William H. Watkins, Harry Fine, Wilfred Dean, Jr., Paul D. Miles, and Carl W. Loeber, were the U.S. spokesmen on important Conference committees. A satellite policy group consisting of Chairman Henry of the FCC, Mr. Gilbert Carter of the State Department, Dr. Joseph V. Charyk, president, and Leonard H. Marks, director of the Communications Satellite Corp., was in constant touch with the delegates of the 70 other nations attending the Conference. Their assignment was to familiarize these delegates with the U.S. plan for a global satellite system open to all nations wishing to participate.

The delegates whom I have named and numerous others, under the superb leadership of Mr. McConnell, worked untiringly, to bring about the successful conclusion of the Conference which the late President Kennedy only 2 days before his tragic death characterized as "one of the most successful of its kind held in recent times."

President Kennedy's statement was made on November 20, 2 days before his assassination, when he received a report from Mr. McConnell on the Geneva Conference. I insert at this point President Kennedy's statement as a part of my remarks:

STATEMENT BY THE PRESIDENT

> I received a report today from Mr. Joseph McConnell, Chairman of the U.S. delegation at the recent Extraordinary Administrative Radio Conference on Space Communications held in Geneva by the International Telecommunication Union. This Conference has been one of the most successful of its kind held in recent times. Mr. McConnell is commended for the outstanding leadership which he gave to the American delegation and for his many contributions to the successful conclusion of the Conference.
>
> The Conference allocated frequencies for communications satellites and adopted procedures governing their use, thus clearing the way for the establishment of an efficient global communications system. The Conference also allocated frequencies for meteorological and navigational satellites, space research, and radio astronomy.
>
> This Government and the U.S. Communications Satellite Corp. can now take practical steps, in cooperation with other governments and foreign business entities, to develop a single global commercial space communications system. It continues to be the policy of the United States that all countries which wish to participate in the ownership, management, and use of this system will have an opportunity to do so.
>
> Aside from the many political, economic, and social benefits, effective satellite communications can improve international understanding by providing a broad new channel for the flow of information between peoples.
>
> The many delegations which participated in the important work of this Conference are to be congratulated on its successful outcome.

The Conference agreed to set aside 2,800 megacycles for communications satellite services. The United States had proposed 2,725 megacycles while the Soviet proposal was limited to 1,600 megacycles.

For the most part, the Soviet proposal was in frequency bands different from those proposed by the United States. Only 800 megacycles were common to both proposals.

Under these circumstances, it is most gratifying that the 2,800 megacycles agreed to by the Conference include four 500 megacycle bands which were contained in the U.S. proposal.

I believe we may be justified in speculating that the Soviet's willingness actively to work for a compromise at the Conference is due to their intention to offer keen competition to the United States and the free world in the communications satellite field.

At the Geneva Conference, the Soviet delegates remained noncommittal on the question of their willingness to participate in a global satellite system. In the spring of 1963, the U.S. Government had sent a communication to Moscow outlining the U.S. plans for a global communications satellite system and inviting the Soviet to participate. The Soviet Government replied that the plans were premature. When the question was reopened informally with the Soviet at the Geneva Conference, the official Soviet policy position remained unchanged, although there seemed to be considerable interest in the U.S. plans on the part of some of the Soviet technicians.

Incidentally, it should be mentioned that almost all of the delegations, other than our own, consisted exclusively of technicians attached to their respective telephone and telegraph administrations. This, again, is proof of our own policy of considering an early satellite communications system, a vital national objective within the framework of our foreign policy.

Apart from the question of the number of frequencies to be allocated for space communications, the Conference was called upon to consider the procedure to govern the use of the frequencies thus allocated. Several countries, including the Soviet, held out for provisional use only of the allocated frequencies pending a future planning conference. The U.S. position was that the use of the frequencies had to be sufficiently definitive to permit long-range planning and major investments in a global communications satellite system. Many of the nations represented at the Conference feared that the major nations with present satellite capacity might preempt the allocated frequencies, thus leaving the less developed and smaller nations in the position in which they find themselves now with regard to frequencies utilized for other radio services. The position of these nations was supported by a proposal submitted by the International Frequency Registration Board, a permanent organ of the International Telecommunications Union. The Board's proposal called for a future planning conference to decide on the definitive use of the frequencies which, under the Board's proposal, would be allocated only provisionally by the present Conference.

Let me deviate for one moment to say that I spent the better part of 1 day at Geneva visiting the splendid office building of the International Telecommunications Union, where I had occasion to observe some of the operations of the International Frequency Registration Board. It is the function of the Board to keep up-to-date records of radio frequencies used by member nations and to advise such nations of any actual or potential interference which might be caused by such use. In order to discharge this function effectively, the Board has available to it the most modern electronic computers. It is my understanding that here at home there are plans underway of making similar use of computers for purposes of more effective national spectrum management. It is my hope that these plans can be carried forward, and I shall support these efforts to the best of my ability.

Now, let us come back to the proposal of the International Frequency Registration Board at the Geneva Conference. Our delegation protested the Board's authority to submit recommendations of this kind. The proposal was formally withdrawn. Nevertheless, the existence of such a proposal made more difficult our position at the Conference that the allocated frequencies should be made available for immediate use. Thanks only to the diligent efforts on the part of our delegation to persuade other nations they they, too, would stand to benefit from the establishment of an early system, did the Conference reach the decision permitting immediate use rather than provisional use of the allocated frequencies.

Communications satellites formed an important background at the Conference.

At the beginning of the Conference an exchange of greetings between the Secretary General of the United Nations and the Secretary General of the International Telecommunications Union was televised via Telstar. This event was witnessed by the Conference delegates in Geneva.

At the close of the Conference, a world's first occurred when Mr. McConnell reported from Geneva via Syncom satellite on the results of the Conference to Government officials and press representatives assembled in Washington, and answered questions submitted by them via satellite.

Syncom II, which was built by Hughes Aircraft Co., under contract with NASA, was launched on July 26, 1963. Syncom I, launched about 5 months earlier, ceased transmitting signals upon reaching orbit.

Syncom II is in approximately synchronous orbit over Brazil at an altitude of about 22,000 miles. During the Conference, arrangements were made to permit delegates to the Conference to speak via Syncom from the Conference site with persons in the Delegates' Lounge in the United Nations Building in New York and in the NASA Headquarters building in Washington.

The USNS *Kingsport* which was docked in Rota, Spain, served as the European terminal of the satellite circuit, while the U.S. Army station in Lakehurst, N.J., was the U.S. terminal.

So we had telephone conversations and a press interview via about 1,100 miles of telephone lines, and 22,000 miles up to Syncom and 22,000 down from the satellite. In view of this historic first, I insert at this point in the RECORD a transcript of the world's first press interview via satellite:

DEMONSTRATION OF SYNCOM SATELLITE WITH TRANSOCEANIC NEWS CONFERENCE

PARTICIPANTS

Geneva, Switzerland: Ambassador Joseph McConnell, Chairman of the U.S. delegation to the International Telecommunications Union.

Washington, D.C.: Leonard Jaffe, Director, Communication and Navigation Programs Division, Office of Space Science and Applications, NASA; E. William Henry, Chairman, Federal Communications Commission; Harlan Cleveland, Assistant Secretary for International Organization Affairs, Department of State; G. Griffith Johnson, Assistant Secretary for Economic Affairs, Department of State; Dr. Joseph Charyk, president, Communications Satellite Corp.; Joseph McRoberts, public affairs officer, Office of Public Services and Information, NASA.

MCROBERTS. As you know, this news conference was called to give you newsmen an opportunity to interview Ambassador Joseph McConnell, Chairman of the U.S. delegation to the International Telecommunications Union, which is now wrapping up its activities in a meeting in Geneva.

We will have short briefings in Washington on the methods of transmission, via the Syncom satellite. Then we will hear introductory briefings, these will be short, on the meaning of the ITU meaning to the United States internationally and economically.

From there we will go directly to Ambassador McConnell, via Syncom. We will have about 5 minutes in which he will announce the latest developments, and then, gentlemen, you may commence your questions. Ambassador McConnell will have Gilbert Carter of the State Department. I don't know whether these gentlemen will answer any questions or not. These are the gentlemen who will be on hand in Geneva.

He will have with him Tam Craven and Ambassador Jacob Beam. Both of these are Mr. McConnell's principal assistants. And also Mr. William Watkins, of the Federal Communications Commission.

When recognized, each newsman will walk to the right front, where Jack Howard from Goddard Space Flight Center will take you into the control room. There Stewart Ayers is on the telephone and will give you the telephone. Please identify yourself and then ask your question.

We have these two speakers. Remember, there will be a good many who will want to talk to the Ambassador, so try to make it brief on any followup questions. If one question will do it, let it go at one question. I would like to let everyone who has a question be able to ask it. So please don't come back for seconds until everyone has had a chance.

After Ambassador McConnell ends his conference, these gentlemen that you see in front will be glad to answer any questions you may have on the implications of the ITU Conference on their organizations.

I would like to introduce the gentlemen on my left. Leonard Jaffee is Director of Communication and Navigation Programs Division, Office of Space Science and Applications, NASA.

E. William Henry, Chairman, Federal Communications Commission; Harlan Cleveland, Assistant Secretary for International Organization Affairs, Department of State; G. Griffith Johnson, Assistant Secretary for Economic Affairs, Department of State; and Dr. Joseph Charyk, president, Communications Satellite Corp.

We have Leonard Marx in the audience, one of the Communications Satellite Corp.'s men.

Mr. Jaffee, I wonder if you would like to begin.

JAFFEE. Gentlemen, I would like to tell you about the Syncom demonstration that will be involved in this interview, where the satellite is, and precisely what will be going on during the time in which you are talking with Ambassador McConnell.

The Syncom satellite, as you know, was launched on July 26 of this year, and since July 17, approximately, it has been roughly stationary in an orbit which makes it stationary over this position on the Equator over Brazil. The satellite, because it is not in a truly equatorial orbit but in an inclined orbit, moves north and south of the equator.

The ship, USNS *Kingsport* [not printed in RECORD], originally stationed in Nigeria for the early portions of the Syncom program, has been exercised at sea. It has been communicating with the satellite while at sea. Recently the ship has been stationed in Rota, Spain. From Rota we have run telephone lines to Geneva. The other end of this circuit is the Lakehurst station in New Jersey, and we have roughly 200 or 300 miles worth of telephone line between there and Washington.

So we have about 1,100 miles worth of telephone line in this circuit. This is conventional telephone line. And 22,000 miles up to the satellite, and 22,000 miles back from the satellite.

The satellite at the time that you will be talking over the satellite is roughly in this position and headed to the north. You may ask why didn't we hold this Conference a little bit earlier. When the satellite is at its southern excursion, we cannot see the satellite from the present ship position in Spain, therefore we had to wait until this time to start this conversation. You can see that as the satellite goes further north, the distance to the satellite becomes less and communications get better all the time we stall this thing. We won't stall any longer than 3:30.

The Syncom satellite is the satellite that you see here. [Not printed in the RECORD.] It has not moved from that present position, the position that we finally stopped it at on July 17 by more than half a degree since that date and has been operating most satisfactorily.

I think that is all that I have to say.

MCROBERTS. Mr. Cleveland?

Question. You used the date of July 17 when it became stationary, and it was launched July 26.

JAFFEE. I am sorry. August 17.

CLEVELAND. Let me say a couple of things about where this Conference fits in the stream of bureaucratic and diplomatic history. The story starts, as well as anywhere, with the President's speech to the United Nations 2 years ago, in which he said that the cold reaches of the universe must not become the new arena of an even colder war. He went on to propose, among other things, a global system of communications satellites linking the whole world in telegraph, telephone, radio, and television. He also proposed cooperative efforts to do something more through the use of new technology in space with weather prediction and eventually weather control.

He also proposed prohibiting weapons of mass destruction in space, and the reservation of outer space for peaceful purposes.

A resolution passed at that same session of the Assembly, 1961—this was a major initiative of course of the President, one of the major initiatives he took in the Assembly that year—that resolution said in effect that there would be no nationalism in space, that in spite of the fact that the Soviets had just planted a flag on the moon here a little before, they agreed that they wouldn't appropriate and everybody agreed that they won't appropriate celestial bodies or try to appropriate space for national purposes.

The General Assembly told the various specialized organizations involved with weather and communications matters to get on with their parts of the general scheme of things, in effect, that the President had recommended, and set up a hierarchy of committees to worry about this whole problem.

Since that time there has been really a very great deal of activity. The negotiations and discussions went on continuously on a bilateral basis between Dr. Dryden and Academician Blagonravov and among other things talked about the possible cooperation in the field of the use of passive satellites—Echo.

At a world meteorological organization meeting last spring a project for a world weather watch was set up. Essentially the thing there is that you can, given picture-taking satellites and looking at the weather from on top as well as below, given faster and ampler communication facilities, including the communication satellites coming up, and given fast computers, these three different new kinds of technology, it is going to be possible for the first time to draw a world weather map, and a proposal for working up to that over a period of several years has been worked up in the world meteorological organization, again on American initiative.

Meanwhile the political atmosphere was warming up a good deal. The Soviets have stopped clobbering us on observation from space. They have agreed of course to the test ban, including the high level tests in space. They have agreed to a resolution declaring that bombs will not be placed in orbit. They have essentially dropped the criticism of Westford, the so-called needles in space.

We are in the final throes in New York of developing agreement among all of the countries, including the Soviet Union, on a new and broader set of legal principles in the use of outer space, and much of this will be summarized and brought to public attention through the debate on outer space in the United Nations that will start about 10 days or 2 weeks from now, perhaps a little earlier than that.

On the communications side, the story of course, the thread runs through the legislation passed last year on communication satellites, the setting up of the Satellite Corp., and the appointment of its executives, including Joe Charyk here; the informal consultation that has taken place with Europeans and others, mostly by the Satellite Corp., and last but not least, the actual placement up there of Telstar, Relay, and Syncom.

Sometimes those of us who are working on the institutional part of this almost forget to remember that what is making it all possible is the people who are getting these instruments up there to begin with. The Space Radio Conference is the latest step in this rather complex effort. It started with the President's U.N. speech in 1961 to make the most of the international possibilities for peace of the new technologies that are developing in the space program.

The Space Radio Conference itself has the job, the crucial job without which a lot of other things can't be done, of getting an international agreement on the allocation of frequency bands for a number of purposes, including experimentation in communication satellites themselves, and making regulations for the use of those frequencies.

Our delegation has been headed by Joseph McConnell, who is president of Reynolds Aluminum Co., assisted, as you have heard, by Jacob Beam, former Ambassador to Poland, who is actually assigned to the disarmament agency at the moment, and Tam Craven, a former Federal Communications Commissioner.

I will leave to Griff Johnson the description of the substance of what has been going on at the Conference itself.

McRoberts. I would just like to inform you that we have been informed by Ambassador McConnell that he is going to have to leave at 4 o'clock, on time. This reinforces this business of making your stuff short when you ask your questions.

Johnson. It is pretty obvious, I guess, that this question of space radio communication is at the center of all of these developments in outer space, and it is equally clear that if we are going to have effective radio communication in space that there have to be clear and orderly regulations and agreements as to how the limited spectrum can be used.

For this purpose there have been in past years a number of extensive and very complicated agreements as to the use of the spectrum for purposes of radio. These have taken place under the auspices of the International Telecommunication Union, which is one of the U.N. specialized agencies with somewhere around 120 members at the moment.

The new developments in space, and particularly this gadget here and those like it, have presented some very new and difficult problems with respect to this international regulation of the use of the limited facilities. The Conference that is just closing in Geneva now, the purpose of this was to deal with this very difficult and technically complex task of getting an agreement among 80-odd nations in the world as to how these new scientific developments were going to be worked into these limited facilities.

This task was, of course, complicated by the fact that most of the useful radio spectrum is already occupied by what is euphemistically known as terrestrial services. So the Conference has had to deal with a sort of reallocating of some of the spectrum that has now been devoted to other purposes and allocating the balance of it among the new areas of space research, radio astronomy, communication satellites, aeronautical space communications, weather, and navigation satellites.

Provision has also been made in this agreement for space communication by amateurs as well as for telemetry and command tracking of satellites. In addition to the basic agreements on allocation of the spectrum, the Conference has also taken up and made regulations, agreed upon regulations to govern the use of the allocated frequencies.

I need not dwell on the tremendous importance of this Conference to the United States. It has been the most important Conference in this field in many years. The agreement that is resulting from this Conference will permit the United States, as well as other countries, to go forward with space programs, with the assurance that the space radio communication operations will receive international recognition and will be protected from harmful interference. Without this agreement, and particularly an agreement on satisfactory terms, Dr. Charyk, for example, and his corporation would have been in great difficulty in moving ahead.

I would like to emphasize one other point that Mr. Cleveland made, and that is that the preparations for this Conference have been going on for well over 2 years. They have been going on in several different fields and levels. There has been an extensive intergovernmental interagency group that has been working on the technical aspects, together with representatives of the private industries and corporations in this field.

There have also been many bilateral and multilateral conversations at the technical level with other countries that are active.

Finally, there have been, particularly during the last year, a great many bilateral and multilateral conversations with other countries dealing with the political problems that are involved in the issues before the Conference in order to pave the way for a successful conclusion.

I think that it is fair to say that on the basis of what we know at the moment, from the technical standpoint as well as from the standpoint of our general foreign policy and national policy objectives, that the Conference is coming to a very successful and gratifying conclusion. The American delegation, headed by Ambassador McConnell, is deserving of very great praise indeed.

McRoberts. Thank you, sir.

I see we are ready. We are open for questions. Who wants to ask questions of Geneva?

John Finney (New York Times). I can't ask any questions because I don't know what the agreement is.

McRoberts. Excuse me, we are not open for questions.

We are going to Ambassador McConnell.

Ambassador McConnell. It is most fitting that a communication satellite is being used to transmit this report on the result of the Space Radio Communication Conference in Geneva.

The final acts will be signed in a few minutes. Orderly development and operation of the space programs of the United States and other nations will depend in large measure on the agreements reached by this Conference. Adequate communications, protected from harmful interference, are essential to continued progress.

I will now report to you on the decisions reached by the Conference.

The Conference dealt with communication satellites, space research, meteorological satellites, navigational satellites, radio astronomy, space activities of the amateurs, and aeronautical space services.

In addition, the Conference established regulations and notification procedures for utilizing the allocations as well as technical criteria for frequency sharing. Details of the specific frequency bands allocated for each of the services are available in Washington for those of you who wish to have complete technical data.

Taking up the subjects in order:

Communication satellites: The proposal of the United States for allocations for the communication-satellite service was for 2725 MC/S. The United Kingdom, France, and other countries made proposals similar to ours. The proposal of the U.S.S.R. was for approximately 1600 MC/S, but in frequency bands different from those proposed by us. Only 800 MC/S were common in the two proposals. The Conference has agreed to an allocation of 2800 MC/S, of which 2000 (consisting of four 500 MC/S bands) were included in our original proposal. Our engineers and scientists believe that this allocation should be sufficient to accommodate anticipated traffic growth until the period 1975–80.

Space research: The Conference has recognized that space research has a vital need for protected frequencies. Although we were not able to obtain agreement in all cases on worldwide exclusive allocations for space research, a reasonably satisfactory compromise, which varies in details from band to band, has been achieved, including bands used for the minitrack network and deep space research. We believe that the programs of all nations, including both manned and unmanned space research programs, can proceed satisfactorily insofar as their frequency needs are concerned.

Meteorological satellites: The Conference has made allocations for the meteorological-satellite service which promises to be of benefit to the entire world. The various programs in this field, both national and international, such as the Worldwide Weather Watch program of the WMO, can move forward.

Navigational satellites: Exclusive allocations have been made, along the line of our proposals, for a new navigational-satellite service which should prove to be of substantial assistance to the navigators of all nations.

Radio astronomy: As you know, the worldwide scientific community was most anxious that this Conference adequately protect radio astronomy. The decisions made in this field are of great significance, in particular the agreement reached to clear the 1400–1427 MC/S band for exclusive worldwide use in radio astronomy. This is the famous hydrogen line bend through which the astronomers obtain such valuable information about the universe. The band had been allocated to radio astronomy at the 1959 Geneva Radio Conference, subject, however, to reservations by a number of Soviet bloc countries. They have now agreed that radio astronomy should have worldwide exclusivity in the band.

As you know, the FCC recently decided that in the United States, TV channel 37 (608–614 MC/S) should be reserved exclusively for radio astronomy for a 10-year period. I am happy to report that the FCC decision assisted the Conference in making significant progress on a broad international basis with respect to this channel.

The Western Hemisphere countries, with the simple exception of Cuba, have agreed that for 10 years this band should be used for radio astronomy. To reach agreement it was necessary for many countries to make concessions.

In addition, the status of several of the bands allocated to radio astronomy by footnote at the 1959 conference was considerably improved, varying in detail from band to band.

Space activities of the amateurs: Satellite experimentation by radio amateurs, as typified in the Oscar 1 and Oscar 2 programs, has received recognition by the Conference through the allocation of the band 144–146 MC/S. Although the International Amateur Radio Union would have preferred similar privileges in other bands as well, the value of the amateur experimental work and the widespread interest it has created has been recognized by the Conference.

Aeronautical space services: I am pleased to say that satisfactory provisions were made for aeronautical space services.

Regulations and notification procedures for utilizing the allocations made by the Conference: A particularly difficult issue arose in connection with the matter of regulations governing the use of the allocated frequencies. Several countries proposed that the use of frequencies allocated at this Conference should be considered as provisional pending a future planning conference. In our judgment, the regulations had to be sufficiently definitive to permit the long-range planning and major investment involved in many of our space programs, in particular the communications satellite program.

I wish to report that in the opinion of the delegation the issue was satisfactorily resolved. The allocation of frequency bands and the regulation of their use were effectively established. They are always subject to modification by such future conferences as might be called by the ITU. No new element of impermanency has been added.

Technical criteria: The key to satisfactory space service allocations, particularly the communication satellite program, was the technical feasibility of space services sharing some of the bands presently allocated to terrestrial communications. The Conference has agreed on technical standards and criteria permitting this sharing. This will permit orderly, simultaneous development of all kinds of communication services without causing harmful interference.

Although, as you know, this was a technical conference and the agenda was limited to frequency allocations and related technical matters, it does have great significance for our commercial communication satellite program. The policy of the United States, established by the President and reflected in the Communication Satellite Act of 1962, is that a commercial communication satellite service should be organized as a single global system with nondiscriminatory access to all nations. During the Conference, members of the delegation explained informally to many delegates of other nations, U.S. policy in this field. Fears had been expressed by a number of the smaller countries that the major space powers of the world would somehow preempt the frequencies allocated by the Conference and thus prevent small-nation participation in a global system. Efforts were made to allay these fears by explaining that the allocations for communication satellites are properly viewed as having been made for the benefit of all nations.

My comments would not be complete if I did not express publicly the recognition due to all members of the delegation, including Ambassador Beam, Commander Craven, Mr. Henry (Chairman of the Federal Communications Commission), and Dr. Charyk (president of the Communications Satellite Corp.).

We also are greatly indebted to those Members of Congress on our delegation, including Mr. Harris (chairman of the Interstate Commerce Committee of the House of Representatives), Senators Hartke and Cotton, and Representatives Sibal and Springer, whose support meant so much to the delegates.

All of us will agree, however, that the persons who made the greatest contribution to our efforts were the Government industry advisers on the delegation. They are the technical experts and scientists whose work began 2 years before the Conference and who continued their dedicated devotion through the long and tedious hours of this 5-week Conference.

Finally, all delegations are most grateful for the fine leadership shown by the Chairman of the Conference, Mr. Gunnar Pedersen of Denmark.

Thank you.

Ayers. Thank you, Mr. Ambassador.

We now open this meeting to questions by gentlemen of the press.

McRoberts. Gentlemen?

Vern Haugland (Associated Press). Mr. Ambassador, what arrangements are made for policing this agreement? What penalties are provided?

Ambassador McConnell. It has always been under the regulations of the ITU. No different provisions have been inserted in this Conference from those which have always been provided. It is a rather complicated notification procedure by which someone who uses the service first sends in his notification to the appropriate ITU authorities and thereafter there are rather complicated procedures for keeping other people from interfering with the service which originally used the frequency.

Earl Abrams (Broadcasting magazine). I understand that there was some discussion about broadcasting directly from satellites to home receivers.

Ambassador McConnell. Yes.

Abrams. Can you tell us something about it, and what happened?

Ambassador McConnell. You perhaps saw the proposal which the United States—I believe as a matter of fact the U.S.S.R.—proposed that we continue to experiment with utilization of satellites for direct broadcasting. The French proposed a prohibition against direct broadcasting coming perhaps from their experience, as you know, from the old so-called pirating ships outside of France.

The general proposal we made was adopted and the French, after some discussion, I think, saw the overall wisdom of it and withdrew their complete prohibition.

Abrams. Thank you.

Tom Malra (Telecommunications Report). Mr. Ambassador, in reaching this agreement, did the United States give up any frequencies which are important to us domestically or militarily?

Ambassador McConnell. No.

Louis Deroche (French News Agency). Mr. Ambassador, was there much Soviet interest in active American communication satellites? Have the Russians been delaying any Syncom programs in the past?

Ambassador McConnell. I am sorry I didn't understand that question.

Deroche. Mr. Ambassador, is there much Soviet interest in active American communications satellites?

Ambassador McConnell. I don't know that I can say that there is. We exposed them to certain portions of our program, and I think they are interested. I couldn't say the extent of their interest at this time.

John Finney (New York Times). Mr. Ambassador, following up the earlier question here, do any of the frequencies which are now being allocated for communications satellites fall within the bands which have been used by the United States or the Soviet Union for military radar or tropospheric scatter radio communications?

Ambassador McConnell. I have a fine technical expert with me. I think I know the answer, but I think I will let him address himself to that. He is Mr. Watkins, of the Federal Communications staff.

Watkins. Mr. Finney, the answer to your question is "Yes," some of the bands involved in the agreement coming out of this Conference do involve bands occupied by radar and/or tropospheric scatter.

We have, however, in the process of arriving at this agreement, established what I would term mutual safeguards so that there will be no problems that we can foresee which will deter the implementation of the allocation.

Finney. Thank you.

Henry Simmons (Newsweek magazine). Mr. Ambassador, I understand that the extraordinary Conference did not consider the question of the recommendation by the ITU technical committee against any satellite relay system requiring more than about 0.5 second delay in communications. I wonder why this was not taken up at this particular Conference.

Also, I would like to ask your own reaction to the Syncom system we are using now, as to whether it involves any real delay or difficulty in communication.

Ambassador McConnell. I will try to answer the second question first, if I may, sir.

So far as we are concerned, we are getting along fine on this. We hear you on time, and I hope you hear us on time. We have no difficulty with it at all and I hope you don't.

Simmons. No, sir.

Ambassador McConnell. So far as the first part of your question is concerned, perhaps Mr. Watkins would be kind enough to reply to it.

Watkins. I believe the answer to the question is simply that it would be outside of the scope of the agenda of this Conference to have gone into any detailed examination of that particular question. It is the type of question that is presently under study by the CCIR and the CCITT, the two technical advisory groups which are permanent units of the ITU.

This would not be at this Conference the proper forum for a highly technical discussion of that kind.

Simmons. Thank you, sir.

Joseph Myler (United Press International). Mr. Ambassador, you speak of a new navigational satellite service which should be of assistance to the navigators of all nations. Do you refer to something new that is coming up in the future or to the work this country already is doing along that line?

Ambassador McConnell. I will let Mr. Watkins answer that, if I may.

Watkins. The answer to that question is that the allocations which have been adopted by the Conference provide for two different technical approaches to the radio navigation problem. One of those approaches is based on the Navy's Transit program, and the other is a radio sextant type of approach involving different frequencies. We think that both have possibilities.

Myler. Thank you, sir.

Robert Toth (Los Angeles Times). Mr. Ambassador, it seems that we got most of what we wanted on the communications satellites and on radio astronomy. What did the Russians get out of agreeing to these things?

Ambassador McConnell. Of course, I can't really answer that. All I know is that the Conference started out with some 70 nations here, and this is what we agreed upon. One of the nations which agreed to our credences which were allocated to the communications satellite probe was the Russians. I don't think any of our folks here, certainly not I, would try to presume to suggest to you what the Russians expect they got out of it.

Toth. Thank you.

Stewart Loory (New York Herald Tribune). Mr. Ambassador, following up Mr. Toth's question, we were told specifically that the Russians were asking for frequencies for use in communicating with their astronauts and in recovering spacecraft. Did the get those frequencies that they wanted?

Ambassador McConnell. I will let Mr. Watkins answer that for you.

Watkins. The distress frequency problem was one of the more difficult ones for this Conference, even though it did not involve a large number of frequencies. The manner in which it was resolved was to agree to a 20-megacycle distress frequency which had not heretofore been available for that purpose.

The other frequencies requested by the U.S.S.R., however, were not adopted by the Conference, and in lieu of that a resolution was adopted which, in effect, makes a modification of the radio regulations to make available all of the existing distress and emergency frequencies which are provided for in the 1959 radio regulations.

For example, 121.5 megacycles is a familiar number in aeronautical circles.

Loory. Thank you very much.

John Finney (New York Times). Mr. Ambassador, I would like to come back to one passage in your statement here that is a little bit unclear, and that is the question of assignment of these frequencies, and you said this issue was satisfactorily resolved. I wonder if you could elaborate on what the resolution was of this question.

Ambassador McConnell. There were several proposals which came from several sources, including the U.S.S.R. and others, to try to indicate in general terms that this Conference and its work would be on a provisional interim basis. You can understand this because many of the countries here were not as prepared as perhaps some of the rest of us were in the overall space communications field, and we had quite a little discussion about this problem.

In general, what we did was to confirm the present notification procedure, but to indicate that in the future there would be further conferences on the subject, as of course there would be naturally whether we indicated that or not, and that is the way the matter was resolved. I do not think there was any real change in the existing notification procedure except insofar as change was needed to fit them to the problems of the space programs involved.

Finney. One other quick point. Where are you now?

Ambassador McConnell. I am in the Batiment Electoral, which is where the Conference was held, and in a few minutes I have got to go down and, I hope, sign the final documents.

Finney. Thank you.

Earl Abrams (Broadcasting magazine). Mr. McConnell, in the bands that were assigned for satellite communication, are they broad enough to handle television?

Ambassador McConnell. Yes, sir.

Abrams. Thank you.

Ayers. Thank you, Mr. Ambassador. I hope you get back to that other meeting in time.

Ambassador McConnell. We are going to have to do that. Thank you very much.

McRoberts. Gentlemen, before we start any question period, do you want to ask any gentleman here present what has transpired?

Jaffee. I was just asked to tell you why it was so much better now than when we started. I really don't know, except that I did point out at the outset that as the satellite moves farther north, and it has moved considerably farther north during this half-hour interval, the satellite is closer to the station and we do get a stronger signal at the station, so that consequently things get better as the satellite moves farther north. This may account for part of the reason, but I am not sure that it is all of it.

We do have, as I pointed out, 1,100 miles worth of land line in this circuit, and it has not been the easiest thing in the world to keep clean, either.

McRoberts. Would anyone like to ask any of the gentlemen here questions?

Question. I am not quite clear, when you allocate frequencies like this—I guess this might be directed to Mr. Charyk—does this mean that the United States has a certain block for itself, or does this mean that anyone in the world can use this for this specific purpose? How do you, in the Communications Satellite Corp., get the frequencies that you specifically want?

Charyk. In the radio regulations chart adopted, certain frequencies are adopted for certain kinds of services, so that, for example, 3,700 to 4,200 megacycles will now be listed as being used for communications from satellite to earth. In certain cases there will be different allocations made, depending upon the regions of the world that are involved.

In certain cases the regulations will show certain allocations in the Eastern Hemisphere. That means that these frequencies are capable of use for the purposes which are assigned. If a country then proposes to use these frequencies for a specific system or specific installation, then they have to go through certain notification and registry procedures indicating their intentions to do so and how they propose to use these frequencies. These are filed then with the International Frequency Registration Board and become then a matter of permanent record.

Question. Is it possible, then, that you could ask for all of the frequencies that are now allotted? How would this be apportioned between countries?

Charyk. You would have to justify your request. In other words, you would have to detail the type of an installation that you propose to make, and why. It requires all of those frequencies.

Furthermore, there are time limitations on when you must file. In other words, you can't file today and say that in the next 10 years I might want to use these frequencies. You have to have very specific plans and there is a certain time period ahead of which, you cannot file, ahead of the date in which you are going to go into operation. In the case of the communications satellite business, it is set up as 2 years which is the time period that you need to actually get the system into being, so that 2 years before you expect to have your installation in being you will have had to have filed, with the technical characteristics of your system, and actually there are specific items requested in carrying out your notification. That is, filed with the IFRB, so-called.

Question. Suppose the Russians should put up their own communications satellite system. How do you divide this particular 2,800 megacycles up between what they might use and what you might use? Is there any provision for this?

Charyk. They would have to file the specific technical characteristics of their system, and it is a kind of a first come first served arrangement. In other words, if they can justify their proposed usage, and satisfy the IFRB that this is consistent with the rules and regulations, and they have carried out proper coordination with other countries, then they are assigned those frequencies for that use. And if another country now wants to come in and operate in the frequency band, they will have to use alternate frequencies or other frequencies.

Henry. I think we should add to that, though, that the whole effort at the Conference was to get sufficient frequencies, in particular for the communications satellite system, so that this problem would not arise. We certainly do not expect that it will arise, particularly in view of the fact that the IFRB acts as the clearinghouse. There must be coordination procedures in the first place. You can't just grab the frequency without coordinating it. That is one thing that was established. It is expected that those coordination procedures will allow the individual countries to work out their different problems.

Then, further, the IFRB will be a clearinghouse, plus the fact that we do have a considerable number of frequencies here, we think, for some time to come.

Question. Is this Board anything more than a clearinghouse? Does it have authority to say "No, you may not have that frequency"; or, "Yes, you may have it"; and does its decision then represent sort of the international agreement of the ITU?

Henry. Ultimately, it does not have this power. This, of course, is retained by each sovereign state. It can be called on to use its good offices—it is probably a term of art and probably inapplicable here—but at least to be a coordination and clearinghouse.

Cleveland. There is an international agreement to use it in effect.

Henry. Yes.

Question. Are the number of frequencies so large that you could have two or three worldwide systems?

Charyk. Actually, the frequencies that we requested were largely based on our best estimates of what would be required to handle satellite traffic through 1980. We did take the best estimates we could on what the growth would be on message traffic, data traffic, television traffic, and our frequency request was based on that.

Cleveland. For a global system.

Charyk. For a global system to handle all of the traffic of this type throughout the world. We hope, of course, that this can be done through a single system.

Question. Does anyone here have, as Ambassador McConnell suggested, a breakdown of the frequency allocations agreed upon at Geneva? He said they would be available here in Washington.

Henry. I think the State Department would have it in sort of cable by cable, but we, I think, will have to wait until it is all put together and issue it, I would assume.

Question. That is very important. We need to get what the satellite bandwidths are.

Henry. I can check that for you. We may have this cable by cable, too, but we don't know what the exact modifications are.

Question. Can you tell us whether these are shared or are exclusive in space service?

Henry. I couldn't tell you offhand which was which. I think we will have to get something up on it. I would assume our people will be home next week.

Question. Mr. Johnson is over there. Do you know whether these were shared or exclusive?

Charyk. In the communications satellite area they are shared with microwave radio relay links, with the possible exception of two 50-megacycle bands.

Question. Can you give us an idea of the capacity of 2,800 megacycles, how many voice channels or television channels it will handle at once?

Charyk. It would be adequate to handle something like 8,000 to 9,000 2-way voice channels and perhaps 4 duplex television circuits.

Question. In other words, each one of those 500 magacycle bands would also handle 1 television channel?

Charyk. Oh, many, many. More than that.

Question. How would they do that?

Jaffee. Before you go on, I think there is a misunderstanding about the amount of space here, and this relates to the question of how many people can really use it. Hopefully there will only be one system. The amount of space theoretically can provide over 500 television channels, and 600 times that many telephone calls. So that there is a lot of space and a lot of room for expansion, depending on the kind of system that is evolved.

Question. You said 500 TV broadcasts?

Jaffee. This is a theoretical limit. You can't approach that practically right now.

Question. I just wanted the numbers. Or 600 times that many telephone conversations?

Jaffee. One way.

McRoberts. I wonder if we can get Mr. Nelson to clear up this allocation.

Nelson. Mr. Sterns of my office has this. We have six or seven pages of it. We don't know precisely whether it is complete until we get the final document. But this is what we have gotten from our cables. We would be glad to answer any specific questions to the best of our ability from any of the correspondents here whenever they wish to ask them, although it might be better after the general questions have been answered.

Question. It is not possible to say so many in such a band up so much, down, as you did in your original proposal?

Charyk. Yes. The major bands of interest here are four bands of 500, of which two are up and two are down.

Question. What does that mean?

Charyk. Satellite to earth and earth to satellite. In addition, there are 800 megacycles which were not in our original proposal which have also been adopted for communication satellite use on a shared basis.

Question. Can you give us those four bands, sir?

Charyk. The specific numbers?

Question. Yes.

Charyk. 3,700 to 4,200 satellite to earth; 5,925 to 6,425 earth to satellite; 7,250 to 7,750 satellite to earth; 7,900 to 8,400, earth to satellite. That is in megacycles per second.

Question. Was there any indication that the Russians said they would or would not tie into our system? Was anything said about that at all?

Charyk. They were rather noncommittal on the subject. We discussed the thing in a very general way several times. They are certainly interested in the subject, but were very definitely noncommittal.

Question. May I ask another question along the same lines?

There were reports that there were a group of British companies that seemed to be interested in forming a satellite communications corporation. Can you tell us about that?

Charyk. Our aim of course is to have a single system to handle all of the world's traffic on an arrangement whereby the various countries would be able to participate in the ownership and use of the system. We have had preliminary discussions with a great many countries as to their association and interest in such a system.

Question. Can you say anything about the report that there is a British group that is planning to do something?

Charyk. Our discussions, of course, have been with the British Government agency since the telecommunications in Great Britain are handled by the General Post Office.

There are a number of British companies which are interested in the development of hardware for communications satellite systems, but the operation responsibility would rest with the British Post Office as far as England is concerned.

Question. Mr. Jaffee, let's come back to that theoretical limit. How close are we to achieving that theoretical limit if this thing were to go into operation today?

Jaffee. I think you can divide those numbers by maybe 50 by today's standards.

Question. Then you are talking about an immensely more powerful satellite signal than anything we have now?

Jaffee. The technology does not permit approaching these things today, these limits that I have talked about. However, this does still represent many hundreds of channels, many hundreds of television channels worth of capacity, and thousands, literally thousands of telephone channels worth of capacity. So there is a lot of room here.

Question. Is anybody familiar with the additional footnote protection for radio astronomy? To what extent was radio astronomy strengthened in these hydrogen lines?

Charyk. I think in the hydrogen line area there had been a reservation in the regulations previously, primarily by the bloc countries. They wanted these frequencies shared with other services. At these conferences these reservations were removed.

It is my understanding that we now have agreement worldwide on the exclusive use of those particular frequencies for radio astronomy. That is the 1,400 to 1,427 hydrogen line.

Henry. The availability of channel 37 also was strengthened in this region, whatever this region is, 1 or 2 I believe it is, with Cuba, I believe he said, being the only one taking reservation to its exclusive use. Before this there was no exclusivity.

Question. I would like to ask Mr. Jaffee if his trained ear detected any difference in the quality of Syncom's performance today and that of Relay or Telstar, and what the difference was, if any.

Jaffee. The answer is sort of difficult. You mean today?

Question. Yes.

Jaffee. Obviously today it was not as good as we would have liked to have had it. I have spoken over Syncom when we were not connected to as much telephone lines as we were today, and I could tell no difference between the quality of that service and any other service.

Question. It was better when you have fewer lines?

Jaffee. I think this is the case. I think that the contribution today was partly as a result of the amount of line that we had.

Question. Sir, were there echo suppressors in this circuit?

Jaffee. No, sir. This was what we call a four-wire connection, which artificially avoids the echo problem. In other words, the telephone speaker was connected directly to Ambassador McConnell's earphone, and his speaker was connected directly to your earphone, so that there was no interconnection which would permit an echo, and there was no echo suppressor then necessary in the circuit.

Question. So then this is not really a fair test of the circuit of this length with echo suppression?

Jaffee. This is a fair test of a circuit in which echo suppression can be adequately achieved. We have reason to believe that echo suppression can be effectively achieved. It is a fair test of time delay alone. In other words, the time delay was involved, the six-tenths of a second up to and back from the satellite was involved.

Question. Dr. Charyk, could you please give an example of the kind of problem you would have had if this Conference hadn't gone so well? Maybe using half the spectrum space. Would it simply be a question of the date? Would it be 1968 instead of 1975 to 1980, that type of thing?

Charyk. If it was just a question of getting less space than we actually reached, that means we would use it up sooner.

I think a more significant item is the ability to move ahead on a solid foundation. In other words we now have agreement as to the frequencies, we have agreement as to the procedures to be used in utilization of these frequencies. So that there is now a basis for, if you will, an investment based on some assurance that the whole thing isn't going to be upset by another look at the matter in a few years without any positive decisions having been taken here.

Question. On this question of the authority of the ITU, has the United States and the Soviet Union and the rest of the world gone along with the ITU in terrestrial communications and in space astronomy so far? In other words what is their real power and so on?

Henry. Yes, they are parties to the agreement establishing the ITU and they are members in good standing, dues-paying members of the ITU. It has been entirely satisfactory to date, insofar as coordination and registration procedures are concerned.

Sometimes there hasn't been enough frequency space, and this is one thing, in shortwave radio, for example. This is one reason we wanted to get as much frequency space as possible now for space.

Question. Mr. Cleveland, is it the intention of the United States to ask that some of these frequencies be assigned for a military communications satellite system being developed by the Defense Department?

Cleveland. It is not a question of assignment, it is just a question of some of them will be used for that purpose.

Question. This brings us back to this question again of how this goes about, and I think some of us are still unclear. What do we do? We go to this Board, and we say we are going to take such a band of these frequencies for our own communications satellite system?

Henry. I am not too familiar with this. But as I understand it, first there is what is called a coordination procedure, and I am not sure but I think this is the first time we have had a coordination procedure injected into the overall registration procedures, and that says that you look at the technical features of what you are proposing to do.

Charyk. I might elaborate on that a little bit. It simply says if I am going to locate an earth station for a communication satellite system, I have to be careful where I locate it because there will be a certain region around that earth station that will have to be clear of any other communication means with which there might be interference. So that I cannot locate that earth station without giving due consideration to existing facilities. And if there are existing facilities, I am going to have to coordinate with the owners of those facilities to make sure that the existence of my earth station is not going to interfere before I can actually locate that earth station.

As far as the satellite is concerned, this conference has agreed on certain power density levels at the ground. In other words, it set certain limitations on the power that I can put into a satellite so that on the ground I am not going to be interfering with other services which are sharing the same frequencies.

Henry. It is after those coordination procedures have been effected that you then go to the IFRB to register.

Charyk. Saying it another way, if I do not locate any earth stations close to installations with which they might interfere, and if I live up to my power limitations in my satellite, there may not be any coordination necessary with anybody.

Question. You can just go then and use that frequency?

Charyk. Simply notify the IFRB that I am using it.

Cleveland. I think, John, a way of saying it, in general parlance, would be that the problem in this conference was to make sure of a wide enough band so that it wouldn't be necessary to give an international organization a whole lot of arbitral power to settle the resulting conflicts. It looks as if there is going to be a wide enough band for a long enough time so that the conflicts of interest, if you will, and of operation, don't require a sort of czar in the middle.

Question. In other words we would go along sort of in the past pattern whereby mutual consent we use this and the Soviets use that?

Cleveland. Where you have an international agreement not to get in each other's way and an international agreement to work with this central board, frequency allocation board, frequency registration board, so that there is one place where everybody knows what eveybody else is doing. That is really all you need as long as there is enough room. Our problem in this conference was to make sure that there would be enough room in this new field to make it.

Charyk. Exactly right. Also, to establish rules under which you would have to coordinate with someone else.

Henry. Plus the fact that underlying these with respect to a commercial satellite system, our whole policy has been, and I think there is general support of this policy, to have one global system, which would naturally require extensive coordination procedures.

Question. We have no assurance though that we are going to have one global system?

Henry. No assurance. As I say, there is fairly general support for this approach.

Question. What we were getting at is that no other nation has veto power over the use of these frequencies?

Henry. That is correct.

Question. Isn't the agreement to abide by international squatters' rights, recognizing that you can't squat on somebody else's property that he is using?

Charyk. You can't do anything that is going to interfere with somebody else's service.

Question. If he refused you the use, then you can't get in.

Charyk. Who is there first has a priority, so to speak.

Henry. I think there is a 6-month provision in there somewhere, too, about prospective uses of the same frequency. I think you have to show that you are going to use it within 6 months and you get into the act.

Question. How soon do you expect the corporation to get into the filing stage?

Charyk. We would have to do it 2 years before we actually expect to have the system in operation. With this thing out of the way, our next step is actually to work out the arrangements with other countries for their participation in the system, and their agreement on the nature of their participation, and on the technical characteristics of the system. At that stage of the game we would be ready to file, if the FCC approves it.

I forgot that very important point.

Question. This is just on the radio astronomy thing in the State Department statement by Mr. McConnell. There were two things mentioned specifically, the 1,400 bank and also the channel 37. Were there other frequencies allotted to radio astronomy?

Charyk. Yes. It is quite an extensive list. I don't have it. It may be in the yellow sheets over there.

Question. Summing it up, this doesn't really sum it up as to how many megacycles were given to it or how many bands.

Charyk. I think they can provide that. It is a rather large list.

Question. Mr. Charyk, you outlined what you would have to do. How far away are you from completing all of these arrangements and filing your request for use of these frequencies?

Would this take a month or a year or 5 years or what?

Charyk. Oh, no, I think the working out of detailed arrangements with other countries will take a little time. We are moving ahead into design studies which will take place over the next 6 to 9 months, to come up with the final technical characteristics. We would use the same period of time to pursue our detailed discussions with other countries.

Question. Mr. Charyk, can you tell us when the corporation expects to put its stock on the market?

Charyk. We would hope early next year.

Question. Anything more specific?

Charyk. I am afraid not.

Question. Are you going to be putting your stock on the market well before you could specify your final operation?

Charyk. In detail, yes. We would have to give, of course, some indications of the nature of the system and the form——

Question. Do you mean whether it would be medium altitude or——

Charyk. At least we would have to indicate the options that are possible, and the steps that we are going to go through before we arrive at a final determination.

Question. What are you aiming at in terms of an operating system? A year? How long from now?

Charyk. We feel from purely technical considerations we can have a complete system in 1966.

McRoberts. Gentlemen, we have been running more than an hour now. Do you have any more questions? One or two more.

Question. One more.

Mr. Henry, are you on friendly terms again with the Communications Satellite Corp.?

Henry. Yes. I don't think we have ever been on unfriendly terms. We had some difference of opinion, but I think that has been resolved.

McRoberts. Is there anyone from the Hughes Aircraft Co. here? I understand someone in Geneva would like to talk to the Hughes Aircraft designer and builder of this satellite.

(No response.)

Press. Thank you very much.

(Whereupon, at 4:28 p.m., the Conference was concluded.)

Subsequently, Chairman McDonnell submitted a detailed report to the Secretary of State on the activities of the Geneva Conference. In view of the importance of this Conference to future developments in space radiocommunications, I insert the report at this point in the Record:

Report of the Chairman of the U.S. Delegation to the Extraordinary Administrative Radio Conference To Allocate Frequency Bands for Space Radiocommunication Purposes, International Telecommunication Union, Geneva, Switzerland, October 7, 1963, Through November 8, 1963

December 15, 1963.

The Honorable the Secretary of State,
Washington, D.C.

Sir: As Chairman of the U.S. delegation to the Extraordinary Administrative Radio Conference to allocate frequency bands for space radiocommunication purposes, I have the honor to submit this report on the activities of the Conference, the results of its work, and the participation therein of the United States. The Conference was held in Geneva, Switzerland, from October 7 through November 8, 1963, and was under the auspices of the International Telecommunication Union.

I. BACKGROUND

The Radio Conference held in Geneva in 1959 to revise the Radio Regulations of the International Telecommunication Union (ITU) was the first worldwide radio conference to recognize two new radio services: Space radiocommunication and radio astronomy. That Conference, however, acknowledged that these new services were still in an early stage of development and that therefore only preliminary provisions regarding radio frequency allocations and corollary regulations could be adopted.[1] Appreciating that further action would be required, the Conference adopted Recommendations Nos. 32 and 36. The first of these recommended that, in preparations for a subsequent administrative radio conference, consideration be given to more adequate allocation of frequency bands for the radio astronomy service. The second recommended the convening of an extraordinary administrative radio conference (EARC) during the latter part of 1963 which should have as its principal task "the allocation of frequency bands for the various categories of space radiocommunication." Subsequently, it was agreed by a majority of member countries, upon recommendation of the Administrative Council of the ITU, that the frequency allocation needs of both of these new services should be considered at the EARC in 1963.

Preparations for the 1963 Conference were begun in the United States in 1960 and continued unabated until mid-September 1963. This intensive effort was required since developments in space exploration and research were taking place throughout this period. It was necessary to incorporate the radio frequency requirements of these new radio services and a large body of newly developed technical information in the United States preparatory documents.

The Interdepartment Radio Advisory Committee (IRAC), working with the staff of the Federal Communications Commission (FCC), had by October 1961 completed a document entitled "Preliminary Views of the United States of America for the Allocation of Radio Frequencies to the Space and Earth-Space Services." A similarly titled document dealing with radio astronomy was completed somewhat later. These documents were included in a series of public inquiries by the FCC to determine the views of the public, including radio astronomers, research organizations, industry, and the communication common carriers. They were also distributed by the Department of State through diplomatic channels to practically all other governments with a request for comments.

Beginning in April 1962 and continuing until the opening of the Conference, a program of coordinating the views of the United States and those of other countries was followed. Four meetings were held in Europe, principally with the civil and military representatives of the NATO countries; two meetings with more limited participation were held in Washington; special teams were sent out to confer with the officials of selected countries in Europe and Central and South America; and two international meetings of radio experts provided opportunities for contacts with still other countries. In addition, an invitation was extended to the U.S.S.R. in August 1962 for a comprehensive exchange of views, either in Washington or in Moscow. Unfortunately, the Soviet authorities did not find an appropriate time for such an exchange. However, a brief 2-day meeting with very limited participation by experts from both the United States and the U.S.S.R. was held in Geneva in January 1963 immediately before the opening of the 10th Plenary Assembly of the International Radio Consultative Committee (CCIR). Discussions were also held with experts from Japan who were in Geneva at that time.

As in the case of the preliminary documents developed by the United States in preparation for the 1959 Conference, the "Preliminary Views of the United States" were the principal and initially the sole agenda items at international pre-Conference coordination meetings.

Based upon the information developed by these varied activities and with the invaluable guidance received from various research organizations, including the space research groups within private industry, the Department of Defense, and the National Aeronautics and Space Administration, the IRAC/FCC group undertook the preparation of the U.S. proposals for the Conference. These were submitted formally to the ITU in June 1963. Because of careful preparation and extensive international coordination, the proposals had the general support of many countries, particularly those of Western Europe.

In anticipation of the Space Radiocommunication Conference and in response to recommendation No. 36 of the 1959 Radio Conference, the CCIR at its Tenth Plenary Assembly early in 1963 adopted important technical recommendations which laid the foundation for the Space Radiocommunication Conference, particularly with regard to the sharing of frequency bands between the communication-satellite service and the terrestrial fixed and mobile services. The U.S. CCIR preparatory group, composed of government and industry experts, made the major contribution toward these recommendations. Had they not been available, the Conference would very probably have failed since agreement on sharing of allocations would have been very difficult to obtain.

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[1] See pp. 24 and 25 of the report of the chairman of the U.S. delegation.

II. AGENDA

The agenda of the Conference, adopted pursuant to article 7 of the International Telecommunication Convention (1959), was the following:

(i) To examine the technical progress in the use of radiocommunications in the space, earth-space, and radio astronomy services, and to examine the results of the technical studies made by the CCIR and other organizations, and the proposals of administrations concerning these services;

(ii) In the light of this examination (a) to decide on the allocation of frequency bands essential for the various categories of space radiocommunications and for radio astronomy; (b) To consider whether there is a continuing need for the allocation of each of the bands designated for space research and take appropriate action in this regard;

(iii) In accordance with Nos. 61 and 249 of the International Telecommunication Convention, Geneva, 1959, to revise only such provisions of the Radio Regulations, Geneva, 1959, as are essential for the effective implementation of the decisions of the Conference relating to the allocation, notification, recording and use of frequencies for space, earth-space, and radio astronomy services;

(iv) In accordance with Nos. 61 and 249 of the International Telecommunication Convention, Geneva, 1959, to adopt such provisions additional to those contained in the Radio Regulations, Geneva, 1959, as are essential for the effective implementation of the decisions of the Conference concerning the technical characteristics of the space, earth-space and radio astronomy services;

(v) To make such recommendations and to adopt such resolutions related to the foregoing as may be necessary.

III. PARTICIPATION

At the time of the Conference the Union consisted of 122 member countries and one associate member (Kenya). The number of member countries participating in the conference was 70, of which 4 were ineligible to vote and 3 were represented by proxy. The member countries were represented by 339 delegates, advisers, and observers.

Present as observers were 6 private operating agencies, the United Nations, 3 of its specialized agencies, and 11 nongovernmental international organizations. A list of the countries and organizations in attendance is attached as annex A. Attention is invited to the meager representation from Latin America and Africa south of the Sahara Desert. (See pt. IV, Committee 2.)

The United States holds full membership in the Union for itself and also for the territories of the United States. Such dual membership is also held by France, Spain, United Kingdom, and Portugal. The U.S.S.R. has full membership for itself and also for Byelorussia and Ukraine.

A list of the persons comprising the delegations of the United States and the territories of the United States is attached as annex B.

IV. ORGANIZATION OF THE CONFERENCE, COMMITTEE STRUCTURE

There being no inviting government for the Conference, the Secretary General of the ITU, Mr. G. C. Gross, called the Conference to order, after which Sr. Jose Garrido Moreno (Spain), the dean of the Conference, took the chair. Mr. Clifford Stead of the ITU headquarters staff was designated Conference secretary. As recommended by a preliminary meeting of the heads of delegations, the Conference elected Mr. Gunnar Pedersen (Denmark) as Conference Chairman. Ambassador Joseph H. McConnell (United States) and Mr. Ashot Badalov (U.S.S.R.) were elected Vice Chairmen.

Seven committees were designated to under take the work assigned to the Conference. The committees and their officers were:

Committee No. 1, Steering: Chairman, Mr. Gunnar Pedersen (Denmark); Vice Chairmen, Ambassador Joseph H. McConnell (United States); Mr. Ashot Badalov (U.S.S.R.).

Committee No. 2, Credentials: Chairman, Dr. F. Nicotera (Italy); Vice Chairman, Mr. L. M. Harris (Australia).

Committee No. 3, Budget Control: Chairman, Mr. G. Marin (Rumania); Vice Chairman, Mr. S. H. Butler (Liberia).

Committee No. 4, Technical: Chairman, Mr. Erik Esping (Sweden); Vice Chairman, Mr. M. Zahradnicek (Czechoslovakia).

Committee No. 5, Frequency Allocations: Chairman, Mr. W. Klein (Switzerland); Vice Chairman, Mr. S. Fujiki (Japan).

Committee No. 6, Regulations: Chairman, Mr. Juan A. Autelli (Argentina); Vice Chairman, Mr. A. B. Eid (U.A.R.).

Committee No. 7, Editorial: Chairman, Mr. Y. Place (France); Vice Chairman, Captain C. F. Booth (United Kingdom); Mr. J. Garrido Moreno (Spain).

V. U.S. DELEGATION PARTICIPATION

The delegation consisted of two groups. One of these was known informally as the Satellite Communications Policy Group. The other, while not known by a specific name, could be termed the Conference Group.

The first group, consisting of four delegation members, concerned itself with the matter of acquainting other delegations with the objectives of the United States in the field of commercial global satellite communications and the role of the Communications Satellite Corp. From the beginning of the Conference it was clear that many delegates had grossly distorted ideas regarding the motives of the United States in this area. Fears were frequently expressed that the United States and other leading countries would freeze out the less-developed countries and that within a short time all of the frequencies allocated by the present Conference for satellite communication would be preempted, leaving none for those countries which might require a longer time to avail themselves of the benefits of communication via satellites. The Satellite Communication Policy Group played a very important role in dispelling such fears and in engendering a proper regard for the plans of the United States and other countries for a single commercial global communication satellite system which will serve the needs of all countries on a nondiscriminatory basis.

The second group, consisting of all other members of the delegation, engaged in the substantive work of the Conference by advocating adoption of U.S. positions, defending such positions when required, and effecting necessary compromises. Principal spokesmen were appointed for each committee. These spokesmen, in turn, designated other delegation members as spokesmen at meetings of working groups and subworking groups. All delegation members were given specific assignments to Conference committees and working groups, either as spokesmen or as advisers to spokesmen. The successful outcome of the conference from the standpoint of the United States is a clear indication of the effectiveness of the delegation as a whole as well as of the individual members. A list of the assignments of delegation members to Conference committees is given in annex C.

Substantial congressional interest in the Conference and the work of the U.S. delegation was evidenced by the attendance of distinguished Members of both the Senate and House of Representatives in meetings of the Conference and the delegation. The following were officially members of the delegation:

The Honorable VANCE HARTKE, U.S. Senate.

The Honorable NORRIS COTTON, U.S. Senate.

The Honorable OREN HARRIS, U.S. House of Representatives.

The Honorable ABNER W. SIBAL, U.S. House of Representatives.

In addition, the Honorable WILLIAM L. SPRINGER, U.S. House of Representatives, also was in attendance.

VI. WORK OF THE COMMITTEES

The Conference followed the precedent established by the 1959 Radio Conference of not appointing subcommittees, thus obviating the need for minutes of meetings below committee level. This procedure also eliminated the need for a large number of reporters who normally are recruited from national delegations.

Report of the work of Committee No. 1 (Steering)

The Committee was composed of the Conference Chairman and Vice Chairman in addition to the chairmen and vice chairmen of all other committees. It was the responsibility of this Committee to insure the timely completion of the work of the Conference. The Committee formulated the weekly schedule of meetings and advised the Conference Chairman concerning policy questions.

Report of the work of Committee No. 2 (Credentials)

Dr. F. Nicotera (Italy) was Chairman of the Committee. Ambassador J. Beam was the U.S. spokesman. The position of the credentials of the delegations attending the Conference is set forth in Document No. 179, supplemented by the oral report made to the November 6 plenary meeting by the Chairman of the Credentials Committee that the Philippines had ratified the 1959 Convention and that the credentials of the delegation of Monaco were in order. In all, 66 duly accredited delegations participated.

No especially unusual problems arose over credentials. None of the African countries challenged the status or the right to speak of Portugal or South Africa. A resident of East Germany, serving on the International Broadcasting and Television Organization (IBTO), endeavored to speak "on behalf of the German Democratic Republic" when called upon to report to the Allocations Committee. This phrase was eliminated from the record but, since the representative of the Federal Republic of Germany let it be known informally he would not object, a brief reference to certain telecommunication arrangements in East Germany was permitted to stand.

By common consent the perennial question of Chinese representation was not allowed to become an issue which would disrupt the Conference technical work. During the opening days, the delegations of the U.S.S.R., Byelorussia, the Ukraine, Poland, Bulgaria, Hungary, Rumania, and Cuba circulated statements to the effect that they opposed recognizing the credentials of the "Chiang Kai-shek clique," pointing out that the Chinese Peoples Republic was the only legitimate representative of China. No formal motion, however, was made for the expulsion of the Republic of China.

In the November 2 meeting of the credentials committee, the delegations of the United States and Korea made strong statements for the record that the Republic of China was duly authorized by the convention to participate in the Conference. The following vote was taken in the Committee on the question whether the credentials of the delegation of the Chinese Republic were in order: For (10): Australia, Korea, Canada, Denmark, Spain, United States of America, Italy, Japan, Federal Republic of Germany, and the Vatican; against (6): Cuba, Indonesia, Pakistan, Poland, Czechoslovakia, and the U.S.S.R.

On the motion of Canada, seconded by Japan, the plenary meeting on November 6 adopted the report of the Credentials Committee without discussion of the statement therein that "Committee 2 considers that the credentials of China are in order." An exchange ensued, however, when the Indonesian delegate argued that Malaysia should submit to admission as a new member, since it is comprised of Malaya, which is an ITU member, and Singapore-British North Borneo, an ITU associate member. Malaysia, supported by the United Kingdom, counterargued that Malaysia had been elected to the United Nations Security Council without its identity being questioned. The delegates concerned requested their remarks be incorporated in the record.

The record likewise contains Argentina's customary reservation regarding its claim to the Falkland Islands, and the British rejection of the claim.

Report of the work of Committee No. 3 (Budget Control)

Committee 3 had as its Chairman Mr. G. Marin (Rumania). Mr. C. M. Loeber was the U.S. spokesman.

The terms of reference of the Committee are set forth in paragraphs 572–575 of the Convention of the ITU (Geneva, 1959). In brief, the Committee was charged with the responsibility of determining the organization and facilities available to the delegates and the examination and approval of the accounts for expenditures incurred by the Conference.

These terms were carried out and a report was presented to the plenary meeting just prior to the close of the Conference showing the estimated total expenditure to be 1,070,000 Swiss francs. This amount was 5,000 Swiss francs less than the budget approved by the administrative council, owing to the fact that the duration of the Conference was not in excess of the 5 weeks estimated to be necessary.

Report of the work of Committee No. 4 (Technical)

A. The terms of reference for the Technical Committee were as follows:

1. To examine:

(a) the technical progress in the use of radiocommunication in the space, earth-space, and radio astronomy services;

(b) the results of the technical studies made by the CCIR and other organizations concerning these services (other than those dealt with by Committees 5 and 6);

2. In the light of this examination to establish the technical criteria to be applied in the operation of these services.

B. Organization of Committee 4

Mr. Erik Esping (Sweden) was Chairman of Committee 4, with Mr. M. Zahradnicek (Czechoslovakia) as Vice-Chairman. Mr. H. Fine was the U.S. spokesman for this Committee. At its first meeting, the Technical Committee was subdivided into the following working groups:

Working group 4A: Terms and definitions.

Working group 4B: Review of technical progress as related to allocations.

Working group 4C: Coordination procedures and sharing criteria.

C. General

The terms of reference and the organization of these working groups, are described below in some detail. The work of Committee 4 proceeded smoothly and rapidly in practically all areas. The only delays occurred over issues which had political overtones, such issues being relatively few in the Technical Committee. The output of Committee 4 is contained in Document No. 207.

D. Working Group 4A

Working group 4A dealt with the definition of new terms pertinent to space radiocommunication and radio astronomy and consequential changes resulting therefrom in article I of the regulations (terms and definitions).

The working group was chaired by Col. Jean Lochard, France. Mr. P. M. Bouchier, Belgium, served as temporary chairman during the second week of the Conference when Colonel Lochard was absent from the conference site. Mr. S. M. Myers was U.S. spokesman.

The basic text considered was Report No. 204, adopted by the Xth Plenary Assembly, CCIR, Geneva, 1963. Formal proposals on terms and definitions were submitted to the Conference by the United States, France, Australia, and Israel. Pertinent suggestions were also made by the IFRB. All proposals were based on CCIR Report No. 204 except those from Israel. The latter proposals represented a complete departure from CCIR terminology, received no support and may be disregarded insofar as this report is concerned.

Following a general discussion of all proposals by the main body, drafting group 4A1 was established to prepare a consolidated list of terms and definitions. The work of the drafting group was hampered seriously from the outset, first by the size of the group and second by the different philosophies prevailing within the group. Although proposals were considered from only six sources (four administrations, CCIR and IFRB), drafting meetings were invariably attended by 35 to 40 individuals representing 20 to 25 administrations. While most favored the CCIR approach, a small but vocal group consisting of Portugal, Belgium, France, and Spain favored an approach diametrically opposed to the CCIR-approved philosophy. The latter group would have defined all space services in terms of their terrestrial counterparts, i.e., fixed space service—fixed service; aeronautical mobile space service—aeronautical mobile service; etc. The United States had considered this approach in its initial planning but had rejected it in favor of that later adopted by CCIR, which afforded better administrative control over the application of space radiocommunication techniques.

Since neither 4A1 nor 4A could reach a decision on the basic philosophy to be followed, the matter was put to a vote in the parent body, Committee 4, where the CCIR approach won overwhelming support. After a 2-week delay, the work of 4A1 then proceeded at a reasonable pace, was approved without incident by Working Group 4A and Committee 4 and was accepted without change by the Plenary Assembly at both the first and second readings. The approved text, with all U.S. objectives achieved, appears in the final acts of the Conference.

E. Working Group 4B

Working group 4B, chaired by Mr. P. Bouchier (Belgium), had the following terms of reference: "To review technical progress and to report on the technical factors affecting frequency allocations in the light of: (1) the studies of the CCIR; (2) proposals and reports on technical aspects (other than those dealt with by Committees 5 and 6) by Administrations and international organizations".

The U.S. spokesman for this working group was Mr. F. Altman.

The Chairman considered the underlined phrase above as the first part of his task and reported in Document 91 that all relevant documents had been accepted in full without change.

All the CCIR documents considered were listed in Document 115 for submission to Committees 5 and 6. Two draft recommendations to the CCIR from Australia were forwarded to Committee 4 which considered them unnecessary (Document 129).

The most important question considered by working group 4B was that of direct broadcasting from satellites. The following two proposals were considered:

(1) The French proposal to amend paragraph 422 of the radio regulations to prohibit the establishment and use of sound broadcasting and television broadcasting stations on any space object.

(2) The U.S. proposal that (a) the Conference adopt a recommendation urging the CCIR to expedite its studies and recommendations regarding the technical feasibility of broadcasting from satellites, what bands would be technically suitable for such broadcasting, and whether and under what conditions those bands could be shared between broadcasting satellites and nonspace services, and that (b) pending the allocation of frequency bands for direct broadcasting from satellites, experimental programs for the development of a broadcasting-satellite service be carried on in technically suitable bands now allocated to the broadcasting service on conditions that no interference be caused to establish broadcasting services operating in such bands.

During the course of the working group's consideration of the foregoing, the U.S.S.R. submitted a proposal to the group which was essentially the same as that of the United States. The group therefore combined these two papers and considered them as a single proposal.

A small ad hoc group was then designated to attempt to bridge the gap between the French proposal and the combined U.S./U.S.S.R. proposal. This group was composed of representatives of France, United States, United Kingdom, and U.S.S.R. France offered to withdraw its proposal provided the second portion of the U.S./U.S.S.R. proposal was withdrawn. It was agreed by the conferees that administrations could conduct experimental broadcasting from space in conformity with the Radio Regulations (paragraph No. 115) without calling specific attention to this fact. Accordingly, it was agreed to delete this provision from the U.S./U.S.S.R. proposal. This compromise was adopted unanimously and appears in the final acts of the Conference as recommendation No. 5A.

F. Working Group 4C

The terms of reference for working group 4C are given in document No. 64: "To advise on technical aspects of coordination procedures, including the determination of sharing criteria and the consequent revision of the relevant articles of the Radio Regulations."

This working group was under the chairmanship of Mr. W. A. C. Schultz (Canada). Mr. H. Fine, assisted by Lt. Col. E. Wright, was the U.S. spokesman.

Working Group 4C was further subdivided into subgroups 4C1 (sharing criteria) and 4C2 (coordination procedures). Subgroup 4C1 was chaired by Mr. R. Marchand (Canada) and subgroup 4C2 by Mr. H. Fine (U.S.A.).

Working group 4C adopted the following sharing criteria for use only in the 1–10 Gc/s frequency range; details of these are given in Document No. 207:

(1) Maximum power limitations were adopted for fixed and mobile transmitting stations operating in shared bands used for reception by space stations in accordance with CCIR Recommendation No. 406.

(2) Minimum angle of elevation and maximum radiated power density limitation in the horizontal plane were adopted for transmission by earth stations in the communication-satellite service.

(3) To accommodate passive communication satellite systems in the bands allocated to active systems, special total radiated power limitations were adopted for the passive earth station transmissions in the shared bands otherwise used for reception of signals from satellites.

(4) Maximum power flux density limitations at the earth's surface were adopted for satellite transmissions in the communication-satellite and meteorological-satellite services in accordance with CCIR Recommendation No. 358.

(5) CCIR Recommendation No. 351 on cessation of emissions from a satellite was adopted verbatim.

Procedures for calculating coordination distances between earth stations and terrestrial stations sharing the same frequency bands in the range 1–10 Gc/s, were developed and adopted for controlling (a) interference from an earth station to terrestrial station receivers; (b) interference from terrestrial stations to a communication satellite or meteorological satellite earth station receiver; (c) interference from terrestrial stations to a space research earth station receiver.

Recommendations to the CCIR were prepared, requesting that organization to study sharing criteria involving other types of terrestrial services as well as FM line-of-sight radio relay systems in the 1–10 Gc/s frequency range, so that equitable sharing limitations and suitable coordination distance procedures may be developed for sharing between these other types of service and space systems for all frequency bands involved. CCIR was also requested to reexamine the provisional sharing criteria it had developed at its 10th plenary meeting.

Report of the Work of the Committee No. 5 (Allocations)

The chairman of the committee was Mr. Willy Klein, of Switzerland, the vice chairman was Mr. Sakae Fujiki, of Japan, the rapporteur for English was Lt. Col. James P. West, and the U.S. spokesman was Mr. William H. Watkins.

Terms of reference. To examine proposals for amendment of the table of frequency allocations contained in article 5 of the Radio Regulations.

In the light of this examination and, when appropriate, on the basis of findings of Committee 4: (a) to propose the allocation of frequency bands essential for the various categories of space radio communications and for radio astronomy; (b) to consider whether there is a continuing need for the allocation of each of the bands designated for space research and propose appropriate action in this regard.

At its initial session, Committee 5 decided to organize its work on the basis of the various space services for which frequency allocations had been proposed. Accordingly, the committee organized three working groups, as follows:

Working group 5A was assigned all allocation proposals dealing with the communication-satellite service plus all proposals dealing with the support functions of tracking, telemetering, and telecommand where the support function was not clearly identified with one of the space services assigned to a different working group. The chairman of working group 5A was Mr. Per Mortensen of Norway, and the U.S. spokesman was Mr. William H. Watkins.

Working group 5B was assigned all allocation proposals dealing with the space research service and the radio astronomy service. The Chairman of Working Group 5B was Mr. Venkat V. Rao, of India, and the U.S. spokesman was Mr. Wilfrid Dean. Although much of the work was conducted in the working group, its Chairman found it convenient to establish two subworking groups: (a) Subworking Group 5A1 dealt will all allocation proposals involving the space research service. Its Chairman was Mr. Desta Beyene of Ethiopia and the U.S. spokesman was Mr. Wilfrid Dean; (b) Subworking Group 5A2 dealt with all allocation proposals involving the radio astronomy service. Its Chairman was Mr. William A. E. Nielsen of Australia, and the U.S. spokesman was Mr. Wilfrid Dean.

Working group 5C was assigned all allocation proposals not assigned to Working Groups 5A and 5B. Accordingly, proposals in the following areas were considered: (a) Meteorological-satellite service; (b) radionavigation-satellite service; (c) distress frequencies for astronauts and space vehicles; (d) application of space techniques in the aeronautical radionavigation and aeronautical mobile (R) services; and (e) application of space techniques in the amateur radio service.

The Chairman of Working Group 5C was Mr. J. T. Penwarden (U.K.). The U.S. spokesman was Mr. S. M. Myers.

The working group found it expedient to establish a subworking group 5C1 to deal with the aeronautical and distress frequency proposals. The Chairman of 5C1 was Mr. Maurice Chef of France and the U.S. spokesman was Mr. Charles A. Brooks.

Work of working group 5A (Communication Satellite Service and Tracking, Telemetering and Telecommand): The working group decided to review all of the tracking, telemetering, and telecommand (TTT) proposals before taking up any of the communication satellite proposals. The purpose of this procedure was to obtain agreement on less controversial proposals first. Since agreement on communication-satellite service proposals was not reached until the next to the last (4th) week of the Conference, the decision probably was a wise one.

With respect to the number of frequency bands proposed for telemetering, telecommand, and tracking and their location in the radio spectrum, all of the United States proposals were accepted. With respect to the status of existing services in the bands proposed for these functions, however, existing services will continue with greater rights than the United States had thought to be necessary.

One unexpected proposal was made by the U.S.S.R. for a 5 kc/s channel at 30.005–30.010 Mc/s for satellite identification. The U.S.S.R. delegation explained that they intended the channel to be used by all satellites, although their particular concern was with communication satellites. On the basis that use of the frequency would not be compulsory, the Conference accepted the proposal, although there was some doubt that the part of the spectrum involved is the most suitable for the purpose.

Frequency allocations for the communication-satellite service gave considerable difficulty, and the compromise of conflicting proposals on this subject should be regarded as one of the key decisions of the Conference.

The proposals of Canada, France, and the United States for the communication-satellite service were substantially identical. The proposals of the United Kingdom also corresponded, except that they proposed an additional 500 Mc/s at 1750–2250 Mc/s. The difficulty was that, whereas the United States proposed a total of 2725 Mc/s, the U.S.S.R. proposed only 1600 Mc/s, of which in turn only 800 Mc/s corresponded with the CAN/FRANCE/UK/USA proposals. An additional point of difference was that the proposal of the U.S.S.R. did not include provision for any part of the communication-satellite service allocation to be exclusive, whereas the CAN/FRANCE/UK/USA proposals allowed 100 Mc/s of exclusive spectrum space, to be located at 7250–7300 and 7975–8025 Mc/s. As the Conference concluded its third week, there was a complete impasse in the Working Group, with no concessions having been offered by anyone.

To determine whether there might be a possibility of reaching an agreement, exploratory talks were held over a period of several days by the heads of the French, United Kingdom, U.S.S.R. and United States delegations. A joint compromise proposal subsequently was introduced to the Working Group during the fourth week of the Conference which became the basis for the decision of the Conference on this subject. The compromise, however, let open the status of the proposals for 100 Mc/s of exclusive space. This question was decided by secret ballot in Committee 5, a decision not reopened in the Plenary. The majority decision supported the concept of exclusivity, with existing operations to be removed by January 1, 1969. Countries unable to accept this decision (approximately 20) indicated by footnote to the Table of Frequency Allocations that in their countries the fixed and mobile services would continue to have primary status, sharing the bands 7250–7300 and 7975–8025 Mc/s coequally with the communication-satellite service.

Although the compromise solution has many aspects, perhaps the most important to reaching agreement were: (a) The willingness of the U.S.S.R. to agree to more spectrum space for the communication-satellite program than they felt to be necessary during the life of the present agreement, and the corresponding willingness of Western delegations to reduce the amount of readily useful spectrum space in their proposals from 2725 Mc/s or more to 2000 Mc/s; and (b) agreement that certain bands containing high-powered operations be exempted from the technical criteria and coordination procedures prescribed under the regulations for spectrum space shared by the communication-satellite service with existing services.

The resulting communication-satellite service allocations (shared with existing services except as noted) are as follows:

	Band	Megacycles
Region 1	3400-3700	300
	3700-4200	500
	4400-4700	300
	5725-6425	700
	[1] 7250-7300	50
	7300-7750	450
	7900-7975	75
	[1] 7975-8025	50
	8025-8400	375
Total		2,800
Region 2	3400-3700	300
	3700-4200	500
	4400-4700	300
	5925-6425	500
	7250-7300	50
	7300-7750	450
	7900-7975	75
	7975-8025	50
	8025-8400	375
Total		2,600
Region 3	3400-3700	300
	3700-4200	500
	4400-4700	300
	5850-6425	575
	7250-7300	50
	7300-7750	450
	7900-7975	75
	7975-8025	50
	8025-8400	375
Total		2,675

[1] Exclusive.

Work of working group 5B (Space Research Service and Radio Astronomy Service): The United States of America proposals to the Conference included seven bands for exclusive use of the space research service, as well as a few additional bands for which exclusivity was not proposed. Although discussion with a number of countries prior to the Conference had indicated that the concept of exclusivity would be difficult for many countries to accept, the extent of the difficulty was not fully appreciated until the Conference convened. In summary, no bands were allocated to the space research service on a world-wide exclusive basis. This, however, is by no means as bleak a result as at first appears. In some bands, for example, the allocation is exclusive worldwide except in the case of a few countries where a footnote to the table of frequency allocations preserves the status of their existing services. In other bands, the existing services were downgraded from primary to secondary status. In still other bands, agreement was reached on exclusivity in region 2 (Western Hemisphere), with coequal status for existing services in the rest of the world. For this last case, examples are the bands 136–137 Mc/s and 2,290–2,300 Mc/s, to which the United States of America attaches great importance.

It is significant that, despite the difficulty in obtaining agreement for exclusivity, agreement was reached on some status in the table of frequency allocations for every band proposed by the United States of America, although many delegations believed that their countries have no foreseeable role in space research activities, at least in most of the bands concerned.

A number of bands not included in the U.S. proposals for space research was given secondary status.

In assessing the decisions of the Conference on the space research service, it is important to recognize that space research has at least coequal primary status in all bands for which the United States of America proposed exclusivity. Although extensive bilateral and multilateral negotiations with other administrations well may be required in implementation abroad of future cooperative space programs, this status of equality of right to operate should provide a firm technical basis for such negotiations.

RADIO ASTRONOMY SERVICE

The U.S. delegation came to the Conference with a strong program for improving the status of radio astronomy. In arriving at this position, the opinions of the radio astronomy community in the United States had been given extensive consideration. The one major area in which the U.S. position did not initially coincide with the wishes of the radio astronomy community was in the matter of television channel 37 (608–614 Mc/s). However, soon after the beginning of the Conference, instructions were received to propose that channel 37 be cleared on a worldwide basis for radio astronomy for the next 10 years. This proposal considerably strengthened the posture of the United States vis-a-vis the radio astronomy service.

The Soviet bloc strongly opposed in almost every case the U.S. proposals for exclusive bands for radio astronomy. This position coincided with the interests of many delegations which were anxious to preserve the status of their existing operations in these bands and resulted in defeat of the U.S. proposals for exclusivity. The one exception is in the frequency band 1400–1427 Mc/s (the hydrogen line band) which was allocated exclusively to radio astronomy. This band, which is probably the most important one for radio astronomers, now will be completely clear of other services on a worldwide basis, a very significant result of the Conference in the area of radio astronomy.

The band 608–614 Mc/s (TV channel 37 in region 2), except in Cuba, has been allocated exclusively to radio astronomy in region 2 for at least 10 years. A somewhat similar allocation has been made for other regions of the world; however, these allocations do not enjoy exclusive status.

The frequency band 73.0–74.6 Mc/s has been effectively cleared in region 2, with the proviso that existing services (fixed and mobile) may continue to operate on the basis of no harmful interference being caused to the radio astronomy service. The frequency band 150.05–153 Mc/s which was not provided for, so far as radio astronomy is concerned, in the U.S. position, continues in the radio regulations unchanged except for the lower limit of the band, which formerly was 150.0 Mc/s. However, the United Kingdom is giving improved status in the band for its radio astronomers on a national basis by means of a footnote to the table.

In the band 404–410 Mc/s the U.S. proposal provided primary status for radio astronomy on a shared basis with meteorological aids in the portion 404–406 Mc/s on a worldwide basis. The international radio astronomical community, as represented at the Conference by the Inter-Union Committee for Frequency Allocations for Radio Astronomy and Space Science (IUCAF), objected to this position as providing too narrow a band. The preference was to retain the existing provisions in the 1959 regulations. The U.S. delegation reluctantly agreed to this arrangement in the face of overwhelming opposition from most other delegations present. There thus has been no change in status for radio astronomy in this band.

In the band 1664.4–1668.4 Mc/s, the U.S. proposal was for secondary status for radio astronomy on a worldwide basis, with the meteorological aids and meteorological-satellite services as primary services. This band was proposed in the expectation that radio astronomers might someday detect spectral lines of the hydroxyl radical (OH) in interstellar space. Such spectral lines had not been observed prior to the opening of the Conference. After the U.S. proposal had been adopted by the working group, the news was received that absorption lines of the hydroxyl radical had been detected by radio astronomers at the Massachusetts Institute of Technology. This new development was announced to the Conference immediately by Mr. Rao, Chairman of the working group, and caused a considerable stir in Committee 5. The U.S. delegation and the radio astronomers present did not feel, however, that it would be practical at that late date to press for improvement in the status of radio astronomy in this band. Instead, a footnote to the allocation table was suggested by the representative of IUCAF and approved by the Conference, urging administrations to give all practicable protection in the band 1664.4–1668.4 Mc/s for future research in radio astronomy.

The band 2690–2700 Mc/s had footnote status in the 1959 regulations and has been elevated to primary status in the table of frequency allocations in accordance with the U.S. position. However, there are many footnote exceptions in regions 1 and 3. A somewhat similar situation exists with regard to the band 4990–500 Mc/s, except that in region 2 the allocation is exclusive for radio astronomy, with the exception of Cuba.

The band 10.68–10.7 Gc/s had footnote status in the 1959 regulations. It now is allocated exclusively to radio astronomy in the table. However, footnotes in the table preserve the status of fixed and mobile services in numerous countries.

The bands 15.35–15.4 Gc/s, 19.3–19.4 Gc/s and 31.3–31.5 Gc/s have been elevated from footnote status to exclusive status for radio astronomy on a worldwide basis. Again in the case of the Soviet bloc and Cuba, footnotes to the table provide exceptions to protect fixed and mobile services in those countries.

It was not possible to obtain full agreement on the U.S. proposals for the radio astronomy service. It would have been helpful, however, if there had been a greater measure of agreement in world scientific circles on allocation objectives for both space research and radio astronomy.

At least seven delegations had someone concerned directly with radio astronomy as a member of the delegation. Unfortunately, delegations from some other countries which have active radio astronomy programs came to the conference relatively unaware of the special problems of radio astronomy. They were skeptical of the claims made concerning the sensitivity of radio telescopes and their susceptibility to interference. All of the astronomers present at the Conference accordingly collaborated in an intensive educational program which is believed to have produced useful results, as shown by the substantial overall enhancement of the allocation status of radio astronomy to which the Conference finally agreed.

WORK OF WORKING GROUP 5C

All administrations favored establishment of a radionavigation-satellite service and were willing to accept the frequency bands proposed by the United States. Disagreement arose on the manner in which to accommodate the service, with the Soviet bloc opposing exclusive allocations as a matter of principle. The U.S. position for exclusivity was finally achieved. The frequency bands 149.9–150.05 Mc/s and 399.9–400.05 Mc/s were allocated on a worldwide basis to the radionavigation-satellite service with a footnote permitting fixed and mobile stations to continue in the bands until January 1, 1969. Those countries which were unable to accept this cessation date will continue to operate fixed and mobile services on an equal status with the radionavigation-satellite service. There are 13 such countries at 150 Mc/s and 10 at 400 Mc/s, with Cuba included in each group. Recommendation No. 8A calls attention to the lack of CCIR studies relating to frequency sharing between radionavigation-satellite and terrestrial services and urges administrations to remove their fixed and mobile stations as soon as practicable from these two bands. The frequency band 14.3–14.4 Gc/s was approved on a worldwide exclusive basis for radionavigation satellites, without footnotes. No formal proposals before the Conference for this service differed from those of the United States.

The desirability of accommodating meteorological satellites met no opposition. Problems did arise, however, because of conflicting proposals by the United States of America and U.S.S.R. Nevertheless, the U.S. objectives in this area were achieved almost completely. Although the meteorological-satellite service at 7 Gc/s is accommodated by footnote rather than in the table, it appears to provide adequate flexibility to meet U.S. goals. The 50 Mc/s provided by footnote at 10 Gc/s for precipitation detection, as opposed to the 100 Mc/s proposed by the United States of America, is the only serious departure from the overall U.S. position for meteorological satellites. This was the best that could be achieved in a compromise with the Soviet position. The conference also placed an unexpected limitation against the permissible power flux density for meteorological satellites at 1,660–1,670 and 1,690–1,700 Mc/s. However, since this is the same limitation applied to meteorological satellites and communication satellites in bands above 3 Gc/s, it is not expected to create serious difficulties. U.S.S.R. proposals at 460–470 Mc/s and 1,770–1,790 Mc/s met strong opposition and were accepted only on a secondary basis.

Also dealt with in the working group was the use of space techniques in the amateur service. In response to a United Kingdom proposal, and only after lengthy debate, the conference adopted footnote No. 284A stating "In the band 144–146 Mc/s, artificial satellites may be used by the amateur service."

Working group 5C1 was established to deal with the application of space techniques in the aeronautical radionavigation and aeronautical mobile (R) services, and with proposals of the U.S.S.R. for distress frequencies for astronauts and space vehicles. All U.S. objectives were achieved in this area, including rejection of proposals to set aside 114.1–114.3 Mc/s for distress or emergencies involving astronauts or spacecraft. The following paragraphs, while dealing with some subjects not treated in Committee 5, working group 5C or working group 5C1, are included to provide a composite picture of results achieved relative to the aeronautical services: (a) The U.S. position for the aeronautical services can be considered as completely achieved. This position involved the frequency bands 117.975–136, 1,540–1,660, 4,200–4,400, 5,000–5,250 and 15,400–15,700 Mc/s. The footnotes proposed in the U.S. position for these bands, namely 273A, 352A, and 352B were adopted with generally the same language as proposed by the United States. The U.S.-proposed footnote 273A was expanded to include the phrase "space techniques" in addition to communication satellites. It is felt that this expansion was desirable; (b) the U.S. proposal to amend the definition of aeronautical station was adopted; (c) in addition to the U.S. proposals, the U.S.S.R. made certain proposals which were consistent with the overall U.S. aviation thinking of merely extending the aeronautical bands to provide for air-space vehicles. The following specific proposals were made in that light and adopted by the conference:

(1) Modification of the definition for an aircraft station to include air-space vehicles;

(2) Augmentation of the emergency frequencies for astronauts and space vehicles to include the frequency 20,007 kc/s plus or minus 3 kc/s;

(3) Adoption of a recommendation on the use of high frequencies (4–22 Mc/s) by air-space vehicles as required. This recommendation was referred for action to the ITU Aeronautical Conference convening in January 1964;

(4) Adoption of a resolution on the use of existing emergency frequencies by astronauts and airspace vehicles.

(d)(1) A proposal for use of the band 114.1–114.4 Mc/s by the U.S.S.R. and bloc for emergency crash locator beacons on spacecraft was not adopted by the Conference.

(2) A U.S.S.R. proposal to use the band 900–1000 Mc/s for experimental purposes in connection with space research was reduced to the band 900–960 Mc/s and accepted on a secondary basis only.

Ad Hoc Working Party

There were several frequency allocation proposals for the bands 136–137 and 137–138 Mc/s which did not agree and overlapped the work of all three of the working groups of Committee 5. Accordingly, it was decided to establish an ad hoc working party of Committee 5 to deal with these two bands. Dr. Popovic of Yugoslavia chaired the working party and Mr. Wilfrid Dean was the U.S. spokesman. The principal differences to be resolved were between the U.S.S.R. and the Western delegations. The working party was able to reach agreement fairly early in the Conference.

Report of the Work of Committee No. 6 (Regulations)

A. Committee 6

The officers of this Committee were Chairman Juan A. Autelli (Argentina) and Vice Chairman A. B. Eid (United Arab Republic). Mr. Paul Miles was the U.S. spokesman. The terms of reference were to draw up:

(1) Revised texts for only such provisions of the Radio Regulations, Geneva, 1959, as are essential for the effective implementation of the decisions of the Conference relating to the allocation, notification, recording, and use of frequencies for space, earthspace and radio astronomy services;

(2) Texts of such provisions additional to those contained in the above regulations as are essential for the effective implementation of the decisions of the Conference concerning the various aspects of space, earthspace, and radio astronomy services.

At its first meeting, Committee 6 established two working groups: 6A under the chairmanship of Mr. J. M. Power (New Zealand), to consider all proposals concerning the coordination, notification and recording of frequency assignments and directly related matters; and 6B under the chairmanship of Mr. P. E. Willems (Netherlands), to consider those proposals assigned to Committee 6 which were not within the purview of Working Group 6A. Mr. Paul D. Miles and Mr. James P. Veatch were the U.S. spokesmen on Working Groups 6A and 6B respectively.

B. Working Group 6A

Working group 6A met on October 10, and after reviewing the proposals assigned to it, established subworking group 6A1 to draft the necessary texts. The working group held a second meeting on October 31 to consider and approve the texts which had been submitted to it by Sub-Working Group 6A1.

C. Sub-Working Group 6A1

Subworking group 6A1 met almost daily from October 14 to 30, under the chairmanship of Mr. Yves Place (France) to draft texts for a new article 9A and appendix 1A and to revise as necessary article 9 and appendix 1. Nine administrations participated actively in the work, with three others in attendance to observe its progress.

D. Working Group 6B

Working group 6B met October 10, 17, and 30 to consider the proposals which had been assigned to it. These included revision of articles 3, 14, 15, 19, and 20, and appendixes 9 and 10.

Revisions Made to the Radio Regulations

A. Article 9A and Appendix 1A

Article 9A and appendix 1A were added to the radio regulations to provide for the coordination, notification, and recording of assignments to stations in the space service, and for the optional notification and recording of assignments to radioastronomy stations. For the space service, the basic provisions agreed were:

(a) Assignments to earth stations in those bands between 1 and 10 Gc/s shared with equal rights with the fixed or mobile service must be coordinated with those neighboring countries which are located within a defined coordination distance;

(b) Such coordination may be conducted through the IFRB under certain conditions;

(c) Both the transmitting and the receiving frequencies of earth and space stations are notified to the IFRB;

(d) Notices must be received by the IFRB from 2 years before to 6 months before the assignment is brought into use, with less restrictive provision for assignments to certain space research stations;

(e) Notices are examined by the IFRB for conformity with the Convention and the radio regulations, and, in those cases where coordination of a proposed earth station has failed, for the probability of harmful interference to the fixed or mobile stations within coordination distance and sharing the same bands;

(f) There is no required formal coordination or technical examination of frequency assignments in one space system versus those of another space system;

(g) The remaining features are similar to those contained in article 9 for other services operating above 30 Mc/s. For the radioastronomy service, the basic principles agreed are similar to those contained in article 9 for other services operating about 30 Mc/s, except that the date of receipt of a notice by the IFRB is recorded in the remarks column instead of column 2d, and, since the radioastronomy service is a receiving service only, it is never necessary for the IFRB to determine the probability of harmful interference to the service rendered by other stations.

B. Article 9 and Appendix 1

Article 9 and appendix 1 were revised to include a coordination procedure for terrestrial assignments in those bands between 1 and 10 Gc/s which are shared with equal rights between the space service and the fixed or mobile service. This procedure is the reciprocal of that in article 9A and appendix 1A for the space service described in A above. The basic provisions of the procedure are:

(a) Assignments to stations in the fixed or mobile service in the above-indicated bands must be coordinated with neighboring countries which have previously coordinated assignments to an earth station located within the defined coordination distance of the proposed station in the fixed or mobile service;

(b) Such coordination may be conducted through the IFRB under certain conditions;

(c) Such assignments may be notified to the IFRB up to 2 years prior to use, in lieu of the 90-day period allowed other terrestrial assignments;

(d) Notices are examined by the IFRB for conformity with the Convention and the Radio Regulations, and, in those cases where coordination has failed, for the probability of harmful interference to the earth station concerned;

(e) The remaining features are similar to those contained in article 9 for other services operating above 30 Mc/s.

C. Article 3

An editorial revision was made to No. 114 and a new paragraph, No. 116A, was added:

(a) To provide that for cases of harmful interference the radio astronomy service would be treated as a radiocommunication service, and

(b) To include the substance of a footnote concerning protection of the radio astronomy service from interference which heretofore had appeared in several bands in the Table of Frequency Allocations.

D. Article 14

No. 695, concerning the avoidance of harmful interference, was revised to provide that space stations shall be fitted with devices to quickly terminate emissions whenever required to do so under the provisions of the Radio Regulations.

E. Article 15

Nos. 711A and 711B were added to establish additional procedures to be followed in cases of interference involving stations in the space service.

F. Article 19

No. 735.1 was revised and Nos. 737A and 773A were added to provide for the formation of call signs used by earth and space stations, and to permit identification of space stations by means of orbital data when it is not possible to use identifying signals.

G. Article 20 and appendix 9

Modifications were made to provide for the Secretary General of the ITU to publish periodically a "List of Stations in the Space Service and in the Radio Astronomy Service."

H. Appendix 10

New symbols for stations in the space and radio astronomy services were added to the list of station symbols.

I. Recommendations and resolutions

(1) The procedure prepared by the Technical Committee for determining the coordination distance from an earth station was included as an annex to a Recommendation (1A) prepared by the Regulations Committee. It provides that a procedure be used until such time as the CCIR may recommend a different procedure for the purpose, and it invites the CCIR to study the question of coordination distance and make suitable recommendations to replace the procedure contained in the annex.

(2) The Conference adopted a Recommendation (9A) relating to the review of progress in the field of space telecommunication and the holding of future conference thereon. It also adopted a Resolution (1A) relating to the "provision and use of information regarding international satellite systems," which included a means for the informal worldwide coordination of space systems. Both of these are discussed in detail under items C and D below.

Major Problems Encountered

A. Notification of all terrestrial assignments in the shared bands

The French proposals for the notification and recording of frequency assignments included a paragraph which would have made it mandatory to notify to the IFRB all assignments to terrestrial stations to be operated in bands shared with the space service. The United States, United Kingdom, and Canada successfully opposed this feature because of the heavy administrative burden it would have created.

B. Coordination of proposed space systems as a whole

France would have required not only the coordination of proposed earth stations with the neighboring countries, but also the coordination of entire proposed space systems with all members of the ITU. This was opposed on the grounds that it was unnecessary, although France argued it was necessary in order to obtain parity in the treatment of space and terrestrial services. The disagreement was ultimately resolved by an extensive revision of article 9 which assured equitable treatment of the space service and the fixed and mobile services in the applicable shared bands.

C. Interim decisions and a future planning conference

The proposals and attitude of the U.S.S.R. were directed toward considering the decisions of the Conference regarding the notification and recording of space frequency assignments as interim, and looking to a future planning conference which would determine in detail how frequencies would be used for space radiocommunication.

This position was supported by a document submitted by Israel which stated that space radiocommunication is "both the privilege and the exclusive possibility of great countries only," that the duty of the "Space Conference is to abandon or at least modify the present practice of first come first served," and that "some form of a Space Communication Administration may be set up entrusted with the responsibility for insuring the global interests * * * of all member states of the Union."

In addition, the IFRB submitted a draft resolution as a part of document 22 (which was withdrawn and later reissued as document 42 under cover of a memorandum from the Conference Chairman stating it was for information and did not signify any addition to the agenda) which would have established the basis for a conference to prepare "worldwide frequency plans for the various categories of space services."

The U.S. delegation took a strong stand against these viewpoints and stated that the decisions of the Conference were not to be considered as interim and that it would not now agree to a future planning conference.

The proposal to consider the decisions of the Conference as interim was defeated in Committee 6 by an informal vote of 18 to 4, the minority view being taken by the U.S.S.R. and three bloc countries.

The proposals for a future planning conference were resolved by means of a recommendation (9A) which grew out of a draft recommendation proposed by the United States (Document 109). The approved recommendation provided: (a) that the notification and registration procedures adopted by the present Conference would be effective until revised by a subsequent conference; (b) that ITU members make available to organs of the ITU their data and proposals resulting from space radiocommunication experimentation; (c) that the Administrative Council review annually the progress in space radiocommunication; and (d) that the Council, in the light of its annual review, and at a date it will determine, recommend the convening of a conference to work out further agreements on the use of bands allocated to the space service.

D. Coordination of space systems versus space systems

The U.S.S.R. proposed that article 9A include provisions requiring the coordination with all ITU members of proposed space systems with respect to all other existing or planned space systems. The proposal would have permitted an administration to effectively block the space plans of another administration. A compromise was reached in a resolution (1A) which provides for: (a) informal coordination through the IFRB of proposed space system frequencies with other members of the ITU; and (b) the submission of comments from other members concerning the probability of harmful interference to their space systems in being or those which had been previously coordinated.

Miscellaneous

(A) The following proposals, with which the United States was not in agreement, were withdrawn by the proponents.

(1) Canada: Revision of No. 115 to exclude from its provisions all bands allocated on either an exclusive or shared basis to the space or radio astronomy services.

(2) India: Revisions to article 8 to provide for an appeal by administrations to the CCIR from decisions of the IFRB based on the IFRB technical standards, and to the administrative council from certain other decisions of the IFRB.

(3) Australia: (a) Revision of No. 119 to prohibit special arrangements between countries concerning communications in the space service; (b) Change to notification procedure (raised in the plenary during the last week of the Conference) which would have considered resonant passive reflectors as space stations.

(4) Mexico: Revision of article 13 to require submission of satellite orbital data to the monitoring services.

Report of the work of Committee 7 (Editorial)

Committee 7 was chaired by Mr. Yves Place of France. Mr. S. M. Myers was the U.S. spokesman.

The function of this Committee was to edit the texts of decisions of Committees 4, 5, and 6 and to prepare the Final Acts of the Conference. Proposals of the United Kingdom and suggestions submitted by the International Frequency Registration Board regarding the format of the final Conference document were considered.

Based on these proposals and the work of the above-named committees, Committee 7 introduced to the plenary meeting of the Conference a document entitled "Final Acts of the Extraordinary Administrative Radio Conference to Allocate Frequency Bands for Space Radiocommunication Purposes." This document, after the third reading, was approved.

VII. WORK OF THE CONFERENCE

The principal tasks assigned to the Conference by its agenda were performed by Committees 4, 5, and 6 and concerned the technical aspects of space radiocommunication and radio astronomy, frequency allocations, and radio regulations respectively. The accomplishment of this work has been described in detail in previous sections.

VIII. DEMONSTRATIONS OF COMMUNICATION VIA SATELLITES

Arrangements were made to cover the opening session of the Conference by means of television relay via the satellite Telstar. An exchange of greetings between the Secretary General of the United Nations in New York and the Secretary General of the ITU at the conference site had been programed. Because of a misunderstanding regarding cuing, the demonstration failed. However, the program was carried out successfully on October 9. Stations at Pleumer-Bodou, France, and Andover, Maine, were employed for the trans-Atlantic transmission. Many delegates expressed their appreciation for the opportunity to witness the program.

To demonstrate the operation of the satellite Syncom which is in an approximately synchronous orbit over Brazil, arrangements were made to permit delegates to the Conference to speak via Syncom from the conference site with persons in the delegates' lounge in the United Nations Building in New York and in the NASA Headquarters Building in Washington. Such conversations were carried on successfully for several evenings prior to the close of the Conference. The demonstration was closed with a press interview between Ambassador McConnell in Geneva and representatives of the press in Washington. The U.S.S. *Kingsport* which was docked at Rota, Spain, served as the European terminal of the radio circuit, while the U.S. Army station at Lakehurst, N.J., was the U.S. terminal. To eliminate echo, four-wire lines were employed between the radio terminals and the circuit terminals. The large number of delegates who spoke over the circuit were highly gratified with the results and expressed their thanks to the delegation for affording the opportunity to participate in the experiment. The time delay in transmission caused the users no difficulty judging by the favorable comments.

IX. RESERVATION TAKEN BY THE U.S. DELEGATION

For the first time in the history of international radio regulation, a delegation from ITU region 2 (Western Hemisphere), Cuba, deviated from the radio frequency allocations agreed to by all other region 2 delegations. Cuba associated itself in many cases with the allocations desired by the U.S.S.R. and other delegations of Eastern Europe. This was largely accomplished by means of footnotes to the table of frequency allocations.

Because of important radio and space operations in the Caribbean area which are dependent upon frequency bands agreed to throughout the hemisphere, the U.S. delegation could not place the United States in the position of having to honor Cuban radio operations which do not conform to the frequency allocations acceptable to all other delegations from region 2.

Accordingly, the U.S. delegation inserted in the additional protocol as a part of the final acts of the conference a declaration that it "cannot accept on behalf of the Government of the United States of America any obligation to observe the exceptions claimed by Cuba in those footnotes to the table of frequency allocations which were adopted by the present conference and which specifically named Cuba."

This action was taken reluctantly since it was the first time that the United States took a reservation on decisions of any worldwide international radio conference.

X. FUTURE MEETINGS

Conference recommendation No. 9A provides that the ITU Administrative Council, in light of its annual review of the progress in space radio communication, and at a date it will determine, recommend the convening of a conference to work out further agreements for the international regulation of the use of radio frequency bands allocated for space radiocommunication by this present Conference.

Conference recommendation No. 11A provides that the next Ordinary Administrative Radio Conference should give further consideration to the provision of improved frequency allocations for radio astronomy.

At this time no information is available regarding the scheduling of either conference referred to in the recommendations.

XI. FUTURE STUDIES BY CCIR

As indicated in the reports on the work of Committees Nos. 4 and 6, the International Radio Consultative Committee (CCIR) was requested by the Conference to pursue technical studies looking toward the development of interference criteria for space and terrestrial systems in addition to those already developed for communication satellite systems sharing frequency bands between 1 and 10 Gc/s with line-of-sight radio relay systems. These new studies are to include various types of modulation systems. Frequency sharing criteria for frequencies above 10 Gc/s and below 1 Gc/s are particularly desired.

The possibility of interference caused by scattering from different forms of precipitation (e.g., rain, snow, hail) requires investigation.

XII. FORM OF RESULTS AND ENTRY INTO FORCE

The final acts of the Conference consist of amendments to the Radio Regulations and certain appendixes thereto (Geneva, 1959), 4 resolutions, 11 recommendations, and the additional protocols containing the declarations, reservations, and statements of individual delegations.

The Chairman of the delegation signed the final acts on behalf of the United States and the territories of the United States. The Chairman of the delegation of the territories of the United States countersigned on behalf of the territories.

The amended Radio Regulations will enter into force on January 1, 1965.

XIII. CONCLUSIONS

A. Accomplishments

From the standpoint of frequency allocations for space communication and radio astronomy, the overall objectives of the United States were approved by the Conference which adopted the majority of the U.S. proposals in substance. Allocations for communication-satellite, meteorological- and navigation-satellite services, space research, telecommand, tracking, and telemetry were adopted such that the U.S. programs in the various areas of space radiocommunication can proceed satisfactorily. While the allocations for radio astronomy are not as adequate as the United States had desired, a substantial improvement was made in the protection from harmful interference afforded to radio astronomical observations throughout the world and particularly in the Western Hemisphere.

On the technical side, the Conference largely succeeded in accomplishing the difficult task of superimposing the allocations for the communication-satellite service on those already made to terrestrial fixed and mobile services by prescribing technical criteria essential to the avoidance of mutually harmful interference. Owing to the dearth of experimental data and detailed technical studies, it will be necessary to reexamine the technical conditions laid down regarding the sharing of frequency allocations between terrestrial radio services and the meteorological- and radionavigation-satellite services. Several recommendations were adopted which request the CCIR and national administrations to undertake further studies.

The Conference adopted the U.S. proposals in all important particulars with regard to the notification and recording of frequency assignments to space radiocommunication services and to terrestrial services which share frequency bands with these space radio services.

The delegation, with the assistance of other delegations, was successful in having the Conference agree that the regulations concerning the notification, registration, and use or frequencies in bands allocated to space radiocommunication should have the same status as the 1959 regulations which were amended or modified. At one stage of the Conference, there appeared to be some support for the proposals of some administration that these regulations be considered interim and subject to review by a special planning conference. Had such proposals carried, the effect upon the development of space communication programs could have been serious. Inasmuch as the status of frequencies involved would have remained uncertain and the present state of the art does not permit the changing of frequencies in use on board unmanned objects in space, these proposals did not provide a sufficiently firm basis for going forward with costly long-term programs.

A subject of considerable significance to future aeronautical radiocommunication was the matter of allocating frequency bands for the use and development of aeronautical communication systems using space communication techniques between earth stations in the aeronautical mobile service and air-space craft and aircraft flying near or beyond the limits of the sensible atmosphere. For this purpose the Conference made available three frequency bands on a shared basis with the aeronautical radionavigation service and two bands on a shared basis with the aeronautical mobile (R) service. The latter bands are limited initially for use by satellite relay stations of the aeronautical mobile (R) service. In addition, four of the aeronautical radionavigation bands were also made available for satellite-borne electronic aids to air navigation. The Conference recommended that the 1964 Conference to revise the (R) plan contained in appendix 26 to the Radio Regulations take steps to provide the high-frequency channels necessary for routine flight of transport air-space vehicles intended to fly between points on the earth's surface both within and beyond the major part of the atmosphere.

B. Value of pre-Conference international coordination

I cannot conclude this report without calling attention to the benefits derived from the thorough international coordination of views and proposals in which the U.S. preparatory group engaged for many months prior to the Conference. There can be no doubt that this effort was in a large measure responsible for the expeditious manner in which the Conference undertook its complex and difficult tasks. This is understandable in light of the fact that at least 19 European countries with extensive worldwide telecommunication interests had full knowledge of and strongly supported all major U.S. proposals. In addition the delegations from Japan and Latin America were effective in this regard. There is no question in my mind that without this coordination the Conference could not have successfully completed its agenda in the time allotted. I strongly urge the Department of State to encourage and support such pre-Conference coordination prior to any future telecommunication conferences.

I understand that by previous standards for U.S. delegations to telecommunication conferences, my delegation was a small one. However, I should emphasize that the number of persons on my delegation and their outstanding qualifications provided me with a group which was fully adequate to cope with all aspects of the work. A larger delegation would have been more difficult to control and weld into a cohesive unit, while a smaller delegation would not have been able to cover the conference work adequately.

In closing, I wish to express to you my appreciation for having provided me with an outstanding delegation to assist me in the work of the Conference. I am indebted to each member for his loyal cooperation and for completely subordinating agency and industry interests to the overall interests of the United States. It was an honor and privilege to serve as Chairman of the delegation.

Respectfully submitted,
JOSEPH H. MCCONNELL,
Chairman, Delegation of the United States of America to the ITU Extraordinary Administrative Radio Conference.

ANNEX A

LIST OF COUNTRIES AND ORGANIZATIONS REPRESENTED

A. Countries: Algeria, Argentina, Australia, Austria, Belgium, Byelorussia, Brazil, Bulgaria, Cambodia,[1] Canada, China, Cyprus, Vatican City, Colombia, Congo (Léopoldville), Korea, Costa Rica,[1] Cuba, Denmark, French oversea territories, Spain, United States of America, Ethiopia, Finland, France, Ghana, Greece,[1] Guatemala, Hungary (RP), India, Indonesia, Iran,[1] Ireland, Iceland, Israel, Italy, Jamaica, Japan, Kuwait, Lebanon, Liberia, Liechtenstein, Luxembourg, Malaysia, Morocco, Mexico, Monaco, Norway, New Zealand, Uganda, Pakistan, Netherlands, Philippines, Poland, Portugal, Spanish provinces in Africa, United Arab Republic, Federal Republic of Germany, Yugoslavia (FSR), Ukraine (RSS), Rumania (RP), United Kingdom of Great Britain and Northern Ireland, South Africa, Sweden, Switzerland, Tanganyika, Czechoslovakia (RS), U.S. territories, United Kingdom territories, Union of Soviet Socialist Republics, Kenya.[2]

B. Private operating agencies: Companhia Portuguesa Radio Marconi, Italcable, Cable and Wireless, American Cable & Radio Corp., France Cables et Radio, Compagnie Generale De Telegraphie Sans Fil.

C. United Nations and specialized agencies: United Nations Organization (UNO), International Civil Aviation Organization (ICAO), United Nations Educational, Scientific, and Cultural Organization (UNESCO), World Meteorological Organization (WMO).

D. International organizations: International Air Transport Association (IATA), International Chamber of Shipping, International Radio Maritime Committee (CIRM), Inter-Union Committee for Frequency Allocations for Radio Astronomy and Space Science (IUCAF), Committee on Space Research (COSPAR), International Council of Scientific Unions (CIUS), International Federation of Editors of Journals and Publications (FIEJ), International Broadcasting and Television Organization (IBTO), European Broadcasting Union (EBU), International Amateur Radio Union (IARU), International Scientific Radio Union (URSI).

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[1] No vote.

[2] Associate member.

Annex B

Members of the U.S. Delegation to the ITU Space Radio Communication Conference

U.S. delegate: The Honorable Joseph H. McConnell (chairman), president, Reynolds Metals Co., Richmond, Va.

Alternate U.S. delegates: The Honorable Jacob D. Beam (vice chairman), Assistant Director, U.S. Arms Control and Disarmament Agency; T. A. M. Craven (vice chairman), former Commissioner, Federal Communications Commission.

Senior adviser: The Honorable E. William Henry, Chairman, Federal Communications Commission.

Advisers:

Frederick J. Altman, director, system engineering division, International Telephone & Telegraph Corp.; Allen Barnabei, Communications Liaison Officer, Department of Commerce; Charles A. Brooks, Chief of International and Allocation Branch, Frequency Management Division, Systems Research and Development Service, Federal Aviation Agency; William G. Carter, Special Assistant for International Space Communications, Department of State.

Joseph V. Charyk, Ph. D., president, Communications Satellite Corp.

Wilfrid Dean, Jr., Director, Navy Radio Frequency Spectrum Division, Office of Naval Communications, Office of the Chief of Naval Operations, Department of the Navy.

Harry Fine, Assistant Chief, Research Division, Federal Communications Commission.

Lyman G. Hailey, Chief, International Coordination Branch, Office of Emergency Planning.

David W. Holmes, Technical Assistant to the Director, National Weather Satellite Center, Department of Commerce.

George Jacobs, Chief, Frequency Division, Office of the Engineering Manager, International Broadcasting Service, U.S. Information Agency.

John Kelleher, Communications System, Office of Applications, National Aeronautics and Space Administration.

Carl W. Loeber, Chief, Telecommunications Division, Department of State.

Lee R. Marks, Office of the Legal Adviser, Department of State.

Leonard H. Marks, member, board of directors, Communications Satellite Corp.

James McElroy, Deputy Chief of Communications and Frequency Management, Office of Tracking and Data Acquisition, National Aeronautics and Space Administration.

Paul D. Miles, Chief, Radio Spectrum Division, Office of Emergency Planning.

S. Meredith Myers, Assistant Chief, Frequency Allocation and Treaty Division, Federal Communications Commission.

George W. Swenson, Jr., professor of electrical engineering and research, and professor of astronomy, University of Illinois.

James P. Veatch, director, Frequency Bureau, Radio Corp. of America.

William H. Watkins, Assistant Chief Engineer in Charge of Frequency Allocation and Treaty Division, Federal Communications Commission.

H. E. Weppler, radio engineer, American Telephone & Telegraph Co.

James P. West, lieutenant commander, USAF, Frequency Branch, Office of the Director of Command Control and Communications, Department of the Air Force.

Nathaniel White, Special Assistant for Frequency Management, Office of the Chief Signal Officer, Department of the Army, Department of Defense.

Edward N. Wright, lieutenant colonel, USAF, Communications Satellite Project Office, Defense Communications Agency, Department of Defense.

Congressional advisers:

The Honorable Vance Hartke, U.S. Senate.

The Honorable Norris Cotton, U.S. Senate.

The Honorable **Oren Harris**, House of Representatives.

The Honorable Abner W. Sibal, House of Representatives.

Secretary of delegation: Bernard J. Rotklein, Office of International Conferences, Department of State.

Members of the staff:

Margaret M. Barrett, Arms Control and Disarmament Agency.

Katherine Glazer, Arms Control and Disarmament Agency.

Stuart Lippe, Geneva, Switzerland.

Alyce Carey Moss, Office of International Conferences, Department of State.

Sandra R. Pectol, Telecommunications Division, Department of State.

Arlene Rouillard, Geneva, Switzerland.

Irene E. Scher (documents officer), Office of International Conferences, Department of State.

Alice O. Whittier, Bureau of International Relations, Arms Control and Disarmament Agency.

DELEGATION OF THE TERRITORIES OF THE UNITED STATES

Delegate: The Honorable James T. Devine, U.S. Mission, Geneva, Switzerland.

Adviser: Mr. William Denny, U.S. Mission, Geneva, Switzerland.

Annex C

Primary Conference Responsibilities—U.S. Delegation

NAME AND ASSIGNMENTS [1]

Ambassador J. H. McConnell: (1) Chairman, U.S. delegation; (2) U.S. delegate; (3) U.S. spokesman, Steering Committee.

Ambassador J. Beam: (1) Vice Chairman, U.S. delegation; (2) alternate U.S. delegate; (3) spokesman, Credentials Committee.

Commander T. A. M. Craven: (1) Technical Vice Chairman, U.S. delegation; (2) alternate U.S. delegate.

Mr. E. William Henry: (1) Senior Adviser, U.S. delegation; (2) leader of communication satellite policy group.

Mr. F. Altman: Technical Committee.

Mr. A. Barnabei: Allocations Committee.

Mr. C. A. Brooks: Allocations Committee.

Mr. W. G. Carter: (1) Communication satellite policy group; (2) Editorial Committee.

Dr. J. V. Charyk: Communication satellite policy group.

Mr. W. Dean, Jr.: Allocations Committee.

Mr. H. Fine: U.S. spokesman, Technical Committee.

Mr. L. G. Hailey: Regulations Committee.

Mr. D. W. Holmes: (1) Allocations Committee; (2) Technical Committee.

Mr. George Jacobs: Technical Committee.

Mr. J. Kelleher: (1) Technical Committee; (2) Allocations Committee.

Mr. C. W. Loeber: (1) U.S. spokesman, Budget Committee; (2) organize liaison with foreign delegations; (3) delegation coordinator.

Mr. Lee Marks: Legal adviser to U.S. delegation.

Mr. Leonard Marks: Communication satellite policy group.

Mr. J. McElroy: Allocations Committee.

Mr. P. D. Miles: U.S. spokesman, Regulations Committee.

Mr. S. M. Myers: (1) U.S. spokesman, Editorial Committee; (2) Allocations Committee; (3) Technical Committee.

Prof. G. W. Swenson, Jr.: (1) Adviser on radio astronomy; (2) Allocations Committee; (3) Technical Committee.

Mr. J. P. Veatch: Regulations Committee.

Mr. W. H. Watkins: U.S. spokesman, Allocations Committee.

Mr. H. E. Weppler: Allocations Committee.

Lt. Col. J. P. West: Allocations Committee.

Mr. N. White: Regulations Committee.

Lt. Col. E. H. Wright: Technical Committee.

Mr. J. T. Devine: Chairman of delegation, Territories of the United States.

Mr. W. E. Denny: Vice Chairman, delegation of Territories of the United States.

COMMUNICATIONS SATELLITE SYSTEM: PROBLEMS TO BE FACED

The establishment, at the earliest possible date, of a global satellite communications system is a matter of national policy of the United States. This policy was approved by the Congress and incorporated in the Communications Satellite Act of 1962. By means of that law, Congress declared the policy of the United States to establish in cooperation with other countries, as expeditiously as practicable, a commercial communications satellite system, as part of an improved global communications network, which will be responsive not only to public needs but also to—and note this particularly—national objectives. The national objectives are spelled out further in the act; namely, to contribute to world peace and understanding, to provide telecommunications services for economically less-developed countries and areas as well as those more highly developed; to make efficient and economic use of the electromagnetic frequency spectrum; and to reflect the benefits of this new technology in both quality of service and charges for such services. Our committee has submitted to the House during the first session of this Congress a report on the activities which have transpired during the first year since the enactment of that act. It is House Report No. 809, 88th Congress, 1st session.

Since the successful conclusion of the Geneva Conference, efforts at making a global communications satellite system an early reality have shifted in high gear both here in the United States and in other countries. On the other hand, it should not be overlooked that there are many factors both at home and abroad which may have a tendency of hindering the early realization of these ambitious plans. It is well nigh impossible to present a reasonably complete catalog of the favorable and unfavorable factors in the picture.

In giving consideration to these factors it must not be forgotten that the will to accomplish this task, if only strong enough, can overcome even the largest accumulation of unfavorable factors. And, please remember—it is the declared policy of the legislative and executive branches of our Government, to use our best efforts to accomplish this task at the earliest practicable date. I trust that our Government, in turn, can expect all interested private groups in this country fully to support this declared governmental policy.

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[1] Except for the Chairman and Vice Chairmen, all accredited members of the U.S. delegation were advisers.

Let us start with a look at the picture abroad. The interested European countries decided earlier to form an intergovernmental group called the European Conference on Satellite Communications to act as a single European spokesman in dealing with the United States. This group has several subgroups to deal with technical, organizational, and other problems.

It is the purpose of the group to determine whether, and if so, in what form and under what conditions the European countries will be willing to participate in an early satellite system.

In order to give the Members of the House and the interested public an adequate picture of European communications satellite developments, I include at this point in the RECORD a summary which has been prepared based upon briefings of this committee by officials of the Department of State:

SUMMARY OF EUROPEAN REGIONAL ORGANIZATION IN THE COMMUNICATIONS SATELLITE FIELD[1]

NASA EXPERIMENTAL PROGRAM

Early and intense interest in the developing technology of communication satellites was displayed by various European countries. Initial technical activities were conducted largely within the framework of the experimental program developed by the National Aeronautics and Space Council in cooperation with the American Telephone & Telegraph Co.

In February 1961, the British Post Office entered into a memorandum of understanding with NASA providing for the construction of ground receiving facilities at Goonhilly Downs, England. A similar agreement was made soon after with the French National Telecommunication Research Center (CNET) providing for French participation in the experimental program through a station to be installed at Pleumeur-Bodou in Brittany.

These two stations, together with the A.T. & T. installation at Andover, Maine, provided the ground environment for the highly successful Telstar experimental program. Subsequently, arrangements were made with Italy, Germany, the Scandinavian countries, Brazil, Japan and others for participation in the NASA experimental program using both the Relay and Telstar satellites.

ORIGINS OF REGIONAL COOPERATION

During 1962 a number of European telecommunication officials began considering the desirability of regional European cooperation in this field. It was appreciated that a large number of ground stations to serve Western Europe could not be justified technically or economically. It was further felt that in view of the technological advance demonstrated by the United States, European interests would be best protected if the European countries could speak with one voice rather than many.

EUROPEAN CONFERENCE OF POSTAL AND TELECOMMUNICATIONS ADMINISTRATIONS (CEPT)

The first concrete manifestation of a regional approach took place in December 1962, within the framework of the organization of operating agencies called the European Conference of Postal and Telecommunications Administrations (commonly referred to as the CEPT).

The following countries belong to the CEPT: Germany, Belgium, Denmark, Spain, Finland, France, Greece, Ireland, Iceland, Italy, Luxembourg, Norway, The Netherlands, Portugal, United Kingdom, Sweden, Switzerland, Turkey, Austria, Cyprus, Liechtenstein, and Monaco.

CEPT AD HOC COMMITTEE

At its plenary meeting in Cologne on December 12–14, 1962, the Telecommunications Committee, one of the permanent organs of the CEPT, set up a committee, known thereafter as the CEPT Ad Hoc Committee, with the following terms of reference:

1. To study all the problems relating to the organized participation of all European countries desiring to do so in the establishment and operation of a single world network of telecommunication by satellite.
2. To establish particularly the basis of discussions to be held between the countries of the CEPT and the United States of America with a view to the possibility of establishing and operating a single world network of telecommunication via satellite.
3. To study the basis for a world organization for the management of such network.

The CEPT resolution establishing the Ad Hoc Committee was the first expression of European views in favor of the U.S. policy which, for technical, economic, and political views, calls for a single global communication satellite system rather than a multiplicity of separate competing systems of different national or regional sponsorship. The first meeting of the Ad Hoc Committee took place in Paris, March 11–15, 1963. A subcommittee structure was set up and a number of technical and traffic questions were formulated for transmittal to the U.S. Communications Satellite Corp.

GROWING POLITICAL INTEREST

By this time a number of governmental departments other than the telecommunications administrations had become increasingly interested in the field of communication by satellite. Typically, the Ministries of Foreign Affairs and those Ministries dealing with space technology became involved in the policy and organizational aspects of the work of the CEPT ad hoc Committee. This tendency culminated in an intergovernmental meeting convened in Paris in May 1963 to which the Foreign Ministries of all CEPT member countries were invited. Some 15 countries attended the meeting. For the most part the delegations were headed by senior foreign ministry officials and included representatives from the space-oriented ministries in addition to the telecommunication administrations.

This was the first European regional consideration of communication satellites on an intergovernmental political level, rather than on the telecommunication administrations level.

The Conference considered a number of basic policy considerations in a preliminary fashion and decided to convene a further meeting in London in July.

EUROPEAN CONFERENCE ON SATELLITE COMMUNICATIONS

The next intergovernmental meeting was held in London July 16–18, 1963. It entitled itself the "European Conference on Satellite Communications" and set up a committee structure consisting of: Steering Committee, Organizational Committee, Space Technology Committee, and CEPT ad hoc Committee.

RELATIONSHIP BETWEEN THE INTERGOVERNMENTAL CONFERENCE AND THE CEPT AD HOC COMMITTEE

One of the most important decisions reached by the Conference at London was that henceforward the CEPT ad hoc Committee should serve as telecommunication advisers to the Conference and that the primary jurisdiction of the ad hoc Committee would be technical and operating questions, with organizational, financial and legal matters to be dealt with by the European Conference on Satellite Communication.

COMMITTEE MEETINGS AND CONTACTS WITH THE UNITED STATES

Subsequent to the July session, each of the committees of the Conference held a number of meetings in preparation for the third plenary meeting of the Conference which took place in Rome. At a number of committee meetings preliminary exchanges of views with the United States took place, specifically: Key executives of the Communications Satellite Corp. together with a representative of the Department of State attended a meeting of the Steering Committee of the Conference held in London, October 14–15, 1963, during which organization ideas were exchanged in a preliminary fashion. It was there agreed that representatives of the corporation should attend the meetings of the ad hoc Committee of the CEPT in Bonn on November 14–15 and of the Space Technology Committee in London on November 19 to discuss various technical and operational aspects involved in the planning for a single global communications system.

ROME MEETING OF THE EUROPEAN CONFERENCE ON SATELLITE COMMUNICATIONS, NOVEMBER 26–29, 1963

A consensus developed at this meeting that a new European regional organization should be created to represent Europe in a global commercial system of satellite communications. It was agreed that the organization should be set up to provide, to the extent possible, a counterpart to the U.S. Communications Satellite Corp. It is expected that each member would contribute a share to the capital requirements.

Recognizing that formal creation of such an organization would be a lengthy process, the Rome meeting constituted the European Conference as the provisional European regional organization and changed the name of the Steering Committee to the Committee of Deputies, a body which will serve as the executive of the provisional organization.

The Rome meeting approved the action taken by the CEPT ad hoc Committee at its November 14–15 meeting in Bonn in setting up a subcommittee to prepare a plan for a regional European approach to ground-station environment, including distribution of satellite traffic from ground stations to those participating countries not having ground stations on their territories.

At the Rome meeting, Cyprus, Greece, and Ireland, all members of the CEPT, participated for the first time in the deliberations of the Conference. Australia attends the meetings of the Conference as an observer due to its membership in ELDO, the European Launcher Development Organization. ELDO itself is also represented by an observer.

FUTURE CONTACT WITH THE UNITED STATES

The Conference decided it would be advisable to have a further exploratory meeting with the United States and Canada prior to its next plenary meeting to be held in March 1964.

GLOSSARY OF EUROPEAN REGIONAL ORGANIZATION IN SPACE COMMUNICATION

CEPT

The European Conference of Postal and Telecommunications Administrations (CEPT) is a regional group of operating administrations formed by treaty executed at Montreux, Switzerland, in 1959.

One of its permanent organs is the Telecommunications Committee. At the plenary meeting of the Telecommunications Committee, held in Cologne, Germany, in December 1962, an ad hoc committee (referred to as the CEPT Ad Hoc Committee) was set up to study the various questions relating to organized European participation in a worldwide satellite system. The December

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[1] Source: Briefings by officials of Department of State.

1962 meeting can be considered as the formal beginning of European cooperation on a regional basis in the field of communication satellites for commercial application.

European Conference on Satellite Communication

This was originally an informal intergovernmental discussion group composed of member countries of the CEPT. At its third plenary meeting in Rome, November 26–29, 1963, it declared itself to be the provisional European regional organization for participation in a global system of commercial communication satellites.

Copers

Copers (the European Preparatory Commission for Space Research) was formed at Geneva, Switzerland, in November 1960 to study, plan, and propose a cooperative space program for Europe, to be known as the European Space Research Organization (ESRO). Specific questions assigned to Copers for study were:

1. Should ESRO conduct purely scientific extraterrestrial projects such as those conducted during the IGY or should it enter the technological side; that is, research and development field of space flight rockets, including the motors and equipment.

2. How should it be financed? The membership of Copers consisted of representatives of Belgium, Denmark, France, Federal Republic of Germany, Italy, the Netherlands, Norway, Spain, Sweden, and Switzerland.

As a result of the studies by Copers, it was agreed that there should be established an organization known as the European Space Research Organization (ESRO) for the purpose of furthering space research for peaceful purposes, to enhance science, commerce, and prestige.

The ESRO agreement was signed in Paris on June 14, 1962. Copers will cease to exist when the ESRO agreement comes into force.

ESRO

In January of 1960 at Nice, France, discussions at a Committee of Space Research (Cospar) meeting resulted in the formation of the Group d'Etudes European pour la Recherche Spatiale (GEERS), a study group formed to investigate space research. As a result of this study, a protocol was drafted in Paris on February 21, 1962, and was signed by the following countries: Federal Republic of Germany, Austria, Belgium, Denmark, Spain, France, Italy, Norway, Netherlands, United Kingdom, Sweden, and Switzerland. The formal establishment of the European Space Research Organization (ESRO) took place in Paris on June 14, 1962. The Convention has not yet come into force due to insufficient number of ratifications.

The purpose of ESRO, as stated in the Convention, is to provide for and to promote collaboration among European states in space research and technology, exclusively for peaceful purposes.

ELDO

Early in 1961, at Strasbourg, the United Kingdom and France proposed the formation of a European Launcher Development Organization (ELDO) using the Blue Streak missile as the first stage of the launching vehicle. The protocol for this organization was established in London on May 9, 1962, and was signed by the following countries: Australia, Belgium, France, Federal Republic of Germany, Italy, Netherlands, and the United Kingdom. The Convention for establishing ELDO was held in London from March 29 to April 30, 1962. To date the United Kingdom and Australia have ratified the Convention. The Convention has not yet come into force due to insufficient number of ratifications.

ELDO hopes to provide a launching vehicle which can be sold to ESRO or others for launching satellites for peaceful purposes.

The first stage of the ELDO launcher will be the British Blue Streak missile which owes its existence to American technology in developing the Atlas missile.

The second stage of the ELDO launcher will be developed by the French.

The third stage is to be developed by the Federal Republic of Germany.

Although European by name, the ELDO organization proposed provides for outside membership, thus permitting Australia to contribute the use of its test range at Woomera.

Cospar

The Committee on Space Research (Cospar) is a committee on the International Council of Scientific Unions (ICSU). It was established at the time of the eighth general assembly of ICSU in Washington, D.C., in October 1958, to further the international cooperation in space science research initiated during the ICSU program for the International Geophysical Year.

The members of Cospar include representatives of adherent national scientific institutions and representatives of international scientific unions affiliated with ICSU.

The organization of Cospar includes a bureau, an executive council, and a finance committee. Scientific working groups have been established to develop the basic recommendations of the scientific program of Cospar and these, in turn, include special subgroups, correspondents, and ad hoc panels to deal with special problems.

Eurospace

This is a nonprofit association composed of industrial concerns which have joined together to assist the development of a European space effort. The aim of Eurospace is to promote space research development in Western Europe as well as to clarify technical, economic, and legal questions of importance to the industry. Eurospace will attempt to represent the interests of European industry in connection with ELDO/ESRO and national programs.

At present 90 companies or affiliates are members from the following countries: United States of America affiliates, 5; national industrial associations, 6; France, 34; Great Britain, 14; West Germany, 12; Belgium, 7; Italy, 5; Switzerland, 4; Netherlands, 2; and Norway, 1.

Some European countries evidently are more interested in an early satellite system than are others, and the group may turn out to be not quite as monolithic as it hopes to be.

Different European countries may find themselves in different positions. The British, for example, may desire to protect their traditional position of dominance in telecommunications which is based on their ownership of undersea cables and the routing of cable traffic through London where cables to different geographical regions interconnect.

Vice versa, some other European countries may desire to take advantage of the new satellite technology for the purpose of challenging the traditional British position. In some respects we may witness here a repetition of the Common Market situation.

Ground stations are actually in existence in Great Britain, France, Germany, Italy, and Japan. Stations are being built elsewhere. Multiple-ground stations located within comparatively small geographical areas present technical and economic problems with regard to satellite operations. The operation of multiple ground stations requires provision for noninterference with each other and, therefore, is wasteful of frequencies which otherwise would be available for providing additional circuits. Multiple ground stations therefore make satellites economically less attractive than they otherwise might be. There is, therefore, the problem of reaching a European solution of the problem of ground stations which is technically and economically satisfactory yet politically acceptable to the several European nations involved. Similar problems will arise in other geographical regions of the globe as the global system comes into being.

Next, there is the technical problem—which of several satellite systems is to be adopted: a medium high-altitude system or a synchronous high-altitude system, a random system or a controlled system, and so forth. Also there are in the picture competition and rivalry among enterprises located in different countries which hope to supply equipment for the ground stations and the space segment of the satellite system.

Here at home, while we are dealing with a single nation, the factors, if anything, are even more complex. Traditionally, in our country we have held to the policy concept of insisting on competition between record and voice communications by wire or radio. Technological developments have created a new twilight zone between these two, such as data and facsimile transmission. Potentially, these are as important as, if not more important from an economic point of view, than the traditional voice and record fields. Therefore, these twilight areas are claimed with considerable emphasis by both contenders.

Formal proceedings which involve some aspects of this basic issue are now pending before the Federal Communications Commission both in the domestic and international fields.

Suggestions have been made that the traditional concept of voice versus record communications should be abandoned, at least in the international field, and that all U.S. international telecommunications facilities, including satellites, be merged in a single "chosen instrument." Our Committee on Interstate and Foreign Commerce has had extensive experience with similar proposals in the field of international aviation. Other persons have suggested a merger of all U.S. international record communication carriers in order to strengthen these carriers in their competition with the A.T. & T., the only U.S. international voice communications carrier.

Additionally, there is the question of ownership and control of satellite ground stations in the United States. The question of whether the Satellite Corp. or one or more carriers should be permitted to own and control ground stations was heatedly debated in the Congress. Under the provisions of the act, the decision on this question has been left to the FCC to be determined in the public interest.

To further complicate the situation, there is the question, which must be resolved, of whether the Satellite Corp. shall be a carriers' carrier serving only certificated carriers, or whether it should be permitted to deal directly with ultimate users, governmental and private, who own their own systems or who lease circuits from established carriers. This question involves the broad issue of governmental and private communications systems versus common carrier systems. A look at the transportation situation in the United States shows that the growth of private transportation can erode if not destroy high quality and economical common carrier services. This should not be permitted to happen in the case of communications. Additionally, private communications systems are wasteful of radiofrequencies because they require more valuable spectrum space than is required for common carrier service.

It can readily be seen that all of the foreign and domestic factors which I have mentioned and many additional ones which time does not permit me to discuss, are likely to be given different weight by different nations and interest groups. The outcome of the struggle for the establishment of an early global satellite communications system, therefore, is difficult to predict.

If the system is to become an early reality we must do both at home and abroad what the eminent chairman of the board of the A.T. & T., Mr. Kappel, stated he was doing within his own company, namely, to assume:

> No one person can know all the answers * * *. Working together, though, we can collectively come up with the best answer to the problems that confront us. The answer, then, lies in people—in their working together cooperatively and creatively. It's my job to foster an atmosphere in which that can happen.

What is being done successfully within the A.T. & T. must be attempted in the much larger arena of global communications. It will not be easy to achieve equal success in this larger arena. The Geneva Conference was an excellent beginning. We must now follow through and we must be able to count on all Americans to support the policy of their Government which looks to the establishment of an early global communications system.

This will require a great deal of flexibility and it may also require some adjustment of personal interests on the part of some Americans. How can we, however, I ask you, expect foreign nations to cooperate with us in this venture if we ourselves cannot bring about cooperation here at home?

I am sure such cooperation will be forthcoming and I am counting on all men of good will both in Government and in industry to do their very best in the hope that their contributions will be of some help in improving understanding among the peoples of this world.

It is most gratifying to me that on the basis of discussions between officials of the Communications Satellite Corp. and the American Telephone & Telegraph Co. an excellent beginning has been made in this respect. On December 6, 1963, Mr. James E. Dingman, executive vice president of A.T. & T., addressed a letter to Mr. Leo Welch, chairman of the board of Comsat, expressing A.T. & T.'s preference, for diverse reasons, for using, by 1966 or early 1967, satellite circuits instead of placing additional cables until the North Atlantic cross section is made up of approximately equal numbers of cable and satellite voice channels. Furthermore, A.T. & T. promises to take all reasonable steps to assist Comsat in obtaining agreement to this effect with European communication agencies.

As I understand the situation, if these basic propositions are adhered to by the two companies, significant progress will have been achieved in the direction of the early establishment of a viable satellite communications system.

In view of the importance of this letter for future developments in this field, I insert the text of this letter at this point in the RECORD:

AMERICAN TELEPHONE &
TELEGRAPH CO.,
New York, N.Y., December 6, 1963.

MR. LEO WELCH,
Chairman of the Board,
Communications Satellite Corp.,
Washington, D.C.

DEAR MR. WELCH: We should like to review discussions we have had with you and others of your company about the effect of high capacity undersea cable upon our requirements for satellite communications channels.

In summary, the point can be stressed that we see a place, and a need, for both cable and satellite communications. Two things make this apparent. One is the rapid and continuing increase in the volume of transocean communications. The other is the value in diversity of communications—from the standpoint of day-to-day service integrity and from the standpoint of national security. We have a keen interest in using communications channels both in cable and in satellite systems.

Our discussions have covered other facets of this overall subject, and these might be highlighted here.

There are two basic factors in every decision we make. First, underlying everything we do is our responsibility to meet the growing needs of our customers for good service, which includes having channels of good quality available when required. Second, in behalf of our customers and our shareholders, we must give careful consideration to costs.

The plans you have reviewed with us indicate that satellite facilities are expected to be available late in 1966 or early 1967 with the further possibility of a somewhat earlier limited capacity that might be obtained by means of synchronous satellites. If suitable satellite circuits are available to meet our additional needs at that time in the North Atlantic section, which is an area where high capacity cables could be attractive, we would prefer, for diversity reasons, to use satellite circuits instead of placing additional cables. As it looks now, this preference would continue in subsequent years until the North Atlantic cross section was made up of approximately equal numbers of cable and satellite voice channels. By "suitable satellite facilities," we mean circuits that are satisfactory in quality and have costs bearing a reasonable relationship to alternative methods of getting the circuits.

Obviously, the communication agencies at the other end would have to agree to this. We would take all reasonable steps to assist in obtaining this agreement. Additionally, the authorization of the FCC would also have to be obtained in accordance with existing laws and regulations.

In planning to meet future customer requirements, we would need to be assured during 1964 whether satellite circuits will be available in 1966 or early 1967 because if there is to be any serious delay we would need at least 2 years to implement other plans for meeting our customers' requirements until satellite circuits did become available.

In the North America-South America section we need 50 to 60 improved voice channels now and the need is continuing to increase. Our studies indicate a need in 1966 for over 80 voice circuits from the United States to these South American points—Brazil, Chile, Argentina, Uruguay, and Peru. While preliminary cable plans have been made to serve these countries, if suitable satellite facilities could be assured by 1966 or earlier, we would immediately initiate discussions with our South American communications partners with a view to using satellite facilities initially, with cables possibly coming along later.

We expect to continue development of improved undersea cable systems and undoubtedly other organizations can be expected to do the same. It would be reasonable to expect, then, that both cables and satellite circuits will be used to meet oversea requirements just as both cables and microwave radio circuits have been used to meet domestic requirements. Diversity of routes and facility types is the best method of assuring service integrity and that is one of the major reasons for our interest in utilizing satellite circuits for oversea service as soon as possible.

The high capacity cable will have many important applications but we see no basic reason why it should prevent satellite usage from reaching an economical and profitable level.

Sincerely,

(Signed) J. E. DINGMAN.

On the other hand, let there be no doubt that in matters where the national interest is at stake and where interested private parties cannot reach voluntary agreements, Congress can act effectively and expeditiously in order to protect the national interest. The prompt enactment of legislation to ward off the threatened railroad strike is a recent example showing congressional capabilities.

It is my sincere hope that such action will not be necessary in order to bring about agreement on the part of the domestic groups who may have divergent private interest with regard to the establishment of an early global satellite system. We are fortunate indeed and we can be proud of the fact that in this country of ours we have been able to count on private enterprise to keep up with the rapidly rising demand for high quality communications.

Congress has not had frequent occasion to reexamine our present national telecommunications policies or to establish new policies in this field. For a long time it has been our well established policy that commercial domestic as well as international telecommunications services shall be rendered by private companies in competition with each other and subject to Government regulation in order to protect the public interest. The timetable of congressional action during the last four decades in this field indicates that Congress has not found it necessary to modify these traditional basic principles, and has been called upon to act only whenever outstanding changes have occurred in telecommunications technology which have made supplemental congressional policy action imperative.

The advent of radio broadcasting and the resulting confusion in the ether were responsible for the enactment of the Radio Act of 1927, pursuant to which the Federal Government assumed responsibility for the orderly assignment of radio frequencies for governmental as well as commercial purposes. In 1943, the shrinking volume of telegram messages in favor of communications by telephone and other speedier methods of communications necessitated the enactment of legislation providing for the merger of Postal Telegraph with Western Union.

The advent of space communications to which private industry has made such outstanding contributions has necessitated the formulation of additional national telecommunications policies.

I remember only too well how some members of private industry at first sought to persuade Federal agencies, the Congress, and the American people, that communications satellites were simply an equivalent of telephone and telegraph cables hung in outer space instead of being buried on the ocean floor.

The implication was, of course, that there was no need for modifying our traditional national policies of letting private companies conduct international commercial telecommunications in competition with each other and subject to Federal regulation, and permitting these companies to negotiate bilateral business agreements involving satellites with the post and telegraph administrations of individual foreign nations just as had been done for many decades in the case of undersea cables.

Numerous factors—too many and too complex to discuss here—persuaded the Congress and the executive branch that the role to be played by communications satellites in global telecommunications was likely to go far beyond the traditional commercial use of undersea cables.

As a consequence, after considerable controversy and debate, Congress enacted the Communications Satellite Act of 1962, which was signed into law by the late President Kennedy on August 31, 1962. That act reiterates our traditional policy of relying on private enterprise in providing international telecommunications services subject to Government controls. It also stresses, however, the importance of an early satellite communications system as a means of furthering our efforts in exercising leadership in world affairs. In other words, an improved global telecommunications system has become an indispensable ingredient in the conduct of this Nation's foreign policy.

Anybody who has had occasion to watch television coverage of the events following the late President Kennedy's assassination, some of which were broadcast internationally via satellite, will not be inclined to challenge this estimate. Radio and television by satellites, in addition to other satellite communications, can tie the peoples of the world together more closely than any other technical developments produced by man.

I have infinite confidence that men in this Nation and other nations will live up to the challenge of making global satellite communications an early reality. Certainly I shall do my share to make this dream come true.

Incidentally, the absence of an adequate global telecommunications system during the days of the Cuban crisis when this Nation sought to rally behind her other nations to bring about the prompt removal of Russian missiles from Cuban soil, was an outstanding lesson which we have learned from that crisis. As a consequence the executive branch ordered the establishment of a National Communications System to tie together all Federal telecommunications services for the purpose of making these services available in the case of an emergency—national or international.

I must apologize for having taken so much of your time to share with you some of my thoughts on vital domestic and international telecommunications problems. I have done so in the firm conviction that international communications will play an increasingly vital role in world affairs, and that, therefore, this body should be properly apprised of important recent developments in this field.

Mr. HARRIS. Mr. Speaker, I ask unanimous consent to revise and extend my remarks and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Arkansas?

There was no objection.

THE SHEVCHENKO MONUMENT

The SPEAKER pro tempore (Mr. MULTER). Under previous order of the House, the gentleman from New York [Mr. DULSKI] is recognized for 30 minutes.

Mr. DULSKI. Mr. Speaker, on the statue in honor of Taras Shevchenko there will be this universal inscription: "To the Liberation, Freedom, and Independence of All the Captive Nations." This represents the manifest significance of Shevchenko and his works in behalf of world freedom. It is this crowning achievement of Shevchenko that the Soviet Russian imperiocolonialists and their puppets rebel against and seek to have eliminated from the forthcoming unveiling of the Shevchenko statue in Washington.

In following this whole significant episode on the Shevchenko memorial, I believe my colleagues will find these additional items of absorbing interest and importance, and I include them in the RECORD in the following order:

First. The January 7 Washington Post report "Red Embassy Joins Row on Shevchenko."

Second. A striking letter to the Post's editor by Dr. Roman Smal-Stocki of Marquette University, which evidently has been the source of the Post's most recent semieditorialized report—January 7.

Third. A letter from the Ukrainian Academy of Arts and Sciences in the United States.

Fourth. Letters to Mrs. Rowe and Secretary Udall by the orthodox archbishop of New York, the Most Reverend Mstyslav S. Skrypnyk.

Fifth. Letters to Mr. Wiggins and Mrs. Rowe by the Conference of Americans of Central and Eastern European descent.

Sixth. The editorial "Is This the Voice of 'The Washington Post?'" which appeared in the authoritative periodical the Ukrainian Bulletin.

[From the Washington Post, Jan. 7, 1964]

RED EMBASSY JOINS ROW ON SHEVCHENKO

The Soviet Embassy entered the Shevchenko controversy yesterday by releasing a letter endorsing the proposed statue of the Ukrainian poet in Washington.

In the five-page letter, signed by 36 Soviet Ukrainians and forwarded to the Embassy by an official Soviet press agency, the signers offered to take part in the statue unveiling scheduled for next spring. The site is the triangle formed by P, 22d and 23d Streets NW.

The signers, described by the Embassy as "prominent Ukrainian public figures," also volunteered to "send to the American continent some sacred soil from the Chernechya hill where Taras (Shevchenko) sleeps the eternal sleep."

They applauded the poet, as do Americans of Ukrainian descent, but added: "We are resolutely against the malicious attempts of the enemies of the Soviet Union to use the poet's works against our country, against the cause of all humanity—the struggle for peace."

This was a reference to the anti-Soviet aims of some American sponsors of the Shevchenko statue. Because of these sponsors' tactics in gaining congressional approval for the statue, and because of the poet's questionable stature and significance, the project has become a matter of dispute.

The National Capital Planning Commission has been asked to review its approval of the statue at its February meeting.

SHEVCHENKO SCIENTIFIC SOCIETY, INC.,
New York, N.Y., January 3, 1964.

To the EDITOR, WASHINGTON POST,
Washington, D.C.

DEAR SIR: The following is written as a supplement to my first letter to you of November 25, 1963. It is written in the spirit and hope of bringing informed and intelligent understanding to the debate regarding the proposed Washington monument to Taras Shevchenko. It is written, too, with the knowledge that editorial writers are sometimes prone to oversimplify problems that are extremely complex both in historical context and contemporary meaning. The great failure of such editorial writers is that they neglect to take the time to make the type of informed and intelligent analysis required of such multifactor problems and events.

In the interests of bringing complete truth to the formation of intelligent public opinion on this and other vital questions, I feel sure that the Washington Post is among those important American newspapers who are responsibly dedicated to the people's right to know. It is in this sense that I feel assured that you will in fairness print this letter. My comments here and in my first letter are specifically directed against basic statements of misinformation and distortion contained in your editorials of October 18 and 25 and November 1 and 12 as well as your most recent news story of November 29, 1963.

I have waited patiently—but disappointedly—for the publication of my first letter, the complete text of which has already been published in the CONGRESSIONAL RECORD. This second letter, however, like its predecessor, is based on the weeks of careful research needed to compile an intelligent reply borne of facts rather than emotion.

I

You presented the following arguments in opposition to the erection of this monument: (1) that it would be a memorial to a poet who knew nothing of this land (U.S.A.) and (2) that Taras Shevchenko spoke neither to its past nor to its present generations (Nov. 1). Both statements are contrary to fact.

(1) In his short life and in spite of the Iron Curtain of the czars, Taras Shevchenko was exposed to basic American political thought and key American personalities in our history. One can, in fact, cite four specific instances through which Shevchenko came to understand the American ideal: (a) with the biography of George Washington by the American writer, Washington Irving, (b) with the text of the American Declaration of Independence, (c) with the American Negro actor, the famous Shakespearean player Ira Aldridge, of Philadelphia, when a close friendship developed between them in St. Petersburg, and (d) with the invention of the steamship by an American. When he was returning from his Asiatic exile on one of these boats navigating the Volga River, Shevchenko prophetically addressed this great American in his diary as the great Fulton and foretold the victorious march of the industrial revolution and republican democracy.

(2) Shevchenko did speak to the past generations of Americans of Ukrainian descent, and, moreover, the voice of his ideas and inspiration continues to echo loud and clear to the present American generations; the projected monument in Washington is the best proof of it. He has spoken to Americans since 1865 when the Reverend A. Honcharenko, a Ukrainian Orthodox priest, landed in Boston as a political exile, having in one hand the Gospel and in the other Shevchenko's "Kobzar" (folk minstrel). After the United States bought Alaska, Father Honcharenko became editor of a paper sponsored by the American Government, the Alaska Herald. In its inaugural issue he published Shevchenko's fiery political poem against Russian imperialism, "Caucasus," which defended the freedom-loving Caucasus nationalities. He also propagated there freedom for Siberia.

Since that time Shevchenko has been the people's champion, the Ukrainian George Washington, to more than 2 million Americans of Ukrainian descent. Do not forget our leading daily newspaper in the United States, Svoboda, is 70 years old and that it has been publishing history for a period that dates back more than one-third of the existence of the American nation.

In this same connection, the Ukrainian National Association in New Jersey was also founded some 70 years ago and it, together with hundreds of other cultural organizations in the United States, has had Shevchenko as its patron.

Thus for nearly a century there has existed in this country a cult of Shevchenko. He is remembered each year by manifestations, by concerts, and celebrations wherever Americans of Ukrainian descent live. A monument of Shevchenko by the world-famous American-Ukrainian sculptor, Alexander Archipenko, is in the Cultural Garden, Cleveland, Ohio. There is also a monument at the summer resort of the Ukrainian National Association in Kerhonkson, N.Y. And the Ukrainian Congress Committee has established Shevchenko freedom awards. This same cult exists in Canada where not too long ago a monument to him was unveiled in the presence of the Ukrainian Catholic and Orthodox Metropolitans of Canada.

But Shevchenko also speaks very loudly to all Americans of Slavic descent, and the interest in his legacy shown by the honorable Congressmen of Polish descent, DERWINSKI, DULSKI, and LESINSKI is not an accident but a continuation of the fight for freedom of Kosciuszko and Pulaski, the leaders of the Bar Confederation which centered in Ukraine and struggled against Russian imperialism.

Shevchenko speaks not only to those of Polish descent but also to those of Czech, Slovak, Slovenian, Croatian, and especially of Byelorussian, Bulgarian, and Cossack descent, a total of at least 20 million Americans. Therefore, according to the distinguished American scholar of Czech descent, Joseph Roucek, of the University of Bridgeport, "Shevchenko is universally regarded as the greatest of the Ukrainian authors and one of the great poets of the Slavonic world." (Slavonic Encyclopedia, Philosophical Library, 1949.)

That Shevchenko's ideas and his popularity have penetrated into the intellectual circles of Anglo-Saxon-originated Americans is evident from the bibliography of translations and articles. When we consider further the 20 million Afro-Americans who would be interested, if they had the opportunity, in the friend of their great Ira Aldridge, the sheer number of Americans involved is most impressive.

II

Your next argument is that "as a poet Shevchenko has no universal significance for Americans." Truly! This I find a preposterous void of reason and understanding. Can it be insignificant for American history that there existed in czarist Russia a poet who a century ago hoisted the banner of George Washington's "just and new law" upholding the ideals of the American Declaration of Independence? Has the ideological radiation of this great American contribution to humanity and of the name of the Father of this Nation far into Eastern Europe really no universal significance for Americans? Is it possible that in today's world this fact is unable to compete with Coca-Cola? Are the names of Goethe, Mickiewicz, Tolstoy, Ibsen, Voltaire, Strindberg better known to the American man in the street? If so, the monument of Shevchenko has a great educational mission to perform for the whole of Eastern Europe.

But in the term "universal significance" there is still a broader meaning borne of the fact that the American nation is a part of mankind. The point, of course, is obvious: whatever is of "universal significance" for all of mankind is also shared in by many Americans—even in spite of the fact that an editorial writer lacking in a true and complete understanding of history insists upon the repudiation of the American ideological contribution to East European history. Leading scholars of nations the world over agree that Shevchenko's works and life are of universal significance for mankind. From an abundant backlog of materials may I select scholars from these nationalities for whom the name of Shevchenko, according to your editorials, should be an "affront" or "offensive."

The late and renowned Russian authority, D. N. Ovsianiko-Kulikovsky, member of the Imperial Academy of Sciences, said in a speech entitled "National and Universal Human Elements in the Poetry of T. Shevchenko" which was delivered on February 27, 1911, at a festive meeting in honor of Shevchenko at the Imperial Academy of Sciences:

"Shevchenko can be regarded as a national poet and as a universal human poet, and in such way we can explain the value (importance) of Shevchenko for Ukraine, for Russia, and for the whole of mankind. To transform national (matters) into universally human, elevating them to the universal-human level, that is the secret of this genius."

One of the best German experts on Shevchenko, Gustav Specht, evaluates Shevchenko in an article whose title speaks for its content: "Shevtschenkos Sonderstellung in der Neueren Weltliteratur" (Shevchenko's Special Place in the New World Literature) in the Symposium on Taras Shevtschenkos, der Ukrainische Nationaldichter, Berlin, 1937.

The American-Polish expert, Prof. M. Giergielewicz, one of the leading specialists of Slavic literature in our country, now at the University of Pennsylvania, analyzes Shevchenko's work in his article "Shevchenko and World Literature" (symposium in memory of Taras Shevchenko, on the centenary of his death, 1861–1961, Shevchenko Scientific Society, library vol. 9, Philadelphia, 1962). Professor Giergielewicz writes:

"Freedom was the guiding motif and the main concern of Shevchenko's poetry. Whenever he looked into the past, his purpose was to trace and to acclaim the spontaneous struggle against any kind of tyranny, slavery, and oppression (p. 24).

"In world literature Shevchenko's place is among those poets who succeeded in impersonating the essential tendencies and longings of their respective countries. He contrived to reconcile the closest possible unity with the nation, and those universal ideals of mankind. He belongs to those exceptional artists whose deeds and words were so closely interwoven that both became a national legend" (p. 32).

The leading American authority in the Slavic field, Prof. Clarence Manning, former active executive officer, Department of East-ern European Languages, Columbia University, published a volume, "Taras Shevchenko, the Poet of Ukraine, Selected Poems, Translated With an Introduction," 1945, Jersey City, N.J. There he writes:

"In his lifetime many of the most penetrating critics in Russia saw fit to place him above Pushkin and Mickiewicz for his mastery of language and for the depth and sincerity of his ideas * * *. He formed part of that great flowering of poetry which commenced with the period of romanticism in Europe and he was one of those men who passed by a natural evolution to the great period of realism and of sensitiveness to the social problems of the day. Now in the 20th century we are learning as never before to judge him for himself, as a flowering of the Ukrainian character and as a man who has a message not only for his own times and country but also for the entire world. He has stood the test of time and he deserves one recognition in these days when the entire world is sunk in war and desolation. There is no doubt today that Taras Shevchenko is one of the great Slavonic poets. He is one of the great poets of the 19th century without regard to nationality or language and his fearless appeal to right and justice speaks as eloquently in the New World as it did in the Old."

Consider yet another evaluation of Shevchenko by one of the best translators of Slavic poetry into English, Prof. Watson Kirkconnell, president, Acadia University, a renowned Milton scholar and one of Canada's foremost linguists, and his coauthor, Prof. C. H. Andrusyshyn, University of Saskatchewan. We read in the "Ukrainian Poets, Selected and Translated Into English Verse" by C. H. Andrusyshyn and Watson Kirkconnell (University of Toronto Press, 1963) p. 89:

"Although his work appeals in the first place to his own people, in it clearly flame universal ideals that apply to any people on earth who strive for liberty and justice. He is unique among world poets in that he restored singlehandedly a submerged folk's consciousness of its separate identity and roused it to assert itself supremely as a nation.

"His great poem, 'The Neophytes,' one of the pearls of world literature, is a compendium of his entire life's mission and reveals him as a Christian seer proclaiming the eventual triumph of truth, goodness, justice, and fraternity over the forces of evil, and the emergence of humanity above tyranny and bestiality. As in the Old Testament one may read the entire history of the Hebrews, so in Shevchenko's 'Kobzar,' are to be gathered the essentials of Ukraine's vicissitudes in her thousand years of history."

Finally, I want to mention a UNESCO evaluation of Shevchenko "The UNESCO Courier," July-August, 1961, by Pauline Bentley entitled: "Taras Shevchenko, Ukraine's Poet of Freedom," which significantly starts:

"A hundred years ago a poet who was one of the world's great champions of freedom died in St. Petersburg. This year his centenary is being celebrated not only in his own land, Ukraine, but throughout the Soviet Union, and in many great cities of the world including the American capital, Washington, where a statue is to be raised in his commemoration. This man's name is T. Shevchenko, the Ukrainian poet and patriot who not only established his country's literature high among world letters, but who actually lived his poetry. A torchbearer of liberty, his whole life mirrored the sufferings of his oppressed country and the unconquerable, indomitable will of its people for freedom."

With the support of the American delegates and all the delegates of the free world, UNESCO has dedicated 1964 as Shevchenko's 150th birthday anniversary for commemorations to him throughout the world. This is without doubt the best testimonial to Shevchenko's universal significance for mankind which, in spite of your editorials, we believe also includes the American nation, the more so as Shevchenko's fight for liberty was stimulated by George Washington.

The universal significance of Shevchenko is formulated even more deeply by the refugee poet from Soviet Ukraine, T. Osmacka, the excellent Shakespearean translator, who died in New York last year. Writing in Slovo, a symposium of exiled Ukrainian writers, New York, 1962, page 294, he said:

"I am sure, if Shevchenko would appear before Shakespeare and Goethe, they would before their spiritual eyes see him as a God-inspired, saintly man because Shevchenko increased the glory of the Saviour as a lover of human beings.

"After Jesus Christ there is in the world no dearer human being than Shevchenko in spite of the fact that he is not such an expert of the heart and human beings as Shakespeare and in spite of the fact that he is not such a deep individualist as Goethe."

This is the deepest and finest tribute paid to Shevchenko by a contemporary writer who went through the hell of Stalinism and communism to eventually reach the freedom of America.

I trust this abridged selection of excerpts from the vast library of materials dealing with Taras Shevchenko will be sufficient for you to see his "universal significance" not only for Americans but for the entire world. I trust, too, that you will see these statements as an intelligent, scholarly, and factually based refutation of your statement of October 18 that "there is no legitimate reason why a 19th century Ukrainian poet * * * should be honored with a statue * * * in the Nation's Capital."

III

I now address myself to a correction of the gross lack of understanding expressed in your next argument against the monument contained in the editorial "United States, Russia To Share Ukrainian Hero" of October 25. To that editorial you appended on November 1 that "The poet is the idol of Communist Party members" and on November 12 that "The real irony of the matter, of course, is that Shevchenko is a hero to the Soviet Union where his name is memorialized in literally hundreds of place names. His monuments there are annually the object of Communist adulation."

Thus you say that Shevchenko is "the hero," "the idol" of Communists, and "the object of Communist adulation"; consequently you conclude that our free and democratic Nation cannot share him with the country of Communist despotism.

Evidenced in this bit of mental gymnastics is that contemptible technique of "guilt by association" popularized by the late Senator Joseph McCarthy with the able assistance of the American newspress and their standards of news evaluation which earns front page and bold face attention for the sensational—with little or no responsible regard for complete truth and fairness. By employing this McCarthyite method you reflect a gross lack of understanding of the basic principles of Communist cold war tactics against the free world. And to correct such a distortion it will be necessary to outline the entire background of these complex problems. That explanation begins with an understanding of the term "semantics" as that special branch of modern linguistics which investigates the meaning of words, their evolution, formation, changes in meaning, and the reasons for those changes.

The chief reason why the free world was cheated and deceived by Russian Communists for more than 40 years was America's lack of understanding that the same words of international terminology have completely different meanings in the Soviet Union than they do in America. From Izvestia comes the quotation, "To deceive your enemy is the true revolutionary method of the true revolutionary struggle." We exiled scholars from European universities became conscious of this fact immediately after coming to America in 1947. That is the reason why in 1949 I published a short dictionary of international terms having completely different meanings in Moscow and Washington. Under the title, "Soviet Semantics," this article appeared in volume V of the Ukrainian Quarterly.

The Russian Communists developed a "double talk" vocabulary, devised to mislead and confuse non-Communists, a real "upside-down" language. For instance, the Communist meaning of the word "democracy" is actually our meaning of dictatorship; "liberation" means the Communist takeover of a free country; "aggressor" means any person or nation opposing Soviet imperialism; "militarism" means the creation of non-Communist armed strength; "colonialism" means possessing territory that Moscow wants, and so on.

In America only Norman Thomas was aware of this fact and warned of it in a good number of speeches. In substance he said, "The Communists plundered the whole terminology of European liberalism, democracy, and humanitarianism and changed their meaning into the very opposite." (See Roman Smal-Stocki, Captive Nations, 1960. Bookman Association, p. 44.)

It was of fundamental importance that our late President, John F. Kennedy, with his grasp for ideological conception in the conversations with Khrushchev in Vienna in 1961 immediately became aware of this fact, in his television report (Time, June 16, 1961) he publicly stated:

"The facts of the matter are that the Soviets and ourselves give wholly different meanings to the same words: War, peace, democracy, and popular will. We have wholly different views of right and wrong, of what is an internal affair and of what is aggression. And, above all, we have wholly different concepts of where the world is and where it is going."

You, Mr. Editor, cannot say that you know nothing about the "Soviet double talk"; the more so, as Secretary of State Dean Rusk also warned American journalists in his address at the National Press Club in Washington, D.C., on July 10, 1961:

"The underlying crisis of our generation arises from the fact that the Soviet Union did not join the United Nations in fact, as well as in form, and lend itself to the commitments they and the rest of us made in the midst of a great war. The possession of power was transformed once more to ambition for more power.

"The capacity to defy law became a contempt of law. Doctrines were revised and adopted to promote an imperialism as old as the tragic history of man. An entire people was sealed off from the rest of the world, and secrecy became a prime strategic weapon. The institutions of the international community were either ignored or undermined from within. In the process the very language of international intercourse became distorted and contrived. 'Peace' became a word to describe whatever condition would promote their world revolution. 'Aggression' is whatever stands in its way. 'People's democracy' is a term applied to regimes no one of which has been chosen by free election. 'Self-determination' is loudly espoused but only in areas not under Communist control; the central issue of the crisis is the announced determination to impose a world of coercion upon those not already subjected to them." (U.S. News & World Report, July 24, 1961.)

Consequently, your statements that "The United States and Russia are to share the Ukrainian hero," that "Shevchenko is the idol of Communist Party members and is the object of Communist adulation" are the worst kind of public misinformation, unworthy of American journalism. They are journalistic crimes.

The only thing that the United States and the Soviet Union will share is the common word "Shevchenko"; and this word will be shared in the same sense that we share the common words: "democracy, imperialism, self-determination, aggression, peace, elections," etc. The content of the meaning, however, of this word "Shevchenko" in the free world (and this is the true meaning) represents the complete antithesis of the Russian Communist meaning. The Shevchenko of the free world is the antithesis to the Russian Communist falsified "upside-down" Shevchenko. The Russian Communist Party attempts in the Shevchenko case to commit in its old speciality, the continuous deceitful political-psychological warfare, its newest semantical fraud and ideological deceit by semantic tricks against the free world. Gullible American journalists have become Russian communism's victims.

Also, from another broader point of view your statements are unpardonable. Every college freshman knows that in the Soviet Union all liberal arts and sciences, fine arts, and literature have been under the dictatorship of the Russian Communist Party since 1922. American scholars (see the Symposium edited by Prof. C. E. Black, Princeton, "Rewriting Russian History," "Soviet Interpretations of Russia's Past," Frederick A. Praeger, 1956, 2d revised edition, 1962) analyzed how the principle of "Soviet Methods of Teaching History," expressed by M. A. Zinoviev, was realized in the field of history. "History is a powerful weapon of Communist education and it must wholly serve the cause of the struggle for communism."

The same principle was applied with even greater emphasis, however, to literature in the Soviet Union under the Russian Communist dictatorship; excellent evidence for this generally well-known fact is presented in the book by Maurice Friedberg "Russian Classics in Soviet Jackets" (New York and London; Columbia University Press, 1962). If that happened in the Soviet Union with the classical Russian authors like Pushkin, Turgenev, and Tolstoy, one can imagine what happened to the Ukrainian Shevchenko. Like the great Russian writers, Shevchenko also was degraded to an adornment of Russian Communist tyranny by making him a weapon of ideological warfare in the service of specific Soviet ideals through the use of different techniques including tampering with the originals, as was done with letters of Chekov and Dostoevsky. What happened to Pasternak and Yevtushenko is also a good example.

But Shevchenko was not always an "idol," and "hero" for the Russian Communists. From the beginning they were very suspicious of his works. Then in the years 1930–33 the Shevchenko scholarship in Soviet Ukraine underwent full destruction; in 1934 Shevchenko studies were put under complete party control. The Communist Party published an official interpretation of Shevchenko in the "Theses of the Section of Culture and Propaganda of Leninism of the Central Committee of the Communist Party (Bolsheviks) of Ukraine on the Occasion of the 120th Anniversary of the Birthday of T. H. Shevchenko." (Published in the Red Way, Nos. 2–3, 1934.)

(A good survey of the fate of Shevchenko under Russian communism is contained in the article of the exiled Soviet scholar, Petro Odarchenko, "Shevchenko in Soviet Literary Criticism," in the book Taras Shevchenko 1814–61, a symposium edited by V. Mijakovskyj and George Y. Shevelov (Columbia, Mouton & Co., 1962, 's Gravenhage, Holland)). In these theses the Central Committee explained that Shevchenko embodied in his works "the strength and weakness, the power and limitations of the peasant movement which was anathema to Karl Marx," and that Shevchenko's "political inexperience" was stressed and he was subsequently classified as a "bourgeois democrat."

Thus you can see that by 1934 Shevchenko was for Communists nearly an "enemy of the people." But since 1939, the falsification of Shevchenko went into full swing. He was "reinterpreted"; his biography was "rewritten" for promoting Soviet patriotism and Russian nationalism by making Shevchenko a kind of "forerunner" of the glorious Soviet era—as "the first revolutionary democrat in Ukraine and Russia."

Not until after 1950 did there appear in Soviet Ukraine some cautious criticism of those Communist falsifications of Shevchenko; a distinguished scholar, the late Bilecky, even had the courage to reveal that Shevchenko's only pronouncement on communism in his short novel Progulka had an "ironic and derogatory meaning."

Such a "Communist idol, hero, and object of adulation" was Taras Shevchenko even according to the opinion of a Communist authority on Ukrainian literature and Shevchenkology and to the Russian Communist Party.

IV

Up to this moment the action directed against Shevchenko's monument in Washington has been carried out along meticulously planned phases. The question is who has been doing the planning?

1. The first phase begun early in 1961 had Muscovite Communist action in the Russian and Ukrainian press in the Soviet Union attacking the Congress and the Americans of Ukrainian descent in the usual vulgar manner. It was an internal Communist balalaika concert.

2. The second phase began with the appearance of the first of the Washington Post editorials in October 1963 precipitating, in turn, an internal American discussion.

3. In the third phase the Washington Post broadened its action against the Shevchenko monument by inviting foreign intervention into this internal American discussion. The Washington Post asked the head of the Ukrainian delegation to the United Nations (that means in fact the Soviet Union), L. Y. Kizya, for his opinion on this purely American matter and he readily obliged. Kizya's letter is an ideological Communist intervention into American interior affairs and it represents a kind of diplomatic missile in the same sense as the real missiles did during the Cuban intervention.

4. Finally, in Literaturna Gazeta from Kiev, November 29, 1963, there appeared—by order of the Russian Communist Party—an open letter addressed to the Ukrainians, to the Ukrainian Community in America, and to the "Shevchenko Memorial Committee." Here, indeed, was a second missile of intervention into American affairs with formulated propositions.

The Washington Post is fully responsible for this new Kizya twist in the action against the Shevchenko monument, and I will try to explain to you, Mr. Editor, the implications of your invitation to L. Y. Kizya to participate in the row and of his intervention.

5. Of course, in between these phases there surely were diplomatic interventions with oral or written missiles by the Soviet Embassy at our State Department, but their content is still top secret.

Against the presented background of Shevchenko's universal significance for mankind and America, against the background of the Russian Communist "up-side-down" language and the Russian Communist "up-side-down" image of Shevchenko, including the plight of liberal arts and sciences, of fine arts and literature under Communist dictatorship, I now evaluate your last base news story of November 29, "UN Official Joins Shevchenko Row."

That an American journalist would debase himself and his human dignity as well as the dignity of the free press to this nadir of nadirs by writing to the representative of Soviet Ukraine in the U.N., the representative of the Russian Communist terror and police state, requesting his opinion about the Shevchenko statue in the Capital of free America—Washington, D.C.—I would have never believed, but it happened.

Has the newspress of the United States, amid its constant clamor for freedom and pledges of responsible journalism, reached that point of moral and professional disintegration where it begins to hold the opinion of a Communist henchman in diplomatic clothing in greater respect than it does statements from the President of the United States? In this connection allow me to quote the text of a letter addressed to me on March 25, 1961, in New York as president of the Shevchenko Scientific Society from the late President John F. Kennedy:

"I am pleased to add my voice to those honoring the great Ukrainian poet, Taras Shevchenko. We honor him for his rich contribution to the culture not only of Ukraine, which he loved so well and described so eloquently, but of the world. His work is a noble part of our historical heritage.

"John F. Kennedy."

Has the great American newspress also reached that point of intellectual paralysis where it no longer has respect for the American principle of due process of law as demonstrated by the U.S. Congress in its public hearings on the erection of the Shevchenko monument? Out of these hearings came unanimous acceptance of the resolution together with House Document No. 445, titled "Europe's Freedom Fighter, Taras Shevchenko, 1814–61," which summed up the paramount reasons why the statue should be erected and the highlights of Shevchenko's universal significance as reflected in his works and tragic life.

The democratic process of discussion in the hearings, statements of American scholars and university professors, the unanimous resolutions of the Congress, the statement of our late President—none of these are sufficient. You, a free American journalist, a representative of the free press of America's Capital, you asked for the expert opinion (and I suspect also for a provocative approval for the Shevchenko statue) from a U.N. official who as head of Communist Ukraine's Delegation represents a regime which has for decades abolished all freedom of the press, of thought, of liberal arts and sciences, of fine arts and literature. In Kizya you found a "really qualified authority" for the Shevchenko monument to be built by American citizens in the American Capital.

The Washington Post–Kizya affair has two aspects and they require full clarification: (1) the evaluation of your appeal to Kizya as a political act, (2) the political and moral evaluation of Kizya's answer to the Washington Post.

1. Your letter to comrade Kizya has very deep implications and disturbing significance for all Americans of captive nations origin. And I am sure you did not think about these implications. Allow me, therefore, to pose some questions which might set you to thinking:

(a) Do you think, Mr. Editor, that given a similar situation involving Moscow, a Russian Communist journalist from a leading Moscow paper would ask "expert opinions" about an American statue in Moscow from an American representative in the U.N.? From a nation whose government and leaders until recently were called capitalist bloodsuckers, gangsters, slavedrivers, fascists, colonialists, etc.? From a nation regarded as the No. 1 enemy of communism?

I am an outspoken enemy of communism, but I know that Communist journalists have, according to their Marxist-Leninist value system, their own idea of national and professional honor. Therefore, a Russian Communist journalist would have never, never done it.

I am asking you publicly where is your honor as a free American journalist and an American citizen? Where is your human dignity?

(b) Do you not think that by your letter to Comrade Kizya (whose full text and Kizya's full reply you still keep secret), you acted unloyally to our Congress, the late slain President, and even to us, the American citizens of Ukrainian descent, by discriminating against our rights as American citizens to act freely here in the United States, without the supervision and control of the Russian Communists and their agents in the U.N.? Has it come to the point where we American citizens and our Congress need the advice and consent of Russian Communist dictatorship for our actions in the Capital of free America—advice and consent which a representative of the free American press in our Capital is only too eager to obtain from a member of the U.N. Russian Communist spy nest?

(c) By your letter to Kizya did you not place in Communist hands an excellent weapon which they can use in their cold war battle against our Government? Did you not do this in the sense that this act will be evaluated even in the free world as a demonstration of your contempt for the President, the Congress, and the rights of all American citizens of captive nations origin?

(d) Is it not a disgrace that we, free American scholars in free America, are disregarded by an American free journalist as authorities about Shevchenko and our old country for a representative of the Russian Communist police and terror state in the United Nations?

Thus does the Washington Post and you, Mr. Editor, fail to recognize even the existence of free American scholarship and the free scholarship of the free world as the source of expert information about Shevchenko. Instead, you regard as a qualified expert L. Y. Kizya, the representative of a regime which has abolished academic freedom, all human rights, and has the most bloody and criminal record in the whole world's history. You, a free American, asked for the "expert" opinion of a representative of the Russian Communists, the butchers of Budapest, the murderers of Katyn, of Nagy, and Malypetr, of the Americans Juliet Stuart Poyntz, Walter Kriwitsky, Maning Johnson, Lawrence Duggan, Abraham Feller, of Leon Trotsky, and on and on. The Washington Post asked for an expert opinion on Shevchenko, the bard of Ukraine, a representative of the Russian Communist Party and government which murdered the Ukrainians: Petlura, Oskilko, Konowalets, and recently in Germany Dr. Rebet and Bandera.

You asked for an opinion from a representative of the government and party whose responsibility, by due process of law, was by a free court in Germany established on the basis of a confession of the killer of Rebet and Bandera, who acted on orders of the Soviet Government and was decorated by the Soviet Government for the murder.

You asked for an "expert" opinion on Shevchenko, a representative of the Russian Communist Party and government which in the 1930's committed an act of genocide against 5 million Ukrainians and the Ukrainian nation by a manmade famine to break the resistance of the Ukrainian peasants. From a government and a party which during World War II was responsible for the Ukrainian Katyn's of Winnitza, Stanislaviv, Lvov. From a government and a party which liquidated in the 1930's more than 200 Ukrainian poets, writers, and scholars. From a government and a party whose criminal leader Stalin (according to the secret speech of Khrushchev) himself planned the "resettlement" of the Ukrainian nation behind the Urals, from a government and a party which committed genocide on the Chen-Inglish, Volga Germans, Crimean Tartars, Kalmyks, Kabardino-Balkars, and Karachai? From a government and a party which has such a record of anti-Semitism and of persecution of all religions? (See Dr. Joseph Lichten, director of the Foreign Affairs Department of the Anti-Defamation League of B'nai B'rith. "The Jews in the Soviet Union," paper No. 13, Slavic Institute, Marquette University, 1962.)

(e) Is it not a disgrace that free American scholars are not regarded as experts on Shevchenko by the Washington Post in place of an opportunistic Ukrainian flunky of bloody Russian communism, of this communism which is the very antithesis to Christianity, freedom, truth, justice, and peace for which Shevchenko stood?

In summary: your inclusion into our discussion in this free American society of a Russian Communist agent as an "expert"—representing as he does such a record of infamy, atrocity, and barbarianism—is from the moral point of view a scandal, and from the political point a crime.

The Russian absolute czar gained from the disintegrating Turkish Ottoman Empire through aggressive wars the right to "protect as 'experts' all the Orthodox, especially Slavic Orthodox peoples," and thus to mix themselves in all Turkish interior affairs. The Washington Post granted the representative of Red Russian absolutism a similar right to appear as an "expert" on Ukrainian matters and to mix himself into American interior affairs in the very Capital of the United States of America. In fact, this "expert big brother protection" is granted for all captive nations matters because through him, is speaking in fact, the Soviet Union and its Russian Communist Party ruling them.

Is the United States, according to the Washington Post, still a sovereign nation in which American citizens of Ukrainian captive nations origin can remain free of the "expert-protection" and jurisdiction of the Soviet Union and its Russian Communist Party? Or does the "big brother" already enjoy some "expert" privileges granted him by a free paper of the American free press of our Capital? Quo Vadis Washington Post?

2. And now I present an evaluation of Kizya's answer to your Washington Post, an answer which is an admirable piece of communistic psychological warfare which took into consideration all the editorials:

(a) In publishing this answer of a Communist official of the U.N., a beloved and traditional spy center of the Russian Communists, you, Mr. Editor, committed a significant spelling error in the headline of the term "Ukrainian" which proves that somebody in your office is even ignorant about that. Your headline read: "Ukrainian Pleads for Statue." At least this mistake separated us, Americans of Ukrainian origin, from the "Ukrainian" Comrade Kizya, your expert.

(b) Kizya completely ignored all the malicious, vulgar, and imprudent insults of the Ukrainian nationhood and nationality contained in your editorials; he, the Communist, enjoyed them as excellent ammunition for the future against "ugly America."

(c) The Communist was pleased and happy to assume the role of the supreme "expert" on Shevchenko, his monument, and the actions of the American citizens and scholars who are sponsoring it in the Capital of free America. He did so at the invitation of the Washington Post.

(d) Kizya simply passed with the silence of a sovereign the accusations of your editorials that Shevchenko is anti-Russian, anti-Polish, anti-German, and all the other anti's. He did so simply because they were too stupid for him to discuss.

(e) Kizya passed with silence any ideological connection of Shevchenko with George Washington and his "new righteous law," as an indirect kick in the teeth for our Founding Fathers.

(f) Kizya, the Communist, enlightens the illiterate but free American journalist of a leading paper in our Capital (which has three universities and the Library of Congress) who Shevchenko is; and the free American journalist printed it again completely unaware of the semantic "up-side-down" language of the Communists: a language so well understood by our Communist-slain President J. F. Kennedy:

"He (Kizya) showed a reverence for Shevchenko equal to that displayed by the poet's American admirers. Terming him 'a great son of Ukraine, an uncompromising fighter against slavery and injustice, against social and national oppression,' Kizya said Shevchenko 'deserves to have his statue decorating one of the squares of the U.S. Capital.' "

The Washington Post still has not made public the full text of both letters.

(g) Kizya's letter implies that, of course, these ideals of "the great son of Ukraine" Shevchenko, have long been realized in Ukraine and the Soviet Union through the efforts of Lenin, Stalin, and Khrushchev: freedom, justice, social and national self-determination, a happy working class, a happy farmer class which produces, for example, grain in abundance. Anyone who doubts it is a liar whether he be an American scholar, plain citizen, Congressman or Senator, even including journalists, and the Secretary of State and even our late President.

(h) It also implies that the great ideals of Shevchenko realized in the Soviet Union, are still not realized in our "retarded and backward" nation, as D. Ostrianyn in attacking the monument (Komunist Ukrainy, Feb. 2, 1961) so eloquently described the case while officially interpreting Shevchenko's appeal about the "just and new law of Washington":

"Today all the righteous laws (of George Washington) in the United States have been buried; there exists a reign of the most highhanded reactionary social forces, a ruthless enslavement of workers, and racial and national discrimination."

(i) Therefore, Kizya, with a feeling of proud superiority, says that Shevchenko's and Washington's ideals have been fulfilled in the Soviet Union, fears that we, Americans of Ukrainian descent, will doubt the truth of his assertion and, therefore, he protests the efforts of the American sponsors of the statue to use it to fan up animosity toward Soviet Ukraine, and all the more to aggravate the cold war.

But Kizya has great plans for the United States with the Communist "up-side-down" Shevchenko ideology and states: "Nowadays in the age of radio, movies, and television, (Shevchenko) can play an important role in the enrichment of the culture of the American people"—apparently in the first line of the Washington Post Slavic concerns. But as today, according to D. Ostrianyn (Komunist Ukrainy, Feb. 2, 1961), "All the righteous laws (of George Washington) in the United States have been buried" and they are realized and preserved only in Soviet Ukraine and the Soviet Union, Kizya apparently feels that the Russian Communists have a mission to restore them, like in Cuba.

(j) Summing up: Kizya protests that American citizens of free America claim, first, the right to defend the true image and ideological heritage of Shevchenko, the champion of George Washington, and secondly, he demands the establishment of full thought control over American citizens of Ukrainian descent, according to the objectives of the Russian Communist Party, and lastly, what is contained in the meaning of Shevchenko's words about the "new and righteous law of Washington" has to be decided in Moscow by the Russian Communist Party and not in Washington, D.C., where the American Declaration of Independence was and is realized, and especially not by free American citizens. Thus, Kizya attempts to construct a new ideological Berlin wall around Americans of Ukrainian descent in the United States and all this is perpetrated with the blessing of the Washington Post.

L. Y. Kizya, brought now officially into the discussion the existence of the cold war in support of your opinion (October 13) that "the Ukrainian-American sponsors conceive the statue to be a blunt weapon in a fierce cold war propaganda against the Soviet Union," an editorial which you surely submitted to him.

Let us now analyze this cold war accusation of the Washington Post and Kizya against the sponsors of the Washington monument.

Before pointing the finger of blame at Americans of Ukrainian descent for allegedly fanning up animosity against the Soviet Union through this Shevchenko affair and for participating in the cold war, let us first establish a clarification of this basic problem: What is the cold war? As a background, I quote from the speech of our late President John F. Kennedy which was delivered in Kizya's presence in the U.N. on September 21, 1963:

"Our conflicts, to be sure, are real. Our concepts of the world are different. No service is performed by failing to make clear our disagreements. A central difference is the belief of the American people in self-determination for all peoples.

"We believe that the people of Germany and Berlin must be free to reunite their capital and their country. We believe that the people of Cuba must be free to secure the fruits of the revolution that has been so falsely betrayed from within and exploited from without.

"In short, we believe that in all the world—in eastern Europe as well as western, in southern Africa as well as northern, in old nations as well as new—people must be free to choose their own future, without discriminations or dictations, and without coercion and subversion."

Again, may I quote from the deceased President's speech in Baltimore on September 16, 1960:

"To rail against colonialism while holding in strictest bondage a great empire stretching from East Berlin to Vietnam is to achieve new heights of hypocrisy."

And again may I quote from the commencement address at American University in Washington, D.C., on June 9, 1963:

"As Americans, we find communism profoundly repugnant as a negation of personal freedom and dignity. But we can still hail the Russian people for their many achievements. So let us not be blind to our differences. And if we cannot end our differences now, at least we can help make the world safe for diversity.

"Speaking of other nations, I wish to make one point clear. The United States will make no deal with the Soviet Union at the expense of other nations and other people not merely because they are our partners, but also because their interests and ours converge."

Is it a crime in the opinion of the Washington Post for us as American citizens to be inspired by these pronouncements of our late slain President?

A second basic question that requires an answer in this debate is: Who was and still is the aggressor in the cold war which has been going on since 1949? Just who is it that has deprived all the captive nations of their liberty, who has violated the Atlantic Charter and the U.N. statutes, and who has placed missiles in Cuba? And who is it that has undermined the whole of Latin America?

I call your attention to the statement of our Under Secretary of State for Political Affairs, Averell Harriman (New York Times, Oct. 26, 1963) who cautioned the American people against being misled by the treaty for a partial ban on nuclear testing, or the euphoria which has followed it.

He (Harriman) said that Premier Khrushchev had made it very clear to him that the ideological conflict continues, and that no coexistence was possible in this field. Both the Soviet Union and Communist China, Mr. Harriman said, are determined to achieve their objective of world communism. (His views were expressed in a speech prepared for delivery at a dinner meeting at Columbia University's 24th American Assembly at Arden House.)

Consequently, taking into consideration the words of our slain President, of our distinguished Under Secretary of State, and of the Muscovite Dictator Khrushchev himself, we see (1) the ideological cold war of the Russian Communist dictatorship against the United States and the free world is a fact which we have to face; (2) the Russian Communists are the aggressors, according to Khrushchev himself.

Therefore, it is not the Americans of Ukrainian descent with their Shevchenko monument who are provoking the cold war against Russian Communist dictatorship; indeed the very opposite is true: it is the Russian Communists who are employing their aggressive, perfidious, cold war methods even against the Shevchenko monument and, in effect, against the existence of free America.

It is a fact that the cold war and all its phases was originated and continues to be masterminded by the Russian Communist Party against the United States and the entire free world. Kizya's letter to you is convincing proof of what gigantic importance the originators of the cold war in Moscow have attributed to the monument of Taras Shevchenko in Washington. They cannot permit the true, unfalsified ideology of this champion of George Washington to radiate from Washington, D.C., to all captive nations, so through Kizya, they now openly intervene by using the Washington Post.

Do you honestly believe that the Communists want peace and that they will give up the cold war? If so, it is very simple to achieve and the formula is rather old: "Peace on earth to men of good will"—only to them. And they can have it immediately by granting to all captive nations the supreme human value of freedom proclaimed by George Washington and his champion, Taras Shevchenko, by granting them the same status as the former colonies have in Africa. Then the cold war would be immediately banished.

The third basic problem to be clarified is, What is the final aim of the Russian Communist aggression in the cold war? In short, it is the annihilation of the United States and the free world. And therefore the Russian Communists realize that the true and unfalsified Shevchenko cannot be allowed to speak as a symbol from Washington, D.C.; instead they promote their up-side-down version of Shevchenko, pretending, as Kizya implies, that in the Soviet Union his ideals of freedom and brotherhood have already been realized.

The joint attack and argument of the Allies, the Washington Post and Kizya, that the Shevchenko monument can be used for the cold war "to fan up animosity" and "aggravate the cold war" demanded this lengthy explanation of the whole cold war complex.

But the Washington Post is still unaware how logically absurd are the excerpts from Kizya's letter that were published. First, he lectured you, Mr. Editor, that Shevchenko was "an uncompromising fighter against slavery and injustice, against social and national oppression" and that he "deserves to have his statue decorating one of the squares of the U.S. Capital."

Second, he lectured you about the "nationwide Shevchenko festivities" in the Soviet Union, including the erection of a monument in Moscow, for his 150th birthday anniversary. Besides you know (November 12) that Shevchenko's name is memorialized in Ukraine in literally hundreds of place names.

How can the monument in Moscow of Shevchenko, "the uncompromising fighter against slavery and injustice, against social and national oppression," with many monuments all over Ukraine—how can the same Shevchenko monument in Washington, D.C., be interpreted or directed against these ideals of Shevchenko—the fighter against slavery and injustice, against social and national oppression? All Americans adore these ideals, the more so as they are written in "Washington's new and righteous law," the American Declaration of Independence.

Therefore, how can Shevchenko's statue be used "to fan up animosity toward Soviet Ukraine and all the more to aggravate the cold war"? Because the monument of Shevchenko in Washington, D.C., will also be dedicated to the same "uncompromising fighter against slavery and injustice, against social and national oppression." Therefore, the protests of Kizya simply make no sense and are insulting to the intelligence of the readers of the Washington Post. Does Kizya really believe that Americans are for slavery and injustice, for social and national oppression the world over, including Ukraine and the Soviet Union? Does he believe that we Americans of Ukrainian descent want by this monument in Washington to challenge the ideals of Shevchenko which Kizya would have us believe are already realized in the Soviet Union—the ideals of freedom, justice, social and national self-determination?

Kizya's argumentation makes no sense, and every reader becomes aware of an either-or dilemma. Either: the aims of the "uncompromising fighter against slavery, injustice, and social and national self-determination" are already realized in Soviet Ukraine and the Soviet Union—and in this case the Shevchenko monument in Washington cannot logically be used as a weapon in the cold war at all; on the contrary it will be a tribute not only to Shevchenko but to the Soviet Union as well. And in this case all scholars, journalists, Congressmen, and Senators, even our President are misinformed or else they are deliberate liars about the realities of the Soviet regime.

Or the opposite is true. In Soviet Ukraine the ideals of Shevchenko are not realized; there is slavery, injustice, social and national oppression, violation of the statutes of the U.N. and of the Human Rights Charter. Here, indeed, is a situation in which a monument in Washington, D.C., dedicated to this "uncompromising fighter against slavery and injustice, against social and national oppression" can "fan up animosity" because it will disturb the conscience of the world and even of the Russian Communist imperialists in the Kremlin. In this case the Shevchenko monument will also be a monument to the fact that Kizya and his Russian Communist dictators are imposters, liars, and ideological crooks who wish to deceive the United States and the free world.

But in this case the "animosity" is not the business of us American citizens. We know who originated and who is continuously conducting the cold war, which has most recently reached Cuba. Our country gave the world Washington, Jefferson, Lincoln, and Wilson. Our slain President also proclaimed self-determination and freedom for all peoples of the world. Did his pronouncement also "fan up animosity" against the Russian Communist dictatorship and was he therefore murdered by a Moscow-trained Communist?

For the "peace of mind" of the Russian Communist dictatorship are we now to permit them to assassinate the ideological heritage of Shevchenko in the free world, by blowing up with the dynamite of lies, malicious smear, suspicion, and provocations the realization of Shevchenko's monument which has been presented to the Capital of America and the American nation by American citizens of Ukrainian descent?

May I assure you, Mr. Editor, the very existence of free America with or without the Shevchenko monument in Washington, D.C., is an "animosity" for the Russian Communists and therefore Khrushchev "wishes to bury us."

The intervention of Kizya through the Washington Post is a masterful example of the cold war techniques of Communist dictatorship. So, Mr. Editor, you should not complain about waiting 4 weeks for an answer from Kizya. In Moscow the cold war is conducted not by illiterates and liberal amateurs but by Communist experts and specialists. (See "Soviet Speciality: Political Warfare," Communist Affairs, vol. I, No. 8, 1963, pp. 3–7 and with a good bibliography. Research Institute on Communist Strategy and Propaganda, School of International Relations, University of California.)

The Agitprop (the Department of Propaganda and Agitation), operating under the Presidium and the Secretary of the Central Committee of the Russian Communist Party, works closely with the Soviet Foreign Office which has a large psychological warfare department using for this purpose all the radio broadcasting facilities. In foreign countries the Soviet ambassador himself or an Agitprop expert directs all the activities, assisted by the press attachés as well as leading Communists of the country. Any and all "international organizations" serve as propaganda platforms for the Communists, but their current favorite is the United Nations. (See "The Soviet Record in the United Nations," Communist Affairs, vol. I, No. 8.)

Surely all this Communist Agitprop apparatus was immediately alarmed by the project of the Shevchenko monument in Washington, D.C., and its symbolism was fundamentally discussed (a) for Soviet Ukraine, (b) for the captive nations, and (c) for the free world, especially America.

As a lifelong student of Agitprop, I present you Agitprop's whole scheme. Agitprop has past experience in evaluating Shevchenko's symbolism because Soviet Ukraine has already had the impertinence to present a Shevchenko monument to Canada at Palermo for Communist propaganda.

(a) Shevchenko shaped modern Ukrainian nationalism under the inspiration of George Washington, the Father of America.

(b) Shevchenko struggled not only for the freedom of Ukraine, but for all victims of Russian imperialism from Finland to Rumania, from Poland to the Caucasus and Turkestan.

(c) Consequently, there is for the Communist world revolution an eminent danger that this Shevchenko monument in Washington can become the "monument to freedom of all captive nations," which will continuously by its very existence in Washington embarrass the Russian Soviet Government and Communist Party in its "mission to liberate colonial peoples from Yankee imperialism," especially in Latin America. In another respect the monument will have deep repercussions among all the captive nations which are friendly to America and outside the Soviet Union.

It is for these reasons that the Shevchenko monument in Washington must be either killed or annexed by the Russians. Otherwise the Shevchenko monument in Moscow and the dozens in Ukraine can get a completely different and "un-Soviet" meaning and be regarded, in fact, as a tribute to George Washington and to American freedom, and as a challenge to Communist dictatorship.

There can be no doubt that all Agitprop offices conducted special meetings on this matter at which was elaborated a similar plan of gigantic counteraction both inside the Soviet Union, by presenting Shevchenko as a forerunner of Russian communism, and in the United States and throughout the free world. And the counteraction is and will be directed on all levels and by all means with the following aims in the United States:

1. Either still make the construction of the Shevchenko monument impossible or, at least delay it, by the big lie and Pavlovian methods of smear techniques against which native Americans are helpless because they are completely illiterate in Slavic and Communist matters.

Agitprop's instructions to its agents were to collect all printed material against the Shevchenko monument in Washington, D.C. At the proper time it will be used as ammunition for propaganda against America in Soviet Ukraine and in all the captive nations not for fanning up "animosity" but rather revolutionary hate and contempt toward Americans, for their illiteracy and lack of culture.

In due time, too, out of this material will be constructed all the arguments against the Shevchenko monument as an insult not only to the Ukrainian nation, but to the whole of Slavdom. The next effort will be to demonstrate to Ukrainian and all Slavic nations of what little value to present-day Americans is Shevchenko and Washington's "new and righteous law." Another likely move will be to prove by the material that Shevchenko misinterpreted Washington's "new and righteous law," and that true freedom and justice were realized by Lenin in the Soviet Union. Above all, they will use the press material planted by proper transmission belt operators into the American press to undermine any sympathy in the Soviet Union and the Socialist camp for America and its ideology.

2. Or eliminate from the Shevchenko monument project all symbolism which can be used against the Communist world revolution and its mission to liberate colonial peoples by doing the following:

(a) Officially supporting the idea of the monument, welcoming it and integrating it into the great program of Shevchenko festivities in the Soviet Union and thus assuring that it will not be directed against Marxism-Leninism or the Soviet Government. Therefore, publicly oppose and rectify the planted anti-Shevchenko material in the American press in order to ridicule it and in order to achieve for the Soviet Union Government and the Communist Party as a matter of record the merit of having saved the monument from American ignorance and arrogant attacks.

(b) In order to completely eliminate any possibility that Shevchenko might become an anti-Soviet symbol, attempt to propagate among Americans of Ukrainian descent the invitation of a Ukrainian Soviet delegation to the unveiling of the monument—a delegation which would appear with a bag of soil from Shevchenko's grave and ceremoniously deliver it on behalf of the "Ukrainian Soviet People," thus demonstrating the realization of Shevchenko's ideals in the Soviet Union before all of official Washington and American public opinion.

For every specialist in and student of Russian dialectical communism it is obvious that the psychological warfare with its Pavlovian methods so confusing to Americans was an elaborate part of this "Operation Shevchenko." Whichever of these two plans is used, Soviet Moscow and the Communist Russian Party is and will continue to be the winner and America the loser. The reason is because Moscow convincingly demonstrates before the whole world the illiteracy in Slavic and Soviet matters, and the complete naivete of the United States as the leader of the free world.

We had already witnessed the enumerated phases of the operation and therefore there came to us not as a surprise, excellently harmonized with your editorials and Kizya's letters to the Washington Post, the open letter in the Literaturna Ukraina to the Shevchenko Memorial Committee in New York formulated according to the Kizya scheme: (a) eulogy on Shevchenko, (b) protest the use of Shevchenko against the Communist hypocritical peace movement, and finally (c) the proposition to send some soil from Shevchenko's grave (from which the Russian Communists removed the huge iron cross) for the monument in Washington, D.C., and even to participate in the unveiling ceremony by sending a delegation. Naturally, the test ban treaty is also mentioned by the signers of the open letter, but they do so without knowing about the pamphlet of our Department of State which lists the many treaties the Soviet Union has already broken with the United States. Nor do the signers of this letter know that Lenin's government also once recognized the independence and sovereignity of the Ukrainian Democratic Republic.

This Kievan letter is actually an extension of the Kizya letter to you at the Washington Post, and it had definite political aims. We Americans citizens are here tempted with the sentimental value of the soil from Shevchenko's grave and even by a delegation to the unveiling of the monument in Washington, D.C., to insure to Shevchenko the honor he deserves. In the name of peace they preached to us a kind of coexistence—this in spite of Khrushchev's frank statement about the impossibility of ideological coexistence. The fact is that he is completely right; successful coexistence with Russian communism's atheistic materialism is as absolutely impossible as coexistence of an individual with cancer.

We have the deepest sympathy with the signers of this letter, with these unhappy human beings, the survivors of Marxism-Leninism-Stalinism, whom Russian Communist dictatorship degraded to obedient serfs, to instruments of the Party's Agitprop and who are pushed around and exploited for Communist purposes by this Russian tyranny. This Communist despotism broke their backbones into rubber; they still remain silent against the falsification of Ukrainian classicists among them: Shevchenko, Franko, Lesya Ukrainka, Fedikovych, Kobylanska, and Oles. They fail to protest the new party program of 1961 which calls for the Russification of all non-Russian languages and the effacement of national distinctions, including especially of language distinctions. Their lips remain silent over cancellation by Moscow of the announced publication in 1963 by the Ukrainian Soviet Academy of Sciences in Kiev of "The Etymological Dictionary of the Ukrainian Language," the language of Shevchenko.

Now, however, in the matter of the 150th anniversary of the birth of Shevchenko, the patron of our First Ukrainian Academy of Sciences, of the Shevchenko Scientific Society, preserved in the free world—the signers speak to us for the first time as they were ordered to take the floor.

But we know that they are speaking to us, free American citizens, by order of Kizya and the Agitprop; we understand also that the Russian Communist dictatorship wants to use the soil only as bait for emotional people; we know, too, that this whole soil plan as well as the proposed delegation is nothing more than the usual Russian Communist semantic trick. To accept this proposal would mean the desecration and profanation of this soil and the ideals it stands for by demanding that we, free American citizens, publicly agree before the whole world during the unveiling of the Shevchenko monument that the political regime which ordered the signers to speak and to act, has also fulfilled in Ukraine and the Soviet Union Shevcheko's ideals of freedom, justice, social, and national self-determination.

And this regime will even expect gratitude from us for this soil—a soil saturated with the blood of millions of Ukrainian victims and freedom fighters who died faithful to Shevchenko while struggling against Russian imperialism. By accepting this soil and delegation, behind which is contemporary Russian imperialism and colonialism, we American free citizens, would become false witnesses of Kizya, Russian communism, and its Agitprop—by our acceptance we would propagate a monstrous lie to the free world, a crime against truth, freedom, justice, and against the very memory of Shevchenko and Washington; in fact by such an act we would profane the free soil of George Washington in the United States.

We American citizens of Ukrainian descent know that the political regime behind Kizya and the Russian Communist Party is a crossing of Ivan the Terrible's Oprichniki terror-police-tyranny and the Russian Black Hundreds program.

To speak with the language of the Washington Post the new Kizya intervention is a clearcut plan "to kidnap" the true Shevchenko symbolism of the planned monument in Washington, D.C. for the Russian Communist dictatorship, for Russian imperialism, and colonialism over all captive nations.

We are citizens of a free and open society and wish to remain such, dedicated to the ideals of George Washington and his Ukrainian champion Shevchenko. We cannot permit Kizya, the Russian Communist Party, and its Agitprop to publicly transform the unveiling of the Shevchenko monument in

Washington, D.C., a tribute to Washington and Shevchenko, into a Communist glorification of barbarian Russian dictatorship.

We know there is no substitute for freedom, and that the philosophy upon which our country has become great is freedom.

We know, too, that a vile, a godless, and conscienceless foe is intent upon using our freedom to destroy our freedom.

We refuse to help this foe; we are dedicated to the defense of America's ideological heritage and we mean it, so help us God.

Kizya must finally realize that we American citizens of Ukrainian descent are not suckers. He must also realize that we are determined to stop his ideological intervention in Washington, D.C., regarding the Shevchenko monument.

VII

Let me also frankly correct you regarding the symbolism of the Shevchenko monument in Washington, D.C., as conceived by its sponsors.

I explain and underscore the fact that the monument is first and foremost not directed against something but for something.

1. This monument of Shevchenko in Washington will be, in fact, the expression of our reverence for the Father of the American Nation, George Washington, and the immortalization of Shevchenko's prophetic appeal and assurance, "When will we receive our Washington, with a new and righteous law? And receive him we will some day in spite of all the obstacles." For us, Shevchenko and Washington are inseparable.

2. This unshakable monument will be the symbol of our faith and hope in the universal validity of George Washington's law (the ideas of the American Declaration of Independence).

3. This monument will be the expression of our deep gratitude to the American Nation, which in the era of Stalinist barbarism, opened its gates wide for us exiles and conferred upon us its citizenship and all liberties of this new and just law.

4. This monument will be the symbol of the innate longing for liberty not only of Ukraine, but of all oppressed nations and their struggle against contemporary tyrants and hangmen—which, we believe firmly, soon will lead to a just peace and true brotherhood of all nations. This monument is being built for this purpose.

5. The monument to Shevchenko is meant to symbolize the poet's prophetic words about universal human happiness that "on the rejuvenated earth, there will be no foe and enemy, but there will be a son and a mother and together all will be." And for this Shevchenko prayed with these words: "Together all on earth bless God by spiritual unanimity and brotherly love."

The fact that the projected monument in Washington, D.C., has already generated repercussions in the whole Soviet empire proves only Shevchenko's gigantic stature as a champion of Washington. But repercussions are not the fault of us American citizens. Those responsible are the originators and continuators of the cold war, those who regard the very existence of the United States as the greatest animosity for their Communist world revolution—with or without the Shevchenko monument in Washington, D.C.

VIII

Mr. Editor, I have now submitted to you with factual accuracy the proper material for every argument you raised against the Shevchenko monument in Washington, D.C. I have shown that your reckless, deliberate, blatant, and irresponsible distortion of truth was an insult to the intelligence of every civilized reader and that it showed no respect for the basic American conception of fairplay.

Do you believe that the Washington Post has a responsibility to its readers and the public at large? Do you not agree that the essence of freedom of the press requires respect for truth, the careful maintenance of open communications, of ideas, and responsibility to the public? Does the American public have a right to know the truth about Shevchenko?

In spite of all this I still remain an optimist. It is obvious that some "masters of deceit" by submitting to you through transmission belts material against Shevchenko's monument "took you for a ride." I still believe you will apologize to us, your fellow American citizens, for publishing the gross distortions which you have made in this matter.

You honored me by not publishing my first letter, by closing your paper to all protests and rectifications. Thus I do not expect you will publish this one. You preach democracy and freedom of the press but you do not practice it in this case. You suppress the truth. Can it be that you made up your mind in advance and you do not wish to be confused by facts?

Sincerely yours,

ROMAN SMAL-STOCKI,
President.

THE UKRAINIAN ACADEMY
OF ARTS AND SCIENCES
IN THE UNITED STATES, INC.,
New York, N.Y., December 17, 1963.

The EDITOR,
The Washington Post,
Washington, D.C.

DEAR SIR: Editorials in the Washington Post of October 18 and 25, and of November 1 and 12, disclaimed the universal significance of the Ukrainian poet, Taras Shevchenko, and stated that in his writings are elements offensive to Americans of Russian, German, Polish, Catholic, Jewish, Orthodox, and even Ukrainian background. It was also indicated that Shevchenko is officially hailed in the U.S.S.R. Among the arguments your newspaper employed against Shevchenko and the proposed memorial to him was the statement that Shevchenko is not known in this country.

A few facts concerning Shevchenko and his place in the history of world literature may help to resolve some misunderstandings. First of all, Shevchenko has been known in the United States of America for almost 100 years. The first known publication about him was entitled "Curious Ideas of the Poet Taras Shevchenko." It appeared in the Alaska Herald, San Francisco, March 1, 1868, page 3. The Alaska Herald was the first American newspaper published in Russian and Ukrainian in the first American printing house equipped with Cyrillic type; it published Shevchenko's poetry and articles on the poet. Since then numerous writings on Shevchenko have appeared in this country. The "Library of the World's Best Literature" (New York, 1898, vol. 29, p. 493) states that Shevchenko's poetry enjoys wide popularity and that he is the author of one of the greatest epics. Several American encyclopedias and dictionaries characterize Shevchenko as one of the greatest poets of the Slavic world, and as an inspired prophet of a new social and political system. They state that Shevchenko, both as a poet and as one of the founders of the political organization known as Sts. Cyril and Methodius Brotherhood, furthered the realization of ideals of social justice. He contributed to the destruction of serfdom.

It is inaccurate to say that Shevchenko had no connection with America. In his time (mid-19th century) fighters for freedom within the Russian Empire were greatly interested in America and its political system. Shevchenko in a poem expressed a longing for a Washington with a new and just law. Numerous American sources contain material on Shevchenko's friendship with the American tragedian, Ira Aldridge, a Negro born in New York City. Aldridge's picture, sketched by Shevchenko, was reproduced in several American publications. In recent years the prominent American sculptor, Alexander Archipenko, made several statues of Shevchenko.

A bibliography of writings published in the United States on Shevchenko would fill a volume; however, the attention paid to him by Russian, Polish, and Western European scholars has been even greater. When the Russian Government forbade the commemoration of Shevchenko's anniversary in 1911 and again in 1914, the Imperial Academy of Sciences in St. Petersburg arranged a special session devoted to Shevchenko at which prominent Russian scholars spoke on secrets of genius. At the same time a celebration led by Fedor Korsh, a leading Russian Slavist who published several papers on Shevchenko, was carried out in Moscow. The Imperial Academy of Arts in St. Petersburg, from which Shevchenko was graduated, also solemnly commemorated the 50th anniversary of his death.

Of Western European scholars, Alfred Jensen, a professor of Stockholm University, wrote a monograph on Shevchenko (1916) in which he spoke of him as a universal spirit and a beacon for humanity. Shevchenko became better known to the West at the time of the czarist ukaz of 1876 which prohibited the use of the Ukrainian language in publications. The World Congress of Writers, convened in Paris in 1878, protested against this ukaz; it specifically mentioned Shevchenko, whose works were banned. Shevchenko was praised in French, Italian, and German periodicals, in addition to being lauded by Czechs and Poles. In 1877 Charles Dickens introduced him to the English reader.

Shevchenko's poems were translated into at least 52 languages, most completely into Russian, German, Polish, and Yiddish. Russian translations were made by prominent writers such as Herzen, Turgenev, Nekrasov, Leskov, Sologub; the best Russian Shevchenko translator was Boris Pasternak. Shevchenko maintained friendly ties with the Poles. His funeral in St. Petersburg in 1861 was the first in the history of Eastern Europe to manifest an international desire for liberty. In eulogies at his grave, the thoughts and feelings of three nations who had fought each other for ages—Poland, Russia, and Ukraine—were blended.

Not only were Jews prominent students and translators of Shevchenko's writings, they also have been defenders of his heritage and memory. M. Hekhter, a prominent Jewish journalist and public figure, is the author of a vivid description of the persecutions and prohibitions connected with the commemoration of the 50th anniversary of Shevchenko's death and the erection of a memorial to him in Kiev. The memorial was forbidden by the police regime with the support of the ultrareactionary Russian chauvinists (the so-called "Black Hundred") known as organizers of Jewish pogroms. It is a well-known fact that Shevchenko openly denounced anti-Semitism.

An international literary lexicon states that Shevchenko's Kobzar became a gospel for the Ukrainian people. But Shevchenko also was recognized by the world as one of its most prominent poets, fighters for freedom, and humanitarians. The UNESCO-Courier in the issue of July–August 1961, states:

"This apostle of liberty, enemy of all oppression, Taras Shevchenko, goes beyond the narrow limits of one country. He is a poet of humanity; his message of brotherhood and love, truth and justice, and above all, of freedom, is worldwide in scope, universal in significance. Other poets have sung his song, other poets are perhaps better known, but none by the pure identification of his life with his inspiration deserves greater homage or recognition."

Such great classics as Shevchenko, Pushkin, and Mickiewicz are not forbidden in the U.S.S.R. since this would antagonize their peoples. Works of these writers, however, are falsified, writings on their creative works are one-sided, and unbiased scholarly research is possible only outside the boundaries of the U.S.S.R. Thus the United States became a center of research on Shevchenko. His complete works were recently published here. Last year a collection of papers by members of our Academy, Taras Shevchenko, 1841–1861, A Symposium, was published by Mouton & Co., the Hague.

Sincerely yours,

ALEXANDER ARCHIMOVICH,
President, the Ukrainian Academy of Arts and Sciences in the U.S.
JURI J. LAWRYNENKO,
Shevchenko Institute.

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DECEMBER 24, 1963.

Mrs. JAMES,H. ROWE,
Chairman, National Capital Planning Commission, Washington, D.C.

DEAR MRS. ROWE: We have learned with sorrow and regret that Mr. Walter C. Louchheim, a member of your Commission, has made a public statement to the effect that he will propose that your, Commission rescind the approval of the Shevchenko site in Washington. The project is scheduled to be brought to conclusion in May 1964. It is also our understanding that Mr. Louchheim is motivated by the campaign of the Washington Post, which recently began such campaign of smear, trying to denigrate the significance of Taras Shevchenko and his contribution toward the advancement of freedom not only in Ukraine but in the whole of Eastern Europe.

In the name of the Ukrainian Orthodox Church in the United States, which encompasses 92 parishes and 8 missionary stations, with 120 priests and over 75,000 communicants, we sincerely urge you not to succumb to this un-American campaign against the great humanitarian and freedom fighter, which Shevchenko was, but allow that the monument in his honor be erected in our Nation's Capital.

Our entire congregation, whether born in this country or Ukraine, honors Shevchenko as one of the most outstanding humanitarians and advocates of freedom not only for Ukraine, but for all other countries and nations, and for all people regardless of creed, color or nationality. His works have been translated into many world languages. He was against no group as such, and among his best friends were many Russian intellectuals who secured his freedom from czarist imprisonment, as well as many Polish, German and French believers in freedom. He denounced the persecution of Jews in czarist Russia and deplored deeply the slaughter of the Caucasian and Moslem peoples by the Russian czars in the early part of the 19th century.

Recently John Steinbeck, our great American writer, on visiting the Shevchenko Museum in Kiev, and upon learning about his life and his contribution to the cause of freedom, stated: "Now I understand the greatness of the Ukrainian poet. He died a death of dignity. That is why I was so moved * * *."

We sincerely urge to abandon Mr. Louchheim's proposal which calls for rescinding the approval of the Shevchenko site in Washington, for should such an event occur it would constitute a great act of injustice and prejudice on the part of a Federal agency, and it would be both contrary to our tradition of honoring the outstanding freedom fighters of other nations and of counteracting our own Congress and our own Government.

Respectfully yours,

MSTYSLAV S. SKRYPNYK,
Archbishop of New York and President of the Consistory.

DECEMBER 24, 1963.

Hon. STEWART L. UDALL,
Secretary of the Interior,
Department of the Interior,
Washington, D.C.

DEAR MR. SECRETARY: It was reported in the December 6, 1963, issue of the Washington Post that you had recommended to restudy the approval of the Shevchenko monument site in our Nation's Capital, and consequently the work on the completion of the statue to this great humanitarian and advocate of universal freedom has been suspended on your order.

In the name of the Ukrainian Orthodox Church in the United States, which has 92 parishes and 8 missionary stations, with 120 priests and over 75,000 communicants, I urge you not to succumb to the campaign of smear and distortions recently undertaken by a Washington newspaper, and ask you to allow the work on the site to be continued and the statue to be erected next May, in accordance with Public Law 86–749.

As Americans of Ukrainian origin and of the Orthodox faith we are disturbed that Shevchenko, one of the greatest poets in Eastern Europe, has become the object of an anti-Ukrainian campaign which certainly is not in our national interest. Taras Shevchenko is revered not only by the 45-million Ukrainian nation now in Communist slavery, but by the entire freedom-loving world. His works have been translated into 52 world languages. He was a man dedicated to the freedom of all nations regardless of creed, color, or race, and for his love of freedom and human dignity he had paid with a 10-year exile and imprisonment. As a poet and great humanitarian Shevchenko had many friends among the Russian, Polish, German, and French intellectuals, and he befriended an American Negro actor, Ira Aldrich; he denounced the persecution of Jews in Czarist Russia and deplored the slaughter of the Caucasian peoples, and above all he dreamed of a free Ukraine established on the same principles as the United States was established by George Washington.

The U.S. Congress and the President of the United States, as well as other Government agencies have properly understood and appreciated the value and international significance of Taras Shevchenko and accordingly approved the project for erecting a monument in his honor in our Nation's Capital. To impede this work now would be both inconsistent with our national traditions of honoring the great leaders of other nations, and counteracting the decision of the U.S. Congress and the U.S. Government, which have approved the entire project and voted an appropriate site in Washington, D.C.

We sincerely hope, Mr. Secretary, that you will recommend that the work on the completion of the Shevchenko monument be resumed forthwith, and that hundreds of thousands of our citizenry of Ukrainian descent be informed that their efforts on behalf of this project will come to a fruitful and successful termination.

Thank you for your kind attention in this matter.

Respectfully yours,

MSTYSLAV S. SKRYPNYK,
Archbishop of New York and President of the Consistory of the Ukrainian Orthodox Church in the United States.

CONFERENCE OF AMERICANS OF CENTRAL AND EASTERN EUROPEAN DESCENT,

December 13, 1963.

Mr. JAMES WIGGINS,
Editor and Executive Vice President of the Washington Post, Washington, D.C.

DEAR MR. WIGGINS: Attention of the Executive Committee of the Conference of Americans of Central and Eastern European Descent (CACEED) has been drawn to editorials published in the Washington Post on October 18, 25, and November 1, 1963, in the matter of the proposed Shevchenko memorial. We regret to find that these editorials express opinions which seem to be based upon incorrect information and a number of misunderstandings.

Our organization represents American citizens of Albanian, Bulgarian, Czechoslovak, Estonian, Hungarian, Latvian, Lithuanian, Polish, Rumanian, and Ukrainian descent. All of our members are well aware of the significance of the 19th century Ukrainian poet, Taras Shevchenko, whose passionate love of freedom, equality and human dignity for all men regardless of race, nationality or color inspired not only the Ukrainians but all other peoples of Central and Eastern Europe to struggle for their national and human rights more than 100 years ago. His works have been translated into some 52 languages.

Shevchenko, the poet and champion of freedom who paid for his temerity to attack oppression by a 10-year sentence of exile and imprisonment, was an implacable enemy of tyranny and a devoted friend of the enslaved and persecuted. He counted among his friends many Russians, Polish, German, and French intellectuals, as well as the American Negro actor, Ira Aldrich. He denounced the persecution of Jews in czarist Russia and deplored the slaughter of the Moslems. He advocated the establishment in Ukraine of a political system similar to the American one.

The fact that Soviet propagandists claim for themselves the heritage of this Ukrainian freedom fighter who died over 100 years ago cannot convert him into a Communist hero any more than Hitler or Mussolini could give a posthumous political coloring to Beethoven or Michelangelo.

We should like to go on record as being fully in support of Public Law 86–749 for the erection of a Shevchenko memorial in Washington, D.C.

Very truly yours,
Rt. Rev. Msgr. JOHN BALKUNAS,
President.
Dr. JOHN G. LEXA,
Secretary.

Cc.: Hon. JOHN LESINSKI, House of Representatives, Washington, D.C.

CONFERENCE OF AMERICANS OF CENTRAL AND EASTERN EUROPEAN DESCENT,
December 13, 1963.

Mrs. JAMES H. ROWE,
National Capital Planning Commission,
Washington, D.C.

DEAR MRS. ROWE: The attention of the executive Committee of the Conference of Americans of Central and Eastern European Descent has been directed to newspaper reports indicating that a member of your Commission, Mr. Walter C. Louchheim, has been quoted to the effect that plans for the erection of a statue commemorating the 19th century poet laureate, Taras Shevchenko, should be shelved and restudied with a view to a possible repeal of Public Law 86–749 authorizing the memorial.

These statements followed a campaign against the Shevchenko memorial in a series of editorials in the Washington Post.

It is hardly necessary to underline further the point made by the Evening Star of December 4, 1963, that we are all immigrants except for the American Indians and that many other foreign or foreign born heroes have been commemorated in monuments in the Nation's Capital. As an organization of American citizens of Albanian, Bulgarian, Czechoslovak, Estonian, Hungarian, Latvian, Lithuanian, Polish, Rumanian, and Ukrainian descent we are familiar with the life and works of Shevchenko and his fight for freedom and equality of all peoples. It is no coincidence that his works have been translated into 52 foreign languages.

We are perturbed to see that an organized campaign seems to have been initiated against the Shevchenko memorial despite the granting of congressional authorization. Such a campaign, if successful, would certainly create the impression among American citizens whose forefathers happened to come from Eastern Europe that their contributions to this country and the cultural heritage of their ancestors are considered inferior to others.

We hope that our appeal in this matter will be taken into consideration and the National Capital Planning Commission will proceed promptly with the plans for the erection of the statue of the Ukrainian poet.

Very truly yours,
Rt. Rev. Msgr. JOHN BALKUNAS,
President.
Dr. JOHN G. LEXA,
Secretary.

Cc.: Hon. JOHN LESINSKI, House of Representatives, Washington, D.C.

[From the Ukrainian Bulletin, November–December 1963]

IS THIS THE VOICE OF THE WASHINGTON POST?

In a year of shocking events the Washington Post, which is considered one of our finest liberal newspapers, has made its own shocking contribution. It has engaged in a wholly uncharacteristic campaign for the past 2 months. Its target: the Ukrainian minority in this country. Ugly and heavily biased, this campaign is so flagrantly unliberal and so undiscriminating in its arguments and choice of allegedly true facts that one refuses to believe that this is the true Washington Post. Instead, one sees a "Charlie McCarthy" dangling before him, biting, venomous, and fraudulent.

What precipitated the ill-advised campaign of the Washington Post was the groundbreaking ceremonies held on September 21, 1963, in Washington, D.C., for a statue of the outstanding Ukrainian freedom fighter and poet laureate, Taras Shevchenko. Since 1959 the entire Ukrainian-American community has been engaged in a proud and praiseworthy undertaking: the erection of a monument in honor of a world-recognized champion of liberty, not only of Ukrainians but of oppressed people everywhere.

The U.S. Congress took favorable action, voting a special law (Public Law 86–749) authorizing the erection of such a memorial. President Eisenhower signed it in 1960, thereby making it a law of the land. Subsequently, several U.S. Government agencies gave their final approval and endorsement, while the Ukrainian-American community collected about $300,000 for the project. The statue itself is now being executed by an outstanding Canadian sculptor and its unveiling is scheduled for the end of May 1964.

What is especially strange is that the Post itself wrote an informative article on the statue some 3 years ago.

But after the groundbreaking ceremonies this past September the editors of the Washington Post suddenly discovered that Shevchenko was not worthy of a commemorative monument in Washington, a veritable city of statues. Why? Because he has no universal significance for Americans but is the pet of a small minority, which is using the statue to advance their own peculiar notion of how to fight communism and their own implausible goal of Ukrainian nationhood.

No Pulitzer Prize here, for this is journalism approaching the scurrilous. The phrase "small minority" appeals to the worst instincts of our American way of life: if a group is small, the implication is that it is unimportant.

Reducing Shevchenko to a "pet" defames both an acknowledged artist and his people, a people who in this century alone have lost millions as a result of deliberate and wanton genocide.

Freedom for this oppressed people may be indeed implausible. But freedom for the small American Colonies only 200 years ago seemed at least as implausible, a circumstance which did not daunt the freedom fighters of the time. If Shevchenko has no significance for Americans, then freedom itself seems to have been lost in a garble of cheap paper, cheap ink, and meretricious thinking.

But the Washington Post goes on to state bluntly that some of the elements of Shevchenko's writings are offensive in various ways to Americans of Russian, German, Polish, Catholic, Jewish, Orthodox, and even Ukrainian background.

WHO WAS SHEVCHENKO?

Such an onslaught as this can, at best, be explained on the grounds of ignorance. It is an ignorance, we admit, with which Ukrainians have long been familiar. On one side of the coin is the West's lack of knowledge of East European history in general and of the Ukrainians in particular. On the other side is the genocide perpetrated on this people by its rapacious neighbors, particularly the Russians. The Ukrainians, we suggest, have survived too long between the Scylla of ignorance and the Charybdis of invasion and killing to be dismissed.

Is it really too much for a responsible newspaper to check on such a figure as Shevchenko? It is easily verifiable, for example, that Shevchenko's poetry has been translated into some 52 different languages. These include the Chinese, Japanese, and Mongolian languages; there is a series of Shevchenko's works translated into Hebrew, as well as into Russian, Polish, and German. Evidently, his poetry must have some appeal for the Jews, Poles, Russians, and Germans. Just how Americans of such descent find his work offensive may indeed be revealing.

The editors of the Washington Post should also check on the fact that Shevchenko translations in the Russian language appeared during the lifetime of the poet himself: between 1856 and 1936, some 30 editions of Shevchenko's works have appeared in Russian, translated by some 70 Russian poets and writers, some of world fame. Up to 1939 some 97 volumes of his works had appeared in the Polish language, and several dozens of editions of his works have been published in the German language.

This is the Ukrainian pet.

THE CRUX OF THE MATTER

It will be no comfort to the Washington Post to find out that the only opponents of the Shevchenko commemoration are the Russian Communists in the Kremlin and their subservient puppets in Ukraine.

As long ago as March 7, 1961, Literaturnaya Gazeta of Moscow denounced the proposed Shevchenko statue in Washington. The Communist mouthpiece wrote:

"Moreover, they Ukrainian bourgeois nationalists] have gone so far as to try to represent Shevchenko as a propagator of the ill-famed 'American way of life.' Taking out of context a few lines about George Washington from the poem 'The Feeble-Minded,' the nationalist 'experts on Shevchenko' are trying to prove that the poet 'dreamt about Ukraine as a replica of the democratic United States.' "

Another Communist organ, Komunist Ukrainy (February 2, 1961, Kiev), amplified the reference of Shevchenko to George Washington as follows:

"In these words Shevchenko contrasted the reactionary autocratic order of serfdom with the political order defended by George Washington. Today all the 'righteous laws' in the United States have been buried. There exists a reign of the most highhanded reactionary social forces, a ruthless enslavement of the workers, and racial and national discrimination. The American reactionaries and their hirelings, the Ukrainian bourgeois nationalists, will never succeed in turning the poet-revolutionary (Shevchenko) into a partisan of the American bourgeois order."

The Communist enslavers of Ukraine have apparently found a mighty ally in the world capital of freedom to prevent a group of

Americans of Ukrainian descent from erecting a statue to a poet whose whole life was dedicated to the freedom of all men, regardless of creed, color, or nationality. What might be underscored here is that these Ukrainians fled persecution and death in their homeland. They and their descendants make up a valuable if small portion of American citizenry. It is a sad commentary on the times that their most valuable contribution—an intimate knowledge of the enemy—should be endangered through an irresponsible attack on their symbol of freedom.

We might direct the attention of the Post to another minority, one even smaller—the Chinese in our country. In addition to lack of size, these are even of different color. Moreover, their hopes for a free China border on the impossible. And what of the moneys we send to Taiwan to prop up a fantasy?

What is the price of freedom, Washington Post?

WHO GETS THE $1,700,000 IN THE COMMUNIST WHEAT DEAL?

Mr. BEERMANN. Mr. Speaker, I ask unanimous consent that the gentleman from Illinois [Mr. FINDLEY] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Nebraska?

There was no objection.

Mr. FINDLEY. Mr. Speaker, today I asked the president of Continental Grain Co., of New York, to disclose who gets the $1,700,000 bonus which was apparent in the deal Continental made last week with the Department of Agriculture for Russia-bound Durum wheat.

Text of my telegram to Mr. Fribourg:

> Your firm's recent purchase of Durum wheat from U.S. Department of Agriculture for export to the Soviet Union at the subsidy rate of 72 and 73 cents a bushel, was approximately $1,700,000 more favorable than the next previous sale of Durum for another export transaction 2 weeks earlier. Secretary Freeman denies that this bonus to your firm was to cover the premium cost of shipping part of the grain in U.S. bottoms. Secretary Freeman's denial puts your firm in a bad light, and makes it appear you received an unconscionable profit. This I have difficulty believing, and offer you this opportunity to clarify the facts. If the $1,700,000 bonus does not go to help hire U.S. bottoms, who gets it? If it does go to hire U.S. bottoms, and thus, in effect, subsidizes ocean transportation to the Communist destination, who originated the idea of hiding the shipping subsidy as a part of an abnormally high export subsidy on Durum wheat? Did the idea originate in Continental Grain Co. or the U.S. Department of Agriculture? In any event, with whom in the Department of Agriculture did your firm discuss the Durum wheat subsidy bid problem before you made the 72- and 73-cent bid? As a member of the Wheat Subcommittee of the House Committee on Agriculture, I would appreciate having answers to these questions.

THE SOURCE OF FEDERAL AID

Mr. BEERMANN. Mr. Speaker, I ask unanimous consent that the gentleman from Michigan [Mr. GRIFFIN] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Nebraska?

There was no objection.

Mr. GRIFFIN. Mr. Speaker, an editorial policy recently enunciated by one Michigan newspaper, and applauded by another, deserves some notice by Congress. Hereafter, whenever the term "Federal aid" or "Federal grant" appears in any news story, the editor of the Port Huron Times-Herald will automatically substitute the phrase "Federal tax funds."

Such an editorial policy, if it were widely applied, would do much to clear up a great deal of misunderstanding about the real source of "aid" from Washington. Indeed, I would suggest a revision of the announced policy which would make the true situation even clearer. Whenever the term "Federal aid" is used, it would be even more accurate to substitute the words "tax funds or funds borrowed from our children."

An editorial which appeared on December 31, 1963, in the Cadillac (Mich.) Evening News is reprinted below:

IT ALL COMES FROM TAX FUNDS

> Taxpayers in Cadillac and around the country should hail a step taken recently by F. Granger Weil, president and editor of the Port Huron Times-Herald.
>
> Mr. Weil stated editorially that his newspaper will hereafter replace the terms "Federal grants" and "Federal aid" with the words "Federal tax funds."
>
> Mr. Weil said further that: "There is no such thing as 'Federal funds.' The money spent by the Federal Government is your money: Whatever Government spends it must first get from the people."
>
> The Port Huron paper will be going to some expense to change each preedited news wire stories to conform with this new policy. However, it should help set the record straight in that city and might help in getting across to people in general that Government can only give what it first takes from the people—or plans to take later.
>
> This has special application for Albionites at this time, as we contemplate more Federal housing and also urban renewal projects.
>
> Aside from the projects themselves, and our own likes and dislikes for the projects; this matter of 'tax funds' is an important one. For with the entry of Government into the housing picture it makes it more and more difficult for persons who own rental property to pay the taxes which help support these Federal programs.
>
> Certainly we would not quarrel with the use of Federal tax funds in areas where emergencies exist for this is the function of Government. But we do feel that the city council might well ponder the aspect of the use of Federal tax funds for the presently proposed projects along with their thoughtful deliberations over the concerns of the people involved, along with where the city share of urban renewal funds for required utilities and streets will come from during 1964, 1965, and 1966.
>
> And these things should be considered before binding contracts are signed—rather than confronting the city with "emergency demands" for funds as the projects get into full swing, if they are fully approved.
>
> As we understand it, the city water fund is almost on a "hand to mouth" basis after bond issue requirements are met. In fact, it has had to borrow from the sewage utility fund, which is better off for the moment at least, but not in a position to build perhaps soon-to-be needed industrial park sewers.
>
> However, the real point we want to make today is that the Federal funds are not "Santa Claus" gifts to any community. Living in a comparatively high income State, Michiganders collectively are paying much more into the Federal Treasury than we get back through various Federal expenditures, we are also told. But we're not going into that point today as many of the figures on that subject seem oversimplified.

CALL TO EXCELLENCE IN LEADERSHIP

Mr. BEERMANN. Mr. Speaker, I ask unanimous consent that the gentleman from Massachusetts [Mr. MORSE] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Nebraska?

There was no objection.

Mr. MORSE. Mr. Speaker, on Monday of this week the Ripon Society, a group of outstanding young men in the Cambridge-Boston, Mass., area addressed a call to excellence in leadership to Republican leaders throughout the country. It is a thoughtful statement of our political situation—idealistic yet practical in its approach to the vast number of problems facing us today. It calls upon us to provide an effective moderate point of view in developing a strategy for an assault on the domestic and global issues at stake today. I commend it to my colleagues and urge them to read it carefully.

This statement is the product of the thoughtful discussion and study by the Ripon Society for many months. It is offered in the spirit of constructive effort to build a Republican Party which will be equipped to lead the Nation in the years ahead and reflect credit upon our two-party system.

Under unanimous consent, I submit the statement for printing in the body of the RECORD:

A CALL TO EXCELLENCE IN LEADERSHIP—AN OPEN LETTER TO THE NEW GENERATION OF REPUBLICANS

(From the members of the Ripon Society, Cambridge, Mass.)

> For a moment a great Republic stood still. Everywhere men reacted first in disbelief and horror, then in anger and shame, and then in more measured thought and silence. The President is dead. A nation is in mourning.
>
> History provides us with few such occasions to pause and reflect upon the state of our society and the course of its politics. While we yet sorrow, so must we seize this moment before our thoughts slip away to be lost in the noise of life as usual.
>
> It is in this context that we have chosen to speak. We speak as a group of young Republicans to that generation which must bear the responsibility for guiding our party and our country over the coming decades. We speak for a point of view in the Republican Party that has too long been silent.
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> The Republican Party in 1964 faces not only an election but a decision. Shall it become an effective instrument to lead this Nation in the remainder of the 20th century? Shall it emerge from the current flux of American politics as the new majority party? Or shall it leave the Government of the Nation to a party born in the 1930's and

without a leader capable of transforming its disparate elements to meet the challenge of a radically new environment? We are convinced that the choices the Republican Party makes this year will have an incalculable effect on the destiny of our Nation.

We should like to approach this decision from three aspects—the strategy for achieving a new Republican consensus, the nature of a Republican philosophy appropriate to our times, and the qualities of excellence required in our leadership.

TOWARD A NEW REPUBLICAN CONSENSUS

Election results in 1960 and 1962 indicate that there is no clear political consensus in the country. We are perhaps at one of those points in our political history when a new majority is about to emerge.

American politics has been by and large one-party politics. A single party has been dominant for considerable periods in our past history—the party of Thomas Jefferson, the party of Abraham Lincoln, and most recently the party of Franklin Roosevelt. Each of these great parties emerged during a period of revolution in political ideas and was based upon a new majority consensus.

The Roosevelt coalition of the 1930's is still the majority party in this country. It continues to control both Houses of Congress and the majority of State Governorships. Yet its loyalties are fading, its base is eroding, and its dynamism has been exhausted. F.D.R. forged his great coalition of the urban minorities, trade unions, liberal intellectuals, farmers, and the Democratic South on a program to meet the economic distress of the depression years. Accordingly, the Democratic Party of today looks back to 1932 and 1936 and has never quite been able to escape the dialog of domestic politics from that period. In a real sense the Democratic coalition of the 1930's, dedicated to the preservation of its economic and social gains since the great depression has become the standpat conservative party of today.

John F. Kennedy was attempting to rebuild the Roosevelt coalition—to infuse it with the idealism of a new generation that found the political issues of the depression years increasingly irrelevant. He was seeking to lift the Democratic Party to a broader international concern. If, as appeared likely, he had faced the exponent of a virulent Republican conservatism in 1964, he might well have built a majority that would have assured the renewed dominance of the Democratic Party.

But fate deprived him of that opportunity—and fate also delivered control of his party to a leader far closer to the era of Roosevelt than to his own. Lyndon Johnson, it can safely be predicted, will try to put Roosevelt's coalition back together once again. But if he succeeds, will he be able to educate and transform his party and Nation to the tasks of the future? Trained as an apprentice of the New Deal; representing the southern wing of his party with its decidedly regional orientation; inclined by temperament to national rather than international concerns; will he not be a "prisoner of the past?" While the Nation may admire his knowledge of and ability to manipulate political power, Lyndon Johnson is not likely to fire the hearts and minds of Americans. His, at best, would be an administration of continuity.

If the Democratic Party, bound to the cliches and fears of past history, is incapable of providing the forward-looking leadership this country needs, the Republican Party must. There are at least two courses open to the party—the strategy of the right and the strategy of the center. We feel strongly that the center strategy is the only responsible choice the party can take.

The strategy of the right is a strategy for consolidating a minority position. It is perhaps best described as an effort to build a coalition of all who are opposed to something. As an "anti" movement it is not surprising that it has been singularly devoid of positive programs for political action. The size and enthusiasm of the conservative movement should not be discounted, however. It represents a major discontent with the current state of our politics, and, properly channeled, it could serve as a powerful constructive force. But the fact remains that the strategy of the right, based as it is on a platform of negativism, can provide neither the Republican party an effective majority nor the American people responsible leadership.

The strategy of the right should be rejected for another basic reason. It is potentially divisive. Just as Disraeli warned the British Conservative party a century ago of the dangers of the two Englands, so would we speak out against a party realinement of the small States of the West and South against the urban centers of America—or any similar realinement that would pit American against American on the basis of distrust or suspicion. We must purge our politics of that rancor, violence, and extremism that would divide us. In the spirit of Lincoln, we must emphasize those goals and ideals which we hold in common as a people:

"With malice toward none; with charity for all; with firmness in the right, as God gives us to see the right, let us strive to finish the work we are in; to bind up the Nation's wounds; * * * to do all which may achieve and cherish a just and lasting peace among ourselves, and with all nations."

We believe that the future of our party lies not in extremism, but in moderation. We believe that a moderate course of progressive Republicanism can be justified both in terms of strategy and philosophy. The moderate course offers the Republican Party the best chance to build a durable majority position in American politics. This is the direction the party must take if it is to win the confidence of the "new Americans" who are not at home in the politics of another generation: the new middle classes of the suburbs of the North and West—who have left the Democratic cities but have not yet found a home in the Republican Party; the young college graduates and professional men and women of our great university centers—more concerned with opportunity than security; the moderates of the new South—who represent the hope for peaceful racial adjustment and who are insulted by a racist appeal more fitting another generation. These and others like them hold the key to the future of our politics.

Since 1960 John F. Kennedy had moved with shrewd political understanding to preempt the political center. Republican moderates for the most part remained silent. By 1964 the Republican Party, perhaps with a Presidential nominee from the conservative right, would have had great difficulty in reclaiming the center. Now the very transfer of power means that the center is once again contestable. We believe that the Republican Party should accept the challenge to fight for the middle ground of American politics. The future lies here. The party that will not acknowledge this political fact of life and courageously enter the contest for power does not merit and cannot possibly win the majority support of the American people.

Must the Republican Party then adopt Kennedy-new frontier programs to compete for the center? No. Such a course would be wrong and it would smack so obviously of "political opportunism" as to insure its defeat. The Republican appeal should be rooted in a moderate Republican philosophy and should call forth the best leadership and vision the party can produce from its rich history and current strengths. As Republicans, we must prove to the American people that our party, unbeholden to the hostages of a faded past, is a more flexible instrument for the governing of this great Nation and for the realization of the noble American aspirations of human dignity and peace with honor. What then are the dimensions of a moderate yet dynamic Republican approach that can galvanize the elements of a new Republican consensus?

TOWARDS A MATURE REPUBLICAN PHILOSOPHY

A Republican philosophy capable of capturing the imagination of the American people must have at least three attributes. It must be oriented toward the solution of the major problems of our era—it must be pragmatic in emphasis. It must also be moderate in its methods—concerned more with the complexities of the means toward a solution than with a simplistic view of the ends. And finally, it must marry these attributes of pragmatism and moderation with a passion to get on with the tasks at hand.

Our philosophy must be oriented toward the solution of problems. The image of negativism that has too frequently been attached to our party must be dispelled. The new generation in American politics is looking for a party that is able to grasp the realities of its world, that exhibits a sensitivity to the problems that are its concern. This means that the first task of the Republican Party is to recognize and to begin devising approaches to the problems of the last half of the 20th century. We note only the most salient of domestic problems: the legitimate aspirations of the Negro in the northern cities, as well as in the South; the human adjustments to the process of automation in industry and in business; the phenomenon of the megalopolis with the attendant problems in housing, transportation, and community services; the emphasis of quality in our educational system, our health services, and our cultural services in general.

The Democratic Party will have solutions or purported solutions to all these domestic problems. But does it have the imagination demanded by the new world we face? Or will its answers merely be retreads of the New Deal, more of the same, more indiscriminate massive Federal spending, more Government participation in the economic and social life of the Nation and individual?

The greatest mistake would be for the Republican Party to turn its back on these problems. Without this beginning we cannot utilize the strengths of our free enterprise system, of the individual initiative that has characterized our citizenry, of the infinite variety of our private institutions, the potential strengths of our several levels of government. If we fail here, just as if we fail to contest the center, the battle will go to the Democrats by default.

If our times demand new vision and new solutions on the domestic scene, how much greater is the need on the international front. The greatest challenge this Nation will face in 1965, 1970, and 1975, will most likely be decisions in its foreign policy. Merely to continue our foreign policy will not be enough. The American President must now serve as the first statesman of the world. America must assume the responsibilities commensurate with its power.

We must have the creative imagination and political sophistication to shape our policies to meet constantly changing distributions of power. At the same time we must have the perspective to give our foreign policy a direction that will meet the test of decades. We must get on with the paramount task of forging a new relationship with Europe. This will involve a new and more realistic approach to the question of nuclear sharing. The problems of the alliance—political, military, and economic—will demand the finest qualities of statesmanship, of political engineering, of shrewd bargaining and compromise of which we are capable as a people. In our relationships with the Communist nations we must be sensitive to the diffusion of power within the bloc and the opportunities and dangers this affords. We must recognize and develop those areas of common interest such as arms control measures to reduce the chances of war by miscalculation or accident. At the same time we must check Communist aggression in whatever form it takes. We must develop a strategy for economic, technical, and military assistance that both merits the support of the American people and fulfills our commitments and responsibilities as leader of the free world.

Vision is a recognition of problems; it is a function of leadership. The Republican Party has produced a proud lineage of pragmatic statesmen since Lincoln. It is our hope that once again it will provide the leadership to meet the occasion.

While our philosophy and our program must be pragmatic, so must it be moderate. Simply to define the problems is not to solve them. The moderate recognizes that there are a variety of means available to him, but that there are no simple unambiguous ends. He recognizes hundreds of desirable social goals where the extremist may see only a few. The moderate realizes that ends not only compete with one another, but that they are inextricably related to the means adopted for their pursuit. Thus he will most likely set a proximate goal. While working for limited realizable objectives he will be especially concerned with the means, the environment in which the goals are achieved. The moderate chooses the center—the middle road—not because it is halfway between left and right. He is more than a nonextremist. He takes this course since it offers him the greatest possibility for constructive achievement.

In contrast, the extremist rejects the complexity of the moderate's world. His is a state of mind that insists on dividing reality into two antithetical halves. The gray is resolved into black and white. Men are either good or evil. Policies are either Communist or anti-Communist. It is understandable that the incredible complexity and mounting frustrations of our world will cause men to seek one right answer—the simple solution. The moderate cries out that such solutions do not exist, but his would appear to be a thankless task. Who will reward him for telling them their dreams can never be? It is not surprising that the doctrinaire has always reserved his greatest scorn for the pragmatist and not for his opposite number. The moderate poses the greatest danger to the extremist because he holds the truth that there is no truth.

Moderation is not a full-blown philosophy proclaiming the answers to all our problems. It is, rather, a point of view, a plea for political sophistication, for a certain skepticism to total solutions. The moderate has the audacity to be adaptable, to seek the limited solution most appropriate to the needs of his nation, its institutions, and its people. The Republican moderate approaches these problems from a more conservative perspective, the Democratic moderate from a more liberal one. The fact that we may meet on common ground is not "me-tooism." It is time to put away the tired old notion that to be real Republicans we must be as different as possible from our opponents. There is no more sense in that view than in the idea that we must be for isolationism, prohibition, or free love because our opponents are not. It is time we examined the merits of a solution in itself rather than set our policy simply in terms of the position the Democratic Party may have taken. We would do well to hear Paul's injunction to the Philippians: "Finally, brethren, whatsoever things are true, whatsoever things are just * * * if there be any virtue, and if there be any praise, think on these things."

Today we feel that the Republican Party must once again affirm its great tradition of pragmatism blended with political responsibility. But can the moderate produce the image of conviction and dedication that has been so much a part of the attraction of extremists throughout history? Is the flaming moderate just a joke, or is he a viable political actor? Can we be emotional about a politics so pluralistic, so relative, so limited in its range of available maneuver? Perhaps we share the too abundant enthusiasm of youth but we feel that we not only can—we must. We must show our world that our emotion can be aroused by a purpose more noble and a challenge more universal than the cries of an irresponsible extremism. Tempered with an honest uncertainty we must be ever willing to enter upon yet another crusade. We must learn to be as excited about openmindedness as we once were about final answers, as dedicated to partial solutions as we have been to panaceas. We must engage life as we find it, boldly and courageously, with the conviction that if we and reason endure we shall surely succeed—and with the knowledge that the greatest sin is not to have fought at all.

TOWARD EXCELLENCE IN REPUBLICAN LEADERSHIP

The assassination of John F. Kennedy has put the Republican Party in the position of fighting the election of 1968 in 1964. It has required that the party define not only a new strategy and a positive program but that it choose the men who are to lead it in these great tasks. The party must now find these men; men who can forge a new national party; men who can renew the great progressive Republican tradition; men who possess the qualities of excellence that we should be the first to see as the Kennedy legacy.

It is still too early to take the full measure of our late President. As Republicans we have disagreed and still disagree with many of the programs of his New Frontier. As members of the responsible opposition we have been critical of his administration's performance. But as Americans and as members of a generation still younger than his, there was something in John F. Kennedy that we admired. It would be petty indeed to deny this, dishonest to deny that we look for no lesser qualities in the future leadership of our own party.

John F. Kennedy brought to the Presidency a perspective of the years ahead. His vision of America and its role in the world was not simply the product of youth, of that "new generation of Americans" to whom the torch had been passed. It was derived from those qualities of mind and spirit that comprise his legacy to us: his sense of imagination and inquisitiveness, his subtle and keen intelligence, his awareness of the ultimate judgment of history, his courage to affirm life, his love for the art of politics, his respect for excellence. Robert Frost had spoken of his era as an age of poetry and power. He brought to the Presidency a style and a zest that challenged the idealism and won the enthusiasm of our generation.

Republicans protested with candor that there was too much style and not enough substance to his policies. Now, fate has denied us a full answer. The merits of the man and his leadership will be debated long beyond the coming campaign; but there are lessons in his life and death that we cannot completely escape. We have witnessed a change in the mood of American politics. After Kennedy there can be no turning back to the old conceptions of America. There can be no turning away from the expectations of greatness that he succeeded in imparting to our vision.

To all thinking Republicans the meaning of November 22 should be clear. The Republican Party now has a challenge to seek in its future leadership those qualities of vision, intellectual force, humaneness and courage that Americans saw and admired in John F. Kennedy, not in a specious effort to fall heir to his mantle, but because our times demand no lesser greatness. Our party should make the call to excellence in leadership virtually the center of its campaign platform for 1964. The Republican Party should call America's finest young leaders into the political arena. It should advance its talented younger leadership now to positions of responsibility within the national Republican Party and the Congress. Great government requires great men in government. In a complex age, when truth is relative and total solutions elusive we can do no more than pledge the very best qualities of mind and soul to the endless battle for human dignity. And we dare to no less at every level of social activity, from the Presidency to the town selectman. As Republicans, we feel confident that Americans everywhere will join such an appeal.

We issue this call to excellence in leadership with the full realization that there is much essential work yet to be done before the November elections: the selection of the candidates, the building of a record in the 88th Congress, the shaping of the party platform, the planning of strategy for the campaign. We have not nor do we pretend to spell out a specific course of action. We fear, however, that these efforts will fail unless the party is motivated and directed by the broader and deeper concerns we have voiced. Without this vision and sense of purpose, the Republican Party will most certainly fail in the broadest sense of providing America the responsible leadership it needs.

The moderates of the Republican Party have too long been silent. None of us can shirk the responsibility for our past lethargy. All of us must now respond to the need for forceful leadership. The moderate progressive elements of the Republican Party must strive to change the tone and the content of American political debate. The continued silence of those who should now seek to lead disserves our party and Nation alike. The question has often been asked, "Where does one find fiery moderates?" Recent events show only too clearly how much we need such men. If we cannot find them, let us become them.

LUTHER AND ORVILLE SHOULD GET TOGETHER

Mr. BEERMANN. Mr. Speaker, I ask unanimous consent that the gentleman from Kansas [Mr. DOLE] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Nebraska?

There was no objection.

Mr. DOLE. Mr. Speaker, press reports clearly indicate the U.S. Department of Agriculture has refused to grant export subsidies on Durum wheat sales to friendly free world countries comparable with the subsidy approved for the big Russian wheat deal.

While many Americans may approve the sale of surplus U.S. wheat and other agricultural commodities to Russia on the same terms we give our allies, they would most certainly oppose the granting of preferential trade concessions to Communist Russia and its satellites.

The Department of Agriculture should reveal every detail concerning the announced Durum wheat transaction. The public is entitled to know why taxpayers will pay an "ocean freight subsidy" of 14 cents per bushel on the reported 13 million bushels of Durum made available to Russia, and the public is entitled to know if Commodity Credit Corporation received the market value for the Durum sale to Continental Grain Co. or if preferential treatment was accorded.

Secretary of Agriculture, Orville Freeman, who stated on Tuesday, January 7, we were not paying an "ocean freight" subsidy and Secretary of Commerce, Luther Hodges, who on the same date said we were paying such a subsidy, should get together and agree on their statements.

EFFICIENCY IN GOVERNMENT

Mr. PUCINSKI. Mr. Speaker, I ask unanimous consent that the gentleman from North Carolina [Mr. HENDERSON] may extend his remarks at this point in the RECORD and include extraneous matter, tables, and charts.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. HENDERSON. Mr. Speaker, on November 30, 1963, in a memorandum for the heads of the departments and agencies of the executive branch, President Lyndon B. Johnson laid out a plan by which the departments and agencies were to administer their operations with utmost thrift and frugality. Included in President Johnson's plan was his request that top officials assume personally the day-to-day responsibility for good management and economical administration, press ahead vigorously in the manpower control and utilization program that had been earlier started by President Kennedy, and seek the advice of the committees of Congress as well as other groups to find better and more effective ways to operate the Government. I strongly commend President Johnson for this stand.

In keeping with the President's suggestion to the heads of the departments and agencies to work with congressional committees, I am today advising these officials of this subcommittee's interest and our willingness to be of assistance in President Johnson's program.

The Manpower Utilization Subcommittee is interested in eliminating outmoded and duplicate operations, improving work methods, raising employee morale, increasing employee productivity, and improving the services of Government to the people. The history of this subcommittee for the past 8 years has been that of working closely with the departments and agencies in attempts to achieve these goals. Often the response has been heartening but likewise there have been instances of so-called foot dragging or even worse mere lipservice.

By and large, we feel that currently there is a greater manifestation of interest in manpower management in the Federal Government, with an indication of action, than the Members have witnessed in some time. Undoubtedly much of this interest stems from the vigorous program launched by President Kennedy.

The subcommittee has also received excellent cooperation from employee organizations across the Nation. Without the support of these people many of our accomplishments would not have been possible.

The Manpower Utilization Subcommittee does not operate on the theory that all problems will come to our desks on the Hill or that we will get all the facts by staying in Washington. During the past year the subcommittee has been in contact with over 70 different activities of the executive branch. Our contacts related to a variety of subjects, including the problems of military and civilian staffing patterns, alleged forced retirements of career employees, use of contractor personnel to perform work historically and successfully performed by Government employees, the buddy system in the employment and promotion of personnel, and alleged preferential treatment in personnel administrative matters.

The subcommittee's investigative staff was sent to 15 field activities scattered across the country to study actual manpower and related problems at the sites. These staff visits were followed through by consultation with top management officials at the Washington level in the particular bureaus and offices. We have a record of accomplishments based on this procedure testifying to the values of both a cooperative approach between a congressional committee and the executive branch and on-the-site evaluations.

The members met in public hearings during 1963 over a period of several weeks with manpower officials of 15 departments and agencies. A variety of subjects were raised representing many different aspects of the overall problems of manpower control and manpower utilization.

Informal briefings were provided the members by department and agency heads on a number of specific issues. Included in these issues were questions relating to quality control, use of contract technicians, and the comparative cost of various projects as between in-house capability and contractor operations.

As the result of these many different activities the subcommittee will issue this month formal reports on a number of subjects, including the fiscal management function in the Department of Defense, the use of contract technicians, preferential personnel practices, and a summary of manpower control and utilization techniques.

During 1963, resulting from the numerous contracts by the subcommittee members and staff with management and employee groups, several manpower management problem areas in the Federal Government were detected. Some were not new, other areas were. However, many of these personnel management issues reflect potential savings to our Nation, directly or indirectly.

Every year we hear rumors of too many employees on the Federal payroll. There is always a rebuttal that the Federal Government is not growing as rapidly as our economy or the population, much less as rapidly as State and local governments. These are indeed moot questions to be answered properly by close inspection of the mission, functional priorities, and workload of a particular department or agency.

Our subcommittee has found areas where reductions in personnel would be quite profitable and even lead to more effective management. In turn, there are other areas that are now conceivably understaffed. This reflects a current basic weakness in our Federal manpower program; namely, the lack of a sound and realistic technique to determine employee requirements. Too often we in the Government must resort to historical trends as the best or sole procedure for determining the number of personnel required.

I recognize that civilian employment in the Federal Government since 1958 was on an upward trend until this past October. But, I am happy to note that in November there were 5,000 fewer Government employees than in November 1962.

The subcommittee members recognize the increasing demands on the departments and agencies for more services and for new and expanded functions. There is no question but that the economic growth of the country plus our population explosion are strong contributory factors for more Federal employees. Even so, the subcommittee members continue to look to top management in the Federal Government to improve personnel controls and utilization to offset a higher percentage of these increasing requirements.

The subcommittee has been quite interested for years in inflationary trends in the Classification Act grade structure. Comparing June 30, 1963, employees by pay grade with June 30, 8 years previously; namely, 1955, one finds indeed some interesting statistics. In 1955 some 33.3 percent of all employees in the Federal Government were in grade GS-1, GS-2, and GS-3. Today 16.5 percent are in the three lowest pay grades. The reverse has taken place in the top pay brackets.

In 1955 there were 38,615 employees in pay grades GS-13 and above. This represented 4.2 percent of all the Classification Act employees. This year, as of June 30, there were 100,046 in these top pay grades, representing almost 10 percent of all the employees under the Classification Act.

On several occasions the subcommittee members have raised this issue with officials in the departments and agencies. Many reasons have been given for the upward grade spiral, including increased use of engineers and scientists, automation, more complex operations in some phases of Government and new functions to be managed. All of these points are, to some degree, well taken. But, the subcommittee also is asking if this continued upward trend may not be in part the end result of inadequacies in personnel administration.

Civilian personnel ceilings have undoubtedly been of benefit but also in some instances have been a factor for increased labor costs to the Government.

Our staff inspections have revealed that when civilian personnel ceilings are reduced and military personnel are available, as so often is the case, operating officials resort to contract furnished services or combat-qualified military. The training of the military personnel is drastically reduced in order to make them available for support—namely civilian-type—work. Based on inspections in several Defense Department field activities this year, the staff noted, as a result of reduced civilian personnel ceilings, the use of active-duty military men or contractor personnel in such jobs as: repair and overhaul of aircraft, automotive vehicles and office equipment; custodial and janitorial services, and particularly in the Air Force, maintenance of buildings and grounds. In several Army field activities, the transportation function and even quality inspection work was put on contract.

In most of these instances the contractor merely furnished people and, in my opinion, at a greater cost than if the services had been performed by Government direct-hire personnel.

The subcommittee has, over the years, received more complaints concerning the increased use of military personnel in civilian-type jobs than on any other subject. Investigations by the subcommittee have indicated work being performed by able-bodied military men that has historically and successfully been handled by career civilian employees. Our staff has observed time and again able-bodied military at bases in the United States serving as chauffeurs, typists, receptionists, office machine operators, painters, carpenters, ground maintenance men and the like. The Members recognize that there must be an adequate number of jobs here at home for rotating combat military people from ships and foreign stations. However, this rotation base in the States has in many instances become "fat." We have noted, for example, an Air Force installation on the east coast where management officials on their initiative found in excess of 700 military jobs, out of a total of 5,000 that they felt should be civilianized. May I add, these management officials were military officers. Our experiences have indicated that this is not an exception. In fact, 18 months ago, the Office of the Secretary of Defense, on the urging of this subcommittee, found 15,000 military personnel in the four services engaged in nonmilitary work that could be accomplished by 13,000 civilians. Our subcommittee strongly endorsed the idea with the proviso that the 15,000 military personnel would return to civilian life. An international crises at the time, the Cuban Affairs of 1962, temporarily put this plan in the "deep freeze."

The Manpower Utilization Subcommittee has frequently gone on record as favoring a strong combat force; however, we are not in favor of calling up, involuntarily, to the services young men to perform tasks common to our civilian economy. The morale of both the military man as well as the displaced civilian employee may be adversely affected.

Since labor today in the Defense Establishment may be from direct civilian employees, military personnel, or contractors, it is the considered opinion of this subcommittee that the mere reductions of career civilian employees does not necessarily reduce labor costs in the Department of Defense. The other two labor sources, both regarded as more expensive than career civilians, must likewise be controlled. Otherwise, the cut in career civilian employment merely becomes a gesture.

Too often we have noted throughout the departments and agencies dependence on consultants and other per diem experts for making decisions that should be made by Government's management officials. Frequently it was noted that there was already available in an agency the talent being bought on a consulting basis.

Our staff has also witnessed in its inspection trips, and we have learned in public hearings from top management, of the extensive use of overtime. Extensive use of overtime frequently becomes a moot management question as to the net overall efficiency and economy as related to an increased staff. However, our subcommittee has frequently noted overtime running as high as 15 to 25 percent of the total pay of the same employees month after month over an extended period of time. These facts have been brought to the attention of the Secretary of the Department as an indication that there might be inadequate planning and/or the need to reappraise personnel requirements.

The subcommittee has noted this year numerous other manpower problem areas. For example, the impact of automation on paper work operations in the departments and agencies has been gaining in momentum in the past 5 to 10 years. The Census Bureau, Department of Commerce, has recently shown us a dramatic example of the impact of automation on labor needs. To handle a certain phase of the 1960 census, the Census Bureau used 86 employees and five electronic computers. For the same phase of the 1950 census, without the computers, 3,400 employees were required to do the job. In the next several years automation will mean in the Government the reassignment and possible retraining of thousands of people. Automation will continue to have numerous indirect effects on personnel administration. Our subcommittee has profited from the excellent cooperation of the Subcommittee on Census and Statistics, chaired by the gentleman from Montana, Hon. ARNOLD OLSEN. That subcommittee has held several public hearings on the overall impact of automation on statistical operations in the Federal Government.

The role of the older worker in the Government is becoming more noticeable. We have reviewed numerous allegations that older persons were being discriminated against, in initial hirings, in promotional opportunities and recently by one of the agencies in its redeployment of career employees.

Closely related to alleged discriminations of older employees has been the issue of forced retirements. Our subcommittee has learned of many allegations, whereby the career employee was forced by management to retire—the reasons vary considerably.

Both of the above manpower items are of sufficient volume as to warrant more detailed examination by the subcommittee this year.

The Manpower Utilization Subcommittee has made a detailed study of the current and growing practice in the military departments of recently retired military personnel being rehired as career Government civilian employees. In 1960 the military services hired some 2,000 military people who had retired that year. Included in that group were 70 personnel actions which the subcommittee members felt should be reviewed by top management in the Defense Department. Many of these personnel actions reflected a buddy system personnel procedure. Included in this procedure were such actions as: holding a job open until a particular man retired from the military service, writing up a job to fit the qualification of a certain individual, and the so-called quickie appointment. The name "quickie appointment" arose as a result of situations whereby a military man retired one day and the next day returned to the same job, same desk, as a career civilian employee.

These kinds of personnel actions have been called to the attention of the Secretary of Defense. Some corrections have been made with a policy statement that has dampened somewhat the ardor of this buddy system aspect of personnel administration. Subcommittee interest and study have revealed need for a more comprehensive policy and a tighter monitorship of the total personnel management system. Over 450,000 military personnel will retire from active duty between now and 1970. To protect the career civilian employee and to guarantee an equal opportunity for the retiring military man to work for the Government as a civilian, additional and more positive action, in several ways, must be exercised by the Congress and by the executive branch.

Our subcommittee in 1963 recorded accomplishments in several other areas of endeavor. A staff appraisal of wage board pay procedures in one Government field activity has saved the Government over $65,000 a year. The cooperation of management in the agency's headquarters was especially notable.

Subcommittee interest in specific contracts for the overhaul and repair of aircraft, in two of the services, resulted in the dropping of a cost-plus contract to be replaced by a competitive bid approach. The Government has saved several thousands of dollars as a result. In another instance, our interest resulted in a contractor cutting a unit price for overhaul of engine parts from $240 to $175. In both of these cases local Government employees worked closely with the subcommittee.

On the recommendation of our subcommittee, based on a staff review of another Government field activity, contracts for a number of technicians were terminated. The personnel were placed on a direct-hire basis or the jobs were abolished. This reflects, according to management officials in the agency, an annual savings in excess of $900,000.

The attention of management in the military departments was called to duplicate recordkeeping and ineffective, in fact often impractical, operating statistics. In several instances, especially at naval shipyards, naval air stations, and Air Force bases, local management is revamping and/or changing the collection and analysis techniques relating to administrative data. Headquarters officials have noted our subcommittee comments and have made numerous changes.

Our subcommittee last year received hundreds of personnel-action complaints from across the Nation. We have neither the staff nor the funds to go into all these individual cases. However, last year we reviewed many of these cases with the departments and agencies and/or the Civil Service Commission.

Out of these personnel cases our subcommittee has been able to develop more realistic background material for future courses of action. These cases have pointed up weaknesses and/or needs to revise: retirement practices, wage-board pay procedures, the buddy system of employment, the scheduling of vacations, the redeployment of employees, and appeals procedures.

President Johnson in his memorandum of November 30 to agency and department heads, indicated that progress had been made in the management of manpower in the Federal Government. The President is quite right, and I would like at this time to note some of the improvements that have been reported to the subcommittee. For example, during the year the Department of Agriculture through reorganization and coordination of major functions saved 400 man-years; the Department of the Army and the Navy underwent extensive reorganizations to reflect new concepts of warfare with attending changes in hardware and in its support; and the Marine Corps by consolidating activities in the Philadelphia area saved 70 positions.

By revising its payroll operations the Department of Health, Education, and Welfare, will realize savings in labor costs of $350,000 annually.

During the year automation was carried a step further in many paper-processing operations in the Federal Government. This was especially noted in the Departments of Agriculture, Navy, Treasury, and the Veterans' Administration. In fact, the Veterans' Administration in one operation alone, veterans' insurance payments, has cut 400 jobs as a result of automation.

The Department of State, last month in a report to the subcommittee, indicated substantial savings as a result of management surveys—13 consulate posts will be closed at a savings of more than $500,000 annually. In the same report, AID revealed that revised staffing patterns, with a critical eye toward requirements, has meant the abolishment of 15 technician positions in various parts of the world.

The Air Force, in its most recent manpower report to the subcommittee, indicated that as a result of its review of air traffic personnel needs a savings of 400 jobs can be realized.

Possibly the most dramatic incident cited to our subcommittee during 1963 was by the Bureau of Reclamation in the Department of the Interior. Out in California, by use of helicopters, drilling equipment is now being relocated in a matter of 4 hours. In the past, over similar terrain, this operation normally would have required a six-man crew 2 weeks to do the job.

These are but a few examples of many instances reported to the Manpower Utilization Subcommittee of the effectiveness in manpower control and utilization by management in the Federal Government. Quarterly the subcommittee reviews the reports by departments and agencies and as a result prepares a summary for the members and for manpower officials throughout the Government.

Despite these many fine accomplishments employment in the Federal Government is above the same month in 1958. However, I am happy to note that during a 12-month period, October 1962–November 1963, civilian employment in the Federal Government dropped. Even so, for the same 12 months, October 1962 through November 1963, the Federal civilian payroll was $16 billion. Need I say, that is a lot of money.

Congressmen, agency heads, supervisors, rank-and-file employees throughout the Federal Government, we all face a great challenge now, today, to reduce the costs of the Federal Government by exercising more effective controls and utilization of Government employees. President Johnson has placed the challenge before us. The next few months will separate the lipservice managers from the results managers.

I pledge to Lyndon B. Johnson the fullest cooperation of the Manpower Utilization Subcommittee in this noble effort.

THE NATION'S TRAGEDY—1963

The SPEAKER pro tempore. Under previous order of the House, the gentleman from Illinois [Mr. PUCINSKI] is recognized for 30 minutes.

Mr. PUCINSKI. Mr. Speaker, I have taken this special order today in order to call to the attention of my colleagues a magnificent special memorial section published by the Chicago Sun-Times on December 29, 1963, in memory of our late President John Fitzgerald Kennedy.

Students of history for centuries to come will seek information about this tragic chapter of American history when President Kennedy was murdered.

It is my hope that by including in the body of the RECORD today the complete text of this special memorial section published by the Sun-Times, we may leave for posterity a permanent record of how one American publication interpreted and reported this tragic event of 1963.

The men and women who prepared this special memorial section are among America's most highly respected writers. Their words describing this entire tragedy graphically record the full impact of the tragedy.

Mr. Speaker, I think it is important that the CONGRESSIONAL RECORD, which in my judgment mirrors, through the Members of Congress, the chronicle of contemporary American history as it unfolds from day to day, should include this magnificent memorial section which so skillfully describes one of the great tragedies of our civilization.

It is with a sense of deep pride that I include in my remarks today the work of these outstanding men and women of American journalism.

The Chicago Sun-Times has performed a classic public service in compiling into a few pages the full scope of those tragic days in November which took from America one great President and gave to America another great President.

The Sun-Times Kennedy memorial section follows:

A BLACK FRIDAY IN DALLAS

(By Merriman Smith)

WASHINGTON.—It was a balmy sunny noon as we motored through downtown Dallas behind President Kennedy.

The procession cleared the center of the business district and turned into a handsome highway that wound through what appeared to be a park.

I was riding in the so-called White House press pool car, a telephone company vehicle equipped with a mobile radiotelephone. I was in the front seat between a driver from the telephone company and Malcolm Kilduff, acting White House Press Secretary for the President's Texas tour. Three other pool reporters were wedged in the back seat.

Suddenly we heard three loud, almost painfully loud cracks. The first sounded as if it might have been a large firecracker. But the second and third blasts were unmistakable—gunfire.

The President's car, possibly as much as 150 or 200 yards ahead, seemed to falter briefly. We saw a flurry of activity in the Secret Service followup car behind the Chief Executive's bubbletop limousine.

Next in line was the car bearing Vice President Lyndon B. Johnson. Behind that, another followup car bearing agents assigned to the Vice President's protection. We were behind that car.

Our car stood still for probably only a few seconds, but it seemed like a lifetime. One sees history explode before one's eyes and for even the most trained observer, there is a limit to what one can comprehend.

I looked ahead at the President's car but could not see him or his companion, Gov. John B. Connally, of Texas. Both men had been riding on the right side of the bubbletop limousine from Washington. I thought I saw a flash of pink which would have been Mrs. Jacqueline Kennedy.

Everybody in our car began shouting at the driver to pull up closer to the President's car. But at this moment we saw the big bubbletop and a motorcycle escort roar away at high speed.

We screamed at our driver, "Get going, get going." We careened around the Johnson car and its escort and set out down the highway, barely able to keep in sight of the President's car and the accompanying Secret Service followup car.

They vanished around a curve. When we cleared the same curve we could see where we were heading—Parkland Hospital, a large brick structure to the left of the arterial highway. We skidded around a sharp left turn and spilled out of the pool car as it entered the hospital driveway.

I ran to the side of the bubbletop.

The President was face down on the back seat. Mrs. Kennedy made a cradle of her arms around the President's head and bent over him as if she were whispering to him.

Governor Connally was on his back on the floor of the car, his head and shoulders resting in the arms of his wife, Nellie, who kept shaking her head and shaking with dry sobs. Blood oozed from the front of the Governor's suit. I could not see the President's wound. But I could see blood spattered around the interior of the rear seat and a dark stain spreading down the right side of the President's dark gray suit.

From the telephone car, I had radioed the Dallas bureau of UPI that three shots had been fired at the Kennedy motorcade. Seeing the bloody scene in the rear of the car at the hospital entrance, I knew I had to get to a telephone immediately.

Clint Hill, the Secret Service agent in charge of the detail assigned to Mrs. Kennedy, was leaning over into the rear of the car.

"How badly was he hit, Clint?" I asked.

"He's dead," Hill replied curtly.

I have no further clear memory of the scene in the driveway. I recall a babble of anxious voices, tense voices—"Where in hell are the stretchers * * *. Get a doctor out here * * *. He's on the way * * *. Come on, easy there." And from somewhere, nervous sobbing.

I raced down a short stretch of sidewalk into a hospital corridor. The first thing I spotted was a small clerical office, more of a booth than an office. Inside, a bespectacled man stood shuffling what appeared to be hospital forms. At a wicket much like a bank teller's cage, I spotted a telephone on the shelf.

"How do you get outside?" I gasped. "The President has been hurt and this is an emergency call."

"Dial 9," he said, shoving the phone toward me.

It took two tries before I successfully dialed the Dallas UPI number. Quickly I dictated a bulletin saying the President had been seriously, perhaps fatally, injured by an assassin's bullets while driving through the streets of Dallas.

Litters bearing the President and the Governor rolled by me as I dictated, but my back was to the hallway and I didn't see them until they were at the entrance of the emergency room about 75 or 100 feet away.

I knew they had passed, however, from the horrified expression that suddenly spread over the face of the man behind the wicket.

As I stood in the drab buff hallway leading into the emergency ward trying to reconstruct the shooting for the UPI man on the other end of the telephone and still keep track of what was happening outside the door of the emergency room, I watched a swift and confused panorama sweep before me.

Kilduff, of the White House press staff, raced up and down the hall. Police captains barked at each other, "Clear this area." Two priests hurried in behind a Secret Service agent, their narrow purple stoles rolled up tightly in their hands. A police lieutenant ran down the hall with a large carton of blood for transfusions. A doctor came in and said he was responding to a call for "all neurosurgeons."

The priests came out and said the President had received the last sacrament of the Roman Catholic Church. They said he was still alive, but not conscious. Members of the Kennedy staff began arriving. They had been behind us in the motorcade, but hopelessly bogged for a time in confused traffic.

Telephones were at a premium in the hospital and I clung to mine for dear life. I was afraid to stray from the wicket lest I lose contact with the outside world.

My decision was made for me, however, when Kilduff and Wayne Hawks of the White House staff ran by me, shouting that Kilduff would make a statement shortly in the so-called nurses room a floor above and at the far end of the hospital.

I threw down the phone and sped after them. We reached the door of the conference room and there were loud cries of "Quiet." Fighting to keep his emotions under control, Kilduff said "President John Fitzgerald Kennedy died at approximately 1 o'clock."

I raced into a nearby office. The telephone switchboard at the hospital was hopelessly jammed. I spotted Virginia Payette, wife of UPI's southwestern division manager and a veteran reporter in her own right. I told her to try getting through on pay telephones on the floor above.

Frustrated by the inability to get through the hospital switchboard, I appealed to a nurse. She led me through a maze of corridors and back stairways to another floor and a lone pay booth. I got the Dallas office. Virginia had gotten through before me.

Whereupon I ran back through the hospital to the conference room. There Jiggs Fauver, of the White House transportation staff grabbed me and said Kilduff wanted a pool of three men immediately to fly back to Washington on *Air Force 1*, the presidential aircraft.

"He wants you downstairs, and he wants you right now," Fauver said.

Down the stairs I ran and into the driveway, only to discover Kilduff had just pulled out in our telephone car.

Charles Roberts of Newsweek magazine, Sid Davis of Westinghouse Broadcasting and I implored a police officer to take us to the airport in his squad car. The Secret Service had requested that no sirens be used in the vicinity of the airport, but the Dallas officer did a masterful job of getting us through some of the worst traffic I've ever seen.

As we piled out of the car on the edge of the runway about 200 yards from the presidential aircraft, Kilduff spotted us and motioned for us to hurry. We trotted to him and he said the plane could take two pool men to Washington; that Johnson was about to take the oath of office aboard the plane and would take off immediately thereafter.

I saw a bank of telephone booths beside the runway and asked if I had time to advise my news service. He said, "But for God's sake, hurry."

Then began another telephone nightmare. The Dallas office rang busy. I tried calling Washington. All circuits were busy. Then I called the New York bureau of UPI and told them about the impending installation of a new President aboard the airplane.

Kilduff came out to the plane and motioned wildly toward my booth. I slammed down the phone and jogged across the runway. A detective stopped me and said, "You dropped your pocket comb."

Aboard *Air Force 1* on which I had made so many trips as a press association reporter covering President Kennedy, all of the shades of the larger main cabin were drawn and the interior was hot and dimly lighted.

Kilduff propelled us to the President's suite two-thirds of the way back in the plane. The room is used normally as a combination conference and sitting room and could accommodate 8 to 10 people seated.

I wedged inside the door and began counting. There were 27 people in this compartment. Johnson stood in the center with his wife, Lady Bird. U.S. District Court Judge Sarah T. Hughes, 67, a kindly faced woman stood with a small black Bible in her hands, waiting to give the oath.

The compartment became hotter and hotter, Johnson was worried that some of the Kennedy staff might not be able to get inside. He urged people to press forward, but a Signal Corps photographer, Capt. Cecil Stoughton, standing in the corner on a chair, said if Johnson moved any closer, it would be virtually impossible to make a truly historic photograph.

It developed that Johnson was waiting for Mrs. Kennedy, who was composing herself in a small bedroom in the rear of the plane. She appeared alone, dressed in the same pink wool suit she had worn in the morning when she appeared so happy shaking hands with airport crowds at the side of her husband.

She was white faced but dry eyed. Friendly hands stretched toward her as she stumbled slightly. Johnson took both of her hands in his and motioned her to his left side. Lady Bird stood on his right, a fixed half-smile showing the tension.

Johnson nodded to Judge Hughes, an old friend of his family and a Kennedy appointee.

"Hold up your right hand and repeat after me," the woman jurist said to Johnson.

Outside a jet could be heard droning into a landing.

Judge Hughes held out the Bible and Johnson covered it with his large left hand. His right arm went slowly into the air and the jurist began to intone the constitutional oath, "I do solemnly swear I will faithfully execute the office of President of the United States * * *."

The brief ceremony ended when Johnson in a deep, firm voice, repeated after the judge, "and so help me God."

Johnson turned first to his wife, hugged her about the shoulders and kissed her on the cheek. Then he turned to Mr. Kennedy's widow, put his left arm around her and kissed her cheek.

As others in the group—some Texas Democratic House members, members of the Johnson and Kennedy staffs—moved toward the new President, he seemed to back away from any expression of felicitation.

The 2-minute ceremony concluded at 2:38 p.m., and seconds later the President said firmly, "Now, let's get airborne."

Col. James Swindal, pilot of the plane, a big gleaming silver and blue fan-jet, cut on the starboard engines immediately. Several persons, including Sid Davis, of Westinghouse, left the plane at that time. The White House had room for only two pool reporters on the return flight and these posts were filled by Roberts and me, although at the moment we could find no empty seats.

At 3:47 p.m., the wheels of *Air Force 1* cleared the runway. Swindal roared the big ship up to an unusually high cruising altitude of 41,000 feet where, at 625 miles an hour, ground speed, the jet hurtled toward Andrews Air Force Base outside Washington.

When the President's plane reached operating altitude, Mrs. Kennedy left her bedchamber and walked to the rear compartment of the plane. This was the so-called family living room, a private area where she and Mr. Kennedy, family, and friends had spent many happy airborne hours chatting and dining together.

Mr. Kennedy's casket had been placed in this compartment, carried aboard by a group of Secret Service agents.

Mrs. Kennedy went into the rear lounge and took a chair beside the coffin. There she remained throughout the flight. Her vigil was shared at times by four staff members close to the slain Chief Executive—David Powers, his buddy and personal assistant; Kenneth P. O'Donnell, appointments secretary and key political adviser; Lawrence O'Brien, chief Kennedy liaison man with Congress; and Brig. Gen. Godfrey McHugh, Mr. Kennedy's Air Force aide.

Mr. Kennedy's military aide, Maj. Gen. Chester V. Clifton, was busy most of the trip in the forward areas of the plane, sending messages and making arrangements for arrival ceremonies and movement of the body to Bethesda Naval Hospital.

As the flight progressed, Johnson walked back into the main compartment. My portable typewriter was lost somewhere around the hospital and I was writing on an oversized electric typewriter which Mr. Kennedy's personal secretary, Mrs. Evelyn Lincoln, had used to type his speech texts.

Johnson came up to the table where Roberts and I were trying to record the history we had just witnessed.

"I'm going to make a short statement in a few minutes and give you copies of it," he said. "Then when I get on the ground, I'll do it over again."

It was the first public utterance of the new Chief Executive, brief and moving: "This is a sad time for all people. We have suffered a loss that cannot be weighed. For me it is a deep personal tragedy. I know the world shares the sorrow that Mrs. Kennedy and her family bear. I will do my best. That is all I can do. I ask for your help—and God's."

When the plane was about 45 minutes from Washington, the new President got on a special radiotelephone and placed a call to Mrs. Rose Kennedy, the late President's mother.

"I wish to God there was something I could do," he told her, "I just wanted you to know that."

Then Mrs. Johnson wanted to talk to the elder Mrs. Kennedy.

"We feel like the heart has been cut out of us," Mrs. Johnson said. She broke down for a moment and began to sob. Recovering in a few seconds, she added, "Our love and our prayers are with you."

Thirty minutes out of Washington, Johnson put in a call for Nellie Connally, wife of the seriously wounded Texas Governor.

The new President said to the Governor's wife: "We are praying for you, darling, and I know that everything is going to be all right, isn't it? Give him a hug and a kiss for me."

It was dark when *Air Force 1* began to skim over the lights of the Washington area, lining up for a landing at Andrews Air Force Base. The plane touched down at 5:59 p.m.

I thanked the stewards for rigging up the typewriter for me, pulled on my raincoat and started down the forward ramp. Roberts and I stood under a wing and watched the casket being lowered from the rear of the plane and borne by a complement of Armed Forces bodybearers into a waiting hearse. We watched Mrs. Kennedy and the President's brother, Attorney General Robert F. Kennedy, climb into the hearse beside the coffin.

The new President repeated his first public statement for broadcast and newsreel microphones, shook hands with some of the Government and diplomatic leaders who turned out to meet the plane, and headed for his helicopter.

Roberts and I were given seats on another helicopter bound for the White House lawn. In the compartment next to ours in one of the large chairs beside a window sat Theodore C. Sorensen, one of Mr. Kennedy's closest associates with the title of special counsel to the President. He had not gone to Texas with his Chief but had come to the airbase for his return.

Sorensen sat wilted in the large chair, crying softly. The dignity of his deep grief seemed to sum up all of the tragedy and sadness of the previous 6 hours.

As our helicopter circled in the balmy darkness for a landing on the White House south lawn, it seemed incredible that only 6 hours before, John Fitzgerald Kennedy had been a vibrant, smiling, waving, and active man.

Three Last, Bright Hours—And the Nightmare Descends

(By Carleton Kent)

Dallas.—It had rained in the early morning, but then the sky cleared into the livid blue of the Southwest; the air was cool, and every prospect pleased as John F. Kennedy rode into Dallas.

In neighboring Fort Worth, not notably a hotbed of liberalism, he had been extravagantly praised at a chamber of commerce breakfast meeting by "Mr. Fort Worth," Chamber President Raymond Buck.

"Our great, courageous, and brilliant leader of the world's strongest nation," Buck had called him. "Our hearts and our arms are open to you. May God bless you and cause His light to shine on you and your companions."

Three hours later, in the bright sun of Dallas, 30 miles away, the young President lay dying in the back seat of an open car, struck down by an assassin whose gun couldn't miss his russet-haired target in a slow-moving motorcade.

He had come to Texas the day before for precampaign politicking in a State whose 25 electoral votes would be important in 1964, whose Democratic Party was torn by a family feud, and in which conservative Republicans fanatically devoted to Senator Barry Goldwater, Republican, of Arizona, were boasting of their strength.

Overnight the President had smoothed over the public portions of the fight among Democrats. He had persuaded Senator Ralph W. Yarborough, the liberal Democrats' champion, to ride in the same car with Lyndon B. Johnson, his dearest Democratic foe, and Mrs. Johnson in the Fort Worth and Dallas motorcades.

This was something Yarborough had twice refused to do on Thursday, in San Antonio, and Houston.

Pleased over this demonstration, maybe only a gesture of Democratic unity, the President charged on Dallas, the citadel of right-wing Republicanism.

He had a speech in his pocket, to be delivered at an enormous luncheon meeting sponsored by top business executives of Dallas—almost to a man stanchly conservative—and it minced no words.

It accused his extremist foes of talking nonsense—of assuming that words will suffice without weapons, that vituperation is as good as victory, and that peace is a sign of weakness.

The assassin's bullet struck him down a half hour before he was to deliver his challenge, and while he was on his way to the luncheon date in the Dallas trade mart that ended on the grimmest of notes.

The crowd in downtown Dallas had been extra large and appeared extra friendly.

There were a few Goldwater signs. There was one in big capitals in an office building that said merely, "Bah." There was another, longer one: "Because of my respect for the Presidency, I despise you and your brand of socialism."

Reporters riding in a "White House press bus" 200 yards behind the President's car guessed Mr. Kennedy probably laughed at those.

After the sniper's bullet hit him, Mrs. Kennedy cradled his head in the lap of her raspberry-colored wool suit, the one he had kidded her about earlier in the joyous day at Fort Worth.

He had apologized, to a crowd standing in the early morning rain of a parking lot across from the hotel, because his wife hadn't come with him.

"Mrs. Kennedy is organizing herself," he said. "It takes longer. But, of course, she looks better than we do when she does it."

And at the chamber of commerce breakfast later he complained that "nobody wonders what Lyndon and I wear."

Just before the shots rang out that killed him and gravely wounded Texas Governor, John B. Connally, riding in the seat ahead of him, the Kennedys were laughing at something Mrs. Connally turned around to say to them.

"You can't say Dallas wasn't friendly to you today," she said.

Then occurred the kind of nightmare the Secret Service always live with.

And Senator Yarborough riding two cars behind will never forget the sight of the Secret Service man beating his fist on the presidential car in what he knew to be anger, frustration, and despair.

The President died without ever answering Mrs. Connally, or saying another word.

He could have had no intimation of what fate had in store for him. He did know, of course, that his visit to Texas was begging political danger.

But that was the kind of America he preached. He felt it was better to come to Texas, to challenge the Republicans and to risk any damage accruing from the Democratic Party's factional fight, than to turn his back on it and pretend no trouble existed. He chose to go into difficult political terrain, and to face the most vociferous and unyielding foes of his administration in the fiercest citadel of conservatism in the Nation.

Of course, he didn't know one man, instead of arguing politics, would use a sniper's rifle.

A Gray Saturday in Capital

(By David Wise)

Washington.—The rain in Washington, cold, gray, and dismal, had begun soon after the dawn.

At each corner of the President's mahogany casket, four white candles cast flickering shadows in the hushed East Room of the White House.

John F. Kennedy, 35th President of the United States, reposed there, in his home, for the last time Saturday, 1 day after an assassin's bullet in Dallas had cut short his Presidency, his hopes, and his life at the age of 46.

A family mourned, a nation mourned, a world mourned, and as the rains came throughout the long, sorrowful day, it seemed as though the heavens mourned, too.

There was shock in Washington Friday when the President was murdered. Saturday there was only sadness.

The dead President's immediate family and the great men of power in Washington filed past the closed casket Saturday.

During the night, residents of the Capital could hear the sirens of the police escort as the casket containing the President's body moved through the dark streets from Bethesda Naval Hospital to the White House.

The blue-gray Navy ambulance left the hospital at 4 a.m. Inside were Mrs. Jacqueline Kennedy, still wearing the blood-spattered pink suit, stockings, and shoes she wore Friday, and the President's brother, Attorney General Robert F. Kennedy.

At 4:25 a.m., the ambulance, its window curtains drawn, moved through the northwest gate of the White House. A double line of marines led the way as the ambulance and three limousines moved under the elms, bare of leaves, up the driveway to the north portico of the White House.

Hundreds of persons who had waited in the darkness outside the White House gates watched silently. Men removed their hats. Mrs. Kennedy stepped out of the ambulance, waiting patiently for the flag-draped casket to be removed.

Then, she turned and walked steadily between the double line of marines, on the arm of Robert Kennedy.

Mrs. Kennedy, the Attorney General, and a few members of the President's staff gathered in the East Room before dawn. One of the priests in attendance said a short prayer.

At 10:30 a.m., a private Mass was conducted in the East Room, attended by Mrs. Kennedy, her 2 children, and about 75 close friends and members of the family.

And all day long they came to file silently into the East Room—the leaders of Congress, the military, members of the President's Cabinet, his close friends, the Justices of the Supreme Court, the members of the diplomatic corps, Governors, and mayors.

As the leaders of the Nation filed past the casket, two of President Kennedy's rocking chairs were taken out of the White House by workmen, to be placed in storage.

AMID SORROW, THE STRENGTH TO CARRY ON

(By Thomas B. Ross)

WASHINGTON.—"Mrs. Kennedy has asked that this be as distinguished a tribute as we can possibly make it."

With those words of Attorney General Robert F. Kennedy, R. Sargent Shriver, Jr., began the preparations for the solemn and majestic ceremonies that ended when John Fitzgerald Kennedy was laid to rest Monday afternoon.

This is the story of how Mrs. Kennedy's anguished request was carried out.

It was then midafternoon Friday; Mr. Kennedy had been shot to death 3 hours before. Shriver had just talked by phone with Robert Kennedy, who was waiting for the body to be flown back from Dallas.

Shriver carried the Attorney General's words to a meeting in the White House of the late President's staff, his principal military aides, and the protocol chiefs of the State Department. Shriver was not to go to bed for another 30 hours.

He had been having lunch with his wife, Eunice, at a downtown restaurant when word came that his brother-in-law had been shot. Together, they returned to Shriver's office in the Peace Corps.

Robert Kennedy phoned for the first time a short while later. Shriver suggested the Attorney General stay with Mrs. Kennedy and let him handle the details. The Attorney General agreed and the Shrivers set out for the White House.

Mrs. Shriver left almost immediately with Senator **EDWARD KENNEDY**, Democrat, of Massachusetts, to be with their parents in Hyannis Port, Mass.

Shriver went to work on the arrangements. Mrs. Kennedy had now returned to Washington with the President's body. Another call from the Attorney General conveyed her desire to have the East Room in the White House prepared as it was for the body of Abraham Lincoln.

Shriver had 8 hours to carry out the request and no one seemed to know how the East Room had been decorated for Lincoln.

Shriver called Richard Goodwin, a former aide at the Peace Corps who had recently been chosen as the President's special assistant on the fine arts. Within half an hour, Goodwin produced a photograph of Lincoln's body lying in repose in the White House.

Shriver then turned to William Walton, an artist friend of Mrs. Kennedy. Walton took Goodwin's picture and put the White House staff to work.

A furniture upholsterer, brought to the White House from Cape Cod, Mass., by the First Lady, stood on a 20-foot ladder for 9 hours arranging the black window curtains in the proper way.

Carpenters took down the aluminum storm doors to return them to their original form.

Walton removed the gay flower decoration and substituted white lilies. Also during the first night he managed to find the proper yellow candlesticks. Antique oil lights were located to illuminate the White House driveway.

At midnight, Shriver had a crucifix brought in from the bedroom of his home in nearby Maryland.

The military men were having great difficulty locating a ceremonial honor guard to receive the President's body with appropriate dignity and ceremony.

Finally, at 3 a.m., the White House naval aide, Capt. Tazewell T. Shepard, Jr., located two dozen members of a crack drill team at the marine barracks a couple miles from the White House.

They were roused from sleep and volunteered without hesitation. They arrived at the White House in time for Mrs. Kennedy's arrival from Bethesda Naval Hospital with the body at 4:30 a.m.

By then all was in readiness.

Everything, the First Lady said, had been done exactly as she would have done it.

The First Lady declared her resolve to walk behind the casket to the church and she asked that Mass be held at St. Matthew's.

Mrs. Kennedy, the Attorney General, and Shriver agreed that there should be a "low" spoken Mass rather than a "high" sung Mass with incense and more elaborate ceremony. The late President had not been a man for pomp and circumstance.

Mrs. Kennedy recalled how pleased she had been with the man who sang at her wedding. Within hours he agreed to come to Washington for the Requiem Mass.

The First Lady also remembered how moved she had been by Bizet's "Agnus Dei," which also had been played at the wedding. The piece was promptly included in the music scheduled for the Mass.

Mrs. Kennedy asked that there be no elaborate diplomatic display and so the State Department's chief of protocol, Angier Biddle Duke, sent out a worldwide request that the foreign representation be held down.

But the request was to no avail. By noon Saturday the State Department had been flooded with cables reporting that emperors, princes, queens, and presidents were determined to attend the funeral.

All afternoon Saturday Shriver and Duke worked out the invitation list and the seating arrangement in the cathedral. It was completed by nightfall.

And at 11 p.m., more than 30 hours after he had received his first call from the Attorney General, Shriver went home to bed.

A MOURNFUL SUNDAY PROCESSION

(By William Braden)

WASHINGTON.—The body of John Fitzgerald Kennedy was carried to the Capitol rotunda to lie in state Sunday in a ceremony that pulsed with the stark horror of a Greek tragedy.

The agony of the procession was made almost unbearable by the shooting in Dallas that ended the life of President Kennedy's accused assassin.

Lee Harvey Oswald, 24, was gunned down while the first elements of the cortege were forming around the north portico of the White House.

The news that Oswald had been shot spread quickly at the White House and along the cortege route, where it was picked up by spectators with transistor radios.

And then, as if events had been following some ironic script, word of Oswald's death electrified the mourners in the rotunda just as Mrs. Kennedy turned and left the casket of her husband.

There were no tears for Oswald. But it was plain that everyone in this stricken city had already had his fill of hate and violence. And even the supposedly hardened newsmen here were physically sickened by the new bloodshed, holding their stomachs as they turned away from White House radios and television sets.

With this added anguish, the cortege left the White House slightly behind schedule at 1:10 p.m.

The body of the murdered President was carried on the same black artillery caisson that bore Franklin Delano Roosevelt on a similar journey in 1945.

The four-wheeled caisson, draped in black, was pulled by six white horses. It was preceded by a mounted soldier on a seventh white horse. The caisson was followed by a soldier carrying a flag and by a riderless dark gray horse named Black Jack.

The gelding was fully saddled and a sword in a scabbard hung on the right side of the saddle. The silver stirrups were reversed and held a pair of black riding boots.

The casket, covered by the Stars and Stripes, was carried from the East Room of the White House by servicemen and placed on the caisson at the crepe-hung north portico.

To the beat of muffled drums, the procession left the White House by the northeast gate, the driveway lined by sailors who presented the flags of the 50 States.

Following an historic route, the cortege moved along Pennsylvania Avenue to 15th Street, and then turned right, taking 15th south until it rejoined Pennsylvania. Then, with the Capitol dome visible in the distance, it proceeded down Pennsylvania and Constitution Avenues to Delaware Avenue, where it turned right again to arrive at the East Plaza of the Capitol. The cortege covered the 1.8-mile route at a constant pace of 100 steps to the minute, the cadence set by the throb of the drums.

No one who was there is likely to forget those drums that thudded like a broken heart the entire length of the march.

An estimated 300,000 persons jammed the route, standing 10 to 20 deep at the curbs, leaning from windows, perched on walls and rooftops and wedged in trees.

The crowd was the largest he had ever seen in Washington, said Police Capt. Joseph V. Osterman.

It seemed that almost all of those along the way, adults and children, were wearing their Sunday best, in respect for the dead leader. And aside from the drums—always the drums—the silence seemed nearly perfect as the cortege moved down the broad eight lanes of Pennsylvania Avenue.

The skies were cloudless and painfully bright. A crisp wind blew from the west, whirling brown and yellow leaves from near-barren trees, bracing the flags that hung at half-staff all along the way.

To some, the procession sometimes seemed like a little lost ship making its way down the black river of pavement. It was not a small procession, but it looked diminutive on the vast, empty boulevard.

The cortege was headed by a police honor guard. This was followed by the escort commander, Maj. Gen. Philip C. Wehle; by the 20 drummers from the 5 services; by a company of Navy personnel, symbolizing Mr. Kennedy's service in that branch during World War II; by a special honor guard consisting of the Joint Chiefs of Staff; and, just ahead of the caisson, a color detail and clergymen.

Behind the caisson came a serviceman with the Presidential flag and then the horse and cars carrying dignitaries and members of Mr. Kennedy's family—among them President Johnson and Mrs. Kennedy with the two children, Caroline and John, Junior.

The rear was brought up by another police honor guard and by the White House press corps.

Their repressed emotions finally proved too much for the well-behaved spectators. And when the procession had passed, they suddenly broke from the curbs and moved into the street to join the reporters who brought up the rear of the cortege.

It was a startling and poignant sight. Looking back, the reporters abruptly found themselves joined by hundreds and then thousands of men, women, and children.

Running and trotting, the spectators swept after the cortege, following their fallen President.

But at Ninth Street, police threw a cordon across the avenue—holding spectators and reporters alike.

The reporters were finally allowed through. But minutes later they had been joined by a second wave of spectators.

Another police cordon was encountered at Seventh Street. Once again, the reporters eventually talked their way through. But at Fourth Street, the reporters and others came up against a line of Marines with fixed bayonets. And this time the newsmen were stopped cold, despite the protests of a White House press aid who pointed out they were a part of the official procession.

The cortege continued along Constitution Avenue and then swung around to the East Plaza.

Again the crowds broke, and they moved like a wave toward the Capitol—thousands and thousands of them, literally engulfing the building and rushing up the stairs of the West Plaza.

Arriving at the East Plaza, the cortege was honored by a 21-gun salute. Drums sounded four ruffles and flourishes, and the Air Force band played "Hail to the Chief" and a naval hymn, "Eternal Father, Strong To Save."

The casket was then carried into the rotunda, under the great dome, where it was placed upon the black-draped catafalque that once supported the coffin of Abraham Lincoln.

John, Junior, was taken outside, but Caroline stood at her mother's right side in the rotunda as brief tributes were paid to Mr. Kennedy by Senator MIKE MANSFIELD, of Montana, the Senate Democratic leader; Earl Warren, Chief Justice of the United States, and Representative JOHN W. MCCORMACK, of Massachusetts, Speaker of the House.

"There was the sound of laughter; in a moment, it was no more. And so, she took a ring from her finger and placed it in his hands," said MANSFIELD.

He eulogized Mr. Kennedy as a leader, as a patriot, as a father and as a husband.

"He gave us of his love that we, too, in turn—might give," said MANSFIELD. "He gave that we might give of ourselves, that we might give to one another until there would be no room, no room at all, for the bigotry, the hatred, prejudice and the arrogance which converged in that moment of horror to strike him down."

"We are saddened," said Warren. "We are stunned. We are perplexed.

"What moved some misguided wretch to do this horrible deed may never be known to us, but we do know that such acts are commonly stimulated by forces of hatred and malevolence, such as today, which are eating their way into the bloodstream of American life.

"What a price we pay for this fanaticism.

"It has been said that the only thing we learn from history is that we do not learn.

"But surely we can learn if we have the will to do so. Surely there is a lesson to be learned from this tragic event.

"If we really love this country, if we truly love justice and mercy, if we fervently want to make this Nation better for those who are to follow us, we can at least abjure the hatred that consumes people, the false accusations that divide us and the bitterness that begets violence.

"Is it too much to hope that the martyrdom of our beloved President might even soften the hearts of those who would themselves recoil from assassination but who do not shrink from spreading the venom which kindles thoughts of it in others?"

"At each great crisis in our history," said MCCORMACK, "we have found a leader able to grasp the helm of state and guide the country through the troubles which beset it."

Mr. Kennedy was such a man, said MCCORMACK, and he added:

"Now that our great leader has been taken from us in a cruel death, we are bound to feel shattered and helpless in the face of our loss. This is but natural.

"But as the first bitter pang of our incredulous grief begins to pass, we must thank God that we were privileged, however briefly, to have had this great man for our President. For he has now taken his place among the great figures of our world history.

"While this is an occasion of deep sorrow, it should also be one of dedication. We must have the determination to unite and carry on the spirit of John Fitzgerald Kennedy for a strengthened America and for a future world of peace."

The acoustics were bad, and most of the speeches went unheard by the small group of mourners who had crowded into the rotunda. Former President Harry S. Truman stood behind the speakers with bowed head, his hands clasped in front of him.

Mrs. Kennedy was dressed in black, her head covered with black lace. Caroline wore a blue coat, red shoes, white gloves, and a ribbon in her hair. And those who do not have children her age wondered whether she understood what was happening there.

Her uncle, Robert F. Kennedy, the Attorney General, stood next to her.

It was warm in the rotunda. Representative CARL VINSON, Democrat, of Georgia was led out at the beginning of the ceremony. A physician said VINSON was overheated. And after being given a fluid, the Representative, who has been in Congress for more years than Mr. Kennedy lived, returned to hear the proceedings from a chair.

At 2:17 p.m., a serviceman and President Johnson carried a mounted floral tribute to the casket in the center of the rotunda. Mr. Johnson bowed his head briefly and then turned and walked back.

Then Mrs. Kennedy and Caroline walked hand in hand to the catafalque, kneeled and Mrs. Kennedy kissed the flag which covered her husband's casket.

The time—2:19 p.m.

The mother and daughter turned and walked from the bier, and then led the mourners out of the rotunda.

[From the Chicago (Ill.) Sun-Times, Dec. 29, 1963]

A MONDAY WALK IN GOTHIC GLOOM

(By William Braden)

WASHINGTON.—The casket moved through the streets followed by presidents and princes, dukes and prime ministers—even a king and an emperor.

But the eyes of thousands were on a woman in black.

She strode briskly to the cadence of the funeral drums, her head erect, her widow's veil tossed by the wind.

The passage of years may some day blur the memories of those who lined the curbs of the Nation's Capital Monday. Even the clatter of hooves and the beat of the drums may someday be forgotten.

But for those who stood and watched it, Mrs. John F. Kennedy's last walk with her husband can never be forgotten.

She strode with strength and purpose behind the caisson that bore the murdered President, the veil fluttering like a proud and terrible flag of honor. And those who watched shared both her sorrow, which was a nation's sorrow, and her strength, which was her own.

Surely it was her finest hour.

Many of the world's most powerful leaders, all on foot, kept step behind Mrs. Kennedy as her husband's casket was carried from the White House to the Requiem Mass in St. Matthew's Cathedral.

A separate procession a short time earlier had taken the casket to the White House from the Capitol rotunda, where Mr. Kennedy had lain in state since Sunday afternoon.

A final procession, following the mass, bore the casket to its resting place in Arlington National Cemetery.

The widow's unprecedented march to the cathedral followed a route of about a half mile.

The procession first moved west on Pennsylvania Avenue, turning north at 17th Street. Then it continued to the cathedral on 17th, Connecticut Avenue and Rhode Island Avenue.

The day was crisp and bright—very much as it was on Sunday when Mr. Kennedy was carried to the rotunda. The temperature was in the forties, the sky was cloudless, and the buildings along the way formed deep canyons of alternate sunlight and shadow.

Mourners jammed the sidewalks. Others stood on high ledges of office buildings and many more appeared to risk their lives by sitting on the edges of roofs, their feet hanging down.

The crowds waited silently, as they did Sunday. Then, in the distance, came the sound of the muffled drums.

Then the sound of pipes and then the dread music of military bands playing Chopin's funeral march.

And finally the long procession, far grander than Sunday's, headed by a police honor guard.

Close behind the police came the red-jacketed Marine Band, its snare drums covered with crepe.

Spectators in the rear stood on boxes to see, and a well-dressed man hurried up carrying a newly purchased garbage can to use for a platform.

A phalanx of West Pointers marched by, followed by cadets and midshipmen from the Air Force, Navy, and Coast Guard Academies.

Next came contingents of enlisted men and a mixed contingent of servicewomen.

Above the unwavering rhythm of the drums, the chords of the funeral march echoed again and again.

The Navy Band passed, moving from the shadows into the sunlight that glistened on its instruments.

More contingents of servicemen, and then the Air Force Band.

From time to time the bands played "America" or "Onward, Christian Soldiers." But always they returned to Chopin's dirge.

Paratroopers swung past wearing jaunty berets, followed by marines in dress uniform.

Then the sound of pipes and the Black Watch marchers in kilts and busbies, the ribbons of their instruments flying in the breeze.

And then the black artillery caisson drawn by six white horses.

The three horses on the left side were ridden by soldiers in dress blues, and an outrider kept pace on a seventh white horse.

The casket was still covered by the U.S. flag that would not be removed until the burial ceremony, and it was secured to the lumbering four-wheeled caisson by two black bands.

Behind it marched a solitary bluejacket in white puttees, carrying the Presidential flag. And then once more the awesome sight of the riderless dark horse with two black boots placed in its reversed stirrups.

So far the stillness of the crowd had been almost unbroken.

But now, as the widow passed, a very faint sound rose, lost almost at once on the wind, like a low, collective moan.

Mrs. Kennedy was flanked on the right and left by her husband's brothers, Robert and Edward—the Attorney General and the junior Senator from Massachusetts.

She walked past at steady pace, her arms swinging free, her face hidden by the black veil.

Men, women, and children turned their heads to stare after her. And they continued to stare after her until she was far up the street.

They seemed hardly to notice those who came behind her—Harry S. Truman, Dwight

D. Eisenhower, Prince Philip, President Charles de Gaulle, President Johnson.

After the mass, Mrs. Kennedy and the dignitaries entered limousines for the hour-long procession through downtown Washington and across the Potomac River to Arlington National Cemetery in Virginia.

Newsmen here have remarked on the muteness and tearlessness of the spectators during Sunday's and Monday's processions.

But the reason for that is not hard to find. Tears spring from grief. And the grief here is deep.

But there is horror here, too. A horror that numbs and dumfounds and at times prevents the outward manifestations of sorrow.

It is a gothic gloom that pervades this city.

The black bunting. The drums. The ringing of the bells at night and the shuddering of organs. The pomp and circumstance, out of another age.

And more than that, the memories. The constant reminders here, at every hand, of a happier time.

For it is here that he lived and worked and was seen. It is here that one walks past the White House at night and sees the crepe above the door in the lighted north portico.

The White House, with Caroline's swings and John, Junior's, sandbox back behind.

It is as if Poe's raven perched on every marble bust in this city of marble busts, calling "Nevermore."

The natural shock at the death of a President is multiplied beyond measure by the circumstances of that death—sudden and violent, unexpected and senseless. Not the natural death of a beloved and elder statesman but the murder of a young pioneer who promised a New Frontier.

This is more than grief. This is deeper than grief.

"It's going to happen to the whole world," said an old woman who stood watching the final procession from cathedral to cemetery, her eyes glazed with unreasoning fear. "And it's going to happen overnight. It happened to him. And if it happened to him, it can happen to all of us."

In the passing procession, the limousine carrying the new President was escorted by a score of Secret Service men.

The men who walked beside the car seemed to be staring up at every window of every building along the way.

[From the Chicago (Ill.) Sun-Times, Dec. 29, 1963]

"The Trumpet Summons Us"—His Buoyant Words Echo

(By Carleton Kent)

Washington.—The soul of John F. Kennedy, martyred 35th President of the United States, was commended to God Monday in a simple Roman Catholic low mass in St. Matthew's Cathedral.

The hour-long ceremony, attended by 1,200 persons from all over the world, some of the highest and others of the most ordinary estate, was dominated in one sense by the heavy, harsh voice of Richard Cardinal Cushing, who performed the last rite.

But overriding Cardinal Cushing, the music and the ancient Catholic ritual were some of Mr. Kennedy's own words—and particularly those of his inaugural address of January 20, 1961.

They were delivered by the Most Reverend Philip Hannon, auxiliary bishop of Washington, along with a recollection of some of the slain President's favorite Bible quotations, from the pulpit.

Bishop Hannon read the inaugural address, and the words sounded as brave and buoyant as they had on that freezing winter's day less than 3 years ago when Mr. Kennedy took the oath as President:

"Now the trumpet summons us again—not as a call to bear arms, though arms we need—not as a call to battle, though embattled we are—but a call to bear the burden of a long twilight struggle, year in and year out, 'rejoicing in hope, patient in tribulation'—a struggle against the common enemies of man: tyranny, poverty, disease, and war itself.

"I do not shrink from this responsibility—I welcome it. I do not believe that any of us would exchange places with any other people or any other generation.

"And so, my fellow Americans: Ask not what your country can do for you—ask what you can do for your country."

In the congregation were Ethiopia's Emperor, the Queen of the Hellenes, the King of the Belgians, the Prime Minister and the Prince consort of the United Kingdom, the proud soldier-President of France, and the governmental rank—and the file—from America and all over the world.

White House office secretaries and petty-detail handlers were there, too, all joined together in a moving display of affection and grief.

At 11:45 a.m. the congregation, all but those who had walked behind Mrs. Kennedy in the sad procession from the White House, could hear through the open main doors a military band playing the hymn "Pray for Dead." Its strains clashed with those of the organ, playing softly inside.

Five minutes later came a mournful skirl from the famed Black Watch bagpipers, who only 2 weeks ago had staged a brave marching show on the south lawn of the White House for a grandstand full of Washington children, at the Kennedy's request.

And at noon Cardinal Cushing, followed by purple-garbed prelates, walked down the center aisle to the massive main doors.

He greeted Mrs. Kennedy, who had just been joined by her children, Caroline, 5, and John, Junior, 3, who had arrived by car. John cried a moment, but stopped when his mother comforted him. Later he was given a religious pamphlet to occupy his attention.

In turn, Mrs. Kennedy, dressed in black and wearing a long diaphanous veil, was comforted by the richly garbed and mitered Cardinal Cushing, who had officiated at her wedding and the baptism of the children.

He put his arm around her shoulders, as she genuflected before him. Then he leaned down and gently patted the children.

Mrs. Kennedy, giving a hand to each child, walked down the aisle, closely followed by Attorney General Robert F. Kennedy, Senator Edward M. Kennedy, the late President's mother, Mrs. Rose Kennedy, and other members of the family.

The sounds of military protocol outside—the mournful muffled drum beats, the orders cracked out to honor guards and other military units, continued to mingle with the liturgical music inside the cathedral.

Cardinal Cushing stood aside, his hands clasped in the attitude of prayer, as President Charles de Gaulle, of France, in his beige general's uniform, led the foreign dignitaries into the church. He was accompanied by Queen Frederika of Greece. Emperor Haile Selassie of Ethiopia also was in the front row.

De Gaulle's face was stern and solemn as he walked down the aisle, guided by ushers in the full-dress uniforms of the U.S. armed services.

Many of those who followed—the chiefs of state and heads of foreign delegations, the Supreme Court, the Cabinet, the diplomats, the congressional leaders of both parties—walked with downcast eyes.

The band outside played the traditional ruffles and flourishes, followed by "Hail to the Chief" that always greets the President on formal occasions—and President and Mrs. Johnson entered the church.

Then, after Cardinal Cushing had blessed the casket, the pallbearers bore it inside and walked slowly down the center aisle, behind altar boys carrying the crucifix and candles, their flames guttering in the cold wind blowing through the open door.

De Gaulle knelt during the entire service, his body erect, his face somber and seemingly frozen. Near him sat West Germany's Chancellor Ludwig Erhard, following the mass with absorption.

Toward the end, Cardinal Cushing doffed the vestments of the mass, resumed the scarlet cape and capella, and blessed the body in the simple wooden coffin and uttered the final prayer:

"I am the resurrection and the life. He who believes in Me, even if he die, shall live; and whoever lives and believes in Me shall never die."

The honor guard slowly carried the casket out of the cathedral. Tears coursed down the strong, angular face of the cardinal as he stood in the doorway, his raiment brilliant in the afternoon sun.

He wiped his eyes with a handkerchief while the Army band ranked outside played a dirge.

The young widow walked erect with her children. But under her black veil her eyes shone with tears. Mrs. Rose Kennedy lost her composure as she left the cathedral and wept. So did Senator Kennedy.

President Johnson's face was set in a grim, tragic mask as he reached the door—again to the sound of "Hail to the Chief."

Caroline, sobbing at her mother's side, and John, Junior, were turned over to the family nurse, Maud Shaw, and three Secret Service agents.

Former President Dwight D. Eisenhower and his wife walked out of the cathedral a few paces ahead of former President Harry S. Truman.

The Eisenhowers and Mr. Truman paused at the door to say a few words of comfort to Mrs. Kennedy. Then General Eisenhower and Mr. Truman, political feuding forgotten, conversed on the cathedral steps as they waited their cars.

And the sad journey to Arlington National Cemetery and Mr. Kennedy's final resting place resumed.

Journey's End on Hillside

(By Thomas B. Ross)

Arlington Cemetery.—John Fitzgerald Kennedy was buried Monday at a modest graveside overlooking the majestic memorial to Abraham Lincoln.

It was a grand but simple ceremony in the eloquently understated manner of the 35th President of the United States who was killed by an assassin's bullets last Friday.

The burial place at the Arlington National Cemetery was close by the spot where the late President had paused on a quiet stroll early last spring and commented: "Imagine living out here. Wouldn't this be a wonderful place for the White House?"

At that time, accompanied by Defense Secretary Robert S. McNamara and his close friend, Charles L. Bartlett of the Sun-Times Washington Bureau, President Kennedy had just completed an unpublicized tour of the cemetery and the Custis Lee mansion, once the home of Gen. Robert E. Lee.

Monday afternoon, John Fitzgerald Kennedy was laid to rest in the hillside sloping down from the mansion to the Potomac River.

At the grave was his widow, Jacqueline, but his children, Caroline and John, Jr., who had attended the requiem mass at St.

Matthew's Cathedral, were not taken to the cemetery.

With the exception of the late President's ailing father, Joseph P. Kennedy, the rest of the large family was there—mother Rose, brothers Robert and Edward, sisters Eunice, Patricia and Jean.

Mrs. Kennedy, a black veil covering her beautiful face, stood a few paces from the grave as Richard Cardinal Cushing of Boston read the committal prayers of the Roman Catholic Church.

Mr. Kennedy's burial place is located in an open stretch of land more than 100 yards from the other closely ordered graves of this military cemetery.

The only other President buried here is William Howard Taft.

The late President's body was borne to the cemetery across the Lincoln Memorial Bridge. Mrs. Kennedy followed the black, horse-drawn caisson in a limousine. The Marine Band and a special military honor guard preceded the casket in slow cadence.

The cortege came to a halt 100 yards from the grave. Mrs. Kennedy stepped out of the limousine and the band sounded "Ruffles and Flourishes." Then the National Anthem was played.

Mrs. Kennedy approached the grave along a straw mat in company with Attorney General Robert Kennedy. The rest of the family followed immediately behind them, taking up positions to the right of the grave on a long grass-colored matting.

President Johnson stood inconspicuously behind the family, off to the side, and it was difficult to pick him out of the crowd of mourners.

Former Presidents Harry S. Truman and Dwight D. Eisenhower, alighting from the same car, assumed an equally inconspicuous vantage point in the throng of lofty national and international dignitaries.

The mourners made their way to the graveside between two columns of the Army's Special Forces, advanced by the late President to strengthen the fight against Communist guerrillas in such places as Vietnam.

Autumn leaves, dropped from planes at a high altitude, fell on the burial site as the mourners approached their places.

President Charles de Gaulle, of France, resplendent in a light brown general's uniform, took up a position at the foot of the grave. Emperor Haile Selassie of Ethiopia, on De Gaulle's left, was also in uniform, a bright kelly green sash across his chest.

Prior to the religious ceremony, the Irish guard, here on personal request of Mrs. Kennedy, performed a special manual at the foot of the grave.

De Gaulle removed his hat and glasses and made the sign of the cross as Cardinal Cushing began the prayers. The cardinal's vivid red robes stood in sharp contrast to the black lectern.

The prayers, alternately in Latin and English, included the Lord's Prayer and the Hail Mary. Twice the cardinal sprinkled holy water on the casket. Midway through the religious rites, Cardinal Cushing paused, the troops came to present arms, and a 21-gun salute was sounded.

Overhead 50 jet fighter planes zoomed by at low altitude. They were followed by Air Force 1, the plane which carried the late President to Dallas and brought his body back last Friday. The exhaust and the contrails of the jets left a gray smudge on the cloudless sky.

At the conclusion of the prayers, Mrs. Kennedy and the Attorney General moved closer to the grave beside Cardinal Cushing. The late President's brother-in-law, R. Sargent Shriver, Jr., of Chicago, took up the spot left by the Attorney General next to Mrs. Rose Kennedy.

Three volleys of musketry rang out, and taps were sounded. The band struck up a hymn, and the eight body bearers began to fold the American flag which they had been holding over the casket.

Mrs. Kennedy lit an "eternal flame," akin to the light that burns under the Arc d'Triomphe in Paris. Then she took the folded flag, paused momentarily as Cardinal Cushing offered a few words of comfort to her, and walked to her limousine.

At that point, for the first time in her 3-day ordeal, Mrs. Kennedy's public composure began to dissolve. Those close to the grave said she began to weep, and she approached Gen. Maxwell D. Taylor, Chairman of the Joint Chiefs of Staff.

Taylor put his arm about her and attempted to console her. Mrs. Kennedy, although still weeping, seemed to regain much of her composure as she departed for her limousine.

Cardinal Cushing moved to the side of the late President's mother, who had been leaning heavily on Shriver's arm. The cardinal raised his arm, as if to put it about Rose Kennedy's shoulder. But she straightened herself up, grasped his hands, and kissed the episcopal ring.

Then she rested her head on his shoulder for a brief moment, before leading the rest of the family to the waiting cars.

MRS. KENNEDY—A WOMAN EQUAL TO HER TASK

(NOTE.—This tribute to Mrs. John F. Kennedy was written on the 10th anniversary of her wedding to the late President by Charles Bartlett, a close personal friend. It is being reprinted because it reveals the qualities of character and personality that were so clearly revealed in her conduct during the tragic days of late November.)

(By Charles Bartlett)

WASHINGTON.—It would be impossible to imagine any state of life in which the companionship of marriage was more essential or any wife more ideally suited to this particular President.

An observer living among politicians is struck by the fact that the complexities which confront all wives are compounded for the wives of politicians and doubly compounded for the wife of a politician who manages to reach the White House. The difference is that the compartmentalization between home and office which is possible in private life becomes exceedingly difficult in public life. No private pursuit, however ambitious, carries an involvement for a wife that equals the demands placed upon a woman whose husband is seeking or holding high political office.

It is possible to love a politician without loving politics but it is impossible to marry one without becoming part of his career.

Jacqueline Kennedy's struggle to attain this compartmentalization has been the measure of her firmness and resourcefulness. A President lives as much in controversy as in the White House and his private life is a seclusion from the tempest and a respite from the pressures.

Mrs. Kennedy's greatest accomplishment has been to maintain this refuge and embellish it with the variety, warmth, and wit of her own personality.

As a young woman entering the White House, Mrs. Kennedy had many choices and much advice, but she chose a firm course of following her own best instincts. She set out to do the things she could do well for her family and the White House and to do them in her own style and with people she selected herself.

The zest and thoroughness with which she plunged into the task of refurbishing the White House were the mark of this spirit.

Starting almost on the first day of her residency, she sought out the people who could give her the knowledge that she needed, then the people who could find the things that she needed, and finally the people who would pay for them.

When the drive faltered, she swallowed her shyness and went before the television cameras in an appearance that will long stand as a classic in the medium. When donors faltered, she prodded them with charm and persistence that narrowed their avenues of escape.

Her effort developed a momentum that swiftly transformed the White House from simulated and meaningless elegance to gracious and authentic dignity. She created in less than 3 years a priceless museum of American treasures.

This same determination—to make the White House reflect the best in American life—was applied to a dogged and detailed assault on the pomposity of official functions. The effort did not spring from any desire to win fame as a hostess. It was simply a matter of doing something that had to be done in a fashion that would please her husband and enhance the country in the eyes of foreigners.

The cause of her public impact in an era when masses of women are struggling to be more beautiful and interesting is not difficult to discern. But the imitators of Mrs. Kennedy have missed the essence of her personality and success, which is an insistence on being herself.

Women are using their emancipation to go in many directions, but the most common fallacy of the sex is a tendency to watch each other and to do what the other is doing.

Mrs. Kennedy did not make the mistake of trying to be Eleanor Roosevelt or Dolly Madison. But by fidelity to her own individuality, she has become a unique figure in the White House and an enormous asset to the President.

THE MAN THE NATION LOST

(By Charles Bartlett)

WASHINGTON.—John F. Kennedy was an intensely realistic man and he talked occasionally of assassination in the same analytical fashion in which he discussed the other hazards and opportunities of his Presidency. On the morning of the day it happened, he referred to the ease with which a President could be shot.

This may or may not have been a premonition, but it was certainly not a fear or any form of negative emotion. His mind dwelled constantly on the forces which could obstruct his purposes and this was simply one that had to be considered.

He was impelled into politics by a sense of the things that could be done for the country. He ran for President with a confidence that he could be a constructive force. His days in the White House were marked above all by a driving desire to do his best in the time that he had.

He could not have regretted, if the assassin's bullet left him any moments of reflection before death, any wasted time or missed opportunities. He could only have felt a deep sadness that he would not live to achieve his high hopes for his term of office.

It is ironic that a man so dedicated to tangible deeds is destined now to be remembered less for his accomplishments than for the intangible qualities of his spirit and character. He disciplined himself to be great in order to do great things and the waste of his death is that his greatness so far exceeded his time for achievement.

Discipline was a prime ingredient of his greatness. He rarely talked in abstract terms but he displayed over the years a firm determination to define for himself the strong and weak characteristics of man and to expand the strengths and reject the flaws that he found in himself. It was as if he had assessed the qualities that he would need for the challenges he saw ahead and determined to possess them through an exercise of will.

In this pursuit he had much to work with from the beginning. His mind was lightning fast from youth, his intuition was quick and precise, and his curiosity was limitless. His temperamant was innately balanced between action and reflection, between gravity and humor, and between cold reason and human warmth.

He did not change as a personality. His burdens never eclipsed his broad streak of gaiety, his adversities did not encroach upon his optimism, and his honors and offices never managed to swell his solid assurance into anything that could be called conceit.

He inspired loyalty because he was loyal and because his personal qualities made associates and friends strive to show him their best. He projected an electricity that sought a spark of wisdom or wit and his presence, even as a young man, was always a challenge.

The zest and enthusiasm that he brought into the White House never flickered. He arrived with a burning sense of the good things that could be done and as he faced the difficulties of doing them, his determination deepened and his pace quickened.

Death caught him at a time when he was stimulated beyond all the past periods of his intense life by the varied challenges on the domestic and foreign fronts. He went off to Texas in a high spirit of confidence that he could meet these challenges despite all the disappointments of the past year.

His force stemmed from his belief that a great nation should not tolerate remediable shortcomings and no one who had the privilege of knowing him can ever accept the virtue of a passive attitude. To at least this one friend, his epitaph will be: "He was a gentle and fine man who possessed the will to meet the problems as he saw them."

AMERICA WEEPS

President Kennedy lies dead, a martyr in the cause of democratic government.

His countrymen weep in sorrow and in anger.

The immensity of the crime can hardly be grasped in these hours of confusion that inevitably have followed the assassination of the Chief of the most powerful Nation in the world.

The Nation goes ahead with a new leader. Vice President Johnson has assumed the heavy burden of the Presidency and the policies of the Nation will undergo no imminent change. But inevitably the assassination will change the course of history, not only in the Nation but in the world.

And it should change the temper of our times. At the moment the motive that lurked in the twisted mind of the killer is not, of course, known.

But the deed in Dallas was different only in degree of importance from such acts of violence as the bombing of houses of worship, racial murders and only last month, in the same city, the degrading assault on U.N. Ambassador Adlai Stevenson.

All of these acts of violence are the work of persons who, fundamentally, do not believe in a democratic government operating under a rule of law.

The whisperers and preachers of hate and disunity, who undermine confidence in our Government and our public officials by irresponsible attacks on their sanity and loyalty, plant the motives in the heads of those who pull the triggers and toss the bombs.

Those who impugn the motives of our national leaders, who defy the courts, distort the operations of the United Nations, or advocate a change in our form of government, might not themselves do violence. But they engender the kind of hate that must have been in the eyes that lined up Mr. Kennedy's head in the crosshairs of a rifle sight yesterday.

The awful loss that hate visited upon the Nation and the world should inspire all Americans to join together in this hour of shock and mourning in a reexamination of the national conscience.

The right of dissent, the exercise of free speech, the criticism of the President and other public officials, high and low, must not corrode into sullen rebellion that breeds violence. All Americans, those who agree with their Government's policies and those who disagree, must stand together on this fundamental and demonstrate this unity by action as well as words. The purveyors of hate must acknowledge the danger they create.

When we speak of the purveyors of hate we obviously are not speaking of the President's regular political opposition, those persons in his own party and in the Republican Party who had disagreed with many of his views and policies and who also grieve for Mr. Kennedy. We are speaking of the extremists, left and right, who go beyond the pale in their opposition and criticism.

The Nation owes a great debt to Mr. Kennedy who gave his life in the service of his country as surely as a soldier on the front line. And to Mrs. Kennedy and the President's family, the American people offer their hearts. The personal tragedy of an assassination seldom has been as heartbreakingly evident as in the scene that followed the shooting; Mrs. Kennedy holding the President's head in her lap and weeping "Oh, no."

No, it should never have happened in America. That it did must weigh heavily on America's conscience. And if it brings a reawakening and a real change in the temper of our times, Mr. Kennedy will not have died in vain. This is a prayer in which all Americans can join.

THE ASSASSINATION OF JOHN F. KENNEDY

(Gwendolyn Brooks, Chicago's Pulitzer Prize-winning poet, wrote these words upon the assassination of President Kennedy and sent them to the Sun-Times. "I was so very much upset, as everyone else is, I wanted to express what I felt," she said. "I started making notes during the first 2 hours after I heard of the President's death. "Late Friday, after the house was quiet, I sat down and completed the poem.")

(By Gwendolyn Brooks)

"* * * this good, this decent, this kindly man."—SENATOR MANSFIELD.

I hear things crying in the world.
A nightmare congress of obscure
Delirium uttering overbreath
The tilt and jangle of this death.

Who had a sense of world and man,
Who had an apt and antic grace
Lies lenient, lapsed, and large beneath
The tilt and jangle of this death.

The world goes on with what it has.
Its reasoned, right and only code.
Coaxing, with military faith,
The tilt and jangle of this death.

THE DEED THAT FREEDOM BRED

(By Walter Lippmann)

WASHINGTON.—The first need of the country is to take to heart the nature of this unspeakable crime. There is no public crisis at home or abroad that demands such instant attention that it cannot wait until we have collected ourselves and can proceed deliberately. But there is a searing internal crisis within the American spirit that we have first to realize and then to resolve.

The American future depends on it, and our capacity to govern ourselves. What we have to realize is that, though speech and gossip and rumor are free, the safety of the Republic is at stake when extremists go unrestrained. Extremists may profess any ideology. But what they all have in common is that they treat opponents as enemies, as outside the laws and the community of their fellowmen.

What happened in Dallas, to be sure, could have happened in another city. But it must be said that the murder of the President was not the first act of political violence in that city, but one in a series. The man who is now the President of the United States was manhandled by his fellow Texans. The man who represents the United States at the United Nations was spat upon.

In this atmosphere of political violence lived the President's murderer, himself addicted to the fascination of violence in his futile and lonely and brooding existence. The salient fact about him was his alienation from humanity, from country, family, and friends. Nothing within him, it would seem, bound him to the President or to the Governor as human beings. No human feeling stayed his hand.

In his alienation, Lee Harvey Oswald turned to the left. But that was incidental. Those who assaulted Mr. Johnson and Adlai E. Stevenson had turned to the right. The common characteristic of all of them was their alienation, the loss of their ties, the rupture of the community.

An extremist is an outsider. For him, the Government in Washington is a hated foreign power and the President in Washington is an invading conqueror. There is no limit, therefore, to his hatred that feeds upon the venom of malice, slander, and hallucination.

In Dallas today there is much searching of conscience, and well there should be. Dallas has long been conspicuous for its tolerance of extremists, and for the inability of its decent citizens, undoubtedly the great majority, to restrain the extremists and restore a condition of honest and temperate and reasonable discussion.

It was comforting to read Sunday that the mayor of Dallas, Earle Cabell, had said, "Each of us, in prayerful reflection, must search his heart and determine if through intemperate word or deed we might have contributed in some fashion to the movement of this mind across the brink of insanity."

We must all follow the mayor of Dallas in that prayerful reflection. It is only too easy to forget that in a free country there must be not only liberty and equality, but also fraternity.

The only solace for the Nation's shame and grief can come from a purge, or at least the reduction of, the hatred and venom that lie so close to the surface of our national life.

We have allowed the community of the American people to be rent with enmity. Only if and as we can find our way back into the American community will we find our way back to confidence in the American destiny.

We must stop the flow of the poison that leads men, in differing, say, about taxes or civil rights or Russia, to feel that those who take the other view are implacable enemies. In the light of this monstrous crime, we can see that in a free country, which we are and intend to be, unrestrained speech and thought are inherently subversive.

Democracy can be made to work only when the bonds of the community are inviolate, and stronger than all the parties and factions and interests and sects.

I wish I felt certain that the self-realization into which grief has shocked us will endure when we go back about our business.

The divisive forces of hatred and ungovernability are strong among us, and the habit of intemperate speech and thought has become deeply ingrained. It is deepened by the strains of war and the frustrations of this revolutionary age, by the exploitation of violence and cruelty in the mass media, by the profusion of weapons and by the presence of so many who know how to use them.

But I do have much hope in the healing arts of Lyndon B. Johnson. We can turn to him with confidence.

His great gift is in finding the consensus without which the American system of government with its States and regions, its checks and balances, is unworkable.

To find the consensus among our divided and angry people is his historic opportunity. To restore the internal peace of the United States is his unique mission.

That done, all else will be manageable.

HIS LEGACY TO THE NATION

(By Milburn P. Akers)

President Kennedy's place in history will be established only in the perspective of the passing years. But his place in the hearts of his countrymen and freemen everywhere has been manifest ever since word of the tragic happenings in Dallas was flashed throughout the world.

A nation deeply divided on many issues recoiled in shock and horror at his assassination; a nation which had long prided itself on determining devisive issues at the polls or in the courts was stunned by the realization that a gallant young President had been felled by an assassin. That nation, instantly united in its grief, paid tribute to John F. Kennedy in a manner such as has seldom, if ever, been accorded mortal man.

And then, following obsequies attended by the great and the near great from all over the world, they buried him at Arlington; not another unknown soldier but an American President who, in a relatively short span, had come to symbolize many of free men's aspirations. John F. Kennedy continues to live in the hearts of his countrymen.

What of the future—the future to which Mr. Kennedy so frequently alluded?

Many of its problems remain unresolved, the time allotted the stricken President having been too short to determine them.

President Johnson has a heritage of unsolved problems, even as did Mr. Kennedy and as have had most Presidents. For the great problems of the Nation and of the world are not speedily solved. Most Presidents can do little more than point in the direction of those solutions.

Mr. Kennedy did so in the nuclear test ban treaty. He was pointing toward an end to the cold war, to disarmament, and to a normalization of trade between the free world and the Soviet bloc. These things were seen by him as possibilities after he had boldly and successfully met Soviet Russia's missile challenge in Cuba.

President Johnson, whose methods are apt to differ vastly from those of his predecessor, will, no doubt, continue these efforts. For the world cannot afford to live dangerously in the atomic age.

Mr. Johnson is in general agreement with his predecessor's foreign policies. The difference will be largely in methods.

On the domestic front, Mr. Johnson, long experienced in the wiles of legislative leadership, is likely to settle for the possible in contrast to Mr. Kennedy's constant pressing for the desirable. Mr. Kennedy put the emphasis on the future. Mr. Johnson, more pragmatic than ideological, will doubtless put the emphasis on the present. In so doing, he may press for the adoption of quite a few of those measures which Mr. Kennedy advocated and, in advocating, brought enactment closer.

The race problem remains. Mr. Kennedy's solutions, northern and metropolitan in outlook, will now give way, insofar as White House leadership is concerned, to ones which, while southern and rural in origin, have been tempered and shaped in the national arena. This isn't to say that one view is superior to the other. It is merely to note that a new approach to this still unresolved problem is likely.

In John F. Kennedy the Nation had a youthful, gallant President to whom history beckoned; a President intent on reshaping the Nation's structure in many ways. He championed the cause of the aged and the infirm, of youth in need of educational opportunities, and of peace. He sought a nation in which opportunity was the right of all, irrespective of race. He established objectives with which few disagreed. Disagreement came largely in the methods he proposed to accomplish them.

Mr. Johnson agrees with many of those objectives. But his background, training, and experience are such that he will, while seeking the objectives to his utmost, settle for the possible, when he has satisfied himself what is possible and what is not possible.

Mr. Kennedy was the architect. Mr. Johnson's role, given time, will be that of the builder.

THE PRESIDENT: HOW HE'LL BE REMEMBERED

(By Eric Sevareid)

What was John F. Kennedy? How will he stand in history? As this is written, just after his death, it is hard even to assemble thoughts, easy to misjudge such a complicated human being.

The first thing about him was his driving intelligence. His mind was always on fire; his reading was prodigious; his memory almost total recall of facts and quotations. A friend of mine crossed the Atlantic on a liner with the Kennedy family, years ago. She remembered the day Jack was ill in the stateroom; there lay the thin, freckled little boy—12 years old, and reading Churchill's early life, other books scattered about his bed. His was a directed intelligence; he did not waste his energies; he always seemed to know where he was going and he put first things first.

John Kennedy's intellectuality was perhaps the hallmark of his nature, even more than his youth; the thing that made him different from so many Presidents. But few thought of him as an intellectual in the sense of one seeking truth for its own sake; he sought it, in order to act upon it. He was that rare and precious combination, the man of contemplation as well as the man of action. He had a sharp sense of history from his immense reading, and was acutely conscious of what his own place in history might be. In a sense, he lived for that; much of his personal correspondence as President suggested his awareness that those letters would be part of the American archives and story for all time.

He brought a new style into Government; he surrounded himself with intellectuals, as did Franklin D. Roosevelt in his first years; but in his personal style he was more like President Theodore Roosevelt. Like the first Roosevelt, President Kennedy believed in action; he had no patience with those who were tired or skeptical or cynical; no patience with those who could not keep up, mentally or physically.

He became, with his young and beautiful wife, the symbol of America as he and most of us like to think of America: Itself young, itself always hopeful, believing, and believing that Government could change the face of our land and our lives and that America could do more than any country in the world to change the face and the nature of the world itself.

He showed no signs, even after 3 years in office, of growing tired, either in body or spirit * * * but the built-in obstacles to practical achievement were—and remain—prodigious and complex. He began some new practical courses of Government action—as with the Peace Corps and the Alliance for Progress; these, perhaps, were more imaginative than his domestic conceptions; in any case, it is in the domestic field that his difficulties were the greatest and progress the slowest.

Early on, he showed that his way would be to try to conciliate and persuade the Congress, and to compromise with it where he had to, rather than to try bulldozer tactics. Of his bold actions, his nuclear confrontation with the Soviet Union over Cuba was the boldest, one of the boldest and most successful acts of statesmanship the history books will ever tell the future about.

But at bottom, President Kennedy was a cautious, prudent man. He liked to have all his ducks in a row before he fired. However vibrant in his political behavior, he was, in his deepest emotional nature, a conservative human being. Rarely did the people become aware of his deep feelings about anything. When he spoke to the country by radio or television, his head usually ruled his heart. Only in very special circumstances, as on the day of brutal events in Mississippi, did passion rise in his voice as he spoke. This is why some professional observers said that President Kennedy had opened his mind to us, but not his heart * * * that therefore, politically, he had not captured the heart of the people.

If that was so, it is so no longer; the heart of the people is with the young President in death; with all of his family.

WHERE THE ETERNAL FLAME BURNS

(By James Hoge)

WASHINGTON.—Every 15 minutes, a city bus stops in front of the White House, picks up a load of passengers and wends its way through the Capital and across the river to the gentle slope where John F. Kennedy lies.

The buses, marked by wreaths of artificial flowers, half-staffed miniature American flags and signs reading "John F. Kennedy, Eternal Flame," have been carrying passengers free of charge to Arlington National Cemetery every day since the late President was buried there 3 weeks ago Monday.

The service has been taxed to its fullest. But that has also been the case with police who direct auto traffic to the cemetery and attendants who keep the throngs moving at the grave site.

Few officials expected such an outpouring and now few expect it to cease when the state period of mourning ends December 22.

The crowds are full of the kind of people John F. Kennedy knew well.

There are Roman Catholic nuns, once affectionately praised by the late President for being good Democrats while the church's hierarchy leaned toward the Republicans.

There are teen-aged girls, the jumpers who hopped with excitement along parade routes during Mr. Kennedy's 1960 campaign, now giving in to tears as easily as they once gave in to joy.

There are Negroes who looked to the wealthy son of Massachusetts as their greatest Presidential friend since Abraham Lincoln.

There are ministers and diplomats of foreign countries who still come an average of one a day to lay wreaths.

And, as statistics confirm, there are the hundreds of thousands of Americans who were moved by John F. Kennedy's idealism, grace, and good cheer far more than anyone suspected while he was alive.

Those who take the 15-minute bus ride from the White House to Arlington pass many points in this historic city which bring to mind the late President and his family.

The sad trip begins in front of the main entrance to the Executive Mansion, now draped in black. It continues past the White House south lawn, where, last Christmas season, Mrs. Kennedy took her children for a sleigh ride in a horse-drawn buggy. Now there stands a darkened half-decorated Christmas tree.

The bus turns into Constitution Avenue just in front of the Washington Monument, its tip shrouded in mist these wintry days and its base ringed with flags at half staff.

It passes the marble headquarters of the Organization of American States, where many of Mr. Kennedy's ambitious plans for Latin America were enthusiastically received and at times ardently opposed. Off to the right looms the State Department, once home of the fast-paced, wit-infused Kennedy press conferences.

The bus turns into Lincoln Memorial Drive and then onto the bridge, which now begins at either end with a memorial to a martyred President.

Passengers strain to catch a view of the Kennedy grave site, which lies on the hillside directly above the bridge and immediately below the Custis Lee Mansion. Mrs. Kennedy picked the location and stipulated that it be on a direct line with the Lincoln Memorial.

From the bridge the white picket fence, up as a temporary barrier around the grave, is visible through the mist.

"I'm not sure I want to go any further," an elderly lady said out loud to no one in particular. The lines around her eyes seemed to crease with sorrow. "I cried so much that weekend. I don't want that again.

"But I promised myself I would come," she continued to a new-found listener. "He was always so good about getting out to see us. I feel I owe him this trip."

Another passenger asked the driver what it cost to run buses to the cemetery every 15 minutes for 9 hours each day. "About $500," he answered. "There are four buses. That takes six busdrivers, about $500 a day," he repeated.

Among the passengers was an agricultural expert from India, who for the last 5 months has been teaching at a Texas college. "I leave soon for home," he said in strained English. "I never see Mr. Kennedy. But I know he was a great man. I come to see how you bury great men. They will ask me in India if I have been here. They respected your President more than most."

It was a short uphill walk from the bus stop to the grave. As they walked, several people fidgeted with cameras, rolling in film and setting dials. But most just looked ahead.

A young naval officer shouldered a child and began the grade upward. "This is where the caisson came," he recalled for his son. "You remember Mrs. Kennedy lighting the flame? Well, that's it up ahead. It is supposed to remind you of him and what he did for all of us." The child was silent, lost for a little while in a world where questions do not come easily.

Groups of people seemed to converge on the grave from many directions. They filed along temporary, matted walkways, laid over the cemetery grass, in the hope of minimizing the damage done by the feet of 1,200,000 mourners.

Recent rainy weather turned the walkway immediately around the picket fence into a pool of mud and forced the cemetery attendants to lay thick, black gravel.

The slopes on all sides still bear the marks of the crush of people who came immediately after the state funeral. But within the picket fence, the grass is deep green and the brilliant colors of floral wreaths abound.

"I want there to be flowers forever," said a young nun of the Sisters of Charity of St. Vincent de Paul. She and some 20 other Sisters, dressed in their quiet habits, journeyed to Arlington from Norfolk, Va., to place a single rose on the grave.

The grouping around the picket fence never seemed to be without a contingent of nuns, almost as if, like the four-man honor guard which stood at attention, the Sisters meant to watch over John F. Kennedy.

There were nuns in blue garb, black and even red. They came from many places around the country. As one said, "We all sent representatives. This was not only a good man. He was a believing son of God."

Within the picket fence, the eternal flame, ordered by Mrs. Kennedy as a fitting remembrance of her husband, flickered brightly under the gray-clouded sky.

Many studied the flame, as if trying to decide if they liked it. "You know I didn't think it was a very good idea when I heard about it," a middle-aged man mused.

"But now that I see it * * * well * * * you know it's really appropriate," he went on. "The guy was a light himself. And you see this thing flickering here, moving from side to side and it's like he's not all dead. Something right here has life."

The flame is presently produced by butane gas, stored in tanks under a nearby street. The city's gas and light company has begun engineering work on laying a pipe for natural gas that will be used in the permanent monument, now being designed under Mrs. Kennedy's direction.

Around the eternal flame have been tossed the hats of soldiers from several of the armed services. There is a green beret of the special guerrilla forces, greatly expanded during Mr. Kennedy's administration. There is an airman's cap, one from the Navy and an MP armband, a buffing strap from 3d Infantry and a light blue arm marking from the Marines.

The military mementos hark back to an ancient Grecian custom of paying tribute to a fallen warrior.

Most breathtaking sight at the grave is the view from behind the eternal flame over the Potomac to the Lincoln Memorial and beyond in a straight line all the way to the Capitol Building.

The view seems to catch everyone. People stop taking pictures, and just gaze or whisper about the panoramic vista. What they see is the view that John Kennedy, himself, once saw on a Sunday afternoon stroll and he reacted like them, awed, and pleased at the beauty and the majesty. "Imagine living out here!" he commented to his companions.

He is there now along with two of his four children. On either side of the eternal flame are stone markers, reading simply: "Patrick Bouvier Kennedy, August 7, 1963–August 9, 1963," and "Baby Girl Kennedy, August 23, 1956."

The shades of late afternoon began to deepen and a group of Mennonite college girls realized they must leave to catch the last bus back to Washington. They looked the part of mourners with their faces bare of cosmetics, and their long, uncut hair rolled in buns.

"It is important that we not forget," said a 19-year-old member of the group. "We must, must learn something from what this man gave up for us."

The bus was subdued. It started down the hill, through the cemetery gates and across the bridge to Washington. The time: 4:45 p.m. Shortly, the sun would be down and the commuters heading the other way across the bridge would see above them the bright, flickering light meant to remind them of John F. Kennedy today, tomorrow, and forever.

[From the Chicago (Ill.) Sun-Times, Dec. 29, 1963]

DEATH'S ENCORE IN DALLAS: VENGEANCE—A GROTESQUE SEQUEL

DALLAS.—Lee Harvey Oswald is dead, slain by a self-appointed executioner who undertook swift, savage reprisal for the assassination of President John F. Kennedy.

Oswald's killer, Jack Ruby, 52, stepped out of a crowd of 200 in the basement of the Dallas city hall Sunday and put a single pistol bullet into Oswald's side.

"It's too good for him," someone shouted after the 24-year-old, self-styled Marxist dropped in his tracks, a single cry of anguish escaping his lips. Policemen quickly overwhelmed and disarmed Ruby.

It was an incredible climax to the wildest weekend in Dallas history—a savage, sudden moment of raw drama that was caught by national television networks and broadcast with shocking impact into American living rooms.

"He took Kennedy's death much harder than that of our 88-year-old father 5 years ago," said Ruby's older sister, Mrs. Eva L. Grant. "He couldn't eat Friday. He kept talking about Jackie and the Kennedy kids."

Oswald had been formally accused of the sniper assassination of Mr. Kennedy last Friday as the President rode beaming beside his wife Jacqueline in a triumphal motorcade.

Also wounded in the shooting was Texas Gov. John Connally, who is recovering. Later, authorities said, Oswald shot to death a Dallas policeman, J. D. Tippit, who—wittingly or otherwise—interrupted his getaway flight.

The first reaction of the police to Oswald's murder was to mark the assassination case closed, and concentrate on trying to convict Ruby. (He is a Chicago native and his real name is Rubinstein.)

A tumult broke out immediately after the shooting in the basement of city hall. But it was nothing compared to the public uproar over the slaying.

Americans disagreed over the shooting of the cold-eyed Oswald. Some thought he got what he deserved. Others noted that no matter the enormity of the crime charged against him, he still was entitled by law to his day in court.

Amid the furor, Ruby was booked on a murder charge and District Attorney Henry Wade announced that he would press for his conviction and execution in the electric chair with the same vigor that he had proposed to apply toward Oswald.

Oswald was arrested Friday, shortly after Mr. Kennedy's assassination and after the slaying of Patrolman Tippit. He insisted from the outset:

"I did not kill President Kennedy. I did not kill anyone."

He stuck to the story during 48 hours of intensive questioning in temporary detention quarters in city hall. Wade, however, said of his case against Oswald:

"I have sent men to the electric chair with less evidence. The gun was here, his prints were on the gun, the gun was the gun that killed Kennedy, his palm prints were on the box on which the killer sat, and witnesses put him on the sixth floor at the time of the shooting."

Finally, the police decided they would get no information from Oswald. They announced that he would be transferred by armored car from city hall to a permanent maximum-security cell in the Dallas County Jail, about a mile away.

Some 200 newsmen and officials gathered in a basement ramp leading from a city hall elevator to a driveway outside. Other curious spectators stood in bright sunshine outside to await Oswald's emergence.

Oswald, handcuffed, with detectives on either arm, came out of the elevator and took a few steps in the direction of the armored car parked halfway up the inclined ramp.

At that moment, the stocky, conservatively dressed Ruby lunged forward, stuck his pistol flush against Oswald's side and fired a single shot. The roar of the gun was somewhat muffled by its proximity to the victim's body.

The bullet tore through Oswald's vital midsection organs, although it missed his heart. He was rushed to Parkland Hospital and into an emergency room only a few feet from the room where President Kennedy died.

Some of the same doctors who worked on the President tried just as desperately to save Oswald's life. Blood was administered. His chest was opened and his heart massaged by hand. But Oswald never regained consciousness and died at 1:07 p.m. The shooting occurred at 11:20 a.m.

Ruby owns a strip-tease joint, the Carousel, in downtown Dallas about four blocks from police headquarters, and dance hall, the Vegas, farther out.

Wade said Ruby, who came here from Chicago 10 years ago, will be prosecuted for murder in an attempt to send him to the electric chair, just as Oswald would have been. The night club operator was held for a court hearing Monday.

Like many a citizen of Dallas, Ruby was known to be heartsick since the assassination of Mr. Kennedy. He closed his club immediately upon word of the Chief Executive's death and did not reopen it. But a close associate said Ruby's grief was more for what he felt would be lost holiday business as a result of the assassination than for the President's death.

Word had reached police headquarters, where Ruby had many acquaintances, that he felt a "sense of shame for Dallas."

And a business associate of Ruby told newsmen:

"He felt very badly about the Kennedy assassination and had been saying, "Oh, that poor family.' "

Ruby, a stocky man of medium height, had earned a reputation as a good friend, but a quick-tempered foe, ready to use his fists at the slightest provocation.

Ruby went to the scene of Oswald's slaying in businessman's attire. He was neat in a dark suit with jacket, and had a dark felt hat set firmly on his balding head.

It was the first time Oswald had emerged from behind prison walls since his arrest. He wore a dark sweater, gray pants, and a white, open-collared shirt. He came out of city hall a few steps behind Captain Fritz, his hands handcuffed in front of him, with detectives holding him by either arm.

A bright November sun shone as inexorable fate overtook Oswald.

There had been reports of death threats circulating in Dallas against Oswald. The decision to go ahead with his transfer in daylight was explained by Dallas Police Chief Jesse Curry, a tall, distinguished official. He told newsmen afterward:

"If I hadn't promised you people I would not take Oswald until this morning, we would have taken him during the night. I told you I wouldn't back down on my pledge."

Wade said Ruby had ready access to city hall, and had approached the district attorney during a Friday night press conference, saying:

"I'm Jack Ruby. I own the Carousel Club here."

Wade said he replied that he thought a press conference was just for newsmen but that Ruby said:

"Oh, I know all the policemen and all the newsmen, too. I just came down to listen in."

Moments after he was shot, Oswald was carried inside city hall to await an ambulance. The sounds and confusion of the shooting triggered pandemonium in downtown Dallas.

Curious spectators raced toward the scene. One man carried a baby's bottle full of milk. Another tried to focus a small camera as he ran madly in the direction of the shooting.

An ambulance sped Oswald to Parkland Hospital. Among doctors who set to work on him were Dr. Malcolm Perry and Dr. M. T. Jenkins, both of whom had watched President Kennedy die.

Oswald was given massive transfusions, and his chest was opened for heart massage. But it was all in vain. The bullet had torn through his vital organs from one side of the body to the other.

One of the more articulate observers of the shooting was Francois Pelou, a reporter for France Press, who said of the slain Oswald: "I'm sure he saw the man. It's my feeling he knew the gun was going to fire because he jerked his hands toward his stomach in sort of a reflex action even before I heard the shot."

HISTORY ON A COLLISION COURSE

(By Sid Moody)

Late in September the President of the United States made known he would be making a flying trip to Texas soon.

About the same time, a muddled, rootless young man drifted into Dallas.

The tragedy had begun.

In classic Greek tragedy the hero is struck down in a raging, bloody finale by an inexorable fate or a deadly, fixed star in his character he cannot see. There was a touch of this in both John F. Kennedy and Lee Harvey Oswald.

Mr. Kennedy was drawn to Texas by a dominant trait of his character, the love of behind-scenes politics with its spoken and unspoken byplay, the irrefutable power of a Presidential backslap, the ultimatums signaled with a smile. Just such a zestful quest brought the President within the gunsight of a man they've said was explosive, dangerous, locked by himself in a room furnished with scorn, hurt, hate, confusion.

Yet much of this momentary, fateful meeting of Lee Oswald and John Kennedy seems, on the basis of what is known, merest chance. Oswald had come to Dallas after he'd sent his wife there to await the birth of their second child at the home of a friend, Mrs. Michael R. Paine.

Through a chance conversation of Mrs. Paine's, he learned of a job opening at a schoolbook warehouse. This, as it turned out, was a perfect spot to fire at the President as his cavalcade sped by. But it wasn't known until 3 days before his visit that the President would travel this route. Oswald had begun work in October.

Perhaps Oswald saw in a brief flash the means to unchain the stern links of repression that bound him.

Whether or not Oswald acted alone or what his motives were may never be known. For if John F. Kennedy now belongs to the ages, so, too, does Lee Harvey Oswald, whether they want him or not.

Yet those facts that are known will be recalled again and again as the Nation explores the crime—and its conscience.

One thing that President Kennedy had on his mind, what had brought him from Washington that November 21, was Texas' 25 electoral votes. A political feud between liberal Senator RALPH YARBOROUGH and conservative Gov. John B. Connally was jeopardizing the State's Democratic solidarity.

Mr. Kennedy had made his own peacemaking sentiments known on this so-called nonpolitical tour by asking YARBOROUGH to fly down from Washington to San Antonio with him in *Air Force 1*, the President's big fanjet plane.

"All is harmony," said YARBOROUGH after the plane landed. And so, largely, was it with the large crowds that greeted the President.

"Kennedy in '68" proclaimed one banner. But there was another: "We need another ex-President."

Jacqueline Kennedy, along with her husband on a stumping tour for the first time since his nomination in 1960, concealed her distaste for campaigning with smiling waves and even handshakes with the shouting multitudes that pressed in about the President.

"Jackie, baby!" cried a man at Kelly Air Force Base in San Antonio.

Leaving San Antonio for Houston that Thursday night, the Kennedy entourage was greeted by an enthusiastic crowd estimated at 300,000.

Meantime, that same evening Oswald had surprised his wife and Mrs. Paine by coming home instead of spending the night as he usually did during the week at his room at a Dallas boarding house. But then there was little predictable about his comings and goings.

Born in 1939, 2 months after a heart attack had claimed his father, he had moved about the Southwest with his mother who struggled to support herself and young son with a succession of jobs. Briefly she had left Lee in a church home in New Orleans. Later, in Fort Worth, his fourth-grade teacher remembered Lee as a "smiley boy with curly hair." He measured 103 on an IQ test, just about average, had some trouble reading, responded gratefully to kindness, liked comic books, and once gave a teacher a puppy, teachers recalled.

There would be more ominous rememberings. As a 13-year-old in New York, where Mrs. Oswald had moved briefly, authorities recalled Lee Oswald as a chronic truant who stayed home watching television while his mother was at work. They said he was potentially dangerous with schizoid and paranoic tendencies, a boy outwardly tranquil but who had deep resentments, particularly against those who had the advantages of a living father. It was advised he be given treatment at a youth home. But Mrs. Oswald moved back to New Orleans and the New York file was closed on her son.

Later, classmates recalled Oswald was a loner, a school yard brawler, a challenger of authority, a constant reader. At 15 he discovered the eloquent outbursts of another angry mind, Karl Marx. Marx's thundering passages that all was wrong with the world burst with brilliant illumination in Oswald's troubled mind and he became a worshipful convert.

Oswald took odd jobs after school turning over his earnings to his mother but at 17 left home to join the Marines. He served in Japan, won a private-first-class stripe and recognition as a marksman but was twice court-martialed for possessing an unregistered gun and for profanity to a noncommissioned officer.

One officer remembered him as a "wise guy" who tried to trip up people in political matters by reading up on them beforehand.

In 1959 he was given a hardship discharge to help support his mother but a month later he was in the Soviet Union saying he was "through" with the United States. "Capitalism has passed its peak," he said, and took a job in a factory in Minsk.

There he married a pharmacy worker, Marina Nicholaeva, and had a daughter by her. But the Communist reality did not match his Marxist dreams and Oswald in May 1962 were granted a passport by the State Department to come home.

He moved to New Orleans where he offered to train anti-Castro guerrillas one day and handed out pro-Castro leaflets the next. He kept on reading—books on Mr. Kennedy, communism, thrillers by Ian Fleming, and a real-life thriller on the assassination of Huey Long.

His neighbors remembered Oswald's Russian wife as pleasant, despite her inability to speak English. But he was glum, silent, withdrawn. Twice he pasted pro-Castro posters on his porch but his landlady made him take them down. He said later he was an official of the Fair Play for Cuba Committee but the group denied it.

Then, last summer, he sent his pregnant wife to live with Mrs. Paine in Irving, just outside Dallas. He went to Mexico late in September and applied for visas for the Soviet Union and Cuba. He stalked out angrily when Soviet officials denied his application. He came back to Dallas and took a $50-a-week job at the Texas School Book Depository building, visiting his wife, daughter and new baby girl weekends.

"He loved his family, his kids. He was just a father here," said Mrs. Paine.

The morning after Oswald's unexpected arrival at Mrs. Paine's was Friday, November 22. He went to work as usual. What was not usual was the blanket he'd left behind in the garage. Marina remembered later she'd seen a gun butt wrapped inside it. Mrs. Paine noted that morning the blanket was empty.

The President was up early. He talked to a group of Texas Democrats in the parking lot outside his hotel then to a chamber of commerce breakfast. They gave him that Texas trademark, a wide-brimmed hat.

He'd try it on back in the White House, he laughed.

Mrs. Kennedy hadn't made the outdoor appearance. She was busy organizing herself, her husband said with a laugh.

"It takes a little longer but then she looks so much better than we do."

She appeared for the breakfast in a pink wool suit and pillbox hat. The President wore a dark blue suit.

The color matched the Presidential car, a 1961 Lincoln that met the Kennedy party at Love Field in Dallas shortly before noon. The plastic roof was in the trunk. The President thought the public should not be denied a good look at him. If someone really wanted to run the risk of shooting him there wasn't much a plastic top or anything else could do to stop them, he felt.

Nonetheless the Secret Service, as always, had their job to do that day. They weren't happy with the Dallas Trade Mart where the luncheon talk was to be. Too many balconies. They checked through 5,000 yellow roses that were part of the decorations. They ordered that Mr. Kennedy's steak be picked at random from the 2,500 to be served so that if any one wanted to poison the President's he'd have to poison them all.

As customary, a carload of Secret Service agents followed right behind the Presidential limousine. The Vice President, his wife, and Senator YARBOROUGH followed in a third car. For security reasons, Johnson and Mr. Kennedy never traveled together.

The sun smiled, the Kennedys smiled, the enormous crowds hollered and waved.

About 10 minutes past noon that Friday, November 22, a telephone operator at Oxnard, Calif., reported overhearing a woman saying "the President is going to be killed." Surely a crank. But 20 minutes later he was.

Mrs. Kennedy later told Theodore White in Life magazine that she had been thinking of a brief escape from the sun in the shady underpass up ahead. Her husband had just agreed with Mrs. Connally, sitting alongside the Governor in the jump seats, that the crowd proved there were those who loved him in Dallas.

Then came the shots that struck the President, the Governor, and the world.

"His head exploded in blood," said Dallas Patrolman James Chaney, who was 6 feet away from the President.

What followed is already history. Mrs. Kennedy cradling her dying husband and crying "Jack, Jack." The crowd scattering. The dash to Parkland Hospital. "Take it easy, take it easy," cautioned one Secret Service man, "if he's not dead we don't want to kill him now." The hats of the wounded Governor and dying President and a red bouquet of roses left hurriedly on the car floor. The stunned weeping. The doctor turning to his colleague with the cryptic, the irrevocable finality of his profession: "It's too late, Mac."

The sheet was pulled back from the wounded head and the priest read the last rites while the woman, now a widow, held her husband's hand and lay her head on his naked chest and the word sped around the world.

Bobby Kennedy was lunching at home when he heard. He left to answer a call from J. Edgar Hoover, later returned to tell his few luncheon guests: "He died," then went for a walk, alone. His black dog frisked by his side. His brother TED was presiding over the Senate. He said "My God." So did House Speaker JOHN MCCORMACK, when told at lunch in the Capitol that he was now second in line to the Presidency. Secret Service agents were quickly assigned to him. The President's mother was told by a niece as she returned from the golf course in Hyannis Port.

The world knew, all the world save the oldest and youngest of those closest to the President, his father and his children. They learned the next day.

"I only cried twice," said Caroline Kennedy.

But in Dallas a hard man with a hard past wept openly.

"He could have been anything, anything he wanted to be and he had to wind up this way," cried Jack Ruby.

Meanwhile, Lee Oswald had gone from the book depository building. Behind a room on the sixth floor was the 6.5-millimeter Mannlicher-Carcano Italian Army rifle Oswald had bought months before from a Chicago mail-order house. There was a box perched by the window. Remains of cold chicken were on the floor. So were three spent shells.

Oswald took a bus and laughed when a woman told the driver the President was dead. He dashed into his roominghouse past the astonished housekeeper who was watching television broadcasts of the assassination. He grabbed a coat and ran out again. Minutes later Patrolman J. D. Tippit, was suspicious of the hurrying Oswald and hailed him. He was shot and killed.

Oswald hurried off, ducked in a doorway when he heard sirens and then into a theater without paying admission. The picture was "War Is Hell." Oswald moved from seat to seat, exciting curiosity of the few others in the theater. A storekeeper, who'd seen Oswald run from the sirens, and the ticket taker were already suspicious. Police were called and cornered Oswald. "This is it," he cried.

After a scuffle he was taken off to jail.

Almost every American of the age of comprehension, alone with their thoughts before the television screens, were drawn together with a strong, uplifting sense of community by the somber events they witnessed. The widow in black kneeling at the catafalque in the Capitol rotunda with the child uncertainly reaching to her mother for guidance as to what she should do. Senator MIKE MANSFIELD's eulogy with its moving refrain "and so she took a ring from her finger and placed it in his hands." The shadows the riderless gray horses cast as they passed along the streets. Always the reminder of the drums, beating, beating, beating. And the horrible, fascinating moment on Sunday when a man died on television, live.

Jack Ruby, 50, strip-club operator, friend of cops and jailhouse familiar, a sentimental inflammable man fast with his fists, fast with a handout. He slipped through the police guard as two officers turned aside in conversation. Oswald was killed only 48 hours after the President. "I blacked out," Ruby told his lawyer. It was up to a jury to decide. The FBI indicated it didn't think he had anything to do with Oswald other than revulsion for his deed.

THE NEW PRESIDENT: OUT OF TORMENT, A NATION REDEDICATED

(WASHINGTON.—The text of President Johnson's address before a joint session of Congress on November 27.)

Mr. Speaker, Mr. President, Members of the House and Senate, my fellow Americans, all I have I would have given gladly not to be standing here today.

The greatest leader of our time has been struck down by the foulest deed of our time. Today John Fitzgerald Kennedy lives on in the immortal words and works he left behind. He lives on in the mind and memories of mankind. He lives on in the hearts of his countrymen.

No words are sad enough to express our sense of loss. No words are strong enough to express our determination to continue the forward thrust of America that he began.

The dream of conquering the vastness of space—the dream of partnership across the Atlantic—and across the Pacific as well—the dream of a Peace Corps in less developed lands—the dream of education for our youth—the dream of jobs for all who seek them—the dream of care for our elderly—the dream of an all-out attack on mental illness—and above all, the dream of equal rights for all Americans, whatever their race or color—these and other American dreams have been vitalized by his drive and dedication.

Now the ideas and ideals which he so nobly represented must and will be translated into effective action.

Under John Kennedy's leadership, this Nation has demonstrated that it has the courage to seek peace, and the fortitude to risk war.

We have proved that we are a good and reliable friend to those who seek peace and freedom. We have shown that we can also be a formidable foe to those who reject the path of peace and who seek to impose upon us or our allies the yoke of tyranny.

This Nation will keep its commitments from South Vietnam to West Berlin. We will be unceasing in the search for peace; resourceful in our pursuit of areas of agreement even with those with whom we differ; and generous and loyal to those who join with us in common cause.

In this age where there can be no losers in peace and no victors in war—we must recognize the obligations to match national strength with national restraint—we must be prepared at one and the same time for both the confrontation of power and the limitation of power—we must be ready to defend the national interest and to negotiate the common interest.

This is the path that we shall continue to pursue. Those who test our courage will find it strong and those who seek our friendship will find it honorable. We will demonstrate anew that the strong can be just in the use of strength—and the just can be strong in the defense of justice.

And let all know we will extend no special privilege and impose no persecution.

We will carry on the fight against poverty and misery, ignorance, and disease—in other lands and in our own.

We will serve all of the Nation, not one section or one sector, or one group, but all Americans. These are the United States—a united people with unity of purpose.

Our American unity does not depend upon unanimity. We have differences; but now, as in the past, we can derive from those differences strength, not weakness, wisdom, not despair. Both as a people and as a government we can unite upon a program which is wise and just, enlightened and constructive.

For 32 years, Capitol Hill has been my home. I have shared many moments of pride with you—pride in the ability of the Congress of the United States to act; to meet any crisis; to distill from our differences strong programs of national action.

An assassin's bullet has thrust upon me the awesome burden of the Presidency. I am here today to say that I need your help; I cannot bear this burden alone. I need the help of all Americans in all America.

This Nation has experienced a profound shock and in this critical moment it is our duty—yours and mine—as the Government of the United States—to do away with uncertainty and to show that we are capable of decisive action—that from the brutal loss of our leader we will derive not weakness but strength—that we can and will act and act now.

From the Chamber of representative government let all the world know, and none misunderstand, that I rededicate this Government to the unswerving support of the United Nations—to the honorable and determined execution of our commitments to our allies—to the maintenance of military strength second to none—to the defense of the strength and stability of the dollar—to the expansion of our foreign trade—to the reenforcement of our programs of mutual assistance and cooperation in Asia and Africa—and to our Alliance for Progress in this hemisphere.

On the 20th of January, in 1961, John F. Kennedy told his countrymen that our national work would not be finished "in the first 1,000 days, nor in the life of this administration, nor even perhaps in our lifetime on this planet." But—he said—"let us begin."

Today, in this moment of new resolve, I would say to my fellow Americans, let us continue.

This is our challenge—not to hesitate, not to pause, not to turn about and linger over this evil moment but to continue on our course so that we may fulfill the destiny history has set for us. Our most immediate tasks are here on this Hill.

First, no memorial oration or eulogy could more eloquently honor President Kennedy's memory than the earliest possible passage of the civil rights bill for which he fought. We have talked long enough in this country about equal rights. We have talked for 100 years or more. Yet, it is time now to write the next chapter—and to write it in books of law.

I urge you again, as I did in 1957, and again in 1960, to enact a civil rights law so that we can move forward to eliminate from this Nation every trace of discrimination and oppression based upon race or color. There could be no greater source of strength to this Nation both at home and abroad.

And second, no act of ours could more fittingly continue the work of President Kennedy than the earliest passage of the tax bill for which he fought all this long year. This is a bill designed to increase our national income, our Federal revenues, and our insurance against recession. That bill, if passed without delay, means more security for those now working and more jobs for those now without them.

In short, this is no time for delay. It is a time for action—strong, forward-looking action on the pending education bills to help bring the light of learning to every home and hamlet in America—strong, forward-looking action on youth employment opportunities, strong forward-looking action on the pending foreign aid bills, making clear that we are not forfeiting our responsibilities to this hemisphere or to the world, nor easing executive flexibility in the conduct of foreign affairs—and strong, forward-looking action on the remaining appropriation bills.

In this new spirit of action the Congress can expect the full cooperation and support of the executive branch. And in particular I pledge that the expenditures of the Government will be administered with the utmost thrift and frugality.

I will insist that the Government get a dollar's value for a dollar spent. The Government will set an example of prudence and economy. This does not mean we will not meet our unfilled needs or that we will not honor our commitments. We will do both.

As one who has long served in both Houses of the Congress, I firmly believe in the independence and integrity of the legislative branch. I promise you that I shall always respect this. It is deep in the marrow of my bones. With equal firmness, I believe in the capacity and the ability of the Congress, despite the divisions of opinion which characterize our Nation, to act—to act wisely, vigorously, and speedily when the need arises.

The need is here. The need is now. I ask your help.

I know we meet in grief; but let us also meet in renewed dedication and renewed vigor. Let us meet in action, in tolerance, and mutual understanding.

John Kennedy's death commands what his life conveyed—that America must move forward. The time has come for Americans of all races and creeds and political beliefs to understand and respect one another.

Let us put an end to the teaching and preaching of hate and evil and violence. Let us turn away from the fanatics of the far left and the far right, from the apostles of bitterness and bigotry, from those defiant of law, and those who pour venom into our Nation's bloodstream.

I profoundly hope that the tragedy and torment of these terrible days will bind us together in new fellowship, making us one people in our sorrow. Let us here highly resolve that John Fitzgerald Kennedy did not live—or die—in vain.

And on this Thanksgiving eve, as we gather together to ask the Lord's blessing and give Him our thanks, let us unite in those familiar and cherished words:

> "America, America,
> God shed His grace on thee,
> And crown thy good
> With brotherhood
> From sea to shining sea."

COLUMBUS DAY, U.S.A.

The SPEAKER pro tempore (Mr. MULTER). Under previous order of the House, the gentleman from California [Mr. EDWARDS] is recognized for 30 minutes.

Mr. EDWARDS. Mr. Speaker, I would like to add my voice to those who, for many years now, have been asking that the Congress of the United States pay proper tribute to Christopher Columbus by recognition of October 12 as a national legal holiday. The 88th Congress alone has already produced 26 bills seeking to accomplish this fact.

All but 16 of our States already commemorate Columbus on October 12, and it is time we do him the honor as a Nation. In this regard we lag behind most of our sister nations in Latin America, who have long since made a special day of October 12 on their calendars. My own State, California, first established this day in 1909, although for 2 years it was designated as "Discovery Day." In 1911 the name was officially changed, and properly so, to "Columbus Day."

In saluting Christopher Columbus we not only pay respect to a courageous and tenacious man who sailed uncharted waters and proved the world was indeed round, and not only to the man who opened the door to the exploration of two vast continents, but in saluting Columbus we acknowledge our debt to all those of Italian blood who have come to these shores, since that first remarkable son of Italy set foot on San Salvador in 1492.

Columbus was not content with one epic voyage. He returned to the New World again in 1493 and in 1498, and 1502. And he was followed by another daring Italian navigator who sailed under the English flag and who is usually referred to by his anglicized name, John Cabot. Other Italian explorers came later, such as Fra Marco da Nizza, who explored what is now Arizona. Men with the euphonious names of Francesco Chino, Enrico and Alfonso Tonti, and Umberti Beltrami helped to establish such early trading posts as Chicago and Detroit. Amerigo Vespucci, another great Italian navigator and mapmaker, even gave us his name.

Amerigo's signature on his early maps of the New World became the common name for that strange and savage land that was interesting to explore perhaps, but hardly worth considering as a decent place to live. We have come to love the word, "America" so much that we tend to think that we always had it, when actually Mr. Vespucci's given name was borrowed and given a fame he never dreamed of.

Nor did Christopher Columbus dream of the consequences of his bold venture, that the explorers would be followed by colonizers, and that out of the fragile Colonies mighty and independent nations would grow to challenge the concepts and the power of the monarchies of Europe. And at each step of the development of the Americas there would be countrymen of Columbus contributing their special talent and industry.

During the Revolutionary period of our own country, President Thomas Jefferson had the benefit of close association with Dr. Filippo Mazzei, his physician and counselor. Those wonderful words from the Declaration of Independence: "That all men are created equal" are derived from the philosophy of Dr. Mazzei. William Paca was one of the signers of that declaration. Col. Francesco Vigo made an outstanding contribution as a military leader during those hard years of struggle to survive as an independent nation.

President Lincoln promoted Francis Spinola to brigadier general for gallantry in action during the Civil War, and he was also awarded the Congressional Medal of Honor. By World War II, there were 20 men of Italian descent so decorated. Those who have distinguished themselves in battle for America have demonstrated their direct relationship with Columbus in their gallant courage, but the sons of Columbus have contributed in ways and places far removed from the battlefield.

The Italians who came to this country in such large numbers after 1880 came to make a better life for themselves and their children, and they succeeded in enriching the lives of the rest of us. In this great melting pot culture, "Italian" means to most of us music, art, good food, and a tolerant, cheerful attitude toward life. In the early years of this century struggling musicians who were not Italian commonly adopted Italian names, and perhaps they still do in the hope that managers and the public would be more favorably disposed toward their talents. The Italian cuisine has become a part of and improved our best American fare, and I dare say the young people of today could not endure life without pizza. The contributions in the field of art, architecture, and artisanry are so extensive that enumeration is pointless.

In the United States we now have over 4½ million citizens either born in Italy or of the first generation. The number who have Italian blood by longer descent is much greater, of course. In California there are approximately 350,000 foreign-born or first-generation Italian-Americans, and they have continued and expanded upon the achievements of the earlier Italian settlers. Many of our finest farms, orchards, and vineyards were started by those early immigrants, and today every business and profession has outstanding Italian representatives as well. Mr. A. P. Gianini, the founder of the Bank of America, is known all over for his success in building the largest bank in the world, but he is known in California, too, for his concern and faith in the small businessman, the farmer, and the little guy trying to get started.

Public service has attracted many of the first-rate sons and daughters, and the State, city, and National Legislatures have the able advantage of their leadership. Our late President recognized that leadership when he chose Anthony J. Celebrezze for his Cabinet.

Time and space do not permit me to detail further the many notable achievements of our citizens of Italian descent, but in giving recognition to Christopher Columbus, we celebrate them all.

Under a joint resolution of Congress approved April 30, 1934, the President is requested to proclaim October 12 of each year as Columbus Day for the observance of the anniversary of the discovery of America. In so proclaiming for the year 1963, the late beloved President Kennedy stated:

> Whereas the vision, courage, and dedication of Christopher Columbus destined him to be the discoverer of the New World; and
>
> Whereas his voyage, under the Spanish flag, across uncharted seas to an unknown land, will forever stand for us as a symbol of the zeal for new ventures which has characterized our Nation; and
>
> Whereas we continue to honor Columbus' daring as we search out the far reaches of space and of human possibility; and
>
> Whereas the Congress of the United States, by a joint resolution approved April 30, 1934 (48 Stat. 657), requested the President of the United States to proclaim October 12 of each year as Columbus Day for the observance of the anniversary of the discovery of America.

It is appropriate that we now make this annual proclamation final and binding and declare October 12 a national legal holiday.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to Mr. WHITE (at the request of Mr. ASPINALL), for the period January 8 to 15, 1964, on account of official business.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

Mr. DULSKI, for 30 minutes, today, and to revise and extend his remarks.

Mr. PUCINSKI, for 30 minutes, today, and to revise and extend his remarks and to include extraneous matter.

Mr. EDWARDS (at the request of Mr. PUCINSKI), for 30 minutes, today, to revise and extend his remarks and to include extraneous matter.

Mr. PATMAN (at the request of Mr. PUCINSKI), for 60 minutes, on January 20, 1964, and to revise and extend his remarks and to include extraneous matter.

Mr. EDWARDS (at the request of Mr. PUCINSKI), for 30 minutes, on January 13, 1964, and to revise and extend his remarks and to include extraneous matter.

EXTENSION OF REMARKS

By unanimous consent, permission to extend remarks in the CONGRESSIONAL RECORD, or to revise and extend remarks, was granted to:

(The following Members (at the request of Mr. BEERMANN) and to include extraneous matter:)

Mr. JOHANSEN.

Mr. BOB WILSON.

(The following Members (at the request of Mr. PUCINSKI) and to include extraneous matter:)

Mr. POWELL.

Mr. MURPHY of New York.

SENATE ENROLLED BILLS SIGNED

The SPEAKER announced his signature to enrolled bills of the Senate of the following titles:

S. 585. An act for the relief of Agaram K. Sreekanth;

S. 1196. An act for the relief of Mrs. Maria Nowakowski Chandler; and

S. 1524. An act for the relief of Hai Yung Jung and Johnny Jung.

ADJOURNMENT

Mr. PUCINSKI. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 1 o'clock and 30 minutes p.m.,), under its previous order, the House adjourned until Monday, January 13, 1964, at 12 o'clock noon.

OATH OF OFFICE

The oath of office required by the sixth article of the Constitution of the United States, and as provided by section 2 of the act of May 13, 1884 (23 Stat. 22), to be administered to Members and Delegates of the House of Representatives, the text of which is carried in section 1757 of title XIX of the Revised Statutes of the United States and being as follows:

"I A B, do solemnly swear (or affirm) that I will support and defend the Constitution of the United States against all enemies, foreign and domestic; that I will bear true faith and allegiance to the same; that I take this obligation freely, without any mental reservation or purpose of evasion; and that I will well and faithfully discharge the duties of the office on which I am about to enter. So help me God."

has been subscribed to in person and filed in duplicate with the Clerk of the House of Representatives by the following Member of the 88th Congress, pursuant to Public Law 412 of the 80th Congress entitled "An act to amend section 30 of the Revised Statutes of the United States" (U.S.C., title 2, sec. 25), approved February 18, 1948: J. J. PICKLE, 10th District, Texas.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

1514. A letter from the Archivist of the United States, General Services Administration, transmitting a report on records proposed for disposal under the law; to the Committee on House Administration.

1515. A letter from the Secretary of the Navy, transmitting the First Annual Report of the Naval Sea Cadet Corps since their incorporation by the 87th Congress in September 1962, pursuant to Public Law 87-655; to the Committee on the Judiciary.

1516. A letter from the Commissioner, Immigration and Naturalization Service, U.S. Department of Justice, transmitting copies of orders entered in cases in which the authority was exercised in behalf of such aliens, pursuant to the Immigration and Nationality Act; to the Committee on the Judiciary.

1517. A letter from the Librarian of Congress, with respect to positions in the Legislative Reference Service of the Library of Congress within the purview of subsection (c) of section 505 of the Classification Act of 1949, as amended, allocated to grades 16, 17, and 18 of the general schedule, pursuant to Public Law 854, 84th Congress; to the Committee on Post Office and Civil Service.

PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. ANDREWS of Alabama:

H.R. 9601. A bill to authorize a 3-year program of grants for construction of veterinary medical education facilities, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. CELLER:

H. Res. 606. Resolution authorizing the Committee on the Judiciary to conduct within or without the United States studies and investigations in certain matters under its jurisdiction; to the Committee on Rules.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. BOLAND:

H.R. 9602. A bill for the relief of Giuseppe Delina; to the Committee on the Judiciary.

By Mr. DELANEY:

H.R. 9603. A bill for the relief of Maropi Paraskevas; to the Committee on the Judiciary.

By Mr. FARBSTEIN:

H.R. 9604. A bill for the relief of Margaret Miklos; to the Committee on the Judiciary.

EXTENSIONS OF REMARKS

Independence Day of Chad

EXTENSION OF REMARKS

OF

HON. ADAM C. POWELL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, January 9, 1964

Mr. POWELL. Mr. Speaker, on January 11, the Republic of Chad will celebrate the third anniversary of her independence, and on this memorable occasion, we wish to send warm felicitations to His Excellency Francois Tombalbaye, the President of the Republic of Chad; and His Excellency Adam Malick Sow, the Chadian Ambassador to the United States.

The Republic of Chad achieved independence from France on August 11, 1960, but the formal independence day celebrations were deferred until January 11, when the seasonal rains were over. Thus, January 11 became the anniversary date on which Chad's independence is commemorated, the date on which we offer our congratulations to the people of Chad.

Chad, a landlocked country in central Africa, is a territory of great geographic variety. It is a land of desert in the north which becomes savannah, then plain, then intense forest as one travels southward. It is a land of mountains and rivers and of abounding bird and animal life. Its people are as varied and interesting as its topography—Arabized nomads, Negroid herdsmen, fishermen and primitive villagers, Moslems, Christians, and Animists. Over the centuries nomads from the north and sedentary populations from the south have mingled in Chad. Islamic conquerors penetrated in the 14th century to find flourishing African empires, and in the 19th century the Europeans began explorations of Chad. Chad has been a melting pot of ethnic groups, for it has long been one of the most active crossroads of trade between the East and tropical Africa.

But the new independent Chad is no longer satisfied just to be a crossroads. It is determined to build up a reputation of its own on the world scene. Chad and its former ruling colonial power, France, have continued on good relations since independence. On independence day President de Gaulle sent a telegram which said:

> Chad enters the concert of nations. In the heroic days of the war she did not fail to stand by France. She can rest assured today that France will not fail to stand by her.

In turn, Chad negotiated agreements with France for close cooperation in foreign affairs, defense, and financial and economic matters.

Chad has made commendable progress in developing its economy since independence in spite of drawbacks such as inaccessibility, transportation difficulties, and the great distance to major seaports. At independence Chad had under 1 mile of paved road, from Fort Lamy, the capital, to the airport. Roads are being improved, however, and Chad's airlink to the outside is becoming increasingly important. Chad's chief economic asset is cotton, which makes up approximately 80 percent of the country's exports. The basis of the economy is agriculture, and about 96 percent of the population are engaged in subsistence agriculture, stockraising, and river fishing. Chad has begun an industrialization program, however, and already there are a handful of cotton gins, soap factories, peanut oil mills, and brick kilns.

Over half of Chad's imports come from France, but Chad has started importing some American products such as gasoline, trucks, lubricating oils and greases, air conditioners, and refrigerators. Chad's ties with the West are strong, and the Government is trying to attract foreign capital to develop a new industry of potential importance: tourism.

On the third anniversary of their independence we congratulate the people of Chad for the progress they have achieved thus far and wish them every success for the future.

Communist Party Meeting

EXTENSION OF REMARKS

OF

HON. AUGUST E. JOHANSEN

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Thursday, January 9, 1964

Mr. JOHANSEN. Mr. Speaker, I wish to call the attention of my colleagues in the House and of the citizens of Michigan and Detroit particularly, to a matter of very serious concern.

I have recently learned that a John F. Kennedy Memorial Tribute Committee meeting scheduled to be held next Sunday, January 12, in the auditorium of the Copernicus Junior High School in Hamtramck, Mich., is in fact a Communist Party affair.

The gathering, ostensibly sponsored as a memorial meeting commemorating the death of President Kennedy, is actually a Communist Party ad hoc committee meeting under the auspices of the Communist Party of Detroit.

This Communist Party ad hoc committee has made arrangements for the use of the Copernicus Junior High School auditorium at 11410 Charest, Hamtramck, and the Detroit Communist Party group is going all out to make the meeting a huge success.

It is my further information that Coleman Young, a Negro leader for many years in the Michigan district of the Communist Party and currently affiliated with the Communist Party, U.S.A., is scheduled to be a speaker at this rally. Young reportedly is also being promoted as a candidate for Congress in the next election.

The Communist Party ad hoc committee has sent letters under the name of the John F. Kennedy Memorial Tribute Committee to prominent political leaders announcing the meeting as being sponsored by "Americans of Polish Descent" in honor of the late President's memory.

My purpose in calling this to the attention of the House is to alert prospective invitees and participants to the actual nature and sponsorship of this meeting.

The Marine Technology Society: A Long-Needed Organization in a Vital Scientific Field

EXTENSION OF REMARKS

OF

HON. BOB WILSON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, January 9, 1964

Mr. BOB WILSON. Mr. Speaker, I would like at this time to call to the attention of my colleagues an organization which I believe will make a great contribution in the future development of a vital and challenging science—oceanography—the study of the vast, almost limitless resources of the seas.

The organization, the Marine Technology Society is a nonprofit venture. Its purpose is to bring together scientists, engineers, businessmen—in short, all those who have an interest in developing oceanographic knowledge to tap the physical resources beneath the surface of the oceans.

The group is incorporated in the State of New York, but already has a nationwide membership. Its headquarters are in Washington, D.C. Its formation is timely. The House has passed a national oceanographic bill. The Federal Government has announced a long-range program of oceanographic research. This professional group can help meld the many discoveries and potential projects into a uniform source of complete knowledge about what's going on in oceanography. Its purpose is not to compete, but to collect information and see that those who are working in the complex field of oceanography are aware of the achievements that have been made and the experiments underway.

I personally am pleased to have the opportunity to join this organization. I believe it offers a vehicle for the exchange of information, the collating and disseminating of ideas and the ideal focal point for discussion of and formulation of valuable oceanographic projects. My home district of San Diego County, Calif., is the center of varied and advanced oceanographic research.

The Marine Technology Society has been very active since its relatively recent formation. It has launched studies and programs aimed at establishing sound marine conservation policies. It is investigating the problems of the standardization of oceanographic instruments, a necessity if world progress in the arts of underwater science is to progress rapidly.

The MTS is not interested primarily in academic knowledge alone. One of its chief projects is studying how marine sciences can help the economics of nations which now have limited technological and economic resources.

Now in progress is an evaluation of present undersea vehicles available for oceanographic work, and a projection of the future requirements for such vehicles.

Another project involves checking the practicality of using obsolete underwater communication cables for oceanographic data retrieval.

Perhaps its most ambitious program, and one of unquestioned value and need, is the collecting and classifying of all now available technical literature pertaining to marine science.

In essence this group is aiming to bring together the many separate phases of oceanographic discovery into a coordinated, knowledgeable, workable organization. Much like the creation of a fabric, it will weave together the various strands of research which hitherto have been pursued largely in random, uncoordinated fashion by many organizations having diverse interests.

Since the House and the Federal Government have embarked on an ambitious oceanographic program, the Marine Technology Society has scheduled its first national conference, a symposium on "buoy technology" to be held in Washington, D.C., on March 24 and 25, 1964.

Congress has a great interest in the success of MTS in realizing its objectives. It will be helpful toward making our Federal oceanography program an effective operation. It will establish the preliminary forum for discussions concerning the important interchange of oceanographic data between nations—a step toward world accord, cooperation, and ultimate greater prosperity.

My colleague, Representative HERBERT BONNER, chairman of the House Committee on Merchant Marine and Fisheries, and chairman of the Subcommittee on Oceanography, wrote the secretary of the society, shortly after its formation:

> The objectives of our legislation seem well in line with the objectives which your proposed new society would seek to promote. It would seem to me that a professional society of the caliber you have in mind could be most helpful to various interests within and without Government who are concerned over the need for the prompt and effective advancement of a national oceanographic program.

It has been said that we know more about the surface of the moon than the ocean's floor. We are now striving to push our sum of knowledge about the ocean and its floor. The Marine Technology Society may well become the hub of a united drive to explore, analyze and utilize the full depths and expanse of the world's oceans.

Remarks on the Inauguration of the Korean President

EXTENSION OF REMARKS
OF

HON. JOHN M. MURPHY

OF NEW YORK
IN THE HOUSE OF REPRESENTATIVES
Thursday, January 9, 1964

Mr. MURPHY of New York. Mr. Speaker, under leave to extend my remarks in the RECORD, I include the following remarks made while attending the inauguration of the South Korean President, Mr. Chong-hui Park. At that occasion I had the good fortune to express my sentiments to the Korean Committee of the Relations Center International, Allies of the Korean War which is the worldwide organization of the Korean veterans who are bound by ties of having participated in the Korean fight. It is my privilege to include my statements at this time.

REMARKS ON THE INAUGURATION OF KOREAN PRESIDENT

Two years ago, in a White House conference with President Kennedy, General Park pledged that elections to return the Republic of Korea to civilian control would be held in the summer of 1963. In honoring that pledge, General Park greatly strengthened the cause of the free world and bound even closer the ties between his country and mine. Today, General Park is President of the Republic of Korea, the choice of his people in a free and open election. This demonstration of political stability and maturity in a land that not long ago was a battleground in the global conflict between democracy and Communist aggression does honor to the people of the Republic of Korea. It means that the Republic of Korea will remain a bulwark in the struggle to preserve freedom against those who would impose tyranny upon the world.

As we all know, this struggle suffered a severe blow in the tragic death last month of the President of the United States, John Fitzgerald Kennedy, in whom the free world had found a leader of imagination, courage, and vigor. When the bullets of a mentally warped youth—a Marxist, I might point out—robbed us of this great leader, there were doubts of America's political stability and maturity expressed in some parts of the world. There was a question, implied if not expressed, that, if such a deed could be committed in the United States of today, was the United States ready to assume the burden of leadership of the free world?

First, let me say again that this was the deed of a madman; he was a Marxist, yes; but probably his Marxism was incidental. In the past month I have read totally unfounded stories in the foreign press which hinted darkly that the assassination of President Kennedy was the result of a political plot—perpetrated either by rightists or leftists, depending upon the point of view of the writer. The possibility that the President was a victim of some sinister cabal has, of course, been thoroughly investigated by the Federal Bureau of Investigation. Not a shred of evidence has been unearthed to support such a possibility. In fact, no American President has ever been a victim of a political assassination, and by that I mean a plot to usurp power through the murder of the existing President. In every case, these crimes were the deeds of deranged men.

Our Government, like yours, is a government of law, not men; a government of free choice arrived at openly. Those in other parts of the world who feared that the assassination of President Kennedy would rob the United States of the power of decision at a critical time in world history obviously were not familiar with the democratic process. The death of a Chief Executive of the United States has never, even for a day, interrupted the continuity of its government. The Communist world, I am sure, took sober note of the smooth transition of power from President Kennedy to President Lyndon Baines Johnson—and noted too how swiftly the people of the United States closed ranks, regardless of their political attitudes, behind their new President. In his initial address to the Congress of the United States, President Johnson made two points crystal clear:

(1) That the death of President Kennedy would in no manner whatsoever lessen the resolve of the United States to further the cause of freedom everywhere.

(2) That the United States would continue to meet its worldwide commitments, military, and economic.

Thus you may rest assured that the United States will fulfill its international role. Obviously, my country cannot bear the full burden alone. In order to triumph in this global conflict between the free world and the slave, we must have dedicated, steadfast, and progressive allies. In the Republic of Korea we have such an ally, and in President Park we have the firm, purposeful leader demanded by the magnitude of the task before us.

Earlier, I mentioned the ties that bind your country and mine. Let us examine those ties again. It was here in Korea, on June 25, 1950, that communism unleashed its first post-World War II assault on a then uncomprehending world. On that fateful day, 60,000 Communist-indoctrinated troops, led by 100 Russian-built tanks, struck a daggerlike blow at the free world everywhere. Let it be remembered that the United States—though still not recovered from the strain and shock of a bitter, global war—answered the Communist challenge without hesitation. With our gallant comrades in arms—notably the resolute troops of the Republic of Korea—we met the Communist onslaught and turned it back in bewildered defeat only to face at a later date the hordes of Communist Chinese. And these too we drove back, though greatly outnumbered. As a young infantry officer, I myself took part in that bloody conflict and was wounded in it; thus, like millions of my countrymen, I have a personal stake in preserving the freedom of your country.

All told, 5,720,000 Americans served here in Korea in the active phase of our joint battle against the Communists—and I say active because that war has never really ended. Of those almost 6 million Americans, 54,246 gave their lives here, and 103,284 were wounded. The casualties of the troops of the Republic of Korea were equally heavy. During the conflict and in the subsequent years the United States has gladly contributed $5.4 billion to keep the Republic of Korea militarily and economically strong. Today, 50,000 American troops still face the Communists along the truce line, where they stand shoulder to shoulder with your soldiers to make certain that never again will we be taken by surprise.

Thus we are bound by ties of blood and common aspiration; together we threw back our implacable foe and together we will contain that foe. Here in Korea you have proved that not even the upheaval of a terrible war—an unfinished war—can shake the basic strength of democracy nor impede its progress toward a better life for its people. In the United States we have shown that not even the shock of a President's assassination can shake the basic strength of a government of law nor impede its progress toward the fulfillment of the democratic ideal—the dignity of man. Our countries are indeed fortunate to have two strong leaders—President Park and President Johnson. Under them, I am certain we will achieve our common goals—security with honor and freedom with responsibility. Thank you.

SENATE

Friday, January 10, 1964

The Senate met at 12 o'clock meridian, and was called to order by the President pro tempore.

The Chaplain, Rev. Frederick Brown Harris, D.D., offered the following prayer:

Eternal Father, in changing and troubled days we come to this altar of devotion, praying for quiet hearts and for conceptions big enough and spirits strong enough to match the awesome times in which our lot is cast.

We confess the things in our own dear land of liberty which weaken and betray the faith we profess. We acknowledge the selfishness which dominates groups caring only for their own fenced-in interests; the partisanship which sees clearly the next election, while ignoring the next generation. We bewail the narrow nationalism which is oblivious to the fact that exploitation and injustice anywhere poison the arterial blood of the race. Our hearts cry out in such a time, O America, America, God mend thine every flaw, and fit thee to be the channel of His redeeming grace for all the earth.

To transform this earth, which could be so fair, God bless America as she throws her might, moral and spiritual, across the path of ruthless, godless materialism. May our strength, through Thy will, be a radiant factor in bringing to pass a just peace in our time, O Lord. Amen.

THE JOURNAL

On request of Mr. HUMPHREY, and by unanimous consent, the reading of the Journal of the proceedings of Wednesday, January 8, 1964, was dispensed with.

ATTENDANCE OF SENATORS

The following additional Senators attended the session of the Senate today: FRANK CARLSON, a Senator from the State of Kansas; JAMES O. EASTLAND, a Senator from the State of Mississippi; and A. S. MIKE MONRONEY, a Senator from the State of Oklahoma.

MESSAGES FROM THE PRESIDENT

Messages in writing from the President of the United States submitting nominations were communicated to the Senate by Mr. Miller, one of his secretaries.

EXECUTIVE MESSAGES REFERRED

As in executive session,

The PRESIDENT pro tempore laid before the Senate messages from the President of the United States submitting sundry nominations, which were referred to the appropriate committees.

(For nominations this day received, see the end of Senate proceedings.)

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Hackney, one of its reading clerks, announced that the House had passed the joint resolution (S.J. Res. 136) providing for renaming the National Cultural Center as the John F. Kennedy Center for the Performing Arts, authorizing an appropriation therefor, and for other purposes, with amendments, in which it requested the concurrence of the Senate.

The message also announced that the House had passed the following bills, in which it requested the concurrence of the Senate:

H.R. 1295. An act for the relief of Edith and Joseph Sharon;

H.R. 1450. An act for the relief of Maria Mangano;

H.R. 1455. An act for the relief of Ewald Johan Consen;

H.R. 1723. An act for the relief of Agnese Brienza;

H.R. 1725. An act for the relief of Elisabeth Werner;

H.R. 2190. An act for the relief of Anna Del Baglivo;

H.R. 2948. An act for the relief of Mrs. Leung Chi King;

H.R. 4361. An act for the relief of the estate of Paul F. Ridge;

H.R. 4972. An act for the relief of Robert E. McKee General Contractor, Inc., and Kaufman & Broad Building Co., a joint venture;

H.R. 5617. An act for the relief of Elizabeth Renee Louise Gabrielle Huffer;

H.R. 6092. An act for the relief of Alexander Haytko;

H.R. 6748. An act for the relief of the J. D. Wallace & Co., Inc.;

H.R. 7347. An act for the relief of Teresa Elliopoulos and Anastasia Elliopoulos;

H.R. 7821. An act for the relief of Wladyslawa Pytlak Jarosz; and

H.R. 8322. An act for the relief of John George Kostantoyannis.

ENROLLED BILLS SIGNED

The message further announced that the Speaker had affixed his signature to the following enrolled bills, and they were signed by the President pro tempore:

S. 585. An act for the relief of Agaram K. Sreekanth;

S. 1196. An act for the relief of Mrs. Maria Nowakowski Chandler; and

S. 1524. An act for the relief of Hai Yung Jung and Johnny Jung.

HOUSE BILLS REFERRED

The following bills were severally read twice by their titles and referred to the Committee on the Judiciary:

H.R. 1295. An act for the relief of Edith and Joseph Sharon;

H.R. 1450. An act for the relief of Maria Mangano;

H.R. 1455. An act for the relief of Ewald Johan Consen;

H.R. 1723. An act for the relief of Agnese Brienza;

H.R. 1725. An act for the relief of Elisabeth Werner;

H.R. 2190. An act for the relief of Anna Del Baglivo;

H.R. 2948. An act for the relief of Mrs. Leung Chi King;

H.R. 4361. An act for the relief of the estate of Paul F. Ridge;

H.R. 4972. An act for the relief of Robert E. McKee General Contractor, Inc., and Kaufman & Broad Building Co., a joint venture;

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H.R. 7347. An act for the relief of Teresa Elliopoulos and Anastasia Elliopoulos;

H.R. 7821. An act for the relief of Wladyslawa Pytlak Jarosz; and

H.R. 8322. An act for the relief of John George Kostantoyannis.

LIMITATION ON STATEMENTS IN MORNING HOUR

On request of Mr. HUMPHREY, and by unanimous consent, statements in the morning hour were ordered limited to 3 minutes.

ORDER OF BUSINESS

Mr. HUMPHREY. Mr. President, I believe the Senator from Oregon [Mr. MORSE] has a matter he wishes to discuss.

Mr. MORSE. Mr. President, I believe morning business should be completed before I address myself to a question of personal privilege.

Mr. HUMPHREY. Very well, Mr. President. I merely wished to have notice given to Senators.

The PRESIDENT pro tempore. Morning business is in order.

EXECUTIVE COMMUNICATIONS, ETC.

The PRESIDENT pro tempore laid before the Senate the following letters, which were referred as indicated:

REPORT ON AIR FORCE OFFICERS ASSIGNED TO DUTY AT THE SEAT OF GOVERNMENT

A letter from the Secretary of the Air Force, reporting, pursuant to law, that as of December 31, 1963, there was an aggregate of 2,180 officers assigned or detailed to permanent duty in the executive element of the Air Force at the seat of Government; to the Committee on Armed Services.

REPORTS ON FINAL VALUATIONS OF CERTAIN PROPERTIES

A letter from the Chairman, Interstate Commerce Commission, Washington, D.C., transmitting, pursuant to law, reports on final valuations of properties of certain carriers (with accompanying reports); to the Committee on Commerce.

Correction of Report on Permits and Licenses for Hydroelectric Projects

A letter from the Chairman, Federal Power Commission, Washington, D.C., transmitting, pursuant to law, a corrected report on permits and licenses issued for hydroelectric projects (with an accompanying paper); to the Committee on Commerce.

Report on Review of Certain Activities of Government of the Virgin Islands

A letter from the Comptroller General of the United States, transmitting, pursuant to law, a report on the review of certain activities of the Government of the Virgin Islands of the United States, fiscal year 1962 (with an accompanying report); to the Committee on Government Operations.

Report on Inadequacies in Administration of Federal Grants Under Title III of National Defense Education Act of 1958

A letter from the Comptroller General of the United States, transmitting, pursuant to law, a report on inadequacies in administration of Federal grants under title III of National Defense Education Act of 1958, Department of Health, Education, and Welfare, dated January 1964 (with an accompanying report); to the Committee on Government Operations.

Report of Naval Sea Cadet Corps

A letter from the Secretary of the Navy, transmitting, pursuant to law, a report of the Naval Sea Cadet Corps (with an accompanying report); to the Committee on the Judiciary.

Temporary Admission Into the United States of Certain Aliens

A letter from the Commissioner, Immigration and Naturalization Service, Department of Justice, transmitting, pursuant to law, copies of orders entered granting temporary admission into the United States of certain aliens (with accompanying papers); to the Committee on the Judiciary.

Report on Positions in Grades GS-16, GS-17, and GS-18

A letter from the Chairman, U.S. Civil Service Commission, Washington, D.C., transmitting, pursuant to law, a report on positions in grades GS-16, GS-17, and GS-18, for the calendar year 1963 (with an accompanying report); to the Committee on Post Office and Civil Service.

Report on Scientific or Professional Positions

A letter from the Administrative Assistant Secretary of the Interior, reporting, pursuant to law, on scientific or professional positions in that Department (with an accompanying paper); to the Committee on Post Office and Civil Service.

Disposition of Executive Papers

A letter from the Archivist of the United States, transmitting, pursuant to law, a list of papers and documents on the files of several departments and agencies of the Government which are not needed in the conduct of business and have no permanent value or historical interest, and requesting action looking to their disposition (with accompanying papers); to a Joint Select Committee on the Disposition of Papers in the Executive Departments.

The PRESIDENT pro tempore appointed Mr. Johnston and Mr. Carlson members of the committee on the part of the Senate.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. HAYDEN, from the Committee on Rules and Administration, without amendment:

S. Res. 237. Resolution to print as a document with additional copies, a report entitled "Personnel Administration and Operations of Agency for International Development" (Rept. No. 816).

By Mr. WILLIAMS of New Jersey, from the Committee on Labor and Public Welfare, without amendment:

S. Res. 249. Resolution providing additional funds for the investigation of migratory labor; referred to the Committee on Rules and Administration.

TO PRINT AS A SENATE DOCUMENT A REPORT BY SENATOR HAYDEN ON FALLACIES AND DANGERS IN PROPOSED "LIBERTY" AMENDMENT (S. REPT. NO. 815)

Mr. HAYDEN, from the Committee on Rules and Administration, reported an original resolution (S. Res. 251), and submitted a report thereon, which report was ordered to be printed, and the resolution to be placed on the calendar, as follows:

Resolved, That there be printed as a Senate document a report by Senator Carl Hayden entitled "The Fallacies and Dangers in the Proposals To Abolish the Federal Income Tax, To Dispose of All Federal Business Activities, and To Limit Treatymaking Powers by a Proposed 'Liberty' Amendment to the Constitution"; and that there be printed fifteen thousand additional copies of such document for the use of the Committee on Appropriations.

ADDITIONAL STAFF FOR THE COMMITTEE ON LABOR AND PUBLIC WELFARE

Mr. HILL, from the Committee on Labor and Public Welfare, reported an original resolution (S. Res. 252), which, under the rule, was referred to the Committee on Rules and Administration, as follows:

Resolved, That the Committee on Labor and Public Welfare is authorized from February 1, 1964, through January 31, 1965, to employ one additional assistant chief clerk, seven additional professional staff members, and nine additional clerical assistants to be paid from the contingent fund of the Senate at rates of compensation to be fixed by the chairman in accordance with section 202(e), as amended, of the Legislative Reorganization Act of 1946, and the provisions of Public Law 4, Eightieth Congress, approved February 19, 1947, as amended.

EMPLOYMENT OF ADDITIONAL STAFF MEMBER FOR COMMITTEE ON LABOR AND PUBLIC WELFARE (PRINTING CLERK)

Mr. HILL, from the Committee on Labor and Public Welfare, reported an original resolution (S. Res. 253); which under the rule, was referred to the Committee on Rules and Administration, as follows:

Resolved, That the Committee on Labor and Public Welfare is authorized to employ one additional professional staff member to be paid from the contingent fund of the Senate at a rate of compensation to be fixed by the Chairman in accordance with section 202(e), as amended, of the Legislative Reorganization Act of 1946.

Sec. 2. Such additional professional staff member shall be a person experienced in congressional editorial and printing work who shall also be available for the performance of other committee duties.

AUTHORIZING CERTAIN INVESTIGATIONS BY COMMITTEE ON AERONAUTICAL AND SPACE SCIENCES

Mr. ANDERSON, from the Committee on Aeronautical and Space Sciences, reported an original resolution (S. Res. 254); which, under the rule, was referred to the Committee on Rules and Administration, as follows:

Resolved, That the Committee on Aeronautical and Space Sciences, or any duly authorized subcommittee thereof, is authorized under sections 134(a) and 136 of the Legislative Reorganization Act of 1946, as amended, and in accordance with its jurisdictions specified by rule XXV of the Standing Rules of the Senate, to examine, investigate, and make a complete study of any and all matters pertaining to the aeronautical and space activities of departments and agencies of the United States, including such activities peculiar to or primarily associated with the development of weapons systems or military operations.

Sec. 2. (a) For the purposes of this resolution the committee is authorized, from February 1, 1964, through January 31, 1965, inclusive, to (1) make such expenditures as it deems advisable, (2) employ upon a temporary basis and fix the compensation of technical, clerical and other assistants and consultants, and (3) with the prior consent of the head of the department or agency of the Government concerned and the Committee on Rules and Administration, utilize the reimbursable services, information, facilities, and personnel of any department or agency of the Government.

(b) The minority is authorized to select one person for appointment as an assistant or consultant, and the person so selected shall be appointed. No assistant or consultant may receive compensation at an annual gross rate which exceeds by more than $1,600 the annual gross rate of compensation of any person so selected by the minority.

Sec. 3. The committee shall report its findings, together with its recommendations for such legislation as it deems advisable, to the Senate at the earliest practicable date, but not later than January 31, 1965.

Sec. 4. Expenses of the committee under this resolution, which shall not exceed $88,500 shall be paid from the contingent fund of the Senate upon vouchers approved by the chairman of the committee.

AUTHORIZING COMMITTEE ON INTERIOR AND INSULAR AFFAIRS TO MAKE CERTAIN INVESTIGATIONS

Mr. ANDERSON (for Mr. Jackson), from the Committee on Interior and Insular Affairs, reported an original resolution (S. Res. 255); which, under the rule, was referred to the Committee on Rules and Administration, as follows:

Resolved, That the Committee on Interior and Insular Affairs, or any duly authorized subcommittee thereof, is authorized under sections 134(a) and 136 of the Legislative Reorganization Act of 1946, as amended, and in accordance with its jurisdictions specified by rule XXV of the Standing Rules of the Senate, to examine, investigate, and make a complete study of any and all matters pertaining to Indian affairs; irrigation and reclamation; minerals, materials, and fuels; public lands; and territories and insular affairs.

SEC. 2. For the purposes of this resolution the committee, from February 1, 1964, to January 31, 1965, inclusive, is authorized (1) to make such expenditures as it deems advisable; (2) to employ upon a temporary basis, technical, clerical, and other assistants and consultants: *Provided*, That the minority is authorized to select one person for appointment, and the person so selected shall be appointed and his compensation shall be so fixed that his gross rate shall not be less by more than $1,600 than the highest gross rate paid to any other empolyee; and (3) with the prior consent of the heads of the departments or agencies concerned, and the Committee on Rules and Administration, to utilize the reimbursable services, information, facilities, and personnel of any of the departments or agencies of the Government.

SEC. 3. Expenses of the committee, under this resolution, which shall not exceed $105,000, shall be paid from the contingent fund of the Senate upon vouchers approved by the chairman of the committee.

BILLS AND JOINT RESOLUTION INTRODUCED

Bills and a joint resolution were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. KEATING:

S. 2418. A bill for the relief of Miss Ippolita Davi; to the Committee on the Judiciary.

By Mr. HOLLAND (for himself and Mr. SMATHERS):

S. 2419. A bill to authorize the Secretary of the Interior to condemn certain property in the city of St. Augustine, Fla., within the boundary of the Castillo de San Marcos National Monument, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. CLARK:

S. 2420. A bill to amend section 218 of the Social Security Act so as to enable States, through Federal-State agreement, to provide further opportunity for certain State employees to elect coverage under the insurance system established by title II of the Social Security Act; to the Committee on Finance.

(See the remarks of Mr. CLARK when he introduced the above bill, which appear under a separate heading.)

By Mr. KEATING:

S.J. Res. 143. Joint resolution proposing an amendment to the Constitution to create the offices of Executive Vice President and Legislative Vice President; to the Committee on the Judiciary.

(See the remarks of Mr. KEATING when he introduced the above joint resolution, which appear under a separate heading.)

RESOLUTIONS

TO PRINT AS A SENATE DOCUMENT A REPORT BY SENATOR HAYDEN ON FALLACIES AND DANGERS IN PROPOSED "LIBERTY" AMENDMENT

Mr. HAYDEN, from the Committee on Rules and Administration, reported an original resolution (S. Res. 251) printing as a Senate document a report by Senator CARL HAYDEN entitled "The Fallacies and Dangers in the Proposals To Abolish the Federal Income Tax, To Dispose of All Federal Business Activities, and To Limit Treatymaking Powers by a Proposed 'Liberty' Amendment to the Constitution," which was placed on the calendar.

(See the above resolution printed in full when reported by Mr. HAYDEN, which appears under a separate heading.)

ADDITIONAL STAFF FOR COMMITTEE ON LABOR AND PUBLIC WELFARE

Mr. HILL, from the Committee on Labor and Public Welfare, reported an original resolution (S. Res. 252) to authorize additional staff for the Committee on Labor and Public Welfare, which, under the rule, was referred to the Committee on Rules and Administration.

(See the above resolution printed in full when reported by Mr. HILL, which appears under a separate heading.)

EMPLOYMENT OF ADDITIONAL STAFF MEMBER FOR COMMITTEE ON LABOR AND PUBLIC WELFARE (PRINTING CLERK)

Mr. HILL, from the Committee on Labor and Public Welfare, reported an original resolution (S. Res. 253) authorizing the employment of one additional staff member for the Committee on Labor and Public Welfare (printing clerk), which was referred to the Committee on Rules and Administration.

(See the above resolution printed in full when reported by Mr. HILL, which appears under a separate heading.)

AUTHORIZING CERTAIN INVESTIGATIONS BY COMMITTEE ON AERONAUTICAL AND SPACE SCIENCES

Mr. ANDERSON, from the Committee on Aeronautical and Space Sciences, reported an original resolution (S. Res. 254) authorizing certain investigations by the Committee on Aeronautical and Space Sciences, which, under the rule, was referred to the Committee on Rules and Administration.

(See the above resolution printed in full when reported by Mr. ANDERSON, which appears under a separate heading.)

AUTHORIZING COMMITTEE ON INTERIOR AND INSULAR AFFAIRS TO MAKE CERTAIN INVESTIGATIONS

Mr. ANDERSON (for Mr. JACKSON), from the Committee on Interior and Insular Affairs, reported an original resolution (S. Res. 255) authorizing the Committee on Interior and Insular Affairs to make certain investigations, which, under the rule, was referred to the Committee on Rules and Administration.

(See the above resolution printed in full when reported by Mr. ANDERSON, which appears under a separate heading.)

AMENDMENT OF SECTION 218 OF SOCIAL SECURITY ACT, RELATING TO ELECTION BY CERTAIN STATE EMPLOYEES FOR COVERAGE UNDER THE INSURANCE SYSTEM

Mr. CLARK. Mr. President, I introduce, for appropriate reference, a bill which would allow the teachers of Pennsylvania to have a new opportunity to determine whether they wish to be covered by the social security system. Under present law their opportunity to make this decision expired December 31, 1962. The bill would amend title 42, section 418(d)(6)(F) of the United States Code so the teachers will have until 1966 to elect for coverage under the Social Security Act.

The PRESIDENT pro tempore. The bill will be received and appropriately referred.

The bill (S. 2420) to amend section 218 of the Social Security Act so as to enable States, through Federal-State agreement, to provide further opportunity for certain State employees to elect coverage under the insurance system established by title II of the Social Security Act, introduced by Mr. CLARK, was received, read twice by its title, and referred to the Committee on Finance.

PROPOSED CONSTITUTIONAL AMENDMENT FOR TWO VICE PRESIDENTS

Mr. KEATING. Mr. President, I hope many Members of the Senate availed themselves of a unique opportunity, this Wednesday, to view the television program "CBS Reports," entitled "The Crisis of Presidential Succession." This program brought together the combined talents, insights, and firsthand experiences of former Presidents Eisenhower and Truman, former Vice President Nixon, and the present Speaker of the House, in a singularly well edited presentation and discussion of succession and disability problems. I may add, in all humility, in which I know Arthur Krock, the distinguished New York Times columnist, will join me, that he and I were privileged to take part in this program among such august company. If there was any common thread which ran throughout the discussion and was shared by all of the participants—and I daresay one could find few other issues on which all of them would agree—it was that the gravest problem of the Presidency as an institution lies in the original omission from the Constitution of the details regarding inability. All expressed the hope and desire that Congress would act without delay on clarifying legislation while the tragic events at Dallas are still vividly impressed on our minds.

However, Mr. President, concerning the distinct problem of Presidential succession and a joint resolution which I previously introduced to create two Vice Presidents let me say that it was a source of considerable amazement and surprise to me to have heard former Vice Presi-Nixon dismiss this plan so perfunctorily and without spelling out any sound reasons for his opposition. When asked his opinion of the suggestion for two Vice Presidents, Mr. Nixon replied:

> No, I believe that downgrades the office of Vice President at a time that it has just received the stature that the second office of the land should have.

I could not, I am sorry to say, disagree more with Mr. Nixon. To the contrary it is my judgment that the interposing of a second, or Legislative, Vice President in the line of succession between the first, or, as I designate him, the Executive Vice President, and the Speaker of the House, will immeasurably enhance the role of the Executive Vice President. This is because if this joint resolution were made a part of the Constitution, the Executive Vice President would be shorn of the relatively minor constitutional duties of the present Vice President—presiding over the Senate and breaking tie votes there—duties which, however unfairly, have formed the historical basis for making the Vice President the butt of a sorry constitutional joke, as witness Mr. Throttlebottom of "Of Thee I Sing" fame. Freeing from these tasks the man next in line for the Presidency—the proposal I have sponsored would permit him to devote his time and energies exclusively to pressing matters of state in behalf of the President—which not only would better prepare him for the most awful of eventualities, but also would enable the President better to distribute the workload of Executive duties which neither the Constitution nor acts of Congress require him personally to attend to.

Mr. President, next week I shall be addressing myself again to a larger number of issues brought to the fore by the "CBS Reports" telecast to which I have referred. For now, I extend my warm compliments and congratulations to CBS and its fine news department staff who were responsible for performing this valuable public service.

Also, Mr. President, I introduce, for appropriate reference, another joint resolution proposing an amendment to the Constitution to create the offices of Executive Vice President and Legislative Vice President.

Mr. President, as I have indicated, I introduced a similar joint resolution on December 20 of last year. It has been referred to the Judiciary Subcommittee on Constitutional Amendments, and will soon be receiving a hearing, along with other proposals on Presidential succession and inability. When the previous joint resolution was introduced, I stated for the RECORD that, principally for reasons of convenience and draftsmanship, the resolution had incorporated within it the provisions of Senate Joint Resolution 35, the Kefauver-Keating amendment which would authorize the Congress to treat the inability problem through simple legislation. At that time I announced that it was my intention at a later date to separate the provisions of Senate Joint Resolution 35 from the joint resolution and to introduce another joint resolution addressed solely to the creation of two Vice Presidents, leaving intact, so far as applicable, the original constitutional language dealing with inability, as distinct from succession.

The joint resolution being introduced today, limited to the plan for two Vice Presidents, is in fulfillment of my earlier announcement. It is designed to present still another alternative proposal to those which will be considered by the Constitutional Amendments Subcommittee. But, in addition, Mr. President, it also serves to stress my strong belief—a belief shared by former Presidents Truman and Eisenhower—that the problem of Presidential inability—unlike succession, for which clear provision has already been made in the 1947 law—deserves urgent consideration as a separate issue, preferably before going on to matters of succession. Senate Joint Resolution 35, dealing with inability, has already been approved by the subbcommittee, and is pending on the agenda of the full Judiciary Committee. In my judgment, its early approval is required, and also would certainly be a fitting tribute to the memory of our late and beloved colleague, Estes Kefauver, who labored long and hard on these problems when few others were interested.

The PRESIDENT pro tempore. The joint resolution will be received and appropriately referred.

The joint resolution (S.J. Res 143) proposing an amendment to the Constitution to create the offices of Executive Vice President and Legislative Vice President, introduced by Mr. KEATING, was received, read twice by its title, and referred to the Committee on the Judiciary.

EQUALIZATION OF TAX TREATMENT OF THOSE RECEIVING RETIREMENT INCOME WITH THOSE RECEIVING SOCIAL SECURITY—(AMENDMENT NO. 381)

Mr. RIBICOFF. Mr. President, I submit, for appropriate reference, an amendment to H.R. 8363, the tax bill. This amendment is designed to complete the effort begun in 1954 of equalizing as nearly as possible the tax treatment of those receiving retirement income with those receiving social security.

Social security benefits are received tax free. Recognizing that recipients of social security and retirement benefits should be treated equally, Congress in 1954 adopted the retirement income credit. This allows retirement income to be received tax free up to the maximum amount which can be received under social security. In 1954, this maximum was $1,200; so the retirement credit was set at this amount. Thereafter the maximum social security benefit was increased, and so Congress in 1962 increased the maximum figure on which the retirement credit is computed to $1,524, to preserve the principle of equal treatment.

The principle of equality is undermined by two factors. First of all, the tax saving that results from receiving social security benefits tax free is based on the taxpayer's own tax bracket, whereas the tax saving from the retirement credit is based on the lowest bracket. For example, a taxpayer in the 30-percent bracket who receives $1,524 of social security benefits is saved 30 percent of $1,524 or $457.20. A taxpayer in the same bracket who receives the same amount of retirement income saves only 20 percent of $1,524 or $304.80. Under the present bill, this disparity is actually increased. Since the relevant tax rate is reduced from 20 to 15 percent, the person in the example above saves only 15 percent of $1,524 or $228.60.

This disparity is an inevitable result of the mechanics of the retirement credit. However, there is a second disparity which is not inevitable and which certainly should be corrected, especially in a bill which increases the disparity due to rate structure. This second ground of inequality arises from the fact that a social security beneficiary who is married may receive a half share for his wife and this half share is also received tax free. This means that the maximum social security benefit to a married taxpayer is one and a half times $1,524 or $2,286. However, the maximum figure on which the retirement credit is computed remains at $1,524.

My amendment corrects this inequity by increasing the retirement income credit limitation from $1,524 to $2,286 for married taxpayers who file joint returns. The increase would be correspondingly reduced by the amount of retirement income plus social security received by the wife in her own right. In this way the married man receiving retirement income of up to $2,286 is placed substantially on a par with the married social security beneficiary who receives the same amount of money.

Thousands of retired schoolteachers, police, fire and other municipal, State, and Federal employees are certainly entitled to this equal treatment. The purpose of the retirement income credit is to treat them the same as social security beneficiaries. My amendment simply makes sure that this purpose is carried out in fact.

I ask unanimous consent that the amendment be printed in the RECORD at this point.

The PRESIDENT pro tempore. The amendment will be received, printed, and appropriately referred; and, without objection, the amendment will be printed in the RECORD.

The amendment (No. 381) was referred to the Committee on Finance, as follows:

At the proper place in title II of the bill insert the following new section:

"SEC. —. LIMITATION ON RETIREMENT INCOME.

"(a) INCREASE IN LIMITATION IN CASE OF CERTAIN MARRIED COUPLES.—Section 37(d) (relating to limitation on retirement income) is amended by adding at the end thereof the following new sentence: 'In the case of a joint return of a husband and wife, if the sum of the retirement income and the amounts described in paragraph (1) of this subsection received by either spouse during the taxable year is less than $762, the $1,524 amount referred to in the preceding sentence shall, with respect to the other spouse, be increased by an amount equal to the amount by which such sum is less than $762.'

"(b) EFFECTIVE DATE.—The amendment made by subsection (a) shall apply to taxable years beginning after December 31, 1963.

GERMANENESS OF DEBATE UNDER CERTAIN CONDITIONS—AMENDMENT (AMENDMENT NO. 382)

Mr. CLARK (for himself and Mr. SCOTT) proposed an amendment to the resolution (S. Res. 89) providing for germaneness of debate under certain conditions, which was ordered to be printed.

ENROLLED BILLS PRESENTED

The Secretary of the Senate reported that on today, January 10, 1964, he presented to the President of the United States the following enrolled bills:

S. 585. An act for the relief of Agaram K. Sreekanth;

S. 1196. An act for the relief of Mrs. Maria Nowakowski Chandler; and

S. 1524. An act for the relief of Hai Young Jung and Johnny Jung.

WHO MADE LYNDON JOHNSON?

Mr. MANSFIELD. Mr. President, in the December 16 issue of the Newsletter of the Independent Editorial Services, Ltd., there appears an article entitled, "Who Made Lyndon Johnson?" The article notes the contributions of the President's father and mother, of his wife, of the late great Speaker of the House Sam Rayburn, of his assistant Walter Jenkins and of others who have exerted a constructive and helpful influence in his life. But when all to whom credit is due have received it, the article concludes that "He just plain did it himself."

As with the rest of us, the President is not an island unto himself. But in the last analysis, it was his own courage and energy and dedication which made it possible for others to contribute to his development as an outstanding leader of the Nation. As in the past, so, too, as President, he will depend on many people for assistance but it will be the same personal courage, energy, and dedication which, in the end, must sustain him.

Mr. President, I ask unanimous consent that the charming tribute to President Johnson previously referred to be printed at this point in the RECORD.

There being no objection, the tribute was ordered to be printed in the RECORD, as follows:

WHO MADE LYNDON JOHNSON?

There has been a lot of comment lately about the new President. One columnist said that Charles E. Marsh made him. Marsh was a Texas editor in Lyndon's district when he was a young Congressman.

Then there are those who say that Lady Bird made him. Well, he always says that he overmarried himself, like most men. There is no question that Mrs. Johnson's work added to or finished off, this tall block of granite from the Pedernales country.

There are those from the same Pedernales country that say that Samuel Ealy Johnson, Sr., made Lyndon. He was a strong man who founded a town and on Lyndon's birth date rode around the district saying, "A U.S. Senator was born today."

Samuel Ealy Johnson, Jr., Lyndon's father, got a lot of credit for Lyndon. Rightly so. The elder Johnson served five terms in the Texas Legislature and helped Sam Rayburn to become Speaker of the Texas House.

Lyndon's mother has long been mentioned as a great force in his formative years. As Rebekah Baines, she was the daughter of a man who preceded Samuel Ealy Johnson, Jr., in the Texas State Legislature. She was a college graduate and had been a teacher. Her father was a newspaper editor and secretary of state of Texas. Her grandfather was a friend of Sam Houston and a founder of Baylor University.

There is a substantial group who think that the aforementioned Sam Rayburn made Lyndon Johnson. There are a lot of reasons why they say this.

One is that Lyndon got his first Washington job as secretary because of his help to newly elected Congressman Richard M. Kleberg, with an assist from Sam Rayburn. The same Sam Rayburn kept his door open to the son of the man he had known and worked with back in Austin.

Sam Rayburn was much more than a politician, as history has noted. He was a statesman and a man of wisdom. There are some random things that Lyndon says and does that are reminiscent of the great Sam Rayburn. When Lyndon got to Congress in his own right he was more and more exposed to Rayburn.

But there were also other men and other situations, in the House, in the Senate, and in the Government.

Let us take Tom Clark, for one. Tom as a diligent and meticulous tyro in the Justice Department, was a friend and confidant of Lyndon Johnson. Clark is a longheaded and deliberate thinker. Just let him alone, and he comes up with the right answers. It must not be lost upon his biographers that step by step in their separate paths, Clark and Johnson climbed the Federal ladder together. Now Clark is a veteran of the Supreme Court and Lyndon is President.

It was not always that Johnson gathered wit and wisdom from his seniors. There is a modest fellow around who has been the Johnson right arm since they all came up wide eyed from Austin. This is Walter Jenkins who might be described as the nearest man to L.B.J. and his clan. Jenkins is a man of deep intelligence, a human sort of a man, of faith, honor, and ability. He has been contributing to the welfare of Lyndon Johnson for many years, and has never failed in unwavering and steady loyalty and efficiency.

Walter Jenkins is the rock upon which the Johnson daily effort is based.

This writer, who has known them all since Coolidge, avers that this is the best since Joe Tumulty.

So we have a partial list. But who made Lyndon Baines Johnson?

There is no doubt that many contributed.

But it should be clear to his biographers and to the historians.

He just plain did it himself.

THE MORNING STAR PEOPLE

Mr. MANSFIELD. Mr. President, there are seven Indian reservations in the State of Montana with as many economic and political situations. As I have stated on previous occasions, the one tribal organization with the least opportunities that has asked for less is the Northern Cheyenne Reservation in southeastern Montana.

For some time this Indian tribe has been referred to as the "Race of Sorrows." At the present time nothing could be more inaccurate. The Northern Cheyennes have embarked on a new era of self-help and great improvement of their social and economic conditions. For years these people have been subjected to unbelievable poverty; however, in the past 2 or 3 years these people achieved a new lease on life. The initial assistance came from the cooperative efforts of the Federal and State Governments, private philanthropic, and charitable organizations. But most of all, the credit goes to the Northern Cheyennes and their leaders.

The resources of this reservation are admittedly limited but they have exploited what they have. The Northern Cheyenne tribal organization is now operating its own cattle enterprise with a realistic program of expansion. Natural resources, largely mineral and timber, are being developed. A plastic factory employer provides employment for many Indians, supplying items to a nearby mission. In addition, there is a revival of interest in their own arts and crafts. The Northern Cheyennes have proven to be good and reliable workers with undeveloped talents.

The Bureau of Indian Affairs can be given a great deal of credit because of its new enlightened approach to the problems of the American Indian. The one most important single program has been the accelerated public works program. This has provided immediate employment in the development and improvement of timber resources and road programs. Private organizations such as the Association for American Indian Affairs and the American Friends Society have been helpful in stimulating interest among the Indians and providing personal attention and guidance. The self-help housing program sponsored by the Public Housing Administration and new sanitation programs under the Public Health Service offer great hope of a better way of life for these people.

Today, I want to pay tribute to the Northern Cheyennes themselves and particularly the president of the tribal organization, John Woodenlegs, a longtime personal friend. I have always felt that these people were not destined to perpetual poverty and starvation, but given a chance they would create a better life for themselves. This is what they are doing, and I am convinced that if the Federal Government will provide its share of the incentive, these people will continue to develop their human and reservation resources. John Woodenlegs is a kind and thoughtful leader, one who understands the problems of his people and how they can best be helped. I recall that soon after the APW program was put into operation on the Northern Cheyenne Reservation he wrote me stating that, "it was the best thing that ever happened to my people." This program gave his people employment, self-respect, and some hope for the future.

There are many who feel that we will always have an Indian problem. Such resignation is defeatist in attitude. If the Indians of our Nation are given the encouragement and the assistance they need, I am firmly convinced that they will improve their own economic and social status. I know that is what is being done on the Northern Cheyenne Reservation among the "Morning Star People."

Mr. President, I ask unanimous consent to have printed at the conclusion of my remarks in the CONGRESSIONAL RECORD three fine feature stories written by Dick Gilluly, Billings, Mont., reporter, which appeared in the Billings Gazette on December 31, 1963, and January 1, 1964; and the Christian Science Monitor, January 8, 1964.

There being no objection, the articles were ordered to be printed in the RECORD, as follows:

[From the Billings (Mont.) Gazette, Dec. 31, 1963]

NORTHERN CHEYENNES: BRIGHT FUTURE FOR MORNING STAR PEOPLE

(By Dick Gilluly)

(EDITOR'S NOTE.—Are the proud Northern Cheyennes the "Race of Sorrows"? Or are they the "Morning Star People"? John Woodenlegs, chairman of the Cheyenne Tribal Council, makes a case for an arising people in the first of two stories on the Cheyennes.)

The Northern Cheyenne Indian Tribe has recently been the subject of national publicity; not very good publicity.

In October, 10-month-old Arthur Big Head of Lame Deer died en route to the Holland, Ohio, home of foster parents.

Death was caused by malnutrition, dehydration, and pneumonia.

Then the Christmas gift of a ton of clothes for the tribe from a Connecticut woman emphasized poverty on the reservation.

These things have given people the wrong impression of the tribe and the reservation, says John Woodenlegs, tribal chairman.

He wants to eliminate this wrong impression.

FULL-TIME EFFORT

He emphasizes the "365-day-a-year" efforts by the tribe, by Federal and State agencies and by private associations and individuals to improve Cheyenne living conditions.

"I do not want my people called the 'Race of Sorrows' any longer," Woodenlegs said. "We are the 'Morning Star People.' We have a bright future."

Immense progress has been made in the past 10 years, Woodenlegs says.

A lot more will be made in the future, he is convinced.

Much of the progress has been a "bootstrap" thing, with the Indians initiating improvement programs.

In 1955, the tribe budgeted $500 for education.

It now budgets around $35,000 a year.

TRIM TB TOLL

In 1955 the tuberculosis rate on the reservation was 8 percent, the highest of any Montana reservation. Now it is 4 percent.

Typhoid, diptheria, diseases that result from bad sanitation and bad heating, are well on their way to being eliminated.

Division of Indian Health, U.S. Public Health Service, did a lot of this. But it couldn't have been accomplished without Indian cooperation. The tribe, for example, budgets about $8,000 a year of its own money to drill safe water wells.

Busby, a reservation village that a few years ago earned the epithet "open-air ghetto," still has a long way to go before it looks like the usual American small town.

But lawns are springing up on mud flats; huge trash heaps have been removed; a village water system has been installed; modern heating and sanitation facilities are being put into drab but solid log huts; and almost everyone who lives in Busby is beginning to have pride in what the village is becoming.

The Lame Deer public housing authority has an application for 50 "self-help" housing units. If approved by the Public Housing Administration and Bureau of Indian Affairs, units will be built with local materials and local labor.

DO IT YOURSELF

Indians will make their downpayments on modern homes by helping to build them. The Northern Cheyenne Reservation will be the second in the Nation to have such a program.

If it works in Lame Deer, it likely will be extended to other reservation villages. The Lame Deer housing authority is a "grassroots" organization of tribal members and non-Indian residents.

Employment on the reservation is at an unprecedented high. Biggest employers are the Guild Arts and Crafts plastics factory and the Federal accelerated public works program—the latter temporary.

Skeptics were convinced that alcoholism, indolence and unpunctuality of Indian employees would doom the plastics factory and APW.

The Indians have turned out to be better workers than most non-Indians. Absenteeism is remarkably low and the Indians take pride in their work. APW conservation programs are teaching them useful skills.

The plastics factory will probably expand soon, providing permanent employment for about 150 Indians.

A tourist center near Lame Deer has had two seasons of successful operation. It has stimulated home handicraft industries and helped preserve ancient traditions of craftsmanship.

A campground near the center is being expanded under APW.

The tourist center is a joint project of the tribe, the Association for American Indian Affairs, the American Friends Society and the Bureau of Indian Affairs.

The plastics factory was brought to the reservation through efforts of Father Emmett Hoffman and the St. Labre Mission at Ashland, the tribe and BIA.

But in every reservation program, the tribe has played the major role.

[From the Billings (Mont.) Gazette, Jan. 1, 1964]

NORTHERN CHEYENNES: TRIBE PLANS TO MAINTAIN PROUD HISTORY

(By Dick Gilluly)

(EDITOR'S NOTE.—This is the second of two articles on the revitalization of the Northern Cheyenne Indians through a combination of self-help projects and aid from the U.S. Government.)

A race that successfully made a heroic trek from Oklahoma to Montana fighting the U.S. Army plus starvation and disease is not a race that lacks initiative, stamina and intelligence.

The Northern Cheyenne Indian Tribe was banished to Oklahoma after it helped Sitting Bull defeat General Custer.

The tribe was determined to return to its homeland in Montana.

It returned. The Government was finally forced to give it a reservation.

History of the tribe since then has not been pretty. Disease, ignorance, starvation have given the tribe the name "Race of Sorrows."

All this is changing, John Woodenlegs, tribal chairman, says.

STAR SHINES AGAIN

Those qualities that once made the Northern Cheyennes great are coming to the forefront. "The Morning Star People," a race with a bright future, is the way Woodenlegs sees things.

And progress during the past 10 years is proving him right.

"We lived very well before the white man came," Woodenlegs said. "We are now learning to live well again."

A basic change on the reservation is the use of land.

A few years ago most of the reservation was leased to non-Indians. Rental fees were far below those for comparable off-reservation land. Individual Indians and the tribe had been dispossessed of their most important heritage.

Cheyenne land is valuable. It is good rangeland, much of it produces timber and there are valuable mineral deposits.

CONTROLLING IT AGAIN

The tribe, with the help of the Bureau of Indian Affairs, is giving the productivity of the land back to the Indians.

This is being done in many ways.

A land purchase program financed through a BIA loan is allowing the tribe to buy land from non-Indians.

Cancellation clauses in leases held by non-Indians are being invoked.

Indians who own small, scattered, mostly useless plots of land are selling the land to the tribe. The tribe consolidates the tracts.

The land is being redistributed. Indians who want to start a cattle operation, for example, lease land from the tribe on a long-term basis.

The tribe has started a 2,500-head tribal steer enterprise that will eventually be increased to 5,000 head. The enterprise will provide employment and income to the tribe for housing, education, and other needs.

But there will still be enough land for individual Indians to start their own livestock operations. Emphasis is on the individual, and the small Indian rancher is given priority over the tribal enterprise.

New Indian homes are often built on assigned tribal land.

When land is leased to non-Indians, the tribe assures through sealed bids and auctions the Indian owner will get a fair share of its productivity.

"Rental fees aren't quite up to comparable off-reservation fees," Woodenlegs said. "But we are fast approaching this."

JUDGMENT FUND

The Northern Cheyenne will soon have a $4.3 million judgment for land ceded to the United States in the 1800's.

A 10-man committee has been set up to program spending of the money. BIA experts are helping. The judgment fund will likely be spent on housing, education, land, and general economic development.

"There has been in the past few years a consistent, steadfast grassroots effort to improve the reservation," Woodenlegs said.

The tribe has pulled itself up by its own bootstraps. And all the new programs have had a cumulative effect on the reservation.

They have become interrelated and self-sustaining, Woodenlegs says. Eventually they will become a new way of life for the Northern Cheyenne people.

The tribe has had a lot of help—from Senators MIKE MANSFIELD and LEE METCALF, from BIA, from the U.S. Public Health Service, from private associations and individuals, from religious groups like the Quakers and the St. Labre Mission. But the Indians themselves have been the prime movers toward progress.

Woodenlegs asks only one thing:

"The negative attitudes of non-Indians in the area have often discouraged us," he says.

"We ask that each of us be judged on our own merits, as an individual."

The Northern Cheyenne Tribe has produced many noble individuals, history proves.

It will produce more.

[From the Christian Science Monitor, Jan. 8, 1964]

FIGHT AGAINST POVERTY: CHEYENNE TRIBE CHALKS UP GAINS

(By Dick Gilluly)

BILLINGS, MONT.—The Northern Cheyenne Indian Tribe, long known as "the Race of Sorrows," is striving mightily to make itself known as "the Morning Star People."

Recent unfavorable national publicity, pointed up when a Cheyenne baby of Lame Deer, a reservation village, passed on from malnutrition, dehydration, and illness, brought about widespread criticism of Federal agencies dealing with the Indians.

Then came a Christmas gift of a ton of clothes for the tribe from a woman in Connecticut. This further emphasized poverty on the reservation and resulted in nationwide publicity.

Cheyenne leaders declare that these things have given a wrong impression of this northeastern Montana reservation. They obscure, the Indians say, the immense progress made in the past 10 years, says John Woodenlegs of Lame Deer, energetic tribal chairman since 1955.

BANISHED IN 1876

Mr. Woodenlegs wants to eliminate this wrong impression.

He emphasizes the "365-day-a-year" efforts by the tribe, by Federal and State agencies, by private associations and individuals to improve Cheyenne living conditions.

"We appreciate the gifts from Connecticut," says Mr. Woodenlegs, "but it is the long-term sustained efforts by the tribe and others that really count."

The Northern Cheyennes have been called "the Race of Sorrows." They were banished to Oklahoma from their homeland in Montana after they helped Sitting Bull defeat General Custer at the Battle of the Little Big Horn in 1876.

They were determined to return. Fighting the U.S. Army, cold, starvation, and disease, they did return.

The Government was finally forced to provide them with their present reservation.

INITIATIVE STRESSED

History of the tribe since then has not been pretty.

The reservation has been one of the most poverty ridden of all American Indian reservations. Infant death rate has been high and life expectancy low. Deaths from starvation and exposure were not unusual only a few years ago. Epidemics were frequent.

All this is changing, says Mr. Woodenlegs. "I don't want my people called 'the Race of Sorrows' any longer," he says. "We are 'the Morning Star People.' We have a bright future."

Much of the progress has been on the initiative of the Indians themselves. But many outsiders have helped.

In 1955, the tuberculosis rate on the reservation was 8 percent, the highest of any Montana reservation. Now it is 4 percent.

Bad sanitation and its concomitant pestilences are well on their way to being eliminated.

FUNDS FOR EDUCATION

In 1955 the tribe budgeted $500 for education of tribal members. Now it budgets $35,000 a year.

A land-reform program initiated by the tribe and the U.S. Bureau of Indian Affairs is proving successful, and the productivity of Cheyenne land is going to the Indians instead of, as in the past, to non-Indian ranchers.

Busby, a reservation village that a few years ago earned the epithet of "open-air ghetto," still has a long way to go before it looks like an average American small town.

But lawns are springing up on mudflats; trash heaps have been removed; modern heating and sanitation facilities are being put into drab but solid log huts; a village water system was installed by the U.S. Public Health Service, and almost everyone who lives in Busby is beginning to have pride in what the village is becoming.

The Lame Deer public housing authority has in an application for 50 self-help housing units. If approved by the Public Housing Administration, the Public Health Service, and the Bureau of Indian Affairs, units will be built with local material and local labor.

EMPLOYMENT HIGH

Indians will make a down payment on their new homes by helping to build them. The Northern Cheyenne Reservation will be the second in the Nation to have such a program.

The program likely will be extended to other villages; and good housing for all 2,200 reservation residents is for the first time a possibility.

The Lame Deer housing authority is a grassroots organization of tribal members and non-Indian residents.

Employment on the reservation is at an unprecedented high. Biggest employers are the Guild Arts and Crafts plastics-novelty factory at Ashland and the Federal accelerated public works program, the latter only temporary.

Individuals have done a great deal, too; Dr. and Mrs. Wilson Clark of Billings, of the Association of American Indian Affairs, for example, spend months each year helping the Indians, and have had much to do with the success of the tourist center. They work without compensation.

The Reverend Hoffman and Quaker youth crews likewise work selflessly for the Indians. Youth groups from eastern universities have contributed much. The Bureau of Indian Affairs and the Public Health Service, of course have contributed immensely.

Skeptics were convinced alcoholism, indolence, and lack of punctuality of Indian employees doomed the factory and the public-works program.

The Indians have turned out to be better workers than most non-Indians, company and Federal officials say. Absenteeism is remarkably low, and the Indians take pride in their work. APW conservation programs are teaching the mostly unskilled Indian laborers useful trades. The factory probably will expand soon to employ about 150 Indians.

CENTER THRIVES

A tourist center near Lame Deer has had two seasons of successful operation. By selling local products, the center has stimulated home industries and helped revive ancient traditions of craftsmanship. The center is a joint project of the tribe, the Association for American Indian Affairs, the American Friends Society, and the Bureau of Indian Affairs.

The factory was brought to the reservation through the efforts of the Reverend Emmett Hoffman and the St. Labre Mission, the tribe, and the Bureau of Indian Affairs.

A tribal cattle enterprise has been started, and now has 2,500 animals. It will expand to 5,000. Individual Indians are being encouraged to start ranching operations on land leased to them by the tribe.

The tribe is beginning to get income from timber and mineral resources on the reservation.

A recent $4.3 million judgment to the tribe from the United States for land ceded in 1868 is being programed for education, land purchase, housing, and general economic development.

Progress can be attributed to many things. The Indian policies of the Kennedy administration are credited with helping all tribes, including the Cheyennes.

THE MILWAUKEE JOURNAL, A GREAT NEWSPAPER

Mr. PROXMIRE. Mr. President, once again the Milwaukee Journal has "done it." The current issue of Time magazine analyzes American newspapers, and singles out the very few among them to which it accords the accolade: "great."

This is no novel or new experience for the Milwaukee Journal. All evaluations I have seen of American newspapers—those from schools of journalism and those from publishers—have rated this paper at the very top, along with the New York Times and one or two others.

Mr. President, as one who has run five times in Wisconsin for statewide office and has never been supported by the Milwaukee Journal, I think I can speak of it with some objectivity.

I disagree with much of its editorial content. Currently, for example, it is calling for a tax cut to stimulate the economy. I disagree. I strenuously oppose the policies it has traditionally adopted on Federal farm programs, aid for education, and in many other areas.

But I have become convinced—in spite of disagreement, which I am sure will continue—that this is a great newspaper.

I think I am in a position to judge. At Harvard University, I completed all my requirements toward a Ph. D. some 15 years ago, except for writing my dissertation. But I have worked on that dissertation, and its subject is: "Developing Standards for Evaluating the Political Content of the American Newspaper."

The Milwaukee Journal meets the prime standards impressively:

First, it is extraordinarily comprehensive. Every significant story about Milwaukee is searched and researched meticulously. Not only is city hall covered with a fine-tooth comb, but all facets of Milwaukee's economic life—failures as well as successes—are scrutinized, anticipated, and worried over, in much the way a dog worries over a bone. Probably no other big city in America has more thorough newspaper reporting than that provided Milwaukee by the Journal and its remarkably competitive sister, the Sentinel.

But the Journal is also a State paper. It covers the State legislature and the Governor with the same ruthless and relentless exposure it gives Milwaukee's mayor.

It has remarkably probing stories about the State's university and its newly expanding State colleges, and comes down hard on the economic progress or retreat of Wisconsin cities, as well as their political developments.

It accomplishes the double feat of being a comprehensive city and State paper.

Second, it meets the "objectivity" criteria remarkably well. Like any other institution, it is run by and with fallible human beings and occasionally it fails.

Still, by and large, it struggles to give every public official and every candidate full and fair treatment in its news columns. As a paper, it has no feuds, pet peeves or fair-haired boys in either political party. But it can and does come down like a vat of beer on the public official who strays from the Journal's code of ethical conduct, which is sensitive and strict.

The Journal is painstakingly accurate.

It has a shrewd and sharp editorial scalpel to edit the newsworthy event out of the colossal universe of everyday occurrences.

Here in Washington, in Con Eklund and Jack Kole, it has two of the best reporters in the business.

The Journal meets Time's blunt criteria as a moneymaker in spades, and makes its employees rich in the process. They own it.

But the pride and joy of the Journal is its editorial page. It is doubtful if any American paper lavishes the personnel excellence, the money, the opportunity to travel, or the space that the Milwaukee Journal commits to its editorial writing staff.

Where so many big and powerful newspapers have at most a couple of hurried and harried editorial writers, the Journal has a number of editorial specialists. They have become expert in depth and breadth in their assigned fields. Frankly, it puzzles me how these experts can so often and so drastically differ from me. One or both of us is wrong on many issues.

But this is not important. The Journal arrives at its viewpoint after careful and conscientious study. Its editorial writers frequently know far more of what they are talking about than officials who make the decisions they evaluate. This paper's power grows too, because it has a sense of history and a sense of humor. It keeps its balance and its perspective.

Mr. President, although this newspaper is not my supporter, and I am sure it is not going to be, I salute it as an institution which is indeed essential to the past and future greatness of Milwaukee and Wisconsin. I ask unanimous consent to have an excerpt from Time magazine, reporting on the Milwaukee Journal, printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

THE MILWAUKEE JOURNAL

"Whatever they say about us, they can't control us. We're out to serve the public. That's a red-blooded, virile statement, and, by God, it's true."—HARRY GRANT.

(Circulation 377,000 evenings, 570,000 Sundays. Independent. Since 1932 has supported a Democrat for President five times (Roosevelt twice, Stevenson twice, and Kennedy), a Republican twice (Willkie in 1940, Dewey in 1948); endorsed no candidate in 1944.)

The Milwaukee Journal richly earns its title as an independent newspaper. In one election, it supported candidates from four political parties (Socialist, Democrat, Republican, and Progressive). When one of Milwaukee's beer barons asked the paper to go light on his May-December marriage to his secretary, the Journal splashed the story over a full page. Leading Wisconsin liberals damn the Journal as too conservative; to Wisconsin's late U.S. Senator Joe McCarthy, the paper was "the Milwaukee edition of the Worker." It is so sternly dedicated to the letter of the law that it crusades against church bingo and refuses to publish the results of horseraces. "We must have freedom, freedom, freedom, so the Journal can act entirely as it sees best for the community," said the late Publisher Harry Grant, and this principle is the paper's guide. It has helped bring the city everything from a big league baseball franchise (the Braves) to a $327 million expressway. Milwaukeeans do not always follow the Journal's advice, but they invariably respect it. "Milwaukee couldn't do without the Journal," says Editor Lindsay Hoben, and then he completes the equation: "The Journal couldn't do without Milwaukee."

THE JOHN F. KENNEDY CENTER FOR THE PERFORMING ARTS

Mr. HUMPHREY. Mr. President, I ask unanimous consent that the Chair lay before the Senate the amendments of the House of Representatives to Senate Joint Resolution 136.

The **PRESIDENT** pro tempore laid before the Senate the amendments of the House of Representatives to the joint resolution from the Senate (S.J. Res. 136) providing for renaming the National Cultural Center as the John F. Kennedy Center for the Performing Arts, authorizing an appropriation therefor, and for other purposes, which were, to strike out the preamble and insert:

Whereas the late John Fitzgerald Kennedy served with distinction as President of the United States, and as a Member of the Senate and House of Representatives; and

Whereas the late John Fitzgerald Kennedy dedicated his life to the advancement of the welfare of mankind; and

Whereas the late John Fitzgerald Kennedy was particularly devoted to the advancement of the performing arts within the United States; and

Whereas by his untimely death this Nation and the world has suffered a great loss; and

Whereas it is the sense of the Congress that it is only fitting and proper that a suitable monument be dedicated to the memory of this great leader; and

Whereas the living memorial to be named in his honor by this joint resolution shall be the sole national monument to his memory within the city of Washington and its environs: Now, therefore, be it

And to strike out all after the resolving clause and insert:

That the National Cultural Center Act (Public Law 85-874; 72 Stat. 1698) is amended as follows:

(1) In section 1 by striking out "National Cultural Center Act" and inserting in lieu thereof "John F. Kennedy Center Act";

(2) By striking out "National Cultural Center" each place that it appears in such Act (including the title of such Act but excluding clauses (2) and (3) of subsection (b) of section 2 of such Act) and inserting in lieu thereof at each such place the following: "John F. Kennedy Center for the Performing Arts";

(3) In section 4—

(A) by striking out "and" at the end of paragraph (3),

(B) by striking out "Cultural Center," in paragraph (4) of section 4 of such Act and inserting in lieu thereof "John F. Kennedy Center for the Performing Arts,", and

(C) by adding at the end thereof the following:

"(5) provide within the John F. Kennedy Center for the Performing Arts a suitable memorial in honor of the late President."

(4) In subsection (c) of section 6 of such Act by inserting immediately after "Smithsonian Institution" the following: "and to Congress";

(5) By adding at the end of section 6 the following new subsection:

"(d) The Board shall transmit to Congress a detailed report of any memorial which it proposes to provide within the John F. Kennedy Center for the Performing Arts under authority of paragraph (5) of section 4 of this Act, and no such memorial shall be provided until the Board of Regents of the Smithsonian Institution shall have approved such memorial."; and

(6) By adding at the end thereof the following new sections:

"APPROPRIATIONS

"SEC. 8. There is hereby authorized to be appropriated to the Board for use in accordance with this Act, amounts which in the aggregate will equal gifts, bequests, and devises of money, securities, and other property, held by the Board under this Act, except that not to exceed $15,500,000 shall be appropriated pursuant to this section.

"BORROWING AUTHORITY

"SEC. 9. To finance necessary parking facilities for the Center, the Board may issue revenue bonds to the Secretary of the Treasury payable from revenues accruing to the Board. The total face value of all bonds so issued shall not be greater than $15,400,000. The interest payments on such bonds may be deferred with the approval of the Secretary of the Treasury but any interest payments so deferred shall themselves bear interest after June 30, 1972. Deferred interest may not be charged against the debt limitation of $15,400,000. Such obligations shall have maturities agreed upon by the Board and the Secretary of the Treasury but not in excess of fifty years. Such obligations may be redeemable at the option of the Board before maturity in such manner as may be stipulated in such obligations, but the obligations thus redeemed shall not be refinanced by the Board. Each such obligation shall bear interest at a rate determined by the Secretary of the Treasury taking into consideration the current average rate on current marketable obligations of the United States of comparable maturities as of the last day of the month preceding the issuance of the obligations of the Board. The Secretary of the Treasury is authorized and directed to purchase any obligations of the Board to be issued under this section and for such purpose the Secretary of the Treasury is authorized to use as a public debt transaction the proceeds from the sale of any securities issued under the Second Liberty Bond Act, as amended, and the purposes for which securities may be issued under the Second Liberty Bond Act, as amended, are extended to include any purchases of the Board's obligations under this section.

"GIFTS TO UNITED STATES

"SEC. 10. The Secretary of the Treasury is authorized to accept on behalf of the United States any gift to the United States which he finds has been contributed in honor of or in memory of the late President John F. Kennedy and to pay the money to such appropriation or other accounts, including the appropriation accounts established pursuant to appropriations authorized by this Act, as in his judgment will best effectuate the intent of the donor.

"NATIONAL MEMORIAL

"SEC. 11. The John F. Kennedy Center for the Performing Arts, designated by this Act, shall be the sole national memorial to the late John Fitzgerald Kennedy within the city of Washington and its environs."

SEC. 2. In addition to the amendments made by the first section of this Act, any designation or reference to the National Cultural Center in any other law, map, regulation, document, record, or other paper of the United States shall be held to designate or refer to such Center as the John F. Kennedy Center for the Performing Arts.

Mr. HUMPHREY. Mr. President, this matter has been cleared on both sides of the aisle. There is only one minor change and I have been authorized by the committee that handled it to move that the Senate concur in the House amendments.

Mr. ELLENDER. Mr. President, reserving the right to object, will the Senator yield?

Mr. HUMPHREY. I yield.

Mr. ELLENDER. What will be the total contribution to the building of this Cultural Center by the Federal Government?

Mr. HUMPHREY. Under section 8, the amount is $15 million; and there will be bond authority for $15,400,000.

Mr. ELLENDER. How much is the public expected to contribute?

Mr. HUMPHREY. Fifteen million dollars. That is in voluntary contributions.

Mr. ELLENDER. As I stated last month on the day the joint resolution was passed, I thought it was wrong to press the passage of the resolution so soon after the death of President Kennedy and while the country was still in shock as a result of his passing. The enactment of the legislation was in my opinion contrary to the wishes of the late President, and there is no doubt but that emotionalism caused many Members of Congress to keep silent.

After I made my statement, and without my knowledge or the knowledge of very many other Senators, the resolution was suddenly and almost secretly brought up and passed. It was passed, as it were, in the dead of night.

The Cultural Center was originally to be built through private donations. Doubtless the death of the President was used to stimulate action on the part of both Houses to have the Federal Government step in and build the Center. I should like to know the reason for the change in attitude.

Mr. HUMPHREY. There is only one difference between the measure before us and the one passed by the Senate.

Mr. ELLENDER. I was not present when the Senate passed the joint resolution. Very few Senators were. That is why I ask these questions. The joint resolution was passed in less than 2 minutes, and with no debate taking place.

I believe the resolution should have been debated to some extent, to develop the facts and show the change in attitude with regard to the construction of the Cultural Center. I have no doubt, I repeat, that the national tragedy that we found ourselves in was used as a vehicle to induce Congress to provide the money to build the Center. In my opinion, if the Center had been built by private funds as the President had intended, it would have stood out as a far greater memorial to the President than if the taxpayers are forced to assume most of the cost of its construction.

I presume that the bonds to be issued to construct the parking lot will fall in the same category as the bonds issued to construct our great District of Columbia Stadium. It will be recalled that the stadium was constructed some time ago at a cost of $20 million. We were told that the stadium would be self-sustaining. But last year Congress had to appropriate more than $800,000 to pay the interest on the bonds issued to construct it.

My fear is that the same thing will occur in this case. It would seem to me that the center could have been built by private contributions, and would have stood out as a great and proud memorial to the late President Kennedy. The fundraising campaign had already been very successful, and there is no doubt that the campaign would have been accelerated because of his death and due to the fact that it was to be named for him.

I know it is almost useless for me to now try to even delay passage of the joint resolution, or even to argue against it. Slick parliamentary tactics have already been used to assure the resolution's quick passage. I ask unanimous consent that the statement I made on December 18 last be printed in the RECORD.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

THE NATIONAL CULTURAL CENTER

Mr. ELLENDER. Mr. President, on May 28, 1963, the late President Kennedy wrote these words in a memorandum to the heads of the executive departments and agencies concerning the raising of funds for the proposed National Cultural Center:

"To secure the necessary funds to build the center, which will be a $30 million structure of theater and concert halls, a nationwide fund raising program was authorized through which the American people are given an opportunity to demonstrate their voluntary support for the creation of this type of national institution."

President Kennedy was aware that if the Cultural Center could be constructed entirely through private contributions, it would have much more meaning for the people all over the country. These persons and groups—the schoolchildren who have already made donations, for instance—could all feel that they had a part in the building of a national center. It would have more meaning and significance to all the citizens of America.

President Kennedy realized this, and attached great significance to the raising of private funds. He and his devoted wife worked hard at this, as we all know. He made it the subject of White House messages. He and Mrs. Kennedy spearheaded a nationwide closed circuit TV presentation which had the effect of raising a large sum of money not only for the Cultural Center, but for many other artistic and cultural groups throughout the country who helped the first family sponsor the show and benefited from the proceeds. Mrs. Kennedy allowed her paintings to be used on Christmas cards and stipulated that funds raised on this project would be applied toward the Cultural Center.

In these and many other ways, they made it plain that the construction of the Center was a project dear to their hearts. Though the idea was an old one, both breathed life into it. At President Kennedy's death, the raising of funds necessary for construction, on grounds donated by the Government, was well on its way.

I think it is most apropos that the Center be named in honor of our late President. It is something he and his wife brought to life; it is something in which he was vitally interested, and as he conceived it, it is something in which people all over the Nation can take pride.

But, a move is now on to have Federal money appropriated for the Center's completion. I have heard of proposals to have the Treasury match the private contributions collected, while others call for appropriations of far greater amounts to take care of parking and maintenance needs far into the future.

I do not believe that these proposals do honor to the memory of our late President. Instead of financing the Center through voluntary contributions from the public at large, I repeat, many are now proposing that every taxpayer make a contribution through the appropriation of public funds. Instead of being built and maintained by private subscriptions, some are now saying it should become a drain on the taxpayers.

As I see it, Mr. President, rather than becoming an institution in which all Americans could justifiably take pride, the Center may well become another white elephant, built and maintained in the District of Columbia, at a loss to the taxpayers all across the country. We have been assured that this will not be the case, but one must not look very far to note other Federal ventures in the District which have turned out to be flops so far as the taxpayer and the National Treasury are concerned.

We were assured, for example, that the District of Columbia Stadium would be a paying proposition. On the basis of these assurances, Congress granted the borrowing authority to allow the Armory Board to raise the $20 million needed for its construction, and the Treasury stands behind the bonds that were issued. The stadium was constructed on a tract of land containing 102.2 acres donated by the Interior Department. This year's District of Columbia appropriation bill, for the first time, includes the sum of $856,655 to pay the interest due on those bonds. I believe that this will become a yearly charge, and in 1980, when the bonds fall due, the Treasury will doubtless have to step in and make them good.

The Carter Barron Amphitheater is another example. There the Department of the Interior also made the land available, and the Treasury supplied the funds for its construction. The operation of the theater has rarely broken even, and we are fortunate to find a concessionaire who has agreed to operate it at his own expense.

So, I say again, if the Cultural Center is to be constructed, let us make it a fitting memorial of our late President. Let us build it through private contributions as he believed could be done, and as he desired it to be done. Let us assist in the construction of a memorial that all America can take pride in as being ours and theirs, and not something which the taxpayers may come to resent. I applaud the proposal to name the Center for our late President. I abhor the idea of using his tragic death as a means to obtain public funds for the construction of the memorial.

Mr. McNAMARA. Mr. President, Senate Joint Resolution 136—as amended and returned to us by the House—is virtually the same measure that passed the Senate on December 19.

In fact, there is but one word of difference between the two versions, which will be found in section 11 of the amended resolution and in the preamble.

The Senate version, as adopted by this body, stated:

> The John F. Kennedy Center for the Performing Arts, designated by this Act, shall be the national memorial to the late John Fitzgerald Kennedy within the city of Washington and its environs.

As amended by the House, the word "sole" was added so that it reads that the Center "shall be the sole national memorial to the late John Fitzgerald Kennedy," and so forth.

This may seem to be a very minor difference—and probably it is minor.

Indeed, one may have difficulty in detecting any real difference in intent between stating that the Center shall be "the national memorial" or "the sole national memorial."

I believe I am joined by most Senators when I say that it is the intention that the Performing Arts Center be the national memorial to President Kennedy, in the same sense as we consider the Lincoln and Jefferson Memorials, the Washington Monument, and so forth.

However, when we were considering the resolution in the Senate Committee on Public Works, it was our feeling that the word "sole" was superfluous.

Further, we felt it was a somewhat presumptuous effort on the part of the 88th Congress to bind some future Congress, which theoretically might wish to take some other step in memory of the late President.

Whether the word is in or out of the resolution is of little consequence, since one Congress cannot dictate to future Congresses.

Therefore, Mr. President, since neither the substance nor the intent is altered by the House amendment, I am pleased that the Senate has concurred in the House amendments to Senate Joint Resolution 136, and sent it to President Johnson for his signature.

Mr. SALTONSTALL. Mr. President, I feel that the House amendments to the Senate joint resolution for the John F. Kennedy Cultural Center for the Performing Arts which were just concurred in are good. Everyone who appeared before the subcommittee in this connection agreed that the word "sole" should be included and would be well included in the joint resolution. I cosponsored the original Senate bill joint resolution. I am glad to support the House amendments.

I ask unanimous consent to have these remarks and an editorial published last night in the Evening Star printed in the RECORD as a part of my statement prior to the adoption of the amendments.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

GOOD DAY'S WORK

It was a tough fight. For the job facing the managers of the Kennedy memorial bill in the House was not merely to secure its passage. Their real chore was to avoid the crippling amendments which President Johnson was wise enough to foresee, and to warn against.

Happily, when the 4½ hours of wrangling finally ended last night, the victory was complete. The language of the bill, drafted so meticulously in the House and Senate Public Works Committees to broaden the concept of the National Cultural Center into the official national memorial to John F. Kennedy, remained intact. It was a good day's work. The Federal contribution authorized in the bill is generous, but surely not overly generous. There are ample safeguards to assure that the intent of Congress will be carried out. Not the least of them is that Congress must be satisfied with the final plans before it appropriates the Federal matching funds for construction.

In view of these safeguards, it is not easy to assess the opposition in the House. Some of it obviously sprang from questions of financing, which logically had to be explained in detail on the floor. Some of it reflected reservations which a handful of Congressmen have always had about the Cultural Center—we think unjustifiably.

Another part, however, reflected a lingering doubt about whether the Cultural Center is really appropriate as a memorial to John F. Kennedy. And this, to our thinking, was simply unaccountable.

For the fact is that the Nation never before in history has had the opportunity to plan, as a memorial to a President, a project in which that President took such a keen personal interest in life. Mr. Kennedy was continually citing the need for the Cultural Center, and lending the full support of his Office to it. Last summer he broke a long tradition by encouraging Government employees to contribute individually to the private fundraising drive. Barely a month before his death he had 60 of the Nation's top business leaders to lunch in order to seek their support. It is known that he had planned other similar meetings in the future.

This high degree of personal interest is largely the reason why the choice of this particular memorial, and no other, seemed so immediately natural to his family, to his successor and to so many other citizens across the country.

We trust now that the Senate will quickly accept the House bill, which fortunately differs by only a single word from the version the Senate already has passed. A great deal more, of course, remains to be done. With this final step by the Senate, however, the authorization for the memorial will be complete, and the hard work of final planning and private fundraising can proceed.

Mr. HUMPHREY. Mr. President, I move that the Senate concur in the House amendments.

The motion was agreed to.

Mr. SALTONSTALL. Mr. President, I move that the vote by which the House amendments were concurred in be reconsidered.

Mr. HUMPHREY. Mr. President, I move that the motion to reconsider be laid on the table.

The motion to lay on the table was agreed to.

Mr. HUMPHREY subsequently said: Mr. President, at the time the Senate concurred in the amendments of the House to Senate Joint Resolution 136, the National Cultural Center measure, I failed to place in the RECORD pertinent portions of the report on Senate Joint Resolution 136. I now ask unanimous consent that certain selected portions of the report from the Committee on Public Works be printed, in order to explain the provisions of the bill.

There being no objection, the extracts were ordered to be printed in the RECORD, as follows:

PURPOSE

The purpose of Senate Joint Resolution 136, as amended, is to rename the National Cultural Center as the John F. Kennedy Center for the Performing Arts, in honor of the late President of the United States, John Fitzgerald Kennedy; to provide within such Center a suitable memorial in his honor; to authorize appropriations in an aggregate amount equal to the gifts, bequests, and devises held by the Board of Trustees, but not in excess of $15,500,000; provide borrowing authority by issuance of revenue bonds in an amount not to exceed $15,400,000 to the Secretary of the Treasury to finance necessary parking facilities for the Center; to authorize the Secretary of the Treasury to accept on behalf of the United States any gift in honor of or in the memory of the late President; and provide that the John F. Kennedy Center for the Performing Arts designated by this act shall be the national memorial to the late John Fitzgerald Kennedy within the city of Washington and its environs.

GENERAL STATEMENT

Public Law 874, 85th Congress, authorized the establishment in the Smithsonian Institution of a Board of Trustees of the National Cultural Center, composed of 15 specified Federal officials, members ex officio, and 15 general trustees appointed by the President, to cause to be constructed for the Institution, with funds raised by voluntary contributions, a building to be designated as the National Cultural Center on a site in the District of Columbia bounded by Rock Creek Parkway, New Hampshire Avenue, the proposed Inner Loop Freeway, and the approaches to the Theodore Roosevelt Bridge.

The Board would maintain and administer the National Cultural Center and site thereof, present programs of the performing arts, lectures, and other programs, and provide facilities for other civic activities. There would also be established an Advisory Committee on the Arts, designated by the President, to advise and consult with the Board and make recommendations regarding cultural activities to be carried on in the Center. The lands for the National Cultural Center and related activities would be acquired by the National Capital Planning Commission, with plans and specifications for the building approved by the Commission of Fine Arts.

The act provided that it would expire if, within 5 years after the date of its approval, in the opinion of the Board of Regents of the Smithsonian Institution, sufficient funds to construct the National Cultural Center had not been received by the Trustees. Any funds and property (real and personal) received by the Trustees during this period, and income therefrom, in event of the termination of the offices of such Trustees, would vest in the Board of Regents of the Smithsonian Institution and be used by the Board to carry out the purposes of Public Law 357, approved March 28, 1958, which provides for the transfer of the Civil Service Commission Building in the District of Columbia, to the Smithsonian Institution to house certain art collections, and for the acquisition of works of art to be housed in such building, except that such funds or property may be vested in an organization designated by the donor at the time of making the donation, if a contribution to such organization is tax deductible under the internal revenue laws.

Public Law 100, 88th Congress (77 Stat. 128), approved August 19, 1963, authorized an increase in the number of general Trustees appointed by the President from 15 to 30, to hold office as a member of the Board for a term of 10 years. The terms of any members appointed prior to the date of approval of the act would expire as designated by the President at the time of appointment; and the terms of the first 15 members appointed under the provisions of the act would expire at staggered intervals, 3 on each of the dates September 1, 1964, 1966, 1968, 1970, and 1972. The act also increased the membership of the Board constituting a quorum required for the transaction of business from 8 to 12. The authorized period for the Trustees to solicit funds for construction of the National Cultural Center was extended for a period of 3 years, until September 2, 1966, in order to give the Trustees additional time in which to complete their fundraising campaign.

Within a short time of the untimely death of our late President, John Fitzgerald Kennedy, intense desire was expressed throughout the country for the establishment of an appropriate memorial to perpetuate many of his aims and ideals. These expressions were enthusiastic in the support of the proposal that the National Cultural Center be renamed and dedicated as a living memorial to John Fitzgerald Kennedy.

The late President Kennedy and his family were personally interested in the artistic accomplishment, and development and enlargement of the cultural opportunities for all the citizens of the Nation. They brought to the center of Government the finest which America has to offer in the performing arts. He took a keen personal interest in and positive support of the National Cultural Center, the fundraising campaigns, and the progress toward the completion of a national showcase for the performing arts. The realization of his earnest desire that ground breaking for the Center take place during 1964, as the culmination of one of his most cherished projects during his first term as President of the United States, was prevented by the tragedy of his death.

At that time the National Cultural Center had already been designed, large amounts of funds raised for its construction, and work thereon can be initiated at an early date. It was believed appropriate that this Center for the Performing Arts would constitute a memorial to President John F. Kennedy as a fitting and lasting tribute to his memory. Since direct contributors would be limited in number, a Federal contribution of 50 percent of the estimated cost will permit participation by all of the people of the United States in its completion.

Senate Joint Resolution 136, as amended, will accomplish the widespread desire to designate a national monument in the city of Washington as a living memorial in honor of John Fitzgerald Kennedy; authorize the Federal Government to match the contribution of private individuals to build the memorial Center for the Performing Arts; provide borrowing authority to finance necessary parking facilities; and include other administrative provisions.

The committee was advised that the present estimated cost of construction of the superstructure of the proposed Center is $30 million, and that about $1 million has already been expended for salaries, architect fees, promotion, and fundraising, a total cost of $31 million. The Federal share to be provided by appropriations would be $15.5 million. Contributions and pledges now total approximately $13 million, of which pledges are about $8 million. The Board feels that the Center could be operated without a deficit, thus eliminating annual appropriations for operation and maintenance.

The contemplated parking facility will consist of a 1,600-car underground garage on three levels, which will not only serve the Center but will also serve the surrounding area as far away as the State Department Building. The Board would be granted authority to issue revenue bonds to the Secretary of the Treasury in an amount not in excess of $15.4 million to finance the parking facility. This facility would be self-liquidating, and the cost has been excluded from the cost of the superstructure of the Center, as the Board did not feel that this facility should be financed with public contributions.

It should be noted that when George Washington in 1789 commissioned Pierre L'Enfant to plan a Federal City, he directed that it be planned as a cultural and civic center for the United States. Completion of this Cultural Center will carry out the wishes of our first President as well as those of our late President Kennedy, and fulfill the hopes of the Nation that have been frustrated for so many years.

The committee is aware of pending legislation that would establish a Memorial Commission to consider memorials to the late President Kennedy. Authorization of such a memorial in the city of Washington, D.C., should not supersede such legislation. Many memorials and changes in designation have been proposed all over the country. It is believed that such a Commission could establish priorities, set up standards, and give consideration to appropriate memorials in the various States of our Nation.

Senate Joint Resolution 136, as amended, would add an additional duty to the Board of Trustees to provide within the Center a suitable memorial in honor of the late President, and report to Congress a detailed report on such proposed memorial. The committee was advised that such a memorial had not been thoroughly studied, but would probably consist of photographs, statues, carvings, works of art, or exhibits, and that no increase in the overall cost of the Center from provision of such memorial was contemplated.

The location and setting of the memorial is believed ideal. It is remote from adjacent buildings, surrounded by open and park areas, overlooks the Potomac River, and the Virginia countryside beyond, and is not too far distant from other memorials to other great Presidents. If other memorials are established in future years, the John F. Kennedy Center for the Performing Arts, established by this act, will be the main national monument to his memory within the city of Washington and its environs.

ESTIMATED FEDERAL COST

The estimated Federal cost to match funds raised by voluntary contributions is $15.5 million. The borrowing authority for issuing revenue bonds for provision of parking facilities is $15.4 million.

COMMITTEE VIEWS

The committee believes it to be fitting and proper to rename the National Cultural Center as the John F. Kennedy Center for the Performing Arts, and to dedicate it as a living memorial to our late and beloved President who contributed so much to the cause of culture in our Nation's Capital, and lent his undivided support and personal attention to early completion of the Center in order that needs of the performing arts could be furthered, and the expressions made available to all the American people.

It further believes that appropriation of Federal funds to match funds raised from voluntary contributions is a worthy method to permit all the citizens of our country to take part in the final realization of this Center giving national recognition to the performing arts of our Nation, and perpetuation of the aims and ideals dear to the heart of our late President.

The committee is of the opinion that parking facilities in connection with the Center are essential, that such facilities can be self-liquidating, and that authority for issuance of revenue bonds to provide such facilities in the Center is advisable.

Therefore, the committee recommends enactment of Senate Joint Resolution 136, as amended, as a lasting tribute and memorial to President John F. Kennedy, in honor of his recognition of the performing arts and interest in this country's artistic accomplishments and development.

COMMENTS OF FEDERAL AGENCIES

The comments of all the interested Federal agencies are shown in the following communications:

THE WHITE HOUSE,
Washington, December 11, 1963.

Hon. PAT MCNAMARA,
Chairman, Committee on Public Works,
U.S. Senate,
Washington, D.C.

DEAR MR. CHAIRMAN: I should like to take this opportunity to express my wholehearted support for the joint resolutions (S.J. Res. 136 or H.J. Res. 828) presently before the Congress to rename the National Cultural Center in honor of President Kennedy. It seems to me that a center for the performing arts on the beautiful site selected would be one of the most appropriate memorials that a grateful nation could establish to honor a man who had such deep and abiding convictions about the importance of cultural activities in our national life. In this connection, it is my understanding that the Kennedy family would prefer to have the Center named "The John F. Kennedy Center for the Performing Arts" in order to indicate more specifically the nature of the memorial to him.

In a speech a month before his death, President Kennedy said, "I see little of more importance to the future of our country and our civilization than full recognition of the place of the artist." He understood that history remembers national societies less for the might of their weapons or for the mass of their wealth, than for the quality of the artistic legacy they bequeath to mankind. By carrying forward the project of a National Cultural Center, we can all help strengthen the traditions and standards of the arts in American society. And in doing this we carry forward the spirit and concern of John F. Kennedy.

That the Federal Government should participate in this undertaking by providing funds to match the contributions which have already been made, and will be made in the future, by people throughout this Nation and the world is entirely fitting. This action should insure prompt completion of the Center to which President Kennedy gave his full support and which he saw as an embodiment of our Nation's interest in the finest expressions of our cultural activity.

I hope that the Congress will take early action on this resolution.

Sincerely,

LYNDON B. JOHNSON.

SMITHSONIAN INSTITUTION,
Washington, D.C., December 11, 1963.

Hon. PAT MCNAMARA,
Chairman, Committee on Public Works,
U.S. Senate, Washington, D.C.

DEAR SENATOR MCNAMARA: Thank you for your request of December 9, 1963, for the views of the Smithsonian Institution on Senate Joint Resolution 136, to provide for renaming the National Cultural Center as the John Fitzgerald Kennedy Memorial Center, and authorizing an appropriation therefor.

We are informed that this resolution has the support of the administration and the Board of Trustees of the National Cultural Center. As a member ex officio of the Board of Trustees of the National Cultural Center, I favor the provision of naming the Center for the late President Kennedy.

It is noted that this pending legislation has been introduced by Senator FULBRIGHT, for himself and certain other Senators, including Senator ANDERSON and Senator SALTONSTALL. The three Senators named are members of the Board of Regents of the Smithsonian Institution.

An inquiry has been addressed to the members of the Board of Regents of the Smithsonian Institution for their views prior to the next annual meeting of the Board. I shall be pleased to submit their views to the committee if I am authorized to do so by the individual members of the Board and if replies are received before the next meeting when the matter will be considered.

The Bureau of the Budget advises that there is no objection to the presentation of this report and that enactment of this legislation will be in accordance with the administration's program.

Sincerely yours,
LEONARD CARMICHAEL,
Secretary.

EXECUTIVE OFFICE OF THE PRESIDENT,
BUREAU OF THE BUDGET,
Washington, D.C., December 10, 1963.
Hon. PAT MCNAMARA,
Chairman, Committee on Public Works,
U.S. Senate, Washington, D.C.

DEAR MR. CHAIRMAN: This will acknowledge your request of December 9, 1963, for a report on Senate Joint Resolution 136, to provide for renaming the National Cultural Center as the John Fitzgerald Kennedy Memorial Center, and authorizing an appropriation therefor.

The Bureau of the Budget believes that legislation for this purpose is an appropriate means of showing the Nation's respect and affection for President Kennedy and should insure the successful completion of a project in which he took a strong and continuing interest and, accordingly, recommends enactment.

Sincerely yours,
PHILLIP S. HUGHES,
Assistant Director for Legislative Reference.

NATIONAL CAPITAL PLANNING COMMISSION,
Washington, D.C., December 10, 1963.
Hon. PAT MCNAMARA,
Chairman, Committee on Public Works,
U.S. Senate, Washington, D.C.

DEAR MR. MCNAMARA: Reference is made to your request for our views on Senate Joint Resolution 136, a joint resolution to provide for renaming the National Cultural Center as the John Fitzgerald Kennedy Memorial Center and authorizing an appropriation therefor.

We are pleased to recommend enactment of this legislation which will insure the creation of a cultural facility for the Nation and this community the realization of which the late President vigorously sought.

The Bureau of the Budget advises that there is no objection to the submission of this report to your committee and that enactment of Senate Joint Resolution 136 would be in accord with the President's program.

Sincerely yours,
ELIZABETH ROWE,
Chairman.

DECEMBER 10, 1963.
Hon. PAT MCNAMARA,
Chairman, Committee on Public Works,
U.S. Senate, Washington, D.C.

DEAR SENATOR MCNAMARA: The Commissioners of the District of Columbia have for report Senate Joint Resolution 13, 88th Congress, a joint resolution to provide for renaming the National Cultural Center as the John Fitzgerald Kennedy Memorial Center, and authorizing an appropriation therefor.

The Commissioners strongly favor the resolution, and urge its adoption by the Congress.

The Commissioners have been advised by the Bureau of the Budget that, from the standpoint of the administration's program, there is no objection to the submission of this report to the Congress.

Sincerely yours,
WALTER N. TOBRINER,
President, Board of Commissioners,
District of Columbia.

THE COMMISSION OF FINE ARTS,
Washington, December 10, 1963.
Hon. PAT MCNAMARA,
Chairman, Committee on Public Works,
U.S. Senate, Wahington, D.C.

DEAR MR. CHAIRMAN: I am writing in response to your request for the views of the Commission of Fine Arts on Senate Joint Resolution 136, 88th Congress, a joint resolution to provide for renaming the National Cultural Center as the John Fitzgerald Kennedy Memorial Center, and authorizing an appropriation therefor.

The Commission of Fine Arts is in favor of the purposes of Senate Joint Resolution 136, and hopes that it will be passed by the Congress.

The Bureau of the Budget has advised that it has no objection to the submission of this report and that enactment of the legislation would be in accordance with the program of the President.

Sincerely yours,
WILLIAM WALTON, *Chairman,*
By L. R. WILSON, Secretary
(For the Commission of Fine Arts).

DEPARTMENT OF HEALTH, EDUCATION,
AND WELFARE,
Washington, D.C., December 10, 1963.
Hon. PAT MCNAMARA,
Chairman, Committee on Public Works,
U.S. Senate, Washington, D.C.

DEAR MR. CHAIRMAN: This letter is in response to your request for a report on Senate Joint Resolution 136, a bill to provide for renaming the National Cultural Center as the John Fitzgerald Kennedy Memorial Center, and authorizing an appropriation therefor.

This bill would provide as a mark of respect and affection for the late President, that the Cultural Center shall hereafter be known as the John Fitzgerald Kennedy Memorial Center. It would also authorize to be appropriated, for payment to the Trustees, amounts which in the aggregate will equal "amounts given, bequeathed, or devised" to the Trustees of the Center from sources other than appropriated Federal funds. Amounts so appropriated would be available without fiscal year limitations.

There could be no more fitting memorial to President Kennedy than this measure. To rename the National Cultural Center will give recognition to his abiding desire to promote and encourage the arts in America and will honor the institution itself. To authorize Federal matching funds for the Center will lend substance to this recognition and bring it to much earlier fruition.

This Department has long and steadily supported the development of the National Cultural Center. We strongly urge the enactment of Senate Joint Resolution 136, to bring about the final realization of this project as a tribute to our late President.

We are advised by the Bureau of the Budget that there is no objection to the presentation of this report from the standpoint of the administration's program and that enactment of the bill would be in accord with the program of the President.

Sincerely,
WILBUR J. COHEN,
Secretary.

U.S. DEPARTMENT OF THE INTERIOR,
OFFICE OF THE SECRETARY,
Washington, D.C., December 10, 1963.
Hon. PAT MCNAMARA,
Chairman, Committee on Public Works,
U.S. Senate, Washington, D.C.

DEAR SENATOR MCNAMARA: Your committee has requested a report on Senate Joint Resolution 136, a joint resolution to provide for renaming the National Cultural Center as the John Fitzgerald Kennedy Memorial Center, and authorizing an appropriation therefor.

We urge the enactment of this resolution.

The resolution redesignates the National Cultural Center established by the act of September 2, 1958 (72 Stat. 1698) as the John Fitzgerald Kennedy Memorial Center and authorizes Federal matching of privately contributed funds for the Center.

The great interest of the late President Kennedy in the National Cultural Center project is well known. President Kennedy believed that the life of the arts, far from being an interruption or distraction in the life of a nation, is very close to the center of a nation's purpose—and is a test of the quality of a nation's civilization. He recognized that as the Capital of our Nation, Washington is to a degree a showcase of our culture and he considered this project to be the most significant cultural undertaking in the history of Washington. President Kennedy indicated his wholehearted support of the project on a number of occasions—such as on October 15, 1962, when he designated by Presidential proclamation the week from November 26 through December 2, 1962, as National Cultural Center Week and on November 29, 1962, when he participated in the nationwide, closed-circuit television program entitled "An American Pageant of the Arts." His support gave much impetus to the fundraising campaign for the Center. Only a few months ago on August 19, 1963, the President approved a statute to extend the time for the solicitation and receipt of construction funds and to increase the number of Trustees of the Center. His approval of this act insured the completion of the Center.

Designation of the National Cultural Center in honor of President Kennedy would be a most fitting tribute to his great interest in this project and his broad efforts to accord the arts attention, respect, and status, and to further the appreciation of the arts among all of the people.

We believe the authorization in Senate Joint Resolution 136, for the appropriation of matching funds to help finance the construction of the Center is appropriate. This project is of enormous importance to the cultural life of our Nation as a whole. The Center will play a vital role in stimulating the performing arts and encouraging cultural activities throughout the United States. Visitors and tourists will come to the Center from all parts of the country and take back to their communities a sense of what the performance of great works can mean in their lives. In this way, and many others, the Center will interact with the cultural life of communities across the country.

The Bureau of the Budget has advised that the enactment of this legislative proposal is in accord with the President's program.

Sincerely yours,
JAMES K. CARR,
Under Secretary of the Interior.

Mr. HUMPHREY. Mr. President, the final passage today of Senate Joint Resolution 136 authorizing the construction of the John Fitzgerald Kennedy Center for the Performing Arts gives to the Nation, in its Capital, a memorial to the man so responsible, in no small part, to the rejuvenation of our Nation's performing arts. How fitting that this memorial to our late and beloved President is a Center dedicated to and symbolic of vitality and creativity. How fitting that this Center is located in Washington, D.C., the city of all the people and the city so close to the heart of our late President who would take time from national and international affairs to concern himself so closely with all its problems large and small.

The endowment granted to the Nation by this Center marks not only a memorial to a revered past but marks a beginning of a new era in the cultural growth of the Nation. The greatness of our national culture and heritage and our full potential in the performing arts can now be developed and displayed to the country and the world, and the effervescence of these creations shall be the eternal tribute to the greatness of the man the Center honors.

THE DECLARATION OF INDEPENDENCE, THE CONSTITUTION, AND MODERN FEDERAL GOVERNMENT

Mr. ERVIN. Mr. President, on September 8, 1963, Dr. Hugh Lefler, Kenan professor of history at the University of North Carolina, Chapel Hill, N.C.; Mr. Sam Beard, director of public affairs, WRAL–TV of Raleigh, N.C.; and I engaged in a discussion of the Declaration of Independence, the Constitution, and modern Federal Government, which was broadcast by station WRAL–TV.

I ask unanimous consent to have a copy of the discussion printed in the RECORD.

There being no objection, the discussion was ordered to be printed in the RECORD, as follows:

THE CONSTITUTION, THE DECLARATION OF INDEPENDENCE, AND MODERN FEDERAL GOVERNMENT

(Broadcast on WRAL–TV Sunday, September 8, 1963)

Mr. BEARD. This is Sam Beard. The two most precious documents in American political heritage are the Declaration of Independence and the U.S. Constitution—one, an eloquent document setting forth the basic purposes of our Nation, the Declaration of Independence; the other establishing the framework for the Federal body politic, the U.S. Constitution. The Declaration has no force of law. On the other hand, the Constitution is the ultimate national law. The greater bulk of the Constitution is not contained within the basic document. The greater bulk is contained in the various decisions of the U.S. Supreme Court, decisions which have often been conflicting and diverse. There is a feeling among some in this country that our Federal Government in all its many aspects has journeyed far from the original concepts of the Founding Fathers and that the Federal Government, while in theory operating for the protection of individual freedom, stands in imminent danger of destroying that very freedom. This is a complex subject. To discuss it today, WRAL–TV is happy to have with us two distinguished gentlemen. Our guests are Senator SAM ERVIN, of North Carolina, former Representative from North Carolina, former associate justice of the North Carolina Supreme Court, and, since 1954, U.S. Senator from North Carolina. Senator ERVIN has established a national reputation as one of America's outstanding constitutional authorities. With Senator ERVIN we are pleased to have Dr. Hugh Lefler, Kenan professor of history at the University of North Carolina at Chapel Hill. Dr. Lefler is author, lecturer, and recognized leader in the fields of American and North Carolina history.

Senator ERVIN, Dr. Lefler, I believe it was William A. Gladstone, the British Prime Minister, who said, and we quote: "The American Constitution is the greatest document struck off at a single time by the brains and purpose of man." I would like to ask for each of your comments on that. Senator ERVIN?

Mr. ERVIN. I would say that while the Constitution was written at one time, that that statement is not exactly historically true—that the Constitution was the embodiment of what had been learned in man's long struggle for the right of self-government and the freedom of the individual and, therefore, it was in a sense a slow development over the process of many centuries.

Mr. BEARD Dr. Lefler?

Mr. LEFLER. I would agree with that general statement. The State constitutions had been written over the period of the previous decade, or actually beginning in 1776. The U.S. Constitution was not written until 1787 and there is hardly any idea in the U.S. Constitution not found in the State constitutions. Gladstone created an erroneous impression which many Americans have that the U.S. Constitution was written first, then the State constitutions. The truth is exactly the opposite. In your State constitutions is reflected a great deal of the colonial experience, a lot of it the Anglos, what you might call Anglo-American jurisprudence and all that, over a long period of time.

Mr. BEARD. Dr. Lefler, you mentioned something there that intrigued me and that is the ignorance or the misunderstanding of the general public. Don't you find that there is also misunderstanding about the difference between the Declaration of Independence and the U.S. Constitution?

Mr. LEFLER. Of that I am absolutely certain. I see it in my classes, I see it in the press. Many people think of the two as being somewhat similar. I cannot think of two more dissimilar documents in all American history. Charles A. Beard once said all American history was a conflict between the principles of the Declaration of Independence and the principles of the Constitution of the United States and I think I would agree. The Declaration was written by Jefferson with an assist from Franklin and Adams in 1776, in the heat of war, to justify the American position against England. And when he wrote those immortal lines about men being created equal (he never used the word "free" incidentally) he was writing about American colonies against England. He had no reference to slavery; he had no reference to the race question.

Mr. ERVIN. In other words, he was justifying the Revolution.

Mr. LEFLER. And only last week a prominent American was quoted as referring to the rights of Negroes under the Declaration of Independence. Nothing could be more incorrect than that.

Mr. BEARD. Well, Senator Ervin, tell me, do you find on Capitol Hill this misunderstanding also?

Mr. ERVIN. Oh, yes. Many people, even in Senate debate, quote the Declaration of Independence as if it were the legal document which governs our country. As Dr. Lefler so well said, it was merely giving the reasons to justify our revolt against England—the revolt of the Colonies.

Mr. LEFLER. May I interject one thing. Charles Dawes in 1924, campaigning for Vice President, referred to Jefferson writing the Constitution of the United States. Jefferson was in Paris. He had nothing to do with writing the Constitution. In fact, the Constitution was written chiefly by people whom today we call conservatives. The Declaration of Independence was a very radical document. They are two entirely different documents as to general objectives, meaning, and all that.

Mr. BEARD. Senator Ervin, do you feel that there is a growing danger in this country of losing individual freedom and if so, what in your opinion is the greatest of these dangers?

Mr. ERVIN. Well, I think the greatest of dangers we have of losing our individual liberty is the centralization of governmental powers in the one Central Government on the banks of the Potomac River. I think that one of the finest warnings we ever received is the warning in a statement which Judge Learned Hand attributes to Justice Brandeis, of the U.S. Supreme Court. According to Judge Hand, Judge Brandeis said that the States are the only breakwater against the ever pounding surf which threatens to submerge the individual and destroy the only society in which personality can exist. And I think that with the continued centralization of governmental powers in Washington, even over the personal relations of people, that we are threatened with a great destruction of individual liberty.

Mr. BEARD. Dr. Lefler, do you have any comment on that?

Mr. LEFLER. It seems to me we have gotten away from the original purposes of the Constitution, and I realize that's somewhat inevitable. Every generation interprets the past to suit itself. That will be true of historians as well as people in governmental circles. It seems to me that one of the chief objectives of the Constitution was to protect people against government.

Mr. BEARD. Well, I thought, if I studied my history correctly, and I hope I have, that the Federal Constitution was in a sense a document which more or less tried to contain or restrict governmental action so that it would not step out.

Mr. LEFLER. I think that is exactly right.

Mr. BEARD. You made an intriguing statement before we went on the air, Dr. Lefler, that you have a feeling that historians and the public alike read history backward. I wonder if you would elaborate on that point?

Mr. LEFLER. Well, I think it's true. I think it's inevitable. The historians do it; the literary figures do it; people in governmental circles do it. I think it's rather natural—I don't think it's good—I don't think it's good history. And we have been doing that for a hundred years.

Mr. BEARD. What do you mean by reading history backward?

Mr. LEFLER. Let me illustrate. About 1840, 1850, 1860, and that period, is the first time that outstanding general histories of America appeared. And these writers, Bancroft, Hildreth, Schouler, and others, looking back at the Constitutional Convention, overemphasized the debates on slavery because slavery and abolitionism were paramount in the day in which they were writing and they completely overemphasized the slavery question in the period of the Constitutional Convention. I think it's been going on all through American history—taking something of the day, some issue, and reading something into the past that was not there. Schlesinger, Junior's interpretation of Andrew Jackson is in terms of Franklin Roosevelt and the New Deal and you could illustrate this in almost any field of writing or any human endeavor. I think it's bad; I don't think it's good history.

Mr. BEARD. Do you find this also, Senator ERVIN, in Washington?

Mr. ERVIN. Yes. I might go back just a moment to one of your questions. The Supreme Court of the United States in, I think the most courageous judicial opinion of all times, Ex parte Milligan, said in a very short way what the purposes of the Constitution were—said in effect they were twofold—that the Constitution was written by the Founding Fathers to set out the fundamentals of the government they were establishing and the rights of the citizens which they intended to secure and that they set this out in order that the Constitution would be for the government not only of the people, but also of the rulers. And they said that it was necessary to have a written Constitution to protect the individuals from both the government and the people in troublous times when they would seek by sharp and decisive measures, the government would, to settle problems. They believed the measures to be right, but they were unwise in many cases, and so they were to prevent the tyrannies of the past from being perpetrated on the American people.

Mr. BEARD. But, now one of the basic ideas of the Constitution also is to set up a balance of powers within the Federal Government.

Mr. ERVIN. Yes.

Mr. BEARD. Do you feel that the traditional balance of powers that was set up in the Constitution is still there, or have we——

Mr. ERVIN. I think it's been impeded, I mean obliterated to a very substantial degree. You are absolutely correct in that the Founding Fathers inserted in the Constitution what we call the doctrine of the separation of governmental powers. They divided the powers of government between the Federal Government on the national level and the States on the local level and then, with reference to the Federal powers, they divided the powers of government into the legislative, the executive, and the judicial branches of Government. They didn't trust any one; they read history and had found that whenever you centralize the powers of government in any one place, either in one individual or one body, as James Madison said in "The Federalist," you have a blueprint for tyranny and so they divided the powers of government so no single body, or single official, would be able to exercise tyrannical powers over the American people.

Mr. BEARD. Now, do you feel that this infringement, or this stepping over of the bounds of the original ideals, has been on the part of the legislature over the judiciary, the executive over the legislative, or where?

Mr. ERVIN. I think it has been more encroachment by the executive and the judicial department in these latter years, rather than the legislative. As a matter of fact, there is not too much danger of the legislative branch assuming tyrannical powers or encroaching on the other branches because you have so many people elected from so many areas and so you are going to have the will of the people expressed better in the legislative branch than anywhere else.

Mr. LEFLER. Also for shorter terms of office—the House for 2 years, the Senate for 6.

Mr. BEARD. Dr. Lefler, do you feel that there is any significance in the order of mention of these three branches in the Constitution?

Mr. LEFLER. I think so and one fact which has not been mentioned which I think is rather important—the United States adopted a written Constitution—that fact is important in itself. Great Britain has no written constitution as such in any one document. I think one of America's contributions to the world, in a way, was a fixed constitution—a general statement of principles—a framework of government written down in a document—into an organic law. I think it's rather important.

Mr. BEARD. Well, as long as we are dealing with this business of balance of powers between the three branches of the Federal Government, I would like to ask you a question from the standpoint of history. Can you point to a period in your own study of American history where the overstepping of authority began?

Mr. LEFLER. It began almost with the inception of the Republic. Certainly Thomas Jefferson thought the judiciary was overstepping its bounds. He referred to the Supreme Court as a group of sappers and miners who would place everything at their feet. The Constitution itself is wax in the hands of the Supreme Court. Those are not his exact words. And almost every outstanding President, probably not all of them, have had their fights with the Supreme Court. This fight in recent years is somewhat similar to that of an earlier period, maybe a different issue. As early as 1829 John Randolph stood up in the Congress and said: "I bid goodbye to a good friend, the Constitution of the United States." But to get back to your original question for just a moment. I think it is important that the legislative branch is placed first in the Constitution, the executive second and the judiciary third. I believe that this is the way the Founding Fathers looked on these three branches of the Government, at the same time believing in a checks and balances which the Senator has referred to.

Mr. BEARD. Senator, I am going to ask you a question that may not have a very good answer and that it, if we have varied from this, how, in your opinion, is the best way to return to representative government in the sense of the Constitution?

Mr. ERVIN. The best way is for us to really educate all of our schoolchildren and our college students and the general public, as far as we can, is the reason why we have a Constitution and why it is a written Constitution and why the centralization of government inevitably imperils the liberty of the citizens. The greatest gift that our system of government was intended to give to the people was the gift of liberty and every time you concentrate more power over the lives of the people in the Federal Government you are diminishing that liberty.

Mr. BEARD. That leads us to a question of Dr. Lefler's. You are involved very intimately in education at the college level. Do you feel that historians in general, or specific historians, have attempted, either consciously, or unconsciously, to sort of debunk American history's past and the glories of the heroes of the past?

Mr. LEFLER. I think some of them have, probably unintentionally. There are two groups of historians—my country always right, and my country always wrong. I belong to the first group, perhaps—not necessarily—but there are some historians who take a delight in debunking our heroes. I think there is room for some real, honest, intellectual patriotism—not a false patriotism by any means. Our country has never been completely right or completely wrong. The law of averages is against that. There has certainly been too much of a tendency in recent days though to defend the present and almost everything in the present. There are some historians, whom the rest of us call court historians—I don't mean Supreme Court. I mean they go along and follow the general party line; I don't refer to the Democratic Party there either.

Mr. BEARD. Senator, three amendments to the Constitution—the 1st, the 10th, and the 14th—are very much in the news these days and I would like to hear, and I know our viewers would, your comments and Dr. Lefler's about the 1st amendment, the amendment of freedom of speech and freedom of religion. Now, we've got some pretty good current topics on this.

Mr. ERVIN. Most of the original settlers of America were dissenters in religion from the established churches of the lands from which they came and even in America we had established churches where people were compelled not only to attend church, but also to make contributions of money to the support of churches, and so the first amendment was designed primarily, as far as the religious part is concerned, to prevent Congress from establishing any state religion or to prevent Congress from levying taxes to the support of any established religion. Of course, the Bill of Rights, which includes the first amendment, was put in to restrain the Federal Government. As time passed after the adoption of the 14th amendment, a theory was adopted by the Supreme Court that the 14th amendment made certain parts of the Bill of Rights applicable to the States, which was judicial legislation, I might add constitutionally amended, and so, although the religious part of the 1st amendment says "Congress shall make no law respecting an establishment of religon, or prohibiting the free exercise thereof," we now have it applied to States, and not only to States, but to the school boards and to schoolteachers, as well as to Congress.

Mr. BEARD. Dr. Lefler?

Mr. LEFLER. The Senator has quoted it correctly and it is rather interesting that this is the first sentence in the Bill of Rights—the one with reference to the establishment of religion. As Senator ERVIN has said, many of the Colonies had established churches—mainly the Church of England in North Carolina, Virginia, South Carolina, and Georgia; and two New England Colonies had their own established churches—a little different—the Congregational Church. North Carolina doesn't get credit for it, but North Carolina was one of the first States to disestablish the church. We did it in the State constitution of 1776. Virginia has had more publicity for their action, but North Carolina was one of the leaders in the disestablishment of the church. Frankly, I think this is the only thing the Founding Fathers had in mind. I think they had no thought about prayers in the schools, or reading the Bible because I think here that America was founded by religious people.

Mr. ERVIN. And that is illustrated, I think, by the thing that sustains your position on that, Dr. Lefler, the fact that from the time the first amendment became a part of the Constitution in 1790 down to recent dates, there was a practical interpretation placed upon the Constitution by the people and that was that they allowed nonsectarian prayers and nonsectarian reading of the Bible in the public schools throughout the United States.

Mr. BEARD. So I take it, gentlemen, that the Supreme Court decision on abolishing prayer in public schools, in your opinions jointly, was not based on the Constitution of the United States?

Mr. LEFLER. And, yet, if I had been a member of the Court, I might have objected to a prayer drawn up by the State of New York. That's a different thing from reading the Bible. I think that was the case, but some of the judges got beyond that in the decision. The Senator knows much more about that than I do.

Mr. ERVIN. Well, that was a rather interesting decision. It was even suggested by the concurring opinion of Justice Douglas that to employ a chaplain to say a prayer to a person—a dying soldier on the battlefield (he didn't exactly put it this way, but what he meant was) the financing of religious exercise by the Government is, therefore, unconstitutional under the new interpretation of the first amendment. If I may say just one thing by illustration of how the executive branch of the Government is encroaching upon the legislative—although the Constitution, article I, sections 1 and 8, vest all of the legislative power of the United States in the Congress, none whatever in the President—most of the laws the people are being ruled by in their business transactions are written in the form of Federal regulations. The President exercises lawmaking power, although he has none. He issued a housing order, established a Presidential Commission on Employment Practices, and prescribed rules of conduct and punishments for violations of those rules, and that is certainly lawmaking power—and although he has none, the President does that.

Mr. BEARD. I would like to hear your comments, Senator ERVIN, about the recent ruling, or order I suppose it might be called, of Defense Secretary McNamara with regard to the alleged discrimination——

Mr. ERVIN. It is a most indefensible order. America has always said that the civilian power is superior to the military power. And yet, under this order of the Secretary of Defense, the military and naval commanders of the United States are converted into political arms of the executive branch of the Federal Government and the Armed Forces are put at economic warfare against the civilian population for the purpose of compelling the civilian population to conform to the administration's notions with respect to how persons engaged in operating commercial enterprises for business purposes should use their property and should render personal services. To my mind, the Constitution says that the rules for the government of the Armed Forces should be laid down by Congress and yet, the Secretary of Defense adopts this very drastic policy of using, as I say, of putting the military at economic warfare with the civilian population.

Mr. BEARD. Well, I would like to ask both of you a question in this regard. And this is a part of the McNamara order which allows a local commander to simply declare an entire area or municipality off limits. Can you think, Dr. Lefler, in history of this type of a—what some people have called a governmental boycott? Has there ever been anything like that before?

Mr. LEFLER. I can think of cases where the military have tried to take over civil authority and nearly always the American people have reacted against it, and reacted violently. I think the American tradition is for civil rather than military rule, except in particular establishments themselves. It is not a good parallel, but the only Governor of North Carolina ever to have been impeached and convicted, Gov. William W. Holden, was thrown out of office largely because he let the military more or less get control of the civilians. The country as a whole has been sensitive to this—the South in particular has been sensitive to it because of our unfortunate experiences during Reconstruction when we more or less had military rule and, I might add, no Marshall plan for the defeated South.

Mr. BEARD. Let's get around to this business of civil liberties, or civil rights, as it is construed today, and discuss this in terms of the Constitution. I would like to find out if you gentlemen feel that anywhere in the Constitution this is mentioned in the context as we consider it today. Senator ERVIN?

Mr. ERVIN. No, there is not any express mention of the term. Of course, a civil right is a right which belongs to all people and is given to them by Government. The civil rights agitation we have now is very contrary to this. This country was founded on the proposition that all laws should apply alike to all people in like circumstances. These civil rights proposals that the Congress has before it today are a negation of that principle. As the Supreme Court of the United States said in the civil rights case of 1883, they represent an attempt to pick out certain Americans on the basis of their race alone and to make them special favorites of the laws and to relieve them of having their rights adjudicated by the same laws by which all other men's rights are adjudicated. For example, every provision of the civil rights bill of the administration which we have been discussing in Washington is a provision which undertakes to give special privileges to a certain group on account of their race which are denied to all others, and it is an effort to rob all Americans of very basic economic, personal, legal, and property rights on the theory that that is the only way you can get rights for one group of our citizens. For example, all Americans are to be denied the right to use their property as they see fit and to be denied the right to sell their property to whom they wish to sell it. They are to be denied the right to hire persons to help them carry on their business in which they have made their own investment if they are connected with any activity or a program of the Federal Government.

Mr. BEARD. Dr. Lefler, this gets back to, I believe, a theory of yours about the original reason for the U.S. Constitution and who framed it and—what sort of people were they?

Mr. LEFLER. Well, I would like to speak briefly about that, then more about the 14th amendment and civil rights. The Constitution of the United States grew out of experience, out of history, and partially as a reaction against the fairly weak government of the Articles of Confederation and because of disputes between States. Some historians today soft pedal this and say these disputes were not serious. But the immediate reason for the Federal Convention of 1787 which drew up the Constitution was that it grew out of the Annapolis Trade Convention of 1786 which had been called to settle disputes between the States—disputes over commerce, such as Virginia and Maryland over the Potomac River, boundary controversies, interstate tariff wars—and there were some of these, although some historians say we have overemphasized them. These troubles did exist and there were many reasons for the U.S. Constitution. I would like to shift just a minute to the 14th amendment and civil rights and ask the Senator if he agrees with me that this amendment added in 1868 was something of a vindictive amendment and adopted in a rather unconstitutional manner itself. I would like to see the reaction of a man who has been a judge on this point.

Mr. ERVIN. Well, I think a very good case can be made out of the proposition that the 14th amendment became a part of the Constitution, if we can say it is, through coercion. For example, as Dr. Lefler has so well stated in his historical works, North Carolina rejected the 14th amendment in its legislature as long as the legislature was elected by people whose qualifications were prescribed by State law under the Presidential plan of reconstruction and then, North Carolina along with the other Southern States (other than Tennessee which ratified the 14th amendment originally) were denied representation in the Congress until they did adopt the Constitution satisfactory to Congress and ratified the 14th amendment. And they did that by a legislature which was elected by voters whose qualifications were prescribed by the Federal Government which has no power under the Constitution to prescribe the qualifications of voters.

Mr. LEFLER. You would say it was constitutional because of the fact that it has been in there so long.

Mr. ERVIN. That's right.

Mr. LEFLER. It was rammed down the throats of Southern States as a condition of readmission to a Union—this whole thing is peculiar—a union which many people in the North said this group had never left. It is very strange business.

Mr. ERVIN. And even the 14th amendment, though those who drafted it were very careful to make it applicable only to the actions of States, and only to the actions of States in these respects with reference to the due process of law and privileges and immunities of national citizenship and equal protection of laws. And now an effort is being made to make it applicable to the acts of individuals engaged in the operation of places of so-called public accommodations, although the amendment has always been construed, and must necessarily be so construed, if we are not going to murder the king's and queen's and everybody's English, to be applicable only to the actions of States through their legislative or executive or judicial departments.

Mr. BEARD. Senator ERVIN, of course, we have followed very carefully and with a great deal of interest your perusal and your questioning of the Attorney General regarding the present civil rights legislation that is before the Senate. And I wonder—it had been said that a journey, however long it may be—I believe a Chinese proverb, "A journey of a thousand miles begins with a single step." Do you feel that this is a dangerous step?

Mr. ERVIN. I think this: that if this bill were enacted into law, that it would almost put us beyond the point of no return—in the assumption by the Federal Government to regulate the personal affairs of people as well as their commercial affairs. In other words, under this bill the hand of Federal regulation and coercion would be extended into every nook and corner of our country. I think it is absolutely incompatible with the kind of government the Constitution undertook to establish and that it is destructive of some of the most basic personal rights of individuals throughout the country.

Mr. BEARD. I take it, then, that you would carry McNamara's order a little bit farther. If Congress were to enact this, then the judiciary or the Justice Department could take the same action against a department store, for example, or against a restaurant that McNamara is taking through his authority over the military.

Mr. ERVIN. Yes, and if you adopt the interpretation placed upon the interstate commerce clause by the Attorney General, as I have stated, it would regulate birth, because babies use clothing that is shipped in interstate commerce; you can regulate marriage, because the bride wears the clothes, or the groom gives the bride a ring, that's moved in interstate commerce, and you can even regulate death, because people are buried so often in caskets and coffins which are moved in interstate commerce. And that is the theory on which this bill rests.

Mr. BEARD. I don't think we ought to forget the so-called forgotten amendment. I believe we call this one the 10th amendment, don't we?

Mr. LEFLER. Yes. Before we go into that, I would like to make a comment. We will come back to the 9th and 10th. I am still talking about the 14th. In the first place, the idea of due process of law is not new; it wasn't new in 1868. The North Carolina constitution of 1776 refers to law in the land, and that is what the Supreme Court has held as meaning the due process of law. The idea of law in the land has been there ever since the Republic was founded, and even before the Republic was founded. One other comment I would like to make and ask the Senator what he thinks about it. That is the great extension of governmental powers in this country, and in any country in the history of the world, has always been done in the name of such wonderful things as liberty, freedom, democracy. I don't think that we are in any danger of a Hitlerized Germany now, but the first step is nearly always in the name of these wonderful things.

Mr. ERVIN. Yes, men always attempt to say they are doing something righteous when they rob people of their liberties. And that's the process which we are asked to go through right now. As Dr. Lefler said, this question of due process of law goes back a long ways. It had its origin in the Magna Carta in 1215. It was reiterated in the Petition of Rights which the British Parliament sent to Charles I in 1628 and it was incorporated in the fifth amendment 173 years ago and yet the bill we have been discussing in its original form is absolutely incompatible. The major feature of it is the idea of due process of law, and to me it is astounding that Congress should be asked to pass a bill whose main provision was absolutely inconsistent with the due process of law 748 years after the Magna Carta and 173 years after the effective date of the fifth amendment.

Mr. BEARD. Before we get around to the 9th and 10th amendments—this business of education—I don't recall which of you mentioned this to us before we came into the studio—this was a statement about maybe one way to start getting local government back into the picture and to get them to take over authority again would be in the field of education. Now education is one thing that is never mentioned anywhere in the Constitution—that is Federal responsibility for education. Is this true?

Mr. Lefler. Well, under the 10th amendment it would be reserved to the States, I presume, and until a few years ago was always considered a State power—State and local—historically local, then State, and now, to some extent, Federal.

Mr. Ervin. Dr. Lefler made a statement a while ago about the necessity, or the advisability, of keeping as much government as near home as possible. If you don't like the local government in your county or your town, you can go and tell the officials about it and if they don't behave themselves like you think they ought, you can do something effective about it. But when you centralize all the powers of government on the banks of the Potomac River, you can't even identify the people that are exercising these powers. Now under this civil rights bill that is pending—under this proposition about cutting off of Federal grants, Federal financial aid to States for so-called discrimination—those decisions are going to be made by some employee hidden somewhere in the executive branch of the Government, and his identity in many cases will be the man who is making the decisions which, in a sense, is to take the State out behind the woodshed and give him a spanking and the spanking is going to be administered by a man whose identity cannot even be ascertained.

Mr. Lefler. May I ask a specific question? How does this economic pressure that is being brought to bear differ from what we call blackmail?

Mr. Ervin. Well, that is exactly what it is. It is blackmail. In other words, this bill would give, under title 6, billions and billions of dollars to the executive branch of the Government to be used to either bribe or to browbeat or to coerce States, political subdivisions of States or all kinds of institutions, all kinds of business enterprises and individuals into conformity to the notions of the administration in the field of racial relations.

Mr. Beard. Senator, did you ever get the Attorney General to answer your question that you asked him sometime ago about why he brought back a revised title 6? He said, I believe, at the time you asked him that he thought this one was better. Did he ever add anything to that?

Mr. Ervin. Well, I had some difficulty in getting him to answer, but he finally admitted that he did it to bring in judicial review and to make it a little more specific as to who was to exercise the power. His original bill had no provision for any notice or any hearing—(and I told him that there was a great New England lawyer, Daniel Webster, who said that due process of law was law which heard before it condemned and which proceeded upon inquiry and rendered judgment only after a hearing and trial)—and this was a provision that was absolutely inconsistent with the due process of law in the fifth amendment.

Mr. Beard. Well, in reality, in your own opinion, in your own estimation of these revisions, do you feel that the revisions make this any more constitutional?

Mr. Ervin. Well, I haven't had an opportunity to study those because a student who would want to learn in that field, if he went to law school within the United States, would have to study Federal administrative law, and Federal practice and procedure and attend class at least 1 hour a day for 5 days a week for 9 months and so all these provisions about judicial review are not to be tried as being in a forthright manner before a jury, but are to be tried according to the acts of Congress setting up reviews of the actions of Federal agencies and every one of these laws that apply are laws which prostitute to a greater or lesser degree the judicial process by either giving artificial weight to the findings of the Federal authorities or limit the courts in which trial of the matter can be had. It is a rather sorry kind of way to have a judicial review in my judgment. In other words, he ought to have come in and said that the quetion could be tried in district courts according to the rules of civil procedure with which all lawyers are familiar; but at the request of the American Bar Association, I sometime ago introduced a bill to change these procedural laws relating to administrative matters because they said that a lawyer had to learn about 25 or 30 different rules of procedure to fit the cases because each department wrote its own rules of procedure.

Mr. Beard. I have heard a great deal of comment regarding the decisions of district Federal judges in New Orleans (and also here in North Carolina in the Durham case) that the Federal judge in this case is saying, well not only to Durham, but also to New Orleans and other cities, that they will desegregate completely their school system and, in effect, people are wondering if in reality the Federal judge is not taking over the administration of the local school system insofar as it relates to student assignment.

Mr. Ervin. Exactly, because under the Brown case, which is the school desegregation decision, the only holding is that it is unconstitutional under the 14th amendment to deny a child admittance to a school because of his race. And this is the constitutional right to be decided by the child or the child's parents. People can waive constitutional rights, as Judge Parker said, and the decision does not require integration, it merely prohibits discrimination. And yet under this decision, according to the newspapers (I haven't seen the original decision in the Durham case)—apparently the Federal court is taking and exercising that constitutional right, or directing how it should be exercised, when it's none of the business of the Federal court.

Mr. Beard. Dr. Lefler? Any comment on this?

Mr. Lefler. I think I would agree with that. I don't know much about the law of it.

Mr. Beard. Well, let's get around to our forgotten amendment——

Mr. Ervin. Before you do, I would just like to say this. Every citizen, every person, is entitled to stand equal before the law. And under laws now existing, everybody does stand equal before the law. And every person should be required, or authorized, to secure his legal rights by the same kind of rules by which all people's rights are adjudicated. That is the trouble with this tendency in this country today—one group of people are securing the adjudication of their rights in one way and other people have to go and do it in another. And that is absolutely inconsistent with the very foundation of our legal system which is that all laws shall apply alike to all people in like circumstances.

Mr. Lefler. Would you say that we are being governed by men rather than by laws?

Mr. Ervin. Exactly. That is the trouble. And that is one trouble about these bills—that the vast arbitrary power (would be) exercised by certain officials according to their personal whims or caprices, or their good or bad intentions, and as the Chief Justice of the Supreme Court of Michigan said some time ago in talking about this government of men rather than laws: he said that it was not for this that our forefathers fought, nor for this did they frame the Constitution and the Bill of Rights.

Mr. Beard. But this debate which you are having, or discussion and questioning, before your Senate Judiciary Committee on the civil rights measure is going to make this a rather long, hot summer, I suspect, in Washington.

Mr. Ervin. Well, the summer has about gone.

Mr. Beard. Well, that's true. Do you have any prognosis on this, or estimate, of how long it might take or what may be the final result of this?

Mr. Ervin. I am hoping that if we don't adjourn, we will at least recess for Christmas.

Mr. Beard. Now, let's get around to the 9th and the 10th amendments. Do you gentlemen feel that the 10th amendment in particular has been completely overlooked in the tendency of Federal Government to take over where State authority really should apply?

Mr. Lefler. Well, I think it has for years.

Mr. Ervin. I am compelled to agree.

Mr. Beard. We were talking also about the ninth amendment. I wonder if you would give your comments concerning this?

Mr. Lefler. Well, both of these amendments, the 9th and the 10th, were designed to really do about the same thing. And to make it certain that all rights not delegated by the Constitution of the Federal Government were reserved either to the States or to the people. And many of the rights that are involved in this civil rights bill are personal rights which are reserved to the people by the Constitution as it was always interpreted until these latter days.

Mr. Beard. Do you feel that, as has been charged by some historians, that the takeover of certain authority from the States and from county and municipal government, in some cases, is because of a lack of ability on the local level to handle these situations? Do you feel that there has been any of this?

Mr. Ervin. That contributes to it, don't you think?

Mr. Lefler. I would think so. I think it's an excuse probably rather than a good reason. And with a vast structure such as we have, say of 50 States, with legislatures meeting, say every other year, Congress meeting all the while and the President in office all the while, I can see how this might develop. And I think it's developed at the local level too. Localities have thrown a lot of their burdens on the States, the States on the Federal Government. And the States, although they may be critical of the Federal Government, are expecting those handouts.

Mr. Ervin. Of course, another thing which has contributed to our present state—it's much more pleasant for a politician or an officeholder to go along with the prevailing notions of the administration instead of standing up and fighting for basic rights, and so a lot of the situations in which we find ourselves are due to that tendency and the tragedy is that there is entirely too much truth in a statement made by Justice Southerland of the Supreme Court of the United States about 25 years ago. He said that the saddest epitaph which can be written for the loss of any right is that those who had the power to do so, failed to stretch forth a saving hand while there was yet time.

Mr. Beard. We asked you earlier what you felt the remedy for this drift toward greater Federal concentration of power is and you mentioned education. Now it would seem, if I may infer something from your comment, that you also feel that we need to strengthen our State, our municipal, and our county governments?

Mr. Ervin. Yes. I think they should assume more responsibilities. In other words, they should discharge their responsibilities because the failure of States and local communities to discharge their responsibilities tempts legislative bodies and government to assume charge at higher levels than those. I do not mean a higher intellectual level, but a higher governmental level. For example, in North Carolina we have had a constitution requiring the redistricting of the legislature and the State senate after each census and the North Carolina Legislature has not been too active in doing that. And the same thing—but a worse situation is over in Tennessee—so as a result of that we had the Supreme Court of the United States throwing out of the window a previous decision that it would not undertake to act on matters of redistricting or redistribution of legislative seats in a State legislature because it is a political question. We actually had to repudiate that doctrine and to hand down in the Baker case in Tennessee a decision that it is the responsibility, or at least it is in the power, of Federal courts to compel a redistribution.

Mr. BEARD. Let me ask you this question. In the various interpretations of what constitutional law is, and I speak not as a lawyer because I know nothing about this, when the Supreme Court renders a decision these days, does it render it basically, in your opinion, on what the original Constitution said, or what has happened in terms of constitutional law in previous decisions down through the years?

Mr. ERVIN. I would say that we have had too much substitution of the personal notions of members of the Court for the intent of the Constitution. In saying that, I am in good company. The chief justices of 36 of the 50 States met in a meeting in Pasadena, Calif., in 1958, and passed a resolution adopting a report which pointed out the many decisions in which the Supreme Court had recently invaded the field reserved to the States by the Constitution and they also went to the very unprecedented length of imploring the Supreme Court of the United States in dealing with Federal-State relations in their decisions to practice the highest of all judicial virtues: namely, the judicial virtue of self restraint.

Mr. BEARD. Do either of you feel that the current move which is underway partially in this State and in many other States, where the legislature has acted on it, to supersede the U.S. Supreme Court with this Court of the Land? Do you think that this may gain momentum in the future?

Mr. ERVIN. Well, I think that unless the Supreme Court of the United States heeds the prayer made to it by the 36 Chief Justices, that there will be more of a tendency for some kind of relief to keep judges within due bounds.

Mr. LEFLER. I would like, Senator, to ask you a question. Is there any way to make the present President, or future Presidents, appoint more able men to the Bench? For instance, I have been worried that people like Learned Hand never got on the Supreme Court of the United States.

Mr. ERVIN. You have—for example in North Carolina, in the person of Judge John J. Parker. If he had not been defeated by about two votes, he would have been Chief Justice of the Supreme Court of the United States during recent years and we would have been spared, in my judgment, many of the things that have happened because he was fundamentally a lawyer. Now, during recent years we have had too many appointments made to the Court by Presidents of their personal cronies and of people for reward for political services rather than judicial. No man ought to be appointed to the Supreme Court who has not devoted his major energies to the administration of justice, either as a judge, or as a practicing lawyer. And this is true simply because that is the only way, as Alexander Hamilton pointed out in "The Federalist," by which men can acquire the mental discipline essential to a good judge. The mental discipline essential to the proper discharge of the duties of office is a mental discipline which enables a man to lay aside his personal notions of what he would like for the law to be and to be guided in his decisions by the law as it has been established. And we have had too little of that mental discipline in the Supreme Court of the United States in many respects in recent years. In saying this, as I say, I am in good company. One of the recent judges of that Court—a man of great promise, who unfortunately died, Judge Jackson—said that rightly or wrongly, that the belief that has been engendered in the minds of a substantial part of the American bar and the American bench, that the Court was no longer guided by fixed principles, but was guided by the personal notions of those who constituted the majority at the time given. And he said that words no longer had the meaning that they had had in times past.

Mr. BEARD. I am sure, Senator, that in your correspondence regarding the civil rights matter alone that you have gained a very excellent impression of what the American people, not only in the South, not only in this State, but all over the country are thinking regarding this particular issue. I am wondering if you feel that the general run of the American citizen, the average American, is becoming more and more alarmed about what he thinks is Federal encroachment?

Mr. ERVIN. Well, I think there is no question about that. Because the Federal Government has gone into the point of dimension of denying people the right in business to select their own employees. Under the Presidential directive issued on the 22d of June of this year governing any construction project connected with a Federal program or activity, a person is not allowed to have any connection as a contractor or subcontractor with any such program unless he signs an agreement in advance that the Federal Government can supervise his employment practices to the extent, not only of whom he shall hire, but whom he shall promote, whom he shall lay off, and whom he shall discharge and, also, the rates of pay. And he has to sign an agreement giving the Federal Government the right of access at any time to all his records, books, and accounts and then it provides that if he violates this agreement in any respect by practice of what someone calls discrimination, that he can lose his rights under the existing contract and he can be put on a blacklist and denied any future contracts with the Federal Government; and, in addition to that, be subject to a third species of punishment that is such as a committee established by the President may order. It is the only time I know in the history of this country that people have been subjected to punishment when they don't even know in advance what the punishment is. And this is all established by the President who has no power to make any laws.

Mr. BEARD. Then I take it that all of this, in your estimation, is done without the due process of law?

Mr. ERVIN. Yes, and it is a usurpation of legislative power by the President.

Mr. BEARD. Now, the reason I asked you the question about the feeling over the country is to follow up with this question. Do you feel that the Supreme Court is presently constituted of men who are aware of public opinion and men who might be swayed by political considerations or public opinion? Do you think there is any chance of a change in the Supreme Court's general outlook?

Mr. ERVIN. Well, I always hope for the best. I have seen some very fine statements made by Associate Justice Harlan at a recent meeting of the American Bar Association in Chicago, in which he pointed out that it was a mistake for the American people to think that all problems can be solved by the Court—that many problems cannot—and he made a fine speech for the restoration, as I see it, of the constitutional government of the United States.

Mr. BEARD. Dr. Lefler, do you feel that if the original drafters of the U.S. Constitution were alive today, they might be at least inclined to raise their eyebrows over the way things have gone, or would they be fairly happy?

Mr. LEFLER. Well, that's a question for conjecture. I think they would be astonished. I think, however, most of them are smart enough to adjust themselves to modern conditions. Along that line, Jefferson, I guess, was a liberal in his day, but stood for almost everything that's different from what the liberals today would stand for. He believed in State government, he believed in economy in government and, frankly, it strains my imagination to think of the present-day party being the party of Thomas Jefferson. I don't have to go to Jefferson Day dinners—I couldn't afford it. The Senator probably goes to Jefferson Day dinners. I don't think the present Democratic Party has followed Jefferson. I think Thomas Jefferson to my mind is the greatest liberal in the true sense of the term. I think that is well illustrated by his statement that: "I have sworn upon the altar of God eternal hostility to all forms of tyranny over the mind of man." Now, I find it hard to reconcile that statement with the attitude of many people who call themselves liberals today because they wouldn't allow you any freedom except the freedom to think the thoughts that they think—and Thomas Jefferson certainly believed in the freedom of thought for all individuals.

Mr. ERVIN. I like another statement of his: "Eternal vigilance is the price of liberty."

Mr. LEFLER. And that is a statement that it's a pity that we couldn't have a lot of sermons preached on in America today—that eternal vigilance is the price of liberty.

Mr. BEARD. That, you feel, both of you, is the ultimate answer then?

Mr. LEFLER. There is a certain insidious element in this whole business of this thing that kind of creeps up on you and you finally reach almost the point of no return. This thing has been growing, probably as early as the establishment of the Interstate Commerce Commission, the grudge—some of it was inevitable, some of it was necessary, but you can carry it to a dangerous extreme. Frankly, I think we are there.

Mr. BEARD. Both of you, I take it, agree that we are there and that we need to turn back slightly?

Mr. LEFLER. We need to to practice eternal vigilance and we need another thing that's in the North Carolina constitution—recur to fundamental principles. You can't ever go all the way back. It would be foolish. You can't turn the hands of the clock back.

Mr. ERVIN. Incidentally, a lot of it is so unnecessary. The Constitution is supposed to be interpreted in cases of ambiguity according to the intent of those who drew the instrument and those who ratified it. And our Constitution is a great document, as Gladstone said, a great thing about it was that the grants of power it made extended into the future and it's not necessary to pervert the Constitution because we have ample power to do everything that the Constitution permits to the Federal Government.

Mr. BEARD. Gentlemen, thank you. Our time is gone. It has been our pleasure to have Senator SAM ERVIN, senior Senator from North Carolina, with us, and Dr. Hugh Lefler, Kenan professor of history at the University of North Carolina, today talking about the Constitution and the Declaration of Independence on the program "In My Opinion." Thank you and good day.

SUCCESSION TO THE PRESIDENCY

Mr. BEALL. Mr. President, there has been considerable discussion recently about the succession to the Presidency. One of the points in the discussion has had to do with the proper procedure in case of a President's disability. In my opinion, this is not a question which we can avoid. I feel that definite safeguards should be established against possible confusion at the top of the Government in what might be times of major crisis.

The Baltimore Sun of today in an editorial discusses this important subject with clarity and foresight. I should like to read the editorial to the Senate. Headed "Presidential Disability," it states:

> Many of the men at the constitutional convention in 1787 were lawyers and all of them were accustomed to the rigors of logic. They drew on legal reasoning and on logic in the charter which they presented to the new country. Where the language was inexplicit they hoped that use and logic would fill in the blanks. Their formula has worked pretty well on most occasions and is not to be neglected in the debate on presidential disability.
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> The Constitution states in article II, section 1 that "in case of [the President's] inability to discharge the powers and duties of the said office, the same shall devolve on the Vice President." The powers and duties of the Presidency may be summarized as authority to decide when steps of urgent executive necessity are to be taken. The decision as to when a President is disabled is one of urgent executive necessity. Does it not, in logic, devolve, as part of the executive power package, on the Vice President?
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> To be sure, any Vice President would hesitate to assert the disability of his Chief in an ex parte announcement. He would want advice and counsel—not only of the informal sort which he would seek anyway—but of a formal and institutional nature which would lift his decision quite outside any suspicion of self-serving or partisanship. Perhaps a standing commission set up by law in advance and composed of elder statesmen could advise the Vice President in this first and most momentous of his executive decisions. No doubt such a commission would rely on competent medical opinion for the technical part of its counsel.
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> But what about a disabled President who recovers and reasserts his Presidential authority? If he has this power—and again logic would suggest that he has—would not he, too, wish to call upon a commission—perhaps the same one—to validate and objectify his judgment? Clearly the commission proposal is one to be explored in the disability debate. And the disability debate ought this time to lead to definite safeguards against confusion at the top of the Government in what might well be times of major crisis.

THE TRAGEDY OF NURSING HOMES

Mr. YOUNG of Ohio. Mr. President, all Americans were shocked and horrified by the fire which last November 23 claimed the lives of 63 elderly patients in a nursing home at Fitchville, ironically named the "Golden Age Nursing Home."

The real tragedy of this conflagration lies in the fact that the loss of life could have been prevented had proper safety standards been enforced. Officials of the Ohio Federation of Licensed Nursing Homes successfully thwarted, through legal actions, enforcement of new and stricter safety standards approved by the Ohio Health Council in 1961. The council approved those standards on the recommendation of an advisory committee including representatives from the Ohio Nursing Home Association, the Ohio Hospital Association, the Ohio Professional Nurses' Association, the Ohio Licensed Practical Nurses' Association, the Ohio Medical Association, the Ohio Bar Association, and the Ohio Business and Professional Women's Clubs.

Despite this outstanding professional and lay support for the regulations, officials of the Ohio Federation of Licensed Nursing homes, an opposition group, successfully halted enforcement through court action. At the time of the Fitchville fire the regulations were tied up in the court of appeals. Incidentally, the head of the corporation which owned the nursing home at Fitchville was a member of this federation. Among other things, the regulations would have required all nursing homes having 30 or more patients to maintain either automatic sprinkler or automatic fire detection systems.

The Fitchville institution had neither an automatic sprinkler system nor an automatic detection system. Citing the Fitchville fire as an illustration, the general manager of the National Fire Protection Association, Percy Bugbee, declared that thousands of elderly persons in the United States are living in buildings little better than firetraps.

It seems to be high time that the Congress took a hard look at the pitiful situation regarding nursing homes in this country. More than 50 percent of nursing home patients are welfare cases and the Federal Government contributes some $300 million a year toward their care under various public assistance programs. In order to assure that this vast amount of taxpayers' money is properly spent to provide a decent quality of care in safe structures, it may be necessary for the Federal Government to establish standards over and above those already established by the States. Also, even in those States which maintain proper standards, there is too often a very serious breakdown in enforcement at the local level.

Mr. President, I was pleased to learn that the Joint Subcommittee on Long-Term Care of the Senate's Special Committee on Aging has begun an investigation into the nursing home situation in this country. I know that the chairman of the subcommittee, the distinguished junior Senator from Utah [Mr. Moss], is deeply concerned over this serious problem. I understand that the joint subcommittee plans to hold a series of hearings in cities throughout the Nation. In view of the situation in Ohio, I urge the chairman of the subcommittee, the Senator from Utah [Mr. Moss], to include my State among those in which hearings will be held.

Ohio's Governor Rhodes has directed a thorough investigation of this tragic fire and much evidence has been adduced. In addition, the prosecuting attorney of Huron County, Ohio, is said to be studying this tragic situation with a view toward having a grand jury investigation. The junior Senator from Ohio was born and reared a few miles from Fitchville and has lived in northern Ohio all of his life. I hope that the distinguished Senator from Utah [Mr. Moss], will hold meetings of his subcommittee in Ohio. I suggest that he hold hearings in Ohio not later than some time this February, and suggest he hold them either in the Federal Building in Cleveland, which is approximately 50 miles distant from Fitchville, or in the Huron County Courthouse in Norwalk, which is about 7 miles distant from this terrible tragedy.

COMPLETE DISCLOSURE OF FINANCIAL HOLDINGS BY MEMBERS OF CONGRESS

Mr. YOUNG of Ohio. Mr. President, in 1958, when I was a candidate for the U.S. Senate, I made two pledges to the people of Ohio, both of which I kept. The first pledge was that, if elected as a U.S. Senator, I would cease altogether the practice of law and devote my full time to my duties as Senator.

On December 15, 1958, following my election, I left the law firm of which I was the head, and I had my name removed from the office door. Since that time I have altogether ceased to practice law in any manner.

The other pledge that I made was that I would disclose fully to the public my financial holdings so that citizens would be in a position to determine for themselves whether my votes and my conduct as their Senator were motivated to any extent by desires of personal aggrandizement or for selfish reasons.

Early in 1959, after taking the oath as Senator, I disclosed fully in a letter to Hon. Felton M. Johnston, Secretary of the Senate, my financial holdings at that time. I sold some stock which I owned. Because of my committee assignments, I thought it would be in better taste not to hold it. I was the first Member of Congress to disclose his financial holdings.

In conformity with my custom since that time, late yesterday I mailed to the Secretary of the Senate a letter setting forth fully my financial holdings and my personal finances.

I ask that the letter which I wrote to the Secretary of the Senate, Hon. Felton M. Johnston, disclosing fully my financial holdings be printed as a part of my remarks at this point in the RECORD.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

JANUARY 9, 1964.

Hon. FELTON M. JOHNSTON,
Secretary of the Senate,
The Capitol,
Washington, D.C.

DEAR MR. JOHNSTON: You will recall that in March 1959, shortly after I took the oath as Senator, I was the very first Member of the Congress to file a complete financial statement. I am today filing with you a statement of my finances and financial holdings, which you may make public should you so desire. I wish this statement to be open to the public so that Ohio citizens may judge whether there is or has been at any time any conflict of interest influencing my action and votes as their public servant.

I was the very first U.S. Senator to file such a statement with the Secretary of the Senate and to make such a public disclosure. This is the last time I shall make such a statement unless I am reelected next November.

You will note that I have continued to hold stock in oil producing companies and in fact I have given an oil lease on acreage I own in Mississippi, and if a producing company should drill successfully, I would be recipient of a percentage of the profits from such drilling. Frequently in letters or statements accompanying dividends, the corporation officials of oil producing companies in which I own stock suggest that I as a stockholder write my Congressman urging he vote to retain the present 27½-percent depletion allowance for oil and gas producing corporations. As a member of the Committee on Ways and Means of the House of Representatives of the 81st Congress, I voted to reduce this depletion allowance from 27½ percent to 15 percent. I have always been opposed to the 27½-percent depletion allowance since the time I first made a study on the subject. I have not changed my views. As Senator I have voted against this 27½-percent depletion allowance and hope to have an opportunity early this year to vote to reduce this to 15 or 10 percent. As my views on this subject are a matter of record, I know of no reason why I should sell this oil stock and, therefore, have not done so.

Therefore, the following is my report to you:

I hold U.S. Government bonds in excess of $30,000. I own real estate in Cuyahoga County, 80 acres in Mississippi on which there is an oil lease, the Washington residence where I live and a house and lot in Florida. Am estimating the value of real estate I own under indebtedness thereon at $75,000. In addition, I own the following shares of stock: 100 Michigan Sugar preferred, 100 United Fruit, 404 DuBois Chemical, 31 Tidewater Oil, 100 Collins Radio, 42 Scurry Rainbow, 100 Stauffer Chemical, 100 Clevite Corp., 1,200 Airport Parking, 236 Robbins and Myers, 200 Atlantic Refining, 100 Canadian Pacific, 438 Mission Development, 809 Monsanto Chemical, 1,701 W. R. Grace & Co., 700 Sinclair Oil, 200 Delta Airlines, 200 General Fireproofing, 300 Martin Marietta, 81 Radio Corp. of America, 409 Lucky Stores, 200 Nopco Chemical, 200 Pacific Northern Airlines, 240 British Petroleum.

Of course, I owe current bills.

My income from dividends last year was somewhat above $7,000.

Am a lawyer by profession and had an extensive law practice when elected in 1958. Since December 15, 1958, I have had no connection directly or indirectly with any law firm. During 1963, I had no income whatever from law business.

The above, Mr. Secretary, states my financial situation.

Sincerely yours,

STEPHEN M. YOUNG.

DAIRY BILL IS FAIR TO ALL

Mr. PROXMIRE. Mr. President, the Wisconsin Agriculturist and Farmer is one of the finest and most widely respected farm newspapers in America. Currently it contains an editorial entitled "Dairy Bill Is Fair to All." The editorial is enthusiastically in support of the bill which I introduced, which passed the Senate, and which is now pending in the House of Representatives.

The editorial points out that while the proposed legislation may not solve all the surplus problems, it will go a long way toward doing so. The bill would help the farmers who produce fluid milk, those who produce milk to be processed into cheese, and the taxpayer.

This is an excellent editorial, a fine summary of the bill. I recommend it to Members of the Senate and of the House of Representatives because it is a complicated bill, which this editorial explains in a simple, readable, and accurate way.

The same fine publication also carries an editorial entitled "Keep Conservation Reserve," pointing out the disaster that will befall the taxpayer as well as the farmer if the conservation reserve program is not renewed. This Senate has done its work on that program, but it is pending in the House.

I ask unanimous consent that both editorials, one entitled "Dairy Bill Is Fair to All," and one entitled "Keep Conservation Reserve," be printed in the RECORD.

There being no objection, the editorials were ordered to be printed in the RECORD, as follows:

DAIRY BILL IS FAIR TO ALL

The dairymen's excess base plan—introduced by Senator WILLIAM PROXMIRE, Democrat, of Wisconsin—has passed the Senate by a 45 to 33 vote. It is now in the House of Representatives.

The bill would apply to Federal market order areas. It would require a majority of producers in a milk order area to approve the plan.

If approved, each dairy producer would receive class I milk prices for his proportion of the milk sold as fluid milk in his order area. He would get manufacturing milk prices for his part of the milk that went into manufactured products.

Present blend pricing encourages overproduction in order areas. All producers are paid alike whether they are contributing greatly to increased surpluses or not.

These surpluses go for manufacturing products, such as cheese, butter, and dry milk. This milk brings a lower price. It drags down the blend price for everyone in the order area.

The figures clearly show the effects of blend pricing. U.S. milk production has been going down the past year. But production in order areas has been increasing and so have their surpluses.

The dairy areas in the East once produced hardly more than enough milk needed for the fluid market. Today even the eastern market order areas produce a large surplus of milk which must be processed.

These increased processed products of dairymen in order areas compete with those produced in parts of Wisconsin and Minnesota, where dairymen have only a processing milk market.

We are surprised that some farm spokesmen oppose the bill. They say that it will not solve the milk surplus problem. This is true.

But it will stop the increasing surpluses of milk in order areas. It will mean that order area dairymen will get the same price for manufacturing milk as dairymen who produce milk only for processing plants.

The plan will not increase milk prices to consumers. It will not require Government controls. And the dairymen in each marketing order area can decide for themselves whether or not they want the program.

What could be fairer?

KEEP CONSERVATION RESERVE

The conservation reserve program may die. The Senate has voted a 2-year extension, but the House has taken no action as yet.

If Congress fails to act by the end of this month, contracts will expire on 6.7 million acres. Much of this land will go back into production this coming spring. By the end of next year another 3.3 million acres will come out of the program.

Wisconsin will lose 271,000 acres of conservation reserve land by the end of this month. Contracts for another 154,000 acres will expire by the end of 1964.

Here's one farm program that has had the support of city folks. Conservation reserve acres often serve as game cover. Some of the land has been planted to trees or converted to ponds for fish and wild fowl.

"It played the double role of helping reduce our oppressive crop surpluses while providing badly needed habitat for wildlife," says the Milwaukee Journal.

"Farmers, conservationists—and the taxpayer who foots the bill for our booming crop surpluses—should demand that Congress extend and even expand the program," the Journal says.

It is time that Congress acts. It does not make sense to let this land go back into production at a time when we have surpluses hanging over our heads.

FOX LAKE CITY, WIS., A SELF-HELP CITY

Mr. PROXMIRE. Mr. President, the American Medical Association's publication Today's Health carries in its current issue an outstanding article on the accomplishment by Fox Lake City, Wis., in securing a physician by raising money locally to equip a clinic and obtain a physician who can provide medical service for the community. This is a wonderful example of what a community can do by relying on its own resources, generosity, and sense of community interest, to provide medical services.

I ask unanimous consent that the article, entitled "A Self-Help Plan for Doctorless Towns," be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

A SELF-HELP PLAN FOR DOCTORLESS TOWNS

(By Howard Earle)

Small towns in the United States are corralling doctors today in a manner that offers promise to doctorless towns. Communities that haven't had resident practicing physicians for years, and some that never had a resident physician, now proudly boast of not one but two or more doctors and a dentist, too.

No one is claiming a wholesale exodus of physicians from metropolitan centers to rural areas, or a sudden surge of enthusiasm among interns to establish practices in small communities. Far too many towns in the country still are without doctors. But their situation may not be hopeless if the residents are alert and industrious. A number of doctorless towns could have the shingle of an M.D. hanging on Main Street if they would provide the bait that some communities in similar predicaments are using to attract doctors to their towns.

"The bait is not always easy to come by, and that may be the stumbling block for some communities," points out Edward Neitzel. "It requires united community effort, counseling and guidance from outside sources experienced in such things, and plenty of hard work by the villagers."

Neitzel speaks from experience. He is a merchant in Fox Lake City, a Wisconsin community of about 1,200 residents 2 hours driving time northwest of Milwaukee. The townspeople there made up their collective mind to get a doctor. They wound up with a modern medical center and two physicians, at least one of whom is available 24 hours a day, 365 days of the year. How the residents turned the trick might well serve as a guide for other communities seeking doctors.

"A couple of years ago, when I was president of the Fox Lake City Chamber of Commerce," recalls Neitzel, "the matter of obtaining a doctor for the community was discussed during a meeting. We decided to take our problem to the Wisconsin State Medical Society."

Actually, the community was not entirely without the services of a physician. There was beloved Dr. Edward Elliott. The previous year he had been honored as Wisconsin's oldest practicing physician. But age limited his energies and he was unable to see as many patients in a day as once was his custom. A survey disclosed that Dr. Elliott was seeing only a small portion—less than 20 percent—of the residents who sought medical care. The others were calling on doctors in neighboring cities.

In one way the community was as badly off as towns without a doctor. The residents were complaining that they had to drive miles to out-of-town doctors. The additional costs in transportation and time were adding to their medical care bills. On the other side of the coin, any doctor considering resident practice in Fox Lake City would be concerned about the townspeople going out of town for their medical care. He would be well aware of the attachments which usually accompany the relationship between doctor and patient when freedom of choice of a doctor prevails. It might not be the simplest thing to induce many of the patients to return to a resident doctor.

"That was the opinion of the Wisconsin State Medical Society when Bill Holloway and I talked with its officials in Madison about getting a doctor for us," explained Neitzel. "We naturally couldn't speak for all the residents but we felt we could give some assurance that the majority of them would patronize a local doctor."

Neitzel and Holloway left the State medical society with a promise that Fox Lake City would be placed on the society's list of towns wanting doctors. The list is mailed to physicians establishing practices, such as interns and those turning from other medical careers to private practice, and to physicians desiring to move from one location to another. The two men also were handed a list of doctors seeking towns in which to set up a practice. A few weeks later the pair was back again at the State medical society.

"Is the trouble with you or us?" asked Neitzel. "We've sent out a number of letlets but nothing has happened. Either there's something wrong with our letterwriting, or with your method."

A short discussion brought out that the residents of Fox Lake City were not using the bait most attractive to doctors. "The towns that get the doctors are the ones that dangle the best bait before them," Neitzel and Holloway were told. Then the discussion took on a more detailed explanation.

"Many small towns in America are without doctors today because the modern physician needs a medical center and the latest in facilities to treat his patients. This means laboratories, X-rays, and other up-to-date equipment for diagnosis and treatment," a spokesman for the Wisconsin Medical Society explained.

The solution to Fox Lake City's problem might be a medical center. The towns providing modern medical centers were the ones getting the doctors. Such a center, or clinic, might not be beyond the reach of Fox Lake City residents. Other communities had built them, aided by counseling and guidance from the community medical assistance plan of the Sears, Roebuck Foundation in cooperation with the American Medical Association.

Neitzel returned home and fired off a query to Norman H. Davis, director of Sears community medical assistance plan in Chicago. By return mail came an outline of the plan's operation, built around three fundamental facets:

1. An economic survey of a community, using questions drawn up by the community medical assistance plan, but conducted by a nonbiased unit such as the local chamber of commerce or a service organization.

2. A medical center which the residents of the town build and rent for a moderate fee to a doctor or doctors with option for the lessee to buy.

3. Business and financial counseling and guidance, but no actual financial assistance.

No action would be undertaken by the community medical assistance plan until an interested community voted to build its own medical center. The Fox Lake City residents voted overwhelmingly to do so. The next step was taking the economic survey to determine if the community could support a doctor.

"The community survey sometimes shows that the town actually could not support a physician," explains Davis. "We don't touch a town unless the survey shows that a doctor will gross at least $25,000 annually. This gross is based on office calls only."

There is sound reasoning behind the $25,000 minimum. A doctor must purchase his medications and equipment, stand depreciation on the equipment, and replace it with more modern designs, and pay office rent. He needs an automobile, kept in tiptop shape, to make calls. At least 25 percent of his net income goes for payment of taxes. If recently out of medical school, he may be paying on loans for money used to finance his education. He will also be renting or buying a home and may be supporting a family.

When such contingencies are considered, the $25,000 gross income guarantee is not excessive. In fact, the figure is based on long studies of the spread necessary between a doctor's gross and net income.

The residents of some towns doubt they could possibly guarantee such an income to a doctor. Some cannot. The Fox Lake City survey, conducted by the American Legion, clearly indicated the residents could go far beyond the guaranteed minimum.

The interviewers visited households, asking a series of questions. They wanted to know: Were you sick last year? How many times were members of your family in a hospital in the last 12 months? What for? What is the distance of the hospital from your home? The number of times members of your family visited a doctor in the last 12 months? Do you have health insurance? Hospital insurance?

The survey uncovered a few surprises. It showed that an average of 39 people from Fox Lake City and its trade territory visited doctors in other communities every day. These 39 patients were traveling a combined distance of 666 miles daily, representing an annual cost of $4,000 for gas and oil alone. Depreciation on the cars and time lost traveling were not taken into consideration.

The survey also revealed that the community and its trade area were spending $75,000 a year on doctors' fees alone. An additional $60,000 was spent annually on medicines and, according to the survey, these people paid out $82,400 a year for medical and nonmedical supplies while visiting the doctors.

The big surprise came in the wrap-up. It showed the community was spending $221,400 annually for out-of-town medical care. Here was an economic potential to support a doctor in a way far superior to what many physicians experience in large metropolitan areas. The town had voted to build a medical center and it had the necessary potential to support two or more doctors. A number of the residents formed a nonprofit corporation, the Fox Lake Medical Center, Inc.

Many communities hold pancake suppers, rodeos, raffles, fish fries, barbecues, chicken dinners, and street dances to raise money for building medical centers. The residents of Fox Lake City dispensed with such money-raising projects and placed the fund raising on a basis of donations and purchase of certificates of indebtedness at $25 each. The certificates, bearing interest at 2 percent per annum, were issued instead of stock because of Wisconsin laws in regard to nonprofit organizations.

"We set our sights high," explained Neitzel. "We put our goal at $50,000, and went out to raise it, calling for volunteer workers."

The response was immediate. The local parent-teachers' association donated all it had in its treasury. The volunteer fire department gave $4,000. The local high school was being transferred and the district consolidated with the Waupun School District, so the band mothers gave all that was in their treasury, $1,000. Others contributed as generously. Businessmen were asked to contribute $100 each. Some gave as much as $500.

Two residents who had lived in the community for many, many years knew most of the people who had lived in Fox Lake City and then moved away to other localities. The two natives wrote to these nonresidents, soliciting donations. Their efforts brought in about $2,000.

The officers of the Medical Center Corp., its board of directors, and volunteers made a door-to-door canvas of the community. There were 12 teams of seven persons each. Five of the seven solicited, and the remaining two took care of the paper work, mapping areas for the solicitors, listing the names of certificate purchasers and amounts purchased, and so forth. Individuals were solicited according to their financial status. Some were asked to buy four of the certificates of indebtedness, others only one. Within a few weeks more than half of the $50,000 goal had been raised.

From the very outset, representatives of the Sears-Roebuck Foundation community medical assistance plan gave valuable advice, guidance, and assistance to those working to get a medical center for their community. Now that the residents had raised more than half of the necessary funds, the program took on added zest.

A site was selected at the corner of Spring and Cherry Streets near the edge of town, and where highly traversed route 33 from Beaver Dam feeds into Spring Street. The community medical assistance plan had helped select the site for the center. Now it provided, free of charge, blueprints and building specifications for a two-doctor unit medical center and advised that bids be asked for construction of the building. Once the bids were in, the community medical assistance plan sent its own construction engineer to let them.

"Taking the letting of the bids out of our hands saved us thousands of dollars," said Neitzel. "We were in no position to dicker with contractors and knew little about such construction even if we would have tried to drive for a bargain. But a man experienced in building medical centers knew exactly what was needed and the costs. Besides, the blueprints and building specifications given us saved at least $2,000."

The bids were let October 1, 1961, and 2 weeks later a goodly portion of the townspeople turned out for ground-breaking ceremonies. Meanwhile, the community assistance medical plan, aided by the American Medical Association and the Wisconsin State Medical Society, set out in earnest to obtain a doctor for the medical center. The search was neither as long nor as arduous as are some to locate a doctor. Dr. William Duxbury explains why.

"I was in the side wings so to speak," he says, "watching the progress of the center. When it was ready for occupancy I took over."

Dr. Duxbury took his bachelor of science degree in pharmacy at the University of Wisconsin and prior to a hitch in the Armed Forces, worked as a pharmacist in a drugstore in Beaver Dam, just 9 miles from Fox Lake City. While serving as a pharmacist for 2 years in the Army Medical Corps, he decided to become a doctor. When he got out of the Army, he entered George Washington Medical School in Washington, D.C. There he met a classmate, William Snook, of Freeport, Ill., and the two became fast friends. While in medical school, like most medical students, Duxbury learned of the Sears-Roebuck Foundation community medical assistance plan and kept close watch of its releases for an opportunity in a Wisconsin locale to his liking.

"When it became definite that Fox Lake City would have a medical center," explained Dr. Duxbury, "I contacted Dr. Snook and we agreed to set up our practice in Fox Lake City, renting the medical center, if all things were agreeable to the townspeople and to us."

All things were agreeable. The townspeople held a reception for the residents to meet their two new doctors. Two weeks later, on July 15, 1962, the medical center was dedicated.

Once again the townspeople had an opportunity to meet their new doctors. An added attraction was a tour of the two-doctor unit medical building. It had been erected at a cost of $50,000. Not all the necessary funds had been raised by the drive. The townspeople fell $12,000 short of their goal but the needed amount was borrowed by the Medical Center Corp. from the bank. However, the residents had done nobly to raise $38,000, especially when among the 1,200 residents there are fewer than 450 who could be regarded as employable or wage earners.

Since its occupancy by Drs. Duxbury and Snook, the Fox Lake Medical Center has proved its value to the townsfolk in innumerable ways. Foremost, it eliminates the necessity of speeding emergency cases to hospitals in Beaver Dam and Waupun, each 9 miles from Fox Lake City. The time saved by a 24-hour-a-day staffed emergency room, in many instances, has spelled the difference between life and death.

In the first 9 months of their practice, the doctors built a file of 1,500 case histories. Of course, in building these case histories, some patients were seen many times, so the 1,500 figure is no indication of the actual number of patients seen. They may see as many as 50 patients a day, with every patient allotted at least 15 minutes. In some instances, a detailed examination may take an hour or more.

The doctors have equipped the medical center with the most modern equipment, which they purchased themselves. But here, too, aid in selecting the best equipment was rendered by the community medical assistance plan. Director Davis, of the plan, dispatched an expert in medical business practice to help the doctors select and buy equipment, organize the business side of their practice, and set up forms, accounting procedures, and policies.

The $300 monthly rental paid by the doctors to the Medical Center, Inc., goes for payment of the interest on the certificates of indebtedness and final retirement of the certificates. Rental funds also are used for the upkeep of the building, which is practically nil because of its construction. Meantime, the doctors are happy in what they regard an ideal setup.

"Our practice is most challenging," asserts Dr. Duxbury. "We have seen and treated diseases only talked about in medical schools. We treat every kind of an emergency from home, farm, and highway to factory and occupational accidents. We are on the courtesy staffs of the hospitals in Beaver Dam and Waupun, which means we can take our patients to these hospitals and treat them there."

Perhaps a real plum in the medical profession today, and the envy of any doctor, are the long weekends which Drs. Duxbury and Snook enjoy through a rotation of their schedule. Dr. Duxbury keeps shop from Friday night to Monday or Tuesday morning one weekend, while Dr. Snook takes off. The procedure is reversed the following weekend.

Like the doctors, the townspeople of Fox Lake City are happy with the results of their "get a doctor" project. They don't have to drive miles now for medical care. They are proud of their medical center, and they have learned the value of teamwork.

"The project seemed to weld the residents together in a unified force," commented Mrs. John Madigan, a member of the board of directors of the medical center. "It taught us teamwork, and we have been working together in harmony ever since to accomplish our objectives. Now that we have learned we can work together, we are planning some additional projects to improve our city."

A gasoline station owner on Fox Lake City's Main Street summarized the feeling of most residents when he said, "We don't like to think we're any different than other folks who might find themselves in the predicament we were in. We just had a problem and we did something about it."

Like Fox Lake City, other small towns have recognized a similar problem and have done something about it with the assistance and guidance of the Sears-Roebuck Foundation community medical assistance plan. Since the plan came into being in January 1958, more than 80 medical centers have been started. About 75 have been completed, with 68 occupied by doctors. Applications by towns for surveys to determine if they could support a doctor are increasing.

Early this year, eight communities in New York, Ohio, Illinois, Iowa, Idaho, and Montana voted to participate in the Sears Foundation plan. At the same time, completed surveys in other communities in as many States revealed that nine of the towns had sufficient potential to proceed with plans to build medical centers, while only one community fell short of the requirements. And 10 communities in Eastern, Midwestern, and Southern States applied for surveys of their towns.

A classic example of how a medical center aids a town is Clarksville, Mo. In 1960, the community medical assistance plan received an application from Clarksville, a community 70 miles north of St. Louis. The town had experienced a population decrease of 50 percent over a 20-year period. The problem, typical of many rural towns, was lack of sufficient employment opportunities to hold the younger generation.

Clarksville residents, trying to rebuild, created a Clarksville Development Corp. to interest industry in settling in the area. But industries remained aloof because the community had no means of providing medical care for their employees. So the residents decided to do the only logical thing—get a doctor.

They were surveyed by the community medical assistance plan, met the necessary requirements, and were aided in their efforts to raise funds for a medical-dental center. With the cooperation of the American Medical Association, a doctor was located. The American Dental Association helped find a dentist.

The new medical-dental center with its doctor and dentist brought instant results. A clothing manufacturer, employing 300 persons, located in the town. The population increased, and Clarksville became a much-cited example of a community that helped itself to a better way of life.

F. J. L. Blasingame, M.D., executive vice president of the American Medical Association, says, "A community in need of physicians should be aware of the great change in the practice of medicine. Today's physician is a trained scientist. He relies not only on his skill and judgment, but also on the many technological advancements and other diagnostic tools. Prospective physicians would be attracted to rural areas if the smaller communities would develop an interest in local health problems and create proper facilities and equipment."

Dr. Walter S. Wiggins, secretary of the Council in Medical Education and Hospitals of the American Medical Association, voices a like opinion. He advises:

"There is only one way a small community can get a doctor today. The town has to set out to make itself such an attractive place to practice that a physician will be drawn to settle there."

The Sears-Roebuck Foundation's community medical assistance plan is not the only organization striving to attract doctors to little towns. The American Medical Association, while working closely with the plan, also is active in the field. For instance the AMA has been advising local medical societies for some time now to do more than merely supply names of communities to physicians looking for a place to practice. Now, many of the physicians on placement lists receive detailed descriptions of towns seeking resident doctors.

The AMA works through and with the placement services of the various State medical societies, maintaining lists of towns in States desiring resident doctors. Many communities inquire of the AMA about the possibilities of inducing doctors to move into their localities and establish practices. Such inquiring communities are sent a checklist which gives information to help residents determine if there exists a real need for a doctor in the community. Such services by the AMA are free, as are the services of the various State medical groups acting as liaisons in bringing a town and a doctor together.

Despite all the aid from outside sources, a town setting out to obtain a doctor would do well to follow the example of a woman who's after a man: "Spruce up and be certain to have the right bait."

SENATOR RUSSELL: MAN OF THE YEAR IN AGRICULTURE

Mr. TALMADGE. Mr. President, the farmers of America have had no greater friend in the Congress than my distinguished colleague, the senior Senator from Georgia.

DICK RUSSELL has devoted much of his long and outstanding service in the Senate to the cause of agriculture. And because of his good work, farmers of the United States today enjoy a prosperity unequaled anywhere else in the world. However, if our farmers are to have a better life and a fair share of the national income, much remains to be done and Senator RUSSELL is not a man to rest on his laurels.

Because of his lifelong service to agriculture, the Progressive Farmer magazine has named Senator RUSSELL one of its "Men of the Year." I commend the magazine on its splendid choice and salute Senator RUSSELL on this well-deserved recognition.

I ask unanimous consent that the magazine's citation to Senator RUSSELL be printed in the RECORD.

There being no objection, the citation was ordered to be printed in the RECORD, as follows:

RICHARD B. RUSSELL, OF GEORGIA

Few people have rendered more outstanding service to their State and Nation over a longer period of time than RICHARD B. RUSSELL, U.S. Senator since 1933.

He is a leading member of the bipartisan farm bloc and has fought throughout his Senate career to obtain a fair deal for the American farmer. His major efforts for agriculture have been directed toward developing a fair and reasonable system of price supports for basic farm commodities. He played a leading role in formulating and obtaining passage of the basic agricultural conservation programs now in effect. Senator RUSSELL also sponsored other legislation, such as the rural electrification program, the Farmers Home Administration, and the lunch program.

Closely related to these activities have been Senator RUSSELL's efforts in river and water resource development. He was instrumental in obtaining funds for multipurpose dams on the Chattahoochee and Savannah Rivers. He also sponsored legislation creating the Southeastern Waterways Study Commission.

Senator RUSSELL has always been a stanch supporter of the land-grant college system and many times has taken the leadership in providing additional Federal funds for cooperative work of USDA with State extension services and State experiment stations.

While we honor Senator RUSSELL primarily for his contributions to agriculture, we cannot ignore his contributions to many other vital aspects of our national well-being. He is chairman of the Senate's Armed Services Committee and ranking Democratic member of the Appropriations Committee. He was chairman of the Subcommittee on Agricultural Appropriations for many years.

RICHARD RUSSELL began his political career at 23 as a Georgia legislator. Ten years later, in 1931, he was elected Governor. His administration was marked by a sweeping reorganization of State government, including consolidation of all State-supported colleges into a unified university system.

TAX REFORM

Mr. GORE. Mr. President, the most unrealistic provision of the present tax law, in my view, is the $600 exemption permitted to each taxpayer and for each of his dependents.

In 1940, the personal exemption for a man and wife was $2,000. The theory upon which a personal exemption is granted is that a taxpayer, or a family unit, should have a minimum level of income, a subsistence level of income, before a Federal Tax is levied upon that income.

The most onerous wartime levy that the Congress made during World War II, in my view, was to lower that personal exemption. The Congress did it for two reasons. One was to raise revenue for the war, and the second was to dampen consumer demand.

Do we need now to dampen consumer demand? I should say not. This is where stimulation of our economy is needed most. The cost of living is now more than twice what it was in 1940. A man and wife had a personal exemption of $2,000 in 1940. Now, when there is idle productive capacity for want of consumer demand and when the cost of living is more than twice as high, the wartime levy reducing personal exemptions has not been repealed.

This is the item to which Congress should first address its attention in tax legislation.

This inadequate personal exemption of $600 cannot be measured by a yardstick of equity. When I say it is inadequate, let any parent of a child in college, or of a child in high school, answer the question whether this is an adequate exemption for the rearing and education of a child.

A few days ago, I talked with a young father of a newly born babe. He said the cost of that child was already more than $600, and it is only a few weeks old.

Measure this alongside what Secretary Dillon says, that the "typical" taxpayer with an adjusted gross income of $1 million per year——

The **PRESIDING OFFICER** (Mr. PROXMIRE in the chair). The time of the Senator has expired.

Mr. GORE. Mr. President, I ask for 3 additional minutes.

The **PRESIDING OFFICER.** Without objection——

Mr. MORSE. Mr. President, I am not going to object, but I would like the Senator from Tennessee to know that I am waiting to address myself to a point of personal privilege, and I have to be at a briefing of the State Department on the Panama situation.

Mr. GORE. I shall take only 1 more minute.

I call attention to the fact that Secretary Dillon has supplied to the Finance Committee a table and statistics which show that when the proposed tax bill is enacted, a taxpayer with an adjusted gross income of $1 million a year—a real income of more than $1½ million a year—will pay taxes on that adjusted gross income of $1 million per year not at 91 percent, not 75 percent, not 66 percent, not 50 percent, not 40 percent, not 30 percent, but at less than 24 percent. Yet we permit this inadequate $600 exemption for a taxpayer and his dependents, this wartime levy, to remain in effect.

I shall call the attention of the Senate to extremes of this bill daily in an effort to challenge the conscience and sense of fairness of my distinguished colleagues.

The **PRESIDING OFFICER.** Is there further morning business?

GERMANENESS OF DEBATE UNDER CERTAIN CIRCUMSTANCES

The **PRESIDING OFFICER.** If there be no further morning business, morning business is closed; and, without objection, the Chair lays before the Senate the unfinished business, which will be stated.

The LEGISLATIVE CLERK. Senate Resolution 89, providing for germaneness of debate under certain circumstances.

BRIEFING BY STATE DEPARTMENT ON PANAMANIAN SITUATION

Mr. MORSE. Mr. President, before I turn to a question of personal privilege, I wish to announce that this morning, in consultation with the acting chairman of the Foreign Relations Committee [Mr. SPARKMAN], I requested, in behalf of the Subcommittee on Latin American Affairs, a briefing by State Department officials best qualified to brief the subcommittee, and all members of the full committee who cared to attend, on the Panamanian crisis. It was scheduled for 3 o'clock. Subsequently, it was decided to combine that briefing with a briefing of the congressional leadership at 1:15 p.m. I will attend that briefing. I have told the press I would make no comment so far as concerns any knowledge I may have about the situation in Panama until I obtain all the facts from the State Department, which we expect to receive at 1:15.

RESPONSIBLE REPORTING—PERSONAL STATEMENT BY SENATOR MORSE

Mr. MORSE. Mr. President, I now turn to a matter of personal privilege, taking the form of answering falsifications on the part of the press in my State with respect to the handling of education legislation in the previous session of Congress.

The late great journalist, Mr. A. J. Liebling, whose articles appeared in the New Yorker magazine under the caption "The Wayward Press" performed a valuable and needed public service in the course of his distinguished career, which I hope some other able and dedicated newspaperman will continue. These articles held a mirror to the press, and the image reflected, in a great many cases, was not flattering.

The public should be aware that the press can and does err, for the public reads and trusts that which is written. For the most part this trust is justified, which fact follows from an acceptance of, and an adherence to, the ethics of journalism on the part of both the writer and his editor. The ethical canon to which both subscribe can be summed up by their acceptance of a binding obligation to be accurate, to be honest, and to be objective in their work.

Unfortunately, each profession has in its ranks the few who violate the ethics and code of the great majority. Some are venal, some are malicious, some are merely incompetent and careless.

It was against such as these betrayals of the press function that A. J. Liebling wrote, in waging his fight to elevate the standards and to maintain the honor of his profession. He did it skillfully, with conviction and with corrosive effect. His analyses of the treatment of news by editors and reporters are deservedly included in the curriculums of our great schools of journalism. They will stand as classics of criticism.

Should there be a fledgling journalist who wishes to emulate Mr. Liebling and who desires to be guided to material upon which he can work, I would suggest that the dispatches which emanate from Washington correspondents and are printed in the daily press of our smaller communities would prove rewarding. My attention was caught by such an article which was published on

Christmas Day in the Portland Oregonian under the byline of Mr. A. Robert Smith, in some of whose other fiction I have previously had the dubious distinction of being portrayed. Mr. Smith and his wife, who writes under the name of Yvonne Franklin, are correspondents for some six Oregon newspapers which include, in addition to the Portland Oregonian, the Pendleton East Oregonian, the Medford Mail Tribune, the Salem Oregon Statesman, the Corvallis Gazette-Times, and the Eugene Register Guard. Thus, these two as individuals and as a team have access, through these outlets, to a substantial percentage of the population of my State.

I propose to discuss the Smith Christmas column briefly, in order that the factual inaccuracies contained therein may be set straight and thus to demonstrate the continuing need for self-criticism by writers and their editors, if they are to take seriously their public responsibilities as newspapermen.

Mr. President, I ask unanimous consent that the article to which I have alluded be printed at this point in my remarks.

There being no objection, the article was ordered to be printed in the Record, as follows:

EDUCATION BILL TRIUMPH FOR EDITH

(By A. Robert Smith)

Washington.—Whether the newly enacted college aid bill is "the most significant education bill passed by the Congress in the history of the Republic," as President Johnson stated when he signed it into law, or just the most important Federal education law since the Morrill Land-Grant Act of 1862, as President Kennedy said before his death, it is likely to prove of lasting significance in helping colleges expand to meet their responsibilities.

However historians will evaluate it later on, this Higher Education Act certainly stands as the crowning achievement of the 9-year legislative career of Portland's Congresswoman Edith Green. Of the several bills she has steered into law in the health, education, and welfare field—including juvenile delinquency aid, rural library service, Alaska Mental Health Act, and equal pay for equal work for women—none is more likely to earn her a niche in history.

What acclaim she receives by this accomplishment, Mrs. Green painfully earned in the seemingly endless meetings, hearings, buttonholing, and bargaining during this longest-of-peacetime congressional session. More than once she nearly threw in the sponge, so many and high were the obstacles she faced. But at length she succeeded—and the rarity of this sort of legislative success story alone makes it worth telling in sequence.

The story really begins last year when both House and Senate had passed college aid bills, but the compromise version was killed in the House when Republicans objected to a Federal scholarship program which the Senate had added. A whirlwind lobby campaign by the National Education Association against aid to colleges, without aid to elementary and secondary school aid, contributed substantially to this last-minute defeat.

When Congress reconvened in January, President Kennedy had been persuaded by his advisers to press for an omnibus something-for-everyone education bill, including aid for colleges, elementary and secondary schools, vocational training, plus extension of the popular existing programs of aid for federally impacted school districts and the National Defense Education Act.

Mrs. Green opposed the omnibus approach, concluding that an all-or-nothing approach would result in nothing from the House. This conclusion was based on recognition that most House Republicans opposed aid to elementary and secondary schools, but that enough of them favor aid for colleges to make this part of the package a live possibility.

By May she had won her point with the White House. She reported from her subcommittee a bill authorizing loans and grants for college classrooms. It had solid bipartisan backing in her committee.

Representative Howard Smith, Democrat, of Virginia, chairman of the House Rules Committee, refused to consider it until he could see all the other education bills, which he suspected might deny aid to segregated school districts. Mrs. Green got House leaders to establish a priority list of only three education bills—college, vocational, and impacted aid—for this year; and with that assurance, Smith cleared them for debate. The Green strategy was proved right when the House approved the college aid bill by a vote of 287 to 113 in August.

Senator Wayne Morse, meanwhile, had held hearings on the omnibus bill. On October 1 he reported out a package bill including vocational, the National Defense Education Act and impacted aid. College aid, he said enigmatically, would have to wait. On October 7, however, the full Senate Labor Committee took the rare action of taking the college aid bill from Morse's Education Subcommittee, at the insistence of Senator Jacob Javits, Republican, of New York, and others who favored it strongly, and sending it to the Senate along with the lesser package bill. The Senate passed both bills in October.

Morse, as chairman of the House-Senate conference committee appointed to work out compromise versions of the different bills, announced he would hold the conferees in session until they could agree on all the pending bills. Mrs. Green and others insisted on clearing college aid first. Morse dragged his feet. After reports of his threats to tie up the whole conference leaked out of the secret meetings and into Oregon newspapers, the Senator suddenly got down to work and the college aid bill was cleared.

Mrs. Green took it back to the House and got a thumping 258-to-92 vote of approval for the $1.2 billion compromise bill.

Morse, however, refused to bring it before the Senate until Mrs. Green and the House conferees accepted his terms on the pending package bill, chiefly on vocational education. He objected to the House change designed to channel more vocational aid into urban areas rather than rural areas. A stalemate lasted for weeks until Kennedy's assassination. Morse's delaying tactics deprived Kennedy the opportunity of signing the college bill, perhaps the most significant domestic accomplishment of his administration.

When Johnson addressed Congress and urged action on education bills, it overcame the inertia of the stalemated conference. L. B. J. used his influence, and the House Members bowed to the Senate on vocational aid. Morse immediately took college aid to the Senate and got a 54-to-27 vote of approval, sending it to the White House. L. B. J. telephoned Morse his congratulations and said he would refer to college aid as the Morse-Green bill.

"I don't have to tell you what a good psychologist he is," Morse later observed.

Johnson is also a good politician. In this simple backscratching gesture, he solved one of the most tormenting political problems Wayne Morse has suffered in his 19 years in the Senate. Never again will a critic of his talkativeness be able to allege ineffectiveness with the familiar charge, "His name doesn't appear on one major act of Congress." In fact, Morse has been effective in steering education bills through the Senate, including aid to elementary and secondary schools, which Kennedy promised in 1961 would be called the Morse-Thompson bill—but it died in the House Rules Committee.

The irony of his work being rewarded and remembered by his name on the Morse-Green College Aid Act is that the Senator's perversity proved an adversity which the bill's author had to surmount in securing its enactment.

But that is all the more reason why Edith Green merits full recognition, as well as the gratitude of all the college presidents of Oregon and elsewhere who pleaded for this bill, for her crowning achievement. A more passive and less determined person, or a legislator with fewer skills applied to the art of the possible, would have failed or simply given up the fight which she so decisively has won.

Mr. MORSE. Mr. President, before I detail the specific misstatements of fact contained in the article, I want to pay my sincere respects to my fine colleague from the Third Congressional District, the Honorable Edith Green. She deserves every possible credit for bringing the higher education bill through the House committee and through the House of Representatives. She was a valiant and persuasive proponent for the House position in conference. Her views are reflected in much of the compromise proposal which was signed by the President. What I am discussing today, therefore, constitutes absolutely no reflection upon Representative Green, who, I am sure, would agree with me that the compromise bill which became law, while it did not contain everything each of us may have wished, was to the best of the ability of each of us who participated a conscionable compromise, not of principle, but of alternative ways of achieving a mutually desired goal. We both recognize that the two great parliamentary bodies, reflecting as they do differing constituencies, and operating through different institutional devices, demonstrate the wisdom of the Founding Fathers who, though they were devoted to the constitutional principle of the check and balance to preserve liberty, recognized that men and women of good will, working together could reconcile sincere differences by compromise to the great benefit of the public. I am confident, too, that Representative Green would be the first to reject a falsification of the legislative history of this landmark enactment.

Now, Mr. President, I turn to an analysis of the article. It contains certain misstatements of fact, false inferences, and a misinterpretation of the details of the legislative process which, since the writer sells his product on the basis of a supposed expertise, cannot be due to carelessness alone.

To document my statements, I shall give examples of each type of error. I do not claim to list an exhaustive inventory of each—that I will leave to my hypothetical graduate students—my examples are but illustrative.

MISSTATEMENTS OF FACT

Smith asserts:

> Senator Wayne Morse, meanwhile had held hearings on the omnibus bill. On October 1,

> he reported out a package bill including vocational, National Defense Education Act and impacted aid. College aid, he said enigmatically, would have to wait. On October 7, however, the full Senate Labor Committee took the rare action of taking the college aid bill from Morse's Education Subcommittee, at the insistence of Senator Jacob Javits, Republican, of New York, and others who favored it strongly, and sending it to the Senate along with the lesser package bill.

I am sure the chairman of the Committee on Labor and Public Welfare will be very much interested in that observation.

The facts are, on September 10, 1963, in executive session, the Education Subcommittee discussed with two high ranking members of the administration the parliamentary strategy on S. 580, the Kennedy omnibus education bill, which included both higher education and vocational education proposals of the President. As early as April 29, 1963, at the opening session of the 17 days of hearings on the bill, which were concluded June 25, 1963, at which time Commissioner Keppel testified on S. 580, I indicated that:

> Speaking now only for myself as a member of the subcommittee, I observe that there has been much speculation in the press about whether there should be an omnibus bill or whether there should be a number of separate bills acted upon.
>
> The senior Senator from Oregon is for President Kennedy's education program. In some areas he would like to see even more done than has been recommended. He is not particularly impressed with the logic which holds that three separate purchases of items with a total fixed cost is more economical than one purchase of all three items with the same price tag.
>
> Others may hold a different view, but as long as he can get the needed education items which he believes essential to our country, now and in the decades ahead, he will not be too particular about the number of the packages, or the legislative wrapping paper in which they come.
>
> Such considerations belong to the field of legislative tactics. The grand strategy, and the final objective are the important elements. The grand strategy was outlined in the great message on education which the President sent up last January 29. The final objective is the enactment of soundly based education legislation, in the public interest, which will be of benefit to all of our citizens, in our schools and out.

This statement will be found in the printed record of hearings before the committee.

A full and frank discussion of the issues involved in the S. 580 omnibus bill proposals—including higher education title II provisions—was had on September 10, 1963, and the following day, September 11. The subcommittee decision on September 11 was to report, with amendments, H.R. 4955, the vocational bill, to the full committee, reserving to the subcommittee members the right to offer further amendments in full committee. No mention at that time was made to report the higher education bill, H.R. 6143.

Up to that time we had considered in the subcommittee only the vocational education bill, although there had been considerable discussion of the higher education bill because of its close relationship to the entire education legislation package.

Incidentally, a mimeographed summary of the subcommittee action, dated September 12, authorized by my subcommittee, was made available to the press. H.R. 4955, the vocational minibus bill, was discussed in full committee in executive session on September 25. I told my colleagues that I had informed the press following the September 11 subcommittee session of my intention to handle the omnibus bill, S. 580, on an installment plan basis so that all sections of the comprehensive proposal could be voted up or down. I had in that meeting with the press referred in a jocular manner to the fact that H.R. 4955, the vocational bill, was a minibus first installment on the big bill.

Senator Clark, in the course of the discussion, indicated his intent to substitute for H.R. 4955, titles I and II of S. 580—student assistance and higher education programs—and if this action failed, to move to add to H.R. 4955 the titles in question. Senator Javits indicated that he would move to substitute for the Clark proposal the language of the conference bill of the 87th Congress, which he had introduced as S. 500, striking therefrom the student loan proposals. I indicated that, in my judgment, a separation of the two bills would be the better strategy if we hoped to pass both.

I also want to point out that in view of the fact that a quorum of the members of my subcommittee were also present at the full committee meeting, I saw no reason why we could not expedite the handling of the higher education bill by taking action on both the vocational education bill and the higher education bill as separate bills since we had achieved a consensus of support for both measures at the full committee meeting which was then being held.

In the subcommittee executive sessions we had not formally reached a decision on the higher education bill. We had agreed to a vocational education bill. It was our plan to submit it to the full committee and to proceed expeditiously to consider a higher education bill immediately thereafter.

But at the meeting on September 25, because there was a discussion of the entire package, involving higher education, vocational education, and other proposed legislation subsequently to come, I made the statement I have just read. But I thought we could expedite the situation by including action at that meeting on the higher education bill, too.

So instead of trying to sell a higher education bill, it has been the purpose of the senior Senator from Oregon, from the very beginning, to move each segment of the President's omnibus education package to the earliest possible consideration by both the subcommittee and the full committee. The material was available for this alleged newspaperman to report the facts accurately, if he had desired to be accurate.

Mr. HILL. Mr. President, will the Senator from Oregon yield ?

Mr. MORSE. I yield to the Senator from Alabama.

Mr. HILL. I wish to testify to the correctness of the statements the distinguished Senator from Oregon has made. It was the fine, able leadership of the Senator, and his devoted, indefatigable efforts, that resulted in the passage of the education bills, and also the passage by the Senate of the bill to amend the Library Services Act.

Mr. MORSE. I thank the chairman of the Committee on Labor and Public Welfare. He knows that time and time again, in the Congressional Record, I have expressed my high respects and sincere thanks for his great leadership as chairman of the full committee, without which no education legislation would have been passed. This task was not accomplished by any single individual, but by all of us working together under the leadership of the distinguished Senator from Alabama. Once again, I express thanks to him.

Mr. MANSFIELD. Mr. President, will the Senator from Oregon yield?

Mr. MORSE. I yield to the majority leader.

Mr. MANSFIELD. While I do not know anything about the workings within the subcommittee or the Committee on Labor and Public Welfare, I do know, of course, that the senior Senator from Oregon is a man of his word, and that what he has said and done here has been supported by the chairman of the full committee. I am quite certain, on the basis of the facts set forth, that the record will bear out what the Senator from Oregon has said.

However, I am a little more familiar with the situation once the legislation was reported by the committee and with some of the negotiations which took place behind the scenes, not only in the Senate but also between the House and the Senate, as well. Several great contributions in the field of education were made last year by the distinguished senior Senator from Oregon. Had it not been for the strategy which he employed—and it was legitimate strategy, strategy which was undertaken with the full approval of the White House and the Senate Democratic leadership—I am not at all certain that there would have been a vocational education bill and a higher education bill, let alone some of the other education bills which passed the Senate during the first session of the 88th Congress. The accomplishments of the Senator from Oregon during the past year were outstanding. He has been most skillful in his handling of the bills which came before the Senate. He is in large part responsible for the fact that a number of outstanding education bills have been passed which, in my opinion, are milestones in that particular field.

While I am on my feet, and so long as the distinguished Senator from Oregon has the floor and the distinguished chairman of the Committee on Labor and Public Welfare [Mr. Hill] is in the Chamber, I should like to say that that committee has done itself proud in this Congress, not only with respect to the bill having to do with vocational education, which includes many other items besides vocational education, and the bill having to do with higher education, but also the "bricks and mortar" bill, which applies to colleges and other institutions of higher learning, without discrimination.

Also, there was the bill reported by the Committee on Labor and Public Welfare to give badly needed assistance to medical and dental schools which met with the approval—in large part, at least—of the American Medical Association, and with the full approval of the American Dental Association.

One of the most remarkable measures passed by Congress, because it was the first of its kind, was reported by the Committee on Labor and Public Welfare, of which the distinguished Senator from Alabama [Mr. HILL] is the chairman. It was the bill relating to mental health and mental retardation. That bill will affect 10 million Americans for whom nothing had been done previously, except on the State and local levels, and then in a minuscule and inappropriate way.

Furthermore, the senior Senator from Oregon was responsible for having reported by the same committee and for the passage by the Senate of the amendments to the Library Services Act.

Taking all these measures together, what we really have is a wealth of opportunity for the youth of America. For that, the distinguished Senator from Oregon is entitled to all the credit and no blame; and the distinguished chairman of the committee [Mr. HILL], because of his courtesy, his understanding, his tolerance, and his desire to move these bills, is likewise entitled to a full measure of credit.

I salute the Senator from Oregon, the Senator from Alabama, and other members of the Committee on Labor and Public Welfare. In my opinion, the record of that committee will compare favorably with that of every other committee, and very likely will exceed all others in its accomplishments so far.

Mr. MORSE. The majority leader fills me with deep humility. I shall forever be grateful for his graciousness and his kind words.

Mr. President, returning to my statement, my proposed procedure that the committee take up, first, the vocational education and higher education bills separately was agreed to. We then proceeded in the full committee to vote by voice vote on the two Clark motions, which failed of adoption. Senator JAVITS then withdrew his motion.

By voice vote on my motion, H.R. 4955, the vocational education bill, was ordered reported to the Senate. I then moved to report H.R. 6143, the higher education bill, with the House language stricken, and the text of S. 500, the 87th Congress conference report on higher education, with the student loan proviso deleted, substituted in its place. The rollcall vote in favor of my motion to report H.R. 6143, the higher education bill, as thus amended was 10 to 2.

The full committee action on these two bills and two other education bills also acted upon at this meeting was made public at a press meeting and through a mimeographed statement under date of September 25.

The foregoing recapitulation of committee action establishes, in my judgment, that Smith first, did not check primary sources available to him; or, second, he did not use them in writing his story thus misleading his reading public, in that his dates were factually incorrect; his analysis of my position on the higher education bill was false; and his ascription to me of an "enigmatical" statement, as of October 1, that "the higher education bill would have to wait" is baffling, in view of the September 25 press conference release.

Mr. President, I ask unanimous consent that at this point in my remarks there be printed the September 25, 1963, press release of the Senate Committee on Labor and Public Welfare to which I have alluded.

There being no objection, the release was ordered to be printed in the RECORD, as follows:

EDUCATION LEGISLATION REPORTED BY THE SENATE COMMITTEE ON LABOR AND PUBLIC WELFARE, SEPTEMBER 25, 1963

The Senate Committee on Labor and Public Welfare reported four bills favorably to the floor in its executive session on Wednesday, September 25, 1963. These included:

1. H.R. 4955, containing: Part A provides $108 million for fiscal year 1964 over current money under Smith-Hughes and George-Barden Vocational Acts funds for grants to the States. This new money would rise to $243 million by fiscal year 1967 and remain thereafter at that level. In addition, for fiscal year 1964, it includes $15 million for residential vocational schools to be established for large urban areas having substantial numbers of youths who have dropped out of school and are unemployed. Part A also contains $50 million for work-study programs in connection with vocational education programs, to encourage and enable needy youths who otherwise would probably drop out of high school and be unable to find jobs to continue in school to take vocational training to fit them for gainful employment. Part B, a 3-year extension of the National Defense Education Act, which was amended by increasing student loan authorizations from the present $90 to $125 million for this year, $135 million for next year, $145 million for fiscal year 1966 and $150 million for fiscal year 1967 and thereafter; this extension also included an amendment to title V, the guidance, counseling and testing section of National Defense Education Act, bringing these services to the seventh and eighth grades; part C of H.R. 4955, which contains a 3-year extension of Public Law 815 and 874 modified only by the inclusion of the District of Columbia.

2. S. 569, which extends to teachers in private nonprofit schools and to teachers in institutions of higher education the forgiveness provisions now applicable to teachers in public schools under title II of National Defense Education Act. The bill would also extend to such teachers in private nonprofit schools the stipend provisions contained in the various National Defense Education Act institute programs.

3. A clean bill, to which a number will later be assigned, expanding the Library Services Act by removing the present limitation which confines its operations to communities under 10,000 to all areas of the country. This will add to the present $7.5 million an additional $17.5 million for library services expansion. In addition, this new bill will provide $20 million matching grant money for the construction of public community libraries.

4. H.R. 6143, a higher education construction bill. As amended by the committee it will replace the House language by substituting the language contained in titles I and III of S. 500. The reported higher education bill parallels the language in the conference report recommendations of the 87th Congress on H.R. 8900. The college student loan provisions, however, of S. 500 were deleted.

FALSE INFERENCES AND HALF TRUTHS

Mr. MORSE. Mr. President, Mr. Smith asserted:

> The story really begins last year when both House and Senate had passed college aid bills, but the compromise version was killed in the House when Republicans objected to a Federal scholarship program which the Senate had added.

The truth is that H.R. 7215, the Kennedy administration higher education bill reported from the House committee on May 26, 1961, contained a title II scholarship provision as did the companion Senate measure, S. 1241, which was reported to the Senate in September of 1961. H.R. 8900, a substitute higher education bill, was introduced and reported from the House committee at the end of August 1961, without the student scholarship title. It passed the House. The Senate debated S. 1241, the Senate higher education bill, to the point of passage. The language of Senate bill 1241 was then substituted for the text of House bill 8900 which, as amended, then passed the Senate and went to conference with the House. In conference, the Senate receded from its pure scholarship title, the House receded from a no-scholarship position, and a majority of both House and Senate conferees signed the conference report which contained a student loan provision. However, this student-aid language recognized the administration scholarship proposal only to the extent that 20 percent of the loans made to exceptionally needy students of high academic performance could be forgiven. The Senate had also in other titles of H.R. 8900, the higher education bill, receded from the straight loan language for academic construction which had been the original administration recommendation, in order to accommodate the insistence on the part of the House that grant provisions for construction be added for the use of all colleges—private and public, church-related or not. Although the House conferees attempted to persuade the Senate conferees to accept across-the-board, unrestricted grants for the private institutions of higher learning, including church-related schools, and the public institutions of higher education, there simply was not a majority of the Senators who could strain their constitutional interpretation of the first amendment sufficiently to accomplish the House end. I agreed with a majority of my Senate colleagues. The grants which were accepted were restricted to categories of construction which could be reconciled with the national defense powers—that is to say, facilities for the teaching of the natural and physical sciences, engineering, or for use as a library.

It is illuminating to note that when H.R. 8900, the higher education bill, 87th Congress, originally passed the House, there were only 79 recorded votes against it. About half of these were from Representatives of the States of Arkansas, Louisiana, Texas, Mississippi, North Carolina, Florida, Tennessee, South Carolina, and Virginia. In the floor debate preceding passage, three major issues were raised: the scholarship issue, the cost and Federal control issue, and the constitutional issue relating to the grant section of the bill. When the conference version of H.R. 8900, the higher education bill of the 87th Congress, was defeated in the House by a vote of 214 to 186, that was technically accomplished by a vote to recommit the bill to conference with instructions to delete the scholarship title. I think it is most significant that Representative GREEN, in opening the debate on the conference report, said:

> Mr. Speaker, I think we have brought to the House a good report. We feel that this bill is a good bill. It is perfectly obvious that concessions had to be made both on the Senate side and the House side. Permit me to say that I regret with all my heart the telegrams which have been sent to the Members of this body by the National Education Association opposing this bill on the basis of the religious issue.

The debate which followed brought out both the religious and the scholarship issues. Those who read the debate with care and those who then analyze the vote which killed the bill will note significant shifts in position, particularly among the southern Representatives who had originally supported H.R. 8900, the higher education bill. Many of us who were in close touch with the situation are convinced that the religious issue, which had served to kill the general Federal aid bill to public elementary and secondary schools, was the key to the destruction of the higher education bill of the 87th Congress; and at the time, as the CONGRESSIONAL RECORD shows, I discussed that matter on the floor of the Senate, and said we had been advised within the House that that was the issue that killed the bill; and because of the shortness of time, we felt it would be a great mistake for us to seek to have a further conference on the bill at that session of Congress.

The House action in rejecting the conference report was on the date of September 20, 1962. The Congress ended its session by sine die adjournment October 13, 1962. In view of the action taken by the House in rejecting the conference report, and faced with the pressure of time at the end of the session, a substantial majority of the Senate conferees took the position that further action on higher education legislation should be deferred until the 88th Congress. This experience and the conclusions which the Senate conferees drew from it were very instrumental in developing the successful strategy which resulted in the passage of the Morse-Green bill the year following. In the Senate committee, we removed from the conference bill on higher education, H.R. 8900, the student assistance provisions. We reported to the Senate this new version of H.R. 6143, the higher education bill of the 88th Congress. On the floor of the Senate, the committee offered and took amendments which locked into H.R. 6143, the new higher education bill, provisions for graduate facilities, and House language regarding definitions relating to technical studies, but we insisted on providing grant assistance only in the categorical fields of study. As floor leader of the bill in the Senate, I urged the adoption of these changes in the bill. We knew that across-the-board grants to church-related schools would not pass the Senate. This was demonstrated by the vote on the Prouty amendment which sought to adopt the language of the House bill, which did, in fact, provide across-the-board grants to church-related schools. The Senate rejected the Prouty amendment, providing across-the-board grants to religious schools, by a vote of 49 to 33. However, the Senate, over the opposition of the committee, added a judicial review provision which, in light of the past legislative history, could easily have doomed the measure once again in the House. To drop the judicial review provision in conference, on the other hand, opened up a very grave danger that the conference report, when it passed the House, would be talked to death in the Senate. I had been warned, as floor leader of the legislation in the Senate, that a filibuster against a conference report without the judicial review amendment—added over my opposition in the Senate—was likely to occur. The problem then was how to forestall such a development. Fortunately, the vocational bill, H.R. 4955, was at hand. It contained sections with a great deal of appeal to Senators, such as the student loan liberalization amendments to the National Defense Education Act and a continuation of the impacted areas programs, Public Laws 815 and 874, as well as having strong support for the part containing the Kennedy civil rights vocational education program.

As I explained to the House conferees on Monday, December 9, my strategy in postponing action in the Senate on the higher education bill conference report until we had completed our negotiations resulting in a conference report agreement on vocational education was for the purpose of strengthening my floor leadership position in the Senate when the higher education conference report was called up for action. I told the House conferees at the meeting on Monday, December 9, that as soon as we completed our signing of a conference report on vocational education, I would move in the Senate immediately thereafter to call up the conference report on higher education.

Not only does every Senate conferee who sat with me in that hearing know whereof I spoke, but a majority of them highly approved of the legislative strategy I used when I submitted this report to the House conferees, pointing out what would confront the Senate if there were no conference report on vocational education.

(At this point Mr. MCINTYRE took the chair as Presiding Officer.)

Mr. MORSE. Mr. President, in my statement at the meeting with the House conferees on Monday, December 9, I explained to them that I had an understanding with the Senator from Montana [Mr. MANSFIELD], the majority leader, for immediate Senate floor clearance on the higher education conference report as soon as I reported to him that agreement had been reached on the vocational education bill. In fact, shortly after 12 o'clock noon on December 10, while we were completing our final negotiations on the vocational education conference report, the Senator from Montana [Mr. MANSFIELD] called me to the phone in the conference room and asked me for my opinion as to whether we were going to reach agreement on the conference report on vocational education that afternoon, in time so that the conference report on higher education could be brought up that very day in the Senate. I told the Senator from Montana [Mr. MANSFIELD] that I believed we would resolve all our differences on the vocational education bill within a few minutes, and that if we did I would be ready to take up the higher education conference report in the Senate that very afternoon. I reported to the conference my telephone conversation with the Senator from Montana [Mr. MANSFIELD]. We did reach an agreement shortly thereafter on the vocational education bill, and I went directly to the floor of the Senate and with full approval of the Senator from Montana, moved to take up for immediate action in the Senate the conference report on higher education. By controlling the timing and the sequence of presentation of the two bills, so that any delay on the higher education bill conference report in the Senate would automatically delay action on the "minibus" vocational package conference report, we were able to abort a strong filibuster effort which, had it been undertaken in the closing days of the session, might easily have defeated both education bills.

Given this evaluation of the legislative problem which confronted those of us who had the responsibility for giving the administration as much as possible in education legislation, our course was clear. The Senate conferees wanted both bills badly, and we could get them both if, and only if, our timing worked.

The foregoing recapitulation, in my judgment, demonstrates the falsity of the Smith inference that I "dragged my feet" on the college aid bill because I opposed it. I cannot help but resent, in view of the time, effort, and plain hard work involved in bringing into being the Morse-Green Act, the snide comments and false inferences of the Smith paragraph which reads:

> The irony of his work being rewarded and remembered by his name on the Morse-Green College Aid Act is that the Senator's perversity proved an adversity which the bill's author had to surmount in securing its enactment.

MISINTERPRETATION OF THE DETAILS OF THE LEGISLATIVE PROCESS

Smith further asserts:

> MORSE, as chairman of the House-Senate conference committee appointed to work out compromise versions of the different bills, announced he would hold the conferees in session until they could agree on all the pending bills. Mrs. GREEN and others insisted on clearing college aid first. MORSE

> dragged his feet. After reports of his threats to tie up the whole conference leaked out of the secret meetings and into Oregon newspapers, the Senator suddenly got down to work and the college aid bill was cleared.

The facts are: First, at the first session of the conference committee on October 29, I moved that since the Senate had occupied the chair in the conference session on higher education legislation in the 87th Congress, that for this bill, Chairman POWELL be elected conference committee chairman. Without objection my motion carried. This information was supplied to the press following that meeting.

Second. I did not announce "that I would hold the conferees in session until they agreed on all the pending bills." I presented, with the full concurrence of my senatorial Democratic colleagues a procedural suggestion for the consideration of the conference. Since it has a certain historical relevance, I ask unanimous consent that the text of my opening comments to the conference be printed at this point in my remarks.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

COMMENTS OF SENATOR MORSE ON OPENING OF CONFERENCE ON H.R. 6143

> First, we want to congratulate the House committee on its effective work and particularly the chairman and the subcommittee chairman for giving us an opportunity to work together on two very major education bills so far this session.
>
> In my view, the higher education bill and the vocational education bill are both vital to the future best interests of the Nation. I feel sure that on both bills we can reach an acceptable compromise bill which can pass both House and Senate. The spirit of comity and accommodation which has made possible this conference will, in my judgment, bring into being sound legislation.
>
> As I recall, both bills passed the Senate within a short time of each other. They both were granted a rule together. Conferees on your side were appointed the same day.
>
> I am aware that the proponents on the outside of each bill are worried about the ultimate fate of each. I am sure that each member of the conference has been urged that priority be given to one piece or other of the legislation. It occurred to me that as a conference committee we might make a contribution to lowering the tension which has been generated, if we could come to an agreement on a procedure for our operation. I put out the suggestion for consideration that we proceed on H.R. 6143 until there remains but one or two matters in disagreement of a technical or language nature and at that point we will probably have to take a recess anyway while legislative counsel reduces the agreed-upon portion to the language of the conference report. My thought is that during this recess period, that the conference on H.R. 4955 take place likewise, proceeding up to the point when the actual writing of the conference language is authorized.
>
> If we then could schedule our final meetings on both bills, to approve the language and sign the conference reports, and if our staff could let the newspaper and TV people know when that final meeting will take place so that they could get set up to give good coverage to our last meeting, I think that this would give impetus in both House and Senate to adoption of the conference reports on both bills.
>
> Note that this procedure says nothing about which bill would be first considered by the House. That is properly a matter only for the House conferees. A similar factor would govern the Senate action on each of the reports.
>
> I do believe, however, that if we agree to this procedure we will be placing a premium on fast action on both bills. It is my understanding that the administration, although I cannot speak for it directly, would be most pleased if both bills could get to the White House for signature at about the same time.
>
> One other matter of procedure should be mentioned. I suggest that all of our votes be considered as tentative and subject to reconsideration until our final vote to accept the terms of an acceptable compromise.
>
> A third procedural point may be helpful. Since many of the provisions of the bills in disagreement are of a formal rather than of a material nature, I suggest that we not try to write language ourselves, but rather that we agree in principle, ask legislative counsel to draft the language together with the technical and conforming changes in other parts of the bill necessary to carry out our intent and bring that product back to us for review and ratification.

Mr. MORSE. Mr. President, I resume my recapitulation of the analysis of the quoted paragraph with point 3:

H.R. 6143, the higher education bill, passed the Senate on October 21, 1963, and on the same day the Senate appointed its conferees.

The House agreed to a conference on October 29. Since the three conference sessions took place on Tuesday, October 29, and on the morning and afternoon of Friday, November 1, at which time the report was signed, the allegation of Smith: "After reports of his threats to tie up the whole conference leaked out of the secret meetings and into Oregon newspapers, the Senator suddenly got down to business and the college aid bill was cleared" is ludicrous. The conference met on the date that the House conferees were appointed, finished its business in three sessions held within less than 1 week, and reported the measure which became law. Any copies of Oregon newspapers carrying any of the erroneous Smith stories could not have reached Washington in the short time that elapsed. In view of the authorship, if indeed Smith is referring to any dispatches he may have sent, or that his wife, Yvonne Franklin, may have written, I confess that they would have carried little weight with me.

From the foregoing, I have documented, in part at least, my charge of Smith's incompetence and his failure to report accurately.

Mr. President, I would not have taken the time and the trouble to make this presentation were it not for the fact that I know many sincere and dedicated newspapermen suffer because of the behavior of a few of their colleagues, and that they welcome as a wholesome corrective the exposure of those who bring discredit upon their profession.

I have been moved to make this statement, further, because this is a political year and although I am not up for office, many of my friends and colleagues are. They cannot very well run the risk of antagonizing the press even to protect themselves from smear attacks, such as those of a Smith. I hope that they will find this statement of mine some comfort as they bandage their wounds from the unfair blows aimed by unscrupulous correspondents from the safety of a news column. I am hopeful, further, that a great many Oregonians who have hitherto accepted as gospel truth the statements appearing in the news columns of the Portland Oregonian, will be motivated to seek out other sources of information and to read critically the stories which do appear there.

Finally, Mr. President, I have made this statement because I resent the libel of Correspondent A. Robert Smith, who in his Christmas column stated:

> MORSE's delaying tactics deprived Kennedy the opportunity of signing the college bill, perhaps the most significant domestic accomplishment of the administration.

I shall not dignify this with comment, Mr. President, other than to read the first three and concluding paragraphs of my letter of January 6, 1964, addressed to the Honorable CARL PERKINS, chairman of the General Education Subcommittee of the House Committee on Labor and Public Welfare, in response to a most gracious letter he had earlier written me:

> As I told you at the White House signing ceremony which enacted our bill on vocational education into law, you and your colleagues on the General Subcommittee on Education deserve the thanks of vocational educators throughout the country for the vision and leadership you have shown in bringing to pass this historic legislation.
>
> I know the many arguments that you had within the House subcommittee in your valiant endeavor to have the House vocational education bill include the points recommended by President Kennedy in his supplemental message of June 19. We succeeded in the Senate committee in encompassing the major features of President Kennedy's recommendations and it was a matter of great disappointment to us that the House committee did not do likewise. However, I know that you did your very best to carry out President Kennedy's program.
>
> In my last conference with President Kennedy on education legislation, he spoke very highly of your work in the House committee on the vocational education issue. He also expressed to me a strong preference for the Senate bill on vocational education over the bill that had come out of the House committee, and I assured him I would do everything I could in conference, working closely with you and with anyone else on the conference committee who shared our point of view, to bring out of conference for final enactment a bill that would come as close as possible to the Senate bill.
>
> * * * * *
>
> Therefore, I wish to take this opportunity to express to you formally my appreciation for your courtesy and warm cooperation during the course of our conference negotiations. It was a pleasure to work with you in the interest of the young people of this country for whom this legislation was designed.

Mr. President, it is a deep and abiding satisfaction to me that with the help of my Senate colleagues, and the stanch support of Representative PERKINS and many of his colleagues among the House managers, I was able to keep my pledge to the President.

Mr. MANSFIELD. Mr. President, I wish to reiterate what I said earlier during the course of the discussion by the distinguished senior Senator from Oregon, and to corroborate everything which he has stated insofar as it affects the negotiations and the consideration of the bills which he so ably managed on the floor of the Senate and which, without his skillful generalship, his astuteness and his wisdom, might well not have been passed in 1963 and might well not have been passed this year. What we saw in the 1st session of the 88th Congress, thanks to the distinguished service of the senior Senator from Oregon, was a breakthrough which we had been trying to achieve for many years. Again I wish to compliment the distinguished chairman of the full committee, the Senator from Alabama [Mr. HILL], who showed such understanding in these matters.

Mr. HILL. Mr. President, I wish to reaffirm and reiterate what I said about testifying to the accuracy and the correctness of the statements made by the distinguished senior Senator from Oregon. He has stated exactly what the RECORD shows took place with reference to the education bills. He has been absolutely correct in his statements. I wish again to testify to his fine, able, and outstanding leadership, and his indefatigable and devoted efforts, which brought about the enactment of the education bills.

Mr. MORSE. Mr. President, I thank the Senator from Alabama and also the majority leader.

THE IMPENDING VISIT TO THE UNITED STATES OF THE PRESIDENT OF ITALY, HIS EXCELLENCY ANTONIO SEGNI

Mr. PASTORE. Mr. President, I wish to call to the attention of the Senate the impending visit of the President of Italy, His Excellency Antonio Segni. President Segni is coming to the United States at the invitation of President Lyndon B. Johnson. He will remain in Washington as the President's guest from January 14 through January 16.

Mr. President, this visit comes at a highly significant moment in world affairs, particularly in our relations with Western Europe. We are now entered on a period of transition in these relations which has come about in great part as a result of the economic and social progress of Western Europe. Italy has been among the nations in the vanguard of this extraordinary European advance. Italy has also been a stanch and consistent advocate of unity among the Western European nations and among all of the nations of the Western World.

There are, at present, many questions of trade expansion, of the common defense of freedom, of the evolution of the Atlantic Alliance which demand thoughtful consideration and frank discussion. President Segni's coming visit, therefore, is of the utmost importance both to Italy and the United States. Indeed, it is of great importance to the entire Atlantic community.

Because of the exceptional significance of the visit, the leadership has proposed a joint meeting of the two Houses in order that we may hear an address by President Segni. I am delighted to announce to the Senate that the joint session will meet in the House Chamber at 12:30 p.m., Wednesday, January 15, 1964.

Mr. MANSFIELD. Mr. President, will the Senator from Rhode Island yield without losing his right to the floor?

Mr. PASTORE. I yield.

Mr. MANSFIELD. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to withdraw the order for the quorum call.

The PRESIDING OFFICER. Without objection, it is so ordered.

GERMANENESS OF DEBATE UNDER CERTAIN CIRCUMSTANCES

The Senate resumed the consideration of the resolution (S. Res. 89) providing for germaneness of debate under certain circumstances.

Mr. MANSFIELD. Mr. President, what is the pending business?

The PRESIDING OFFICER. The pending business is Senate Resolution 89.

Mr. MANSFIELD. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. PASTORE. Mr. President, I ask unanimous consent that further proceedings under the call be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. PASTORE. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. PASTORE. What is the pending business?

The PRESIDING OFFICER. The pending business is consideration of Senate Resolution 89.

Mr. PASTORE. Mr. President, I ask unanimous consent that the committee amendments be agreed to en bloc, and that the resolution as amended be considered as original text for the purpose of amendment.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. PASTORE. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. PASTORE. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. PASTORE. I send an amendment to the desk and ask that it be stated.

The PRESIDING OFFICER. The amendment will be stated.

The LEGISLATIVE CLERK. On page 2, it is proposed to strike out lines 1 to 3, inclusive, as proposed to be amended, and in lieu thereof insert the following: "all debate shall be germane and confined to the specific question then pending before the Senate."

RETIREMENT OF CONRAD LOUIS WIRTH AS DIRECTOR OF THE NATIONAL PARK SERVICE

Mr. BYRD of Virginia. Mr. President, Conrad Louis Wirth retired this week as Director of the National Park Service. He is succeeded by Mr. George Hartzog. I am sure Mr. Hartzog will agree that Connie Wirth will be widely missed and that his position is difficult to fill.

I am honored to call Connie Wirth my friend. He is a fine gentleman and dedicated man. He has served his country well, and his fellow men have been the beneficiaries of his great public service.

It has been my privilege to have known him personally for years, to have watched him work, to take pride in his magnificent accomplishments, and personally to enjoy them. I wish every man, woman, and child in this broad land could and would enjoy the public fruits of his effort, as millions already do.

Three generations of his family are outstanding in their work for conservation—his father, Theodore Wirth, Connie, himself, and his son, Theodore J. Wirth.

As Conrad Wirth retires, his work must be the source of great satisfaction to him. He has spent his life, to date, making America beautiful.

As Director of the National Park Service since 1951, he has achieved the distinction of bringing our national park system to its highest state of excellence in history.

He has stimulated the pride of the American people in their national parks. He has made the people conscious of conservation. He has sparked interest and enthusiasm for outdoor recreation. He has stimulated international, national, public, and private agencies toward constructive thought, planning, and action for healthful outdoor recreation.

Horace M. Albright, one of Mr. Wirth's predecessors as Director of the National Park Service, remarked at an American Pioneer dinner:

> I plucked Connie Wirth from the National Park Planning Commission 25 years ago to come to work for the National Park Service because I knew he had imagination and a strong sense of the practical; but also, because he seemed to me to possess dogged determination to accomplish whatever he set his mind and hand to, combined with a good knowledge of timing—which is awfully important, too.

Mr. Wirth started his career with the National Park Service in 1933. He was given the responsibility of supervising the emergency conservation work of the Civilian Conservation Corps in State parks.

The Corps had camps in State, county, and metropolitan parks, as well as in national parks and forests. Next Mr. Wirth was placed in charge of all emergency activities for which the National Park Service was responsible. He served as representative of the Department of the Interior on the Advisory Board of the Civilian Conservation Corps. The importance of Mr. Wirth's role is easily recognized.

Mr. Wirth realized very early in his career that a first requirement of an adequate program is comprehensive study and survey. His awareness of the need of a complete inventory of outdoor recreation resources led to the passage of the Parkway and Recreation-Area Study Act of 1936.

This report, "A Study of the Park, Parkway, and Recreation Problems of the United States," was published in 1941; it is still a valuable guide for State park administration.

Mr. Wirth was appointed Director of the National Park Service in December 1951 in the wake of World War II. Parks were suffering from a decade of neglect due to the war. They were understaffed, poorly equipped, and their aging facilities had decayed through lack of maintenance funds. Meanwhile, public demands were pressing. Existing parks and recreation areas everywhere were woefully inadequate in number and haphazard in distribution.

Connie Wirth was well prepared to step into the job. On assumption of duties as Director, Mr. Wirth sensed the need to prevent the Nation's outdoor recreation resources from deteriorating irreparably. For this, he conceived the program Mission 66. This envisioned a plan for all parks for the decade 1956–66. This period was chosen since 1966 will be the 50th anniversary of the establishment of the National Park Service as a bureau. Director Wirth planned that the program should be directed toward the expansion of the system to play a major role in park and recreation needs for the future.

Fine additions have consequently been made to the system, and the retiring Director considered it vital to acquire park areas ahead of bulldozers and ever-skyrocketing land prices.

To many, Conrad Wirth today is "Mr. National Park Service." He is a stanch defender of national park ethics and practice. His enlightened research and development programs for the National Park System have been convenient blueprint for many States in the planning of their own parks and recreation sites. He insisted upon a high degree of coordination between all agencies, national, and local.

He carried this spirit into the international field as well. In 1958 he attended a world congress held in Athens, Greece, by the International Union for Conservation of Nature. He found that the nations of the world look to the United States for guidance and leadership in the field of national parks, historic shrines, and scientific reserves. To meet their desires, he established a Division of International Cooperation within his bureau. Just a year ago last summer he saw the efforts born in Athens result in the First World Conference on national parks held in Seattle.

Mr. Wirth has been a great leader of the National Park Service. I once made the remark that the National Park Service is one Government agency in which the American taxpayer receives $1.10 worth of value for every dollar of his tax money spent on National Parks. As I followed the spirit of the Service even more closely I raised that figure to $1.25.

Connie Wirth's character as Director is best reflected by the esprit de corps that characterizes park personnel. The park ranger in uniform has become a living symbol of public service. The spirit of service has been praised in high and low places, by royalty, the learned, scientists, farmers, and laborers, from within the boundaries of our Nation and from without. Park employees have a deep affection for their Director. To them, as to everyone, he is "Connie."

One of Connie's great contributions has been to the popularity and usefulness of park interpretive services. Through interpretation park visitors can make their trip a significant, memorable experience. Many international visitors express the opinion that this experience, has been a significant reward of their visit to the United States. The national parks have been described as the world's greatest outdoor laboratories as well as the greatest facility for meaningful outdoor education.

Mr. Wirth's intelligent leadership extends beyond the National Park Service. He is a director of ranking institutions in the field of conservation, such as the National Geographic Society and the International Union for Conservation of Nature and Natural Resources. He has received honorary degrees including doctor of landscape architecture from the University of Massachusetts; doctor of civil law from New England College; doctor of humanities from the University of North Carolina. He has written provocative articles such as: "Our National Heritage; A Paradise Lost?" in Country Beautiful and "What It Will Take To Make America Beautiful" in U.S. News & World Report.

Beyond his primary concern for protection, preservation for public enjoyment, improvement, and expansion of the National Park Service, Connie shows deep concern for the total American landscape. His philosophy is revealed in his article in Recreation magazine from which I quote:

> I still have the * * * feeling that every acre of open space is mine, and I am either pleased when the occupant of the land has taken prideful care in preserving it, or I am righteously indignant when he has allowed his land to become gullied and eroded, or sacrifices it to unplanned urban expansion. It is not that I am covetous when I claim this personal ownership. In essence, it is an attitude that I feel every American should have. The farm I do not own is still mine to enjoy visually because it is part of the American landscape.

While maintaining balance through a delightful sense of humor, Connie has always taken a forthright, courageous stand whenever conservation needs a champion. He supports actively such programs as "Keep America Beautiful." He is concerned about the scenic and recreational potential of highway programs. He encourages greater participation of States in these activities. He vigorously supports observation of amenities along public highways through legislation, education, and law enforcement.

Connie is a director of the American Shore and Beach Preservation Association. He is member at large of the National Council of the Boy Scouts of America, and a member of the National Planning Commission.

He was awarded the Pugsley Gold Medal in 1936, the Selective Service Medal in 1949, and the Distinguished Service Medal of the Department of the Interior in 1956.

Mr. Wirth's life is a model of dedication to the enjoyment of a heritage, the protection of a legacy. He has shaped National Park Service policies to provide the highest use of parks by the people, while keeping faith with future generations by preserving in unimpaired state irreplaceable vignettes of the natural, historic, and scientific resources of the United States.

Connie is a fine example of dedication and devotion by a public servant. He has been worthy of the trust which the American Nation has placed in him. His vision, courage, and dedicated purpose have preserved the national park system on a sound basis with a promising future. The National Park Service stands today as a monument to his selfless and fearless record as a public servant in the finest traditions of those who preceded him and in keeping with the will of the people.

In conclusion, I ask unanimous consent to have published in the Record, as part of my remarks, some of the numerous and highly deserved citations Conrad L. Wirth has received, as an indication of how much his great work is appreciated throughout the Nation.

There being no objection, the citations were ordered to be printed in the Record, as follows:

Conrad L. Wirth, June 1, 1958

Received honorary degree of doctor of humanities from the North Carolina State College of Engineering of the University of North Carolina.

Citation, North Carolina State College of Agriculture and Engineering of the University of North Carolina

CONRAD LOUIS WIRTH

Conrad Louis Wirth, a native of Connecticut, holds the degree of bachelor of science in landscape architecture from the University of Massachusetts.

Long recognized and honored at home and abroad for his accomplishments in the fields of public parks and recreation, Mr. Wirth has been a member of the National Park Service for 30 years and its Director since 1951.

Keenly interested in the provision of adequate recreational facilities for everyone, Mr. Wirth initiated the movement which resulted in the passage by Congress of the Park, Parkway, and Recreational Area Study

Act in 1936; and he directed the State-by-State studies which were undertaken under the authority of this act. It has been through his efforts and zeal that many areas throughout this country have been set aside by the Government to be used as public parks.

It is indeed a pleasure for North Carolina State College to pay special honor to this dedicated public servant for his broad vision and untiring efforts on behalf of his fellow citizens.

Citation Given by Mr. Louis H. Wilson in Presenting Mr. Conrad L. Wirth With American Forestry Association Distinguished Service Award, October 1, 1957

Now we pay honor to the winner in the field of public servants.

Following a tour of America's parks and forests, a British naturalist wrote: "Never have I seen such wonders or met landlords so worthy of their land. They had, and still have, the power to ravage it; and instead have made it a garden."

Even as we bask in the warmth of so fine a compliment * * * we also recognize that the "power to ravage" is neither theoretical nor remote; and indeed we have learned that love itself, as demonstrated by our citizens, can be a ravager. The man we have elected to honor in the field of public servants is preeminent in the realm of conservation statesmanship. In history he will be recorded as the individual who stemmed the grave threat posed by human erosion in our national parks and assured their permanence as unique, unexcelled garden spots of our continent.

His achievements aptly have been described by a former Director of the National Park Service as "second in importance only to the creation of the parks themselves." To reach this goal he conceived a bold program that has gripped the interest of all America. Eloquent in his faith, he sold this program to the President of our country, to his Cabinet, to the Bureau of the Budget, to the Congress, and to our people. Today, in one of the most unprecedented demonstrations of appreciation in the history of your awards committee, grateful citizens from all over the Nation have willed that this man be honored for his great service. To this public servant we say this: No greater accolade can be paid to any man than to say: generations of children yet unborn will bless your name. The American Forestry Association wishes to say "Thank you" to the man who created and activated Mission 66 to perpetuate our priceless national parks, a leader who is a credit to his Nation, to the Department of Interior, and his Service, Conrad L. Wirth, Director of the National Park Service.

Degree From University of Massachusetts

CONRAD LOUIS WIRTH

You came to us from the incomparable parks of Minneapolis to study under Frank A. Waugh.

You majored in landscape architecture, and minored in English 1.

In 1928, you started to climb the long trail of the National Park Service and 23 years later you reached the peak. You became its Director. There are no heights above.

You have been the admiration of your professional associates and the pride of us all.

An exemplary alumnus, you have renewed your life and loyalty by virtue of a son in the present sophomore class.

We rejoice with the men and women of 1923 in your notable career, and we welcome you back to the green garden of your memory with affectionate regard and good wishes.

And I, by authority of the board of trustees of the University of Massachusetts, confer upon you the degree of doctor of landscape architecture, honoris causa, together with all of the rights, honors, and privileges which appertain to that degree here or elsewhere. In token of this I present you with this diploma and invest you with the appropriate hood.

George Robert White Medal of Honor of Massachusetts Horticultural Society Presented to Conrad L. Wirth, January 1959

That the George Robert White Medal of Honor be awarded to Conrad L. Wirth, distinguished son of a distinguished horticulturist; present Director of the National Park Service of the United States; holder of the rare honorary degree of doctor of landscape architecture from his alma mater the University of Massachusetts; and inspiring leader in the great task of helping to preserve the magnificent heritage of natural beauty and historic significance of some 24 million acres of the national park system throughout the United States and its possessions.

National Civil Service League Award, 1959, Presented to Conrad L. Wirth

Mr. Conrad L. Wirth is the Director of the National Park Service in the Department of Interior. Having devoted 30 years of public service to the conservation of the Nation's human, cultural, and natural resources, Mr. Wirth has given new vitality to the whole program of the National Park Service. He is one of the best known and most popular bureau administrators in the Federal Government. While preserving the areas of the national park system inviolate as a priceless heritage for future generations, Mr. Wirth has given inspired leadership and provided commonsense judgment to programs designed to make these areas more meaningful and enjoyable to the cultural and recreational pursuits of their millions of visitors.

A career man in every respect, he has demonstrated energetic personal leadership in all phases of national park administration as well as in the field of conservation. He has kept pace with his mounting responsibilities through outstanding competence, vision, and steadfastness of purpose. His record of progress is a brilliant example of the rewards attainable in a career of public service.

Mr. PELL. Mr. President, I rise to support the remarks of the distinguished Senator from Virginia [Mr. BYRD] for commending Conrad Wirth on his retirement from the Park Service.

I am aware, too, of the fine work the Senator from Virginia has done with Mr. Wirth.

I have long been aware of the excellent job Mr. Wirth has done in carrying out the original philosophy of Theodore Roosevelt and Gifford Pinchot in bringing the Nation's nature and wilderness to our people.

The retirement of Mr. Wirth is a loss to us all. But we can all join together in congratulating him on a wonderful job, well done, and wish him well in what I know will be a very active retirement.

GERMANENESS OF DEBATE UNDER CERTAIN CIRCUMSTANCES

The Senate resumed the consideration of the resolution (S. Res. 89) providing for germaneness of debate under certain circumstances.

Mr. PASTORE. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. PASTORE. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. RIBICOFF in the chair). Without objection, it is so ordered.

Mr. PASTORE. The pending amendment is merely a modification of my resolution. I propose by the amendment to delete all the language on page 2 which reads:

> All debate, motions (but not including amendments offered to the bill or resolution under consideration) and appeals shall be germane.

I would rewrite that language to provide:

> All debate shall be germane and confined to the question then pending before the Senate.

My intention in the resolution is to apply germaneness to the debate alone; it has nothing whatever to do with germaneness as to the substance of the bill. I should like to have the question put to the Senate.

Mr. DIRKSEN. Mr. President, certainly the distinguished Senator from Rhode Island may modify his resolution. The modification would somewhat liberalize the resolution. But frankly, I am still opposed to it. I cannot conceive of a deliberative body shackling itself without being able, somehow, to understand every eventuality. But the distinguished Senator may modify his own resolution. To that I have no objection.

But the resolution, as modified, is still offensive and objectionable to me. As I have previously indicated, I intend to resist it as best I can and to keep a live quorum in the Chamber, so far as it is within my power to do so, and to have a yea-and-nay vote on the resolution when the time comes. A substantial number of Senators are absent today; obviously, action could not be concluded under any circumstances. I think perhaps it will be possible to arrive at a unanimous-consent agreement with respect to a termination of debate and providing for a vote probably on Tuesday next.

Mr. PASTORE. Mr. President, may there be a vote on the pending question?

Mr. CLARK. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator from Pennsylvania will state it.

Mr. CLARK. May the amendment be stated?

The PRESIDING OFFICER. The amendment will be read.

The LEGISLATIVE CLERK. On page 2, it is proposed to strike out "all debate, motions (but not including amendments offered to the bill or resolution under consideration) and appeals shall be germane," and insert in lieu thereof; all debate shall be germane and confined to the specific question then pending before the Senate.

Mr. CLARK. Will the Senator from Rhode Island explain how the resolution is proposed to be amended?

Mr. PASTORE. The Senator will notice that the resolution, beginning on page 1, line 4, now reads:

> At the conclusion of the morning hour or after the unfinished business or pending business has first been laid before the Senate on any calendar day, and until after the duration of 3 hours, except as determined to the contrary by unanimous consent or on motion without debate, all debate shall be germane and confined to the specific question then pending before the Senate.

The Senator from Rhode Island does not wish, by the resolution, to infringe or impinge upon Rule XXII or any other rule. All I seek to do is to provide that for 3 hours after the pending business has been laid before the Senate, or when the Senate has reached the unfinished business, in any one calendar day, all debate shall be confined to the measure that is pending or to any amendment or motion that is pending with respect to the particular measure. In other words, my only intent is to keep the debate germane.

Mr. CLARK. Mr. President, will the Senator further yield?

Mr. PASTORE. I yield.

Mr. CLARK. What is the purpose of striking the material in lines 1 through 3 on page 2, which the Senator proposes shall be stricken?

Mr. PASTORE. When the resolution was originally drawn, I consulted with members of the staff of the Committee on Rules and Administration, and also with the Parliamentarian. The suggestion was made at that time that the words "motions and appeals" be included. The Senator from Rhode Island feels that that does not add to his intent, because a question might arise as to whether or not a motion was germane. I am interested only in the debate. I want to leave the proposal in just that form. I want the debate to be germane for a period of 3 hours.

Mr. CLARK. Would the Senator's resolution, as amended, apply to a motion to take up a measure?

Mr. PASTORE. If a motion were made to take up a measure, the debate would have to be confined to the motion to take up. In other words, a Senator could not stray away and talk about tulips. My ultimate purpose is that the discussion shall be kept germane to the pending business. That would not preclude the making of a motion; but once the motion to take up a measure were made, it would be necessary to speak on the substance of taking up that measure.

Mr. DIRKSEN. Except when a nongermane amendment was offered, which is permitted.

Mr. PASTORE. If a nongermane amendment were offered, the debate would have to be germane to the ungermane amendment.

Mr. DIRKSEN. But the sky would be the limit.

Mr. PASTORE. The sky would be the limit. I do not know how I could put it more simply. The resolution would not preclude a rider to a bill. It would not preclude an ungermane amendment. It would not infringe on any existing rule of the Senate. All it provides is that once a motion is made, the discussion shall be confined to that motion.

Mr. DIRKSEN. Mr. President, will the Senator yield?

Mr. PASTORE. I yield to the Senator from Illinois.

Mr. DIRKSEN. The issue is not quite that open and shut, because any Senator might stand in his place and ask for a waiver of the proposed amendment to rule VIII. Any Senator might move to set aside the amendment to rule VIII. So the resolution would be useless. But to my mind, it would be the beginning of the liquidation of the deliberative quality and attribute of the Senate.

Mr. PASTORE. Does the Senator mind a correction?

Mr. DIRKSEN. Not at all.

Mr. PASTORE. What the Senator says is not at all so. Any time a motion were made to set the rule aside, the question would be put to the Senate, without debate.

Mr. DIRKSEN. Certainly; but I make the point that any Senator might rise and say, "Mr. President, I ask that phrase 2 of rule VIII be waived."

Then, if there were no objection, it would be set aside.

Or a motion could be made, and the motion would not be debatable. The motion would have to be put. But a Senator could ask for a yea-and-nay vote; yet the resolution is supposed to be in the interest of frugality of time.

Mr. PASTORE. That is correct.

Mr. DIRKSEN. What would finally happen would be that we would be spending more time on routine matters. I would almost be constrained, aside from the application of this rule, to object to the limit of 3 minutes on speeches, not under a rule of the Senate, but merely under a custom that has grown up. So there would be a sharp refinement of the rule. But I shall save all that discussion for Tuesday.

Mr. PASTORE. I shall be present on Tuesday to discuss the proposal. Everything the Senator from Illinois has suggested can now be done. If a Senator wishes to tie up the Senate, he can do so now.

All I am saying is that when there was unfinished business before the Senate, every Senator would know that as soon as the unfinished business was before the Senate, the debate must be confined to the unfinished business for 3 hours, unless by unanimous consent or motion the Senate decided to proceed otherwise. I do not know how I can state the proposal more simply. I do not believe the resolution would be a straitjacket. I do not believe it would inconvenience or disturb any Senator.

Mr. HUMPHREY. Mr. President, will the Senator from Rhode Island yield?

The PRESIDING OFFICER. Does the Senator from Rhode Island yield to the Senator from Minnesota?

Mr. PASTORE. I yield.

Mr. HUMPHREY. It seems to me the Senator from Rhode Island is giving the Senate a sense of direction in regard to the proper procedure when it has business before it. We know that repeatedly the Senator in charge of a bill finds that, following his introductory remarks on it, some Senator will discuss the question of why the New York Yankees lost to the Los Angeles Dodgers——

Mr. PASTORE. If that were to happen.

Mr. HUMPHREY. Or will discuss the likelihood of an increased number of homeruns for the Washington Senators, following their fortunate acquisition of Bill Skowron to be a member of the Washington baseball team.

I am glad to have that statement in the RECORD, in connection with the widespread interest in regard to improvement of the baseball team in the Nation's Capital; but certainly we should give the Senator in charge of a bill a reasonable amount of time in which to discuss the merits of the bill—for at least 3 hours a day.

On many occasions Senators complain because their constituents do not seem to understand what the Senate is doing. It is difficult enough for the people to understand that, when the Senate is in the midst of debate on a bill for which one particular Senator has special responsibility; but it becomes almost impossible for the people to understand what the Senate is doing when, in the midst of its debate on an important bill, other Senators engage in debate on many extraneous matters.

Mr. PASTORE. Furthermore, the Senate should be accommodated.

Mr. HUMPHREY. Exactly.

Mr. PASTORE. After all, a particular measure is made the pending business only because the majority leader, after conference with the policy committee, decides that the specific measure should be taken up by the Senate at that time. After that is done, it is incompatible with orderly, constructive procedure for a Senator who happens to have prepared a press release which he wishes to make public, in order to meet the newspaper deadlines, to proceed, in the Senate Chamber, to recite and discuss his press release while many other Senators wait to participate in the debate on the business pending before the Senate. Sometimes such interruptions occur hour after hour, while individual Senators talk about many other subjects, ranging perhaps from the price of eggs to conditions on the Great Lakes.

We merely propose that in any one day there be a period of 3 hours in which debate shall be confined to the business officially before the Senate. I cannot understand why any Senator should oppose this proposal.

Mr. DIRKSEN. Mr. President, I can oppose it, for—contrary to the remarks made by the distinguished and amiable Senator from Minnesota about the new homerun hitter for the Washington baseball team, a subject which it seems he would like to discuss—there is momentarily a very disturbing situation in Panama. The resolution of the Senator from Rhode Island is the pending business; but I do not want to have any Senate rule prevent me from obtaining the floor, if I am able to do so, to discusss the present situation in Panama and the casualty lists developing there.

Mr. PASTORE. I want to help the Senator from Illinois to do so. Although he might wish to discuss the situation in Panama, yet if four or five other Senators obtained the floor and spoke on other subjects, the Senator from Illinois would have to wait until 8 o'clock before he could discuss the situation in Panama.

Mr. DIRKSEN. But I would not want to wait that long—even though the situation in Panama might be entirely unrelated to the business pending before the Senate.

Some time ago the Senate considered a bill pertaining to the Stella School District, in Missouri. At the moment it is the first bill on the Legislative Calendar. On that occasion, the Senate attached to it a civil rights package amendment. All of us remember that situation. Thereafter, the debate had nothing to do with the Stella School District, although that bill was technically the business before the Senate. So it was not until that amendment was offered that the Senate began to debate civil rights.

Such situations demonstrate how easy it is for a Senator to offer a completely nongermane amendment—for example, one dealing with the age of polar bears—and then proceed to have a complete debate of that subject. What is to be gained by having an elaborate dissertation on such a subject? Meanwhile—technically, at least—there would be, to that extent, a limitation on freedom of debate in the Senate. I wish to state most definitely—even as Churchill said he did not become the King's First Minister to liquidate the British Empire—that I did not come to the Senate to liquidate its right of free and unlimited debate.

Mr. PASTORE. Mr. President, if it can be correctly said that my proposal involves an end of freedom of debate in the Senate, I have been wasting my time by urging the adoption of this resolution.

I repeat that the purpose of the resolution is to have at least a limited amount of germane debate on the business pending before the Senate. Such a rule would not prevent any Senator from taking the floor and proposing a nongermane amendment. I am merely saying that if a Senator wishes to subject himself to the resentment of the Senate by following such a course, that will be his privilege. After all, that procedure can be engaged in at the present time, and it could be followed under the proposed new rule.

We seek a semblance of regularity of debate, for at least 3 hours each day, so that Senators will know what measure is before the Senate, and thus will be able to regulate their busy day accordingly. Under our proposal, Senators would know that on a given day there will be at least 3 hours of debate on the business pending before the Senate, and thus they would be able to proceed and allot their time accordingly.

It may well be that some Senators do not favor such a rule; but I am trying to be helpful.

If the majority of Senators do not choose to have the Senate adopt this simple amendment to the Senate rules, it is their prerogative to oppose it. I suggested this change only because of my desire to be helpful.

I have seen such frustrating situations develop again and again during my service of 13 years as a Senator. On many occasions, even when an important measure is pending before the Senate, Senators are required to wait hour after hour while Senator after Senator discusses another matter, which no doubt is important to him, and no doubt he believes it important to the people of his State.

We merely propose that for at least 3 hours of each day the debate shall be directed to the measure then pending.

Mr. HUMPHREY. Mr. President, will the Senator from Rhode Island yield?

Mr. PASTORE. I yield.

Mr. HUMPHREY. The Senator from Illinois said that under the resolution of the Senator from Rhode Island it would be possible for a Senator to offer an amendment and then proceed to discuss the age of polar bears. If the Senator from Illinois were to do that, I would wish to hear his remarks, because undoubtedly he would give us some valuable information; and I would not wish to have his remarks interrupted by those of some Senator who might wish to discuss the social habits of the bumble bee, because I think I would be much more interested in hearing the distinguished Senator from Illinois discuss the age of polar bears.

We urge the adoption of this resolution in order that Senators may know, when a certain measure is before the Senate, that for at least 3 hours on that day that measure will be the subject of the debate. As a result, Senators will not be in doubt as to the measure before the Senate. Time after time, Senators go to the desk and ask one of the clerks or the Parliamentarian or the Presiding Officer, "What is the pending business"—merely because sometimes we never would be able to guess, from the remarks then being made, what measure actually was before the Senate.

I believe the Senator from Rhode Island is attempting to provide for orderly procedure in connection with the work of the Senate, for the accommodation of Senators and in order to expedite the work of the Senate. I believe the adoption of his resolution is long overdue, and I hope it will be adopted.

Mr. PASTORE. Furthermore, if an extraneous matter of an emergency nature were to arise, I have no doubt that the majority leader would be allowed to deviate from the debate on the pending measure. In fact, even if one Senator were to object, the majority leader could make such a motion of deviation, which would be voted on by the entire membership.

Mr. COOPER. Mr. President, will the Senator from Rhode Island yield?

Mr. PASTORE. I yield.

Mr. COOPER. I support the resolution of the Senator from Rhode Island. Last February, the resolution was submitted, under his leadership, with a total of 30 Senators—approximately 10 Republican Senators and 20 Democratic Senators. I joined as a cosponsor—having supported such a rule, in an earlier speech in the Senate.

I am a member of the Committee on Rules and Administration. The committee considered the resolution and heard the testimony in regard to it; and the committee decided—by unanimous vote—to support it. We know the rule proposed by the resolution cannot limit debate; it will produce debate.

It will stimulate the interest and enthusiasm of Senators in debate. There is nothing more tedious and frustrating than to come into the Chamber believing that some particular legislation will be discussed, only to find out that it cannot be discussed, because of speeches on subjects which have no application to the pending business. Even if it is something I wish to discuss myself, I will know it has no application.

I believe also that the rule of germaneness will engender interest and approval in the work of the Senate on the part of citizens from all over the country who now come into the gallery expecting to hear debate, but do not hear any. Instead, they hear talks by Senators which may be of interest to but are extraneous to the legislation before the Senate.

There is nothing in the pending resolution to prevent those talks from being made at a later time in the course of a Senate session—precisely after 3 hours of germane debate.

The standard today, it seems to me, is not to talk about the pending business. There are means provided in the resolution to discuss an important issue, not germane, if the Senate decides it should be discussed. But, I repeat, the standard practice today is not to discuss the pending business. This resolution would turn the current practice around and make as a standard of the Senate that it discuss the pending business for at least 3 hours.

I hope very much that the resolution will be agreed to. It will be a start toward expediting the work of the Senate and bring into focus the views of Senators upon the business before it. I believe all Senators will take a keener interest in the proceedings and join in the debates, which will have its effect in producing an opinion in the country upon the issues before the Senate.

Mr. SALTONSTALL. Mr. President, will the Senator yield?

Mr. PASTORE. I yield.

Mr. SALTONSTALL. Mr. President, I have joined in sponsoring the resolution of the Senator from Rhode Island because my experience as a Member of this body since 1945 convinces me that the setting aside of a period each day when debate must be germane will expedite the work of the Senate and will contribute to better organization of the debate on the issues before us. I believe such a rule will stimulate attendance when important legislation is being considered, because Senators will know that extraneous subjects will not be discussed. They will know they can come here assured of being able to listen to and participate in debate on the pending proposal. The determination of germaneness may pose problems at times, but in our unanimous consent proceedings, we have had little trouble in determining what is germane. I believe the ruling of the Chair will be a fair and judicial one, no matter who the Presiding Officer may be. His decision can always be appealed if we feel it is unwise. As the speaker of the Massachusetts House for 8 years, I enforced the rule of germaneness in debate, and only rarely were my rulings criticized. They were never formally challenged by a motion or other parliamentary procedure.

Today there is criticism of the speed of the work of the Congress. With some of that criticism, I agree. With much of it, I do not agree, however, because I believe that one of the fundamental responsibilities of Congress is to move slowly when a subject is complex and needs thoughtful and careful study. The late most respected Speaker of the House, Sam Rayburn, was quoted as saying: "One of the greatest statements ever made by anybody was: 'Just a minute.'"

If this resolution is adopted and if it then proves unsatisfactory, it can always be amended or repealed. I believe it is important at this time, however, for us to consider amendments to our rules that will accelerate the work of the Senate from day to day, without interfering with the proper consideration of the important bills that come before us. I think this resolution deserves a trial. Therefore, I hope that, after careful study, the resolution in its present form, or in such form as will accomplish its objective, will be adopted.

I notice that the Senator from Pennsylvania [Mr. CLARK] has an amendment which would make the procedure subject to a motion. I question the value of such a proposal, because such a motion, to put this resolve into effect, might immediately create a discussion that might last for a long time. If we are to try this procedure, I believe we should make it automatic and make it apply every day for whatever period may be decided upon. It should not be subject to being brought up by a motion.

Mr. CLARK. Mr. President, will the Senator from Rhode Island yield, so that I may reply to the Senator from Massachusetts?

Mr. PASTORE. I yield for that purpose.

Mr. CLARK. The Senator from Massachusetts misunderstands the amendment which I intend to propose. However, I do not wish to discuss it with him at this moment, but will undertake to do so a little later. In my judgment, the Senator from Massachusetts does not quite understand what we are trying to do.

Mr. SALTONSTALL. I shall be happy to listen to the Senator from Pennsylvania.

Mr. PELL. Mr. President, will the Senator yield?

Mr. PASTORE. I yield to my colleague from Rhode Island.

Mr. PELL. Mr. President, I rise to strongly support the resolution of my senior colleague, the Senator from Rhode Island [Mr. PASTORE]. I have not been in the Senate for a long time, but many of us who come into the Chamber have been here long enough to be aware of the fact that there is room for improvement in handling the Nation's business. Perhaps, because I have not been here so long, I may have become more exposed to the need, as the distinguished Senator from Connecticut [Mr. RIBICOFF] is being exposed now, of spending many hours in the chair and watching the course of the debate in the Senate. Perhaps, for that reason, those of us who have been in the Chamber watching the debate for a long period of time, and for strained periods have been unable to escape, are more enthusiastic than other Senators over the intent of the proposed amendment.

It is for that reason that I support my colleague. I find the amendment full of commonsense and a very good step in a direction in which I, for one, believe the Senate could go even further.

Mr. CLARK. Mr. President, will the Senator yield?

Mr. PASTORE. I am glad to yield.

Mr. CLARK. I ask the Senator from Rhode Island [Mr. PASTORE] if he will follow with me the text of the proposed resolution, so that I may attempt to get the benefit of his clarification as to what is covered by the proposal.

While I shall later propose a resolution in the nature of a substitute, nonetheless I commend the Senator from Rhode Island for bringing this resolution to the floor. The idea represents a definite advance in the present parliamentary situation under which the Senate suffers.

The resolution reads, starting on line 4:

> At the conclusion of the morning hour or after the unfinished business or pending business has first been laid before the Senate on any calendar day—

Stopping there, I ask the Senator from Rhode Island how he would define "unfinished business" or "pending business"? I also inquire whether my thought is correct that this would mean whatever the Presiding Officer, on inquiry, states to the Senate is the business before the Senate, which might be a motion to take up proposed legislation; an amendment; an executive nomination; or any kind of parliamentary business.

Am I correct in my understanding that the language is intended to be broad in its scope?

Mr. PASTORE. The Senator is correct.

Mr. CLARK. Continuing to read from the proposed resolution—

> and until after the duration of 3 hours—

I call to the attention of the Senator the word "or" on line 4 in the clause which reads:

> At the conclusion of the morning hour or after the unfinished business or pending business has first been laid before the Senate on any calendar day, and until after the duration of 3 hours—

The word "or" puzzles me. Which way would we go?

Mr. PASTORE. The morning hour is from 12 noon until 2 p.m. Morning business might be concluded by 1 o'clock. Therefore the unfinished business or the pending business would then be laid before the Senate. The 3-hour period of debate would begin to run at 1 o'clock rather than 2 o'clock. That is the only reason for that proposed language.

Mr. CLARK. Mr. President, will the Senator yield?

Mr. PASTORE. I yield.

Mr. CLARK. Would it not be desirable to insert in that portion of the resolution the following language: "whichever may first occur."

Mr. PASTORE. Of course——

Mr. CLARK. Otherwise there would be an ambiguity. Perhaps we can establish that interpretation by our present colloquy. The Senator means that the 3 hours of germane debate would begin either at the end of the morning hour or whenever the pending business would be laid before the Senate, whichever would happen first.

Mr. PASTORE. I believe that is understood. The language would be rather redundant. I have no objection to it, but I think the history that we are now making would suffice.

Let us assume that morning business would continue until 1 o'clock. Under the rules the morning hour might continue until 2 p.m. The resolution does not provide that the 3 hours would run from 2 p.m. It means that the 3-hour period would run from 1 o'clock in that case. That is the only purpose of that language. Naturally the provision means whichever would come first. I believe that interpretation is implied. I do not think it needs further elaboration. I believe it is clearly understood what is meant.

Mr. CLARK. I agree with the Senator, since we are in accord with what the language means.

Continuing to page 2 of the proposed resolution, on line 1 the following words appear: "all debate."

And then the Senator proposes to strike out the remaining wording in lines 1, 2, and 3, down to the words "shall be germane," confining it to the specific question then pending before the Senate.

I ask the Senator whether the word "question" means the same thing as the words "unfinished business," or "pending business," which appear at the beginning of the resolution?

Mr. PASTORE. Yes. It means that and a little more besides. When the unfinished business is laid before the Senate, there may be no amendment proposed. The Senator from Pennsylvania might propose an amendment. Therefore, the question that would be pending before the Senate for consideration would be the amendment. The Senator's discussion would then have to be confined to that particular amendment.

If the amendment were ungermane, the discussion would have to be on the ungermane amendment; but the discussion would have to be germane to the amendment, which might be a rider.

Mr. CLARK. So what the Senator in effect is saying is that the word "question" at the end of the proposed resolution means the same thing as "pending business" or "unfinished business" at the beginning of the resolution.

Mr. PASTORE. The Senator is correct. That question might be in any form—a motion, an appeal, an amendment, or any other procedure. That is the reason we used the word "question." The word was inserted after consultation with the Parliamentarian.

Mr. CLARK. Both phrases would be broadly construed.

Mr. PASTORE. Absolutely. There would be no constriction. Any Senator could propose a rider to any bill. We would not impinge or infringe upon that right. All I am trying to avoid is a pro-forma amendment—one which might provide that a dot be removed from the letter "i"—and having the Senator proposing such an amendment begin to talk about something extraneous.

He would then withdraw the amendment. A Senator could not do that during the period of 3 hours of germane debate. If a Senator should propose an amendment to a pending bill or resolution, he would have to confine his remarks to the amendment.

Mr. CLARK. Mr. President, will the Senator yield further?

Mr. PASTORE. I yield.

Mr. CLARK. Is it the thought of the Senator that in order to get around the rule, it would be legal or appropriate to propose a nongermane amendment and then talk about that amendment or any other subject that might come into the head of the Senator?

Mr. PASTORE. No. The Senator would have to discuss the amendment.

I call to the Senator's attention the action in relation to the Stella School bill case mentioned by the Senator from Illinois. The Stella bill was proposed to be amended by having added to it the civil rights program. If a Senator desired to talk on that subject for 3 hours, he would have to confine his remarks to civil rights. Then after the 3-hour period, he could talk on any other subject he might desire. But while the question is pending before the Senate, a Senator's remarks must be germane and confined to the pending question.

With the accustomed liberality of the Senate, it would be easy enough to deviate from the proposed rule. Senators must rely on their own consciences, of course. I believe decency would require a Senator to subscribe to and adhere to the proposed rule. If a Senator strayed a little and took the position that his remarks were germane, I do not believe the Chair would be too strict. But I suppose that if he wandered too much from the pending question, the Chair would say, "The Senator is not being germane."

In respect to the question of germaneness and the ability of the Chair to decide whether debate is germane to a question I point out that that situation arises every time the Senate operates under a unanimous-consent agreement to limit time. We provide that all amendments shall be germane. That issue must be decided by the Chair. While it might be argued that the Chair does not have the competence to decide all such questions, I point out that every time the Senate operates under a unanimous-consent agreement, the Chair has that competence in relation to debate. If Senators feel that the Chair, under that arrangement, has competence to decide the issue of germaneness, which is subject to appeal, why would not the Chair have the ability and the competence to decide the question of germaneness under the proposed resolution?

Mr. CLARK. Mr. President, will the Senator yield?

Mr. PASTORE. I yield.

Mr. CLARK. The ruling of the Chair, as in other cases, would be subject to appeal, would it not?

Mr. PASTORE. The ruling of the Chair would be subject to appeal.

Mr. CLARK. Therefore there would be a secondary protection.

Mr. PASTORE. The Senator is correct.

Mr. CLARK. I should like to ask the Senator one further question. Is it not the Senator's intention that the resolution, if adopted and made a part of the Senate rules, could always be waived by unanimous consent?

Mr. PASTORE. It could be waived by unanimous consent or by motion without debate.

Mr. CLARK. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. CLARK. What is the question before the Senate?

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from Rhode Island [Mr. PASTORE].

Mr. CLARK. Mr. President, I have no objection whatever to the amendment.

Mr. HOLLAND. Mr. President, will the Senator yield?

Mr. PASTORE. I yield.

Mr. HOLLAND. First, I have no objection to the amendment. However, I believe that the Senator, by his amendment—at least by the wording which is before me now, which I understand to be the wording of his amendment, and by the description which he has given on the floor of the Senate—is getting away from the purpose of his original resolution, which I understood was a resolution to keep the debate germane to the subject of the bill.

Mr. PASTORE. The bill and amendments to the bill.

Mr. HOLLAND. There are contradictory statements in the proposed amendment, as I see it. The Senator has first said that "all debate shall be germane." Under the rulings of the Senate, and particularly those based upon subsection 4 of rule XVI, we know what germaneness is under Senate rulings. The Senator would then proceed to say "and confined to the specific question then pending before the Senate."

I believe I understood the Senator from Rhode Island to say that under that last wording it would be quite appropriate for a nongermane amendment to be offered. The amendment would then become the pending business, and then the debate, so long as the amendment remained the pending business, would be confined to that subject, which would be a nongermane subject.

Mr. PASTORE. The Senator is correct.

Mr. HOLLAND. I say with complete friendliness that I wish the Senator had adhered to the purpose originally intended to be subserved by his resolution. I believe the amendment which he has proposed, when subjected to the interpretation which the Senator has placed in the RECORD, would undo what he is trying to do.

Mr. PASTORE. Not at all.

Mr. HOLLAND. Instead of keeping the debate germane—that is, germane as applied to the subject of the bill, which is well understood—under the rulings of the Senate and under the interpretations of subsection 4 of rule XVI of the Senate—the Senator would now propose an exception under which any sort of nongermaneness might be plunged into the debate by the simple expedient of offering an amendment that would be completely nongermane, and allowing or requiring it to become the pending question for all or any part of the 3-hour period which the offerer of that amendment or other Senators wished to consume on the floor of the Senate.

It seems to me—and I want to make it clear from the standpoint of trying to keep the resolution in the original line laid down by the distinguished Senator and by the many other Senators who joined in submitting the original resolution—that the amendment he offers, as interpreted by him, would negative the original intention.

Mr. PASTORE. That is not so at all.

Mr. HOLLAND. Let us see.

Mr. PASTORE. May I explain it again? Any attempt to provide that a Senator could not write a new title in the bill, within 3 hours, or to have a bill passed without a new title, which is being done every day, or to put a rider on a bill or a resolution would be futile. Such a measure would not have a ghost of a chance of being passed. I think it is well recognized that no Senator can be prevented from offering an amendment to a bill that is pending, whether it be title 1, 2, or 3. It is done every day. If the question arose as to whether or not a Senator could offer an extraneous amendment before the expiration of 3 hours, because it was not germane, and the Senator was prevented from offering such an amendment, and the Senate undertook to pass the bill in 3 hours, the result might be a filibuster, and the bill might not be passed at all.

The Senator from Rhode Island does not want to change the traditions of the Senate. All he is saying is that this is a step forward. It is a first step. It is a small step. We do not propose to change any rule in the book. All I am proposing is that for a period of 3 hours, if there is pending business before the Senate, Senators should talk about that business. If a Senator offers an amendment, let him discuss that amendment. But a Senator should not be able for instance, to propose to strike out line 6 on page 2, for example, and then talk about something utterly extraneous. If he proposes an amendment to strike out line 6 on page 2, he should discuss that amendment. This would keep the debate germane to the pending amendment.

If we were to get into the question of germaneness of amendments or of motions or appeals, or propose that a Senator may not offer a rider to a bill, I am afraid there would not be the slightest chance such a resolution would be adopted.

I feel that this proposal is a salutary restraint upon any wandering words by the membership of this body. First, the business that is unfinished or pending is a measure of importance that has been proposed by the leadership after consultation. It is the pending business because the leader of the party feels that the business should be discussed, and because he therefore makes it the pending business. All I am asking is that Senators adhere to the discussion of that business for a period of 3 hours. If a Senator has a statement on a matter of personal privilege, or one which he perhaps feels is important to the interests of the country, we do not quarrel with him on that, nor silence him on his subject. But we ask him to wait until 3 hours have expired. Then he can talk to his heart's content. But while there is pending business before the Senate, let us stick to that specific business.

I have a sincere belief that such a procedure would expedite the work of the Senate.

Senators may ask, "Why?" For this reason Senators may come to the Chamber and remain from 2 to 5 o'clock, if the pending business is laid before the Senate at 2 o'clock, or from 1 to 4 o'clock, if the pending business is laid before the Senate at 1 o'clock, or from 12 o'clock to 3 o'clock, if there is no morning hour. During those 3 hours they will know that they can sit in their chairs, and that all they will hear discussed will be the pending measure whose importance has commanded their presence. That is all I ask.

I am not asking Senators to be placed in straitjackets or prevented from speaking in any way. I merely say that they should wait for 3 hours for speeches on subjects that are no part of the issue.

If I were to enter into the question of germaneness of amendments, or propose to do away with proposals that were extraneous, or motions, amendments, or substitutes, I would be destroying the very purpose I am trying to accomplish, of concentrating on the business at hand and the Senate would never approve it.

Mr. HOLLAND. If the Senator will yield further—and I shall be through with my brief suggestion shortly—it seems to me if the amendment to the original resolution as now proposed by the Senator from Rhode Island were adopted by the Senate, we would find ourselves following two different definitions of germaneness within the rules of the Senate. The definition of germaneness in the Senate now devolves from interpretations of subsection 4 of rule XVI. I shall read the appropriate part, but not all, of that rule:

> No amendment which proposes general legislation shall be received to any general appropriation bill, nor shall any amendment not germane or relevant to the subject matter contained in the bill be received; nor shall any amendment to any item or clause of such bill be received which does not directly relate thereto.

Then, skipping some—

> and all questions of relevancy of amendments under this rule, when raised, shall be submitted to the Senate and be decided without debate.

That is the question of germaneness that has been frequently before the Senate, and is decided by a majority of the Senate, rather than by the Presiding Officer, and has to do with relevancy. Germaneness means the same thing as relevancy, and the two terms are interchangeably used in that rule and also in the interpretation of the rule that is involved in the proceedings of the Senate.

The amendment suggested by the Senator from Rhode Island would read—and I read only that part which relates to this subject:

> All debate shall be germane and confined to the specific question then pending before the Senate.

The distinguished Senator says that the last part, "confined to the specific question then pending before the Senate," permits the introduction of nongermane amendments.

Mr. PASTORE. No.

Mr. HOLLAND. And the conduct of debate without any limitation upon nongermane amendments.

The point I am making is that I think that language contradicts the earlier part of his statement, which is that "all debate shall be germane."

It is clear to me that the distinguished Senator, if he accomplished his laudable desire as he now outlines it, would find that he had written a second interpretation and a second rule of germaneness in the Senate rules.

The Senator is familiar with the fact that there are unanimous-consent requests that refer to questions of germaneness. That is the same thing as relevance. Anything that would be relevant would be germane——

Mr. PASTORE. Mr. President, will the Senator yield?

Mr. HOLLAND. I shall be through in a moment.

It seems to me the Senator would have a rule which would require something, and then undo it, and we would have two unlike provisions in the Senate rules with reference to germaneness—not consistent with each other; and the Senate rules would become more difficult of interpretation and enforcement, rather than easier. Instead of accomplishing his laudable purpose, he would open the door, by the wording of the resolution and his remarks on the floor, to extensive, unlimited, and completely ungermane debate; whereas the observations of the Senator from Florida, throughout the years he has been in the Senate, have been that the question of germaneness is not the thing that causes the greatest trouble. It is the question of great length of debate. The filibusters which I have listened to, and occasionally participated in, have all been germane.

For example, I recall the several weeks the Senate spent pleasantly discussing the tidelands issue. My recollection is that there were approximately 5 or 6 or 7 weeks of debate on that issue. No contention was made that the debate was not germane to the issue, or that the debate was irrelevant. To the contrary, it was germane and relevant to the issue.

I do not believe that the trouble has been a lack of germaneness. The trouble has been unlimited and effervescent discussion of a subject matter, with frequent repetition, in too many cases, and without consideration of coming to a vote on the question at issue.

I believe that the Senator would now open up a new avenue of much more useless debate than what we have become accustomed to during a filibuster, for example, by the adoption of his amendment in the form which he suggests and subject to the comment which he made, indicating that he would regard it proper under the resolution to offer nongermane amendments, and to discuss them at any length at which the Senator offering the amendment or other Senators might wish to discuss them.

I thank the Senator for yielding to me.

Mr. PASTORE. The Senator is correct. Does the Senator from Florida object to the word "confined"? Is that his objection?

Mr. HOLLAND. No. I am merely trying to clarify my friend's resolution by pointing out the fact that, as he restates it, he opens the door to more trouble and more unlimited debate and more nongermane debate and more irrelevant debate than I believe has prevailed in the Senate up to this time, instead of closing the door by offering to amend the rule which will get us away from nongermane discussions on a bill. I thank the Senator for yielding to me.

Mr. PASTORE. Mr. President, I do not know how much clearer I can make it. There is no purpose to restrain any Senator from offering a rider to a bill, whether it is germane or nongermane. As I said before it would be hazardous for us to adopt a rule which would provide that it is not possible to add another title to a bill; that if a bill is before the Senate which contains title I, it is not possible to offer an amendment to add title II.

All I am trying to do is to prevent a situation which we have been confronted with time and time again, when a Senator walks into the Chamber and obtains the floor and begins to talk about a matter which is not at all connected with what is before the Senate. That is what I am trying to prevent. I would have him confine his remarks to the business that is pending before the Senate.

I realize that what we propose is not a cure-all for all the ills in the Senate. As I have suggested, what I propose is merely a small step. It may not shorten the session. I do not know whether it would. However, it would be a convenience to Members of the Senate as well as convenience to the Senator in charge of a bill on the floor. It would be conducive to a more orderly procedure for a period of 3 hours in a day by confining Senators to the business pending at the desk.

I do not know how I can better explain it. Some Senators may be opposed to it. The Senator from Illinois feels that we should not touch the rules at all. Every Senator is entitled to his own opinion. The resolution is sponsored by 30 Senators and I hope the majority of the Senate will vote for it. Adoption of the resolution would not end all our problems, but it would certainly help to expedite the business of the Senate.

Mr. KEATING. Mr. President, will the Senator yield?

Mr. PASTORE. I yield.

Mr. KEATING. As the Senator knows, I am a cosponsor with him of the resolution, and I shall probably support it. I feel, as apparently he does, that the adoption of a resolution along this line would be helpful. I ask him if consideration was given to what would happen if a Senator spoke in a manner which was not germane to the subject matter. What would be the procedure?

Mr. PASTORE. The procedure would be for the Chair to say: "The Senator from New York is not"——

Mr. KEATING. It would not be the Senator from New York, I might say.

Mr. PASTORE. I am quite sure of that. But, the Senator from New York is asking me a question, and I am using him merely in the example. The Chair would say: "The Senator from New York is not being germane to the issue before the Senate. Therefore he is out of order."

Mr. KEATING. Would the Chair be the one to decide that question?

Mr. PASTORE. It would be possible to take an appeal from the ruling of the Chair, of course.

Mr. KEATING. In the past, without requiring an appeal, the Chair has stated, in cases in which a question of germaneness was raised, that that question would be submitted to the Members of the Senate in the first instance. I wonder whether the Senate would be constantly confronted with votes on such questions.

Mr. PASTORE. I doubt it very much. We could not write a rule which some Senator could not find an excuse, whether it be frivolous or not, to evade.

I believe that much will depend upon the conscience and cooperation of Members of the Senate. All we are trying to do is to accommodate Senators. If a Senator wishes to come to the floor and offend the spirit of this rule by discussing a matter which is not germane to the pending business, I do not believe that any Senator would even try to stop him. I do not believe that he would be called to order. How many times could he do it without inviting the resentment of his colleagues?

All we are trying to do is to accommodate the membership of the Senate.

Mr. KEATING. I believe the Senator has put his finger on the real point. In other words, this proposal is only in the form of moral suasion on the Members themselves. If we adopt something along this line a Senator would hesitate to talk on foreign aid when a milk bill was under discussion.

Mr. PASTORE. He could not do it.

Mr. KEATING. Having served in the House of Representatives, which has a rule of germaneness, I would question whether a Senator could not do it if he wished to do it. Many times in the House when a Member rose to speak—and we can use the foreign aid example—on foreign aid while a milk bill was under discussion, and was called to order, he would say, "This is germane, because we are giving aid to foreign countries in the form of milk.. I am going to discuss milk and other items of foreign aid."

Mr. CURTIS. Mr. President, will the Senator yield at that point?

Mr. KEATING. I merely wished to get across the idea—and I believe the Senator from Rhode Island recognizes it—that if we adopt the proposed change in the rule—and I hope we do adopt something like this—we must not expect too much from it; and we must come to grips with some of the other problems which sometimes cause this body to be impotent.

Mr. PASTORE. I yield to the Senator from Nebraska.

Mr. CURTIS. Mr. President, my observation of the rules of the House of Representatives is that the rule of germaneness has worked very well. It is true that occasionally a Senator will make a somewhat remote reference to the pending business and then go off somewhat on a tangent. Often he fails to do so. Most of the time no attempt is made to prevent him from doing so. However, a Senator would not be prevented from speaking on something totally unrelated to the pending business. He would be prevented from tying up the Senate while he reads a document of many pages, prepared by him, merely because he wishes to meet a release deadline.

I would not want the RECORD to indicate that the rule of germaneness has been difficult to administer in the House of Representatives. It has been very successful.

Mr. PASTORE. Mr. President, I wish to make only one more brief statement, and then I shall yield the floor, because both the Senator from Pennsylvania and the Senator from Arkansas wish to make statements. In answer to the Senator from Florida, I hope I am not being misunderstood to the effect that the rule I am suggesting would impinge upon the rule to which he has referred.

Our resolution is not permissive in any way, as an exception to any other existing rule. If it is possible now, without the adoption of the resolution, to offer a nongermane amendment, it would still be possible to do so if my resolution were adopted. I wish to have it clearly understood that the resolution has nothing to do with the germaneness rule in connection with appropriation bills. This has nothing to do with the rule recited by the Senator from Florida. The amendment does not touch germaneness of substance. The rule referred to relates to the germaneness of substance. All I am talking about is germaneness as to the discussion. I am not proposing to change the established procedure. If at the present moment without my resolution any Senator is privileged at any time to offer an amendment which is not germane, he may still do so, because my resolution is not directed at germaneness of the amendment; all my resolution is directed to is germaneness of the discussion of the pending matter.

Mr. HOLLAND. I must have misunderstood the purpose of the original resolution of the Senator from Rhode Island, because I had understood—and we have all been discussing it—that it was an effort to require germaneness of discussion relative to the pending business during 3 hours each day. That, to me, was a rather appealing subject. I thought we were using germaneness in the same way that we have used it in the rule that applies to appropriation bills—that it had to do with the question of relevancy.

If it now appears that the Senator intends, instead, merely to have the rule provide that the sky is the limit with reference to any amendment, whether it be germane or ungermane, with reference to any rider, whether germane or ungermane, with reference to any new subject of any sort whatsoever, and then to plunge the Senate into an unlimited discussion which might continue during the remainder of the 3 hours, I do not see that it would get us anywhere. A new factor is introduced, one which would encourage nongermane discussion. I have already said in the debate that in my judgment, that has not been the vice of Senate debate. The voice of Senate debate has not been nongermaneness. It has been undue length. It has been repetition. It has been, day after day, the grind on the same subject. I do not believe any Senator who has witnessed any of the so-called filibusters in recent years can say that Senators have not discussed the subject which was under debate.

With the adoption of the rule in the amended form, and with the amended interpretation of it that the distinguished Senator from Rhode Island very frankly has given—and I appreciate his frankness and also his salutary motives in offering the original resolution—we shall discover that there will be more nongermane amendments and discussion than we have ever seen in the Senate. It is for that reason that I call attention to what seems to me to be a real departure in the new wording placed in the modified resolution as contrasted with the original resolution.

I thank the Senator from Rhode Island for yielding.

Mr. SCOTT. Mr. President, I support the amendment of the Senator from Rhode Island. I am one who joined the senior Senator from Pennsylvania [Mr. CLARK] in a concurring report in which we indicated that the resolution did not go far enough. Therefore, I expect to support the subsequent amendment of the senior Senator from Pennsylvania.

As is well known, the Committee on Rules and Administration is not a committee which is regarded generally as being particularly friendly to any changes in the orderly—meaning inordinately prolonged—procedures of the Senate. The Committee on Rules and Administration generally prefers to leave things as they are. One of the end products of leaving things as they are is the 12 months' session recently completed, a session which was a monument to frustration, a symbol of archaism in the rules of the Senate. It ought to be a warning to the Senate to try to preplan this year's proceedings.

Last fall, I proposed that the leadership of the Senate and the House undertake to plan in some orderly way, so far as events could be foreseen, for the order of business at this session, so that Senators might look forward to a reasonably early completion of their duties and a reasonably early adjournment. We are proceeding now in about as leisurely a fashion as we ever have proceeded. We are headed for more leisurely attention—or inattention—to the legislation which we will ultimately have to face. We are doing little more in this January, so far as I can see, than we were able to do last year. Perhaps the sun will rise on better and more fervent days; but again I make the point that unless Congress pulls up its socks and gets to work, we shall be facing another session as frustrating as the last.

So far as the Committee on Rules and Administration is concerned, the fact that that committee was willing to allow any suggested change whatever in the procedures of the Senate is almost a sure guarantee that it does not change it much. The effect of the resolution submitted by the Senator from Rhode Island in solving the problems of Senate procedure is equal to the dropping of a single drop of oil on a turbulent sea, and will do just as little to calm it or to forward the progress of the ship of state.

I support the resolution not because it is relatively harmless but more because it is at least the first faint flicker of recognition on the part of the Senate as a body that it ought to get about the Nation's business. It is no more than a flicker. It is no more than a moment of flashing light lost in the darkness of the night. There is no hope for greater illumination upon the horizon. There is little reason to believe that the Senate will reform itself or that the Senate will do anything about its archaic, somewhat inelegant rules of order. There is virtually no hope, in my judgment, that Senators will in any way seek to limit their delight in the choice of oratorical refreshment.

I speak as a pessimist, and perhaps as a Cassandra, in predicting that our own unwillingness to face frontally the shortcomings of our legislative procedure will lay again for us the same kind of trap we have laid for ourselves over the years, and that we will again, nevertheless, walk casually, even boldly, and to some extent foolhardedly into as the session proceeds.

Mr. PASTORE. Mr. President, will the Senator yield?

Mr. SCOTT. Not at the moment. I do not want to interrupt the flight of my own oratory for the moment. I do not speak more than once every few weeks. I have to stand on my feet for 30 or 40 minutes before I am recognized. I notice that it is expected to take 1 or 2 days to debate, in a germaneness resolution, what is germane. That in itself indicates to me that the 3 hours which the Senator from Rhode Island hopefully would like to have reserved for germaneness in other measures can be swallowed up in 2 days' debate on whether or not we are being germane.

I want the Senator from Rhode Island to know that small, weak, and puny as his foundling is, I shall be glad to be present at the christening, and with water and the words to bless it.

I shall conclude by saying, out of my experience in the House of Representatives, that when fairly new in the intricacies of that body, I was speaking on a measure when the chairman of an important committee, a great parliamentarian, rose and made the point that I was not speaking germanely to the bill.

In some confusion, I asked the distinguished ranking minority member, from the State of New York:

> What do I do now?

He replied:

> Keep on talking.

I yield now to the Senator from Rhode Island.

Mr. PASTORE. Mr. President, I agree entirely with everything the Senator from Pennsylvania has said; there is no disagreement between us. I have no illusion that this is a gigantic step toward ending some of the dilatory practices of the Senate; I have said that on many occasions. After all, like all improvements, this one will come by means of small steps.

The Senator from Pennsylvania wrote minority views; he prefers to have us go much further. The only difficulty with the course he prefers is that it reaches beyond the practical. If we attempt to make so substantial an advance, no advance at all will be made. For he knows that the Committee on Rules and Administration, which is not prone to report such measures, must have considered the change we propose a very minimal one. There is no doubt about that. However, let us take at least this step in the right direction. It may be only a drop of oil on the big wide ocean or only a ripple in the bucket or any other metaphor. However, since it is an improvement, however small, I cannot understand the opposition to it by some Senators.

Mr. SCOTT. I agree with the Senator from Rhode Island; and I admit I am a somewhat shamefaced godparent.

Mr. TOWER. Mr. President, I recall that the great composer Debussy once said, "Discipline is to be found in freedom, not in decayed formulas which are of no value, except to the weak."

So, Mr. President, instead of adopting a resolution of this type, I believe that we might better, instead, make a New Year's resolution that we will discipline ourselves to be about the Nation's business with dispatch and efficiency, without resorting to dilatory tactics unless they are absolutely necessary. However, let us at least preserve the character of the Senate rules which allow free and extensive debate on all issues which relate to the public interest, so that we shall serve, as we are intended to, as a body designed to protect the minority from the precipitant and emotional tyranny of the majority.

A REPORT BY THE DALLAS SUPERINTENDENT OF SCHOOLS

Mr. TOWER. Mr. President, in view of the fact that there has been a great deal of unfortunate and incorrect criticism of the school system of Dallas and of the talented students in that system, I commend to the attention of the Senate a detailed report from the dedicated and highly competent superintendent of the school system, Mr. W. T. White.

The report refers to the period immediately after the tragic assassination of our President, and offers a much more factual and coolheaded account than that spread unwisely and unjustly by persons overcome by grief and emotion during those trying hours.

I quote only one sentence from Mr. White's report:

> I have determined beyond the shadow of a doubt that no class engaged in clapping or other obnoxious conduct.

I suggest to the Senate that, beyond a shadow of a doubt, it is time that this matter was placed in proper perspective. I certainly hope the erroneous account will no longer be spread by persons who should know better.

I ask unanimous consent that the report be printed at this point in the RECORD.

There being no objection, the report was ordered to be printed in the RECORD, as follows:

THE PRESIDENT CAME TO SEE US

(A report of the superintendent of the Dallas Independent School District, December 4, 1963)

When the President of the United States announced he was to visit Dallas, the citizens of our community made elaborate, careful plans for his pleasure and honor. School children and parents were advised that the children would be excused to leave school during the motorcade to see the President when requests were made by parents. Thousands of schoolchildren lined up along the route of the President to greet and cheer him. One large high school located 10 miles from the route of the motorcade reported that half the student body assembled with other greeters.

The people of Dallas were so warm and friendly that Mrs. John Connally, the wife of our Governor, remarked just before the assassination, "Mr. President, you can't say the people of Dallas don't love you today." The President was reported to have been pleased with that remark.

Throughout our school system, radios and television sets in the buildings were turned on to follow the motorcade. As it became apparent that something had happened to the President, principals in the schools began to condition the faculty and the students for what might turn out to be a very sad tragedy. When the fateful moment arrived, the principals tactfully and factually reported over the loudspeakers or in person what had happened, insofar as they knew. Uniformly, principals have advised me that teachers and children were shocked, deeply grieved, and unashamedly shed tears. Some of the children expressed deep resentment and anger that anyone would harm the President. There was not a single instance of disrespect or lack of understanding on the part of a class in any school.

I am aware of the publicity that was datelined in Dallas referring to a fourth grade class that cheered upon receiving news of the death of the President. I have determined beyond the shadow of a doubt that no class engaged in clapping or other obnoxious conduct. The minister who made the CBS statement regarding a "fourth-grade class in the North Dallas area" refused to talk with me either to confirm or deny the source of his information.

On Friday, November 22, 142,000 children were accounted for as being at school, being at home ill, or being excused to witness the motorcade. Of this number, 13 showed evidences of not understanding or appreciating the tragedy of the moment. The 13 were immediately counseled by their teachers, and most of them were helped to attain an acceptable attitude. One teenage boy was somewhat belligerent. These children were not congregated in the same building, but were scattered throughout the district. The cause of their misunderstanding is undetermined.

It is grievous to think that student bodies in a city of 750,000 who have shown true feelings of sympathy and sadness, because our President was killed in our city by an acknowledged Marxist, should be maligned and defamed. The children's parents and teachers, if we may judge by the behavior of the children themselves, have done a fine job in teaching them citizenship, respect for authority, and high officials, and the proper understanding of the sacred integrity of individuals.

The principals and teachers have my highest commendation for the manner in which they calmed the students, sympathized with them in their sadness and resentment, and directed them in the attainment of a frame of mind which enabled them to complete the day and to return to their homes with a feeling of security.

All of us in the schools are deeply hurt and, I fear, resentful, because the teachers and children have been misrepresented as to their behavior in a time of stress. Proud as we are of our community, of the parents, and of the children, we deplore statements or suggestions which lowrate them as to character and decent attitudes.

W. T. White,
Superintendent of Schools.

AMERICAN SELF-RECRIMINATION CONFUSING TO EUROPEANS

Mr. TOWER. Mr. President, the learned columnist Constantine Brown has penned a thought-provoking article on the confusion being created among Europeans by the rash of self-criticism in which Americans indulged after the death of our President. Europeans cannot understand why Americans blame "racists" and "hatemongers," but freely admit that a known Marxist committed the crime.

I have noted that there are many Americans who likewise do not understand or agree with this orgy of self-recrimination. Therefore, I commend to the attention of the Senate Mr. Brown's thoughtful article, which appeared in the Washington Star on December 14, 1963.

I ask unanimous consent that the article be printed at this point in the Record.

There being no objection, the article was ordered to be printed in the Record, as follows:

Rome.—The fantastic propaganda placing the blame for President Kennedy's assassination on the "hate mongers," "racists," and the conservatives in general which has been appearing in the American press and airwaves, has been filtrating into the European papers. It is beginning to puzzle the Europeans for the simple reason that no one has denied that Lee Oswald, who held the fatal rifle, was a Red.

It was understandable that the racists, etc., were the first accused within hours after the tragedy. Not only was it put on the air within minutes by the Soviets, and affiliated radio stations throughout the world, but it was also found in the editorials of some of the respected American newspapers with European circulation. They more than hinted that the "hate mongers" were at least morally guilty for Oswald's crime.

Three weeks or so have elapsed since the murder of the President. The news media in Europe continue to feature American stories such as the blue ribbon investigation commission headed by Chief Justice Earl Warren on their front pages. Although it has become more than a fair assumption that Oswald was a psycopath, the hysterical screams that "America is divided by hatred" are still being taken up by even some of the serious journals and weeklies in Europe.

The possibility that a foreign state—Cuba, for instance—could have had a hand in the assassination is no longer mentioned. Instead, long articles endeavoring to show the State of Texas as a "murder farm" of the type which existed in Hungary in the early twenties and produced the murderer of King Alexander, of Yugoslavia, on a visit to France, are being published.

The fact that Oswald was not a Texan and that Dallas, "the city of shame" had been only the temporary residence of the President's assassin, is being overlooked.

Texas is probably one of the best known States in the Union among Europeans, not only for their ability for advertising themselves, but because of western films. Recently it has won doubtful fame on the Continent because it is regarded, in keeping with actual and frequently fanciful stories, as the real hotbed of reactionary "racists." Much more so than the Deep South; according to these stories, Texas hates the Washington administration so much it is about to secede. At least, that is the impression.

These stories are written by special correspondents who rushed to Dallas to get first hand pictures of the situation and background color. Oswald, they write, was at least inspired by the ambiance in which he lived. That ambiance, it is explained, was an undisguised opposition to the Kennedy plans for racial integration. This hurt the Texans' pride and their ingrained segregationism.

The expressions of belief that we are on the threshold of very critical developments which are merely concealed to the eye at present because of the customary honeymoon which follows the advent of a new Chief Executive, can be found in many responsible European papers. The phrase that America is divided by hatreds is monotonously repeated in editorials and feature articles.

An element of what the Germans call "schaden freude (enjoyment of the misfortune of others), can now be detected in editorials in many European papers. They all point out that after the emotional period is over in America, President Johnson will be faced with the same troublesome problems which surged in the last year of the Kennedy administration—if not more; that America, after the New Year may enter a period of serious crises. And the conclusion of some of the editorials is that under these circumstances the Johnson administration may have to turn sharply from the attitude which characterized the Kennedy foreign policy of the last 2 years, that is, telling our allies, "do as we tell you or else."

Not that the Europeans do not need a strong America. They realize that America's strength continues to remain the shield of Europe. But, as one editorial puts it, "a less cocky attitude from Washington will prove that America is a better and more understanding member of the NATO."

But if the American image is to carry weight abroad, Americans had better stop beating their breasts and crying, "Culpa mia! Shame on America!"

HOFFA'S STAGGERING POWER GRAB

Mr. McCLELLAN. Mr. President, on Friday, January 3, 1964, there appeared in the St. Louis Globe-Democrat an editorial entitled "Hoffa's Staggering Power Grab."

This forceful editorial, together with the warning it contains and the challenge it presents, is indeed timely and should be of grave concern to every Member of Congress. It is most informative; it should be read and weighed by every American citizen. I, therefore, ask unanimous consent, Mr. President, that this editorial be inserted in full at this point in the Record as a part of my remarks.

There being no objection, the editorial was ordered to be printed in the Record, as follows:

Hoffa's Staggering Power Grab

Where are the men of courage in Congress who will come forward with legislation to deny Jimmy Hoffa veto power over the Nation's industry, even the lives of the millions of Americans Congress represents?

Hoffa is a fortnight away from such power. By his own admission, the Teamster boss on January 15 will have poured a cement foundation for what he has sought the last 4 years—a master contract for the Nation's trucking industry.

Yet, we have heard no voice of opposition from the White House, nor a cry of alarm from Capitol Hill. If anyone means to block Hoffa's drive to this unprecedented pinnacle of labor power, he has not made himself known.

If Hoffa succeeds, on February 1, 1967, he or his successor could order 400,000 drivers, garage, mechanical, dock, and clerical employees of some 16,000 truck firms in 40 States to halt work.

He could put the brakes on practically every wheel in the Nation. In St. Louis alone 10,000 truckers and 400 firms would be affected.

While a national dock strike slowly brings hardships everywhere, and a national steel strike raises prices and impairs economic growth, the effects of a truckers strike would be immediate, staggering, catastrophic.

Big cities depend upon the trucks and highways for their food supplies. Consumers inside the city depend upon trucks for transfer of commodities across town. Cities like New York and Chicago would be prostrate. Smaller cities would be only slightly less damaged by such a national strike.

Hoffa promises he would never employ this ultimate weapon, but has told associates he needs to be able to make the threat. This is flimsy assurance to the American people. The procrastination of our leaders in speaking out against such power in the hands of Hoffa is deplorable.

If Hoffa successfully wraps up negotiations for the midwest local and intercity trucking agreements by January 15, he will have his master contract.

As other contracts around the Nation expire, employers and workers will be signed up. On February 1, 1967, that national contract itself will expire, and Hoffa will have the most potent bargaining leverage of any union leader in American history.

Congress has already been forced to go to the brink of a national rail strike. The chasm of a trucking strike would be a far more ghastly and bottomless economic pit.

A President of the United States was humiliated a year back by a dock workers' boss who refused to accede to his request to call off an east coast strike in the name of the national interest.

Will some future President be forced to ask a Hoffa not to shut America's highways and streets to national industry—only to be rebuffed?

Won't the country wake up to the fact that not only are national strikes intolerable at this juncture in history, but that the power to call such a strike—because of its consequences—is inconsistent with our constitutional freedoms?

It would give an individual immense, paralyzing power over the people of the United States, making their welfare incumbent upon his continued indulgence.

Washington had best deny Hoffa this power now. If not, it shall have to wrench it from him, or a successor, some black day in the future.

Mr. McCLELLAN. Mr. President, I call specific attention to the first paragraph of the editorial which challenges Congress to come forward courageously "with legislation to deny Jimmy Hoffa veto power over the Nation's industry, even the lives of the millions of Americans Congress represents."

It then points out with clarity and accuracy the progress that Mr. Hoffa has made in that direction, the imminence and danger of his success, and the unhappy and tragic consequences of this power grab.

The concluding paragraph emphasizes that the Congress had "best deny Hoffa this power now," and warns that if we fail to do so, we shall "have to wrench it from him, or a successor, some black day in the future."

Mr. President, I wholeheartedly agree with every statement, every warning, and every implication so eloquently expressed in this editorial, with one exception. The editor implies that no one in the Congress has spoken out against this power grab by Mr. Hoffa. In that regard, the editorial is inaccurate.

On September 19, 1961, I introduced a bill, S. 2573, which, if enacted into law, would have made certain activities of labor unions in the transportation industry subject to restraint under our antitrust laws. Senators Byrd of Virginia, Bennett, Thurmond, Curtis, and Case of South Dakota joined with me as cosponsors.

On January 16, 1963, I reintroduced the bill. It is now S. 287. Senators BYRD of Virginia, GOLDWATER, BENNETT, EASTLAND, ROBERTSON, THURMOND, CURTIS, STENNIS, and TOWER are cosponsors of the measure.

When I introduced S. 287 last year, I explained that I had restricted its application to unions in the field of transportation and had done so purposely and with intent to deal with a problem that is immediate, the danger and menace of which are increasing, and the dire consequences of which must not be permitted to occur. Each of the cosponsors of the measure, I am sure, join with me in those sentiments.

I called attention to the fact, Mr. President, that a shutdown of any major part of transportation, even in a single community, could immediately become a public disaster.

I made reference to the fact that the vital importance of our Nation's transportation systems could be readily appreciated when we stopped to realize that our modern industrial society is so complex and its activities so interrelated and interdependent that our people are, in large part, dependent for the very necessities of life upon the continuing operation of our transportation facilities. It is upon the continuous and uninterrupted operation of those facilities that each metropolitan community must depend for its food and fuel supplies, for the operation of its factories and business establishments, and for the dispensing of essential health and sanitation services.

I also took occasion to urge that we not overlook the vital role which our transportation industry occupies in relation to our national defense effort. Our transportation systems provide the crucial link in the vast industrial complex which is engaged in the development, construction, and operation of our entire defense establishment.

If Mr. Hoffa succeeds in his efforts to negotiate a nationwide master contract with the trucking industry, he will have obtained a stranglehold on the economy of this Nation. In the words of the editorial I have just quoted, he will have achieved "immense, paralyzing power over the people of the United States, making their welfare incumbent upon his continued indulgence."

Such compelling power—power to compel obedience to his will—should not be reposed in Mr. Hoffa or in any man or in any labor union.

Under existing statutes, the Government of the United States is utterly impotent to protect the public's interest and the Nation's security from the devastating consequences which would result from the exercise of such exorbitant and monopolistic power.

Almost three-quarters of a century ago, Congress enacted our Federal antitrust laws to insure that such monopolistic powers could never again be exercised or even possessed by any segment of the business community, and vigilant and vigorous enforcement of that legislation has provided a constant safeguard to the public against the acquisition or exercise of such excessive power by any representative of business.

The time is long overdue for Congress to enact appropriate legislation to guarantee the same protection for the public interest against the exercise or even the possession of the monopoly power which today is found in the hands of Mr. Hoffa and certain other labor leaders.

The legislation proposed in S. 287, if enacted into law, would make abuses of power by labor unions and their leaders in the transportation industry subject to restraint under our Federal antitrust laws. It would restore to the Federal courts the power to enjoin paralyzing strikes which disrupt the operation of our vital transportation and endanger the welfare and safety of our people and the security of our Nation.

It would put an end, I believe, to the unlimited license now enjoyed by Mr. Hoffa and certain other labor leaders to do anything—no matter how dangerous to the public interest and national security—with almost complete immunity from restraint or penalty under our Federal antitrust laws.

I make no contention that the bill, S. 287, is perfect. There may be a better approach to this problem, but S. 287 certainly provides a good starting point in an effort to deal with this power grab and to find an effective solution to this serious problem that can no longer be safely ignored.

If we are to preserve our freedom and the security of our Nation, we must be vigilant and not permit any force or any organization to achieve domination over our economy and free institutions or to set itself above and beyond the law.

I congratulate the St. Louis Globe-Democrat upon its excellent editorial. It has definitely rendered a public service by calling this issue to the attention of the Congress and by alerting the American people to the dangers with which we are confronted.

I hope, Mr. President, that during this session of Congress, consideration will be given to the bill to which I have referred. Again I suggest, if it is not the proper or adequate answer to this problem, that we begin with it and move toward a proper and effective solution.

GERMANENESS OF DEBATE UNDER CERTAIN CIRCUMSTANCES

The Senate resumed the consideration of the resolution (S. Res. 89) providing for germaneness of debate under certain circumstances.

Mr. MONRONEY. Mr. President, I rise in support of the resolution submitted by the distinguished senior Senator from Rhode Island [Mr. PASTORE] imposing a rule of germaneness for 3 hours following the morning hour of the U.S. Senate.

I had the honor of serving with Senator La Follette on the Committee on Reorganization of the Congress that led to the Reorganization Act of 1946. More witnesses, I believe, testified in behalf of the establishment of a rule of germaneness than on any other single matter that was proposed during those long hearings, which continued for nearly a year. Academic leaders, political scientists, Members of both Houses of Congress, people in the executive branch of the Government, all appeared to testify that in their opinion the rule of germaneness would greatly expedite the work of the Senate.

It was not necessary, of course, to advocate the rule of germaneness in the House of Representatives. Without a rule of germaneness, it would be impossible for that body of 435 Members to operate, much less keep up with their difficult schedule and to remain ahead of the Senate as they have done continually in recent years.

The rule of germaneness has enabled them to keep up with their work, because once the House starts a bill, having made it in order by the adoption of a rule, nongermane debate is prohibited, and a Member can be brought to task on a point of order by any Member who challenges his remarks as being nongermane. It seems to me that the suggestion of the senior Senator from Rhode Island, while not a harsh rule of germaneness, is a most workable rule.

I disagree completely with our distinguished companion and compatriot, the senior Senator from Pennsylvania [Mr. SCOTT] who rather indicated that this was a very tiny and unimportant first step toward improving the organization and functioning of Congress.

I say that the rule of germaneness, if the Congress would adhere to it—and it can well be made to adhere to it, because the Pastore amendment is a reasonable rule of germaneness—would bring to the Senate a sense of purpose and of getting on with the work that has been laid down for that day.

What is the purpose of establishing an order of business or calling up a bill or a resolution if it is not to debate the bill or resolution itself? All Senators who have been here for some period of time know that this is merely a place to hang one's hat. We have the right to talk about any or all of the 50 States, to discuss fishing conditions in the State of Oregon, the sunsets in California, the production of soybeans in Indiana, or any other local subject that may cross our minds.

Perhaps someone chooses to fish in the troubled waters for a few headlines for the early afternoon wire that will be set early in the morning papers and therefore have a good play in the Senator's home State.

It seems to me that we can no longer afford this luxury. The country has watched the Congress, particularly the Senate, as never before. We well know that the polls which have been taken regarding our performance have not shown great unanimity of approval of our activities for the past year. Much of this criticism goes to our obsolete and creaking machinery. A great portion of it goes back to the lack of a rule of germaneness. As I have said, the House of Representatives has had a rule of germaneness for over 100 years. It has not stifled opinion or free debate, although there are shorter periods of debate in the House than there are in the Senate.

Under the proposal of the senior Senator from Rhode Island [Mr. PASTORE], we are asked to make only a slight sacrifice. For 3 hours following the end of the morning hour we shall talk in a germane manner on the business at hand and move forward with the legislation that has been laid down as the order of the day. We have 2 hours before the morning hour ends to discuss anything we wish. Granted that we must keep within the 3-minute rule of the Senate, we have all the time after the expiration of the 3 hours set aside for the ruling of germaneness to talk about anything we wish. Originally, as I recall, a 4-hour rule of germaneness was proposed, but because it is being tested out for the first time, the distinguished senior Senator from Rhode Island shortened it to 3 hours.

To preserve the reputation which the Senate proudly claims of being the best legislative and deliberative body in the world, we owe it to the Senate to put ourselves on the track and to get on with our business once it is laid before the Senate. We ought to give to Senators who wish to hear debate on a bill before the Senate the opportunity to leave their offices, come to the floor of the Senate, take part in the debate, and to question the reasons for and the reasons against the proposed legislation.

Every Senator knows that at present Senators come to the floor of the Senate to see what is happening. Usually they see an empty Chamber, except for one or two Senators who are making speeches that have no relationship whatsoever to the subject before the Senate. So they quietly steal away. Instead of having a system such as the one we presently have, which might be termed a system of "enter, look, and leave," we could have, under the proposed resolution, a Senate that would "stop, look, and listen." Senators would be eager to know and understand the reasons for the passage of proposed legislation or the points against it.

Under the resolution there would be no possibility of infringing upon the rights of Senators, placing a gag rule upon Senators, or involving the proposal in any way in the very important and divisive issue that often stops reorganization efforts in their tracks—an effort to amend rule XXII.

Such could not be the purpose of the resolution. In recent years debate in filibusters has been germane because the Senators participating in filibusters have not desired to irritate the public by speaking on nongermane subjects. So there would be no restriction if Senators were required to speak for 3 hours every day on subjects germane to a pending bill.

If we are to accomplish our work and discuss the bill at hand, it is important to hear all the points at issue. Unless there in an amendment of the rules such as the one proposed, we shall ramble along, being jacks of all trades and masters of none. We shall talk on many subjects but rarely get to the subject at hand and help to move the vast workload that each year becomes greater and greater.

So I hope in the debate on the adoption of the Pastore resolution we will give the proposal an honest trial. Under the Pastore resolution the important workload of the Senate would not be handled in a manner of dilatory and rambling speechmaking with only an occasional reference to the pending bill. Bearing in mind the hard work that must be done between now and the time the Senate adjourns, the present administration, which has laid such an important program before us, and the authors of bills that are of great public moment, would know that their proposals will be called before the Senate, and that for at least 3 hours, each day Senators who wish to debate the issue will find themselves able to get the floor and to speak on the issue.

Those who wish to make speeches for home consumption and for the next morning's headlines in the important newspapers of their States will either make their speeches in the morning hour, before the end of the 2-hour period after we convene, or at the end of the 3-hour period set aside for germane debate on the pending legislation.

Therefore, I urge that all Senators participate in every way possible in the debate on germaneness so that we can, at long last, after many years, have an opportunity to know that when we come to the floor of the Senate we will be discussing, hearing, deciding, and determining the issues that have been laid before the Senate.

Mr. PASTORE. Mr. President, I suggest the absence of quorum.

Mr. CLARK. Mr. President, will the Senator withhold that suggestion?

Mr. PASTORE. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. PASTORE. What is the pending question?

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from Rhode Island.

Mr. HOLLAND. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. HOLLAND. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, further proceedings under the quorum call will be dispensed with.

The question is on agreeing to the amendment offered by the Senator from Rhode Island.

Mr. KEATING. Mr. President, I suggest the absence of a quorum.

Mr. PASTORE. Mr. President, will the Senator withhold his request? I point out that the amendment is only a modification of my own proposed resolution.

Mr. KEATING. The minority leader would like to be advised if any action is taken on the question.

Mr. PASTORE. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. PASTORE. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

The question is on agreeing to the amendment offered by the Senator from Rhode Island.

Mr. DIRKSEN. Mr. President, earlier today I indicated to the distinguished Senator from Rhode Island that I had no objection to the amendment. I do not believe that it would cure what I consider the evil in the resolution. With or without the amendment, I am still opposed to the resolution. I only wished to be sure that the Record was abundantly clear on that point.

The **PRESIDING OFFICER**. The question is on agreeing to the amendment offered by the Senator from Rhode Island.

The amendment was agreed to.

Mr. **CLARK**. Mr. President, on behalf of myself and my colleague from Pennsylvania [Mr. Scott], I send to the desk an amendment, in the nature of a substitute, and ask that it be read.

The **PRESIDING OFFICER**. The amendment offered by the senior Senator from Pennsylvania for himself and the junior Senator from Pennsylvania [Mr. Scott] will be read.

The Chief Clerk read the amendment (amendment No. 382) as follows:

> Strike out all after the word "*Resolved,*", and insert in lieu thereof the following:
>
> "That rule XIX be amended by adding at the end thereof the following new subsection:
>
> "'8. During the consideration of any measure, motion or other matter, any Senator may move that all further debate under the order for pending business shall be germane to the subject matter before the Senate. If such motion, which shall be nondebatable, is approved by the Senate, all further debate under the said order shall be germane to the subject matter before the Senate, and all questions of germaneness under this rule, when raised, including appeals, shall be decided by the Senate without debate.'"

The **PRESIDING OFFICER**. The amendment will be received and printed.

Mr. **CLARK**. Mr. President, it is my understanding that the Senate will shortly go over until Tuesday of next week. I should like to place in the Congressional Record, so that Senators may read it over the weekend and on Monday, a brief explanation of the proposed amendment in the nature of a substitute.

This substitute rule of germaneness was offered by me before the Subcommittee on Standing Rules of the Senate of the Committee on Rules and Administration in testimony which appears on pages 13, 14, and 15 of the hearings. It was also commented on in the individual views of my colleague [Mr. Scott] and myself, which appear on the last page of the committee report.

Very briefly, the purpose of this substitute is to create the following procedure: There would be no rule of germaneness at all unless and until the Senator in charge of the bill or the majority leader, or, for that matter, any other Senator, were to move to invoke the rule of germaneness. It would then be invoked unless a majority of the Senate, on vote and without debate, decided that they did not wish to invoke the rule of germaneness at that particular time on that particular matter. This, I suspect, would practically never happen.

The rule of germaneness as thus invoked would then continue until the matter which was then the pending business was disposed of. That might be 20 minutes. It might be 3 hours. It conceivably could be several days.

Once that matter was disposed of, either by a motion to recommit, or a motion to table, or by approval of the pending business, by vote, the rule of germaneness would then be lifted and go out of effect until such time as the floor manager of the bill, or the majority leader, in 99 cases out of a hundred, or possibly in 1 case out of a hundred some other Senator would attempt to impose again the rule of germaneness on another matter which was then pending.

Of course, at any time while the rule of germaneness was pending, it could be lifted by unanimous consent.

I am sure it would be so lifted as a courtesy to a Senator when a particular occasion that justified it arose; for example, if my friend, the Senator from Illinois [Mr. Dirksen], wanted an opportunity to comment to his heart's content on the situation in Panama.

Mr. **DIRKSEN**. Mr. President, will the Senator yield?

Mr. **CLARK**. Let me finish my brief explanation. Then I shall be happy to yield.

I suggest that the proposal presently pending—and for which I shall vote if my own amendment is defeated—is too inflexible to be useful. How do we know whether we need a rule of germaneness for 1 hour, for 2 hours, for 3 hours, for 4 hours, or for 5 hours? On some days—many days—we would not need a rule of germaneness. On other occasions, we might need a rule for 2 or 3 days at a time. This would be particularly pertinent at the end of a crowded session.

When we come to the end of a session, as Senators know, there is a great rush for adjournment. It is easy to delay action if only a few Senators are determined to prevent disposition of a bill on its merits. If my proposed rule of germaneness were approved, it would expedite business and enable us to get through a great deal more legislation sponsored by the majority than is otherwise the case. But under the proposal of the Senator from Rhode Island, the rule would apply for 3 hours unless unanimous consent were given.

What would happen, under that rule, if the pending business were laid down late in the afternoon, and there was a drive on to get the bill through with a night session? Suppose the 3-hour rule of germaneness were in effect? The pending business might be disposed of by 5 o'clock. The Senate might be expected to adjourn in a day or two or three. The majority leader might want to push another bill through to completion. It would be impossible, under the Pastore resolution, to invoke the rule of germaneness until the end of the morning hour of the next legislative day.

I say, therefore, that the proposal recommended by me and my colleague from Pennsylvania is a more flexible, more useful rule. It would permit the requirement of germaneness to be invoked on a particular business or motion, which would be decided without debate.

I hope the Senator from Massachusetts, who was not on the floor, will have an opportunity to read the remarks I have made before the Senate convenes on Tuesday, because he was under the erroneous impression that the invocation would lead to unlimited debate. Not at all. The question would be decided, without debate, by immediate vote.

The proposal by myself and my colleague would allow the majority leader or the Senator in charge of the bill to control debate by a rule of germaneness only where the expeditious handling of appropriate business required such restriction. It would keep the rule in effect only until the pending business was disposed of. In many instances Senators who had a good reason, personal or otherwise, to interrupt germane debate with a nongermane speech or colloquies would unquestionably be extended that courtesy.

Now I yield to the Senator from Illinois.

Mr. **DIRKSEN**. I apprehend that had such a rule been in effect during the consideration of the satellite bill and the rule of germaneness had been invoked, we would have had germaneness sticking out of our ears for 19 days.

Mr. **CLARK**. I believe not. I was an interested observer of the satellite debate, because I was opposed to the bill and voted against it. However, I voted in favor of cloture and did not participate in the filibuster which ranged over such a wide variety of nongermane subjects for a long while.

I believe my proposed rule—for that matter, the proposed rule of the Senator from Rhode Island—would improve the situation which occurred in connection with the satellite bill.

INTER-AMERICAN DEVELOPMENT BANK—REVISION OF UNANIMOUS-CONSENT AGREEMENT

Mr. **HUMPHREY**. Mr. President, under earlier order, the Senate entered into a unanimous-consent agreement for further consideration of H.R. 7406, a bill to provide for increased participation by the United States in the Inter-American Development Bank, on Tuesday, January 14.

Because it is desired to continue with the pending business on Tuesday, I ask unanimous consent to modify the earlier unanimous-consent agreement by striking out the word "Tuesday" and making it "Wednesday," and striking out the numeral "14" and making it "15," so the Senate would take up the Inter-American Development Bank bill on Wednesday, January 15.

The **PRESIDING OFFICER** (Mr. Talmadge in the chair). Is there objection?

Mr. **HOLLAND**. Mr. President, I object. I wish to make clear my reason for objecting. I was asked by the leadership to accompany the Canadian delegates to the Interparliamentary Conference throughout their visit in this country, particularly on the 3 days that they will spend in the State which I represent in part. I would very much like to be in the Senate to participate in the discussions of the bill involving the Inter-American Development Bank, and therefore would much prefer to have the matter now pending before the Senate go over until a later day; also, that the Inter-American Development Bank bill be considered on Tuesday, as scheduled, if it is at all acceptable to the leadership.

I believe that a sizable number of Senators expect to be away from the Senate during at least a part of next week, beginning not later than Thursday morning, and some of them will be away on Wednesday also.

The **PRESIDING OFFICER**. Objection is heard.

Mr. **HOLLAND**. It is most important, in my opinion, that Senators be present for the discussion of the Inter-American Development Bank matter. I believe a majority of them consider it a matter of great importance, in which they would like to participate.

Mr. **HUMPHREY**. I assure the Senator that I can do nothing but accede to the wishes of the Senator from Florida. I am afraid that the Senate will not be voting on the 14th on the Bank bill, at any rate, because there are other Senators who wish to vote on it on the 15th. Therefore, I anticipate that many amendments will be offered on the 14th and that the Senate will continue the discussion of the subject on the 15th. I might add that it is not the Senator from Minnesota who intends to offer amendments.

It was hoped that we might be able to accommodate ourselves by going over to the 15th instead of the 14th on the Inter-American Bank bill, and perhaps disposing of it on that day. However, I shall not press my unanimous-consent request.

Mr. **HOLLAND**. Mr. President, will the Senator yield?

Mr. **HUMPHREY**. I yield.

Mr. **HOLLAND**. I might say to the distinguished acting majority leader that I have no objection to following the course of action which he has suggested, provided that the decision on the Inter-American Development Bank bill will go over until after the end of next week. We shall be in Florida on Thursday, Friday, and Saturday. I see on the floor the distinguished Senator from Rhode Island [Mr. PASTORE]. That has been the announced schedule, as I understand.

Mr. **PASTORE**. That is correct.

Mr. **HOLLAND**. I understand that a number of Senators will participate in these discussions. I understand that 31 delegates from Canada will be in attendance. It is my understanding that the leadership wishes Members of the Senate who were appointed as delegates to be with the Canadian delegates throughout their journey in this country.

I shall be quite agreeable to the substitution of those two bills, as suggested by the acting majority leader, provided that the decision on the Inter-American Bank bill can be made to come after our return from that duty, which is a Senate duty.

Mr. **HUMPHREY**. We shall try to arrive at an adjustment. It is utterly impossible to come to an agreement, apparently, which will accommodate every Senator. I do not know of any Senator who does not have something that would keep him away from the Senate. I do not think it is possible for us to hold up the business of the Senate to accommodate every Senator. The reason why I made my request was that other Senators who are attending other international conferences wanted to be back on Tuesday night, and therefore it was hoped that we could vote on the Inter-American Bank bill on Wednesday. Other Senators will be absent on Wednesday. Therefore we hoped that we could vote on it on Tuesday. I do not know whether we should contemplate Sunday sessions. I am sure many Senators would like to be absent on Sunday.

Mr. **PASTORE**. I understand that we have concluded our discussion on Senate Resolution 89 for today and that further discussion of it will go over until Tuesday; and that it will be taken up on Tuesday, in all probability, after the matter that was discussed by the acting majority leader is taken up.

ACTIVITIES AND ACCOMPLISHMENTS OF THE JOINT COMMITTEE ON ATOMIC ENERGY DURING THE 1ST SESSION OF THE 88TH CONGRESS

Mr. **PASTORE**. Mr. President, as we begin the 2d session of the 88th Congress, it may be well to reflect on what was accomplished during the 1st session. As we all know, the 1st session was the longest peacetime session in history and the longest since 1951. There has been criticism that despite its length more was not accomplished.

While we all agree that much more could have been done and, while we expect much more will be done during the second session, it is important, I believe, that we not overlook many real accomplishments of the first session resulting through committee work. I know how diligently the Members of this body applied themselves in the work of the committees on which they served. The committee work is not only important, it is necessary, but too often this is not realized by the general public.

As President Woodrow Wilson pointed out in his early study of the Congress, "Congress in its committee rooms is Congress at work." I think it fitting and proper, therefore, that the public be informed of the work of the committees of the Congress so that it may better understand and realize the accomplishments of the Congress. As chairman of the Joint Committee on Atomic Energy, I have had prepared a summary of the activities and accomplishments of the Joint Committee on Atomic Energy during the 1st session of the 88th Congress.

This report reflects that during the 88th Congress, 1st session, the Joint Committee held a total of 106 public and executive hearings, occupying 220 hours of members' time. Much of the subject matter of the Joint Committee hearings, of necessity, involves classified information pertaining to nuclear weapons and other military uses of atomic energy. However, in line with the Joint Committee's longstanding tradition and practice of making public as much information as possible, consistent with classification regulations and national defense needs, approximately one-half of the total hearings held were in open public session. Of the 106 sessions, 51 were public and 55 executive. In addition, members of the Senate section of the Joint Committee on Atomic Energy participated in extensive joint hearings with the Armed Services Committee and the Foreign Relations Committee on the nuclear test ban treaty during an additional 24 sessions occupying an additional 62 hours of committee members' time.

Eighteen publications, consisting of reports, hearings, and committee prints, were published and made available to the public by the Joint Committee during the 1st session of the 88th Congress.

Mr. President, I believe the "Report on the Activities and Accomplishments of the Joint Committee on Atomic Energy" in the 88th Congress, 1st session, is worthy of recognition. In recognition of the diligence and cooperation I received from both majority and minority members of the Joint Committee, both in the Senate and in the other body, and in order that the public may better realize the extent of the accomplishments of the Congress during the 88th Congress, 1st session, I would like to read this report into the RECORD.

ACTIVITIES AND ACCOMPLISHMENTS OF THE JOINT COMMITTEE ON ATOMIC ENERGY IN THE 88TH CONGRESS, 1ST SESSION (1963)

FOREWORD

The following report on the activities of the Joint Committee on Atomic Energy during the 1st session of the 88th Congress (1963) has been prepared at the direction of the Chairman for the information of the Congress, the executive branch, and the public.

The Joint Committee on Atomic Energy is a joint House-Senate committee consisting of nine members from each body, of which no more than five from each can be members of the majority party.

The Joint Committee is unique in several respects. It is the only joint committee of the Congress with legislative functions, including the initiation and reporting of legislative proposals. The committee is also charged by law with legislative responsibility as "watchdog" of the national atomic energy program. It follows closely the classified activities of both the Atomic Energy Commission and the Defense Department in the field of military applications of atomic energy.

Of equal importance, the committee has played a major role in encouraging the peaceful applications of the atom. Specifically, the committee has encouraged such programs as the development of civilian nuclear power, the preservation of food through irradiation and the application of nuclear power in space.

In all these activities, the Joint Committee on Atomic Energy, as the representative of Congress and the public, has played an important part in implementing the statutory policy of the Atomic Energy Act that:

> "The development, use, and control of atomic energy should be directed so as to make the maximum contribution to the general welfare, subject at all times to the paramount objective of making the maximum contribution to the common defense and security."

I. LEGISLATIVE ACTIVITIES

A. AEC Authorization Act (Public Law 88-72)

The Joint Committee on Atomic Energy, after extensive hearings in April and May 1963, reported out the AEC authorization bill for fiscal year 1964 (H.R. 7139) on June 24, 1963.

The bill authorized a net amount of $216,271,000, as follows:

New construction projects (sec. 101)	$172,562,000
Cooperation with European Atomic Energy Community (sec. 103)	7,500,000
Cooperative power reactor demonstration program; fast breeder research and development (sec. 104(a))	709,000
Spectral shift power reactor (sec. 105) development, design and construction	30,000,000
Cooperative research and development program with West German authorities sec. 106)	5,500,000
Total	216,271,000

Among the highlights of section 101 of the bill was a $17 million authorization for the construction of a fast reactor test facility (FARET) at the National Reactor Testing Station in Idaho. In addition, section 101 also provided for the construction of new nuclear safety test facilities at a cost of $19,400,000.

The Commission had requested a $12 million authorization for the construction of a military compact reactor (MCR). As a result of a searching review of the Commission's Army reactors program, the committee determined that neither the projected costs nor the technical scope of the MCR were sufficiently defined. Moreover, substantial schedule delays had been incurred. Accordingly, the committee deleted authorization for this project.

The committee's review of the Army reactors program indicated that the objectives of the program were in need of clarification. The committee, therefore, instructed the AEC and the Department of Defense to immediately undertake a study of the Army reactors program in order to clarify its objectives.

Section 105 of the bill provided an authorization of up to $30 million for the construction of a prototype spectral shift nuclear powerplant. The legislation provides the Commission with flexible authority to enter into appropriate arrangements wtih either public or private utility organizations. Among the potential advantages of this reactor are its ability to make more efficient and effective use of nuclear fuel and its ability to produce virtually as much fuel as it consumes.

The Atomic Energy Commission, in its proposal to Congress, requested an additional $5 million authorization for the cooperative power reactor demonstration program, as well as wider authority to make use of already-authorized funds for the support of proposals from the utility industry. The committee deleted the Commission's request.

After careful review, the Joint Committee concluded that sufficient authorization was already available within the power program and therefore deleted the Commission's request for an additional $5 million authorization. The committee also deleted the Commission's request for wider latitude in the use of already authorized funds, stating:

"The ingenuity of private industry is recognized as an essential ingredient for progress in atomic energy, and the committee believes that the currently available authorizations * * * provide a sufficient latitude within which private industry can assume the initiative."

The Commission, in the course of the hearings, also indicated its intent to issue a second invitation under the modified third round of the cooperative power reactor demonstration program. Under this authority, the Commission could provide financial assistance to utilities for the design of large proven-type nuclear plants.

The committee stated its view that the Commission should wait at least another year before issuing a second invitation under the modified third round to determine the need for further assistance. The committee noted that if the invitation were to be made this year, "it appears almost certain that a water-type reactor would * * * be the only type to qualify as proven under the Commission's criteria." The committee stated that:

"In order to diversify the technology * * * it would be desirable for other reactor types to have the opportunity to compete for this form of Government assistance."

Finally, included in section 107 of the bill was a major amendment to the Atomic Energy Act of 1954. Under the provisions of section 261 of the Atomic Energy Act the only funds for which congressional authorization were required were those for construction and for the cooperative power reactor demonstration program. The committee noted that, in sharp contrast to an overall request of $2¾ billion for fiscal year 1964, "only $216 million will be subject to intensive examination by the Joint Committee on Atomic Energy." The committee stated that its authority was not "commensurate with its responsibilities," noting further that:

"In fairness to the Congress and the taxpayers, the committee cannot properly exercise its functions while it lacks the authority to review over 92 percent of the amounts being requested for the atomic energy program."

Accordingly, the Joint Committee added a new section 107 to the AEC authorization bill which provides that henceforth all appropriations for the Atomic Energy Commission will be subject to the requirement of prior congressional authorization.

On June 25, 1963, the AEC authorization bill was considered and passed in the Senate by a voice vote. On July 8, 1963, the same bill was considered and passed in the House of Representatives, again by a voice vote.

The bill was forwarded to the President and signed into law on July 22, 1963, as Public Law 88-72.

B. AEC supplemental authorization bill

On October 16, 1963, the Atomic Energy Commission transmitted to the Congress a proposed bill amending Public Law 88-72, the AEC fiscal year 1964 Authorization Act. The proposed bill provided a supplemental authorization of $17,945,000 for 12 new construction projects for the nuclear weapons development program.

This proposed bill was designed to provide partial implementation of the "safeguards" outlined by the President in connection with the Senate debate on the nuclear test ban treaty. (See sec. IV D. below.)

On September 10, 1963, in connection with the Senate debate on the ratification of the limited nuclear test ban treaty, the President wrote to Senators **Mansfield** and **Dirksen**, outlining a program of safeguards designed to minimize the risk inherent in the nuclear test ban treaty. Among the safeguards identified were (1) a vigorous program of underground nuclear testing; (2) maintenance of a posture of readiness for the resumption of atmospheric testing on short notice; (3) a program for the improvement of our ability to detect possible violations of the treaty; and (4) a program designed to maintain the strength and vigor of our national weapons laboratories.

The committee, after a careful review, concluded that the bill proposed by the AEC "represents a sound initial program for the implementation of safeguards." Specifically, the bill provided for replacement and modernization of facilities at the national weapons laboratories, as well as new facilities designed to improve our capability to resume full scale weapons testing in the atmosphere at short notice. Finally, the bill provided for certain facilities designed to increase the rate and efficiency of underground weapons testing at the Nevada Test Site.

The bill (H.R. 8971; S. 2267) was reported favorably by the Joint Committee on Atomic Energy on November 20, 1963 (H. Rept. No. 911; S. Rept. No. 647). The bill was considered and passed by the Senate on November 21, 1963, and passed by the House of Representatives on November 26, 1963. It was signed into law by the President on November 29 as Public Law 88-189.

C. Private ownership legislation

On March 15, 1963, the AEC transmitted to the Congress proposed legislation to amend the Atomic Energy Act of 1954 in order to discontinue the statutory requirement of mandatory Government ownership of all special nuclear material within the United States and to permit the enrichment of privately owned uranium in the Government's diffusion plants. The bill was introduced by the chairman, Senator **Pastore**, by request (S. 1160), and by the vice chairman, Representative **Holifield**, by request (H.R. 5035), on March 21, 1963.

The so-called private ownership legislation was the subject of extensive hearings over a period of 3 days, from July 30 to August 1, 1963. In the course of these hearings, the Joint Committee probed in depth into the legal and economic consequences of private ownership. Among the matters investigated by the committee were the effect of private ownership on the progress of civilian nuclear power, the relationship between private ownership and uranium resources and, finally, the effect of private ownership on the competitive structure of the atomic energy industry.

At the conclusion of the hearings, the Joint Committee on Atomic Energy, on August 12, 1963, directed a letter to the AEC requesting information on a wide variety of questions not fully answered during the course of the hearings.

The Commission's response to this letter was received by the Joint Committee on October 3, 1963. However, the Commission's response indicated that further information would have to be obtained from the Departments of Justice, State, and Treasury, before a complete response could be given to all of the questions raised by the committee. At the close of the 1st session of the 88th Congress, the chairman of the Joint Committee, in a letter to the Chairman of the Atomic Energy Commission, noted that "further study of the private ownership legislation will be necessary." Further hearings on this matter are planned during the 2d session of the 88th Congress.

The complete record of the Joint Committee's hearings on "Private Ownership of Special Nuclear Materials," including all of the testimony taken at the hearings, as supplemented by extensive background material, has been printed and is available to the public.

D. Nevada test site community legislation

On August 5, 1963, the AEC transmitted to the Congress proposed legislation to establish a community at or near the Nevada test site. The bill was introduced by Senator **Pastore**, by request (S. 2030), and by Representative **Holifield**, by request (H.R. 8003), on August 8, 1963.

The Commission, in proposing the legislation, stated that the community at the Nevada test site was "deemed essential to assist in the recruitment and retention of the highly skilled personnel required for effective conduct of the special nuclear (rocket) propulsion program (Project Rover), the joint program of the Commission and the National Aeronautics and Space Administration."

The bills were reviewed thoroughly in Joint Committee hearings on September 12 and

October 16, 1963. The committee gave intensive consideration to such matters as the need for the community, the potential financial commitment of the Government and alternatives to the creation of the community.

Further action on the bill has been delayed pending review by the Atomic Energy Commission of the effect on the proposed legislation of a possible cutback in Government support for the nuclear rocket program.

E. Omnibus bill

On June 24, 1963, the Commission transmitted to the Congress a proposed 1963 omnibus bill. The bill was introduced by Senator PASTORE, by request (S. 1795), and by Representative HOLIFIELD, by request (H.R. 7300), on June 26, 1963.

Hearings on the bill were held before the Subcommittee on Legislation of the Joint Committee on July 17, 1963.

The bill, as transmitted to the Congress, had two provisions. The first would have amended the Atomic Energy Act so as to authorize the Commission to require performance bonds of persons licensed to engage in the business of radioactive waste disposal. Section 2 would have amended the Euratom Cooperation Act of 1958 to increase the amounts of enriched uranium (U-235) and plutonium which could be furnished to Euratom by sale or lease.

The proposed legislation was reviewed carefully by the committee and was the subject of further discussion in executive meetings with the Atomic Energy Commission. Action on the legislation was held in abeyance on the basis of information subsequently received by the Joint Committee affecting the proposed financing arrangements associated with the sale of special nuclear material to Euratom. The committee plans to give further consideration to the omnibus legislation during the 2d session of the 88th Congress.

II. AGREEMENTS FOR COOPERATION

In accordance with the provisions of section 123 of the Atomic Energy Act of 1954, one new agreement, and amendments to six existing agreements for cooperation in the peaceful uses of atomic energy were submitted to the Joint Committee on Atomic Energy by the Department of State and the Atomic Energy Commission during 1963.

The new agreement, with the Government of India, provided the legal framework for a cooperative effort under which India will construct the 380 megawatt Tarapur nuclear power station consisting of two power reactors of American design and manufacture. Financing of up to $80 million will be provided by a loan from the U.S. Agency for International Development. The agreement also provided for safeguards to be implemented by the International Atomic Energy Agency in order to assure the use of the Tarapur station and its fuel for peaceful purposes.

The other major international arrangement considered by the committee was an amendment to the Additional Agreement for Cooperation with the European Atomic Energy Community. The purpose of the amendment was to facilitate the transfer of additional quantities of enriched uranium (U-235) to Euratom for the peaceful atomic energy activities of the six member states of the Euratom group.

The committee also considered amendments to the agreements for cooperation with Belgium, Ireland, Japan, and the Philippines. All of the foregoing international cooperative arrangements were reviewed by the Subcommittee on Agreements for Cooperation at public hearings held on September 5, 1963.

III. INFORMATIONAL HEARINGS

During the 1st session of the 88th Congress, the Joint Committee on Atomic Energy and its subcommittees held a total of 106 public and executive hearings, occupying 220 hours. The committee conducted 51 public sessions and 55 executive sessions during the year. In addition, members of the Senate section of the Joint Committee on Atomic Energy participated in extensive joint hearings with the Armed Services Committee and the Foreign Relations Committee on the nuclear test ban treaty for an additional 24 sessions occupying 62 hours.

Some 18 publications, consisting of reports, hearings, and committee prints, were published by the Joint Committee during the 1st session of the 88th Congress.

A. Status of the atomic energy industry (sec. 202)

Section 202 of the Atomic Energy Act of 1954, requires that the Joint Committee on Atomic Energy hold hearings on the development, growth, and state of the atomic energy industry during the first 90 days of each session of the Congress.

This year, the committee introduced an innovation by holding the hearings in two separate phases. The specific focus of the hearing was the report by the Atomic Energy Commission to the President in November 1962 on "Civilian Nuclear Power."

Witnesses representing the interested agencies of Government testified during the hearings in February on the status and prospects for the future of civilian nuclear power in the United States. During the second phase of the hearings, in April 1963, representatives of industry, labor, and the public commented on the testimony and information developed during the first phase of the hearings.

These hearings were published in two volumes (pts. 1 and 2) under the title "Development, Growth, and State of the Atomic Energy Industry, 1963."

B. Fallout, radiation standards, and countermeasures

The Subcommittee on Research, Development, and Radiation held public hearings this year, in two phases, on the subject of "Fallout, Radiation Standards, and Countermeasures." During the first phase of the hearings, conducted June 3, 4, and 6, 1963, the committee received testimony from Government witnesses updating the latest scientific information on fallout, describing the current situation with respect to the development of standards for protection against radiation, and finally, outlining the Federal program of research and development in the field of countermeasures.

The hearings were especially timely because of the concurrent release by the Federal Radiation Council of a report, disclosing publicly the extent of all nuclear weapons tests by the United States and the Soviet Union through 1962. A further highlight of the hearing was a statement given by the Chairman of the Federal Radiation Council in which he assured the committee that the Federal Radiation Council would establish radiation standards applicable to fallout within 1 year.

The second phase of the hearings was held on August 20, 21, 22, and 27, 1963. During this phase of the hearings, non-Government witnesses commented on the record developed by the testimony of the Government agencies during the June hearings which previously had been published and distributed to the public.

In addition to many valuable comments by these witnesses, a special situation concerning local fallout in the vicinity of the Nevada test site was examined in detail. Studies by independent groups gave evidence that a large number of children residing in the Nevada-Utah area could have been subjected to unprecedented thyroid radiation exposure due to the intake of radioiodine from the milk supply. At the suggestion of the Joint Committee, the U.S. Public Health Service extended its epidemiological studies in this area in order to determine, if possible, any evidence of the effects on these children which might be attributed to the calculated exposures.

The hearings were published in two parts, under the title "Fallout, Radiation Standards, and Countermeasures."

C. Nuclear test ban agreement

The Senate section of the Joint Committee participated in hearings with the Senate Armed Services and the Senate Foreign Relations Committee on the treaty banning nuclear tests in the atmosphere, in outer space, and underwater.

During these hearings, held from August 12 to 27, 1963, the committees, meeting in joint session, thoroughly reviewed all ramifications of the treaty. The treaty was signed in Moscow on August 5, 1963, and the resolution of ratification was approved by the Senate on September 24, 1963, by a vote of 80 to 10. The treaty was signed by the President on October 10, 1963.

The Secretary of State, Secretary of Defense, Chairman of the Atomic Energy Commission, the Chairman of the Joint Chiefs of Staff, and heads of the individual armed services, as well as representatives from the public, presented testimony regarding the advantages and possible hazards of the treaty.

One of the principal considerations identified by the witnesses who testified on the treaty was the necessity that the treaty be accompanied by the establishment of adequate safeguards to insure our national security. (See secs. I B. and IV D. for a further discussion of the treaty safeguards.)

D. Army food irradiation program

On May 13, 1963, the committee journeyed to Natick, Mass., to review the food irradiation program being conducted by the U.S. Army Quartermaster Research and Development Command.

This is a program in which the Joint Committee has been particularly interested. The program would have been all but abandoned several years ago, had it not been for Joint Committee intervention. During its visit, the committee held public hearings on the food irradiation program and inspected the laboratory facilities.

Only 2 months earlier, the U.S. Food and Drug Administration had approved the human consumption of irradiated bacon.

This approval by the Food and Drug Administration is not only a milestone in the program, but will undoubtedly act as an impetus to the development and clearance of an increasing variety of useful food products, preserved or sterilized by the irradiation process.

E. Chemical reprocessing plant

On May 14, 1963, the Joint Committee held public hearings on proposed arrangements for the construction and operation of a major chemical reprocessing plant in New York State.

The proposed plant, the first privately owned facility of its kind, will be operated by Nuclear Fuel Services, Inc., on land leased from the New York State Atomic Research and Development Authority.

In view of the fact that the arrangements for this plant involved some major Government commitments vitally affecting the future of civilian nuclear power, the Joint Committee held public hearings in order to obtain and place upon the public record all of the available information on this project.

The committee obtained detailed information on the specific contractual arrangements and the Government's financial commitment in connection with the project. In the course of the hearings the committee received testimony from the AEC, Nuclear Fuel Services, Inc., and the New York State

Atomic Research and Development Authority.

These hearings are being published under the title "Chemical Reprocessing Plant."

F. *Cooperative power reactor demonstration program*

In 3 days of hearings during 1963, the Joint Committee reviewed a number of existing and proposed projects under the cooperative power reactor demonstration program.

Hearings were held on amendments to the arrangements for the Hallam nuclear power facility (August 7, 1963) and the city of Piqua and Elk River reactor projects (October 15, 1963). Amendments to the arrangements for each of the facilities were required because of substantial overruns in cost estimates. The proposed amendments were submitted to the Joint Committee on Atomic Energy in accordance with section 111b of Public Law 85–162, which requires that such proposed amendments lay before the committee for a period of 45 days before they may be executed.

In addition, the committee held hearings on three proposed third round and modified third round projects: Southern California Edison; city of Los Angeles; and Connecticut Yankee. Arrangements for each of these projects were submitted to the Joint Committee in accordance with the requirements of Public Law 85–162, to lay before the committee for a statutory period of 45 days.

In the case of the 395-megawatt Southern California Edison reactor project, the Commission proposed a $6,400,000 research and development program and waiver of nuclear fuel use charges up to $6,500,000. (A utility receiving waiver of use charges, must nevertheless pay for the value of the nuclear fuel which it consumes. The utility need not pay the lease charge prior to burnup.) The project is expected to demonstrate advanced technological features which may lead to reduced power costs and improved performance.

The city of Los Angeles and Connecticut Yankee projects fall within the modified third round, making them eligible to receive design assistance from the Atomic Energy Commission. The objective of this assistance is the early demonstration of large commercial nuclear powerplants based upon proven reactor concepts.

The Commission proposes design assistance of $6,050,000 to the 490 mw. Connecticut Yankee plant and $7,145,000 waiver of fuel use charges. For the city of Los Angeles plant to be operated at the same power level, the Commission proposes $8 million of design assistance and $8,200,000 waiver of fuel use charges. As noted earlier, the utility receiving waiver of fuel use charges, must nevertheless pay for the value of the fuel it consumes.

Hearings on all of the foregoing projects will be published shortly under the title "Cooperative Power Reactor Demonstration Program."

G. *Detection and identification of nuclear weapons tests*

On March 5, 6, 7, 8, 11, and 12, 1963, the Joint Committee held public hearings on developments in technical capabilities for detecting and identifying nuclear weapons tests.

The committee heard testimony from the Director and Assistant Director of the Arms Control and Disarmament Agency, representatives of the Department of Defense's Advanced Research Project Agency, the Atomic Energy Commission and other technical specialists associated with research on capabilities of detecting and identifying explosions.

These hearings indicated that advances had been made in the past 2 years—since the July 1961 JCAE hearings—in the improvement of capabilities for detecting high altitude nuclear explosions. Continued research on the detection of underground nuclear explosions had revealed that the number of natural earthquakes having a magnitude equivalent to a given yield underground nuclear explosion in a specific medium was less than had previously been estimated. However, the many unidentified events that a detection system would record would still necessitate a number of onsite inspections to establish the identity of an event if a comprehensive nuclear test ban treaty were to be effective.

Continued research in the areas of detection and identification of nuclear weapons tests is required.

H. *Confirmation of Presidential appointees*

The Senate section of the Joint Committee met in public session on June 20, 1963, to consider the nomination of Dr. Gerald F. Tape and the reappointment of Dr. Glenn T. Seaborg to the Atomic Energy Commission. Dr. Tape was nominated to serve the remainder of the term of Mr. Leland J. Haworth until June 30, 1966. Dr. Seaborg was reappointed to serve a full 5-year term as Chairman, to expire June 30, 1968.

The Senate section met in executive session to consider the nominations on June 20. The nominations were reported favorably on June 20 and approved by the Senate on June 24.

The Senate section met in public session on September 10, 1963, to consider the nomination of Mr. Frank K. Hefner to be Deputy U.S. Representative to the International Atomic Energy Agency in Vienna, replacing Mr. William I. Cargo; and Dr. Glenn T. Seaborg as Representative of the United States to the Seventh Session of the General Conference of the IAEA, and Henry de Wolf Smyth, John G. Palfrey, James T. Ramey, and Frank K. Hefner as Alternate Representatives.

The nominations were reported favorably on September 12 and approved by the Senate on September 13, 1963.

The Senate section met in public session on December 5, 1963, to consider the nomination of Mr. William Jack Howard to be Chairman of the Military Liaison Committee to the Atomic Energy Commission. Mr. Howard will replace Dr. Gerald Johnson, who resigned.

The nomination was reported favorably on December 5 and approved by the Senate on December 6, 1963.

IV. CLASSIFIED ACTIVITIES

In addition to the hearings described in the previous section of this report, the Joint Committee conducted an extensive number of hearings on classified matters in executive session.

The subject matter of these hearings proved to be as broad as the worldwide defense and security interests of the United States.

A. *Intelligence briefings*

On January 15 and June 17, 1963, the full Joint Committee received intensive briefings on late intelligence developments affecting the field of atomic energy from Mr. John A. McCone, Director of the Central Intelligence Agency. These meetings were a continuation of the regular practice of semiannual briefings by CIA on vital matters affecting the security interests of the United States.

B. *Loss of the nuclear submarine, "Thresher"*

On April 10, 1963, the nuclear submarine, *Thresher*, while undergoing sea trials approximately 200 miles off the coast of Cape Cod, was lost. The ship went down with 112 naval personnel and 17 civilians aboard.

Immediately upon being notified of the loss, the Chairman of the Joint Committee instructed personnel of the committee staff to represent the committee as official observers to the court of inquiry appointed by the Navy. These staff personnel were present during the taking of testimony by the court in both open and closed sessions. Periodically, reports were made by Joint Committee staff personnel to the full Joint Committee in executive session.

The committee itself held executive hearings on the loss of the nuclear submarine, *Thresher*, on April 22, June 20, 24, 26, 27, and July 23, 1963.

Testimony was received from the Secretary of the Navy, as well as ranking naval officers familiar with the design, construction, operation, and maintenance of nuclear submarines.

The committee obtained information on all factors which could reasonably be considered in relation to the loss of *Thresher*. The committee also reviewed planned action to improve submarine design and obtain greater quality assurance in the nonnuclear portion of the construction of submarines.

The Navy Department has maintained that all information and matters discussed in hearings with the Joint Committee concerned with the loss of the *Thresher* are classified and cannot be made public. The Joint Committee has been endeavoring to make public that information which would not adversely affect the national defense. The committee will continue its discussions with the Navy Department leading toward publication of an unclassified version of the committee hearings. The committee also will continue to follow planned action for improvements in the design and construction of nuclear submarines, particularly with regard to requiring all vital ship safety systems to meet the high standards required within the nuclear portion of the ship.

C. *Nuclear propulsion for naval surface vessels*

Historically, the Joint Committee on Atomic Energy has played an important role in encouraging the development of nuclear submarines. The committee, in addition, has maintained a parallel interest in the application of nuclear propulsion technology to naval surface vessels.

Following hearings held aboard the U.S.S. *Enterprise* on March 31 and April 1, 1962, the Joint Committee concluded that:

"The United States must prosecute vigorously the conversion of the Navy to nuclear propulsion in the surface fleet as well as in the submarine fleet."

The information developed by the Joint Committee indicated that the research and development program on nuclear propulsion plants had been very successful. However, the committee noted that, notwithstanding the reports of technical progress, the Department of Defense had no plans for the use of nuclear power in future surface vessels. On March 1, 1963, the chairman of the Joint Committee wrote to the Secretary of Defense, expressing the committee's concern at the lack of plans for the future utilization of nuclear power, and asked the Secretary to consider the use of nuclear propulsion in the aircraft carrier authorized for fiscal year 1963, CVA–67.

No word was received on this matter from the Department of Defense. In order to obtain current information, the Joint Committee scheduled hearings in executive session for October 30, 31, and November 13, 1963. Testimony was received from witnesses representing the Atomic Energy Commission, the Department of the Navy, and the Department of Defense.

After a thorough review of the testimony and documentary evidence developed during the course of the hearings, the committee concluded that nuclear propulsion should be utilized in the next aircraft carrier, CVA–67, as well as in all future firstline warships.

The committee issued a comprehensive report in December of 1963 on this matter under the title "Nuclear Propulsion for Naval Surface Vessels." The hearings held by the committee are now being reviewed for classification purposes and the published record of the hearings will be available shortly.

D. Visit to atomic energy detection sites

From November 2 to 8, 1963, members of the Joint Committee on Atomic Energy, accompanied by staff personnel and representatives of the Atomic Energy Commission, the Defense Department, and the White House, visited selected installations in the worldwide atomic energy detection system.

The committee's inspection trip underscored its interest in assuring the effective implementation of the test ban treaty safeguards, particularly that safeguard pledging an improvement in our system for the detection of clandestine nuclear tests.

In the course of its inspection, the committee was able to examine in detail a number of acoustic, electromagnetic, seismic, and other detection systems.

Upon returning from this inspection trip, Chairman PASTORE stated:

"We have returned from our inspection with a feeling of greater assurance in our ability to detect a violation of the test ban treaty should such a violation occur. However, improvements are being * * * and must continue to be * * * made."

The committee is currently preparing a classified detailed report of its trip which will include certain recommendations for improving our detection and identification capabilities.

E. Nuclear weapons testing program

In January and February 1963, the Joint Committee received 3 days of intensive briefings on the current status and future requirements of the U.S. nuclear weapons program.

Testimony was presented by representatives of the Atomic Energy Commission and the Department of Defense as well as senior scientists from the Los Alamos and Livermore Laboratories.

In addition, the Atomic Energy Commission reported to the Joint Committee throughout the year on progress in the underground nuclear weapons test program and plans for future underground tests, as well as the status of our readiness for the resumption of atmospheric testing.

F. Test ban negotiations

On February 5, 1963, Ambassador Arthur H. Dean, former U.S. representative to the conference on the discontinuance of Nuclear Weapons Tests at Geneva, presented a review of the nuclear test ban negotiations during the years of his stewardship, 1961–62. During this briefing, Ambassador Dean testified on the impact and desirability of a test ban agreement.

On February 25, 1963, representatives of the Arms Control and Disarmament Agency testified concerning progress in nuclear test ban negotiations with particular emphasis on the discussions with Soviet representatives held in New York, Washington, and Geneva during January and February 1963.

Testimony was received from Mr. Adrian Fisher, Deputy Director of ACDA, and Dr. Franklin Long, Assistant Director, as well as Dr. Harold Brown of the Defense Department.

Consistent with its policy of closely following the test ban negotiations, the Joint Committee received testimony on July 24, 1963 from Secretary of State Dean Rusk. Secretary Rusk particularly reviewed developments during Ambassador Harriman's test ban negotiations in Moscow. Secretary Rusk discussed the principal features of the proposed treaty in considerable detail and explored with the committee its possible impact on international affairs.

G. NATO multilateral force

The Joint Committee has maintained a continuing interest in the negotiations for a NATO Multilateral Nuclear Force. In this connection, on February 20, 1963, the committee received testimony from Ambassador Livingston Merchant who had been appointed Special Assistant to the Secretary of State for multilateral force negotiations. Ambassador Merchant outlined the U.S. position as he would present it in Paris and at each of the capitals of the European NATO allies which his working group would visit during the period of exploratory discussions.

At the committee's request, the State Department has advised the committee periodically of the various steps being undertaken by the United States in connection with the MLF proposal. The Joint Committee will continue to follow this matter closely during the 2d session of the 88th Congress.

SOVIET WHEAT TRANSACTION

Mrs. SMITH. Mr. President, Mrs. May Craig, Washington correspondent of the Gannett newspapers, radio, and television stations, has written an article that admirably places the wheat deal in proper perspective. When this matter was before the Senate, I expressed and recorded my opposition to the wheat deal by voting for the Mundt amendment.

Those excerpts of Mrs. Craig's article which I feel are most pertinent and most telling include:

> The whole affair of the wheat for Russia, tacked to the foreign aid bill, was a discredit to the President, the House and the Senate. First proposal was that the Soviet Union, which has gold, would pay in gold, cash. Somehow this got diluted by allowing the Export-Import Bank to guarantee payment, by the Soviets, to the private people in this country who sold the wheat. That is, if the Russians do not pay, you and I will. The very suggestion informed the Russians that they need not pay. They still owe us a huge lot of money, all the way back to the First World War.
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> * * * * *
>
> Russia has had crop failures, due to the Communist system—men will not work without reward for effort—in the free economy of this country we produce farm surpluses. But Russia has gold—she can pay if she needs wheat, and if we choose to sell to her to relieve her strain. Is it in the national interest of the United States to help Russia cover up the failure of communism?

I ask unanimous consent that her full piece be placed in the RECORD at this point, and I invite the attention of the Members of this body to it.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

INSIDE IN WASHINGTON: SOVIET WHEAT DEAL A SHABBY PERFORMANCE

(By May Craig)

Anybody inclined to think well of the Russians because they allowed West Berliners to come into East Berlin for Christmas visits with relatives better stiffen their backbones by pondering the shooting of an 18-year-old East German boy, shot down by East German guards because he tried to escape from East to West Berlin. The invitation for West Berliners to cross, with hard-to-get passes, for the visit to relatives, was pure hokum, designed to soften us up. And for the Reds there was the bonanza of the food, clothing, shoes, et cetera, the prosperous West Berliners brought to shabby, hungry relatives.

There was no Christian charity, no lessening of the Communist grip on East Germany that led to the visits. Besides everything else, the Communists try to make this look like a recognition of East Germany. They knew if they opened the wall to East Germans, they would come west in a flood and stay. The wall was built because thousands escaped to the West every week.

While gullible Americans were passing legislation to guarantee credit for the wheat we would sell to the Soviet Union, if the Soviet did not pay, the Communist guards shot down the boy who tried to climb the wall to freedom. A companion managed to escape the hail of bullets and made it. The other died.

The whole affair of the wheat for Russia, tacked to the foreign aid bill, was a discredit to President, House, and Senate. First proposal was that the Soviet Union, which has gold, would pay in gold, cash. Somehow this got diluted by allowing the Export-Import Bank to guarantee payment, by the Soviets, to the private people in this country who sold the wheat. That is, if the Russians do not pay, you and I will. The very suggestion informed the Russians that they need not pay. They still owe us a huge lot of money, all the way back to the First World War.

There were many in Congress who said they would not vote to guarantee to pay—if the Russians wanted to get the wheat, let them pay cash. President Johnson put on pressure for the credit guarantee; he pressured the House and Senate to come back and do it.

The whole miserable finagling, running back and forth to sessions, was a discredit. House or Senate would meet, without a quorum, then drag Members back through snow and stalled air travel. The final discredit for the Senate was when Senator FULBRIGHT, chairman of the Foreign Relations Committee, and Democratic floor leader, called the President to ask him when he thought the Senate should act. It used to be that the Senate would lay down a hard and fast decision on when to meet. Senators of the old days, when they regarded themselves as part of the legislative branch, sovereign over their legislative action, must have turned over in their graves at the spectacle.

Final blow was that when FULBRIGHT asked the President, he got back word that the President said this was a question for the Senate to decide. Day after day, they would meet at intervals, and those opposed to the legislation would demand a quorum, which was never there. FULBRIGHT even tried to get Republican Senator KUCHEL, assistant floor leader of the GOP, to break a promise to absent Senators, home for Christmas, that no business would be transacted in their absence, and KUCHEL, in the chair, refused. So they met and did nothing Wednesday and nothing on Friday but agreed to meet yesterday, under the threat of opponents that they would object unless there were a majority.

And all for what? To pass a foreign aid bill already drastically cut to show the President that Congress is fed up with pouring out billions in foreign aid, much of it going to unfriendly nations, much of it wasted. Congress wants to revise the whole ancient shaky structure of foreign aid. The wheat deal was hitched onto the bill though it has nothing to do with the foreign aid program.

Another amendment had been hitched on saying the President would have discretion to grant credit to the Soviet Union for American commodities if he would inform Congress that it was in the national interest. If we let them have the wheat "on credit" there is no way to stop them from reselling it to anybody they please, including Cuba. Another discreditable aspect was the reason given by House Democratic floor leader ALBERT why the House must rush back from home to pass the bill right away.

He said "the real issue is whether the President, the new President, is to look strong or look weak * * *." Is this a creditable way for Congress to legislate? As to the President, either he is or is not strong or weak, within his executive field—he has no right to prod Congress into action for such a reason.

Russia has had crop failures, due to the Communist system—men will not work without reward for effort—in the free economy of this country we produce farm surpluses. But Russia has gold—she can pay if she needs wheat, and if we choose to sell to her to relieve her strain. Is it in the national interest of the United States to help Russia cover up the failure of communism?

The way the legislation reads it could not only be wheat, but any American commodity—this was stressed by Representative McINTIRE, of Maine; he said this is in reality an entirely new and comprehensive trade policy for the United States.

SOLICITATION OF CAMPAIGN CONTRIBUTIONS

Mr. WILLIAMS of Delaware. Mr. President, on January 7, 1964, there appeared in the Washington Evening Star an article by Mr. Walter Pincus entitled "Candidates, Firms Learn To Beat Election Law."

In this article the writer has done an excellent job in calling attention to certain specific examples showing how campaign contributions are solicited in violation of section 610, title 18, of the United States Code.

In my opinion, however, this problem arises not so much from the lack of laws as from the inadequate enforcement of existing laws.

For example, in the first instance he cites a case where a Congressman had asked a corporation to make its political contribution in postage stamps rather than in cash. Apparently this was done on the premise that postage stamps when given as a campaign contribution would be a deductible business expense for tax purposes. That is not true. Under the law, as presently written, such a contribution would still be a political contribution and therefore not deductible any more than would a cash contribution.

In pointing this out I do not mean to infer that I disagree with Mr. Pincus' conclusions that our existing laws relating to campaign contributions need further study and modification, but laws in themselves are not enough if the will to enforce them is not there. And in recent years this will to enforce has not been apparent.

For example, in 1961 I called to the attention of Attorney General Robert Kennedy a specific case where corporations had contributed several thousands of dollars to a political committee, and to make these contributions even more questionable they were made with the express thought that the corporations would in turn be guaranteed certain contracts under our highway construction program.

In this case, these corporations had contributed several thousand dollars to the Democratic State Committee in Delaware. Furthermore, when they were questioned they freely admitted that their contributions had been made in return for a promise that they would be given contracts for certain road construction work which was being paid for in part under our Federal highway construction program.

Information to support these charges was forwarded to the Attorney General of the United States under date of April 11, 1961, along with the names of the corporations, the names of the contributors, the dates, and the exact amounts of the checks. The Attorney General in his reply of April 20, 1961, said that after examining these charges he found that no laws were violated. Apparently he saw nothing wrong with corporations making such political contributions—not even when contributions were made as a condition to securing contracts under our Federal highway program.

I cite this specific case to demonstrate what I said in the beginning—that the enactment of more laws is not altogether the answer. What we need are enforcement officers who respect and who enforce the laws already in existence.

At this point I ask unanimous consent to have printed in the RECORD the article which appeared in the Washington Evening Star of January 7, 1964.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

CANDIDATES, FIRMS LEARN TO BEAT ELECTION LAW

(By Walter Pincus)

Recently a Member of Congress running for reelection this year sought a $500 contribution from the Washington representative of a major corporation.

To get around the law, the legislator suggested the contribution be made in postage stamps—a gambit which would effectively hide its source and even permit the corporation to deduct the contribution as a business expense.

The provision of the law the Congressman wanted to get around was section 610 of title 18, United States Code, which makes it unlawful for corporations and labor unions to contribute or spend their own funds in connection with a Federal election.

As each national election approaches, corporation and labor union officials and their lawyers seek ways to circumvent the spirit—if not the word—of this 58-year-old statute. Anyone who ever raised funds for a national candidate knows they find them.

In fact, as in the case of the postage stamp Congressman, it is frequently the candidates or their parties who promote the contributors, knowing that only by tapping corporate and union sources can they meet the ever-growing costs of electioneering.

A few recent examples:

1. In early 1963, the State committee of a national party sent the president of a large union local 10 tickets to a forthcoming $1,000-a-plate political dinner. The union official, who felt he was obliged to support the party in return for favors to his local, used his personal expense account fund to pay the necessary $10,000.

2. Every election year, top officials in each plant of a large defense contractor are encouraged to make the contributions—through the corporation—to the party of their choice. The appeal for contributions is usually coupled with a discussion of the corporation's annual Christmas bonus.

Funds collected for each political party—in one plant one year they totaled $5,000—are sent to the corporation's Washington representative. He donates the money where he feels it would do the corporation the most good—always following, of course, the party choice of the giver.

3. The president of a large west coast utility has a luncheon meeting with his top executives before each primary and general election. At the meeting he circulates a list of candidates he says favor the utility's position and to whom he believes contributions should be made.

Each executive is given a pledge slip on which he indicates the size of his contribution next to the name of the candidate. The contribution is given to the utility president who personally presents it to the candidate.

Fundraising dinners and galas have become the prime sources of national campaign money. This has occurred according to those who promote them, because such events offer the best opportunity for large contributors—particularly corporations and unions—to make undisclosed contributions.

Blocks of tickets are purchased by buyers and distributed to employees, friends, or even left with the promoters of the event to be given to others. Loopholes in campaign fund reporting laws make it unnecessary, in almost every case, for the candidates or parties to report the purchasers of all tickets to such events.

The present law barring corporate and union contributions stands as a slightly tarnished memorial to a past era. It was in 1906, with rumors in the air of the "trusts" buying candidates and elections, that President Theodore Roosevelt asked Congress to pass a law "prohibiting all corporations from contributing to the campaign expenses of any party."

Roosevelt's request was buttressed by a disclosure shortly thereafter that a New York corporation had contributed $50,000 to his opponent during the 1904 presidential campaign.

LIMITED PROHIBITIONS

As enacted in 1907, the law barred only contributions by national banks and corporations falling under the jurisdiction of Federal law.

It was not until 1947 that union political contributions were outlawed by the Taft-Hartley Act. The provision was first placed in the act by the House of Representatives, partially in response to statements by labor leaders that millions of dollars of union money would be spent to defeat Congressmen who voted for antiunion legislation.

Like other statutes in the campaign-financing field, the ban on union and corporation contributions is full of legal loopholes and near impossible to effectively enforce.

Every year, Government agencies responsible for auditing the books of federally insured banks and savings and loan associations turn up dozens of instances of campaign contributions made with bank funds. The normal procedure is for bank officials to reimburse the bank the amounts involved from their own pockets. In return they receive a warning from the Federal agencies not to do it again.

SKIRTING THE LAW

There are myriad ways to violate the spirit of the law while at the same time adhering to its letter.

The law does not bar contributions by associations financed by corporations nor does it bar contributions from voluntary political action organizations set up by unions. Thus trade associations, through their Washington representatives, have become major sources of campaign money. And the reported 1962 campaign fund spending by union groups exceeded $2.3 million.

Another legal way for unions and corporations to contribute is through purchase of advertising space in publications produced by political parties or candidates. A ruling by the Internal Revenue Service not only sanctions such advertising—as long as it promotes the advertiser and not a candidate—but also makes such expenditures tax deductible even though they go to support a political party or candidate.

CALIFORNIA DINNER PROGRAM

Last November California Democrats had a $100-a-plate dinner with then Vice President Lyndon Johnson as featured speaker. The event grossed a reported $200,000 to $235,000. No less than $75,000 of this came from advertising in a souvenir program which carried 10 pages of text and 62 pages of advertisements.

Business entities other than corporations are not mentioned in the law and thus are free to make whatever political contributions they wish.

Incomplete as they are, the Republican and Democratic lists on file with the Clerk of the House are spotted with contributions from law firms and public relations organizations along with advertising, real estate, and insurance agencies.

One of the country's leading political fundraisers maintains a list of architects and engineers from whom he regularly solicits and almost always receives substantial campaign contributions.

KENNEDY SAW DANGER

President Kennedy sought to reform campaign financing because he saw a danger to the public interest when candidates depended on large contributors—particularly those representing corporate and union interests.

Though he tried to stimulate a broader base for campaign funds through proposed legislation, he believed that eventually only Federal subsidies would effectively free candidates from the necessity of seeking cash from big money interests.

The impetus for corporations and unions to supply such funds to political campaigns, however, will remain strong as long as government is deeply involved in their operations.

Despite calls for more vigorous enforcement of section 610, most observers believe that no written or proposed statute could realistically prevent business and labor interests from furnishing campaign funds as long as candidates and political parties are willing to accept them.

Mr. WILLIAMS of Delaware. Mr. President, next I ask that there be incorporated in the RECORD my letter of April 11, 1961, as addressed to the Attorney General outlining the specific charges of contributions having been made by companies seeking contracts under our highway program.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

APRIL 11, 1961.

Hon. ROBERT F. KENNEDY,
The Attorney General,
Washington, D.C.

MY DEAR MR. ATTORNEY GENERAL: Earlier this year I called the attention of your Department to a possible violation of Federal laws pertaining to the solicitation and acceptance of political contributions from contractors doing construction work under our Federal and State highway program.

Allegedly, at the time when contractors were doing business through the Delaware State Highway Department and receiving contracts approved by both the State agency and the Federal Bureau of Public Roads they were solicited for political contributions and were making such contributions as corporations to the Democratic State committee. I have been advised that it may be found that such contributions have been made to both political parties in our State; however, I have evidence only of contributions which were made to the Democratic State committee.

It is my understanding that contributions made by corporations to any political committee which in turn supports the election of any candidate for national office is a violation of the Federal law. Accordingly, I am referring this information to you for appropriate action.

I list below the evidence which thus far has been developed, and I would suggest that your office also talk with the attorney general of Delaware, Mr. Januar D. Bove, Wilmington, Del., who may have more evidence of these violations. He has authorized me to pledge the full cooperation of his office with your Department.

Enclosed are photostats of the following checks and documents supporting these charges:

Exhibit 1: Two checks, one of which is No. 2658, drawn on the account of --------------, ------, for $9,000. This check is drawn on the Equitable Security Trust Co., Wilmington, Del., and is payable to the Democratic State committee. The other check, No. 655, is for $6,000 and is drawn on the account of the --------------, ------, and is likewise payable to the Democratic State committee. It is drawn on the company's account in the Equitable Security Trust Co., Wilmington, Del. The ------------, is a subsidiary of ------------, thus bringing their contributions to $15,000.

Exhibit 2: Check No. 668, dated May 2, 1957, drawn on the account of ------------, ------. This check is for $5,000 and is made payable to the Democratic committee, being drawn on -------------- special account in the Equitable Security Trust Co. of that city.

Exhibit 2a: The deposit ticket of the Democratic State Committee of Delaware for May 3, 1957, showing the deposit of the above -------------- $5,000 check in their account in the Delaware Trust Co. of Wilmington, Del.

On September 27, 1960, Mr. --------------, one of the -------------- was questioned by Attorney General Bove and in his statement under oath said that this $5,000 contribution was made after the Democratic State chairman had told him that in return for a $5,000 contribution to the party, he would be given a contract for certain road construction work which was to be awarded in the next few days. Mr. -------------- testified that the check listed above was this contribution and that he subsequently received the contract as promised. A copy of his sworn testimony will be made available to your Department upon your request to the attorney general of the State of Delaware.

Exhibit 3: Two other checks representing contributions by --------------, to the Democratic committee are as follows: Check No. 1395 dated September 10, 1958, for $2,000, payable to the Democratic committee and drawn on the -------------- account in the Bank of Delaware, Wilmington, Del. Check No. 3938 in the amount of $2,000 and dated October 17, 1956, drawn on -------------- account in the Equitable Security Trust Co., Wilmington, Del., payable to the Democratic National Committee.

Exhibit 4: Three checks, each of which is for $2,000 and drawn on the -------------- accounts in the Equitable Security Trust Co. and the Bank of Delaware, Wilmington, Del. The checks are identified as follows: Check No. 4000, dated October 17, 1956, for $2,000 drawn on the Equitable Security Trust Co. The last two checks are Nos. 1816 and 1817, drawn on the Bank of Delaware and dated October 16, 1958, amount of each $2,000, and payable to ------------ and ------------, respectively. It is my understanding that if you will check with the attorney general of the State of Delaware, he can provide you with evidence showing that these latter checks were cashed and that the cash was then turned over to the Democratic State committee.

In addition to these photostatic copies of checks and deposit tickets included herewith, there is additional confidential information which the attorney general of Delaware has indicating that --------------, another road contractor in Delaware, made political contributions of $150 in 1958, $3,650 in 1959, and $1,375 in 1960, and that the -------------- made a contribution of $2,610 in 1959. As I pointed out earlier there is reason to believe that a thorough check would show that other contractors had likewise been making political contributions as corporations, perhaps to both parties.

In addition to these specific checks there has been evidence developed which indicates that these same contractors have been substantial purchasers as corporations of tickets to the Jefferson-Jackson Day dinners.

Everyone readily recognizes the danger of a continuation of this practice, not only from the standpoint of corrupt political practices but also from the standpoint of the taxpayers not getting full valuation when contracts are awarded on the basis or the amount of political contribution. Attempts are being made to clean up this situation within our State, but since the political contributions made by these corporations involve violations of Federal law they are being submitted to your Department with the request that the appropriate action be taken.

I am submitting this information after having conferred with the attorney general of Delaware, Mr. Januar D. Bove, and am authorized to extend to you the pledge not only of my full cooperation but also of the full cooperation of his office in developing this case.

To allow the flagrant solicitation and acceptance of the political contributions from these contractors doing business with the Federal and State Governments to go unchallenged would result in a complete breakdown of the respect of the American people in the integrity of our election system.

Yours sincerely,

JOHN J. WILLIAMS.

Mr. WILLIAMS of Delaware. Mr. President, next I ask unanimous consent to have printed in the RECORD the letter received from the Department of Justice, dated April 20, 1961, in which the Attorney General states that after examining these charges there does not seem to be any violation of the law.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

DEPARTMENT OF JUSTICE,
Washington, April 20, 1961.

Hon. JOHN J. WILLIAMS,
U.S. Senate,
Washington, D.C.

DEAR SENATOR WILLIAMS: This refers to your letter to the Attorney General of April 11, 1961, concerning possible violations of Federal laws with respect to the solicitation and acceptance of political contributions from contractors doing construction work under Federal and State highway programs.

Section 610 of title 18 of the United States Code prohibits the contribution by a corporation in connection with any election at which Federal candidates are to be voted for, or in connection with any primary election or political convention or caucus held to select such candidates. The contributions by --------------, --------------, and-------------- were made to and received by the Democratic State committee. There does not appear to be any evidence indicating that the funds were used in connection with the election of any Federal candidates or given for that purpose. In the absence of such evidence, there does not seem to be any violation of section 610.

Section 611 of title 18 prohibits political contributions by noncorporate contractors who contract with an agency of the Federal Government, if payment for the performance of the contract is made in whole or in part from funds appropriated by the Congress. Not only do the contributions involved herein appear to have been made by corporations, but the contracts were with a State agency and not an agency of the Federal Government. Under the circumstances, there does not seem to be any violation of section 611.

The activities of the employees of the State highway department may constitute violations of the administrative provisions of the Hatch Act, which come under the jurisdiction of the Civil Service Commission. I am informed that the matter is now under investigation by the Commission.

In accordance with the suggestion in your letter, I have discussed this matter with General Bove, of Delaware, particularly the question whether any evidence may exist of a connection between the alleged contributions and a Federal election. We will continue to cooperate with Mr. Bove. If there is evidence available to the effect that the contributions received by the Democratic State committee were used in connection with the election of Federal candidates, and that the contributors were aware that such use was contemplated, violations of 18 U.S.C. 610 may be involved. In that instance, this Division will take all necessary steps to prosecute the violators.

Your interest in this matter is appreciated. If I can be of further service to you, please do not hesitate to call upon me.

Sincerely,

BURKE MARSHALL,
Assistant Attorney General,
Civil Rights Division.

Mr. WILLIAMS of Delaware. Mr. President, following this letter I ask unanimous consent that there be printed in the RECORD a letter dated February 20, 1962, signed by Mr. John W. Macy, Jr., Chairman of the Civil Service Commission.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

U.S. CIVIL SERVICE COMMISSION,
Washington, D.C., February 20, 1962.

Hon. JOHN J. WILLIAMS,
U.S. Senate.

DEAR SENATOR WILLIAMS: This is in further reply to your letter of September 20, 1961, concerning alleged prohibited political activity on the part of employees of the Delaware Highway Department who work in connection with an activity financed in whole or in part by Federal loans or grants. The Commission has completed an investigation into this matter.

Evidence of partisan political activity on the part of two employees was obtained during the course of the investigation. However, upon full inquiry it was determined that one of these employees was not subject to the provisions of section 12(a) of the Hatch Political Activities Act (5 U.S.C. 118k) because he did not work in connection with an activity financed in whole or in part by Federal loans or grants. There was no violation of the statute by this employee's participation in partisan political activity, therefore, his case was closed. An officer or employee of a State or local agency is subject to the act if, as a normal and foreseeable incident to his principal job or position, he performs duties in connection with an activity financed in whole or in part by Federal loans or grants; otherwise he is not.

With respect to the other employee, it was found that he was elected a committeeman in January 1960, had never engaged in any political activity incident to the committeeman position, and thereafter resigned from the office. Inasmuch as the political activity on the part of the employee was slight, the case would not have warranted a recommendation of removal under section 12 of the act. Therefore, the case was closed and he was given a letter of caution, warning him that any partisan political activity on his part might affect him adversely in his employment with the State.

Your interest in this matter is appreciated.

Sincerely yours,

JOHN W. MACY, Jr.,
Chairman.

Mr. WILLIAMS of Delaware. Mr. President, I congratulate the Star upon emphasizing the need for a revision of our existing laws dealing with campaign contributions, and I go one step further and emphasize the need for a less politically minded Department of Justice.

EXTINCTION OF THE BALD EAGLE

Mr. McINTYRE. Mr. President, the Christian Science Monitor recently carried an article by Marian Sorenson entitled "A Bird of Extinction?" describing the decline in numbers of the bald eagle. I can speak from experience in my own State of New Hampshire that these majestic birds are seen rather less frequently today than was the case immediately after the Second World War, although there have not been drastic changes in the New Hampshire landscape in the intervening years. The possibility that persistent pesticide residues accumulated in the bodies of fish and in other ways have contributed to sterility in the eagle is alarming to those who value this bird for its beauty and historical associations as the symbol of our Nation. I wish to alert other Members of the Congress to this situation and call upon agencies and organizations, public and private, to exert their best efforts on behalf of our national bird. I shall do my best to keep this situation under close observation and contribute what I can to preserving these magnificent wild creatures for future generations of Americans. I ask unanimous consent that the column from the Christian Science Monitor be printed at this point in the RECORD.

There being no objection, the column was ordered to be printed in the RECORD, as follows:

A BIRD OF EXTINCTION?

(By Marian Sorenson)

MANATEE COUNTY, FLA.—What has happened to the bald eagle here in this Florida county in the last 10 years is essentially the story of what has happened to the bald eagle all over the continental United States.

A decade ago there were 28 active eagle nests here. This year a careful count has found only five. Ten years ago this part of Florida was prime eagle habitat. Now, the same forces that are changing the face of America are changing the face of Florida.

Manatee County borders on the Gulf of Mexico. Through it runs the beautiful Manatee River. Draining into the Manatee are other rivers and creeks. Bayous cut into the county's shoreline from the sparkling, shallow bays that stand between the mainland and offshore islands. Because the area is so well watered and because until recently acres of the familiar tall Florida slash pines grew near these waters, bald eagles found here easy fishing and plenty of suitable trees in which to build their huge nests.

But the bald eagle's days are numbered here just as they are in so many other places in the United States and a look at the last 10 years tells some of the reasons why.

At least 11 of the nest trees have fallen before the bulldozer. Where once a pine woods harbored one or two nests, today not a tree is left standing as developers have razed the whole area before starting to build.

Some seven other nests have been abandoned for unknown reasons. But it is known that young boys with guns have shot out several nests. One nest, now abandoned, has a particularly poignant story connected with it.

The nest stands beside a road in a subdivision. Neighbors saw several boys with guns shooting at the birds while they were on the nest. One bird was wounded and fell to the ground. A game warden was called and took the bird to a game farm where it was nursed back to health. Several weeks later the wounded eagle, now able to fly again, was brought back and freed near the nest. It flew to the nest and uttered a piercing scream. From out of nowhere, its mate appeared although it had not been seen in the area since the shooting. Together the birds flew off and never returned to the nest again.

Another pair of birds were disturbed by adult hunters and abandoned one nest only to build another not too far away. But hunters again started shooting at the eagles, this time killing both of them. Next, a fire started in the woods burning down the nest tree. Owners of the property insist the fire was started by hunters trying to drive out the game.

Then in 1956, Florida experienced an outbreak of Mediterranean fruit fly. This insect is of great danger to the citrus industry and an intensive spraying campaign was mounted. From the summer of 1956 to the spring of 1957, planes crisscrossed the State, spraying a powerful pesticide on everything below. Manatee County was thoroughly saturated, including its rivers and creeks. That year saw a dramatic decline in the number of young eagles hatched.

Recent research has found pesticide residues in infertile, unhatched eagle eggs. The eagles are believed to obtain the pesticide by eating contaminated fish.

Since 1956, the nesting success of the eagles in this county has declined drastically. Last year only four eagles are known to have been fledged although there were eight active nests.

The eagles themselves have not given up easily. One pair is known to have built three successive nests in different locations as one thing after another made them abandon earlier nests. An abandoned eagle nest is of itself no great tragedy as a pair of eagles, who mate for life, will usually build another somewhere else. But what is evident now is that there just is not "somewhere else" for the great birds anymore.

It is hoped that the 5-year study of the bald eagle now being carried out by the National Audubon Society will pinpoint the factors leading to the decline of our national bird. But whatever reasons are discovered, biological or environmental, one reason will stand behind all others. And that is that not enough people care. Not enough developers, not enough property owners, not enough hunters, not enough parents who give their children guns. And because of this, more than anything else, something fine and free and beautiful is disappearing from America's skies.

BERNARD BOUTIN PROVIDES A NEW TEMPO FOR PROGRESS IN THE NATION'S CAPITAL

Mr. McINTYRE. Mr. President, today at 1:30 p.m. the Administrator of General Services will begin the demolition of some three-quarters of a mile of shabby temporary buildings which have long disfigured the landscape of our Nation's Capital. I rise to salute Bernard Boutin for his persistence and energy in confounding the skeptics who feared that a "temporary" label on a building was the best guarantee of permanence. But the tempos are coming down. The Fisheries Building and its annex, on the north side of Independence Avenue SW., between 6th and 7th Streets, tempo 4 on 17th Street, and tempo L, near the Lincoln Memorial, will be the first to go. Tempo 5 and tempo 3 on Constitution Avenue near the Washington Monument will be torn down soon afterward. The four long tempos on the south side of the Reflecting Pool, known as I, J, K, and L, will also be removed. The work should be completed by midsummer.

Mr. President, I should like to commend the Administrator of the General Services Administration and his staff, and also the farsighted members of the Senate Independent Offices Appropriation Subcommittee, for restoring much of the Mall to the American people in the condition planned for that splendid sweep of park space from the Washington Monument to the Lincoln Memorial. I congratulate Bernard Boutin for having changed the meaning of the word "tempo," in the Washington lexicon. It used to mean the kind of bureaucratic slum that has grown up along the Reflecting Pool, which many feared had taken root forever. The word will now mean the brisk pace at which the General Services Administration is uprooting the eyesores and providing handsome new buildings for Government agencies. This is indeed a welcome new tempo for progress in the Nation's Capital and I am very glad the word has taken on that new meaning. I ask unanimous consent that an article from the Washington Post of January 6, 1964, be printed at the conclusion of my remarks.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

TEMPORARY T-4 AWAITS WRECKER BUT NO TEARS WILL MARK ITS DEMISE

(By Willard Clopton)

They'll be tearing down a Washington landmark soon, but there will be no tears.

Still, the passing of T-4 warrants some kind of obituary.

T-4 is a building, one of the host of ugly Government "tempos" that clutter the Mall. It's a monster in size as well as appearance, stretching 767 feet along the 17th Street side of the Washington Monument ground; ten 224-foot wings poke out from it like the teeth of a comb.

Last week it was decreed that seven World War II tempos in the vicinity will be razed by summer.

T-4 FIRST TO GO

T-4 will be one of the first two to go. The Julian C. Cohn Salvage Corp., of Bladensburg, will be in any day to start knocking it down.

The "T" in T-4 stands for temporary, which makes an unfunny joke.

The structure was erected in 1942 to house part of the city's war-swollen bureaucracy. It was to have been torn down come V-Day and the Mall restored to its grassy splendor.

President Roosevelt is said to have remarked that the tempos were being jerry built on purpose so they would fall of their own weight within 7 years.

Well, T-4 would have been 22 next fall and it still seems as solid as the monument itself. It wouldn't be surprising to see the wrecker's ball shatter against it.

The structure was begun in April 1942 by McClosky & Co., which must have taken the position that when you build a building, any building, you build it for keeps.

T-4, along with the adjoining T-3 and T-5, was finished 5 months later at a total cost of $3.2 million for all three.

The two-story building, wood with white asbestos exterior, was occupied first by the Navy Department, which stayed there 5 years. At one time—June 1945—it housed 2,295 employees, but the number had dwindled to 491 by June 1947.

Then the Civil Aeronautics Administration began moving in and soon had taken it over.

FAA GETS NEW HOME

CAA stayed there through 1958, when it became part of the Federal Aviation Agency. The FAA remained there till last month, when the Agency moved to new quarters, and T-4 became empty for the first time since it was built.

The structure now is vacant, except for two small offices in the 10th wing, occupied by the superintendent and his staff.

The moving men have come and gone, leaving behind only an ill-matched collection of desks, cabinets, and fixtures which all bear little stickers saying, "Surplus: Pick Me Up."

The floors of the barren bays are littered with soft drink bottles, ashtrays, and a variety of publications including one called, "A Security Guide for Secretaries."

SLOGANS REMAIN

On the walls are old calendars, civil defense cards explaining the long and short blasts, a color photo of Shoqualmie Falls, Wash., and a swarm of signs: "Let's Face It—We Can Do Something About Our Paperwork," "Tomorrow's Progress From Today's Ideas," "Carelessness Is Costing You Money," and "Ability Counts."

On one floor was a small white card engraved, "Isn't it a beautiful day?"

On a desk was a sign: "You know where you're going, the Lord knows where you're going, but does your secretary?"

One door bore a typewritten warning: "This door is blocked by filing cabinets." It isn't, not any more.

On one wall was this bit of philosophy: "One day as I sat musing, sad and lonely and without a friend, a voice came to me from out the gloom, saying, 'Cheer up, things could be worse.' So I cheered up, and sure enough, things got worse."

The fate of T-4 is reminiscent of the stories about the death of the village miser, when the townfolk gather at his graveside and try hard to think of something nice to say.

There was something like that at T-4. Asked if the old barn had any redeeming features, a worker in the superintendent's office thought a moment and replied:

"Well, I'll say this. Your nice new monumental buildings are all right, but I like a place with windows. Over here, you could always look out the window and see if it was raining or not."

Not much of a eulogy, but for an epitaph it'll do.

THE WIDOW'S SON

Mr. MUNDT. Mr. President, many Members of the Senate and of the other body are personally acquainted with George E. Stringfellow, of East Orange, N.J. His long life of fruitful and constructive service to the economic, political, fraternal, and community development of our Nation has taken him on many trips throughout the United States and has given him a national reputation. In addition, his service as imperial potentate of the shrine has provided him with a host of personal friends throughout the Masonic fraternity.

I am consequently pleased to ask unanimous consent to have printed in the body of the RECORD at this point a recent address by George E. Stringfellow entitled "The Widow's Son," which he delivered at a banquet for the members of the New York-Ontario Shrine Association.

There being no objection, the address was ordered to be printed in the RECORD, as follows:

THE WIDOW'S SON

(An address by George E. Stringfellow, past imperial potentate, A.A.O.N.M.S., and for years a daily business associate of the late Thomas Alva Edison.)

Noble president, officers, past officers, illustrious potentates, representatives, distinguished guests, and beautiful ladies of the annual meeting of the New York-Ontario Shrine Association, thank you for inviting me to participate in this your annual "get-together."

While I reside in one of your sister States, you have always made me feel at home in the Empire State and in the Canadian Province whose motto is "Loyal in the beginning so remains."

It was in Toronto, Ontario, in 1962, we held one of our finest imperial council sessions. I look forward to an equally good one in New York City next year.

I am gratified to fraternize with you in this association, for it was in the Empire State that the first two Shrine temples were established: Mecca in 1872 and Damascus 3 years later.

It is a source of satisfaction to recognize the many gracious ladies who adorn and distinguish this gathering with their beautiful presence.

Some wise man once said, "Next to God, man owes most to woman, first for life itself and second, for making life worth living." That is the philosophy to which I am sure every Shriner subscribes.

I have selected as my subject "The Widow's Son."

Masons are inspired by the intellectual integrity and earnestness of purpose of one of the world's greatest leaders whose father died when he was a young boy and whose mother remarried. His stepfather, a highly skilled workman, gave our exemplar his vocational training.

His mother came from one of the best families of her time. She gave her worthy son his religious training and his moral and ethical code of life.

Historians tell us that he was considered by his contemporaries an exemplary citizen. He possessed great vision, he dreamed of castles in the air, and had the ability to make them realities on the ground.

His mastery of mathematics and engineering enabled him to handle with great skill the technical problems of his profession. History reveals that he employed effectively over 200,000 workmen on one of the world's greatest construction jobs.

While we Masons respect his brilliance and executive ability, it is his integrity and perseverance that we admire most.

There is little to be found about this wise man in the pages of secular history.

It is in the Bible and the annals of Freemasonry that his name is prominently recorded. I quote from the book of Constitution:

"This inspired master was without question the most skillful * * * workman who ever lived, whose qualities were not confined to building. They extended to all kinds of work."

We Master Masons have walked in his footsteps. We have been impressed by his steadfastness unto death.

We have gone with him to the grave. He was the renowned architect of King Solomon's Temple. He was Hiram Abif, "The Widow's Son."

It would add to our happiness and greatly increase our world influence if we emulated this benefactor in the daily contact with our fellow man.

We Masons proclaim our belief in God and most of us practice it. We proclaim our belief in brotherly love and most of us practice it. We use symbols of the builder, to set our code of life, which refines our thoughts, purifies our sympathy, and broadens our outlook. It amplifies our friendships, exalts our morality, and tames our passions. In other words, makes better citizens of us.

Realizing as we do that the work of the craft exemplifying the high code of morality requires refreshment, we Shriners adopted a code of conduct, "pleasure without intemperance, hospitality without rudeness and jollity without coarseness."

The general public identifies us by our red fez, gorgeous costumes, spectacular and entertaining parades. However, behind our fun and frolic is the burning desire to be of help to crippled children.

Love of little children turns Shriners into ministers of healing. The red fez thus takes its place with the Red Cross as an emblem of mercy and of loving kindness.

Our desire to help crippled children is implemented through our 17 hospitals. Those hospitals are identified as temples of mercy. In the words of one of our leading citizens, "Crippled children's work 'gave the Shrine its soul.' "

May I, in all reverence, quote the words of the Holy Writ "Suffer little children to come unto me."

And paraphrase these words as follows: "Bring little children that suffer into our hospitals so that we may lead them from the valley of despair to the hills of health, of hope and of happiness."

Man walks close with God when he aids a crippled child.

Our fraternity is sometimes referred to (in jest) as an old man's organization. However, I submit that youth is not a time of life; it is a state of mind. Man grows old by deserting ideals, years wrinkle the skin, but compromising principles wrinkle the brain and sour the soul.

Most Shriners strive to emulate St. Paul who, crying that the days were evil, labored to improve them. We radiate good will which is more precious than a gold nugget and harder to find.

Good will is often the measure of a man's success. To a large extent it determines his usefulness to society. We cherish no jealousies and entertain no hatred for our fellow man.

More than 2,000 years ago a renowned Chinese philosopher uttered these words of wisdom: "With righteousness in the heart, there will be beauty in the character; with beauty in the character, there will be harmony in the home; with harmony in the home, there will be order in the nation; with order in the nation, there will be peace in the world."

That is a philosophy to which every Shriner should subscribe and endeavor to implement.

An unknown person penned the following: "He has achieved much who has lived well, laughed often, and loved much; who has gained the respect of intelligent men and the love of little children; who has filled his niche and accomplished his task; whether by an improved poppy or a perfect poem, or a rescued soul; who has never lacked appreciation of earth's beauty or failed to express it; who has always looked for the best in others and given the best he had; whose life is an inspiration and whose memory is a benediction."

Such a person was "The Widow's Son." Every Shriner should strive to emulate him and thus help make this a better world.

EARLY COMMISSION REPORT ON OSWALD DESIRABLE

Mr. MUNDT. Mr. President, both while I was back home during the Christmas congressional recess and now here again in Washington, I have been distressed by the almost endless rumors and reports which continue to add to the confusion and uncertainty regarding the assassin of President Kennedy and the background, motives, associations, and associates of Oswald.

In this connection, I ask unanimous consent to have appear at this point in the RECORD an informative column by Lyle C. Wilson as it was recently printed in the Washington Daily News. Perhaps this will help set at rest at least some of the unfounded rumors which have been circulated in America concerning this sad tragedy and those responsible for it.

There being no objection, the column was ordered to be printed in the RECORD, as follows:

LEAVE IT TO THE COMMISSION

(By Lyle C. Wilson)

It is about time that there be a suspension of the malicious and/or ill-informed speculation about the assassination of President Kennedy. It may be too much to expect Europeans to suspend judgment, to reject rumors, to repudiate scandal mongering. But it should not be too much to expect Americans to await in good faith the report of the President's Commission.

First, there was the attempt to make the kookie rightwingers appear to be responsible. That folded under the weight of the fact that Lee Oswald was a pro-Commie Marxist. It did not seem reasonable to believe that the impassioned righties had been able to recruit an impassioned lefty to do a job of assassination for them.

Thereafter the U.S. Secret Service came under fire of accusation. Secret Service agents were reported drinking in a Fort Worth night club the night before J.F.K. was shot and therefore unable properly to discharge their duties the following day. The facts disclosed by the simplest of investigations disclosed that there was no such sequence of events bearing on the protection of the President.

Indictment of the Secret Service collapsed utterly when President Johnson personally decorated members of the Secret Service for valorous conduct on November 22. U. E. Baughman, former Secret Service Chief, was sharply critical of the conduct of the organization from which he retired about 2 years ago. Mr. Baughman's complaints, however, appear not to have been taken seriously by the administration.

The amateur public prosecutors are turning from the Secret Service to the FBI. The public is being asked to believe that the FBI was derelict and that it has a great responsibility for the tragic circumstances under which the President was murdered.

To this end, it is charged that the FBI knew about Oswald prior to the assassination and that the FBI permitted Oswald to remain unwatched and unreported to the Secret Service. This seems to be an example of selecting the facts to justify a preconceived conclusion that the FBI was at fault.

There has been public knowledge from the beginning that the FBI had been investigating Oswald. The purpose was to learn whether Oswald was engaged in any subversive activity in behalf of the Soviet Union. This was an espionage investigation by the FBI. Nothing had been developed in it that would have warranted the FBI in alerting the Secret Service and the Dallas police to the fact that Oswald was in Texas.

The FBI can demonstrate that the hard fact of the matter is that the bureau knows of so many kooks, cranks, nuts, and such scattered around the United States that it would be impossible for all law enforcement agencies combined to watch all of them. There must be a choice—a logical choice—regarding those who can be watched. The choice obviously must go to those who have shown some previous capacity for violence.

Oswald had shown no indication that he was capable of assassination. To suggest that the FBI should have had preknowledge of how Oswald's mind would work is to demand more of that agency than is reasonable. The FBI does not read minds. It reads evidence.

And there is the gossipy charge that the FBI and Secret Service are feuding. Not so. Secret Service Chief Jim Rowley is a former FBI agent and a star lecturer at the FBI's National Academy. Moreover, FBI and Secret Service maintain daily contact in Washington and elsewhere. Next time you hear an exposé of inside dope on the assassination, ask the man: who told you that?

Mr. MUNDT. However, Mr. President, I believe the Warren Commission would render a great public service by expediting its work and by making its findings available to the public as quickly as possible. Each passing week of delay adds to the rumors and to the unsubstantiated reports.

Well over a month has now passed since the assassination of President Kennedy and an early report by the Warren Commission seems the only way that the truth can be developed and that the facts can be provided to answer the groundless rumors which are sweeping the world and reverberating throughout the United States.

If there are reasons not apparent to me why a substantial delay is to occur before the Warren report is completed and released, I would respectfully suggest to this Commission that it would now render a public service by at least releasing the unexpurgated and complete text of the FBI report which it has had before it for several weeks and which in itself should put to rest many of the rumors still circulating throughout the country.

POEM BY MARY McGANN IN TRIBUTE TO PRESIDENT KENNEDY

Mr. PELL. Mr. President, among the tributes to our late President John F. Kennedy, one which has touched me deeply is a poem by Miss Mary McGann, of Newport, R.I., presently a student of Newton College, Massachusetts. The poem was published in the December 27, 1963, edition of the Providence Visitor, from my State of Rhode Island.

In meaningful fashion the poem links words by Robert Frost with President Kennedy's achievements, and it appeals to me particularly as representing the regard and affection which he inspired among our country's youth. The youthful spirit, in its quest for learning and self-expression, has a great significance in our times and in our Nation; and with these thoughts in mind, I ask unanimous consent that this poem be printed in the RECORD.

There being no objection, the poem was ordered to be printed in the RECORD, as follows:

A SACRED MEETING

Robert Frost, arise—awake,
And meet your favorite son,
Greet the man whose battle won
You were there to commemorate.
Greet him, Poet Laureate—verse maker old and wise—
"The land was ours before we were the land's
Or so you said, he asked us to give to that land
Of ourselves—all we had;
And he gave more
And you heralded in verse the New Frontier, the one he gave.
"But I have promises to keep, and miles to go before I sleep"
Promises to us his people; and he never slept—
Till now, he sleeps in eternity.
From Berlin where a wall would keep back freedom—
"Something there is, that doesn't love a wall."
He looked ahead, that the world would be free—
That all men as brothers would never fight—
"The deed of gift was many deeds of war."
Now, Robert Frost—knower and writer of life,
He's there with you; for he gave of himself outright—
"For this is love and nothing else is love."

—MARY MCGANN.

SPREAD BETWEEN LIVESTOCK AND MEAT PRODUCTS

Mr. CURTIS. Mr. President, recently a hearing was held in Nebraska concerning the spread between the prices received by farmers for livestock and the prices that consumers are paying for meat.

One of the fine statements submitted at that hearing was submitted by Mr. Elton L. Berck, president of the Nebraska Farmers Union. I ask unanimous consent to include in my remarks at this point Mr. Berck's statement. I think it merits the attention of the Congress.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

STATEMENT BY ELTON L. BERCK

In behalf of 10,000 Nebraska farm families that compose the Farmers Educational and Cooperative State Union of Nebraska, Inc. (Nebraska Farmers Union), I express our appreciation for the opportunity to participate in this conference called to discuss the spread of meat prices between the farm livestock producer and the retail meat market.

While the spread in this specific area of farm-retail food service is the more spectacular and noticeable because of the heavy emphasis on livestock production in Nebraska and its great importance to the State economy, we should not lose sight of the fact that the spread between farm-retail prices in all farm commodities is growing.

The Farm Index, a publication of the U.S. Department of Agriculture Farm Research Service, indicated in the October issue that the spread between retail costs and the farm value of the so-called farm food market basket had advanced, by July of this year, more than 9 percent over the spread in the 1957–59 period. In other words, this sampling of farm commodities which the city consumer bought for $1,037 in the 1957 to 1959 period would have cost him $1,088 or $51 more in July of this year and the farmer would have received $7 less for the same market basket in the same period making an increased spread of $58. In August, 1 month later, this same spread had swollen by an additional 13 percent to $66.

Nor should we forget that larger and more significant spread that exists between farm and city income. Total farm net income from all sources dropped to $12.9 billion in 1962 from the high of $17.3 billion in 1947.

Despite great increases in output and efficiency, despite much greater requirements for investment in the farm production plant and notwithstanding the mammoth exodus of farmers from the land the farm income per person in 1961, was $972 less than average city per person income, and this represented a 50-percent-plus increase in spread between farm and city income since 1947.

American farmers may well be proud of the great job they are doing in providing the Nation and a large part of the world with a quality and quantity of food and fiber with an efficiency never before equaled.

The cold hard facts are that these same efficient producers are not getting paid for their labor and capital investment at a rate equitable with the nonfarm sector of our economy.

The hard facts are that city consumers can find little or no evidence of this situation in the prices they pay for food.

The price spread from farm to market is composed of many different factors, among them being charges for labor, transportation, advertising, taxes and a more recent and growing demand for pre-preparation or built-in maid service.

The question here is whether or not this spread is warranted and/or equally shared among all food items.

We submit that there is evidence that certain classes of food products are used by the retailer as special profit sources.

The Nargus Bulletin, a publication of the National Association of Retail Grocers of the United States, published an article in the current December issue which is appropriate for this discussion.

In an article titled "Meeting Discount House Competition," apparently written by a Mr. L. V. Eberhard who, it is reported has just opened his 25th super market, we note the following statement and we quote in part.

"I believe the price must be right if discount competition is to be met. With so many items sold at cost or below you must sell others in the store at a profit to offset the loss of the following items as leaders:

"Sugar: No. 1 traffic item; below cost.

"Coffee: No. 2 traffic item; below cost.

"Butter: always good quality; below cost.

"Flour: nationally advertised brands; below cost.

"Shortening: nationally advertised brands; below cost.

"Dog food: nationally advertised and popular local brands; at lowest prices.

"Baby food: below cost.

"Canned milk: below cost.

"Margarine: below cost.

"Soups: below cost.

"Where can the profit come from to offset the loss?

"Every owner is aware that meat is a most profitable department. By providing quality and grade the customers want, meat can be sold at a profit."

Further, in the November 1 issue of the Western Livestock Journal and later as reported in Cervi's Journal, of Denver, Colo., we find the statement from an editorial by Publisher Nelson R. Crow as follows, and we quote:

"It would appear that retailers, if they sell most of their beef at regular prices, are grossing well above 50-percent profit on carcass costs at present market prices."

Further evidence is supplied by a research study prepared by the Rocky Mountain division of the Farmers Union for presentation before a congressional committee earlier this year. In the studies the relationship between prices paid to the producer and the packer and charged to the consumer by retailers in the Denver market area during the period from December 17, 1962, to March 8, 1963, were documented.

While a 1,000-pound Choice steer which brought the producer $70 less on March 8, 1963, than on December 17 in 1962, and packer $45 less for the carcass in comparison between the same dates, the prices charged the ultimate consumer did not change which resulted in an increased spread of $46 for a total gross spread of $98.40 on the 480 pounds of retail cuts from the 1,000-pound steer following the price drop to the farmer.

It has long been the contention of Farmers Union that vertical integration in cattle feeding, food processing, and retailing, constitutes a price control, monopolistic situation that is harmful to the family farm producer.

The practice sets up an unfair competition for individual livestock producers, it destroys the regulatory price competition of the marketplace, it further contributes to farm income deficiency, and last but not least, it contributes to consumer misunderstanding of the farm business. We submit that there is a growing need for additional regulatory statutes to deal with these problems.

The Farmers Union has been a promoter of farmer owned processing, supplying, and marketing cooperatives for over a half century. If the farm producer is to survive as an independent entity and achieve income equity he must of necessity make better use of the cooperative device in marketing, processing, and supply farm commodities for the consumer's table.

Respectfully submitted.

ELTON L. BERCK,
President.

GROWING FEDERAL EXPENDITURES

Mr. LAUSCHE. Mr. President, recently the Washington Daily News carried an editorial under the title "An Expensive Family." The family, of course, is the family of citizens of the United States. The expenses are not fixed by the citizens but by the Congress, and, as a consequence, the maintenance of this family has been extraordinarily large.

The editorial quotes a statement made very aptly by President Johnson that when you have a family growing in numbers, the expenses of maintaining that family inevitably rise because of the increase in the number of members. The President made that statement to demonstrate that the Federal Government has to make expenditures to serve a population 21 percent larger than the one served by the Federal Government when Truman was President.

This reasoning is irrefutable. Manifestly, if you have more persons to serve, the cost inevitably of Government will be larger. But the statistics reveal a very interesting situation—one that completely refutes the argument that the cost of Government has gone up because of the increase in the number of the people living within our boundaries.

In 1948, when Mr. Truman was President, the per capita expenditure of the Federal Government was $248. In 1963, 15 years later, the estimated expenditure per person within our country is $636. The figures for the intervening years between 1948 and 1963 show a sort of corresponding increase in the per capita cost of maintaining the Government.

As I said above, in 1948, the per capita cost was $248. The per capita figure for 1958, 1959, and 1960 was $531; for 1961 and 1962, it is $607; for 1963, as previously stated, it is $636 per person.

On the basis of what has been happening, the per capita cost will go on at about the same ratio in the future that it has in the past. It spells calamity from the standpoint of the fiscal operations of our Government.

I ask unanimous consent that this editorial appearing in the Washington Daily News be printed in the RECORD at this point as a part of my remarks.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

AN EXPENSIVE FAMILY

President Johnson aptly states a reason for growing Federal expenditures by referring to family problems.

"The father that adds two or three extra children to his home and takes in a few of his nieces and nephews," he observed at his last press conference, "has to expect an increase in the food bill. When we have an increase in population, we are going to have an increase in the budget."

All true. But it isn't the whole story.

This Federal father has to support a lot more children—a 21-percent increase in population since Mr. Truman was President. But he also is spending a great deal more per child and that's the rub.

In 1948, for instance, Mr. Truman was President and per capita Federal expenditure was $248. For 1963—just 15 years later—the estimated figure is $636. The per capita figure for 1958, 1959, and 1960 was $531. For 1961, 1962, and 1963 it is $607 for each man, woman, and child in the country. The figures are from Tax Foundation.

The father to whom President Johnson referred certainly would have to scratch to keep up with this progression, even if there were no enlargements in his family.

In trying to hold the new budget within manageable figures, President Johnson undertakes a highly frustrating job and it isn't surprising he should reach pretty far to rationalize an inevitably high figure.

There is the present rate of expenditure—roughly $99 billion. And then there are the built-in increases in form of Federal pay raises and new spending authorizations by Congress, amounting to about $3.5 billion.

That adds up to the astronomical sum of $102.5 billion for next year's budget, unless substantial economies can be effected. This economy program is the monumental task the President has set for himself with less than a month left for the job.

Success is vital to the tax program he has inherited from President Kennedy and has sponsored enthusiastically. A budget in the neighborhood of $102.5 billion, with its inevitably high quotient of red ink, will be hard to harmonize with a proposed tax reduction amounting to $11 billion.

PEACE CORPS SPREADS THE IMAGE OF DEMOCRACY

Mr. HUMPHREY. Mr. President, it is quite remarkable how the Peace Corps continues to sustain a superb record of achievement and to win new friends at home and abroad in terms that make news. Another story was featured recently in the Washington Daily News in the column by Inez Robb. Miss Robb reported on the unbounded enthusiasm for our Peace Corps by one of the foreign heads of mission at the United Nations. The foreigner related a story of a young Peace Corps woman assigned to an African jungle village. Social work was her specialty, but the practical needs of the natives were to learn enough of the multiplication table to get a fair price for their copra. Buyers regularly cheated them. When they began to make much more money the question was: buy a tractor which the men wanted, or get a new water system which the women wanted. Again improvisation came into play to settle a dispute by the democratic process and provide ballots that could be used by people who were illiterate. The young woman Corpsman solved that too.

Everything we know is best in our tradition: ingenuity, improvisation, get the job done, solve the problem, idealism—and most of all do it democratically—is involved in this story. As the foreign observer said:

> If the United States had a Peace Corps of 2 million members, she would conquer the world for democracy.

I ask unanimous consent to have Miss Robb's account of this inspiring story that has a touch of humor too be printed at this point in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

PEACE CORPS JOB SURE ADDS UP

(By Inez Robb)

"If the United States only had a Peace Corps of 2 million members, she would conquer the world for democracy," said my dinner partner, head of the United Nations mission of one of our firm West European allies.

"Only a few weeks ago I saw what a member of the Peace Corps, a young woman in her midtwenties, was doing in an African jungle," he continued. "And now every time I think of her, I don't know whether to laugh or cry.

"I found her in a typical African jungle village, with huts around a typical village square, packed hard by generations of bare feet. The first thing I saw in the square was absolutely amazing: A new pipe and water faucet. A Picasso couldn't have been more unexpected.

"Next I noticed a large gathering on one side of the square. Squatted in front of a homemade blackboard were dozens of children and adults.

"In front of the blackboard stood a plain young woman. Her audience was silent and absorbed. And if the faucet amazed me, what she was teaching her pupils surprised me even more.

DRILLED CLASS

"Written on the blackboard in numbers and symbols were 2 times 2 equals 4 and 2 times 3 equals 6. And then she drilled her class on division by 2 and subtraction by 2. When the class was over I introduced myself and asked her why she was teaching the multiplication tables in the middle of the jungle when she was, as I knew, a trained social worker.

"She said that this tribe, as all people in the vicinity, earned their livelihood from copra. Within a few days after her arrival, buyers from the city came with trucks to pick up the copra, packed in sacks provided by the purchasers.

"This young woman knew that the buyers ostensibly paid so much per sack. But she quickly discovered that the tribesmen could not count and that the buyers cheated them wholesale by paying whatever they pleased.

LEARNED FAST

"Such a system made her so indignant that she immediately set up her school to teach the natives to count and to give them some basic grasp of the simplest mathematics. They were quick to learn. The next time the trucks and the buyers arrived the tribesmen had the sacks of copra lined up by twos. They kept careful check as their produce was loaded and, at the end of the day, demanded the proper pay.

"They go it, and it was so much more than they had ever received before that the tribe felt rich enough to buy either a tractor, which the men wanted, or to pipe water to the village, which the women wanted.

"The argument was so long and began to get so acrimonious that little Miss Peace Corps suggested the tribe hold an election. She made, by hand, 600 ballots, half with a drawing of a tractor and half with a drawing of a water faucet.

"She explained how an election was held. On election day, she stood guard at the door of the election hut while, one by one, each member of the tribe selected the ballot with the picture he favored, folded it and dropped it in a box she had made with a slot in the top.

WOMEN WON

"As you can see, the women outnumbered the men and they won.

"What touched me so was that this young woman was just doing what comes naturally to an American. It is plain to me that the Peace Corps, wherever it goes, unconsciously carries democracy with it and just as unconsciously spreads it as has this young woman in the jungle."

A EULOGY OF JOHN F. KENNEDY

Mr. HUMPHREY. Mr. President, not only was it remarkable that there was such a universal outpouring of deep sorrow at the assassination of our late President John F. Kennedy, but the quality of the tributes were so high. We have all read many which have enriched us. Recently, I was moved again by a eulogy delivered by Bishop Kellogg in the Cathedral Church of St. Mark, in Minneapolis, Minn. I ask unanimous consent to have it printed in the RECORD.

There being no objection, the eulogy was ordered to be printed in the RECORD, as follows:

[From the Minnesota Missionary, December 1963]

A EULOGY—JOHN F. KENNEDY

(By Bishop Kellogg)

A few days ago, the postman brought to my door, as I imagine to the doors of many of you, a magazine with a nationwide circulation. The date on the cover was December 3, 1963—magazines always seem to bear an advance date—but that was not what was important; the important thing was the cover picture: It was a picture of a handsome little boy, who today has his third birthday, and his equally handsome father.

On the day that this magazine with this picture came to my door, it was just another magazine with a joyous and meaningful picture. However now, it will become, I am sure, one of the most cherished and treasured pictures in history. It is an unforgettable picture. The little boy's name was "John-John," and the equally handsome father's name was John Fitzgerald Kennedy, 35th President of the United States.

Then, came Friday, November 22, and a shot rang out like a clap of thunder. It left that little boy without a father, and it left the father without the breath of life. Above all, it left a Nation without its elected leader, and shocked, and stunned beyond belief.

When the shock had passed a little, one's mind roved back 98 plus years in time to April 14, 1865, also a Friday, when a shot was fired in Ford's Theater in Washington, which also deprived a little boy of his father, and a Nation of a great leader, and left it in mourning, and in shock.

As one looked upon the picture of Lee Harvey Oswald on the front pages of the newspapers, he could not help but think of that other Presidential assassin, John Wilkes Booth. They had much in common. They both were disturbed men, in whose hearts, hate—the result of wounded pride and imagined wrong—lingered until it flowered in tragedy. Both men were contemptuous of constituted authority.

Lincoln was 56 when an assassin's bullet felled him. John Fitzgerald Kennedy was a decade younger, 46, when a dreadful and violent act resulted in his death. Though their Presidencies were a century apart, these two men had much in common, besides the fact that their lives were taken by assassin's bullets. They both believed in, and fought hard to the best of their ability, and the fullness of their strength, for the dignity of human kind, and for the equality of all men under God, regardless of color, creed or race. Both the 16th and the 35th Presidents believed with all their hearts, and fought with all their might, and with all their wisdom for equal justice and equal opportunity, for all men.

Last Friday, as I listened to the radio and television announcements, and subsequently, read the newspaper reports of what happened on that grim day of infamy, I was reminded of "Jim" Bishop's book "The Day Lincoln Was Shot." Before our very eyes, the events of that fateful day passed in review in all their stark reality, and in trigger-quick succession.

The morning of April 14, 1865, dawned soft and sunny on the Nation's Capitol. The lilacs were in eager bloom. The willows clothed their graceful boughs with a new green—spring had come. The war was over. There was no longer any doubt of that. Early on that very morning, final word had come, and everyone rejoiced. Even the countless multitude who were mourning their beloved dead felt the common thrill of a new joyousness. James Russell Lowell wrote to his good friend, Charles Norton: "The news, my dear Charles, is from Heaven." Lincoln was the happiest of all. There was a new spring in his step; the bowed shoulders were uplifted.

Last Friday in Dallas, likewise, was a sunny and soft day, Jacqueline and John Kennedy were together. Their cup of happiness was full to the brim. It was a joyful day, and the sun in the sky was reflected in their faces, just as it must have been reflected in their hearts, too. Then, the shot rang out. There was a careening and mad dash to Parkland Hospital. It was too late.

John Fitzgerald Kennedy served his country both in peace and war. In war, he was wounded, and this wound left him with an almost intolerably painful back. While recuperating after one of the operations, which was performed to remove the injury, and to restore full usefulness, Mr. Kennedy wrote a book entitled "Profiles in Courage." Although I am sure he himself never so thought, the title of this book more nearly provided a title for his own life than any other which could be suggested.

During the 2 years, 10 months, and 2 days of his Presidency, John Fitzgerald Kennedy was confronted with many occasions which required consummate courage, as well as consummate leadership and tact. Among these, of course, there were those last days of October and the first days of November 1962, when he and his colleagues stood eyeball to eyeball with the Russians over the removal of the missiles from Cuba. In an autumn of anxiety, he exhibited that there was, within him, an invincible summer.

Whatever may be said or written to commemorate John Fitzgerald Kennedy, it will be inadequate. Whatever building or monument may be constructed in his name will fail to measure the fullness of his stature. The most fitting memorial—the one enshrined in the hearts and minds of his family, his numberless friends, and the people of this Nation—will be the continuation of the great projects to which he dedicated himself so completely and so wholeheartedly.

Let all of us strive to keep alive and bright the memory of this courageous and dynamic man who, in a short time, fulfilled a long time and became a great leader among men.

It is far too early to measure his achievements, or the impact of his Presidency, either upon this Nation or upon the world. It also is too early to measure what his loss will mean, both to the progress and stability of the Nation, and to the progress and stability of the world. Nevertheless, regardless of the political philosophy to which each one of us may subscribe, if we are honest, we know that he was a courageous man—a towering pine among the trees of mankind—a fitting mast for the ship of state. By martyrizing him, the assassin insured his historic immortality.

Today, at his funeral in Washington, the great and powerful of the earth have gathered to salute and to pay tribute to his memory. Not since that day, more than 60 years ago—May 20, 1910—when 9 rulers of Europe, several heirs apparent, and 40 imperial and royal highnesses, representing 70 nations, assembled in London for the funeral of King Edward VII—has so much rank been gathered together, as has gathered today in Washington, representing 91 nations, to salute and pay tribute to John Fitzgerald Kennedy. But this gathering of rank is more than a salute and tribute to John Fitzgerald Kennedy—it is a salute and tribute to the United States of America, the land of the free, and we hope that it also always will be the land of the brave.

Our prayers and profoundest sympathy go out to the bereaved family—to Caroline, and little John-John; but most of all to the beautiful and dry-eyed widow, who, last Friday, just before the casket was closed, leaned over and kissed her husband, took off her wedding ring, and pressed it into his hand; a symbol of a love and loyalty that not even an assassin's bullet could destroy. It also would seem appropriate and fitting that, in our prayers, we ask Almighty God to forgive not only the assassin, and the assassin's assassin, but all of us, for whatever responsibility we as a people may have had in this tragedy, praying that He will bless, keep, and preserve our country, bringing to people of all religions, concord, peace, and unity of spirit.

On the night of April 14, 1865, as the President and Mrs. Lincoln sat in Ford's Theater, where they had gone to see Laura Keene in "Our American Cousin," many plans went through Lincoln's mind. Among them was to go as soon as circumstances would permit to Palestine. A yearning had come over him to tread those holy fields over whose acres walked those blessed feet nailed for our advantage on the bitter cross."

He looked at Mrs. Lincoln, and said that there was no place he wished to see as much as Jerusalem. The word was but half finished on his lips. She heard him whisper: "Jeru." Then, a bullet as cruel and senseless as that one fired last Friday, sped all too straight to its mark. Abraham Lincoln started for Jerusalem, but it was: "Jerusalem, the golden—the home of God's elect."

And, I believe, that John Fitzgerald Kennedy now is embarked on the same glorious journey to the same glorious place.

ORDER FOR ADJOURNMENT UNTIL TUESDAY

Mr. HUMPHREY. Mr. President, I ask unanimous consent that when the Senate concludes its business today it stand in adjournment until 12 o'clock noon on Tuesday next.

The PRESIDING OFFICER. Without objection, it is so ordered.

DECENTRALIZATION OF FOREIGN POLICY

Mr. MORSE. Mr. President, I rise courteously and respectfully to express some differences of opinion which I have with the Senator from Arizona [Mr. GOLDWATER] over certain foreign policy issues about which he has expressed views in recent days.

I have sent a copy of my remarks to the Senator from Arizona, and I have had a brief and pleasant visit with him, telling him that I would be happy to have him come to the floor of the Senate if he cared to do so. He very good-naturedly told me that it would not be necessary to do that, and that if he deemed it necessary, in due course he would express himself on the floor of the Senate. He told me that he was about to leave his office to make a donation of blood. I assured him that I was not going to deplete him of his blood supply and that I was merely going to express some respectful disagreement with his point of view. I would discuss my disagreement with the Senator from Arizona on foreign policy under the heading—which I think would be quite appropriate—"The Decentralization of Foreign Policy." I do so this afternoon because I would not want anyone to think that in my capacity as chairman of the Subcommittee on American Republics Affairs of the Committee on Foreign Relations I would remain silent when anyone of the importance and the standing of the junior Senator from Arizona expressed views on the Cuban situation so diametrically opposed to my own.

On the basis of his recent campaign statements in New Hampshire, the junior Senator from Arizona appears to be offering himself as a presidential candidate who will lead the United States into international banditry. That is the best that can be said for his statement that if he were President, he would support and promote the efforts of Cuban refugees to invade Cuba and overthrow the Castro dictatorship. "I would help them," said the Senator, "I would train them, supply them, get them there." In addition, he would be "inclined" to provide air cover to any refugee invasion attempt.

The Senator's proposal for Cuba is apparently part of his grand design for dismantling the foreign policy powers of the Government of the United States. As the Members of this body have been privileged to hear many times, the Senator from Arizona is deeply dedicated to the task of liberating the Cuban people from the Castro tyranny. He believes that Castro communism is a grave and immediate threat to the United States and that every day of its survival is a day of mortal peril for the United States. Because the Senator is known to hold these views, it is difficult to understand why he does not favor direct action by the U.S. Armed Forces rather than a proxy invasion by a small army of badly armed, badly trained, and badly organized Cuban refugees.

Furthermore, speaking hypothetically, has he given consideration to the kind of government that would be established in Cuba if all the Cuban refugees in the United States could simply be implanted in Cuba and authorized to establish a government? I think we would be very much surprised to find how closely such a government would resemble the Batista government. As I have previously said in the Senate, a considerable percentage of the Cuban refugees in the United States are Batista-ites and would not set up, if given the authority to do so, a constitutional, democratic form of government. Large numbers of them are more interested in regaining their corporeal and material holdings in Cuba, to carry on the bad economic policies that characterized the Batista regime. I have the right to speak thusly, because I was the first in this body to speak out against the Castro regime. I did so almost when it took over, starting with its blood baths and Castro's placing under house arrest the first President under the Castro regime, that great Cuban judge, Irrutia, because Irrutia would not be a party to the totalitarian procedures that Castro inflicted upon the Cuban people. I said then, and repeat now, that all we were presented with in that change of administration was the substitution for a Fascist tyrant of a tyrant who followed the Commie line.

To consider Fidel Castro a grave enough threat to the United States to turn America into an outlaw nation is to credit him with vastly greater power and vastly greater leadership talents than in fact he possesses. If, however, he posed a grave and mortal threat to the United States, he should be dealt with by direct action by the Armed Forces of the United States under the command of the President.

In October of 1962, President Kennedy made clear that our Government can be counted upon to take care of any aggressive course of action that either Castro or Khrushchev acting through Cuba may threaten.

One is forced to the conclusion that although the Senator from Arizona feels gravely threatened by the Communist regime in Cuba, he is so anxious to decentralize the powers of the U.S. Government that he would turn over the shaping of our Cuban policy to a group of Cuban exiles and reduce the U.S. Government to the role of adviser and assistant to them in their efforts. This would indeed be a major step forward toward the decentralization of the foreign policy powers of the U.S. Government. The control of American policy over an issue which, as we saw in October of 1962, involves the threat of nuclear war would be taken out of the hands of our President and placed in the hands of a group of private individuals—and foreign individuals at that, not even citizens of the United States. What more could we hope to accomplish in the decentralization of our foreign policy?

There is another aspect of the Senator's views on Cuba that give me some concern. That is that what he proposes is clearly illegal, a clear and direct violation of our obligations under the Charter of the Organization of American States. I commend to the Senator article 15 of the OAS charter, which clearly prohibits the kind of U.S.-sponsored refugee action that he advocates. Article 15 reads as follows:

> No state or group of states has the right to intervene, directly or indirectly, for any reason whatever, in the internal or external affairs of any other state. The foregoing principle prohibits not only armed forces but also any other form of interference or attempted threat against the personality of the state or against its political, economic and cultural elements.

There are those who regard treaties and other instruments of law as meaningless pedantries, suitable areas of concern for vague and sentimental law professors but hardly a fit basis for the hard decisions of international power politics. I, for one, believe that the United States can play fast and loose with its international legal commitments only at grave peril to its own vital interests. International legal commitments have the same meaning for the shapers of foreign policy as contracts have for businessmen. There is nothing sentimental or particularly idealistic about them. They provide a basis for predicting the actions of others, for being able to judge who is with you and who is against you, whom you can count on and whom you cannot count on. As long as international legal instruments are honored, the parties to them have in effect increased their own power because they can add to their own resources those promised to them by the international agreements. To disregard international legal obligations is to undermine this addition to national power, to destroy the basis for predicting the behavior of others, and to destroy the confidence of other nations in our own promises and commitments.

I am sure that these observations about law, as they pertain to Cuba, will be of interest to the Senator from Arizona. They will interest him because he is a conservative, and if there is anything that is vital to the ideology of conservatism it is the fundamental importance and inviolability of law. The Senator has spoken frequently and wisely about the sanctity of law. I am confident, therefore, that he can be expected to reconsider his views on sponsoring a refugee invasion of Cuba with a view toward trying to reconcile these views with his well-known dedication to the rule of law as a guiding principle for both the internal life of our country and its foreign relations.

If the Senator from Arizona has been somewhat inconsistent in his views on law in international relations, he has been absolutely constant in his advocacy of the principle of decentralization of Government functions.

The Senator declared that under certain circumstances he would withdraw recognition from the Soviet Union, but only with the consent of the Senate. The Senate does not, under our Constitution, play any official role whatever in the recognition of governments or in withdrawing recognition. The Senator apparently would like to give the Senate that power, thereby depriving the President of one of his basic foreign policy powers under the Constitution.

Secondly, the Senator has suggested that the authority to use tactical nuclear weapons should be vested in the commander of the NATO forces without being subject to any direction or control by the President of the United States, who, under our Constitution, is the Commander in Chief of our Armed Forces.

It appears that the Senator, in his zeal for the decentralization of control of our foreign policy, is prepared to relieve the President of many or most of his powers as Commander in Chief of the Armed Forces.

On issues ranging from the Tennessee Valley Authority to an invasion of Cuba, the Senator has been unshakeable in his dedication to the principle that all possible powers should be removed from the hands of the Government of the United States and placed in the hands of private individuals and groups—either foreign or domestic, the important point being that under no circumstances should they be subject to the control or direction of the U.S. Government.

Winston Churchill once said that he did not become His Majesty's First Minister to preside over the liquidation of the British Empire. Should the junior Senator from Arizona be elected President of the United States, it appears that he will dedicate himself to a quite opposite, but no less dramatic, goal than the one proclaimed by Churchill. The Senator will be able, one supposes, to proclaim something like the following:

> I have become President of the United States for the sole and express purpose of presiding over the liquidation of the powers and functions of the Government of the United States, and especially of those vested in the President of the United States.

Finally, Mr. President, our colleague's opinion of the reliability of intercontinental missiles might carry more weight had he raised the issue when funds for their installation were under consideration. The Senator from Arizona has been a member of the Senate Armed Services Committee since he came to the Senate in 1952. During his Senate service, the United States has developed and installed a huge system of intercontinental missiles. Congress has voted tens of billions of public money for this purpose.

If the Senator from Arizona had doubts then about their reliability, he should have raised them in the Senate when the appropriation bills were being considered. Instead, he joined the rest of us in approving those funds, so I understand; and I do not find that he made any critical comments about spending these huge sums on them.

If Senator GOLDWATER has a case that manned bombers are more reliable weapons than missiles, he should spell it out. Until he does, he has only created the impression of an old cavalry man who insists that tanks are not as reliable as horses.

Mr. President, in closing, I repeat that I speak out of great respect for the Senator from Arizona; but he and I have these honest and sincere differences of opinion as to what should be the policy of our Government both in the field of domestic affairs and in the field of foreign affairs; and I have expressed my views accordingly.

LETTERS TO THE EDITOR

Mr. MORSE. Mr. President, recently Mr. O. K. Scott, of Prineville, Oreg., brought to my attention copies of certain letters on subjects of interest. I ask unanimous consent that they be printed in the RECORD.

There being no objection, the letters were ordered to be printed in the RECORD, as follows:

NOVEMBER 6, 1963.

DEAR EDITOR: I would like to make one more desperate appeal to the dormant patriotism of our local citizens. Senator MORSE has at last admitted that the suggestion to utilize some TV time for public education is a good idea, but without good public support from home it is hardly fair to expect any one public official to risk his scalp on a proposition as bold as this. This is something that deserves the initiative of the voters.

The previous series of letters to the editor, has had a noticeable effect on many local citizens, and not a single word of condemnation from any of the many who have been sounded out, throughout the Nation. Many have commented favorably, none too enthusiastic, quite a few were silent, but none ventured to say truth is not important.

I expected more letters from voters to their representatives from this locality, most of the ones I have talked to just sort of pass it off as being too lazy in a joking way, but this is no joke. I think your column one arrangement will be much more effective because only a minority look at the editorial page.

I enclose the letter from Senator MORSE for your inspection. Will you please hold it for me? I will call for it later. I also include my reply to the Senator.

As far as I am concerned, the Oregon delegation to Washington is as good as we can ever hope to get and I hope we can keep them on the job, they will respond to the will of the people back home if these people will only let them know what is in their minds. I cannot help but think that the right to see, hear, and learn to know and understand the truth, ranks high in the mind of every true patriot, but they are still under the spell of McCarthy demagoguery. But truth is changeless and indestructible, it can neither be diluted nor dissolved, not even in a full strength solution of GOLDWATER.

Sincerely,

O. K. SCOTT.

NOVEMBER 6, 1963.

To the EDITOR:

Truth is the supreme authority in our universe. Without it, Man is but little better than a devil, and his world can never get much better than a hell. General Sherman was absolutely right. "War is hell," hot or cold. But with the truth, man can become master of his environment, and build a civilization resembling heaven, limited only by the honest application of his knowledge and his willingness to work. The human energy and material wealth that has been wasted on war just since I have been here on earth, has been many times more than enough to have eliminated all the poverty and its twin, ignorance, from the world, but these twin curses still hold the world in thrall.

Every war that man has become involved in, is a harvest from seeds of dishonesty, planted and cultivated by dishonest men. Nothing has ever been settled by any war, that could not have been settled a thousand times better, by truth and honesty. In fact, the only thing ever settled by war is the certainty of a bigger and more terrible dishonest war to follow.

The cause of this disease, "war," is the virus of dishonesty. The only cure is truth. The political palliatives, and what the labor unions are doing, and have been doing, are just as silly and ineffective, as if the medical scientists had confined their attack on polio, to the application of band aids and ice water massages. There are plenty of good honest, intelligent people in this land, who know and understand the truth, and have what it takes to convey that truth and understanding to the minds of all potentially honest citizens, which includes at least 80 percent of the total, but this insignificant minority of wantonly dishonest, has insidiously built up a power sufficiently strong enough to conceal the truth from the overwhelming majority, by the simple expedient of pricing them out of the market, in spite of our constitutionally guaranteed freedom of speech and press.

Just because one of these lunatics, successfully caused a lot of other lunatics to believe that a lie, repeated often and well, was just as good as the truth, the whole world became involved in the most stupid ogre of death and destruction of all, and the only thing we got out of it was the plague of atomic stalemate, with its potential destructivenes now in excess of a carload of TNT for each human being on earth.

With one hour of TV time each week, made available for truth, the curse of dishonesty could be arrested to the point where truth could at last become effective from a great many more honest patriots than it ever has had. Is four letters each, from each honest patriot too much of an effort? Must we devote all of this marvelous medium of public education to "break down sales resistance" and programs that undermine the character of our young ones? There is no substitute, just as good, or anywhere near as good as truth. It is your business and deserves your attention. None will ever escape the consequences of the neglect that will inevitably lead to some lunatic trying to prove that he can win with atom bombs.

Sincerely,

O. K. SCOTT.

NOVEMBER 13, 1963.

To the EDITOR:

Truth is the keystone for the arch of liberty, that has been slowly and laboriously constructed by the efforts of honest intellect for centuries, this arch spans the bottomless chasm of greed, graft, and corruption, that has successfully defied orderly progress along the road of liberty toward that distant goal of freedom, that has inspired the best efforts and hopes of honest, intelligent, thinking people.

The keystone is not yet in place, but it has been carefully measured and cut to fit. Without this keystone, the structure can never hold the weight of the traffic that must pass over it. It is an exceedingly bulky item, of such a nature that no possible kind of machine can ever put it in place. The only way it can be done is by the honest, intelligent cooperative efforts of many citizens. The task is simple and the labor light. The more hands that willingly volunteer, the easier the task, and there is no such thing as not enough room for all, who care to help.

Just take a sheet of paper and a pen and write four letters, one of them to the president, one to each Senator and one to your Congressman and tell them that you insist on the right to hear, see and learn to know and understand the truth via that matchless medium of communication, TV. Tell them that you believe America is entitled to at least 1 hour each week of prime, blanket time, to defend herself from the worst possible of all enemies—dishonesty.

Sincerely,

O. K. SCOTT.

NOVEMBER 13, 1963.

DEAR MR. SCOTT: It was indeed a pleasure to hear from you and to learn of your strong support for equal rights for the colored citizens of our country. You may be sure that I intend to keep working for passage of the present civil rights bills in the Congress in the weeks ahead.

Your suggestion about utilizing the medium of television for public discussion of important public issues is certainly a worthwhile one. With so much of television programing now being devoted purely to that of entertainment, it seems to me that it could also perform a valuable service by scheduling some of his time to more educational features. I certainly hope that the broadcasting industry will do this as time goes on.

With kindest regards.

Sincerely,

WAYNE MORSE.

NOVEMBER 13, 1963.

Dear Mr. MORSE: It was exceedingly good to hear you say you agree that my suggestion to utilize some TV time to bring the Nation up to date on a lot of important matters that have been willfully withheld from them by a dishonestly monopolized system of communications.

However it will be another fatal mistake to rely on the benevolence of these people. It will mean at least a good struggle in Congress to get this TV time made available for the general welfare. This is a well specified duty for our Representatives. The fact that it has been long neglected will make the fight a little tougher, but where there is a will there is always a way.

The disease, "war" that threatens the existence of life on this planet is caused from the virus of dishonesty, and the only cure for it is the serum of Truth. The political palliatives and what has been done and is still being done by the labor movement, is just as silly and ineffective as if the medical scientists had confined their attack on polio to the application of band aids and ice water massages. But give us the medium to bring Truth to the eyes and ears of all the people for 1 hour a week for 1 year, and I am willing to gamble my life on the claim that Truth will win the battle. Let the opposition have 6 days and 23 hours the advantage to boot.

As long as the majority of the people can be tricked into believing anything that is not true they are slaves to that folly and can never realize the full meaning of freedom. But let them learn to know and understand the Truth and freedom will follow as the days follow night. The only truth I have in mind is the truth about our own basic laws, the Preamble to the Constitution, Bill of Rights and Declaration of Independence. These documents still contain the best ideals and principles ever conceived in the mind of man. Honest adherence to these from the beginning would have given the world a practical demonstration of what the kingdom of heaven on earth really meant, but it must be admitted that these ideals and principles were dishonestly betrayed into the hands of the ancient oligarchy, whose dishonesty had previously made such a hell out of Europe that the Pilgrim fathers were forced to the shores of the New World. This is the final struggle. Either we win this time or become extinct in a short while. Armed with Truth and the marvelous device that makes instantaneous communication possible by both sight and sound, there is no foe that cannot be conquered.

Sincerely hoping that these efforts have not all been in vain, I am,

Sincerely yours,

O. K. SCOTT.

NOVEMBER 20, 1963.

To the EDITOR:

Democracy is a lot more than a word to be bragged about and flaunted before people considered to be less fortunate. Democracy is a way of life that must be practiced, and given intelligent exercise. Otherwise it will grow weak and flabby, just the same as the muscles of an athlete if he gets lazy and takes his talents for granted and refuses to keep in trim. We in America have always had the potential right to practice real democracy, but we ought to be thoroughly ashamed of the mess we have allowed ourselves to be dragged into, by the craft and guile of liars, thieves, and knaves. No intelligent person ever had to follow such. Each person in America has just as much right to be his own lobbyist as I have. The letter from Senator MORSE which was published in the last issue of the Central Oregonian is positive proof that these letters are effective. Your duty and responsibility as a democratic privilege are not to be taken for granted, they must be earned as they are used, they are subject to the law of compensation just like everything else. You just don't get anything worth while from nothing. But the dividends from honest intelligent use of the democratic process outweigh those of any other endeavor known.

Another word that has been taking a terrible beating, since the end of World War II especially, is freedom. This is a good word, and never was intended to be used as a shield to hide another word, which the above named characters have made so dirty that even they are ashamed to say the word, but they are getting by with it just as if nobody cares. It is the stupid indifference to these things that lead us into all our trouble. Honesty is not just the best policy, it is the only policy, unless we really enjoy misery.

If a thousand real patriots from Crook County would bestir themselves to the point of writing four letters each, one to the President, one to each Senator and one to your Congressman, it is bound to make news, and the idea would spread all over the State soon, and all over the Nation eventually. There is no other way out of this wilderness of dishonesty but the road of truth.

Sincerely,

O. K. SCOTT.

To the EDITOR:

With the finest ideals and principles ever to come from the mind of man, as a guide and inspiration for those who have been chosen to rule this land, just where do we stand today, and how did we get there? What does the record prove?

The Statue of Liberty, and that inscription on its base, proves that at one time we must have been on the right course. How did we get thrown off that course, and where has it led us? There is but one logical explanation, and this is it:

The ancient oligarchy, that has always had control of the world money, slyly watching for its chance to move into the New World. It came when they successfully made contact with willing traitors, who for personal gain betrayed what promised to become man's greatest and most noble accomplishment, into the hands of this, the most wicked conspiracy ever organized by man, the Devil's right hand, if there ever was such a thing as a devil.

The preamble to our Constitution states specifically, "We the people of the United States of America, in order to form a more perfect union, establish justice, insure domestic tranquillity, provide for the common defense, promote the general welfare, and secure the blessings of liberty to ourselves and posterity, do ordain and establish this Constitution." Honest adherence to these ideals and principles, right from the beginning down to date would most certainly have given the world a practical example of what the kingdom of heaven on earth, really meant. There never would have been a Red bogy to worry about. The reason for his appearance never would have developed. All of this preposterous crime has been committed because of love for the Devil's god, whose sign in America is "$" and whose universal name is money. But who has gained?

What is there on this earth, that can be purchased with the combined total of all the money on earth, including bonds and all other kinds of securities, that can even begin to compare with that which could and should be here for everyone to enjoy, if the noble principles and lofty ideals set forth in the basic law of our land had been honestly adhered to? What is patriotic about conformity to what has been done to those ideals and principles? What do we have in place of what honesty most surely would have rewarded us with?

Every human being on earth today, stands beneath a destructive potential equal to at least 15 tons of TNT, and his destructive potential is suspended by nothing more reliable than the temperature of the hot air of the cold war. Most of our once matchless forests have been ruthlessly slaughtered, our mines and oil reserves shamefully wasted, our rivers and lakes polluted, our Government corrupted and a $315 billion mortgage piled up against the lives of generations not yet born. While the combined total of all the fortunes amassed by this stupid greed cannot buy even a fleeting glance at a clear and clean Hudson River, the human energy and material wealth that could easily have kept that, and all the other rivers and lakes clean and pure and also have kept our forests in first-class shape, provided good comfortable homes for all our people, ample recreational facilities for the benefit of everyone and education for all, limited only by the individual's capacity to absorb it, plus unlimited other blessings, all this has been our sacrifice to the Devil's god, the unholy trinity "greed, graft and corruption."

Help us who dare to stand up to this monster. Haven't you paid enough already?

Sincerely,

O. K. SCOTT.

NOVEMBER 27, 1963.

To the EDITOR:

The right to petition the Government for redress of grievance is a priceless heritage that has always been free for the use of any and all Americans as a condition of citizenship. To waive the right under the pretense that it does no good is only a lazy citizen's excuse for not keeping up his obligations as a citizen. It certainly is not patriotic, no matter how often he salutes the flag or how well he recites the oath of allegiance.

What else could be more important, from the standpoint of citizenship, than the right to know the truth? What better reason for a redress of grievance can there be?

For those who still think America is getting a fair deal from our monopolized communication system, here are some facts. In spite of the importance of the right to get the truth, the following giants of the profession treated the subject to the well organized and financially lubricated conspiracy of silence; the Seattle Times, the San Francisco Chronicle, the Los Angeles Times, the Denver Post, the St. Louis Post-Dispatch, and Look magazine. The New York Times and Saturday Evening Post both pled no room. Only our own Central Oregonian has had the courage to print this appeal for the right to hear, see, and learn to know the truth. For this Crook County already has good reason to be proud.

This is a serious matter and deserves the attention of every true patriot. You local civic leaders, how about a little assistance from you? This situation deserves a good old-fashioned town meeting where the subject can be openly and honestly discussed. The great American engine of democracy stopped from the shock of Abraham Lincoln's assassination, and has been stuck on dead center ever since. It is entirely within the realm of possibility that the properly aroused and directed potential of local patriotism can become the fulcrum that moves that engine off dead center, and start her turning once more. If so, I predict such rejoicing around the world as has not been heard since the first tolling of the Liberty Bell. Certainly a monument would be erected here to commemorate the occasion. At any rate it would be better to have tried and failed, then never to have tried at all.

In the words of one of the great intellects of the world: Here's freedom for those who would read, and freedom for those who would write. For none ever feared the truth would be heard, save those whom the truth would indite.

No one from President Kennedy on down has dared to deny that the right to know the truth is a basic and all-important right. If our civic leaders and officers of public trust have no fear of hearing the truth, and there is no reason to suppose they do, then why not call a well advertised public mass meeting and see what can be done about this most important issue in a century of our history.

This concludes my appeal to local patriotism; you are the jury and the case is in your hands. I sincerely recommend, and hope that you will return a verdict in favor of the truth.

Thank you.

O. K. SCOTT.

RED CHINA TRADE MISSION

Mr. MORSE. Mr. President, I ask unanimous consent to have printed in the RECORD an article entitled "Kerr Urges Drive For Red China Trade Mission." The article was published in the Portland Reporter newspaper.

Mr. Kerr is one of the leading industrialists and civic leaders of Oregon, and his views deserve very careful attention.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

[From the Portland (Oreg.) Reporter, Dec. 9, 1963]

KERR URGES DRIVE FOR RED CHINA TRADE MISSION

(By Tom Moll)

Thomas Kerr, president of Kerr Grain Corp., urges Oregon Wheat Growers League members to initiate action for a trade mission to Red China.

"We can't continue," he said, "to give our grain away when there is a market for that grain."

Kerr addressed the league annual convention in Portland Friday.

He said he was "glad" the farmers voted no in the recent wheat referendum, adding:

"I'm dead set against programs of production control * * * at least in the Northwest."

Kerr favored a two-price certificate program that would guarantee growers the current U.S. price for domestically used grain and free all other grain from production and price controls for sale in world markets.

He said his reasons for suggesting the mission were partly selfish but added:

"I'm a realist. We should send a Government-sponsored mission to China to find out exactly what the situation is. * * * What is the potential of the market? Will their demand for grains be continual?"

Kerr noted that Japan and Germany, both former enemies of this country, were now our biggest customers for exports. He added:

"Why do we have to wait for a war to make good friends?

"The time has come when we have to look at the whole world in a different light."

He added that he did not advocate diplomatic recognition of the Communist nation.

Kerr, vice president of the Portland Chamber of Commerce, said that historically and traditionally grains and grain trading have involved politics, even more so in present times.

He suggested the league initiate a trade mission to Canada to:

"Develop actual programs, through combined pressure on governments, that would benefit growers in both countries."

On trade or sale of wheat to Russia, Kerr said:

"I'm very much in favor of this trade with Russia. * * * After all, all of our allies are taking advantage of this market. * * * Peaceful relations between countries, which are more important than ever now, can grow with trade between the countries."

Kerr noted the west coast would benefit from increased trade with eastern Asia, particularly China.

"All you have to do is look at a map to see where the people and the markets are in this world.

"I think we should base our whole program on servicing these people at reasonable prices. Our farm economy, and this includes all the related services necessary to farmers, would benefit by this trade."

"TODAY'S KEY CHALLENGE TO U.S. MANAGEMENT"

Mr. MORSE. Mr. President, I ask unanimous consent to have printed in the Record a very stimulating article entitled "Today's Key Challenge to U.S. Management." The article was written by Mrs. Mary G. Roebling, who is one of the prominent bankers of New Jersey and one of the recognized business leaders of our Nation; and I am proud to ask consent to have her statement printed in the Record.

There being no objection, the article was ordered to be printed in the Record, as follows:

Today's Key Challenge to U.S. Management

(By Mary G. Roebling)

We happen to live in one of the turning points of history, and the future of mankind will be permanently affected by what we do in this generation.

We have a choice.

We can first of all preserve freedom as we know it in the United States and extend it if we can to those peoples who are in bondage under communism. Or we can defeat ourselves by our refusal to support and advance the economic system of free enterprise which has brought our Nation to greatness, provided a freedom for the individual never known before, and made the American way of life the goal of the peoples of the world.

It wasn't chance or fortune by which our Nation surpassed the rest of the world.

History shows it was the work of our patriot-businessmen. In coonskin caps instead of gray flannel suits, they tamed the wilderness and they built cities.

They operated on the principle that each individual could become all that he was capable of becoming. They didn't call it free enterprise but that's what it was.

They believed, too, in the fullest recognition of human dignity, affirming the rights of man to engage in the free pursuit of accomplishment, to speak, worship, travel, and learn without hindrance or suggestion.

For a century and a half the businessman in the United States successfully enacted the dual role of the Minuteman defending and building his nation, and the natural leader in his community.

Yankee ingenuity and integrity became bywords the world over as merchant captains of America's proud clipper ships plied their trade on the seven seas and the pioneer wagons rolled westward to the Pacific.

Profit and freedom were the pioneer's motivation. Profit to build his own fortune, to build his community, and his Nation; freedom to enjoy the fruits of his labor. He succeeded and the Nation succeeded.

The American businessman today is preoccupied chiefly with gain. With the increasing demands and complexities of his management responsibilities, he has surrendered his position of leadership in the community and the Nation.

This leadership has come to those who could devote all of their time and effort to gaining a key position in influencing those in government. The threats to profits at home and abroad, the pressures and challenges of a fast moving business and political world, forced the executive to become chained to his desk.

Internally and externally in the United States a phenomenon occurred about 30 years ago. Capitalism was violently attacked. The term "free enterprise" was made one of derision. The principles of free enterprise as the basic organizing economic foundation of modern society were questioned. The key objectives of the attack were (1) to discredit private ownership and (2) to make it indecent for a man to make a profit from his labor. If he could, by his efforts, earn a million dollars a year (and pay 90 percent of it in taxes to his government), he was still a sinner.

Today, the attack on our free enterprise system continues with unabated fury.

Despite the fact that we are now walking down the garden path with Chairman Khrushchev in a new aura of familiarity over the partial nuclear test ban, the Russians and Chinese, as Communists, are united in a common hostility for capitalism and the West. They don't disagree on the basic issue. They disagree on the means of "burying the West," but not in the end they desire.

Specifically, the Red Russians and the Red Chinese have not disavowed or repudiated the Moscow Declaration of December 1960, which proclaimed "Peaceful coexistence of countries with different systems does not mean conciliation to the Socialist (Communist) and bourgeois ideologies. On the contrary, it implied intensification of the struggle of the working class, of all Communist parties, for the triumph of Socialist (Communist) ideas."

I believe, as I say, that we are living in one of the turning points of history and that we do have a choice. But I don't think we can drift.

An event occurred on May 1, 1963, in Trenton, N.J. It filled me with hope for the future and it suggested a plan of action to me to return the American businessman to the status and stature he should enjoy in our Nation.

On May 1, 1963, there came to Trenton men in the highest levels of our Nation, exciting thought leaders of our time in the fields of business, government, religion, labor, education, and communication to deliver timely and provocative messages on the subject of "the survival of free enterprise in the United States."

These men joined hands with presidents of 61 corporations from 17 States in the Union in discussion to throw light and understanding on all the factors that had made it possible for these firms to survive and prosper over the past 75 years.

We of the Trenton Trust Co. had invited this group to come to Trenton to join with us in celebrating our company's 75 years of success under our free enterprise system. Each of the heads of the businesses who attended were from companies celebrating their diamond jubilee anniversary in 1963.

I think it is particularly interesting that each of the distinguished representatives who came to Trenton to participate in our seminar on the survival of free enterprise, insisted on paying all of his own expenses.

Able editors have generously praised the success of our May Day free enterprise answer to the Communists' May Day military display and threats to destroy us.

Constant requests for reprints of the May 1 free enterprise speeches are received by the Trenton Trust Co., and it is this public demand, in addition to our desire to aid the cause of free enterprise, which has motivated the Trenton Trust Co. to publish this book.

We are deeply grateful to the citizens of Trenton and all those good citizens who came to Trenton on May 1 to contribute to what we hope will be but the beginning of a study of the most fundamental economic question facing the United States today.

I have said that we Americans do have a choice in determining our destiny and I would like to propose an idea that I believe will help strengthen our free enterprise system.

In the dark days of 1941 the Nation called upon its fightingmen and its businessmen to join hands to defeat powerful and barbaric enemies. The heroics of our fighting forces are so well known that they need no recounting here, but the miracles produced by America's businessmen in turning out the sinews of war should again be told.

Just as American industry mobilized its forces to produce the material the Nation needed to win World War II, American industry must mobilize its forces to aid the cause of free enterprise in the United States today.

Specifically, what am I suggesting?

I am urging the top management of American industry to again become Minutemen as they did in 1776. We must staff ourselves in the struggle for freedom at home and abroad with nothing less than our best. I am urging men and women who are engaged in private industry to join in a campaign to sell every segment of the American public on the advantages of the free enterprise system.

The unequaled skills and techniques of businessmen in American industry to sell the goods they produce I now would like to see channeled to strengthen free enterprise, the keystone of the system which makes the American way of life possible.

I would urge the formation of a Joint Public Information Committee for the Survival of Free Enterprise, composed of representatives from every industry, large and small, in the United States, to conduct a marketing and advertising campaign commensurate with the importance of the subject and lateness of the hour.

This Joint Public Information Committee on Marketing and Advertising must call upon and utilize the best minds to create ideas and dramatize them via all of the media of communication to reach every segment of the American public.

The formation of the Joint Public Information Committee for the Survival of Free Enterprise must be a top management project on a long-range basis and must be under the direct supervision of the president of the firm. The responsibility for the success of the program to sell free enterprise must be given to a specific individual with a sufficient budget to carry out his company's program. I think every group of stockholders would be pleased to read in a company's annual report of such an enterprise, the cost of it, and the basic information explaining why it is necessary.

This project would be a massive counteroffensive effort to awaken the American people to the good things we have because of our free enterprise system. It would also serve to awaken the public to the constant internal and external campaign which is being waged to destroy our free enterprise system.

We hope that this book and its ideas will contribute to a better understanding of the meaning and importance of our free enterprise profit system. We hope, too, that it will contribute to the reawakening of the American businessman to again become the leader in his community and his Nation.

PROPOSED AWARD OF SIX STARS TO GENERAL MacARTHUR

Mr. MORSE. Mr. President, I ask unanimous consent to have printed in the RECORD a radiogram which I have received from John N. Hart. In it, Mr. Hart expresses opposition to the bill, which has been introduced in the Senate, to award six stars to General MacArthur. It is the position of Mr. Hart that such an award should first go, if to anyone, to Gen. George Marshall.

There being no objection, the radiogram was ordered to be printed in the RECORD, as follows:

DECEMBER 28, 1963.

Hon. WAYNE MORSE,
U.S. Senate,
Washington, D.C.:

As American citizen, former Oregonian, strongly oppose Symington bill award MacArthur six stars without beforehand similar recognition George Catlett Marshall, whose contributions to our Nation exceed MacArthur's and whose character far more praiseworthy.

JOHN N. HART,
C. F. Sharp Co.

MANILA.

ADJOURNMENT TO TUESDAY

Mr. MORSE. Mr. President, in accordance with the order previously entered, I move that the Senate stand in adjournment until Tuesday next, at 12 o'clock noon.

The motion was agreed to; and (at 4 o'clock and 3 minutes p.m.) the Senate adjourned, under the order previously entered, until Tuesday, January 14, 1964, at 12 o'clock meridian.

NOMINATIONS

Executive nominations received by the Senate January 10, 1964:

FEDERAL TRADE COMMISSION

John R. Reilly, of Iowa, to be a Federal Trade Commissioner for the unexpired term of 7 years from September 26, 1962, vice A. Leon Higginbotham, Jr.

ARMY DESIGNATION

The following-named officer under the provisions of title 10, United States Code, section 3066, to be assigned to a position of importance and responsibility designated by the President under subsection (a) of section 3066, in grade as follows:

Maj. Gen. Andrew Jackson Goodpaster, O21739, Army of the United States (lieutenant colonel, U.S. Army), in the grade of lieutenant general.

AIR FORCE DESIGNATION

Maj. Gen. Harold C. Donnelly, 647A, Regular Air Force, to be assigned to position of importance and responsibility designated by the President in the grade of lieutenant general, under the provisions of section 8066, title 10 of the United States Code.

HOUSE OF REPRESENTATIVES

MONDAY, JANUARY 13, 1964

The House met at 12 o'clock noon.

The Chaplain, Rev. Bernard Braskamp, D.D., offered the following prayer:

Timothy 2:7: *The Lord give thee understanding in all things.*

O blessed God, our Heavenly Father, we humbly acknowledge that the coming events and experiences of this new year are unknown to us and veiled in mystery.

Grant that we may trust Thee and not be afraid, believing that as our days so shall our strength be and that the future is as bright as the promises of God.

May each day be joyous and glorious with new hope and inspire us to go forward to higher achievement for none has ever done enough for Thee and humanity.

Constrain us by Thy love to meet our duties and responsibilities with new resolves and may we be determined to keep the lamp of lofty ideals and principles burning brightly until our sun has set and the eventide of life has come.

Hear us in Christ's name. Amen.

THE JOURNAL

The Journal of the proceedings of Thursday, January 9, 1964, was read and approved.

MESSAGE FROM THE SENATE

A message from the Senate by Mr. McGown, one of its clerks, announced that the Senate agrees to the amendments of the House to a joint resolution of the Senate of the following title:

S.J. Res. 136. Joint resolution providing for renaming of the National Cultural Center as the John F. Kennedy Center for the Performing Arts, authorizing an appropriation therefor, and for other purposes.

LEGISLATIVE PROGRAM

Mr. ARENDS. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. ARENDS. Mr. Speaker, may I inquire of the majority leader as to any possible change in the program for today and tomorrow?

Mr. ALBERT. Mr. Speaker, in response to the gentleman's inquiry, in view of the inclement weather and the fact that many Members have not been able to arrive at the Capitol, the rice bill will be put over to follow the airport bill tomorrow. There is no other change in the program.

Mr. ARENDS. I thank the gentleman.

THE PANAMA CANAL ZONE

Mr. ABERNETHY. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Mississippi?

There was no objection.

Mr. ABERNETHY. Mr. Speaker, the serious nature of events in the Panama Canal Zone cannot be overestimated. It is a first-class crisis which will get worse and spread if not properly and firmly attended to.

We have heard a lot of historical analysis as well as visionary speculation as to the causes of these unhappy events. I would like to add a thought which I have not heard voiced or seen in print, but which I think is shared by many observers.

In my opinion the United States is reaping a whirlwind of agitation and defiance which was sown in seeds of excessive toleration of past threats and insults.

Excessive toleration by our Government invited the revolution in Cuba. Excessive toleration helped to establish the Castro-Communist government. Excessive toleration has invited one problem after another—the confiscation of American property, the kidnaping of American citizens, widespread disrespect for the American flag, and the temptation to use the United States as a scapegoat.

We ought to learn a lesson from the present crisis, but first it must be resolved.

The administration deserves great credit for so promptly sending a peacemaking team of top-level diplomats to Panama. Responsible officials of Panama and the United States deserve great credit for their eminently statesmanlike conduct in submitting to the Organization of American States the joint proposal to send an OAS team of negotiators to Panama. This imaginative maneuver headed off a debate which probably would have degenerated into a propaganda shouting match with the troublemaker nations doing most of the shouting.

I applaud these efforts and I do not want my observations and suggestions to detract from them. My comments are intended to be constructive and I hope they will be so accepted and considered.

The establishment of a peacekeeping patrol under supervision of a peacekeeping authority composed of two Americans, two Panamanians, and two representatives of the OAS seems a little far out. It smacks of internationalization. It seems to me that U.S. soldiers patrolling their side of the border and Panamanian soldiers or police patrolling their side, is the proper way to maintain order.

It is clear that we cannot yield ownership or management of the canal. This should be made unmistakably clear immediately. Any other posture on our part would be misleading to the Government of Panama and to the world.

Properly managed and maintained, the canal is useful to the entire world and strategically essential to the free world. We acquired the canal legally and justly. We have demonstrated our ability to manage it for the benefit of the entire world. We have the means and the determination to keep it for the free world. Our ownership and management of the canal is not a fit subject for debate. Let us make that clear.

Further, the U.S. Government can prevent misunderstandings and do much toward preserving world peace and tranquillity by announcing at once in every known language that no intervention, military or otherwise, direct or indirect, from any other nation will be tolerated. This is a dispute between the United States and Panama. Other nations should be respectfully but firmly invited to stay out.

Let us pronounce a hands-off doctrine and enforce it preemptively if necessary. This is the way to prevent incidents and to preserve peace. By preemptive enforcement I mean we should not permit an arms buildup of any sort, offshore or in neighboring Latin American States, if such activity has any relationship whatsoever to the Panamanian crisis.

Finally, let us seek through all good offices to reestablish proper diplomatic relations with Panama. Although we did not take the initiative in terminating relations and fully recognizing Panama's sovereign right to keep or break such relations, let us take the initiative in extending the hand of friendship and good neighborliness to our sister Republic.

To sum up my suggestions, first we must not yield or appear to yield any degree of ownership or management of the canal. Second, we must serve notice of a hands-off policy. We will take whatever steps that may be required, including preemptive measures, to prevent direct or indirect intervention. And, third, we shall continue to extend the hand of friendship and good will to the Republic of Panama.

CLAUDE S. SCHECKEL

Mr. HOEVEN. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Iowa?

There was no objection.

Mr. HOEVEN. Mr. Speaker, one of the Official Reporters of Debates of the House of Representatives, Claude S. Scheckel, found it necessary to seek retirement on December 31, 1963, due to illness. I wish to take a moment to pay tribute to my friend of long standing and my former neighbor and to wish him the best of everything in the days ahead. Mr. Scheckel was born in my hometown of Alton, Iowa, where he graduated from St. Mary's Academy. His parents were pioneer residents of our town, and Claude and I became childhood friends. It so happens that our esteemed Chaplain of the House of Representatives, Dr. Bernard Braskamp, also was born in Alton, and it therefore has been a most pleasing coincidence that Dr. Braskamp, Claude Scheckel, and I have been so closely associated in the House of Representatives for so many years.

After graduating from St. Mary's Acadmey at Alton, Iowa, Claude studied shorthand and became a court reporter in Chicago in 1911. He was associated at that time with Mr. F. S. Milberg, who is now one of our efficient and respected Reporters of Debates in the House. Later, Claude attended evening classes at the Chicago Kent College of Law from which he graduated, and was subsequently admitted to the bar in Illinois.

Claude Scheckel is a veteran of World War I, having served at Camp Grant, Ill., and as a field clerk in General Army Headquarters at Chaumont, France. After the war, he resumed court reporting in Chicago and later in Detroit before coming to Washington, D.C., where for a time he engaged in freelance reporting. He has practiced his profession before almost every agency in the Federal Government.

About 20 years ago Claude Scheckel was appointed a member of the staff of the Official Reporters of Debates of the House of Representatives, and he served with great honor and distinction in that position until his retirement.

In a communication which I recently received from Claude, he says, "To all of my friends on both sides of the aisle, I bid you an affectionate adieu."

I can only add that we have all missed Claude S. Scheckel since he gave up his duties in the House of Representatives. I am sure that all of my colleagues join with me in expressing the sincere hope that his health will continue to improve and that he may enjoy his retirement with the full knowledge that he leaves behind a host of friends in the House of Representatives who wish him the best of everything.

Mr. ALBERT. Mr. Speaker, will the gentleman yield?

Mr. HOEVEN. I yield to the gentleman from Oklahoma.

Mr. ALBERT. I am glad the gentleman has taken this time for this purpose. I desire to include myself with him in the tribute he paid to a very fine former servant of this House, an able Official Reporter, Claude Scheckel. I join in wishing him well through the years. In doing so, I am sure I voice the sentiments of all of us in this Chamber.

Mr. HOEVEN. I thank the distinguished majority leader.

EFFECTS OF SMOKING

Mr. ROUSH. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Indiana?

There was no objection.

Mr. ROUSH. Mr. Speaker, the Surgeon General's Advisory Committee's report on smoking is an indictment of the practice which should by no means be sloughed off or ignored. If smoking is the chief cause of lung cancer, if it is prudent to assume that smoking is a cause of heart disease, if smoking is one of the important causes of chronic bronchitis, and if smoking shortens the lifespan of man, then something should be done about it. Several programs should receive immediate consideration. Labeling tobacco products as injurious to health, immediate restrictions on advertising tobacco products, immediate cutting off of subsidies to the growers of tobacco, a program of education to alert the public to the dangers of the use of tobacco, are but a few of the possible courses of action. In addition, Mr. Speaker, I would urge all law enforcement officers and agencies to enforce those laws prohibiting the sale of tobacco products to minors.

FEDERAL EXPENDITURE LEVELS

Mr. CURTIS. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Missouri?

There was no objection.

Mr. CURTIS. Mr. Speaker, I have taken a special order today of 30 minutes to discuss what I recognize as the "New Frontier Expenditure Waltz," two steps forward with very soft and quiet music, with dim lighting followed by one step backward with a great deal of fanfare and the glare of spotlights.

There was one important figure in President Johnson's message to the Congress which has not received the emphasis it deserves. The only firm figure in the state of the Union message is the expenditure level for fiscal 1964 of $98.4 billion. The budget figures for fiscal 1965 are rough estimates. The $98.4 billion expenditure figure is an increase of $600 million over the November 1963 estimate of the previous administration of $97.8 billion. So with all of the recent fanfare of budget cutting and cutting back on Federal expenditures, in 2 months the Johnson administration has increased the expenditure level for fiscal 1964 by $600 million. What decrease there was related only to the two steps forward previously taken from the fiscal year 1963 expenditure level of $92.6 billion. The total net Johnson administration increase is $5.8 billion, $600 million greater than the Kennedy administration.

EXTENSION OF REMARKS

Mr. HARVEY of Indiana. Mr. Speaker, a recent edition of the Washington Post carried the title "Our Sick, Sick Congress." I ask unanimous consent to extend my remarks at this point in the Record to comment on this pseudoeditorial.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. HARVEY of Indiana. Mr. Speaker, the attached pseudoeditorial which I have asked to have reprinted in the Record is typical of the derogatory and unfair tactics this paper has been employing for several months. It is apparent that their object is not the reformation of the Congress but its ultimate destruction. This article, for indeed that is really what it is, is entitled "Our Sick, Sick Congress."

It seems to proceed with its planned offense along two lines. One is that of lampooning various Members, the other that of besmirching the leadership of both parties within both Houses. As I have stated on prior occasions, I do not preclude the right of any publication to criticize any segment of the Government, that is guaranteed under our Constitution. But I do challenge the propriety and patriotism of any responsible newspaper to deliberately try to destroy under the guise of reforming, the legislative branch of our Government.

I trust you will read the article and also conclude that such writings are not in the public interest.

[From the Washington (D.C.) Post, Dec. 29, 1963]

OUR SICK, SICK CONGRESS

(By Karl E. Meyer)

It was an unlikely blend of the Keystone Cops and Gotterdammerung. How else describe the penultimate moments of the 1st session of the 88th Congress? In terms of low comedy, these are the scenes that stick in the mind: There were the planes swooping over the country, scooping up absent Congressmen and returning them to the snows of Washington for an unheard-of meeting at 7 a.m., the day before Christmas.

There were the frantic conferences of the weekend before, in which the terrible-tempered Representative Otto Passman stormed into Capitol corridors to proclaim what changes he would or would not accept in legislation which he heartily detests anyway.

There was the unseemly tumult over assembling a quorum of the House Rules Committee so that one branch of the National Legislature could get the permission of a subbranch to cast a vote on a matter it had already voted on before.

There was the strange scene in the Senate on the day before Christmas, when the world's greatest deliberative body could not prevail over an absent Member (Senator Wayne Morse) who insisted that a quorum be present, whether or not he was there. So the Senate meets again on Monday, the final twitch in the interminable 88th, the longest peacetime session in history.

A SWELLING CHORUS

Yet the language of comedy is inadequate, because what is at stake is profoundly important. In discrediting itself, Congress discredits representative government, and there is little question that Congress has nearly touched bottom in public esteem.

What kind word can be said about an institution that in the name of frugality slashes the foreign aid bill and at the same time tacks onto the bill a $2.7 million expense allowance increase for itself?

What ails Congress? That something is wrong is admitted by Members themselves.

Last February Senator Joseph S. Clark, Democrat, of Pennsylvania, was pretty much a lonely voice when he indicted what he called the Senate establishment. But since then, some of his colleagues have joined in self-criticism.

"Congress is becoming the laughingstock of this Nation," Senator Clifford Case, Republican, of New Jersey, has said.

"The whole Senate seems to be pervaded by a spirit of lethargy," Senator Thomas J. Dodd, Democrat, of Connecticut, has lamented. "Every Senator is becoming a partner in this fiasco."

Even pithier is the remark of the usually kindly Senator George D. Aiken, Republican, of Vermont: "The country is disgusted with us."

THE DIAGNOSIS

But if the patient is ailing, physicians differ about the nature of the disease. Certain chronic afflictions were nevertheless apparent during the final, frantic 2-week fight over foreign aid.

In clinical terms, the pathology of Congress can be dissected under these headings:

The Passman Syndrome. Only in America does the Executive submit its program to a committee chairman wholly antagonistic to the principle of the legislation he is supposed to shepherd through Congress. It is a characteristic irony that foreign aid bills go to Representative Passman, Democrat, of Louisiana, who yields to no one, not even to Khrushchev, in his belief that Yankee dollars should stay home.

As chairman of the Appropriations Subcommittee handling foreign aid, Passman wins guffaws in the House when he caustically attacks the legislation he is submitting for its vote.

Samples: "We have only one foreign policy—the checkbook." "More heads of state have been assassinated and more governments overthrown since we began foreign aid than in the previous 75 years, because we give them something to fight for."

Why did Congress flounder in the last days of the session? In part, because Otto Passman refused to compromise in conference with the Senate December 20. He said at one point:

"They [the Senators] wanted a $3.1 billion bill and we refused it. So there will be no foreign aid bill this year. * * * Good day, gentlemen. I'm going home for Christmas."

The procedures of Congress, notably the seniority system, enable Passman to address the world in tones usually reserved for monarchs.

Halleckitis: The procedures of Congress also enable an adroit minority to snarl the entire legislative process, and few know more about the obstructive art than Representative Charles A. Halleck, the Republican leader. The gentleman from Indiana is frankly not concerned with the niceties of foreign affairs or the prestige of a President if he can win a few political chips at the poker table.

Halleck made it party strategy to press for an amendment limiting President Johnson's authority on wheat sales; it was all right, he held, to take cash from the Soviet Union for wheat, but not to extend credit.

On December 14, the House approved the Republican amendment to the foreign aid bill with the help of some Northern Democrats anxious to cast an "anti-Communist vote" and sure that the Senate would kill the amendment anyway. The Senate did kill the amendment, but after its December 20 conference with the House, Halleck saw his chance.

He rejected a compromise acceptable to President Johnson and to Senator Karl Mundt, the amendment's Republican sponsor in the Senate. The compromise, Halleck allowed, "stunk."

What would happen if it came to a vote? The minority leader said:

"The Democrats have 86 Members absent. We have 56 Members absent. I'll take a look at my hole card." The gentleman from Indiana played his usual shrewd hand, aided by—

The commuter complex: The largest club on Capitol Hill is the Tuesday-Thursday Society, composed of some 50 big-city Democrats from centers like New York, Chicago, Boston, and Philadelphia who find the thought of more than 3 days a week in Washington unbearable.

On the Friday before Christmas, with a major test vote in prospect, Democratic Members began drifting away from Washington, their numbers swelled by some normally conscientious legislators who had made elaborate holiday plans. This circumstance formed Halleck's hole card.

Friday afternoon, Congress was in recess, awaiting the conferees' report on foreign aid, and Democratic whips communicated little sense of urgency to the melting majority. When the conferees finally did agree, a further hurdle remained to delay a vote.

Rules rigor mortis: The hurdle was the House Rules Committee headed by Representative Howard Smith, Democrat of Virginia, the very symbol of the conservative coalition that thwarts majority rule in Congress. In this instance, however, the courtly Judge Smith was not at fault; a quorum of the committee was lacking.

Under House procedure, the Rules Committee can get two cracks at an important measure. It must first clear the bill for floor action. And once passed, if the bill is modified in conference with the Senate, the Rules Committee must judge it anew—an auxiliary brake in an institution loaded with brakes.

Eventually, a quorum was assembled, and ultimately enough truant Democrats flew back to Washington to uphold the President in the House. In an extraordinary meeting at 7 a.m. December 24 (held early in order to enable Members to attend the funeral of a Philadelphia Congressman), the foreign aid bill passed the House. But the end was not yet.

The Morse mumps: A handful of Senators was on the floor when the House communicated its approval. They were ready to vote—but an absent Member foiled them. Senator Morse had insisted that a live quorum be present, and Senator William Proxmire, Democrat, of Wisconsin, the acting majority leader, felt bound to honor the Oregon Senator's insistence.

Morse represents one of Congress' more enigmatic afflictions; theories flourish as to what causes him to expend his brilliance on making life miserable for the Democratic leadership. The administration expects the hostility of Republicans and conservative

Democrats, but it was the hostility of the liberals that led to this year's foreign aid disaster.

During November, the Morse mumps were catching; the liberals joined with Republicans and southern democrats in scuttling the bill reported out of the Foreign Relations Committee.

No one, in fact, emerged from the foreign aid fight looking very glorious. The Democratic leadership looked languid; the Republicans, like crafty shell-game operators; the liberals, like fair-weather soldiers or cranky crusaders. It is somehow appropriate that the last gasp of the first session of the 88th Congress should be Monday's meeting of Senator MORSE's version of the Quorum Club.

WHERE CREDIT IS DUE

The tale of the close was the tale of much of the session—but not all of it. The Senate did approve the test ban treaty and the congressional leadership can point to a scattering of other meritorious works.

But in the memory of the present, and probably in the verdict of history, the 88th's first session will be chiefly associated with a refusal to legislate. The failure to accord the administration even the courtesy of a vote on civil rights and the tax cut dramatized as seldom before the archaic methods of Congress.

Quite possibly, the future may decide that the chief accomplishment of the first session was to swell the demand for congressional reform in the second.

FIFTY MILLION DOLLARS A YEAR CAN BE SAVED BY THE DEPARTMENT OF DEFENSE THROUGH LOCAL PROCUREMENT

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that the gentleman from California [Mr. ROOSEVELT] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

Mr. ROOSEVELT. Mr. Speaker, President Johnson is to be commended for his determination to eliminate all unnecessary Government spending. The needs of our Nation are such that there is no excuse for even $1 of waste.

The General Accounting Office recently issued a report which presents a unique opportunity to both increase efficiency and effect a substantial saving. This report pointed out that if the Department of Defense would stop stockpiling supplies that are readily available from commercial sources, approximately $50 million a year could be saved and supply inventories could be reduced by approximately $275 million. An additional benefit that would be derived from local procurement of supplies would be the stimulating of our local economies due to increased revenues of small businessmen.

As a member of the Small Business Committee and its Subcommittee on Procurement, and as a firm believer in the necessity of insisting on full value for each dollar of the taxpayer's money that is spent by the Federal Government, I would strongly urge the Department of Defense to adopt the recommendations contained in the Comptroller General's report.

In a representative cross sampling of Department of Defense procurement, the General Accounting Office selected for review some 561,000 minor items of supply stocked by our Defense Establishment. These consisted primarily of hardware, repair parts, industrial supplies, and other low volume items. An examination into the dollar value of issues of these items during a 12-month period ending in 1961 disclosed that about 258,000 items, or 46 percent, had not been issued a single time during that year. Additionally, it was found that approximately 213,000, or an additional 38 percent had annual issues ranging in value from less than $10 to under $400.

There is no question that many items which are used exclusively by the military, which necessity demands be readily available, or which are for use at foreign posts, must be centrally procured. It is clear, however, that there is simply no excuse for piling up management expenses by centrally procuring and stockpiling items which are readily available from commercial sources throughout the United States.

A detailed examination by the Comptroller General's office of 2,614 supply items disclosed that 36 percent of these items were readily available on a local basis. Of these, 67 percent could be obtained in 5 days or less. It was the opinion of the General Accounting Office that approximately 150,000 items, which comprised 32 percent of the 471,538 items on which the annual volume was $400 or less, could be obtained locally and procured directly by the post or activity having need for the item.

I believe that all of us are aware that the small business community of America has received far less than its fair share of Federal procurement. Frequently, it is argued that to enlarge small business' share of procurement might entail additional costs. The suggestion which I have outlined for you today is also unique in that it would increase small business' share of procurement and simultaneously save the taxpayers $50 million each year, as well as reducing Government investments in stockpiled goods by $275 million.

I have discussed this situation with the National Association of Wholesalers. They tell me that the wholesalers of America stand ready and able to supply this need if the Department of Defense is willing to avail itself of this opportunity to increase efficiency and reduce costs.

At this point, I request unanimous consent that a letter recently received from Mr. J. A. Bryant, president of the National Association of Wholesalers, be inserted in its entirety at this point in the RECORD.

NATIONAL ASSOCIATION OF WHOLESALERS,
Washington, D.C., January 8, 1964.

Hon. JAMES ROOSEVELT,
Chairman, Subcommittee on Distribution, House Small Business Committee, U.S. House of Representatives, Washington, D.C.

DEAR MR. CHAIRMAN: It was indeed thoughtful of you to call our attention to the recent report of the Comptroller General of the United States entitled "Uneconomical Management of Commercially Available Items, Department of Defense." Of special interest to wholesale-distributors is the Comptroller General's finding that six inventory control points in the Department of Defense have centralized procurement of approximately 500,000 commercially available items with an annual turnover of $400 or less per item. This report certainly points the road to many economies, which could be attained in Government procurement.

The National Association of Wholesalers is composed of 39 commodity line wholesale associations which are comprised of 17,500 wholesale companies. Wholesale channels moved $150 billion of goods in 1963, our inventories now exceed $14 billion and we sell and service every city and hamlet in the Nation. We stand ready to sell and service Government installations wherever located the half million commercially available items the Comptroller General recommended be purchased locally at a savings to the Government of $50 million each year.

President Johnson has embarked on a dynamic campaign to keep Federal expenditures at a minimum. Uneconomical procurement through overcentralization of purchase and supply functions appears to need serious attention at the highest levels of Government.

The increased use by Government of the extensive distribution system operated by merchant wholesalers would greatly reduce the warehousing operations of the Federal Government and release Government investment in inventories and facilities.

We have long noted, Mr. Chairman, your sustained interest in the wholesale industry and your appreciation of its economic contribution to our national well-being. Please accept our warmest thanks for calling to our attention new opportunities to serve the Nation.

Sincerely yours,

J. A. BRYANT,
President.

BIBLES IN COURTROOMS, WHY NOT IN SCHOOLS?

Mr. SHRIVER. Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. RIEHLMAN] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Kansas?

There was no objection.

Mr. RIEHLMAN. Mr. Speaker, I recently read an unusual letter in the Syracuse (N.Y.) Post-Standard commenting on the inconsistency of barring the Bible from the classroom, yet continuing to use it in the courtroom.

Although I have not signed the petition to discharge the committee and bring the so-called prayer resolution to the floor, which would also allow Bible reading in the schools, I do believe the resolution has merit and should be considered in committee. In my years of congressional service I have not signed discharge petitions, feeling that they are an unwarranted intrusion on committee responsibilities.

The letter to the editor which follows is a carefully phrased examination of the inconsistency of removing the Bible from the schools yet continuing its use in the judicial system which outlawed its use.

I commend the letter to my colleagues, and it follows:

> Bibles in Courtrooms, Why Not in Schools?
>
> To the Editor of the Post-Standard:
>
> I saw a Bible in a Syracuse courtroom. Now the courts have decreed the Bible out of the public schools but I saw one being sworn on at a recent trial. Let us be consistent: Let's paint a block of wood black with gold edges and lettering. The coming generation, most of those who reach the criminal courts, will not know a Bible when they see it, much less what is inside.
>
> No Bible in American public schools; no recognition of basic moral tradition or training in the education of our youth. I paraphrase a famous passage in this said Bible: How shall they know unless they hear: How shall they hear unless they be taught * * * (ah yes, how?) That stealing is wrong? To the untaught it is the getting caught that is wrong. That immorality is wrong? Not in our higher education today. It is just the getting "caught" that is wrong.
>
> I claim this is the most vicious kind of segregation; this separating the favored children who (1) have homes, (2) go to church * * * from the many who have no homes and from the most who never see the inside of a church. But the children of all the people are in schools.
>
> Our atheists smug Christians and others are taking from them the opportunity to be faced with the accepted moral law. Of course mere Bible reading would not keep many from crime but at least they would realize that this country is "under God" and they would know what they are pulling against.
>
> Yes, 1964 will continue Bibles in courtrooms where the juvenile (and adult) delinquents come in droves, but will reject Bibles in public schools where prevention may be possible.
>
> There is no plea for devotional exercises led by teachers but for a facing of the facts inherent in the Decalog * * * the Ten Commandments. Freedom means nothing without moral sanctions.
>
> Communism bury us? We are more in danger of being buried in our illogical, ridiculous idea that our children, who can only be reached in public schools, will become decent citizens with no deliberate moral culture. Let us keep our schools as basically American in ideals at least, as our courts. The Bible is part of our heritage.
>
> Concerned.
>
> Syracuse.

THE JOHN F. KENNEDY CENTER OF THE PERFORMING ARTS—PROBLEMS AND PORTENTS

Mr. SHRIVER. Mr. Speaker, I ask unanimous consent that the gentleman from New Jersey [Mr. Widnall] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Kansas?

There was no objection.

Mr. WIDNALL. Mr. Speaker, construction of the John F. Kennedy Center for the Performing Arts, as well as its operation and maintenance has already created major problems for the Congress, and the Board of Trustees of the Center, and will create more in the months and years ahead.

The Sunday Star of Washington, D.C., reported on January 12, 1964, that:

> At the time of Mr. Kennedy's death, about $13 million had been collected in cash and pledges. Congress agreed to provide $15.5 million to match, on a dollar-for-dollar basis, money contributed by the public.

Then, according to the Sunday Star, the Congress also:

> Agreed to a Treasury loan of up to $15.4 million to build a 1,600-car garage which will also provide the foundation for the Center's superstructure.

The fact is, as made clear by House Report No. 1050, 88th Congress, 1st session, accompanying House Joint Resolution 871:

> The estimated cost for the construction of the superstructure based on preliminary architectural plans is $31 million and the estimated cost of the construction of the parking facilities, which also serves as the substructure, is approximately $14 million. This parking facility is a 3-level facility for approximately 1,600 cars and includes the foundation, loads of the structure above, the vertical circulation, and space for mechanical services of the structure above.

It is clear from this report that the so-called parking garage, to be built with an uncollectible loan of $15.4 million, includes the foundations of the three theaters to be erected above it.

In other words, the $30 million building that was so dramatically unveiled among distinguished company at Newport, R.I., in September 1962, and which was promoted alike to donors, foundations, and the Congress, could never have been built, and was not intended to be built, for $30 million.

Was this revealed by the Center's witnesses during the hearings held by the House Public Works Committee on December 12 and December 16, 1963? It was not. This vital information was withheld, just as the true facts about the essential parking were withheld from mid-1962 until set forth in the House report accompanying House Joint Resolution 871. No attention was called to this vital matter in the House debate by the managers of the bill, nor was any explanation offered as to how the $15.4 million mortgage will be amortized when the garage is combined in this way with the substructure.

> The foundation, loads of the structure above, the vertical circulation, and space for mechanical services of the structure above.

Only a few days ago on this floor I tried to win a majority of my colleagues to the side of dignity and reason in connection with the proposed memorial. I am proud of those Members of Congress who spoke similar views, and I am pleased to note that the sentiment for restraint was strong, as the closeness of the vote shows. I have the unhappy impression that politics, rather than the public welfare, or concern for the memory of our martyred President carried the day.

My concern is intensified by the extraordinary fact that the defects in the hastily contrived and passed legislation are already becoming apparent.

Mr. Stevens failed to keep the Congress fully informed, for no mention was ever made of the need for additional funds for a garage over and above the $30 million until the hearings on December 12, 1963. In fact, from the beginning, the impression was given in publicity issued by the Board of Trustees of the National Cultural Center that the $30 million figure covered the entire cost of the proposed building.

I do not believe that the present site is the most desirable one for the memorial, especially if an underground garage is to be built, and I think that the Board of Trustees, and President Johnson himself, before he signs this bill into law, or when he does, should provide for an engineering study as to the feasibility of the present site for a garage.

If water is found a few feet down, would not this render the garage impractical? Certainly, the fact that the Center's site is filled ground alongside the Potomac would suggest that water would probably be found, and that the feasibility of the Center's location is open to question. The Center's site has been flooded in the past. In comparison, the Lincoln Memorial is located on land 30 feet above the Potomac, and no flood will ever reach it. Certainly, greater consideration must now be given to the location of this Memorial to President Kennedy in order to make certain that a memorial designed for the ages is not irresponsibly located on a site which can be endangered by a spring thaw. Our colleague, the gentleman from Florida [Mr. Cramer] proposed that an engineering study be made, but in their eagerness to get this legislation adopted without any perfecting amendments the congressional proponents may have been placed in an untenable position by the Center's Trustees.

It has been reported that a 1,500-space garage is to be built in the same general area under private auspices for $4,289,392. This would indicate that what the Board of Trustees has been telling the Congress was a $31 million cultural center is actually a $41 million cultural center.

The Washington Post reported on January 12, 1964, that Edward Durell Stone, architect for the Center, has predicted that work on the John F. Kennedy Center for the Performing Arts could start in 3 months. The increasing evidence of poor site selection is obviously one reason why the Center's start is now being pushed to prevent reconsideration.

I do not believe that any start can be made legally until funds have been completely raised to pay for the Cultural Center. Otherwise, the Federal Government will undoubtedly be called upon to pay further large sums for completion of the Center should the private fund drive again fail.

Our colleague, the gentleman from New York [Mr. Lindsay] pointed out during the House debate the dangers of Federal Government control of the Cultural Center's program unless there is a major private contribution of private funds to the Center and its programs.

The Washington Post declared, in an editorial on January 10, 1964, that the independence of the Cultural Center would depend upon the raising of sufficient non-Government support to insulate it from Government pressures.

Certainly, the problem of raising the funds necessary to give the Cultural Center the needed measure of independence it must have to become a worthy center for the performing arts is not helped, in fact, it is actually hindered, when the American people have no clear idea of the kind of memorial which will be provided to our mourned President. The Sunday Star article is most instructive regarding the utter failure of Center Chairman Roger Stevens to cope with this aspect of the problem:

> One of the most difficult jobs that lie ahead of Mr. Stevens and his fellow members of the Board is the task of determining what type of memorial to Mr. Kennedy should be contained in the Center. Congress gave the Trustees that task—but also provided that their decision should be reviewed both by the Board of Trustees of the Smithsonian Institution and by Congress.
>
> Should there be a statue of Mr. Kennedy? Some other piece of sculpture? A tablet engraved with his writings? A painting?
>
> Mr. Stevens said yesterday that he hadn't even had time to think how the Board would go about making its decision.
>
> I assume we'll establish a committee to consider the question but frankly, I haven't even begun to think of who should be on such a committee.

Other memorials to President Kennedy outside of the Nation's Capital may well attract funds which would go to the Center if proper, and not hasty improvisation by Mr. Stevens and his colleagues had been the rule in this vital matter. This entire problem could have been avoided if the Center's trustees had been more patient and farseeing.

We now have been given additional evidence that the Center's Trustees have yet to present to the Congress a fair accounting of fundraising activities and the actual needs of the Cultural Center.

The $15.5 million matching grant provided in the House-passed measure was agreed to by the Congress on the assumptions that only $31 million would be necessary, and that only $15.5 million would be raised through voluntary contributions. No need was ever developed and presented by Mr. Stevens and his colleagues for more than the $31 million.

Now, according to the Sunday Star article to which I have been referring, Mr. Stevens hopes to raise an additional $7 million, which will bring the voluntary contributions to $20 million and the total cost of the John F. Kennedy Center for the Performing Arts to $35.5 million.

Mr. Stevens has left the impression that the additional money will be used for a cultural endowment fund. The fact is that Mr. Stevens needs this money to bring the actual voluntary contributions on hand to $15 million in order to qualify for a $5 million Ford Foundation grant which he has insisted on including in his $13 million figure of funds on hand. One can only hazard a guess as to why he insisted on such faulty presentation of the matter, but the probable reason is that it made his fund drive appear to be tremendous success.

However, since Mr. Stevens knew he needed the additional $7 million he now speaks of in order to qualify for the Ford Foundation grant, and knew that the total would then be $20 million, he should have requested only $11.5 million in matching funds from the American taxpayers, or he should have explained to the Congress what he planned to do with the excess amount. It is surprising to me to find Mr. Stevens so concerned with an endowment fund when he completely ignored my suggestion for an annual appropriation to cover maintenance and operation, similar to the annual appropriation provided for the National Gallery of Art, to keep this Memorial Center for the Performing Arts from becoming a white elephant.

To sum up, then, it is clear, from the words of Center Architect Edward Durell Stone, reported by the Washington Post, that the trustees of the Center propose to build their giant car park starting immediately, long before they have the money in hand to build the "cultural" superstructure, for Roger Stevens assured Congress that parking is not cultural and hence should be built under a mortgage guaranteed by the Federal Government. The entire substructure including "the foundation, loads of the structure above, the vertical circulation, and space for mechanical services of the structure above," it now appears, are also not "cultural," if Mr. Stevens is to be believed.

Congress, in its unseemly haste, has indeed passed legislation that sets no qualifications nor restraints on this parking garage loan, and it follows that the Center's Board of Trustees can demand that the U.S. Treasury buy its bonds forthwith.

There is a possible catch in the fact that the House-passed measure was so hastily drawn by its proponents, that the section authorizing the $15.4 million loan for the parking garage was so drawn as "to finance necessary parking facilities for the Center."

No mention is made in the legislation passed by the Senate and House of Representatives, and now before President Johnson for signature, about foundations for a complex of theaters. Whether this is enough to deter those in charge remains to be seen. In any event, if challenged, it is doubtful that a court would sustain the view that the legislation passed by the Congress actually provides for the $15.4 million loan to cover such important and central portions of the Cultural Center as its very foundations.

This would certainly seem to be something which President Johnson himself should look into.

The President should also satisfy himself that the Board of Trustees can go ahead now to build the garage and the foundation before they have any way of knowing if they will have enough funds to build the theaters.

I very much doubt that this $7 million which Roger Stevens now admits he needs will be raised in 3 months when the construction of the garage and foundations is predicted to start.

It is only too clear that the Board of Trustees is planning to get a loan from the U.S. Treasury, dig a hole in the ground, install a parking garage, and the foundations of the Cultural Center, and then come right back to the Congress with an accomplished fact, and a demand for more Federal funds to cover this parking garage with its cultural "superstructure." The New York Times commented editorially that "Congress can hardly allow a Presidential memorial to go bankrupt."

I include as part of my remarks the newspaper articles to which I have referred in these remarks.

[From the Washington (D.C.) Post, Jan. 12, 1964]

CENTER START IN 3 MONTHS IS PREDICTED

(By Susanna McBee)

Architect Edward Durell Stone made an admittedly optimistic prediction yesterday that work on the John F. Kennedy Center for the Performing Arts could start in 3 months.

Stone, interviewed in his New York office by telephone, added that he expects construction to be finished in 2½ to 3 years.

He gave a "rough timetable subject to further refinement" for completion of the national memorial to the late President which Congress approved last week.

The Center's board of trustees will meet here Monday. Roger L. Stevens, board chairman, has scheduled a press conference at 1:30 p.m., before the meeting. Stevens has indicated construction could start by mid-1964 and be finished in 2 years.

IN WORKS 5 YEARS

Stone, who began working on the project 5 years ago, said his staff is now working with specialists on such technical problems as seating, acoustics, and staging.

The congressional joint resolution authorizes up to $15.5 million in Federal funds to match private donations and $15.4 million in borrowing authority to build a three-tiered underground parking garage.

As of last month, private funds in pledges and cash totaled $13.1 million, the Center's trustees reported.

Stone said the project "could be contracted for in stages." The General Services Administration will act as the agent for inviting design and construction bids for the Center, which will be built in Foggy Bottom on the Potomac.

"If they let the contract for the garage before letting the contract for the superstructure, it would save a considerable amount of time," Stone said.

HOPES FOR EARLY START

Stone said he hopes site preparation—grading, excavation, and installing the footings on which the superstructure will rest—can be started in 3 months.

"We could then start garage construction in 6 to 8 months, and by the time that is finished, let's say in 8 months or longer, we could have all the final drawings for the superstructure ready," he said.

The superstructure would take another year to 14 months, he estimated. It will combine 3 halls under a single roof—a 2,700-seat symphony hall, a 2,500-seat auditorium for opera, ballet, and musical theater and a 1,200-seat theater.

Presumably the Center's trustees can start construction without waiting for a congressional appropriation since the garage borrowing authority has been approved.

[From the Washington (D.C.) Sunday Star, Jan. 12, 1964]

CULTURAL CENTER IS ASSURED; TRUSTEES' PROBLEMS GROW

(By Orr Kelly)

Construction of the John F. Kennedy Center for the Performing Arts is now assured and those responsible for building and operating it are beginning to think of the enormity of the problems that still lie ahead.

Both the House and the Senate agreed last week to a bill naming the National Cultural Center for Mr. Kennedy and putting up enough Federal funds, in loans and grants, to assure an early start on construction. President Johnson is expected to sign it in the next few days.

The fact that the Center is now designated as the sole memorial to Mr. Kennedy in the Washington area has, in a way, eased the job of the Center's Board of Trustees. But it has also given them, in another sense, a much greater responsibility.

PLAN FOR FUND

There seems little doubt that it will be easier to collect money from the public for a memorial to an assassinated President than it was to collect it for something as nebulous as a cultural center.

While the efforts to obtain contributions from large donors will continue, Roger L. Stevens, Chairman of the Center's Board of Trustees, said a new plan is being devised to make an appeal for broad national support for the Center. But fundraising on such a scale is a different, and in some ways a much more complex, thing than raising large sums from large donors.

Sometime this week, he said, he hopes to be able to announce plans for the memorial fund drive.

At the time of Mr. Kennedy's death, about $13 million had been collected in cash and pledges. Congress agreed to provide $15.5 million to match, on a dollar-for-dollar basis, money contributed by the public. In addition, it agreed to a Treasury loan of up to $15.4 million to build a 1,600-car garage which will also provide the foundation for the Center's superstructure.

SEEKS ADDITIONAL MONEY

Mr. Stevens hopes to raise an additional $7 million, to bring the public contributions to about $20 million. This will provide more than the $31 million it will cost to build the Center superstructure (including about $1 million already spent for fundraising and administration).

Enough will be left over, it is hoped, to provide at least the beginnings of an endowment to bring the best in the performing arts to the Center.

One of the most difficult jobs that lie ahead of Mr. Stevens and his fellow members of the Board is the task of determining what type of memorial to Mr. Kennedy should be contained in the Center. Congress gave the Trustees that task—but also provided that their decision should be reviewed both by the board of trustees of the Smithsonian Institution and by Congress.

Should there be a statue of Mr. Kennedy? Some other piece of sculpture? A tablet engraved with his writings? A painting?

Mr. Stevens said yesterday that he hadn't even had time to think how the Board would go about making its decision.

"I assume we'll establish a committee to consider the question," he said, "but frankly, I haven't even begun to think of who should be on such a committee."

WORDING OF ACT

The action by Congress last week assured the construction of what the act referred to as the "superstructure" of the Center. This word was used to distinguish the Center itself from the garage and basement below and does not mean, as the word might imply, that the Center will be an empty shell.

But even though the Center will be complete with seats and lights and chandeliers and drinking fountains, it will still, in a sense, be an empty shell until it comes alive as a showplace of American culture.

This perhaps, will be the Trustees' most difficult task—one that has probably been complicated at least a little by the large Federal contribution that has now been promised.

Although it is planned that the Center will be self-supporting and that there will be no need for annual Federal appropriations, it would be naive not to assume that at least some Members of Congress would take a lively interest in what goes on at the Kennedy Center.

PRESSURE FEARED

Representative Lindsay, Republican, of New York, raised this question briefly during House debate on the bill last week and asked if the Center would not be subject to the same pressures as the cultural exchange program.

Representative Schwengel, Republican, of Iowa, said he looked forward to hearing the music of Meredith Willson played at the Center. Certainly, no member of the Center's Trustees can look forward to explaining to any Member of Congress why he can't hear the music he likes or see the drama of his State at the Kenendy Center.

As the Nation's first living memorial to a President, the Kennedy Center undoubtedly will arouse questions of what is appropriate in a Presidential memorial. The Bolshoi Ballet might well perform at a national cultural center, but someone is sure to ask if Russian Communists should perform in a center erected to the memory of an assassinated President.

Tomorrow the Center's Trustees will hold their annual organizational meeting at 2 p.m. at 1701 Pennsylvania Avenue NW., followed by a meeting with the Center's Advisory Board at the State Department.

Mr. Stevens said he expected the meetings to be routine, but it was apparent that he and his colleagues had already begun to grapple with the problems that lie in the next 2½ years of construction and beyond.

COMMUNIST DOMINATION IS THE "AMERICAN ROADBLOCK"

Mr. SHRIVER. Mr. Speaker, I ask unanimous consent that the gentleman from Illinois [Mr. Derwinski] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Kansas?

There was no objection.

Mr. DERWINSKI. Mr. Speaker, the fanfare of the New Year and the President's state of the Union message have not brushed away the cold facts of life—that our foreign policy throughout the world, and especially in Latin America continues to deteriorate.

We are somewhat diverted at the present time by the crisis in Panama but we must realize that the Communist domination of Cuba is the basic roadblock to peace and advancement in Latin America.

The Miami Herald, in a very kindly editorial, discusses our Cuban foreign policy, which as I have emphasized, is at the root of our complications.

Our Cuban Policy Goes Under

Angry as we may be over Britain's deal to sell Fidel Castro buses under favorable long-term credits, the development has some sobering implications for our decisionmakers in Washington.

The United Kingdom, our closest ally, is betting not only the Castro will still be running Cuba 5 years from now but that the country will be fiscally sound with a surplus to pay off debts.

It is hard to imagine a more devastating critique of our policy in relation to Communist subversion next door.

The blow is compounded by the fact that West Germany, France, Japan, and Spain competed with Britain for the privilege of bailing Castro out of his transportation morass.

Our policy of toppling Cuban communism by economic containment is sunk without a trace.

Willingness of the British to deal with the enemy of all democratic governments in the Americas—and tossing it off as routine—should not be too surprising. England, as Ed Lahey put it in the Herald yesterday, has been known to rise above principle when a quick dollar was to be earned.

We must admit also that our containment tactic was never firm and sure handed. It was full of leaks. We never really cracked down, as we said we would, on Allied ships bearing goods to Castro.

If the economic blockade ever served a purpose, it is ineffective now. Castro has proven he can get what he wants from free nations while the Soviet Union pumps in arms.

So what now?

There are signs that President Johnson is moving to reassess the Cuban situation and strengthen the team to deal with it. The OAS has matters pending that could lead to an inter-American blockade, one that could be made to stick.

The restless exiles might be unleashed to help fight for their country's redemption. The vast internal unrest in Cuba could be exploited rather than damped down.

The British, in their business-as-usual ardor, may have done the free Americans a service by making the situation and the need for action clear.

As we said long ago when the strength of the Communist thrust became apparent, halfway measures will not do the job that inevitably must be done to return Cuba to the Cuban people. We might as well get to it.

Mr. Speaker, the proper reemphasis of the problems caused by Cuba is further seen in an editorial in the Thursday, January 9, edition of the Chicago Tribune, emphasizing the same problem of nations trading and maintaining the economy of Castro's Cuba.

The inability to isolate and crush the Castro economy is dramatized by the Johnson administration's insistence to subsidize and aid the economy of the Soviet Union and other Communist countries. The self-defeating purpose of this foreign policy is clearer than ever.

Who's Isolating Whom?

Fidel Castro has once again thumbed his nose at our economic blockade, this time with help from Britain. He has arranged to buy at least 400 British buses to replace American buses which have been disabled by the lack of spare parts. These buses will help Castro restore Havana's crippled transportation system and thus mollify one of the more persistent of his people's many complaints.

This is the latest of a number of deals Castro has made with our allies which are thwarting our policy of trying to isolate Castro and thus bring about his downfall. Yet the State Department's only comment is that it is "unhappy."

There is no ground for formal complaint, because Britain has never agreed to help us isolate Castro. In response to our many pleas for help, Britain has merely promised to exert "vigilance" in preventing further kidnapings by Castro in the West Indies.

Our other allies have been likewise unmoved. Canada listened politely to our request for cooperation, and responded by selling a large supply of wheat to Castro. Spain expressed doubt that our blockade would be effective, and then proceeded to confirm its

> own doubts by buying $80 million worth of Cuban sugar in exchange for Spanish machinery and fruit. The French Government replied sanctimoniously that what French exporters arranged with Cuba was none of its business.
>
> Foreign trade with Cuba has, in fact, provided employment for the nearly 200 foreign ships—most of them British, Greek, or Lebanese—which have been caught trafficking with Cuba and have been banned, under the decree of President Kennedy, from carrying cargoes financed by the U.S. Government.
>
> Thus the uselessness of our present policy has been compounded.
>
> We have added to the inconsistency of our position by agreeing to sell American wheat to Russia and thus conceding, in effect, that there is no point in penalizing American farmers and exporters by restrictions which nobody else recognizes.
>
> We don't know how Castro is going to pay for the British buses, but there is little the State Department could say even if it should turn out that Britain is giving him credit. After all, the administration has insisted that we give credit to Russia for the purchase of wheat.
>
> There is no rhyme or reason in a policy which must necessarily depend on the cooperation of allies whom we obviously can't control. If we cannot isolate Cuba ourselves, there is no point in trying.

Let us hope that the light of reason will dawn upon the White House and the State Department, and an immediate reversal of our tragic foreign policy will be promulgated.

PROPOSED LEGISLATION TO CORRECT INEQUITIES IN OUR MONETARY AND FISCAL POLICIES

The **SPEAKER**. Under previous order of the House, the gentleman from Texas [Mr. PATMAN] is recognized for 60 minutes.

Mr. **PATMAN**. Mr. Speaker, I ask unanimous consent to revise and extend my remarks and include extraneous matter.

The **SPEAKER**. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. **PATMAN**. Mr. Speaker, there is nothing more important in the business of legislation than to make certain that inequities in our monetary and fiscal policies be eliminated. Special favors for the fortuitous few—for the financially powerful—at the expense of the many, make for trouble whether in Latin America or in the United States of America.

I wish to call to the attention of the Congress an iniquitous absurdity in regard to the special treatment we afford a large section of our banking institutions. We are indebted to the Domestic Finance Subcommittee of the Banking and Currency Committee for compiling and releasing for your consideration and that of the general public a volume entitled "Banks Holding Treasury Tax and Loan Account Balances as of October 15, 1963." Upon request, Members of Congress or their constituents through their Congressman may receive this report. It contains a list prepared at my request by the Federal Reserve of the private commercial banks—11,700 of them—which are this very minute receiving a subsidy that in my opinion gives the lie to the old saw that you can't get something for nothing.

The banking system of the United States of America at this time is strong and powerful. Banks from one end of the country to the other are highly profitable. They can afford to pay their way. Any subsidy to them is wasteful. Any subsidy to them is paid for by the American taxpayer.

It is indeed ironic that one gentleman I know who has gone around the country decrying subsidies is the president of a bank in Wilmington, Del., which receives in effect a Government subsidy of at least $400,000 annually. This money accrues to the bank since it had on deposit as of October 15, 1963, more than $8 million of Federal money, a figure that was exceeded during most of the year. As a matter of fact, in early October the bank had over $17 million of Federal money on deposit. His bank pays Uncle Sam not 1 cent for this money, but it is loaned out to the citizens of Wilmington and the State of Delaware at the going interest rate for commercial banks.

You know that I am talking about Ed Neilan, president of the Bank of Delaware. He is in the tradition of the old sage who was lecturing on the virtues of honesty with the stolen goose up his sleeve. His great crusade against you, the Representatives of the people—against several hundred local chambers of commerce, part of a national organization he purports to head; against businessmen in general; against any progressive measures for the betterment of our country, such as ARA; and yes, against subsidies—alas, this crusade is just as phony as I said it was before you gentlemen some time ago. And how do I know? Has Ed Neilan cried out against the subsidy to his bank, accruing from the more than $8 million of Uncle Sam's money on deposit for which he pays not 1 penny of interest? Has Ed Neilan come to the support of the extremely astute and capable Joseph Campbell, Comptroller General of the United States who, according to the Wall Street Journal on December 31, 1963, urged that banks be charged for the use of Federal deposits? The General Accounting Office, a Federal "watchdog" agency, suggests that Congress require large banks to pay for the use of Government funds kept on deposit with them.

Where, oh where, has the scrooge of Wilmington been in failing to decry the great giveaway to American banks in the form of billions of Federal funds on deposit free for nothing? Mr. Neilan wants no Federal subsidies going to depressed areas for projects that will put men back to work. No, he says area redevelopment is bad for the country, it is destructive of private initiative, it just saps the soul of a free nation. But a subsidy to the Bank of Delaware that costs not a penny to Ed Neilan nor to his directors, including a few Du Pont stooges, he says that is as it should be. According to Mr. Neilan, the bank renders services which would cost the Government a lot of money, and today the bank does this out of the goodness of its heart.

Incidentally, I do not want the Bank of Delaware or any other bank rendering any service to the Government of the United States without being adequately paid for that service. Most emphatically I favor a service charge for any service rendered to the Government by the banks. I want to see a fair ratio between a reasonable profit made by banks on Government deposits and actual work done for the Government by the banks. I do not want a bankers' bonanza as now exists.

But now to return to the subcommittee report I mentioned a moment ago regarding banks holding Treasury tax and loan account balances. What do we mean by a tax and loan account? This is simply U.S. Government money that sits in private commercial banks. The banks earn interest on it but not the Treasury of the United States. The total amount of such money in private banks as of mid-October was $4,040 million. Now how did it get there? Several ways. First, when a bank buys Government securities, whether for its customers or its own account, the Treasury may permit the bank to pay for the securities without turning the money into the Treasury or the Federal Reserve. Instead, the bank opens an account in the name of the U.S. Treasury and puts the money into that. In this manner the bank gets to keep the money which is earmarked for the Government, and waits for the Treasury to call it into the Federal Reserve. In the meantime, the bank gets interest on the securities which it did not pay for, but got by creating the deposit that bears no interest. These same securities could have been sold to the Federal Reserve and it would not have cost the people interest.

A second source of funds in the tax and loan account is income taxpayments—not the big, single payment you make at the end of the year that goes straight into the Treasury—but withholding income taxes from payrolls and large quarterly payments made by corporations. This gives rise to probably the most ludicrous situation in the whole relationship between banks and the Treasury. Here the Treasury deposits tax collections in commercial banks and the Government receives nothing for them. This same money can be used by the banks to purchase Government securities on which the Treasury pays interest. Who benefits from this nonsensical situation? Only the commercial banks. Who pays the bill? The poor taxpayer.

Other sources of tax and loan account funds include railroad retirement taxes, payroll taxes from the old age insurance program, and certain excise taxes. All of this money is available for the unrestricted use of the banks until it is later called into the Federal Reserve system. It all earns interest, but not a penny of interest goes back to the Government. The Federal money on deposit is not a convenience to the Treasury. The Treasury does not draw checks on it. The Treasury, I repeat, cannot use it until it is called into the Federal Reserve banks.

Whenever the Treasury balance of working cash, which is kept in the Federal Reserve banks, gets too low, then they call in tax and loan money, but since it is always coming into the banks as fast as it is going out to the Treasury, even faster, the banks know that they have a juicy subsidy in the form of free money from Uncle Sam. That is, deposits which cost them nothing, but which can be loaned to the public.

During the fiscal year 1963, there was never any less than $2 billion sitting there. Sometimes, on the other hand, there has been over $10 billion, and the average for fiscal year 1963 was $5.3 billion. The interest for 1 year on $5.3 billion at 5 percent is $267 million. Do I hear Mr. Ed Neilan screaming about the $267 million annual subsidy to himself and his friends? Will someone who listens to his next "never-never" speech on the wickedness of subsidies be good enough to ask him why he has not been opposed to the big bankers' bonus?

Now there are 13,500 commercial banks in America, and 11,700 of these are official depositaries for tax and loan account funds. The average amount of Government money on deposit with each bank is something over $345,000, and the average annual interest on this amount at 5 percent is about $23,000. Some banks have much more than the average. The Bank of Delaware holds over $8 million in Federal money, which is 23 times the average, and the more than $400,000 a year interest this bank earns on this money is 23 times the average.

Eight banks in New York City—Chase Manhattan, First National City, Chemical Bank, Morgan Bank, Manufacturers Hanover, Bankers Trust, Irving Trust, and Marine Midland—have over $800 million combined, or more than 20 percent. That is 8 banks out of 11,700 that have one-fifth of all the money in the tax and loan account.

In the main, I have discussed but one key subsidy that the Government presents commercial banks. There are several others besides the tax and loan account.

Now let us consider for a moment another special treatment afforded our commercial banks. It is a simple fact that banks are not permitted to pay interest on demand deposits. Now everybody else pays interest on their deposits, savings and loan, and even insurance companies, but not the commercial banks. These demand deposits are raw materials, just like pig iron, that represent $150 billion on which banks are earning interest which they are not paying to the depositors. Checking accounts are demand deposits. It is lawful for a bank to lend money to the holder of a checking account and, of course, charge him interest. But the banker would be violating the law if he were to pay interest on this checking account money which he in turn loans out. Some time or other this inequitable arrangement will be changed.

Then there are many free services provided to private banks by the Federal Reserve at an annual cost to the American taxpayer of almost $150 million. These include free check clearance, free telegraphic services, and a number of other free services that are known to the banking community.

Last, and by far the most important, is the fundamental power to create money, and then earn interest on that which is created. Whether the banks are buying securities of the U.S. Government and earning interest on them, or making loans to business concerns and individuals and then collecting interest, they are using the power of the Federal Government to create the money out of thin air.

If anyone else except the Federal Reserve did this, he would be arrested for counterfeiting, and rightly so, but the banks do it every day. Savings and loan, credit unions, mutual savings banks, and all the other competitors of the commercial banks can lend or invest only what someone deposits with them, but the banks are not lending or investing only what their depositors give them—they are using the power of the Federal Government to create money on the credit of the Nation and then they are earning interest on it and for the most part, not paying that interest to anyone but their owners. Let us look for a moment to the poor devil who fails to pay his taxes on April 15 and who is hauled before the Internal Revenue people as a delinquent. Was his crime against Uncle Sam or is he going to jail or suffer a fine because he did not get his money to the bank on time so that they could lend his money—perhaps back to him or somebody else—at a profit to the bank and not to the Treasury Department?

The purpose of my remarks has been to point up a question which the Congress must ultimately decide; namely—and here I am reading from the letter of transmittal which is the preface to the "Subcommittee Report on Treasury Tax and Loan Account Balances" I mention in the first part of my remarks—the question which you must determine is: "Should the Treasury continue the practice of leaving large amounts of funds on deposit with the banks on an interest-free basis? The general taxpayer is paying interest on these funds while they are in the hands of the banks, because the amount of outstanding debt on which the Treasury must pay interest is at all times larger than it needs to be, by the amount of the funds on deposit with the private banks."

I personally believe that it is folly to give the great handout that I have described to you today to our banks at absolutely no charge to them. Consequently, I have ordered the drafting of legislation which will call for payment to the U.S. Treasury of a reasonable interest charge from our commercial banks for Federal money which they hold on deposit.

Mr. HANNA. Mr. Speaker, will the gentleman yield?

Mr. PATMAN. I yield to the gentleman from California.

Mr. HANNA. First of all, I would like to compliment the gentleman for bringing this very important and well-discussed problem to the attention of the Congress and to commend the committee on the excellent survey that they have made, which I am sure is going to be a pleasure to many Members.

I would like to ask the gentleman this question:

Insofar as the disposition of public moneys is concerned, is this not a problem in the States of the United States as well as the United States?

Mr. PATMAN. I am glad the gentleman asked that question.

In 1933 and 1935 when the country was in a depression and we were all trying to bring our country back to normal, there were big changes made in our banking laws. Congress was voting for every change that was proposed, sometimes without argument or without debate. We were willing to vote for anything in our anxiety to get the country back on its feet. The acts that were passed in the early thirties made substantial changes in the banking laws giving the banks tremendous advantages. They were looked upon at the time as temporary, to be in effect just during the emergency. But they remained part of the permanent laws of the country.

One such provision in the act of 1935 made it unlawful for national banks to pay interest on demand deposits. In the Federal deposit insurance law this was made to apply to all insured banks. They could not pay interest on demand deposits. To do so would be in violation of the law.

Of course, bankers resent regimentation. Like the rest of us, they do not like it; they do not like to have Congress tell them anything about what to do. This was one law, however, that was very pleasing to the bankers. It saved them several hundred million dollars a year and that has increased year by year. Now it will take a law to change that, so that banks will pay interest on demand deposits.

Any person, now, can go into a bank to borrow a thousand dollars and tell the banker: "I do not need this money. I have a thousand dollars on deposit here with you, but I do not want to disturb it. I want another balance on which I may draw checks. I will probably at all times have a thousand dollars here on deposit with you. I want a low rate of interest." But he gets the same rate of interest that everybody gets. It is just like they did in the OPA days when they had price control and allocations, when a merchant would say "I will be glad to give you a better price on this, but Congress has fixed it and I cannot do it."

Similarly, this banker will tell his customer, "I know at the end of 6 months or a year you will come back to pay this and you probably will have on deposit as much money as you borrowed. It is legal for us to charge you interest, but Congress has said it is unlawful for us to pay you interest. Therefore, we cannot do it. although we would like to."

That is the ridiculous situation we are in.

I may say to the gentleman from California, [Mr. HANNA], who is a member of the Domestic Finance Subcommittee of the Banking and Currency Committee, that that law did not immediately apply to States, counties, cities, and political subdivisions. At that time those particular entities were getting a substantial amount from the banks for the use of their funds. It amounted to something substantial in their budgets. They were pleased with it. They were glad to get it at all times. Evidently the people who were behind this particular provision knew that the impact on them would be tremendous if they immediately passed a bill which would apply to them. So there was a provision put in the 1935 act that it would not apply to States, counties, cities, and political subdivisions until 2 years later. So the impact did not hit them until 2 years later. Then it was too late to do anything about it.

A large part of the Government's money has been borrowed from investors, many of them banks, and the Government pays interest on this money that it borrows. But it keeps the money that it borrows in the banks and receives no interest on it. If the Government received interest on its deposits, this money could be paid on the national debt and immediately save the taxpayers a large sum each day, each month and each year, by reducing the national debt that much. But the Government is not paid the money it should rightfully receive on these deposits.

The gentleman mentions the States and their political subdivisions. May I say there has been a terrific demand in many of the States of the country not to let these idle balances lie there and let the bank profit from them when they could save the taxpayers millions of dollars. I understand, as the gentleman has suggested, that some States have passed laws that require State officials to make sure they get interest on their deposit balances.

It runs into a lot of money. For instance, if my information is correct, and I believe it is substantially correct, in addition to these $5 to $7 billion a year of the U.S. Government's money that is on deposit free in these banks, there are about $15 billion owned by States, counties, cities, school districts, road districts, drainage districts, and other political subdivisions of the State governments, on which they receive no interest. The banks' excuse is just like the OPA excuse: "We would be glad to pay you interest on this, but your Congress, your Congressman and others, make it unlawful for us to pay your interest on demand deposits." That is a law we want to change. I believe the sentiment of our Domestic Finance Committee supports changing this law so that a private contract between a depositor and a bank is legal and it is no longer unlawful for them to pay that depositor interest on his deposit.

Mr. TAFT. Mr. Speaker, will the gentleman yield?

Mr. PATMAN. I yield to the gentleman from Ohio.

Mr. TAFT. May I say to the distinguished chairman of the Committee on Banking and Currency that he has brought to the House a matter that deserves study. I do not believe it has been reviewed for some time at the Federal level. It has been up in the States, such as in the State of Ohio, where I served in the legislature several terms. We have that problem. I was the author of a bill, which was passed, which took care of the funds to the extent that the funds of the State of Ohio were concerned.

It occurs to me that at the Federal level, in viewing the whole national banking system and the Federal Reserve, there may be problems here involved which are not necessarily in any way involved at the State level, in that at the State level, of course, the whole matter of monetary policy and monetary supply is not involved.

I wonder if the gentleman would care to comment as to whether he does not feel that perhaps the change which he is suggesting might have some effect on the whole question of monetary policy and monetary supply, in fact, whether it might not increase the monetary supply; whether any study has been made along these lines to indicate what the effect might be.

Mr. PATMAN. I thank the gentleman and commend him for his action as a member of the State Legislature of the great State of Ohio.

Personally, I have given much thought and consideration to what the gentleman has suggested, about whether a study should be made, and so forth. I think the facts are well known. I stated in my speech that if there were any services rendered, we should pay the banks. But when you evaluate in one column the benefits the banks get from the U.S. Government, and in the other column the cost to the banks, you will find it topheavy on the side of benefits that the banks get from the Government. The banks not only have the use of this money free, but they get all their checks cleared for nothing at Government expense. It costs the U.S. Government, the taxpayers, about $150 million a year to render services to the banks. We pay the bill for clearing all the checks of the big corporations of the country that do mail order business and any other kind of business. The U.S. Government bears the cost of clearing them. It costs the banks absolutely nothing to clear those checks all over the Nation. It runs to about $150 million a year.

In addition to that, there is something that I did not bring up here as yet—bond purchases. I believe that all commercial banks should be allowed to purchase a reasonable amount of U.S. Government bonds and hold them in what you might consider the category of secondary reserves. I would not object to a reasonable amount. But present law allows the banks to buy all the bonds they want to of the U.S. Government and then pay for them with money created on the credit of the Nation, and it does not cost them a penny. I think that is very helpful to the banks. At one time the banks held about $60 billion of these bonds. I think they hold now approximately $60 billion and at 4 percent that would be $2.4 billion a year. Do these bonds cost them anything? Absolutely nothing. So there is $2.4 billion right there. You could enumerate all the benefits and subsidies that the bankers get throughout—and remember I am not against the banks. I am for the banks—and I am for a profitable banking system. But I want them to render service to the people of the country—the real people, the plain people of the United States. So when you enumerate all the benefits that all the banks get from the U.S. Government, it will aggregate a staggering sum.

Now if anybody wants to take issue with me on that, I am ready to debate with them.

Mr. YOUNGER. Mr. Speaker, will the gentleman yield?

Mr. PATMAN. I am happy to yield to the gentleman.

Mr. YOUNGER. You made a remark about taxpayers paying for the clearing of checks. Will you explain that?

Mr. PATMAN. Oh, easily. We have 12 Federal Reserve banks. At one time they were autonomous. Each bank was a separate institution. Under Woodrow Wilson it could not have been set up any other way because he was against a central banking system. So it was created with 12 separate banking institutions—12 Federal Reserve banks, located in 12 areas. All the banks in an area were served by a particular Federal Reserve bank and they would send their checks to that bank and they would be cleared through the Federal Reserve banking system. It would not cost the particular bank anything. Not only that, my dear friend, but when banks would call up and want money shipped to them, it would be shipped at the taxpayers' expense. There were telegraphic expenses and the taxpayers paid it. Postage was paid. Express charges and Brinks delivery charges were paid.

Mr. YOUNGER. Mr. Speaker, if the gentleman will yield, where is this in the budget?

Mr. PATMAN. If the gentleman will let me finish.

Mr. YOUNGER. Would the gentleman answer my question? Where in the budget is the taxpayers' money going for the Federal Reserve bank?

Mr. PATMAN. The gentleman will be interested in this. You are against back-door financing, I assume?

Mr. YOUNGER. That is correct.

Mr. PATMAN. Yes, that is right. This is one of the outstanding cases of back-door financing in America. You will not find it in the budget. It is not reported to the Congress except in the report that the Federal Reserve makes once a year. You will not find it anywhere. It is a back-door spending deal which has been permitted to the Federal Reserve banking system, which became a central bank long after Woodrow Wilson passed away; in 1935 it became a central bank and that central bank can purchase U.S. Government bonds by paying for them just by a flick of the pen. They do not pay anything for them except the Government credit, and they have acquired more than $30 billion of bonds in that way. They are held in the Federal Reserve bank.

Mr. YOUNGER. Mr. Speaker, will the gentleman yield?

Mr. PATMAN. Let me finish, please. I am going to tell you about this, and I hope you are interested in this.

Mr. YOUNGER. I am—I have heard it for 11 years.

Mr. PATMAN. No, you have not heard this part and I know by your questions that you have not, and by answering your questions, I can bring this out and I am glad to do it. They are holding in that New York bank over $30 billion of Government bonds purchased for nothing—nothing but just the credit of the United States. Every year the taxpayers pay interest on that to the Treasury and the Treasury sends to the open market committee in New York over a billion dollars a year. That pays for clearing these checks. That pays for everything that they want to spend money for—big parties that cost $5,000 an occasion, big banquets, and expensive travel. They pay for it out of the taxpayers' money but they do not account to the Congress for it. They just spend all they want to and turn the rest of it over to the Treasury by the month and by the end of the year. This is back-door financing at its worst, and I suggest since the old argument is made—does this kind of back-door financing exist—I say it does and have introduced a bill to stop this business of back-door financing.

This is the worst type. This is the way they get the money to pay for clearing the checks.

Mr. YOUNGER. Will the gentleman come to a stopping place?

Mr. PATMAN. I shall be glad to. I shall be very glad to. I am delighted to yield to the gentleman.

Mr. YOUNGER. I thank the gentleman. That is about the most roundabout explanation I have ever heard as to how to obtain the taxpayers' money.

The gentleman knows he has never voted for anything against back-door spending, since I have been in Congress.

Mr. PATMAN. Well, I have been trying to correct that all the time. The gentleman just did not notice it. I have been trying to correct it.

I agree with the gentleman that this is a circuitous route. It is all around Robin Hood's barn, but it satisfies the bankers. They like it. They like it very much, because they get $150 million a year from the taxpayers that way, and the people do not even know it. If the gentleman offered a bill, or if I were to offer a bill right now, to change it, I doubt there is a single Member of the House, of all the 435, including myself, who could not be called to the telephone while the vote was being taken by some important banker, who lived in his district.

All of us know important bankers, who are our friends. We answer the telephone when they call. They could tell Members, "Do not vote for that Patman bill. That Patman bill is inflationary. It involves greenback money, printing-press money. It is all bad," and any kind of untrue statements. He could say, "Yes, Mr. Banker, I will vote against that Patman bill."

All Members could safely do that, because they would be catering to the banks and at the same time it would not hurt them with the people, because the people do not know anything about it.

We have to make this a national campaign before Members of Congress will be in a position to protect themselves by voting right on this issue. When they do, it will save a lot of money every year.

Mr. ROGERS of Colorado. Mr. Speaker, will the gentleman yield?

Mr. PATMAN. I yield to the gentleman.

Mr. ROGERS of Colorado. In the study made in the subcommittee print, to which the gentleman has directed our attention, there are outlined the amounts of money deposited in the various banks throughout the United States, which money belongs to the Federal Government?

Mr. PATMAN. That is correct.

Mr. ROGERS of Colorado. Did the committee make a study to ascertain how those particular sums got into particular banks, and whether there was any favoritism? Who makes the deposits?

Mr. PATMAN. We have not gone into that yet. We shall commence a hearing on January 21, which is Tuesday, a week from tomorrow. In the hearing we will go into the Federal Reserve System and its operations for the past 50 years and study some bills which will be offered or have been offered to correct some abuses we know now exist.

I can tell the gentleman how that money gets there.

Mr. ROGERS of Colorado. How does it?

Mr. PATMAN. The money gets in there through several means, which I outlined in the prepared speech I made, including social security funds and in many other ways. This means that if a bank buys a million dollars' worth of bonds which the Government has just issued or will issue, the million dollars will not be sent to the Federal Reserve bank immediately for the Government, but the million dollars will be kept in the bank. It will be kept there indefinitely—sometimes for weeks, sometimes for months, sometimes for a year or more. Then the bank gets the use of the money. They use the money, or a large part of it, for bonds that they purchase from the Government. The Government is paying interest on those bonds from the time that the bonds are issued, yet the bank is keeping the money.

That is the reason why I brought up the question of a poor taxpayer who is charged with not paying his taxes on time, by April 15. What is the charge, really? Is it that the taxpayer failed to pay the money due to the U.S. Government? No. It is that the taxpayer failed to pay the money to the bank. The bank can use the money for weeks and months, and sometimes for a year or more, without turning it in to the Government, so why does the taxpayer not have a privilege of keeping that money a little longer?

Mr. ROGERS of Colorado. Mr. Speaker, will the gentleman yield further?

Mr. PATMAN. I yield further.

Mr. ROGERS of Colorado. I take it from the gentleman's statement that if I lived, let us say, on the far side of a State, away from the Federal Reserve System, and I had a bank account there, and I wrote a check to the Federal Government for some social security tax which was owed on a bank at the far end of the State, the Federal Government would permit that money to remain in the bank, and would tell the banker to transfer it from my account over to theirs?

Mr. PATMAN. That is correct.

Mr. ROGERS of Colorado. And the money would be left in the bank?

Mr. PATMAN. It would be left in the bank indefinitely, until the Government needed it.

The Government cannot draw checks on this money which is in these banks. The Government has no right to draw checks on the money any more than it could draw checks on an individual who turned money into a bank.

The Government can only check on the Federal Reserve, and it is necessary that the Government call the money into the Federal Reserve System before the Government can issue a check on it.

Mr. ROGERS of Colorado. I do not believe the gentleman fully understood my question and the subject to which I made reference.

Suppose I had an account in a bank, and I owed a tax to the Government, and I issued my check to the Government, and the Government submitted it to my bank. Does the Government then have a new policy of leaving the money in the bank?

Mr. PATMAN. That is the policy.

Mr. ROGERS of Colorado. And then when my check was submitted to the bank——

Mr. PATMAN. It is transferred from your account to the bank's account.

Mr. ROGERS of Colorado. Not the bank's account?

Mr. PATMAN. Yes; it is, to the bank's tax and loan account.

Mr. ROGERS of Colorado. Is it not transferred to the Federal Government?

Mr. PATMAN. No, it is not transferred until it is called for; in other words, a call has got to be made—"We need some more money in the Federal Reserve"—and they then send in a certain percentage of what they have got to the Federal Reserve so they can issue checks on it.

Mr. ROGERS of Colorado. The gentleman means that it stays there?

Mr. PATMAN. It stays there until it is called, because they cannot check on the gentleman's bank; the Federal Government has no right to check on the gentleman's bank. The Federal Government will tell the gentleman's bank that a certain percent of that account that they hold will have to be turned in by a certain time to the Federal Reserve because they want to check on the Federal Reserve.

Mr. ROGERS of Colorado. But is it carried in the bank in the name of the bank?

Mr. PATMAN. It is in the name of the Treasury of the United States; that is, it is where it can be called in the Treasury's name, but it is used by the bank as though it were in the bank's name until it is called for by the Treasury. And they get the fruits of it; namely, interest.

Mr. ROGERS of Colorado. If you are not a member of the Federal Reserve System you do not get that advantage?

Mr. PATMAN. Yes, you do. Members of the Federal Reserve have the same right.

Mr. ROGERS of Colorado. But I say, if you are not a member of the Federal Reserve——

Mr. PATMAN. They get the same advantage if they are an insured bank and a depositary.

Mr. REUSS. Mr. Speaker, will the gentleman yield?

Mr. PATMAN. I yield to the gentleman from Wisconsin.

Mr. REUSS. Mr. Speaker, I commend the gentleman from Texas [Mr. PATMAN] for his constructive contribution he is making this afternoon. As the current economic documentation from the administration reveals, our expenditure in the next budget for interest on the national debt is going to be a tremendous item, perhaps the highest interest expenditure in history. I take it that what the gentleman from Texas is saying is this: That as long as the taxpayers of the United States have to pay out in interest on the national debt these multibillion-dollar sums every year it certainly behooves our financial housekeepers to make sure that on the income side the Government of the United States gets every penny of interest which it is in right entitled to. Is that the sense of the gentleman's position?

Mr. PATMAN. That is a good statement and I agree with that.

Mr. REUSS. Can the gentleman give us any estimate of the amount of revenue lost to the U.S. Treasury every year as a result of the current practice of not obtaining interest on these tax and loan and similar accounts?

Mr. PATMAN. Judging by last year, 1963, and judging by the rate of around 4 percent, there was an average of $5.3 billion in the banks last year, and if you multiply that by 4 percent, that comes to about $212 million a year. Of course, the banks get 5 percent for the use of that free money, but figuring it at the Government's long-term rate of 4 percent it would mean $212 million a year. For $7 billion, of course, it would be $280 million a year. If it were $10 billion, as it is sometimes, that is in these banks free of charge, it amounts to a considerable sum of money—$400 million a year—which otherwise could be saved to the taxpayers.

Mr. REUSS. Certainly, even if the actual saving to the taxpayers should turn out to be less than the estimates just given by the gentleman from Texas, it is obviously up in the scores of millions of dollars every year. This is a tremendous sum. Once again I think the gentleman from Texas is pursuing a course of prudence and economy in raising this question. I hope that the hearings which his committee, the House Committee on Banking and Currency, is about to hold, will further illuminate this situation and hopefully enable the gentlemen to come up with some very concrete recommendations to the Congress and the administration which will enable this country's Treasury to recoup some of the interest payments which would make such a difference in our annual budget obligation.

Mr. PATMAN. I thank the gentleman, and also I want to thank the gentleman from California [Mr. HANNA] for their contributions. Both these gentlemen are valuable members of our committee and have been very helpful on this subject. They are studying it every day; they are working on it. I appreciate the work they have done. They are very valuable members of our committee.

Mr. HANNA. Mr. Speaker, will the gentleman yield?

Mr. PATMAN. I yield to the gentleman.

Mr. HANNA. Mr. Speaker, I thank the gentleman for his kind remarks. But in trying to clarify the point made by the gentleman from Ohio [Mr. TAFT], he brought up the question about the effect on the subject, particularly, that there be some interest paid on demand deposits, on our fiscal policy. It brought to my mind—and I would like to have the chairman check my information relative to this, as to its correctness, the recent change in the interest paid on time deposits under regulation Q to 4 percent. That resulted in a tremendous spurt in the amount of deposits in time deposits, growing much more rapidly than demand deposits. Am I correct in assuming that the demand deposits play a more dynamic role in the money supply of the United States than the time deposits?

Mr. PATMAN. Yes, the gentleman is correct. The volume of money in the United States is, of course, the amount of money outstanding, about $30 billion in Federal Reserve notes, coins, and so forth, plus the amount of demand deposits in banks. You do not count the time deposits when you measure the volume of money in the country.

Mr. HANNA. I thank the gentleman.

Mr. PATMAN. The gentleman is correct.

Mr. HANNA. Am I correct in assuming that there is a definite relationship between the ability of the United States to consume its gross national product, and the amount of money supply there is on hand?

Mr. PATMAN. Yes, the gentleman is correct. And the low volume of money has hampered, hindered, and deterred our Government for many, many years in comparison particularly with the advancement and expansion made in other countries of the world where they had a more realistic and sensible view of the situation and handled it accordingly. We have let our monetary system act as a drag on the economy.

Mr. HANNA. I assume if paying an interest rate on demand deposits were to increase the demand deposits, as we have seen on demand deposits, this would give us a greater fluidity of goods in the consumer market?

Mr. PATMAN. The gentleman is correct. It will not be harmful—it will be helpful. May I suggest that the hard money, high interest policy that started in this country in 1953 and has continued more or less up to date, has resulted in our paying over $10 billion a year interest on U.S. Government obligations. It is the second largest item in our national budget. The largest item is for national defense. The next largest item is for interest on the national debt. But today it is my belief from what knowledge I have of this subject and from the work and study I have done on it over a long period of time, that if we would go back to 1952 and have the rate as of 1952 applied to our national debt now, it would be approximately $4 billion less than we will be paying this year. You can look that over and you will come to the same conclusion, because there was a time when this country used the Federal Reserve as it should, in the interest of the people and the taxpayers of the United States.

I can give you a specific example. Take the rate and the amount from June 30, 1939, to June 30, 1951, a 12-year period. Early in 1939, about the middle of the year, we had 7 or 8 million unemployed people. Our country was suffering from a depression. We were having hard times. The war commenced about September 1 and we began to prepare for the war against possible enemies. We had a special session of Congress on September 15 to do that. Then we commenced spending money. We spent lots of money. During the war we went from a severe depression into the most inflationary condition in the world, and we were spending as much as a quarter of a billion dollars a day on the battlefield. Ordinarily prices would have gone out of the roof, the cost of money would have gone 50 percent higher than it was during Lincoln's time. But the Federal Reserve was working for the Government then during that 12-year period. We can see that the cost of bonds did not go up. They remained at 2-percent interest during that 12 years, the roughest time that this country or any other country ever suffered.

After the war was over there was a letdown. People had their pockets filled with money, their checking accounts were filled with money, and they wanted to buy something quick, automobiles, appliances, and everything else that had been denied them during the war. There was a terrible credit inflation. But during that 12-year period bonds stayed at 2-percent interest. The cost of interest did not go up and no bonds, not one—and I challenge any Member of this House of Representatives to name me any time when the bonds went below par.

Mr. CURTIS. Mr. Speaker, will the gentleman yield?

Mr. PATMAN. I yield to the gentleman from Missouri.

Mr. CURTIS. I think the gentleman does recognize it was not the Federal Reserve System that did this during the war and after the war. There was price and credit control, there was actually rationing imposed on our people by the Government. We got rid of 10 million unemployed by putting them in uniform. I do not think the gentleman is using this as an example of a peacetime system.

I would like to ask the gentleman, was it not the result of the Federal Reserve in 1951 under President Truman, and I think that was wise, where the Federal Reserve System stopped buying these bonds at the usually pegged rate of 2 percent, and let the bonds seek their market value, that stopped the World War II inflation, where the dollar had been cut in half? So we had this effect: We told our people to buy Government bonds in 1940 for $18.75, and we would pay them back in 10 years $25. That was with the interest. We paid them back $25, but that $25 had a purchasing power of $12.50. This was the way the Federal Government took money out of its pockets and did not give the people any interest, actually, but took the difference between $12.50 and $18.75. Will the gentleman not agree that is exactly what happened under what he calls this free money policy?

Mr. PATMAN. I do not agree with that at all. I say that the Federal Reserve did that. At one time Mr. Eccles was asked the question, "Can the Open Market Committee take any rate that it wants to take and hold it there?" Mr. Eccles' reply was, "It can." The question was, "Could you fix it at 1.99 or 2.01 or at 2.95 and just keep it just where you want?" He said, "We can do that." And he was exactly right. That is what they did over that 12-year period.

I notice the gentleman was careful not to deny that they kept the rate there during that 12-year period. I am talking about interest rates. As far as prices and commodities were concerned, there were 8 million prices and commodities affected. We brought that bill before the House every year, not every 5 years or every 2 years, but every year, under an open rule, subject to amendment from any Member of this body, and we had terrific fights on it, because even in wartime, controls were very unpopular and were not 100 percent enforced, as the gentleman knows and realizes.

Mr. CURTIS. That is right. I was picking up where the gentleman was making his point, that they did hold interest rates for Government bonds. What was the penalty because the Federal bond became the base of the monetary system? The penalty was the devaluation of the dollar, which took income away from the lowest paid people, and they were the people who suffered the most. The higher paid people could have investments and not suffer so much.

Mr. PATMAN. I do not agree with the gentleman at all. I am talking about interest rates alone. If they could hold it during that 12-year period, they could have held it ever since, and that is what I am talking about. It would not be a penalty; it would be a benefit to the American taxpayer. We would be paying $6 billion interest instead of more than $10 billion.

Mr. CURTIS. There was the relation of the Government bonds to the consumer price index and the price of the bonds themselves as far as the purchasing power was concerned, and that is where the gentleman's argument is fallacious.

Mr. PATMAN. It has been done many times, and there is where the difference arises, because the taxpayer and the consumer are the same.

The Domestic Finance Subcommittee will meet January 21, next Tuesday. We expect to go into the Federal Reserve banking system. Some interesting things have taken place in the last 50 years since Woodrow Wilson first advocated the Federal Reserve System, which is a great system. I am not trying to destroy it. I want to keep everything that is good and change everything bad that has developed during these 50 years. At first we had 12 Federal Reserve banks, separate and distinct. Then we had a central banking system that was created during the depression. I do not say that the people who were interested took advantage of that development in order to get laws through that would help them in the future, but that was the result. What happened? What they did in 1935 is reflecting on us right now.

May I invite your attention to this, that a few months ago the President of the United States was privileged to select a Chairman of the Federal Reserve Board. Back under Woodrow Wilson the Secretary of the Treasury was Chairman. But that was all changed in 1935. Do you know who he had to select? We put the President of the United States in a straitjacket. We denied him the freedom of choice. By reason of that law in 1935, the President was compelled to select one of the seven members of the Federal Reserve Board. He could not select anybody else.

Now that chairmanship is the most important office in the civilized world. In some ways it entails powers over the President of the United States or the Congress of the United States. Why? Because that Board can veto what the Congress does. That Board can veto what the President can do. Now there is the biggest and most important economic policy job in the world, and we, 30 years ago, when nobody was looking passed a law and put our President in a straitjacket and told him, "You cannot select the best man in the United States to do that job. You have to take one of those seven and nobody else." That is not right. That is just one of the things that ought to be changed that has developed all during the 50 years since the Federal Reserve System was founded.

Mr. CURTIS. Mr. Speaker, will the gentleman yield?

Mr. PATMAN. I yield to the gentleman.

Mr. CURTIS. That was done intentionally and the argument of those who did it, and I happen to agree with them, was to make this Board whose job it is to carry out a constitutional function of the Congress, to regulate money, to keep it independent.

Mr. PATMAN. Independent from whom?

Mr. CURTIS. Independent from elected officials.

Mr. PATMAN. Do you mean independent from the Government?

Mr. CURTIS. Independent from elected officials, independent of the Congress.

Mr. PATMAN. I do not agree with that at all. I do not agree with that at all.

Mr. CURTIS. And independent of the President of the United States. All I am saying to the gentleman, and I think he has accurately stated his theory which is that this Board should be under political domination—and I am using that in the fine sense of the word—and should not be independent. But at least give those who disagree with the gentleman the benefit of being equally well motivated for the benefit of our country, feeling that creating an independent Board that would not reflect the political judgment of the times would be better.

The SPEAKER pro tempore (Mr. BURKHALTER). The time of the gentleman from Texas has expired.

Mr. PATMAN. Mr. Speaker, with the permission of those of my colleagues who may have special orders at this time, would it be asking too much of them to proceed for 5 additional minutes.

Mr. CANNON. Mr. Speaker, I ask unanimous consent that the gentleman from Texas may proceed for 10 additional minutes.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Missouri?

There was no objection.

Mr. PATMAN. Mr. Speaker, I am glad that the gentleman from Missouri [Mr. CURTIS] asked the question he did. The gentleman from Missouri is one of the ablest Members in the House. I do not know of any Member, Democratic or Republican, in either body of the Congress, who has given more study to this than has the gentleman from Missouri. I respect the gentleman. I do not agree with him always. In this particular case, I certainly do not agree with him. The gentleman and I have served on the same Joint Economic Committee for years and still serve on that committee. I know something about what kind of student he is. But may I suggest to the gentleman respectfully, I do not see how he can believe in a democracy and believe in the statement that he has just made. The gentleman has made a statement which says that the people who handle the money, the most important thing in the U.S. Government that could be used to veto everything that the Congress and the President does, if they want to use it that way, should be separate and distinct from the Government and should be divorced from politics. Now I want to see what this divorcing from politics means and just analyze it and evaluate it a little bit—just briefly.

Who put the money powers into politics? The writers of the Constitution of the United States did that. What did the Constitution say? The Constitution says that Congress shall create the money and determine its value. Of course, that is not the exact language of the Constitution, but I believe all will agree that that is the meaning of what it says. That is putting the regulation of money into politics. You cannot have a Congress and you could not have a democracy without the electorate having something to do with it. We use the word "democracy" but, of course, we are in a Republic and I believe what Madison said when he said that "A democracy in a Republic" is a true definition of our country. We cannot create a democracy in a Republic if we are going to take the most important powers of our Government, and set them aside and let it be conducted in secret as it is now. We do not even know what the Fed does. We never know what they do. They are doing things, contrary to what the Executive would like and what the Congress would like.

There are secret meetings. Every 3 weeks a secret meeting determines the volume of money and the cost of money. That is happening right here in broad daylight in the United States of America.

Then the gentleman comes here and defends them and, in effect, says we ought to have a dictator as to money.

Mr. CURTIS. Mr. Speaker, will the gentleman yield?

Mr. PATMAN. That is what we will have, if we let them run it the way they wish to. That is what we will have, a dictatorship as to money.

Mr. CURTIS. Mr. Speaker, will the gentleman yield?

Mr. PATMAN. May I mention the accord referred to. There was no such accord.

Mr. CURTIS. Will the gentleman yield? The gentleman has used some pretty strong language.

Mr. PATMAN. The gentleman got me 10 more minutes, and I will save plenty of time for him.

There was no accord in March of 1951. Before the Joint Economic Committee, in the gentleman's presence, I proved time after time that in order to have an accord one must have an agreement between the President of the United States, who has power to fix the interest on Government bonds, and the Federal Reserve Board. There was no agreement with Mr. Truman.

Mr. CURTIS. Oh, yes.

Mr. PATMAN. There was not any agreement with Mr. Truman. There was no accord. That is a phony, intended to take advantage of the American taxpayers.

Mr. CURTIS. Does the gentleman mean to tell the Congress that President Truman repudiated the action of the Secretary of the Treasury?

Mr. PATMAN. I do not. That shows the gentleman was not listening.

Mr. CURTIS. He did not.

Mr. PATMAN. The gentleman was not listening.

Mr. CURTIS. I thought I was.

Mr. PATMAN. The Secretary of the Treasury was in the hospital at that time.

Mr. CURTIS. The acting Secretary of the Treasury.

Mr. PATMAN. The Secretary was in the hospital. He was gravely shocked and disappointed when he found out that Mr. Truman had to denounce the Federal Reserve Board for doing something which he had never approved at any time.

Mr. CURTIS. Mr. Speaker, will the gentleman yield?

Mr. PATMAN. Let me finish. Mr. Truman had the entire membership of the Federal Reserve Board before him. At no other time had any President done that. He told them, "Gentlemen, you cannot go back on your country this way by breaking the interest on these long-term bonds. You are going to keep the interest as it is."

Every one of them agreed they would. But when they came out of that meeting, the bankers got on them, and Mr. McCabe, the Chairman, resigned because he could not take the heat.

Mr. CURTIS. Will the gentleman yield?

Mr. PATMAN. There was no accord. I yield to the gentleman.

Mr. CURTIS. I believe the gentleman has been quite "picky."

Mr. PATMAN. It is on my time. I am entitled to some criticism.

Mr. CURTIS. I am talking about the arguments being "picky."

Mr. PATMAN. I do not agree with that. I think they are substantial. We are paying billions of dollars' interest a year on the national debt.

Mr. CURTIS. I said that the Secretary of the Treasury was acting with the consent of the President of the United States, and then the gentleman said that the Secretary of the Treasury was in the hospital, which he was. I should have said the Acting Secretary of the Treasury.

Mr. PATMAN. He was not acting for the Secretary of the Treasury.

Mr. CURTIS. The point remains that he was an appointee of the Executive. President Truman did not repudiate the actions of his appointees in the Treasury Department, and to this day he has never denounced his Secretary of the Treasury, or Acting Secretary of the Treasury at the time, for entering into the Federal Reserve Board-Treasury accord.

If the gentleman will bear with me for a moment, I wish to make a comment on the point of representative government in a democracy.

The gentleman has made a fair point in pointing out that we have set the Federal Reserve System, which has the power over money, outside of the political arena. I, as a Member of Congress, the same as the gentleman from Texas, am very jealous of the prerogatives of Congress, and I feel that the political process is fundamental, basic, and important to our society. But our Government was never set up as other than a representative government, in which the people do not act directly but through a system of representation.

In the judicial branch of our Government we certainly have, by the Constitution, removed a tremendous power apart from the elective, ordinary, day-to-day political processes of the people. Our judges are appointed for life.

This is an area of fair debate, as to whether we should change the system. So is the area the gentleman pointed up. Let us not put it on the basis that those who believe there should be an independent body of this nature are not deeply concerned about the welfare of our people, feeling that our society does move forward best with independent groups independent of the day-to-day political give and take.

I make that statement in regard to giving the power over money to that group. Here lies the debate. The gentleman's arguments are fair. We happen to disagree.

Mr. PATMAN. The gentleman stated that they are using the power which Congress gave them. They are abusing the power which Congress gave to them. Congress did not give them the power to meet in an ivory tower building every 3 weeks, in secret session—with no Member of Congress knowing what happens, with no member of the executive branch knowing what happens—to secretly determine what will be the policy on money and what interest rates will be.

The Federal Reserve Open Market Committee is topheavy with bankers who will benefit from high interest rates. How could we ever expect interest rates to go down under that situation?

They even violate the law. I can tell the specific facts on that. I can write an account and indictment of it.

The law says that the Open Market Committee shall be composed of seven members of the Federal Reserve Board and five presidents of Federal Reserve banks. That makes 12 members. But when they have a meeting down there every 3 weeks they do not just bring in the Federal Reserve Board of seven members and the five presidents of Federal Reserve banks; they bring in the other seven presidents of Federal Reserve banks, too. They have some 30 to 50 people in that room. But they are so carefully protected that you have never heard of a leak from that meeting, not one, with 30 to 50 people attending.

Who are these 12 presidents of Federal Reserve banks? They are elected by the private banks who profit from high interest rates. Nobody can deny that. They have nine directors; in New York, San Francisco, St. Louis, Richmond, Atlanta—every place where they have a Federal Reserve bank. They have nine directors who select the president of the bank. Six of them are selected by the private banks. Do you think they are going to go against the private banks? Of course not. The private banks put them in there. So they select the man who will carry out their will and their wish. They make him the president. He is elected for 5 years and every 3 weeks at this secret meeting they determine the volume of money and the interest rates, in this closed room. They have the 12 presidents of the Federal Reserve banks, not the 5 that the law permits them, but all of the 12. There is a count in the indictment to which they would have to plead guilty. But they think they have enough support in Congress so that they can stop anything from going through; and possibly they are right. You know, there is one weakness about a democracy. There are a great many people in bottleneck positions who can say "No" and make it stick—lots of them. But there is not one who can say "Yes" and be sure that it can be done. So they believe that they can stop any effort that is made to correct these money abuses.

THE POLITICS OF PROTEST

The SPEAKER pro tempore (Mr. BURKHALTER). Under previous order of the House, the Chair recognizes the gentleman from California [Mr. EDWARDS] for 30 minutes.

Mr. EDWARDS. Mr. Speaker, yesterday the President addressed the Congress and the Nation on the state of the Union. He gave the highest priority to two domestic issues—the battle for equal rights and the battle against poverty. It is appropriate therefore that a thoughtful and illuminating statement on these critical and related struggles appear in the CONGRESSIONAL RECORD today. The speech which I commend to the attention of my colleagues was made by Jack T. Conway, executive director of the Industrial Union Department of the AFL–CIO, to the Student Nonviolent Coordinating Committee Conference on November 30, 1963. Mr. Conway is highly regarded by his brothers and sisters in the labor movement, but his devotion to the common weal has earned him an equally high regard by those engaged in Government, education, and the great social and economic struggles of our time.

The address follows:

THE POLITICS OF PROTEST

No event for many months, and perhaps for many years, will occur except in the shadow of the death of President John F. Kennedy.

I need not tell you that SNCC and CORE and most unions have not held a meeting in the past few years at which he was not present in some way, in his efforts, in his identification, in his sympathy. But I am not here to speak about the role of John Kennedy in the history of our country.

Even before this grotesque and incomprehensible incident took place in Dallas, I had planned to talk to you about a problem and a strategy which presents itself tragically but acutely as an aspect of the death of President Kennedy.

I intended to talk about the problem of leadership that confronts everyone in the United States who accepts a personal responsibility for the civil rights struggle.

To begin with, I don't have to explain to you in detail what the press and TV have been stating over and over within the last week, that the American Government, the American society, the American institutions are stable, mature, continuous, that even an event like the assassination of the President results in very little discontinuity in our lives. There is no danger of a coup d'etat, tanks are not brought up to ring the city to endorse the claims of one faction against another, there is no intervening chaos, or even an inter-regnum of uncertainty.

After each election, when a President dies, by whatever intervention of providence, the law, the operation of the Government services, the understandings, the commitments, the contracts are continuous. Death itself, the sublime democrat, by leveling all of us equally, tends to strengthen the society and to limit and even to reduce the role of the individual.

The role and style of a particular President, of course, are distinctive and give their own color and form to the continuing politics.

But even now we can certainly say that President Kennedy's, and now President Johnson's political designs for the United States are based on the belief that wage earners, minority groups, middle- and low-income city people in general, older people, all of us who make up an overwhelming majority of the society, have a broad interest that is almost the exact equivalent of the national community, that is an interest in justice, in full employment in social security, in a world at peace, in a community where there is no exploitation of one group by another. No party, not even the Democratic Party which elected President Kennedy, had finally brought these people together into an effective political party. This, of course, was in part because many of these people were inactive politically, are prevented from voting, or do not take the trouble to vote, or express their resentment against the society by apathy.

It was the hope of President Kennedy that by education, by the development of leadership in the cities and the minority groups, by efforts like those of SNCC, CORE, the NAACP, and the labor movement, a representative majority party speaking for the interest of the rank and file would be institutionalized. Until this kind of party could be created, the legislative purposes of the people would have to be accomplished by what is essentially the politics of coalition.

There can be no doubt that President Johnson in his own style and following his own instincts will continue to work toward this end. But President Johnson's problem is our problem. At the present time we have not yet created this broadly based party we need so badly, and because we do not have this party, with its commitments reaching into every community of the United States, it is uncertain what way legislation and political events will go in the next year, and in the next 4 years, and perhaps in the following 8 years

So today we find ourselves in a society which is not in crisis because of the death of the National Executive, but which nevertheless is a society that is uncertain, apparently because of the loss of a great leader, but in reality because we are in the middle of a process—a difficult one attempting to bring about new alinements in the community.

What was unfinshed over the broad range of politics of the entire people of the country, was especially incomplete in civil rights. And even before the President's death, the civil rights movement had a serious leadership problem.

There is no doubt that within the civil rights movement we are witnessing the unfolding of an important historical event, the unheralded appearance on the national scene of thousands of young men and women with a real genius for political and social creativity. There have been these kinds of manifestations in the past in this country. During the American Revolution the Nation suddenly produced hundreds of young men with a superb understanding of politics, and war, and the organization of government. On the African Continent we are witnessing a similar development today.

During the 1930's, the organization of the CIO similarly came on the country like a bugle call which brought thousands of young people out of the ranks of the unemployed into the front rank of a new movement which was to affect profoundly the direction of the American society.

You should note that I have cited successful revolutions, the American Revolution, the freedom movement in Africa, the CIO in the 1930's.

Each of these social movements produced their own leadership, found a way to institutionalize their programs, found a way to provide for the training and the renewal of their spokesmen, and finally a continuing justifying useful activity; that is, a soil in which to grow.

But there have been other movements, just as rich in leadership and brilliance, which had a brief moment of glory and disappeared. The Chartist movement in England, the almost simultaneous labor movement in the 1820's and 1830's in the United States, the Populist movement in the United States after the Civil War, the Wobbly movement before the First World War, and the American Socialist movement which ran aground in the American depression.

The question is, Why did some of these movements and some of these leaders succeed so splendidly, and why did others, equally hopeful, shatter themselves against the opposition of the society, with the leaders of these movements finally disappearing in a querulous and frustrated old age?

An even more important consideration for you in the civil rights movement is, which of these two fates will be the destiny of the civil rights movement?

None can doubt that the cause you are fighting for will ultimately be won, just as the lost causes for which the Chartists, the Workingmen's Parties of the 1820's, the Populists, and even the American Socialists fought for, were ultimately won. But the fact is victory can be postponed in a terribly disheartening way, unless the leadership of a people's movement makes intelligent and practical choices. You now are in a position it seems to me, when you can no longer count on the original explosion of energy and talent to continue your progress. In the civil rights movement, I believe, there is the possibility at this moment, that unless you make a wise choice of strategy and choose your goals with a deliberate intelligence, you may exhaust yourselves fighting up dead end alleys, use up your resources, lose the opportunity to provide for a continuity of leadership, and delay the achievement of your goals.

For example, in the 1930's, a protest movement very like your own came on the American scene.

The leaders of this movement were young, imaginative, idealistic and courageous people like you, high school and college students who suddenly found themselves in a world of closed factories, locked offices, and breadlines. They were unemployed, but they were not the unemployed. They were the leaders of the unemployed, who gave a voice, and a direction to the men and women in the cities who had been turned off their jobs and in the country who were prevented by an invisible barrier from selling the food and fiber they produced to meet the needs of the country. In the beginning, just as in the case of your own movement, the major effort took the form of unconventional strikes, demonstrations, protest marches. In some cities spectacular gains were made, and then in the course of a few months, the gains and the movements dissipated until only a small leadership core remained.

But then something happened. John L. Lewis organized the Committee for Industrial Organization. Funds were made available. The young leaders of the protest movement began working with the CIO. Very soon, the leadership developed a constituency. First among unemployed workers, and then among employed workers. This movement found a way to establish a relationship in an organized pattern of services, which the members recognized as essential, and which it was possible to institutionalize into membership organizations and in the contracts that were negotiated with the companies. The need to pass the hat continuously was replaced by self-supporting organizations. Training programs were developed within the unions. The ongoing useful activities assured the continuity of the CIO. A new force in American life came into being.

As a responsible leader in the American labor movement, let me say that whatever you may think of us in the unions, we in the unions think of you as a part of the same protest movement which gave birth to our unions. You and we come from the same tradition.

History has brought us to a place in time where we must give explicit recognition to our identity of interests, or both of us may lose our way.

The labor movement, by virtue of its successes from 1935 to 1964 has lost some of its bite, its sharpness, and its fervor. This is natural, since its constituents, through their efforts, have won a relatively comfortable middleground in the American society. The wages, the working conditions, the health programs, the retirement provisions, the status of American union members has to some degree set them apart from the unorganized people who work for wages on farms, in many of the service trades, and on the economic fringes of the society.

When you consider the problems that have faced the labor movement the past 6 to 8 years, it is easy to realize why the attention of trade union leadership was turned inward. Not only were the problems present of merging two great organizations—the AFL and the CIO, with their distinct different traditions and ways of doing things—but the labor movement had to weather the effects of three successive recessions and the rapidly increasing displacement of workers through automation and the technological revolution which has been taking place.

But even this relative affluence is not guaranteed. Indeed, at the moment it rests on an economy which is undergoing dynamic changes. What union members now have cannot be protected by locks, or by any standstill, last-ditch defense of what we have today and what we had yesterday.

As you well know, the American labor movement does not manage the controls which can bring about full employment and the realization of the just and reasonable expectations of the people in the United States who live on the lowest income levels. It does not, by itself, have sufficient control over the economy even to insure the secure continuity of its own place in the society.

Moreover, the relative importance of the labor movement is in danger of declining even more. The people who make up the largest section of the work force, professional and technical workers, those in the expanding governmental and scientific employments are increasing in numbers to an extent that the numerical strength of the labor movement is being diminished proportionately. So we find ourselves today with the work force of the Nation today in three tiers.

1. The poverty stricken, unemployed, the underemployed, the migratory workers, the uneducated young people, the oldtimers without pensions—a massive block of our people without effective voice.

2. The great middle bloc—of which organized labor constitutes the great bulk—fraught with its own problems, wrestling with sweeping changes in technology, fighting defensively in many instances in what it considers to be in the interest of its members.

3. The new and expanding technical and professional, largely white-collar educated work force is still effectively beyond the reach of the labor movement as its exists today.

The least well off Americans cannot hope to improve their situation except through the labor movement, whether the unions organize them directly, seek legislation on their behalf, or pull them up indirectly by exertions designed to help union members. This is rather well understood in the society. Not so well appreciated is the fact that relatively well-paid and well-placed professional and technical workers, who are still largely unorganized, also have educational, cultural, political, and even economic expectations which cannot be met without a profound reorganization of our politics, our Government, and our economy around the program which has been developed and spoken for most articulately by the unions of this country.

Already, the uncertainties in American life are finding political expression. An attempt is being made by people who do not want change or reform or any alteration in the present distribution of privileges, to make the labor movement a target scapegoat for many different frustrations. How shrewd this tactic is becomes evident when you remember that the hope for reform cannot possibly succeed except through a political organization which hinges on the unions and brings together into one movement, the expanding employments, organized wage-earners, and the people without privileges in the society.

Essentially President Kennedy was attempting to organize this new alinement. President Johnson will be working in the same direction. But profound reforms, sweeping social reconstruction, and economic reconstitution can only succeed under the power of the moral electricity which is generated by a "corps of young, of purposeful, of idealistic, of courageous, and imaginative leaders."

This analysis of structure of the American politics is not original with me. A. Philip Randolph described the American scene to the recent convention of the AFL–CIO in essentially the same terms. He, too, underline the responsibility of the Government and the entire society to create the conditions for social justice, and the necessity for a strengthened Negro-labor alliance to abolish the American underclass and to allow the underprivileged, the exiles, and the untouchables to enter fully into the life of the American community.

It is not a secret that if the American labor movement is to carry its weight in this common moral task, it needs a fuel injection.

I think we are getting it. Your energies, your daring, your imagination can help speed up this rejuvenation of the American unions.

But we must find a workable relationship centered around the American labor movement. We must solve the problem of finding economic support for civil rights efforts. You must secure a method for conserving and developing leaders. Your task is to establish an operation which will give meaningful and significant purpose for your work.

You are young people. You are not working for salaries. You are working out of conviction. You have at the present time the sympathy of most of the American people. You are an inspiration to many Americans. And you are engaged on an important moral front.

But at the same time you are dependent on the continuing interest and support of the American people. You exist within the protection of a sympathetic society. You are dependent on the generosity of many people, and most critically, at the present time as you win rights for your people, you lose them as constituents because you have no established organization to hold them after you have gotten them jobs or votes.

Many movements like yours have failed in the past, because the young leaders grew older and acquired families and responsibilities and the need for a stable income, because they persisted stubbornly in their original effort after public sympathy, which is always fickle, shifted to some other interest, because they ran directly at odds with powerful interests, and they had no way of pausing to change their tactics. Thus, they could not continue their movement in a second phase, since they had no continuous constituency to ratify new programs and which would recognize the need to pay for the costs of a twisting struggle. Very often in the past the turning business cycle, or the onset of a war, temporarily met the most pressing needs of their supporters, who then drifted off.

All of these reasons for failure can be summed up in the inability to put down roots where cause, and results achieved, produced an organization which was self-sustaining.

Whether or not these hazards face you is for you to decide but you might give thought to a program of continuing activities which would take you around these rocky contingencies, and at the same time, serve your ultimate purposes effectively.

I do not suggest that you should let up in your effort to achieve absolute equality of treatment or of membership, or of opportunity within the American labor movement or in the opportunity to work at the jobs in the jurisdiction in the American unions. There is an important moral imperative in this effort of yours, whether or not it is profitable economically and socially.

Philip Randolph's reminder to the labor movement should also be noted by you. You are not apart from labor, you are not in opposition to it. This is what Philip Randolph said: "If the Negro's nonviolent movement owes a great deal to Gandhi and Thoreau, it is also indebted to the American labor movement. If the behavior of militant Negroes baffles many white Americans, it should not baffle the house of labor. For more than any other segment of the American society, we (the labor movement) have intimate knowledge of the forces blocking the Negroes' stride toward freedom."

But while you take justifiable pride in your militance, I know you are well aware that even when you have won absolute equality of opportunity in the factories, and in the building trades, and in the shops and warehouses, you may have won a ticket which at best entitles you only to share in the uncertainties and difficulties that will beset every worker in the trades that are being automated. Victory on this sector will be dramatic and important morally, but I suspect when it is won, when you examine your triumph, there is the danger that you may find you have won the right merely to equality in the lines of the unemployed. For this obvious reason we all have to raise our sights.

Philip Randolph, and I should add, Walter Reuther, especially in his recent speech before the last convention of the Industrial Union Department of the AFL–CIO, detailed the features of a political and economic program we must assume responsibility for, if the slogans you raise now are not to mock you 10 and 20 years from today.

Here obviously we cannot rely on our originality or imagination. Any program we choose must come out of the evolving present and the program American wage earners have fashioned out of their needs and experiences. For us this means that we must reexamine our past, back at least to the Roosevelt New Deal, which we can now see was more than a set of political battle cries. To meet the specific requirements of the sharecroppers, the tenant farmers, the unemployed, he devised a legislative program which provided CWA and WPA jobs for people who were looking for work. Through farm security, the Agricultural Adjustment Administration Act, and the Rural Electrification Administration he enabled farm families to restore their soil, to electrify their homes, to connect with the nationwide network of telephones, to begin to live in the contemporary American society. The Wagner Act gave workingmen the opportunity to become industrial and political citizens of the country, and the social security legislation was the foundation of whatever income security most people in the country have today, the housing acts provided decent homes for tens of millions of American families, granting our present urgent needs.

Almost everyone except Philip Randolph has tended to forget what made President Truman's Marshall plan a successful turning point in history. The Marshall plan succeeded in Europe because it invested some $13 billion in roads, in factories, in jobs, in homes, in hospitals, in schools, and in training programs, and because it embodied a principle which has not yet been accepted in our Government, democratic central planning for the employment of the national resources of a country.

This principle, it should be added, has been so widely applauded because of its success in Europe and so totally neglected in application in the United States, that it should not be passed over with a phrase. The Marshall plan was based on the awareness of the value of human beings as a national resource. Beginning in many cases only with people and rubble, the Marshall plan brought economic and social planners together who very quickly blueprinted an economy to meet the specific needs of the national and the European community. As a consequence, unemployment has largely been abolished in France, Belgium, Germany, Holland, and is very nearly nonexistent in Italy. With our material and technical resources, it is inconceivable that a national plan could not produce the schools, the houses, and the industrial opportunities which could deal simultaneously with the waste of lives involved in 4 million unemployed, and the erosion of justice that is implicit in the creation of an artificial second-class confinement for 20 million Americans with all the locked-up talents and abilities that are the virtue of any 20 million people, planning to achieve a democratically determined goal. But, this assumes that people will take the personal responsibility for making the democratic determination.

President Kennedy's conception of a Peace Corps brought the responsibility for changing the world and the possibility for its achievement very close to the personal lives of all of us. Here, for the first time in modern history at least, outside of war, the individual was given an opportunity to work himself, directly with his own hands, with his own brains, at the great task.

It seems inevitable that we will have a landing on the moon whether we ask for the round trip ticket or not. But more urgently we need a rediscovery of America, which we will not get, unless we produce it ourselves.

It seems to me that the time is now for this country to take the best of the ideas of Roosevelt, Truman and Kennedy and modernize them.

Take the direct aid concept to individuals embodied in the WPA and the CCC and the NYA for jobs and education.

Take the massive directed, planned spending concept of the Marshall plan and declare an all-out war on poverty and illiteracy in the rural South, the depressed areas in the country and in the teeming central cities.

Take the dedication and service concept of the Peace Corps and put it to work at home.

Philip Randolph suggests a Marshall plan for this rediscovery of America.

The Peace Corps, without abandoning its work overseas can also work in the South and in our big cities.

The training schools, which the U.S. AID is supporting in north Africa, in Latin America, in Africa, and in Asia, for the young people in the developing nations, need counterparts in the United States.

American aid overseas is committed to the establishment of superb new universities in the new countries. There is a new country to be discovered in the United States which needs equivalent scholarships and fellowships and teachers and buildings and equipment.

A $2-an-hour minimum wage will open doors and opportunities far beyond the very important right to eat a hamburger which was won by sitting down in the 10-cent stores.

If we can establish a national technological clearinghouse and a central planning agency that will make automation work for the people of the country, we will begin to deal with what Philip Randolph called the "economic uselessness of the Negro."

The American Government requires that oversea governments which receive American aid adopt what might be roughly called democratic social planning, an inventory of resources, a setting down of priorities, a direction of effort toward the correction of economic and social injustices, and a provision for periodic audits to determine what progress is being made. Here in the United States, the Employment Act of 1946 is a beginning in this direction, but obviously we need a legislative commitment to full employment, to equal educational opportunity, and specific allocations of funds to meet the urgent needs of the 40 million or more Americans who live in poverty or behind the bars of discrimination. Provision should be made for a national audit by a council which represents all the people concerned, not beneficiaries, it should be noted, but citizens who have a long overdue and unredeemed pledge from the Government in the Constitution.

You in the civil rights movement, we in the labor movement, the many Americans in the professions and the government must achieve these goals together, or each of us will undergo a continuing succession of frustrating crises separately.

But the enactment of political programs depends upon successful political organization, and political organization is founded on the economic and social interests of the community as they find expression in the political activities of the spokesmen for these different groups.

It is your task and your responsibility as it is ours to make the connection between the ideal goal and our daily labors.

You need to build the economic, political, and social organization which will enable you to take part in the democratic planning, to write the details of the legislation for an American Peace Corps, to provide the economic plan that will insure that Negroes will be raised up by automation and not struck down.

I want to assure you that I am not saying this is your job, and that we in the labor movement, having pointed to the shovel and wheelbarrow, will sit by and watch you succeed or fail.

It is our responsibility, mine and yours, the unions and SNCC, the AFL-CIO and CORE, the broad community of Americans and the NAACP.

We in the industrial union department of the AFL-CIO have worked with the NAACP for many years, have been meeting both with SNCC and CORE over the last year. Now we hope we can move past meeting together to working together.

It may be we will fall short of complete success. But even in that event, there is much we in the labor movement can gain from solidarity with you in your efforts and much that you can gain from association with us.

Together, to quote President Kennedy's inaugural speech:

"Let both sides unite to heed in all corners of the earth the command of Isaiah—to 'undo the heavy burdens * * * (and) let the oppressed go free.'

"All this will not be finished in the first 100 days. Nor will it be finished in the first 1,000 days, nor even perhaps in our lifetime on this planet.

"But let us begin."

"AN APPRAISAL OF U.S. AEROSPACE POWER: 1964" BY SECRETARY ZUCKERT

The SPEAKER pro tempore. Under previous order of the House, the gentleman from Illinois [Mr. PRICE], is recognized for 30 minutes.

Mr. PRICE. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and include an address by the Secretary of the Air Force.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. PRICE. Mr. Speaker, under leave to extend my remarks I include herewith the excellent speech of the Honorable Eugene M. Zuckert given before the meeting of the Harvard Business School of Washington on January 8, 1964. These timely remarks will be of concern to all of us in the consideration of the military budget which will be one of the major items for consideration during this session of Congress.

Throughout the years, those of us who are members of the House Armed Services Committee have watched with concern the development of pet phrases often used by news media and others in the evaluation of our forces for defense and defense posture. The meaning of these pet phrases has become so blurred in the minds of the general public that all the true understanding of the effectiveness of our military forces is often distorted completely. Secretary Zuckert, in his address, does much to clarify the terms that can be used intelligently as yardsticks in the measurement of the effectiveness of our Armed Forces.

In implementing the rigid economies directed by President Johnson, Secretary Zuckert points out:

> With economy—which means more efficient use of resources—as a major premise for the appraisal checklist, the job of the military and civilian heads of the services becomes one of protecting substance, of preserving fighting strength.

I recommend to you the reading of the entire text of Secretary Zuckert's speech:

AN APPRAISAL OF U.S. AEROSPACE POWER: 1964

(Remarks by Hon. Eugene M. Zuckert, Secretary of the Air Force, Harvard Business School of Washington, January 8, 1963)

The real estate appraiser has a going market against which to value a house, but the appraiser of military forces has no such obvious and publicly understood basis for determining their effectiveness.

Both the written and the electronic press today carry much expert advice and analyses, both real and armchair, of our military posture—what it is and what it ought to be. It is hard, however, to find a firm measuring stick as to how effective our defense preparations really are.

For one thing, there are too many labels and tricky phrases which do little more than reflect the inadequacy of the language in describing some very complex concepts.

It seems to me that the public is confused with so many terms which are supposed to put into tight word packages the concepts referred to by "nuclear stalemate," "overkill," "counterforce," "countervalue," "finite deterrence," and so on. Similarly, views about nuclear war, general war, limited war, conventional war, or any other gradations, become so blurred as to be of little help in measuring the effectiveness of our military forces.

My remarks tonight relate specifically to the U.S. Air Force. Since this is the airpower component of U.S. defenses, what I am actually saying, therefore, applies across the board to all our military requirements. Airpower must be appraised or measured against the totality of the defense needs of the Nation and not against any part thereof.

The effort to evaluate forces is a continuous process within the military. We in the Air Force have been giving special attention to this problem in recent years, for the simple reason that the cost and complexity of aerospace weapons—all weapons for that matter—have increased so much that there's no possibility that any military service, ours or anybody else's, can have everything it would like to do its job.

For this reason, selections have to be made among possible weapon systems. Secretary McNamara has introduced cost effectiveness as a basic yardstick and the program package method of pooling all costs in order to make accurate measurements. It is an intensive process and works well. You have to have something like that in order to compare one weapon system with another.

But all of us realize that there is something even more basic than measuring cost effectiveness. The real problem is to measure the whole force—all the weapon systems—against the requirement. Defining the requirement is not easy. That is when you have to go beyond and behind all the panacea prescriptions. You have to make sure you have defined the mission before you try to prescribe the hardware. In simple terms, you have to decide what you want to do with your military forces.

We start from the basic premise that for the period of time in history with which we are necessarily concerned—now and as far ahead as we can see—man's efforts to keep the peace, to settle differences between peoples by nonviolent and nondestructive means, must be backed up by military power.

But the damage potential of modern weapons, with thermonuclear explosives deliverable anywhere on earth in minutes, makes the unleashing of that power a matter of gravest concern to both sides in any confrontation of people, nations, and governments—as well as those in the middle.

So the nations are caught in the bind of feeling on the one hand that they must have military power to defend themselves and enforce peace, while on the other, they recognize that uncontrolled use of that power totally defeats its purpose.

It is this dilemma which makes arms control the first item on my 10-point checklist for appraising today's military forces.

Arms control is now a military requirement in itself. Military men are concerned with it, not because it might make them technologically unemployed, but because it is a necessary part of the defense package. It is both an end—in terms of possible relief from the burden of arms investment—and a means—in terms of the job that the military has to perform.

Current military planning must provide for forces not dependent upon nuclear testing or any other type of restrictions to which the nations may agree. They must be forces which are stabilizing in effect and not provocative either through vulnerability or other characteristics. These forces must have built-in assurance against accidental, unauthorized or premature employment, and the force structures must be adaptable to monitoring and inspection roles as they may emerge.

Related to arms control, but quite separate in terms of its role in the exercise of power is something called crisis management. This covers the ability to keep even an intense and long-lasting international crisis from exploding into war, or a low intensity conflict from escalating into higher dimensions of war. It requires military forces with specific warning and response capabilities. It takes carefully tailored military power as well as sound nerves and good intelligence.

All of the factors that go into our ability to discourage an aggressor, or preclude an attack by the obvious strength to crush it, we call deterrence.

Deterrence of war, general or otherwise, is our primary national objective. The importance of the deterrent capability at any level of intensity is directly proportional to the damage to be expected at that level. At the top is the strategic nuclear deterrent. We need first, and we have it, a force great enough to wreak unacceptable damage upon an aggressor who initiates a nuclear attack. But that means full power strike. How do we respond to something less? We don't want to be caught with no choice but all-out nuclear response. This is what was wrong with the massive retaliation theory. There are other aspects of deterrence. Other capabilities or qualities have to be built into the force if we are to be able to preserve ourselves as well as defend ourselves.

One of these qualities is flexibility. It is the key element of any force structure, but it has a specific meaning in terms of the organization, equipment, and capability for rapid deployment of forces to cover the full range of crisis situations or war requirements. There are many variables, and they extend into general war. We need to be able to fit the force to the job.

A controlled response to any threat or degree of aggression is essential to the free world's effort to keep peace. The maintenance of military forces to keep peace makes no sense without the ability to adapt the military response to the requirement. We must be able to respond at a predetermined level of intensity and quantity of force in order to retain initiative and press for settlement of issues on freedom-serving and peace-building terms.

But there has to be more than one form of response subject to control. A choice of options is necessary. Multiple options must be built into the forces in terms of alternate target plans, ability to retarget, multiple delivery systems, selectivity of both strike characteristics and targets, and versatility of employment in both strategic and tactical missions.

Survivability of the forces and weapons systems must be evident in order for the deterrent to be credible and it must be real in order to provide defense. Survivability covers prelaunch protection against nuclear attack, the ability to penetrate defenses, and immunity to sabotage, clandestine operations, and capture.

Damage limitation is another essential to the maintenance of peace through military power. It calls for the ability to limit the collateral damage generated by either side. It involves accuracy of targeting, and promptly responding defensive systems which can neutralize weapons at safe distances. It includes passive defense measures, and the ability to assess accurately the degree of damage inflicted upon the enemy. Damage limitation is obtained in part by striking at enemy military forces, not at centers of population.

One of the aspects of planning this kind of defense involves something called a threshold of negotiation. It is a new term, I believe, in military planning. It provides for definition of terms for a cessation of hostilities based on clear objectives and certainty of their attainment. It may be established in advance. It reflects determination to stop war at the lowest point of intensity on favorable terms, a clear understanding of what those terms should be, acknowledgement that destruction of an enemy is not an objective, and recognition of the fact that unrestrained warfare is necessarily unfavorable to both sides—militarily, politically, and socially.

Stopping a war takes termination capability. This includes all the other capabilities. It implies forces still able to fight after being hurt, or, as the military planners say, forces recyclable in a degraded environment. It demands the ability to counter escalation with increased power at each higher level of intensity. It calls for full control of forces at all times, the intelligence capability to assure timing initiative. It also includes provision for the posthostility responsibilities.

Now, I've mentioned 10 items on the checklist—arms control, crisis management, deterrence, flexibility, controlled response, multiple options, survivability, damage limitation, threshold of negotiation, and termination capability.

These are not new concepts in themselves, but they are being brought together and used in a new way for the type of analysis that the Air Force is now making to determine what future forces might be like.

We find that all possible wars in the near and foreseeable distant future are not easily classifiable into one or two categories of conflict, nor are they inevitably or necessarily destined to become all-out nuclear conflicts resulting in total destruction of contestants, and perhaps a major portion of the rest of the world.

We find also that if we want to prevent such a war as that, we had better be prepared to stop it at some lower level. That is why we have been working for the last 3 years on strengthening U.S. airpower in areas other than at the top of the curve of war's intensity.

My appraisal for 1964 indicates a continuing increase in aerospace power. All of the Atlas and Titan missile squadrons were operational by the end of 1963, but our total U.S. strategic power, the backbone, and starting point of deterrence, will more than double in 1964 when new Minuteman strategic missile wings become operational.

The strategic bombers, however, become another year older. We are seeking a new manned system which will give us multiple options, flexibility, controlled responses, and the ability to limit damage and still be effective at points lower on the rising curve of intensity of conflict, i.e., at points below the peak of strategic missile barrage.

In the tactical area, in 1964 we will add new squadrons of F-105's, and have the first operational F-4C's, which started out as a carrier-based Navy fighter and is now the highest performing fighter in any service.

We have scheduled by the end of the year the first flight of the F-111, which with its variable sweep wing will be the most versatile fighter in the world. These weapon systems—the F-105's. the F-4C's. and the F-111's—mean new airpower for the Stricom, the combined Army-Air Force force formed for quick deployment to any part of the world.

Airlift is a key element of these forces. Late this year the great new C-141 military cargo transport becomes operational. It can carry 16 tons nonstop to Japan and 35 tons nonstop to Europe. It is the first plane designed from scratch for high-speed cargo handling and transport.

Today's appraisal of airpower must also cover the space front. The Air Force space program will have a Manned Orbital Laboratory as its central project. The switch from Dyna-Soar to MOL reflects a change in emphasis toward on-orbit experiments rather than reentry experiments.

The prospect of a defense requirement in space may afford a startling example of what new technologies can do to the costs of military preparedness. The "increased cost—cum—technology" process has been accelerating since World War II and makes inevitable the rigid economy measures which President Johnson has ordered.

With economy—which means more efficient use of resources—as a major premise for the appraisal checklist, the job of the military and civilian heads of the services becomes one of protecting substance, of preserving fighting strength. We must make sure that savings are not made by any trimming which might weaken existing forces.

Accordingly, the Air Force is taking a new, hard look at the fundamentals of airpower employment. We are testing our foundations. The appraisal checklist indicates one type of analysis. The 10 items I have discussed are objective criteria for the design of the most economical force structure for the future.

We get substantive design data, such as the appraisal checklist, out of studies like Project Forecast, a carefully organized attempt to determine where we should be placing our research and development emphasis over the next 10 years. We are trying to anticipate progress in technology and in military science, against a background of political reality and America's purpose and role in the free world.

Studies of this nature are imperative if we are to practice economy—and we have no choice—and still provide adequate defense. This is the real job of the managers and planners in the military departments, and we have to do constant reappraising.

I have found the process of appraisal to be encouraging. It is encouraging to know that we can establish guide points to provide direction and measuring for controls in the continuing and so far unavoidable national investment in arms.

PANAMA CANAL ZONE

The **SPEAKER** pro tempore. Under previous order of the House, the Chair recognizes the gentleman from Missouri [Mr. CANNON] for 15 minutes.

Mr. **CANNON**. Mr. Speaker, some years ago, at a time when we were making appropriations for the Panama Canal, I took advantage of the Christmas holidays to spend a part of the vacation in the Canal Zone.

The new El Panama Hilton Hotel had recently been completed and I noted on the second floor a commodius space apparently unoccupied. I asked the manager, who accompanied us, if this space had been reserved for some special purpose and he said it was reserved for the casino—an elaborate and entertaining gambling resort where, if he plays long enough, the customer always loses and the profits of which are correspondingly attactive.

He then explained that at the time the hotel was built the Republic of Panama had agreed to advance a million dollars toward its construction. But when completed and application was made to the President of Panama for the million dollars he had informed them that the money would not be forthcoming until his brother had been cut in for half the daily profits of the casino.

It is not our prerogative to pass on the morals of our neighbors but when we negotiate with them it is well to consider their attitude toward past obligations.

A short time ago the Congress added a needed facility to the Canal Zone equipment in the construction of the Thatcher Ferry Bridge, named for Dr. M. H. Thatcher, former Governor of the Zone and a distinguished Member of the House from Kentucky and directed that a plaque be installed and dedicatory services held on the day of the opening of the bridge. The services were interrupted by a howling mob from across the border which tore down the American flag and trampled it underfoot; chiseled off and destroyed the plaque and prevented completion of the ceremonies. So far as I am aware no report was made by the State Department to the Congress which had provided the money and directed the installation of the commemorative plaque. An alien force rioting on American soil and destroying Government property and dishonoring the American colors constituted an international incident but no announcement was ever made of any representation to the Panamanian Government.

Last week the President of the Republic of Panama announced the breaking of all diplomatic relations with the United States charging "unjustifiable aggression" and seeking to brand the United States as an "aggressor" and stated he would not resume relations with the United States until an agreement had been reached to renegotiate the treaty of 1903.

The "unjustifiable aggressions" to which he referred was the defense of American soldiers and civilians and Government property on American territory against an armed mob from across the Panamanian border which left 20 dead and more than 300 wounded and the burned ruins of Government buildings.

The Panama Canal is one of the great waterways of the world. It was built by American genius, American engineering efficiency, American medical science, and American capital. The French engineers who built the great Suez Canal attempting to construct the Panama Canal were so decimated by disease spread by malarial insects they were compelled to abandon the project after the expenditure of thousands of lives and vast sums of money. The United States undertook the task and against seemingly insurmountable obstacles, banished disease, designed new machinery, modernized engineering methods, and built the canal and have been operating it successfully ever since.

Panama could not build a chicken coop. Terminal buildings, which Panama insisted should be surrendered by the United States, have not been maintained and are now practically in ruins. Panamanians could not operate the canal 3 days.

So great have been the benefits of American cooperation that Panama, although one of the smallest of the group now ranks near the top in economic status.

The number of American vessels using the canal constitute only a percentage of the total day-to-day tonnage through the canal. No distinction is made and the service is open to all.

The military value of the canal to American defense is illustrated by the emergency mobilization under President Kennedy of American warcraft and transports carrying American marines concentrated in the Caribbean which so decisively checkmated Russian commanders, compelled the return to base of Russian ships loaded with missiles and munitions, and dictated the evacuation of Russian missiles already on their pads with sights trained on American cities.

To that extent the canal contributed to one of the most brilliant triumphs in the history of world diplomacy.

President Kennedy risked nuclear war. But he met the situation head on and his victory in that crisis marked the turn in military strategy from which Russian power has steadily declined and American strength has steadily grown.

At the time we acquired the site of the canal, more than 60 years ago, our negotiations with the Republic of Panama culminated in the Treaty of November 18, 1903. In that treaty the Republic of Panama granted to the United States all—and I quote from the treaty itself—"all extraterritorial rights in perpetuity."

The treaty provided that these rights should be exercised—and again I quote the language of the treaty—"to the entire exclusion of the exercise by the Republic of Panama of any sovereign rights, power, or authority." Nothing could be more definite.

We renegotiated this treaty in 1936. But in that renegotiation we merely withdrew our guarantee of the independence of the Republic of Panama and did not in any way refer to, or in any way affect, our jurisdiction or our sovereignty or control over the canal and the Canal Zone.

The **SPEAKER** pro tempore (Mr. BURKHALTER). The time of the gentleman from Missouri has expired.

Mr. **CANNON**. Mr. Speaker, I ask unanimous consent to proceed for an additional 10 minutes.

The **SPEAKER** pro tempore. Without objection, it is so ordered.

There was no objection.

Mr. **CANNON**. So we ask ourselves, What is back of this incendiary mob violence? Is the objective local or has it a wider and a more sinister connotation? They tell us the Canal Zone belongs to them, that they have a right to a share of the tolls.

Contrary to the general impression, the United States receives no profit from those tolls. The rates are so closely calculated to encourage international commerce that we have not yet redeemed the original bonds with which we paid for the construction of the canal. We are still paying interest on these bonds. If we gave to Panama, as Panama insists, one-half of the profits—Panama would get nothing. There are no profits—we have never made enough to liquidate our original cost of construction. What they want is not one-half of the profits; they want one-half of the receipts. If they were granted that, it would be at the expense of the taxpayers of the United States because the receipts do not equal the payments for the purpose of establishing the canal at the time it was built and maintaining it.

Then there is the claim that the Panamanian flag should be flown beside the American flag. The statement is made that some years ago an agreement was entered into between the United States and Panama under which this right was ceded to Panama. Certainly no such right was ever authorized by Congress.

I regret to say it has been my observation over a long period that too often when a diplomat is sent to represent the United States abroad, he immediately becomes a partisan of the state to which he is accredited instead of that of his own country.

Mr. Speaker, Panama has no more right to fly her flag in the Canal Zone than England has to fly her flag in the city of Washington.

They have no more right to demand a renegotiation of the treaty of 1903 and ask additional money, jurisdiction, or prerogative than any citizen has to demand renegotiation of his warranty deed made 60 years ago and request a higher payment than that he agreed to receive in the deed.

Mr. Speaker, this is not a tempest in a teapot. It has the widest application. It is not a mere question of the greed of provincial supernumeraries.

The President of Panama himself conceded that his synthetic mob was infiltrated by Communists, sent there by Castro, recruited from Cuba and Russia and kindred Communist satellites. It is a carefully calculated move of communism again Americanism.

Mr. Speaker, if we allow the narrowest deviation, if we permit the slightest infringement of our sovereign rights in the Canal, it will shake the foundations of international landmarks throughout the world.

It is high time that our State Department realized that its position with regard to Panama must be to preserve the integrity, the authority, and the sovereignty of our Government if we are to maintain our standing in any chancellery on the globe.

Mr. SELDEN. Mr. Speaker, will the gentleman yield?

Mr. CANNON. I am glad to yield to the gentleman from Alabama.

Mr. SELDEN. Mr. Speaker, I commend the distinguished gentleman from Missouri [Mr. CANNON] for his fine statement. I remind the gentleman that permission to fly joints flags in the Canal Zone, which was given in 1960, was not the result of a treaty revision but the result of an Executive order. At that time, as chairman of the Subcommittee on Inter-American Affairs, I introduced a resolution expressing the sense of Congress that flying the Panamanian flag in the Canal Zone would constitute a major policy change and should be made only pursuant to treaty—with the advice and consent of the Senate and the knowledge of the American people.

The House passed that resolution overwhelmingly. There was only a handful of votes against it. Within a week after the adjournment of the 86th Congress President Eisenhower, by Executive order, permitted the flying of the Panamanian flag in the Canal Zone. We are now paying the price of this policy of vacillation in dealing with unreasonable Panamanian demands in recent years. We were—and we are—in the Canal Zone, as the distinguished gentleman from Missouri has pointed out, by legal right and by moral right. The demands of opportunist Panamanian politicians either to give the Panama Canal to Panama or to internationalize the canal, have no basis in historic fact or international law.

The lesson of recent days, Mr. Speaker, is that we must make known our firm intention to safeguard American lives and interests in that area. There should be no further retreat from principle and national self-interest. American lives, rights, and property should not be bartered to appease either political opportunists or Castro-inspired mobs in the Canal Zone area.

Mr. Speaker, I commend the gentleman from Missouri for his statement and concur in what he has said.

Mr. CANNON. Of course, we realize that such Executive orders are issued only on the recommendation of the Department of State.

We also recognize that a policy of appeasement has never been successful. An attempt to appease merely whets the appetite of the aggressor. Mr. Chamberlain, the man with the umbrella, who went to Munich to confer with Hitler, made every concession hoping to placate der Fuhrer. He came home with the cry of, "Peace in our time" when he had just surrendered to Hitler all hope of peace as long as Hitler survived. And here the more we yield, the more will be demanded. We have no alternative but to stand on our rights, on the provisions of our treaty—it is the only road to world peace.

The SPEAKER pro tempore. The time of the gentleman from Missouri [Mr. CANNON] has expired.

Mr. CRAMER. Mr. Speaker, I ask unanimous consent that the gentleman from Missouri [Mr. CANNON] may proceed for an additional 5 minutes.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Florida?

There was no objection.

Mr. CRAMER. Mr. Speaker, will the gentleman yield?

Mr. CANNON. I yield to the gentleman from Florida.

Mr. CRAMER. Mr. Speaker, I agree with the gentleman wholeheartedly that the Congress of the United States should oppose with every weapon available any weakening or any abrogation of our existing treaty rights in the Panama Canal Zone. It was my understanding that in the last few years there has been under consideration with the Department of State certain additional concessions to the Panamanian Government in order to "ease tensions." It is my understanding that according to the press this morning, there is under negotiation the question of whether there should be OAS representatives, along with Americans and Panamanians on a commission as a sort of peacekeeping machinery to have such jurisdiction over Panama Canal boundary disputes. This is an additional concession.

I agree with the gentleman wholeheartedly. If any concessions of any kind are going to be made they should be made through the proper treaty-making machinery, including approval by the Senate of the United States.

There is no way to appease or to satisfy the political appetites of the Panamanian leaders who traditionally use the United States Panama Canal policy as a political football. The more we appease, the more we whet the appetites of the anti-U.S. politicians in Panama who will never be satisfied until the United States gives the canal up entirely. Further concessions in the face of Panamanian mob violence, which is being influenced further by pro-Castro and pro-Communist agitators, will only give rise to further demands and it is time for the United States to make it perfectly clear that we intend to assert our full rights and to retain full control over this vital waterway, particularly in the face of the Communist menace in this hemisphere and the strategic military value of the canal.

Mr. Speaker, I congratulate the gentleman on his purpose and hope that this will be the purpose as well of the administration.

Mr. CANNON. Mr. Speaker, if such a proposition had been submitted to this House, it could not have marshaled a corporal's guard in support.

Let no one attempt to barter away a birthright which this House, or the people it represents, will never consent to relinquish.

Mr. GROSS. Mr. Speaker, will the gentleman yield?

Mr. CANNON. I yield to the gentleman from Iowa.

Mr. GROSS. Mr. Speaker, I, too, want to commend the distinguished chairman of the Committee on House Appropriations for the remarks he has made, as well as to commend the gentleman from Alabama [Mr. SELDEN], who is the chairman of the Inter-American Subcommittee of the House Committee on Foreign Affairs for the remarks he has made.

In the present situation, instead of the Panamanians expecting to collect damages or reparations, call them what you will, from the United States, we ought to be asking reparations of Panama—not that we pay them, but that they pay us.

I happen to have had the privilege of offering to the House an amendment to one of the bills passed, I believe in 1960—this was at a time when we were being prepared for the flying of the Panamanian flag in the Canal Zone—an amendment to a bill to provide that moneys appropriated in that bill could not be used for the erection of flagpoles for this purpose.

The amendment was adopted by the House of Representatives; as a matter of fact, it was adopted by the Congress, but a previous President of the United States, President Eisenhower, and I disagreed with him violently on this, went ahead and used other funds, or some of his subalterns used other funds to construct the flagpoles on which the Panama flag is flown on an equality with the U.S. flag in the Canal Zone.

I say this ought to be a first condition now, demolition of the flagpoles and permission of the Panama flag to be flown in the Canal Zone on an equality with the U.S. flag rescinded.

Again I congratulate the gentleman for bringing this matter to the attention of the House.

Mr. CANNON. And we might also ask what funds will compensate the families of American soldiers slain on American soil by Communists imported from Cuba and Russia and sent across the border from Panama?

Mr. FLYNT. Mr. Speaker, will the gentleman yield?

Mr. CANNON. I yield to the gentleman from Georgia.

Mr. FLYNT. I congratulate the gentleman from Missouri for taking the time he has today in discussing with great knowledge the subject which is foremost in the minds of the American people at this time. The situation down there at the present time is not only serious, but it is of grave concern to the entire future foreign policy of the United States.

It is imperative that the position of the U.S. Government at this time be one of strength, one of firmness.

Some time ago I was in the Republic of Panama and also in the Canal Zone on official business. This question at that time was brought up in conversation. Immediately upon my return to the U.S. Capitol I sought by appropriate means and through appropriate channels to call to the attention of the executive branch of the Government the circumstances and conditions which were in a state of foment at that time. In my conversation this very occurrence which took place last week was foreseen and predicted. It is possible that the real cause of this grave situation in the Canal Zone goes back to the action of the executive branch when an Executive order provided that the flag of the Republic of Panama should be flown on an equal status with the flag of the United States. It occurs to me at that time the mistake was made. Since that time the mistake has been compounded.

I join the gentleman from Missouri in the comment which he has made to the House of Representatives today, and I sincerely hope that the President of the United States and the entire executive branch will take whatever action is necessary, even if it means a direct and complete reversal of action previously taken by the executive branch of our Government, in order to make certain that the position of the prestige of the United States of America, which has suffered greatly in the past 4 days, will be restored to a position of prestige and respect by peoples throughout the world.

Mr. CANNON. And as a step toward the reestablishment of that prestige it is to be hoped that the Department of State will intimate to those who are today recommending that we abandon self-respect and self-preservation and renegotiate the treaty of 1903—and that we grant a percentage or all of the receipts of the canal to Panama for no consideration whatever—take a sober second thought and submit questions involving national sovereignty for the consideration of the Congress.

Mr. BOW. Mr. Speaker, will the gentleman yield?

Mr. CANNON. I yield to the gentleman from Ohio.

Mr. BOW. I think the gentleman has made a great contribution here today, particularly in pointing out the fact there is no profit in the operation of the Panama Canal. The gentleman has said that we have not even paid the bonds. The world is led to believe by the Communists that we are making a great profit in the operation of the canal. If the Panama Canal were turned over to the Panamanians, they could not afford to operate it. It is an expense to us. The chairman of the Committee on Appropriations knows we must appropriate each year funds of the taxpayers to continue operation of that canal. I have been with the distinguished gentleman on this question before. I regret that our distinguished colleague from Pennsylvania [Mr. FLOOD] is not here, who over the years has been calling attention to the trap we are falling into by appeasement throughout the years.

May I point out that the flying of the flag of Panama in the Canal Zone was a great mistake. We should not permit the flying of the Panamanian flag. It is an infringement on American sovereignty. At the beginning only one flag was to be flown in the Panama Canal Zone. Today I understand there are 57 areas where that flag is flown.

I trust that recent trends where the Congress put certain limitations on the sale of property that might be turned over to Panama and where the Executive has said, "Pay no attention to the Congress of the United States"—I hope that has not weakened the position of the State Department in standing firm. I join with the gentleman. I sincerely hope our State Department will stand firm. I do not think we should turn over the guarding or the policing of our sovereignty in the Panama Canal Zone to the Panamanian National Guard. It should be done by our own people. It is time that we stiffen our backs and begin to assert our sovereignty wherever it may be.

May I point out one final thing. I am sure the gentleman from Alabama will recall that not too many months ago, either a year or a year and a half ago, this Government through the recommendation of the State Department decorated with an American medal one Thelma King, a well-known Communist in Panama and once an associate of Fidel Castro. She was given a medal and her picture appeared in the Panamanian paper. How ridiculous can we be? I join the gentleman in hoping that we will remain firm in all our commitments.

Mr. CANNON. I thank the gentleman. And it should also be noted—and the world should not forget—that we have continued the tolls that were originally imposed in 1914. Everything has advanced since that time, but as a service to the commerce of the world the United States has maintained those tolls and still maintains them at the rate originally imposed in 1914.

Mr. SELDEN. Mr. Speaker, will the gentleman yield further?

Mr. CANNON. I yield to the gentleman from Alabama.

Mr. SELDEN. Referring again to the resolution that this House passed in 1960, I would like to point out that it was passed with almost unanimous approval of both sides of this House.

Mr. Speaker, I ask unanimous consent to insert at this point in the RECORD House Concurrent Resolution 459 of the 86th Congress which passed the House of Representatives on February 2, 1960, by a vote of 381 to 12.

The SPEAKER pro tempore. Without objection, it is so ordered.

There was no objection.

The matter referred to follows:

H. CON. RES. 459, EIGHTY-SIXTH CONGRESS

Resolved by the House of Representatives (the Senate concurring), That it is the sense of the Congress that any variation in the traditional interpretation of the treaties of 1903, 1936, and 1955 between the United States and the Republic of Panama, with special reference to matters involving the provisions of such treaties concerning territorial sovereignty, shall only be made pursuant to treaty.

Mr. SELDEN. May I say again to the gentleman from Missouri that I commend him on the position he has taken. I am confident that the sooner we make it very clear to the Government of the Republic of Panama that we expect to carry out our obligations under the existing treaty and that we expect them to do likewise, the better it will be for both of our nations.

Mr. CANNON. May I say, in conclusion, that while our diplomatic representatives in Panama were demurring and vacillating, the question was so fundamental and so obvious that the schoolchildren did not hesitate to show their colors and display the Stars and Stripes. They were American.

SPECIAL ORDER

Mr. QUILLEN. Mr. Speaker, I ask unanimous consent that on next Thursday, after the legislative business of the day has been completed, I be permitted to address the House for 1 hour on the life and character and public service of our late colleague from Tennessee, Howard Baker.

The **SPEAKER** pro tempore. Without objection, it is so ordered.

There was no objection.

FEDERAL EXPENDITURE LEVEL

The **SPEAKER** pro tempore. Under previous order of the House, the gentleman from Missouri [Mr. CURTIS] is recognized for 30 minutes.

Mr. CURTIS. Mr. Speaker, before I proceed to the topic for which I took this special order, I should like to comment on the previous speech and the colloquy. I was very pleased that a subject of this importance would be taken up on the floor of the House, but I would also like to suggest that the House as a whole and the Congress as a whole ought to consider well the limited results stemming from the various expressions of foreign policy in speeches on the floor and through formal congressional resolutions.

Because the people who have the authority to decide our foreign policy and carry it out, apparently, are in disagreement with the expressions uttered here and are in disregard of what the Congress might say or think on the subject.

Certainly, it is true that the position of the United States is not being presented in the same fashion by our diplomats as we find here presented on the floor of the House and as we present it in other resolutions.

I recall well when we were debating, I think for the 19th time, the resolution that Red China should not be admitted to the United Nations, I took the floor to suggest to the Committee on Foreign Affairs that someone ought to consider why it is that the Congress comes 19 times to say the same thing and each time we fail, and we did then, to spell out the reasons for the judgment of the Congress. I thought we were accurately reflecting the feelings of the American people, that admission of Red China was unwise policy, but I wanted the reasons set forth. It took me over a year to get some statements out of the Department of State through the help of the Committee on Foreign Affairs spelling out the reasons for opposing the admission of Red China, and the statement was not very well done in my judgment. Now the reasons are the important thing because as we talk here on the floor of the House, we will see in tomorrow's press and on the radio and television and in the weekly magazines, just the opposite viewpoint on the Panamanian policy. There will be very few of our colleagues, probably none, who will take the floor of the House and engage in forthright debate to support the policy followed by the State Department so that those of us who may disagree with them may have an opportunity to express this disagreement.

Now let us get to the arguments and the facts as they are alleged. It is the failure to advance facts and arguments that causes us to lose the debate in the United Nations and in the opinion of the people throughout the world. We should be concerned about this, because the strong arguments we have available on this subject are not expressed by our representatives in the State Department nor are they expressed by powerful people who, though they are not elected by the people of this country to serve in the Senate and in the House, have access to the public relations media and who can and do write news columns and appear on television and the radio as news commentators and express their views. The views they express on foreign policy matters are not by and large in agreement with the views we hear expressed on the floor of the House. So I am very hopeful instead of these expressions and conclusions which I happen to share on the Panamanian policy, we begin to examine carefully into the reasons behind the Panamanian policy. The gentleman from Ohio [Mr. BOW] pointed out some of the points and some of the misconceptions about the Panama Canal; namely, that it does not make money and that actually it costs our taxpayers money. But these are the facts that the world needs to know, and these are the kinds of facts that our representatives in the United Nations should be hammering home.

Mr. Speaker, I want to bring out one final point. I remember when the Cuban resolution was adopted on the floor of the House a year ago. I was one who voted against it. Why? I took the floor of the House to say to my colleagues, there is nothing in that resolution that says anything about whether we affirm or disaffirm the Monroe Doctrine. I happen to feel that the Monroe Doctrine is sound today, and we should affirm it, but the Cuba resolution proposed avoided the basic discussion of the applicability of the Monroe Doctrine. If there were those, I said, who disagreed and felt that the Monroe Doctrine was no longer apropos and was outmoded, let them take the well of the House and express their reasons so that those of us who disagree can express our reasons. Not one Member of the Congress took the floor of the House to do other than proclaim his adherence to the doctrine. But the news reporters and commentators of this country, the media, carried only one version that I saw, when they troubled to discuss the matter, and that was that the Monroe Doctrine was outmoded. They did not debate it, they merely said it was outmoded. So if I have any words of pleading with my colleagues, let us get to the root of these things when we debate. Let us get to the argument and the reasons on the Panamanian question, and let us respect those who disagree with us on it, and there are apparently those in our country who do—let us respect them even though they seem unwilling to reciprocate. Let us hear what they have to say. If there is any Member of the House who wants to defend the position of the State Department, let him take the will of the House.

I hope the Committee on Foreign Affairs, under the subcommittee of the gentleman from Alabama, will go into this subject. Let us have a position paper as to why our Panamanian policy in the past has been good, or in what respect it has been bad, or how it needs to be improved, so as to win the hearts and the minds of people around the world. It is not enough merely to express the viewpoint of our own people.

Mr. SELDEN. Mr. Speaker, will the gentleman yield?

Mr. CURTIS. I yield to the gentleman from Alabama.

Mr. SELDEN. When the flying of the Panamanian flag in the Canal Zone was under consideration 4 years ago, the subcommittee of which I have the honor to be chairman conducted hearings on this particular subject. The subcommittee issued an exhaustive printed report, which went into great detail as to the original treaty, the events which took place subsequent to the 1903 treaty, and the treaty revisions. We then introduced a resolution, which was approved by the Committee on Foreign Affairs. The resolution came before the House of Representatives and was thoroughly debated. It passed this body almost unanimously.

Mr. CURTIS. I do recall what the gentleman has said. The statement is accurate.

I believe the gentleman probably would agree with me that when committees of Congress call before them those who are knowledgeable in the field and those who have different points of view and, after full hearings, with the help of professional staff, write careful reports which are debated on the floor of the House, those reports, like so many congressional reports, are largely ignored by the news reporters and commentators of this country—by the radio, television, and magazine writers.

It is about time that we should recognize that this is the weak link in representative government today—the ignoring of the studies of Congress and its debate. If we are in error—and certainly we can be in error in respect to many of these things—we should at least have the courtesy of having reasons expressed as to why.

As I recall, it was a unanimous report of the subcommittee, was it not?

Mr. SELDEN. It was a unanimous report.

Mr. CURTIS. Yes.

Mr. SELDEN. We had printed a very large number of those reports. Although the reports are now exhausted, I have requested the chairman of the Committee on Foreign Affairs to determine whether additional copies of the report can be printed.

Mr. CURTIS. I hope they will be. I am glad that the committee report has been brought forward. I hope the committee will update it, because probably it needs some updating.

Mr. GROSS. Mr. Speaker, will the gentleman yield?

Mr. CURTIS. I yield to the gentleman.

Mr. GROSS. I have only one observation. All too often these reports are ignored by the State Department.

Mr. CURTIS. It is almost without question that they seem to be ignored there. I do not mind so much their ignoring the conclusions, but I object to their ignoring the arguments and the facts which are presented. If they disagree, let them come forward with facts and arguments to show why they disagree.

Mr. CRAMER. Mr. Speaker, will the gentleman yield?

Mr. CURTIS. I yield to the gentleman.

Mr. CRAMER. It is my hope that the Committee on Foreign Affairs, as the gentleman suggested, will look into the present crisis situation in Panama and will look into it in depth, so that the Members of Congress and the people of this country will know not only what are the facts but also what has caused the present crisis and what proposals are being made with respect to doing something about it, to help determine what should be the position of the U.S. Congress in relation to it.

It is my hope that the Committee on Foreign Affairs will go into the question in depth, as I believe was suggested by the gentleman from Alabama [Mr. SELDEN]. The greatest service which could be rendered would be to have this issue laid at rest, so that the politicians in Panama will know that this is not a fruitful political issue for them ad infinitum, because the United States is going to take a firm position demanding its treaty rights and the Panamanian Government and people should know that.

What has been of greater advantage to the Panamanian Government and people and their economy than the existence of the Panama Canal? That has been the main thing which has lifted the economy to the status it now enjoys. The economy is now much higher than it was prior to the existence of the canal. The United States has made a tremendous contribution to the Panamanian people.

Those are things which any report, I believe, should go into in depth. I trust that the committee will do that.

Mr. CURTIS. I thank the gentleman.

Mr. SELDEN. Mr. Speaker, will the gentleman yield?

Mr. CURTIS. If I may, I should like to continue with my main topic.

Mr. SELDEN. I have a comment apropos of this discussion.

Mr. CURTIS. I yield to the gentleman.

Mr. SELDEN. The committee has studied this particular issue in depth. If the gentleman from Florida will obtain a copy of the hearings which we conducted in connection with this subject——

Mr. CRAMER. I have read those hearings, I say to the gentleman.

Mr. SELDEN. If he will also review a copy of the report, I am sure he will agree that the subcommittee covered the subject quite thoroughly. Although circumstances may have changed, the issue remains the same. To put it bluntly, there are some demogogic politicians in Panama who find it easier to maintain their position of leadership by insisting on taking over the Panama Canal rather than by attempting constructively to develop their own resources. Any time they believe they can chip away the rights of the United States in the Canal Zone they make an active effort to do so.

Our trouble stems from the policy of vacillation we have followed in recent years in connection with our Panamanian relations.

Mr. CURTIS. I thank the gentleman. I wish to say that the vacillation, regrettably, is not confined to Panama. The Panamanian question is only typical of what has been the policy in foreign affairs, particularly in the past 3 years in regard to our foreign policy. Again, the facts and arguments are not being brought forth forthrightly so that they can be debated or even understood by the people of the United States and, quite importantly, by the people of the world in other nations.

Because if we are wrong on any of these things—and we can be wrong—we want to know it. But it should be on the basis of arguments and facts and not these preconceived notions; certainly, not this business of letting the United States be whipped constantly, because we have people representing us at the U.N. and the State Department who do not stand up for American policies with cogent facts and arguments when we are right.

Mr. Speaker, I want to take up the topic for which I asked for this time, Federal expenditure levels. Under the 1-minute rule, I said that I took this time to discuss what I recognize as the New Frontier expenditure waltz—two steps forward, with very soft music, with dim lighting, followed by one step backward, with a great deal of fanfare and the glare of spotlights.

There was one important figure, and really only one that was listed in President Johnson's state of the Union message to the Congress, which is a firm figure. And this figure, somewhat like the points made in the previous colloquy, has not received the emphasis of the reporting media that it deserves. It deserves emphasis because it is the only firm figure in the state of the Union message. It is the revised expenditure level for fiscal year 1964. That revised figure is $98.4 billion. The budget figures for 1965 fiscal year are only rough estimates. The $98.4 billion expenditure figure, for fiscal 1964 is a relatively firm figure, because it relates to 6 months that have already gone by and it is directed to expenditure levels for the months immediately upon us which permit us to make a fairly accurate estimate. The figure given by President Johnson to this Congress and the Nation just a week ago was an increase of $600 million over the November 1963 revised estimate of the Kennedy administration. Let us put that in context with the newspaper headlines, and the radio and TV comments and with the weekly magazine comments about the Johnson economy move, cutting out Cadillacs—oh, sure, these are things that catch the public eye—cutting out jobs in the Federal Government, things that, of course, should be done, economies that we are interested in. But were these real economies or merely to distract the Congress and the public's attention? I kept saying, I am not interested in all of this talk of economy any more, I want to see what the figures are going to be. And so I was waiting for this key figure, the revised expenditure figure for this current fiscal year ending June 30, 1964. It was $98.4 billion. The November 1963 estimate, the last estimate of the Kennedy administration used as a basic figure as late as November 21, 1963, when the Senate passed the debt ceiling bill, was $97.8 billion.

So in the less than 2 months operation of this new administration, which has been issuing press releases as if it was economy minded, the expenditure level of this current fiscal year has been increased by $600 million.

Now, what do we do in the Congress of the United States and in this Nation when we have this kind of doubletalk going on. In a few days we can begin to see how accurate the $97.9 billion figure given for 1965 fiscal year expenditures is. Was it chosen conveniently to confuse the people about the $97.8 billion figure of the fiscal year 1964 given in November by the Kennedy administration? The $97.9 billion expenditure figure that the Johnson administration says it projects for the fiscal year 1965? We will see just how firm a figure that is when we get the budget message in the next few days. Then we can start moving forward on that, because indeed there should be and needs to be true expenditure reform, not conversation or public images.

Mr. Speaker, I am going to quote from an article that appeared in the Tax Foundation's Monthly Tax Features in the December 1963, issue, volume 7, No. 11. It refers to a speech that I gave before the Tax Foundation in New York City early in December.

> "The popular congressional notion is," said CURTIS, "that under continuing resolutions, the Executive can spend only at the level of the preceding fiscal year, which was $92.6 billion for fiscal 1963."

There is the beginning steps of New Frontier waltz, with no fanfare, the expenditures go forward to $98.8 billion in fiscal year 1964 from $92.6 billion in fiscal year 1963. The fanfare and the spotlight is then directed to the cutback of $1 billion from the $98.8 billion estimate in January 1963 to the $97.8 billion, which President Kennedy gave us in November 1963. And then President Johnson's state of the Union message directs no attention to the revised figure, the latest figure of November 1963, $97.8 billion, but directs our attention to the $98.8 billion figure, the old January 1963 figure.

So it looks like the figure $98.4 is a $100 million cut, instead of the $600 million increase. It really is on top of the basic increase which went from $92.6 billion to $97.8 billion for a grand total $5.8 billion increase over last year's expenditures.

I go on with the quote:

> The Congressman said that these resolutions achieve what they are believed by most Congressmen to achieve, the spending level for the first 6 months of fiscal 1964 will be at an annual rate of $92.6 billion and not the $98.8 billion in the President's budget.
>
> He added: "Regretfully, I am afraid my colleagues are due for a rude awaking about

> the real import of continuing resolutions. I fear that the rate of spending for the past 5 months has not been kept to a $92.6 billion annual rate. I suspect it will turn out to be about a $97 billion annual rate."

And what a poor prophet I turned out to be. Instead of continuing the cutting that we were getting under the Kennedy administration through the discipline of the debt ceiling bills and under the pressures of the tax bill to cut expenditures, so we might cut the revised $97.8 billion down further to $97 billion the Johnson administration revised this fine trend and increased the $97.8 to $98.4 billion. But I had no powder in my eyes about what the chairman of the Appropriations Committee and others of the Congress thought we were doing in these continuing resolutions. So instead of $97 billion we end up with $98.4 billion, an increase.

Mr. ROGERS of Colorado. Mr. Speaker, will the gentleman yield?

Mr. CURTIS. I yield to the gentleman from Colorado.

Mr. ROGERS of Colorado. Does the gentleman have any evidence that the executive department did not comply with the continuing resolution adopted by the Congress?

Mr. CURTIS. I think this is pretty good evidence. Would you not say so? Here is the evidence.

Mr. ROGERS of Colorado. What is the evidence?

Mr. CURTIS. The fact that the expenditures level of 1963 was $92.6 and the expenditure level projected for 1964, after 6 months of theoretically complying with the $92.6 billion level of expenditures, they are projecting a rate of $98.4 billion. I say the burden of proof shifts to the executive to tell us where these increases come if they had at any time adhered to the $92.6 billion rate of expenditure.

Mr. ROGERS of Colorado. The gentleman was the one who made the statement that the executive department had not complied with the resolution.

Mr. CURTIS. That is correct.

Mr. ROGERS of Colorado. I ask the gentleman for some proof.

Mr. CURTIS. I gave it to the gentleman.

Mr. ROGERS of Colorado. Your statement is based upon information that at the end of the year it might go up to 98.

Mr. CURTIS. This is not my figure. This is President Johnson's figure of 98 4, not my figure.

Mr. ROGERS of Colorado. Is there any evidence of fact they have not complied with the resolution?

Mr. CURTIS. If the gentleman cannot see that in 6 months in the fiscal year 1964, if they are supposed to be spending at a 92.6 level in the first 6 months, then they jump to a total expenditure level of 98.4 for the whole year, obviously they must be spending during the balance of fiscal 1964, at an expenditure level of well over $100 billion, which is not the orderly way set out in the budget for the expenditure of funds. It will require considerable explanation on the part of the executive.

Mr. ROGERS of Colorado. Then what the gentleman is saying is that the appropriations made by the Congress constitute that amount at the end of fiscal 1964, are you not? There is no evidence that what has happened between the time that we have had the continuing appropriations the executive department spent in excess of that.

Mr. CURTIS. Let me point that out. If the gentleman does not see it, there is nothing more I can say that would direct his attention to the aggregate figures. Anyone can see there is a discrepancy because we do have rather constant expenditure levels by months. If we take the previous expenditure levels they follow a pretty level monthly expenditure rate, they do not fluctuate greatly. Certainly not as greatly as these revised totals would require.

Under this continuing resolution the Executive should have been spending at a 92.6 level Now we find out that he is projecting a 98 4 level and that can only come about through an increased expenditure level of the balance of the 6 months in the fiscal year 1964. I think it is rather apparent expenditures normally are not going to increase in that fashion, certainly not with wisdom. If they do they would require considerable explanation. It looks very apparent these levels have not been followed.

Some of the members of the Committee on Appropriations have told me they are going to look into this. I request the chairman of the committee to look into it.

I would further direct attention to the hearings of the Committee on Ways and Means of October 29, 1963, page 38, where I interrogated the Director of the Budget right along these lines:

> Mr. CURTIS. The second major question, and maybe this will have to be supplied for the record, is this. I am sure you know the Congress has been extending this continued authorization or appropriation, which means, as I understand it, that the various agencies, and so forth, have to spend only at the 1963 expenditure level. That is what was said on the floor of the House. Is that a factual statement?
>
> Mr. GORDON. I am not sure I can answer that fully, Mr. CURTIS. The continuing resolution, as I remember it, is somewhat more complicated than that. It depends on the stage which the appropriation bill has reached on July 1.

Under unanimous consent to extend my remarks and include extraneous matter I will put in this whole colloquy between the Director of the Budget Bureau, Mr. Gordon, and myself. Finally I asked what effect these continuing resolutions would have on the expenditure level of fiscal 1964 and the Director of the Budget said he did not know but he would try to find out.

I debated this during the debt ceiling debate on November 7 in the House. I made these very same points then. You will find my comments along this line in the CONGRESSIONAL RECORD, volume 109, part 16, page 21388.

I also referred to this basic figure of $97.8 billion, which the House can find in the Ways and Means Committee majority report, on page 5, where the component figures making up the $97.8 billion total are spelled out. These same figures can be found in the hearings that I previously referred to before the Ways and Means Committee on October 29. On page 3 the Secretary of the Treasury makes this statement:

> Consequently, as the Director of the Bureau of the Budget will testify in detail, fiscal 1964 expenditures are now estimated at a level of $97.8 billion, $1 billion below the January budget.

On pages 6 and 7 the Director of the Budget, Mr. Gordon, testified:

> It now appears that expenditures will be about $97.8 billion, $1 billion below the January estimate. The lower level of expenditures seems likely despite some unforeseen increases, and takes into account the effects of amendments to the 1964 budget thus far submitted by the President, reductions already made by the Congress, and possible further reductions, as well as other factors.

On page 7 he placed a table in the record showing expenditures as estimated at $98.8 and then current expenditures estimated at $97.8 billion, which is the November estimate to which I have been referring.

If the administration or anyone cares to take the floor to defend the administration in this matter to point out what the President had in mind in saying he was cutting expenditures in 1964, I think it should be done, because the figures are quite clear that as of November 21, 1963, when the Senate debated and passed the debt ceiling bill, the estimates of expenditures for 1964 were $97.8 billion. Within 2 months under President Johnson these expenditures have been revised upward to $98.4 billion. This is far from a move toward economy and cutting expenses.

Mr. GROSS. Mr. Speaker, will the gentleman yield?

Mr. CURTIS. I yield to the gentleman from Iowa.

Mr. GROSS. I assume that next week we will get the budget message. I will be very much interested in looking at the figures. I know that the distinguished chairman of the Appropriations Committee, the gentleman from Missouri [Mr. CANNON], is on the House floor. Following his usual procedure, on that same day he will take the floor of the House and give us some information with respect to the budget that is that day submitted and what in his judgment he thinks of these figures. I will be very interested, particularly this year, in the light of the President's message of last week at the joint session of the House and his estimate of spending, as well as the remarks of the gentleman this afternoon. I am going to be very much interested, more interested this year than ever before, in hearing the gentleman from Missouri follow the budget message next week.

Mr. CURTIS. I thank the gentleman.

I want to emphasize again the figures I have been discussing are not the figures in the 1965 budget. Those figures, and that is what we are going to be getting next week, will be estimates of fiscal 1965. I am talking about the one relatively firm figure that was in the state of the Union message, and that figure, I might say, is required to be included in the budget estimate for next year by the Budget and Accounting Act. That act requires, along with the budget for fiscal 1965, that there be a January estimate which is a reestimate of the expenditure level of the current fiscal year, which will be fiscal 1964.

The SPEAKER pro tempore. The time of the gentleman from Missouri has expired.

Mr. CURTIS. Mr. Speaker, I ask unanimous consent to proceed for 5 additional minutes.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Missouri?

There was no objection.

Mr. CURTIS. In other words, in January of 1963 when President Kennedy submitted to us the budget message for fiscal year 1964, he was required, and all Presidents before him were required, to do this and he did it, add a January estimate revising the expenditure figures for the current fiscal year of 1963. So this next week there will be this revised expenditure figure in the President's message relating to the current fiscal year 1964. This is the figure that President Johnson gave to us ahead of time in his state of the Union address of $98.4 billion.

Now when we go to look at these figures in the budget message for fiscal year 1965, here is where we need to get into the details of the estimates and the basis upon which the $97.9 billion expenditure figure for fiscal 1965 is made.

Now one final line of discussion. It seems to me that it is important that we keep separate in our minds the difference between expenditure levels for a specific fiscal year and the appropriation bills—which is really the request for new obligational authority. In the fiscal year 1964, the present fiscal year, President Kennedy in his January message asked for $107.9 billion of new obligational authority. But as all previous Presidents have done in their budget requests, he did not contemplate spending $107.9 billion, particularly of this new obligational authority in that fiscal year, but only about 30 to 40 percent, depending upon the particular kind of expenditure and the department that would be spending it—that is only about 30 to 40 percent of this NOA, that is new obligational authority, will be spent in the fiscal year in which it appears as a part of the appropriation bill. The balance of the 60 to 70 percent of expenditures will be made in the ensuing fiscal years.

So there is another key figure that we all want to look for in the President's budget message that is coming next week—what is the carryover authority to spend money that has come from previous appropriation bills passed by the Congress that has not been spent in those fiscal years? The carryover figure was $87.2 billion in the President's budget message of last January. So beginning on July 1 of this year, 1963—the beginning of fiscal year 1964—not only did the President have—he did not get the $107.9 billion, but what we actually gave him would be around $103 billion—but you would add to that $103 billion, $87.2 billion in order to get the total figure of what the President has authority to spend in the present fiscal year—that is $190.2 billion. The President alone really has control over what his expenditure level is. Congress has not developed the mechanism for expressing its judgment of how much out of this pool of $190 billion—what should be the expenditure levels for a particular fiscal year. We need to develop that machinery. That is what some of us on the Committee on Ways and Means have been trying to do in the debt ceiling legislation and that is what we are trying to do in the tax bill. It was to give the Congress a mechanism and the opportunity of expressing its judgment as to what should be the expenditure level for the particular fiscal year. So of that $190.2 billion of authority to spend, President Kennedy had originally said he was going to spend $98.8 billion. He revised it to $97.8 billion under the discipline of the debt ceiling that the Congress imposed only to have President Johnson come in and up it $600 million to $98.4 billion. So we will want to see what the carryover authority in this budget will be beginning July 1, 1964, and then couple that with the new request for obligational authority for fiscal year 1965. Then this fiscal picture would begin to come into focus. Then we on the Committee on Ways and Means will try to figure out how we are going to get the money to meet these expenditures, how much from taxes, how much from selling more Government bonds.

There follows the excerpts from the Ways and Means hearings of October 29, 1963, on expenditure levels:

Mr. Curtis. I will make a couple of observations.

First. I am very pleased that both of your statements have brought out forcibly the difference between new obligational authority and expenditures. Some of my colleagues in the House will be helped by this distinction because this was a matter of confusion during the debate on the tax bill.

The attempt on the Republican side was to impose congressional control over the expenditure rate of specific fiscal years. Congress does not at present exercise such control. It hasn't developed the mechanism to do so. The only thing we exercise control over is the new obligational authority. Only to the extent new obligational authority does have some impact on expenditure rates for specific fiscal years is congressional judgment brought to bear.

In fact, Secretary Dillon, you say here on page 5: "This year, for instance, nearly 50 percent of our expenditures are determined by appropriations of earlier years."

I had gotten from some of our people on the Appropriations Committee that roughly only 40 percent was the figure.

Secretary Dillon. I don't know whether they included the continuing appropriations for the public debt, because Mr. Cannon always leaves that off in some other category. That is why I mentioned that. That is about 10 or 12 percent.

Mr. Curtis. It is no different from this. Of the new obligational authority that you asked to be granted this year of $108 billion, only 40 percent would be scheduled for expenditure in fiscal 1964. That would vary, would it not, because, the point that you are making, certain programs tend to have a long leadtime while other programs that are in for appropriations would tend to be shorter, so the mix is always going to vary?

Secretary Dillon. It varies 10 percent up and down there, yes, but it is around that mix.

Mr. Curtis. I am very eager for the Congress to develop the proper mechanisms over expenditure rates. This is what we talk about when we talk about a legislative budget. Of course it has to do with new obligational authority, but, on the other hand, we do not at present do anything about expenditure rates and get into the policy aspects of what should our expenditure rate be in relation to anticipated revenues. This is what bears on the problem of what is best for us now, how much additional bonds are we going to have to market and what are the economic consequences of marketing that additional amount of bonds in that particular fiscal year.

Right now, this debt ceiling bill is about the only mechanism that we have developed and it has only been in the past 2 or 3 years that we have attempted to use the debt ceiling as a mechanism for expressing the congressional judgment on expenditure rates. That is the reason, Mr. Secretary, I was so disappointed that the administration resisted the effort of part of the Congress, on our side largely, to try to tie in expenditure rates with the tax bill.

The President predicated the tax bill on economic assumptions, and one of the basic assumptions there, of course, is the expenditure level. The President had at that time given us an expenditure level in 1964 of $98.8 billion and in the Congress on this side of the aisle the majority felt that $97 billion was a more reasonable level if we were going to have the beneficial economic results from the tax cut. The administration by not even arguing over what the proper level should be and by resisting a congressional debate over levels, but just simply opposing any level Congress suggested, prohibited Congress from really effectively passing its policy judgment on expenditure levels.

The minority members of the Joint Economic Committee in their report earlier this year on the President's economic report estimated that we would have to hold the expenditure level to $94 billion for fiscal 1964 as well as fiscal 1965 if we were to attain these benefits from the tax cut.

That was our judgment. I mean that is the policy matter. The Tax Foundation Committee, perhaps you have seen its report that came out just a couple of weeks ago, was very interesting to me. It followed the same basic economic reason of the minority of the Joint Economic Committee, only the committee came up with a $95 billion expenditure level for 1964 and for 1965, taking the same point that expenditures had to be held to a lower level.

I grant to you, and I have in our previous colloquy on this subject, that the debt ceiling is a cumbersome way of getting at this, but, on the other hand, it is about the only way right now, that Congress has developed to try to express its policy judgment on expenditure rates. New obligational authority, as you clearly pointed out in both your papers, is inadequate for Congress to do it. It isn't enough.

The majority on the Ways and Means Committee debated on the floor of the House, that the way to cut expenditures is through Congress cutting back on new obligational authority, or, rather, their directing attention to that and cutting it back. That is quite ineffective on the expenditure levels of fiscal 1964 and I would say quite limited even on fiscal 1965. Our carryover balances in the budget, Mr. Director, of this year were estimated to be $87 billion, is that correct?

Mr. Gordon. $87.2 billion is correct.

Mr. Curtis. $87.2 billion which would be added to the $108 billion. I think it is $107.9 billion.

Mr. Gordon. $107.9 billion.

Mr. Curtis. That would give a total pool of authority to spend which the Executive would have and he did say that $98.8 billion was his expenditure level. Let me ask a technical question.

When you cut back the estimates in expenditures levels—it was estimated for fiscal 1963 to be $94.6 billion. Am I correct? Is that the January 1963 budget estimate?

Mr. Gordon. $94.6 billion was the estimate in the January 1963 budget, I think.

Mr. Curtis. In the January budget message?

Mr. Gordon. The January 1962 figure in the original 1963 budget was almost identical with actual expenditures in 1963.

Mr. Curtis. I am relating to the budget presented in January 1963.

Mr. Gordon. Yes.

Mr. Curtis. Which is essentially the budget for fiscal 1964, but the Budget and Accounting Act requires a new January estimate of expenditures levels for fiscal 1963 and that was the $94.6 billion figure?

Mr. Gordon. Very close to that.

Mr. Curtis. Yes.

If that is somewhat in error we will correct the record.

Mr. Gordon. $94.3 billion was the January estimate. The actual was $92.6 billion.

Mr. Curtis. $94.3 billion and this estimate is to be accompanied with the $87.2 billion carryover authority to spend, right in the same message? I am relating the expenditure level of fiscal 1963 with the carryover authority to spend, beyond fiscal 1963 that is, the obligational authority which the President has from previous appropriation bills that would not be spent in fiscal 1963. So as of July 1, 1963, we would have under this message $87.2 billion. Is that right?

Mr. Gordon. The $87.2 billion was the estimate of the carryover from 1963 to 1964.

Mr. Curtis. That is correct, and it relates to the $94.3 billion expenditure level.

Now, here is the question. Your actual experience was that you didn't spend $94.3 billion, but you spent $92.6 billion?

Mr. Gordon. That is correct.

Mr. Curtis. I am very gratified about that, I might say. The question though is, Does this then mean that there is an additional carryover authority to spend $1.7 billion, the difference between $94.3 and $92.6 billion, to add to $87.2 billion?

Mr. Gordon. That is a very cogent question. I am sure the answer is that some part of the 1963 supplemental requests was not enacted, some part of the enacted authority lapsed, and some part carried over. I don't know offhand whether I can tell you what the individual parts were.

Mr. Curtis. Can you supply for the record the revised figure for authority to spend carried over from the previous authorizations? In other words, revise the figure of $87.2 billion.

Mr. Gordon. I am sure we can do that, Mr. Curtis, and we will break out the part of the authorizations which lapsed because it wasn't used and the part which carried over.

(The material referred to follows:)

"Specific figures on unexpended balances and expiring or lapsed appropriations at the end of fiscal year 1963 will not be available until the Treasury Department prepares the official 'Combined Statement of Receipts, Expenditures, and Balances of the U.S. Government.' This information usually does not become completely available until November of each year. A preliminary estimate compiled by the Treasury Department's Bureau of Accounts indicates that actual unexpended balances at the end of fiscal year 1963 will be close to the January 1963 (1964 budget document) estimate of approximately $87 billion.

"Although 1963 expenditures were $1.7 billion less than estimated in the January budget, new obligational authority was also less. The final totals of indefinite authorizations (e.g., interest) and enacted supplemental authority will change from the January estimates mainly because the $2 billion request for additional borrowing authority for the Export-Import Bank was not enacted."

Mr. Curtis. Now I want to get to that. What lapsed would be quite interesting. I do know that some funds if not spent by June 30 do lapse and anyone who observes the frantic efforts of the procurement officers in our various departments and agencies immediately before the June 30 date realizes that there is reason for trying to get these funds obligated in the sense that they will be carried as expenditures, because your term "expenditure," and this I want to be sure of, isn't actually cash going out, is it, or is it?

Mr. Gordon. It is cash going out; yes.

Mr. Curtis. Yes. I doubt if there would be much lapsed authority to spend as a result of cutting back your expenditure rate from $94.3 to $92.6 billion, because I suspect these people would have protected themselves by obligating it so it wouldn't lapse, but it would be very interesting if you supply the figures as to what lapsed and why they occurred.

Mr. Gordon. There are lapses every year, Mr. Curtis, and we would be glad to supply whatever results for fiscal 1963 that we can. I might say that in the January budget this year we estimated that $1.3 billion of authority would cease to be available in 1964; about $600 million of this estimate consisted of lapsed and rescinded appropriations and the remainder consisted of interfund payments to the Treasury.

Mr. Curtis. That was the question I was going to ask.

Your January estimates assumed a certain amount of lapsing?

Mr. Gordon. That is correct.

Mr. Curtis. I want to seek some advice from you because I think one of the things Congress can and should do, and should get to it right now, is to develop a rescission bill toward the end of each session of Congress to rescind or to go over all of this $87.2 billion authority to spend that hasn't been used, to review it to see that which really ought to be rescinded because of change of policy, change of circumstances.

This would be a very healthy thing too, wouldn't you think?

Mr. Gordon. Congress, of course, is always free to do that, Mr. Curtis.

Mr. Curtis. Congress is always being advised by the Executive of what is the proper thing to do, and I think rightly so, so I am asking—doesn't the executive department have some recommendations in this area?

Maybe Congress ought to have every year a rescission bill.

Mr. Gordon. To speak of a rescission bill, Mr. Curtis, kind of prejudges the conclusion that some of the spending authority should be rescinded.

Now, I am sure that cases arise in which the spending authority has become obsolete, is not going to be used anyway, and could without injury be rescinded.

I point out, though, that if you look at the composition of these unspent authorizations I think you would take a somewhat more modest view of how much could be rescinded.

Mr. Curtis. Oh, I am not disputing that a bit. In fact, all I am saying is let's do take a look at it because there is a lot where we certainly would say this is proper, but the point is, Mr. Director, Congress doesn't look at this. We don't go into it looking at it in that fashion. To some extent, and in fact to a large extent, the requests for new obligational authority of the same agency are considered in light of what might be rescinded or what might not, but it is a little different process I think when you actually are going over to review things. Programs where previous authority was granted might be programs that have sort of been forgotten about and they are not touched upon in the new request for obligational authority.

Mr. Gordon. As you know, Mr. Curtis, it is a very common thing for the appropriations subcommittees to look at the unobligated authorizations, and occasionally to point out opportunities for reprograming to finance new activities so that new amounts are not necessary.

I think that is a very common part of the work of the appropriations subcommittees, so I think there is a fairly organized look at unobligated spending authority through the appropriations process.

Mr. Curtis. There is to some degree, but there are a lot of loopholes under this process and that is why I call attention to the possibility of developing a rescission bill which would call these things to the Congress' attention as a whole, because the Appropriations Committee might do it, but if there were a rescission bill it would call the attention of Congress as a whole to these things.

Mr. Gordon. As you know, a good deal more than half of this unspent authority is obligated at the beginning of the fiscal year. The contracts are signed. The authority is just being continued into the new year to pay the bills when the goods are delivered. The obligated balance is a good deal more than half.

Mr. Curtis. That is one thing you would look at, but another thing you would look at, too, is this business of deobligating by an agency and then reobligation.

Now, theoretically, that should not be done without the review of the Congress, and possibly we get into technicalities that make some of that proper, but this kind of exercise I am suggesting might get into it.

Well, I wanted to develop that just a little bit.

Now, essentially, though, the rate of expenditure that you have now projected of $97.8 billion is under the control of the executive department and Congress, unless it develops some of the techniques that I have been suggesting, has no control over that rate.

Secretary Dillon. I don't think that is the case because I think that one of the main reasons for possibly moving in the way you suggest, having a joint review of expenditure rates by Congress as well as appropriations, is to make clear that expenditures are really governed by appropriations. I don't think Congress means to say that "once we have appropriated the money we don't have anything to do with it anymore, and expenditures are up to the Executive."

Mr. Curtis. What I meant, Mr. Secretary, was an actual control that would come in as Congress interjects its judgment of that.

Now, the President, and I am not saying this adversely critical because every President does, looks over programs and will actually slow one down or accelerate one or actually will freeze funds as a matter of policy decision.

Secretary Dillon. Only up at a point, though I think it has been clearly established that in the defense area the President, as Commander in Chief, has rights he doesn't have elsewhere. If he deems some expenditures or some programs or projects, individual ones, to be unnecessary or unwise, he just says, "I won't do them," and that has been accepted.

In other areas of the budget, certainly the Executive has the obligation to spend the funds that have been appropriated at a prudent rate and in a prudent manner, but I don't think that the President has the right—and I don't think that any President has felt he had the complete right—just to say, "I won't spend any money for this dam in this district or this road somewhere else," just deciding "I am not going to do it." That is the reason he has not been allowed an item veto, and that is the reason these things are included in overall bills. I think there is an overall responsibility that the President has.

For instance, on the National Institutes of Health he has held back some funds at times, but the only basis of that was that there were more funds than could be prudently spent, spending just as fast as they could. Although funds may have been held back, the President has not said, "I just won't spend money for that."

Mr. Curtis. Exactly, Mr. Secretary, but when you get into this area of prudence, this is the area of judgment.

Secretary Dillon. That is right.

Mr. Curtis. This area and rightly so, and that is why I said I am not commenting adversely; I am trying to point out——

Secretary Dillon. No; it should be done.

Mr. Curtis. That the President should exercise prudence over the flow, and his estimate of the flow has been made in January and that estimate in various programs will alter, based upon prudence.

Secretary Dillon. That is right.

Mr. Curtis. But the point is, Congress doesn't become involved in that judgment or prudence.

Secretary Dillon. I have no objection to their becoming involved.

Mr. Curtis. That is what I am talking partly about. What I want to relate it to is the fact—and we are dealing in aggregates in this committee when we talk about debt ceiling—that the President, I guess, has made a fiscal determination of what we should be spending in a particular fiscal year in relation to our anticipated revenues. If it creates a deficit then the determination must be made in relation to the problems that we are going to have in marketing additional bonds. It is with respect to that judgment that I seek to develop a mechanism so the Congress can express its judgment.

I think we have to do this and this is what this debt ceiling bill can be if we go into the details. You, today, have given us your revised figures on your anticipated revenue, how the President has altered the expenditure rate, how the President himself has cut it back a billion dollars. Congress should be expressing its judgments here.

I don't want to take the time here, although we really should, of getting into the economic consequences of marketing the additional bonds required under this projected $9 billion deficit this fiscal year. This must be weighed in conjunction with the turnover that we already have of the Federal debt which requires us to go to the market again to resell. Congress should express its judgment on whether we won't be better off economically to try to market $7 billion instead of $9 billion, for example. Then figure out, if it is to be $7 billion instead of $9 billion, as a matter of priorities on these expenditure programs, where we best ought to slow down a program, cut it out, put it on the shelf. Let the Congress review it in a rescission bill, or the President could send up a message saying, "Let's rescind this particular program and look at it later when we have the money for it."

This gets us really into the field of establishing fiscal policy which I think we have to do.

Secretary Dillon. I would agree with you. I think that the only point is that under this general authority of carrying out the projects that have been approved, of carrying them out in a prudent manner, there is no allowance outside of defense, for any very drastic action in curtailing the spending of funds that have been appropriated. Therefore, the appropriation in one year, as you have said, tend to govern what is going to be spent in later years.

One other thing I would just like to say about the debt ceiling is it is peculiarly inappropriate and not a good means of trying to obtain this control that you are talking about for the reason that it has to take into account two things: One is expenditures and the other is revenue estimates, and looking back over the past 10 years it is perfectly clear that the ability to estimate revenue in advance is less good than the ability to estimate expenditures. In the latter case, you have definite programs, and estimates come closer than for revenues since the economy moves back and forth. Even at this time of year the average estimates on revenues over the past 10 years have been off on an average of about 3 percent for the total actual receipts each year, which would be nearly $3 billion, or $2¾ billion, this year.

I hope we will do better, but that is the reason that by setting any particular ceiling, the ceiling either could turn out to be of no effect in holding down expenditures because revenues are better, or, if expenditures are strictly held down, it would have an unintended effect if revenues fall short. That is the great difficulty of this mechanism.

Mr. Curtis. It would have to involve these judgment decisions; but I was thinking if there were cooperation between the Executive and Congress, exemplified by the kind of meeting that is going on here right now, an exchange of views as to, as a matter of policy, what programs should be funded in the context as I have been suggesting of an agreed-upon expenditure level. I have tried to point out in recent talks, in regard to this process of budgeting, that the difficult thing isn't so much cutting out the extravagance because this is a matter of identification.

It may be difficult to identify, but, on the other hand, if you identify the extravagance we are all agreed it should be eliminated. These create no partisan problems. I think the real art of budgeting is establishing priorities between desirable programs. One you can always say is a good program and someone else can say another is, but if we recognize the need for limiting total expenditures in a given year so it will have some relation to revenue we must defer many desirable programs to the time when we have the revenue.

There has to be this kind of judgment exercised on priorities and this is where I think the Executive, if he really wanted to get expenditures down, would consult with the Congress, on priorities. One of the questions I had to ask you—but it may not be appropriate to ask you this, other than to pose it—in the light of recent developments, the statement of Khrushchev in regard to Russia abandoning the moonshot, which is a very expensive program, shouldn't a policy decision be made as to whether our moonshot program should be stretched out? Part of the policy decision should be made in context with our fiscal problems. I am not saying what the answer would be. I have my own views, of course, but I am talking simply about going through the operation of evaluating these things as components of the aggregate fiscal policy of whether we should have a deficit and if we are going to have one how big a one can we stand.

We have had this before. In your statement and yourself, Mr. Director, you use the term that you have a "tight budget," and Mr. Secretary, on page 2 you say you are going "to maintain effective expenditure control."

It comes down to a difference in interpretation of your language as to what you regard as a "tight budget" and what I regard as one. The criteria that I would apply indicates that you haven't got a tight budget at all. Rather than do it with words here that are just thought up at the time, could you supply for the record what you think constitutes a tight budget, what the criteria are and why you think this is tight?

I will give you criteria that I have given before as to why I don't think it is tight in relation to the previous budgets, in relation to the expenditure rate when this administration first came in, which was $81 billion, if I remember correctly, and then we went up to $98.8 billion. Compare those increases per year with the increases in the 8 preceding years, which, as I remember, roughly is a comparison of about $1½ billion increase to $5 or $6 billion. If that is the criterion of a tight budget it would seem to me that this budget isn't tight.

There may be some other criteria or there may be some refinements.

Secretary Dillon. The quick answer, of course, is that there has been this very substantial increase in the two areas of defense and space for which there was no such comparable increase in earlier years. That distorts, or makes the figure big, and if you wash that out and look at the other figures you will find they are very comparable. In fact, the increases have been somewhat more modest in the last 3 years than they were in the preceding years.

Mr. Gordon. May I comment on that, Mr. Curtis?

Mr. Curtis. Certainly.

Mr. Gordon. I would like to because this question of what is a tight budget is obviously a very difficult one to answer in terms of generalities. I tried to give a speech on the subject about a month ago.

Mr. Curtis. Is that available? I would like to read it.

Mr. Gordon. It was printed in the Congressional Record yesterday. I would be glad to submit it for this record.

Mr. Curtis. Mr. Chairman, may I ask unanimous consent that it be inserted in this record?

Mr. King. Without objection it will be included.

(The material referred to follows:)

[The material omitted in Congressional Record.]

Mr. Gordon. I will be happy to submit it, Mr. Chairman. What I tried to do, Mr. Curtis, was to ask what we mean by the question of what is a tight budget and I tried to divide this question into, in effect, three parts: What functions is it proper for the Federal Government to perform? How much should it spend on each of these functions? And how well and efficiently is it discharging these functions?

And I concluded, as you might have anticipated, that in fact we do have a very tight budget. For example, one of the points made—which I hadn't seen previously—was that about 75 percent of all of the expenditures in the administrative budget relate to functions of the Federal Government which were considered proper and appropriate functions of the Federal Government in the early days of the Republic, in the 18th century. All of the debate relates to the remaining 25 percent. Then I tried to go through the remaining 25 percent of the functions to ask where the disagreement lies and I concluded—and I would be happy to discuss this further—that, in fact, the disagreement with respect to the proper functions of the Federal Government relates only very, very marginally to the level of expenditures.

Mr. Curtis. This can be very profitable in furthering debate. I don't want to do it here other than I can't refrain from making a comment, though. I hope that just because we did something at the end of the 18th century. therefore we just keep it on the shelf and we don't do anything about it and say that is a legitimate function.

Mr. Gordon. This consists of such things as national defense, the operation of the post office, the administration of justice, and veterans' benefits.

Mr. Curtis. Let me give you an example that has been intriguing me. Back in 1790, of course, and still today, we expect the Federal Government to have concern over navigable streams. Back in those days any sort of a creek was a navigable stream, but today the real economic concept of a navigable stream has no relation at all to the traditional jurisdiction of the Federal Government.

The Federal Government has continued to assume jurisdiction over practically all rivers and streams simply because we have not updated these definitions. Streams in my own State of Missouri are not navigable within the State of Missouri and the problems connected with them are local and State and not with navigation over which we conceived the Federal Government should have concern.

I merely suggest that as one of the areas that we need to go into. Others have suggested, and I am one who does, maybe we should reconsider whether we should be in the post office business.

Back in 1790 I am sure I would have supported strongly the constitutional provisions giving the Federal Government power over post offices and post roads, but I think we have a different economic situation in 1963.

Well, I will review that and maybe we can conduct that debate a little bit further at another time.

Mr. Gordon. I can't resist, if I may add one more point——

Mr. Curtis. You are certainly entitled to it.

Mr. Gordon. Giving you the very latest employment figures as of the present—these are the September figures we got just yesterday. They show that over the last year, from September 1962 to September 1963, civilian employment in the Federal Government declined by 242 persons.

Mr. Curtis. That is very gratifying news. I hope that we don't have the President again address the Nation in terms of a justification for an increase in Federal employment on the grounds of numbers per thousand people, because productivity increases indicate that we ought to be able to provide the same amount of Government services with fewer people just as in the agriculture sector we provide the food and fiber for our people with 42 percent fewer employees than we did 10 years ago.

The second observation, inasmuch as you raise the——

Mr. Gordon. I think that it is perfectly legitimate, Mr. Curtis, to relate employment to the population.

Mr. Curtis. If he also relates it to productivity, but, when you only give one part of the employment picture and couple it with another statement that is equally misleading; namely, saying the Federal civilian employment was greater 10 years ago than it is today, a completely erroneous picture is presented. Ten years ago is such an easy expression that one thinks it has just been taken out of the air until one reflects and realizes that 10 years ago was at the height of the Korean war. Again, that is part of my argument, Mr. Director, that is not advancing the public debate on these very difficult problems on which you and I and others can have differing opinions. To take statistics in this fashion and present them to the public not putting them in context isn't proper, but I am very, very pleased with the fact that in absolute figures, as you say, Federal employment has declined about 242 persons this last year.

Mr. Gordon. I would like to add a dissent on that point. It does seem to me that most people find it very illuminating to relate Federal employment to other magnitudes.

Obviously, we are a changing society; the number of people is changing, our economy is changing. It does seem to me that a realistic view of the matter should relate changes in Federal employment to other changing magnitudes.

Mr. Curtis. Of course, it should.

Mr. Gordon. In this year in which Federal employment has declined by 242 persons, State and local employment has increased by 300,000.

Mr. Curtis. You relate that, as you say, to the functions, but you also should relate it to productivity increases.

Mr. Gordon. Indeed, it is made possible very largely by productivity increases.

Mr. Curtis. So that one understands the whole problem we are discussing.

Mr. Gordon. It is the productivity increases in the Government which are taking place—and, I think, at an accelerating rate—which have made it possible for the Federal Government to discharge its responsibilities with just about the same number of employees it had a year ago.

Mr. Curtis. Now we are getting the thing in context, but this was not what the President did in his nationwide address to the people, and this is what I was criticizing. I have criticized this publicly before, taking this matter out of context and relating it to two items, one, number of Federal employees per thousand people, without any relation to the productivity, and one other thing you and I have been discussing and then using this 10-year reference without calling to the people's attention that, of course, in 1953 the Federal Government was engaged in the Korean war——

Mr. Gordon. Of course.

Mr. Curtis. And, as usual in wartime, had a very high incidence of employment.

Mr. Gordon. In 1953, if I remember correctly, there were 17 Government employees per thousand population. By 1957 it was down to 14, it is now down to 13, so it is not just a 10-year comparison. It is a trend which has taken place over the years.

Mr. Curtis. Yes; but, of course, one of the basic criticisms that I have directed to your Council of Economic Advisers and the administration is the failure to distinguish an economy based on war conditions and one based on peace, so you can't take a war year and use it as a base of reference for peacetime years.

Incidentally, that is the little stunt that has been employed to try to allay the proper fears our people have of the high Federal debt. They say, "Well, look at this ratio of debt in 1946 of GNP and Federal debt. Well, 1946 is not a good base year. It is not an optimum. It is probably the worst year you can pick as a good example because it was right after very heavy deficits from World War II.

Mr. Gordon. I would agree fully, Mr. Curtis, and I would say that the same rule should apply in the estimate of the average annual expenditure increase in the last administration, remembering that the last administration started out in war and ended up in peace.

Mr. Curtis. I couldn't agree with you more. This is how we move debate forward and probably get at some of these problems that face us. But certainly the President of the United States, whoever he is, should be one who tries to improve the techniques of debates rather than to indulge in these kinds of half figures and innuendos that anyone familiar with the subject knows are going to mislead.

Whether they are designed to or not is another question. Let me ask this specific question on page 3. I have taken a longer time than I intended. Why were your estimates on the interest on Federal debt so low?

In other words, they were based on estimates. What were the things that you did not anticipate that entered into the picture to make it go up $500 million?

Secretary Dillon. The increase in Federal Reserve rediscount rate in June and the accompanying increase in short-term interest rates is almost entirely responsible for that whole difference.

Mr. Curtis. Wasn't that done with the administration's approval? In fact, wasn't it urged?

Secretary Dillon. Yes; but we didn't know about it in January when we made the estimates.

Mr. Curtis. That is what I want to get back to. You want me to assume that you didn't know?

Secretary Dillon. I didn't.

Mr. Curtis. I think that you in January, Mr. Secretary, had come around to the point of view or a policy that related in a large degree to our balance-of-payments problem, that you were going to try to increase the short-term rates and peg them, if you could, hold the long-term rate low, so if this was in your anticipation why wasn't it reflected in your original estimate?

Secretary Dillon. We had always felt that we had to hold short-term interest rates up to keep substantial outflows of funds from taking place for balance-of-payment reasons; you are quite right. But we have been reasonably successful, we thought, at the rates that were then current although it was obvious that there might have been some slight upcreep. This big outflow of short-term funds only took place in the second quarter of the year, which brought on a new situation and made us reevaluate the situation. The Federal Reserve reached its conclusion in its independent capacity, but certainly with no objection from the Treasury. Indeed, it helped from our balance-of-payments point of view. This was July, just at the beginning of the fiscal year, but it affects us during the whole fiscal year, to raise short-term interest rates.

That increase of about one-half of 1 percent or a little more in rates from those that had been in effect earlier account for most of this difference of $500 million. A little less than 10 percent, 5 percent maybe, about $30 or $35 million of it, is accounted for by the increase in interest costs involved in our two advance refundings. We couldn't foresee how much they would be.

That is a minor amount. The rest of it was the change in short-term interest rates.

Mr. Curtis. Then you anticipate, I presume, these interest rates are to stay high?

Secretary Dillon. At this level; yes.

Mr. Curtis. You don't have the policy, and this is a question, of trying to increase those rates higher?

Secretary Dillon. No; I would think now we are in a situation where it is very hard to foresee a situation where short-term interest rates should go any higher for balance-of-payment reasons because if they did at this moment they would begin to disrupt the international equilibrium that apparently has been achieved and would merely cause parallel increases in other countries which would then begin, if they didn't do something, to lose substantial funds to the United States which they couldn't afford to lose. I think the short-term rates are pretty generally in equilibrium now across the board, and any further substantial increase would not be useful from the point of view of the international payment system.

Mr. Curtis. This, of course, does include what you anticipate to have to pay from that portion of the additional $9 billion of debt that you might have to be financing during this period of the fiscal year?

Secretary Dillon. Yes; that was included in both estimates. Actually, there is a certain amount of saving there because we were estimating in January a slightly bigger deficit. The saving isn't substantial because the deficit has been incurred gradually over the year, and the fact that we now foresee a deficit of some $3 billion less didn't make any very great difference in the interest computations, but did reduce them a little.

Mr. CURTIS. I have four additional points that I would like to just briefly get into. One, I wish when we get into this expenditure area we would always separate out the two items that go to make up expenditures. One is the expenditure itself, but the other, unfortunately confusing, is the sale of capital assets.

Can't we get better bookkeeping so that we don't have listed under reduced expenditures that which really is the sale of more capital assets than we anticipated?

Mr. GORDON. This doesn't seem to me to be illogical, Mr. CURTIS. When we acquire the asset, that is, when we make the loan, this is treated as an expenditure. It seems to me perfectly logical—and the corollary of that treatment—that when we sell the asset or when the loan is repaid, this is treated as a reduction in expenditures.

Mr. CURTIS. Yes; but it certainly fouls up as understanding of what is going on here for those of us who are really interested in getting expenditures cut. In your budget, for the benefit of our press and the public, you show a decrease in agricultural expenditures from your 1963 budget to that of 1964 of $1 billion but on examination one finds there was an increase of current expenditures of about a billion, not a decrease. An increased sale of Commodity Credit assets of about $2 billion disguised the increase in expenditure of it, and left the impression of a cut in expenditure. All I am saying is that the information was there for anyone who would dig for it, but one has to dig. It does create an erroneous impression to those who are seeking to cut down the annual expenditures, but who are not familiar with the details of this strange system of accounting.

Mr. GORDON. I understand your point, Mr. CURTIS, but I wonder really whether it would give a more accurate picture of Commodity Credit transactions, in the case, for example, in which the Commodity Credit Corporation this month buys a bushel of wheat and next month sells a bushel of wheat, to treat that as an increase in expenditures and an increase in receipts. It seems to me the two wash out.

Mr. CURTIS. Let me ask a question, though. How do we handle postal receipts? That goes into the General Treasury and is regarded as revenue?

Mr. GORDON. We handle the Post Office as a revolving fund, as we do virtually all other similar operations, and we carry in the budget only the difference between gross expenditures and gross receipts.

Mr. CURTIS. Of this $1 billion reduction, how much of that was actual increase in expenditures and how much of that was the increased sale of capital assets?

Mr. GORDON. That is shown, Mr. CURTIS, in the table on page 3 of my statement, which indicates that of the reduction of $1 billion, $200 million is additional sales of mortgages and other financial assets.

Mr. CURTIS. What were the anticipated sales that year?

Mr. GORDON. The budget called for sales of about $1 billion.

Mr. CURTIS. Increased to $1.2 billion.

Mr. GORDON. $1.2 billion is the present estimate of sales.

Mr. CURTIS. I thought we had done better than that on the figures that you had shown us from January to June. I thought we had increased the sales by $500 or $600 million more.

Mr. GORDON. Yes. You are talking now, Mr. CURTIS, about fiscal 1963. That is correct.

Mr. CURTIS. You are right; yes. So this indicates that you have only been able to add about $200 million more. Are we sort of running out of those capital assets that we can readily market?

Mr. GORDON. Yes and no, Mr. CURTIS. The total assets, as you know, of this sort run about $28 to $29 billion, but we presented to the committee last spring a detailed analysis of this portfolio and concluded that the more salable of these assets came to something in the neighborhood of $6 to $7 billion, very roughly, so that in fact there is still a substantial volume of assets in these various portfolios which are salable. The limitation is not so much the salability of the assets as the desire to avoid disrupting the credit markets because of an excessively high sale of assets.

Mr. CURTIS. Mr. Chairman, may we have that table put in again updated in light of your present answer?

Mr. GORDON. Happy to do that.

Mr. KING. Without objection, it will appear in the record.

(The material referred to follows:)

"The following tables bring up to date information supplied to the committee in July, on the mortgages and other financial assets of the Federal Government.

"Table I compares the latest estimate of sales of such assets in fiscal year 1964 with the estimate made in the budget last January, and indicates the actual sales through September 30, 1963.

"Table II provides information on the amount of such assets outstanding on September 30, 1963."

TABLE I.—*Estimated sales of mortgages and other financial assets in fiscal year 1964*

[In millions of dollars]

Agency and program	Estimated in January budget	Revised estimate, October 1963	Change from January budget [1]	Actual sales as of Sept. 30, 1963
Housing and Home Finance Agency:				
College housing	50	50		17
FNMA special assistance and other	199	200	+1	72
Public facility loans		30	+30	1
Federal Housing Administration	60	60		1
Veterans' Administration:				
Direct loan program	18	150	+132	56
Loan guarantee program (vendee loans)	147	150	+3	60
Export-Import Bank	540	540		51
Small Business Administration	7	7		2
Total	1,021	1,187	+166	260

[1] Increases in sales figures decrease budget expenditures in an equal amount.

NOTE.—Sales estimates exclude (a) amortization, (b) prepayments, (c) sales made as part of the process of insuring loans, and (d) sales to FNMA.

TABLE II.—*Outstanding loans and other financial assets owned by Federal agencies Sept. 30, 1963*

[In millions of dollars]

AGENCY AND PROGRAM	*Actual or latest estimate*
1. Some classes of financial assets cannot or should not be sold:	
Department of Defense: military assistance credits	185
Department of Health, Education, and Welfare: defense education loans (estimated)	296
Department of the Interior: Bureau of Reclamation loans (estimated)	72
Department of State: loans to United Nations	110
Agency for International Development loan (preliminary)	6,254
Treasury Department:	
Loan to United Kingdom	3,205
Defense production loans	52
Housing and Home Finance Agency:	
Community Facilities Administration: miscellaneous programs	73
Federal Housing Administration: assigned mortgages and defaulted home improvement notes (estimated)	276
Urban Renewal Administration	143
Public Housing Administration	130
Federal Home Loan Bank Board: Federal Savings and Loan Insurance Corporation loans	61
Subtotal	10,857

TABLE II.—*Outstanding loans and other financial assets owned by Federal agencies Sept. 30, 1963*—Continued

[In millions of dollars]

	Actual or latest estimate
2. In some programs, legislation would be needed to allow sales, to allow sales below par, or to provide the guarantees necessary to make sales feasible:	
Department of Agriculture:	
Rural Electrification Administration	3,738
Farmers Home Administration (estimated)	1,520
Department of Commerce:	
Area Redevelopment Administration	39
Maritime Administration	108
Treasury Department: loans to District of Columbia	99
Veterans' Administration: direct loan program	1,246
Subtotal	6,750
3. Some classes of assets, otherwise salable, carry low interest rates or are not of investment quality. Sizable discounts below par would be required:	
General Services Administration:	
Sales credit (estimated)	100
Public power bonds	60
Housing and Home Finance Agency:	
Federal National Mortgage Association: Management and liquidating functions	1,203

TABLE II.—*Outstanding loans and other financial assets owned by Federal agencies Sept. 30, 1963*—Continued

[In millions of dollars]

	Actual or latest estimate
3. Some classes of assets, otherwise salable, carry low interest rates or are not of investment quality. Sizable discounts below par would be required—Continued	
Housing and Home Finance Agency—Continued	
Community Facilities Administration: College housing loans to private institutions	763
Small Business Administration	825
Subtotal	2, 952
4. In one case, sales of certificates against a pool of assets are a continuing practice, but an increase in sales would involve significant interest costs to the Government: Departments of Agriculture: Commodity Credit Corporation (subtotal)	1, 394
5. In one case, sale of participations in a pool of Government loans is being arranged: Export-Import Bank of Washington (subtotal)	3, 079
6. Some other classes of assets contain significant amounts of salable paper:	
Housing and Home Finance Agency:	
Community facilities administration:	
College housing loans to public institutions	760
Public facility loans	110
Federal National Mortgage Association: Special assistance functions	1, 556
Federal Housing Administration (excluding assigned mortgages and defaulted home improvement notes)	349
Veterans' Administration: Loan guarantee program (vendee loans)	354
Subtotal	3, 129
Total	28, 100
Very small programs (estimated)	113
Grand total	28, 273

Mr. CURTIS. The second major question, and maybe this will have to be supplied for the record, is this. I am sure you know the Congress has been extending this continued authorization or appropriation, which means, as I understand it, that the various agencies, and so forth, have to spend only at the 1963 expenditure level. That is what was said on the floor of the House. Is that a factual statement?

Mr. GORDON. I am not sure I can answer that fully, Mr. CURTIS. The continuing resolution, as I remember it, is somewhat more complicated than that. It depends on the stage which the appropriation bill has reached on July 1.

If I remember correctly, for example, when an appropriation bill has already passed both the House and the Senate as of July 1, the agency may incur obligations at the rate of the lesser of these two bills until enactment, so that the effect of the resolution varies.

Mr. CURTIS. How many of them aren't in that state? Are there four?

Mr. GORDON. There are four bills that haven't yet been reported out by the House Appropriations Committee. Programs covered by these bills would be restricted by the current rate at the end of the last fiscal year, although normal seasonal influences are probably taken into account.

Mr. CURTIS. What has that done? I would have thought that this would have had quite a bit of impact on your anticipated expenditure level of $98.8 billion, because now we will go into 5 months in fiscal 1964 under these somewhat restrictive continuing resolutions. Has it happened that these agencies are all going to schedule these increased expenditure rates on into the latter part of fiscal 1964? Is that good business?

Mr. GORDON. The situation, of course, will vary sharply from agency to agency. In many cases there is no perceptible change in the rate of spending.

Mr. CURTIS. Take the Space Agency. We have increased their authority to spend even under the lowest estimates. I have forgotten the figure, but it is a billion or so. For several months they had to be spending at their 1963 level. What impact has that had on the President's estimates, your estimates, of the overall expenditure levels?

Mr. GORDON. In the particular case you cite there are a few identifiable instances in which the Space Agency has had to defer contracting for facilities or equipment which relate to its program. In these cases, which are just steps in programs developing over a long period of years, I would think that as soon as the funds are appropriated those contracts which are being held in suspense will be signed.

Mr. CURTIS. But some of these are going to be increased personnel and if you haven't put them on and couldn't, you couldn't spend the money.

Mr. GORDON. There is nothing in the continuing resolution that relates explicitly to personnel. The resolution relates to the rate at which funds are obligated.

Mr. CURTIS. You mean these agencies could actually go ahead and expand their personnel on a continuing resolution, even though that would make the personnel section, that part of the expenditure way beyond the——

Mr. GORDON. The continuing resolution relates, as I say, to the rate at which funds are obligated, and there are some cases in which employment has increased somewhat since the end of last fiscal year; in others, of course, it has declined. As I have indicated, employment for the Government as a whole is leveling off.

Mr. CURTIS. I asked the chairman of the Appropriations Committee on the floor of the House, relating it to the Space Agency, when he brought up one of those continuing resolutions, about the level of employment and apparently he is under the misapprehension that this does hold employee levels to that. But would you supply for the record a more detailed statement of what is the impact of the continuing resolutions on the estimated level of expenditures in the budget for this year?

Mr. GORDON. I will be happy to do that.

I might say that in all the cases I know about there are problems of interpreting the continuing resolution as it relates to individual agencies and the practice is for some agencies to work closely with their legislative and appropriations subcommittees to be certain that the way they are interpreting the resolution is consistent with the intent of the Congress.

(The following was later supplied for the record:)

"As Director Gordon indicated during the course of his testimony, the current estimate of the effect on 1964 expenditures of congressional appropriation actions was not prepared on the basis of a detailed analysis of specific appropriations. Under the law the Bureau of the Budget is not required to apportion funds under continuing resolutions and therefore does not have available centrally any information on the amounts of the temporary appropriations provided by the continuing resolutions. In addition, the Bureau of the Budget believes that the Appropriations Committees and the Congress undoubtedly take account of agency actions under the continuing resolutions in determining the full amount of the appropriations provided later for the entire year; thus, it will be difficult—if not impossible—for the Bureau to tell how much the Congress changed appropriations because of actual experience under the continuing resolutions and how much because of other factors. A division of expenditure changes (as distinct from appropriation changes) would be equally difficult. However, in response to the request, the Bureau of the Budget is undertaking a special study of the matter to see what information can be obtained and will submit report to the committee as soon as the results are available."

Mr. CURTIS. This is putting your finger on another problem of the Congress, and this is our own problem, but I think it needs to be exposed. In the opinion of many in the Congress it is not the Congress, but many of our committees—many of our committees, including in some ways our committee right here—have gotten the impression that their job is to make the decision for the Congress, rather than bring out the information, the arguments pro and con, and the facts as they bear on an issue to help the Congress make a better decision. There is quite a distinction between these two concepts. I think, because of customs and tradition, there may be good reasons behind this development, but overall I think it is deleterious to efficient legislating. But the executive contributes to that when it does this. It certainly makes the job of looking at aggregates, aggregate expenditure rates and so forth, more difficult when this kind of process goes on. That is the only reason I mention that.

Mr. Byrnes in a question to you brought out something that I would like to know, and again you could supply this for the record.

How does the Bureau of the Budget handle authorizations in distinction from appropriations? In other words, a request is made by an agency for an authorization. It is processed through your shop, I know.

Mr. GORDON. Yes, indeed.

Mr. CURTIS. And then later I guess an appropriation on that authorization is also processed through your shop. I would like to get a little bit of a narrative to supply for the record of how you actually do this.

Mr. GORDON. I will be happy to do that.

A NATIONAL ECONOMIC CONVERSION COMMISSION NEEDED

Mr. SHRIVER. Mr. Speaker, I ask unanimous consent that the gentlewoman from Washington [Mrs. MAY] may extend her remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Kansas?

There was no objection.

Mrs. MAY. Mr. Speaker, today I am introducing legislation to bring into full play the entire resources of the Federal

Government to help meet the challenge of economic conversion in areas such as the Hanford Works of the Atomic Energy Commission at Richland, Wash. As you know, the Federal Government announced January 8 that four plutonium-producing reactors will be shut down in accordance with President Johnson's state of the Union message in which it was declared that the production of plutonium and enriched uranium would be reduced. Three of these four reactors are located at the Hanford Works.

The legislation I am introducing today would establish a National Economic Conversion Commission composed of the Secretaries of Defense, Agriculture, Commerce, Labor, and Interior, the Chairman of the Atomic Energy Commission the Director of the U.S. Arms Control and Disarmament Agency, the Chairman of the Council of Economic Advisers, and the Administrator of the National Aeronautics and Space Administration. It would be the duty of the Commission to coordinate appropriate policies and programs to be carried out by the departments and agencies of the Federal Government for economic conversion capability of areas such as Richland, Wash. A study would include schedules of public and private investment patterns resulting from economic conversion and the anticipated effects upon income and employment of such patterns. The legislation also calls for the convening of a National Conference on Industrial Conversion and Growth to consider the problems arising from a conversion to a civilian economy, and to encourage appropriate planning and programing by all the sectors of the economy. Governors of all the States would be consulted to encourage appropriate studies and conferences at the State, local, and regional level, in support of a coordinated effort to improve the Nation's economic conversion capability.

At the present time, Mr. Speaker, the Federal agency with sole responsibility in encouraging diversification of the economic base at Richland is the Atomic Energy Commission. The AEC has been cooperating with local interests in actively exploring alternate uses of production facilities that might be idled in the event of a curtailment of production. It is all too evident, however, that these efforts must be intensified to effectively offset the estimated loss of 2,000 jobs at Richland as a result of the reactor shutdown. The legislation I am offering is intended to bring the full resources of the Federal Government into this cooperative effort with the people of Richland.

Richland, Mr. Speaker, is a Government-created, and until recently, a Government-operated community which is dependent upon a Government economy. The reduction of 2,000 jobs in such an area by order of our national administration is therefore an exceedingly heavy responsibility. I feel our Government can do no less than give maximum assistance and cooperation to the commendable local efforts that are being carried out. I think the creation of a National Economic Conversion Commission is the answer.

PANAMANIAN CRISIS

Mr. SHRIVER. Mr. Speaker, I ask unanimous consent that the gentleman from Ohio [Mr. TAFT] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Kansas?

There was no objection.

Mr. TAFT. Mr. Speaker, the statements made by the distinguished gentleman from Missouri [Mr. CANNON] and other Members reflect in large part my own views on the Panamanian crisis.

It is time, I believe, that we give to the area of Latin American affairs the attention and priority that they merit. Our failure to do so can be well seen by the neglect of the Department of State to debrief Ambassador Farland and act on his views. Circumstances have clearly shown that our oversights in this area have helped prevent us from being ready for the problems that have now arisen. Once more we find the United States suffering what could be a diplomatic Pearl Harbor. Once more we are in the position of responding too little and too late, rather than moving with or ahead of the tide of events. And our only response now seems once more to plead our peaceful intentions and to make concessions that will only compound the errors of our policies. Talk and reason we must, but let us not again substitute some vague fear of effect on world opinion for a demand for fairness and respect, the only sentiments that can truly move us toward better relations with Latin America.

ENGLISH BUS DEAL WITH CASTRO ADDITIONAL SETBACK FOR U.S. DIPLOMACY CHARGED BY CITIZENS' COMMITTEE FOR A FREE CUBA

Mr. SHRIVER. Mr. Speaker, I ask unanimous consent that the gentleman from Florida [Mr. CRAMER] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Kansas?

There was no objection.

Mr. CRAMER. Mr. Speaker, since last week when the English trade with the Communist Cuba bus deal came to public attention, I demanded that the State Department file a protest with the British and I insisted upon an effective trade ban against Castro's Cuba.

The Citizens' Committee for a Free Cuba has since charged that this deal amounting to $12.2 million is "the latest in a series of setbacks in U.S. diplomacy."

The committee cites the sale of Canadian wheat to Russia, with a portion set aside for Cuba," the increasing number of spare parts reaching Cuba for industrial plants and this bus deal as showing the "porousness" of U.S. policy.

I enclose in the RECORD the full text of the Citizens' Committee for a Free Cuba press release of January 10, 1964, which gives a full review of the bus deal, points out the further implications of the bus deal in that Cuba's transport system was bogged down as the result of effective sabotage on the part of the Cuban people and "the Leyland bus deal goes far in getting him—Castro—off a very serious hook with his own rebellious subjects."

The committee joins in a call I have been making for some time for "greater determination" on the part of the United States in our policy of "isolation" of Cuba.

ENGLISH BUS SALE UNDERMINES CUBAN RESISTANCE

The current sale of 450 Leyland buses by England to Castro, with adequate supplies of spare parts included, is the latest in a series of setbacks in U.S. diplomacy. The deal amounts to $12.2 million.

The sale of Canadian wheat to Russia, with a portion set aside for Cuba, and the increasing numbers of spare parts reaching Cuba through various unauthorized channels for Castro's desperate industrial plant, underscores the porousness of U.S. policy. Perhaps the most important effect which this porousness has had, and will continue to have unless something drastic is done, will be on the determination of the Cuban people to continue their resistance to Castro's Communist regime.

Perhaps inadvertently, possibly deliberately, the determination of the United States and the free world to maintain and strengthen its economic blockade has been matched by an equal determination of the Cuban people to sabotage the regime out of business. Breakthrough now by Castro in essential transport, represented by the purchase of buses, cannot but have a weakening effect on the future resistance of the Cuban people. It may presage future deals by our own allies, triggered, some lawmakers maintain, by our own Government-sponsored sale of grain to Russia and Iron Curtain countries. Our policymakers who hope and expect the Cuban people to continue their resistance, and Castro effectively undermined, can only see their policy smashed by spare parts, wheat, and other grain deals.

If, over the past several years, our Government had told the story of Cuban resistance to our press and made it a point of policy to relate this resistance to its economic embargo, perhaps the stake of all, including our allies, would be more readily understood. Instead, the embargo has been handled as a part of impersonal economic relationships between nations without regard to human values to which it should have been related.

Here is a partial history of the partially effective U.S. economic blockade on Castro's transportation, the contributions which have been made by the Cuban people themselves:

In 1958 there were 303 urban, interurban, municipal, and provincial bus companies in Cuba which operated 4,459 passenger buses. Many of these companies were run as highly efficient and democratic cooperatives. A large percentage of bus drivers owned their own air-conditioned, modern U.S.-built buses, with automatic transmissions, and Cuba had bus service unequalled anywhere in the Caribbean or Latin America.

Castro and the Communists seized the bus lines and incorporated them into state-run enterprises. In defense of their rights, former owner-drivers who were then impressed into working for the state, set about sabotaging the Government lines. They permitted people to ride free; they "managed" to miss bus stops; drove into groups of Communist demonstrators; and in many cases actually burned their vehicles. Their exploits were documented from 1961 on—in daily accounts in Revolución and Hoy of arrests and confinement. Of some 3,000 anti-Castroites rounded up and jailed in a tunnel in Principe Prison on April 17, 1961, the fateful day of the landing at the Bay of Pigs, 258 were bus drivers, another 183 were conductors, and still another 102 were taxi drivers. In February of 1963, Minister of Transport, Omar Fernández, publicly denounced Cuba's bus drivers as "the most counterrevolutionary element in our country."

The combination of shortage of parts and sabotage reduced the number of buses operating in Havana from 1,400 in 1958 to fewer than 800 in 1963. These figures were supplied by Hoy itself on March 27, 1963. Of the 800 left in service, the bulk of them were of Czech make, with manual transmissions, no air conditioning, and no safety glass or storage facilities for baggage. Ill adapted to Cuba's terrain and weather, the Czech buses constantly broke down and were easy targets for the sabotage visited upon them by their drivers, maintenance men, and conductors. Passengers slashed the seats and broke the doors.

The breakdown in transport also made it difficult for factory and office managers to determine whether absenteeism which was plaguing the regime was deliberate or was due to the breakdown in public transportation, as the confusion in industry mounted. The regime desperately tried to overcome the critical situation by impressing domestic servants into learning to drive confiscated private automobiles and assigning them to routes as "popular transport." This merely increased the traffic hazards. By the time of the sale of British Leyland buses, the Castro regime was reduced to using Soviet military trucks, equipped with makeshift benches and a small ladder extending down from the tailgate.

Last May, Omar Fernández excoriated Cuba's taxi drivers who, like their colleague bus driver-owners, had been deprived of their autonomy and virtually of a livelihood. Speaking at the National Congress of Taxi Drivers, he charged that their ranks are "filled with negative elements, bums, and delinquents." He threatened that those "who do not stop to pick up passengers will be severely punished." Describing their attitude as "one of anarchy," Fernández called for tighter controls. Just prior to his outburst, in March of 1963, nine cab drivers were put on trial for "displaying an uncooperative attitude and a failure to maintain revolutionary vigilance during the night hours." The implication was that they either were working against the regime as members of the resistance or had refused to become informers for the Communists. In an editorial last May 18, Hoy accused bus drivers of "running their buses onto the curbs without regard for their tires."

Last August 27, the Department of Public Order (the secret police) issued an order which set up "popular tribunals to judge those workers in the field of public transportation for their infractions." Those found guilty were sent to the concentration camp of Guanahacabibes in Pinar del Río Province. "Popular tribunals" also were empowered to determine, among the public transport drivers, those who "drove crazily and without regard for the equipment." A militiaman was assigned to each eight drivers to "watch their attitudes." In September, Cuban workers were required to fill out forms indicating the types of transportation used, the names of the drivers, and "observations."

Cuba's railways—also administered by the Ministry of Transport—have been struck as well by sabotage. From December 28 of 1962 through the middle of February of 1963, Cuban saboteurs caused three major train wrecks. They occurred in Las Villas, Matanzas, and Pinar del Río Provinces.

Workers at sugar mills did their share, as well. In checking the falling sugar production INRA headquarters "noted" the extraordinary number of accidents, with locomotives. Sugar Central Josefita in Havana province radioed that it had only one locomotive in operation. "The other," said the radio operator, "had been derailed." INRA headquarters asked for a full explanation and dispatched an inspector to the mill to investigate, stating that "there is not an extra locomotive in all of Cuba."

In a 3-week period from the end of February to the middle of March, a rash of reports sent to INRA in Havana told of locomotives being derailed at sugar mills. Sugar Central Mercedes in Matanzas Province reported on February 27 that "a train had been derailed while transporting cane to the mill."

On March 9, the Cuban Government revealed that another train wreck had taken place near Ciego de Ávila, Camagüey province. The engineer of one of the trains and several others were killed in the crash. The Government announced that the balance of the train crews "have been detained by agents of public order."

In February, the radio operator of the provincial delegation of sugar mills for Camagüey radioed Havana that "the people most against us are those at the sugar mill of San Francisco." On March 20, the head of the sugar mills for the province stated that "anti-Government groups spread the rails of the lines at the sugar mill of San Francisco, causing the derailment of two trains."

The inability of Omar Fernández to stem the tide of sabotage led, just last month, to his being ousted and replaced by Faure Chomon. Yet, last Wednesday, January 8, Havana's Radio Progreso revealed that train wrecks were still continuing, and were the result of sabotage:

"An important meeting was held at the Cuban-Spanish (Communist) Friendship Society by the railway workers where agreements of the National Railway Council were approved.

"With respect to the train wrecks, it was agreed to ask the State Railway Enterprise and the Ministry of Transport to punish those responsible. [They] should be punished uniformly and inflexibly with a 1-year's suspension of work without pay or enjoyment of any benefits of labor legislation. After the year of suspension, they should spend another year earning a lower salary at lower position than before. In the case of being implicated in a train wreck, those responsible should be taken before the State Railway Enterprise, the labor union, and before the courts."

The announcement also admitted to the disappearance of essential property: "To combat theft, the State Railway Enterprise and the union will both support action against the thief, including his final and complete punishment and indictment before the courts."

The calumny heaped upon bus and taxi drivers extended to porters: "It was also agreed to suspend and punish those porters who refuse to load baggage."

An effort to do away with taxi drivers was contained in the resolution to "study the advisability of using the 'popular transport' to drive passengers and so put an end to the abuses of some taxi drivers and auto owners."

It is clear that the Castro regime itself relates the breakdown of Cuba's transport system to effective sabotage on the part of the Cuban people. The Leyland bus deal goes far in getting him off a very serious hook with his own rebellious subjects. If we or our allies sell Castro planes for his airlines, trains for "interprovincial travel," and taxis to be driven by militants of the Communist Party, which he said he was determined to purchase abroad, our policy of "isolation" will have been turned into a major disaster. Our Cuba policy, which has been under bipartisan fire, will have collapsed entirely. From all indications it would appear that this growing trend must not only be stopped, but rolled back with a greater determination than has yet been displayed.

KENTUCKY'S RETURN TO THE MAJOR LEAGUES

Mr. ROGERS of Colorado. Mr. Speaker, I ask unanimous consent that the gentleman from Kentucky [Mr. CHELF] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Colorado?

There was no objection.

Mr. CHELF. Mr. Speaker, for the first time in over 60 years Kentuckians have an opportunity to secure a major league baseball club. The city of Louisville has always been a splendid baseball town. She was a member of the National League as far back as 1876, and had a franchise with them from 1892 to 1899, at a time when Louisville's present baseball critics were unborn, unknown, and undiapered.

Ever since I was a small child I can recall the accomplishments of our Louisville "Colonels." It hasn't been but a few years ago when it became apparent that our minor league Louisville team had run into financial difficulty and it was most heartwarming, refreshing and stimulating to witness the eager and voluntary support of Kentuckians as they rallied 'round the Louisville ball club by purchasing enough stock to bail the team out. If Kentuckians would do this for a "triple A" club I submit that they would overwhelmingly support Charles O. Finley's major league team.

Yes, Mr. Speaker, I was just a kid in the old Louisville Masonic Widows and Orphans Home when I first heard "grownups" talk about traveling to such cities as Cincinnati, Chicago, St. Louis, and others in order to see a major league ball game. Mr. Speaker, this practice has been standard operating procedure in Kentucky far too long. We deserve a major league ball club. We can, and I sincerely believe, we will be able to support it.

Our State, county, and city officials have joined with all of us who have the honor to represent our Commonwealth in the Nation's Capitol—irrespective of party affiliation—in order to make this transition of the Athletics possible. Not only is Kentucky's officialdom united; but what is more important, the vast majority of Kentucky's over 3 million people are likewise behind this move.

Mr. Speaker, no more than I had learned that our energetic Mayor William Cowger of Louisville and our fine young Kentucky Governor, "Ned" Breathitt, had caused to be signed a contract with that courageous Charles O. Finley, sole owner of the Athletics, in which the State of Kentucky had agreed to spend over a half-million dollars increasing the seating capacity in the stadium of the Kentucky State Fairgrounds from 20,000 to over 30,000 and had agreed on terms for the 1964–65 seasons, than I heard that the other baseball clubs in the American League were opposed to this very legitimate contract that had been entered into by and between the sovereign State of Kentucky and the complete owner of a very legitimate business enterprise.

Mr. Speaker, this situation brings rise to the very practical question as to just who owns the Kansas City Athletics franchise—the man who put his money on the line at the time he purchased it or these self-appointed and self-anointed representatives of the various clubs of the American League?

Mr. Speaker, when these interested parties possessing possibly several shares of stock in an incorporated club—these "glass door fronts"—not a sole owner of a ball club—such as Finley—take on their holier-than-thou, go-thither look—their Chess-cat grin, their affidavit expressions, and their funereal mannerisms of "gloom, doom, and tomb," we had better look out because, in my opinion, bad trouble lies ahead for every legitimate business in America. If these baseball clubs are allowed to dominate, control, pressure, and even intimidate a fellow club owner, a horrible precedent is being established contrary to the Constitution and the laws of our land. This is, as I see it, legalized blackmail in that it absolutely forces one, against one's will to do or not to do—or to perform or not to perform—an act that may be prejudicial or detrimental to one's self or best interests.

Mr. Speaker, in a letter written to me by the Honorable Ford Frick, baseball's commissioner, dated May 21, 1958, he stated that he was opposed to the then Celler bill, H.R. 10378, on the grounds that:

> It would threaten baseball and other sports with endless litigation of every sports rule and agreement.

He went on to say that:

> Although baseball is opposed to the Celler bill it is strongly in favor of legislation which will give fair treatment to all four organized team sports by declaring a clean-cut exemption of their sports practices from the antitrust laws.

So, Mr. Speaker, baseball knows when it has a good thing, and I do not believe that she will make a move that will jeopardize her rather unique and cloistered position.

Mr. Speaker, if the time ever comes—God forbid—in America that a bona fide, absolute, sole owner of any type or form of business cannot sell, transfer, convey, loan, hypothecate or in any other manner trade, barter or even give his interests away without a group threatening or coercing him, that is the day that there should be introduced before my committee, the Judiciary Committee of the House of Representatives, appropriate and remedial legislation, not only to insure justice with respect toward property rights but an accompanying resolution that would seek to inquire into this whole blasted mess of baseball.

If major league baseball is to enjoy its present immunity, its status of isolationism, its inner sanctum, its holy of holies of preferential treatment; if baseball seeks to continue to be over, above and away from the worry pangs of antimonopoly and its legal application, then her leaders, such as Mr. Joe Cronin, president of the American League, and the Honorable Ford Frick, baseball high commissioner, should wake up, come down off of their cloud No. 14, get their feet on the ground, take a good, long breath of fresh air, get in the amen corner, adopt a new kind of baseball religion, acquire a new code of baseball rules and ethics—or they are headed for a fall like mother's bread when her oven door slams.

Mr. Speaker, when it became known that Finley had signed a contract with Kentucky to transfer his ball club there—listen to this written order by Mr. Joe Cronin, American League president, to Charles O. Finley. Among other things, he said:

> I therefore, as president of the American League, direct you to refrain from any further arrangements and await the determination of the American League concerning the matter.

This is a form of a threat.

Mr. Speaker, boiled down to simple, plain, unadulterated, foothills of Kentucky language, this is not a fight between the cities of Kansas City and Louisville. It is far more fundamental and basic than that. I agree with Shirley Povich, that great sportswriter for the Washington Post, when he said:

> Will a club owner be ousted from the league for the first time in history if he challenges the league's right to make him conform?

And how would they make him conform? Naturally by pressure and other illegal means.

Mr. Speaker, I can understand why an individual might be blackballed from his acceptance into a lodge, but I must confess that I am at a loss to understand why a group of men representing other American League clubs are permitted to threaten, intimidate or in any other manner, push, shove or force a bona fide, sole club owner, literally out of business when it is known that such action will produce hardship, financial loss, and even the destruction of his very own "civil rights." If we are to have a civil rights bill, maybe baseball ownership rights ought to be made a part of that list.

PAUL ROBESON RETURNS FROM SELF-EXILE

Mr. ROGERS of Colorado. Mr. Speaker, I ask unanimous consent that the gentleman from Louisiana [Mr. WAGGONNER] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Colorado?

There was no objection.

Mr. WAGGONNER. Mr. Speaker, over the Christmas holidays a story appeared in the Washington Post which may have escaped some Members, so I would like to bring it to their attention now. It is the story of the return of Communist sympathizer Paul Robeson to the United States after a 5-year sojourn in Russia. He has returned, he says, to resume his activity in the civil rights movement.

I am sure he will be welcomed by the Communist-front members who dominate the NAACP leadership, as well as all the others in this movement who make a sorry livelihood exploiting Negroes.

In the 5 years Robeson has been in Russia, he may have lost track of his civil rights buddies who share Communist leanings with him, so I refer him to the CONGRESSIONAL RECORD, volume 109, part 10. On page 13591 and for the next 30 pages, he will find a complete list of all the NAACP leaders who have Communist-front memberships to their credit. One other whom he will want to get in touch with, I am sure, is the "Reverend" Fred Shuttlesworth, ex-bootlegger turned civil rights leader. The story of the "Reverend's" bootlegging past and his Communist-fronting activity are documented in an insertion of mine on page A6552 of the daily RECORD of October 21, 1963.

There are enough pinks and Reds in the movement to keep him company. But, if he does get lonesome, perhaps we will all be better off if he would return to his adopted "motherland."

> PAUL ROBESON RETURNS FROM HIS SELF-EXILE
>
> NEW YORK, December 22.—Paul Robeson, the American Negro baritone and longtime friend of Russia, returned today from self-exile to the homeland he once labeled "an insolent, dominating America."
>
> Smiling, the 65-year-old actor-singer followed his wife from the transatlantic jet airliner which brought them from London.
>
> Their son, Paul, Junior, and a party of about 50 waited for the Robesons to clear customs at Idlewild Airport.
>
> Robeson appeared to have lost considerable weight during his 5-year absence from the United States. He has been ailing for about 3 years.
>
> But he walked with a brisk gait from the airplane to customs. His wife, Eslanda, carried a cane and limped slightly.
>
> Robeson left the United States July 10, 1958, after an 8-year battle for a U.S. passport. It had been denied him because he repeatedly refused to sign a non-Communist affidavit.
>
> The singer's son turned aside all questions about the homecoming with the remark, "I don't care to talk about it."
>
> The East German news agency ADN said recently that Robeson chose to return to help fellow Negroes in their struggle for equal rights. Robeson's only airport remark dealt with this.
>
> "I'm happy to be back in the country and naturally I'm happy to be back in the civil rights movement," he said. "I have been a part of it all of my life."

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. HALLECK (at the request of Mr. ARENDS), for January 13 and 14, on account of death in family.

Mr. MORTON (at the request of Mr. ARENDS), for the period beginning Friday, January 10, 1964, through Tuesday, January 28, 1964, on account of official business.

Mr. Mathias (at the request of Mr. Arends), for today, on account of official business.

Mr. Roybal (at the request of Mr. Boggs), for January 13 to January 27, 1964, on account of official business.

Mr. Gill (at the request of Mr. Boggs), for January 13 to January 27, 1964, on account of official business.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

Mr. Price, for 30 minutes, today.

Mr. Cannon, for 15 minutes, today.

Mr. Curtis, for 30 minutes, today.

Mr. Edwards (at the request of Mr. Albert), for 30 minutes, today, and to revise and extend his remarks and to include extraneous matter.

Mr. Selden (at the request of Mr. Rogers of Colorado), for 60 minutes, on Thursday, January 16, 1964.

EXTENSION OF REMARKS

By unanimous consent, permission to extend remarks in the Congressional Record, or to revise and extend remarks, was granted to:

Mr. Lesinski (at the request of Mr. Albert) and to include a statement on suppressed letters in support of Shevchenko statue, nothwithstanding the cost is estimated by the Public Printer to be $945.

(The following Member (at the request of Mr. Shriver) and to include extraneous matter:)

Mr. Taft.

(The following Members (at the request of Mr. Albert) and to include extraneous matter:)

Mr. Lankford.

Mr. Cohelan.

(The following Member (at the request of Mr. Rogers of Colorado) and to include extraneous matter:)

Mr. Senner.

SENATE ENROLLED JOINT RESOLUTION SIGNED

The SPEAKER announced his signature to an enrolled joint resolution of the Senate of the following title:

S.J. Res. 136. Joint resolution providing for renaming the National Cultural Center as the John F. Kennedy Center for the Performing Arts, authorizing an appropriation therefor, and for other purposes.

ADJOURNMENT

Mr. ROGERS of Colorado. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 2 o'clock and 50 minutes p.m.) the House adjourned until tomorrow, Tuesday, January 14, 1964, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

1518. A letter from the Secretary of the Air Force, relative to the number of officers assigned or detailed to permanent duty in the executive element of the Air Force at the seat of government for the second quarter of fiscal year 1964 (December 31, 1963), pursuant to section 8031(c), title 10, United States Code; to the Committee on Armed Services.

1519. A letter from the Chairman, National Capital Planning Commission, transmitting a report showing lands acquired by the Commission during the fiscal year 1963, for the development of the park, parkway, and playground system of the National Capital and its environs in nearby Maryland and Virginia, pursuant to Public Law 592, 82d Congress; to the Committee on the District of Columbia.

1520. A letter from the Chairman, Interstate Commerce Commission, transmitting copies of certain final valuations of properties of certain carriers, pursuant to section 19a of the Interstate Commerce Act; to the Committee on Interstate and Foreign Commerce.

1521. A letter from the Chairman, Federal Power Commission, transmitting additional information relating to executive communication No. 1480, dated December 30, 1963; to the Committee on Interstate and Foreign Commerce.

1522. A letter from the Comptroller General of the United States; transmitting a report on inadequate management action to avoid excessive costs of milk procurement by hospitals and domiciliaries, Veterans' Administration; to the Committee on Government Operations.

1523. A letter from the Comptroller General of the United States, transmitting a report on inadequacies in administration of Federal grants under title III of the National Defense Education Act of 1958, Department of Health, Education, and Welfare; to the Committee on Government Operations.

1524. A letter from the Comptroller General of the United States, transmitting a report on increased costs resulting from the procurement of spare parts by the Air Force under contracts for related aeronautical equipment; to the Committee on Government Operations.

1525. A letter from the Comptroller General of the United States, transmitting a report on the review of certain activities of the government of the Virgin Islands of the United States for the fiscal year ended June 30, 1962; to the Committee on Government Operations.

1526. A letter from the Administrative Assistant Attorney General, U.S. Department of Justice, transmitting a report of the administrative tort claims paid by this Department during the 1963 fiscal year, pursuant to 28 U.S.C. 2673; to the Committee on the Judiciary.

1527. A letter from the Commissioner, Immigration and Naturalization Service, U.S. Department of Justice, transmitting copies of the orders entered in the cases of certain aliens who have been found admissible to the United States, pursuant to the Immigration and Nationality Act; to the Committee on the Judiciary.

1528. A letter from the Commissioner, Immigration and Naturalization Service, U.S. Department of Justice, transmitting additional information relating to the case of Dr. Zoltan Agardy, which was originally transmitted in a letter dated May 1, 1963; to the Committee on the Judiciary.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. HARRIS: Committee on Interstate and Foreign Commerce. Report on the activities of the Committee on Interstate and Foreign Commerce (Rept. No. 1094). Referred to the Committee of the Whole House on the State of the Union.

Mr. PATMAN: Joint Committee on Defense Production. Thirteenth annual report of the Joint Committee on Defense Production (Rept. No. 1095). Referred to the Committee of the Whole House on the State of the Union.

PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. CONTE:

H.R. 9605. A bill to establish a National Economic Conversion Commission, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. FASCELL:

H.R. 9606. A bill to amend title 18, United States Code, to prohibit schemes in interstate or foreign commerce to influence by bribery the outcome of sporting contests, and for other purposes; to the Committee on the Judiciary.

By Mr. GARMATZ:

H.R. 9607. A bill to amend the Social Security Act and the Internal Revenue Code of 1954 to provide that a fully insured individual may elect to have any employment or self-employment performed by him after attaining retirement age excluded (for both tax and benefit purposes) from coverage under the old-age, survivors, and disability insurance system; to the Committee on Ways and Means.

By Mr. HENDERSON:

H.R. 9608. A bill to amend the act of June 19, 1886, relating to the transportation of passengers by foreign vessels between ports in the United States; to the Committee on Merchant Marine and Fisheries.

By Mr. PATMAN:

H.R. 9609. A bill to broaden the investment powers of Federal savings and loan associations, and for other purposes; to the Committee on Banking and Currency.

By Mr. TEAGUE of Texas (by request):

H.R. 9610. A bill to amend chapter 15 of title 38, United States Code, to revise the pension program for World War I, World War II, and Korean conflict veterans, and for other purposes; to the Committee on Veterans' Affairs.

H.R. 9611. A bill to amend title 38 of the United States Code to provide for an increase in compensation for veterans having certain service-connected disabilities; to the Committee on Veterans' Affairs.

H.R. 9612. A bill to amend title 38 of the United States Code so as to conform the method of computing the income of parents of certain veterans under that title; to the Committee on Veterans' Affairs.

H.R. 9613. A bill to amend title 38 of the United States Code to give certain persons who are eligible for dependency and indemnity compensation the option to elect to receive in lieu thereof death compensation under chapter 11 of that title; to the committee on Veterans' Affairs.

By Mrs. MAY:

H.R. 9614. A bill to establish a National Economic Conversion Commission, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. COOLEY:

H.J. Res. 885. Joint resolution to authorize and direct the Secretary of Agriculture to conduct research into the quality and health factors of Flue-cured tobacco; to the Committee on Agriculture.

By Mr. GLENN:

H.J. Res. 886. Joint resolution proposing an amendment to the Constitution to create the offices of Executive Vice President and Legislative Vice President; to the Committee on the Judiciary.

By Mr. WHALLEY:

H.J. Res. 887. Joint resolution authorizing and directing the National Institutes of Health to undertake a fair, impartial, and controlled test of Krebiozen; and directing the Food and Drug Administration to withhold action on any new drug application before it on Krebiozen until the completion of such test; and authorizing to be appropriated to the Department of Health, Education, and Welfare the sum of $250,000; to the Committee on Interstate and Foreign Commerce.

By Mr. McMILLAN (by request):

H.J. Res. 888. Joint resolution to authorize the Commissioners of the District of Columbia to promulgate special regulations for the period of the 91st annual session of the Imperial Council, Ancient Arabic Order of the Nobles of the Mystic Shrine for North America, to be held in Washington, D.C., in July 1965, to authorize the granting of certain permits to "Imperial Shrine Convention, 1965, Inc.," on the occasions of such sessions, and for other purposes; to the Committee on the District of Columbia.

By Mr. SIKES:

H.J. Res. 889. Joint resolution commemorating the golden anniversary of the Naval Air Station, Pensacola, Fla., and authorizing the design and manufacture of a galvano in commemoration of this significant event; to the Committee on Banking and Currency.

By Mr. VINSON:

H. Res. 607. Resolution to provide for the further expenses of the investigation and study authorized by House Resolution 84; to the Committee on House Administration.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. ASHMORE:

H.R. 9615. A bill for the relief of John A. Peralta; to the Committee on the Judiciary.

By Mr. HOSMER:

H.R. 9616. A bill for the relief of Sabri Sungu, his wife, Hatice Necla Sungu, and their daughter, Ayse Esen Sungu; to the Committee on the Judiciary.

By Mr. KEOGH:

H.R. 9617. A bill for the relief of Grazia Modafferi; to the Committee on the Judiciary.

By Mr. MAILLIARD:

H.R. 9618. A bill for the relief of Irene McCafferty; to the Committee on the Judiciary.

PETITIONS, ETC.

Under clause 1 of rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

603. By the SPEAKER: Petition of Henry Stoner, Avon Park, Fla., relative to asking Congress to employ article I, section 8, clause 12, of the Constitution so that Defense appropriations may be made for a biennial period, and not for an annual period (as now); to the Committee on Appropriations.

604. Also, petition of Henry Stoner, Avon Park, Fla., relative to protesting against Public Law 88–19; to the Committee on the District of Columbia.

605. Also, petition of Henry Stoner, Avon Park, Fla., relative to requiring members of the Joint Committee on Printing to set a standard price for the daily issues of the CONGRESSIONAL RECORD in lieu of the present graduated-by-size price schedule; to the Committee on House Administration.

606. Also, petition of Henry Stoner, Avon Park, Fla., relative to amending a petition submitted January 9, 1964, regarding the powers of Congress and the White House in American foreign policy; to the Committee on House Administration.

607. Also, petition of Henry Stoner, Avon Park, Fla., relative to amending petition of January 9, 1964, regarding congressional and White House powers in American foreign policy, to include article I, section 8, clause 18, of the U.S. Constitution; to the Committee on House Administration.

608. Also, petition of Henry Stoner, Avon Park, Fla., requesting Congress to publish as a document proof that Congress is much more important, constitutionally, than the President of the United States, in American foreign policy; to the Committee on House Administration.

609. Also, petition of Henry Stoner, Avon Park, Fla., asking Congress to require its members on the Joint Committee on Printing to restore the use of the term "laughter" in RECORD reportings; to the Committee on House Administration.

610. Also, petition of Henry Stoner, Avon Park, Fla., relative to Public Law 88–75 and requesting the review of all Federal subsidy laws now in force; to the Committee on Interior and Insular Affairs.

611. Also, petition of Henry Stoner, Avon Park, Fla., requesting Congress to desist in passing legislation reactivating the electoral colleges, once the said colleges have once acted, pursuant to the 12th and 23d article of amendment; to the Committee on the Judiciary.

612. Also, petition of Henry Stoner, Avon Park, Fla., requesting Congress to pass legislation to change the name of the electoral colleges to electoral university, because of the misuse of the former term in many instances; to the Committee on the Judiciary.

613. Also, petition of Henry Stoner, Avon Park, Fla., relative to Public Law 88–36 regarding the issuance of Federal Reserve notes; to the Committee on the Judiciary.

614. Also, petition of Henry Stoner, Avon Park, Fla., requesting Congress to provide for an annual U.S. Constitution memory contest for American youths, which would pay $100 to everyone under 21 who memorizes the Constitution; to the Committee on the Judiciary.

615. Also, petition of Henry Stoner, Avon Park, Fla., relative to providing a proper way for increasing the salaries of Members of Congress; to the Committee on Post Office and Civil Service.

616. Also, petition of Henry Stoner, Avon Park, Fla., requesting that the House Committee on the Judiciary publish a "clean" U.S. Constitution; to the Committee on Rules.

617. Also, petition of Henry Stoner, Avon Park, Fla., relative to an explanation of the word "republican"; to the Committee on Rules.

618. Also, petition of Henry Stoner, Avon Park, Fla., requesting Congress to institute an investigation through the Banking and Currency Committee regarding article I, section 10, clause 1, of the U.S. Constitution; to the Committee on Rules.

EXTENSIONS OF REMARKS

The John F. Kennedy Memorial Center

EXTENSION OF REMARKS

OF

HON. GEORGE F. SENNER, JR.

OF ARIZONA

IN THE HOUSE OF REPRESENTATIVES

Monday, January 13, 1964

Mr. SENNER. Mr. Speaker, on November 27, 1963, I introduced H.R. 9254 to designate the National Cultural Center as the John F. Kennedy Memorial Center and to appropriate sufficient matching funds for completion of the Center. From the copper-mining towns of my district to the metropolitan centers of the east coast, few Americans are left untouched by the cultural richness of our society which the late President so prominently brought to the public's mind. Seldom, if ever before, has an American President made such an impact on the development and appreciation of the arts.

Americans from every section of our great Nation are justifiably concerned that our late President be honored in the most fitting manner. We should not now allow our deliberations to become arguments of partisan criticism. Let us proceed in the forthright fashion which the American people demand of their Congress. The Members of this body, perhaps more than any other section of our public, were closely touched by President Kennedy's stimulus for a reawakening interest in our heritage. I ask my colleagues to support the Cultural Center legislation with provision for adequate funds. Such legislation will assure a proper stage for this country's performers and certainly a fitting tribute to the one man who did so much to enhance American performance and enjoyment of the arts.

Tobacco Report

EXTENSION OF REMARKS

OF

HON. RICHARD E. LANKFORD

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Monday, January 13, 1964

Mr. LANKFORD. Mr. Speaker, I would like to say a few words about the Surgeon General's tobacco report, but before I do I think I should set the record straight. I represent a congressional district which produces $20 million worth of tobacco a year; I own and operate a tobacco farm in southern Anne Arundel County; and I smoke more than a pack of cigarettes a day.

We have known for some years that tobacco, and primarily cigarettes, have an adverse effect on health. The Surgeon General's report serves a very useful purpose because it reviews, condenses, and interprets all the research and information so far available on the effect of tobacco on health. But it is not a definitive report, nor does it pretend to be. There is much that has yet to be learned about this problem.

Unquestionably, the Federal Government has a responsibility to publicize the known effects of tobacco on health. It also has a responsibility to sponsor continuing research into this problem, and as a Member of Congress I will direct my efforts to helping our Government live up to these responsibilities.

In studying the report and the other information that has been made available in recent days, I have been struck by several points. For instance, the study group was not able to make any sound conclusions with regard to the usefulness of filters in cutting down the hazards of smoking—filters may be helpful, but there is not enough information available on them yet. Lung cancer as a result of smoking cigars and pipes is much less likely than from smoking cigarettes. The quantity and length of time one has smoked is a very important factor in determining the likelihood of getting cancer or another disease. The conclusions in the report pertain almost exclusively to men; they are not fully applicable to women because as yet not enough information is available. The connection between lung cancer and tobacco may be due in part to a rare radioactive metal found on tobacco leaves. If this connection is established it may then be possible to filter this particular substance out of the smoke. And, in spite of the fact that so many of the conclusions on health and tobacco definitely established a relationship between smoking and various ailments, as yet not enough information is available to determine if smoking is positively the cause of the ailment. All this points up the fact that more research is badly needed.

There are, too, some other factors which indicate the impact of the tobacco industry on our economy and the involvement of our society with smoking which I think we should keep in mind during this debate. I mentioned the importance of tobacco production to my congressional district. On a nationwide basis tobacco is the fifth largest cash crop, for which the consumer spends $8 billion annually. Production involves over 700,000 farm families and approximately 100,000 factory workers. The taxes on tobacco amount to $3.3 billion annually, about $2 billion of which goes to the Federal Government and $1 billion to State and local governments. There are 70 million smokers in the United States, or more than one-third of our total population.

In the coming months the debate on tobacco and health will gain considerable momentum. Various Federal agencies will, I am certain, exercise their responsibilities to the public either by implementing new regulations, or publicizing additional information, or both. Legislation has already been introduced in Congress designed to make sure the smoker is fully aware of the facts and the Federal Trade Commission has proposed a requirement that tobacco packaging contain a warning that smoking is injurious to health. This is largely a whole new area of governmental involvement for all of us and, therefore, I am sure that executive or congressional action will not come hastily or without very serious consideration of the impact of the proposals and the complications which they may bring. For my own part, as I said earlier, I will attempt to help, in any way I can, the Federal Government fulfill its responsibility of making all the facts known.

Questionnaire Results

EXTENSION OF REMARKS

OF

HON. JEFFERY COHELAN

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, January 13, 1964

Mr. COHELAN. Mr. Speaker, During October and November of 1963, legislative questionnaires were sent to more than 85,000 residents of the Seventh California District.

With many of these issues still before Congress I believe our colleagues will find the tabulation of the nearly 12,000 questionnaires returned of interest:

Results of the 1963 questionnaire poll conducted by Congressman JEFFERY COHELAN, 7th District of California

	Percent			
	Yes	No	Undecided	Blank
1. Do you favor legislation now before the Senate making general reductions in personal and corporate income taxes?	66.6	22.0	8.4	3.0
2. Should Congress pass the President's omnibus civil rights bill?	57.6	28.4	6.4	7.6
If your answer is "yes"—				
(a) Should the section prohibiting discrimination in public accommodations be retained in the bill?	54.8	15.9	3.8	25.5
(b) Would you favor establishing a Federal Fair Employment Practices Commission?	48.5	20.3	6.2	25.0
3. Do you favor Federal assistance for public school construction and teachers' salaries?	49.5	42.6	6.4	1.6
4. Should Congress amend the college aid program to provide scholarships for qualified needy students?	65.2	26.4	6.8	1.6
5. Should legislation be enacted providing insured health and hospital care for our senior citizens under social security?	63.3	29.1	6.2	1.3
6. Would you favor a Youth Conservation Corps providing public service employment and job training for unemployed young people?	72.6	20.5	5.7	1.1
7. Do you favor establishing a National Service Corps, modeled after the Peace Corps, to work in local communities, where requested, in such areas of need as migrants, Indians, school dropouts, and the mentally retarded?	57.7	32.2	8.7	1.4
8. Should Congress establish a national wilderness preservation system?	73.5	13.7	10.6	2.2
9. Should Congress make grants and loans to assist local communities develop mass transportation systems?	40.1	43.5	13.8	2.5
10. Would you favor Federal legislation enabling manufacturers to prohibit the sale of their products below designated prices?	12.1	75.8	10.2	1.9
11. Do you believe the Senate should restore the foreign aid cuts made by the House, as recommended by President Kennedy and General Clay?	28.6	56.4	13.1	1.8
12. Should the $150,000,000 cut made in the Alliance for Progress be restored?	25.1	51.0	20.6	3.2
13. Should the U.S. Disarmament Agency, established in 1961, be made a permanent agency of our Government?	34.9	36.0	25.5	3.6
14. Do you approve of the limited nuclear test ban treaty recently ratified by the Senate?	70.5	20.2	8.1	1.2

Botulism Symposium at the Taft Engineering Center

EXTENSION OF REMARKS

OF

HON. ROBERT TAFT, JR.

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Monday, January 13, 1964

Mr. TAFT. Mr. Speaker, the Milk and Food Branch of the Robert A. Taft Sanitary Engineering Center in Cincinnati is playing host to approximately 300 participants at a symposium on botulism which began today in Cincinnati.

Botulism has become a serious problem as last year there were more than 40 cases reported. At this meeting representatives of educational institutions, directors of State laboratories, representatives of the various food industries, and other interested parties will pool their information and attempt to make some determination of what must be done to attack the complex problems involved.

This symposium is another fine example of the excellent work being done at the Taft Center. The wealth of trained personnel and facilities, both public and private, in the Cincinnati area, as well as the central location in the country, make possible the fine work there. I would like to take this opportunity to commend the Taft Center for its role in sponsoring the meeting and wish all the participants success in their deliberations.

Statement by Hon. John Lesinski on Suppressed Letters in Support of Shevchenko Statue

EXTENSION OF REMARKS
OF

HON. JOHN LESINSKI

OF MICHIGAN
IN THE HOUSE OF REPRESENTATIVES
Monday, January 13, 1964

Mr. LESINSKI. Mr. Speaker, when the editor of the Washington Post took it upon himself to criticize ill temperedly all Americans and groups supporting the Shevchenko statue in our Nation's Capital, he apparently did not know how sophisticated and advanced the subject was. His wild criticisms constituted an attack upon the informed judgments of the late President Kennedy, our present President Johnson, the Congress, millions of Americans of various ethnic and religious backgrounds, indeed, upon the society we call America and the principles of life it represents. One need only read his editorials from September 23 to November 12, 1963, to witness the erraticism of thought and hollowness of position on this subject.

Apart from these editorial errors and failures, what is really distressing is the editor's suppression of scores of letters that had been sent in protesting and rebutting his fallacious views. In our open society error is rightly entertained in open and frank discussion, but we do not tolerate in the press or elsewhere a major suppression of opposing views and evidence. Considering the number of editorials that have appeared in the Post and then the various accompanying news reports, which have all the marks of a concentrated campaign, it is evident that over 90 percent of the letters sent to the Post were not published. From copies received here it appears that hundreds of letters have been sent in popular opposition to the unjust and erroneous notions of the Post's editor.

Because of the seriousness of this whole case as concerns the relations of our country with the captive peoples not only of Ukraine but all other captive nations, I have selected just a fraction of the letters written by Americans from all sections of our country, whose rebuttals are pointed and quite informative. I ask that these letters be appended to my remarks. Included also is a letter I have written to the Secretary of the Interior on this subject and his reply to me.

CONGRESS OF THE UNITED STATES,
HOUSE OF REPRESENTATIVES,
Washington, D.C., December 17, 1963.
Hon. STEWART UDALL,
Secretary of the Interior, Department of the Interior, Washington, D.C.

DEAR MR. SECRETARY: It has been customary in America in the past years to honor outstanding leaders of each nationality of the European countries.

In keeping with that tradition is the erection of a statue for the great Ukrainian patriot and poet, Taras Shevchenko, authorized by an act of Congress (Public Law 86-749, September 13, 1960) in the city of Washington. As you know, the site was selected to be at 23d and P Streets NW., and the dedication occurred on September 21, 1963.

Due to some misunderstanding, the matter has been brought to your attention, therefore my letter to you.

Regardless of what may have transpired, all Americans of Ukrainian descent are behind the erection of the statue.

Likewise, may I remind you that Shevchenko was known in many of the central European countries where individuals were fighting for their freedom. He can be compared to our Jefferson in America and as the representative of all Europeans that have known him and read his writings.

I therefore urge you to permit the erection of the statue, as authorized by law, so that all Americans, in honoring a fighter against tyranny and oppression, can take pride in their heritage and in so doing will be better Americans.

Your cooperation in this matter will be greatly appreciated.

With best wishes, I am,
Sincerely yours,
JOHN LESINSKI,
Member of Congress

U.S. DEPARTMENT
OF THE INTERIOR,
NATIONAL PARK SERVICE,
NATIONAL CAPITAL REGION,
Washington, D.C., January 7, 1963.
Hon. JOHN LESINSKI,
House of Representatives,
Washington, D.C.

DEAR MR. LESINSKI: Secretary Udall has asked this office to explain our position in regard to the progress of the proposed Shevchenko Memorial discussed in your letter of December 17.

There has arisen recently a great deal of misunderstanding concerning the purpose of a letter dated December 4 to the Chairman of the National Capital Planning Commission from Secretary Udall. From newspaper accounts and correspondence, it appears that this purpose is being construed to be opposition to the memorial project. We assure you nothing could be further from the truth.

When it became known, through an announcement at the November 7 meeting of the National Capital Planning Commission, that consideration would be given to revoking the Commission's approval of the site for the memorial, the Secretary wished to recommend to the Commission that in any restudy of the memorial project as a result of the Commission's action, the Department's proposal for a National Capital Parks Memorial Board should be included. This is in keeping with our longstanding policy for seeking appropriate means of assuring that sites will be available for future memorials which, in all respects, merit a location on parkland in the Nation's Capital.

We recommend the establishment of the memorial board as a means of meeting the critical situation which confronts the National Capital Parks system today. The board will provide an effective method for focusing attention on the problem and will help all concerned to view the numerous proposals in proper perspective. It is our opinion that, notwithstanding the worthiness of the Shevchenko Memorial, the larger question of the appropriate use of the very limited public land available should first be resolved. As long as this situation is left unsettled, no memorial project should be authorized on public land in our Federal city.

The construction drawings for the Shevchenko Memorial have been reviewed by this office, but our comments are being withheld pending the outcome of the National Capital Planning Commission's impending action. The announcement on November 7 drastically altered the progress of this project, and we feel it inadvisable to proceed until the question of the site is settled.

Thank you for your interest in this matter. We shall be happy to furnish you any additional information you need.

Sincerely yours,
T. SUTTON JETT,
Regional Director.

THE TRIDENT QUARTERLY,
Chicago, Ill., November 19, 1963.
EDITOR,
The Washington Post,
Washington, D.C.

DEAR SIR: For over a month now, the Washington Post has engaged in a polemic battle with a number of Ukrainian-Americans over the proposed monument to Taras Shevchenko in Washington, D.C. As I understand them, your objections to the Shevchenko statue can be summarized as follows:

(1) Taras Shevchenko did not have the remotest connection with American nationalism, with the United States, or with the American way of life.

(2) The Soviet Union has dedicated libraries, collective farms, plants, villages, and memorials to Shevchenko's name. The implication here is that Shevchenko must have contributed something to the growth of communism and because of this, it would be "un-American" to erect a memorial to him in our Nation's Capital.

(3) Shevchenko was anti-Semitic and anti-Polish.

Since I believe none of these objections are valid, permit me to enumerate a number of facts, supported by quotations from scholarly, reliable, and non-Ukrainian sources, in answer to your objections.

Fact No. 1: The nationalistic ideals of self-determination, personal liberty, and national organization were first realized during the American Revolution.

"In reality, nationalism arose as a dominant force in the 18th century in Western Europe and in North America; the American and French Revolutions may be regarded as its first powerful manifestations. * * * Nationalism meant, in America as well as in revolutionary France, the adherence to an idea, looking toward a common future of freedom and equality, not toward the past which had been characterized by authoritarianism and inequality." ("Nationalism," Encyclopedia Britannica, vol. XVI, 1951.)

Fact No. 2: Taras Shevchenko was a Ukrainian nationalist who, in his writings, actions, and by his very life, demonstrated a spiritual connection with the ideals of American nationalism.

"The first Ukrainophil program went so far as to demand that Ruthenians (Ukrainians) should be guaranteed autonomy and linguistic independence in a pan-Slavist federation (republic) after the American model." (Masaryk, Thomas, "The Spirit of Russia," vol. I, Macmillan, 1955, p. 302.)

"Shevchenko was the first not only to proclaim his opposition to autocracy and serfdom, but to demand a complete separation of Ukraine as a nation from Russia." (Kohn, Hans, "Pan-Slavism: Its History and Ideology," 2d ed., Vintage Books, Random House, 1960, p. 70.)

"While there is a tradition of separate political development in Ukraine, modern nationalism—the doctrine that persons of a distinctive culture should constitute an independent state—came late to this area. To a close observer, the first stirrings of nationalism among educated groups in Ukraine would have been apparent early in the 19th century, and by the middle of that century Taras Shevchenko, the greatest name in Ukrainian literature, was giving poetic expression to nationalist aspirations." (Armstrong, John, "Ukrainian Nationalism," 2d ed., Columbia University Press, 1963, p. 3.)

Fact No. 3: In an effort to "Sovietize" the non-Russian peoples of the U.S.S.R., and to fulfill their own political ambitions of complete amalgamation of all nationalities, the Communists have resorted to a deliberate falsification of historical fact and have transformed the national symbols of their captive peoples to fit the Russian Communist mold.

Stalin's "A Short History of the Communist Party of the Soviet Union" "launched an extraordinary phase of history rewriting, with gross falsification of evidence, which has spread out now into the satellite states and must absorb a high proportion of the time and effort of modern Communist historians, (Rostow, W. W., "The Dynamics of Soviet Society," A Mentor Book, The New American Library, 1952, pp. 121–122).

"In the first stage of 'Sovietization,' generous grants of 'self-determination' and local cultural 'autonomy' are usually made. In this stage, and to a lesser degree throughout the later stages of development of a Soviet 'republic' manipulation of symbols of nationalism serves important psychological purposes. The persistent attention devoted to this theme is impressive; even discounting for its very important role in foreign propaganda, it is difficult to doubt that the Kremlin appraises shrewdly the value of frequent gestures of recognition of group identities." (Barghoorn, Frederick C., "Soviet Russian Nationalism," Oxford University Press, 1956, pp. 128–129.)

Fact No. 4: Taras Shevchenko's role as Ukrainian patriot and a fighter for freedom has been deliberately distorted by the Russian Communists.

"At the same time efforts were made to identify the outstanding cultural figures in the non-Russian republics with their Russian counterparts and with Soviet thought and the traditional Russian heritage. The best example of these efforts in Ukraine involved the preeminent Ukrainian writer Taras Shevchenko." (Sullivant, Robert S., "Soviet Politics and the Ukraine, 1917–57," Columbia University Press, 1962, p. 230.)

Fact No. 5: The erection of monuments to Taras Shevchenko in the U.S.S.R. is a deliberate effort on the part of the Russian Communists to manipulate a nationalist symbol and to falsify the image of a beloved Ukrainian national hero.

"Soviet Ukraine has become an administrative part of the economic complex, and the military base of the U.S.S.R. for the totalitarian bureaucracy. Stalin's bureaucracy, it is true, erects statues to Shevchenko, but only in order to press with this monument on the Ukrainian people, to force them to eulogize the Kremlin violators in the language of the Kobzar" (Trotsky, Leon, "On the Ukrainian Problem," Byulleten Opozitsii, 77–78, May, June, July, 1939, p. 6).

As for your allegation that Shevchenko was anti-Semitic, I refer you to the Jewish author, Arnold Margolin ("From a Political Diary: Russia, the Ukraine, and America," Columbia University Press, 1946, p. 27).

Your objection to Shevchenko on the grounds that he was anti-Polish also has little basis in fact in view of his progressive ideals regarding a pan-Slavic federation with unity and equality for all Slavic peoples. On this point, I refer you again to Kohn's "Pan-Slavism," Masaryk's "The Spirit of Russia," as well as to "The Handbook of Slavic Studies" (Harvard) edited by Leonid Strakhovsky and "A History of Russia" (Random House) by Jesse D. Clarkson. If Shevchenko protested against the excesses of Polish landlords in Ukraine, this no more makes him anti-Polish than your protests against the way some Americans treat Negroes makes you anti-American.

Finally, your statement that Shevchenko was not a universal poet depends on your definition of universality. According to the "Slavonic Encyclopedia" (edited by Joseph S. Roucek, Philosophical Library, 1949), Shevchenko is "universally regarded as the greatest of Ukrainian authors and one of the great poets of the Slavonic world."

It is my sincere hope that with the above information as a starter, you will make a more careful study of Taras Shevchenko and reevaluate your position regarding his monument in Washington, D.C.

Personally, I am delighted that our Congress has permitted the Ukrainian-American population to erect a statue to Shevchenko. It will serve as a reminder to Ukrainians all over the world (the U.S.S.R. included) that America, unlike Russia, fully understands and appreciates its multiethnic society and that Americans are not, as you hint they should be, oblivious of the positive contributions of other nationalities, no matter how insignificant their number on these shores. Most important of all, however, the Shevchenko Memorial in Washington will stand for all time as a reminder to the world that the real significance of the American Revolution of 1776 has not been forgotten.

Respectfully yours,

MYRON B. KUROPAS,
Editor.

PHILADELPHIA, PA., *October 1963.*

THE EDITOR,
The Washington Post,
Washington, D.C.

DEAR SIR: In an article published in your paper, October 18, 1963, your contributor demanded an annulment of the decision of Congress to erect in Washington a monument to Taras Shevchenko, the greatest Ukrainian poet. It is characteristic that in the atomic age he is denying the right of independence to the Ukrainians, a nation of a thousand years' history, while in recent times many nations in Africa and Asia have been established, some of them thoroughly unknown in the past.

It was a brilliant history because the Russians deemed it necessary to appropriate this history for themselves notwithstanding the truth that the origin of their state could be only on their territory. We have in mind the princes' period from the 10th to 14th century. The subsequent history was a tragic one. However, Bohdan Khmelnitsky, the chief of state, compares quite well with Cromwell and another Chief of State, Ivan Mazeppa should be considered one of the first leaders against the Russian aggression.

The Ukrainian Republic first fell victim to the Soviets. The Ukrainians belong to the nations who suffered most severely in the loss of both population and material goods in the First and the Second World Wars.

We think that the first problem of the world now is to keep peace through a union of all cultural nations. Your appeasement of the Russians would lead only to a rather great catastrophe.

As to Taras Shevchenko, he has been called a representative of his nation, such as Homer to the Greeks, Virgil to the Romans, Dante to the Italians, Shakespeare to the English, Goethe to the Germans and Mickiewicz to the Poles. Considering a nation as to her merits, we think more of her cultural achievements in the past than of her leaders, and therefore the above comparison.

Shevchenko was one of the great lyric poets, a poet of bravery as exhibited in his poems "Hamaliya" and "Ivan Pidkova," a defender of human dignity as proved in his poems "Catherine" and "Maidservant" and a great freedom fighter as exhibited by his works—"The Caucasus," "The Dream," "The Neophytes," etc. and by his life. His poem "Mary" reminds us of the great madonnas of the Renaissance. He was a painter of distinction, in his days likened to Rembrandt; an engraver, acknowledged by the Imperial Russian Academy of Arts as an academician, and a novelist. His novels "An Unfortunate," "The Twins," "The Artist" and "A Journey" are especially worthwhile mentioning and reading.

As a poet Shevchenko grew on the foundation of native folk poetry. His lyrics may compete with the lyrics of Shakespeare, created on a similar basis. Shakespeare tops all poets with his knowledge of men.

Shevchenko's most beloved writers were William Shakespeare whom he read in Russian and French, Walter Scott and Charles Dickens. A lasting influence left on him the Bible that he read since his earliest years of schooling.

Jacques Maritain in his "Art and Poetry" (p. 144) calls a true poet—a hero, priest, savior. My opinion is that such marking would in a best way refer to Taras Shevchenko who saved the Ukrainian nation from submersion by his creative work. He longed for a Washington for his nation that she may become free.

W. BESOUSHKO, Ph. D., Ed. D.

NEW YORK, N.Y.,
December 3, 1963.

Hon. JOHN LESINSKI,
House Office Building,
Washington, D.C.

DEAR SIR: By now you are well aware of the hostile, unfortunate, and humiliating policy recently adopted by the Washington Post and some individuals toward the erection of the Shevchenko Monument.

It is indeed a puzzle as to why the Washington Post embarked on so provocative a course. Who actually instigated this matter? Unfortunate and humiliating not only because the Post's recent strategy has morally affected thousands upon thousands of Americans of Ukrainian extraction but the millions of Ukrainians scattered throughout the free world and especially those freedom-seeking Ukrainians within the Soviet Union. These people especially look upon the U.S.A. as the strongest and foremost foothold in the expression of freedom. What effect will this have especially upon those enslaved Ukrainians who eventually will learn of this incident and should it become a fact—Shevchenko the freedom-seeking laureate barred from the capital of justice—Washington, U.S.A.? How will our Congressmen appear to these unfortunate souls?

Never has Shevchenko been accused of being anti-Semitic, neither during the czarist regime, nowhere in Europe, nor even now under communism. The honor for coining this degrading accusation can be claimed by the Washington Post. The mere fact that Shevchenko, to whom freedom was a highly prized luxury, was the first to sign a protest against discrimination of Jews is something to be considered. In 1858 an anti-Semitic article appeared in issue No. 35 of the magazine Illustration. A protest was in turn issued and signed by the following literary figures at that time: Shevchenko, Chernyshivsky, Mr. Stepkin, I. Turgenev, etc. This was not an exercise in penmanship but a decisive indication of courage by a humanist and an individual who truly believed in "the holy liberty" with complete disregard for his personal welfare and most definitely not an anti-Semitic action. Shevchenko, by the way, was under close police supervision at this time. Nor a minor incident in 1861 in Pryluky where a Jewish villager's house and possessions were going up in flames, Shevchenko unhesitantly began carrying out the possessions and helped rescue the Jewish family, calling to all villagers to pitch in the rescue. After the fire Shevchenko made a statement to the onlookers stating that a person in need and want, regardless of his nationality or religious belief, becomes for us our closest brother (Memoirs on Shevchenko, 1958, p. 108). Is this an act of anti-Semitism?

Have the critics paused for a moment as to why the Communists adopted Shevchenko and projected his works to suit their aims? If perhaps for the same reason as they say Polsanov instead of Fulton for the steamboat and Popov instead of Marconi for the radio, and of so many others. It is a well-known fact that all well-known personalities in czarist Russia who had the courage to protest against social injustice and government atrocities had been appraised in such a form by the Soviet Government as to make them become predecessors to the introduction of communism. To make Shevchenko a hero of communism is not an objective approach but falsification of facts. Shevchenko was deeply religious who believed in the freedom of the nation and the individual. To portray Shevchenko in the way the Communists do is an insult and desecration not only to the memory of Shevchenko but to the entire Ukrainian nation.

Nor is Shevchenko a newcomer to the North American hemisphere. For in Winnipeg, sanctioned by the Canadian Government, a Shevchenko statue has been erected and now stands before the Parliament Building. Is then the decision of the Canadian Government to be considered Communist influenced? Are we here so ill briefed as to be unable to distinguish right from Communist propaganda?

The Post states that "Shevchenko has no universal significance for Americans." Can't we say likewise about the Joan of Arc and Dante statues which are located in our Capital?

Now just who is this Shevchenko, as one of the Post's editors seems to be so uninformed. Permit me to quote a foreword by O. Biletzky in a book entitled "Taras Shevchenko" printed in 1961. "A great son of his people: Shevchenko was and remains forever a Ukrainian poet, as Dante for the Italians, Shakespeare for the English, Pushkin for the Russians. For millions of people throughout the world Shevchenko discovered Ukraine, along with its freedom-loving people. He deeper than all others recognizing his present-day Ukrainian actuality, creatively considered its most serious problems and showed the characteristic types with the Ukrainian nation in all its national, social, and psychological aspects.

"But Shevchenko, the poet, does not belong to one nation, he belongs to the entire world." Thus writes this literary academician.

Chechov the world known writer and dramatist in a letter to Krimsky wrote "I love the Ukrainian nation which gave the world a giant like Taras Shevchenko."

In another letter to Krimsky (a well known literary figure) from K. Stanislavsky on the occasion of the 50th anniversary of Shevchenko's death, he writes, "Shevchenko's works will last for centuries and will always awaken in the heart of people noble feelings.

"I remember with what blessings I first read the Kobzar in Russian. It was difficult to read without great feeling this wonderful self-artistic, brilliant, and highly refreshing language and deeply moving work. In it is Shevchenko's entire soul, his thoughts, his ideas, his heart. I bow before Shevchenko the poet, a steadfast fighter for the well-being of the individual.

"In Shevchenko I see and feel the entire beauty of the human soul, he was a true bard of his people." Written in 1911.

The Encyclopedia of Literature, Philosophical Library, New York, 1946, Editor Joseph T. Shipley, on Ukrainian literature has this to say, "Perhaps one of the greatest of all Slavonic poets. * * * He was in the truest sense a social democratic poet and he combined this with such deep feeling in language and expression that he is esteemed throughout the Slavonic world."

M. Gorky, the world renowned writer, once made a statement about Shevchenko as "first national poet, who did not abuse through personal laments national thoughts and feelings. In his complaints about personal fate one can feel the complaints of the entire Ukraine, in his memoirs on Kozak freedoms one can feel the desires of the entire nation." And in another statement the Russian Gorky commented thus about Shevchenko the, "First truly democratic, namely national poet of Ukraine."

Shevchenko was a genius not only in poetry but in art and a remarkable collection of Shevchenko's art can be found in a book entitled "T. H. Shevchenko—Artist" by Havdaya, published in Kiev, 1955, by Mistetsvo, U.S.S.R.

Justice and tolerance were second to none in Shevchenko's nature and his admiration and friendship for Negroes can be ascertained through his friendship for Ira Aldridge, the Negro actor whom Shevchenko met and became fast friends in 1858. As a result of this friendship Shevchenko drew a masterful portrait of Aldridge with pencils in black and white on shaded paper. It can be found in the above-mentioned book.

The Washington Post editorial of November 1, 1963, states that Shevchenko "the poet is the idol of Communist Party members." Let us pause and analyze. Do the editors realize that Shevchenko existed when communism was still dormant in its cradle? Surely Shevchenko cannot be accused of Communist sympathies. He is guilty only of his geniusness and a great desire for justice. It is only natural that the Soviets adopted Shevchenko for theirs because of his magnificent gift of expression and talent. His eloquence of speech from the people, for the people, and to the people is above any reproach. Fortunately all literary manuscripts written on Shevchenko in Czarist Russia, before the 1917 revolution, are in itself a concrete and direct opposition to any Communist pretentions.

What more can be said but that your support in behalf of erecting this monument is urgently petitioned. Not only by the Ukrainian Americans but by Ukrainians throughout the world who look upon your wisdom and wholehearted backing of this project.

I believe that you as a true American will not alter from your original decision to support this project nor that you will be misled by misinformed editorials. I believe that the freedom and just humanism so advocated by Shevchenko will not fall victim to fallacy and that your original decision will not be swayed by people who know so little about Shevchenko but who are, instead, so well briefed by statements and convictions coming from the other side of the wall.

Sincerely yours,

O. REDCHUK.

NEW YORK, N.Y.,
November 4, 1963.

Mr. JAMES R. WIGGINS,
Editor and Executive Vice President of the Washington Post, Washington, D.C.

DEAR MR. WIGGINS: Thank you for your letter of October 25, 1963. I am not surprised that you are questioning: "We still see no reason whatever for using public ground in the city to erect a memorial to a Ukrainian poet not identified in any way with the national history of this country or its people."

We cannot apply your statement to the 2 million Americans of the Ukrainian origin who donated, as you stated in your article of October 25, 1963, "It has raised more than $275,000 in individual contributions ranging from dimes and quarters from schoolchildren to $500." Those who donated are our American people. They share the same obligation under the Constitution of the United States as the rest of the citizens do.

Taras Shevchenko appealed to America in his famous poem "Yurodyvy," ("God's Fool") written in 1857 at Nyznyi Novhorod, in which the poet wrote:

"Ah, you miserable
And cursed crew, when will you breathe your last?
When shall we get ourselves a Washington
To promulgate his new and righteous law?
But some day we shall surely find the man."

In these words Shevchenko contrasted the reactionary, rotten, autocratic order of the serfdom with the political order defended by George Washington. Taras Shevchenko called on the Ukrainians to hope and expect their own George Washington. In his poem, "Yurodyvy" ("God's Fool"), he attacked all tyrants, czars, and oppressors, and all enemies of human freedom.

A survey shows that many public places and city streets in the United States bear Shevchenko's name, for example, a public park in Passaic, N.J., a street in Franklin, N.Y., an avenue in Auburn, N.Y., and other countries in the free world such as Canada, Brazil, and Argentina. Those who thus honored Shevchenko did not deem his works or person strange, as you appear to be doing at this time.

Referring to your editorial of November 1, 1963, entitled "Monument to Ignorance" especially your quotation "It is inconceivable that a statue would be dedicated to him in Tel Aviv or in Warsaw, for example." I would like to inform you that prewar Polish Government, during its 20 years' existence, subsidized the Ukrainian Institute in Warsaw with the main reason to translate Shevchenko's work into other European languages. I hope you will soon hear more about the Polish Government subsidy from the former president of that institute, now professor at Marquette University, Milwaukee, Wis., also president of the Shevchenko Scientific Society and the Shevchenko Memorial Committee of America, Inc., Prof. Dr. Roman Smal-Stocki.

Those who were forced to leave their countries before Communists took over are obligated to inform the free world about the everlasting contribution of Taras Shevchenko's democratic ideals for which he fought, and which are so dearly preserved and protected by the United States, as the bastion and the beacon of world democracy.

The monument for Taras Shevchenko, built in Washington, will be a Ukrainian Mecca in the free world, and for the U.S. Government and all citizens of America a contribution to the freedom and those ideals that the poet fought so hard for.

In erecting the statue to Shevchenko, Americans of all races, color, creeds, and national origins will pay tribute to a poet and artist leader in man's struggle for human liberty against all forms of tyranny.

I am convinced that you will revise your attitude toward the building of a statue of Taras Shevchenko in Washington and you will see fit to retract your derogatory articles of October 18, 1963, and November 1, 1963, for the benefit of the democratic principles that I hope you and your paper stand for.

Hoping to serve you with all information available to me, enclosed you will find a small token of my esteem: Shevchenko and the Jews; Ukrainians and the Jews; and the Ukrainian Quarterly No. 3, 1960.

Tempora mutantur, et nos mutamur in illis.

Respectfully yours,
ROMAN S. HOLIAT.

MINNEAPOLIS, MINN.,
October 31, 1963.

Hon. JOHN LESINSKI,
U.S. House of Representatives,
Washington, D.C.

DEAR SIR: The Washington Post is conducting a campaign against the commemoration of Taras Shevchenko, with the statue in our Nation's Capital.

Because your name was brought up in the editorial of October 18, 1963, I am sending you a copy of my reply to the editors of the Washington Post.

I also wish to express my sincere appreciation for your continuous support of the Shevchenko statue project as well as your continuous interest in the oppressed people of Ukraine.

I am sure that I also express the feelings of thousands of Minnesotans of Ukrainian descent.

Respectfully yours,
MICHAEL J. KOZAK, M.D.

OCTOBER 31, 1963.

THE WASHINGTON POST,
Washington, D.C.

GENTLEMEN: With great disappointment, as well as indignation, I read your editorial published in the Washington Post on October 18, 1963, under the title "Shevchenko Affair."

Your editorial stated that the "Shevchenko statue should never have been approved by Congress. There is no legitimate reason why a 19th century Ukrainian poet * * * should be honored with the statue at an enviable location in the Nation's Capital." Here is a glance at this man's biography to prove that here truly is a man who devoted his life and his art to the struggle for the oppressed and underprivileged, and he certainly merits a token of commemoration in our Nation's Capital, which is a stronghold of freedom and justice for the entire world.

Taras Shevchenko, occupant of first place among the Ukrainian creators, great thinker, freedom fighter, spent 47 years of his life in the Russian Empire. Of these 47 years, only 9 years were spent as a freeman. All of his writings reflected his never-ending opposition to tyranny in all forms; not through the use of arms, but through his pen he gained the title of "freedom fighter." Throughout his works he championed the rights and liberties for all oppressed people. He fought for all persecuted minorities under the power of the czarist regime. Shevchenko was one of the group that risked retaliation by the Russian police when he signed the protest in the defense of oppressed Jews.

He believed in the ideals of the American Declaration of Independence, the ideals of freedom, human dignity, and self-determination not only for Ukraine, but for all subjugated people. In one of his poems Shevchenko wrote the following: "When shall we get ourselves a Washington to promulgate his righteous law? But some day we shall surely find the man."

Shevchenko was not looking for a Russian Lenin to bring freedom and justice to Eastern Europe, but he was looking for a man like George Washington "to promulgate his righteous law." Shevchenko was the one who, within the Russian Empire, attempted to spread the ideals of the American Revolution, something that most Americans would like to have seen happen a long time ago so that our children would not have to look at the missiles pointed at us by Lenin's ancestors 90 miles off our shores.

Furthermore, these days when millions of human beings are suffering under the yoke of ruthless tyranny, the Shevchenko statue in George Washington's Capital would symbolize and immortalize not only Ukraine's never-ending struggle for freedom but the struggle of all mankind and would provide inspiration for all people.

Your editorial also stated that "misguided and careless reception given the statue proposal by Congress." I strongly object to your attempt to label our Congress—the most democratic institution in the world, as an assembly that makes decisions and passes laws carelessly without proper thinking, studying, and consideration. This is exactly what enemy propaganda wants us to believe.

Further, using rather not the most polite expressions, you are trying to lead your readers into the belief that the idea of the statue originated from a "tiny group of Americans of Ukrainian birth or origin." Here I would like to inform you that this idea received wholehearted support from thousands of Americans of Ukrainian descent in all corners of the United States. Through generous donations by dedicated people, who belong to all social strata—workers, farmers, and professionals, made this project possible. Maybe this group of Americans is not too large, but it is great in spirit, the spirit of American ideals of democracy, dedicated to the cause of spreading these ideals beyond the borders of our land.

Your editorial also stated that "there are elements which are offensive in various ways to Americans of Russian, German, Polish, Catholic, Jewish, orthodox and even Ukrainian background." Do you know that one of the sponsors, Hon. JACOB JAVITS, is Jewish, and Hon. JOHN LESINSKI is of Polish ancestry? Do you know that American Ukrainians are a religious people and in great majority Catholics or orthodox, and they all wholeheartedly support this idea? And Russians? Well, we live in a free and democratic country and it is their privilege to object or disagree, if they so desire.

It is hard to understand how an American editor of a respectable paper could muster so much hatred against the Ukrainians, victims of Russian communism, who are trying to promote the American ideals. It is hard to understand how a respectable newspaper such as yours could depart so far from the truth and cease to be factual and fair by publishing such an editorial that for Americans of Ukrainian descent will always remain as an "editorial of shame."

I hope you will show a further interest in the life and activities of this great Ukrainian, Taras Shevchenko, and will correct the damage done by adverse publicity produced by your editorial to the memory of this great martyr for freedom and human dignity.

Sincerely yours,
MICHAEL J. KOZAK, M.D.

DETROIT, MICH.,
December 12, 1963.

Hon. JOHN LESINSKI,
House of Representatives,
Washington, D.C.

DEAR SIR: I categorically protest against the insinuations of the Washington Post in Washington in connection with the project of Taras Shevchenko Monument, champion for liberty of Ukraine, and I fully support your attitude in above matter.

I remain,
Respectfully yours,
T. CYMBAL.

UKRAINIAN NATIONAL ASSOCIATION, INC.,
Jersey City, N.J., December 2, 1963.

To the EDITOR,
The Washington Post,
Washington, D.C.:

Your recent editorials and articles attacking the project and the sponsors of the Shevchenko Monument in Washington have not only been unfair, but also inaccurate and intemperate. It is difficult for us, a benevolent fraternal society of Americans of Ukrainian descent, as well as other Slavic groups, to comprehend the bitterness of your tone with its rude innuendoes. As one of the organizations that helped initiate the project, we take sharp issue with your slurring remarks as to who and what the sponsors are, with the charge that approval was obtained from a "misguided" Congress in an artful manner; and your unsubstantiated offhand opinion that Shevchenko has no universal significance for Americans. We further are offended by your insinuations that our desires and ideas are not worthy of consideration because they are not American.

We do not quarrel with your opposition to the Shevchenko statue. That is your right and privilege and we genuinely respect that right. We simply want to underline that you have unjustly and without cause attacked the motives of a responsible, law abiding, God worshipping, self-sustaining, self-reliant, and hard working group of Americans of Ukrainian ethnic background who revere Taras Shevchenko, a universally acclaimed champion of freedom.

We are not a tiny group, because we number over 2 million. For example, our association is one of four fraternals enthusiastically supporting this project. We insure over 82,000 members. We do business in 27 States. The Ukrainian Workingmen's Association has 24,000 members; the Providence Association of Ukrainian Catholics has 18,000 members; and the Ukrainian National Aid Association has 6,000 members. Our Ukrainian Catholic Church with dioceses in Philadelphia, Chicago, and Stamford, Conn., numbers over 300,000 parishioners. Our Ukrainian Orthodox Church with headquarters in Bound Brook, N.J., has over 200,000 members. All of the above with other institutions such as the Ukrainian Women's Federation of America, the Gold Cross, the Shevchenko Scientific Society, the Ukrainian Academy of Arts and Sciences, the Ukrainian American Veterans, the Ukrainian American Catholic Veterans (two veterans are recipients of the Congressional Medal of Honor), the various youth and student leagues, and numerous professional societies are wholeheartedly part and parcel of the sponsoring group.

These groups have deep-seated roots in this country. Our association, for instance, was organized in 1894. We publish a daily paper in Ukrainian called "Svoboda" or Liberty, founded in 1893, and a weekly supplement in English, the Ukrainian Weekly. We also publish a monthly bilingual children's magazine entitled "Veselka" (The Rainbow) as well as numerous books in English and Ukrainian.

Last week the University of Toronto Press published the first volume of "Ukraine: A Concise Encyclopedia" which we sponsored and financed. All of this we do at our own cost and with our own hard-earned money even though we are fully aware of the fact that the Government is financing numerous similar projects at home and abroad. If we really were as clever and devious as you charge our "tiny group" to be, we should have been able to get this done without cost to us.

As I write this letter to you, I am plagued with a feeling of shame, not because I belong to a group of Americans of Ukrainian descent who were one of the last nationality groups to come to these shores en masse at the turn of the century. I am not ashamed of that, because I have known many of these good, generous, trustworthy people all my life. I also know that Ukrainian-Americans can trace their lineage back to the Jamestown Colony and New Amsterdam. Neither am I ashamed that these immigrants originally had only muscle, brawn, and steadfastness to offer in helping to build up and operate the great coal, steel, railroad, automobile, and textile industries, or that they were farmers. Or that by and large they were poor and lived on the wrong side of the tracks. What we all are ashamed of is that an institution such as yours, steeped in the American way of life with a responsibility to maintain respect for all peoples not only in this country but in the entire world, as our great thinkers and statesmen are ceaselessly advocating, should so irresponsibly attack our motives and, we believe, with malice aforethought. And I might add that we are not alone in this thought. Every self-respecting minority group having learned of your stand got a queazy feeling in the pits of their stomachs. For your information we enclose a resolution passed by the Pennsylvania Fraternal Congress representing 73 fraternals of various ethnic and religious groups with about 1 million members in Pennsylvania.

To reiterate, we do not ask you to agree with us. You are entitled to your opinion that Washington has too many statues. All we ask is that you present a full and honest story: your side and our side, such as who and what kind of people are sponsoring the project; who is providing the money to cover the costs for the memorial which includes rebuilding the plot into a landscaped park with benches, pool, and paths; who the sculptor is and how and by whom the statue was selected; and, most of all, who Shevchenko was as documented by responsible writers and scholars of various nationalities and religious groups. That information is available, could have been and can be obtained by you if you so desire. For instance, you could have confirmed that Prof. Albert Einstein was a member of the Shevchenko Scientific Society since March 17, 1929. He most certainly would not have accepted membership in this society if Shevchenko had been anti-Semitic. This also is true of the many other prominent scholars of Russian, Polish, and other nationalities who hold membership in the same society.

On behalf of our membership, which has 31 branches throughout this country and Canada named after Taras Shevchenko, the patron of our association, we appeal to you for objective treatment of the memorial for Taras Shevchenko for we are certain that the symbolism of the project will nobly lend itself to a better understanding not only of the history of Ukrainian and other Slavic immigrants who came to America with their inborn appreciation of the principles of the Declaration of Independence but also would lead to a clearer perception of the past and present aspirations of their kinsmen for freedom and justice in the entire world.

Respectfully yours,

JOSEPH LESAWYER,
President.

WASHINGTON POST,
Washington, D.C.

DEAR EDITOR: We, the Ukrainian-Americans of Seattle, Wash., and vicinity, feel that it is of the most pertinent urgency that we express our thoughts about the rash statements concerning the construction of a monument in honor of Taras Shevchenko appearing in various issues of the Washington Post.

First of all, recalling the statement, "why gullible Senators and Representatives should have approved such a memorial, when all of the offended minorities are among their constituents * * *" we answer, we believe in our Government and in what they do. We are of the opinion that they are informed Representatives of the general public and interests benefiting our country and the world, contrary to your opinion that they have been gullibly misled into approving the bill 86–749.

By the impression given in your newspaper, it appears that our American Government favors accommodating the Communists by approving the resolution, and your belief is that they will be benefiting all the constituents represented by disapproving the bill which has legally and formally been passed. A brief look at communistic issues clearly shows that your articles and opinions are parallel to theirs and they are using it for their own propaganda purposes. Since the resolution was first being approved till now, 3 years later, nothing has been mentioned in your newspaper, the Washington Post, until the groundbreaking and dedication of the memorial to this great world figure. We would like to be informed of who is behind this whole "Red affair"?

It is our conviction that the Washington Post doesn't work for the benefit of this great Nation and the freedom and peace of the whole world, but for your own sadistic pleasure in contriving antagonism and friction among the citizens of this country for the distinct benefit of the Russian Communists. Therefore, we Ukrainian-Americans of Seattle, Wash., are in strong protest of this blasphemy heaped upon this great poet of humanity and enemy of all oppression. How do you think this will affect the feelings of all peoples striving for their liberty and independence throughout the world if the American Government disapproves a bill which it has formally resolved? What will be the consequences?

We strongly feel that you will change your opinion about this whole affair and straighten it out for the benefit of all mankind.

Courteously yours,

THE SEATTLE BRANCH OF THE SHEVCHENKO MEMORIAL COMMITTEE.

DECEMBER 11, 1963.

Hon. JOHN LESINSKI,
New House Office Building,
Washington, D.C.

DEAR CONGRESSMAN LESINSKI: Please find enclosed a copy of my letter, which I sent to the Washington Post.

Please accept the words of my sincere admiration for your patriotic service to our country and for your dedication to the cause of freedom for all men and all nations of the world.

Respectfully yours,

ROSS KUZMYCH.

DECEMBER 11, 1963.

EDITOR,
The Washington Post,
Washington, D.C.

DEAR SIR: I read with great disgust and astonishment the editorials in the Washington Post in regard to the erection of the Shevchenko Monument in Washington, D.C.

My astonishment comes for the following reasons:

1. How could it happen that these articles passed—unnoticed, I believe—through the editorial desk of such a respected newspaper as the Washington Post? The articles showing complete ignorance of their authors concerning the matter, they are pretending to be the experts?
2. Great part of the arguments in these articles is so identical and consonant with the ones used by Kremlin propaganda against the erection of the monument that the readers may feel a strong impression that these articles have been inspired by the Communist propaganda bureau.
3. It seems that the authors of these articles are trying to imply that the legislators of our country are ignorant and do not understand what kind of legislative acts they are passing through.

I am convinced that the nearest future will show who fell the victim of misinformation, the Parliament of the United States or your newspaper.

Therefore I ask you, sir, to go deeper into the whole matter and to stop publishing such articles of doubtful and suspicious value, before more harm and damage will be done to the good name and prestige of your respected newspaper.

Very truly yours,

ROSS KUZMYCH.

NEW YORK, N.Y., *December 6, 1963.*

CITY EDITOR,
The Washington Post,
Washington, D.C.

DEAR SIR: You are strongly opposed to the enforcement of the public law which allows the erection of a statue to Shevchenko in our Nation's Capital. Your opposition stems from various reasons, some of them contradictory. One of your reasons would seem to be that Shevchenko is unknown in America and that he is the son of a small nation. This is obviously a misunderstanding or a deliberate concealment of the truth. Among Slavic peoples the Ukrainian nation is numerically second to the Russian, and it is one of the largest nations in Europe, equal in number to the French nation. And Shevchenko is not only the greatest Ukrainian poet and freedom fighter, but also the spiritual father of modern Ukrainian national renaissance.

Ukrainians are also part of our American Nation which is composed of various ethnic elements. Can you, in the name of democracy and the equal rights of God and man, deny one integral part of that American Nation its rights to the Nation's Capital? Our national emblem bears the motto "E Pluribus Unum." Included in this "pluribus" are people of Ukrainian descent. Should they be denied the right to call Washington their Capital and choose it as the site for a memorial to one who, for them, is the symbol of the highest integrity? It was not in vain that Shevchenko, in the dark moments of bitterness toward the Russian-czarist-imperialist regime upon his return from a 10-year exile, and threatened with new exile, penned his yearning in a poem for just such a righteous independence and social order as was achieved in the United States by the father of that country, George Washington, and added the fervent hope that one day Ukraine would have its own Washington.

Every year, wherever they live in the entire world and with a piety perhaps never shown by other nationalities toward even their most celebrated heroes, Ukrainians hold solemn programs honoring Shevchenko. In the 100 years since his death, this honoring of Shevchenko has surpassed the bounds of reverence and now borders on a cult. This unusual respect to Shevchenko is also paid by all American generations of Ukrainian descent. Even if you, or anyone else, have not understood this cult of Shevchenko, or deem it unjustified, would it not be proper—on traditional grounds of tolerance—to leave this cult alone and not interfere in its practice by fellow-citizens of Ukrainian descent?

There is another aspect of your conduct equally as incomprehensible. Even if you feel that Shevchenko does not deserve a place in Washington, would it not be proper—again based on our traditional grounds of respect for the status quo and respect for the interests of others which do not conflict with public interests—not to take away from the Ukrainian group in this country their legal right, which they have already obtained, and by public law at that? How can this legal and bona fide right be taken away from them now, without some really frightfully important reason concerning the public interest? Besides this public-legal aspect of the matter, there is also the private-legal side not to be overlooked, because, as you know, the statue is almost complete at the cost of almost one-quarter of a million dollars.

To err is human. It is my firm belief that Congress did not err in enacting, and the President of the United States did not err in signing the law regarding the Shevchenko statue—but you do. Would it not be an act of real American honesty to admit your mistake or stop prolonging it and embroiling other Americans and their Government officials?

Yours truly,

JAROSLAW PADOCH.

CLEVELAND, OHIO,
December 9, 1963.

Hon. JOHN LESINSKI,
House of Representatives,
Washington, D.C.:

We are greatly concerned and shocked at the debate for Taras Shevchenko monument. Although Taras Shevchenko is not very well known to American people, it is worthwhile to explore him since he is represented by the free people of Ukraine. He was born a serf in the feudal system and the only hope he poetically put in words was "democracy," for which this country of ours stands.

We make this appeal not to fail us and have our plans carried out as planned.

Very truly yours,

HELEN NORKA.

BUFFALO, N.Y.,
December 10, 1963.

EDITOR,
The Washington Post,
Washington, D.C.

SIR: It was with great concern and deep disappointment that I read the remarks of your newspaper about Shevchenko. I cannot understand how you could allow that kind of unfair evaluation of this great man who dedicated his whole life to the cause of freedom, for which he suffered and finally died, to be displayed on the pages of your paper.

Freedom is the tradition of the United States and it has always honored fighters for man's liberty regardless of national origin. Why is your paper retreating from this tradition?

I ask the Washington Post to stop rendering bad service to the cause of freedom.

Very truly yours,

GLORIA SZYSZKA.

NEW YORK, N.Y.,
December 11, 1963.

EDITOR,
The Washington Post,
Washington, D.C.

DEAR SIR: I was deeply moved and disappointed at the remarks made in your editorials about Taras Shevchenko.

It was unbelievable that you could show such complete lack of knowledge of East European history, in its relationship to the West, and your ignorance with regard toward Taras Shevchenko, champion against oppression.

I, a Ukrainian, and a citizen of the United States, protest against the editorials made by the Washington Post.

Being a law-abiding citizen, I am using the only weapon at my disposal. I am appealing to your better judgment and knowledge to revise your misleading editorials.

Taras Shevchenko's place in history is beside Sun Yat Sen, Masaryk, Thomas Paine and yes, even your favorite hero, Shakespeare.

Very truly yours,

EWHEN LUDKEWYCZ.

WASHINGTON POST,
Washington, D.C.

DEAR EDITOR: The position which America takes in regard to all enslaved nations will determine how the whole world regards us. They will judge how well the United States lives up to its own stated ideals of freedom and equality for all by its actions. It will be America's benefit to have all enslaved nations in our camp fighting for us, now and during a world crisis.

Taras Shevchenko is the "Spirit of Liberty" for all the subjugated nations past and present. He is the force which symbolizes the strivings of all those oppressed by injustice and tyranny.

If your newspaper strives so diligently to procure the canceling of the resolution for the construction of a monument in honor of Taras Shevchenko, it will be a victory for communism. American prestige will be lessened in the world and faith in the United States will be lost in the hearts of the oppressed people, who keep their eyes on the United States as their only source of strength and hope. We do not believe it is a good idea to sow seeds of discontent and prejudice among the people by printing such articles, thus creating friction among the citizenry.

In regard to the ideals of liberty represented by such men as Taras Shevchenko, we feel that the minority and majority groups of the United States should work as a unified nation to promote and to encourage these very ideals by combating the oppression which communism inflicts, and we advise you to check your sources of information very carefully. In unified protest, we would like to see the discontinuation of Russian propaganda.

Courteously yours,

UKRAINIAN-AMERICANS OF SEATTLE, WASH., AND VICINITY.

PHILADELPHIA, PA., *December 9, 1963.*

Hon. JOHN LESINSKI,
House of Representatives,
Washington, D.C.

SIR: The Washington Post editorials attacking the erection of the Shevchenko monument were a great blow to me as an American citizen and Korean veteran. Did they receive any tips from un-American forces? We do not expect them to love Ukrainians but would appreciate some respect for the great Shevchenko and also for the Ukrainian nation which is fighting against communism.

I hope the editors of Washington Post will revise their opinions.

Sincerely,

WOLODYMYR SHTOYKO.

BALTIMORE, MD., *December 10, 1963.*

The EDITOR,
Washington Post,
Washington, D.C.

DEAR SIR: I have read your series of articles in your newspaper, in which you firmly oppose the erection of the Taras Shevchenko monument in Washington, D.C.

Your argument cannot convince the average American citizen, but only proves that the editors of your paper are poorly informed with the problems of national minorities in Ukraine, as well as the national problems of Eastern Europe.

The Washington Post is today the only paper in the United States which sides with the Russian Communists opposing the idea of having the monument erected by Americans of Ukrainian origin to the person who is today the symbol of struggle against Russian imperialism and colonialism.

I recall that after the assassination of President Kennedy your paper condemned all kinds of hatred that brought about this vicious and tragic act; yet, at the same time, your paper incites that hatred among those national groups that fled Ukraine, or those of neighboring countries that live at present in the United States. It has come to my attention that no national groups have supported your campaign against Shevchenko.

I would not wish that the Washington Post would remain in history as the propagator of hatred and the suppressor of Shevchenko's ideas, which have spread beyond the national boundaries and have become the ideals of all humanity.

Sincerely,

OSYP ZINKEVYCH,
Chemical Engineer.

STRATFORD, CONN., *December 10, 1963.*

EDITOR, THE WASHINGTON POST
Washington, D.C.

DEAR SIR: The last six articles concerning Shevchenko have caught my attention because of their inconsistency, incoherence, and lack of knowledge about the great poet. I believe that the American people would benefit much more if you could supply them with facts, not accusations which are based on similar articles found in the Russian magazine U.S.S.R. and on possible influence of people who never could see or agree to free Ukraine.

It is with great regret I must write this letter informing you that it is unfair and unjust to misinform the American people just because they are not familiar with Shevchenko.

The traditional freedom-loving United States cannot and must not be dishonored by articles in the Washington Post that are completely opposite in nature to the basic principles of this country.

It is my advice to you:

1. Find out more about Shevchenko not by reading Communist propaganda, but by becoming more informed about the man himself.
2. Live up to the great American way of life—freedom and justice under God for all men.

Very truly yours,

JAROSLAW LUCHKAN.

DECEMBER 12, 1963.

EDITOR, THE WASHINGTON POST,
Washington, D.C.

DEAR SIR: I was born behind the Iron Curtain and came to the United States to find freedom which I really enjoy.

I like to read your newspaper and when I can't afford it, I go to read it in the library. With great concern and deep disappointment I read your remarks about Taras Shevchenko. I can't understand why every African nation can enjoy freedom and why that freedom is prohibited to East European nations? Why? Why those remarks printed in your newspaper?

Taras Shevchenko is known among all enslaved East European nations. He is a champion of freedom not only for Ukrainians but for Armenians, Georgians, liberal Russians, Islamic nations of Russia and other nations enslaved by Communist Russia.

I ask the Washington Post to change its mind and in the name of freedom support a cause which is the cause of our great country.

Very truly yours,

IVAN PANCZAK.

TRENTON, N.J.,
December 11, 1963.

The EDITOR,
The Washington Post,
Washington, D.C.

DEAR SIR: It is with deep regret that I noticed that your newspaper, which was usually quite objective, has fallen in the last couple weeks under the influence of advisers who try to bring harm to the United States.

Here I am referring to your vicious campaign which you have recently started in your newspaper against the erection of a monument in Washington, D.C., for the greatest poet of the Ukrainian people—Taras Shevchenko.

In my opinion, such a monument can serve as a useful means of the United States against international communism, since it would stress our support for freedom for all colonized nations, and among them for the nations enslaved by Russia, of which Ukraine is one. By erecting the aforesaid monument the United States would become a champion for freedom for all the people under foreign, colonial domination and not only those which were colonies of the Western countries. To miss or misuse such an opportunity in the present state of the cold war could be very unfortunate and damaging.

Because of this, I sincerely hope that your newspaper shall understand the erroneous stand which you took in this case—and will support this undertaking for the benefit of the United States.

Respectfully yours,

L. S. Onyshkevych.

December 9, 1963.

To the Editor,
The Washington Post.

Dear Sir: Your recent series of articles concerning the subject of the Shevchenko monument in Washington, D.C., calls for some additional explanation.

Taras Shevchenko has risen in his own time from the lowest depths of enslavement, ignorance and misery (due to the Russian misrule in Ukraine) to the highest levels of intellectual standards, achieving all this through his own forthright character, ingenuity and will power. Forced to live far away from his native soil in the sometimes brilliant, but more often hostile environment of St. Petersburg, he had enough intellectuality, honesty, and courage to dodge the authoritative opinion of the reviewer Belinsky, and the seemingly omnipotent power of the autocratic Nicholas I.

The sympathy and admiration so often professed in America for the underdog and the self-made man should in all fairness also apply to Shevchenko. However, the editorial policy of the Washington Post seems to be more sympathetic to the subtle and casuistic arguments so typical of the descendants of the once cruel and cunning Muscovites of the 19th century that came to this country, and while enjoying its freedom, still would like to see it denied on various occasions to others.

Whatever the outcome of this discussion, it makes a large number of Americans aware of the greatness of Shevchenko, which in itself is certainly a very positive thing.

Yours truly,

Peter Hrycak.

Long Island City, N.Y.,
December 10, 1963.

The Editor, the Washington Post,
Washington, D.C.

Gentlemen: I am shocked at the content and the number of your articles attacking the Shevchenko Monument and those who have backed it, i.e. the Ukrainian community in the United States. To whom are you trying to make your articles appealing?—not the typical, sound-thinking, regular American, for he would never oppose the erection of a monument to a man who preached and fought for American principles of democracy and freedom.

What are your real reasons for trying to belittle a man who was deemed worthy of a monument in Washington by the Congress of the United States, who was deemed worthy of translations of his works into 40 languages? Do you mean to say that the Members of the Congress, the many hundreds of eminent scholars and authors all over the world (not even taking into consideration all the hundreds of thousands of readers of Shevchenko) do not know what they are saying or what they are doing? But you—your few men on the staff, ill-informed, hardly acquainted with the poet—you know better. The many letters disproving all your accusations written by competent men do not seem to convince you either. It is strange how presumptuous a newspaper can get.

Just one more thing—you consistently play up the fact that "Communists love Shevchenko." But a Washington newspaper should know that Communists join everything they cannot fight, and just as they were the ones who invented everything in the world, they convert everything and everybody to communism whether it makes sense or not. Why, then, do they attack with such vehemence this erection of the Shevchenko Monument in Washington in the Soviet press? They should be proud instead.

Gentlemen, it is time for a Washington newspaper to demonstrate an awareness of the facts of today's political life, to think logically for itself, not be told what to think.

Very truly yours,

Irene Stecura.

Long Island City, N.Y.,
December 10, 1963.

Editor, the Washington Post,
Washington, D.C.

Sir: I would like to express my strongest protest at your editorials and articles concerning the erection of the Shevchenko Monument in Washington, D.C.

Your attacking our Senators and Representatives (like our President Johnson, Senators Javits and Keating et al.) as well as other agencies on grounds of ignorance—is hypocrisy of the highest order.

What do you really stand for? You have probably received hundreds of letters defending the memory of Shevchenko but, nevertheless, I am sending to you one more vote for the Shevchenko Monument.

Very truly yours,

Roman O. Stecura.

New York, N.Y.,
December 9, 1963.

Editor, the Washington Post,
Washington, D.C.

Dear Sir: Your persistent and indiscriminate campaign against the erection of the Shevchenko Monument in Washington, D.C., which has been already approved by an act of the U.S. Congress, is a shocking activity that appears to be guided by ill will toward the Ukrainian people and its great national poet.

Taras Shevchenko, a poet, humanitarian, dedicated fighter for freedom, justice and brotherhood, has predicted that the Ukraine will rise again and "receive its own Washington"—the event that is still to come. He enjoys a special place in the hearts of all Ukrainians, and the funds for the erection of his monument have been contributed by hundreds of thousands of American citizens of Ukrainian descent.

The position of your paper is inconsistent with the longstanding American tradition of sympathy with the cause of freedom and justice for all oppressed peoples in all parts of the globe, that was recently reaffirmed in such official acts as the issuance of the special series of the "Champion of Liberty" postage stamps, and other acts of the Congress.

I urge you to stop your misguided campaign against the Shevchenko memorial, in which your paper curiously unites with the wishes of the Kremlin.

Very truly yours,

Roman Wolchuk.

Bronx, N.Y.,
December 8, 1963.

The Editors of the Washington Post,
Washington, D.C.

Gentlemen: When I first read your unprecedented attack against the Ukrainian national poet Taras Shevchenko, I thought that you are a victim of misinformation and I intended to send you, for enlightening, some works of the Swedish literary critic Alfred Jensen, of the French historian Roger Tisserand (see his book "La vie d'un people—L'Ukraeine," pp. 227 ff.) and of the British poetess Vera Rich.

However, your further attacks prove that your biased and discriminatory approach has nothing to do with misinformation. Contrariwise they display your unfounded hate against a man who in his poems glorified freedom and admired the great Washington as an example of a valiant freedom fighter.

Your continuous attacks not only against the man who died 103 years ago, but also against the fellow citizens of Ukrainian descent do not serve well our American way of life.

Curiously enough, your attacks are pretty well synchronized with the similar attacks coming from Moscow. Is this a mere coincidence?

Let me ask you in the words of Cicero—"Quousque tandem abutere Catilina patientia nostra"?

Your truly,

Wolodymyr Sawchak.

New York, N.Y.
December 9, 1963.

Editor, the Washington Post,
Washington, D.C.

Sir: Your newspaper printed a number of articles concerning one of the greatest poets of Ukraine, Taras Shevchenko.

We do not believe that the author of these articles could be so completely ignorant about the literature, culture, and history of Eastern Europe to which also belongs Ukraine.

Basing on these articles, we see that "the Washington Post" definitely has had intentions and extreme hate for everything that is Ukrainian.

As American citizens of Ukrainian origin, we feel it is our duty to bring to your attention that the stand you are taking in this matter contradicts the ideals of the United States and insults our feelings toward our country of origin—Ukraine.

Sincerely,

Peter Piaseckyz.
Freus Piaseckyz.

Buffalo, N.Y.,
December 8, 1963.

The Washington Post,
Washington, D.C.

Gentlemen: You must dislike Ukrainians in free world a lot to write such articles against them in your newspaper. I know only one other person who certainly agrees with you, and that is Mr. Khrushchev himself. He does not want the monument of Shevchenko to be erected in Washington either. What a similarity of feelings.

That is too bad the American people are exposed to such unfair and untruthful information about a man like Shevchenko whose ideals were precisely those of our George Washington.

Is your ideal, Mr. Editor, George Washington or maybe Khrushchev, or better yet, Stalin? Be honest and answer it to yourself.

Yours truly,

Irene Lawriwsky.

Buffalo, N.Y.

To the Washington Post,
Washington, D.C.

Sir: Regarding your opposition to the erection of monument of T. Shevchenko in Washington, this is to inform you that Ukraine has close to 50 million people—of course not all of them are in the free world. But those people who have the right and duty to the human race speak out the truth muffled behind the Iron Curtain.

No matter how many of us are here, no matter how rich or poor we are, we are representing the urge to freedom which lives in the heart of every Ukrainian here and there, no matter what the Soviet press says.

The monument of Shevchenko to be erected in Washington is not the favor done to the Ukrainian people living in the States; it is an acknowledgment of greatness of the man himself who stressed the importance of freedom for all peoples (Americans included) at the time when this freedom was greatly jeopardized here and abroad.

We have our freedom here. Why not glorify the man who stood for it so bravely and died for it. If the word "freedom" is not an empty phrase to you, such articles should have no place in your newspaper.

Your disapproval of Shevchenko can only mean one thing—you are too much under the influence of the "charming" Soviet colony in your town.

Yours truly,

George Lawriwsky.

Hyattsville, Md., *November 20, 1963.*

The Editors, the Washington Post,
Washington, D.C.

Gentlemen: You have made it. You and your organ should be commended for the Red banner. If Khrushchev would again visit the United States, he probably would not fail to pay you a visit for a splendid job you have done during the past few weeks.

It just proves how good you are in the field of Russian Communist reality. However, you have failed to see what Moscow fears most. That is, any outside support to the powerful force for nationalism among the subjugated non-Russian nations in the Soviet Union.

Your unsigned defamatory articles on the Ukraine's poet-laureate and Europe's freedom fighter "the poet of a small minority," "a play in East-West relations" "the idol of Communist Party members," "an anti-Semite," etc., as you put it, show how much you know about Shevchenko's literary writings.

For your information, Shevchenko's works are so great that the Russian Government has done everything to remake Shevchenko into its own Communist image. Most of his fiercely anti-Russian and antidespotic poems were purged and reedited to suit Russian Bolshevik aims.

You probably know that the main purpose of the memorial was, is, and will be to serve as a symbol of human freedom, equality, and justice—the universal values for which Shevchenko stood. To quote Dr. Frederick Brown Harris' article in the October 13 Sunday Star, "For the years to come this statue will be an altar of intercession for the emancipation of all captive nations. This statue will publish the fact that America is well aware that the U.S.S.R. is not a nation, but a colonial empire claiming sovereignty over non-Russians numbering more millions than there are Russians."

Today, the non-Russian nations enslaved by Bolshevik Russia work unselfishly and unceasingly to rid themselves of the despotic rule of Moscow. They do so by holding up the shining exponent of true liberty, Taras Shevchenko, as their symbol of inspiration and incentive.

Sincerely yours,

Michael Dankewych.

Passaic, N.J., *December 7, 1963.*

Editor, Washington Post,
Washington, D.C.

Dear Sir: Recently I had the opportunity to examine your editorials and other writings directed against the Shevchenko monument in Washington, and I have come to the conclusion that your opposition to the monument must be based on either a great prejudice or an equally great ignorance.

It is regrettable that you should fail to realize the significance of the erection of such a monument in the Capital of this country. No doubt you are aware of this Nation's leading position in the civilized world, and yet you fail to see that a monument to Shevchenko, who is one of the great figures of the civilized world, would be also a monument to America's leadership in the world. The fact that the general public in this country is unfamiliar with Shevchenko is irrelevant, because it is never too late to make him known to the Americans. The monument should be considered as an attempt on the part of the American Ukrainians in that direction.

Your recommendation to the Ukrainian-Americans, and presumably to the Americans of other origins, to leave "the quarrels of their ancestral homeland where they originated" sounds ironic, because your campaign is having exactly the opposite effect. It is reviving, I hope not to a great extent, some old Ukrainian-Polish, Ukrainian-Russian and Ukrainian-Jewish enmities based to a great extent on mutual prejudice—the enmities which are already dying out even in the ancestral homelands of these peoples.

May God bless you and have mercy on you.

Sincerely yours,

Roman Legedza.

Ukrainian Student Organization
of Michnowsky (TUSM),
Philadelphia, Pa., October 20, 1963.

The Editor,
Washington Post,
Washington, D.C.

Gentlemen: Your recent pseudo-messianic editorial, "the Shevchenko Affair," October 18, 1963, calling for the immediate cessation of the construction of Taras Shevchenko's statue since it would be a "monument to disunity and recrimination among Americans" is a good example of bad writing. The only real conclusion one can reach after stumbling through this statement of strained polemic character is that you object to the construction of the statue, with a valid reason for this objection, if any, hidden fortuitously or intentionally in a mass of dishonest reasoning. Your concern for national unity would be laudable if you only did not stretch that concern to obfuscate the point that you are attempting to make, whatever that may be. A catastrophe such as you describe in terms of disunity and recrimination resulting from the construction of Shevchenko's statue could only occur in the passionate imagination of an editor who has space to fill and nothing to fill it with. The alarmist conclusion—which is quite simply an appeal to the reader's emotion to provide his own reason for the editor's conviction, and in so doing agree with the editor—is laughable since it is rooted in that imagination.

However, you are partly right when you state that the statue was "conceived as a blunt weapon in the cold war." This weapon is not so blunt as you might think. And the "implausible goal of Ukrainian nationhood" does not seem so implausible when you consider that the 13 colonies also held an "implausible" goal of nationhood. If you are so anxious to find a "monument of disunity" you have only to look at the Berlin wall. No great mind is required to see its significance; you should not miss its point. Richard Nixon in "Khrushchev's Hidden Weakness" (Saturday Evening Post, Oct. 12, 1963) states that "only the mobilization of an aroused and informed American public opinion will prevent the sellout of the right of 97 million enslaved peoples in Eastern Europe to be free." When you say that "as a poet Shevchenko has no universal significance for Americans" you put the proverbial foot in your mouth. Quite simply you don't know what you are talking about, for freedom has universal significance not only for Americans, but for all nations.

Mark Iwasz,
Secretary for English Correspondence.

The Democratic Organization of
Ukrainians Formerly Persecuted by the Soviet Regime,
New York, N.Y., December 5, 1963.

Editor, Washington Post,
Washington, D.C.

Dear Sir: Reading those protests concerning the erection of the Ukrainian poet Shevchenko's memory, you, as you state in your articles, base it not on his incompetence or ability to which you even agree but rather you lay it flatly on the fact that he is not well enough known to merit the right of improving the looks of an empty area.

I do not want, for lack of space, to sing the eulogies of a great man who can do those better than I through both the work he left behind and the indomitable spirit which history recorded. Rather I will only observe that your attitude would be on par with a South African country where the erection of a Shakespeare is to be refused on the grounds that he is not well enough known.

Indeed it doesn't speak well for the educational system of this country to ignore a man who because of his ability has 160 Russian institutes, libraries, 340 collective farms, 15 industrial plants, 190 towns and villages, 140 memorials, 775 streets and boulevards named after him. Not counting that his works were translated into 52 languages and that he is a well-known figure in European cultural circles.

Respectfully yours,

A. Gudzowsky,
President.

Ukrainian Congress Committee
of America, Inc.,
Bismarck, N. Dak., December 10, 1963.

To the Editor, the Washington Post,
Washington, D.C.

Dear Sir: It is with great concern and deep disappointment that we, the members of the UCCA, State Branch of North Dakota, have noted that your newspaper has printed derogatory articles about the greatest Ukrainian and world-famous poet and freedom fighter, Taras Shevchenko, advocating against the erection of a monument in the capital of the United States, to this genius and freedom fighter.

We cannot understand how you could allow such an unfair evaluation of this great man, whose books and poems are translated into many languages, including Swedish, Polish, German, English, Russian, Chinese, etc., a man who has dedicated his whole life to the cause of freedom, for which he suffered and finally died.

The members of the UCCA, and especially the pioneers who came to North Dakota at the end of the last century from that area (Kiev) where Taras Shevchenko was born, are very much alarmed and upset at your attitude which seems to coincide with the line of the oppressors of Ukraine—the Russian Communists. To these people, their children and grandchildren, Taras Shevchenko is more than just a national hero.

I have been requested by the hundreds of our members and by representatives of our communities to write to you in vigorous protest against your attitudes. Therefore, on behalf of the UCCA, North Dakota State Branch and the 25,000 Americans of Ukrainian descent living here, I demand that a proper and decent retraction be published by you.

Since freedom is the tradition of the United States and it has always honored fighters for men's liberty regardless of national origin, I trust that you will see fit to retract your now infamous articles.

I also ask the Washington Post to stop rendering bad service to the cause of freedom and to our great country.

Yours truly,
Dr. Anthony Zukowsky,
President, UCCA, State Branch of North Dakota.

Jersey City, N.J.,
October 31, 1963.

Mr. J. R. Wiggins,
Editor, the Washington Post,
Washington, D.C.

Dear Editor: Your editorial "The Shevchenko Affair" in the October 18, 1963, issue of the Washington Post was a blow to my conviction on the versatility of your editorial staff. Reading your comments on the Shevchenko monument in Washington, I could not help but entertain the suspicion that in this case your paper was used as a tool by some un-American forces. Only by taking into consideration your long record of patriotic and freedom-loving stands I persist in hoping that your opinion on the Shevchenko monument was a slip, a mistake, or a hasty conclusion based on incomplete and distorted information supplied by someone to you on these matters. Your editorial was offensive not only to over 1 million Americans of Ukrainian descent, but also to many more millions of Americans of eastern European background.

Taras Shevchenko was a Ukrainian poet well known over the whole of Eastern Europe, who gallantly fought for the common cause of freedom for nations enslaved and oppressed by Russia. Therefore, his works gained admiration and friendship among many nations living under the yoke or the constant threat of Russian tyranny. A man of his principles and caliber could not be offensive to anyone but to the imperialist oppressors themselves, who fear the might of Shevchenko's words and memory. Your list of nationalities offended by Shevchenko is therefore completely wrong except, perhaps, certain groups of Russians, Red or White, who still support Moscow's goal of domination and expansion.

Works of Shevchenko were translated and published in over 50 languages and this should prove to you that Shevchenko is not a cipher, or the pet of a small minority. Your attempt to brand the erection of Shevchenko monument as a weapon in the cold war belittles Shevchenko and the just cause of his ideals. Shevchenko inspired the fight for liberty of many nationalities. His ideals survived the once-strong White Russian imperialism and will, no doubt, survive the treacherous coexistence and Red Russian tyranny of today. It would only benefit Americans to declare their admiration and belief in the just aspirations of eastern European nations by honoring Shevchenko with a monument in Washington. The strength and popularity of Shevchenko's works forced even the Red Russians to change their tactics—from banning Shevchenko's poems to claiming him as a prophet of their "just revolution." The Russians never liked Shevchenko, but they realized his popularity soon enough and turned to distorting his works and to lying about him in order to make him appear one of them.

I hope you will revise your opinion on the Shevchenko monument. It is worth pointing out that most of your distorted facts on Shevchenko and on Ukrainian Americans look very familiar to us who follow Communist Russia's press attacks on the free Ukrainians in the United States of America and in the free world. I would advise you to check your sources of information very carefully. Forty-five million Ukrainians cannot be ignored and, surely, cannot be wrong.

Yours respectfully,
Walter Sochan.

Philadelphia, Pa.

Editor, the Washington Post,
Washington, D.C.

Sir: Freedom is the tradition of the United States and it has always honored fighters for man's liberty regardless of national origin. Why is your paper retreating from this tradition?

I was greatly disappointed reading the remarks of your newspaper about Shevchenko. I cannot understand how you could allow these unfair and unkind expressions about this great man who dedicated his whole life to the cause of freedom, for which he suffered and died, to appear on the pages of your paper.

I ask the Washington Post to stop misinforming the public and dedicate itself to the cause of truth and freedom.

Very truly yours,
Mira Wasylyszyn.

Syracuse, N.Y.

The Washington Post,
Washington, D.C.

Editor: Your articles concerning the erection of the Shevchenko monument in Washington, D.C., were a showpiece of misrepresentation stemming from total ignorance of basic facts.

Having brought the Ukrainian-American community in this country down to an "insignificant group," you have failed to investigate the important role these people play in the life of our America. They are represented in every aspect of that life, many being faculty members in our fine universities and colleges. They are teaching our kids to cherish and maintain the precious liberties we now enjoy, liberties for which both Shevchenko in Ukraine and Washington here have fought.

The fact that Shevchenko's writings are not familiar to you surely does not mean they are unknown to the American people. It may surprise you how much you could learn from an average college student about Shevchenko.

So, let's stop this foolish scribbling until you know what you're talking about. Then I am sure you will reverse your thinking.

Truly yours,
Zenon Miahky.

New York, N.Y.,
November 22, 1963.

J. R. Wiggins,
Editor, Washington Post,
Washington, D.C.

Dear Mr. Wiggins: For the past several weeks I have been reading your various comments, both editorially and otherwise, with reference to the "Shevchenko Affair."

I wish to add my protest to those of the many others over your arbitrary stand on this matter. Surely, by now, you should have made the effort to reverse your stand and admit your whole attitude needs an evaluation.

If you are really sincere in your attitudes it would seem to be in your best interests to learn whether Taras Shevchenko is really worthy of the honor the American-Ukrainians wish to bestow on him. There is nothing wrong, in fact it may even be ennobling to admit that you might have been mistaken in your judgment and that Shevchenko is deserving of immortality and that Congress was right in alloting the land they did and not that this whole "affair" is a propaganda wedge.

Sincerely,
Anne Harrison.

December 9, 1963.

Mr. James R. Wiggins,
Editor and Executive Vice President, the Washington Post, Washington, D.C.

Dear Mr. Wiggins: I have just returned from Rome, where I spent several weeks as correspondent at the Ecumenical Council and saw how people of all creeds, colors, and national origin work together in search of unity and better relations among men. But upon my return I found that your newspaper which I had come to regard as one of the truly liberal and democratic publications in the country, has been engaged in a vitriolic, discriminatory, and biased campaign against the monument of Taras Shevchenko and by implication, against 2 million American citizens of Ukrainian background and origin.

In your charges that Shevchenko was "anti-this" and "anti-that" you are completely off base, simply because whoever advised you to initiate this campaign, was clever enough to conceal the true facts about Taras Shevchenko. He was a determined enemy of slavery and of those who perpetuated it in Ukraine, regardless of whether they were Russians, Ukrainians, Poles, Jews, Germans, or Frenchmen. In this wise he is recognized by all freedom-loving people. He stood for the unconditional freedom and equality of all races, nationalities, creeds, and cultures, and in the full sense of the word, he was a champion of universal freedom. Therefore, your allegations that his writings were offensive to certain nationalities are totally baseless.

Moreover, your attempt to becloud the significance of Shevchenko by citing Mr. Luka Kizya, permanent delegate of Soviet Ukraine to the United Nations, who expressed his approval of the Shevchenko Monument (but not of the people who are building it—American citizens) is only a too often used cliche pattern which cannot convince any knowledgeable person. As a matter of factual record, the entire Soviet press, which means the Soviet Government, was vehemently against the Shevchenko statue in Washington, especially for one particular reason which regrettably you fail to recognize. The Communist interpretation is that Shevchenko did not advocate for Ukraine a "just and righteous law of Washington," which meant a rule by the people and for the people, but that he admired George Washington as a "revolutionary figure." Free Ukrainians say that Shevchenko wanted Ukraine to be a free and independent nation, just as the United States was under George Washington.

The fact that Shevchenko is honored in Ukraine under Russian Communists and elsewhere throughout the Soviet empire does not detract from his universal significance as a champion of freedom. In that sense the Bolsheviks seem to be more astute than your specialists, because they (the Reds) are trying to espouse a great freedom fighter, while your liberal newspaper is determined to reject and denigrate him.

Surely, William Shakespeare, William Faulkner, Edgar Allen Poe and Robert Frost are also read and honored in the U.S.S.R. Are they to be considered Communist writers or sympathizers of the Bolshevik state and ideology?

I regret that your newspaper has stooped to such a degree of hate and vituperation against the Ukrainians that it had to resort to the opinion of a Soviet puppet in Ukraine for ammunition. You have fallen into a trap, and it will take some time before you realize how great a damage your newspaper has done to the cause of universal freedom by staging this unnecessary campaign of hatred against Taras Shevchenko and the people from whom he sprang, the Ukrainians.

Sincerely yours,

WALTER DUSHNYCK,
Editor, the Ukrainian Quarterly.

MANVILLE, N.J.,
November 29, 1963.

The EDITOR,
The Washington Post,
Washington, D.C.

DEAR SIR: I have seen the article entitled "The Shevchenko Affair" which appeared in Washington Post on October 18, 1963, with which I strongly disagree.

I feel that a statue of the Ukrainian poet is a splendid idea for Washington. Shevchenko, who wrote about freedom, wished it not only for Ukrainians, but for all mankind. A monument to Shevchenko in the Capital of the United States will be another testimonial to the cause of freedom.

Very truly yours,

DEMYS BEOLUAVSKY.

NEW YORK, N.Y.,
December 10, 1963.

EDITOR,
The Washington Post,
Washington, D.C.

DEAR EDITOR: Your repeated smears of and groundless attacks on our Ukrainian poet and freedom fighter, Taras Shevchenko, will always be remembered by us Americans of Ukrainian descent as attacks on us and the whole Ukrainian nation behind the Iron Curtain—the nation which has been in Communist yoke for the past 45 years.

In the past, I had always regarded your newspaper as something special, as a paper of high standing and the defender of justice and truth. Is that what you call justice by degrading us and by smearing our poet? Is this truth when you label him "anti-Semitic" or "un-universal" without having the slightest idea whom you are talking about nor the slightest grounds or sources to back your preposterous allegations? Or do you mean to tell me that the freedom of the press in this country means nothing but smear, smear, smear, without any kind of journalistic ethic or the responsibility to the public for the falsified information?

I am sorry, you do have "very reliable" sources. They are the Soviet magazines, the Communist press and the representatives to this country and the United Nations. As a matter of fact, Pravda has made similar statements against the erection of this memorial. Or, would you say, that people who hide behind your editorials just could not find any other more neutral and unbiased sources on Shevchenko's background. If they could not, why have not they written on something they know about rather than on a subject they are illiterate and know nothing about.

Very truly yours,

JOHN P. WITWICKI,
Disabled Veteran of Korean War.

JERSEY CITY, N.J.,
November 6, 1963.

Mr. J. R. WIGGINS,
Editor, the Washington Post,
Washington, D.C.

DEAR EDITOR: I read your latest editorial on the Shevchenko Monument under the heading "Monument to Ignorance" in the November 1, 1963, issue and cannot understand how a paper of your reputation can call a unanimous decision of the U.S. Congress "ignorant" and how you could lose your temper in an editorial.

The fact that you do not know much about Shevchenko proves ignorance on somebody else's part, not on the Congressman's who sponsored the bill on the erection of the Shevchenko Monument. How is it that you and your literary editor have not read any poems of Shevchenko or books about him, at least in English? (And there are many.) Judging by your opinion on Shevchenko, "your slip is showing."

If we had had Congressmen earlier in Congress like JAVITS, KEATING, LESINSKI, and JONES, we would not have the Communists at our doorstep in Cuba, and we most probably would have no threat from Red Russia. We had many good chances to stop communism in the beginning in 1917 and 1918 by supporting the independent nations of Eastern Europe now enslaved by Russia, including Ukraine. Thank God we now have able statesmen in our Congress who realize the menace of communism and do not jump to their feet to please "good old Joe" (Stalin) or "jovial and friendly Nikita."

I am now convinced by your recent editorials that you should sponsor the erection of a monument to ignorance. If you do decide to do that, you need not look for the likeness of "homo ignoramus"' to put on its pedestal. You should perpetuate the likeness of one of your friends, "experts" who bungle everything and is a master at alienating enslaved nations, the best allies our still free and democratic United States of America can have.

Yours respectfully,

WALTER SOCHAN.

CLEVELAND, OHIO, *December 10, 1963.*
EDITOR, THE WASHINGTON POST,
Washington, D.C.

SIRS: In the history of mankind one finds from time to time such men who uphold universal ideals and fundamental principles. Taras Shevchenko was such a man. A man who sprang up from serfdom, a man who was known for his love of his fatherland, Ukraine, a man who loved all offended people, and a man who was willing to give up his liberty for others. Yet, although he lived in such a land, which was forgotten, both by history and politicians of the time, he, Taras Shevchenko, was able to rise above all of this and serve as a beacon for all enslaved peoples. His ideals, his cries for freedom, his yearning for a liberator of these forsaken peoples, all serve to say, that he was the spokesman for all who were and will ever be enslaved by tyranny.

In your protestations against the erection of the monument for Taras Shevchenko, you fight a symbol of freedom through all ages as long as tyranny and despotism prevail. Yet, by this, your action, you stand with the enemies of freedom. Is it because Shevchenko is a Ukrainian? Maybe if he were Scotch or French or English, you might stand for, not against him. Is it because you actually think that the Ukrainians are just a petty force of people, who could really never contribute to the cause of mankind?

I am truly sorry to see such an attitude professed, for if this is what America stands for, hatred, bigotry and prejudice, we are truly all at a loss, for what the American forefathers fought for, no longer seems to hold true—that all men are created equal and that all have the right for the pursuit of freedom.

Very truly yours,

Dr. N. A. HRUSZKEWYCZ.

UKRAINIAN CONGRESS COMMITTEE
OF AMERICA, INC., BRANCH,
NEW HAVEN, CONN.,
November 29, 1963.

EDITOR,
Washington Post,
Washington, D.C.

DEAR SIR: We were dismayed and shocked to read your unwarranted and unfounded attack on Taras Shevchenko. The echo of your remarks was heard even here in New Haven, Conn., and evoked questions in our minds as to why you have embarked on such a slanderous attack.

The period of time was short between your editorial stating that Shevchenko was and still is an obscure poet unknown to most and read by so few till the next editorial wherein you had become experts on the poetry and worth of this "obscure" poet. Yet you became experts enough so as to brand him a "pet of a small minority"; an objectionable person in his views of other nationalities and not a poet of significance in his artistry. It is amazing how in such a short time, anyone could have familiarized himself with the extensive and varied works of this poet.

We beg to differ with you on all these points—it is not only among Ukrainians, to whom he is a prophet and a national hero, that he is revered but if ever you calculated the number of Americans of Ukrainian heritage and Eastern Europeans who know of and deeply regard this poet you will be surprised to learn it is beyond the classification of a "minority."

It is very surprising that a newspaper which should at least try to be objective and accurate in reporting should stoop so low as to slander on the basis of misinformation.

We condemn your attempts as maliciousness and urge you rather strongly to reread Shevchenko and through objective investigation reevaluate the position you accord Taras Shevchenko.

OLEG R. MYKETEY,
Chairman, UCCA Branch, New Haven, Conn.

WASHINGTON, D.C., *December 10, 1963.*
EDITOR, THE WASHINGTON POST,
Washington, D.C.

SIR: The campaign you started began with a statement, that the Shevchenko monument will be built by a group of Ukrainians while there are many other national groups opposing the idea. Later you stated that the whole action has political rather than cultural character which may result in unnecessary complications of relations between the United States of America and the U.S.S.R.

After this you tried to convince your readers that Shevchenko was a poet completely unknown to Americans. Now you turn around and state that Shevchenko was almost a Communist poet, for whom no place should be granted on the Washington grounds.

After reading these contradictions I wonder what is truth and what is false. As I see it, you fight the idea of erection of Shevchenko monument by all means, but you fail to express the real reasons.

I think the newspaper should inform the readers with true facts and not doubtful ones, but you furnish neither logical nor historical proofs for your discriminating charges.

Very truly yours,

SERHIG ZAPOLENKO.

NEW YORK, N.Y., *December 8, 1963.*
EDITOR,
The Washington Post, Washington, D.C.

DEAR SIR: Your editorials attacking the erection of the Shevchenko monument were a great blow to me as a freedom-loving American citizen of Ukrainian descent. It seems to me that you are working under a mistaken notion that the erection of this monument was supported by a very small group of Ukrainians. Shevchenko to a Ukrainian has all of the same significance that Washington has to an American, and the fact that so many thousands of Ukrainians donated to the erection of this monument is proof of your misconception.

It is also unforgivable that a newspaper of your stature should use Communist propanda material, such as the magazine USSR, and interviews with officials of the Soviet Government, as the basis for its editorials. It is a well-known fact all over the world that Communists contort everything to their own liking to such an extent that the original is not recognizable. Why not base your work on literature on Shevchenko published in the West, and especially in this country?

I sincerely hope, sir, that you will be persuaded to drop this regrettable action on your part, and that you will become friends of the Ukrainians, and will help us fight for—not against—our cause, which is much the same as the cause of this great country.

Very truly yours,

Roxolana Chaburska.

St. Louis, Mo., *December 11, 1963.*

Editor, the Washington Post,
Washington, D.C.

Sir: Although the Washington Post is one of the leading papers in the United States, it is only quite recently that I took to reading it—since you started your campaign against Shevchenko. And I feel I should call your attention to certain points.

To us, people of Ukrainian descent, he is not only a great poet but also an outstanding freedom-fighter and a victim of tyranny. Since freedom is a common cause regardless of nationality, all freedom-liking people would be expected to approve our efforts to honor his memory. The uninformed may not support us, but certainly have no reason to object. It is bewildering that a great paper in a free country chose to start an active campaign against this project.

It is a fact that Shevchenko's greatness is acknowledged everywhere and by groups of all persuasions, right, moderate and left. Should your campaign reach its goals, the Communist propaganda will not fail to take advantage of the situation. They will point out that in "capitalistic, imperialistic United States there is no appreciaion for freedom and its champions."

If you are aware of such an unwanted effect of your action, maybe it is time to reconsider your position.

Very truly yours,

Zeno V. Chraplyvy,
Professor, St. Louis University.

St. Louis, Mo., *December 11, 1963.*

Editor, the Washington Post,
Washington, D.C.

Sir: It is indeed alarming that your newspaper, enjoying a high reputation, has taken a stand against a worthy cause. I mean the proposed monument of T. Shevchenko in Washington.

Shevchenko is acknowledged as a champion and martyr of freedom not only by Ukrainians. The best writers of many nationalities translated his works and thus seconded his ideals. All people who share the lofty ideals of freedom should support our project; those who lack information would be at most indifferent. But how can people of good will actively fight it? What is the purpose? Only damage can result from such a hostile activity.

As your reasons and intentions are not doubted, we suggest that you reconsider your standpoint.

Very truly yours,

Mary Chraplyvy.

Cleveland, Ohio, *December 8, 1963.*

Editor, the Washington Post,
Washington, D.C.

Sir: The remarks in your newspaper about Taras Shevchenko have cast a dark shadow upon the freedom of men. Shevchenko fought for freedom, and because of this he suffered and finally died.

The United States is the land of the free and the home of the brave. The United States honors fighters for man's liberty.

How can a newspaper in the Capital of this free country go against a man who dedicated his whole life to the cause of freedom?

Very truly yours,

Glenda Pik.

Bridgeport, Conn.,
December 10, 1963.

Editor,
The Washington Post,
Washington, D.C.

Dear Sir: Your articles attacking the erection of the Shevchenko Monument have taken me quite by surprise. The Washington Post has been known to defend the ideals of freedom of the human being, and now all at once you are changing this policy? Why?

By this step you are doing a great injustice to the Ukrainian nation. Shevchenko has suffered many years in Siberian labor camps and finally died for his cause, the very same cause for which the United States has been fighting from the very beginning of its existence. By condemning Shevchenko you are condemning a George Washington.

Your action can be ascribed only to misinformation.

I hope you will avail yourself of more precise information, not literature which has been twisted into a convenient representation.

I believe that a truer conception will change your course of action.

Very truly yours,

Natalia Shust.

Buffalo, N.Y.,
December 6, 1963.

To the Editor,
The Washington Post,
Washington, D.C.

Dear Sir: It is with deep concern and disappointment I took note of your vicious attacks on the editorial pages of your paper against the proposed erection of Shevchenko's monument in our Nation's Capital. Shevchenko's life, work, and art were a dedication in the fullest sense to freedom and liberty, not only for his native land—Ukraine—but also to others enslaved by Moscow. He paid the highest price for his beliefs; he died for them.

America was built by men and women who harbored the same stanch love for freedom and justice as Shevchenko did. It is therefore difficult to understand the motives of your paper when attacking the fitting endeavor of American citizens of Ukrainian descent who wish to pay homage to a great poet and freedom fighter. Your paper has, undoubtedly, given a great disservice to the cause of justice contrary to the American tradition of fair journalism.

May I urge you to read and evaluate the work of Taras H. Shevchenko in order to form your own opinions and not to "borrow" them from the magazine "U.S.S.R." and other sources of dubious origin.

Yours truly,

Bohdan Paszkowskyj.

Elizabeth, N.J.,
December 11, 1963.

Sirs: In regard to your disgraceful editorials which I believe were spawned from an ignorance of facts about a man who is comparable, in the eyes of freedom-loving Ukrainians, to an American George Washington, or a Hungarian Kossuth, or, in literature, an English Shakespeare, I wish to present some facts.

In the romantic literary movement of the 19th century, which swept the Ukrainian nation, although it was subjugated under two empires, there appeared one man who has since been dear to all Ukrainian nationalists—Taras Shevchenko. In his collected works "Kobzar," he related various aspects of Ukrainian life and legends, and he dug into the glorious Kozak past for such poems as "Hamalia," "Haydamaki," and "Ivan Pidkova." Shevchenko and several others organized the Society of Sts. Cyril and Methodius in Kiev. This society demanded abolition of serfdom and demanded freedom of press, thought, speech, and conscience. It visualized a Ukrainian Republic in a loosely knit Slavonic federation not dominated by any one country. The members of the group were arrested and Taras was exiled to central Asia for 10 years. The Czar's own hand added a prohibition of writing and painting. Shevchenko was never to see his homeland again and in his "Zapowit" he wrote:

"When I die, bury
Me in a grave
In the wide steppes
Of beautiful Ukraine.

"Bury me and rise up,
Break your chains
And with your hateful enemy's blood
Shower your freedom.

"And as for me in this big family
In a new, free family
Don't forget to remember
With a tender, silent word."

The first part of Shevchenko's own eulogy was fulfilled; he is today buried on a cliff overlooking the Dnieper River. The second part was also fulfilled, though only briefly, when the Ukrainian Republic was born out of the World War's destruction; it was short lived, however, because the armies of several "neighboring" countries simultaneously destroyed her while the West watched with apathy or even helped the invaders with supplies and troops. Those of Ukrainian descent and the refugees from enslaved Ukraine in this country have put together their nickels, dimes, and dollars in an attempt to honor Shevchenko by respecting the wish in the last part of "Zapowit" above. I only implore you to try to understand and respect this wish of a people which the world has forgotten and looked upon with apathy throughout their many centuries of foreign enslavement.

George Lewycky.

Trenton, N.J., *December 7, 1963.*

The Editor, the Washington Post,
Washington, D.C.

Dear Sir: Responsibilities of a newspaper toward the public, as you well realize, are too wide to be mentioned here. But your right to this claim should be based on unprejudiced attitude and unbiased information—as much as possible. It is the latter that is so noticeably lacking in your articles against the Shevchenko Monument which is to be erected in Washington.

At this moment no one in this country can complain about insufficient scholarly or other sources about the great poet and a great man, who with his pen and his life fought for freedom and taught others to do the same—Taras Shevchenko. His great regard for the freedom of every man can serve as an inspiring example to all people, regardless of race or nationality.

I hoped that you would not stoop to limit yourself to such obviously one-sided advisers or information, but would try to see Shevchenko as he really was. Please understand that it is not only the many thousands of Americans of Ukrainian descent (who chipped in their contributions to make this project possible) who deeply cherish the ideals for which Shevchenko stood and gave to freedom-loving Ukrainians, but also readers of other nations and races who felt his touch of genius and universal message.

I sincerely hope that you would review your stand and help us honor a great man—in universal terms.

Respectfully yours,

LARISSA M. L. ONYSHKEVYCH.

WATERTOWN, CONN., *December 10, 1963.*

EDITOR, THE WASHINGTON POST,
Washington, D.C.

SIR: Through our press we learned that your well-established newspaper printed editorials in which you discuss the advisability of constructing a monument in memory of T. Shevchenko on the grounds of Washington.

As American citizens, we are surprised and shocked that the objective editors can support the idea of a dual morality. We support the freedom fighters in South Vietnam, we supported freedom in Algeria and Israel, we support freedom fighters in the South in the United States of America, but we deny the right to freedom of a 42-million nation in civilized Europe.

Yours truly,

Mr. and Mrs. M. TROJAN.

BRONX, N.Y., *December 8, 1963.*

EDITOR, THE WASHINGTON POST,
Washington, D.C.

SIR: I am writing to protest the anti-Shevchenko articles which have appeared in your newspaper. They were unfair to the memory of a freedom-loving poet and to the people who wish to honor him.

I hope you will drop this regrettable action and champion the cause of freedom and not oppose it.

Yours truly,

MARTHA BACHYNSKY.

DETROIT, MICH.,
December 4, 1963.

EDITOR, THE WASHINGTON POST,
Washington, D.C.

SIR: You are rendering bad service to the American people with your remarks about Taras Shevchenko. Your evaluation of his life and deeds is completely wrong and evidently based on false sources.

I ask you to get acquainted with the whole truth about this great man and freedom-fighter, Taras Shevchenko, and to stop your campaign against his monument in Washington. You can find unbiased information about him in the "Ukraine, a concise encyclopedia," newly edited by the University of Toronto Press, or in the writings of Prof. C. G. Manning.

Very truly yours,

DR. JOSEPH E. BOYCHUK.

MINNEAPOLIS, MINN.,
December 10, 1963.

EDITOR, THE WASHINGTON POST,
Washington, D.C.

DEAR SIR: I, as a freedom-loving American citizen of Ukrainian descent, wish to express my great dissatisfaction with your slanderous editorials in regard to the Shevchenko Monument. I cannot understand why such a well-respected newspaper as yours would have to resort to the spread of false and cheap Communist propaganda.

I am sure, sir, that if you would only read some of the literature about Shevchenko that was published in the free Western World, you will drop this regrettable action on your part.

Very truly yours,

STEPHAN LUCIW.

CHICAGO, *December 7, 1963.*

EDITOR, THE WASHINGTON POST,
Washington, D.C.

SIR: It was with great concern and deep disappointment that I read the remarks of your newspaper about Shevchenko. I cannot understand how you could allow that kind of unfair evaluation of this great man who dedicated his whole life to the cause of freedom, for which he suffered and finally died, be displayed on the pages of your paper.

Freedom is the tradition of the United States and it has always honored fighters for man's liberty regardless of national origin. Why is your paper retreating from this tradition?

I ask the Washington Post to stop rendering bad service to cause of freedom.

Very truly yours,

JULIAN SAWARYN.

FORDS, N.J., *December 10, 1963.*

EDITOR, WASHINGTON POST,
Washington, D.C.

DEAR SIR: I wish to express my displeasure at recent articles in your newspaper about Taras Shevchenko. As one of Irish descent, like the late President Kennedy, I object to these statements about a great lover of freedom. His works should be examined in a fair way.

Yours truly,

RICHARD RYAN.

THE UNITED UKRAINIAN
STUDENTS ASSOCIATION, INC., U.S.A.,
December 9, 1963.

EDITOR, THE WASHINGTON POST,
Washington, D.C.

DEAR SIR: We American college students of Ukrainian descent wish to express our strong opposition to your stand on the Shevchenko memorial statue in Washington.

We believe that were you better acquainted with the life and work of Taras Shevchenko you would realize the moral significance that he has for all peoples who are denied freedom.

May we suggest that you approach him and the Ukrainian nation without bias but with sympathetic understanding.

Very truly yours,

WLODIA HNATIUK,
Secretary.

ROCHESTER, N.Y.,
December 8, 1963.

EDITOR, THE WASHINGTON POST,
Washington, D.C.

DEAR SIR: It has come to my attention that the Washington Post has been having editorials attacking the erection of the Shevchenko Monument.

To me, an American citizen of Ukrainian descent, it has come as a heavy blow. It is very hard for me to see such editorials as mentioned above and to believe that in this great country there are people who oppose the honoring of great freedom fighters of other nations.

I should appreciate your taking proper action in stopping these editorials.

Very truly yours,

ULANA M. BABIUK.

CLEVELAND, OHIO,
December 9, 1963.

EDITOR, THE WASHINGTON POST,
Washington, D.C.

SIR: I have spent 14 years in the United States. I came here to find freedom and became an American citizen. My heart goes out to anybody seeking freedom and liberty.

Your editorial attacking the erection of the Shevchenko Monument, a monument for Ukraine's greatest freedom fighter, was a great blow to me. I cannot understand how you can attack a person who to the Ukrainians is as significant as Washington to the Americans.

I hope that you will fight for freedom and not against it.

Very truly yours,

ARETA HALUSHCHYNSKA.

DENVER, COLO., *December 10, 1963.*

EDITOR, THE WASHINGTON POST,
Washington, D.C.

SIR: I am another one of the "small group" of Americans of Ukrainian descent that supported erection of Shevchenko's Monument and I can't figure it out why you are opposing it. I can see why Soviet propaganda is against erection, but why the Washington Post? Shevchenko dedicated his whole life to the cause of freedom; he dreamed about Ukrainia's own Washington. For these dreams he finally died. Surely a newspaper of your stature should know these facts. Yet your evaluation of this great man is quite unfair and erroneous. Why don't you study Shevchenko's works more closely? And if you do, I am sure you will change your opinion and the tone of your writings.

Very truly yours,

L. S. KOLTUNINK.

BRONX, N.Y., *December 9, 1963.*

EDITOR, THE WASHINGTON POST,
Washington, D.C.

DEAR SIR: Your editorials attacking the erection of the Shevchenko Monument were a great blow to me as a freedom-loving American citizen of Ukrainian descent. Your paper reported that the monument is supported by a very small group of Ukrainians. For your information, thousands of Ukrainians donated to the erection of this monument.

Your paper should not use Communist propaganda material. Why not base your work on literature on Shevchenko published in the West, and especially in this country?

Very truly yours,

OSTOP WYNNYK.

PHILADELPHIA, PA.,
December 8, 1963.

EDITOR, THE WASHINGTON POST,
Washington, D.C.

DEAR SIR: Your editorials attacking the proposed Shevchenko Monument in Washington are to me, an American citizen of Ukrainian descent, a completely unjustified attack on Shevchenko, his significance for all Ukrainians, and, indeed, his significance for all freedom-loving peoples.

That a newspaper of your stature should use Communist propaganda as a basis for its editorials is very dismaying. The Communists adopted Shevchenko as their own only when they utterly failed to pervert and destroy his values.

I sincerely hope that you will abandon your regrettable stand and support not so much our cause as the cause of freedom.

Very truly yours,

SOPHIA DOROSHENKO.

VILLANOVA, PA.,
December 9, 1963.

EDITOR, THE WASHINGTON POST,
Washington, D.C.

DEAR SIR: I was highly disturbed reading your editorials in which you criticized the erection of the Shevchenko Monument. Let me point out that this great poet and man stood up against the despotism which has suppressed the human dignity and personal and political freedom of all nations which were then part of the Russian empire. This includes Poles, nations of the Caucasus and many others.

In this country personal freedom and human dignity are some of the most important virtues which have laid foundation to our Constitution and gave strength to many generations of patriotic Americans to develop a free, democratic society.

Please change your mind. It will be a move in the right direction and it will serve the cause of freedom.

Sincerely yours,

ROMAN MAKSYMOWYCH, Ph. D.

Bridgeport, Conn.,
December 10, 1963.

Editor, the Washington Post,
Washington, D.C.

Sir: I must strongly protest to the editorials attacking the erection of the monument to Taras Shevchenko. Your notion that this monument was supported by a very small group of Ukrainians is very mistaken.

For a Ukrainian, Shevchenko is a symbol of freedom of mind and spirit, strength, love for humanity, and good will personified. For us Shevchenko represents a tie between the native country we had to leave behind and our new home, which share the same ideals.

I believe that if you would avail yourself of literature, which was published in the West, you would not base your opinions on a magazine like the U.S.S.R., or interviews with Soviet officials. I believe that you would be working for, not against, the cause of Americans of Ukrainian descent.

Yours truly,
Oksana Shust.

Buffalo, N.Y.,
December 9, 1963.

Editor, the Washington Post,
Washington, D.C.

Sir: It was a regrettable and a deep disappointment to read the remarks in your newspaper about Shevchenko.

Sir, it seems to me that your source of information was rather circumstantial than factual, stating that a small group of Ukrainians supported this drive for the erection of the monument.

Moreover, it is unforgivable to use Communist propaganda material and interviews with Communist officials for this purpose.

Sir, have you learned nothing as yet from the past?

How much does one trust the people that broke so many treaties since the end of World War II? Why not base your work on literature on Shevchenko published in this country?

The man that your paper is degrading stood up for freedom which is a part of our great Nation's tradition.

Why is your paper retreating from this tradition?

Let the torch of freedom be alight all over the world not subdued by ignorance, biased opinion, and hatred.

Very truly yours,
Mark J. Stasiuk.

Rochester, N.Y.,
December 9, 1963.

Editor, Washington Post,
Washington, D.C.

Sir: Taras Shevchenko is one of the greats of world history. Alien oppression has impeded his name to be known the world over, but known it will be because the principles for which Shevchenko stood and for which he suffered are the principles of liberty and human rights. They happen to be the same as those which we cherish and live by in this country.

Sincerely,
O. M. Bilaniuk, Ph. D.
Assistant professor of physics.

December 9, 1963.

Editor, Washington Post,
Washington, D.C.

Dear Sir: We, Ukrainian-American businessmen in New York, cannot comprehend why you permitted such unjustified and unfounded defamation on the pages of your newspaper of the great man Taras Shevchenko, who suffered, fought, and gave his life for freedom.

The name of Taras Shevchenko is known all over the world. We would therefore advise you to look him up in the libraries not only in the United States, but also in many other countries, where you will certainly find many works in various languages written about Taras Shevchenko by non-Ukrainians—this would enable you to fill the blank spots which you have about this poet. You would then be convinced by non-Ukrainian historians and men of letters, and perhaps apologize for the uncalled-for treatment you have given him. To the Ukrainians, Shevchenko is the same kind of fighter for freedom as George Washington to the Americans. Proof of this can be found in the hundreds of thousands in conributions given by thousands of Ukrainians to erect a monument to Taras Shevchenko in Washington, D.C.

Very truly yours,
Roman Krupka,
President.
Irene Hoshowska,
Secretary.

Brooklyn, N.Y.,
December 9, 1963.

Editor, the Washington Post,
Washington, D.C.

Dear Sir: We have considered the Washington Post to be a better newspaper, dedicated to promote knowledge and truth among the people. However, recently we were very disappointed to find several articles attacking the erection of the Shevchenko Monument. These articles based on unilateral information or rather misinformation, hurt the feelings of many, many people because Taras Shevchenko has the same significance to a Ukrainian that George Washington has to an American. The ancient Romans used to say in such cases: "Audi alteram partem."

We hope that you take that advice, especially when you intend to write an editorial about Taras Shevchenko.

Very truly yours,
Dr. & Mrs. Roman Dziadiw.

State University College,
Oswego, N.Y., December 9, 1963.

Editor, the Washington Post,
Washington, D.C.:

With reference to your recent editorials concerning the Shevchenko Monument permit me to express my view. I am familiar with Shevchenko's life and writings and I think that he was a great poet and, above all, a great freedom fighter. A monument to him would symbolize the universality of human striving for freedom. The American revolution had—and continues to have—repercussions all over the world. It can be shown that Shevchenko's writings and struggles were inspired by the same spirit that animated American revolutionaries and that they are worthy expressions of it.

Sincerely yours,
R. Tratch,
Assistant professor.

SENATE

Tuesday, January 14, 1964

The Senate met at 12 o'clock meridian, and was called to order by the President pro tempore.

Rev. O. P. Kretzman, D.D., of the Lutheran Church, president, Valparaiso University, Valparaiso, Ind., offered the following prayer:

Lord God Heavenly Father, by whose advice and consent our fellow citizens have called us to the honorable and difficult office of Senator, we thank Thee for the blessings which Thou hast bestowed upon us. As we come to Thee today, we are aware of the tremendous responsibilities and difficulties of our task. We seek security in a world of anxiety. We seek hope in a world of fear. We seek peace in a world of hate. Great and far-reaching worldwide problems lie before us. But Thou hast not sent us here to voice our doubts and fears and misgivings. Great or small, we are Thy servants, charged by Thee, with responsibilities which Thou hast not chosen to lay upon other men. We are grateful for Thy confidence and determined by Thy grace to prove worthy of it. Give us, therefore, warm and understanding hearts, clear and honest minds, sober and careful speech and a great measure of patience with each other, with our critics and with all whom in Thy name we seek to serve.

Help us to remember, O Lord, in this election year that we must deserve Thy approval before we can seek the approval of our fellow citizens and that Thou wilt judge us not by the margin of our defeat or victory but by the day-by-day faithfulness with which we discharge the duties of our office while we hold it. Lest we suppose that tomorrow will be soon enough to do the right thing, keep before us the memory of colleagues and friends for whom tomorrow never came. In this spirit we remember especially today the unfinished tasks of Thy servant, John F. Kennedy.

Bless, as Thou hast blessed us so many years, this country and its people. Let not Thy blessings tempt us to pride. Let not Thy chastisement tempt us to doubt Thy love and providential care. Unite us in love for each other and concern for all men; and in obedience to Thy will, let Thy work appear unto Thy servants and Thy glory unto their children. And let the beauty of the Lord our God be upon us and establish Thou the work of our hands upon us; yea, the work of our hands, establish Thou it. Amen.

THE JOURNAL

On request of Mr. Mansfield, and by unanimous consent, the reading of the Journal of the proceedings of Friday, January 10, 1964, was dispensed with.

ATTENDANCE OF SENATORS

The following additional Senators attended the session of the Senate today:

E. L. Bartlett, a Senator from the State of Alaska; Hiram L. Fong, a Senator from the State of Hawaii; J. W. Fulbright, a Senator from the State of Arkansas; Barry Goldwater, a Senator from the State of Arizona; Bourke B. Hickenlooper, a Senator from the State of Iowa; Maurine B. Neuberger, a Senator from the State of Oregon; Stuart Symington, a Senator from the State of Missouri; and Strom Thurmond, a Senator from the State of South Carolina.

MESSAGES FROM THE PRESIDENT

Messages in writing from the President of the United States submitting nominations were communicated to the Senate by Mr. Miller, one of his secretaries.

EXECUTIVE MESSAGES REFERRED

As in executive session,

The PRESIDENT pro tempore laid before the Senate messages from the President of the United States submitting sundry nominations, which were referred to the appropriate committees.

(For nominations this day received, see the end of Senate proceedings.)

MESSAGE FROM THE HOUSE—ENROLLED JOINT RESOLUTION SIGNED

A message from the House of Representatives, by Mr. Hackney, one of its reading clerks, announced that the Speaker had affixed his signature to the enrolled joint resolution (S.J. Res. 136) providing for renaming the National Cultural Center as the John F. Kennedy Center for the Performing Arts, authorizing an appropriation therefor, and for other purposes, and it was signed by the President pro tempore.

LIMITATION ON STATEMENTS IN MORNING HOUR

On request of Mr. Mansfield, and by unanimous consent, statements in the morning hour were ordered limited to 3 minutes.

COMMITTEE MEETING DURING SENATE SESSION

On request of Mr. Mansfield, and by unanimous consent, the Senate Committee on Rules and Administration was authorized to meet during the session of the Senate today.

EXECUTIVE COMMUNICATIONS, ETC.

The PRESIDENT pro tempore laid before the Senate the following letters, which were referred as indicated:

Report of Georgetown Barge, Dock, Elevator and Railway Company

A letter from the President, Georgetown Barge, Dock, Elevator and Railway Company, transmitting, pursuant to law, a report of that Company, for the calendar year 1963; to the Committee on the District of Columbia.

Report of National Capital Planning Commission

A letter from the Chairman, National Capital Planning Commission, Washington, D.C., transmitting, pursuant to law, a report on lands acquired by that Commission, during fiscal year 1963 (with an accompanying report); to the Committee on the District of Columbia.

Reply of Agency for International Development to Report of Comptroller General

A letter from the Director, Congressional Liaison, Agency for International Development, Department of State, Washington, D.C., transmitting, for the information of the Senate, a copy of that Agency's reply to the Comptroller General on his report dated October 7, 1963, on Inadequate Controls for Determining Compliance by Foreign Governments With Restrictions Placed on the Disposition of Agricultural Commodities Made Available Under Title I, Agricultural Trade Development and Assistance Act of 1954 (with an accompanying paper); to the Committee on Government Operations.

Report on Improper Disposition of Refunds of Group Insurance Premiums by Grumman Aircraft Engineering Corp.

A letter from the Comptroller General of the United States, transmitting, pursuant to law, a report on the improper disposition of refunds of group insurance premiums by Grumman Aircraft Engineering Corp., Bethpage, N.Y., Department of the Navy, dated January 1964 (with an accompanying report); to the Committee on Government Operations.

Report on Inadequate Management Action To Avoid Excessive Costs of Milk Procurement by Hospitals and Domiciliaries, Veterans' Administration

A letter from the Comptroller General of the United States, transmitting, pursuant to law, a report on the inadequate management action to avoid excessive costs of milk procurement by hospitals and domiciliaries, Veterans' Administration, dated January 1964 (with an accompanying report); to the Committee on Government Operations.

Report on Increased Costs Resulting From the Procurement of Spare Parts Under Contracts for Related Aeronautical Equipment

A letter from the Comptroller General of the United States, transmitting, pursuant to law, a report on increased costs resulting from the procurement of spare parts under contracts for related aeronautical equipment, Department of the Air Force, dated January 1964 (with an accompanying report); to the Committee on Government Operations.

Report on Tort Claims Paid by Department of Justice

A letter from the Assistant Attorney General, U.S. Department of Justice, transmitting, pursuant to law, a report on tort claims paid by that Department, during fiscal year 1963 (with an accompanying report); to the Committee on the Judiciary.

Admission Into the United States of Certain Defector Aliens

A letter from the Commissioner, Immigration and Naturalization Service, Department of Justice, transmitting, pursuant to law, copies of orders entered granting admission into the United States of certain defector aliens (with accompanying papers); to the Committee on the Judiciary.

REPORT ON ACTIVITIES OF JOINT COMMITTEE ON DEFENSE PRODUCTION

The PRESIDENT pro tempore laid before the Senate a letter from the vice chairman of the Joint Committee on Defense Production, Congress of the United States, Senator A. Willis Robertson, transmitting, pursuant to law, the 13th annual report of the activities of that Joint Committee, with material on mobilization from departments and agencies, which was ordered to be printed, with illustrations.

(See H. Rept. No. 1095, 88th Cong., 2d sess.)

REPORT ON DISPOSITION OF EXECUTIVE PAPERS

Mr. JOHNSTON, from the Joint Select Committee on the Disposition of Papers in the Executive Departments, to which was referred for examination and recommendation a list of records transmitted to the Senate by the Archivist of the United States, dated January 8, 1964, that appeared to have no permanent value or historical interest, submitted a report thereon, pursuant to law.

BILLS AND JOINT RESOLUTIONS INTRODUCED

Bills and joint resolutions were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. HARTKE:

S. 2421. A bill to amend title II of the Social Security Act so as to provide that child's insurance benefits may be continued after age 18 in the case of children who are regularly attending high school; to the Committee on Finance.

(See the remarks of Mr. Hartke when he introduced the above bill, which appear under a separate heading.)

By Mr. KEATING (for himself, Mr. Douglas, Mr. Allott, Mr. Bennett, Mr. Case, Mr. Curtis, Mr. Dominick, Mr. Ervin, Mr. Lausche, and Mr. Miller):

S. 2422. A bill to amend the International Claims Settlement Act of 1949, as amended, to provide for submission of certain claims agreements to the Senate for its advice and consent; to the Committee on Foreign Relations.

(See the remarks of Mr. Keating when he introduced the above bill, which appear under a separate heading.)

By Mr. BREWSTER:

S. 2423. A bill relating to the effective date of the qualification of Sheet Metal Workers Local Union No. 122 Pension Fund as a qualified trust under section 401(a) of the Internal Revenue Code of 1954; to the Committee on the Judiciary.

By Mr. DODD:

S. 2424. A bill for the relief of Mrs. Margarida Rodrigues da Silva; to the Committee on the Judiciary.

By Mr. KEATING (for himself and Mr. Javits):

S.J. Res. 144. Joint resolution for the relief of certain Yugoslav refugees; to the Committee on the Judiciary.

(See the remarks of Mr. Keating when he introduced the above joint resolution, which appear under a separate heading.)

By Mr. HOLLAND (for himself and Mr. Smathers):

S.J. Res. 145. Joint resolution commemorating the golden anniversary of the Naval Air Station, Pensacola, Fla., and authorizing the design and manufacture of a galvano in commemoration of this significant event; to the Committee on Banking and Currency.

RESOLUTIONS

AUTHORIZATION FOR COMMITTEE ON BANKING AND CURRENCY TO MAKE CERTAIN INVESTIGATIONS

Mr. ROBERTSON (for himself and Mr. Bennett) submitted the following resolution (S. Res. 256); which was referred to the Committee on Banking and Currency:

Resolved, That the Committee on Banking and Currency, or any duly authorized subcommittee thereof, is authorized under sections 134(a) and 136 of the Legislative Reorganization Act of 1946, as amended, and in accordance with its jurisdiction specified by rule XXV of the Standing Rules of the Senate, to examine, investigate, and make a complete study of any and all matters pertaining to—

(1) banking and currency generally;

(2) financial aid to commerce and industry;

(3) deposit insurance;

(4) the Federal Reserve System, including monetary and credit policies;

(5) economic stabilization, production, and mobilization;

(6) valuation and revaluation of the dollar;

(7) prices of commodities, rents, and services;

(8) securities and exchange regulation;

(9) credit problems of small business; and

(10) international finance through agencies within the legislative jurisdiction of the committee.

SEC. 2. For the purposes of this resolution the committee from February 1, 1964, to January 31, 1965, inclusive, is authorized (1) to make such expenditures as it deems advisable; (2) to employ upon a temporary basis, technical, clerical, and other assistants and consultants: *Provided*, That the minority is authorized to select one person for appointment, and the person so selected shall be appointed and his compensation shall be so fixed that his gross rate shall not be less by more than $1,600 than the highest gross rate paid to any other employee; and (3) with the prior consent of the heads of the departments or agencies concerned, and the Committee on Rules and Administration, to utilize the reimbursable services, information, facilities, and personnel of any of the departments or agencies of the Government.

SEC. 3. Expenses of the committee, under this resolution, which shall not exceed $91,000, shall be paid from the contingent fund of the Senate upon vouchers approved by the chairman of the committee.

AUTHORIZATION FOR COMMITTEE ON BANKING AND CURRENCY TO INVESTIGATE MATTERS PERTAINING TO PUBLIC AND PRIVATE HOUSING

Mr. **SPARKMAN** (for himself, Mr. ROBERTSON, Mr. BENNETT, and Mr. TOWER) submitted the following resolution (S. Res. 257); which was referred to the Committee on Banking and Currency:

Resolved, That the Committee on Banking and Currency, or any duly authorized subcommittee thereof, is authorized under sections 134(a) and 136 of the Legislative Reorganization Act of 1946, as amended, and in accordance with its jurisdiction specified by rule XXV of the Standing Rules of the Senate, to examine, investigate, and make a complete study of any and all matters pertaining to public and private housing.

SEC. 2. For the purposes of this resolution the committee, from February 1, 1964, to January 31, 1965, inclusive, is authorized (1) to make such expenditures as it deems advisable; (2) to employ upon a temporary basis, technical, clerical, and other assistants and consultants: *Provided*, That the minority is authorized to select one person for appointment, and the person so selected shall be appointed and his compensation shall be so fixed that his gross rate shall not be less by more than $1,600 than the highest gross rate paid to any other employee; and (3) with the prior consent of the heads of the departments or agencies concerned, and the Committee on Rules and Administration, to utilize the reimbursable services, information, facilities, and personnel of any of the departments or agencies of the Government.

SEC. 3. The committee shall report its findings, together with its recommendations for legislation as it deems advisable, to the Senate at the earliest practicable date, but not later than January 31, 1965.

SEC. 4. Expenses of the committee, under this resolution, which shall not exceed $115,000, shall be paid from the contingent fund of the Senate upon vouchers approved by the chairman of the committee.

TO PRINT AS A SENATE DOCUMENT MATERIAL ENTITLED "WORLD COMMUNISM—A SELECTED ANNOTATED BIBLIOGRAPHY"

Mr. **EASTLAND** submitted the following resolution (S. Res. 258); which was referred to the Committee on Rules and Administration:

Resolved, That there shall be printed as a Senate document a comprehensive listing of source material and index of authors, designed to aid students and teachers of communism, entitled "World Communism—A Selected Annotated Bibliography."

That there shall be printed 6,000 additional copies of such Senate document, which shall be for the use of the Committee on the Judiciary of the Senate.

CHILD'S INSURANCE BENEFITS (SOCIAL SECURITY)

Mr. **HARTKE**. Mr. President, I introduce, for appropriate reference, a bill amending the Social Security Act in a manner which will aid and encourage certain dependent children to remain in school until high school graduation even though they have attained the age of 18.

Mr. President, the need for this amendment came to my attention when I received a letter from an Indiana township trustee setting forth an actual case. There are undoubtedly many more young people similarly affected whom this bill would assist.

A man with social security retirement benefits had been drawing $110 per month for himself and his 59-year-old wife. They also received $110 per month for their dependent son, who in September would become a senior in high school. But unfortunately, the boy turned 18 before the start of school and his dependency allowance ceased. My informant wrote:

> You can see what a problem it presents to these people who are buying a home, maintaining themselves and trying to give their son a high school education.

Increasingly we are realizing the necessity for more education in this day of advanced technology and declining jobs for the unskilled. Certainly the completion of high school is a bare minimum. To remove any possible stumbling blocks which arise simply because a child reaches his 18th birthday before finishing high school is an objective serving the national interest.

This is a matter which has already received some attention from the Department of Health, Education, and Welfare. In a letter dated October 22, 1963, Mr. Robert M. Ball, Commissioner of Social Security, wrote in response to my inquiry about this situation:

> As you know, child's benefits under the social security program are intended to provide a partial replacement of the income that is lost by a child when his parent dies, retires, or becomes disabled, and they are intended to be paid as long as it is reasonable to assume that most children would be supported by their families. We realize that an increasingly large number of children continue in school after reaching age 18 and need support from their families to do so; where one parent is dead it is of course harder for the child to continue in school. We are giving sympathetic consideration to proposals that would provide for the payment of social security benefits to children over age 18 of deceased, retired, or disabled workers if they are attending school.

My bill provides a simple change—that dependent child payments under social security will be extended to the date of a child's high school graduation, or until he ceases to attend school regularly. But in the latter case, the bill is so worded as to allow 4 months, which might often include the summer, for encouragement of a school drop-out to return.

Mr. President, I ask unanimous consent for this bill to be printed at the close of these remarks.

The **PRESIDENT** pro tempore. The bill will be received and appropriately referred; and, without objection, will be printed in the RECORD.

The bill (S. 2421) to amend title II of the Social Security Act so as to provide that child's insurance benefits may be continued after age 18 in the case of children who are regularly attending high school, introduced by Mr. HARTKE, was received, read twice by its title, referred to the Committee on Finance, and ordered to be printed in the RECORD, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That subsection (d) of section 202 of the Social Security Act is amended by adding at the end thereof the following new paragraph:

"(7) A child who, on the date he attains age eighteen, is regularly attending high school shall be deemed, for purposes of this title, not to have attained the age of eighteen until the last day of the month in which he is graduated from high school or the last day of the fourth month following the last month in which he regularly attends high school, whichever first occurs."

SEC. 2. The amendment made by the first section of this Act shall apply only with respect to individuals who attain age eighteen after the date of enactment of this Act.

AMENDMENT OF INTERNATIONAL CLAIMS SETTLEMENT ACT OF 1949

Mr. **KEATING**. Mr. President, on behalf of myself and Senators DOUGLAS, ALLOTT, BENNETT, CASE, CURTIS, DOMINICK, ERVIN, LAUSCHE, and MILLER, I introduce, for appropriate reference, a bill to amend the International Claims Settlement Act of 1949, as amended, to provide for submission of certain claims agreements to the Senate for its advice and consent.

This bill is very similar to a bill previously introduced which I had planned to leave on the desk for cosponsors, but which was unfortunately printed. A slight technical correction is desirable and has been made in the language of the bill and I therefore introduce it in this form as a new bill for myself and the cosponsors I have mentioned.

The PRESIDENT pro tempore. The bill will be received and appropriately referred.

The bill (S. 2422) to amend the International Claims Settlement Act of 1949, as amended, to provide for submission of certain claims agreements to the Senate for its advice and consent, introduced by Mr. KEATING (for himself and other Senators), was received, read twice by its title, and referred to the Committee on Foreign Relations.

RELIEF OF CERTAIN YUGOSLAV REFUGEES

Mr. KEATING. Mr. President, in behalf of my able colleague from New York [Mr. JAVITS] and myself, I introduce, for appropriate reference, a joint resolution for the relief of certain Yugoslav refugees. This measure is intended to supersede Senate Joint Resolution 127, which I introduced in the previous session for the relief of the same beneficiaries.

Mr. President, I have long been concerned with the plight of refugees and escapees not only from Yugoslavia but from other totalitarian regimes. Today, however, I wish to limit my remarks to the question of Yugoslav refugees only. The resolution I am introducing today is the fourth for Yugoslav refugees which I have introduced in recent months, and I believe it desirable that the RECORD show just exactly what is involved in these four resolutions.

The first two which were introduced last session, Senate Joint Resolution 117 and Senate Joint Resolution 127, provided for the cancellation of any outstanding orders and warrants of deportation with respect to a total of 33 named Yugoslav refugees in the first resolution and a total of 15 in the second. These measures were necessary because of the expiration of court stays covering these men's cases which made their deportation imminent. It was and still is my judgment that before the United States should engage in such wholesale deportations to any Communist country, the Congress of the United States ought to intervene and determine its position as a matter of principle on whether a free nation such as ours should toss human beings back into a society and regime to which they have vigorously expressed opposition. Certainly the involuntary repatriation of so many men to Communist Yugoslavia cannot, in my judgment, be less worthy of the attention of this body than, for example, foreign aid and wheat sales to Communist nations.

Both of the first two resolutions I introduced contained provisions for ultimately adjusting the status of the named beneficiaries to that of permanent U.S. residents. It has since been brought to my attention that the technical language of these resolutions might, if permanent residence were eventually granted, result in a reduction of quota numbers from the regular Yugoslavian immigration quota, thereby raising the possibility of depriving would-be immigrants from Yugoslavia who have been patiently waiting their turn on oversubscribed quota lists, of an opportunity to emigrate here in regular course. For that reason, I decided in effect to reintroduce the resolutions in a form which would avoid that undesirable result. On November 13 of last year, Senator JAVITS and I introduced Senate Joint Resolution 132 to supplant and supersede Senate Joint Resolution 117 with respect to the beneficiaries therein named, with the exception that, for various reasons, three of the original beneficiaries of Senate Joint Resolution 117 were dropped from the resolution, and two new names were added to the remaining beneficiaries of Senate Joint Resolution 132. Today we have introduced a resolution intended to supplant and supersede Senate Joint Resolution 127 with respect to an identical list of beneficiaries.

The two superseding resolutions, Senate Joint Resolution 127 and the one introduced today, provide that upon enactment all of the named beneficiaries shall be considered to have been paroled into the United States pursuant to section 1 of Public Law 86–648, the so-called refugee-fair-share law. The refugee fair-share law, enacted as a temporary measure in 1960 for the World Refugee Year, and since made a permanent part of our refugee laws, authorizes the Attorney General to parole into the United States aliens who, because of persecution or fear of persecution on account of race, religion, or political opinion, have fled from a Communist country and who cannot return there for the very same reason. The number of refugees who may thus be paroled is determined at regular intervals by the Secretary of State in accordance with a formula geared to the pace of resettlement of similar refugees by other free world nations. The two measures to which I have referred as the superseding resolutions, rather than threatening to reduce the regular Yugoslavian immigration quotas, would if enacted simply charge off the admission status of all the beneficiaries to the parole allotment for the United States under the refugee fair-share law.

Mr. President, with hearings this week on various proposed revisions of the Immigration and Nationality Act, this is an appropriate occasion, in my judgment, to comment briefly on the state of the law as applicable to refugees and others seeking asylum in the United States. One of the most salient points that could be made in reference to the administration of the refugee fair-share law is that the United States, which sees itself as a historical haven for the oppressed and downtrodden of all nations, has during the past few years carried somewhat less than its fair share of refugee resettlement. As of June 30, 1963, the total number of parolees authorized by law to enter the United States was 20,898. However, only 14,565 refugees have been found qualified under these provisions. It is ironic to note that many of those found qualified were Yugoslavs very similar to the beneficiaries listed in the two resolutions as to their background and their reasons for fleeing Yugoslavia. But the difference in treatment is due to the fact that those who have already been found qualified had not directly entered the United States but instead entered Austria, Italy, or some other non-Communist country illegally. In contrast, those named in the resolutions came to the United States via the only common border between Yugoslavia and the United States, and that is, the sea. They came as seamen, and therefore when they overstayed their period of authorized entry as nonimmigrant seamen, they were deemed ship-jumpers instead of refugees. The irony is, therefore, that whereas similar refugees have been paroled into the country under the refugee fair-share law, the beneficiaries of the resolutions stand in a different legal status while the full number of allotted fair-share parolees has not come close to being used up.

The beneficiaries had their sole administrative remedy under section 243 (h) of the Immigration and Nationality Act. This provision authorizes the Attorney General to withhold deportation of any alien within the United States to any country in which, in the opinion of the Attorney General, the alien would be subject to physical persecution. Applications under this provision, with rare exceptions, have been denied on the ground that while the applicants may have established by their own testimony that if returned to Yugoslavia they may suffer from anti-Catholic discrimination and oppression, or may be jailed for maritime desertion from a Yugoslav vessel, this is nevertheless not the physical persecution intended by section 243(h) of the Immigration and Nationality Act. It has become virtually impossible, then, for the usual Yugoslav refugee to furnish legally accepted proof of anticipated physical persecution within the meaning of the law. The beneficiaries here were no exception. Their applications were denied; court review proceedings were unavailing; and deportation would have followed in due course, were it not for the staying effect of the resolutions introduced in the Senate.

In contrast to the line of decisions under section 243(h), which is the only asylum provision of the immigration laws proper, under the refugee fair-share law merely a bona fide fear of persecution on account of race, religion, or political belief is sufficient to qualify. No strict proof of actual anticipated physical persecution is required. This can lead to anomalous results at times.

For example, the first named beneficiary in Senate Joint Resolution 132, Josep Baresic, is teetering on the brink of deportation to Yugoslavia, but meanwhile the Attorney General has admitted his brother Ante into the United States under a special nonquota refugee-escapee visa provided for in a predecessor of the refugee fair-share law.

Ante Speleta is another beneficiary of Senate Joint Resolution 132 who was denied asylum under section 243(h).

However, his 17-year-old son Hugo was paroled into the country under the refugee fair-share law with the sponsorship of the Catholic Relief Services of the National Catholic Welfare Conference.

At least two other beneficiaries of Senate Joint Resolution 132 have been classified as "political refugees" by the United States High Commissioner for Refugees, and as such would not be forcibly repatriated to Yugoslavia by any of the nations of the world which have signed or adhered to the World Refugee Treaty. Nevertheless, unless this resolution receives favorable action, the United States, historical port of refuge for the oppressed, will be returning these men to Yugoslavia from whence they fled.

In my judgment, this country ought never to be in the position of giving different treatment to aliens similarly situated, especially where that would result in turn in the separation of members of the same family or in the return of anyone to a regime not known for its solicitude for those who exercise freedom of political and religious expression.

A number of active and vitally important relief agencies have urged assistance for these refugees and others similarly situated; in particular, the American Council for Nationalities Service, the Catholic Relief Services of the National Catholic Welfare Conference, and the International Rescue Committee. I ask unanimous consent that two letters and a memorandum from these agencies be inserted at this point in the Record.

There being no objection, the letters and memorandum were ordered to be printed in the Record, as follows:

Catholic Relief Services,
National Catholic
Welfare Conference,
New York, N.Y., September 23, 1963.

Re Senate Joint Resolution 117, for the relief of certain Yugoslav refugees.

Hon. Kenneth B. Keating,
U.S. Senate,
Washington, D.C.

Dear Senator Keating: I wish to commend you on your fine humanitarian action of introducing Senate Joint Resolution 117, for the relief of certain Yugoslav refugees.

For many years our agency has been vitally concerned with the deportation, or threatened deportation, of a comparatively small number of anti-Communist Yugoslav refugees to Yugoslavia. This situation is in strange contrast with the general attitude of the United States regarding refugees from Communist countries.

We feel that refugees from Communist Yugoslavia need asylum just as much as other refugees, and that there should be no distinctions between different categories of refugees.

While we hope, of course, that before long Congress will take up general immigration legislation, which may take care of many problems which have arisen under the present law, we believe that enactment of Senate Joint Resolution 117 is most desirable, and implements our view that anti-Communists seeking asylum in the United States should not be forcibly repatriated to a country admittedly under a Communist regime.

With renewed appreciation for your efforts in behalf of these Yugoslav refugees, and with every best wish, I remain

Sincerely yours,
Rt. Rev. Msgr. John F. McCarthy,
Assistant Executive Director.

International Rescue Committee, Inc.,
New York, N.Y., October 1, 1963.

Hon. Kenneth B. Keating,
U.S. Senate,
Washington, D.C.

Dear Senator Keating: I read with great interest your statement in the September 3 Congressional Record regarding the Yugoslav refugees threatened with deportation to Yugoslavia and wish your Senate Joint Resolution 117 well.

The International Rescue Committee is opposed to the forcible return of refugees to countries from which they have fled, whether it be China, the Soviet Union, or Yugoslavia. It should be unnecessary to speculate on the specific kind of persecution a refugee will be exposed to if returned to the authorities of a Communist dictatorship. Being Communist it denies personal freedom, and being a dictatorship, its actions stem from political expediency unfettered by the rule of law. While transitory considerations may lessen from time to time the degree of harshness with which opponents of such a regime are treated, the power to oppress is ever present. It is deeply disturbing to consider the effect of returning to a Communist state persons who are declared enemies of communism. The enactment of Senate Joint Resolution 117 will result in a humane public service.

Very sincerely yours,
Edwin J. Wesely.

American Council for
Nationalities Service,
New York, N.Y., October 25, 1963.

ACNS Helps Prevent Deportation of Yugoslavs

To: Executives of GANS member agencies.
From: William S. Bernard, ACSW.

Until 1958 the U.S. policy has been not to deport certain aliens forcibly to Communist countries where they would be subject to persecution. However, in recent years, it has been the feeling of the Immigration Service that deportees to Yugoslavia would not be persecuted on their return. Why this attitude has prevailed is uncertain; perhaps it is because Yugoslavia has been more independent than other Communist countries and the Service may have felt that typical Communist persecution of persons who try to defect would not obtain.

For some time Edith Lowenstein, editor of ACNS' interpreter releases and one of the country's leading immigration lawyers, has been fighting this kind of deportation in court. The cases at issue have been those of Yugoslav seamen who deserted their ships to remain in the United States and seek asylum. Without the issue of persecution such seamen would of course be illegally entered aliens and deportable. If the existence of physical persecution can be established and if the Immigration Service will accept this, such deportations would be barred. Miss Lowenstein strongly feels, however, that persecution should be construed as being not merely physical in nature. Living unwillingly under a Communist regime and in a Communist economy is a very real form of persecution in itself.

Senator Kenneth Keating, of New York, who has always been interested in this issue, has recently introduced legislation to correct the situation with regard to a substantial number of individual cases. On September 3, 1963, he introduced Senate Joint Resolution 117, which cancels the deportation order of certain Yugoslav seamen and makes them eligible for permanent residence. In introducing the resolution, Senator Keating referred to the "inadequate provisions in our law for political asylum," and he said that this resolution would provide for "careful study before these men are forcibly deported back to a Communist state." On October 11, Senator Keating introduced Senate Joint Resolution 127, which is identical with Senate Joint Resolution 117, but adds additional names.

Passage of such legislation would, of course, solve the problem for the seamen concerned. It might also stimulate a change in the immigration law to cover such situations in the future. To achieve this Senator Keating will need support. It is a legislative truism that the more people and organizations concerned with this issue inform their own Senators and ask them to help pass Senator Keating's legislation, the better the chances will be.

It is significant that other organizations also agree with the ACNS position and are backing this legislation. In introducing one of his measures Senator Keating referred not only to the backing of ACNS but also to Catholic Relief Services-NCWC and the International Rescue Committee, which also strongly favor a more liberal asylum provision in the law.

Mr. KEATING. In closing, Mr. President, let me add a note of the obvious. No such resolutions as these would be necessary if the general provisions of the Immigration and Nationality Act contained fairer and more humane standards for the granting of asylum to or for staying the deportation of political refugees and escapees. Hearings on proposed revisions of the Immigration and Nationality Act have started this week, addressed principally to the discriminatory national origins quota and other related problems. These hearings, in my judgment, should not be permitted to overshadow or preempt consideration of other areas of the law in pressing need of reform. While there must be a rational order of priorities followed, it is my intention before long to advance new proposals dealing with the vital problem of fairer discretionary relief from deportation of persons claiming a right of political asylum in this country.

The PRESIDENT pro tempore. The joint resolution will be received and appropriately referred.

The joint resolution (S.J. Res. 144) for the relief of certain Yugoslav refugees, introduced by Mr. Keating (for himself and Mr. Javits), was received, read twice by its title, and referred to the Committee on the Judiciary.

APPOINTMENT OF GEN. DOUGLAS MacARTHUR TO THE OFFICE OF GENERAL OF THE ARMIES OF THE UNITED STATES—ADDITIONAL TIME FOR BILL TO LIE ON THE DESK

Mr. SYMINGTON. Mr. President, I ask unanimous consent that the bill (S. 2396) to revive the office of General of the Armies of the United States and to authorize the President to appoint General of the Army Douglas MacArthur to such office, introduced by me on December 18, 1963, be permitted to lie on the desk until January 28, 1964, for additional cosponsors.

The PRESIDENT pro tempore. Without objection, it is so ordered.

ENROLLED JOINT RESOLUTION PRESENTED

The Secretary of the Senate reported that on today, January 14, 1964, he presented to the President of the United

States the enrolled joint resolution (S.J. Res. 136) providing for renaming the National Cultural Center as the John F. Kennedy Center for the Performing Arts, authorizing an appropriation therefor, and for other purposes.

ADDRESSES, EDITORIALS, ARTICLES, ETC., PRINTED IN THE RECORD

On request, and by unanimous consent, addresses, editorials, articles, etc., were ordered to be printed in the RECORD, as follows:

By Mr. KEATING:

Statement by himself on Yeshivah Toreh V'Emunah in East Bronx.

By Mr. MUNDT:

Article entitled "GOLDWATER Responds to Life's Editorial," written by Senator GOLDWATER and published in Life magazine for January 17, 1964.

SKEPTICISM ABOUT ASSERTED IMPROVEMENT IN THE U.S. BALANCE-OF-PAYMENTS DEFICITS

Mr. SYMINGTON. Mr. President, the United States continues to lose its gold to other countries, down from $24 billion in 1950 to some $15.6 billion today.

Until recently, the impregnable position of the dollar was taken for granted. Now, however, its position, resulting from our monetary policies, is arousing increasing apprehension. In the words of the Chairman of the Federal Reserve Board, the position of the dollar is casting "a major shadow over our economy."

Much is made of an improvement in this situation in the third quarter of last year; but I, for one, am skeptical, and believe this skepticism is justified with respect to the long-range significance of the reported improvement in said third quarter's 1963 balance-of-payments deficits.

According to the Department of Commerce—Current Business, December 1963, table 1, page 11—the net deficit in the third quarter was $412 million, which is at the annual rate of $1.6 billion. This compares with a net deficit, in the second quarter, of $1.258 billion, or at a rate of some $5 billion a year.

An analysis over the past 6 years shows that quarterly figures are not too meaningful. It is the net result at the end of the year that matters, because there are seasonal factors and Government-controlled factors which are bound to enter into, and influence, the quarterly figure.

As illustration, one of the items during 1963 that declined from the second to the third quarter was Government grants and capital outflows, less changes in associated liabilities, less scheduled loan repayments. They went down from minus $1.187 billion in the second quarter to minus $748 million, an improvement of $439 million in this Government controlled item. One suspects, however, that in the second quarter, which is the last quarter of the fiscal year, there is a tendency to spend as much of the available appropriation as possible—an experience well documented in congressional hearings; whereas, in the third quarter, the first quarter of the fiscal year, the agencies generally operate upon continuing resolutions, with the appropriations that may ultimately be voted by Congress subject to some uncertainty. Therefore, there is probably a tendency on the part of Government agencies to hold back until just how much money is available becomes known.

Again, there are statistical, seasonal adjustments, the meaning of which cannot be completely clear to the layman, but which wash out during the year. Thus, table I, page 11, of the Current Business of December, shows that the $412 million of net deficits is after seasonal adjustments. Before seasonal adjustments, the net deficit indicated is $749 million—item A-15—as compared with the second quarter of a deficit of $1.192 billion.

Third, evidence indicates that the major decline has been in net capital outflow, from $1.5 billion in the second quarter, to $450 million in the third quarter. This evidence is somewhat deceptive, however, because "nonrecorded transactions" show a deterioration from plus $142 million in the second quarter to minus $334 million, a net change of minus $476 million.

It is true that H.R. 8000, which is retroactive to July 1963, caused the diminution in new security issues by foreigners and portfolio investments by U.S. citizens; but this effort was perhaps somewhat offset by unrecorded or exempt transfers of capital out of the United States, so that the net improvement in capital flow is only about $525 million.

In any case, the vital figure is the annual balance-of-payments deficit.

The total deficit in 1962 was $3.573 billion. Before seasonal adjustments, 1962 deficits for 9 months—January through September—were $2.259 billion. For the same 9-month period in 1963, they were $2.738 billion.

By the end of September, we had lost another $422 million in gold. The rest of the deficits resulted in diminution of U.S. current assets abroad, but in large part, increase of U.S. current liabilities. In short, our current assets are going down, while our current liabilities are going up. So it cannot be said that throughout the first 9 months of 1963 things have gotten better.

We do not know yet what the final figures for the fourth quarter of 1963 will be. There is a tendency on the part of other countries to present their bills for payment to the United States in the last quarter of the calendar year, in order to make a good showing in their own yearend accounts, and business accounts due to trade in the third and fourth quarters, as well as summer tourist expenditures, get settled before the yearend.

One is justified, therefore, in believing that balance-of-payments deficits are going to look somewhat worse in the fourth quarter as against the third, and that the total balance-of-payments deficits for the entire year 1963 probably will be above $3 billion; and possibly close to the 1962 figure of $3.5 billion.

It is for such reasons that I believe the above mentioned skepticism is justified.

How can it be helpful, after these many years of continuous disappointment, to continue to look at these facts through rose-colored glasses?

Based on the above, I would hope that the five recommendations presented in my concluding talk last December 19 be given fullest consideration by the administration.

PRINTING AS A SENATE DOCUMENT A REPORT BY SENATOR HAYDEN ON FALLACIES AND DANGERS IN PROPOSED "LIBERTY" AMENDMENT

Mr. MANSFIELD. Mr. President, at the request of the distinguished President pro tempore, the Senator from Arizona [Mr. HAYDEN], and with the full approval of the distinguished minority leader [Mr. DIRKSEN], I ask unanimous consent that the Senate proceed to the consideration of Calendar No. 796, Senate Resolution 251, and Calendar No. 797, Senate Resolution 237, in sequence.

The PRESIDING OFFICER (Mr. WALTERS in the chair). Without objection, it is so ordered. The first resolution will be stated for the information of the Senate.

The legislative clerk read as follows:

Resolved, That there be printed as a Senate document a report by Senator CARL HAYDEN entitled "The Fallacies and Dangers in the Proposals To Abolish the Federal Income Tax, To Dispose of All Federal Business Activities, and To Limit Treatymaking Powers by a Proposed 'Liberty' Amendment to the Constitution"; and that there be printed fifteen thousand additional copies of such document for the use of the Committee on Appropriations.

The PRESIDING OFFICER. Is there objection to the present consideration of the resolution?

There being no objection, the resolution (S. Res. 251) was considered and agreed to.

PRINTING AS SENATE DOCUMENT OF REPORT ENTITLED "PERSONNEL ADMINISTRATION AND OPERATIONS OF AGENCY FOR INTERNATIONAL DEVELOPMENT

The resolution (S. Res. 237) to print as a document with additional copies entitled "Personnel Administration and Operations of Agency for International Development," was considered and agreed to, as follows:

Resolved, That there be printed as a Senate document a report entitled "Personnel Administration and Operations of Agency for International Development," submitted by Senator GALE W. MCGEE to the Committee on Appropriations and that ten thousand additional copies be printed for the use of that committee.

INCREASE IN RESOURCES OF INTERNATIONAL DEVELOPMENT ASSOCIATION—POSTPONEMENT OF UNANIMOUS-CONSENT AGREEMENT

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the unanimous-consent agreement covering Calendar No. 760, S. 2214, a bill to amend the International Development Association Act to authorize the United States to participate in an increase in the resources of the International Development Association, be postponed until Monday, and that the unanimous-consent agreement go into effect at that time.

The **PRESIDING OFFICER.** Without objection, it is so ordered.

Mr. **SYMINGTON.** Mr. President, will the Senator yield?

Mr. **MANSFIELD.** I yield.

Mr. **SYMINGTON.** I express my deep appreciation to the majority leader for the postponement. It is typical of his courteous and kind action and is greatly appreciated by me.

Mr. **MANSFIELD.** I appreciate the remarks of the Senator from Missouri.

THE PANAMA CRISIS

Mr. **SALTONSTALL.** Mr. President, this morning's news concerning the Canal Zone made it clear that our Government does not intend to relinquish any of its rights over the administration and operation of the canal. On that we are all agreed. Certainly the Panama Canal is mightily important to our Nation and equally important to the commerce of the world. But we have a duty to perform, and that duty is to make clear to the American people in the Canal Zone their responsibility to create and maintain better understanding between the United States and Panama. The incidents that inflamed the riots of the past week started in a high school yard. One of our problems is to make clear to the students, their parents, and all U.S. citizens in the Panama Canal Zone, that they must understand the importance of this problem from the point of view of the entire Nation. This is their responsibility as American citizens. The orders of the President must be carried out on the flying of the two flags and on such other agreements in Panama as may be the result of the present conferences. There can be no question of this. An editorial published in the New York Times of January 13, 1964, expresses very clearly this point of view, and I ask unanimous consent to have it printed in the RECORD.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

EASING THE PANAMA CRISIS

Intensive diplomatic efforts aimed at ending the Panama crisis continued yesterday though sporadic violence gave evidence that the passions which produced last week's explosion have not died down. The Panama Government's charge that Communists and Castroites had infiltrated the demonstrations suggests a desire to blame these elements for the worst violence and bloodshed. Premier Castro's sudden trip to Moscow only adds to the confusion over the extent of his involvement in the Panama outbreak.

A long, complex, and difficult course of negotiations between Panama and the United States lies ahead. Dispatches from both Panama and the Canal Zone indicate that the administration understands full well the major blunder committed in letting high school students flout an international agreement by the U.S. Government. As the events that followed conclusively prove, what these misguided youngsters thought was an act of patriotic devotion to the flag of the United States was actually a provocation that played directly into the hands of all in Latin America who oppose the United States. The imperative need is for effective measures to assure that there are no similar thoughtless actions in the future. The authorities in Panama have a reciprocal obligation, which they have not always exercised, also to demonstrate a sense of responsibility. Once the immediate crisis is over, it must be clear that the U.S. Government will not close the door permanently to discussions relating to possible revision of the basic agreement, now going back 60 years, covering the Panama Canal.

Mr. **SALTONSTALL.** I believe Walter Lippmann's article printed in the Washington Post this morning gives an excellent summary of our position and our responsibility and I ask unanimous consent to insert it at this point in my remarks.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

PANAMA

(By Walter Lippmann)

We have been on public notice for about 5 years that trouble was brewing in Panama and that it had become necessary to readjust the relations between the Canal Zone, which the United States controls, and the Republic of Panama. Dr. Milton Eisenhower reported this to his brother, the President, in 1958 and in 1962 President Kennedy promised President Chiari that a discussion of the many United States-Panamanian problems would be carried on by high-level representatives. These problems are concerned both with the symbolic question of sovereignty and also with the very tangible problems of wages, employment, business relationships, and the economic operations of the canal.

The fact is, however, that somehow the intentions of President Eisenhower and of President Kennedy have never been carried out. Even such a concession as Presidents Eisenhower and Kennedy agreed to, that both flags be flown at certain places in the Canal Zone, has somehow been nullified, and the whole project of negotiating an acceptable arrangement has been thwarted by residents in the zone, by congressional obstructionists, and by the bureaucracy in the Pentagon and the State Department. Americans should be able to understand today, if they did not understand it before, how the French Government was prevented from reaching a peaceable solution in Algeria before Algeria burst into flames.

Although the situation in Panama resembles that in Algeria and also, let us say, that at Suez, the problem which the two American Governments must solve is essentially different from both. For the Panamanians cannot redress their grievances, which are both symbolic and substantial, without incurring even greater troubles if they demand that we withdraw, as the French have done in Algeria and the British and French in Suez. The Panamanians want a revision of the arrangements under the existing treaty. But they want us to stay on to continue to operate the canal. Our citizens have evidently not made themselves much beloved in Panama. But the Panamanian Government is not asking the United States to withdraw.

This is a crucial fact in the coming negotiations. Theoretically, there are four ways of dealing with the Panama problem. One would be to internationalize the canal and let it be operated by an agency of the United Nations. As this would make the whole business of operating and administering the canal a subject of global politics, it certainly would not prove to be an acceptable solution to the United States. Moreover and fortunately, it would not be acceptable to Panama, which seeks to promote its national interests, not to dilute them in an international agency.

The same argument applies to the suggestion that the canal be turned over to an inter-American agency.

The third solution would be to nationalize the canal by Panama as the Suez Canal has been nationalized by Egypt. There is no reason to think, and evidently the Panamanians do not think, that they have the technical and financial resources for such a huge undertaking.

This brings us to the fourth solution, which would be to negotiate an agreement for what Dr. Eisenhower describes as a joint United States-Panama management for which we would train gradually Panamanian personnel.

Such a program of training could and should be based upon a generous review of the economic relations between the Canal Zone and the Republic. Dr. Eisenhower is in favor of higher tolls which would be used to retire the debt and to increase the cash payments to Panama. At present Panama receives an annuity of a little less than $2 million; Dr. Eisenhower would increase this to something like $5 million or more. This would be supplemented by a revision of the business arrangements and of the wages policy in the Canal Zone and by projects for housing and the like in Panama.

On the issue which has caused the violence and the bloodshed of the past few days, there is no honorable position for the United States except one of firm and unequivocating observance of an agreement about flags which symbolizes the titular sovereignty of Panama. There should be no hesitation. And no sabotage should be permitted of the agreements entered into by Presidents Eisenhower and Kennedy.

The fundamental thing that can be said and needs to be taken to heart is the statement of William Howard Taft, made in 1904 when he was the Secretary of War and in charge of the Canal Zone:

"Article III of the Treaty of 1903 is peculiar in not conferring sovereignty directly upon the United States, but in giving to the United States the powers which it would have if it were sovereign. This gives rise to the obvious implication that a mere titular sovereignty is reserved in the Panamanian Government. Now, I agree that to the Anglo-Saxon mind a titular sovereignty is like what Governor Allen, of Ohio, once characterized as a 'barren ideality,' but to the Spanish or Latin mind poetic and sentimental, enjoying the intellectual refinements, and dwelling much on names and forms, it is by no means unimportant."

In the past few days, almost 60 years after Taft's statement, we know from the dead and the wounded in Panama that the symbolic recognition of Panamanian sovereignty is by no means unimportant.

Mr. **SALTONSTALL.** On the other hand, a letter from a student in the Canal Zone to a friend in Alexandria, printed in the Washington Post of January 11, gives the opposite point of view, and one that must be corrected.

I ask unanimous consent that the letter be printed at this point in the RECORD.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

CANAL ZONE STUDENT WRITES GIRL IN ALEXANDRIA OF FUROR OVER FLAG

A student in the Canal Zone wrote before the riots that students slept on the campus to guard an American flag kept flying in defiance of the Government's orders.

Comments on the tense situation that led up to the rioting in the Canal Zone were in a letter written to a young girl attending school in Alexandria. The letter written Wednesday arrived yesterday.

Both the girl and the student asked not to be identified. The letter follows:

"News flash—Have you heard about the school kids revolting against the Government here? Fleming (Gov. Robert J. Fleming) made an order to take down all Canal Zone flagpoles at the Canal Zone schools.

"Kids quit school Tuesday and made sure there was a flag flying. College kids raised the first unofficial flag at Balboa High School. Kids are at school all day long making sure nobody takes it down.

"Somebody heard that they are going to take down the flagpole today (Wednesday). All the college kids guarded it until high school kids got out of school. Then the kids formed a human chain so nobody would or could break through. But nobody came. Kids have been sleeping at the school on the grass all night for 2 nights now.

"Ted Scott (CBS) had a few kids on tape and sent it to the States. Things are really getting warm. The kids sent some Senator a telegram and he'll be down here the 13th.

"You ought to see Speir's (the principal) face. All the kids out of school. He can't make 'em go back. I'm so glad. It's about time something was done about it. Their main beef is that there is to be one flag and no more. Kids on the other side (Atlantic end) all but 47 left school and marched to Margarett to plant a flag.

"People with flags all around the place. About the whole student body is at school every morning to raise the flag. I'll write more on it later and keep you up to date."

Mr. SALTONSTALL. A second letter which I received from one of the teachers in the schools, who is the wife of an Air Force officer, also states the problem that confronts us and the necessity of building a greater sense of responsibility among the parents and the American schoolchildren in the Panama Canal Zone.

I ask unanimous consent that the entire letter be printed at this point in the RECORD.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

ALBROOK AIR FORCE BASE,
Canal Zone, Panama, January 8, 1964.

DEAR SENATOR SALTONSTALL: I am the wife of an Air Force officer, presently stationed in the Canal Zone, and teaching at a nearby elementary school on an adjoining base. I am a Bostonian by birth, and a Democrat by choice. I am writing to express my views on a matter of current interest here in the zone.

During my year-and-a-half stay here, it has been my understanding that the Canal Zone is under the sovereign jurisdiction of the United States, by treaty and held in perpetuity. As an American citizen I would expect that the same rights and privileges, principles, and concepts would be held dear here, just as they would be in the Commonwealth of Massachusetts or any other State.

Why, then, is there no American flag flying at the so-called American school where I teach at an American airbase?

These seem to be the facts:

An understanding was reached by certain high-level representatives of the United States and Panama to the effect that if an American flag flies in front of a public building in the Canal Zone, then the flag of Panama must also fly at another pole in the near vicinity and at the same height.

I personally do not agree with this agreement. I feel that the flag of Panama has no more right to fly within the confines of sovereign territory of the United States than the flag of Russia or Germany would have. This is assuming that the treaty between the United States and Panama does state that the United States does have sovereign rights in the zone.

However, since duly authorized representatives of both countries have seen fit to make this agreement, to fly both flags within the Canal Zone at designated locations under civil authority, it would seem to me to be in keeping with our American way to keep our word and to fulfill our pledge to fly both flags at agreed locations.

The present practice used by the officials of the Panama Canal Company to circumvent this agreement by removing the American flag from flagpoles in front of the U.S. District Court, the post office, fire and police stations and schools seems hypocritical to me and fraught with danger to us all.

Are these the principles under which we live in the United States? Is this the way to prove by example what we preach?

It is my understanding that the "flag agreement" did not apply to military reservations, only to areas under civil control. The mothers in the Canal Zone reluctantly realized that their children would no longer see the American flag flying in front of their schools within the zone. It was assumed that a few lucky children would be privileged to see their flag as it was flown in front of schools which were located on military reservations.

At this point, the government of the Panama Canal Company was faced with a terrible dilemma:

To fly the American flag at schools on military reservations and carefully explain that these schools were exempt from the agreement or to remove the flag to circumvent the agreement since technically the schools are under Panama Canal civil authority.

The decision was made and at least it was in keeping with previous ones; we continue to back down, to apologize, to cause no hard feelings, to bend over backward to please the Panamanians. The flags were removed.

The diplomats here deserve proper recognition. One of them discovered the word "in" instead of "on" and promptly thought of a way around the impasse. Hide the flag "in" the school, and then it won't be outside on public display and we won't have to fly the flag of Panama beside it.

The flag at my school has been at half-mast through the last day of school before the Christmas holiday, December 29, in respect for a well-loved and martyred President. On last Thursday, January 2, the first day of school after the Christmas holiday, there was no flag at all. It was as if all the things our flag had stood for before had suddenly disappeared from the face of the world. The children knew and understood why the flag was at half-mast—they cannot understand why there is no flag at all now.

Since I drafted this letter on January 3 and 4, there have been certain changes in the situation here. Many high school students from Balboa and Cristobal High Schools and students from the Canal Zone Junior College have raised American flags at their respective schools and are maintaining a round-the-clock vigil to prevent the removal of the flagpoles and the flags. The students threaten not to go to class if the American flag is removed. These teenagers are getting warm and heartfelt support from adults.

Perhaps a change in policy and in personnel is required. At any rate, the situation is rapidly deteriorating and warrants looking into.

Sincerely,

——— ———.

Mr. SALTONSTALL. The last sentence is certainly prophetic. It states:

> Many high school students from Balboa and Cristobal High Schools and students from the Canal Zone Junior College have raised American flags at their respective schools and are maintaining a round-the-clock vigil to prevent the removal of the flagpoles and the flags. The students threaten not to go to class if the American flag is removed. These teenagers are getting warm and heartfelt support from adults.
>
> Perhaps a change in policy and in personnel is required. At any rate, the situation is rapidly deteriorating and warrants looking into.

That was just before the rioting took place. So I conclude that our Government must make it clear that we have no intention of giving up our rights and obligations to the canal, but at the same time make it equally clear that we intend to observe our agreements made with the Government of Panama by all persons in the zone.

FORMIDABLE CANDIDATE FOR SENATOR FROM WISCONSIN—WILBUR RENK

Mr. PROXMIRE. Mr. President, a couple of hours ago Mr. Wilbur Renk, of Sun Prairie, Wis., announced his candidacy for the Republican nomination for the U.S. Senate in Wisconsin in 1964. That means that he is running for the seat which I now occupy.

Mr. Renk is an outstanding citizen of Wisconsin. He proved in his classic campaign against great odds for the Republican nomination for Governor in 1962 that he is a remarkably resourceful and energetic campaigner. He has a fine record of solid accomplishments in our State in farming and in business. As president of the University of Wisconsin Board of Regents he has earned a reputation as one who has worked hard and constructively for higher education in Wisconsin. He will be the most formidable candidate for Senator that the Republican Party of Wisconsin could put in the field. He has an excellent chance to win the election and occupy this seat which I now hold.

THE DWINDLING CONTINUITY OF LOCALLY OWNED BANKS

Mr. YOUNG of North Dakota. Mr. President, about 11 years ago, a financial consultant from my State helped launch a nationwide campaign on a little understood problem facing the small banks of America. The subject is still vital and I would like to revive interest in the little understood succession of ownership dilemma confronting the small locally owned banks, the small businesses, the small towns, and family-owned farms.

I first discussed this subject on the floor of the Senate on February 25, 1953. I would like to quote, in part, what I said on that date:

> Mr. President, is the dwindling continuity of locally owned banks an illustration of what is happening to many segments of this Nation's economic base?
>
> Because it is of interest to the entire Nation and for the reason that I believe a North Dakota businessman has identified an economic problem worthy of the attention of our country's best economists, and of the new Republican administration, I wish to call attention to the problem. As a matter of identification of this businessman and of his background and capacity, I may say that he is Richard H. Barry, of Fargo, N. Dak.,

whose integrity and sincerity are above reproach.

About 5 years ago he conceived the idea that there was an economic need for something in the nature of a company to help individuals finance the purchase of stock of small independent banks as one of the means of perpetuating their existence. His own record of successful business accomplishment and experience in banking and raising money for small businesses has, for a number of years, attracted considerable attention among bankers and businessmen throughout the Northwest and in other sections of the Nation.

About 3 months ago he decided to make an exhaustive exploration of the economic problem as he saw it and the mechanics of a possible solution. He has submitted his ideas to more than 58 bankers in the Midwest, including the Federal Reserve Banks in Minneapolis and Chicago. During the past few weeks he has explained his idea and his proposal to the Federal Reserve System, to the Federal Deposit Insurance Corporation, to the U.S. Treasury Department, to the Department of Commerce, and to one of the economic advisers to President Eisenhower. He has generated considerable interest in the merits of the premise upon which he is working and upon the mechanics of how the economic problem conceivably could be reduced. It is only to be expected that in pioneering an idea involving a scope such as this he would not encounter complete understanding of the problem or of his suggested proposal in all quarters of government.

He has, however, made considerable headway in converting many persons to his ideas. He is, in effect, stymied temporarily in one agency which does not necessarily disagree with him, but which, in effect, maintains the position that, while his plan is not in conflict with Federal statutes, there is on the other hand no Federal statute expressly approving the mechanics of certain of these proposed details.

Mr. Barry has concluded that while his ideas are sound, he may be confronted with an educational program which may delay starting his plan for 1 or 2 years.

Mr. President, these remarks were made approximately 11 years ago. In the interim, Mr. Barry's proposals have been quite widely discussed. Two banking magazines, one in Minneapolis, Minn., Commercial West; and another published in Kansas City, Mo., Bank News; have recently carried articles on the revival of interest in the small bank ownership succession problem.

I ask unanimous consent that the articles by these two magazines be printed in the RECORD at this point as part of my remarks.

There being no objection, the articles were ordered to be printed in the RECORD, as follows:

[From the Kansas City (Mo.) Bank News, Nov. 15, 1963]

SMALL BANK OWNERSHIP SUCCESSION?

(By Lloyd C. Riggs, Editor)

For the past two decades or thereabouts, the problem of small bank ownership succession has been increasingly complicated by at least two situations:

1. The inflation which has helped to boost the net worth of small banks beyond the reach of many otherwise qualified and ownership-minded officials.

2. High personal income tax rates have hindered the opportunities of this generation of qualified bank officers by reducing their ability to accumulate net worth in relation to the growth of small- and medium-sized banks.

Many good younger No. 2 men in banks have determined that if they were to borrow the money to buy control from aging ownership-management, they literally would require a lifetime to get out of debt, because of the two factors just mentioned.

But developments of the past year indicate that an answer to this problem is now within reach.

The answer lies in what has been called the Barry plan and the use of new financial tools for bank capitalization. These include preferred stock and subordinated debentures.

Late last year, it will be recalled, Comptroller of the Currency James J. Saxon gave his blessing to the use of these tools as a means of capital expansion under appropriate circumstances.

Since then, a number of larger banks, including Franklin National of Long Island, United California Bank and Union National of Wichita, have increased their capital structure through the sale of either preferred stock or capital debentures, or both. And at least one country bank, the Farmers & Merchants National of Columbia, Tenn., has sold a capital debenture.

STIGMA VANISHING

The stigma which was attached to preferred stock and subordinated capital debentures in banking for so many years is vanishing rapidly. And only last month, the October 12 issue of Business Week magazine contained an article commending this type of financing for banks.

The question now arises: Why shouldn't these same tools be used as a means of bank recapitalization, as well as expansion. This would permit the orderly transfer of voting control of typical country banks from aging ownership-management which wants to sell to capable younger bankers who want to buy but have not yet had the time in which to build up any sizable cash or liquid net worth?

We don't see any reason why it can't be done. It is not believed that any new legislation is necessary. It is believed that only a statement from the Comptroller and/or from State supervisory authorities, giving their blessing to the idea, is required.

Now, to back up a bit and to reintroduce to our readers Richard H. Barry, a former banker and a successful financial consultant of Fargo, N. Dak. The writer first met Mr. Barry exactly 10 years ago this month, on a trip to Minneapolis, Minn. He told us of his idea, and we reported it in the December 15, 1953, issue of Bank News.

It was an idea which had gained considerable acceptance, at that time, among bankers in the North Central States, and Mr. Barry had become a popular speaker at banker meetings in that region. He was also well received when he spoke before the National Association of Supervisors of State Banks.

But Mr. Barry, at that time, failed to win approval of his idea from the Comptroller, the FDIC and the Federal Reserve Board.

He then took his idea and put it to work in nonbanking situations where owners of closely held small- and medium-sized companies had become frozen into their ownership, and because of age, illness or other factors, were looking for a means to perpetuate management and local ownership. In the past 10 years, he has been most successful in helping key employees to buy out their older employers, and his work has been recognized in articles in the national business press.

Now, to come back to more recent events. In the past 12 months or so, Comptroller Saxon has come very close to approving the Barry plan, and we believe he would approve it if it were called to his attention. This is something which we intend to do.

HOW IT WOULD WORK

Perhaps the Barry plan can best be described by illustration.

Let us take the case of a typical county seat bank with total capital structure of $500,000, as follows:

Common stock	$300,000
Surplus	170,000
Undivided profits	30,000

The long-time active president owns 81 percent of the stock. He wants to sell out and retire. He has no sons interested in banking. His young vice president is an able banker, capable of managing the bank, but he has inherited little or no money and he hasn't had the time in which to accrue much liquid net worth. He and his associates have only about $105,000 in cash available for the purchase of the bank president's stock. They could attempt to borrow the remaining $300,000 (assuming the president would sell at book value), but with the tax situation being what it is today, they might work a lifetime trying to get the loan paid off.

In a telephone conversation a few weeks ago, Mr. Barry told us that as a rough rule of thumb (with allowance for unusual circumstances), he believes that approximately 50 percent of a small bank's earnings, after income taxes, could be used to service dividends, interest, and annual sinking fund payments on the preferred stock and subordinated capital debentures.

Therefore, let us assume that average earnings after income tax on net worth of $500,000 is 9 percent—about the national average for all banks in recent years—or $45,000, and let us also recapitalize the above cited bank as follows:

Step one

Capital debentures	$100,000
Preferred stock	200,000
Common stock ($100 par)	300,000
Surplus	170,000
Undivided profits	30,000
Combined total	800,000

Step two

The young banker and his associates purchase directly from the president 630 shares of his stock for $105,000.

Step three

The bank calls in and retires all of the president's 1,800 remaining shares, and in payment therefor he receives $300,000 cash.

Step four

The capital structure of the bank is now:

Subordinated debentures	$100,000
Preferred stock	200,000
Common stock	120,000
Surplus	50,000
Undivided profits	30,000
Combined total	500,000

The total is still $500,000. Depositors still have the same capital structure protection.

The heart of the Barry plan is this: The problem of ownership-management succession has been made easier by reducing from $405,000 to $105,000 the amount required by the young vice president and his associates to acquire the president's 81 percent interest.

And while the new owners would have only 21 percent of the entire capital structure of $500,000, they would have voting control through their 52½ percent ownership of the common stock. Holders of the preferred and the debentures would have no voting rights so long as certain conditions specified in the indentures authorizing these securities are met.

EFFECT ON EARNINGS

The preferred stock would be callable after 10 years or annually, depending on the requirements of the purchaser of the preferred, as well as the minimum standards established by the bank supervisory agencies. The debentures would normally be callable in a fixed amount annually, plus interest. The new purchasers and the other common shareholders benefit by an increased earning rate in book value appreciation, after income taxes, which would change from 9 percent to 16¼ percent annually the first year, if earnings after income taxes stayed at a level above $42,500.

(NOTE.—We realize that a bank of this size might sell for more than book value, but for purposes of simplicity in the illustration, we have assumed that book value and market value were identical. Regardless of the selling price, the principle is the same.)

[From the Bank News magazine, Dec. 15, 1963]

SMALL BANK OWNERSHIP SUCCESSION: THERE IS A MARKET FOR SENIOR SECURITIES OF COUNTRY BANKS

(By Lloyd Riggs)

There is a market for either preferred stock or capital debentures of country banks, and there are numerous investment banking firms in this area that would be pleased to work with potential buyers and sellers of country banks in arranging the mechanics of a transaction.

We make the above statement after receiving letters from 11 different investment bankers in 6 cities. In these letters, these men expressed their thoughts concerning the article in last month's issue of Bank News that described the Barry plan for small bank ownership succession.

To review that article quite briefly, the Barry plan, proposed by Richard H. Barry, of Fargo, N. Dak., would make it easier for capable younger bankers to acquire voting control of banks from aging ownership-management wishing to sell. The plan involves recapitalizing a bank by reducing the amount of common stock and replacing it with either preferred stock or capital debentures which would be sold to insurance companies, pension funds, and other investors. Except under unusual circumstances, these senior securities would have no voting rights. Thus, a young banker might acquire control of the voting shares without needing to borrow so much money that he literally would need to work a lifetime to get out of debt.

After the November 15 issue of Bank News was published, we called this article to the attention of investment bankers, State supervisory authorities, and investment officers of insurance companies, and solicited their views.

With a few modifications which we will report later, all 11 who responded gave affirmative answers to both questions.

These included five Kansas City investment bankers: Howard H. Fitch, resident partner of G. H. Walker & Co.; Mark A. Lucas, Jr., vice president, E. F. Hutton & Co., Inc.; Milton Luce, Jr., president, Luce, Thompson & Co., Inc.; Frank W. North, president, Barret, Fitch, North & Co., Inc., and Hoyt Purcell, vice president, Parker, Eisen, Waeckerle, Adams & Purcell, Inc.

Aside from one man who asked not to be quoted by name, the others responding and giving affirmative answers were: John D. Cleland, vice president, Seltsam, Hanni & Co., Inc., Topeka; John H. Edwards, president, R. J. Edwards, Inc., Oklahoma City; Glenn L. Milburn, president, Milburn, Cochran & Co., Inc., Wichita; John E. Van Horne, president, Van Horne Investments, Inc., Omaha, and Richard A. Westcott, First Nebraska Securities, Inc., Lincoln.

One of the most enthusiastic endorsements came from John Edwards, who said in part: "I believe it is the best plan I have yet seen for affecting transfer of ownership of a bank from one group to another. As it is now, our tax laws make it almost prohibitive for a group of young bank officers to save enough money to acquire control of a bank in which they work from the older officers."

[From the Commercial West magazine, Nov. 23, 1963]

BARRY PLAN IN SPOTLIGHT AGAIN—BANK OWNERSHIP SUCCESSION CONTINUES AS VITAL TOPIC

Over an extended period of time beginning a little more than 10 years ago, Commercial West devoted a substantial amount of space to publicizing the so-called Barry plan, concerned with the ownership-management succession problems of small banks.

As the mechanics of the plan became widely known to bankers and banking supervisory circles at the State and National levels, on the strength of the introductory springboard provided in this magazine, more and more leaders in the banking industry came to regard it seriously as a possible, most practical means of solving the dilemma of adequate ownership-management succession.

Originated by Richard H. Barry, of Fargo, N. Dak., prominent businessman and former banker who had used his formula repeatedly in the successful reorganization and revival of nonbanking business enterprises, the Barry plan soon reached the attention of bank supervisory people in Washington and Members of the Congress. Biggest stumbling block to its continued forward march, Barry indicated at the time, was an educational program which appeared to be needed to sell banking on its adaptability.

A decade has passed and things have changed perceptibly in banking.

For one thing, James J. Saxon, present Comptroller of the Currency, has indicated an inclination toward liberalizing many old banking concepts.

Here are pertinent paragraphs on the subject, from the new manual issued by the Comptroller:

"CORPORATE PRACTICES

"14.4 Preferred stock:

"It is the policy of the Comptroller of the Currency to permit the issuance of preferred stock by national banking associations in accordance with normal business considerations. Subject to the provisions of 12 U.S.C. 51a, 51b, and 51b–1, the bank may, by vote of stockholders owning a majority of the stock of the bank, issue convertible or nonconvertible preferred stock of one or more classes, with such other provisions and in such amount and with such par value as shall be approved by the Comptroller, and make such amendments to its Articles of Association as may be necessary for this purpose.

"14.5 Capital debentures:

"(a) It is the policy of the Comptroller of the Currency to permit the issuance of convertible or nonconvertible capital debentures by national banking associations in accordance with normal business considerations.

"(b) Subject to the provisions of 12 U.S.C. 82, the bank may, with the approval of stockholders owning two-thirds of the stock of the bank, entitled to vote, issue convertible or nonconvertible capital debentures in such amounts and under such terms and conditions as shall be approved by the Comptroller, provided, however, that the principal amount of capital debentures outstanding at any time, when added to all other outstanding indebtedness of the bank, except those forms of indebtedness exempt from the provisions of 12 U.S.C. 82, shall not exceed an amount equal to 100 percent of the bank's unimpaired paid-in capital stock plus 50 percent of the amount of its unimpaired surplus fund."

Other leaders in the industry, in banking itself and in the supervisory agencies, are believed to be in sympathy with much of this liberality trend.

For another, a law passed by the 1957 Minnesota Legislature permits existing State banks to sell preferred stock as well as debentures.

Within the past month, Commercial West learns from Dick Barry he has received from Ernest Kohn, research director in the New York State Banking Department, an inquiry about the details of the Barry plan for dealing with the problems of ownership-management succession for small banks.

In his reply, Barry frankly admitted: "I believe, in the interest of obtaining the cooperation of persons like yourself, that I should point out and admit that my concepts of ownership-and-management succession cannot solve every problem in that field. I am hopeful that the bank supervisory officials will approach my concepts from the standpoint of matching their experience with mine, for the purpose of refining ways and means to solve ownership-management succession problems in small- and medium-sized banks."

Barry also told Kohn that Commercial West "was the earliest of the many understanding" people to support "my succession-of-ownership educational campaign."

Here's what Commercial West had to say, in part, in introducing the Barry plan in its issue of March 14, 1953:

"A new type of investment company to help individuals finance the purchase of small- and medium-sized banks in the upper Midwest and which has been under study for the last 3 months by a North Dakota businessman and former banker, R. H. (Dick) Barry, of Fargo, has now been brought to the attention of Congress.

"The need for a company of this nature was conceived by Barry about 5 years ago in connection with a growing economic problem which in 1952, he points out, found an average of two banks per week going out of existence in the United States, while only one new bank per week was being started—despite the fact that this Nation was growing at the rate of 2 million persons annually.

"Figures obtained by Barry from the research records of the Federal Reserve System also showed that more independent banks went out of existence in the United States in 1952 than in any year since 1943.

"While there are several reasons for this economic problem, including inflation and high income taxes, Barry believes that long-term credit for prospective buyers who have integrity and capacity and a reasonable part of the required capital will help reduce the problem.

"This opinion, according to a survey which he has made, is beginning to be shared by more and more bankers. The survey also brought out that many businessmen and economists are concerned that a broad economic problem confronts this Nation in connection with the dwindling continuity of local ownership of many types of business in addition to banks.

"Barry recently returned from spending 3 weeks in Washington, D.C., where he generated considerable interest in the broad economic problem among several Members of Congress, the Department of Commerce, and one of the economic advisers to President Eisenhower.

"He also presented to the Federal Reserve System, the Federal Deposit Insurance Corporation, and the Office of the Comptroller of the Currency the mechanics of his proposal whereby certain of his clients, where they were satisfied with the soundness of the bank from the standpoint of the quality of the assets, the geographic location, and the proposed management, would give favorable consideration to investing from 25 to 75 percent of the required capital, providing the proposed purchaser or purchasers would forgo dividends on his or their stock for a given number of years and that an arrangement be made to take them out through a sinking fund in annual installments over a period of 15 to 20 years."

[From the Commercial West magazine, Dec. 7, 1963]

North Dakota's Wattam a Booster for Revival of the Barry Plan

"I was interested in your article in the November 23 issue relative to the Barry plan," writes C. C. Wattam, of Fargo.

Now treasurer and formerly longtime secretary of the North Dakota Bankers Association, Wattam recalls that in 1953, after Commercial West first called attention to the plan developed by Richard H. Barry, also of Fargo, which was (and is) concerned with the ownership-managment succession problems of small banks, he attempted "to interest the other secretaries in the subject." He correctly reflects that a considerable amount of time and effort was "spent by many bankers to make the merits of the plan known across the country and make it a national project."

In letters to various bankers association secretaries in October 1953, Wattam reported on a meeting he had attended in Minneapolis with representatives of the Minnesota, Wisconsin, and South Dakota associations, where Barry was invited to outline the plan.

"All present recognized that the matter was one from which many bankers might profit very materially," he wrote, and "after a 2-hour discussion * * * those present were unable to locate the 'bugs,' if any" and "were in unanimous agreement that the ideas presented appeared sound." They felt that "the plan could be of tremendous benefit not only in the sale and purchase of small banks, but also in tax savings."

It also was agreed, Wattam reported, "that the success of the plan, insofar as bankers are concerned, depended upon its 'sale' to governmental banking agencies, and might in some instances require some State legislation." Accordingly, he said, the Barry plan required first of all, "education."

With that, Barry was in complete agreement. As Commercial West said in its story of the revival of the Barry plan, 2 weeks ago: "Biggest stumbling block to its continued forward march, Barry indicated at the time, was an 'educational' program which appeared to be needed to sell banking on its (the plan's) adaptability."

Now, on the strength of admitted enlightenment in many sectors of the Nation's banking structure, bankers, supervisory authorities, and legislators on the State and Federal levels would appear to be lending increasing attention to and study of the Barry plan to solve the riddles involved in ownership and management succession problems of small banks.

TOBACCO REPORT

Mr. BEALL. Mr. President, last Saturday there was released the report of a special commission's study on the use of tobacco. The report leaves us with questions regarding smoking and health still in dispute—and I feel that further study is needed.

First, I would suggest that we proceed with caution in dealing with an industry involving millions of Americans—one of our largest industries and one of our largest agriculture crops. Injury to this industry could bring on economic chaos.

Some 750,000 farm families, averaging 3 or 4 to a family, in 21 States depend upon the growing of tobacco for their livelihood; tobacco is this Nation's fifth largest cash crop. In the United States, there are 578 processing plants in 30 States. These plants and the companies which supply goods and services to the industry employ some 17 million people.

Tobacco products last year provided some $3.2 billion in taxes. This is nearly 40 times the yearly budget of the United Nations.

In our country, about 80 million people use tobacco products—well over half the adult population.

That, in brief, indicates tobacco's social and economic importance.

This is not to suggest that the tobacco industry is entitled to some kind of special privilege. But it is to suggest that before we permit damage to such an industry—damage which might upset our whole economic structure at this time—we proceed with caution.

I would say the same thing if someone wanted to damage the automobile industry on the grounds that automobiles injure and kill hundreds of thousands of people every year.

As the poet has said, there is good and bad in everything.

The history of America and the history of tobacco run parallel. Tobacco was once used here as money. And it has been smoked here for over 350 years—with satisfaction. And that, in itself, is a commentary. Who can say with assurance that we would have been better off without tobacco?

I want to make it clear that I am not a tobacco raiser, though in our State much tobacco is grown—and Maryland is noted for its high-quality tobacco.

I am not a scientist. I cannot discuss this issue on a scientific basis. However, let me interject one idea of a layman on the subject of health. Mental health is a subject much in the public mind. Psychiatry has come into its own because of the stress and strain of the present day. Most doctors will tell us, I believe, that this stress and strain accounts for much of the disability of today. Possibly we need more relaxing, more contemplation. And may I ask, what better tool for relaxing, for contemplation, than a good smoke? Let us be sure that we do not kill one evil with perhaps a bigger one.

U.S. GOVERNMENT EMPLOYEE IN CAIRO CAUGHT PARTICIPATING IN SMUGGLING OPERATION

Mr. WILLIAMS of Delaware. Mr. President, today I wish to call the attention of the Senate to another example of the State Department "Operation Coverup." In this instance an employee of the U.S. Government, working in the American Embassy in Cairo, was caught participating in a smuggling operation involving $1.5 million of foreign currency.

Notwithstanding the fact that the investigation definitely established the guilt of this individual the only action taken by the State Department was the acceptance of his resignation in lieu of facing the charges.

Apparently in the opinion of the State Department the only crime this employee committed was in getting caught.

Last August there appeared in the press an Associated Press article to the effect that a member of the U.S. Embassy in Cairo had taken part in a currency smuggling operation totaling over $1.5 million.

Under date of August 20, 1963, I addressed a letter to Secretary Rusk quoting this newspaper article and asking for a report.

At this point I ask unanimous consent to have incorporated in the Record my letter of August 20 as addressed to Secretary Rusk.

There being no objection, the letter was ordered to be printed in the Record, as follows:

U.S. Senate,
Washington, D.C., August 20, 1963.

Hon. Dean Rusk,
Secretary of State,
Washington, D.C.

My Dear Mr. Secretary: The following article captioned "Charge United States with Part in Currency Smuggling" appeared in a recent issue of the Chicago Tribune:

"Cairo, July 2.—Cairo newspapers today carried stories of three diplomatic currency smuggling operations totaling $1,500,000. Reliable informants said the embassies involved were those of the United States, Lebanon, and Mali. 'No comment,' said the press attaché at the American Embassy. 'We know nothing about the affair,' a Lebanese Embassy spokesman said. There was no comment from Mali."

I would appreciate a report as to the accuracy of this charge, and in particular whether or not any U.S. official or U.S.-owned currency was involved. If so, I would appreciate receiving a complete report.

Yours sincerely,
John J. Williams.

Mr. WILLIAMS of Delaware. On August 27, 1963, I received a reply stating that the American involved in this smuggling operation was an employee of the U.S. Department of Agriculture who had been assigned to the staff of the American Embassy in Cairo. Accordingly they were referring my inquiry to that Department for an answer.

At this point I ask unanimous consent to have printed in the Record the State Department's letter of August 27 as signed by Mr. Frederick G. Dutton, Assistant Secretary.

There being no objection, the letter was ordered to be printed in the Record, as follows:

Department of State,
Washington, August 27, 1963.

The Honorable John J. Williams,
U.S. Senate.

Dear Senator Williams: Thank you for your letter to the Secretary of August 20, 1963, regarding the Cairo newspaper report of diplomatic currency smuggling operations, which has been referred to this office for reply. Because this report pertains to a U.S. employee of the Department of Agriculture who was assigned as a member of the staff of the American Embassy in Cairo, I have taken the liberty of referring your letter to the Department of Agriculture for their direct report to you.

If the Department may be of any further assistance to you in this matter, please do not hesitate to let me know.

Sincerely yours,
Frederick G. Dutton,
Assistant Secretary.

Mr. WILLIAMS of Delaware. Subsequently, under date of September 12, 1963, I received a reply from the Department of Agriculture, signed by Mr. Lester P. Condon, inspector general.

In this letter Mr. Condon identified Herbert Keith Ferguson as the employee who was involved in the Egyptian currency manipulations and stated that Mr.

Ferguson had been ordered to return to the United States pending the results of the investigation. This investigation had confirmed that Mr. Ferguson was a member of the smuggling ring trading Egyptian currency for the currency of other countries.

Notwithstanding the fact that the Department's investigation definitely established that Mr. Ferguson, an employee of the American Government, had been caught participating in this smuggling ring, the only action taken against him was to accept his resignation in lieu of pressing charges.

At this point I ask unanimous consent to have incorporated in the RECORD two letters confirming this whitewash attempt. First, I ask that there be printed the letter from the Department of Agriculture dated September 12, 1963, signed by Mr. Lester P. Condon. This letter confirms the establishment of Mr. Ferguson's guilt. I quote from this letter and then ask that the full letter appear in the RECORD:

> Investigation by this office and the Department of State security investigators confirmed that Mr. Ferguson acted as a go-between in the sale of Egyptian currency for the currency of other countries.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

U.S. DEPARTMENT OF AGRICULTURE,
OFFICE OF THE SECRETARY,
Washington, D.C., September 12, 1963.
Hon. JOHN J. WILLIAMS,
U.S. Senate,
Washington, D.C.

DEAR MR. WILLIAMS: This refers to your August 20, 1963, letter to Mr. Rusk requesting information on the Associated Press dispatch from Cairo, dated July 2.

This is to advise that on June 25, 1963, we received information that the agricultural attaché stationed at Cairo, Egypt, Herbert Keith Ferguson, was allegedly involved in Egyptian currency manipulations. Mr. Ferguson was ordered to return to the United States, and he arrived in Washington on June 30, 1963. Investigation by this office and the Department of State Security investigators confirmed that Mr. Ferguson acted as a go-between in the sale of Egyptian currency for the currency of other countries. It has been established that no U.S. Government funds were involved. Mr. Ferguson submitted his resignation during the course of the investigation.

This case was referred to the Department of Justice for possible criminal action. We have just been formally advised by letter from the Department of Justice that the currency manipulations by Mr. Ferguson did not appear to involve any violation of the Federal laws of the United States. Additionally, the letter informed us that the Department of State had reported a possible violation of passport laws by Mr. Ferguson, and that the Department of Justice had requested State to investigate that matter further.

Sincerely yours,
LESTER P. CONDON,
Inspector General.

Mr. WILLIAMS of Delaware. Next I ask unanimous consent that there be printed in the RECORD a letter received from the U.S. Civil Service Commission dated October 21, 1963, signed by Mr. John W. Macy, Jr., Chairman. I quote one sentence from this letter, following which I ask that the full letter be printed:

> This report, furnished us by the Department of Agriculture, states that Mr. Ferguson resigned from his position July 3, for personal reasons, in lieu of charges, while under investigation for alleged improper activities.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

U.S. CIVIL SERVICE COMMISSION,
Washington, D.C., October 21, 1963.
Hon. JOHN J. WILLIAMS,
U.S. Senate,
Washington, D.C.

DEAR SENATOR WILLIAMS: In compliance with your request of September 30, there is enclosed the employment record of Mr. Herbert K. Ferguson whose last employment was with the Department of Agriculture, as Agricultural attaché, Cairo, United Arab Republic.

This report, furnished us by the Department of Agriculture, states that Mr. Ferguson resigned from his position July 3, for personal reasons, in lieu of charges, while under investigation for alleged improper activities.

Sincerely yours,
JOHN W. MACY, Jr.,
Chairman.

Mr. WILLIAMS of Delaware. Not only does the participation by Mr. Ferguson in this international smuggling ring while serving as an employee of the U.S. Government in Cairo, Egypt, bring discredit to him as an individual but his conduct is also a reflection on the entire United States. And when representatives of those countries see no action being taken against the illegal activities of one of our foreign representatives, the inference naturally can be drawn that the State Department condones such operations.

Rather than having attempted to whitewash this case it would have been far better for the State Department to have taken vigorous action to prosecute the guilty.

SOVIET PERSECUTION OF CHRISTIANS

Mr. KEATING. Mr. President, in the Soviet Union, this year began with the revival of the antireligious campaign, aimed this time at those adherents of Christianity who, through nearly half a century of choking repressive measures, have held fast to their faith. Communist Party newspapers, resorting to the most transparent ruses—such as attacking baptism as a cause of pneumonia—now turn their fire on age-old religious ceremonies that for centuries have been a source of sustenance and joy to Christians everywhere.

The Soviet Communists, unable to throttle the most peaceful and nonpolitical group within their own country, have undertaken a ruthless campaign to root out religious faith, a force deemed threatening to the Communist system. It seems that the widespread celebration of Christmas in the U.S.S.R. was a source of alarm to rulers there, for we learn that the Yelokhovski Cathedral, where thousands of Russians thronged to worship on the eve and day of Christmas, is expected to be torn down, supposedly to alleviate traffic conditions in a city where few automobiles are in use. The Council of Ministers of the Russian Federation recently recommended the establishment of a commission to create "new civil ceremonies of all kinds." Apparently religious ceremonies marking the memorable events in the lives of individuals and families are also regarded as threatening to the Soviet system.

Soviet party leaders have consistently engaged in a concerted but unsuccessful effort to forge monolithic culture within the U.S.S.R. Members of the Jewish religion have suffered particularly. We offer our sympathy to those genuinely pious religious leaders and followers in Russia, that they may resist these renewed attempts to crush spiritual strength.

ARAB SUMMIT HATE CONFERENCE

Mr. KEATING. Mr. President, this week the world will be witness to one of the strangest international gatherings of the decade. Twelve heads of government will be present. The purpose of this meeting at which monarchs will rub shoulders with revolutionaries and presidents with generals is unfortunately not a constructive one, but a deliberately negative and belligerent one.

The 13 Arab States of the Middle East are looking for a way to block the State of Israel from the water development and irrigation projects which are necessary to Israeli economic growth and progress. Although most of the Arab leaders are not on speaking terms with at least one of their colleagues, they have agreed, for the moment at least, to put their smaller grievances aside and concentrate instead on their big hate, the State of Israel.

To an objective, rational observer, there seems little that the Arab States can do. Israel has worked for years on a plan for diversion of the Jordan River waters to make the desert of the Negev flourish. Based originally on blueprints for a cooperative Arab-Israeli effort, Israel's plans have proceeded even though the Arab States dropped out and refused to cooperate. The Arabs have no legal right to deny Israel a share of the waters of the Jordan. Equally, and perhaps more significantly, they do not have the military force or the outside backing that would be necessary to stop the Israeli moves.

For this reason, the present, highly headlined meeting offers something of a puzzle. Some interpret it as a fanatic Arab effort to push Nasser, who alone has a fairly respectable military force, into direct action, or to embarrass him if he refuses. Yet in actual fact, it was Nasser who called the meeting, and he may be seeking to spread the blame for inaction as widely as he can.

On the other hand, when all the rival Arab leaders get together to talk about Israel, there can be no doubt that each will seek to outdo the others in the virulence of their verbal attacks on Israel. There can be no doubt that each will try to push the others into bearing the brunt of the stop-Israel movement while taking as much of the credit as possible.

The fact is that what was originally advertised as an Arab unity conference may instead advertise to the world Arab divergences and Arab inability to stop the development and progress of Israel.

Nevertheless, the danger of more extreme action cannot be ruled out. The United States should take this occasion to make clear once again, both publicly and privately, that the United States will not tolerate Arab efforts to block reasonable Israeli diversion of some of the waters of the Jordan River. Our 6th Fleet in the Mediterranean is a potent force. It should be alert now and in the ensuing months to discourage any Arab adventures or military activities directed toward Israel.

If the Arabs wish to convene a "summit conference" merely to lament their own inability to act, that can do little harm and indeed it may persuade some of Nasser's listeners that his bark is worse than his bite. But if the Arab leaders move toward any decisive action or commitment against Israel, then the United States must make clear beyond question the interest and responsibility which we feel toward the continuation of peace—or relative peace—in the Middle East.

The tragedy of this meeting, as of the large part of Arab policies since the emergence of Israel as an independent state, is that the efforts and energies of the 13 national leaders are turned to barren, unproductive hate.

Through a policy of agreement and cooperation, there is so much the nations of the Middle East could learn, so many benefits that could be derived. Instead, Israeli technicians go to African nations and elsewhere to assist less skilled people while the pressing problems of the desert lands of the Middle East are largely untouched except in Israel. A cooperative Arab-Israeli resource development effort could make the desert bloom with crops. Instead, Cairo's loudspeakers boom with hatred, this week through 13 voices instead of 1, and the basic problems of the Arab peoples are utterly ignored.

TRIBUTE TO JOHN F. KENNEDY

Mr. HUMPHREY. Mr. President Dr. Jerome B. Wiesner, the special assistant to the President for science and technology, has written a deeply moving eulogy of the late President Kennedy which appeared in Science magazine, on November 29, 1963.

His remembrance of President Kennedy perceptively captures the true spirit of a man whose vision and outlook made it easy for him to understand the social significance of modern science and technology.

In this age of technological revolution we are fortunate to have such wise and dedicated men as Dr. Wiesner serving as science adviser to the President.

I share with him this sense of great loss he felt for a leader who, though he had no background or training in scientific matters, nevertheless, had a quick, almost instinctive understanding of problems once he was given the facts.

I ask unanimous consent that the article by Dr. Wiesner be printed at this point in the Record.

There being no objection, the article was ordered to be printed in the Record, as follows:

[From Science magazine, Nov. 29, 1963]

JOHN F. KENNEDY: A REMEMBRANCE

"His respect for science as an instrument of good was one of the Chief Executive's distinctive qualities"—Jerome B. Wiesner.

(The following was written especially for Science by the late President's special assistant for science and technology.)

Never have I been given a more difficult task. To put into words the true spirit and charm and intelligence of John F. Kennedy would be impossible even for a writer far more gifted than I. It would take the telling of many tales, a description of his handling of problems large and small, a detailed history of his 3 brief years as a world leader, to show his true greatness.

I have just returned from Arlington National Cemetery where thousands of people from all over the world paid their last respects to the man who had given them so much hope. It was a beautiful, cold, sunshiny day, the kind he loved. One could almost call it a New England day. The day was like the President, radiant and crisp. He added something indescribable to every occasion; his smile brightened it, his humor livened it. He had a quick and often sardonic humor and a quick mind. To these he added an optimism about the future and a determination to bring out the maximum capabilities of our people, and, indeed, of all mankind. He was an intelligent, educated man. He was a kindly man. I never knew him to do a mean thing to any person. He was never too busy for a word of greeting. He had a strong temper but one that subsided quickly. Challenged, he responded firmly. Big problems were never allowed to submerge the small, today's problems to obscure tomorrow's. At the height of the great crises of his tenure—the Bay of Pigs disaster, the resumption of nuclear testing by the Soviet Union, Mississippi, Birmingham, the confrontation with the Soviet Union over the missile installations in Cuba—he still talked about the future. He retained his monumental interest in the details of the ongoing business of government. He read an amazing amount, and seemingly remembered it all. He often asked about obscure stories concerning science buried in the New York Times or the London Observer or any one of the dozens of papers and periodicals he somehow found time to read.

VISION AND OUTLOOK

I met Jack Kennedy while he was a Senator from my home State of Massachusetts. He needed advice on technical matters, particularly military technology and nuclear test ban, issues then occupying much of my time. I agreed to help largely because friends asked me to and because he was my Senator. I heard from him only infrequently at first and saw him even less. But even those brief contacts caused me to admire him, so that I readily agreed to join up and provide what little help I could when he became the Democratic candidate for the Presidency. Many things impressed me then and drew me to him. There was, of course, his charm but there was much more. I was most impressed by his quick, almost instinctive understanding of problems once he was given the facts. His background ill prepared him for an interest in scientific matters, yet his interest was lively. He was, in fact, then a member of the Harvard University visiting committee. Obviously unprepared to understand the theory of scientific subjects, he tried to get a physical feel of the matter. For example, he was forever trying to get someone to explain electromagnetic propagation comprehensibly. He didn't call it that. He wanted to know how radio worked. But when one tried to answer, one learned that the question was not about electron tubes or transistors or coils—these were manmade things which he could believe—but why and how did nature really allow energy to be sent through space.

Someone called him a truly modern man, this first American President to be born in the 20th century. And he was that. He had confidence in and used the modern tools. In a real sense technological marvels gave him his chance to be President. Without the airplane and television, he would not have been able to wage his successful campaign in 1960. And he never forgot this. His vision and outlook made it easy for him to understand other products of technology. President Kennedy, better than any political figure I have known, understood the social significance of modern science and technology.

As I try to remember the things that impressed me most about the President, four qualities stand out: his intelligence, his hopefulness, his sense of history, his striving for excellence. All of us who worked with him were proud of him. His very appearance, his composure, his sensitivity for every situation led us to an ever-growing admiration. He was the President from the very beginning, and as he was tested in his terrible job, he grew.

His vision and perfectionism may best be seen in his speeches. He had a vision of what he thought the world could be, and he projected this in his poetic prose. His inaugural address set the plan for his administration, and he strove consistently to reach the goals he set then. He said, "To those peoples in the huts and villages of half the globe struggling to break the bonds of mass misery, we pledge our best efforts to help them help themselves, for whatever period is required—not because the Communists may be doing it, not because we seek their votes, but because it is right. If a free society cannot help the many who are poor, it cannot save the few who are rich."

And about the arms race, "Finally, to those nations who would make themselves our adversary, we offer not a pledge but a request: that both sides begin anew the quest for peace, before the dark powers of destruction unleashed by science engulf all humanity in planned or accidental self-destruction. * * * Let both sides explore what problems unite us instead of belaboring those problems which divide us. Let both sides, for the first time, formulate serious and precise proposals for the inspection and control of arms—and bring the absolute power to destroy other nations under the absolute control of all nations."

Much of President Kennedy's hopefulness was derived from his conviction that science provided our Nation with vast powers for good. In the inaugural speech, he summed this up with, "Let both sides seek to invoke the wonders of science instead of its terrors. Together let us explore the stars, conquer the deserts, eradicate disease, tap the ocean depths and encourage the arts and commerce." He was ever pressing to put technology to work. In foreign affairs, for helping other nations, for insuring our security, in seeking solutions to our domestic problems, he looked to science for the clues.

NATIONAL ACADEMY SPEECHES

Twice he responded to invitations to speak before the National Academy of Sciences, and, as far as I know, set a precedent for Presidential attendance at academy functions.

On April 25, 1961, the President, in dedicating the new wing of the academy, disregarded his prepared text and in an eloquent extemporaneous talk revealed his sensitive understanding of the necessary cooperation between the Government and the scientific community. In calling upon the academy and the scientific community, the President remarked:

"This country must move forward, and most of the areas where we must move forward involve most sophisticated problems which your experience and training can help us to solve. One of the problems, it seems to me, of a free society is the fact that all of the questions which we must decide now are extremely sophisticated questions. It is difficult enough for those who hold office, either in the administration or in the Congress, to attempt to make a determination between alternate courses of action—fiscal policy, monetary policy, agricultural policy, international policy, disarmament, arms control, all the rest, all of these involve questions to confound the experts. For those of us who are not expert and yet must be called upon to make decisions which involve the security of our country, which involve the expenditures of hundreds of millions or billions of dollars, we must turn, in the last resort, to objective, disinterested scientists who bring a strong sense of public responsibility and public obligation. So this academy is most important."

Again, on October 22, 1963, a month to the day before the tragic events in Texas, the President appeared before the academy on the occasion of its anniversary convocation and he emphasized the importance of basic scientific investigations, the contributions that science can make to international objectives, and the interdisciplinary and intercultural aspects of science in playing its role in modern society. He also dwelt on a theme that he many time expressed, the need for applying the results of scientific and technological advances to the conservation and development of natural resources. During his relatively brief stay in office he gave physical meaning to these objectives.

On the subject of basic scientific research, the President said in his last academy speech:

"But if basic research is to be properly regarded, it must be better understood. I ask you to reflect on this problem and on the means by which, in the years to come, our society can assure continuing backing to fundamental research in the life sciences, the physical sciences, the social sciences, on natural resources, on agriculture, on protection against pollution and erosion. Together, the scientific community, the government, industry, and education must work out the way to nourish American science in all its power and vitality."

President Kennedy regarded international scientific cooperative activities and scientific exchanges as one of the strongest bridges to other nations, and at the academy celebration he expanded on this view. "I would suggest that science is already moving to enlarge its influence in three general ways: in the interdisciplinary area, in the international area, and in the intercultural area. For science is the most powerful means we have for the unification of knowledge, and a main obligation of its future must be to deal with problems which cut across boundaries, whether boundaries between the sciences, boundaries between nations, or bounddaries between man's scientific and his humane concerns."

He closed his talk with an anecdote that revealed the strength of his conviction about the importance of basic research to the country's future when he remarked, "the great French Marshal Lyautey once said to his gardener: 'Plant a tree tomorrow.' And the gardener said, 'It won't bear fruit for a hundred years.' 'In that case,' said Lyautey to the gardener, 'plant it this afternoon.'" "That is how I feel about your work," said the President.

BASIC RESEARCH AND MANPOWER

Under the President's leadership there has been a substantial strengthening of the basic research grants of the National Science Foundation in recognition not only of the need for the results of such research, but also of the essential role of basic research in the training of new scientists. In a news conference on January 15, 1962, the President expressed his concern about the future adequacy of our scientific and technical manpower in referring to a study of Soviet technical manpower that had just been published by the National Science Foundation. He said, "This has been a matter of some concern to me for some time because one of the most critical problems facing this Nation is the inadequacy of the supply of scientific and technical manpower, to satisfy the expanding requirements of this country's research and development efforts in the near future." He called upon the President's Science Advisory Committee, in cooperation with the Federal Council for Science and Technology, to report as quickly as possible on the specific measures that could be taken to develop the necessary, well qualified scientists and engineers, and he reinforced his personal concern with the words, "To all those who may be within the sound of my voice or who may follow your stories in the papers, I want to emphasize the great new and exciting field of the sciences." Following a submission of the Science Advisory Committee report of December 1962 on needs for graduate training in engineering, mathematics, and physical sciences, the President's 1964 budget for the National Science Foundation reflected his acceptance of the PSAC judgment of the importance of increased support for graduate education. This is also reflected in his proposed legislation to increase the number of fellowships under the National Defense Education Act, and in his extemporaneous remarks at the National Academy celebration he expressed his deep disappointment in the failure of the Congress to support this program.

SPACE PROGRAM

During his administration he made persistent efforts to strengthen the U.S. space program. He saw in it the opportunity to serve many national needs. He was firmly convinced that Soviet space supremacy had greatly weakened the United States in its foreign affairs. He saw military hazards in a lagging space capability. He saw the exploration of space as one of the great human adventures of this century, and he appreciated the important scientific possibilities of space exploration. He dedicated this Nation to a massive space program with a firm target of a manned lunar landing in this decade. This is a costly program and his decision to undertake it was not made lightly. He talked to hundreds of people in the process of making his decision and he weighed the costs with real concern. In the end he became convinced that the United States could not remain second in this important field. Despite continual review, he remained convinced of the correctness of this course.

Yet with the closing of the gap between United States and U.S.S.R. outer space capabilities, he followed through his inaugural theme with the proposal to the U.S.S.R. for a joint moon venture.

He also followed through on his inaugural hopes of conquering the deserts, and the national efforts at desalinization were greatly reinforced, along with a stepped-up program of underlying basic and applied research to overcome the barriers to economic desalinization.

NATURAL RESOURCES

In the field of natural resources, the President early in his administration took steps to accelerate the pace of the national program in oceanography, and at the same time provided leadership and backing both for congressional support and for a coordinated, balanced, and imaginative interagency approach to oceanographic research. An old sailor, he had a special interest in this research. He got a particular pleasure when the Presidential yacht ***Williamsburg*** was converted into an oceanographic research vessel. For a film on oceanographic research just completed, the President provided the opening and closing lines. Recently, after I had recovered from the consequences of a sailing accident, inaccurately reported, he offered to give me lessons in sailing and press relations. He called upon both the National Academy of Sciences and the Federal Council for Science and Technology to study and make recommendations for strengthening the Federal efforts across the broad horizons of natural resources in the land, sea, and air so that they can better serve the needs of the American people.

Early in his administration, too, the President lent substance to his desire to encourage commerce through science and technology by initiating a national program to strengthen civilian technology, including the appointment of an Assistant Secretary of Commerce for Science and Technology. In remarks prepared for delivery in Dallas, never given, the President pointed out that communities possessing the best in research and graduate facilities tend to attract the new and growing industries. He congratulated those who recognized the relationship between leadership and learning and the need for community support for the advancement of learning underlying the creation of the forward-looking Graduate Research Center of the Southwest.

President Kennedy's interest in international aspects of science was again highlighted in his September 20, 1963, address to the United Nations, where he urged a world center for health communications to warn of epidemics and the adverse effects of certain drugs; regional research centers to advance common medical knowledge and train new scientists and doctors for new nations; and a cooperative system of satellites to provide communication and weather information on a worldwide basis. As a result of his initiative, work has already begun in the world meteorological organization to develop the outlines of a world weather system and to strengthen basic research in atmospheric sciences on an international basis.

In connection with technical assistance to newly developing countries, the President was instrumental in bringing about closer attention to the need for research underlying the planning and execution of the AID program. This was reflected in the formulation of his Alliance for Progress program with its emphasis on science education, and in the establishment of the Office of Human Resources and Social Development in the Agency for International Development.

There are numerous other examples of President Kennedy's interest in promoting the development and application of science on an international basis, ranging from his initiative in establishing the United States-Japan Science Committee and his encouragement of the scientists' Pugwash movement, to his request for specific studies from his Science Advisory Committee, including a study of the problem of hoof and mouth disease in Argentina, the problem of water logging in Pakistan, and most recently his initiation of a study of the boll weevil problem in cotton production, a matter of international as well as national concern.

ARMS CONTROL

I have already referred to the President's strong conviction about the need for bringing about adequately safeguarded international arms control, a matter that occupied a very substantial part of his time from the very first days of his administration. The whole world can be thankful for two major accomplishments that flowed from his efforts, two monuments to his labors on the road to peace—the Arms Control and Disarmament Agency and the Nuclear Test Ban Treaty—which can inspire us to persist in the efforts to avoid the nuclear holocaust that so haunted him. One of his first acts was to propose to Congress the creation of the Arms Control and Disarmament Agency, the world's first governmental activity dedicated solely to the study of disarmament problems. As a result, the U.S. Government now has a small cadre of professionals in this extremely complicated and important field.

The signing of the nuclear test ban treaty gave the President enormous satisfaction. For him it proved that meaningful disarmament steps were possible, and it justified the hundreds of hours of debate and study, the deep disappointments along the way. His striving for this treaty, begun in the first days of his administration, weathered many bitter disappointments and was the subject of much unjust criticism. He could hardly have been blamed had he abandoned hope after the Russians resumed nuclear testing in the summer of 1961. Characteristically, though, he continued his attempts to work out an acceptable agreement. The question of the need for further nuclear tests in order to enhance our national security involved highly technical issues and extremely controversial ones as well. So did the capabilities of nuclear test detection systems. The President made himself an expert on these subjects. He listened to many briefings and more debates. He talked to experts with every possible view and finally formed his own conclusions.

In the process he also achieved an understanding of the role of scientific advice in policy matters. In his last National Academy address he said, "As the country had reason to note in recent weeks during the debate on the test ban treaty, scientists do not always unite themselves on their recommendations to makers of policy. This is only partly becaues of scientific disagreements. It is even more because the big issues so often go beyond the possibilities of exact scientific determination.

"I know few significant questions of public policy which can safely be confided to computers. In the end, the hard decisions inescapably involve imponderables of intuition, prudence, and judgment."

The President called the nuclear test ban treaty a small first step. Since its signing the nations of the world have also responded to his call for a pledge to prohibit the placing of nuclear weapons in orbit. He hoped that these agreements would be followed by many more.

President Kennedy not only understood the need to invest resources for extending our understanding of science and its applications but also saw the need for institutional change to guide and assist the mounting governmental involvement in science and technology to serve national objectives. He shared the view that the Federal scientific enterprise would be best served by strengthening the individual agencies whose missions required the exploitation of science, rather than by the creation of an all-encompassing department of science. Toward this end he sought the inclusion of a technically educated individual at the policy level in each department which is heavily dependent upon science for the accomplishment of its mission. The evolution of the Office of Science and Technology also reflects this policy of building strength in the individual agencies. On March 29, 1962, after much discussion, he sent a message to the Congress providing for reorganization in the field of science and technology. He pointed out that the evergrowing significance and complexity of Federal programs had earlier necessitated several steps for improving the organizational arrangements of the executive branch. The President believed that the creation of the Office of Science and Technology would facilitate communication between the executive branch and the Congress. The wisdom of the President in making this proposal is being increasingly realized through the activities of its director, in its close collaboration with the Bureau of the Budget, its presentations to congressional committees, and through its leadership in initiating long-range planning of research and development within the Federal agencies. To assist this work, the National Science Foundation has created an Office of Resources Planning, and closer ties with the National Academy of Sciences have been established through its newly created Committee on Science and Public Affairs.

These are only the highlights of President Kennedy's broad interest in science and technology and the tangible forms they have taken. Although much progress has been made, much more needs to be done. But because of his interest and support we have a stronger base upon which to extend the already impressive contributions of American science and technology.

SENATOR McGOVERN EXPLAINS VOLUNTARY WHEAT CERTIFICATE PLAN

Mr. YARBOROUGH. Mr. President, on January 9 the distinguished junior Senator from South Dakota [Mr. McGovern] addressed the annual convention of the National Wheatgrowers Association in Amarillo, Tex.

Senator McGovern is well known as the author of the voluntary wheat certificate plan. He tells me that the voluntary wheat certificate plan, which is embodied in S. 1946 and currently before the Committee on Agriculture and Forestry, has been endorsed by wheat associations in 12 States and that the National Grange has further adopted a resolution supporting the program.

The National Wheatgrowers Association contains approximately 70,000 members and has unanimously endorsed the McGovern proposal. Senator McGovern sets forth his plan in this outstanding address, and I ask unanimous consent that it be printed in the Record.

There being no objection, the address was ordered to be printed in the Record, as follows:

Wheat in 1964

(Remarks of Senator George McGovern, of South Dakota, at the annual convention of the National Wheatgrowers Association, in Amarillo, Tex., January 9, 1964)

The person who can foresee the role of wheat in the world in 1964, as proposed for me in the program, would be one of history's major prophets.

Since about 8000 B.C.—10,000 years ago—when wheat made it possible for a band of humans to establish the first permanent homes on the Mesopotamian plains, wheat has played a major role in the history of mankind.

It has never had a more important role than it has today.

The world situation would be vastly different now if Russia's grain bins, instead of ours, bulged with surplus wheat, or if Red China had a few hundred million bushels for annual export.

Wheat may help determine the outcome of the competition between the free world and the Marxist world. Free world provision of wheat not only to underdeveloped nations, but to some of the Eastern bloc countries, can have a far-reaching political and economic impact.

History may very well record that our much-maligned surplus of wheat in the late fifties and sixties turned the tide of the cold war. In the 9-year life of Public Law 480, $8 billion worth of wheat and flour, at Commodity Credit Corporation costs, has been exported under agreements signed with other nations. It is by far the most important commodity on our Public Law 480 list. As director of the Nation's food-for-peace program under Public Law 480 in 1961 and 1962, I saw American wheat bringing life and strength and hope to millions of human beings all over the world.

Wheat is also important in our relationships with our allies. The present competitive situation between our country and other wheat-exporting nations is fraught with serious political and diplomatic problems that may be more fundamental than the economic significance. There is need for forward-looking rational trade policies among the free-world countries rather than a free-for-all scramble for markets.

Wheat policy can have far reaching domestic consequences. It can determine the prosperity of the western wheat States, including the well-being of every business from the banks to the barber shops in thousands of small towns and cities. This can affect the national economy. It can determine whether our agriculture is going to move more swiftly away from family-type agriculture to large commercial or even corporate farming, swelling the ranks of the unemployed in the cities.

Obviously, the commodity under discussion at this annual meeting of the National Wheatgrowers Association has significance far beyond the price or income to the producers. Let me suggest a sound wheat program must assure producers an adequate income and avoid the liquidation of farming operations, especially at a time of chronic unemployment as a consequence of automation and weak spots in the economy.

A sound wheat program must avoid dumping into either the domestic feed market or into the world markets to the disadvantage of others.

A sound wheat policy must, at the same time, maintain in reserve our ability to expand exports, and to expand production as rapidly as this important cereal can be used to combat hunger and promote peace and freedom.

The importance of wheat in my State, in the national economy, and in the world as a whole were all in my mind last July when I proposed S. 1946, the voluntary wheat certificate plan, to prevent a chaotic wheat situation in 1964.

It was then my hope that by some near miracle we might get quick consideration of wheat legislation ahead of most of winter wheat seeding but that was a vain hope. Producers were not united for a program. Federal officials were not convinced that a new program should be offered. Senator Allen Ellender, chairman of the Senate Committee on Agriculture and Forestry, told me correctly, when I sought early hearings on the bill, that it would be almost impossible to pass wheat legislation until there was unity behind a proposal among all the forces concerned and, that even then, the outcome would be doubtful.

As a consequence of that situation, I reset my goals for wheat legislation in advance of spring planting, and have attempted in the intervening months to encourage consideration and the unification of forces behind a common approach to this very crucial problem.

It is gratifying to me that despite the difficulties of communication, 10 State wheat associations have endorsed a voluntary wheat certificate plan, and that the Missouri Farmers Association, the National Grange and leaders of the National Farmers Union and the National Federation of Grain Cooperatives are with us. Also, that the Department of Agriculture and its Advisory Committee on Feed Grains and Wheat have called for a voluntary certificate approach to the wheat problem—plus quick congressional action so prices will not fall in 1964. President Johnson has made it clear to the Congress that he strongly favors wheat legislation as quickly as possible and Secretary of Agriculture Freeman has testified that the voluntary certificate plan is the best approach.

Two of the critical first steps toward adoption of a program for wheat applicable to the 1964 crop have been taken. Producers have united on an approach to the problem. The administration has joined in the effort. The third step—congressional consideration—is now being taken. Hearings are currently in progress before the House Subcommittee on Wheat, chaired by the able Texas Congressman, **Graham Purcell**. But unless insistence upon legislation by the supporters of a certificate plan is sufficiently intense to sweep aside political lethargy and opposition tactics, this third step will never be completed.

Passing a wheat bill in either the U.S. Senate or the House of Representatives is going to be a nip-and-tuck battle which can only be won if we have the support of every Congressman and Senator from the wheat-producing States, plus the support of others who are concerned about the economic effect of a sharp decline in farm income, or are simply being loyal to the administration.

The Food and Agriculture Act of 1962 passed the House of Representatives by a 202 to 197 vote. It had only a 4-vote margin—42 to 38—in the Senate when the original test vote was taken in May 1962 on S. 3325, the original Senate version of the Food and Agriculture Act of 1962.

The vote against the bill in the Senate included 7 Senators from the 11 States represented in the National Association of Wheatgrowers. The vote against the bill in the House—the 202 to 197 vote—included 33 "no" votes from the 11 States represented in your association.

Wheat growers can not take "no" votes for an answer in 1964 from their own Members of Congress and expect to pass a wheat program.

It is apparent that opponents of the voluntary certificate proposal intend to fight it with every weapon they can use. It will not disturb present price relationships between wheat and bread, and other wheat products. Nevertheless, the "bread tax" charge already has been raised. It is not a legitimate charge against the certificate plan until the middlemen make bond that they will reduce consumer prices on wheat products next July 1 in proportion to any reduction in wheat prices to farmers. But it is already being used whether it is legitimate or not—and we will hear it more and more through the next few weeks.

One can be sure that something is afoot when the Chamber of Commerce of the United States supports a Brannan plan—production payments—for any product, even on a temporary basis, yet that is what the chairman of their agriculture committee did before the Purcell subcommittee last month. He urged payments from the Treasury—not certificates.

Let no one tell you, as wheat producers, that production payments would be better than the certificate system for wheat.

The forces advocating production payments at the moment do not intend that they shall continue.

Wheatgrowers should read, and insist that those who represent them in Congress, also read all of the recent testimony in regard to the use of payments. They will find in the chamber of commerce testimony this statement:

"We urge the provision of a transitional program in which prices are more clearly determined by the real market with partial offsets in the form of direct payments to producers. These payments would, to start with, be in the amount of the difference between the present artificially supported level and the average received in the markets.

"In the first place, this payments program should be of relatively short duration. This means not only that the payments should be known in advance to terminate at the end of the transition period, but also that during that period they would be gradually and systematically reduced—scheduled to taper off."

I have often wondered what the virtue is of gradually bankrupting the farmers. The only advantage that I have been able to discover in it is that it would provide a steady flow of cases into the bankruptcy courts for a few years rather than a single, sudden deluge.

We are indebted to the Chamber of Commerce of the United States for its candor in supporting payments.

In a very different way, we are indebted to two great Texans on the House Agriculture Committee for their enlightened leadership in Congress in agricultural affairs.

Congressman **W. R. Poage**, the ranking Democrat on the House Agriculture Committee, is one of our real agricultural statesmen. He is not only a close student of farm affairs, but an excellent legislative craftsman. He knows the problems of legislating—of getting bills enacted. He knows what is practical and what is impractical, and is a great helmsman in any legislative voyage.

Congressman **Graham Purcell**, chairman of the Wheat Subcommittee of the House Agriculture Committee, will be entitled to much of the credit if a wheat bill is passed before spring wheat has to go into the ground. Congressman **Purcell** called hearings on wheat last July, less than 60 days after the referendum. Those hearings made it possible to call national attention to the catastrophic drop which would occur in wheat income unless a new wheat law was enacted—to get people to thinking. Had it been practical to do so, Mr. **Purcell**'s subcommittee was then in a position to initiate a bill in advance of winter wheat planting, but it was obviously not practical. No one was ready to move. The administration was stunned by the outcome of the referendum, and a great many legislators were bitterly suggesting that wheat farmers should be allowed to drown in their own surpluses—an attitude that has subsided some in the 8 months since the referendum, but is not entirely gone yet.

We are indebted to Mr. **Purcell** now for having his House hearings on wheat so well advanced that there can be quick action on a wheat bill in the House this month or early in February—action which must come quickly if there is to be a 1964 program at all. If the House had to start from the beginning tomorrow, the prospect for wheat legislation by March 1 or March 15 would be gloomy indeed.

Senator **Allen Ellender**, chairman of the Senate Committee on Agriculture and Forestry, has assured me that the Senate committee will meet promptly and set its course on wheat and cotton legislation.

Senator **Ellender** is himself now outspokenly opposed to any new wheat legislation. The last time I talked with him he felt that the results of last May's referendum should be allowed to stand, that wheat producers should be allowed to vote on compulsory controls again this year, and, if they vote "No" again that wheat programs should be allowed to lapse altogether.

I hope that it will be possible to dissuade the distinguished Agriculture Committee chairman from this view, and win his support. But it should be recognized that his view is held by numerous others in both the House and Senate. We cannot win back all those who voted for the farm bill in 1962. It is this fact which makes it imperative that we have solid support from wheat State Members of both the Senate and the House.

We cannot lose 33 wheat State House Members, and 7 wheat State Senators in 1964 and expect to get new legislation. It will be a real legislative achievement if a wheat bill is passed with 100 percent support from the major wheat-producing States.

The third step toward a wheat program effective in 1964 is the most difficult one. It will take all the political muscle that can be assembled by producers, the Department of Agriculture, and those of us in Congress committed to such a program to get favorable congressional action. It is gratifying that most of the scattered battalions of farmers and producers have been brought together around a common banner. But the showdown—the test of strength with those who want to deflate agriculture—is just now beginning.

The way the battle goes—the outcome—is largely up to those who are assembled here today, and what you are able to do in the next 30 to 60 days with my colleagues—and they are your Representatives—in the Congress of the United States.

It is impossible, in my opinion, to be overly urgent about wheat legislation.

If the value of wheat as an ingredient in foodstuffs drops in 1964 to $1.25—or even to a somewhat higher world price, but still below its present food price—it will be next to impossible to restore present price levels.

Time is short. I expect to go directly from here to Washington and make wheat legislation my immediate top interest in the 2d session of the 88th Congress. I hope to see some of you there very soon.

Number of votes lost in 1962 on Food and Agriculture Act from the 11 Wheatgrowers' Association States

	Congressmen	Senators
Colorado	2	1
Kansas	5	2
Montana	1	0
Nebraska	3	2
North Dakota	2	0
Oklahoma	2	0
Oregon	2	0
South Dakota	2	1
Texas	9	1
Washington	4	0
Wyoming	1	0
Total	33	7

WOOL IMPORT PROBLEM BEFORE TARIFF COMMISSION

Mr. YARBOROUGH. Mr. President, increasing imports of raw wool and wool cloth and clothing are of increasing concern to our domestic wool industry. The effective operation of the National Wool Act may be affected if present trends continue or are encouraged.

An interesting statement on this subject was presented to the U.S. Tariff Commission on January 10, 1964, by Mr. Edwin E. Marsh on behalf of the National Wool Growers Association. Texas is the leading wool growing State in the Nation; our State has a vital interest in this problem. I ask unanimous consent that this statement be printed in the RECORD.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

STATEMENT OF EDWIN E. MARSH

SUBJECT MATTER OF BRIEF

Strong opposition to inclusion of above items on the list for consideration of further tariff reductions because of adverse economic effect both on the domestic sheep industry and the operation of the National Wool Act.

ORGANIZATIONS AFFILIATED WITH THE NATIONAL WOOL GROWERS ASSOCIATION

Arizona Wool Growers Association, Phoenix.
California Wool Growers Association, San Francisco.
Colorado Wool Growers Association, Denver.
Idaho Wool Growers Association, Boise.
Indiana Sheep Breeders Association, Lafayette.
Maryland Sheep Breeders Association, Germantown.
Mississippi Sheep Producers Association, State College.
Montana Wool Growers Association, Helena.
Nevada Wool Growers Association, Ely.
New Mexico Wool Growers Association, Albuquerque.
Oregon Wool Growers Association, Fossil.
Western South Dakota Sheep Growers Association, Belle Fourche.
Texas Sheep & Goat Raisers Association, San Angelo.
Utah Wool Growers Association, Salt Lake City.
Washington Wool Growers Association, Ellensburg.
Wisconsin Cooperative Wool Growers Association, Milwaukee.
Wyoming Wool Growers Association, Casper.
Midwest Wool Marketing Cooperative, Inc., Kansas City, Mo. (membership in Kansas, Missouri, and Oklahoma).
North Central Wool Marketing Corp., Minneapolis, Minn. (membership in Minnesota, South Dakota, Iowa, and Nebraska).

My name is Edwin E. Marsh. I am executive secretary-treasurer of the National Wool Growers Association, Salt Lake City, Utah. I am presenting this statement in behalf of our organization, which in 1965 will have completed 100 years as the recognized spokesman for the sheep farmers and ranchers of the United States.

Our principal membership consists of 19 State and area sheep producer and wool marketing organizations listed on the preceding page of this statement. These organizations operate in the States of Arizona, California, Colorado, Idaho, Iowa, Indiana, Kansas, Maryland, Minnesota, Mississippi, Missouri, Montana, Nevada, Nebraska, New Mexico, Oklahoma, Oregon, Texas, Utah, Washington, South Dakota, Wisconsin, and Wyoming. In the 23-State area covered by these organizations, approximately 75 percent of the Nation's sheep, lambs, and wool are produced.

You no doubt remember my appearance before you just 1 month ago when I was also speaking on behalf of domestic sheep producers and opposing reductions in duties on dressed lamb and mutton and live lambs. Like a stool which needs three legs for proper support, ours is an industry dependent for its existence on the income from the sale of three products—sheep, lambs, and wool. Because of this and the fact that tariff duties on these three competing imports, as well as on wool manufacturers, are all listed for negotiation at forthcomig tariff conferences, we find it necessary to appear before you on these two occasions. We testified last month on certain duties listed in schedule 1 of U.S. Tariffs and this testimony covers duties on a number of schedule 3 items.

We appear before you today in strong opposition to any further reductions in tariff duties on raw wool, woven wool fabrics, wool apparel items and miscellaneous wool textile products. Here are the facts:

DUTIES ON RAW WOOL

On January 1, 1948, duties on raw wool for apparel use—those wools of a fineness competing with the bulk of our own domestic production—were reduced 25 percent. Some coarser grades were reduced up to 50 percent. This was done in spite of strong protests of our industry and predictions of the adverse economic effect such reductions would have on our industry. When that reduction went into effect on January 1, 1948, we had 34,337,000 sheep in the United States. Five years later, on January 1, 1953, that number had dropped almost 2½ million head, to 31,900,000. The drop would have been even greater if the Korean war had not caused a temporary spurt in wool prices which, also temporarily raised the sheep population slightly in 1951 and 1952. Our protests prior to this 1948 reduction were amply justified as evidenced by this reduction in our sheep population. Furthermore, our predictions of the adverse economic effect of this reduction were well borne out by the section 22 investigation of the U.S. Tariff Commission, made in 1953 after 5 years of operation under the reduced tariff. This investigation of the Tariff Commission revealed:

"1. That wool, carbonized wool, and wool tops are, in the aggregate, being imported and are practically certain to continue to be imported into the United States under such conditions and in such quantities as to materially interfere with and to tend to render ineffective the price-support program for wool undertaken by the U.S. Department of Agriculture.

"2. That to prevent imports of said wool, carbonized wool and wool tops from rendering or tending to render ineffective, or materially interfering with, the said price-support program for wool undertaken by the Department of Agriculture, it is necessary that a fee of 10 cents per pound of clean content but not more than 50 per centum ad valorem be imposed on wool, and a fee of 11¼ cents per pound but not more than 50 per centum ad valorem be imposed on carbonized wool and wool tops."

In line with these findings the Tariff Commission on February 19, 1954, made the following recommendations:

"It is recommended that the President issue a proclamation pursuant to section 22(b) of the Agricultural Adjustment Act, as amended, imposing the fees on imports of wool, carbonized wool, and wool tops set forth in finding 2 above, such fees to be in addition to the duties imposed upon such products under paragraphs 1101(a), 1102, and 1106 of the Tariff Act of 1930."

On March 4, 1954, the administration announced that in lieu of taking action on these recommendations, it was submitting to Congress a program providing for Government assistance to growers when wool prices dropped below desired levels. The results was the passage by Congress of the National Wool Act which the President signed into law on August 28, 1954.

Our association since its inception in 1865 has always advocated a tariff adequate to meet differences in costs of production here and abroad. Members of our association finally supported the National Wool Act as a substitute for the recommended increase in tariff duties by reason of the fact that payments under the act were to be tied to and limited to receipts from 70 percent of the tariff revenue on wool and wool manufactures. This support by our members was also based on an understanding by the administration that in order for the National Wool Act to function properly, the tariff would have to be held at least at existing levels. In order for the National Wool Act to function properly today it is still very necessary that the duties on wool and wool manufactures be held at least at present levels. In fact, the Department of Agriculture has not seen fit to raise the incentive level on wool since the inception of the Wool Act almost 10 years ago.

One compelling reason for this is the danger of depleting available funds at current tariff levels under the terms of the act. Costs of production in the domestic sheep industry, however, have risen constantly since the passage of the National Wool Act in 1954.

Any reduction in duties on raw wool (or wool manufactures) would jeopardize funds available for Wool Act payments and within a short time could cause depletion of funds available for payment under the terms of the act. Furthermore, a tariff reduction would no doubt cause reduction in the price of domestic wool on the open market, thereby necessitating a larger payment by the Commodity Credit Corporation to meet the difference between the market price and the incentive payment level.

During the first few years of the operation of the Tariff Act of 1930 duties on raw wool amounted to 85 to 90 percent on an ad valorem basis. Today with duty reductions and changes in our economy, the tariff on an ad valorem basis is only 20 to 25 percent. In other words the United States has already made a most substantial sacrifice for the benefit of foreign countries shipping wool here—a sacrifice they should highly appreciate instead of constantly requesting even further cuts at the expense of our domestic sheep industry.

Representatives of foreign countries may come to these hearings and tell you that they could increase their shipments of raw wool to this country if the tariff were reduced. A few years ago this could have been true. We seriously doubt that it is true today. Our mills have been decreasing their production and in some cases liquidating entirely because they are being forced out of business by the tremendous growth in imports of finished wool products. The production capacity of our domestic mills is now the determining factor in the use of foreign and domestic wool—not the present 20 to 25 percent ad valorem tariff. However, I hasten to add that while this tariff is no longer a determining factor in imports, it has nevertheless been the factor that has kept many sheep producers from bankruptcy and liquidation. This it has done both by partial compensation for differences in production costs here and abroad and also through the application of these duties to the National Wool Act.

In the interests of maintaining a domestic sheep industry, therefore, we strongly urge this body to recommend that the raw wool tariff items not be on the lost for forthcoming tariff negotiations.

DUTIES ON WOVEN WOOL FABRICS

During the hearings you are conducting on schedule 3 tariff items you will hear testimony from the National Association of Wool Manufacturers and other representatives of domestic mills using wool. I know they will tell you of the vast increases in the imports of competing wool cloth during the past few years. One of the very important factors in the increasing liquidation and reduced capacity of our domestic mills is this rapid and heavy increase in competing wool cloth imports from countries with wage and production costs below ours—in some cases drastically below ours. I will not take the time of this body today to point out to you the alarming increases in our wool cloth imports. This whole problem will be adequately covered by wool manufacturer representatives scheduled to appear before you this month. However, I do want to point out the extreme concern that we share with our domestic mills over this growing and serious problem. Domestic wool is not exported but must be sold in this country. Since domestic mills are the only customers for domestic raw wool, our wool growers are naturally interested in preserving their only market. They are concerned with liquidation of mills and consequently shrinkage of production capacity in this country. We have therefore cooperated very closely with our domestic mills in an effort to solve this problem. Senators from our wool-growing States have become concerned and have joined with Senators from the wool-manufacturing States in conferring at the White House level on this problem during the past 2 years.

As more and more of our mills have closed or reduced their capacity, strong efforts have been underway looking toward international agreements for quantitative limitations on wool cloth to the United States. In view of these efforts it seems entirely inconsistent and indefensible that tariffs on manufactured wool items would even be placed on the preliminary list for further tariff reductions.

DUTIES ON WOOL WEARING APPAREL AND ACCESSORIES AND MISCELLANEOUS WOOL TEXTILE PRODUCTS

Wool grown on the farms and ranches of the United States not only goes into cloth and other miscellaneous textile products manufactured in the United States, but all apparel items using domestic wool are also made by our own domestic garment manufacturers. The tremendous rise in apparel imports—many of them from countries paying very low wages by our standards—has also affected the outlet for domestic wool. Limitations of these imports is also necessary if U.S. garment manufacturers and producers of miscellaneous wool textile products are to stay in business. Therefore it is essential that these items also be removed from the list for further tariff negotiation.

CONCLUSION

1. Prompt removal from the negotiation list of the tariff on raw wool is urgent. As a result of duty reductions and changes in our economy the tariff today is only 20 to 25 percent ad valorem, where it was formerly 85 to 90 percent. The Tariff Commission found duties on raw wool inadequate in 1954. Since that time, costs of production on U.S. farms and ranches including commodities purchased, interest, taxes, and wage rates have risen approximately 12 percent. In the case of the sheep producer, the rise would be even greater because labor is such a large factor in sheep production. It is highly essential that the raw wool tariff be held at least at the present level if the National Wool Act is to continue to operate on a sound financial basis.

2. Continuation of the present tariff on wool cloth imports as well as the tariff on other manufactured wool products is vital in view of present efforts to solve the problem of competing and constantly rising imports. This is essential in view of economic losses already suffered by our domestic mills from import competition and the fact that the domestic sheep industry must rely on domestic mills for use of its raw product. Furthermore, tariffs on wool products, as on raw wool, must remain at least at present levels for the successful operation of the National Wool Act.

In the interests of preserving a domestic sheep industry we must hold the line on the tariffs on raw wool and wool manufactures.

CONRAD WIRTH DEVELOPED NATIONAL PARKS

Mr. YARBOROUGH. Mr. President, Conrad Wirth has retired as Director of the National Park Service. He retired after having rendered service to the National Park Service not exceeded by anyone else in the entire history of our Nation. An interesting article about his service, written by Mr. J. W. Davis, was printed in the Houston Post of Sunday, January 12, 1964.

Personally, I can attest to the value of the service of Mr. Wirth. Without his help, we would not have the Padre Island National Seashore Recreation Area. We in Texas also benefited from his aid in establishing the Fort Davis National Historic Site, and with the pending Guadalupe Mountains National Park legislation. It is the same story in State after State.

In all of my conferences and experiences with Conrad Wirth I have found him to be a dedicated citizen, with an eye single on progress and advancement and service for the people of the national park system. Conrad Wirth is the kind of public servant that I am proud to know and in whom the people of the United States can take pride.

I wish him happiness in retirement commensurate with his service to the United States.

Mr. President, I ask unanimous consent to have printed in the RECORD the article from the Houston Post of Sunday, January 12, 1964, entitled "Wirth of the Parks."

There being no objection, the article was ordered to be printed in the RECORD, as follows:

WIRTH OF THE PARKS

(By J. W. Davis)

WASHINGTON.—If you've ever enjoyed the natural wonders of one of America's national parks, the chances are you owe a debt of thanks to Conrad Wirth, one Goverment official who has rarely been turned down when seeking an appropriation from Congress.

Wirth, who has headed the National Park Service since 1951, goes into retirement this week a happy man. He is not even upset by the eggshell scatterers, beer-can tossers, and initial carvers who once in a while mess up the science and historic spots it's been his privilege to supervise.

Wirth's career and the Park Service's have been unusual in the Federal Government.

For one thing, Congress has almost fallen over itself to give the Park Service what it wants.

An example: When Wirth came up with the idea for Mission 66, a mammoth program of improvement and expansion that will run until 1966, the House Appropriations Committee voted $17 million more for the first year than Wirth had asked for.

Congress usually reflects the feeling of the people.

Wirth once wrote for an Interior Department book:

"Truly the parks are being loved to death."

Wirth has drawn warm praise from a wide range of Washington officials.

Senator HARRY F. BYRD, Democrat, of Virginia, says of Wirth:

"He is a great and good friend of every man, woman, and child in this country * * * there is no other single man in the United States who has done so much for the healthful recreation and pleasure of so many people."

Interior Secretary Stewart Udall says: "Connie Wirth has won a place on the highest honor roll of those who have done the most to preserve a rich outdoor legacy for the American people."

George B. Herzog, Jr., who has been associate director of the Park Service under Wirth, succeeds him as director.

Wirth, who was born in the city park of Hartford, Conn.—his father was park superintendent and the family had a house there—was 61 on December 1. There was no urgency to retire.

"I could stay on until I'm 70," he said. "But I believe 60 to 65 is a good time to retire. A person should retire while he is healthy and feeling good, leaving the organization in good shape."

Wirth has been in Government service since 1928, starting with the National Capital Parks and Planning Commission.

He is turning over to Herzog the world's finest park system, one that other nations are glad to copy so far as they can, and one that has become steadily more popular with its owners, the American people.

Here are a few figures:

The billionth visit to park areas, since records began 58 years earlier, was recorded in August 1962. The second billion is due to be recorded in 1973, only 11 years later. Visits now are running around 90 million a year.

There are 26 million acres in the 201 park areas of all sorts—including 31 national parks, 83 national monuments and memorials, plus various historical areas, battlefield sites, national cemeteries, parkways, etc.

What about those park visitors who carve their initials on tree trunks, scatter trash, and otherwise abuse the facilities?

"You do find some malicious people, and some people who I think don't realize what they are doing," Wirth said. "But I have a lot of faith in the American people. If properly approached, they will take care of the parks. It is a very small minority of careless, thoughtless people who cause trouble."

One of Wirth's headaches has been the way the military and highway builders have competed for land he considered better for park acreage.

In an article for the National Geographic Magazine, he wrote:

"The highway builders often decide parks offer the best routes for new roads.

"We insist, however, that the social and cultural values in a good park outweigh a road curve or detour.

"After all, more than 100 billion miles a year is rolled up by Americans on vacation or seeking a weekend's recreation. Why, then, destroy the very thing that people seek when they take to the road?

"Without sunshine, fresh air, and open space, man diminishes physically, mentally, and emotionally.

"We need more national parks—but, above all, we need more local parks, close to the people."

NEW YEAR CHEER

Mr. SCOTT. Mr. President, Governor Scranton of Pennsylvania has opened the New Year with good news for the people of our Commonwealth—a balanced budget with no new taxes.

Further, as the Pittsburgh Press of January 8 pointed out in an editorial, "employment in Pennsylvania is higher than at any time in 6 years." I ask unanimous consent to have this editorial printed in the RECORD.

There being no objection, the address was ordered to be printed in the RECORD, as follows:

NEW YEAR CHEER

The good news about Governor Scranton's new budget, for the fiscal year 1964–65, had been expected for a long time. It consisted of no new taxes, and negative as that feat may sound, it is nevertheless something to celebrate, in view of the recurring assaults on the taxpayer's ability to pay.

There are other features of the Governor's statement to the convening State legislature that merit attention. Employment in Pennsylvania is higher than at any time in 6 years, unemployment is down markedly, 56,000 people left the relief rolls last year, bank deposits are $2 billion greater than a year ago, more than 700 firms have announced that they will locate or expand plants in the State.

These are indicators that have been watched for years and this year they seem all to point in the same direction—up. It is true, as the Governor points out, that Pennsylvania's population gain is small as compared with the national increase. But we have known all along that lack of economic opportunities here were responsible for population shifts, and we have been devising programs to improve the State's performance in this respect.

One of those approaches has been improvement in our educational facilities. Governor Scranton's message contained a number of references on this score. We've completed 2,500 new classrooms and started 2,000 more, we've committed a record $70 million for improvements at Pennsylvania colleges. Of his recommended general fund budget, 50.9 percent goes to public education, a total of nearly $600 million. Two years ago, 48.59 percent of the budget went for schools.

And while the 5-percent sales tax, increased from 4 percent only last year, weighs heavily, it is worth noting that the estimated $517 million income from this levy will pay most, but not all, of the State subsidies for schools. Some $77 million must come from other sources to make up the full budget.

Governor Scranton reported that he has paid off a deficit he said he inherited last January, will be able to lapse some funds not spent and will wind up the present fiscal year next June 30 with a surplus of $23,625,995.

This improved financial position, plus better business conditions producing more tax revenue, plus nonrecurring costs, will enable the State to spend $59 million more next year to make up a record-high budget of $1,168 million.

Most budgets are not produced as promptly as Mr. Scranton's. And few in modern times have been as palatable. It may be accepted as true that Pennsylvania's State government, like a business, must spend money to improve its prospects. We shall hope that Mr. Scranton, in accordance with his campaign platform, will do his best to get a dollar's worth of value for the taxpayers' dollar he spends. If Pennsylvania does that, we'll all be better off.

WHO IS BILL SCRANTON?

Mr. **SCOTT**. Mr. President, all Pennsylvanians are familiar with their dynamic young Governor, but, understandably, many Americans in other States upon reading some of the current speculation about his future are asking the question, "Who is Bill Scranton?"

The Pittsburgh Post-Gazette of January 8, 1964, answers this question editorially by citing his performance as this State's chief executive which it finds impressive.

I ask unanimous consent to have this editorial printed in the RECORD.

There being no objection, the editorial was ordered to be printed in the RECORD as follows:

WHO IS BILL SCRANTON?

The above question appears often in the articles of newspaper columnists and other commentators as they start to assess the various potential candidates for the Republican Party's presidential nomination. The implication in the question is that Mr. Scranton's prospects suffer because he is not well known nationally.

However that may be, Bill Scranton is the Governor of Pennsylvania, now entering the second year of a 4-year term, and yesterday he went before the Pennsylvania General Assembly to give an accounting of his first year in office, to discuss the budget for the next fiscal year, and to outline his objectives for the new year.

On the whole, it was a commendable performance. The record thus far is good. The State enters 1964 with a budget surplus and although it is proposed to spend $39 million more in fiscal 1964–65 than in the current year, this can be done without additional taxation. It can be done as the result of administrative austerity, the budget surplus, and improving economic conditions.

The fact is that in his first year the Governor had the foresight to obtain new taxing authority to carry him through at least 2 years without the necessity of asking for additional levies. The sales tax, boosted from 4 to 5 percent last year, is providing enough revenue to finance all but $78 million of the State's costs of public education, which will take almost 51 percent of the general fund budget in fiscal 1964–65.

While the Scranton administration proposes to spend a record $1,168,000,000 in the next fiscal year, the Governor's report indicates that the funds are well administered and that the State is making a real effort to hold costs to an absolute minimum.

But the Governor's message is notable for more than its fiscal accounting. It also reports on last year's industrial progress, an improving economy (reflecting a national upturn if nothing more), expanding human services, and more progress in education than we can recall in any single year in Pennsylvania's history.

Much of the groundwork for that progress had been laid before Mr. Scranton took office. Nevertheless, he got the program through the legislature and raised the additional money needed to finance it. The results are that local school districts are getting more State help than ever before, teachers are better paid, three more educational television stations will be on the air within another year, the State board of education has been revamped, and the first application for a State-supported community college will be considered this week.

As for the future, Governor Scranton suggests nothing more than a determined effort to follow up on what he has begun. He outlined six major objectives for this year: a legislative program including constitutional revisions, further improvement of the machinery of government, a greater effort to expand industry, greater public understanding of State government, the achievement of a higher level of political maturity, and better race relations statewide.

These are laudable goals toward which all Pennsylvanians should cooperate loyally. They are more than enough to keep the young Governor busy through this and 2 more years.

But if he should be drafted by his party for the presidential nomination (the only basis on which he has expressed any interest), the best answer to the question, "Who is Bill Scranton?" is to be found, we believe, in his performance as this State's chief executive. The performance to date is impressive.

I BELIEVE

Mr. **SYMINGTON**. Mr. President, the tragedy which stunned our Nation in November prompted many Americans to dedicate themselves anew to the best in our proud heritage.

Samuel A. Montague, a prominent and public-spirited citizen of my State, compiled his thoughts into a creed for Americans.

This creed, in its few phrases, nevertheless captures the entire spirit of our precious liberties and civic obligations; and I would like to make these thoughts available to my colleagues by this creed inserted at this point in the RECORD.

There being no objection, the creed was ordered to be printed in the RECORD, as follows:

I BELIEVE—A CREED FOR AMERICANS

(By Samuel A. Montague)

I believe in my country and the principles upon which it was founded—"that all men are created equal, that they are endowed with certain unalienable rights, that among these are life, liberty, and the pursuit of happiness."

I will not barter the freedoms my country guarantees. Rather, I would join with my forefathers and proclaim—"I know not what course others may take, but, as for me, give me liberty, or give me death."

I will learn all that I can about my American heritage so that I can share with others, and pass it on to future generations.

I will keep myself informed and prepared, so I can help my country meet the challenges of the present, and the promise of tomorrow.

I will guard and cherish my right to vote as my most valued possession.

I will do everything within my power to make America strong and vibrant, a Nation that is admired and respected by peoples everywhere.

I will respect the rights of all who live within its borders.

I will extend the hand of hospitality to all who come in friendship to my country's shores, and when I visit other lands I will always conduct myself in a manner that will be a credit to it.

I will faithfully perform all my duties of citizenship.

I will cheerfully fulfill any service my country may ask of me to insure that "this Government of the people, by the people, for the people shall not perish from the earth."

THE 1964 MARCH OF DIMES DRIVE

Mr. **McINTYRE**. Mr. President, the March of Dimes is committed to a program which promises to surpass the already magnificent achievements of the Salk and Sabin vaccines. Following the victory over polio, the National Foundation March of Dimes has come to grips with the problems of birth defects and arthritis—the greatest cripplers of mankind.

An estimated 250,000 infants are born with significant birth defects each year in this country—one every other minute—and at least 42,000 children are among the 11 million Americans suffering from arthritis or rheumatic disease. Adequate medical care for the great majority stricken by these and other chronic disabling diseases is just not available in this country.

The March of Dimes medical treatment and research centers established throughout the Nation are leading the fight against these cripplers, but they cannot continue to do so without the continuous support of all Americans.

Besides direct medical assistance, many March of Dimes supported research studies are now underway, covering a wide range of the life sciences. This research is already leading to greater understanding of genetics, heredity, the effect of drugs on living organisms, and other phenomena which may throw light on the mysteries of birth defects and arthritis.

This is the encouraging and helpful work we support by contributing to the March of Dimes. I urge all Americans to respond generously when asked to "Give for the life of a child."

The PRESIDING OFFICER. Is there further morning business?

INCREASED PARTICIPATION BY THE UNITED STATES IN THE INTER-AMERICAN DEVELOPMENT BANK

Mr. HUMPHREY. Mr. President, I ask unanimous consent that H.R. 7406, a bill to provide for increased participation by the United States in the Inter-American Development Bank, and for other purposes, which, under the unanimous-consent agreement of December 16, 1963, will come before the Senate at the close of routine morning business, remain before the Senate notwithstanding the arrival of 2 o'clock.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and it is so ordered.

HOPE

Mr. CLARK. Mr. President, one of the finest charitable enterprises presently doing great work around the world is the people-to-people health foundation known as HOPE.

An extremely interesting account of the work of HOPE has recently appeared in the Williamsport, Pa., newspaper known as Grit. This newspaper is published once a week in the heart of central Pennsylvania. It has an extensive national circulation.

I ask unanimous consent that the article to which I have referred, entitled "Angels of Mercy—Americans Treat Needy on Hospital Ship *Hope*," be printed in the Record at this point in my remarks.

There being no objection, the article was ordered to be printed in the Record as follows:

Angels of Mercy—Americans Treat Needy on Hospital Ship "Hope"

Mothers arrive with whimpering babies in their arms. Old men and women hobble in on legs tortured by the infirmities of advancing years. There are those suffering from a dozen different diseases—and also eager young men and women, filled with the desire to bring health and healing to every one of their fellow men.

All are drawn as if by a magnet to a gleaming white ship anchored in the harbor at Guayaquil, Ecuador. It is the U.S. hospital ship *Hope,* now on its third mission against the disease and pestilence that afflict many underprivileged nations.

THEIR BASIC MISSION

The basic mission of the angels of mercy—the volunteer American physicians, nurses, and technicians aboard the *Hope*—is to take the skills and techniques of medicine, surgery, and nursing to the people of other nations. It is essentially a teaching operation.

But on its visit in 1960 to Indonesia, on its recently completed 1-year stay in Peru and now in Ecuador its gangplank is an invitation to the sick and the suffering.

Several hundred thousand patients were treated by the staff while the *Hope* was in Peru. More than 100,000 Peruvians were given vaccines against infantile paralysis, diphtheria, typhoid fever, and whooping cough. After the hospital ship sailed home, wealthy Peruvians provided funds for a large new hospital to be staffed by native doctors and nurses who had received special training aboard the relief ship.

The *Hope* and its staff are linked in a real people-to-people mission. Funds for each trip, about $3 million, are raised by public donations. The hospital ship is on loan from the U.S. Navy. The Americans aboard the ship are all volunteers, many of whom sacrifice high salaries at home to engage in service to the underprivileged. The American President Lines operates the *Hope* without charge.

IDEA OF CAPITAL SURGEON

The idea of the mission originated with Dr. William B. Walsh, a Washington surgeon. He organized the People-to-People Health Foundation.

In 1958, President Dwight D. Eisenhower saw the plan as an important means of promoting international understanding, so he directed the Navy to reactivate the hospital ship *Consolation*. Some of the most prominent men and women in the Nation became members of the board of directors of the project, and appeals for financial support brought a huge response from Americans.

Dr. Walsh has said that the work will continue as long as funds are available and trained men and women volunteers to staff the ship.

The *Hope* has a surgical section as complete as that of any land-based hospital. It carries the newest and best medical, surgical, and research equipment. There is ample space for class and demonstration rooms and laboratories.

And, most important of all in the eyes of the suffering who flock to its deck, it has a total of 800 hospital beds, most of them in constant use.

The *Hope* will be in Ecuador for 10 months.

THE WAR AGAINST POVERTY

Mr. CLARK. Mr. President, I was gratified—indeed, enthusiastic—by the emphasis which President Johnson placed in his state of the Union message on the war against poverty.

There is now appearing in the Philadelphia Inquirer, under the byline of Philip Meyer, who also writes for the Chicago Daily News a series of articles on the subject of pockets of poverty. Far too many pockets of poverty exist in our country. Unfortunately, they exist in my own Commonwealth.

I ask unanimous consent that the first of this series of articles, entitled "Each Fifth American's Plight," may be printed in the Record at this point in my remarks. I commend it to all my colleagues as an excellent though terse summary of the difficulties which confront so many of our fellow citizens and which cry out for remedial action by Congress and the Federal Government.

There being no objection, the article was ordered to be printed in the Record, as follows:

Each Fifth American's Plight

(By Philip Meyer)

Washington.—After civil rights, the next big domestic issue for 1964 is poverty. The Johnson administration, following the route outlined by President Kennedy, is making an issue of the fact that, although our Nation is the richest in the world in terms of averages, one American out of five has been by-passed by prosperity.

This fifth American lives in a world most of us never see. He gets little or no preventive medical care. He doesn't get enough to eat. He is the American whom the statisticians forget when they note that the average family income is over $7,000. The well-to-do and wealthy families are numerous enough to offset his income of $1,000 or $2,000.

But there are other statistics where the impact of the fifth American is strong enough to pull us down in comparison with other nations. His existence explains some of these things you probably didn't know about America:

The average resident of Communist Yugoslavia eats better—by at least one standard measurement, protein intake—than the average American.

A baby born in one of the Scandinavian countries has a 50 percent better chance of surviving his first birthday than does a baby born in this country.

Of the 33 million Americans who are too poor for even a modest standard of living, less than a third get any kind of public welfare help.

Children born into this group are trapped by poverty, and most of them never escape it.

It is easy not to notice such things. The poor, hidden in their city slums or Appalachian valleys, are comfortably out of sight. Even the statistics hide them.

The 20 percent estimate of their number is somewhat arbitrary. Some authorities put it even higher. But 20 percent is the figure you get if you define poverty as having an income of less than $1,000 for an individual, or $3,000 for a family.

According to census figures, that gives you 36 million poor. For a more conservative definition, you can include all those whose income is too low to tax—$2,675 for a family of four. It still adds up to 33 million living in poverty.

Looking at the 33 million, you find about 16 million living in city slums. Nearly 6 million live on farms. The elderly poor number about 6 million. The others are harder to define. More than half the total are children under 18. Most of those of employable age are unskilled workers, a category that in 1964 is nearly obsolete.

About half the Nation's poor live in the South. This means that the proportion of poor to nonpoor in the South is about double that of the more populous North Central States.

For another idea of poverty's geographic location, take a map of the United States and black out those counties falling in the top 20 percent in the number of children who must receive public assistance. What you get is a dark smear over most of West Virginia, running through eastern and southern Kentucky, across southern Missouri, and down into Oklahoma. Another black patch covers most of Louisiana, Mississippi, and Alabama and spills over into north Florida.

Blot out the Indian areas of Arizona and New Mexico, paint some heavy shadows in the central interior of California, and you start to get a rough idea. Most States have at least one black spot.

Next, take a look at any city. In the central core, you are likely to find your own homegrown pockets of poverty.

To think straight about these people, some bits of cherished American folklore must be set aside. One is that anyone, regardless of his circumstances, can by hard work and diligence rise into the middle class—or at least advance far enough so that his children can.

It may have been true once. But the opportunities that the immigrants of years past enjoyed are not available to today's poor.

Children born into this kind of life occasionally break out of it. But most do not. Even the eighth-grade education, to which every child is supposed to be entitled, does not give the poverty stricken child a fair start in life. To the child whose parents are illiterate, who goes to school hungry, the ordinary educational system is not enough.

Forty percent of our young people never finish high school. Of those who do, half of those in the top 25 percent—those most qualified—never go to college.

Some of the 19th century social thinkers argued that poverty was caused by indolence and vice. Herbert Spencer argued that Government assistance to the poor only tended to perpetuate inferiority. A more logical assumption for our time is that poverty perpetuates itself. It creates the evils that contribute to it, and the people in this cycle are trapped.

Some, the aged and the disabled, can never break out, and all the Government can do is see that they get enough from welfare and social security funds to get by. Others can be trained to help themselves, and some States do have federally assisted training programs. But the main thrust of an all-out effort at the poverty problem must deal in terms of a generation and do something about the children.

It will be a costly effort. The Federal Government alone now spends $900 million a year to help the States with their welfare programs. Yet, only about 7 million of the 33 million poor get cash from these minimal programs. Another 3.5 million or so receive surplus food.

A University of Michigan study team has estimated that every individual or family in the Nation could be brought up to a bare subsistence standard of living for $10 billion a year. Even this would not solve the problem overnight, however. There would still be the problem of special education programs to enable deprived children to catch up. New efforts will be directed at helping people find their way out of their cycle of misery.

THE PRESIDENT AND CONGRESS

Mr. CLARK. Mr. President, I turn to my almost daily subject, the need for prompt and effective congressional reorganization. I call to the attention of my colleagues in the Senate an outstanding editorial entitled "The President and Congress," which appeared in the New York Times on January 13. I ask unanimous consent that the editorial may be printed in the RECORD at this point in my remarks.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

PRESIDENT AND CONGRESS

The struggle for power between the executive and legislative branches of the American Government is even older than the Constitution of the United States. It began as soon as the Original Thirteen Colonies chose a Continental Congress.

That Congress, true to later form, was convinced that it knew better than George Washington how to direct the strategy of the Revolutionary War. It even threatened on one occasion (the Conway cabal) to displace Washington as commander. Years later Congress attempted to take over an immense executive responsibility (in this case, a responsibility of Abraham Lincoln) when the Committee on the Conduct of the War was established in 1861.

These are extreme instances, but they dramatize a contest which goes on almost uninterruptedly and of which we had our most recent example in the dispute over the President's power to negotiate the purely administrative details of the sale of American wheat to Russia.

The real measure of the present rivalry for leadership between Executive and Legislature is to be found in the record of the first session of this same Congress which reconvened last Tuesday. To this Congress President Kennedy had recommended, among other things, a plan for tax reduction and reform, a new civil rights bill, a program of medical care under social security and various measures dealing with area redevelopment, mass transportation, civil defense, youth employment, SEC amendments and the establishment of a conservation fund. Though Congress was in session for 356 days—the fifth longest session in history—no time could be found to take action on any of these proposals.

What is most disturbing in this record is not that the judgment of Congress failed on all these measures to agree with the judgment of the executive. There are and always will be instances in which the collective judgment of Congress is better than the collective judgment of the President and his advisers. The really disturbing fact is that even in a very long session not one of these measures was permitted to come to a conclusive vote in the House and Senate. Congress, in short, simply ignored the necessity of Presidential leadership.

If the American system of democratic government is to cope successfully with the great new problems of the modern world, surely the minimum safety requirement is an assurance that proposals made by an American President will at least be brought to a congressional vote—up or down—within a reasonable period after these proposals are submitted. This could be accomplished, in the House, by a revival and improvement of the "21-day rule." It would need more heroic treatment in the Senate to curb "King Filibuster." But unless changes of this kind are made, unless the procedures of Congress are modernized, we seem certain to face increasingly grave dangers of drift and indecision.

Mr. CLARK. Mr. President, the editorial refers to the constant struggle for power between the executive and legislative branches of our Government, which went on even before the Constitution was adopted. It points out that the real measure of the present rivalry for leadership between the Executive and Legislature is to be found in the record of the 1st session of the 88th Congress, which Congress is now reconvening.

The editorial notes that President Kennedy had recommended, among other things, tax reduction and reform, civil rights, health care under the social security program, mass transportation, area redevelopment, civil defense, youth employment, SEC amendments, and the establishment of a conservation corps, all to be provided through new legislation.

Although Congress was in session for 356 days, no time could be found to take action on any of these proposals. The editorial continues:

> The really disturbing fact is that even in a long session not one of these measures was permitted to come to a conclusive vote in the House and Senate.

I invite attention to the pending proposal for a rules change, which I have submitted. It would require that all measures strongly recommended by the President of the United States be required to be brought to a vote in both Houses of Congress on their merits within 6 months of the time of the recommendation. That does not mean that the recommendation would have to be approved. It might be disapproved. It does not mean that amendments could not be offered. Amendments probably would be offered. It does mean that we in Congress have an obligation to pass on the strong recommendations of the executive branch of the Government one way or another during the session of Congress at which such recommendations are made.

ORDER OF BUSINESS

Mr. MORSE. Mr. President, is morning business still in order?

The PRESIDING OFFICER. Morning business is in order.

Mr. MORSE. Mr. President, I ask unanimous consent that I may be permitted to address myself for 10 minutes to the subject of Panama.

Mr. CLARK. Mr. President, probably the Senate should first conclude morning business. The Senator from Oregon could then obtain the floor.

Mr. MORSE. No; I believe that when morning business is concluded the Senate should proceed to the consideration of the pending business under the unanimous-consent agreement.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Oregon? The Chair hears none, and it is so ordered.

THE CRISIS IN PANAMA

Mr. MORSE. Mr. President, at the outset of my comments I wish to make it very clear that I completely approve of the course of action that President

Johnson has followed to date in handling the Panamanian crisis. We cannot proceed even with negotiations under coercion and duress, or in the light of the breaking of diplomatic relations on the part of the Panamanian Government with the United States. Most certainly we cannot discuss, consider, or negotiate any changes in our treaty with Panama with a government with which we have no diplomatic relations.

I take cognizance of the political situation in Panama, with the presidential election in the offing. It explains in no small measure the rather vigorous diplomatic course of action which the President of Panama has taken toward the United States.

However, this is an hour in which the people of Panama should take cognizance of the historic attitude which the United States has assumed with respect to Panama over the years. They should take note also of our record of friendly assistance to Panama. Had it not been for the friendship of the United States, Panama would not have come into existence as the state which she now is.

However, that is history. I recognize the fact that in hours of crisis there is a tendency by states, as well as by individuals, to forget the past, and to concern themselves only with the critical problems of the present. We say there is no such thing as gratitude in politics and that is true of international politics, too.

But if any improvements are to be made in the immediate future relations between our Republic and the Republic of Panama, they must be achieved on a diplomatic basis, bottomed upon a return to recognition of the United States by way of diplomatic relations on the part of the Government of Panama.

AMERICANS IN THE CANAL ZONE

It would be well for the United States also to take a look at some of the courses of action that we have followed in the past, which in no small measure contributed to the crisis that developed. The immediate matter was the unfortunate action by high school students who followed a course of lawlessness in violation of an understanding and agreement which existed between our two Governments. However, those high school students did not act in a vacuum. The response of their parents shows clearly that they did not act in a vacuum. The speed with which their parents arrived at the scene, and in large numbers aided and abetted and approved the course of action of the high school students, is very disappointing. It points up the American problem that has existed in the Panama Canal Zone for some time.

Let us always remember that the Panama Canal Zone is not a Louisiana Purchase. The Panama Canal Zone is the sovereign property of a foreign government, and our occupation of that zone is under a treaty. It should be remembered also that that treaty was entered into when one party to the treaty, Panama, was an exceedingly weak nation.

It involves no loss of prestige on the part of the United States to recognize that from time to time treaties need to be reviewed and renegotiated. There is no doubt that the Panama Canal Zone Treaty needs to be renegotiated and reconsidered.

However, I wish to discuss the status of American citizens in the Panama Canal Zone. I am satisfied that they have developed a colonial complex, psychologically, and that they have taken on a good many of the attitudes of Frenchmen in Algeria. They seem to think that the Panama Canal Zone is part of the United States and should be operated as Americans in the Panama Canal Zone think it ought to be operated, rather than as the people of the United States, through Congress, feel it ought to be operated.

It has been a great mistake to develop this canal group in the zone by giving them long tenure. My investigation revealed a length of tenure that surprised me. Those people have developed a vested economic and emotional interest, according to their lights, in the Panama Canal Zone. They are the beneficiaries of hardship allowances for living in the Panama Canal Zone. They receive many gratuities. They enjoy the advantage of various Government gratuities by way of the purchasing of goods at post exchanges, for example.

By and large, they live more cheaply than do Americans in Miami, Atlanta, New York, or Washington. Much of their hardship allowance would be difficult to justify.

Mr. CLARK. Mr. President, will the Senator yield for a question?

Mr. MORSE. I yield.

Mr. CLARK. The Senator from Oregon, as chairman of the Subcommittee on American Republics Affairs of the Committee on Foreign Relations, is well versed on this subject. I wonder if he could identify a little more clearly the Americans having alleged colonial tendencies. Are they businessmen or Government employees?

Mr. MORSE. First, when I speak of hardship allowances, I direct my attention to all U.S. employees in the Canal Zone.

Mr. CLARK. It is my understanding that a number of those who have been widely criticized in the press for their activities are Americans who have been living in the Canal Zone for two or three generations, and are not Government employees at all. Is this true?

Mr. MORSE. That also is true; but do not think that the Government employees are without blame in regard to the development of certain unfortunate American policies in the Canal Zone.

My first recommendation to deal with them is to provide for a 2-year rotation system—no more. Get them back to the United States within 2 years.

Also, it should be made clear to American businessmen in the Canal Zone that the United States will control our foreign policy in the Canal Zone.

Also, the 2-year rotation should be applied without exception to every person in the military personnel in the Panama Canal Zone.

We need to be careful not to make the same mistake that some other countries around the world have made in the development of a colonial class that takes advantage of the locale in which they live, and create for the American people, in the field of foreign policy, unnecessary problems. This, in my judgment, has happened in the Panama Canal Zone.

Mr. GORE. Mr. President, will the Senator from Oregon yield?

Mr. MORSE. I yield.

Mr. GORE. I am sure the Senator realizes that Panama is one of the tax havens in several respects. I do not know to what extent the preferential tax treatment which non-Government employees, who are citizens of the United States, receive there is responsible for the ill feeling between Government employees, businessmen, and others, on the one hand, and Panamanians, on the other. One of the tax benefits is an exclusion from U.S. income tax of income earned abroad, not at $600, which is the inadequate personal exemption for people living and working in the United States, but $35,000. It seems to me that this is one tax provision to which Congress could give its attention when the tax bill reaches the floor of the Senate.

Mr. MORSE. The Senator from Tennessee is correct. We need to have a complete review of American policy in the Panama Canal Zone at once. It should have been made long ago. In my opinion, there is no doubt that American policy in the Panama Canal Zone has for a long time needed revision.

The PRESIDING OFFICER. The time of the Senator from Oregon has expired.

Mr. MORSE. I ask for an additional 10 minutes.

The PRESIDING OFFICER (Mr. JOHNSTON in the chair). Is there objection to the request of the Senator from Oregon? The Chair hears none, and the Senator is recognized for an additional 10 minutes.

Mr. CLARK. Mr. President, will the Senator yield?

Mr. MORSE. I yield.

Mr. CLARK. I thank the Senator for yielding, so that I may address a question to the Senator from Tennessee, who made a startling statement a moment ago.

Will the Senator elaborate on what I understood him to say, which was that a resident of the Panama Canal Zone, an American citizen, who is subject to the U.S. Federal income tax, is given an exemption of $35,000 on his income tax? This seems incredible to me.

Mr. GORE. The Senator may recall—and I think that when I relate the incident he will recall—that when the bill relating to foreign income was before the Senate, I offered an amendment to reduce the exclusion for income earned abroad to $6,000 a year, which is 10 times the amount of the exemption a citizen within the United States has, but my amendment was rejected by a close vote.

Mr. **CLARK**. Mr. President, will the Senator from Oregon further yield?

Mr. **MORSE**. I yield.

Mr. **CLARK**. Do I correctly understand that if I were living as an American citizen in the Panama Canal Zone and had an otherwise taxable income—adjusted net income—of $10,000, I would pay no tax to the United States?

Mr. **GORE**. If the Senator lived in Panama and earned that income there. I am referring now to residence in Panama.

Mr. **CLARK**. In the Republic of Panama?

Mr. **GORE**. Yes.

Mr. **CLARK**. Not in the Canal Zone?

Mr. **GORE**. I do not think it would matter. I am not positive about that, but I believe the foreign-earned income exclusion does apply to residents of the Canal Zone; I would like to check on that before making a positive statement.

The exclusion applies if one lives in Montreal. It applies if he lives only a few miles from Florida, in the Bahamas. It applies if he lives in Mexico City or Tijuana.

Mr. **CLARK**. So this is general policy, whether valid or not, and does not apply exclusively either to Panama or to the Canal Zone?

Mr. **GORE**. I am very glad the Senator has asked this question, because I may have left an impression that the exclusion applied only to residents of Panama. That is not the case; it is general.

Mr. **CLARK**. I thank the Senator from Tennessee.

Mr. **MORSE**. I use this colloquy as a basis for my announcement that I intend, as chairman of the Subcommittee on American Republics Affairs, to call upon the State Department and other Federal agencies for the information that is needed with respect to the problem of gratuities and the benefits that Americans who live in the Panama Canal Zone obtain, including certain customs advantages and free port advantages which I understand prevail to a remarkable degree.

The next point I wish to make is that we had better examine the economic policies we have been following in Panama in respect to U.S. citizens and Panamanian citizens. I have said that the Panama Canal Zone is not a Louisiana Purchase. It is sovereign real estate of the Government of Panama in respect to which the United States has certain treaty privileges. What makes anyone think that we could practice discrimination in wage scales, for example, as between U.S. citizens and Panamanians, and create good will, is beyond me. We have permitted this sore to fester into a boil, and the boil has finally broken open.

In connection with policies of economic discrimination, we also need to revise our course of action in respect to the hiring of Panamanians. The old excuse that Panamanians are not trained cannot be used any more in this world. We must train them. We had better put to work Panamanians who can do the work, at least on a reasonable ratio formula, instead of permitting economic discrimination on the part of the United States to build up into the bad feeling that exists in Panama, and out of which the Communists make Communist fodder. I do not know how we can be so stupid in doing the job for the Communists that we do in so many places, not only in Latin America, but elsewhere in the world. In my judgment, that situation will have to be reviewed by us before we enter into negotiations with the Government of Panama.

FLAG POLICY IN LEASED TERRITORY

I have asked the Library of Congress, in connection with my next point, to make a study of international law in respect to the flag policy that we have been following in the Panama Canal Zone. I have said before, and I now repeat, that we do not honor our flag by waving it into tatters. A part of our flag policy in Panama can be aptly described as an exercise in waving the flag into tatters. So I have asked the Library of Congress to do some legal research on the proposition as to whether the U.S. flag should ever have been flown over anything in the Panama Canal Zone, other than installations, for I think a body of law will be found that raises a question as to whether even under a treaty we have the right to raise our flag on the soil of Panama. Even psychological factors are important. To fly the flag over an installation is one thing; to insist on planting the flag on the soil is another thing. We need to review this policy on the basis of what the precedents of international law are, to see whether we should not face a change in our flag-flying policy in the Panama Canal Zone by flying the flag on the installations, but keeping it off the soil.

These matters become technicalities, but they are real to our treaty partner. There is no doubt that the understanding that was entered into for the joint flying of the Panamanian flag and the U.S. flag was violated by the high school students, supported by the parents of many of them. I am not passing judgment—because I do not know all the facts—on the decision that was made by the U.S. Governor in the zone to reduce the number of sites on which the American flag was to be flown as a means of decreasing the number of sites on which the Panamanian flag was to be flown.

But, Mr. President, do we lose prestige? Do we somehow lose face—although I do not believe that oriental complex is a part of American psychology—if we recognize in the American zone of the Panama Canal the right of the owners of the soil, the Government of Panama, to fly its flag rooted in its own soil?

PRESENT CANAL OBSOLETE

I come to my next point. For some years, as chairman of the Subcommittee on American Republics Affairs, I have been very much interested in the feasibility and desirability of a second Panama Canal. It is totally obsolete as a military installation. It is an ideal target of the missile age. Our defenses already take this into account, and we have a two-ocean navy for the very reason that we recognize that the Panama Canal would be knocked out quickly in a nuclear war.

The present Panama Canal is also obsolete with respect to certain types of modern commercial shipping. To make it suitable for modern shipping, it would have to be rehabilitated at great cost.

This raises the question, with foreign policy in so many parts of the world moving toward internationalization of international waterways, as to whether the U.S. taxpayer should foot the bill.

So I believe consideration should be given to a second canal, a sea-level canal, the situs for which we could possibly negotiate with Costa Rica, Nicaragua, or some other Latin American country. There are several sites available.

As recently as last Saturday, I was advised that experiments have already been conducted in connection with the use of atomic power for excavations, which could be canal excavations as well as other kinds of excavations

Thus, I believe all of Latin America, as well as Panama, should know that it is feasible to build a sea-level canal elsewhere that would meet all the needs of modern shipping. It would not eliminate them all, but of course it would reduce traffic through the Panama Canal.

The **PRESIDING OFFICER**. The time of the Senator from Oregon has expired.

Mr. **MORSE**. Mr. President, I ask unanimous consent that I may proceed for 10 additional minutes.

The **PRESIDING OFFICER**. Without objection the Senator from Oregon is recognized for 10 additional minutes.

Mr. **MORSE**. This might cause the Government of Panama to take a long hard look at the great debt she owes the United States for the contributions we have made to the Panamanian economy throughout the years as a result of building the canal in the first place. Panama might also take a look at the great loss of American life involved in the construction of the Panama Canal. Panama should also take a long look at the great contribution to the health of Panama to which the United States contributed in its medical research which helped to solve the problems of tropical diseases, especially malaria.

These facts are history. But during a crisis, people are prone to forget historical obligations they may owe.

I believe that we should take a look at the feasibility of building a sea-level canal, but not to buy future trouble for the United States. In connection with the building of a sea-level canal or the rehabilitation at great cost of the present obsolete Panama Canal, we should give consideration beforehand and not afterward to internationalizing the canal. If the canal is to be internationalized the American taxpayer should not be burdened with the total cost of either the rehabilitation or the construction of the new canal.

However, the negotiation should be made before and not after its construction. It should include a contribution from the other countries of the Western Hemisphere which will primarily benefit from the construction of such a canal. All contributions would be, on a loan basis, because such a canal would be self-liquidating.

(At this point Mrs. NEUBERGER took the chair as Presiding Officer.)

Mr. MORSE. Madam President, I am not sure that we can argue for the internationalization of the waterways in other parts of the world and then take the position that we have some kind of Monroe Doctrine in the United States that prevents any internationalization of waters in the Western Hemisphere. We will not be able to sell that policy in generations to come, and probably not even in our own generation.

I am constantly keeping my eyes on the great contest that confronts us in Latin America in the years ahead; namely, the contest between and among three mighty ideologies. These are the ideology of communism, that will take advantage of every shortsighted course of action the United States might follow and every mistake it might make; the ideology of fascism represented by the military juntas of Latin America which unfortunately the United States has aided and abetted time and again—and, within the recent past, aided and abetted by the recognition of the Dominican Republic and the military junta of Honduras.

As I stated at the time, we would throw great fear into the hearts of our friends in Latin America—and we have done exactly that, for one friendly diplomat or president after another has expressed great concern at that mistaken foreign policy course of action on the part of our Government. But it has been done, and all we can do now is to make the best of a bad situation, in the hope that we can use our influence to try to return to those two unfortunate countries constitutional, democratic government.

I shall continue to oppose any aid to either of them, military or economic, until the Dominican Republic and Honduras reestablish constitutional democracy for the benefit of their people.

Then there is the ideology of freedom in Latin America, in support of which we inaugurated, under our late President, the Alliance for Progress program. That program was really born as a result of a series of hearings and studies in the Senate when President Kennedy was a member of the Subcommittee on American Republics Affairs.

Madam President, this offers hope for people of Latin America; and I shall continue to do what I can to support the export of economic freedom from the United States to Latin America. Once it takes root and grows, anywhere in Latin America, it will flower into political freedom. But there is no hope for political freedom anywhere in Latin America in the contest involving communism versus fascism on the one hand and freedom on the other, until we do a better job than we have been doing in transplanting economic freedom in Latin America.

It means, as I have stated many times, that the people of Latin America and its leaders will have to help themselves. When I say "help themselves," I do not mean to help themselves to money from the pockets of the American taxpayers, but I mean that they must help themselves by bringing about the political reforms and the legislative reforms in their countries that will provide a fertile soil for the seeds of economic freedom to grow and flower into political freedom.

In conclusion I shall always be found working for a program of loans to Latin America project by project, not by government to government, but by government or private industry in the United States to individual economic projects in Latin America; so that that money may be drawn upon on a line-of-credit basis, installment by installment, going into the pipeline, going into the refinery, going into the steel plant, the road, the railroad, the powerplant, or any other institution of economic freedom rather than into the pockets of Latin American politicians.

I always try to see what good can be taken from something that is bad. The crisis in Panama is bad, but let us try to drain off some good from it, if it at least opens our eyes to some of the problems that confront us in Latin America. Perhaps it will lead to negotiations that will help solve these problems by a peaceful approach rather than by the exercise of the old outworn device of the jungle law of military might. That means that we must take a new look at our approach to Latin America and start practicing our professions that we are willing to submit critical issues to the institutions of law. If we fail in diplomatic negotiations with the Panamanian Government, if we fail in mediation with the Panamanian Government, I believe we should be willing to say to the Organization of American States that we are perfectly willing to submit the issues between us and the Government of Panama to a law tribunal to be established by the Organization of American States for determination on its merits and for final and binding decision. I know whereof I speak when I say that there are those who will raise their hands in opposition and their voices in exclamation of horror.

But I say to the American people, "Face the issue." No longer can we alone call the shots in Latin America.

The time has come when the Government of the United States will have to practice its profession about following the rule of law. We must be willing to submit hard cases to international arbitration through the Organization of American States if we cannot settle the problems by diplomatic negotiation or by mediation through an organization such as the Organization of American States. We have a great opportunity to advance the cause of rule of law in Latin America if we are first willing to recognize that the record of the United States in the Western Hemisphere is not a perfect record, and specifically that our record in Panama is not one of which we can boast.

The PRESIDING OFFICER. Is there further morning business?

TAX REFORM

Mr. GORE. Madam President, whether Congress will pass a tax reduction bill this year seems now a moot question. I regret to acknowledge that I have lost my battle to defeat the bill. I have thought that the proposed tax cut was unsound and dangerous fiscal policy. I have thought that the great need of our society was not for larger corporate profits, not for larger dividends, not for greater productive capacity—all of these are at alltime highs. I have thought that the real and pressing need of our society can more readily be identified in the fields of education, medical care, housing, highways, hospitals, and community facilities.

But, as I have said, that battle against passage of a bill has been lost.

The issue now is, What kind of tax bill will the Congress pass? Will the Senate pass a bill which will make the present inequities worse, which will make the tax law more complicated than it is at present, and which will make the tax structure more regressive and less progressive?

Perhaps my colleagues will be surprised to learn that, on the basis of calculations made from data supplied by the Treasury Department——

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. MANSFIELD. Madam President, I ask unanimous consent that the Senator from Tennessee may proceed for an additional 10 minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. GORE. I thank the Senator.

The "typical" taxpayer, with a realized income of $1,500,000 per year, will pay taxes not at 91 percent, not at 70 percent, not at 60 percent, not at 50 percent, and not at 30 percent. Under the Dillon bill the actual tax payment of the "typical" person with a realized income of $1,500,000 per year will be 15.9 percent of such realized income.

I know that the popular conception is that we have a highly progressive system of taxation, and the stated rates in the law would make it so appear. But there are so many loopholes of which people with sufficient money may take advantage that we get a highly inequitable and utterly astounding result.

In order that it may be clear that the statistics I cite are from official sources, from the Treasury Department, I ask unanimous consent to have printed in the RECORD at this point a table supplied by the Secretary of the Treasury, which appears on page 709 of the hearings of the Senate Committee on Finance.

There being no objection, the table was ordered to be printed in the RECORD, as follows:

Tax savings and increase in after-tax income under House bill

[Married couple with 2 dependents, with typical dividends, capital gains and other income,[1] and typical itemized deductions]

Adjusted gross income [1]	Present law		House bill		Tax cut or increase in after-tax income		
	Tax	After-tax income [2]	Tax	After-tax income [2]	Amount	Percentage tax cut	Percentage increase in after-tax income
$3,000	0	$3,131	0	$3,131			
$4,000	$143	3,987	$103	4,027	$40	28	1
$5,000	299	4,827	219	4,907	80	27	2
$6,000	455	5,671	339	5,787	116	26	2
$7,500	719	6,917	569	7,067	150	21	2
$10,000	1,193	8,993	972	9,214	221	19	2
$12,500	1,657	11,079	1,373	11.363	284	17	3
$15,000	2.196	13,189	1,830	13,555	366	17	3
$17,500	2,745	15,288	2.296	15,737	449	16	3
$20,000	3,369	17,344	2,820	17,893	549	16	3
$25,000	4.755	21.271	3,983	22,043	772	16	4
$30,000	6,322	25,139	5,297	26,164	1,025	16	4
$40,000	10,026	32,305	8,392	33,939	1,634	16	5
$50,000	14,254	38,947	12.217	40,984	2,037	14	5
$75,000	23,799	57,421	20,672	60,548	3,127	13	5
$100,000	33,965	79,247	29,670	83,542	4,295	13	5
$200,000	63,318	184,262	56.675	190,905	6,643	11	4
$500,000	154.249	567,116	138,216	583,149	16,033	10	3
$1,000,000	261,929	1,239,659	238,037	1,263,551	23,892	9	2

[1] Includes such income as wages and salaries, interest, rents, business and partnership income, royalties, and typical dividends and capital gains. Estimates of typical dividends and realized capitel gains and itemized deductions are based on 1960 tax return data.

[2] After-tax income exceeds adjusted gross income for very-high-income-tax payers because 50 percent of the long-term capital gains, which constitute a high proportion of income for such taxpayers, is included in adjusted gross income under present law and 40 percent is included under the House bill.

Source; Office of the Secretary of the Treasury, Office of Tax Analysis, Oct. 11, 1963.

Mr. GORE. I ask unanimous consent to have printed at this point an additional table in which I use these statistics from the Treasury Department table, and then add a percentage calculation column.

There being no objection, the table was ordered to be printed in the RECORD, as follows:

Effective tax rates under H.R. 8363

[Married couple with 2 dependents, with typical dividends, capital gains and other income,[1] and typical itemized deductions]

Adjusted gross income [1]	Realized income [2]	Tax under H.R. 8363	Tax as percentage of realized income
$3,000	$3,131	0	0
$4,000	4,130	$103	2.5
$5,000	5,126	219	4.3
$6,000	6,126	339	5.5
$7,500	7,636	569	7.4
$10,000	10,186	972	9.5
$12,500	12,736	1,373	10.8
$15,000	15,385	1,830	11.9
$17,500	18,033	2,296	12.7
$20,000	20,713	2,820	13.6
$25,000	26,026	3,983	15.3
$30,000	31,461	5,297	16.8
$40,000	42,331	8,392	19.8
$50,000	53,201	12,217	23.0
$75,000	81,220	20,672	25.5
$100,000	113,212	29,670	26.2
$200,000	247,580	56,675	22.9
$500,000	721,365	138,216	19.2
$1,000,000	1,501,588	238,037	15.9

[1] Includes such income as wages and salaries, interest rents, business and partnership income, royalties, and typical dividends and capital gains. Estimates of typical dividends and realized capital gains and itemized deductions are based on 1960 tax return data.

[2] Realized income exceeds adjusted gross income largely because adjusted gross income includes only 40 percent of capital gains under H.R. 8363 (50 percent under existing law).

NOTE.—Several items, such as tax-exempt interest, ½ of long-term capital gains, including so-called statutory gains which often have no logical relationship to capital transactions, depletion, and intangible drilling costs, are omitted from adjusted gross income and from realized income.

Source of basic data: Office of the Secretary o. the Treasury, Office of Tax Analysis. See table on p. 709 of Finance Committee hearings.

Mr. GORE. Senators will find that the highest percentage tax payment shown on the table is reached at an adjusted gross income of $100,000 and a realized income of $113,212. This high point of tax rate for "typical" taxpayers in the various income groups is not the confiscatory rate of taxation about which we hear and read so much, but a payment which represent 26.2 percent of realized income. From there on, in the table, Senators will see that as income goes up, the effective rate goes down.

While I call the Senate's attention to this point, I wish also to invite the attention of Senators to the fact that a father with a child to clothe, feed, and educate would be allowed an exemption for himself and each dependent of only $600 a year. That represent a wartime levy. In 1940 a man and his wife had an exemption of $2,000. That amount was reduced during World War II in order to raise revenue for the war and to dampen consumer demand. Do we now need to dampen the consumer demand of low-income people in the hills of Kentucky?

We do not need now to suppress demand. Our economy needs stimulation of the consumer sector.

President Johnson has declared unrelenting war against poverty. I applaud him for it. He identified the place where we should start. He called attention to the fact that one-fifth of our people live in or near poverty. One-fifth of our people live either in abject poverty or on the very verge of it. This is where we need to start the war on poverty. Do not forget that the tax bill is supposed to be an important part of the war on poverty.

Will the passage of a bill under which the "typical" taxpayer with a realized income of more than $1.5 million a year pays less than 16 percent represent an attack, a battle, in the war on poverty? Such a bill would be a battle lost in the war on poverty. We must start not by giving the greatest benefits to those who need them least, but by giving tax relief to those who need it most—the parents with the largest number of children to educate.

Madam President, the Senate Finance Committee is proceeding with orderly consideration of amendments to the bill. In due course it will be reported to the Senate. I shall offer amendments in the interest of equity and fairness; but I shall not wait to alert the Senate to the unfairness and inequity of this bill. Daily I shall speak briefly in the Senate on this point.

Mr. MORSE. Madam President, will the Senator yield?

Mr. GORE. I yield.

Mr. MORSE. The Senator from Tennessee will recall that in 1958 I joined in offering a proposal for a $1,000 exemption, and was willing to compromise at $800. We lost the proposal for the $800 exemption on a voice vote. We were not even able to obtain a yea-and-nay vote.

I want the Senator to know that when his amendment, calling for a $1,000 exemption, reaches the floor of Senate, I shall support it. My mind is open about other proposals made by the Senator from Tennessee.

Also, I shall support some reduction in the corporate tax from 52 percent. Two years ago I said on the floor of the Senate that I would go as low as 46 percent, but I would be glad to compromise at 48 percent. With respect to many American businesses, a corporate tax of 52 percent operates as a restriction of production, rather than an expansion of production. It is leading to restriction, which is costing jobs. We need to expand the economy, not restrict it. The tax structure is one way of dealing with that problem.

As the Senator knows, there are certain tax deductions which are loopholes, and I shall help the Senator try to plug them.

Mr. GORE. I thank the Senator from Oregon. His comments are encouraging. Perhaps many other Senators will join in the battle on poverty when the Senate considers the tax bill.

SMOKING AND HEALTH—REPORT OF THE ADVISORY COMMITTEE TO THE SURGEON GENERAL

Mr. COOPER. Madam President, the report of the Advisory Committee to the Surgeon General of the Public Health Service, entitled "Smoking and Health," is being studied and considered seriously throughout the country. I intend later this week to discuss it more fully and, I hope, constructively. Today I want to bring to the attention of the Senate, and to the news media, a point about which

I believe there has been widespread misunderstanding.

I think it very important that those who are interested in this subject—who speak, comment, and write on the subject—be very sure of their facts and read carefully the report. For our people, with their deep interest in it from the standpoint of health and its important economic interest to thousands of farmers and others, require that this subject be treated factually.

My purpose in speaking briefly today—and I expect to comment later in more detail—is to emphasize the need for care by calling attention to one specific point which has been commented upon very widely. In news reports, and in several editorials, it has been generally stated that there is no evidence that filters used in cigarettes have any value. Some statements have gone further. They have indicated that the report of the Advisory Committee stated that filters have no value. I think, in part, this impression or misconception followed the press conference Saturday by Dr. Luther Terry, the Surgeon General, Dr. James Hundley, Assistant Surgeon General, and members of the Advisory Committee. I noted in the New York Times of Sunday, January 12, 1964, a report of their responses to questions from the press.

The inference is drawn from the statements in these articles that filters in cigarettes were found by the Advisory Committee to have no helpful effect. I read the report and I could find no conclusion or finding in it to substantiate such an inference. In fact, I found, from my reading of the report, scarcely any mention of filters. The Committee evidently made no comprehensive study of filters, pointing out they had been in use only about 10 years.

At pages 60 and 61 of the report the Committee uses language which suggests that further study may show that filters are or would be helpful. I quote from page 60:

The fact that side-stream smoke—

By which is meant smoke along the side of a cigarette when it is not being smoked, as distinguished from smoke inhaled from the cigarette—

contains three times more benzo(a)pyrene than mainstream smoke has been cited as evidence that more efficient oxidation could conceivably lower the content of carcinogenic hydrocarbons.

On page 61 I find this statement:

Activated carbons differ markedly in their adsorption characteristics. Carbon filters previously employed in cigarettes do not have the specific power to scrub the gas phase. It has been reported that a filter containing special carbon granules removes gaseous constituents which depress ciliary activity.

I do not want to go into details, for I am not a scientist or a doctor. But these statements do suggest the effective value of filters.

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. COOPER. Madam President, I ask unanimous consent to have additional time.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. COOPER. I want to make the point that the Committee did not make any findings upon the effectiveness of filters.

To make certain that I was correct, I wrote a letter yesterday to Dr. Luther Terry, the Surgeon General. I asked if he would respond as quickly as possible. I received a letter from him today which verifies what I have said. I will read the letter. Then I shall ask that my letter and his reply be placed in the body of the RECORD.

The letter is dated January 14, 1963:

DEAR SENATOR COOPER: This is in response to your letter of January 13 which poses certain questions as to the Advisory Committee's views on cigarette filters. Certainly, it is erroneous to conclude that cigarette filters have no effect. As noted in the Committee's report, filters in common use do remove a variable portion of the tars and nicotine. Your specific questions and our replies will follow:

1. Is it not correct that the Advisory Committee made no judgment as to the effect of adding filters to cigarettes?

Answer. Yes.

2. Do I understand correctly that the Committee made no finding on filters because it believed it had insufficient evidence from animal experiments, clinical studies, or population studies—the three kinds of evidence it considered—on which to base any findings as to the effect of the various types of filters?

Answer. Yes.

3. To the extent that a filter removes tar, nicotine, and the gaseous elements of cigarette smoke, is it not reasonable to assume that the effects of the filter will be similar to the effects reported by the Committee of smoking fewer cigarettes?

Answer. A categorical answer to this question is difficult. The best I could do would be to answer "Yes—perhaps," or "Yes—probably." A part of the problem here is whether the filter in addition to removing tar, nicotine or other elements of cigarette smoke might also lead to different levels of cigarette consumption and different amounts of inhalation, etc. Another difficulty is that we do not know all of the substances which different filters do or do not remove. Since we do not yet know all of the substances in tobacco smoke which have adverse health effects, a given filter might permit the selective passage of hazard substances, as well as selectively removing others.

4. Does not the limited discussion of a new-type filter, on page 61 of the report, suggest that the Advisory Committee believes that the development of selective filters may have significance in terms of reducing the hazards to health the Committee believes it has found?

Answer. Yes; the Committee felt that the development of better filters or more selective filters is a promising avenue for further development.

5. Would not standardized research on the effectiveness and selectivity of filters, as well as additional research on the components of smoke, be desirable?

Answer. Yes, unquestionably.

I hope these responses will be of assistance.

Sincerely yours,

LUTHER L. TERRY,
Surgeon General.

My comment on this is that those who study this report must be careful not to extend the conclusions of the Committee.

No findings were made with respect to filters. It is important that further study and research be conducted on the question of filters. Dr. Terry has stated that the Committee felt that the development of better or more selective filters is a promising avenue. I urge that research in this area be expanded.

The PRESIDING OFFICER. Without objection, the two letters will be printed in the RECORD at this point.

The letters ordered to be printed in the RECORD are as follows:

U.S. SENATE,
January 13, 1964.

DR. LUTHER L. TERRY,
Surgeon General, Public Health Service, Department of Health, Education, and Welfare, Washington, D.C.

DEAR DR. TERRY: The report on smoking and health, and the press conference Saturday, January 11, by the Advisory Committee to the Surgeon General, appear to be widely interpreted as having included a finding that cigarette filters have no effect. On the contrary:

1. Is it not correct that the Advisory Committee made no judgment as to the effect of adding filters to cigarettes?

2. Do I understand correctly that the Committee made no finding on filters because it believed it had insufficient evidence from animal experiments, clinical studies, or population studies—the three kinds of evidence it considered—on which to base any finding as to the effect of the various types of filters?

3. To the extent that a filter removes tar, nicotine, and the gaseous elements of cigarette smoke, is it not reasonable to assume that the effects of the filter will be similar to the effects reported by the Committee of smoking fewer cigarettes?

4. Does not the limited discussion of a new-type filter, on page 61 of the report, suggest that the Advisory Committee believes that the development of selective filters may have significance in terms of reducing the hazards to health the Committee believes it has found?

5. Would not standardized research on the effectiveness and selectivity of filters, as well as additional research on the components of smoke, be desirable?

Because the report of your Advisory Committee is the subject of wide and general interest, it will be helpful to have your answers, at least to the first question, as quickly as possible.

Sincerely,

JOHN SHERMAN COOPER.

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE, PUBLIC HEALTH SERVICE,
Washington, D.C.

HON. JOHN SHERMAN COOPER,
U.S. Senate,
Washington, D.C.

DEAR SENATOR COOPER: This is in response to your letter of January 13 which poses certain questions as to the Advisory Committee's views on cigarette filters. Certainly, it is erroneous to conclude that cigarette filters have no effect. As noted in the Committee's report, filters in common use do remove a variable portion of the tars and nicotine. Your specific questions and our replies will follow:

1. Is it not correct that the Advisory Committee made no judgment as to the effect of adding filters to cigarettes?

Answer. Yes.

2. Do I understand correctly that the Committee made no finding on filters because it believed it had insufficient evidence from animal experiments, clinical studies, or population studies—the three kinds of evidence it considered—on which to base any finding as to the effect of the various types of filters?

Answer. Yes.

3. To the extent that a filter removes tar, nicotine, and the gaseous elements of cigarette smoke, is it not reasonable to assume that the effects of the filter will be similar

to the effects reported by the Committee of smoking fewer cigarettes?

Answer. A categorical answer to this question is difficult. The best I could do would be to answer yes—perhaps, or yes—probably. A part of the problem here is whether the filter in addition to removing tar, nicotine or other elements of cigarette smoke might also lead to different levels of cigarette consumption and different amounts of inhalation, etc. Another difficulty is that we do not know all of the substances which different filters do or do not remove. Since we do not yet know all of the substances in tobacco smoke which have adverse health effects, a given filter might permit the selective passage of hazard substances, as well as selectively removing others.

4. Does not the limited discussion of a new type filter, on page 61 of the report, suggest that the Advisory Committee believes that the development of selective filters may have significance in terms of reducing the hazards to health the Committee believes it has found?

Answer. Yes. The Committee felt that the development of better filters or more selective filters is a promising avenue for further development.

5. Would not standardized research on the effectiveness and selectivity of filters, as well as additional research on the components of smoke, be desirable?

Answer. Yes, unquestionably.

I hope these responses will be of assistance.

Sincerely yours,

LUTHER L. TERRY,
Surgeon General.

SAIGON SUMMARY

Mr. DODD. Madam President, I invite the attention of my colleagues to an article entitled "Saigon Summary" by Miss Marguerite Higgins, which appears in last week's issue of America magazine.

This is a shocking article; indeed, it would be almost incredible if it did not come from a correspondent of such exceptional stature. Although I am in no position to vouch for the accuracy of Miss Higgins' statements on every point, her article raises such serious questions about the conduct of American foreign policy that it cannot be dismissed or ignored. On the contrary, I believe that the Foreign Relations Committee should look into the charges and allegations made by Miss Higgins, and that Miss Higgins should be called before it as the first witness to report in more detail on her personal knowledge of the developments in Vietnam.

"Saigon Summary" is the story of the final days of the Diem regime, or, in Miss Higgins' words:

> Of the inglorious role played by the Department of State by encouraging, for the first time in our history, the overthrow in time of war of a duly elected government fighting loyally against the common Communist enemy.

In her article, Miss Higgins makes the statement that the agitation about Buddhist persecution was a complete fraud and she charges, further, that the State Department knew that it was a fraud. She quotes Roger Hilsman, Assistant Secretary of State for Far Eastern Affairs, as saying:

> After the closing of the pagodas on August 21, the facts became irrelevant.

Miss Higgins, whose personal contacts are second to none in the Washington press corps, states that Secretary of Defense McNamara and Central Intelligence Director John McCone opposed a coup d'etat because they feared its consequences but—

> They were overruled by the pro-coup d'etat faction led by Ambassador Henry Cabot Lodge, Under Secretary of State Averell Harriman, and Assistant Secretary of State for Far Eastern Affairs Roger Hilsman.

The point was made by every commentator at the time that, through its August 25 broadcast, the Voice of America virtually called on the Vietnamese military to overthrow Diem. Miss Higgins offers the additional information that:

> At the same time, Ambassador Lodge asked the CIA to poll the Vietnamese generals and see when and if they were ready to translate revolt talk into action.

Miss Higgins also points out that Thich Tri Quang, the No. 1 Buddhist leader who took refuge in the American Embassy, was, according to his own admission, a one-time member of the Vietminh Communist liberation front; that he had twice been arrested by the French for dealings with Ho Chi Minh; that his brother is currently working for the Ministry of the Interior in Communist Vietnam; and that Thich Tri Quang is an outspoken neutralist. She quoted Thich Tri Quang as telling her:

> We cannot get an arrangement with the north until we get rid of Diem and Nhu.

As I have said, the article would be all but incredible if it did not come from a correspondent of Miss Higgins' stature.

Miss Higgins, despite her relative youth, was generally credited with being one of the ablest of the corps of American correspondents covering World War II. She covered the Korean war with equal distinction. She has reported on the major political events of our time in the course of travels that have taken her repeatedly through many countries. She has served as chief of the New York Herald Tribune bureaus, both in Berlin and in Tokyo. She has won the Pulitzer Prize and numerous other journalistic honors. But above all, I believe that Miss Higgins' article deserves special attention because of the enviable reputation which she enjoys both for thoroughness and for integrity.

Of this I can speak from personal experience because I came to know Miss Higgins well when she was covering the Nuremberg trials and I was serving as executive trial counsel under Justice Jackson. In all of my long experience I have never met a more honest or more conscientious correspondent than Marguerite Higgins. And I believe this opinion of her is shared by everyone who knows her.

Unlike some of the journalists who covered the Vietnamese crisis for the American press, Miss Higgins was no newcomer to Vietnam. Indeed, she has been in that country at virtually every critical period since Dienbienphu. She saw Vietnam during the period of crisis that followed the French pullout and the partition of the country, when virtually all of the State Department pundits despaired of creating a viable government in the south. She was a witness to the almost miraculous consolidation and progress that took place under President Diem. And she was in Vietnam again both before the recent coup and after the coup.

Unlike some of the other American correspondents in Vietnam, Miss Higgins did not confine herself to Saigon. She traveled extensively in the Vietnamese countryside. She interviewed Government officials and leaders of the Buddhist opposition, Vietnamese villagers and Vietcong deserters, American officers and rank and file members of the American forces in Vietnam.

In a remarkable series of articles which she wrote for the New York Herald Tribune during the last week of August of last year, Miss Higgins did not absolve the Diem government for its handling of the so-called Buddhist crisis. But she sought to look at the picture of Vietnam whole, examining its strong points as well as its weaknesses. Her articles devoted much attention to the situation in the rural countryside, where as she pointed out, the overwhelming majority of South Vietnam's 14 million people live, and where the war will be either won or lost.

I have hesitated to say anything critical of our Vietnamese policy because I believe that in a situation such as exists in Vietnam, we must accept the regime in power, seek to help it overcome its shortcomings by persuasion, and cooperate with it loyally.

While I deplore the assassination of Diem and Nhu, and while I gravely fear that their overthrow may produce a worse situation rather than a better situation, I have not wished to say anything that could be construed as undercutting the military junta now in power in Vietnam.

It is my hope, indeed, that we will support the junta somewhat more loyally than we supported the government of President Diem; that we will not demand of it the democratic perfection that we demanded of Diem; that we will not subject its shortcomings to propaganda bombardments that can only play into the hands of the Communists; and that we will not again stoop to engaging in intrigues against an allied anti-Communist government.

I hope that, by our actions, we will give the lie to the Peiping broadcasts which have been warning the new rulers of Vietnam that American imperialism, when it suits its whims, will betray them as mercilessly as it betrayed Ngo Dinh Diem.

It is for this purpose that I speak today, and, it is for this purpose that I ask unanimous consent that the article by Miss Marguerite Higgins entitled "Saigon Summary" be inserted into the RECORD at the conclusion of my remarks.

By way of historical background, I also ask consent to insert into the RECORD the text of the series of six articles on Vietnam which Miss Higgins wrote for the New York Herald Tribune during the last week of August 1963.

I urge my colleagues to give Miss Higgins' article the careful study which it merits. I hope, too, that the Foreign Relations Committee will be convened at an early date to hear Miss Higgins because I am certain she possesses more information of a confidential nature that she has not yet published.

There being no objection, the articles were ordered to be printed in the RECORD, as follows:

[From America, Jan. 4, 1964]

SAIGON SUMMARY: OUR COUNTRY PLAYED AN INGLORIOUS ROLE IN THE FINAL DAYS OF THE DIEM REGIME

(By Marguerite Higgins)

(Miss Higgins, Pulitzer Prize winner, former New York Herald Tribune bureau chief in Berlin and Tokyo, has just returned from Saigon. She now reports for Newsday, Garden City, N.Y.)

What is the meaning of the five tragic self-immolations that took place in Vietnam in the 6 weeks following the November coup d'état against Diem? How did it come to pass that under the military junta, which seized power in the name of an end to "persecution," there have been more suicides by fire over a short period than had ever been the case under President Diem and his brother Ngo Ninh Nhu? Even though virtually ignored by the Western press, will this latest spate of suicides by fire—without clearly stated reason—destroy at last the false notion that the repeated acts of self-immolation in Vietnam were indisputable proof of massive persecution of the Buddhist religion by President Diem, a Roman Catholic?

Will historians be more equitable with President Diem than his contemporaries were?

On two trips in Vietnam in 1963, one before and one after the coup d'état, this writer was never able to find an instance of repression on religious grounds. Under Diem, there was repression of Buddhists, Catholics, Confucianists, etc., when—in defiance of clearly stated laws—they took to the streets to demonstrate against the Government. But Diem's repression was not directed against a religion. It was aimed at overt political opposition. There were deplorable police excesses in Vietnam, but there is no sign that they were desired or condoned by Diem any more than police excesses in Alabama are condoned or desired by Washington.

There was, for a long time, a clear double standard in Vietnam, in which accusations against Diem gained, in most cases, giant headlines, but attempted refutations received only perfunctory notice. For instance, last summer Thich Duc Nghiep, the Xa Loi pagoda spokesman, told reporters dramatically that 365 persons in a Saigon suburb had been arrested "because they were Buddhists." That figure was headlined throughout the world. But when I went to the suburb in question, I found that a routine check was being made of a neighborhood through which the Vietcong often infiltrated. I stayed for 2 hours to talk with those rounded up as they emerged from the police compound after questioning. I talked to 20 persons—ancestor worshipers, Catholics, Confucianists, Taoists, Caodaists, etc.—before I finally found a genuine Buddhist among those picked up. So the charge of "365 persons arrested because of being Buddhists" was invention.

There is no doubt that the overwhelming majority of the American press corps in Saigon thought—out of the most idealistic and patriotic motives—that they were serving a good cause in arousing world opinion against Diem. Whether his strengths and faults were greater or less than those of his junta successors remains to be seen.

It is certain that under the military junta, Vietnamese have been jailed for far less than was necessary to send a person to prison under Diem. Said a European observer: "Under Diem, a Vietnamese had to do something specific against the regime to get into trouble. Under the military junta, a Vietnamese can be jailed without charge, simply under the suspicion that he was loyal to the Diem regime when it was the legally constituted authority."

Sanche de Gramont, of the New York Herald Tribune, has estimated the number of arbitrary arrests right after the coup as around 500. So far, Mr. de Gramont and this reporter are the only ones who have written with any detail about the junta's reversion to some of the police-state tactics the Saigon press corps so bitterly criticized in Diem.

Nowadays, some of the most ardent anti-Diem writers, such as David Halberstam, Saigon correspondent of the New York Times, acknowledge that the Buddhist agitation of last summer and fall was politically motivated. In an admiring magazine article written by his close friend, George J. W. Goodman, Mr. Halberstam is quoted as saying: "I always said it. The Buddhist campaign was political. * * * I thought I always emphasized that this was a political dispute under a religious banner—the only place an opposition had found to gather in an authoritarian regime."

Whatever Mr. Halberstam's intentions, his and other press dispatches last summer and fall did create the impression in the outside world that some kind of religious crisis was going on inside Vietnam. And it was the image of religious persecution—false as it was—that paved the way for Diem's downfall. Without the embarrassment of being the patron of a country suspected of battling Buddhists, it is doubtful that the United States would ever have reached the decision to try to get rid of Diem. The authorities in Washington knew, of course, that the conflict in Vietnam was political, not religious. But they were reluctant to speak out lest, in the process, they attract to Washington some of the onus being poured—with hardly any contradiction—on Diem.

By staying silent, Washington acted as if it thought Diem guilty. And this helped to complete the vicious circle.

Or as Roger Hilsman, Assistant Secretary of State for Far Eastern Affairs, put it: "After the closing of the pagodas on August 21, the facts became irrelevant." So, evidently, did a sense of perspective. What, for example, about the fact that President Diem was far more lenient to his political opposition than President Sukarno of Indonesia or Premier Sarit Thanarat of Thailand, both recipients of American aid? Whereas some 300 political prisoners, at most, were found in Diem's jails, the prisons of Thailand, Indonesia, and Burma were filled—and are still filled—with tens of thousands of political victims.

"But," explained a pro-coup State Department officer, "the world spotlight is not on those countries, and it is on Vietnam."

At the State Department, there have been some attempts to rationalize the coup d'état by describing it as necessary to save the Vietnamese war effort from going to pieces. One difficulty with this argument is that it makes liars out of Secretary of Defense McNamara, Chief of Staff Maxwell D. Taylor, and Gen. Paul Harkins, who testified under oath to Congress in October that the war was making reasonable progress. If the State Department ever took seriously the argument that the disturbances in the cities would affect morale in the countryside, it betrays a regrettable lack of understanding of the structure of Vietnam and of the gap between the countryside, where the war will be won or lost, and the cities, where less than 10 percent of the Vietnamese live.

For the Buddhists, intellectuals, and students who marched the streets in anti-Diem demonstrations could not have cared less about the war—before the coup, or after the coup. Vietnamese students in particular tell you quite frankly that one reason they prize admission to a university is that it enables them to avoid the draft. Vietnam's intellectuals have narrow horizons, are excessively inward-turning, and make constant and factional criticism their specialty. Except for a handful of terribly militant leaders, the Buddhist monks are rather passive. If the success or failure of the war were to depend on these groups, Vietnam would have been lost from the start. As to the effects in the countryside of the critical clamoring by Vietnam's spoiled young intellectuals in the cities, it was virtually nil. The American attitude seemed to be that if a Vietnamese student demonstrates, virtue is on his side and the government is wrong. But in the countryside there were many peasants and plain soldiers who disapproved of the defiance of the regime—in those rare places where anyone knew anything whatsoever of what went on beyond the next village.

If there was any slowdown in the war in September and October of 1963, it was because the Vietnamese generals—under American prodding—were concentrating on thoughts of a coup d'état, while Diem and Nhu, out of fear of America, were concentrating on how to prevent a coup.

It was not until after the coup d'état that the Vietnamese war took a decidedly downward turn. The military junta with its uncertain leadership, after purges of key (and scarce) officials, finally plunged much of the countryside into the confusion from which it purportedly was trying to save Vietnam.

No wonder the Vietcong took advantage of the situation to seize the military initiative for the first time in many months. No wonder that, in the 2 months after the coup d'état, the military junta lost more real estate, lives and weapons to the Vietcong than at any previous time in the war.

It was precisely out of fear of such predictable consequences of trying to change regimes in midwar that Secretary of Defense McNamara and Central Intelligence Director John McCone opposed a coup d'état. But they were overruled by the pro-coup d'état faction led by Ambassador Henry Cabot Lodge, Under Secretary of State Averell Harriman, and Assistant Secretary of State for Far Eastern Affairs Roger Hilsman.

The Diem-must-go decision came shortly after the temporary closing of about a dozen (out of 4,000) pagodas on August 21, which outraged Washington. Diem said that his only aim was to get the Buddhist leaders out of politics and back to religion. The Vietnamese leader insisted that unless he shut down the propaganda machinery of the pagodas and put a halt to the glorification of suicide by burning, public disorder in the cities would mount and world misunderstanding would deepen. Washington disagreed. Further, it felt that Diem had not only humiliated it and flouted its advice, but had broken a promise to be conciliatory. Washington's anger was heightened by horrendous stories of alleged killings and brutalities during the pagoda raids. (There were no such killings, as the monks themselves later said.)

In any case, on August 24, the State Department sent out word—without the knowledge of Secretary McNamara or of CIA Director John McCone—instructing Ambassador Lodge to "unleash" the Vietnamese generals with a view to toppling the Diem government if they could. Plotting among educated Vietnamese, including the generals, is a kind of national pastime, as chess is to the Russians. Until lately it had been a pretty harmless pastime, because everybody knew that real action was dependent on an American green light—and until August such a green light had been withheld.

But on Sunday, August 25, Washington publicly gave the generals a green light in a Voice of America broadcast that virtually called on the Vietnamese military to take over. At the same time, Ambassador Lodge asked the CIA to poll the Vietnamese generals and see when and if they were ready to translate revolt talk into action.

Diem's shock at the Voice of America broadcast and the CIA poll of the Vietnamese generals can only be imagined by.

turning the tables around. Suppose the United States were engaged in a war against the Communists in which we depended almost totally on aid from Vietnam; suppose, in the middle of that war, Vietnam issued a broadcast calling for the American Joint Chiefs of Staff to overthrow the American Government?

The miracle is that the Diem regime survived as long as it did the virtual declaration of political war served on it that August by Washington.

What, after many months of hesitation, finally decided the generals (in mid-October) to stage the coup? In separate interviews with this correspondent, members of the military junta spoke of these factors:

1. The late President Kennedy called, at a press conference, for "changes of policy and maybe personnel" in Vietnam.

2. Washington announced the withdrawal of 1,000 American soldiers by the end of 1963, and possible total withdrawal by 1965. (Said one general: "That convinced us that unless we got rid of Diem, you would abandon us.")

3. The economic aid was cut. Many generals agreed that this cut was psychologically the most decisive goad to a coup d'état. "It convinced us," a key plotter explained, "that the United States was serious this time about getting rid of Diem. In any case, this was a war we wanted to win. The United States furnished us with the jeeps, the bullets, the very guns that made the war possible. In cutting economic aid, the United States was forcing us to choose between your country's help in the war and Diem. So we chose the United States."

Ironically, President Diem did make some important concessions to the United States in September and October. For example, in mid-September President Diem agreed to every point put forward by the United States in a program to reform and consolidate the strategic hamlet program in the Mekong Delta. Many Americans had long felt that this program had been overextended. At last President Diem agreed with the diagnosis and decided to do something about it. Why was this move toward the American position never publicized? One Western diplomat put it this way: "Ambassador Lodge and his deputy, William Truehart, were so determined to get rid of Diem that they were opposed to putting him in a conciliatory light. They were afraid this would strengthen the hands of those in Washington against a coup d'état."

Even at the 11th hour, Ambassador Lodge could, of course, have turned off the revolt if he had chosen to give the slightest sign that the New Frontier and President Diem were even beginning to move to heal their rift. As one member of the military junta put it: "We would never have dared to act if we had not been sure that the United States was giving us its moral support."

In the last hours before his death, President Diem was stripped of any doubt whatsoever of Washington's hostility. Telephoning the American Embassy from the Palace at 4:30 p.m. on November 1, after the bombardment had started, President Diem asked Ambassador Lodge: "What is Washington's attitude toward this?" Lodge replied: "I don't know Washington's attitude. After all, it is 4:30 in the morning there."

"But you must have some idea," Diem said.

Whereupon Lodge turned the conversation to the matter of Diem's safety, offering him an airplane to take him out of the country. Could anything have indicated more clearly that in American eyes the success of the coup d'etat was a fait accompli?

The only certain thing about the murder of President Diem and Counselor Nhu is that they were shot in the back (Diem in the neck, Nhu in the right side) with their hands tied behind them. Nhu also had a dagger or bayonet wound in the chest, which was apparently indecisive.

These facts were established beyond all doubt by this reporter through photographs and through talks with military eyewitnesses, attendants at St. Paul's Hospital (where the bodies were first taken) and from information given by two relatives, a niece and nephew who handled the preparations for the burial.

In the light of the way Diem and Nhu died, there is a strong possibility that the shootings were ordered by some or all members of the military junta. Would a junior officer take such a responsibility on himself?

Now for the Buudhists leaders who started it all: have they got what they wanted? I use the word "leaders" advisedly, for of the Buddhists in Vietnam, who form about 30 percent of the population of 14 million people, the overwhelming majority are largely nonpolitical. Buddhist monks tend to be somewhat passive. They would never have dreamed of resorting to violent demonstrations had they not been subjected to the skillful and inflammatory propaganda that poured from the humming mimeograph machines of the Xa Loi pagoda. By the end of last summer, the original grievances of the Buddhist leaders in Hue—matters of property rights, flag flying, etc.—had largely been met by the Diem regime.

In the midst of the anti-Diem ferment I wrote an article asking: "What do the Buddhists want? They want Diem's head—not on a silver platter, but wrapped in an American flag."

You have to hand it to the Buddhist leaders that they got what they wanted. But will this satisfy the more militant Buddhist leaders? It is heady stuff, even for Buddhists, to have the attention of the entire world focused on you, and to exercise the kind of political power that can topple governments. Will, for instance, the venerable Thich Tri Quang, the mastermind of the Buddhist campaign and by far the most intelligent and militant of all, be satisfied to take a political back seat?

Thich Tri Quang is a Buddhist leader from Hué who was granted asylum at the American Embassy even though his past is in some controversy. According to records of the French Colonial Office, he had twice been arrested during the postwar French occupation of Indochina for dealings with Ho Chi Minh. By his own admission, he was a member of the Vietminh Communist liberation front. He claims to have fallen out with the Communists later. Again according to the French, who still have representatives at Hanoi, Thich Tri Quang's brother is currently working for Ho Chi Minh in the Communist Vietnam's Ministry of the Interior. The duties of Thich Tri Quang's brother are the direction of subversion in South Vietnam.

None of this, of course, proves anything about Thich Tri Quang's current attitude toward the Communist Vietcong. What does seem clear is that he learned a lot from the Communists about organization and propaganda. He ran his emergency headquarters at the Xa Loi pagoda like a company command post. Orders were barked out, directing a demonstration here, a protest meeting there. Messengers scurried in and out, carrying banners with their newly painted slogans. Respectful monks brought in the latest anti-Diem propaganda blast for Thich Tri Quang to review word by word.

In my discussion with Thich Tri Quang, I was somewhat taken aback at his indifference about the war against the Communists. When I asked whether the occasional outburst of turmoil might not offer the Vietcong the opportunity to infiltrate among the demonstrators, Thich Tri Quang shrugged his shoulders and said: "It is possible that the current disorders could lead to Communist gains. But if this happens it will be Diem's fault, not ours."

In the same interview in the Xa Loi pagoda, Thich Tri Quang told me that his preferred solution for Vietnam was "neutralism," adding: "We cannot get an arrangement with the North until we get rid of Diem and Nhu."

The Vietcong are suspected of having led several of the attacks against property on November 1, the day of the coup d'etat. For instance, a small but violent gang of young people attacked and demolished the newly opened headquarters in Saigon of the Asian Anti-Communist League. This league had no connection, financial or otherwise, with Diem. Yet the coup-day rioters systematically removed its anti-Communist literature onto the streets, burned it, then wrecked the headquarters.

Whether the new military junta's government-by-committee can do any better than Diem and Nhu remains in doubt. The junta is ripe for further coups and countercoups. In any case, it was not because he enjoyed being condemned by world public opinion that President Diem engaged in repressive measures (mild as they were by Asian standards). The new Government will be faced by similar problems, because the fundamental situation has not changed. For example, the change of Government has not altered the tendency of Vietnam's citified intellectuals to take to the streets.

Within 2 weeks after the coup d'etat, 10,000 students at Hue demonstrated noisily against the military junta because it had not dismissed several professors who had been loyal to Diem. This is but one example of pressure-by-mob. Can the military junta long tolerate decisions enforced by street mobs, or justice by demand of the newly freed and utterly irresponsible Vietnamese press? Three Saigon newspapers have been closed—and rightly—already. The smut and sheer mendacity of the postcoup free press of Vietnam is one of the blackest marks of recent months in the annals of Vietnam's so-called intellectuals. In view of the indiscipline, factionalism, and irresponsibility of citified Vietnamese, can the military junta long escape resorting to the same tight rein held by President Diem?

The only sure thing in Vietnam today is that the United States has set an extremely controversial precedent by encouraging, for the first time in our history, the overthrow in time of war of a duly elected government fighting loyally against the common Communist enemy.

[From the New York Herald Tribune, Aug. 26, 1963]

VIETNAM—FACT AND FICTION: FIRST OF A SERIES ON THE ASIAN TROUBLE SPOT BY MARGUERITE HIGGINS

(Today's events in South Vietnam are confused, uncertain and contradictory. Pulitzer Prize-Winning Herald Tribune Correspondent Marguerite Higgins, in 4 hectic weeks in the Vietnamese countryside, has spoken to the rulers and the peasants, to the Government and its foes, studying the background to the present crisis. This morning, she discusses the general outline of the situation in the country today. In five subsequent articles, Miss Higgins will present the facts and an interpretation of the Government-Buddhist dispute; the United States-backed war against the Communist Vietcong; the "new breed" American adviser; the Vietcong defectors; and the overall opposition to the Diem regime.)

(By Marguerite Higgins)

SAIGON.—The Montagnards, their spears at their sides, stood at rigid attention in the brand new village whose bamboo fence cut into the vast sweep of jade-green plateaus that stretch like a Shangri-la between the shelter of northwest South Vietnam's soaring 7,000-foot mountain peaks.

How do the Montagnards (non-Buddhist mountain people) feel about the Communist Vietcong guerrillas?

Their chieftain stepped forward mutely to show a badly butchered hand and arm. It was the cruelty of the Vietcong, he said, that was bringing his people (nearly three-quarters of a million strong) away from their beloved mountains and nomadic ways to the villages in the lush, emerald plateaus.

South of Saigon, far back from the mountain peaks and deep in the dull, flat muddy delta, a wizened Buddhist monk, considered a saint by the local villagers, shook his head disapprovingly at the news from the capital.

"I would not kill a fly myself," he said, "I do not believe in the taking of life in any form—even by suicide. * * * All this talk of discrimination has nothing to do with reality as we know it here in our village. Our village chief (a Buddhist) gives out pigs, fertilizer and rice seed without asking anybody his religion. The Catholics don't get more than we do, and we don't get more than the Catholics."

Up north in the arid coastal plains of Phan Rang Province, a Moslem leader of Vietnam's Cham tribesmen (of Indonesian origin) stood outside the mosque with its blue mosaic dome and shook his head in puzzlement at the stranger's question, as did the villagers who crowded around.

"We know nothing about any religious persecution," said the Moslem. "President Ngo Dinh Diem was province chief here (beginning in 1923). He helped our people build mosques, and now he sends us rice, seed and water. So we are grateful to President Diem."

This is a fragmentary picture of the seldom-told other side of the story: the attitudes in the deep rural countryside where the overwhelming majority of South Vietnam's 14 million people live. This story contrasts violently with the tragic headlines and anti-Diem ferment in the big cities of Saigon and Hue, which have a combined population of slightly more than a million, but which have captured the bulk of the world's attention.

And it is in the countryside—not the cities—that the war will be won or lost.

Despite the strident antigovernment campaign spread to provincial towns from humming mimeograph machines at the Xa Loi pagoda in Saigon in the months before the Government's crackdown last week; despite the tragic suicides by fire; despite the loss of most citified intellectuals including university students, President Diem's Vietnamese armies continued this summer to gain in those areas of the countryside where the war is fought the hardest.

Paradoxically, the blacker Vietnam's image grew in the outside world, where President Diem was widely assumed to be totally at fault in the Buddhist affair, the greater grew the momentum of the Vietnamese Army's assaults on the Communist Vietcong.

Contrary to recent published reports that the situation in the rich Mekong River delta area has deteriorated, Gen. Paul Harkins, chief of the American military mission here, insists that the opposite is true. In a curious coincidence, the week that saw the greatest number of suicides by fire also brought the greatest decrease ever in Vietcong-initiated action in the delta. The American military, with few exceptions, are convinced that after 18 months of buildup, setbacks and false starts, the war in Vietnam is beginning to be won.

SAVAGERY

That is why the Buddhist affair and the savagery of the political repression are doubly tragic. They rivet world attention on the dark and dismal side of a picture that is by no means all black.

Why did the Diem government institute its crackdown on the Buddhists last week and declare martial law?

Not, certainly, for religious reasons. Rather because Mr. Diem was bitterly convinced that the leaders of the General Buddhist Association were going for his political jugular and that the conciliatory policies advocated by the United States were only making them more thirsty for his political blood.

President Diem stated this conviction in the strongest terms during an interview even though at the time he was still trying to please the Americans by going along, albeit reluctantly, with the policy of conciliation. This policy only allowed the Buddhists to stage otherwise illegal anti-Government demonstrations and to disseminate anti-Government propaganda. It was a privilege not extended to any other political or religious organizations by Mr. Diem's authorization regime, which always has pulled in the reins harshly when it felt politically threatened.

U.S. officials in Saigon and in Washington agreed with Mr. Diem's assessment of the Buddhist leaders' ambitions. But they disagreed angrily and bitterly with the brutal tactics with which he silenced his political opposition.

PRODS

Right up to the moment of the imposition of martial law, Americans had pleaded with Mr. Diem to put some sense of personal conviction and dynamism into the policy of conciliation. They argued that in this way the Buddhists would be deprived of an issue and would in due time be pacified by the real concessions which the Americans gradually and painfully had extracted from President Diem.

But Mr. Diem, prodded by his more militant brother, Counselor Ngo Ninh Nhu, and his brother's wife, Mrs. Nhu, could only see that each concession brought new Buddhist predictions of demonstrations and suicides to come.

Or as a Buddhist spokesman told this correspondent several weeks ago "when Lodge gets here there will really be some excitement."

Now that martial law has been imposed, it seems impossible, in this reporter's judgment, that President Diem, irrespective of American pressure, would again permit the Buddhists—or any other group—to set up mimeograph machines and start back up the road of antigovernment action.

In an authoritarian state, where there is no outlet for political steam, anything can happen.

No one is more aware of this than Mr. Diem and his family, especially Counselor Nhu who is the President's closest political adviser.

COUP

At an interview that took place prior to martial law, Mr. Nhu said: "I do not think that a coup d'etat could be successful without American support. And I certainly do not suspect the Americans of plotting to overthrow us, especially at a point when the war is beginning to go better. Still people are not always rational. And so somebody might be crazy enough to attempt a coup d'etat, especially in the present atmosphere."

Counselor Nhu observed that he had called army generals to a meeting to discuss the Buddhist affair.

"The army does not like to have this matter dragged out," Mr. Nhu said. "They see that the Government is successfully defied by the Buddhists, and this is a dangerous precedent. It could give ideas to others. So the army is angry with us for letting the Buddhists continue these demonstrations and disorders.

STOP

"The Americans want us to sit by quietly and let a handful of Buddhist leaders tell lies about us to the world and foment disorders. We offer the Buddhists everything—international investigation of every so-called grievance; but the Buddhist leaders refuse because it is their policy to rouse opinion against us in hopes of overthrowing this Government. * * * There is a point where this must stop."

It is of note that Counselor Nhu, after imposition of the martial law, gave army impatience with the Buddhist situation as a main reason for the regime's action against the pagodas.

After martial law was imposed, the Vietnamese Army made haste to assure the Americans that the war against the Vietcong would be prosecuted as vigorously as ever. The American military mission has confirmed that the tempo has not been slowed and that there has been no substantial diversion of frontline troops.

Is there a contradiction between the steady American optimism about the war against the Vietcong and the ferment caused in the cities by the Buddhist affair and the indignation of many Vietnamese over the Government's brutal methods?

The impact of the Buddhist affair in the rural countryside (the villages and hamlets rather than the provincial towns) is far less than Americans imagine for these reasons:

It is demonstrably incorrect to give the impression that the General Buddhist Association represents 80 percent, or even 70 percent, of Vietnam's population of 14 million people.

RACE

In the first place the association, whose member pagodas are largely in the coastal towns, is but one of the many rival Buddhist sects in Vietnam. In a 1962 pamphlet, the association claimed 1 million members plus 3,000 monks and 300 nuns. One million members is less than 10 percent of the population.

And even though reliable figures are hard to come by, it is clear that any percentage must not overlook the many different races as well as religions of Vietnam.

The Defense Department in its "Pocket Guide to Vietnam" and the American Embassy in Saigon give the following as the best estimate of the breakdown between the various groups, although noting that in Vietnam it is considered quite acceptable to have more than one religion.

For instance, a special dispensation was given several years ago to permit Vietnamese Roman Catholics to engage in ancestor worship. And President Diem, in his home at Hue, has a shrine there to his ancestors.

Out of 14 million people in South Vietnam there are:

One million five hundred thousand Catholics.

Five hundred thousand other Christians, including Baptists, Mennonites, Seventh Day Adventists, and converts of the Christian and missionary alliance.

One million five hundred thousand Cao Dai (believers in a mixture of Eastern and Western religions and worshipping as saints diverse figures such as Joan of Arc and Sun Yat Sen).

POINT

Five hundred thousand Hoa Hao, a new religion founded in 1939 containing elements of Buddhism and magic. Its founder, Huynh Phu So, was famous as a teacher and miracle healer and preached that temples, rituals and priests were not necessary to the worship of God.

Seven hundred and fifty thousand Animists (these are mainly the Montagnards, who worship gods of the soil and river, and so forth).

Three million Confucianists and ancestor worshipers (these include the nearly million Chinese left over from the 900 long years in which Peking, the larger dragon, ruled Viet Nam, the smaller dragon).

Five hundred thousand Hindus and Moslems (these include the Cham tribesmen who are non-Mongol, and the many Pakistanis in Vietnam).

Five hundred thousand Taoists (again a heritage from the many years of Chinese rule).

Add up all these figures and the result is that 8.75 million people are not Buddhists. This leaves 5.25 million Buddhists at most, eliminating those who have no beliefs at all beyonds vague superstitions. So 35 percent would be indicated as a more realistic—though still generous—estimate of the percentage of Buddhists in South Vietnam.

Rufus Phillips, head of the U.S. operations mission that is helping create the strategic hamlet system in the Vietnamese countryside, gives his own well-educated guess that 30 to 40 percent of Vietnam is Buddhist in conviction, with perhaps 15 percent pagoda-going Buddhists. Mr. Phillips has been in southeast Asia since 1954 and has visited literally thousands of Vietnamese villages.

PICTURE

Roger Hilsman, Assistant Secretary of State for Far Eastern Affairs, states that the number of Buddhists in Vietnam "has been exaggerated" and says that the whole picture is much misunderstood.

Additionally, events in Saigon don't seem as compelling in the countryside as in Washington because there are thousands of hamlets that are so cut off from anything except their district headquarters that they literally may hear nothing about suicides and demonstrations for years, if then.

Of the more than three dozen hamlets visited by this correspondent, there were only two in which anybody could be found who had even heard about the self-immolation of Thich Quang Duc, the first dramatic suicide.

The steady loyalty of the Vietnamese Army—so far at any rate—is in some part related to the large number of officers drawn from the 2 million refugees who came south from North Vietnam. These soldiers have known Communist rule first hand and are likely to look on President Diem's rule differently than those who have never had this experience.

PRIDE

But a soldier's morale and a soldier's pride have far more to do with success or failure against the immediate enemy than with a dispute that most of them sense has more to do with political opposition to Mr. Diem than with religion. And in talking with many officers and men in three different corps areas, this reporter felt their excitement at "seeing the light at the end of the tunnel"—as one colonel put it.

Finally, former Ambassador Frederick G. Nolting, Jr. was quite clear in saying recently that there is no religious "persecution" in Vietnam. There has been repression of Buddhist leaders—not because of their religion but because they conducted antigovernment agitation. Many Vietnamese oppose the repression, but they understand it to be political, not religious.

There probably has been favoritism in the bureaucracy, especially in towns like Hue where the Catholic Archbishop Ngo Dinh Thuc is one of President Diem's brothers. Currying favor is a full-time occupation among some Vietnamese, and there are no doubt Catholics who sought to use acquaintance with powerful members of the Diem family to advance themselves. The Catholics are far better educated than the Buddhists. For one thing a Catholic has to have at least a high school education to be qualified to train for the priesthood in a seminary.

MONK

Under the Mahayana (greater vehicle) Buddhism of the association, anyone can go into a pagoda and become a monk for however long he pleases. No educational credentials are needed. And Buddhists tend to be more passive than the Catholics, who have been intensely engaged in building hospitals, leprosariums and schools.

In the view of American officials on the scene. President Diem himself is not guilty of a policy of religious discrimination. But in addition to permitting police brutality, he is most certainly guilty of political and psychological ineptitude which are grave faults in a man trying to run a country by personal, unquestioned dictate.

Said a high official in Saigon: "If Diem had gone instantly to the microphone after the May 8 incident (in which eight bystanders to the Buddhist demonstration were killed), had deplored the tragedy and pledged the Government's best effort to see that such events did not happen again—irrespective of where the guilt lay—it would have been impossible for anyone to pin an anti-Buddhist image on him.

"Instead he is so preoccupied with saving face that he resists admitting anything done by his appointees could be wrong. At first he stayed silent, then he gave way to each Buddhist demand in such a grudging way that it had little effect."

The dispute between the General Buddhist Association and the Government started out as limited psychological warfare over limited and justified objectives involving mainly protocol and property. The Buddhist demands, later vastly amplified, were at first primarily that the Government permit Buddhist flags to be flown at pagodas and during religious processions on special holy days. They also asked that certain laws be amended to permit the Buddhists to have greater opportunity to buy property.

MISTAKE

According to Counselor Nhu, "the first mistake the Government made in this Buddhist affairs was to make a fuss about flags. Let them fly any flags they want. If my advice had been asked, I would never have permitted the local authorities to have enforced ordinances against flag flying."

President Diem has in fact yielded to all but one of the Buddhist demands (that he publicly accept guilt for the May 8 incident) but not until police ineptness and sheer brutality set in train events which neither the Buddhists nor the Government foresaw.

Violence first erupted in the university coastal town of Hue where on May 8 two exploding grenades killed eight people, including three children and one Catholic. The May 8 victims were watching a Buddhist protest march to the radio station where the monks wanted to put on a broadcast condemning the Government for attempting to prohibit flying the Buddhist flag even though the Catholics in a procession only 10 days before had flown their religious emblems.

The Buddhists blamed the Vietnamese Army for the killings, while the Diem regime said it was the Vietcong who threw plastic grenades into the watching crowds, insisting that the autopsy showed the fragments did not come from Government-type weapons.

The late Thich Quang Duc considered the Government police to be guilty and through his tragic suicide by burning in Saigon's principal intersection imprinted the Buddhist side of the story on the mind of the world.

DEFIANCE

It was then for the first time that the Buddhists began courting arrest deliberately by staging demonstrations in defiance of city ordinances that prohibit them (to all religions) without prior permission.

The police reacted in several instances with rambunctious brutality, beating seated monks and nuns savagely as they carted them off to concentration areas outside the city. The Government claims that those arrested were subsequently all released.

But in the meantime a tidal wave of world attention focused on the Buddhists of Vietnam who were soon making use of their unexpected ability to manipulate international attention as a weapon against the Government.

In the pagodas, the monks, exhilarated by playbacks of U.S. press stories which were somehow copied from the U.S. Embassy file, began talking of continuing their campaign until Mr. Diem was overthrown. More and more in the weeks prior to martial law, the monks seemed to convince themselves that the new Ambassador, Henry Cabot Lodge, would be Washington's agent in overthrowing the Diem regime.

Mimeograph machines, loudspeakers, and English-speaking press spokesmen were brought to the pagodas to disseminate to the foreign press charges and demands that became tougher and tougher.

OFFER

For instance, the Buddhist Association at first clamored for an investigation of the Hue killings under credible conditions. But when Mr. Diem finally offered them an internationally observed joint investigation of this and every other alleged grievance, the Buddhists refused.

As a price for joining the investigation they demanded that Mr. Diem first admit guilt for the Hue killings.

In other words, the Buddhists demanded that the regime admit—prior to investigation—that it was wrong. The admission of guilt was part of the five Buddhist demands issued in May. But it was not made a precondition of an internationally observed investigation until midsummer.

In American eyes, the desperate need remains to establish the facts as to Buddhist charges of persecution for religious reasons, which is quite a different matter than police repression for political reasons, although the two are often confused. And the only way world opinion can be satisfied is for the investigation to be carried out in a manner that will make the results credible.

After martial law, this reporter queried President Diem on this point with this question: "You recently told me in answer to a question that a policy of conciliation was irreversible. Have you now reversed that policy? Or will you hold open the offer of an internationally observed investigation of Buddhist complaints?

ANSWER

The President replied that the offer was still open, saying in his written answer: "My government has never had a policy of religious discrimination so why should we refuse the help of impartial and sincere observers to make clear to the world our good faith?"

And an internationally observed investigation to establish and rectify any Buddhist grievance seems the best way in American eyes to bring some understanding and order out of a confused and tragic situation.

The tragedy of the events set in motion by the Hue killings is heightened by the fact that never before last May 8 had there been mention of a "religious issue" in Vietnam.

Most Vietnamese do not know the religions of their friends and coworkers and do not presume to ask it.

This reporter has heard a Buddhist bureaucrat say that a Catholic got the promotion instead of himself because President Diem is a Catholic. It happens that a Catholic will say that the Buddhist got promoted instead of himself because Mr. Diem is bending over backwards to please the Buddhists. No one has accused Vietnam of suffering from a shortage of human nature.

But from a social point of view of clubs, or residential areas, or education, no Vietnamese has been socially handicapped by his religion as still happens today in America to some members of the Jewish faith and as used to happen to Irish Catholics in those days when the Kennedy clan was in Boston.

BIAS

Never in history has a Vietnamese paper carried an ad: "No Buddhist need apply." But as President Kennedy's father and mother well remember, advertisements saying "No Irish need apply" were a fact of life not so very long ago.

More than half of the 40 province chiefs in Vietnam are Buddhists, ancestor worshipers, Confucianists, Cao Dai, etc.—that is, non-Catholic. Only 6 of President Diem's cabinet of 17 are Catholics. The task of negotiating a truce with the Buddhists had been assigned to Vietnam's Vice President, also a Buddhist.

The American mission here has had more than its share of troubles resulting from Mr. Diem's lack of political dynamism. No New Frontiersman he. The shock at police brutality has been profound. But this is not the first nation whose police have gotten out of hand. And these days it is a bit delicate for an American to lecture because it is not impossible for a Vietnamese simply to reply: "Remember Alabama."

CHARGE

But prior to martial law there had been a certain disenchantment among Americans at persistent Buddhist dissemination of unproved charges. At one point, for instance, the Buddhists said flatly that the police had arrested 365 Buddhists in a suburb on the outskirts of Saigon in a night raid.

On checking the Americans found that hardly any of those arrested were Buddhists, that the raid was a routine one to check the identity cards of families in a district through which Vietcong frequently infiltrate into Saigon, and finally that all except those without identity cards and criminal records were released. The Buddhists were accurate on one point. The raid was at night.

There is not the slightest tendency among the Americans to gloss over the situation here. The Diem regime is authoritarian, admits it and justifies this on grounds of being engaged in a fight for its life.

ACTION

Because his regime is authoritarian, President Diem cracks down on any opposition that resorts to direct action. If Montagnards or Cao Dais were to break the law and stage antigovernment street demonstrations such as those engineered by the Buddhists, they would be in trouble. Catholics are certainly not immune. A highly critical Catholic editor in a provincial town had his newspaper shut down not too long ago and was sentenced to 18 months in jail.

Americans—especially in the field—do feel frustrated that their efforts seem to be tarnished in the eyes of their countrymen just at a time when the day-to-day cooperation between Vietnamese and Americans has reached an alltime smoothness. This reporter has not seen and seriously doubts any anti-American feeling of any scope in Vietnam.

In the vast countryside, the peasant in the myriad tiny hamlets lives far too elemental a life to care about what is going on in Saigon, even if he happened to be a Buddhist. Tending ricefields all day and defending hamlets by night does not leave much time for thoughts about Buddhist banners and Buddhist property rights, which in any case are not matters that touch his life.

TOLL

The same is true of the foot soldier who has no time for such abstractions because he is deeply engaged in a war that is being fought increasingly hard—so hard that the Vietnamese dead and injured are running at 14,000 a year. Up in the coastal Province of Quong Nai, which only last year was Communist controlled, this reporter asked a Vietcong defector, a warrant officer of 9 years service in Hanoi and elsewhere, who was going to win the war.

The ex-Communist fighter seemed surprised at the question. "Your side," he said, "because we are hungry and tired. When my battalion (the 80th Vietcong Battalion) came down from Hanoi in February 1962 we could get food and recruits from the villages. Now the villages are fortified and it is risky to go in. Life is very hard for us, but the Nationalists (Diem party) get supplies from the Americans. So that is why I think that they are going to win. Don't you?"'

[From the New York Herald Tribune, Aug. 27, 1963]

VIETNAM—FACT AND FICTION: WHY THE BUDDHIST FURY

(A monk in flames started it. A bizarre sacrifice in Saigon's main intersection, and the world was shocked and stirred. Since then the high stakes crisis in South Vietnam has grown more intense, and at the same time more emotional, more complex, more confusing. But Buddhist discontent remains the one constant factor in the swift march of events. Pulitzer Prize-Winning Herald Tribune Correspondent Marguerite Higgins, in the Vietnamese countryside, cut through rumor and contradiction in a search for the facts of the Buddhist-Government dispute. Today, in the second of a six-part series, she presents her surprising findings.)

(By Marguerite Higgins)

SAIGON.—The saffron-robed monk came down the steep steps of the Xa Loi pagoda looking much younger than his 24 years. Infinitely poised, he greeted the waiting journalists, each one by name.

From inside the ornate exotic pagoda, whose peaks thrust three stories high, drifted the mixed aroma of burning joss sticks and jasmine. Ceremonial services were being held for the late Thich Quang Duc, who set the tragic precedent of suicide by fire.

Outside the iron-grilled gates, another monk harangued several thousand of the faithful. He was standing, loudspeaker in hand, on the roof of the pagoda souvenir shop. It was doing a brisk business in postcards depicting photographs of the venerable Quang Duc's self-immolation at a Saigon intersection.

DRAFT

The older members of the crowd stood impassively, but the youngsters seemed to be visibly enjoying the excitement. They roared back enthusiastically when the monk, in modified cheerleader fashion, gave the signal to shout "Buddhism forever" and "Down with Madame Nhu."

Back at the inner steps of the pagoda, the young monk—Thich Duc Nghiep, the assistant secretary of the General Buddist Association and spokesman for the pagoda—expertly fielded in stilted but clear English, the questions of the journalists.

Then, as was routine, Thick Duc Nghiep handed out mimeographed sheets of new allegations about Government repressions against Buddhists. Almost as an afterthought, the monk remarked that it would "be very interesting" for the journalist to go to Hue (4 hours flying time from Saigon) "right away."

"Is it another barbecue?" blurted out a photographer with typical irreverence.

"Ahhh (drawing the word way out) I cannot say," responded Thich Duc Nghiep. "But I recommend going to Hue and it would be a good idea to take your cameras."

As he turned to go, the monk tossed back over his shoulder the admonition "You ought to try and be in Hue by 8 o'clock in the morning."

As it happened, although a number of reporters and photographers got to Hue the next morning, there were no self-immolations (the word suicide is taboo among the Buddhists) until a week later.

But the scene at the pagoda was typical of the expertise in Buddhist press handling that was a thorn in the side of the Government.

This correspondent who had never before passed much time in pagodas, was astonished to be greeted on the first day at Xa Loi with a query by Thich Duc Nghiep: "Ah, you are from New York * * * what kind of a play are we getting?"

Not expecting the question, I asked, "Do you mean is the Buddhist story still getting headlines?"

"Yes, yes," he nodded impatiently.

THE PAGODA PUBLICISTS

"It certainly is," I said. "That's why I'm here."

And when Thich Duc Nghiep learned that my stay in Vietnam would be limited to about 3½ weeks, he declared, "You are making a great mistake, Miss Higgins. When new U.S. Ambassador Henry Cabot Lodge arrives, there will be many demonstrations that will make what went before look like nothing. And there will be many more self-immolations * * * 10, 15, maybe even 50."

"Exactly what was the discrimination that was causing all this tragedy," I asked young Thich Duc Nghiep.

"What we want," said the monk, "is for the Government to fulfill the five Buddhist demands in a just spirit."

(The five demands involve flying Buddhist flags on certain ceremonial occasions, improved chances to purchase property, freedom to propagate the Buddhist faith, punishment of those guilty of throwing grenades into a crowd of demonstrators May 8 in Hue, and an end to arrests and persecution of Buddhists.)

But what, I inquired, about the Government's claim that it had met virtually all these demands in an agreement signed June 16?

A SUMMONS

"That is just on paper," said Nghiep.

"Is it absolutely too late for the Government to find agreement with the Buddhists?"

Nghiep: "We do not go in for political questions. But it does seem too late to reform."

Buddhist intentions became clearer to me in one of the few amusing incidents of a sad period.

I was leaving the Hotel Caravelle an hour before store closing time to pick up some slacks for a dawn departure for the combat zones the next morning. Excitedly, the hotel telephone operator intercepted me to say that "the very highest monk" at the Xa Loi pagoda had summoned me to an audience, that I was to report instantly to the pagoda, and that I was not to bring my interpreter as this was to be "top secret."

At the pagoda I passed rows of politely bowing monks in saffron robes and was ushered into the innermost inner sanctum—a small cosily furnished room in the residential wing of the Xa Loi.

There sat Thich Duc Nghiep and an older, alert-looking monk. This one was in grayish blue robes. He was lavishly introduced by the young pagoda spokesman as "one of our most important leaders and one who ordinarily never sees correspondents—but since you represent the White House."

The light dawned.

THE MESSAGE TO KENNEDY

I dug into my purse, got out the White House press card which I had used earlier that day at the pagoda as identification, and said to the monks, "You don't understand. I am a reporter. I am only accredited to the White House."

"Precisely," answered Thich Duc Nghiep, triumphantly taking the White House card and showing it proudly to Thich Tri Quang, one of the leaders from Hue. "You are accredited to the White House, and we have a message for President Kennedy."

Argument got me nowhere. Two and a half hours later, after the stores were closed and the slacks irretrievable, I emerged with the message to President Kennedy which boiled down to this:

"We the Buddhists have good information that President Kennedy sympathizes with our anti-Diem efforts and he no doubt had to maintain a certain public posture. But his last press conference was much too favorable to Diem. The time is coming when President Kennedy will have to be more outspoken because it would be hard to get rid of Diem without explicit American support."

In response to my rather astonished questions (I had only been there 2 days) Thich Tri Quang indicated that the Buddhists felt Mr. Diem would be inhibited by American pressure from cracking down on them. So they thought they had a good chance of continuing their agitation to the point where the Americans would be embarrassed into withdrawing their support of Mr. Diem or getting rid of him. And the Buddhists had no apparent doubt that "getting rid of Mr. Diem" would be Washington's choice.

A GOAL

What did the Buddhists want? Diem's head—and not on a silver platter—but enveloped in an American flag.

It was Buddhist strategy, as a number of their leaders openly told me, to keep agitation—and publicity about it—at a high level until Washington finally ordered new Ambassador Lodge somehow to remove the Diem family from power. A number of the now jailed Buddhist leaders, in fact, asked me point blank: "How much will it take to force the United States to act against Mr. Diem?"

Although they insisted that they had no special candidate for the Presidency, the Buddhists clearly expected that the power and influence of their leaders would be enhanced under any successor to Mr. Diem.

The political nature of the Buddhist aims was evident to Westerners in Saigon despite the worldwide acceptance of Buddhist claims of religious persecution. The Buddhist leaders are being persecuted all right—but for daring to challenge Mr. Diem, not for their religion.

Former Ambassador Frederick Nolting, Jr., is one among many diplomats who believe that the Buddhist leaders deliberately expanded some perfectly legitimate local grievances about flying flags and property rights into a misleading picture of religious strife for political ends.

Father Patrick O'Connor—an Irishman, not an American—wrote from the scene an article that appeared August 9 in the Catholic Standard, stating:

"The Buddhists in South Vietnam have been selling the American public a bill of goods. They sold it first to some of the foreign correspondents in Saigon. * * * The militant intersect committee for the defense of Buddhism has listed five demands. For these five demands, the Buddhist association is prepared to throw the country into disorder and defy the Government in the middle of its life-and-death struggle with communism."

THE POLITICAL ENDS

"For these it is prepared to let bonzes (monks) burn to death—if the foreign press can be present. * * * As one bonze has admitted to a correspondent, the five demands no longer represent their aim.

"No matter what the Government may do, the leaders will find a new matter for complaint. Only the fall of the Government will satisfy them."

Although Pope Paul VI has personally interceded with an appeal for tolerance in South Vietnam, the Vatican has also taken a position that the conflict is not a religious dispute, but a political one. The Vatican newspaper L'Osservatore Romano, in a front-page article last week, said that the cause of the crisis was "the political judgment of the Government—whether justified or not—as to the ability of the Buddhist community to resist and defend against communism."

How do the political aims of the Buddhist leaders in Saigon square with five tragic suicides by fire of monks and nuns? In every case the suicides left notes indicating that their act was done in the belief that Buddhism was being persecuted as a religion—a religion that in some interpretations approves self-sacrifice.

It is a fact that monks in pagodas and some Buddhist laymen would tend to accept as correct the claims of persecution put out by Buddhist leaders in Saigon whether they themselves or anyone around them had ever experienced religious persecution.

A MOTIVE

And outside Vietnam, the American public—which has a hard time avoiding the temptation of applying Western logic to oriental situations—tends almost automatically to assume that the tragic suicides are proof in themselves of religious persecution. Why would anyone, the Westerner reasons, choose such a horrible death unless he or she had irrefutable proof that the Diem government was doing terrible things to Buddhists.

The unnecessary savagery of the Vietnamese Army in smashing the pagodas cannot help but deeply tarnish Mr. Diem's regime. But police brutality, which had also occurred before the imposition of martial law, was not the cause of the tragic spate of suicides.

For example: At Phan Thiet, the coastal town where a 20-year-old Buddhist monk burnt himself at high noon alone in the memorial park, the Buddhists were unable to give this reporter any specific example of their grievances except that they had been compelled on Buddha's birthday to fly the Vietnamese national flag alongside the Buddhist flag.

This reporter remarked that this hardly seemed a grievance warranting suicide. Agreeing, the Buddhist spokesman finally said: "But whatever is the case here, we know there is persecution because our leaders in Saigon have told us so."

In talking to monks in the smaller towns, I found them kindly, credulous, and disconnected from reality. Most had not had more than a grammar school education. The effort of sorting out the facts in the maze of charges and denials between the Buddhist Association and the Government was beyond any desire of theirs. If the venerable elder monks in Saigon's pagodas said Buddhism was being persecuted—then it must be so.

No one will ever know, of course, just how much the suicides were influenced by the emotional, powerfully written tracts sent out from Xa Loi. Among the slogans lettered on huge banners draped over the pagoda's outer wall were these: "We are ready to sacrifice ourselves for Vietnamese youth." * * * "Resolutely in the footsteps of Quang Duc" (the first suicide).

In the stormy seas of charge and countercharge, there are only a few steadfast islands of incontrovertible truth.

The Diem government has had a history of religious tolerance.

For many years President Diem's two closest advisers were members of the Jewish faith: Wolf Ladejinsky, land reform expert, and Dr. Wesley Fishel, head of the Michigan State University advisory group to Vietnam.

THE ISLANDS OF TRUTH

There is no record of the phrase "religious issue" ever being used in South Vietnam until after the May 8 incident.

Catholics, Confucianists, and others have joined the protest against the Government and in fact have faced punishment as the result of their stand; among them, the Catholic rector of Hue University, who was dismissed for his backing of demonstrations.

A U.S. military mission fact sheet prepared in November 1962 had this to say:

"The religious atmosphere of Vietnam is characterized by tolerance and acceptance of various religious beliefs. Confucianism, Buddhism, Taoism, and Christianity are prevailing religions. To the Vietnamese there is nothing wrong with holding several religious beliefs at once."

It is also true that the Buddhists in the weeks before the imposition of martial law had become increasingly militant in their anti-Diem propaganda. They were clearly courting arrests by staging demonstrations of larger and larger proportions even though these are illegal under local ordinances which apply equally to Catholics, students, or any organized group.

President Diem, in a statement to this reporter, insisted that the recent action against the Buddhists was not because of their religion, but because they turned their pagodas into "hives of anti-Government political activity."

AN ANGER

"Why do the American correspondents insist on calling my government 'Diem's Catholic regime'?" President Diem once flung out angrily. "I notice they never say 'Kennedy's Catholic regime.' "

When this reporter interviewed Mr. Diem, the President was clearly torn by his desire to please the Americans and his inner conviction that the Buddhists were determined to keep things stirred up and topple him.

And even to please the Americans, Mr. Diem was not about to take steps he felt might weaken his personal power and so begin the liquidation of his regime.

In this reporter's judgment, the Buddhists overplayed their hand in thinking that the Americans could indefinitely stay Mr. Diem from reacting in the face of the rising tide of demonstrations, suicides, and Thich Duc Nghiep's open predictions of "much more excitement when Lodge gets here."

And the Buddhist capacity to keep things stirred up stemmed directly from their public relations skill. But while this skill skyrocketed the Buddhist cause to world attention, it was also part of the reason for their current plight, including arrests during the brutal police raid on the Xa Loi and other pagodas. In equal measure to Mr. Diem's fury at the Buddhist political agitation was his fury at the world's attention it received.

For instance, a couple of Mondays ago at 10 p.m. on a rainy night in Saigon, an 18-year-old girl was found on the steps of the Xa Loi pagoda, her right arm bleeding profusely from her unsuccessful attempt to chop it off at the wrist. (In some Buddhist circles, detachment of limbs is an acceptable religious gesture.)

THE DIEM DICHOTOMY

Within 10 to 20 minutes of the discovery, American photographers and reporters were at the macabre scene. They had been summoned there by spokesman Thich Duc Nghiep, who rushed to pagoda phones that kept in close touch with the American and other foreign correspondents. The Xa Loi monks made the blood-drenched girl available for at least 40 minutes to photographers and the press, for whom she tape-recorded a statement. Only then was she finally taken to the hospital.

And that is how the United States learned of the incident within hours even though, ironically, the villages of Vietnam would probably not hear of it for months, and in some cases years.

[From the New York Herald Tribune, Aug. 28, 1963]

FACT AND FICTION—NO. 3—VIETNAM BATTLE IN THE FIELD AND THE GOVERNMENT

(American death No. 106 in South Vietnam came Monday—an Army reconnaissance pilot, his plane shot down by Communist fire. It was another tragedy of the lonely war in which the United States has staked the lives of 14,000 soldiers and more than $1 billion in aid, with the goal of defeating the Communist Vietcong guerrillas. President Kennedy has pledged the United States will stay in South Vietnam "until we win." The Herald Tribune's Pulitzer Prize-winning correspondent, Marguerite Higgins, touring the Vietnamese countryside, reports today on how close the West is to success in this crucial cold war battleground.)

(By Marguerite Higgins)

SAIGON.—"The Vietcong are losing because we are steadily decreasing their areas of maneuver and the terrain over which they can move at will."

This judgment was rendered by U.S. four-star Gen. Paul D. Harkins shortly before President Ngo Dinh Diem instituted martial law through South Vietnam. A tall blunt soldier, General Harkins has been in charge here since U.S. military advisory units began to swing into action against the Communist Vietcong guerrillas. Big-scale American efforts got underway in February 1962.

General Harkins continued: "The fortified villages are cutting the Vietcong lifeline to the little people whom they used to tax to get their piastres and their rice. It is harder for them to get into the fortified areas to kidnap youngsters and turn them into recruits. Slowly, I grant you, but surely, the Vietcong will find that there is no place to hide."

The general's words reflected the somewhat favorable turn the war had taken—despite the Buddhist dispute with the Government—during the spring and summer.

How will the imposition of martial law affect all this? It's simply too early to tell. The Diem regime has declared that there will be no substantial diversion of troops from the war zone. Whether this promise can be kept obviously depends on the state of law and order.

But as of this moment, General Harkins and his staff flatly contradict published reports that South Vietnam's United States-backed fight against the Communists—particularly in the rice-rich delta—is "deteriorating" and that a Vietcong buildup is taking place to the point where the Communists will be able to conduct mobile warfare with battalions as well equipped as the Government's.

"What is mobility?" interjected one of the general's corps advisers. "Mobility means vehicles and aircraft. You have seen the way our Vietnamese units are armed—50 radios, 30 or 40 vehicles, rockets, mortars, and airplanes. The Vietcong have no vehicles and no airplanes. How can they be mobile?

"Further," the American officer continued, "there has been no evidence of any increase in the number of Vietcong units in the delta even though we expected there would be because our strategy is to sweep them steadily southward and finally corner them. As to weapons loss, a year ago our side was losing 20 percent of its weapons. Now the average for our side is 5 percent. Further, the delta area under our control is increasing, not spectacularly, but steadily."

General Harkins frequently has been taken to task by the resident American press corps for overoptimism, but such criticism has left him unmoved.

BREAKTHROUGH

The general and the key members of his staff commanding 14,000 Americans, are convinced that a military breakthrough has begun this summer. At last they can see their laborious preparations paying off as the Vietnamese emerge in imposing numbers from the training camps and the intelligence and communications systems start functioning as they should. Most gratifying of all, the peasants have abandoned their historic and fear-enforced neutrality and have increasingly come to the Vietnamese and Americans to tip them off on Vietcong whereabouts.

But it is when talk turns to the fortified villages (the strategic hamlet program) that the glint of anticipated victory—not this year but not too many years away—really comes to the eyes, not only of General Harkins, but of most of the American and other diplomatic missions here.

Unless something goes wrong unexpectedly, it is in the strategic hamlets that the American taxpayer will get his $1-million-a-day worth.

There is no question but that this program—although it has a long way to go—already has changed for the better the security and—even more important—the psychology of huge areas of South Vietnam.

The strategic hamlet plan was developed by United States and Vietnamese leaders as a bold, revolutionary method to halt Vietcong control of the countryside.

Under the plan, peasants—who make up 85 percent of Vietnam's 14 million people—were grouped in rebuilt, fortified communities.

Previously, Vietcong harassment had resulted in whole villages paying tribute to the Communists to avoid extinction. But in a strategic hamlet, the peasant is backed up by a village militia and, if necessary, by the regular army or militia from other villages, which maintain close communication.

Since February 5, 1962, 8,500 hamlets have been established, in which 8 million Vietnamese live. This means that more than half of the nation has a measure of security from Vietcong pressure that has never before been available.

The most convincing report of the success of the strategic hamlet program comes from those who should know best—the Communists themselves.

In the amnesty camp near Quang Nai in the northern coastal regions, a 28-year-old master sergeant who defected told his story.

"I gave up because I was hungry and I heard about the Government's amnesty program. It used to be easy to go into the villages and obtain a bottleful of rice a day from the people. Some were willing to give it. Others we had to force. But after the villagers were given guns and barricades it became risky to try to go in even at night. So life in the mountains became very hard."

SECURITY

Maj. John Kelly, the U.S. sector adviser at Quang Nai, said the reasons advanced by the Communist sergeant were similar to those given by nearly all of the 800 Vietcong defectors who had come through the camp since the amnesty program was launched in the spring of 1963.

The strategic hamlets look like the stockades the American pioneers built to defend themselves against the Indians, except that the Vietnamese use bamboo instead of logs. Most peasants have not been physically moved from their old homes. Rather, defense works—bamboo and barbed wire fences and sometimes moats—are erected around a group of closely situated villages.

Under President Diem's concept that democracy can best be learned at the rice paddy roots, hamlets are not declared a part of the national network—which would qualify them for a number of special health and educational benefits—until after elections have been held for the hamlet chief.

The hamlet program has gotten off the ground despite an unfortunate psychological start. The Vietnamese Army announced the opening of the program in such a way that it sounded as if hundreds of thousands of families were going to be moved into the fortified villages whether they liked it or not. In actuality only those who volunteered were moved.

The strategic hamlets are not completely immune from attack. In American judgment, the Diem regime has moved too quickly in some areas in setting up strategic hamlets and arming the village militia before the surrounding area is sufficiently cleared of Vietcong.

This reporter visited in July the village of Van Vien, which had been held for 30 hours by the Vietcong. Although the village had called for help when attacked, the regular military forces normally stationed at the province capital of nearby Mytho had been diverted at the time to a major military operation in another Province.

In August, the Vietcong attacked and burned a strategic hamlet only 20 miles from Saigon. But occasional attacks on a few strategic hamlets do not materially change the picture of increased security for those in the 8,500 hamlets already established. The majority of these, of course, are not successfully overrun.

Deep in the Mekong delta, a few miles from Ap Bac, where bloody battles have been fought with the Vietcong, this reporter talked with villagers whose huts had literally been put aboard army trucks and transported to a new strategic hamlet. The land around the house seemed strangely bare because the rice had been planted late. And the villagers were not without their complaints.

One of the elders—greatly respected because he could read and write and had a slight command of French—talked frankly as we sat on his tiny front porch. Underfoot were muddy and naked children. Curious neighbors hurried over to stare at the strangers. And a stone's throw away, a water buffalo lumbered by, guided by a tiny boy astride its broad back.

"This village," said the elderly Vietnamese, "is 5 kilometers (about 3 miles) from my rice paddies. So I must bicycle and walk many miles every day. The Government gave us a thousand piastres with which to rebuild this house. But it really is not good enough to make the chicken roosts and pig stys and things for the animals as good as they were in Ap Bac.

"When I go back to my old rice paddies, I pass the Vietcong every morning, and they are very polite to me and I am polite to them. They do not bother old men. But before, when my hut was at Ap Bac, the Vietcong taxed me 200 piastres (about two and a half dollars) and one bag of rice a year. Now that we are in the strategic hamlet, the Vietcong no longer collect taxes, and that is good. But it is hard for an old man to travel so far each day."

The old Vietnamese was asked whether, if he had it to do over again, he would have stayed in his old village at Ap Bac.

"No," he replied, "from the point of view of security it is better here. Security is especially important for the younger men. The Vietcong do not dare to come this far to kidnap them. The young people are very frightened * * * for they know that the Vietcong will cut their throats if they not do what they say. In Ap Bac we all had to believe in the Vietcong because they were the strongest. Here we have a choice."

It was only in the fall of 1962 that the Vietnamese Army, its buildup completed, was ready to seize the initiative. During the preceding 9 months, the American advisory staff of 700 had been expanded to 12,000, the strategic hamlets had been launched, 375 civil guard companies totaling 100,000 men had been formed and armed, and a village self-defense corps numbering 60,000 had been created.

Additionally, General Harkins likes to cite these changes since the summer of 1962. A year ago, the Vietnamese Air Force was flying about 100 sorties a month and is now flying about 1,000 monthly. The Vietnamese Navy, which plays an important role patroling the delta, was virtually nonexistent a year ago. Now it has a junk fleet, a river force and patrol ships at sea.

Although the exact figure is classified, the prevailing estimate of Vietnamese Army strength is about 230,000 men.

But most signficant of all in the American view are the figures concerning Vietcong attacks. In the summer of 1962, these Communist-initiated actions (including ambushes, kidnapings, terrorism, and propaganda) totaled from 500 to 600 a week. They now are down to somewhere between 200 and 250 a week.

CASUALTIES

Vietnamese Army losses in dead and injured have been running at the rate of 14,000 a year, which, as a top American officer observed, "is testimony to the fact that this army is not holding back but fighting very hard indeed." The Vietcong losses in dead and wounded are estimated at about 30,000 a year. And in the week since martial law, the losses on both sides were running close to the weekly average.

More than 100 U.S. officers and men have lost their lives, about half of these in combat, the others in accidents of various sorts.

One of the most stunning—and frankly somewhat unexpected successes—was the clearance of most of the Quong Nai area in the northern part of the country. This area had always been revolutionary in spirit and until recently rather pro-Communist. The progress in the highlands near Pleicu, where the Montagnards prevail, has also come quicker than any one had dared hope.

It is in the Mekong Delta that both the war and the strategic hamlet programs are meeting the most difficulty. The reason for this, paradoxically, is that the delta is the richest area. Because of the delta, and despite all the war and turbulence, Vietnam, a deficit rice area in 1962, will export 300,000 tons this year. In the northern areas it is possible to cut off the Vietcong from food supplies from the peasants in the strategic hamlets. But in preventing them from foraging the delta, even if he can't always get rice, a guerrilla can pick coconuts or pineapples off the trees.

Still, as one officer put it, "the important thing is that village after village is being taken from the Vietcong and they are neither able to take them back nor take any geography from our side. Roads are unsafe but not as unsafe as last year."

This fact was confirmed by this reporter, who drove 100 miles through the delta on roads that last year were considered impassable because of Vietcong terrorists.

A Vietnamese corps commander in the delta said, "This is going to be the toughest and the slowest—but how can any one claim we are losing when we are taking geography away from them daily?"

General Harkins, who has become somewhat stoical about the skeptical press, is content to let history judge. But the general is inclined to think that history will make the judgment sooner rather than later. In fact, he would not be surprised if "in a year or so" it were possible to start phasing out and sending home some of the U.S. training missions.

LODGE SEES DIEM AND NHU

The Diem government tightened authoritarian rule in troubled South Vietnam yesterday, postponing indefinitely the National Assembly election scheduled for Saturday.

The action came as new U.S. Ambassador Henry Cabot Lodge continued conferences with top Government leaders. Mr. Lodge, who met twice with President Ngo Dinh Diem Monday, conferred at length with the President's brother and chief adviser, Ngo Dinh Nhu, yesterday, in what was described by diplomatic sources as a "very frank" session.

Mr. Nhu, who requested the meeting, is believed to have directed the savage crackdown on Buddhists, which brought mass arrests and martial law throughout the nation last week. Some sources assert that the President's brother—who controls the police and several other paramilitary organizations—has taken over action command of the Government. Mr. Nhu denies this, but his meeting with Mr. Lodge hardly lacks in significance.

Mr. Lodge's task is crucial because of the high American stake (14,000 men, $1 million a day) in South Vietnam's war against the Communist Vietcong guerrillas. This war was brought home grimly again yesterday with a report of the death of a U.S. Army pilot, the 106th American to die in Vietnam.

U.S. policymakers are faced with the problem of how to justify continued American presence here in the face of the Government's repressive tactics.

On Monday, the State Department indicated that it absolved the Vietnamese military of instigating the Buddhist raids, with the apparent implication that if the military ousted those responsible—Mr. Nhu and/or Mr. Diem—the United States would not be unhappy.

Yesterday the U.S. foreign aid chief, David Bell, in a Washington interview, said the United States desires to continue aiding "the free people of Vietnam" against the Communists, but added:

"We don't support repression in any country."

There is the further crucial problem of how the martial law will affect the Vietcong fight, although the Diem government has contended that the war effort remains unflagged, and in fact announced that 49 Vietcong have been killed in the past week.

Nonetheless, there were unconfirmed reports that Vietnamese Ranger units in three towns were fighting among themselves over the recent actions.

President Diem called off the legislative election yesterday in an official decree issued through the Government-controlled Vietnam Press Agency. The statement gave no details on the reason for the postponement or when the vote would be rescheduled. The 1-House, 123-Member National Assembly is nominally the legislative branch of the Republic but has little authority. The present assembly was elected in August 1959.

Despite certain outward signs of a relaxation of tension yesterday (easing of Saigon's curfew, removal of some barbed wire barricades, shifting of censorship from military to civilian authority), events made clear that the Government would brook no opposition.

Among the developments:

Brig. Gen. Ton That Dinh, Saigon's military governor, ordered security forces to shoot into "any group of troublemakers who violate the state of martial law." He also banned any labor strikes.

Vu Van Mau, Vietnam's longtime Foreign Minister until he resigned last week in protest against the Buddhist crackdown, apparently was under arrest. Mr. Diem had asked Mr. Mau to take a vacation instead of quitting, but the Foreign Minister vanished shortly before he was supposed to take a plane to India over the weekend.

More than 10,000 Government troops remained in Saigon alone. All school, pagodas, movie houses, and parks were closed. More than 2,000 students were arrested Sunday, and their whereabouts remained uncertain. There were some reports the students were being drafted into the army. Thousands of others have been detained by police.

It was reported that Mr. Lodge has unconditionally rejected a demand that the United States turn over two Buddhist monks who took refuge in the American aid mission next to the Xa Loi pagoda when it was raided last Wednesday.

The Ambassador discussed the turn of events with Mr. Diem in their second meeting Monday, after a brief ceremonial session earlier in the day. The State Department in Washington said the two men, in a 2-hour meeting, "reviewed in some detail the situation currently prevailing in South Vietnam," but declined to spell out details of the conversation.

There was no indication of what was said between Mr. Lodge and Mr. Nhu yesterday.

Meanwhile, the Saigon government received a not-unexpected blow from its neighbor, Cambodia, which cut off diplomatic relations. There has been longstanding border friction between the two nations, and in addition, largely Buddhist Cambodia condemned the Diem crackdown.

[From the New York Herald Tribune, Aug. 29, 1963]

VIETNAM: THE WAR ON POVERTY

(War in South Vietnam brings quickly to mind the torturous campaigns against the elusive Vietcong Communist guerrillas. But the war being fought there also is against an older enemy: Poverty—and the ignorance that nourishes it. A new breed of Americans is helping the Vietnamese peasant to fight both battles, which go hand-in-hand. Marguerite Higgins, Pulitzer Prize winner, takes a long look at how the wars are going in this fourth article in her series.)

(By Marguerite Higgins)

QUANG NGAI, VIETNAM.—Here in the palm-dotted northern coastal plains you can tell where Americans are welcome—and the Viet Cong are absent—by the sight of the children who rush to the side of the road and shout over and over, "Hello! OK!" after the passing jeep. Wide smiles and Life Savers have been the GI's passport to popularity.

And so far in this northern Province, only once did the Life Saver gambit boomerang. This was when a local farmer took the translation of the trade name on the wrapper literally. So one day he stormed up to a group of American advisers, dangled a badly broken arm before their horrified eyes, and denounced the "American magic" as phony because he had swallowed a Life Saver and it had obviously not healed his wounds.

REWARDING

To Maj. Robert J. Kelly, 39, of Allegan, Mich., a veteran of 20 years in the U.S. Army, the job of adviser to the Province chief of Quang Ngai is "the most rewarding, exciting and eye-opening experience that I have ever had."

Major Kelly is one of the thousands of a brandnew breed of military that is getting on-the-job training in a new kind of struggle. In this war, winning the minds, hearts and trust of little people has equal priority with winning military battles.

In addition to such orthodox matters as flanking maneuvers, firepower and keeping your carbine clean, the new breed must think about pigsties, rat eradication and psychological warfare.

"The reason this job gets a hold on you" said Major Kelly, "is that you can see things getting better before your very eyes. You can feel the Vietnamese trusting you more each day. And you know you are really doing all right when they start begging you to extend. (The ordinary tour is 1 year.)

"When I first came here 8 months ago, the rice was yellow and sickly," he said. "There was only one crop a year. The rats were so fierce that they ate up 80 percent of the rice before it could be harvested. The people here were scared and desperate and half-starving. We had to import rice from the delta."

But then the U.S. group went to work.

"We started a rat-eradication program and a fertilizer program. The U.S. operational mission came in and showed them how to use the fertilizer," Major Kelly said.

FERTILIZER

"We built pigsties and brought in pigs and lent them out for breeding. We showed them how to make compost out of pig manure so they could make their own fertilizer. Pretty soon they will be close to self-sufficient in fertilizer and will be exporting pigs. And just take a look at those beautiful, green, thick, high stalks of rice."

The major's arm pointed toward the jade green fields where fragile Vietnamese girls in their straw bonnets were carrying buckets of precious water from the canal to the crops.

And looking at those shimmering green fields that were indeed beautiful, it was impossible not to share Major Kelly's sense of pride and accomplishment.

Major Kelly, a holder of combat ribbons for Korea and the New Guinea and Luzon campaigns of World War II, was not alone. There are more than 100 other advisers attached to this 25th Vietnamese Division area. In addition, American agricultural experts are doing a herculean job of helping to build the strategic hamlets that are increasingly giving the peasants protection from Vietcong harassment.

The lowest ranking advisers here are captains, who are at the battalion level. All these soldiers, including Major Kelly, go out on combat operations and are authorized to shoot if necessary to prevent their own death or capture.

They do not feel that they are exactly fighting a war, since they have no right of direct command over the Vietnamese troops. But these Americans are often in combat because they accompany their opposite numbers in the Vietnamese divisions into action so that their advice will be available.

Down in the delta, where the war is slower and more difficult, this reporter found Americans who were highly impatient with the infrequency with which their advice was asked. There were complaints that the Vietnamese regimental and division commanders had to refer too often to higher headquarters—complaints that have threaded through the early phases of the war for Vietnam.

But even in the delta, an American colonel remarked: "Part of the problem is that it simply takes time to establish a rapport between the Vietnamese and Americans. Judgments are proved or disproved in the test of operational decisions. Things used to be a bit sticky. But now, when we really get into a fight, I am not at all surprised to have the Vietnamese commander turn to me and ask: 'OK, what do we do now?' "

CIVIC ACTION

In this connection, this reporter was mildly surprised to hear quite a few officers remark that 1 year's tour of duty was not really enough, because "it is time to go home just when things are getting organized."

Throughout South Vietnam, Americans of the new breed are taught to think in terms of "civic action"—a dry-sounding term which, however, means warm, human, easily understood acts of helpfulness by the soldiers to show the people that they are their friends and protectors.

In this spirit, several small groups of SeaBees and Army engineers are traveling from village to village, and on a tiny budget of $20,000 are performing what the Vietnamese regard as small miracles.

There is a small village north of My Tho in the delta, that will forever remember the Americans for building a wooden bridge over the canal that, so long as anyone could remember, had separated half the inhabitants from the others.

It all began when the Americans asked the hamlet chief to list three priority needs of the village and then take a vote to see which one the majority wanted to have done. After the bridge was voted, three American engineers appeared, hired local labor to do the work (at 40 piastres or about 65 cents a day—high for the area) under their direction.

MONEY

This brought in extra money to the community and lots of extra excitement. Under the adoring eyes of hundreds of Life Saver-bloated ragamuffins, the engineers showed the Vietnamese how to pour concrete pilings and other such mysteries of bridge building. The whole project probably cost only a few hundred dollars, but it will surely be a high point in the history of that village.

The Americans are seeking, by example and prodding, to encourage the Vietnamese Army to join the civic action movement. The idea has now progressed to the point where every Vietnamese division "adopts" a strategic hamlet and devotes some labor and materials to completing its defenses.

Quang Ngai had the highest morale of any area I visited, and with good reason: the American advisers, the brand new Vietnamese 25th Division (commanded by a Buddhist) and the peasants defending the hamlets had shared a rousing and genuine victory over the Vietcong.

It happened on April 15 of this year, when an entire Vietcong battalion attacked 12 strategic hamlets. When the 4-day battle was over, the Vietcong had left 226 dead in the ricefields. The 2-week-old 25th Division had few casualties.

"It was after that victory," recalled Major Kelly, "that everybody's self-confidence seemed to return. The villagers, instead of being neutral, started coming to us with information about the Communists. People started flooding back into the Province capital and, before you knew it, we were in the middle of a building boom.

The Buddhist crisis in the cities seemed from Quang Ngai, with its sanity and sense of purpose, to be a terrible nightmare. Perhaps the Government crackdown can affect the morale of future Americans coming to Vietnam if they believe that they are making a sacrifice for a tarnished and worthless cause.

But you couldn't tell Major Kelly that the people who had fought so bravely on April 15 and who had made the rice so tall and green were part of a cause not worth fighting for. He would fight you first.

In point of fact, at the time of my visit, there had never been any trouble in Quang Ngai between Buddhists and the Government.

How did the Americans in the field react to the preoccupation at home with the Buddhists? There is a natural preference of American soldiers to have hometown attention focus on the accomplishments of which they are so proud rather than on an issue that is not yet real to them.

As Major Kelly said, "When you can see and feel every day how much has been done to make life better and the rice greener, it is a pretty good feeling in itself. But do you suppose anybody at home ever hears about this sort of thing?"

[From the New York Herald Tribune, Aug. 30, 1963]

A VIETCONG DESERTER SPEAKS

(South Vietnam is a testing ground. The fate of southeast Asia is at stake, and that's why the United States is there in force. But in the Vietnamese countryside, great cold war issues come down to a bloody fight. Part of that fight is to win over the enemy. In this fifth article, Pulitzer Prize-Winner Marguerite Higgins interviews a Vietcong guerrilla who tells her why he rejected the Communists.)

(By Marguerite Higgins)

QUANG NGAI, VIETNAM.—"There they are—real, genuine bonafide, 18-carat Communist Vietcong."

The U.S. Army captain waved his hand in the direction of a schoolhouse where 60 deserters from Vietcong were sitting in prim rows, singing a patriotic Vietnamese song that required rhythmic clapping. They looked amazingly young, fresh faced—and bored.

These Vietcong were among 800 who had passed through this amnesty camp since April 1963 when President Ngo Dinh Diem proclaimed a policy of forgiveness and rehabilitation for those Communists who gave themselves up. Throughout the country, the Chu Hoi (amnesty program) has brought in more than 10,000 Vietcong, far exceeding expectations.

MESSAGE

Here in Quang Ngai, the Vietnamese and American psychological warfare officers have worked out an ingenious program to take the amnesty message to the many Vietcong battalions known to be hiding both in the nearby foothills and in the forested highlands of Vietnam's northwest frontier.

Each morning light planes equipped with loudspeakers fly low to broadcast the Government's invitation. The broadcasts are in Vietnamese and in the different dialects of the Montagnards (mountain people of non-Vietnamese origin). Each day thousands and thousands of pamphlets are dropped into the foothills and mountains. These amount to safe-conduct passes for any Vietcong who retrieves one.

In the Quang Ngai area, where food is hard to come by, nearly every Vietcong has given hunger as a main cause for desertion. The Communists blame their troubles on the fortified village program, which has made it harder and harder to get into populated areas and extort rice from the peasant.

"Which one do you want to speak with first?" asked the Vietnamese camp director as 60 pairs of eyes looked up expectantly, their owners clearly desiring to be liberated from the usual routines and indoctrination of the amnesty camp.

A Vietcong master sergeant who was one of the most recent defectors was asked to join this reporter and her interpreter, an American who speaks Vietnamese, in a far corner of the school's grounds where we could talk without interruption.

The master sergeant, Vu Duy Liem, 28, was clad in the cotton pajamas that many Vietnamese traditionally wear as outer garments. They find it amusing to think that Americans use them to sleep in. The master sergeant was slim, wiry, with a mind razor-sharp.

BIOGRAPHY

His home was a village in the Quang Ngai area, which has had a history of being very revolutionary. His family were peasants and ancestor worshipers, as were most of the people in the village. He joined the Communist Viet Minh armies in 1953 to fight the French. In 1954 the master sergeant was regrouped to Hanoi in North Vietnam under the terms of the Geneva agreement.

In July 1962 Sergeant Liem was among 450 men of the 80th Vietminh Battalion who completed an arduous journey south to the mountains near Pleiku with the assignment to join with other regular Viet Minh units that were infiltrating at the time in peak numbers to "liberate South Vietnam."

"We came through Laos over a mountain pass that was so steep that one misstep would cause you to tumble to death in the chasm below," said Sergeant Liem. "Fortunately, we had excellent guides. For the Communists, as you well know, prepare everything thoroughly in advance. We carried with us Chinese and Czech weapons that are modified in North Vietnamese factories so that they can fire ammunition manufactured in Hanoi."

Why did Sergeant Liem desert?

"I learned very gradually that the Hanoi government was one that denied freedom," said the sergeant, "but in any case, I had been unsure of my loyalty to the Communists for some time before I came South. In the North they told us that the Communist system would bring a better life to the people. They told us that the Russians and the Chinese were coming to our country to help raise the standard of living. But everybody could see with their own eyes that in the North that standard of living is going down and the people are suffering."

RUSSIANS

The sergeant was asked whether the people of North Vietnam preferred to get their "assistance" from the Russians or the Chinese.

"As a rule the Vietnamese don't like foreigners of any kind," said Sergeant Liem. "But if they have to have them, they prefer the Russians because they are more skillful and prosperous than the Chinese. Everybody knows that the Russians have succeeded and the Chinese have failed. Everybody in Hanoi follows very closely the situation in China and knows all about the terrible suffering of the Chinese peasants."

The sergeant was asked to describe the life and activities of his battalion in the mountains.

"The first few months were spent," he said, "in getting organized in the matter of food and water and establishing liaison with the other battalions. At first the Montagnards gave us a bottleful of rice a day willingly. Later we had to force them. We planted some crops of our own (corn). In the fall we had our first success. We attacked a Vietnamese Army convoy near Khontum, and we captured three cannons and lots of other ammunition. But we had difficulty fulfilling our assignment to capture and indoctrinate young men from the villages to fill our ranks and fight on our side. By winter the village defenses had been built up so that it was risky to go into them even at night to get food."

The sergeant continued: "Life in the mountains became very hard. Through attrition and battle losses, my battalion lost 100 men in 1 year. We did not have enough to eat. There was no medicine. I had been thinking for some time of trying to get away, though I could not speak of it, for the Vietcong would have killed me. Still I was afraid of how the Government would treat me. Then I heard the broadcast from the plane about the amnesty camps. And I decided I would run away the first chance I got."

The peak infiltration of regular Vietcong units such as Sergeant Liem's battalion occurred, according to American sources, during the summer and fall of 1961 and continued heavily through the spring and summer of 1962.

PRESIDENT

As the U.S. military fact sheet on Vietnam puts it: "By 1960 the Communists realized that they had lost any chance to take over South Vietnam by political and propaganda means alone." According to the fact sheet the reason the Communists knew there was no chance for political victory was that President Diem, who in 1954 had been given survival chances of 6 months, had defied the skeptics and in addition to establishing order out of chaos had achieved major social, economic and, above all, agricultural gains.

"The economic progress made by the Republic of Vietnam," the fact sheet adds, "was seriously embarrassing to the North. Accordingly * * * the Communists launched what they surely hoped would be an all-out drive to overturn the Diem government by armed force * * *."

The Vietcong organization in South Vietnam is on three levels. The political machinery consists of regional, provincial, and district committees that parallel the Government's own administrative units. These committees operate secretly in areas controlled by the Government and openly in those villages and districts still held by the Vietcong, the majority of which are in the Delta.

The duties of the Communist political warriors are to disseminate Red propaganda, spread false rumors about the Government, act as intelligence agents and informers for the regular military units, earmark Government administrators for assassination and exploit trouble.

The regular military Vietcong units comprise 22,000 to 25,000 men at present. This figure would have risen far higher during the 1961–62 peak period of infiltration had it not been for Communist losses last year. These amounted to an estimated 30,000 last year in dead and wounded.

The Communist military units have concentrated in the past on squad and company-size attacks, although battalion and regimental-size actions (combining two battalions that ordinarily operate independently) are undertaken when the target seems lucrative enough. Thus Sergeant Liem's battalion joined with the Vietcong 60th Battalion to attack a South Vietnamese convoy in Khontum Pass.

In addition to the regular military there are estimated to be more than 60,000 guerrillas, who are farmers by day and soldiers by night. They engage in terroristic actions such as throwing grenades blindly into a division command post or a hospital or a movie theater, to confuse and frighten the population. They also stage ambushes, mine roads and the like.

According to Sergeant Liem, "Quite a few more of my battalion will try to come to the amnesty camp—if they hear the broadcasts and if the Vietcong don't catch them trying to escape."

What kind of life did the sergeant want after leaving the camp, which he will be allowed to do after a few months of observation and indoctrination?

"I would like to work for the Vietnamese Government and do something to get even with the Vietcong for fooling me," said Liem.

Then he added proudly: "I have already gone on two missions with the 25th Division. I led them to our old outpost and we captured three weapons, four Vietcong soldiers and 2½ pounds of documents, and we destroyed two supply dumps. And next week I will lead them to the cornfields and we will destroy them, and that will make the Vietcong even hungrier."

[From the New York Herald Tribune, Sept. 2, 1963]

VIETNAM: FACT AND FICTION—AMERICAN POLICY DEBATE—THE DIEM GOVERNMENT, PRO AND CON

(South Vietnam's present crisis has renewed cries for ouster of the ruling Diem family. But if President Ngo Dinh Diem, and his brother, Ngo Dinh Nhu, were to go, who would take over? The Herald Tribune's Pulitzer Prize-Winning Marguerite Higgins, who has just returned from Saigon, reports on the strength—and weaknesses—of the opposition to Mr. Diem in the final article of her six-part series. She also discusses the current policy battle—in Washington and Saigon—over what to do next.)

(By Marguerite Higgins)

WASHINGTON.—"A successful coup d'etat against Diem would probably set the war back 12 months."

The speaker was a top American diplomat on the scene in Saigon. His estimate was echoed by the British advisory mission and by most experienced foreign observers with whom this reporter spoke not only in Saigon, but also at military headquarters in the field.

And fears of a setback in the war, which after many painful false starts is finally going better, explains why the United States has so long endured President Ngo Dinh Diem, for all his authoritarian ways, his stubbornness, and his failure to make his position clear to the world.

U.S. policy has now wavered to the point where the Government this week decided to issue what amounted to an open invitation to the Vietnamese military to take over the government in Saigon—if they could.

The change of policy has stirred an internal row in the U.S. Government, and the outcome is in doubt.

The proponents of getting rid of Diem argue that his political repression has reached the point where the United States must disassociate itself from the image he has created.

The opposite view is that the Vietnamese Army has quite enough on its hands fighting the Communist Viet Cong guerrillas, that one war at a time is enough. Finally, this group argues that the greatest threat to the soldier's morale is not Diem's authoritarian approach but the confusion and dismay created by Washington's unsubtle attempts to pit the army against his regime and the hints that U.S. aid may be curtailed.

In light of this clash of views inside the Kennedy administration on what to do next, anything can happen. Only two things are clear:

1. The State Department's apparent attempt to set the Vietnamese Army at the throat of the Diem regime in the middle of a war will be the subject of bitter controversy both inside this Government and around the world for an unpredictable period of time.

2. New U.S. Ambassador Henry Cabot Lodge has been put in a terribly difficult diplomatic position.

And Mr. Lodge, it can be stated on good authority, has protested at least some of the State Department's publicity tactics in the sharpest terms.

The most controversial train of events began last Sunday—before Mr. Lodge had even had a chance to present his credentials to Diem. (He did so at 11:30 a.m. Saigon time, Monday.)

Sunday night, the Voice of America broadcast a news roundup which among other things said that the United States might make sharp cuts in its aid program to South Vietnam unless Diem punished the special Vietnamese troops allegedly responsible for attacks on the pagodas and arrest of the Buddhists. The Voice broadcast also for the first time stated the American Government's view that the army was innocent of responsibility for the pagoda raids.

The Voice based its broadcast on a news agency story from Washington. Roger Hilsman, Assistant Secretary of State for Far Eastern Affairs, told a Voice employee that the story was good guidance and that the Voice could go ahead with the information.

And as Hilsman and the Department anticipated, the part of the Voice broadcast referring to the U.S. absolution of the Vietnamese military was instantly interpreted in Saigon as a sign that Washington was encouraging the military—with its cleaned-up image—to take charge.

As to aid, it is certain, as the State Department says, that no decision on future cuts has been taken. It is equally certain that Diem has been warned that such cuts are likely if he is not responsive to American wishes.

The Vietnamese military are in an agonizing dilemma. As a European diplomat in Saigon put it in a message to this correspondent: "The morale of the army at the fighting level has been astonishingly immune to outside pressure up to and through the imposition of martial law. But now the high officers are bewildered. You Americans have lectured them ad infinitum about civilian rule. Americans have lectured them ad infinitum about getting on with the war. And they want to get on with the war. These Vietnamese officers are truly dedicated.

"But now the U.S. Government comes out with what amounts to a suggestion that the Vienamese military try and take charge of the country as well as the war. The military know that the jeeps they ride in, the planes they fly, the very bullets in their guns come from the United States. What are they to do? Forget about civilian rule, and go the way of the Korean juntas? Are they to risk chaos by trying to throw out Diem by force? So long as this uncertainty about American policy exists, Washington will be responsible for sowing more and more disunity and doubt in a country that desperately needs unity and resolve."

HE'LL FIGHT BACK

So far the Vietnamese Army has on the surface rallied to Diem to the extent of accepting full responsibility for martial law and events in the pagodas. It is possible that the Vietnamese generals were forced by the Diem family to accept this public responsibility. But one thing is certain: President Diem and his family are not about to go quietly. Diem's head is not for the taking. He is bound to fight back.

Washington's current reappraisal of policies toward South Vietnam are in part motivated by the anxiety to avoid the danger that Diem's anti-Buddhist image might rub off on America and endanger relations with Buddhist nations. The irony here is that Washington is perfectly well aware that Diem himself is not guilty of persecution of any religion, but rather pulled in the reins harshly on the leaders of the Buddhist Association because they were waging an increasingly loud and effective political campaign against his regime.

Opposition to the Diem regime includes the outs who want in, the citified intellectuals in the bureaucracy, the universities, the military, and—equally important—Confucianists, Caodaists, Taoists, ancestor worshipers, Hoa Hao, and Catholics as well as Buddhists.

President Diem does not tolerate real political opposition in the sense of forces that stand a chance of ushering his family-dominated regime out of power. South Vietnam has the trappings of a democracy, an elected National Assembly, a presidential race. The elections are to some degree fair. But the catch is that hardly anybody is ruled eligible for election unless he is acceptable to President Diem and family. Diem is, by Western standards, a dictator who holds the reins loosely when things are going well and can tighten them up cruelly when he feels threatened.

Today's secret political opposition to the Diems still appears splintered. It has no known national following.

Still the rumors this summer of possible coups d'etat have been more persistent than Saigon mosquitoes. There is not one of the 20 generals in South Vietnam's Army who has not been reported to be a potential strongman about to oust President Diem and his family.

Why are so many Vietnamese intellectuals disenchanted? One reason is that President Diem, although himself an intellectual, has nonetheless displayed an attitude of disinterest toward the literati, an attitude that has given them a sense of being left out.

The only real common denominator between the splinter opposition groups is a steady soaring hatred for the fiery Mme. Ngo Dinh Nhu, the President's sister-in-law, whose talk of "barbecued monks" revolted the world. In a personal interview, the beautiful Madame Nhu struck this reporter as a woman of bad judgment in the sense of insensitivity to the rest of the world, and enormous courage. And this quality of courage just makes matters worse so far as Madame Nhu's impact is concerned. If she had a bit less courage, she might speak her mind less openly, and less insistently.

A close second in unpopularity is her husband, Ngo Dinh Nhu, who is feared because of the power he wields as close adviser to the President. Counselor Nhu is also disliked in large part because it is widely assumed that Madame Nhu is merely stating what her husband really thinks.

There have been some suggestions in American circles that relations with South Vietnam would improve posthaste if Diem would only fire Nhu and silence Madame Nhu. In this reporter's judgment, it is unrealistic to seek to split off Counselor Nhu from the President. President Diem gave this reporter the impression of trusting and needing his brother, indeed of being extremely proud of him for the strategic hamlet program in which Counselor Nhu has been a driving force.

Opponents of Diem usually claim that his war and national reconstruction efforts would be carried on under any successor, but more democratically. In intellectual circles, there is the conviction that more civil liberties would and could be offered if Diem were toppled.

THE IRONY

The tragic irony of South Vietnam today is that its worldwide image is being tarnished at a period when the war is going better than ever. Its little people are more secure from Vietcong attack and better fed than at any time since the Communists unleashed their cruel military assault in 1961.

Is the United States going to jeopardize these real accomplishments in exchange for a coup d'etat and military dictatorship that may or may not supply the image that Washington desires? Is it already perhaps too late to put a halt to a train of unpredictable and chaotic events? These are the issues that are being battled out behind the scenes in Washington and Saigon as our top policy leaders try to decide where we go from here in Vietnam.

ORDER OF BUSINESS

The **PRESIDING OFFICER**. Is there further morning business? If not, morning business is closed.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Hackney, one of its reading clerks, announced that the House had disagreed to the amendments of the Senate to the bill (H.R. 82) to amend the Merchant Marine Act, 1936, in order to provide for the reimbursement of certain vessel construction expenses; asked a conference with the Senate on the disagreeing votes of the two Houses thereon, and that Mr. BONNER, Mr. ASHLEY, Mr. DOWNING, Mr. TOLLEFSON, and Mr. VAN PELT were appointed managers on the part of the House at the conference.

INCREASED PARTICIPATION BY THE UNITED STATES IN THE INTER-AMERICAN DEVELOPMENT BANK

The **PRESIDING OFFICER**. Under the order of December 16, 1963, the Chair lays before the Senate H.R. 7406, a bill to provide for increased participation by the United States in the Inter-American Development Bank, and for other purposes, upon which there is a limitation of debate and a control of time.

The Senate resumed the consideration of the bill (H.R. 7406) to provide for increased participation by the United States in the Inter-American Development Bank, and for other purposes.

Mr. **FULBRIGHT** obtained the floor.

Mr. **MANSFIELD**. Madam President, will the Senator yield, without his losing his right to the floor?

Mr. **FULBRIGHT**. I yield.

Mr. **MANSFIELD**. I suggest the absence of a quorum.

The **PRESIDING OFFICER**. How is the time to be charged?

Mr. **MANSFIELD**. The time is to be charged on the bill.

The **PRESIDING OFFICER**. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. **MANSFIELD**. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The **PRESIDING OFFICER**. Without objection, it is so ordered.

Mr. **FULBRIGHT**. Madam President, at this time I wish to make a second introductory statement in support of H.R. 7406, a bill to provide for increased participation by the United States in the Inter-American Development Bank. While the proposed legislation was discussed in this Chamber in mid-December, I am sure my colleagues will appreciate having a brief summary of the issues at stake in the bill.

The Inter-American Bank, established toward the end of 1959, has been conducting its lending operations for a period of 3 years. These activities for the most part have been patterned after those of the highly successful World Bank. There has been wide agreement on the vital need for such operations—especially in connection with the Alliance for Progress—and little or no criticism of the manner in which they have been conducted. Because the Latin American countries together contribute over 50 percent of the resources available to the Bank, they have an equal interest with us in efficient management which carries out the developmental purposes set forth in the Bank's charter.

Now even a brief description of the Bank's activities to date first calls for differentiating between two distinct types of operations. The ordinary operations, virtually identical with those of the World Bank, are based upon roughly 85 percent of the Inter-American Bank's resources; these are so-called "hard loans" administered on customary banking terms. Only about 15 percent of the Bank's resources are devoted to the separate Fund for Special Operations, which was established to provide loans on more flexible terms for projects with less immediate economic returns than those financed with ordinary capital. In fact, however, these special fund loans have only partially taken the form of what we are accustomed to consider as "soft loans": the interest rate has not gone below 4 percent, the term of repayment has averaged around 20 years, and a number of the loans are repayable in hard currency. It should be noted, in addition, that the Bank in another separate account has administered the social progress trust fund resources on behalf of the United States; these are not involved at all in H.R. 7406.

I think we need not belabor the obvious point that the Bank is a central factor in the provision of loans and guidance for desperately needed economic and social development in Latin America. Nor do we have to argue that such activities are the hemisphere's best defense against the dangerous tendencies summed up in the word "Castroism." There are, on the other hand, two aspects of the Bank's operations which may not have received adequate notice; namely, the Bank's role as a catalyst in mobilizing other financial resources, and its vital educational functions.

On the first count, it should be noted that the Bank, through August of 1963, had used its own resources—including the social progress trust fund—for only about 40 percent of the total cost of over $1.9 billion for the projects in which it participated. Bank loans amounted to roughly $775 million, while more than $1.1 billion was mobilized from other sources—primarily domestic resources in Latin America. The record has been especially good with respect to the Bank's ordinary operations: about $300 million of Bank funds have been accompanied by almost $540 million of outside financing. In this connection, the Bank has been making special efforts to obtain greater participation of European capital in Latin America. It has been forming cooperative arrangements with the Development Assistance Committee of the OECD and with the agencies of the European Economic Community; in the private sector, an Atlantic Community Development Group for Latin America was established last April to form a multinational private corporation to engage in operations of venture capital investmennt in companies undertaking important activities in Latin America.

On the second count, the Bank has made available from its own resources close to $16 million in technical assistance in less than a 3-year period, with the major aim of expanding the capacity of member countries to absorb foreign capital and to use investment funds more efficiently. Feasibility studies and projects in the field of general planning have accounted for the major portion of the funds made available. But the value of Bank training programs cannot be measured in terms of money. The same is true of Bank assistance in establishing local development institutions through which to channel resources to meet the needs of small private-enterprise concerns. The Bank has also played a very significant role in cooperation with the activities of United Nations and OAS agencies, designed to help the Latin American countries with their economic and social planning. Finally, it should be pointed out that the Bank has financed its grant technical assistance from its own net earnings.

I do not believe I need extend these remarks unduly by citing details of the Bank's record, which are amply documented elsewhere. There is plenty of evidence that the Bank has won the confidence of the international financial community.

However, at the same time that the Bank has gained experience and high repute, enabling it to do an even better job in the future, it finds itself becoming handicapped by dwindling resources for new lending activities. The fund for special operations is virtually exhausted, and the regular operations of the Bank have only enough backing to continue for roughly 1 more year. Members of the Bank responded last April by proposing an increase of $1 billion in the callable capital for ordinary operations, and a 50-percent increase over the original $146 million subscription to the special fund.

The main provisions in the bill before us authorize the U.S. Governor of the Bank—that is, our Secretary of the Treasury—to accept such increases and to agree to U.S. shares amounting to $411.8 million of the callable capital, and to $50 million in the special fund. It must be emphasized once again that only the $50 milion would actually be a cash outlay by the U.S. Treasury except in a highly unlikely future contingency.

Now, rather reluctantly, I must recall some of the criticisms aimed at H.R. 7406 during the brief discussion of the bill on December 16. I say reluctantly because the discussion—I think the word "debate" would unduly dignify those proceedings—contained more irrelevancies and innuendos than points of concrete information. One may agree that the two subjects are not entirely unrelated, but the critics, surely inadvertently, seemed to be trying to leave the impression that the Inter-American Bank shared the alleged inefficient practices and purportedly erroneous policies of our own aid program. Though it is not a very rewarding task, let us briefly rehearse some of the main points made against the bill by its adversaries.

It has been said that H.R. 7406 contains new policies or changed practices on the part of the United States. There has been loose talk about "opening new spigots" and "entering wedges." Yet it is easy enough to read this short bill and see that it is almost entirely concerned with the provision of additional resources for a bank we helped establish over 4 years ago. There is precisely one policy and only one embodied in the bill: The United States would agree to continue its support for an existing institution which would function as it has done these several years.

It has been said or implied that H.R. 7406 somehow is an administration plot to circumvent the will of Congress in slashing and imposing restrictions on our foreign aid program—though the relevancy of this point escapes me. The fact is that the Board of Governors of the Bank as long ago as April 1962 approved a resolution calling for a proposal to increase the Bank's resources, as envisaged by its articles of agreement approved in 1959. Subject to ratification by their individual parliamentary procedures, member countries accepted the proposed increases last spring—before the foreign aid bill was even discussed in committee in the U.S. Congress. In any event, passage of H.R. 7406 by the House under suspension of the rules last August should be a conclusive answer to this charge.

It has been suggested that the bill is faulty because the Bank management does not have available a device against expropriation of a project aided by the Bank, a device similar to the Hickenlooper amendment to our foreign aid bill. I think no one suggests we can impose our own practices on a multinational institution, but the general point is not without substance. However, it should be noted that no Bank-aided project has been expropriated as yet. Secondly, since all the countries in which the projects are situated contribute to the Bank and participate in its management, their governments have at least a strong inhibition against any such action. Finally, it should be stressed that the World Bank is currently engaged in trying to work out an international convention on arbitration which would meet this question, and could be invoked by all multinational institutions. I certainly hope that that result will be brought about in the near future.

Two more points and I shall bring these remarks to a close. In December I had occasion to cite Secretary Dillon's testimony concerning the related questions of the need for "tied loans" and the likely balance-of-payments impact of this bill. Obviously, these are matters of very legitimate concern to all of us. Secretary Dillon's answer to the suggestion that we should tie our loans to the Bank was that about 47 percent of total Bank resources have been used to finance procurement in the United States; this represents close to the percentage of the contributions which we have made to overall Bank resources. On the second issue, Secretary Dillon testified that the foreseeable adverse effect of the bill on our balance of payments probably would be no more than about $15 to $20 million. I suggest that this is not a great price to pay in order to maintain a vitally important institution of hemispheric cooperation.

Madam President, because of our inability to act on this bill last session, our representatives in the Bank were forced to ask for an extension of the deadline for acceptance of the proposed increase in the Bank's resources. This extension was quickly obtained at the cost of some embarrassment to the executive branch of our Government. The precise dimensions of the cost clearly are intangible and it is not really important that we try to measure them. What is important is another intangible question; namely, the degree to which Latin American countries have interpreted our foot dragging to mean a slackening of the U.S. commitment to the Alliance for Progress concept. Again, this is not subject to concrete measurement. Whatever the doubts in Latin America on this score, I believe we should remove them by approving H.R. 7406 with an overwhelming vote.

Mr. MORSE. Madam President, I yield myself as much time as I need within my time limitation. I shall not speak at great length, because, unfortunately, this issue was determined by the Senate in a most novel procedure that was debated in connection with the conference report on the foreign aid bill. I am sorry that the Senate was a party to such a procedure, and said so at the time, for had the Senate tried to add this kind of legislation, it would have been subject to a point of order. But because we were confronted with the course of action followed by the House and by the conferees, a novel situation existed. The conference report on the foreign aid appropriation bill covering this amount was approved subject to the passage of an ex post facto authorization bill. I hope that never again will this unfortunate precedent be followed in the Senate; but it has been followed, and therefore I feel that today we are really speaking for the record. I shall do so by recapitulating the argument I previously made against the bill, and which I mentioned when I opposed the inclusion of the amount in the appropriation bill.

I say to the Senator from Arkansas [Mr. FULBRIGHT] that I expect to ask for a yea-and-nay vote on the bill, because when we entered into a unanimous-consent agreement to handle the bill in this way, it was with the understanding that there would be a yea-and-nay vote. I shall call for such a vote later, after a call for a quorum.

The proposed expansion of the Inter-American Development Bank, and of the International Development Agency, as well, raises serious questions in my mind about the trend of U.S. aid abroad.

A principal one is that there is little evidence that aid through international agencies is replacing bilateral U.S. aid. Instead, it is being used as an addition to our bilateral aid.

We know the history of foreign aid this year. Although this increase in international lending was "in the works," Congress still got one of the largest aid requests in the last decade. There is no way of satisfying the appetite of the State Department and the Agency for International Development. They will ask for everything they can get by with and devour it if we give it to them. They knew full well when they asked for the AID bill that they were going to ask for this $50 million. We must realize that when we deal with the State Department, we must deal with it at arm's length. Time and time again, I have found that it will not deal in good faith, because concealing what it intends to do is not, in my judgment, an act of good faith.

So I am sorry to say that I have learned to distrust the State Department, and that I must perform my work on the Committee on Foreign Relations on the basis of that premise. I shall have to ferret and dig out the necessary facts to protect the taxpayers, because the State Department will never let me have the facts unless I dig them out. The way the State Department handled this matter is to its everlasting discredit—and I want Dean Rusk to know I said that on the floor of the Senate. This is not the only thing that Dean Rusk is doing in the State Department that, in my judgment, is not to the credit of the State Department.

The legislative history is pretty clear that there was no shift contemplated from purely U.S. aid programs to international aid programs. The administration sought an increase in both.

A second reservation that these plans raise in my mind is that they are a means of circumventing the conditions required for bilateral aid. In the hearings, we discussed this problem with Secretary Dillon. The Senator from Iowa [Mr. HICKENLOOPER] pointed out that under American foreign aid, the law requires aid to be terminated to a country which seizes private American investments without due compensation. But when we put money into the Inter-American Development Bank or the International Development Agency, there are no such conditions.

Some additional conditions were attached to bilateral foreign aid by Congress this year. Primarily, they sought to deny American foreign aid to nations that divert their resources into aggressions against their neighbors, including neighbors that also receive American aid.

Neither the Hickenlooper amendments nor any of the other policy guidelines placed by Congress upon bilateral aid have any force or effect upon the Inter-American Development Bank or the IDA. They can go ahead and lend money to Chile or Argentina, or Ceylon in the case of IDA, irrespective of nationalization of U.S. investments by those Governments. Moreover, the United States will have put up the largest share of the funds lent, and in the case of the Inter-American Bank, American funds will be close to half.

It is not an argument that satisfies me to hear the chairman say that there has not yet been any expropriation. Nor is it any argument to hear him say that the fact that other Latin American countries contribute to the Inter-American Fund gives us assurance that there will not be expropriation. When a nationalistic political drive takes over a Latin American country, and the United States is the butt of a nationalistic attack, the contribution we make to the Inter-American Bank will not have any inhibitory effect on the seizing of American property.

Until we arrive at better relationships with Latin America, until we reach better understandings in connection with the Alliance for Progress—and I shall have something to say about that later in my speech—I am against making available to them, under what amounts to an intermingling of funds, an additional $50 million of U.S. taxpayers' money over which we shall lose effective control.

It may be said, "We have our representatives on the Board of Directors." But the fact remains that when nationalism gets astride the political forces in Latin America, Uncle Sam had better watch out. Before we start contributing $50 million more, we had better insist that our Latin American neighbors live up to their obligations under the Alliance for Progress, which country after country has not done. Only eight countries have submitted plans under the Act of Punta del Este; and those eight plans are full of holes.

They come forward and say they have eight plans, the assumption being that they are good plans. Many of them are not. Every single one of them should be drastically revised, in keeping with the objectives of the Alliance for Progress.

As this issue is debated on the floor of the Senate, the chief responsibility for the Alliance for Progress not being more successful than it has been to date rests squarely on the Latin American governments, not on the Government of the United States.

I am rather "fed up" with the attempt to shift the responsibility to the United States for the failure of the Alliance for Progress program to move ahead as rapidly as it should. Let the Latin American governments look into their own mirrors. The reflecting images are not images of cooperation under the Alliance for Progress program.

Many Latin American countries such as Argentina, Brazil, Ecuador, and others have sought to dip into the contingency fund of the United States to help them out in balancing their budgets and their balance-of-payments problems. And they have succeeded. They have been getting the money. Those countries have not been submitting plans under the Act of Punta del Este. The American taxpayer has been given the "run-around" by his Government; and it should stop.

I serve notice on the State Department that I shall continue to fight their policies—and that goes for Secretary Dillion, too—so long as I find example after example—in which the interests of American taxpayers are not being given the consideration they should receive in connection with the administration of the foreign aid program. This is but another example.

This brings me to a third reservation. The Inter-American Bank, with its Fund for Special Operations, is paralleling much of the work of the Alliance for Progress program. We had better make up our minds in which vehicle we are going to carry out the program. There is somewhat of a duplication. Usually duplication is wasteful, and in this instance, in my judgment, it contributes to waste. In fact, the Inter-American Development Bank administers both the Fund for Special Operations and the Social Progress Trust Fund.

Supporters of the bill will argue that we can provide hard money loans in connection with this part of the program, but I point out that soft money loans are also available. As I have observed the administration of foreign aid, whenever soft money loans are available, they are much sought after.

What check do we have? How can we protect the American taxpayer from unsound soft money loans? A large percentage of soft money loans are uneconomic and cannot be justified.

We have reached the point where we should cut back drastically our soft money loans. We should stop deceiving the American taxpayer with the use of the word "loan" when in fact it is a matter of form and not of substance.

Many soft money loans are not loans at all. They add up to a grant. Whenever we provide a three-quarters of 1 percent interest rate, a 10-year grace period, and a 30- to 50-year loan period, we do not have a loan, either, except in quotation marks.

Mr. FULBRIGHT. Madam President, will the Senator from Oregon yield?

Mr. MORSE. I yield.

Mr. FULBRIGHT. What the Senator from Oregon is saying has no application to the Bank, but to the foreign aid program; is that not so?

Mr. MORSE. The Senator from Arkansas does not wish to face the fact that one cannot separate any segment of the general aid program from foreign aid, or foreign aid from this kind of program, because we are trying to get another $50 million; and, in my judgment, that should not be granted at this time until the foreign aid program is first improved.

Mr. FULBRIGHT. To keep the record straight, neither the Bank in its regular operations, nor the Fund for Special Operations charges three-quarters of 1 percent. Four percent as a minimum is charged. Is that not so?

Mr. MORSE. That is true.

Mr. FULBRIGHT. I am only trying to keep the record straight. The way the Senator from Oregon states it, to anyone not careful it could sound as though he were talking about the operations of this Bank, when in fact the Senator from Oregon is talking about the foreign aid program; is that not so?

Mr. MORSE. I am talking about soft money loans. What kind of interest rate makes a soft money loan?

Mr. FULBRIGHT. Four percent is not a soft loan.

Mr. MORSE. And what is it paid in?

Mr. FULBRIGHT. It is repaid in soft currency in many cases.

Mr. MORSE. That is true. We might as well take a pair of scissors and a pile of papers and cut it into tiny pieces and hand it out to the American people as an interest rate. It is just as valuable.

Mr. FULBRIGHT. Will the Senator from Oregon yield further?

The **PRESIDING OFFICER** (Mr. McIntyre in the chair). Does the Senator from Oregon yield to the Senator from Arkansas?

Mr. MORSE. I yield.

Mr. FULBRIGHT. It is true that some of the currencies may not be sound over a long period of time, but let me recall that in the early days of the Marshall plan there were grants and no soft loans. There were no freely convertible lire, francs, or pounds then; yet in the course of time they all became hard currencies. Whether or not this program will succeed, no man can say, but looking back we all know that if we had made so-called soft loans in 1949, 1950, or 1951, we would now be infinitely better off than we are.

All I am trying to say is that I do not wish to confuse the public, assuming that it is interested, by mixing up our foreign aid and the operation of the Bank. They are two different things.

Mr. MORSE. I assure the Senator from Arkansas that I do not intend to let him confuse the public into believing that soft loans are an economic benefit to the taxpayer. In my judgment, by and large, soft loans are legerdemain, and will not be of any real value to the taxpayer. If a project is economically and engineeringly sound, it should pay out in hard loan payments or we should not grant the loan in the first place. A powerplant in Peru, for example, should not be based on a soft loan. If it is not economically and engineeringly feasible, we should not loan one dime for its construction.

Mr. FULBRIGHT. Perhaps 50 percent of the loans of the special funds are repayable in hard currency. All I am seeking to do is to disentangle this bill from the foreign aid bill which was discussed at some length and disposed of. We are now considering only this Bank. I believe, to keep the record straight, that it should be clear that what the Senator from Oregon is saying, in one instance, refers to the foreign aid program, which is not under consideration at this time. We are now talking about the Bank; and it should be clear that what is said has application to the Bank only.

Mr. MORSE. I know the Senator from Arkansas would like to build up a barrier between the Bank and the foreign aid program, but I do not intend to let him do so, because this program is a part of foreign aid. It is not a part of foreign aid by definition, but it is part of the total amount of money that the American taxpayer will have to pay out for foreign economic policy. Whether it is a part of a definitive foreign aid program administered by Mr. Bell and his group, or a foreign assistance program administered by Secretary Dillon and his group, does not make one whit of difference so far as losses to the taxpayer are concerned.

Mr. FULBRIGHT. Mr. President, will the Senator from Oregon yield further?

Mr. MORSE. I yield.

Mr. FULBRIGHT. The Senator from Oregon could say exactly the same thing about the International Bank, could he not, and our contribution to it?

Mr. MORSE. I shall have many comments to make, along with the Senator from Missouri [Mr. Symington], about some of our policies in regard to the International Bank.

Mr. FULBRIGHT. Very well.

Mr. MORSE. Let no one believe that the International Bank is a sacred bull or sacred cow or sacrosanct with me, either. We must take a look at the entire foreign aid program of the United States that is being paid for by the taxpayer who, in my judgment, has had done to him, and is still having done to him, great economic injustice. We must look at the totality of the picture. I do not intend to let the Senator from Arkansas "segmentize" this problem, any more than I propose to let the State Department "segmentize" it, or sweep it under the rug in the Pentagon bill for military aid. When we come to consider military aid next year, it must be under definitive terms when it comes to the foreign aid program. I know what the Senator is up to, and I am protesting it. We must take a look at the proposal in connection with the total foreign assistance program.

We cannot separate consideration of foreign aid from consideration of this bill.

Mr. President, the Alliance itself is in trouble. In my opinion, the reason why it is in trouble is chiefly the failure of the governments of Latin America to carry out the economic reforms in their own countries, without which foreign capital will make no dent whatever in the low living standards that prevail in so much of the hemisphere.

We cannot separate the policy involved in consideration of the bill from economic practices of the oligarchs in Latin America. If they get another $50 million through the Treasury of the United States in connection with the bill, they will welcome it, and continue to put their money in New York and Swiss banks. In my judgment, in instance after instance, the rich of Latin America are making themselves richer and richer and the poor poorer and poorer; and we are aiding and abetting them by various forms of American economic assistance. When we can have a record of action on the part of the oligarchs and the wealthy of Latin America by way of investing their own money in their own country's economy, I shall look with much greater favor on this kind of multilateral approach to the administration of American foreign assistance, to which my good friend does not like to have me refer as foreign aid. So it is; but not under the definitive terms, narrow in scope, which he uses when he discusses foreign aid.

What is true of the Alliance is also true of the other operations of the Inter-American Bank, in this respect. If the Alliance fails, and the money is wasted in that the portion of it in loans is not repaid and the 2.5-percent annual increase in economic growth is not achieved, then I do not believe the activities of the Inter-American Development Bank will succeed, either.

In the case of the Fund for Special Operations, the United States puts up more capital than all the other countries of the hemisphere combined. Of the $73 million increase in its capital, $50 million is to come from us and $23 million from the other nations of Latin America. When first established, the United States contributed $100 million and the others $46 million. So this is a fund to which this country contributed about two-thirds of the money. For the other lending operations of the Inter-American Development Bank we contribute only somewhat less than half.

In my opinion, we are not following a sound policy in increasing the capital and the operations of these agencies involved in this bill at a time when our partners in the Alliance for Progress are flagging in their obligations to the Alliance.

Why announce to them now that if they do not care to live up to the obligations of the Alliance and obtain funds directly from the United States, they can always go to the Fund for Special Operations of the Inter-American Development Bank, and get the money? A goodly part of it will still be U.S. money.

It is evident from the congressional action on foreign aid this last year and from the activities within the administration to review foreign aid that the whole program is in a state of flux. I think there will be more reviewing and tightening done next year.

I do not believe this is the time to expand the American involvement in international agencies. We do not know yet what changes will take place in the bilateral aid program. We do not know whether these international agencies will supplement or supplant equal amounts of bilateral aid. We do not know what further policy limitations will be placed on bilateral aid that could be circumvented by international lending.

For all these reasons, I am opposed to any immediate increase in the U.S. investment in the Inter-American Development Bank or the International Development Agency.

Mr. President, there is nothing in the report of the Foreign Relations Committee that proves a case in support of expansion of the IADB. The committee report is almost entirely descriptive. It tells us about the history of the Bank, and about the status of its current operations.

But the report does not indicate that the $50 million we are called upon to add to the Fund for Special Operations will be deducted from our contribution to the Social Progress Trust Fund or any other Alliance for Progress program.

The report does not suggest that more capital is needed by the Bank because Latin Americans have moved so fast in their economic reforms that they have a climate for more sound capital investment than is now available.

The most it says on this point is a quotation from Secretary Dillon that the Bank has "helped significantly in promoting the acceptance of the administrative and social reforms so vital to the success of the Alliance. It is evident the Bank is a club to use to obtain compliance with what we think would be sound policies, rather than a place where an applicant country can go for capital when it can show that it has provided the climate essential to successful use of the capital.

This is what is wrong with our whole Latin American economic policy. We seek to change Latin America, when we should do no more than make capital available for the changes they want to make themselves. It is too often the United States that must undertake to "promote" and gain "acceptance" by changes that the Latins should be undertaking in their own self-interest.

By our overgenerosity with money, we put ourselves in the position where reforms are undertaken as a favor to us, not a favor to Latin America.

As I said during the recent foreign aid debate, I am not at all certain that Latin America is really ready for an Alliance for Progress. It is ready for American money, as is every country in the world. But I doubt that it is ready to take the drastic and far-reaching economic steps it must take to raise the living standards of its people, without which American money is useless.

I am not in favor of increasing any U.S. public investment in Latin America until the willingness of recipient governments to help themselves is much more evident than it is now.

It may be a year or 2 years from now before our Latin American neighbors take a long, hard look at the changing attitude on the part of the American public toward Uncle Sam paying so much of the bill, and as a result adopt some reforms long overdue. Perhaps we could then support a greater intermingling of our funds with other funds for a joint administration by an international group such as the Inter-American Bank. But we should not do so until they first meet their commitments in regard to the foreign aid program. That is why I say to my good friend from Arkansas that I refuse to go along with the proposed watertight separation of the bill from the whole foreign aid program problem. I look upon foreign assistance, including foreign aid and such international banking relations as we have here and a host of other programs, as all one, as far as the totality of our foreign policy is concerned, economically speaking.

So until there is first a drastic overhauling of our foreign aid program and other phases of our foreign assistance program, one of which the Senator from Missouri [Mr. SYMINGTON] intends to discuss at some length next Monday, I am against any bill that would seek to make available an additional $50 million of American taxpayers' money.

I yield to the Senator from Missouri such time as he needs.

Mr. SYMINGTON. Mr. President, I congratulate the able senior Senator from Oregon on many of the points he has made with respect to the problems incident to this proposed legislation.

PROPOSED ADDITIONAL CAPITAL FOR INTER-AMERICAN DEVELOPMENT BANK

I wish to comment on this proposed legislation to give the Inter-American Development Bank additional capital resources.

In essence, the bill would authorize the appropriation of $461 million to the Inter-American Bank, of which $411 million will be in the form of subscriptions to capital.

That amount is in addition to $135 million which has already been appropriated by the AID Act for the Social Progress Trust Fund, a fund also to be managed by the Inter-American Development Bank.

The questions I now raise relate, first, to the balance-of-payments impact of this authorization; and secondly, to the nonapplicability of the conditions written into the AID Act to the funds entrusted to the Inter-American Development Bank.

With regard to the balance-of-payments impact, it is admitted by Mr. Tom Killefer, U.S. Executive Director of the Inter-American Development Bank, in his testimony before the House Banking Committee—House hearings, July 11, 1963, page 233—that about one-third of the loans made by this Bank result in direct procurement in the United States. The rest are spent in procurement in other countries, or result in free dollars in the possession of Latin American central banks which these banks can spend anywhere.

The Secretary of the Treasury took the position before the Senate Foreign Relations Committee that, actually, the proportion of dollars spent in the United States is greater than 33 percent, because the prevailing pattern of trade with Latin American countries favors procurement in the United States.

But I am not satisfied that the latter explanation is correct, because when we make free dollars available to the Latin American countries, even though the central banks may clear import licenses against dollars for purchases in the United States, such free dollars made available by the Bank are, in fact, additions to the foreign exchange earnings of those countries. When they license ordinary imports from the United States, in effect what they are doing is transferring their current U.S. procurement program from their own exchange earnings to the U.S. aid credit; and they are entirely free to spend the foreign exchange thus saved in other countries.

Let me make this clear. In the case of Brazil, large amounts of dollars are earned through exports of coffee to the United States. These dollars, of course, even without aid money, would in large part be spent in purchases in the United States. When we make free aid dollars available to Brazil, they may still purchase the same amount of U.S. goods, in effect transferring their purchases from their cash account to the U.S. aid credit account, and they can then spend in Europe or Japan the earnings on coffee which they thus save.

Thus, when we make free dollars available, we are helping those countries substitute their purchases in the United States from their cash account to the foreign aid credit account.

This operation is called the "principle of substitution," and is well recognized by students of the program.

An eminent dean of U.S. economists, former president of the American Economic Association, Prof. Jacob Viner, explains this principle clearly in his article on the foreign aid program in the Political Science Quarterly of September 1963—pages 330 to 331.

Mr. Graydon Upton, executive vice president of the Inter-American Bank, stated clearly, in a speech at the annual meeting of the Bank's Directors in

Buenos Aires in April 1962, that his Bank's loans are resulting in U.S. balance-of-payments deficits, because the Latin American central banks are using the free dollars resulting from Bank loans to pay their bills to European suppliers—Senate hearings, December 4, 1963, page 51.

Therefore, I cannot agree with assurances of the Treasury Department that the loans made under the Inter-American Bank's program have little unfavorable effect upon the U.S. balance of payments.

It is argued that the subscription to the capital of the Inter-American Bank hereby authorized in the amount of $411 million will not have to be spent. It is admitted that the Congress, in addition to authorizing this amount of money, must also appropriate it, but asserted that the Bank does not intend to call for the money because it will only be used as guarantees of bonds the Bank intends to sell in the money market. Obviously, however, no bank would buy such bonds without appropriations by the U.S. Congress as backing for them.

The Bank would call upon the Treasury for this callable capital only in case of default on its loans, and to satisfy its own creditors; and the Treasury states that it does not anticipate this happening.

But the issuance of bonds by the Inter-American Bank, backed by this guarantee of U.S. appropriations, can only have deleterious effects upon our own balance of payments, because these bonds most likely will be issued in large part in the American money market.

Even as late as December 1962, the Bank, with the consent of the U.S. Treasury Department, was allowed to issue $75 million in the New York market, despite the fact the United States was running a serious balance-of-payments deficit.

When this money is borrowed in the American market, and lent to Latin American countries, even though a third of the money may come back to the United States for procurement here, a third is estimated to go to other countries, and another third is added to the free dollar exchange resources of Latin American central banks. Therefore, these bonds, if issued in the American market, will, in effect, cause as much of a drain on the U.S. balance of payments as direct appropriations from the U.S. Treasury.

The same Treasury Department that recommends this bill is suggesting, in H.R. 8000—the interest equalization bill—that we discourage, through taxation, further borrowing on the U.S. money market.

How can we justify a proposal before Congress, as in H.R. 8000, to limit and discourage foreign borrowings, and portfolio investments by U.S. citizens in foreign securities, at the same time we put the Government's credit behind the issuance of guaranteed bonds by the Inter-American Bank, whose expenditure in Latin American countries admittedly will adversely affect our balance of payments.

My interest is, of course, the protection of the financial integrity of the United States, maintaining U.S. prestige, and safeguarding the integrity of U.S. financial obligations by maintaining the gold convertibility of the dollar. This objective President Johnson reaffirmed in resounding terms in his recent state of the Union message.

If the choice were presented between a sewage plant or a highway in some other country, at the cost of further disadvantage to the now very serious balance-of-payments deficits of the United States, as against the maintenance of the international financial integrity of the United States, I would choose the latter as an overwhelming priority.

On the other hand, there are ways in which we can render help to our friends without increasing the balance-of-payments deficits. My disagreement with the supporters of this program is not on the objectives. It is directed at the methods used in giving help which in turn result in further balance-of-payments deficits.

As example, many of the loans made by the Inter-American Bank are in part knowingly used to pay for the local labor costs on projects the Bank finances. The only way local labor can be paid for is by converting dollars into local currencies. These dollars then become free dollars, out of which the central banks can pay not only their bills owed to us, but also their bills owed to other countries. This was pointed out by Mr. Graydon Upton in his speech in Buenos Aires in April 1962.

Why is it necessary to use dollars to pay for local labor? This is a matter for the internal allocation of manpower within these countries.

Why should we pay for the wages of a road gang to build a highway at a time when featherbedding on the railroads in question—excess labor attached to the Government-owned railroad system—is costing an additional $250 million a year deficit to the nation's budget? Why cannot this country undertake the internal disciplinary action necessary to reduce such a deficit? This action would release manpower for the highway in question.

This condition is true in many other countries. Their publicly owned enterprises are running a deficit to the government budget, one of the chief reasons being that excessive numbers of workers are hanging on the public payroll.

Under such circumstances, why should the U.S. taxpayer, at the expense of our own budgetary deficits and balance-of-payments deficits, finance the cost of local labor employed on public works projects?

We have drifted into a program of worldwide public works and reemployment before we have come near solving our own employment problem. It would seem we have drifted into an easy, perhaps lazy, way of spending aid dollars in such a worldwide program instead of undertaking the more difficult educational job necessary to bring about more sensible programs, programs where we supply the equipment, and the local government in question supplies the local labor and materials for the projects in question.

I can understand why in certain cases the United States should be willing to contribute, both through AID and the Inter-American Development Bank, the roadbuilding machinery required, or pumps and pipes for water and sewage systems. But should not the local authorities supply the local labor themselves?

These are but a few examples, and there are many, which prove that our financial authorities have not yet thought through the necessity for more strict administrative discipline so as to start to protect our steadily declining balance-of-payments position.

The second set of circumstances which gives me trouble with respect to the growing international approach to the foreign aid program is the difficulty of applying standards that we have adopted in our own aid programs to loans and grants made by such organizations as the Inter-American Bank.

A few moments ago, the senior Senator from Oregon [Mr. MORSE] ably pointed out that this is becoming an increasing problem. We are familiar with increasing efforts designed to get around the wishes and the will of Congress, such matters as interest rates, the duration of loans, the repayment period, the application of the Hickenlooper amendments; and also procurement standards.

Where the regular capital of the Inter-American Bank is concerned, either management decisions, or amendments to the Bank's charter provisions, will be necessary to incorporate some of the policy decisions made by the Congress on these matters in the recent Foreign Aid Act. Should we not require, or at least direct, the U.S. Executive Director on the Board of the Bank to initiate and vote for policies to apply the same principles of the 1963 Agency for International Development Act to Inter-American Bank loans?

Where the Social Progress Trust Fund is concerned, reservations may be applied by the U.S. Government in the revision of the Trust Agreement of June 19, 1961, between the President of the United States and the President of the Bank. This Trust Agreement must either be rewritten or amended to encompass the new appropriation of $135 million.

There is no reason why the State Department or the President cannot prescribe conditions on the management of this new addition to the trust fund. In this way we could prohibit dollar payments for local labor costs of projects, set conditions on interest and repayment, and apply the Hickenlooper amendment which, according to the action of the Congress and the aid legislation, should be enforced.

It is said this Bank is an international organization, that other countries make contributions of capital, and that therefore we should go easy in applying conditions.

Let us be practical as well as realistic. This is but one more way of making unilateral contributions by the United States. It is true that other countries subscribe capital, one-half in dollars, and one-half in their own local currency; but they generally borrow the equivalent of their own contributions, plus all of our contributions to the Inter-American Bank, every last cent of the latter being in dollars.

Let us not be confused in our thinking. The internationalization of the aid program is only another way of directing additional U.S. aid to other nations. Therefore, the principles we have adopted for dispensing such aid in the future should not be sacrificed to the dubious advantages of multilateral management, where we have even less control of our additional dollar contributions to all these countries.

REPUBLICAN POLICY COMMITTEE ACTIVITIES REPORT, 88TH CONGRESS, 1ST SESSION

Mr. SALTONSTALL. Mr. President, will the Senator yield to me briefly?

Mr. FULBRIGHT. I yield such time to the Senator from Massachusetts as he may require.

Mr. SALTONSTALL. Mr. President, as chairman of the Republican conference and in consonance with the wishes of the chairman of the Republican policy committee, the Senator from Iowa [Mr. HICKENLOOPER], I submit for the RECORD a report on the activities of the combined staffs of the Republican conference and the policy committee for the calendar year 1963.

While their work is essentially for the assistance of the Republican Members of the Senate, it is, I believe, a record and analysis of some of the many problems that the Senate faced in its 1st session of the 88th Congress and will be an instructive exposition of work that is worthy of inclusion in our RECORD, which I ask unanimous consent to do.

There being no objection, the report was ordered to be printed in the RECORD, as follows:

REPUBLICAN POLICY COMMITTEE ACTIVITIES REPORT, 88TH CONGRESS, 1ST SESSION, JANUARY 9, 1963, TO DECEMBER 30, 1963

This report indicates the workload and briefly summarizes the variety of activities and functions of the policy committee staff during the 88th Congress, 1st session.

SPECIAL STUDIES AND REPORTS PREPARED FOR USE BY THE REPUBLICAN CONFERENCE

1. "A Study and Analysis of the Rules of the Senate; Pros and Cons re Amending Senate Rules at the Convening of a New Congress," January 1963.
2. "Analysis of Three Different Accounting Measures Used in Preparation of the U.S. Government Budget for Fiscal Year 1964," January 1963.
3. "International Situations of Concern to the American People," February 1963.
4. "Republican Accomplishments Since the Days of Lincoln" (a Lincoln Day packet containing material for use of the Republican conference), January 1963.
5. "Domestic Peace Corps" (background material on the basic proposals, proponents' and opponents' views), February 1963.
6. "Wartime Benefits for Peacetime Veterans Under Certain Circumstances"—a study and proposal of legislation, February 1963.
7. "Youth Conservation Corps and Local Area Youth Employment Program" (background material and proponents' and opponents' views), February 1963.
8. "Democrat Criticism of Eisenhower Administration's Foreign Policy," February 1963.
9. "A Working Guide to the President's Tax Message," February 1963.
10. "The Forgotten Youth" (vocational education in the United States), March 1963.
11. "Facts on Federal Employment Trends," March 1963.
12. "Information on the Current Financial Status of the United Nations," April 1963.
13. "Managed News," April 1963.
14. "A Matter of Priority" (an examination of the budget and benefits of the moon shot in relation to other national problems), May 1963.
15. "Civil Rights" (a compilation of material, chronology, and documents on the subject of civil rights), June 3, 1963.
16. "U.S. Balance of Payments and the Outflow of Gold," June 1963.
17. "Civil Rights" (Legislative Reference Service, American Law Division, Library of Congress) (distributed to all Republican Senators on June 28, 1963).
18. "Presidential Requests of Congress for Part I—Money; Part II—Power" (first 6 months of current session), July 1963.
19. "Medical Care for the Aged: A History of Current and Past Proposals and Pro and Con Arguments"—the Library of Congress, Legislative Reference Service, Education and Public Welfare Division, March 15, 1963. Rerun June 14, 1963; high school debate kit—"Should Social Security Pay for Complete Medical Care?" (Chamber of Commerce of the United States) (mailed to all Republican Senators July 3, 1963).
20. "Section-by-Section Analysis of the Administration's Civil Rights Proposals" (distributed to all Republican Senators July 9, 1963).
21. "The Power of Congress To Prohibit Racial Discrimination in Privately Owned Places of Public Accommodation," the Library of Congress, American Law Division, July 3, 1963 (distributed to all Republican Senators July 11, 1963).
22. "Chronological Background At-a-Glance on Rail Dispute" (distributed to all Republican Senators July 23, 1963).
23. Statement of possible issue for consideration at the policy committee meeting (mailed to all Republican Senators September 24, 1963).
24. "Issues for 1964, National and Regional" (printed by Republican congressional committee September 24, 1963).
25. "Annual Report of the Secretary of the Treasury on the State of the Finances, for the Fiscal Year Ended June 30, 1962" (distributed to all Republican Senators October 4, 1963).
26. "Kennedy Administration Inflation in the 50 States" (distributed to all Republican Senators on November 12, 1963).
27. "The Republican Report of U.S. Senator EVERETT MCKINLEY DIRKSEN for the 1st session, 88th Congress, Together With Digests and Analyses of Major Legislation and Treaties."

Above reports and studies have been well received, widely distributed, and used by all members of the conference. "The Forgotten Youth" study on vocational education in the United States prompted requests for over 3,000 copies from education leaders throughout the United States.

REQUESTS FROM MEMBERS OF THE CONFERENCE

Records show that the committee staff received an average of 130 requests per month for a total of 1,563 requests from all 33 members of the conference and their staffs. These requests required special research and assistance in the preparation of detailed studies, reports, analyses of pending legislation, preparation of speech material, etc.

Numerous requests for information and assistance were also received from local trade associations, the executive branch of the Government, Representatives of Congress, feature writers, members of the press, and other news media.

REGULAR ADMINISTRATIVE FUNCTIONS AND ROUTINE ASSIGNMENTS

1. Preparation and submission to the Republican conference of policy statements for its consideration.
2. Preparation and distribution of a synopsis, pros and cons, and party breakdown on all record votes with a cross-reference index.
3. Provision of professional staff for the Senate Republican calendar committee and its examination of all bills on the Senate Calendar.
4. Preparation and distribution of a handbook summarizing record votes for the individual use of Senators and their staffs.
5. Preparation and distribution of major voice votes and quorum calls.
6. Preparation of a weekly summary of major public laws.
7. Write, edit, collate, and distribute the annual minority leader's report.
8. Publication of a weekly memo containing items of interest to the Republican conference.
9. Preparation and distribution of the minutes of the Republican policy committee meetings.
10. Establishment and maintenance of special research files to be made available to members and staffs of Republican Senators.
11. Preparation and maintenance of up-to-date biographies for all members of the conference.
12. Preparation of (1) a monthly policy committee financial accountability report and (2) a monthly policy committee activities report.

INCREASE OF U.S. PARTICIPATION IN THE INTER-AMERICAN DEVELOPMENT BANK

The Senate resumed the consideration of the bill (H.R. 7406) to provide for increased participation by the United States in the Inter-American Development Bank, and for other purposes.

Mr. FULBRIGHT. Mr. President, may I inquire whether any Senator wishes time?

Mr. MORSE. Mr. President, I am ready to yield back my time, but first I suggest that there be a quorum call so the yeas and nays can be ordered.

Mr. FULBRIGHT. I suggest the absence of a quorum.

The PRESIDING OFFICER. To whose time shall it be charged?

Mr. FULBRIGHT. I am willing to have it come out of my time.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. FULBRIGHT. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. MORSE. Mr. President, I ask for the yeas and nays on passage of the bill.

The yeas and nays were ordered.

Mr. MORSE. Mr. President, I yield back the remainder of my time.

Mr. FULBRIGHT. I wish to be recognized in order to answer some questions.

Mr. DOMINICK. Mr. President, will the Senator yield?

Mr. FULBRIGHT. I yield.

Mr. DOMINICK. Mr. President, I should like to ask a few questions based on policy, which I am quite sure the distinguished chairman can answer, and with respect to which the chairman can enlighten me.

It is my understanding that the additional subscription to the Bank's stock will not call for an appropriation of money at the present time. Under what circumstances would that money have to be appropriated? I refer to the $411 million.

Mr. FULBRIGHT. Under the agreement with the Bank, the money would be available upon call to service the Bank's obligations. The main purpose is to enable the Bank to sell its bonds in the markets of various countries. Heretofore it has sold some in the U.S. market, and some in Italy. It is hoped that, with these additional resources, which would be in the nature of a contingent liability, new bond issues could be sold in various markets. We would not put up the money, except upon the call of the Bank. The only contingency that I can think of would be when the losses of the Bank would be so severe that its resources could not service the bonds.

The same contingency exists with respect to the International Bank. This is in the nature of a reserve against the highly unlikely contingency of the Bank, in effect, failing to operate, and becoming for all practical purposes, bankrupt.

Mr. DOMINICK. Does the Senator know whether the contingent liability to which we would be subjecting ourselves would play a part in determining the amount of any deficit which might occur in a fiscal year?

Mr. FULBRIGHT. No; it would not, except on the arising of the contingency. Our balance of payments or our deficit would not be affected until such contingency actually arose.

Mr. DOMINICK. Could this proposal be interpreted by those of us who are opposed to back-door financing as a form of back-door spending?

Mr. FULBRIGHT. No; it could not be so interpreted, because there is an appropriation in this case. This particular fund is not borrowed. I do not agree with the term "back-door financing." I know where it originated. Nevertheless, in this case the money is appropriated.

Mr. DOMINICK. With respect to the $50 million fund, we are, in fact, appropriating the $50 million and putting it into the Bank, in the special operation fund.

Mr. FULBRIGHT. Yes; it involves actual expenditures. The money has already been appropriated, but it was agreed that it would not be delivered until the authorization was passed.

Mr. DOMINICK. Is there any provision in the bill or in the basic act which would make our payment or delivery of the money contingent upon payment by other countries of the amounts which they are supposed to pay into the Bank?

Mr. FULBRIGHT. It is not included in the program, but it is required under the agreement that within 90 days all countries which approve the agreement must pay in their subscriptions.

Mr. DOMINICK. The chairman's feeling is that if they did not pay in their subscriptions within 90 days, they would be subject to expulsion. Is that correct?

Mr. FULBRIGHT. The Senator is correct. They would be subject to suspension by a vote of the Board of Governors requiring three-fourths of the voting strength. A weighted voting system operates in this organization. A vote of two-thirds of the members and three-fourths of the votes is necessary for suspension.

In my opinion the other countries would be subject to expulsion if they refused to pay. In that connection, none of them has refused to pay. All of them are current with their obligations.

Mr. DOMINICK. I notice in the report that the various countries required from 1959 to November 1962 to make good on their previous acceptances.

Mr. FULBRIGHT. That is correct. That was the beginning of the organization. It took time to get started. However, they did pay up.

Mr. DOMINICK. Can the Senator tell me whether or not any of the funds provided in the special operation fund would be used in countries which are under restrictions insofar as our direct foreign aid authorization bill is concerned? I cite Brazil as an example.

Mr. FULBRIGHT. It is quite possible that that would be true. I do not know of my own knowledge what is pending at the moment, but the two operations are separate. The aid program, under the direct control of our Government, may involve a restriction or suspension of a program with reference to Brazil, whereas, the other operation could proceed. There would be nothing illegal about it. We have 42 percent of the voting strength in the organization. Our representative is a member of the executive branch, and is subject to control of the President. If we wished to impose such a restriction, we would, in effect, have a veto upon the special operations of the Bank by the exercise of our voting strength in the Board of Directors.

Mr. DOMINICK. I thank the distinguished chairman. I wished to bring up these questions for the record.

Mr. FULBRIGHT. We have that power; but, of course, we do not have to exercise it. Countries which get too far away from reasonable policies in this connection ought to be denied loans funds.

Mr. DOMINICK. In short, the Senator feels that the $50 million that we are putting up gives at least reasonable assurance, based on past history and on penalties, that the other countries will put up their share.

Mr. FULBRIGHT. I believe so.

Mr. DOMINICK. I thank the distinguished chairman.

Mr. MILLER. Mr. President, will the Senator yield?

Mr. FULBRIGHT. I yield.

Mr. MILLER. Referring to page 4 of the committee report, I note that the statement is made that the increased subscription of $1 billion, which the bill envisions, of which the share of the United States would be $411,760,000, is said to be required to assure regular hard lending operations beyond next year, "since only about $100 million can be raised in future bond issues under existing conditions and restrictions."

I would appreciate it if the distinguished chairman would explain that statement, because I do not understand it. All I can see is that someone has said that we must do it, but I cannot quite understand why.

What would happen if this provision in the bill were not enacted?

Mr. FULBRIGHT. If we did not provide such assurance, the bank would not have support for the sale of bonds beyond the $100 million on future bond issues. The way the Bank raises the money to lend, aside from paid-in capital, is by selling bonds, and then relending the money. The guarantee for such bonds is the $411 million which is our part of the billion dollars involved.

That is callable capital. We do not put it up. We do not pay it in. The International Bank operates in exactly the same way. We subscribe to callable capital. We do not put up the money. If the Bank should go broke, we would have to put it up.

We do not intend to have the Bank go broke, any more than we intend to have the International Bank go broke. This enables the Bank to go into the market in London, for example. It has already sold $25 million in bonds in Italy. This provision stands as a guarantee, and justifies borrowing on the part of the Bank.

Mr. MILLER. In other words, under the present limitation authorizing capital stock, there is an insufficient contingent liability, for example, on the part of the United States, to enable the Bank to go beyond $100 million.

Mr. FULBRIGHT. It would then be used up, and the Bank could not go beyond that point.

Of the proposed $1 billion, our part, of course, is $411 million. The other countries account for the balance.

Mr. MILLER. If what the Senator says is so, namely, that this is in the nature of a contingent amount which might be necessary if there were some defaulting, why this sentence in the same paragraph:

> The actual subscriptions, and the appropriations to meet the U.S. subscription, will not be required until a later stage.

From what the Senator has said, it seems to me that we were anticipating a later stage when we would have to meet a contingent liability because of some defaulting.

Mr. FULBRIGHT. Not at all. We would authorize an appropriation now, but it would not be needed until later.

Mr. MILLER. To subscribe to the $411,760,000?

Mr. FULBRIGHT. That is correct. We would actually appropriate in a two-stage process. This agreement was negotiated among the Board of Directors, and they all agreed to it.

Mr. MILLER. Then there is more to it than merely authorizing an extra $1 billion in capital stock and authorizing our representatives to vote for it and commit the United States to subscribe to $411,760,000. Apparently, there is to be an appropriation of $411,760,000.

Mr. FULBRIGHT. Oh, yes. It has to be appropriated, but not paid out. This point was discussed a moment ago. This is not a borrowing operation; it is an actual appropriation, but it will not be paid out by the Treasury.

Mr. MILLER. I am afraid I do not quite understand. I thought I understood what the Senator was saying; namely, that we would commit ourselves to subscribe to this amount and to pay it in. If there should be a defaulting situation——

Mr. FULBRIGHT. It will be appropriated but not paid in. It stands in the Treasury as a guarantee against a call. It is callable capital, but not paid in in cash. That is what I meant in answer to the question asked by the Senator from Colorado [Mr. DOMINICK].

Mr. MILLER. I understand. I thank the Senator for clearing up that point.

One further question. The hard-lending operations which the Bank can now undertake are limited to $100 million. The purpose behind this part of the bill is to enable the hard-lending operations to increase to $1 billion more?

Mr. FULBRIGHT. That is partially correct, except that the Bank would not float new bond issues to anything like that full amount.

Mr. MILLER. Why do we have to worry about going beyond $100 million at this point? How hamstrung would the program be if we should do nothing about this provision and say, "Go ahead and take care of your $100 million, which you can now do"?

Mr. FULBRIGHT. The program would come to an end. It would mean that the Bank's lending operations would come to an end if we did not accept this proposal. That $100 million would last less than a year. That would be the end of it.

Mr. MILLER. I know that is what is said; but the question of the Senator from Iowa is: So what? Has a program been presented to the Bank, and in turn to the Senator's committee, so that we may have an idea of what is ahead? Or is this merely a sort of guess as to what is to happen, or what the real thinking is?

Mr. FULBRIGHT. If the Bank is to continue in business, it must have these funds. Judging from past experience, the $100 million is what would be used this year.

The bill passed the House last August. A good amount of time has elapsed. If the Bank is to continue in business, it must have this money in order to sell any more than $100 million in bonds. As a matter of policy, if we do not wish it to continue, we do not have to let it continue.

Mr. MILLER. That is my point. I do not know whether we have to do so or not. I have not seen anything to indicate one way or the other. If there is a persuasive reason for its continuance, the Senator from Iowa will support the program. But all I have been told by the report and from the debate is that the Bank will run out of the $100 million it can borrow under the present guarantees, and it wants another $1 billion over and above that. So we must commit ourselves, appropriate funds, and let them remain in the Treasury, so that the U.S. share, the $411 million, may be available. But the taxpayers of my State will want to know why. They will say, "Let us have the reasons why this Bank must enter upon another $1 billion of activity? How good is it, especially in light of the foreign aid problems that have been discussed in the past 60 or 90 days?"

I would appreciate having the Senator from Arkansas enlighten us on what is behind the $1 billion future activity of the Bank.

Mr. FULBRIGHT. I did not know how extensively the Senator wanted me to talk about this program. It involves the overall foreign policy of the United States, a major part of which is the development of Latin America. Our policy heretofore has been that it is in our interest as a great nation, and especially as the greatest nation in the Western Hemisphere, to show a special feeling toward Latin America. It is believed to be in the best interests of our country and of the peace of the world that underdeveloped countries be assisted in their development, just as the United States was assisted by European countries a hundred years ago. That has been the reason. There are those who, perfectly legitimately and honestly, disagree with this basic policy of the Government.

Mr. MILLER. The Senator from Arkansas knows that I am not one of those.

Mr. FULBRIGHT. I do not know it at all. I am trying to answer the Senator's question.

Mr. MILLER. The votes of the Senator from Iowa will show——

Mr. FULBRIGHT. If the Senator from Iowa wishes me to answer his question, I shall try to do so. He asked me to say why the program is justified.

Mr. MILLER. The Senator from Iowa does not want the inference to be drawn that he is opposed to the program.

Mr. FULBRIGHT. I am not making any implications. I am trying to explain what the policy is.

Mr. MILLER. Very well.

Mr. FULBRIGHT. I cannot do that with such interruptions.

Mr. MILLER. The Senator from Iowa apologizes if he has injured the feelings of the Senator from Arkansas, but I did not want to have the inference drawn that I was opposed to this policy.

Mr. FULBRIGHT. I made no such implication. I stated what has been the policy of the country under the two previous administrations and the present one. There are perfectly honest reasons, I am sure, why persons oppose our Government's foreign policy. I do not know of any area in the foreign field which does not draw some opposition from Senators. Sometimes they support the policy; sometimes they change their minds. That is perfectly legitimate. We all do that at times in connection with any particular policy. I am not arguing that point. I am not responsible for how the Senator from Iowa votes. I have not said anything about that. I am trying to say why this country has followed the policy of assisting other countries develop their resources. This is a program of enlightened self-interest. It is not charity. It is intended as a policy to assist other countries to develop along lines which we think are consistent with our security and safety, and with the development of what we are pleased to call democratic systems as opposed to authoritarian systems.

This policy has not always been successful. We help certain countries that are not democratic. The program is not absolute in its concept. But, generally speaking, we hope that self-governing countries will develop and be free from the domination of any other country, especially of Soviet Russia, as in the case of Cuba.

This is the objective. It is only partially achieved. Nobody claims it is perfect and that it has succeeded in every respect. At any time, this country is free to change the policy if we become disillusioned with this particular organization or with foreign aid. We can withdraw and follow the policy we followed after World War I. That is inherent in our capacity to control our own policies.

I am only describing the policy and purpose behind this organization. The Senator from Iowa may, of course, accept the policy or deny that the organization is appropriate to the achievement of the policy. That is a decision that everyone has to make.

I agree with the administration that so far this particular operation, in its 3 years, has been reasonably successful, and that it warrants our support. That is about as far as I can go. I cannot guarantee tc the Senator that the program will be a panacea for all our allies. It may or it may not be. I believe it makes a contribution. It is not a large operation, as operations go these days, but I believe it makes a useful contribution to the stability of the Latin American world, which is where this particular operation is designed to do its work. I hope the Senator from Iowa will support it.

Mr. MILLER. May I ask the Senator a further question?

Mr. FULBRIGHT. Yes.

Mr. MILLER. I assure the Senator from Arkansas—although I trust he does not need any assurance—that with the objectives which he has stated, the Senator from Iowa agrees and has agreed. However, the Senator from Iowa was not trying to elicit the objectives or the policies behind the program. Rather, he was trying to elicit some sort of idea of what the program, under the additional spending, would entail.

Mr. FULBRIGHT. The program would involve loans for the future within the various countries. This agency would proceed in very much the same ways as does the International Bank. A project is submitted to the Bank Directors and its experts, and finally the Board of Directors reviews it and decides whether it is good or bad.

It is like any other bank, except that it operates in the international field. These projects are likely to be power projects, or perhaps irrigation projects. Most of them involve hard loans of an industrial nature in that field which are self-liquidating, whereas the special fund is more likely to be carrying something not immediately, at least, designed to produce revenue. A railroad would be an example of a so-called hard loan which the $411 million backing is designed to meet.

Mr. MILLER. Does the Senator from Arkansas know whether the Bank has a backlog of requests for loans which would use up the $900 million?

Mr. FULBRIGHT. It does; but it is not $900 million.

Mr. MILLER. $1 billion.

Mr. FULBRIGHT. Bond issues floated against the increased subscriptions. The appropriation of the U.S. portion of $411.8 million would come in two stages, half of it needed before December 31, 1964—this is the information given to the committee—and the second half in the following year. This is provided in the resolution of the executive directors and applications for loans are being made all the time. As in the case of any bank, they come in and are being processed. A lending rate of about $150 million from regular operations each year is what the Directors project.

Mr. MILLER. If the Senator has not already done so, does he have any listing of projects, for example, anticipated in the next 6 months, so that we might have an idea of what——

Mr. FULBRIGHT. We do not have any concrete anticipations. I believe past projects are illustrative of what they will do.

Mr. MILLER. Does the Treasury Department representative of the Bank report to the Senate Foreign Relations Committee or to the Appropriations Committee and give them a schedule of what these programs are expected to be, for example, in the next 6 months, or next year? What are the mechanics?

Mr. FULBRIGHT. We did not receive any. I do not believe we asked for any. We are given reports as to what they have done. I do not know that they could give us what they will do. I do not believe any bank could do that.

Mr. MILLER. The only way they could do that would be if they had a backlog of requests which they were screening, on the basis of which they might estimate how much money they would need. I was hoping that possibly we could have something, so that I and other Senators, if we were asked about this item, could give people some idea of what this money was going to be used for.

Mr. FULBRIGHT. As I have stated, I do not believe any bank, whether it be a domestic bank or an international bank, could tell what it intended to do. I hold in my hand, if the Senator wishes to look at it, a record that is quite voluminous, as to what has already been done, both with respect to the special fund and the ordinary capital. I shall be glad to show the record to the Senator. I believe it is too voluminous to put in the RECORD, but it is available. It shows what has been done, which I would say on any reasonable basis is a fair pattern of what is likely to be done in the future.

Mr. MILLER. I do not wish to clutter up the RECORD unnecessarily.

Mr. FULBRIGHT. The Senator can see how voluminous the tables are.

Mr. MILLER. I was wondering whether a part of the material, such as the short part relating to the capital stock fund, for which the extra $1 billion is being requested will be used, would be feasible for inclusion in the RECORD. That is the main point that I am concerned about.

Mr. FULBRIGHT. It runs, as the Senator can see, to a great number of pages. Would it satisfy the Senator from Iowa if we put in one or two pages as an illustration? I hesitate to put so much in the RECORD. I do not know whether it would serve a better use to put a part of it in. Perhaps we could give a sample as stating a specific purpose.

Mr. MILLER. Yes; that is the specific purpose.

Mr. FULBRIGHT. My assistant tells me that each of these pages would cost $94 to print in the CONGRESSIONAL RECORD, which is one reason why I hesitate to put in this kind of information unless it is absolutely necessary. Why not put in one page as an illustration of the type of loans that are made? Would that satisfy the Senator?

Mr. MILLER. These are small, fine print tables.

Mr. FULBRIGHT. Very fine print.

Mr. MILLER. I suggest that there be put in the RECORD the pages relating to Argentina and Brazil. I believe that would be illustrative of what we have been discussing.

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There being no objection, the tables were ordered to be printed in the RECORD, as follows:

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Mr. FULBRIGHT. That is correct. We would actually appropriate in a two-stage process. This agreement was negotiated among the Board of Directors, and they all agreed to it.

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				Total expressed in U.S. dollars.	630,000	--------	630,000	90,000	540,000	45,989	--------	

INTER-AMERICAN DEVELOPMENT BANK—ORDINARY CAPITAL—Continued

Statement of approved loans, Nov. 30, 1963—Continued

Country and obligor (guarantor in parentheses)	Loan No.	Purpose	Date approved (contract signed)	Currencies	Amount approved	Undisbursed balance	Status of loans			Income collected	Interest (percent)	Repayment terms, principal installments
							Disbursed	Repaid	Outstanding			
ARGENTINA—continued												
Tool Research Argentina Sociedad Anónima Industrial y Commercial (Banco Provincial de Santa Fé), private entity.	28	Expand production on gears and axles of an estimated cost of $2,206,000.	Oct. 5, 1961 (Dec. 13, 1961)	U.S. dollars	252,000		252,000		252,000	16,969	5.75	20 semiannual beginning June 1, 1964. $448,000 of loan balance canceled.
				Less taken by participants	70,000		70,000		70,000	4,054		
				Net total expressed in U.S. dollars.	182,000		182,000		182,000	12,915		
Vialsa, S.A., private entity	36	Financing of machinery and equipment to manufacture prefabricated housing of an estimated cost of $4,550,000.	Dec. 14, 1961 (Dec. 15, 1961)	U.S. dollars (local costs, $100,000).	2,200,000	1,106,138	1,093,862		1,093,862	40,859	5.75	20 semiannual beginning June 15, 1964.
Sociedad Anónima "La Merced" (Garovaglio y Zorraquin, S.A.), private entity.	38	To assist in the financing of irrigation canal and development of farm property of an estimated cost of $1,600,000.	Dec. 21, 1961 (Mar. 5, 1962)	Pesos	13,280,000	6,058,500	7,221,500		7,221,500	529,075	5.75	18 semiannual beginning Sept. 5, 1965.
				U.S. dollars (local costs, $160,000).	470,000	69,385	400,615		400,615	25,276		
				Total expressed in U.S. dollars.	569,757	111,197	458,560		458,560	29,157		
				Less taken by participants	52,222		52,222		52,222	3,590		
				Net total expressed in U.S. dollars.	517,535	111,197	406,338		406,338	25,567		
Agua y Energía Eléctrica, Empresa del Estado de Argentina (Republic of Argentina) Public entity.	39	To assist in the financing of an electrical expansion program of an estimated cost of $40,000,000.	Dec. 21, 1961 (Mar. 22, 1962)	Pesos	232,400,000	50,797,312	181,602,688		181,602,688	5,104,970	5.75	24 semiannual beginning Apr. 1, 1966.
				U.S. dollars (local costs, $2,800,000).	8,000,000	7,750,255	249,745		249,745	80,226		
				Total expressed in U.S. dollars	9,642,728	8,101,875	1,540,853		1,540,853	115,396		
				Less taken by participants	150,000	150,000				1,442		
				Net total expressed in U.S. dollars.	9,492,728	7,951,875	1,540,853		1,540,853	113,954		
Corporación Entrerriana de Citrus Sociedad Anónima de Economía Mixta Industrial, Comercial y Financiera (Provincia de Entre Ríos) Mixed entity.	45	To assist in the financing of a citrus fruit processing plant of an estimated cost of $3,413,000.	Feb. 21, 1962 (Apr. 6, 1962)	Pesos	28,000,000	7,834,420	20,165,580		20,165,580	766,892	5.75	24 semiannual beginning Oct. 15, 1964.
				U.S. dollars	1,300,000		1,300,000		1,300,000	63,758		
				Total expressed in U.S. dollars	1,501,188	53,800	1,447,388		1,447,388	69,126		
Armetal, Industria Argentina de Metales, S.A. (Banco Industrial de la República Argentina) Private entity	46	Purchase of equipment and machinery for automotive industry of an estimated cost of $5,681,000.	Mar. 8, 1962 (May 31, 1962)	Pesos	170,000		170,000		170,000	2,944	[5] 5.75	12 semiannual beginning Nov. 15, 1964.
				Italian lire	465,000,000	373,285,567	91,714,433		91,714,433	9,234,379		
				U.S. dollars (local costs $144,000).	1,080,000	241,047	838,953		838,953	49,036		
				Total expressed in U.S. dollars	2,000,000	843,121	1,156,879		1,156,879	66,874		
				Less taken by participants	500,000		500,000		500,000	29,410		
				Net total expressed in U.S. dollars.	1,500,000	843,121	656,879		656,879	37,464		
Cominco, Sociedad Anónima, Comercial, Industrial, Inmobiliaria y Financiera (Banco Industrial de la República Argentina), private entity.	61	Financing the purchase of equipment and installation of a plant for the production of pressed chipboard of an estimated cost of $1,217,000.	Feb. 21, 1963 (Aug. 13, 1963)	Pesos	29,000		29,000		29,000		5.75	11 semiannual beginning Feb. 12, 1965.
				U.S. dollars (local costs $58,000)	203,000	1,294	201,706		201,706			
				Total expressed in U.S. dollars.	232,000	1,294	230,706		230,706			
Banco de la Nación, Argentina, public entity.	66	To assist in the financing of a program for mechanization of agriculture of an estimated cost of $83,333,000.	Apr. 16, 1963 (June 27, 1963)	Pesos	7,500,000	6,500,000	1,000,000		1,000,000		5.75	23 semiannual beginning July 3, 1967.
				Italian lire	3,100,000,000	2,480,000,000	620,000,000		620,000,000			
				U.S. dollars (local costs, $12,500,000).	12,500,000	12,000,000	500,000		500,000			
				Total expressed in U.S. dollars	25,000,000	22,500,000	2,500,000		2,500,000			
				Less taken by participants	321,736	321,736						
				Net total expressed in U.S. dollars.	24,678,264	22,178,264	2,500,000		2,500,000			

Compañía Sud Americana de Cemento Portlant Juan Minetti e Hijos, Ltda., S.A. (Banco Industrial de la República Argentina), private entity.	67	To finance the acquisition of equipment for a cement plant of an estimated cost of $11,000,000.	Apr. 16, 1963	U.S. dollars	7,000,000	7,000,000					5.75	13 semiannual beginning 30 months after date of contract.
CARBOCLOR, Industrias Químicas, SAIC (Banco Industrial de la República Argentina), private entity.	69	Finance a petrochemical products factory of an estimated cost of $4,868,000.	June 20, 1963 (July 12, 1963)	do	2,500,000	2,500,000					5.75	13 semiannual beginning Jan. 12, 1967.
Total loans to Argentina expressed in U.S. dollars					66,527,673	52,563,791	13,963,882	90,000	13,873,882	639,205		
Less taken by participants					1,193,958	471,736	722,222		722,222	45,664		
Net total of loans to Argentina expressed in U.S. dollars					65,333,715	52,092,055	13,241,660	90,000	13,151,660	593,541		
BRAZIL												
Lutcher S. A. Celulose e Papel, private entity.	2	Construction of cellulose pulp mill and related facilities of an estimated cost of $13,000,000.	Mar. 31, 1961 (June 14, 1961)	Cruzeiros	2,200,000		2,200,000		2,200,000	107,267	5.75	16 semiannual beginning Dec. 15, 1963.
				U.S. dollars (local costs $2,000,000)	2,500,000		2,500,000		2,500,000	226,503		
				Total expressed in U.S. dollars.	4,700,000		4,700,000		4,700,000	333,770		
Sifco do Brasil, S.A., private entity.	11	Purchase of machinery to expand production of forgings for automotive industry of an estimated cost of $1,480,000.	June 28, 1961 (Nov. 21, 1961)	Cruzeiros	180,000		180,000	25,704	154,296	5,667	5.75	14 semiannual beginning Apr. 1, 1963.
				U.S. dollars (local costs $175,190)	570,000		570,000	81,396	488,604	49,779		
				Total expressed in U.S. dollars.	750,000		750,000	107,100	642,900	55,446		
				Less taken by participants	122,094		122,094	81,396	40,698	11,502		
				Net total expressed in U.S. dollars.	627,906		627,906	25,704	602,202	43,944		
Industria Brasileira de Equipamentos S.A. (a Brazilian commercial bank) private entity.	29	Financing of machinery for the production of bits and joints of an estimated cost of $1,230,000.	Oct. 19, 1961 (Jan. 24, 1962)	Cruzeiros	87,000	87,000				853	5.75	16 semiannual beginning July 15, 1964.
				U.S. dollars (local costs $88,000)	528,000	403,173	124,827		124,827	5,175		
				Total expressed in U.S. dollars.	615,000	490,173	124,827		124,827	6,028		
Papel e Celulose Catarinense Ltda. (Klabin Irmãos & Cia.), private entity.	34	Construction of a kraft pulp and paper mill of an estimated cost of $21,600,000.	Dec. 14, 1961 (Jan. 22, 1962)	U.S. dollars	5,000,000	3,054,160	1,945,840		1,945,840	133,055	5.75	9 semiannual beginning Jan. 15, 1965.
Centrais Elétricas de Minas Gerais, S.A. (Banco Minero da Produção), public entity.	35	To finance the expansion of electrical transmission and distribution facilities of an estimated cost of $35,000,000.	Dec. 14, 1961 (June 5, 1962)	Cruzeiros	1,500,000	106,149	1,393,851		1,393,851	22,102	5.75	20 semiannual beginning Dec. 5, 1966.
				U.S. dollars (local costs, $1,500,000).	3,500,000	2,310,586	1,189,414		1,189,414	35,268		
				Total expressed in U.S. dollars.	5,000,000	2,416,735	2,583,265		2,583,265	57,370		
Fundição Tupy, S.A., private entity.	44	To expand production of iron castings of an estimated cost of $1,630,100.	Feb. 15, 1962 (May 16, 1962)	U.S. dollars	560,000		560,000		560,000	44,726	5.75	12 semiannual beginning Nov. 15, 1964.
Companhia Agrícola, Imobiliária e Colonizadora (Banco do Estado do Sao Paulo), public entity.	48	Program of agricultural mechanization in the State of São Paulo of an estimated cost of $10,647,000.	June 28, 1962 (Dec. 6, 1962)	Italian lire	620,000,000	140,600,899	479,399,101		479,399,101	3,108,493	5.75	12 semiannual beginning June 6, 1965.
				U.S. dollars	3,500,000	9,474	3,490,526		3,490,526	8,774		
				Total expressed in U.S. dollars	4,500,000	236,250	4,263,750		4,263,750	13,788		
Companhia Pernambucana de Borracha Sintética (Banco Nacional do Desenvolvimento Economico), public entity.	49	Synthetic rubber plant of an estimated cost of $33,134,000.	July 5, 1962 (Nov. 9, 1962)	U.S. dollars	3,615,000	1,457,120	2,157,880		2,157,880	100,615	5.75	14 semiannual beginning May 15, 1966.
Companhia Hidro Elétrica do São Francisco (United States of Brazil), public entity.	52	Financing expansion of electrical generation and transmission facilities of an estimated cost of $42,089,000.	Aug. 9, 1962 (Dec. 12, 1962)	Italian lire	1,860,000,000	1,860,000,000				9,172,603	5.75	28 semiannual beginning July 10, 1966.
				U.S. dollars (local costs, $1,500,000).	12,000,000	11,500,000	500,000		500,000	29,537		
				Total expressed in U.S. dollars	15,000,000	14,500,000	500,000		500,000	44,332		
Centrais Elétricas de Urubupungá, S.A. (CELULOSA) (United States of Brazil), public entity.	76	Financing hydroelectrical facilities on the Paraná River of an estimated cost of $200,390,000.	Nov. 14, 1963 (Nov. 20, 1963)	U.S. dollars (local costs, $5,180,000).	13,250,000	13,250,000					5.75	20 semiannual beginning May 20, 1968.
Total loans to Brazil expressed in U.S. dollars.					52,990,000	35,404,438	17,585,562	107,100	17,478,462	789,130		
Less taken by participants					122,094		122,094	81,396	40,698	11,502		
Net total of loans to Brazil expressed in U.S. dollars.					52,867,906	35,404,438	17,463,468	25,704	17,437,764	777,628		

Mr. MILLER. I thank the Senator from Arkansas.

Mr. MORSE. Mr. President, the Senator from Louisiana [Mr. ELLENDER] would like 5 minutes, and I yield 5 minutes to the Senator from Louisiana.

The PRESIDING OFFICER. The Senator from Louisiana is recognized for 5 minutes.

Mr. ELLENDER. Mr. President, it will be recalled that when I returned from South and Central America in 1958, I suggested the creation of a bank that would be domiciled in South America and that would be operated exclusively for the benefit of the South American people. I suggested that we make contributions to the bank and that it be established in some part of South America with branch banks scattered throughout the other nations in South and Central America. This suggestion can be found in my report presented to the Senate early in 1959.

I believed that we should help create a middle class by providing capital at a reasonable rate of interest.

In other words, I felt we should make it possible for the people we had trained in our technical assistance programs to obtain capital at a lower interest rate than what was then available to them.

I ran across many areas in South and Central America in 1958 where the rate of interest was as high as 20 percent. I often wondered how a person, particularly if we had trained him to perform a trade, could ever acquire the necessary capital to make a start in business. The chances are he would not get very far by borrowing money at 20 percent. Such a bank as I suggested might inure to our benefit and create a middle class in South and Central America quite quickly.

Now the Inter-American Development Bank was established late in 1959—with operations beginning a year later—and even though it was created before the Alliance came into being, it has come to be known as the Bank of the Alliance.

The initial authorized capital of the bank amounted to $850 million, and the United States subscribed to a total of $350 million of this amount, or a little more than 40 percent. To date the United States has paid in $150 million, leaving $200 million callable at some future date.

The total paid-in capital aggregates $382 million, and as previously pointed out, the U.S. portion of this amounts to $150 million. The balance of $232 million has been contributed as paid in capital by the countries of Latin America and includes contributions from all countries south of the border except Cuba.

Of the $232 million of paid-in capital contributed by the countries of Latin America, exactly one-half, or $116 million, consists of gold or dollars, and one-half comprises local currencies.

In addition to the capital derived from payments on subscriptions to capital stock, the Bank has raised $100 million of capital from the sale of bonds. Of this amount, $75 million has been raised in the United States and consists of 20-year, 4¼-percent bonds which were completely underwritten by a syndicate of 102 U.S. banking firms. A bond issue totaling $24.2 million was floated in the Italian Market and all of these 20-year, 5-percent bonds were purchased by a syndicate of Italian banking institutions. Thus, in its regular operations, the Bank has capital totaling $366 million available in convertible currencies, consisting of the following:

	Million
1. Paid-in capital—United States	$150
2. Paid-in capital—Latin American countries	116
3. Proceeds from bonds (approx.)	100
Total	366

The local currencies paid in on stock subscriptions by Latin American countries, as previously pointed out, total $116 million, thus making a total of $482 million of capital available to the Bank.

In addition to the regular operations of the Bank, the Bank has a fund for special operations. This fund was established to make loans on flexible terms to countries finding it difficult to service additional loans entirely repayable in hard currency. This fund is used primarily to provide financing for projects which are of basic development importance but are not directly productive in an economic sense.

The Bank has a third window which is in addition to its regular operations and the fund for special operations. This so-called window is known as the social progress trust fund.

The United States is the sole provider of capital of the Trust Fund and supplied initial funding in 1962 totaling $394 million. In the foreign aid appropriations bill, recently passed by Congress, funds totaling $135 million were provided for the social progress trust fund for fiscal year 1964, making a grand total of $529 million furnished this fund by the taxpayers of the United States.

Through October 31, 1963, the Bank had made a total of 71 loans aggregating $319,398,000 out of ordinary capital, 34 loans aggregating $118,008,000 out of the fund for special operations, and 67 loans out of the social progress trust fund totaling $360,340,000.

The terms normally governing loans from the three windows are as follows:

	Percent
1. From ordinary capital	5¾
2. From fund for special operations	4
3. From social progress trust fund (except for water loans which are normally 2¾ percent)	1¼

A résumé of loan operations for the three windows of the Bank is shown in the table I shall submit.

I ask unanimous consent that there be printed at this point in the RECORD a table which appears on page 78 of the hearings on foreign aid held last year.

There being no objection, the table was ordered to be printed in the RECORD, as follows:

TABLE III.—*Summary statement of approved loans less cancellations, by sources of funds, Oct. 31, 1963*

[Expressed in thousands of U.S. dollars or U.S. dollar equivalent]

Country	Ordinary capital					Fund for special operations				Bank resources, grand total		Social progress trust fund	
	Number of loans	U.S. dollars	Local currency (US$ equivalent)	Italian lire (US$ equivalent)	Total amount	Number of loans	U.S. dollars	Local currency (US$ equivalent)	Total amount	Number of loans	Total amount	Number of loans	Total amount
Argentina	12	49,883	10,921	5,750	66,554	2	3,183	3,025	6,208	14	72,762	2	35,000
Bolivia	---	---	---	---	---	5	22,660	400	23,060	5	23,060	3	10,930
Brazil	9	31,773	3,967	4,000	39,740	3	19,000	2,765	21,765	12	61,505	7	52,860
Chile	8	[1] 34,050	5,404	8,335	47,789	3	8,022	896	8,918	11	56,707	8	25,630
Colombia	8	20,703	6,517	5,700	32,920	2	1,880	1,328	3,208	10	36,128	4	31,330
Costa Rica	4	10,600	902	---	11,502	1	1,000	---	1,000	5	12,502	1	3,500
Dominican Republic	1	4,900	1,100	---	6,000	---	---	---	---	1	6,000	2	6,500
Ecuador	1	1,626	717	---	2,343	3	8,186	276	8,462	4	10,805	5	23,510
El Salvador	3	3,159	800	---	3,959	1	124	59	183	4	4,142	4	11,640
Guatemala	3	3,950	1,350	---	5,300	---	---	---	---	3	5,300	3	11,300
Haiti	---	---	---	---	---	1	3,500	---	3,500	1	3,500	---	---
Honduras	2	510	---	---	510	3	9,210	---	9,210	5	9,720	3	5,650
Mexico	8	40,052	14,413	---	54,465	1	600	3,200	3,800	9	58,265	6	28,600
Nicaragua	1	2,000	---	---	2,000	---	---	---	---	1	2,000	3	7,880
Panama	---	---	---	---	---	1	2,714	186	2,900	1	2,900	2	10,360
Paraguay	2	2,530	220	---	2,750	5	16,450	---	16,450	7	19,200	1	2,900
Peru	3	5,200	2,712	---	7,912	---	---	---	---	3	7,912	4	26,300
Uruguay	3	11,693	2,750	---	14,443	1	450	190	640	4	15,083	2	10,500
Venezuela	3	18,530	2,681	---	21,211	1	---	2,700	2,700	4	23,911	6	53,000
Central American countries, Central American Bank for Economic Integration	---	---	---	---	---	1	5,000	1,004	6,004	1	6,004	1	2,920
Total	71	241,159	54,454	23,785	319,398	34	101,979	16,029	118,008	105	437,406	67	360,340

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[1] Includes $232 equivalent of Swiss francs and $50 equivalent of Belgian francs.

Mr. ELLENDER. H.R. 7406, presently being considered by the Senate, amends the act which created the Inter-American Development Bank by adding section 13 thereto, which would provide for the following:

First. Authorize the U.S. Governor of the Bank to vote for (a) an increase in authorized capital stock of Bank's regular operations, and (b) an increase in the resources of the Fund for Special Operations.

Second. Further, it would authorize the Governor to agree to commit the United States to its proportionate share of increase in the ordinary capital of the Bank of $1 billion, and also to vote for an amendment to the articles of the agreement to provide that the Board of Governors may, upon certain conditions, increase by one the number who serve as Executive Directors.

In addition to the authority granted the Governor, H.R. 7406 authorizes the appropriation of the following:

First, $411,760,000 to cover U.S. subscription to 41,176 shares of stock at $10,000 per share; and

Second, $50 million for payment of the increased U.S. subcription to the Fund for Special Operations of the IDB.

The power granted to the Governor to vote for the addition of one Executive Director is being granted in contemplation that other countries may desire to contribute capital to the Bank. Countries not presently members of the Bank will be given permission to subscribe to up to $300 million, and if in fact they subscribe to at least $220 million, they will be given power to elect one additional Director to be added to the present seven-man Board.

The $50 million to be authorized for the Fund for Special Operations has already been appropriated in the foreign aid appropriations bill for fiscal year 1964. When this appropriation was made last year a proviso was placed in the appropriations bill which provided, that this paragraph—making appropriations—shall be effective only upon the enactment into law of authorizing legislation.

In keeping with what my good friend the Senator from Oregon [Mr. MORSE] and my good friend the Senator from Missouri [Mr. SYMINGTON] has been saying, it would seem to me that before we increase the authorized capital stock of this Bank, we should take a good look at our entire foreign aid program. As I have already pointed out, we are already obliged to pay $200 million on callable capital for which we have already subscribed. Since our Alliance program has not brought about the social, tax laws, and other necessary reforms in Latin America, why should we increase the amount of our subscription to the capital stock of this Bank by an additional $411,760,000? Is this the way to get the reforms we seek to bring about in Latin America? Certainly not.

The PRESIDING OFFICER. The 5 minutes yielded to the Senator from Louisiana have expired.

Mr. MORSE. I yield another minute.

Mr. ELLENDER. The IDB actually has three windows from which it disburses funds. At window No. 1, the regular operations window, hard loans are made at the rate of 5¾ percent; at the window for special operations, soft loans are made at 4 percent. But in the Trust Fund, window No. 3, to which I have referred, and to which we are the sole contributors, the interest rate is only 1¼ percent.

I believe that the whole subject should be gone over in the light of the debate which took place in the Senate last year when the foreign aid authorization bill was considered.

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. MORSE. I yield the Senator 1 additional minute.

Mr. ELLENDER. In the light of the current review of the entire foreign aid program, we should await a report on the results of this review before authorizing further financing of any segment of foreign assistance. I urge Senators to vote against this bill.

Mr. DIRKSEN. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. DIRKSEN. What is the pending business?

The PRESIDING OFFICER. The pending business before the Senate is the bill (H.R. 7406) to provide for increased participation by the United States in the Inter-American Development Bank, and for other purposes.

Mr. DIRKSEN. Mr. President, a further parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. DIRKSEN. Is an amendment to the bill in order at the present time?

The PRESIDING OFFICER. An amendment is in order.

Mr. DIRKSEN. Mr. President, I offer an amendment, which is at the desk.

The PRESIDING OFFICER. The amendment of the Senator from Illinois will be stated.

The LEGISLATIVE CLERK. On page 2, line 11, after the word "appropriated," it is proposed to insert the words "from funds supplied by the taxpayers."

On page 2, line 14, after the word "appropriated," it is proposed to insert the words "from funds supplied by the taxpayers."

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from Illinois.

How much time does the Senator yield himself?

Mr. DIRKSEN. Under the rule and under the unanimous-consent agreement, how much time have I available?

The PRESIDING OFFICER. Thirty minutes.

Mr. DIRKSEN. I yield myself all of it, so that no Senator can poach on it. But I will probably yield back most of the time.

I thought that the distinguished chairman of the committee, who is the Senator in charge of the bill, might see fit to accept the rather innocuous language which I have offered only as a reminder as to the source of the funds that are to be used in this enterprise, for all the amendment provides is that money would be authorized to be appropriated out of funds supplied by the taxpayers.

This is not a subject of humor with me. It is perfectly serious. During the some 17 or 18 years that I served on the Appropriations Committees of the House and the Senate I used to chortle a little at the euphemistic language we employed, because it is always the same:

> There is appropriated out of funds in the Treasury not otherwise appropriated—

And so forth, and so forth. The singular point is that many times there probably are no funds in the Treasury because we have been operating on a deficit basis for so long. I am not sure that I recall when there have been funds in the Treasury not otherwise appropriated. How could there actually be when they were obligated to the point where we knew very well we were going to have to borrow? I have wondered a thousand times what we do to alert the people to the fact that when we deal with measures of the kind proposed, it is their "dough."

I suppose if I were a dilettante given to very precise and unvulgar language, I would say that it is the people's money. But somehow that word "dough" has come into such common usage that I believe people fully understand it. So I reiterate that it is the people's "dough" that we authorize for what is now rapidly being known as the Bank of the Alliance. Frankly, I do not share the confidence and the high hopes of a great many people with respect to the Bank of the Alliance or with respect to our relations with some of our Latin American neighbors.

I presume out of long experience in the Nation's Capital I ought to be very cautious about the kind of language I use when dealing with our relations with other countries, and particularly our neighbors.

I have been a little nettled about the recent flareup in Panama when I stop to consider what we have done. Panama used to belong to Colombia until it rebelled in 1898. I suspect that if it had not been for Teddy Roosevelt, who grabbed the opportunity and quickly recognized Panama, she might still be only a section of the Republic of Colombia.

She was willing to accept $250 million a year for the rights that we received to build the canal.

Mr. FULBRIGHT. How much?

Mr. RUSSELL. Two hundred and fifty thousand dollars.

Mr. DIRKSEN. Two hundred and fifty thousand dollars.

Mr. FULBRIGHT. There is some little difference.

Mr. DIRKSEN. We are becoming so accustomed to millions and billions of dollars that "thousands" has almost passed out of the dictionary.

Mr. ELLENDER. Two hundred and fifty thousand dollars in gold.

Mr. DIRKSEN. Yes; in gold—not 49-cent dollars, but in gold. We then dumped in $250 million to build the canal. We are paying on the canal bonds today. That has been a long venture, because it was finished in 1914.

Then we had to vanquish yellow fever by eradicating the mosquito that bore the fever. Then we had to lick malaria. The people could not exist down there if it had not been for the great work of Walter Reed, in whose honor a great hospital in Washington is named, and for William Gorgas, one of the greatest men who ever graced this footstool. There were those who wanted him fired, and the President and the Secretary of War were ready to sign his discharge. But it was William Gorgas, not the contractors, who made the canal possible.

We put in many millions of dollars every year to make it successful. We raised the ante, so that today Panama receives $1,390,000 a year. I think we have been pretty generous.

Then came the flag incident created by high school students at Balboa High School. We are in the amazing position of having a country with one-third the population of Chicago kick us around. Thank goodness, the President has stood up to it. I hope he will not retreat from his position, because this is one time when we are going to have to fish or cut bait.

That is preliminary. We went through the same agony with Cuba. Where are we today? We went through the same agony with Guatemala. Where are we today? We went through the same agony with Honduras. Our reward and appreciation was to have the Legislature of Honduras expropriate the properties of our people without any provision for compensation.

I am growing a little tired of it. I do not know what we can do about it except to tell our people that this is the "taxpayers' dough." Perhaps, at long last, they will start scolding a little on that score and say, "Don't be so free and easy with our money."

What is involved is an additional director, additional capital stock, and more loans to certain countries. I am not very happy about such loans. Why do not the people themselves put their money into such projects instead of sequestering their money in Geneva banks and in the Chase and other New York banks? Why do they not do a little for their country?

I do not believe that in this day and age we can redress all the ills of the world. I do not believe we have the capacity to do so without jeopardizing the solvency of our own country. I want to say, "There is authorized to be appropriated out of funds to be supplied by the taxpayers." Those last words are put in only as a reminder that it is their money, and if they catch the significance of it, I think they will be able to watch their own exchequer and so what is done with it.

Mr. President, I have been very diligent in attending meetings of the Finance Committee day after day. We are wrestling with a tax bill to provide a reduction in taxes for individuals and corporations, and some structural reforms. When we are through, we shall come in with a pretty big "goose egg," which can be filled in only with a pen from a red-ink bottle. We are informed that the goose egg for 1965 and 1966 will be $9 billion, and there will be "goose eggs" for other fiscal years for some time.

Let no one deceive himself. What is involved is the solvency of our country. By providing this language I hope to energize the taxpayers to help us in our endeavors to keep our fiscal house in order.

I hope my distinguished friend from Arkansas, for whom I have a high regard, will accept the amendment and take it with him to conference, or incorporate it in the bill, so that when it finally goes to the House for action, that frugal body will see fit to concur in this little suggestion that will somehow energize interest in fiscal affairs and emphasize that it is the people's money.

Mr. FULBRIGHT. Will the Senator yield?

Mr. DIRKSEN. In just a moment. I ask the Senator to remain on his feet, because it always inspires me when he is on his feet.

Mr. President, there is such a word as "euphemism." I do not think I have looked it up for years, but I suppose a "euphemism" is "something that seems like what it ain't." Perhaps that is as good a definition as I can give. I am reminded of the man who filled in an application for an insurance policy. One of the questions he had to answer was, "How old was your father when he died and of what did he die?" Well, his father had been hanged, but he did not like to put that in his application. He puzzled over it for quite a while. He finally wrote, "My father was 65 when he died. He came to his end while participating in a public function, when the platform gave way." [Laughter.] It is a wonderful way to say it.

As I have said, these authorizations seem to be what "they ain't." But there is one thing about it—the money will come out of the taxpayer's pocket. I like to see language in the bill that the taxpayer can understand.

Now I yield to the Senator from Arkansas.

Mr. FULBRIGHT. Mr. President, of course, I am always greatly persuaded by the Senator's argument, and I think what he has had to say has been very well said and has already served the purpose of notifying the people of the country that this money comes from the taxpayers, with interest.

Now to ask a question, Is it the purpose of the Senator that the funds would actually come from payments by the taxpayers, and that therefore no borrowed money would be involved?

Mr. DIRKSEN. I thought of that. I did not want to encumber the language. When I made the first draft it stated, "From funds supplied by the taxpayers or the pledging of the taxpayers' credit," which means borrowing. I would be delighted if the Senator from Arkansas would add that language. That would make it complete.

Mr. FULBRIGHT. A technical question is raised. There has been one extension of time. The time was extended from December 31 to January 31 for the enactment of this bill and the authorization of the acceptance of the agreement which was negotiated last spring. This proposal would entail going back to the House and would entail considering the matter in conference, I assume, unless the House accepted it out of hand. It could cause considerable trouble.

The Senator's speech has served the purpose of reminding the country that these funds come from the taxpayers. I do not know that there is much misapprehension on their part now. They are not as likely to read the bill as the Senator's statement. I would agree with him, if he wishes to make legislative history, that these moneys come from the taxpayers. I hope it is not assumed that the committee or the administration was seeking to disguise that fact. Money in the Treasury comes from the taxpayers, even though it may be temporarily borrowed.

Mr. DIRKSEN. It is forgotten even in these sacred precincts. Whenever it comes out of the taxpayers' pockets, we are elusive and timid about saying it. I am reminded of the man who took an examination to become a mail carrier. One of the questions was, "How far is the sun from the earth?" He did not have any idea. He finally wrote, "Far enough so it won't interfere with my duties of carrying the mail."

That is a great answer; but it all becomes so remote and illusive that we really do not come "down to tacks" with it. There must be a constant reminder, Mr. President. I fairly importune my friend from Arkansas to accept the language, knowing the influence he has in this body, particularly when I have such a modest influence.

Mr. FULBRIGHT. The Senator is very persuasive. If another amendment had been added to the bill, an amendment of substance, making it necessary to go to conference on the bill, I would have no hesitancy in accepting the amendment. It is obvious that the money does come from the taxpayers. I an extremely reluctant to accept this one amendment, because it would entail considerable difficulty and trouble in having to go back to the House with the bill before the 31st of January. If a substantive amendment or amendments had been added to the bill, that would be another matter. In that case I would have no hesitancy in accepting the Senator's amendment, because certainly it does not violate any principle or any of the substantive provisions of the bill. I am glad the Senator made the clarification that he did not intend to restrict the matter to actual tax money because the Treasury does not segregate the funds. He does not refer only to tax money, but also to borrowed money.

I hope the Senator will not press his amendment. His purpose of reminding the Senate and the public with respect to the source of the money has been served. I plead with the Senator not to make it necessary to go back to the House with this provision.

If he were to offer it on some other bill or other bills which necessarily would have to go back to the House, it would serve some purpose. I would also recommend, if he is going to offer it on other bills, that he offer it on the appropriation bill for the Defense Department, which is substantially larger than the bill now under consideration.

Mr. DIRKSEN. I intend to do so, and to make it as popular as the Morse formula.

Mr. FULBRIGHT. That would be perfectly proper. Although the bill does involve a substantial sum of money, it is small compared with the money that we make available in appropriation bills. If the amendment were accepted it would be the only amendment to the bill. It merely states a proposition that most Senators well understand. I hope the Senator will not press it. It is not that I object to it, as such, but I hope that he will not press it as an amendment to the pending bill, particularly since no amendment of substance has been added to it.

Mr. DIRKSEN. We have a great deal of time.

Mr. FULBRIGHT. We do not have a great deal of time. The Senator and I are occupied in the Finance Committee. I have been unable to attend the meeting of the Finance Committee this afternoon because of the pending bill.

Mr. DIRKSEN. That is my trouble. The Senator from Arkansas has kept me here because he has brought up the pending bill.

Mr. FULBRIGHT. I had to bring it up under the agreement of last month, because it was delayed at that time in connection with some discussion of other legislation.

Mr. DIRKSEN. I understand.

Mr. FULBRIGHT. I was obliged to bring it up today under the agreement entered into by the Senate. It is unfortunate, because both of us ought to be at the hearing of the Committee on Finance.

Mr. DIRKSEN. The Senator is correct.

Mr. FULBRIGHT. Taking the bill back to the House would entail another day's effort and another day of our time. I have a great many other things to do. I hope the Senator will not press his amendment, even though I believe it is entirely correct and there is certainly no doubt about the source of the funds involved here.

Mr. DIRKSEN. It would not require more than 30 minutes in conference. I am sure the Senator from Virginia [Mr. BYRD], the distinguished chairman of the Committee on Finance, would permit the Senator from Arkansas to play hooky for 30 minutes, so that he could sit down with his conferees. I will take care of his votes in the Committee on Finance. I give him assurance that I would record his vote exactly as he would like to have it recorded.

The House is not too busy at this time. Therefore a great deal of time is available. The amendment involves a very important issue, as my distinguished friend knows.

Mr. FULBRIGHT. I do not feel that the amendment should be accepted. I hope the Senator will not press it. Why does he not reserve it for a bill that will necessarily have to go back to the House? If he does so, I will support his amendment.

Mr. DIRKSEN. There may not be such a bill.

Mr. FULBRIGHT. There is bound to be such a bill. The Senator has already said that, with the profligacy of the Government, such bills are bound to come up all the time. There will be such a bill soon, I am sure.

Mr. DIRKSEN. Then I will be castigated for having essayed a great crusade without starting at the outset, when the opportunity was offered to do it.

Mr. FULBRIGHT. We can agree now that we will call it the Dirksen formula and that it must be added to every bill which appropriates any money or authorizes the expenditure of any money. I am perfectly willing to agree to that.

Mr. DIRKSEN. I believe I was very forbearing in not asking for a live quorum. I have not asked for a yea-and-nay vote. Can a Senator exhibit greater forbearance than that?

Mr. President, I have made my case as best I can. I am glad it has been persuasive on my distinguished friend from Arkansas. I shall leave it where it is at the moment. If he agrees now that this provision will become the Dirksen formula for other authorization bills and for appropriation bills, and that I can count on his support—although his pledge of assistance "in futuro" is a very uncertain thing, as lawyers use that expression—I will let it go at that.

I yield back the remainder of my time.

Mr. FULBRIGHT. The Senator has performed a great service in his speech, which I am sure will alert the entire country, as well as the Senate, as to the source of these funds. I have no objection to his doing this. I applaud him for it.

I hope the Senate will not add his amendment to the pending bill and make it necessary to go to conference on his laudable suggestion, which henceforth shall be known as the Dirksen formula and will be incorporated in all bills emanating from the Appropriations Committee, of which the Senator is a member. Although I am not a member, I shall use my influence with the members of the committee, particularly the senior Senator from Arkansas, to protect the Dirksen formula in the future. I hope that the Senate will not add it to the pending bill, because we are operating on a time limitation until the 31st of this month. The time has been extended by special action of the Board of the Bank. It would be unconscionable for us to request another extension. It would defeat, to some extent, the purpose of the program, by evidencing a lack of interest in Latin American affairs.

I yield back the remainder of my time.

The PRESIDING OFFICER. All time has been yielded back on the amendment. The question is on agreeing to the amendment offered by the Senator from Illinois [Mr. DIRKSEN]. [Putting the question.]

Mr. FULBRIGHT. Mr. President, I ask for a division.

The PRESIDING OFFICER. A division is requested.

Mr. FULBRIGHT. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. DIRKSEN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. DIRKSEN. I have just had a long, earnest, intense conference with the distinguished Senator from Arkansas [Mr. FULBRIGHT]. He points that there is no substantive amendment to the bill, and that the adoption of my amendment would require the bill to go back to the House. But he points out, further, that there is on the calendar S. 2214, a bill to amend the International Development Association Act to authorize the United States to participate in an increase in the resources of the International Development Association.

The distinguished Senator from Arkansas assures me that he will accept this and, in fact, amplified language to that bill, so that it would read, "out of funds or credit supplied by the taxpayer," meaning, of course, borrowed funds. He assures me that he will accept that language and take it to conference, if that becomes necessary.

Not to be in the position of taking advantage of the clock or the calendar, I shall relent in my crusade for the Dirksen formula today, with the full understanding that this language will be accepted as an amendment to Senate bill 2214.

Mr. FULBRIGHT. Mr. President, will the Senator from Illinois yield?

Mr. DIRKSEN. I yield.

Mr. FULBRIGHT. I wish to make it clear that it should be in the language, and not merely the legislative history; that this provision would mean borrowed funds as well as tax funds, because I am quite sure that the Treasury, under its procedures, does not segregate funds. I would not want the Senator from Illinois to understand otherwise.

Mr. DIRKSEN. Oh, no; I want the language to be all-inclusive. If the Senator knows of any other kinds of funds, or can think of any, I hope he will include them, too.

Mr. FULBRIGHT. I have no objection to including such expanded language as the Senator from Illinois has mentioned, so long as it will not entail any change in the bookkeeping procedures of the Treasury. That is a question that would have to be studied at length. I think it ought to be clarified. I am sure the Senator would agree that if the Treasury experts find that it would be a danger or an inhibition on the way the Treasury operates, the Senator would adjust the language accordingly.

Mr. DIRKSEN. Obviously, I would not wish to impede the regular, legal processes of the Treasury; but I wish the

Senator from Arkansas would be a little more affirmative, instead of saying that he will have no objection.

Mr. FULBRIGHT. I will agree to accept the language proposed by the Senator as an amendment to the bill relating to the International Development Administration. From there on, the Senator from Illinois is on his own.

Mr. DIRKSEN. He will want to be on his own.

Mr. FULBRIGHT. I will accept the language.

Mr. DIRKSEN. Mr. President, under those circumstances, I will withdraw the amendment.

The PRESIDING OFFICER. The amendment is withdrawn.

Mr. MORSE. Mr. President, I yield 3 minutes to the distinguished Senator from Iowa.

Mr. MILLER. Mr. President, under the bill, the United States would be committed to the sum of $400 million, callable in the event of a default, to the Inter-American Development Bank. The distinguished Senator from Arkansas [Mr. Fulbright] stated that this money would be appropriated, one-half of it before the end of this year and one-half before the end of 1965, but that it would not be transferred.

Before the Senate votes, we should take into account the fact that many other nations will be subject to call in the event of default. I have prepared a table setting forth the names of those other countries and the amount of their proposed subscriptions, which range all the way from $4,870,000 in the case of some of the smaller Latin American nations, to $120,340,000 in the case of Argentina and Brazil.

It is interesting to observe that of these other nations, only four are not delinquent in their United Nations assessments and contributions. I have set forth the amount of the U.N. arrearages as of September 30, 1963, and also the amounts of grants and loans that these countries received from the United States during fiscal year 1963. It is deplorable that the amount of grants and loans, which do not include Public Law 480 assistance or other types of foreign aid, are generally greatly in excess of the amount of U.N. arrearages.

For example, Argentina received $109,700,000 in grants and loans from the United States in 1 fiscal year—1963. Still Argentina could not pay the total of $2,182,925 to the United Nations to become current in its assessments and payments.

There is a corresponding lag in the case of all the other nations except Colombia, Ecuador, Haiti, and Venezuela, which are current in their assessments.

Mr. President, I ask unanimous consent that the table be printed at this point in the Record.

There being no objection, the table was ordered to be printed in the Record, as follows:

A comparison of proposed subscriptions to the proposed $1,000,000,000 increase in callable capital of the Inter-American Development Bank and the arrearages in United Nations assessments, along with certain foreign aid from the United States of America

Country	Proposed subscription	Total United Nations arrearages (as of Sept. 30, 1963)	Grants and loans from United States for fiscal 1963 [1]
Argentina	$121,340,000	$2,182,925	$109,700,000
Bolivia	9,740,000	80,000	36,300,000
Brazil	121,340,000	410,942	67,200,000
Chile	33,320,000	412,289	46,200,000
Costa Rica	4,870,000	40,847	13,000,000
Dominican Republic	6,500,000	52,354	12,000,000
El Salvador	4,870,000	11,735	19,600,000
Guatemala	6,500,000	89,828	11,200,000
Honduras	$4,870,000	$32,385	$10,400,000
Mexico	78,000,000	1,129,359	8,400,000
Nicaragua	4,870,000	42,699	3,700,000
Panama	4,870,000	52,218	8,200,000
Paraguay	4,879,000	85,567	5,900,000
Peru	16,260,000	158,745	4,500,000
Uruguay	13,010,000	220,970	15,900,000

[1] Does not include Public Law 480 assistance or any other form of foreign aid.

No arrearages shown for Colombia, Ecuador, Haiti, and Venezuela.

Proposed subscriptions set forth at page 34 of special report of May 1963 by National Advisory Council on International Monetary and Financial Problems, entitled "On Increase in the Resources of the Inter-American Development Bank."

Mr. MORSE. Mr. President, I yield back the rest of my time.

Mr. FULBRIGHT. I yield back the remainder of my time.

The PRESIDING OFFICER. All time has been yielded back. The bill is open to amendment. If there be no amendment to be proposed, the question is on the third reading of the bill.

The bill was ordered to a third reading and was read the third time.

The PRESIDING OFFICER. The bill having been read the third time, the question is, Shall it pass? On this question, the yeas and nays have been ordered, and the clerk will call the roll.

The legislative clerk called the roll.

Mr. HUMPHREY. I announce that the Senator from Indiana [Mr. Bayh], the Senator from North Dakota [Mr. Burdick], the Senator from Nevada [Mr. Cannon], the Senator from Oklahoma [Mr. Edmondson], the Senator from Alaska [Mr. Gruening], the Senator from Michigan [Mr. Hart], the Senator from Hawaii [Mr. Inouye], the Senator from Washington [Mr. Jackson], the Senator from Washington [Mr. Magnuson], the Senator from Wyoming [Mr. McGee], the Senator from South Dakota [Mr. McGovern], the Senator from Montana [Mr. Metcalf], the Senator from Utah [Mr. Moss], the Senator from Wisconsin [Mr. Nelson], the Senator from Rhode Island [Mr. Pastore], the Senator from Virginia [Mr. Robertson], the Senator from Tennessee [Mr. Walters], the Senator from New Jersey [Mr. Williams], the Senator from Ohio [Mr. Young], and the Senator from Idaho [Mr. Church] are absent on official business.

I also announce that the Senator from California [Mr. Engle] is absent because of illness.

I further announce that, if present and voting the Senator from Indiana [Mr. Bayh], the Senator from North Dakota [Mr. Burdick], the Senator from Michigan [Mr. Hart], the Senator from Hawaii [Mr. Inouye], the Senator from Washington [Mr. Magnuson], the Senator from Wyoming [Mr. McGee], the Senator from South Dakota [Mr. McGovern], the Senator from Montana [Mr. Metcalf], the Senator from Wisconsin [Mr. Nelson], the Senator from Rhode Island [Mr. Pastore], the Senator from New Jersey [Mr. Williams], the Senator from Idaho [Mr. Church], and the Senator from Washington [Mr. Jackson] would each vote "yea."

Mr. DIRKSEN. I announce that the Senator from Colorado [Mr. Allott], the Senator from Delaware [Mr. Boggs], the Senator from New Hampshire [Mr. Cotton], the Senator from Nebraska [Mr. Hruska], the Senator from California [Mr. Kuchel], the Senator from Vermont [Mr. Prouty], the Senator from Wyoming [Mr. Simpson], and the Senator from Texas [Mr. Tower] are necessarily absent.

The Senator from New York [Mr. Javits] is absent on official business attending a meeting of NATO parliamentarians.

The Senator from New Mexico [Mr. Mechem] is necessarily absent attending the funeral of a friend.

If present and voting, the Senator from Delaware [Mr. Boggs], and the Senator from California [Mr. Kuchel] would each vote "yea."

On this vote, the Senator from Colorado [Mr. Allott] is paired with the Senator from Texas [Mr. Tower]. If present and voting, the Senator from Colorado would vote "yea," and the Senator from Texas would vote "nay."

On this vote, the Senator from New York [Mr. Javits] is paired with the Senator from Nebraska [Mr. Hruska]. If present and voting, the Senator from New York would vote "yea," and the Senator from Nebraska would vote "nay."

The result was announced—yeas 45, nays 24, as follows:

[No. 2 Leg.]

YEAS—45

Aiken
Anderson
Bartlett
Beall
Brewster
Byrd, W. Va.
Carlson
Case
Clark
Cooper
Dodd
Dominick
Douglas
Fong
Fulbright
Hartke
Hayden
Hickenlooper
Hill
Holland
Humphrey
Keating
Kennedy
Long, Mo.
Long, La.
Mansfield
McCarthy
McClellan
McNamara
Monroney
Morton
Muskie
Neuberger

Pearson
Pell
Proxmire
Randolph
Ribicoff
Saltonstall
Scott
Smathers
Smith
Sparkman
Yarborough
Young, N. Dak.

NAYS—24

Bennett
Bible
Byrd, Va.
Curtis
Dirksen
Eastland
Ellender
Ervin
Goldwater
Gore
Johnston
Jordan, N.C.
Jordan, Idaho
Lausche
McIntyre
Miller
Morse
Mundt
Russell
Stennis
Symington
Talmadge
Thurmond
Williams, Del.

NOT VOTING—31

Allott
Bayh
Boggs
Burdick
Cannon
Church
Cotton
Edmondson
Engle
Gruening
Hart
Hruska
Inouye
Jackson
Javits
Kuchel
Magnuson
McGee
McGovern
Mechem
Metcalf
Moss
Nelson
Pastore
Prouty
Robertson
Simpson
Tower
Walters
Williams, N.J.
Young, Ohio

So the bill (H.R. 7406) was passed.

Mr. **FULBRIGHT**. Mr. President, I move that the vote by which the bill was passed be reconsidered.

Mr. **HUMPHREY**. Mr. President, I move that the motion to reconsider be laid on the table.

The motion to lay on the table was agreed to.

GERMANENESS OF DEBATE UNDER CERTAIN CIRCUMSTANCES

The **PRESIDING OFFICER**. The Chair lays before the Senate the unfinished business which will be stated by title for the information of the Senate.

The LEGISLATIVE CLERK. Senate Resolution 89, providing for germaneness of debate under certain circumstances.

Mr. **PROXMIRE** obtained the floor.

Mr. **MANSFIELD**. Mr. President, will the Senator from Wisconsin yield, without losing his right to the floor?

Mr. **PROXMIRE**. I yield.

Mr. **MANSFIELD**. Mr. President, for the information of the Senate there will be no debate on the unfinished business which is now pending.

Mr. **DIRKSEN**. Mr. President, will the Senator from Wisconsin yield, without losing his right to the floor?

Mr. **PROXMIRE**. I yield.

Mr. **DIRKSEN**. I understand the only business will be the special order of the distinguished Senator from Wisconsin, and other speeches, but no business or record vote.

The **PRESIDING OFFICER**. That is correct.

ADDITIONAL COSPONSOR TO AMENDMENT NO. 329, PROVIDING INCOME TAX CREDIT FOR COLLEGE EXPENSES

Mr. **PROXMIRE**. Mr. President, I ask unanimous consent that I may yield to the Senator from Connecticut [Mr. RIBICOFF] without losing my right to the floor.

The **PRESIDING OFFICER**. Without objection, it is so ordered.

Mr. **RIBICOFF**. Mr. President, I ask unanimous consent that at the next printing, the name of the Senator from Oklahoma [Mr. EDMONDSON] may be added as a cosponsor to amendment No. 329, providing income tax credit for college expenses.

The **PRESIDING OFFICER**. Without objection, it is so ordered.

ORDER FOR ADJOURNMENT

Mr. **MANSFIELD**. Mr. President, will the Senator from Wisconsin yield, without losing his right to the floor?

Mr. **PROXMIRE**. I am glad to yield.

Mr. **MANSFIELD**. Mr. President, I ask unanimous consent that when the Senate concludes its business today, it adjourn until 12 o'clock noon tomorrow.

The **PRESIDING OFFICER**. Without objection, it is so ordered.

JOINT SESSION OF THE TWO HOUSES TOMORROW—TO HEAR AN ADDRESS BY THE PRESIDENT OF ITALY, ANTONIO SEGNI

Mr. **MANSFIELD**. Mr. President, I invite the attention of the Senate to the fact that the President of Italy, Antonio Segni, will address a joint session tomorrow. The Senate will leave the Chamber in a body at approximately 12 o'clock and 13 minutes p.m. for the Hall of the House of Representatives.

PROXMIRE REPORT FROM WISCONSIN FARMERS

Mr. **PROXMIRE**. Mr. President, I have just returned from a 7-day, 38-speech tour of Wisconsin farm areas. My tour began on December 31, 1963, the day we adjourned. It ended January 6, 1964, the day before the Senate came back into session.

I spoke exclusively on the farm problem and I spoke with hundreds of Wisconsin farmers. When I say I spoke with Wisconsin farmers, I mean just that. I spoke briefly in each case. There were discussions with farmers about serious problems and what could be done about them. I listened as well as spoke. Wisconsin farmers told me what they feel and think. These are the men and women who have to live with those serious, tough, and difficult problems.

My speech is a report from those Wisconsin farmers on their needs and their aspirations.

LOW FARM INCOME

First, I shall spell out briefly the economic difficulty in which the American farmer finds himself. It is a sad fact that farm income is not merely low—it is shamefully low. It is a shocking one-half of the income of the people who live off the farm. I think I can demonstrate that that single fact represents the No. 1 economic injustice in America, when we recognize what the American farmer has to do today to earn that income.

Last month the farm parity index hit its lowest level in 25 years, at 76. The ratio of what farmers receive to what they have to pay is now lower than it has been since August 1939, in the great depression—lower than it has been for an entire generation of Americans and farmers.

By 1954, which was only 10 years ago, farm income, and especially dairy income, had sunk to depression lows. Since 1954 this country has enjoyed one of its greatest booms for people off the farm. But farm income has remained nailed down to the same shamefully low level it reached in 1954. It has not increased at all. The economic indicators show that the level of the gross national product, has climbed from $363 billion in 1954 to approximately $600 billion today. So the gross national product has increased about two-thirds. But farm income is at the same low level where it was 10 years ago.

During the same period in which farm income has failed to rise from its depression low, our country has enjoyed what has been really its greatest and most widely shared prosperity. The stock market is at an all-time high. The stock market today, in fact, is about twice as high as it was at its peak in 1929. Corporate profits are breaking all records. Personal income is better than ever in our history by far.

Farmers now earn a pitiful one-half of what people off the farm earn.

Some say, "If farmers are not doing any better, that is their tough luck." They charge that it is the farmer's fault.

STANDARDS OF JUSTICE FOR FARM INCOME

Is it? Does he work hard enough? Does he invest enough? Is he willing to take the free enterprise risks? Is he applying his work and his investment with skill and intelligence?

Let us consider whether the farmer is entitled to earn more. What are the criteria in this free enterprise, capitalistic society by which we can judge whether a man is entitled to an opportunity to earn an adequate income? I do not mean humanitarian standards that might be proposed to buttress a man's right to earn enough to live. I mean hardheaded, tough-minded, conservative standards of whether or not a man has really earned the right to a good income. I suggest the following four criteria:

First, the number of hours worked; second, size of investment by the earner in his job; third, risk undergone by the investor in doing the job; fourth, and finally, the skill, the intelligence, and astuteness with which the work, the investment, and the risk are applied in the job.

If a man has worked longer hours, if he has made a larger investment, if he has taken a bigger risk with the investment and improved his productivity more than others in the society, if the system is working properly, that man should have an opportunity to earn a larger income.

LONG HOURS OF FARMWORK

In this country we now have a 5-day week and an 8-hour day for a vast majority of Americans who work off the farm. Many work less. A few work more. How many hours does the American farmer work? Last year the Department of Agriculture disclosed that their surveys showed the typical Wisconsin farmer worked in June 1963, about 84 hours a week. He works a little less, but not much less, in the winter. That is pretty close to his average week's work.

He works at it 52 weeks a year, because the cows must be milked every day.

Mr. DOUGLAS. Mr. President, will the Senator yield?

Mr. PROXMIRE. I yield.

Mr. DOUGLAS. The Senator has made a very important statement. Would the number of hours worked by a farmer in a nondairy region in the winter be as many as the number which the Senator has stated?

Mr. PROXMIRE. I believe that the Senator from Illinois has made a proper observation. In the nondairy areas, farmers do not work as much in winter as they do in summer, but they do work long hours, even in the winter. Winter is the time when they must do their repairs and all kinds of things around the farm which they do not have time to do in the summer. In our State there are areas in which primarily corn, hogs, and similar products are produced. I find on those farms that the farmers work hard in the winter.

But the Senator has made a good point. The farmers do not work 84 hours on many of the farms in the winter as they do in the summer. Of course, in the South, where they have a longer growing season, probably they work about the same length of time the year around.

In my judgment, the farmer works about twice the number of hours worked by people off the farm, but the farmer receives half the income.

Think of that. The American farmer works twice as long but his income is one half of the income of people who put in only half the number of hours he does. Is that justice?

Mr. SYMINGTON. Mr. President, will the Senator yield?

Mr. PROXMIRE. I yield.

Mr. SYMINGTON. First, I congratulate the able Senator from Wisconsin for his address, which I have read. In previous addresses he has put at least before the Senate as many facts with respect to the problems of the American farmer as has any other Member of this body. I know that the farmers in my State, as well as the farmers of Wisconsin and the farmers nationally, will be grateful to him for his splendid and thought-provoking address.

The Senator has made the statement—which I am sure he would not have made if he did not know his facts—that farmers work about twice the number of hours worked by people off the farm and receive only half the income. In making this statement, the Senator is pointing out the problem of the farmer and of agriculture in general as well as I have ever heard it presented in the Senate. I hope the Senator will continue to bring the facts to the American people in additional addresses of the character he is presenting.

Mr. PROXMIRE. I thank the distinguished Senator from Missouri very much.

INVESTMENT

The great majority of Americans make no investment in their jobs except themselves. Few of them own their own tools. Almost none of them owns any part of the building they work in, the desk they work at, the machine they tend.

Lawyers earn a substantial income in this country, and they make some investment: perhaps $3,000 or $4,000 or more in a law library, office space, office equipment.

Doctors do very well. They, too, make an investment: possibly $8,000, $10,000, or $12,000, occasionally more, in their equipment.

How about farmers? Mr. President, the typical farmer in my State does not invest $3,000 or $4,000 or $8,000 or $10,000. He invests $40,000 or $50,000 in his farm.

Does he get a return anything like that of a lawyer or a doctor? As I have said, he has a return which is pitifully inadequate. It is one-half the income of those working off the farm.

Recently a study was reported in U.S. News & World Report of the income of people in all kinds of enterprises—proprietors, factory workers, employees of department stores, and so forth. At the bottom of the list—and I mean at the bottom—was the farmer.

But whether he owns or rents the farm he pays for, he is responsible for every acre of land, for his herd, his buildings, his equipment. And the cost of this investment is going up every day.

The cost of equipment is rising very sharply; and it has been rising for years. For the past 15 years interest rates have been steadily rising, and the farmer has to pay more and more in his financing.

The farmer is above all a debtor. He is more of a debtor now than he has ever been. He has to pay more and more for his financing.

Equipment costs, construction costs, land costs, herd costs, vet costs, fertilizer costs, all costs have been rising and fast.

So here we have the farmer making a far, far bigger investment than any other significant group in our society and earning only half the income.

Mr. President, this is capitalism. The man who invests the capital is supposed to earn the income—unless he is a farmer. Then he is left out. Is this justice? Is this capitalistic justice?

RISK

Some say that the return a man makes on his investment must be related to the risk he takes. This is a fundamental principle of economics.

Generally, it works that way. Government bonds have no risk. They provide a low return, now about 4 percent. Mortgages have a little more risk. The return is about 6 percent. Manufacturing industry involves a larger risk. The return is 8 to 12 percent roughly in this country.

How about the farmer? Does he take a risk?

Mr. President, he takes a risk that would frighten the whiskers off most people. He takes a weather risk, and a big one. Last year there was a drought in Illinois, Wisconsin, and throughout the Middle West. It cost the farmers millions of dollars.

But the farmer can also suffer from excessive rainfall, illness to his herd, big and punishing price drops.

The proof of the terrible risk farmers take is the fact that 200,000 farmers a year are leaving farming, every year, year after year.

Mr. SYMINGTON. Mr. President, will the Senator yield?

Mr. PROXMIRE. I am happy to yield.

Mr. SYMINGTON. It was some 11 years ago that I first came to the Senate. At that time some 12 percent of the population was working in the production of food, down from over 90 percent at the time our country started. It is now my understanding that 7 percent of the people of the United States are working in the production of food.

When these people leave the farm, because they cannot live there, and go into the cities, and when one correlates that fact with such problems as automation, is it not true that the remainder of the taxpayers end up by contributing a great deal to their support because many of them have to go on aid in the various communities into which they have moved?

Mr. PROXMIRE. The Senator makes an excellent point. It is true that most farmers, when they sell their farms and move into the city, have a little bit of net worth. They usually have very little when they sell out, because they do not like to sell out. They do not like to move off the farm. After paying off their debts they have left very little. Furthermore, when they leave the farm, they are not men of 21, 22, or 23 years of age. They are often older men, men of 45, 55, or 65.

These men who try to get jobs have no seniority or specialized skills. Every statistic I know of shows that those who are out of work are unskilled or have very little skill. The farmer has high farming skills but not the specialized skills which make him easily employable. He leaves the farm after years of work on it. He leaves at age 45, or older, to find a job. As the Senator from Missouri has indicated, in many cases, he becomes a bigger burden on the American people through relief or some kind of assistance or care for the farmer and his family.

Mr. SYMINGTON. Mr. President, will the Senator yield further?

Mr. PROXMIRE. Let me make one further point. Some people say farmers ought to leave the farm in even greater numbers. The recommendation has been made that we ought to let blind economic forces work their will, and then we would have an appropriate adjustment.

The fact is that more farmers left the farm during the Korean war, when farm prices were high, than at any other period. Why? Because it was a period when there was an opportunity off the farm, when the jobs were there, when they could get jobs.

When farmers are forced, as they are now, to leave the farm, the future of these good, hard working men and women in the city is bleak for them; and I think it is a tragedy for our Nation.

I yield now to the Senator from Missouri.

Mr. SYMINGTON. I remember that in the fall of 1953 I carried around for some weeks a check for $1.70, which was the amount received by a farmer who sold a cow. He had run out of feed grain and was therefore forced to take whatever he could for that cow. After giving me the check, he went down the road with his family. I never forgot that particular case.

It is true that, even though farmers have a relatively heavy investment in their farms, when a farmer must sell his property he is often forced to sell at bankrupt prices, because he cannot remain, and takes what somebody in the neighborhood or someone looking for a bargain will offer him for the farm and the tractors or other units of equipment he has.

Mr. PROXMIRE. The Senator is correct. The number of foreclosures is increasing, but the farmer more frequently sells, not because he is absolutely bankrupt, but because he is close to it, and because he knows he cannot keep his head above water very long. The net he gets out of the sale is apt to be pitifully inadequate.

Mr. President, these are good farmers. The inefficient, marginal farmer was shoved off 5, 10, or 15 years ago. These are the people who are left after the fierce competition and after the farmers who had drifted into farming or were casual farmers or lazy or wasteful farmers had already left. These are people who have devoted their lives to farming, whose fathers and grandfathers, in many cases, farmed the same land.

They love the wholesomeness and fine family life of working together, and the communion with God in His great natural out of doors.

Mr. President, I do not say that lightly. These people feel their communion with God. They do not often talk about it, but they feel it. I know, on the basis of seeing them and talking with them, how deep their dedication to morality and religion goes.

But reluctantly, painfully, they leave because the prices they receive are cruelly low, and the prices they pay are steadily going up.

The fact is that American farming is the big risk business in America. If farmers were rewarded on the basis of risk, they would be leading the prosperity parade instead of being left out of it as they have been.

FARM PRODUCTIVITY

People say, "Yes, you can work long hours of work, make a big investment, take a risk, but if you are not shrewd and intelligent in how you apply these resources, you cannot expect a return." The real payoff, it is said, is efficiency and productivity. Regardless of the hours of work a man works, or the size of his investment, or the risk he takes, or the skill and intelligence he uses, that is the real payoff.

How does the American farmer compare on this score?

The most comprehensive statistics I can obtain as chairman of the Statistics Subcommittee of the Joint Economic Committee show that the typical American off the farm increased his productivity during the past 15 years by about 35 percent—about one-third.

How about the farmer? Did he do a more or less efficient job? He increased his efficiency not by 35 percent, 50 percent, or 75 percent, but by a sensational 100 percent. Think of it. Today one farmer can produce what it required two farmers to produce 15 short years ago, in 1949.

This is the most remarkable improvement in efficiency, not only in this country but literally in the world.

How very much this has meant to the free world. The big economic advantage this country has over the U.S.S.R. is not in our factory or commercial production. It is in agriculture, in the amazing productivity of our family farm.

It is no accident that the first thing Khrushchev wanted to see when he came to this country was not an American factory or a commercial enterprise, but an American farm.

Our family farm has run rings around the Soviet collectivized production; and for a good reason.

Mr. MONRONEY. Mr. President, will the Senator yield?

Mr. PROXMIRE. I yield.

Mr. MONRONEY. I appreciate the important statistics and comments given by my colleague and seatmate about the part the American farmer has played in producing the very substance of American life, of which he has had so little. The fact that the farmer has had a productivity increase of 100 percent in 15 years is a most important figure, because, as I go around my own State, the people in the cities and smaller towns direct their criticism of the farm program at the surpluses.

To me, we are peculiarly blessed, we are the only people in the world who actually have surpluses to worry us. We condemn the farmers for them when we should give recognition to the blessing we have in our country; to the ability of our farmers to grow on fewer acres and fewer farms more food than has ever been produced in the history of mankind.

The problem is to adjust farm production to our needs and to have intelligent farm programs that will support rather than destroy farm prices. For that reason I know the distinguished Senator, who has worked so hard in this field, will help us in efforts to channel this abundance into uses for peace, for starving nations, and for people at home, and also to provide programs that will, through diversification, build up a market for these farm surpluses, or transfer them into other items of greatly needed production.

We should be appreciative of the blessings of our production, instead of cursing it and fearing it. It is our good fortune to be so blessed.

I compliment the Senator for his understanding of this acute problem.

Mr. PROXMIRE. The Senator makes a very important point, one that I had not given sufficient emphasis to, but which is extremely basic. This great food production is indeed a blessing. How many times in human history have people had too much food? As the Senator from Oklahoma has indicated, we do not really have too much food even now.

There are hungry people in the world. As the President of the United States has indicated in his great state of the Union message, there are hungry people in the United States. We need to extend the food stamp plan, a plan which the senior Senator from Illinois has advocated. We can feed Americans better than we have in the past.

We can use our great food surplus with even more ingenuity and generosity than we have exhibited in the past.

I believe that America's record in foreign aid may be subject to some criticism, but certainly not the food for peace program. It has won almost universal approbation. I have found that not only many farmers, but many nonfarmers also, look upon this program with understanding and appreciation. They know what it is all about, and what it is accomplishing. In country after country it has been a success. Three or four years ago there were only about two countries that had a food for peace program. Now there are 11 such countries, and we are moving rapidly toward 15 or 16.

In those countries we are paying wages in food, so that, instead of spending their whole time scratching a living out of the soil, people can have enough to eat and enough with which to feed their families, and in that way make it possible for them to build roads, factories, hospitals, and schools. In that way they can begin the long climb up from poverty.

The Senator from Oklahoma has indicated that we need to place more emphasis on diversification of markets so that we can use this wonderful productivity effectively.

On my tour in Wisconsin, a number of farmers pointed out that the Federal Government seems bound somehow or other to bury farmers under a huge surplus. We have spent huge sums of money to increase productivity, to make our farms more productive. That is important; and in the long run that has made a great contribution, and will continue to do so. However, as these farmers have pointed out to me, they do not get any help from the standpoint of the ingenuity of our Federal Government in connection with the promotional and marketing aspect.

On New Year's Day, on my tour, I sat with farmers who were impressed with what they saw on television, the Tournament of Roses program, on which there was a vast amount of promotion for substitutes for dairy products, and on behalf of all kinds of synthetic goods, but nothing in connection with the promotion of dairy products.

The American family farm, more than any other economic unit, gives full play to the strongest free enterprise incentives. The farmer owns his land, his tools, his herd, his buildings. His future depends on how skilled and efficient he and his family become.

That is in complete contrast with the situation of the Russian farmer, who does not own his land, his tools, his buildings, or his herd, and has none of the proprietary interest or the incentive or the drive that our farmers have.

What a job the American farm family has done.

The American farmer and his wife not only work endless hours. He and his wife not only pour every penny they can earn and borrow into better equipment and fertilizer and concentrate, but, in many cases, they sacrifice the good things of life that nonfarmers take for granted.

I have visited literally thousands of Wisconsin farms, on which the farmers have obviously spent money for fine equipment. I have examined the herds and the land. In many cases the house the family lives in, while it is spotlessly clean, is lacking many accessories that almost anyone would take for granted.

The farmer and his wife have made sacrifices in order to keep going and establish the kind of great efficiency that is required for a farmer to make progress in these days.

Now, the American farmer has studied and worked to improve the job he is doing. For example, the complex business of farming includes animal husbandry. Animal husbandry is highly complicated and requires more and more study all the time. It involves the production per cow, for example, in dairying; the production per beef animal; the production per hog, and so forth. It is becoming more and more specialized and complex and requires careful study.

There is also the business of soil chemistry, insecticides, bargaining for the right equipment, and keeping accurate and complete books.

Now, vigorously, astutely, and carefully, farmers have learned to bargain, because money is short, and they must use every bit of shrewdness and care in order to survive.

These days every farmer—especially dairy farmers—must keep an accurate, careful set of books. He must be almost an accountant as well as a skilled farmer in order to keep moving. What a contribution this efficiency has made to the American consumer.

In Russia, the typical family spends one-half its income on food. That means it has one-half left over for everything else it buys. In Western Europe, the typical family spends about one-third of its income on food, thanks to a remarkably rising standard of living. What about this country? In the United States 10 years ago, the typical family spent one-quarter of its income on food. This year it will spend a mere one-sixth of income on this prime necessity of life and enjoy a greater variety of wholesome and tasteful food than any people in the history of the world.

This is the most advantageous position that any people have ever been in, in any country of any size. It is the advantage this country enjoys today. Only $1 out of $6 do the people of the United States have to spend on food; and they get the best food anybody has ever eaten. But our American nonfarm family has five-sixths of their income left over to buy all the other things they wish to buy.

If anyone wonders why in this country we can afford more automobiles, more refrigerators, more television sets, more homes, more recreation, more education, the answer is right there. The American farmer has made it possible for Americans alone in the world to have five-sixths of their income left over after they buy the prime necessity of life—their food.

Why is this? It is largely because the American farmer has kept his big major contribution to the cost of food so low.

Fifteen years ago the farmer received one-half of the housewife's dollar. Today he gets, not one-half, but only 36 cents—only a little more than one-third. The cost of food includes the entire income of the farmer, the processor, the wholesaler, the retailer.

Furthermore, this cost of one-sixth of the average family income also includes the full cost of the Federal farm program. So when people complain about the cost of the Federal farm program, they should realize that this is a part of the bargain. It is the best bargain any people ever had in the world.

What a bargain.

What a pitifully insulting reward. For all this great contribution the farmer, who works twice as long as people off the farm, who invests far, far more, who risks more than anyone else and who has increased his efficiency a whopping three times as much, earns half the income.

This is injustice at its worst.

FARMER'S REACTION

Mr. President, what is the reaction of Wisconsin farmers to this prime injustice of our economic system?

The overwhelming majority recognize that their income is too low.

They have poured far more work, investment, and brainpower into their jobs than anyone else, and they resent the fact that they are earning such a miserably inadequate income. They do not dwell on this resentment. But they do want to do something about it.

I am talking about the reactions I received from literally hundreds of farmers when I traveled through Wisconsin and delivered speeches in 38 different parts of the State.

The action the farmers want to take varies from joining the National Farmers Organization to bargain collectively for higher prices, to developing a far better and bigger promotional and selling campaign for farm products.

FARMERS DISLIKE PRESENT PROGRAM

The farmers with whom I talked are almost universally positive that the present farm program is, with few exceptions, working very badly.

The present voluntary feed grain law is popular. The tobacco program—we have two big tobacco-growing counties in Wisconsin—is working fairly well.

RESENT GIVEAWAY CHARGE

But the overall effect of our farm legislation is considered by the farmers I talked with as about as bad as it could be. They are deeply concerned with the charge that they are living on Federal handouts because of the cost of the Federal farm program. They resent the charge that they are the beneficiaries of subsidies.

They favor almost any change in the farm program which would enable them to earn their price in the marketplace with Government action kept to a minimum.

The farmers at the meetings I addressed deeply resented the failure of the press to report the subsidies paid to other American groups—especially business interests—while the press dwells on farm subsidies.

The press fails to dwell on subsidies paid to other American groups; yet in editorial after editorial and article after article it dwells on subsidies paid to the farmers. Again and again farmers would point to the huge subsidies paid water carriers, airlines, mining interests as well as defense industries. These giveaways get little or no notice in the press, while farm subsidies are grossly exaggerated. They deeply resent the inclusion of welfare programs such as school milk and school lunch—and oversea assistance programs like food for peace—as handouts to the farmers.

Farmers are also becoming increasingly aware of the fact that even if we include the full cost of the Federal farm program on top of the price farmers receive, American consumers still enjoy by far the best bargain in the world.

At the same time they know that businesses in many cases establish their prices based upon their costs and a profit.

At the Harvard Graduate School of Business Administration, one of the factors that is constantly emphasized is that if one expects to operate a profitable enterprise, he had better have a strong cost-accounting system. The reason for it is not merely so that he can keep his costs down, but fundamentally so that he can keep his prices based on his costs. If one expects to stay in business very long, he has to cover his out-of-pocket cost and overhead cost to allow a return on his invested capital. That is fundamental in American business. It is not done only by big business. It is not only United States Steel that establishes prices.

I operated a small printing firm near Madison, Wis., in Waterloo, Wis. We had something like 38 competitors. That was just before I came to the Senate. They were larger than we were, or about the same size. A few were a little smaller. So we were in as strenuous competition as almost any American business is likely to be. How did we establish our prices? We did not establish them by asking our customers what they would pay. We established our prices by telling our customers what they would have to pay if they wanted to buy our product, which is what almost every business has to do.

We had a cost-accounting system in which we determined what our full costs were, what our overhead was, and what our profit had to be if we were to remain in business. We stood by our cost-accounting system.

Farmers cannot do that. No farmer can do it. Farmers have no control whatever over the prices they charge.

Furthermore, farmers see that labor unions ask and get increased wages. They know that profits are at an alltime high, that dividends have increased 50 percent in the last 10 years, and that wages have risen 40 percent since 1954, while farm income has remained at the same level. While farmers concede that labor and management have done efficient work, they wonder why rules of the game cannot be established to permit farmers to do better than to lose income when their efficiency is increasing a remarkable three times as fast as those off the farm.

FARM POLITICAL INFLUENCE FADES

As I indicated a little earlier in a colloquy with the Senator from Illinois, farmers are becoming more aware than ever that their always feeble political influence is dwindling even more rapidly because greater farm productivity, with 1 farmer now producing what 2 farmers could produce 15 short years ago, is resulting in the exodus of 200,000 farmers from the farms every year. So there are fewer farmers.

The Senator from Missouri [Mr. SYMINGTON] said that when he first came to the Senate 11 years ago, 12 percent of the American population was engaged in farming. Now the number is down to about 7 or 8 percent. As these farmers leave farming, the nonfarm population is growing by leaps and bounds. So the farm vote grows smaller and weaker.

In the recent tour which I just completed, many farmers pointed out that political influence has always been enfeebled by the tragic division and contention among farm organizations. The two largest, for example, the Farm Bureau and the Farmers Union, can agree on almost nothing. More than anything else, this constant disagreement has stymied farm political influence. The Wisconsin farmers know this.

Several farmers said, "We can't expect Congress to vote for anything that will help the farmer when the consumer has so many more votes." The taxpayer who is not a farmer also obviously has more than 10 times as many votes. Because of this weak and diminishing political influence, and especially because of the patent injustice of low farm income, the National Farmers Organization has growing appeal.

NFO GROWING

Throughout my meetings, the one organization most likely to provoke spontaneous applause and approval was the NFO. Farmers are shrewd and realistic. They know there are serious technological difficulties in the way of farm organization for collective bargaining to secure higher prices. For example, milk—our great Wisconsin product—is perishable. Cows dry up promptly if they are not milked regularly. The ultimate weapon of the NFO, if called for—withholding of milk—has serious public-interest and health implications.

And would farmers surrender their prized individuality, submerge their independence enough to organize into a militantly effective group? Many farmers seriously question this. Our farmers are noted for their individuality and their self-reliance—and for their pride in their individuality and self-reliance.

But in spite of these serious handicaps, the NFO is making progress. Farmers are paying that tough-to-part-with $25 to join, sometimes with small hope, but in real desperation.

To a Wisconsin farmer these days $25 is a great deal of money. That is what it costs to join this militant collective bargaining organization. In my State, the organization has doubled in size in the past year. The farmer is really becoming desperate.

There is some feeling, as expressed by a farmer in one townhall, like this:

> I hope any farm legislation increasing farm income fails. I want to see this situation get so bad and farmers get such a bellyful of low prices and high costs, that they will join the NFO because it's the only possible hope. Then we'll be able to make some progress and only then.

This is no rare or eccentric view. Many farmers share it. In different ways the same determination to organize and bargain for better prices if the situation got bad enough was expressed again and again.

The farm parity index is the lowest it has been in a generation; less than since August of 1939; since the depression. No wonder farmers are becoming desperate.

PRESIDENT JOHNSON CONSIDERED BIG HOPE

Without being partisan, I could not accurately report without saying that there were a number of farmers who said that the new President, Lyndon Johnson, is considered by some farmers to be their best hope. They know that President Johnson not only has an interest in the farm problem, but an unusual competence and knowledge of it. Surprisingly, several farmers recall the television reply by then Majority Leader Lyndon Johnson to Secretary Benson back in the mid-fifties, when the then majority leader made an effective appearance on television, displaying a loaf of bread which he told his audience cost the housewife 25 cents, but for which the farmer received less than 2 cents. He also displayed a shirt, and he pointed out that the cost of the shirt was about $3 to the housewife but the farmer received only a pitifully few cents from it. Lyndon Johnson emphasized that low farm income is a plague on most farmers. The farmer is a vital and important consumer. There is involved not only a matter of injustice, but a matter of economic loss and economic stupidity.

As was demonstrated on television by Mr. Johnson some feel that President Johnson's understanding both of how low farm income is and how high efficiency and productivity are on the farm will mean a strong helping hand for legislation that will permit farmers to earn more. They also think that the new President will appreciate how important the farmer is as a customer for steel, oil, electricity, rubber, and that to move the economy ahead will require an improvement in farm income.

FARM INCOME VITAL FOR ECONOMY

In every single year—every year with the exception of 1955—the No. 1 customer in this country for steel has not been the automobile industry, but the American farmer. If you wonder why there is such heavy unemployment in steel, here is a major reason. The income of the farmer is so low that he cannot afford to buy tractors and other implements which he needs. The farmer is the No. 1 customer for steel. Every year the farmer buys more oil than any one of the Armed Forces, in spite of the fact that the Army, Navy, and Air Force are all large customers for oil and buy a vast amount.

The farmer buys a huge amount of electricity. The farmer buys an immense amount of rubber. In Eau Claire, Wis., where there is one of the large rubber plants of America, there has been trouble with unemployment, and automation is becoming a serious problem. One way in which we can assist is to provide for a farm program, the kind I am sure that President Johnson will ask for and support, which can give the farmers the kind of income to permit them to buy the rubber that is produced in our factories, and which is needed and needed very much on our farms.

We can really move our economy ahead to assist in overcoming what has been an unfortunate tendency throughout American history, namely, a farm-led and a farm-fed depression. It may be that we are not quite so susceptible to this situation now as we have been in the past. In view of the fact that farmers constitute only 7 or 8 percent of the population, and receive between 2 to 3 percent of the net income, nevertheless he is an important and vital factor in our economy, as I have pointed out, in many very important areas.

PROXMIRE BILL SUPPORTED

Finally, Mr. President, I did discuss with these Wisconsin farmers my dairy bill, S. 1915, which passed this body last fall and is now pending in the House Agriculture Committee. This bill would simply permit farmers who sell milk under marketing orders to change from the present blend price system—which is a single price—to a two-price, base-excess system.

I have found, in talking with farmers about farm legislation, that they are shrewd in their understanding. They follow it with great attention. Anyone who listens to the radio in a farm area in the morning around 6 o'clock, or around noon, will hear a large number of farm reports. The reason these farm reports are broadcast is that farmers listen to them, and they learn from them. They understand a great deal about farm economy. They read extensively about farming.

After the bill had been explained, support was general. There was agreement that the bill would help significantly to reduce the colossal dumping of excess milk by marketing orders—now about 20 billion pounds a year on the grade B market.

Wisconsin is grade B milk territory, Mr. President. Wisconsin produces milk which is also processed into cheese, ice cream, and butter. Perhaps 80 to 85 percent of the dairy farmers in our dairyland State produce grade B milk. But they do recognize that this Proxmire bill can be of massive help in eliminating the surplus. The bill will give grade B prices a chance to rise in the marketplace.

Here is why this bill is necessary: Marketing orders now produce 50 percent of the Nation's milk. In doing so, these orders dump 20 billion pounds of excess milk. This shoves the blend price down. And it rivets grade B prices at rock bottom.

M'CARTHY AMENDMENT FAVORED

These farmers generally want the McCarthy amendment, which would have permitted direct payments to farmers who hold their production down or reduce it. They recognize that whereas my bill would help in the long run and would keep the excess production down and the market price higher, they recognize the McCarthy amendment would give immediate assistance now. And that, furthermore, it would supplement my bill and make it that much more effective.

Mr. President, earlier today I had a conversation with the distinguished Senator from Missouri, who is an outstanding expert on agriculture and who served for a long time with the Senate Agriculture Committee and has repeatedly demonstrated his ability and his grasp in this field. I had a discussion with him about meat imports and the devastation which they are wreaking on our farm economy.

I also discussed it with the Senator from Montana, the distinguished majority leader [Mr. MANSFIELD], who is introducing legislation along this line.

MEAT IMPORTS VIGOROUSLY PROTESTED

Wisconsin is, of course, primarily dairy country; and yet I heard constant protests about the impact of meat imports on the dairy as well as the beef farmer.

At virtually every one of the 38 meetings which I addressed, farmers would bring up the fact that meat imports were hammering down the price the farmer gets for his meat animals. Every dairy farmer is in the beef business. When his cows no longer produce milk efficiently, he culls them and sells them for beef.

Unfortunately, most of the meat imports compete directly with cow beef. The imports, like the cow beef, go into hamburgers and wieners. So these imports contribute directly to the surplus production of milk by driving the price of cow beef so low that instead of culling, the farmer continues to milk cows and produce the extra milk long after he would have brought the cow to market if the price had been adequate.

This is the way imports of beef from abroad have contributed, and contributed unfortunately, to our dairy surplus.

Section 22 of the Agricultural Adjustment Act of 1933 provides for a limitation of these imports by requiring a restriction on any import program that interferes with a farm price-support program.

There is no question that imports of beef are interfering with the feed grain program, because obviously if we import 10 percent of beef from abroad, which costs hundreds of millions of dollars, we are not going to consume that much American beef and, therefore, are not going to eat the animals that consume the feed grain. The cost of the feed grain program increases accordingly at the taxpayers' expense.

So it interferes with the feed grain program.

Second, it interferes with the dairy price-support program because, as I pointed out, the dairy farmers are not culling their cows because they cannot get a sufficient price for them. Why? Because of the great interference and impact of the import of cow beef from abroad.

So in those two direct ways there is competition with our price-support program flowing from the very heavy imports from abroad.

Mr. HUMPHREY. Mr. President, will the Senator yield?

Mr. PROXMIRE. I am delighted to yield to the distinguished Senator from Minnesota.

Mr. HUMPHREY. First, I wish to apologize to my good friend from Wisconsin for not being able to be present during all of his excellent speech on the very important subject of our agriculture policy and developments in our agricultural economy. The Senator knows that I have had a copy of his speech for 2 days.

I am happy to tell him that I have read it over not once, but twice. I made several notes about his speech in the margin of the copy that he made available to me. It is an excellent speech, one that is truly needed in this body, because so little is being said these days by Senators and Representatives in the Congress about the situation in agriculture. I wish to compliment the Senator. On my own time I hope to say something about the speech and the subjects that he has discussed so ably and completely.

The Senator from Wisconsin has mentioned the beef price situation. When I was home in Minnesota for the very short Christmas vacation that we had, 1 day of that period of time was taken by consultations with members of the agriculture organizations—our Farmers' Union group, our Farm Bureau, our Grange representatives, and those of the Minnesota Livestock Feeders Association. I had a very good discussion with the officers of the Minnesota Livestock Feeders Association about the subject of beef imports and the impact upon beef prices. I am happy to say that our farmers—and what I am about to say is true of the National Association of Livestock Feeders—do not attribute to beef imports the total drop in beef prices. They point out, correctly, that beef imports have been an important factor in the drop in beef prices. As the Senator from Wisconsin has so succinctly reminded us in relation to cow beef, as it is called—the cheaper grade of beef which is coming in ever-increasing quantities, primarily from Australia—that had a slight depressing effect upon the beef price schedule, along with some increase in beef production, which in turn compelled the beef producer, that is, the livestock feeder, to hold onto his beef cattle a little longer in the hope that somehow or other the market would improve. But when he held onto his cattle a little longer and fed them, they added from 20 to 25 to 30, to 50 pounds per head of additional weight on each of the beef cattle. That in turn increased the aggregate poundage of available supply of beef, and that in turn continued to depress prices.

Then we must add to that an ever-increasing flow of imports, which in turn tended to depress beef prices even further, and the farmer had only one recourse. He borrowed more money to hang onto his beef cattle, and then he held onto the cattle in the hope that the price would improve. But each week that he held onto his cattle and did not take them to market, the cattle grew fatter. There was more poundage, and the price continued to go down. That is the vicious circle of price depression which has taken place in the beef market.

When I listened to our economists discuss what we are going to do for our economy with the tax bill and with other things, I remind them that one of the most important segments of the total American economy is the livestock area. I do not have the exact figures, but I know, for example, that recently in Minnesota beef prices were at $20 or $21 a hundred, and hogs were at $13.50, when they ought to be above $16 at least. It takes $15 to break even. When there is a drop in farm income due to a sudden drop in the prices of beef, pork, and with low prices on poultry, we have really taken out of the stream of commerce in America hundreds of million of dollars of capital.

I happen to believe that many of our industrial economists forget that the American agricultural community generates billions of dollars of capital.

Mr. PROXMIRE. Mr. President, if the Senator will permit me to comment at that point, I should like to say that I could not agree with him more. As I have indicated, the number one customer of steel in America is not the automobile industry but the farmer. He is a great customer for oil, electricity, rubber, and any number of industrial products. One of the big causes for unemployment in many factories that employ people to produce not only tractors but steel is that farmers do not have the income that they should have in order to meet their needs. Give the farmer a chance to earn that income, and we know that the farmer is the best spender in the world if he has the money.

Mr. HUMPHREY. The Senator is correct.

Will the Senator yield further?

Mr. PROXMIRE. I yield.

Mr. HUMPHREY. We are attempting to develop markets. We have heard many speeches about the importance of developing markets, and particularly world markets. The best market development opportunity in the world is with the farm families of our Nation. A study was made in seven or eight States in the Midwest. It was found that there was an immediate available market in the Midwest, if farm prices could be increased as much as 15 percent in terms of the parity ratio, of more than $6 billion per year for an unlimited period of time.

Mr. PROXMIRE. And that parity ratio today is the lowest it has been in 25 years—since August 1939.

Mr. HUMPHREY. It is the lowest parity ratio in 25 years. If the stock market should break as much as farm prices have broken, every Senator would be in the Chamber tonight. Every Senator would be here saying that the market is in serious trouble. The stock market has dropped.

There is another kind of stock market that has dropped—the livestock market, the milk market, the whole dairy price structure. Livestock production and dairy production are two of the most expensive operations in the agriculture economy. It requires the highest type of farmer to operate them. They require the biggest investment for purposes of operation. Livestock production and dairy production actually pour back more into the economy than any other kind of agriculture production. Those are the two areas that are suffering the most right now, as the Senator from Wisconsin has so ably pointed out in his address.

Mr. PROXMIRE. I am glad that the Senator has emphasized the fact that beef imports are only one element, although a very important element, in the price of beef. But I would like to stress, as I understand the Senator from Montana suggested the figures a little while ago, that beef imports are now approaching something like 10 or 11 percent.

When imports are that heavy, and we have the kind of inelasticity of demand that we have—people neither eat a great deal more when the price of beef is dropped nor a great deal less when the price increases. If we did not have such a large and important amount—hundreds of millions of dollars of imported beef—the price would be a great deal better than it is now. The American farmer cannot sell his poultry abroad in Europe. It is being kept out.

We are having a very tough time with the Common Market in relation to all of our agricultural products. Yet we are importing a great amount of meat from abroad. Of course, it is hammering our farmers into the ground. It is not a question of the farmer wanting more subsidies. The farmer wants a better break and a more sensible opportunity to earn an income in our country.

Mr. HUMPHREY. Mr. President, will the Senator yield further?

Mr. PROXMIRE. I am happy to yield.

Mr. HUMPHREY. As I recall, the average amount of imports of beef for the years from 1958 to 1963 was somewhere around 6½ to 7 percent, or perhaps a little less, of our total production. It was about 6½ percent. When the figure reaches 10 or 12 percent, it has an important impact upon the price structure, because we are increasing the supply. When we add to that some of the marketing practices of some of the large outlets for beef products, we can understand the problem further. Huge retail chainstores buy up vast segments of cattle. They buy up hundreds of head of cattle—whole trainloads of cattle—and frequently the farmer or the livestock feeder who makes the sale does so under duress. He is in trouble. The banknote is due. Interest rates are high. He must get more money. So he makes a quick deal with one of the big supermarkets, and that depresses the price even further.

So the Senator's emphasis upon doing something about this area is absolutely right. We do not want to have to go into forced quotas. We do not want to have to go into embargoes, even though we have the authority. What we would like to have our friends do is accept a voluntary reduction in those exports, as we once had worked out with our Canadian friends on rye and barley. The Senator recalls that.

Mr. PROXMIRE. I hope agricultural vendors in those countries exporting meat to this country, if they have a chance to read parts of this debate, will consider the compilation of statutes relating to soil conservation, marketing quotas, and so forth. At page 271 of the Agricultural Adjustment Act, it is specified that whenever the Secretary of Agriculture has reason to believe that any article being imported into the United States in his judgment could interfere with a price support program, he can call it to the attention of the President and, through the Tariff Commission, can act, in effect, not only to impose quotas, but virtually prevent importations. This is not theory. It is being done all the time. It will have to be done with beef imports if there is a situation in which we cannot arrive at voluntary quotas, recognizing the necessities of other countries as well as ourselves.

Mr. HUMPHREY. Mr. President, will the Senator yield further?

Mr. PROXMIRE. I am happy to yield to the Senator from Minnesota.

Mr. HUMPHREY. I hope in the weeks ahead we may be able to enlist the enthusiastic participation of our colleagues in further discussion of the agricultural situation. I say this because if the administration's program of getting this economy moving ahead at a faster pace and a faster rate is to be achieved, we cannot allow the agricultural segment of the economy to be the victim of price depression and many unfair trade practices that deny the farm producer his fair share of the American income.

The American economy is very much like a three-legged stool, made up of industry or manufacturing, labor, and agriculture.

Through collective bargaining, our friends in labor have done fairly well—at least the organized workers—in keeping wage earners' income moving along with the price index.

The manufacturer today is doing very well. If anyone does not believe it, let him take a look, in the financial pages, at the profits or earnings on sales or earnings on investment.

I do not want to be misunderstood. I believe in profits. I am glad they are good. I am glad the rates of dividends are high. I am delighted that the amount of savings is at an alltime high. But we cannot have a very balanced economy if industry and labor is at one level and the agricultural leg of the three-legged platform is cut short. It is going to tip over.

I do not care how many tax bills are passed by Congress or how many programs are designed in this body to stimulate the economy. If the farm producer in America, who is one of the great purchasers of manufactured and processed products, is denied an opportunity to earn a living and to make a profit, there will be a "holdback" on the economy.

Mr. PROXMIRE. Will the Senator yield at that point?

Mr. HUMPHREY. Yes.

Mr. PROXMIRE. I merely wish to say to Senators who favor a tax cut—and most Senators do, although I do not—that if we are to do anything constructive for the third leg of this three-legged stool, it cannot be done with a tax cut, because, as the distinguished Secretary of Agriculture pointed out before the Joint Economic Committee last year, he agreed that the overwhelming majority of American farmers do not have enough net income to pay any Federal taxes. We cannot give them increased income through a tax cut. They will get nothing from it. Therefore, there will be a bonanza for some segments of the economy. There has been, since 1954, an increase in factory wages of 40 percent, in dividends of 50 percent, of personal interest income of 140 percent, when farm income has stayed at a depression low. The farmers will be left out of the tax cut, and they will get nothing from it. We need a farm program if we are to have a sound, balanced economy. We cannot leave the farmer out and expect to have economic stability or prosperity.

Mr. HUMPHREY. Mr. President, will the Senator yield further?

Mr. PROXMIRE. I yield.

Mr. HUMPHREY. I do not want to take up too much of the Senator's time. The hour is late. After all, the Senator from Wisconsin has prepared a masterly address on the subject of agriculture. Frankly, the Senator has inspired me with it. I am very grateful to him. I intend to say something on this subject in my own right in the weeks ahead.

The need for agricultural programs is so evident that it amazes me that we have any difficulty in passing them. Not long ago the Senator from Wisconsin pointed out in this body the false economy we practiced on the school milk program. By not appropriating the amount of money which was authorized, we slowed down the whole school milk program at the very time the Government of the United States was buying for the Commodity Credit Corporation millions of dollars worth of powdered milk.

Mr. PROXMIRE. To store it.

Mr. HUMPHREY. To store it and later give it away, and to ship it and pay the shipping cost. We sometimes wonder who is sick in this country.

The President wants all the young people to have physical examinations. There are some very revealing statistics as to the degree of physical unfitness of our young people. The school lunch program, and particularly the milk program, will do more, in terms of nutrition, to promote physical fitness than anything we can do. We are not spending much on those programs. Yet by those programs we could help improve farm income and we would look more like responsible people.

I further believe that the feed grain program has worked very well. It has been of benefit.

We need a new cotton program, and not the "gimmick" program that came from the House of Representatives, the one that has more gimmicks and gadgets in it than anything we have seen since the first primitive mousetrap. What we need is a basic cotton program, if there are to be any price supports, that will benefit our own producers and provision for meeting the world cotton prices so there can be exports.

We need a new wheat program. We know we cannot have a program that has mandatory provisions in it. The Senator from Wisconsin had a little more foresight in that respect than some of the rest of us. I commend him for it. We need a new program. Several proposals have been made. Pride of authorship should be second to substance. A bill which would increase exports, increase farm income, reduce Commodity Credit holdings and storage costs, and promote world trade for cash, would help the economy.

These programs require the attention of Congress. Only this morning these matters were discussed in considerable detail with the President of the United States. I had the privilege of informing the President of the United States of the message of the Senator from Wisconsin and of his concern with every subject we are now discussing.

The administration will be making its recommendations in the budget message and other messages on the farm programs. If the President of the United States is going to attack poverty, we must start in rural America. For every slum area in New York City, there are 10 in rural areas. The worst housing is to be found in the rural areas. The worst lack of sanitary facilities, the lowest income in America, are to be found in the rural areas.

When we attack poverty here, or in Latin America, or in Asia, we should attack it in rural America. So the "attack poverty" program should concentrate a good deal of its attention not merely in large cities, where there are indeed many problems—and I do not minimize them—where there are serious housing problems, job problems, unemployment. But the poverty problem, as the Senator from Wisconsin knows, is to be found in vast areas of rural America; in the Southeast United States, where there are too many people living on small acreages with low incomes; in Southwest America, where many Americans of Mexican descent, Mexican-Americans, have far too low income; in the central part of the United States, up and down the Mississippi, where, we must bow our heads with shame, there is rural poverty.

There is a need for rural development programs, farm programs, industrial development in those areas. It is no longer a matter of a commodities program; it is a matter of an integrated economic program.

I thank the Senator for yielding to me. I wanted to express this thought by way of supporting his hand and statement.

He has taken the lead in the dairy field with my colleague from Minnesota [Mr. McCARTHY]. I hope I can be a worthy supporter of that program. He has been an active proponent in many agricultural areas. We need to build up the cooperatives, the rural electrification systems, expand our farming activities, protect our farmers from unfair practices.

These are ways in which we can help the farm families who produce this fantastic amount of food and fiber at prices that are the lowest of any in the world. There is no living human being, now or in the past or in the foreseeable future, who can compare in productive efficiency with the American farmer and his family farm.

This is the miracle of our time. Someday someone will write an article in a leading magazine about this miracle. Instead we always read articles about some tycoon of industry who operates a big corporation. Why do we not have printed an article or two about plain old Joe Smith from rural America, about how long he works and how hard he works and how intelligent he is and what a good manager he is, how he borrows money and pays it back, how he raises his family, how he supports his community, and also about how he pays his taxes, and all the other wonderful things that these farm people do?

Instead of that, we hear about a great urbanized and industrial society and what some great corporation has done, what some great philanthropy has done, or what some big Government agency has done.

The people who are doing the best job in America are the ones who are getting paid the least. They are the producers of food and fiber.

Mr. PROXMIRE. I thank the distinguished Senator from Minnesota, the majority whip, from the bottom of my heart. He is eloquent. But when he said that he was following the leadership of any other Senator on the dairy situation, he was being much too modest.

The statement he has made about the American farmer is true. It is sad that it cannot be said more often or more frequently called to the attention of the American people, as it should be called to their attention.

SUMMARY

Mr. President, to sum up, I have just talked to hundreds of Wisconsin dairy and beef farmers. Their income, like that of all farmers in this country, is shamefully low, although their hours of work, their investment, the risk they take and especially the efficiency with which they do their work are greater—and I mean far greater—than people off the farm.

Wisconsin farmers know this. They want to do something about it. They feel the present farm program is doing a wretched job for farmers and taxpayers. They have hope that President Johnson, as a man who has demonstrated his interest and knowledge of the farm problem, will be helpful. They favor the Proxmire dairy bill and the McCarthy amendment.

But they are not optimistic about political action. They have been to that well many times in the past and found it dry.

There is growing enthusiasm for the direct organization and collective bargaining approach of the National Farmers Organization. The problems and obstacles in the way of this organization are massive, but if the farm situation continues to deteriorate they may give the NFO a big try.

Finally, these farmers should be saluted for the marvelous job they have done in giving this country—and they are responsible for it—its decisive economic edge in fighting for peace and freedom.

Our advantage over the U.S.S.R. is not primarily in factory production or commercial enterprise, but in agriculture. Here is where we are beating the Soviet Union. The American farmer is responsible for our success; yet he is being left out of our great prosperity. He is the No. 1 victim of economic injustice in America. It is time we acted to pass at least the limited farm legislation that is now before us to give the American farmer the justice he has so richly earned.

Mr. DOUGLAS. Mr. President, I commend the Senator from Wisconsin for his very able statement, which is economically sound, and which is graphic and vivid. I believe that a large part of the farm difficulty arises from the fact that the demand for most farm products is what economists call inelastic. An increase of 5 percent in the total quantity may depreciate the price figure by appreciably more than 5 percent. In connection with wheat, it will cause a reduction of from 15 to 20 percent in the price per bushel. As the total expands, other things being equal, the gross income diminishes.

This is a difficulty which is almost inherent in the price system. It does not justify it. It does not furnish an excuse for our doing nothing. It does call for a very careful program. I wondered whether the Senator from Wisconsin has in mind certain plans which in his judgment would increase the total farm income.

Mr. PROXMIRE. I feel that the bill which I introduced and which was approved by the Committee on Agriculture and Forestry, and passed by the Senate, and of which the Senator from Illinois was a supporter, the Proxmire dairy bill, will help to some extent. I had hoped that the McCarthy amendment would be added to it, because that certainly would be helpful. The proposal of the distinguished Senator from Minnesota [Mr. HUMPHREY] and the distinguished Senator from Georgia [Mr. TALMADGE] on the wheat program would also help.

Mr. DOUGLAS. That is really a production payment plan; is it not? I do not say that in derogation.

Mr. PROXMIRE. I beg the Senator's pardon. Let me correct my statement. The one I was thinking of was the wheat bill introduced by the Senator from South Dakota [Mr. McGovern] and the Senator from Minnesota. The Senator from Minnesota is so versatile, he is a sponsor of both bills. The wheat bill is modeled after the Voluntary Feed Grain Act, which has increased the income of the feed grain farmers. It has worked very well, and they like it. It is a practical approach.

Unfortunately, I have not had time to study in great detail the cotton bill, introduced by the Senator from Georgia [Mr. Talmadge] and the Senator from Minnesota [Mr. Humphrey].

Mr. DOUGLAS. There is the question of how large an income we should protect.

Mr. PROXMIRE. That is correct. The point the Senator has made is absolutely fundamental; that is, in connection with the inelasticity of demand for food.

Mr. DOUGLAS. What the Senator is doing is not so much suggesting a remedy, as he is ringing a fire alarm to alert us to the fact that agriculture is in a bad way. Is that correct?

Mr. PROXMIRE. Yes. I am also trying to suggest some remedies. I am making these remarks as a background for my bill, which is still pending in the House of Representatives. I believe that the wheat proposal can be a good proposal, and a helpful proposal. I believe that more and more farmers are relying on a sense of justice of Congress. The average farmer recognizes that he is no longer a vigorous political force.

Mr. DOUGLAS. I thank the Senator. I wish to praise the energy which he has put into his address.

Mr. PROXMIRE. I thank the Senator. On this subject as well as on many others the Senator from Illinois has demonstrated his wisdom and competence.

THE GROWING SERIOUSNESS OF FARM INCOME—OR LACK OF IT

Mr. SYMINGTON. Mr. President, I again congratulate the able senior Senator of Wisconsin reporting on his recent tour of Wisconsin farm areas for this magnificent address.

Based on my own conversations with Missouri farm people and my mail from them, particularly in recent weeks, problems of farm owners and operators in Missouri are much the same as those found in Wisconsin.

As illustration of this fact I ask unanimous consent to have inserted at this point in the Record a telegram and three letters received in just the last few days, representative of a great many more in my files.

There being no objection, the telegram and letters were ordered to be printed in the Record, as follows:

Kansas City, Mo., *January 7, 1964.*

Senator Stuart Symington,
Senate Office Building,
Washington, D.C.:

Whereas the cattle industry in this country has been very adversely affected by the uncontrolled dumping of foreign beef; and

Whereas such dumping gives American consumers lower grade products when many of them think they are buying first grade American beef: Therefore be it

Resolved, That the American Polled Hereford Association composing 25,000 members commends the efforts of the American National Cattlemen's Association to seek the imposition of quotas and higher duties on imports. We strongly endorse the efforts of the Senators and Congressmen who are trying to enact legislation to this effect and we urge each of our members to make known his views on this question to his own Senators and Representatives.

Orville K. Sweet,
Executive Secretary, American Polled Hereford Association.

Troy, Mo.,
January 6, 1964.

Hon. Stuart Symington,
U.S. Senate,
Washington, D.C.

Dear Mr. Symington: Cattle and hog prices have fallen to a point where it is costing the farmer or livestock feeder large sums of cash money to cover the loss on their feeding operations. The sale of fat cattle and hogs represent a large portion of cash income for many farm families in Lincoln County. If the current livestock prices continue to prevail it will bring financial hardship to many farm families. Fat cattle are going to market bringing $4 to $6 less than they cost. We recently sold fat steer cattle that weighed 1,120 pounds at 20 cents per pound. These cattle during the finishing period didn't pay for the feed they ate, plus they sold for $12 per hundredweight less than they cost.

Import meats have shown a large increase in the past year. It is my opinion that this is going to have to be stopped or at least be adjusted to bring our livestock prices in line with our cost of production.

It leaves a mighty bad taste in your mouth when you sell fat cattle at 20 cents per pound, which is below the cost of production, and when you go to the supermarket you see beef selling for prices no lower than when cattle sold for 24 to 26 cents per pound and still worse is that the supermarket is merchandising large amounts of imported meats.

The production of beef and pork in this Midwest region of the United States represents a large percentage of the total tonnage of dressed meat produced in this country. Good cattle and hog prices are the key to a high economy for the Midwest.

Yours very truly,
James L. Witte.

Silex, Mo.,
January 9, 1964.

Senator Stuart Symington,
Washington, D.C.

Dear Mr. Symington: We feel certain that you are as familiar and sympathetic with our problems as we are, but want to express to you our views. It seems to us that it is a downright injustice to farmers and feeders to have to sell their products at prices that not only don't show a profit, but often show a loss. And this at a time when all the rest of the economy is enjoying prosperity that has never been equalled.

We feel that the alarming rise in imports of meat and meat products has a great deal to do with the lowering of our livestock prices. While some of our USDA economists have maintained this has had little or no effects on livestock prices, they have also said before that a 5-percent increase in supplies of cattle or hogs would mean a 10- to 15-percent decrease in values of livestock. Seems to us they talk from both sides of their mouths.

Will you please use all of your influence to get these imports slowed down if not stopped?

Thank you very much for your help in this matter.

Yours very truly,
Dennis Sullivan.

Iberia, Mo.,
January 9, 1964.

Hon. Symington,
Washington, D.C.

Dear Sir: Am writing in regards to the condition of the south half of Missouri. As you are well aware, this part of Missouri depends on dairy and stock cows for their livelihood. With 2-year drouth, no water, high price of food and feed have put the farmers in the starvation class. They have had to sell off their cows as they cannot feed them, at the price of feed and the low price of milk. If something isn't done soon, the farms will be abandoned and grow up in brush. Surely there are people in Washington smart enough to understand the small farmers' condition, and do something about it. We don't get anything for our eggs and chickens and the price of grain is too high to feed them. Buying repairs and equipment is out of the question, as we've borrowed to the limit. Creeks are dry the first time since 1935.

I like to see something done for the poor farmer instead of the big operator.

I hope you will get something through soon to help us before it is too late. I feel like President Johnson will make us a good President.

Yours respectfully,
Ernest Rennaker.

Mr. SYMINGTON. Mr. President, as stated in these communications, many Missouri farmers are losing money on their cattle, their hogs, and on their dairy operations. Very few are getting any return on their investment, let alone fair wages for their labor.

Unless there is some remedial action by the administration and the Congress, the situation will get worse before it gets better.

This situation, particularly on beef and milk prices, has been a matter of concern to me for many months.

I would hope that the administration will continue, as vigorously as possible, with its negotiations to get agreement for reduction in the imports of meat and meat products to this country. In beef, these imports now exceed 10 percent of the American domestic market.

SENATOR HUMPHREY'S ADDRESS AT THE CONVENTION OF THE AMERICAN FARM BUREAU FEDERATION

Mr. HUMPHREY. Mr. President, on December 10, 1963, I had the privilege of addressing the membership of the American Farm Bureau Federation at its convention in Chicago. The Farm Bureau and I have not always agreed on matters of agricultural policy, so I considered it a privilege to be asked to speak at this important gathering.

I discussed a number of items in this address, including our agricultural exports; Soviet farming; Public Law 480, or food for peace; the need for new wheat legislation; the European Economic Community; Government's role in agriculture; cooperation among farm organizations and among political parties in formulating agricultural policy; the activities of the Commodity Credit Corporation; the need for adequate food reserves; and why there should be established a National Commission on Agricultural Policy and Rural Life. I pointed out that a new spirit of cooperation is needed in the light of a steadily reducing farm population and rural representation in the Congress.

Mr. President, there has been considerable comment about this speech and many who were not present at the Chicago meeting have asked that I make it available to them. For this reason I ask unanimous consent that it be printed in the RECORD.

There being no objection, the address was ordered to be printed in the RECORD, as follows:

ADDRESS OF THE HONORABLE HUBERT H. HUMPHREY, SENATOR FROM MINNESOTA, BEFORE THE AMERICAN FARM BUREAU FEDERATION, CHICAGO, ILL., DECEMBER 10, 1963

Thank you very much, Mr. Shuman. Before I go much further, I hope that those who are managing the houselights will turn them up to give me an opportunity to see this wonderful audience. I'm not a performer; I guess you'd call me a politician, so I gain my sustenance from contact with people.

Mr. Shuman, and members of the American Farm Bureau Federation, you've honored me by inviting me to your convention. I feel very honored and privileged to pay my respects to all of you, and to speak to you, Mr. Shuman, as a fellow American, and to thank you for your good citizenship, your leadership and your dedication to this great country of ours.

I was pleased to have been greeted this morning by the president of the Minnesota Farm Bureau Federation, Mr. Clarence Meyers, who met me at the airport with Mr. Jack Lynn. This was an unexpected honor, and I want Mr. Meyers to know that I am ever grateful. And then, just a few moments ago, I had the opportunity of saying hello to Mrs. Ballum, who is from Goodhue County in Minnesota, and who is the chairman of our State Women's Committee of the Federation. So, to my fellow Minnesotans who are here, a warm greeting.

I am pleased to see an old compatriot, Mr. Roger Fleming, in the audience. I probably shouldn't say old, because he's really a young man and a compatriot in the governmental circles. Mr. Fleming greeted me with a warm welcome, and he handed me a copy of a speech and he said, "Now, Senator, there may be a paragraph or two in here that isn't just like yours," and I indicated to Mr. Fleming that it could be that in mine there might be a paragraph or two that was slightly different as well. But Roger and I have learned how to disagree on occasion without being disagreeable. And we don't happen to think that in a great United States such as ours, where we seek to have unity, that we have to have unanimity. We can have different points of view and still have common objectives. I would imagine that when we shake this all down, we're not as far apart as the printed world might indicate.

A TRIBUTE TO THE LATE PRESIDENT KENNEDY

Let me just say here at the beginning, that these days are rather sad for all of us—a time that we have lost a leader, a great leader, a time when many of us who have been close to that man find ourselves still operating under great sorrow and difficulty. Out of this sorrow, out of this tragedy, I believe has come a greater sense of understanding and tolerance in our country; some soul searching as to our objectives and our manners; and a greater appreciation of the role of the United States of America in the affairs of this entire world. Free people everywhere, and indeed, people who are not privileged to live under institutions of freedom, have sorrowed with us. Their tears have been as ours, and their worries and their fears as ours.

But thank God, and I say this in all reverence, our Founding Fathers created a system of government where power can be transferred without violence and disorder and where succession to authority is guaranteed and is provided.

I'm happy to say to this great assembly today, that the Government is in good hands; that a strong man is at the helm; that the institutions of free government and representative government still operate; and that, despite our great loss, we are yet strong. We are committed to the objectives of world peace under law, and we are committed to private, personal, and individual freedom and liberty.

GREETINGS FROM PRESIDENT JOHNSON

Now I want to bring you greetings from a very distinguished citizen, one who moved only a week ago into a new home. This letter is dated December 6, at the White House, in Washington, and I shall present this letter to Mr. Shuman after having read its contents.

It reads as follows:

"DEAR MR. SHUMAN: Please express my greetings to the officers and members of the American Farm Bureau Federation on the 45th annual convention of your organization, our Nation's largest national association of farmers and ranchers. If our democratic society is to thrive, it has a basic underlying need for free expression by its people. Those citizens whose roots are in the soil have a special responsibility to participate in policy discussions and to make recommendations to their Government. They are the source of the finest agriculture in all the world. We need to search for better ways, ever responsive to changing conditions, to enable our farmers and ranchers to share more fully in the bounty which they helped create. In this endeavor, how can we use the pricing mechanism of the free market with more vitality than presently? In this endeavor, how can we better coordinate the role of government with the area of the private sector, including farmers' own institutions in the marketing of farm products? In this endeavor, how can our efficiency in producing and marketing be reflected in fair and open competition in the world markets? In this endeavor, what should we do to assure ourselves of adequate reserves? These are the questions that must be answered as you meet to study the issues and facts underlying them. I will look forward with interest to your recommendations.

"Sincerely,

"LYNDON B. JOHNSON."

Ladies and gentlemen, I consider it an honor to be able to read that message and present it to your president because it indicates a new spirit of understanding. I think it indicates to you, and I am sure it will to your officers, that there is a desire and a willingness to work together and to cooperate. I call to your attention one phrase in particular which I am paraphrasing; to search, to find ways to do a better job; to find ways to make our market system work better; to find ways, if you please, to be able to more effectively compete in world markets. We're going to work together for that.

RESPECT FOR AMERICAN FARM BUREAU FEDERATION

Now I've had many disagreements during my days in public life with individuals and officers of your organization. But I have never held this organization in any other attitude except one of respect because it represents some of the finest people of the world. But I want to say that I believe that it is our duty, when we have opposing points of view, to honestly express them and not try to cover them up. Only from the competition of ideas do we find the better idea, the best way, at least, that we can devise to improve our situation.

I don't have to sell the idea to you, that broad participation by farm organizations in national policy not only is satisfying to the democratic impulse but absolutely essential. If we are to do what history commands us to do, we must build free institutions and then work to build a workable system of world peace. Our objectives, my fellow Americans, go far beyond agriculture or far beyond business or labor—to build free institutions that can enrich the lives of humankind, and above all, to find a way to pursue the path of peace.

No group in this country has understood these objectives more clearly than farm people or farm organizations, and no segment of our society has done more to translate that understanding into action. And this isn't flattery; it's a fact that ought to be understood. Now after discussion and after presentation of all the views—the biased and the unbiased, the objective and nonobjective, the selfish and the unselfish—there is a point at which we in Congress must act constructively to meet the real needs of our farm people—all of them.

WE DON'T KNOW ALL THE ANSWERS

Confession is good for the soul. I believe that those of us in public life ought to honestly state to you that we don't know all the answers; that we should search for those answers. I have had to learn a great deal and unlearn a great deal, and whenever I get to the point where I quit learning, then I think I shouldn't serve the people any longer. What a man needs today more than anything else is to recognize the great flow of information which is available, the new challenges which we face every day, and he must be big enough, at least in heart and mind, to acknowledge his own limitations, and be wise enough to seek the counsel of others who may have something to offer. I shall try to do that in my years of public responsibility.

Now, all too often, we've seen the situation wherein a member of one party introduces a piece of legislation, perhaps one affecting agriculture, and finds there is an automatic negative reaction by the opposite political party. All too often there has been an automatic adverse reaction when one farm organization took one position and another farm organization would take an opposite position on those recommendations. All too often, the net result of this automatically conditioned reflex action is that the farmers are hurt and the Nation is hurt by failure to get the action that is required to meet a particular situation. Divide and conquer is an old and sometimes useful technique used by the negatives, those who want to do nothing. But cooperation—not coercion—and by cooperation I mean working together, is the essence of affirmative action, and this requires a degree of tolerance, my fellow Americans. It requires that you don't feel that you're omnipotent, that you have all wisdom and a monopoly on virtue. Few people have it.

AGRICULTURE NEEDS RECOGNITION

I think it is time that all the American people, particularly in these great metropolitan centers, take note of the contribution that American agriculture has made to this Nation and not only to this Nation, but to the rest of the world as well. We have taken this American miracle of agriculture for granted, and we often consider it commonplace. We need to study, and we need to know better the contributions of agriculture to the growth of our economy. We need to study and to know better the extent of the dependence of the rest of this economy on the gallant 8 percent of our population who take the risks of drought and flood, hail and early frost, insects and markets and all the uncertainties of the marketplace.

We need to study and we need to know how we can improve the lot of this numerically and proportionately shrinking group, in a constructive bipartisan spirit. We need to do these things if for no other reason than the matter of simple justice, and we need to do these things because there are many others in our society who are primarily dependent upon the production of this great basic source of food and fiber.

TECHNOLOGICAL REVOLUTION

Right now we are in the midst of a great technological revolution in agriculture, in fact, in every aspect of society, that not only is irreversible but is accelerating at jet age speed. The American consumer is now enjoying food at the lowest cost of any people in the world in terms of human effort expended. Yes, the American consumer not only has the world's richest diet, but also has the world's most nutritious and varied diet.

And let me say for the record, for the people of this great city of Chicago, and for any other part of America, the American consumer of food receives his food or receives the family food basket at a smaller percentage of earned income than any other consumer in the world. The best bargain in the world today is the food basket for the American family, and the American farmer has made that possible.

PRAISE FOR PROCESSORS, DISTRIBUTORS

I wouldn't want to forget to pay my respects to our great system of processing and distribution. The quality of our food and the manner in which it is distributed and marketed and handled is a tribute to this entire industry, to this entire area of our economy. No finer products, none more wholesome and none more well guarded in terms of public health, are to be found anywhere.

Now, at the same time as agriculture production has been increasing, which is a well-known fact, employment in the agriculture labor force has declined sharply. We now are at a point where it takes less than 7 million farm operators and workers to produce food and fiber for 190 million Americans, and to satisfy our commercial exports, our food-for-peace program, our reserves, and still have some left over.

Ladies and gentlemen, let the record be clear: If the go-ahead sign ever were given to American agriculture to produce to its utmost, the volume of production would almost be beyond human calculation. We know how to do the job, and in this world, where most of the people live close to the soil and work day and night to eke out an existence from the soil, the miracle of American agricultural efficiency is something that staggers the imagination and leaves the imprint of American leadership without question in every area of this globe.

EXPORTS ARE INCREASING

While the quantity and quality of U.S. food consumption have been upgraded, we've also seen a sharp increase in the exports of food and fiber. We are very conscious of exports these days to the world markets. And we need to be, because America can overproduce for its own domestic needs. We now are exporting at the rate of about $6 billion a year of food and fiber. Over $4 billion of this is for cash commercial sales, hard currency. Thus our agricultural abundance is greatly aiding our balance-of-payments problem and greatly aiding our position as a great commercial nation in this new world.

The rapidly advancing agricultural technology affords a primary opportunity to help the developing nations to help themselves, and I want rural people in particular, such as you members of this great organization, to know that our agricultural economy is doing an amazing job in terms of building a better world and helping to build a political, economic, and social structure suited to the aspirations of many nations oriented toward freedom. This will provide strength to the free world and aid in the struggle with the forces of totalitarianism.

What I am trying to do this morning is to show the affirmative aspects of our agricultural economy. We have had so many negative voices. We've had so many people who have preached only negativism. I want to point out here this morning that a new day is upon us, and new approaches must be found to solve some of these problems. In a real sense what we need to understand is that agriculture is in the forefront of the struggle for a better world. It's not a laggard; it's not a burden; it is not what's holding America back. It is what's putting America ahead.

CONTRAST TO SOVIET COUNTRIES

I've seen some of the factories behind the Iron Curtain, and some of my colleagues have seen there the achievements in the field of atomic science. We know of sputnik and we know of the astronauts and the cosmonauts, but I want to say that despite all the genius of Soviet technology and industry, they've never been able to operate a family farm.

Collectivism negates human aspiration. Collectivism is anathema to individual liberty, and this Nation of ours must never follow any kind of course that leads to collectivism. We must follow only one course—the one that leads to individualism. Therefore, in our responsibilities as a world leader and to meet the needs of people, we need programs that recognize the breakthrough in agricultural technology and that are designed to meet these worldwide opportunities that I have mentioned.

TRADE ADJUSTMENT ACT

Such a program is outlined in part, and I remind you only in part, in the Agricultural Trade Adjustment Act, known all over the world as Public Law 480. In 1954, the American Farm Bureau Federation took the lead in developing this legislation. I was a member of the Committee on Agriculture when that happened. I had something to do with bringing about passage of the legislation, along with other members of the committee, including the late and beloved Senator Andrew F. Schoeppel, of Kansas, who really did a tremendous job in this particular area on Public Law 480. He ought to be remembered for it. I get kind of discouraged at times because as people come and go—some who have given their lives to their country—all too often they are forgotten after they're gone. I don't want to forget them. I don't care what their party politics may be. When a man has done a good job, he deserves to be remembered. I want the American Farm Bureau Federation as well as other organizations to remember Andy Schoeppel, of Kansas. He did a good job for you.

NOW CALLED FOOD FOR PEACE

This program more recently has become known as the food-for-peace program. Food has become a very significant form of foreign economic assistance. I am tremendously impressed by the single overriding fact that without the farmers' productive capabilities, the entire U.S. foreign assistance program would be much less effective than it is today. In fact, food for peace in many areas of the world is the most effective, and the most popular and worthwhile food program. I should think you people would be very happy today as we approach the Christmas season to know that the food and the fiber from American farms has saved the lives of millions of people. And you should be happy to know that there are a hundred million boys and girls this morning, throughout the world, outside of the United States, who are regularly receiving school lunches—food for their bodies which are created in the image of their Maker. There happens to be a bit of the spiritual involved in all of this, at a time when so many people are talking about the destruction of mankind. So I would think that rural families would be reverently grateful as well as genuinely happy that they have been able to save lives.

SOME ARE OVERCAUTIOUS

Now many good people have an overcautious attitude or even a critical attitude toward programs designed to move increased amounts of American food products overseas. I can understand some of their apprehension. This has been reflected in skeptical attitudes toward Public Law 480, which is the chief legislative means of moving our agricultural abundance to consumers who might otherwise have to do without it. But the experience of recent years certainly should remove much of this apprehension. The insurance that these special export programs move additional quantities of farm products, in addition to what is being absorbed by the normal commercial channels today, distinguishes Public Law 480 from other export programs. The food-for-peace program which has been considered by some to be the province of idealists might better be considered as the subject matter for hardheaded realists.

PROUD TO BE AN IDEALIST

I don't mind being called an idealist. I've had many people condemn me in public life as a do-gooder. Well, I would rather be a do-gooder than a do-badder, and I would rather be known for trying to do good than trying to do nothing. You have to be an idealist in order to ever come close to being a realist, because the realists, those who start out as being the hard, practical realists, end up doing nothing. The people who look ahead to the kind of a world they want, the kind of a family they want, the kind of a farm they want, the kind of a State and community they want are the idealists, and they are the genuine realists too.

George Washington, Thomas Jefferson, Alexander Hamilton, and James Madison did not know there would be an America like we have today, but they were dreamers and they were idealists. They did not know or at least were not sure that power could be passed from one President to another without violence. But they dreamed—they had ideals—and they turned out to be the realists. So, I'm happy to be considered an idealist.

Doesn't it make economic sense, as well as moral sense, for the United States and other exporting countries to share abundance—God-given abundance—with the millions who are in need of food, rather than to store it in bins or be forced to accept stern controls to reduce production?

It seems to me that we should use every possible tool for the preservation of peace. I know of no more noble ambition or pursuit than to sacrifice for peace, and I don't think that makes you a pacifist or coward. The bravest man who ever walked this earth was the Son of God and the Apostle of Peace, and He sought peace constantly. This food and fiber tool that we speak of—a unique tool for peace—is made in America. As an American I'm proud of the fact that not only have we the science and technology to unleash the power of the atom, which can be used for good or for evil, but also we have the science, the technology, the know-how and the ability to release the power of the earth to produce food to feed the hungry; fiber to clothe the naked; and food to heal the sick.

A BIPARTISAN PROGRAM

The program I've spoken of, which has come to be called food for peace, is bipartisan. It has the support of the responsible leadership of both parties and of all segments in the Congress. It ought to have this support, and I hope that you'll insist that it be maintained on that basis.

I believe that when the history of the 20th century is written, the development of the food for peace program will be looked upon as one of the most constructive steps ever taken by any nation. We ought to be thinking not of how to stop it, but how to improve it; and we ought to rid ourselves of this idea of surplus disposal—as if human beings can ever be considered built-in disposal units.

SOME IDEAS ABOUT WHEAT

Now let me say a word or two about wheat. Many people think we raise a lot of wheat in Minnesota. The truth is, we don't. We raise a little, but we have a much more varied and diversified farm economy than just the wheat economy. But wheat is bread, and I think it's fair to say that we've arrived at the time in history when literally we can banish hunger from the face of the earth. I don't mind telling this audience that I'd rather have America known as the Nation that healed the sick, fed the hungry, taught the illiterate, and helped the weak, than to have it known as having the most powerful military establishment the world has ever created. I'm not so foolish as not to know that we need defense, but I think there's something else needed in this world besides armaments.

Wheat has played the largest commodity role in this food for peace program, and I noted as I checked material for this message that we have exported under Public Law 480 since July 1954 about 3 billion bushels. This represents about 63 percent total of wheat exports during this period. It would be well to stop for a moment and think about the economic chaos or explosion which would have occurred in U.S. agriculture if these markets had not been available. But it should also be noted that more than 70 percent of the U.S. agricultural exports are normal commercial exports, and we've built many new markets by the use of food for peace. In a sense, these commercial exports constitute food for peace at its best—mutually beneficial, multilateral trade using the efficiency of commercial trade channels. The soundest and the simplest way to maintain our balance of payments would be to utilize to the maximum the productive efficiency of our farmers by finding ways to increase our agricultural exports even more.

COMMON MARKET CONCERNS US

The American farmer has a tremendous stake and a tremendous interest in the policies that are being developed in the European Economic Community—the Western European nations—because these discussions will have an important bearing on what may happen to the exports of American farms to the Common Market. It is essential, therefore, that our Government make sure that American farm exports are in no way handicapped by European Economic Community agricultural policy. The opportunity to expand our farm exports is possible only if we bargain hard and from strength.

The President has been given the authority by the Congress to negotiate for opening of greater trade opportunities through the Trade Expansion Act, and I can assure you this authority given to the President will be used, and it will be used to gain tariff concessions and other concessions in favor of our agricultural exports.

And I want to make this personal promise to you: I'll do whatever I can individually to back up that presidential determination.

Now, if we're going to maximize our exports—and that's a matter of interest to this organization, to our country, to the Common Market and to the other areas of the world—I think we must offer, as I have said, the best quality at competitive prices. There is no substitute for price and quality when it comes to competing for commercial markets abroad. Therefore, every policy that we pursue must be to try to strengthen what we call the operation of the market—including the market price.

GOVERNMENT'S ROLE DEFINED

I want to make my position clear: I don't believe Government programs ought to supersede the operation of our normal markets. Government programs should be designed not to supplant but to supplement; not to take over, as I shall emphasize here today, but to assist; not to move in as a competitive force, but to make competition more just and to make it more effective for the farm producer and for the Nation. Your officers, and this organization, played a very important role in getting the Trade Expansion Act of 1962 passed, and your officers and your members are taking a keen and continuing interest in its implementation. The act equips the President with a formidable armory of negotiating powers. Now the objective of the United States is to halt and if possible to roll back the trend toward more agricultural protectionism in these markets. The United States has declared plainly and repeatedly—and it has done this through the President, through Secretary Freeman, and through the Secretary of State—that it cannot conclude another round of trade agreements unless its major agricultural export commodities are included in a fair and significant way. To put it in simple language, these negotiations must benefit our farms as well as our factories or we're not going to sign on the dotted line.

WE'RE BOUND TO SUCCEED

I'm confident of our ultimate success. No country however prosperous can indefinitely afford to keep valuable human and material resources locked up in obsolete and inefficient forms of agriculture. As we push for better trade agreements, we actually help our European friends who are today the victims of their own self-imposed obsolescence. We must, therefore, make sure that we have access to reasonably priced, efficiently produced food and fiber. For industrial nations this is an essential factor in maintaining vigorous economic growth and national strength.

The American Farm Bureau Federation is to be congratulated for its strong efforts in maximizing exports of agricultural commodities. Your Rotterdam office is serving as a focal point for the promotion that's so essential to increased utilization and consumption abroad of agricultural commodities, and your programs of expanded markets and commerce are highly commendable undertakings. And we are aware of it, and grateful for it.

Now while we continue to concentrate on finding new farm markets abroad, we must not lose sight of what's happening here at home, as agricultural programs are designed and policies are carried out. There is one area of Government activity which is causing me concern, and this is the Commodity Credit Corporation.

The Commodity Credit Corporation was established, and I quote from its charter: "For the purpose of stabilizing, supporting, and protecting farm income and prices, of assisting in the maintenance of balanced and adequate supplies of agricultural commodities, products thereof, foods, feeds, and fibers, and of facilitating the orderly distribution of agricultural commodities."

CCC PROGRAM NEEDS STUDY

Now it may be true, that the Commodity Credit Corporation is getting too large, has too many assets, too many personnel, and too many farflung operations. At least it needs to be carefully reexamined. It has an important and significant role to play, that I know.

I do not want my remarks to be interpreted as indicating that I am opposed to the Commodity Credit Corporation, for I do not know what the American farmer would do without it. But the Commodity Credit Corporation was established with limited responsibilities. It was established to supplement farm income, not depress it. It was established to put a floor under prices, not a ceiling. It was established to aid the farm producer, to supplement the normal channels of trade and not to supplant them. And let me add, it was also established to cooperate with farmer-built, farmer-owned and farmer-operated organizations.

At times I've heard disturbing evidence that the mandate of the Commodity Credit Corporation charter has not always been followed. There's a tendency on the part of some to want to make it a going business concern. The Commodity Credit Corporation was not organized to do the business of the grain trade or of the farm cooperatives. It was established to make the market place more orderly, not more disorderly. It was created to help improve the price structure for the farm producer and not to lower it. It was established to promote orderly marketing and not to engage in dumping.

Therefore, it is the responsibility of the Congress to see that the Commodity Credit Corporation operates within the framework under which it was designed. Here today, I give you my pledge that it will be my purpose through whatever means I have to see to it that the purposes of the Commodity Credit Corporation are adhered to and that it shall operate within the framework of the law that designed it and established it, and not to wander into other fields.

By the way, I know there is sometimes a little bit of discussion and dialog between the farm organizations; I have been informed of that. I also know that in our State, for example, there is a warm regard between the president of the Minnesota Farm Bureau Federation and the president of the Minnesota Farmers Union. These men are gentlemen, and they talk to each other. They respect each other, and they have many common objectives. I also know that that's the case in terms of national organizations. Both the men I mentioned know that I was raising the dickens with the Commodity Credit Corporation and some of its operations—I said some of them—a long time ago. Let me mention now that Senator GEORGE AIKEN, a Republican from Vermont, and I, a so-called New Deal, Fair Deal Democrat from Minnesota—now part of the New Frontier which recently had the Texas insignia placed upon it—have at times seen eye to eye on vital issues. This great Republican Senator, who is a true friend of agriculture, and I, both addressed the Senate some years ago to say pretty much the same thing that I have said here today.

NEW WHEAT LEGISLATION

Now, let's look ahead. I want to look ahead to new wheat legislation. New wheat legislation is essential. Now you just bear with me; I don't ask you to agree with me. I just ask you to think with me. That isn't a retreat—that's just sort of laying down the ground rules.

The Department of Agriculture in its recent outlook sessions predicted a 5-percent reduction in 1964 net farm income will result from the impending wheat situation. I'm worried about that. I told the President in a friendly conversation just last week that the tax bill would not do very much good if farm income dropped; that you can lose much of the effect of a tax program that is designed to stimulate the economy if you have a farm program that holds it back. So we've got to take a look at all sides, every area. Because I'm concerned about this economic possibility of a drop in income, I've asked myself just how to be of maximum assistance to the 1,800,000 wheatgrowers and other farmers engaged in wheat production.

I know that thousands of farm people voted against the certificate plan on the assumption that if they did, better legislation would be forthcoming.

Now I don't travel under false colors. I voted for that plan; I spoke for it in the Senate. When I take on a job, I try to do my best at it. I'm the majority whip of the U.S. Senate. I work for my President. I have a party responsibility as well as a senatorial responsibility, and I don't think that a man ought to take on these jobs unless he's going to be true and loyal. I don't think the people who work for you and who work for Mr. Shuman ought to be for any other program except what you people endorse here in resolution. That's their job.

When I took on the job of being majority whip in the U.S. Senate, I resolved to be faithful to the President and faithful to my majority leader and faithful to the party program as it is presented to the Congress unless I serve notice that I can't go with it. And I didn't serve that notice. So when the votes came in, we took a licking, and I have had a few of these in my day.

There has been new legislation introduced—legislation that is sponsored by the American Farm Bureau Federation and introduced by many conscientious Congressmen—yes, you ought to applaud that. Other equally conscientious Congressmen have introduced other legislation. I consider myself in the latter category, and you can applaud that, too.

OUTLINE OF WHEAT PROPOSAL

My wheat proposal, which I hope you are going to support, has many of the features of the American Farm Bureau Federation bill. I don't intend to tell you all of the differences, but I intend to tell you of the similarities. First, my bill is voluntary; so is yours. It eliminates marketing quotas; so does yours. It provides for resale by the CCC at not less than 115 percent of support price; so does yours. It provides for offsetting CCC out-of-condition sales, and believe me, that's a big phrase, by open market purchases; so does yours. It has the objective to reduce stocks; so does yours. It will increase the use of wheat for feed; so will yours. That's a pretty good index of similarities.

The basic concern on the part of your leadership is the fact that my proposal involves some payments so that one-half of the cooperating farmers would receive approximately $2 per bushel. On the other half, cooperating farmers would receive an export payment of 25 cents per bushel on normal production. I recognize the reasons for the concern of the American Farm Bureau Federation. My proposal does not provide for any limitation on payments, so there is no ceiling on opportunity.

Now, with respect to cost, the amount definitely would be limited to the normal yield on the planted acreage. I believe that after careful study and a little friendly consideration, you will find that my proposed bill meets most, if not all, the criteria of a good bill, and I'm going to see Mr. Shuman about this privately, and see if I can't give him the "treatment," as we say.

It was after months of study and after much discussion and consideration I introduced this bill. Remember, I was one of the Democrats who introduced a bill when it was being said in Congress that the administration wasn't going to present any wheat bill. Well, let me assure you this administration is not going to let the wheat farmer down and no administration should or would dare do so.

LEGISLATION WILL BE PASSED

As a spokesman for this administration, I can't tell you what kind of legislation will be passed, but it will receive the thoughtful consideration and guidance of your organization as well as others. We're not going to let American farmers "go down the drain."

I recognize there is a diversity of interests, and I have attempted to be realistic. All I came here to do today is to urge you to please study the bill.

Forget who sponsored it; just look at its substance. I'm going to take a look at your proposals, and I'm not going to have a dog-in-the-manger attitude either. I'm going to be fair about it.

Now in addressing this important body, I must pinpoint a portion of my present overall philosophy. I have now become convinced that the time is at hand to free our farmers from their daily concern over the long-term implications of expanding regulations and controls.

I told Jack Lynn on the way in here that I hoped I never got so bull-headed or stubborn that I wouldn't try to learn. That's what a man lives for. And as I said earlier today, I think there are better ways than mandatory programs for some of our commodities. We ought to try to encourage, as I said before, the greatest use of the marketplace.

We should try to encourage shifts in production into those commodities for which there are expanding needs, present or foreseen. That is what I mean by shifting the use of the land into commodities in which there is no oversupply. Farmers just don't like to leave land unused and being paid for.

THE WELCOME MAT IS OUT

By the way, I think I gather that you are kind of down on commissions. It just shows how I had gotten out of step. I want you to know that I have told your officers that my office, as the majority whip of the U.S. Senate, is open to them, and there is a friendly welcome mat out. And so men like your efficient Marvin McLain are constantly in there trying to educate me. I didn't realize they took the invitation so seriously, I didn't tell them to live there. Now, you might be on guard. I might change them a bit. I want to forewarn you.

I happen to believe that we need a blue ribbon bipartisan commission to analyze and make recommendations as to our future food reserve requirements. I am getting a little tired of hearing about surpluses and nobody knowing how to define them. I haven't heard anybody say we have a surplus of ammunition or atom bombs, but we've got a lot of them. We don't know quite where to put them. And yet I remember the greatest general of all said, and I quote, "An army fights on its stomach," and he didn't mean crawling on the ground. He meant food.

When I came back 2 years ago from Berlin, where there was a crisis in 1961, I reported to the President that I didn't think there would be trouble over Berlin because there was a food shortage in East Germany and Eastern Europe, and nations do not attack when they do not have the food and fiber to sustain troops in the field.

You can't have a powerful nation and powerful allies and have nothing to eat, and you can't always be sure of your allies and you can never be sure of the weather. Therefore, a nation that takes on worldwide responsibility against a worldwide Communist menace better have supplies of fiber and food materials capable of fulfilling worldwide leadership responsibility.

WE NEED FOOD RESERVES

We must have food reserves. We must have food reserves for market stability, for weather uncertainty, for population increases, for international commitments to our friends and allies, and to meet international tensions and uncertainties. Furthermore, reserves must be differentiated from surpluses. Reserves should be sealed off from the market, and we must never forget that food is power.

So I say, "Let's quit arguing in Congress now about whether we ought to have X million tons of cereals or pounds of vegetable oils. Let's find out—put the best minds we have to working on this and come up with a program."

We know for example that we have come up with a program for a certain number of missiles. We just don't produce missiles when we feel like it. We have a program on the number of missiles we are going to use, based on the fact that we know we would lose so many missiles on the first strike. We don't just go around saying, "If you've got some time, produce some missiles." We order them. We plan them.

I don't think it would be a bad idea if a general or two got to figuring out how our population will live or how we will fulfill the commitments of worldwide leadership.

Now how about our dealing with the Soviet Union? The most peace-producing, the real peace-producing force today is the abundance of our food and fiber. No one dares move against us because of it.

RUSSIA'S NEED IS FOOD

Mr. Khrushchev was commenting recently in the Communist Party press in Russia on the necessity for more food, not on the necessity for more missiles. He's got a lot of them. He even had enough to share not long ago. He has a lot of troops, too. He has more manpower. I think I have made my point.

Now I come into a second venture into trouble land. Some of my advisers have said I obviously shouldn't mention this, but I am going to right now. I don't expect that there will be overwhelming approval of these suggestions, but if your officers still come to see me, I will work on them.

GOVERNMENT NEEDS REORGANIZATION

In the very near future I will make another recommendation to the Congress. You may want to ponder this recommendation a little bit because it may have more meaning to it than just what these words indicate. I fully realize that the farm organizations are capable of making objective analysis of problems relating to agriculture. I know you folks know more about farming than the U.S. Congress knows. I know this, but I also know, as I said this morning, manufacturers, farm organizations, women's clubs, all recommended years ago that something needed to be done at the governmental level to promote reorganization of the executive branch of Government.

There were resolutions passed until we didn't have a place to file them, and then one day in Congress we introduced legislation to establish the Hoover Commission on the reorganization of the executive branch of the Government, and just the other day another old gentleman, that former President, Herbert Hoover, said to Lyndon Johnson, President of the United States, that he admired, among other things, the work that Lyndon Johnson had accomplished as leader of the U.S. Senate in the fulfillment of the objectives of the Hoover Commission report.

What I am trying to say, it took a commission, with the legal form of a legislative proposal and an Executive order, for a public law to become effective. I don't think we have done everything on the Hoover Commission recommendation. One of the proudest possessions of my office is a citation from the Citizens Committee of the Hoover Commission, expressing gratitude to me for my work in this.

NEED COMMISSION ON RURAL LIFE

I am going to recommend to the President and to the Congress the establishment of a National Commission on Agricultural Policy and Rural Life. This Commission isn't just going to be made up of Congress. It would be composed not only of some public officials in the executive branch of Government, but also of leading economists, farmers, agricultural leaders, representatives of financial institutions and the consumer. We need to take a good look at where we have been and where we are going.

The purpose of this Commission would be to examine our past agricultural policies, their adequacy or inadequacy, their effectiveness or ineffectiveness and their relevancy to the present situation. It also would be the purpose of the Commission, under any proposal, to look ahead, to go into consideration of the technological revolution in agriculture, the shift in farm population from the rural areas to the cities—this is a tremendous factor today—and what types of programs the Government should engage in relating to the price of agricultural products, in marketing, distribution, and agricultural credit.

I am not seeking to build a Frankenstein of government. I am seeking to release the power of agriculture, and as I said here earlier, to have Government help and supplement, not take over.

Rural America is changing. As a matter of fact, all of America is changing. We need to take a long look to the future. I took such a look 2 days ago when I looked at the Bureau of Census projections.

LOSING FARM REPRESENTATION

My fellow Americans, rural America is going to be in serious trouble in Congress with few representatives, because there isn't any population left in rural America of any major proportion relating to the total population. Your representation in the future will be only in the Senate.

There will be millions of people between Boston and Washington, D.C. in one megalopolis. Areas of the South or Middlewest will lose representation to areas of the West and Northwest, and particularly to the big cities like Los Angeles, San Francisco, Seattle. Those cities will grow and double their representation in Congress. By 1980 less than 5 percent of the population of the United States will live in rural areas.

I think we'd better take a good look ahead instead of going around putting band-aids on old sores. This generation of farmers knows that the winds of change are blowing. There is the leadership in our great farm organizations, with the assistance of your elected officials, to help shape these forces. This is a continuing challenge to your leadership to accommodate to an orderly change in our domestic society. This can be done by a new spirit of cooperation among farm organizations. We can't afford guerrilla warfare at home or in Vietnam.

ORGANIZATIONS MUST COOPERATE

We'd better find some common denominators, common objectives, common means, because there are going to be all too many people in public life who have had no rural experience, no rural orientation. We've quit being born in log cabins. We are not getting many candidates saying, "I was born on the farm." All they will know about farms will be what they have read in books. That's a poor substitute for being out in the fields or pasture.

An outstanding example of the cooperation of which I speak among farm organizations is taking place, and it is a sign of the times. It is the St. Louis Grain Corp. Partners in this corporation, which owns a 2½-million-bushel capacity grain elevator on the Mississippi River in St. Louis, are the following: The Illinois Grain Corp., a Farm Bureau affiliate; the Farmers Union Grain Terminal Association; and the Missouri Farmers Association of the State of Missouri—three divergent organizations that had enough good business sense to know that you've got to eat and live as well as argue, and they got together. I happen to think the leaders of these organizations have that ability. This operation demonstrates it.

Farmers can get together to cooperate in handling their marketing problems. And I want to say that farmers know how to handle marketing problems about as well as anything if they will just get together and work on them and throw away all pettiness and partisanship.

I am not just saying this to you. I also am saying it to another farm organization meeting in St. Paul. I don't have two speeches. I have one speech to give to the two organizations—yours and the Farmers Union Grain Terminal Association.

Can you not pick up a new torch, marked effective cooperation between farm organizations? It will burn brighter and light a broader highway to freedom and prosperity for our farm people.

SERVICE IS THE WATCHWORD

The watchword of this organization is service, and this is the watchword of any worthwhile organization. Can we not now decide that service to farmers is service to all people? Can we not now resolve to seriously attempt to gain the universal recognition of the farmer's continuing role of doing more for more people than any other segment of our population? This has been the history of American agriculture. This is its future.

This Nation in 1789 was largely an agrarian society and the basic beliefs and stability of a rural people have been immortalized in our Constitution, which has withstood so well the shocks and tests of 175 years. Out of the wellspring of the land we still draw our strength. I pledge to you that I will continue to remind all Americans of the debt that we owe American agriculture.

I want to thank the American Farm Bureau Federation for listening to me. You are a generous, gracious, and considerate audience.

THE NEW DEMOCRATIC LEADERSHIP IN LATIN AMERICA: THE VISIT OF DR. CALDERA

Mr. HUMPHREY. Mr. President, I was privileged to be host at a luncheon today in honor of one of the rising leaders of progessive forces in Latin America, Dr. Rafael Caldera, leader of the Social Christian Party in Venezuela.

In the recent presidential election in Venezuela, Dr. Caldera's COPEI Party, which has been the junior partner in the Betancourt coalition government, scored the most impressive gains in the entire election, gaining 23 percent of the vote and thereby became Venezuela's second strongest political party.

The two victorious parties in the Venezuelan election represent the two principal reform-minded, non-Communist movements in Latin America, the Democratic left group, and the Christian Democratic movement.

As the leader of the Christian Social Party in Venezuela, Dr. Caldera is a key figure in the most rapidly growing democratic political movement in Latin America today. In important countries like Venezuela, Chile, Brazil, and Peru, Christian democratic parties are rapidly gaining strength in the labor movement, in university and student circles, among younger professional people and in the rural areas. It is precisely because the strength of the Christian democratic movement rests among the younger people that it is destined to play a major role in shaping the political, social, and economic life of Latin America in the present and near future.

One major reason why this movement has flourished among the impatient idealistic youth of Latin America is that it offers an ideological alternative to Marxism, an integrated approach to the political, economic, and social problems of society. We pragmatic North Americans find it difficult to understand why Latin Americans consider the philosophy and ideology of a party as important as the specific practical measures recommended by the party. We are only now coming to realize that the ideological basis of communism is its principal attraction for students and educated groups in Latin America, not its economic critique. It is for that reason that communism captures the university before the slum.

Dr. Caldera and his Social Christian Party have understood the nature of the Communist appeal to younger people in the revolutionary atmosphere prevailing in most Latin American countries today. He appreciates the need for the reforms stipulated under the Alliance for Progress and also the necessity for unity among progressive groups dedicated to achieving the aims of the Alliance. The achievement of the Betancourt government in maintaining a freely elected government in Venezuela for the full 5-year term is due in great part to the cooperation of COPEI. In the new government that will be inaugurated early this year, the COPEI Party will be called to play an even greater role in continuing the progressive government that Venezuela has enjoyed in the past 5 years.

We know that Venezuela is under attack, that Castro-Communist forces consider it their No. 1 goal. Because Venezuela has great leaders like Dr. Caldera, I am confident that Venezuela will successfully resist the Communist threat, that Venezuela will continue to demonstrate what the Alliance for Progress can achieve with leaders dedicated to its goals.

ADJOURNMENT

Mr. HUMPHREY. Mr. President, in accordance with the previous order, if there is no further business to come before the Senate, I move that the Senate stand in adjournment until 12 o'clock noon tomorrow.

The motion was agreed to; and (at 5 o'clock and 41 minutes p.m.) the Senate adjourned, under the order previously entered, until tomorrow, Wednesday, January 15, 1964, at 12 o'clock meridian.

NOMINATIONS

Executive nominations received by the Senate January 14, 1964:

POST OFFICE DEPARTMENT

Tyler Abell, of the District of Columbia, to be an Assistant Postmaster General, vice Sidney W. Bishop, elevated, to which office he was appointed during the last recess of the Senate.

TREASURY DEPARTMENT

Sheldon S. Cohen, of Maryland, to be an Assistant General Counsel in the Department of the Treasury (Chief Counsel for the Internal Revenue Service), vice Crane C. Hauser, resigned, to which office he was appointed during the last recess of the Senate.

ORGANIZATION OF AMERICAN STATES

Ellsworth Bunker, of Vermont, to be the Representative of the United States of America on the Council of the Organization of American States, with the rank of Ambassador.

IN THE ARMY

The Army National Guard of the United States officer named herein for promotion as a Reserve commissioned officer of the Army, under the provisions of title 10, United States Code, sections 593(a) and 3385:

To be brigadier general

Col. Charles Lutcher Southward, O329922, Infantry.

Having designated, under the provisions of title 10, United States Code, section 5231, the following-named officers for commands and other duties determined by the President to be within the contemplation of said section, I nominate them for appointment to the grade of vice admiral while so serving:

Rear Adm. John B. Colwell, U.S. Navy.

Rear Adm. Reynold D. Hogle, U.S. Navy.

Vice Adm. Hyman G. Rickover, U.S. Navy, to be placed on the retired list in the grade of vice admiral under the provisions of title 10, United States Code, section 5233.

OFFICE OF SCIENCE AND TECHNOLOGY

Donald F. Hornig, of New Jersey, to be Director of the Office of Science and Technology, vice Jerome B. Wiesner.

FEDERAL DEPOSIT INSURANCE CORPORATION

Joseph W. Barr, of Indiana, to be a member of the Board of Directors of the Federal Deposit Insurance Corporation for a term of 6 years, vice Erle Cocke, Sr., resigned.

HOUSE OF REPRESENTATIVES

TUESDAY, JANUARY 14, 1964

The House met at 12 o'clock noon.

The Chaplain, Rev. Bernard Braskamp, D.D., offered the following prayer:

Daniel 11: 32: *The people that know God shall be strong.*

Almighty God, in this moment of prayer, may we be girded with courage and power to discharge faithfully those tasks and responsibilities which we cannot escape or evade but which challenge and demand the consecration of our noblest manhood and womanhood.

We gratefully acknowledge that in Thy divine providence Thou hast chosen and entrusted our beloved country with a unique and very important mission in the arena of universal history and in the life of all mankind.

Grant that all who are engaged in the business of statecraft may be used by Thee in making a distinct and significant contribution to the cause of peace and good will.

May we daily be inspired with a new appreciation of the worth and dignity of human life, its origin and destiny, and its glorious capabilities and possibilities.

Hear us in Christ's name. Amen.

THE JOURNAL

The Journal of the proceedings of yesterday was read and approved.

THE PANAMA CRISES

Mr. ROUSH. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Indiana?

There was no objection.

Mr. ROUSH. Mr. Speaker, during the past week we have been shocked by reports from Panama. A number of people have been killed, many more injured. What started out as a foray by overexuberant high school students was transformed into a mob of destruction-bent adults. Incident piled upon incident to create a chasm of ill feeling and distrust between two nations.

The charge that the United States had committed acts of aggression upon a nation it had much to do with creating would be laughable but for the fact blood has been shed. This makes it tragic. Of course, there has been no aggression.

The swift steps taken to alleviate this situation appear at the moment to be bringing about the desired results. But in our desire and haste to reach a peaceful solution we must take care to maintain our basic military and political positions. Any deviation could be mistaken as a sign of weakness. Such an interpretation would only encourage those who incited the mobs last week.

TO INSCRIBE ON THE SUPREME COURT BUILDING "IN GOD WE TRUST"

Mr. WYMAN. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from New Hampshire?

There was no objection.

Mr. WYMAN. Mr. Speaker, the building housing the Supreme Court of the United States belongs to all of the people of the United States. It is a public structure. Like our oath of allegiance and our coinage, this public building should bear that fundamental declaration of trust that is the signal difference between freedom and communism, that "In God We Trust."

When some Members of this body have previously sought to cause the phrase "In God We Trust" to be inscribed in the courtroom inside the Supreme Court Building, they have encountered an opinion of the Architect of the Capitol that such inscription required the approval of the Chief Justice. This, the Chief Justice on October 28, 1963, in a letter to the Architect of the Capitol, declined to do saying in part that:

> Ornamentation other than that provided in the original plans would detract from the total concept of the building.

I have today introduced a bill that would direct the inscription on the outside of the front of the Supreme Court Building itself of the words "In God We Trust," notwithstanding the provision of any other law.

As the property of all of the people of the United States who are increasingly concerned with interpretations of the Constitution by the Supreme Court itself that continually restrict references to God Almighty in our public life, I believe it is most appropriate that Congress should insist on this continuing reminder in the marble of the Supreme Court Building that indeed we do trust in God.

JOINT MEETING TO RECEIVE PRESIDENT OF ITALY

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that it may be in order at any time on Wednesday, January 15, 1964, for the Speaker to declare a recess subject to the call of the Chair for the purpose of receiving in joint meeting the President of the Republic of Italy.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

NEWS LOCKOUT AT THE WHITE HOUSE

Mr. HORTON. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. HORTON. Mr. Speaker, what has happened to the televised Presidential news conferences? Why has President Johnson failed to meet the Washington news corps in the kind of give-and-take atmosphere that prevailed under Presidents Kennedy and Eisenhower? Why has there been this abandonment of a Presidential activity that provided the American people a unique opportunity to see the Chief Executive in unrehearsed action?

Just last week we heard the President say in his state of the Union message:

> Let us carry forward the plans and programs of John Fitzgerald Kennedy.

Certainly, the open news conference with the American public in the television audience was a prominent part of the "programs" the President now urges be continued.

I do not believe the President has forgotten the regular meetings his predecessor held with representatives of the press, radio, and television. During his 2 years and 10 months in office, President Kennedy conducted more than 60 of these news conferences.

News men and women are anxious to meet the President in a situation that permits direct questions and demands direct answers. The people of the Nation are anxious to assess their new leader under these conditions.

An occasional kaffeeklatch, barbecue, or guided tour of the White House is no substitute for the more objective and less personal format of the televised news conference. I hope these meetings will be resumed shortly and that there will be no news lockout at the White House.

CALL OF THE HOUSE

Mr. GROSS. Mr. Speaker, I make the point of order that a quorum is not present.

The SPEAKER. Evidently a quorum is not present.

Mr. ALBERT. Mr. Speaker, I move a call of the House.

A call of the House was ordered.

The Clerk called the roll, and the following Members failed to answer to their names:

[Roll No. 4]

Addabbo
Alger
Anderson
Aspinall
Baring
Barry
Bass
Bell
Brock
Brown, Calif.
Broyhill, N.C.
Buckley
Cameron
Carey
Cederberg
Clancy
Cohelan
Curtis
Daddario
Dague
Dawson
Denton
Derounian
Diggs
Duncan
Edmondson
Everett
Flynt
Fogarty
Frelinghuysen
Fulton, Pa.
Garmatz
Gary
Gill
Goodell
Grabowski
Harsha
Harvey, Mich.
Hays
Hébert
Herlong
Hoffman
Holifield
Holland
Horan
Hosmer
Hutchinson
Jarman
Jensen
Johansen
Jonas
Kee
Kelly
Keogh
Kluczynski
Laird
Lankford
Latta
Lesinski
Libonati
Lindsay
Lloyd
McCulloch
McIntire
Macdonald
MacGregor
Martin, Mass.
Martin, Nebr.
Mathias
Matsunaga
May
Michel
Miller, N.Y.
Milliken
Monagan
Moorhead
Morse
Morton
Mosher
Murray
Norblad
O'Brien, Ill.
O'Brien, N.Y.
O'Hara, Mich.
O'Konski
Olsen, Mont.
Osmers
Patten
Pirnie
Powell
Pucinski
Randall
Rhodes, Ariz.
Riehlman
Rivers, Alaska
Rivers, S.C.
Rooney, Pa.
Roudebush
Roybal
Schneebeli
Schwengel
Shriver
Smith, Iowa
Steed
Stratton
Talcott
Thompson, N.J.
Ullman
Westland
White
Wickersham
Wilson, Charles H.
Wright
Wydler

The SPEAKER. On this rollcall, 313 Members have answered to their names, a quorum.

By unanimous consent, further proceedings under the call were dispensed with.

REIMBURSEMENT OF CERTAIN VESSEL CONSTRUCTION EXPENSES

Mr. BONNER. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H.R. 82) to amend the Merchant Marine Act, 1936, in order to provide for the reimbursement of certain vessel construction expenses, with Senate amendments thereto, disagree to the amendments, and ask for a conference with the Senate.

The SPEAKER. Is there objection to the request of the gentleman from North Carolina?

The Chair hears none and appoints the following conferees: Messrs. BONNER, ASHLEY, DOWNING, TOLLEFSON, and VAN PELT.

AMENDMENTS TO FEDERAL AIRPORT ACT

Mr. MADDEN. Mr. Speaker, by direction of the Committee on Rules I call up House Resolution 594.

The Clerk read the resolution as follows:

Resolved, That upon the adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (S. 1153) to amend the Federal Airport Act to extend the time for making grants thereunder, and for other purposes. After general debate, which shall be confined to the bill and shall continue not to exceed two hours, to be equally divided and controlled by the chairman and ranking minority member of the Committee on Interstate and Foreign Commerce, the bill shall be read for amendment under the five-minute rule. It shall be in order to consider the substitute amendment recommended by the Committee on Interstate and Foreign Commerce now in the bill and such substitute for the purpose of amendment shall be considered under the five-minute rule as an original bill. At the conclusion of such consideration the Committee shall rise and report the bill to the House with such amendments as may have been adopted, and any Member may demand a separate vote in the House on any of the amendments adopted in the Committee of the Whole to the bill or committee substitute. The previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit with or without instructions.

Mr. MADDEN. Mr. Speaker, I yield 30 minutes of my time to the gentleman from California [Mr. SMITH] and at this time I yield myself such time as I may use.

Mr. Speaker, House Resolution 594 provides for consideration of S. 1153, a bill to amend the Federal Airport Act to extend the time for making grants thereunder, and for other purposes. The resolution provides an open rule with 2 hours of debate, making it in order to consider the substitute amendment recommended by the Committee on Interstate and Foreign Commerce.

The purpose of S. 1153 is to extend the authorization of Federal matching funds for airport development for 3 additional years until June 30, 1967.

The present law does not expire until June 30, 1964. However, in view of the change which was made at the time of the last extension of the act with regard to the manner of funding the Federal airport aid program through annual appropriations rather than through the contract or advance obligation authority which had prevailed theretofore, it is necessary to enact the authorization legislation at this time in order to provide the necessary leadtime.

The Federal airport law was enacted into law in 1946 to set up a program of Federal aid for the purpose of providing a system of public airports adequate to meet future needs of airport transportation throughout the Nation. The purpose was to develop a national plan for the orderly expansion of air transportation and to meet the needs which developed by reason of scientific advancement year by year. This Federal supervision of the Nation's air transportation contributes greatly to air safety but imposes certain conditions and restrictions which must be met by those receiving Federal matching funds. Public airports throughout the country which are not included in this supervision or planning are not eligible for Federal financial assistance. The great majority of public airports in this country have participated in the provisions of the Federal Airport Act.

Under the national airport plan as revised, the administrators requests for airport development are $231 million for fiscal 1964, $151 million for fiscal 1965, and $178 million for fiscal 1966. During the 3-year extension which this legislation provides, the administrator intends to continue to assist those commercial airports entering the jet age, and to further the development of jet aviation airports. It also seeks to improve airport transportation service through the encouragement of regional airports and also to improve airport safety through installation of improving lighting systems and other ground facilities.

Mr. SMITH of California. Mr. Speaker, I yield myself such time as I may use.

Mr. Speaker, House Resolution 594, as the gentleman from Indiana said, provides for 2 hours of debate for the consideration of the bill S. 1153, the purpose of which legislation is to extend the authorization of Federal matching funds for airport development for 3 years until June 30, 1967.

The report sets forth about 10 changes that this bill will make. I think four of them should be called to your attention.

It does extend the time for Federal matching funds for airport development for 3 years until June 30, 1967.

The present law does not expire until June 30 of this year. It is necessary to enact this legislation in order to provide for the necessary leadtime.

The second change of importance is to continue the present annual authorization of appropriations to become available for obligation under grant agreement at the beginning of each of the fiscal years, June 30, 1965, June 30, 1966, and June 30, 1967.

Third, it does change existing law relating to a 50-percent Federal contribution to planning costs after a grant agreement for a specific project is entered into, to add provisions for grants for advance planning and engineering and increase the Federal contribution up to 66⅔ percent of the total estimated advance planning and engineering costs, rather than the 50 percent, as the law presently is.

The fourth change of importance is that it changes existing law relating to the matters concerning which the Administrator must satisfy himself as a condition to any grant to add the requirements that the project or advance planning and engineering proposal is not inconsistent with concurrent plans of public agencies for the development of the airport area, and that reasonable effort, including enactment of zoning laws, has been taken to restrict the use of land adjacent to the airport to activities compatible with airport operations.

In my opinion, this is the most important change. With the jet age now and all the residences around many of the large airports where there is considerable noise this will give the committee further opportunity to study those plans and see that they are consistent with local planning.

The cost of the present bill will continue on the same basis of $75 million for each of the 3 years, or a total of $225 million. There has been some comment that there may be $200 million in the pipeline at the present time. Maybe this amount of money is not necessary, but that is what is called for.

There is certain new language in the bill commencing in line 21 on page 11 and continuing to line 8 on page 12. This amendment was placed in the bill with the thought in mind of protecting our legislative branch from any possible encroachment by the executive.

I am further informed that due to the change which has unfortunately occurred recently possibly this language will be amended out. I wanted to call your attention to the fact that this amendment was placed in for that purpose.

Mr. Speaker, I know of no objection to the rule and I have no requests for time.

Mr. MADDEN. Mr. Speaker, I move the previous question.

The previous question was ordered.

The resolution was agreed to.

A motion to reconsider was laid on the table.

RICE ACREAGE ALLOTMENTS

Mr. SISK. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 570 and ask for its immediate consideration.

The Clerk read the resolution as follows:

> *Resolved,* That upon the adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 3742) to amend the provisions of the Agricultural Adjustment Act of 1938, as amended, relating to the transfer of producer rice acreage allotments. After general debate, which shall be confined to the bill and shall continue not to exceed one hour, to be equally divided and controlled by the chairman and ranking minority member of the Committee on Agriculture, the bill shall be read for amendment under the five-minute rule. At the conclusion of the consideration of the bill for amendment, the Committee shall rise and report the bill to the House with such amendments as may have been adopted, and the previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit. After the passage of H.R. 3742, it shall be in order in the House to take from the Speaker's table the bill S. 1604 and consider the same.

Mr. SISK. Mr. Speaker, I yield to the gentleman from California [Mr. SMITH] 30 minutes, pending which, I yield myself such time as I may consume.

Mr. Speaker, House Resolution 570 provides for consideration of H.R. 3742, a bill to amend the provisions of the Agricultural Adjustment Act of 1938, as amended, relating to the transfer of producer rice acreage allotments. The resolution provides an open rule with 1 hour of general debate.

The Agricultural Adjustment Act of 1938, as amended, was amended by the 87th Congress to give express statutory effect to the succession of interest provisions which for several years had been included in the Department of Agriculture's regulations governing the establishment of farm rice acreage allotments in States and administrative areas in which such allotments are determined on the basis of past production of rice by the producer on the farm. The amendment created an inequity in that it compelled the rice producer who owned the farm to which a part of his rice history might be ascribed to sell not only his rice-farming equipment, but also his farm in order to quit the rice-producing business and pass on his rice history. On the other hand, the rice producer who owned no land in connection with his rice allotment, could get out of the rice-producing business and transfer his history by selling his rice-producing equipment. This amendment would do away with this inequity and put both types of rice producers on the same basis.

There would not be any additional cost to the Government as the result of the enactment of this legislation.

Mr. Speaker, I urge the adoption of House Resolution 570.

Mr. GROSS. Mr. Speaker, will the gentleman yield?

Mr. SISK. I am glad to yield to the gentleman from Iowa.

Mr. GROSS. Is this a bill dealing with the purchase or with the trading of allotments?

Mr. SISK. No, as I understand it, it does not deal with that. It deals with the situation that might develop when a man, for example, decides to get out of the business of producing rice and it deals with the way in which he might dispose of his allotment.

Mr. GROSS. Is there any safeguard against the type of operation by that famous Texan—Billie Sol—what was his name?

Mr. SISK. The gentleman is probably more familiar with that case than I am.

Mr. GROSS. Is there any safeguard against that kind of operation in this bill?

Mr. SISK. I might say to my good friend, the gentleman from Iowa, it is my understanding that there are ample safeguards in the law and there is nothing that is dealt with in this particular bill, which actually is an amendment to the law, which would open the door to or permit such action as occurred in the case to which, I believe, the gentleman is referring.

Mr. GROSS. I want to be sure, because so far as I know, no one has ever really gotten to the bottom of the Billie Sol deal and strangely enough, I do not know why, but I want to be sure in passing any further legislation on this subject that we do not create a fertile field for another Billie Sol to operate—in Texas or anywhere else, for that matter.

Mr. SISK. I agree completely with the gentleman.

Mr. Speaker, I reserve the balance of my time.

Mr. SMITH of California. Mr. Speaker, I yield myself such time as I may require.

Mr. Speaker, as stated by the gentleman from California, House Resolution 570 provides an open rule with 1 hour of debate for the consideration of the bill, H.R. 3742.

Mr. Speaker, in the interest of saving time, the statement made by the gentleman from California and his explanation of the bill is precisely as I understand the bill, and I associate myself with his remarks and will not take the time to repeat any of it here.

In addition thereto, however, I would like to call the Members' attention to page 5 of the committee report where some opposing views are set forth by two Members of the House and five different opposition statements are made therein.

I would like to call one of them specifically to your attention, and that is item No. 4 which states:

> 4. This bill would compound the legislative error made 2 years ago. At that time H.R. 9013 was enacted, giving statutory blessing to an administrative policy which separates the right to grow rice from a particular parcel of land, and permits the testamentary disposition of this right or, under some circumstances, its transfer and sale to other rice producers.
>
> Before H.R. 9013 was enacted, the right to grow rice could be carried around in the farmer's pocket. After enactment, this right could be sold by producers who were tenants. The bill now before the House would extend this right of sale to producers who own the land.
>
> If the trend indicated in this bill continues, we can expect to see the right to grow commodities bought and sold like the commodities themselves with Uncle Sam serving as chief broker. What is done in rice may well become the precedent for other crops.

Mr. Speaker, I know of no objection to the rule and I have no further requests for time.

Mr. SISK. Mr. Speaker, I move the previous question on the resolution.

The previous question was ordered.

The SPEAKER pro tempore. The question is on agreeing to the resolution.

The resolution was agreed to.

A motion to reconsider was laid on the table.

AMENDMENTS TO FEDERAL AIRPORT ACT

Mr. HARRIS. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (S. 1153), to amend the Federal Airport Act to extend the time for making grants thereunder, and for other purposes.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Arkansas.

The motion was agreed to.

IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the State of the Union for the consideration of the bill S. 1153, with Mrs. SULLIVAN in the chair.

The Clerk read the title of the bill.

By unanimous consent, the first reading of the bill was dispensed with.

Mr. HARRIS. Madam Chairman, I ask unanimous consent to extend my remarks at this point in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman from Arkansas?

There was no objection.

Mr. HARRIS. Madam Chairman, I am very glad, as chairman of the Committee on Interstate and Foreign Commerce, to recommend today to the House the extension of the Federal Airport Construction Act.

As is true of many other Members of Congress, I have lived with this program for a good number of years—as a matter of fact, since the inception of the program in 1946.

I do not believe there is any question in the mind of anyone as to the contribution the program has made to air transportation and to the transportation system of the United States. I do not believe there is any question in the mind of anybody as to whether we should continue to have commercial air transportation to provide for the needs of our people in the future.

In my judgment, if the need for this airport program existed in 1946, there is even a greater need now and for the immediate future.

The committee considered the proposed legislation with full and complete hearings conducted by the Subcommittee on Transportation and Aeronautics under the chairmanship of the distinguished gentleman from Mississippi [Mr. WILLIAMS]. The gentlemen and his committee have given thorough consideration to the problems of today as they relate to the future.

As is always true when any worthwhile program is developed, as time goes along some modification is required. Some modifications are to be provided under the bill.

I am exceedingly pleased by the action of the committee, which was concurred in by the House 3 years ago, when a major policy change was made in the manner of funding for future airport construction.

All kinds of views and opinions were expressed at that time, to the effect that the program would be jeopardized by the major change.

I was one of those who contended that the program would be strengthened. In my judgment, these 3 years have proved that statement to be true. We have had these 3 years of experience. We are now coming into another era where we have a new type of aircraft. We know in the next few years there is going to be a terrific modification in the design and in the operation of aircraft. As a result, the committee feels now—and I think it is unanimous within the committee—that the primary objective should be in the field of safety. This bill gives special consideration to that field.

In order that these modifications may be and will be thoroughly explained and described to you, I am pleased to yield now to the chairman of the subcommittee who, with his committee, worked out these modifications and who will explain the bill which we have here calling for the extension. I yield to the gentleman from Mississippi [Mr. WILLIAMS] 15 minutes.

Mr. WILLIAMS. Madam Chairman, I ask unanimous consent to extend my remarks at this point in the RECORD and include extraneous matter and certain tables of information.

The CHAIRMAN. Is there objection to the request of the gentleman from Mississippi?

There was no objection.

Mr. WILLIAMS. Madam Chairman, this bill would extend the Federal Airport Act for another 3 years until June 30, 1967, and continue the authorization of annual appropriations of $75 million for each of the fiscal years 1965, 1966, and 1967.

The present law expires on June 30, 1964. Under the change which we made at the time of the last extension regarding the manner of funding the Federal airport aid program through annual appropriations rather than through the contract or advance obligation authority which had prevailed theretofore, it is necessary to enact the authorization legislation at this time in order to provide the necessary lead time.

During the 3-year extension of the aid program proposed by the bill, the Administrator intends to continue to assist those commercial airports entering the jet age; to further the development of general aviation airports; to seek economy and improved air transportation service through encouragement of regional airports; and to improve airport safety through installation of improved lighting systems and other ground facilities.

This bill would continue the present annual authorization of appropriations to become available for obligation under grant agreements at the beginning of each of the fiscal years ending June 30, 1965, June 30, 1966, and June 30, 1967 as follows: $66,500,000 covering airports in the 50 States and the District of Columbia; $1,500,000 covering airports in Hawaii and Puerto Rico in the amount of $600,000 each, and in the Virgin Islands in the amount of $300,000; and $7 million covering general purpose airports in the 50 States and the District of Columbia; continue existing law relating to the apportionment of funds, namely, the apportionment of 75 percent of the funds appropriated among the 50 States and the District of Columbia upon the basis of an area population formula, with the remaining 25 percent constituting a discretionary fund available to the Administrator to carry out any project in the national airport plan; continue existing law providing for the reversion to the discretionary fund of State-apportioned funds unobligated after the end of 2 fiscal years; continue existing law banning a Federal contribution for items not directly related to safety, such as terminal buildings, and continue existing law relating to the proportion of Federal contribution, namely, 50 percent on most project costs, with 75 percent for certain landing aids, such as runway lighting, and distance markers.

Beyond the continuation for another 3 years of these provisions which have been in the act, the committee amendment would provide for certain changes in the law as it exists today.

The first would change existing law relating to a 50-percent Federal contribution to planning costs after a grant agreement for a specific project is entered into, to add provisions for grants for advance planning and engineering and increase the Federal contribution up to 66⅔ percent of the total estimated advance planning and engineering costs.

Agency regulations presently require the submission of airport layout plans before a project grant is made. In the past, however, very sketchy plans have been submitted in compliance with this regulation because many communities are unable or unwilling to expend funds for planning until they know whether Federal funds will be made available to participate in the airport development proposed by such planning. The committee feels that, by providing advance planning and engineering grants up to 66⅔ percent of the cost thereof, the Federal airport program will be substantially improved. This new provision will lessen the delay which frequently occurs between the time Federal funds are allocated to an area for airport development and the time when a grant agreement is entered into utilizing such funds for airport development and, perhaps even more important, it will enable both the Federal Aviation Agency and the sponsor of the project to determine more accurately what the actual funding requirements will be for the immediate and future costs of the development.

Two changes are made to existing law relating to the matters concerning which the Administrator must satisfy himself as a condition to any grant to add the requirements that the project or advance planning and engineering proposal is not inconsistent with concurrent plans of public agencies for the development of the airport area, and that reasonable effort, including enactment of zoning laws, has been taken to restrict the use of land adjacent to the airport to activities compatible with airport operations.

One new provision requires that as to both planning proposals and project applications, the Administrator must be satisfied that they are not inconsistent with plans—existing at the time he gives his approval—of public agencies for the development of the area in which the airport is located.

This change is not intended to require that all Federal aid be withheld until all local area development plans are in harmony. The committee realizes that there will be areas where such development plans are inconsistent. In such cases, the granting of Federal aid would depend upon the Administrator's appraisal of all relevant facts. In some instances, he could find that Federal funds should be granted notwithstanding a conflict in local development plans. In other instances, he could find that the consequences of proceeding with a particular proposal for airport development might be such that the Federal Government should insist upon some reasonable reconciliation of local development plans before granting Federal funds. The committee expects this provision to be administered in a reasonable manner, keeping in mind the basic objective of the Federal Airport Act to develop public airports in conformity with a national plan designed to anticipate and meet the needs of civil aeronautics.

The other new provision is that the Administrator must be satisfied, as a condition precedent to approval, that appropriate action—including adoption of zoning laws—has been or will be taken to assure that land areas in the immediate vicinity of the airport will be restricted to uses compatible with airport operations.

The committee realizes that all sponsors of airport projects do not have zoning authority and this provision is not intended to require that airport sponsors undertake action which is neither possible nor practical, such as requiring a sponsor to purchase land adjacent to an airport where the sponsor cannot control its use by zoning. The committee does recognize, however, that airport sponsors are public agencies with a voice in the affairs of the community in which the airport development is undertaken and should be required to use such influences as they might have in a reasonable manner to assure proper zoning of land near the airport, to assure that schools are not built in the flight path of aircraft taking off or landing at the airport, and to discourage the development of residential housing—including apartments—in areas where noise levels would make such development unwise. The committee feels that such use of the influence of a sponsor would constitute "appropriate action" within the meaning of this amendment and that the Federal Government should insist upon an acknowledgment that the compatible use of land near airports is a responsibility which must be assumed by local agencies.

The fourth change adds a provision giving the Administrator and the Comptroller General access to records required to be kept by grant recipients.

The fifth change would add a new provision relating to actions by the executive branch of the Government in connection with airports receiving Federal aid.

Mr. GROSS. Madam Chairman, will the gentleman yield?

Mr. WILLIAMS. I yield to the gentleman.

Mr. GROSS. I have not heard that President Johnson has repudiated any of the Executive orders issued by the previous administration. I believe, for instance, that the Gesell report and the Executive order that followed on that is still in effect.

Mr. WILLIAMS. Let me say to the gentleman from Iowa that the principle enunciated in this particular language which I insisted on placing in the bill several months ago has not changed. I still believe just as deeply in the philosophy of this amendment now as I did then. But I recognize the existence of a practical situation.

President Johnson came before the Congress and in his first message to the Congress he made a remark to this effect:

> I believe deeply in the independence of the legislative branch.

He went on further and said

> That is in the marrow of my bones.

The gentleman may recall those statements.

After we have a new President taking office there is a feeling that the Congress should not be put in the position of prejudging what this President might do; therefore reluctantly I agreed not to go all out to retain this language, although I still believe in the philosophy of it.

Mr. GROSS. Madam Chairman, will the gentleman yield?

Mr. WILLIAMS. I yield to the gentleman from Iowa.

Mr. GROSS. President Johnson's statement was made in appearance before a joint session of Congress on November 27, 1963; is that correct?

Mr. WILLIAMS. I do not remember the date. I believe that is right.

Mr. GROSS. Subsequently there came the foreign aid bill and the amendment to prohibit the sale of wheat to Russia. If I recollect correctly there was a lot of arm twisting put on Members of Congress by the White House and the prohibition was eventually knocked out. If this is an example of how the President keeps his hands off Congress, the manipulations that went on with respect to the foreign aid bill, then I am not convinced for a minute that the marrow was very deep in his bones.

Mr. WILLIAMS. I may say that I do not intend to vote to take this language out, but I am not going to make a big issue of it. I hope the gentleman will vote with me and we will have at least two votes against taking the language out. It is my feeling, however, that the situation has changed somewhat in the past several months and that this language, perhaps, is not as necessary now as it was at that time.

Madam Chairman, the committee has brought to you a good bill, and I hope the House will act favorably on the bill that we have presented.

Mr. HARRIS. Madam Chairman, I ask unanimous consent that the gentleman from Oklahoma [Mr. JARMAN] may extend his remarks at this point in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman from Arkansas?

There was no objection.

Mr. JARMAN. Madam Chairman, few industries have experienced more spectacular growth or have contributed more importantly to the national economy than that of air commerce. Indeed, one facet of the industry, aircraft manufacturing, with 650,000 employees ranks second in numbers employed only to the motor vehicle and equipment industry. Another facet, the domestic trunk airlines, realized in 1962 revenues of over $2¼ billion. They along with other domestic air carriers expect to increase the number of revenue passengers from 60 million at the beginning of this year to 85 million by 1970, and to increase their total passenger miles for the same period from 33 to 51 billion miles. The 13 local service carriers, a vital part of the industry, grew impressively in 1962 by carrying 18.2 percent more passengers, flying 19.6 percent more passenger miles, and carrying 14.3 percent more mail.

Finally, one of the more important sides of the air commerce industry, general aviation, registered a tremendous growth in 1962. Over 80,000 aircraft flew approximately three times as many hours and twice as many miles as the domestic certificated airlines. This fleet today represents 85 percent of all U.S. aircraft, and by 1970 their number should total well over 100,000. This increase is due in part to the use of general aviation in pleasure flying, business travel, air-taxi service, and in agricultural and industrial applications.

If this vital industry, Mr. Chairman, is to continue its growth and yet not be hazardous to its base area, it must be supported with and accompanied by increasing numbers of planned airports. We all know that airports are not just local assets. They do not just benefit the large airlines, the private and business pilots, and the air travelers. Instead airports vitally affect the prosperity, well-being, and security of all our citizens. For example, an adequate airport system is the single most important factor in insuring air safety. The Federal Aviation Agency has recently stated that more than two-thirds of all aircraft accidents occur either at or within 5 miles of the airport.

Viewed in this frame of reference, Madam Chairman, we can see the need for legislation such as that presently under consideration. I am still persuaded that the Congress must insist that the American public have every possible protection from air accidents. We have agreed that safety per se is a proper function of government, and thus we must also agree that air safety is a proper public concern. With this thought in mind and cognizant of the importance of the air commerce industry, I rise to support fully the pending legislation.

Madam Chairman, the bill before us would simply amend the Federal Airport Act to extend for 3 years the program of matching Federal grants of $75 million per year for airport development. Federal participation will still be limited to items directly related to safety and the special fund of $7 million a year provided for the development of general aviation airports will be continued. Also, moneys allocated to any State not obligated within 2 fiscal years will revert back to the discretionary fund. Further, as a condition precedent to the receipt of Federal aid, airport authorities will continue to require installment of certain specified landing aids. In other words, the present program will be continued with the exception of some certain technical amendments and a new provision requiring a reasonable effort to restrict the use of land adjacent to airports as a condition precedent to any grant.

Madam Chairman, a continuation of the present program for 3 years with these additional amendments is highly desirable, not only as a stimulant to a most important industry, but also as a safety program. The Federal Airport Act is a minimum program designed to achieve the maximum amount from our tax dollars. The public has the right to air safety; indeed, they should expect no less. The extension of this program is but one more important step in bringing the American public safely and proudly into the full marvel of jet-age life.

Madam Chairman, I cannot urge strongly enough the passage of this measure.

Mr. BENNETT of Michigan. Madam Chairman, I yield 5 minutes to the gentleman from Illinois [Mr. SPRINGER].

Mr. SPRINGER. Madam Chairman, this bill was considered rather exhaustively. There were two provisions that clearly improve the bill.

First. We did eliminate the backdoor spending. Many of us have for years resisted that kind of spending, where the spending has been made first and then authority for it has been sought later in the form of an appropriation. We now compel the Federal Aviation Agency to come before the proper committees of the Congress, justify their requests, and then we authorize before appropriation. This is a distinct improvement in this piece of legislation.

We have made a second improvement in the bill. Some of you have contacted members of the Subcommittee on Transportation and Civil Aeronautics at various times during the past 5 years seeking some kind of relief from the noise complaints around airports. We have studied this on at least three occasions. I know the chairman of the committee, on appearance before the Rules Committee 2 years ago, agreed that a study would be made and a report sent back to the Committee on Rules, which we did. We made the best kind of an investigation that could be made on what may be done about, especially, jet noises in the immediate vicinity of our large airports all over the country.

Second. In this particular piece of legislation we have made it incumbent upon the FAA to be sure that future projects when planned will not be inconsistent with local surrounding conditions. I think we are putting some incumbency upon local communities for proper zoning in connection with the immediate areas surrounding airports. This is the real way to remove noise, by removing from the immediate area of airports local communities which can be disturbed by this noise before the communities are built. So I do believe that we have made some improvements in this bill.

There will always be serious differences of opinion on how much money ought to be allotted to this kind of program. In the latter days of the Eisenhower administration there was discussion of phasing this program out. Most of the large airports in this country had already been built, also those entirely owned by local communities. Most of the applications at the local level for airports had been approved. There are still some coming in and there are, of course, some that are seeking improvements and additions to airports, but to a large extent most of our airports are already built.

Second, when your President appeared before you a few days ago he talked about economy for the coming year, and he stressed that we ought not to be spending on projects which could largely be done by local communities. Those areas where we were supporting those projects that could be reduced ought to be reduced. If the President sees fit to follow through on that sort of a program, he will have my support in this Congress.

I have had a chance to think about this matter since he made that speech. This might not be a bad place to give him some of this economy. This might be a good place to start on economy.

There will be a motion to recommit which will be offered by the ranking minority member later on to reduce the program in this bill. A few days ago when the chairman of the Subcommittee on Transportation and Civil Aeronautics appeared before the Rules Committee he mentioned that this program, and I believe these are his words, "probably would be phased out at the end of this 3-year period," or at least a start would be made on phasing out this particular program. I think we could with some justification begin phasing now in this authorization.

May I say to my colleagues that when this motion to recommit is offered by the ranking minority member of this committee I trust it will receive your support.

Mr. BENNETT of Michigan. Madam Chairman, I yield 5 minutes to the gentleman from Minnesota [Mr. NELSEN].

Mr. NELSEN. Madam Chairman, I would like to call attention to a phase of our Federal airports program which seems a bit inconsistent. I refer to the Federal subsidy distribution that goes to the feeder airlines, which has been reduced because of the subsidy policy of the CAB prompted by the President's transportation message of 1962.

I am in sympathy with the effort of the administration to eliminate unnecessary Federal expenses, but I do not believe the reduction of local air service would be in the public interest at this time. In view of the substantial increase in passenger traffic that has been established by both trunk lines and feeder carriers, it would seem unfair to isolated communities that have just commenced to utilize the supplemental air service to now have it removed or reduced.

The dollar figure provided in this bill will continue the building of airstrips and the providing of air safety measures. On the other hand our Government is cutting back on subsidies that make possible the use of many of these airports. We have several small airports in my area which because of the severe cutback in the subsidy have become almost inoperative as far as any commercial air travel is concerned. It would seem to me that if the Federal Government is on the one hand to cut back the subsidies that make it possible to use these airports and on the other hand in this bill to allow appropriations to continue to build more, it does not seem to be consistent with good fiscal judgment.

Originally, we were told this program would phase out, and I think when the last extension was considered, we were told it might be in the process of phasing out very soon. I think the motion to recommit will provide for a phasing out and will leave a reasonable amount of dollars for this activity, and it would seem to me good judgment if more of the dollars would go to support and maintain existing airports that have been built to a large degree with Federal funds. It would be doing a greater justice to keep them going rather than to build more and to have them phased out because of the lack of funds through the infancy of their development.

Madam Chairman, I yield back the balance of my time.

Mr. BENNETT of Michigan. Madam Chairman, I yield myself 5 minutes.

Madam Chairman, the President of the United States made a very eloquent speech the other day about the need for cutting Government expenses. I do not know that he specifically mentioned this program. I do not think he did. But I think it is quite clear, if the President means what he says, and I, for one, have no reason to doubt his sincerity. Moreover, I think the American people or at least the majority of the American people are in full accord with what the President said in respect to cutting expenses.

Our committee considered this bill long before President Johnson's speech the other day. The subcommittee considered it and the full committee considered it several months ago. My own feeling is this: The bill should have been brought back to our committee following the President's speech last week in order that we might call before our committee the Federal aviation people and the other people in the executive branch of the Government who are charged with the administration of this program, to ask them if they believe what the President said when he stood here not long ago and told the American people and the Congress that we had to cut expenses.

Now, this program has been a good program. I have given it my support through the years. But it has been a poor program, too, in some ways. Under this program, we have spent since its inception several hundred millions of dollars in building city airports with much of that money going into lavish and expensive terminal buildings that have turned out now to be very profitable for the cities.

At one time, during the first few years of the operation of this program, out of some $5 or $6 million allocated to our State of Michigan under the program, approximately 60 percent was spent for one airport in the city of Detroit, while many airports, including some in my district and some in other rural areas, were operating scheduled airline service with one landing strip. Those things under this program have not been good, but by and large the program has accomplished a good deal. It has put airports in many places where they were needed. I believe there is justification for continuing the program.

But I do not believe the program is sacrosanct. If we are to cut expenses, if the budget is to be cut—if the President means what he says and if the leaders of his party want to support him—then this program either should be cut today, as I shall propose in a motion to recommit, or it should go back to the committee for further study. That latter action is what I would prefer to have done, because I believe that is the orderly way to proceed. I believe we should have a new opportunity, in view of what the President said, to talk to representatives of the Federal Aviation Agency, of the Department of Commerce, and of the Bureau of the Budget, to determine what they think about the possibilities of cutting the program and how much it can be cut without doing it any harm—and most of all whether they are interested in the President's advice about economy.

I feel sure the leadership will not agree with that procedure, and, failing that, the only remedy I can see is to try to make what I regard to be a modest cut. I intend to offer a motion to recommit, to provide for cutting the program back $15 million a year, or $45 million over the 3-year period.

Madam Chairman, I believe that is a reasonable, sensible approach toward economy. I am sure that such a reduction would not do any damage or any harm to any essential part of the program.

I believe Congress ought to follow the advice of the President and its own advice. I voted not long ago to cut taxes.

I believe the American people want a tax cut, but I believe with respect to expenditures such as proposed and others we can afford to make reasonable reductions.

If we cannot afford to make a reasonable reduction in this program, then I do not believe there is any program the Federal Government sponsors on which a reasonable reduction can be made.

It would be worthy to note at this point that this program would build airports on a grand scale at the same time the Civil Aeronautics Board is drastically cutting back subsidies for local air carriers upon which all but the metropolitan areas rely for air transportation. In my own area, many towns will have no air service. Flights connecting parts of our Upper Peninsula of Michigan are being eliminated to the economic detriment of the whole area. In the last 6 months, North Central Airlines has discontinued three of its flights in the Upper Peninsula because of the cutback in subsidies ordered by the Civil Aeronautics Board. Should we not also devote our funds to the purpose of using what we have already built—of servicing those communities which have built airports that they might enjoy the advantages of air transportation? The program to build up to 1,600 new airports could well be geared to the proper assimilation and use of those in existence; geared to the building and maintenance of an air carrier system adequate to the growing needs of our less populated areas. It should be used to help these communities grow. Instead, we say grow and then you may join the air age. The amount of money involved is not the important factor really. The sensible, balanced use of Federal funds for good purposes is most important, which is one of the principal reasons I feel a modest saving in this program could well be applied toward building the feeder line subsidy payments to levels which are necessary to give adequate service to the communities which are now being served.

In respect to the amendment the gentleman from Mississippi talked about, the committee finds itself in a rather unfortunate situation, in my opinion. I am sure the gentleman from Mississippi offered the amendment in good faith. In my judgment it is a basically sound amendment, because it would do what I believe Congress constantly should do; that is, to safeguard its prerogatives to make the laws, as opposed to orders and decrees by the executive department for which there is no legal basis. So, when I voted for that amendment I voted for it because I do not believe any President, regardless of who he may be or to which party he may belong should have authority on his own initiative to issue Executive orders, which have the force and effect of law, without the approval of the people's Representatives in the Congress.

All this simple amendment does is to insure that so far as this particular program is concerned—and that is all we are dealing with in this bill, is this program—as far as this particular program is concerned, no one in the executive branch should issue any orders except to carry out the specific terms of the bill. If there is anything wrong with that kind of provision, I would like to know it and I would like to have somebody stand up and tell me what it is.

Mr. WILLIAMS. Madam Chairman, will the gentleman yield?

Mr. BENNETT of Michigan. I yield to the gentleman from Mississippi.

Mr. WILLIAMS. May I say to the gentleman that I feel just as strongly now that this language should be kept in this bill as I did at the time that I was pushing for the language. As a matter of fact, I feel that language similar to this, or this language, if this be the appropriate language, should be included in every bill that passes this House in order to protect the integrity of the legislative branch.

May I say that should an amendment be offered to take this language out, I intend to vote against the amendment. However, the remarks I made in saying that I was not as insistent on retaining this language now as I was 3 months ago was based on the very practical situation we must all recognize, that perhaps to insist on continuing this language in this legislation might be to prejudge what the present occupant in the White House might do with respect to Executive orders. My reason for feeling the way I did with respect to not opposing or not making an all-out fight, so to speak, to keep this in the legislation is based on my feeling that we should give the present occupant of the White House time to see what course he intends to follow with respect to these Executive orders. However, may I say that as far as my situation is concerned and my personal views are concerned, I feel just as strongly now as I have ever felt that this language is necessary to protect the constitutional prerogatives of the Congress, not only in the Federal Airport Act but in every act passed by this body.

I thank the gentleman for yielding.

Mr. BENNETT of Michigan. Madam Chairman, I respect President Johnson, and I had great admiration and respect for the late President Kennedy, as well as former Presidents Eisenhower and Truman. However, this is the kind of authority that a President ought not to have and is not entitled to have. It is the kind of authority he should not be able to exercise without specific consent of Congress. If we want to write civil rights legislation, as I expect we will before this session ends, and write specific language that will take care of some of the objections that may be had to this particular provision, that is well and good. When Congress writes the provisions into the law, then it is the duty of the Chief Executive to enforce them, but up to that time and up to the time when there is some legal basis or some legal background for that authority, I do not think it ought to be exercised.

Mr. HARRIS. Madam Chairman, will the gentleman yield?

Mr. BENNETT of Michigan. I yield to the chairman of the committee.

Mr. HARRIS. I should like to say to the gentleman with reference to the matter he is presently discussing and to the matter on which he had the colloquy with the distinguished gentleman from Mississippi that I have recognized that there are different views. I recognize the concept behind the amendment and what was intended. Of course, the gentleman knows my position with reference to the proposed civil rights bill over the years.

The CHAIRMAN. The time of the gentleman has again expired.

Mr. HARRIS. Madam Chairman, I yield the gentleman 5 additional minutes.

The CHAIRMAN. The gentleman from Michigan is recognized for 5 additional minutes.

Mr. HARRIS. I think that many of these proposals—and as a matter of fact, the general civil rights proposal which has created such feeling all over this country has been largely unnecessary. It has inflamed the people and the minds of the people. However, here we have a program that has been in existence since 1946.

In the original act, in 1946, there was contained this provision, section 11(1):

> The airport to which the project relates will be available for public use on fair and reasonable terms and without unjust discrimination.

That was in the act, has been in the act ever since and is in the act today. Certainly none of us who have different views about some of the proposed civil rights programs have been trying to strike it out. It has worked pretty well all these years. It is still there. It has been interpreted by the courts. I remember when the Court ruled on this question of discrimination in transportation in the bus cases. I remember, away back, when the Supreme Court ruled on the question of discrimination with reference to the railroad case. But for some reason, even though it is the law—and a lot of us did not agree with and do not agree with it today, but it is the national policy because the Court has said so—I see no particular need of cluttering up the Airport Act and raising a question where there can be no question because—and this is the point that I am getting to—the amendment offered says:

> Except for the purpose of carrying out the provision of law specifically set forth in this act.

The act already specifically sets it out. And since it does it seems to me, even though it might be a good policy—and I do not question it at this point—it seems to me that the Members of the House should take into consideration the existing situation in relation to what is proposed here. I do not think anything should be added. It is already set out in the act today.

Mr. BENNETT of Michigan. The gentleman now is talking about the antidiscrimination provisions in the law. But the provision of this section that was added also provides for any type of Executive order. It is not an order or a decree by the Executive in relation to civil rights. In fact, there is not anything mentioned about civil rights in the amendment. This refers to any kind of Executive order that is issued without legal authority—any kind of Executive order whatsoever.

Mr. HARRIS. Madam Chairman, will the gentleman yield on that point?

Mr. BENNETT of Michigan. I yield.

Mr. HARRIS. That is true, except as provided specifically in this act. And this act specifically provides as I just read it a moment ago.

Mr. BENNETT of Michigan. Very well; and I have already answered the question. What the gentleman mentioned takes care of the civil rights aspect, but the language that I mentioned takes care of any other type of Executive order, no matter what it may be, whether it is in this law or any other law. This takes care of everything. While the gentleman has directed our attention to a civil rights provision, this is a basic proposition, which applies across the board.

Mr. DON H. CLAUSEN. Madam Chairman, will the gentleman yield?

Mr. BENNETT of Michigan. I yield.

Mr. DON H. CLAUSEN. Madam Chairman, there is a question I would like to ask relating to the landing aids section. My colleague, the gentleman from Minnesota [Mr. Nelsen], raised the question a moment ago about a subsidy relating to scheduled airlines and some of the feeder airlines in particular. It was my candid opinion that one of the major problems in this area is the fact that they do not have adequate landing aids at these various airports to assure some reliance on schedule.

My question is this: Does the gentleman feel there will be adequate funds available for landing aids throughout the country?

Mr. BENNETT of Michigan. Yes, I do. There will be plenty of money available. This will take $15 million a year out of the $199 million that is authorized for overall purposes in the act. My amendment would not deal, for example, with the $21 million in the bill for building airports for private nonscheduled planes away from the big city concentrated airports. The small airplane constitutes one of the biggest hazards in commercial flying today. That item would not be touched at all. The $15 million would be an across-the-board cut and could be applied in any manner that the Federal Aviation Agency sees fit. Certainly, in my judgment, it should not be applied where landing aids are necessary or any other safety device. But we should be sure of what we are talking about. This bill is not primarily an aviation safety appropriation bill. That comes under the Federal aviation appropriation bill which provides hundreds of millions of dollars for landing aids, for radar equipment, and for all that sort of thing that goes to help make it easier and safer for an airplane to land. This program deals primarily with the on-the-ground part of the airport itself.

Mr. DON H. CLAUSEN. I thank the gentleman.

Mr. HARRIS. Madam Chairman, I yield myself 10 minutes.

Madam Chairman, on reporting the bill by the subcommittee to the full Committee on Interstate and Foreign Commerce, consideration was given by the committee to the proposed amendments. There was rather full discussion. Except for the one amendment that was adopted by the committee, which has been discussed here and to which the gentleman from Mississippi [Mr. Williams], referred in his discussion, in which he said he would not insist on it so much now as previously, and to which the gentleman from Michigan has devoted some time, there was no controversy on the bill at all. There was no question raised about any of the provisions of the bill as I recalled during the extensive consideration that was given the matter. There was no attempt, there was no offer of amendments to reduce the proposed program.

Mr. BENNETT of Michigan. Madam Chairman, will the gentleman yield?

Mr. HARRIS. I yield to the gentleman from Michigan.

Mr. BENNETT of Michigan. I offered an amendment to reduce the appropriation, if the gentleman will recall.

Mr. HARRIS. If the gentleman says he offered an amendment I would not dispute that at all.

Mr. BENNETT of Michigan. I was unsuccessful in my effort.

Mr. HARRIS. I simply do not recall there was any issue made of it. There might have been. If the gentleman says he offered an amendment, he did. I certainly do not recall any big issue that was made of it.

Mr. WILLIAMS. Madam Chairman, will the gentleman yield?

Mr. HARRIS. I yield to the gentleman from Mississippi.

Mr. WILLIAMS. I think the gentleman from Michigan is correct. He offered an amendment to reduce the amount of the authorization, which amendment was roundly and soundly defeated in the subcommittee. In the committee consideration of the bill there was no suggestion of a reduced appropriation. It was only when the bill came before the full committee that the amendment was offered on that subject.

Mr. HARRIS. I regret that I do not recall any great discussion and I do not recall anyone else on the committee discussing the matter or raising any question about it. So I must confess that I am a little bit surprised at the turn that has been taken here in the last few minutes.

I personally would regret to see this program interfered with as it has been carried out in the last few years. This is the third year. I think it would be a tremendous setback in a program that has been going well now and one that has got to move in the future.

I am not one of those who are accustomed to suggesting or urging great and excessive programs of spending. I think this House knows that on almost every bill we have reported out of committee with which I have had something to do I have taken the position of trying to provide a program that would meet the needs but have all the fat cut out. If time would permit, I could recall to you all the innumerable programs we have brought to you under those conditions.

The House will remember that we were urged 3 years ago to report to you a program of $135 million a year. The other body insisted on it. Then it was reduced to an urgency of $100 million a year. Because of the action of the overwhelming majority of the committee, we reduced this program to $75 million a year. We cut it to the very bone to meet the needs, as the record shows.

When there was urgency to meet the needs in the future we have been importuned in recent months to report a program of $100 million a year. The committee has consistently refused to meet those demands we have had brought upon us. I want you to know the facts so you can see that this committee and its action started not today, not the day the President made his speech a few days ago, but we started 3 years ago, and it has worked out pretty well.

Let me remind the Members of this House that on page 23 of the report—and I want you to look at that, every one of you—you can see where the Federal-aid airport program has been broken down by States. We have tried to provide the needs under the formula in all the States of this Union.

Then if you will look on page 22 you will find the history of the airport program. If there was ever a program authorized by this Congress to meet a Federal need you will find that throughout the years—just look at this record—

it has been held to the very bone. I just want to remind you of the past history here before we start out now trying to just tinker, in my judgment, with a program that is working very well and meeting the needs, and we are getting the best possible benefit out of it.

Mr. WILLIAMS. Madam Chairman, will the gentleman yield?

Mr. HARRIS. I yield to the gentleman.

Mr. WILLIAMS. The gentleman mentioned that the witnesses who appeared before the committee indicated a minimum of $100 million a year would be needed and that this authorization should be carried at least at that level. They also said that not only would $100 million a year be needed, but that the program should be extended for 5 years and not for 3 years—which would have carried $500 million rather than the amount we carry in this bill.

I hold in my hand, Madam Chairman, a summary of estimated required airport development costs itemized by States which, when we get back into the House, I will ask to be included in the RECORD. This is a table which shows for the fiscal year 1965 there will be a need for $234,303,000.

For fiscal year 1966, there will be a need for $166,711,000.

For 1967, there will be a need for $194,348,000.

Summary of estimated required airport development cost, by cost item, by State, fiscal year 1967

[In thousands of dollars]

State	Airports used by both scheduled airlines and general aviation							Airports used by general aviation only							Grand total
	Land acquisition	Site preparation	Paving	Lighting	Safety buildings	Miscellaneous	Total	Land acquisition	Site preparation	Paving	Lighting	Safety buildings	Miscellaneous	Total	
Alabama	11	346	2,335	220	144	20	3,076	21	59	240	28	0	23	371	3,447
Alaska	102	8,179	1,399	435	90	178	10,383	60	1,101	0	42	0	40	1,243	11,626
Arizona	0	11	865	72	0	2	950	0	10	159	10	31	20	230	1,180
Arkansas	4	18	24	22	0	0	68	20	97	590	48	0	39	794	862
California	40,720	663	2,464	205	350	267	44,669	422	182	882	356	163	211	2,216	46,885
Colorado	180	63	1,195	104	0	23	1,565	6	28	365	153	0	5	557	2,122
Connecticut	0	100	0	0	50	10	160	0	0	0	18	160	35	213	373
Delaware	0	0	0	0	0	0	0	0	0	0	22	0	0	22	22
District of Columbia	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Florida	6	0	994	163	176	6	1,345	0	0	19	130	30	18	197	1,542
Georgia	0	1,825	1,087	29	0	15	2,956	60	115	338	37	0	6	556	3,512
Hawaii	0	4,635	1,380	140	100	0	6,255	0	0	9	22	0	0	31	6,286
Idaho	0	15	435	335	0	0	785	0	0	0	44	0	18	62	847
Illinois	486	218	1,107	305	110	214	2,440	176	6,195	1,203	229	0	31	7,834	10,274
Indiana	60	50	1,089	77	0	370	1,646	85	71	210	71	0	6	443	2,089
Iowa	0	23	164	25	32	0	244	26	32	820	151	0	8	1,037	1,281
Kansas	0	44	504	84	0	0	632	2	39	548	236	0	0	825	1,457
Kentucky	923	4,203	3,568	256	0	0	8,950	300	839	403	0	0	109	1,651	10,601
Louisiana	0	236	589	59	0	8	892	0	0	2,044	238	0	34	2,316	3,208
Maine	0	34	171	8	0	0	213	5	0	28	124	0	10	167	380
Maryland	30	210	510	28	0	0	778	0	30	510	74	0	10	624	1,402
Massachusetts	50	1,300	243	58	80	58	1,789	0	0	30	0	160	107	297	2,086
Michigan	140	75	1,181	74	0	170	1,640	210	123	295	91	0	19	738	2,378
Minnesota	0	0	364	12	451	0	827	86	298	1,031	201	125	46	1,787	2,614
Mississippi	0	15	304	0	11	0	330	80	84	714	182	0	63	1,123	1,453
Missouri	57	83	1,799	63	0	71	2,073	6	8	767	306	0	1	1,088	3,161
Montana	20	18	300	415	26	0	779	0	0	0	76	0	9	85	864
Nebraska	43	40	855	20	0	8	966	9	8	96	32	0	18	163	1,129
Nevada	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
New Hampshire	0	93	232	24	0	0	349	6	20	73	26	0	6	131	480
New Jersey	0	28	3,355	587	0	750	4,720	0	82	558	232	0	160	1,032	5,752
New Mexico	4	12	431	56	0	12	515	15	246	820	146	0	56	1,283	1,798
New York	85	160	2,335	660	30	530	3,800	0	34	176	202	55	84	551	4,351
North Carolina	22	112	2,214	345	18	506	3,217	89	150	220	60	0	9	528	3,745
North Dakota	36	39	391	33	0	0	499	47	92	180	10	0	24	353	852
Ohio	460	2,009	7,490	402	0	225	10,586	500	407	1,059	78	0	67	2,111	12,697
Oklahoma	1,800	0	1,610	0	0	0	3,410	414	45	736	270	0	58	1,523	4,933
Oregon	0	21	248	1,160	0	0	1,429	10	40	218	125	0	5	398	1,827
Pennsylvania	860	3,870	2,920	168	60	630	8,508	140	554	1,412	383	124	79	2,692	11,200
Rhode Island	0	8	74	44	0	40	166	0	20	20	32	90	0	162	328
South Carolina	0	0	0	0	0	0	0	3	7	6	37	0	2	55	55
South Dakota	0	0	686	125	0	4	815	13	19	239	149	0	11	431	1,246
Tennessee	200	642	1,262	47	0	43	2,194	600	167	219	41	0	19	1,046	3,240
Texas	0	292	3,044	488	1,288	1	5,113	2,024	350	3,655	14	0	199	6,242	11,355
Utah	0	0	0	21	0	0	21	0	0	12	16	0	0	28	49
Vermont	0	0	54	4	0	2	60	0	5	274	43	0	1	323	383
Virginia	0	70	260	0	0	27	357	0	160	543	244	0	90	1,037	1,394
Washington	0	237	894	252	80	0	1,463	60	32	145	18	0	8	263	1,726
West Virginia	7	0	130	70	0	0	207	0	0	150	136	0	40	326	533
Wisconsin	50	180	595	42	0	14	881	281	174	625	10	0	20	1,110	1,991
Wyoming	11	30	496	171	0	5	713	0	17	94	7	0	8	126	839
U.S. total	46,367	30,207	53,647	7,908	3,096	4,209	145,434	5,776	11,940	22,735	5,200	938	1,832	48,421	193,855
Puerto Rico	0	289	143	10	0	1	443	0	0	0	20	0	0	20	463
Virgin Islands	0	0	0	30	0	0	30	0	0	0	0	0	0	0	30
Grand total	46,367	30,496	53,790	7,948	3,096	4,210	145,907	5,776	11,940	22,735	5,220	938	1,832	48,441	194,348

This need far exceeds the amount we have authorized in this bill. It seems to me, if we are going to continue this program, we ought to go ahead and authorize it at a level high enough to do a creditable job. After all, Madam Chairman, these airports are for the development of the United States of America. These airports are for the use of the citizens of the United States of America. These airports will contribute to the best business interests and to the economy of the United States of America and will contribute to a very strong transportation system. I feel that certainly $75 million in Federal contributions—if we are going to have a program and I presume we will have a program—is going to be necessary in order to keep this program working at an orderly pace.

Mr. HARRIS. And the gentleman could include that these airports will also serve in the best interest of the defense of the United States of America because this is a part of our national defense.

Mr. WILLIAMS. The gentleman is correct.

Mr. BENNETT of Michigan. Madam Chairman, will the gentleman yield?

Mr. HARRIS. I yield to the gentleman.

Mr. BENNETT of Michigan. I would like to ask the gentleman from Mississippi if it is not true that in his statement before the Committee on Rules he advocated the phasing out of this program by the end of 3 years—the phasing out of the program entirely?

Mr. WILLIAMS. The gentleman is correct. I told the Committee on Rules I felt this level of authorization should be continued for the next 3 years, but that any further extensions of this program should certainly take into account a plan for an orderly phaseout of the program. But not until these 3 years have passed at the present level and we have a chance to see how this program develops.

Mr. BENNETT of Michigan. But the gentleman thinks the program will go to pot, if it is cut 15 cents during the next 3 years?

Mr. WILLIAMS. May I say, if it is cut as much as the gentleman has indicated he wants to cut it, then, yes, I think it would be severely crippled.

Mr. HARRIS. Let me say to my distinguished colleagues of the House, I know that you do not want to endanger a program that the public demands, and I am going to put into the RECORD the statement of the Administrator of the Federal Aviation Agency and a statement of the Chairman of the Civil Aeronautics Board with reference to the two tragic accidents that happened with the jets—one in Florida and one here in Maryland recently in order that the Members of the House may have the benefit of their discussion and their explanation.

STATEMENT OF ALAN S. BOYD, CHAIRMAN OF THE CIVIL AERONAUTICS BOARD, BEFORE THE SUBCOMMITTEE ON PUBLIC HEALTH AND SAFETY OF THE COMMITTEE ON INTERSTATE AND FOREIGN COMMERCE, HOUSE OF REPRESENTATIVES, JANUARY 8, 1964

Mr. Chairman and members of the committee, the Board appreciates this opportunity to appear before you in connection with your study of recent turbojet aircraft accidents.

As you know, the Federal Aviation Act of 1958 has charged the Board with the responsibility of investigating aircraft accidents, making recommendations for the prevention of accidents, and conducting special studies on matters pertaining to air safety. The Board has organized its staff, its accident investigation policies, plans, procedures, and programs to discharge these functions. The Board is proud of the record of its Bureau of Safety and the excellent work, collectively and individually, performed by the members of its staff. We feel that it is important to mention at the outset that the success of the Board in investigating aircraft accidents is due in part to the whole-hearted cooperation of various segments of the aviation industry and of Government agencies in the discharge of our function. Specifically, the Federal Aviation Agency, the Department of Defense, the National Space and Aeronautics Administration, the U.S. Weather Bureau, the National Bureau of Standards, and the Federal Bureau of Investigation, have made many valuable contributions to our accident investigations.

During the calendar year 1963, there were two turbojet aircraft accidents involving U.S. scheduled air carriers which resulted in fatalities and I will discuss rather briefly these accidents.

The first fatal jet accident in 1963 occurred in February. A Boeing 720-B, four-engine fan-jet aircraft, operated by Northwest Airlines, Inc., as flight 705, crashed approximately 30 miles west/southwest of the Miami International Airport in the Everglades at approximately 1:30 in the afternoon on February 12, 1963. There were 43 fatalities. The flight had taken off from the Miami Airport about 13 minutes prior to the crash, bound for Chicago, Ill. There were moderate rain showers at the airport with thunderstorms in the vicinity at the time the aircraft took off.

The weather was above the minimum limits required at the time the aircraft departed. After takeoff, the aircraft was furnished radar advisory service by the Miami Tower Departure Control and was receiving vectors around the thunderstorms scattered throughout the local area from a radar controller who was observing both the thunderstorms and the path of the aircraft on radar. The flight was in radio communication with the FAA air traffic control facilities on the ground until shortly after 1:30 p.m., when it reported climbing through 17,500 feet. The aircraft disintegrated in the air and fell into a remote swamp area. The wreckage was scattered over an area approximately 15 miles long and 1½ miles wide. Helicopters were used by the investigators in gaining access to the site as the only feasible means of travel in this difficult terrain. At this point I wish to mention that helicopter service and storage facilities in this investigation, as in many others, were furnished in an expeditious manner by operating branches of the Department of Defense. A mockup of this aircraft was assembled in a U.S. Coast Guard hangar at Opa Locka, Fla.

The flight recorder tape, though torn, was readable, and its indelible record of flight has been interpreted by the Board's engineering specialists. This tape did not reveal the complete answer to this accident but it has been used as a working tool by the Bureau of Safety to initiate a project of scientific research involving various segments of the aviation industry. The Boeing Co. and NASA have participated with the Board in extensive research into those data revealed by the flight recorder tape. The aircraft mockup was the most extensive CAB reproduction of a crashed airplane in aviation history. Engineers from the FAA, NASA, the Boeing Co., various airlines, and other industry organizations studied the details of the aircraft for 6 months with particular emphasis on problems associated with flight controls, explosive decompression, engine malfunctions, excessive turbulence, and explosive forces from either combustible mixtures or a bomb. The FBI examined the wreckage for evidence of a bomb, and found no indication of dynamite or other high order explosive. There is no conclusive evidence to indicate a mechanical malfunction which could have caused this total destruction. We do know that the aircraft went into a dive, and that it disintegrated in flight.

Following one of the most extensive investigations in aviation history a public hearing was held in Miami, Fla., last June. I served as chairman of the Board of Inquiry during the hearing. The evidence was recorded, testimony was taken, volumes of documents and studies were admitted as exhibits into evidence as part of the record of the investigation. Aviation experts were called from throughout the industry and there was no unanimity of opinion among these experts as to why the crash occurred. That investigation is still continuing and I assure you that every effort is being made to ascertain the probable cause of this accident.

The other fatal turbojet accident during 1963 occurred last month, less than 100 miles from this hearing room, at Elkton, Md. A Pan American World Airways Boeing 707, four-engine jet aircraft, Clipper 214, was on a regularly scheduled flight from San Juan, P.R., to Philadelphia, Pa., with a scheduled stop at the Baltimore Friendship Airport. The flight departed Baltimore, Md., at 8:24 p.m., on December 8, 1963, on an instrument flight plan, to Philadelphia. The aircraft entered the Newcastle, Del., 5,000-foot holding pattern at 8:42 p.m. There were scattered rain showers and thunderstorms from a cold front passage in the area. Again, the weather was above established minimums. At approximately 8:58 p.m. e.s.t., the crew declared an emergency indicating that the aircraft was out of control. The aircraft was seen spiraling to the ground, on fire, shortly after a pronounced lightning discharge in close proximity to the aircraft. The aircraft struck the ground in a rural area near U.S. Highway 40 very close to the Maryland-Delaware State line.

There was no severe turbulence reported by any aircraft in the holding pattern of the Pan American aircraft. The flight recorder was crushed at ground impact and the tape was damaged extensively. The numerous minute portions of tape have been pieced together by utilization of binocular microscopes and tweezers. The record on the tape indicated no severe turbulence.

Physical evidence indicated inflight fire and an apparent explosive separation of the outer portion of the left wing. Portions of the left wing landed about 2 miles east of the main wreckage site. These pieces apparently fell to the ground as free objects minus sections of panel and skin from the fuel tank area. The bottom skin in the fuel tank area was separated in a downward direction which indicated an explosive force. The location of the explosive force and the physical indications lead to a preliminary conclusion that there was a fuel-air mixture explosion in the left wing fuel tanks. Further, there are numerous pock mark indentations and burned holes in the vicinity of the fuel tank surge vent outlet on the exterior surface of the left wing tip. Indications of inflight fire damage on this portion of the left wing, including scorching and soot around the surge tank and vent, indicate that the fuel in the surge tank was ignited. The pock mark indentations and holes appear to be the result of electrical heating, indicating lightning.

A major portion of the outboard section of the right wing was located near the main crater. Soot marks on the under surface of this wing indicated inflight fire from the left side of the aircraft. The line of direction of the soot marks indicated that a portion of the left wing had separated from the aircraft inflight and unusual flight maneuvers occurred prior to ground impact. Accordingly, lightning appears to have been the culprit in this case.

The Board is studying all accidents and incidents involving jet aircraft which relate to turbulence. We are attempting to categorize clear air turbulence and turbulence associated with clouds. We are comparing injuries and equipment damage as related to various types of turbulence. As yet it does not appear that turbulence alone can be called the prime instigator of jet aircraft accidents.

The danger of lightning is being compared with location and size of fuel tanks and vent systems in jet aircraft. The subject of fuel combustibility, running the spectrum from aviation gasoline as used in reciprocating engines through and including the question of mixing commercial jet fuel (JP-1) with military fuel (JP-4) is presently under consideration.

The Board reviews flight recorder tapes of jet aircraft involved in accidents and incidents in an attempt to ascertain common factors. Further the Board is reviewing the standards employed by the airlines in dispatching jet aircraft.

There are various limitations on the dispatch release of an aircraft relating to icing, visibility, the height of the clouds and the presence of slush or moisture on the runway, but there are no restrictions relating to turbulence.

We are correlating wind tunnel tests and flight recorder records.

The harsh facts of aviation history remind us of past aircraft accidents. Further, the record indicates that there will be aircraft accidents in the future. But that same history points to a definite trend toward improved aviation safety. I always hesitate to cite statistics but there are certain numbers which are significant. Specifically, your attention is invited to the accident rate for turbojet aircraft. In 1959, the year of initiation of jet aircraft in passenger service there were 8:59 accidents per each 100,000 hours flown in revenue operation by scheduled air carriers. In 1963, the rate was 1:46 accidents for each 100,000 hours. Numerically then, today's passenger in U.S. jet aircraft is far safer than was the air traveler of 4 years ago. Thus, significant progress has been made.

However, this should not be interpreted as suggesting that the Board is satisfied that nothing more can be accomplished to promote air safety nor are we complacent about the present status of aviation safety. We do know that there is a definite learning/curve to accident investigations. The complexities of modern jet transports present unique problems in each aircraft accident. There is no pattern to aircraft accidents but there must be a pattern to the accident investigations. The Board is continually seeking new techniques and improved methods of accident investigation. We will continue to devote the entire amount of allocated resources and to seek all available assistance from the FAA and other segments of Government and industry in an attempt to give tomorrow's jet aircraft passenger the safest possible ride.

Statement of Mr. N. E. Halaby, Administrator, Federal Aviation Agency, Presented on January 10, 1964, Before the Subcommittee on Public Health and Safety, of the House Committee on Interstate and Foreign Commerce

Dear Mr. Chairman and members of the subcommittee, I appreciate the opportunity to appear today before your subcommittee, Mr. Chairman, to discuss the questions of aviation safety which are set out in your committee's statement of December 20. We share very much the concern of the committee related in that statement over the public confidence in air travel, particularly their confidence in jet air travel.

To the men and women of the FAA, air safety is a 24-hour-a-day, year-round business. No accident or incident is taken for granted. Our foremost and constant aim is to prevent accidents and incidents; if they occur, to see that they do not recur. Like the committee, we believe it is an appropriate time to discuss the safety of jet aircraft since we have just passed the fifth anniversary of their introduction into commercial airline service. These 5 years have been years of growth and change in technology and traffic. There has been growth in passenger acceptance of jets, a growth in commercial use of and revenues from jets, and, of course, compared with the piston and turboprop fleets, a significant growth in speed of air travel.

At the end of 1958, turbojet aircraft flew 1.1 percent of all passenger miles flown by U.S. carriers. In mid-1963 jets flew about 75 percent of those passenger miles. Over 400 jets are in use today by U.S. carriers and they logged over a half a billion miles in fiscal year 1963 alone. The flight from New York to San Francisco which took about 8½ hours in a DC–7, has now been reduced to about 5 hours.

The growth of most concern to us at the FAA, of course, is the growth in the safety of air travel. As Chairman Boyd has indicated, since mid-1959 the jet accident rate has been coming down steadily. The statistics now establish jets as the safest form of commercial air travel.

It would be useful, I believe, to compare the accident record during the first 5 years of civil jet operation with the 5-year period beginning with the introduction of the pressurized piston fleet—the Connies and DC–6's—into airline service shortly after World War II. Both periods represent a transition by the airlines to larger, more complex and faster aircraft. These are the only periods in airline operating history where such extensive replacements were made to the airline fleet. For this comparison I have used only the fatal accidents which occurred during scheduled passenger service by the U.S. certificated route carriers in all types of aircraft.

The average fatal accident rate for the 5-year period 1946 through 1950 was 1.58 fatalities per 100 million passenger miles. The average rate from 1959 through 1963 was 0.45 per 100 million passenger miles, or a rate about one-third of the earlier period of transition. It is also noteworthy that the number of passengers carried during the 1959–63 period was almost four times greater than 1946–50—306 million as compared to 78 million.

Further, here is how the 5-year jet accident record looks when comparing it with the first 5 years of operations in turboprop aircraft—1955 through 1959. The cumulative accident rate of the turboprops for both fatal and nonfatal accidents during 1955–59 was 4.1 accidents per 100,000 flying hours. The cumulative fatality rate for these aircraft was 0.6 per 100,000 flying hours. For the first 5 years of jet operations—1959–63—the cumulative total accident rate for the jets was 2.2 per 100,000 flying hours and the cumulative fatality rate for these aircraft was 0.3 per 100,000 flying hours. Thus, the total cumulative rate of the jets was about half that of the turboprops and the fatality rate was exactly one-half.

This record was made despite the fact that the transition to jets was a far more complex undertaking by industry, labor, and Government. We believe the record of the jets is a significant testimonial to progress in aviation safety. It only indicates, however, what can be done by management, labor, and Government in working hard toward a national solution of a national problem. It also suggests that there is more to be done.

The safety record of the jets is due to a number of things. First, the powerplant is a significant improvement over the piston engine from the standpoint of safety. With the greater simplicity and improved reliability of the jet engines and with higher quality maintenance, the approved overhaul period for the jet engines has now been extended to as many as 4,600 hours as compared with 2,500 hours for the piston engines. The statistics on inflight engine shutdowns also establish the superiority of the jet powerplant. Inflight shutdowns of jet engines for all causes average 0.25 per 1,000 hours versus 0.75 per 1,000 hours on the less modern piston engines.

The safety record of the jets is also due in part to the background technology and experience with high speed aircraft structures which was available when the predecessor of this Agency, the CAA, first began type certification on the earliest of the big jets, the Boeing 707. Although this airplane presented a radical new type of machine as compared with existing commercial aircraft, an elaborate background of NASA research on high speed and high altitude flight structures was available as a solid basis for our evaluation and analysis of this airplane.

Considerable military experience with jet powered sweptwing aircraft was also available to the CAA. In fact the Boeing 707 was a direct descendant of the B–47-B–52 family, and a younger brother of the KC–135 tanker which has flown one million hours in military service. This experience with jet structures of many kinds under many flight conditions was extremely useful to us in evaluating the first commercial jets. In many cases it enabled us to anticipate problems before they arose.

We also were able to use experience with the first British Comet in establishing realistic fatigue requirements and fail-safe requirements for U.S. commercial jets.

The outcome is a structure fully tested and tried in more than 3 million flying hours and an aircraft with a substantially superior powerplant to the piston engine. Add to this constant surveillance by the industry and the FAA since the initial certification, and continuing attempts to improve both the equipment and the techniques by which it is operated, and the statistical figures on jet safety are not at all surprising.

None of this, of course, should suggest that we are satisfied with the record, that our vigilance can be relaxed, or that new problems do not continue to arise. In dealing with those problems we work in harness with the CAB, whose able, energetic and cooperative Chairman, Alan Boyd, addressed the committee earlier. During our 3 years of working together, Chairman Boyd and I have been able to prevent or avoid serious friction between two of the agencies established in the field of air safety investigation. Of course, we have had to agree to disagree on the merits of a few complex cases; but we have always tried to stick to the facts and the principles, avoiding the frictions and the personalities. This era of mutual respect and occasional professional difference between the CAB and FAA has helped to advance aviation safety.

Chairman Boyd has reviewed the two major trunk carrier accidents of 1963, the Northwest accident at Miami and the Pan American accident last month at Elkton, Md. Both of these accidents involved large jet aircraft operating under adverse weather conditions. There have also been incidents or near accidents which when reported to FAA have been as carefully investigated as accidents. The concern expressed in the committee's statement over whether these cases reveal any pattern of structural deficiencies in these aircraft is an appropriate concern and one which we at the FAA share.

JET STRUCTURE AND TURBULENCE

Where adverse weather is encountered in the form of severe turbulence a question of structural strength is immediately raised in the mind of the public. Our aircraft certification and airworthiness programs—which provide rigorous examination and testing at every stage in the aircraft's development from the drawing board to the passenger gate—were based as I have indicated on a large background of prior research and experience with high-speed aircraft structures. The standards we have imposed for the certification of the civil jets—standards operating as guides within a matrix of designer and manufacturer integrity—are intended to insure the production of aircraft capable of withstanding all known forces of atmospheric turbulence into which an aircraft may be expected to fly.

The operation of the Agency's certification program is fairly complex, and I needn't go into it in detail here except to note that a structure's ability to withstand turbulence has always been of major concern. I have here some pictures of the kind of testing which was involved; one picture showing a Boeing jet fuselage about to be crushed by a hydraulic press to determine its breaking point. The other picture shows a test in which the wing of a Boeing military jet was bent to determine the maximum possible load this wing could carry. You will note in this case that the wing tip was deflected a total of 22 feet upward and 10 feet downward.

We have had a number of indications that as high as our standards were for structural strength, the aircraft themselves were even tougher than our requirements. For example, the aircraft must be designed to sustain air loads of 3¾ times the flying weight (3.75 G's); yet jet aircraft have been subjected to loads in dives well over 5 G's, without seriously damaging their flight capability.

These aircraft have proved remarkably rugged in turbulence. They are not designed to operate successfully in a tornado, of course, and in severe turbulence special flight procedures must be followed. But we do not have in these cases—and this is worth emphasizing—any known, basic structural defect. Our continuing study of turbulence incidents has not disclosed any fundamental structural flaw as was the case with the Electra and the first British Comet.

Nor do we believe there is any structural inadequacy relating to the gyroscopic effect of the turbine engines or to sonic phenomena. The high-speed revolutions of the mass which makes up a turbine rotor acts to some degree like a spinning gyroscope. These gyroscopes may produce resistance when the aircraft is forced into changed attitudes by turbulence. Our certification standards have, since early 1956, required the design of engine-supporting structure which could withstand all of the maneuver and gust conditions which would result in significant gyroscopic loads.

The kind of acoustical load on aircraft structures which can result in sonic fatigue has also been accounted for in our certification process. Sonic fatigue is a form of vibration damage occurring when rapidly fluctuating pressures—such as those produced by the noise from jet exhausts—induces high frequency vibrations in the aircraft structure. Much of our knowledge in this area derives from military experience with jet aircraft, and we are, of course, continually reviewing our fatigue design criteria. No pattern of fatigue problems has occurred even though some of the jets have accumulated over 15,000 flying hours.

With what we consider to be a basically sound airframe, our attention has been given to improving the methods of anticipating and operating within what you might call the hostile environment presented by turbulence. I have personally discussed with the foreign and domestic designers, test pilots, manufacturers, airline managers, and crewmen, techniques for further improving the safety of bad weather flying. Last summer I convened a confidential conference of all principal operators and associations concerned with one of the large jet transports to review all incidents as well as fatal accidents involving it. The results, while not conclusive, were made available to all.

Within the **FAA** we have a committee of expert technicians working exclusively on the standards, techniques, and procedures relating to turbulence flight. We have required airborne radar on all jet aircraft since 1960, which is useful in avoiding areas of weather disturbances. In conjunction with the industry we have recently revised the recommended jet speeds for flying in turbulent areas. In a series of directives going back to 1962, we have required our inspectors to review the airline pilot training programs to insure that pilots are thoroughly familiar with the recommended procedures for avoiding turbulence and for operating in turbulence when it cannot be avoided. These directives place particular emphasis on the margins available for maneuvering jets in high-altitude turbulence areas. As we learn more about the atmosphere, we will continue to modify and update these recommendations.

LIGHTNING

Another kind of problem associated with adverse weather arises when that weather is encountered in the form of electrical disturbance. As Chairman Boyd indicated in discussing the Pan American accident over Elkton, Md., there is no evidence that turbulence was involved. Indeed, that aircraft was deliberately given a holding pattern away from areas of reported turbulence.

There is reason to believe that a fuel tank explosion occurred which may have been caused by a lightning strike. It is worth noting that lightning strikes on aircraft in flight are relatively common occurrences. Contrary to what one might suppose, the all-metal structure of an aircraft makes it capable of conducting a surge of electricity associated with a lightning strike without damage or harm to the occupants.

A survey of reported strikes shows that jet aircraft are struck once every 10,400 flight hours, turboprop aircraft once every 3,800 hours, and piston aircraft once every 2,500 hours. The reason for these differences, incidentally, is the typical flight altitude of these three types of aircraft. Jets operate typically above the kind of weather which exposes them to lightning. The jet involved in the Elkton accident, of course, was operating at a lower altitude (5,000 feet) in preparation for landing.

Until recently, the history of jet operation in lightning discharges shows no confirmed case of sustained damage which would threaten safety. The investigation of an accident involving a Lockheed Constellation aircraft at Milan, Italy, on June 26, 1959, directed suspicion to the possibility of fuel vapor ignition, but left serious doubt as to the origin of the ignition. In this case, modifications were made to the tank venting system as a precautionary measure.

The certification standards for the Boeing 707 aircraft included a requirement that adequate protection against lightning strikes be provided. Standards were based upon extensive tests and investigations by the manufacturer. All other jet transport aircraft were similarly investigated for adequate protection.

Extensive tests and investigations have been conducted by both industry and Government organizations. The **FAA** and **NASA** jointly carried out research work which focused on the problem of fuel vent protection.

The preliminary findings from the Elkton accident tell us that we must again review our requirements for protective measures. We are not waiting for the final conclusions from the Board's inquiry. We are moving ahead to apply certain precautionary changes to aircraft in service, and proceeding with a program of investigation and testing to find and evaluate positive protective measures. We are further examining fuel properties, fuel tanks, bonding techniques, vent locations, flame arresters, flame propogation, inerting techniques, and skin thickness.

Our Government also has a group of technically-qualified representatives of **NASA**, **CAB**, **USAF**, **USN**, and **USWB** to serve as a technical committee with **FAA** on the lightning protection program. This committee is reviewing and monitoring our program, providing guidance in the form of expert advice and serves as a coordinating body to make sure that all facets of the problem are properly explored.

Meanwhile, and again not waiting for all the expert opinions to come in, we issued on December 13, 1963, a Notice to Airmen which alerted both pilots and traffic controllers to the lightning hazard and encouraged the use of pilot information reports to assist in identifying electrical disturbances.

On December 18, 1963, we recommended to the airlines that static discharges be installed on all aircraft not so equipped. The static discharge is a slender metal and plastic rod about 8 inches long mounted on the trailing edges of the wing and tail assembly. Dischargers are currently installed on about 75 percent of our jets. While their function is to bleed off electrical charges which create interference with the electronic and radio equipment aboard the aircraft, some persons feel dischargers can reduce to some degree the danger of lightning strikes. Many experts disagree about this. Nevertheless, if the Elkton accident teaches us that lightning can be a hazard, we believe prudence requires the installation of these devices for whatever conceivable protection they may afford.

THE AGENCY'S AIR TRAFFIC SERVICE AND BAD WEATHER

A problem never very far from any discussion of adverse weather flying concerns the **FAA**'s abilities and responsibilities in assisting pilots to avoid weather conditions in the form of turbulence or electrical storms.

This is a broad subject and I will try to limit my remarks in this area to those aspects in which this subcommittee has expressed its interest.

The foremost precept—one which must be clear before there can be real understanding of pilot-controller relationship—is that the pilot, like a ship captain, is master of his craft and has the ultimate responsibility for all decisions affecting safety in flight. The pilot alone knows his own capabilities, the current weight and fuel availability of his aircraft, as well as any operating peculiarities of that aircraft and its instruments or equipment. He has available through the Weather Bureau and, in the case of airlines, through company forecasters and dispatchers, all the various weather data and forecasts which may affect his flight. He alone has a close-up view (either out the cockpit window or through his airborne radar) of the actual weather he is about to meet. In addition, of course, he has the advantage of the thousands of hours of experience aloft which enable him to add that necessary judgment to make the information useful in the specific situation he faces. Logic as well as the law, therefore, places upon a pilot the final responsibility for the safe operation of his aircraft.

In discharging this responsibility, the pilot is not alone. He operates in a system in which he is the final active, mindful agent or component. The system provides him a great deal of information and technical assistance. The **FAA** is a responsible part of that system but the **FAA** does not own nor actually operate air carrier aircraft. The role of the **FAA** can be likened to that of a system's governor or monitor, because the system is cooperative rather than dictatorial or directed.

As Chairman **Oren Harris** recently stated, "Government controls can and should go only so far in this area." Airline managers and pilots are properly concerned about their authority and responsibility because they have available the vast resources and facilities of free corporate enterprises. Foremost among these resources, in this context, is the company's own weather and flight information gathering system and its up-to-the-moment familiarity with flight and traffic conditions and requirements. In fact, the release, or dispatch, of an aircraft for a particular flight has always been and can only be the company's responsibility. The Government cannot and should not run the airlines nor make operational decisions. Before a pilot departs from an airport, he receives company clearance from the company's dispatcher. That clearance includes the fullest information available to the company about weather conditions en route and at the destination of the flight. No pilot, therefore, is in the position of taking off without a very extensive briefing on conditions he is likely to meet. The airlines have the responsibility under the regulations for operational control.

Also, by regulation, the pilot in command and the aircraft dispatcher are jointly responsible for preflight planning, delay, and dispatch release of the flight.

The company's dispatcher is responsible under the regulations for monitoring the progress of each flight and the issuance of information necessary for the continued safety of the flight; and for the cancellation or redispatch of a flight, if, in his opinion or in the opinion of the pilot in command, the flight cannot operate safely as planned. No flight may be started without specific authority from the aircraft dispatcher and no dispatcher may release a flight unless he is thoroughly familiar with the reported and forecast weather along the route to be flown. The dispatcher is required to furnish to the pilot all current information concerning meteorological conditions which may affect the safety of the flight.

The primary role of the FAA controller in this web of coordinated responsibilities and capabilities is to plan and control the air traffic situation so as to assist the pilot in maintaining separation from other aircraft while flying in bad weather. The controller will, to the extent of his time and abilities, provide the pilot with advice and helpful information. But his primary responsibility is in authorizing the flight of aircraft in such a manner that aircraft under his jurisdiction shall be safe from the hazard of collision with each other. His basic concern, therefore, is not only with each aircraft individually, but with the interrelationship of numbers of aircraft. He must keep the total air situation under surveillance and control while informing and guiding the pilot in command of each aircraft in the system. In other words he is primarily concerned with separating aircraft while the airline is concerned with operating them.

The airspace for which a given air traffic control facility is responsible is divided into small portions based upon anticipated traffic volume. Each segment will contain a portion of the air traffic that will not exceed the capacity of the controller or controller-team responsible for maintaining separation. The traffic load in such a segment may vary from as few as 5 to as many as 12 aircraft or more in that area at any one time. Some of these aircraft will be navigating along regular routes, with well above the minimum spacing, requiring only routine surveillance. With other aircraft, the controller will be actually spacing from close-by traffic or will be giving radar vectors (giving navigational help from his radar scope) requiring careful, almost constant watch of each aircraft.

Not only is the controller's time limited, his present equipment is not ideally suited to weather reporting. Some weather phenomena, such as areas of heavy rain, snow, clouds with high moisture content, and thunderstorm clouds containing large amounts of hail and rain, do show on the scope as large irregular-shaped targets like large "blobs."

It is worth emphasizing that from the earliest development of air traffic control radar, the effort has been to minimize or eliminate the "clutter" made by weather—since aircraft targets are blotted out by such returns. Some weather data does, however, show up on today's air traffic control radars. Some storms, rain showers, or clouds can give such a strong radar return that the radar cannot "see" through a storm area and no returns, weather, or aircraft, may be received from the area behind the storms.

There is no available electronic device to add radar weather information to a controller's radar scope in a manner which will not limit the ability of a controller to properly track aircraft. We are trying to develop such a device, however, and if successful, it would enable a controller to keep pilots more accurately and precisely informed as to the movement of thunderstorms, areas of heavy precipitation and probable areas of strong turbulence.

Because of our need to identify aircraft on our radars, then, these radars are not the most reliable source of weather data. It is possible to place greater reliance upon the information from the Weather Bureau radars (designed, like the pilot's airborne radar, to detect weather phenomena), from the surface weather observations, and from PIREPS—weather reports made by pilots in flight. The first two can only give us an indication of where turbulence might be encountered, whereas pilot reports tell us where turbulence (and the relative severity of it) was actually encountered. Even these are far from ideal since they are "spot" reports representing conditions in only a small area and at only the altitudes of the reporting aircraft; further, the effect of turbulence on one pilot in one type aircraft is not necessarily the same as what another pilot, flying at a different speed in a different type aircraft, would experience.

Another problem is the very nature of thunderstorms and turbulence. Individual thunderstorms vary considerably in area, in height, in intensity, and in the severity of turbulence encountered. Also these storms move fairly rapidly, are changing in nature as they move, and their precise track is not readily predictable. Turbulence in the storms varies in intensity in different parts of the storm and varies at the various altitude levels—but is not confined within the cloud itself. One recent flight encountered very severe turbulence about 30 miles from the storm.

Within these limitations, the controller does what he can. In controlling air traffic, thunderstorms, line squalls, and turbulence are types of weather data that are considered. Normally, however, such information is passed to the pilot for decision as to the proper course of action, and the controller then does everything within his capabilities to help him carry out the necessary action. Except in very severe cases, the controller will not arbitrarily reroute the aircraft or change its altitude unless the pilot requests the action. Not having all the knowledge available to the pilot, nor his vantage point, the controller could easily direct the flight into a far more hazardous situation. When a controller is vectoring an aircraft (providing navigational guidance by radar) he will attempt to give course guidance between the storm returns that do appear on his scope. In those cases where the pilot is doing his own navigation and the controller observes storm returns on his scope, he is limited to advising the pilot and awaiting his decision before turning the pilot off course. Mutual understanding of capabilities and limitations is essential here and we see some opportunity for additional information and education in this area of collaboration.

We have inaugurated a program (with the assistance of Weather Bureau and aircraft operators) of encouraging more frequent pilot reports of thunderstorm activity, lightning and turbulence. With these reports and increased data in these areas from weather observers, particularly Weather Bureau radar operators, controllers will be able to provide pilots with more complete information on such weather conditions. Also, to the extent possible controllers will not clear flight through or holding in areas of strong turbulence or frequent lightning and will do everything possible to aid pilots in avoiding such severe weather conditions. Alternate routes will be suggested by the controller where possible and, other traffic permitting, routes selected by the pilots will be cleared.

CONCLUSION

In conclusion, Mr. Chairman, we believe progress has been made in aviation safety, particularly in the case of jet flight. We also believe that much remains to be done, and, to the best of our ability we are doing what we know can and should be done. At the same time I can say sincerely and gratefully that we welcome your help in defining and solving the problems in the path of perfect safety.

Jets now provide some 75 percent of our total air transportation needs and over 400 jets are operated by U.S. carriers. With the development of the supersonic carriers, if we are going to keep our aviation industry intact and provide the needs of our country and contribute to the economy of the country, we are going to have to get into that field just as sure as anything in the world. If we do not, then we are going to let another country, like France, take it over and we are not going to continue to be in the lead as we have throughout the last several years. But the hub of the whole program is the airport situation—not the terminals but the airports themselves—and that is what this is limited to. So I ask my colleagues, let us not attempt to nit-pick it to death.

Mr. BENNETT of Michigan. I am sure the gentleman does not want to do that. I know the gentleman wants to be fair and he would not want to tie either one of these tragic accidents that he has mentioned to any lack of an adequate airport program, would he?

Mr. HARRIS. The gentleman will recall the very fine presentations made this week to the committee by Chairman Boyd of the Civil Aeronautics Board and Mr. Najeeb E. Halaby, the Administrator of the Federal Aviation Agency. Their testimony gives one the impression that if something had been done with reference to landing facilities at the airports themselves—and particularly at airports where there is hovering over in a pattern—and if some way could have been devised so that the planes could come in, accidents might be avoided. I do not know. I merely refer to the descriptions given to us.

Mr. BENNETT of Michigan. I know the gentleman wants to be fair.

Mr. HARRIS. Yes, indeed.

Mr. BENNETT of Michigan. There is nothing in the bill at all which would have prevented either one of those tragic accidents. They happened because of unknown causes, something which caused the aircraft to explode while in the air after having taken off from the airports and after being out of contact, for all practical purposes, with the airports they left.

Mr. HARRIS. The one at Philadelphia involved an aircraft in a holding pattern, trying to get in. The other was in contact with the airport at Miami, Fla.

Mr. BENNETT of Michigan. I feel sure the gentleman does not say there is anything in the bill or in the law which would have prevented those accidents.

Mr. HARRIS. I am saying that the national airport program is an overall program and covers the overall program from place to place throughout the Nation and becomes a part of it.

The gentleman a moment ago mentioned something about landing facilities. Landing facilities are involved. They are a part of the program.

Mr. WILLIAMS. Madam Chairman, will the gentleman yield?

Mr. HARRIS. I yield to the gentleman from Mississippi for a comment.

Mr. WILLIAMS. The gentleman from Michigan indicated that we should reduce the amount of the authorization, substituting his judgment, I presume, for the judgment of the committee and the judgment of those who testified before the committee, who sought this level of authorization.

I wish to point out to the gentleman that if it should be proved he is correct in his judgment and the amount should be trimmed down, the Appropriations

Committee will screen the appropriations to be provided, under the chairmanship of the distinguished gentleman from the State of Texas [Mr. Thomas], who will have able assistance from the gentleman from New York [Mr. Ostertag] and the members of that subcommittee. I have the greatest of confidence in the ability of those gentlemen to determine exactly how much will be actually needed. I do not believe they would recommend more than is needed.

This bill places a ceiling on the amount that could be appropriated. If the Appropriations Committee, in its judgment and its wisdom, should determine that a lesser amount would meet the needs of the program, that would be the amount they would recommend.

Mr. HARRIS. What we are trying to say is that we are glad to see the new President, Mr. Johnson, following the lead of the committee and reducing expenditures. That is precisely what we have done in the reduction of the program.

Mr. OSTERTAG. Madam Chairman, will the gentleman yield?

Mr. HARRIS. I am glad to yield to the gentleman, who is a member of the Appropriations Subcommittee which will consider this problem.

Mr. OSTERTAG. I thank the chairman.

I have great respect for the work being done by the chairman and the gentleman from Mississippi and others with whom I have been associated on certain of these airport and aviation matters, as a member of the Subcommittee on Independent Offices of the Committee on Appropriations which deals with appropriations for the Federal Aviation Agency, which of course include grants for airports, to which reference was made by the gentleman from Mississippi.

It might be appropriate if we brought into the discussion the question of the appropriations as of this year, without going into the ramifications of the bill.

For example, what I am getting at is, if I recall correctly, we have been appropriating on a 2-year basis for grants for airports because it has been required in order that they continue that program. This is an authorization for 3 additional years, is it not?

Mr. HARRIS. The present authorization will expire this year, June 30.

Mr. OSTERTAG. Therefore, the budget for fiscal 1965, which will be before us this session, will be affected by this authorization?

Mr. HARRIS. Yes, indeed.

Mr. OSTERTAG. And in what respect? Will the formula affect it to any measureable degree?

Mr. HARRIS. The budget will not be affected any differently from what it has been in the last 3 years. There is one change here having to do with planning but that will have no effect on it.

Mr. OSTERTAG. If I understand it correctly, you will continue the existing law of 50 percent basic for grants on most projects and you are increasing the allowance to a 75-percent contribution for certain other aspects; namely, landing aids, runway lights, and distance markers, and also for planning. Is that correct?

Mr. HARRIS. That is true.

Mr. OSTERTAG. What is the difference between what we have had in the way of dollars and what this additional liberalization in the grant has?

Mr. HARRIS. In the total amount it will have no effect insofar as the Federal contribution is concerned.

Mr. OSTERTAG. In other words, the change in the formula will not actually affect the overall plans for grants to airports?

Mr. HARRIS. Not the total cost.

Mr. OSTERTAG. That is right.

Mr. ROGERS of Colorado. Madam Chairman, will the gentleman yield?

Mr. HARRIS. Yes. I yield to the gentleman from Colorado.

Mr. ROGERS of Colorado. I thank the gentleman for yielding to me. As I understand, this is an amendment to the Federal Airport Act which is classified as 49 U.S.C. 1101 and it amends certain portions of the act down through title 49, U.S.C. 1113.

Mr. HARRIS. Those are the provisions or the sections to which the amendments are related.

Mr. ROGERS of Colorado. I would like to direct the chairman's attention to what is reported as 49 U.S.C. 1115. The first paragraph thereof provides in effect that when the administrator determines that certain lands owned by the Federal Government could best be used for public airfields, he may certify the same to the agency having charge of that land. Now, section (b) of that same section provides that the head of that agency may or should, if he finds the use of this land is not inconsistent with any use he has, he may or is authorized then to grant a deed to the airport authority or to the city.

Mr. HARRIS. Yes. Those provisions were included in the 1946 act and have been a part of the Federal Airport Act ever since. Those were the provisions used primarily following World War II when we had so many airports used for training purposes available through the cooperation of the sponsor; that is, the local community or municipality, and the Administrator. The Department of Defense or whatever agency might have had use of the particular property during that period of time could work out an arrangement with the municipality to turn it over to them, and that worked out fairly well.

Mr. ROGERS of Colorado. The General Services Administration is the custodian and property owner of all Federal Government lands declared surplus. If the land becomes surplus and the departments cannot use it and they circularize the departments as to whether they could make use of it, if they say they do not want it, then the General Services Administration seeks to sell the same. I am reminded of the instance where the Army in my area declared certain lands surplus. It circularized the entire Government agencies to see if they had any need for them. The General Services Administration did not find any agency needing the land. The city and county of Denver wanted to acquire all of this land for airport use. The General Services Administration said that they would appraise and classify this land and if they found find that part of it is commercial in its nature, we will not comply with this section. They said, "We are then going to sell it and we will not turn it over to the city and county of Denver except for cash."

Mr. HARRIS. Of course, the gentleman read the provisions of the act a minute ago. If the Administrator made a request for it, then, of course, they would have had to make a decision. I would suggest to the gentleman that we had one of these cases a few days ago, the Grand Prairie problem down in Texas. There was a private bill introduced in which we worked that out without any difficulty. If the gentleman would like to pursue this the committee would be glad to give it consideration.

Mr. ROGERS of Colorado. I thank the gentleman.

Mr. HARRIS. Madam Chairman, I yield 3 minutes to the gentleman from Alabama [Mr. Roberts].

Mr. ROBERTS of Alabama. Madam Chairman, I would like to be associated with the gentleman from Arkansas in the remarks he made, and I would like to compliment the Williams subcommittee in bringing this bill to the floor of the House. The chairman mentioned the fact that we have been holding some hearings on the Elkton, Md., accident. There is nothing in the hearings that should alarm the American public because our record in the handling of these matters is at its best, in my opinion. I think if we continue to support CAB and FAA and the people in general aviation, in commercial aviation, and in the military aircraft field, with legislation of this kind, we may look forward to the time when these accidents are going to be very rare. The number of airports that are going to have to handle jet aircraft in the near future is going to be just about double. No one can tell, in my opinion, just exactly how much money it is going to take, but in the past this committee has done a good job on that matter, and I think it has done a good job with this bill. It is my belief it should have no less than the amount contained in this bill and, as pointed out by the gentleman from Mississippi, these amounts will be further screened by the Appropriations Subcommittee charged with handling this money.

I would like to feel that we are certainly not doing anything less than we should do. It would seem to me that the committee has brought to the House a bill that every Member can take pride in supporting.

Mr. BENNETT of Michigan. Madam Chairman, I yield 5 minutes to the gentleman from California [Mr. Younger].

Mr. YOUNGER. Madam Chairman, I would like to ask a question of our chairman, if I may. On page 22 the committee refers to supplemental data. I do not find a date on that. What was the date of that compilation?

Mr. HARRIS. Madam Chairman, will the gentleman yield?

Mr. YOUNGER. I yield to the chairman.

Mr. HARRIS. Of course, this was the latest information. It begins with the year 1947.

Mr. YOUNGER. That is not my question.

Mr. HARRIS. Let me answer the question of the gentleman. It begins on an annual basis with 1947 and runs down through July 1963.

Mr. YOUNGER. There is the statement on page 22 which says that as of July 1, 1963, the total amount of unobligated carryover funds is estimated at $46.552,633; is that correct?

Mr. HARRIS. Yes. That is in the report just referred to.

Mr. YOUNGER. On November 19 on inquiry of the FAA they rendered a statement to the effect that there is $56.8 million available at that time—on November 19, 1963.

Mr. HARRIS. Of course, the gentleman will recall from reading the report as of July 1, 1963, the total amount of unobligated carryover funds is estimated at $46,552,633. That was as of July 1, 1963. The gentleman is talking about November?

Mr. YOUNGER. Yes. They had surplus funds at that time of $56 million in a carryover.

Mr. HARRIS. What the gentleman is overlooking is the fact, as was stated by the gentleman from New York [Mr. Ostertag], a moment ago, this is a forward funding program. You appropriate for the then year and the Appropriations Committee under this authorizes direct. This is in effect an appropriation for the total year so the plans of the cities and municipalities may be made and carried forward, the bond issues, and so forth. Naturally you are going to have a carryover from one year to the next.

Mr. YOUNGER. These are fiscal years?

Mr. HARRIS. Yes.

Mr. YOUNGER. So that the carryover, which was asked for on November 19, 1963, not counting the $75 million, was an increase from $46 to $56 million?

Mr. HARRIS. The carryover is the amount that is in the so-called pipeline that has been moved as the plans are completed and the contracts and programs carried out. The gentleman will recall this is a program that was worked out, which he participated in, to get away from the issue of back-door spending. All of us approve this program, or most of us do. It has worked very well.

Mr. YOUNGER. That is correct, but on December 19, 1963, speaking of back-door spending, the FAA under that old bill got from the Treasury $20 million on December 19.

Mr. HARRIS. The gentleman is talking about the authorization. That was carried over prior to 1961.

Mr. YOUNGER. This was out of the act of August 3, 1955.

Mr. HARRIS. Yes. I am advised that they got from the Appropriations Committee $20 million.

Mr. YOUNGER. They did not get it from the Appropriations Committee. It came direct from the Treasury under the old back-door spending process. The question is, how much more do they have under that act of 1955, or is that the last of it?

Mr. HARRIS. As I understand it, if you will refer to the table at the bottom of page 22, available for obligation as of July 1, 1963, was $46 million, and appropriated, $20 million, which would represent a balance from the old program of 1955 of some $26 million.

Mr. YOUNGER. That is not what the public law document here says. They have been granted under the act of August 3, 1955, authority to enter into contracts of $20 million, to remain available until expended. That is under the back-door spending. My question is how much more money do they have under the back-door spending?

Mr. HARRIS. I just explained to the gentleman that according to this it would be approximately $26 million. That is what we thought 3 years ago.

Mr. YOUNGER. Does this $46 million of the remaining money come out of the back-door spending?

Mr. HARRIS. Out of the $46 million referred to, $20 million had been appropriated to take care of it. As I understand the situation, there is approximately $25 million left that the Appropriations Committee has to provide for.

Mr. YOUNGER. I bring this up because this is information that has come to my attention since we had our committee meeting. According to the information I have, this $46 million has nothing to do with the $20 million which the FAA got under the old back-door spending, that this is not appropriated funds.

Mr. HARRIS. No, that has to do with the old program prior to the present authorization of forward money.

Mr. YOUNGER. So we still have $26 million in addition to the $20 million. That is why I think we can well afford to cut down the program. Otherwise it will be getting like the foreign aid program.

Mr. BENNETT of Michigan. Madam Chairman, I yield 1 minute to the gentleman from New York [Mr. Halpern].

Mr. HALPERN. Madam Chairman, I rise in support of the bill before us, S. 1153, to amend the Federal Airport Act and extend the authorization of Federal matching funds for airport development for 3 additional years.

The bill is aimed at securing a number of desirable goals in the development of our airport system: assistance to commercial airports which are experiencing difficulties in entering the jet age; assistance to general aviation airports, improvement of air transportation service through development of regional airports, and improved lighting facilities and other ground safety facilities for our airports.

However, Madam Chairman, in spite of these commendable objectives, there is one serious problem in connection with the development of our airports that is not remedied in the legislation before us. I refer to the increasingly difficult and unbearable problem of raucous aircraft noise, which is a nuisance and a hazard not just to the residents of my district in Queens, but to many millions of people throughout the country who live in close proximity to airports.

I would like to take this opportunity to call the attention of this House to legislation which my colleagues from Queens and I have introduced to remedy this serious and growing problem, and urge that the most careful study be given this legislation and to that of other colleagues as a needed supplement to the measure before us today.

Madam Chairman, we need an all-out attack on plane noise, and the legislation now pending in the Interstate and Foreign Commerce Committee would provide just such a comprehensive attack on the hideous din which has too long plagued our communities.

Jurisdiction over aircraft noise by law should be clearly established in the Federal Aviation Agency. The Agency should then set forth standards for noise abatement, issue rules and regulations and enforce them with stiff civil and criminal penalties. There should be an extensive program of noise abatement research, to get right at the core of the problem. And there should be established an aircraft noise abatement service within the Agency under a special director whose only function would be aimed at finding a solution once and for all of this obnoxious problem.

Presently, the need of such legislation is apparent because the FAA repeatedly contends that it lacks adequate statutory authority over aircraft noises when such noise is generated by warmups, takeoffs, and landings. This is particularly tragic because it is precisely at the time of warmup, takeoff, and landing that the greatest part of aircraft noise is generated. Yet, this noise goes on unabated. Of course the Agency, the airport operators, the airlines, the manufacturers all say they are doing their best to suppress noise. But good intentions, uncoordinated efforts, and lack of a forceful, well-financed Federal program will never get the problem solved.

The tortured victims of aircraft noise have for years been calling for action to end this horrible situation. And still the FAA lacks adequate regulatory authority over engine noise. One of my bills would end this stalemate and place responsibility squarely and directly with the FAA. It would give the Agency a mandate to move ahead with all speed on the problem of air noise, without in any way compromising air safety. In this way, research on improved engine design and other methods of cutting down on noise would be speeded up.

Madam Chairman, in this age when our Nation is accomplishing vast breakthroughs in the complex sciences of atomic energy and space technology, it is surely not expecting too much of our scientific know-how to provide a solution to aircraft noise, which today can and does shatter windows and create a nerve-racking and ear-splitting din in our residential areas throughout the country. It is high time that real consideration was given to those persons whose very lives have been unmercifully plagued by the scream and roar of jets and propeller aircraft.

This bill before us authorizes millions of dollars for new and improved airports, to accommodate more air traffic.

There is no question but that it is needed. But, why cannot more attention be given to new types of airport design and aircraft and engine design to safeguard the health, comfort, and welfare of our citizens? That, Madam Chairman, is the point I raise today.

The bill and report recognizes this serious problem. I was happy to read on page 4 of the Commerce Committee report the words:

> This great increase in air transportation has not been without cost both economically and socially. The jet has created a requirement for a more sophisticated air traffic control system and for larger airports; it has also created an annoyance for those residents immediately adjacent to our Nation's airports.

Madam Chairman, to call the situation an "annoyance" is putting it mildly. When windows are shattered, ears and nerves buffeted by hideous jet screams and all normal quiet enjoyment of life is cut off, I say that is far more than mere annoyance. I most earnestly request that my colleagues give their utmost consideration to the antinoise legislation, just discussed, and we can end this nightmare of noise once and for all.

Mr. BENNETT of Michigan. Madam Chairman, I yield myself 3 minutes.

I dislike to have the record show that a reasonable cut in this bill will have any impact upon the primary thing the program is designed to do, when the chairman of our committee announced a few minutes ago that the President knows that this is an irreducible figure that has been presented here.

I am not any more interested in economy than any other Member of this House. As a matter of fact, if I were to put myself in a category of being a conservative or a liberal in spending, I would have to say I am more liberal than conservative. But I think if we are going to do anything along the line of cutting spending we have to pay some attention to the President's advice. The chairman is mistaken when he said that the President's message implied that he approves this program for $75 million a year, and I challenge him to show me anything in the President's statement to that effect.

This program is not sacrosanct. If you are going to cut any Federal spending matching program, this can be cut a reasonable amount, as well as any other program can be cut. If you are unwilling to cut this bill a small amount, then you probably will be unwilling to do so in other Federal grant programs. Of course, any agency of the Federal Government or any bureau, whether it be State or Federal, can make persuasive arguments for the continuance of its particular program and the damaging effect that it will have upon our country and upon our security, if you take one dime from the requests that they make.

May I say to my fellow Members of the House, personally I do not care how you vote on this amendment, but I sincerely think this is a constructive step in line with what the President urged here hardly a week ago. I voted for the tax cut measure when it passed the House and I think I owe it to the people I represent to vote for reasonable economies to justify this tax reduction.

Madam Chairman, I have no further requests for time.

Mr. HENDERSON. Madam Chairman, I appreciate this opportunity to speak in support of this legislation, a bill to extend the Federal Airport Act for an additional 3 years. In particular, I would like to concentrate my remarks upon the growth and development of the general aviation airport.

Aviation has become the most essential link between our cities and States. The basic element of the national aviation system is the airport, and the requirements of this system are continually growing. The safety and the growth of the system are in a large part dependent upon the airport.

The vitality and economic growth of many communities is enhanced by its airport. Since World War II, there has been a substantial movement of industries to the smaller communities and many of these industries will no longer consider communities which do not have an adequate airport. As industries decentralize, their requirements for air transportation increases.

The air carrier fleet which consists of approximately 1,600 planes is in a period of transition with the jet age, but the general aviation fleet continues to grow at a rapid rate. In the last 4 years, the number of active general aviation aircraft has increased from 65,289 to 84,121; in the same period the total number of operations has increased from 13.2 to 16.5 million. By 1968 it is forecast that the general aviation fleet will be 99,000 aircraft conducting 24.2 million operations. Of all the airports in the contiguous 48 States, in only 31 airports do the number of air carrier operations presently exceed general aviation operations. This is less than one-half of 1 percent of all airports in the country.

With these changes, airport requirements are also changing. Further development is required at most major airports. Many are still expanding, but the basic structure is now in place. The great new growth in airports is coming with the development of the new general aviation airport.

Future airport development must continue to recognize the needs and requirements of the community that it serves. The Federal Aviation Agency has responded to the need of the small community for an airport by recently issuing a new set of minimal requirements for airport construction for small communities. Under these standards, many communities can now look forward to receiving Federal aid that was not previously available to them.

The next logical step after airport construction is the increased availability of improved navigational and landing aids. The present bill contains a special incentive of a 75 percent Federal contribution for such safety aids as approach lighting systems, in-runway lights, high-intensity runway lights, and runway distance markers. However, the cost of procurement and maintenance of many of these navigational and landing aids cannot be presently justified at the smaller airports.

The Federal Aviation Agency should further direct its research and development programs toward developing safety items which would be available to the smaller airports. The advantages would not only accrue in safer air travel, but more reliable air travel to the smaller airport. A prime example is the work which the FAA is presently conducting on the development of a low-cost instrument landing system. At the present time an ILS costs approximately $276,000 to install and a federally operated control tower must also be on the airport. Because of the cost, the FAA has a strict criteria which must be reached before an ILS is installed. Presently, a great majority of airports do not meet this criteria. FAA is presently developing a low-cost ILS and thus it will be available to many more communities than the present high-cost system. This is a step in the right direction, but even lower cost aids are needed to be economically practical for most small airports.

Efforts should also be directed toward developing low-cost lighting systems, VORS, and other navigational aids which could be made available to the smaller airport. Not only would more airports be be able to be equipped with navigational aids, but air safety and air services to many communities would be increased.

The bill before the House provides the minimum requirements for Federal assistance to the national air system. The total cost of all airport development during the next 5 years is estimated to be $1.2 billion. While Congress cannot expect to meet this total need, this bill will develop a system which will adequately meet the needs and assure the safety of the traveling public.

Mr. HARRIS. Madam Chairman, I have no further requests for time.

Madam Chairman, I ask unanimous consent that all Members may have permission to extend their own remarks at this point in the RECORD.

The CHAIRMAN. Without objection, it is so ordered.

There was no objection.

The CHAIRMAN. Pursuant to the rule, the Clerk will read the substitute committee amendment printed in the reported bill as an original bill for the purpose of amendment.

The Clerk read as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 2 of the Federal Airport Act (49 U.S.C. 1101) is amended:

(1) by striking out the designation "(a)" at the beginning thereof;

(2) by inserting "(except advance planning and engineering for which specific grants have been made)" immediately after "specifications" in paragraph (6);

(3) by inserting "of the advance planning and engineering costs or" immediately after "portion" in paragraph (10);

(4) by inserting "the United States Air Force," immediately after "Navy," in paragraph (11); and

(5) by striking out the subsection heading "Airport Classifications" and all of subsection (b).

Sec. 2. Section 3(b) of such Act (49 U.S.C. 1102(b)) is amended:

(1) by striking out the phrase "War and Navy Departments" wherever it appears in the subsection heading and text and inserting in lieu thereof "Department of Defense"; and

(2) by striking out "such Departments" and inserting in lieu thereof "the Department".

Sec. 3. Section 4(a) of such Act (49 U.S.C. 1103(a)) is amended by inserting "and for advance planning and engineering therefor" immediately after "airport development".

Sec. 4. Section 5(d) of such Act (49 U.S.C. 1104(d)) is amended by adding at the end thereof the following new paragraphs:

"(4) For the purpose of carrying out this Act in the several States, in addition to other amounts authorized by this Act, appropriations amounting in the aggregate to $199,500,000 are hereby authorized to be made to the Administrator over a period of three fiscal years, beginning with the fiscal year ending June 30, 1965. Of amounts appropriated under this paragraph, $66,500,000 shall become available for obligation, by the execution of grant agreements pursuant to section 12, beginning July 1 of each of the fiscal years ending June 30, 1965, June 30, 1966, and June 30, 1967, and shall continue to be so available until expended.

"(5) For the purpose of carrying out this Act in Hawaii, Puerto Rico, and the Virgin Islands, in addition to other amounts authorized by this Act, appropriations amounting in the aggregate to $4,500,000 are hereby authorized to be made to the Administrator over a period of three fiscal years, beginning with the fiscal year ending June 30, 1965. Of amounts appropriated under this paragraph, $1,500,000 shall become available for obligation, by the execution of grant agreements pursuant to section 12, beginning July 1 of each of the fiscal years ending June 30, 1965, June 30, 1966, and June 30, 1967, and shall continue to be so available until expended. Of each such amount, 40 per centum shall be available for Hawaii, 40 per centum shall be available for Puerto Rico, and 20 per centum shall be available for the Virgin Islands.

"(6) For the purpose of developing, in the several States, airports the primary purpose of which is to serve general aviation and to relieve congestion at airports having high density of traffic serving other segments of aviation, in addition to other amounts authorized by this Act for such purposes, appropriations amounting in the aggregate to $21,000,000 are hereby authorized to be made to the Administrator over a period of three fiscal years, beginning with the fiscal year ending June 30, 1965. Of amounts appropriated under this paragraph, $7,000,000 shall become available for obligation, by the execution of grant agreements pursuant to section 12, beginning July 1 of each of the fiscal years ending June 30, 1965, June 30, 1966, and June 30, 1967, and shall continue to be so available until expended."

Sec. 5. (a) The second sentence of section 6(a) of such Act (49 U.S.C. 1105(a)) is amended by inserting "for advance planning and engineering or" immediately after "grants".

(b) Section 6(b)(2) of such Act (49 U.S.C. 1105(b)(2)) is amended—

(1) by inserting "for advance planning and engineering grants or" immediately after "available" in the first sentence; and

(2) by inserting "advance planning and engineering or" immediately before "projects" in the second sentence.

(c) Section 6(c) of such Act (49 U.S.C. 1105(c)) is amended by inserting "advance planning and engineering and" immediately before "projects".

Sec. 6. Section 7 of such Act (49 U.S.C. 1106) is amended—

(1) by inserting in the section heading "ADVANCE PLANNING AND ENGINEERING AND" immediately before "PROJECTS";

(2) by inserting "advance planning and engineering and" immediately before "projects" where it first appears in the text; and

(3) by inserting "of advance planning and engineering costs or" immediately after "United States share".

Sec. 7. Immediately after section 7 of such Act, insert the following new section:

"ADVANCE PLANNING AND ENGINEERING GRANTS

"Sec. 8. For the purpose of developing airport layout plans and plans designed to lead to a project application, the Administrator is authorized to make grants to sponsors, based upon approved advance planning and engineering proposals, for not more than 66⅔ per centum of the estimated cost thereof. For the purposes of this section, 'airport layout plan' means a plan for an airport showing boundaries and proposed additions to all areas owned or controlled by the sponsor for airport purposes, the location and nature of existing and proposed airport facilities and structures, and the location on the airport of existing and proposed nonaviation areas and improvements thereon."

Sec. 8. (a) The section heading of section 8 of such Act (49 U.S.C. 1108) is amended by inserting "ADVANCE PLANNING AND ENGINEERING PROPOSALS AND" immediately before "PROJECTS".

(b) Section 9(a) of such Act (49 U.S.C. 1108(a)) is amended by inserting "an advance planning and engineering proposal or" immediately after "Administrator" where it first appears in the first sentence.

(c) Section 9(b) of such Act (49 U.S.C. 1108(b)) is amended—

(1) by striking out "submission of a project" and inserting in lieu thereof "submission of an advance planning and engineering proposal or a project"; and

(2) by inserting "advance planning and engineering proposal or" immediately before "project" the second time it appears.

(d) Section 9(c) of such Act (49 U.S.C. 1108(c)) is amended by striking out "submission of a project" and inserting in lieu thereof "submission of an advance planning and egineering proposal or a project".

(e) The first sentence of section 9(d)(1) of such Act (49 U.S.C. 1108(d)(1)) is amended to read as follows: "All such projects and advance planning and engineering proposals shall be subject to the approval of the Administrator, which approval shall be given only if he is satisfied that the project or advance planning and engineering proposal is not inconsistent with plans (existing at the time of approval of the project or advance planning and engineering proposal) of public agencies for the development of the area in which the airport is located and will contribute to the accomplishment of the purposes of this Act, that sufficient funds are available for that portion of the project or planning and engineering costs which are not to be paid by the United States under this Act, that the project or planning and engineering will be completed without undue delay, that the public agency or public agencies which submitted the project application or planning and engineering proposal have legal authority to engage in the airport development as proposed, and that all project sponsorship requirements prescribed by or under the authority of this Act have been or will be met."

Sec. 9. (a) Section 10(a) of such Act (49 U.S.C. 1109(a)) is amended to read as follows:

"General Provision

"Sec. 10. (a) Except as provided in subsections (b), (c), and (d) of this section, the United States share payable on account of any approved project under this Act shall not exceed 50 per centum of the allowable project costs."

(b) Section 10(b) of such Act (49 U.S.C. 1109(a)) is amended by striking out "(1), and the maximum United States share under subsection (a)(2),".

(c) Section 10(c) of such Act (49 U.S.C. 1109(c)) is amended by striking out the parentheses and all words within the parentheses and inserting ", not to exceed 75 per centum,".

Sec. 10. Section 11 of such Act (49 U.S.C. 1110) is amended:

(1) by redesignating paragraphs (4) through (8) as paragraphs (5) through (9), respectively, and by inserting immediately after paragraph (3) the following new paragraph:

"(4) appropriate action, including the adoption of zoning laws, has been or will be taken, to the extent reasonable, to restrict the use of land adjacent to or in the immediate vicinity of the airport to activities and purposes compatible with normal airport operations including landing and takeoff of aircraft;";

(2) by striking out "(5)" in the last sentence and inserting in lieu thereof "(6)"; and

(3) by adding at the end thereof the following new sentence: "Except for the purpose of carrying out a provision of law specifically set forth in this Act or in another Act of Congress, no rule, regulation, requirement, restriction, or order heretofore or hereafter issued, established, proclaimed, or published by any officer, employee, department, agency, or establishment in, of, or under the executive branch of the Government shall apply to the construction, maintenance, operation, or administration of any airport or project with respect to which funds have been or may be obligated or expended under this Act."

Sec. 11. Section 12 of such Act (49 U.S.C. 1111) is amended—

(1) by amending the first sentence to read as follows: "Upon approving an advance planning and engineering proposal or a project application, the Administrator, on behalf of the United States, shall transmit to the sponsor or sponsors of the advance planning and engineering proposal or project application an offer to pay the United States share of the planning and engineering costs or allowable project costs.";

(2) by striking out "of the project" where it appears in the third sentence; and

(3) by amending the last sentence to read as follows: "Unless and until such a grant agreement has been executed, the United States shall not pay, nor be obligated to pay, any portion of the costs which have been or may be incurred."

Sec. 12. Section 14 of such Act (49 U.S.C. 1113) is amended—

(1) by inserting "advance planning and engineering costs or" immediately before "allowable" in the second sentence;

(2) by striking out "of the project" each place it appears in the second and third sentences;

(3) by inserting "advance planning and engineering or" immediately before "airport development" each place it appears in the second and fourth sentences;

(4) by inserting "of advance planning and engineering costs or" immediately after "United States share" in the third sentence; and

(5) by inserting "planning and engineering or" immediately after "such" where it first appears in the fourth sentence.

Sec. 13. The Federal Airport Act is amended further by inserting at the end thereof a new section as follows:

"ACCESS TO RECORDS

"Sec. 21. (a) Each recipient of grants under this Act shall keep such records as the Administrator shall prescribe, including records which fully disclose the amount and the disposition by such recipient of the proceeds of such grants, the total cost of the plan or program in connection with which such grants are given or used, and the amount and nature of that portion of the cost of the plan or program supplied by other sources and such other records as will facilitate an effective audit.

"(b) The Administrator and the Comptroller General of the United States, or any of their duly authorized representatives, shall have access for the purpose of audit and examination to any books, documents, papers and records of the recipient that are pertinent to the grants received under this Act."

Mr. HARRIS (during the reading of the committee substitute). Madam Chairman, since the committee substitute is in the form of one amendment, I ask unanimous consent that further reading of the amendment be dispensed with.

The CHAIRMAN. Without objection, it is so ordered.

There was no objection.

AMENDMENT OFFERED BY MR. HARRIS

Mr. HARRIS. Madam Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. HARRIS: Page 7, strike out lines 8 through 11, and insert in lieu thereof the following:

"SEC. 5. (a) Section 6(a) of such Act (49 U.S.C. 1105(a)) is amended—

"(1) by striking out 'or 5(d)(1)' in the first sentence and inserting in lieu thereof ', 5(d)(1), or 5(d)(4)'; and

"(2) by inserting 'for advance planning and engineering or' immediately after 'grants' in the second sentence.

"(b) Section 6(b)(1) of such Act (49 U.S.C. 1105(b)(1)) is amended—

"(1) by striking out 'and 5(d)(1)' and inserting in lieu thereof ', 5(d)(1), and 5(d)(4)'; and

"(2) by striking out 'section 5(d)(3)' and inserting in lieu thereof 'section 5(d)(3) and 5(d)(6)'."

And redesignate subsections (b) and (c) as subsections (c) and (d), respectively.

Mr. HARRIS. Madam Chairman, this is a conforming amendment. It is in the nature of a technical amendment and it is necessary because of the changes that have been referred to heretofore.

This is a technical amendment inserting in existing law appropriate cross-references to the new paragraphs (4) and (6) added to section 5(d) of existing law by section 4 of the bill, as reported, providing additional funds for airport development in the States and for general aviation airports. The effect of this amendment is to assure that these additional funds will be apportioned among the States and placed in the Administrator's discretionary fund in the same manner as funds previously made available under existing law for the same purposes.

Madam Chairman, these are the reasons that this amendment was found to be necessary.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Arkansas [Mr. HARRIS].

The amendment was agreed to.

AMENDMENT OFFERED BY MR. HEMPHILL

Mr. HEMPHILL. Madam Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. HEMPHILL: Page 11, line 18, insert "and" immediately after the second semicolon.

And on page 11, line 20, strike out the semicolon and the word "and" and insert in lieu thereof a period.

And on page 11, strike out line 21 and all that follows down through page 12, line 8.

Mr. HEMPHILL. Madam Chairman, this is the amendment discussed by the chairman of the committee and the chairman of the subcommittee, which would strike out the limiting language on page 11, which would limit the administration of this particular act to such an extent, I feel, as to make it ineffective.

As the gentleman from Mississippi graciously said, he opposes the idea and he will oppose the amendment, but in view of the fact that the present President of the United States has made a significant declaration of his unalterable belief in the independence of Congress this amendment is now offered.

I move the adoption of the amendment.

I believe the purposes of this act can best be accomplished by eliminating the language sought to be stricken.

Mr. GROSS. Madam Chairman, I move to strike out the requisite number of words.

Madam Chairman, this is a strange proceeding. As I understand it, the chairman of the committee [Mr. HARRIS] supported this amendment in the committee. Perhaps I am not correct. If so; I wish he would correct me.

I read from his report:

> In summary, this amendment provides that no rule, regulation, requirement, restriction, or order heretofore or hereafter promulgated in any fashion by any officer, employee, department, agency, or establishment of the executive branch shall apply to the construction, maintenance, operation, or administration of any airport or project with respect to which Federal aid has been or may be extended under the Federal Airport Act, except to carry out a specific provision of law set forth in the Federal Airport Act or in another act of Congress.

What is wrong with this language? What is wrong with putting an end to the ability of the President to, by fiat or decree, override the intent and the will of Congress?

The gentleman from Arkansas [Mr. HARRIS] was correct when he supported this in the committee. Apparently he does not support it today. Why, I do not know.

Those who supported this amendment in committee ought to now explain their changed position. I do not know whether the gentleman from South Carolina [Mr. HEMPHILL] supported it in committee or not, but it is a strange proceeding when Members come to the floor to take out of a bill one of the best provisions in it, a provision to provide that Congress retain the right to legislate and to see that what it adopts by way of legislation will be the law of the land and will not be upset by some kind of Executive order.

Mr. MEADER. Madam Chairman, will the gentleman yield?

Mr. GROSS. I yield to the gentleman from Michigan.

Mr. MEADER. The gentleman from South Carolina indicated that the language would hamstring or restrict unduly the administration of the act.

I ask the gentleman if it is not clear that under the language reported by the committee all the authority contained in this or any other act adopted by Congress might be subject to expansion and execution by regulation or Executive order? In other words, the only power they would get they would get from the act of Congress, and they could carry out the act by using Executive orders or regulations.

Mr. GROSS. The gentleman will have to address his question to those who on one day support this kind of an amendment to the bill and then on the next day reverse their field. The gentleman should address his question to those who operate in that fashion.

As I said a while ago, the President came before the Congress on November 27 and said in effect:

> It is deep in the marrow of my bones that I will recognize the independence of Congress and the Members thereof.

And so on and so forth. Then a few days later he was twisting arms all over Capitol Hill, and I do not know where else, trying to and succeeding eventually in reversing a 49-vote margin in behalf of the prohibition against the sale of wheat to Russia. He finally got that margin reduced to 5 votes and then he succeeded in obtaining a margin in favor of striking the wheat sale prohibition from the foreign aid bill by some 30 votes. How can the President say it is deep in the marrow of his bones that he is not going to interfere in the legislative process? We need now, more than we ever needed, this provision in this bill in the light of what has already happened.

Mr. MEADER. Madam Chairman, will the gentleman yield?

Mr. GROSS. Certainly I yield to the gentleman from Michigan.

Mr. MEADER. Having this language in the bill as reported by the committee and now striking it out, will that lead people to believe that Executive orders and regulations can be issued which have no authority under the Airport Act or any other act of Congress?

Mr. GROSS. I suggest my friend from Michigan ask the gentleman on the Democratic side of the aisle to answer the question.

Madam Chairman, I insist that this amendment be defeated. If the amendment is adopted, I hope that the House will change position of the past in all too many instances and proceed to a rollcall vote. Let us see who is for and who is against retention of the legislative power in the hands of the Congress rather than in the hands of the Chief Executive, I do not care who he is.

The CHAIRMAN. The question is on the amendment offered by the gentleman from South Carolina [Mr. HEMPHILL].

The amendment was rejected.

Mr. ROGERS of Texas. Madam Chairman, I have three amendments at the desk that will need to be considered together. They all go to one point, but the act has to be amended in three places. I ask unanimous consent that these amendments be reported at this time and be considered en bloc.

The **CHAIRMAN.** Is there objection to the request of the gentleman from Texas?

There was no objection.

AMENDMENTS OFFERED BY MR. ROGERS OF TEXAS

The Clerk read as follows:

Amendments offered by Mr. Rogers of Texas: Page 4, immediately after line 18, insert the following:

"(3) by striking out 'and the Virgin Islands' in paragraph (7) and inserting in lieu thereof 'the Virgin Islands, and Guam';"

And renumber paragraphs (3), (4), and (5) as paragraphs (4), (5), and (6), respectively.

Page 7, line 16, strike out "and".

And on page 7, line 19, strike out the period and insert in lieu thereof "; and".

And on page 7, immediately after line 19, insert the following:

"(3) by striking out 'and the Virgin Islands' each place it appears and inserting in lieu thereof in each such place 'the Virgin Islands, and Guam'."

Page 9, strike out lines 15 through 18, and insert in lieu thereof the following:

"(d) Section 9(c) of such Act (49 U.S.C. 1108(c)) is amended—

"(1) by striking out 'submission of a project' and inserting in lieu thereof 'submission of an advance planning and engineering proposal or a project'; and

"(2) by inserting 'Guam,' immediately after 'the Virgin Islands,'."

Mr. **HARRIS.** Madam Chairman, will the gentleman yield?

Mr. **ROGERS** of Texas. I am happy to yield to the distinguished chairman of the Committee on Interstate and Foreign Commerce.

Mr. **HARRIS.** This amendment was to have been offered in the committee by our colleague, the gentleman from New York [Mr. O'Brien]. Unfortunately he was detained on that day, was unable to get there, and it was generally agreed in the committee that in view of the fact that he was not there and the time was short, he would have the opportunity to offer the amendment on the floor of the House. And the general feeling was that it would be accepted. The gentleman from New York [Mr. O'Brien] is unable to be here today because he is snowed in, as I understand it, and is not able to get back. So he cannot offer the amendment today. In view of the circumstances and the consideration previously given to it, I would like to say that as far as I am concerned I have no objection to the amendment.

Mr. **ROGERS** of Texas. I thank the gentleman from Arkansas.

Mr. **WILLIAMS.** Madam Chairman, will the gentleman yield?

Mr. **ROGERS** of Texas. I yield to the distinguished chairman of the subcommittee, the gentleman from Mississippi.

Mr. **WILLIAMS.** Madam Chairman, the subcommittee received testimony on this request of the Territory of Guam, but the committee did not consider this amendment at any great length. As far as I am concerned personally—and certainly I cannot speak for the members of the subcommittee—I have no objection to the amendment. I feel it will neither add to nor detract from the airport program. But it will fill a very great need, apparently, of the Territory of Guam.

Mr. **ROGERS** of Texas. I thank the gentleman from Mississippi. Madam Chairman, let me say this. What the gentleman from Arkansas [Mr. Harris], has said to you about the gentleman from New York [Mr. O'Brien] came to my attention this morning when we had a call from the gentleman from New York [Mr. O'Brien] that he was somewhere in New York State, stranded, and could not get here. He asked me to offer these amendments. I did so because I knew that he was going to offer them and would have offered them in committee if it were not for an oversight. It is my understanding that they would have been acceptable. I am in full support of the amendments. The amendments do not change the bill in any way so far as obligational authority or appropriations are concerned. It is simply a question of making it possible for the Island of Guam to participate in the discretionary funds. What has happened on Guam is this. I think if you will return to page 21 of the report you can read, and see the need for this change, and the fact that it does not, in the opinion of the Assistant Secretary of the Interior, interfere with the general working of the bill. Guam has used the Navy facilities out there for a long time. In that situation it was necessary for certain security clearances to be gone through by all the passengers and everyone else desiring the use of the airfield. There is a change in that. Guam is now working toward building a terminal building. Funds for this would not come from this legislation in any way. But in order to use the facilities that will be open to the public it is felt that there is need for inclusion of Guam in this bill insofar as runways and aprons are concerned to make these terminal facilities accessible. I think the amendments are in order; I think they are fair and should be adopted.

The **CHAIRMAN.** The question is on the amendments offered by the gentleman from Texas [Mr. Rogers].

The amendments were agreed to.

AMENDMENT OFFERED BY MR. YOUNGER

Mr. **YOUNGER.** Madam Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. Younger: Page 5, line 19, strike out "$199,500,000" and insert in lieu thereof "$154,500,000."

And on page 5, line 22, strike out "$65,500,000" and insert in lieu thereof "$51,500,000."

Mr. **YOUNGER.** Madam Chairman, my amendment will reduce the amount $15 million a year. I offer this amendment for the simple reason that since we considered the bill in committee I have been trying to get information on what is left and how much the FAA has in this program. You can get a different figure almost every day that you ask for this information.

I am not convinced that we are not in the same position with this program that the foreign aid program was in when the director on January 2 found $670 million they did not know they had. So I think we ought to cut this down. It is not going to hurt the program—$15 million a year is not going to deprive it of anything. We are going to have to phase it out sooner or later.

I offer the amendment, and I hope it will be accepted by the committee.

Mr. **ROBERTS** of Alabama. Madam Chairman, I rise in opposition to the amendment by the gentleman from California [Mr. Younger].

The gentleman makes the statement you can call the FAA and get a different figure almost every time you call. This is understandable. I am told that what happens is that many times these funds are what we call allocated, but not obligated. Take, for instance, a city has an airport it wants to build. It receives an allocation from the FAA. Many times the estimate they will send in as to the work done will be less perhaps than the amount that was originally allocated; but until the contract is performed the money does not become obligated or a charge against the Treasury of the United States. So that the discretionary fund must obviously vary from time to time. This has been the practice since we have had the Federal airport plan, as we have at the present time. It does not mean that the money can be said to be surplus or unnecessary. It is simply a matter of bookkeeping that has to be handled in that particular way since plans and costs might and do vary from the initial allocation.

If the amendment offered by the gentleman from California [Mr. Younger] and the gentleman from Michigan [Mr. Bennett] carries, Huntsville Airport, Ala., would be eliminated from further consideration and serious obstacles will be placed in front of all airport development in Alabama and the Nation. As a matter of interest I submit the background and need for legislation.

Background and Need for Legislation

The Federal Airport Act (Public Law 377, 79th Cong.) enacted in 1946 established a program of Federal aid, the stated purpose of which was to provide a system of public airports adequate to anticipate and meet the needs of civil aeronautics. The act recognized the necessity for annual planning to insure the wise expenditure of Federal funds and required the administrator to prepare a national plan for the orderly development of airports, and revise such plan from time to time.

The Federal Airport Act contributes importantly to air safety by imposing certain conditions which must be met by those receiving Federal matching funds. Among other things, the act requires the Administrator of the Federal Aviation Agency to prepare a national airport plan specifying the projects considered necessary to insure a system of public airports adequate to meet the needs of the various segments of aviation. Airports not included in the plan are not eligible for Federal financial assistance. However, the great majority of public airports in this country have relied on matching funds made available under the act. In order to obtain Federal funds the Federal Aviation Agency requires airport sponsors to operate and maintain the airport and all facilities in a safe condition to serve the users of the airport. Federal funds may not be expended on any project without Federal Aviation Agency approval of a master plan for each recipient airport. The design, engineering, and construction of all such projects must be approved in advance of any allocation of Federal funds and must further be inspected and approved during the course of their construction. This system of Federal oversight over the use of millions of tax dollars—Federal, State, and local—has unquestionably contributed in great measure to the excellent safety record of aviation in this country.

Under the national airport plan as revised, the administrator's estimated requirements for airport development are $231 million for fiscal 1964, $151 million for fiscal 1965, and $178 million for fiscal 1966. These figures compare with eligible project requests totaling $149 million for fiscal 1962, $140 million for fiscal 1963, and $150 million received for 1964. On such basis the administrator recommends a continuation of the present authorization of $75 million annually to maintain the program level considered essential to satisfy the firmly projected needs of the national airport system.

During the 3-year extension of the aid program proposed by the bill, the administrator intends to continue to assist those commercial airports entering the jet age; to further the development of general aviation airports; to seek economy and improved air transportation service through encouragement of regional airports; and to improve airport safety through installation of improved lighting systems and other ground facilities.

This changing character of the airport program, the administrator described during the course of his testimony, as follows:

"The jet aircraft, with almost twice the speed and almost twice the capacity of its piston predecessor, now permits the air carrier to move more passengers, more quickly utilizing fewer aircraft and fewer flights.

"Thus while total air carrier aircraft operations declined from 7.2 to 7.1 million in the period fiscal year 1958 through fiscal year 1962, the domestic scheduled passenger miles flown during the same period increased from 25.5 to 33 billion.

"This great increase in air transportation has not been without cost both economically and socially. The jet has created a requirement for a more sophisticated air traffic control system and for larger airports; it has also created an annoyance for those residents immediately adjacent to our Nation's airports. Today there are 63 airports in the United States receiving jet service. By 1967, we estimate there will be 126. The next 4 years will demand of the municipalities and States, and the Federal Government great wisdom, resourcefulness, and statesmanship, if we are to deal with the very serious noise problem already confronting us.

"The air carrier fleet is still in transition and general aviation's growth continues at a rapid rate. In the last 4 years, the number of active general aviation aircraft has increased from 65,289 to 84,121; in the same period, the total operations have increased from 13.2 to 16.5 million. By fiscal year 1968, we forecast a general aviation fleet of 99,000 aircraft conducting 24.2 million operations. Of all the airports in the contiguous 48 States, at only 31 do the number of air carrier operations presently exceed general aviation operations. This is less than one-half of 1 percent of all the airports in the country.

"With these changes, our airport requirements are changing. While new air carrier airports will continue to be developed, the basic structure is now in place. However, further improvement is still required at most major airports. The decade ahead will spawn hundreds of new general aviation airports. In the future, airport development must proceed with a greater awareness of its need and consequences in the community it serves. The national airport plan must be refined to reflect more accurately a system and its components. The entire aviation community must work together to assure that our airports are located to serve the maximum number of people."

The following airports in the State of Alabama will be affected by this legislation, if enacted:

Alabama—Locations, sponsors, and name of airport

	Federal funds
Anniston: City of Anniston, Anniston Municipal	$61,835
Birmingham: City of Birmingham, Birmingham Municipal	85,100
Dothan: City of Dothan and Houston County, Ala., acting through Dothan-Houston County Airport Authority, Inc., Napier Field	246,853
Gadsden: City of Gadsden, Gadsden Municipal	43,250
Hartselle: City of Hartselle, Hartselle Municipal	59,800
Huntsville: Huntsville-Madison County Airport; Authority Huntsville-Madison County	136,978
Mobile: City of Mobile, Bates Field	150,000
Montgomery: City of Montgomery, Danelly Field	65,000
Muscle Shoals: Muscle Shoals Aeronautics Authority, Inc., Muscle Shoals	95,000
Total	943,816

I trust that the amendment will be defeated.

Mr. WILLIAMS. Madam Chairman, I rise in opposition to the pending amendment.

Madam Chairman, in response to a question posed to me a few moments ago by the distinguished gentleman from Michigan, I stated that in my opinion the present level of authorizations should be continued during the life of this 3-year extension of the Federal Airport Act, but by the end of the 3 years the Congress should give serious consideration in connection with any further extension, to an orderly phaseout of the program.

The $75 million carried in this bill is carried as an authorization, not as an appropriation.

The history of the Airport Act over the past several years shows that obligations have exceeded the amounts that were made available. In 1962, since we have been operating under the appropriations process and since we have eliminated the back-door spending approach, there was an authorization and appropriation of $75 million of which only $46,381,121 was obligated. That was due to the fact that was the first year we had operated under the appropriations procedure and they had not had the lead time in which to plan ahead.

Back in 1963, with an appropriation and authorization of $75 million, the Federal Aviation Agency obligated $75,279,543 for airport aid. In 1964, again under a $75 million appropriation, they obligated $85,272,352. That is the estimated obligation for this year. That is against a request for $150 million that came in from the local communities. In other words, at the State and local level $150 million was requested for aid, and the Federal Aviation Agency is going to be able to obligate only $85,272,000 of this. It is estimated by the Federal Aviation Agency that at the end of 1964, going into fiscal 1965, there will be $18 million unobligated to be carried over into the future.

It seems to me that for the next 3 years in authorizing legislation we should continue this level of $75 million, which has proven to be necessary if we are to carry out the purposes of this Airport Act.

I would add the observation I made a few moments ago, that the amount of $75 million carried in this bill is but a ceiling on the amount that can be appropriated for this program. The actual amount that will be appropriated will be determined by the Appropriations Committee. If the figure of $51 million is the amount that is necessary for continuing this program, as has been suggested by the distinguished gentleman from California, then I have every confidence in the gentleman from Texas [Mr. THOMPSON] and his colleague on the Republican side, the gentleman from New York [Mr. OSTERTAG], will hold the program to that level. I think if we cut this program down as has been suggested by the gentleman from California in the authorization we are only fooling ourselves. I feel Madam Chairman, that the Appropriations Committee is fully able to exercise prudence within the ceilings that are provided in the present bill. I hope the amendment will be defeated.

The CHAIRMAN. The question is on the amendment offered by the gentleman from California [Mr. YOUNGER].

The question was taken; and on a division (demanded by Mr. YOUNGER) there were—ayes 54, noes 78.

So the amendment was rejected.

The CHAIRMAN. The question is on the committee amendment, as amended.

The committee amendment was agreed to.

The CHAIRMAN. Under the rule, the Committee rises.

Accordingly the Committee rose, and the Speaker having resumed the chair, Mrs. SULLIVAN, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee having had under consideration the bill (S. 1153) to amend the Federal Airport Act to extend the time for making grants thereunder, and for other purposes, pursuant to House Resolution 594, she reported the bill back to the House with an amendment adopted by the Committee of the Whole.

The SPEAKER. Under the rule, the previous question is ordered.

The question is on the amendment.

The amendment was agreed to.

The SPEAKER. The question is on the third reading of the bill.

The bill was ordered to be read a third time, and was read the third time.

The SPEAKER. The question is on the passage of the bill.

Mr. BENNETT of Michigan. Mr. Speaker——

The SPEAKER. For what purpose does the gentleman from Michigan rise?

Mr. BENNETT of Michigan. Mr. Speaker, I offer a motion to recommit.

The **SPEAKER**. Is the gentleman opposed to the bill?

Mr. **BENNETT** of Michigan. I am opposed to the bill, Mr. Speaker.

The **SPEAKER**. The gentleman qualifies.

The Clerk will report the motion to recommit.

The Clerk read as follows:

> Mr. BENNETT of Michigan moves to recommit the bill, S. 1153, to the Committee on Interstate and Foreign Commerce with instructions to report the same to the House forthwith with the following amendment:
>
> Strike out all after the enacting clause and insert in lieu thereof the text of the committee amendment with the following changes.
>
> On page 5, line 19, strike out "$199,500,000" and insert in lieu thereof "$154,500,000" and
>
> On page 5, line 22, strike out "$66,500,000" and insert in lieu thereof "$51,500,000".

The **SPEAKER**. The question is on the motion to recommit.

The question was taken, and the Speaker announced that the noes appeared to have it.

Mr. **BENNETT** of Michigan. Mr. Speaker, I object to the vote on the ground that a quorum is not present, and make the point of order that a quorum is not present.

The **SPEAKER**. Evidently, a quorum is not present.

The Doorkeeper will close the doors, the Sergeant at Arms will notify absent Members, and the Clerk will call the roll.

The question was taken; and there were—yeas 110, nays 201, not voting 120, as follows:

[Roll No. 5]

YEAS—110

Abele
Adair
Andrews, N. Dak.
Arends
Ashbrook
Avery
Ayres
Baldwin
Bates
Battin
Becker
Beermann
Belcher
Bennett, Mich.
Berry
Betts
Bolton, Frances P.
Bolton, Oliver P.
Bow
Bray
Brock
Brotzman
Brown, Ohio
Broyhill, Va.
Bruce
Byrnes, Wis.
Cahill
Chenoweth
Clawson, Del
Cleveland
Collier
Conte
Corbett
Cramer
Cunningham
Curtin
Curtis
Dague
Derounian
Derwinski
Devine
Dole
Ellsworth
Findley
Ford
Foreman
Goodling
Griffin
Gross
Gubser
Gurney
Haley
Hall
Harrison
Harvey, Ind.
Hoeven
Johnson, Pa.
Kastenmeier
Keith
Kilburn
King, N.Y.
Kunkel
Langen
Latta
Lipscomb
McClory
McLoskey
Mailliard
Meader
Minshall
Moore
Mosher
Nelsen
Ostertag
Pelly
Pillion
Poff
Pool
Quie
Quillen
Reid, Ill.
Reifel
Reuss
Rich
Robison
Roudebush
Rumsfeld
St. George
Saylor
Schadeberg
Schenck
Short
Skubitz
Smith, Calif.
Snyder
Springer
Stafford
Stinson
Taft
Teague, Calif.
Thomson, Wis.
Tollefson
Utt
Van Pelt
Weaver
Westland
Wharton
Wilson, Ind.
Wyman
Younger

NAYS—201

Abbitt
Abernethy
Albert
Andrews, Ala.
Ashley
Ashmore
Barrett
Beckworth
Bennett, Fla.
Blatnik
Boggs
Boland
Bolling
Bonner
Brademas
Bromwell
Brooks
Broomfield
Burke
Burkhalter
Burleson
Burton
Byrne, Pa.
Cannon
Casey
Celler
Chamberlain
Chelf
Clark
Clausen, Don H.
Colmer
Cooley
Corman
Davis, Ga.
Davis, Tenn.
Delaney
Dingell
Dorn
Dowdy
Downing
Dulski
Dwyer
Edwards
Elliott
Evins
Fallon
Farbstein
Fascell
Feighan
Finnegan
Fisher
Flood
Flynt
Forrester
Fountain
Fraser
Friedel
Fulton, Tenn.
Fuqua
Gallagher
Gathings
Giaimo
Gibbons
Gilbert
Glenn
Gonzalez
Grant
Gray
Green, Oreg.
Griffiths
Grover
Hagan, Ga.
Hagen, Calif.
Halpern
Hanna
Hansen
Harding
Hardy
Harris
Healey
Hechler
Hemphill
Henderson
Horton
Huddleston
Hull
Ichord
Jennings
Joelson
Johnson, Calif.
Johnson, Wis.
Jones, Ala.
Jones, Mo.
Karsten
Karth
Kilgore
Kirwan
Knox
Kornegay
Kyl
Landrum
Leggett
Lennon
Long, La.
Long, Md.
McDade
McDowell
McFall
McMillan
Madden
Mahon
Marsh
Martin, Calif.
Matthews
Mills
Minish
Monagan
Montoya
Morgan
Morris
Moss
Multer
Murphy, Ill.
Murphy, N.Y.
Natcher
Nedzi
Nix
O'Hara, Ill.
Olson, Minn.
O'Neill
Passman
Patman
Patten
Pepper
Perkins
Pickle
Pike
Pilcher
Poage
Price
Purcell
Rains
Reid, N.Y.
Rhodes, Pa.
Rivers, S.C.
Roberts, Ala.
Roberts, Tex.
Rogers, Colo.
Rogers, Fla.
Rogers, Tex.
Roosevelt
Roush
Ryan, Mich.
Ryan, N.Y.
St Germain
St. Onge
Schweiker
Scott
Secrest
Selden
Senner
Sheppard
Shipley
Sibal
Sickles
Sikes
Siler
Sisk
Slack
Smith, Va.
Staebler
Staggers
Stephens
Stubblefield
Sullivan
Taylor
Teague, Tex.
Thomas
Thompson, Tex.
Toll
Trimble
Tuck
Tupper
Tuten
Udall
Van Deerlin
Vanik
Waggonner
Wallhauser
Watson
Watts
Weltner
Whalley
Whitener
Whitten
Widnall
Williams
Willis
Winstead
Young
Zablocki

NOT VOTING—120

Addabbo
Alger
Anderson
Aspinall
Auchincloss
Baring
Barry
Bass
Bell
Brown, Calif.
Broyhill, N.C.
Buckley
Cameron
Carey
Cederberg
Clancy
Cohelan
Daddario
Daniels
Dawson
Dent
Denton
Diggs
Donohue
Duncan
Edmondson
Everett
Fino
Fogarty
Frelinghuysen
Fulton, Pa.
Garmatz
Gary
Gill
Goodell
Grabowski
Halleck
Harsha
Harvey, Mich.
Hawkins
Hays
Hébert
Herlong
Hoffman
Holifield
Holland
Horan
Hosmer
Hutchinson
Jarman
Jensen
Johansen
Jonas
Kee
Kelly
Keogh
King, Calif.
Kluczynski
Laird
Lankford
Lesinski
Libonati
Lindsay
Lloyd
McCulloch
McIntire
Macdonald
MacGregor
Martin, Mass.
Martin, Nebr.
Mathias
Matsunaga
May
Michel
Miller, Calif.
Miller, N.Y.
Milliken
Moorhead
Morrison
Morse
Morton
Murray
Norblad
O'Brien, Ill.
O'Brien, N.Y.
O'Hara, Mich.
O'Konski
Olsen, Mont.
Osmers
Philbin
Pirnie
Powell
Pucinski
Randall
Rhodes, Ariz.
Riehlman
Rivers, Alaska
Rodino
Rooney, N.Y.
Rooney, Pa.
Rosenthal
Rostenkowski
Roybal
Schneebeli
Schwengel
Shriver
Smith, Iowa
Steed
Stratton
Talcott
Thompson, La.
Thompson, N.J.
Ullman
Vinson
White
Wickersham
Wilson, Bob
Wilson, Charles H.
Wright
Wydler

So the motion to recommit was rejected.

The Clerk announced the following pairs:

On this vote:

Mr. Broyhill for, with Mr. Aspinall against.

Mr. Johansen for, with Mr. Hébert against.

Mr. Clancy for, with Mr. Keogh against.

Mr. Rhodes of Arizona for, with Mr. Morrison against.

Mr. Cederberg for, with Mr. Osmers against.

Mr. Alger for, with Mr. O'Brien of New York against.

Mr. Laird for, with Mr. Rivers of Alaska against.

Mr. Fino for, with Mr. Garmatz against.

Mr. Michel for, with Mr. Philbin against.

Mrs. May for, with Mr. Donohue against.

Mr. Hoffman for, with Mr. Addabbo against.

Mr. Schwengel for, with Mr. Frelinghuysen against.

Mr. Auchincloss for, with Mr. Holifield against.

Mr. Hosmer for, with Mr. Rooney of New York against.

Mr. Horan for, with Mr. Ullman against.

Until further notice:

Mr. Buckley with Mr. Bell.

Mr. Carey with Mr. Norblad.

Mr. Powell with Mr. Martin of Nebraska.

Mr. Miller of California with Mr. Lindsay.

Mr. Rodino with Mr. Hutchinson.

Mr. Dent with Mr. Pirnie.

Mr. Murray with Mr. O'Konski.

Mr. Daniels with Mr. Mathias.

Mr. Daddario with Mr. Riehlman.

Mrs. Kelly with Mr. Bob Wilson.

Mr. Thompson of Louisiana with Mr. Harvey of Michigan.

Mr. Stratton with Mr. McCulloch.

Mr. King of California with Mr. Fulton of Pennsylvania.

Mr. Fogarty with Mr. Shriver.

Mr. Gary with Mr. Miller of New York.

Mr. Rooney of Pennsylvania with Mr. Jonas.

Mr. Rosenthal with Mr. Jensen.

Mr. Moorhead with Mr. Barry.

Mr. Denton with Mr. McIntire.

Mr. Cohelan with Mr. Morse.

Mr. Cameron with Mr. Goodell.

Mr. Lesinski with Mr. Anderson.

Mr. Kluczynski with Mr. Talcott.

Mr. Everett with Mr. Martin of Massachusetts.

Mr. Hays with Mr. MacGregor.

Mr. Herlong with Mr. Morton.

Mr. Roybal with Mr. Harsha.

Mr. White with Mr. Schneebeli.

Mr. Thompson of New Jersey, with Mr. Wydler.

Mr. Libonati with Mr. Hawkins.

Mr. Lankford with Mr. Grabowski.

Mr. Edmondson with Mr. Charles H. Wilson.

Mr. Gill with Mr. Dawson.

Mr. Holland with Mr. Macdonald.

Mr. Pucinski with Mr. Diggs.

Mr. Matsunaga with Mr. O'Hara of Michigan.

Mr. Randall with Mr. O'Brien of Illinois.

Mr. Wright with Mr. Olson of Minnesota.

Mr. Wickersham with Mr. Duncan.

Mr. Baring with Mrs. Kee.

Mr. Brown of California with Mr. Bass.

Mr. Jarman with Mr. Rostenkowski.

Mr. Steed with Mr. Vinson.

Mr. **WHALLEY** changed his vote from "yea" to "nay."

The result of the vote was announced as above recorded.

The doors were opened.

The **SPEAKER**. The question is on the passage of the bill.

Mr. **BENNETT** of Michigan. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The question was taken; and there were—yeas 298, nays 11, not voting 123, as follows:

[Roll No. 6]

YEAS—298

Abbitt
Abernethy
Adair
Albert
Andrews, Ala.
Andrews, N. Dak.
Arends
Ashley
Ashmore
Avery
Ayres
Baldwin
Barrett
Bates
Battin
Becker
Beckworth
Belcher
Bennett, Fla.
Berry
Blatnik
Boggs
Boland
Bolling
Bolton, Frances P.
Bolton, Oliver P.
Bonner
Bow
Brademas
Bray
Brock
Bromwell
Brooks
Broomfield
Brotzman
Brown, Ohio
Broyhill, Va.
Bruce
Burke
Burkhalter
Burleson
Burton
Byrne, Pa.
Byrnes, Wis.
Cahill
Cannon
Casey
Celler
Chamberlain
Chelf
Chenoweth
Clark
Clausen, Don H.
Clawson, Del
Cleveland
Collier
Colmer
Conte
Cooley
Corbett
Corman
Cramer
Cunningham
Curtin
Dague
Davis, Ga.
Davis, Tenn.
Delaney
Derounian
Derwinski
Devine
Dingell
Dole
Dorn
Dowdy
Downing
Dulski
Dwyer
Edwards
Elliott
Ellsworth
Evins
Fallon
Farbstein
Fascell
Feighan
Findley
Finnegan
Fisher
Flood
Flynt
Ford
Foreman
Forrester
Fountain
Fraser
Friedel
Fulton, Tenn.
Fuqua
Gallagher
Gathings
Giaimo
Gibbons
Gilbert
Glenn
Goodling
Grant
Gray
Green
Griffin
Grover
Gubser
Gurney
Hagan, Ga.
Hagen, Calif.
Haley
Halpern
Hanna
Hansen
Harding
Hardy
Harris
Harrison
Healey
Hechler
Hemphill
Henderson
Hoeven
Horton
Huddleston
Hull
Ichord
Jennings
Joelson
Johnson, Calif.
Johnson, Pa.
Johnson, Wis.
Jones, Ala.
Jones, Mo.
Karsten
Karth
Kastenmeier
Keith
Kilgore
King, N.Y.
Kirwan
Knox
Kornegay
Kunkel
Kyl
Landrum
Langen
Latta
Leggett
Lennon
Lipscomb
Long, La.
Long, Md.
McClory
McDade
McDowell
McFall
McLoskey
Madden
Mahon
Mailliard
Marsh
Martin, Calif.
Matthews
Meader
Mills
Minish
Minshall
Monagan
Montoya
Moore
Morgan
Morris
Mosher
Moss
Multer
Murphy, Ill.
Murphy, N.Y.
Natcher
Nedzi
Nelsen
Nix
O'Hara, Ill.
Olson, Minn.
O'Neill
Ostertag
Passman
Patman
Patten
Pelly
Pepper
Perkins
Pickle
Pike
Pilcher
Pillion
Poage
Poff
Pool
Price
Purcell
Quie
Quillen
Rains
Reid, Ill.
Reid, N.Y.
Reifel
Reuss
Rhodes, Pa.
Rich
Rivers, S.C.
Roberts, Ala.
Roberts, Tex.
Robison
Rogers, Colo.
Rogers, Fla.
Rogers, Tex.
Roosevelt
Roudebush
Roush
Rumsfeld
Ryan, Mich.
Ryan, N.Y.
St. George
St Germain
St. Onge
Saylor
Schadeberg
Schenck
Schweiker
Scott
Secrest
Selden
Senner
Sheppard
Shipley
Short
Sibal
Sickles
Sikes
Siler
Sisk
Skubitz
Slack
Smith, Calif.
Smith, Va.
Springer
Staebler
Stafford
Staggers
Stephens
Stinson
Stubblefield
Sullivan
Taft
Taylor
Teague, Calif.
Teague, Tex.
Thomas
Thompson, Tex.
Thomson, Wis.
Toll
Tollefson
Trimble
Tuck
Tupper
Tuten
Udall
Utt
Van Deerlin
Vanik
Van Pelt
Vinson
Waggonner
Wallhauser
Watson
Watts
Weaver
Weltner
Westland
Whalley
Wharton
Whitener
Whitten
Widnall
Williams
Willis
Wilson, Ind.
Winstead
Wyman
Young
Younger
Zablocki

NAYS—11

Abele
Ashbrook
Beermann
Bennett, Mich.
Betts
Curtis
Gross
Hall
Harvey, Ind.
Kilburn
Snyder

NOT VOTING—123

Addabbo
Alger
Anderson
Aspinall
Auchincloss
Baring
Barry
Bass
Bell
Brown, Calif.
Broyhill, N.C.
Buckley
Cameron
Carey
Cederberg
Clancy
Cohelan
Daddario
Daniels
Dawson
Dent
Denton
Diggs
Donohue
Duncan
Edmondson
Everett
Fino
Fogarty
Frelinghuysen
Fulton, Pa.
Garmatz
Gary
Gill
Gonzalez
Goodell
Grabowski
Griffiths
Halleck
Harsha
Harvey, Mich.
Hawkins
Hays
Hébert
Herlong
Hoffman
Holifield
Holland
Horan
Hosmer
Hutchinson
Jarman
Jensen
Johansen
Jonas
Kee
Kelly
Keogh
King, Calif.
Kluczynski
Laird
Lankford
Lesinski
Libonati
Lindsay
Lloyd
McCulloch
McIntire
McMillan
Macdonald
MacGregor
Martin, Mass.
Martin, Nebr.
Mathias
Matsunaga
May
Michel
Miller, Calif.
Miller, N.Y.
Milliken
Moorhead
Morrison
Morse
Morton
Murray
Norblad
O'Brien, Ill.
O'Brien, N.Y.
O'Hara, Mich.
O'Konski
Olsen, Mont.
Osmers
Philbin
Pirnie
Powell
Pucinski
Randall
Rhodes, Ariz.
Riehlman
Rivers, Alaska
Rodino
Rooney, N.Y.
Rooney, Pa.
Rosenthal
Rostenkowski
Roybal
Schneebeli
Schwengel
Shriver
Smith, Iowa
Steed
Stratton
Talcott
Thompson, La.
Thompson, N.J.
Ullman
White
Wickersham
Wilson, Bob
Wilson, Charles H.
Wright
Wydler

So the bill was passed.

The Clerk announced the following pairs:

Mr. Hébert with Mr. Fulton.

Mr. Aspinall with Mr. Jonas.

Mr. Keogh with Mr. Anderson.

Mr. Addabbo with Mr. Osmers.

Mr. O'Brien of New York with Mr. Miller of New York.

Mr. Rivers of Alaska with Mr. Martin of Massachusetts.

Mr. Garmatz with Mr. Lindsay.

Mr. Philbin with Mr. Horan.

Mr. Donohue with Mr. Talcott.

Mr. Buckley with Mr. Fino.

Mr. Carey with Mr. Broyhill of North Carolina.

Mr. Powell with Mr. Auchincloss.

Mr. Miller of California with Mrs. May.

Mr. Rodino with Mr. McIntire.

Mr. Dent with Mr. Alger.

Mr. Rooney of New York with Mr. Bob Wilson.

Mr. Daniel with Mr. Riehlman.

Mr. Daddario with Mr. Frelinghuysen.

Mrs. Kelly with Mr. Mathias.

Mr. Thompson of Louisiana with Mr. Harvey of Michigan.

Mr. Stratton with Mr. Hutchinson.

Mr. King of California with Mr. Laird.

Mr. Fogarty with Mr. Johansen.

Mr. Gary with Mr. McCulloch.

Mr. Holifield with Mr. Michel.

Mr. Morrison with Mr. Norblad.

Mr. Rooney of Pennsylvania with Mr. O'Konski.

Mr. Rosenthal with Mr. Bell.

Mr. Moorhead with Mr. Cederberg.

Mr. Denton with Mr. Schwengel.

Mr. Cohelan with Mr. Rhodes of Arizona.

Mr. Cameron with Mr. Hosmer.

Mr. Lesinski with Mr. Jensen.

Mr. Kluczynski with Mr. MacGregor.

Mr. Everett with Mr. Harsha.

Mr. Hays with Mr. Morse.

Mr. Grabowski with Mr. Goodell.

Mr. Brown of California with Mr. Hoffman.

Mr. Lankford with Mr. Pirnie.

Mr. Libonati with Mr. Morton.

Mr. Edmondson with Mr. Clancy.

Mr. Gill with Mr. Martin of Nebraska.

Mr. Holland with Mr. Wydler.

Mr. Rostenkowski with Mr. Barry.

Mr. Macdonald with Mr. Shriver.

Mr. Ullman with Mr. Schneebeli.

Mr. White with Mr. Dawson.

Mr. Pucinski with Mr. Hawkins.

Mr. Herlong with Mr. Thompson of New Jersey.

Mr. Wright with Mr. McMillan.

Mr. Bass with Mr. Baring.

Mr. Jarman with Mrs. Kee.

Mr. Steed with Mr. Murray.

Mr. Randall with Mr. Roybal.

Mr. Duncan with Mr. Diggs.

Mr. Matsunaga with Mr. Wickersham.

Mr. O'Hara of Michigan with Mr. Charles H. Wilson.

Mrs. Griffiths with Mr. Olson of Minnesota.

Mr. O'Brien of Illinois with Mr. Smith of Iowa.

Mr. BENNETT of Michigan changed his vote from "yea" to "nay."

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Mr. HARRIS. Mr. Speaker, I ask unanimous consent to take from the Speaker's desk the bill (S. 1153) to amend the Federal Airport Act to extend the time for making grants thereunder, and for other purposes, with a House amendment thereto, insist on the House amendment and request a conference with the Senate.

The SPEAKER. Is there objection to the request of the gentleman from Arkansas?

There was no objection.

The SPEAKER. The Chair appoints the following members of the conference committee: Messrs. HARRIS, WILLIAMS, FRIEDEL, MACDONALD, JARMAN, HEMPHILL, BENNETT of Michigan, SPRINGER, DEVINE, and SIBAL.

RICE ACREAGE ALLOTMENTS

Mr. JONES of Missouri. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 3742) to amend the provisions of the Agricultural Adjustment Act of 1938, as amended, relating to the transfer of producer rice acreage allotments.

The motion was agreed to.

IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the State of the Union for the consideration of the bill H.R. 3742, with Mr. DAVIS of Tennessee in the chair.

The Clerk read the title of the bill.

By unanimous consent, the first reading of the bill was dispensed with.

Mr. JONES of Missouri. Mr. Chairman, I yield myself 5 minutes.

Mr. Chairman, this bill, H.R. 3742, was introduced almost a year ago by the gentleman from Texas [Mr. THOMPSON]. It seeks to amend the present law in order to bring about equity and to remove some inconsistencies in the present law and to have the law apply to all holders of rice allotments in the same manner.

The bill is not a very difficult bill to understand. While I would not want to oversimplify it, I might explain that in some areas, particularly in the State of Texas, the rice allotments are made to an individual rather than to the land. Therefore, they are sometimes referred to as "hip pocket" allotments. A tenant with his rice machinery will lease land and will move from one area to another from year to year, or after 2 or 3 years. But the thing I want to point out is that the allotment there is not with the land, it is with the individual.

The present law provides that if a producer in a State in which farm rice acreage allotments are determined on the basis of past production of rice by the producer on the farm permanently withdraws from rice production, his rice history acreage may be transferred to another producer or producers who have had previous rice-producing experience, provided certain conditions are met, among them being that the transferee must acquire the entire farming operation pertaining to rice, and so forth.

What happens is that the present law has been interpreted by some of the attorneys of the Department of Agriculture to mean that if a holder of the rice allotment is also the owner of the land on which he is producing the rice for which he has this "hip pocket" allotment, if he seeks to transfer that, he must not only transfer his equipment but he must also transfer the land.

Again, the person who has an allotment and who does not own land may transfer and sell his equipment. So all we are trying to do in this bill, and I think it is rather simple, is to put the landowners, and that would probably be not more than 10 percent of the people who are producing rice in the State of Texas at this time, on the same basis and give them the same privilege we have extended to the tenants who want to transfer their allotments.

I take this time to call attention to the opposing views in the report of the committee. I have read the opposing views, which are signed by two members of the minority on our committee. Frankly, I find very little in their opposing views which pertains to this bill here today. They make a lot of statements which are high sounding. They say:

> Acreage controls encroach on individual liberty, specifically on freedom-of-choice planting. Liberty is everybody's business.

Those are some of the statments made in the opposing views. Actually, they do not have anything in the world to do with the bill we are discussing here today. We are not here today voting on whether you like the farm program or do not like the farm program, or whether you like allotments or do not like allotments. What we are trying to do is improve the system and bring about equity. That is all we propose to do.

Mr. FINDLEY. Mr. Chairman, I yield myself 10 minutes.

Mr. Chairman, this bill is an example of what might be termed the glacial legislative process. We start out with an objective—for example the control of rice production in this country in order to benefit rice producers. Then little by little over the years we retreat from that position of control. We make exceptions—and one exception leads to another.

This bill reminds me of the cotton bill which was before us not too long ago. In an effort to help the cotton farmer, we supported prices on the domestic market. To protect his foreign market for cotton, we subsidized exports. But this put textile firms at a disadvantage, so in order to rectify the inequity to them caused by this subsidy to the cotton farmers and to the exporters, we had to jack up another corner of the cotton barn and that is what I call the glacial legislative process. We start out with a firm position, trying to control farms and farmers, and then one by one we make exceptions and back away.

Two years ago we passed a bill, H.R. 9013. The effect of that bill was to give legislative stature or sanction to administrative action that had been followed for several preceding years. Under that bill, the disposition of rice allotments was permitted in four circumstances:

First. If the producer died or was declared incompetent by a court of competent jurisdiction.

Second. The producer withdraws in whole or in a part from rice production in favor of a son, son-in-law or grandson or nephew.

Third. The producer permanently withdraws from rice production.

Fourth. A partnership is dissolved.

Now this was a very important step to take because it gave statutory blessing to the principle of separating the right to grow a commodity from a particular parcel of land.

In this way the rice allotments, which already could be carried around in the farmer's pocket, could be willed to anyone and in some circumstances sold to other rice producers.

At this point, I might call attention to the situation in tobacco land or at least the situation in tobacco land that existed prior to the announcement of the past weekend. Here, too, was a commodity under very careful and strict Government control intended to benefit the tobacco farmer. Under this program, the right to grow tobacco was parceled out and attached to land and it became a matter of great dollar value. Tobacco land in some areas will sell as much as $3,000 an acre more than the same land without a tobacco allotment.

So you can see that Government action in establishing acreage control programs has the effect of building into the soil itself a brandnew value—a thing of considerable value—representing the right to grow the commodity.

I think it is wise for us to bear in mind that those who have sponsored a bill in the past 2 or 3 years under which tobacco allotments could be leased, very stoutly insisted they would never permit tobacco allotments to be sold. They saw a danger in the selling of tobacco allotments. Yet, here in rice allotments we are giving legislative stature to this principle permitting the sale of the right to grow a commodity independently of the commodity itself.

If the trend indicated in this bill continues, we could soon expect to see the selling of rice allotments, with Uncle Sam acting as the chief broker. To me that is a strange development in this land of freedom.

Mr. JONES of Missouri. Mr. Chairman, will the gentleman yield?

Mr. FINDLEY. I am glad to yield.

Mr. JONES of Missouri. The gentleman does not mean to leave the impression with this House that what he is talking about does not exist in the law today, does he? In other words, this bill would not change that part of the law.

Mr. FINDLEY. This bill would apply only to the rights of people who own land to which rice allotments are attached.

Mr. JONES of Missouri. But the person who does own some land can sell an allotment now, is that correct?

Mr. FINDLEY. The gentleman is quite correct.

I pointed out earlier that rice is handled in a manner different from tobacco, but there are similarities. One of the similarities involves the fact that the Government in both cases has attempted to establish an allotment program.

In the case of rice the allotments have been granted in some circumstances and in some States to the individual, but in other circumstances and in the same States the allotments also have been made a part of the land itself. Were it not for this fact, we would not have the bill before us today.

Mr. JONES of Missouri. Will the gentleman inform the House that none of the allotments we are speaking of today are attached to the land at all? These allotments are not to be attached to the land, and we are proposing nothing in the bill which would affect an allotment attached to the land. We would deal only with an allotment given to the individual.

Mr. FINDLEY. We are dealing here with allotments which attach to the land in the respect that they are in the hands only of landowners.

I believe the distinction the gentleman makes is not to the point of this bill, because were there this distinction which he seeks to make, we would not have a need for the bill before us today.

Mr. JONES of Missouri. I believe the gentleman is confused, himself, if he will yield for a minute.

Mr. FINDLEY. I am glad to yield.

Mr. JONES of Missouri. What we are talking about are rice allotments in Texas which are given to the individual. It happens that some individuals who have rice allotments do own land. What we are trying to do is to give the fellow who happens to own land the same privilege to do with his rice allotment what the tenant may do with his. That is all the bill would do.

Mr. FINDLEY. What the tenant was granted the right to do in the bill of 2 years ago.

That is why I say it is unwise for us to compound a legislative error. What we should be doing today is rescinding the action of 2 years ago, so that no rice allotment owner could sell or will or otherwise dispose of the right to grow rice independent of the land itself.

Mr. JONES of Missouri. If the gentleman will introduce a bill to do that, we can consider it on its merits. That has not been considered in the committee. No amendment to do that was offered to the committee. No legislation to do that has been proposed.

What we are arguing today is to provide equity in the situation.

We can save a lot of time if we confine our arguments to the bill before us and not get into the general area of what the gentleman is talking about. The gentleman is talking about something not in the bill, which cannot be in the bill.

Mr. FINDLEY. I say to the gentleman that he will have an opportunity, along with other Members of this body, to vote for or against an amendment which I shall offer. The effect of the amendment would be to rescind the action of 2 years ago, which clarified the right of tenants holding rice allotments to sell the right to grow rice.

Mr. RIVERS of South Carolina. Mr. Chairman, will the gentleman yield?

Mr. FINDLEY. I yield.

Mr. RIVERS of South Carolina. I should like time to ask the gentleman whether he contends that any rice allotment which is attached to land by reason of a person being the owner of that land should remain with the land in perpetuity and never be transferred.

Mr. FINDLEY. If the gentleman will permit me to reply, I personally believe our whole allotment program is unwise. It is unfortunate that we have ever had this development in our country of assigning the right to grow commodities either to land or to individuals. If we are to have assigned a right to grow, I believe it would be wise for us to keep it as a part and parcel of the land and not to separate it from the land.

In other words, I think it is unwise for us to see the right to grow a commodity become a thing of value separate and distinct from real estate and bought and sold just like the real estate or the commodity itself.

Mr. RIVERS of South Carolina. Mr. Chairman, will the gentleman yield?

Mr. FINDLEY. I yield to the gentleman from South Carolina.

Mr. RIVERS of South Carolina. I do not want to discuss the allotment philosophy with you. I am not qualified for this. But I am qualified on a discussion of rice, because the first place in America a row of rice was ever grown was South Carolina. It is the most romantic story you every heard—"How rice began in America." It is a fantastic story. We want to revive our industry down there. If we permit this rice to die with ownership of the land, the industry will never be revived. It will disappear from the face of the earth and you will not have any diversification. The philosophy of diversification is that of my farmers and yours going from cotton to soybeans or whatever it is. Under your reasoning, we could not have this. But to permit an industry to continue is what I am talking about. This is an industry that has been going on from time immemorial, and according to your line of reasoning we would be destructive of this industry. As families die out and land changes hands, the rice culture would go too. I am sure the gentleman does not want to do this.

Mr. FINDLEY. The people in the tobacco areas are not complaining about that.

Mr. RIVERS of South Carolina. I am not talking about tobacco. I never use tobacco.

Mr. FINDLEY. If the gentleman will yield and permit me to respond to his comments, the effect of these bills such as we passed 2 years ago and this one which is before us now is to weaken the controls of the rice program. To that extent the objectives of the program and indirectly the rice farmers themselves and the rice industry are not in as healthy a condition as one might like to have it. For example, I believe the gentleman will agree with me when I state this as a fact, that aproximately 75 to 80 percent of all the U.S. rice exports are given away and disposed of under the Public Law 480 program. We have no real substantial cash market for rice abroad. Perhaps one of the reasons for that is the same reason that cotton is today in trouble. Our control program caused an artificially high price and priced rice out of the world market and, to some extent perhaps, out of the domestic grain market and caused it to get into deeper and deeper problems.

Mr. RIVERS of South Carolina. This is a very involved thing and it may well have something to do with world markets and gold balances, but you may well destroy rice in an area, and I know you would not want to do this. Rice is the most wonderful food you can eat next, of course, to grits. Rice is the finest thing on earth to eat. I know what I am talking about, because we eat more rice in my district than in any place on earth this side of China. I know something about it. We want to revive it in our area, and according to your line of reasoning we could never revive it. The Agriculture Department is not going to increase the amount but if you have a piece of paper in your pocket and do not want to plant, then let some one who does, that would be beneficial. The gentleman from Texas [Mr. THOMPSON] thinks this amendment will keep this thing going. I respectfully submit you are just a little bit wrong on this.

Mr. FINDLEY. The gentleman ought to back up and make sure he is seeing the forest as well as the trees and seeing what is happening to the rice industry in this country. Perhaps as an example we could take soybeans and corn. Producers of these crops have said clearly they do not want mandatory controls.

Mr. RIVERS of South Carolina. You can say the same thing about butter and cheese if you wanted to.

Mr. FINDLEY. Yes. The effect of the Government program of price supports has gotten us into trouble.

Mr. RIVERS of South Carolina. But you are picking on an infinitesimal crop today and I know you do not mean to hurt us. All we want is to get along the best way we can.

Mr. FINDLEY. To tell you the truth, I am trying to represent the best interests of the rice farmers and the taxpayers as well, because this is a program carried on at considerable Government expense. If we are going to have a control program, we ought to restrain those who have a self-interest involved from seeking these little loopholes that tend to defeat the effect of the program.

Mr. RIVERS of South Carolina. The allotment stays there.

Mr. FINDLEY. I am sure the gentleman will agree with me if allotments become more freely transferable and pass from one pocket to another, so to speak, they acquire a greater value and are more apt to be utilized to the fullest extent.

Mr. Chairman, I yield 5 minutes to the gentleman from Kansas [Mr. DOLE].

Mr. DOLE. Mr. Chairman, I take this time to obtain information, I understand the difference between the rice allotment, and the wheat and tobacco allotments is that the wheat allotment goes with the land, while the rice allotment is more or less a personal thing and goes with the person. If we can separate the allotment from the person in rice areas why cannot we do it in wheat areas by separation of the allotment from the land. Is there any practical reason why this should not be done?

Mr. JONES of Missouri. Mr. Chairman, is the gentleman addressing that question to me?

Mr. DOLE. Yes.

Mr. JONES of Missouri. I do not profess to be an authority as contrasted to the gentleman from Kansas. I am sure he is more familiar with wheat legislation than I could ever be. But I would like it if we could confine our arguments today to this particular bill. We are not dealing with wheat here. We are not dealing with tobacco, we are not dealing with any other crops. We are dealing with a very simple thing that is confined to a very small area. I was hoping that we could close the general debate very shortly, have the amendments offered if there are any to be offered, debate those on their merits, and confine our arguments to the bill. This bill is important only to a very small area. It is, of course, an important bill.

I am not going to argue whether we should do this or that for some other crop. That is not what we are discussing here today. We are only talking about one thing, the personal rice allotment that is confined to the farm. We want to be consistent and have the same law apply in the same area. That is all we are trying to do with this bill.

Mr. FINDLEY. Mr. Chairman, will the gentleman yield?

Mr. DOLE. I yield to the gentleman.

Mr. FINDLEY. Mr. Chairman, I would like to correct a misstatement of fact that I made a minute ago. I suggested that about 75 or 80 percent of our total U.S. exports of rice went out under

Public Law 480 program. My figure was a little bit high. In the fiscal year 1963, 58 percent or approximately 60 percent of our rice exports went out under Public Law 480. But it does underscore the point that I was trying to make, that we do not have a healthy export market in rice despite the fact that we subsidize exports. Also I would like to add a fact or two about the cost of the rice program to the taxpayers and relate that cost to the value of the rice crop in this country. It is a small item. It involves few farmers. But the fact is that very few people know what is going on and I think this is a good time to bring out a few facts. In the fiscal year 1963, for example, the cost of the rice program was $159 million. The value of the rice crop for that same period was $350 million. So the cost to the taxpayers was approximately one-half of the total value of the crop. Definitely this is of importance to every American taxpayer.

Mr. DOLE. Mr. Chairman, I thank the gentleman. I think this is important because, as I understand, rice is one of the five basic commodities. I understand, too, that only around 1,500 people are interested in rice production and something like 1.5 million acres are involved. Nevertheless, it is important to farmers in Louisiana, Texas, Arkansas, California and, perhaps, other States. The gentleman from South Carolina [Mr. RIVERS] just mentioned how important it was to his area. I want to point out to the gentleman that this is the only crop to have this type of allotment; is that true?

Mr. JONES of Missouri. That is true. The gentleman talks about the cost of the program and all of these other matters which have nothing at all to do with this bill, because the passage or the failure of this bill will not affect the cost of the program one iota. Let us try to confine ourselves to the bill. Let us get it over with, one way or another.

Mr. DOLE. I thought the gentleman might have some estimate of the value of an acre allotment compared with the value of an acre of land.

Mr. JONES of Missouri. I do not think that has anything at all to do with the bill we are talking about. The value of the allotment does not enter into this at all. What we are talking about is the fact you have allotments to individuals who own land. We are saying that all of the allotments to individuals should be treated the same way. That is all we are trying to do.

Mr. DOLE. The gentleman will recall that last year we had up for consideration House Joint Resolution 192 before the committee. I supported that proposition. At that time we were concerned about traffic in rice allotments. In fact, that bill took several farmers off the hook, as they were involved innocently in something that caused them considerable trouble.

The Secretary of Agriculture wrote a letter to the chairman of the Committee on Agriculture, the gentleman from North Carolina [Mr. COOLEY], in which he stated:

> In order to prevent traffic in producer rice acreage allotments, the regulations governing the determination of farm rice acreage allotments have always provided that a producer may not allocate his producer allotment to a farm unless he will be engaged in the production of rice on the farm.

That letter is dated March 25, 1963. This is only January 1964. So less than a year ago there was some importance attached to whether this sort of a "floating" allotment or a hip pocket allotment, and what the value of the allotment was, we had evidence before our committee that some farmers had made deals with ASC personnel. They acquired acreage allotments illegally in some instances for just one or two reasons. The reasons were to speculate or produce more rice. The value does have a direct effect then in this bill before us today. I supported the bill last year and would like to support this one, but do feel we are entitled to know what the value of a 1-acre allotment is compared to the value of an acre of land—the value of the allotment compared to the value of the land.

Mr. THOMPSON of Texas. I have no information on that at all.

Mr. DOLE. Another measure enacted 2 years ago provided a tenant could sell his allotment if he retired from rice production. He could sell the equipment. Does this one provide the owner of the land can retire and sell his allotment.

Mr. THOMPSON of Texas. I think the gentleman is confused on the whole thing. The ownership of the land on which the hip-pocket allotment is being sold has nothing to do with this. What we are trying to do is straighten out that very confusion in the basic legislation. They required the sales of land on which the history acreage may be ascribed. This acreage history is not ascribable to the land, that which was found in a bill pertaining to the farming of cotton, as I remember it. It would apply to that and, rather than to get into a hassle over that verbiage we left it in, but with the understanding it would not complicate the bill before us today.

The lawyers, however, after they began to operate under the law of 2 years ago, got into a difference of opinion among themselves and they said that we ought to pass the bill which is before us in order to clarify it.

May I invite to your attention that all that would be done by this bill and its predecessor would be to give statutory effect to something that has been going on administratively for many years. So we change nothing here. It does not cost anybody 5 cents. It will not increase the production of rice. We are clarifying a misunderstanding as to this matter. That is all there is to it. All of these other things may be taken up at a proper time, but I cannot feel that this is the time.

Mr. DOLE. The gentleman does not believe value has any direct relationship to the bill before us? In other words, the value of the allotment is meaningless so far as this bill is concerned?

Mr. THOMPSON of Texas. I feel very strongly it is irrelevant.

Mr. DOLE. Not pertinent to this subject matter?

Mr. THOMPSON of Texas. Yes.

Mr. FINDLEY. Mr. Chairman, will the gentleman yield?

Mr. DOLE. I yield to the gentleman from Illinois.

Mr. FINDLEY. The fact there has been confusion between ownership of the land and ownership of the allotment has resulted in this bill, so the fact the confusion exists shows at least in the minds of some people that a relationship between the allotments and real estate does exist. Therefore, we have the bill before us today It gives a valuable opportunity to help clarify this. That is why I intend to offer an amendment which would rescind the unwise action taken 2 years ago.

Mr. DOLE. It is my understanding this would place the owner-operator who retires from the production of rice on the same footing we thought was provided for the tenant who retires from the production of rice. Is that not right?

Mr. JONES of Missouri. That is not exactly correct. I think where the whole difficulty and misunderstanding lies is this. The gentleman from Illinois has stated the question correctly when he said that we are trying to correct the misunderstanding. When we read the present law, it says the transferee must acquire the entire farming operation pertaining to rice, including all production and harvesting equipment, any irrigation equipment not permanently attached to the land, and any land owned by the transferor to which any of the transfered rice history acreage may be ascribed.

Actually, there is no rice history ascribed to the land in Texas, which we are talking about, so therefore it should not be necessary for the man transferring the rice allotment to have to transfer his land with it. That is all this bill seeks to do. That is the whole problem here today.

I think if the gentleman will read the present law and will read the report it will be clear that we are merely trying to interpret this law. Some lawyers would interpret this by saying there is no rice history ascribed to the land so he is not affected. Some other lawyers might say about this man who has the rice allotment and who owns the land that he has been growing this rice on the land he owns, therefore, he has to sell his land with the machinery. That was not the intention of the law at all. That is all this bill attempts to do. It affects very few people. It is merely a matter of equity. That is all we are trying to provide here.

Mr. FINDLEY. If the arguments of the gentleman from Missouri are sound, there is absolutely no need for this bill today.

Mr. GROSS. Mr. Chairman, will the gentleman yield?

Mr. DOLE. To clear up the confusion, I yield to the gentleman.

Mr. GROSS. I do not know about that, but in 1915, 1916, and 1917 when I was in the Army they fed me so much rice that I have not had the heart to look at any rice since. Will this affect the production of rice?

Mr. DOLE. It is comparable to the boiled peanuts question. Eat at your own risk.

Mr. QUIE. Mr. Chairman, will the gentleman yield?

Mr. DOLE. I yield to the gentleman from Minnesota.

Mr. QUIE. I should like to ask the gentleman from Missouri [Mr. JONES] a question. On page 2 of the report there is a letter from the Department of Agriculture. I was wondering who this anonymous character is who wrote the letter but did not sign the letter.

Mr. JONES of Missouri. I am sorry I cannot answer that question. I would say this, that we had the Department at the hearings. This letter also appeared in the hearings. It was endorsed and referred to by the gentleman representing the Department.

The CHAIRMAN. The time of the gentleman from Kansas has expired.

Mr. JONES of Missouri. Mr. Chairman, if it is agreeable to the other side, I am willing to call the general debate concluded and have the bill read for amendment at this time, unless there is any objection.

Mr. FINDLEY. I have no further requests for time, Mr. Chairman.

Mr. THOMPSON of Texas. Mr. Chairman, the legislation before us seeks only to right what has proven to be a legislative misunderstanding. It should be attractive to the Congress if for no other reason than that it costs no money, adds no acreage and no production. It has the blessing of the Department of Agriculture.

The basic legislation was passed in this body by unanimous consent; and this corrective legislation which is before you today passed the other body by unanimous consent some months ago.

When the committee was considering it, there was no objection raised; and as I read the report of the committee and as I note the opposing views, it impresses me that the opposition is to the farm program as a whole rather than to this measure which seeks only to cure an inequity and which applies to a small segment, perhaps not over 10 percent, of the rice producers in California, Texas, South Carolina, and parts of Louisiana.

The basic legislation which passed in 1962 provides that if a rice producer permanently withdraws from the business, he may transfer his acreage history to another producer or producers provided he sells his entire rice farming equipment and any irrigation not permanently attached to the land. The difficulty arises over the further provision that he must sell any land to which the production of rice is ascribed. In the States concerned, the allotment is not ascribed to the land and so confusion exists over the wording which found its way into Public Law 412 of the 87th Congress.

To give you an example of just one inequity which the present situation has developed, let us take the example of a farmer who owns 1,000 acres of rice land and who has, himself, a 100-acre allotment to which he has become entitled to farm on some piece of land other than his own. Then suppose he decides to move this 100 acres on to his own property and to rent to 9 other farmers 100 acres each. Any one of the nine others can go out of the rice business merely by disposing of his allotment according to Public Law 412 but the man who happens to own the piece of land involved has to sell the land.

This was never intended in the original legislation. It is not the wish of the Department of Agriculture. It creates a manifest hardship on the landowner; and should most certainly be corrected.

That is all that is involved in this legislation—simply the correction of an error.

Mr. RIVERS of South Carolina. Mr. Chairman, I rise today to give my wholehearted support to H.R. 3742. This bill would return an element of free enterprise to the field of rice production. It would permit producers no longer interested in raising rice to transfer their allotments to persons who do wish to raise rice, but would no longer require them to also sell the land involved with these allotments. In effect, the land and the allotment would no longer be indelibly attached to each other.

This bill is of great significance to the South Carolina low country. At one time, Charleston was the rice center of the Nation. Indeed, rice production began in Charleston. The first field of rice in America was planted there and, for many years, rice planting was an eminently successful business in that area.

In later years, other businesses replaced rice in the low country. But the potential remains. There are those in my district who wish to revive rice planting near Charleston; they feel that it will be a million-dollar business. But first, they must be able to purchase these now-unused rice allotments—allotments which are presently attached to lands which the owners do not wish to sell and the prospective producers do not wish to buy. H.R. 3742 would remedy this situation to the satisfaction of all concerned.

I am sure the problem I have just outlined is not confined to the Carolina low country alone; it is found wherever rice is—or was—raised. H.R. 3742 is the answer. I urge all Members to support its passage.

Mr. LEGGETT. Mr. Chairman, the bill before you authored by the distinguished gentleman from Texas [Mr. CLARK THOMSON], should generate no debate because it is a measure that helps the little man and costs the Government and taxpayers nothing.

If you are going to assume the unrealistic attitude that you disfavor all supply-management programs and you do not want any program improved to give growers more freedom at no taxpayers' expense, then close your ears and vote against this bill.

On the other hand if you think it was right back in 1938 that rather than give an allotment to a feudal rice landlord that the allotment in fact be given to the tenant, then you should support this bill.

As you recall we are currently supporting six crops: Feed grains, wheat, cotton, tobacco, peanuts, and rice.

CCC losses for the period 1954 to date:

Corn, $2.2. billion, CCC losses, 10 years.

Wheat, $1.4 billion, CCC losses, 10 years.

Grain sorghum, $604 million, CCC losses, 10 years.

Cotton, $1.3 billion, CCC losses, 10 years.

Rice—rough, $964,000, CCC losses, 1962–63.

Projected losses on all commodities for the current year are $995 million.

In rice we determined in 1938 that it was to the advantage of the entire country that we not overplant this commodity.

Rice represents a potentially surplus commodity when supply management has been successful.

First. Costs have been minimal.

Second. We are planting 98 percent of the allotments.

Third. We have protected the little tenants.

The current bill would further protect the tenant because it would allow him to buy an allotment without being saddled with an expensive land purchase. (Rice land is extremely expensive.) Twenty-five years of operation has set no precedent for other commodities.

Today, as a result of the 87th Congress legislation, if a landowner-producer wants to get out of rice production he can first, die and his allotment is severed from the land and goes to his family; second, he can sever a portion of his allotment and give it to members of his family; third, he can break up a partnership; or, fourth, he can sell his whole allotment, his equipment, and land.

If he has no family he cannot retire from rice unless he dies or gets rid of his farm. A tenant has this flexibility and so should the landlord. Many landlords have two kinds of allotments—some affixed to the land and some not so. The rules should be made uniform.

As a practical matter it is better many times to rotate rice land, and this is another reason to support this bill.

At the present time in my State the only way for a new farmer to get into rice is to: first, buy a whole farm; second, buy a tenant allotment and lease; and, third, obtain a new farmer 30-acre allotment. I believe farmers in the last two categories should be encouraged and thus I would ask your support for this legislation.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That subsection (f) of section 353 of the Agricultural Adjustment Act of 1938, as added by Public Law 87–412, is amended in paragraph (3), clause (i) thereof by adding immediately following the word "acquire" the language ", except for land," and by striking out the language ", and any land owned by the transferor to which any of the transferred rice history acreage may be ascribed".

AMENDMENT OFFERED BY MR. FINDLEY

Mr. FINDLEY. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. Findley: On page 1, line 5, strike lines 5 through 9 and insert in lieu thereof the words "is hereby repealed".

Mr. JONES of Missouri. Mr. Chairman, I make a point of order against the amendment on the ground that it is not germane to the bill.

The **CHAIRMAN**. Does the gentleman from Illinois desire to be heard on the point of order?

Mr. FINDLEY. Yes; I do, Mr. Chairman.

Mr. Chairman, the title of the bill makes it clear that it is to amend the provisions of the Agricultural Adjustment Act of 1938, as amended, relating to the transfer of producer rice allotments. The amendment that I have offered simply changes the subsection which is a part of the section dealing with the transfer of producer rice acreage allotments.

The **CHAIRMAN** (Mr. Davis of Tennessee). The Chair is ready to rule.

According to section 2949, volume 8, Cannon's Precedents of the House of Representatives, I read:

To a bill amending a law in one particular, an amendment repealing the law is not germane.

The Chair rules that the amendment is not germane.

The point of order is sustained.

Mr. RYAN of New York. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, as a city representative I am somewhat lost in this maze of Alice in Wonderland farm legislation. But something struck me as I read on page 2 of the report on H.R. 3742 the letter from the anonymous representative of the Department of Agriculture in which it appears that one reason for this bill is to permit some owners of rice producing land to sell their land for urban expansion for which it is more valuable. At the same time the owner would be able to sell his rice acreage allotment and put other land into the production of this commodity. I just wonder if by the great expansion of the Space program in the State of Texas we have not twice enriched the rice producers. Does this mean mounting surpluses at the expense of the taxpayers when the sale of land for nonfarm purposes could otherwise curtail production?

Mr. Chairman, I have very serious questions about the whole philosophy of this program.

The **CHAIRMAN**. Under the rule, the Committee rises.

Accordingly the Committee rose, and the Speaker having resumed the chair, Mr. Davis of Tennessee, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee having had under consideration the bill (H.R. 3742) to amend the provisions of the Agricultural Adjustment Act of 1938, as amended, relating to the transfer of producer rice acreage allotments, pursuant to House Resolution 570, he reported the bill back to the House.

The **SPEAKER**. Under the rule, the previous question is ordered.

The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

The **SPEAKER**. The question is on the passage of the bill.

The bill was passed.

A motion to reconsider was laid on the table.

Mr. JONES of Missouri. Mr. Speaker, pursuant to House Resolution 570, I ask for the immediate consideration of the bill (S. 1604) to amend the provisions of the Agricultural Adjustment Act of 1938, as amended, relating to the transfer of producer rice acreage allotments.

The Clerk read the title of the Senate bill.

The Clerk read the Senate bill, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That subsection (f) of section 353 of the Agricultural Adjustment Act of 1938, as added by Public Law 87-412, is amended in paragraph (3), clause (i) thereof, by adding immediately following the word "acquire" the language ", except for land," and by striking out the language ", and any land owned by the transferor to which any of the transferred rice history acreage may be ascribed".

The Senate bill was ordered to be read a third time, was read the third time and passed, and a motion to reconsider was laid on the table.

A similar House bill, H.R. 3742, was laid on the table.

GENERAL LEAVE TO EXTEND

Mr. JONES of Missouri. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days to extend their remarks on the bill, H.R. 3742, to amend the provisions of the Agricultural Adjustment Act of 1938 relating to the transfer of producer rice acreage allotments.

The **SPEAKER**. Is there objection to the request of the gentleman from Missouri?

There was no objection.

EMERGENCY COMMITTEE FOR DISASTER RELIEF TO CUBA

Mr. WILLIS. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The **SPEAKER**. Is there objection to the request of the gentleman from Louisiana?

There was no objection.

Mr. WILLIS. Mr. Speaker, on December 16, 1963, shortly before the first session of the Congress adjourned, a two-column, page-length ad in the Washington Post appealed, "in the spirit of Christmas," for contributions to the Emergency Committee for Disaster Relief to Cuba, with offices at 41 Union Square West, New York City.

The ad revealed that the chairman of the organization was Sidney J. Gluck and the medical director, Dr. Louis Miller. The contribution coupon in the ad stated that checks should be made payable to Elizabeth Sutherland, treasurer of the group. The ad further revealed that the three initiating sponsors of the appeal were Mrs. Ava Helen Pauling, Carleton Beals, and Waldo Frank. The names of 80 cosponsors of the Emergency Committee for Disaster Relief to Cuba were listed in the ad. Among them were 20 clergymen, 7 professors, a judge, 10 doctors—medical or Ph. D.'s—a painter, a sculptor, and some attorneys and writers.

It was quite an impressive display. And this display, coupled with the statement in the ad that the Emergency Committee for Disaster Relief to Cuba "is a nonprofit organization formed by a group of U.S. citizens for the purpose of carrying out a humanitarian, nonpolitical mission," probably succeeded in eliciting large contributions from readers of the Washington Post who thought they were helping a worthy cause.

I wish that the full facts about this organization and its appeal could have been made public the very day the ad appeared in the Post, or within a day or so after its appearance. Unfortunately that could not be done, but it is still important that the facts be given, that the public knows who is behind this organization, how and for what purpose it was formed.

The fact of first importance is that the appeal in the ad was a hoax, a phony. It was completely unnecessary. It was made to serve not the suffering Cuban people, but the evil designs of their oppressors, the enemies of freedom and humanity in this hemisphere and the entire world.

Before I spell out the hoax in this ad, however, I would like to state for the record some of the facts about the people who are the initiators and leaders of the committee and thus responsible for placing this Communist-serving ad in the Washington Post.

Sidney J. Gluck, chairman of the organization, was identified as a member of the Communist Party by Mrs. Mildred Blauvelt, an undercover informant for the New York City Police Department, when she testified before the Committee on Un-American Activities on May 3, 1955. She stated that he was a member of the Flatbush Club of the Communist Party and, in 1944, was credited with recruiting 54 new members for the party. Gluck has served as an instructor in the Communist Party's major training institution in the United States, the now defunct Jefferson School of Social Science. As treasurer of the Medical Aid to Cuba Committee, he was subpenaed to testify before the Committee on Un-American Acivities on November 14, 1962, in the course of the committee's investigation of that group. During his appearance, he invoked the fifth amendment when questioned about present as well as past Communist Party membership.

Dr. Louis Miller, medical director of the Emergency Committee for Disaster Relief to Cuba, was also medical director of the Medical Aid to Cuba Committee. The Committee on Un-American Activities was unsuccessful in its attempts, made over a period of many weeks, to locate Dr. Miller so he could be subpenaed to testify in its hearing on the Medical Aid to Cuba Committee.

Testifying before the Committee on Un-American Activities in executive session in 1951, Louis Budenz, former member of the Communist Party's national committee and managing editor of the Daily Worker, stated that he had met Dr. Miller during the 1940's at enlarged meetings of the Communist Party's national committee. A 1948 report of the Committee on Un-American Activities stated that during the 1940's Dr. Miller was one of the "principal New York contacts" of Soviet espionage agent, Arthur Alexandrovich Adams, who is known to have had information about the atom bomb in his possession when he escaped from the United States.

Dr. Miller began his "medical aid" role in the Communist movement during the 1930's when he served as chairman of the Medical Aid Bureau of the American Friends of Spanish Democracy, a cited Communist front.

Elizabeth Sutherland, a senior editor for the publishing firm of Simon & Schuster and treasurer of the Emergency Committee for Disaster Relief to Cuba, was also treasurer of the Medical Aid to Cuba Committee. Miss Sutherland was subpenaed to testify before the Committee on Un-American Activities last year in the course of its investigation of illegal travel to Cuba. She admitted in the course of her appearance that she had been a member of, and had made a number of speeches at meetings of, the Fair Play for Cuba Committee. She also admitted having signed an appeal to Great Britain to grant asylum to the late Dr. Robert A. Soblen, who had jumped bail and fled the United States after being convicted of spying for the Soviet Union and sentenced to life in prison.

Miss Sutherland, who had been granted validation by the State Department for travel to Cuba, testified that she had seen a number of other Americans at the Cuban Writers and Artists Congress which she had attended while in Havana in August 1961. She refused, however, to identify these persons for the committee.

Basil Pollitt, legal counsel for the Emergency Committee for Disaster Relief to Cuba, was also legal counsel for the Medical Aid to Cuba Committee. Over the years, he has been active in various Communist fronts and has served several terms as a member of the board of directors of the New York City chapter of the National Lawyers Guild, cited by the Committee on Un-American Activities as the "foremost legal bulwark" of the Communist Party. Years ago he admitted to an investigator for the Committee on Un-American Activities that he attended meetings of the Young Communist League while a student at Harvard. He denied, however, that he was actually a member of the group.

Mrs. Ava Helen Pauling, like her husband Linus who was one of the cosponsors of the ad, has been active in Communist-initiated peace agitation for a considerable number of years. Some of the well-known Communist fronts with which she has been associated are the American Committee for the Protection of Foreign Born, the Emergency Civil Liberties Committee, the American Continental Congress for Peace, Everybody's Committee to Outlaw War, and the Conference of Greater New York Peace Groups.

Waldo Frank, one of the initiating sponsors of the Emergency Committee for Disaster Relief to Cuba, was the original chairman of the Fair Play for Cuba Committee and also a sponsor of the Medical Aid to Cuba Committee. He has been active in Communist fronts since the late twenties and early thirties when he was a contributor to the Communist magazines, New Masses and Soviet Russia Today, and also a backer of the Communist Party's candidates for President and Vice President of the United States. At one time, he served as special correspondent for the Communist Party's official newspaper, the Worker. In 1955 he was invited to Red China. The State Department denied him a passport and was upheld in this action by the Supreme Court.

Frank has admitted to the Senate Internal Security Subcommittee that he was paid $25,000 by Castro's government to write a book about Cuba.

Carleton Beals, another initiating sponsor of the Emergency Committee for Disaster Relief to Cuba, was cochairman of the Fair Play for Cuba Committee at the time of its formation. He has been active in Communist-front groups since the late twenties when he was a contributing editor for New Masses. Recently he has written for the blatantly pro-Communist newspaper, the National Guardian.

I mentioned before that the display of names in the ad—the 80 cosponsors—was quite impressive. I should also point out that a few of those persons have been identified as Communist Party members and that a large number of them are well known to students of the Communist movement in the United States. They have, for years, been among the foremost fellow travelers in the country.

Now, what are the facts about the need or desirability of any American contributing to this obviously Communist-serving relief organization? In other words, what was the validity of the appeal? Was it an honest one or a fraud?

Hurricane Flora struck eastern Cuba on October 4 and lashed large parts of the island for 4 days. It did tremendous damage to crops, cities and towns, and took hundreds of lives. Immediate offers of relief came from all over the world—from non-Communist nations as well as those under Red control.

The United States did not hold back despite the fact that it had severed diplomatic relations with Cuba, the island is serving as an oversea center for Soviet subversion of all of Latin America and an advance Red military base for future use against this country. The American Red Cross and other welfare agencies, with the knowledge and consent of our Government, offered to send medical supplies, food, emergency equipment, and relief and disaster specialists to Cuba—just as they did to Haiti, Tobago, and other Caribbean areas devastated by Hurricane Flora.

What happened?

Castro's Communist regime accepted the relief offered by all Communist countries and organizations and also the relief offered by non-Communist sources—except for the United States. The American Red Cross offer of assistance was turned down.

Castro had decided that he would deny to his suffering people the benefit of the funds, equipment, and know-how of the American Red Cross which, over a period of many years, has chalked up an outstanding record of speedy, effective, and massive relief to victims of disasters in all parts of the world. Castro had a Communist card up his sleeve, and he was going to play it no matter how much it hurt the Cuban people.

He was going to use the disaster as a vehicle for anti-U.S. propaganda in Cuba and throughout the world.

He was going to use the disaster in an attempt to divide the American people from their Government.

He was going to use it—and this was his primary objective—to break the U.S. economic blockade of Cuba and bring about a reversal of our Cuban policy.

Worldwide, this is a major Communist objective today because the blockade has hurt not only the Communist regime in Cuba but all Communist nations. All are economically hard pressed, yet they must keep Cuba going—the Cuba whose economy was wrecked by the bungling, waste, and mismanagement of Castro's Red regime even before Hurricane Flora struck. Cuba is a drain on the international Communist economy. The U.S. economic blockade intensifies the drain.

Castro's first step, following his rejection of U.S. aid, was an attempt to justify his action in the eyes of the Cuban people, the American people, and the world. In typical Communist fashion, he claimed that his decision was based on his concern for world peace. On October 11, a Havana broadcast in English made the following statement:

> The Cuban representatives in the United Nations in rejecting the offer of help used harsh words not just for the sake of calling names, but in order to alert the world to the dangerous role that the U.S. Government is playing, for it is an admitted fact that the warmakers are trying to do exactly what the hurricane did. * * * Is it not hypocrisy and a fake gesture of generosity to offer help under such conditions? What is behind this deception? Is it not to blind the peace forces to the real nature of the warmaker's intentions, to dress up the beast of imperialism and make it look like a sweet kitten?
>
> In refusing to cooperate with a lie, Cuba may be passing up some food and clothing and medicines that might have come through the Red Cross, but it is also preventing the warmakers from putting over a bluff. In that sense Cuba's rejection of the hypocritical or demagogic offer is a sacrifice that it is making in order to safeguard the peace of the world, and of course that is for the benefit of the people of the United States also.

Another English language broadcast to the United States on October 14 quoted from an editorial in the Cuban Communist newspaper Hoy of October 11, in explanation of why the U.S. offer had been rejected. This editorial claimed that the U.S. aid offer was "nothing more than a cheap way to confuse international public opinion about the policy of the United States toward Cuba" and a "trick to throw the world off guard, through which the imperialists hope to be able to carry out their war plan even more effectively."

Castro wanted to do more, however, than simply brand the United States as a hypocritical, warmaking imperialist nation. He wanted to use as many Americans as he could against their Government. He wanted, if possible, to split American opinion on the question of U.S. Cuban policy. For this reason, the October 11 broadcast, from which I have already quoted, directed an appeal for assistance to the American people, as distinguished from the U.S. Government.

The broadcast reviewed aid that had been given to foreign Communist causes in the past through Communist fronts operating in the United States. It mentioned, as examples, the work of the North American Committee To Aid Spanish Democracy during the thirties and the World War II operations of Russian War Relief. The broadcast stated:

> The common people in the United States have proved by their past action * * * that they will respond to calls for help just as generously as the people of France, Israel, the Soviet Union, or any other country, provided that an organization is present to help them channel their sentiments.

The last part of that quotation is most significant and bears repetition: "Provided that an organization is present to help them channel their sentiments."

Then the appeal for help was made to the American people. The Cuban broadcast said:

> Let us remember that, at the same time that Cuba's United Nations Ambassador rejected an offer of aid from the United States, he also said, "However, we will accept any offer of help from the North American people, from any U.S. citizen who wishes at this time to express solidarity with us in any way he sees fit." Those are the words of an official spokesman of the Cuban Government.

In another English language broadcast on October 14, Havana radio stated that though Cuba had rejected American Red Cross assistance:

> The first thing to notice is that the Cubans have not turned their backs on an offer of help from the people of the United States, but only on official or semiofficial agencies of the U.S. Government. We cannot repeat this too often.

This broadcast again quoted the words used by the Cuban Ambassador to the United Nations in rejecting the U.S. offer of assistance:

> However, we will accept any offer of help from any U.S. citizen who wishes at this time to express his solidarity with us in any way he sees fit.

The Havana radio broadcasts did not fall on deaf ears. On October 18, a "Dear Friend" letter was mailed from the post office box of Dr. Louis Miller in New York to persons who had been on the mailing list of the Medical Aid to Cuba Committee when it was functioning. The letter told of the damage Hurricane Flora had done to Cuba. It announced that the signers of the letter "are working to dispatch shipments of medical and relief supplies directly through hospital institutions as we did with medical aid before." It closed with an appeal for contributions and word that checks should be made payable to Dr. Miller. The letter was signed by Dr. Miller, as former medical director of the Medical Aid to Cuba Commitee; Sidney J. Gluck, as the former treasurer of the organization; and Basil Pollit, as its former legal counsel.

The Fair Play for Cuba Committee also acted. A few days later, Vincent Theodore Lee, the FPCC's national director, mailed a letter in support of the Communist-promoted relief for Cuba drive to those on his group's mailing list. Lee, by the way, appeared before the Committee on Un-American Activities last year in the course of its investigation of illegal travel to Cuba and invoked the fifth amendment on present Communist Party membership. Here are a few excerpts from the two-page appeal that was mailed from the Fair Play for Cuba headquarters in New York City over Lee's signature:

> Already an independent ad hoc committee of persons with various attitudes toward the Cuban revolution has been formed to conduct such a [Cuban relief] program. It is called the Emergency Committee for Disaster Relief to Cuba.
>
> It is the will and the desire of the Fair Play for Cuba Committee to use every one of our resources to see that this committee successfully achieves its goal of raising the funds needed to buy medical supplies and food items such as powdered milk for children in hungry Cuba. * * *
>
> We ask you to open your hearts and send a check for this cause immediately. * * * Please, this is not for the Fair Play for Cuba Committee, send all moneys for the Cuban relief to the Emergency Committee for Disaster Relief to Cuba or its treasurer.
>
> Until this new committee obtains an office of its own we will accept checks at the national office of Fair Play but they should be made out to the aforementioned organization for their use only.

Mr. Speaker, the Fair Play for Cuba Committee has been the major pro-Castro front in the United States since its organization in the spring of 1960, a few months after the bearded dictator seized control of Cuba. Lee Harvey Oswald, accused assassin of President Kennedy, was head of the New Orleans chapter of this group.

The U.S. Communist Party, of course, did not remain idle. It did just what we would expect it to do. Within a few days it, too, had issued an official statement on the Cuban disaster. Havana Radio played up the statement in an October 23 broadcast. The full text of it was published in the party's newspaper, the Worker, of October 27. The statement read in part as follows:

> We call upon the members and friends to be in the forefront of this activity [the collection of relief for Cuba] and to spur their organizations for the collection of urgently needed aid.

It ended with these words:

> We call upon each and every Communist to look upon the mobilization for immediate disaster aid to Cuba as a sacred duty in the cause of common humanity as well as an act of solidarity binding all those sharing a common ideal.

Significantly, this official Communist Party statement pointed out that "a number of people's organizations are already moving to collect funds, food, clothing, and urgently needed medicines."

"People's organizations," in Communist parlance, means Communist front or fellow traveling groups.

The issue of the Worker which carried the full text of the above statement also featured an article about the formation of the Emergency Committee for Disaster Relief to Cuba—and noted that contributions were to be made payable to Dr. Miller at his New York City post office box.

No Communist or fellow traveler who reads the Worker could fail to get the message. Havana radio summarized the Communist Party statement in these words:

> The communique also asks all members and Communist Party sympathizers to head movements of aid for Cuba. * * * The communique concludes by asking each North American Communist to consider an immediate mobilization to help the people affected by the disaster * * * as an act of solidarity which is binding on all those who share a common ideal.

The Communist Party fully understood the political move Castro was making in rejecting the American Red Cross offer of help. It knew that Communist front aid to Cuba was only a secondary aim and that breaking the blockade was the major one. The statement therefore made this point:

> Today when the heroic people of Cuba, under the leadership of Premier Fidel Castro, are undergoing such untold hardships, it must become the immediate duty of every decent American to demand that the criminal blockade be lifted forthwith in order to allow the fullest expression of solidarity and humanity by the people of our country to the people of Cuba.
>
> There must be renewed and concerted effort on the part of all peace-loving and democratic-minded Americans to demand that the Kennedy administration put an end to the present Cuba policy and embark upon a new policy of peace and friendship and normal trade and diplomatic relations. This is essential in the interests of our own people as well as Cuban people and for world peace.

The Worker followed this up with an editorial in the issue of October 29 demanding an end to the embargo and calling on its readers to write letters to the President and the State Department urging such action.

Meanwhile what was the Emergency Committee for Disaster Relief to Cuba doing? By November 1, it had an office and printed stationery on which, under that date, it mailed out a second appeal for contributions. This letter was signed by Gluck as chairman of the new organization, Elizabeth Sutherland as treasurer, and Dr. Miller as medical director, checks to be made payable to him.

Various Communist groups in the United States which, despite their ideological differences, have been united in their support of Castro, went to work on behalf of the Emergency Committee for Disaster Relief to Cuba. Favorable items about the formation of the group and its activities appeared not only in the Worker, its west coast counterpart, the People's World, and the National Guardian, but also in the Militant, official organ of the Trotskyists, and the Workers World, the publication of another Communist splinter group.

The Communist Party's monthly magazine, New World Review, in its issue of December 1963, told its readers that they should support the Emergency Committee for Disaster Relief to Cuba and called for an end to the "inhuman embargo whereby our Government seeks to strangle Socialist Cuba."

The committee was also helping itself. It had sufficient funds to place a half-page ad in the National Guardian of November 7 and to pay for a full-page, back cover ad in the November 30 issue of the Nation magazine. The Washington Post ad of December 16, which cost approximately $800, was apparently the high point in its advertising campaign.

I believe the facts make it incontestably clear that the Emergency Committee for Disaster Relief to Cuba is a Communist agency—Communist in its inspiration, Communist in its operation, Communist in its aims.

Contrary to its claim in the Washington Post ad, it is not carrying out "a humanitarian, nonpolitical mission." The ad was a fraud and a hoax. The committee is designed to exploit the suffering of the Cuban people in order to play on the generosity and gullibility of non-Communist Americans to aid Castro and Khrushchev in their efforts to break the U.S. embargo on Cuba, to undermine this country's overall policy toward Cuba, to strengthen Castro, and thus to aid Communist subversion throughout Latin America. Its purposes, to put it bluntly, are primarily anti-United States.

Even as this committee and other Communist organizations throughout the world are pleading for funds to help the Cuban people, Castro is attempting to round up 500 Americans who will defy their Government by visiting Cuba this summer—with all expenses paid by his Red regime. This will cost hundreds of thousands of dollars—a sum which would pay for extensive relief for the Cuban people if Castro were at all interested in their welfare.

But, no, Castro is not concerned with the welfare of his slaves. He wants only the expansion of Communist power. And, unfortunately, there are people in this country who are all too ready to help him—and there are newspapers which, for the money, will assist Communist operations of this type.

Some people wonder about how Communist fronts get started, how they function, the disguises they use to conceal their true purposes—and what those purposes are. The facts about the Emergency Committee for Disaster Relief to Cuba go far toward answering all questions of this type. This organization is one that no American loyal to his country and the principles on which it is founded would touch with a 10-foot pole.

PRESIDENT JOHNSON AND THREAT TO CANAL ZONE

Mr. DORN. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from South Carolina?

There was no objection.

Mr. DORN. Mr. Speaker, President Lyndon Johnson issued the following statement this morning at 12:30 a.m. after a 2½-hour conference on the Panama crisis:

> The United States tries to live by the policy of the good neighbor and expects others to do the same.
>
> The United States cannot allow the security of the Panama Canal to be imperiled. We have a recognized obligation to operate the Canal efficiently and securely, and we intend to honor that obligation in the interest of all who depend on it.
>
> The United States continues to believe that when order is fully restored, it should be possible to have direct and candid discussions between the two Governments.

I commend President Johnson for his strong and reassuring statement.

Over the years the American people have been gravely concerned about Communist agitation, mob violence, and disorder, all aimed at American ownership of the Panama Canal. Communist agents, subversives, and saboteurs from Red Cuba, Russia, and China are constantly at work to undermine U.S. sovereignty over the Canal.

I joined the distinguished and able gentleman from Pennsylvania [Mr. FLOOD] and the distinguished and able gentleman from Alabama [Mr. SELDEN] and others in opposing the flying of the Panamanian flag over the Canal Zone beside the U.S. flag. We knew then that U.S. acquiescence to this demand would lead to further demands and eventually would lead to a demand that the United States withdraw from the Canal Zone entirely, placing the Canal under international control or under Panamanian control. It is now imperative that we make no further concessions to Communist-inspired mob violence and the wild demands and ridiculous charges in Havana, Peiping, and Moscow.

Mr. Speaker, I again commend President Johnson for assigning to the Panama crisis the proper priority and for immediately realizing the grave threat to the security of the Canal Zone and thus the security of the United States and the Western World.

THEIR PRESCRIPTION: INTEGRATION—U.S. NURSES ASKED FOR "QUIET, PLEASE"

Mr. THOMSON of Wisconsin. Mr. Speaker, I ask unanimous consent that the gentlewoman from Ohio [Mrs. FRANCES P. BOLTON] may extend her remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Wisconsin?

There was no objection.

Mrs. FRANCES P. BOLTON. Mr. Speaker, as you know, my interest in nursing goes over many, many years, and I have been particularly interested in the very effective and quiet way in which the Negro nurses have been taken into the American Nurses Association.

The Association for Colored Graduate Nurses was the first group to amalgamate with another organization. This was due very largely to the consecrated work of Estelle Riddle and Mable Keaton Staupers. To my mind, there is no group in this country who make better nurses than our colored people. They seem to have an intuitive capacity for it. Now that it is possible for them to get the best training there is, they are able to project themselves into the work with their minds and their hands trained—their hearts already working for the best for the patient.

The Washington Post on January 5, published a very interesting article about Mrs. Staupers and her work. I have taken the liberty to edit it a little that it may not be too long, but I feel sure that all House Members will want to know what is in this interesting article:

U.S. NURSES ASKED FOR "QUIET, PLEASE"

(By Louise Durbin)

"Integration in the nursing profession? We did it quietly. The nursing leaders thought the quiet way was the best way." It was Mabel Keaton Staupers, former president of the National Association for Colored Graduate Nurses which merged with the American Nurses' Association, talking in her Washington home.

Though she undertook it quietly, the sprightly, 73-year-old Mrs. Staupers thoroughly accomplished her purpose and achieved equality for members of her profession.

Today, the State nurses' associations in every one of the 50 States are integrated—Georgia was the last to lower the barrier in 1962.

The American Nursing Association itself is a smoothly operating and integrated organization that has a full-time department devoted to intergroup relations.

More and more Negro nursing schools are closing their doors as qualified Negro students are attending integrated schools of nursing.

All six District of Columbia schools of nursing—Capital City at D.C. General Hospital, Catholic University of America, Freedmen's Hospital, Georgetown University, Lucy Webb Hayes at Sibley Memorial Hospital, and Washington Hospital Center—accept Negro nursing students. The number who enroll is small—as reflected in the 5 Negro girls out of the total 131 students who are seeking to become R.N.'s at Capital City School of Nursing.

Of 178 collegiate nursing programs throughout the country, 163 had accepted qualified Negro students by 1961. * * *

Today, several of these 12 colleges already have changed their policies and now admit Negro students. * * *

Negro R.N.'s are accepted as officers in all branches of the Armed Forces.

More and more hospitals are employing Negro nurses as members of the staff in all departments that require R.N.'s. Of the hospitals in the District of Columbia, only Doctors Hospital has not employed Negro registered nurses to date.

Typical of area hospitals is George Washington University Hospital, where 34 of the 174 full time R.N.'s employed on the staff and in administrative positions are Negroes.

But in 1934, when the NACGN opened its office in the same New York building with the other nursing organizations, things were tough, though the ANA had, since its beginnings in 1896, offered membership to all qualified nurses.

"You must remember that at the age and time we started, people definitely believed in segregation," said Mrs. Staupers.

"Frequently I had to send a girl, who came to my office, back to prepare herself before she could even be accepted by a good school of nursing. The dual educational system in Southern States didn't provide adequate high school training. And of course we had to work to get the good nursing schools to accept Negro students.

PEOPLE IN HIGH PLACES DID THE FRONT-RUNNING

"How did we get nursing schools and hospitals to accept Negro students and R.N.'s? You can't do it all alone. The most important thing is that you have to get people in high places to understand the problems and do the front-running," explained the remarkable pioneer.

"For years Catholic University didn't accept Negroes though it was the only place in Washington where nurses could take graduate work. In 1936 we appealed to the Catholic Interracial Council and asked them to change the situation themselves. They did."

Mrs. Staupers recalled another incident:

"A Negro who had applied for admission to Yale Graduate School of Nursing was told she would be happier in a Negro school.

"I wrote her and told her nursing at its best was a lot of hard work and the most important thing was to get the best qualifications—you didn't go to nursing school to be happy.

"Then we appealed to a member of the Yale board, Dr. Anson Phelps Stokes. He understood the problem. In 1946 the first Negro nurse graduated from a Yale collegiate nursing course.

"One of the greatest champions we ever had is Representative Frances Payne Bolton, Republican, of Ohio. She spearheaded the opening of the Wesern Reserve University school of nursing—which is named for her—to Negro students in 1945."

The Barbados-born and Harlem-bred Mrs. Staupers recalled other parts of the NACGN nursing history of her time.

"Only four of the some 200 hospitals in the New York metropolitan area employed Negro nurses in 1937—Lincoln, Harlem, Seaview, and Riverside.

"And in the few hospitals in the North where Negro R.N.'s were employed there were subtle ways to differentiate—if a Negro nurse was given a supervisor's job, she wasn't given the title or pay that went with it."

When Mabel Staupers went to bat for the NACGN, she put her appeal for equal pay for Negro nurses to hospital boards strictly on an economic basis.

"We pointed out that a Negro nurse had to pay just as much for her uniform and shoes as a white nurse did," she explained.

"We were trying to win our fight for the nursing profession and policies—to give the best patient care—not just for Negroes. The most precious friends the Negro nurses had, in both the North and South, were the white nurses who took up the fight with us—and for us," she continued.

"When a person is ill, the average patient would never refuse a Negro nurse so long as he knows the hospital is responsible for the nurse's qualifications. Qualifications are all-important," she stressed.

During World War II, a quota of Negro nurses were accepted in the Army—then relegated to serving prisoners of war or segregated Negro troops. The Navy refused to accept Negro nurses.

Then, after endless redtape and talk with generals and admirals, Mrs. Staupers was received in November 1944, by Eleanor Roosevelt, who listened carefully and sympathetically to the problems. By January 1945, the Navy Nurse Corps announced it would accept nurses regardless of race, and, at the same time, discrimination in the Army was on the wane.

The smooth blending of the NACGN into the ANA took place 12 years ago, in 1951, without fanfare or fuss. An intergroup relations department had been set up within the ANA in 1946 so that by the time the NACGN disbanded in 1951, the ANA and its predominantly white membership were well prepared for the merger.

"We dissolved our corporation, and turned our well-being over to the ANA," Mrs. Staupers said simply.

Ironically, it was the Negro girls who had to be prepared for integration when it came.

"We went all over the country urging the girls to join State nurses' associations when they did open their doors to qualified Negro graduate nurses. We told them if they didn't join and participate, we couldn't help them, for we were working for nursing and policies, not just Negroes," she explained.

Today, the nursing profession, represented by the ANA, is proud of the continuing campaign, unique among the professions, that it has conducted to eliminate discrimination in nursing education and employment.

And the remarkable Mabel Staupers has told her own story, of her tireless, unceasing campaign in her book, "No Time for Prejudice," which was published by the Macmillan Co. in 1961.

TIME FOR COOL HEADS

Mr. **THOMSON** of Wisconsin. Mr. Speaker, I ask unanimous consent that the gentleman from Massachusetts [Mr. Keith] may extend his remarks at this point in the Record and include extraneous matter.

The **SPEAKER**. Is there objection to the request of the gentleman from Wisconsin?

There was no objection.

Mr. **KEITH**. Mr. Speaker, all of us are well aware that the situation confronting both the United States and Panama is ominous. Now as much as at any other time in the history of our relations, all sensible, diplomatic means should be used to reach an agreement and understanding which will be mutually satisfactory to both the United States and Panama. Our long-term interests and those of Panama are identical and demand the continued and efficient operation of the canal. In this connection, I would like to call an extraordinarily reasonable and farsighted editorial from the Standard Times of New Bedford of January 11, 1964, to the attention of my colleagues.

[From the New Bedford (Mass.) Standard-Times, Jan. 11, 1964]

Time for Cool Heads

It would be a terrible tragedy if hotheaded young Panamanian leftists, and American students who should know better, were allowed to provoke a permanent break between the United States and Panama.

The situation in the Canal Zone is made to order for Fidel Castro. He is only too aware of the undercurrent of ill will against the United States in Panama and he fans the flame at every opportunity, hoping to force Washington to abandon the Canal Zone.

The United States has no intention of getting out. It is in the zone by mutual agreement between the two countries, pays substantial wages to those who operate the canal, and needs the zone as a lifeline between the Atlantic and Pacific Oceans.

The United States has been regularly granting new and more generous economic and political concessions to Panama. Last January, this country permitted Panama to claim titular sovereignty over the Canal Zone, and agreed that flags from both countries would fly side by side over 16 designated locations.

The agreement when into full effect January 1, 1964, but American high school students broke it this week when they raised the American flag at a nonauthorized spot in front of Balboa High School despite an appeal from Robert J. Fleming, Jr., U.S. Governor of the zone.

Young Panamanians, spurred on by Fidelistas, then attacked the U.S. Embassy, destroyed American property and fired on U.S. troops who were forced to return the fire. The result: At least 20 dead, about 200 wounded and the most serious disagreement yet between Panama and the United States.

Panamanian President Roberto Chiari has demanded a complete investigation of the flareup by the Organization of American States. The United States should have no objection to a fair and unbiased examination of the situation, and has ordered a full-scale inquiry on its own.

In the meantime, each side would gain by a return to normal operations in the Canal Zone. Anything less would permit Communist agitators to ply their trade and make Castro the big gainer.

ATTORNEYS SOCIALIZE

Mr. **THOMSON** of Wisconsin. Mr. Speaker, I ask unanimous consent that the gentleman from Virginia [Mr. Poff] may extend his remarks at this point in the Record and include extraneous matter.

The **SPEAKER**. Is there objection to the request of the gentleman from Wisconsin?

There was no objection.

Mr. **POFF**. Mr. Speaker, an item appeared in the December 20 issue of the Washington Star which may have escaped the attention of some lawmakers and in which, in my judgment, every lawmaker and law practitioner should take an interest. I quote herewith the news article which is datelined Warsaw:

> Poland's 5,700 lawyers will be forced into collectives under a measure ending private legal practice in the Communist nation.
>
> The bill was passed last night by Poland's Communist-dominated Parliament with only five opposing votes. Although a client may still select his own attorney, fees will be set by the Government and paid to the lawyers' association. Part of the income will be divided equally among all members of the collective and part in proportion to the work they do.
>
> Sponsors of the bill argued that legal fees were too high for ordinary people.

Mr. Speaker, many lawyers seem unconcerned about the fact that some people in America would like to see the medical profession socialized. Because they are not personally and immediately concerned, they have closed their eyes and ears to the threat. Lawyers would do well to come to the aid of their sister profession. Who can say that the next proposal might not be "Legal Aid to the Aged," and next "Medical and Legal Aid for Everybody."

MASSACHUSETTS CITIZENS FOR PRAYER

Mr. THOMSON of Wisconsin. Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. Becker] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Wisconsin?

There was no objection.

Mr. BECKER. Mr. Speaker, I am inserting herewith "A Challenge to American Democracy," by the Massachusetts Citizens for Prayer in Public Schools. This is a bona fide organization of good solid American citizens and I am certain anyone reading this, will be able to decide for themselves just what it is Americans want, and that they do not intend that Almighty God and prayer, be barred from our society, public and otherwise. This organization has been intrumental in calling discharge petition No. 3 to the attention of many of the Members of the House from Massachusetts as well as of other States. I commend this to your attention.

The Prayer Amendment: A Challenge to American Democracy

Once upon a time there was a country, a democracy, which had a Congress of several hundred Members. When the highest Court in that country banned prayer and Bible reading from its public schools, nearly 150 Congressmen filed proposals to amend the Constitution to return the longstanding practice of such prayer and to forestall further judicial inroads into other cherished instances of public reverence. This was a high percentage. At the same time many, though not all, of the religious leaders of the country denounced the Court's action as setting a dangerous precedent. Besides an opinion poll showed that that country's citizens were 3 to 1 opposed to the action.

One might have expected in this situation that something would happen in the Congress. But more than a year and a half after the Court's first prayer decision nothing had happened. Despite the fact that groups sprang up across the country in its churches, among its veterans' organizations, and elsewhere, to fight for amendment, very little appeared in the country's news media. Nor were any hearings scheduled in a committee whose chairman himself rose in the Congress to blast a fellow congressional chairman for blocking action on another bill.

It was not so much the opposition which troubled supporters of the prayer amendment. It was the silence, the apathy, the sheer disregard for the democratic process. It was the willingness of so many of their fellow citizens to accept without effective complaint such an apparent judicial termination of that public reverence which had once so distinguished their traditions as a people. It was also the inconsistency of some Congressmen which bothered those who cared. This inconsistency, they felt, consisted in filing an amendment proposal and stating that they, the Congressmen, were in favor of amendment and then doing nothing whatsoever to see that an amendment was voted on in Congress and referred out to the people for final action.

There were even some in the country who saw in the whole matter not a triumph but a very tragedy for democracy. These some questioned whether many Congressmen's proposals meant anything more than lipservice to principles for which they were unwilling to fight when the going got a little tough. They questioned, too, how so large a part of the news media in their country could ignore so serious an issue. They wondered, again, how that widespread cry of indignation which supported an effort to move one proposal in civil rights out of a recalcitrant committee ought not also to have moved prayer amendment proposals out of another recalcitrant committee. They wondered, finally, if anything would ever be done. Or if history would have to conclude that despite the 100-plus prayer amendment proposals and the great weight of popular feeling democracy was simply inadequate to the task of reversing a Court ruling which they knew in their hearts was wrong.

But this story, thanks be to God, is not yet finished. The American people can still reverse its incredible implications.

More than half the necessary 218 signatures are now fixed to Congressman Frank J. Becker's prayer amendment Discharge Petition No. 3. To secure the remainder requires continuing action by every American, however he feels on the substantive issue, to support the democratic process and let the people decide in their several States whether or not public reverence shall survive, free from judicial encroachment, in the Nation.

Here is the text of the consensus amendment agreed to by 60 Congressmen and precised by constitutional lawyers:

"Article —

"Section 1. Nothing in this Constitution shall be deemed to prohibit the offering, reading from, or listening to prayers or Biblical scriptures, if participation therein is on a voluntary basis, in any governmental or public school, institution, or place.

"Sec. 2. Nothing in this Constitution shall be deemed to prohibit making reference to belief in, reliance upon, or invoking the aid of God or a Supreme Being in any governmental or public document, proceeding, activity, ceremony, school, institution, or place, or upon any coinage, currency, or obligation of the United States.

"Sec. 3. Nothing in this article shall constitute an establishment of religion.

"Sec. 4. This article shall be inoperative unless it shall have been ratified as an amendment to the Constitution by the legislatures of three-fourths of the several States within seven years from the date of its submission to the States by the Congress."

To move this amendment, one letter is not enough. One resolution is not enough. One sermon, one protest is not enough. A continuing barrage of protest must be mounted until the Congress releases it to the people for action in the States.

We recommended before and we recommend again:

1. Action at the local level: Every school board, school-affiliated organization, veterans' unit, council and board of selectmen in the United States should place itself on record at least for the right of the people, through their State legislatures, on a prayer amendment. Nor is one simple resolve sufficient. Again and again, local protestors must return to the fight until the Congress acts.

2. Action at the State level: Every State legislature in the United States should be petitioned by citizens of that State to put itself on record at least for the right of the people to vote, through it, on a prayer amendment. Once again, words are not enough. A constant effort must be maintained until the legislatures' resolution is translated into congressional action.

3. Action at the national level: Some Congressmen, understandably, are reluctant to sign a discharge petition. But this is no ordinary discharge petition. Already it bears the signatures of men of both parties and of various religious background. Congressmen who do not choose to sign are, in effect, saying to their constituents—we may agree with you, but there is nothing we can do. Americans in each congressional district must then ask—but we want you to do something. If you will not sign a discharge petition, how then will you secure to us in our State legislatures the right to make up our own minds on a prayer amendment?

Whatever you may think on the issue itself, the present status of prayer amendment proposals is a clear challenge to American democracy. Will you join us in the fight to meet that challenge?

Carl R. Griffin, Jr.,
Chairman.
Mrs. Charlotte Judkins,
Cochairman.

The LAST OF THE MOHICANS

Mr. THOMSON of Wisconsin. Mr. Speaker, I ask unanimous consent that the gentleman from Illinois [Mr. Arends] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Wisconsin?

There was no objection.

Mr. ARENDS. Mr. Speaker, when we enacted the Legislative Reorganization Act in 1946 it was our intention to have each committee of the House and Senate establish for itself a professional staff of technicians and advisers who would serve the committee, both Democrats and Republicans, whatever the committee's political composition and whoever may be the chairman. There would thus be attached to each committee a group of "experts" with no other function except to assist the committee members in gathering, assimilating, and evaluating facts with respect to matters under the jurisdiction of the committee.

Our Committee on Armed Services carried out this concept to the letter. From the beginning we determined that our staff would be selected solely on a basis of their professional training, experience, and ability and not upon a basis of their partisan political philosophy. It has been understood that once selected as a staff member of our committee you serve without regard to party. Our staff members also understand that their tenure on the staff is not dependent upon which political party controls the committee, thus enabling our staff not to concern themselves with the vicissitudes of politics but simply view all matters objectively.

I take personal pride in the high quality of our entire committee staff, and I call attention to the following editorial that appeared in the January 15 issue of Navy Times:

The Last of the Mohicans

One of the great modern achievements of our much maligned Congress was bringing in the concept of professional committee staffs in 1947. Both the House and Senate Armed Services Committees brought in brilliant staffs that year.

But time has brought changes and makes those of us who knew the original 1947 staff conscious of our years. The brilliant Senate committee staff of 1947—Marine Reserve Col. Joe Chambers, a Medal of Honor winner; Maj. Gen. Verne Mudge, leader of the 1st Cavalry Division, and Army Col. Mark Galusha—have long since departed the scene. One of their replacements, Kenneth BeLieu, in turn left to become Assistant Secretary of the Navy. But the tradition of professionalism continued and today the committee has an outstanding staff in William H. Darden, T. Edward Braswell, Jr., and Gordon A. Nease.

On the House side, too, there were changes. One of the original staff members, Bryce Harlow, became a trusted White House aid of President Eisenhower.

Now, with the close of the 1st session of the 88th Congress, Robert Smart, long the chief counsel of the House Armed Services Committee, has also left Capitol Hill. That leaves only John R. "Russ" Blandford of the original counsel on either committee.

The first Congress in which the professional staffs functioned had an unparalleled record of achievement on military legislation: unification; the Officer Personnel Act; WAVE, WAC and nurse legislation; military justice reform and many others.

For 16 years since 1947 Smart and Blandford have made substantial contributions to countless bills that have strengthened our Armed Forces and made life better for the members of the forces. We are sorry to see Bob Smart go. He had a genius for achieving good compromises in political areas and did a great deal to help his committee achieve a reputation of being above politics. We wish him well in his new industrial career.

But Russ Blandford remains. No one can match him in his grasp of military law or in his capacity to handle detail. He has one more attribute that helps account for his notable achievements: he cares. He cares deeply about the men and women in the Armed Forces. He knows the importance of all the little things his committee does in the lives of service personnel. His remarkable record would not have been possible without this dedication. We hope he stays another 16 years.

It remains to be said that the House committee, too, has continued the tradition of outstanding professionalism. One of the House replacements, Charles Ducander, has gone on to be chief counsel of the Space Committee. The committee gets unusual service from Counsels Philip W. Kelleher and Frank Slatinshek and new men now joining the staff will, we are sure, live up to the standard of excellence that has been set. It has become a tradition.

A REPORT ON INDUSTRIAL DEVELOPMENT AND ECONOMIC GROWTH IN PENNSYLVANIA DURING 1963

Mr. **THOMSON** of Wisconsin. Mr. Speaker, I ask unanimous consent that the gentleman from Pennsylvania [Mr. JOHNSON] may extend his remarks at this point in the RECORD and include extraneous matter.

The **SPEAKER**. Is there objection to the request of the gentleman from Wisconsin?

There was no objection.

Mr. **JOHNSON** of Pennsylvania. Mr. Speaker, the Department of Commerce of the Commonwealth of Pennsylvania under the leadership of Hon. John K. Tabor, of Pittsburgh, has completed a very active year in the industrial development and economic growth of Pennsylvania. Secretary Tabor's report to Gov. William W. Scranton reveals the marked progress made in 1963 in promoting economic growth and relieving unemployment in Pennsylvania. A copy of Secretary Tabor's report follows:

YEAR 1963: A YEAR OF ACCOMPLISHMENT AND PROGRESS IN INDUSTRIAL DEVELOPMENT AND ECONOMIC GROWTH IN PENNSYLVANIA

(By John K. Tabor, Secretary of Commerce, Commonwealth of Pennsylvania)

On March 5, 1963, Gov. William W. Scranton called his program to bring jobs and economic growth to our Commonwealth "the heart of the matter."

I believe it is fair to say that no single program has received more effort, concern, or support from the Governor, his entire administration, and great numbers of citizens in the State, than this program. This is as it must be—for the creation of enduring jobs is essential not only to the economic health of the State, but to the dignity and self-respect of our people.

What has been achieved to date? Fortunately, we can say "much." Unemployment is down markedly, and machinery has been established on many fronts, in both the public and private sectors, which equips Pennsylvania, in my opinion, with the best program in the United States today to retain and attract industry.

First, let's look at "results accomplished"—the statistics: In November, there were 294,000 unemployed (6.4 percent of work force), as compared with 430,000 (9.3 percent of work force) in January of this year. The November unemployment was reduced 48,000 from a year ago (November 1962, 7.4 percent of work force unemployed) and 80,000 from 2 years ago (November 1961, 8 percent of work force unemployed). October 1963 showed the lowest unemployment level and rate (6 percent) in the past 6 years.

The business index for the State reached a new high in the second quarter of 1963.

Seven hundred companies will have announced the start of operations or the expansion of existing operations in Pennsylvania during 1963, according to preliminary estimates by the Department of Commerce. This compares with 685 in 1962, and 516 in 1961.

Among the major new and branch plants to be constructed are: Masonite Corp., a $12 million plant at Towanda, Bradford County, for production of building board; National Standard Co., a new 128,000-square-foot plant at Mount Joy, Lancaster County, for production of steel wire; International Resistance Co., a 72,000-square-foot plant in Worcester Township, Montgomery County; Sekisui Plastics, a Japanese plastics manufacturer, constructing an $850,000 plant at Hazleton with assistance of the Pennsylvania Industrial Development Authority.

Major companies constructing expansions at their existing plants are: Smith Kline & French, $4 million expansion; Scott Paper Co., $5 million expansion; RCA at Lancaster, $11 million.

Included in the industrial development summary and research facilities for the American Institute of Research at Pittsburgh, a $1,750,000 plant; and American Glass Research, Inc., at Butler, 260,000 square feet; these are projects of the PIDA.

A major electric utility has reported that 149 new industries have located in their 23-county area during the first 11 months of this year, as compared to 133 for the same period in 1962. They also reported a net increase of employment of 7,764—double that of 1962.

The Pennsylvania Industrial Development Authority approved more projects this year than in any previous year. Preliminary figures for 1963 show that 77 projects were given approval for loans totaling $10,266,903. The total cost of the projects is estimated at around $25 million with planned employment of over 8,300 and an expected payroll of around $33 million.

While Pennsylvania's share of the Defense Department budget was a disappointing 3.3 percent our share of military prime contracts for research and development rose to 4.1 percent, as compared to 3.8 percent last year. The Commonwealth's share of funds spent by the Agency for International Development was 8.3 percent of the total, as compared to 3.9 percent in 1962.

Pennsylvania continued to lead the Nation in redevelopment projects and expenditures for redevelopment—136 redevelopment projects, involving 78 communities in 34 counties are underway. This compares with 107 in 1962 and 84 in 1961.

Urban planning continued to grow in 1963. With the addition of 143 communities, of this group 129 communities entered the planning process for the first time.

Ninety-eight new planning studies were started this year—more than the total number from 1960 through 1962—and nine new county planning programs were started—equal to the total from 1960 through 1962.

The formation of 5 new tourist promotion agencies (Allegheny, Berks, Chester, Mercer, and Montgomery Counties) during the year brings the total to 47 agencies, covering 52 counties, working at the local level to increase the flow of tourist dollars in Pennsylvania.

All of this good news does not obscure the fact that there is still much to be done to uplift our State economically. Hence, even while those former programs which were good were continued, we have added a number of new tools with which to attack unemployment in Pennsylvania.

Thus, the competitive tax climate was further improved through actions of the legislature.

The Pennsylvania Industrial Development Authority was expanded to include research and development firms and distribution facilities with a special incentive for research and development. And, an industrial mortgage guarantee program was enacted to provide financing aid, statewide.

Privately financed business development credit corporations are being established to provide financing for working capital, machinery, and equipment throughout the State.

A quarter of a billion dollars was authorized for the single biggest highway construction program in the State's history, with high priority being given to industrial development needs.

A 12-point program was enacted to improve and expand the State education system at all levels, including technical training, to provide the skilled workers required by modern industry.

State government, itself, has been mobilized to provide more useful, courteous, prompt, and fair service to business and industry, as well as to our citizens. A prime example is the new interdepartmental clearing council, which has already been cutting red tape in several dramatic instances and aided in the retention, expansion, and attraction of industry. A new federal procurement division in the department was established, and is working with a united congressional delegation and the Governor's Washington representative to secure a greater share of Federal contracts for Pennsylvania industries and educational institutions. A foreign trade division of the department was created, and is working to increase the export of Pennsylvania products, as well as to attract foreign investment to our State.

Our advertising program for both industrial development and tourist promotion has been improved and expanded. The results of our efforts to tell the Pennsylvania story and our State's advantages for business and travel to prospects throughout the Nation have been most encouraging thus far.

One of the most important facets of our total program to bring new jobs and economic growth to Pennsylvania has been the mobilization of the private sector of our Commonwealth. The development credit corporations are one example. In addition, the Governor has recruited some of the best talent available in the State to participate in five major undertakings. The Council of Business and Industry, composed of 21 top Pennsylvania business and industry leaders, has already provided invaluable assistance in the planning and implementation phases of the program. The Governor's Council of Science and Technology, with its membership of outstanding scientists, educators, and technically oriented businessmen, is now at work on its assignment of expanding Pennsylvania's role in space age activities. Key labor leaders and management representatives are cooperating in the establishment of labor-management councils throughout the State to provide a common meeting ground for the discussion and resolution of broad problems affecting the economic health of the State. A Tax Administration Review Committee has been set up to seek solutions to delays, confusion, and redtape wherever they exist in the administration of our tax laws.

The fifth undertaking relates to the massive sales effort on behalf of Pennsylvania that must be mounted in order to meet our competition and capitalize on our full potential. This is the "100,000 Pennsylvanians for the Promotion of Economic Growth." To supplement the year-round sales efforts of our department's trained plant location specialists and our local industrial development and travel promotion groups, our utilities and industrial realtors, all Pennsylvanians are being asked to join in an all-out campaign to tell the world of our advantages for business and travel.

These groups have contributed, invaluably, brainpower, manpower, and money power to our drive to create more jobs in Pennsylvania.

All of these programs and activities hold special promise as we look ahead: 1964 promises to be a year of continuing high economic activity. The year's automobile production, it is predicted, will again exceed 7 million units. Even more important for industrial development, the best economic analysts are predicting that 1964 will be the biggest year for capital investment in new plants and expansion and modernization of old plants since 1957.

Hence, 1964 offers Pennsylvania a special opportunity, one that may not come again soon.

We Pennsylvanians have a lot going for us in the quest to get these plants: Good location, productive labor, an abundant labor supply, taxes quite competitive with surrounding States, and good livability. Because of these assets and what has been done to provide strong programs for highways, education, human services, tax revisions, and industrial development, we believe that with any reasonable national economic activity, Pennsylvania's overall economic health will improve even more in 1964.

INDEPENDENCE OF CYPRUS

Mr. SCHADEBERG. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Wisconsin?

There was no objection.

Mr. SCHADEBERG. Mr. Speaker, there are two kinds of friends: Fair weather friends and those who stand with us when the weather is stormy. Turkey has proved itself a real friend. Turkish troops fought effectively, gallantly, and in a most signal manner by our side in the worst days in Korea.

This week there is an international meeting in London to discuss the future of the key Mediterranean island of Cyprus. Cyprus only became independent in 1960 when a solemn treaty was signed by Turkey and Greece which protected the rights of the Turkish minority. The Turkish Cypriots represent only about one-quarter of the population of Cyprus.

As an outcome of recent rioting, in which Turkish Cypriots were killed, the majority, Greek Cypriots are demanding 13 changes in the basic charter of Cyprus' independence. These changes would eliminate all protection for the minority, the Turks. We in the United States recognize the importance of protecting minority rights.

Sizable Communist elements on Cyprus had a major role in connection with the rioting. In fact, there is some reason to believe a deliberate attempt is being made to foster discord, if not conflict, between two NATO allies, Turkey and Greece. The fate of the eastern Mediterranean as a part of the free world is involved.

Mr. Speaker, I am confident the Congress will follow closely the current conference in London. I hope that our Government will use its not inconsiderable influence in order to make sure that discord, let alone hostilities, between two NATO members is prevented.

Too often have we kicked our friends and aided our enemies, or those leaning toward our enemies. Here is a chance to reverse the trend. The United States stands for international law and order. It is to its interest, as well as that of NATO to see that this matter does not become a major issue.

Mr. Speaker, I suggest this Communist-backed attempt to alter a solemn treaty entered into less than 4 years ago, is ridiculous. Cyprus is now independent. This status should be maintained and the rights and yes, the safety, of the minority should be protected.

THE PANAMANIAN CRISIS

Mr. RYAN of Michigan. Mr. Speaker, I ask unanimous consent that the gentleman from West Virginia [Mr. STAGGERS] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. STAGGERS. Mr. Speaker, the eyes of the world have focused these past few days on the crisis at the Panama Canal, a crisis which has claimed lives of both Panamanians and Americans, and which has to be deplored. But I think these events need to be deplored in another light, and for more reasons than have thus far been brought into view. I find it hard to escape the belief that Communists infiltrated the demonstrations, and indeed, strived to capitalize on the disruptions there. We know this is their tactic throughout the globe. We have seen such happenings in the past, and we have learned from the past to watch out for such infiltrations wherever disturbances occur. Panama can be no exception.

I have stated before this body several times that the battle with communism is a life and death struggle. The forces of good; the forces of a religious nation cannot live complacently side by side with the Communist movement. Therefore, we must be careful to halt their movements on every front, never yielding to pressure, never moving an inch, never bowing to threats during crisis, for it is out of crises that communism makes its greatest inroads on freedom.

I call upon the administration to remain firm in our treaty with Panama. We do not go along with the Communist belief that "treaties are made to be broken." Rather, we feel treaties are made to be kept. The United States must, therefore, keep its treaty with Panama, and must not bow to demands from any quarter to make changes, especially while the Panama situation remains at such a high psychological peak.

The United States and Panama jointly signed their treaty shortly after the turn of the century. Let the United States declare, here and now, its intention to maintain that treaty to the fullest extent of the letter, and if there are to be any amendments or adjustments made to the treaty let them be made not under any threat of intimidation, but under the binding rules of a conference table.

Personally, I feel our financial contributions to Panama are adequate. If the Panamanians feel they are not, we should sit down—jointly—like men of good intellect and human understanding—and negotiate, hear grievances of both sides, discuss the problems, come to a mutual understanding and agreement which will benefit both sides. As the situation now stands, with emotions flared up by the unfortunate incidents of this past week, neither side will benefit. No one gains when decisions are hastily made to facilitate a particular incident. In the long run, such quickly reached agreements have proved impractical.

Order must be restored and maintained in Panama. That is our responsibility, our obligation under the treaty. It may even be necessary to send in more military troops, and I would not hesitate to support such a move. Troops to insure that American citizens will not be targets of snipers, troops to insure that more rioting is not permitted to take place, and troops to insure that Communist infiltrators in the demonstrations are not permitted to make inroads on our historical friendship with the good people of Panama.

The situation in Panama may indeed be unique, as some have said. But in dealing with it, we must not overlook or ignore the role the United States has had in building and maintaining the canal. We must forfeit nothing in this critical period.

It will do no good for either side to go around placing the blame on one side or the other. The damage has already been done. But I do find it hard to believe the words of the Panamanian Ambassador over the weekend that Panamanian students were carrying out a "peaceful demonstration." I would hardly call attacking American citizens with rocks, overturning and burning cars, and burning and looting American buildings "peaceful."

Therefore, let us first restore order by force if necessary, and then let us take the Panamanian crisis to the negotiating table, and solve our differences there. That is where calm thinking prevails, and this is a time for calm thinking. This is a time for calm, deliberate, and steadfast decisions, especially on the part of the United States. Let us remember, too—when the United States protects her interests in the Panama Canal, she is protecting the interests of peace in the world.

EX-MAYOR OF PHILADELPHIA SPEAKS ON CIVIL RIGHTS

Mr. RYAN of Michigan. Mr. Speaker, I ask unanimous consent that the gentleman from Louisiana [Mr. Waggonner] may extend his remarks at this point in the Record and include extraneous matter.

The **SPEAKER**. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. WAGGONNER. Mr. Speaker there are certain truths being spoken around the country today about the so-called civil rights issue which, if I or some other Member from the South said, would bring down on us the same old cry of "racism" which the race-mixing advocates have used for years to smear anyone who advocates the orderly separation of the races. One such statement was made last week by Richardson Dilworth, former mayor of Philadelphia.

Certainly, in every sense of the word, Mr. Dilworth is an advocate of "civil rights." But, like every other man whose commonsense rules over his thinking, Mr. Dilworth knows that unconstitutional laws, mob demonstrations, civil disobedience, demagoguery and incitement to riots are not the answer to the problem which professional agitators and Communist-fronters from CORE and the NAACP keep fomented. In the speech to which I refer, Mr. Dilworth, and he is one of the few who did so, pointed up the ridiculousness of the recent court ruling concerning the Mummers Parade in Philadelphia.

Mr. Dilworth's call for the Negro to shun the demagog leaders they are following and, instead, show initiative and commonsense, is worth reading by every Member of this body before the day comes when we must cast our votes on the unconstitutional civil rights bill which will be before us.

His statement is included in the syndicated column of David Lawrence which appeared in the Washington Star of yesterday, January 13 and is reprinted below:

Aftermath of the Mummers: Ex-Mayor Dilworth Calls on Negroes To Shun Demagogs, Use Initiative

(By David Lawrence)

Sometimes a prominent man known best in his own city or State makes a speech that deserves the attention of the whole country—especially when it concerns what has been called the social revolution in America.

Richardson Dilworth, a former mayor of Philadelphia who was the unsuccessful Democratic nominee for the governorship of Pennsylvania in the 1962 election, is unquestionably an ardent advocate of civil rights. Yet if the same things which he has just said had been spoken by Governors Barnett of Mississippi, Wallace of Alabama, or Faubus of Arkansas, there would have been a tirade of criticism leveled in their direction, and they would have been called racists and enemies of the Negro.

Mr. Dilworth, however, happened to be inspired to talk plainly and bluntly on delicate issues that have rocked the peace of his city. He had prepared the other day a speech on transportation for a seminar of 300 business executives of the Chamber of Commerce of Greater Philadelphia. He suddenly asked for more time and, in an impromptu manner, supplemented his remarks. He declared that the time has come for the Negro to stop following demagog leaders.

Mr. Dilworth added that he believed the furor recently over the use of blackface in the annual Mummers Parade in Philadelphia was unfortunate and that it "set the Negro community back 10 years." He added: "It's these inconsequential things that cause the whites to be set against the blacks."

Mr. Dilworth pointed out the Negroes are being left to swelter in cities around which the suburbs are drawing a noose. He continued: "I recently went on a nine-square-block tour of an area comprised of mostly low-income Negro groups that took a whole day.

"When we wanted to question them, we couldn't find a sober man or woman to talk to. They just have no hope. That's the kind of rot that is going to spread if we don't get employment and education for those people. We cannot support 20 percent of the Negroes in the North on relief and hope to survive.

"And the time has come for the Negro to stop feeling so damned sorry for himself. Some of their leaders are demagogs * * * but they've got to learn to help themselves, and not take an attitude that just because they are a minority they can get nowhere here.

"That's just not true. Look at the Irish and Italians of years past. One of them even went on to become President of the United States. They (the Negroes) have got to get some of the same kind of spirit that these people had.

"They get the feeling they can't win, and they can't. There are six whites to every black. They just can't win unless something is done on a basis of courage and human intelligence."

What Mr. Dilworth said is not surprising. The same point of view has been expressed before in local communities by conscientious persons who really would like to help solve the racial problems. But the sensitiveness about giving advice to the Negroes has risen to the point where even prominent Negroes themselves are reluctant to speak out because they are promptly attacked by Negro leaders in the demagogic category.

The use of the technique of street demonstrations, moreover, has not been of as much assistance to their cause as some of the Negro leaders had hoped. Too often these demonstrations have produced a bitterness between Negroes and whites which did not prevail before. Incitement to violence has occurred. It's true that race relations have long been unsatisfactory from the Negroes' viewpoint, but it will be recalled that Negro leaders, trained in the law and anxious to assert constitutional rights, persisted for many years in their legal battle and resorted solely to methods of legal procedure.

Thus, the biggest victory won in 100 years by the Negroes was the "desegregation" decision of the Supreme Court of the United States in May 1954. There were no public demonstrations in and around Washington before that time, nor were there similar manifestations anywhere else. The court case was won solely by the arguments advanced by the lawyers, including Negro attorneys, through the lower courts and finally in the Supreme Court itself.

The moral in all this is simply that more progress can be made by the use of the voice of reason at the conference table in the local communities and by resort to legal procedures than can be achieved by demonstrations. Additional improvement will come in racial relations in America when the Negro leaders themselves begin to speak out plainly against the demagoguery and misguided advice that so many of their brethren have been giving, only to stir up resentments and bitterness in many a community—which is exactly what former Mayor Dilworth pointed out in his recent address.

COAL MINE SAFETY

The **SPEAKER**. Under previous order of the House, the gentleman from California [Mr. Roosevelt] is recognized for 30 minutes.

Mr. ROOSEVELT. Mr. Speaker, the Committee on Education and Labor on November 19, reported favorably H.R. 9000 (Rept. No. 936), a bill to amend the Coal Mine Safety Act, Public Law 552, passed in 1952. This bill amends the Coal Mine Safety Act to further prevent accidents in coal mines.

I am particularly proud of this bill for I honestly think it provides for further protection of the Nation's coal miners. The 82d Congress, in passing Public Law 552, provided an exemption from the law for mines employing less than 15 men. Why any miner who happens to work in a mine designated as a title I mine—14 or less—should not be afforded the same safety regulations as a miner working in a title II mine—15 or more—was never clarified.

Mining is a dangerous occupation under the best of conditions and to my way of thinking the same standards of Federal inspection and enforcement should apply to every coal mine in the country, large or small. A title I mine should be just as safe as a title II mine. I am sure that life is just as valuable to an employee of a title I mine as it is to an employee of a title II mine. It certainly is as precious to the family of such a miner.

Since the passage of Public Law 552 many bills have been introduced year after year by various Members of Congress both from coal and noncoal producing States seeking to correct the inequities in the act. Many Members of Congress from the coal producing States were fed up with the tragedies enacted in their districts and the spectacle of women and children at the scene of a mine accident that might have been prevented had the laws governing mine inspections been extended to every mine in the United States.

Proponents of legislation to broaden the scope of the Federal Coal Mine Safety Act have been accused of trying to force the operators of title I mines out of business. This to the majority of our committee seems inaccurate and unfair. Furthermore, though such allegations were made they were never substantiated. It is going pretty far to say that any operator must be exempted from the mine safety law so that he can operate his mine profitably. It is flying in the face of providence to say that measures that make for the safety of men who work underground, that are recognized by all the mine safety experts as being necessary to the conduct of safe mining practices, must be sacrificed because a coal operator cannot make a profit if he lives up to these recommendations.

During the hearing and deliberations on this legislation which were conducted by the general Subcommittee on Labor, statistics of all sorts and types were submitted. Figures dealing with man-hours of exposure, production figures in ratio to accidents, and percentages of accidents between title I and title II mines, all were presented and taken into consideration. Charges were made that human error played a major part in these accidents. Yet in spite of statistics, in spite of the charges hurled back and forth by the opponents and proponents of this legislation, the fact remains that the fatalities and accidents are still there year after year.

We will never know how many coal miners might be living today, if they had had close inspection. Mr. Speaker, there cannot be too much inspection. Since the passage of the original Coal Mine Safety Act fatalities and accidents have decreased to a remarkable degree. From an industry that once counted its dead in the thousands and its casualties in the tens of thousands, it now counts its dead in the hundreds, still far too many but a far cry from the old days of haphazard, unenforced inspection. We need both Federal and State inspection if only to keep these departments on their toes and doing a good job.

Therefore, Mr. Speaker, after much deliberation the general Subcommittee on Labor decided that all mines, be they large or small, should be covered by the Federal Coal Mine Safety Act and amended Public Law 552, by striking from the act that section which had exempted mines employing 14 or less men from the enforcement sections of the act.

The so-called economic factors which had been injected into the hearings on this bill by the opponents of the legislation have been taken care of by various new sections of the amended bill. The Coal Mine Safety Board of Review has been increased to five men, by adding a representative of the employers and employees from title I mines. This Board must travel into the field to hold hearings on appeal cases. The Board is required upon request by an operator to hold proceedings at either the county seat of the county where the mine is located or at any place mutually acceptable.

A 6-month period of grace is provided for newly covered mines before the withdrawal order authority of section 2 becomes operative.

It requires the Director of the Bureau of Mines to affirmatively and diligently seek to cooperate with the appropriate agencies of the several States.

It requires the Secretary of the Interior to conduct a special 1-year study into the sufficiency of existing Federal coal mine safety standards.

The Department of the Interior has recommended that all title I mines be covered by the Federal Coal Mine Safety Act. They have also recommended that the present methods of dealing with roof supports, ventilation, and electric equipment be changed. The present bill offered by the Committee on Education and Labor recommends that a further study be made of these requirements and that a report be made to Congress on the results of this study within 1 year.

The last section of this bill allows the Secretary of the Interior to enlarge and intensify the educational programs of the Bureau of Mines with respect to the advancement of health and safety in the coal mines of this Nation.

Our late President, John F. Kennedy, who directed the Secretary of the Interior to make the study of mine safety legislation leading to this measure, stated his great concern over coal mine disasters and his deep sympathy for the families and friends of those who perished. He asserted:

> It is imperative that we take every necessary step to avoid such accidents in the future.

It is my belief that H.R. 9000 is a good and necessary bill and it is my hope that it will be accepted and passed by the 88th Congress. To assure early passage of this measure, I urge all Members of the House who are interested in the safety of coal miners to contact the Members of the Rules Committee to secure early consideration of this important bill.

Mr. SAYLOR. Mr. Speaker, will the gentleman yield?

Mr. ROOSEVELT. I am happy to yield to my friend from Pennsylvania [Mr. SAYLOR].

Mr. SAYLOR. Mr. Speaker, I want to take this opportunity to congratulate our colleague from California on the fine statement he has just made. We who come from coal-producing areas sometimes have been accused of making statements which probably are a little farfetched. However, the gentleman from California, who was chairman of the Subcommittee of the House Education and Labor Committee that conducted the hearings on the bill offered by the gentleman from Pennsylvania [Mr. DENT], has grasped the situation so finely, that I cannot but commend him and hope that the request he has made will be complied with by other Members who come not only from coal-producing States but from any area of the United States where they are interested in people.

Mr. Speaker, all America remembers the horror that persisted for almost 2 weeks after a roof fall trapped three men in a Pennsylvania coal mine where no human being would have been admitted had proper safety precautions been observed. Fortunately, through the patience, persistence, strength, and courage of trained rescue teams, two of the trapped miners were finally brought to the surface alive. Hope for saving the third man finally evaporated, and today this body is entombed in the collapsed tunnel where he bravely sought a livelihood under most hazardous conditions.

An anguished populace was kept in constant touch with rescue operations at the Sheppton mine. Prayers for the recovery of the miners were offered in every city and town throughout the land. Drifting machines and other equipment were flown into Sheppton from oilfields in Texas and other parts of the country. The activity that followed the cave-in mushroomed into one of the most dedicated and energetic rescue operations in the history of mining.

It has been said a number of times here on Capitol Hill that the proposed new mine safety bill would have been enacted quickly without serious opposition had the legislation come before the Congress during or immediately after the Sheppton disaster. It is true that tragedy has a habit of disturbing complacency and rousing remedial activity, yet I cannot believe that the memory of a single Member of Congress could be so short as to permit him to become less demanding of legislation designed to prevent, or at least reduce, the number of accidents that occur each year in our mining industry.

The bill introduced by the distinguished gentleman from Pennsylvania [Mr. DENT] from my neighboring district of Westmoreland County, will extend the Federal Mine Safety Act to all coal mines, including smaller operations like the Sheppton mine. I frankly have never fully understood the philosophy behind a law which would exclude mining companies with a working roster of 14 men or less. This standard is as unrealistic as if our highway laws were not applicable to the smaller automobiles, or if restaurants employing 15 persons were not required to meet sanitary conditions specified in ordinances.

My colleague from Pennsylvania is to be congratulated for his dedicated effort to bring his bill is enactment. We are also grateful to the chairman of the subcommittee, Mr. ROOSEVELT, and other members of this subcommittee for their devotion to duty and sympathetic understanding of this most serious problem. I am confident, that this special order and the pending bill before the Rules Committee will lead to early passage of needed mine safety legislation in 1964.

Mr. ROOSEVELT. I thank the gentleman from Pennsylvania. I must say to him, of course, and I am sure he recognizes, I have no coal mines in the city of Los Angeles.

Mr. SAYLOR. That is correct, and if anyone who is not interested in coal, can grasp the situation, they will realize the tremendous problem that exists in the coal mining districts, and particularly where we have small mines. I urge the Members to pay attention to the address the gentleman has just made.

Mr. ROOSEVELT. I thank the gentleman.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. Baring (at the request of Mr. Albert), for the balance of the week, on account of official business.

Mr. McIntire (at the request of Mr. Arends), for the balance of the week, on account of death in family.

Mr. Martin of Nebraska (at the request of Mr. Arends), for today, January 14, 1964, on account of illness.

Mr. Mathias (at the request of Mr. Arends), for today, January 14, 1964, on account of official business.

Mr. Gary (at the request of Mr. Jennings), for the balance of the week, on account of illness.

Mr. Broyhill of North Carolina (at the request of Mr. Arends), for today, January 14.

Mr. Anderson (at the request of Mr. Arends), for today and tomorrow, on account of illness.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

Mr. Flood, for 1 hour, on January 22.

Mr. Roosevelt, for 30 minutes, today.

EXTENSION OF REMARKS

By unanimous consent, permission to extend remarks in the Congressional Record, or to revise and extend remarks, was granted to:

Mr. Harris, to include in his statement made in the Committee of the Whole today a statement of the Honorable Alan S. Boyd, Chairman of the Civil Aeronautics Board, before the committee recently, and a statement of Mr. Najeeb E. Halaby, Administrator of the Federal Aviation Agency, that he made before the committee.

Mr. Roberts of Alabama, the remarks he made in the Committee of the Whole today and to include extraneous matter.

(The following Members (at the request of Mr. Ryan of Michigan) and to include extraneous matter:)

Mr. Minish.

Mr. Multer.

ADJOURNMENT

Mr. RYAN of Michigan. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 4 o'clock and 39 minutes p.m.) the House adjourned until tomorrow, Wednesday, January 15, 1964, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

1529. A letter from the Comptroller General of the United States transmitting a report on improper disposition of refunds of group insurance premiums by Grumman Aircraft Engineering Corp., Bethpage, N.Y.; to the Committee on Government Operations.

1530. A letter from the Director, Congressional Liaison, Agency for International Development, Department of State, relative to transmitting a copy of the Agency's reply to the Comptroller General of the United States, which relates to a report (B-146820), dated October 7, 1963, by the Comptroller General relating to Public Law 480, 83d Congress; to the Committee on Government Operations.

1531. A letter from the Comptroller General of the United States, transmitting a report on overbuying and unnecessary overhaul costs resulting from the failure of the Air Force to follow the Navy's practice of separating accessories from spare reciprocating aircraft engines; to the Committee on Government Operations.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. THOMPSON of New Jersey: Joint Committee on the Disposition of Executive Papers. House Report No. 1096. Report on the disposition of certain papers of sundry executive departments. Ordered to be printed.

PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. DERWINSKI:

H.R. 9619. A bill to amend the Agricultural Trade Development and Assistance Act of 1954 so as to permit the use of foreign currencies accruing from the sale of surplus agricultural commodities in foreign countries having a Communist government to be used to make farm improvement loans to private enterprise farmers in those countries; to the Committee on Agriculture.

By Mr. KUNKEL:

H.R. 9620. A bill to amend the Federal Property and Administrative Services Act of 1949 to permit donations of surplus personal property to State agencies for use by volunteer firefighting organizations; to the Committee on Government Operations.

By Mr. PEPPER:

H.R. 9621. A bill to combat poverty; and to provide assistance in the development of new or improved programs through grants to the States for aging, community recreation, and voluntary services, and for training, through research, development, or training project grants, and to establish within the Department of Health, Education, and Welfare, an Assistant Secretary for State and Community Services and an Interdepartmental Commission on State and Community Services; to the Committee on Education and Labor.

H.R. 9622. A bill to establish a Community Recreation Service in the Department of Health, Education, and Welfare, and for other purposes; to the Committee on Education and Labor.

H.R. 9623. A bill to amend title II of the Social Security Act so as to remove the limitation upon the amount of outside income which an individual may earn while receiving benefits thereunder; to the Committee on Ways and Means.

By Mr. WYMAN:

H.R. 9624. A bill to require the words "In God We Trust" on the Supreme Court Building; to the Committee on Public Works.

By Mr. HARRIS:

H.R. 9625. A bill to authorize the Secretary of Commerce to accept gifts and bequests for the purposes of the Department of Commerce; to the Committee on Interstate and Foreign Commerce.

By Mr. WHARTON:

H.R. 9626. A bill to amend title II of the Social Security Act to authorize the President, during periods of acute unemployment, to provide that all individuals otherwise eligible may retire with full benefits thereunder at age 60; to the Committee on Ways and Means.

By Mr. ROOSEVELT:

H.R. 9627. A bill to amend section 213 of the National Housing Act to place the Federal Housing Administration cooperative housing mortgage insurance program on a mutual basis; to the Committee on Banking and Currency.

By Mr. UDALL:

H.R. 9628. A bill to authorize the classification, segregation, lease and sale of certain lands for agricultural use and to provide fair compensation for the present lessees thereof in the event of any deprivation of the improvements placed thereon by them, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. AVERY:

H. Con. Res. 253. Concurrent resolution that it is the sense of Congress that there should be no reduction nor elimination of subsidy payments under the Federal Aviation Act of 1958 to feeder airlines until December 31, 1964; to the Committee on Interstate and Foreign Commerce.

By Mr. NELSEN:

H. Con. Res. 254. Concurrent resolution that it is the sense of Congress that there should be no reduction nor elimination of subsidy payments under the Federal Aviation Act of 1958 to feeder airlines until December 31, 1964; to the Committee on Interstate and Foreign Commerce.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. FINO:

H.R. 9629. A bill for the relief of Phyllis Mayers; to the Committee on the Judiciary.

By Mr. BOB WILSON:

H.R. 9630. A bill for the relief of Roberto Martin Del Campo; to the Committee on the Judiciary.

PETITIONS, ETC.

Under clause 1 of rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

619. By the SPEAKER: Petition of the city clerk, Boston, Mass., relative to going on record as endorsing the efforts of the National Association of Government Employees who have formed the Save the Boston Naval Shipyard Committee; to the Committee on Armed Services.

620. Also, petition of Henry Stoner, Avon Park, Fla., to have published a U.S. House document delineating the biographies of all the Americans who have statues in their memories in the U.S. Capitol; to the Committee on House Administration.

621. Also, petition of Henry Stoner, Avon Park, Fla., to legislate to require U.S. Secret Service protection for the Chief Justice of the United States in the same manner as afforded the President; to the Committee on the Judiciary.

622. Also, petition of Henry Stoner, Avon Park, Fla., to make an especial effort to discover the original cornerstone of the U.S. Capitol as dedicated by President Washington; to the Committee on Public Works.

623. Also, petition of Henry Stoner, Avon, Park, Fla., to appoint a Special Committee To Investigate Overcontrol of Americans of Anglo-Saxon Genetic Derivation in American Foreign Policy, and that only Members of the House whose surname ends in "i" or "o" be appointed to serve on this committee; to the Committee on Rules.

EXTENSIONS OF REMARKS

The Century of Human Rights

EXTENSION OF REMARKS

OF

HON. ABRAHAM J. MULTER

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 14, 1964

Mr. MULTER. Mr. Speaker, on April 4, 1963, the Anti-Defamation League of B'nai B'rith presented its 1963 Human Rights Award to the then Vice President Lyndon B. Johnson at a dinner held in New York City.

The following article, which appeared in the December 1963, Anti-Defamation League bulletin, is based upon Lyndon B. Johnson's acceptance speech on that occasion. As the President pointed out, the forces of bigotry are on the defensive and this is truly a century of human rights. When we finally pass the Civil Rights Act, we will be adding another milestone to the cause of liberty so ably espoused by Lyndon B. Johnson.

The article follows:

THE CENTURY OF HUMAN RIGHTS—WE SHALL HAVE FAILED OUR COUNTRY AND OUR CAUSE IF WE DO NOT FULFILL ITS PROMISE

(By Lyndon B. Johnson)

This century in which we live has been given many names. It has been eloquently described as the century of the common man; others have applied different descriptions of both hope and despair. For myself, I feel it may be most accurately and aptly described as the century of human rights.

It may seem paradoxical to refer to a century which has seen the rise of two of the greatest tyrannies in history—fascism and communism—as the century of human rights. But, in the light of historic human behavior, it becomes apparent that there is no paradox whatsoever—in fact, that the rise of these forces is evidence of the growing strength of the cause of equality.

The intense fury with which the totalitarians of both the right and the left deny the concept of human rights is the measure of their realization that their cause is doomed. People who are truly confident, people who truly believe they represent the wave of the future, do not resort to mass denial of age-old religious practices, mass denial of political rights, or mass extermination. These are the weapons of frustration—the last resort of men who know, however loudly they may deny the fact, that they have reached the end of one of the blind alleys of history.

It is difficult for our generation—which has known of Dachau and Warsaw, of the imprisonment of cardinals and the fate of Passover in the Soviet Union—to realize the tremendous advance of the concept of equal rights in the mid-20th century.

A few short decades ago, the thought that all men and women—regardless of race, creed, color, or origin—were entitled to equality of treatment was a novel idea. There was a concept of tolerance, but to far too many people it was a tolerance for "lesser breeds without the law" who were to be treated with kindness and humanity but not with equal regard as fellow human beings.

There are very few thinking men today who regard this kind of tolerance as a virtue, however much it may have contributed at one time to peaceful relations. The whole moral drive of the Western World is focused on the concept that we are all children of God—however we may worship our God—and entitled to judgment on our individual merits without regard to irrelevant considerations of ancestry.

This is the true wave of the future—the fulfillment of the dreams and hopes of moral men throughout the ages. However much we may fall short of our ideals, we are striving to attain them with an intensity heretofore unknown. They have become an accepted part of the fabric of our society. And however vehement may be the forces of bigotry, the fact remains that those forces are on the defensive. They are fighting a losing battle.

That is why I am confident our century—the century of human rights—will be remembered for the legacy it leaves to the future more than for its inheritance from the past.

It is abundantly clear that in the course of our Nation's affairs, we have arrived at a season of change in our policies and our relationships with the world—especially the non-Communist world. A period of searching reassessment has begun. However, we lose—and others lose—a necessary and indispensable perspective, when we neglect the fact that this is also a time for reassessment by all nations of the free world community.

All of us together are emerging from a period which has seen history's greatest explosion of political rights. We are also emerging from the early phase of what has been called the explosion of economic aspirations. In a very brief period, new world standards of political equality and equality of economic expectations have been established and we cannot neglect the implications.

We welcome what has happened. We are proudly conscious that both the revolution of political independence and that of economic expectations had their beginnings on these shores. We are conscious of special responsibilities to these forces which have reshaped the destinies of so many men. Our national policies since World War II have sought to honor those special responsibilities.

As the authentic revolutionaries of the world, however, we of America must make it clear to those who have chosen freedom that the revolution of freedom is fundamentally and above all else a revolution of human rights. And we must make it clear not only by words but by example and precept. Our own house must be in order.

When our system was created, many hard decisions were required. None was harder—none more revolutionary—than the decision embodied in our Bill of Rights that the Central Government should be prohibited from serving as the instrument for perpetuation of the prejudices and bias and discrimination of any sect or segment of American society. This decision was—and has continued to be—fundamental to our American unity, fundamental to our American capacity for economic growth, fundamental to the harmony of our society, and fundamental to our capacity for exercising leadership on behalf of freedom beyond our own shores.

We must not acquiesce passively to any concept that the world can enjoy a new freedom while remaining the accomplice and prisoner of old prejudices.

But if a better world is to be built, there must be a universal recognition that mankind must marshal the full potential of human resources and make full use of those potentials without regard to hereditary bias, prejudice, and discrimination.

If we of America are to rise to our full height as men in this century, we must face courageously the world's problem of human discrimination. We must speak clearly. We must speak in concrete terms. We must help the world to understand that the curing of the problems of discrimination is the beginning—not the end—of genuine freedom.

As long as there have been societies more complex than tribal simplicity, majorities and minorities have relied on stereotypes to mold their opinions of one another. Such stereotypes have been convenient—but they have also been cruel.

We can take some measure of satisfaction from the fact that there is progress and that these stereotypes disappear as human understanding spreads.

For example, after January 20, 1961, the two highest elective offices in the strongest free nation on earth were held by men who had overcome the handicap of the stereotype—for reasons of religion or region of birth. And I believe that each passing day will diminish the force of the stereotype for all of us.

Recently, when I attended the swearing in of an Ambassador of the United States it was noted in some accounts that I am "from a Southern State." The Ambassador himself was from a Southern State, also. But the accident of my birth became newsworthy, as did his, because I was born in the South of white parents—and he was born of Negro parents.

If to stand by his side, to shake his hand, wish him "Godspeed" makes news, then that is news I am proud to make.

I say this to emphasize that the effort made by your national leadership today against discrimination, against bias, against division, and against the tyranny of stereotypes is, above all, an effort directed by men who know personally the enemy—and know his toll.

But, I say this also to suggest that perhaps we of America should consider raising our sights toward larger horizons. Certainly in this field there is much still to accomplish—but what remains undone does not detract from the magnitude of what has been done.

Much of our effort is directed today to the subtle forms of discrimination. This is a necessary and worthwhile effort—and we cannot be content until we have succeeded completely. But when we look to the world as a whole, the problem of discrimination is a massive problem—requiring massive effort on our part.

We cannot be content until we commit ourselves to massive support of the cause of human rights everywhere.

Our American vocabulary is filled with frequent expressions identifying illiteracy, illness, ignorance and poverty as the oppressors of humankind. I believe we need to complete our vocabulary by acknowledging frankly that the greatest oppressor of all continues to be that of bias and prejudice.

We shall have failed our country and our cause if, from the position we are now privileged to enjoy in the world, we do not undertake the initiative in fulfilling the promise of this 20th century as the century of human rights.

If we are to be remembered as constructive builders of a better world of peace and justice and freedom we shall be remembered not for the dollars we sent abroad but for the force of the influence and leadership we exercise to improve the lot of mankind. It is this work that challenges us—it is this undertaking that summons us—it is toward this higher goal that we must lift up our sights and set our course.

LYNDON JOHNSON ON RECEIVING ADL'S 1963 HUMAN RIGHTS AWARD, APRIL 4, 1963

I am proud I live in a country where people have heart and where people come and give their support to causes that the Anti-Defamation League puts first—serving others. I know something about your work. As a result of your counsels, people are enjoying the first democracy they ever tasted in their whole lives in many parts of the land * * * I want to thank you for permitting me to be part of you. I want to assure you that I understand the worthiness of your cause and I want to be a partner if I may.

Yeshivah Toreh V'Emunah in East Bronx

EXTENSION OF REMARKS

OF

HON. KENNETH B. KEATING

OF NEW YORK

IN THE SENATE OF THE UNITED STATES

Tuesday, January 14, 1964

Mr. KEATING. Mr. President, one of the most significant challenges facing our Nation today is that of educating our children that they may be equipped not only to build the future, but also to live up to their great heritage. Although we have made long strides in improving educational opportunities, we dare not forget the underprivileged children who, whether because of unfortunate home situations or inaccessibility of adequate school facilities, are unable to enjoy the advantages to which they are entitled.

In this context we should remain mindful of the important contribution made by numerous private institutions, of teachers and sponsors who give so greatly of themselves to schoolchildren. These are men and women who are committed to the idea that imparting the wisdom and learning of Western civilization is a most vital task.

I should like to call the attention of my colleagues to a school in New York that exemplifies this kind of dedication. The Yeshivah Torah V'Emunah is staffed with devoted teachers who value the welfare of their 400 pupils highly. Situated in the East Bronx of New York City, this Yeshivah is attended by many refugees from Cuba, Bolivia, Hungary, Poland, Czechslovakia, and Israel, by children of poor and comfortable homes alike. A full-day nursery and kindergarten is maintained so that the widowed or divorced mothers of these children may work to support themselves.

As this school is attempting to meet the all too familiar problem of overcrowding by constructing a new building, I have asked the Office of Education in the Department of Health, Education, and Welfare to consider assistance under the National Defense Education Act. It is hoped that a loan can be considered to aid in equipping the laboratory projected for this new building, to make available to the students at this fine institution the equipment necessary to meet 20th century educational needs and challenges.

Goldwater Responds to Life's Editorial

EXTENSION OF REMARKS

OF

HON. KARL E. MUNDT

OF SOUTH DAKOTA

IN THE SENATE OF THE UNITED STATES

Tuesday, January 14, 1964

Mr. MUNDT. Mr. President, in an editorial in the November 1, 1963, issue of Life magazine a challenge was posed to Senator BARRY GOLDWATER, as a candidate for the Republican nomination for the Presidency, to clarify his views on foreign affairs. The Senator prepared a statement in response to that editorial challenge. This response is the first formal foreign policy statement of Senator GOLDWATER as an avowed candidate for the Republican nomination for the Presidency.

In view of the interest which all America has in the conduct of our foreign affairs because we all know that a world at peace depends in large part on our conduct of our foreign policy, I request permission that this article appearing in Life magazine for January 17, 1964, be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

GOLDWATER RESPONDS TO LIFE'S EDITORIAL: "MY PROPOSALS FOR A 'CAN-WIN' FOREIGN POLICY"

(By Senator BARRY GOLDWATER)

The United States is the most powerful Nation on earth. We are living in a world torn by conflict. We are challenged to use our power to achieve freedom and peace throughout the world. We are failing to do it.

The foreign policy of the United States should be the sum of principles and purposes through which we shape our national destiny—a clear statement of our interests, a believable expression of the will to maintain these interests and a vision of the sort of world in which nations like ours can live.

Foreign policy should not be confused with foreign programs. Programs as such stem from policy; they do not form it. To debate programs is to beg the issue and avoid the confrontation with our national conscience which a real foreign policy requires.

It is not enough simply to say that war or peace is the only foreign policy issue. Peace has many complex requirements and war has many faces which we need to know more clearly. But first we need the statement and the vision.

The fundamentals of a decent public order are based upon a view of man as endowed with inherent, intrinsic worth and rights. His worth and his rights must be protected by the rule of law enforced by an impartial judiciary, respect for personal liberty and religion, a free press, diffusion of political and economic power, and emphasis on freedom of creativity for the individual. Since we hold that government derives its just powers from the consent of the governed, a world in which we can live safely by our principles must include both opportunity for all nations to live in the way prescribed by their people's convictions and the assurance that our system will enjoy a decent respect from other governments.

In present-day terms, the major objective of the U.S. foreign policy should be the reduction of Communist power to a level from which it cannot threaten the security of our Nation or the peace of the world. This will require full mobilization of the free world's resolve and its resources to undermine the power now held by Communists and to encourage their eviction from positions of control.

This does not mean war. It means the alternative to war; a way to win peace—to end threats to the Nation—without war. Together the advanced free nations hold the balance of world power. They greatly outproduce the Communist nations, whose economies, now deeply in trouble, would stagnate without constant infusions of Western productivity.

Psychologically, too, we have the advantage. Freedom is our century's most inspiring cry. The Western nations have more freedom than man has ever before enjoyed and have extended it. Communism demonstrably has been freedom's archenemy. But we have tended to hide freedom's light under a bushel of our own reticence. We must remove the bushel so that the light that is there will shine—brilliantly.

If we fail to exploit these other instruments of national power, there eventually will come a time when the military instrument alone will serve and only the alternative of war or surrender will be available.

Our present policy of coexistence has failed to alter communism's goal of destroying the political and social forms of the non-Communist world. It will continue to fail because it does not counter the aggressive dynamism of Communist expansion.

The Communists would like to present us with the one choice: either give in or face nuclear war. But hot war is not an essential ingredient of the campaign toward reducing Communist power and evicting Communist powerholders. It is the height of folly to equate a can-win policy—the desire to win—with a desire for war, just as it is foolish to suggest that a no-win policy will produce peace.

There is always a risk of war in a world in which possessors of great military power are committed to aggression. But war is a risk to the Communists as well as to us.

The Communists are deterred from risking war today by our preponderant military-technology advantage. That deterrence can last only so long as we keep an unflagging opposition to the total Communist enterprise.

Our present deterrent power was built almost entirely under the Eisenhower administration. There has been no significant addition to it since, and there are no plans for strengthening it. There are, indeed, plans to phase it down.

Easing the arms race will not ease tensions. It will enable a growing impunity for reckless Communist tactics.

We should not fall into the very trap which Communist strategy seeks to set for us—namely, that every time the free world exerts pressure against an exposed Communist salient or marginal position, it incurs the risk of all-out Communist retaliation. Communist leaders have shown themselves cautious strategists when it comes to risking the security of their heartland by opting for war. Thus one of the principal objectives of free world strategy should be to exploit those situations in which the Communists cannot afford to take risks larger than the stakes are worth.

Our weapons programs—the choice of the right programs, their coordination with one another, and the purposefulness of their execution—are, therefore, matters of crucial national concern, and their revitalization is a matter of grave national necessity.

Does this approach alone doom any hope for the reconciliation of our differences? No. That hope is doomed by communism's objectives and not by any bellicose disposition in the free world.

The Communists' undeviating pursuit of a Communist world is a fundamental fact of world politics here and now. An American foreign policy which does not come to grips with this fundamental fact is about as meaningful as a production of "Hamlet" without the Danish prince. A thousand foreign plans, programs, and proposals only waste our precious resources so long as their authors refuse to face the fact of Red determination.

The suggestion that Khrushchev is a "better" Communist for our purposes and therefore deserves support to prevent a "worse" Communist from taking his place is a Western-style notion. It couldn't get house room in Communist thinking. Communists think of communism in ideological, not personal, terms.

Western governments are concerned with the people's welfare here and now; a free electorate does not tolerate the sacrifice of the living generation—its own generation—for the sake of some utopian fancy. Government which seeks to attain practical goals and is responsive to the people—this is the kind of government with which most of us are familiar. Communist government is not based on these principles. Yet, good naturedly and mistakenly, the democratic peoples are prone to credit these virtues to governments which spurn democracy and brag about it.

We must deal with what is the case and not with what we wish were the case. Demonstrably, the Communists themselves entertain no idea of real peace with their enemies. They consider themselves engaged in an epochal movement of history which, by historical necessity, will end the present age and destroy its society to usher in the new Socialist age.

The Communist conflict machine consists of many parts, any of these dangerous to the United States insofar as it is linked, by a community of purpose and world view, to a Communist power center capable of threatening the United States or other non-Communist nations. At present such a power center exists in the Soviet Union and one may well develop in Communist China. Others may develop in time.

Inner differences between the parts of communism do not remove the threat of any one of them to non-Communist nations so long as the overthrow of the present society remains their common goal. The antagonism between the Soviets and Red China is not based on any difference in ideas as to their enemy (the non-Communist nations, particularly the United States) and his assigned fate (destruction of his society). Thus we can take no comfort from their differences. In fact, the development of two Communist power centers could as easily double our problems as halve them.

Present U.S. foreign policy does not cope squarely with any of these situations. It is a series of unrelated programs, nervous reflexes and unwarranted assumptions. Foreign aid is used, at one and the same time, to strengthen nations against communism and to strengthen nations already dominated by Communists. In those latter cases it has not weakened Communist power but has, instead, eased internal difficulties by making up local commodity deficits.

Our nuclear policies now place more trust in our enemies than in our friends. We speak of an "interdependent" world and yet we deploy our strength so as to isolate ourselves. We are building, in short, the illusory walls of a new fortress America, in an age when such walls may be vaulted with ease. And, most alarmingly, our present policy has permitted our major alliances to decay.

As I see it, we have no realistic purpose around which policy may be formed and through which programs can be sensibly directed.

A determined enemy, faced with this jumbled array, knows that he can nibble away at one point and then another without risk. He is, in short, given assurances of immunity as he alternates between hot and cold, freeze and thaw. On our side, indecision immobilizes us, lack of overriding purpose confuses us and reaction—rather than action—restricts us.

In Latin America, for example, a dollar-stitched patchwork quilt of programs is being torn to shreds by a unified Communist drive to power. We seem to be heading toward acceptance of the substance of Communist rule under the guise of "progressive" nationalism. In Cuba the issue once was communism, but since has become simply the number of Soviet troops on the island.

Africa is said to be swept by what some call the revolution of rising expectations, easily exploitable by the Communists. Firm Western leadership could turn this turmoil in the direction of rising responsibility.

Southeast Asia shows the greatest confusion of purposes. The decision in Laos to conclude a worthless truce and accept a coalition including Communists laid open that country's long boundaries to Communist infiltration. Thailand, once a strong ally, has been left exposed, lonely and virtually forgotten. Cambodia, perceiving the meaning of our abandonment of Laos, now stands ready to hop on the Communist bandwagon. Our attempt to make a policy of concessions in Laos compatible with a policy of resistance in Vietnam was hopeless from the beginning.

There is nothing in these situations that can inspire the rallying together of the non-Communist world, that can strengthen its will or weapons, or reduce the power of the enemy. Instead, on every front there is encouragement for further Communist incursions—and encouragement also for dangerous miscalculations which could force nuclear war.

The present U.S. foreign policy does not encourage—or in some cases even permit—the use of free-world power, short of general war, to counter Communist strategy, undermine Communist power, or encourage the eviction of Communist power holders.

In the central struggle of our time, the power of the United States is crucial, but it does not stand alone.

The broad base of power which can confront, confound, and eventually overcome communism is the Atlantic community of nations, which collectively possesses the preponderant power of the earth and also shares a common cultural heritage. It is the present disarray in the Atlantic alliance which today most seriously weakens us and encourages the expansion of communism.

Our present foreign policy is conducive to this disunity. It has mishandled the delicate problem of relating a number of highly civilized and industrialized nations to U.S. leadership. It has fumbled the problem of sharing our nuclear know-how and weapons with our friends. It has, again and again, misjudged the requirements and sensitivities of our allies and evoked distrust and misunderstanding. Nor has the alliance been strengthened by our tendency to undercut our allies in the immensely complex process of decolonization.

There is a way out of the dilemma and away from the disaster it clearly foreshadows. We must rethink the purpose of the alliance, and the degree to which we are willing to concede to NATO certain prerogatives which we now reserve to ourselves.

As a matter of fact, some of these prerogatives already have been challenged so effectively by our allies that we now possess only their shadow. There is no use telling ourselves, for instance, that we still hold a nuclear monopoly in the alliance and will hold it in the future. Great Britain has such power. France is building it. There are no technological reasons to prevent others from doing the same.

Our allies may be wrong about a number of things, but they are quite right to mistrust our tendency to seek accommodations with communism through bilateral negotiations. France had some reason to look upon the test ban treaty as an agreement arrived at between the United States and the U.S.S.R. at her expense.

The answer which frequently is given to justify our current alliance-fracturing drive toward a détente with the Soviets is that it is difficult to obtain the unanimous consent of 15 allies. That begs the question. What is it that all 15 allies have unanimously agreed upon? They have agreed that they must defend one another, through NATO. If it is still their mutual defense that they are agreed upon and if they still can trust one another to come to each other's defense, they can also agree—as we can—upon the structural changes necessary to enable the alliance to cope with the issues of the times.

The crux of the alliance problem is the failure of the Democratic administration since 1960 to provide for the full participation of our allies in the planning and deployment of the most modern weapons systems, including appropriate nuclear weapons.

In this, the Democratic administration has been pursuing the most potentially disastrous course of isolationism in our history, and no responsible Western leader has failed to be alarmed by it. The American people should be, too.

All NATO forces stationed in Europe, regardless of nationality, should be equipped with and trained in the use of nuclear weapons, particularly of the so-called battlefield or tactical variety. So long as Europeans feel that the United States can veto the defense of their homes by the most modern weapons, they will have reason to view the NATO alliance half in hope and half in fear.

The question of "nuclear sharing" revolves, actually, on a question of trust. Do we, in nuclear matters, trust the Soviets more than we trust our allies?

I have suggested that the supreme commander in Europe be given authority over the tactical nuclear weapons appropriate to NATO's defenses. The best authorization ultimately must be worked out with NATO itself. I am convinced that it can be.

The Atlantic alliance could change the course of world affairs. Agreement on defense matters should be just a beginning.

The highly developed nations of the Atlantic community are perfectly capable of working out common trade and political policies which could bring down the power of communism without war.

Other alliances, such as those of CENTO and SEATO, could be revived to join in pressures against communism in the Middle and Far East. Where are they today? Under the Democratic administration they have been barely remembered, much less encouraged and strengthened.

Common trade and political policies also could provide non-Communist answers to the developmental problems of Latin America, Asia, and Africa. No single nation has the resources to underpin these developments. Present programs, scattered and purposeless, only provide easily squandered money. Really needed are technological, administrative, and educational investments by the entire Atlantic community, lest it forever be the fate of the underdeveloped nations to build appetites without planting sustenance for decent entry into a world of advanced technologies.

Economic warfare against the problem-ridden Communist countries, waged from a base of Atlantic purpose, would be one means of undermining Communist power without shooting warfare. Yet the trade policies of the Western nations—particlarly those of the United States, whose leadership is required to turn the tide—are supporting rather than eroding Communist power. Instead of being the "arsenal of democracy," the West is becoming the "warehouse of communism"—enabling Communists to make up for economic shortfalls which otherwise would weaken their power and very probably destroy it eventually.

The policy of relaxing tensions by conciliatory exchanges was tried with Hitler. As a result of "business as usual," Hitler managed to plug the holes of the German economy and to fight the war in much better economic shape than he would have been in had the Western democracies embargoed trade with Germany.

Our current policies in this regard are almost perfect examples of everything we should not be doing. The wheat sale, on Soviet terms, is a case in point.

Does economic pressure to undermine Communist power mean that they would be driven to hot war? Hardly. Countries economically strapped and agriculturally sapped are ill-equipped to fight wars.

Psychological warfare, another tool of power short of shooting, must have purpose and direction as well. "Bland" is the toughest word that comes to mind for our present performance in this area.

We have now officially disavowed the attempts of others to change the status quo. We have abandoned even a discussion of it, and we also have dropped our opposition to some Communist regimes or their claims to legitimate control. Once our tendency to accept the status quo has carried us to the point of endorsing the entire Communist empire as a legitimate regime whose interests we are committed to respect, it stands to reason that we can no longer mobilize any psychological resistance to communism.

The United States should publicly and repeatedly proclaim its confident expectation that congenital troublemakers such as the Communists will not forever be tolerated to control civilized nations. Psychological warfare should drive home always this point: Communists are alien rulers even in their own countries. Blame for international crises should be placed squarely where it belongs, on the Communist leadership. When songs of freedom are sung, let them be sung about those who cherish freedom and let the anger of those songs be directed against those who in the world today deny freedom—the Communists.

In the Cuba blockade, we briefly experienced the psychological advantages that accrue to firm action—just as we had earlier in President Truman's actions in Greece and Korea, and in President Eisenhower's actions in Lebanon and in the China Straits. All too quickly in Cuba, however, we abandoned a strong course which even today, could be effective. We went back to the morale-enfeebling course of hat-in-hand diplomacy.

The first barbed wire of the Berlin wall offered an opportunity for decisive action, too. We could have, justifiably and securely, dismantled the crude barriers at the checkpoints. As it is, we have dangerously deferred decision and meekly stood by while communism called the shots.

We should, and morally can, seek to discredit both the Communist ideology and the Communist leadership in the eyes of their subjects, and try to drive wedges between them.

In countries not yet ruled by Communists we should engage in a systematic intellectual and organizational counterattack against the Communists, with the aim of denying them every position of influence.

We should revive the international discussion of issues damaging to the Communists—as, for instance, the Hungarian bloodletting.

No discussion of internal affairs in Western nations—South Africa, as an example—should be permitted without raising the issues of Communist oppression in Russia, China, Poland, East Germany, Czechoslovakia, Hungary, Romania, Bulgaria, Yugoslavia, Albania, Lithuania, Latvia, Estonia, North Korea, North Vietnam, Cuba, Outer Mongolia, Tibet—everywhere and anywhere it exists. There never should be discussion of Communist claims without discussion of freedom's counterclaims, which are designed to lift tyranny from suffering peoples.

Neutralism—an attitude of indifference in this struggle between communism and free societies—is repugnant to freedom. Free men should not support it. Communism, as an aggressive force, will ultimately not permit it. Rare cases of genuine neutrality, self-defended, such as that of Switzerland, are not the same as neutralism, or the attempt to play one side against the other.

Political power, which the West possesses so abundantly, should be wielded forthrightly to dissuade any non-Communist or nonalined nation from supporting communism in foreign policy. As in most areas of human relationships, the wisest and most honorable rule of conduct is to reward one's friends and to punish one's enemies. The Democratic administration, heartlessly and imprudently, stands this rule on its head.

International negotiations, to be sure, are a prime arena for political power. Communists negotiate only for their own practical and ideological purposes and never to achieve peace or genuine harmony. To negotiate with the Communists without a policy that recognizes these facts is always to give and never to gain.

There is an unfortunate tendency these days to use the United Nations as an excuse for not driving hard bargains with the Communists. Such difficulties as we have with the Communists, it is often said, can be ironed out in the U.N. This is not true and the history of the U.N. has proved it abundantly and clearly.

The U.N. is a discussion forum. Attempts to make more of it at this juncture actually weaken whatever good purposes it can serve. More to the point, the U.N. is a forum far different from the one we envisioned and voted for in 1945. Its debates are now devoted almost exclusively to declamations of anticolonialism. Its members are free from even the responsibility to pay their dues. Its charter commitments against internal interference have been critically violated in, for instance, the Congo. Its notion of voting by sovereign nations was falsified at the outset by the allocation of separate votes to political subdivisions of the U.S.S.R.

We should realize in determining our position toward the U.N. that it cannot, as such, bring peace. Its Communist membership prohibits that. The problem of peace with which it might some day be able to deal will be its reasonable province only after its membership is composed of nations genuinely interested in mutual respect and toleration.

In terms of forging peace, I view the NATO alliance—the Atlantic community—as a far more practical tool than the U.N.

The U.N. in the presence of aggressive communism is, at best, a secondary instrument of international accord. It is useful to the West now for a special reason: it provides a forum in which to discuss Communist violations of the charter. If we will not so use it, its usefulness should be questioned in our Congress, where the most responsible decision regarding our membership can be made.

It is avoidance of responsibility and lack of purpose, not a lack of programs, that most gravely afflict our foreign policy today. The defects will not be cured by proposing more and more programs.

Our foreign economic aid program, for example, is an amalgam of many programs. What is its purpose? Careful study reveals no guiding doctrine for it. But an administration unable to keep together the most reasonable alliance in history—that of the Atlantic community—could scarcely be expected to provide purposeful direction. It obviously has none. Catch-as-catch-can may be an appropriate approach toward politics. It is not adequate for world politics.

The most effective approach to foreign policy now is to propose a purpose—a policy, if you will—not simply to propose new programs. Most Americans must sense this. Our allies surely do.

The programs evolving from an effective policy must be tailored to fit opportunity. Lacking purpose, they will, as now, just be knee-jerk reactions to Communist hammer taps.

One last word—about the style of our foreign policy. No nation can endure without self-respect. We need, as vitally as daily bread, the return of honor and dignity to our national conduct. We must end the trifling disregard with which our citizens have been treated in various parts of the world. Our Government must again speak and act with the distinction befitting one of history's great nations.

I have tried to propose here a standard which freemen can share and to which they can repair. The achievement of peace by the reduction of Communist power without all-out war should head the list of priorities. Only within the framework of this purpose can intelligent attention be given to the problems of grinding poverty, ignorance, and disease.

The hope that freedom and communism can live peaceably, side by side, is a vain hope, for it takes two to live at peace. The Communists will not—and cannot—live at peace, hog-tied as they are by their own militant ideology. Thus, merely to echo the Communist slogan of peaceful coexistence is simply to fall in with Communist propaganda. Most certainly, to accept the division of the world between free and slave does not measure up to worthy and sensible purpose in foreign policy.

Ending the Communist power to distort human life and disrupt world peace is the vision of victory that has the power to inspire and the inspration to win. It is the victory that would snuff the fuse of war and aggression, liberate peoples, and assure ordered fulfillment of reasonable hopes everywhere.

Our Best Wishes to President Segni and to Italy

EXTENSION OF REMARKS
OF

HON. JOSEPH G. MINISH

OF NEW JERSEY
IN THE HOUSE OF REPRESENTATIVES
Tuesday, January 14, 1964

Mr. MINISH. Mr. Speaker, I am delighted that His Excellency Antonio Segni, President of Italy, has accepted the invitation of President Johnson to visit the United States and that he will address the Congress tomorrow. We should not overlook this opportunity to pay tribute to a leading statesman and his nation. Both have been outstanding practitioners of democracy.

The friendly association of the United States with Italy is one of long duration, extending into the last century. The United States happily received millions of Italian immigrants through her portals, confident they would honor the principles of that Lady of Liberty which welcomed them ashore. They have not disappointed anyone. Italian-Americans have made worthy citizens and successful contributors to every phase of American life. Americans of Italian origin are known and respected in every occupation from artist to Cabinet member.

Like every other country Italy has had difficult times. World War II was certainly one of the most difficult. No American was happy that so much destruction and hardship were brought to Italy. But we were glad to have been Italy's liberators along with our allies, and main contributors to her postwar economic development.

It was in the first years of the postwar period that the backbone of Italian democracy was formed around the Christian Democratic Party, of which President Segni is a member. The Christian Democratic Party has directed the Italian Government for the last 18 years, and is presently embarked on yet another year with a firm parliamentary majority and a progressive program. If Italy continues to escape the designs of international communism it will largely be due to the Christian Democratic Party and President Segni himself.

The party began to exert itself in the first constituent assembly called after the war to overcome the vestiges of fascism, the chaos of the war, and the strong-arm tactics of the Communist Party. Under the constitution which that assembly wrote, the Italian people have enjoyed every guarantee of democratic freedom, and governmental stability such as they have seldom known before.

The parliamentary governments formed under the constitution have in every case been directed by the Christian Democratic Party according to the principles of the constitution and democratic men everywhere. Magnificent economic progress has been made, often called a miracle, and a rich industrial Italy has already risen from the ashes of war. Liberal and progressive welfare, health, and education programs have given Italians a happier life than they could have imagined under an extremist government of either right or left.

Italy was an original signatory of the North Atlantic Treaty, and has significantly contributed to the mutual defense of America and Western Europe. The Christian Democratic Party has continued to trust and support Italy's friends, and abide by every international agreement, despite the severest pressure from the Communist Party.

President Segni has everywhere been in the fore of these important accomplishments of his country and his party. He is a man of liberal intelligence and firm principles. He believes in allied unity. In pursuit of that unity he has often spoken for Italy against those who disrupt the vital cooperation between Europe and America and within Europe itself.

President Segni was the Prime Minister of Italy during a time of crisis, but overcame that crisis. He was chosen President because of his dedication and his popularity with the Italian people.

When Italy called on him last year to carry the message of friendship to Germany and England he gladly accepted. When an electoral crisis brought the avaricious Communist Party about his head, he stood firm for freedom and helped to mold gradually the new government, which has as its basic program, loyalty to the Atlantic Alliance, and a better life for all Italians.

Italy is fortunate indeed to have so capable a head of state visit the United States. On the occasion of his visit we should acknowledge our gratitude and best wishes to President Segni and to Italy. May we always progress together in friendship.

HOUSE OF REPRESENTATIVES

WEDNESDAY, JANUARY 15, 1964

The House met at 12 o'clock noon.

The Chaplain, Rev. Bernard Braskamp, D.D., offered the following prayer:

Romans 8: 6: *To be spiritually minded is life and peace.*

Our Heavenly Father, we are again turning to Thee in prayer in order that we may gain a deeper appreciation and experience of the spiritual realities and values, for we penitently confess that our spiritual life is often so meager and minimum in quantity and so impoverished in quality.

We acknowledge that Thou hast divinely ordained that we need mechanics, system, and organization in the business of government, but grant that we may not fail to see that in our political thinking and in the conduct of government we need above all spirit-filled and dedicated men and women.

Grant that we may understand more clearly that Thy divine spirit must permeate and prevail in all our plans and policies lest we be guilty of carrying on the affairs of state on a very low level without having any spiritual frontage.

Hear us in the name of the Prince of Peace. Amen.

THE JOURNAL

The Journal of the proceedings of yesterday was read and approved.

MESSAGE FROM THE SENATE

A message from the Senate by Mr. McGown, one of its clerks, announced that the Senate had passed without amendment a bill of the House of the following title:

H.R. 7406. An act to provide for increased participation by the United States in the Inter-American Development Bank, and for other purposes.

The message also announced that the Presiding Officer of the Senate, pursuant to Public Law 115, 78th Congress, entitled "An act to provide for the disposal of certain records of the U.S. Government," appointed Mr. Johnston and Mr. Carlson members of the joint select committee on the part of the Senate for the disposition of executive papers referred to in the report of the Archivist of the United States numbered 64-8.

RECESS

The **SPEAKER**. The House will stand in recess subject to the call of the Chair.

Accordingly (at 12 o'clock and 3 minutes p.m.) the House stood in recess subject to the call of the Chair.

JOINT MEETING OF THE HOUSE AND SENATE TO HEAR AN ADDRESS BY THE PRESIDENT OF THE ITALIAN REPUBLIC, ANTONIO SEGNI

The Speaker of the House presided.

The Doorkeeper announced the President pro tempore and Members of the U.S. Senate, who entered the Hall of the House of Representatives, the President pro tempore taking the chair at the left of the Speaker, and the Members of the Senate the seats reserved for them.

The **SPEAKER**. The Chair appoints as members of the committee to conduct the President of the Republic of Italy into the chamber: the gentleman from Oklahoma [Mr. Albert], the gentleman from Illinois [Mr. Arends], the gentleman from Pennsylvania [Mr. Morgan], the gentlewoman from Ohio [Mrs. Bolton], the gentleman from New Jersey [Mr. Rodino], and the gentleman from Massachusetts [Mr. Conte].

The **PRESIDENT** pro tempore. On the part of the Senate, the Chair appoints as members of the committee of escort the Senator from Montana [Mr. Mansfield], the Senator from Minnesota [Mr. Humphrey], the Senator from Florida [Mr. Smathers], the Senator from Arkansas [Mr. Fulbright], the Senator from Illinois [Mr. Dirksen],

the Senator from California [Mr. Kuchel], and the Senator from Iowa [Mr. Hickenlooper].

The Doorkeeper announced the Ambassadors, Ministers, and Chargés d'Affaires of foreign governments.

The Ambassadors, Ministers, and Chargés d'Affaires of foreign governments entered the Hall of the House of Representatives and took the seats reserved for them.

The Doorkeeper announced the Cabinet of the President of the United States.

The members of the Cabinet of the President of the United States entered the Hall of the House of Representatives and took the seats reserved for them in front of the Speaker's rostrum.

At 12 o'clock and 30 minutes p.m., the Doorkeeper announced the President of the Italian Republic.

The President of the Italian Republic, escorted by the committee of Senators and Representatives, entered the Hall of the House of Representatives, and stood at the Clerk's desk. [Applause, the Members rising.]

The **SPEAKER**. Members of the Congress, it is my great privilege and I deem it a high honor and pleasure to present to you an outstanding statesman and a friend, His Excellency, Antonio Segni, President of the Republic of Italy. [Applause, the Members rising.]

ADDRESS BY THE PRESIDENT OF THE ITALIAN REPUBLIC, ANTONIO SEGNI

President **SEGNI**. Signor Speaker, Signor Presidente, Membri del Congresso, sono profondamente sensibile all'onore, che mi è stato concesso, di parlare in quest'aula—in cui è risuonata incitatrice ed ammonitrice nelle ore storche più gravi la voce dei più illustri uomini di Stato degli Stati Uniti, dinanzi a questa Alta Assemblea—e di portare ai suoi Membri il saluto fraterno del popolo italiano.

La fraternità che unisce le nostre due Nazioni ha radici profonde: da una parte gli uomini eccelsi che col loro pensiero e la loro azione crearono la Nazione americana si ispirarono spesso ai principi del diritto, della filosofia, della letteratura, in una parola della cultura classica; dall'altra, gli ideali e le gesta della Rivoluzione americana attirarono l'ammirazione degli uomini che poi diedero vita al Risorgimento italiano. Sicchè tra Washington e Garibaldi, Jefferson e Mazzini, Hamilton e Cavour corre un ideale flusso che tutti li a commune. Per decenni milioni e milioni di italiani vennero in questa terra ospitale portando con sè la loro fede, la loro coscienza morale, il loro ingegno, la loro volontà e si amalgamarono pienamente in quell'immenso crogiuolo di razze che l'America fu per tanti anni, divenendo una componente di notevole importanza di questa Nazione. Per ben due volte in questo secolo soldati americani vennero a dare la loro vita per aiutare l'Italia, prima a salvaguardare la sua indipendenza e poi a riacquistare la sua libertà; ed accanto ad essi e per i loro stessi ideali caddero tanti soldati italiani. Dopo la lotta cruenta venne quella per la ricostruzione e la ripresa economica del Paese, ed anche in quella occasione il popolo italiano potè largamente giovarsi dell'aiuto americano.

E come tacere della nostra costante, intensissima collaborazione che si svolge in tutti i campi? E come tacere, nel quadro di questa collaborazione, del grande significato che hanno per entrambi, per esempio, nomi come quello di Enrico Fermi?

E ci unisce profondamente il comune ideale di libertà, per il quale abbiamo entrambi acquistato la nostra stessa esistenza nazionale.

Quando giunsi in questo Paese per la prima volta, una delle maggiori impressioni che provai fu quella di constatare che qui noi Italiani non ci sentiamo stranieri. La vibrante e forte anima dell'America ci attira a sè immediatamente e direi quasi inconsciamente. Il popolo italiano ammira altresì nell'America le sue solide doti morali: da una parte, un indistruttibile senso dell'eguaglianza, della giustizia nella libertà; dall'altra le sue solide doti di concretezza e di volitività.

Tutto ciò fa sì che l'America ha assunto un ruolo di immensa importanza nell'attuale fase storica, decisiva per le sorti dell'umanità. Essa è oggi molto più di una Nazione, è una immensa forza morale, è la migliore garanzia della pace, della libertà nel mondo. A queste cose ho pensato con profonda emozione or ora nel raccogliermi riverente sulla tomba del vostro Soldato Ignoto e su quella del Presidente Kennedy, al quale consentitemi di rivolgere il mio riverente pensiero. Egli aveva raccolto attorno a sè il consenso di popoli vicini e lontani, tutti accomunati dalla volontà di difendere il bene supremo della libertà, di un più armonico sviluppo sociale e di una pace vera e giusta.

Ricorderò di John Kennedy una sola enunciazione, che mi sembra essenziale e che mi pare dia la più alta e nobile giustificazione alla vocazione storica del vostro grande Paese:

> "* * * i vari elementi della nostra politica estera tendono ad un unico obiettivo: quello di un mondo pacifico, composto da Stati liberi e indipendenti. Questa è la nostra direttiva essenziale per il presente; questa è la visione che noi abbiamo del futuro: una libera comunità di Nazioni indipendenti ma interdipendenti, che unisca nord e sud, est e ovest, in una unica grande famiglia umana, superando e trascendendo gli odii e le paure che travagliano la nostra epoca.
>
> "Noi non raggiungeremo questo obiettivo oggi o domani. Non lo raggiungeremo forse durante il corso della nostra vita, ma la sua ricerca rappresenta la più grande impresa del secolo. * * *"

Il concetto della libertà non vuole essere—nè per voi, nè per noi—un concetto filosofico od astratto. Esso deve tradursi in concreto in una più profonda e cristiana giustizia sociale, in una più armonica partecipazione di tutti i cittadini sia alle responsabilità della società, che ai frutti del suo sviluppo. Per questo, noi ricordiamo con emozione e con gratitudine i patrioti che in anni duri e recenti hanno operato per restituire l'Italia alla democrazia. In questo spirito noi stiamo dando la nostra opera oggi, per ottenere il più largo appoggio democratico all'azione di progresso che intendiamo svolgere nell'interesse del Paese e del suo rapido ed ordinato sviluppo economico, e sopratutto sociale.

E poichè so con quanto amichevole interesse l'attenzione vostra si soffermi sui problemi dell'Italia, posso rilevare, senza dovervi citare dati statistici, il costante progresso della sua produzione, la correzione di taluni squilibri, particolarmente regionali, nel campo agrario, attraverso l'avvenuta attuazione di misure di riforma, l'aumento del livello di vita, lo sviluppo dei suoi scambi internazionali. Certamente il mio Paese affronta taluni problemi di congiuntura che richiedono la più vigile attenzione, una migliore distribuzione del reddito per investimenti e consumi, una sana politica dei prezzi, un raggiustamento della bilancia commerciale. Questi problemi esistono e nel riconoscerne francamente l'esistenza noi implichiamo già la nostra volontà di risolverli. Siamo del resto in grado di risolverli da soli, e pertanto ve ne parlo non per chiedervi aiuto, ma perchè è ovvio che fra amici si parli francamente dei problemi rispettivi.

L'Alleanza Atlantica, che unisce con un saldo vincolo i nostri due Paesi, nacque dalla comune determinazione di difendere, prima ancora che un territorio, le nostre libertà e l'intera nostra concezione della vita.

Essa ha dimostrato di essere la migliore salvaguardia della pace e se noi oggi possiamo guardare con una certa fiducia alla possibilità di riprendere un effettivo dialogo mondiale sui problemi della pace e della convivenza dobbiamo questo risultato agli sforzi ed ai sacrifici finora compiuti, alla nostra determinazione comune di non cedere all'aggressione.

L'Alleanza ha visto mutare, in un periodo di così rapida evoluzione tecnologica, i mezzi di cui essa deve disporre per la sua difesa: il che comporta un ripensamento della strategia comune e dei compiti affidati ad ognuno dei suoi membri. L'adeguamento dei mezzi e dei metodi alle necessità tecnologiche e quindi militari ha un'enorme importanza a cui l'Italia dedica tutta la necessaria attenzione e sul quale, come vi è noto, essa mantiene i più stretti contatti con gli Stati Uniti e con gli altri Paesi alleati.

L'Alleanza ha visto anche trasformarsi totalmente le condizioni economiche e sociali dei Paesi che ne fanno parte. Conclusa in un momento in cui le Nazioni europee erano appena uscite—dissanguate, immiserite e profondamente sconvolte—dal secondo conflitto mondiale, essa non può non tener conto del fatto che in questi quindici anni, grazie anche agli aiuti americani e salvaguardando sempre la libertà, gli Stati europei hanno raggiunto una notevole stabilità ed hanno ottenuto ritmi di sviluppo economico-sociale che non hanno precedenti nella storia del nostro vecchio Continente.

Posso dirvi che ognuno di noi è conscio che l'Alleanza Atlantica è lo strumento, ancor più che utile, necessario ed essenziale per la difesa del comune patrimonio di civiltà ed è un elmento fondamentale del nostro progresso economico e sociale. Come tale, essa non è un espediente transitorio, ma è destinata, al contrario, a restare un fattore permanente della politica mondiale, anche nel caso che, come noi tutti desideriamo ardentemente, si possa giungere ad una diminuzione sostanziale dei pericoli che hanno gravato su di noi negli anni scorsi e anche nel caso che si possa iniziare un dialogo nuovo, ampio e fruttuoso fra gruppi di nazioni animate da diverse ideologie.

L'esperienza degli scorsi anni ha dimostrato d'altra parte nel modo più esauriente l'efficacia di questo strumento. Essa ha anche ampiamente provato che i problemi della difesa—come quelli del disarmo e degli aiuti ai Paesi più giovani—non si possono più concepire in termini unicamente nazionali, ma che occorre invece farvi fronte attraverso una più vasta e compatta organizzazione ed attraverso una collaborazione piena, senza riserve e senza egoismi, dei Paesi che credono nel metodo democratico.

A questi fattori—(globalità dell'Alleanza, evoluzione delle tecniche militari, ricostruzione europea)—deve essere attribuita la ricerca di nuove formule che tengano conto più esattamente dell'evoluzione che si è verificata, nei rapporti fra i membri del Patto e nella situazione dei singoli Paesi, nel corso degli ultimi quindici anni, formule che trovano del resto i loro punti di partenza ed il quadro entro cui potranno svilupparsi nello stesso Patto Atlantico.

Credo che si debba dir subito—e che risulti anche, del resto, dai pochi cenni che ho fatto finora—che l'evoluzione storica porta necessariamente ad un moltiplicarsi dei rapporti fra gli Stati Atlantici, ad un rinsaldarsi dei loro legami in ogni settore, ad una sempre maggiore intimità dei loro contatti. In altre parole, il fatto che l'Alleanza è un elemento essenziale per la difesa della nostra civilà ed il conseguente sviluppo delle relazioni, in tutti i campi, fra i vari suoi membri, portano ad intravvedere, in un futuro più o meno lontano, la costituzione di un'organizzazione solida e permanente, formata da Stati con simile struttura pratica morale e sociale; e cioè di una vera e propria Comunità Atlantica, che è già nello spirito dell'art. 2 del Trattato, che già ci impegna.

Come si può pervenire a tale meta che io ritengo fondamentale? Mi pare che, a questo proposito, si possano immaginare due vie. La prima consiste nel fare ogni sforzo per giungere, senza forme o gradi intermedi, alla costituzione di istituzioni governative e parlamentari, che raggruppino paesi siti sulle due rive dell'Atlantico. La seconda consiste nel cercare di giungere a tale comunità attraverso la graduale fusione, in seno all'Alleanza, di gruppi di stati in entità politiche di maggiore estensione.

È facile constatare che un processo unitario, che investe un così grande numero di stati, quanti sono i membri dell'Alleanza, non può svolgersi che con grande lentezza e con grandi difficoltà, se non si immaginino e se non si propongano delle tappe o degli stadi intermedi.

Più realistica sembra, quindi, la seconda via, che prevede successivi stadi di amalgamazione fra paesi di struttura più affine: ed è proprio tale via quella additata dal Presidente Kennedy nel suo discorso di Filadelfia, quando egli parlò per la prima volta di una "partnership" atlantica fra uguali, propugnando un'associazione atlantica basata su due pilastri fondamentali: da una parte, l'America, dall'altra parte, l'Europa unita.

È questo messaggio che noi riteniamo debba essere attuato: ed in esso noi intendiamo che debbano essere inquadrati gli sforzi, che da vari lustri stiamo compiendo, per la costruzione di un'Europa democratica, e, secondo l'espressione oggi consueta, "aperta." Tale Europa, anch'essa, potrà realizzarsi in fasi successive, e con crescente estensione; ma al termine del suo movimento tendenziale, è chiaro che essa deve comprendere tuti i popoli che sono stati attori, per secoli, del dramma del mondo occidentale, dall'Inghilterra fino ai confini oltre ai quali l'uomo non è egli-stesso l'autore del proprio destino, ma l'esecutore di programmi impostigli dall'esterno.

Quando noi pensiamo all'Europa—oggi—e quando vi abbiamo pensato ieri, anche sulle orme dei grandi italiani che ci hanno preceduto—Alcide de Gasperi e Carlo Sforza—noi non pensiamo a qualcosa che si debba staccare dall'America. Pensiamo invece che, proprio per giungere ad una integrazione più profonda in seno all'Alleanza, per giungere cioè ad una Comunità Atlantica, occorre al più presto realizzare la "partnership" atlantica: e cioè costituire, in seno all'Alleanza Atlantica, un'Europa unita.

Una simile Europa unita è necessaria per ragioni di stabilità ed equilibrio: è necessaria perchè i problemi maggiori della nostra epoca trascendono le possibilità nazionali; è necessaria per difendersi; è necessaria per il più completo sviluppo di quelle energie e di quei mezzi che virtualmente possiede il nostro antico Continente. Noi tendiamo da tempo, con tenace impegno e con successo, all'integrazione economica dell'Europa attraverso il Mercato Comune. Ma, se l'Europa vuole rafforzarsi, conservare la sua funzione ed essere all'altezza dei suoi compiti nell'epoca in cui viviamo, essa deve unirsi anche politicamente: un'Europa divisa non tarderebbe a divenire sorpassata ed anacronistica.

Nella nostra concezione, dunque, Alleanza Atlantica, partnership atlantica a Comunità Atlantica sono elementi intimanente connessi. L'Alleanza, infatti, è la realtà odierna, che ci unisce e che favorisce l'unificazione europea. La partnership atlantica è un seconda passo, e l'unità europea è il presupposto necesario per poterlo compiere. Ma l'Europa che noi vogliamo creare è un'Europa legata all'America da vincoli indissolubili di interdipendenza, di lealtà e di solidarietà, vincoli che devono unire i popoli che vivono attorno al Mediterraneo della nostra era—l'Oceano Atlantico—e che devono preludere alla costituzione della più grande società dei popoli liberi—la Comunità Atlantica.

All'opera di rafforzamento dell'Alleanza deve corrispondere, appunto per gli scopi che tale organizzazione persegue, una instancabile azione tendente al chiarimento dei rapporti tra Oriente ed Occidente, al risanamento dell'atmosfera internazionale, alla ricerca di una maggiore reciproca fiducia ed alla diminuzione dei rischi di guerra. Non vi è dubbio che soltanto l'Alleanza Atlantica, in tutta la sua saldezza, può avere l'autorità necessaria per impostare un dialogo costruttivo con il mondo comunista.

L'impegno della nostra politica è anche rivolto alla soluzione pacifica e concordata dei problemi internazionali ancora aperti. In questa prospettiva l'Italia continuerà ad appoggiare attivamente l'autorità e l'opera delle Nazioni Unite, che noi consideriamo la sede in cui i più importanti problemi del mondo, possono trovare la loro pacifica e più giusta soluzione.

La partecipazione all'Alleanza e la coscienza della comune appartenenza alla civiltà occidentale—a cioè, alla civilta' cristiana—sono per ogni paese impegni solenni di progresso: sono l'impegno di promuovere all'interno di ogni nazione lo sviluppo economico e sociale, di tutelare e sviluppare le libertà individuali; sono l'impegno di assistere altri paesi che più ne abbiano bisogno, senza distinzione di continente, di razza o di religione, senza porre condizioni politiche. Questo impegno di progresso può consentire agli Stati singoli di svolgere un'opera che trascende le loro dimensioni e può dare ad ognuno di essi una vera grandezza.

L'Italia è consapevole dello spirito di conciliazione e della fermezza guidano gli Stati Uniti, e sa che la grande Nazione democratica—che voi nobilmente rappresentate e di cui esprimete la volontà—sente l'esigenza di un'aperta e continua consultazione tra gli Alleati per la determinazione delle linee essenziali da seguire nel dialogo tra Oriente ed Occidente.

Il Presidente Johnson ha recentemente pronunciato, dinanzi all'Assemblea delle Nazioni Unite, alcune, nobili parole, che vorrei rivordare oggi:

> So devo oggi prendere un impagno dinanzi a voi, l'impegno che più mi preme di prendere è quello, fermissimo, di mantenere e di consolidare la pace. La via della pace è lunga mille miglia e dev'essere percorsa passo per passo.

Sono parole che condividiamo in tutto il loro profondo significato.

Ho recordato i continui e rinnovati fermenti ideali che ci hanno unito e che uniscono. Noi siamo convinti che questi fermenti innovatori della rispettive societa' nazionali non sono fenomeni isolati, ma fanno parte di un unico processo evolutivo della societa' umana. Siamo convinti che ogni popolo aspira a darsi istituzioni libere e democratiche. Nella decisiva competizione tra Oriente ed Occidente, che e' il segno del nostro tempo, noi non abbiamo dubbi sul fatto che l'unione dei popoli si formera' armonicamente attorno ai valori della nostra

comune civiltà, valori che abbiamo il compito e la volonta' di difendere.

Questi sono i principii ed i programmi nei quali abbiamo fede. Questi sono i vincoli che uniscono la famiglia dei popoli occidentali, ed in particolare—ne sono fermamente convinto—l'Italia e gli Stati Uniti

Se la libertà è—come noi crediamo—il fermento più vivo della civilta' odierna e se essa si incarna, più' profondamente che in qualsiasi altra, nella nostra società occidentale, i frutti della nostra amicizia e della nostra cooperazione saranno certamente importanti.

[Applause, the Members rising.]

(The translation of the address as delivered by President Segni is as follows:)

President **SEGNI**. Mr. Speaker, Mr. President, Members of Congress, I am deeply gratified to have the honor to speak in this great Hall—where the voices of the United States' greatest statesmen have been raised in exhortation and warning in the most serious hours of history—and to address myself to this noble assembly, as the bearer of the brotherly salute of the Italian people. [Applause.]

The brotherhood which unites our two nations has profound roots: on the one hand, the worthy men who by their ideals and actions created the American Nation, often found inspiration in the principles of classical law, philosophy, and literature. On the other hand, the ideals and deeds of the American Revolution drew the admiration of the men who were to initiate the Italian Risorgimento. Therefore, it can be said with assurance that between Washington and Garibaldi, Jefferson and Mazzini, Hamilton and Cavour flows a stream of ideals that unites them all. [Applause.]

For many decades, several million Italians have come to these hospitable shores bringing their faith, their moral principles, their ingenuity, and their will, to be assimilated in the grand crucible of peoples that is America, and to become an important component of this Nation.

Twice in this century, American soldiers offered their lives for my country: first to protect her independence, and later to help restore her freedom. Many Italian soldiers fell by their side in the name of the same ideals. This bloodstained struggle was followed by another for the reconstruction and economic recovery of the country, and once again the Italian people benefited from American assistance.

How can we overlook our mutual, constant, and close cooperation in all fields of endeavor? How can we forget, within the framework of this cooperation, the great significance that names such as that of Enrico Fermi have for both of our countries?

And we are strongly bound by the common ideals of liberty in whose name we both acquired our national existence. [Applause.]

When I came to this country for the first time, one of my strongest impressions was that here we Italians are not strangers. America's lively and vigorous soul has for us an immediate and almost subconscious appeal. The Italian people admire the strong moral qualities of America: on the one hand, her indestructible sense of equality and justice in freedom; on the other, her qualities of vigor and purposefulness.

America has, as a result of all this, assumed a role that, in the present historical circumstances, is of immeasurable importance and is decisive for the future of mankind. Today, she is more than a nation; she is a gigantic moral force, the best guarantor of peace and freedom in the world. [Applause.]

These are the profoundly moving ideas which captured my mind while I meditated before the Tomb of your Unknown Soldier and that of the late President Kennedy, to whose memory permit me to turn my thoughts reverently. He had obtained the consensus of all peoples, near and far, united in the determination to defend the supreme gift of liberty, to foster a more harmonious social progress, and to achieve a true and just peace.

May I recall a single statement by John F. Kennedy which seems essential and representative to me of the highest and noblest vindication of the historical vocation of your great country:

> These various elements in our foreign policy lead to a single goal—the goal of a peaceful world of free and independent states. This is our guide for the present and our vision for the future—a free community of nations, independent but interdependent, uniting north and south, east and west, in one great family of man, outgrowing and transcending the hates and fears that rend our age. We will not reach that goal today or tomorrow. We may not reach it in our own lifetime. But the quest is the greatest adventure of our century.

[Applause.]

The concept of liberty is not a philosophical and abstract one for either of us. It is a concept that must be concretely translated into a more profound and Christian social justice, into a more harmonious participation of all citizens in the responsibilities of their society as well as in their fruitful developments. This is why we recall with emotion and gratitude the patriots who in recent and difficult years labored to restore Italian democracy. Today, in this spirit we are endeavoring to secure a wider democratic support to the forward effort which we intend to carry out in the interest of the country and of its speedy and orderly economic and, above all, social progress.

Since I am well aware of the friendly interest you dedicate to Italy's problems, I can state—without mentioning statistical data—the constant increase in her production, the leveling of certain imbalances, particularly in regional agriculture, by means of the already implemented land reform, the improvement of her living conditions, the development of her international trade. Undoubtedly, my country faces some problems connected with the present economic phase which demand the most vigilant care: a better distribution of income both for investment and consumption, a sound price policy, and a readjustment of the balance of trade. These problems exist, and by frankly recognizing their existence we already bend our will to their solution. We are, after all, capable of solving them with our own means and, therefore, I can mention them to you, not to ask for your assistance, but rather because, among friends, it is natural to talk about mutual problems. [Applause.]

The Atlantic alliance, which firmly binds our two countries, was born of the common determination to defend, not only a territory, but our liberty and our way of life.

The Atlantic alliance has proved itself to be the best safeguard of peace. If today we are capable of looking with a certain degree of confidence toward the possibility of resuming an effective international dialog on the issues of peace and coexistence, we owe this result to the efforts and the sacrifices we are making even to this day, as well as to our common determination to resist aggression.

The alliance has witnessed—in a time of such swift technological evolution—the alteration of the means on which it must rely for its defense. This brings, as a consequence, the need for a revaluation of the common strategy, as well as of the task entrusted to each of its members. The adaptation of the means and the systems to the technological and, therefore, military demands of today is a problem of the utmost importance, to which Italy devotes all the necessary attention while keeping in constant touch—as you well know—with the United States and other allied countries.

The alliance has also witnessed a complete transformation of the economic and social conditions of its member countries. Created at a time in which the European nations had just emerged from World War II—drained, impoverished, and deeply perturbed—the alliance cannot overlook the fact that in the course of the last 15 years—thanks also to U.S. assistance, and always safeguarding freedom—the European states have achieved a remarkable stability and have attained a rate of economic and social development unprecedented in the history of our old Continent.

I can say with assurance that all of us are conscious that the Atlantic alliance is a necessary and fundamental instrument, rather than only a useful one, for the defense of our common inheritance of civilization, as well as a basic element of our economic and social progress. As such, the alliance is not a passing experiment. On the contrary, it is meant to remain as a permanent element of world policy, even in the event—as we all fervently hope—we may reach a substantial reduction of the dangers that have confronted us during the past years, and even in the event that we may initiate a new, wide, and fruitful dialog between groups of nations inspired by diverging ideologies.

On the other hand, the experience of the past years has unequivocally proved the effectiveness of that instrument. It has also amply confirmed that the problems of defense—like those of disarmament and those of assistance to the younger countries—can no longer be conceived exclusively in national terms, but rather must be faced through a wider and more unified organization and through a full, unreserved, and unselfish cooperation of the countries which believe in the democratic process. [Applause.]

To these factors—globality of the alliance, evolution of military techniques, European reconstruction—we must ascribe the search for new formulas that should hold in due consideration the evolution that has taken place in the relations between the members of the Atlantic Pact and in the situation of individual countries in the course of the past 15 years: formulas which, in fact, find their inception and the framework for their development within the very same Atlantic Pact.

I believe it must immediately be stated—and I trust this is apparent from my previous remarks—that historical evolution necessarily carries with it an intensification of the relations between the Atlantic states, a strengthening of their ties in every field, an ever increasing closeness of their contacts. In other words, the fact that the alliance is an essential factor in the defense of our civilization and the consequent development of relations in all fields between its members allows us to conceive at some future date the creation of a solid and permanent organization formed by the countries having a substantially similar moral and social structure; that is, a true Atlantic Community, as it is in the spirit of article 2 of the treaty which already binds us.

How can we meet this goal which I consider of basic importance? It seems to me that there are two roads to be considered. The first consists in making every effort to attain, without intermediate structures or stages, the creation of governmental and parliamentary institutions grouping together countries located on both shores of the Atlantic. The second consists in an attempt to create this community through the gradual fusion of groups of states within the alliance into larger political entities. [Applause.]

It is easy to realize that a unification process affecting such a great number of states, as are the members of the alliance, can only take place at a very slow pace and with great difficulties, unless we envisage or propose intermediate stages or steps.

The second solution, therefore, seems more realistic since it foresees subsequent phases of amalgamation of countries more similar in structure: and this is the very road indicated by President Kennedy in his Philadelphia speech of July 4, 1962, when he first mentioned an Atlantic partnership of equals, advocating an Atlantic association based upon two main pillars: America on one side, a united Europe on the other.

This is the program we believe must be implemented. Within this frame we intend to set the efforts that we have been making for many years to build a democratic Europe and, as it has come to be known in our times, an open one. This Europe, too, can be created through subsequent phases and with increasing extension; but, at the conclusion of its development, it is clear that it must include all the peoples that, through the centuries, have been the actors in the drama of the Western World, from Great Britain to the ultimate border beyond which man is no longer the author of his own destiny, but the executor of programs imposed upon him from the exterior.

When we think of Europe today, and when we thought of Europe yesterday, following the steps of the great Italians who preceded us—Alcide De Gasperi and Carlo Sforza—we do not think of something that should be severed from America. On the contrary, we believe that, precisely in order to achieve a deeper integration within the alliance; that is, an Atlantic Community, we must as soon as possible create the Atlantic partnership; and therefore create, within the Atlantic alliance, a united Europe. [Applause.]

A Europe thus united is necessary for stability and balance. It is necessary because the major problems of our times transcend national possibilities. It is necessary for our defense. It is necessary for the complete development of the energy and means which essentially belong to our old Continent. For some time we have been aiming, with dedication and success, at the economic integration of Europe through the Common Market. But if Europe wants to be strengthened, if it wants to maintain its role and be equal to its tasks in the times in which we live, it must also unite politically: A divided Europe would rapidly become anachronistic and outdated. [Applause.]

In our view, therefore, the Atlantic alliance, the Atlantic partnership and Atlantic unity are intimately related elements. The alliance is, in fact, the reality of today which holds us together and favors European unification. The Atlantic partnership is a second step and European unity is the necessary premise to carry out this step. But the Europe we want to create is a Europe tied to America by indissoluble bonds of interdependence, of loyalty and solidarity, bonds which must unite the peoples that live around the Mediterranean of our era—the Atlantic Ocean—and that must foreshadow the creation of the greatest society of free peoples: The Atlantic Community. [Applause.]

The task of reenforcing the alliance, in view of its goal, must parallel a relentless action for the clarification of East-West relations, for the improvement of international climate, for the search of a greater mutual trust, and for the decrease of the risks of war. There is no doubt that only the Atlantic alliance, in all its firmness, can have the necessary authority to begin a constructive dialog with the Communist world.

Our policy is also pledged to peaceful and agreed upon solutions of pending international problems. In this perspective, Italy will continue actively to support the authority and the work of the United Nations, which we consider the forum in which the world's most important problems can find their peaceful and just solution. [Applause.]

Our participation in the alliance and the consciousness of belonging to Western civilization, that is, Christian civilization, are solemn pledges of progress for all countries: they are the pledges to foster within each nation economic and social development, to protect and expand individual freedom, to offer assistance to other countries which are in need, without distinction to continent, race, or creed, without setting political conditions. This pledge of progress may allow each country to carry out a task transcending its size and may give to each of them a true greatness. [Applause.]

Italy is conscious of the conciliatory and firm spirit which guides the United States and knows that the great democratic Nation which you so gallantly represent and whose will you express, feels the need for an open and continuous consultation between the allies to determine the essential paths which are to be followed in the dialog between East and West.

President Johnson has recently said, before the United Nations Assembly, a few words which I would like to recall today:

> If there is one commitment more than any other that I would like to leave with you today, it is my unswerving commitment to the keeping and to the strengthening of the peace. Peace is a journey of a thousand miles and it must be taken one step at a time.

We thoroughly share the profound meaning of these words. [Applause.]

I have recalled the constant and renewed leavening of ideals which united us in the past and join us today. We are convinced that these innovating trends in various national communities are not isolated phenomena, but rather are part of the evolutionary process of human society. We are convinced that all the peoples look forward to attaining free and democratic institutions. In the decisive struggle between East and West, which is the mark of our era, we do not doubt that the union of all peoples will develop harmoniously in accordance with the values of our common civilization—the values which we take as our task and our will to defend. [Applause.]

These are the principles and the programs in which we believe. These are the ties which unite the family of Western peoples and especially—of this I am firmly convinced—Italy and the United States. [Applause.]

If freedom is, as we do believe, the strongest leaven of today's civilization, and if it is embodied in our Western society more deeply than in any other, the outcome of our friendship and our cooperation will certainly be meaningful. [Applause, the Members rising.]

At 12 o'clock and 58 minutes p.m., the President of the Italian Republic, accompanied by the committee of escort, retired from the Hall of the House of Representatives.

The Doorkeeper escorted the invited guests from the Chamber in the following order: The members of the President's Cabinet, the Ambassadors, Ministers, and chargé d'affaires of foreign governments.

The **SPEAKER**. The joint meeting of the two Houses is hereby dissolved.

Accordingly, at 1 o'clock p.m., the joint meeting of the two Houses was dissolved.

The Members of the Senate retired to their Chamber.

AFTER RECESS

The recess having expired, at 2 o'clock p.m., the House was called to order by the Speaker.

PRINTING OF PROCEEDINGS HAD DURING THE RECESS

Mr. **ALBERT**. Mr. Speaker, I ask unanimous consent that the proceedings had during the recess be printed in the RECORD.

The **SPEAKER**. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

Mr. **ALBERT**. Mr. Speaker, I ask unanimous consent that these proceedings be printed in Italian as well as in English.

The **SPEAKER**. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

UNEMPLOYMENT

Mr. **JOELSON**. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The **SPEAKER**. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

Mr. **JOELSON**. Mr. Speaker, unemployment is a national problem which cannot and must not be ignored.

It is saddening to see a friend and neighbor who is advancing in age lose his job after years of fruitful employment. Nothing is more damaging to the morale of the head of a family than to be unable to find work when he is willing and eager to do so.

If we are to take up the slack in employment caused by automation and reduced defense spending, we must show concern and take action. There is no easy solution, but the economy must be stimulated. We must now consider Government spending for peacetime purposes such as homes, schools, and hospitals. This will not only provide needed facilities, but will make jobs.

I consider unemployment to be a challenge to our way of life, and I intend to support measures designed to combat this great waste of human resources.

CONSTRUCTION OF A NEW CANAL IN CENTRAL AMERICA

Mr. **BRAY**. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The **SPEAKER**. Is there objection to the request of the gentleman from Indiana?

There was no objection.

Mr. **BRAY**. Mr. Speaker, the recent crisis in our relations with the Republic of Panama and the threat to our position in the Canal Zone point up again the need for urgent consideration of this whole problem.

The canal has been inadequate for years. Some larger ships, including our aircraft carriers and tankers, cannot get through the canal, and the traffic presents many problems and delays.

For many years there have been advocates of a new canal located in Nicaragua. There are several practicable routes in Nicaragua. Some of them would take advantage of two natural lakes. It would also be possible to build a sea level route through Nicaragua, which would be much easier to defend and maintain, once constructed.

There would be problems in the construction of a new canal, and it might not answer all of our needs. It assuredly would be an improvement.

It is interesting that despite their repeated demands and protestations the Panamanian officials have said that they want any new canal to be built on their territory. Frankly, in view of recent problems there, we would be foolish to consider the construction of a new canal in Panamanian territory.

The events of last week should greatly accelerate our consideration of this matter. Continued operation of a canal in Central America to link the Atlantic with the Pacific is of vital importance to the United States, to the prosperity of Central America, and to the free world. To create a new canal free from the blackmail demands of Castroites is a welcome prospect.

PROPOSED STATEHOOD FOR PANAMA

Mrs. **GRIFFITHS**. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The **SPEAKER**. Is there objection to the request of the gentlewoman from Michigan?

There was no objection.

Mrs. **GRIFFITHS**. Mr. Speaker, a peace of the world that can be destroyed by schoolchildren is indeed a most tenuous sort of peace. It seems to me that we cannot do without the Panama Canal. Under the shipping rates of the world, we cannot afford to have anyone else set the tolls through the Panama Canal. I propose that we really take a bold step. I see no real reason, except for nationalism in Panama, for our not offering Panama statehood. I suggest that we offer statehood to Panama. Let us fly one flag, use one army, and that the flag and Army of the United States, with Panama a State. Let us guarantee the safety of the canal forever.

CALL OF THE HOUSE

Mr. **GROSS**. Mr. Speaker, I make the point of order that a quorum is not present.

The **SPEAKER**. Evidently a quorum is not present.

Mr. **ALBERT**. Mr. Speaker, I move a call of the House.

A call of the House was ordered.

The Clerk called the roll, and the following Members failed to answer to their names:

[Roll No. 7]

Addabbo
Anderson
Andrews, Ala.
Aspinall
Baring
Barry
Bass
Becker
Bell
Blatnik
Bromwell
Buckley
Cameron
Cederberg
Clancy
Cohelan
Collier
Davis, Tenn.
Dawson
Denton
Diggs
Donohue
Everett
Fogarty
Frelinghuysen
Fulton, Pa.
Garmatz
Gary
Gill
Gubser
Hagen, Calif.
Halleck
Harsha
Harvey, Mich.
Hébert
Herlong
Hoffman
Holifield
Holland
Hosmer
Johansen
Jones, Ala.
Kee
Kelly
Keogh
Kluczynski
Laird
Landrum
Lankford
Leggett
Lesinski
Lloyd
McIntire
MacGregor
Martin, Calif.
Martin, Mass.
Mathias
Matsunaga
May
Michel
Miller, Calif.
Milliken
Moorhead
Morrison
Morton
Murray
Norblad
O'Brien, Ill.
O'Hara, Mich.
O'Konski
Pepper
Philbin
Pillion
Pirnie
Powell
Pucinski
Rains
Randall
Rhodes, Ariz.
Riehlman
Rivers, Alaska
Rostenkowski
Roybal
Saylor
Schneebeli
Schwengel
Sheppard
Sibal
Sickles
Smith, Iowa
Staebler
Taft
Thompson, La.
Thompson, N.J.
Wickersham
Willis
Wilson, Charles H.

The **SPEAKER**. On this rollcall 336 Members have answered to their names, a quorum.

By unanimous consent, further proceedings under the call were dispensed with.

STAFFING COMMUNITY MENTAL HEALTH CENTERS

Mr. **RYAN** of New York. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The **SPEAKER**. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. **RYAN** of New York. Mr. Speaker, mental illness has been called the Nation's most serious health problem. Half our hospital beds are occupied by mental patients; and the direct cost of caring for the mentally ill, mostly in State mental institutions, has been estimated at $2 billion annually. The loss to the economy in terms of wages and productivity because of mental illness is incalculable.

President Kennedy was well aware of the importance of the mental health and mental retardation problem. As a result of his concern, President Kennedy sponsored the Mental Retardation Facilities and Community Mental Health Centers Construction Act of 1963, which was enacted last session.

Title II of this act, which provides for the construction of community mental health centers, is one of the most important provisions. Unless these centers are constructed and properly staffed, we will not be able adequately to meet the critical problem of mental illness. It is unfortunate that the staffing provisions of the original administration proposal were not included in the bill which the House passed.

The need for Federal assistance in staffing the centers is evident in the conditions prevailing in State mental institutions as outlined in House Report No. 694 on the Mental Retardation Facilities and Community Mental Health Centers Construction Act of 1963 on page 11:

> Only a small percentage of the institutions can be said to be therapeutic and not merely custodial. In 1959, there were less than 1,000 psychiatrists employed in caring for the more than half a million people in State mental institutions—or less than 1 psychiatrist for 500 patients. According to the standards of the American Psychiatric Association, the State mental institutions are only 20 percent adequately staffed with nurses, 35 percent with social workers, 65 percent with psychologists, and 45 percent with psychiatrists.

Mr. Speaker, today I have introduced a bill to provide grants-in-aid to assist the States to staff community mental health centers constructed under the Community Mental Health Centers Act. This bill would enact the original provisions which were omitted by the House Committee on Interstate and Foreign Commerce. In view of the crucial problem of mental illness, I hope that we can take another major step this session by adopting it.

REPRESENTATION OF INDIGENT DEFENDANTS

Mr. ROGERS of Colorado. Mr. Speaker, pursuant to House Resolution 579, I move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 7457) to provide legal assistance for indigent defendants in criminal cases in U.S. courts.

The motion was agreed to.

IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the State of the Union for the consideration of the bill, H.R. 7457, with Mr. NIX in the chair.

The Clerk read the title of the bill.

By unanimous consent, further proceedings under the call were dispensed with.

Mr. ROGERS of Colorado. Mr. Chairman, I yield myself 10 minutes.

Mr. Chairman, the House has under consideration the bill (H.R. 7457) to provide legal assistance for indigent defendants in criminal cases in U.S. courts.

The right of representation by counsel is fundamental in our judicial system. Many States have some form of public defender systems, and others have a system of individual assignment to indigent defendants. The Supreme Court of the United States some time ago, in 1938, in fact, set aside convictions where men were not represented in court. This has developed a problem that must be met if we are to carry out our judicial system.

Since that time the Judiciary Committees of the House and of the other body have had a number of bills introduced and at various sessions hearings have been held on the question of the appointment and payment of counsel for indigent defendants. The present Federal system does not permit the payment of counsel assigned by the judge to represent the defendant. This has worked a hardship on both the legal profession and those charged with crime. Just how to best meet this problem has been resolved, at least temporarily, as far as the House Committee on the Judiciary is concerned, in its report on the bill H.R. 7457.

This is a method whereby the respective district courts may provide a list of those who should be capable of representing defendants in indigent cases. When a man is charged with a crime and brought before a commissioner, or before a judge, he can then disclose whether or not he has counsel and, if he does not have counsel, what opportunity he may have to secure sufficient money to be properly represented.

The bill, H.R. 7457, provides that whenever this list has been prepared by the district judge and a man is arrested for a crime and brought before a U.S. Commission, he is then afforded an opportunity to have counsel appointed for him under this system.

This system also provides that a list of lawyers of bar association or a legal aid association may also be used to furnish trained lawyers to defend indigent defendants.

This bill provides that if that arrangement is carried out, then the court is authorized under the procedure to pay for this service to that association. The amounts are fixed in this bill. That is to say, if a man is selected to represent an indigent defendant after the defendant has convinced the commissioner or the judge that he does not have money to pay for a lawyer, then the lawyer assigned shall receive the sum of $10 an hour while he works on the case outside of court, and he will get the additional sum of $15 an hour when he appears in court.

Under this setup, the defendant is then assured of adequate representation. There is a further provision in this bill which would authorize the judge, when in his opinion the assigned counsel is in need of technical or expert assistance in the nature of witnesses or handwriting experts and investigative service—the court is authorized to appoint men in those fields to assist the counsel for the defendant.

Mr. Chairman, that briefly describes the contents of this bill. I may say that originally, part of the testimony before the committee was that the best system would be as provided in the Senate bill which was heretofore approved. That system set up a public defender system for respective districts under certain circumstances, it usually being the intention to set up the public defender with an office therein for a full-time job; and this office would be approved by the circuit court. The House Committee on the Judiciary did not feel, at least as its feeling was expressed by vote, that this was a proper system. They did not adopt it, but instead reported H.R. 7457, which is now before the House.

The cost in connection with the operation of this proposed legislation is not certain. We can readily understand why it would not be certain, because we do not know how many indigent defendants there may be. It is estimated that approximately 25 to 30 percent of the individuals charged with crime will be indigent defendants. If that figure is accurate, then 25 or 30 percent of all the men brought before the Commission or before the judge will have counsel assigned to them.

Should it develop that a defendant perhaps has sufficient money to pay for a lawyer to start his case, and then runs out of money, there is a provision in the bill that the court would then be authorized to appoint a lawyer for him.

The estimate of the cost, as I indicated a moment ago, is uncertain. However, it is believed that under the system under which there would be full-time salaried public defenders the cost would have been approximately $3.5 million a year.

The only way we shall be able to carry out the mandate of the Supreme Court of the United States is to adopt some system which will assure an individual the right to be represented by counsel from the time he is charged with a crime.

In the enforcement of our criminal laws we cannot afford to take a chance of a man not being adequately represented, which might cause a court to set aside his conviction. Therefore, I believe it is in the best interests of the Nation that we adopt this proposed system, to make certain that those who are charged with crimes will be adequately represented before a court.

I urge Members to support this proposed legislation.

Mr. POFF. Mr. Chairman, I yield 25 minutes to the distinguished gentleman from West Virginia [Mr. MOORE], the author of the pending bill.

Mr. MOORE. Mr. Chairman, I rise in support of H.R. 7457. This bill provides a well-reasoned and effective means of affording legal assistance for indigent defendants in criminal cases in U.S. courts.

Upon enactment of H.R. 7457, every defendant, charged with a Federal crime, who is financially unable to obtain counsel and who does not waive the right to counsel, shall have counsel appointed or assigned to him by the U.S. Commissioner or judge before whom he appears.

The 87 judicial districts and the District of Columbia, in complying with H.R. 7457, are authorized to appoint counsel for indigent defendants who are in private practice. These counsel will be chosen from a panel of attorneys established by the district judges. By this means, no one attorney will be required to shoulder an undue burden and qualified representation will be assured to indigent defendants. In addition, the panel system will safeguard the appointment of skilled counsel by U.S. Commissioners. Since many Commissioners are not attorneys themselves and do not frequently have the high degree of expertise in criminal cases as district court judges, the requirement that a Commissioner select an attorney from a panel prepared by the judge will assure effective representation.

Under the provisions of H.R. 7457, the judicial districts may assign counsel to indigent defendants who have been made available by a local bar association or local legal aid society.

As will be discussed more fully below, this choice will be of particular value in those districts where the services of legal aid societies and bar associations are being regularly utilized today. Moreover, in those cases where conflicting interests of two or more codefendants require the appointment of separate counsel, the use of both appointed and assigned counsel will prove beneficial. In the interests of justice, the Commissioner or court may also substitute appointed or assigned counsel at any stage of the proceedings.

Counsel shall be appointed to represent an indigent defendant at every stage of the proceedings from initial appearance before the U.S. Commissioner or court through appeal. Where a defendant initially has retained his own attorney and then becomes impecunious, the court is authorized to appoint or assign counsel at such subsequent state. Moreover, if counsel is initially appointed or assigned and then the court discovers that the defendant is financially able to obtain counsel or to make partial payment for representation, the court may terminate the appointed or assigned counsel, or require that the defendant meet a portion of the cost of counsel.

At the conclusion of the representation or any segment thereof, the district court—in behalf of itself and the Commissioner—or the court of appeals shall compensate appointed or assigned counsel at the rate not to exceed $15 per hour for time expended in court and $10 per hour for time reasonably expended outside of court or before the U.S. Commissioner. Such counsel shall be reimbursed for expenses reasonably incurred in representing indigent defendants. In addition, the court, in an ex parte proceeding, may authorize the appointed, assigned counsel or having paid counsel if defendant is financially unable to defray such cost, to obtain investigative, expert or other services necessary to an adequate defense. Each claim for compensation shall be accompanied by supporting affidavits of time expended, services rendered, and expenses incurred. In the case of representation by counsel, the total compensation to be paid each attorney shall not exceed $500 in case of felony and $300 in case of misdemeanor. In the case of investigative or expert services, the compensation shall be reasonable in nature as determined by the court. Payments to the courts to carry out the provisions of this bill have been made subject to the supervision of the Director of the Administrative Office of the U.S. Courts who, in turn, is under the supervision of the Judicial Conference of the United States.

Mr. Speaker, a crying need exists today for the enactment of H.R. 7457. From the birth of our great system of government, equal standing before the law has been recognized as a basic principle of justice. The sixth amendment of the U.S. Constitution provides that:

> In all criminal prosecutions, the accused shall enjoy the right * * * to have the Assistance of Counsel for his defence.

And, for over 25 years, the Supreme Court has equated this constitutional mandate with the right of the poor man, as well as the rich, to have the services of counsel. Otherwise, the theoretical right without a practical means would provide little succor to the person of little means.

In an effort to complement this requirement of the Supreme Court, the Federal judiciary has regularly made it a practice to assign attorneys in private practice or employed by a legal aid society or local public defender organization to represent indigent defendants. In the absence of legislation to compensate court-appointed counsel, however, attorneys, so assigned, have been forced to work on a voluntary basis and frequently pay many expenses out of their own pocket. This clearly is neither fair to the attorney or organization, nor to the scheme of equal justice.

To meet this failing, numerous bills were introduced and referred to the House Judiciary Committee. Many alternative schemes were suggested in these bills for correcting the abuse. Among them was a proposal offered by the administration. That proposal would have provided for counsel appointed by a court from among lawyers in private practice or assigned from local legal aid or local public defender organizations. In addition, however, the administration bill would have authorized each district court to establish a Federal Public Defender Office in its district, staffed by full or part-time attorneys, investigators, clerical assistants and other personnel. This, in my mind, is totally inconsistent with even-handed justice, democratic society, and good commonsense.

Beyond question, the primary objection to the creation of a Federal Public Defender Office is the fear that it will undermine the Anglo-Saxon tradition in America of combative trial proceedings where the lawyer for the defendant is free of State control and thereby free to render the best defense he is capable of making. The Federal judicial system is appointed by the Government and paid by the Government. The Federal prosecutor and the Federal investigator and the Federal marshall are appointed by the Government and paid by the Government. Do we now want the attorneys who represent individuals charged with a crime to be appointed by the Government and paid by the Government?

I recognize that each lawyer takes an oath to protect the interests of his client above all else so long as such protection is extended in an ethical manner. I also recognize that an attorney, acting as a public defender, might never face or, if faced, never succumb to pressures of government in doing his duty. After all, Federal judges are on the payroll of the Government and, yet, they rarely face improper Federal control. But, the position of an attorney, appointed as a public defender for a short term of years and, perhaps, young and ambitious, as opposed to that of a judge with lifetime tenure is so great that a comparison is not possible. The better comparison, of course, is that between public defender and prosecutor. And, there is no question that Federal prosecutors are subject at times to pressures from above.

In our Nation, we have so far managed to keep our channels of justice free from totalitarian abuse and political chicanery. With the continued growth of government, however, and the continued pressure from alien systems of government, resistance to the usurpations of our liberty become more difficult.

Aside from the issue of the control over a Federal public defender by the Government, there exists the more limited issue of possible unjustified control by the Federal judiciary. Under the administration proposal, the public defender would be appointed by the district judge in the district where he was to be located. Thus, we would have a situation where the public defender would be located in the same building and, perhaps, just down the hall from where the judge had his chambers.

Major objection to creating the office of Federal Public Defender is that it can lead to wasteful expenditures of the taxpayers' money and foment a new level of Federal bureaucracy.

The Attorney General, in his testimony before Subcommittee 5 of the House Judiciary Committee, presented the costs of operating public defender offices, together with the costs of compensating private or legal aid counsel in those districts where public defenders are not appointed. He indicated that of the 87 districts and the District of Columbia in the country, only 11 would establish public defender offices: 3 large districts—southern district of California, District of Columbia, and southern district of New York; 2 sublarge districts—northern district of California and Arizona; 4 medium districts—New Mexico, western district of Missouri, eastern district of Tennessee, and middle district of North Carolina; and 2 submedium districts—Oregon and eastern district of New York.

In examining this estimation, it seems difficult to believe that only 11 districts would demand public defenders. This is particularly true since a number of the larger districts in the country are not included in the analysis. In fact, this analysis of the Attorney General has no solid foundation for its limitation to 11 districts. We well recognize that a clamor will occur from certain quarters in every district that the district is entitled to a defender office. It will be the prestigious thing to do. Judge William F. Smith of the Third Circuit Court of Appeals, in fact, testified before a subcommittee of the other body that 26 districts would require a salaried full or part-time public defender. And, the judge would be in a position to know since he is chairman of the Judicial Conference Committee on Administration of Criminal Laws. This estimate, moreover, is based strictly on caseloads. As indicated above, other factors will surely increase the number.

Aside from the creation of many more public defender offices than the Attorney General predicted, the number of staff personnel per office would far exceed his estimate. For example, in each large district, the estimate was made that one public defender and four assistants would be employed. When it is recognized, however, that the southern district of California—one of the three large districts listed by the Attorney General—has three divisions, then it seems naive to assume that the entire district will only employ five attorneys. Or take the Attorney General's estimate on the medium districts—there he maintains that only two attorneys need be employed. Yet, the western district of Missouri—one of the four medium districts so specified—has five divisions.

From the above, it does not seem difficult to assume that the number of attorneys appointed in each district will far exceed the present estimate. In fact, the tendency is bound to occur that each public defender office will mirror in size and location each U.S. attorney's office. And, what is said concerning the number of attorneys can also be said about investigators, secretaries, libraries, office space, and the accompanying expenses for retirement, travel, and other overhead. This conclusion may be considered particularly relevant when it is realized that the public defender would have been authorized to appoint all assistants under the administration bill. When this is coupled with the expected number of offices that will be set up, the expenses will more than double the predicted sum of $3.5 million a year suggested by the Attorney General.

The final grievous wrong with a Federal public defender system is that it will sooner or later smother the commendable legal assistance presently being rendered by private court-appointed attorneys, legal aid societies, bar associations, and local public defender organizations.

Today, there are in existence 92 legal aid and local public defender organizations supported by State and local funds. There are also 11 privately financed legal aid societies and 7 organizations financed by a combination of public and private funds. Sixteen States and the District of Columbia maintain these offices, including among others, the States of California, New York, and Tennessee where public defender offices have been proposed. In addition, many local bar associations, such as those of Los Angeles and San Francisco, have set up superbly working panels for providing counsel to indigent criminal defendants in Federal courts. This system of State or private assistance to the impoverished accused would slowly grind to a halt if the Federal public defender moved in. If anyone can cite an example where Federal bureaucracy has not driven out effective State and local self-help, then I shall be glad to reappraise my fear.

If we were faced with a situation where the local legal aid societies, local public defender organizations, and bar associations were not providing satisfactory representation, then there would exist a basis for filling the vacuum by creating the Office of Federal Public Defender. The exact opposite exists, however. Nothing but praise exists for the operations of the New York Legal Aid Society; the Voluntary Defender Association of Philadelphia; the Harvard Voluntary Defenders of Cambridge, Mass.; the Cincinnati and Cleveland, Ohio, legal aid associations; and many more.

In fact, the most surprising aspect of the House Judiciary Subcommittee hearings on this matter was that each witness who appeared before the subcommittee to testify in support of Federal public defenders indicated that they were only interested in the concept for someone else's district and not their own. The chairman of the Special Committee on Defense of Indigent Persons Accused of Crime, American Bar Association; the president of the Ohio Bar Associattion; the president of the American Bar Association; and the chairman of the Standing Committee on Legal Aid Work, American Bar Association, each in their turn, expressed support of the public defender system on the Federal level, but did not wish to see a defender office established in their respective districts—thereby damaging the vitality of their local organizations. When it was pointed out to some of these witnesses that a Federal defender office was intended for their district, the witnesses expressed a hope that such an event would not occur.

There have been statements made by those who support the Federal public defender system that privately appointed counsel have, at times, not rendered creditable service; that they have been too young or inexperienced; that they have not devoted sufficient time to their tasks; or that they have failed to present the best defense possible. In answer to these assertions, I say that the bar has been noteworthy in defending indigent accused and that the evidence of their outstanding work far outweighs the few instances of mediocrity.

Similarly, in a survey presented in a Harvard Law School study, 90 percent of the judges and prosecutors replying to the questionnaire considered the experience of assigned counsel adequate, and 20 percent considered it very adequate.

In addition, witness after witness who appeared before the House Judiciary Subcommittee maintained that they believed court appointed counsel to have conducted themselves in a most professional manner.

Finally, solely from the standpoint of maintaining a healthy independent bar in a healthy and independent society, responsibility must be accepted by members of the bar to aid those in need of help—thereby shouldering the burdens of democratic society. Admittedly, a limit is placed on the compensation to be granted these counsel. In an effort to relieve their financial burden, reasonable fees are provided for in H.R. 7457. We cannot, however, hope nor should we be expected to compensate attorneys to the same degree that a wealthy client could do.

What is necessary is to reimburse an atorney for at least his out-of-pocket expenses and overhead. At the minimum, H.R. 7457 so protects counsel and, at times, it will make them more than whole.

In conclusion, I strongly urge the adoption of H.R. 7457 as the best means of safeguarding the interests of indigent accused and the strength of the American systems of justice.

Mr. FARBSTEIN. Mr. Chairman, will the gentleman yield?

Mr. MOORE. I yield to the gentleman from New York.

Mr. FARBSTEIN. I want the gentleman to know that I favor this legislation because it is very, very necessary. However, there are certain questions I should like to have clarified.

First, would this be a token payment for services, or is it intended that the attorney be adequately compensated for his services?

Mr. MOORE. The bill provides that in cases of felony, proper affidavit to the district judge counsel can be paid $15 an hour while employed and $10 for his officework, but it shall not exceed $500 in the case of a felony.

Mr. FARBSTEIN. I appreciate that. The reason I inquire as to whether this is to be an adequate or token payment is that there is nothing contained in this bill to cover appeals. Suppose he has to go to the U.S. Supreme Court. Is this $300 for a misdemeanor and $500 for a felony to be the attorney's total compensation?

Mr. MOORE. May I answer that by saying the $500 limitation applies, if the appointed attorney represents the defendant before a Commissioner and all the way to the Supreme Court—$500 is the total compensation allowed.

Mr. FARBSTEIN. It is a token payment rather than adequate compensation?

Mr. MOORE. In addition, the appointed counsel on making a proper showing to the Court he is entitled to all of his expenses. As counsel he is entitled to obtain expert witnesses to provide aid in that defense. The gentleman uses the term "token." I do not believe we can ever provide an indigent defendant with prime legal counsel. In a sense this is token. I believe when you consider it in the light of the payments which are made by the various States under a similar system, $500 in a sense is adequate compensation. I believe it is; however, we may disagree on that.

Mr. FARBSTEIN. There is another question. Does the $500 apply to the case or to the attorney? The reason I make this inquiry is: Suppose that during the course of a trial an attorney becomes sick and is unable to continue or for one reason or another he resigns from the case. Would the $500 then apply to the case or the attorney? May there be more than one attorney in a case representing a defendant, and then would the $500 apply to each attorney or to the case?

Mr. MOORE. With respect to the attorney the limitation is $500 with respect to a case, as the bill is now written, but in the situation the gentleman advances, that counsel would become ill and unable to continue to serve and as far as the court could determine, he had expended time which would merit a $500 fee, he would be paid. If he had to be replaced, because of illness, with other counsel, in a situation like that I would assume without question that two $500 fees could be available. But as the bill is now written it is on a per-case basis, $500 per case.

Mr. FARBSTEIN. I would like to make legislative history. Is it the intention of the gentleman, who I understand is responsible for the preparation of this act, that this be $500 for the case or $500 for the lawyer, in view of the situation that I have just propounded?

Mr. MOORE. In order that the record might be clear, and as the bill is written, it is $500 per case.

Mr. FARBSTEIN. I thank the gentleman.

Mr. CAHILL. Mr. Chairman, will the gentleman yield?

Mr. MOORE. I yield to the gentleman from New Jersey.

Mr. CAHILL. I commend the gentleman for what I think is a step in the right direction. There are certain questions I, too, would like to ask. I am sure every Member of the House agrees with the principle stated by the gentleman that every defendant should have a right to competent counsel. But, I think any of us who has had any experience in the prosecution of criminal cases recognizes that most defendants who appear and who are asked whether or not they are able to pay for counsel, answer in the negative. Now whose responsibility is it, I ask the gentleman, to determine the financial responsibility of the defendant to pay counsel?

Mr. MOORE. May I say in response to the gentleman's question, it is the responsibility of the district judge, after making proper inquiry of the defendant, if he is satisfied in response to the questions that he puts to the defendant that the individual is impoverished and cannot possibly provide his own counsel, then it is within the discretion of the court as to whether or not counsel shall be appointed.

Mr. CAHILL. As I understand the bill as written, there is a maximum payment of $500 that can be paid in any given case?

Mr. MOORE. That is correct.

Mr. CAHILL. Do I understand the gentleman correctly then that if the interrogation discloses that the defendant is capable of raising $500 that then counsel should not be appointed by the court?

Mr. MOORE. That is correct.

The CHAIRMAN. The time of the gentleman has again expired.

Mr. POFF. Mr. Chairman, I yield 2 minutes to the gentleman.

Mr. CAHILL. I would like to ask just one or two other questions, if I may. I understand counsel is limited to $500, but I note that expert witnesses are permissible. I would like to know whether or not there is any limitation upon the payments that may be made to expert witnesses such as physicians, psychiatrists and the like?

Mr. MOORE. May I say to the gentleman, as the bill is now written, there is no limitation as to the investigative services. It is my understanding that the gentleman from Virginia, Mr. Poff, will offer an amendment to limit the amounts which those rendering investigative services and as expert witnesses may receive under this bill.

Mr. CAHILL. Is it the opinion of the author of the legislation that since members of the bar are asked to make sacrifices in representing indigent defendants, that likewise our medical experts or engineers or other experts that may be called into a case should be asked to make sacrifices; and therefore there ought to be some limitation upon the amount paid to them?

Mr. MOORE. I have indicated to the gentleman from Virginia that I have no objection to his amendment. I would say to the gentleman, I am in perfect accord with the thought that you have advanced. I do think we can encourage a little more lenient attitude on the part of some people who are experts to give a little more freely of their time than they do today.

Mr. CAHILL. My last question is this. As I read the report and as I understand the legislation, there is no requirement that the Commissioner or the Federal judge rotate counsel from the accredited bar associations, but is it not the intention of the author that where practicable and where possible and where equal talents are present that this be done and that there be absolutely no favoritism of any kind shown by either the Commissioner or the judge?

Mr. MOORE. That is exactly right. As you know, we did discuss the question of a rotational system, but we felt on balance that in providing the best legal defense possible that it would not be a good thing to write into the bill. But it was our intention that the judge should follow the system of rotation, but not be bound by it.

Mr. CAHILL. I thank the gentleman.

Mr. MOORE. Mr. Chairman, I urge the Committee to support and adopt the bill, H.R. 7457.

Mr. ROGERS of Colorado. Mr. Chairman, I yield 2 minutes to the gentlewoman from Michigan [Mrs. Griffiths].

Mrs. GRIFFITHS. Mr. Chairman, I rise in opposition to this bill. I am not opposed to every defendant having counsel, but in my judgment the bill will not produce any better counsel for $500 than any Federal judge could provide for nothing now for a defendant. Therefore, I am opposed to the bill.

As a lawyer, I have defended people in Federal court without charge, and I considered it an honor and a privilege. As a lawyer, I have defended people in a municipal court and been paid a fee. As a judge I have appointed people to defend others charged with crimes. In my opinion, a defendant will not get a lawyer of higher learning if the lawyer is paid such a meager amount, than would be available for nothing.

Second, this is likely to become a racket.

Finally, I believe that lawyers are obligated to give some of their services free.

I oppose the bill.

Mr. ROGERS of Colorado. Mr. Chairman, I yield 5 minutes to the gentleman from Louisiana [Mr. Willis].

Mr. WILLIS. Mr. Chairman, the bill before us, H.R. 7457, is a good proposal. I am for it and I would like to tell you why I think it should be passed.

Under our system of administration of justice the right to counsel is fundamental. But suppose the defendant cannot afford counsel, what happens?

Let us take an actual case in order to explain the practice and procedure. A person is charged with crime. That, of course, does not mean that he is guilty of the offense. On the contrary, he is presumed to be innocent until proven to be guilty. His case is set for trial, but he comes to court without a lawyer. The judge must tell him that he is entitled to be represented by counsel. If, after questioning him, the judge is satisfied that in truth and in fact he cannot hire a lawyer the court must appoint counsel for him. All of this is well and good but how does it work in practice? The hitch is that the lawyer appointed to represent him will receive no payment. He must work for nothing, and most of the lawyers do not like to work for glory. They must make a living and many of them try to duck the appointment, and usually the best and busiest lawyers have an honest reason to be excused. Consequently, in many cases, a mediocre lawyer must be appointed and he frequently does not have his heart in the case, because where your purse is there is also your heart. And so the appointed lawyer frequently does not prepare his case well and does not fight it as hard as he might. Yet, the defendant may be guilty and even the highest priced lawyer could not save him.

In either case, however, innocent or guilty, the verdict may be set aside on appeal. Why? Because the Supreme Court in the last decade or so has frequently held that a defendant is entitled to a competent lawyer at all stages of the criminal proceedings. What constitutes competency is, of course, a dubious question, but it certainly can be said that the court leans in favor of the defendant. But not all cases are appealed. The net result is that in some cases the guilty may be set free; yes, free to commit other crimes maybe, while the innocent goes to jail.

In view of this situation, ever since the time of Attorney General Cummings back in 1933, all Attorneys General have recommended that something be done to provide counsel for the indigent. Various proposals have been advanced before our committee ever since I have been a Member of Congress.

Under this administration, and under previous administrations, the incumbent Attorney General has recommended a public defender system. Under this system the court, with the recommendation of the Attorney General in one form or another, would appoint a single public defender to represent all indigent defendants. I am opposed to that system. I favor a system of private defenders. Under this system a special lawyer would be appointed to represent the defendant in each case. The judge would choose the lawyer or he could pick one from a list submitted by the local bar association. The lawyer appointed in each case would be paid between $10 and $15 an hour, but his total fee could not exceed $300 in the case of a misdemeanor and $500 in the case of a felony. This is exactly what this bill would do.

Now let me tell you why I am opposed to a single public defender to defend all cases. In my opinion, a public defender system would concentrate entirely too much power in the hands of three people in the administration of justice—three Government people: the U.S. attorney, the public defender, and the judge. A Government representative would prosecute, a Government representative would defend, and a Government representative would judge. Each of them would be on the public payroll; each would have an office next to the other; and perhaps all three would travel together from one Federal courthouse to another. I am not imputing motives but I am saying that this sort of system is contrary to our time-honored system of checks and balances.

And then, too, it must be remembered that the Attorney General, a fourth Government appointee, would necessarily have a hand in this thing.

Let me illustrate what I mean. Under Louisiana law the prosecuting attorney is elected by the people. It is up to him and him alone to decide whom, how, and when to prosecute. He has the sole power to try or to dismiss and nolle prosequi a case and generally to conduct criminal proceedings in his own discretion. If the judge or the attorney general of Louisiana should try to interfere with his powers, he could tell both of them to jump in the lake. I imagine all of this is probably true under the laws of all of the States.

Under the Federal system of criminal proceedings, however, the U.S. attorneys are all under the supervision of the Attorney General. I am not pointing the finger at the present Attorney General because this has been true since the beginning of the Civil War—since 1861, to be specific. And under the Federal system, all major decisions, and very many minor decisions, are made right here in Washington.

Those are the reasons why I am opposed to a single public defender system, and those are the reasons why I am in favor of the court appointing a special lawyer for indigent defendants in each case. I think it is far better to have a different lawyer to fight it out with the U.S. attorney in each case than to embark upon a new and untried system whereby appointed public officials would at the same time prosecute, try, and judge criminal cases.

Mr. ROGERS of Colorado. Mr. Chairman, I yield 5 minutes to the gentleman from New York [Mr. CELLER].

Mr. CELLER. Mr. Chairman, Federal legislation to provide paid legal assistance to impoverished defendants accused of crime is a matter of the greatest importance. Ever since 1937 the American Bar Association, the Department of Justice, and the Judicial Conference of the United States have recommended legislation to provide legal counsel for indigent defendants in the Federal courts. In 1938 the Supreme Court held that it is an essential jurisdictional prerequisite to a Federal court's authority to deprive an accused person of his life or liberty, that the accused shall have enjoyed the right to have the assistance of counsel for his defense. (*Johnson* v. *Zerbst* (304 U.S. 458, 467–468).) Ever since that decision there has been a growing acknowledgment of the need for remedial legislation to redress the present inadequacies of the legal representation available to indigent defendants in criminal cases in our Federal courts.

In his state of the Union message on January 14 of last year the late lamented, martyred President stated:

> The right to competent counsel must be assured every man accused of crime in a Federal court regardless of his means.

I am very happy to state that this bill in a major way has been the work of our distinguished colleague from West Virginia [Mr. MOORE]. I am one of those who was willing to call this the Moore bill. He rendered a yeoman service in the fashioning of this vital bill and honor is due him. I hope, therefore, this bill is passed and will be called the Moore bill.

Under the sixth amendment we find:

> In all criminal prosecutions the accused shall enjoy the right to have assistance of counsel for his discharge.

This is an absolute right unless competently and intelligently waived.

Then the 14th amendment requires due process. If counsel for defense is not available there is no due process by the State. The sixth amendment is made obligatory upon the States by the 14th amendment and the 6th amendment requires counsel in Federal cases.

The practice that we have now is very haphazard. It is informal and most irregular. It differs in every possible jurisdiction. There is no compensation provided for counsel. Young attorneys seeking experience covet these assignments in the Federal court. They are not skilled in matters of this kind enough to pit themselves against the expertise of the U.S. attorney with the result that the defendant does not, in common parlance, get a fair shake. It is essential to have counsel representing these indigent defendants who are skilled enough to pit themselves against astute prosecutors.

To give you an illustration of how haphazard and how inadequate that service is, let me give you a case from my own experience. When I first got out of law school I went to old Judge Chatfield in Brooklyn and I said that I wanted a case. In a few days he assigned me a case. Well, I did not know much about the law; I was quite inexperienced. I was assigned an immigration case. The defendant was a lowly Italian. I was seated at the table with this Italian defendant of mine, on one side. On the other side was the U.S. attorney with his assistant. The Italian said to me,

> Mr. CELLER, why haven't we got another attorney? You are only one.

I said:

> You cannot afford to have even one attorney, much less another, and the court has appointed me.

I said to him:

> Why do you want another attorney?

He said:

> The district attorney has a man with him. When Mr. District Attorney stands up and speaks to the court the other man thinks. When you stand up nobody thinks.

That is about the situation as it occurs in our Federal court. These lawyers have not yet cut their eyeteeth, so to speak, when they try these cases, to the woeful disadvantage of the defendant. This bill, I think, will fill a gap, will fill a vacuum and do that which is just and proper and honest. A great democracy such as ours should do no less. The cost, in the final analysis, will be infinitesimal. I have estimated myself the cost, and it could not possibly be beyond $2,500,000 for the whole of the United States.

That is a small cost when you consider that so many lives are in jeopardy and so many may go to prison without adequate defense.

For that reason I urge that this Moore bill be passed with dispatch.

H.R. 7457 is modest legislation. It does not go as far as my bill but it is an exceedingly worthwhile step in correcting a major procedural injustice. Each year nearly 10,000 persons, comprising more than 35 percent of defendants in all Federal cases, need court appointed counsel because they lack the resources with which to employ their own. The representation furnished by these lawyers is necessarily inadequate. There is no provision to pay for their services or even for their expenses. They are not normally appointed until long after the arrest takes place. They are often inexperienced and overworked. All too often, through no fault of theirs, their services fall short of providing an adequate defense.

I said that H.R. 7457 is a modest bill. Its cost to the Government is low compared to the magnitude of the problem it is designed to solve. Under the terms of the bill, the maximum which may be paid to an attorney regardless of how he is appointed or assigned cannot exceed $500 in the case of a felony and $300 in the case of a misdemeanor. On the assumption that nearly 10,000 persons are in need of the services to be provided by the bill, it is clear that the measure cannot cost the Government more than $5 million annually at the outside.

Unlike my bill H.R. 4816, H.R. 7457 does not provide for full-time or part-time public defenders. Nevertheless I voted for H.R. 7457 because it represents a worthwhile and substantial step in the right direction and, frankly, it was the best bill we could get.

The bill provides that in every Federal criminal case the defendant must be advised of his right to be represented by counsel, and that counsel will be appointed or assigned if he is financially unable to retain one. Unless the defendant specifically waives his right to counsel, counsel must then be either appointed from a panel designated or approved by the judge, or assigned as made available by a bar association or legal aid society. Separate counsel must be assigned for defendants who have conflicting interests—subsection (a).

Subsection (b) of the bill provides that a defendant is entitled to representation at every stage of the proceedings, from initial appearance through appeal. The court may terminate appointments if the defendant becomes financially able to pay his own way, and may appoint or assign counsel at times when it appears that the defendant has become indigent.

Subsection (c) provides that counsel supplied under the bill shall be compensated at rates not exceeding $15 per hour for court appearances and $10 per hour for time reasonably spent outside of court, plus expenses. Claims for compensation are to be addressed to the court before which the attorney represented the defendant and each claim must be supported by a detailed affidavit. The total compensation may not exceed $500 in case of a felony and $300 in case of a misdemeanor.

Subsection (b) empowers the court to authorize the appointed or assigned counsel to obtain investigative, expert and other necessary services, and the court which authorizes such services shall direct the payment of reasonable compensation to the person who renders them.

Under subsection (e) the court allocates available funds among appointed counsel, organizations making counsel available, and persons authorized to perform non-legal services. No person or organization may request or accept payment in addition to those so allocated.

Subsection (f) requires reports by the court to the Director of the Administrative Office of the U.S. courts concerning appointments and assignment of counsel.

Under the bill—section 3—each district court and court of appeals would be required to commence compensation to appointed or assigned counsel within 6 months after the date of enactment.

Subsection (g) authorizes the appropriation to carry out the provisions of the act.

Mr. Chairman, a half a loaf is better than none. This bill is good and necessary legislation. Although it does not go as far as some would like to see, I urge its adoption because it marks the first substantial step in redressing a grievous shortcoming in our Federal criminal procedure.

Mr. POFF. Mr. Chairman, I yield 5 minutes to the gentleman from New York [Mr. LINDSAY].

Mr. LINDSAY. Mr. Chairman, I firmly support this bill, H.R. 7457. Insofar as the Federal Government has impact on the individual lives of individual persons in this country, I consider this bill the most important piece of legislation the House has had before it in the 88th Congress. I should like to commend our colleague from West Virginia [Mr. MOORE] on his authorship of this bill. It gives me great satisfaction to know that the gentleman from West Virginia, who was early identified with this cause and with this legislation in the early part of the Eisenhower administration when legislation of this kind was submitted to the Congress by Attorney General Brownell and subsequently by Attorney General Rogers, is now seeing this legislation moving toward enactment.

Sixteen centuries ago, it was stated by Lactantius as follows:

> Nobody is poor unless he stands in need of justice. It should give us pause not only that Magna Carta forced the King to agree "to no one will we sell, to no one will we refuse," but also that, in ancient predemocratic days, many a Bill in Eyre or Bill in Chancery successfully asked the aid of the court because the petitioner was poor and needed help against a wealthy and powerful opponent.

Surely our democracy should follow and enlarge upon those examples. Most of our State constitutions, echoing Magna Carta, proclaim that every person ought to obtain justice freely without being obliged to purchase it.

It was in the middle of the 19th century, in the year 1836, that in England the first statute was passed in our Anglo-Saxon jurisprudence making it a requirement that indigent defendants be supplied with counsel.

The year 1836 is a long time ago, and one would have thought that under a system of jurisprudence as important as our Federal system some action would have been taken before 1963.

Actually, the history of this subject in England is quite interesting.

In the 18th century defendants were allowed to retain counsel only in minor cases. Persons accused of felony or treason were for the most part required to defend themselves, being permitted counsel only with respect to points of law, not in arguing facts.

The most famous example of the harshness of that system was the trial of Mary Stuart, Queen of Scots. Her trial began at Fotheringhay on October 11, 1586. Two weeks later it was concluded at the Star Chamber and Mary was condemned to death. The sentence against her was carried out on February 8, 1587.

The records indicate at the beginning of her trial Mary requested that she be permitted counsel. This request was refused on the ground that, and this is from the record:

> Forasmuch as it was a matter de facto and not de jure, and altogether concerned a criminal case, she neither needed nor ought to be allowed counsel in the answering thereof.

Her request was refused. Thus, in full accordance with the laws of England, Mary was forced to defend herself before her judges on a capital charge in what was to her a foreign tongue.

After this unfortunate event, slowly this law changed in England, and by the middle of the 18th century Blackstone, the great British jurist, had written:

> Upon what face of reason can that assistance be denied to save the life of a man which yet is allowed him in the prosecution of every petty trespass?

And so it went until 1839 when a statute was passed.

In the United States great credit should be given to the State of New Jersey. The gentleman from New Jersey [Mr. CAHILL] has been interested in this legislation and has participated in its formulation from the beginning. I think it is noteworthy that New Jersey was the first State to provide a statute for the defense of indigent defendants. That was in 1795. Since then many of the States have moved forward in this area. Some of them have provided fulltime, paid, salaried attorneys. In the Federal courts we have nothing, and the caseload is huge. It is a conservative estimate that fully 30 percent of all the criminal cases, or roughly 10,000 a year, are cases which require counsel for indigent defendants.

I happen to think myself that in the big cities of this country with heavy case loads the judicial districts should have the option to provide fulltime public defender counsel. I offered this by way of amendment in the Judiciary Committee and the amendment was defeated. I have no intention of reoffering it here, as I feel the general position of the House would be in opposition to it.

I think this is an excellent bill as far as it goes, and it has my enthusiastic support.

Mr. ROGERS of Colorado. Mr. Chairman, I yield 5 minutes to the gentleman from Wisconsin [Mr. KASTENMEIER].

Mr. KASTENMEIER. Mr. Chairman, I rise not to make a speech but to make two or three comments and ask the author of the bill several questions.

I, too, would like to compliment the gentleman from West Virginia [Mr. MOORE] for the authorship of this bill, even though with a great portion of it I am in strong disagreement.

When one considers that the House has considered a number of bills, including the bill of the gentleman from New York [Mr. CELLER], chairman of the Committee on the Judiciary, relating to public defenders, for a number of years, and that the hearings have been great in terms of volume on this question, when one considers that the administration sent down the Criminal Justice Act of 1963 as their bill, when one considers that in July the Senate passed the Criminal Justice Act of 1963, and when one considers that the subcommittee reported out the Criminal Justice Act of 1963, the fact that we substituted the Moore bill is, I think, genuinely of great credit to the gentleman from West Virginia.

Essentially it differs, as I understand it, insofar as it does not include the position of the Office of Public Defender. Several others have commented on this, especially insofar as the administration bill made this purely arbitrary depending on the district. This approach would coincide with the needs of the judicial district. There were some of us who felt that perhaps, as the gentlewoman [Mrs. GRIFFITHS] indicated in her statement, paying lawyers as individuals would not qualitatively guarantee any better or more equal justice, that in essence it might become a lawyers' pay bill. If it were to be so, then it ought to be included in the post office and civil service bill of 1964, Rules Committee, rather than a separate bill. But in fairness to this bill, there is something more included.

There is a statutory indication of what is intended.

There is outside investigative help that indigent defendants need and there is an indication that the breadth of defense at least from the earliest moment through appeal might be present, and this has not always been the case in practice.

In two particulars, I would like to ask the gentleman from West Virginia. The report indicates that the purpose is to provide legal assistance for indigent defendants in criminal cases in the courts of the United States. On line 9, page 1, of the bill, it is indicated that "every criminal case arising under the laws of the United States, where the defendant appears without counsel," is covered. While this may be a technical question as to the scope of what is intended to be included, it might be important to know, whether for example criminal cases in the courts of the United States are, indeed, included whether or not they necessarily must arise under laws of the United States.

Mr. MOORE. Mr. Chairman, will the gentleman yield?

Mr. KASTENMEIER. I yield to the gentleman.

Mr. MOORE. In response to the gentleman's question, I would say that under the Federal rules of procedure, the most liberal interpretation probably would apply and that this language beginning on page 1, line 9, of the bill, is broad enough to include those cases which find themselves in the Federal jurisdiction, whether originally as a violation of Federal criminal law or whether they are there by some motion or petition which is made in any one of the other jurisdictions; and that all aspects of the bill therefore would apply to the situation which the gentleman questions.

Mr. KASTENMEIER. I thank the gentleman for his reply. Would this, in the gentleman's view, also apply to a constitutional question which arrives, let us say, in the U.S. Supreme Court, perhaps even in the court of appeals, but which had itself actually not arisen originally in a Federal court? Would the defendant at that point be entitled to assistance?

Mr. MOORE. In the example that the gentleman gives, if the case finds itself in one of the higher courts and is a case which has its beginning, or the nature of which involves a violation of a State criminal statute, it is my judgment wherever that is found, in whatever area of our judicial system, that this law would not apply. The only way that it would is if there were by a petition or by a motion, a removal, that the pending case be transferred to a Federal jurisdiction.

Mr. KASTENMEIER. I thank the gentleman. I have just one more question to ask of the gentleman. In an earlier version of a bill introduced by the gentleman from West Virginia, in fact the earlier version, H.R. 6765, there is reference made in terms of the type of assignment made on page 2 where a counsel was made available by a bar association, legal aid society or other local defender organizations established only for the purpose of legally representing indigent defendants accused of crime. I note too that the gentleman today in his discussion referred to a bar association, a legal aid society or other local defender organizations. Yet, in the committee version of the gentleman's bill, the term "local defender organization" is stricken. I think it is most unfortunate. I wonder if the gentleman would care to comment on that?

Mr. MOORE. We felt, in rewriting the bill, that the terms "bar association" and "legal aid society" were all-encompassing. We were going into a new area, breaking new ground, and were not in any way at all construing it as a particular position with respect to what a court might construe to be its position with respect to the use of those words. Therefore, they were deleted.

In my statement I used the term "local defender organization" as I discussed the Federal Public Defender Association, and I did not use it in terms of explaining the contents of H.R. 7457.

Mr. KASTENMEIER. I thank the gentleman.

Mr. ROGERS of Colorado. Mr. Chairman, I yield such time as he may consume to the gentleman from New York [Mr. CAREY].

Mr. CAREY. Mr. Chairman, I rise in support of the legislation.

Mr. Chairman, I support this legislation because it activates a fundamental principle in our system of government. We are a just government and we are governed by the just. Before every court in this land, every defendant is innocent until the State sustains the burden of proof as to his guilt. His innocence is not conditioned on his indigence and his right to a fair trial with representation by competent counsel of his own choice is not to be abated or denied by reason of poverty.

The foundation of the right to counsel is constitutional and in common with all other constitutional rights which guard freedom of the individual it must remain free from stress and burden, economic or circumstantial. The sixth amendment provides:

> In all criminal prosecutions, the accused shall have the right * * * to have the assistance of counsel for his defense.

But as I read the legislation this bill does more than assure the safeguard of that minimum of effective representation necessary to provide an adequate defense. It identifies the right of a defendant without the means for a complete defense and, if need be, an appeal, a freedom of choice of counsel to be compensated by Federal funds.

It is this latter point which becomes important in another context. Our Nation, and indeed, the entire free world is in a period and process of restatement of individual rights.

Our own constitutional rights are gaining by clarification of their effect on the rights of the individual in a democratic society.

One of these rights is the right to an education. If today, in this bill, we show a due and proper concern for the rights of an indigent defendant to a free choice of counsel without the burden of economic disadvantage, what principle should govern the Federal interest in the right of its citizens to an adequate education? Surely the same freedom of choice again without economic impact or denial should apply.

The right of freedom of choice in education is not arguable. The U.S. Supreme Court in *Meyer* v. *Nebraska*, 262 U.S. 390, and *Price* v. *Society of Sisters*, 268 U.S. 510, has held that all American citizens have the right to control the education of their children and that no State shall pass a law or otherwise interfere with that constitutional right. Is it torture or truth to the principle of this bill today to state that if an indigent defendant is to have the guarantee and the means to express his freedom of choice in his defense in a criminal action then a parent should be given the same means and guarantee that his children will be educated in a school of choice without regard to his race or religion, station or origin? And what of the religion that might be included in the curriculum of his school of choice? Shall that vitiate the right to funds for education? Hardly so, for the Supreme Court again said in Murdock against Pennsylvania:

> Freedom of religion is available to all, not merely to those who can pay their own way.

Today we are saying justice is available to all, not only those who can pay their own way.

I well realize that this is not the day or forum to consider freedom in education. But the temptation to sequence the rationale of this bill into the other constitutional rights is irresistible.

It is made so by a precise sentence in the minority report on page 12 which reads:

> There is no justification for telling a financially disabled defendant who has retained his own counsel that he is hereby ineligible to receive the expert services which would have been available to him had he not used the little money he had to pay for counsel of his own choice.

In the right to education it does no violence to this well-defined principle to paraphrase it.

There is no justification for telling a financially disabled parent who has selected a school of choice which is not tax supported that he is thereby ineligible to receive the means to expert education which would have been available to him had he not used the little money he had to pay for the cost of religious instruction in the faith of his own choice.

The report is even stronger in its next sentence:

> The fact that he had saved the Government the cost of furnishing him a lawyer should not deprive him of essential defense services which he cannot otherwise afford.

Substitute "parent in search of school" for "defendant in search of justice" and it reads:

> The fact that he has saved the government the cost of furnishing him with a seat in a State-supported school should not deprive him of the essentials for excellence in education which he cannot otherwise afford.

There is no point in following the route of comparison any longer but if we adhere to the principle of a government just and equal in its treatment of all its citizens we are going to have to cross the bridge of equality in education very soon.

It is my hope that we will be considering measures for the release of millions of Americans from the predicament of poverty and its effect on their education as a part of the President's program. When we do the very least we can do is preserve to disadvantaged families the same freedom and guarantee of equality we now seek to accord to indigent defendants.

In final analysis the only intent of these families is to secure religious instruction for their children together with excellence in education.

This is no crime or misdemeanor in this Nation, it is a matter of right and like the right we guard today it must be served in the cause of justice and served without penalty.

Failure to do so will place the parent a level below the indigent defendant in the structure of justice.

Mr. ROGERS of Colorado. Mr. Chairman, I yield 3 minutes to the gentleman from New York [Mr. FARBSTEIN].

Mr. FARBSTEIN. Mr. Chairman, this bill represents a departure from the general method of practice in the Federal courts of this country in that, so far as I know, compensation to lawyers who have represented indigent defendants has never been paid.

Although I am in full agreement with the gentlewoman from Michigan that the compensation discussed is totally inadequate, I am nevertheless persuaded that the bill is absolutely vital and necessary. I believe we can cover the question of inadequacy of compensation to the attorney, because I firmly believe the laborer is worthy of his hire.

Because of the fact that this represents a departure, as I have stated, from our traditional manner of practice, it is to be a beginning. Should it be determined at a future time that the payments being made to attorneys who represent indigent defendants is wholly inadequate, and that this law is proving to be a failure because of the inadequacy of payment, at a subsequent time the law can be amended to increase this compensation. I say this because in my own State of New York attorneys have been assigned in capital cases—by that I mean death cases, murder cases. Originally those attorneys received only $250 for representing a defendant. It was determined, because of the tremendous amount of labor necessary to properly defend someone, that such an amount was inadequate; and it was thereafter increased. Today I believe the sum paid to attorneys is adequate to a certain degree, insofar as trial is concerned. That sum is about $1,000.

In such a fashion I believe we can overcome the objection to the lack of adequate compensation.

I also believe that a payment should not be for the case but should be to the attorney. I do not believe, when it is necessary for two or three attorneys to participate during the course of a trial, to represent one defendant, that there should be a restriction on the payment of $300 in misdemeanor cases or $500 in felony cases to the lawyers. I believe the court should be given discretion, in order that it might determine what would be adequate compensation in a particular case. I suggest that amendment to the members of the Committee on the Judiciary.

I sincerely believe the proposed legislation is vital and should be passed.

Mr. POFF. I yield 5 minutes to the gentleman from New Jersey [Mr. CAHILL].

Mr. CAHILL. Mr. Chairman and members of the committee, I rise in support of this bill because, as indicated by the previous speakers, I think this is a step in the right direction. I think any of us that have practiced law well know that lawyers in the United States today perform every day of their practicing life services without compensation. The fact that they have been doing this is in my judgment no valid or logical reason why they should continue. Certainly, it seems to me that any lawyer who takes upon himself the responsibility of representing a defendant charged with a serious Federal crime and who undertakes the responsibility of conducting a proper, factual, and legal investigation and takes upon himself the duty and responsibility of advising an individual whose liberty may be at stake as to whether he should plead or whether he should stand trial and then maybe for 2 or 3 or even 5 or 10 days undertakes the defense of that individual in a courtroom, is entitled to compensation. The difficulty with this bill as I see it is that it does not provide adequate compensation. Certainly $500 is not sufficient compensation for any qualified member of the bar who appears and tries a criminal case for 3, 4, or 5 days, but at least it is a step in the right direction.

I would just point out that the most important time for any defendant to be assigned counsel is at the beginning of the legal proceedings. How many times have all of us who have had any experience in criminal law come to realize that by the time we are called into the case the defendant has already convicted himself and that the time for him to have had the legal advice has long since expired? So this bill at least gives a defendant the right to have counsel at the very beginning of the proceedings, when he needs it most.

Second, this bill will save the U.S. Government a great deal of money because every Federal judge will tell you today that his calendar is swamped with applications by men previously sentenced who are appearing through the means of habeas corpus seeking a new trial on the basis that they did not have counsel when originally sentenced.

Therefore, I would commend the gentleman from West Virginia and all members of the committee for presenting to the Congress a bill that is certainly a step in the right direction.

There are two things about this bill, however, that concern me, and I would like to address my brief remarks to these two things. First of all, I am delighted that the gentleman from Virginia is going to present an amendment which will limit the fees that are to be paid to expert witnesses. It makes no sense in my judgment that an expert witness can come into court and be paid unlimited fees when the attorney, who has the primary responsibility of hiring and retaining the expert in the first instance, is limited. I would hope that the gentleman from Virginia will not only limit the fees to the maximum given to the lawyer but will also in his legislative history indicate that the judge should determine the fees on the basis of the same hourly pay that is given to the lawyer. In other words, if a qualified medical expert spends 2 hours in the courtroom, in my judgment his fee should be $30. He should not be permitted to come in and submit a bill for $200 or $300. I sincerely hope that the gentleman's amendment will indicate that the court in its discretion should follow the same allowances for experts as it is asked to follow for lawyers.

Second, it would be my hope that the judges will understand that it is the will of this Congress that there shall be no favored list of lawyers and that so far as practicable every qualified member of the bar shall be asked to serve as counsel for an indigent defendant and that the court shall follow as far as possible a rotation system.

Mr. POFF. Mr. Chairman, I yield 2 minutes to the gentleman from Colorado [Mr. BROTZMAN].

Mr. BROTZMAN. Mr. Chairman, I rise in support of H.R. 7457. While I was serving as U.S. attorney for the district of Colorado I witnessed many able, young lawyers struggling diligently in defense of those who could not afford counsel. I was impressed by the conscientious job that they were doing in carrying out the mandate that all defendants in Federal criminal cases be properly represented in court. These men spent long hours taken away from their practice, and many dollars were taken from their pocket when they could ill afford it. But they conducted themselves to the very best of their ability and without complaining that they were doing so without recompense.

One case makes an outstanding example, although I can think of many.

In this particular case, a case of murder on a Ute Indian Reservation, *U.S.* v. *Sweezy and Gould,* 14664 U.S. district court for Colorado, a young attorney, Mr. John R. Evans, spent 168 hours preparing the defense for the indigent defendants, and $433.09 out of his pocket traveling to New Mexico to find the witness whose testimony resulted in the defendants' acquittal, after a trial of 5 full days. Furthermore, these defendants were also charged with a Dyer Act violation which was later dismissed, but only after another 31 hours had been spent by Mr. Evans on this case. This young lawyer went so far as to provide his clients with clothing so they would make a suitable appearance in court, and after the case was closed he took money from his pocket again to buy them bus tickets for travel home, at a cost of $40.

Mr. Chairman, it is not my suggestion that the Federal Government clothe every client appearing in Federal criminal cases, but it is our duty, I think, to see that those of the legal profession who gladly donate their time and money in defense of the needy as officers of the court should be able to clothe themselves.

Mr. Chairman, I would like to commend the author of this legislation, the gentleman from West Virginia [Mr. Moore], and the committee, for a very fine job in providing a step in the right direction: I would urge all Members to support this fine piece of legislation.

Mr. POFF. Mr. Chairman, I yield such time as he may require to the gentleman from New York [Mr. Halpern].

Mr. HALPERN. Mr. Chairman, I rise in enthusiastic support of the legislation to provide legal representation for indigent defendants in Federal criminal proceedings. I believe the bill before us, H.R. 7457, is beneficial and vitally needed legislation, and I think it will go a long way toward solving one of the most important deficiencies in the present administration of our system of criminal legal jurisprudence. I want to compliment the gentleman from West Virginia for his superb work in this field and for his productive efforts in developing this legislation.

As a sponsor of H.R. 7963, which would establish a public defender system as one technique to provide legal defense for the indigent, I must say that I wish the subject bill went further and also provided for a public defender system in cases where a locality has a large caseload of indigent defendants. Still, I am pleased to support the bill before us today, because I think it is a good beginning and a sound foundation on which we can continue to work for a broader and more comprehensive program. For this reason, I hope this bill will be firmly supported by my colleagues today.

Mr. Chairman, I would like to take just a few moments to touch on some of the fundamental concepts that underlie our discussion here today. Scripture tells us that it is easier for a camel to pass through the eye of a needle than for a rich man to enter the kingdom of heaven. In stark contrast with the Biblical admonition against wealth, and by implication, in favor of humility and poverty, the administration of our criminal justice has increasingly, in recent years been weighted on the side of those defendants possessed of ample financial resources.

This deplorable situation is not attributable to any conscious desire on anyone's part; rather, it stems from the enormous increase in our population and the skyrocketing costs associated with litigation. The costs involved in the defense of a person accused of crime—attorney's fees, printing bills, compensation for investigative personnel, fees for expert witnesses, to mention only a few, have, in the words of our late President, increased "the role which poverty plays in our Federal system of criminal justice." It is not necessary to be a lawyer or a constitutional scholar to appreciate the fact that this unhealthy condition is at war with the high ideal contained in the phrase "equal justice under law."

The Founding Fathers' overriding concern for the protection of the individual is immortalized in the Bill of Rights. In the mandate of the sixth amendment, they gave dramatic evidence that this concern for the individual did not stop short of the person accused of crime. That amendment to the Constitution of the United States declares:

> In all criminal prosecutions, the accused shall enjoy the right * * * to have the assistance of counsel for his defense.

This provision has generally been interpreted to mean that counsel will be provided in criminal prosecutions in the Federal courts for defendants who are financially unable to retain counsel in their own behalf, unless such defendants expressly waive their right to counsel.

This interpretation of the sixth amendment is restated in rule 44 of the Federal Rules of Criminal Procedure which provides:

> If the defendant appears in court without counsel, the court shall advise him of his right to counsel and assign counsel to represent him at every stage of the proceeding unless he elects to proceed without counsel or is able to obtain counsel.

Just recently, as all of you probably know, the Supreme Court held that the Constitution requires the States to provide a lawyer, on request, for every impoverished defendant in a serious criminal case.

Notwithstanding the fundamental guarantee expressed in the sixth amendment, court decisions, and the provisions of rule 44 of our Rules of Criminal Procedure, the Federal courts have been compelled to develop a hand-to-mouth scheme in the case of an indigent accused; a scheme which makes a farce of due process and the Bill of Rights. At present, a Federal judge appoints any lawyer he wishes—or can get—to defend an indigent without compensation. According to the American Bar Association Special Committee on Defense of Indigent Persons Accused of Crime, the assigned-counsel procedure works something like this:

> Some judges call upon young lawyers, on those whose practice is not large, or on any lawyer who may be in the courtroom at the time. A few judges consider the entire local bar to be available and make it a practice to designate the ablest and most experienced lawyer available, especially in capital cases. * * * (But) many judges are reluctant to appoint a lawyer who has a thriving practice which he will have to set aside in order to defend an indigent client.

This illustration is supported by a survey of Federal courts conducted for the Harvard Law Review which found that, while selection methods varied considerably, all of the courts frequently appointed young lawyers with little experience to represent indigents. That this procedure is a long way from the ideal of equal justice for all is too evident to require any elaboration.

The plight of the courts, the organized bar, and I must add, hapless indigent accused, becomes more apparent when viewed in the context of the present caseload in the Federal courts. According to the Attorney General of the United States, every year nearly 10,000 persons—one-third of all defendants in Federal criminal cases—receive court-appointed attorneys because they cannot afford to pay for their own. A great many more, while able to hire a lawyer, cannot pay for the investigation or expert witnesses "which can make the difference between conviction and acquittal."

In the face of this mounting crisis, a number of solutions have been advanced to promote the cause of justice by providing for the representation of the indigent accused. Prominent among these is the concept of the office of the public defender. I have been privileged to support this approach, and this year introduced H.R. 7963 calling for the establishment of a public defender system as one method of meeting the need for legal representation of our indigent defendants.

Since 1939, a number of bills similar to H.R. 7963 have been introduced in Congress to establish a Federal defender system. The judicial conference of the United States in 1939 first approved of a public defender proposal, and has since reaffirmed its position 17 times. In 1944, a special committee composed of distinguished Federal judges, headed by Judge Augustus Hand, endorsed bills to provide public defenders in the Federal courts. The U.S. Department of Justice has supported this principle since 1937 and has publicly advocated public defender legislation. The ABA has approved the public defender principle since 1939, and in 1958 its board of governors specifically endorsed a bill pending in the 85th Congress.

Mr. Chairman, I wholeheartedly endorse the public defender concept. In my opinion, it represents the most appropriate, efficacious, and expeditious mechanism for ridding us, once and for all, of the present irrelevant financial standard which has crept into our criminal jurisprudence.

Although the bill now under consideration by this House is designed to redress the present unwholesome situation, it falls short of the mark. It is a good step, and one which I shall support if it marks the limits of the majority's will to act, but I think the time has long since passed when we could content ourselves with such limited treatment of so serious a subject. This bill completely fails to provide for the alternative of a public defender which, as I have already said, is the most appropriate, efficacious, and expeditious vehicle for the eradication of the problem created by the indigent accused. As pointed out in separate views to the committee report by my colleague, the gentleman from New York, Congressman LINDSAY:

> The advantages of a public defender system, particularly in large urban centers, are manifest. A public defender office can provide readily available, experienced specialists at all stages of a criminal proceeding. It can provide the continuity and coverage that criminal court practice in large cities requires.

I think it abundantly clear that the failure of H.R. 7457 to provide for full-time public defenders will work an undue hardship in all areas, large or small, where the indigent caseload has reached staggering proportions.

In contrast to H.R. 7457, a number of proposals, including H.R. 7963, which I have introduced, deal more adequately with the problem of the defense of the indigent and conform to legislation urged for more than a decade by the judicial conference and by all attorneys in recent years.

Under my proposal, each judicial district would be permitted to adopt a plan best suited to its needs, drawn from three alternative options or using a combination of them. The objective is adequate compensation for court-appointed defense attorneys and investigative experts to assure justice for the poor.

The legislation would permit appointment of defense counsel from the ranks of private attorneys, to be paid up to $15 an hour; creation of an office of Federal public defender, with staff, in district with a substantial caseload; or finally, drawing defense aid from bar associations, legal aid societies, and other local defender organizations.

No district plan would operate without approval by the judicial counsel of the district's circuit.

The legal services would begin at the outset of prosecution and continue through final appeal. They would include court representation, necessary investigation work, and expert help.

This, I submit, is a better bill; it is designed to remedy the present emergency situation and, in my opinion, will in the long run, do it more efficiently.

Nevertheless, Mr. Chairman, as I have indicated, even though I do not believe the subject bill goes far enough, it will be a good beginning on a needed reform in our judicial system. Accordingly, it shall have my support and I urge my colleagues to approve it today.

Let me remind my colleagues, in conclusion, of some very wise counsel from one of our finest jurists, Chief Judge Edward Lumbard, of the second circuit, who wrote:

> The manner in which any society administers criminal justice measures the value it places on liberty and the dignity of the individual.

Let us show by approval of legislation adequately protecting the poorest defendant in this country that we do, indeed, place the very highest value on those greatest blessings of our land--the liberty and dignity of our people.

Mr. POFF. Mr. Chairman, I yield 2 minutes to the gentleman from Maryland [Mr. MATHIAS].

Mr. MATHIAS. Mr. Chairman, the concept that all men are equal before the law has been an aspiration of the American people since 1776. We have moved toward the practical achievement of that goal at a somewhat irregular rate; but this bill is one more indication that we are making progress.

The members of the Federal bar deserve great credit for the conscientious hours they have voluntarily given in the defense of indigent clients in the past. Yet I think we must all recognize that there has been a difference in the representation of indigent clients and the more affluent defendants who are able to afford their own private counsel in Federal courts. This bill will go a long way toward wiping out that difference.

It is interesting to me to note that in this matter the States, not the Federal Government, have pointed the way toward greater equality before the courts.

A system analogous to that which would be established by this bill has been in force in the State of Maryland for many years, and I may say it has worked with fairness, with success, and has promoted greater justice toward defendants in our State courts. On the basis of that experience I can recommend to the Members of the House and urge that they support this bill.

I would associate myself with the remarks just made by the gentleman from New Jersey [Mr. CAHILL]. It is not the intention of the committee, and I am sure it would not be the intention of the House, that any small or favored group of lawyers should be chosen to constantly represent indigent clients but, rather, that this bill should be given the broadest possible interpretations in providing competent defense for all who are called to answer at the bar of justice.

Mr. POFF. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, as has already been pointed out in the committee earlier, the Supreme Court has ruled that any man who stands accused before the bar of justice is entitled to competent counsel at every stage of the proceeding. Accordingly, I favor the bill under debate today. But even in the absence of the Supreme Court decision, Mr. Chairman, I would favor this bill as a matter of compassion and conviction. The accused, who is deprived by reason of financial handicap of competent counsel, has been deprived of what I would like to call "total justice," a phrase which I prefer to Mr. Justice Douglas' phrase, "equal justice".

I hope and trust this bill essentially in its present form will be enthusiastically supported and adopted when the Committee rises. As indicated earlier, I will offer an amendment which will have the effect of placing a limitation upon the amount of money which can be paid to expert witnesses, investigators, detectives and others associated with the assembling of an adequate defense.

Now, Mr. Chairman, I come to a point which I think needs to be made. The other body has passed a bill which is now lying on the Speaker's desk. It is my understanding that at the conclusion of the action on this bill a motion will be made to consider the Senate bill, strike out everything after the enacting clause and substitute the language of the House bill as adopted by the House.

If that should be the case, Mr. Chairman, my question to the acting chairman of the committee in charge of the bill, the distinguished gentleman from Colorado [Mr. ROGERS] is: Can we be assured that those who will be the conferees on the part of the House will insist on the House version of the bill when the matter goes to conference?

Mr. ROGERS of Colorado. Of course, as the gentleman well knows, I have very little if anything to do with the selection of the conferees, but as he well recognizes and as we all recognize, when you go to conference if you are selected I think your primary duty is to try to uphold the will of the House. The gentleman also knows that legislation itself is sometimes a compromise. If I were selected, I am not in a position to state but that I would follow through on what the House does.

Mr. POFF. I thank the gentleman. May I add that if I am selected as a conferee I will most strenuously insist upon the House version and will oppose any effort to substitute in the conference report the public defender system as that concept is now written into the Senate bill.

Mr. Chairman, I have no further requests for time.

Mr. ROGERS of Colorado. Mr. Chairman, I yield 1 minute to the gentleman from Louisiana [Mr. WAGGONNER].

Mr. WAGGONNER. Mr. Chairman, I take this time to ask the chairman of the committee handling this legislation one question, that is, whether or not under the provisions of this bill an individual who is for example a naturalized citizen of the United States or a foreigner charged with espionage or an individual who is a known Communist associated with Communist fronts would be eligible for this legal aid.

Mr. ROGERS of Colorado. The defendant in a case charged with espionage or any other crime, upon making a showing to the Court that he was without funds and could not hire a lawyer, would get the benefit of the appointment of an attorney.

Mr. WAGGONNER. Then under these circumstances an individual who openly advocated the overthrow of the U.S. Government would be defended by the U.S. Government?

Mr. ROGERS of Colorado. That is part of our system.

Mr. WAGGONNER. I thank the gentleman.

Mr. ROGERS of Colorado. Mr. Chairman, I yield 2 minutes to the gentleman from California [Mr. CORMAN].

Mr. CORMAN. Mr. Chairman, I take this time to propound a question to the author of the bill, the gentleman from West Virginia. In his remarks about the public defender concept he indicated there were some 16 States which provide public defenders that would be smothered if we had the Federal public defender system.

Mr. MOORE. I indicated there were 16 States in part, only 1 in full, that have the public defender system concept in operation. In the balance of the States, the other 15, they are on a local or county basis. I believe the gentleman's county in the State of California has a public defender system.

Mr. CORMAN. Is it the gentleman's contention that these public defenders provide defense in Federal cases?

Mr. MOORE. If they are on the panel made up by the district judges, these public defenders would be utilized for appointment and assigned cases.

Mr. CORMAN. My question is, what is the present practice? Is it the practice of the States to subsidize the defense in Federal courts? It is not in my State. The implication was that a defendant was represented in Federal cases in 16 States, by State-financed public defenders.

Mr. MOORE. No, I did not mean to leave that implication. The public defender system as it applies in those 16 States on a local basis or statewide basis is for those cases which are in violation of State law. They do not provide any assistance for Federal cases.

Mr. CORMAN. It was difficult for me to understand how they would be smothered in view of the fact they do not defend cases in the Federal courts, and a Federal public defender would defend only Federal cases.

Mr. MOORE. If the gentleman will yield, the use of the word "smother" had and did apply, as I used it, to local legal aid societies and private bar associations and I felt a Federal public defender system would smother those particular agencies that were providing counsel for indigent defendants in the Federal field.

Mr. CORMAN. I would just like to say, I support this legislation. I have always felt that half a loaf was better than none, but this is the first time I have had to make a choice between a thin slice and none at all.

Mr. MOORE. I thank the gentleman for his support.

Mr. ROGERS of Colorado. Mr. Chairman, I yield 1 minute to the gentleman from Missouri [Mr. JONES].

Mr. JONES of Missouri. Mr. Chairman, I take this time in order to ask the chairman of the committee if he would have any objection to an amendment to this bill which would make ineligible the appointment of any Member of Congress while he is serving as a Member of Congress.

Mr. ROGERS of Colorado. Personally, I do not think it would be germane—this is No. 1. No. 2, that it should not be tied down in that manner and limit the judge in case the judge decides he wants to appoint such counsel.

Mr. JONES of Missouri. May I make this comment in this minute that you have allowed me? I think this is in the area where we have the business of the Congress delayed too much already by the activities of attorneys who spend more time on their law business than they spend on the floor of Congress and delaying the business of this House. I think if the lawyers want to be fair about this thing, they would remove themselves from the likelihood of being appointed as an attorney and getting a $500 fee in addition to the salary they are obtaining while they are a Member of Congress.

Mr. ROGERS of Colorado. Mr. Chairman, I yield 1 minute to the gentleman from West Virginia [Mr. MOORE].

Mr. MOORE. I would like to say to the gentleman from Missouri, I have no objection at all if he wants to offer such an amendment. It would be rather inconceivable that a Member of Congress would be placed on a panel of attorneys by a Federal judge. But out of an abundance of precaution, if the gentleman will submit the amendment, I see no objection to it and I would like it if, perhaps, the gentleman from Colorado might agree.

Mr. Chairman, I yield back the balance of my time.

Mr. FRASER. Mr. Chairman, I appreciate this opportunity to speak briefly in support of this bill for representation of indigent defendants—H.R. 7457. I am one of the cosponsors of this legislation, having introduced H.R. 6499 last May.

The sixth amendment to our Constitution provides, in part:

> In all criminal prosecutions, the accused shall enjoy the right * * * to have the assistance of counsel for his defense.

This bill takes an important step toward implementing that provision of our Bill of Rights. It provides for compensated counsel instead of unpaid volunteers.

Since 1948 I have practiced law in Minneapolis, Minn. Our State courts in Minnesota provide for paid defense attorneys in criminal cases and in some counties full-time public defenders are employed.

The Federal courts, on the other hand, have left the defendant to his own resources. A defendant who can afford to hire his own counsel does so. A defendant without personal resources may ask to have a volunteer, upaid lawyer assigned. He finds the constitutional guarantee of counsel to be a hollow right indeed because he has no money to hire a lawyer.

Three important features of this bill are first, that counsel will serve at every stage of the proceedings; second, the attorney will be paid for his time in court and in the office; and, third, investigators and experts can be hired if necessary to help in the defense.

First. Without this law the usual situation has been that an indigent defendant does not even have a volunteer lawyer during the preliminary examination and grand jury phases of his case. Only when he is finally required to plead guilty or not guilty at the arraignment is he assigned a lawyer today. The bill we are debating would correct this injustice by providing counsel earlier so that the defendant's rights can be protected at every step of the proceeding.

Second. Under present law the unpaid, volunteer lawyer cannot be expected to be as experienced in criminal law or to be as conscientious as a defense attorney receiving legal fees. A compensated attorney is more likely to spend the time necessary to dig out the evidence, find the witnesses and research the law necessary for a full defense.

Third. The third benefit under this bill is the provision for hiring investigators and experts to establish the facts for the defense or to meet the evidence of the district attorney.

Legislation like H.R. 7457 was strongly endorsed by the Minnesota State Bar Association at its convention last spring.

Experienced attorneys and court officials throughout the State support compensated counsel legislation. Typical remarks from letters sent to me are these from William H. Eckley, chief deputy clerk of the U.S. district court in Minneapolis, Gerald M. Singer, experienced defense attorney of Minneapolis, and Murray L. Galinson, former assistant U.S. attorney:

> After more than 30 years in the court for the district of Minnesota, I feel such legislation a necessity because without it the protection of indigent defendants can be a great hardship on attorneys and as a result at times is a hardship for the defendant. In many cases, when appointed, a lawyer is involved in a long case and is taken away from his office for a great length of time at great sacrifice.
>
> WILLIAM H. ECKLEY.
>
> Denial of paid counsel is in many instances denial of counsel. I feel that an excellent argument could be made that the furnishing of unpaid counsel in many situations might very well violate due process. Many of these people appointed, although admitted to practice and admitted to practice in Federal courts, are just not competent to handle these matters by reason of inexperience in some cases, or in others where the matters are beyond the area of their intellectual interests. In many of these situations, this is the same as not furnishing the defendant counsel. It seems to me the constitutional provision means competent counsel not just counsel.
>
> GERALD M. SINGER.
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> After having served as an assistant U.S. attorney and thereby having been involved in numerous criminal matters in the Federal courts, it is my opinion that the pending legislation concerning this area is very much needed. Although the members of the bar are very conscientious in their endeavors to properly represent an indigent defendant in Federal court, it is almost impossible for them to do so adequately without being compensated for the time they spend in investigation, researching, and trying the case. Thus under our present system, a defendant in Federal court who cannot afford to hire counsel is often not adequately represented and thereby deprived of his constitutional guarantee of right to counsel.
>
> MURRAY L. GALINSON.

Yes, Mr. Chairman, this legislation is necessary if we are to make effective the Bill of Rights guarantee of counsel in criminal cases.

However, this bill should be amended to be even more effective. The alternative in the original bill should be permitted to employ full-time or part-time public defenders and necessary staff. I have observed the public defender system in operation in Hennepin County, Minn., for many years. It is an excellent system that develops the same high quality of experienced legal talent on the side of the defendant as is customary on the side of the public prosecutor. In this Nation where the rights of the individual are valued as well as the rights and powers of the State or the public, a public defender system gives full force to our stated ideals of due process of law. Those U.S. district courts that can or wish to use this system should be permitted to do so.

Mr. Chairman, this bill deserves our support. The right to counsel in criminal cases should no longer depend on the ability to pay. It is time for us to take the dollar sign off the scales of justice in our Federal courts.

Mr. McCULLOCH. Mr. Chairman, I rise in support of H.R. 7457.

In fiscal year ending 1963, criminal trials involving over 30,000 defendants in Federal district courts were terminated by conviction or acquittal. Of these 30,000 defendants, approximately one-third or 10,000 defendants had counsel assigned to defend them by Federal courts on the basis that they were financially unable to obtain their own counsel.

From the founding of our Nation, the Constitution has required that in criminal prosecutions the accused shall be entitled to the assistance of counsel. Since the right of counsel is a hollow right to one who lacks financial resources, the Supreme Court has long held that impecunious defendants shall have the right to counsel appointed by a court.

For years, then, the Federal judiciary has called upon private counsel to devote thousands of man-hours to defend thousands of accused defendants each year. In fiscal 1963, as above described, 10,000 defendants were entitled to and received the assignment of court-appointed counsel. This is as it should be if we are to preserve the equal scales of justice. At the same time, however, we have failed to do total justice to the legal practitioner or those he defends by failing to provide a system of reasonable compensation for services rendered.

In this regard, the Federal Government is decades behind the States. Forty-seven of the fifty States have enacted legislation for compensating counsel. The State of Ohio, for example, has a most fair provision which has worked well for over half a century. In cases of murder or manslaughter, compensation and expenses are provided to the extent the court believes reasonable with most counties placing an upper limit of $500. In other cases of felony, a court is authorized to approve compensation up to $300. Many other States have equally favorable rates of compensation.

There is every reason to expect that in a free society, members of the legal profession shall share the burden of protecting the innocence of those accused of a crime unless and until proven guilty. A lawyer's code of ethics demands such. A system of government based on liberty and justice can demand no less. History has often taught us that the failure of a nation to protect the legal rights of an unpopular defendant is but the first step in its failure to protect the rights of all citizens.

As stated in the Attorney General's report on poverty and the administration of criminal justice:

> The committee believes that positive values are gained from the widespread participation of the bar in these cases. Indeed, we believe many problems in the administration of criminal justice, both at the Federal and State levels, result from absence of involvement of most lawyers in the practice of criminal law. An almost indispensable condition to fundamental improvement of American criminal justice is the active and knowledgeable support of the bar as a whole. There is no better way to develop such interest and awareness than to provide wider opportunities for lawyers to participate in criminal litigation at reasonable rates of compensation. The committee believes it is highly important that the system of adequate representation should encourage rather than obstruct such participation.

In asking the legal profession to shoulder this obligation, however, we should not require that they be unjustifiably subjected to financial disaster. The States do not require this and neither should the Federal Government.

For these reasons, I support the provisions of H.R. 7457 which provide compensation up to $500 for felony cases and up to $300 for misdemeanor cases; which provide reimbursement of counsel for reasonable expenses; and which provide necessary compensation for expert and investigative assistance. With the above ceilings and with the hourly rates of $10 or $15 per hour—depending upon whether services are rendered in or outside of court—counsel will not in every case be granted a profit or even reimbursed for all expenses. We do not so intend and should not so expect. But, by enactment of H.R. 7457, we will properly relieve the financial burden upon court-appointed counsel.

There is a second aspect of H.R. 7457 which is noteworthy. It places the responsibility for defending indigent defendants upon the private bar and local legal aid organizations. The testimony taken before the House Judiciary Subcommittee fully justifies this trust. The Attorney General's Report on Poverty and the Administration of Federal Criminal Justice; a survey of Federal judges and prosecutors conducted by Harvard Law School students; innumerable articles by experts on the subject; and witnesses before the House subcommittee have all stressed that, with limited exceptions, the court-appointed or legal aid attorney has performed commendable service in defending impoverished accused. In many instances, their defense has been superior to that of paid counsel.

Many proposals before the House Judiciary Committee contained authority to establish Federal public defender offices. H.R. 7457, I am pleased to state, does not contain such authority. If it did, I should oppose it at this time.

The establishment of Federal public defender offices would raise Federal bureaucracy to a new level. Each division of each district would demand a defender or assistant defender, together with the accompanying secretaries, investigators and usual overhead. The dedicated work of legal aid organizations—of which over 100 exist in 16 States—would be smothered. Speaking personally, such agencies are doing superb work in Cleveland, Cincinnati, Akron, and Toledo, Ohio. I would dislike to see them submerged by a Federal monolith. The same may also be said for the invaluable work of private attorneys who have volunteered their services through local bar associations.

Most fearful, however, is the clear and present danger that would exist to our basic liberties if a Federal public defender system was established. The language of Mr. Justice Brennan, I believe, sums up my philosophy on the subject as concisely as possible. In a statement printed in Legal Aid Brief Case, November 1, 1956, pages 76 and 77, he said:

> So far as the bar is concerned, I think first of all it must be acknowledged that the primary responsibility for the establishment and maintenance of an adequate number of legal aid officers and committees in all parts of the Nation is one of the cardinal obligations of the legal profession. And, lawyers are among the first in contributions for the financial support of organized legal aid work.
>
> But experience has shown over the years that the need for organized legal aid is greater than the capacity of the profession to satisfy the demand. Equally important, legal aid operates most effectively when it has general community support and the sympathetic consideration and help of the leaders in the community and civic affairs who give their time to it. Financial support is very important, but by no means more important than community assistance in formulating the policies under which legal aid works. And yet laymen have been puzzled at times why lawyers as a group resist the creation of a Government bureau of lawyers to do this work. I think the reason is clear and readily stated and, once stated and understood, widely accepted by Americans generally. The plain fact is that an independent bar is just as essential to the preservation of freedom as is an independent judiciary, or the bill of rights in our Federal and State constitutions. The bar is the creation of a democratic people to intervene as champion between the individual and his Government. Too often in history the citizens of other countries possessing constitutions and bills of rights similar to our own lost their liberties because they did not possess a bar with sufficient courage and independence to establish those rights by a brave assertion of the legal processes developed for their vindication. The fear is that a Government agency of lawyers paid with tax money may be followed by governmental control of the profession. The fear is not so much on the preservation and protection of our democratic form of government. If a citizen opposes his Government, and the lawyers for both parties are paid by the Government, will the citizens get that fearless and resolute representation by his counsel which history proves is essential to the proper administration of justice? If Government-paid attorneys do this work, receiving their salaries from the Public Treasury, will that, despite its innocence, be the first step, the entering wedge, leading to a subservient bar with all that such a bar foretells in the threat to individual liberties not alone of lawyers, but of everyone?

In conclusion, then, I strongly urge the passage of H.R. 7457 which, in upholding our Nation's principle of equal justice to all, places the obligation for defending the indigent defendant upon the local bar and local legal aid organization, while at the same time seeking to remunerate these groups through reasonable compensation.

Mr. ROGERS of Colorado. Mr. Chairman, I have no further requests for time.

The CHAIRMAN. There being no further requests for time, the Clerk will read.

The Clerk read as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Indigent Defendants Act of 1963".

SEC. 2. (a) Title 18 of the United States Code is amended by adding immediately after section 3006 the following new section:

"§ 3006A. Representation of indigent defendants

"(a) In every criminal case arising under laws of the United States in which the defendant appears without counsel, the United States commissioner or the court shall advise the defendant that he has the right to be represented by counsel and that counsel will be appointed or assigned to represent him if he is financially unable to obtain counsel. Unless the defendant waives the appointment or assignment of counsel, the United States commissioner or the court, if satisfied after appropriate inquiry that the defendant is financially unable to obtain counsel, shall appoint counsel to represent him or, in the alternative, shall assign a counsel who is made available by a bar association or legal aid society. The United States commissioner or the court shall appoint or assign separate counsel for defendants who have such conflicting interests that they cannot properly be represented by the same counsel, or when other good cause is shown. Counsel appointed or assigned by the United States commissioner or the court shall be selected on a rotational basis from a panel of counsel designated or approved by the judge of each United States district court.

"(b) A defendant for whom counsel is appointed or assigned under this section shall be represented at every stage of the proceedings from his initial appearance before the United States commissioner or court, or from any subsequent stage at which counsel is appointed or assigned, through appeal. If at any time after the appointment or assignment of counsel the court having jurisdiction of the case is satisfied that the defendant is financially able to obtain counsel or to make partial payment for the representation, he may terminate the appointment or assignment of counsel or authorize payment as provided in subsection (e), as the interest of justice may dictate. The United States commissioner or the court may, in the interests of justice, substitute one appointed or assigned counsel for another at any stage of the proceedings. Counsel substituted by the United States commissioner or the court shall be selected on the same basis as counsel originally appointed or assigned.

"(c) An attorney appointed or an organization which made an attorney available for assignment pursuant to this section shall at the conclusion of the representation of any segment thereof be compensated at a rate not exceeding $15 per hour for time expended in court and $10 per hour for time reasonably expended outside of court or before a United States commissioner, and shall be reimbursed for expenses reasonably incurred. A separate claim for compensation and reimbursement shall be made to the district court for representation before the United States commissioner or that court, and to each appellate court before which the attorney represented the defendant. Each claim shall be supported by an affidavit specifying the time expended, services rendered, and expenses incurred while the case was pending before the United States commissioner or court, and the compensation and reimbursement applied for or received in the same case from any other source. The court shall, in each instance, fix the compensation and reimbursement to be paid to the attorney provided, however, that the total compensation to be paid to the attorney for such representation shall not exceed $500 in cases of a felony and $300 in case of a misdemeanor.

"(d) The court, after appropriate inquiry, may authorize the appointed or assigned counsel to obtain investigative, expert, or other services necessary to an adequate defense to each defendant determined by the court to be financially unable to obtain them. The court which authorized the services shall direct the payment of reasonable compensation to the person who rendered the services. A claim for compensation shall be supported by an affidavit specifying the time expended, services rendered, and expenses incurred on behalf of the defendant, and the compensation received in the same case for any other source.

"(e) Whenever the court is satisfied that funds are available for payment from or on behalf of a defendant, the court may authorize or direct that such funds be paid to appointed counsel, to an organization which made an attorney available for assignment, or to any person authorized pursuant to subsection (d) to assist in the representation. Except as so authorized or directed, no such person or organization may request or accept any payment or promise of payment for assisting in the representation of a defendant.

"(f) Each district court and judicial council of a circuit shall submit a report on the appointment or assignment of counsel within its jurisdiction to the Director of the Administrative Office of the United States Courts in such form and at such time as the Judicial Conference of the United States may specify.

"(g) There are authorized to be appropriated to the United States courts, out of any money in the Treasury not otherwise appropriated, sums necessary to carry out the provisions of this section. When so specified in appropriation Acts, such appropriations shall remain available until expended. Payments for such appropriations shall be made under the supervision of the Director of the Administrative Office of the United States Courts.

"(h) The term 'district court' as used in this section includes the District Court of the Virgin Islands, the District Court of Guam, and the district courts of the United States created by chapter 5 of title 28, United States Code."

(b) The table of sections at the head of chapter 201 of title 18 of the United States Code is amended by adding immediately after item 3006 the following:

"3006A. Representation of indigent defendants."

SEC. 3. Each district court and court of appeals shall commence compensation for appointed or assigned counsel within six months from the date of enactment of this Act.

Mr. ROGERS of Colorado (during the reading of the bill). Mr. Chairman, I ask unanimous consent that further reading of the bill be dispensed with; that it be considered as read and open to amendment at any point.

The CHAIRMAN. Is there objection to the request of the gentleman from Colorado?

There was no objection.

The CHAIRMAN. The Clerk will report the first committee amendment.

The Clerk read as follows:

Committee amendment: On page 2, line 14, delete the words, "or assigned".

The committee amendment was agreed to.

The CHAIRMAN. The Clerk will report the next committee amendment.

The Clerk read as follows:

Committee amendment: On page 2, lines 15 and 16, delete the words, "on a rotational basis."

The committee amendment was agreed to.

The CHAIRMAN. The Clerk will report the next committee amendment.

The Clerk read as follows:

Committee amendment: On page 3, line 4, strike out the word, "interest", and insert "interests".

The committee amendment was agreed to.

The CHAIRMAN. The Clerk will report the next committee amendment.

The Clerk read as follows:

Committee amendment: On page 3, after the period on line 4, insert the following:

"If, at any time during the course of the criminal proceedings, including an appeal, the court having jurisdiction of the case finds that the defendant is financially unable to pay counsel whom he had retained, the court may appoint counsel as provided in subsection (a) and authorize payment as provided in subsection (e), as the interests of justice may dictate."

The committee amendment was agreed to.

The CHAIRMAN. The Clerk will report the next committee amendment.

The Clerk read as follows:

Committee amendment: Page 3, line 13, after the period, strike out "counsel substituted by the United States commissioner or the court shall be selected on the same basis as counsel originally appointed or assigned."

The committee amendment was agreed to.

The CHAIRMAN. The Clerk will report the next committee amendment.

The Clerk read as follows:

Committee amendment: Page 4, line 12, strike out "cases" and insert "case."

The committee amendment was agreed to.

The CHAIRMAN. The Clerk will report the next committee amendment.

The Clerk read as follows:

Committee amendment: Page 4, line 14, strike out "after appropriate inquiry" and insert "in an ex parte proceeding."

The committee amendment was agreed to.

AMENDMENT OFFERED BY MR. POFF

Mr. POFF. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. Poff: On page 4, line 21, after the word "services" strike out the period, insert a semicolon and add the following: "*Provided, however,* That such compensation shall not exceed $500 per person in case of a felony and $300 per person in case of a misdemeanor.

Mr. POFF. Mr. Chairman, as will be seen, the amendment is addressed to that section of the bill which concerns itself with authority to provide financing to the attorney appointed or assigned to employ expert or investigative services which might be necessary to the perfection of an adequate defense.

Immediately above the language proposed, on the same page the committee saw fit to place a limitation upon the total compensation which the assigned or appointed counsel could obtain. In the case of a felony the maximum is to be $500 and in the case of a misdemeanor the maximum is to be $300.

It seemed to me only appropriate that a similar overall limitation should be placed upon the investigator employed by the counsel, or upon the expert witness employed by the counsel to examine into the factual evidence involved and later to testify in the case.

This alone is what the amendment would do.

I read the pertinent language in order to make a parenthetical explanation. Beginning on line 18 the language is:

> The court which authorized the services shall direct the payment of reasonable compensation to the person who rendered the services.

Then follows the language of the amendment:

> *Provided, however,* That such compensation shall not exceed $500 per person in case of a felony and $300 per person in case of a misdemeanor.

Mr. Chairman, it is the intent of the amendment that the court which is to be empowered, by the first part of the sentence, to determine the amount of compensation, should take into account the amount of time consumed by the investigator or the expert witnesses.

To buttress that intent we find in the following sentence the language:

> A claim for compensation shall be supported by an affidavit specifying the time expended,

Mr. Chairman, for the purpose of legislative history I repeat that it is the intent of the amendment to urge the judge who will decide what is reasonable compensation to apply a time yardstick similar to the time yardstick which is to be applied to the services of appointed or assigned counsel.

Mr. CAHILL. Mr. Chairman, will the gentleman yield?

Mr. POFF. I yield to the gentleman from New Jersey.

Mr. CAHILL. The gentleman recognizes, does he not, that many experts have a regular per diem fee which they charge for appearances in court regardless of the time that they may spend in court. In other words, a qualified medical witness may charge $100 or $200 for a court appearance even though he may spend only 30 minutes in the courtroom. Is it the thought of the gentleman that when a doctor appears in furtherance of defense of a criminal case he should be paid on the basis of the actual hours spent in a courtroom, on the same basis as a lawyer would be paid—to wit, $15 per hour—rather than paid a per diem which he might ordinarily receive in a court case when the defendant had a paid counsel?

Mr. POFF. Mr. Chairman, in response to the gentleman's question, it is my strong conviction, first of all, that the practicing attorney owes a responsibility to his community to perform some services gratis. We have heretofore asked him to assume the entire burden in that regard. This legislation is intended to make it possible to lighten his burden. At the same time may I say I think it is the burden of the practicing doctor to assume some of the responsibility to his community which a criminal trial entails. I would think that the judge in determining what was reasonable compensation would be guided by the time yardstick and the dollar yardstick which this legislation lays down for the practicing attorney.

Mr. CAHILL. And that generalization would apply to all experts that were brought into the case, in addition to the medical experts?

Mr. POFF. In addition to the witnesses, those who are employed as investigators who may not be called later as witnesses.

Mr. CAHILL. I thank the gentleman.

The CHAIRMAN. The time of the gentleman from Virginia has expired.

Mr. POFF. Mr. Chairman, I ask unanimous consent to proceed for 2 additional minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from Virginia?

There was no objection.

Mr. MOORE. Mr. Chairman, will the gentleman yield?

Mr. POFF. I yield to the gentleman from West Virginia.

Mr. MOORE. With respect to the amendment which has been offered by the gentleman from Virginia, I would say for myself, as the author of the bill, that I have no objection to the limitations he seeks to impose on that section of the bill as it applies to investigative services which are provided.

Mr. POFF. I thank the gentleman.

Mr. ROGERS of Colorado. Mr. Chairman, will the gentleman yield?

Mr. POFF. I yield to the gentleman from Colorado.

Mr. ROGERS of Colorado. Mr. Chairman, I accept the amendment.

The CHAIRMAN. Without objection, the amendment is agreed to.

There was no objection.

AMENDMENT OFFERED BY MR. MOORE

Mr. MOORE. Mr. Chairman, I offer an amendment which is perfecting in nature.

The Clerk read as follows:

> Amendment offered by Mr. MOORE: On page 3, line 19, after the word "representation" strike out "of" and insert "or."

The CHAIRMAN. Without objection, the amendment is agreed to.

There was no objection.

Mr. MOORE. Mr. Chairman, I offer an amendment which is perfecting in nature.

The Clerk read as follows:

> Amendment offered by Mr. MOORE: On page 5, line 21, after the word "payments" strike out "for" and insert "from".

The CHAIRMAN. Without objection, the amendment is agreed to.

There was no objection.

AMENDMENT OFFERED BY MR. JONES OF MISSOURI

Mr. JONES of Missouri. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

> Amendment offered by Mr. JONES of Missouri: On page 2, line 17, add the following:
>
> "No Member of Congress shall be appointed to serve as counsel in any case covered by this Act."

Mr. JONES of Missouri. Mr. Chairman, I think this amendment is very simple. I do not think it is hard to understand. I do not think that any Member of Congress is going to be an active candidate or an active applicant for appointment. Although I think I have observed in times past that Members of Congress, at least by their absence, have delayed the work of Congress. We have a pay bill coming up here supposedly at some time, and I have some amendments that I intend to offer at that time, because I feel that anyone who takes on the obligation as a Representative of Congress should feel that this is his first obligation and his first responsibility. I do not feel that any law practice or any private business should interfere with the service in Congress. I know that in many cases the appointment of a Member of Congress or a member of the legislature also serves as a basis for delay in cases. The Constitution and the laws of the States provide for that, and that would be eliminated.

I have had some questions about the need for this legislation. In the State of Missouri our lawyers there are appointed as counsel for indigent people, and they feel an obligation and accept the obligation.

They feel an obligation and accept the obligation. I have seen some of the best legal talent in the State of Missouri give their time and spend their own money in the defense of indigent people. They felt that that was a part of their obligation as members of the bar. I do not think this amendment is unreasonable in any way and I hope it will be adopted.

Mr. ROGERS of Colorado. Mr. Chairman, I rise in opposition to the amendment. I hope the House will vote down this amendment. What good purpose would it accomplish? Certainly, Members of Congress have their own duties and responsibilities. The appointments come from Federal judges. Also we provide a method whereby the bar association or the legal aid society may be designated by the judge. Does the gentleman from Missouri [Mr. JONES] want to eliminate members of the bar association as a result of his amendment?

Mr. JONES of Missouri. Is the gentleman asking me a question?

Mr. ROGERS of Colorado. I just do not think it is a proper limitation.

Mr. Chairman, I move the previous question.

The CHAIRMAN. That motion is not in order at this time.

Mr. JOELSON. Mr. Chairman, I move to strike out the last word. Mr. Chairman, I would like to ask the gentleman from Missouri [Mr. JONES] this question. Do I understand that the purpose of his amendment is merely that a Member of

Congress may not represent an indigent defendant?

Mr. JONES of Missouri. No, that is not the purpose at all. He could not be appointed. A Congressman may volunteer to serve without pay. Such a case would not be affected at all. But the amendment says that no Member shall be appointed to serve as counsel and make himself eligible for this remuneration. If the gentleman would yield me a little time, since the chairman of this subcommittee wants to get a little rough, I would like to make a statement, too.

Mr. JOELSON. Mr. Chairman, I cannot yield further. I want to say merely this. This amendment, if that is what it does, is certainly well taken. I think there is a conflict of interest involved for a Member of the Federal Congress to practice in a Federal court in any case. It may or may not technically be legal but, as a matter of good practice, I have a great question as to the propriety of it.

Mr. DOLE. Mr. Chairman, I move to strike out the requisite number of words. I take this time, Mr. Chairman, to ask the sponsor of the amendment a question. Would your amendment apply when Congress is in session or at all times?

Mr. JONES of Missouri. This would apply at all times. It says that no Member shall be appointed to serve as counsel in any case covered by this act. I do that so that the attorney for the indigent person could not use his service in Congress as a delay in affording justice in a case. It has been done. It is a common practice. It is one of the things we should get away from. Personally I do not think any Member of Congress has any moral right to use his position in Congress to delay justice. This amendment would serve that purpose.

Mr. DOLE. Mr. Chairman, I believe the gentleman may have a good amendment. I am a lawyer, but without clients, as I stopped practicing law after coming to Congress. May I ask this question? Could the amendment be extended to all Federal employees or would it apply only to Members of Congress?

Mr. JONES of Missouri. This is a limitation as to Members of Congress. If the gentleman wants to offer another amendment to cover others, that is all right; I would have no objection. But I limit this to Members of Congress. I think I have made myself clear. If I have not, I can go further and make it clear. But I think the implication is clear that I have made here.

Mr. ANDREWS of Alabama. Mr. Chairman, will the gentleman yield?

Mr. DOLE. I yield to the gentleman from Alabama.

Mr. ANDREWS of Alabama. Of course, this would not apply to a Member who is not a member of the next Congress?

Mr. JONES of Missouri. Why, certainly not.

Mr. ANDREWS of Alabama. Some of us may be practicing law next year.

Mr. JONES of Missouri. Then the gentleman may be appointed.

Mr. ANDREWS of Alabama. That is the reason I favor this bill.

Mr. DOLE. The amendment perhaps might eliminate some misgivings I have about this measure. It seems that at $15 per hour the taxpayer should be indignant though the defendant might be indigent. It does appear we are setting a costly precedent.

I shall support the gentleman's amendment on the basis it has been spelled out.

Mr. RUMSFELD. Mr. Chairman, I move to strike the requisite number of words.

I would like to ask the author of this amendment a question: As I recall, the Constitution says a Member of Congress shall hold no other office under the United States. It strikes me this amendment may not be necessary. Would the gentleman not say an individual who was appointed by a Federal judge to serve as a defense counsel could be considered in that category?

Mr. JONES. I am not a lawyer. I am not trying to interpret the law, and I am not trying to interpret the Constitution. But if that is the case, this amendment will do no harm if it is passed.

Mr. RUMSFELD. It strikes me this amendment might possibly be too narrow. We have potential problems in other occupations where Congressmen may receive Federal payments for different occupations, such as agriculture, and various other things. It seems to me it might be advisable to look at the whole area.

Mr. JONES of Missouri. When the pay bill comes up I will offer you an opportunity on that matter. But we can make a start here. This is the only opportunity we have on this particular bill. So if the gentleman will support this, at least we will get something started to correct other errors that now exist.

Mr. RIVERS of South Carolina. Mr. Chairman, I move to strike out the requisite number of words.

I do this to ask the distinguished author of this amendment if the purpose of his amendment is to require the attendance of the Members of Congress here, and would this preclude them from any other occupation; for instance, let us say he has had a lot of business in magistrate's court.

Mr. JONES of Missouri. This applies to this act. You can practice in your magistrate's courts if you so desire. This applies to one single act.

Mr. RIVERS of South Carolina. What about other activities of Members of Congress? Say he is at home and talks to his agricultural adjustment administrator, or talks about his cotton allotments, if he did not happen to be a lawyer.

Mr. JONES of Missouri. It so happens I do not have a cotton allotment. I do not draw any Federal pay except as a Member of Congress.

Mr. RIVERS of South Carolina. I am talking about requiring the attendance of Members of Congress here. I understood the gentleman in his original statement to say he wanted to keep the membership here because we would get something done.

Mr. JONES of Missouri. I think this will have a tendency to help that situation. There are other things that could be done which would be helpful. This is only one small act in a broad field that could be covered. This is the only thing, however, we can do at this time in connection with this bill.

Mr. RIVERS of South Carolina. Regardless of the fine intentions behind this, and of course I would not impugn the motives of the gentleman——

Mr. JONES of Missouri. I know the gentleman would not.

Mr. RIVERS of South Carolina. It is bad when we as Members sit here and shoot at each other. I do not think it is good for this institution. We have enough problems with a lot of people shooting at us; but to sit here and take potshots at ourselves, I think, hurts us. We have an abundance of problems besides these innuendoes, and I hate to see an amendment offered which would cast aspersions on us.

Mr. JONES of Missouri. I think support of this amendment would supply the armor to keep you from being shot at. I think you have an opportunity now to show whether you are in favor of participation of Members in outside activities when they should be devoting their time here as a Member of Congress.

Mr. RIVERS of South Carolina. I do not think the gentleman should impugn the motives of those who have outside legitimate interests. So far as supplying armor to keep from being shot, the gentleman will be the first man in history who ever protected a Member of Congress.

Mr. JONES of Missouri. Every man protects himself.

Mr. GOODELL. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, I take this time to ask the gentleman from Missouri, the author of the amendment, what the effect of this amendment would be on a partnership in which a Member of Congress is one of the partners.

Mr. JONES of Missouri. I think it is very clear that all this amendment says is that no Member of Congress shall be appointed as counsel in any case covered by this act. I do not think it would apply to a partnership but to the individual himself, because I do not think the court would say that Smith, Jones, and Brown are appointed for this case. The court appoints Mr. Brown, Mr. Smith, Mr. Owens, or somebody else to defend in the case.

Mr. LINDSAY. The gentleman from Missouri is quite wrong. Under Federal court decisions the disqualification of one member of a law firm is imputed to the other members of the law firm, to his partners.

Mr. GOODELL. I do think in reference to this amendment that you are probably disqualifying any law firm in which a Member of Congress is a partner. If that is the case, I think it should be made clear what is sought to be accomplished.

Mr. JONES of Missouri. I am not a lawyer, but I would take exception, I would argue, and I think other lawyers in this body would argue that the individual is the only one who is included in this amendment. Unless that individual was appointed, it would not affect the situation.

Mr. GOODELL. It is the gentleman's intention that if a Member of Congress is a partner in a law firm, the law partners of the Member of Congress and other attorneys working for that firm may be appointed but the Member of Congress himself may not be appointed?

Mr. JONES of Missouri. That would be my intention. I am only attempting to hit at the Members of Congress.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Missouri [Mr. JONES].

The amendment was agreed to.

AMENDMENT OFFERED BY MR. WAGGONNER

Mr. WAGGONNER. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

> Amendment offered by Mr. WAGGONNER: On page 3, line 17, after the word "attorney" strike out all down to the word "pursuant" in line 18.

Mr. WAGGONNER. Mr. Chairman, this is purely a perfecting amendment. Section 3006A(c) now reads:

> An attorney appointed or an organization which made an attorney available for assignment pursuant to this section shall at the conclusion of the representation of any segment thereof be compensated at a rate—

Which has already been explained.

It is my intention by this amendment to strike the word "organization" in that the Communist Party, the Civil Liberties Union, or other such organizations cannot be compensated for having furnished an attorney, and to limit compensation to the individual attorneys.

Mr. ROGERS of Colorado. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, I would call attention to the part that the gentleman's amendment seeks to strike out of the bill, and that is the part referring to an attorney appointed or an organization which made an attorney available. I would point out to my colleagues that on page 2, line 9, the bill provides that the U.S. Commissioner or court shall appoint counsel to represent the defendant or in the alternative shall assign a counsel who is made available by a bar association or legal aid society. Hence, the limitation here is as to a bar association or a legal aid society and would not reach to the point that the gentleman from Louisiana is fearful—that we will reach out and appoint the NAACP or some other organization, the exact title of which I do not recall at the moment.

For that reason, Mr. Chairman, we should not adopt this proposed amendment because the judge himself can only recognize the bar association or the legal aid society as provided on page 2, line 9, as I have indicated. The adoption of the proposed amendment would clutter up the bill. But when you strike out the words "or an organization which made an attorney available for assignment," what are you going to do if a judge does select a bar association or legal aid society? By this amendment, you would make it impossible for the court to pay that association.

Mr. WAGGONNER. Mr. Chairman, will the gentleman yield?

Mr. ROGERS of Colorado. I yield to the gentleman.

Mr. WAGGONNER. I think the gentleman has assumed that I meant some organizations that to begin with I did not mention at all, and the gentleman has included organizations which I did not refer to. Therefore, the organizations which the gentleman has included are of his own thinking and not organizations that I have mentioned. But section 3006(A) subsection (b) says that the defendant for whom counsel is appointed or assigned under this section shall be represented at every stage of the proceedings from his initial appearance before the U.S. Commissioner or court or any subsequent stage thereafter.

Mr. ROGERS of Colorado. If my colleague will permit me to say so, what you are talking about is the duty and responsibility of the individual who has been assigned by the court. When you read that language, what you are getting confused here is the fact that it is the judge himself who can recognize a bar association or legal aid society. What you are really getting down to is that you are trying to keep them from being paid by striking this language out by your amendment as I see it.

Mr. WAGGONNER. Mr. Chairman, will the gentleman yield for a question?

Mr. ROGERS of Colorado. I yield to the gentleman.

Mr. WAGGONNER. Is it the purpose of this legislation to provide qualified representation for the man accused of being guilty of some crime or is it to aid a legal aid society or a bar association?

Mr. ROGERS of Colorado. It is for the purpose of aiding the indigent defendant and the legislation provides a method whereby the judge may select an individual to represent the defendant. But if there is a bar association or legal aid society in an area that is willing to cooperate and work with the judge, then under this bill they may work together and it is not for any other purpose. The only reason for this reference to a bar association or legal aid society is to make it possible for the judge to work with an organization that has had experience in this area, and that is the only reason.

Mr. WAGGONNER. Mr. Chairman, will the gentleman yield?

Mr. ROGERS of Colorado. I am glad to yield to the gentleman.

Mr. WAGGONNER. It is my contention that there are qualified attorneys whom the bench approves who can defend these people without the judge having to go to a legal aid society.

Mr. ROGERS of Colorado. May I answer the gentleman's question. That is the responsibility assigned to the judge. If he makes that decision, then that is his responsibility. If he wants to make a list of those who are qualified to make a defense, he may do so. If he wants to work with a bar association or he wants to work with a legal aid society, he may do so. But in any event, it is for the purpose of aiding an indigent defendant and to protect the defendant's right under the Constitution. Therefore, I believe the amendment should be defeated.

Mr. WAGGONNER. Mr. Chairman, will the gentleman yield further?

Mr. ROGERS of Colorado. I yield to the gentleman.

Mr. WAGGONNER. Is it the gentleman's opinion that the judge in approving the initial list of qualified members of the bar association would completely ignore the bar associations or the legal aid society in preparing an initial list of qualified defenders?

Mr. ROGERS of Colorado. That is the duty and responsibility assigned to the judge in the first instance, and if he is of the opinion that you have a bum bar association that does not know anything about defending defendants, he can completely ignore them.

He could do the same wtih a legal aid society, and assign those who, in his opinion, were qualified. Hence the amendment is not necessary and would defeat the purpose of the bill.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Louisiana [Mr. WAGGONNER].

The question was taken; and on a division—demanded by Mr. ROGERS of Colorado—there were—ayes 32, noes 68.

So the amendment was rejected.

AMENDMENT OFFERED BY MR. WATSON

Mr. WATSON. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

> Amendment offered by Mr. WATSON: Page 3, lines 17 and 18, after word "appointed", strike out "or an organization which made an attorney available for assignment" and insert in lieu thereof "or a bar association or legal aid society which made an attorney available for assignment".

Mr. WATSON. I am sure, as all Members can see, this relates to the same question presented by my distinguished colleague from Louisiana.

Apparently a good many of us, together with the distinguished subcommittee chairman, perhaps believed that if we should delete the particular language "or an organization which made an attorney available for assignment" a legal aid society or a bar association could not be paid under the provisions of the bill. I am sure the chairman of the subcommittee will have no objection to the amendment, because he is the one who selected the language on lines 8 and 9, page 2, "assign a counsel who is made available by a bar association or legal aid society."

The amendment would substitute, in lieu of the simple word "organization", a repetition of the terms used earlier, and that would clarify the whole point.

Mr. ROGERS of Colorado. Mr. Chairman, will the gentleman yield?

Mr. WATSON. I am delighted to yield.

Mr. ROGERS of Colorado. While I believe the language is absolutely certain, at the same time I have no objection to the amendment, because the objective is to see that the fee is paid according to the designation.

Mr. WATSON. I appreciate the position of the subcommittee chairman.

Mr. ROGERS of Colorado. The language on page 2, line 9, is adequate.

Mr. WATSON. I thank the gentleman. I just want to spell it out, because this is a lawyer's bill, and I am sure some might look at it in another way.

Mr. MOORE. Mr. Chairman, will the gentleman yield?

Mr. WATSON. I am glad to yield.

Mr. MOORE. While I do not particularly indorse the amendment, because I do not believe it is really necessary, since the wording does refer back to subsection (a), I have no objection to the amendment at all.

Mr. WATSON. I thank the gentleman very much.

The CHAIRMAN. The question is on agreeing to the amendment offered by the gentleman from South Carolina [Mr. Watson].

The amendment was agreed to.

The CHAIRMAN. Under the rule, the Committee rises.

Accordingly, the Committee rose; and the Speaker having resumed the chair, Mr. Nix, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill (H.R. 7457) to provide legal assistance for indigent defendants in criminal cases in U.S. courts, pursuant to House Resolution 579, he reported the bill back to the House with sundry amendments adopted by the Committee of the Whole.

The SPEAKER. Under the rule, the previous question is ordered. Is a separate vote demanded on any amendment? If not, the Chair will put them en gros.

The amendments were agreed to.

The SPEAKER. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time and was read the third time.

The SPEAKER. The question is on the passage of the bill.

The bill was passed.

A motion to reconsider was laid on the table.

Mr. ROGERS of Colorado. Mr. Speaker, pursuant to House Resolution 579, I now call up S. 1057 and ask for its immediate consideration.

The Clerk read the title of the bill.

The Clerk read the bill, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Criminal Justice Act of 1963."

Sec. 2. Title 18 of the United States Code is amended by adding immediately after section 3006 the following new section:

"§ 3006A. Adequate representation of defendants

"(a) Choice of Plan.—Each United States district court, with the approval of the judicial council of the circuit, shall place in operation throughout the district a plan for furnishing representation for defendants charged with felonies or misdemeanors, other than petty offenses as defined in section 1 of this title, who are financially unable to obtain an adequate defense. Representation under each plan shall include counsel and such investigative, expert, and other services necessary to an adequate defense. The provision for counsel under each plan shall conform to one of the following:

"(1) Representation by private attorneys;

"(2) Representation by private attorneys and a full-time or part-time Federal public defender and assistants;

"(3) Representation by attorneys furnished by a bar association, or a legal aid society or other local defender organization; or

"(4) Representation according to a plan containing any combination of the foregoing.

The office of Federal public defender shall not be established in any district except upon approval of the plan for such district, or modification thereof, by the judicial council of the circuit and the Judicial Conference of the United States on the basis of a finding that the volume of cases in which defendants require the appointment of counsel exceeded one hundred and fifty cases in the last fiscal year for which the Administrative Office of the United States Courts has statistics and that the efficient and economical furnishing of adequate representation cannot be achieved without the appointment of a full-time or part-time Federal public defender. Prior to approving the plan for a district, the judicial council of the circuit shall supplement the plan with provisions for the representation on appeal of defendants financially unable to obtain representation. Consistent with the provisions of this section, the district court may modify a plan at any time with the approval of the judicial council of the circuit; it shall modify the plan when directed by the judicial council of the circuit. The district court shall notify the Director of the Administrative Office of the United States Courts of modifications in its plan.

"(b) Appointment of Counsel.—In every criminal case in which the defendant appears without counsel, the United States commissioner or the court shall advise the defendant that he has the right to be represented by counsel and that counsel will be appointed to represent him if he is financially unable to obtain counsel. Unless the defendant waives the appointment of counsel, the court, if satisfied after appropriate inquiry that the defendant is financially unable to obtain counsel, shall appoint counsel to represent him. The court shall appoint separate counsel for defendants who have such conflicting interests that they cannot properly be represented by the same counsel, or when good cause is otherwise shown.

"(c) Duration and Substitution of Appointments.—A defendant for whom counsel is appointed shall be represented at every stage of the proceedings from his initial appearance before the United State commissioner or court, or from any subsequent stage at which counsel is appointed, through appeal. If at any time after the appointment of counsel the court having jurisdiction of the case is satisfied that the defendant is financially able to obtain counsel or to make partial payment for the representation, he may terminate the appointment of counsel or authorize payment as provided in subsection (h), as the interests of justice may dictate. The court may, in the interests of justice, substitute one appointed counsel for another at any stage of the proceedings.

"(d) Services Other Than Counsel.—Counsel for a defendant who is financially unable to obtain investigative, expert, or other services necessary to an adequate defense in his case may file an ex parte application for them to the court. Upon finding, after appropriate inquiry, that the services are necessary and that the defendant is financially unable to obtain them, the court shall authorize counsel to obtain the services on behalf of the defendant. The court may, in the interests of justice, and upon a finding that timely procurement of necessary services could not await prior authorization, ratify such services after they have been obtained. The court shall determine reasonable compensation for the services and direct payment to the person who rendered them upon his filing of a claim for compensation supported by a statement specifying the time expended, services rendered, and expenses incurred on behalf of the defendant, and the compensation received in the same case or for the same services from any other source.

"(e) Private Attorneys.—A private attorney appointed pursuant to this section shall at the conclusion of the representation or any segment thereof be compensated at a rate not exceeding $15 per hour for time reasonably expended and be reimbursed for expenses reasonably incurred. A separate claim for compensation and reimbursement shall be made to the district court for representation before the United States commissioner or that court, and to each appellate court before which the attorney represented the defendant. Each claim shall be supported by a statement specifying the time expended, services rendered, and expenses incurred while the case was pending before the United States commissioner or court, and the compensation and reimbursement applied for or received in the same case from any other source. The court shall, in each instance, fix the compensation and reimbursement to be paid to the attorney.

"(f) Federal Public Defenders.—A Federal public defender who is to serve in any district pursuant to this section shall be appointed by the judicial council of the circuit after receiving recommendations from the district court. Such appointment, whether on a full-time or part-time basis, shall be for a term of four years unless sooner terminated by the judicial council of the circuit for incompetency, misconduct, or neglect of duty. The salary of a full-time Federal public defender shall not exceed that of the United States attorney in the same district; the salary of a part-time Federal public defender shall be adjusted accordingly. The Federal public defender may employ assistant Federal public defenders at salaries not to exceed the highest salary authorized to be paid to an assistant United States attorney in the same district, and part-time assistants at salaries adjusted accordingly. The Federal public defender may also employ full-time or part-time investigative, expert, clerical, and other personnel necessary to the efficient performance of the duties of his office.

"(g) Local Defenders.—A bar association or legal aid society or other local defender organization which furnishes attorneys pursuant to this section shall, at the conclusion of each representation or any segment thereof, be compensated at a rate not exceeding $15 per hour for time reasonably expended by its attorneys and be reimbursed for expenses reasonably incurred. A separate claim for compensation and reimbursement shall be made to the district court for representation before the United States commissioner or that court, and to each appellate court before which the organization's attorneys represented the defendant. The claim shall be supported by a statement specifying the time expended, services rendered, and expenses incurred while the case was pending before the United States commissioner or court, and the compensation and reimbursement applied for or received in the same case from any other source. The court shall, in each instance, fix the compensation and reimbursement to be paid to the organization.

"(h) RECEIPT OF OTHER PAYMENTS.—Whenever the court is satisfied that money is available for payment from or on behalf of a defendant, he may authorize or direct that it be paid to appointed counsel or to any person authorized pursuant to subsection (d) to assist in the representation, or to the court for deposit in the United States Treasury as a reimbursement to the appropriation, current at the time of payment, to carry out the provisions of this section. Except as so authorized or directed, no such person may request or accept any payment or promise of payment for assisting in the representation of a defendant.

"(i) APPOINTMENTS BY COMMISSIONERS.—Whenever the geographical range of the district, established practice therein, or the effective administration of justice to secure timely appointments of counsel under subsection (b) or timely authorizations of investigative, expert, or other services under subsection (d), warrant that such appointments or authorizations be made by a United States commissioner, the plan for a district shall specify the circumstances and conditions under which commissioners may exercise authority. Each such plan shall require the United States commissioner to appoint counsel from a roster of attorneys designated or approved by the district court, and to report each such appointment promptly to the district court.

"(j) RULES AND REPORTS.—The Judicial Conference of the United States may, from time to time, issue rules and regulations governing the operation of plans formulated under this section. Each district court and judicial council of a circuit shall submit a report on the operation of the plans within its jurisdiction to the Director of the Administrative Office of the United States Courts in such form and at such times as the Judicial Conference of the United States may specify.

"(k) APPROPRIATIONS.—There are authorized to be appropriated to the United States courts, out of any money in the Treasury not otherwise appropriated, sums necessary to carry out the provisions of this section. When so specified in appropriation Acts, such appropriations shall remain available until expended. Payments from such appropriations shall be made under the supervision of the Director of the Administrative Office of the United States Courts.

"(l) DISTRICTS INCLUDED.—The term 'district court' as used in this section includes the District Court of the Virgin Islands, the District Court of Guam, and the district courts of the United States created by chapter 5 of title 28, United States Code."

SEC. 3. The analysis of chapter 201 of title 18, United States Code, is amended by adding immediately after section 3006 the following new item:

"3006A. Adequate representation of defendants."

SEC. 4. Each district court shall within six months from the date of this enactment submit to the judicial council of the circuit a plan formulated in accordance with section 2 and any regulations issued thereunder by the Judicial Conference of the United States. Each judicial council shall within nine months from the date of this enactment approve and transmit to the Administrative Office of the United States Courts a plan for each district in its circuit. Each district court and court of appeals shall place its approved plan in operation within one year from the date of this enactment.

AMENDMENT OFFERED BY MR. ROGERS OF COLORADO

Mr. ROGERS of Colorado. Mr. Speaker, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. ROGERS of Colorado: Strike out all after the enacting clause and insert in lieu thereof the provisions contained in H.R. 7457 as passed.

The amendment was agreed to.

The bill was ordered to be read a third time, was read the third time and passed, and a motion to reconsider was laid on the table.

A similar House bill (H.R. 7457) was laid on the table.

GENERAL LEAVE TO EXTEND REMARKS

Mr. ROGERS of Colorado. Mr. Speaker, I ask unanimous consent that all Members be given 5 legislative days in which to extend their remarks on the bill just passed.

The SPEAKER. Without objection it is so ordered.

There was no objection.

NASA ELECTRONICS RESEARCH CENTER FOR SOUTHEASTERN MICHIGAN

Mr. RYAN of Michigan. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. RYAN of Michigan. Mr. Speaker, there has been generated a vast amount of interest among the colleges and industry of southeastern Michigan for the location of the proposed new $50 million NASA Electronics Research Center in the southeastern Michigan area.

Since October 17, 1963, an area survey committee has been meeting in Washington, compiling and reviewing information on all sections of the country, including Michigan, which it felt to be pertinent and useful to the Administrator of NASA in selecting the most suitable area.

On December 17, 1963, a group of approximately 100 leaders in business and industry, university administrators and Michigan Congressmen, Governor Romney and a team of experts arrived in Washington to present Michigan's bid for this vast research Center.

The people of the State of Michigan are convinced that we have the necessary university and research capability. The State of Michigan has at least a half dozen 1,000-acre sites within the triangle of the location of the University of Michigan, Michigan State University, the University of Detroit and Wayne State University. The Ann Arbor, East Lansing, and Detroit triangle is the most suitable site for this Center.

The first approach to locate this research Center was made by Mr. Harlan Hatcher, president of the University of Michigan, when he contacted NASA officials about a year ago about considering the State for the Center. He emphasized that this is not a University of Michigan effort. It is a State of Michigan effort, supported by all of the State's resources, and aimed at bettering the economic life of everyone.

I bring to the attention of this honorable body the arguments for the establishment of this Center in southeastern Michigan. University research facilities rank with the best in the Nation. University tools range from electronics laboratories to the Nation's largest university computer at Michigan State University at East Lansing.

The research atmosphere, one of NASA's criteria for the Center, is abetted by two university cyclotrons—University of Michigan and Michigan State University—an atomic reactor—at University of Michigan—one of the Nation's largest radio telescopes, a supersonic wind tunnel and years of experience in astrophysics, astronomical, and radiation research. Michigan research in radar and life support for spacemen also can be cited as a factor.

Industrial research and production facilities in the area are exceptional. There are approximately 300 industrial research laboratories in southern Michigan, as well as 35 electronics and space-oriented industries to serve as a hub to build new and diversified industries.

Half of Michigan's electronic firms are less than 5 years old, making Michigan industry the fastest growing in the Nation.

The research facilities of General Motors Tech, Ford, Chrysler, General Electric, Burroughs, Bendix, Spartan Electric, Jackson; Whirlpool Corp., St. Joseph; Electrovoice, Buchanan; and many others are available.

There is no doubt that the establishment of this NASA laboratory in Michigan would provide a stimulus to the heartland of America, and bring into geographical balance the national capability in the field closely related with the electronic industry.

It is important that the resources of our part of the country be taken into consideration and the fact recognized that they are not presently being used to their fullest capacity.

I would like to include an editorial which appeared in the Detroit Free Press on December 18, 1963, which further emphasizes the fact that Michigan should be awarded this vast electronic Center.

The editorial follows:

UNIVERSITY OF MICHIGAN SPACE AGE BID

The "research center of the Midwest" is the term the University of Michigan has coined for itself. It is a phrase that can acquire greater meaning if the university and Michigan succeed in landing a $50-million electronics Center.

The Center, to be built by the National Aeronautics and Space Administration, will become the hub around which a large electronics industry is expected to grow.

It represents an opportunity for Michigan to make a major breakthrough into the field of new scientific industries, a field that Massachusetts and California have held as a virtually private preserve.

University of Michigan President Harlan Hatcher led a delegation of university, industry, and Government spokesmen Tuesday to make a bid for the NASA Center at a hearing in Washington.

The potential value of the Center is shown by its having drawn bids from 24 cities. But southeastern Michigan and northern Indiana (Notre Dame) are considered the front runners.

Southeastern Michigan deserves and merits the Center. The University of Michigan, although slow in entering the space and electronics fields, has been fast catching up. The value of research projects won by the university has increased twelvefold in 6 years to $36 million.

The benefits of this program are already apparent in the recent establishment of 31 research and development laboratories in Ann Arbor, at least 12 of them spinoffs from University of Michigan research.

But perhaps the strongest reason for putting the NASA Center in Ann Arbor has nothing to do with its obvious ability to provide brainpower. It is Ann Arbor's attempt to effect a marriage between space age experts and more traditional scholarship in natural and social sciences and the humanities.

University of Michigan has emphasized Government and industrial research while maintaining a broad scientific inquiry in other fields. The Phoenix project, where nuclear knowledge is applied to peacetime projects, is a dramatic example of the university's double role.

Although the Center would be tied closely to the University of Michigan, its benefits would eddy throughout Michigan. The job creation that accompanies new industries would ease unemployment and further diversify the State's economy. It would enhance the vision of an industrial triangle between Ann Arbor, Detroit, and Lansing. It would start a chain reaction, and all of us would benefit from the fallout.

IDAHO RAINBOW TROUT

Mr. HARDING. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Idaho?

There was no objection.

Mr. HARDING. Mr. Speaker, in the November 30, 1963, issue of the Saturday Evening Post there was an excellent article entitled, "He's Forever Chasing Rainbows." It is the amazing story of Robert A. Erkins, a graduate of Notre Dame, and his wife, Barnee, a zoology graduate of Cornell University, who have established a Rocky Mountain trout farm on the Snake River near Buhl, Idaho.

Today the Members of the House of Representatives and their guests who ate in the House dining room were served Rocky Mountain rainbow trout. These fine trout were furnished by Bob and Barnee Erkins from their Snake River trout ranch. Many of the Members have expressed their appreciation for the opportunity of tasting one of Idaho's finest products. We were delighted that Bob and Barnee were able to catch a few hundred of their "rainbows" and send them to Washington. Following is the American success story of Bob and Barnee Erkins and their Snake River trout ranch as it was told in the November 30 Saturday Evening Post.

HE'S FOREVER CHASING RAINBOWS

(By Frank I. Taylor)

For hundreds of years only the sportsman gave much thought to the trout, and he considered the fish to be little more than a wise and elusive adversary. But to Robert A. Erkins, the trout is fast closing in on the hamburger as a basic item in the diet. "Trout is food," he states expansively, "and is one of the answers to feeding our overpopulated world."

While this may sound a bit visionary, Erkins is well qualified to speak on the subject. At 39 he owns the largest trout farm in the world, the Snake River Trout Ranch in Buhl, Idaho, a complex of 90 fishponds filled with 9 million Rocky Mountain trout. This is the most productive acreage on earth: Where an acre on a well-tended dirt farm may produce a yearly harvest of 2,000 pounds of poultry or 500 pounds of beef, each acre of the Snake River Trout Ranch yields 400,000 pounds of rainbows—dressed, packed, and ready for the market. In the past 10 years Erkins has sold some 30 million of the fish.

Bob Erkins, to be sure, is something of a genius in the field. Even as a small boy he showed an unusual curiosity about fish, and on family motor trips he used to insist that his father stop at every fish hatchery on the roadmap. After graduation from Notre Dame and serving in the Navy, Erkins bought the Snake River ranch in 1952 from a retired Utah fish and game expert named Jack Tingey. When Tingey died a year later, Erkins was on his own, helped only by his wife Barnee, a zoology graduate of Cornell, and a staff of 12 men.

Tingey had built the ranch in 1928 and had chosen the site wisely. The Snake River is fed by the largest underground lake on the continent, sealed over by a lava flow thousands of years ago. Insulated by this covering, the water maintains a constant temperature of 58° all year long, and pours through the ranch at the rate of 250,000 gallons a minute. "This is the secret of our success," explains Erkins. "Most hatchery fish have a hatchery taste, because the water isn't changed fast enough to get rid of the fish manure and gases."

Through trial and error Erkins has developed a new procedure for feeding and breeding, perhaps the biggest problem in trout farming. In their natural state, trout migrate over long distances to lay and fertilize their eggs. The female trout, as a rule, will spawn in her third year during the late winter and early spring. Erkins has eliminated the migratory pattern, extended the spawning period from 3 to 9 months, and developed trout that spawn at the age of 2 years rather than 3. "You might say that we've changed the love life of the rainbow a little," says Erkins.

He has been just as resourceful in feeding his fish. Tingey used to give them ground-up beef, but Erkins found this too expensive and began trying other things. "Trout don't have a fixed diet," he explains. "Their diet varies according to species, the temperature and chemicals in the water, the altitude and latitude they live in." His "trout mix" consists of fish meal, brewer's yeast, whey, and soybean and alfalfa meal, with vitamins and minerals thrown in for good measure. His trout grow an inch a month on this diet.

Another Erkins inspiration has enabled him to increase his yield almost tenfold in as many years. Nearly every fisherman has his tall tale about the big fellow that grew to monstrous size because he had a whole pool to move around in. Erkins had a hunch that this oversized trout was simply a cannibal, who ate his companions to cut down on the competition for food. Given enough to eat, he reasoned, several trout could have grown equally monstrous. Putting the idea to a test, he crowded rainbows into his ponds until there was only half a cubic foot of water per adult trout. They grew just as he had expected.

Erkins keeps his fish moving via an assembly line system which takes the rainbows in huge classes every few weeks from the compact hatchery through a series of pools to the four finishing raceways, which hold half a million adult trout at a time. A full-time biologist takes blood tests and checks sample trout from all of the ponds every week to make sure they are healthy and growing on schedule. The fish are even weighed in, as they move from grade to grade. Erkins nets a wheelbarrow full of them and puts it on scales: the undersized rainbows are screened out and sent back to fatten up in a lower grade pool.

Soon after he took over the trout farm, Erkins realized that its output was limited not by the number of trout he could crowd into the raceways, but by the capacity of the packing plant, where even a fast worker could clean only about 1,000 trout per day. His plant superintendent, Ted Eastman, thought he could put together a machine that would do the job, and Erkins told him to give it a try. One year and $10,000 later a Rube Goldberg maze of belts, brushes, sprays, and knives known as the Eviscerator was cleaning 1,000 trout per hour. Workers simply hang the trout, freshly killed by electric shock, on hooks at one end of the machine. Twenty-five seconds later they spew out of the other end, cleaned and ready for quick freezing. Thus Erkins' dream of a 1-year assembly line from eggs in the spawning pond to trout packaged in the freezer became a reality.

In spite of their name, Rocky Mountain trout are no longer peculiar to the Rockies. They have been transplanted to several other lands, and Danish and Japanese fish farmers now share over half the American market. Erkins, however, can claim 30 percent of the domestic market as his own, more than all his American competitors combined. And he has plowed all his profits back into the original plant. As a result, an outfit which initially cost $19,000 is now worth over $1 million. Ten years ago the Snake River Trout Ranch produced 250,000 pounds of trout a year. It now produces 1.5 million pounds.

Much of his success can be attributed to very astute marketing practices. For example, 5 years ago Erkins was astounded to see seven golden-hued fish darting about among the blue-backed rainbows in one of the ponds. Trout experts told Erkins that his goldens were a mutation that could be the beginning of a new strain. Erkins asked a computer expert named Dr. Alexander Dollar to assess the probabilities involved in line breeding his golden rainbows and learned that it would be practical to try to breed them in quantity. Erkins is now ready to market them as a luxury item, and test sales in Kansas City indicate that they will be a big success. "I wouldn't ever convert my whole stock to goldens, though," says Erkins. "Since when did General Motors put out nothing but Cadillacs?"

To top it all, next month Erkins will begin selling live trout to a chain of fish stores in Los Angeles called the Davy Jones Fish Lockers. Built like a lighthouse, each store will contain a closed-circuit hatchery capable of supporting 1,500 pounds of trout for as long as 8 months. Any housewife will be able to purchase a live trout for supper.

Erkins is not saddened at the spectacle of a wily king of the brook being reduced to the level of a smoked herring. "I've never thought that trout were very smart, anyway," Erkins laughs. "They only seem smart by comparison with the fishermen who try and catch them." ·

WHO CALLED THE PROPOSED NATIONAL CULTURAL CENTER A MEATBALL?

Mr. SHRIVER. Mr. Speaker, I ask unanimous consent that the gentleman from New Jersey [Mr. WIDNALL] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Kansas?

There was no objection.

Mr. WIDNALL. Mr. Speaker, during the January 8, 1964, debate in this House on House Joint Resolution 871, the legislation to rename the National Cultural Center the John F. Kennedy Center for the Performing Arts, the gentleman from New Jersey [Mr. THOMPSON] addressed himself to a number of the points which I made in a long statement on January 3, 1964—see CONGRESSIONAL RECORD, volume 109, part 19, pages 25584–25587—with regard to the inordinate size of the proposed building, and the extremely poor site selected for its location.

The gentleman from New Jersey [Mr. THOMPSON] said, and I quote:

> The gentleman from New Jersey [Mr. WIDNALL] asks whether the site is desirable in light of some criticism of it. In answer, let me say simply, that the site has been passed upon by every official agency involved, including the National Capital Planning Commission, the Fine Arts Commission, Presidential advisers, and others.

My colleague, the gentleman from New Jersey [Mr. THOMPSON], suggested that, in the future, I check his remarks more closely. I am happy to report to him that I have checked his remarks more closely, specifically those remarks he made before the Middle Atlantic Regional Conference of the American Institute of Architects, as recently as October 18, 1963, in Annapolis, Md.

I have been urging for some time, as many of you know, the relocation of the National Cultural Center to the north side of Pennsylvania Avenue, and have suggested that the proposed excessively large building designed by Edward Durell Stone, be abandoned in favor of three separate and distinct buildings to house the three auditoriums with their differing purposes.

I have been urging a change in site because, first, the present location is hemmed in by a maze of roads which will make the Cultural Center most difficult of pedestrian access at a time when every effort must be made to increase audiences; second, the present site is on filled land which has been flooded in the past. In comparison the Lincoln Memorial is 30 feet above the Potomac and it is not endangered. Certainly, greater consideration must now be given to the location of this memorial to President Kennedy in order to make certain that a memorial designed for the ages is not irresponsibly located on a site which can be endangered by a spring thaw; third, the present location does not allow for sufficient access and parking facilities, even with the contemplated $15,400,000 federally guaranteed bond issue, to be expended for garage facilities. I think my distinguished colleague from New Jersey will agree that traffic problems will undoubtedly increase now that the Cultural Center has been designated as the sole memorial in the Nation's Capital to the late President Kennedy.

I had thought I had been fairly restrained in my remarks of January 3, but never before have I fully realized my own limitations when it comes to imagery until I read the inspired prose of my friend from New Jersey's Fourth District [Mr. THOMPSON] in his address to the Regional Conference of the American Institute of Architects, on October 18, 1963.

Would that I had said that "these facilities are being banished to an unused park site just north of the Lincoln Memorial," or that I had spoken of the same facilities as "being boxed in one huge, marketable economy package known as the National Cultural Center."

Think of the attention I could have gained had I but conjured up "a mental picture of the Center rising like a huge meatball in the middle of a plate with miles of spaghetti artistically wrapped around it."

My colleague from the State of New Jersey has met this problem of description head on, in a speech which, most unfortunately, has been ignored both by the newspapers and, of late, by the gentleman from New Jersey [Mr. THOMPSON].

It is with hope of correcting this oversight, and insuring that the sentiments expressed in this eloquent speech of October 18, 1963, will be given the full consideration due them by the Members of this House, the members of the Board of Trustees of the National Cultural Center, and President Johnson himself, that I include the entire address in question in the CONGRESSIONAL RECORD. Inclusion of the entire speech, only part of which is concerned with the Cultural Center, will rule out, I hope, any suggestion that these eloquent and imaginative remarks were "lifted out of context."

This speech by our able colleague from New Jersey was called to my attention recently by the Washington representative of one of our Nation's leading cultural organizations, and one which has not been called on—there are others in the same boat—to advise regarding the National Cultural Center, since the advisory committee has not been called on during the past 3 years.

I was immediately struck by the amazing agreement which runs through this speech with similar ideas expressed by the Washington Post, the New York Times, the Washington Building Congress, the Committee of 100 on the Federal City, the President's Advisory Committee on Pennsylvania Avenue and other groups which have looked objectively at the National Cultural Center and its proposed site. I was also struck by the amazing disagreement with the views expressed by our able colleague from New Jersey on the floor of this House on January 8 on the same matters.

The New York Times on December 11, 1963 said:

> The National Cultural Center seems doomed to be a well-landscaped traffic island in the midst of freeways; culture over a giant car park. Pedestrians will undoubtedly be able to burrow over or under the automotive obstacle race, but this is peculiarly bad planning. As it stands now, the National Cultural Center is a well-intentioned gesture, dubiously sited, promising prettiness but shortchanging the possibility of architectural greatness—a backhanded tribute to culture and Mr. Kennedy.

The Washington Post characterized the Cultural Center as "an island in the midst of a spaghetti-maze of arterial highways."

The Advisory Committee on Pennsylvania Avenue was critical of the present plans and site on these grounds: First, the site is so far from the center of the Nation's Capital that it could do little to enrich the city's cultural life; second, the present location is not served by major public transportation facilities. This is one of the few drawbacks to Constitution Hall as a cultural facility. Third, housing all performing arts stages in a single building might result in a structure so large as to be out of proportion to the rest of the city.

In his remarks on January 8, the gentleman from New Jersey [Mr. THOMPSON] said, as I have noted, that "the site has been passed upon by every official agency involved, including the National Capital Planning Commission, the Fine Arts Commission, Presidential advisers, and others."

In this connection, and in order that the Members of this House will be fully advised, there was a most interesting article in the Washington Post of June 7, 1963, which puts this matter in its proper frame of reference. According to this article, a prominent member of the National Capital Planning Commission, Alexander C. Robinson III, said the Commission had been subject to pressure from the White House in the matter of the National Cultural Center. Commission members have been given to understand they are not to discuss alternatives to the proposed Center publicly, said Mr. Robinson.

Mr. Robinson's view at the time was that more thought and public discussion were needed and that the National Cultural Center should have included several buildings and might well have been situated elsewhere.

Asked by the Washington Post what he thought of the proposed $30 million edifice, to be erected in a park overlooking the Potomac River, Robinson laughed, and said:

> We're stuck with it, a glorified boathouse.

Reading further in the remarks of the gentleman from New Jersey [Mr. THOMPSON] of January 8 we find this statement, and I quote:

> Now to the alleged major defects. First the gentleman from New Jersey [Mr. WIDNALL] implies that the Center will be too large for the proposed site. This is not true. The site will be approximately 18 acres, not

9 acres as stated in the gentleman from New Jersey's [Mr. WIDNALL] letter.

This is undoubtedly the first time that any Member of Congress ever heard that "approximately 18 acres, not 9 acres" is to be occupied by the National Cultural Center. As I pointed out on January 3, the plan for the Center developed by Edward D. Stone, as well as publicity issued by the Center's trustees, and articles and statements by Roger Stevens, chairman of the board, calls for only 13 acres. When I brought this up on the floor of this House on August 5, 1963, I was assured by the gentleman from Alabama [Mr. JONES] that no additional land involving Federal funds would be acquired for the National Cultural Center.

In spite of these assurances, officials of the National Cultural Center testified at the hearings on December 12, 1963, that additional acres would have to be acquired by the Federal Government through the National Capital Planning Commission at a cost of some $3.3 million to be appropriated by Congress. Congress has not authorized an enlargement of the site of the National Cultural Center to 13 acres, or to the 18 acres referred to by the gentleman from New Jersey [Mr. THOMPSON]. I am certain that the National Capital Planning Commission will have to have appropriated funds to obtain additional land. In view of the fact that legislation has been introduced in earlier Congresses to provide authority to acquire additional acreage, and this legislation got nowhere it is reasonably certain that, even in the view of the Center's Board of Trustees, such authority does not exist at this time, and has not been provided by the Congress.

The committees of Congress must keep a close and vigilant watch on this matter, or they will find that they are committed to providing additional millions of dollars to acquire further acreage to give the inordinately large building designed by Edward Durell Stone the setting which he obviously thinks this plan deserves.

That the Congress, as well as the General Accounting Office, must keep a constant check on the Board of Trustees of the National Cultural Center is shown by the fact that the Center's trustees have yet to present to Congress a really complete accounting of fundraising activities and of the actual needs of the Cultural Center.

I have checked with the Ford Foundation and find that its $5 million grant is subject to these stipulations.

The Ford Foundation has offered to the National Cultural Center a matching grant of $5 million under the following specific conditions. These conditions stipulate that the National Cultural Center will qualify for the Ford Foundation's grant only when it has raised an additional $15 million from private sources, and that the Center be assured of all necessary funds to complete its construction, and finally, that the Congress extend the life of the September 2, 1958, act offering title of a site of land.

Mr. Stevens has publicly insisted that he has raised $13.5 million, but includes in this $13.5 million the $5 million conditional grant of the Ford Foundation. He actually has only $8.5 million, when the $5 million Ford Foundation grant is excluded as it should be.

Now, again publicly, Mr. Stevens claims he is raising $7 million for an endowment fund. In fact, Mr. Stevens needs this $7 million to go with the $8 million which he may have with cash and pledges in order to qualify for the Ford Foundation grant. Obviously this $7 million is needed for the building fund and not for endowment.

I include at this point the speech by the gentleman from New Jersey [Mr. THOMPSON] to which I have referred:

GOVERNMENT RESPONSIBILITY FOR BETTER ARCHITECTURE

(Speech of Hon. FRANK THOMPSON, JR., Democrat, of New Jersey, before the Middle Atlantic Regional Conference of the American Institute of Architects, Friday, October 18, 1963, Annapolis, Md.)

Earlier this year, two of the Congress' more colorful and aging Members were dueling on the House floor over proposed plans to preserve the old Patent Building—one of the few architecturally significant edifices in the Capital. One was extolling the plans to transform the neo-Palazzo into a portrait gallery, in which would hang historically important pictures. The other growled in return, "Let's keep the art buried in the ground until we can afford such a luxury."

The question wasn't asked then, but it might be put aptly now: If Washington, the Nation's Capital, can't afford to save buildings of architectural significance, who can? And the answer, as we are continuing to prove around our country, is nobody.

The case of the Patent Building is a good example of the first point I would like to make in discussing the Government's responsibility in this matter. And my point is this.

Part of creating a meaningful and beautiful environment for our people is preserving great works from the past. And if the National Government cannot understand this simple proposition, how can we expect anything better from the hinterlands?

So far, the Government has made a pretty sorry record. The Patent Building, for example, has been saved only by strenuous efforts on the part of myself and a handful of other Congressmen. It is a sad truth that among the majority of legislators, art is a nonexistent interest. And thus our occasional victories—such as with the Patent Building—usually can be attributed to widespread apathy of the Congress, rather than any interest on its part.

Listen to this brief rundown of some of the buildings which, for no good reason, have disappeared from the Capital scene:

The home of Francis Scott Key, composer of the national anthem, was cleared off the waterfront to make way for an access road to a bridge bearing his name.

The Union Tavern, a historic meeting place of early statesmen, was razed for a filling station. The probable home of Thomas Jefferson gave way to an auto repair shop, and the Corcoran Mansion was torn down for a five-and-dime store.

There are a number of buildings standing today which have been threatened with demolition in the past and still face an uneasy future. The gay jumble known as the Executives Offices, adjacent to the White House is one; D. H. Burnham's mighty Union Station is another. To his lasting credit, President Kennedy apparently has saved a whole square—Lafayette Square—across from the White House. Several fine, old Federal homes, including the Adams House, were scheduled for demolition to make room for another monumental grouping of Federal office buildings. But now, the stately brick mansions are marked for preservation and the ugly buildings which have already crept in as neighbors are marked for extinction. The new office buildings will go behind the square, where they won't do such violence to their surroundings.

Historic and beautiful buildings have indefinite tenure in Washington, primarily because not enough influential people in Government care enough. There is not sufficient political mileage in making a controversial issue out of good architecture and so few politicians care to; it is easier to seek the middle road; to bless conformity; to satisfy each and every private interest and, above all, to keep the price down.

If this kind of attitude has produced the negative effect of failing to preserve fine testaments from the past, think of what positive damage it has produced in the type of new buildings going up in the Capital.

The biggest and worst outrage perpetrated on the city in recent years is the new House Office Building, which is inching toward completion.

This 80-odd-million-dollar structure is the piece de resistance of one J. George Stewart, Architect of the Capitol. As I am sure you all know, Mr. Stewart is not an architect. He is, however, a former Congressman, and that, rather than his engineering and landscaping background, best explains his current position. He has been "au courant" to the powers that be on the Hill and that sadly has impressed Congress more than professional credentials.

If ever there was an example of a misuse of Government power and a concurrent lack of Government responsibility, J. George Stewart in his influential and official position embodies it.

It is not fair to put all the blame for the Rayburn Building on Mr. Stewart. He was aided by the architect he chose for the job, John F. Harbeson. The two have created the epitome of what might be called the block school of design. The Rayburn Building is such a huge, stodgy mass that it destroys the perspective and balance of Capitol Hill.

Mr. Stewart and Mr. Harbeson have employed the most expensive materials outside and within the Rayburn Building, apparently working on the theory that money can make up for everything. Would it were so.

But, despite numerous outcries within the Congress as well as without, Mr. Stewart remains immovable. And so he continues to wreak his havoc. He is threatening to redesign the west front of the Capitol. He would like to build a $39 million memorial to James Madison on a 2-block plot south of the Library of Congress that was imprudently plucked of its restored townhouses several years ago. And he has his eyes on another two-block area of townhouses as an ideal location for a $65 million library annex.

One almost hopes that Republican dreams of America going bankrupt under a Democratic administration would come true before Mr. Stewart gets around to these new projects.

We could talk all night about Mr. Stewart but there is more to Washington than Capitol Hill—although we Congressmen don't always recognize it.

And in the rest of the city, the story is not much better. The General Services Administration and the Fine Arts Commission are the other official arbiters of Washington's taste. The former lets contracts for Federal buildings and the latter passes judgment on designs to be used not only by the Government but by private builders in the District.

Both have shown a penchant for bad taste. GSA is primarily interested in saving money, therefore, new Federal buildings are constructed in the "monumental style" but with everything monumental and decorative stripped away.

And the Fine Arts Commission has proved time and again that it works within the honored bureaucratic tradition of seeking conformity over controversy.

We have a new Commission today—consisting entirely of Kennedy appointees. Let us hope it shows more imagination than its predecessors.

There is plenty to work on and briefly I would like to touch on several items that might be considered on the Commission's agenda of unfinished business:

Because of the vision of L'Enfant's original plan for the Capital City, we have a Mall stretching from Congress to the Lincoln Memorial, which closely resembles a cow pasture. It was not meant to be such by L'Enfant. He envisioned the Mall as the principal thoroughfare of the city, bordered by stately Government buildings, fine mansions, and shops, with people strolling through gardens and stopping to chat on park benches.

But what have we instead. The Mall is a lifeless swath of green, bordered by the back doors of huge, monotonous bureaucratic beehives. And squatting on the Mall itself are a series of ramshackle temporary structures housing Government offices, some of which were built 45 years ago.

Mr. Kennedy is not the first President to order the removal of these eyesores and I hope ere long we shall see the last of them. But once they are gone, the larger problem of how to bring life and utility to the Mall will remain. And the path on which we are moving augurs ill for the future. Consider what one critic has to say about the latest additions to the Mall's skyline: "When you strip a heap of giant marble blocks of their period embellishments, no matter how anachronistic, all you have is a massive heap of giant marble blocks, period. It is then merely a tossup whether you prefer them on stilts and with bleak window ribbons, as displayed by the new Federal office buildings on the south side, or just blank shallow bays, as featured by the Smithsonian's almost completed Museum of History and Technology on the north."

Pennsylvania Avenue is another L'Enfant plan gone amuck. Intended as the city's principal ceremonial route, it is most noted now for its junky commercial structures and its eye-shattering vista from the magnificence of Capitol Hill at one end to absolutely nothing at the other end. Might I say again, it was not intended so.

Currently, a specially appointed committee is studying how to bring the grand avenue up to its potential. The committee's initial deliberations sound ominously as if the thoroughfare may end up as yet another "garden city" creation of useless open spaces interspersed with massive, mono-purpose buildings.

Pennsylvania Avenue would greatly benefit from the entertainment facilities, which instead are being boxed into one huge, marketable economy package known as the National Cultural Center.

The Center will contain a concert hall, a theater and an opera house, each of which by itself could breathe life and verve into downtown Washington.

Instead, housed under one incredibly large roof, these facilities are being banished to an unused park site just north of the Lincoln Memorial.

If the Center was meant as a monument, its location would not be out of keeping. But, as a building to be used, it is isolated from all the related services of the central city. And getting to and from the Center is going to burden Washingtonians with many hours of driving confusion, once the highway fanatics have finished surrounding the Center with a new inner loop highway. I have a mental picture of the Center rising like a huge meatball in the middle of a plate, with miles of spaghetti artistically wrapped around it.

The highway problem at the Center is only a small part of a larger story—the current fight going on in Washington between the proponents of more super-speed roads and advocates of mass transit. The central city badly needs a mass transit system if it is going to survive. It does not need an encircling inner loop to choke off what life still remains in the downtown area. Yet the power of the highway lobbies in Congress is such that the battle for a transit system is strictly an uphill procedure.

There are many other problems that I could touch upon. The commercial district, for instance, is a disgrace. At least it shows that Government taste in Washington is no worse than private taste. The squares and circles along L'Enfant's grand avenues have been turned into useless traffic islands. The beautiful vistas of the Potomac River Valley are fast falling to the greed of real estate speculators, who are building towers along the banks with no sense of or interest in overall planning for the metropolitan area.

With all this, Washington still has many elements of a lovely city and it certainly has the potential for a visually great city. It has benefited from a strong original plan, which has withstood some of the worst ravages of neglect, land speculation and pompous "Beaux Art" theorizing. It has also benefited from the planting of 60,000 trees by a city commissioner in the last century, who may have had a vision of the ugly buildings to come which would need camouflaging cover.

What can we expect in the future? I do not feel it unjust to say that it can't be worse than the past.

President Kennedy has called for a city that "reflects the dignity, enterprise, vigor and stability of our national Government." In general terms, his hopes for the future are embodied in the heralded year 2000 plan. But this is only a rough sketch. A more detailed 20-year development plan for Washington remains uncompleted.

Good planning would undoubtedly help. But it can't really solve the Capital's problem's until the Government itself takes a lead. That it can do so is evidenced by the great embassies built during the Eisenhower years by some of our most notable architects.

The Government can at least do as much for its own campsite. In short, the power is there. The Government need only care enough and I am sure you, the architects, can provide the imagination and the perspective required to rank Washington among those cities which ennoble as well as serve mankind.

A NATION LAMENTS

Mr. SHRIVER. Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. GOODELL] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Kansas?

There was no objection.

Mr. GOODELL. Mr. Speaker, all Americans were stunned and agonized by the sudden, senseless, violent death of our President. We grieve and are sick at heart that such an abominable thing could occur to him and to us. We salute his bravery, his brilliance, and his patriotism. We marvel, humbly, at the majestic fortitude of his wife and family.

Under the darkened sky of these black-bordered days since the President fell, I have talked with many of John Kennedy's former colleagues and friends in the House of Representatives and the Senate of the United States. Many of them differed with Mr. Kennedy on matters of public policy; all of them respected his qualities of mind and wit and heart. The differences of conviction amongst us never engendered the bitterness and gall of hatred and bigotry. His colleagues miss him and mourn his tragic death more than words can express.

As I reminisce upon the almost 3 years that I served in the U.S. Congress while John Kennedy was President, I think less about our differences than about our agreements. Yes, we differed, and I will continue to differ on issues affecting the health and life of our country. But our ultimate objectives were always the same. On many occasions we in the Congress of both parties were able to substitute legislation for the President's proposals that accommodated our differences in the best interests of the people. I think, for instance, of the Manpower Retraining Act, of the higher education bill, of vocational education, of defense expenditures, of equal pay for women, of a tax cut and, this year, the need for civil rights legislation. Yet, on those many issues where differences of philosophy extended beyond the reach of accommodation, we shall miss John F. Kennedy as a worthy and articulate adversary. God grant that he may rest in peace and be cherished forever in the hearts of his countrymen.

> We turn to thee, O God, who are from everlasting to everlasting, grateful that a riderless steed, upon which millions have gazed with appalled eyes, is not a symbol of a leaderless nation, and that history assures us that in every crisis, Thou dost raise up men to carry on Thy mission for the redemption of humanity.

Thus the Chaplain of the U.S. Senate opened the proceedings the morning after President Kennedy's funeral. We can all be thankful that Lyndon Johnson has the competence and the seasoned background to provide a reasonably smooth transition in this time of national crisis. From the moment of tragedy, all Americans were aware that a strong and steady hand was at the helm. President Johnson's moving and forceful address to the joint session of Congress symbolized our unity to the entire world. He well understood when he spoke that differences of conscience and conviction will persist among our people as long as we are "the land of the free and the home of the brave." As President Johnson so concisely put it:

> Our American unity does not depend on unanimity.

One of John Kennedy's favorite words, and one of mine too, in describing democracy is the word "diversity." As we strive to dispel hatreds and bitterness from our ranks, let us never strive for conformity. Vigorous dissent and public debate are the very touchstones of our American experience and American success. We have bigots and hate mongers in our midst. We always have.

Hate is a horrible emotion, severing all meaningful ties to God and to man. It must be controlled, moderated, understood, and intelligently attacked. Let us keep this in perspective, however. If the survival of our country depended upon the complete eradication of hate and bigotry in every individual, we would never have survived into the 19th century. With all of John Kennedy's strivings for change in the things he disliked about our system, he never doubted the essential strength and rightness of America. The haters are not, and never have been, in the mainstream of American life. I sincerely believe that the general temper of our society today is typified by growing understanding and compassion for others. Our achievements are less than perfect, our efforts often less than effective, yet it is hard to think of a time when there has been so much concern by so many for the dignity of all men. In the dread aftermath of a black chapter in our history, let us not lose sight of the qualities that marked the reaction of the overwhelming majority of Americans to the President's death. That reaction was not one of violence and hate, but an outpouring of deep, earnest and personal grief. This does reflect the true temper of the American people.

RESIDUAL OIL QUOTAS—A LETTER TO PRESIDENT JOHNSON

Mr. SHRIVER. Mr. Speaker, I ask unanimous consent that the gentleman from New Hampshire [Mr. CLEVELAND] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Kansas?

There was no objection.

Mr. CLEVELAND. Mr. Speaker, as of course you know, coming from New England as you do, the matter of residual oil quotas continues to impose an unnecessary $30 million burden on New England's economy. The unfairness of these residual oil quotas is provoking increasing outrage and protest.

The quotas are indefensible in reason and logic. They are not accomplishing their stated objective of helping the coal industry. All they are doing is adding an increased burden to New England's economy and one which we can ill afford in this competitive day and age.

President Johnson's call for thrift and frugality is one that all of us can applaud. Now the question will be whether he means what he says and whether he will help foster thrift and frugality in New England—the homeland of this concept—by removing the residual oil quotas which he can do if he wants to by the stroke of a pen.

In connection with residual oil quotas, Mr. Speaker, I am including in the RECORD an exchange of correspondence between President Lyndon Johnson and Avery Schiller, president of the New Hampshire Electric Co.

The exchange of letters between President Johnson and President Schiller follows. I commend their thoughtful reading to my colleagues:

THE WHITE HOUSE,
Washington, December 2, 1963.

Mr. AVERY R. SCHILLER,
President, New Hampshire Electric Co., Manchester, N.H.

DEAR MR. SCHILLER: In addressing the Congress last week, I pledged my administration to the utmost of thrift and frugality, and to get a dollar's value for every dollar spent.

I have directed the heads of all Government agencies to accelerate immediately their efforts to operate their programs at the lowest possible cost. The Secretary of Defense has already established a cost reduction program aimed at achieving annual savings of $4 billion, through efforts now in process or planned by fiscal year 1967, and he has further committed his Department to realizing $1.5 billion of these savings in the current fiscal year. More than 55 cents out of each defense dollar is spent by its contractors. It is for this reason that I am calling on you personally to assist me and the Secretary in achieving further significant reductions in defense expenditures.

It is my desire that you establish an affirmative program of cost reduction in the performance of defense contracts, both those which you now hold and those which you may subsequently receive. If you already have such a program in being, then I call on you to accelerate, expand, and intensify this effort.

I have asked the Secretary of Defense to take into account the accomplishments of contractors who successfully reduce the cost of defense procurement, when making future source selections, and in determining profit and fee rates on noncompetitive negotiated contracts.

I have also discussed this program with the Director of the Budget and the Comptroller General.

The Secretary of Defense's letter, elaborating this program is enclosed. It has my fullest endorsement.

Sincerely,

LYNDON B. JOHNSON.

DECEMBER 27, 1963.

THE PRESIDENT,
The White House,
Washington, D.C.

DEAR MR. PRESIDENT: We applaud enthusiastically the economy moves which you and Secretary McNamara have initiated in the Defense Department and in reply to your respective letters of December 2, 1963 (received December 16, 1963), assure you of our cooperation, as a prime contractor, in the furtherance of your objectives. In fact, it is a matter of more than a little satisfaction to us to be able to report that the two defense installations to which we deliver electricity, namely, Portsmouth (Kittery) Navy Yard and Pease Air Force Base, each are paying a lower price for that electricity today than at any other time in their respective histories.

Prices might be further reduced to these installations as well as to the public in general if the anti-New England import restrictions on residual oil imports were removed or greatly liberalized. Because of our geographical location, we are in a very high cost fuel area. This is a potent factor in producing relatively high electric rates and in causing our utilities to look to atomic energy to offset the high cost of fossil fuels. It produces a set of circumstances under which it can be predicted with a reasonable degree of confidence that electricity from the atom will become competitive in New England sooner than in most regions of the Nation. It, therefore, is not a question, so far as residual oil imports are concerned, whether or not oil is more or less expensive than coal but whether or not either or both can hold the line against the atom. It is our considered opinion that the removal of import restrictions on residual oils, in the long run, will be beneficial to the fossil fuel industries in that it will tend to delay a relatively large scale construction of nuclear powerplants. In the meantime, the removal certainly will be beneficial to the people of New England.

Your recently announced program of scrutinizing Federal jobs and personnel is a bold and courageous move which must have the approbation and approval of every thinking American taxpayer. May your efforts along these and other lines be crowned with success.

Sincerely,

A. R. SCHILLER,
President.

COMMITTEE ON BANKING AND CURRENCY

Mr. PATMAN. Mr. Speaker, I ask unanimous consent that the Committee on Banking and Currency may have until midnight tomorrow to file a report on S. 1309.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

AMERICA'S 10 OUTSTANDING YOUNG MEN OF 1963

Mr. KASTENMEIER. Mr. Speaker, I ask unanimous consent that the gentleman from Indiana [Mr. BRADEMAS] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Wisconsin?

There was no objection.

Mr. BRADEMAS. Mr. Speaker, the U.S. Junior Chamber of Commerce has just announced its selection of the 10 outstanding young men of 1963. These 10 young men—each of whom has achieved impressive success in his own field of endeavor—were chosen by a panel of distinguished citizens from hundreds of nominees. Their backgrounds and achievements are quite different but they do share one qualification for the TOYM trophy—all are 35 years old or younger.

My pleasure in this year's selection is heightened by the fact that one of those chosen for the award is my good friend and colleague from the State of Indiana, our distinguished junior Senator, the Honorable BIRCH BAYH, JR.

I want also to pay particular tribute to two of the other awardees, one of whom I had the privilege of nominating for this award, Prof. Zbigniew Brzezinski, director of the Research Institute on Communist Affairs at Columbia University, and the other, George Stevens, Jr., of Washington, another friend, the extremely able director of film production for the U.S. Information Agency.

Having had the honor of receiving this award myself in 1962, I know what satisfaction the winners of these awards must feel this year.

Mr. Speaker, I ask unanimous consent to include in the RECORD the short biographies of these 10 outstanding young Americans, as they appear in the January 28, 1964, issue of Look magazine. To all of 1963's winners, my heartiest congratulations.

AMERICA'S 10 OUTSTANDING YOUNG MEN OF 1963 AS SELECTED BY THE U.S. JUNIOR CHAMBER OF COMMERCE

Picking the 10 outstanding young men from hundreds who are recommended looks like a formidable chore, but every year since 1942, a panel of distinguished citizens has done it for the U.S. Junior Chamber of Commerce. Over two decades, the TOYM trophy has been not only a reward for deeds done, but in many cases a herald of future achievement. A partial list of past winners: John F. Kennedy (1946), Richard M. Nixon (1947), Nelson A. Rockefeller (1944), Henry Ford II (1945), Dr. Tom Dooley (1956), Leonard Bernstein (1944), and Bill Mauldin (1946). The 1963 TOYM won out in a field of 200. Their backgrounds and outlooks are diverse, but they have in common youth and a self-confidence that stops short of brashness. Each will get a trophy inscribed: "The Hope of Mankind Lies in the Hands of Youth and Action." The presentations will be made during an awards congress in Santa Monica, Calif., January 24–25, at the Santa Monica Civic Auditorium.

JEROME P. CAVANAGH, MAYOR OF DETROIT, MICH.

Opponents said that Jerome Cavanagh entered the 1961 mayoralty race just to get enough publicity to run for prosecuting attorney later. He lacked support from any major business or labor group, or the two Detroit metropolitan newspapers, but he won by 42,000 votes.

At 35, Cavanagh is self-effacing enough to kid about his Irish jowls and call himself "We." He is also confident enough to crack down on labor abuses at Detroit's showplace, Cobo Hall, win the respect of minority groups and put through a 1-percent municipal income tax to help end a budget deficit.

Mayor Cavanagh has great riches: a beautiful wife and seven children. His political career is just beginning. Who knows? "We" might win even bigger offices someday.

ZBIGNIEW K. BRZEZINSKI, EDUCATOR, SCHOLAR

The last name is pronounced Bre-zin'-ski, and the man who bears it is a leading expert on the weird gyrations of the Communist bloc. Dr. Brzezinski doubles as director of the Research Institute on Communist Affairs and professor of public law and government at Columbia University.

As a vocal demonologist, he gets criticism for being too hard, and too soft, on communism, but the rebuttal is that he probably understands the use of political power better than his critics. An oversimplified version of Brzezinski's attitude might read: Make the cost of aggression too high for the Communists, and the rewards of peace great. Thus, Dr. Brzezinski would like to see U.S aid used to promote the independence of the East European satellites, which could be called a "soft" attitude. At the same time, he wants immediate response if Allied access to Berlin is threatened. The response? Harass Soviet shipping to Cuba. Brzezinski muses, "You have to have a sense of nuances."

THOMAS S. MACKEY, BUSINESSMAN, ENGINEER

Tom Mackey was 26 when he went to Texas City, Tex., to prepare his company's bid for a large but financially unpromising tin smelter. It had been run for 15 years, at a loss, by the Federal Government. The Mackey offer on behalf of the Wah Chang Corp. was the low one, and Mackey immediately took over as manager of the plant.

Since 1958, the smelter has produced about one-third of U.S. requirements for tin, at a profit. The difference between the Mackey operation and the Government's several hundred fewer employees, new processes, and work routines. The Wah Chang smelter is the only nonunion plant in Texas City, but the employees seem to like it that way.

While running the plant, Mackey has also found the hours to complete most of the requirements for a Ph. D. in engineering from Rice Institute at Houston and expects to have his degree by June. If pushed, he will admit that he has made full use of his time.

A. LEON HIGGINBOTHAM, JR., LAWYER

Leon Higginbotham was 34 when President Kennedy nominated him for the Federal Trade Commission. He became the youngest man ever appointed to that body and the first Negro Commissioner of a Federal regulatory agency. He's proud of that.

The Commissioner's job followed a brilliant academic career at Antioch College and Yale Law School, and tours of duty in Philadelphia as assistant district attorney and in private practice. Higginbotham believes: "Negroes have an obligation to foster maximum motivations among young people to develop their potential." Last fall, President Kennedy nominated him for a Federal district judgeship. The nomination is pending before the Senate Judiciary Committee, chaired by JAMES O. EASTLAND, Democrat, of Mississippi.

FREDERICK L. YATES, TELEVISION PRODUCER

Ted Yates has a refreshingly difficult time taking himself seriously, but the hard fact is that he is a superb television producer. His shows have three times won an Emmy Award, the TV equivalent of the Oscar. Two Emmys were for "David Brinkley's Journal." Yates is now bringing his wit and dissatisfaction with the status quo to bear on a number of color documentaries that will feature Brinkley.

JOHN M. CARTER, EDITOR

Every month, Kentucky-born John Mack Carter sits down in his Park Avenue office and decides what 8,220,000 women will read in McCall's. His biggest problem and greatest pleasure is the rising level of sophistication and interest in world affairs shown by the women of America. John Carter says, "We haven't caught up with the ladies yet."

EDGAR F. FOREMAN, U.S. REPRESENTATIVE

The youngest Member of the 88th Congress, conservative Republican ED FOREMAN won himself a post on the powerful House Armed Services Committee. He wars on waste in Government for the 660,000 people of Texas' 16th Congressional District.

JAMES W. WHITTAKER, MOUNTAIN CLIMBER

Jim Whittaker of Redmond, Wash., and the University of Seattle is the first American to stand on the summit of Mount Everest. He toiled to the top on May 1, 1963, backed by an expedition that poured 5 months and $400,000 into the effort. With 29,028-foot Everest conquered, Whittaker plans to lead smaller expeditions and teach mountain climbing.

BIRCH E. BAYH, JR., U.S. SENATOR

Indiana's junior Senator is a former collegiate boxing champion who would now rather reason with his opponents. In 1962, he fought his way into the Senate past GOP stalwart Homer E. Capehart, supposedly unbeatable. BAYH now serves on the Senate Judiciary and Public Works Committees, and is especially concerned with the problems of juvenile delinquency and conservation.

GEORGE STEVENS, JR., MOTION-PICTURE SERVICE DIRECTOR

George Stevens tells our story to the rest of the world—on film. At the U.S. Information Agency, he oversees the production and distribution of more than 600 films a year. Although they are intended to sell the United States, USIA films also deal with our troubles, like the struggle for racial equality. Stevens is in the business of exporting truth.

FUTURE FARM PRICE SUPPORT POLICY IN VIEW OF RECENT DEVELOPMENTS

The SPEAKER. Under previous order of the House, the gentleman from Texas [Mr. PURCELL] is recognized for 30 minutes.

Mr. PURCELL. Mr. Speaker, as a member of the House Committee on Agriculture and as chairman of the Subcommittee on Wheat, I have devoted a great deal of time to a study of the current economic plight of commercial agriculture. I am distressed that farm prices dropped to 76 percent of parity in December 1963—their lowest level in relation to the prices paid by farmers since 1939.

I am distressed that net farm income fell slightly in 1963 and may fall further in 1964, even though profits and wages are setting new records.

I am equally distressed by the lack of agreement among farm leaders regarding appropriate governmental policies for meeting today's problems.

A few days ago, Secretary Freeman appeared before our Wheat Subcommittee and reported that for the past 3 years this administration has sought to develop commodity programs directed to the basic goals of reducing surplus stocks, holding down Government costs and strengthening farm income.

I am proud to have been able to lend a helping hand in these endeavors. I was one of those who believed that a certificate program for wheat, combined with marketing quotas, if approved by a two-thirds majority, would be the most effective way to achieve the goals of higher income, reduced stocks and lower Government costs.

But I am not one of those who would turn his back on wheat producers and their economic problems simply because they failed to approve marketing quotas by a two-thirds majority in May 1963.

As yet, no other system has been designed that can match the productive capabilities of our family farms. And as long as overproduction and low prices are the silent companions of abundance, commodity programs will be essential to the viability of the family farm system. As long as scientific and technological change proceeds at such a pace that output per farmworker grows 6 percent or more a year, commodity programs will be necessary for the economic survival of our family farm system.

Commodity programs designed to cope with the superproductivity of our family farms today are not welfare programs, but they are essential adjustment mechanisms in otherwise chaotic situations.

I realize that a good many of the Members of this House have become frustrated with the lack of agreement among farm leaders and the conflicting counsel and advice they have received on what can and should be done to solve the farm problem. Even more important, I am afraid they have been misled by farm leaders and farm spokesmen who would turn back the clock—people who say that the farmer's problem is just too much Government in agriculture.

Most of us recall our childhood days with pleasant memories. But we cannot return to them. Neither can we return to the simpler economic life of earlier years.

I was especially pleased to hear President Johnson's plan to reduce Government spending in the year ahead. But I was even more pleased to be assured that in this reduced budget there will be "the most Federal support in history for education, for health, for retraining the unemployed, and for helping the economically and the physically handicapped."

Mr. Speaker, I want to take this opportunity to call to the attention of the Members of this body the results of a series of unbiased studies on the contribution of farm programs to farm income. These studies, covering a period of years, all made by dedicated agricultural economists in the U.S. Department of Agriculture and in the land-grant colleges, reach similar conclusions—that farm programs have made an important contribution to farm income in recent years. They show that it is a great misconception to believe that farm income would be improved in the near future if Government programs were abolished. They show that it is a misconception to believe that current commodity programs can be phased out in a few years without serious income losses to farm families.

I am moved to call these studies to your attention today because in a very short time we will be given an opportunity to vote on another wheat bill. At that time some farm leaders will be saying they are in favor of liquidating all commodity programs as quickly as possible in the interests of improving farm families' opportunities to earn even better incomes. These farm leaders in effect are asking you to disregard the objective, unbiased conclusions of agricultural economists in several different land-grant colleges and in the U.S. Department of Agriculture. The most recent of these studies, completed a few months ago by the center for agricultural and economic development at Iowa State University, concludes that after allowing for the effects of lower prices on production, in the absence of production adjustment and price support programs, net farm income within a few years would fall 40 percent or more.

When the results of this most recent study were brought to my attention, I asked how its conclusions compared with those reached in earlier, similar studies. Here is what I found:

Walter Wilcox of the Legislative Reference Service, Library of Congress, in an article published in the Journal of Farm Economics, August 1958, concluded "in the absence of price supporting programs realized net farm income on a year-by-year basis would have been 20 to 55 percent lower in the years 1937-39, 14 to 43 percent lower in 1940-42, 24 to 34 percent lower in 1948-49, and 28 percent or more lower in 1952 to date."

Professor Shepherd and associates at Iowa State University in August 1960—Iowa Agricultural Experimental Station special report 27—estimated that if price supports, production controls, and the conservation reserve were abandoned, within a few years the prices of hogs and beef cattle, respectively, would decline to $0.11 and $0.12 per pound. The price of corn would fall to $0.66 per bushel, and wheat prices would fall to $0.74 per bushel. Net income from livestock products might fall by 50 percent.

Using a somewhat different basis, and assuming a continuation of export subsidies and Public Law 480 programs, economists in the Department of Agriculture and in the land-grant colleges made a study for the Senate Agriculture Committee—Senate Document No. 77, January 1960—which indicated that the removal of price supports and production limitations would result in a 46-percent drop in realized net farm income by 1965.

This study indicated that if commodity programs were discontinued, prices of key farm products would be expected to fall to the following levels:

Wheat, $0.90 a bushel; corn, $0.80 a bushel; beef cattle, $0.15 a pound; and hogs, $0.11 a pound.

Professor Robinson of Cornell University, in a similar study published in Farm Economics, 1960, concluded that even though a conservation reserve of 30 million acres, marketing orders and special distribution programs were continued, if direct price supports and acreage controls were dropped, net farm income would fall 19 percent. Hog prices would fall to $0.14 a pound, beef cattle to $0.15 per pound, wheat to $1.18 a bushel and corn to $0.98 a bushel.

Professor Brandow of Pennsylvania State University in a study for the Joint Economic Committee (Committee Print, November 1960), estimated that with price supports and production limitations removed, realized net farm income by 1965 would fall to $7.2 billion or 36 percent below the 1959 level. His projections indicated wheat prices would fall to $0.87 a bushel, corn to $0.77 a bushel, hogs to $0.11 a pound and beef cattle to $0.17 a pound.

Professor Heady, executive director of the center for agricultural and economic adjustment, Iowa State University, and his associates reviewed the results of these earlier studies and, using revised and more comprehensive statistics, analyzed the effects on farm income, Government costs and consumer food outlays of 16 alternative wheat and feed grain programs. (Farm Program Alternatives, CAED Rept. 18, May 1963.)

Needless to say the study is so detailed only a few of the highlights can be reported here. They conclude that the excess capacity of agriculture in 1960 and 1961 amounted to 7 percent. This percentage of potential output was avoided by diversion and conservation programs or was diverted from commercial markets by domestic and foreign distribution programs.

If that additional 7 percent had been channeled through commercial markets, farm prices would have fallen 28 percent, gross income would have fallen 21 percent, and net income would have fallen over 60 percent.

These university agricultural economists—after reviewing recent statistics with the most comprehensive and up-to-date analytical tools—estimate that within a 2-year period, a 10-percent drop in farm prices would bring about only a 1-percent reduction in supplies. In a 4-year period, a 10-percent drop in prices would be expected to result in a 1½-percent reduction in output.

In a period as long as 20 years, they conclude that if farm prices were 10 percent lower under one program than under another, production would be only 6 percent lower.

These basic price-supply relationships as analyzed by competent economists give the lie to those who say that if Government price support programs were discontinued farm families would be able to earn higher incomes within a short while.

Professor Heady and his associates find that after allowing for the effect of lower prices on production—if all price supports, diversion, conservation and export subsidy programs were discontinued for feed grains and wheat—within the next 5 years net farm income would fall by more than $5 billion a year or about 40 percent.

They also find that grain production would increase faster than livestock production could be expanded and carryover stocks of grains would have to be increased for several years to avoid an even more chaotic price and income bust.

Let me repeat, this most recent study by Iowa State University economists concludes that if price supports, acreage diversion, and export subsidy programs for wheat and feed grains are eliminated, carryover stocks would have to be increased for several years, yet net farm income would fall by 40 percent.

On the other hand, they conclude, if a combination of price support, acreage diversion and export subsidy programs are continued, farm income can be maintained at current levels without further increases in Government costs. And to me this conclusion is as important as the earlier one.

Let me repeat again, the agricultural economists at Iowa State University conclude that if price supports are continued as necessary to reduce carryover stocks to desirable levels and hold them there, farm income can be maintained at recent levels without an increase in Government costs.

These conclusions are similar to those of U.S. Department of Agriculture economists as reported by Secretary Freeman in his testimony before the House and Senate Agriculture Committees in recent months.

If we can believe this large group of agricultural economists who have studied the problem over a period of years—contrary to what some farm leaders will say—we do not have the choice of either maintaining current programs and current farm income or of dismantling them with no more than a short period of modestly lower farm income.

Secretary Freeman, when he appeared before our Wheat Subcommittee recently reported that since 1960 farmers and the Nation have benefited from an increase of some $2.5 billion in net farm income, in part due to improved farm programs. Farmers invested $521 million more in tractors, $900 million more in autos and $310 million more in other farm machinery and equipment in the past 3 years than otherwise would have been possible with a 1960 level of income. The increase in gross farm income also enabled farmers to spend more for purchased feed, fertilizer, household furnishings, clothing, and food.

Professor Heady and his associates at Iowa State University estimate that if current price supports, export subsidies and diversion programs for wheat and feed grains are discontinued, within a few years, net farm income will decline by more than $5 billion a year, while Government costs of the farm program will decline about $1 billion a year. In other words—while saving perhaps $1 billion in Government costs, over $5 billion in net farm income would be lost if current wheat and feed grain programs were discontinued.

So long as unemployment is a national problem, so long as an expansion of the economy is a national goal, it does not make sense to take Government actions which result in a sharp income decline in a particular segment of the economy.

In my opinion a temporary wheat program for 1964 and 1965 should be authorized by new legislation within the next few weeks, thereby maintaining wheat acreage and prices at recent levels. Such action would further our national economic goals as well as contribute to equity. If we do this, both the wheat and the feed grains programs will expire in 1965 and can be renewed and extended as a joint program.

Looking forward to the longer period ahead, we should develop integrated and realistic, voluntary programs for wheat and feed grains—and perhaps also for cotton—which maintain or increase producers' incomes, maintain stocks at desirable levels, and reduce Government costs.

I believe it can be done. The recent studies by the agricultural economists at Iowa State University indicate it can be done.

It should be the business of the next Congress to see that it is done.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. Sheppard, for Wednesday, January 15, 1964, through January 27, 1964, on account of official business.

Mr. Pepper, for Wednesday, January 15, through Friday, January 24, 1964, on account of official business.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to Mr. Purcell (at the request of Mr. Kastenmeier), for 30 minutes, today, to revise and extend his remarks, and to include extraneous matter.

EXTENSION OF REMARKS

By unanimous consent, permission to extend remarks in the Congressional Record, or to revise and extend remarks, was granted to:

Mr. Harding, his remarks today and to include a magazine article.

(The following Members (at the request of Mr. Kastenmeier) and to include extraneous matter:)

Mr. Gilbert.
Mr. Elliott.
Mr. Sickles.
Mr. Celler.
Mr. St. Onge.

ENROLLED BILL SIGNED

Mr. BURLESON, from the Committee on House Administration, reported that that committee had examined and found truly enrolled a bill of the House of the following title, which was thereupon signed by the Speaker:

H.R. 7406. An act to provide for increased participation by the United States in the Inter-American Development Bank, and for other purposes.

SENATE ENROLLED BILL SIGNED

The SPEAKER announced his signature to an enrolled bill of the following title:

S. 1604. An act to amend the provisions of the Agricultural Adjustment Act of 1938, as amended, relating to the transfer of producer rice acreage allotments.

ADJOURNMENT

Mr. KASTENMEIER. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 4 o'clock and 51 minutes p.m.) the House adjourned until tomorrow, Thursday, January 16, 1964, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

1532. A letter from the Secretary of Defense, transmitting a draft of a proposed bill entitled "A bill to authorize appropriations during fiscal year 1965 for procurement of aircraft, missiles, and naval vessels, and research, development, test, and evaluation, for the Armed Forces, and for other purposes"; to the Committee on Armed Services.

1533. A letter from the president, Georgetown Barge, Dock, Elevator & Railway Co.; transmitting the report of the Georgetown Barge, Dock, Elevator & Railway Co. on its operation for calendar year 1963; to the Committee on the District of Columbia.

1534. A letter from the Comptroller General of the United States, transmitting additional information relative to a report to the Congress in January 1962, relating to overpricing in excess of $1 million by the Magnavox Co., Fort Wayne, Ind., for certain electronic spare parts furnished to the Department of the Air Force under sole-source procurements (B-133369); to the Committee on Government Operations.

1535. A letter from the Sergeant at Arms, U.S. House of Representatives, transmitting a statement in writing exhibiting the several sums drawn by him pursuant to sections 78 and 80 of title 2, United States Code, the application and disbursement of the sums, and balances, if any, remaining in his hands, pursuant to title 2, United States Code 84; to the Committee on House Administration.

1536. A letter from the Chairman, National Mediation Board, transmitting a copy of the 29th Annual Report of the National Mediation Board, including the report of the National Railroad Adjustment Board; to the Committee on Interstate and Foreign Commerce.

1537. A letter from the Assistant Secretary of the Interior, relative to a proposed concession contract which will authorize Dr. Watson M. Lacy to continue to provide medical and hospital services for the public on the south rim of the Grand Canyon National Park, pursuant to 70 Stat. 543; to the Committee on Interior and Insular Affairs.

1538. A letter from the Secretary of the Treasury, transmitting a draft of a proposed bill entitled "A bill to authorize appropriations for procurement of vessels and aircraft and construction of shore and offshore establishments for the Coast Guard"; to the Committee on Merchant Marine and Fisheries.

1539. A letter from the Chairman, Atomic Energy Commission, transmitting a draft of a proposed bill entitled "A bill to authorize appropriations to the Atomic Energy Commission in accordance with section 261 of the Atomic Energy Act of 1954, as amended, and for other purposes"; to the Joint Committee on Atomic Energy.

1540. A letter from the Administrator, National Aeronautics and Space Administration, transmitting a draft of a proposed bill entitled "A bill to authorize appropriations to the National Aeronautics and Space Administration for research and development, construction of facilities, and administrative operations, and for other purposes"; to the Committee on Science and Astronautics.

1541. A letter from the Secretary of State, transmitting the Third Annual Report on the Operations of the Center for Cultural and Technical Interchange between East and West (East-West Center), pursuant to Public Law 86-872, summarizing the activities of the Center during fiscal year 1963; to the Committee on Foreign Affairs.

PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. PATMAN:

H.R. 9631. A bill to increase to 12 the number of members of the Federal Reserve Board, and for other purposes; to the Committee on Banking and Currency.

By Mr. GRABOWSKI:

H.R. 9632. A bill to authorize a study of methods of helping to provide financial assistance to victims of future flood disasters; to the Committee on Banking and Currency.

By Mr. GURNEY:

H.R. 9633. A bill to authorize improvements for beach erosion control at Fort Pierce, Fla., to the Committee on Public Works.

By Mr. HARDING:

H.R. 9634. A bill to authorize the Secretary of Defense to lend certain Army, Navy, and

Air Force equipment and provide certain services to the Girl Scouts of the United States of America for use at the 1965 International Senior Girl Scouts Roundup Encampment, and for other purposes; to the Committee on Armed Services.

By Mr. WHITE:

H.R. 9635. A bill to authorize the Secretary of Defense to lend certain Army, Navy, and Air Force equipment and provide certain services to the Girl Scouts of the United States of America for use at the 1965 International Senior Girl Scouts Roundup Encampment, and for other purposes; to the Committee on Armed Services.

By Mr. RAINS (by request):

H.R. 9636. A bill to amend section 701 of the Housing Act of 1954 to make Indian reservations eligible for urban planning assistance thereunder; to the Committee on Banking and Currency.

By Mr. VINSON:

H.R. 9637. A bill to authorize appropriations during fiscal year 1965 for procurement of aircraft, missiles, and naval vessels, and research, development, test, and evaluation, for the Armed Forces, and for other purposes; to the Committee on Armed Services.

By Mr. OLSEN of Montana:

H.R. 9638. A bill to amend section 27 of the Mineral Leasing Act of February 25, 1920, as amended, in order to promote the development of phosphate on the public domain; to the Committee on Interior and Insular Affairs.

By Mr. RYAN of New York:

H.R. 9639. A bill providing grants-in-aid to assist the States to staff community mental health centers constructed under the Community Mental Health Centers Act; to the Committee on Interstate and Foreign Commerce.

By Mr. BONNER:

H.R. 9640. A bill to authorize appropriations for procurement of vessels and aircraft and construction of shore and offshore establishments for the Coast Guard; to the Committee on Merchant Marine and Fisheries.

By Mr. MILLER of California:

H.R. 9641. A bill to authorize appropriations to the National Aeronautics and Space Administration for research and development, construction of facilities, and administrative operations; and for other purposes; to the Committee on Science and Astronautics.

By Mr. SICKLES:

H.R. 9642. A bill to amend the joint resolution approved August 20, 1958, granting the consent of Congress to the several States to negotiate and enter into compacts for the purpose of promoting highway traffic safety; to the Committee on Interstate and Foreign Commerce.

By Mr. FULTON of Pennsylvania:

H.J. Res. 890. Joint resolution to authorize appointment of a Presidential Commission on Automation; to the Committee on Education and Labor.

By Mr. KORNEGAY:

H.J. Res. 891. Joint resolution to authorize and direct the Secretary of Agriculture to conduct research into the quality and health factors of Flue-cured tobacco; to the Committee on Agriculture.

By Mr. EVINS:

H. Res. 608. Resolution to provide funds for the study and investigation authorized by House Resolution 13; to the Committee on House Administration.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. FINO:

H.R. 9643. A bill for the relief of Angelo Recine; to the Committee on the Judiciary.

By Mr. GURNEY:

H.R. 9644. A bill for the relief of Dr. Gabriel Antero Sanchez (Hernandez); to the Committee on the Judiciary.

By Mrs. KEE:

H.R. 9645. A bill for the relief of Mrs. Lydia Schmidt Thompson; to the Committee on the Judiciary.

By Mr. ST. ONGE:

H.R. 9646. A bill for the relief of Gervasie A. Minoza; to the Committee on the Judiciary.

By Mr. SICKLES:

H.R. 9647. A bill for the relief of C. R. Sheaffer & Sons; to the Committee on the Judiciary.

PETITIONS, ETC.

Under clause 1 of rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

624. By the SPEAKER: Petition of Josephine Kirkpatrick and others, Tucumcari, N. Mex., to repeal or amend provisions relating to the construction of the Interstate System, and to legislate legitimate controls on the Bureau of Public Roads; to the Committee on Public Works.

625. Also, petition of Henry Stoner, Avon Park, Fla., relative to the Special Report of the Surgeon General on smoking, and suggesting legislation to cease immediately all Federal subsidies in any form whatsoever to the American tobacco industry or to American tobacco farmers, otherwise, the U.S. Government is particeps criminis to the cancerization of its own people; to the Committee on Agriculture.

626. Also, petition of Henry Stoner, Avon Park, Fla., requesting Congress to restore to use the U.S. constitutional noun "militia" in referring to various State National Guards; to the Committee on Armed Services.

627. Also, petition of Henry Stoner, Avon Park, Fla., relative to the House of Representatives publishing as a House document a complete investigation and report on Federal operation of business enterprises for profit; to the Committee on House Administration.

628. Also, petition of Henry Stoner, Avon Park, Fla., requesting a congressional investigation and report on beer drinking comparable to that made on smoking cigarettes; to the Committee on Interstate and Foreign Commerce.

629. Also, petition of Henry Stoner, Avon Park, Fla., requesting Congress to implement the recommendations of the report of the President's Commission on Registration and Voting Participation, filed November 26, 1963; to the Committee on the Judiciary.

630. Also, petition of Henry Stoner, Avon Park, Fla., requesting Congress to consider the proposition of having the U.S. Panama Canal Zone operated and controlled by the Organization of American States; to the Committee on Merchant Marine and Fisheries.

SENATE

WEDNESDAY, JANUARY 15, 1964

The Senate met at 12 o'clock meridian, and was called to order by the President pro tempore.

The Chaplain, Rev. Frederick Brown Harris, D.D., offered the following prayer:

Eternal Spirit, far above us, yet deep within us, in communion with Thee we find peace for our spirits and power for our tasks. Even as in the problems we face there so often come to us disappointment, disillusionment, and often hopes deferred bordering on despair, we bow in gratitude for the mercies beyond our deserving which hallow our days—the sacrament of friendship, the opportunities for service, the joys and privileges of a free life.

Thou knowest that we supremely care for our schools, our homes, our churches, and for the welfare of our communities. O Thou God of our salvation, put courage, we pray Thee, into our hearts, understanding into our minds, and strength into our arms. Give us a long look and a deep faith in the kingdom of God and of good that shall yet come on the earth. Send us forth, we beseech Thee, with the baptism of Thy spirit, so to live and work that we shall help leave behind us a fairer world in which Thou canst rear Thy human family.

We ask it in the Redeemer's name. Amen.

THE JOURNAL

On request of Mr. MANSFIELD, and by unanimous consent, the reading of the Journal of the proceedings of Tuesday, January 14, 1964, was dispensed with.

ATTENDANCE OF SENATORS

The following additional Senators attended the session of the Senate today:

GORDON ALLOTT, a Senator from the State of Colorado, and NORRIS COTTON, a Senator from the State of New Hampshire.

MESSAGES FROM THE PRESIDENT

Messages in writing from the President of the United States submitting nominations were communicated to the Senate by Mr. Miller, one of his secretaries.

EXECUTIVE MESSAGES REFERRED

As in executive session,

The PRESIDENT pro tempore laid before the Senate messages from the President of the United States submitting sundry nominations, which were referred to the appropriate committees.

(For nominations this day received, see the end of Senate proceedings.)

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Bartlett, one of its reading clerks, announced that the House had passed, without amendment, the bill (S. 1604) to amend the provisions of the Agricultural Adjustment Act of 1938, as amended, relating to the transfer of producer rice acreage allotments.

The message also announced that the House had passed the bill (S. 1153) to amend the Federal Airport Act to extend the time for making grants thereunder, and for other purposes, with an amendment, in which it requested the concurrence of the Senate; that the House insisted upon its amendment to the bill, asked a conference with the Senate on the disagreeing votes of the two Houses thereon, and that Mr. HARRIS, Mr. WILLIAMS, Mr. FRIEDEL, Mr. MACDONALD, Mr.

Jarman, Mr. Hemphill, Mr. Bennett of Michigan, Mr. Springer, Mr. Devine, and Mr. Sibal were appointed managers on the part of the House at the conference.

ORDER OF BUSINESS

Mr. MANSFIELD. Mr. President, I ask unanimous consent that there be a brief morning hour, to be continued until 12.08 p.m., and that at that time a quorum call be instituted.

The PRESIDENT pro tempore. Without objection, it is so ordered.

TRANSACTION OF ROUTINE BUSINESS

The PRESIDENT pro tempore. The morning business is in order.

EXECUTIVE COMMUNICATIONS, ETC.

The PRESIDENT pro tempore laid before the Senate the following letters, which were referred as indicated:

Appropriations for Procurement of Certain Vessels and Aircraft for the Coast Guard

A letter from the Secretary of the Treasury, transmitting a draft of proposed legislation to authorize appropriations for procurement of vessels and aircraft and construction of shore and offshore establishments for the Coast Guard (with accompanying papers); to the Committee on Commerce.

Report of District of Columbia Redevelopment Land Agency

A letter from the Chairman, District of Columbia Redevelopment Land Agency, Washington, D.C., transmitting, pursuant to law, a report of that Agency, for the fiscal year ended June 30, 1963 (with an accompanying report); to the Committee on the District of Columbia.

Report on Operations of Center for Cultural and Technical Interchange Between East and West (East-West Center)

A letter from the Secretary of State, transmitting, pursuant to law, a secret report on the operations of the Center for Cultural and Technical Interchange Between East and West (East-West Center), for fiscal year 1963 (with an accompanying report); to the Committee on Foreign Relations.

Report on Settlement in Overpricing Certain Electronic Spare Parts Furnished Department of the Air Force by the Magnavox Co.

A letter from the Comptroller General of the United States, reporting, pursuant to law, on the settlement of a case involving the overpricing of certain electronic spare parts furnished the Department of the Air Force by the Magnavox Co., Fort Wayne, Ind.; to the Committee on Government Operations.

Report on Overbuying and Unnecessary Overhaul Costs Resulting From Failure of the Air Force To Follow Naval Practice in Certain Cases

A letter from the Comptroller General of the United States, transmitting, pursuant to law, a report on overbuying and unnecessary overhaul costs resulting from failure of the Air Force to follow the Navy's practice of separating accessories from spare reciprocating aircraft engines, Department of the Air Force, dated January 1964 (with an accompanying report); to the Committee on Government Operations.

EXPANDED SURVEY CONTROL BY U.S. COAST AND GEODETIC SURVEY—RESOLUTION

Mr. KEATING. Mr. President, I present, for appropriate reference, a resolution adopted by the board of directors of the Nassau-Suffolk Civil Engineers, Inc., requesting that Congress authorize the U.S. Coast and Geodetic Survey to expand its program of precise survey control in areas of expanding population and high rate of land development.

I ask unanimous consent, Mr. President, that the text of the resolution be printed in the Record at this point.

There being no objection, the resolution was referred to the Committee on Commerce, as follows:

Whereas land development is increasing with our expanding population, which creates a need for accurate property surveys; and

Whereas the continued high rate of land development causes the destruction and loss of precise survey control, necessary for its continued growth; and

Whereas the growing space, missile, and highway program has expanded the need for widespread survey control: Therefore be it

Resolved, That the board of directors of the Nassau-Suffolk Civil Engineers, Inc., on the 10th day of December 1963, ask the U.S. Congress to authorize an expansion of precise survey control, in areas of expanding population, and same to be established by the U.S. Coast and Geodetic Survey of the Department of Commerce.

NATIONAL HOLIDAY OF COLUMBUS DAY

Mr. KEATING. Mr. President, I present for appropriate reference a resolution adopted on December 21, 1963, by the United Italian-American Labor Council, Inc., calling upon the support of Congress and the President for the enactment of S. 108, which would establish Columbus Day as a national holiday.

This measure, of which I am a cosponsor, is pending before the Senate Judiciary Subcommittee on Federal Charters, Holidays, and Celebrations. I am hopeful prompt action can be taken.

I ask unanimous consent that the text of the resolution be printed at this point in the Record.

There being no objection, the resolution was referred to the Committee on the Judiciary, as follows:

For Columbus Day National Holiday

Whereas every year Columbus Day is a legal holiday by Presidential proclamation and is a legal holiday in more than two-thirds of the States of the Union; and

Whereas Columbus Day symbolizes the discovery of the New World, of which the United States is its most powerful country, with a vital role of leadership for the progress of civilization and the defense of peace and freedom; and

Whereas in many countries of Latin America October 12 is celebrated as a great national holiday; and

Whereas bills are pending in Congress, among them S. 108, to make Columbus Day a national holiday; and

Whereas several State legislatures have petitioned Congress to act favorably on those bills; and

Whereas the AFL-CIO has officially taken a strong position for an early approval of this debt of gratitude to the great navigator who discovered this hemisphere; be it

Resolved at this 22d annual conference of the United Italian-American Labor Council, held on December 21, 1963, in the Hotel Commodore, New York City, to call on the President of the United States, Hon. Lyndon B. Johnson, to give his influential support to this proposal; be it further

Resolved, To call on the chairman of the Committee of the Judiciary to release as soon as possible, and favorably, S. 108 so that both Houses of Congress may soon vote to make October 12, Columbus Day, birthday of the New World, a national holiday for the United States of America.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. JORDAN of North Carolina, from the Committee on Rules and Administration, without amendment:

S. Res. 249. Resolution providing additional funds for the investigation of migratory labor; (Rept. No. 817).

ADDITIONAL FUNDS FOR COMMITTEE ON PUBLIC WORKS

Mr. McNAMARA, from the Committee on Public Works, reported an original resolution (S. Res. 259), which, under the rule, was referred to the Committee on Rules and Administration, as follows:

Resolved, That the Committee on Public Works, or any duly authorized subcommittee thereof, is authorized under sections 134(a) and 136 of the Legislative Reorganization Act of 1946, as amended, and in accordance with its jurisdictions specified by rule XXV of the Standing Rules of the Senate, to examine, investigate, and make a complete study of any and all matters pertaining to flood control, navigation, rivers and harbors, roads and highways, water pollution, public buildings, and all features of water resource development.

Sec. 2. For the purposes of this resolution the committee, from February 1, 1964, to January 31, 1965, inclusive, is authorized (1) to make such expenditures as it deems advisable; (2) to employ upon a temporary basis, technical, clerical, and other assistants and consultants: *Provided*, That the minority is authorized to select one person for appointment, and the person so selected shall be appointed and his compensation shall be so fixed that his gross rate shall not be less by more than $1,600 than the highest gross rate paid to any other employee; and (3) with the prior consent of the heads of the departments or agencies concerned, and the Committee on Rules and Administration, to utilize the reimbursable services, information, facilities, and personnel of any of the departments or agencies of the Government.

Sec. 3. The committee shall report its findings, together with its recommendations for legislation as it deems advisable, to the Senate at the earliest practicable date, but not later than January 31, 1965.

Sec. 4. Expenses of the committee, under this resolution, which shall not exceed $125,000, shall be paid from the contingent fund of the Senate upon vouchers approved by the chairman of the committee.

EXECUTIVE REPORT OF A COMMITTEE

As in executive session,

The following favorable report of a nomination was submitted:

By Mr. MONRONEY, from the Committee on Commerce:

John R. Reilly, of Iowa, to be a Federal Trade Commissioner.

BILLS INTRODUCED

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. JORDAN of Idaho (for himself and Mr. Church):

S. 2425. A bill to authorize the Secretary of Defense to lend certain Army, Navy, and Air Force equipment and provide certain services to the Girl Scouts of the United States of America for use at the 1965 International Senior Girl Scouts roundup encampment, and for other purposes; to the Committee on Armed Services.

(See the remarks of Mr. Jordan of Idaho when he introduced the above bill, which appear under a separate heading.)

By Mr. JOHNSTON:

S. 2426. A bill to amend title II of the War Claims Act of 1948 to provide for the judicial review of determinations made thereunder; to the Committee on the Judiciary.

(See the remarks of Mr. Johnston when he introduced the above bill, which appear under a separate heading.)

By Mr. HUMPHREY (for himself, Mr. Hart, and Mr. Clark):

S. 2427. A bill to establish a Commission on Automation, Technology, and Employment; to the Committee on Labor and Public Welfare.

(See the remarks of Mr. Humphrey when he introduced the above bill, which appear under a separate heading.)

RESOLUTION

ADDITIONAL FUNDS FOR COMMITTEE ON PUBLIC WORKS

Mr. McNAMARA, from the Committee on Public Works, reported an original resolution (S. Res. 259) to provide additional funds for the Committee on Public Works, which, under the rule, was referred to the Committee on Rules and Administration.

(See the above resolution printed in full when reported by Mr. McNamara, which appears under a separate heading.)

LOAN OF CERTAIN EQUIPMENT AND PROVISION OF CERTAIN SERVICES TO GIRL SCOUTS OF AMERICA

Mr. JORDAN of Idaho. Mr. President, for myself and the senior Senator from Idaho [Mr. Church], I introduce, for appropriate reference, a bill authorizing the Secretary of Defense to lend certain Army, Navy, and Air Force equipment and provide certain services to the Girl Scouts of America for use at the 1965 International Senior Girl Scouts roundup encampment to be held in our great State of Idaho.

The people of the Gem State are highly honored that the Girl Scouts have chosen our Farragut Wildlife Management Area as the site of their fourth triennial roundup. We are looking forward to July 1965, when an expected 11,000 Girl Scouts and officials will flood into Idaho, not only from every State in the Union, but also from many other nations of the world. This bill is practically identical to other such bills offered in the past in connection with this roundup. The authority it entails for Defense Department manpower, equipment, and supplies to be used by the Girl Scouts will greatly ease the job of carrying out this tremendous undertaking. However, no expense shall be incurred by the Government for either the delivery or return of this equipment, which will include cots, tents, blankets, refrigerators, and many other items.

It is my understanding that the two Representatives from Idaho are today introducing companion bills in the House of Representatives. Mr. President, I ask unanimous consent that the bill be printed at this point in the Record.

The PRESIDENT pro tempore. The bill will be received and appropriately referred; and, without objection, the bill will be printed in the Record.

The bill (S. 2425) to authorize the Secretary of Defense to lend certain Army, Navy, and Air Force equipment and provide certain services to the Girl Scouts of the United States of America for use at the 1965 International Senior Girl Scouts roundup encampment, and for other purposes, introduced by Mr. Jordan of Idaho (for himself and Mr. Church), was received, read twice by its title, referred to the Committee on Armed Services, and ordered to be printed in the Record, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) the Secretary of Defense is hereby authorized, under such regulations as he may prescribe, to lend to the Girl Scouts of the United States of America, a corporation created under the Act of March 16, 1950, for the use and accommodation of approximately eleven thousand Girl Scouts and officials who are to attend the International Senior Girl Scouts roundup encampment to be held in July 1965, at Farragut Wildlife Management Area, Idaho, such tents, cots, blankets, commissary equipment, flags, refrigerators, vehicles, and other equipment as may be necessary or useful to the extent that items are in stock and available and their issue will not jeopardize the national defense program.

(b) Such equipment is authorized to be delivered at such time prior to the holding of such encampment, and to be returned at such time after the close of such encampment, as may be agreed upon by the Secretary of Defense and the Girl Scouts of the United States of America. No expense shall be incurred by the United States Government for the delivery and return of such equipment and the Girl Scouts of the United States of America shall pay for the cost of the actual rehabilitation and repair or replacement of such equipment.

(c) The Secretary of Defense, before delivering such property, shall take from the Girl Scouts of the United States of America a good and sufficient bond for the safe return of such property in good order and condition, and the whole without expense to the United States.

Sec. 2. The Secretary of Defense is hereby authorized, under such regulations as he may prescribe, to provide to the Girl Scouts of the United States of America, in support of the encampment referred to in subsection (a) of the first section of this Act, such communication, medical, engineering, protective, and other logistical services as may be necessary or useful to the extent that such services are available and the providing of them will not jeopardize the national defense program.

Sec. 3. Each department of the Federal Government is hereby authorized under such regulations as may be prescribed by the Secretary thereof to assist the Girl Scouts of the United States of America in the carrying out and the fulfillment of the plans for the encampment referred to in subsection (a) of the first section of this Act.

AMENDMENT OF TITLE II OF WAR CLAIMS ACT OF 1948, TO PROVIDE FOR JUDICIAL REVIEW OF DETERMINATIONS THEREUNDER

Mr. JOHNSTON. Mr. President, I introduce, for appropriate reference, a bill to amend title II of the War Claims Act of 1948 to provide for judicial review of determinations made thereunder.

The question of judicial review for claimants under the War Claims Act has frequently been discussed and there are many arguments both pro and con.

It is estimated that there are approximately 35,000 claimants covered by recently enacted amendments to the War Claims Act, and it is estimated that approximately $300 million will be required to satisfy the claims.

With this program of such magnitude just beginning, there is sincere concern that every American who feels he has received an inadequate award should have a right to his day in court. While all of us believe in this maxim it is difficult under existing legislation to provide judicial review of the Foreign Claims Settlement Commission's decisions since under statutory provisions the Commission must wind up this program within 4 years.

It is our intention to hold hearings on this proposed amendment to get the views of interested parties and agencies in order to determine what is right, just, and possible.

The PRESIDENT pro tempore. The bill will be received and appropriately referred.

The bill (S. 2426) to amend title II of the War Claims Act of 1948 to provide for the judicial review of determinations made thereunder, introduced by Mr. Johnston, was received, read twice by its title, and referred to the Committee on the Judiciary.

PROPOSED AMENDMENT OF CONSTITUTION RELATING TO SUCCESSION TO THE PRESIDENCY AND VICE PRESIDENCY—ADDITIONAL COSPONSORS OF JOINT RESOLUTION

Under authority of the order of the Senate of December 12, 1963, the names of Mr. Bible, Mr. Burdick, Mr. Moss, Mr. Pell, and Mr. Randolph were added as additional cosponsors of the joint resolution (S.J. Res. 139) proposing an amendment to the Constitution of the United States relating to succession to the Presidency and Vice Presidency and to cases where the President is unable to discharge the power and duties of his office, introduced by Mr. Bayh (for himself and Mr. Long of Missouri) on December 12, 1963.

ANNOUNCEMENT OF HEARINGS BEFORE COMMITTEE ON AGRICULTURE AND FORESTRY

Mr. ELLENDER. Mr. President, I announce, for the benefit of Senators as well as the public, that the Committee on Agriculture and Forestry met this morning and agreed to begin hearings on all cotton bills before us and, in fact, all phases of the cotton problem on January 28 at 10 a.m. We hope to conclude the hearings on or before February 3.

We hope to start hearings on wheat legislation on the afternoon of February 3, and to continue through the 5th, and on the 6th and 7th we hope to have before us the administration witnesses. We shall make every effort to close the hearings on the 6th or 7th. Soon after February 17, after the Lincoln birthday holiday, we hope to report a bill to the Senate for its consideration. I ask the majority leader and the minority leader to help us conclude Senate action on the bill before March 1.

NOTICE OF HEARING ON STATUS OF FEDERAL PRISON SYSTEM

Mr. LONG of Missouri. Mr. President, the Subcommittee on National Penitentiaries of the Committee on the Judiciary will hold a hearing on January 22, 1964, in room 5302, New Senate Office Building, at 10 a.m., on the present status of our Federal prison system.

NOTICE OF HEARING ON NOMINATION OF MR. TYLER ABELL

Mr. JOHNSTON. Mr. President, a public hearing on the nomination of Mr. Tyler Abell to be an Assistant Postmaster General for the Bureau of Facilities of the Post Office Department will be held on Tuesday, January 21, 1964, at 10:30 a.m. in room 6202 of the New Senate Office Building.

The hearing will be held before the full committee.

Anyone wishing to testify may arrange to do so by calling Capitol 4-3121, Extension 5451.

NOTICE OF RECEIPT OF NOMINATIONS BY COMMITTEE ON FOREIGN RELATIONS

Mr. FULBRIGHT. Mr. President, as chairman of the Committee on Foreign Relations, I desire to announce that yesterday the Senate received the nomination of Ellsworth Bunker, of Vermont, to be the representative of the United States of America on the Council of the Organization of American States, with the rank of Ambassador.

I further announce that today the Senate received the nomination of Edwin M. Martin, of Ohio, to be Ambassador to Argentina, and the nomination of C. Burke Elbrick, of Kentucky, to be Ambassador to Yugoslavia.

In accordance with the committee rule, these pending nominations may not be considered prior to the expiration of 6 days of their receipt in the Senate.

SENATOR SIMPSON'S AMENDMENT TO THE FOREIGN ASSISTANCE ACT—USE OF PRIVATE ENTERPRISE IN TECHNICAL ASSISTANCE

Mr. JORDAN of Idaho. Mr. President, one of the most constructive amendments to the foreign aid bill was offered by the distinguished junior Senator from Wyoming [Mr. Simpson]. His amendment would encourage the use of private enterprise in technical assistance under the Foreign Assistance Act, rather than the use of Federal agencies for this purpose.

The Senator from Wyoming stated:

> Private enterprise and initiative have been the dominant factors in the development of the United States, and if we are to expect other nations to follow in this philosophy we must utilize these basic principles to the fullest extent in the implementation of our assistance programs.

The Senator's logic was so clear and sound that his amendment was adopted by the managers of the bill, without opposition. Mr. Holmes Alexander, an astute analyst of current affairs, praises Senator Simpson in his column of November 21, 1963, for the McNaught Syndicate, Inc. The article is entitled "Uncle and Senator Simpson," and I ask unanimous consent that it be printed in the Record.

There being no objection, the article was ordered to be printed in the Record, as follows:

Uncle and Senator Simpson

(By Holmes Alexander)

Washington, D.C.—In Costa Rica, where the Alliance for Progress is trying to open up new lands, there was need for a mapping survey.

Three well-qualified U.S. firms submitted bids to the Agency for International Development (AID). They were International Geotechnics & Resources, Inc., of White Plains, N.Y., Aero-Service, Inc., of Philadelphia, and Fairchild Equipment & Camera Co., of Los Angeles. Although it's a cardinal principle of the Alliance that private investment shall be encouraged, these firms didn't get the work. The reason, succinctly stated, was this:

"Uncle's got it."

Uncle Sam, in this instance, was the U.S. Corps of Engineers. The Engineers, through their subsidiary, the Inter-American Geodetic Survey, have got the Latin American mapmaking business sewed up.

Another firm, Lockwood, Kessler & Bartlett, of New York City, had an eye on a $150-million irrigation project at Yaque del Sur in the Dominican Republic. The company ran into the same blank wall.

"Uncle's got it."

This time Uncle Sam was doing business under the alias of the Tennessee Valley Authority (TVA). That's a laugh because TVA despite its multitudinous activities, doesn't do irrigation work. TVA officials, upon inquiry, could name only one member of its staff with previous experience in irrigation.

An engineering firm in Minnesota, not anxious to have its name used, saw an opportunity to prepare drawings and specifics for a technical assistance facility in Trinidad. No use—"Uncle's got it." AID had already given the contract to the Agriculture Department.

Senator Milward Simpson, Republican, of Wyoming, who looks like a shrewd country lawyer but has studied at the Harvard Law School, took these and similar matters to the Senate floor last week. He noted with approval that the House of Representatives and the Senate Foreign Relations Committee had both recommended the encouragement of private enterprise in technical assistance under the new Foreign Assistance Act. But he noted with disapproval that a section of the existing law, the Humphrey amendment, contradicts these recommendations by authorizing AID to hire Federal agencies, as illustrated in the given examples.

Veteran Washington legislators have become purblind to such inconsistencies. In this session, it's often been the new men—like Simpson—who see why Federal enterprise keeps grabbing the business which should go to free enterprise. Simpson offered an amendment to block the loophole. He had an airtight case. Senators Fulbright, Humphrey, Morse, Javits, and Aiken supported the Simpson amendment which passed without making much news on the voice vote.

So far, so good—but the Kennedy administration has a record of talking private enterprise, but of favoring Federalia. It's going to take constant vigilance by business, and business-minded legislators, to see that American capitalism—a term we should use more often—gets the call over socialism. Senator Morse, Democrat of Oregon, who has led this year's tighten-up fight on foreign aid, congratulated Simpson, saying:

"I am trying to move the bureaucrats out and the entrepreneurs in."

That's the language of capitalism. We need more of it.

Mr. SIMPSON. Mr. President, will the Senator from Idaho yield?

Mr. JORDAN of Idaho. I yield.

Mr. SIMPSON. Not only am I flattered, but I am also honored to have the distinguished Senator from Idaho place in the Record this all-too-flattering editorial. I express to him my appreciation for his courtesy in doing so.

Mr. JORDAN of Idaho. I thank the Senator from Wyoming. He justly merits the praise Mr. Alexander gives him.

ECONOMY IN THE SENATE

Mr. ROBERTSON. Mr. President, before our distinguished President sends us, next week, an economy budget, I wish to commend him for advocating economy in spending, and to say that I think that economy, like charity, should begin at home. By that, I mean that for Senators, economy should begin on the floor of the Senate, with respect to the cost of the items they insert in the Congressional Record.

I have been informed by the chairman of the Joint Committee on Printing that it now costs between $90 and $91 a page to print material in the body of the Record. For many years there has been a rule that the majority of the items printed in the Appendix of the daily Record are not included in the bound volumes of the permanent Record. In addition, if the material to be printed in the Appendix will require more than two pages, an estimate of the cost must first be obtained and stated, and special permission must be obtained.

For many years, Senators have had the privilege of asking unanimous consent to have exhibits included in the Record with their remarks, without taking the time of the Senate to read the exhibits. Notably, last year there developed a tendency to include in the Record material that no Senator would take the time to read while standing on the floor. The question is, "Who would then read it?" The answer is: "Nobody." Those extensions would cover 20 or 30 or more pages. This year, I see a tendency to continue that practice; on one occasion, 22½ pages were put in the Record, whereas I doubt that anyone will ever read much of it—or perhaps none of it will be read.

Yesterday, there was printed in the Record a magazine article which consisted primarily of editorials published last summer. It required 11½ pages of the Record, and cost the taxpayers $1,000.

Mr. President, with all due deference, I suggest to Senators that if we are to have an economy program, it should start on the floor of the Senate. Let us remember that in the colonial days, Benjamin Franklin said, "Take care of the pence, and the pounds will take care of themselves."

ORDER OF BUSINESS

Mr. MORSE. Mr. President——

The PRESIDENT pro tempore. Under the order previously entered, the Senate will now——

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senator from Oregon be recognized for 1 minute.

The PRESIDENT pro tempore. Without objection, it is so ordered.

THE PANAMA ISSUE—ADDRESS BY SENATOR MORSE

Mr. MORSE. Mr. President, yesterday, I made a major speech on the Panama issue. A very accurate report of the speech appears this morning in the Baltimore Sun. I ask unanimous consent that the article be printed at this point in the Record, because I think at least one note should be made of the fact that at least one newspaper made some comment on the speech, contrary to the Pravda tendencies of the Washington Post, the New York Times, and the rest of the kept press of America.

There being no objection, the article was ordered to be printed in the Record, as follows:

Morse Suggests United States Build a Second "Panama" Canal

(By Howard Norton)

Washington, January 14.—Senator Morse, Democrat, of Oregon, today urged that the United States consider building a second "Panama" canal, somewhere outside Panama.

The chairman of the Subcommittee on Latin American Affairs of the Senate Foreign Relations Committee suggested that this might have a sobering effect on the Panamanian authorities.

TAKE A LONG LOOK

A second canal, he noted in a speech on the floor of the Senate, would take much of the traffic away from the present canal, and this prospect should make Panama "take a long look at the contributions we have made."

"All of Latin America should know," Morse told the Senators, "that it is quite feasible to have a sea-level canal suitable for all modern shipping."

He suggested that routes for such a canal, which would be far better suited to modern shipping, could be found in Costa Rica, Nicaragua or some other Latin American country.

With modern explosives, methods and machinery, he noted, the second canal could be created in a relatively short time.

RESIDENTS ALSO TO BLAME

But Morse made it clear that while he lays much of the blame on Panama, the American residents in that country and its Canal Zone also bear a heavy share of the blame for the current trouble.

The Canal Zone is Panamanian territory, occupied by the United States under a treaty; it does not belong to the United States, he pointed out.

But he charged that the Americans living there are beginning to act like the French acted in Algeria.

It's all right to fly the American flag over American Government installations, the Senator argued, but "keep it out of the soil."

He accused both the students, who started the latest flag incidents, and their parents, who came to their defense, of acting unwisely.

The Americans in Panama—Americans in Government employ—are permitted to stay so long that they begin to feel they have a vested interest in the country and in their jobs, he said.

"Give them a 2-year rotation"—both Government civilian employees and military personnel—and that would help solve the trouble, Morse said.

He told the Senate that the pay differential between Americans and Panamanians, the tax benefits enjoyed by Americans living in Panama, plus the liberal "hardship" allowances many Americans living there receive, all have helped stir up the ill feeling.

DIRKSEN JOINS IN

Senator Dirksen, Republican, of Illinois, echoed some of the sentiments voiced by the Oregon Democrat, and added a few of his own.

He reminded the Panamanians that if President Theodore Roosevelt had not acted quickly to extend U.S. recognition to the rebels in Panama, that country might still be just a province of Colombia.

He reminded them, also, that if it had not been for the self-sacrificing medical work of men like Dr. Walter Reed, it would still be impossible to live in Panama, because of the widespread malaria and other tropical diseases.

Dirksen noted, also, that the United States, after first setting the yearly payments to Panama for use of the canal at $250,000, voluntarily boosted the payment to $400,000 and still later to nearly $2 million.

"I think we've been quite generous," Dirksen snapped, adding, "I'm getting pretty tired of all this."

Mr. MANSFIELD. Mr. President, I suggest the absence of a quorum.

The PRESIDENT pro tempore. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the order for the quorum call may be rescinded.

The PRESIDENT pro tempore. Without objection, it is so ordered.

JOINT MEETING OF THE TWO HOUSES TO HEAR AN ADDRESS BY THE PRESIDENT OF ITALY, ANTONIO SEGNI

Mr. MANSFIELD. Mr. President, for the information of the Senate, it is anticipated that the distinguished chairman of the U.S. Session of the Canada-United States Interparliamentary Group, the senior Senator from Vermont [Mr. Aiken], will, at the conclusion of the address to be delivered by the President of Italy to a joint meeting, bring to the floor of the Senate our distinguished colleagues from the House of Commons and the Senate in Canada.

I would hope that as many Senators as possible would return to the Chamber at the conclusion of the address by the President of Italy, because there will be some business to transact and we would like to have a reasonably good attendance at that time.

Mr. President, I move that the Senate stand in recess so that Senators may proceed in a body to the Hall of the House of Representatives to hear an address by the President of the Republic of Italy, Antonio Segni. At the conclusion of his address, the Senate will return to its Chamber.

Mr. HOLLAND. Mr. President, will the Senator from Montana yield before his motion is acted on?

Mr. MANSFIELD. I am glad to yield.

Mr. HOLLAND. I believe the Senator from Vermont [Mr. Aiken] was about to make a statement. I hope he will, because about 30 delegates from the Canadian Parliament are expected to be present, and I believe that a representative attendance of Senators should be present in the Chamber to meet them.

The motion was agreed to; and (at 12 o'clock and 11 minutes p.m.), the Senate, preceded by its Secretary (Felton M. Johnston), its Sergeant at Arms (Joseph C. Duke), and the President pro tempore, the Senator from Arizona [Mr. Hayden], proceeded to the Hall of the House of Representatives, to hear an address by the President of the Republic of Italy, Antonio Segni.

(The address by the President of Italy, this day delivered by him to the joint meeting of the two Houses of Congress, appears in the proceedings of the House of Representatives on pp. 439–441.)

At 1 o'clock and 6 minutes p.m., the Senate reassembled, and was called to order by the President pro tempore.

VISIT TO THE SENATE BY MEMBERS OF THE CANADIAN PARLIAMENT

Mr. AIKEN. Mr. President, today the Senate is signally honored by being visited by 24 Members of the Parliament of Canada, our closest friend among all the nations, and one with which we have more than 3,000 miles of common boundary.

Our friends from the north have been here to discuss matters which pertain to their country and ours—both matters in which we have a cooperative interest and some matters in which we have competitive interests.

At this time, I wish the Record to show the presence in the Senate Chamber of these distinguished visitors. We appreciate their visit far more than can be expressed by mere words.

I take pleasure in introducing them to the Senate. Following their introduction, luncheon will be served in the reception room.

First, I am delighted to introduce to the Senate the Speaker of the Canadian Senate, Hon. Maurice Bourget. He and I are really neighbors, for his home is only a short distance across the boundary between the Province of Quebec and Vermont. He is cochairman of this parliamentary conference. [Applause.]

The other Members of the Canadian Senate who are visiting the Senate today are: Hon. M. Wallace McCutcheon, a former member of the Canadian Cabinet, as are several of the others whom I shall introduce. [Applause.]

Hon. W. H. Taylor. [Applause.]

Next is a lady Senator, Hon. F. Elsie Inman, who, I believe, has attended the delegation meetings for as long as I have. [Applause.]

Then we go to the Pacific coast, where Hon. Sydney J. Smith represents British Columbia. [Applause.] I know that his record is as good as mine in attendance at the seven Parliamentary Conferences which have been held during the past few years.

Last, but not least in the Senate, Hon. M. Grattan O'Leary. [Applause.] As his name might indicate, Mr. O'Leary is very plain spoken in discussions. We are very happy that he is with us.

Now I come to Members of the House of Commons from Ottawa. I present, first, the Speaker of the Canadian House of Commons, Hon. Alan A. Macnaughton. [Applause.] He is a neighbor of mine. He lives just across the Vermont border in the Province of Quebec. He is also cochairman of the delegation meetings.

Hon. Michael Starr, another member from New Brunswick, is an ex-Cabinet member of Canada. [Applause.]

Hon. J. Waldo Monteith, who also has been a Cabinet member. [Applause.]

Hon. Paul Martineau, who is also an ex-Cabinet member and who has almost been something else—almost. [Applause.] He has held a prominent position in the Canadian Government. When I said "almost" facetiously, we anticipated that he might be Speaker of the House of Commons. He served as Deputy Speaker.

Now we come to Mr. Herman M. Batton. [Applause.]

Mr. W. B. Nesbitt. [Applause.]

Mr. Jack McIntosh. [Applause.] In Vermont we think a great deal of the name "McIntosh." We sell about a million bushels a year of the MacIntosh apple, easily the best apple grown. I believe the applause is for you, Jack, and not for the apple. [Laughter.]

Mr. Robert Thompson. [Applause.]

Mr. Lucian Lamoureux. [Applause.]

All the Canadian political parties are represented in this delegation; but, as sometimes happens in the United States, it is difficult to tell from the appearance of a member to which party he may belong. So I am not trying to identify any of our guests by party affiliation.

Mr. Stanley Knowles. [Applause.]

Mr. James Byrne. [Applause.]

Mr. Maurice Sauvé. [Applause.]

Mr. A. J. P. Cameron. [Applause.]

Mr. Andrew Brewin. [Applause.]

Mr. R. G. L. Fairweather. [Applause.]

Mr. Henry Latulippe. [Applause.]

The next member, who received her education in the United States, is Dr. Pauline Jewett, a graduate of Harvard. [Applause.]

Finally, Mr. Jean Chretien. [Applause.]

I know that the conferences have been attended 100 percent, which should be a good object lesson for some of our own committees. The attendance has been exceptionally good in spite of the fact that because of certain emergencies that arose two or three members were unable to attend all the sessions.

There have been fruitful discussions, and we have become well enough acquainted so that when the discussions were over, everyone wished to talk some more. That is a sign of a good meeting.

Once more, I wish to tell our friends how glad we are that they could be with us.

Mr. MANSFIELD. Mr. President, will the Senator from Vermont yield?

Mr. AIKEN. I am happy to yield.

Mr. MANSFIELD. I deem it an honor and a privilege to join the senior Republican in this body, the distinguished senior Senator from Vermont [Mr. AIKEN], chairman of the Subcommittee on Canada of the Committee on Foreign Relations. To the best of my knowledge, under a Democratically controlled Congress, he holds the only chairmanship—a well-deserved honor.

Mr. AIKEN. A rather well-controlled Democratic Congress. [Laughter.]

Mr. MANSFIELD. We are delighted to have our colleagues from Canada in the Chamber.

We are especially happy to have Speaker Bourget and Speaker Macnaughton present, because they bring together neighbors who really know enough about each other so that once in a while they can quarrel and get away with it.

The Senator from Vermont [Mr. AIKEN] has mentioned the fact that 3,000 miles of border lie between us. It is a border which is indefensible because it needs no defense.

Coming from the State of Montana, I should like to say, as I have done so many times, that my State has the longest border with Canada. We extend 700 miles along the southern part of Canada, bounded by British Columbia, Alberta, and Saskatchewan. We have close and intimate ties with our neighbors in those three Provinces. We celebrate "Canadian days" throughout the year because we like to get Canadian dollars, too, occasionally.

It is good to have you here. You do us honor by visiting us in this Chamber. We are extremely happy that the Interparliamentary Conferences which began under the chairmanship of the distinguished Senator from Vermont [Mr. AIKEN] and have continued under his leadership since that time, have been so fruitful in bringing about better understanding and greater tolerance between our two peoples.

I hope that this will not be the last time you will visit this Chamber. I only hope that the next time you visit the Senate, at least some of you will sit on the Democratic side of the aisle, so that we may have a fair representation, too.

Thank you very much.

Mr. HOLLAND. Mr. President, will the Senator from Vermont yield?

Mr. AIKEN. I yield.

Mr. HOLLAND. Mr. President, I have enjoyed exceedingly the great pleasure of meeting these fine Canadian visitors.

I cannot claim, as can the distinguished Senator from Vermont [Mr. AIKEN], to be a next-door neighbor to Mr. McIntosh, whose name has been given to the best Vermont apple; and I cannot claim, as can the majority leader, to have the longest border with Canada. But I can claim that we have our full share of Canadian visitors every year in the State of Florida which in part I represent, and that we are proud to have retained many thousands of them as citizens. They are among our finest citizens.

So, from this side of the aisle, I extend the warmest possible welcome. We hope it will be warm when our distinguished friends reach Florida tomorrow afternoon, so that the warmth of our welcome can be more evident than in the present environs of Washington.

I have known of no occasion in which the complete, nonpartisan nature of an important operation of the Senate and of the House of Representatives has been so well evidenced. In the Senate the distinguished Senator from Vermont has been chairman of the delegation and chairman of Committee No. 1. The distinguished Senator from North Dakota has been chairman of Committee No. 2. Senators on this side of the aisle, of whom there have been several of us, have been quite content and happy to serve under their leadership.

I hope these distinguished Senators of the minority party have enjoyed their leadership fully, because I do not believe they have had the opportunity to enjoy it, so much as they should, perhaps in other activities of the Senate.

We are delighted to have had these Canadian ladies and gentlemen with us. Speaking only for a part of this great Nation, which may be farthest from Canada, may I say that your coming here and our visits with you have been but a symbol—and a significant one—of the warm friendship which prevails between your great country and ours, and which we hope will always prevail, because the might of these two countries together and the friendship of these two countries together have a weight in world affairs which cannot be measured by any ordinary method. It speaks for itself as being one of the great friendships of our troubled world.

Mr. AIKEN. I deeply appreciate the remarks of the Senator from Florida. The Senator has performed yeoman service as a member of the U.S. delegation, as have all the other members, except the two who were interrupted, one by sickness and one by an emergency.

I appreciate the fact that in the presence of our distinguished visitors from Canada, the center aisle of the Senate Chamber is eliminated, just as we always eliminate the international boundary between the United States and Canada when we are thinking of North American welfare and the welfare of our two countries.

When I introduced Mr. Andrew Brewin and Mr. Jean Chretien, they were outside the door and I was a little too fast for them. They are now in the Senate Chamber. The Canadian delegation has a 100 percent attendance. Let that be a lesson to us.

Mr. YOUNG of North Dakota. Mr. President, I wish to join Senator AIKEN and say what a pleasant experience it has been to work with so many distinguished Members of the Canadian Parliament. It has been a wonderful experience. I should like to take the present occasion to say a word about the International Peace Garden, which is located on the border between Canada and the United States. The garden is dedicated to the peace which has existed between our two countries for more than 150 years.

Mr. President, the purpose of the International Peace Garden can be best summed up by quoting the beautiful words inscribed on the cairn located in the center of the Peace Garden astride the international boundary:

> To God in His glory—we two nations dedicate this garden and pledge ourselves that as long as men shall live, we will not take up arms against one another.

The International Peace Garden is one of the most beautiful spots in the world. It is visited each year by thousands of people from the United States and Canada. Construction is continuing through the financial cooperation of the Canadian Government, the Province of Manitoba, the State of North Dakota, and the Government of the United States.

I extend to everyone an invitation to visit this beautiful spot.

Mr. MANSFIELD. Mr. President, I ask unanimous consent, as a mark of respect and honor, that the Senate stand in recess subject to the call of the Chair for the purpose of allowing Senators an opportunity to meet our Canadian visitors.

There being no objection, the Senate (at 1 o'clock and 23 minutes p.m.) took a recess subject to the call of the Chair.

At 1 o'clock and 29 minutes p.m., the Senate reassembled on being called to order by the Presiding Officer (Mr. WALTERS in the chair).

Mr. MANSFIELD. Mr. President, is the Senate still in the morning hour?

The PRESIDING OFFICER. The Senate is still in the morning hour.

MESSAGE FROM THE HOUSE—ENROLLED BILL SIGNED

A message from the House of Representatives, by Mr. Bartlett, one of its reading clerks, announced that the Speaker had affixed his signature to the enrolled bill (H.R. 7406) to provide for increased participation by the United States in the Inter-American Development Bank, and for other purposes, and it was signed by the President pro tempore.

IMMIGRATION REFORM AT LAST

Mr. JAVITS. Mr. President, in the past 2 days the end of a long and frustrating road toward immigration reform began to come into view. I am referring, of course, to the hearings which were held on Monday and Tuesday of this week before the Immigration Subcommittee of the Senate Judiciary Committee on several bills to amend the Immigration and Nationality Act of 1952. Because official business abroad, in connection with the NATO Parliamentarians' Conference, prevented my appearing, along with the other sponsors of immigration reform bills, at these hearings, I should like to add a few words here to the formal statement which I am submitting to the subcommittee for its record.

My first concern is that after so many years of manifest injustice and heartbreak, which every Member of Congress has seen in his constituents' mail on this subject, we shall at last enact a substantial modification of the wholly arbitrary and antiquated national origins quota system. The record of the Congress in the past 10 years, in trying to relieve the enormous hardships which have been imposed by that rigid quota system, has been a sorry one indeed. Year after year we have been forced to settle for piecemeal measures designed to patch up the worst individual situations. In each one of these cases we have been told that this is the best we could get and that, if we did not accept these patchwork solutions and insisted instead on real immigration reform, even these palliative measures would be withdrawn. That these threats were effective is another vivid testimonial to the inadequacy of Senate procedures which often permit a minority of Members of the Senate, who oppose any real reform of the immigration system, to stymie the majority, which I believe is clearly in favor of such reform, and what is even worse, to prevent a vote to determine whether in fact a majority is in favor of reform.

Typical of the kind of approach the Congress has been forced to take in recent years in the record of piecemeal amendments to the Immigration Act passed in the three Congresses:

Public Law 85–815, adoption of alien orphans and their admission.

Public Law 85–700, authorizing Attorney General to adjust status of bona fide nonimmigrant aliens to permanent residence status.

Public Law 85–697, naturalization of adopted children and spouses of missionaries abroad.

Public Law 85–531, cancellation of departure bonds for nonimmigrants whose status is changed.

Public Law 85–559, status adjustment of Hungarian refugees.

Public Law 85–892, additional visas authorized for certain distressed Portuguese and Netherlands citizens in Azores islands.

Public Law 86–129, extension of residence exemption for loss of nationality purposes.

Public Law 86–363, entry of certain relatives of U.S. citizens and lawfully resident aliens—updating fourth preference.

Public Law 86–648, resettlement of refugees and escapees and adjusting status of nonimmigrant aliens and extension of nonquota immigrant visas to orphans.

Public Law 87–301, eligible orphans for adoption, excludable aliens, jurisdiction to nationalize, loss of nationality, judicial review of orders of deportation, privileges for veterans of Korean hostilities.

Public Law 87–293, admission of aliens for training Peace Corps members.

Public Law 87–256, Cultural Exchange Act of 1961, section 109.

Public Law 87–885, entry of alien skilled specialists and certain relatives—updating first and fourth preferences.

Against this sorry record, which also includes the need for hundreds of private immigration bills, the hope held out by the hearings this week is a major revision of the act, particularly the national origins quota system based upon the 1920 census. I am a sponsor and cosponsor of three major proposals in this area in the 88th Congress. On July 2, 1963, I introduced, along with Senators KEATING, MORSE, SALTONSTALL, CASE, and SCOTT, S. 1823. I cosponsored S. 747, introduced by Senator HART, and S. 1932, the administration bill which Senator HART later introduced. Other bills for the same purpose have been introduced by other Members. I fervently hope that in the welter of proposals the main point is not lost sight of: That the national origins quota system must be changed in a meaningful way in this Congress.

I believe the major changes which must as a minimum be made are as follows:

First. Modernize the quota number allocation system so that either the quota system itself is gradually eliminated, as the administration bill proposes, or quotas are placed on a current status, based now upon the 1960 census and reallocated after each decennial census, and then pooled when unused. This would eliminate the severe discrimination against the southern European countries in the present law, which imposes waiting lists dozens of years long on southern and eastern European immigrants while leaving unused and unusable quota numbers for the British Isles and other northern European nations.

Second. Eliminate the quota provisions which discriminate against Asiatic and colonial peoples, a kind of racial discrimination which is akin to that being fought in the great civil rights revolution now going on in our Nation.

Third. Establish a Board of Visa Appeals in the State Department to review questions involving the denial of visas and the application or meaning of State Department regulations applying to immigration.

Fourth. Eliminate the discrimination inherent in the present law's treatment of naturalized, as distinguished from natural-born citizens.

These are, in my judgment, the minimum requirements of a meaningful bill.

Finally, Mr. President, this represents the freedom of movement of people in the world for which we are contending for so strongly in the Atlantic Community. Though this reform of the immigration law has been buried for so very long, it still remains a vital necessity in the international field, as civil rights legislation does in the domestic field, and is very much the same kind of issue. We are discriminating by not offering to certain people in the world, whatever may be their skills, the hospitality of our country, people from southern and Eastern Europe, from the Asia-Pacific triangle, those in the Caribbean. This is the time to end such discrimination. I welcome the movement in that direction. I will lend myself to it. I am delighted that the President is with such a movement. I hope he will stay with it until it is done.

The act can be amended now. The climate is right for it. We must do it now. It is almost too late, considering the disrepute the United States has suffered in the eyes of the world and the injustice to our citizens whose families and relatives are abroad and who are adversely affected by the existing law.

I urgently request that the hearings begun this week with testimony from Senators be resumed as soon as possible with public witnesses and then concluded with the reporting of a substantial immigration reform bill at long last.

THE CANAL CRISIS

Mr. MANSFIELD. Mr. President, I ask unanimous consent that I may proceed for an additional 5 minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. MANSFIELD. Mr. President, we are involved in a most unfortunate situation in Panama. It is to be hoped that the efforts of the Organization of the American States will restore a mutually acceptable peace and order. Certainly the prompt action which the President took at the outbreak of troubles was most constructive. He engaged himself directly in talks by telephone with the President of Panama in an effort to keep the situation under control. He dispatched to Panama his closest aids on Latin American affairs.

In retrospect, I suppost the incidents which took place or something akin to it might have been anticipated. There have been periodic clashes in and around the Canal Zone, going back almost to the beginning of the century, when the canal was built. Such incidents are almost inevitable when a great and wealthy nation occupies a position of conspicuous privilege in an alien land characterized by great squalor and poverty. And the contrast between life in the Panama Canal Zone—the strip of land 10 miles wide along the isthmus and in the Panamanian towns and cities along the border—has to be seen in order to appreciate how stark it is.

In retrospect, the clash would appear to have been inevitable, too, in the light of the rising tide of nationalism in a small land which for some years has been breaking against the granite wall of a special position regarded as essential to a great nation's security and the discharge of its hemispheric responsibilities. To be sure, communism and Castroism have sought repeatedly to manipulate this tide and the emotional force which it contains. But we will only confound the confusion if we interpret the difficulty wholly or even largely in these terms.

Finally, in retrospect, this incident might have been anticipated in the light of the too long ignored need for expanded facilities for a water crossing between the Atlantic and the Pacific in the narrow southern promontory of North America.

I was interested to note that yesterday the distinguished senior Senator from Oregon [Mr. MORSE] emphasized this need. I shall try to deal with the question a little further. I commend him for raising the question of a second canal, because the time is not too distant when there will be need for a canal of an entirely different character from the one now in operation.

In the present incident, the first order of business, as it has been said, is to dampen passion, to prevent further bloodshed, and to restore order in the region of the zone. But in doing so—and there is every reason to hope that we shall do so—only a breathing spell would have been obtained. We would have achieved nothing of lasting value if this first order of business becomes the last. Too often in the past that has been the sequence. It is to be hoped that such will not be the case in the present incident. If, instead, the significance of this deplorable drama stays with us even as the incident recedes, it may yet serve a constructive purpose.

What this incident tells us in its stark tragedy, what it cries out to us to do is to get busy and to find as quickly as possible reasonable solutions to the conditions which precipitated the tragedy. As noted, there are three basic factors involved:

First. There is the matter of the position of conspicuous privilege in the zone.

Second. There is the matter of the clash of emotional nationalism in a small country and the hard-rock security requirements of a great power with immense hemispheric responsibilities.

Third. There is, finally, the matter of the overdependence of world shipping—our own included—on what is in reality becoming an outdated and inadequate monopoly of transit facilities between the Atlantic and the Pacific in the Caribbean area.

Let me consider each of these factors briefly. The zone itself contains over 30,000 nationals of the United States. These are for the most part workers who operate the canal and their dependents and employees in the various services, such as education and public health, with which the American community in the zone is supplied. The figure also includes several thousand military personnel and dependents associated with the defense of the canal and other military functions in the region.

It is not suggested that these Americans ought to be required to live in squalor and poverty in order that the conspicuous position which they now occupy might be mollified. They have the same right as the rest of us to live in dignity and in decency, and this Government, whose employees they are, has a responsibility to see that they are not denied this right. They also have the same responsibilities as their fellow citizens and if need be they should be reminded that they are not a privileged group apart from the rest of us. Like the rest of us, they are representatives of our Government and employees of the people of the United States.

I turn next to the second factor underlining this deplorable incident—to the clash of the Panamanian nationalism and U.S. security interests and responsibility in the Western Hemisphere. In the present circumstances it seems highly unlikely that this source of tension can be entirely eliminated. But there is no reason whatsoever that it could not be minimized—no reason, provided that we delineate clearly our real national interests in the zone; no reason, provided we do not entrap ourselves in an emotional plot which was already becoming hackneyed in the days of Rudyard Kipling.

We are not in the Panama Canal Zone just to show the American flag which we do and will continue to do. We are not in the zone just to discharge some vague white man's burden. We are not in the zone just to lay claim to a piece of Panamanian real estate.

We are in the Canal Zone solely to operate efficiently and effectively a canal which we built and which is of immense importance to the world's commerce and to our own as a part of it. We are in the zone to see to it that this canal is available for use—as it must be—for safeguarding the security of the United States and the Western Hemisphere. To be sure there can be honest differences of opinion as to how this objective may best be furthered in the light of any given issue. But what is essential is that we consider each issue—whether it be flag flying or pay rates as between Panamanian and United States nationals in the zone, or annual payments to Panama and shipping tolls or commissaries, or policing, or whatever—in these terms.

The way not to minimize the difficulties which are bound to arise is to confuse our real objectives with question of a false pride or prestige or hypothetical considerations of the meaning of sovereignty.

The way not to minimize these difficulties is to confuse the interests of the United States as a whole with a personal interpretation of those interests by U.S. nationals resident in the zone.

The way not to minimize these difficulties is to allow specific problems as between ourselves and the Panamanians to fester until they erupt in violence as they have recently done.

The way not to minimize these difficulties is to permit the continuance of the present bureaucratic division of authority and responsibility in and around the zone as among the directors of the Canal Company, the military commands, and the American Ambassador so that there is no single source in the area of the actual U.S. position and no single source of responsibility in any given situation.

Finally, Mr. President, I think it is high time that we face the fact that the Panama Canal is, or soon will be, outmoded in terms of the needs of world shipping and of the defense of the hemisphere. It is moreover destined to become increasingly inadequate as these needs grow in the years ahead. I would point out, for example, that oil tankers which have been built in recent years and which are being built are already too immense for the canal. I would point further that the larger ships of the Navy are in the same position.

I would point out that a single atomic explosion could put the canal, which is not a sea level waterway but which is based on an intricate lock structure, out of commission indefinitely. For years we have discussed the need for a second sea-level canal. Sites in Colombia, in Nicaragua, and elsewhere have been studied.

In this connection it has been invariably assumed that the United States would build the second canal and operate it in substantially the same fashion as is now the case in Panama. As far as I am concerned one headache of this is enough for one country.

I would most respectfully suggest to the Senate that we consider an alternative approach to this problem. There has been one site for which preliminary surveys have been made but which has been little discussed. I refer to the sea level route across the Isthmus of Tehuantepec in southern Mexico. While the route as surveyed by Mexican technicians is a long one, construction appears entirely feasible in an engineering sense and in a financial sense as well, particularly if atomic explosives can be used for much of the excavation. Mexico has a strong national interest in the construction of such a canal because of its own topographical shipping problems. Mexico has the stability, the manpower and the skills which would be required for the building and operation of a trans-Mexican canal. What it lacks is sufficient capital and, perhaps, certain highly technical skills which might be available elsewhere.

It seems to me, Mr. President, that we would be well advised to consider the possibility of a canal across Tehuantepec, built and operated by the Mexican Government. Not only the United States but every maritime nation would have a direct interest in such an undertaking. Indeed, all nations which depend to a greater or lesser degree on maritime shipping would have an interest. It is by no means improbable that a consortium of the principal maritime nations plus the international lending agencies might find this project of sufficient feasibility and interest to all to supply to Mexico—with an excellent credit rating—what might be necessary in funds and skills. If it is feasible the world would find an answer to what is likely to be a most critical shipping need in the near future.

The Mexicans could be counted on, I believe, to administer the affairs of a canal across their territory with a high regard to the international stake involved and with a mature sense of responsibility. For us, Mr. President, the existence of a second water facility between the Atlantic and Pacific would be of immense value from the point of view of security and commerce. And in the context of the availability of an alternative, there is every reason to hope that many of the recurrent and presently insoluble difficulties in Panamanian-United States relations will fall into better perspective.

Mr. JAVITS. Mr. President, first, if the Senator from Montana will allow me to do so, I should like to join him in support of the very interesting suggestion he has made for a canal route through Mexico.

I believe that Mexico, perhaps more than any other nation in Latin America, is reaching the point in economic development where it is awakening to what it can do by way of helping other Latin American nations.

I have visited Mexico, and I have had a good deal of experience in dealing with its people. What the Senator has said is a very interesting and exciting development. I am sure that, with his international experience, the Senator from Montana would be aware of some international body that would assure international accessibility to the canal and the assurance of fair charges at all times. Such an arrangement would be entirely consistent with the sovereignty and dignity of Mexico.

The other point I should like to suggest to the Senator from Montana is with reference to Panama. No American can be anything but deeply saddened by what has taken place in Panama—the deaths and woundings of Americans and Panamanians.

I hope the Panamanian people will understand that, with all these deaths, and the tragedy and the sadness of it all, every country must have some place where it must stand, from which it cannot retreat further.

In my judgment, one thing will help our relations and help us in the negotiations, which I am sure will be carried on in the greatest reasonableness, and that is that, notwithstanding the disparity in size and power of the two countries, the people of Panama will understand that there comes a time in the affairs of nations, as in the affairs of men, when the basic interest and security of a nation must be safeguarded. Altogether too often this means that some people are killed or wounded. However, this fact does not vitiate the justness and essentiality of the fundamental point involved, and that is the indispensability of a canal link between the two coasts of the United States.

I am sure the Senator from Montana, whom I love and respect, and who has this in mind, knows that the people of Panama understand the fact that a great nation can have its back against the wall, too. We can either have the Canal Zone overrun or we can stand and defend it. There is an opportunity for negotiation and an opportunity to reach an adjustment. I hope the people of Panama understand that fact.

I join the Senator from Montana in that expectation; also in his support for our President in his negotiations, which should be characterized by magnanimity and morality, which we feel is so characteristic of the United States, and which we want to make evident in every one of our acts.

Mr. President, I ask unanimous consent to have printed at this point in the RECORD an editorial entitled "The Panama Lines Harden," published in the New York Times for today. The editorial generally proceeds along these lines of policy.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

[From the New York Times, Jan. 15, 1964]

THE PANAMA LINES HARDEN

In Panama the mobs are off the streets, the snipers have stopped firing, calm has been restored—and nothing has been settled. This is a major crisis in American-Panamanian relations in particular, and in Latin American affairs in general. Of course, Communists, Fidelistas and demagogs will take advantage of it. The United States has lost a battle over the Canal Zone. The problem is not to lose the war, or, in other words, not to lose the free and absolutely safe use of the Panama Canal whatever the outcome.

A new situation has arisen and it must be met with new policies and a revised treaty. This does not mean surrender to Panamanian demagoguery. The White House statement that "the United States cannot allow the security of the Panama Canal to be imperiled" is a sound requirement in present circumstances. If, however, it means that President Johnson is going to follow the "hard line" of the Eisenhower and Kennedy administrations and avoid any important treaty changes, a very difficult period lies ahead.

One of the major factors in this tragic affair is the presidential election to be held in Panama on May 10. It is inherent in Panamanian politics that votes are gained by castigating the United States and making extreme demands. This state of affairs antedated the Bolshevik revolution, let alone the Cuban revolution.

Thus, any definite settlement had better be put off until after the elections. Until then Panamanian leaders are going to make maximum demands. Moreover, if the Panamanians insist on a genuine diplomatic break with the United States it will not be possible to hold direct discussions with them as the White House suggests. Negotiations would have to be held awkwardly and slowly through the Organization of American States.

President Johnson and his advisers need, and should be given, time to think this problem out and decide what policies to follow. Meanwhile they are right to insist on not being "pressured" into treaty revisions by violence. If this explosion has done nothing else it has shown Washington how serious the Panamanian situation is, how bitterly feelings run, and how necessary it is to meet the crisis with understanding. A "hard line" will get nowhere.

Mr. MANSFIELD. I thank the distinguished Senator from New York. I agree with what he has said.

The President of the United States has handled this matter with skillful diplomacy and wise discretion, and his representatives in the negotiations have conducted themselves impeccably.

However, I feel that the need for a second canal has become increasingly evident. The idea is not new; it has been considered for many years. A number of areas for its location have been discussed.

I mentioned Mexico with a particular reason in mind. Of all the major countries in Latin America, it is, in my opinion, the most stable and most advanced; and its revolution is behind it. The Mexicans are trying to do the best they can to increase their gross national product, but are finding it quite difficult, because the lands in the north are semiarid, while the lands in the south are tropical and need much improvement before large blocs of people can adequately be induced to move there. In addition, the increased birth rate in Mexico has complicated the solution to these problems.

The construction of a canal would be one way in which a solvent government could undertake, if it so desired—and, of course, the decision would be its own—a project of this kind, which is needed, which would bring in revenues, and, most importantly, would be under the control of the country traversed by the waterway.

With all these factors in mind; with the demonstrated need of a second waterway in the immediate future, if not at the moment; and with the need for a sea-level canal rather than a lock-type canal, it seems to me that the most logical place for such construction would be Mexico. Surveys have been conducted on and off for many decades across the Isthmus of Tehuantepec. So I would hope that this proposal would be given careful consideration and, if found meritorious, that the Mexican Government would do what it could to further it.

SENATOR TOWER WRITES ON THE ALLIANCE FOR PROGRESS

Mr. SIMPSON. Mr. President, since its inception, the foreign aid program, America's monumental attempt to play Santa Claus to friend and foe alike, has run afoul of everything from the law to an indignant American public.

Writing in the January issue of Reader's Digest, the knowledgeable Senator from Texas [Mr. TOWER] authored a searching analysis of that portion of our foreign aid program which is presently subsidizing leftwing dictatorships in Latin America. Although the Senator confined his remarks to Latin America, the majority of his observations would be equally applicable to other areas around the world where American dollars are being used to shore up regimes whose actions are inimicable to a society of freemen.

While the administration "brass bands" the Alliance for Progress, Senator TOWER notes that it is "a paradox and an unhappy one that our dollars may be doing more harm than good."

Every American realizes that the Alliance was not intended as largesse to build a sinecure for Latin American dictatorships. It was engineered, and the administration which introduced it so stated, to be a stimulus to the investment of private capital in Latin America and the inauguration of broad social economic reforms there. After 3 unhappy years, it is apparent that American dollars have driven out private capital, not induced its inflow; subsidized dictatorships, not inspired democracy; and shored up political philosophies which are anathema to representative government.

As Senator TOWER so lucidly points out in quoting a Mexican businessman:

> Your Alliance is giving governments the money to buy up and operate as money-losing Socialist state monopolies scores of businesses that were formerly taxpaying parts of the free-enterprise system. It seems remarkable to some of us that the wealth of the American people should be used to undermine the very system that produced it.

Mr. President, I ask unanimous consent that this penetrating analysis by the Senator from Texas of the incongruities of our aid program be printed in the body of the RECORD.

There being no objection, the analysis was ordered to be printed in the RECORD, as follows:

LET'S STOP FINANCING SOCIALISM IN LATIN AMERICA

(A U.S. Senator takes a hard look at the destination of our aid dollars)

(By Senator JOHN G. TOWER)

At a time when the United States is pouring more foreign-aid money into Latin America than ever before, many of the countries that receive it slip further behind economically. It is a paradox, and an unhappy one, that our dollars may be doing more harm than good. As our aid dollars arrive, local capital takes flight for safer shores. The Alliance for Progress, which was intended to attract private capital and stimulate local investing, has committed some $2 billion in Latin America. But private Latin American capital continues to fly abroad.

Recently observers have concluded that something is basically wrong with our pattern of postwar aid to Latin America. In case after case, U.S. aid money is being used to harass and drive out free-enterprise capital by financing government seizures of private businesses. More frequently, our aid compensates for endless budget deficits caused by the very losses which nationalized industries incur. Here are examples:

In Uruguay not long ago, the Government nationalized a cement factory, buying out the private owners. Where did Uruguay get the money? From U.S. Treasury funds.

In February 1962, Gov. Leonel Brizola of the Brazilian state of Rio Grande do Sul seized a subsidiary of the International Telephone & Telegraph Co. Two months later President João Goulart negotiated a $131 million U.S. loan. Former Under Secretary of Commerce Philip A. Ray commented in his book "South Wind Red" that "any compensation paid by Brazil to the owners would inescapably be traceable to our foreign aid."

U.S. aid money used for socialistic ends not only frightens private capital and makes it want to flee—it actually finances the flight. Aid dollars have sometimes been used, as in Mexico, to set up stabilization funds to peg the currency at the government-set rate. Easy dollars keep overpriced currencies freely convertible, so that capitalists worried about local conditions have an incentive to sell out fast while the bonanza lasts. As one Mexican businessman commented, "The temporary strength your budgetary support gives these currencies enables local people to convert their money into holdings abroad, so we have less money here to build up our countries than we had before."

The Alliance for Progress, enthusiastically adopted by Congress 2 years ago, emphasized that Latin America itself would provide 80 percent of the capital for the program, with the remaining 20 percent—from the United States, Europe and Japan—required only as "seed corn." The $20 billion to be put up by the Alliance over 10 years, President Kennedy stated, was part of a "cooperative effort to satisfy the basic needs of the American people for homes, work and land, health and schools." The Alliance was to finance fundamental economic growth, support a social transformation and provide the nucleus for a great leap forward in private investment. Its obvious intent was to forestall the spread of communism by swiftly improving the hard lot of the common man.

Its economic concept seemed reasonable. In 1957, U.S. private capital in Latin America amounted to $8 billion. It provided 1 million jobs and paid Latin American governments $1 billion in taxes a year. Moreover, this investment was growing and European capital was not insignificant.

At Punta del Este, Uruguay, in 1961, Treasury Secretary Douglas Dillon predicted a glowing future under the Alliance, estimating that, while the flow of private capital would be slow in starting, the initial Alliance outlay of $600 million (plus additional commitments giving a first-year total of $1 billion) would stimulate U.S. private interests that year to bring in $300 million more. Preliminary figures show, however, that, instead of a new flow of U.S. private capital into Latin America, there was a net withdrawal of $60 million.

Equally staggering has been the flight of currency abroad. From Brazil alone the loss is estimated at $1 billion since the Alliance began. The outflow of capital from oil-rich Venezuela, menaced by Cuban-organized raids and terrorism, may well have been of similar size. As quoted in Time, a businessman in Quito, Ecuador, summed up the situation on the continent when he said, "If all the capital sent abroad would return, Ecuador could be well off. No basic foreign aid would be necessary."

Why is private capital leaving Latin America? High on the list of reasons are continuing political instablity; the menace of Castroism; and the hostility to private enterprise of Latin American governments that are under constant pressure for nationalization by left-wing groups. But the basic pattern of U.S. aid must bear some of the responsibility.

Since World War II, U.S. taxpayers' loans and grants to Latin America have amounted to nearly $8 billion. A large percentage of this money has been doled out to government treasuries, not for well-conceived plans to aid private enterprise, but to meet emergencies in a dreary effort to bail out countries that through unsound fiscal policies are in financial straits.

Week by week, newspapers detail fantastic losses run up by government-owned business enterprises in Argentina, Bolivia, Brazil, Colombia, and Venezuela; week by week, there are reports of vastly increased government deficits. And month by month, newspapers report "Special U.S. Loan" or "American Emergency Credits" or "Treasury Interim Grant" to one or another Latin American country. Bailout means that U.S. taxpayers pay to cover Latin American government losses caused by deficits in nationalized industries. In short, we underwrite socialism.

A Mexican businessman recently told a U.S. reporter, "Your alliance is giving governments the money to buy up and operate as money-losing Socialist state monopolies scores of businesses that were formerly taxpaying parts of the free enterprise system. It seems remarkable to some of us that the wealth of the American people should be used to undermine the very system that produced it."

In passing the Foreign Assistance Act of 1962, Congress directed that "nations should not be regarded as qualifying for U.S. assistance unless they understand the importance of private investment to their economic development and are ready to encourage such investment." That directive is being ignored. Venezuela, for example, has received over $300 million in U.S. aid despite the fact that a majority of its steel, cement, and various other plants are Government-owned—and lose an estimated $125 million a year.

In an effort to repair the wreckage left by Juan Perón's corporative state, the United States has given and lent Argentina—once by far the most advanced nation in the Southern Hemisphere—some $700 million. Still, Argentina remains deep in debt. Wages in nationalized industries have been paid as much as 3 months late, and most pensioners are further behind than that in receiving their checks. But expansion of state enterprises grows. A U.S. loan of $10,800,000, on top of a World Bank loan of $95 million last year, will allow the Government to become more involved in the electric-power industry.

Uruguay, once a prosperous country, is worse off than Argentina. The Government has a monopoly of—or competes with private industry in—electric power, fuels, alcohol, railroads, insurance, fishing, cement, hotels, airlines, and meatpacking. Last year the Inter-American Development Bank loaned the National Administration for Combustibles, Alcohol, and Cement $4,600,000 for expansion. Practically all of these Government corporations lose money. To date, U.S. aid to Uruguay totals $95 million.

In Mexico, Government investment in business in 1961 was shown by the Bank of Mexico to equal the amount invested privately. The Government owns the railroad and power industries, a diesel engine factory and virtually all air transport, plus parts of the petroleum industry, steel production, motion-picture exhibition (it just bought a chain of 300 movie theaters), chemical and petrochemical manufacture, fertilizer production, and so on, through a list of 533 activities.

Government purchase of these enterprises was financed to a large extent by loans from U.S. and interregional agencies, most of them channeled through the state-run Nacional Financiera. Much of a $130 million World Bank development loan to Mexico was used not to develop new electric power facilities, but to permit the Government to complete its power monopoly by financing the takeover of existing power companies from private owners.

The Hickenlooper amendment to the Foreign Assistance Act of 1962, was designed to discourage outright theft of industries. It denied aid to countries that confiscate North American property without compensation. But this amendment does not stop these countries from expropriating local businesses, thus wrecking their own free economies. Moreover, they are still free to expropriate U.S. businesses as long as they agree to pay for them. As we have seen, the money used for compensation frequently comes from the U.S. taxpayer.

How can we change our course in aiding Latin American countries so that the generosity of the people of the United States will not be betrayed?

We should stop subsidizing the operating losses of state industries.

We should refuse to finance prestige industries, such as steel mills, especially those which are the direct result of leftwing pressures.

We should insist that countries seeking aid mobilize their own citizens' resources before U.S. citizens put up their money.

Finally, we should honor the spirit of the Foreign Assistance Act of 1962, with its emphasis on refusing to help countries engaged in undermining the free enterprise system. We should actively discourage inflation and do all we can to promote a political climate favorable to investment of private capital in productive enterprises. That is the declared intent of all aid legislation and, if it is carried out, American dollars will no longer be used to advance the cause of socialism.

THE 75TH ANNIVERSARY OF SERVICE TO MICHIGAN BY SISTERS OF ST. JOSEPH

Mr. McNAMARA. Mr. President, the year 1964 marks the 75th anniversary of service to Michigan by the Sisters of St. Joseph. This teaching order of Sisters is located at Nazareth, Mich., near Kalamazoo.

In 1889, at the invitation of Msgr. Francis A. O'Brien, pastor of St. Augustine Parish, a group of 11 pioneer Sisters came to Kalamazoo, from Watertown, N.Y. Today, there are 779 Sisters on active duty in grade and high schools in five dioceses; and 90 Sisters are at the motherhouse in Nazareth, preparing for their future work as teachers. Their contributions to the archdioceses of Chicago and Detroit and to the dioceses of Lansing, Saginaw, and Grand Rapids include: Nazareth College, 6 hospitals, 72 schools and institutions. Among the latter are two highly accredited schools of nursing, two homes for dependent children, and a licensed child-placing agency. The Sisters also conduct vacation schools and after-school religious instruction for children attending public schools.

Actually, three historic centuries span the works of this congregation. Born of need, in LePuy, France, on October 15, 1650, the Sisters' appointed task was "the Christian education of the young and the direction of charitable works, such as hospitals, orphanages, and homes for the poor and the aged."

The Sisters' costume—or "habit," as it is called—of black robes and white guimpe is modeled after the dress worn by French widows of the 17th century.

In 1836, a small group of Sisters—driven out by the French Revolution and the atheistic rule following that event—came to St. Louis, Mo.; a group branched from there to Watertown, N.Y.; from there, 11 volunteers came to establish the now-flourishing community at Nazareth, Mich.

TRIBUTE TO THE LATE PRESIDENT JOHN F. KENNEDY

Mr. SALTONSTALL. Mr. President, at the suggestion of students and teachers at Swampscott High School, I ask unanimous consent to have printed in the body of the Record a splendid tribute in memoriam to our late President, John F. Kennedy, written by Lola Kramarsky, president of the National Hadassah.

There being no objection, the tribute was ordered to be printed in the Record, as follows:

In Memoriam—John Fitzgerald Kennedy, 1917–63

(By Lola Kramarsky)

Every church and every synagogue in this country was filled with mourners and worshippers on November 23, and for days thereafter. Yet America is said to be a secular country. America is said to be a Protestant country. Its President was a devout Catholic. America is called a factionalized country. Yet every American from north to south, east to west, from mansion to hut, from the mightiest to the humblest, was united in bereavement and tragedy, in bewilderment and sorrow, at the death of John Fitzgerald Kennedy, the man, and the President of the United States of America. He who strove to unify the country in greatness of purpose, in firmness of discipline, in nobility of resolution, as befits a nation of freemen, united them in mourning at his death; and in sorrow at the brutality and anarchy of his assassination and the hatred and lawlessness it spells.

President Kennedy was the symbol of courage and reason in a world riddled with fear and unreason. He was the epitome of brilliance, style, elegance, in a world grown drab and mediocre. He was the personification of youth and vigor in a world grown aged and weary. He added compassion to statesmanship and magnanimity to prudence. He wore leadership with grace, and authority with charm. Our allies saw in him an American-made symbol of hope for the future. Our adversaries saw in him America's strength, its pride, calmness, confidence, courage, and resolution.

He represented the highest aspirations of this land of freedom and greatness and voiced them in eloquent and inspiring phrases. And he understood how wide is the gap between man's aspirations and human performance.

A sorrowing nation has now only one thing to do. We must stand united behind the new President, each one of us, Christian and Jew, Negro and white. We must prove to ourselves, to our friends, and our foes that when John Fitzgerald Kennedy spoke of our hope for a world of liberty and equality, decency and justice, discipline and law, his was the authentic voice of the American people.

SMOOTH SWITCH TO NEW ORDER

Mr. SYMINGTON. Mr. President, not in my time has any public figure established with such rapidity the respect and good will that President Lyndon Johnson has created with the people of Missouri in the weeks he has held the highest office in our land.

In this connection I ask unanimous consent to insert at this point in the Record an article by John Cauley of the Kansas City Star entitled "Smooth Switch to New Order."

There being no objection, the article was ordered to be printed in the Record, as follows:

Smooth Switch to New Order

(By John R. Cauley)

Washington.—President Johnson now has completed with smoothness and startling effectiveness the first phase of his succession to the Presidency.

This first phase was a dramatic demonstration not only to this country but to the world that a President of the United States was on the job.

FULL STEAM AHEAD

Now the President is moving into the second phase—the actual operation and direction of the Government—which not only has many formidable difficulties but also many great opportunities.

In retrospect, the top aids of the President now appraise the transition from the tragic events of November 22 to the present as almost miraculous.

If on that fateful day there were no indications of actual panic in the country there were at least the risks that unless the helm was grasped quickly and surely, national morale would deteriorate and the country would be beset by nervousness, indecision, and even fear.

The Nation was apprehensive about what was going to come next. The dilemma was enormously complicated by the fatal shooting of Lee Oswald by Jack Ruby.

MOVES INTO VOID

It is fortunate for the country that Mr. Johnson stepped into the vacuum with tact, patience, humility, and decisiveness.

In many another country such a tragedy as befell Mr. Kennedy would have created a dangerous hiatus lasting for months. Thanks to Mr. Johnson and the U.S. system of succession, not here.

Now that continuity in the Government has been established, what are some of the current manifestations?

One is the assurances the President has given foreign leaders on the administration's stance and intentions.

KEEPS CAPABLE MEN

Another—and this is the more human and poignant side—is that the President has taken great care to merge the Kennedy staff with his own.

For example, Kenny O'Donnell, a close friend of Mr. Kennedy and his appointments secretary, is staying on in the same capacity. So are Ted Sorensen, the special counsel and speechwriter for Kennedy; Pierre Salinger, press secretary, and Larry O'Brien, liaison man between the White House and Congress.

Not only has Mr. Johnson shown compassion for these men who have been shaken by the tragedy, but he is a realist enough to know he needs their talents and dedication.

Most of the top aids the President has brought into the White House have stayed discreetly in the background.

Nevertheless, it is inevitable as the weeks go by that the White House will begin to show more and more Johnson's own character and image.

BIG JOB WAITING

Now as the second phase begins, the President faces monumental problems.

He will have to cajole and persuade Congress to pass civil rights and tax bills. He will have to fight hard to prevent the foreign aid bill from being emasculated.

In the field of foreign affairs, the situation is, as one close associate put it, "not good but not bad."

Latin America is perhaps the most serious challenge. There are also Vietnam and Laos and Berlin and Germany, and De Gaulle and the Common Market, all potentially troublesome.

There are also opportunities. There are, significantly, indications that the Russians are so preoccupied with their economic problems at home that they may be reluctant to embark on any military adventure and indeed even may be receptive to a pause in the cold war.

TASK IS FORMIDABLE

As for the President's personal life, his dawn-to-dusk activity has given the impression that this is an extraordinary performance forced upon him by the urgency of events.

The fact is that Lyndon Johnson has always been a prodigious worker who not only drives his staff hard but himself as well.

The President is up and ready for work at 6:30 o'clock every morning. For 2 hours he reads the papers, memos prepared by his staff and state documents.

DOESN'T BREAK STRIDE

Then comes a working breakfast, and after that the walk to the office where a day of bustling activity begins.

At the end of the ordinary working day the President sometimes takes a swim to relax, but often he does not get to sit down with his family to dinner until 8 or 9 at night.

His associates do not quite share the concern of outsiders that the President is driving himself harder than usual.

As one close friend puts it, "The President's staff will collapse before he does."

THE MARYLAND WELCOME OF PRESIDENT SEGNI

Mr. BEALL. Mr. President, yesterday the State of Maryland was grateful for the recent snowstorm at least in one respect, for it provided Maryland, and particularly Baltimore City, with the honor and pleasure of being the first to welcome one of the world's most able leaders and a true friend of this country, President Antonio Segni and his party.

In addition to his lovely and charming wife, President Segni was accompanied by Foreign Minister Giuseppe Saragat and others. The distinguished visitors were warmly greeted by Mayor McKeldin, Thomas D'Alesandro 3d, president of the Baltimore City Council, the Very Reverend Joseph Cesa, C.M., Rev. Robert Petti, C.M., and Samuel A. Culotta. During this reception, President Segni was presented with a key to the city by Mayor McKeldin. Thereafter, President Segni and his party rode in Mayor McKeldin's official car to Baltimore and boarded the train for Washington.

This was a proud day for Maryland, and we know that the rest of the Nation joins us in welcoming President Segni and his party.

Mr. President, I ask unanimous consent that a fine editorial from the Baltimore Sun be printed in the RECORD at this point.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

ITALY'S SEGNI

President Antonio Segni of Italy, who arrives in this country today to visit President Johnson, appears frail and often acts that way, but in reality he is a tough politician with a strong will and a powerful drive. He is very much the embodiment of Italian Government, which for years has clung tenaciously to its basic international commitments, but which from time to time has seemed to show signs of serious enfeeblement.

On the eve of Segni's departure from Rome, in fact, a serious political upset has occurred, but it is of a kind which may result in a strengthening of the regime. The present coalition headed by Aldo Moro was made possible by the support of Pietro Nenni's Socialists. A dissenting Socialist faction has withdrawn and set up a new party which promises to ally with the Communists. A serious defection, on the face of it—except that it will now be possible for the conservative wing of Moro's Christian Democrats more wholeheartedly to support the coalition. What is more, the Government now will encounter less resistance in carrying out its commitments to the Atlantic Alliance.

President Segni, a Christian Democrat for 20 years, is in large part responsible for the tone of Italian policy, in domestic as well as foreign affairs. He is not the usual ceremonial figure, arrived in this country to partake of splendor but not of substance. He has been twice premier, once vice premier, four times agriculture minister, three times foreign minister, and variously responsible for defense, justice, and public instruction. He is immersed in the affairs of Italy, and he has never been able to separate the future of his country from the future of its allies. Up and down the capitals of Europe he has preached unity and strength, and more often than not he has found himself sympathetic with American causes.

His stay in this country, therefore, will not break new ground. It will be the occasion for renewing the already strong ties that exist between our two countries, for assuring him that a change in the American Presidency has not changed the direction of American leadership. Segni is not only an honored guest, he is also a close friend. Wherever he goes here he will find the welcome warm and genuine.

POSTMASTER GENERAL SCORES FOR EFFICIENCY, ECONOMY, AND PROGRESS

Mr. HUMPHREY. Mr. President, in the little more than 3 months since John A. Gronouski has headed the Post Office Department as Postmaster General, he has made a record as a topflight administrator. He proceeded immediately to follow through on the numerous programs begun in 1961 to improve the mail service of the Nation. At the same time he continued the initiative of giving better service, he has concentrated on achieving economy in the Department and reducing the postal service drain on the Federal Treasury.

After conferring recently with President Johnson, Postmaster General Gronouski announced a cut to be achieved by June 30, 1964, of 5,000 in postal employment and the institution of other measures to save the taxpayers thousands of dollars. In fact he has pledged to lower the postal deficit by $100 million in fiscal 1965.

While making these economies, the Postmaster General has pledged that no regular employee will be without a job. He has further pledged no curtailment of essential postal services.

As one means of doing this, Mr. Gronouski is developing increased cooperation among mail patrons so that the users of the mails themselves can make a substantial contribution to the Federal Government in saving post office funds.

The Post Office Department is the Nation's largest employer of Negroes, with 90,000 postal workers. Mr. Gronouski says:

> I am especially proud that the Post Office Department has taken the lead in fair employment practices. There has been a marked rise in the number of Negroes in supervisory levels. At least 10 percent of the Department's 74,000 supervisory positions are now held by Negroes, twice as many as 2 years ago. Between 1962 and 1963 our total employment increased by 1.6 percent and our Negro employment by 3.3 percent. These are the results of a promotion system which is based on merit alone, regardless of race, creed, or color.

We knew that Postmaster Gronouski came to his position from a professional career as an economist and an excellent record in public administration in Wisconsin. He is not only finding the philosophy of President Johnson compatible but he is giving evidence that by demanding "a dollar's worth of value for every dollar spent" we can have good government service, and at the same time release resources to make an all-out "war on poverty" and institute other programs the American people want to have for "a dynamic program of progress."

Recently, Postmaster General Gronouski delivered an address to Minnesota legislators at a Democratic-Farmer-Labor dinner in Minneapolis, Minn. He elaborated the achievements of the Kennedy administration and the philosophy of President Johnson as well as it has been done in any one place. He is too modest about his own talents and his own early achievements in carrying out this program. But it is a fine address, and I ask unanimous consent to have it printed in the CONGRESSIONAL RECORD at this time for the benefit of my colleagues.

There being no objection, the address was ordered to be printed in the RECORD, as follows:

ADDRESS BY JOHN A. GRONOUSKI, POSTMASTER GENERAL, AT THE DEMOCRATIC-FARMER-LABOR DINNER FOR MINNESOTA LEGISLATORS, MINNEAPOLIS, JANUARY 11, 1964

It is a great pleasure to be in Minnesota to help honor the legislators of the Democratic-Farmer-Labor Party.

As one who has shown more than a passing interest in the political affairs of my home State of Wisconsin, I have worked closely with many members of your party and I came to understand from personal experience why the DFL is held in such high regard throughout the Nation.

Some of you may know that while my job is Postmaster General and my favorite hobby is politics, I am an economist by profession. One of the greatest of all economists, and one of the truly original minds that America has produced, belonged to a son of Minnesota, Thorstein Veblen.

Veblen was born in Wisconsin, but deserted rather early and came here to Minnesota to live. After he got his Ph. D. at Yale, Veblen came back home to Minnesota. He was mocked and ridiculed by his neighbors because he spent 7 years apparently doing nothing. Actually, however, he was in training. For soon afterward, he burst into print with his famous "Theory of the Leisure Class" in which he came up with notions and phrases like "conspicuous consumption" that are still household words. Among other things, Veblen wrote about "the propensity for emulation."

I want to dwell on the "propensity for emulation" just long enough to say that I wish the leaders of the Democratic-Farmer-Labor Party were more widely emulated throughout the country. America would be a better place. They have given Minnesota one of the finest and most progressive governments in the Nation. The Minnesota Democratic-Farmer-Labor Party is synonymous with distinguished leadership, dynamic government, and clean but hard-hitting politics. Our revived and strong Democratic Party in Wisconsin learned a great deal from the Democratic-Farmer-Labor Party. I wish the propensity for emulation were as strong in some other States as it is in Wisconsin.

Robert Louis Stevenson once cynically observed that politics is "the only profession for which no preparation is thought necessary." Stevenson was able to make this statement only because he did not live to see today's DFL.

In Minnesota fellow politicians often turn out to be fellow educators too. Senator GENE MCCARTHY—who has already made a brilliant record in the Senate—is, like me, a former professor of economics. HUBERT HUMPHREY, our great Democratic Senate whip, taught political science at Macalaster College. Your outstanding mayor, Arthur Naftalin, is another former political scientist.

When one talks about illustrious Minnesota liberals, one could go on and on, but I want at least to pay tribute to your dynamic Governor, Karl Rolvaag; to another outstanding Minnesota Governor, Orville Freeman, who is restoring American agriculture to good health after 8 years of a pestilence called Ezra Taft Benson; and to Minnesota's four distinguished DFL Congressmen—JOHN BLATNIK, DONALD FRASER, JOSEPH KARTH, and ALEC OLSON.

I know that these gentlemen would agree with me that this is an historic and exciting time to be working in Washington. The tragic events of last November have left us somber but have revitalized our dedication. As President Johnson told the delegates of the United Nations General Assembly last month:

"The United States of America, sobered by tragedy, united in sorrow, renewed in spirit, faces the new year determined that world peace, civil rights, and human welfare become not an illusion but a reality."

It was fortunate for all of us that in the terrible moment of crisis we had a man of immense wisdom, energy, courage, and experience to take over the reins of Government. No Vice President in our history has been better qualified for the Presidency than Lyndon Johnson. His many years in the Congress gave him a broad understanding and appreciation of every area of government.

President Johnson was at the fulcrum of decisionmaking throughout the 3 years of President Kennedy's administration. He took part in meetings of the Cabinet and the National Security Council. He was Chairman of the Space Council and Chairman of the Committee on Equal Employment Opportunity. He was intimate with all phases of policy and able to assume the leadership of the Nation without a moment's hesitation.

The smoothness of the transition of administrations was enormously impressive and reassuring, not only to Americans, but to people all over the world. The orderly transferral of power, in a time of sudden crisis, was a dramatic demonstration of the stability of our Government. It made clear the maturity of American political society and the strength of our democracy.

I have enormous respect for the depth of President Johnson's experience. At Cabinet meetings, he has demonstrated a profound grasp of national issues and an imposing familiarity with the intimate details of the working of Government. The skill, vigor, and determination with which he has begun his Presidency have won him unprecedented public confidence. But the most important thing to me about President Johnson is his deep feeling for people and their problems. He is a man with a large heart—he has great human warmth, compassion, and understanding.

The President has made clear that the overriding business of this administration will be to build on President Kennedy's brilliant and tireless work for world peace. In the past 3 years we have witnessed a solid beginning in the difficult road to an honorable, just, and sound peace.

The dangerous brinkmanship of the Eisenhower years has been replaced by a firm, but flexible and optimistic foreign policy. Throughout the world, America has regained the initiative. In Latin America, the Alliance for Progress, though beset with problems, has begun to reduce the poverty and distress which are the breeding ground of dictatorships—and it has been given new impetus by President Johnson. The influence of the Communist bloc has been weakened throughout Africa and it has been forced to abandon its designs on the Congo.

Relations with most Asian nations have been improved. In 1960, anti-American feelings in Japan were so strong that they prevented a visit by the President of the United States. Today, relations with Japan are excellent.

Palpable forward steps have been taken to reduce the danger of war. The Arms Control and Disarmament Agency, devoting its full time on workable plans for disarmament, was created. The historic test ban treaty barring nuclear tests in the air, in space, and on the water was concluded. A direct line between the Kremlin and the White House—the so-called hot line—to be used in emergency situations was installed. The Peace Corps, one of the most sensational successes in American history, was begun. Senator HUMPHREY was one of the very early backers of the Peace Corps idea, which has captured the imagination of both young and old all over the world.

In his stirring state of the Union address last Wednesday, President Johnson called for further steps toward the control and eventual abolition of arms.

Even in the absence of a disarmament agreement, this country is making a dramatic gesture toward a further reduction of tensions. We are cutting back our production of the enriched uranium used in nuclear weapons by 25 percent, shutting down four plutonium piles, and closing down nonessential military installations. By this unilateral action we are demonstrating our determination to move ahead on the road toward a final and lasting peace.

At the same time, President Johnson has made abundantly clear that while we will continue to do everything within our power to break down the walls of hostility, we will at all times maintain our guard.

Unfortunately, there are still some people around who seem to oppose any step toward peace. These superpatriots are all around us. Theirs is a single-track, negative, and basically hysterical reaction to the complexities and realities of the modern world.

Even so, the superpatriots are not a new phenomenon in this country. Here is what a great Democrat of an earlier age, Andrew Jackson, wrote to President Monroe on the subject in 1817:

"Experience in the late war taught me to know that it is not those who cry patriotism the loudest who are the greatest friends to their country or will risk most in its defense."

For the members of our present day lunatic fringe, conducting foreign policy is a simple thing—it consists of rattling sabers and threatening nuclear destruction. Lord help us if these wild-eyed cold warriors ever gain power in this country. They would bring with them chaos and disorder and threaten us all with annihilation.

I have mentioned some of the advances we are making in the foreign field. Let me run through just a few of the domestic accomplishments of the last 3 years.

The minimum wage was raised to $1.25 an hour and the minimum wage law extended to cover 3½ million additional workers. The social security system was improved with increased minimum benefits and broadened coverage. The Area Redevelopment Administration was created to help bring new industries and new jobs to depressed areas. The Manpower Development and Training Act was passed to restrain men and women whose skills have become obsolete through automation.

Under Secretary Freeman's brilliant guidance of the farm program, farm income has increased, food prices have remained stable, and grain surpluses have been reduced at a considerable saving to the taxpayer. Net income per farm is up 17 percent from 1960.

Through Food for Peace, the country's surpluses are being used in a concerted attack on hunger throughout the world. Total exports of farm products in the last 3 years exceeded those of the comparable period in the Eisenhower administration by $2 billion.

As a result of these and other measures, America is again on the move. We are in one of the longest sustained peacetime booms in our history. Gross national product now exceeds $600 billion, $100 billion higher than when the Democratic Administration took office. Corporate profits are at an alltime high. Annual income has increased by $300 per person in the last 3 years. Personal income now averages $2,500 for every man, woman, and child in the United States. The average wage of factory workers now exceeds $100 a week for the first time. And on top of all this, prices have remained stable.

However, our work is far from finished. Our economy's performance is not measuring up to its full potential. Some $30 billion of annual production potential is going unused. Thirteen percent of our industrial plant capacity lies idle. While most of us are prospering, 4 million of our fellow citizens cannot find work.

The administration's tax bill is designed to help end this terrible human idleness and material waste. Its purpose is to further bolster the economy and take up its remaining slackness. It will boost demand, sharpen incentives, increase the flow of investment funds, and step up the rate of economic growth.

In his state of the Union message, the President declared unconditional war on the remaining poverty in our Nation. We need a program of health insurance for the aged. We need more hospitals. We need a better housing program.

We need a mass transit program for our traffic-clogged cities. The minimum wage law must be extended to cover individuals still not under it. And we must expand and improve our schools, our libraries, our colleges and universities if we are to keep pace with the great demand for trained men and women in an increasingly complex industrial society. And President Johnson told Congress that the Nation must have this program in 1964.

The President has also urged the Congress to give immediate consideration to the enactment of youth employment legislation, to the expansion of the area redevelopment program, and to an attack on the problems of the chronically distressed areas of the Appalachian region. He has asked for quick action on youth employment legislation to take aimless and jobless youngsters off the streets and put them to work on useful projects. He has asked for an expansion of the food stamp program and the creation of a National Service Corps, to help the economically handicapped in our own Nation as the Peace Corps helps those abroad.

And the President will finance his war against poverty by eliminating every area of waste in the Federal Government—by demanding a dollar's worth of value for every dollar spent.

As President Johnson has so clearly stated, the single most important item of unfinished business facing this Nation is civil rights. This is not only a matter of conscience, it is a matter of simple economics, of law, and justice. It is 100 years since the Emancipation Proclamation was signed by Abraham Lincoln.

Negro Americans have, during the year just passed, dramatically demonstrated their impatience with persisting inequities. They have a right to be impatient. They have waited long enough.

Hubert Humphrey's words, spoken at the 1948 Democratic Convention, still ring true. He said:

"The time has arrived in America for the Democratic Party to get out of the shadows of States rights and to walk forthrightly into the bright sunshine of human rights."

A Negro child born in the United States today, regardless of where it is born, has only about one-half as much chance of completing high school as a white child. It has only one-third as much chance of completing college and one-third as much chance of becoming a professional man. Its life expectancy is 7 years less than that of the white child. Its chance of becoming unemployed is twice as great. It has only one-seventh as much chance of earning $10,000 a year and its prospects for total income throughout its life are only one-half as much.

These are prospects that must be changed. No child born in this Nation must start out its life with less opportunities for education, health, employment, and well-being simply because of skin color.

Encouraging accomplishments have been registered in the last 3 years in the civil rights area. The Committee on Equal Employment Opportunities, headed by President Johnson, has taken steps to enforce nondiscrimination by those who do business with the Government. Stringent nondiscriminatory provisions are now being enforced in all Government contracts covering hundreds of companies and some 17 million employees.

A substantial increase has been recorded in the number of Negroes employed in the middle and upper grades of the career Federal service.

In my own department, we have approximately 90,000 Negro postal workers, making us the Nation's largest employer of Negroes. Because of this fact, I am especially proud that the Post Office Department has taken the lead in fair employment practices. There has been a marked rise in the number of Negroes in supervisory levels. At least 10 percent of the Department's 74,000 supervisory positions are now held by Negroes, twice as many as 2 years ago. Between 1962 and 1963 our total employment increased by 1.6 percent and our Negro employment increased by 3.3 percent. These are the results of a promotion system which is based on merit alone, regardless of race, creed or color.

President Johnson and everyone associated with him in this administration are totally dedicated to the passage of a strong civil rights bill. The time has not just arrived to treat all American citizens as equals regardless of their race. The time is long overdue.

"Let this session of Congress," President Johnson said on Wednesday, "be known as the session which did more for civil rights than the last hundred sessions combined." And in that spirit he added, "we must abolish not some but all racial discrimination."

The civil rights bill, and all of the other progressive legislation being proposed by President Johnson, will meet the inevitable opposition from the same arrogant gang of economic royalists, Ku Kluxers, John Birchers, and goosestepping know nothings.

They and their slick apologists and press agents are determined and well financed. But I am convinced that the large majority of Americans is in strong support of President Johnson and his dynamic program of progress. And I know that no stronger backing comes from anywhere than Minnesota, which has so long been a fountainhead of liberalism and truly democratic government.

TAX REFORM

Mr. ROBERTSON. Mr. President, yesterday, the distinguised senior Senator from Tennessee [Mr. **Gore**], referring to the pending tax bill, said:

Under the Dillon bill the actual tax payment of the typical person with a realized income of $1,500,000 per year will be 15.9 percent of such realized income.

Finding it a bit difficult to believe that a return of less than 16 percent was typical among those receiving incomes of more than a million dollars a year, I asked Secretary Dillon to explain that situation to me. I ask consent to have printed in the body of the Record at this point, a letter to me from Secretary Dillon in which he said of the table inserted in the Record by Senator Gore in which he quoted the low taxes paid by the ultrarich:

The table provided by Treasury is not a realistic one in this respect for taxpayers above $100,000.

There being no objection, the letter was ordered to be printed in the Record, as follows:

The Secretary of the Treasury,
Washington, January 14, 1964.

Hon. Willis A. Robertson,
U.S. Senate,
Washington, D.C.

Dear Senator Robertson: You have requested my comments concerning a statistic that taxpayers with $1½ million of total income pay an effective tax rate of 15.8 percent.

This statistic was apparently derived from a table prepared by the Treasury Department showing the amount of taxes which typical taxpayers pay at various incomes. The table is on page 709 of the Finance Committee hearings, part 2. For the taxpayer with $1 million, there was presumably added tax under the present law of $261,929 to the after-tax income of $1,239,659 to get a total income of $1,501,588. This income divided by the tax shown in the table under the House bill of $238,037 yields an effective rate of 15.8 percent.

Unfortunately, the table provided by Treasury is not a realistic one in this respect for taxpayers above $100,000. One should not really talk in terms of typical hypothetical taxpayers at the very high incomes because of the wide disparity among such taxpayers at any specific income level in the types of incomes they receive and the types of expenses they incur and deduct. This was recognized by the Treasury in a letter to Senator Smathers on pages 2600–2606 of the hearings, part 5, which clarifies the data respecting high-income taxpayers.

There are more appropriate ways of looking at taxes paid by very-high-income taxpayers. One way is to look at the actual tax return data which Senator Douglas placed in the committee's record and which are shown on page 278 of the hearings, part 1. The data show that the 300 taxpayers who reported incomes of $1 million or more for 1960 paid taxes on total income on the average of 32.3 percent and taxes on adjusted gross income of 47.8 percent. Similar data for 700 taxpayers reporting incomes of $500,000 to $1 million were 31.1 and 46.4 percent, respectively.

Instead of averages, another way of looking at actual tax return data is to examine the ranges of these percentages (or "effective tax rates") at certain incomes. Such data were presented by Senator Douglas on pages 280–281. For example, in table 2–A the range of effective tax rates paid by the $1 to $2 million class is from zero percent up to over 80 percent on total income. That table shows that over half of the taxpayers with income including the full amount of capital gains of over $1 million actually and effective tax rates between 20 and 29.9 percent.

The main cause of low effective tax rates among many high-income taxpayers is the large proportion of their incomes arising from capital gains. Such gains are given preferential tax treatment under present law, with a maximum tax of 25 percent. Consequently, another way of showing the different variations among high-income taxpayers is to present illustrations of taxes paid under varying assumptions as to capital gains. Senator SMATHERS inserted Treasury data into the committee's record which provide this information. In table 6 on page 2606 of the hearings, part 5, effective rates are shown for high-income taxpayers under assumptions that these taxpayers have high, medium, and low proportions of capital gains. For example, a hypothetical $2 million taxpayer with a high proportion of capital gains has an effective rate of 20.9 percent under present law, but the $2 million taxpayer with a low proportion of capital gains has an effective tax rate of 56.7 percent.

Another factor which greatly reduces tax in a number of cases for high-income taxpayers is the unlimited charitable deduction. The fact that many wealthy taxpayers use this device to hold down their effective tax rate has a noticeable impact on the average rate for all taxpayers with incomes of $1 million of adjusted gross income and over.

I hope that this material will be helpful to you in evaluating what weight to accord the quoted statistic.

Sincerely yours,

DOUGLAS DILLON.

DIAMOND JUBILEE OF SISTERS OF ST. JOSEPH OF NAZARETH, MICHIGAN

Mr. HART. Mr. President, this year marks the 75th anniversary of a small—but devoted and remarkably effective—order of Catholic nuns: the Sisters of St. Joseph of Nazareth.

In this case, Nazareth refers not to Christ's birthplace but to a small community in Michigan which was founded when Msgr. Francis A. O'Brien invited 11 pioneer sisters to western Michigan from Watertown, N.Y.

Today, the order numbers 779 sisters on active duty in grade and high schools and another 99 in teacher training.

And as of now the order administers Nazareth College, 6 hospitals, and 72 schools, along with 2 highly accredited schools of nursing, 2 homes for dependent children, and a licensed child-placement agency.

The sisters also conduct vacation schools and after-school religious training for children attending public schools.

Here is a truly remarkable record of progress, Mr. President, and I commend these dedicated women for having accomplished it. Their motive has nothing to do with public acclaim, but their service to their fellow man should have this place in our RECORD.

MRS. ESTHER PETERSON, AN ADVOCATE FOR THE CONSUMER

Mrs. NEUBERGER. Mr. President, the precept that a dollar spent shall buy a dollar's worth is being extended by the administration to protect the American consumer's paycheck, as well as the Federal Treasury. This action was reflected in the Executive order issued by President Johnson on January 3, 1964, establishing the President's Committee on Consumer Interests and the Consumer Advisory Council. The President climaxed the move to give the American consumer a real voice in the councils of Government by appointing Mrs. Esther Peterson as Special Presidential Assistant for Consumer Affairs. Mrs. Peterson will be Chairman of the President's Committee.

Thus, for the first time in history, the interests of the American consumers will be directly represented in the White House. The consumers' interests will be both directly and ably and effectively represented by Esther Peterson. It was my good fortune to work closely with Mrs. Peterson on the President's Commission on the Status of Women. Her talents and abilities are well known also through her work as Assistant Secretary of Labor.

Under Mrs. Peterson's determined leadership, we can now look toward an era of improved protection of consumers' rights. I ask unanimous consent to have printed in the RECORD articles from the January 13, 1964, issue of Advertising Age entitled "Consumer Groups See More Activity in White House Setup With Mrs. Peterson" and "You Ought to Know—Esther Peterson."

There being no objection, the articles were ordered to be printed in the RECORD, as follows:

[From Advertising Age magazine, Jan. 13, 1964]

CONSUMER GROUPS SEE MORE ACTIVITY IN WHITE HOUSE SETUP WITH MRS. PETERSON

(By Stanley E. Cohen)

WASHINGTON, January 9—Consumer organizations are delighted with the new machinery which President Johnson has created in the field of consumer protection, but they are not without their reservations.

Under the new setup, their spokesmen will have direct access to the top policy levels of Government. However, there are still some other uncertainties.

Probably the thing the consumer organizations like best about the new arrangement is the individual who has been chosen as the President's adviser for consumer affairs—Esther Peterson. For many years she was a Washington lobbyist for the Amalgamated Clothing Workers, and then for the industrial union department of the AFL–CIO. There's general confidence she will prove to be an articulate and skillful lobbyist for consumers.

Consumer organizations also like the fact that Mrs. Peterson will have a staff to coordinate the activities of the new Committee on Consumer Interests. The old Consumer Advisory Council, created by former President John F. Kennedy, had only enough staff to handle routine secretarial matters. When the subcommittees developed potentially productive proposals for investigations, there was no one to do the work.

The staff is particularly important in this instance, because Mrs. Peterson is to continue to handle several other assignments. For one thing, she will retain her post as Assistant Secretary of Labor, with direct responsibility for some of the Department's busiest sections—the Women's Bureau and the Bureau of Labor Standards. In addition, she serves as vice chairman of the recently organized Interdepartmental Committee on the Status of Women.

That's a lot, even for a dynamic person like Mrs. Peterson. Consumer organizations feel that without a good, alert, full-time staff to direct her energies where they will do the most good, Mrs. Peterson will get lost in the scramble. Needless to say, she was getting plenty of advice this week on the kind of staff to organize, and the particular person who might do the best job as staff director.

There are some things about the President's Committee on Consumer Interests which are unique, and which will have to be worked out with experience. For one thing, it is not simply an interdepartmental committee composed of representatives of various Government agencies. In addition to Government people, it will also have an undetermined number of private citizens, who will be designated by the President.

The Committee is "to consider the Federal policies and improve the Federal programs of primary importance to consumers." Most intergovernmental committees concerned with recommending improvements in Federal activities are composed solely of Government people, and even then they are often inhibited about baring their souls to each other. Whether an interdepartmental committee consisting of both Government people and outsiders will be able to function creatively is one of the challenges that awaits Mrs. Peterson.

Since the President has not indicated how many public members he intends to have on the Committee on Consumer Interests, it is unclear at present whether the Government representatives will outnumber the public representatives or vice versa. We know, for example, that there will be at least nine Government representatives in addition to Mrs. Peterson—representatives from the Departments of Justice; Interior; Agriculture; Commerce; Labor; Health, Education, and Welfare; the Housing and Home Finance Agency; the Federal Trade Commission; and the Council of Economic Advisers. The President also has reserved the right to add other Government representatives.

Meanwhile, however, the President has saddled himself with another condition which tends to confuse the situation. The old Consumer Advisory Council which was appointed by Mr. Kennedy last summer is to go out of business, and the public members of the new Committee on Consumer Interests are to have two jobs. In addition to serving on the Committee, they are to constitute a new Consumer Advisory Council, which will meet separately from the Committee on Consumer Interests and carry on the duties of the existing Consumer Advisory Council.

Presumably, the President will have to put a representative number of public members on the new Committee on Consumer Interests. Otherwise the meetings of the Consumer Advisory Council will be rather lonely affairs. On the other hand, if he simply reappoints all of the members of the existing Consumer Advisory Council, the public members of the new Committee on Consumer Interests will outnumber the Government members.

Marketers have a special interest in the staffing and programing of this new unit, because it is clear from the President's statements that much of its effort is to be focused in the field of deceptive practices.

"The American marketplace—where free men and women sell, buy, and produce—has proved itself as the generator of the world's highest standard of living," the President noted in announcing the experiment.

"But to reach new heights, its best practices must become common practices. An unrelenting fight must be waged against the selfish minority who deceive or defraud the consumer, who exact unfair prices or levy unfair charges.

"My special assistant and the new Committee will lead the campaign of America's homemakers against such sharp practices and unwarranted price increases."

Members of the old Consumer Advisory Council were briefed in advance about the appointment of Mrs. Peterson, and the creation of the new Committee on Consumer Interests. Apparently that is one of the reasons they came away from their meeting with President Johnson early last month so thoroughly sold on him as someone they could rely on.

They are, however, conscious of the fact that the new arrangement is probably somewhat short of the concept that Mr. Kennedy talked about during the 1960 campaign. At that time, he talked of a "consumer counsel" on the White House staff who would actually speak up for the consumer when legislation or administrative proceedings were under way which touched on the consumer's interests. And some consumer friends in the Senate were recalling that this week.

One of the great causes of dissatisfaction with the old Consumer Advisory Council was that it simply passed resolutions for the advice of the President or, more particularly, his staff. Occasionally, when it served the political interests of the administration, some of these were released to the press. But the Advisory Council itself never appeared at a legislative hearing or an administrative proceeding to give authoritative advice in the name of the consumer.

Anyone who has seen Mrs. Peterson in action knows that she excels as a witness before a congressional committee. So she certainly will not shy away from this particular chore in behalf of consumers.

But Congress isn't the only forum the consumer organizations have in mind. More and more, she will be expected to take on the role of a true "consumer counsel," and make her views known at the multitude of agencies and tribunals which are making decisions that touch on the freedom of the market, and the behavior of businessmen.

[From Advertising Age magazine, Jan. 13, 1964]

YOU OUGHT TO KNOW—ESTHER PETERSON

Esther Peterson, who was formerly Washington lobbyist for the Amalgamated Clothing Workers of America, and then for the trade union division of the AFL–CIO, will now be the official lobbyist for all American consumers.

As Special Assistant to President Johnson for Consumer Affairs, and as Chairman of the new Committee on Consumer Interests, she is supposed to see that White House policymakers learn about programs the Government should undertake in behalf of consumers.

She will not only lobby for new programs in behalf of consumers, but she will also lobby against approval of legislation or programs which the Committee regards as bad for consumers. And she will do her lobbying on Capitol Hill, as well as in the White House.

Shortly after her selection as the Nation's first Special Presidential Assistant on Consumer Affairs, she touched on some moves she expects to make.

High on her agenda will be a series of regional conferences, to get first-hand reports on consumer problems. This will generate publicity and encourage Mrs. Average Housewife to write in and report her troubles.

As the Labor Department's witness during testimony on the truth-in-packaging bill last March, she talked eloquently about her concern about tricky phrases and packaging. She expects to put all her lobbying skill behind the fight for Senator PHILIP HART, Democrat, of Michigan's, packaging legislation, and Senator PAUL DOUGLAS, Democrat, of Illinois, "truth in lending" bill.

At the Hart bill hearings, she presented a bread-and-butter approach to the consumer's problems. "I think it is the part of a responsible government," she declared, "to do what it can to protect the people who need to have their money go absolutely as far as it possibly can."

In addition to her new assignment, Esther Peterson will continue to carry several other jobs, all fulltime occupations by themselves. She is to continue to serve as Assistant Secretary of Labor, a post she has held since 1961, which involves supervision over the Department's Women's Bureau and the Division of Labor Standards. On top of that, she is to continue as executive vice chairman of the interdepartmental Committee on the Status of Women.

Doing several jobs simultaneously is a familiar state of affairs for Esther Peterson, for as a young schoolteacher, and later as a mother and homemaker, and finally as a labor union official, she has always had more than one "iron in the fire."

Born in Utah in 1906, she is the daughter of a county school superintendent and a family of Scandinavian background. By 1930 she had graduated from Brigham Young University and Columbia Teachers College. While teaching in Boston in the early 1930's she was also a volunteer teacher at the YWCA, mostly with factory girls who were doing piecework. "I remember when they got $1.32 for making a dozen housedresses," she recalls.

After marriage in 1932, she was a housewife and mother much of the time, but she took temporary positions at the Bryn Mawr summer school for women workers in industry, the Hudson Shore labor school, the International Ladies' Garment Workers' Union, and the American Federation of Teachers.

From 1939 to 1947 she was with the Amalgamated Clothing Workers of America, originally as assistant director of education, then as Washington legislative representative. During the next 6 years she was in Sweden and Belgium with her husband, a labor attaché in the foreign service (now retired, and lecturing at American University). It was frequently said that in the Petersons, the Government got two workers for the price of one, because Esther Peterson kept occupied attending the labor union activities abroad which helped her husband, and broadened her own horizons.

In 1957, following return to the United States, she tended her garden and kitchen, but she also became a lobbyist for the AFL–CIO, until President Kennedy appointed her Assistant Secretary of Labor in 1961.

Besides supervising the operating branches of the department which were assigned to her, she was constantly on tap for special assignments. Since taking office, she has been a Government representative at international meetings in Manila, Japan, Geneva, Sweden and Germany. She also had time to represent the United States at the opening of a trade fair in Tunisia.

When Mrs. Eleanor Roosevelt died, she took over the uncompleted work of the President's Commission on the Status of Women. She was a moving force behind a report to the President last fall. She regards the finesse and diplomacy that went into drafting that report as one of her crowning formal achievements.

The new interdepartmental Committee on the Status of Women, which was an outgrowth of that report, bears a remarkable structural resemblance to the new machinery set up to deal with consumer problems. Both have a committee which includes representatives of all interested Government agencies (though the consumer group will also include some public members) and both also have an advisory committee.

One of the points in the report on the status of women may become increasingly significant as Mrs. Peterson selects the spots where she can do the most good for consumers. "Most women are not the privileged ones who have freedom of choice about their way of life and this new leisure," it comments. "They are squeezed in an economic vise which makes their families depend on their earnings."

Karen, the oldest of the Peterson's four children, graduated from Wellesley in 1960, and Eric, the oldest boy, from Harvard in 1961 (he subsequently went to the Philippines with the Peace Corps). Iver is at Harvard, and Lars, the youngest, is still in prep school.

The PRESIDING OFFICER. Is there further morning business? If not, morning business is closed.

ORDER FOR ADJOURNMENT UNTIL NOON TOMORROW

Mr. MANSFIELD. Mr. President, I ask unanimous consent that when the Senate completes its business today, it adjourn until 12 o'clock noon tomorrow.

The PRESIDING OFFICER. Without objection, it is so ordered.

GERMANENESS OF DEBATE UNDER CERTAIN CONDITIONS

The PRESIDING OFFICER. Without objection, the Chair lays before the Senate the unfinished business.

The Senate resumed the consideration of the resolution (S. Res. 89) providing for germaneness of debate under certain conditions.

The PRESIDING OFFICER. The question is on agreeing to the amendment proposed by the senior Senator from Pennsylvania [Mr. CLARK] for himself and the junior Senator from Pennsylvania [Mr. SCOTT] as a substitute for the language of the resolution as amended.

TRIBUTES TO THE LATE PRESIDENT JOHN FITZGERALD KENNEDY

Mr. JAVITS. Mr. President, I have been sent, by the well-known author and poet, James T. Farrell, a beautiful poem about the late President Kennedy. I ask unanimous consent that it be printed in the RECORD.

There being no objection, the poem was ordered to be printed in the RECORD, as follows:

JOHN FITZGERALD KENNEDY

He rode, smiling, in sun and triumph.

Six seconds
Of naked tragedy
And of the ultimate, terrible beauty of
death—

He was no more,
We wept in the solitudes of our silence,
With the solidarity of grief.

—JAMES T. FARRELL.

Mr. JAVITS. Mr. President, I ask unanimous consent to have printed at this point in the RECORD a eulogy of the late President Kennedy which I have received from Manhattan Chapter No. 23 of the National Association of Retired Civil Employees.

There being no objection, the eulogy was ordered to be printed in the RECORD, as follows:

JOHN FITZGERALD KENNEDY, 35TH PRESIDENT OF THE UNITED STATES

(Eulogy of our late President John F. Kennedy delivered by John H. Sheehan, member of the executive committee, Manhattan Chapter No. 23, New York, N.Y., National Association of Retired Civil Employees, at the regular chapter meeting, Wednesday, Dec. 18, 1963)

On November 22 while visiting Texas to aid in solving the political differences in the

Democratic Party of that State, President John F. Kennedy was shot down by an assassin's bullet thus ending the short term of 3 years as our national leader. What benefit could result to the assassin or those similarly motivated by hatred and ill will because of the administration's bills in Congress now being considered.

All of us know the statements made by the Governors of Alabama and Mississippi through the press and on television in opposition to the decision of the Supreme Court in the integration of the schools. Their defiant activities were completely hostile to the administration's effort to enforce the Court's decree thus stimulating discord among the people of the South.

His death made an indelible impression on Americans and to the world beyond. The fact he governed—made our country's decisions and the courage indicates the confidence which he possessed abundantly. At the time of the Bay of Pigs fiasco in Cuba for which his opponents severely criticized him although not to blame, he assumed the responsibility without passing the onus to others in the CIA. Although serving less than 3 years he demonstrated his ability to exercise the full authority of his high office so capably that the world is in a large measure indebted for the brief leadership of John F. Kennedy.

The high spirited ideals which were so well exemplified by him during his career will be missed at home and abroad. The frequent appearances on television during the meetings with the press and the flash of the Kennedy grin in making responses so readily will be of immeasurable loss to millions of his admirers who were fascinated by his wit and thoroughness of his prompt replies. The New Frontier is now behind us but we shall remember the statement at his inauguration: "Ask not what your country can do for you, ask what you can do for your country." When he was inaugurated he predicted that his dream of a new America would not be achieved in the first 100 days—nor in the life of this administration, nor even perhaps in our lifetime on this planet and how prophetic this became in so short a space of time. But he said let us begin—which he did so nobly until his death.

John Kennedy was possessed of the attributes that manifest his qualifications of greatness to an extraordinary degree. Let us recall the showdown with Khrushchev in Cuba in 1962 when we were on the edge of conflict that might have resulted in nuclear war, the confrontations over Berlin, the sending of troops to Vietnam, the release of Professor Barghoorn by the Soviets, to suitably estimate the courage of our leader. At home he had to face the adversaries over civil rights which threatened him with political suicide and yet he never flinched in the performance of his duties. A man's greatness may not be easy to measure at close range. It is not measured by how much other men may agree with him—nor how little. It is measured by how strongly he stands for his convictions and how effectively he pursues the goals he sees above and ahead.

A leader may command the art of persuasion to a large extent but eventually discussion must close with the decision to be made solely by him. After due deliberation he must stand by it and cause it to be carried through despite the protests of those who cannot be persuaded. He must draw apart from others in reflecting on the import of his views and seek the loneliness which the person of supreme power has to undergo in directing the ship of state through troubled waters. This is the faith one must have in a good cause from which follows the power of making his decision.

On June 9, 1961, the President said in an address that of these to whom much is given—much is required. And when at some future date the high court of history sits in judgment on each of us—recording whether in our brief span of service we fulfilled our responsibilities to the state—our success or failure, in whatever office we may hold, will be measured by the answers to four questions: (1) Were we truly men of courage? (2) Were we truly men of judgment? (3) Were we truly men of integrity? (4) Were we truly men of dedication?

In his last speech at Fort Worth on November 22 before going to Dallas, he stated that we in this country, in this generation, are—by destiny, rather than by choice—the watchmen on the walls of world freedom. We ask, therefore, that we may be worthy of our power and responsibility—that we may exercise our strength with wisdom and restraint—that we may achieve for our time and for all time the ancient vision of peace on earth, good will toward men. That must always be our goal—and the righteousness of our cause must always underlie our strength.

The tragic death has brought home to most Americans that they had in John F. Kennedy a more remarkable President than they had understood. Too few of the American people realized the importance of the measures he advocated to solve the problems at home and abroad to advance the cause of peace for all mankind. The revelation of how much the rest of the world respected him; the extraordinary spectacle of 220 foreign leaders at Arlington Cemetery expressed more worldwide grief and concern than anyone knew existed. Another important memory is the courage and dignity of Jacqueline Kennedy throughout her ordeal. Well done thou good and faithful servant that you may now enjoy the rest and blessing for a job well done.

THE CIVIL RIGHTS BILLS—A BLOW TO LABOR UNION FREEDOM

Mr. HILL. Mr. President, if a Member of the Senate were asked to incorporate in a single phrase the fundamental reason why there is a Congress, we would be hard put, I venture, to improve on this single thought: Congress was created to protect the rights and responsibilities and freedoms of the American people—all of the American people.

Contrariwise, Congress was not created to insure special privilege for one segment of our people at the expense of another.

And because the civil rights bill now pending in the House of Representatives would impose this unfair condition—that is, benefit one group at the expense of others—I rise to speak against it: The civil rights bill has nine sections, and each of its titles, in one degree or another, seeks special privilege for special groups.

Because of the bill's vast scope and ramifications, it is not practical, in a single speech, to deal with it in total. Instead, and because it is my privilege to serve as chairman of the Senate Labor and Public Welfare Committee, I will confine my remarks to the effects this legislation would have on organized labor.

THE CIVIL RIGHTS PROPOSALS WILL UNDERMINE THE FREEDOM OF ORGANIZED LABOR

Let me begin, then, in candor: The civil rights bill will undermine the freedom of organized labor. It will tear from it the muscle and sinew it has developed over 100 years of sometimes frustrating, always strenuous struggle. If this bill becomes law, the benefits which organized labor has attained through the years would no longer be matters of "right," but would become matters of "administrative grace," to be disbursed by Federal bureaucrats as rewards for good behavior or withheld as punishment when any union does not comply with all their demands.

Some of the bill's specific, adverse effects may be listed: First, it would undermine a basic fabric of unionism, the seniority system; second, it would make it possible for labor unions to be denied their representation rights under the National Labor Relations Act and the Railway Labor Act; third, it would permit Federal agencies to withhold the protection labor unions presently enjoy against unfair raiding and displacement; fourth, a union held in violation of this bill's provisions could be denied its place on the ballot in representation elections, and other procedural rights under the National Labor Relations Act and the Railway Labor Act to file unfair labor practice charges with the National Labor Relations Board; and fifth, employers would no longer be legally bound to deal with unions held in violation of the bill.

Up to now the functions exercised by Federal agencies under Federal labor statutes have been directed principally toward protection of union rights and enforcement of benefits provided for workers. Under the proposed civil rights legislation the emphasis could be entirely shifted and Federal agencies would be empowered to set aside rather than protect these union rights and benefits. These new regulatory powers could well mean a transfer of administrative authority from the heretofore friendly hands of labor agencies to the unfriendly hands of overzealous civil rights enforcers. Pressures would be brought by the U.S. Commission on Civil Rights upon staffs of all Federal agencies administering programs involving any financial assistance. The Equal Employment Opportunity Commission created by the act would doubtless be composed of zealous civil righters who would undertake to make it a super-Government agency.

This new agency could thus set aside rights and benefits which labor unions and their members have achieved through legislative action in Congress over a period of almost 40 years. Virtually every right and benefit now provided under Federal labor laws has been achieved only after hard-fought legislative battles. The adoption of the proposed civil rights bill and creation of the new enforcement Commission would undoubtedly open a Pandora's box which could unloose potentially destructive effects upon all organized labor.

TITLES VI AND VII

The two titles of this bill that are of particular interest to labor and to which I shall address myself are titles VI and VII. I shall speak to both of them interchangeably because, essentially, one supplements the other. Whereas title VI uses broad language in a mandatory fashion—it requires governmental agencies to act in case discrimination is found—and applies its penalties chiefly to employers, title VII on the other hand, is specific and applies expressly to labor unions as well as to employers.

In either case, so far as labor unions are concerned, both titles affect them adversely. Together or separately, either would undermine and diminish the hard-won rights of labor.

Let us begin then by quoting title VI.

Section 601 of title VI reads, in part:

> Notwithstanding any inconsistent provision of any other law, no person in the United States shall, on the ground of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal financial assistance.

Also, section 602, which follows, provides:

> Each Federal department and agency which is empowered to extend Federal financial assistance * * * shall take action to effectuate the provisions of 601.

Then section 711(b) reads:

> The President is authorized to take such action as may be appropriate to prevent the committing or continuing of an unlawful employment practice by a person in connection with the performance of a contract with an agency or instrumentality of the United States.

It is worth noting, while these titles—as indeed the whole bill—are directed at the abolition of discrimination, the word itself is nowhere defined in the bill.

There is no Member of this body—indeed, there are few in this Nation—who would quarrel with its apparent meaning; equal treatment is the cardinal precept of our democratic processes; deny it and you deny the hope of us all.

But its apparent meaning—as so often is the case—is not its real meaning. Its real meaning—as the effects of this bill make abundantly clear—is the reverse. As I shall show, the bill would diminish rights of Americans, it would not implement them. These titles would destroy the freedom of choice of union leaders, union members and employers. It would substitute the dictation of Federal personnel backed by Federal force.

Therefore, I oppose it.

HOW IT WOULD WORK

For purposes of illustration, consider with me a situation typical of those sure to arise if this bill becomes law.

Assume a construction job is in progress—under "any program or activity receiving Federal financial assistance." Assume it is of such magnitude as to call for 300 carpenters. And assume a Federal inspector demands, as would be his duty, to inspect the contractor's books as they pertain to hiring. And assume the inspector found employment was not in conformance with his construction of the language of the law because there were less carpenters, proportionately, of a given race than of another race, that the job was not racially balanced.

Consider the chain of events that would be set in motion by that finding.

Logically, to bring the job into balance the inspector would begin with the contractor, demand of him that he racially balance his 300 carpenters.

What would be done?

Under the exclusive bargaining agreement he has with the union, the contractor's normal course would be first, to call the local and tell the agent of the inspector's demand.

Then what?

Suppose that racial balance on this particular job called for 200 white carpenters and 100 Negro carpenters; and the local handling the job had, in total, but 90 Negro journeymen among its membership. At the time this question comes up, 50 of the Negro carpenters were employed elsewhere but 40 were still in the hall, awaiting a job. Assume there were 75 white carpenters also awaiting a job. And the call came for 100 Negro carpenters.

How in the world would the union go about supplying any such specific numbers as those required?

There can be no question: Under the provisions of this bill the union could be forced to go into the street and recruit nonunion Negro carpenters—even though qualified white journeymen, union members in good standing, sat idle. If the union could not recruit them, the contractor could be forced to employ nonunion carpenters until the quota was filled.

Many people have overlooked the broad scope of the bill. It is not limited to "Government contractors." Title VII applies to every employer and every labor union engaged in interstate commerce—excluding those with less than 25 employees or 25 members, respectively. Title VI contains no such exception and applies to every federally assisted program or activity.

COMPOUNDS THE PROBLEM

Thus, you see, Mr. President, the provisions of the bill actually compound—they do not lessen—the problems of integration. Contrary to the expressed intent of the legislation, the bill would force employers and unions, both, to discriminate, to hire by race. It would not abolish the practice.

That racial balance in unions will be required is demonstrated by the rules issued by Secretary of Labor W. Willard Wirtz effective January 17, 1964, applying to apprenticeship programs of unions. These require the taking of whatever steps are necessary in acting upon application lists developed prior to this time, to remove the effects of previous practices under which discriminatory patterns of employment may have resulted. They also provide that selection of apprentices may be made on a basis other than qualifications alone if such selections would themselves demonstrate that there is equality of opportunity. This appears to be devised as a means of giving racial preference to Negroes until racial balance is obtained. If the pending bill is passed, similar action may be expected as to all phases of union activity and by every agency of the Federal Government within its jurisdiction.

Bear with me.

Assume, for a number of readily apparent reasons, neither the contractor nor the union seeking to man this job complied with all the provisions of the law. That is, for whatever reason, precisely 200 white carpenters and 100 Negro carpenters were not employed. What then?

Go back to the language of the bill. Section 602 of title VI says:

> Each Federal department and agency which is empowered to extend Federal financial assistance * * * shall take action to effectuate the provisions of 601.

ACTIONS TO BE TAKEN

Well, what action? What measures shall—that is mandatory language, I point out—what measures shall Government use to enforce these provisions? What measures are available to it?

So far as the employer is concerned there are many Federal departments and agencies—more than 100—which extend direct or indirect financial assistance to various programs. And every one of them would be compelled, by the language of the bill, to use their power to enforce compliance by canceling the contract or activity. And I need not add, it makes little difference to the working man what caused the job to shut down; whether the contractor's bank has been told to shut off the contractor's credit, or whether the FHA refuses to do business with him; in any case, the result is the same; the job is shut down, the working man has lost his job.

That is one part of it, from the employer's side but, let us see what enforcement steps could be taken against a union involved in such a situation.

Under the broad grant of power in titles VI and VII, the Federal Government, at the direction of the several rights enforcement agencies, could deny to the unions the services of those agencies designed to protect the rights of labor. The first such agency that comes to mind is the National Labor Relations Board. The representation status of a union before the Board could be suspended or canceled.

The effect of such suspension, as any union man can tell you, would deny the suspended union access to NLRB or National Mediation Board procedures and would remove existing protections against raiding or displacement by a rival union. The suspended union, thereafter, would not be allowed on a ballot in any representation election, even though it had a majority status among the employees. Moreover, the employer would have no legal obligation to bargain with it. In short, under this bill, all of the rights which a union has under the National Labor Relations Act or the Railway Labor Act could be suspended.

The status of any such union would be similar to that of a union whose officers failed to file non-Communist affidavits under the former section 9(h) of the Taft-Hartley Act. Not only could the union not appear on the ballot in a representation election, but it would not be allowed to file an unfair labor practice charge under section 8 of the act, or otherwise seek NLRB protection of its collective bargaining rights or status under the National Labor Relations Act.

The suspension of a union's status as the collective bargaining agent for its membership would similarly affect its power to enforce—insofar as Federal law is concerned—the provisions of a collective bargaining agreement that called for a union shop; it could not enforce a checkoff of union dues; seniority rights could be ignored; and numerous other provisions which have become standard features of labor-management contracts would be unenforcible. Concerted action by the union to enforce its collective bargaining demands would no longer be protected actively under Federal law and the employer would be free to take counter action which would otherwise be prohibited as an unfair labor practice.

DESTROYS UNION RIGHTS

In short, the provisions of this bill would allow Government agencies to withhold union rights and benefits due them under the National Labor Relations Act; under the Railway Labor Act; under the Davis-Bacon Act; under the Walsh-Healey Act; and under other beneficial labor legislation. The unprecedented range of these enforcement powers would mean more extensive and more stringent Federal regulation of labor unions than has ever before been proposed. By comparison, the regulation of unions imposed by the Taft-Hartley Act and the Landrum-Griffin Act fade into insignificance.

EMPLOYERS WOULD HAVE TO RECRUIT

Nor is that the end of it. Powers given civil rights enforcement agencies under this bill, as I have implied, would allow them to bring pressure upon employers—through threat of contract cancellation or debarment—to actively recruit nonunion employees. As is immediately apparent, this could result in displacement of union mechanics. Moreover, if skilled nonunion workers were not available for recruitment, the Federal Government might insist that the employer provide whatever on-the-job training was thought necessary to qualify unskilled workers of the race needed to balance the job. In carrying out such a program the employer could be directed to ignore any existing union contract arrangements or apprenticeship programs to the contrary, as well as any union shop or exclusive hiring hall agreements.

Let me emphasize that: These powers could be directed not only toward elimination of discriminatory hiring in general, but also toward all job classifications, specifically. Racial balance might be required in every position, from floor sweeper through superintendent, on to the topmost rung of employment. And if that meant recruitment by the employer, then he would have to recruit. If it meant on-the-job training, then on-the-job training would be required. Race—not ability, not seniority, and union contracts notwithstanding—would be the first criterion—the exact opposite of what the language of the bill apparently says.

APPLIES UNIVERSALLY

These powers extend to railroads; motor carriers; airlines and steamship companies that handle mail or other Government shipments; all industries furnishing supplies to the Government; enterprises receiving loans from the Small Business Administration; construction of individual homes financed through FHA or GI home loan insurance; banks and savings and loan associations; the rural electrification program; and scores of other Government programs, such as the interstate highway program; hospital construction under the Hill-Burton Act; all forms of aid to education and agriculture; and the Federal airport program. And they extend to every Federal agency empowered to extend Federal financial assistance to any program or activity by way of grant, contract, or loan.

Under this legislation, once racial discrimination is found to exist, the various Federal agencies will be required to suspend any further award of contracts, or Federal assistance programs or activities.

Thus, the Department of Defense, for example, might refuse to award contracts for defense supplies wherever jobs were not racially balanced. And that would apply with equal force in Illinois as in Alabama, in Ohio as in Mississippi. Today, no State has racially balanced work forces, and none has ever had.

ARBITRARY POWER

Highway construction and other activities involving Federal assistance might be suspended in any given State. Thus, Federal departments would be in a position to reward certain areas for compliance, and to punish other areas for noncompliance. They could do so under whatever rules and regulations the President or the administrator of the Federal agency might adopt—for the law provides, in effect, that the President or his appointees can do whatever either thinks needs to be done to obtain compliance.

In the process, job opportunities could be shifted to those States or areas which Federal agencies arbitrarily decided to be the more deserving. Thus, many vital State programs would be subject to the whim of the so-called social engineers who would be shaping the civil rights policies of the Federal agencies. Actually, this would create a situation whereby the Federal Government could tax residents of any State—the Federal gasoline tax comes first to mind—and then could withhold from the State the benefits of the programs which the tax was designed to finance.

Such are some of the major effects this bill would have.

THE NEW COMMISSION

Even so, that is not the end. In addition, the bill would establish an enforcement agency, to be known as the Equal Employment Opportunity Commission. The Commission would have power to prevent the various employment practices declared unlawful under title VII, and would have power to investigate any charge or complaint filed by any person, or by a member of the Commission itself, that a labor organization has engaged in an unlawful employment practice. Even without a single complaint, Federal inspectors would appear. Among other enforcement procedures, the Commission would be authorized to institute civil actions against labor unions in Federal courts, to stop the practice. If the Commission itself declined to bring such action, the person claiming to be aggrieved could, with permission of any one member of the Commission, file a suit, seeking an injunction against the union claimed to be responsible for the alleged unfair labor practice.

As can be seen, under these provisions of the proposed legislation, an individual grievant could, on the grounds of race, alone, institute legal proceedings for the covert purpose of compelling his admission to a union otherwise closed to him.

CRIMINAL OFFENSE

The bill makes it a criminal offense for any person to interfere with the efforts of the Commission to carry out its enforcement authority, and authorizes the sum of $2,500,000 to be appropriated for enforcement purposes during the first year of its existence, and $10 million for enforcement during its second year.

A warning of the ultimate effect of the bill, if enacted, is found in the fact that crash programs to upgrade specific groups are being resorted to with growing frequency. I need not add that anyone who is placed in a skilled position, as a result of such forced draft, is denying the job to another who has won his right to it through years of assiduous self-help and by standing in line, awaiting his turn, just like anyone else.

PREFERENTIAL TREATMENT DEMANDED

To inspire such crash programs, pickets have chained themselves to equipment, have lain prostrate in the streets, and have tyrannized timid public officials. Indeed, one organization dedicated to this sort of thing has made the demand that only its membership, those of its racial makeup, should be hired—none other. Nondiscrimination is no longer sufficient; preferential treatment is demanded. It is to preferential treatment, as embodied in this bill, that I most vigorously object.

Up to now, justice has been the end sought. Federal agencies operating under Federal labor statutes have directed their efforts principally toward the protection of union rights and the enforcement of just benefits provided for workers. Under the proposed civil rights legislation, the emphasis would be entirely shifted, and Federal agencies would be empowered to set aside, rather than protect, these union rights and benefits.

Thus, the legislation creating this new agency would, when coupled with other features of the bill, set aside rights and benefits which labor unions and their members have, since Samuel Gompers' day, sweated to obtain. It would thrust the zealous civil-rights enforcers deep into the affairs of every union, and they would not hesitate to shunt aside the rights of the majority of rank-and-file members, in order to accomplish benefits for their special charges.

If a union were divorced from its membership, as this bill proposes to do, it would become only a husk, nothing more than a vast, devitalized conglomerate.

I am opposed to any legislation which would undermine labor union freedom and would deal it a severe blow, as this bill would do. I am opposed to the civil rights bill.

MEAT IMPORTS

Mr. ALLOTT. Mr. President, in the past few weeks, many Members of the Senate have called to the attention of the Senate the great difficulties in which the raisers and feeders of meat animals in this country find themselves—in particular, by reason of imports. A week or so ago, I spoke on the subject of the imports of both lamb and beef, and prepared a statement which, on January 10, I submitted to the Tariff Commission. The statement deals with both lamb and wool, and I ask unanimous consent that it be printed in the RECORD.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

STATEMENT BY SENATOR ALLOTT TO U.S. TARIFF COMMISSION REGARDING WOOL IMPORTS, JANUARY 10, 1964

My statement is made primarily on behalf of the farmers and ranchers of Colorado who depend upon the production of wool and lambs for a livelihood. Colorado has long been a major producer of wool, with a total production of shorn wool for 1963 of 15,199,000 pounds, has been the leading producer of lamb, and also has the Nation's leading sheep and lamb stockyard at Denver.

Last month, you held hearings on red meat imports, and I am sure you received much valuable information demonstrating conclusively the adverse impact of our present high rate of imports on both the cattle and sheep industries. However, in this present hearing you are concerned with the second half of the sheep industry picture; that is, the impact of imports of raw wool and manufactured wool upon our domestic wool producers. I am sure that many of the witnesses who will testify before you will present excellent statistical analyses of the sheep industry, portraying a conclusive picture of the plight of the Nation's sheepmen. However, there are a few figures which I should like to relate to you which, to me, indicate that the wool industry is in dire need of protection and at the end of my remarks I have a few charts which I ask to be inserted in the RECORD.

If one merely compares the quantity of wool imports as opposed to the quantity of wool exports, I believe a vivid picture is drawn of the wool situation. In 1947, the United States was exporting manufactured wool products in excess of 46 million pounds, while she was importing manufactured wool products of only a little less than 16 million pounds. In other words, our exports were three times our imports.

In 1962 the United States was exporting only 4,369,000 pounds of manufactured wool products, whereas she was importing 145,637,000 pounds of manufactured wool products. In other words, our position has completely reversed and instead of being an exporter we became a major importer of manufactured wool products to the extent that we were importing over 33 times as much as we were exporting. My figures for 1963 are for only part of the year. However, they show no change in this trend.

I realize that others representing the textile industry will make statements concerning the impact of manufactured wool imports on the domestic textile industry and I am sure that their case will be ably presented. But in order to round out the picture I have attempted to portray here, I believe a few figures from the textile industry are in order.

It is my understanding that basically all wool produced domestically is manufactured into salable goods by our domestic textile mills. In keeping with my comparison period of 1947 and 1962, the 1947 consumption of raw wool in the U.S. textile mills was 698,300,000 pounds of wool, whereas in 1962 only 427,400,000 pounds of wool was consumed in manufacturing. So, the volume of manufacture of our domestic textile industry has been reduced by more than a third since 1947. And, the number of persons employed by U.S. mills producing all types of textiles (wool, cotton, silk, manmade, etc.) has declined from 1,256,000 in 1950 to 881,000 in 1962. Is it any wonder that our national unemployment rate is so high when we have permitted the foreign textile producer to capture the American market while our domestic producers have been left unprotected by proper tariff barriers? The United States is exporting less than a tenth of what it exported in 1947, while in that same period it has allowed imports to increase nearly tenfold.

But perhaps the best way to demonstrate the impact of our tariff policies upon the sheep industry would be to go to the grassroots. The following table summarizes the expense and income situation of six typical mountain sheep ranches on the western slope of Colorado:

A. Average number of breeding ewes per ranch in 1962 was 841 head. Average costs per ewe to produce a lamb crop were:

Machinery and equipment repair	$0.65
Fuel and oil	.94
Utilities	.28
Labor	2.72
Auto	.26
Pickup and truck	.33
Building repairs	.10
Livestock expenses	1.01
Feed purchased	4.47
Value of home-raised feed fed	8.49
Miscellaneous expenses	.38
Taxes	.67
Interest	1.19
Insurance	.24
Machinery depreciation	.63
Building depreciation	.60
Average costs per ewe	23.86

B. Average return from sales of wool, sheep, and incentive payments per ewe in 1962 was $18.34. When the changes in inventory were taken into account and added to these sales the average net increase per ewe was $17.77. The average cost per ewe in 1962 on these ranches was $23.86.

This summary shows that these six typical ranchers were operating at approximately a $6-per-head loss in 1962. It is evident that no businessman can continue to sustain such a substantial loss and long endure, regardless of what promises are made to him.

During this same period (1947 to 1962) our population increased by nearly 29 percent, or approximately by 41,893,000. With this same population increase, it would be reasonable to assume that the sheep and lamb population would correspondingly increase to supply the increased demand for meat and wool. In 1947 the total U.S. sheep and lamb population was 37,498,000. Assuming an increase in demand based upon the increase of population, the U.S. sheep population should have increased to 48,372,000. But, instead of increasing it decreased by 6,052,000 to a total of 31,446,000 in 1962. So that there is a total disparity between the projected sheep population and the actual sheep population of nearly 17 million head.

Lest you conclude that 1947 was a year with a particularly high sheep population, let me state that the average sheep population in the United States for the 16 years prior to 1947, that is 1931 through 1946, was 51,684,000, which is some 3 million above the projected figure based upon the 1947 population and adjusted in consonance with the population increase during that same period. The obvious conclusion is that the sheep industry is being liquidated and that if steps are not taken to protect it, in the near future, there will be no sheep and wool industry in the United States.

Tariffs on raw wool as well as manufactured wool products must remain at their present level, at the very least. Tariffs should be increased, not decreased. It is, therefore, essential that wool and its manufactured products be removed from the negotiation lists.

CHART I.—*Raw wool content of U.S. imports for consumption of wool manufacturers, 1947–date*

	Pounds
1947	15,939,000
1948	42,263,000
1949	43,399,000
1950	63,804,000
1951	56,387,000
1952	87,994,000
1953	61,963,000
1954	61,052,000
1955	81,399,000
1956	91,081,000
1957	85,173,000
1958	90,196,000
1959	126,927,000
1960	132,132,000
1961	127,458,000
1962	145,637,000
1963, January–August	102,790,000

CHART II.—*Raw wool content of U.S. exports of domestic wool manufacturers, 1947–date*

	Pounds
1947	46,088,000
1948	20,651,000
1949	10,275,000
1950	7,535,000
1951	8,161,000
1952	6,067,000
1953	5,031,000
1954	5,618,000
1955	5,514,000
1956	5,666,000
1957	4,562,000
1958	4,577,000
1959	4,936,000
1960	4,695,000
1961	4,538,000
1962	4,369,000
1963, Jan.–Sept	3,719,000

CHART III.—*Sheep and lamb; number on farms in the United States, 1947–62*

1947	37,498,000
1948	34,337,000
1949	30,943,000
1950	29,826,000
1951	30,633,000
1952	31,982,000
1953	31,900,000
1954	31,356,000
1955	31,582,000
1956	31,157,000
1957	30,654,000
1958	31,217,000
1959	32,606,000
1960	33,170,000
1961	32,967,000
1962 [1]	31,446,000

[1] Preliminary.

CONDITIONS IN THE VIRGIN ISLANDS

Mr. ALLOTT. Mr. President, heretofore I have spoken several times on the floor of the Senate with respect to conditions in the Virgin Islands. Because of a death in my family, I was unable to speak against confirmation of the nomination of the present Governor; but since that time I have repeatedly expressed views in regard to the situation in the Virgin Islands.

As I have said before, the Virgin Islands are the political cesspool of all the U.S. possessions. Not long ago, I had printed in the RECORD certain articles from the Daily News of the Virgin Islands, which is published at Charlotte Amalie. In response, the Governor of the Virgin Islands wrote to various Members of Congress, and had his letter printed in the RECORD.

I have before me an editorial from the Daily News, in which the Governor's statement as to his financial interest in matters over which he has complete control is specifically answered. I believe the editorial expressly answers his statement.

Again I call to the attention of the Senate the fact that we cannot continue for long to ignore the situation which now exists in the Virgin Islands. My file is becoming filled with letters from people who are completely disillusioned with the present administration there—even people who previously supported the Governor. In order that the Governor's statement and the answers to it may appear in the RECORD, I ask unanimous consent that the article and the editorial—the latter is entitled "More Facts Revealed on Peter's Farm,"—as printed in the Virgin Islands Daily News of December 21, 1963, be printed in the RECORD.

There being no objection, the article and the editorial were ordered to be printed in the RECORD, as follows:

[From the Daily News of the Virgin Islands, Dec. 21, 1963]

MORE FACTS REVEALED ON PETER'S FARM

Last month, the Daily News made certain assertions concerning the Government's recent sale of a tract of 60 acres and buildings in St. Croix, known as Peter's Farm. The question involved the 1955 leasing of the property to a firm of which Ralph M. Paiewonsky was an incorporator and director. Dependent upon certain improvements, the rental was set at $200 a month for a 30-year period.

In 1960, although the Government of the Virgin Islands attempted to break the lease because of nonfulfillment of lease obligations, the case was not brought to trial. Instead, under the present administration, the firm, of which the present Governor had been an incorporator, succeeded in obtaining the entire tract and buildings in 1963 for the sum of $20,000 down, balance of $80,000 spread over a 10-year period while the matter was still in court.

A concurrent agreement in 1962 stipulated that the development firm erect 30 housing units to be rented by the Government at rentals ranging from $90 to $150 per month for 10 years. Total rental fees over the 10-year period aggregate over $400,000.

The Daily News undertook some research on the matter and examined every document available involving the transaction from 1954 to 1963.

The Governor replied to questions posed by the Daily News. However, we are still convinced that the Government documents and records speak for themselves, and our purpose in revealing them is to insure our readers the privilege of judging the situation for themselves.

Governor's statement: 1. You deliberately stated that I still am financially interested in the West Indies Investment Co., which owns all the stock in the St. Croix Real Estate Development Co.

This is not true.

I have no interest whatever, direct or indirect, in that company. My stock in that company was among the holdings that I disposed of after becoming Governor. That stock was sold to an outside person with whom I have no financial connection.

It is correct and it is a matter of public record that I signed a deed as Governor in January 1963. That deed refers to an agreement I executed as Governor in September 1962. It was set forth upon the open court record that there was an agreement to settle the lawsuit by a sale of the property for $100,000.

What is not correct is your charge that I still had an interest in the company at the time of that settlement agreement.

Editor's reply: The Governor in his reply states that he is no longer financially interested in the St. Croix Real Estate Development Co., or in the West Indies Investment Co. There are no records in the files of the government secretary, whose office is a depository for corporation records, or in the attorney general's office, bearing this out.

On the other hand, we have examined a letter from Attorney James H. Isherwood, representing the St. Croix Development Co., suggesting that negotiations for a sale be expedited before Governor-elect Paiewonsky's inauguration, lest he be placed in the 'embarrassing position,' of having to make a decision on a company 'in which he is a stockholder.' The letter is dated February 23, 1961, and represents concern lest the new Governor be placed in an untenable position as a stockholder in the West Indies Investment Corp., parent firm of the St. Croix Real Estate Development Co.

Incidentally, it might be pointed out that the same Attorney Isherwood, who defended the St. Croix Real Estate Development Co. in the government's complaint against it in 1960 is a law partner of Attorney Warren Young, one of the original directors of the West Indies Investment Co. (St. Croix) later purchased by Sidney Lee.

Governor's statement: 2. You stated in your column that the Peter's Farm land, St. Croix, was sold by the Virgin Islands government at "a mere fraction of assessed value."

When the Virgin Islands government owned the land it was not subject to assessment, and, hence, there was no assessed value. The government made a sale to its lessee (West Indies Investment Co.) on the basis of current 1962 value, less a credit confined to a minimum basis for the improvement added by lessee. The 1962 value was determined by appraisers appointed by Commissioner Mario Lewis in accordance with standard government practices. Men selected by him were recognized appraisers, men who do appraisal work for the two leading banks in St. Croix, one of them a senior official of his bank.

Editor's reply: Actually, there were two appraisals of the Peter's Farm tract. The first appraisal was made by Mary Millar, John Colby and Danley Petersen in February 1962. There was no record kept of that appraisal in the files of the Attorney General's office. This group appraised the property at over $350,000.

A subsequent appraisal was made to which the Governor refers in his reply. The appraisers were Ira Ross, Alexander Moorhead, and John Moore, in March 1962. It can be pointed out that John Moore was a former director of the company which was seeking purchase of the Peter's Farm land, and also rent collector for the property. John Moore came to the island in the employ of and as a business associate of the Paiewonsky interests.

Carlos Downing, Commissioner of Property and Procurement, in 1960 in a letter to Gov. John Merwin, dated April 21, 1960, fixed the value of the land at a considerably higher figure at that time:

"Estimate of the fair market value of the Government's property based on the present value of real estate in the district is $350,000, viz: buildings and grounds $110,000 and land area of 60 acres at $4,000 per acre—$240,000."

And we point out that the Herman Hill tract in St. Croix adjoining Peter's Farm and consisting of 333 acres of unimproved land and no buildings was sold a few months after the Peter's Farm sale for $1,007,500 or over $3,025 per acre.

Governor's statement: 3. An article in your newspaper charged that the lease rental was set in 1955 at an improvidently low rate.

The company's rental proposal in 1955 was accepted by the Administrator for St. Croix upon the recommendation of the Municipal Committee of the St. Croix Municipal Council though the term was set at 30 years instead of the 50-year period requested.

One cannot judge a 1955 contract by the hindsight of 1962 knowledge. No one else was interested in this property in 1955. The Virgin Islands government had abandoned the site for hospital use. Every roof was leaking like a sieve. Taking into account the pitiful condition of rundown, termite-ridden, deserted and vandalized buildings, the 1955 rental was reasonable at that time.

Editor's reply: Irving Silverman, writing to David C. Canegata, Administrator of St. Croix, set the rental value of the property, at $200 per month. Chairman of the municipal committee at the time was Walter I. M. Hodge, a close friend and confidant of Ralph M. Paiewonsky who urged immediate, favorable action on the lease. Silverman requested a 50-year lease on the property.

The statement cannot be made that "no one else was interested in the property" in the absence of an advertisement for lease or sale.

There is evidence that others were interested in the property as stated in the later government attempt to breach the lease, "the said defendant the West Indies Co. entered into an agreement with one Freya Compain, dated November 10, 1958, agreeing thereby to assign to her a portion described as the buildings already constructed and known as Peter's Farm Hospital together with 10 acres of ground under and adjoining these buildings."

And in 1958 a certain M. M. Winthrop became interested in the property and paid West Indies Development Corp. in January 1959 a sum of $5,000 to secure an option on a lease of part of the property. Interested persons in St. Croix did not have an opportunity to know about it until the deal was consummated.

It is strange to say that the buildings were dilapidated and termite-ridden when a portion of them were occupied by the health department; another renovated for a dwelling by John Moore, still another for a dwelling for Sidney Lee. Dr. Ulric Karrel and an engineer, Tony Hauge, renovated sections of the property and lived there. Even Ralph M. Paiewonsky stayed there when he began his St. Croix distillery.

Governor's statement: You reiterate the charge that at the time of the January 1955 lease the lessee corporation was not even in existence.

This is a calculated effort on your part to insinuate wrongdoing to persons not familiar with business affairs. Even a novice to the world of business knows that businessmen organize through de facto corporations to conduct matters during the period required for completion of legal formalities.

If you had taken a few minutes to examine the open file you would have discovered that Attorney Isherwood filed with the court the documents showing that in December 1954 the corporation's president sent the St. Croix Administrator proposed articles of incorporation and the customary fee and the short delay of 1 or 2 months was solely to make the revisions in the charter suggested by U.S. Attorney Leon Miller. The St. Croix Real Estate Co. was plainly in existence in January 1955, as a de facto corporation, a well-known form of legal entity.

Editor's reply: Apparently the government of the Virgin Islands does not know what "a novice knows in the world of business," because the suit to breach the lease in 1960 was based in part upon that point. Apparently, therefore, the government also employed a "calculated effort to insinuate wrongdoing" in the suit.

We merely call attention to these facts and dates. The articles of incorporation for the St. Croix Real Estate Development Co. were submitted on February 21, 1955, acknowledged on February 26, 1955, and approved on April 18, 1955.

The lease for the Peter's Farm land was executed on January 6, 1955. There is no insinuation here. Just a matter of facts. In the code for the municipality of St. Croix, which was effective until September 1957, we find in chapter 26, section 3, page 68, that "when the articles of incorporation have been filed and reported the persons who have duly executed the same, and their successors, shall be a body politic in fact and in law in the name stated on the articles of incorporation, and by such corporate name shall have power." Under that code a corporation was not in existence until the filed articles were recorded.

In the case of the Peter's Farm lease negotiators acted about 46 days before the articles were signed, and about 102 days before they were approved.

The Governor is evidently searching for a defense under the new code, not the old code under which the corporation was formed.

Governor's statement: 5. You state that in 1960 the government brought suit to recover the property on the ground that the lessee had breached the lease. Mr. Russell Johnson, former attorney general, officially advised my administration that in his opinion the government was on weak legal ground. This was also the view of former Associate Solicitor Edwards of the Department of the Interior, of Comptroller Peter Bove, as well as Attorney General Corneiro.

Editor's reply: As to whether the government was on "weak legal grounds" or not will never be known since the case involving the breach of the Peter's Farm lease was never allowed to come to trial.

Attorney General Russell Johnson recommended on September 13, 1960, "The government of the Virgin Islands should commence a declaratory judgment action for the construction of the lease agreement as to the essential element of time of commencement and completion of the various undertakings. The worst that can result from such litigation is that the court will refuse to read into the contract something that is not there precisely, and at that point both parties are where they began."

The above memorandum to Gov. John Merwin was answered on September 13, by the then Governor who stated in part, "It is noted that you feel we ought to go to court and seek a declaratory judgment on the question of whether or not the lessee has fulfilled his undertakings under the terms and conditions of subject lease. It is also noted from your opinion that the lessee was expected to have started making improvements within 6 months but to have completed some within a reasonable time. The determination of what would constitute a reasonable time would then be the main question before the court in any action such as you have recommended.

"In reviewing this matter, I am of the opinion that we ought to take a more direct approach. I feel that we ought to settle once and for all whether or not we have a valid lease, the terms and conditions of which are specific enough to enable the parties there to know exactly what is expected of them. Secondly, I think we should determine whether or not there has been a breach on the part of the lessee or any of its covenants or undertakings. Accordingly, I feel that the best move for us to make at this time would be to file an action for cancellation of the lease and let the chips fall where they may.

"Unless you take any serious objection to the above proposal, it is requested that you immediately take steps to initiate an action for cancellation of the lease in question on the basis of the foregoing arguments or any other factors which you feel may be relevant.

"It is my feeling that the overall best interests of the government of the Virgin Islands would definitely be served if we could break the lease and start with a new program for the use of the subject property."

Governor's statement: 6. It is a pity that you have mounted a campaign of villification; of unfounded innuendo; of airing baseless charges; of printing deliberate assertions that are false.

It is a pity, because you have energy and talent that could be of service to the community if you harnessed them to constructive use. I do not suppose anyone really enjoys criticism, but I welcome criticism that is responsible and constructive for I know that in the long run this will help guard me from error and alert me to conditions that need watching.

Editor's reply: We have been publishing the Daily News for over 33 years. Let our readers judge whether or not we have "mounted a campaign of villification; of unfounded innuendo; of airing baseless charges; of printing deliberate assertions that are false."

The evidence we are publishing is derived from documents taken from official records of the government of the Virgin Islands. These are not false.

Governor's statement: 7. What is more the pity is that you seem unable to appreciate that it is the Virgin Islands, as a whole, and not the government officials assailed, which is damaged by the false image created on the mainland by your hostility and distortions.

Editor's reply: We yield to no one in hopes, dreams, ambitions for the Virgin Islands. If a "false image is being created on the mainland," we are quite sure that the Daily News is not creating it. We suggest that the "false image" is being created by government officials who, because of greed and avarice, have proved untrue to their high calling and untrustworthy in positions of trust.

OBSERVATION

In the mass of recorded material on the Peter's Farm deal between its inception in 1954 and the present, there are several documents and letters which are not readily available, and there are several which were not touched upon in the Governor's reply.

In regard to the lessee's option to purchase the Peter's Farm property, a letter from A. M. Edwards, associate solicitor of Territories, Wildlife, and Parks, Department of the Interior, Gov. Walter Gordon on August 1, 1957, states, "It is our opinion that the option provision contained in the lease is not legally enforcible in that specific performance could not be ordered for want of certainty." He concludes, quoting from a similar case, "These terms are so indefinite as to have no legal significance; they amount to nothing more than an agreement to make a future agreement; an agreement to agree is not enforcible."

"With regard to the option to purchase. * * * It is our opinion that you may refuse the request to purchase the property if you so desire, and in the event the lessee should protest, as it well might, you should advise it that the provision is probably unenforcible."

There is a letter, not on file, which is referred to in a lengthy review of the case by U.S. Government Comptroller, Peter Bove. The review is dated May 31, 1960. Mr. Bove states that "on May 2, 1957, Mr. Ralph Paiewonsky, on stationery of the West Indies Investment Co., wrote a letter to the Governor informing him that the corporation wanted to exercise the option to purchase the property." This is not in the file.

In the same report of Mr. Bove, "On December 20, 1957, the Governor wrote a letter to Mr. Paiewonsky informing him that he was advised that the option is so general in effect that it is unenforcible and that it appears that they would not be able to agree upon terms. However, he informed him that if the corporation desired to submit an offer, consideration would be given to it."

There is a memorandum dated July 31, 1961, from Governor Paiewonsky to Government Secretary Cyril E. King, stating, "This is with reference to my request to you that you supervise this matter. I assume that the interests of the government can be fully protected by the appropriate officers of the government, under the supervision of the Government Secretary, without any need for recourse to the level of the Governor."

Yet on April 19, 1962, we find Governor Paiewonsky himself making decisions which he had delegated to the Government Secretary. In a memorandum to Mario Lewis, Commissioner of Property and Procurement, he writes, "With reference to your memorandum to me of April 16, 1962, I concur in your opinion that a fair selling price, considering all the circumstances, is $100,000, and I hereby request that you proceed on this basis."

Indeed, Mr. Paiewonsky had made the same recommendation when he was acting as a representative of the West Indies Investment Co. in 1957.

In still another document on file, we note the concern of Attorney Isherwood in a note to Attorney General Corneiro dated May 22, 1962, "The June term of court is rapidly approaching, and I know it will be necessary to try this case whether we wish to or not, because of the judge's attitude. If there is to be any possibility of settlement, we must act rapidly, for I do not feel in fairness to my client I can again ask for a postponement or, if I do ask for one, that it will be granted."

Although Commissioner of Property and Procurement, Mario Lewis, evidently approved of the sale of the property at the price of $100,000, he was somewhat concerned about the terms of the sale. "The terms for the payment of the $100,000 sales price, as suggested by Mr. Sydney Lee, I do not feel are adequate. I would recommend that minimum of 50 percent of the sales price be paid to the government at the time that the deed is executed and that the balance be liquidated in five equal annual payments at 4 percent interest." The memorandum was addressed to Attorney General Corneiro on June 18, 1962. In spite of the commissioner's recommendation terms agreed on were $20,000 down, $80,000 in equal payments over a 10-year period.

[From the Daily News of the Virgin Islands, Dec. 21, 1963]

LET THE PEOPLE JUDGE

During the last 2 months our readers have had an opportunity to discover a great deal about the Peter's Farm negotiations in St. Croix from 1954 to the present day, as outlined and analyzed in the pages of the Daily News.

We contend that the original lease of these buildings and 60 acres of the adjoining lands was faulty, and that in spite of this fact, the St. Croix Development Co. and its parent firm, the West Indies Investment Co., was able to purchase the valuable property for less than a third of its worth, according to current real estate rates in the Virgin Islands. We contend further that Ralph M. Paiewonsky, one of the original incorporators of the development firm and one of the original stockholders of the investment corporation, was able to exercise his authority as Governor of the Virgin Islands to negotiate a sale of the property to the original lessees on terms which were eminently favorable to the corporations involved and unfavorable to the people of the Virgin Islands.

We pointed out also how an agreement between the insular government and the firms during the present administration has enabled present deed holders of the property to build and rent dwelling units back to the government over a 10-year period for a sizable sum.

The facts we have disclosed about the negotiations have been taken directly from government files.

We are certain that the matter should not be brushed aside as irrelevant but perused more closely. The citizens of the islands should have assurance that the welfare of the community is placed above the personal gain of friends and associates of the present Governor.

We have no intention of delving further into this matter. We believe that it has been sufficiently aired and that the aroma is far from pleasing.

We submit the facts we have gleaned to the scrutiny of public opinion.

Mr. ALLOTT. Mr. President, I yield the floor.

Mr. HART. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. GORE. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

PROPOSED TAX REDUCTION

Mr. GORE. Mr. President, immediate and drastic tax reduction has been so widely propagandized that those of us who want to take a serious look at the need for, and consequences of, a gigantic revenue loss have difficulty in directing attention to any aspect of this many-faceted program and the related problems of economic growth, unemployment, and poverty.

Many problems are involved in this entire exercise, but few have been discussed with clarity or depth.

The only question being debated at all is whether a delay in enactment of this bill, H.R. 8363, even for a few weeks, will imperil the Nation. This question is a bit ridiculous, but that is the situation.

This bill will be reported by the Finance Committee to the Senate within the next few weeks, and at that time I expect to participate in a really meaningful discussion in some depth—I do not mean to imply that a filibuster will be engaged in—of the many problems involved.

Today, I invite the attention of Senators to one aspect of this bill, that is, the huge increase in after tax income—take-home pay to use a more familiar phrase—which this inequitable measure gives to the rich and to the very rich.

I ask unanimous consent to have printed in the RECORD a table prepared by the staff of the Joint Committee on Internal Revenue Taxation, and found on pages 354 and 355 of the hearings of the Senate Finance Committee.

There being no objection, the table was ordered to be printed in the RECORD, as follows:

TABLE 1.—*Individual income tax liability: Under present law tax rates, under H.R. 8363 tax rates, and under uniform percentage increase in taxable income after present law tax; selected levels of taxable income, 1965, single person*

Taxable income	Tax		Taxable income after tax		Reduction in tax or increase in taxable income after tax				
					Under H.R. 8363			Under uniform percentage increase in taxable income after tax (5.95 percent)	
	Present law	H.R. 8363	Present law	H.R. 8363	Amount	As percent of present law tax	As percent of taxable income after present law tax	Amount	As percent of present law tax
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)
$500	$100	$70	$400	$430	$30	30.0	7.5	$24	24.0
$1,000	200	145	800	855	55	27.5	6.9	48	24.0
$1,500	300	225	1,200	1,275	75	25.0	6.3	71	23.7
$2,000	400	310	1,600	1,690	90	22.5	5.6	95	23.8
$4,000	840	690	3,160	3,310	150	17.9	4.7	188	22.4
$6,000	1,360	1,130	4,640	4,870	230	16.9	5.0	276	20.3
$8,000	1,960	1,630	6,040	6,370	330	16.8	5.5	359	18.3
$10,000	2,640	2,190	7,360	7,810	450	17.0	6.1	438	16.6
$12,000	3,400	2,830	8,600	9,170	570	16.8	6.6	512	15.1
$14,000	4,260	3,550	9,740	10,450	710	16.7	7.3	580	13.6
$16,000	5,200	4,330	10,800	11,670	870	16.7	8.1	643	12.4
$18,000	6,200	5,170	11,800	12,830	1,030	16.6	8.7	702	11.3
$20,000	7,260	6,070	12,740	13,930	1,190	16.4	9.3	758	10.4
$22,000	8,380	7,030	13,620	14,970	1,350	16.1	9.9	810	9.7
$26,000	10,740	9,030	15,260	16,970	1,710	15.9	11.2	908	8.5
$32,000	14,460	12,210	17,540	19,790	2,250	15.6	12.8	1,044	7.2
$38,000	18,360	15,510	19,640	22,490	2,850	15.5	14.5	1,169	6.4
$44,000	22,500	18,990	21,500	25,010	3,510	15.6	16.3	1,279	5.7
$50,000	26,820	22,590	23,180	27,410	4,230	15.8	18.2	1,379	5.1
$60,000	34,320	28,790	25,680	31,210	5,530	16.1	21.5	1,528	4.5
$70,000	42,120	35,190	27,880	34,810	6,930	16.5	24.9	1,659	3.9
$80,000	50,220	41,790	29,780	38,210	8,430	16.8	28.3	1,772	3.5
$90,000	58,620	48,590	31,380	41,410	10,030	17.1	32.0	1,867	3.2
$100,000	67,320	55,490	32,680	44,510	11,830	17.6	36.2	1,944	2.9
$150,000	111,820	90,490	38,180	59,510	21,330	19.1	55.9	2,272	2.0
$200,000	156,820	125,490	43,180	74,510	31,330	20.0	72.6	2,569	1.6
$300,000	247,820	195,490	52,180	104,510	52,330	21.1	100.3	3,105	1.3
$400,000	338,820	265,490	61,180	134,510	73,330	21.6	119.9	3,640	1.1
$600,000	520,820	405,490	79,180	194,510	115,330	22.1	145.7	4,711	.9
$800,000	696,000	545,490	104,000	254,510	150,510	21.6	144.7	6,188	.9
$1,000,000	870,000	685,490	130,000	314,510	184,510	21.2	141.9	7,735	.9

Source: Staff of the Joint Committee on Internal Revenue Taxation, Oct. 4, 1963.

TABLE 2.—*Individual income tax liability under present law tax rates, under H.R. 8363 tax rates, and under uniform percentage increase in taxable income after present law tax; selected levels of taxable income, 1965, married couple—joint return*

Taxable income	Tax		Taxable income after tax		Reduction in tax or increase in taxable income after tax				
	Present law	H.R. 8363	Present law	H.R. 8363	Under H.R. 8363			Under uniform percentage increase in taxable income after tax (5.95 percent)	
					Amount	As percent of present law tax	As percent of taxable income after present law tax	Amount	As percent of present law tax
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)
$1,000	$200	$140	$800	$860	$60	30.0	7.5	$48	24.0
$2,000	400	290	1,600	1,710	110	27.5	6.9	95	23.8
$3,000	600	450	2,400	2,550	150	25.0	6.3	143	23.8
$4,000	800	620	3,200	3,380	180	22.5	5.6	190	23.8
$8,000	1,680	1,380	6,320	6,620	300	17.9	4.7	376	22.4
$12,000	2,720	2,260	9,280	9,740	460	16.9	5.0	552	20.3
$16,000	3,920	3,260	12,080	12,740	660	16.8	5.5	719	18.3
$20,000	5,280	4,380	14,720	15.620	900	17.0	6.1	876	16.6
$24,000	6,800	5,660	17,200	18,340	1,140	16.8	6.6	1,023	15.0
$28,000	8,520	7,100	19,480	20,900	1,420	16.7	7.3	1,159	13.6
$32,000	10,400	8,660	21,600	23,340	1,740	16.7	8.1	1,285	12.4
$36,000	12,400	10,340	23,600	25,660	2,060	16.6	8.7	1,404	11.3
$40,000	14,520	12,140	25,480	27,860	2,380	16.4	9.3	1,516	10.4
$44,000	16,760	14,060	27,240	29,940	2,700	16.1	9.9	1,621	9.7
$52,000	21,480	18,060	30,520	33,940	3,420	15.9	11.2	1,816	8.5
$64,000	28,920	24,420	35,080	39,580	4,500	15.6	12.8	2,087	7.2
$76,000	36,720	31,020	39,280	44,980	5,700	15.5	14.5	2,337	6.4
$88,000	45,000	37,980	43,000	50,020	7,020	15.6	16.3	2,559	5.7
$100,000	53,640	45,180	46,360	54,820	8,460	15.8	18.2	2,758	5.1
$120,000	68,640	57,580	51,360	62,420	11,600	16.1	21.5	3,056	4.5
$140,000	84,240	70,380	55,760	69,620	13,860	16.5	24.9	3,318	3.9
$160,000	100,440	83,580	59,560	76,420	16,860	16.8	28.3	3,544	3.5
$180,000	117,240	97,180	62,760	82,820	20,060	17.1	32.0	3,734	3.2
$200,000	134,640	110,980	65,360	89,020	23,660	17.6	36.2	3,889	2.9
$300,000	223,640	180,980	76,360	119,020	42,660	19.1	55.9	4,543	2.0
$400,000	313,640	250,980	86,360	149,020	62,660	20.0	72.6	5,138	1.6
$600,000	495,640	390,980	104,360	209,020	104,660	21.1	100.3	6,209	1.3
$800,000	677,640	530,980	122,360	269,020	146,660	21.6	119.9	7,280	1.1
$1,000,000	859,640	670,980	140,360	329,020	188,660	21.9	134.4	8,351	1.0

Source: Staff of the Joint Committee on Internal Revenue Taxation, Oct. 4, 1963.

Mr. GORE. Mr. President, the table shows some very disturbing results. Whereas a married couple filing a joint return, having a taxable income subject to ordinary income rates of $3,000 per year, will gain $150 from the rate reductions in the bill, the more affluent couple with a taxable income of $300,000 will pick up an extra $42,660. As a percentage of taxable income, this would mean an extra 6.3 percent to this $3,000 couple, but an extra 55.9 percent to the $300,000 couple. For the really rich, the gain would be more than 100 percent in take-home pay after tax income.

It has been pointed out, and I want this clearly understood, that the table does not reflect the full picture insofar as the rich and very rich are concerned. The typical high income taxpayer is able to take advantage of many loopholes in the law. As I showed yesterday, the affluent do not pay taxes in accordance with the regular, ordinary income tax rates. But the table which I have just placed in the RECORD does show the true picture with respect to whatever taxable income any taxpayer has to which the published ordinary income rates apply.

Let me emphasize that any statistics must be used with caution, and these are no exception. For those in the higher income groups, capital gains are not considered, since such income will generally be subject to the 25 percent maximum rate under existing law—of course, even this bonanza is sweeter under the tax bill. The provisions of the bill would now cut that maximum to 21 percent.

Let me say again, however, that the table which I have placed in the RECORD today applies only to that portion of taxable income to which ordinary income rates apply. This is how the majority of Americans pay most of their taxes. This is not true, as I have said, of the typical taxpayer with a very large income. But the gain which would be realized under the tax bill by those in the upper income groups would be tremendous. In my view, Mr. President, it would be grossly unfair.

A far more equitable way of reducing taxes, if we can afford a large reduction in governmental revenue, would be to raise the personal exemption for each taxpayer and each dependent. This would give everyone a more nearly equal and equitable amount of tax benefit.

Referring again to the table, it shows that a taxpayer with a small income would receive a very small percentage increase in take-home pay. It would be a percentage increase of a small amount. But those who have large taxable incomes would receive a large percentage increase in take-home pay. It would be a large percentage of a large amount.

Instead of the pending bill making our tax system more progressive, more equitable, more stimulative primarily of the consumer element of our economy, it would do just the reverse. Its enactment would bring a more regressive tax law, a more unfair tax law, a more unjust tax law, and would allow those with really large incomes, who now do not pay their fair share according to the table which I placed in the RECORD yesterday, to pay less.

Consideration of the tax bill, soon to be before the Senate, will be the first battle waged by the Senate in the war on poverty. If the bill should pass in its present form, the first battle in the war on poverty would be lost on the floor of the Senate because the bill, instead of marching toward victory in that war would march in the opposite direction from fairness and equity.

Mr. CLARK and **Mr. DOMINICK** addressed the Chair.

The **PRESIDING OFFICER** (Mr. BREWSTER in the chair). The Senator from Pennsylvania is recognized.

THE NEED FOR CONGRESSIONAL REORGANIZATION

Mr. CLARK. Mr. President, I turn briefly to my usual subject, the need for congressional reorganization, and I invite the attention of Senators to an interesting column written under the byline of Inez Robb, and published in the Pittsburgh, Pa., Press on January 6, 1964, entitled "Congress Ripped."

I ask unanimous consent to have this column printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

[From the Pittsburgh Press, January 6, 1964]

CONGRESS RIPPED

(By Inez Robb)

NEW YORK.—It has been some time since I have seen a copy of Hobo News, Variety, my sorority's house organ, or the Phi Beta Kappa Quarterly. But it is dollars to doughnuts that within recent issues all four have, in one way or another, put the blast on Congress.

If not, they are the only publications in the United States that have failed to throw a roundhouse punch at Congress within the past 4 or 5 weeks. Never before have so many tossed so much at so few. And now, as the 88th Congress begins its second session, never have so few been so disdainful of so much criticism from so many constituents.

Like Ol' Man River, Congress jus' goes rollin' along, impervious to demands for action, speed, modernization, and reform. It is as delighted with its own image as was Narcissus, who pined and died of self-love.

Strong hints that this could be the fate of Congress pop up in magazines and newspapers of every shade of Democratic and independent Republican opinion.

The Saturday Evening Post recently cried: "The Congress of the United States is in deep trouble. More than ever before, the public attitude toward Congress is a mixture of indifference, amusement, and contempt. * * * When the citizens of a democracy begin to hold their legislature in contempt, democracy is itself in danger."

The New York Times was equally emphatic when it editorialized:

"Unless it responds more vigorously to the country's needs in a 1964 session shortened by the exigencies of a presidential campaign, this Congress will be remembered chiefly for the damage it did to public confidence in the legislative process."

Just to prove that even some Congressmen are aware of Congress' current sad sack public image Representative JOHN V. LINDSAY, New York Republican, in his holiday letter ("not printed at Government expense") to his constituents says:

"The road ahead (for civil rights legislation) is still long, arduous, and full of roadblocks, not the least of which is a certain Senate filibuster early in 1964. The possibility that the House will not complete floor action this year (1963) because of the delay in the Rules Committee is another indication of the needlessly slow pace of Congress and the inadequacies of the congressional power structure."

Mr. LINDSAY is a young man worth listening to. He is a mover and shaker in Congress and in his own party. By 1972 he is as certain to be a prime GOP candidate for the Presidency as Harold Stassen. Only Mr. LINDSAY is apt to be the man who gets it.

But Congress listens to no one, not even its own eminent Members who have been urging congressional self-reform for years. Senator JOSEPH S. CLARK, Philadelphia Democrat, and Senator CLIFFORD P. CASE, New Jersey Republican, have been valiantly trying to get the legislation to brace up, modernize its procedures, and reform.

But if the Messrs. CLARK and CASE were King Canute and Congress were the sea, the new broom the two Senators propose to wield could not be more futile. Only Congress can remold itself, and its urge to self-reform is approximately that of a self-confident chorus girl who has just received her fifth diamond necklace with mink coat to match.

Mr. CLARK. Mr. President, the column points out the growing disillusionment of the people of this country with the performance of Congress, and the crying need for drastic reorganization. It quotes a statement from the Saturday Evening Post to the effect that—

> The Congress of the United States is in deep trouble. More than ever before, the public attitude toward Congress is a mixture of indifference, amusement, and contempt. * * * When the citizens of a democracy begin to hold their legislature in contempt, democracy is itself in danger.

I concur, as Senators know, in these views of the Saturday Evening Post and those of Miss Robb. I believe that an increasing number of Members of Congress, both in the Senate and in the House of Representatives, are beginning to share them also.

I hope that in due course—indeed, in the foreseeable future—the indignation of the country at the performance of the Congress will force us to wake up and put our house in order.

SENATOR CASE'S REMARKS TO MASTER PRINTERS ASSOCIATION

I ask unanimous consent that a partial text of the remarks of the Senator from New Jersey [Mr. CASE] prepared for delivery on receiving the 6th Annual Citizenship Award of the Master Printers Association, be printed in full at this point in my remarks.

There being no objection, the partial text was ordered to be printed in the RECORD, as follows:

PARTIAL TEXT OF REMARKS BY SENATOR CLIFFORD P. CASE, REPUBLICAN, OF NEW JERSEY, PREPARED FOR DELIVERY ON RECEIVING THE SIXTH ANNUAL CITIZENSHIP AWARD OF THE MASTER PRINTERS ASSOCIATION AT A DINNER AT THE ROBERT TREAT HOTEL, NEWARK, N.J., ON MONDAY, JANUARY 13, 1964

You do me much honor in giving me this award. Recognition by such a distinguished group as yours is a signal honor itself. Any American would be happy to have his name coupled with the name of Benjamin Franklin in almost any connection.

As your organization rightly reminds us, Benjamin Franklin is a Founding Father of the American printing industry. He comes immediately to the minds of all of us as one of the Founding Fathers of our Nation. He played a key role in drafting the Constitution of the United States of America and signed his name to it as one of the Pennsylvania Delegates at that famous Convention in Philadelphia in 1787.

The Constitution devotes the very first article of the delineation of the powers of the U.S. Congress, placing it before the outline of the powers of the President and of the Judiciary. Clearly, the Founding Fathers meant Congress to be a fullfledged partner in our tripartite Government.

But it has grown increasingly clear that Congress is losing the confidence of a substantial part of the electorate. A poll which was announced after the 1st session of the 88th Congress finally concluded a few weeks ago showed that the public, by a vote of nearly 2 to 1, took a negative view of the 88th Congress. It revealed a general opinion that Congress had dragged its feet at a time when action was required.

The public had sound grounds for this conclusion. For example, at the end of the last session, there had been no consideration whatsoever—not a hearing nor a vote of any kind—on fully 25 percent of all the proposals made by the administration. And I should like to emphasize that I mean there was no active consideration of these proposals by a subcommittee, committee or, much less, the full House or Senate. This is not to argue that all or any administration proposals should be enacted into law. It is to argue emphatically that there should be a vote up or down on these issues. One man, as chairman of a committee or subcommittee, should not have the power to bottle up a bill entirely.

For our Government to be fully effective, Congress must stand up to the issues and take its position publicly.

There are those who believe that the less Congress does, the better for the Nation. This is an arrogant view. It assumes that a handful of people, largely elected from one party and the less populous States, is entitled to substitute its judgment for that of all the representatives of the Nation. It may be that a vote of the full Congress on a given issue would support the judgment of the subcommittee or committee chairman, but the important thing, I emphasize, is that it would have been put to a test of voting and that the representatives of the people as a whole would have had a chance to make their views known and recorded.

A recent issue of a national publication listed 14 legislative programs which "Congress balked at." I should like to take a minute or two to discuss several items on this list, for I do believe that the view that Congress balked at this legislation is not proven out by the facts. If the headline had said "Congress failed to vote" on these issues, it would have been accurate. It is my goal in pressing for congressional reform to make sure that Congress as a whole is given an opportunity to vote on these and all important issues.

The first item on the magazine's list was the tax cut. This was passed by the House of Representatives and is now pending in the Senate Finance Committee. I was among those who proposed a tax cut fully 18 months ago, and the administration's own measure has been pending in the Congress for almost a full year. Surely, we in the Senate should be given an opportunity swiftly to amend it if necessary, to vote it up or vote it down, but to vote.

The second of the items on the list is a new civil rights law, a most essential and overdue piece of legislation. It has been held up in the House Judiciary Committee, in the Senate Judiciary Committee, and now is pending in the House Rules Committee. The issue is an old one which has become more and more intensified by the delay in acting on legislative remedies. Surely, we in Congress are entitled to a vote on such legislation, and it should have taken place many months ago.

There are several other items on the list which are tied up in committee and have yet to reach the House or Senate floor in the 88th Congress for a vote, indeed they haven't yet been voted on in committee.

In this category is Federal aid for public grade schools and high schools, hospital insurance for those over 65 under social security, an overhaul of the unemployment insurance system, creation of a new Department of Urban Affairs and Housing in the Cabinet, truth in packaging, truth in lending, and a new academy to effectively train Foreign Service officers.

Perhaps Congress will "balk" at such legislation, but how can anyone say this with confidence unless the measures come to a vote? The effective functioning of the Congress requires that such important issues be put to the test of a vote. The judgment of a committee or subcommittee chairman is no substitute for a "yea" or "nay" vote.

An instrument for achieving reform is at hand in the form of a resolution developed by Senator JOSEPH CLARK of Pennsylvania and myself for appointment of a Joint Committee on the Organization of Congress "to make a full and complete study of the organization and operation of the Congress of the United States." The committee "shall recommend improvements in such organization and operation with a view toward strengthening the Congress, simplifying and expediting its operations, improving its relationships with other branches of the U.S. Government, and enabling it better to meet its responsibilities under the Constitution."

This resolution was reported almost unanimously by the Senate Rules Committee last September. An abortive attempt was made by Senate Majority Leader MIKE MANSFIELD to call it up for a vote in the Senate in the closing days of the past session, but an objection by Senator RICHARD RUSSELL of Georgia effectively blocked consideration.

Growing public impatience with the inadequacies of the 1st session of the 88th Congress will, I believe, force action on our resolution. If we are given a chance in 1964 to vote on congressional reform, I am confident that we will be able to make Congress an effective third branch of Government.

Mr. CLARK. That fine speech by our friend deals with the need for congressional reorganization and suggests ways and means of accomplishing it. I commend the address to all Senators and other readers of the RECORD.

GERMANENESS OF DEBATE UNDER CERTAIN CONDITIONS

The Senate resumed the consideration of the resolution (S. Res. 89) providing for germaneness of debate under certain conditions.

Mr. CLARK. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. CLARK. What is the pending question?

The PRESIDING OFFICER. The pending question is on agreeing to the so-called Clark-Scott substitute for the resolution, as amended.

Mr. CLARK. I thank the Senator for his candid response to my inquiry. I do not know why it is "so-called." It is actually the Clark-Scott amendment.

Mr. President, I should like to speak very briefly on the pending question.

I suppose that under the rules of the Senate I could call for the question on the Clark-Scott amendment. On similar occasions in the past I have been somewhat tempted to do so. I believe I know what would happen under the procedures of this body.

Either my good friend the junior Senator from Colorado [Mr. DOMINICK], who is valiantly defending the Republican ramparts across the aisle, or perhaps, in desperation, the present occupant of the Chair [Mr. BREWSTER], would immediately suggest the absence of a quorum In due course a few Senators would arrive.

Unless I insisted on a live quorum, there would then be dilatory tactics which would successfully prevent the question from being put on the pending business of the Senate. If I insisted on a live quorum, I would indeed be in the senatorial "doghouse" because it would probably require several hours to summon a live quorum, in view of the fact that word has gone out that no business will be transacted today. Such action would only result in further erosion of my own position, and would not advance the cause of the pending business—the amendment to which I am deeply committed. Therefore I shall not take those steps.

I am a great believer in appropriate senatorial courtesy. I know that the Senator in charge of the bill, the Senator from Rhode Island [Mr. PASTORE], is ill. Accordingly, I am only too glad to consent to the delay which the leadership has suggested, hoping that the popular senior Senator from Rhode Island will soon recover his health and that the Senate can proceed with the pending business.

However, I believe that I should sound a note of warning. There is no legitimate excuse for not permitting the Clark-Scott amendment to come to a prompt vote on its merits. I hope that when the Senator from Rhode Island [Mr. PASTORE] returns and the Senate can take up the resolution again, there will not be a filibuster, as was the case shortly before the recess on Senate Concurrent Resolution 1—a two-word filibuster, the words being "I object"—a filibuster which nonetheless prevented that quite innocuous resolution and an amendment to it proposed by the Senator from New Jersey [Mr. CASE] and myself from coming to a vote.

If we in the Congress are to do our part in solving the serious legislative proposals which confront our country between now and the adjournment of the 88th Congress, we shall have to change our ways and be prepared to act on congressional business. If the opponents of the Clark-Scott substitute amendment think they have the votes to defeat it, why do they not let it come to a vote promptly? The arguments in favor of the measure were made 3 or 4 days ago. No arguments have yet been made against it. If the opponents do not believe they have the votes, why do they not move to table the measure? They would then have the assurance that if they were mistaken, and could not defeat it on its merits, they could stage a full dress filibuster against one of the simplest and yet one of the most useful of the proposed amendments to the rules of the Senate.

I make that plea to an empty Chamber in the hope that it will be read by at least some Senators before the Senate meets again.

I again express my earnest hope that the Senate will be prepared to face at least one or two of the relatively mild and completely feasible changes in Senate rules and procedures which, when taken together, might well substantially expedite our responsibility to conduct the Nation's business.

I yield the floor.

TAX CREDIT FOR THE COST OF HIGHER EDUCATION

Mr. DOMINICK. Mr. President, last night I had the opportunity and privilege of sharing the platform with the distinguished Senator from Connecticut [Mr. RIBICOFF]. We were addressing 550 college presidents and trustees of colleges in connection with the sponsorship of amendment No. 329, which is the amendment submitted by the Senator from Connecticut [Mr. RIBICOFF] and cosponsored by myself and some 12 other Senators, providing for a tax credit for the cost of tuition, books, and educational fees for higher education. That particular amendment will be pressed before the Finance Committee which is now considering the tax bill. We have relative assurance that if the measure does not succeed in the Committee on Finance, it will be offered on the floor of the Senate as an amendment to the bill as it comes from the committee.

The theory of a tax credit for financing the costs of higher education is not new. I introduced a bill to that effect while I was in the State legislature, for State purposes. I introduced a similar measure when I was in the House. I have introduced a bill on that subject since coming to the Senate.

A number of other Senators have been equally diligent in promoting that concept of a method of trying to ease the cost of providing higher education for our children. At the present time a family—even a relatively high middle income family—with four or five children to educate, has an almost impossible task to provide the necessary funds so that more than one child can go to college. During my career I do not know how many families I have seen who have told me how hard the other children, as well as the mother and father, were working in order to provide enough money so that at least one child in the family could have the benefit of higher education.

The particular bill to which I have referred is obviously not a complete solution to the problem, but it would be of help, because it provides that pre-tax earnings may be used for educational purposes, both for higher education at the college level, and for graduate schools. It would completely avoid the religious problems that exist in connection with many of the education bills.

It completely avoids the integration problem which exists in connection with many of the bills. It merely provides that a family that wants to send its children to college or graduate schools, or any young man or woman who wishes to go to college, may have the privilege of using earnings prior to taxation for the purpose of paying the cost of such education.

The Senator from Connecticut [Mr. RIBICOFF] made a very fine presentation to this group last night. I had the privilege of listening to it and following him in support of his presentation. The Senator had a written speech which was delivered, explaining in detail this particular amendment, and how many other provisions of the bill have been compromised to take care of some of the objections that have been made, to the effect that the bill is not sufficient to help those with low incomes.

The amendment that has been suggested provides for a credit of 75 percent of the first $300 of educational cost. So the maximum impact would apply to those who pay tuition at the public school level, rather than at the independent school level, which is usually far higher.

This is one of the ways in which we have avoided the objections which have been made on other occasions.

When I introduced the bill during the 1963 session, I inquired from the Treasury how much it anticipated the cost would be. In my bill, I provided for a maximum of $600 tax credit limitation. I received a reply indicating it would cost approximately $400 million a year, if the maximum limitation of $600 were included. The maximum limitation under this amendment is about half the maximum limitation in my bill. So we would be talking in terms of revenue of no more than $200 million, and probably less.

Yesterday this body, without appreciable debate, provided for a contingent liability of the United States for subscription to additional cost of the Inter-American Development Bank in excess of $411 million, or twice what this bill would cost. It was done without lengthy debate. It was done without any great concern. We were trying to provide a mechanism by which other countries might be helped. This proposal is a mechanism by which our people can be helped to provide for their own education, without need for a new agency or department.

In order to explain fully, so it may be before each Member of the Senate, I ask unanimous consent to place at this point in the Record the very distinguished address which the Senator from Connecticut [Mr. Ribicoff] delivered last night to the fine group of educators. I participated in the discussion with him.

There being no objection, the address was ordered to be printed in the Record, as follows:

Address by Senator Abraham Ribicoff Before the Citizens National Committee for Higher Education, Washington, D.C., January 14, 1964

Two years ago I addressed a group of college presidents as Secretary of Health, Education, and Welfare. Many of you who were there will recall that—though my purpose was constructive—my remarks were not considered especially flattering.

At that time I was concerned about the failure of college presidents to give solid support to the college aid bill. Their squabbling over details, their insistence on having their individual views prevail—or none at all—was undermining the effort to secure our mutual goal: the passage of much-needed legislation.

Since that speech 2 years ago, many things have changed. First of all, much of the dissension within the ranks of higher education subsided. The new show of unified support greatly contributed to the passage last year of the college aid bill, a landmark in the history of American education.

My own career also changed. Much as I valued the opportunity to serve in the Department with primary responsibility in the field of education, I find even greater challenge and satisfaction in being in the forum where the issues are finally resolved. I was proud to be President Kennedy's spokesman for the college aid bill. But I can assure you that no speeches or testimony to Congress could compare with actually casting my vote as a U.S. Senator on the day that bill was passed.

The change from the Cabinet to the Senate has also given me the opportunity to take my own independent position on pending issues, and to view in broader perspective the relationship between Congress and the executive branch. I know Congress does not give the executive branch everything it asks for. But my concern is for the other side of the coin—Congress rarely gives the executive branch anything it did not ask for. Congress is slow to initiate its own proposals for dealing with national problems. And there is an extreme reluctance to advance suggestions that are actively opposed by the executive branch.

The issue we discuss this evening is a good example. For years Senators and Congressmen have introduced bills calling for some form of tax relief to those who pay the costs of a college education. Each year the Treasury Department has opposed such bills. What has been the result? These bills have never passed, they have never been seriously considered in a single committee of Congress, they have never even been brought to a vote.

I don't know whether such a bill will pass this year, but I am sure the Finance Committee will give the matter serious consideration, and I can assure you there will be a vote—in committee and, if necessary, on the floor of the U.S. Senate.

Early this year, I introduced my own bill providing tax relief for college costs. Eighteen other Senators also sponsored their own bills on this subject. As the tax bill moved through the House of Representatives on its way to the Senate, I realized that the best way of bringing this issue to a head was to offer an amendment to the tax bill. I, therefore, invited the other Senators who had expressed an interest in this approach to work with me in preparing an amendment containing our best thinking on this problem.

From that effort emerged amendment No. 329 to the pending tax bill, an amendment which I introduced with the cosponsorship of 14 other Senators. Let me tell you exactly what this amendment does, why I am for it, and why I disagree with the Treasury's arguments against it.

This amendment provides an income tax credit to any person who pays for college tuition and certain related expenses, such as fees, books, and supplies. The credit is available to parents, to students themselves, if they pay or contribute to their own tuition, and also to any other person who may decide to finance the higher education of a deserving young man or woman.

The credit is computed on the amount of tuition, fees, and books paid up to a maximum of $1,500. The credit is 75 percent of the first $200, 25 percent of the next $300, and 10 percent of the next $1,000. For example, if tuition and fees are $300, the credit is $175. This means the person's taxes are actually reduced by $175. If the expenses are $800, the credit is $255. The maximum credit on $1,500 of expenses is $325.

This percentage formula was used to recognize the fact that tuition at most public colleges is less than at private colleges. By giving a proportionately greater credit to low tuitions, we have sought to equalize the relative benefit of the credit between those who pay tuitions at public and private colleges.

The credit is reduced by 1 percent of the amount by which the taxpayers adjusted gross income exceeds $25,000. This means the credit is reduced by $50 for each $5,000 of income over $25,000. Under this provision the man in the $30,000 bracket gets less tax benefit than the man in the $10,000 bracket, and the man in the $60,000 bracket gets no benefit at all.

This feature of the amendment is designed to meet the objection to other tax relief plans that they waste benefit on the very rich who do not need it and they prefer the upper income groups. Our amendment provides no benefit to the very rich, and prefers the middle and lower middle income groups to the upper income groups. It was this aspect of the amendment which prompted the American Association of University Professors even though opposed in principle to call it "more meritorious than the usual tax deduction or tax credit proposal.

This proposal is not intended as a substitute for any other form of aid for higher education. Naturally, I hope it will help many taxpayers provide a college education for their children or for themselves. But I recognize that the amount of the credit will not make the decisive difference for a majority of taxpayers as to whether or not they can afford the costs of a college education. It will, however, be helpful to all such taxpayers and we could serve no more worthy purpose than helping to provide a higher education for every qualified young man and woman in America.

I support this amendment to the tax code because I believe the heavy burden of a college education is just as entitled to be lessened through our tax laws as the heavy burden of medical expenses or casualty losses. College costs hit a family in a comparatively short span of years and hit with an impact that hurts. A $3,000 college expense is a staggering burden for a man earning $8,000, $12,000, or $15,000. It is no answer to say the cost can be anticipated. Medical expenses, too, can be anticipated, yet our tax laws even provide tax relief for the cost of health insurance.

In the past, two main arguments have been directed at this type of proposal. One has concerned high-income families and the other low-income families.

First, it has been argued that tax relief proposals do more for upper-income taxpayers than for middle-income taxpayers and that the benefit is wasted on those in really high-income brackets. My amendment meets that objection head on. Because the credit has a limitation based on income, the upper-income family actually gets less benefit than the middle-income family, and the high-income family gets no benefit at all.

Second, it has been argued that tax relief proposals do nothing for the very-low-income brackets who pay no taxes. The answer to this argument is not to reject tax relief for the middle-income families who need it, but to provide scholarship aid for students from the low-income families. Most scholarship assistance now goes to families below the $7,000 income level. And more such aid is needed. But this type of aid rarely helps those in the middle-income brackets.

Yet their burdens are heavy, and they are entitled to some relief. In fact, the middle-income families for years have been helping the scholarship families through increased tuition payments that help provide the colleges with student-aid funds. It is time these middle-income families got some needed help.

A scholarship proposal should certainly not be opposed because the middle-income families get no benefit from it. By the same token a tax relief proposal should not be opposed, because the very low income groups, the nontaxpayers, get no benefit from it. Both approaches are necessary and desirable.

Let me turn now to the points raised by the Treasury Department in opposing this amendment in its December 11 report to the Finance Committee.

The Treasury suggested that use of the tax system might cause a serious conflict with nontax proposals for education such as H.R. 4955, the National Defense Education Act bill, and H.R. 6143, the college-aid bill. I disputed this claim when I introduced this amendment, and I dispute it again today. The fact is that both of these education bills have been passed by Congress and signed into law. My amendment presented no conflict whatsoever.

Next the Treasury deals with the concern that this amendment will lead to a new round of tuition increases. There are several answers to this. First of all, tuition costs have been rising anyway, as you well know. Secondly, this argument assumes that you college presidents and administrators set your tuition charges by what the traffic will bear. I do not accept this. I believe your charges reflect the increased costs you face, not the increased ability of parents to pay. Thirdly, if there are some colleges that will raise tuition whenever they know parents have some extra money, then they will do this whether or not my amendment is in the bill, because they will know that the pending bill gives everyone extra money through rate reductions.

Finally, the argument would have some validity only if all or a substantial portion of a tuition rise could result in lower taxes. But because this amendment allows only a 10 percent credit on charges above $500, a tuition increase of $100 still costs the taxpayer $90. The $10 saving scarcely gives you incentive to raise tuition $100.

On the question of aiding low-income families who pay no taxes, my argument has been that increased scholarship assistance is needed, and that such assistance is not generally available to the middle-income groups benefited by my amendment. The Treasury disputes this. They claim the college scholarship service has reported the median income of families of students receiving scholarships is $8,500. Treasury is close to the right figure, but quite incorrect in understanding what it means. The median figure is $8,436. However, this is not the median of families receiving scholarships, it is the median figure for families applying for scholarships.

We really don't know what the national average is for families who receive financial aid, but we have some fairly good indications. Under the National Defense Education Act student loan program, for example, 71 percent of the families aided had incomes of less than $6,000.

The Treasury also disputes my argument that college expenses are as entitled to tax relief as medical expenses. College expenses, says the Treasury, are not as extraordinary as heavy medical expenses. I wonder how many Treasury Department officials, facing the prospect of $2,000 college costs for their children, really believe that statement.

"College expenses," the Treasury goes on, "are of an optional nature as contrasted with medical expenses which cannot be avoided." This reveals a surprising ignorance of what is going on in this country in both education and medicine.

Our whole effort in this country is to make college education realistically available to all with the capacity for it. Dismissing higher education as "optional" is strange from spokesmen for an administration that has worked hard toward this goal.

And if the Treasury believes that medical expenses cannot be avoided, then they have completely failed to understand why the administration and others, including myself, believe so strongly in a program of federally financed health insurance. Medical expenses are indeed avoided by the many who can't afford them. These are the low-income groups who pay no taxes. The medical deduction provides them no benefit whatsoever. But we don't oppose the medical deduction for this reason. Instead we seek to do something about the people in need.

The same is true of college expenses. Instead of opposing a tax relief amendment because there are some people it does not help, we should adopt the amendment and in addition help the very-low-income groups by other means.

Finally, say the Treasury, the amendment should be put aside because it is "outside the scope of the bill." Frankly, this is the argument I find most objectionable. For the Treasury Department is saying to Congress, especially to the U.S. Senate: "You have no business considering a proposal that was not included in our recommendations. Your job is simply to legislate on the matters we send to you. Don't do any independent thinking of your own."

I reject that point of view. As legislators we do have a responsibility to initiate our own proposals, to consider them, and vote on them whether or not they have the support of the executive branch. And that is exactly what will happen with this amendment concerning tax relief for college costs.

I am very pleased that this citizens committee has been formed and that it has taken an interest in proposals of this sort. With the support of men and women like yourselves who are close to the realities of the problem of financing higher education, I believe we have a good chance to be successful.

SUBVERSION CONTROL BOARD IN LATIN AMERICA

Mr. KEATING. Mr. President, it becomes increasingly clear that the violence of the crisis which recently occurred in the Panama Canal Zone and the tragic crisis in the relations between the United States and Panama were substantially, if not wholly, promoted by Communist agents trained in Cuba by Castro. The skill with which these Castro-Communist agents inflamed Panamanian resentment and created a first-class conflict should be a clear warning not merely to the United States but also to every single one of the nations of Latin America. What is involved is not merely the question of flags or the status of the Panama Canal, but also the peace and stability of every state in this hemisphere.

There is a pressing need for coordinated action throughout Latin America to keep track of the activities of Castro's agents and Castro-trained subversives who are all too adept in the arts of murder, mob violence, and pillage.

Some time ago I proposed the creation of an Inter-American Subversion Control Board with specific responsibility to provide up-to-date information on the activities and techniques of Castro-trained agents. My proposal was originally conceived as a result of the violence preceding the Venezuelan elections. On November 2 a cache of weapons was discovered which clearly originated in Cuba and had been shipped to Venezuela to increase terrorism and violence and block free elections. The Organization of American States has had this incident under study for over 2 months now, and it is hoped will shortly come up with a report and recommendations. In my view, an Inter-American Subversion Control Board would be a most useful instrument in combating Castroite activities which, as we have just seen, are all too prevalent throughout the hemisphere.

On December 21 I called this proposal to the attention of the Secretary of State and asked for comments upon it. Now the State Department has informed me, "We are studying your challenging proposal with interest and will be in touch with you shortly."

I am hopeful that some action along these lines may be taken, not only by the states of Central America which have already indicated their support for some organization for pooling information on Communist subversion, but also by the Organization of American States to serve the needs of the entire hemisphere.

GREETINGS TO PRESIDENT SEGNI

Mr. KEATING. Mr. President, the Congress and the people of the United States join in welcoming to our Nation and our Nation's Capital President Antonio Segni and Mrs. Segni. As President of our close ally Italy and one of the leading statesmen of the West European world, he has the warm greetings and heartfelt friendship of the United States. The warmth, that has been so conspicuously lacking in our climate recently, is evident in our sincere welcome to the President of Italy and our heartfelt good will.

Mr. President, the problems that face the Italian nation today are serious ones. The dangerous increase in Communist voting strength, even among people who, we know, will never, can never, be Communists in their hearts, offers a deep challenge. President Segni has had to meet this problem in the past, and will undoubtedly face it in months to come. Certainly the people of the United States join in wishing him and his country success in responding to the continuing challenges of the 20th century.

Italy has a heritage of achievement, of culture, and of deep-rooted patriotism. It is a heritage that all Italians can be proud of, and it has been carried to all corners of the world by the proud sons and daughters of Italy, and conspicuously to our country. It is our hope that the present visit of President Segni will highlight the strong ties between the United States and Italy and will strengthen the deep bonds of friendship and affection between our peoples.

ADDRESS BY PRESIDENT SEGNI OF ITALY AT A JOINT MEETING OF THE TWO HOUSES OF CONGRESS

Mr. HUMPHREY. Mr. President, I wish to say a brief word with reference to the address of the President of the Italian Republic, Antonio Segni, in the joint meeting of the Congress today. It was a remarkable address. It was thoughtful, as well as timely.

This distinguished statesman of a great, friendly country and fine people, underscored the importance of the concept of the Atlantic partnership, the Atlantic Community, which was close to the heart of our late, beloved President, John F. Kennedy.

I was pleased to hear the President of the Italian Republic call our attention to President Kennedy's address at Philadelphia in July, 1962. In that address President Kennedy outlined for the American people, and, indeed, for all the people of the world, the concept of a great Atlantic Community, an Atlantic partnership, which would achieve the ideals of democracy and freedom, which ideals are so dear to all the participants in the Atlantic Community.

The address of President Segni of Italy was a forceful presentation of the goals and objectives which we ought to embrace in our foreign policy and in our relations with the countries of western Europe and the other countries of the Atlantic Community.

I was pleased to hear the strong support of the President of Italy for the North Atlantic alliance, the NATO organization. I was particularly moved when I sensed the vision of this man and the commitment of that vision to the Atlantic partnership and the Atlantic Community.

I thank the people of Italy for sending us such a fine representative of their democracy, their culture, and their great country.

I join many of my colleagues in the Senate in saluting the free people of Italy for their allegiance and loyalty to the North Atlantic Treaty Organization and their bonds of friendship with the people of the United States and the Government of this Republic.

COMMISSION ON AUTOMATION, TECHNOLOGY, AND EMPLOYMENT

Mr. HUMPHREY. Mr. President, I am introducing legislation today to carry out one of the major proposals in President Johnson's state of the Union message—the establishment of a Commission on Automation, Technology, and Employment.

Automation and technology are profoundly affecting our society and will continue to have an even greater effect in the years ahead. President Johnson told the Congress "if we have the brainpower to invent these machines, we have the brainpower to make certain they are a boon and not a bane to humanity."

There are many needs in this country crying out for the application of this new knowledge and these new machines. There are many tasks and projects that would create thousands of new jobs, create many new communities, revitalize more old ones. Our new powers can put men to work, not lay them off. These powers can create vital new regions, not depressed areas. But this will take planning, not wishful thinking.

For example:

First. A commission needs to study what is involved in translating new scientific knowledge gained in our military and aerospace research, into civilian products for general use. Whole new industries could be created in this way.

Second. It is now becoming possible and consistent with defense security, to cut down military personnel, uranium producing processes, and close obsolete bases. We can look forward to more of this release of men and resources. But we must do the proper planning to assure that this will be a "boon and not a bane" not only to the lives and livelihoods of the people and communities involved, but to the entire Nation.

Arms reduction must not be permitted to result in reduced gross national product or increased unemployment.

The Subcommittee on Disarmament, of which I am privileged to serve as chairman, has conducted an exhaustive, extensive study into the subject of the economic impact of arms reduction upon the American economy. Regrettably, that study has been listed as classified or confidential. I hope that the whole study will be referred to the Clark subcommittee, so that we may have the information that was so carefully prepared by some 360 or 365 defense contractors in cooperation with the Department of Defense, the Department of Commerce, and the Department of Labor. This information is of great value.

We are extremely fortunate in having in our large industrial enterprises management that is thinking ahead in terms of what to do when and if sharp reductions are made in defense spending, if conditions in the world should permit such reductions to be made. It is this kind of private planning that I believe will serve us well in the days ahead. But private planning for profit also requires some public planning for the people and for the general good of the Nation. So I suggest that there be some coordination between the private and the public sectors, as the bill I shall introduce today provides.

Third. A whole new "systems approach" to large-scale problems has been developed in Government-sponsored research. This involves highly expert people and disciplines working together. We must plan to translate this skill and this method to large-scale problems of the Nation, in regional development, city planning, transportation, air and water pollution, and more.

Must we assume that there is a fatalistic drift in our population to pile up in great cities hugging the coastline of America while the heartland is drained of people? Must rural America become a sparsely populated agricultural factory and must even medium-sized industrial towns become derelict in the backwash of big city growth?

I believe that a commission such as I have proposed today could show us how we have more than enough knowledge to do some creative, imaginative regional planning to broaden the base of economic power in all sections of the country; to keep the virtues of small and medium-sized community living; to keep the regional vitality and balance of strength in our Nation.

Our cities will grow enough anyway with an expanding population. Already they are strangled in transport, fouled in their air, and suffering for fundamental educational planning. Indeed all of the sheer logistical problems of living in them are getting out of hand.

There is more than a job, enough to do to absorb all of our manpower, keep the computers humming and the automated machines clicking, and use the most sophisticated skills of our scientists and technicians.

It is time to stop wringing our hands about present problems associated with automation and technology, and the large ones looming. It is time to start attacking them. The possibilities now opening up to release some money from the requirements of defense, and the prospect of more to come, project us into both the possibility of planning ahead and make that planning a necessity.

NEW PRESIDENTIAL COMMITTEE

Achieving President Johnson's objective of "ending the cold war" and creating a "new era of hope" will require systematic programs to deal with the problem of orderly conversion from military production to production of high priority domestic items.

On December 20 President Johnson announced the formation of a high-level interagency committee to cope with the impact of possible arms reductions and shifts in defense spending. Walter W. Heller, Chairman of the Council of Economic Advisers, has been appointed Chairman of the nine-member Committee on the Economic Impact of Defense and Disarmament. Other Federal departments and agencies represented on the Committee include: Commerce, Labor, Defense, the Atomic Energy Commission, the Office of Emergency Planning, the Arms Control and Disarmament Agency, NASA, and the Budget Bureau.

In his memorandum announcing the formation of this Committee, President Johnson noted:

> Federal outlays of defense are of such magnitude that they inevitably have major economic significance. In certain regions of the Nation and in certain communities they provide a significant share of total employment and income. It is therefore important that we improve our knowledge of the economic impacts of such spending so that appropriate actions can be taken—in cooperation with State and local governments, private industry and labor—to minimize potential disturbances which may arise from changes in the level and pattern of defense outlays.

The formation of this Committee represents an important step forward toward achieving the comprehensive planning which is obviously so essential if we are to avert profound economic and social dislocations in the coming years. President Johnson has acted with great wisdom and foresight.

CONGRESSIONAL ACTION

Congress has been concerned with these problems for a number of years. Beginning in 1958 the Disarmament Subcommittee of the Foreign Relations Committee has been studying the economic impact of disarmament and arms control. As chairman of this subcommittee, I initiated a comprehensive survey of private firms engaged in defense production to establish the probable impact of a cutback in Government defense spending when such cut would be feasible. On October 5, 1962, I presented a summary of this survey to the Senate; it is found in the CONGRESSIONAL RECORD, volume 108, part 17, pages 22558–22562. Let me quote the basic conclusions:

> I believe that the Disarmament Subcommittee's study has given evidence that the United States could, and would, be delighted to shift to full civilian economy without a severe economic dislocation from maintaining a heavy armament program * * *. Economic problems can be solved if Govern-

> ment and industry have the wisdom and the will to plan ahead. The Congress should do its share by reviewing the extent to which new or modified legislation is needed.

These conclusions are just as valid today as they were when I presented this summary to the Senate in late 1962.

More recently the distinguished senior Senator from Pennsylvania [Mr. CLARK] has been holding an extensive series of hearings before the Manpower and Employment Subcommittee of the Labor and Public Welfare Committee. From conversations with my good friend from Pennsylvania, I am confident that these hearings will expand considerably our knowledge bearing on this critical problem. I look with great anticipation to receiving the subcommittee's full report of these hearings.

LEGISLATIVE PROPOSALS

Several pertinent bills have been introduced in the past year which relate to this overall problem. In July the distinguished Senator from New York [Mr. JAVITS] introduced Senate Joint Resolution 105 which would authorize the appointment of a Presidential Commission on Automation. The Commission would be composed of 25 members from various walks of life together with representatives of the Federal Government serving in an ex officio capacity. The work of the Commission would be primarily directed toward problems of economic adjustment caused by technological change and automation and the effect of such changes upon employment.

In November the distinguished Senator from Michigan [Mr. HART] introduced S. 2298, a bill to establish a commission patterned along the lines of the Hoover Commission charged with promoting "the application of recent technological advances to meet large-scale human, community, industrial, and manpower needs for the Nation." Members of the Commission would be drawn from the Federal agencies, the Congress, and from private life.

The legislation introduced by Senator JAVITS and Senator HART recognize that technological progress is essential to national prosperity. Both bills are concerned with the impact of automation on employment. The Hart bill emphasizes the use of technological advances in promoting employment opportunities and in meeting presently unmet national needs. Both bills are distinct contributions toward achieving a fuller public understanding of the relationships between automation and employment and the great potential for a richer and more productive life for every American inherent in such technological advances.

The distinguished Senator from South Dakota [Mr. McGOVERN] has introduced yet another bill (S. 2274) to establish a National Economic Conversion Commission composed of members of the Federal agencies concerned with reductions or changes in defense spending. In essence, the proposals contained in the McGovern bill have been largely realized with the establishment of President Johnson's Committee on the Economic Impact of Defense and Disarmament. Senator McGOVERN's outstanding leadership in this area certainly must be recognized as a major factor in stimulating these recent developments which will lead to greater coordination and planning within the executive branch in regard to defense spending and the economy.

COMPREHENSIVE STUDY NEEDED

While I was reviewing these various proposals to establish commissions to investigate the growing problems engendered by technology, automation, defense spending, and unemployment, it became evident that these separate problems were, in fact, closely interrelated. Since a number of common objectives were shared among the various proposals, it seemed reasonable that a single, more comprehensive commission might provide the vehicle to achieve knowledge and information which dealt with the problem in its totality. A more selective approach, while undoubtedly adding to the sum total of our understanding, nevertheless would sacrifice the impressive benefits which are possible when the existing interrelationships in these various areas are recognized and acted upon.

This Commission, patterned after the highly successful Hoover Commissions, would be composed of 32 members: 10 members each from the executive and legislative branches, and 12 members from private life, including industry and commerce, labor organizations, and the general public. In essence, the legislation seeks to combine the basic purposes of the Javits, Hart, and McGovern bills under the aegis of one, more diversified, Commission.

EXPERTISE IN VARIOUS AREAS

The bill establishes a Hoover-type Commission in order to draw from the expertise which exists in the public and private sectors of our economy. The ability to solve these problems does not lie exclusively within the executive agencies—or Congress, for that matter. State and local governments, as well as labor and management, can—and must—participate in attacking these critical problems and in promoting a healthy and vibrant economy, as well as defining and meeting our unmet community and human needs. The Commission will recommend what each of these segments of society can do and how it can be accomplished most effectively.

The Commission will be authorized to establish advisory panels of persons of exceptional competence and experience in the fields of science and technology, economics, political science, operations analysis, and business. These advisory panels will provide the Commission with the means of developing the latest and most relevant knowledge in each specialized area which bears on the total problem. The Commission also will be charged with exploring means whereby principal defense contractors will initiate a continuing series of studies to develop specific plans for reconversion and diversification of current defense contracts and expenditures. These are studies which should be initiated without delay and only the defense industry itself possesses the information necessary to make such studies truly meaningful. The other principal objectives of the legislation include:

First, to identify and describe the major types of prospective technological and economic changes which are likely to occur, and their effect upon the nature of employment requirements.

Second, to report on appropriate policies and programs for economic conversion capability resulting from possible reductions or changes in defense spending.

Third, to report the recent and prospective pace of technological change, its impact on productivity, its incidence upon particular occupations and groups of workers, and its other effects upon the Nation's economy, communities, families, social structure, and human values.

Fourth, to determine the relationship between the general level of unemployment and the particular employment consequence of technological progress, and identifying the major conditions for and existing obstacles to the speedy reemployment, or other equitable adjustment, of workers displaced by automation and other forms of economic change.

Fifth, to define those areas of unmet community and human needs where application of new technologies might most effectively be directed.

Sixth, to examine technological developments that have occurred in recent years, particularly those resulting from the Federal Government research and development program, with a view to discovering those areas potentially most promising for civilian and industrial exploitations.

During the course of its study and investigation, the Commission may submit to the President and Congress such reports as it may deem advisable. The final report and recommendations must be submitted within 2 years after final passage of the legislation.

Mr. President, there is no question that many Members of Congress, officials in the executive branch, and private citizens are deeply disturbed by the growing impact of automation, technology, defense spending, and unemployment on the economic and social welfare of the United States. The time has come for a truly comprehensive and in-depth study of this critical challenge to our system of democratic government and our system of free enterprise. Enactment of this legislation will provide the vehicle whereby such a cooperative attack on these problems will be possible. I urge the earliest consideration and approval by the Congress of this bill to establish a Commission on Technology, Automation, and Employment.

Mr. JAVITS. Mr. President, I am delighted to see the Senator from Minnesota dealing with matters of this kind, which are so urgent. It is typical of what the Senator always does in connection with so many things.

A number of bills are pending before the Committee on Labor and Public Welfare. Two of the bills are primary bills, one which the Senator has mentioned, and the other, I believe, sponsored by the Senator from Michigan

[Mr. Hart]. A third bill is sponsored by myself and the Senator from Oregon [Mr. Morse]. The latter bill, providing for a commission on automation, followed the recommendation made by President Kennedy during the railroad strike emergency.

Some hearings have been held on this subject, and it has been very strongly supported in those hearings.

I believe that the Senator's entering into the situation will be of material help in enabling us to have a bill reported to the Senate.

I most respectfully suggest to the Senator that, after studying the bills which are now the subject of hearings, if he thinks it advisable, hearings could be arranged by our subcommittee, over which the Senator from Pennsylvania [Mr. Clark] presides, and that then his initiative might very well be the final step in actually getting a bill through the subcommittee and the full committee and reported to the Senate.

As is so often true, in entering this field, the Senator from Minnesota has again sensed the imminency and importance of one of the most critical issues before our people. I welcome his participation. I believe that his intercession can easily prove to be the final spark in bringing legislation to the floor of the Senate.

Mr. HUMPHREY. I thank the Senator from New York. I am fully aware of the fact that other Senators have taken the initiative in this matter and that hearings have been held by the Clark subcommittee of the Committee on Labor and Public Welfare. I am privileged to be a cosponsor with the Senator from Michigan [Mr. Hart] of a bill relating to the problems of automation and employment; also with the Senator from South Dakota [Mr. McGovern]. Both bills, I believe, are sound in substance and objective.

I am introducing my bill today, with the cosponsorship of Senator Hart and Senator Clark, as one further effort, as one additional type of program, so that the hearings which are now being held by the Clark subcommittee may have in them another proposal.

I have no pride of authorship. The subject is so important and the problem is so complex, and the needs so manifest, that what is required is for the subcommittee to process a piece of legislation that best meets the needs as the testimony reveals those needs.

Mr. JAVITS. Mr. President, the Senator from Minnesota is very modest. I should like to say, unilaterally, that I think the Senator's entrance into this field by way of sponsoring the bill will have much to do with bringing the proposed legislation to fruition.

Mr. HUMPHREY. I thank the Senator from New York.

Mr. President, the Morse-Javits bill, the McGovern-Humphrey bill, the Hart-Humphrey bill, and now the Humphrey-Clark-Hart bill are but several of the approaches which have been offered in Congress thus far. It appears to me that what we need is some fresh thinking on the whole subject matter. When the hearings have been completed, I am confident that the portions of the respective bills that seem to meet the needs as revealed in the testimony can be put together in a bill which can then be brought to the Senate for appropriate action.

Mr. President, I ask unanimous consent, so that there may be no doubt about it, that the bill I now introduce on behalf of myself, the junior Senator from Michigan [Mr. Hart], and the senior Senator from Pennsylvania [Mr. Clark], to establish a Commission on Automation, Technology, and Employment, be referred to the Committee on Labor and Public Welfare, so that the Clark subcommittee may have the bill before it as a part of its general hearing on employment problems.

I ask unanimous consent that the proposed legislation may remain at the desk for an additional week so that other Senators who so desire may become cosponsors. I also ask unanimous consent that the full text of the bill be printed in the Record, along with editorial commentary and news reports of President Johnson's determination to make substantial cutbacks in the defense budget.

The PRESIDING OFFICER. The bill will be received and appropriately referred; and, without objection, the bill will be printed in the Record, and lie on the desk, as requested by the Senator from Minnesota.

The bill (S. 2427) to establish a Commission on Automation, Technology, and Employment, introduced by Mr. Humphrey (for himself and other Senators), was received, read twice by its title, referred to the Committee on Labor and Public Welfare, and ordered to be printed in the Record, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That Congress hereby recognizes that technological progress is essential to the advancement of national prosperity and power. Congress also recognizes the need of promoting the application of recent technological advances to meeting large scale human, community, industrial, and manpower needs of this Nation. Automation resulting from technological advances, possible changes or reductions in defense spending, and other factors of economic change all contribute to major industrial and employment problems facing the Nation. The Congress declares that a wise and timely solution of these problems can benefit the entire Nation through increased output and productivity and the avoidance of hardship to individual workers. Such objectives can be most effectively achieved by—

(a) identifying and describing the major types of prospective technological and economic changes which are likely to occur, and their effect upon the nature of employment requirements;

(b) reporting on appropriate policies and programs for economic conversion capability resulting from possible reductions or changes in defense spending;

(c) reporting the recent and prospective pace of technological change, its impact on productivity, its incidence upon particular occupations and groups of workers, and its other effects upon the Nation's economy, communities, families, social structure, and human values;

(d) determining the relationship between the general level of unemployment and the particular employment consequence of technological progress, and identifying the major conditions for and existing obstacles to the speedy reemployment, or other equitable adjustment, of workers displaced by automation and other forms of economic change;

(e) defining those areas of unmet community and human needs where application of new technologies might most effectively be directed;

(f) examining technological developments that have occurred in recent years, particularly those resulting from the Federal Government research and development programs, with a view to discovering those areas potentially most promising for civilian and industrial exploitations;

(g) reporting on ways by which civilian research and development, together with uses of existing technology, can more effectively be directed in areas where major social and economic benefits may be achieved;

(h) describing those actions, properly the responsibility of management, labor, and government, which can be undertaken to apply new technologies to large-scale human and community needs;

(i) analyzing the balance and impact among domestic industry to see how the benefits from expenditure of Federal funds may accrue to a wider segment of such industry;

(j) initiating appropriate studies and plans by principal defense contractors so that procedures for reconversion and diversification will be under active consideration;

(k) defining proper responsibility and organization of agencies in the executive branch to achieving these objectives; and

(l) recommending ways in which the legislative branch of the Government can be better staffed to fulfill these objectives.

ESTABLISHMENT OF THE COMMISSION ON AUTOMATION, TECHNOLOGY, AND EMPLOYMENT

Sec. 2. (a) For the purpose of carrying out the policy set forth in the first section of this Act, there is hereby established a commission to be known as the Commission on Automation, Technology, and Employment (referred to hereinafter as the "Commission").

(b) The Commission shall be composed of thirty-two members as follows:

(1) Ten appointed by the President of the United States from the executive branch of the Government representing the: Department of Agriculture; Department of Commerce; Department of Defense; Department of Health, Education and Welfare; Department of Labor; United States Arms Control and Disarmament Agency, Atomic Energy Commission; National Aeronautics and Space Administration; Office of Science and Technology, and the Council of Economic Advisors;

(2) Five appointed by the President of the Senate from Members of the Senate;

(3) Five appointed by the Speaker of the House of Representatives from Members of the House of Representatives;

(4) Three appointed by the President of the United States who shall be representative of industry and commerce;

(5) Three appointed by the President of the United States who shall be representative of labor organizations; and

(6) Six appointed by the President of the United States who shall be representative of the general public, and who shall be selected without regard to any interest or connection they may have with any of the foregoing areas.

(c) Any vacancy in the Commission shall not affect its powers, but shall be filled in the same manner in which the original appointment was made.

(d) The Commission shall elect a Chairman and a Vice Chairman from among its members.

(e) Seventeen members of the Commission shall constitute a quorum.

ADVISORY PANELS TO THE COMMISSION ON THE APPLICATION OF NEW TECHNOLOGY TO COMMUNITY AND MANPOWER NEEDS

SEC. 3. The Commission may establish Advisory Panels which shall consist of persons of exceptional competence and experience in the fields of science and technology, economics, political science, or operations analysis. Such Advisory Panel members shall be drawn equally from the Government, private industry, and nonprofit educational and technological institutions, and shall be persons available to act as consultants for the Commission.

COMPENSATION OF MEMBERS OF THE COMMISSION

SEC. 4. (a) Members of Congress who are members of the Commission shall serve without compensation in addition to that received for their services as Members of Congress; but they shall be reimbursed for travel, subsistence, and other necessary expenses incurred by them in the performance of the duties vested in the Commission.

(b) The members of the Commission who are in the executive branch of the Government shall serve without compensation in addition to that received for their services in the executive branch, but they shall be reimbursed for travel, subsistence, and other necessary expenses incurred by them in the performance of the duties vested in the Commission.

(c) The members of the Commission appointed from private life shall each receive $75 per diem when engaged in the actual performance of duties vested in the Commission, plus reimbursement for travel, subsistence, and other necessary expenses incurred by them in the performance of such duties.

STAFF OF THE COMMISSION

SEC. 5. (a) The Commission may appoint and fix the compensation of such personnel as it deems advisable in accordance with the provisions of the civil service laws and the Classification Act of 1949.

(b) The Commission may procure, without regard to the civil service laws and the classification laws, temporary and intermittent services (including those of members of the Advisory Panel) to the same extent as authorized for the departments by section 15 of the Act of August 2, 1946 (60 Stat. 810; 5 U.S.C. 55a), but at rates not to exceed $75 per diem for individuals.

DUTIES OF THE COMMISSION

SEC. 6. (a) The Commission shall make a comprehensive and impartial study and investigation of the programs and policies of governmental and private institutions to determine the most effective ways by which such institutions can promote the purposes and objectives set forth in the first section of this Act.

(b) During the course of its study and investigation the Commission may submit to the President and the Congress such reports as the Commission may consider advisable. The Commission shall submit to the President and the Congress a final report with respect to its findings and recommendations within two years after enactment of this Act.

POWERS OF THE COMMISSION

SEC. 7. (a)(1) The Commissioners or, on the authorization of the Commission, any subcommittee thereof, may, for the purpose of carrying out its functions and duties, hold such hearings and sit and act at such times and places, administer such oaths, and require, by subpena or otherwise, the attendance and testimony of such witnesses, and the production of such books, records, correspondence, memorandums, papers, and documents as the Commission or such subcommittee may deem advisable. Subpenas may be issued under the signature of the Chairman or Vice Chairman, or any duly designated member, and may be served by any person designated by the Chairman, the Vice Chairman, or such member.

(2) In case of contumacy or refusal to obey a subpena issued under paragraph (1) of this subsection, any district court of the United States or the United States court of any possession, or the District Court of the United States for the District of Columbia, within the jurisdiction of which the inquiry is being carried on or within the jurisdiction of which the person guilty of contumacy or refusal to obey is found or resides or transacts business, upon application by the Attorney General of the United States shall have jurisdiction to issue to such person an order requiring such person to appear before the Commission or a subcommittee thereof, there to produce evidence if so ordered, or there to give testimony touching the matter under inquiry; and any failure to obey such order of the court may be punished by the court as a contempt thereof.

(b) Each department, agency, and instrumentality of the executive branch of the Government, including independent agencies, is authorized and directed to furnish to the Commission, upon request made by the Chairman or Vice Chairman, such information as the Commission deems necessary to carry out its functions under this Act.

EXPENSES OF THE COMMISSION

SEC. 8. There are hereby authorized to be appropriated to the Commission, out of any money in the Treasury not otherwise appropriated, such sums as may be necessary to carry out the provisions of this Act.

The news reports and editorials submitted by Mr. HUMPHREY are as follows:

[From the New York Times, Dec. 27, 1963]

DEFENSE OFFICIALS ARE PREPARING CONTRACTORS FOR ARMS-CUT PACT

(By Jack Raymond)

WASHINGTON, December 26.—Defense officials appear to be preparing themselves and military contractors for possible disarmament agreements with the Soviet Union next year.

Nobody at the Pentagon is predicting a significant arms reduction. Several moves are underway, however, to cope with shifts in military procurement that would result from such agreements.

An attempt is being made to study potential military spending shifts, apart from the impact on defense industries already indicated because of changes in weapon requirements.

President Johnson's order last Sunday for the creation of an intragovernmental committee to survey defense spending shifts and their impact on industry is only one indication of the Government's concern with the problem.

Arthur Barber, Deputy Assistant Secretary of Defense for arms control, told a meeting of the American Institute of Aeronautics and Astronautics in Los Angeles last week that he expected visible progress toward an East-West arms control agreement in the next 12 months.

FIVE-YEAR FORECASTS PLANNED

Mr. Barber urged contractors to look for new markets as insurance against reduced defense budgets. The present military spending rate is more than $51 billion a year, but President Johnson has forecast a cut of several hundred millions in the next budget.

The Defense Department has undertaken 5-year forecasts of military procurement, covering virtually all unclassified items, as an economic guide to industries and communities dependent on defense contracts.

The office of Assistant Secretary Charles J. Hitch, the Pentagon Comptroller, and the Institute for Defense Analyses, a private research concern subsidized by the Government, are working jointly on the guide.

The guide will derive from the present 5-year budgeting programs based on strategic forecasts. The first guide for defense contractors is not expected to be ready for at least a year.

Secretary of Defense Robert S. McNamara said December 18 that the Nation's economy could adjust to disarmament without trouble, and even with benefits. "I think that if we were to face a progressive series of moves toward disarmament, we could very easily adjust our industrial base to those moves with great benefit to our society," he declared then.

He thus made clear that any arms reduction would allow for progressive action. But he did not indicate the basis of his confidence that the economy could withstand a cut in military spending.

Mr. Barber, in his speech, predicted that more projects such as the Dyna-Soar space glider would be dropped.

"What you have got to face is that the markets you're in are going to diminish and you've got to create new products," he advised contractors.

SEES NEW INDUSTRIES

Mr. Barber also said that defense industries should not expect to compensate for arms procurement cuts with the manufacture of equipment that would be used for arms control inspection.

He thus touched on a favorite theme of defense industry spokesmen in recent years—namely, that electronics manufacturers in particular would shift their markets from the defense industry to the disarmament and disarmament inspection industries.

Compared with a military spending budget of more than $80 billion a year and procurement contracts of more than $17 billion, he said, the proposed inspection systems would run from $10 million to $20 million, with more than 90 percent made up of items that could be bought off the shelf.

Pentagon officials, asked to comment on moves for dealing with disarmament, called them precautions.

Trying to cope with economic problems brought on by arms control measures is like attempting to deal with the continuing obsolescence of weapons and bases, they said.

One official appeared to summarize the prevailing attitude as follows:

"It is just as easy to study defense procurement shifts in terms of disarmament as it is to study it in terms of weapons changes. In both cases the main point is to find out where contracts go and where they are taken away and what you do in the communities that are affected."

[From the Christian Science Monitor, Dec. 13, 1963]

PENTAGON AX HITS MILITARY BASES

WASHINGTON.—The Defense Department's impending economy plans are in response to pleas of the White House under both the late President Kennedy and President Johnson.

Congressmen quoted Roswell L. Gilpatric, Deputy Secretary of Defense, as saying it was not the Defense Department's job to consider unemployment and other factors, but only to respond to a request for economy.

This appeared to refer to Mr. Johnson's emphasis on economy since succeeding the late President Kennedy November 22.

President Johnson told a news conference last Saturday he and Secretary of Defense Robert S. McNamara were making a study of defense installations to determine which could be eliminated as a way of curbing spending.

This base survey program predated Mr. Johnson's rise to the Presidency by about 2½ years. It was inaugurated by Mr. McNamara in March 1961, about 2 months after the Kennedy administration took office.

SAVINGS ESTIMATED

At that time, the Pentagon listed 6,700 bases and installations of various sorts, about 4,500 of them in this country and the rest abroad.

Since March 1961, the Defense Department says, more than 400 installations have been closed or reduced in scope. Claimed savings: about $316 million a year.

Mr. McNamara told Congress last January his goal was to take more such actions, so that by the end of the fiscal 1965—June 30, 1965—the annual savings will be increased to $442 million.

The Navy's 11 shipyards have been a source of some controversy for years. Two years ago, Mr. Kennedy overruled a Pentagon staff recommendation and ordered the Boston, San Francisco, and Philadelphia yards kept open.

Basically, a Navy-sponsored study showed earlier this year, private yards can do the work cheaper.

Navy yards now are limited to overhaul, modernization, and repair, with private shipyards handling what one Navy authority estimated was 80 percent of the new naval construction.

LEGISLATORS AROUSED

Secretary of Defense McNamara announced Thursday that, in an economy action, he had ordered 26 military bases in the United States and 7 bases overseas to be closed or substantially reduced.

Mr. McNamara told a news conference, "I have every reason to believe that studies now underway will lead to further reductions in the coming months."

The Defense Secretary said that, when the 33 bases are closed or reduced over a period of up to 3½ years, he expects annual savings of $106 million.

The move will cut off 8,500 civilian jobs and result in a reduction of about 7,800 military personnel, Mr. McNamara said.

Every civilian employee whose job is eliminated will be offered another job opportunity, Mr. McNamara promised.

No naval shipyards were on the list of Army, Navy, and Air Force bases due to be axed or reduced in scope.

Rumors Wednesday said Mr. McNamara would move to close naval shipyards in Boston, Philadelphia, and San Francisco. One base in Ohio also was mentioned.

House Speaker JOHN W. MCCORMACK, Democrat, of Massachusetts, acting for the entire Massachusetts delegation, carried to President Johnson Wednesday night a bipartisan protest against rumored closing of the Boston Naval Shipyard.

[From the New York Times, Dec. 18, 1963]

WE KNOW WHAT WE WANT—BUT ARE WE READY?

(By James Reston)

WASHINGTON, D.C.—President Johnson told the United Nations today that "the United States wants to see the cold war ended, once and for all." But what if it happened, or even began to happen? Would the United States be ready?

There is already trouble ahead for a great many American communities, because the U.S. Government's plans to cut military expenditures are running ahead of the plans to convert to useful civilian occupations.

The recent decision to close some military bases and the ensuing cries of anguish from the communities involved are merely an indication of the problems ahead.

Secretary of Defense McNamara has given a dramatic estimate of the Nation's military superiority over the Communists within the last month. He has said that it should be possible for the United States to maintain this superiority "without overall increases in our defense budget. The defense budget will level off and perhaps decline a little."

THE UNEMPLOYED

Meanwhile, the unemployment figure for November was 4,292,000, or 5.9 percent of the work force—up from 4,177,000 in January of this year—and while 80 percent of the people are enjoying unprecedented prosperity, about 20 percent, or over 30 million, are living on what the Government calls poverty standards.

This confronts President Johnson with two questions: first, whether the coming savings on defense are to be allocated to human needs for jobs, houses, schools, and hospitals in the city and country slums; and second, whether the defense cutbacks are to be cushioned by an effective plan of reconversion.

There are small reconversion committees scattered through the various departments and agencies of the Government: in the Department of Defense, the Disarmament Agency, and the Council of Economic Advisers, to mention only three.

Walter Heller, the Chairman of the Council of Economic Advisers, talked to President Kennedy last summer about pulling these committees together into a Presidential Conversion Commission, but no decision was taken on this before the assassination.

Meanwhile, Senator MCGOVERN has introduced a bill to establish a National Economic Conversion Commission, and Negro leaders have talked to President Johnson about using the defense cutbacks as a means of dealing with the plight of the slums.

The defense cutbacks have started, however, and a look ahead at the production of nuclear weapons indicates just how serious this problem is likely to be as time goes on.

CURRENT SPENDING

At the present time the Government is spending over $1.5 billion a year to mine uranium, convert it into U-235 and plutonium, and process it into nuclear weapons. President Kennedy announced that we had a nuclear capacity in being to kill over 300 million human beings in a single hour. Secretary McNamara has said that we now have more than 500 operational long-range ballistic missiles in addition to the Strategic Air Command, over 500 bombers on quick ground alert, and in stockpile or planned for stockpile tens of thousands of nuclear explosives for tactical use.

The need for the raw materials and the production of these raw materials into fissionable material for weapons will accordingly decline over the rest of this decade. Already this year savings of "tens of millions" are planned in the production of fissionable material, though the mining costs and weapons-production costs will remain about the same.

Eventually, however, whole towns will be affected. The Hanford, Wash., plant, for example, now employs over 6,000 and is the sole economic support of Richland, Wash., a town of over 25,000.

THE APPALACHIAN PROBLEM

Other towns likely to be affected are Oak Ridge, Tenn., Paducah, Ky., Portsmouth, Ohio, and Savannah River, Ga., among others. This is not an emergency problem. Nobody here is talking about closing up these plants in the foreseeable future, but conversion takes a long time.

The Atomic Energy Commission is the biggest user of electrical power in the country (6 percent). Its purchase of coal is a major factor in keeping the coal mines going in some of the poorest regions of Kentucky, Tennessee, Ohio, and Illinois, and therefore plans for the future of these already depressed areas are important.

This is the kind of problem that is likely to plague President Johnson. The foreign front was President Kennedy's major problem, but the home front is likely to be Johnson's, and the need for some effective way to convert from the cold war to the slum war is likely to be more urgent with every passing month.

"Hunger, disease and ignorance," the President said, were the enemies of the United Nations. But they are also the enemies of one-fifth of the people of the United States.

[From the Christian Science Monitor, Jan. 3, 1964]

MILITARY TRIMS PUSHED

(By Neal Stanford)

WASHINGTON.—President Johnson was serious when he said the military would have to take the biggest cut in his economy drive.

While vacationing in Texas, he has announced a billion-dollar reduction in actual defense expenditures for the fiscal year beginning July 1.

It has now been learned that he expects to cut another $3 billion or so from several weapons projects by either reducing, eliminating, or postponing them.

The billion-dollar savings is to be an immediate reduction in defense spending in the fiscal year beginning in July, while the $3 billion or so cut in planned weapons systems refers only to future budget requests as had been anticipated by President Kennedy.

MORE REQUESTED

Here are some of the places where the President intends to chalk up sizable savings in weapons systems:

The Minuteman: This ICBM is the country's primary long-range retaliatory weapon in any nuclear exchange with the Soviets.

The Air Force had asked for 150 more of these, but President Johnson is expected to approve only another 50 for the moment, bringing the total that would be available to 1,000.

TESTS SCHEDULED

The Typhoon: Contracts for this Navy air-defense missile have been canceled, though work will go ahead on guidance and control systems. The Navy naturally is disappointed but sees this only as a stretchout, confident that when a simpler control and guidance system is developed it will get this long-range defense weapon.

Strategic bomber: The Air Force has for some time wanted to develop a replacement for its B-52 and B-58 strategic bombers. This advanced manned precision strike system is not now going to get the green light though some recent stories have suggested it would. There will be funds for making further studies of this weapons system—but nothing like what its advocates had expected for its immediate development.

Weapons modernization: The Army has been pushing a modernization program for some time—a new rifle, new tank, etc., etc. All this comes into money when these items have to be produced by the thousands or even millions.

Some $3 billion has been earmarked for weapons modernization for the Army in military plans. This now, it appears is to be reduced to nearer $2.2 billion—or a reduction in the neighborhood of $800 million. Development of Army weapons has by no means been discarded. But it is stretched out, and in some cases postponed.

Attack submarines: The Navy, which is concerned about the growing size of the Soviet submarine fleet, is getting six nuclear attack submarines in the upcoming budget, but it had wanted more.

[From the New York Times, Dec. 13, 1963]

LIST OF MILITARY BASES AFFECTED BY ECONOMY ORDER

WASHINGTON, December 12.—Following is a list of military installations affected by the announcement of Secretary of Defense Robert S. McNamara with the kind of cutback to be made:

ALABAMA

Mobile: Theodore Terminal of the Army will be declared excess in July 1964, and turned over to the General Services Administration (GSA) for disposal.

Air Force Reserve troop carrier operations at Bates Field will be transferred to Brooklyn Air Force Base, Mobile, by December 1964.

ARIZONA

Litchfield Park: Naval air facility to be declared excess and turned over to GSA for disposal in stages spread over 3½ years ending June 30, 1967. Aircraft storage, reclamation and disposal operations at Litchfield will be combined with similar Air Force activities at Davis-Monthan Air Force Base, Tucson, and aircraft maintenance operations transferred to west coast naval air stations.

ARKANSAS

The Army's Fort Chaffee at Fort Smith will be inactivated and its current training mission transferred to other Army training camps by the end of June 1965.

CALIFORNIA

Mira Loma Air Force Station at Ontario will be closed and its mission transferred to other installations in the area by December 1964.

San Francisco: Army oversea supply agency will be closed by July 1964.

San Diego: The naval repair facility will be shut down by January 1965, and its scheduled overhaul work transferred to Long Beach Naval Shipyard. The facility will be retained for other purposes, not immediately specified.

Stockton: Navy storage activity at the Stockton Annex to be inactivated by December 1965, and turned over to GSA for disposal. Communication station will be retained.

GEORGIA

Byron: Navy forms and publications supply office will be moved to Naval Supply Depot, Philadelphia, and installation turned over to GSA for disposal by September 1964.

ILLINOIS

Chicago: 5th Army headquarters will be relocated to Fort Sheridan, Ill., and present facility turned over to GSA for disposal by June 1966.

LOUISIANA

New Orleans: The Army's Camp Leroy Johnson will be declared excess and the property returned to the New Orleans Levee Board. Training missions will be transferred to Fort Eustis, Va. New Orleans Army Terminal personnel will be housed in improved facilities in the area, with completion scheduled for June 1964. The Army's oversea supply agency, now at the Army terminal, will be phased out by July 1964.

MISSISSIPPI

Greenville: Greenville Air Force Base will be declared excess and turned over to GSA for disposal by June 1965. Training missions will be transferred to other air bases.

NEVADA

Reno: Activities at Stead Air Force Base will be reduced to Air Defense Command radar operations. The airfield and excess facilities will be inactivated and all other missions assigned to other Air Force bases by June 1966.

NEW HAMPSHIRE

Manchester: Air Force Reserve training at Grenier Field will be transferred to Pease Air Force Base, N.H., by June 1966. Grenier Field will be retained for Air National Guard use.

NEW YORK

Brooklyn: The Army's oversea supply agency at the Brooklyn Army Terminal will be phased out by July 1964.

Long Island: The Army's Fort Tilden will be inactivated except for the Reserve training center. However, all real property to be retained for possible future use. Nike sites will be relocated to Montauk Point (Camp Hero) and Lido Beach by December 1966.

New York City: Army's Fort Totten will be inactivated except for Reserve training center and family housing. All real estate will be retained for possible future use. Army Air Defense Command Headquarters will be moved to an unspecified location. All actions at Fort Totten to be completed by December 1966.

Port Washington: Navy Training Device Center will be declared excess and turned over to GSA for disposal by December 1965. Activity will be relocated to the Federal center at former Mitchel Air Force Base.

Rome: Supply mission at Rome air materiel area will be relocated to other Air Force depots by June 1967. The parent base, Griffiss Air Force Base, remains active.

Schenectady: Army's Schenectady-Voorheesville Depot will be declared excess and turned over to GSA for disposal by December 1966. Continuing supply missions will be relocated to other depots.

Staten Island: Army's Miller Field will be inactivated and activities relocated to the Lakehurst, N.J., Naval Air Station by June 1965. The property will be retained for Reserve training and other possible future use.

NORTH CAROLINA

Elizabeth City: Naval air facility will be declared excess and disposed of by January 1965.

OHIO

Port Clinton: Supply and maintenance mission at Erie Army Depot will be discontinued and relocated to other Army depots by December 1966. Test and proof-firing activities will be retained.

TEXAS

Fort Worth: Forth Worth Army Depot will be declared excess and turned over to GSA by December 1965. Supply and maintenance missions will be relocated to other Army depots.

San Marcos: Army's Camp Gary, now inactive, will be turned over to GSA for disposal by December 1964.

ADJOURNMENT

Mr. HUMPHREY. Mr. President, if there is no further business to come before the Senate at this time, I move that, under the order previously entered, the Senate adjourn until tomorrow, at noon.

The motion was agreed to; and (at 2 o'clock and 59 minutes p.m.) the Senate adjourned, under the order previously entered, until tomorrow, Thursday, January 16, 1964, at 12 o'clock meridian.

NOMINATIONS

Executive nominations received by the Senate January 15, 1964:

DIPLOMATIC AND FOREIGN SERVICE

Edwin M. Martin, of Ohio, a Foreign Service officer of the class of career minister, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to Argentina.

C. Burke Elbrick, of Kentucky, a Foreign Service officer of the class of career minister, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to Yugoslavia.

DEPARTMENT OF DEFENSE

Cyrus Roberts Vance, of New York, to be Deputy Secretary of Defense, vice Roswell L. Gilpatric, resigned.

DEPARTMENT OF THE ARMY

Stephen Ailes, of the District of Columbia, to be Secretary of the Army, vice Cyrus Roberts Vance.

EXTENSIONS OF REMARKS

Welcome to President Segni of Italy

EXTENSION OF REMARKS

OF

HON. WILLIAM L. ST. ONGE

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 15, 1964

Mr. ST. ONGE. Mr. Speaker, this afternoon it was our pleasure to have as the guest of the American people the distinguished President of Italy, His Excellency Antonio Segni, who delivered an eloquent address at a joint session of the U.S. Congress. President Segni spoke from the heart and as a sincere friend of the United States.

The relations between our country and Italy have for many years now been most cordial and at the highest level of friendship. There exists excellent cooperation between our two countries in dealing with common world problems, and there is a growing solidarity in the thinking and actions of the two nations. The invitation extended to President Segni by President Johnson to visit the United States, is, therefore, very timely and proper.

Italy was one of the original signatories of the North Atlantic Treaty Organization and has on various occasions joined with the United States in proposing measures to strengthen this alliance. It has contributed significantly to the mutual defense of the free world in general, and Western Europe and the United States in particular.

President Segni has taken a leading part in the achievements of his country in recent years. He is a firm believer in democratic principles and in Western unity, as evidenced by his address before Congress today. It was because of his dedication to such principles and his leadership ability that he was chosen to head the Republic of Italy and the people of Italy at this significant period in human events.

As such, we welcome President Segni as the distinguished spokesman of the Italian people and leading statesman of his nation. We want to assure him of our continued friendship and cooperation in every effort to attain world peace, economic prosperity, and better understanding.

President Segni can well be proud of the millions of Italian immigrants who came to the United States, settled here, helped build our country to its present great heights of achievement, contributed to our economy and culture, and to the development of our democratic institutions. Americans of Italian origin have won the respect and esteem of all for their hard work, loyalty, and patriotism. They have helped to build this bridge of friendship with Italy which has brought both nations closer together.

Cordova Championship Football Team

EXTENSION OF REMARKS

OF

HON. CARL ELLIOTT

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 15, 1964

Mr. ELLIOTT. Mr. Speaker, night before last the citizens of Cordova, Ala., in my home county of Walker, gathered to honor the 28 young men of the 1963 Cordova Blue Devil football team and the men who coached them to the Alabama State championship. The members of this team effectively combined physical prowess, skill, determination, sportsmanship, and hard work to produce a football team that won 9 games and tied the 10th, scoring a total of 265 points to their opponents 58. This outstanding team was named Walker County Champion, Wal-Win Conference Champion, and the AA champion football team of the State of Alabama. The members of the team are: Frankie Brown, Mike Franks, Donny Cordell, Terrell Foster, Larry Fowler, Ed Gilchrist, Ralph Gurganus, Terry Howell, Benny Huggins, Larry Hunt, Chris Hyche, John Ingram, Tommy Jean, Dwight Kirkpatrick, Ernie Laird, Mike Moncrief, Phillip Morrow, Tim O'Neil, Richard Perrin, Ed Pickrell, Bobby Russell, David Sargent, Guy Tatum, Jr., Clarence VanHorn, James Williams, Jimmy Barrentine, Teddy Sargent, and Junior Johnson. The team is ably coached by Wayne Grubb and Maury Fowler.

Mr. Speaker, we have become increasingly alarmed in recent years at the low standards of physical fitness of many of our young people. The statistics on the number of young men rejected by our Armed Forces because of failure to meet physical standards has been shocking.

I am proud of the striking contrast to this trend that has been evidenced by these young men of Cordova. Cordova is a town of 3,000 people. The area is a coal mining center, and is classified as an economically depressed area because of chronic unemployment. The young men of Cordova have not, however, succumbed to the softness that has resulted in too many physically unfit young men. They have not let the temporary economic problems of their area dampen their enthusiasm or their determination to excel.

I am proud of the academic standards of Cordova High School and I am proud of its athletic achievements. I congratulate the fine teachers and coaches at Cordova for their success in building the minds and bodies of these young people, and I congratulate the members of the student body for their pursuit and attainment of excellence.

I believe my colleagues in the Congress share my great faith in the future of America, secure in the knowledge that the farms, towns, and cities can produce as Cordova has produced, educated, physically fit young Americans who are eager to challenge tomorrow and determined to meet all the challenges that tomorrow may bring.

U.S. Interests Involved in Arab-Israel Water Controversy

EXTENSION OF REMARKS

OF

HON. EMANUEL CELLER

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 15, 1964

Mr. CELLER. Mr. Speaker, it is tragic, indeed, for the Arab people that its leaders have chosen to disregard cruelly the welfare of their own people and have concentrated solely on their enmity toward Israel. The avowed purpose of the Nasser-inspired Arab military accord of 13 Arab States is the downfall of Israel. All efforts to resolve peaceably the Jordan River disputes have been unavailing. The Arab leaders remain intransigent despite the fact that a plan has been worked out for the use of the water of the Jordan River which would bring decided economic advantages to both the people of the Arab States and to the people of Israel. It is obvious that the wish to hurt Israel takes precedence in the minds of the Arab politicians over concern for the well-being and economic development of the Arab people.

Moreover, grave dangers to the peace in the Middle East lurk in the accord reached by Arab heads of state to set up an allied military command with permanent headquarters and a separate staff and budget to deprive Israel of water from the Jordan.

The United States has a great interest in peace in the Middle East, and it would be most advantageous to our own self-interest were President Johnson to send his representative to Arab leaders to express the concern of the United States. In doing so, the President will be following an action parallel to that which he took when he gave Attorney General Kennedy his recent sensitive assignment.

Certainly the Arab leaders must be aware that Congress spoke most forcibly when enacting the foreign aid bill. The House report on foreign aid states:

> Consideration should be given to the withholding of economic assistance from those countries which persist in policies of belligerence and in preparations for their execution.

The act itself states:

> (1) No assistance shall be provided under this or any other Act, and no sales shall be made under the Agricultural Trade Development and Assistance Act of 1954, to any country which the President determines is engaging in or preparing for aggressive military efforts directed against—
>
> (1) the United States,
>
> (2) any country receiving assistance under this or any other Act, or
>
> (3) any country to which sales are made under the Agricultural Trade Development and Assistance Act of 1954, until the President determines that such military efforts or preparations have ceased and he reports to the Congress that he has received assurances satisfactory to him that such military efforts or preparations will not be renewed. This restriction may not be waived pursuant to any authority contained in this Act.

No language can be clearer and no warning more specific.

Provide Medical Care for Senior Citizens

EXTENSION OF REMARKS

OF

HON. JACOB H. GILBERT

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 15, 1964

Mr. GILBERT. Mr. Speaker, hospital care for our senior citizens is one of the most vital problems of our Nation today. It is my earnest hope that this session of Congress will recognize the health needs of our senior citizens, and pass necessary legislation to assist them. Following are my remarks before the Committee on Ways and Means which has this legislation under consideration:

> Mr. Chairman and members of the Committee on Ways and Means, I am grateful that your committee is considering the King-Anderson bill, to provide under the social security program for payment for hospital and related services to aged beneficiaries. Ever since coming to Congress, I have introduced legislation to provide medical aid for senior citizens under the social security program. Early in this session of Congress, I introduced a bill identical with the King-Anderson bill, to show my strong support.
>
> You have before you the report of the Subcommittee on Health of the Elderly, of the Senate Special Committee on Aging. This shows that after 3 years of operation, the Kerr-Mills medical assistance for the aged program has proved to be at best an ineffective and piecemeal approach to the health problems of the Nation's 18 million older citizens. It is still not a national program. Stringent eligibility tests, recovery provisions, and responsible relative provisions have severely limited participation in the 28 States where it is in operation. Such provisions not only are disruptive of familial relationships, but also deter many proud people from seeking the care they need because they do not wish to involve their families.
>
> The help provided by the King-Anderson bill constitutes the only intelligent, realistic, and responsible method of meeting the desperate medical need faced by our senior citizens. Reports show that our aged are unable to afford health insurance or are considered too poor a risk. Although a small

percentage carry some hospital insurance, it usually falls far short of meeting the high costs of lengthy illnesses. The aged are forced to apply to public or private welfare agencies for payment of medical bills or to seek free care from hospitals and physicians. Rather than submit to either of these alternatives, many neglect their health and do not seek the care they desperately need. Our Nation is the richest on earth; how can we continue to force such indignities upon our senior citizens; how can we ignore the sufferings of those denied medical help?

Our fellow citizens do not wish to sit back and wait for sickness to strike and then have to ask for help through public assistance programs. They dread the thought of having to ask for charity. They are anxious to participate in a program which will assure them of their independence in dealing with the high costs of medical care. They prefer to earn the benefits which will safeguard them in their old age and keep them off the public assistance rolls. We pride ourselves in this Nation on respect for the dignity of human beings; to tell our older citizens that we will take care of them, somehow, under welfare programs or the Kerr-Mills program which is meant to help only the "medically indigent" aged, is an insult to them and is inconsistent with our dedication to the improvement in the general welfare of all our citizens.

You have statistics before you which show that there are 18 million Americans aged 65 and up—8.7 percent of the population. These persons require three times as much hospital care as those who are younger, and health costs average twice that of younger persons. Yet their income is only about one-third of that of younger persons. Senior citizens today can barely afford the necessities of life; adequate medical care costs are prohibitive. Studies show clearly that most retired persons cannot pay hospital expenses from income, nor can they afford to buy adequate insurance. Those plans which are reasonable enough for any substantial number of the aged to afford can provide only severely limited benefits. It is reported that nearly a million of our elderly people have had their life's savings wiped out by high medical and hospital costs.

The American Medical Association, this program's bitterest foe, continues to lobby vigorously against this legislation. I recognize that the battle we face to secure passage of this bill is a tough one, but I insist that it must be won.

Hospitalization is the costliest part of old-age medical care; therefore, a program that will bring medical care within reach of the aged, by covering most in hospital and related costs, is urgently needed. Under social security, people will be enabled to pay for their protection during the time they can best afford to contribute, while they are working. Necessity of a means test is avoided; benefits are available as a matter of right. Elderly persons would be assured of proper care, and a great burden would be lifted from their children.

There is overwhelming evidence before your committee to show that adequate health insurance protection could be provided for the aged more economically through social security than under any other plan or program.

I have received many hundreds of pathetic letters from my constituents in which they describe their great need for medical attention and their inability to secure it under existing conditions, or their reluctance to ask for help because of an embarrassing means test and the hardships which will be inflicted on their families. Others live in fear of the day when they will have to meet the problem. How sad it is that our senior citizens must spend their last years in this troubled and unhappy frame of mind when they are entitled to retirement years filled with peace of mind.

How tragic it is that with the extensive proof which has been made available to your committee, showing the grave need which exists for the King-Anderson bill and proving the desirability of providing hospital care under the social security program, there has been so much delay in considering the bill. Millions of persons are begging for approval of the bill by your committee and passage by the Congress. I have been pleading for years to have the opportunity to vote on the measure, as have all other Members of Congress who have the interests of our senior citizens at heart.

I can no longer treat this major problem of our senior citizens with equanimity; I cannot dismiss their sufferings and hardships from my mind and make no effort to help them; I cannot, in answer to their pleas for desperately needed help, vaguely wave them in the direction of public welfare or financial ruin and further deprivations.

Congress must take favorable action on this grave problem now. Our senior citizens deserve this consideration. Millions of letters, thousands of editorials, speeches, reports, all point up the need for the King-Anderson bill, and our responsible citizens are demanding that Congress meet its responsibility without further delay and pass the bill.

I urge your committee to heed these requests and report the bill favorably, so that Congress may have the opportunity to take action in the near future. There has already been unconscionable delay in connection with this legislation and the promises made to senior citizens that they would be given this relief must now be fulfilled.

Smoking and Health

EXTENSION OF REMARKS

OF

HON. CARLTON R. SICKLES

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 15, 1964

Mr. SICKLES. Mr. Speaker, on January 12, Dr. Luther Terry, the Surgeon General of the United States, made public the report of a special Advisory Committee on Smoking and Health. The report was prepared over a 14-month period by 10 private scientists, all experts in their respective fields. In writing the report, the scientists reviewed over 8,000 existing studies on different aspects of smoking and health. The Committee reached the conclusion:

> In view of the continuing and mounting evidence from many sources, it is the judgment of the Committee that cigarette smoking contributes substantially to mortality from certain specific diseases and to the overall death rate.

They also concluded that the health hazard of smoking is of sufficient importance to warrant appropriate remedial action.

The findings of this report will, of course, be of great interest to every doctor in this country, and to the 70 million Americans who smoke regularly. In this country, roughly two-thirds of the men and almost one-third of the women over 18 smoke regularly.

There are many questions regarding what the effect of this report will be. The Tobacco Institute has suggested that there will be a temporary slowdown in cigarette consumption.

Regarding cigarette consumption, it is interesting to note that in the year 1900 the per-person consumption of cigarettes was about 50 a year. By 1963, it had risen to about 4,000 cigarettes per year per person.

In considering what the possible effects of the Government report will be, I think the experience in Great Britain is meaningful. In March of 1962, the Royal College of Surgeons made a report reaching conclusions similar to the Advisory Committee of the Surgeon General. Yet, cigarette consumption in England fell off only 3 percent in 1962, and set a record in 1963. This occurred despite Government efforts to educate the public regarding the hazard of smoking and restrictions on smoking advertisements aimed at young people.

U.S. Government officials concerned with health have a responsibility to put the facts on this issue before the public. Because this is such a strong and widespread habit, and, as the report stated, provides such a "psychological crutch" to Americans, it is unlikely that people will abruptly quit smoking, barring basic changes in the nature of us all.

Legislation will probably be considered by the Congress regarding the labeling of cigarettes, and cigarette advertising, but it seems to me that it would be unwise to try and legislate this habit out of existence and repeat the fiasco of our prohibition era.

What is definitely needed is intensified research on how tobacco products and tobacco smoke can be modified to reduce any harmful effects. There is a great deal more to be known about this subject. The tobacco industry, the Government, and private researchers must accelerate their efforts to identify and remove hazardous components. In the last 10 years, the tobacco industry has sponsored over $7½ million in research to accomplish this. The Federal Government spends about $1½ million each year on tobacco-related research. These efforts must be intensified. Experts in the field have indicated that the ultimate development of less harmful cigarettes is feasible.

Studies should also be made by the Government, the tobacco industry, and economists regarding the possible economic effects if there was a reduction in tobacco consumption. At the present time, tobacco is the Nation's fifth largest cash crop. It supports an $8 billion business. Over 700,000 farm families are engaged in tobacco production and tobacco factories employ almost 100,000 people. In addition, there is a huge retail and wholesale business supported by tobacco, and over 300,000 Americans hold stock in tobacco companies. The industry spends over $170 million a year on advertising, including $134 million in television alone.

In southern Maryland, over 6,000 farm families are engaged in tobacco production, and the $20 million tobacco crop is the No. 1 farm cash crop in Maryland, ranking ahead of soybeans, corn, and wheat. One possible economic answer is diversification within the tobacco industry. Philip Morris, for example, is already doing this, with over 20 percent of its income coming from the production of razor blades, scissors, and packages. Last, but not least, a final important economic consideration cannot be overlooked. At the present time, the tobacco industry pays over $3 billion a year in taxes, $2 billion of which goes to the Federal Government, and $1 billion to the State. A drop in these revenues would certainly affect all citizens. It is clear that much more research is vitally needed, and the current Federal efforts in this field must be expanded.

SENATE

THURSDAY, JANUARY 16, 1964

The Senate met at 12 o'clock meridian, and was called to order by the President pro tempore.

The Chaplain, Rev. Frederick Brown Harris, D.D., offered the following prayer:

Almighty and everlasting God: At morning and evening and noonday, in Thy light, we would see life steadily and, seeing it whole, discern in it Thy purpose for us and for all Thy children.

Thou art revealed to us in the order of the world in which we live, in the beauty which opens vistas in a world beyond our senses. We find Thee in the truth our minds discover and, above all, in spiritual life as we touch it in the noblest sons of men.

Thou knowest the lure of temptation to be less than our best; Thou understandest the drain of our daily work and the limitations of our strength. In all our relationships with our fellows, grant us, we pray Thee, the grace of meekness and the power of self-control. Remove far from us all hypocrisy and pretense. Help us this day to speak only such words and to do only such things as will leave no regret at the setting of the sun.

As we lift up our hearts for divine help, in these days that baffle our human wisdom and discernment, come down the secret stairs by which Thou canst enter every contrite heart, for Thou hast taught us that out of the heart are the issues of life.

We ask it in the dear Redeemer's name. Amen.

THE JOURNAL

On request of Mr. HUMPHREY, and by unanimous consent, the reading of the Journal of the proceedings of Wednesday, January 15, 1964, was dispensed with.

ATTENDANCE OF A SENATOR

WINSTON L. PROUTY, a Senator from the State of Vermont, attended the session of the Senate today.

MESSAGES FROM THE PRESIDENT

Messages in writing from the President of the United States submitting nominations were communicated to the Senate by Mr. Miller, one of his secretaries.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Hackney, one of its reading clerks, announced that the House had passed the bill (S. 1057) to promote the cause of criminal justice by providing for the representation of defendants who are financially unable to obtain an adequate defense in criminal cases in the courts of the United States, with an amendment, in which it requested the concurrence of the Senate.

ENROLLED BILL SIGNED

The message also announced that the Speaker had affixed his signature to the enrolled bill (S. 1604) to amend the provisions of the Agricultural Adjustment Act of 1938, as amended, relating to the transfer of producer rice acreage allotments, and it was signed by the President pro tempore.

LIMITATION OF DEBATE DURING MORNING HOUR

On request of Mr. HUMPHREY, and by unanimous consent, statements during the morning hour were ordered limited to 3 minutes.

EXECUTIVE SESSION

Mr. HUMPHREY. Mr. President, I move that the Senate proceed to the consideration of executive business, to consider the nomination on the Executive Calendar.

The motion was agreed to; and the Senate proceeded to the consideration of executive business.

EXECUTIVE MESSAGES REFERRED

The PRESIDENT pro tempore laid before the Senate messages from the President of the United States submitting sundry nominations, which were referred to the appropriate committees.

(For nominations this day received, see the end of Senate proceedings.)

EXECUTIVE REPORT OF A COMMITTEE

The following favorable report of a nomination was submitted:

By Mr. ROBERTSON, from the Committee on Banking and Currency:

Joseph W. Barr, of Indiana, to be a member of the Board of Directors of the Federal Deposit Insurance Corporation.

The PRESIDENT pro tempore. If there be no further reports of committees, the nomination on the Executive Calendar will be stated.

FEDERAL TRADE COMMISSION

The Chief Clerk read the nomination of John R. Reilly, of Iowa, to be a Federal Trade Commissioner for the unexpired term of 7 years from September 26, 1962.

The PRESIDENT pro tempore. Without objection, the nomination is confirmed.

Mr. HUMPHREY. Mr. President, I ask unanimous consent that the President be immediately notified of the confirmation of this nomination.

The PRESIDENT pro tempore. Without objection, the President will be notified forthwith.

LEGISLATIVE SESSION

On motion of Mr. HUMPHREY, and by unanimous consent, the Senate resumed the consideration of legislative business.

EXECUTIVE COMMUNICATIONS, ETC.

The PRESIDENT pro tempore laid before the Senate the following communication and letters, which were referred as indicated:

APPROPRIATIONS FOR NATIONAL AERONAUTICS AND SPACE ADMINISTRATION

A letter from the Administrator, National Aeronautics and Space Administration, Washington, D.C., transmitting a draft of proposed legislation to authorize appropriations to the National Aeronautics and Space Administration for research and development, construction of facilities, and administrative operations, and for other purposes (with accompanying papers); to the Committee on Aeronautical and Space Sciences.

APPROPRIATIONS FOR THE ARMED FORCES

A letter from the Secretary of Defense, transmitting a draft of proposed legislation to authorize appropriations during fiscal year 1965 for procurement of aircraft, missiles, and naval vessels, and research, development, test, and evaluation, for the Armed Forces, and for other purposes (with accompanying papers); to the Committee on Armed Services.

REPORT OF FEDERAL AVIATION AGENCY

A letter from the Deputy Administrator, Federal Aviation Agency, Washington, D.C., transmitting, pursuant to law, a report of that Agency, for the fiscal year 1963 (with an accompanying report); to the Committee on Commerce.

AMENDMENT OF PEACE CORPS ACT

A communication from the President of the United States, transmitting a draft of proposed legislation to amend further the Peace Corps Act (75 Stat. 612), as amended (with accompanying papers); to the Committee on Foreign Relations.

PROPOSED CONCESSION CONTRACT IN GRAND CANYON NATIONAL PARK

A letter from the Assistant Secretary of the Interior, transmitting, pursuant to law, a proposed concession contract to authorize Dr. Watson M. Lacy to continue to provide medical, surgical, and hospital services for the public on the south rim of Grand Canyon National Park (with accompanying papers); to the Committee on Interior and Insular Affairs.

Proposed Amendment to Concession Contract in Hot Springs National Park

A letter from the Assistant Secretary of the Interior, transmitting, pursuant to law, a proposed amendment to the concession contract with the Quapaw Bath House Co. to operate a bathhouse in Hot Springs National Park and to obtain hot waters therefor (with accompanying papers); to the Committee on Interior and Insular Affairs.

Disposition of Certain Funds of Pawnee Tribe of Oklahoma

A letter from the Assistant Secretary of the Interior, transmitting a draft of proposed legislation to provide for the disposition of judgment funds now on deposit to the credit of the Pawnee Tribe of Oklahoma (with an accompanying paper); to the Committee on Interior and Insular Affairs.

Report of National Mediation Board

A letter from the Chairman, National Mediation Board, Washington, D.C., transmitting, pursuant to law, a report of that Board, including the report of the National Railroad Adjustment Board, for the fiscal year ended June 30, 1963 (with an accompanying report); to the Committee on Labor and Public Welfare.

Appropriations for Atomic Energy Commission

A letter from the Chairman, U.S. Atomic Energy Commission, Washington, D.C., transmitting a draft of proposed legislation to authorize appropriations to the Atomic Energy Commission in accordance with section 261 of the Atomic Energy Act of 1954, as amended, and for other purposes (with an accompanying paper); to the Joint Committee on Atomic Energy.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. ROBERTSON, from the Committee on Banking and Currency, without amendment:

S. Res. 256. Resolution authorizing the Committee on Banking and Currency to make certain investigations (Rept. No. 819); referred to Committee on Rules and Administration.

By Mr. SPARKMAN, from the Committee on Banking and Currency, without amendment:

S. Res. 257. Resolution authorizing the Committee on Banking and Currency to investigate matters pertaining to public and private housing (Rept. No. 820); referred to Committee on Rules and Administration.

REPORT ENTITLED "OPERATION OF ARTICLE VII, NATO STATUS OF FORCES TREATY" (S. REPT. NO. 818)

Mr. ERVIN. Mr. President, on December 12, 1963, the full Committee on Armed Services approved the annual report entitled "Operation of Article VII, NATO Status of Forces Treaty" together with other jurisdictional operations.

I submit to the Senate this report and ask that it be printed, with illustrations.

The PRESIDENT pro tempore. The report will be received and printed, as requested by the Senator from North Carolina.

STUDY OF ADMINISTRATIVE PRACTICE AND PROCEDURE

Mr. EASTLAND, from the Committee on the Judiciary, reported an original resolution (S. Res. 261) to study administrative practice and procedure, which, under the rule, was referred to the Committee on Rules and Administration, as follows:

Resolved, That the Committee on the Judiciary, or any duly authorized subcommittee thereof, is authorized under sections 134(a) and 136 of the Legislative Reorganization Act of 1946, as amended, and in accordance with its jurisdictions specified by rule XXV of the Standing Rules of the Senate, to make a full and complete study and investigation of administrative practice and procedure within the departments and agencies of the United States in the exercise of their rulemaking, licensing, and adjudicatory functions, including a study of the effectiveness of the Administrative Procedure Act, with a view to determining whether additional legislation is required to provide for the fair, impartial, and effective performance of such functions.

Sec. 2. For the purposes of this resolution the committee, from February 1, 1964, to January 31, 1965, inclusive, is authorized (1) to make such expenditures as it deems advisable; (2) to employ upon a temporary basis, technical, clerical, and other assistants and consultants: *Provided,* That the minority is authorized to select one person for appointment, and the person so selected shall be appointed and his compensation shall be so fixed that his gross rate shall not be less by more than $1,600 than the highest gross rate paid to any other employee; and (3) with the prior consent of the heads of the departments or agencies concerned, and the Committee on Rules and Administration, to utilize the reimbursable services, information, facilities, and personnel of any of the departments or agencies of the Government.

Sec. 3. The committee shall report its findings, together with its recommendations for legislation as it deems advisable, to the Senate at the earliest practicable date, but not later than January 31, 1965.

Sec. 4. Expenses of the committee under this resolution, which shall not exceed $120,000 shall be paid from the contingent fund of the Senate upon vouchers approved by the chairman of the committee.

INVESTIGATION OF ANTITRUST AND MONOPOLY LAWS OF THE UNITED STATES

Mr. EASTLAND, from the Committee on the Judiciary, reported an original resolution (S. Res. 262) to investigate antitrust and monopoly laws of the United States, which, under the rule, was referred to the Committee on Rules and Administration, as follows:

Resolved, That the Committee on the Judiciary, or any duly authorized subcommittee thereof, is authorized under sections 134(a) and 136 of the Legislative Reorganization Act of 1946, as amended, and in accordance with its jurisdictions specified by rule XXV of the Standing Rules of the Senate, to make a complete, comprehensive, and continuing study and investigation of unlawful restraints and monopolies, and of the antitrust and monopoly laws of the United States, their administration, interpretation, operation, enforcement, and effect, and to determine and from time to time redetermine the nature and extent of any legislation which may be necessary or desirable for—

(1) clarification of existing law to eliminate conflicts and uncertainties where necessary;

(2) improvement of the administration and enforcement of existing laws; and

(3) supplementation of existing law to provide any additional substantive, procedural, or organizational legislation which may be needed for the attainment of the fundamental objects of the laws and the efficient administration and enforcement thereof.

Sec. 2. For the purposes of this resolution the committee, from February 1, 1964, to January 31, 1965, inclusive, is authorized (1) to make such expenditures as it deems advisable; (2) to employ upon a temporary basis, technical, clerical, and other assistants and consultants: *Provided,* That the minority is authorized to select one person for appointment, and the person so selected shall be appointed and his compensation shall be so fixed that his gross rate shall not be less by more than $1,600 than the highest gross rate paid to any other employee; and (3) with the prior consent of the heads of the departments or agencies concerned, and the Committee on Rules and Administration, to utilize the reimbursable services, information, facilities, and personnel of any of the departments or agencies of the Government.

Sec. 3. The committee shall report its findings, together with its recommendations for legislation as it deems advisable, to the Senate at the earliest practicable date, but not later than January 31, 1965.

Sec. 4. Expenses of the committee, under this resolution, which shall not exceed $512,000, shall be paid from the contingent fund for the Senate upon vouchers approved by the chairman of the committee.

CONSIDERATION OF MATTERS PERTAINING TO GOVERNMENT CHARTERS, HOLIDAYS, AND CELEBRATIONS

Mr. EASTLAND, from the Committee on the Judiciary, reported an original resolution (S. Res. 263) to consider matters pertaining to Government charters, holidays, and celebrations, which, under the rule, was referred to the Committee on Rules and Administration, as follows:

Resolved, That the Committee on the Judiciary, or any duly authorized subcommittee thereof, is authorized under sections 134(a) and 136 of the Legislative Reorganization Act of 1946, as amended, and in accordance with its jurisdiction specified by rule XXV of the Standing Rules of the Senate to consider all matters pertaining to Federal charters, holidays, and celebrations.

Sec. 2. For the purposes of this resolution the committee, from February 1, 1964, to January 31, 1965, inclusive, is authorized to (1) make such expenditures as it deems advisable; (2) to employ upon a temporary basis, technical, clerical, and other assistants and consultants; and (3) with the prior consent of the heads of the departments or agencies concerned, and the Committee on Rules and Administration, to utilize the reimbursable services, information, facilities, and personnel of any of the departments or agencies of the Government.

Sec. 3. Expenses of the committee, under this resolution, which shall not exceed $7,500, shall be paid from the contingent fund of the Senate upon vouchers approved by the chairman of the committee.

AUTHORIZATION OF STUDY OF MATTERS PERTAINING TO CONSTITUTIONAL AMENDMENTS

Mr. EASTLAND, from the Committee on the Judiciary, reported an original resolution (S. Res. 264) authorizing a study of matters pertaining to constitutional amendments, which, under the rule, was referred to the Committee on Rules and Administration, as follows:

Resolved, That the Committee on the Judiciary, or any duly authorized subcommittee thereof, is authorized under sections 134(a) and 136 of the Legislative Reorganization Act of 1946, as amended, and in accordance with its jurisdictions specified by rule XXV of the Standing Rules of the Senate, to examine, investigate, and make a complete study of any and all matters pertaining to constitutional amendments.

SEC. 2. For the purposes of this resolution the committee, from February 1, 1964, to January 31, 1965, inclusive, is authorized (1) to make such expenditures as it deems advisable; (2) to employ upon a temporary basis, technical, clerical, and other assistants and consultants: *Provided,* That the minority is authorized to select one person for appointment, and the person so selected shall be appointed and his compensation shall be so fixed that his gross rate shall not be less by more than $1,600 than the highest gross rate paid to any other employee; and (3) with the prior consent of the heads of the departments or agencies concerned, and the Committee on Rules and Administration, to utilize the reimbursable services, information, facilities, and personnel of any of the departments or agencies of the Government.

SEC. 3. The committee shall report its activities and findings, together with its recommendations for legislation as it deems advisable, to the Senate at the earliest practicable date, but not later than January 31, 1965.

SEC. 4. Expenses of the committee, under this resolution, which shall not exceed $68,215.93, shall be paid from the contingent fund of the Senate upon vouchers approved by the chairman of the committee.

INVESTIGATION OF MATTERS PERTAINING TO CONSTITUTIONAL RIGHTS

Mr. EASTLAND, from the Committee on the Judiciary, reported an original resolution (S. Res. 265) to investigate matters pertaining to constitutional rights, which, under the rule, was referred to the Committee on Rules and Administration, as follows:

Resolved, That the Committee on the Judiciary, or any duly authorized subcommittee thereof, is authorized under sections 134 (a) and 136 of the Legislative Reorganization Act of 1946, as amended, and in accordance with its jurisdictions specified by rule XXV of the Standing Rules of the Senate, to examine, investigate, and make a complete study of any and all matters pertaining to constitutional rights.

SEC. 2. For the purposes of this resolution the committee, from February 1, 1964, to January 31, 1965, inclusive, is authorized (1) to make such expenditures as it deems advisable; (2) to employ upon a temporary basis, technical, clerical, and other assistants and consultants: *Provided,* That the minority is authorized to select one person for appointment, and the person so selected shall be appointed and his compensation shall be so fixed that his gross rate shall not be less by more than $1,600 than the highest gross rate paid to any other employee; and (3) with the prior consent of the heads of the departments or agencies concerned, and the Committee on Rules and Administration, to utilize the reimbursable services, information, facilities, and personnel of any of the departments or agencies of the Government.

SEC. 3. The committee shall report its findings, together with its recommendations for legislation as it deems advisable, to the Senate at the earliest practicable date, but not later than January 31, 1965.

SEC. 4. Expenses of the committee, under this resolution, which shall not exceed $165,000 shall be paid from the contingent fund of the Senate upon vouchers approved by the chairman of the committee.

STUDY OF MATTERS PERTAINING TO IMMIGRATION AND NATURALIZATION

Mr. EASTLAND, from the Committee on the Judiciary, reported an original resolution (S. Res. 266) to study matters pertaining to immigration and naturalization, which, under the rule, was referred to the Committee on Rules and Administration, as follows:

Resolved, That the Committee on the Judiciary, or any duly authorized subcommittee thereof, is authorized under sections 134 (a) and 136 of the Legislative Reorganization Act of 1946, as amended, and in accordance with its jurisdictions specified by rule XXV of the Standing Rules of the Senate to examine, investigate, and make a complete study of any and all matters pertaining to immigration and naturalization.

SEC. 2. For the purposes of this resolution the committee, from February 1, 1964, to January 31, 1965, inclusive, is authorized (1) to make such expenditures as it deems advisable; (2) to employ upon a temporary basis, technical, clerical, and other assistants and consultants: *Provided,* That the minority is authorized to select one person for appointment, and the person so selected shall be appointed and his compensation shall be so fixed that his gross rate shall not be less by more than $1,600 than the highest gross rate paid to any other employee; and (3) with the prior consent of the heads of the departments or agencies concerned, and the Committee on Rules and Administration, to utilize the reimbursable services, information, facilities, and personnel of any of the departments or agencies of the Government.

SEC. 3. The committee shall report its findings, together with its recommendations for legislation as it deems advisable, to the Senate at the earliest practicable date, but not later than January 31, 1965.

SEC. 4. Expenses of the committee, under this resolution, which shall not exceed $135,000, shall be paid from the contingent fund of the Senate upon vouchers approved by the chairman of the committee.

STUDY OF FEDERAL JUDICIAL SYSTEM

Mr. EASTLAND, from the Committee on the Judiciary, reported an original resolution (S. Res. 267) to study and examine the Federal judicial system, which, under the rule, was referred to the Committee on Rules and Administration, as follows:

Resolved, That the Committee on the Judiciary, or any duly authorized subcommittee thereof, is authorized under sections 134(a) and 136 of the Legislative Reorganization Act of 1946, as amended, and in accordance with its jurisdiction specified by rule XXV of the Standing Rules of the Senate, to conduct a study and examination of the administration, practice and procedures of the Federal judicial system with a view to determining the legislation, if any, which may be necessary or desirable in order to increase the efficiency of the Federal courts in the just and expeditious adjudication of the cases, controversies, and other matters which may be brought before them.

SEC. 2. For the purpose of this resolution the committee, from February 1, 1964, to January 31, 1965, inclusive, is authorized (1) to make such expenditures as it deems advisable; (2) to employ upon a temporary basis professional, technical, clerical, and other assistants and consultants: *Provided,* That the minority is authorized to select one person for appointment, and the person so selected shall be appointed and his compensation shall be so fixed that his gross rate shall not be less by more than $1,600, than the highest gross rate paid to any other employee; and (3) with the prior consent of the heads of departments and agencies concerned, and the Committee on Rules and Administration, to utilize the reimbursable services, information, facilities, and personnel of any of the departments or agencies of the Government.

SEC. 3. The committee shall report its findings, together with its recommendations for legislation as it deems advisable, to the Senate at the earliest practicable date, but not later than January 31, 1965.

INVESTIGATION OF ADMINISTRATION, OPERATION, AND ENFORCEMENT OF INTERNAL SECURITY ACT

Mr. EASTLAND, from the Committee on the Judiciary, reported an original resolution (S. Res. 268) to investigate the administration, operation, and enforcement of the Internal Security Act, which, under the rule, was referred to the Committee on Rules and Administration, as follows:

Resolved, That the Committee on the Judiciary, or any duly authorized subcommittee thereof, is authorized under sections 134(a) and 136 of the Legislative Reorganization Act of 1946, as amended, and in accordance with its jurisdiction specified by rule XXV of the Standing Rules of the Senate, insofar as they relate to the authority of the committee, to make a complete and continuing study and investigation of (1) the administration, operation, and enforcement of the Internal Security Act of 1950, as amended; (2) the administration, operation, and enforcement of other laws relating to espionage, sabotage, and the protection of the internal security of the United States; and (3) the extent, nature, and effect of subversive activities in the United States, its territories and possessions, including, but not limited to, espionage, sabotage, and infiltration by persons who are or may be under the domination of the foreign government or organizations controlling the world Communist movement or any other movement seeking to overthrow the Government of the United States by force and violence.

SEC. 2. For the purposes of this resolution, the committee, from February 1, 1964, to January 31, 1965, inclusive, is authorized (1) to make such expenditures as it deems advisable; (2) to employ upon a temporary basis technical, clerical, and other assistants and consultants: *Provided,* That the minority is authorized to select one person for appointment, and the person so elected shall be appointed and his compensation shall be so fixed that his gross rate shall not be less by more than $1,600 than the highest gross rate paid to any other employee; and (3) with the prior consent of the heads of the departments or agencies concerned, and the Committee on Rules and Administration, to utilize the reimbursable services, information, facilities, and personnel of any of the departments or agencies of the Government.

SEC. 3. Expenses of the committee, under this resolution, which shall not exceed $360,000, shall be paid from the contingent fund of the Senate upon vouchers approved by the chairman of the committee.

INVESTIGATION OF NATIONAL PENITENTIARIES

Mr. EASTLAND, from the Committee on the Judiciary, reported an original resolution (S. Res. 269) to investigate national penitentiaries, which, under the rule, was referred to the Committee on Rules and Administration, as follows:

Resolved, That the Committee on the Judiciary, or any duly authorized subcommittee thereof, is authorized under sections 134(a) and 136 of the Legislative Reorganization Act of 1946, as amended, and in accordance with its jurisdiction specified by rule XXV of the Standing Rules of the Senate, to examine, investigate, and inspect national penitentiaries.

SEC. 2. For the purposes of this resolution the committee, from February 1, 1964, to January 31, 1965, inclusive, is authorized (1) to make such expenditures as it deems advisable; (2) to employ upon a temporary basis, technical, clerical, and other assistants and consultants; and (3) with the prior consent of the heads of the departments or agencies concerned, and the Committee on Rules and Administration, to utilize the reimbursable services, information, facilities, and personnel of any of the departments or agencies of the Government.

SEC. 3. The committee shall report its findings, together with its recommendations for legislation as it deems advisable, to the Senate at the earliest practicable date, but not later than January 31, 1965.

SEC. 4. Expenses of the committee, under this resolution, which shall not exceed $5,000, shall be paid from the contingent fund of the Senate upon vouchers approved by the chairman of the committee.

EXAMINATION OF ADMINISTRATION OF PATENT OFFICE

Mr. EASTLAND, from the Committee on the Judiciary, reported an original resolution (S. Res. 270) to examine and review the administration of the Patent Office, which, under the rule, was referred to the Committee on Rules and Administration, as follows:

Resolved, That the Committee on the Judiciary, or any duly authorized subcommittee thereof, is authorized under sections 134(a) and 136 of the Legislative Reorganization Act of 1946, as amended, and in accordance with its jurisdiction specified by rule XXV of the Standing Rules of the Senate, to conduct a full and complete examination and review of the administration of the Patent Office and a complete examination and review of the statutes relating to patents, trademarks, and copyrights.

SEC. 2. For the purposes of this resolution the committee from February 1, 1964, to January 31, 1965, inclusive, is authorized to (1) make such expenditures as it deems advisable; (2) to employ, upon a temporary basis, technical, clerical, and other assistants and consultants: *Provided,* That the minority is authorized to select one person for appointment, and the person so selected shall be appointed and his compensation shall be so fixed that his gross rate shall not be less by more than $1,600 than the highest gross rate paid to any other employee; and (3) with the prior consent of the heads of the departments or agencies concerned, and the Committee on Rules and Administration, to utilize the reimbursable services, information, facilities, and personnel of any of the departments or agencies of the Government.

SEC. 3. The committee shall report its findings, together with its recommendations for legislation as it deems advisable, to the Senate at the earliest practicable date, but not later than Janury 31, 1965.

SEC. 4. Expenses of the committee, under this resolution, which shall not exceed $125,000, shall be paid from the contingent fund of the Senate upon vouchers approved by the chairman of the committee.

INVESTIGATION OF PROBLEMS CREATED BY FLOW OF REFUGEES AND ESCAPEES FROM COMMUNISTIC TYRANNY

Mr. EASTLAND, from the Committee on the Judiciary, reported an original resolution (S. Res. 271) to investigate problems created by flow of refugees and escapees from communistic tyranny, which, under the rule, was referred to the Committee on Rules and Administration, as follows:

Resolved, That the Committee on the Judiciary, or any duly authorized subcommittee thereof, is authorized under sections 134(a) and 136 of the Legislative Reorganization Act of 1946, as amended, and in accordance with its jurisdiction specified by rule XXV of the Standing Rules of the Senate, to examine, investigate, and make a complete study of any and all matters pertaining to the problems created by the flow of refugees and escapees from Communist tyranny.

SEC. 2. For the purposes of this resolution, the committee from February 1, 1964 to January 31, 1965 inclusive, is authorized (1) to make such expenditures as it deems advisable; (2) to employ on a temporary basis technical, clerical, and other assistants and consultants: *Provided,* That the minority is authorized to select one person for appointment, and the person so selected shall be appointed and his compensation shall be so fixed that his gross rate shall not be less by more than $1,600 than the highest gross rate paid to any other employee; and (3) with the prior consent of the heads of the department or agency concerned and the Committee on Rules and Administration, to utilize the reimbursable services, information, facilities, and personnel of any of the departments or agencies of the Government.

SEC. 3. The committee shall report its findings, together with its recommendations for such legislation as it deems advisable, to the Senate at the earliest practicable date, but not later than January 31, 1965.

SEC. 4. The expenses of the committee under this resolution, which shall not exceed $87,500 shall be paid from the contingent fund of the Senate by vouchers approved by the chairman of the committee.

STUDY OF REVISION AND CODIFICATION OF THE STATUTES OF THE UNITED STATES

Mr. EASTLAND, from the Committee on the Judiciary, reported an original resolution (S. Res. 272) to study revision and codification of the statutes of the United States, which, under the rule, was referred to the Committee on Rules and Administration, as follows:

Resolved, That the Committee on the Judiciary, or any duly authorized subcommittee thereof, is authorized under sections 134(a) and 136 of the Legislative Reorganization Act of 1946, as amended, and in accordance with its jurisdictions specified by rule XXV of the Standing Rules of the Senate, to examine, investigate, and make a complete study of any and all matters pertaining to revision and codification of the statutes of the United States.

SEC. 2. For the purposes of this resolution the committee from February 1, 1964, to January 31, 1965, inclusive, is authorized (1) to make such expenditures as it deems advisable; (2) to employ upon a temporary basis technical, clerical, and other assistants and consultants: *Provided,* That if more than one counsel is employed, the minority is authorized to select one person for appointment, and the person so selected shall be appointed and his compensation shall be so fixed that his gross rate shall not be less by more than $1,600 than the highest rate paid to any other employee; and (3) with the prior consent of the heads of the departments or agencies concerned, and the Committee on Rules and Administration, to utilize the reimbursable services, information, facilities, and personnel of any of the departments or agencies of the Government.

SEC. 3. The committee shall report its findings, together with its recommendations, to the Senate at the earliest practicable date, but not later than January 31, 1965.

SEC. 4. Expenses of the committee, under this resolution, which shall not exceed $28,200, shall be paid from the contingent fund of the Senate upon vouchers approved by the chairman of the committee.

INVESTIGATION OF ADMINISTRATION OF TRADING WITH THE ENEMY ACT

Mr. EASTLAND, from the Committee on the Judiciary, reported an original resolution (S. Res. 273) to investigate the administration of the Trading With the Enemy Act, which, under the rule, was referred to the Committee on Rules and Administration, as follows:

Resolved, That the Committee of the Judiciary, or any duly authorized subcommittee thereof, is authorized under sections 134(a) and 136 of the Legislative Reorganization Act of 1946, as amended, and in accordance with its jurisdiction specified by rule XXV of the Standing Rules of the Senate, to conduct a further examination and review of the administration of the Trading With the Enemy Act, as amended, and the War Claims Act of 1948, as amended, and consider proposed legislation affecting said Acts.

SEC. 2. For the purposes of this resolution the committee, from February 1, 1964, to January 31, 1965, inclusive, is authorized (1) to make such expenditures as it deems advisable; (2) to employ upon a temporary basis, technical, clerical, and other assistants and consultants: *Provided,* That the minority is authorized to select one person for appointment, and the person so selected shall be appointed and his compensation shall be so fixed that his gross rate shall not be less by more than $1,600 than the highest gross rate paid to any other employee; and (3) with the prior consent of the heads of the departments or agencies concerned, and the Committee on Rules and Administration, to utilize the reimbursable services, information, facilities, and personnel of any of the departments or agencies of the Government.

SEC. 3. The committee shall report its findings, together with its recommendations for legislation as it deems advisable, to the Senate at the earliest practicable date, but not later than January 31, 1965.

SEC. 4. Expenses of the committee, under this resolution, which shall not exceed $60,000, shall be paid from the contingent fund of the Senate upon vouchers approved by the chairman of the committee.

INVESTIGATION OF JUVENILE DELINQUENCY

Mr. EASTLAND, from the Committee on the Judiciary, reported an original resolution (S. Res. 274) to investigate juvenile delinquency, which, under the rule, was referred to the Committee on Rules and Administration, as follows:

Resolved, That the Committee on the Judiciary, or any duly authorized subcommittee thereof, is authorized under sections 134(a) and 136 of the Legislative Reorganization Act of 1946, as amended, and in accordance with its jurisdictions specified by rule XXV of the Standing Rules of the Senate, to examine, investigate, and make a complete study of any and all matters pertaining to juvenile delinquency in the United States, including (a) the extent and character of juvenile delinquency in the United States and its causes and contributing factors; (b) the adequacy of existing provisions of law, including chapters 402 and 403 of title 18 of the United States Code, in dealing with youthful offenders of Federal laws; (c) sentences imposed on, or other correctional action taken with respect to, youthful offenders by Federal courts; and (d) the extent to which juveniles are violating Federal laws relating to the sale or use of narcotics.

Sec. 2. For the purposes of this resolution, the committee, from February 1, 1964, to January 31, 1965, inclusive, is authorized (1) to make such expenditures as it deems advisable; (2) to employ, upon a temporary basis, technical, clerical, and other assistants and consultants: *Provided*, That the minority is authorized to select one person for appointment, and the person so selected shall be appointed and his compensation shall be so fixed that his gross rate shall not be less by more than $1,600 than the highest gross rate paid to any other employee; and (3) with the prior consent of the heads of the departments or agencies concerned, and the Committee on Rules and Administration, to utilize the reimbursable services, information, facilities, and personnel of any of the departments or agencies of the Government.

Sec. 3. The committee shall report its findings, together with its recommendations for legislation, as it deems advisable, to the Senate at the earliest practicable date, but not later than January 31, 1965.

Sec. 4. Expenses of the committee, under this resolution, which shall not exceed $188,000, shall be paid from the contingent fund of the Senate upon vouchers approved by the chairman of the committee.

BILLS AND JOINT RESOLUTION INTRODUCED

Bills and a joint resolution were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. COTTON:

S. 2428. A bill to authorize a study of means of increasing the capacity and security of the Panama Canal, and for other purposes; to the Committee on Commerce.

(See the remarks of Mr. Cotton when he introduced the above bill, which appear under a separate heading.)

By Mrs. NEUBERGER (for herself, Mr. Bennett, Mr. Clark, Mr. Gruening, Mr. Morse, Mr. Young of Ohio, and Mr. Randolph):

S. 2429. A bill to confer upon the Federal Trade Commission the power and duty to regulate the advertising and labeling of cigarettes; to the Committee on Commerce.

S. 2430. A bill to bring under control the health hazards produced by the smoking of cigarettes; to the Committee on Labor and Public Welfare.

(See the remarks of Mrs. Neuberger when she introduced the above bills, which appear under a separate heading.)

By Mr. JAVITS (for himself, Mr. Case, Mr. Cooper, Mr. Keating, Mr. Kuchel, and Mrs. Smith):

S. 2431. A bill to provide health care for persons 65 years of age and over through contributory social insurance, and a complementary basic national private insurance plan; to the Committee on Finance.

(See the remarks of Mr. Javits when he introduced the above bill, which appear under a separate heading.)

By Mr. KEATING (for himself, Mr. Beall, Mr. Case, Mr. Cooper, Mr. Javits, Mr. Kuchel, and Mr. Scott):

S. 2432. A bill to provide for a comprehensive study and investigation of the adequacy of the present system of compulsory military training under the Universal Military Training and Service Act, and for other purposes; to the Committee on Armed Services.

(See the remarks of Mr. Keating when he introduced the above bill, which appear under a separate heading.)

By Mr. RUSSELL (for himself and Mr. Saltonstall) (by request):

S. 2433. A bill to authorize appropriations during fiscal year 1965 for procurement of aircraft, missiles, and naval vessels, and research, development, test, and evaluation, for the Armed Forces, and for other purposes; to the Committee on Armed Services.

(See the remarks of Mr. Russell when he introduced the above bill, which appear under a separate heading.)

By Mr. KENNEDY:

S. 2434. A bill for the relief of Araxie Puzant Tekeyan; to the Committee on the Judiciary.

By Mr. FULBRIGHT:

S. 2435. A bill for the relief of Capt. Stanley Wing Handford, U.S. Navy; to the Committee on the Judiciary.

By Mr. DOUGLAS:

S. 2436. A bill for the relief of Mihajlo Radosavljevic; to the Committee on the Judiciary.

By Mr. HUMPHREY:

S.J. Res. 146. Joint resolution providing for the establishment of a bipartisan commission to make a study and investigation of the food and fiber policies of the United States; to the Committee on Agriculture and Forestry.

(See the remarks of Mr. Humphrey when he introduced the above joint resolution, which appear under a separate heading.)

RESOLUTIONS

EXTENSION OF SPECIAL COMMITTEE ON AGING

Mr. SMATHERS submitted the following resolution (S. Res. 260); which was referred to the Committee on Rules and Administration:

Resolved, That the Special Committee on Aging established by S. Res. 33, Eighty-seventh Congress, agreed to on February 13, 1961, as amended and supplemented, is hereby extended through January 31, 1965.

Sec. 2. It shall be the duty of such committee to make a full and complete study and investigation of any and all matters pertaining to problems of older people, including but not limited to, problems of maintaining health, of assuring adequate income, of finding employment, of engaging in productive and rewarding activity, of securing proper housing, and, when necessary, care or assistance. No proposed legislation shall be referred to such committee, and such committee shall not have power to report by bill or otherwise have legislative jurisdiction.

Sec. 3. The said committee, or any duly authorized subcommittee thereof, is authorized to sit and act at such places and times during the sessions, recesses, and adjourned periods of the Senate, to require by subpena or otherwise the attendance of such witnesses and the production of such books, papers, and documents, to administer such oaths, to take such testimony, to procure such printing and binding, and to make such expenditures as it deems advisable.

Sec. 4. A majority of the members of the committee or any subcommittee thereof shall constitute a quorum for the transaction of business, except that a lesser number, to be fixed by the committee, shall constitute a quorum for the purpose of taking sworn testimony.

Sec. 5. For purposes of this resolution, the committee is authorized (1) to employ on a temporary basis from February 1, 1964, through January 31, 1965, such technical, clerical, or other assistants, experts, and consultants as it deems advisable: *Provided*, That the minority is authorized to select one person for appointment, and the person so selected shall be appointed and his compensation shall be so fixed that his gross rate shall not be less by more than $1,600 than the highest gross rate paid to any other employee; and (2) with the prior consent of the executive department or agency concerned and the Committee on Rules and Administration, to employ on a reimbursable basis such executive branch personnel as it deems advisable.

Sec. 6. The expenses of the committee, which shall not exceed $213,000 from February 1, 1964, through January 31, 1965, shall be paid from the contingent fund of the Senate upon vouchers approved by the chairman of the committee.

Sec. 7. The time for filing a final report is hereby extended to January 31, 1965. The committee shall cease to exist at the close of business on January 31, 1965.

STUDY OF ADMINISTRATIVE PRACTICE AND PROCEDURE

Mr. EASTLAND, from the Committee on the Judiciary, reported an original resolution (S. Res. 261) to study administrative practice and procedure, which, under the rule, was referred to the Committee on Rules and Administration.

(See the above resolution printed in full when reported by Mr. Eastland, which appears under a separate heading.)

INVESTIGATION OF ANTITRUST AND MONOPOLY LAWS OF THE UNITED STATES

Mr. EASTLAND, from the Committee on the Judiciary, reported an original resolution (S. Res. 262) to investigate antitrust and monopoly laws of the United States, which, under the rule, was referred to the Committee on Rules and Administration.

(See the above resolution printed in full when reported by Mr. Eastland, which appears under a separate heading.)

CONSIDERATION OF MATTERS PERTAINING TO GOVERNMENT CHARTERS, HOLIDAYS, AND CELEBRATIONS

Mr. EASTLAND, from the Committee on the Judiciary, reported an original resolution (S. Res. 263) to consider matters pertaining to Government charters, holidays, and celebrations, which, under the rule, was referred to the Committee on Rules and Administration.

(See the above resolution printed in full when reported by Mr. EASTLAND, which appears under a separate heading.)

AUTHORIZATION OF STUDY OF MATTERS PERTAINING TO CONSTITUTIONAL AMENDMENTS

Mr. EASTLAND, from the Committee on the Judiciary, reported an original resolution (S. Res. 264) authorizing a study of matters pertaining to constitutional amendments, which, under the rule, was referred to the Committee on Rules and Administration.

(See the above resolution printed in full when reported by Mr. EASTLAND, which appears under a separate heading.)

INVESTIGATION OF MATTERS PERTAINING TO CONSTITUTIONAL RIGHTS

Mr. EASTLAND, from the Committee on the Judiciary, reported an original resolution (S. Res. 265) to investigate matters pertaining to constitutional rights, which, under the rule, was referred to the Committee on Rules and Administration.

(See the above resolution printed in full when reported by Mr. EASTLAND, which appears under a separate heading.)

STUDY OF MATTERS PERTAINING TO IMMIGRATION AND NATURALIZATION

Mr. EASTLAND, from the Committee on the Judiciary, reported an original resolution (S. Res. 266) to study matters pertaining to immigration and naturalization, which, under the rule, was referred to the Committee on Rules and Administration.

(See the above resolution printed in full when reported by Mr. EASTLAND, which appears under a separate heading.)

STUDY OF FEDERAL JUDICIAL SYSTEM

Mr. EASTLAND, from the Committee on the Judiciary, reported an original resolution (S. Res. 267) to study and examine the Federal judicial system, which, under the rule, was referred to the Committee on Rules and Administration.

(See the above resolution printed in full when reported by Mr. EASTLAND, which appears under a separate heading.)

INVESTIGATION OF ADMINISTRATION, OPERATION, AND ENFORCEMENT OF INTERNAL SECURITY ACT

Mr. EASTLAND, from the Committee on the Judiciary, reported an original resolution (S. Res. 268) to investigate the administration, operation, and enforcement of the Internal Security Act, which, under the rule, was referred to the Committee on Rules and Administration.

(See the above resolution printed in full when reported by Mr. EASTLAND, which appears under a separate heading.)

INVESTIGATION OF NATIONAL PENITENTIARIES

Mr. EASTLAND, from the Committee on the Judiciary, reported an original resolution (S. Res. 269) to investigate national penitentiaries, which, under the rule, was referred to the Committee on Rules and Administration.

(See the above resolution printed in full when reported by Mr. EASTLAND, which appears under a separate heading.)

EXAMINATION OF ADMINISTRATION OF PATENT OFFICE

Mr. EASTLAND, from the Committee on the Judiciary, reported an original resolution (S. Res. 270) to examine and review the administration of the Patent Office, which, under the rule, was referred to the Committee on Rules and Administration.

(See the above resolution printed in full when reported by Mr. EASTLAND, which appears under a separate heading.)

INVESTIGATION OF PROBLEMS CREATED BY FLOW OF REFUGEES AND ESCAPEES FROM COMMUNISTIC TYRANNY

Mr. EASTLAND, from the Committee on the Judiciary, reported an original resolution (S. Res. 271) to investigate problems created by flow of refugees and escapees from communistic tyranny, which, under the rule, was referred to the Committee on Rules and Administration.

(See the above resolution printed in full when reported by Mr. EASTLAND, which appears under a separate heading.)

STUDY OF REVISION AND CODIFICATION OF THE STATUTES OF THE UNITED STATES

Mr. EASTLAND, from the Committee on the Judiciary, reported an original resolution (S. Res. 272) to study revision and codification of the statutes of the United States, which, under the rule, was referred to the Committee on Rules and Administration.

(See the above resolution printed in full when reported by Mr. EASTLAND, which appears under a separate heading.)

INVESTIGATION OF ADMINISTRATION OF TRADING WITH THE ENEMY ACT

Mr. EASTLAND, from the Committee on the Judiciary, reported an original resolution (S. Res. 273) to investigate the administration of the Trading With the Enemy Act, which, under the rule, was referred to the Committee on Rules and Administration.

(See the above resolution printed in full when reported by Mr. EASTLAND, which appears under a separate heading.)

INVESTIGATION OF JUVENILE DELINQUENCY

Mr. EASTLAND, from the Committee on the Judiciary, reported an original resolution (S. Res. 274) to investigate juvenile delinquency, which, under the rule, was referred to the Committee on Rules and Administration.

(See the above resolution printed in full when reported by Mr. EASTLAND, which appears under a separate heading.)

NEEDED—A NEW PANAMA CANAL

Mr. COTTON. Mr. President, the deplorable series of events in Panama and the Canal Zone in recent days has focused new attention on the Panama Canal, and evoked new interest in our relations with Panama. But in all the excitement, the status and future of the canal itself have been almost overlooked.

The evidence is now increasingly clear that the present canal will be obsolete by 1980, its capacity strained to the saturation point.

Over the last 10 years, the number of ships passing through the canal has increased from 7,000 to more than 12,000 a year. A study prepared by the Stanford Research Institute in 1957 estimated that by 1975, 12,000 ships a year would be passing through the canal. The recent upsurge in traffic has treated their forecasts harshly, for 1960 was the first year when transits exceeded 12,000, 15 years earlier than the prediction.

The capacity of the canal also is being strained by its inability to handle many of the supertankers and large merchant ships now being constructed. Furthermore, none of the Navy's modern, large aircraft carriers can use the canal, simply because they are too big.

As use of the canal increases, so does its economic importance to the United States and to international trade generally. It is worth noting that nearly 60 percent of cargo carried through the canal in 1962 involved the commerce of the United States.

For these reasons, I believe it is important that prompt studies be undertaken of the means either to increase the capacity of the Panama Canal, or to construct a new interoceanic canal to meet the future needs of commerce and the national defense.

Such a study should include a careful review, including on-site surveys, of potential locations for a new canal, whether in Panama, Colombia, Nicaragua, Mexico, or elsewhere, and should also cover the possibility of building a sea level canal, to avoid the use of costly and time-consuming locks.

The construction of a new canal, in some other country, would have special advantages which must be thoroughly explored in such a study. It would, of course, put an end to the Panamanian monopoly which could well become an irritant to other Latin American countries, as well as to us. It would provide an alternative route for shipping, should disasters of any type force the closing of one canal or curtail its usage.

It is also true that such a study would give the United States an improved bargaining position and would strengthen the hand of the President in meeting the present situation. However, that is not my primary purpose in introducing this bill, and it should not be considered in any sense a threat to the Republic of Panama.

My bill is identical to proposed legislation submitted to the 87th Congress by the Kennedy administration in 1962, except that instead of directing the Panama Canal Company to make the study, it empowers the President to appoint a commission, including a representative or representatives of the Company. I believe that this study is of such vital importance that it should not be narrowed to one agency of the Government.

I hope this bill will have the backing of the administration; and as soon as the bill has been referred to committee, I shall request early hearings, and shall seek to expedite action.

The PRESIDENT pro tempore. The bill will be received and appropriately referred.

The bill (S. 2428) to authorize a study of means of increasing the capacity and security of the Panama Canal, and for other purposes, introduced by Mr. COTTON, was received, read twice by its title, and referred to the Committee on Commerce.

CIGARETTE SMOKING—A TIME FOR ACTION

Mrs. NEUBERGER. Mr. President, this has been a painful week for many millions of Americans. Smoking is a habit that does not die easily. The report of the Surgeon General's Committee on Smoking and Health is no well-meaning sermon to be acknowledged and then ignored. It is not a parental lecture. It is not an echo of Victorian morality. It is a massive, unequivocal, and unimpeachable scientific indictment of cigarette smoking. These are the Committee's findings:

> Cigarette smoking is a health hazard of sufficient importance in the United States to warrant appropriate remedial action.
>
> In view of the continuing and mounting evidence from many sources, it is the judgment of the Committee that cigarette smoking contributes substantially to mortality from certain specific diseases and to the overall death rate.
>
> Cigarette smoking is causally related to lung cancer in men; the magnitude of the effect of cigarette smoking far outweighs all other factors. The data for women, though less extensive, point in the same direction.
>
> Cigarette smoking is the most important of the causes of chronic bronchitis in the United States, and increases the risk of dying from chronic bronchitis.

Last Saturday, at noon, this report exploded upon the American consciousness. Even the legendary smoker who had heard so much about the hazards of smoking that he vowed to give up reading could not avoid the impact of the Committee's message. It has truly been a painful week for millions of Americans.

But what happens next week? No more front-page headlines; no more network specials; no more alarms from the editorial pages. But the advertisements, the commercials will still be with us—$132 million reassuring the troubled smoker:

> They're so mild, so friendly to your taste.

After all, what civilized government would permit the use of the public airways to lure customers to a recognized, lethal habit?

The Committee found:

> The overwhelming evidence points to the conclusion that smoking—its beginning, habituation and occasional discontinuation—is to a large extent psychologically and socially determined.

The smoking habit is thus clearly identified as a product of our social environment. And who can deny that the omnipresent cigarette advertisement operates constantly to reinforce and accentuate the role of smoking in the social environment.

The British experience is not comforting. The efforts of the Ministry of Health to launch an educational program to control smoking could not match the bold and imaginative advertising campaigns of the tobacco industry—even when circumscribed by the moderate advertising guides promulgated by the Independent Television Authority. British doctors heard—and absorbed—the message of the Royal College of Physicians: In 1952, 60 percent of British physicians were cigarette smokers; today that number has dwindled to 20 percent, a change only in part attributable to excess mortality rates among the smokers. But the public, generally, drifted back after the initial impact of the report was permitted to wear off.

Last week, in anticipation of the Surgeon General's Committee report, I wrote to Chairman Paul Rand Dixon of the Federal Trade Commission urging the Commission to initiate a broad program of advertising and labeling reform within its existing legislative framework. In that letter, I outlined what I believe to be the broad responsibilities of the Federal Government in combating the cigarette epidemic without impairing the right of the adult American to "choose his own poison":

> 1. We must make certain that no adult chooses to smoke without full knowledge of the risks inherent in that choice.
>
> 2. For the benefit of those who are unwilling or unable to forgo cigarette smoking, we must stimulate the development of less hazardous cigarettes and facilitate intelligent choice between competing brands on the basis of relative safety.
>
> 3. Finally, we bear a heavy obligation to the Nation's children. Freedom of choice presupposes mature judgment, which children cannot possess; and, because cigarette smoking is clearly habituating, the choice made during adolescence to smoke cannot easily be undone. Thus, we must make a special effort to eliminate the promotion and advertising of cigarettes which tend to make cigarette smoking attractive to children.

In brief, I recommended that the Commission utilize its rule-making procedures to:

First. Require that each cigarette label, advertisement, and commercial, contain the following warning or its equivalent: "Caution—habitual cigarette smoking is injurious to health."

Second. Establish standards similar in function to the guides established for commercial TV in Great Britain by the Independent Television Authority to eliminate advertisements which tend to make cigarette smoking attractive to children and adolescents.

Third. As soon as is technically feasible, replace the present moratorium on tar and nicotine claims with a closely policed "tar derby," and implement such policy by: (a) Establishing standardized testing procedures for determining tar and nicotine yields; (b) establishing facilities for the periodic monitoring of tar and nicotine yields; (c) requiring a statement of average tar and nicotine yields, by FTC test, on each cigarette package label; and (d) sanctioning tar and nicotine claims which conform to such statements.

With respect to filters, the senior Senator from Kentucky [Mr. COOPER] has performed a valuable service for the confirmed smoker by obtaining clarification from Surgeon General Terry of the Committee's position on the potential gains to be derived from intensified filter research. No one who has witnessed the anguish of a smoker unable to quit can fail to recognize the need for eliminating, insofar as possible, the hazardous substances from cigarette smoke.

I am greatly encouraged by the Commission's receptivity to these recommendations. In an interview, published yesterday, Chairman Paul Rand Dixon indicated that the Commission was likely to undertake this type of action.

But the Chairman also acknowledged the existence of obstacles to efficient Commission policing of cigarette advertising. In order to enforce its cigarette advertising regulations, the Commission must now obtain final court orders under section 5 of the Federal Trade Commission Act. Considering the amply demonstrated facility of the tobacco industry for prolonging litigation, the Commission may not succeed in effecting its advertising reforms for years.

The Cigarette Advertising and Labeling Act which I am today introducing, would therefore grant to the Federal Trade Commission the same authority to regulate cigarette advertising and labeling as it has now to regulate food, drug, and cosmetic advertising, including the power to obtain injunctive relief against the dissemination of proscribed advertisements or packages.

In addition, Congress must grant the Public Health Service a clear and broad mandate to educate the American people to the hazards of smoking and to apply its vast resources to an intensive program of research designed to bring the hazards of smoking under control. To this end, I also introduce today the Cigarette Health Hazards Act. This bill commences with a congressional finding that "the smoking of cigarettes constitutes a grave hazard to the public health."

The bill would direct the Secretary to conduct a program of research for the purpose of first, identifying, measuring, and evaluating the nature and kind of substance found in cigarette smoke; second, determining the mechanisms by which these substances affect human health; third, advancing knowledge with respect to the behavioral aspects of the smoking habit; fourth, developing the means of eliminating or reducing the hazards of smoking; and, fifth, aiding individuals to control the smoking habit.

The bill would also direct the Secretary to conduct an educational program on the hazards of smoking, to purchase space and time in commercial media for that purpose, to conduct periodic surveys of smoking patterns in the United States with a view to determining the effectiveness of smoking control procedures, and, to report to Congress on the results of such surveys.

I have the honor to be joined today in the sponsorship of these measures by the senior Senator from Utah [Mr. BENNETT], the senior Senator from Pennsylvania [Mr. CLARK], the junior Senator from Alaska [Mr. GRUENING], the senior Senator from Oregon [Mr. MORSE], the senior Senator from West Virginia [Mr. RANDOLPH], and the junior Senator from Ohio [Mr. YOUNG].

I am also delighted to announce that Representative BLATNIK, of Minnesota, who early and courageously took the lead in the effort to enact national public health measures to control the hazards of smoking, is today introducing companion measures in the House.

It is the responsibility of Congress to furnish overall policy guidance, to clarify and to grant such additional authority as is needed. Equally important, Congress must make manifest to the American people its acceptance of the Surgeon General's verdict that cigarette smoking is a critical health problem.

President Kennedy charged the Federal Government with the responsibility for preserving the American consumer's "right to safety—to be protected against the marketing of goods which are hazardous to health or life."

Strong evidence incriminating smoking as a cause of disease and fatality has been within the public domain for nearly 15 years. The Public Health Service has officially acknowledged the hazards incident to smoking for nearly 5 years. The work of the Advisory Committee consumed 19 months. This Nation can afford to wait no longer. The time for the Federal Government to act has come.

I ask unanimous consent to have printed in the RECORD the texts of the Cigarette Advertising and Labeling Act, and the Cigarette Health Hazards Act, together with the following documents: the letter of January 6, 1964, to Chairman Paul Rand Dixon; the letter of May 15, 1962, from Commissioner Anderson; an article published in the New York Times of January 14, 1964; and a copy of the Independent Television Authority guides.

I also ask unanimous consent that the bills lay over until January 22, 1964, for additional cosponsors.

The PRESIDENT pro tempore. The bills will be received and appropriately referred; and without objection, the bills, and other matters will be printed in the RECORD, and the bills will lie on the desk, as requested by the Senator from Oregon.

The bills, introduced by Mrs. NEUBERGER (for herself and other Senators), were received, read twice by their titles, appropriately referred, and ordered to be printed in the RECORD, as follows:

To the Committee on Commerce:

S. 2429. A bill to confer upon the Federal Trade Commission the power and duty to regulate the advertising and labeling of cigarettes:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SHORT TITLE

SECTION 1. This Act may be cited as the "Cigarette Advertising and Labeling Act".

FINDINGS OF FACT

SEC. 2. The Congress hereby finds and declares that the unrestricted promotion and advertising of cigarettes in interstate commerce, in the light of the conclusive evidence that cigarette smoking is injurious to health, constitutes a grave threat to the public welfare.

DECLARATION OF POLICY

SEC. 3. It is therefore the policy of the Congress, and the purpose of this Act—

(a) to require that cigarette packages contain a warning that habitual smoking of cigarettes is injurious to health,

(b) to require that each cigarette package disclose the average yields of incriminated agents (as defined in section 4(f) from the cigarettes contained therein, and

(c) to eliminate cigarette advertising that tends to make cigarette smoking attractive to children.

DEFINITIONS

SEC. 4. As used in this Act—

(a) The term "cigarette" means any roll of tobacco, wrapped in paper or any substance other than tobacco.

(b) The term "Commission" means the Federal Trade Commission.

(c) The term "Federal Trade Commission Act" means the Act entitled "An Act to create a Federal Trade Commission, to define its powers and duties, and for other purposes", approved September 26, 1914, as amended.

(d) The term "commerce" means commerce between any State, Territory, or possession of the United States, or the District of Columbia, and any place outside thereof; or between points within the same State, Territory, or possession, or the District of Columbia, but through any place outside thereof; or within any Territory or possession or the District of Columbia.

(e) The term "United States" means the several States, the District of Columbia, and the Territories and possessions of the United States.

(f) The term "incriminated agent" means any substance found in cigarette smoke which, as determined by the Commission, tends to contribute to the medical hazards of smoking.

FALSE ADVERTISING AND LABELING OF CIGARETTES

SEC. 5. (a) The Federal Trade Commission, with the cooperation of the Secretary of Health, Education, and Welfare, shall establish such standards and requirements for the labeling and advertising of cigarettes which are in commerce as it may deem necessary to protect the public health.

(b) Such standards and requirements for the labeling of cigarettes shall include the requirement that each package or container in which cigarettes in commerce are offered for sale to consumers bear a clear and distinct label which—

(1) contains the following words: "Caution—habitual smoking is injurious to health"; and

(2) sets forth the average yield, or other index, of each incriminated agent to be found in the smoke of the cigarettes contained in such package or container.

(c) Such standards and requirements with respect to the advertising of cigarettes shall—

(1) provide that each cigarette advertisement contain the following warning: "Caution—habitual cigarette smoking is injurious to health"; and

(2) provide for the elimination of all advertising matter which tends to make cigarette smoking attractive to children.

(d) Any cigarette package or container or any advertisement of cigarettes which fails to comply with the standards and requirements established by the Commission under the preceding subsections of this section shall be deemed to be a false advertisement of drugs for the purposes of sections 12, 13, 14, and 15 of the Federal Trade Commission Act (38 Stat. 719; 15 U.S.C. 52, 53, 54, and 55), as amended, and the Commission shall have the duty and authority to proceed with respect to any such false advertisement in the same manner and to the same extent as with respect to other false advertisements of drugs which are unlawful under the Federal Trade Commission Act.

To the Committee on Labor and Public Welfare:

S. 2430. A bill to bring under control the health hazards produced by the smoking of cigarettes:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SHORT TITLE

SECTION 1. This Act may be cited as the "Cigarette Health Hazard Act."

FINDINGS OF FACT

SEC. 2. The Congress hereby finds and declares that the smoking of cigarettes, as presently processed and offered for sale, constitutes a grave hazard to the public health.

DECLARATION OF POLICY

SEC. 3. It is therefore the policy of the Congress, and the purpose of this Act—

(a) to enjoin all departments, agencies, and instrumentalities of the Government from taking any action or pursuing any policy which encourages the public, or any segment thereof, to buy or use cigarettes, or which in any way promotes the sale or use of cigarettes;

(b) to publicize, and to educate the public to, the health hazards involved in the use of cigarettes; and

(c) to provide for the expansion of research for the purpose of (1) identifying, measuring, and evaluating the nature and kind of substances found in cigarette smoke, (2) determining the mechanisms by which these substances affect human health, (3) advancing knowledge with respect to the behavioral aspects of the smoking habit, (4) developing the means of eliminating or reducing the hazards of smoking, and (5) aiding individuals to control the smoking habit.

IMPLEMENTATION OF POLICY

SEC. 4. The Secretary of Health, Education, and Welfare is authorized and directed to—

(1) implement the policy set forth in section 3, and coordinate the activities of other

departments, agencies, and instrumentalities of the Government with respect to the implementation of such policy;

(2) conduct directly, through other agencies and instrumentalities of the Government, and through grants to public and nonprofit agencies and to individuals, research for the purposes of (A) identifying, measuring, and evaluating the nature and kind of substances found in cigarette smoke, (B) determining the mechanisms by which these substances affect human health, (C) advancing knowledge with respect to the behavioral aspects of the smoking habit, (D) developing means of eliminating or reducing the hazards of smoking, and (E) aiding individuals to control the smoking habit;

(3) conduct an educational program to inform and educate the public to the health hazards involved in the smoking of cigarettes and to the means which they can employ to avoid or reduce such hazards; and, in the conduct of such a program, the Secretary shall be authorized to purchase space and time in commercial media; and

(4) conduct periodic surveys of smoking patterns in the United States with a view to determining the effectiveness of smoking control procedures, and report to the Congress on the results of such surveys.

The material presented by Mrs. NEUBERGER is as follows:

JANUARY 6, 1964.

Hon. PAUL RAND DIXON,
Chairman, Federal Trade Commission,
Washington, D.C.

DEAR MR. CHAIRMAN: As the Nation awaits imminent publication of the report of the Surgeon General's Committee on Smoking and Health, I know that you, as we, are engaged in the formulation of an appropriate response to that report. Though we cannot know what the report will say, we can anticipate that the Committee will conclude that there is now sufficient evidence that habitual cigarette smoking is injurious to health to justify the immediate imposition of control measures.

Among the responsibilities which the Federal Government can and must appropriately shoulder, I would include the following:

1. We must make certain that no adult chooses to smoke without full knowledge of the risks inherent in that choice.

2. For the benefit of those who are unwilling or unable to forgo cigarette smoking, we must stimulate the development of less hazardous cigarettes and facilitate intelligent choice between competing brands on the basis of relative safety.

3. Finally, we bear a heavy obligation to the Nation's children. Freedom of choice presupposes mature judgment, which children cannot possess; and, because cigarette smoking is clearly habituating, the choice made during adolescence to smoke cannot easily be undone. Thus, we must make a special effort to eliminate the promotion and advertising of cigarettes which tend to make cigarette smoking attractive to children.

Plainly, a fully coherent program dedicated to these goals requires centralized administrative leadership and legislative action. Nevertheless, I am hopeful that the Commission will exercise characteristic leadership in initiating several meaningful steps within the framework of existing legislation toward the realization of these goals.

Thus, I believe that adoption by the Commission of a program encompassing the following elements would do much to discharge the Government's responsibility to its citizens in meeting this major public health crisis:

1. That the Commission require that each cigarette label, advertisement, and commercial contain the following warning or its equivalent: "Caution—habitual cigarette smoking is injurious to health."

As Commissioner Anderson concluded in his letter to me of May 15, 1962, the Commission, to avoid deception, can require affirmative disclosure of the hazards inherent in cigarette smoking. Nevertheless, the Commission felt compelled to await reevaluation of the medical data on smoking by the Public Health Service.

I had thought that the overwhelming verdict of the medical community on smoking was already sufficient to sustain any such requirement. But surely, the addition of a vigorous and unequivocal report from the Surgeon General's Committee will dispel any lingering doubt.

There is evidence that the failure of the Government to regulate cigarette advertising has acted as an affirmative reassurance to smokers that cigarettes cannot be all that bad. The American consumer has come to believe that what is advertised may not be the great bargain that it is represented as, but thanks to the watchful eye of his Government, it will, at least, not kill him.

The absence of visible governmental control thus reinforces the normal commercial expectation of the consumer, articulated by the Florida Supreme Court in the Green case by the doctrine of implied warranty: "The manufacturer of products which are offered for sale to the public in their original package for human consumption or use impliedly warrants that its products are reasonably wholesome or fit for the purpose for which they are sold."

Moreover, there appears to be agreement among behavioral scientists that any well-publicized action by an arm of the Federal Government which places the Government unequivocally on record as accepting the medical verdict against smoking will significantly enhance public acceptance of that evidence. No single Government action would achieve this objective as efficiently and as forcefully as a required warning in all labeling and advertising.

Indeed, following the recent decisions in the Green case, cautionary labeling by the manufacturer would now appear to serve the manufacturers' self-interest in forestalling an otherwise inevitable rash of expensive tort claim actions by cigarette victims and their families.

2. That the Commission replace the present moratorium on tar and nicotine claims with a closely policed "tar derby" and that the Commission implement such policy by: (a) Establishing standardized testing procedures for determining tar and nicotine yields; (b) establishing facilities for the periodic monitoring of tar and nicotine yields; (c) requiring a statement of average tar and nicotine yields, by FTC test, on each cigarette package label; and (d) sanctioning tar and nicotine claims which conform to such statements.

I am delighted to welcome the American Tobacco Co. to the ranks of those who acknowledge the significance of tar and nicotine yields. There is, indeed, substantial evidence that differences in gross tar and nicotine yields from both filter and nonfilter cigarettes bear a significant relationship to the relative safety of the competing brands. In particular, the American Cancer Society studies conducted by Dr. Hammond have recorded the absence of symptoms, such as coughing, among filter smokers generally. It is therefore highly desirable that the cigarette consumer be made aware of the significance of tars and nicotine and be able to inform himself of the respective tar and nicotine ratings of the competing brands.

In addition to the established significance of tar and nicotine yields, there is new evidence that the removal by filtration of ciliastatic substances may also aid in reducing the hazard of cigarettes. However, there is as yet no suggestion that the use of such filters will render tar and nicotine levels irrelevant. Nor have any standardized tests yet been developed to measure either the relative effect of competing filters on the action of the cilia in transporting mucous, or the relative significance of ciliastatic substances and gross tar and nicotine yields.

Until such standards are developed, claims will doubtless be made, indeed are now being made by implication, on behalf of filters which produce relatively low levels of ciliastasis. In my opinion, so long as advertisements for these cigarettes (1) comply with Commission requirements for affirmative warning and tar and nicotine disclosure, (2) are supported by demonstrable evidence, and (3) are not misleading as to the possible benefit or degree of benefit to be derived from such filtration, such claims will be tolerable.

Although competing filter claims can cause confusion among the cigarette-consuming public, I believe that under effective supervision the excesses of the "tar derby" of the late 1950's can be avoided. Yet even a return to the raucous and confusing counterclaims of the "tar derby" would be preferable to the present situation. Thus, the incredible growth of filter cigarette sales in the mid 1950's must be attributed in part to the "tar derby." And, though some of these smokers did not derive full imagined benefit from their filter cigarettes, the overall effect was to stimulate sales of significantly less hazardous smoking products. Unhappily, since the moratorium on health claims, this trend has been severely muted. Relative safety claims can only serve as constant reminders of the hazards of smoking and will inevitably induce most smokers to seek out the least hazardous brand.

3. That the Commission establish guidelines similar in function to the guides established for commercial TV in Great Britain by the Independent Television Authority to eliminate advertisements which tend to make cigarette smoking attractive to children and adolescents.

Advertisements which attempt to associate smoking with the fruits of social and physical maturity manifestly exploit the psychological needs and ambitions of the adolescent. Such appeals are surely "unfair" within the doctrine of *FTC* v. *Keppel*.

Moreover, the implications fairly drawn from many such ads; e.g., that cigarette smoking will enhance athletic prowess or will lead to romantic conquest, are insupportable in fact, and hence deceptive.

I believe that a program such as I have outlined, achieved perhaps through the substantive rulemaking powers of the Commission, would constitute a creative and courageous chapter in the proud history of FTC consumer protection.

Sincerely,

MAURINE B. NEUBERGER,
U.S. Senator.

FEDERAL TRADE COMMISSION,
Washington, D.C., May 15, 1962.

Hon. MAURINE B. NEUBERGER,
U.S. Senate,
Washington, D.C.

DEAR SENATOR NEUBERGER: Thank you for your letter of April 9, 1962, requesting our opinion as to whether the Federal Trade Commission is empowered, under existing legislation, to require that cigarette advertisements and commercials contain adequate warning of the hazards of smoking.

As you probably know, the Commission has engaged in a constant endeavor to prevent advertisements and commercials for cigarettes from being deceptive or misleading.

As we understand your position, it is that such advertisements and commercials should disclose affirmatively the possible hazards of smoking.

Any authority for the Commission to require such disclosure must rest on its jurisdiction under sections 12 (15 U.S.C. 52) and 15 (a) and (c) (15 U.S.C. 55) or 5 (15 U.S.C. 45) of the Federal Trade Commission Act.

The first group of sections apply only to false advertisements of "food, drugs, devices, or cosmetics." The Commission attempted to bring a suit under section 14 of the Federal Trade Commission Act (15 U.S.C. 53), which is interrelated to sections 12 and 15 of the act, to enjoin certain advertisements of Chesterfield cigarettes on the ground that cigarettes are "drugs." The courts refused to adopt the Commission's theory and held that cigarettes are not "drugs," so that these sections of the Federal Trade Commission Act applying to false advertisements of drugs, etc., are not applicable. (*Liggett & Meyers Tobacco Co.* v. *Federal Trade Commission,* 108 F. Supp. 573 U.S.D.C., S.D.N.Y., 1955; "order affirmed on opinion below," 203 F. 2d 956 (2d Cir., 1953).) Thus, in the absence of affirmative therapeutic claims in the advertisements or representations of cigarettes, we do not believe the Commission has any jurisdiction to classify cigarettes as drugs. If such claims were made, then the cigarettes would, in our opinion, come under the definition of "drug" as defined in section 15(a)(1)(c) of the Federal Trade Commission Act, since the claim would be made that they are articles "intended to affect the structure" or a "function of the body" of man.

The Commission has, under section 5 of the Federal Trade Commission Act, required affirmative disclosure in the advertisements of products which are not classified as "food, drugs, devices, or cosmetics," and the orders of the Commission have been upheld by appellate courts. generally on the ground that such disclosure was necessary to prevent deception. (*L. Heller & Son, Inc., et al.* v. *Federal Trade Commission,* 191 F. 2d 954 (7th Cir., 1951).)

If the Commission is able to secure competent probative scientific evidence including that furnished by the Public Health Service, that a causal relationship exists between cigarette smoking and lung cancer, heart ailments, etc., it is likely that an order of the Commission, based on such evidence, which require an affirmative disclosure of the possible hazards to health from smoking cigarettes, would be upheld in the appellate courts.

We have been informed by the Public Health Service that the scientific evidence now accumulated is such as to remove almost the last doubt that there are major health effects associated with smoking. Furthermore, officials of the Public Health Service have told us that they are now in the process of reevaluating all of the data and evidence as to what practical action can, and should be, taken to decrease any adverse effects on health because of tobacco smoking.

Unquestionably, if the Commission instituted proceedings against any cigarette company, in which it sought to secure the required statutory amount of proof to sustain finding that a causal relationship existed between cigarette smoking and hazards to health, it could be expected that the respondent would contend very vigorously that there is no evidence to sustain such a finding. The result could be a long, involved and protracted trial before the Commission and in the appellate courts.

Consequently, even though the Commission has the statutory authority to do so, we do not believe it would be advisable for the Commission to institute a case, which has as its objective the type of order you suggest, unless and until there is available the required evidence.

Sincerely yours,

SIGURD ANDERSON,
Acting Chairman.

[From the New York (N.Y.) Times, Jan. 14, 1964]

U.S. PLANS CURBS ON CIGARETTE ADS—TRADE AGENCY DRAFTS NEW RULES FOR INDUSTRY—CODE DUE WITHIN A MONTH

(By Eileen Shanahan)

WASHINGTON, January 13.—The Federal Trade Commission is planning comprehensive curbs on cigarette advertising.

These would go far beyond a mere requirement that the public be warned, on every cigarette package and in every ad, that cigarette smoking has been found a health hazard.

The Commission hopes to be able to force the cigarette industry to change the whole tone of its advertising.

Specifically, it will attempt to force the elimination from cigarette advertising of statements or indications that people "feel good" when smoking, that smoking is a social grace, a sign of maturity or a part of sophisticated living.

The Commission believes it has authority to act under present law. It therefore plans to tell Congress that it sees no need for new legislation. It will say, however, that it has no objection if Congress wants to make the authority more specific.

Prices of cigarette stocks dipped sharply in early trading on the New York Stock Exchange but recovered part of the losses in later trading. Cigar stocks posted sharp gains.

The Federal Commission's intended restrictions on cigarette advertising, which would virtually oblige the industry to stop trying to make cigarettes seem attractive or desirable, are certain to encounter strong industry and political opposition.

It is not yet clear whether this opposition will be sufficient to cause the Commission to compromise the sweeping nature of its planned attack. Commission officials, some of whom view the problem of cigarette advertising as the most important in its 40-year history, say they will not compromise.

The Commission's Chairman, Paul' Rand Dixon, said today that in his opinion his agency had the most important single role to play in carrying out the Surgeon General's report, which found that "cigarette smoking is a health hazard of sufficient importance to warrant appropriate remedial action."

The Commission's approach to the policing of cigarette advertising will be general, officals said. That is, it will be aimed at the industry as a whole and not at a particular company or companies.

No punitive action is planned for past advertising claims. The approach will be directed at the future.

CODE OF ADVERTISING

What the Commission has decided to do is to draw up a set of rules covering cigarette advertising, specifying statements and presentations that will be considered a violation of law.

The Commission has the authority to issue such industrywide rules under sections 5 and 6 of the Federal Trade Commission Act. It has frequently used its broad rulemaking powers to police advertising practices of entire industries.

Such rules have, however, usually been aimed at such specific offenses as the offering of "free" merchandise that is not free or other types of outright misrepresentation.

The Commission decided to approach the problem of cigarette advertising through its rulemaking procedures because it thought that would be faster and more effective than an attempt to bring legal action against individual companies. The individual suits could take years before a comprehensive set of advertising restrictions was worked out, case by case, in court decisions.

Under the rulemaking procedure, the Commission itself will draw up its new rules—hopefully within a month. Then it will call a public hearing, at which the industry will be able to voice its objections to all or part of the proposed rules. The Commission would not, however, be bound to reflect the industry's criticisms in its final rules.

Once the rules were put into force, the industry could challenge them in court.

A company could deliberately violate the rules, thus making itself subject to a legal complaint by the Commission, which would then be litigated in the Federal courts.

The industry, or any company, could go immediately into Federal court and seek an injunction against the rules. The ground would presumably be that the Commission had exceeded its authority.

The cellophane industry's third largest customer, for example, is the tobacco industry, with annual purchases of 35 million pounds of cellophane.

New anticigarette legislation suggested today included a bill by Representative PAUL A. FINO, Republican, of the Bronx, that would require cigarette packages to carry labels specifying the tar and nicotine contents of the cigarettes.

Congressional reaction to the report, meanwhile, continued to rise in intensity.

Representative HAROLD D. COOLEY, of North Carolina, the chairman of the House Agriculture Committee, introduced legislation providing $5 million for an emergency research program to find ways of making smoking safer.

Tobacco State Congressmen were also seeking to round up support from representatives of other States that have a large economic stake in cigarettes—areas where cellophane, cigarette papers and aluminum foil, for example, are produced. The suppliers of the cigarette industry are spread from South Dakota to Texas.

At some point in the litigation that is inevitably in prospect the Federal courts—presumably the Supreme Court—will have to decide whether the Surgeon General's report proves that cigarette smoking is a cause of specific diseases. The report said that cigarette smoking is a cause of lung cancer and some other diseases but that no causal relationship was yet proved between cigarette smoking and other types of disease, such as heart ailments. Smokers do have higher rates of death from heart ailments than nonsmokers, however.

In addition the office of information and publications in the Surgeon General's office reported that it had begun an intensive study to determine what sort of campaign it should start to educate the public to the dangers of cigarette smoking.

This is the office that has, in the past, carried on publicity campaigns urging inoculation against poliomyelitis, Asian influenza, and other diseases. It has an annual budget of $400,000.

Copies of the smoking report are not yet available for public sale. When printing is completed, they will be for sale by the Government Printing Office at $1.25 each, with a discount for volume purchases.

TEXT OF NOTE PUBLISHED BY THE POSTMASTER GENERAL OF ENGLAND IN THE OFFICIAL REPORT OF THE HOUSE OF COMMONS, JULY 10, 1962, CONCERNING ACTION TAKEN BY THE INDEPENDENT TELEVISION AUTHORITY IN CONNECTION WITH CIGARETTE ADVERTISING ON TELEVISION

The authority has concluded its review of cigarette advertising in the light of the report of the Royal College of Physicians and, with the support of the advertising advisory committee, has asked the program companies to secure modifications that will include the avoidance of those aspects of the advertising which could reasonably be taken to make a special appeal to young people.

Neither the authority nor its advisory committee think it reasonable to be so discriminating as to use their powers to exclude all cigarette advertising from independent television alone. Action has already been taken by the tobacco industry voluntarily to withdraw all cigarette advertising until about 9 p.m.

The authority is now securing modifications of the advertising so that in the future there will be no advertisements that can be seen clearly to come within the following broad classes:

1. Advertisements that greatly overemphasize the pleasure to be obtained from cigarettes.
2. Advertisements featuring the conventional heroes of the young.
3. Advertisments appealing to pride or general manliness.
4. Advertisements using a fashionable social setting to support the impression that cigarette smoking is a "go ahead" habit or an essential part of the pleasure and excitement of modern living.
5. Advertisements that strikingly present romantic situations and young people in love, in such a way as to seem to link the pleasures of such situations with the pleasures of smoking.

PUBLIC-PRIVATE HEALTH CARE FOR THE ELDERLY

Mr. JAVITS. Mr. President, I send to the desk, for appropriate reference, a bill introduced on behalf of myself, the Senator from New Jersey [Mr. CASE], the Senator from Kentucky [Mr. COOPER], my colleague from New York [Mr. KEATING], the Senator from California [Mr. KUCHEL], and the Senator from Maine [Mrs. SMITH].

This is the Health Care Insurance Act of 1964, about which so much has been heard and written.

This bill provides health care for all persons 65 years of age and over through contributory social insurance and a complementary national standard private insurance plan. It embodies in legislative form the recommendations of the 12-member National Committee on Health Care for the Aged, which was formed at my suggestion in 1962 to make a fresh and independent review of this issue. The members of this committee are:

Arthur S. Flemming, chairman, president, University of Oregon.

Russell Nelson, M.D., Vice Chairman, president, Johns Hopkins Hospital.

James Dixon, M.D., president, Antioch College.

Marion B. Folsom, director and former treasurer, Eastman Kodak Co.

Arthur Larson, Ph. D., director, World Rule of Law Center, Duke University.

Russel V. Lee, M.D., founder, Palo Alto Clinic.

John C. Leslie, chairman, committee on aging, Community Service Society of New York.

Winslow Carlton, Secretary of the Board, chairman, Group Health Insurance, Inc.

Vernon W. Lippard, M.D., dean, Yale Medical School.

Dickinson W. Richards, M.D., Lambert professor of medicine emeritus, College of Physicians and Surgeons, Columbia University.

Thomas M. Tierney, director, Colorado Hospital Service.

Hubert W. Yount, former executive vice president, Liberty Mutual Insurance Cos.

Howard L. Bost, Ph. D., study director.

Prof. Henry H. Foster, Jr., legal consultant.

The committee offered a new approach which makes it possible to accommodate the views of those who advocate a plan under the social security system and those who want to make use of the private insurance system and the vast body of experience and know-how it has developed. In contrast to other proposals placed before the Congress in recent years, the committee took the total health care needs of the older citizens under consideration and recommended separate but complementary programs for Government and private insurance as the best solution to the problem.

The bill which I and other Senators are introducing establishes this dual Government-private health insurance program. It limits the Government's role to insurance covering costs of hospitalization and skilled nursing-home care to be financed under social security, and at the same time makes possible coverage of medical and noninstitutional care under low-cost private insurance plans to be developed on a nonprofit, tax-free basis with special provision for concerted selling and risk pooling.

This is by far the most advanced and comprehensive program to be placed before the Congress. That part of it to be covered by social security financing provides for 45 days of hospital care for all persons 65 years of age or over without deductible or option, up to 180 days of skilled nursing care, and over 200 days of home care following treatment in a hospital. This portion of the program would be financed by an increase of one-fourth of 1 percent each on employers and employees in the social security tax to be deposited in a separate health fund. It would also permit local administration by existing agencies.

The complementary national private insurance program for physicians, surgeons, and other noninstitutional care limits the Government's role and is a built-in limit on its future expansion, and thereby offers the key aspect of the bill, answering the fears of many that the Government in a political way was seeking to expand its part in the health care field for the aged.

It is estimated that the national "standard" policy could be made available at a cost of about $2 a week, which is well within the income range of most aged persons. All over 65 would be eligible to purchase this national standard policy, which will be stamped with a symbol of approval. The bill provides for a nationwide federally chartered association which private insurance and group service companies could join in order to sell a standard policy providing uniform basic coverage at a uniform low rate but with regional variations in benefits and fees, or qualified alternative policies.

By covering the major causes of dependency due to illness and the largest part of the individual's total medical bill in this dual public-private program, the burden placed on public assistance measures such as Kerr-Mills would be substantially reduced. According to the Bureau of Census statistics, the per capita income of 80 percent of all retired persons is $2,000 a year or less.

Thus, today, they are being priced out of the health care market by rapidly increasing costs; yet we want them to have the best health care that enhanced life expectancies can produce.

Private health insurance alone cannot do the job of providing protection at a cost this growing section of our population can afford. While 50 percent of those over 65 are estimated to have some kind of health insurance, less than 10 percent of their total medical costs are paid by this insurance.

Moreover, the heaviest burden and the greatest loss risk for health insurance comes from hospital costs, which in the last decade have gone up by 65 percent. Even higher, therefore, went the group insurance premiums for the over-65 group, in some States soaring as high as 83 percent. By comparison, the Consumer Price Index during this decade rose only 12 percent.

Today even the lowest cost private insurance programs are far too expensive for most of our older citizens. The premium cost for the "State 65" plans, which are nonprofit, is $228 annually, much more than the aging generally can afford. Moreover, the plans call for a substantial deductible and 80 percent coinsurance. These are good plans, probably the best benefit plans so far developed by the private sector, but experience in at least two States indicates that they will not prove adequate to the task because of the adverse risk selection arising from limited membership, and their rates will have to be increased.

In Connecticut, for example, less than 10 percent of the eligible persons have enrolled and most of these took only one part of the maximum program—the major medical option. The inescapable conclusion is that only a mass approach on a nationwide scale, such as this bill proposes, can achieve broad pooling of risks, complete availability, and lowest costs.

The bill also adheres to the basic principles that I and my associates on the question have consistently supported. I should like to pay tribute to Senators who have joined me in sponsoring the bill, and who have indefatigably pursued the subject with the same vigor and the same interest that I have shown. I deeply believe that their study, their work, and their willingness to assume the risks of supporting so massive and important a piece of proposed legislation will make a great contribution to the ultimate result which I join with the President in being sure will come about, provided that this kind of approach is used with that of the so-called social security approach proposed by the administration.

The principles for which we have all contended are as follows:

First. To include all over 65 including those not now covered by the social security system; second, to provide for the participation of State agencies and approved private organizations in the administration of the program; and third, to set up a special health insurance fund separate from other social security funds.

The potentialities of this public-private program go far beyond any existing practice developed to meet a special social need. It includes in the legislation provision also for the establishment of a strong National Advisory Council on Health Insurance for the Aged which will be charged with the task of advising the Secretary in administering the public plan and with making reports to Congress on the progress of both the public and private sectors of the program. This Council should be broadly representative of all groups, public and private, who are directly concerned with health care for the aged and who will be able to have some effective influence on the formulation of policy in the administration of the plan.

Finally, when President Kennedy, of beloved memory, received the report of the National Committee on Health Care for the Aged—and the bill translates into legislative terms the Committee's recommendations—he expressed the hope that implementing legislation would have broad bipartisan support.

I believe that the bill comes close to meeting the requirements of the health care experts as well as of legislators on both sides of the aisle. It will do so at a cost which is relatively modest in view of the magnitude of the program. I am confident that the cost of the public part of it will be just about what is called for under the King-Anderson proposal. It will avoid the dangers of so-called socialized medicine. It will observe the traditional doctor-patient relationship, and provide for the participation of the private sector, which has built up a great and deserved interest in the field over the years.

I offer the considered judgment—and I believe my view is shared by my brothers in this effort—that the program is one which has the best prospect of becoming law in 1964.

I ask unanimous consent that a section-by-section analysis of the bill, as prepared by the Library of Congress, be printed at this point in my remarks.

There being no objection, the analysis was order to be printed in the RECORD, as follows:

SECTION-BY-SECTION ANALYSIS OF BILL

The first section of the bill provides that the act may be cited by its short title (the "Health Care Insurance Act of 1964").

Section 2 of the bill contains congressional findings and a declaration of the purposes of the act and certain policies of Congress.

The congressional findings state that rising health care costs are a major threat to the independence and dignity of most aged persons who cannot afford private health insurance, and that there has been an increase in dependency and the number of medically indigent aged persons with subsequent burdening of the public relief programs.

The purpose of the act is to meet this problem by a dual public-private program of basic health care providing: (1) hospital and related care financed through social insurance, and (2) medical, surgical, and related services through the establishment of a national association of private insurance carriers which shall make available to aged persons a nonprofit, tax-exempt standard health insurance policy at reasonable cost.

It is declared to be the policy of Congress that where they would suffice, authorized skilled nursing facilities be utilized in preference to inpatient hospital services; that home health services be used in preference to inpatient hospital services or skilled nursing facilities; and that no individual who receives aid or assistance under a public assistance program should receive less benefits or be otherwise disadvantaged by reason of the enactment of the act.

The remainder of the bill is divided into five titles as follows:

Title I: Hospital insurance benefits for the aged.

Title II: Amendments to the Internal Revenue Code of 1954.

Title III: Railroad retirement amendments.

Title IV: Miscellaneous provisions.

Title V: Complementary private health insurance for individuals aged 65 or over.

TITLE I—HOSPITAL INSURANCE BENEFITS FOR THE AGED

Section 101 adds a new title to the Social Security Act—title XVIII—Hospital Insurance Benefits for the Aged.

Section 1801 of the new title states that nothing in the title shall give Federal employees any supervision or control over the practice of medicine or over operation or administration of medical facilities.

Section 1802 provides that beneficiary may choose any participating institution or agency which offers services to him.

Section 1803: Subsection (a) defines inpatient hospital services as services, biologicals, drugs and appliances customarily furnished by a hospital for care and treatment of its inpatients. Includes bed and board, nursing and related services, and diagnostic and therapeutic services furnished by the hospital or under arrangements made by hospital with others who provide the services. Excludes services of private-duty nurses, and medical and surgical services of physicians, except services rendered in fields of pathology, radiology, physical medicine and anesthesiology, or by an intern or resident in training under an AMA (or osteopathic body) approved teaching program.

Subsection (b) defines Skilled Nursing Facility Services as including: nursing care furnished by or under supervision of a registered professional nurse; bed and board; drugs and supplies customarily furnished by the facility for care and treatment of inpatients; services generally provided by such facilities in connection with nursing care, including physical, occupational, and speech therapy furnished by the facility or by others under arrangements made by the facility; and medical services of interns and residents in training under an approved teaching program of the hospital with which such facility is affiliated. Any service which would not be covered if furnished in a hospital is excluded. Services will be provided in skilled nursing homes after transfer from hospital or without prior hospitalization as to patients in skilled nursing homes with hospital affiliation.

Subsection (c) defines Home Health Services as services and medical supplies (other than drugs and biologicals) furnished in the patient's residence by a home health agency (or by others under arrangements made by such agency with them) under plan established and supervised by a physician; includes part-time nursing care by or under supervision of an RN, physical, occupational and speech therapy, medical social services, part-time home health aid services, and medical services of interns and residents in training under approved teaching programs of hospital with which agency is affiliated. Excludes any item or service which would not be covered if furnished in a hospital.

Subsection (d) defines drugs and biologicals (except for purposes of the exclusion of drugs and biologicals under home health services) as those included in the U.S. Pharmacopoeia, National Formulary, New and Non-Official Drugs, Accepted Dental Remedies, or approved by the pharmacy and drug therapeutics committee of the hospital's medical staff.

Subsection (e) defines arrangements as those under which receipt of payment by a participating provider of services discharges all financial liability for the services.

Section 1804: Subsection (a) provides the following duration of services maximums:

1. 45 days of inpatient hospital services per benefit period;
2. 180 days of skilled nursing facility services per benefit period; and
3. 240 days of home health services during a calendar year.

Subsection (b) defines benefit period as beginning with the first day (not in a previous benefit period) covered inpatient hospital or nursing facility services are furnished to an individual and ending with last day of first 45-day period (whether or not consecutive) occurring within a period of not more than 180 consecutive days during which he was not an inpatient in hospital or skilled nursing facility.

Section 1805: Subsection (a) provides entitlement to benefits to every individual who (1) has attained age 65, and (2) is entitled to old-age and survivors insurance benefits.

Subsection (b) provides that benefits will be payable only if furnished in the United States but for health benefit purposes includes month of death (even though not a month for which cash benefits are payable) as a month for which benefits will be paid.

Subsection (c) provides that no payments shall be made for hospital services or home health services prior to January 1, 1965, or for skilled nursing facility services prior to July 1, 1965.

Section 1806 provides the following definitions of providers of services:

Subsection (a) defines hospital as institution which: (1) is primarily engaged in providing diagnostic and therapeutic or rehabilitation services; (2) maintains clinical records; (3) has bylaws for medical staff; (4) provides 24-hour nursing services by or under supervision of a registered nurse; (5) has utilization review plan in effect; (6) is licensed (or meets standards for such licensing) pursuant to State or local law; and (7) meets other requirements for consideration by Joint Commission on Accreditation of Hospitals as Secretary finds necessary for health and safety. For purposes of determining how long an individual is out of hospital and when benefit period ends, institution meeting element (1) of definition above is a "hospital." In determining whether emergency services are covered, institution considered "hospital" if it meets elements (1), (2), (4), and (6) above. Mental and TB hospitals are not covered.

Subsection (b) defines skilled nursing facility as institution (or part thereof) which is affiliated with a participating hospital and which: (1) primarily provides skilled nursing care for persons requiring planned medical or nursing care or rehabilitation services; (2) has policies established by professional group (including physicians and registered nurses) to govern services with requirement that each patient be under a physician's care; (3) has physician or registered nurse responsible for execution of such policies; (4) maintains clinical records; (5) provides 24-hour nursing services by or under supervision of registered nurse; (6) operates under utilization review plan; (7) is licensed (or meets standards for such licensing) pursuant to State or local law; and (8) meets other conditions prescribed by Secretary as necessary for health and safety. For purposes of determining how long an individual is out of skilled nursing facilities and when benefit period ends, facility meeting element (1) of definition above is a "skilled nursing facility."

Subsection (c) defines home health agency as one which is affiliated or under common control of a hospital and which: (1) is public or nonprofit; (2) primarily provides skilled nursing or therapeutic services; (3) has policies established by the hospital (including physicians and registered nurses) to govern services; (4) maintains clinical records; (5) is licensed (or meets standards for such licensing) pursuant to State or local law; (6) meets other conditions prescribed by Secretary as necessary for health and safety. The term shall not include any agency which is primarily for the care and treatment of tuberculosis or mentally ill patients.

Subsection (d) defines physician as person licensed by State to practice surgery or medicine (including osteopaths).

Subsection (e) provides that hospital utilization review plan acceptable if applicable to services furnished beneficiaries and if it provides (1) for review, on a sample or other basis, from standpoint of medical necessity, of admissions, duration of stays and professional services; (2) for such review to be made by hospital staff committee of two or more physicians or by similarly composed group outside the hospital; (3) for such review, in each case of a hospital stay of 21 continuous days, to be made no later than 1 week following the 21st day—and subsequently at intervals specified in regulations for longer stays; (4) and for prompt notification to the institution, the individual and his physician (after opportunity for consultation has been provided such physician) in case of finding that further stay in the institution is not medically necessary. Hospital utilization review plan must provide for review by group outside hospital where, because of small size (or for other reasons as may be included in regulations), it is impracticable for hospital to have properly functioning staff committee.

Subsection (f) defines "provider or services" as hospital, skilled nursing facility or home health agency.

Subsection (g) provides that a hospital and nursing facility will be deemed affiliated or under common control if written agreement between them provides assurance that (1) nursing facility is operated under jointly established standards with respect to nursing and related services (other than physicians' services), clinical records, and use of drugs; (2) timely transfer and joint use of clinical records of patients will be made; and (3) utilization review plan of hospital will be extended to admissions, stays and professional services furnished in nursing facility.

Subsection (h) provides that a home health agency shall be deemed affiliated or under common control with hospital if a written agreement between it and a hospital provides assurance that (1) the policies governing the skilled nursing or other therapeutic services provided by the agency shall be established by or with the approval of the hospital, and (2) the agency shall maintain such clinical and other records as prescribed by the hospital.

Subsection (i): "State" and "United States" have the same meaning as when used in title II of the Social Security Act.

Subsection (j). Meaning of additional skilled nursing facilities: Secretary required to study ways of increasing availability of skilled nursing facility care for beneficiaries. On the basis of such study, and after consultation with appropriate professional organizations, Secretary may authorize participation of facilities which, though not affiliated with hospitals, operate under conditions assuring good quality care—provided such action does not create (or increase) actuarial imbalance in trust fund. Secretary to report periodically to Congress, but no later than July 1, 1966, on result of study and action taken.

Section 1807 provides, relative to Conditions of Participation and the Use of State and Voluntary Agencies, that the Secretary shall consult with the Advisory Council on Health Insurance for the Aged, State agencies, and national listing or accrediting bodies in prescribing such conditions for participation as may be necessary for health and safety. Conditions may be varied for different areas or classes of institutions, and may be set higher for a State at its request (but not higher than accreditation requirements of Joint Commission on Accreditation of Hospitals). To the maximum practicable, the Secretary shall use the services of voluntary agencies in administration of the program, inviting such organizations to submit proposals with respect to the use of their services. If the Secretary is satisfied that the services offered will contribute to efficient and economic administration, he shall accept the proposal.

Section 1808 provides, in subsection (a), relative to the Use of State Agencies, that the Secretary may use such agencies for purposes of (1) determining which providers may participate, and (2) providing consultative services to providers to assist them to qualify for participation, to establish and maintain fiscal records and to provide information necessary to determine what benefits are payable. Secretary may accept State's findings as to eligibility of providers to participate. States will be reimbursed for costs of activities performed under the program, and for fair share of State's costs attributable to planning and other efforts directed toward coordination of State's own programs with Federal program.

Subsection (b) provides that a hospital accredited by Joint Commission deemed to meet all conditions of participation save utilization review requirement. If such Commission requires utilization review plan (or another requirement serving same purpose) for accreditation, Secretary authorized to find that accredited hospitals meet all conditions for participation. Secretary may also accept the findings of national accreditation bodies other than the Joint Commission as to the eligibility of providers to participate.

Section 1809, conditions and limitations on payment for services:

Subsection (a) relating to requests and certifications provides that payment will be made only if (1) written request is filed by the beneficiary (or by others designated by Secretary when impractical to get beneficiary's signature), and (2) a physician certifies that: (A) inpatient hospital services were required for medical treatment or inpatient diagnostic study; (B) skilled nursing facility services were required because beneficiary needed continuous skilled nursing care for a condition for which hospitalized prior to transfer, or which arose while receiving such care; or (C) home health services were required because beneficiary needed intermittent skilled nursing care, or physical or speech therapy, and that the services were performed under a plan established and reviewed periodically by a physician. Payment made for inpatient hospital or nursing facility services furnished after 21st day of stay only if hospital or nursing facility is making timely utilization reviews of long-stay cases. If finding is made, pursuant to system of utilization review, that inpatient hospital or skilled nursing facility services furnished during a continuous period are not medically necessary, payment would not be made after the second day after the day notice of such finding is received by the hospital or nursing facility.

Subsection (b) provides that payments will be based on the reasonable cost of services furnished. Cost determined under regulations but Secretary must consider reimbursement principles developed by national organizations in setting regulations. Subsection (c) provides that if patient receives services in accommodations more expensive than 2- to 4-bed accommodations, payments are limited to cost of 2- to 4-bed room unless more expensive accommodations were medically necessary. If a patient receives, at his request, services more expensive than those for which payment can be made, Secretary can pay no more than reasonable cost of services.

Subsection (d) provides that if patient does not request but is placed in 5-bed (or more) accommodations for a reason Secretary determines is not consistent with program's purpose, payment shall equal cost of services for which payment could otherwise be made minus difference between customary charges for semiprivate and ward accommodations.

Subsection (e) provides that no payment can be made to Federal providers of services, except for emergency services, unless it serves as community hospital. Payment cannot be made to any provider for services it is obligated to render at public expense under Federal law or contract.

Subsection (f) provides that payment may be made for emergency inpatient hospital service in the absence of an agreement if hospital agrees not to charge beneficiary for covered services.

Subsection (g) provides that if provider acted reasonably in believing an individual was entitled to payment under this act, the provider can get payment for services furnished prior to certification from Secretary that individual is not entitled. No payment made under this provision if provider obtains payment from the individual.

Section 1810, relating to agreements with providers, states in subsection (a) that a provider shall be eligible for payment if it files agreement with Secretary not to charge for covered services and to make adequate provision for refund of erroneous charges. A provider can charge individual for extra services supplied at patient's request.

Subsection (b) provides that an agreement may be terminated by provider or Secretary at such time and upon such notice as may be prescribed by regulation. Secretary may require agreement to remain in effect for up to 6 months after provider notice. Secretary may terminate only if provider (a) is not complying with agreement or law, (b) is no longer eligible to participate, or (c) fails to provide data to determine benefit eligibility or amount of payment due provider, or refuses access to records for verification. The termination of agreement with provider will be effective with respect to (1) inpatient hospital and skilled nursing services furnished to individual admitted on or after effective date of termination; and (2) home health services furnished under plan established on or after effective date of termination, or, if earlier, after calendar year in which termination effective.

Subsection (c) provides that the provider may be represented by agent in negotiations with Government.

Subsection (d) provides that if Secretary terminates agreement, provider may not file another unless Secretary finds the reason for termination is removed and there is assurance it will not recur.

Subsection (e) provides that if Secretary finds timely reviews of long-stay cases not being made by hospital or nursing facility, Secretary may, in lieu of terminating agreement, deny payment for services furnished after 21st day of continuous stay. Such decision may be made only after notice to provider and public and shall be rescinded when reviews are being made and there is assurance reviews will continue to be made.

Section 1811 provides that payments to providers be made from Federal hospital insurance trust fund.

Section 1812 provides that the same hearing and appeal procedures for hospital insurance benefits as now are provided for old-age, survivors, and disability insurance benefits.

Section 1813, relating to overpayments to individuals, provides in subsection (a) that the payment to a provider for services furnished an individual are considered payment to the individual.

Subsection (b) provides that where an overpayment is made to provider and cannot be recouped from the provider, or payment is made for individual not entitled to hospital benefits under conditions specified, subsequent cash benefits payable to the individual (or if such individual dies to others based on individual's earnings record) be reduced in accordance with regulations prescribed by Secretary.

Subsection (c) provides that there shall be no reduction in cash benefits to be made in any case in which individual is without fault, or reduction would defeat purposes of title II or be against equity and good conscience.

Subsection (d) provides that no certifying or disbursing officer shall be held liable for overpayments where recovery of such payments is waived or where recovery is not completed prior to death of all persons against whose benefits recovery authorized.

Section 1814, relating to the use of private organizations to facilitate payment to providers, authorizes the Secretary, under subsection (a), to enter agreements whereby organizations designated by providers would determine amount of and receive payments on behalf of providers.

Subsection (b) authorizes the Secretary to designate organizations to (1) serve as centers for communicating with providers, (2) make audits of provider records, (3) assist in application or utilization safeguards, and (4) other related functions.

Subsection (c) provides for the advance of funds to designated organizations for making payments to providers, and payment of administrative costs they incur.

Subsection (d) provides that if organization is designated by association of providers, the individual provider may elect not to have payment made to such organization. Providers who so elect (and providers who have not designated an organization) may designate another organization which has entered agreement with Secretary, provided Secretary and designated organization agree.

Subsection (e) provides that an agreement may be terminated by designated organization or Secretary at such time and upon such notice as may be provided in regulations. The Secretary may terminate an agreement, after opportunity for hearing provided for organization, only if (1) organization fails to carry out agreement or (2) continued delegation of functions to organization disadvantageous or inconsistent with efficient administration.

Subsection (f) provides that employees of designated organizations give surety bond to United States in amount determined by Secretary.

Subsection (g) provides that employees of designated organizations responsible for certifying or disbursing payments pursuant to agreement be not liable, in absence of gross neglect or intent to defraud, for payments.

Section 1815 provides that the term "regulations" means, unless the context otherwise requires, regulations prescribed by the Secretary.

Section 1816 makes certain provisions of the old age, survivors, and disability program, relating to representation of claimants, evidence and procedures, and penalties for fraud, etc., applicable to this title.

Section 1817 provides that if the name of a nongovernment body or publication is designated, changes in name or succession of a new organization to the function served will not make the provision invalid.

Section 102, Federal hospital insurance trust fund: Amends title II of the Social Security Act by adding a provision creating a Federal hospital insurance trust fund. The new trust fund shall consist of amounts appropriated to fund beginning with fiscal year ending June 30, 1965, equivalent to (1) 0.68 of 1 percent of wages paid after December 31, 1964, and (2) 0.51 of 1 percent of self-employment income for taxable years beginning after December 31, 1964.

Section 103, transitional provision for eligibility for presently uninsured individuals: In subsection (a) provides hospital insurance benefits for persons who attain age 65 before 1967 (or have earned 3 quarters for each calendar year after 1964 and before year of attainment of 65) and who are not eligible for monthly old age and survivor or railroad retirement benefits.

Subsection (b) limits hospital insurance coverage for uninsured persons to resident U.S. citizens or aliens resident in United States continuously for not less than 10 years.

Subsection (c) excludes from coverage uninsured persons who are (1) employees of United States or eligible for benefits under Federal employee or retired employee health insurance plans, or (2) members of subversive organizations or convicted of certain subversive acts.

Subsection (d) provides that payments for cost of hospital insurance benefits for uninsured persons be made from Federal general revenues by a general authorization of appropriation.

Section 104, increase in earnings base: In subsection (a) amends the Social Security Act to raise the wage base from $4,800 to $5,200 a year effective 1965 for benefit purposes.

Subsection (b) raises the self-employment income base in a similar manner.

Subsection (c) provides that four quarters of coverage will be credited if $5,200 are earned in a year after 1964.

Subsection (d) changes benefit table in the law to reflect benefit increases resulting from increase in earnings base to $5,200. Maximum for worker increased from $127 to $134 per month. The table also reflects changes in maximum family benefits consistent with benefit and earnings base changes raising maximum from $254 to $268 per month.

Subsection (e) increases to $5,200 earnings that can be counted in computing average monthly wage for years after 1964.

Section 105, technical amendments: In subsection (a) extends old-age and survivors insurance provisions suspending payment of benefits to certain aliens outside United States, to hospital insurance program.

Subsection (b) extends provisions on penalties court may assess for subversive activities to hospital insurance program.

Subsection (c) makes further conforming changes in trust fund and benefits references.

TITLE II—AMENDMENTS TO THE INTERNAL REVENUE CODE OF 1954

Section 201, changes in tax schedules: Subsection (a) amends section 1401 of the Internal Revenue Code of 1954 (relating to the rate of tax on self-employment income) as follows:

[In percentage]

	Present	Proposed
1963–64	5.4	5.4
1965	5.4	5.8
1966–67	6.2	6.6
1968	6.9	7.3

Subsection (b) amends section 3101 of the Internal Revenue Code (relating to rate of tax on employees under the Federal Insurance Contributions Act) as follows:

	Present	Proposed
1964	3⅝	3⅝
1965	3⅝	3⅞
1966–67	4⅛	4⅜
1968	4⅝	4⅞

Subsection (c) amends section 3111 of the Internal Revenue Code (relating to rate of tax on employers under the Federal Insurance Contributions Act) in the same manner as is done for employees.

Section 202, increase in tax base: Subsection (a) raises tax base to $5,200 for self-employment income effective for taxable years ending after 1964.

Subsection (b) raises tax base to $5,200 for wages effective for calendar years after 1964.

Subsections (c), (d), (e), and (f) provide various conforming changes relative to change in tax base.

Section 203, technical amendment: Provides conforming change in Internal Revenue Code reference to trust funds.

TITLE III—RAILROAD RETIREMENT AMENDMENTS

Section 301, hospital insurance benefits for the aged under the Railroad Retirement Act: Subsection (a) adds a new section to the Railroad Retirement Act, section 21. Subsection (a) of the new section establishes a separate hospital insurance benefits program under railroad retirement system which is the same. as program provided under the old-age and survivors insurance program. Makes hospital insurance benefits available in Canada under railroad program (payments in Canada financed entirely from railroad retirement account).

Subsection (b) provides that at age 65, railroad retirement annuitants, pensioners and certain others who have been old-age and survivors beneficiaries, would be eligible for hospital insurance benefits; payments made from railroad retirement account (later coming under financial interchange). Payments in Canada will be reduced by any payments under Canadian law.

Subsection (c) prohibits duplication of payments in dual coverage cases and provides for jointly established procedures to handle such cases. The dual coverage provisions are not to impair or diminish rights of person affected.

Subsection (d) provides that any agreement entered into by Secretary for hospital benefit purposes is also entered into for the Railroad Retirement Board, but the Board can enter into agreements with railroad hospitals and Canadian hospitals.

Subsection (e) provides that a request for payment under one program (railroad or OASI) shall be request for payment under other program.

Subsection (f) provides for the exchange of information between two agencies.

Subsection (b) of section 301 amends financial interchange provisions of Railroad Retirement Act to take into account hospital insurance trust fund and apply financial interchange to hospital insurance benefits.

TITLE IV—MISCELLANEOUS PROVISIONS

Section 401, studies and recommendations: Directs the Secretary to conduct studies and develop recommendations relating to (1) adequacy of health care facilities; and (2) methods of encouraging development of economical and efficient forms of care.

TITLE V—COMPLEMENTARY PRIVATE HEALTH INSURANCE FOR INDIVIDUALS AGED 65 OR OVER

Section 501, purpose: In section 501 of the bill Congress declares that the purpose of this title is to provide all aged individuals the opportunity to secure at reasonable cost private health insurance which will insure them for services not covered by the program established under the new title XVIII of the Social Security Act.

Section 502, definitions: Section 502 of the bill defines the following terms as used in title V:

(a) "Health insurance policy" means any policy, contract or other arrangement between a carrier and another person under which a carrier, in return for the payment of premiums, agrees to pay for or reimburse the cost of health services furnished the beneficiary or beneficiaries of such policy, contract, or other arrangement.

(b) The "standard policy" to be devised under section 503(c) of the bill may include any of the "health insurance benefits" described in subsection (c), but it must include at least all of the following benefits:

1. Payment of part or all charges for most physicians' services wherever performed;
2. Payment, in accordance with a schedule, for part or all costs of surgery performed in or out of a hospital;
3. Payment of at least the first $15 of charge for consultation with a medical or surgical specialist;
4. Payment, in accordance with a fee schedule, for part or all fees for diagnostic care, and laboratory and X-ray services.

(c) The term "health insurance benefits," or the term "benefits" when used in connection with health insurance, means insurance covering the cost in whole or in part of any or all of the services or items listed below, to the extent that they are not covered under the new program of hospital benefits for the aged established under title XVIII of the Social Security Act enacted by title I of the bill:

1. Physicians', surgeons,' dentists' services, or any other medical or remedial care recognized under State law;
2. Diagnostic care and laboratory and X-ray services;
3. Prescribed drugs, eyeglasses, dentures, and prosthetic devices;
4. Private duty nursing services;
5. Home health care services;
6. Inpatient hospital services; and
7. Skilled nursing home services.

(d) The term "carrier" means a lawfully established private health insurance company, association, partnership, or other nongovernmental organization engaged in selling health insurance, which carrier meets reasonable standards prescribed by the Secretary.

(e) "Premium" means the charge made by a carrier for coverage under a health insurance policy.

(f) "Secretary" refers to the Secretary of Health, Education, and Welfare.

Section 503, authorization of association: This section authorizes the establishment of a national association, with the approval of the Secretary, to carry out the purposes of the title in making complementary health insurance available to aged persons. The association would be called the "National Association of Carriers to Provide Health Insurance for Individuals Aged 65 or Over."

The association would be made up of carriers voluntarily joined together with membership open to all responsible carriers that desire to participate and agree to follow the rules governing the association as set forth in the law and regulations promulgated pursuant to the law.

The principal function of the association is to devise and offer for sale through its members a "standard policy" of health insurance for eligible aged persons providing at least the benefits specified in section 502(b) of the bill. All the terms and conditions of the standard policy as well as the terms and conditions of its sale are to be uniform. However, in order to reflect geographical differences in the cost of furnishing health care, the amount of the premiums and the extent of benefits provided under the standard policy may vary in different areas, either within or outside of State boundaries.

In order to minimize the factor of adverse selection in the sale of the standard policy, the association is authorized to limit the period during each year when it may be offered to new subscribers.

The carriers who are members of the association would be able to offer for sale one or more "alternative policy" which could be offered to eligible aged persons in place of the standard policy. These alternative policies would have to meet minimum standards developed by the association and approved by the Secretary. Such standards would require that an alternative policy must fulfill the same purpose as, and represent to the subscriber at least the same dollar value as, the standard policy. Before offering an alternative policy for sale a member carrier would have to submit copies of it for their approval to the association and the Secretary, together with other information the association deems pertinent. After approval by the association and the Secretary (based on findings that it fulfills the same purposes as and has at least the same dollar value to the subscriber as the standard policy) an alternative policy could be offered for sale by any member carrier in the same manner and subject to the same conditions as apply to the standard policy.

All premiums paid for standard or alternative policies would be covered into a common fund (called the "reserve fund") established by the association and all benefits and the reasonable expenses of administering such policies would be paid from the reserve fund. Surpluses in the reserve fund would be invested by the association in interest-bearing obligations of the United States or in obligations guaranteed both as to principal and interest by the United States. The assets of the reserve fund would belong to the association and its moneys would be used to pay the expenses of the association.

The association would be authorized to place appropriate limitations (subject to the approval of the Advisory Council on Health Insurance for the Aged and the Secretary) upon the amounts which could be claimed from the reserve fund on account of expenses incurred in connection with the sale and administration of standard and alternative policies.

The association is directed (in cooperation with the Advisory Council and with the approval of the Secretary) to provide means to enable persons under age 65 to prepay the cost of purchasing the insurance provided in the standard policy or an alternative policy while they are working.

An executive committee of three individuals elected by the Advisory Council would manage the reserve fund and conduct the affairs of the association.

In order to provide additional health insurance coverage to subscribers of standard and alternative policies offered by member carriers, the carriers would be authorized and encouraged to offer "supplementary" health insurance policies. The supplementary policies would not have to be uniform and could be offered at premiums which allow for a fair profit to the carrier. They could be offered in conjunction with the sale of standard or alternative policies but with their costs and benefits clearly distinguishable.

The association would be authorized to adopt 2 appropriate symbols signifying official public endorsement of the standard policy and the other, of alternative policies (but not of supplementary policies) for use in connection with their sale, subject to the approval of the Secretary and the Advisory Council.

The activities of member carriers of the association are not to be controlled in any way other than with respect to the sale of standard and alternative policies described in the bill and they are to be free to offer other insurance policies, unaffected by their membership in the association.

Section 504, regional divisions of the association: Regional divisions of the association could be created under the rules issued by the association to allow member carriers to confine their business of offering standard or alternative policies for sale to a particular geographical area. Such a division could be established by any one or more carriers that wish to confine their business in such manner, but membership in a regional division would be open to any carrier that is a member of the association and that wishes to confine its business to the area in which such a division is established.

Whenever such a division is established it would have a regional reserve fund, which would serve the same purpose and be subject to the same requirements as the reserve fund, into which members of the division would deposit their premiums in lieu of depositing them in the reserve fund. A regional reserve fund would be managed by the members of the division under regulations issued by the executive committee of the association with the approval of the Secretary and the Advisory Council. The assets of a regional reserve fund would belong to the regional division for which it is established and the expenses of such division would be defrayed from moneys in such fund.

Regulations governing the operations of any regional division would be prescribed by the executive committee of the association, with the approval of the Secretary and the Advisory Council. Under these regulations, responsibility for the management and operation of the division would be in its membership, but necessary safeguards would be provided to insure that the division would be managed and operated to carry out the established purposes and functions of the association within the division.

Section 505, establishment of the association: The Secretary is directed to declare that the association provided for in section 503 is established when five or more carriers make application to him to form the association and he is satisfied that such carriers are ready, willing, and able to carry out the functions of the association. The Secretary would also be required to make rules and regulations to insure that the association complies with the requirements of section 503 and fulfills the purposes of title V of the bill.

Section 506, Advisory Council: This section provides for the creation of an Advisory Council on Health Insurance for the Aged to consult with and advise the Secretary on the administration of title XVII of the Social Security Act, to elect the executive committee of the association and to advise and assist the association, the executive committee and the Secretary in carrying out their respective functions under title V of the bill.

The Advisory Council is also to conduct a continuing study and investigation of the insurance programs established under title V of the bill and title XVIII of the Social Security Act in order to assist in the formulation and implementation of national policy in the field of health care for the aged and to make reports to the President (for transmittal to Congress) of its findings and recommendations.

The Advisory Council is authorized to employ staff in accordance with the civil service laws and the Classification Act of 1949.

The Advisory Council would be composed of 24 members appointed by the President to reflect broad representation of the insurance industry (not less than 4 members approved by insurance industry as having adequate insurance experience), labor, business, the medical profession, consumers, and other interested elements of society. The Council would elect one of its members as chairman.

The term of office of members of the Council would be for 4 years but a member appointed to fill a vacancy would serve out the term of his predecessor. The members first taking office would be appointed for terms expiring in rotation: 4 ending at the end of each of the first 4 years, as designated by the President. A member would not be eligible to serve continuously for more than 2 terms.

Members of the Advisory Council would receive compensation at rates fixed by the Secretary not exceeding $100 per day and travel and subsistence while serving away from their homes. The Council would meet whenever it deems necessary but not less frequently than twice a year and the Chairman would be required to call a meeting upon a request of 13 or more members.

Section 507, exemption of the association from certain laws: Under this section the association and each member carrier would, with respect to its business operations concerned with the selling of standard or alternative policies, be considered a charitable and benevolent institution and exempt from:

1. Regulation by a State or political subdivision (e.g., anti-monopoly regulation);
2. Federal or State income taxation;
3. State taxes on policies or premiums; and
4. The provisions of the Sherman Act, the Clayton Act, and the Federal Trade Commission Act.

Operations of a carrier exempted from regulation as specified above would be subject to the exclusive regulation of the Secretary.

Section 508, compliance provisions: Under this section the Secretary is authorized to permanently terminate or suspend membership of a carrier if he determines that the carrier has failed to comply with any requirement of title V of the bill or any regulation promulgated under that title. Reasonable opportunity for a hearing would have to be extended to the carrier before such action could be taken. A suspended or terminated carrier would not be entitled to any exemption provided in section 507 and would be prohibited from representing itself as being a member of the association. Any carrier which falsely represents itself to be a member of the association and offering any health insurance policy for sale would be subject to a fine of not more than $10,000.

Section 509, hearings and judicial review: Under this section the Secretary would be required to hold appropriate hearings, with adequate opportunity to representatives of the association and member carriers to attend and present testimony, before promulgating any requirement or taking any other action affecting the association or any member thereof.

Any action of the Secretary subject to such a hearing may be appealed to the U.S. District Court for the District of Columbia. A copy of the notice of appeal would be transmitted by the clerk of the court to the Secretary or person designated by him, and the Secretary would be required to file with the court a record of proceedings on which he based his action. The action of the Secretary would be reviewed by the court in accordance with the provisions of the Administrative Procedure Act.

The PRESIDENT pro tempore. The bill will be received and appropriately referred.

The bill (S. 2431) to provide health care for persons 65 years of age and over through contributory social insurance, and a complementary basic national private insurance plan, introduced by Mr. Javits (for himself and other Senators), was received, read twice by its title, and referred to the Committee on Finance.

Mr. KEATING. Mr. President, will the Senator yield?

Mr. JAVITS. I yield.

Mr. KEATING. I rise to commend my distinguished colleague [Mr. Javits] for his dedication to the cause of health care for the aged and for his leadership in devising the bill. Our goal in offering the proposed legislation is to provide the most comprehensive protection yet offered to older Americans while at the same time preserving the role of the private insurance companies, and the personal nature of the doctor-patient relationship. Many Americans now have some form of health insurance. They choose their own doctors and do not want the Government doing that for them. Neither do we. But we do want all Americans over 65—not just half of them—to be able to purchase private insurance. The nonprofit "State 65" plans, which have been so successful in insuring this group, are not available throughout the country and for many retired Americans, is prohibitively expensive. The national committee which drew up these recommendations, and whose members included insurance executives, has estimated that by pooling risks and devising a standard policy, the industry would be able to offer older citizens a comprehensive medical policy for about $2 a week. Eighty percent of this group would be able to afford this policy, and those who could not would be covered by the Kerr-Mills program.

As my colleague [Mr. Javits] has pointed out, the late President Kennedy expressed the hope that the proposed legislation would have broad bipartisan support. The bill is doubly urgent this year if we are to provide health protection for 13½ million Americans and if we are to establish a precedent for the role of private insurance and private doctors in this field. I am proud to add my name to this progressive legislation and urge my colleagues to join us, and to urge that it receive early attention and consideration by the appropriate committees, and that we come to grips with the problem in a bipartisan-nonpartisan fashion, since those over 65 and those who need the help are of all political affiliations, of all races, creeds, and colors. This is no place for any partisanship in the consideration of that important question.

Mr. JAVITS. I am very grateful to my colleague.

I should like to make two additional brief comments, and then I shall be through.

First, it is especially gratifying to me that the valiant band which has supported the proposed legislation, which I deeply feel will be successful, has now been joined by the Senator from Maine [Mrs. Smith].

To me that is a signally important element of strength. The Senator from Maine is known for her sound views about the private enterprise system and about human problems. I do not believe she would be with us on the subject unless she had thoroughly satisfied herself in the study for which she is so very well known that the proposal was a feasible way in which to do what needs to be done and at the same time be most scrupulous about the relationships between doctors and patients, between citizens and their Government, and what the Government could do for citizens without compromising the basic traditions of our society.

Mrs. SMITH. Mr. President, will the Senator yield?

Mr. JAVITS. I yield.

Mrs. SMITH. I thank my distinguished colleague for his kind and generous reference to me. It is a privilege to be included in the sponsorship of the health insurance bill which he and his distinguished colleague from New York [Mr. Keating] have so ably discussed.

I concur with all they have said and hope that before long, all of the people, especially those in need, may benefit by its provisions.

Mr. JAVITS. I thank my colleague most warmly.

Finally, the Senator from New Mexico [Mr. Anderson] and I got together on a bill in 1962. We failed by a very small margin. I believe all of us feel that the eventuation of the proposed legislation should be in the same direction. I express for myself—and I deeply feel that what I say represents a common view among all of us, as my colleague [Mr. Keating] said, in relation to bipartisanship—that we may achieve unity with Senators led on the other side of the aisle by the Senator from New Mexico [Mr. Anderson], so that we may have a common purpose. I deeply believe that we have today submitted what ought to be the common design.

Mr. KUCHEL. Mr. President, will the Senator yield?

Mr. JAVITS. I yield.

The PRESIDENT pro tempore. The Senator's time has expired.

Mr. JAVITS. I ask unanimous consent to proceed for 3 additional minutes.

The PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. KUCHEL. Mr. President, in 1962, the able senior Senator from New York [Mr. Javits] devoted himself assiduously to solving the problem of health care for elderly Americans. I was honored to work with him. He provided the leadership which brought some of us to his side in attempting to have the Congress enact legislation under which American citizens over the age of 65 could have sheared away from them the constant and growing hazard which must consume a part of every day of their lives in retirement—the tragic possibility of an illness striking them and of their inability to pay the bills which would result from that misfortune because of the unbelievably skyrocketing costs for all kinds of health care.

We were particularly interested under the leadership of the Senator from New York in bringing a modicum of relief with respect to hospital costs. I remember those days. I remember the meetings that were held. The Senator sponsored them. I remember our discussions with the late President of the United States, John F. Kennedy, as to our views, as to how his recommendations might be improved. What we stood for on that occasion was accepted by the administration.

I regret that that legislative effort failed. I am extremely proud once again to be associated with the Senator from New York and other Republican Senators in advancing the most comprehensive health care legislation ever offered—legislation which will utilize not only the public sector of the economy of the United States, but also the private sector of this economy, including health insurance companies across the land, so that, as the Senator from New York has so ably described, people in retirement, no matter what their level of income may be, can live in comparative assurance with respect to their capacity to meet a catastrophic illness.

I have some comments which I shall make in my own time. I am glad to rise on this occasion to congratulate the Senator from New York for what he has done.

Mr. JAVITS. I am very grateful to my friend the deputy minority leader. I assure him that without his help and that of other Senators, such as the Senator from New York [Mr. KEATING] and the Senator from Maine [Mrs. SMITH], the proposal would not have reached its present stage. I hope and feel that this time we shall be successful in providing health care for the aged.

Mr. KUCHEL. Mr. President, a parliamentary inquiry.

The PRESIDENT pro tempore. The Senator will state it.

Mr. KUCHEL. Is there a limitation of time in effect?

The PRESIDENT pro tempore. There is a 3-minute limitation on statements in the morning hour.

Mr. KUCHEL. I ask unanimous consent to proceed for 10 minutes on this subject.

The PRESIDENT pro tempore. Without objection, it is so ordered.

COMPREHENSIVE HEALTH CARE PROGRAM FOR OUR SENIOR CITIZENS

Mr. KUCHEL. Mr. President, I am delighted to join with five other Republican colleagues in today offering in the Senate the most comprehensive health care proposal ever presented to Congress. You will recall, Mr. President, that it was largely from members of this group, in the summer of 1962, that long-needed improvements and changes were made in the hospitalization bill then before the Senate. That bill regrettably lost by only two votes. It was a bill which had much merit and would have gone far to meet many of the serious health care problems which daily confront many of our senior citizens.

We have continued to make improvements in the legislation which we early proposed. Some of these improvements have resulted from the excellent report submitted by a committee of distinguish Americans chaired by Arthur S. Flemming, who was Secretary of Health, Education, and Welfare in the Eisenhower administration and is now the president of the University of Oregon. The National Committee on Health Care of the Aged was instigated at the suggestion of our able colleague, Senator JAVITS, who has long taken the lead in this area of public policy. Several of us, through our staffs, were privileged to witness the deliberations of this group first hand. Five of the 12 members were M.D.'s Others had long experience with health care problems as public servants and as medical care and health insurance administrators.

One eminent member of the group was Dr. Russel V. Lee, who is the distinguished founder of the Palo Alto Clinic, which has been a pace setter in meeting the health care problems of elderly citizens. Under Dr. Lee's guidance, the clinic later this month will open Channing House, a unique experiment in meeting housing, living, recreation, and health needs, on a private basis, for those over 65.

This committee made certain additional suggestions beyond those which several of us had submitted and which were voted on in 1962. For the first time a comprehensive framework is provided by which the public and private sectors can cooperate to meet the health care needs which exist and are of grave concern to our senior citizens. The committee clearly understood, as most of us have understood, that the problems of catastrophic illness are not remedied by either a completely Government program or a completely private health insurance program. For neither can do the job which needs to be done. Only by working together and doing that task for which each is uniquely qualified will these problems be met.

The bill which we offer today would provide, as it did in 1962, that the public portion of the program be financed on a pay-as-you-go social security basis whereby an individual, whether wage earner or self-employed, could put away in his working years sufficient funds, on an actuarial basis, to cover the possible benefits he might receive once he has retired. A notable leader in American industry, Mr. Edgar F. Kaiser, has testified in favor of this approach before the House Committee on Ways and Means. Mr. Kaiser, a distinguished Californian, knows firsthand as president of the Kaiser Foundation Health Plan, and has repeatedly stated publicly, that hospital insurance under social security is neither socialism nor government administered medicine. I agree. It is the very antithesis of it. It is insurance which will foster nongovernmental hospitalization. Said Mr. Kaiser:

> The logical outgrowth of social security financing, as contrasted with appropriations from general revenues and administration through social welfare agencies, will be to keep a greater and increasing proportion of retired persons in the mainstream of medical and hospital care, with services provided in private and voluntary hospitals. This will reduce reliance on county hospitals and other governmental institutions.

Such comments from an eminent businessman like Mr. Kaiser make a great deal of commonsense to me.

As you will recall, Mr. President, in 1962, several of us proposed the following basic changes in the then pending health care legislation. We proposed that all citizens over the age of 65 be covered initially, not just those whose employment had been covered by social security. We proposed that a private option be offered to provide an incentive for private health insurance to help meet these needs. We proposed that an appropriate role be given to State and local government in determining the eligibility of participating institutions and that approved private health providers of services who already deal with hospitals, skilled nursing homes, and home care services be encouraged to undertake the responsibility for implementing the public program. We proposed that a Joint Commission on the Accreditation of Hospitals, made up of representatives of the medical and hospital professions, determine the eligibility of private institutions to participate in the program. We proposed that a separate health insurance trust fund be established into which a specified portion of the social security tax would be allocated to pay the costs of the public program. This tax, resulting from the benefits provided in the bill would be one-fourth of 1 percent levied on both employer and employee on a wage base of $5,200 a year. The self-employed would contribute four-tenths of 1 percent of his income up to $5,200. This means that the wage earner would contribute a maximum of approximately $13 a year from his income for this program. That amount would be matched by his employer.

Hospitalization benefits of up to 45 days with no deductible in any one benefit period would be available. In addition, skilled nursing home services up to 180 days in a benefit period and home health services up to 240 days in a calendar year would also be possible. As I noted earlier, in the beginning all over the age of 65 would be covered regardless of whether or not they had ever had the necessary social security credits. This is only elemental justice, since these citizens no longer have the opportunity to secure such credits by working in covered employment. After a transition period it would be necessary to have 12 quarters of social security coverage to be eligible for this program.

In addition to this public program, our bill would carry out the recommendations of the Flemming committee in having Congress authorize the establishment of a national association of interested private health insurance companies which could come together and voluntarily pool their resources in order to develop a standard policy which could be offered to all citizens who are over 65 at a very minimum cost. It is estimated that this comprehensive medical-surgical care could be provided for as little as $8 a month.

This policy would be designed to cover those services which the public portion of the program does not provide. The public portion of the program would only cover approximately one-third of the health care costs which are borne by an aged person. These are the highly expensive costs of institutional care. But the challenging task has long been to devise a complementary program which would go far toward meeting the two-thirds of the health care costs which remain. This is what we have tried to do in authorizing this national association. It is based, in part, on the experience of the "over 65 plans" which now exist in States such as New York and Connecticut and are beginning in California. The national association would be exempt from the antitrust laws and also from Federal and State taxation. In this way, the premium could be reduced much more than at present where such health insurance policies are subject to taxation. The standard policy which this association would develop, subject to the approval of the Secretary of Health, Education, and Welfare, must include at least the following health insurance benefits:

First, payment of part or all of a physician's services whether performed in his office or elsewhere;

Second, payment, in accordance with a schedule, for or toward the costs of surgery performed in or out of a hospital;

Third, payment of not less than the first $15 charged for consultation with a specialist; and

Fourth, payment, in accordance with a schedule, for or toward charges for diagnostic care, laboratory, and X-ray services.

Such services available under the private standard policy devised by the national association could include payment for services provided by physicians, surgeons, or dentists as well as any other medical care practitioner recognized under State law, such as members of the optometric profession. Such services could include prescribed drugs, eyeglasses, dentures, and other devices, as well as private duty nursing services, home health care services, inpatient hospital services, and skilled nursing home services to the extent that they are not already provided under the public portion of the program.

Mr. President, today, almost 18 million Americans are over 65. Their number is increasing rapidly by at least 1,000 each day. Statistics clearly show that the per capita costs of personal health services for those over 65 are running about 2½ times as high as for the remainder of our population. In 1961, such costs were estimated to be $226 per aged person as compared to $103 for other persons. In the last 13 years, health care costs have risen greatly on the Consumer Price Index maintained by the Bureau of Labor Statistics. While the price index generally grew by only 27 percent, medical care items rose by 59 percent. But hospital daily rates alone in this period have risen by 139 percent.

We are thus faced with more and more senior citizens who are confronted with greatly increased medical care costs in the very years they are living on a low level of income. In 1960, of those aged who live alone, almost half had an annual income of $1,000 or less. Three-fourths had an income of less than $2,000 a year. This amount will not go far in meeting today's catastrophic health care costs.

Mr. President, I have briefly outlined most of the essentials of this program which we have today presented. There has been no question in my mind for some time that the need exists and that if we are to meet that obvious need it will take the cooperation and hard work of both those in the public and private sectors of our economy and of leaders and members of both political parties. I deeply believe that if needed and overdue legislation in this area is adopted by this Congress, and I hope that at long last it will be, that it will be along the lines we have today proposed. I urge the responsible committees of the Congress to consider this proposal as soon as possible. I am confident that the Senate this time will speedily approve a comprehensive health care measure should the necessary legislation be sent to us by the House of Representatives where, under the Constitution, it should originate because it relates to a change in the social security tax.

Mr. President, I have tried to indicate the problem and our method of solving it. We face a crucial and critical issue. It is an issue which is growing in importance. It must be solved. The laws today do not solve it. The laws today operate to alleviate pain and suffering only of elderly Americans who are held to be indigent. Our program would bring to any person in this free country of ours the kind of protection that he and his spouse need in their elderly years.

I believe that in presenting this vehicle we are performing a public service. I am glad to be one of the coauthors of the proposed legislation at this session of Congress under the leadership of the Senator from New York [Mr. JAVITS]. This is an American problem. It ought not to be a political problem. It must not be a partisan problem.

I hope the legislation we have today proposed will be given sympathetic consideration by all Members of the Senate. I sincerely believe that we have offered an excellent means of solving a distressing and tragic problem which exists among a growing segment of the American people. Such an integrated public-private comprehensive health care program is one of the great unfinished tasks which confronts us as Americans.

Mr. JAVITS. I thank the Senator very much.

COMMISSION FOR STUDY OF THE DRAFT

Mr. KEATING. Mr. President, for myself, and Senators BEALL, CASE, COOPER, JAVITS, KUCHEL, and SCOTT, I introduce for appropriate reference a bill to provide for a comprehensive study and investigation of the adequacy of the present system of compulsory military training under the Universal Military Training and Service Act.

This bill would authorize a definitive investigation, by both civilians and members of the Armed Forces, of a system that has been too long extended almost as a matter of course. Too little attention has been focused on the men and muscle which represent the inherent strength of our military system especially as we concentrate more on the transition to modern military methods and weapons systems. Clearly, the guidelines for selecting young men to serve in our Armed Forces are of great concern to the youth of this Nation as well as their families, and warrant careful congressional attention in their behalf. The updating of this system is of no less concern to the future security of America than the attention being paid to military bases and logistics structure.

It should be stressed, Mr. President, that it is not just the 500,000 annual volunteers and draftees who are seriously affected by the existing system, but every single able-bodied young man who reaches the age of 18.

The Commission would consist of 14 members, 6 to be appointed by the President, 4 by the President pro tempore of the Senate, and 4 by the Speaker of the House. No more than three of the presidential appointees or one each of the Senate and House appointees would be selected from the Armed Forces, but the Commission could also, of course, include Defense Department officials and Members of Congress.

Some of the present inequities in the draft system have been called to my attention by an ever increasing number of letters from New York State and other parts of the country. Disturbed by these criticisms, I first spoke on this subject last year on Veterans Day. I pointed out then that the achievements of our drafted citizen armies of World War I and II were great and deserved the lasting gratitude of the people of America. Yet, in honor of the service they have rendered, I believe we owe it to this generation and to the Nation to review the changing needs of national defense in terms of possible changes in our manpower structure.

After speaking out on the matter in November, I have received a good many indications of further interest in such a survey, and I am glad to note that there is now also an increased interest in other branches of our Government in the operation and equities of the draft.

For the more than 1.5 million youths who reached 18 in 1963, the 8-year minimum period of eligibility demands decisions and actions that will significantly influence their future.

Although perfect equity in any selective system is a difficult goal to attain, a fairer arrangement than the one that has been periodically extended by Congress, virtually without debate, since 1951 can and should be explored. If we are to improve upon the allocation of our human resources, we must devote more thought and study to our present and future needs.

Several pertinent questions must be raised. Are present priorities for selection equitable? Will the increasing number of young men reaching draft age plus the need for increasingly specialized training make the draft an inefficient way to maintain military manpower? How does the draft affect civilian needs for more and better trained professional people? What is the economic and social impact of the draft on young men reaching draft age and making career plans?

These are questions that should be considered by a panel of both military and civilian experts in the field of manpower resources and military strategy, so that the Armed Services Committees and the Congress can have this information at hand before taking further action on our draft laws.

A study by Defense Department officials and military men alone would not be sufficient to consider all the ramifications of the problem. In fact, I believe the President's recently expressed concern for assisting persons rejected by the selective service as physically or mentally unqualified demonstrates the need for a wider perspective on the draft, its effect, and its problems.

Mr. President, I ask unanimous consent to have printed at the conclusion of my remarks the transcript of a television program entitled "Senate Report," in which I engaged on November 10, 1963, and, following that, an article entitled "New Attitude on Peacetime Draft," written by Hanson W. Baldwin, and published in the New York Times of March 8, 1963.

There being no objection, the telecast and article were ordered to be printed in the Record, as follows:

Keating Asks Study of Draft Laws

(Following is a transcript of Senator **Kenneth B. Keating**'s televised "Senate Report," scheduled for Sunday, November 10:)

As we celebrate this year's Veterans Day, we look with mingled fear and relief at the world our veterans have fought to defend and preserve for freedom.

There is no doubt that the citizen armies of World War II and Korea did a magnificent job. They showed that America could rise to the challenge. They showed that GI Joe, often drafted against his will, could still hold his own. And, in the years since Korea, as cold wars have replaced hot ones, our military men have played a vital part in maintaining free world strength.

Manpower, able and intelligent, provides the real sinews of war; but strangely enough, even though the Defense Department is enraging generals and admirals by a new approach to bombers, aircraft carriers, and tanks, there has not been any serious discussion even of a new approach for the men who run the machines, the minds and muscles behind a modern military force. The draft, which we are told is vital to our Military Establishment, has never recently been seriously or objectively reviewed outside the Department of Defense.

It is time for a full-scale study and report, by competent military and civilian personnel of just what kind of military force we need. Can we do without the draft? Can we shorten the period of eligibility and uncertainty? Can we use smaller but better trained forces to meet cold war needs? These are the sort of questions that should be studied, not just by the Defense Department, but by a qualified panel of strategists.

The draft laws make every young man between the ages of 18½ and 26 liable for military service. Theoretically, all owe their country service. Practically speaking, fathers, teachers, scientists, students—and since the President's recent order—even husbands can avoid it. What's more, by a peculiar logic, after draft dodgers and volunteers, the oldest are called first. The teenagers, with fewer responsibilities, may be ready to go, but the draft does not touch them until they are 22. For 4 years, many young men wait, marking time, and having a hard time finding a good job.

What this means is that every young man has to decide when he reaches 18 whether to volunteer, wait to be drafted, hope to be 4–F, struggle to be unnoticed, go on to further study, or get married as fast as he can. Incidentally, I understand that the girls are already beginning to capitalize on this. High school and college dances are often advertised "avoid the draft. Come to the dance and find a mate." For what may be the most critical years of their lives, most young men face uncertainty and difficulty in finding a steady job unless they have already served or can afford to start a family fast.

Seriously, the time has come for a good long look at how our draft laws really work. A recent study showed that about 42 percent of 26-year-olds have not fulfilled their service.

Now let me make it clear that I am not calling for an end to the draft. Some military men are sincerely convinced that it is the only way to get people to enlist voluntarily. But the effect that the draft has on the lives and careers of the young men of this country is important enough to deserve an up-to-date review. And the needs of our Defense Establishment are changing so fast that the 15-year-old system now in effect may not be the best way to guarantee military preparedness.

No one outside military life has seriously examined today's manpower needs in terms of our new strategies and tactics or its impact on young men's careers.

One of the most constructive tasks that the Congress could undertake in honor of our veterans today, in consideration of our changing military needs of tomorrow, and out of respect for the millions of young men who face an uncertain future, would be to establish an independent panel to study the entire draft and military manpower situation.

This is Senator **Ken Keating**.

[From the New York Times, Mar. 8, 1963]

New Attitude on Peacetime Draft—System of Recruiting Is Now Unchallenged—Study Need Seen

(By Hanson W. Baldwin)

New York.—The unanimous backing of the House Armed Services Committee for legislation that will extend the draft for another 4 years emphasizes the changed attitudes of our society in the nuclear age.

Just a few years ago the draft, as a peacetime measure, was a subject of major controversy and there was considerable opposition to its perpetuation.

Today, as the cursory 2-day hearings before the House committee show the opposition is apathetic and politically unimportant.

As in so many other fields of American life, the people appear to be accepting with resignation—what they do not feel they can change.

This is unfortunate, for the draft has too great an effect—for good and bad—upon our military manpower policies, our defense system and our society, to treat its extension as "routine."

POLICIES EXAMINED

Congress has frequently examined in recent years various aspects of our military manpower policies. Last year, for instance, the Reserve Forces were studied. This year the ROTC programs and a military pay bill are part of the legislative program.

But all of these and numerous other aspects of our defense programs are part of the whole and are directly influenced by the draft. The entire subject of military manpower and the various means of procuring and training personnel requires an integrated and extensive study, which it has not had in recent years.

The military rationalization for the draft is that given to the House committee by Assistant Secretary of Defense Norman Paul. The Pentagon, supported by selective service officials has always maintained that the present strength of our Armed Forces—almost 2,700,000 men—could not be maintained without the spur of compulsory service.

Draft calls are low and the majority of uniformed personnel are volunteers, at least in name. But without the draft the services believe the number of volunteers might decline drastically. Yet no one really knows whether this is so.

With a constantly increasing population and a great post-World War II "baby crop" reaching military age within the next 4 years, the armed services will have far more men to pick from. Projected figures show that about 1,880,000 male youths will become 18 in 1966, as compared with 1,476,000 in 1962.

If the strength of the armed services remained about their present peak—and since Korea the manpower level appears to have topped off at around 2,700,000—there should be far more chance to obtain an entirely volunteer Army, Navy, Air Force and Marine Corps.

Today, none of the services except the Army uses drafted men, though all of them acknowledge that the pressure of the draft provides them with plenty of volunteers. Tomorrow, the sheer increase in population, if nothing else, should increase the possibility of recruiting an all-volunteer force.

VARIOUS FACTORS INVOLVED

But this will depend, in turn, upon a whole series of other factors—service pay and whether it is comparable to civil service and civilian pay scales, service retirement and other benefits, promotion and personnel policies, educational and training opportunities, the size of the Reserve Forces, the country's economic condition, service housing and so on.

There is not much doubt that service professionalism would be increased, and the present large personnel turnover decreased, with a resultant increase in effectiveness, if an all-volunteer force could be recruited and reenlisted. Both economy and combat effectiveness, therefore, might be promoted by replacement of the draft with an all-volunteer system.

Yet even if the military benefited from such a change, paramilitary factors should be considered before a change was made.

Proponents, for instance, contend that the draft tends to improve the social structure of the nation and that it educates in citizenship. Others point out that universal service is in no way universal, that hundreds of thousands of young men never serve at all and that the inequities of the system breed dissatisfaction and cynicism.

The economic effects of the draft should also be considered in any study of military manpower.

FULL STUDY URGED

It is unlikely, especially in view of the unanimous vote of the House committee, that any such extensive and detailed investigation of our military manpower policies can be made at this session of Congress. Certainly it could not be completed before the draft expires July 1. Indeed, such a sweeping study—for which Congress would require expert aid from beyond its walls—cannot be properly done in a single session.

Yet it is clear that within the next few years—even before 1967, when the projected 4-year extension of the draft would expire—that the country's increased population, the changing technology of the nuclear age and a great many other factors will profoundly change and perhaps entirely invalidate the assumptions upon which the draft has been based.

Congress has made too many piecemeal investigations of the military manpower problem. It should start now to anticipate tomorrow's difficulties with a long-term, extensive and comprehensive study of the entire program.

Mr. KEATING. Mr. President, since a number of other Senators have expressed some interest in this problem, I ask, first, that the text of the bill be printed following my remarks and also that the bill may lie at the desk until the close of business on Friday, January 24, to enable other Senators to cosponsor it if they see fit to do so.

The PRESIDING OFFICER (Mr. Bayh in the chair). The bill will be received and appropriately referred; and, without objection, the bill will be printed in the Record, and will lie on the desk, as requested by the Senator from New York.

The bill (S. 2432) to provide for a comprehensive study and investigation of the adequacy of the present system of compulsory military training under the Universal Military Training and Service Act, and for other purposes, introduced by Mr. Keating (for himself and other Senators), was received, read twice by its title, referred to the Committee on Armed Services, and ordered to be printed in the Record, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Commission on the Administration of the Universal Military Training and Service Act."

ESTABLISHMENT OF COMMISSION

Sec. 2. (a) There is hereby established a commission to be known as the Commission on the Administration of the Universal Military Training and Service Act (hereinafter referred to as the "Commission").

(b) The Commission shall be composed of fourteen members as follows:

(1) Six appointed by the President of the United States, not more than three of whom shall be selected from the Armed Forces;

(2) Four appointed by the President pro tempore of the Senate, not more than one of whom shall be selected from the Armed Forces; and

(3) Four appointed by the Speaker of the House of Representatives, not more than one of whom shall be selected from the Armed Forces.

(c) Any vacancy in the Commission shall not affect its powers, but shall be filled in the same manner in which the original appointment was made.

(d) The President shall designate a Chairman and Vice Chairman of the Commission.

(e) Eight members of the Commission shall constitute a quorum.

COMPENSATION OF MEMBERS OF THE COMMISSION

Sec. 3. (a) Any member of the Commission who is a Member of Congress, or an officer or employee of the Federal Government (civilian or military) shall serve without compensation in addition to that received for his customary services as an officer or employee of the Federal Government, but shall be reimbursed by the Commission for travel, subsistence, and other necessary expenses incurred by him in the performance of the duties of the Commission.

(b) Each member of the Commission from private life shall receive compensation at the rate of $75 per diem for each day on which he is engaged in the performance of duties of the Commission, and shall be reimbursed by the Commission for travel, subsistence, and other necessary expenses incurred by him in the performance of such duties.

STAFF OF THE COMMISSION

Sec. 4. (a) The Commission may appoint and fix the compensation of such personnel as is deems advisable in accordance with the provisions of the civil service laws and the Classification Act of 1949.

(b) The Commission may procure, without regard to the civil service laws and the classification laws, temporary and intermittent services to the same extent as authorized for the departments by section 15 of the Act of August 2, 1946 (60 Stat. 810; 5 U.S.C. 55a), but at rates not to exceed $50 per diem for individuals.

DUTIES OF THE COMMISSION

Sec. 5. (a) The Commission shall make a comprehensive study and investigation of all matters relating to the administration of the Universal Military Training and Service Act, devoting particular attention to whether such Act adequately serves the purposes for which it was enacted, and whether such Act is administered in a fair and equitable manner.

(b) During the course of its study and investigation the Commission may submit to the President and the Congress such reports as the Commission may consider advisable. The Commission shall submit to the President and the Congress a final report with respect to its findings and recommendations not later than two years after the date of enactment of this Act. The Commission shall cease to exist sixty days after the submission of its final report.

POWERS OF THE COMMISSION

Sec. 6. (a)(1) The Commission or, on the authorization of the Commission, any subcommittee thereof, may, for the purpose of carrying out its functions and duties, hold such hearings and sit and act at such times and places, administer such oaths, and require, by subpena or otherwise, the attendance and testimony of such witnesses, and the production of such books, records, correspondence, memorandums, papers, and documents, as the Commission or such subcommittee may deem advisable. Subpenas may be issued under the signature of the Chairman or Vice Chairman, or any duly designated member, and may be served by any person designated by the Chairman, the Vice Chairman, or such member.

(2) In case of contumacy or refusal to obey a subpena issued under paragraph (1) of this subsection, any district court of the United States or the United States court of any possession, or the District Court of the United States for the District of Columbia, within the jurisdiction of which the inquiry is being carried on or within the jurisdiction of which the person guilty of contumacy or refusal to obey is found or resides or transacts business, upon application by the Attorney General of the United States shall have jurisdiction to issue to such person an order requiring such person to appear before the Commission or a subcommiteee thereof, there to produce evidence if so ordered, or there to give testimony touching the matter under inquiry; and any failure to obey such order of the court may be punished by the court as a contempt thereof.

(b) Each department, agency, and instrumentality of the executive branch of the Government, including independent agencies, is authorized and directed to furnish to the Commission, upon request made by the Chairman or Vice Chairman, such information as the Commission deems necessary to carry out its functions under this Act.

(c) Notwithstanding the provisions of subsections (a) and (b) of this section, any information which the President determines should not be made available to the Commission because of national security considerations may be withheld from the Commission by the appropriate official if the President so directs, and any information made available to the Commission that should not be made public because of national security consideration shall be appropriately safeguarded by the Commission.

EXPENSES OF THE COMMISSION

Sec. 7. There are hereby authorized to be appropriated to the Commission, out of any money in the Treasury not otherwise appropriated, such sums as may be necessary to carry out the provisions of this Act.

AUTHORIZATION OF CERTAIN APPROPRIATIONS FOR THE DEPARTMENT OF DEFENSE

Mr. RUSSELL. Mr. President, by request, for myself and the senior Senator from Massachusetts [Mr. Saltonstall], I introduce, for appropriate reference, a bill to authorize appropriations for the procurement of aircraft, missiles, and naval vessels, and for the research, development, test, and evaluation activities of the Department of Defense for fiscal year 1965.

I ask unanimous consent that a letter of transmittal requesting introduction of the legislation and explaining its purpose be printed in the Record immediately following the listing of the bill.

The PRESIDING OFFICER. The bill will be received and appropriately referred; and, without objection, the letter will be printed in the Record.

The bill (S. 2433) to authorize appropriations during fiscal year 1965 for procurement of aircraft, missiles, and naval vessels, and research, development, test, and evaluation, for the Armed Forces, and for other purposes, introduced by Mr. Russell (for himself and Mr. Saltonstall), by request, was received, read twice by its title, and referred to the Committee on Armed Services.

The letter presented by Mr. Russell is as follows:

The Secretary of Defense,
Washington, January 15, 1964.

Hon. Carl Hayden,
President pro tempore, U.S. Senate,
Washington, D.C.

Dear Senator Hayden: There is forwarded herewith a draft of proposed legislation, "to authorize appropriations during fiscal year 1965 for procurement of aircraft, missiles, and naval vessels, and research, development, test, and evaluation, for the Armed Forces, and for other purposes." This proposal is a part of the Department of Defense legislative program for the 88th Congress, and the Bureau of the Budget has advised that enactment of the proposal would be in accord with the program of the President.

The proposal provides authorization for appropriations for defense programs for fiscal year 1965 in two major areas. It includes authorization for appropriation for the procurement of aircraft, missiles, and naval vessels in form identical to previous enactments of the fund authorization required pursuant to section 412(b) of Public Law 86-149, as initially approved August 10, 1959. It also includes fund authorization for all appropriations for research, development, test, and evaluation activities of the Department of Defense as required by the amendment to section 412(b) contained in section 610 of Public Law 88-174, approved November 7, 1963.

TITLE I—PROCUREMENT

As in the case of previous legislation, this proposal would provide for the authorization of appropriations for procurement in each of the categories of aircraft, missiles, and naval vessels for each of the military departments in the amount of the new obligational authority being requested for such purposes in the President's budget for fiscal year 1965. The amounts requested for fund authorization have been developed on the same basis as, and are comparable to, the amounts for which fund authorizations for procurement were granted in fiscal year 1964.

For ready reference, there is attached hereto, a table showing, by category, and by service: (1) the amounts authorized for fiscal year 1964; (2) amounts appropriated for fiscal year 1964; and (3) the amounts requested for fund authorization for fiscal year 1965.

TITLE II—RESEARCH, DEVELOPMENT, TEST, AND EVALUATION

Title II of this legislative proposal is responsive to the requirement of section 412(b) as amended, for authorization of funds to conduct research, development, test, and evaluation programs in the Department of Defense as authorized by law. Since, under the most recent amendment to section 412(b), all funds for research, development, test, and evaluation for the Armed Forces are required, after December 31, 1963, to be authorized for appropriation, the proposal would provide such fund authorization in amounts equal to the new obligational authority included in the President's budget for fiscal year 1965 in total for each of the appropriations for the military departments and the defense agencies.

In the opinion of the Department of Defense, fund authorization in these terms will not only permit the continuation of program execution and fund administration on the current basis, but is also in accord with the expressed desires of the Congress to review and exercise its legislative responsibility over all research, development, test, and evaluation activities which may ultimately involve the fabrication of prototypes of operational systems.

REPROGRAMING

Since the inception of the requirement for fund authorization contained in section 412(b), the Armed Services Committees have recognized the necessity for the adoption of the procedure known as reprograming and for continuing the existing appropriation on fund flexibility available to the Department of Defense under the Defense Appropriation Act. (See in this connection H. Rept. 380, 87th Cong., May 10, 1961, p. 10; S. Rept. 253, 87th Cong., May 11, 1961, p. 3; H. Rept. 1406, 87th Cong., Mar. 7, 1962, p. 10; and S. Rept. 1315, 87th Cong., Apr. 2, 1962, p. 3.) Both committees have continued to recognize the importance of these practices and have provided for their extension in actions on the authorizing legislation enacted for fiscal year 1964, Public Law 88-28, approved May 23, 1963.

The House committee in its report (H. Rept. 62, 88th Cong., 1st sess., Mar. 6, 1963) at page 20 stated:

"REPROGRAMING

"Until recently the Congress had provided a generalized authorization on a continuing basis, for the major procurement programs and for research, development, test, and evaluation programs of the Department of Defense. Each annual appropriation act has provided funds in general terms for these programs on the basis of a detailed justification to the committees covering in detail all of the major items. During the period in which these major defense programs are administered, it is necessary to increase or decrease amounts originally justified to the Congress for application to given line items, and to make changes in programs, in order to accommodate changes in requirements. Under the existing procedures for this reprograming, appropriate notice to, or consultation with, the committees has been provided. This procedure for authorization and appropriation has provided urgently needed responsiveness to swiftly changing requirements resulting from both technological breakthroughs and varying threats. This practice will be extended to those portions of the research, development, test, and evaluation programs, funds for which are now required to be authorized for appropriation. The committee reiterates its previous intent that customary transfer provisions in the language of the appropriation act should not be inhibited or precluded by these authorizations."

Again, the Senate committee, in its report (S. Rept. 123, 88th Cong., 1st sess., Apr. 9, 1963) at page 23 said:

"The authorization of appropriations contained in the bill is of the lump sum type. The amounts allocated to specific aircraft and missiles within the authorization are not identified. Despite the absence of a line-item type authorization, the committee considers that the Department of Defense is committed to the program justified to the committee, unless the committee is appropriately advised under the reprograming procedures already in effect. Under these procedures the committee is notified and has an opportunity to express objection before the Department applies substantial funds in a manner different from the one presented to the committee. This reprograming procedure will be extended to the authorization for research, development, test, and evaluation of aircraft, missiles, and naval vessels.

"As in the past, the committee does not intend the authorization or the reprograming procedure to inhibit the power of the Secretary of Defense to transfer funds that are contained in defense appropriations acts or to inhibit his application of the emergency funds provided in such acts."

In support of the legislation, the Committees on Armed Services will be furnished, as in the past, detailed information with respect to each program for which fund authorization is being requested in a form identical to that being submitted in explanation and justification of the budget requests. Additionally, the military departments will be prepared to submit any other data that the committees or their staffs may require.

It is, of course, assumed that the Armed Services Committees, as in the past, will desire that top civilian and military officials of the Department of Defense be prepared to make presentations covering the strategic objectives and plans for the ensuing year, including those necessitating development of these major defense programs and of the request for funds for their support.

Sincerely,

Robert S. McNamara.

NOTICE OF HEARINGS BY COMMITTEE ON FOREIGN RELATIONS

Mr. FULBRIGHT. Mr. President, I desire to give notice that next Tuesday, January 21, the Committee on Foreign Relations will consider the following matters:

The nomination of Ellsworth Bunker to be Ambassador to the Organization of American States;

The nomination of Edwin M. Martin to be Ambassador to Argentina;

The nomination of C. Burke Elbrick to be Ambassador to Yugoslavia;

Implementing legislation for the Chamizal Treaty;

The protocol amending the North Pacific Fur Seal Convention;

The protocol extending the International Sugar Agreement.

Persons interested in any of these matters should communicate with the committee prior to January 21.

NOTICE OF HEARINGS ON PRESIDENTIAL SUCCESSION AND DISABILITY

Mr. BAYH. Mr. President, as chairman of the Senate Judiciary Subcommittee on Constitutional Amendments, I wish to announce forthcoming hearings on presidential succession and disability. The hearings are scheduled to begin at 10 a.m. on January 22 and 23, 1964, in room 2228 of the New Senate Office Building.

Because of the large number of resolutions already introduced—Senate Joint Resolutions 13, 28, 35, 138, 139, 140, and 143—we have attempted to confine witnesses to congressional representatives during these first hearings. Additional public hearings will be scheduled sometime in February.

ENROLLED BILL PRESENTED

The Secretary of the Senate reported that on today, January 16, 1964, he presented to the President of the United States the enrolled bill (S. 1604) to amend the provisions of the Agricultural Adjustment Act of 1938, as amended, relating to the transfer of producer rice acreage allotments.

THE SITUATION IN PANAMA

Mr. MORSE. Mr. President, I ask unanimous consent to have printed in the Record four newspaper items which deal with the situation in Panama.

The first is an article entitled "Americans Score Zone's Residents—Citizens of United States in Panama Criticize Countrymen." The article was published this morning in the New York Times, and is both excellent and penetrating. I am pleased that these American business people in Panama bring out some of the same points I mentioned in the speech on Panama which I delivered 2 days ago in the Senate.

The second article is entitled "Panama's Economy Is Shaken by Crisis; Wide Injury Feared." This article was also published today in the New York Times.

Mr. President, I think we need to take a long second look at American policies in Panama, and to proceed without further delay to make very clear to American colonists in the Panama Canal Zone that we do not propose to let them continue to jeopardize American interests in Panama; and I refer again to the suggestion that I made 2 days ago—namely, that no American in the Canal Zone, either civilian employee or military personnel, should be allowed to stay there for more than a 2-year tour.

Mr. President, just think of it: We have kept, unto the third generation, in the Canal Zone, Americans who have developed a colonial attitude similar to that of the French in Algiers. That is all we need to know about the general failure on the part of our State Department in past years to develop an enlightened program in the Panama Canal Zone. So we are reaping a harvest of inexcusable mistakes there.

The third article is entitled, "A Plan for Panama." This article, written by Rowland Evans and Robert Novak, and published in the Washington Post of January 15, is excellent. The writers bring out some of the very points that some of us have been making in regard to the mistakes the United States has been guilty of for many years in the Panama Canal Zone.

Fourth, I submit a very sound editorial entitled, "The Panama Lines Harden." The editorial was published in the New York Times of January 15, 1964.

I am glad the editors of the New York Times have brought to the attention of our Government the fact that a hard line in Panama is not the answer to America's problem in either Panama or in the rest of Latin America. Our Government must realize—as the British Government and the other governments have come to realize in the last 25 years—that colonialism, even American colonialism, is dead, and that we must follow a course of action based, not upon colonialism, but upon a determination to treat our friends to the south of us as neighbors and partners, not as subjects.

The PRESIDENT pro tempore. Without objection, the four items submitted by the Senator from Oregon will be printed in the RECORD.

There being no objection, the articles and editorials were ordered to be printed in the RECORD, as follows:

[From the New York Times, Jan. 16, 1964]

AMERICANS SCORE ZONE'S RESIDENTS—CITIZENS OF UNITED STATES IN PANAMA CRITICIZE COUNTRYMEN

(By Richard Eder)

PANAMA, January 15.—The sympathies of the 4,000 U.S. citizens in Panama appear to have been overwhelmingly with the Panamanians and against the residents of the Canal Zone during the events of the last week.

Conversations with leading American residents here disclose a strong tendency on their part to criticize the Canal Zone authorities and the U.S. Army command for the violence that erupted.

Underlying this is some even harsher criticism of the isolated and privileged state of the 36,000 U.S. citizens in the Canal Zone. American residents in the Republic of Panama believe that the special conditions in the zone have created a community that is both ostentatiously offensive to Panamanians and at the same time dangerously indifferent to their feelings.

The Americans interviewed, who deal daily with their Panamanian employees, business colleagues, Government officials and friends, are aghast at the nature of the incident that set off the rioting.

This was the action by some students at Balboa High School in displaying the American flag there in defiance of school authorities and then scuffling with a group of Panamanian students who tried to hoist their own country's flag beside it.

In the rioting that followed, besides the casualties, the offices of several American businesses were burned and sacked.

"It is horrible that all this could have happened just because some kids disobeyed the civil authority," said Edward O'Connor, who is president of the American Society, a group of local American businessmen.

What especially troubles American residents here is their conviction, widely shared by other observers, that much of the Canal Zone community approved of and apparently encouraged the attitude of their children.

Joseph Harrington, a businessman who has been here many years and who is married to a Panamanian, noted that only a week before a Canal Zone policeman had become something of a hero in the zone for raising an American flag in defiance of orders.

REASON FOR BAN

The reason for the ban was an agreement between the United States and Panama that both flags should fly together except on military installations. At those spots where only one flagpole was available, therefore, zonal authorities ordered the American flag removed.

The prevailing view of the American community here is that the U.S. Embassy in Panama has insufficient authority over what happens in the zone. "There are three bosses," one businessman said. "The Ambassador, the Governor of the zone and the commanding general."

There is a widespread feeling here that the zone Governor, Maj. Gen. Robert J. Fleming, Jr., tends to be frustrated in his policies by local zone pressures, and that Gen. Andrew P. O'Meara, head of the U.S. Southern Command, tends to be insensitive to Panamanian feelings.

Furthermore, the ambassadorship here has been vacant for the last 5 months. The previous Ambassador, Joseph Farland, whom many remember as a strong and effective representative, has not been replaced since he resigned. Some hold that if he had still been here, Mr. Farland might have managed to prevent Thursday's fighting.

"I have known Farland to bawl out a general over the telephone and tell him, 'Listen, your boss (General O'Meara) works for me,'" one American here said.

PRIVILEGES ARE NOTED

A bank officer, describing the situation of the Zonians, as they are called here, as "two generations of privilege," complained that many of them rarely came into Panama. Zonians get food, liquor and cigarettes from commissaries at low prices and pay as little as $70 rent for a 3-bedroom house. Despite this, they get a 25-percent bonus for working abroad.

What seems most dangerous to many U.S. citizens here is the fact that the Zonians, who do not depend on Panama for employment, purchases, entertainment, security or friends, have no need to make the adjustments that residents here must make. Many believe that the Zonians have developed what one observer called a "built-in sense of irresponsibility."

Perhaps because Americans who live here do associate, more or less closely, with Panamanians, they tend to view with some sympathy this country's complaint about the Canal Treaty, especially as regards issues such as better pay and opportunities for Panamanian workers.

This contrasts with the adamant hostility of almost all Zonians to even minor concessions to Panama's demands.

American residents here are hurt at the anti-American atmosphere that has been created by Thursday's incidents. They note bitterly the zone's isolation from this atmosphere. One American pointed out as a sign of zonal insensitivity the fact that whereas Panama's flags are all at half mast, the zone's flags are not.

Mr. O'Connor, the American Society's president, said that American residents here "will just have to accept a great many insults and dirty looks for a while.

"We will have to be bigger than this and find some way to make even stronger links with the Panamanian community."

[From the New York Times, Jan. 16, 1964]

PANAMA'S ECONOMY IS SHAKEN BY CRISIS; WIDE INJURY FEARED

PANAMA, January 15.—The Panamanian economy has been noticeably shaken by the crisis in relations with the United States. The extent of the damage will depend on the future of these relations, most observers believe.

Both Panamanian and United States businessmen agree that if the tension over the Panama Canal results in a series of Government crises and continued anti-American outbursts, Panama's relatively bright economic prospects may be permanently damaged.

The main source of Panama's income is the Canal Zone. The income of Panamanians working in the zone and from purchases of goods by Americans in Panama totals about $65 million a year.

The figure would be higher except that most of the zone's purchases, on items ranging from automobiles to soap, are made in the United States.

For example, a large American toothpaste manufacturer has a plant here, one mile from the zone. Yet the commissaries which sought this brand of toothpaste have it shipped from the company's factory in New Jersey.

The main items of purchase from Panama are meat, vegetables, milk, and eggs. Although the city has been peaceful since Sunday, the zone has embargoed these items. According to Army quartermasters, this is because the zone authorities have restricted the sending of food inspectors to Panama.

TOURIST TRADE HURT

The most directly affected area of the economy is the tourist trade. The hotels report extensive vacancies, and the head of one travel agency estimated that it would be a month or two before American tourists began coming again. All cruise ship entries have been canceled for the next few weeks.

The owner of a fleet of tourist cabs complained that he had had to cancel an order for five new automobiles last Monday.

Another blow felt here in the capital has been the flight into the zone of about 3,400 Americans, virtually all of whom were U.S. Government employees and their dependents. Real estate sources say that several hundred apartments were left vacant, although some of the tenants are expected to return.

On the other hand, few residents of the permanent American community here have left their homes.

Yesterday, a Panamanian builder canceled a contract to put up a $200,000 apartment house. The local manager of a U.S. company that was to sign a contract for a $400,000 expansion of its plant is debating this week whether to tell his home office that the project should be shelved.

The relative stability of Panamanian politics, Panama's hard dollar, her excellent communications and her strategic location have made her a center for many business activities.

Encouraged by the establishment of a free port zone at Colón, a number of international companies are using Panama as a regional depot. Others have set up regional sales offices and factories.

Panama's policy of allowing numbered bank accounts, which protect depositor's anonymity and her lenient business and tax laws have encouraged foreign investment.

About 4,000 "paper" corporations are registered here. Their chief function is to give a haven to people who do business in other parts of the world and who do not want to pay taxes. However, about $750,000 a year comes into Panama for registrations and lawyers fees from these operations.

It is widely agreed that a prolonged period of disorders and Government crises could end all this.

Even the most conservative Panamanian businessmen insist that if the negotiations that are to start with the United States fail to result in a new or drastically revised canal treaty, nothing can stop such a disorderly period from setting in.

[From the Washington Post, Jan. 15, 1964]

A PLAN FOR PANAMA

(By Rowland Evans and Robert Novak)

The only way to insure U.S. control over the Panama Canal without future violence is to strike at the real source of United States-Panamanian friction: The Panama Canal Zone and its inhabitants.

This is the opinion of many hardheaded students of the Panamanian question, both inside and outside the Government. Yet, the political power of the U.S. residents of the zone—the Zonians—is so great that it's questionable if any action against them will be taken, now or ever.

Of course, some concessions will be made to Panama. The rioting immediately resulted in additional showing of Panama's flag within the Canal Zone. In the future (some time after the 1964 election) Panama may get a bigger slice of canal tolls.

Yet, none of this will completely remove friction in Panama. What really angers rank-and-file Panamanians is the contrast between slum-infested Panama City and the well-manicured Canal Zone, which looks like one of the older Army bases (Fort Monroe, Va., for example) transplanted into the Central American jungle.

The irritation is intensified by the attitude of the Zonians who faintly resemble the French Algerian settlers. Though many are second- and third-generation residents of the zone, they hold themselves aloof from Panamanians. These are the parents of the high school students who provoked last week's disastrous flag incident.

A good illustration of the Zonian mentality is the explanation by one canal official for a series of guided tours down the canal conducted for Panamanian high school students last fall. "We want to show them just how complicated the canal is and that it never could be operated by Panamanians," the canal official told us.

But can the United States run the canal without the Zonians?

Top officials in the Department of the Army, which has responsibility for the canal, believe the Zonians are a necessary evil. But other Government officials have been toying with this three-part Panama plan:

1. Cut back drastically on the number of U.S. citizens employed by the canal. This would require a greatly intensified training program to qualify Panamanians for top-level executive jobs and even the exalted post of canal pilot.

2. The remaining canal jobs earmarked for U.S. citizens should be filled by rotating tours of duty, with Americans coming back and forth from the States. Perhaps the Army would have to take over the job. At any rate, the Zonians would be eliminated as a permanent white settler class with vested and emotional interests.

3. Reduce the present 10-mile width of the zone. Keep only the land actually needed for operation of the canal and for U.S. military installations. That means that much of the zone, now a taunt and a temptation to Panama, would become Panamanian.

It must be stressed that this is not now U.S. policy. Quite probably, it never will be. The Zonians' Washington lobby, championed in Congress by Representative DANIEL FLOOD, of Pennsylvania, is much too powerful.

As a less drastic alternative, enlightened officials within the Army Department talk about using education and evolution to coax Zonians into a more enlightened attitude toward the Panamanians.

This might happen about the same time that Southern whites voluntarily agree to racial integration. In the meantime, Castro-Communist agents will take advantage of any and every disturbance, just as they did last week.

Less obvious is the way friction over the canal plays into the hands of Panama's ruling oligarchy, which is far more interested in profitable moneylending schemes than in the welfare of Panama's masses. Jealousy toward the zone and the Zonians is exploited to divert the masses' hatred away from the oligarchs.

But the primary consideration for the United States should be the security of the canal. As this column reported from Panama last November 1, the intransigence of the Zonians may eventually imperil canal security. The warning is doubly valid today.

[From the New York Times, Jan. 15, 1964]

THE PANAMA LINES HARDEN

In Panama the mobs are off the streets, the snipers have stopped firing, calm has been restored—and nothing has been settled. This is a major crisis in American-Panamanian relations in particular, and in Latin-American affairs in general. Of course, Communists, Fidelistas, and demagogs will take advantage of it. The United States has lost a battle over the Canal Zone. The problem is not to lose the war, or, in other words, not to lose the free and absolutely safe use of the Panama Canal whatever the outcome.

A new situation has arisen and it must be met with new policies and a revised treaty. This does not mean surrender to Panamanian demagoguery. The White House statement that "the United States cannot allow the security of the Panama Canal to be imperiled" is a sound requirement in present circumstances. If, however, it means that President Johnson is going to follow the "hard line" of the Eisenhower and Kennedy administrations and avoid any important treaty changes, a very difficult period lies ahead.

One of the major factors in this tragic affair is the presidential election to be held in Panama on May 10. It is inherent in Panamanian politics that votes are gained by castigating the United States and making extreme demands. This state of affairs antedated the Bolshevik revolution, let alone the Cuban revolution.

Thus, any definite settlement had better be put off until after the elections. Until then Panamanian leaders are going to make maximum demands. Moreover, if the Panamanians insist on a genuine diplomatic break with the United States it will not be possible to hold direct discussions with them as the White House suggests. Negotiations would have to be held awkwardly and slowly through the Organizations of American States.

President Johnson and his advisers need, and should be given, time to think this problem out and decide what policies to follow. Meanwhile they are right to insist on not being pressured into treaty revisions by violence. But they are wrong if they believe that no treaty revision will, in the long run, be necessary.

If this explosion has done nothing else it has shown Washington how serious the Panamanian situation is, how bitterly feelings run, and how necessary it is to meet the crisis with understanding. A hard line will get nowhere.

TRIBUTES TO SENATORS FOR THEIR SUPPORT OF EDUCATION LEGISLATION

Mrs. NEUBERGER. Mr. President, it is with pleasure that I noted a special section of the New York Times devoted to the subject of education. It is with pride that I invite the attention of Senators to the picture which decorates its opening page. To have two of my colleagues taking such an active part in important education legislation is a great tribute to their ability. Mrs. EDITH GREEN, at least, is recognized as a leader in the House on this important subject of education legislation which President Johnson has signed. My senior colleague, the Senator from Oregon [Mr. MORSE], has been recognized by the late President Kennedy, by President Johnson, as well as by our majority leader and other Senators, for his part in bringing about what President Johnson called the most important legislative landmark in this field in many a year.

MONTANA FINALIST IN NATIONAL TEACHER OF THE YEAR AWARDS

Mr. MANSFIELD. Mr. President, I am very pleased to announce that one of Montana's teachers has again been selected as one of the 10 finalists for the National Teacher of the Year Award. This year we honor Miss Madalen Sauber, a very talented instructor of educable mentally-retarded children.

Last year, Daniel Radokvich, of Glasgow, was selected in the 10 finalists. Mr. Radokvich is a secondary teacher of American government.

Madalen Sauber reflects the fine teachers that we produce in the Treasure State and is a credit to the outstanding school system in Montana. Miss Sauber's talents in the field of aiding retarded children are especially important at a time when more and more attention is being given to the special student.

I wish to add my personal good wishes and congratulations to the many tributes another of Montana's teachers is receiving for her outstanding contributions in the field of education.

Mr. President, I ask unanimous consent to have printed at the conclusion of my remarks in the CONGRESSIONAL RECORD an editorial appearing in the January 12, 1964, edition of the Montana Standard-Post.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

[From the Montana Standard-Post, Jan. 12, 1964]

TEACHERS PLEASED OVER HONOR GIVEN ANACONDAN

Anacondans, particularly members of the teaching profession, are beaming proudly over the signal honor accorded Miss Madalen

Sauber, a Smelter City teacher. Butte as well as the rest of the State share reflected honor.

She has been selected as one of the 10 finalists in the National Teacher of the Year Awards program. This is the second year a Montana teacher has been so recognized, speaking well for our teaching profession. Last year Daniel Radokvich of Glasgow was selected in the top 10.

Miss Sauber, who is in our estimation a dedicated teacher, has those special attributes which make her an outstanding instructor of educable mentally retarded children. She is very active in this field, serving in such organizations as the American Association on Mental Deficiency, Council for Exceptional Children and the Deer Lodge Valley Association for Retarded Children.

Determined to improve her abilities and contributions in her chosen work, she has spent her vacations in special study or travel. Her attractive, pleasing and bright personality accounts in part for her success in teaching.

She is a fine product of and a distinct credit to Montana schools. We agree with State Superintendent of Public Instruction Harriet Miller when she says the designation of Montana teachers as finalists in this program for 2 consecutive years is a tribute to both the quality of instruction found in our schools and the importance of the curriculum areas in which these finalists are making valuable contributions. Radokvich is a secondary teacher of American government.

The purpose of the awards is laudatory. It is to encourage all teachers to aspire to greater achievement in the profession and to help interest more young people in pursuing teaching careers.

Too much recognition cannot be given this profession for its important contributions to society. Also, too much encouragement cannot be given men and women to enter it.

More and more attention is being given education and its importance in this changing world. But, ironically, in pace with American built-in complacency, the progress is slow, sometimes disappointingly so.

THE KENNEDY CENTER

Mr. SALTONSTALL. Mr. President, last week the Senate concurred in the House version of the joint resolution establishing the John F. Kennedy Center for the Performing Arts and authorized Federal funds to match private contributions up to $15.5 million and a loan authority for an underground garage. That is what the Government plans to do to help build this memorial to our late President in the Washington area.

But this memorial to be truly a memorial to our late President wants the support of the citizens of our country and what they give to the Kennedy Center makes it the memorial that we all want it to be. The Washington Star in its editorial last Saturday pointed this out, and I ask unanimous consent that the editorial appear in the RECORD at this point as a part of my remarks.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

[From the Washington Star, Jan. 11, 1964]

KENNEDY CENTER

With final congressional approval, the primary hurdle facing the John F. Kennedy Center for the Performing Arts has been crossed.

President Johnson's signature on the bill, authorizing Federal participation in financing the memorial, now will be automatic. The next step must be a vigorous pursuit of dollars from individual citizens across the Nation—dollars needed to match the Federal contribution. In more than one sense, this public fundraising drive will be the most meaningful part of the entire memorial project.

The first order of business, however, was enactment of the Federal legislation, designating the Cultural Center as the official national monument to the slain President, and spelling out the terms of the Government's participation. A host of Senate and House Members contributed to its early passage. Particular credit, however, is due Representative ROBERT JONES of Alabama, who played the major role not only in drafting the bill but in defending it so ably against attack in the House.

FACTS ABOUT NEW HAMPSHIRE AGRICULTURE

Mr. McINTYRE. Mr. President, the New Hampshire State Department of Agriculture has performed a most notable service in publishing "Forty Interesting Facts About New Hampshire Agriculture." Today is the 50th anniversary of the New Hampshire Department of Agriculture, whose commissioner and staff are devoted servants of the best interests of the poultrymen, dairymen, and other farmers of the entire State. I therefore ask, in tribute to them and their fine record of achievement, that the following statement be printed in the RECORD.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

FORTY INTERESTING FACTS ABOUT NEW HAMPSHIRE AGRICULTURE

1. The New Hampshire Department of Agriculture's 50th anniversary will be on January 16, 1964. Although established by an act of the New Hampshire Legislature on May 21, 1913, the department was not permanently organized until January 16, 1914. Prior to the 1913 act, the agriculture of the Granite State was supervised by the board of agriculture, which was established at the annual meeting of the legislature in June 1821.

2. New Hampshire has had three commissioners of agriculture since the establishment of the department of agriculture in 1913. Andrew L. Felker, Meredith, 1913–46; Perley I. Fitts, Durham, 1947–62; and the present commissioner, Frank T. Buckley, 1962– . In the interim following Commissioner Felker's death in 1946 until the appointment of Commissioner Fitts in 1947, Dr. Robinson W. Smith, State veterinarian, acted as commissioner.

3. New Hampshire stands fifth among the New England States in cash receipts from farm marketings with total annual income in 1962 of $55,063,000.

4. Dairying leads New Hampshire agricultural segments with the annual income in 1962 of $21,879,000 from milk and milk products, and an additional $3,046,000 from the sale of calves and cows.

5. Poultry production in New Hampshire, once leading the world, although drastically reduced, still returned $12,671,000 from the sale of market eggs and another $8,613,000 from chickens and broilers in 1962.

6. The Granite State had about 13,000 farms in 1949, but with the increasing size required for modern farm units small operators were forced into other occupations and the number of farms has reduced to about 5,500 in 1962.

7. The size of farms in New Hampshire has almost tripled in size, both in land usage and in animal or operational units in the period of the past 20 years.

8. There are 1,541 dairy farms having 10 or more milking animals in New Hampshire at present. These farms maintain a total of 64,000 milking cows. There are 50 farms having over 100 cows; 6 farms with over 150 cows; 1 with over 200; and 1 with over 350 milking cows. The average size of the New Hampshire dairy herd is about 42 animals.

9. The New Hampshire apple harvest, reduced by lack of rainfall in 1963, still produced about 1,200,000 bushels; 50 orchardists produced about 75 percent of this crop while another 50 growers harvested the remaining 25 percent. There are about 100,000 trees in the State.

10. Storage facilities for the apple crops and some vegetable crops total about 500,000 square feet of cold storage and 270,000 square feet of controlled atmosphere storage for fruit.

11. From 351 acres planted for canning sweet corn 1,622 tons of corn were harvested for processing and canned in New Hampshire in 1963. Again lack of rainfall greatly reduced the crop and caused about 120 acres less to be harvested for canning.

12. The New Hampshire Farm Bureau Federation, a family-type membership organization, had 4,119 members in 1962 with strong activity in all 10 counties. The Farm Bureau Young Peoples Association, ages 17 to 30, has been well organized in six counties and plans for the remaining four to join in shortly.

13. New Hampshire has shown a 4.1 percent gain in the sale of livestock products in the past year and 6.3 percent gain in the sale of crops. This compares most favorably with 4.1 percent gain for New England and only 2.4 percent for the Nation.

14. The 1962 Tax Commission figures show that Grafton County had the largest valuation of livestock and poultry with $1,182,412 followed by Hillsboro County with $815,466.

15. Approximately 10,000 people, representing farmer operators, family members working over 15 hours, and regular hired help, are directly involved in New Hampshire farming.

16. A rural community serving an area of 100 farmers generates the same level of economic activity as one industry with 300 to 500 employees.

17. Between 1950 and 1960, the output of the average farmworker increased 6.5 percent a year—three times as fast as the productivity of the man in the factory.

18. The American farmer gets only 39 cents of every $1 spent for food at the grocery store.

19. Four out of ten jobs in private business today are related in some way to agriculture. For instance, farmers use four times as much mechanical horsepower as all U.S. factories combined, use more petroleum products than any other industry, and put most cities to shame in consumption of electricity.

20. Despite the reduction to one-half the number of farms as in 1949, New Hampshire farmers realized a greater total production in 1962 over the 1949 total.

21. Although farming population in New Hampshire has fallen off to about 1.6 percent of the State's total, farm capital investment and production is higher than ever. This is particularly true in dairying.

22. New Hampshire has a very active maple-producer's association with over 200 members who produce about 50,000 gallons of quality sirup—sixth ranking production in the United States.

23. With the building boom in nearby industrial centers, greenhouses and nurserymen throughout the State are showing large gains in annual income through the sale of

plants, ornamentals, and landscaping aids—1962 figures show $2,445,000 total income.

24. Draft horses as shown by taxation figures, have dropped drastically in number, but actually the horse population has greatly increased due to many maintaining riding animals which are not shown on tax reports.

25. New Hampshire once had 300,000 sheep to boast about back in 1880, but the westward movement to expansive range has taken most of them. Today there are about 8,000 sheep kept in the State with many of them under the ownership of 4–H boys and girls.

26. Vegetable growing is well recognized in the State with some 3,000 acres harvested annually in Hillsboro County alone. Another 3,000 acres is found elsewhere in the State. Best known products include sweet corn, cabbage, and squash. Two-thirds of the produce grown is sold out of State to processors or direct to store chains with the balance being sold to roadside stands and stores within New Hampshire.

27. There are 240 subordinate granges in New Hampshire and 26 Pomona Granges. Membership in the Granite State segment of this national organization is about 20,000 folks.

28. The U.S. Cooperative Extension Service has over 80 employees in New Hampshire. Staffed offices in each of the 10 counties provide specialists in all agricultural areas.

29. Four hundred and sixty-five 4–H Clubs in New Hampshire have about 8,000 boys and girls as members. These clubs are supervised by 800 junior leaders and 1,450 adult leaders, all on a volunteer basis.

30. The average value of New Hampshire farms, land and buildings, is about $22,731 with the average cost of these items per farm at almost $100 per acre.

31. The average size of New Hampshire farms has been constantly increasing annually due to the necessity for larger units and increased volume—236.8 acres was the average size of farms as reported in the 1959 census with even larger figures estimated for 1963.

32. Total farmland in New Hampshire is about 809,628 acres, and forest land in the State totals about 4,961,340 acres.

33. Harvested farm cropland totals 346,140 acres with an additional 115,380 acres being used for pasture areas. Although there is a great reduction in the number of farms, land usage remains much the same.

34. Approximately 250,000 turkey poults are hatched annually with most of them being sold and shipped to other sections of the country. About 40,000 are raised in the State for local New England markets. An estimated figure of 5,000 turkeys are kept for breeding flocks.

35. The swine population of New Hampshire numbers about 13,000 with most of the larger units being raised because of garbage contracts in nearby cities.

36. Information relative to agricultural enterprises may be obtained upon request to the State Department of Agriculture, State House Annex, Concord, and the Cooperative Extension Service, University of New Hampshire, Durham, or the county agricultural agents located in the cooperative extension offices in the respective counties.

37. New Hampshire's total gross farm income in 1962 was $63.5 million and the production expenses of the New Hampshire farm operators was $53.3 million which, with the net change in farm inventories, left $9.6 million as a total net farm income.

38. Grafton County leads in the number of dairy herds and in milk production.

39. New Hampshire farmers contributed $4.3 million in taxes in 1962 while realizing a depreciation of their farm properties of $7.3 million.

40. Average milk production per cow in New Hampshire has been increased from 4,940 pounds in 1940 to 8,000 pounds in 1962. Although the number of milk cows has reduced almost 20,000 animals since 1940, the cash receipts from milk marketing have jumped from $8,672,000 in 1940 to $21,879,000 in 1962.

THE DISCRIMINATORY IMMIGRATION QUOTA SYSTEM

Mr. DOUGLAS. Mr. President, on December 15, 1963, I had the pleasure of speaking at a rally in Chicago, sponsored by the American Committee on Italian Migration. Approximately 7,500 Americans of Italian ancestry gathered at McCormick Place to protest the present, discriminatory immigration quota system and to encourage passage of the administration bill, S. 1932. Our present Immigration Act allots a quota of 5,666 to Italy each year. Last year 266,184 qualified Italian immigrants were left waiting for visas after the meager quota was exhausted. The national origins quota system discriminates against Italians, as it does against all southern and central Europeans and Asians. S. 1932 would abolish this system and replace it with a far more equitable one in which quota numbers would be allocated on the basis of an applicant's potential service to the country and on family needs.

The rally at McCormick Place was a strong showing of public support for this legislation. I ask unanimous consent to have the eloquent resolution presented at the rally inserted in the Record.

There being no objection, the resolution was ordered to be printed in the Record, as follows:

Whereas a vast assembly of 7,500 Americans of Italian ancestry, have gathered this Sunday afternoon, December 15, 1963, at McCormick Place, on Chicago's lake front; and

Whereas there are present representatives of 40 major organizations of Italian-Americans, from Illinois and the neighboring States; and

Whereas the assembled loyal and patriotic American citizens are fully aware, and proud, of the contribution made by those of Italian origin to the building and development, and to the culture, of this, their cherished country of adoption, or birth; and

Whereas they have unstintingly given their sons, and spilled their blood, in every war fought by this country to defend and uphold the principles upon which it was founded, including, indeed, the War of Independence itself; and

Whereas notwithstanding the foregoing, Americans, of Italian descent, have suffered discrimination, degradation and humiliation, and, in many cases, forced separation from loved ones, under the existing iniquitous, unjust and restrictive immigration law; and

Whereas those assembled here, fully confident of complete accord, with the thoughts and feelings of the 25 million Americans of Italian extraction, are gathered for the purpose of protesting the unmerited indignity, and discrimination, and to plan all necessary action to bring about prompt correction of this patent injustice; and

Whereas we are certain that every friend of Americans of Italian ancestry regardless of origin or office, will support this meritorious endeavor: Be it therefore

Resolved by unanimous approval of this assembly, That President Lyndon B. Johnson, and the Members of the Congress of the United States of America, be respectfully and earnestly urged to give approval and support, in the spirit and thinking of our late departed and mourned Chief Executive, John F. Kennedy, to Senate bill 1932 (Senator Philip A. Hart, of Michigan), and H.R. 7700 (Congressman Emanuel Celler, of New York), to the end that these bills will be enacted into the new immigration law of the land, permitting, once more, the newcomers from the land of our ancestors, to enrich America; and, by removal of the present stigma, restore citizens of Italian origin to first-class American citizenship; be it further

Resolved, That copies of this resolution be transmitted to the President, and U.S. Senator Paul H. Douglas and U.S. Senator Everett McKinley Dirksen, and the Members of Congress; to Gov. Otto Kerner, of Illinois, to Mayor Richard J. Daly, of Chicago; and to all other officials, persons and agencies, deemed to be in a position to help effectuate the purpose set forth herein.

Frank Annunzio,
Chairman.
Joseph De Serto,
Secretary.

MARYLAND'S EXPANDING ECONOMY

Mr. BREWSTER. Mr. President, fundamental to our future security and prosperity is continued economic growth. If we are to continue to hold our rightful place as the leading nation in the world, we must continue to expand our industry, raise our standard of living, lower our rate of unemployment, increase our consumer demand and capital investment, reduce taxation, combat inflation, cut costs, and increase competition at the same time that we increase revenue to provide the public services demanded by a modern society.

If these aims are to be accomplished, each of the 50 States must make its significant effort and contribution. I am proud to report that my State of Maryland has in 1963 demonstrated what can be done when dedication and imagination are expertly directed through agencies similar to our own department of economic development.

On December 27, Department Chairman George W. Hubely, Jr., issued a year-end review of Maryland's past progress and future promise. This was an encouraging and impressive report. All Maryland can take pride in it.

I ask unanimous consent that the summary of this report published in the December 27 issue of the Baltimore Sun be included in the Record at this point. I also ask unanimous consent that an outstanding article by John Maffre, devoted to the recent expansion of science-oriented industry in Maryland, and published in the January 5 issue of the Washington Post, be inserted at this point in the Record.

There being no objection, the articles were ordered to be printed in the Record, as follows:

[From the Baltimore (Md.) Evening Sun, Dec. 27, 1963]

Industrial Growth: State's Economy Improves—Holds New Year Promise

Annapolis, December 27.—Maryland's economy improved in virtually all departments during 1963, and the promise for 1964 is for still greater gains with industrial growth setting the pace and supplying a solid and permanent foundation for future employment and per capita income gains.

George W. Hubley, Jr., director of the Maryland Department of Economic Development, made the report here today in a Maryland yearend review and new year's forecast.

Total State income and product for 1963 is estimated at close to $11,200 million, compared with $10,400 million in 1962.

PERSONAL INCOME RISE

Maryland's economic vigor is probably reflected most dramatically in a 6.4 percent increase in total personal income during the first 9 months of 1963 over the corresponding period of 1962.

The 1962 rate of increase was 5.3 percent during the first three quarters. Available data indicate a total personal income of just under $6,790 million during the first three quarters of 1963. The average weekly earnings in industry was $100.85 in September 1963, compared with $95.51 in September 1962.

Employment figures for 1963 were consistently encouraging and September broke all records with 1,200,100 Marylanders gainfully employed. An analysis of labor force and employment statistics shows that Maryland had 41,000 more jobholders in September 1963 than in September 1962. This figure exceeds the 1961–62 increase by 12,000 jobs.

LABOR FORCE INCREASE

"The employment figures become even more meaningful when we look at the other side of the coin," Mr. Hubley said. "Latest data show that our rate of unemployment as of October 1963 was 3.4 percent compared to the national rate of 4.7 percent.

"When we take into account that our labor force is continually increasing in size, as is our population, it is obvious that Maryland business and industry is doing an excellent job of meeting the challenge of more jobs for more people. The State's population increased from 3,258,900 in September 1962 to 3,334,600 in September 1963."

"In fact," Mr. Hubley continued, "the Maryland rate of unemployment has been consistently lower than the national percentage for the past 18 months, or since April of 1962."

Construction figures support the optimistic appraisal for 1962 with nonresidential construction up 35.8 percent and residential construction up 16.2 percent. Despite a sharp decline of 57.8 percent in public works and utility construction, total construction contracts reached $874 million or only 1.3 percent under 1962.

OTHER GAINS

Gains registered in other departments of the State's economy during the first three quarters of 1963 are:

Industrial output, 6 percent.

Wholesale trade, 5 percent.

Commerce and public utilities, 9 percent.

Consumer and industrial service industries, 7 percent.

Real estate, 7 percent.

Finance and insurance, 8 percent.

Retail sales (10 months), 6 percent.

Maryland's industrial promotion campaign, launched in 1960, is still gaining momentum. During the first 11 months of 1963, the Maryland Department of Economic Development processed 90 plant-location inquiries from out-of-State firms, an increase of more than 20 percent over the corresponding period in 1962. The department acted as host to 54 high-level management representatives who toured Maryland to inspect and study plant sites.

TECHNICAL CENTER

Fairchild Stratos Corp. late in 1963 installed in the National Capital Research Park, Rockville, a technical center for engineering groups working on missile and space programs and announced plans to establish a $10 million campus-type technical center on a 106-acre site near Germantown, Montgomery County.

The ultimate payroll of the latter facility will be about $36 million annually under a 10-year deveopment plan leading to the employment of 3,000 persons by 1973. The headquarters building, to be completed within 2 years, will house from 200 to 300 administrative and technical professionals. Two years later employment at Germantown should reach between 800 and 1,000.

The Pittsburgh Plate Glass Co. completed a multimillion-dollar glass plant in Cumberland in 1963. It is the firm's second plant in Cumberland. It employs 100 workers.

Allegany County's second multi-million-dollar industrial expansion project during the old year was a $55 million expansion of the West Virginia Pulp & Paper Co.'s papermill at Luke.

CAMBRIDGE PLANT

The $1,500,000 container plant of Connelly Containers, Inc., in Cambridge went into operation late in 1963.

Chun King Corp., manufacturers of American-oriental and other national foods, completed a $700,000 addition to its facilities in Cambridge late this year and plans to augment its payroll in 1964.

Cambridge's new deep port will be formally dedicated early next spring. Deepening of the Choptank River to a depth of 25 feet from the Chesapeake Bay to Port Cambridge will open the port and its industries to ocean-going ships.

The Maryland Port Authority and the Federal Area Redevelopment Administration financed the $1 million improvement. An immediate economic and transport benefit will be larger shipments to the Cambridge plant of the Maryland Tuna Corp., permitting operation of the plant at full capacity.

EXPANSION PROSPECTS BRIGHT

Industrial expansion prospects for 1964 are bright. It is predicted that the new year during the early months will maintain the late 1963 average approaching one new project every other working day and that an even greater growth rate will be reached by midyear.

The following new plants and additional capacity are scheduled to go into production in 1964:

Sher-Wood Products, Inc., Oakland, bowling pins, $350,000.

Cumberland Charcoal Co., Luke, charcoal, $750,000.

Chesapeake Clam Chip Corp., Cambridge, seafood processing plant, $330,000.

Lehigh Portland Cement Co., Woodsboro, multi-million-dollar mill for making lightweight aggregate.

Armco Steel Corp., Baltimore, vacuum-arc steel furnace.

Continental Oil Co., Baltimore, refining plant for processing raw materials for detergents, $3,500,000.

Negotiations are in progress to open two coal mines in Garrett County to supply fuel for a new electric generating station.

PLANT SITE NEGOTIATIONS

Delmarva Soya Processors, Inc., recently purchased a $75,000 site on the Nanticoke River at Vienna.

Plant site negotiations are going forward for the following: wood-products factory, boatyard, three plants for processing earthy materials, a plant using poultry byproducts for pet food, a papermill, two paper-products factories, a printing firm, two metal fabricating firms, a rubber products manufactory and plants for manufacturing building supplies and wearing apparel.

Trends of the tourist, resort and recreation business in the State throughout 1963 indicate another important gain in economic value, and further improvement in 1964 is assured by many additions to travel, resort and recreation facilities.

Five years ago a State-appointed committee on travel and publicity estimated that tourists spent $225 million in Maryland in 1958. This produced for the State treasury upward of $10 million in sales and gasoline taxes.

Principal tourist expenditures are for lodging, food, transportation, merchandise, entertainment, and services, which distributes the tourist dollar throughout the community. The study found that 24 tourists a day benefit a community to the same extent as a new industry with an annual payroll of $100,000.

Maryland's tourist business is worth far more today than the 1958 evaluation because the volume of this traffic is now far greater than it was 5 years ago. A visitor count at Deep Creek Lake in Garrett County during 1963 showed a 100-percent increase in 2 years. More than 110,000 tourists registered at the historic State House in Annapolis in 1962 compared with only 15,000 in 1953.

The value of this business to the State's economy can also be measured by a 400-percent increase in the assessed value of real estate in Ocean City, Maryland's most popular seashore resort, in 10 years. Beachfront property which sold for $25,000 for a half block 20 years ago now brings from $80,000 to $165,000.

FARM INCOME

The Department of Agricultural Economics, Agricultural Extension Service, University of Maryland, predicts final tabulation of net farm income in Maryland will show a slight increase in 1963 over the alltime record figure for 1962 and further gains in 1964.

Maryland's rise as a research and development center has been meteoric, Mr. Hubley said. Science-oriented industries are joining the State's family of new enterprises in increasing numbers, with projects in many fields of research.

Some representatives of this industrial growth are the West Virginia Pulp & Paper Co., which has purchased a Howard County site for a research center to study paper manufacture, and the Hydrasearch Co., a division of Dixon Valve & Coupling Co., which acquired an Anne Arundel County site for a laboratory for the design, development and evaluation of special machine tools and materials-processing equipment.

A laboratory was built by Smith Kline & French Laboratories and Truslow Farms, Inc., Queen Annes County, for research in poultry feed and feeding.

[From the Washington (D.C.) Post, Jan. 5, 1964]

Maryland Expands in Science Industries

(By John Maffre)

Just a week before Christmas, the huge pharmaceutical firm of Smith Kline & French opened a facility to do poultry feed research in Kingston, across the Chesapeake Bay in Queen Annes County.

Of course, this laboratory won't employ as many people as the Douglas aircraft plant outside Los Angeles, but it has a significance in Maryland's determined quest for industries that are science oriented.

Officials of the State's department of economic development, totting up the figures for a 1963 progress report, noted that this gave the Free State the 105th branch of that elite roster of 500 blue-chip industrial corporations listed in a Fortune magazine survey.

"On the average, a new industry has located in Maryland every other working day in 1963," a Department officer said. "And for the past 18 months the State's unemployment rate has been considerably lower than the national average. In October, for instance, it was 3.5 percent. The national rate was 4.7 percent."

By the end of September, there were 1,166,600 people gainfully employed in Maryland, more than a third of the State's population, the highest working figure on record.

On the credit side of Maryland's ledger, these are some of its recent gains:

Payrolls increased faster in the last 2 years than the national rate; total per capita income ($2,664 million in 1962) has jumped faster than the boom 1951–60 rate; cash values added by manufacturing were up 14.2 percent over a 3-year period.

There are a few notable entries in red, however.

Agriculture, particularly the tobacco crop, was badly hit by the prolonged drought this year. Tobacco crops are 60 to 70 percent below those of other years, and the Federal Government has ruled the agricultural districts of St. Marys, Anne Arundel, Carroll, Talbot, Calvert, and Charles Counties to be disaster areas.

This year's drought has been a bitter blow to the Eastern Shore and southern Maryland, where there is little industry apart from harvesting seafood or agriculture.

The same condition applies to Maryland's "panhandle," the three western counties of Garrett, Allegany and Washington. In addition to a poor crop year, a slowdown of activity still dogs the mining, quarrying and lumbering enterprises there.

These bleak spots point up the dislocation that so often follows when a State evolves from an agricultural to an industrial economy, as Maryland has done with a vengeance in the years since World War II.

Much of Maryland's hand-over-fist expansion is taking place from the Baltimore region along that corridor that connects to Washington. Names like International Business Machines, Westinghouse, Bendix, Hoover, Black & Decker and others are sprinkled around the area. They are newcomers among such old standbys as the Glenn L. Martin aviation empire and the labyrinthe port of Baltimore, with its 46 miles of waterfront second only to New York City in the volume of foreign trade handled.

Gov. J. Millard Tawes uses every platform he can to extol the potential in this region for research industries. There is already a hatful of high-powered Federal agencies, beginning with the Atomic Energy Commission, which attract a growing population of professional people from all over the Nation.

Not long ago Leon Henderson, consulting economist and onetime head of the Office of Price Administration, came up with a glowing forecast of Maryland's future. Population would be 3,838,000 in 1970 and 4,641,000 in 1980; the labor force would increase 54 percent in that period; unemployment would be at 5.5 percent of the labor force, compared with a 6-percent average.

But it added the somber note that automation, the higher requirements of industry, the seemingly constant number of school dropouts who become unemployable—all were adding up to a hard core of unemployment. It was something that went far beyond dips in business activity, because it was happening in boom times.

"The plain truth to be faced is that there is no convincing evidence at hand that high unemployment is not here to stay," the report said. "Indeed, the information at hand points to its continuance."

ORDER OF BUSINESS

The PRESIDING OFFICER. Is there further morning business? If not, morning business is closed.

GERMANENESS OF DEBATE UNDER CERTAIN CONDITIONS

The PRESIDING OFFICER. Without objection, the Chair lays before the Senate the unfinished business, which will be stated for the information of the Senate.

The LEGISLATIVE CLERK. A resolution (S. Res. 89) providing for germaneness of debate under certain conditions.

The PRESIDING OFFICER. The question is on agreeing to the amendment, in the nature of a substitute, proposed by the Senators from Pennsylvania [Mr. CLARK and Mr. SCOTT], for the language of Senate Resolution 89.

COMMUNITY WORK AND TRAINING PROGRAMS

Mr. RIBICOFF. Mr. President, I regret that the distinguished junior Senator from Arizona [Mr. GOLDWATER] is not in the Chamber. I notified his office that I intended to address myself to his speech of last night in the city of New York; and again, about a half hour ago, I notified his office that at about this time I would be speaking with respect to that speech.

Mr. CURTIS. Mr. President, will the Senator yield?

Mr. RIBICOFF. I yield.

Mr. CURTIS. I should like to have the RECORD show that the Senator from Arizona [Mr. GOLDWATER] would like to be present, but that circumstances make it impossible for him to do so.

Mr. RIBICOFF. I understand. I merely wished to extend to the Senator the courtesy of informing him that I intended to speak on this subject.

Mr. CURTIS. Very well.

Mr. RIBICOFF. Mr. President, this morning's newspapers carry some very heartening news concerning the future of welfare programs in this country. The headlines report that the distinguished junior Senator from Arizona [Mr. GOLDWATER] has a suggestion for able-bodied men who receive relief payments: he wants to put them to work.

I am pleased to welcome the Senator to this cause. Two years ago Congress recognized the importance of giving able-bodied men on relief a chance to learn a skill and work at a job, instead of remaining on the dole. Congress passed the public welfare reform amendments of 1962, and included for the first time Federal participation in community work and training programs.

I was proud to have had a part in developing this program as Secretary of Health, Education, and Welfare. I thought it was important, as Senator GOLDWATER does now, to make public welfare something more than a system of cash handouts. I felt, and Congress agreed, that we needed to give those on relief the opportunity to get off relief, to return to decent, constructive, useful lives in their communities.

Now there is only one problem with Senator GOLDWATER's stirring call to arms in what the press has called his own private war on poverty. His own State of Arizona has not shared the foresight which Congress displayed 2 years ago and which the Senator displayed last night.

Senator GOLDWATER says men on relief could be put to work if only the States were left alone to do this. Well, Arizona is free to do this, but it is not doing so. There are no work-training projects in Arizona for those on relief. Even after Congress in 1962 told the States they would be eligible for generous Federal matching funds to put able-bodied men to work, Arizona did nothing about this problem.

So I welcome the fact that a leader of the States rights forces has brought his legions into the war against poverty. I only wish he would use his considerable influence and prestige in his own State for the benefit of those on relief.

I, too, want to see the States assume as much of this responsibility as possible. I am proud to say that my own State of Connecticut is doing an outstanding job in this field. We have work-training programs that use only State and local funds. We have also taken advantage of the 1962 law to add to these programs.

In Connecticut, we are not just talking about putting able-bodied men to work. We are putting them to work. And we are glad to have some Federal financial assistance to make these programs a success.

The unemployment rate in Connecticut and Arizona is the same—4.6 percent. I wish Arizona were taking its State responsibilities as seriously as Connecticut is.

Other States, too, are getting on with the job. Among those with successful programs already in operation are Illinois, Oregon, Pennsylvania, Washington, and West Virginia. Work-training programs for persons on relief are soon to start in California, Kansas, Kentucky, Michigan, and Ohio.

There is even more we can and should do in this field. The existing Federal law provides Federal matching for work training only in connection with existing categorical grant programs. I believe we should help the States to set up pilot project programs for any able-bodied person on relief. Last year I introduced S. 1803, to provide funds to enable States and local communities to get Federal assistance for pilot work-relief projects. The cosponsors of this bill are Senators MANSFIELD, DIRKSEN, HUMPHREY, MORTON, LONG of Missouri, and KEATING.

That bill would make it possible to enable many communities to experiment with work training, just as the State of Kentucky is doing under a project announced this week. In five low-income counties of that State, the Federal Government has provided a million dollars to provide work training for thousands of able-bodied men who are unemployed and without the bare necessities of life.

Senator GOLDWATER has my complete agreement when he calls for putting able-bodied men to work. I hope I will have his agreement that his own State of Arizona should start practicing what he is preaching. I hope, too, that he will join with the distinguished Senators from his side of the aisle, Senators DIRKSEN, MORTON, and KEATING, to help us enact S. 1803. We do not want to set up any new Federal program. We want to help the States and communities set up these programs, see the benefits that can flow from them, and then encourage them to carry them on with their own resources.

Let me say, too, that while I share the Senator's view on putting able-bodied men to work, I cannot share the impression he leaves in his speech of last night that if only the unemployed would have the gumption to go to work, all our welfare problems would be solved.

Seven million people are on relief in this country, and the overwhelming majority of them—some 6 million—cannot possibly go to work. They are old, or they are sick, or they are disabled, or they are mothers caring for children, or they are children.

Society has an obligation to these people. It is an obligation that is properly shared by both the States and the Federal Government. It is in the finest American tradition of humanitarianism that we do share this responsibility. This is not being a Santa Claus. I believe the Senator from Arizona recognizes this. I hope we can move ahead on these problems, recognizing what the States must do and recognizing the legitimate responsibilities of the Federal Government.

Mr. HUMPHREY. Mr. President, will the Senator yield?

Mr. RIBICOFF. I am pleased to yield to the Senator from Minnesota.

Mr. HUMPHREY. First, I commend the Senator from Connecticut for his forthright statement concerning the problems of welfare and assistance to our needy. The statement comes from one who has had a distinguished record of public service as Governor of his State and later as Secretary of Health, Education, and Welfare. So the Senator from Connecticut speaks with experience as his guide and from a rich background in the field of social welfare programs.

I do not think anyone would accuse the Senator from Connecticut of trying to play Santa Claus, so to speak, with the public funds. He has always been recognized as a frugal, prudent, able, and effective administrator, both in his role as Governor of the great State of Connecticut and in his role as Secretary of the Department of Health, Education, and Welfare.

I was very much impressed by the statement made by the Senator from Arizona and by the contrasts expressed in the course of his remarks. Not long ago, the Senate passed the Youth Employment Act, which provides for some sharing with the States of the costs of programs to provide employment to unemployed young people. The rate of unemployment among those in the upper bracket of the 'teenage group is a shocking and disturbing social phenomena.

Mr. RIBICOFF. It represents approximately 22 percent of that age group. Some 750,000 teenagers are out of work. It is indeed a tragedy to have that happen so early in their lives. I agree with the Senator from Minnesota about his Youth Employment Act and the importance of helping these youngsters find work, not only to take them off the streets and away from juvenile delinquency, but also to help them obtain training and establish work habits and work patterns which will enable them to earn a living rather than depend upon relief checks.

Mr. HUMPHREY. I thank the Senator from Connecticut. That was the purpose of that legislation, which ultimately passed. The Youth Employment Opportunities Act is based upon both Federal, State, and local experience; and if that bill is passed by the other body and is enacted into law, it will be very helpful in connection with the employment situation for young people who need work experience.

I agree with the Senator from Arizona [Mr. GOLDWATER] that able-bodied men and women who want work should be able to obtain it. It is the duty of our society to provide them with work opportunities. If the Senator from Arizona was saying that everyone who wants work and is capable of working and is willing to work is entitled to a job, and that a job shall be made available by the State or any other political or private instrumentality, I fully agree with him. That job, however, must provide a living wage and must be worthy of the community and of the individual.

So, much of what we are really talking about is methodology, a means of getting the job done. Many of the States do not have the financial means that are necessary in order to provide suitable work programs. The Senator made that point quite clear. Many other States cannot, under their constitutions or laws, make available such work projects. So what is needed is a program which will provide work opportunities; but I did not find that it was called for in the speech of the Senator from Arizona.

Mr. CURTIS. Mr. President, will the Senator from Connecticut yield?

Mr. RIBICOFF. I am pleased to yield to the distinguished Senator from Nebraska.

Mr. CURTIS. To which speech of the Senator from Arizona [Mr. GOLDWATER] is the distinguished Senator from Connecticut referring?

Mr. RIBICOFF. The speech the distinguished Senator from Arizona made last night before the Economic Club of New York, at the Waldorf Astoria Hotel, as reported in the press this morning.

Mr. CURTIS. Has the distinguished Senator from Connecticut read the speech?

Mr. RIBICOFF. Yes.

Mr. CURTIS. I am sure he will agree that there are many fine things in it.

Mr. RIBICOFF. Yes; there are some excellent things in that speech. I was pleased to find in it a suggestion for an educational tax credit. I hope to have the Senator from Arizona on my side when we deal with this question; just as I hope to have the distinguished Senator from Nebraska on my side.

Mr. CURTIS. Yes.

Mr. RIBICOFF. There are many points in the speech of the distinguished Senator from Arizona that are proper and fine. However, certainly the correct perspective is most important. I think the distinguished Senator gave the country the impression that the idea which he favors is a new one. However, I point out that Congress accepted and approved it in 1962; and, if my memory serves me correctly, the distinguished Senator from Nebraska was in the forefront of those in favor of the welfare reforms that I proposed to the Finance Committee.

Mr. CURTIS. I think a total reading of the speech of the Senator from Arizona should raise the hope of every American—in particular every young person and every unemployed person. The Senator from Arizona has shown his clear thinking, his big heart, and his desire to have all our people have the opportunities they need.

On the other hand, the Senator from Arizona does disagree with the philosophy that has prevailed; namely, that the Government can create the needed employment. He pointed out at length that the policies advocated today by the President go back to the policies of the thirties, when the Government said it was going to create jobs. However, the fact is that the number of our people who were unemployed when World War II started was greater than the number who were unemployed the day Franklin Roosevelt was sworn in as President. It cannot be denied that the WPA, the PWA, and so on, helped individuals; but likewise, it also cannot be denied that those programs failed to solve the unemployment problem. Similarly, youth work programs or any other work programs created by the Government will not solve the problem.

I appreciate the very great patience of the distinguished Senator from Connecticut in yielding to me.

The Senator from Arizona spoke at length about the program of the administration. He said:

> America, for most of its years, has waged a war on poverty. And wherever it has waged that war in factories, in laboratories, in shops, over counters, and under the enterprise system, it has won that war. It has won it, is winning it more surely than any nation on earth.

That is true.

Then the Senator from Arizona said:

> And I say that this war on poverty can only be won that way. I say that when we work our way to wealth, we win that war. I say that when Government tries to spend its way to wealth, we lose that war.

I do not know what the politicians think, but I think the vast majority of people in America believe that.

Then he said:

> Santa Claus dreams or rolled-up sleeves. We have to make a choice.

He also said—and I think this is quite significant:

> I strongly believe that all people are entitled to an opportunity—let me stress that—to an opportunity to get an education and to earn a living in keeping with the value of their work.
>
> I also believe that those in trouble through no fault of their own must be helped by society. I believe that those in trouble through their own fault should always have an opportunity to work themselves out of it.

There is nothing wrong with that philosophy. The error is among the few reporters who have no desire to report Senator GOLDWATER's remarks accurately—the hatchet men. I do not know what newspapers have been read, but I do know that this morning a number of persons told me what they heard about what someone else said about the speech made by the Senator from Arizona.

I wish to read on; and I apologize to the Senator from Connecticut for taking so much of his time.

Mr. RIBICOFF. I am pleased to have this colloquy. I hope the colloquy continues because of what I read. This morning, I happened to be in New York and took the 8 o'clock plane to return to Washington. On the way down I read the New York Herald Tribune as well as the New York Times. If my memory serves me correctly, not only were the stories given rather full coverage on the front page, but the New York Times excerpted practically the entire speech of the Senator from Arizona [Mr. GOLDWATER] on the inside pages. I read that, and I also read a full copy of the Senator's speech when I arrived in Washington.

I believe the great problem we have is whether we will be content with generalities, which are so easy to put forth in a speech, or whether we will pursue the hard realities of putting programs into action. Our distinguished late President, John F. Kennedy, was deeply concerned with these programs; he made a blueprint and offered a set of programs for the consideration of Congress. Our distinguished President Lyndon Johnson is doing the same thing.

I do not believe that any President has all the answers. I believe that Senators have further obligations to look into many of these programs.

The difference that I have with the distinguished Senator from Arizona is while these words sound fair and are given in ringing tones, he does not outline a program to take care of the great problem—not of the loafer, not of the person who will not work—but concerning the person who wants to work but cannot find a job. I believe this is the problem to which America must address itself.

America is a changing society. Today, 70 percent of its people live in urban areas; 36 million Americans receive an annual income of less than $3,000 for a family of four. Against this, studies have been made by the Department of Labor in 20 cities to show that a family of four can only live, by halfway decent standards, on a basis of at least $6,000.

One of the greatest problems is in the area represented by the distinguished Senator from Nebraska [Mr. CURTIS]. A great change is taking place in rural America. Today the problem of slums is not merely a problem for the cities, but also a problem due to poverty on the farms in the rural areas of America. Of the 36 million people to which I have just referred, 8 million live in rural areas such as those represented by the distinguished Senator from Nebraska. One of the great problems being compounded today is that of elderly farmers who have devoted the best years of their lives to the farm but are no longer able to support themselves on the farm. Therefore, they move into urban areas such as Chicago, St. Louis, and Detroit. Those farmers come in with tragedy surrounding them. They are over 50 years old. They are not trained in technical skills. They are not trained for the life of the city, and as a result they find themselves living in the worst slums of America, bereft, not knowing where to turn.

One of the great problems in the United States is, How can we solve the problem of American citizens who, through no fault of their own, can no longer make a living?

The day is over, as the Senator knows, when a farmer and his family could make a living on 40 acres of land and a mule. Today, it requires at least 325 acres, substantial credit in the bank, and a great deal of farm machinery. Yet, these are people who have been forced off their farms in Nebraska, Iowa, and Arizona. Are they bums? What are we to do with them?

Mr. CURTIS. No one has said they are bums, and I object to the implication that the Senator from Arizona said in his speech that they are bums.

Mr. RIBICOFF. I do not suggest he said that. These people are not loafers; they are people who want to work. What are we to do with 8 million people leaving rural America who drift into the cities of America? How are we to take care of them. How is private industry going to make jobs available? Automation has been putting many thousands of people out of work every week. How are we to take care of 8 million people who have left the farms?

Mr. CURTIS. There is no apparent disagreement in objective. Every American worthy of his name wants every other American to earn everything he can. We want everyone to have the best possible life and the best possible income. The question is, Can Government-made work, under centralized authority in Washington, solve the problem better than any other method?

Let us discuss this question for a moment. Such a policy was tried during the New Deal years. It was saved from collapse by a war, because we ended with more unemployment than we started with. Something better should be offered to the youth of America than the opportunity to enlist in a Youth Conservation Corps; and that is the program which the other philosophy offers.

Some of these problems cannot be solved in Washington. Congress enacted an area redevelopment bill. Tears were shed for many areas. I am concerned about the area that faces a chronic, difficult situation; but the solution applied in Washington is no solution of it.

Mr. RIBICOFF. Mr. President, will the Senator from Nebraska yield further?

Mr. CURTIS. I yield.

Mr. RIBICOFF. It must be said time and time again, because of general lack of understanding, that work relief programs, like other welfare programs, are not programs of the Federal Government. The brilliant, distinguished Senator from Nebraska is well-versed in this field. He knows that these are local and State programs and that the Federal Government gives matching funds to support the programs initiated by the States. The work relief programs we are discussing, are State programs. The distinguished minority leader is a cosponsor of a bill designed to enlarge them.

We should say to the States of Illinois, Nebraska, Arizona, and Connecticut, "Come forward with pilot projects for work relief and training programs. Furnish the answer to the problem of taking people off relief and giving them useful work." Instead of giving them a welfare check, which is decried by the distinguished junior Senator from Arizona, give them community work programs, and Federal funds will be channeled into the States. Every State and local community will choose its projects. The Federal Government will not go to Nebraska, Connecticut, or Arizona and tell the State what type of programs to have. They would be local programs.

What bothers me about the speech of the distinguished junior Senator from Arizona is the indication that we should leave these programs to the States, and that the Federal Government should not have anything to do with the programs. The Federal Government is not conducting these programs. We say to the distinguished junior Senator from Arizona, "If you believe in this policy, go back to your own great State of Arizona and let it initiate a program to take some 24,000 unemployed, and those on relief, and put them to work, as has been done in Connecticut, and other States of the Union."

Basically, what I object to in the speech of the distinguished junior Senator from Arizona is that he talks about preventing the Federal Government from conducting this program. The Federal Government has never advocated, and does not advocate, that these programs be Federal programs.

What President Johnson is saying, what President Kennedy said, and what we are saying, is that the programs should be local programs. The Federal Government will come in and assist. I believe it is wrong to give the American people the idea that the Federal Government is trying to operate these programs. They are State based and State operated, with financial assistance going to the States on a matching basis.

Mr. CURTIS. I am not so sure that they are not controlled from Washington. I started to use the illustration of the area redevelopment bill. One morning, we woke up in Nebraska to find a published list of counties that were considered depressed areas. One of the counties on that list was Dawson County, Nebr.

Dawson County, Nebr., is one of the finest counties in our State. It is in the Platte Valley, where great feeding operations are conducted on a great deal of irrigated land. If we took into consideration the entire area of Dawson County, and included the paved streets and highways, the buildings, and lots, and all its parks, and divided up the agricultural economy, we would find that the income of the entire county was $84 an acre. The people did not know that they were in a depressed area until Washington told them so.

That is not all. In less than one month's time, the Department of Agriculture published a list of the most prosperous counties in America. There are 2,000 counties in the United States. Lo and behold, Dawson County was in the fifties from the top.

Congress passed a bill to assist commercial fishermen. Much to my surprise, I found that the bill included Nebraska, and that Nebraska was eligible for $25,000 to start a new program to assist commercial fishing. When I made that discovery, I also learned that the bill included Arizona. So I asked the distinguished Senator from Arizona [Mr. GOLDWATER], "How do you promote commercial fishing in a desert?"

I did not imply that the whole State is a desert.

He did not think that the bill included Arizona. We looked up the question, and the definition was so written so as to include any State producing minnows for fishing, which would put that State in the commercial fishing business.

Why? To get votes in 50 States. The bill was not intended to help the areas that have had problems with commercial fishing. It was not confined to areas in which one can stand on the shore and see Russian fishing fleets with the naked eye. Those problems are real.

When we inject a political answer into everything, it not only becomes ridiculous, but also it fails to solve the problem.

In my opinion, if the speech of the distinguished Senator from Arizona is read in its entirety, it will be seen to show a greater ray of hope for the unemployed—for the young people, for the old people, and everyone—than the philosophy of having the Government do it. Even if the program requires Federal-State participation, made work, though it may provide some temporary relief, does not solve the problem of unemployment.

Mr. RIBICOFF. Mr. President, will the Senator permit me to make a comment at that point?

Mr. CURTIS. Certainly.

Mr. RIBICOFF. The Senator from Nebraska has stated that the speech of the Senator from Arizona lays down a method of solving the problems of unemployment. Will the Senator from Nebraska kindly point out in the speech the point at which a specific program is set out by the distinguished Senator, showing how he would solve the problem of unemployment? Would the Senator state one specific, concrete example contained in that speech?

Mr. CURTIS. I shall ask to have the entire speech printed in the RECORD. Naturally, it is not a Government program.

Mr. RIBICOFF. What private program is involved which would permit private industry to solve the problem?

Mr. CURTIS. The Senator will find, if he reads the speech, that it discusses the basic problem and the general approach. It does not involve the introduction of another proposed legislative program. Of course, it refers to money.

I do not wish to ask that the speech be included in the RECORD during the colloquy in which we are now engaged, but at its conclusion I shall ask unanimous consent to have the entire speech printed in the RECORD.

I have the highest regard for my distinguished friend the Senator from Connecticut. I know that he is fair and intends to be fair in every statement that he makes. I know that when he and the distinguished Senator from Arizona [Mr. GOLDWATER] are in agreement, he is one of the first to say so.

Many years ago, as I recall, the Senator from Arizona stood at his desk and proposed a tax credit in connection with tuition and fees for students attending college. I favor that approach, and I should like to state why I do.

If we were to follow the program of the administration, which involves grants to schools, it would soon, as do all and every other program which the Federal Government has, develop into a plan under which every school must apply for the grant because others are receiving it. The program would cost a great deal of money.

We would not continue to appropriate the necessary money without Federal guidelines. Guidelines soon become restrictions.

Also, in the light of the ruling of the Supreme Court, some of us are worried about the church-related school. We wish to send our boys and girls to colleges that perhaps require every student to attend chapel. We wish to continue to send our boys and girls—at least some of us do—to colleges that require every student in the college, before he graduates, to take two semesters in Scripture. If such schools are to be supported by the Government, we are headed for trouble.

The Goldwater program and the program supported by my distinguished friend the Senator from Connecticut—and I commend him for it—provides that anyone who spends money in order to send a young man or woman to school shall receive a tax benefit, not for the expense of board and room, but the expenses of the school itself. The Senator may correct me if I am wrong in that statement. Such a program would maintain private education in America. Private citizens would make the decisions. First, the college would continue to decide whom it would admit. It can keep its high standards. The college can decide whether it will teach religion or not teach religion.

Who else makes the decision? The young person who is sufficiently motivated decides that he wants to go to college. Another private citizen, the payer of the bill, makes the decision that he will pay the expense.

Under such a program private education would be maintained in America. The system of free education in America would be maintained.

When aid is administered through grants to all in the field of education, in spite of our good intentions, we start down the road of Federal guidelines. Guidelines become restrictions, and restrictions become control. Then we would not have Federal aid to education, but Federal education. That approach represents a difference in philosophy.

I respect the intellectual honesty of the distinguished Senator from Connecticut. I have never known him to misrepresent what anyone has said. I am speaking of others. I am speaking of certain news media. I regret to do so because, by and large, they have been better to me than I deserve. But a "hatchet job" is going on by the leftwing press against anyone who raises his voice against centralized Government, against the trend toward socialism, and against the trend toward big Government.

More than 2 years ago, long before I knew that the Senator from Arizona would consent to let his name be presented for the office of President of the United States, I was watching a nationwide television program. An individual on the program said, "Senator GOLDWATER advocates the repeal of the Social Security Act."

I exchanged several letters with that distinguished commentator, asking him to give me the citation. He never did so. He did not have any. He made it up. He deceived the people.

The people are smarter than we think. The people are concerned about abuses in Federal programs. The people are concerned about a government having an annual budget of $100 billion. They know that regardless of how people try, there will be waste and mismanagement. Some will take advantage, and some worthy people will be missed.

Again I thank the distinguished Senator from Connecticut. At the time he wishes to yield the floor, I shall ask to insert the full speech of the Senator from Arizona [Mr. GOLDWATER] in the RECORD.

Mr. RIBICOFF. I appreciate the kind personal references made by the distinguished Senator from Nebraska. From my experience and association with him in the other body and in this one, while we often disagree, I know him to be a man of great integrity and ability, with deep knowledge of the problems and programs which we are now discussing.

I should like to close with a few comments. First, I feel that John Hay Whitney, of the Herald Tribune, would be very much interested to know that he was a part of the "leftwing press" doing a "hatchet job." I always had the impression that this distinguished newspaper, which I read every day, was the voice of the Republican Party.

Second, as was pointed out by the distinguished Senator from Nebraska, I expect, within the next month, to be shoulder to shoulder with him, and I hope the distinguished Senator from Arizona will join in our tax credit bill, because I think we shall be opposed to the leadership.

When the Senator from Arizona and I are on the same side of an issue, I acknowledge it. I acknowledge the fact that he has long been an advocate of tax credits for college education. But I point out that what we are now discussing involves the question of what to do about people out of work, who cannot find jobs.

Since the distinguished Senator from Arizona and I are together on the tax credit proposal, and since the Senator from Arizona has indicated he is for relief work instead of welfare checks, I hope he will find it proper, within his judgment, to join Senators DIRKSEN, MANSFIELD, HUMPHREY, KEATING, LONG of Missouri, MORTON, and myself in support of Senate bill 1803.

It is my feeling that the Congress will have an opportunity to vote on this measure. It is my understanding that the budget which the President will send to the Congress will contain provision for funds for the purposes of S. 1803. S. 1803 is a practical way of reaching the objective discussed in the Economic Club speech by the distinguished Senator from Arizona.

We must do more than merely make speeches, because people cannot eat words. They cannot be warmed by words. They cannot be housed or clothed by words. People must have jobs if they are to earn enough money to feed, house, and clothe themselves.

It is our objective to move people off the relief rolls and give them jobs. Measures like S. 1803 are aimed in this direction. That bill will come before the committee of which the distinguished Senator from Nebraska and I are members. There will be an opportunity to discuss the measure. I hope, as a result of this colloquy, that the distinguished Senator from Nebraska and the distinguished Senator from Arizona will join the other cosponsors in seeing that a measure such as this is passed, giving the States and localities an opportunity to initiate work programs of their own to give people jobs, instead of handing them relief checks.

Again, I thank the distinguished Senator from Nebraska for his usual courtesy. As always, I consider it an honor and pleasure to enter into a colloquy of any nature with the distinguished Senator from Nebraska.

Mr. CURTIS. Mr. President, I begin by complimenting my most gracious friend the distinguished Senator from Connecticut for the very fine way he has drawn the attention of the Senate to this point. It is not my purpose to prolong the colloquy. I agree that words do not solve problems. I also suggest that the following of sound principles does solve problems; and that principles must be discussed. It is much more important that we think about great principles, discuss them, and determine the direction in which we are headed, than to delude ourselves with the idea that we can arrive at a solution merely by the enactment of legislation that will do magic.

Our great economy is not perfect, but the poorest people in America are better off than are millions of people in other countries of the world, even if the people in some of those countries may fare better.

There is such a thing as following basic principles or diverging from them. I yield to every man not only his right but his opportunity to be active in deciding what are right principles.

The distinguished Senator from Arizona has attracted the attention of millions of people because he has had the courage to talk about great principles, because he has raised questions as to the direction in which we are headed in America. He has had the courage to point out that not everything that glitters is gold. In his speech, while he has shown a great concern for every American, he has said that there is no such thing as a free lunch. Everyone knows that. Someone must work for everything that others enjoy.

Mr. President, I ask unanimous consent that the entire speech delivered by the Senator from Arizona [Mr. GOLDWATER] in the city of New York, on January 15, 1964, be printed in the RECORD at this point. I commend its reading to the entire Nation. I yield the floor.

There being no objection, the speech was ordered to be printed in the RECORD, as follows:

SPEECH BY SENATOR BARRY GOLDWATER, REPUBLICAN, OF ARIZONA, BEFORE THE ECONOMIC CLUB OF NEW YORK, JANUARY 15, 1964, WALDORF-ASTORIA HOTEL

Every one of you has a big stake in the future of this Nation and its fiscal dependability. Some of you feel a lot better about that future—if recent press clippings are to be believed.

Some of you may feel better because there are promises of new cuts in Government spending; because there are promises, or at least hints, of a new sympathy toward private enterprise in the White House.

Some sighs of relief can be heard from Wall Street to Market Street.

It is my uncomfortable chore to ask you, and to ask any of the American people who feel that way to look very closely before leaping to such conclusions.

It is my chore to ask you to consider the toughest proposition ever faced by believers in the free enterprise system; the need for a frontal attack against Santa Claus—not the Santa Claus of the holiday season, of course, but the Santa Claus of the free lunch, the Government handout, the Santa Claus of something for nothing and something for everyone.

In short, the Santa Claus promises of the state of the Union message to which we recently have listened.

If this sounds like I am against good works and good goals, let me ask your patience while I explain. I am not against good works or even against all form of Government activity. I am certainly not against restraint in Government spending or a true understanding of what really makes our economy tick and how it can enrich the lives of everyone in this Nation.

I am not against those things. I am against the doubletalk that speaks of economy while acting to spend; the gestures to free enterprise while planning new controls; the direction of a Government establishment that is prepared to nationalize society while paying for it with the fruits of private industry; the direction of a Government establishment that is prepared to spend and spend so that it may elect and elect; the direction of a Government establishment prepared to sacrifice the liberties of the many to cater to the demands of a few; the direction of a Government establishment that confuses local need with national necessity, trying to buy off today's problems with tomorrow's bankruptcy; the direction of a nation being led to believe that relief programs can end poverty rather than only institutionalize poverty; the direction of a nation that has built the greatest prosperity ever known, by individual initiative, but which now is tempted to forsake that initiative for the illusory comforts of Government guardianship.

You have a choice to make. This Nation has a choice to make. It is a choice on which history, not just election year rhetoric, will hinge and turn. If that choice can be bought by promises, by pie in the sky, by smiles at business meetings, then the future of the American enterprise system is bleak indeed.

The choice is not one of detail or trimmings, but of basic direction.

The present administration, as have the Democrat administrations that most immediately preceded it, say that the bureaucracy in Washington can solve all our problems, end poverty, and create prosperity.

The Republican alternative is that men and women working and investing in thousands of industries, freed from bureaucratic interference, can build the wealth that best fights poverty.

The Republican alternative is that men and women in their own homes, communities, and States can best solve their own problems and need pass along to the Federal Government only those problems which, national or international in nature, clearly call for a single national answer.

Diversity, of which we hear so much, but see so little in the actions of the present administration, can best be achieved by choosing the best tool of diversity—the individual initiative and creativity of individual Americans.

Certainly there is no evidence that this is in any way, shape, or form the choice of the present administration—no matter how much gum mileage they get out of it, or lipservice they give to it.

Is this administration really economy-minded?

I have been deeply concerned by the number of my friends—economists, businessmen, bankers—who have been taken in by the appearance of economy, by the talk and the publicity. The facts are far different.

President Johnson says that he is cutting new obligational authority requests by $4 billion. Sure, he is cutting "requests" by that much. But he is asking that the Congress raise new obligational authority by more than $2 billion over what Congress actually authorized for the current fiscal year.

The same fast shuffle of figures is apparent in his requests for spending in the next fiscal year.

He says that he is seeking a half-billion dollars less than was requested last year. But he is asking for $2 billion more than Congress actually authorized for spending in the current fiscal year.

His is not a message of economy.

It is a message of deliberate confusion of facts and figures.

His is not an administration of economy. It is an administration of deliberate deception, of neon and tinsel razzle-dazzle.

And still, some of our most hardheaded businessmen repeat that this man is a conservative. That's what they think. Or they have a hunch. Or they've heard someone say it.

But what does the new leader of the older dealers say?

Just last month he was quoted in the Evans and Novak column as having said that "no matter what you may think, I'm a Roosevelt New Dealer."

In an interview with the New York Herald Tribune Columnist Robert Spivak, he put it this way: "You say I'm not a liberal. Let me tell you I am more liberal than Eleanor Roosevelt and I will prove it to you. Franklin D. Roosevelt was my hero. He gave me my start."

Well, I say that Franklin Roosevelt also gave him his programs, his political philosophy, his political compass.

This administration is a child of depression-born theories and its current family chieftain is a captive of them right down the line or, rather, right down the breadline.

The facts are there for anyone to see. This administration is aiming a double-barreled shotgun of Federal spending at our heads.

We ignore it at the peril of everything we have, hope to have, or believe in.

The first barrel: Substantially higher levels of spending and new spending authority than are in effect for the current fiscal year.

The second barrel: Commitment of the Nation to a bumper crop of new spending programs whose costs would only start to sprout prior to next November's election day. They would come to full weedlike bloom in later years.

Essentially this is the kind of public spending that has made the Federal Government a senior partner in our economy. All governmental expenditures in the United States, in 1962, were equal to almost a full one-third—actually 31.8 percent—of the net value of the output of all goods and services produced by the Nation's economy.

Now, answer these questions; you must answer these questions: has Federal spending of this sort really created jobs upon which working men and women can depend; has it created a rise in the standard of living; has it modernized our industrial plant to make it more competitive with oversea producers; has it? Can it?

Can Government spending do any of those things?

Or must they be done in the market place, by working men and women, by investors willing to risk and with the capital to do it, by scientists and engineers building the new tools, techniques, and products? You cannot be on both sides of the question or the answers. The current administration cannot either.

Take its attitude toward the public debt. Is that a sign of its conservatism, of the sort of regard for fiscal responsibility upon which you can count and plan? A reduction in the amount of next year's operating deficit, as promised by the President's budget figures, does not alter the fact that a continuation of at least $4 to $5 billion worth of irresponsible deficit financing is being advocated—and during a time of high prosperity when the truly frugal would be trying to pay off their debts, not incur new ones.

This circumstance itself is a direct contradiction of logic in the President's assertion that "the new budget clearly allows" the passage of the tax reduction bill now pending. The budget does not clearly allow any such thing. The Congress may allow it, to try to retrieve at least something from the shambles of the administration's fiscal policy. But the budget doesn't allow it. The President's attitude doesn't allow it.

Let me make this clear: I have no disagreement with the statement that our economy demands a tax reduction. It most surely does.

My point is that this needed tax reduction should be earned by the kind of real economizing in Federal spending that would be possible if the effort were sincere.

I believe in tax relief—but not in tax relief paid for by borrowed funds. And that is just what this administration, this supposedly frugal administration is proposing.

Where are the economies possible? First of all and most importantly of all, they are possible by simply not jamming through new Federal spending programs, by not seeking to buy, with tax money, control over the affairs of the American people.

Many of the new programs with which we are to be faced, however, are said to be part of a war on poverty. And who can be against that?

America, for most of its years, has waged a war on poverty. And wherever it has waged that war in factories, in laboratories, in shops, over counters, and under the enterprise system, it has won that war. It has won it, is winning it, more surely than any nation on earth.

And I say that this war on poverty can only be won that way. I say that when we work our way to wealth, we win that war. I say that when Government tries to spend its way to wealth, we lose that war. Santa Claus dreams or rolled-up sleeves; we have to make a choice.

Not so many years ago one of the Democrat Party's principal trouble shouters (sic), John Galbraith, wrote a book, "The Affluent Society," to prove that consumers were wallowing in luxury while government was being starved. The individual, he said, should be taxed more heavily to support government in a style to which he wanted it accustomed.

He found that there were basically only two types of private poverty left in the United States: insular poverty, areas whose economic base had been eroded; case poverty, families or individuals who, because of personal deficiencies are unable to earn an income which permits a contemporary American standard of living.

At about the same time another gentleman, Arthur Schlesinger, Jr., wrote in the New York Times that one explanation for the Democrat loss of the 1952 election was that "we ran out of poor people." His solution was that the liberal spending urge must be channeled instead into foreign aid. And so it was.

We have been supporting some 100 or so foreign governments. Some we have helped to stand on their own feet but others we have helped to new palaces, limousines, private jets, yachts, and golden beds.

The public has finally had enough. This year's congressional debate made it clear that foreign aid spending will be cut from here on out.

Hopefully, of course, this also means that our entire view of developing the underdeveloped nations will shift—shift toward sound loans and technical assistance that will pump life into the private energies which alone can truly develop the underdeveloped.

Also, it has become apparent that just as we cannot defend the world alone, we cannot support the world alone. Multinational efforts are needed on both counts.

We must, at the same time, accept the necessity of helping some of the less developed nations. Proper ways to accomplish this are available, as through the International Development Association. But this way requires constant sharing of the burden, lest any of the well developed economies, our own in particular, be crippled by an excessive load. Other nations are able to and should contribute substantially to this course of action.

But this leaves the liberal little new choice for the spending urge. He has to express it again in the domestic poverty issue. And so, we have come full circle.

The first question, of course, is how many Americans are poor? Franklin Roosevelt said that a third of the Nation was impoverished and you can still hear the same figure cited, although the certified, pasteurized, homogenized, officialized figure is now one-fifth.

Also, a few years ago, some called a family poor if its income was below $1,500. Now it is $3,000. Others say that any family is poor if it cannot afford what the Department of Labor computes to be the standard of living of the average urban worker.

In a country as wealthy as ours, it is implied, everyone should be above the average. An interesting statistical exercise.

The fact is, of course, that these income levels are regarded as true wealth in the rest of the world. Workers in many other countries cannot earn as much as our welfare clients receive.

As our production and income levels have moved up over a 100 years, our concepts of what is poor have moved up also—and they always will. It is like greyhounds chasing a mechanical hare. You can never catch up. There will always be a lowest one-third or one-fifth.

The truth beyond that is that the income of our lowest one-fifth of households, as expressed in dollars of constant purchasing power, has more than doubled over the past quarter century while that of the highest one-fifth of families has risen only 67 percent. This upward trend has been consistent.

It will continue so long as we are people of enterprise, of energy, or risk taking.

It will grind to a halt if we become a people of relief check stagnation, and government regimentation.

Our overall economic growth already has slowed because of movement in that direction. Under the governmental policies of the big government party over the past three decades we have reduced rewards for good work and also reduced the penalties for laziness or waste.

We have been draining the fuel that fires the engines of progress.

We have been quenching the fire and then wondering why the engines don't run faster.

If somebody set out deliberately to slow down economic growth he could not do better than to reduce the incentives for enterprise and abolish the consequences of inertia.

And that is what the New Deal started in the 1930's.

It is what the Fair Deal continued in the 1940's.

It is what the "Fast Deal" is now proposing to do in the 1960's.

I strongly believe that all people are entitled to an opportunity—let me stress that—to an opportunity to get an education and to earn a living in keeping with the value of their work.

I also believe that those in trouble through no fault of their own must be helped by society. I believe that those in trouble through their own fault should always have an opportunity to work themselves out of it. But I do not believe that the mere fact of having little money entitles everybody, regardless of circumstance, to be permanently maintained by the taxpayers at an average or comfortable standard of living.

But, the largest program of public assistance to persons who are so poor that they are unable to take care of their needs, besides the old age program, is aid to families with dependent children. The number has doubled, from 2 to 4 million, since the midfifties.

Fraud is rampant in this area. In the District of Columbia, where we have had the only probe of the situation not conducted by welfare agency employees, it was found that half the recipients were actually ineligible, and were on the lists by fraud or by negligence in the welfare department.

It is apparent, I believe, that this situation has developed mainly because of Federal rules under which this program is conducted throughout the Nation. States and communities could turn it into an honest program if left alone to do it.

But the administration's proposals do not take that direction. No. They seek still more Federal redtape.

They propose, also, that minimum wage coverage be extended. We all want to see wages rise. But industrious Americans want to see them rise by merit and not by fiat. And these Americans also will face honestly the fact that extensions of minimum wage laws do not always have the desired effect. They can hurt as well as help.

Senator PAUL DOUGLAS, when he was an economics professor at the University of Chicago, spelled it out clearly: "Labor under the capitalistic system * * * tends in the long run to lose appreciably more through diminished employment when it raises its wages above marginal productivity than it gains from the higher rate per hour enjoyed by those who are employed."

The Senator's party, however, seems to have forgotten the lesson. I grew up in the retail business, however. I could never afford to forget economic truths.

Anyone in business knows that if you can't sell an item it's usually priced too high, and you can move it only by marking it down.

The fact, nationally, is that if we push up wage levels, by law or by contract, to a level which is higher than the productive capacity of large numbers of people, then those people will not only lose their jobs but will be unable to find others. Such actions may raise the demand for higher skills but they do little to help those at the bottom of the skill scale.

Many unskilled jobs have disappeared simply because the wages that have to be paid for them exceed the value of the work. Relief has not helped solve this but has compounded it. Can we expect unskilled people to work at wages equivalent to their skills when they can get as much—or more—from relief, by doing nothing?

This, it seems to me, raises the question of an essential safeguard we should place on public welfare programs: those who are physically able to work should be put to work to earn their benefits at a specified rate per hour. There are community projects aplenty that could be powered this way, getting jobs done which otherwise would not be done, and getting them done without gaudy new Federal programs.

We are told, however, that many people lack skills and cannot find jobs because they did not have an education. That's like saying that people have big feet because they wear big shoes. The fact is that most people who have no skill, have had no education for the same reason—low intelligence or low ambition.

One study in Chicago showed that almost all welfare clients had attended school for at least 8 years but half of them could not read or write at the fifth grade level.

Our schools can adjust to these facts of life by getting away from the uniformity of their curriculums, by differentiating more between the needs of the highly and the lowly motivated, and between the more and less intelligent. But that must be done at the State and local levels. Federal interference always has moved the other way.

We have talked of many details in this overall problem. But we are not talking about many principles. Only two, basically, are involved. Enterprise versus regimentation, a society fluid in its opportunity, or a society hardened into a government mold.

Specifically, in a society where the vast majority of people live on a standard that is envied by all other nations, it must be appropriate to inquire whether the attitude or the action of the small group not participating in the general prosperity has anything to do with the situation. The aim of such an investigation should not be to condemn anybody but to help and to help effectively. To do that we must know what is wrong and not assume that big government knows the answer and has the answer.

I would, to further this, call a conference with participation from all of the States to study this problem of poverty and jobs, to pin down the figures, to survey all the solutions and not seek to impose the Federal one

I would, also, seek to find for the Federal Government more of a role in removing restrictions than in imposing new ones—at every level of the economy.

Making our industry more competitive with foreign industry should have a high priority in that study. I suggest that the Federal Government can find more ways to improve that competitive situation by getting out of industry's hair than by getting into it. And in this I would include even the Federal role in raising tariffs. That solution is not a real one, it is just a temporary one.

Rising productivity, not rising tariffs, gives the best promise by far.

In higher education, I have already offered, in the Senate, an example of what I consider to be the proper Federal role. I have proposed, and have been pleased to see even some outstanding Democrat legislators similarly propose, that the Federal Government permit certain tax credits to those who pay tuitions and fees for their children or others at colleges and universities. Here again we would have the Federal Government permitting freedom of choice and bettering education by removing itself from an activity, not intruding itself further.

No matter the detail, I stand on the side of such principles. I stand on the side of individual responsibility and individual choice and creativity. I stand against the gray sameness of growing Government, against the conformity of collectivism—no matter the excuses it uses.

There is, as one of your colleagues so neatly puts it, no such thing as a free lunch. Not even Santa Claus can whip one up.

Industrious Americans have made this the wealthiest nation on earth. Concerned Americans have kept it a free nation.

Most of our parents came to this land with little or nothing but honest energy and honest ideals. Most came from poverty and to poverty. But they built a great nation. They worked hard at it. They extended helping hands where needed and deserved.

They were the greatest builders of history. And we, their descendants, still have that energy, still have that heart.

We have only to make the choice: Will we use the energy and revitalize the heart, or will we abandon both for false securities?

In this choice we will either build tomorrow or write our epitaph.

ORDER OF BUSINESS

Mr. YARBOROUGH. Mr. President, I ask unanimous consent that Calendar No. 750, Senate bill 385, to extend the maximum maturity of certain Veterans' Administration guaranteed or insured home loans to 35 years, be taken up at this time.

Mr. CURTIS. Mr. President, will the Senator repeat his request?

Mr. YARBOROUGH. I ask unanimous consent that S. 385 be taken up at this time.

Mr. CURTIS. I wonder if the Senator would mind if there were a quorum call or some Senator spoke for about 5 minutes. Certain Senators wish to be present when this proposal is considered.

Mr. SPARKMAN. Mr. President, will the Senator yield to me?

Mr. YARBOROUGH. I yield to the Senator from Alabama.

Mr. SPARKMAN. I am not sure I will take all of that 5 minutes, but I will start on it. I have a matter or two to submit for the record, if the Senator wishes to make some telephone calls.

Mr. CURTIS. I am sure the Senator can speak for 5 minutes.

Mr. SPARKMAN. I can speak for 5 minutes. The Senator and I are veterans of the House. He will recall that we were limited to 5 minutes. The Senator has made powerful speeches in 5 minutes. I am sure he recalls some of them.

Mr. CURTIS. I am most grateful to the Senator.

There is something to be said for brevity.

Mr. SPARKMAN. I agree with the Senator; but I also believe that subjects which are under consideration ought to be discussed thoroughly. Sometimes a subject cannot be discussed thoroughly with brevity in mind.

TAX REDUCTION LEGISLATION

Mr. SPARKMAN. Mr. President, in the Washington Evening Star of December 30, 1963, there appeared a column written by one of the most able economists and economic writers I know, one whose articles I read consistently and always find interesting. I do not say that I agree with this columnist in everything she says. However, by and large I have a great deal of respect for her opinions. I refer to Miss Sylvia Porter, who is one of the finest and clearest writers on economic matters that I know. The title of her article is "Tax Cuts Boost British Economy."

In this column Miss Porter compares the situation in Britain with that which is sought in this country in connection with a tax reduction. It is a very worthwhile, clear, and thought-provoking column. I ask unanimous consent that it may be printed in the RECORD at this point as a part of my remarks.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

YOUR MONEY'S WORTH: TAX CUTS BOOST BRITISH ECONOMY

(By Sylvia Porter)

The passage of a tax reduction bill next year almost certainly will raise this question: Will the anticipated spending really stimulate the economy?

For vital clues to what we can expect, I submit the experience of England—which this year put through a tax cut roughly equivalent to what we're planning and under economic-financial circumstances strikingly similar to ours.

The United Kingdom budget of April 1963, reduced taxes in England by about $1.7 billion on a full-year basis, equal to an $11.7 billion tax cut here. This is almost the total of our annual tax cut when the reductions become fully effective in 1965. Both individual and corporation income taxes were cut to increase consumer spending and to give businessmen incentives to invest more in plants and equipment. This is what we are going to do. Some of the cuts went into effect immediately, some went into effect July 1, others became effective still later. This step-by-step approach is ours, too.

COMPARISON OFFERED

At the same time, the United Kingdom budget increased spending for its fiscal year 1964 by 7½ percent. The increase in Federal Government spending here will be much smaller but the trend is the same.

Britain's budget deficit for its fiscal year 1964 is estimated at about $1.9 billion, which is almost $14 billion in U.S. terms. Our budget deficit will be nowhere near this but we're also in the red.

Finally, Britain cut taxes in spite that it was spending far more abroad than it was earning abroad—in short, running a balance-of-payments deficit just as we are running a deficit in our balance of payments.

The parallel is close indeed—and this goes for the size and the type of the tax reductions, the conditions under which the move was made, and the objectives.

What, then, has happened in England since April? The economy has been gaining strength almost from the day the tax cuts were announced.

Industrial production has climbed. Output of steel is 11 percent above a year ago. The index of industrial production (1958 equals 100) is up to 121.5 against an index sticking at 115 during all of 1962.

Industrial plants are now operating at about 81 percent of capacity, up from 70 percent a year ago.

Mr. SPARKMAN. Mr. President, on January 5, 1964, Miss Porter had another column published in the Washington Evening Star pertaining to the proposed tax reduction. It is entitled "Tax Cut Would Lift Spending."

She gives figures and facts, and makes some statements, which tend to show the beneficial effects on the American economy of a tax reduction. It would be interesting and helpful for every Member of the Senate to read this fine article by Miss Porter. Therefore I ask unanimous consent that her article may be printed in the RECORD at this point as a part of my remarks.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

YOUR MONEY'S WORTH: TAX CUT WOULD LIFT SPENDING

(By Sylvia Porter)

Of every extra $1 we keep in the proposed 1964 tax cut, we will spend about 93 cents on goods and services, save about 7 cents—give or take a fraction of a cent either way. This has been our spending-saving pattern since the start of the 1950's and there's no sign that we'll change it drastically this year.

Let's say that the amount of the tax cut going to us, as individuals, during the first stage of the two-stage tax reduction in 1964, turns out to be $6 billion. Our spending pattern suggests this will directly add approximately $5.6 billion to our economy this year.

PATTERN OUTLINED

As each $1 flows into the business stream, it will become at least $2. When you spend $1 at the clothing store, the clothing store owner in turn spends $1 at the grocery store, the grocery store owner in turn spends $1 at the hardware stores, etc., etc. (This is an exceedingly conservative interpretation of the so-called multiplier effect, incidentally. Many economists would increase that $2 substantially.)

This means an addition of at least $11 billion to the economy in 1964.

As wages and salaries increase in 1964 we'll follow the same spending-saving pattern of 93 cents against 7 cents, give or take a bit either way. Wages and salaries will rise in 1964.

As businessmen feel the stimulant of higher spending, they'll increase their spending to stock their shelves with goods and raise their investment in new plants and equipment to produce more efficiently. This doesn't take into account the direct tax incentives businessmen also are to receive to spur them to increase spending on plants and machines.

Then will come the second stage of the tax cut in 1965 and the full impact on spending. The economy, when the full tax cut is in effect, will be at least $30 billion bigger than it would be without the tax cut.

Since these are permanent tax reductions, the acceleration they provide will not be temporary. In the words of Walter W. Heller, the President's chief economic adviser, the tax cuts are "not simply a shot in the arm. They are a sustained diet of red meat for the economy."

Of course, plenty of people—and respected economists too—are skeptical that this is the way it will turn out. But the evidence is highly persuasive that it will.

The skeptics' first fear is that we have become saturated with goods through the recent years of record production and buying. The saturation story is a myth.

NO GLUT OF GOODS

We are not glutted with goods. On the contrary, we're buying more hungrily than at any time since the mid-fifties. We're indicating this through purchases of autos and the latest survey by the University of Michigan's Survey Research Center reveals that almost one-fifth of America's families plan to buy a new or used car in the next 12 months. We're indicating this through our rising purchases of appliances either for the first time or to replace those worn out. We indicated this through our huge pre-Christmas buying, particularly of higher priced, quality products, and by our persistent tendency to upgrade our purchases.

The skeptics' second fear is that we'll save much more of our extra dollars this year than the pattern of the past suggests. Yet, as this record underlines, our spending-saving pattern has been remarkably consistent year after year in booms and recessions.

[In billions]

	Personal consumption spending	Percent after tax dollar spent
1951	$243	92.3
1953	262	92.1
1955	285	93.6
1957	302	92.4
1959	322	93.1
1961	339	92.9
1962	355	92.9
1963 [1]	371	[1] 92.8

[1] Average of 1st 3 quarters.

The economy has entered 1964 strong. The proposed tax cuts will keep it strong.

Mr. JAVITS. Mr. President, I suggest the absence of a quorum.

Mr. CLARK. Mr. President, will the Senator withhold his request for a moment? I should like to make an insertion in the RECORD.

Mr. JAVITS. I withhold my suggestion.

CONGRESSIONAL REORGANIZATION AND REFORM

Mr. CLARK. Mr. President, again I call the attention of my colleagues to the need for prompt congressional reorganization. I ask unanimous consent that an interesting article entitled "A Critique of Congress," written by the distinguished columnist Walter Lippmann, and published in this week's issue of Newsweek, be printed in full in the RECORD, at this point in my remarks.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

A CRITIQUE OF CONGRESS

(By Walter Lippmann)

There is a greater business before us than the tax bill or even than a civil rights bill, and that is to think seriously about the problem of making the American system of government work in the kind of world we live in. During 1963 American political institutions have gone through a serious ordeal.

The assassination of President Kennedy put them to the fundamental test, which is whether a government can survive a terrible blow and can continue and can carry on. The test was met with resounding success. Thanks above everything to Mr. Kennedy's choice of his running mate in 1960, the country is carrying on smoothly. But the grim truth is that we are now left quite unprepared were another calamity to befall us. After Mr. Johnson there remains no satisfactory or qualified line of succession. For the next 12 months, at home and abroad, the highest interests of the Nation depend upon a prayer being answered—that the President will be invulnerable to the ills that mortal men are heir to.

This dangerous situation would not exist were it not that the Congress of the United States has neglected to do its duty. Under the Constitution it is the duty of the Congress to provide against a vacancy in the Presidential office, whether the vacancy occurs because the President dies or because he is disabled. How a vacancy shall be filled ought not to be left to chance, and to private arrangements by the doctor, the family, and officials, as it was when Garfield and Wilson and Eisenhower were ill. The duty of dealing with a vacancy is confided to Congress by article II of the Constitution.

In the case of the death of a President and of the Vice President, the Congress has, to be sure, provided a line of succession through the Speaker of the House. But this has placed in the line a politician who has never considered himself, and has never been considered by anyone else, a possible President of the United States. Yet unsatisfactory as this is, the case of a disabled President is even worse. There is no provision made by the Congress as to who is to decide when a President is disabled permanently, as was Garfield, or partially, as were Wilson and Eisenhower. This failure of Congress is a dereliction of duty which could cost the country dearly.

The last year of the Kennedy administration was clouded by the deadlock between the Congress and the Presidency. Before

President Kennedy's death, Congress had developed a habit of smothering and strangling measures it did not like before they could come to a vote. I have seen this defended on the ground that so many of the Kennedy measures were in advance of their time. I have also heard it praised on the ground that the Kennedy measures were undesirable and should not have been passed. It has also been said that since there has been so little public outcry, the Congress was in its fashion expressing the will of the people.

But to my mind the process of smothering measures in committees is a subversion of the principles of representative government. It is a subversion in that it prevents public debate. Yet debate is the great educator of democratic peoples. It is subversion in that it prevents a decision by a vote, which is the sovereign principle of democracy.

I do not say any of this as a believer in the rule of simple majorities. On the contrary, I have long been a firm believer in the various provisions of the Constitution which, for example in the case of treaties or amendments to the Constitution, require the approval of substantially more than 51 percent of those voting. Moreover, on the whole, I have defended the right to filibuster in the Senate, a right subject to a vote of cloture, and not to be exercised in time of undisputed national emergency. It has seemed to me that on the whole the basic liberties of our people are safer if they cannot be swept away by small majorities in a storm raised by rabble-rousers. In matters deeply affecting its institutions and customs, a great heterogeneous continental democracy like ours must move as far as possible by consensus rather than by paper-thin majorities.

But what was done in the 88th Congress and its more recent predecessors is something quite different from, something quite alien to, the spirit and principle of consensus. The filibuster, that is to say, the right of protracted debate, differs radically from the procedure of the Rules Committee of the House and of some of the standing committees of the Senate. In a filibuster there is a debate, and the measure has been brought to the floor and can be put to a vote by a sufficient majority. The current system, which is far more objectionable than the filibuster, is operated by a coalition of senior Republicans and senior southern Democrats. It nullifies the basic principles of representative democracy—the right to debate and the right to vote.

This does not mean that all the proposals made by a President can be regarded as equally important and should be dealt with immediately by the Congress. There are measures, for example, medical care for the aged, which can wait for a searching examination in the committees before they are put to a vote. But there are other measures, in this Congress the tax bill and civil rights, which should get speedy consideration by the Congress, since the President is the best judge of whether or not the general prosperity or the general tranquillity of the Nation is urgently involved.

It is no easy matter to make a system of coordinate branches work, and it requires a strong will in Congress and in the administration alike to make the system work. While there is no doubt that Congress controls the appropriation of money and therefore has the ultimate power to bring the Government to a standstill, it is also true that where the national interest is concerned, the Executive is on the whole likely to be better informed and better equipped to judge. Members of Congress are best informed about their districts and their regions. But the President, who receives information from every corner of the country and from every country on the globe, should be in a better position than the chairman of a committee to judge the national interest abroad and the national economy at home.

To make our system work, it is essential that the initiative of the President be respected by Congress, and when he says a measure is of great national importance, his proposals should be accorded enough priority to bring them to a vote and a decision within a reasonable time—say 3 months. Three months is plenty of time to hear all the arguments of all the experts and all the interested people pro and con and to bring the issues before the Congress for a decision.

The true function of the Congress is to grant money, to maintain the framework of laws under which we live, to authorize administrative actions under the Constitution, to investigate the conduct of the Government, and to hold the Executive accountable. It is not the function of the Congress to administer the Government, to go behind the President and the heads of departments and agencies, and to set out, as Joseph McCarthy did, to hire and fire, to manage and meddle with the individuals who work for the Government.

Yet there is a theory being bandied about that since Congress appropriates the money to run the Government, it has the right to run the Government. These theorists, who happen to admire the 88th Congress because it is dominated by a conservative coalition, overlook the truth that in order to operate a coordinate system like ours there must be a very large supply of commonsense. Congress does indeed appropriate money to pay the salaries of our ambassadors. But Congress cannot write the instructions to an ambassador as to what he is to say to the Foreign Minister of the country to which he is accredited.

If Congress tried to write the instructions of the Ambassadors or to censor the speeches of the Secretary of State, the result would be chaos. Yet a fallacy is in the air around Congress, the simple-minded fallacy that because Congress appropriates the money it can and should run the Government. Thus in the course of devising the authorizations and the appropriations for foreign aid, various Members of Congress, sometimes successfully and sometimes not, have been trying to legislate foreign policy. They have tried to lay down a policy for dealing with the whole Communist world and a policy for dealing with the uncommitted world. By various legislative injunctions and prohibitions they have attempted to take away from the President, who under the Constitution has the duty of conducting foreign relations, the right to determine and, if it seems expedient, to discriminate among all the growing variations, as, for example, between Yugoslavia and China, of the Communist world.

The critique which can now be made of Congress is, I submit, first that it has been derelict in its duty to provide satisfactorily for a vacancy in the Presidency, and that this has put the stability and the continuity of government in jeopardy.

It is, second, that Congress is using a procedure of smothering and strangling, rather than of debating and voting, which violates the basic principles of representative government.

It is, third, that Congress is trespassing upon the constitutional prerogatives of the President in attempting to determine foreign policy by legislative injunctions and prohibitions.

These criticisms deal with matters that are more fundamental than any piece of legislation or than the whole program of legislation. These criticisms are concerned with the question of whether we understand the inwardness of our own unique system of government well enough to make it work.

Mr. CLARK. Mr. Lippmann's article is a scholarly and clear presentation of the problems which confront us in the Senate and also on the other side of Capitol Hill. Mr. Lippmann concludes that we have been derelict in our duty in a number of respects. I note that one of his criticisms—and I believe it to be unfounded, although I agree with the rest of the article—is that we have been derelict in our duty to provide satisfactorily for a vacancy in the Presidency. The present occupant of the chair, the distinguished Senator from Indiana [Mr. BAYH], is hard at work on hearings on a variety of bills to provide satisfactorily for a vacancy in the Presidency and, indeed, in the Vice Presidency as well.

It is a subject which I believe quite properly requires a good deal of time and careful consideration. I commend my friend from Indiana for his activity in this regard. I am confident that with somewhat more than deliberate speed there will be forthcoming from the subcommittee and from the full committee some proposed legislation, perhaps a proposed constitutional amendment, which will deal with this subject.

However, I completely agree with Mr. Lippmann in his second criticism, that Congress is guilty of smothering and strangling rather than debating and voting, and that this policy violates basic principles of representative government.

It is because of this part of Mr. Lippmann's critique that I call the attention of my colleagues in the Senate to the article which I have offered to be printed in the RECORD.

Mr. President, the pending business, as I understand, is the Senate resolution of which the Senator from Rhode Island [Mr. PASTORE] is in charge. It would create and provide a rule of germaneness for 3 hours every day. The pending question is on the amendment to the resolution sponsored by my colleague from Pennsylvania [Mr. SCOTT] and myself, which would create a flexible rather than an inflexible rule of germaneness.

I call the attention of Senators to the somewhat embarrassing position in which we would find ourselves at this moment if the resolution which my friend from Rhode Island is sponsoring were in effect. That resolution calls for a period of 3 hours every legislative day, beginning at the end of the morning hour, during which debate would have to be germane.

Inasmuch as the leadership has decided, owing to the illness of the Senator from Rhode Island [Mr. PASTORE], not to attempt to adopt the resolution in his absence—and I am completely in accord with that procedure as a matter of senatorial courtesy—we find ourselves at the moment in the rather odd situation of engaging in nongermane debate on a resolution dealing with germaneness in order quite properly to mark time until the Senator in charge of the resolution is able to return to the floor.

If his form of germanenes resolution were in effect, we would be in the embarrassing situation of seeking to lift that provision, because no Senator would want germane debate, but we would be operating under an inflexible resolution, a mandatory resolution providing for germaneness for 3 hours, which would have started when the morning hour terminated a few minutes ago.

That dilemma would not confront us under the Scott-Clark substitute, because that rule of germaneness would not go into effect until the Senator in charge of the resolution requested it, and the operation of which rule could be suspended at any time at his request, subject always to a vote, without debate, if the Senate, or a substantial number of Members of the Senate wished such a vote to determine whether the wishes of the Senator in charge of the resolution should be indulged.

Therefore I hope some of our friends in the Senate will read my comment in the RECORD tomorrow, so that when we come to consider and, we hope, adopt some form of germaneness resolution, consideration will be given to the fact that it is far wiser to have a flexible rule, which will meet a particular situation from time to time as it arises, instead of an inflexible rule, which requires a fixed period of germanenes every day whether it is needed or not.

Mr. President, Mr. Lippmann's principal recommendation to enable Congress better to perform its duties is that we should adopt appropriate procedures by which all the major recommendations of the President would automatically be brought to a vote on their merits in the House and the Senate within a reasonable time after the President has submitted his legislative recommendations to Congress.

One year ago yesterday, on January 15, 1963, I submitted to the Senate a sense-of-the-Senate resolution to that effect. The resolution was referred to the Committee on Rules and Administration. Nothing has happened to it since then. It still festers there. I ask unanimous consent that the text of Senate Resolution 42, as submitted by me, may be printed at this point in my remarks.

There being no objection, the resolution was ordered to be printed in the RECORD, as follows:

> *Resolved,* That it is the sense of the Senate that each standing committee of the Senate shall consider any legislative proposal of the executive branch of the Government referred to it within a reasonable time prior to July 4 of any year and report its recommendations for or against enactment to the Senate, so that the Senate as a whole will have an opportunity to consider the proposal and the recommendations of the committee prior to the adjournment of the session at which the recommendation was made.

Mr. CLARK. Mr. President, the form of the resolution which has just been printed in the RECORD is not necessarily the last word on this subject. I have no doubt that it could be improved both in substance and in draftsmanship. Nevertheless, it gives an indication of how we could go about making the much-needed reform in our procedures that Mr. Lippmann has called to our attention.

AWARDS BY JUNIOR CHAMBER OF COMMERCE OF THE UNITED STATES TO OUTSTANDING YOUNG MEN OF 1963

Mr. CLARK. Mr. President, I hope the ears of the distinguished junior Senator from Indiana [Mr. BAYH], who is now presiding, are not burning too readily, because I intended to speak briefly about the action of the Junior Chamber of Commerce of the United States in announcing its selection of the 10 outstanding young men of 1963. High on that list is the able junior Senator from Indiana [Mr. BAYH], who certainly is highly worthy of that honor. I congratulate him on his well-deserved award.

It so happens that another one of the young men who have been awarded this distinguished honor is the most recent appointee to the U.S. District Court for the Eastern District of Pennsylvania, Hon. A. Leon Higginbottom, Jr., described in the award as a lawyer, but who is now a judge. A Negro, he is one of the most outstanding young men at the Philadelphia bar. At the age of 35, he has been nominated for the bench in an interim appointment. At present he is serving in that capacity in the U.S. District Court for the Eastern District of Pennsylvania.

Mr. Higginbottom spent a year as a member of the Federal Trade Commission, where he rendered outstanding service. He is a graduate of Antioch College and of Yale Law School. He was an assistant district attorney in Philadelphia County and also had a wide and successful private practice.

I call the attention of Senators to the honor which has been awarded to him and to nine other fine young men who are making their mark in the country today, including our colleague from Indiana [Mr. BAYH].

Mr. YARBOROUGH. Mr. President, I desire to commend the distinguished Senator from Pennsylvania for calling the attention of the Senate to the honor that has been won by the distinguished junior Senator from Indiana [Mr. BAYH], who is now presiding over the Senate. I associate myself with the remarks of the Senator from Pennsylvania. I am sure he speaks the sentiment of the entire membership of this body concerning one who has been so successful as to have won this award, and who is highly deserving of the consideration for the honor which has been shown him by the Junior Chamber of Commerce of the United States. I join in congratulating the junior Senator from Indiana upon receiving this award.

Mr. SPARKMAN. Mr. President, I wish to join in the expressions made by the Senator from Pennsylvania [Mr. CLARK] and the Senator from Texas [Mr. YARBOROUGH] in extending congratulations to the present occupant of the chair upon the high honor that has come his way. It is a distinct honor to be recognized by the Jaycees, as young men have been recognized over the years. I extend my congratulations to the distinguished junior Senator from Indiana [Mr. BAYH] upon this award.

The PRESIDING OFFICER (Mr. BAYH in the chair). The Chair wishes to thank his colleagues for their remarks.

As Presiding Officer, the Chair is precluded from further expressing his gratitude.

EXTENSION OF CERTAIN VETERANS' ADMINISTRATION GUARANTEED OR INSURED HOME LOANS

Mr. YARBOROUGH. Mr. President, I ask unanimous consent that the pending business be temporarily laid aside and that the Senate proceed to the consideration of Calendar No. 750, S. 385.

The PRESIDING OFFICER. The bill will be stated by title.

The LEGISLATIVE CLERK. A bill (S. 385) to extend the maximum maturity of certain Veterans' Administration guaranteed or insured home loans to 35 years.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

There being no objection, the Senate proceeded to consider the bill.

Mr. YARBOROUGH. Mr. President, the bill would extend the maximum maturity on Veterans' Administration guaranteed or insured home loans from 30 to 35 years on a newly constructed dwelling or the construction of a dwelling, when such maturities are agreed upon between private lenders and borrowers. There is no requirement that guaranteed or insured home loans have a maturity date of 35 years.

Enactment of this bill would make it possible for some veterans in lower income groups to qualify for GI home loans, who could not otherwise qualify. The difference in the amount of the monthly payment on an average loan in the amount of $14,900, at 5¼ percent per annum for 30 years and for 35 years, is about $4.70 per month. A reduction of this size would be a favorable factor in determining whether the veteran has the ability to meet the payments on the proposed loan, which in turn determines whether he obtains the housing he needs.

A tabulation submitted by the Veterans' Administration shows the estimated income distribution of veterans acquiring guaranteed home loans in 1962, on a prior approval basis. The tabulation shows that about one-third of such home loans guaranteed in 1962 were made to veterans having a monthly take-home income ranging from $400 to $499. Only about 3.5 percent were made to veterans having monthly take-home income of less than $300. The average family income in America for those families where the head of the family had not gone beyond the eighth grade in school is $3,300. This, I think, shows the real need for this bill.

The distinguished Senator from Alabama [Mr. SPARKMAN], the outstanding Senate authority on housing, in testifying in favor of S. 385 before the Subcommittee on Veterans' Affairs, put the matter in correct perspective when he said:

> In 1961, the Congress adopted legislation which is designated to "phase out" the VA home mortgage programs for both veterans of World War II and the Korean conflict. Such phasing out would be accomplished by a formula written into the 1961 law, that is Public Law 87-84. Under the law July 25, 1967, was established as the last date upon which veterans of World War II could exercise their eligibility to obtain housing under the veteran housing programs, and January 31, 1975, as the last date for Korean conflict veterans. Under the formula some World War II veterans lost their entitlement on July 25, 1962, and since, almost on a daily basis, other World War II veterans are losing entitlement.
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> It has now been some 17 years since the cessation of hostilities in World War II and the major portion of veterans serving in that war have reached their lifetime economic strata. In many cases their financial positions are not sufficient to qualify them to obtain needed housing under a 30-year mortgage term and yet, many of them could qualify if the term of the mortgage were extended to 35 years. In many respects the same situation holds true for Korean conflict veterans. By extending the VA mortgage term to 35 years we would, in effect, be giving many worthy veterans a last chance to qualify for sorely needed housing before their eligibility terminates.

It is recognized that there will be an increase in total interest payable on a 35-year basis. For some veteran this might be a deterrent to making a 35-year loan. But, since this increase would be spread over a long period of time, others would consider the advantage of lower monthly payments to be the more important factor. In any event, the greater maturity is an optional matter for decision between the veteran and the lender inasmuch as there is no mandatory aspect about the extended maturity.

The Veterans' Administration, the Bureau of the Budget and the minority views of the two Senators in the report, all seem to stress the fact that FHA borrowers pay a one-half percent mortgage insurance premium, which makes the FHA average monthly payment about $1 more than comparable 30-year GI loan monthly payments. Why should not a GI loan be more favorable? That was the idea when this program was started—to give our veterans who could not qualify under other housing programs a chance to have decent housing. This bill continues that original principle. The VA representative himself testified that the one-half percent mortgage insurance premium was not required of the veteran because it was felt that this should be one of the benefits he was entitled to.

The overall repayment record of veterans who have taken advantage of the housing benefits has been excellent. As of December 31, 1962, about 34 percent of the total home loans made or guaranteed by the VA had been paid in full.

Since 1944, when the program was started, approximately 6 million loans have been guaranteed or insured by the VA. Through July 1963, the VA had paid about 118,000 defaulted claims on that total number of loans, which amounts to approximately 1.9 percent. When you consider the total money lost in default, the record is even more spectacular. Total money lost in defaults as compared to the total money outlay for the approximately 6 million loans amounting to about $55.5 billion, is about two one-hundredths of 1 percent.

While there has been a slight upward trend in the past few years in the number of defaults on guaranteed or insured home loans, this has been due largely to a stabilized housing market and unfavorable economic conditions in certain areas of our country. According to VA testimony, 80 percent of these defaults and foreclosures on GI loans are concentrated in 16 VA regional office areas, which involve about 12 States. In many of those areas the economic condition generally has been improving.

Some veterans encountering financial difficulties in the early years of their loans have found it more difficult to sell their homes readily for an amount at least equal to the loan balance plus selling expenses. The question has been raised whether the making of 35-year loans might not aggravate this problem and tend to produce more defaults by veterans whose equity would accumulate more slowly because a greater portion of the monthly payment would go to interest. This is purely speculative. The committee could not find any concrete evidence that such a slight extension of the permissible maximum loan period as contemplated by this bill would have any such effect. Moreover, available evidence strongly suggests that the advantages are sufficient to offset such speculative adverse effects.

The VA reported that the need for this legislation was questionable, while the Bureau of the Budget gave an adverse report.

The National Association of Home Builders, the American Veterans' Committee, and the Veterans of Foreign Wars testified in favor of this bill.

The VA reported that enactment of this bill would not cause any immediate increase in costs to the Government.

Mr. SPARKMAN. Mr. President, will the Senator yield?

Mr. YARBOROUGH. I yield.

Mr. SPARKMAN. Mr. President, I am a cosponsor of the measure, S. 385, which is presently pending before the Senate. Under normal and usual circumstances bills pertaining to the VA direct loan program are under the jurisdiction of the Banking and Currency Committee, while bills pertaining to the VA guaranteed loan program are under the jurisdiction of the Senate Labor and Public Welfare Committee. Early in the 1st session of the 88th Congress, the senior Senator from Texas and I discussed extending the term of the mortgage for both the VA guaranteed and direct home loan program from 30 to 35 years. We agreed at that time, since the Senate Subcommittee on Veterans' Affairs had held hearings and reported a similar measure during the 2d session of the 87th Congress, to introduce one bill which would be referred to the Labor and Public Welfare Committee to accomplish this change. S. 385, the pending measure, is that bill.

Am I correct, Senator YARBOROUGH, that the pending measure would extend the mortgage term for both the VA guaranteed and direct home loan programs, insofar as they pertain to new construction, from 30 to 35 years?

Mr. YARBOROUGH. The Senator is absolutely correct.

In the past, as the Senator has mentioned, there have generally been two bills. I have sponsored one from the Committee on Labor and Public Welfare, of which the Senator from Alabama was a cosponsor. He has been the most knowledgeable man that I know of in the field of housing and mortgage finance, and so forth, with respect to all of the various Federal programs sponsoring homeownership and better housing for America. The distinguished junior Senator from Alabama has sponsored VA direct home loan bills.

As the Senator has mentioned, that was because of jurisdictional convenience in the Senate.

Mr. SPARKMAN. In other words, the measure would have no application to the mortgage terms on existing housing upon which a VA guaranteed or direct home loan mortgage exists.

Mr. YARBOROUGH. The Senator is correct.

Mr. SPARKMAN. I should state that there was a split in jurisdiction; and as the Senator knows this comes about because of the Omnibus Housing Act of 1950, which contained, under my sponsorship, the direct home loan program for veterans. The 1950 Housing Act was under the Banking and Currency Committee and therefore we have retained jurisdiction of the direct loan program, since that time.

Mr. YARBOROUGH. I commend the distinguished junior Senator from Alabama for what he has done for veterans housing over the years and for what he has done for all housing programs, and for his leadership in that field.

I also wish to commend him on the original GI bill of 1944, which calls to mind the fact that the second measure pending on the calendar is No. 319, Senate bill 5, the cold war GI bill. The distinguished Senator from Alabama also is a cosponsor of that bill, and has been one of its leaders. I am hopeful that in the not too distant future the Senate may consider Calendar No. 319, Senate bill 5, and also pass that badly needed legislation.

I honor the Senator from Alabama for being one of the sponsors of the original GI bill of 1944, under which 7,800,000 veterans of World War II, were able to obtain a measure of education. Some of them completed their education all the way from high school to obtaining their Ph. D.'s.

Mr. SPARKMAN. It was called the GI bill of rights. It was formally known as the Servicemen's Readjustment Act of 1944.

Mr. YARBOROUGH. In addition to housing, the Senator from Alabama has done so much not only for the veterans, but for the economy of the country.

Mr. SPARKMAN. I appreciate what the Senator has said.

Mr. President, this is the second time that legislation has been introduced which would affect the term of VA mortgages. During the 2d session of the 87th Congress a subcommittee of the Labor and Public Welfare Committee considered and favorably reported a similar measure, that is S. 3024. Subsequently, that bill was passed by the Senate but no action was taken by the House of Representatives. I supported the provisions of S. 3024. Likewise, I support the pending measure and I hope that Members of the Senate will again give favorable consideration to this bill.

There are, I believe, two principal reasons why the VA home mortgage term for new construction should be extended.

The first is to do equity and justice for our worthy veterans of World War II and the Korean conflict, and the second is to give many of these veterans a so-to-speak, last chance to obtain safe, decent, and adequate housing under the GI bill of rights.

With respect to my first point, I am sure Members of the Senate know that the Housing Act of 1961, that is Public Law 87-70, contained a provision which extended the term of the FHA section 203 regular sales housing mortgage from 30 to 35 years. Section 203 of the National Housing Act is the program most used by individual families of this Nation to procure housing commensurate with their needs. This section is also the program in the FHA operation which is most analogous to the VA home mortgage programs.

In short, the bill now pending before the Senate would make the VA program parallel to the FHA program and, indeed, would equalize the individual veteran's position versus that of the nonveteran who can now obtain a 35-year FHA-insured mortgage. I believe, and hope all Senators agree, that it is only reasonable and just that veterans are given a similar advantage when purchasing their homes as are nonveterans.

With respect to my second point, in 1961, the Congress adopted legislation which is designed to "phase out" the VA home mortgage programs for both veterans of World War II and the Korean conflict. Such "phasing out" would be accomplished by a formula written into the 1961 law, that is, Public Law 87-84. Under that law July 25, 1967, was established as the last date upon which veterans of World War II could exercise their eligibility to obtain housing under the veteran housing programs, and January 31, 1975, as the last date for Korean conflict veterans. Under the formula some World War II veterans lost their entitlement on July 25, 1962, and since, almost on a daily basis, other World War II veterans are losing entitlement.

It has now been some 17 years since the cessation of hostilities in World War II and the major portion of veterans serving in that war have reached their lifetime economic strata. In many cases their financial position is not sufficient to qualify them to obtain needed housing under a 30-year mortgage term and yet, many of them could qualify if the term of the mortgage were extended to 35 years. In many respects the same situation holds true for Korean conflict veterans. By extending the VA mortgage term to 35 years we would, in effect, be giving many worthy veterans a last chance to qualify for sorely needed housing before their eligibility terminates.

Under the circumstances described, I believe that the extension of the mortgage terms as is provided in S. 385 would be most beneficial and would serve as just one further way by which a grateful Nation can show its appreciation to its worthy veterans.

Before closing, I would like to add that the VA direct home loan program has been one of the most successful housing programs ever passed by the Congress and I am indeed proud to say that I sponsored the legislation establishing this program in 1950.

Since 1950 through September 1963, the VA has made a total of some 232,000 direct home loans aggregating in excess of $2 billion. Out of the total loans made, the VA has foreclosed or otherwise terminated 3,497 loans or approximately 1.4 percent of the loans originated. In addition, after absorbing liquidation losses and various other costs, such as costs of foreclosure, approximately $120 million in retained earnings or net profit has been realized by the Veterans' Administration.

Equally, the guaranteed loan program has been successful. Since inception of the program the VA has guaranteed in excess of $56 billion of veteran mortgage indebtedness. Losses under the guaranteed program have amounted to some $18½ million, or less than three one-hundredths of 1 percent.

Thus, if one takes both programs into account as a whole, and the net profits of the direct loan program are applied against the losses under the guaranteed program, which I understand the Veterans' Administration has done, there would still remain a net profit of better than $100 million to the Federal Government from the operation of these programs.

Mr. President, I ask unanimous consent to have printed in the RECORD several tables concerning the fiscal status of these two VA home loan programs. These will bear out my statement.

There being no objection, the tables were ordered to be printed in the RECORD, as follows:

FISCAL STATUS OF VA GUARANTEED AND DIRECT LOAN PROGRAMS

DIRECT LOAN PROGRAM

Comparative statement of income and expenses and changes to net worth

	Years cumulative through June 30, 1963	July 1, 1963, through September 1963	Cumulative
Income:			
Interest income on mortgage loans and advances	$349,546,875.55	$15,016,522.88	$364,563,398.43
Interest income on vendee accounts and advances	1,995,663.67	210,408.65	2,206,072.32
Interest income on veterans liability accounts	5,034.18	350.85	5,385.03
Rental income, property owned	116,591.90	11,943.02	128,534.92
Gross profits on sale of property	439,823.17	(142,968.22)	296,854.95
Gross gain on sale of mortgages	2,461.47	799.15	3,260.62
Premium on vendee accounts sales and repurchases	373.19	0	373.19
Miscellaneous income	6,386.573.16	224,233.40	6,610,806.56
Total income	358,493,396.29	15,321,289.73	373,814,686.02
Expenses and losses:			
Interest on U.S. Treasury loan	233,362,889.41	11,770,126.34	245,133,015.75
Property expense, operation of property	1,015,297.43	136,317.14	1,151,614.57
Sales expenses, loan program	807,003.33	107,414.56	914,417.89
General and special funds deposited	28.46	0	28.46
Expenses and losses, general:			
Loan closers' fees	3,873,267.07	1,116.25	3,874,383.32
Liquidation expenses	170,680.68	10,689.53	181,370.21
Miscellaneous expenses	72,839.09	5,180.65	78,019.74
Expenses and losses—Continued			
Expenses and losses, etc.—Con.			
Uninsured losses on acquired property	$304.20	0	$304.20
Writeoffs:			
Application fees	268,879.15	$16,492.97	285,372.12
Direct mortgage loans	661,812.06	62,526.13	724,338.19
Veterans liability	129,016.80	18,150.12	147,166.92
Acquired properties	966.04	1,817.98	2,784.02
Vendee accounts	4,827.87	1,362.76	6,190.62
Uncollectible receivables	538,431.81	86,620.44	625,052.25
Collection after writeoff	(22,199.48)	(1,764.04)	(23,963.52)
Receivables adjustments-computer balances	12,270.80	(273.58)	11,997.22
Total expenses and losses	240,896,314.71	12,215,777.25	253,112,091.96
Net worth:			
Balance beginning of year		16,444,103.58	
Net income for current period		3,105,512.48	
Balance prior to transfers	117,597,081.58		120,702,594.06
Less transfer to loan guarantee revolving fund	101,152,978.00		101,152,978.00
Balance at end of period	16,444,103.58	19,549,616.06	19,549,616.06

Source: Veterans' Administration.

Loan Guarantee Program

Statement of accountability of funds disbursed and collections received cumulative through Sept. 30, 1963

TOTAL FUNDS DISBURSED AND RECEIPTS RETURNED TO TREASURY AND DEPOSITED TO LOAN GUARANTEE REVOLVING FUND

Total funds expended (exclusive of 4-percent gratuities):		
1. For payment of claims	$618, 809, 621. 85	
2. For acquisition of property (additional cost)	573, 445, 521. 20	
3. For acquisition of loans, property management and sale, and all other expenditures	171, 626, 143. 04	
Total funds expended:		
Disbursements, deposit fund	730, 150, 446. 03	
Accrued expenditures, revolving fund	633, 730, 840. 06	
		$1, 363, 881, 286. 09
Receipts from operations:		
1. Deposits to general fund, Treasury	208, 815, 350. 01	
2. Deposits to loan guarantee revolving fund	489, 283, 524. 89	
		698, 098, 874. 90
Net expenditures to be accounted for		665, 782, 411. 19

ACCOUNTABILITY FOR NET EXPENDITURES

Assets on hand:			
1. Advances to VA employees for bidding at public sales			54, 644. 74
2. Property owned:			
(*a*) Property owned in absolute title		$216, 020, 833. 58	
(*b*) Property in process of acquisition		40, 766, 843. 17	
(*c*) Personal property owned		0	
			256, 787, 676. 75
3. Loans receivable:			
(*a*) Acquired loans		4, 618, 815. 62	
(*b*) Vendee accounts on property sold		354, 338, 922. 91	
(*c*) Mortgage loans in process of liquidation		116, 840. 29	
			359, 074, 578. 82
4. Accounts receivable:			
(*a*) Veterans liability accounts, gross	$49, 435, 473. 30		
(*b*) Due from others, gross	1, 070, 610. 14		
Total accounts receivable, gross		50, 506, 083. 44	

ACCOUNTABILITY FOR NET EXPENDITURES—continued

4. Accounts receivable—Continued			
(*c*) Less reserve on liability accounts	$20. 188, 885. 81		
Less reserve on other accounts	607, 484. 10		
Total reserve		$20, 796, 369. 91	
Net veterans liability and other accounts receivable			$29, 709, 713. 53
(*d*) Accrued income and rent			1, 525, 556. 39
Total assets on hand			647, 152, 170. 23
Estimated net loss			18, 630, 240. 96

RESULTS OF LIQUIDATION OF ASSETS AND OPERATIONS, SEPT. 30, 1963

1. Income:		
(*a*) Gross profit on sales:		
Selling price of property	$952. 935. 472. 00	
Book value of property	896. 393, 075. 64	
		56, 542, 396. 36
(*b*) Rental and miscellaneous income		16, 298. 891. 95
(*c*) Interest income:		
From loans receivable	$113, 486, 921. 70	
From veterans liability accounts	1, 168. 430. 74	
		114. 655. 352. 44
(*d*) Premium on vendee accounts sales and repurchases		3, 574. 708. 59
Total income		191, 071. 349. 34
2. Expenses and losses:		
(*a*) Property expense:		
Management expense	$74, 185, 316. 32	
Selling expense	45, 848, 563. 85	
		120, 033, 880. 17
(*b*) General expense		1, 511, 473. 88
(*c*) Provisions for reserves		85, 757, 404. 71
(*d*) Acquired security and collateral		1, 449. 760. 29
(*e*) Discounts, vendee accounts sales and repurchases		921, 082. 07
Total expenses and losses		209, 673, 601. 12
3. Difference between income and expenses and losses		18, 602, 251. 78
4. Intransit items [1]		27, 989. 18
Net expenditures accounted for		18, 630, 240. 96

[1] Represents balance of charges and repayments and receivables transferred to other stations which were not recorded by receiving stations at close of accounting period.

Source: Veterans' Administration.

Mr. SPARKMAN. Mr. President, with the enactment of the VA guaranteed and direct loan programs, the Congress placed a confidence in our Nation's veterans. Certainly this confidence has been proven over and again by the splendid record which has been achieved in these programs.

The bill being considered today would extend this confidence to many more veterans who thus far have not been able to exercise their eligibility to obtain a decent home under the GI bill of rights, simply because their economic position precludes them from doing so. I have confidence in these veterans and if they are given the chance I believe the record they make will be just as good as the record thus far achieved in the VA guaranteed and direct loan programs.

It is my sincere hope that the Senate will act favorably upon this bill.

Mr. SALTONSTALL. Mr. President, assuming the FHA 35-year limit at the present time, is that not an exceptionally long limit for the construction of a $15,000 house? Would such a house have any life left at the end of 35 years? What about its electricity and plumbing? Would it not be more difficult to induce a veteran to live in such a house and carry such a loan, even assuming that the house may have a life of 35 years?

I have always supported the principle of FHA loans, but it seems to me that we would be hurting rather than helping the veteran by extending the time limit.

Mr. YARBOROUGH. That has not been the experience with FHA loans. There has been no noticeable increase in losses because of the 35-year maximum allowable limit. In other words, we would not expect that a veteran would be less diligent than a nonveteran in paying his loan. There is nothing to suggest that veterans are less reliable than nonveterans. So I think the same guarantee should be extended to a veteran as is extended by the FHA to a nonveteran for an optional loan.

Mr. SPARKMAN. Mr. President, will the Senator from Texas yield?

Mr. YARBOROUGH. I yield.

Mr. SPARKMAN. I think for a long time there has been some fallacious reasoning with respect to the useful life of a house. Thirty-seven years ago, I built a house that then cost only about $3,500; I do not know what it would cost today.

Mr. SALTONSTALL. But today it is worth more than $3,500.

Mr. SPARKMAN. Yes. Its condition today is practically the same as when I built it. So a house does not deteriorate as rapidly as some may think.

Next, this is to be the maximum life of the mortgage, rather than the usual length. However, the experience in the mortgage field—and I think this applies both to FHA mortgages, VA mortgages, and investment mortgages—is that a mortgage, regardless of how long it is taken out for, has, on the average, a life of about 11 years.

Let us assume that veteran A has, after making a certain number of payments on his house, an equity in it of $3,000, $4,000 or $5,000—in other words, approximately one-third of the value of a $15,000 house; and let us assume that he wants to sell it, because he must move to another locality. Will he not be handicapped, as compared to veteran B, who can buy a newly constructed house on this very long term mortgage, and can put very little money into the house?

Mr. YARBOROUGH. That has been the experience in this country since 1940, on the rising market we have now had for some quarter of a century. I have neighbors who found that the repairs cost more than the original cost of their house. Judging by the experience in this country, future construction costs and prices of new houses will be greater than those today, and so will the monthly payments on mortgages.

Mr. SALTONSTALL. This is a permissive bill, is it not?

Mr. YARBOROUGH. Yes; it is permissive, only.

Mr. SALTONSTALL. What is the average length, today, of VA or FHA mortgages?

Mr. YARBOROUGH. The maximum length is 30 years under the VA and 35 years under the FHA.

The distinguished Senator from Alabama has just said they pay out, on the average, in 11 years.

What the average maturity is, I do not know; I have not seen the figures.

Mr. SPARKMAN. I think I am correct in saying it is between 23 and 25 years.

Mr. SALTONSTALL. So this a permissive bill; presumably it will not be greatly used?

Mr. SPARKMAN. I would not say that it would be greatly used, but the basis for qualification for the loan is the amount the veteran can pay monthly toward liquidating the mortgage. For a 25-year mortgage, let us say, he might not have sufficient monthly income to be able to make the required payments. If the term were extended to 28 years, let us say, the veteran might be able to "get over the hump." In such cases a 35-year term would be used.

Mr. SALTONSTALL. But the point is that it will be permissive.

Mr. SPARKMAN. That is correct; that is to be the maximum.

Mr. SALTONSTALL. I thank the Senator. I ask these questions because it seems to me, from my own limited experience, that the repairs over a period of 35 years will be quite costly. I understood the Senator from Alabama to say that he has had his house 27 years.

Mr. SPARKMAN. The one I built is 37 years old. The one I live in is probably 100 years old, although I have not had it that long. I wonder how old the Senator's house is.

Mr. SALTONSTALL. The one I lived in for a great many years is nearly 100 years old; the other one is nearly 200 years old. I know a good deal of money has been spent to keep them in good repair.

Mr. YARBOROUGH. I built my house about 23 years ago. Last fall—for the first time since then—I had it reroofed, painted, papered, and sanded. It was not rebuilt; but those improvements cost more than the original construction cost.

Mr. SPARKMAN. The Senator from Texas does not have to contend with the snow and ice storms that the Senator from Massachusetts and I do.

Mr. YARBOROUGH. The contractor said, "A new house would be less expensive, and would have more room." But I was not interested in that.

Mr. SALTONSTALL. I am sure the Senator from Texas is a good mechanic and keeps his house in good condition.

Mr. YARBOROUGH. My father still lives in the frame house I was born in some 60 years ago; it is in the eastern part of Texas. There is considerable rainfall there, and the house is built of pine timbers; but it is still in good condition, and probably will outlast my lifetime. So unless a house is burned, probably those built 25 years ago will outlast the newer ones.

Mr. SALTONSTALL. I think so, too. I raise these questions because it seems to me that foreclosures on the older houses would become more numerous than those on the newer ones, and thus we really would not be helping the veterans we want to help.

Mr. YARBOROUGH. I am sure the Senator from Massachusetts realizes that if this country ever encountered a depression similar to the one in the thirties, there would be foreclosures on mortgages of all kinds, private, FHA, and VA. However, I believe our social security program, pensions, and other programs would tend to prevent a depression. So I think it most unlikely that another depression of that severity would occur. Certainly I hope none will.

Mr. SPARKMAN. Mr. President, will the Senator from Texas yield further?

Mr. YARBOROUGH. I yield.

Mr. SPARKMAN. Perhaps one of the finest recovery programs in the depth of that depression was one which I know caused many persons to lift their eyebrows when they heard of it. That was the program under the Home Owners Loan Corporation. Under it, insurance companies, banks, and mortgage companies were able to collect the payments on their mortgages by means of Government underwriting.

I believe that the HOLC contributed more to the economic recovery of this country than any other single agency. A great deal of the present housing legislation is an outgrowth of that program; and in spite of all the risks taken, the Government ended with a profit from the HOLC.

Mr. SALTONSTALL. I thank the Senator from Alabama and the Senator from Texas.

Mr. YARBOROUGH. Mr. President, I ask unaniomus consent to have printed in the RECORD the communication of October 15, 1963, from the National Association of Home Builders endorsing this legislation, and also the communication of the American Veterans Committee also endorsing the legislation.

There being no objection, the letters were ordered to be printed in the RECORD, as follows:

NATIONAL ASSOCIATION OF
HOME BUILDERS,
NATIONAL HOUSING CENTER,
Washington, D.C., October 15, 1963.

Hon. RALPH YARBOROUGH,
Senate Office Building,
Washington, D.C.

DEAR SENATOR YARBOROUGH: The National Association of Home Builders, representing over 40,000 members of the homebuilding industry in the 50 States and Puerto Rico, is vitally interested in your bill, S. 385. This legislation would extend the maximum maturity of certain VA guaranteed or insured home loans to 35 years.

The NAHB board of directors has endorsed this proposal through convention approval (1961) of a resolution which stated that "the maximum permissible terms on VA mortgages should be the same as permitted under FHA." This policy was made part of our 1962 national policy statement, and remains effective to date.

We know that every effort will be made to have S. 385 enacted by the Congress, and if we can materially assist you in any manner, please let us know.

Sincerely,

W. EVANS BUCHANAN, *President.*

PREPARED STATEMENT OF THE AMERICAN
VETERANS COMMITTEE

Mr. Chairman and members of the committee, the American Veterans Committee (AVC) is pleased to submit its views for the record, on S. 1959, S. 2064, S. 385, and H.R. 5691.

The motto of AVC is "citizens first, veterans second," and the position of AVC throughout its history has been to distinguish between those disabled or killed in service on one hand, and those who have returned from service enriched in experience. AVC has favored adequate benefits for the former, but advocates readjustment assistance only for the latter.

Measured by this yardstick, the views of AVC on each of the legislative proposals now before the committee are as follows:

S. 1959, to amend 38 United States Code 1701(a)(1), to add 38 United States Code 1701(a)(10), to amend 38 United States Code 1701(d), 38 United States Code 1712(a)(3) and 38 United States Code 1762(a) to extend educational assistance to children of veterans who are totally disabled due to service-connected disability, in addition to those who have died due to the same causes.

AVC takes no position on this bill.

S. 2064, to amend 38 United States Code 1823(b) relative to interest payments on funds transferred between certain accounts.

AVC approves of this bill; the transfer of funds involved is essentially a bookkeeping transaction, and payment of interest thereon is essentially meaningless.

S. 385 to amend 38 United States Code 1803(d)(1) to extend the maximum period of Veterans' Administration guaranteed or insured loans.

AVC approves of this bill. The period to which this bill would extend the authority of the Administrator to guarantee or insure loans is the same as that provided under other legislation for the FHA. Bringing VA authority into line with that of the FHA is desirable.

H.R. 5691 to amend 38 United States Code 4110 to permit the delegation of certain disciplinary powers over VA medical, dental, and nursing personnel to the Chief Medical Director.

AVC approves of this bill. The amendment will initially put disciplinary matters into the hands of the Chief Medical Director, a member of one of the same professions as those involved in the disciplinary proceedings. The rights of those subjected to the discipline are preserved by permitting a further appeal to the Administrator.

AVC appreciates the opportunity to present its views. Thank you.

GOVERNMENT PURCHASES

Mr. WILLIAMS of Delaware. Mr. President, the Comptroller General has just issued another report calling attention to a situation wherein the Government has again incurred unnecessary costs, estimated at $18,700,000.

Today's example is another typical daily report of gross mismanagement. In this instance the Air Force bought spare parts costing about $50 million under contracts for related equipment when at the same time the identical parts could have been procured under separate spare parts contracts for about $32 million. In many instances the Government was simultaneously buying certain parts under two different contracts and under one of them the cost was many times in excess of the other.

I would cite the following examples as outlined in the Comptroller General's report:

The first example shows how on October 26, 1961, the Middletown air materiel area purchased a certain item for $330.03 each; however, in another area they were buying the same item under another contract for $206.31.

In the second instance the Ogden air materiel area ordered 56 mounts as initial spares under an equipment contract. They paid $78.53 each. Shortly before placing this order, the Mobile air materiel area bought 30 of the same units for $26.68. In this instance the contracts were awarded just 3 days apart.

In the third instance, on February 8, 1961, Mobile ordered 15 receiver-transmitters at a unit price of $7,622 each. The record shows that about a month prior to the Mobile order the Aeronautical Systems Division of the Air Force System Command bought 314 of the identical units at a price of $3,250 each.

In the fourth example Warner Robins air materiel area ordered 398 potentiometers as initial spares under an equipment contract. These potentiometers were priced at $487.08 each. Just 2 months prior to placing the order the Dayton Depot had purchased 250 potentiometers direct from the manufacturer at $240 each. Subsequently they bought 260 additional potentiometers at a unit cost of only $217. In this instance under one contract they were paying far more at one base than they were at another.

In the fifth example the Government ordered 2,220 electron tubes, type 5687WA, under an equipment contract at a price of $25.53 each. Again, the record shows that about a month prior to placing this order the Government at the Dayton Depot was buying 21,000 identical tubes at a unit price of only $1.49 each.

The sixth example points out that on January 19, 1961, the Government at the Ogden base ordered 700 electron tubes, type 5702WA. These tubes were priced at $58.32 each. At the time of the Ogden order a parts contract was in effect under which the Dayton Depot in February 1961, 1 month later, ordered 7,400 of such tubes at a unit price of $3.95.

In the seventh example, from January 1956 to May 1961, Mobile air materiel area ordered a total of 135 support assemblies under six different equipment contracts with the same contractor. Prices paid ranged from $527 to $626 each. At the same time the identical equipment was being procured at unit prices of only $260 each.

In the eighth example, between May 1957 and July 1960, 4 depots ordered 1,760 relays on 8 equipment contracts from 5 different contractors. Unit prices for these 1,760 relays ranged from $10.88 to $22.79. At the Daytona Depot in 1961 under a different contract they purchased 60 units of the identical item at a unit price of only $8.60.

The Government has a program under which they give an efficiency award known as the "E" Award to those companies who in the course of furnishing material render outstanding services, both from the standpoint of price and from the standpoint of delivery.

I am suggesting that in order to promote a greater degree of efficiency in our procurement division, the Government start a "D" Award—the Dunce Award—to be given to those procurement officers who so recklessly squander the taxpayers' money as in such examples as outlined in this report.

At this point I ask unanimous consent that there be printed in the RECORD that part of the Comptroller General's report in which he outlined the specific examples referred to above.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

ERECTION MECHANISM (FSN 1280–323–0658)

On October 26, 1961, Middletown Air Materiel Area, which was responsible for management of the end items of equipment and therefore responsible for issuing orders for initial spares to support the items, ordered 1,020 units of this mechanism, as initial spares, under an equipment contract. The mechanisms were priced at $330.03 each, a total price of $336,631 for the 1,020 units. However, Warner Robins Air Materiel Area, which had management responsibility for the mechanism itself, had several times previously obtained the item under replenishment procurements. For example, 8 months earlier, in February 1961, Warner Robins had procured 630 mechanisms, at a unit price of $206.31, direct from the manufacturer who supplied the above quantity to the equipment contractor for delivery to the Air Force. Had the 1,020 units ordered by Middletown been bought direct from a manufacturer at the $206.31 price, their total price would have been reduced by $126,194. Warner Robins could offer no reasonable explanation for not having deleted the item during its screening of the Middletown order prior to its issue.

MOUNT (FSN 5340–647–0194)

On October 31, 1960, Ogden Air Materiel Area ordered 56 mounts as initial spares under an equipment contract. The mounts were priced at $78.53 each, a total price of $4,398 for the 56 mounts. About 2 months prior to the placing of the order, Mobile Air Materiel Area, which had management responsibility for the mount itself, initiated a replenishment procurement for 30 units. The contract, citing a unit price of $26.68, was awarded 3 days after the Ogden order. Had the 56 mounts bought as initial spares been included in the Mobile contract, their total price would have been reduced by $2,904. Mobile could offer no reasonable explanation for not having deleted the item during its screening of the Ogden order.

RECEIVER-TRANSMITTER (FSN 5895–539–7179A)

On February 8, 1961, Mobile ordered 15 receiver-transmitters as initial spares under an equipment contract. The receiver-transmitters were priced at $7,622 each, a total price of $114,330 for the 15 receiver-transmitters. About a month prior to the Mobile order, the Aeronautical Systems Division (ASD) of the Air Force Systems Command procured 314 units of this item at a unit price of $3,250. The 15 units ordered by Mobile were procured by the equipment contractor from the same manufacturer who furnished the 314 units to ASD. Had the 15 units been included in the ASD contract, they could have been purchased for $65,580 less. We understand that Dayton Air Force Depot, which had management responsibility for the receiver-transmitter, was not given an opportunity to screen the equipment contractor's list of recommended spares prior to Mobile's issuance of the order. When Dayton Depot learned of the order, it contacted Mobile and attempted to terminate the order. However, the depot learned that all units had been shipped.

POTENTIOMETER (FSN 5905–681–4790)

On August 29, 1960, Warner Robins ordered 398 potentiometers as initial spares under an equipment contract. The potentiometers were priced at $487.08 each, a total price of $193,858 for the 398 potentiometers. The equipment contractor purchased this item from another source. About 2 months prior to the order, Dayton Depot purchased 250 potentiometers direct from a manufacturer under a parts contract at a unit price of $240 and, subsequent to the Warner Robins order, purchased 260 additional potentiometers at a unit price of $217. Had the 398 potentiometers been purchased under a parts contract at the $217 price, their total price would have been reduced by $107,492.

ELECTRON TUBE, TYPE 5687WA (FSN 5960–577–3078)

On August 29, 1960, Warner Robins ordered 2,220 electron tubes, type 5687WA, under an equipment contract. The tubes were priced at $25.53 each, a total price of $56,677 for the 2,220 tubes. The equipment contractor procured the tubes from another source. About a month prior to the placing of the Warner Robins order, Dayton Depot, which had management responsibility for the tube, ordered about 21,000 tubes from a manufacturer under an existing parts contract at a unit price of $1.49. Procurement of the 2,220 tubes at the $1.49 price would have reduced their cost by about $53,000.

ELECTRON TUBE, TYPE 5702WA (FSN 5960–262–0195)

On January 19, 1961, Ogden ordered 700 electron tubes, type 5702WA, under an equipment contract. The tubes were priced at $58.32 each, a total price of $40,824 for the 700 tubes. Although this type of tube was already in the system, the 700 tubes were procured from the equipment contractor on the assumption that the contractor's test and inspection were necessary to assure reliable performance of the related equipment. At our request an engineering evaluation of the testing and inspection specifications prescribed by the equipment contractor was made by technicians at Dayton Depot. It was their opinion that the tests and inspections prescribed by the contractor were no more demanding or restrictive than those contained in military specifications which are imposed on manufacturers furnishing the basic tube direct to the Air Force. On the basis of this opinion, depot officials decided that it was not necessary to procure the tubes from the equipment manufacturer. At the time of the Ogden order, a parts contract was in effect under which Dayton Depot in February 1961 ordered 7,400 of such tubes at a unit price of $3.95. Procurement of the 700 tubes at the $3.95 price would have reduced their cost by about $38,000.

In addition, we identified 118 other orders for 115,617 tubes, involving 38 basic tube types, that were, also unnecessarily, bought from equipment contractors for the same reasons. These orders were priced at $731,800. We found that the basic tube types had been purchased on parts contracts before and after the orders in question. Had the tubes priced at $731,800 been procured under the parts contracts, their cost would have been reduced by about $460,000. In each of these instances it was subsequently determined by Dayton Depot technicians that the tests and inspections prescribed by the equipment contractors were unnecessary.

PARTS PROCURED REPETITIVELY UNDER EQUIPMENT CONTRACTS COULD HAVE BEEN PROCURED UNDER PARTS CONTRACTS AT A SAVINGS OF ABOUT $12,300,000

Orders issued under 132 equipment contracts selected by us for review included about 6,200 types of parts, at a total cost of about $33,400,000, which were identical to parts procured under one or more earlier equipment contracts. Over 60 percent of these parts were procured under three or more equipment contracts. We believe that, once an item is introduced into the supply system, additional requirements should be met through procurement under parts contracts. If the procurement of these parts on equipment contracts increased their cost to the same extent that the cost of the parts discussed on page 7 was increased, a savings of about 37 percent, or $12,300,000, would have resulted from their procurement under parts contracts.

The following examples illustrate the repetitive ordering of parts as initial spares under equipment contracts. Additional examples are summarized in exhibit B.

SUPPORT ASSEMBLY (FSN 1730-623-6578)

From January 1956 to May 1961, Mobile Air Materiel Area ordered a total of 135 support assemblies under 6 different equipment contracts with the same contractor. Orders for these 135 assemblies were incorporated into the equipment contracts at unit prices ranging from $527 to $626, a total price of $77,029 for the 135 assemblies. The assembly was not purchased under a parts contract until August 1961. At that time eight assemblies were procured at a unit price of only $260.

RELAY (FSN 5945-556-4405)

From May 1957 to July 1960, 4 different depots ordered 1,760 relays on 8 equipment contracts from 5 different prime equipment contractors. Unit prices for the 1,760 relays ranged from $10.88 to $22.79, and the total price of the relays was $21,370. Dayton Depot, which had management responsibility for the relay, did not purchase the item under a parts contract until May 1961. At that time 60 units were purchased at a unit price of only $8.60.

LIGHT ASSEMBLY (FSN 6220-557-3011A)

From March 1958 to July 1961, Warner Robins and Mobile ordered 777 light assemblies on 7 equipment contracts from 2 contractors. Unit prices under these 7 contracts ranged from $16 to $21, a total price of about $15,000 for the 777 assemblies. San Antonio, which had management responsibility for the assembly, had at the time of our review never procured the item under a parts contract, even though the item is manufactured by a source other than the two contractors from which it was obtained.

EXTENSION OF GI GUARANTEED OR INSURED HOME LOANS

The Senate resumed the consideration of the bill (S. 385) to extend the maximum maturity of certain Veterans' Administration guaranteed or insured home loans to 35 years.

The PRESIDING OFFICER (Mr. McIntyre in the chair). The bill is open to amendment.

Mr. SALTONSTALL. Mr. President, I withdraw my request, since the minority leader is now present.

The PRESIDING OFFICER. The Senator from Illinois is recognized.

Mr. DIRKSEN. Mr. President, we are presented with what I believe is a very intriguing situation in relation to the bill. The bill would extend the maturity period on veterans' mortgages up to a period of 35 years. I am quite sensible of the fact that the mortgage would not necessarily have to be a 35-year mortgage, but at least such a term would be permissible. The action is proposed largely, I believe, on the ground that it would bring the maturity period pretty well in line with the 25-year period of maturity that pertains so far as FHA mortgages are concerned.

However, there is a difference, and that is in the insurance premium.

But I should like to state an essential fact. The Administrator of the Veterans' Administration has said very specifically:

> Because of the foregoing considerations, we believe that the need for the enactment of S. 385 at this time is questionable.

We are dealing with mortgages on new construction for veterans. An administrator of the Government who is charged with veterans' affairs, including VA loans, has uttered formally to the committee his doubts that the action ought to be taken. He has said that at this time it "is questionable."

He has pointed out, among other things, that on the basis of 35-year loans, the interest that the veteran would pay over that time on a structure costing originally $14,900 would be $2,967.89 more than for a 30-year loan. That is quite an item, and no one appreciates it better than I, because at a very young age I was a member of a building and loan board in my hometown. I still serve on such a board in one of the largest institutions in the United States; namely, the First Federal Savings & Loan Association in Chicago. I have been living with building and loan and home building activities for almost a lifetime. I try to see the problems realistically.

But that is not all. From the Executive Office of the President; namely, the Bureau of the Budget, over the signature of Mr. Hughes, the Assistant Director for Legislative Reference, comes their letter to the chairman of the committee. The Budget Bureau has said:

> In light of the observations above, we would not favor enactment of S. 385.

Two responsible agencies of Government that must deal with the subject have made statements. One expresses its opposition and the other expresses its doubts about the advisability of the kind of action proposed.

It should be pointed out that between the FHA and the Veterans' Administration the Federal Government today owns the fee in many thousands of properties.

The table that is printed in the committee report indicates a total of 24,000 absolute titles, so far as the Veterans' Administration is concerned. The latest figure that I saw in the Federal Housing Administration may conceivably be twice that number. So now we are about to undertake the task and the responsibility of setting up a maintenance division in both the FHA and in the Veterans' Administration also for the purpose of renting those units, if it can be done; and we are going in for repairs and all that depreciating property requires in order to preserve the value and the investment that the Federal Government has in it.

The Budget Bureau has also expressed some doubt that adding to the length of time for the maturity would improve the ownership or the foreclosure situation. I quite agree. Under those circumstances, I do not wish to see the bill rushed through. We forget that when the Government acts in the manner proposed, its action has an impact upon maturities in all the private institutions in the country. If we give the proposal enough of a shove, those institutions will have to come along. I do not know quite how we shall be able to measure the damage we would do to the entire home financing structure outside of Government as well as in it.

The Republican members on the committee have signed minority views. So in addition to the minority views, we have a record of the Veterans' Administration questioning the advisability of the action. We have the President's Budget Bureau in opposition to it. In the face of those statements, I believe it is about time for the Senate to go on record; so I shall suggest the absence of a quorum for the purpose of asking for a yea-and-nay vote on the bill.

Mr. President, first, I ask to have printed at this point in the Record the letter which the Veterans' Administrator addressed to the chairman of the committee on the 7th of October 1963. In addition, following that letter, I ask unanimous consent to have printed the letter from the Budget Bureau dated August 22, 1963.

There being no objection, the letters were ordered to be printed in the Record, as follows:

Veterans' Administration,
Office of the Administrator
of Veterans' Affairs,
Washington, D.C., October 7, 1963.

Hon. Lister Hill,
Chairman, Committee on Labor and Public Welfare, U.S. Senate, Washington, D.C.

Dear Mr. Chairman: The following comments are submitted in response to your request for a report by the Veterans' Administration on S. 385, 88th Congress.

The purpose of the bill is to extend the maximum maturity of VA guaranteed or insured home loans from 30 to 35 years in those cases where the loan is for the purchase of a newly constructed dwelling or for construction of a dwelling.

While the stated purpose of the bill is to extend the maximum maturity of certain guaranteed or insured home loans, the effect of the bill would be that the maximum maturity of direct loans would also be extended in the case of new construction.

We are aware that there is some precedent for extending the maximum maturity of home loans to 35 years since the Congress in the Housing Act of 1961 (Public Law 87-70) provided that FHA-insured loans made under section 203 could have a maximum maturity of 35 years where the mortgage is approved for insurance prior to construction. The 30-year maximum continues to apply to FHA-insured mortgages covering existing housing.

The Servicemen's Readjustment Act originally specified a limit of 20 years on home loans. By amendments of 1945 and 1950 this was extended to 25 and 30 years, respectively.

When consideration was being given to extending the term of home loans in 1945 and 1950 there was necessarily involved the question as to the soundness of loans to be made at the increased maturity. There were also involved questions as to the additional interest costs to the veteran-borrower, the reduction in the supply of mortgage funds caused by the slower recapture of principal, and the likely additional cost to the Government. We do, of course, consider that the maximum maturity of a home loan should not be in excess of the economic life of the property being acquired. We have provided by regulation that every guaranteed or insured loan must be repayable within the estimated economic life of the property being acquired and our appraisal process is designed to give assurance that this is observed.

Overall, the repayment record of veterans has been excellent. The number of claims paid in relation to the total home loans guaranteed is approximately 1.9 percent. There is no question that more veterans have been able to buy homes with GI financing because of the longer possible terms. Whether the repayment record would have been more favorable had loans been limited to a shorter maximum term is debatable.

There has been an increase in the defaults and foreclosures on VA guaranteed home loans in the last few years. One reason for the increase is that the housing market has become relatively stabilized in recent years. Earlier there had been a rising housing market and a veteran in financial difficulties in the early years in the life of the loan was able to sell his home readily for an amount at least equal to the loan balance plus selling expenses. This has become more difficult in the last few years. If there is a continuation of a relatively stable real estate market, the making of 35-year loans would aggravate this problem since the veteran's equity would accumulate at a slower rate than on a 30-year basis because of the greater portion of his monthly payment which is allocable to interest.

To the extent that lenders are willing to make 35-year loans some veterans would be able to qualify from a credit standpoint who could not otherwise qualify. As an example of the effect on monthly payments, the difference in the amount of the monthly payment on a loan of $14,900 at 5¼ percent per annum for 30 years and for 35 years is $4.70 per month. While this difference may seem rather inconsequential, a reduction of this size would be a favorable factor in determining whether the veteran has the ability to meet the payments on the proposed loan.

In contrast to the advantages of decreased monthly payments resultant from a 35-year maturity, there must be considered the sizable difference in total interest payable over the life of a 35- and a 30-year loan. The total interest payable over the entire life of a loan for $14,900 at 5¼ percent for 30 years is $14,720.21, while the total interest payable on a like loan for 35 years is $17,688.10—a difference of $2,967.89. It could well be argued that the sizable increase in total interest payable on a 35-year basis outweighs the advantage of the small decrease in monthly payments.

It is possible that extension of the maximum maturity to 35 years would enable lower income groups to obtain more GI loans to acquire homes than they have in the past. Our records indicate that only about 3.5 percent of all guaranteed home loans made in 1962 were made to veterans having monthly take-home incomes of less than $300. Over one-third of all home loans guaranteed in 1962 were made to veterans having monthly take-home incomes ranging from $400 to $499.

It should be noted that under the FHA program a borrower has to pay a one-half percent mortgage insurance premium. Thus, on an FHA loan of $14,900 having an interest rate of 5¼ percent, plus the FHA insurance premium of one-half percent, the monthly payment on a 35-year loan would be $83.81 per month. Since the FHA mortgage insurance premium is based on the outstanding principal balance, the amount of the borrower's monthly payment would be reduced slightly each year. On a GI 30-year loan for the same amount and made at the 5¼ percent interest rate, the monthly payment would be $82.40. Consequently, at an interest rate of 5¼ percent per annum, a veteran obtaining a 30-year GI loan for a given amount pays slightly less per month than his counterpart obtaining a 35-year FHA loan for the same amount.

If S. 385 were enacted there would be no immediate increase in costs. We have no way of forecasting the possible increase in costs in future years since we have no way of forecasting how many 35-year loans would be made.

Because of the foregoing consideration, we believe that the need for enactment of S. 385 at this time is questionable.

We are advised by the Bureau of the Budget that there would be no objection to the submission of this report to your committee and that the Bureau recommends against enactment of the bill.

Sincerely,

J. H. Gleason, Jr.,
Administrator.

Executive Office
of the President,
Bureau of the Budget,
Washington, D.C., *August 22, 1963.*

Hon. Lister Hill,
Chairman, Committee on Labor and Public Welfare, U.S. Senate, Washington, D.C.

Dear Mr. Chairman: This will acknowledge your letter of January 23, 1963, requesting the views of the Bureau of the Budget on S. 385, a bill to extend the maximum maturity of certain Veterans' Administration guaranteed or insured home loans to 35 years.

The proposed legislation would, in effect, permit VA home loans to be made which would carry lower monthly payments than under current terms. Thus the proposal might, in certain cases, permit loans to veterans who might otherwise not qualify because of the amount of monthly payment required.

In our report of March 28, 1962, to your committee on a similar measure, S. 3024, 87th Congress, the Bureau of the Budget stated that it questioned the need for such legislation at that time. Events of the past 17 months have not altered our concern as to the desirability of the measure.

First, there is doubt whether the veterans' loan program needs this stimulation. The conditions under which loans may be made or guaranteed under the veterans programs are already so favorable that a veteran with a VA 30-year loan may make smaller monthly payments than he would under an FHA 35-year loan. For the most part, the opportunities of the remaining eligible veterans, so many years past their discharges, are not significantly different from other home buyers so as to warrant further liberalization of terms than are now available through VA or FHA. The number of veterans eligible for VA guaranteed loans is gradually declining in accordance with the statutory formula governing entitlement. By 1967 the program will no longer be available to World War II veterans; by 1975 it will be entirely terminated except for special cases, and even now the majority of veterans are already past entitlement and would not be reached under the proposed liberalization.

Secondly, while we recognize that the FHA maturity period was extended to 35 years in 1961, we are concerned that a similar extension of the maturity period on VA loans carries greater potential risk. While FHA-insured loans require that the borrower pay one-half percent mortgage insurance premium to cover the risk of default, losses under the loan guarantee program are not so insured. Extension of the maturity period would slow the rate of equity accumulation, adversely affecting the veteran who might have a loan balance larger than he could recover if he had to liquidate his loan in its early years. While a stable real estate market, the veteran would have to hold his property for longer than he would under a 30-year loan in order to recover enough equity to cover the expenses of sale; where this is not possible he would suffer a greater loss or he would have to allow foreclosure to proceed with its resulting adverse effect on the individual as well as its costs to the Government. This problem has become increasingly significant because of the higher foreclosure rates experienced in recent years with longer term loans.

Finally, experience has shown that such benefits, originally intended to assist those who could not otherwise qualify, are soon used by all eligible applicants. In the most recent years, for example, only one-third of the veteran borrowers had monthly incomes of $400 or less after taxes, yet 96 percent of the borrowers took out the maximum 30-year loans and according to an FHA study, the foreclosure rate on 30-year loans is several times greater than those on 25-year loans. We believe that were the legislation enacted, new VA loan characteristics would become increasingly longer term and higher risk.

In light of the observations above, we would not favor enactment of S. 385.

Sincerely yours,

Phillip S. Hughes,
*Assistant Director
for Legislative Reference.*

Mr. YARBOROUGH. Mr. President, I point out that the report to which the distinguished Senator from Illinois has referred is the report of the full committee; the minority views are those of only two of the Republican members of the committee. A majority of the Republican members of the Committee on Labor and Public Welfare did not sign the minority views. There was support in the committee by members of the minority party for the proposed legislation. It was not a strict party-line vote in the committee.

I should like also to point out that in the testimony on the bill, at page 10, Mr. Dervan, who is Acting Administrator of the Veterans' Administration in the absence of Mr. Gleason, and Director of the Loan Guarantee Service, testified that under the veterans' loans there had been a loss to the Government in the amount of $13,200,000. In the direct veterans' loan program the Government had made a profit of $117 million, leaving the Government a net profit of $104 million on its veterans' loan program during the period that the program has been in effect.

That is due to the fact that the Veterans' Administration charges more than 5 percent, and the Government borrowing rate is 4 percent. The testimony shows that the Government has made a net profit of more than $100 million on veterans' loans during the existence of the program.

Also, as shown on page 11, Mr. Dervan testified that the record shows that 98 percent of the veterans have repaid or are repaying their obligations in accordance with their contracts. That means that not many are in default.

One sentence in the letter from the Administrator of Veterans' Affairs states that there will be no increased cost to the Veterans' Administration because of the administration of this law.

I yield the floor and suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. DIRKSEN. Mr. President, I ask unanimous consent that further proceedings under the quorum call be suspended.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. LAUSCHE. Mr. President, with respect to the bill that is pending before the Senate, it appears that the two interested agencies of Government which are most intimately connected with this program feel that the bill should not be passed. The arguments that are set forth are in the two letters written to the chairman of the committee. These letters were written respectively by Phillip S. Hughes, Assistant Director for Legislative Reference of the Executive Office of the President, and by the Veterans' Administration.

In these letters it is pointed out that the extension from 30 to 35 years of the tenure on which payments are to be made on a mortgage is not sound economically. It is indicated in these letters that no good reason has been shown why the period of payment should be raised to 35 years.

Mr. President, I ask unanimous consent to insert in the RECORD at this point the two letters, one from the Veterans' Administration and one from the Bureau of the Budget.

There being no objection, the letters were ordered to be printed in the RECORD, as follows:

VETERANS' ADMINISTRATION,
OFFICE OF THE ADMINISTRATOR
OF VETERANS' AFFAIRS,
Washington, D.C., October 7, 1963.

HON. LISTER HILL,
Chairman, Committee on Labor and Public Welfare, U.S. Senate, Washington, D.C.

DEAR MR. CHAIRMAN: The following comments are submitted in response to your request for a report by the Veterans' Administration on S. 385, 88th Congress.

The purpose of the bill is to extend the maximum maturity of VA guaranteed or insured home loans from 30 to 35 years in those cases where the loan is for the purchase of a newly constructed dwelling or for construction of a dwelling.

While the stated purpose of the bill is to extend the maximum maturity of certain guaranteed or insured home loans, the effect of the bill would be that the maximum maturity of direct loans would also be extended in the case of new construction.

We are aware that there is some precedent for extending the maximum maturity of home loans to 35 years since the Congress in the Housing Act of 1961 (Public Law 87-70) provided that FHA-insured loans made under section 203 could have a maximum maturity of 35 years where the mortgage is approved for insurance prior to construction. The 30-year maximum continues to apply to FHA-insured mortgages covering existing housing.

The Servicemen's Readjustment Act originally specified a limit of 20 years on home loans. By amendments of 1945 and 1950 this was extended to 25 and 30 years, respectively.

When consideration was being given to extending the term of home loans in 1945 and 1950 there was necessarily involved the question as to the soundness of loans to be made at the increased maturity. There were also involved questions as to the additional interest costs to the veteran-borrower, the reduction in the supply of mortgage funds caused by the slower recapture of principal, and the likely additional cost to the Government. We do, of course, consider that the maximum maturity of a home loan should not be in excess of the economic life of the property being acquired. We have provided by regulation that every guaranteed or insured loan must be repayable within the estimated economic life of the property being acquired and our appraisal process is designed to give assurance that this is observed.

Overall, the repayment record of veterans has been excellent. The number of claims paid in relation to the total home loans guaranteed is approximately 1.9 percent. There is no question that more veterans have been able to buy homes with GI financing because of the longer possible terms. Whether the repayment record would have been more favorable had loans been limited to a shorter maximum term is debatable.

There has been an increase in the defaults and foreclosures on VA-guaranteed home loans in the last few years. One reason for the increase is that the housing market has become relatively stabilized in recent years. Earlier there had been a rising housing market and a veteran in financial difficulties in the early years in the life of the loan was able to sell his home readily for an amount at least equal to the loan balance plus selling expenses. This has become more difficult in the last few years. If there is a continuation of a relatively stable real estate market, the making of 35-year loans would aggravate this problem since the veteran's equity would accumulate at a slower rate than on a 30-year basis because of the greater portion of his monthly payment which is allocable to interest.

To the extent that lenders are willing to make 35-year loans some veterans would be able to qualify from a credit standpoint who could not otherwise qualify. As an example of the effect on monthly payments, the difference in the amount of the monthly payment on a loan of $14,900 at 5¼ percent per annum for 30 years and for 35 years is $4.70 per month. While this difference may seem rather inconsequential, a reduction of this size would be a favorable factor in determining whether the veteran has the ability to meet the payments on the proposed loan.

In contrast to the advantages of decreased monthly payments resultant from a 35-year maturity, there must be considered the sizable difference in total interest payable over the life of a 35- and a 30-year loan. The total interest payable over the entire life of a loan for $14,900 at 5¼ percent for 30 years is $14,720.21, while the total interest payable on a like loan for 35 years is $17,688.10—a difference of $2,967.89. It could well be argued that the sizable increase in total interest payable on a 35-year basis outweighs the advantage of the small decrease in monthly payments.

It is possible that extension of the maximum maturity to 35 years would enable lower income groups to obtain more GI loans to acquire homes than they have in the past. Our records indicate that only about 3.5 percent of all guaranteed home loans made in 1962 were made to veterans having monthly take-home incomes of less than $300. Over one-third of all home loans guaranteed in 1962 were made to veterans having monthly take-home incomes ranging from $400 to $499.

It should be noted that under the FHA program a borrower has to pay a one-half percent mortgage insurance premium. Thus, on an FHA loan of $14,900 having an interest rate of 5¼ percent, plus the FHA insurance premium of one-half of 1 percent, the monthly payment on a 35-year loan would be $83.81 per month. Since the FHA mortgage insurance premium is based on the outstanding principal balance, the amount of the borrower's monthly payment would be reduced slightly each year. On a GI 30-year loan for the same amount and made at the 5¼ percent interest rate, the monthly payment would be $82.40. Consequently, at an interest rate of 5¼ percent per annum, a veteran obtaining a 30-year GI loan for a given amount pays slightly less per month than his counterpart obtaining a 35-year FHA loan for the same amount.

If S. 385 were enacted there would be no immediate increase in costs. We have no way of forecasting the possible increase in costs in future years since we have no way of forecasting how many 35-year loans would be made.

Because of the foregoing considerations, we believe that the need for enactment of S. 385 at this time is questionable.

We are advised by the Bureau of the Budget that there would be no objection to the submission of this report to your committee and that the Bureau recommends against enactment of the bill.

Sincerely,

J. H. GLEASON, Jr.,
Administrator.

EXECUTIVE OFFICE
OF THE PRESIDENT,
BUREAU OF THE BUDGET,
Washington, D.C., August 22, 1963.

HON. LISTER HILL,
Chairman, Committee on Labor and Public Welfare, U.S. Senate, Washington, D.C.

DEAR MR. CHAIRMAN: This will acknowledge your letter of January 23, 1963, requesting the views of the Bureau of the Budget on S. 385, a bill to extend the maximum maturity of certain Veterans' Administration guaranteed or insured home loans to 35 years.

The proposed legislation would, in effect, permit VA home loans to be made which would carry lower monthly payments than under current terms. Thus the proposal might, in certain cases, permit loans to veterans who might otherwise not qualify because of the amount of monthly payment required.

In our report of March 28, 1962, to your committee on a similar measure, S. 3024, 87th Congress, the Bureau of the Budget stated that it questioned the need for such legislation at that time. Events of the past 17 months have not altered our concern as to the desirability of the measure.

First, there is doubt whether the veterans' loan program needs this stimulation. The conditions under which loans may be made or guaranteed under the veterans programs are already so favorable that a veteran with a VA 30-year loan may make smaller monthly payments than he would under an FHA 35-year loan. For the most part, the opportunities of the remaining eligible veterans, so many years past their discharges, are not significantly different from other home buyers so as to warrant further liberalization of terms than are now available through VA or FHA. The number of veterans eligible for VA guaranteed loans is gradually declining in accordance with the statutory formula governing entitlement. By 1967 the program will no longer be available to World War II veterans; by 1975 it will be entirely terminated except for special cases, and even now the majority of veterans are already past entitlement and would not be reached under the proposed liberalization.

Secondly, while we recognize that the FHA maturity period was extended to 35 years in 1961, we are concerned that a similar extension of the maturity period on VA loans carries greater potential risk. While FHA-insured loans require that the borrower pay one-half of 1 percent mortgage insurance premium to cover the risk of default, losses under the loan guarantee program are not so insured. Extension of the maturity period would slow the rate of equity accumulation, adversely affecting the veteran who might have a loan balance larger than he could recover if he had to liquidate his loan in its early years. While a stable real estate market, the veteran would have to hold his property for longer than he would under a 30-year loan in order to recover enough equity to cover the expenses of sale; where this is not possible he would suffer a greater loss or he would have to allow foreclosure to proceed with its resulting adverse effect on the individual as well as its costs to the Government. This problem has become increasingly significant because of the higher foreclosure rates experienced in recent years with longer term loans.

Finally, experience has shown that such benefits, originally intended to assist those who could not otherwise qualify, are soon used by all eligible applicants. In the most recent years, for example, only one-third of the veteran borrowers had monthly incomes of $400 or less after taxes, yet 96 percent of the borrowers took out the maximum 30-year loans and according to an FHA study, the foreclosure rate on 30-year loans is several times greater than those on 25-year loans. We believe that were the legislation enacted, new VA loan characteristics would become increasingly longer term and higher risk.

In light of the observations above, we would not favor enactment of S. 385.

Sincerely yours,

PHILLIP S. HUGHES,

Assistant Director for Legislative Reference.

Mr. **LAUSCHE**. Mr. President, emphasis is given to the fact that, when the period of payment is increased from 30 to 35 years, a situation is created in which the borrower seldom develops an adequate equity in the property to induce him to become concerned about it. What we should try to do is create a situation in which the borrower develops an equity inducing him to husband the property, instead of merely living in it and frequently determining, after its use has been made, that the property will be given up.

In one of these letters is contained the statement that when the basic law was passed, the period of payment was 20 years. I read from the letter that came from the Veterans' Administration:

> The Servicemen's Readjustment Act originally specified a limit of 20 years on home loans. By amendments of 1945 and 1950 this was extended to 25 and 30 years, respectively.

I think the question, "When should the extension of the period of payment be stopped?" is justified. If the period is extended to 35 years now, what will happen 2 years from now, when there is another election? Is the period of payment then to be extended to 40 years?

I think the Senate cannot disregard the advice given by the Veterans' Administration; nor can it disregard the advice given by the Executive Office of the President. Each of these letters argues against the bill.

In one of the letters the statement is made that no one is pressing for the passage of the bill. The advice given by the two agencies of Government most intimately connected with the problem is that they do not favor the bill. In my judgment, passage of the bill would be a disservice to the borrowers. It would not be in the interest of the country. It would not be in the interest of the taxpayers. I urge that the bill be defeated.

The **PRESIDING OFFICER**. The bill is open to amendment. If no amendment is to be proposed, the question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed for a third reading, and was read the third time.

The **PRESIDING OFFICER**. The question is, Shall the bill pass? [Putting the question.]

Mr. **DIRKSEN**. Mr. President, I ask for a restatement of the question.

The **PRESIDING OFFICER**. The question is, Shall the bill pass?

The bill (S. 385) was passed, as follows:

> *Be is enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That subsection (d)(1) of section 1803 of title 38, United States Code, is amended by inserting after "thirty years," the following: "or, if such loan is for the purchase of a newly constructed dwelling or the construction of a dwelling, thirty-five years,".

Mr. **HUMPHREY**. Mr. President, I move to reconsider the vote by which the bill was passed.

Mr. **SPARKMAN**. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

ORDER FOR ADJOURNMENT UNTIL MONDAY NEXT

Mr. **HUMPHREY**. Mr. President, I ask unanimous consent that when the Senate completes its business today it stand in adjournment until 12 o'clock noon on Monday next.

The **PRESIDING OFFICER**. Without objection, it is so ordered.

LEGISLATIVE PROGRAM

Mr. **HUMPHREY**. Mr. President, for the information of the Senate, there will be no other legislative action taken today. Our colleagues in the Senate will therefore know what the program for the remainder of the day will be.

The Senator from Rhode Island [Mr. PASTORE] is still ill and will not be able to be present to continue the debate on the resolution providing for germaneness of debate under certain conditions.

Mr. President, it is my understanding that on Monday the Senate will proceed with the consideration of S. 2214, dealing with the International Development Association Act. I make this statement for the information of all Senators. A unanimous consent agreement limiting debate is in effect with respect to that bill. Therefore, consideration of S. 2214 should be concluded on Monday.

FARM POLICY COMMISSION

Mr. **HUMPHREY**. Mr. President, in recent weeks I have indicated my intention to submit a joint resolution providing for the establishment of a blue ribbon Commission to examine the entire agricultural policy of the United States. It is fundamental that the elected representatives of the American people take a careful look at the accumulated legislation for the last 30 years—in many cases contradictory legislation.

Out of the report of such a commission it would be expected that much would be learned. Out of the report of such a commission we could intelligently plot the course for the Nation's future. We must retain what is good and discard those creatures of the past which do not provide us with a unified constructive force in our dynamic society. I fear that in our agricultural policy we are suffering in some areas from the obsolete ideas of a vanished age. I fear that the American people have not fully understood the great contribution which the American farmer has made to the well-being of this Nation. I feel this way because there has been constant reiteration in the public information media of only those difficulties resulting from the costly acquisition and storage of a few commodities. I fear that too often the entire question of agricultural policy has received political consideration, rather than economic consideration oriented toward actual solution of problems. I fear that all too often we have been meeting our responsibilities by halfway, temporary measures.

It is against this background that I now propose the establishment of what might be called a blue ribbon Commission to consider our agricultural policies and to make recommendations to the President. The basic question to which this Commission should address itself is how best to deal with the revolutionary production force called technology.

I believe that such a commission, comparable in many ways to the Hoover Commission, should take note of the contribution which the American farmer has made and is making, not only to the well-being of this Nation, but to the rest of the world. We need to study and know better the contributions of agriculture to the growth of our economy. We need to study and know just how we can improve the lot of this numerically and proportionately shrinking group in a constructive bipartisan spirit. We need to do these things as a simple matter of justice. We need to do these things because there are many others primarily dependent on the production of this great basic force in our society. We are in the midst of a technological revolution in agriculture that not only is irreversible—except for temporary adverse weather effects—but is rapidly accelerating.

It appears to me that the fundamental problem of our age in agriculture is how to convert the blessing of abundance—which makes possible our high level of living in the United States—as a benefit also to the farmers who make this possible.

In a recent speech to the Farmers Union Grain Terminal Association, Secretary of State Dean Rusk said, and I quote:

> The abundance of food and fiber that you produce is a powerful element in our national strength. It is a powerful asset in the defense of our national interests and national life, and in promoting peace and freedom throughout the world.
>
> The miracle of American agriculture has not merely produced more and more food for a still-hungry world. It has turned men's hopes toward science and technology and their appetites away from plunder and conquest. It has opened the historical possibility of meeting by peaceful means the elementary daily needs of the whole human race.

Our 1963 level of agricultural production again has achieved a new record. We can look forward to another year of supplies of food and fiber more than adequate to meet our domestic consumption and exports. Premier Khrushchev, lacking the incentives fundamental to our family farm system, is waging a production war on his own soil. There is no question that the U.S. farmer will continue to outproduce his Soviet counterpart year after year after year. It is worthy of note that the Soviet farm failures are forcing a realinement of resources from armaments to fertilizer. Soviet agricultural failures are forcing some degree of disarmament.

Mr. President, from my long experience in agricultural affairs I have come to several basic conclusions, the most important one of which is that our American farmers will continue to produce in abundance, and that this is fundamentally good. It is a fact. It is a significant fact. Once we have recognized this basic consideration, we must start thinking how to use this God-given abundance as a fountainhead of opportunity. This American agricultural productivity is one of the greatest assets in the free world. If we are competitive in both price and quality, and if we bargain effectively, we will find that our farm products are needed in commercial markets all over the world and in special export programs. In many areas of the world American technicians can be moved to help win the battle in other countries, especially the developing nations, for economic growth and freedom.

Sometimes we in the United States leave the impression that the fruits of our farmers' labors are so great that they are liabilities. To even imply remotely that we are getting rid of liabilities in our export market is to downgrade the commodity in the eyes of possible buyers. We have arrived at a stage where we can tell the world that our supplies of commodities, while available for sale, will be liquidated only to a certain level, and that such liquidation will be orderly. Farmers and all the rest of us need a sane reserve policy, based on facts, not on prejudice.

Earlier, in the 1st session of the 88th Congress, I introduced proposed legislation which would require Congress and the Department of Agriculture to establish national food and fiber reserves. Such reserves would be declared essential for our national security and safety and for the public health. It seems to me that such a policy is long overdue. Until we have clearly identified what we mean by adequate reserves of food and fiber, there will be difficult and precarious market conditions affecting the prices of agricultural products.

We are in a period of potentially great changes in world trading patterns. Witness the following facts:

First. The continuing great dependence of the Chinese Communists on the free world for cereals;

Second. The sudden and continuing dependence of the Soviet Union on the free world for supplies of feed grains and wheat;

Third. The European Economic Community's strenuous efforts to develop a cohesive agricultural policy;

Fourth. The potential changes in policy related to agricultural imports in the European Free Trade Association, especially in the United Kingdom; and

Fifth. The expanding population in South America and Asia.

Each of these factors has an implication on our agricultural and commercial policy.

While what is happening in every country of the world has implications on our farmers and farm policy, we cannot overlook the fact that agriculture is this Nation's biggest business, with a gross income in 1963 of close to $41 billion.

Although only 8 percent of our population is needed to produce the abundance that feeds and clothes us so well, enables us to export some $5 billion worth of products a year, and still have enough left over to show up as CCC inventory, that is not the whole picture.

The fact is that, in addition to farmers, there are another 40 million people who make up our rural population, a large number of them engaged in small-town businesses that service and supply the farmer. In addition, some 10 million people have jobs storing, transporting, processing, and merchandising the products of agriculture. Another 6 million or so have jobs providing the supplies farmers use. Add them all up—the farmers, the small-town shopkeepers and bankers, the truckers, processors, wholesalers, and retailers—and we are talking about close to 40 percent of our population.

It is not hard to see why the condition of agriculture has such a strong effect on our whole national economy—and the reason for my strong concern with this portion of our economy.

On Tuesday I had the privilege of discussing this subject with the distinguished senior Senator from Wisconsin [Mr. PROXMIRE], who delivered to the Senate a fine address on agricultural policy.

Once again, while I agree with the President and with many of our colleagues about the importance of the tax reduction bill, I wish to make it crystal-clear that the effect of the tax reduction bill will be vitiated and, for all practical purposes, will be dissipated if there is a substantial drop in agricultural income. We cannot, on the one hand, pump money back into the economy by a tax reduction and, on the other hand, lose the same money through a drop in agricultural income, and have anything else but trouble in the American economy.

That is why, late last year, in the 1st session of the 88th Congress, I introduced a bill to provide for a new wheat policy. Wheat is one of the large agricultural commodities. That is, it is large in volume and is, of course, a product that generates considerable income. But the Nation faces the prospect, within a few months, of seeing the price of wheat in the domestic market and in world markets, as well, take a sudden drop. When that happens it will not only hurt the farm producers in the Wheat Belt of the United States, but it will also take its toll in every area of the American economy.

I do not speak of wheat because Minnesota is a large wheat-producing State. To the contrary, it produces little for export or commercial sale. What little wheat Minnesota produces is for feed. Our agricultural economy consists primarily of feed grains, soybeans, cattle, pork, turkeys and other poultry, some perishable commodities, including vegetables, and, of course, a substantial amount of corn, which can be classified as a feed grain.

Nevertheless, the Ninth Federal Reserve District, which services the financial needs of the great Midwestern area of the United States, will be in shambles if the price of wheat drops to $1.30 or $1.25 a bushel. Congress could pass 15 tax reduction bills, and still there could be a major depression in the Midwest unless something were done about agricultural policy.

Let the RECORD be perfectly clear. First, I favor a tax reduction bill. It ought to have been passed long ago. I believe all American business can adjust itself to tax bills; but American business finds it difficult to adjust itself to uncertainty. It can adjust itself to injustices, but it cannot adjust itself to uncertainty and indefiniteness with respect to a tax policy. That is why I believe there should be prompt action on the tax bill. We are already late.

But having said that, we ought not to deceive ourselves, because even if there is a tax reduction, we shall still not basically affect the agricultural economy of America unless there is a better price structure for agricultural commodities. If the price structure drops, as is the case at present with cattle, taking a toll of many billions of dollars in the loss of income, or if the price structure of wheat should drop drastically, or if the price structure of pork should drop, which is entirely probable, there would be trouble beyond any possibility of measurement.

Therefore, the Senator from Minnesota, in speaking today on agricultural policy, merely puts up a warning flag and says that we in this body should take time to reexamine the policy and pass corrective measures, even though they may provide only temporary relief. We need to take a long look at agricultural policy, because the agricultural policy of today is based upon programs adopted in the 1930's. American agriculture in the 1960's is as different from the agriculture of the 1930's as the modern jet airplane is different from the crate that was flown by the Wright brothers. We ought to recognize that fact.

Of course there is another—and transcending—reason for our concern with agriculture. It is that the products of the farm are continually and critically necessary to life itself. This also is the basic reason why, in an ever more urban society, all of us are as concerned with the efficient and effective marketing of farm products as with their production.

There is no question that by any statistical measurement the most distressing problem that confronts agriculture is the underemployment and low income in many rural areas.

There has been in effect for several years a program designed to lift the burden of poverty from some 15 million citizens living in rural areas. Of the 8 million families in this country with incomes of less than $2,500 a year, over half live in rural areas. More than one-fifth of the 22 million youths who live in rural areas are in poverty families—and each year 200,000 children are born into these families.

What I have just described is of great concern, I am sure, to all Americans, since they reflect what is happening in the United States. Many steps have been taken to help underdeveloped rural areas move ahead. We need to know whether the work that now is being pursued will accomplish its objectives. We need to know whether more or less Government funds should be appropriated for this purpose. We need an objective appraisal of the results of the funds already spent. We need an objective appraisal as to how we can assist the some 75,000 volunteer leaders all over the country. The Nation needs to know more about these 75,000 Rural Areas Development Committee members and what they are accomplishing. We need to know much more about the rural area development program, how it is working, and whether it is sufficiently extensive to do the work that is required.

Another area that should be reviewed most carefully is that of our research and education activities. There has been much discussion regarding the fact that the research and educational institutions should shift their activities to a greater extent in the direction of promoting adjustments within agriculture and the discovery of new uses and new markets. Any group of people who have been oriented in certain directions tend to wish to continue their same activities since this is the line of least resistance. However, I must raise the question whether this is the area of greatest utility to the American farmer and to the Nation as a whole.

There has been much talk and some results in the area of utilization research. However, I have a feeling that Senators are not satisfied with what has been accomplished to date in this area. I know it is easy to say that we should spend money to find new uses for our abundant farm products. I would hope that the suggested policy Commission would study this entire area and make strong, specific recommendations. The status quo may leave us in the status quo.

The Commission also should make an intensive review of Public Law 480, our food-for-peace program, to determine how it can be extended and expanded without injuring commercial markets. Under the food-for-peace program, food has become an important form of foreign economic assistance. Today, the food-for-peace program is an integral and vital part of the picture. In the 9 years that the food-for-peace program has been in existence, we have been able to ship overseas a grand total of almost $13 billion worth of food. As economic conditions permit, food-for-peace nations graduate to dollar markets. The food-for-peace program is both constructive and popular, and it has been the most successful market development program for commercial imports that this country has ever known. So every effort should be made to extend and expand it. Furthermore, Mr. President, we should make better use of the currencies which are accumulated as a result of sales under title I of the food for peace program.

Again and again I have reminded the American taxpayers and their representatives in Congress that we have wasted hundreds of millions of dollars that could well have been put to use had the Congress been willing to let the departments of this Government effectively use the currencies we have accumulated in country after country as a result of the food-for-peace title I sales. Instead, Mr. President, we seem more concerned about giving the Appropriations Committee jurisdiction over these funds. As a result, hundreds of millions of dollars of funds have been destroyed by inflation; projects that should have been built or developed have not even been commenced; and opportunities to build better conditions in the world have been neglected because of our deep concern that the Appropriations Committee have its hands on every one of the so-called soft currency dollars.

President Johnson is well aware of the potentials for good in our farm economy and its basic strength; I know of no President in this century more intimately acquainted than he with the needs of rural America and the problems of rural America. President Lyndon Johnson understands the American agricultural economy, and is well aware of its needs, and he has a deep appreciation of the problems that face our farm families. However, I am sure the President would be the first to say that he could use much more information in regard to the long-range problems of American agriculture—where it is going, what will happen to the family-sized farm, what we mean by "family-sized farm"; what products will be needed in the days ahead, how a shift can be made from the production of one commodity to the production of another, is the proper role of the Commodity Credit Corporation; and the proper extent of its activities. A host of questions need to be answered. A thorough study of these problems by a group that is representative of both the Government and the private community is needed. Therefore, I recommend the establishment of this Commission.

However, in a recent letter to the American Farm Bureau Federation, President Johnson raised some fundamental questions when he said:

> If our democratic society is to thrive, it has a basic underlying need for free expression by its people. Those citizens whose roots are in the soil have a special responsibility to participate in policy discussion and make recommendations to their Government. They are the source of the finest agriculture in all the world.
>
> We need to search for better ways ever responsive to changing conditions—to enable our farmers and ranchers to share more fully in the bounty which they help create. In this endeavor, how can we use the pricing mechanism of the free market with more vitality than presently? In this endeavor, how can we better coordinate the role of Government with the area of the private sector, including farmers' own institutions, in the marketing of farm products? In this endeavor, how can our efficiency in producing and marketing be reflected in fair and open competition in the world's markets? In this endeavor, what should we do to assure ourselves of adequate reserves?
>
> These are the questions that must be answered as you meet to study the issues and the facts underlying them. I will look forward with interest to your recommendations.

In the letter the President raised a very important question that ought to be studied by Congress and by every farm organization in America, and ought to be a guideline for the bipartisan National Commission on Agricultural Policy which I am recommending today. It does us no good to wring our hands about the state of agriculture or to complain about the high cost of agricultural programs unless we are willing objectively to analyze what these programs are doing, how were they created, under what conditions were they created, and how they meet present conditions. I believe a careful examination will show a need for careful review of the agricultural policy. There is general recognition, for example, that cotton is in trouble. Actually, cotton has been in economic trouble for some time.

The programs under which we have been operating have lost us markets both at home and abroad, have virtually destroyed the functioning of a free market and the various services attendant thereto, have required us to establish a costly export subsidy system, not only for cotton, but also for goods manufactured from cotton, and have been generally unsatisfactory in many other ways.

We should eliminate, or at least modify, such programs; and I am happy to say the Senator from Georgia [Mr. TALMADGE] and I have proposed an alternative program which makes much more sense. It would provide compensatory payments to cotton producers, so that our cotton could be sold in the world market, and at the same time U.S. cotton producers—who face higher costs—can have reasonable returns from their labor and their investment.

It is time we stopped the use of acreage controls, quotas, regulations, and compliance checks on the cotton farmers. Fundamentally, there is general recognition, both at home and abroad, that this program needs a major overhaul. However, it may well be that other programs will be found to be undesirable in terms of national policy. The proposed blue ribbon Commission should examine all of them.

As part of the Commission's activities, I suggest that it examine the operations of the Commodity Credit Corporation, which has a very important and significant role to play in helping American farmers.

Mr. President, I wish to make quite clear the fact that the Commodity Credit Corporation has been a very important, constructive force for our agricultural economy; but I think the time has come—in view of the size of the Corporation, the vast inventories it holds, the number of employees it has, and the scope of its operations—when a commission such as the one I am proposing should examine the operations of the Commodity Credit Corporation. I do not point an accusing finger at the CCC; I merely recommend a careful audit of its operations and a good look at the agricultural policy of the Government.

The Commodity Credit Corporation does have, and will continue to have, an important, significant role in helping our farmers. However, it was never organized to do the business of the cooperatives; it was never organized to take over the functions of the grain trade and the merchants in food and fiber. It was designed to help farmers in marketing, but not to take over the marketplace. None of us ever visualized that its activities would at times result in lower farm commodity prices.

I want to make quite clear the fact that the Commodity Credit Corporation has as its primary objective the improvement of farm income. Therefore, any action by it which depresses farm income is contrary to the spirit and the letter of the law. So let every action of the Commodity Credit Corporation be measured by that standard. It is against the background of my major concern for the entire field of agriculture that I recommend that there be established a National Farm Policy Commission.

I introduce for appropriate reference a joint resolution providing for the appointment of a bipartisan commission to make a detailed study of our food and fiber policies. I ask unanimous consent to have the joint resolution printed in the Record.

The PRESIDING OFFICER. The joint resolution will be received and appropriately referred; and, without objection, the joint resolution will be printed in the Record.

The joint resolution (S.J. Res. 146) providing for the establishment of a bipartisan commission to make a study and investigation of the food and fiber policies of the United States, introduced by Mr. Humphrey, was received, read twice by its title, referred to the Committee on Agriculture and Forestry, and ordered to be printed in the Record, as follows:

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That this joint resolution may be cited as the "Commission on United States Food and Fiber Policy Act."

ESTABLISHMENT OF COMMISSION

Sec. 2. (a) There is hereby established a bipartisan commission to be known as the Commission on United States Food and Fiber Policy (hereinafter referred to as the "Commission").

(b) The Commission shall be composed of twenty-five members appointed by the President as follows:

(1) Five to be appointed from persons engaged in farming;

(2) Five to be appointed from persons engaged in the marketing of farm commodities or products;

(3) Five to be appointed from persons engaged in the processing of farm commodities;

(4) Five to be appointed from the general public; and

(5) Five to be appointed from the Federal Government.

(c) Vacancies in the Commission shall not affect its powers, but shall be filled in the same manner in which the original appointment was made.

(d) The President shall designate one of the members of the Commission to serve as chairman.

(e) Thirteen members of the Commission shall constitute a quorum.

COMPENSATION OF MEMBERS OF THE COMMISSION

Sec. 3. (a) Members of the Commission appointed from the Federal Government shall serve without compensation in addition to that received for their services as officers or employees of the Federal Government, but they shall be reimbursed by the Commission for travel and, in lieu of subsistence, a per diem allowance in the amount authorized under the Travel Expenses Act of 1949, as amended, for Federal employees.

(b) Each member of the Commission appointed from private life shall, whenever the President determines such action necessary or appropriate, receive compensation for each day on which the member is engaged in the performance of duties of the Commission, and shall be reimbursed by the Commission for travel and, in lieu of subsistence, a per diem allowance in the amount authorized under the Travel Expenses Act of 1949, as amended, for Federal employees.

STAFF OF THE COMMISSION

Sec. 4. (a) The Commission may appoint and fix the compensation of such personnel as it deems advisable in accordance with the provisions of the civil services laws and the Classification Act of 1949.

(b) The Commission may procure, without regard to the civil service laws and the classification laws, temporary and intermittent services to the same extent as authorized for the departments by section 15 of the Act of August 2, 1946 (60 Stat. 810; 5 U.S.C. 55a), but at rates not to exceed $75 per diem for individuals.

DUTIES OF THE COMMISSION

Sec. 5. (a) The Commission shall make a comprehensive study and investigation of any and all matters which relate to the food and fiber policies of the United States and of the direct and indirect effect of such policies on all segments of our society. In carrying out such study and investigation the Commission shall give special consideration to—

(1) the import and export policies and practices of foreign nations with respect to food and fiber and the effect of those policies on the United States;

(2) the various systems used by this Nation for marketing of agricultural commodities and products;

(3) the effectiveness of our present policies in the use of food internationally, and how such policies might be improved;

(4) the problems of rural poverty in the United States;

(5) the strategic reserve policies of the United States;

(6) the cost of and the benefits derived from the various food and fiber programs of this Nation; and

(7) the method of extending and expanding Public Law 480 without injuring commercial markets.

(b) The Commission shall submit to the President, not more than eighteen months after the date of enactment of this joint resolution, a report of its findings and recommendations with respect to the food and fiber policies of the United States. The Commission shall cease to exist thirty days after the submission of its report.

EXPENSES OF THE COMMISSION

Sec. 6. There are hereby authorized to be appropriated to the Commission, out of any money in the Treasury not otherwise appropriated, such sums as may be necessary to carry out the provisions of this joint resolution.

Mr. HUMPHREY. Mr. President, I also ask unanimous consent to have printed in the Record a letter written to me by Alvin E. Oliver, executive vice president of the Grain & Food Dealers National Association. I am pleased to have the support of this association for a Commission on the U.S. Food and Fiber Policy.

There being no objection, the letter was ordered to be printed in the Record, as follows:

Grain & Feed Dealers
National Association,
Washington, D.C., January 15, 1964.

Hon. Hubert Humphrey,
U.S. Senate,
Washington, D.C.

Dear Senator Humphrey: On behalf of the leadership of the Grain & Feed Dealers National Association, I wish to congratulate you on your efforts to establish a bipartisan Presidential Commission to conduct a thorough study of national and international food and fiber needs.

A continuing appraisal of farm program objectives, strategic reserve needs, the need for additional reserves to help stabilize price swings in periods of short supply, the objectives of international commodity agreements or arrangements for feed grains and livestock is of utmost value to the competitive vitality of this rich agricultural nation.

A farm policy task force of this association has been reviewing the needs for a strategic and/or stabilizing grain reserve. In a recent meeting they endorsed unanimously your proposal for a bipartisan Presidential Commission to study the needs of our national and international food and fiber requirements.

Our task force is composed of marketing specialists from small and large companies. These men are primarily concerned with programs which will enhance our trading position in world commerce. They recognize that adjustments are costly and should be pursued with complete regard for human problems involved.

It is from this interest that I wish to offer the services of this national association, the farm policy task force, or individual officers of the national to participate in the study of the proposed Commission.

Enclosed is a list of the officers of this association and the members of the farm policy task force.

Sincerely yours,

Alvin E. Oliver,
Executive Vice President.

THE FARM POLICY TASK FORCE, GRAIN & FEED DEALERS NATIONAL ASSOCIATION

Madison Clement, chairman, Clement Grain Co., Waco, Tex.

Dean Daniels, McMaster Grain Co., Sioux City, Iowa.

Dean Evans, Sr., Evans Grain Co., Salina, Kans.

Carl Farrington, Archer-Daniels-Midland Co., Minneapolis, Minn.

Loren Johnson, executive vice president, Continental Grain Co., New York, N.Y.

Frank Miller, president, the Ohio Grain Co., Milford Center, Ohio.

William Pearce, vice president, Cargill, Inc., Minneapolis, Minn.

William Theis, Simonds-Shields-Theis Grain Co., Kansas City, Mo.

Hamill Verner, manager, Grain Merchandising, Quaker Oats Co., Chicago, Ill.

OFFICERS OF THE GRAIN & FEED DEALERS NATIONAL ASSOCIATION

H. V. Nootbaar, president, H. V. Nootbaar & Co., Pasadena, Calif.

E. Dean Evans, Sr., first vice president, Evans Grain Co., Salina, Kans.

Sam L. Rice, Jr., second vice president, the Rice Grain Co., Toledo, Ohio.

Frank Heffelfinger II, third vice president, Peavey Co., Minneapolis, Minn.

Alvin E. Oliver, executive vice president, Washington, D.C.

Herbert L. Sharp, secretary-treasurer, Washington, D.C.

Mr. HUMPHREY. Mr. President, I know that many other groups have expressed their interest in the proposed Commission. I have discussed this proposal with Members of the other body, Members who have a long record of service to American agriculture. I would expect to see companion bills introduced in the House of Representatives. It seems to me that, if we follow the procedure of establishing a national farm or agricultural policy commission, we can do a great deal to help the Department of Agriculture in its duties. We can do a great deal to give guidance to the President of the United States in overall agricultural policy. We might be able to do a great deal to bring about better coordination and cooperation among the farm organizations themselves, who are now far apart in many of their views and proposals. This is most regrettable, but it is a condition that we must face.

I am of the opinion that if we could obtain an objective analysis of farm policy over the past 25 years, as to how it was established, what purposes it was designed to fulfill, whether present farm and agricultural policies meet current needs, and whether those policies meet the needs of the future, we would be doing a great deal to bring about a new solidarity in American agriculture which would benefit the entire Nation.

I am hopeful that the Committee on Agriculture will look upon the joint resolution with sympathy and support.

Mr. President, I yield the floor.

MILLIONAIRES WHO PAY NO TAXES—HOW MANY DO IT: THE UNLIMITED CHARITABLE DEDUCTION

Mr. DOUGLAS. Mr. President, some time ago, I announced that I would seek recognition a number of times before the tax bill came to the floor, but that I would seek recognition after all the business of the day had been concluded, so that the statements I would have to make about the tax system of the country could not be interpreted by anyone as a delaying tactic to slow up the progress of the tax bill.

Since I understand that all business for the day has now been concluded, I therefore believe it appropriate to seek recognition to discuss the so-called unlimited charitable deduction which is now incorporated in the tax statutes of the country.

MILLIONAIRES WHO PAY NO TAXES

Mr. President, some weeks ago I put into the CONGRESSIONAL RECORD information from the Treasury showing that in 1959 there were 20 taxpayers in the United States with adjusted gross incomes of $500,000 or more per year who paid no Federal income taxes whatsoever—not 1 penny. Since that time a number of people have asked me how it was done. The Secretary of the Treasury has written to tell me that in 15 of the 20 cases these individuals paid no taxes primarily—although not exclusively—because of the unlimited charitable deduction provision of the tax laws.

Mr. President, I ask unanimous consent that the letter from the Secretary of the Treasury, dated November 18, 1963, as well as table 1, be printed in the RECORD.

There being no objection, the letter and table were ordered to be printed in the RECORD, as follows:

SECRETARY OF THE TREASURY,
Washington, D.C., November 18, 1963.

Hon. PAUL H. DOUGLAS,
U.S. Senate,
Washington, D.C.

DEAR SENATOR DOUGLAS: This is in reply to point 1 of your letter of November 5, 1963. The 20 returns with adjusted gross income over $500,000 that were nontaxable in 1959 were nontaxable primarily because of the unlimited charitable contribution provision. There were two cases in which the primary cause of nontaxability was interest paid, one of which was due to the purchase of securities on margin. There was one due to oil venture deductions, one due to expenses of an estate settlement, and the rest due to unlimited charitable contributions. Most of these contributions were in the form of property, usually stock. On the average, untaxed appreciation in value represented about 75 percent of the total contribution.

The main source of income in all cases was from investments. One individual derived most of his income from interest. Four had capital gains as their main source of income and dividends constituted the main income source for the others. Only nine returns showed some income from salary or director's fees; i.e., sources of income other than investments. Of these six were officers of corporations.

Additional information for the period 1958 to 1960 for 19 of these returns may be found on page 244 of part I of the hearings before the Committee on Ways and Means. A table showing untaxed appreciation in property value and additional tax if unlimited charitable contributions were eliminated for a somewhat different set of returns is on page 245 of the same volume.

Sincerely yours,

DOUGLAS DILLON.

TABLE 1.—*Number of returns by effective tax rates based on adjusted gross income by income classes: All returns with adjusted gross income of $500,000 or more, 1959*

Adjusted gross income	Total	Effective tax rate (percent)									
		0	0.1 to 9.9	10 to 19.9	20 to 29.9	30 to 39.9	40 to 49.9	50 to 59.9	60 to 69.9	70 to 79.9	80 to 84.9
$500,000 to $749,999	529	3	4	6	34	90	241	73	47	27	4
$750,000 to $999,999	193	2	23	3	9	23	90	36	16	9	2
$1,000,000 to $1,999,999	197	8	1	1	8	22	93	34	17	12	1
$2,000,000 to $4,999,999	64	2	------	------	4	6	31	9	6	5	1
$5,000,000 and over	19	5	------	------	------	1	6	3	3	1	------
All returns	1,002	20	8	10	55	142	461	155	89	54	8

Source: Office of the Secretary of the Treasury, Office of Tax Analysis.

THE PROVISION

Mr. DOUGLAS. Mr. President, what is the unlimited charitable deduction which allows some millionaires to escape paying any Federal income taxes at all, while the ordinary wage earner in the United States has 20 percent of his taxable income withheld at the source, week by week, month by month, and year by year? What is this provision which made it possible for people with incomes of $1 million a year, $2 million a year, and $5 million a year and more to pay nothing in Federal income taxes and hence nothing to support the Government which protects him as it does all others, while the average person with a wife and two children and $5,000 a year would pay about $440 a year in income taxes?

The provision of the law is that, if the taxes paid—and I emphasize this—and the charitable deductions made in any 1 year—and both of these terms apply—and in 8 out of 10 of the preceding years, if they exceed 90 percent of the individual's "taxable income," then he can take an unlimited deduction for charitable contributions rather than only the 20- or 30-percent limitation in the law for other people which has the effect of freeing him from paying taxes.

As you can see, the ordinary person cannot deduct more than 20 or 30 percent of his income. He probably could not contribute more even if he wanted to, for he would then have no income to pay for the necessities of life. But high-income people, by giving away assets which have appreciated in value, can meet the test with little difficulty.

RELATIVELY EASY TO QUALIFY

For those with incomes from oil and gas, or dividends, or capital gains or numerous of the other loopholes of the tax laws, it becomes relatively easy to qualify for this provision and, hence, to go tax free.

First of all, the provision is that taxes paid, plus charitable contributions, must equal 90 percent of taxable income. It should be recalled that half of a capital gain never enters into taxable income. It should also be recalled that things like the depletion allowance and intangible drilling and development costs do not enter into taxable income. As a consequence, the taxable income of those with large incomes from capital gains or from oil and gas or from other sources of income which are given special privileges in the tax laws, may in fact be only 10 or 20 or 30 percent of their total income. Because of this, by making a relatively small contribution many wealthy people can qualify for the unlimited charitable deductions and can escape taxes altogether. I gave an example in December of a man with an income in 1 year of about $28 million who had no taxable income at all. He could qualify by making no contributions—or dollar contributions.

Another taxpayer who pays a 75-percent rate could qualify by making only a charitable contribution of 15 percent of his taxable income. This is relatively easy to do.

Once qualified, a person can become tax free by giving away assets which cost him very little but which have a large appraised or real market value.

PAYS NO CAPITAL GAINS TAX

In addition to this, if a person contributes a capital asset to charity—and charities are very broadly defined and include a great many personal and private foundations and political propaganda institutions, which many of us feel have almost no relation to charity—the individual pays no capital gains tax at all.

For example, in the table which I shall shortly introduce into the RECORD, there is a taxpayer who contributed to charity an asset for which he paid $466,902. The fair market value of this asset was, however, given as $21.6 million. He was able to deduct not the cost of the asset, or a little less than $500,000, but the so-called present market value of the asset, or $21.6 million. Thus, by putting out half a million dollars, he got a net deduction of $21 million.

Furthermore, ordinarily he would pay a capital gains tax of a maximum of 25 percent of the appreciated value of this asset. But in the case of the unlimited charitable deduction he does not have to pay the capital gains tax. As a consequence, in the example I have given, the particular taxpayer would have paid an additional $6.2 million in taxes in the year he made the gain from the capital asset he contributed. But he did not pay $6.2 million because of this special provision in the tax laws. Thus, he not only saved millions in taxes that he otherwise would have owed on his capital gains, but this deduction was also used to offset the taxes on other income that he had in that year—and I wish to emphasize that point—for a total of over $6 million in taxes he would otherwise have paid.

I ask unanimous consent that at this point in my remarks a table giving 14 examples of taxpayers claiming the unlimited charitable deduction be printed in the RECORD.

There being no objection, the table was ordered to be printed in the RECORD, as follows:

TABLE 2.—*Partial listing of contributors claiming unlimited deduction*

Taxpayer	Unlimited charitable deduction per return	Fair market value of property contributions	Cost or other basis of property contributions	Untaxed appreciation in property value	Additional tax if unlimited charitable deductions not allowed
A[1]	$21,622,799	$21,585,369	$466,902	$21,118,467	$6,251,548
B[1]	10,930,458	10,832,732	376,600	10,456,132	3,541,496
C[1]	3,545,668	3,504,437	172,506	3,331,931	2,018,258
D[1]	2,441.535	2,441.535	34,210	2,407,325	867,025
E[1]	2,325,529	1,873,171	88,388	1,784,783	1,389,141
F[1]	1,737,530	1,722,506	40,018	1,682,488	1,029,227
G	847,714	847,714	56,411	791,303	153,167
H	579,482	201,518	181	201,337	145,444
I[1]	390,074	349,368	79,213	270,155	113,881
J[1]	232,471	179,638	15,917	163,451	105,669
K	145,767	139,475	2,204	137,271	62,765
L	110,152	84,800	2,550	82,250	27,996
M	103,680	75,081	480	74,601	37,230
N	31,960	22,113	7,695	14,418	2,969
Total	43,044,819	43,859,457	1,343,275	42,515,912	15,745,816
Average		3,132,818	95,948	3,036,851	1,124,701

[1] Include donations to private foundations.

Source: Office of the Secretary of the Treasury, Office of Tax Legislative Counsel.

Mr. DOUGLAS. These are not necessarily the same taxpayers as in the list of 20 persons who paid no tax, which list has been previously inserted in the RECORD.

SMALL CONTRIBUTIONS—BIG TAX SAVINGS

These 14 people, by making contributions of property or stock or other assets which originally cost them a total of $1.3 million, were able to deduct $45 million from their tax returns and, at the same time, save $15.7 million in taxes which they would otherwise have been required to pay.

For example, taxpayer B donated an asset for which he paid $376,000. The fair market value of this asset was $10.8 million which he was allowed to deduct. Furthermore, he did not pay $3½ million he would otherwise have paid on the appreciated value or capital gain of this asset as well as other taxes he would have owed. Finally, he used this deduction as an offset against taxes he might owe on any other income he received. In this case, the tax savings was approximately 10 times the cost of the asset he actually contributed.

In these 14 examples the average cost of the asset contributed by the taxpayers was $95,000. They, however, could deduct the market value of the assets whose average value was $3.1 million. And by making a contribution of an average of $95,000 in cost to them, they avoided paying an average tax of $1.1 million in capital gains, and other taxes, or over 10 times the cost of the asset.

In addition, they could offset the average value of the deduction which for the 14 averaged $3.1 million against other income they had. This is how they escape taxation.

DONATIONS TO PRIVATE FOUNDATIONS

One would think that this was enough. But in 8 of the 14 cases the donations included—and may well have primarily consisted of—donations to private foundations—many of them the personal foundations of the taxpayer involved. They could therefore donate an asset with an average cost of about $100,000. They avoided paying taxes on the capital gains and other income on the average of about 10 times that much, or $1 million. On the average, they had an additional $2 million to write off against other income, and by donating the asset to their personal foundations they could, for all practical purposes, use that asset even though it supposedly had been donated to a charity.

WORKS OF ART

Let me give some examples. Under this provision, a person owning a valuable painting could donate it to his private foundation, avoid paying the capital gains on the increase in value, write off other income against the market value of this painting, and under present law, still have the use of the painting as a loan from his personal foundation to hang over his mantelpiece.

That is a very frequently used form of the tax racket—making a donation of a painting but retaining it during one's lifetime.

Also in the painting racket there is no clear appraisal of market value. One could get a painting which originally cost $1,000, and then could get some putative expert to affirm that the painting has gone up in value because of the popularity of the painter and have it valued at $10,000, $15,000, or $50,000. For example, we all know that the paintings of the French impressionist school 40 years ago had only a nominal value. Now paintings by Monet, Renoir, and Degas are valued at scores of thousands of dollars. Increased values can be attributed even though they are nonexistent.

More often than not, if one reads the first-rate study that Representative PATMAN has made of the foundations in the United States—and I urge that the study be required reading for all Members of Congress and members of the press—this taxpayer could make himself and his wife, and his sons, and his daughters, and even in a Gilbert and Sullivan phrase, "his sisters, and his cousins, and his aunts" officers of his private foundation from which they could draw salaries and from which they too could have use of the asset which had been donated to a charity in order to qualify this millionaire for the unlimited charitable deduction.

Those who fell in that category escaped paying taxes on any kind on exceedingly large incomes.

JEWELRY DONATION

Mr. Philip Stern, in a forthcoming book on tax loopholes entitled, "The Great Treasury Raid"—which is a very apt title, for I have read the proofs on the book, and I suggest that the book should be read by everyone—gives an example of a wealthy lady who gave her jewelry valued at $39,400 to her own private foundation. She then took a tax deduction of $39,400 but the jewelry remained locked up in her safe deposit box, so she said. Thus, the benefit to her was a tax deduction of $39,400, but, as Mr. Stern states, the benefit to charity was zero.

WATERFRONT RIGHTS

Another example from Mr. Stern's book is that of a taxpayer who donated to his private foundation the very valuable waterfront rights of his lakeshore home. He got a tax saving of the amount of the "commercial waterfront rights" but charity did not benefit for the rights were not sold. Thus, he got a tax savings equal to the market value of the commercial rights of the property but kept the use of them for his private purposes.

Mr. President, the unlimited charitable deduction is one of the provisions in our tax code which is most abused. The ordinary taxpayer feels a great sense of injustice when he sees these gimmicks which allow millionaires to go tax free while he contributes a minimum of 20 percent of the first $2,000 of taxable income he receives to the Government. The ordinary taxpayer pays for our planes, and tanks, and guns, but these millionaires do not.

I wish to emphasize that I use the words "these millionaires" rather than "the millionaires."

He pays for the interest on our debt, but the millionaires do not. He pays for the aid to our veterans and Federal payments to the poor and to the weak and for public improvements throughout the land, but many of these wealthy taxpayers do not. He supports our atomic energy program, flights to the moon, and our troops in Europe. But the millionaire oil operators and those with unlimited charitable deductions and those with capital gains in many cases pay not 1 red cent to defend our country and to pay for the needed programs of the United States.

Furthermore, as we all know, there are great abuses among many of the private foundations so that some of the funds which are supposedly contributed to religious or charitable foundations, in fact, go to those who are propagandizing in a violently political way through the radio and by press releases and by television against what the majority of Americans believe to be the best interests of our country. In fact, it is not unfair to say that there are millionaires paying no taxes whatsoever who are making so-called charitable contributions to their personal and private foundations for the purpose of complaining about the high tax rates and excessive Government expenditures to which they neither pay nor contribute. How ironic.

I know it may be said that some of this money goes to worthwhile private charities and educational institutions and therefore the unlimited charitable deduction is justified. In the first place, a great deal of the money goes not to such institutions, but to those that are far less worthy, and in many cases very little reaches the public as a whole. But even in the case of money given to worthy institutions, worthy as these may be, they are not more worthy than the common enterprise of the United States of America. To absolve oneself completely from the support of the common activity of the Nation as expressed in the Government by making a contribution to some private charity seems to me not to be a worthy act.

WHOSE OX IS GORED?

In this connection, I have received telegrams of protest against my amendment to do away with the unlimited charitable deduction from two very famous men who are presidents of so-called Ivy League colleges and universities. These are very fine institutions. I attended one of them. They want to have the unlimited charitable deduction continued because they think it would bring in some money for them. I do not criticize their point of view. I think it is narrow. It is based primarily upon thinking of their own institutions, and not of the general good. This is a temptation to which all of us are very likely to succumb. But, important as the colleges of the Ivy League are, I do not regard them as of equal importance to the United States of America, and I do not believe that their maintenance should be given complete priority over the common activities of the United States.

There is an Ivy League university—I do not say it is one of those from whose president I received a telegram—which has as its slogan, "For God, for country, and for Yale." I hope the students or graduates of that university do not suggest that that is in ascending order of importance—that God should be at the lowest point in importance, country at the next level, and Yale at the top. It seems to me in this case it should be in descending order of importance—God first, country next, and Yale; important, yes, but at a lower level than that of either God or country. I am not saying that the president of Yale telegraphed me, and I want to respect the sanctity of correspondence; but I think a course in ethics might be instituted for presidents of our great colleges, so that they might develop a hierarchy of values.

In the Finance Committee a few days ago I offered an amendment to eliminate the unlimited charitable deduction provision. I was encouraged that I received three votes. The amendment was defeated by a vote of 14 to 3. This is one vote more than I usually get in support of my motions. But the issue is important, and I serve notice that I shall vote to amend the tax bill, when it comes to the floor, to eliminate unlimited charitable deductions, so that wealthy men will have to be content with a 30-percent deduction, which seems to me to be adequate for all normal purposes.

I yield the floor, and suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. WILLIAMS of New Jersey. Mr. President, I ask unanimous consent that further proceedings under the quorum call be suspended.

The PRESIDING OFFICER. Without objection, it is so ordered.

ADDITIONAL FUNDS FOR INVESTIGATION OF MIGRATORY LABOR

Mr. WILLIAMS of New Jersey. Mr. President, I ask unanimous consent for the present consideration of Calendar No. 798, Senate Resolution 249.

The PRESIDING OFFICER. The resolution will be stated by title.

The LEGISLATIVE CLERK. A resolution (S. Res. 249) providing additional funds for the investigation of migratory labor.

The PRESIDING OFFICER. Is there objection to the request of the Senator from New Jersey?

There being no objection, the Senate proceeded to consider the resolution.

The PRESIDING OFFICER. The question is on agreeing to the resolution.

The resolution (S. Res. 249) was agreed to, as follows:

> *Resolved*, That section 4 of S. Res. 22, Eighty-eighth Congress, first session, authorizing an investigation of migratory labor, agreed to March 14, 1963, is amended by striking out "$68,750" and inserting in lieu thereof "$73,750".

ADJOURNMENT TO MONDAY NEXT

Mr. WILLIAMS of New Jersey. Mr. President, under the previous order, I move that the Senate stand in adjournment until noon on Monday next.

The motion was agreed to; and (at 3 o'clock and 37 minutes p.m.), under the order previously entered, the Senate adjourned until Monday, January 20, 1964, at 12 o'clock meridian.

NOMINATIONS

Executive nominations received by the Senate January 16, 1964:

Diplomatic and Foreign Service

Andrew V. Corry, of Montana, a Foreign Service officer of class 1, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to Sierra Leone.

Patent Office

Edward J. Brenner, of New Jersey, to be Commissioner of Patents, vice David Lowell Ladd, resigned.

U.S. Arms Control and Disarmament Agency

Maj. Gen. Fred M. Dean, U.S. Air Force, of Florida, to be an Assistant Director, U.S. Arms Control and Disarmament Agency.

In the Coast Guard

The following-named person to be lieutenant in the U.S. Coast Guard:

Jan R. Dazey

The following-named persons to be lieutenants (junior grade) in the U.S. Coast Guard:

Thomas E. Langmann
Stephen D. Csintyan
David J. Bain
Roger D. Williams
John A. MacDonald
Cameron A. Hatfield

The following-named persons to be lieutenants (junior grade) in the U.S. Coast Guard:

Allen E. Rolland
James L. Walker
William L. Avery
David W. Proudfoot
James A. McIntosh
James L. Mueller
Richard J. Kiessel
Joseph H. Discenza
David H. Withers
Leonard J. Pichini
William S. Haight
Frederick D. Smith
Charles W. Morgan
John G. Denninger, Jr.
Theodore A. Somes
Arthur R. Gandt
John W. Brittain
Lawrence M. Schilling
David W. Robinette
David H. Whitten
Harvey L. Wahnquist, Jr.

Jon P. Ryan
Harry A. Allen
Joseph L. Valenti
Lance A. Eagan
Richard B. O'Keefe
Hugh L. Thomas, Jr.
William J. Wallace, Jr.
Eugene Hornstein
John A. Wuestneck
Arthur E. Henn
John T. Mason
Joseph H. Sanford
Joseph J. Smith
Laurence J. Dallaire, Jr.
Peter C. Hennings
Ronald C. Zinzer
Walter M. Coburn
Henry B. Traver
William H. Spence
John K. Andrews
Wade M. Moncrief, Jr.
David S. Gemmell
Richard V. Consigli
Carl H. Burkhart
Joseph P. Dibella
Neal Mahan
George E. Archer, Jr.
Glenn E. Haines
Timothy G. McKinna
Peter T. Muth
Richard E. Shrum
David T. Boyle
William A. Borchers
Edward K. Roe, Jr.
Michael O. Murtagh
Joseph L. Crowe, Jr.
Anthony J. Soltys
William H. Roth
William C. Heming
James A. Umberger
Kwang-Ping Hsu
Robert A. Bastek
Alexander C. McKean, Jr.
Larry D. Brooks
Francis W. Mooney
Ronald M. Potter
Richard C. Blaschke
Stephen H. Hines
George A. Casimer
Robert K. Blaschike
Thomas P. Keane
Thomas H. Lloyd, Jr.
Thomas W. Boerger
Albert F. Baken
William S. Murray
George E. Mason
Norman H. Huff
Clifford E. Banner
Don M. Keehn
Thomas D. Smith
Daniel M. White
Thomas F. McGrath, III
Thomas S. Whipple
Michael J. Schiro
Harold L. Bonnet
Arthur W. Mergner, Jr.
Elmer Sorensen, Jr.
Danial T. Koenig
Frederick A. Kelley
James H. Lightner
Raymond D. Bland
James F. Greene, Jr.
Wayne P. Stevens
Jack W. Whiting, Jr.
Phillip J. Bull
Harry N. Hutchins, III
Thomas W. Watkins, III
David V. Hastings
Lyman V. Root
Hugh W. Nabors
Francis J. Stadnicki
Robert D. Markoff
Stewart B. Morgan
Raymond J. Houttekier
David K. Carey
Louis M. Casale
John M. McCann
Peter M. Bernstein
Robert E. McDonough, Jr.
Joseph R. Finelli
Herbert M. Hurst
Richmond D. Greenough, Jr.
Thomas J. Kenney
John C. Schmidtman
Robert F. Boysen, Jr.
James G. McElroy
James F. Sanders
Ralph D. Meyer
Bly R. Elder

IN THE AIR FORCE

The following-named officers for promotion in the Regular Air Force, under the appropriate provisions of chapter 835, title 10, United States Code, as amended. All officers are subject to physical examination required by law.

CAPTAIN TO MAJOR

Line of the Air Force

Abbott, Macklyn, 64659A.
Abbott, Richard L., 20074A.
Abelman, Robert M., 20082A.
Abercrombie, William R., Jr., 20083A.
Ace, Robert K., 26863A.
Acker, William J., 42939A.
Acquaviva, Onorio, 42373A.
Adair, Robert E., 24593A.
Adams, James A., Jr., 21537A.
Adams, Lester M., Jr., 19980A.
Adams, William E., 25874A.
Adams, William E., 43236A.
Addison, Hoyt E., 42972A.
Agnew, William D., Jr., 42918A.
Aires, Francis L., 43019A.
Aitken, Charles P., 42358A.
Albertazzie, Ralph D., 42356A.
Albrecht, Henry K., 43489A.
Alden, George B., 19986A.
Alexander, George, 42618A.
Alexczuk, Serge, 52773A.
Alford, Joel L., 43359A.
Alleman, Joy G., 43470A.
Allen, Alfred S., 21805A.
Allen, Jesse M., 28239A.
Allen, Ronald G., 43047A.
Allen, Russell L., 43469A.
Alley, Fred C., 42858A.
Allison, Clark H., 20087A.
Allison, Herbert E., 42817A.
Allison, Philip J., 42522A.
Almon, John S., 43069A.
Alvis, William H., 64704A.
Alvord, Ray W., 19995A.
Aman, William G., Jr., 20088A.
Ambrose, Robert F., 21666A.
Amerio, Umberto M., 43553A.
Andersen, David O., 20420A.
Anderson, Earl, 43577A.
Anderson, Joe, 20814A.
Anderson, Joe E., Jr., 20090A.
Anderson, John E., 26854A.
Anderson, John W., 40725A.
Anderson, Richard L., 28285A.
Anderson, Robert H., 24448A.
Anderson, Robert S., 26855A.
Anderson, Thomas A., 20091A.
Andreason, Allan K., 43377A.
Andress, Joe O., 52837A.
Andrews, Jean J., 26501A.
Andrews, Richard T., 24829A.
Anlian, Edward, 64682A.
Anna, Lloyd P., 21528A.
Archer, Harold L., 42317A.
Archer, Roy E., 42754A.
Argo, Marion L., 43554A.
Aronovsky, Alvin J., 64658A.
Ash, Curtis E., 43084A.
Ashbaker, Joseph L., 23949A.
Ashmore, James W., Jr., 23942A.
Ashmore, Jehu D., 43555A.
Asseo, Sam, 24803A.
Atkins, Herbert L., 25879A.
Atkins, Robert L., 43183A.
Aton, Bert B., 20094A.
Austin, Coy L., 27693A.
Austin, Herbert W., 42989A.
Austin, Robert B., 52881A.
Avery, Bobby R., 20095A.
Ayers, James W., 42312A.
Aylsworth, Warren, 42416A.
Baader, Theodore J., 40743A.
Babel, William T., 42909A.
Bach, Maurice D., 25549A.
Bach, Roy E., 18810A.
Bachman, Hal D., 42493A.
Bacot, Edward L., 20421A.
Bahl, James F., 21706A.
Bailey, Edward D., 43303A.
Bailey, Jack E., 52852A.
Bailey, Stanley L., 43249A.
Baker, Forest E., 41556A.
Baker, Henry D., Jr., 23864A.
Baker, Mack E., 64624A.
Baker, William O., 43655A.
Balke, Arthur C., Jr., 20556A.
Ballantyne, Glenn C., 52875A.
Ballew, Wilson L., 42344A.
Ballou, David B., 42673A.
Bancroft, Earl F., 21583A.
Bandini, Alfred, Jr., 42631A.
Barbato, John, 43004A.
Barbee, Alfred C., 28253A.
Barbena, Martin W., 43378A.
Barker, George C., 43027A.
Barnard, Victor R., 42834A.
Barnes, Elmer L., 28269A.
Barnes, Wilbur E., 42623A.
Barnes, William E., 26870A.
Barone, Ben A., 26843A.
Barousse, Roy A., 43142A.
Barrett, Michael J., Jr., 28173A.
Barrett, Richard E., 43297A.
Barrett, Robert L., 43556A.
Barrett, Wilfred D., 43398A.
Barrows, Earl J., 43128A.
Barry, Frank E., 42984A.
Barry, Jack, Jr., 20098A.
Barry, Joseph A., 42844A.
Bartling, Martin H., 42801A.
Barwick, DeWitt H., 42544A.
Batchelor, Edward, 20100A.
Bath, Frank J., Jr., 26899A.
Bauer, Donald L., 43207A.
Baugh, William J., 20568A.
Baxter, Llewellyn H., 52827A.
Baxter, Walter H., III, 20103A.
Bayer, Edwin R., 24811A.
Bayer, Oscar, 26499A.
Bayliss, Charles E., 27712A.
Beall, James R., 20073A.
Beall, Thomas N., 43134A.
Beaman, James A., Jr., 20070A.
Bean, Thomas R., 20873A.
Beard, William J., 24787A.
Beasley, Harold L., 42996A.
Beaton, Ralph M., 42682A.
Beaulieu, Joseph P., Jr., 26891A.
Beaver, Homer E., 42464A.
Beck, Edwin H., 27717A.
Beck, Gerold R., 20883A.
Becker, William J., 64654A.
Bee, Thomas G., 27684A.
Beech, Harold W., 42683A.
Beeson, John D., 20475A.
Begley, Burriss N., 42523A.
Behan, Joseph F., 43502A.
Behnke, Paul J., 25885A.
Behnken, Kenneth L., 43034A.
Bell, George W., 20106A.
Bell, Jack W., 42326A.
Bell, John O., 43228A.
Bell, Robert J., 43632A.
Bellows, Richard M., 42423A.
Bender, Guy D., 43413A.
Benedict, Andrew S., 42836A.
Benedict, John C., 42604A.
Benefield, Tommie D., 25545A.
Benigno, Benjamin B., 24780A.
Benkesser, Karl F., 52885A.
Bennett, Robert E., 42496A.
Bennett, William F., 42579A.
Benoit, Donald G., 20490A.
Bensing, Robert G., 24558A.
Bentley, George N., 42835A.
Bergin, Craig W., 42990A.
Berry, Clarence K., 43137A.
Berry, Howard S., Jr., 52828A.
Bertic, Samuel L., 25570A.
Best, Glen R., 42634A.
Bewerse, Richard A., 42515A.
Bicak, Philip J., 42316A.
Bienko, Mitchell, 43410A.
Bier, James S., 20110A.
Bigelow, Robert B., 21745A.
Biggs, John E., 43573A.
Bina, Edward L., 42426A.
Bing, Bill M., 52804A.
Birtciel, Frank E., 42354A.
Biscone, Joseph C., Jr., 26992A.
Bishop, Edward G., 42747A.
Bishop, Winston H., 20489A.
Bissell, Robert J., 22835A.
Black, Ronald E., 28254A.
Blackley, Peter P., 20430A.
Blagg, John D., Jr., 48869A.
Blair, Charles E., 26888A.
Blan, Doyle D., 43530A.
Blaylock, Monroe E., 43596A.
Bloss, Stuart M., 20787A.
Blue, James D., 43113A.
Blumer, John F., 42887A.
Bock, Charles C., Jr., 24404A.
Bodine, Willard D., 43340A.
Boehne, Gerald P., 23837A.
Bolger, John M., 20113A.
Boling, Billy F., 42973A.
Bolinger, William O., 42920A.
Bonanno, Frederick R., 20114A.
Bond, Robert W., Jr., 23815A.
Bonwit, Barry L., 43304A.
Boone, James R., 42332A.
Booth, John E., 20115A.
Boots, Robert E., 52873A.
Borcherding, Harry P., 42864A.
Borgstrom, Thomas J., 42654A.
Borman, Frank, 20116A.
Borman, Glenn O., 43139A.
Borsare, Edward F., 43299A.
Boston, Bernard G., 42434A.
Boston, Willard J., Jr., 43151A.
Bosworth, Joe F., III, 42731A.
Bowden, Hugh S., 26846A.
Bowers, Lowell D., 43649A.
Bowers, Ray L., 20118A.
Bowley, Carl A., 42923A.
Bowman, Jack L., 42617A.
Box, Moses R., 21746A.
Boyd, Billie B., Jr., 43036A.

Boyd, John G., 25716A.
Boyd, Roy J., 43045A.
Boyer, Joseph A., Jr., 25890A.
Boyer, Kenneth G., 21571A.
Boyle, Dennis O., 42892A.
Boyle, Edmund J., 20121A.
Boys, Cyril T., 42782A.
Bracci, Vincent J., 42352A.
Bracke, Peter P., 42406A.
Bradbury, James W., 25877A.
Bradford, Daniel W., 20122A.
Brady, John C., 42329A.
Braithwaite, Charles F., 3d, 42396A.
Braniff, James P., 43298A.
Brashears, Harold E., 42484A.
Bray, Bennie A., 42974A.
Bray, John W., 43150A.
Bray, Mell F., 42614A.
Braybrooke, Christopher, 20123A.
Brazill, William R., 26903A.
Breeding, Robert L., 43099A.
Breitenstein, Clayton C., 42508A.
Brennan, James H., 43637A.
Bretting, Martin M., 20124A.
Bretzius, William F., III, 21585A.
Brewer, Lee A., 24502A.
Brewer, Roy M., Jr., 43572A.
Brickman, Troy T., 43079A.
Bridges, Lawrence L., 43078A.
Briggs, Frank H., 42759A.
Briley, James L., 42621A.
Brinckmann, Robert E., 42991A.
Briscoe, Robert J., 42327A.
Bristol, Clarence D., Jr., 40870A.
Bristol, Harry H., Jr., 42041A.
Britton, Warner A., 42368A.
Brocato, Walter A., 42391A.
Brock, Thomas R., 26882A.
Brodecki, Stanley R., 42760A.
Broderson, Robert E., 28416A.
Brojer, Arthur J., 28185A.
Brokenik, John J., 43641A.
Bronson, Hubert S., 64698A.
Brooks, Walter J., 43230A.
Brough, Robert H., 42385A.
Brow, Albert W., 42420A.
Brown, David L., 20487A.
Brown, Earl W., 43643A.
Brown, Eldridge W., 43496A.
Brown, Eugene F., 42948A.
Brown, George R., 42881A.
Brown, Gerald, 26767A.
Brown, Howard C., 42364A.
Brown, John C., 43412A.
Brown, John F., Jr., 52895A.
Brown, Joseph D., 43023A.
Brown, Keith E., 43270A.
Brown, Merle B., 52767A.
Brown, Richard A., 42851A.
Brown, Richard S., 24506A.
Brown, Robert F., 43089A.
Brown, Robert J., 42992A.
Brown, Robert M., 42307A.
Brown, Ronald L., 42875A.
Brown, Royal A., Jr., 43509A.
Brown, Russell F., Jr., 42888A.
Brown, Vincent E., 42921A.
Brown, Walter H., 42448A.
Broyhill, Kenneth D., 42413A.
Bruce, Lewis W., 42563A.
Bruckner, Robert R., 42545A.
Bruning, Deane B., 26800A.
Bruns, Vincent W., 42465A.
Brunsman, George E., 24439A.
Brunson, Carl L., 20126A.
Brunton, Morris C., 42806A.
Bruss, Richard E., 42993A.
Bryan, William L., Jr., 42919A.
Bryant, Harold T., 43223A.
Bryant, Jack, 42693A.
Bryant, Stanley N., 42410A.
Bryant, Thomas L., 19992A.
Buben, Joseph, 43335A.
Buckles, John L., 42324A.
Buehler, Harold R., 20128A.
Bugg, Robert M., 26518A.
Builta, Arthur G., 20129A.
Buker, Russell S., 64689A.
Bunker, Gerald B., 21824A.
Bunn, Russell A., 20433A.
Burel, Louis F., Jr., 28248A.

Burgen, William E., 43235A.
Burgess, Eugene H., 43589A.
Burke, Garland W., 42613A.
Burke, William J., 20131A.
Burkey, Raymond L., 43390A.
Burkhalter, James E., 43338A.
Burleson, Robert L., Jr., 42809A.
Burns, Harry L., 43012A.
Burns, Kenneth R., 20133A.
Burrow, Henry W., 26482A.
Burton, Eugene L., 42997A.
Burwell, Thornton A., 42795A.
Busboom, Wendal L., 24567A.
Bush, Richard W., 20134A.
Busick, Charles P., 42564A.
Busse, Arthur W., 43473A.
Bussjaeger, Robert M., 43130A.
Butler, Tommy F., 20791A.
Buttery, George D., 42946A.
Butts, Loy A., 64665A.
Byerley, Isaac N., Jr., 43029A.
Byrom, Robert M., 43516A.
Byron, Lucien, Jr., 26486A.
Byron, Milton M., 26857A.
Cady, William J., 42964A.
Caesar, Robert G., 42949A.
Caffrey, Aloysius A., 43255A.
Cahill, Paul J., 43639A.
Cahill, Vincent S., Jr., 26416A.
Caldwell, Clyde S., 43477A.
Caldwell, James H., 20136A.
Calhoon, Joseph A., 43514A.
Calhoun, Joseph W., 20137A.
Calladine, Frederick H., 43558A.
Callan, Stanley M., 42628A.
Cameron, James L., 25548A.
Cameron, Robert M., 21663A.
Campbell, Donald W., 43346A.
Campbell, Douglas L., 42601A.
Campbell, Judson B., 42660A.
Campbell, Lloyd N., 42779A.
Campen, Alan D., 28259A.
Candelaria, Louis, 42429A.
Cannon, George C., Jr., 20140A.
Cannon, Wilbur J., 42310A.
Cappellucci, Theodore J., 42315A.
Caraveo, Raymond J., 52822A.
Carey, Carl H., Jr., 21702A.
Carey, Henry S., Jr., 42387A.
Carey, Richard S., 43017A.
Carichoff, Jack S., 43590A.
Carlock, John B., Jr., 43481A.
Carlsen, Paul A., 42555A.
Carlson, Carl A., 28354A.
Carlson, Laverne S., 43453A.
Carlson, Robert J., 42491A.
Carmichael, Eugene H., 43272A.
Carothers, Richard P., 42753A.
Carpenter, Duane L., 52797A.
Carrick, Paul D., 52921A.
Carson, Ross L., 28271A.
Carson, William E., 25550A.
Carter, Billy J., 26875A.
Carter, Calvin O., 42775A.
Carter, James L., 25869A.
Carter, Marvin H., 42437A.
Casaus, Jose F., 43446A.
Casebier, Dale C., 20462A.
Casey, Donald F., 64691A.
Casey, Robert W., 26880A.
Cates, Keanon B., 43135A.
Cavin, Charles E., 43350A.
Chadwick, Junius W., Jr., 42428A.
Chafin, Nolen, 52823A.
Chance, Clarence L., 43511A.
Chaney, Hugh F., 42404A.
Chaplin, Edwin G., 43208A.
Chard, Hobart T., 20788A.
Charlton, William H., 43268A.
Chase, Lewis D., 42455A.
Chavarrie, Edgar A., 25855A.
Cherney, John P., 26883A.
Childs, Robert W., 42511A.
Christensen, Grant S., 21673A.
Christiano, Joseph, 43495A.
Christie, James E., 64618A.
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Woodson, Richard C., 42745A.
Woody, Floyd W., 52807A.
Woodyard, John J., 42619A.
Woog, Rene M., 52786A.
Worsley, Wion W., 64566A.
Worthy, Lorne R., 42446A.
Wright, Harold V., 27728A.
Wright, Lennon E., 28251A.
Wright, Thomas A., 42475A.
Wunderlich, John H., 42950A.
Wyatt, Elvin O., 20870A.
Wyckoff, Daniel M., 52801A.
Wynne, Norris S., 43347A.
Yahn, Sidney M., 42681A.
Yale, George E., Jr., 24571A.
Yandell, Robert B., 64621A.
Yeager, George G., Jr., 25566A.
Yedlicka, David J., 43040A.
Yerg, Kenneth G., 21708A.
Yery, Richard T., 48858A.
Yingling, John W., 20428A.
Yohannan, Francis, 42419A.
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York, Theodore R., 20413A.
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Young, Frank L., 20414A.
Yunag, Robert D., 43536A.
Zagorski, Frank J., 20417A.
Zastrow, Laurence A., 42768A.
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Zbar, Allan L., 32414A.
Ziecrick, Karl H., Jr., 43253A.
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Zinkgraf, Clarence W., 42525A.
Zolezzi, Carl K., 64656A.
Zuro, Joseph E., 43037A.

Chaplain

Arendsee, Roger M., 55164A.
Barnett, Beverly J., 64308A.
Barnett, Ike C., Jr., 64306A.
Bauer, Walter R., 55167A.
Blaisdell, Travis L., 55162A.
Blitch, Eugene A., Jr., 55159A.
Caine, Martin J., 64311A.
Clancy, John L., 48635A.
Colson, James T., 32431A.
Curran, John J., 55151A.
Ellis, John R., Jr., 55160A.
Franklin, Charles R., 55171A.
Gabrielsen, Luther T., 32429A.
Gilliam, Alvin J., 55158A.
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Israel, Kenneth R., 48628A.
Jester, Harold D., 32428A.
Jolly, Joseph L., Jr., 55157A.
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McDuffy, Walter N., Jr., 27668A.
Miller, Richard D., 48643A.
Mossey, Robert E., 55156A.
Newton, Willis H., Jr., 56413A.
Overman, Robert F., 64304A.
Pedigo, Merle F., 64307A.
Pickering, John E., Jr., 55150A.
Poock, Richard F., 64303A.
Pritz, Raymond, 55154A.
Quigg, Robert E., 48637A.
Rathjen, David E., 32432A.
Riddle, Ray, 55163A.
Roth, Gordon L., 64309A.
Rothman, Robert C., 48634A.
Saathoff, Ray H., 55168A.
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Shively, Deane S., 55161A.

Stevens, Leland R., 48645A.
Summy, Kenneth D., 32430A.
Swain, Karl L., 48641A.
Sylwester, Oscar L., 64310A.
Taylor, Wayne L., 48650A.
Troutman, Lloyd B., 55155A.
West, Johnson E., 55173A.
Wilson, Robert R., 48639A.
Yashkas, Frank L., 32427A.
Zolnerowich, Peter, 55172A.

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Abramo, Arnold A., 32318A.
Acker, Donald W., 29307A.
Anzel, Sanford H., 32024A.
Basehaw, Jack D., 29420A.
Beauchamp, Charles J., 32322A.
Behrens, William H., Jr., 32323A.
Beljan, John R., 27645A.
Boese, Robert J., 27504A.
Bowers, David G., Jr., 27621A.
Bozena, Andrew M., 27649A.
Breece, Grady L., Jr., 63009A.
Buchman, Robert J., 49667A.
Byrd, Richard B., 75283A.
Capps, William F., Jr., 27623A.
Chubb, Richard M., 49677A.
Chunn, Samuel P., 49668A.
Clark, William B., 29487A.
Clowdus, Bernard F., 54940A.
Dalzell, Wilbert G., 27510A.
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Dees, Doyce B., Jr., 64206A.
Dooley, Byron N., 29486A.
Dunn, John N., 55853A.
Dye, William B., 56547A.
Evans, Carl T., 31918A.
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Genner, Byron A., III, 27612A.
Gill, Frank E., 32317A.
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Hansen, Richard D., 29814A.
Hein, Walter R., 27651A.
Holderman, Wallace D., 27642A.
Jackson, John L., 29630A.
Jones, William B., 55811A.
Kalnitsky, Eugene, 29870A.
Karl, Edward A., 29813A.
Kelly. Roy J., 31945A.
Kemmerer, William T., 27503A.
Langdon, David E., 32321A.
Laporte, Donald J., 69803A.
Lecoco, Frank R., 29815A.
Lee, William L., Jr., 27639A.
Lenyo, Ludimere, 27996A.
Lewis, George O., 62490A.
McClellan, Verne L., 49676A.
Meijer, Henry P., 51327A.
Meltzer, Saul S., 51329A.
Nitz, George K., Jr., 29873A.
Nugent, Paul F., Jr., 51328A.
Parker, Edward C., Jr., 31915A.
Penner, Clyde E., 27993A.
Rasberry, James N., 51331A.
Richardson, Harold N., 29871A.
Robertson, James T., 27988A.
Rogers, Bealer T., Jr., 27524A.
Salina, Richard J., 54939A.
Schubert, James J., 29485A.
Schwarz, Kuno C., 28149A.
Seaman, David, 29872A.
Small, Harvey C., 27624A.
Smith, Myron R., 64205A.
Southwick, Samuel G., 29914A.
Teneyck, Fred W., 32320A.
Tieszen, Ralph L., 32319A.
Turner, Robert J., III, 27619A.
Vinson, William M., 49674A.
Wright, Allen R., 27617A.
Young, Gerald D., Jr., 51330A.

Dental Corps

Angelici, Arnold A., 51573A.
Archambault, Jean B., 32579A.
Bange, Albert A., 31916A.
Barton, John A., Jr., 55873A.
Boxwell, David O., 28133A.
Bydalek, Raymond O., 51572A.
Byerly, William T., 29891A.
Clark, Robert C., 61152A.
Esterl, Norman L., 29294A.
Ferguson, Richard P., 32359A.
Frome, William J., 70370A.
Furr, Robert E., 31948A.
Hallwass, Karl H., 55776A.
Harman, John N., 32360A.
Hitchens, James A., 29302A.
Jameson, William S., 32578A.
Johns, Robert C., 56386A.
Martinick, Stephen G., 59954A.
Mielke, Willard I., 49704A.
O'Hara, James W., 59715A.
Pavlikowski, Fred L., 28130A.
Shervheim, Myron T., 32581A.
Smart, Elliott A., 27634A.
Sproule, Paul W., 55775A.
Starbuck, Gordon E., 64227A.
Stephens, Oscar W., III, 32588A.
Treloar, Thomas J., 59486A.
Urata, Wallace T., 29301A.

Veterinary Corps

Anderson, Donald L., 29331A.
Cook, James E., 27534A.
Fineg, Jerry, 56480A.
Goen, Oliver F., 51122A.
Holk, Herbert C., 26648A.
Lashua, Elmer L., 27533A.
Wright, Albert D., 56479A.

Medical Service Corps

Alder, Albert V., 21880A.
Ansley, Ben A., 23080A.
Archibald, Erwin R., 25685A.
Armatis, Gerald J., 49013A.
Bairrington, Jarrell D., 55331A.
Bodner, William C., 21878A.
Boggs, Gayle E., 49009A.
Brown, Ernest H., 49014A.
Channell, Lynn R., 49012A.
Clarry, Robert W., 49011A.
Covell, Donald E., 23232A.
Griffith, Llewellyn B., 24238A.
Jonas, Ralph B., 23226A.
Kelly, John A., 23225A.
Krakauer, Hans A., 23235A.
Martin, Robert P., 23234A.
Massey, Marschal W., 49007A.
Meyer, Albert M., 49010A.
Mullin, Paul B., 49015A.
Olson, Robert A., 49008A.
Perkins, Arthur H., 25336A.
Price, William B., Jr., 28003A.
Schofield, James B., 23231A.
Seaquist, Maurice R., 25344A.

Nurse Corps

Ball, Rita J., 49715W.
Conboy, Ruth A., 51587W.
Davis, Elizabeth M., 56558W.
Drisdale, Alcestee M., 63027W.
Glends, Nena S., 25762W.
Jeffries, Sarah M., 59961W.
Mills, Meta M., 32591W.
Myers, Jean C., 49716W.
Rials, Audrey R., 49717W.
Schooley, Mildred F., 24257W.
Shipe, Olive L., 51588W.
Wells, Helen, 23247W.

Medical Specialist Corps

Hodgkins, Barbara M., 21895W.
Manor, Filomena R., 21894W.
Reinbold, Carolyn, 49739W.

SECOND LIEUTENANT TO FIRST LIEUTENANT

Line of the Air Force

Abram, Max L., 71584A.
Ackerman, Charles T., 62500A.
Adams, James O., 73141A.
Adlington, Paul R., 74330A.
Aehnlich, Paul C., 72030A.
Ahmann, James N., 62501A.
Alexander, Larry D., 71816A.
Allen, Gerald N., 71817A.
Allen, Lawrence W., 72586A.
Allen, Robert L., 74334A.
Almquist, Gordon N., 74336A.
Altenhof, Robert R., 72587A.
Alvarez, Esteban F., 73810A.
Aman, Earl D., 62502A.
Amlong, Joseph B., 62503A.
Andersen, Vernon K., 73811A.
Anderson, Calvin C., 73142A.
Anderson, Charles A., 73812A.
Anderson, Lee R., 62504A.
Anderson, Marcus A., 62505A.
Anderson, Warren L., 72034A.
Anderson, Wendell L., 63362A.
Andres, Lanny R., 63388A.
Anselmo, Robert J., 73813A.
Anzivino, Angelo L., 71324A.
Apodaca, Victor J., Jr., 62506A.
Arnold, David H., 72037A.
Arnold, Richard W., 62507A.
Asfahl, Charles R., Jr., 62992A.
Atkinson, James F., Jr., 72588A.
Atkinson, Thomas S., 73814A.
Atnip, David L., 74343A.
Ator, Robert A., 73143A.
Atterberry, Phillip R., 69561A.
Aube, Albert E., 73815A.
Austin, James S., Jr., 63559A.
Austin, James T., 74345A.
Auten, Jimmie D., 73144A.
Auth, James F., 73145A.
Averett, Ronald J., 73146A.
Aylsworth, William E., 62508A.
Babitzke, Edward B., 74349A.
Backus, Richard A., 62509A.
Bacon, John M., 73147A.
Baertl, Charles E., 72589A.
Bagley, Thomas, 74351A.
Baines, Donald D., 63376A.
Bainter, Hugh T., 62510A.
Bais, Howard A., 62511A.
Baker, Donald R., 73148A.
Baker, Duane S., 73149A.
Baker, James N., 71326A.
Baker, John T., Jr., 62512A.
Baker, Willard K., 73816A.
Balas, George R., 72837A.
Baldassano, Robert S., 74355A.
Baldwin, Nathan W., 73150A.
Ball, Billy D., 74356A.
Barlow, Gordon J., 74363A.
Barnes, James E., 73817A.
Barnes, Wymon J., 71327A.
Baron, David A., 74366A.
Barrett, Norman L., 73151A.
Barrick, Ronald R., 62513A.
Barry, Edward P., Jr., 62514A.
Bartholomew, Rodney A., 62515A.
Bartlett, William K., Jr., 73152A.
Barton, John B., 71696A.
Bassett, David H., 72344A.
Bassett, Donald A., 72593A.
Baten, Jimmie R., 71328A.
Bates, Weldon D., Jr., 62516A.
Batton, Robert N., Jr., 73818A.
Bauer, Donald W., 73153A.
Bayliss, Paul M., 71329A.
Beagle, Howard T., 63474A.
Bear, Howard J., 71697A.
Beardemphl, Thomas W., 63448A.
Beazley, Charles E., 73154A.
Beck, John J., Jr., 63429A.
Becker, Edward L., Jr., 74373A.
Beckner, Stanley G., 73155A.
Behler, Joseph A., 71330A.
Behring, Darrel D., 74375A.
Beller, Gerald R., 63449A.
Bennett, Jerry L., 62517A.
Bennett, John H., 72839A.
Bennett, Richard A., 74379A.
Bennett, Richard J., 73157A.
Benson, Charles A., 63366A.
Beringson, Richard J., 73158A.
Berle, Terence H., 73159A.
Bernard, Samuel T., 72349A.
Bertram, Norman L., 74386A.
Best, Robert W., Jr., 62518A.
Betsill, Sammy F., 73160A.
Bettersworth, James A., 62994A.
Bever, Howard O., 73161A.
Bevington, Alan L., 73162A
Bilodeau, Gilbert R., 62519A.
Binder, Donald H., 73163A.
Birmingham, Edward P., 73164A.
Birrittella, Bernard J., 72840A.
Bishoprick, Dean W., 62950A.
Bitner, Richard F., 62520A.
Bjorke, Erle L., 72598A.
Bjornstad, Robert J., 72599A.

Black, Gerald W., 73165A.
Blackburn, James H., 74391A.
Blackmore, Ronald E., 73166A.
Blackwood, Gordon B., 71332A.
Blackwood, Robert S., 73820A.
Blaisdell, Allan C., 62521A.
Blake, Hubert L., 74393A.
Blakney, Kenneth L., 73821A.
Blankenship, Charles H., 73167A.
Blaufuss, Edward A., 73822A.
Bledsoe, Adolphus H., Jr., 71334A.
Blessing, David A., 62986A.
Blizzard, John J., Jr., 73168A.
Bobek, Andrew S., 73169A.
Bodenhamer, Howard L., 62522A.
Boedeker, Robert F. C., 62523A.
Bohlson, John S., 74397A.
Bolen, Edward S., 72600A.
Boles, Jimmie K., 74398A.
Boles, Robert H., 72841A.
Bomar, James S., 72045A.
Bomgardner, Larry J., 73823A.
Bond, Charles C., 72353A.
Bonfield, John A., 74400A.
Booth, Robert M., 73170A.
Bordeaux, John C., 71702A.
Boren, Donald F., 63430A.
Bott, Don C., 74402A.
Bounds, Gordon S., 62524A.
Bouquet, Victor H., Jr., 62525A.
Boutchyard, Fred R., 73171A.
Bowman, James R., 74403A.
Bowser, Gary F., 62526A.
Box, Don W., 62527A.
Boyd, Cecil S., 62528A.
Boyd, Charles G., 72601A.
Boyd, Stuart R., 62529A.
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Boys, William W., 74405A.
Bradberry, Lester E., 73172A.
Bradley, George E., Jr., 74407A.
Bradley, James E., 74408A.
Bradstreet, Frederick E., III, 62531A.
Brady, James C., Jr., 73173A.
Brady, Tim, 74409A.
Brandon, Felix R., II, 73174A.
Brandt, Rand, 73175A.
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Brannon, John J., 73825A.
Brant, Roger F., 73176A.
Bratton, Richard V., 72354A.
Breen, Joseph A., 63471A.
Breeze, Harrel R., 72046A.
Breitling, Fred G., 74411A.
Brennan, Charles L., 72603A.
Brewer, James E., 74412A.
Brian, Arthur W., 71703A.
Brickey, Robert E., 62532A.
Bridley, Charles A., 73826A.
Bright, Jack W., 62533A.
Brill, Frank Z., Jr., 72604A.
Brinker, Michael P., 73827A.
Brintnall, William E., 74415A.
Brittain, Claire E., 72605A.
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Brookie, James H., 74416A.
Brooks, David M., 62535A.
Brooks, John J., Jr., 74417A.
Brooks, Joseph G., 62536A.
Brooks, Joseph H., 74418A.
Brophy, Thomas F., 62537A.
Brown, Dennis C., 73177A.
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Brown, Willis N., Jr., 73828A.
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Bruno, Joseph M., 73829A.
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Brya, Edward N., 63371A.
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Buchmeier, Otto, 73830A.
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Budzinski, Norbert L., 72049A.
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Buff, Peter M., Jr., 73831A.
Bugeda, Richard B., 72357A.
Bulick, Edward H., 71589A.
Bull, Robert G., II, 62541A.
Bunton, Robert W., 62542A.
Burd, Bobby R., 73832A.
Burda, Lawrence J., 73180A.
Burden, Alfred L., 63047A.
Burgess, George D., 72843A.
Burgress, Danny N., 72608A.
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Burke, Harry E., 73833A.
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Burke, Larry M., 72609A.
Burke, Michael F., 72051A.
Burke, William J., 74430A.
Burney, David L., 73834A.
Burnham, Richard A., 74432A.
Burris, Joseph B., 74434A.
Busse, Robert C., 73181A.
Butler, George L., 62543A.
Byerley, William H., 73182A.
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Calhoun, William J., 72845A.
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Campassi, Charles C., 72055A.
Campbell, Calvin D., 63677A.
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Campbell, Harold N., 62546A.
Campen, Richard L., 73183A.
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Carlson, Donald T., 73837A.
Carlson, John W., 63447A.
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Carlstrom, David L., 62550A.
Carpenter, Edmund H., Jr., 63373A.
Carpenter, Shirley M., 62990A.
Carr, Chalmers R., Jr., 72057A.
Carroll, Arnett B., Jr., 71707A.
Carroll, John M., Jr., 63463A.
Carroll, Michael J., 74454A.
Carroll, Paul L., Jr., 73828A.
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Carron, Hubert J., 74451A.
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Cayton, John J., 74461A.
Celce, Frederick W., 73843A.
Cervin, Bennett W., 62968A.
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Childers, Andrew N., 73844A.
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Chuvala, Bruce A., 74469A.
Clack, Raymond R., 71345A.
Clapp, David E., 71591A.
Clapsaddle, Ronald E., 72062A.
Clark, Clifton C., Jr., 71346A.
Clark, Jerry K., 74471A.
Clark, Robert W., 69615A.
Clarke, Colin A., 73845A.
Clarke, George R., 74472A.
Clary, John D., Jr., 72614A.
Claus, Richard L., 72615A.
Clauson, Richard C., 72846A.
Clawson, Stewart H., 73846A.
Clement, Henry J., 73189A.
Clemons, Eugene S., 71710A.
Cleveland, Marvin A., 71347A.
Clingenpeel, Conrad M., 74475A.
Clisby, Edward V., 73190A.
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Cobb, James W., 71348A.
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Coleman, Earnest L., 63367A.
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Collins, Gary R., 73197A.
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Collins, Lloyd H., 72616A.
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Conklin, Ronald L., 63372A.
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Connaughton, John M., 72847A.
Conover, Charles D., 62558A.
Conover, James H., 74487A.
Cook, Darvan E., 72848A.
Cook, Donald A., 74488A.
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Cook, Warren W., 73198A.
Cooke, William M., 71350A.
Coombs, Joseph D., 72849A.
Cooper, Dale J., 63434A.
Cooper, John M., 73848A.
Cooper, Richard M., 62559A.
Cope, Larry G., 73199A.
Cope, Lawrence L., 72617A.
Copenhaver, Howard W., Jr., 73200A.
Copner, Robert E., 62965A.
Coppock, Richard M., 62560A.
Cordell, William F., 73201A.
Cordier, Kenneth W., 71351A.
Cordova, Richard L., 73202A.
Cornelius, Arthur B., 72066A.
Cornwall, Don S., 73203A.
Cors, Theodore C., 72618A.
Coughlin, James P., 74497A.
Coupland, James W., 72067A.
Cowie, James M., 72619A.
Cox, Lawrence C., 62561A.
Coyle, Ronald W., 72621A.
Coyne, Thomas M., 62562A.
Craft, Wayne J., 74502A.
Crandall, Gordon C., 71712A.
Crane, Robert W., 71352A.
Cranfill, Henry D., 62999A.
Creel, Joel D., 73204A.
Cremin, Walter J., 72069A.
Crescenzi, Emil J., Jr., 63662A.
Cress, Larry E., 73205A.
Croft, Raymond C., 72070A.
Croll, Charles W., 62563A.
Cross, Dale O., 72071A.
Crow, Richard R., 72622A.
Crum, James D., 72072A.
Crum, Roger D., 73206A.
Cubero, Ruben A., 62564A.
Cuellar, Hector M., 72623A.
Cullen, James A., Jr., 62565A.
Culver, William C., 73207A.
Cumbow, Edward W., 73849A.
Cunliffe, William E., 63489A.
Cunningham, Robert J., 72624A.
Curran, James T., 73850A.
Curtis, Justin A., 73208A.
Cushing, Emery G., 73209A.
Dailey, Fred D., Jr., 72075A.
Daily, James W., 73210A.
Daily, Sammy G., 74510A.
Dale, David M., 74511A.
Dalkin, Willim H., III, 62566A.
Damico, Joseph L., 73851A.
Damschroder, James W., 72625A.
Danborn, Donald R., 62567A.
Daniel, Louie E., 62568A.
Daniels, Ralph E., 72626A.
Daniels, Richard M., 74512A.
Dansby, Charles M., 73211A.
Darco, Silvio V., 74513A.
Darnauer, James H., 62569A.
Dates, John A., 62570A.
Daugherty, Gayland E., 74515A.
Davidson, Carl L., 73852A.
Davidson, Hugh M., 72077A.
Davidson, John L., 63359A.
Davis, Benjamin H., Jr., 63678A.
Davis, Bruce R., 73212A.
Davis, Gene H., 62571A.
Davis, Merrick, Jr., 73213A.

Davis, Michael D., 73853A.
Davis, Peter B., 72078A.
Davis, Richard W., 62572A.
Davis, Ronald R., 74518A.
Davis, William V., 71594A.
Davison, James W., 72079A.
Day, Foster H., 73214A.
Day, Richard W., 62573A.
Deal, James E., 63467A.
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Kincaid, Ralph E., Jr., 73922A.
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Morris, William K., 63044A.
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Mountsier, Charles M., 74930A.
Mozzini, Lewis M., 74931A.
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Muff, Robert C., 73966A.
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Mullen, Stephen F. T., 74933A.
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Salmans, Larry D., 72426A.
Sample, Robert, Jr., 62731A.
Sampson, Orwyn, 74102A.
Sanchez, Paul M., 75065A.
Sanders, Ronald D., 72917A.
Sanders, Russell L., 71459A.
Sanders, Thomas A., 62732A.
Sandin, James K., 63438A.
Santos, Valerio A., 72918A.
Sanzenbacher, Frederick W., 62733A.
Saporito, Anthony R., 73409A.
Sapp, Jerry L., 71640A.
Sapyta, Alex W., 75067A.
Sarabia, Michael F., 74013A.
Santorius, Victor F., 75068A.
Satz, Dieter W., 63419A.
Saulnier, Jean R., 74014A.
Saunders, Earl F., 62734A.
Savery, Melvin E., 74015A.
Sayer, Albert F., Jr., 71460A.
Scambilis, Nicholas A., 72167A.
Schaal, William E., 75069A.
Schaeferle, Mark B., 74016A.
Schaffer, John A., 74017A.
Schaffner, Reid A., 62735A.
Schake, Wayne E., 75071A.
Schaneberg, Leroy C., 71461A.
Scharon, Donald G., 74018A.
Scheeren, Alexander E., 73410A.
Scheerer, John W., 62736A.
Scheidt, Thomas R., 72168A.
Schellinger, Thomas P., 74019A.
Scheyd, Fredric J., 75074A.
Schlueter, William E., 74020A.
Schmidt, Paul R., 75076A.
Schmitt, Roger K., 71462A.
Schneider, Frederick G., 72169A.
Schneider, Glen E., 74021A.
Schneider, Leslie G., 62737A.
Schneider, Roderick F., 75077A.
Schoeller, Carol E., 75078W.
Schrader, Carl D., 74022A.
Schriever, Brett A., 69549A.
Schuermann, Robert R., 71463A.
Schuster, Edward P., 72919A.
Schutt, Thomas E., 62738A.
Scivoletto, Emmanuel J., 62739A.
Scofield, Richard M., 71465A.
Scott, Bobby G., 71642A.
Scott, Hanson L., 62740A.
Scott, Martin D., 71467A.
Scott, Richard W., Jr., 75087A.
Scott, Vincent D., 62741A.
Scott, William W., 74024A.
Scrosati, Gerald P., 72920A.
Scungio, Vincent A., 71468A.
Seaborg, Donald H., 75088A.
Seagrave, David W., 73412A.
Seal, Arlan B., 75089A.
Seamon, John B., 72921A.
Seastrom, Donald E., 75090A.
Sebasco, Paul L., 74025A.
Sedlik, Jay M., 73413A.
Seibel, Julius W., Jr., 62742A.
Seidel, Kelly G., 71469A.
Seidl, John M., 62743A.
Self, Frank A., 72922A.
Sellers, Robert E., 72923A.
Sellin, Jon B., 75093A.
Sensenbaugh, Alvin E., 74026A.
Sepanski, Robert E., 71470A.
Serksnas, Anthony A., 75094A.
Serventi, James R., 75096A.
Sewell, Vernon L., 73414A.
Shafer, Ardean M., 74027A.
Shaffer, Marvin S., 74028A.
Shaltry, Gerald L., 75099A.
Shamblee, George L., 62744A.
Shamblin, Robert P., 71471A.
Sharkey, Thomas A., 74029A.
Sharp, Donald Y., 75100A.
Sharpe, Ellis R., 73415A.
Sharpe, Theodore C., 73416A.
Shaw, Harvey J., 73417A.
Shaw, James W., Jr., 73418A.
Shaw, Jerome C., 72429A.
Shepley, Jeffrey T., 73419A.
Sheridan, Thomas H., 72924A.
Sherman, Ray E., III, 74030A.
Sherwood Danton T., 74031A.
Shewmaker, Larry A., 62745A.
Shirley, Henry G., 74032A.
Shoemaker, Harold D., 61141A.
Shoemaker, James R., 69087A.
Short, Charles J., 75105A.
Shrull, James R., 75106A.
Shull, Warren B., 62746A.
Shumway, Elwyn D., 72739A.
Siegel, Russell A., 74033A.
Siegenthaler Kenneth E., 62747A.
Sieler, Douglas D., 73420A.
Sigg, Martin D., 75107A.
Silva, Lloyd F., 73421A.
Silvestri, Louis A., 75108A.
Silvey, Robert B., 71473A.
Simanski, Donald E., 73422A.
Simmons, Carl R., 72740A.
Simpson, Charles M., 75110A.
Singleterry, Paul A., 72741A.
Singleton, Curtis F., 72925A.
Singleton, Jerry E., 73423A.
Sistrunk, Harold M., 62988A.
Sittner, Ronald N., 72432A.
Siuru, William D., Jr., 74034A.
Skelton, Lawrence H., 74035A.
Skilling, Thomas G., 62748A.
Skinner, Allen L., 72433A.
Skinner, Richard A., 74036A.
Sladovnik, David E., 72742A.
Sloop, Kenneth W., 72434A.
Smart, Halbert R., II, 74038A.
Smeenk, Norman W., 75113A.
Smith, Charles E., 74039A.
Smith, Dennis A., 71863A.
Smith, Donald L., 72927A.
Smith, Donald L., 72926A.
Smith, George D., 74040A.
Smith, James L., 75118A.
Smith, Jerry A., 73424A.
Smith, Jerry A. A., 71645A.
Smith, John W., 74041A.
Smith, Mark L., 71864A.
Smith, Michael R., 73425A.
Smith, Paul J., 74042A.
Smith, Phillip W., Jr., 62749A.
Smith, Rex R., 75119A.
Smith, Richard D., 62750A.
Smith, Robert E., 62751A.
Smith, Robert K., 75121A.
Smith, Ronald L., 75122A.

Smith, William M., 72436A.
Snavely, Orren L., 71476A.
Snead, William H., 75123A.
Snider, Baxter F., 74043A.
Snyder, Albert L., 74044A.
Snyder, Charles E., 71866A.
Snyder, Willis G., 74045A.
Solomon, James D., 72171A.
Solt, Richard C., 74046A.
Sommercamp, John O., 62752A.
Songster, John D., 73426A.
Sosnowski, Walter F., 75129A.
Soszka, Stanley R., 75130A.
Soukup, Jay R., 72437A.
Sowers, William H., 63439A.
Spalt, Donald F., 74048A.
Sparta, David P., 73427A.
Speicher, William C., 63485A.
Spencer, Jimmie L., 74049A.
Spencer, Terry L., 74050A.
Speyrer, Saul C., 74051A.
Spivey, Don P., 71477A.
Spivey, Ronald C., 75137A.
Spooner, Benjamin W., 74052A.
Springs, Frank G., 74053A.
Springsteen, James F., 72928A.
Spurlin, Harold O., 73428A.
Stackhouse, John E., 62753A.
Stackhouse, William K., 62754A.
Staggs, Jimmy D., 72744A.
Stamm, Richard F., 75139A.
Stamps, Stanley W., 75140A.
Stanley, Walter E., 62755A.
Stannard, Louis A., 74054A.
Stark, John B., 74055A.
Stark, John K., 72174A.
Starks, Billy D., 74056A.
Staten, Kenneth E., 62756A.
Stauffer, David R., 75144A.
Stebbins, Charles F., 62757A.
Steel, Dean E., 71479A.
Steeneck, Robert C., 72929A.
Stefanos, Steven C., 74057A.
Steger, James H., 73429A.
Steinheider, Robb, 74058A.
Stell, David W., 74059A.
Stephen, Paul R., 62758A.
Stephens, Larry T., 72930A.
Stephenson, Earl W., 74060A.
Stephenson, John L., 75149A.
Sterbenz, Paul E., 73430A.
Stewart, Denis C., 74061A.
Stickel, Eugene P., 75151A.
Stires, Martin A., 74062A.
Stockhill, Gordon W., 73431A.
Stone, Frederick M., 73432A.
Storing, William J., Jr., 72175A.
Storm, Robert A., 75152A.
Storm, Terry L., 62759A.
Stotts, Jackie L., 73433A.
Stoughton, Peter W., 74063A.
Stovall, Thomas A., Jr., 72438A.
Stover, John M., 62760A.
Strandberg, Keith L., 72439A.
Stratvert, Bruce N., 62761A.
Strauss, Robert H., Jr., 62762A.
Stringer, Roger F., 62763A.
Strout, Randolph A., 74064A.
Stuart, Martin J., 74065A.
Stuart, Norman E., 72931A.
Stullich, Theodore W., 75157A.
Stump, Wayne D., 71868A.
Stuntebeck, Clinton A., 73434A.
Sulfstede, Louis E., 75158A.
Sullivan, John D., Jr., 62764A.
Sullivan, Robert W., 75159A.
Sullo, Pasquale, 75160A.
Suriano, Ronald P., 75161A.
Sutton, Thomas L., 62765A.
Swan, Ronald E., 74066A.
Swanson, Ronald G., 71869A.
Sweeny, Llewellyn R., 72932A.
Swick, Jerry L., 75166A.
Swift, Derald D., 71483A.
Swint, David O., 72933A.
Szambelan, Lawrence J., 72443A.
Szucs, Richard J., 63390A.
Tabor, Dale C., 62766A.
Takahashi, Tenev H., 62767A.
Taylor, Edward R., 63460A.
Taylor, Gerald A., Jr., 63386A.
Taylor, John C., 62768A.
Taylor, Larry C., 75169A.
Taylor, Richard D., 75170A.
Taylor, Roger K., 71484A.
Taylor, Roy D., 75171A.
Taylor, William K., III, 72176A.
Telford, John P., 72936A.
Temte, Jon E., 74067A.
Tencza, Stanley F., Jr., 71486A.
Terry, David A., 63392A.
Tessitore, Joseph L., 63444A.
Thaanum, Thomas R., 72177A.
Theiler, Gary A., 62769A.
Theurer, Byron W., 62770A.
Thomas, Charles G., Jr., 62771A.
Thomas, Jackson A., 74068A.
Thomas, John R., 74069A.
Thome, Benny O., 72937A.
Thompson, Addison S., III, 62772A.
Thompson, Clayton H., 75174A.
Thompson, Gary L., 72445A.
Thompson, James E., 73435A.
Thompson, Jerry R., 72446A.
Thompson, Richard A., 62773A.
Thompson, Richard L., 72447A.
Thompson, Wesley E., 75177A.
Thomson, David A., 72938A.
Thonen, Paul A., 75178A.
Thornburg, Richard W., 72939A.
Thorne, John E., Jr., 71488A.
Thornton, James A., 71870A.
Thornton, Stephen R., 72448A.
Thornton, William D., 75179A.
Thrash, Charles G., Jr., 72940A.
Threadgill, Luther L., 72178A.
Thudium, John D., 75180A.
Thurman, Donald W., 73436A.
Thurman, Jack M., 63462A.
Thurneck, William J., Jr., 74070A.
Thwaites, Murray J., 73437A.
Tice, Robert H., 74071A.
Tice, Russell K., 74072A.
Tiches, Timothy C., 74073A.
Tilbury, James W., 75182A.
Tilghman, Thomas A., 63368A.
Tisdale, Richard L., 73438A.
Tissue, Gary L., 71649A.
Tokita, Yuzo M., 75183A.
Toler, Clifton W., 72750A.
Tollison, Benjamin H., Jr., 72179A.
Tollman, William T., 75185A.
Tompkins, David T., 71489A.
Tompkins, Gary R., 75186A.
Tondreau, Robert E., 74074A.
Toner, John T., 75188A.
Toth, Richard L., 75189A.
Towle, George W., 72751A.
Trafecanty, Anthony F., Jr., 71490A.
Traversa, Peter A., 71491A.
Travis, Byron M., 62774A.
Treadaway, Robert E., 72181A.
Treuting, Waldo L., Jr., 73439A.
Trippe, Frederick A., III, 71492A.
Trombly, Richard L., 74075A.
Trotogott, Peter H., 62775A.
Trowell, John A, Jr., 74076A.
Tucker, Arthur L., Jr., 73440A.
Tulis, James F., Jr., 62776A.
Tullo, Frank J., 74077A.
Turcotte, Maurice E., 73441A.
Turner, Bruce W., 72451A.
Turner, Grover C., 71650A.
Turner, Lowell L., Jr., 75198A.
Turner, William S., III, 74078A.
Tuthill, William S., 63473A.
Tuttle, Harold E., 73442A.
Twigg, John K., 74079A.
Uhlenhop, Michael H., 74080A.
Ulley, William C., 72182A.
Ulm, James P., 62777A.
Underwood, Bobby D., 71871A.
Urquhart, Robert Y., 75203A.
Utendorf, Allan E., 62778A.
Vajda, Stephen, 72183A.
Valdez, Gilberto I., 72753A.
Vanallen, Douglas F., 72453A.
Vanous, William W., Jr., 74081A.
Varcho, John M., 75207A.
Vassalotti, Guy L., 71493A.
Vaughn, George L., 63377A.
Veal, William A., 74082A.
Veeser, Gary M., 73443A.
Venglik, Michael S., 75208A.
Vettergren Erik H., Jr., 62780A.
Villaescusa, Frank W., 73444A.
Vincent, Donald R., 72184A.
Vincent, Thomas R., 74083A.
Violette, Gerald P., 72941A.
Viquesney, Jules L., 62781A.
Virtue, Robert B., 63554A.
Vogel, Frederick R., 75210A.
Vogt, John A., 73445A.
Voit, Arnold J., 72185A.
Vondrak, Kenneth M., 63418A.
Vorheis, Richard V., Jr., 62995A.
Vos, Raymond H., 74084A.
Voss, John M., 72942A.
Vrablic, Walter S., 71874A.
Wade, William D., 62782A.
Waefler, Larry E., 75213A.
Waggener, Kenneth E., 75214A.
Wagner, Lee C., Jr., 71875A.
Wagner, Rees R., 62783A.
Wagner, Robert K., 62784A.
Wakefield, Gerald L., 73446A.
Wakeland, James O., 72755A.
Walden, Foy T., 75217A.
Waldron, Neal E., 74085A.
Walker, Phillip H., 72943A.
Walker, Ralph W., 75220A.
Walker, Thomas T., 75221A.
Walker, Thomas T., 62785A.
Wall, Daniel T., 75222A.
Wall, Edwin T., 72944A.
Wall, William F., 75223A.
Walsh, Francis A., Jr., 72756A.
Walsh, Richard D., 74086A.
Walsh, Thomas C., 74087A.
Walters, Carl I., 62991A.
Walters, James L., 71495A.
Walton, Noel E., 73447A.
Wantuck, Richard L., 74088A.
Ward, Clark W., 74089A.
Ward, Harold B., 74090A.
Ward, Patrick J., 73448A.
Ware, Gene B., 75226A.
Warner, David C., 72757A.
Warner, James G., 75227A.
Warren, James, 74092A.
Warren, Stanley G., 74093A.
Wassem, Frederick A., 72455A.
Wasserstrom, Daniel D., 73449A.
Waters, Ronald H., 74094A.
Watkins, Frank E., 72945A.
Watkins, Robert D., 74095A.
Watson, Jesse V., Jr., 74096A.
Watson, Robert C., 73450A.
Watson, Warren K., Jr., 62786A.
Weathers, Jackie B., 72946A.
Weaver, John C., Jr., 62787A.
Webb, Randall C., 71496A.
Webb, Randol B., Jr., 73451A.
Webb, Walter E., III, 73452A.
Webster, Gary W., 62788A.
Wedwaldt, Robert J., 73453A.
Weech, Henry A., Jr., 74097A.
Weeden, Ronald J., 62789A.
Weichel, Hugo, 75229A.
Weidemann, Ronald F., 73454A.
Weinstein, Mark A., 75230A.
Weiss, Werner, 72947A.
Welch, Bobby O., 73455A.
Weley, John B., 75233A.
Welles, John E., 74098A.
Wellin, Frank E., Jr., 69564A.
Wells, Jack M., 75231A.
Wells, Richard O., 74099A.
Wesen, Charles L., 63451A.
Weskamp, Richard D., 74100A.
West, William O., III, 75236A.
Westbrook, Clyde O., Jr., 62790A.
Westby, Darrell E., 73456A.
Westlake, Donald C., 63374A.
Whalen, Wayne W., 62791A.
Whipple, Douglas C., 73457A.
Whitaker, Karl J., 62792A.
White, Hewitt A., 71501A.
White, Michael M., 74101A.
White, Milton J., II, 72188A.
White, Robert P., 62793A.
White, Thomas J., Jr., 62794A.
Whitfield, James K., 74102A.

Whitington, George L., Jr., 73458A.
Whitlatch, James D., 74103A.
Whitley, Lee O., 74104A.
Whitney, David G., 75242A.
Whitney, Ellsworth R., 75243A.
Whorton, David M., 74105A.
Wickell, James E., 72189A.
Wickersham, Jerry K., 71502A.
Wicklund, Elroy J., 63550A.
Wickman, Douglas V., 74106A.
Widun, Edward V., 73459A.
Wikstrom, Donovan C., 75244A.
Wilhelm, James E., 62796A.
Wilkes, Glenn P., 75246A.
Wilkinson, Kenneth P., 74107A.
Wilkinson, Leland K., 74108A.
Wilkowske, Kathleen M., 75247W.
Will, Thomas S., 62980A.
Willess, James A., Jr., 73460A.
Willette, James F., 63468A.
Willford, Eldon B., 71503A.
Willhite, Richard A., 71504A.
William, David C., 72190A.
Williams, David A., 71878A.
Williams, Gary B., 74109A.
Williams, James E., Jr., 75251A.
Williams, James R., 72456A.
Williams, John L., 72191A.
Williams, John R., 72192A.
Williams, John R., 71652A.
Williams, Kent G., 71505A.
Williams, Paul G., 63436A.
Williams, Thomas W., 62797A.
Williams, William T., IV, 62798A.
Willie, Lavern A., 74110A.
Willis, Benjamin G., Jr., 62799A.
Willis, Frank E., 62800A.
Wilshire, Robert M., 73461A.
Wilson, Barbara A., 74111A.
Wilson, Charles R., 74112A.
Wilson, David A., 74113A.
Wilson, Frederick P., 62801A.
Wilson, George D., 72759A.
Wilson, John M., Jr., 62981A.
Wilson, Joseph W., 71506A.
Wilson, Kenneth E., 75253A.
Wilson, Leonard R., 74114A.
Wilson, Robert M., 72458A.
Wilson, Thomas W. C., 62802A.
Wilson, William R., 75255A.
Wimmer, Carl J., 62803A.
Winklepleck, Robert H., 75257A.
Winter, Jon W., 72953A.
Wise, Donald E., 71508A.
Wisner, Thomas D., 74115A.
Witcher, Bruce E., 72954A.
Witte, Roger E., 74116A.
Woelfel, Robert T., 62804A.
Wohrman, Frederick R., 62805A.
Wolcott, John J., 62806A.
Wolf, Dennis F., 74117A.
Wolfe, Dennis B., 62983A.
Wolfe, James L., 75258A.
Wolfe, Roland L., Jr., 75259A.
Wolff, Armand E., 73463A.
Woller, Elde C., 75261A.
Wollpert, James H., Jr., 74118A.
Womack, Joseph E., 73464A.
Wood, Keith F., 62807A.
Wood, Paul M., 72461A.
Wood, Walter H., Jr., 74119A.
Woodbury, Roger C., 62808A.
Woodland, Kenneth E., 72463A.
Woodruff, Gary L., 74121A.
Woods, Philip H., 62809A.
Woodward, Charles D., 72194A.
Woodward, Elbert T., 74122A.
Woodward, John F., Jr., 75266A.
Woodworth, Paul A., 74123A.
Wooke, Charles F., 72955A.
Wozmak, James M., 75269A.
Wray, Duane J., 75270A.
Wright, David E., 74124A.
Wright, James H., Jr., 71510A.
Wright, Larry D., 73465A.
Wright, Robert W., 74125A.
Wright, William R., 62810A.
Wunderler, Carl J., Jr., 73466A.
Wyatt, J. C., 71511A.
Wynne, Richard L., 72468A.
Yaeger, Michael A., 72956A.
Yancey, George P., 62811A.
Yano, Chauncey S., 72469A.
Yates, Robert C., 72471A.
Yavis, Robert P., 62812A.
Yeley, Donald L., 75272A.
Yoakam, Gary L., 71653A.
Young, Donald R., 75273A.
Young, Emerson D., Jr., 72472A.
Young, Kenneth M., 73467A.
Young, Larry M., 69576A.
Young, Otis B., Jr., 75274A.
Young, Richard A., 71880A.
Yount, Ben F., 73468A.
Youschank, William J., 75275A.
Zapotocky, Robert J., 74126A.
Zarpaylic, John T., 74127A.
Zawoysky, John R., 73469A.
Zekan, Andrew M., 73470A.
Zembraski, Robert F., 74128A.
Zenyuh, John V., 62813A.
Zielke, Robert B., 75277A.
Zimmerman, Ronald L., 74129A.
Zimmern, Jonathan E., 71882A.
Zollner, Ronald A., 75280A.
Zompa, Edward A., 62814A.
Zuck, David L., 63486A.
Zumbrunn, Werner J., 62982A.
Zych, Leonard P., 75218A.

Medical Service Corps

Wild, James H., 62795A.
Gordon, James V., 70935A.
Simpson, Harry J., 70934A.

Nurse Corps

Anderson, Marie E., 66045W.

Medical Specialist Corps

Eyler, Roberta K., 71145W.

CONFIRMATION

Executive nomination confirmed by the Senate January 16, 1964:

FEDERAL TRADE COMMISSION

John R. Reilly, of Iowa, to be a Federal Trade Commissioner for the unexpired term of 7 years from September 26, 1962.

HOUSE OF REPRESENTATIVES

THURSDAY, JANUARY 16, 1964

The House met at 12 o'clock noon.

The Chaplain, Rev. Bernard Braskamp, D.D., offered the following prayer:

Ephesians 3: 17: *That Christ may dwell in your hearts by faith.*

Eternal and ever-blessed God, fill us now with joy and thanksgiving, with wonder and high hopes, as we seek to appropriate by faith the blessings of Thy grace needed for the hours of this new day.

We are sure that no day can ever be marred or soiled by the sordid promptings of self-interest if we have an exalted sense of Thy love and follow the unfailing guidance of Thy spirit.

Inspire us with a zealous and invincible desire to have a large share in building Thy kingdom of peace on earth and good will among men.

Grant that no selfish consideration or feelings of complacency shall ever close our hearts to the cries of a broken world with its baffling problems and perplexities.

Hear us in Christ's name. Amen.

THE JOURNAL

The Journal of the proceedings of yesterday was read and approved.

LEGISLATIVE PROGRAM FOR NEXT WEEK

Mr. HALLECK. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Indiana?

There was no objection.

Mr. HALLECK. Mr. Speaker, I should like to inquire of the majority leader as to the program for next week.

Mr. ALBERT. Mr. Speaker, in response to the question of the minority leader, we have no further legislative program for this week. Of course, we will pay tribute today to our late colleague. It will be my purpose to ask unanimous consent to go over until Monday next, in view of the fact we have completed our legislative program for this week.

The program for next week is as follows:

Monday, bills on the Consent Calendar will be called, and there are four bills to be called up under suspension, namely:

S. 1309, to amend the Small Business Act by broadening the disaster loan authority and imposing criminal penalties for certain offenses;

S. 298, Small Business Investment Act Amendments of 1963;

S. 741, bribery in sporting contests; and

H.R. 9435, judicial procedures in litigation with international aspects.

On Tuesday bills on the Private Calendar will be called. We will also consider on Tuesday the bill H.R. 4879, the Library Services Act amendments, which will be considered under an open rule with 1 hour of debate.

I should like to advise Members also that the dean of the Pennsylvania delegation [Mr. MORGAN] has advised that he will seek recognition to pay tribute to our late colleague, Mr. Green, on Tuesday.

On Wednesday, H.R. 8190, Patent Office fees bill, under an open rule with 2 hours' general debate.

For Thursday and the balance of the week, S. 254, providing for acquisition of certain property in square 758 in the District of Columbia, as an addition to the grounds of the U.S. Supreme Court Building. This will be considered under an open rule with 1 hour of debate.

This is subject to the usual reservation that conference reports may be brought up at any time, and any further program may be announced later.

Mr. HALLECK. I thank the gentleman.

ADJOURNMENT FROM TODAY UNTIL MONDAY NEXT

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that when the House adjourns today it adjourn to meet on Monday next.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

Mr. GROSS. Mr. Speaker, reserving the right to object, first of all I would like to ask if the legislation dealing with acquisition of property is the parking lot for the Supreme Court? Is that the bill to come up next week?

Mr. ALBERT. That is my understanding.

Mr. GROSS. Can the gentleman give us any advice as to when we are going to get into gear and start in on some of the major legislation that is pending?

Mr. ALBERT. In the first place, we are only in the second week of the session. We have already enacted important legislation. Second, two subcommittees of the Committee on Appropriations are already at work. We are hoping to have the authorization bills all here soon—some of them are already up here. They are the authorizations necessary to the enactment of the various appropriation bills. We are programing this legislation as fast as it is ready and the committees are ready to present it.

Mr. GROSS. I hope the gentleman and the distinguished Speaker of the House will do everything in their power to move the legislative program forward this year. I may say to the gentleman that this is the second session of an already organized Congress, and we ought to be proceeding expeditiously.

Far be it from me to tell the gentleman from Oklahoma, the distinguished majority leader, how to conduct the business of the House, but I do not want to go through another 12-month session if it can be avoided, and I am sure it can be. I have said this before and I am going to say it repeatedly. I hope, too, we can have some assurance soon for the record that there will be no business put over on account of primary elections this year.

Mr. ALBERT. If the gentleman will yield on that, we abandoned that practice of putting over votes on account of primaries last year.

Mr. GROSS. I might say to the gentleman I am afraid that there was some business postponed last year on account of primaries, and last year was not a full-fledged primary election year as will be the case this year. I hope that we may have that assurance and all Members of the House may be put on notice that this year there will be no postponing of important business before the House of Representatives on account of primary elections, because this, as the gentleman well knows, can stretch out the legislative program for weeks on end.

Mr. ALBERT. The gentleman's point certainly is worthy of consideration. I will say to the gentleman we have had this matter under consideration.

Mr. GROSS. I withdraw my reservation of objection, Mr. Speaker.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

CALENDAR WEDNESDAY BUSINESS

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that the business in order under the Calendar Wednesday rule may be dispensed with on Wednesday next.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

WHOLESALE FEDERAL LIQUOR STAMPS

Mr. POOL. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. POOL. Mr. Speaker, I wish to report to Congress on a situation which has arisen in Texas concerning the forced sale of wholesale Federal liquor stamps to retailers in our great State. In my interviews with retailers in Denison, the following information was developed: Retail liquor dealers in the Denison area were forced to buy wholesale Federal liquor stamps over their protest that as retailers they did not need the wholesaler's license. Some paid as much as $1,100 for the stamp; others as little as $400. Some refused and were not further coerced. One retail chain of three stores was filed on by Alcohol Tax Unit Investigator Archie Kirkpatrick. This chain was fined and made to purchase the wholesale stamp and to remain closed for a month. Upon reopening, the chain installed as general manager, Jerry Kirkpatrick, the 26-year-old son of the investigating agent for the Alcohol Tax Unit, Archie Kirkpatrick. The younger Kirkpatrick, a resident of Dallas, approximately 75 miles south of Denison, was not known to have experience in the liquor business.

I have asked for information throughout the State of Texas concerning the sale of wholesale Federal liquor stamps to retailers. On January 6 I brought this matter to the attention of Mr. Dwight Avis, Director of the Alcohol and Tobacco Tax Division of the Internal Revenue Service, who assures me that an investigation is being made.

However, as of yesterday, Archie Kirkpatrick is still being retained as an investigator in the Dallas office. I question the propriety of allowing a person under investigation to remain in active status where such serious allegations have been made.

NEED FOR A NEW LOOK AT FOREIGN AID

Mr. BENNETT of Florida. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Florida?

There was no objection.

Mr. BENNETT of Florida. Mr. Speaker, the lead editorial in today's Washington Post states that some have suggested that the State Department take over the functions of AID and others that the foreign aid program be parceled out among the various departments of Government. Then the editorial cynically observes:

> The object of the first suggestion is presumably a closer coordination between the economic and political elements of American foreign policy; the second is clearly designed to minimize congressional hostility by means of budgetary camouflage.

I am a severe critic of how the foreign aid program has recently been carried out by our Government, and this criticism is felt by millions of Americans and by a large portion of Congress. The first objective mentioned by the Washington Post in the proposed reorganization of the foreign aid program is an objective which may have validity, and I am sure there are those who make this the chief point of criticism of the program. There are probably others who cynically wish to fool Members of Congress into spending the same amount of money in the same extravagant manner but under some sort of a camouflage.

But, the vast majority of the general public in this country and the vast majority of the critics of the program in Congress are critical of this program because it involves tremendous financial outlays at a time when our country is in such a fiscal situation that most agree that a tax cut must be enacted when we are running our Government on a large deficit basis. Most people take the same view that I do, that is, that there is a great deal of value in the foreign aid program, but that the program must be diminished in these times of severe deficit financing in our country when there is present the requirement for reducing taxes.

In the changes that should take place it is obvious that administrative improvement should be made and waste eliminated wherever possible. However, I feel, and I am sure many others feel, that there are more specific criticisms of the present program. I have already mentioned that it is greatly too large when the present fiscal situation in our country is considered. Another specific criticism is that it is easier to obtain with U.S. funds a specific public work or other betterment in a foreign country than it is in our own country for our own people, when they are equally needed. This should not be so.

Another criticism is that the entire foreign aid program is too flexible and lacks specific congressional attention and restriction to individual projects and countries. From the debate on the appropriation bill I gather that the whole sum of money can be scattered around in an entirely new pattern by the executive branch with practically no guidelines if the executive branch decides that it is what they think best. This should not be.

I am a strong advocate of the military program being placed in the Department of Defense and being worked upon by the appropriate authorization committees and appropriation committees in the defense field in the House and Senate, subjecting these military items to the same close scrutiny and careful attention that is given our own military expenditures. Nothing like this or even approaching this is presently the case.

This correction is one of the most needed corrections in the present program. It certainly has nothing to do with any sort of budgetary camouflage. It merely means that military authorities in studying this program from beginning to end should be subjecting it at least to the same careful scrutiny and austere standards given our own domestic military expenditures.

I shall summarize. I believe it is now time to separate the military assistance from the economic funds in the program and that the military assistance should be subject to the same careful scrutiny in military channels that our own domestic military expenditures are given. The economic aid programs for the several countries should be particularized and the projects and programs for each country made definite, eliminating the vast flexibility now aiding the tremendous size of this program. All programs and projects abroad should stand at least on the same strict basis of justification used in the expenditure of domestic projects dollars. Finally, every effort that can be made should be made to minimize the overall cost of this program in view of the present fiscal situation in our country.

REVISION OF FOREIGN POLICY DUE

Mr. SIKES. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Florida?

There was no objection.

Mr. SIKES. Mr. Speaker, according to the morning dispatches, the Government of Panama declines to resume diplomatic relations with the United States unless a revision of the Canal Treaty is discussed. So what? We do not need Panama nearly as much as Panama needs us. Two-third's of Panama's national income is derived from the United States in payments to the Panamanian Government or in salaries to canal employees.

What is needed here is a little realism in our dealings with irresponsible nations. The U.S. practice of jumping to do the bidding of half-pint nations has about convinced the world we are the softest mark in history. We failed to stand with our friends when Nasser seized the Suez Canal, and in fact condemned the efforts of those friends to protect their rights. Panama now expects to do as Egypt did.

We had a chance to kick Castro out of Cuba and failed to take it. Now, he is more firmly entrenched than ever and is training revolutionaries who disrupt efforts for progress and democracy throughout Latin America. His agents were in the forefront of the rioting in Panama.

We are in the right, and when we are in the right there is nothing wrong with using the strength which God and our own initiative has endowed us with.

We are overdue for a revision in foreign policy.

TRADE WITH COMMUNIST NATIONS

Mr. ABERNETHY. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Mississippi?

There was no objection.

Mr. ABERNETHY. Mr. Speaker, there are several old cliches—"the chickens come home to roost" and that sort of thing—but there is really no graceful way to say "I told you so." Nevertheless, once in a while it is necessary to do so because it illuminates past mistakes and wise men profit by their mistakes.

I opposed the campaign to win public and congressional approval of the sale of wheat to Russia. I said that the effect would be to bail out the faltering farm system of the Soviet Union. I observed that because of our own system of subsidies, American taxpayers would be supporting the Soviet treasury and actually relieving Russian taxpayers. I pointed out that we would be giving the Russians another opportunity to sell and other small grains at a profit to her satellite countries.

Furthermore, if I may be forgiven for quoting myself, I said:

> For quite some time we have implored nations of the free world not to trade with Communist Cuba. We have urged that their ships bypass Cuban ports. We have even exercised some coercion to enforce this policy. Economic boycott is now the only means pressed by our Government to oust Castro. Can we have any hope of ousting Communist Castro through economic boycott (which requires the cooperation of the entire free world) while we openly trade with Communist Khrushchev? To our complaints against free nations trading with Castro, they will simply say, "We trade with Communist Cuba, sure! You trade with Communist Russia, don't you?" We have left ourselves absurdly and ridiculously inconsistent.

The wheat deal went through despite much opposition and doubts expressed by many, including myself. Now the proverbial chickens have come home to roost, and more may be on the way.

Under Castro and the Communist system, public and private transportation in Cuba has collapsed. Every photograph and other evidence showed abandoned, dilapidated and broken down motor vehicles and rail equipment. As soon as the signatures were dry on the United States-to-Russia wheat deal, England sold 400 buses to Castro on a convenient basis.

On the England-to-Cuba bus sale, our State Department said this "certainly does not help." Our Secretary of Commerce said, "I don't like it a bit." Yes, our Government, through these and other high officials, expressed strong resentment and objections to the British sale of buses to Communist Cuba. But I ask, how could the British be expected to take seriously American objections and criticism when we were at the very moment consummating wheat deliveries to Communist Russia? The simple answer is, they did not take us seriously. The typical British reply was like the one broadcasted by British Broadcasting Co. on January 9. "Why should Americans," they asked, "be so angry about British buses sold to Cuba when they sell wheat to Russia?" This is typical of statements forthcoming from many British sources. They simply laughed in our face.

I predict that our wheat deal with Russia will open the floodgates of trade with Communist nations. As a matter of fact, several countries were anxiously bidding on the bus sale to Castro, which I doubt they would have done had it not been for our wheat deal with Russia. The bidders included some of our stanchest allies, West Germany, Japan, Spain, and France. Furthermore, there are rumors now that Spain will go through with a plan to build ships for Castro—a plan which they had just about abandoned because of U.S. protests. Now their argument is the same as that used by the British. If the United States can sell wheat to Russia, they say, Spain can sell ships to Cuba.

Yes, indeed, our wheat deal with Russia has brought the chickens home to roost. The economic blockade of Cuba, the one and only means inaugurated by our Government to liquidate the Castro regime, is dead. The wheat deal killed it. Although time is fleeting, I do not think it is too late. It can be revived. We can establish an effective blockade. We cannot make a policy of economic blockade of Cuba work unless we play by the same rules and set the right kin of example. And certainly our whea and grain trading with Russia is not the right kind of example.

We had better close the gate before it is too late.

THE LATE HONORABLE HOWARD H. BAKER, A REPRESENTATIVE IN CONGRESS FROM THE STATE OF TENNESSEE

The SPEAKER. Under previous order of the House the gentleman from Tennessee [Mr. QUILLEN] is recognized for 60 minutes.

Mr. QUILLEN. Mr. Speaker, no words I have ever spoken in a lifetime of experience on many levels of human endeavor have called up from me so profound an emotional sense of personal loss as the unexpected and the untimely passing from us of our beloved colleague HOWARD H. BAKER, of the Second District of Tennessee. I know how widespread this deep and upsetting sense of bereavement is among his colleagues on both sides of the aisle. For what we had in HOWARD BAKER was not only a statesman of the first magnitude in the field of complex and involved legislation that touched the life of every American of our time; what we had in HOWARD BAKER was a man of great sensitivity and feeling, whose legislative achievements were not only intellectual and extraordinary on their own, but were motivated by the noblest qualities of human decency and righteousness.

Here is the grandeur of human personality that explains the greatness of our country.

HOWARD BAKER was, on the basis of the most exacting standards of our time, an educated gentleman, who gave to his community, to his State, to his country, the enormous value of his talents and his diligence. Every syllable he uttered, every move he made, every gesture, as I well know, was dedicated to the public interest. This abiding passion for the public good was born in him, as his life so amply testifies.

What HOWARD BAKER leaves behind is a massive contribution of difficult and regular work-a-day and brilliant service on the Ways and Means Committee, and as a Member of this House. The key word those of us who were associated with him in his work or who knew him personally and affectionately, was: "constructive." HOWARD BAKER was a working legislator. His effort is imbedded in the statutes of our country and will operate to the public good for generations to come.

I thought that the Members of this House would like to know the editorial comments made by his hometown newspapers on his passing. To me these comments are priceless and clearly show the love and esteem held for him by everyone.

I ask unanimous consent that I include these very appropriate editorial comments from the Knoxville News-Sentinel and the Knoxville Journal at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Tennessee?

There was no objection.

[From the Knoxville (Tenn.) News-Sentinel, Jan. 8, 1964]

HOWARD H. BAKER

HOWARD BAKER's sudden death comes as a shock not only to his constituency but to the whole country. For he had become a national figure.

The esteem, prestige and influence he had gained in his nearly 13 years in Congress climaxed a career that had reached the unusual in achievement.

It had been widely remarked in recent years as he won reelection easily if not unopposed that "HOWARD is in Congress for life." That proved true, but the life ended sooner, alas, than expected.

HOWARD BAKER had human qualities. He could forgive and forget. Just as many of his critics of things he'd done in the past had forgiven and forgotten in the overall appraisal of his career.

His first campaign for election to Congress against Frank Wilson, the Oak Ridge Democrat, was bitter indeed. Yet the two turned out to be good friends, Baker endorsed Wilson for Federal judge, and many of Wilson's followers, like so many other Democrats, turned out being among the BAKER devotees that kept electing HOWARD to Congress time after time after time.

HOWARD tried hard to serve all the people, regardless of their political faith. And though himself a devout Republican, he was his own man. Many times he deviated from the party line in his votes when he thought it was in the public interest to do so. There have been times, even, when we ourselves have opposed the "liberal" side he took in voting on certain issues. For HOWARD could never be classified. No "boss" could tell him what to do.

Outstanding in his record was his consistent espousal of the Baker-Herlong bill that would have cut both taxes and Federal expenditures on an automatic formula over a 5-year period. He was in favor of solvent government. Herlong-Baker never passed, but some of its principles have been creeping into tax legislation at his instance.

In all his dealings, HOWARD BAKER thought of the human—or humane—side.

Perhaps his last such achievement of note was an insertion he got into the current tax bill that the House passed last year. That was to spare people of 65 and over from having to pay taxes on the yield from the sale of their homes, regardless of whether they ever bought another.

Mr. BAKER's championing of TVA, regardless of Republican line or the attitude of skeptical Presidents, is something for which this area will forever owe him a debt. And likewise for his having almost singlehandedly prevented TVA's headquarters from being moved from here to Muscle Shoals, Ala.

Counting the time he had been a State legislator and the 14 years he had served as a district attorney general, HOWARD BAKER had a career of 30 years of public service. A host of people mourn him and with gratitude for this service, and will miss him. For his likes don't come often.

[From the Knoxville (Tenn.) Journal, Jan. 9, 1964]

HOWARD H. BAKER

Those of us who, over a long period of years, enjoyed the friendship of HOWARD H. BAKER, found in him those qualities that give it value. One expects of his friends affection, understanding, and a willingness to help in time of need. No friend of Representative HOWARD H. BAKER, whose sudden death came as a shock on Tuesday, ever found him wanting by those standards. Furthermore, they found in him not only a man possessed of all of these qualifications for friendship, but also integrity and highmindedness that were unquestioned even by such opponents as he had from time to time.

It was natural, then, that HOWARD BAKER's relationship to the roughly 500,000 people in his congressional district completely paralleled that which he maintained with his personal friends throughout his 13 years in Congress. Some of us who have observed his service in the House during more than a decade feel that his determination to give aid to every constituent, to help where he could to solve the other man's problems, and at the same time to meet the demands of his office at the national level; all these contributed to a shortening of his years, to the tragic loss of his services to the district by his death this week.

It is one of the ironies of life, especially in politics, that HOWARD BAKER should have been struck down at a point in his public career when he could not have been successfully challenged by any potential opposition. It was foreseeable, until death came, that he could have served out as many years as he chose in this high office, with never a suggestion of opposition either in his own party or from outside it. So great was the confidence of the citizens in this district in his loyalty to them and in his integrity as a man and a politician, that his reelection worries were over.

So much for his relationship to the people of his district. Thousands of them did not actually realize it, but HOWARD BAKER had achieved, during his years in Congress recognized stature as a legislator and statesman. As a member of the Ways and Means Committee of the House, the body in which all tax legislation originates according to the Constitution, he was known as a member who never attended a meeting without having prepared his lesson in advance. He was as conscientious about attending meetings of this committee as he was about his general attendance at all sessions of Congress. He was an authority on Federal tax laws, a man whose opinion was given high value by the committee's chairman, Representative WILBUR MILLS, of Arkansas, and by his other colleagues.

As one of the select group of 435 House Members who bear responsibility for legislating in the interests of 190 million people, HOWARD BAKER had reached a place where he was in truth a power in the Federal Government. Thus the loss sustained in his death goes far beyond this district to the service of whose citizens he had literally dedicated his life. His death is a loss to the Nation.

The memory of this service is fixed indelibly in the hearts and minds of those of us who were his friends and his constituents. As a man, a politician and as a statesman, he has handed down a legacy of a life well lived that should serve as an inspiration to all of us who survive him.

To Mrs. Baker and the members of his family our sympathy is extended, upon both our own behalf and that of thousands of others who share with them their sorrow in the passing of a great man from our midst.

Mr. QUILLEN. Tennessee has lost a great Republican leader, the Nation has lost a great statesman, and I have lost a good friend.

My wife joins me in extending our heartfelt sympathy to Mrs. Baker and the members of the family.

GENERAL LEAVE TO EXTEND

I ask unanimous consent that all Members may have 5 legislative days to revise and extend their remarks on the life, character, and public service of our late colleague from Tennessee.

The SPEAKER. Is there objection to the request of the gentleman from Tennessee?

There was no objection.

Mr. HALLECK. Mr. Speaker, will the gentleman yield?

Mr. QUILLEN. I am happy to yield to the distinguished minority leader, the gentleman from Indiana [Mr. HALLECK].

Mr. HALLECK. Mr. Speaker, another beloved colleague has been taken from our ranks and the suddenness of his passing is a sober reminder to all of us—once again—that no man knows the day or the hour when his mission in life shall have been fulfilled.

HOWARD BAKER was my friend, as he was the friend of all among us in this body.

If he was capable of anger or meanness, I never saw it displayed.

He was unpretentious, but effective in his contributions to the work of this body.

HOWARD BAKER came to the Congress after a distinguished career of service to the Republican Party and to the people of his community and his district.

Here he served faithfully and well as a deeply conscientious member of the great Committee on Ways and Means.

The gentleman from Tennessee was a man of complete integrity—dependable and talented—who recognized his responsibilities to the people he represented as well as to the country as a whole.

HOWARD BAKER was a man of principle who never wavered from a course he believed to be right.

His greatest quality, I think, was a consistency of purpose and a willingness to stand up and be counted—come what may—for his convictions.

That the people he served had confidence in and appreciated Howard Baker was reflected in the majorities his constituents gave him year after year.

With his passing the State of Tennessee and the Nation have lost a sincere public servant.

I join in offering my heartfelt sympathies to his bereaved family.

Mr. McCORMACK. Mr. Speaker, will the gentleman yield?

Mr. QUILLEN. I yield to the distinguished Speaker, the gentleman from Massachusetts [Mr. McCormack].

Mr. McCORMACK. Mr. Speaker, I join with my colleagues in mourning the sudden death of Howard Baker of Tennessee. He had been a Member of this body since 1950. In that time we came to know him as a man of warmth, of principle, and of dedication.

We mourn because we have lost a friend whom we respect and genuinely like. We mourn because this body and the country have lost a public servant whose very presence enhanced the dignity of the Congress. We mourn for the State of Tennessee and particularly for the second district of that State, for Howard Baker was ever mindful of the hopes and needs of the people whom he represented. We mourn also for Mrs. Baker and her children, for they have lost a devoted husband and father.

The facts of the life of Howard Baker constitute a story of ever-widening responsibilities, all of which he was eminently qualified to bear. He was an alert and intelligent student, graduating from the Knoxville High School in June 1918, at the age of 16. He received an A.B. degree from the University of Tennessee in June 1922, and an LLB degree from the University of Tennessee College of Law in June 1924. The personal qualities and abilities which we have come to know were early recognized by his fellow students. He was president of the senior class in 1922 and president of the student honor system. While at the college of law he became a member of Phi Alpha Delta legal fraternity and was one of five students selected to organize the Tennessee Law Review. He became its first editor-in-chief.

His fellow citizens, those people who knew him well, also recognized his leadership qualities. He was a member of the Tennessee Legislature in 1929 and 1930, a member of the Scott County Board of Education in 1931 and 1932, and Attorney general of the 19th judicial district, composed of six counties, from 1934 to 1948.

Howard Baker was first elected to the 82d Congress on November 7, 1950, and we have since had the benefit of his experience and talents. He has been a valuable member of the Ways and Means Committee since 1953 and has helped to write much sound social legislation for the good of his State and his country.

Howard Baker was a statesman, a gentleman, a fine human being, with a love of his fellow men, with a broad understanding mind that had no restrictions or no limitations. We shall miss him greatly in the years that lie ahead.

Mr. ALBERT. Mr. Speaker, will the gentleman yield?

Mr. QUILLEN. I yield to the distinguished majority leader.

Mr. ALBERT. Mr. Speaker, I join the gentleman from Tennessee and his colleagues from his great State and our distinguished Speaker and minority leader in expressing my own personal grief at the passing of one of the really fine, great, and distinguished Members of this House. I was shocked upon receiving word of Howard Baker's death first of all because I lost a man whom I considered a real friend. I have known Mr. Baker ever since he became a Member of the House. I have had the privilege of serving with his son-in-law on the Committee on Agriculture and of knowing his daughter and other members of his family. I have always considered Howard Baker one of the warm, genuine Members of the House of Representatives and one of the finest persons I have ever known. I was shocked because in the death of Howard Baker this Congress lost a genuine statesman, a man so gentle, so kind, and yet so rugged and so determined in the pursuit of the principles in which he believed.

He served with dedication, without fanfare. He went right to the heart of the issues in his work. He worked faithfully at his job from day to day. He was a big man. He was, as has been said, a distinguished member of the great Committee on Ways and Means and he was a distinguished Member of this House. He served his district in an outstanding manner. He contributed to the work of every colleague in the House.

This country and this House are better for the service of Howard Baker.

Mr. Speaker, I join the gentleman from Tennessee [Mr. Quillen] in extending to him and to the loved ones of our late colleague my sincere sympathy in this hour of their bereavement.

Mr. QUILLEN. Mr. Speaker, I thank the distinguished majority leader. I yield to the distinguished gentleman from Illinois [Mr. Arends].

Mr. ARENDS. Mr. Speaker, just as we were preparing to open this second session of Congress our beloved colleague, Howard Baker, was suddenly taken from us. Just as he was preparing to devote another year in serving the people of Tennessee, who he so well served for so many years, he was taken from them. Why this should be we cannot understand. God in His wisdom determined that his work was done and called him to his great reward.

While Howard Baker is no longer with us to advise and counsel us, he remains with us in our minds and hearts, never to be forgotten. He will be remembered for many things. His accomplishments and contribution to our national laws stand for all time as a monument to him. He will be remembered not alone for his legislative achievements but also for his kindliness, his friendliness and deep affection for all men.

Several years ago it was my privilege to be a guest speaker in Howard's district. It was an enjoyable occasion; one I shall never forget. What most impressed me was the love and respect the people of Tennessee held for their Representative in Congress. This is attested to by the fact that he has been their Representative for 13 years.

It can be truly said that Howard Baker was one of our foremost lawyers, particularly in tax matters, to serve in the Congress. His contribution to the work of the Ways and Means Committee has been nationally recognized.

Mr. Speaker, I am deeply grieved with the passing of my good friend and extend my sincere sympathy to his fine wife and family.

Mr. QUILLEN. Mr. Speaker, I ask unanimous consent that the gentleman from Tennessee [Mr. Brock], have permission to extend his remarks at this point in the Record.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. BROCK. Mr. Speaker, we pause today to honor a fine legislator and outstanding Tennessean who was richly endowed with those qualities which are so characteristic of the great in our land. All Americans share in the untimely loss of our esteemed colleague, but especially the citizens of Tennessee's Second Congressional District have lost a warm and faithful friend as have I personally.

If the true measure of man can be determined by his service to others, Howard Baker's career certainly weighs well on the record of time. For four decades he has held positions of leadership in his community and Nation. Whether as a leading student at the University of Tennessee, as attorney general, or as a Member of the U.S. House of Representatives. Howard Baker always demonstrated his real concern for the problems of every individual.

These abilities and attitudes were soon recognized in Congress, and he was appointed to the vital Ways and Means Committee. In this capacity his contributions have been many as he rose to be a ranking and influential Member. Typical of Mr. Baker's forward-looking legislation was the Baker-Herlong tax reduction bill, one which will influence tax legislators and policy for many years to come.

His labors for high principles were long and successful: his character tolerant and considerate; and it can truly be said that none failed to profit by their association with Congressman Baker.

While the many good works will always remain a living memorial, I know also that Howard's lovely wife, Irene, and his children will perpetuate the recognition of community service and personal responsibility so typical of our colleague.

I ask unanimous consent that editorials from the Chattanooga News Free Press and Chattanooga Times be printed at this point in the Record.

[From the Chattanooga (Tenn.) News Free Press, Jan. 8, 1964]

Representative Baker's Influential Career

A life of colorful and influential political leadership was ended suddenly yesterday when Second District Representative Howard Baker succumbed to a heart attack just 5 days before he would have been 62.

Representative Baker, a moderate conservative, had been a leader in the Republican Party of Tennessee for many years, and Representative of the Second District since 1950. A former Taft supporter, Representative BAKER was a leader in State GOP affairs and had achieved stature on the national level.

He was one of the senior members of the House Ways and Means Committee and on various subjects had exhibited important leadership in the interests of his district, Tennessee, and the Nation.

Perhaps one of the most significant efforts of Representative BAKER was his cosponsorship of the Herlong-Baker bill, a plan to ease the confiscatory nature of the Federal income tax, to reduce it by gradual stages and to pump new vigor into the free enterprise system by allowing Americans to keep more of their fruits of their labors, while promoting the growth of a greater economy that could provide for national spending needs at lower tax rates. Although the Herlong-Baker bill was not adopted, it undoubtedly has had influence on the tax philosophy of our Nation, and there is yet hope that the time may come when major steps will be taken in the direction Representative BAKER urged.

Tennesseans are saddened by Representative BAKER's sudden passing, and offer their sympathy to his family and many friends.

[From the Chattanooga (Tenn.) Times, Jan. 8, 1964]

HOWARD H. BAKER

Representative HOWARD H. BAKER's untimely death, following a heart seizure at his Knoxville home Tuesday morning, strikes hard at all who knew him as an attorney, political leader and public official. His fatal illness came without prior warning, just 5 days before his 62d birthday.

A stalwart Republican who gave his party loyal support in and out of office, Mr. BAKER was above all else a Tennessean who loved his State and a public servant who rendered willing service to his whole constituency.

He was first elected to Congress in 1950 and had been returned to office by majorities of 2 to 1 or better ever since. The margins reflected not only the traditional Republican leaning of the Second District but his own popularity as well.

As one who knew the worth of the TVA, Representative BAKER stood firm in his support of it and, although soundly conservative in his outlook, he was not averse to bringing the power of the Federal Government to bear on problems too burdensome for local solution alone. His votes in favor of an expanded public works program and of an increased appropriation for area redevelopment in 1963 reflected his concern in this direction.

In his relatively short congressional service, he had become the second-ranking Republican member of the powerful Ways and Means Committee, a position from which he could wield constructive influence for his district and his State. His death is a loss, personally and politically, for Tennesseans all.

Mr. QUILLEN. Mr. Speaker, I am pleased to yield at this time to the distinguished gentleman from Tennessee, the Representative from the Fourth Congressional District [Mr. EVINS].

Mr. EVINS. Mr. Speaker, I thank my colleague for yielding.

Mr. Speaker, on the opening day of this session of the Congress, the flag of our country over the Capitol again was lowered to half-mast—as we learned the sad news of the passing of one of the most highly respected Members of this body.

I was saddened and shocked—as we all were saddened and shocked—to learn of the passing of our beloved colleague, Congressman HOWARD H. BAKER, of Tennessee.

He was one of the most important Members of the House and indeed one of the finest characters that ever served in this body—one who added greatly to the dignity and respect of the legislative branch.

His friendship and kindness to me over the years has been a source of inspiration and pleasure—we shall miss him and we shall miss him immensely. He was both a great and a good man—a Christian gentleman and one of God's noblemen on earth.

HOWARD BAKER was first elected to the Congress in 1950—and the people of his district—the Second Congressional District of Tennessee—returned him to the House each 2 years by sizable majorities, thus expressing their strong approval of his work and service to the people of his district.

Mr. Speaker, I was among the House delegation which attended Congressman BAKER's funeral in Knoxville and witnessed the manifestation of love and affection which his people hold for him.

The great outpouring of sorrow and regret at the passing of this distinguished Representative was impressive testimony to the high esteem and regard in which he was held by the people of his district and my State of Tennessee.

The message of his minister—which was delivered on this occasion—spoke of the love and respect which his own home people held for him. He loved his church, he loved his constituency, and he loved his country. HOWARD BAKER was beloved by the people of all walks and stations of life. He was a solid favorite in his district and a popular Congressman with the people.

He was his party's nominee for Governor of Tennessee on one occasion and for Senator on another, and served as chairman of the Tennessee delegation to numerous Republican National Conventions.

Although we were members of different political parties—party lines made no difference in our friendship. He was an American first, and a legislator who put principles above party and one with whom we could all work for the best interests of our beloved country.

He fought for many just causes and will be remembered as much for his support of the Tennessee Valley Authority as for any single service that he rendered during his years of distinguished service in the Congress.

Congressman BAKER was a credit to his district, State, and Nation and will be sorely missed by both sides of the aisle.

He was a scholar—a conscientious legislator—and a Christian gentleman.

I was pleased to count him as a warm personal friend and shall miss him immensely.

I extend my most sincere sympathy to Mrs. Baker and the other members of his family in their bereavement.

Mr. QUILLEN. Mr. Speaker, I yield to the gentleman from New York [Mr. BECKER].

Mr. BECKER. Mr. Speaker, the passing of our colleague, HOWARD H. BAKER, of Tennessee, leaves a gap in our ranks that will be hard to fill. I remember when I came to the House as a Member 12 years ago, HOWARD BAKER was one of the first men I met. His greeting was warm and friendly, his desire to be helpful was evidenced always with a smile. We became friends from the very first and so did our wives. As a friend, I shall miss him greatly. But HOWARD BAKER, Member of the House, will be missed for his close attention to all legislative matters, for his great interest in the people of his district and the entire Nation. The House of Representatives lost a great man.

Mrs. Becker joins with me in expressing our sincere and deep sympathy to his lovely wife, Irene, and his daughter. May God sustain them in their grief.

Mr. QUILLEN. Mr. Speaker, I yield to the distinguished senior member of the Committee on Ways and Means, the gentleman from Wisconsin [Mr. BYRNES].

Mr. BYRNES of Wisconsin. Mr. Speaker, I was shocked and personally aggrieved, as I am sure all of my colleagues were, at the passing and the loss of our dear, beloved colleague, HOWARD BAKER.

HOWARD and I served together in the Congress since the 82d Congress, and on the Committee on Ways and Means since the 83d. He and I for the last several years have been seatmates on that committee.

I shall always cherish our association. We all knew HOWARD to be one of the most conscientious of legislators—calm, quiet, warm, but firm and steadfastly committed to those principles in which he believed.

He was sincere at all times. HOWARD BAKER, an attorney by profession, was one of the very knowledgeable men in this Congress on tax matters. He was quick to recognize an injustice in the laws wherever they appeared, and equally quick to suggest remedies and try to find solutions for these inequities.

HOWARD BAKER was not only a colleague, but a friend to all. He was called friend by many, and enemy by no one. He set for himself the highest of ethical standards in both his public and in his personal life.

While HOWARD BAKER as a man has been taken from us, HOWARD BAKER and what he stood for will never be forgotten by those with whom he served and by those he served.

Mrs. Byrnes and I extend our deepest sympathies to the people of his district and his State, and particularly to his very charming and lovely wife, his children and his many friends.

Mr. QUILLEN. Mr. Speaker, I yield to the gentleman from Georgia [Mr. LANDRUM].

Mr. LANDRUM. Mr. Speaker, one of the most unforgettable experiences I have had as a Member of this body is the opportunity to know and be associated with the late HOWARD BAKER. I was shocked, as all of us were, to learn of his sudden passing. In reflecting upon it and his record here, I think we can all agree that he was one of the most calmly competent men ever to serve in this body, and with that calm competence, he, as the gentleman from Wisconsin a moment ago said, set for himself the highest of ethical standards. The respect he had for the other Members of the House, their positions and views on controversial matters, the respect which he had for the House of Representatives as an institution, all signified his thorough understanding of our form of government and the part that this House plays in our form of government.

While his constituents must necessarily be saddened at his loss and while his family certainly is grieved by his sudden passing, his constituents and his family and all of his friends here may take great pride in the fact that HOWARD BAKER was a real American and most highly representative of his people, and an individual who held in the highest esteem the institutions for which this Government stands.

I join others in expressing to his family our genuine grief at his loss.

Mr. QUILLEN. Mr. Speaker, I yield to the gentleman from North Carolina [Mr. BROYHILL].

Mr. BROYHILL of North Carolina. Mr. Speaker, it is always difficult to express the sentiments that cause one man to cherish the memory of another. I had the privilege of knowing HOWARD BAKER for many years. For me, knowing HOWARD BAKER meant a series of distinct and valuable impressions that I shall not forget.

When I came to the Congress this past year we reaffirmed and strengthened that friendship which had extended for so long. As a new Member, I derived from HOWARD BAKER a continuing example of the dedication with which a Member of the House might ably and faithfully represent the people of his area. As a citizen interested in wise government, I saw in HOWARD BAKER the manner in which regional and personal considerations might be transcended and properly accommodated to the happiness and the achievement of the Nation at large. And as merely another human being passing through life and seeking a friend, I found in HOWARD BAKER the generosity and good will that encouraged people everywhere to follow his example.

HOWARD BAKER responded completely to his duties as a member of the Ways and Means Committee. He also complied modestly and openly with the requirements of personal friendship. He was independent in his dedication to what he thought was right. But he never hesitated to share with others the benefit of his insight and experience.

He was a man who could be admired and respected for his ability, and at the same time he could affectionately be sought out for his friendship and for the goodness of his heart.

I know I will miss HOWARD BAKER. For me, and I think for all of us, the Halls of this Congress will seem a little less bright and these surroundings a little less warm now that he is gone.

To his devoted wife and his fine family, Mrs. Broyhill and I extend our deepest condolences. Their grievous loss is shared in some way by all who knew this distinguished American.

Mr. QUILLEN. Mr. Speaker, I yield to our distinguished colleague, the gentleman from Georgia [Mr. FORRESTER].

Mr. FORRESTER. Mr. Speaker, I think it can be completely said that our beloved and late colleague, the Honorable HOWARD H. BAKER, of Tennessee, was peculiarly adapted and fitted for the times in which we live. There are many requirements for an effective and competent legislator, but the indispensable ingredient is one that belonged to our colleague to a degree unexcelled by any other legislator I ever knew, and that ingredient was that a legislator really love people.

HOWARD BAKER was a friend to all of us. He was a friend of all sections of the country. He was a friend of mine and he was a friend of my people. He was exceedingly capable, studious, energetic and powerful in his influence with his colleagues because everyone of us knew that he had studied carefully any legislation that he sponsored and that his conclusion with respect to any legislation was only arrived at after much consideration and that as to any position he took, it was an elementary requirement with him that it be a fair position and that it be fair to all people and to all sections.

Mr. Speaker, HOWARD BAKER had my complete respect and I miss him already. Members on both sides of the aisle already miss him, but I think I can truthfully say that on both sides, on the Democratic and on the Republican side, all of us agree that we are thankful we were privileged to have HOWARD BAKER with us for a season and to have had the benefit of his association and the benefit of his wise counsel. We are all appreciative of the great contribution he made to the development and preservation of America.

Mr. QUILLEN. Mr. Speaker, I yield to the distinguished gentleman from Ohio [Mr. BROWN].

Mr. BROWN of Ohio. Mr. Speaker, it is a privilege to join with the colleagues and associates of HOWARD BAKER here in the House, with the men and women who knew him, respected him, and loved him for the type of man that he was, in paying tribute to his memory as a man as well as to his services in this body.

It was my great privilege to have known HOWARD BAKER for many, many years. He was not only an able legislator—as we all know—a kindly man and a wonderful friend, but he also was an active leader in the affairs of his own political party. For years he served his State as the chairman of his party, and as a national committee member representing Tennessee. He served in many Republican National Conventions as a delegate from the great State of Tennessee. At times he was chairman of the Tennessee delegation in the national convention of his own party, the Republican Party.

His wife, and a wonderful lady she is, and our sympathy goes out to her, is at the present time a member of the Republican National Committee.

HOWARD BAKER was a man who will be missed, not only in the House, but as I have accentuated his national prominence, within his own party and throughout the country in many ways, because he was a national figure. He was not only a giant national political figure, but also a giant figure in the field of national legislation. As a man he was highly respected by the leadership of both political parties, the friend and associate of Presidents, a man upon whom one could always rely.

No one ever had to worry as to where HOWARD BAKER stood in any political or legislative battle in which he might be engaged.

HOWARD BAKER has left in this House, as well as in Tennessee and in the councils of his great Republican Party, a void which will never be filled. He has also left to all of us many precious memories, and to his family the priceless heritage of a good name.

Mr. QUILLEN. I yield to my distinguished colleague the gentleman from Indiana [Mr. HARVEY].

Mr. HARVEY of Indiana. Mr. Speaker, it is indeed with great sorrow that I join in paying tribute to HOWARD BAKER. It was my privilege not only to know him but also to be associated with him in many ways during our periods of service in the House. The variety of his capabilities were always a source of amazement to me. He had a great depth of understanding of the problems facing our country. His character and his qualities were such that he attracted a broad area of effection and appreciation. Not only that, but in his contribution to his country he was a vigorous Representative of his district and his section of our country.

Those folks who were his constituents had reason to have confidence not only in his integrity but also in his ability.

By his passing he leaves another great heritage for those of us who survive him, a wonderful example of character, which we should all emulate.

Mrs. Harvey and I join in extending our sympathy to his widow Irene and to his daughter.

Mr. QUILLEN. Mr. Speaker, I yield to my distinguished colleague the gentleman from Illinois [Mr. SPRINGER].

Mr. SPRINGER. Mr. Speaker, I came here with HOWARD BAKER in 1951. Both of us were colleagues in the 82d Congress. In the second year of my service I was chairman of the 82d congressional group. HOWARD followed me as chairman of the 82d congressional group and did an outstanding job in trying to bring some good to that organization.

It was through this association that I came to know him best, because I believe we prize here in the Congress our associations most closely with the group with whom we came to the Congress. Through this association my wife and I came to know HOWARD and Irene Baker.

We visited in their home, and they in ours. I was not only a colleague of his in this House, but also a friend of his at the everyday level.

Very early in life some men put their footprints on the sands of time and mostly during their life those footprints continue to show. From early boyhood through high school, through college, and through law school HOWARD BAKER had one achievement after another. There were many honors that came to him not only in college, not only in business, not only in this Congress, but I think probably the prize which HOWARD BAKER took with him when he left here was that of the respect which he had from his colleagues in this Congress on both sides of the aisle. We in Illinois came to know HOWARD BAKER and Irene Baker better because of the marriage of his son to Joy Dirksen, the daughter of our own Illinois leader, Senator DIRKSEN. I think we began to regard HOWARD BAKER then as one of us in the Illinois group.

This has been a wonderful opportunity that Elsie and I have had to know HOWARD and his family. I am sure through the years we will prize this as one of the fine associations that we have had in Washington. I know that HOWARD BAKER will be missed here because he was an expert in his field, I know, and on many occasions when I sought his advice I sought his advice because I thought he was qualified to give that advice not only as a lawyer but as an expert in the field which he had chosen to take up in this Congress.

I think those footprints have been left in the Ways and Means Committee and they will be difficult to fill by whoever follows him. I know my wife and I do want to extend our sympathy and condolences to his gracious wife and also to those members of his family whom we have come to know so dearly.

Mr. QUILLEN. Mr. Speaker, I yield to our distinguished colleague [Mr. BRAY], the gentleman from Indiana.

Mr. BRAY. Mr. Speaker, it is always a sad duty to say goodbye to one of our colleagues. The passing of HOWARD BAKER is especially sad to me. We came to Congress at the same time, January 1951, and our close friendship has ripened through the years.

HOWARD BAKER was a man much loved and well respected in this Chamber. His advice and counsel were often sought by his Republican colleagues; and those who served on the Ways and Means Committee with him have told me that his contributions to that group were immeasurable.

His gentle friendship warmed all of those who knew him well. He sought to do his job quietly, without fanfare and flourish.

Our loss is great, and so is the Nation's. And yet at such times we know the great personal loss it is to his family and his loved ones.

To them we can offer only our sincere condolences, and hope that their grief is somewhat mitigated by the knowledge that he led a life of truly worthwhile service.

Mr. QUILLEN. Mr. Speaker, I yield to our distinguished colleague, the gentleman from North Carolina [Mr. JONAS].

Mr. JONAS. Mr. Speaker, the sudden passing of a colleague is always sad, but that sadness is multiplied when the colleague was a close personal friend, and is magnified when the colleague and friend was a statesman at the height of his career and influence.

At a time when our country faces so many grave problems at home and abroad, we can ill afford to lose leaders of the experience and ability of HOWARD BAKER. Throughout the years of his outstanding service in the Congress, many of us had come to rely upon his maturity of judgment, his careful study of legislative proposals, and his ability to cut through the nonessentials and present clear and well-reasoned arguments for or against matters under consideration in the House.

I arise today to pay a tribute of respect to the memory of this wise and effective legislator. Those of us who are privileged to continue to serve in the House of Representatives have sustained a grievous blow in the loss of his leadership and experience. The State of Tennessee has suffered the loss of one of her most effective and efficient Representatives, the country has lost a patriot and statesman of the first rank, and the Baker family a devoted husband and father.

Mrs. Jonas joins me in extending profound sympathy to Mrs. Baker and her children in their great personal loss. Mere words cannot assuage their grief but it is our hope that they will find some comfort in the knowledge that their loss is shared by a host of friends who mourn his passing.

Mr. QUILLEN. Mr. Speaker, I yield to our distinguished colleague, the gentleman from Pennsylvania [Mr. MILLIKEN].

Mr. MILLIKEN. Mr. Speaker, I should like to join with my distinguished colleagues today in paying my respects to the memory of HOWARD BAKER, who was one of the most distinguished Members of this House.

Mr. Speaker, I extend to his family my deepest sympathy. He was, indeed, a wonderful American and an outstanding Member of the House.

Mr. QUILLEN. Mr. Speaker, I yield to our distinguished colleague from New York [Mr. LINDSAY].

Mr. LINDSAY. Mr. Speaker, I thank the distinguished gentleman from Tennessee for yielding to me.

Mr. Speaker, I wanted to make a special effort to be on the floor today in order to pay my tribute to the memory of our late colleague, HOWARD BAKER. There are very special reasons for my personally wanting to do this. First of all, I had and have the most enormous respect for the courage, the integrity, and the public-spiritedness of this man. He was a rare person. He was a thoughtful man—tough-minded, independent, rugged, kind and with sensitive and good judgment.

HOWARD BAKER was a colleague to whom I personally turned for counsel, advice, and guidance, more often than I think most Members realize. He and his wife showed special kindnesses to my wife and to me from the first. Freshmen find it difficult to adjust and often wonder whether or not there will be a friendly hand coming from their seniors. HOWARD BAKER was one of the first, and he stayed that way for the time that I knew him. He was a solid friend, a genuine friend, and a warm one.

One of HOWARD'S children, his daughter Beverly, lived in New York and lives in New York. She was a stewardess for Pan American Airlines. She mastered two or three languages and traveled overseas, of course. HOWARD and Mrs. Baker were enormously proud of her. She is now married to a New Yorker. The Baker family was proud of its son-in-law and happy about life in general.

I cannot tell you, Mr. Speaker, how disturbed I was when I heard the news that HOWARD BAKER had suddenly passed on. I think that this institution, the House, is the lesser for it. I suppose there has never been a time when the Congress needed good men more than it needs them now. Scrutiny is always close, adjustments are always underway, and the times are strenuous. We cannot afford to lose men like HOWARD. But the Congress is better off for him; the Membership is better off for him. Each person who has been touched by his life is ahead for that association. Certainly the great people of his State have been lifted by the representation that HOWARD BAKER gave them.

I have only been to HOWARD BAKER'S State once or twice in my life, but I feel I know it and love it, and have an enormous respect for it because of men like HOWARD BAKER. When he represents and brings his State into the Congress we know it is a good constituency and an intelligent one, one that looks to the interests of the United States of America.

Mr. Speaker, HOWARD BAKER will be missed by all of us from all sections of the United States. Personally, I will miss him very much. The sympathies of Mrs. Lindsay and myself go to Mrs. Baker, the children, and the grandchildren.

We hope that God in His great wisdom and mercy will give all of them comfort and guidance in the years to come.

Mr. QUILLEN. Mr. Speaker, I yield to our distinguished colleague from Washington [Mr. PELLY].

Mr. PELLY. Mr. Speaker, I appreciate the gentleman from Tennessee [Mr. QUILLEN] yielding so I can join with other Members of the House in paying my final and heartfelt respects to our deceased colleague, HOWARD BAKER.

One of the great privileges of being elected to Congress is that of being associated with men of the character, ability, and integrity of HOWARD BAKER. I am sure that in my own experience he would be one of the first examples I would cite in this regard.

It has always seemed to me that commonsense is the one overriding quality that makes a successful legislator. In this regard I think HOWARD had more good old-fashioned commonsense than almost anyone I have met here in Washington. As such I always looked on him as one of the ablest Members of this House and, of course, especially in tax law matters. Certainly many of us looked to HOWARD above all others to counsel and guide us when it came to provisions and language of bills reported by the great House Committee on Ways and Means.

I think particularly of my experience as a member of the House Republican policy committee. HOWARD'S explanations and recommendations on taxation were such as to have great weight with me. I respected and admired him in this way but also personally I often consulted him and asked for information and advice informally because I trusted his judgment in such matters.

Frankly and in my opinion I think HOWARD BAKER's loss is such that it will be almost impossible to find anyone who can take his place. He was one of the truly great leaders of this Congress.

Mr. Speaker, there is another aspect to his loss—the human and personal side. His warm, quiet personality bore out the old adage that still water runs deep. On the golf course, in a locker room, on a social occasion as well as in the Halls of Congress it was always the same—he was a man whose charm, dry wit, and unfailing friendliness will never be forgotten. He has left his friends a fond and abiding memory. I shall always be thankful for that.

Yes, it was a privilege to know HOWARD BAKER. He was at once a humble and a great man. I am grateful for having served with him and having had the honor and pleasure of his friendship.

To his widow and family Mrs. Pelly and I extend our deepest sympathy. May the wonderful memory of a fine father and husband sustain them in their sorrow.

Mr. QUILLEN. Mr. Speaker, I yield to the distinguished gentleman from Colorado [Mr. CHENOWETH].

Mr. CHENOWETH. Mr. Speaker, I wish to join my other colleagues in paying tribute to our departed colleague, HOWARD BAKER. I also want to extend my sincere sympathy to our colleagues from Tennessee in the great loss which they have sustained.

I was greatly shocked and saddened when I picked up the paper last week and read where HOWARD BAKER had passed away very suddenly that morning, without advance warning or notice of any kind.

It was a great privilege to serve with HOWARD BAKER in this House, and I greatly valued his friendship. I soon recognized his outstanding ability and great capacity, as well as his sound judgment on legislative matters. I regarded HOWARD BAKER as one of the best informed men in this House on tax matters. As others have mentioned, I frequently consulted HOWARD BAKER on tax legislation and tax matters. He was a student of tax matters, and when he gave an opinion he spoke with authority.

HOWARD BAKER had been in Colorado many times and was always a welcome visitor to our State. He addressed different conventions on tax legislation and other matters pending in Congress. He had many friends in Colorado who are saddened over his untimely death. He was a man of unusual ability, and a most able lawyer. I am sure all of us who were associated with him in this House recognized his great capacity and his ability to analyze and appraise tax proposals.

HOWARD BAKER had a friendly and genial personality and always had time for a visit. It was a genuine pleasure and real privilege to serve with him in this House.

I consider the passing of HOWARD BAKER not only an irreparable loss to the people of his district, to the State of Tennessee, but also to the entire Nation. We can ill afford to lose men like HOWARD BAKER in these critical times. I will personally miss him as a friend, and I sincerely regret that his counsel and advice will no longer be available to us.

Mrs. Chenoweth joins me in extending our deep personal sympathy to Mrs. Baker, the children, and the other members of the family. We pray that God will give them comfort and strength to bear this heavy loss, which all of us share with them.

Mr. QUILLEN. Mr. Speaker, I yield to our distinguished colleague, the gentleman from Indiana [Mr. ADAIR].

Mr. ADAIR. Mr. Speaker, I join the great number of our colleagues who have spoken about the unexpected passing of the gentleman from Tennessee [Mr. BAKER]. I am sure, as has been pointed out here earlier, that this came as a great shock to all of us, particularly so to those who began service with him here in the 82d Congress. As Members know, there is always a feeling of closeness among those who constitute the same class in this great body. That was certainly true with respect to the attitude of the other Members of the 82d group toward HOWARD BAKER. We loved him and respected him.

The gentleman from Colorado [Mr. CHENOWETH], who just preceded me, pointed out quite properly that HOWARD BAKER had a deep and profound knowledge of tax legislation. In this field particularly, he was a very great expert. This is not to imply that his knowledge and wisdom were limited to that field, but in this he was especially profound. Many times when there were matters pending before the Committee on Ways and Means I would go to him and get his opinion upon a particular piece of legislation, and found his thinking always to be objective and helpful.

I think in retrospect the thing that impressed me most about HOWARD BAKER was the fact that he was a quiet gentleman, a gentleman in every sense of the term. He conducted himself always as a gentleman should, whether it was on the floor of this Hall or elsewhere. You were proud to number him among your friends. Mrs. Adair and I knew him and his family socially. We have been their guests on many occasions and they have been ours. She joins me in this expression of sympathy to the widow of HOWARD BAKER and to the children. May God bless them all.

Mr. ROBISON. Mr. Speaker, I wish to join with others in noting the passing of my good friend and colleague, HOWARD H. BAKER, of Tennessee, and I do so with a profound sense of personal loss.

HOWARD BAKER was a man of character and highest principle—unswerving in his determination to stand by the right, as he saw the right—and, as a result, his was a distinguished and valuable career of dedicated public service to his State, his Nation, and his fellow man.

He was a true gentleman, in the finest sense of that word, and he was also a gentle man—a good and kindly man, conscious always of the rights and opinions of others with whom he served, and particularly anxious to be of assistance and advice to those of his colleagues who were junior to him in knowledge and experience. Perhaps because we bore the same first name, he often went out of his way to be especially helpful to me in legislative problems in which he knew I was interested, and I shall always be grateful for his guidance.

This Congress—and we, as individuals—have sustained a great loss. Perhaps that loss might best be summed up in these lines from Shakespeare's "Julius Caesar":

> His life was gentle, and the elements so mix'd in him that Nature might stand up and say to all the world, "This was a man!"

Mrs. Robison joins me in expressing our deepest sympathies to Mrs. Baker and to her children.

Mr. AYRES. Mr. Speaker, HOWARD BAKER, late a Congressman from Tennessee, was more than a colleague. He was a real friend. Having been sworn in the Congress the same day as was HOWARD I naturally had a close relationship with him. His advice and counsel to me was most helpful.

He and his lovely wife, Irene, made a great team.

The work HOWARD BAKER started will be completed by those who admired and respected him so much.

Mr. EDMONDSON. Mr. Speaker, this House has lost another pillar of strength in the untimely death of our beloved colleague from Tennessee, HOWARD BAKER.

The State of Tennessee is justly proud of the ability, statesmanship, and independence of its congressional delegation, and HOWARD BAKER was a highly effective leader in that delegation.

Early in my own service in the House, I grew to respect and admire the character and ability of this distinguished Tennesseean.

Always courteous and considerate, HOWARD BAKER could be counted on to give a full and fair hearing to any proposal by a colleague, and he was a great champion of progressive legislation in many fields.

It has been a privilege to serve with him in Congress, and to call him friend.

Mr. BERRY. Mr. Speaker, 13 years ago this month, HOWARD BAKER and I stood in this Chamber and took the oath of office as freshmen Members of the 82d Congress on the opening day. It was with a special feeling of sadness, therefore, that I learned of his sudden death on the opening day of the 2d session of the 88th Congress.

During the intervening years, my respect and admiration for HOWARD grew, as did our friendship. For several years we occupied office suites on opposite sides of the corridor, and we and our staffs enjoyed a friendly, neighborly relationship.

HOWARD was one of the leaders of our 82d Club, serving as president at one time.

His appointment to the powerful House Ways and Means Committee was recognition of his exceptional legislative ability. He was the second ranking minority member at the time of his death. He had earned the respect of both the majority and minority on the committee through his dedicated work on tax legislation, medicare, and the many other important bills handled by this group.

The House has lost a valued, knowledgeable Member, the Nation has lost a dedicated legislator, and I have lost a dear friend.

Mrs. Berry joins in extending our deepest sympathy to Mrs. Baker and their three children.

Mr. BELCHER. Mr. Speaker, under the flag of freedom, our Nation has many opportunities to bring forth great men to benefit mankind. A magnificent opportunity presented itself in the person of HOWARD H. BAKER. The Nation had a good student in HOWARD, who possessed the natural qualities of integrity, a fine sense of humor, intelligence, loyalty, and brotherly love; and it took great care to groom him well for the role he would play as he tread across life's stage.

The Nation took him by the hand while yet a small boy and led him gently but firmly through its public schools in Tennessee, and urged him on to a law degree from the university of that State. From then on it was the still small voice that guided him into activity in the Presbyterian Church, the Masons and Shriners, the Republican Party—experience which served him well when the Nation decided it was time for the folks in Tennessee to harvest the benefits, and sent him to Washington to represent those folks.

For those who took the oath of office for the 82d Congress back in 1950, it did not take long to discern the stature of this wise and humble public servant.

I was one of those freshmen Congressmen back in 1950, and as the years passed and both HOWARD and I returned to Washington in each succeeding election, I had the wonderful privilege of becoming a close friend. After we were sworn in together for the 82d Congress, it was not hard for me to watch his star rise, as he so earnestly took up his post of duty.

One of his greatest contributions was his membership on the House Ways and Means Committee, one of the most important committees of the House of Representatives; and his position on the Joint Committee on Internal Revenue Taxation. How fortunate the Nation was to have chosen HOWARD, who as a Member of Congress, a member of those committees, a Christian and a Republican, was repaying his borrowed tuition to America's school of life. HOWARD had proved one of the best investments the country had made.

Now the return on his marvelous investment has not stopped, but will continue through the years; for HOWARD H. BAKER, the Congressman from Tennessee, will ever live in our hearts, our minds, our daily life. My gratitude to Americans, under the flag of freedom, who gave this priceless gift to its citizens.

At this time, of course, Mrs. Belcher and I wish to extend our sincere sympathy to his beloved wife, Irene, and the other members of his family.

Mr. HERLONG. Mr. Speaker, words are inadequate to express my sense of loss at the passing of HOWARD BAKER.

Personally, socially, and, yes, even politically, though our parties differed, we were friends. HOWARD BAKER was a fine man; an able legislator. He put his country first in all considerations. He was a Member we could ill afford to lose; taken, as he was, much too early in a life that was devoted to the service of his district, his State, and his country.

I know of no one in this House who did not hold HOWARD BAKER in high esteem, and that is not strange because he was one of those rare people who deserved just that. I not only held him in high esteem, but I had a deep personal affection for him.

I have seen a great deal of him here in Congress since we served together on the Ways and Means Committee, and his stature continued to grow as the years went by.

Mr. LIBONATI. Mr. Speaker, the sudden death of HOWARD H. BAKER, our friend, was a shock to the Members of the Congress. As a brilliant lawyer and experienced legislator both at the State and National levels of government he contributed much to the progress of legislation through the Ways and Means Committee and before the Rules Committee and on the floor. In the seven terms that he served in the House he enjoyed the respect and admiration of everyone. He was a scholar and was thorough in his analysis of legal presentments in the interest of the public. He was a laborious worker and sincere in his interest in complicated public tax laws presented to his committee. He was loyal to the precepts of honesty and was rigid in his determination to serve with a high sense of dedication. To his family, we of Illinois send our heartfelt condolences.

The State of Tennessee has lost a great statesman and the Nation a worthy and distinguished servant of the people. May God bless him in his stewardship and receive him as a noble son of His teachings. He has earned eternal rest.

Mr. LANGEN. Mr. Speaker, we have gathered on a number of occasions during the past year to offer parting words in memory of colleagues. These are never easy experiences, but they do serve to remind us of how fleeting our lives be on this earth, how short a time we actually stand in the moment of history, how humble we become when we consider the finality of death.

These thoughts come to mind today as we reflect on the memory of another departed colleague. HOWARD H. BAKER stood here for his moment in history, as all of us do. His moment was distinguished by a quiet dedication that impressed every person who came into contact with him. He was not a headline seeker, but his efforts contributed immeasurably to the betterment of his Nation and this Congress. He did not shout his objections to the gallery, but you knew you were in a battle if you engaged him in debate.

I remember well his effectiveness when appearing before committees, his firm control of the subject at hand and his complete command of the facts. HOWARD BAKER was a man who did his homework and who knew how to use it effectively. We will miss his wise counsel in these halls.

America has not only lost a son but a servant. We in this Chamber have lost a friend and colleague. The world has lost a crusader for the causes of man's freedom.

Our sincere sympathies go to Mrs. Baker and their children who have lost a beloved husband and father.

May this loss remind us again of the responsibilities we carry to make sure that the HOWARD BAKERS who have gone before us shall not have given of their lives in vain.

Mr. ELLIOTT. I enjoyed the friendship of HOWARD BAKER from the time he came to Congress from the Second District of Tennessee as a result of the 1950 elections.

He was an outstanding Member, an able, devoted, and kindly man, an outstanding public servant. He was gentle, but strong. He was frank, but fair. He was forthright, but compassionate.

I shall miss his friendship very much.

I extend to his wife and family my sincere sympathy. I share their sadness.

Mr. KNOX. Mr. Speaker, it was with a profound sense of shock and grief that I learned of the sudden, untimely death of our colleague, HOWARD BAKER. I had the privilege of knowing him since early 1953 when we were appointed together to the Committee on Ways and Means. In the years since, I, like all who knew him, came to respect HOWARD for his ability, and to genuinely admire him for his warmth and dignity as a man. Certainly he was one of the most knowledgeable and capable men in this House, and his dedication to duty and his devotion to those ideals he held dear set a standard that was, and always will be, hard to match.

HOWARD BAKER truly epitomized the independence and individualism which so characterizes the people he represented in east Tennessee. He was never afraid to speak his mind, or to present and fight for new proposals which he felt were in the best interests of his constitutents and the whole Nation.

For years to come, I am sure, his name will remain attached to the tax proposals he developed in true bipartisan spirit with our colleague, SYD HERLONG, and to the proposition that the American taxpayer deserves and needs tax reduction, but only as it is earned through fiscal responsibility and budgetary commonsense. HOWARD worked hard to develop new ideas and approaches, and sought always to present vital thoughts and workable alternatives on major legislation to assure a "legislative history" so vital to the later interpretation of our laws. He was also, at one and the same time, an idealist and a realist, combining the best features of both attributes in a balance too seldom found in leaders of this or any other time.

East Tennessee can be proud it gave us this man, even for so short a time.

HOWARD BAKER's passing leaves a void in this House that will be hard to fill. To his wife and children, Mrs. Knox and I extend our deep sympathy.

Mr. MILLS. Mr. Speaker, the word which we have just received on the sudden passing of our beloved and admired colleague, HOWARD BAKER, has us deeply shocked and saddened. HOWARD BAKER was my close personal friend. We have served together on the Committee on Ways and Means for many years. We worked closely on many, many legislative projects on the committee. Our States adjoin one another, and we had many matters of deep and mutual interest to our section of the country. His death is a tragic loss to the Committee on Ways and Means, to the Nation, to the Congress, and to his district.

It is frankly very difficult to give expression to our feelings in matters of this nature when word reaches us so suddenly of the passing of one of our very close friends. HOWARD will be sorely missed by those who were close to him and by the constituents whom he represented so effectively, so conscientiously, and with such great leadership over the years. I always found in matters of mutual concern and in problems which came before the Committee on Ways and Means that HOWARD BAKER was a man of exceedingly good and sound judgment and was possessed of a deep and abiding wisdom. He always kept uppermost in his mind the public interest and the general welfare of the Nation and those whom he represented.

Those of us who had the privilege of working with HOWARD closely on legislative details can attest to some of those personal qualities which we admired so much. His professional ability in the legal field was widely known. I can honestly say that HOWARD BAKER had as broad a knowledge of general principles of law as anyone with whom I have had the privilege of associating over the years. Invariably, when questions came before us involving matters somewhat new or novel to the majority of the members of the committee but which did involve some basic legal principle in a field with which we might not at the moment be familiar, HOWARD BAKER usually had the answer without reference to any text or without refreshing his recollection by the use of any notes. He was possessed, above all, of sound commonsense. His approach to the problems with which we are confronted was invariably reasonable and thoughtful.

The legislative projects on which he worked are countless, and this is not the occasion to even try to enumerate those things which were done in the Committee on Ways and Means at his suggestion and under his leadership. Suffice it to say that the legislative monuments to his endeavors in this body are many, great, and enduring.

We will feel his loss very deeply as time goes on. His friendly and sound counsel will be missed as we continue our endeavors here. His warm and friendly personality, his ready wit and his abiding wisdom and commonsense will likewise be very sorely missed by those of us who had the privilege of associating closely with him.

My deepest sympathy is extended to Mrs. Baker and his fine son and daughters.

Mr. BETTS. Mr. Speaker, HOWARD BAKER and I came to Congress at the same time in 1951 and we became close friends from the first time we met. It was a friendship which I always cherished for many reasons, and one which included not only ourselves but our immediate families. It was easy and natural to be friendly with him and over the years I always admired him, not only because of his personal character but also because of his conscientious work as a legislator.

On the Ways and Means Committee where I had the honor and privilege of serving with him, he left a record of dedicated service and intellectual honesty. He was a courageous Congressman, willing to express his views and take a stand regardless of the pressures of the moment. He had great ability to analyze tax problems and explain his positions always to the enlightment of his fellow committee members. On this great committee his passing will be a distinct loss.

HOWARD BAKER was a great American and a great public servant. As one of his friends and colleagues who admired him, I mourn his death and with Mrs. Betts, I extend my deepest sympathy to Mrs. Baker and his family.

Mr. YOUNGER. Mr. Speaker, it was not my good fortune to know HOWARD H. BAKER intimately but I always admired his calm, deliberate and well-reasoned approach to our numerous legislative problems. He possessed the rare quality of instilling confidence in whatever program he determined to endorse for we knew that his was a sensible and well-considered decision. It was his and our misfortune for him to be called for an early departure. Mrs. Younger and I extend our deepest sympathy to Mrs. Baker and their three children. I cannot help but be reminded of a short verse because I am sure that HOWARD so lived that he was ready on that tomorrow.

> The clock of life is wound but once,
>   And no man has the power
> To tell just when the hands will stop—
>   At late or early hour.
>
> Now is the only time you own;
>   So live, love, toil with a will.
> Do not depend upon tomorrow,
>   For the clock may then be still.

Mr. BURKE. Mr. Speaker, I wish to join my colleagues in expressing my deep sorrow at the passing of the Honorable HOWARD H. BAKER from Tennessee. HOWARD BAKER served his district, his State and the Nation for many years with a thorough and unflinching dedication and devotion. It was my privilege to serve with Congressman BAKER on the House Ways and Means Committee. He always placed the interest of our country first. His keen mind and his wonderful philosophy in life made him a most valued member of this most important committee. He was firm, yet congenial. He could disagree without being disagreeable. He had the respect and admiration of all of the House Ways and Means Committee and the entire staff. HOWARD BAKER had a friendly way about him. He always wanted to be of assistance. I recall his cooperation on the congressional committee of 10 members set up to protect the American shoe industry. He demonstrated a real concern for those employed in that industry and gave unstintingly of his time in helping to prepare the information required to aid the shoe industry solve their complex problems. HOWARD BAKER was loved by all who knew him. I have lost a good friend. Congress has lost one of its most able Members. This country has lost a great and good American who dedicated his life to the service of his Nation.

I am grateful for having known Congressman BAKER, for having the opportunity to serve with him. I shall miss his warm smile and his helpfulness.

I extend my deep sympathy to Congressman BAKER's family.

Mr. BROTZMAN. Mr. Speaker, the loss of HOWARD BAKER was a sudden and tragic one for his friends, the party, and the Nation. His legacy as an intelligent, industrious, and dedicated gentleman will live on as an example and inspiration for all students of good government. However, those who knew him personally will cherish his warm manner and his helpful counseling. We will remember him as a glowing example of an industrious Christian friend.

Mr. EVERETT. Mr. Speaker, we were certainly shocked by the untimely death of our distinguished colleague, HOWARD BAKER.

He was certainly an outstanding citizen in every respect, one who placed public service above monetary gains. His service as a member of the Tennessee General Assembly, as district attorney general of our State, and then as a Member of this body was outstanding in every position he held.

Our departed colleague was one who was firm in his convictions but yet held no grudge or malice toward those who differed with his views.

On every problem or project that affected Tennessee you could always count on HOWARD BAKER to not only be present but to draw on his wealth of experience throughout his career to add much to its successful completion.

Yes, we shall miss him, not only in the deliberations in this body but in all problems we have, not only in Tennessee but in the Nation as well.

To Mrs. Baker, his lovely daughters and fine son, and their families we extend our deepest sympathy in their great hours of sorrow.

Mr. RIEHLMAN. Mr. Speaker, the loss of HOWARD H. BAKER is one that the country and the Congress can ill afford.

I was profoundly saddened when I learned of HOWARD's sudden death.

He was a man of high integrity and one who always placed his country's welfare foremost in his thoughts and actions.

His work on the Ways and Means Committee and the Joint Committee on Internal Revenue Taxation was outstanding.

HOWARD always had time to discuss with his colleagues any legislative problem they were burdened with and I profited countless times because of his counsel and his wisdom.

I extend my deepest sympathy to his family.

Mr. WHARTON. Mr. Speaker, I was privileged, as a freshman Member of the 82d Congress, to become acquainted with HOWARD BAKER and his fine family. It was a real pleasure to serve with him in succeeding Congresses for nearly 14 years.

He was a very capable lawyer, well grounded not only in the law but in the work with which he was confronted in important House committee, of which he became a high ranking member.

The extent of his devotion to duty was evidenced by his deep and abiding concern for the people of Tennessee and its Second Congressional District, whose well-being he placed far above mere party loyalty or personal interest.

We have lost a dear friend and a constant and helpful colleague, and Mrs. Wharton and I extend our deepest sympathies to Mrs. Baker and the children.

Mr. SCHNEEBELI. Mr. Speaker, the Tennessee Second Congressional District has lost one of the most able Representatives in Congress; our Ways and Means Committee has lost a valued member; and I have lost a dear personal friend. Working with HOWARD BAKER in committee, I became more aware each day of the depth of his knowledge and his intelligent approach to our problems. The logic he expressed on many points at issue was often a helpful guide to me in my conclusions. He was clear, concise and logical in this arguments, and I found it very easy to follow his reasoning in many of the intricacies of the tax problems with which he was so authoritatively familiar. It was always a pleasure to observe the smooth functioning of HOWARD's very orderly and intelligent mind. I consulted with him frequently, and had the highest regard for his principles and ideals.

As neighbors in the same apartment building, Mrs. Schneebeli and I learned to know HOWARD and Irene Baker well. He had a great warmth of character. His cheerful disposition was an inspirato all of us. We will miss his friendly and affable personality; his wise counsel and advice. Mrs. Schneebeli and I extend to Irene and to the rest of the Baker family our sincere sympathy in this loss which we share. We hope that the knowledge of the great respect and admiration in which HOWARD was held by all who knew and worked with him will sustain and comfort them in the days ahead.

Mr. KILBURN. Mr. Speaker, HOWARD BAKER was a close personal friend of mine. Over the years, we have talked together about many of the issues as the they came up in the House. His opinions I felt were always sound and in the best traditions of our country. I have lost a real friend and I will miss him, his kindness and his understanding. His loss is not just one for the State of Tennessee but was really a national loss.

Mr. HARRISON. Mr. Speaker, it was a shock to learn of the death of my colleague and personal friend, HOWARD BAKER. His death is a great loss not only to his family but to his friends and his constituents. I first met HOWARD when he and I became freshmen Members of the 82d Congress in 1951. His service in Congress has been outstanding and his hard work and ability have contributed greatly to the work of the House and its committees. We will all miss HOWARD but we will always remember him as a fine American and able Member of Congress, and a hard worker in the interests of his constitutents. My wife and I extend our sincere sympathy to his family.

Mr. HORTON. Mr. Speaker, I shall not forget HOWARD BAKER. I remember him as a man of keen intellect, of warmth, and of principle. I remember him as a public servant who, while ever mindful of the needs and desires of his district and of his State, was always dedicated to the good of the Nation.

I cannot claim long years of service with HOWARD BAKER; our paths crossed but briefly. But in that short time I formed a very lasting impression of his character and ability. He was above all else a man of balance and moderation.

As a member of the very important Ways and Means Committee since 1953, he will rightly be remembered for his work on tax legislation and social security law. In the area of taxation, he was always a proponent of tax reduction and reform. He helped write the tax law revision of 1954 and for several years was cosponsor of the Herlong-Baker tax bill. Throughout, he firmly believed in the coordination of tax reduction with a balanced budget. This, to my mind, is a position of moderation and responsibility.

These same qualities were evident in his stand on social legislation. He recognized and sympathized with human needs. He was not adverse to bringing the power of the Federal Government to bear on problems but only when those problems had become too burdensome for local solution. This, to my mind, is a mark of balance and moderation.

I shall miss HOWARD BAKER. He possessed in large measure those qualities which are so essential in all men, whether they are private citizens or their representatives. Without those qualities this House, this Congress, and this country, are in trouble.

Mr. SILER. Mr. Speaker, it was most unexpected and sad news that we heard on the morning of January 7, 1964, concerning the termination of this earthly pilgrimage of our esteemed and able colleague, HOWARD H. BAKER, of Tennessee.

HOWARD was one of my closest friends in the House. He and I often sat together and frequently discussed various measures as they related to our districts which were adjoining and populated by people of the same general character and background. In point of fact, HOWARD was born in my district and he had a number of friends and relatives in some of my counties.

It seems to me that HOWARD BAKER had a real passion for public service that transcended all personal ambition or self-aggrandizement. I feel that he could visualize the humble homes back in the hills of Tennessee from which many letters addressed to him emanated during his tenure of office up here in Washington. I am sure he was never too busy nor too elevated to see his people and discuss their problems with them. He was ordained to helpfulness and humanitarianism among his constituents and for our country. All too seldom do we find able, patriotic, unselfish men and women willing to leave their homes and interests of the past and come to Washington to work in the vineyard of governmental endeavor and for the welfare of our everyday citizens. But as everyone knows the self-seekers who aspire to come to Washington are a dime a dozen. HOWARD BAKER was among that lesser number of those willing to come here in a selfless dedication to our country and our people.

To the family and close intimates of my friend and fellow servant, HOWARD H. BAKER, I extend my sincere condolences and I trust they will now have the everlasting and comforting presence of the Lord to fill that void left by the departure of one so real to them so long.

Mr. DEROUNIAN. Mr. Speaker, HOWARD BAKER was my friend. We served together on the Committee on Ways and Means and we fought together for the principles in which we both believed. With many more years of experience on this committee than I, he was always most helpful to me, generous with his time and his personal concern.

He is no longer with us but he has left his mark in the Congress. I will long remember this true, practicing Christian.

I knew HOWARD's family—his wife and two daughters—and my sympathy goes to them. I know what a terrible loss his passing must be to them and to his son. However, the pride that they must take in his great service to his country and his many accomplishments for the betterment of our people will help much, in future years, to offer them comfort and solace.

Mr. PHILBIN. Mr. Speaker, I was inexpressibly shocked and grieved to learn of the sudden passing of my esteemed and dear friend, Congressman HOWARD H. BAKER, who was, in every respect, an outstanding Member of this body and a great and dedicated American.

Congressman BAKER was a neighbor of mine in the Old House Office Building for some time, and I have never known a finer, more considerate and kindly gentleman. Of great personal charm, friendliness, and generous noble spirit, Congressman BAKER truly endeared himself to all those who knew him.

He was a man of strong, sterling character, positive convictions, great ability, a learned lawyer and keen student of government, who stood firmly and resolutely by his beliefs and fought militantly for the fundamentals and policies which he believed to be right and best for his district, his great State, and Nation.

He was respected, esteemed, admired, and loved by those of us who knew him well and indeed by all his colleagues in the Congress. He was a true, devoted servant of his people and his country.

His passing has left a great void in our midst, and it is with a very heavy, sorrowing heart that I mourn his passing and extend to his bereaved and beloved family my most heartfelt sympathy for their truly irreparable loss, a loss which we share with them.

The life, work, and contributions of Congressman BAKER will long be remembered in this great deliberative body where he served with such outstanding distinction. We will sorely miss him for he was in truth a gentleman in the best sense of the word, a man of generous impulse, of superlative patriotism, unselfish devotion to duty, a warm friend, and a great American.

May he find eternal rest in his heavenly home.

Mr. CRAMER. Mr. Speaker, I wish to join the Members of the House in paying my deepest respects to our recently deceased colleague, HOWARD BAKER, from Tennessee, and to express my feeling of grief in the loss of a good friend to his bereaved family. HOWARD BAKER was a kind and considerate man and was helpful to me as a Member of the House on many occasions, giving of his time and his valued advice unselfishly.

His service on the Ways and Means Committee was most valuable to the Congress and to the Nation and his dedication to service as a Congressman was unexcelled in the Nation's highest legislative body.

The Congress and the Nation have lost a valuable and dedicated servant and I shall miss his warm and friendly greeting, his ever-outstretched helping hand, and his valuable counsel and advice. I am proud to join in these remarks lauding his service upon his untimely and most unexpected death.

Mr. BOGGS. Mr. Speaker, it is with a heavy heart that I speak of our great friend and colleague, HOWARD BAKER. For 13 years we shared a treasured friendship—a companionship which never ceased to yield a rich harvest of joy with each renewed encounter.

HOWARD BAKER was a big man—a broad-gaged man, big of heart, big of mind, big of spirit. There was nothing petty, nothing partisan, nothing picayunish about him.

He was here for a very simple purpose—to serve his Nation and to serve his fellow man. He was a man of great commonsense—a man of uncommon judgment. He could look at the most complicated, the most heated issues, with a detachment, a fair-mindedness, that compelled the admiration and respect of all who served with him.

In the heat of controversy he remained calm, seeking always the answers to two basic questions: "What is good for America? What is good for my fellow citizens?"

Some years ago I served with him on the elections subcommittee where tempers at times became heated, but HOWARD always was calm, fair-minded, objective, seeking only the facts as the basis for doing justice.

And for years I served with him on the Committee on Ways and Means. Though we were of different parties and often differed in our views, we remained close friends all the way. His sanity, his fairness, his moderation, his search for what was wise and just—these were the hallmarks of this splendid servant of our country. As our great friend, as a devoted public official, as a kind, good man, HOWARD BAKER will live forever in our hearts. God bless his loved ones and his memory.

Mr. ALGER. Mr. Speaker, we of the Ways and Means Committee will miss HOWARD BAKER. We have spent a lot of time together in committee. His dispassionate analysis and constructive suggestions added much to our deliberations. HOWARD will be sorely missed.

All of us want to make a contribution. It can be said of HOWARD that Congress, our Nation and the world were better because he was here, which in my mind is a fitting epitaph for a Congressman.

Our prayers go with you, HOWARD, and to those you leave behind. We will miss you and hope to meet you again one day.

Mr. FULTON of Tennessee. Mr. Speaker, in the passing of our late colleague HOWARD BAKER, Tennessee and the Nation have lost a sincere and valuable public servant. He was not only an able and kindly representative of east Tennessee but a champion of the whole Appalachian region. He was a devout Christian gentleman and commanded the respect and affection of his colleagues. I extend my deepest sympathy to his widow and other members of his family.

Mr. DORN. Mr. Speaker, HOWARD BAKER was a great American—loyal, patriotic, and dedicated to those principles and ideals that made this Nation great.

HOWARD BAKER was devoted to the private enterprise system that carved out of the American wilderness the highest standard of living in the history of the world. He believed in States rights, strong local government, and a maximum of individual liberty. His service here in the Congress reflects honor on the great Volunteer State. He served in the tradition of Andrew Johnson with forthrightness, courage, and integrity.

Mr. Speaker, we lost a friend and the State of Tennessee and the United States lost a great statesman.

Mrs. Dorn joins me in my deepest sympathy to Mrs. Baker and her lovely family.

Mr. DERWINSKI. Mr. Speaker, I join my colleagues in paying respects to our late beloved colleague, HOWARD BAKER, an outstanding Member of the House and a wonderful example of legislative service to his colleagues here in the Congress, and to his constituents in his home district.

Mrs. Derwinski and I extend to Mrs. Baker and her family our condolences in the sad passing of HOWARD.

He was an exceptional Member of Congress, tremendously effective, but in a quiet way, he earned proper respect from the Members for his thorough knowledge of subject matter that came before his committee, and for his dedication to sound legislative practices.

We will miss his wise counsel, his experience, and the inspiration that he provided younger Members of Congress.

I am sure that the people of the Second District of Tennessee will long remember the faithful, untiring service he supplied their needs, and all of us who served with him will forever cherish his memory.

Mr. HEMPHILL. Mr. Speaker, along with the other Members of Congress, I feel that I have had a great privilege in being able to serve in the Nation's Congress with the late beloved HOWARD BAKER.

I did not know him intimately, but our associations here tell us of the character and service of men far better than words can ever detail. Mr. BAKER was a man of inspiring character and dedicated service. He was serious about his service and I think I saw in him a determination that his people should find no stone unturned in their behalf.

The Congress has suffered a loss of one of its finest Members. His district, in the great State of Tennessee, has lost a champion. His family has lost a beloved. Let us all find comfort in the fact that he gave so freely and so unswervingly of his talents to his Nation.

Mrs. Hemphill joins me in sympathy to his family.

Mr. FOREMAN. Mr. Speaker, certainly we were all saddened, and this House suffered a tremendous and tragic loss, by the passing of our beloved and distinguished colleague from Tennessee, HOWARD BAKER. He was a good man, a fair man, a leader, and an outstanding legislator.

Only a few short months ago, I had the pleasure of flying to Knoxville to speak in behalf of HOWARD BAKER. It was a wonderful and gratifying experience indeed, to see the warm love, respect, and appreciative feeling his many fine friends held for him and his lovely wife, Irene. Our sincere, heartfelt sympathies and prayers are with Irene and her children. We share their loss and their grief. May God love and comfort them during these trying days.

Mr. COLLIER. Mr. Speaker, I have known HOWARD H. BAKER for the past 8 years and more recently as a neighbor and fellow member of the House Ways and Means Committee. My friendship and associations with him shall be among the lasting memories of my service in the U.S. Congress. Mr. BAKER was a kind and good man who was always willing to help others in the performance of their duties. As a legislator, he was articulate and conscientious and was certainly one of the most able men in the field of tax legislation in the entire Congress.

In Mr. BAKER's passing the people of the Second District of Tennessee lost an outstanding Representative, and the legislative bodies of the Federal Government have lost an able and dedicated servant. Many of us have lost a valued friend, and his family a devoted and beloved husband, father, and grandfather. To his loved ones, I extend my heartfelt sympathy in their time of sorrow.

Mr. CONTE. Mr. Speaker, I join with my colleagues in this House in paying tribute to the memory of the late HOWARD H. BAKER of the State of Tennessee.

He was an instrumental part of this body, and he will be greatly missed.

He was a kind man, and he was a progressive legislator whose record will forever remain a permanent part of this Nation.

The Tennessee delegation, which last year lost the services of Senator Estes Kefauver, can indeed be proud of this noble man who gave so greatly of his time and talent to that State. Among so many other things, the TVA project stands as a continuing tribute to the late Congressman BAKER.

My deepest sympathies are extended to all of his friends in Tennessee, and to his family.

Mr. CEDERBERG. Mr. Speaker, I join my colleagues in paying tribute to my good friend and colleague, HOWARD H. BAKER. He came to Congress one term earlier than I but during the most of our service we have been neighbors in the Longworth Office Building. I became well acquainted with him and learned to respect his judgment. Our deceased colleague was a man of great capacity and perseverance. His basically sound intellect won him national recognition. Many people in Michigan's 10th Congressional District, which I represent, spoke to me of him and his work on the Ways and Means Committee as though they knew him personally.

I visited his political battlegrounds and learned of the high esteem with which he was held by the people of Tennessee. Not only did he ably serve his constituents in the Second Congressional District of Tennessee, but his goals, as he envisioned them, were for the betterment of the Nation as a whole.

Nathaniel Krum has written:

> What I've written, what I've said,
> Won't be thought of when I'm dead;
> But my actions—what I've been—
> Will remain in the minds of men.

I am sure that as the years pass, the actions and character of our departed colleague, HOWARD BAKER, will remain in the minds of his fellow men.

To his widow and children I extend my sincerest sympathy.

Mr. FISHER. Mr. Speaker, the death of HOWARD BAKER leaves quite a vacuum in the House of Representatives. He was not only one of the outstanding statesmen in this body but had a host of admirers and personal friends who were shocked and grieved by his passing. I cannot think of a more dedicated and respected Member. A hard worker, HOWARD BAKER wielded great influence in this body. His work in the field of tax legislation was preeminent. And he had a remarkable faculty of putting the welfare of the country ahead of partisan considerations in all of his official actions here. I have lost a valuable personal friend. The entire Nation has lost a valuable public servant.

To his wife and family I extend my deepest sympathy in their bereavement.

Mr. BOB WILSON. Mr. Speaker, I share with other Members of the House a great sense of loss we all feel over the death of our colleague, HOWARD H. BAKER. He was a dedicated legislator and a valued friend.

Without question, HOWARD BAKER was an outstanding Representative of Tennessee's Second District, as the great margins of his six reelections to the House of Representatives bore witness. Both the country and the Congress are richer because of his 14 years as a lawmaker.

HOWARD BAKER's work on the Ways and Means Committee commanded the respect of Members from both sides of the aisle. As an expert in the fields of taxation and social security, he helped shape sound sensible laws, a legislative legacy that will benefit all the American people. He was coauthor of the Baker-Herlong bill to reduce income tax rates. Many of his suggestions are incorporated in the tax bill now before the Congress.

We will miss HOWARD BAKER's wise counsel and able service. I extend my sympathy to his family and my condolences to his many friends who mourn his passing.

Mr. TAFT. Mr. Speaker, may I join thousands of others who regret deeply the untimely loss of HOWARD BAKER. He was an able and forthright American and a true and loyal friend. His contribution to the Nation through his services in Congress will long stand as a memorial which all will recognize. In particular I would like to acknowledge his close association and support of my father, Robert A. Taft, over a period of many years in the U.S. Senate. We will sorely miss him.

Mr. WHALLEY. Mr. Speaker, it is with great sadness that I learned of the unexpected death of our late beloved colleague, Hon. HOWARD H. BAKER.

HOWARD BAKER served his district and his Nation for many years with honor and distinction. His influence, and the warmth of his friendship, extended far beyond the borders of his congressional district.

We shall feel his loss keenly in the years that lie ahead. His family can take comfort in the realization that, during his life on this earth, HOWARD BAKER lived a rich and full life, characterized by unselfish service to others.

Mrs. Whalley and I extend our deepest sympathies to Mrs. Baker and the children.

Mr. OSTERTAG. Mr. Speaker, I thank the distinguished gentleman from Tennessee for yielding to me in order that I may join with him and my associates in the House of Representatives in tribute to our late and beloved colleague, HOWARD H. BAKER.

It is difficult to adequately express your feelings when suddenly faced with such a loss as the passing of this great American. As a Member of Congress and a Representative from the great State of Tennessee, HOWARD BAKER enjoyed the respect, the admiration and the affection of every Member of the House, the people of his State and all who knew him.

HOWARD BAKER and I embarked on our service in this House at the same time and I know of no one during the intervening period who has made a greater contribution to the cause of good government. He was a devoted public servant and one who stood firm in his convictions and his determination to represent the people well.

HOWARD H. BAKER leaves a great heritage for those of us who have been privileged to serve with him. Because of HOWARD BAKER, our Nation is a better place in which to live.

I was proud to call him my friend, and Mrs. Ostertag joins with me in extending our profound sympathy to Mrs. Baker and her family in their great personal loss.

Mr. STEED. Mr. Speaker, with the tragic passing of Congressman HOWARD H. BAKER, of Tennessee, the House of Representatives and the people have lost a man of courage, determination, ability, and sound counsel.

It is hard to endure blows such as these which take from us hard-working men at the peak of their usefulness. As an expert in the tax field and in the wide sweep of activities affected by the Ways and Means Committee, Mr. BAKER had developed a knowledge that it would take another many years to hope to duplicate.

During his entire seven terms in Congress it was my pleasure to serve with him and in the most recent years to be his neighbor. My sense of deprivation is heightened by the fact that I have lost a friend.

My hometown newspaper, the Shawnee (Okla.) News-Star, eulogized Congressman BAKER in an editorial January 14, which I reproduce as follows:

TRIBUTE TO A FRIEND

America's domestic oil industry lost one of its most faithful and effective friends in the death of Representative HOWARD H. BAKER, Republican, of Tennessee, earlier this month. Congressman BAKER, as a member of the tax-writing Committee on Ways and Means, was a stalwart fighter for curbs on foreign oil imports, for fair tax laws, and in all other matters which affected the petroleum industry.

In recent years he was a key figure in Congress in a number of important contests which the domestic oil industry won in Congress. One of his most recent activities was to defeat several burdensome tax amendments in the pending tax modification bill, and in the continuing fight led by Oklahoma Congressman TOM STEED to curtail importation of foreign oil.

He was an eight-term veteran and was held in highest esteem by members of both political parties. He had many friends in Oklahoma.

Mr. HORAN. Mr. Speaker, it is a sad privilege to join with my colleagues in paying tribute to the memory of our departed brother, HOWARD BAKER.

HOWARD was devoted to the very best interests of that beautiful country he was so proud to represent in eastern Tennessee. He appreciated the good that TVA had brought to the remote areas of his State and stood foursquare in defense of that development.

He was sound in his approaches to the problems coming before the Ways and Means Committee where he was a high ranking member when death came. It is so often true that the Grim Reaper arrives when a man is at the apex of his potential.

HOWARD BAKER was a pillar in his community and his State long before he came to Congress. As one reviews his life, the conclusion is inescapable that he was indeed a model of the men our Founding Fathers had in mind when this body was established: Men, deeply concerned for the good of their districts, yet of that breadth of vision that sees clearly what is in the national interest and who work diligently for every sound and proper adjustment to that end.

My wife and I extend our deepest sympathies to Mrs. Baker, their son, their two daughters and their families.

Mr. RHODES of Arizona. Mr. Speaker, it was with profound sorrow and regret that I learned of the passing of my good friend HOWARD BAKER. I considered him to be a real friend, and I will miss him.

HOWARD BAKER was a Member of Congress when I came to the Congress in 1953. He was one of the first Members to shake my hand and with whom I became acquainted. Since that time I have had many occasions to seek his counsel, and to compare ideas with him. His advice was always objective and succinct, but delivered with restraint and consideration.

HOWARD BAKER's service in Congress was noteworthy for many reasons, but his work as a member of the very important Ways and Means Committee was perhaps the most valuable service he gave. He was extremely knowledgeable in all phases of the jurisdiction of that great committee, and his reasoning was sound. The country and the business community are more healthy economically because of the service of HOWARD BAKER.

Tennessee, its history both past and present, and its people were the pride and focus of HOWARD's life. I had occasion at one time to make a speech for HOWARD in his district. I well remember the pride with which he showed me the wonders of east Tennessee, and told me of the virtues of his people. In his passing, his State and its citizens have lost a great champion.

To Mrs. Baker and to the Baker family I extend the deepest sympathy of Mrs. Rhodes and me. They will be comforted, I know, by the memories of a husband and father who was a fine upstanding individual, and by the pride they must feel in the accomplishments of his lifetime. May God rest his soul.

FAMILY DOCTOR WEEK IN COLORADO

Mr. CHENOWETH. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Colorado?

There was no objection.

Mr. CHENOWETH. Mr. Speaker, this is Family Doctor Week in Colorado. I want to commend Gov. John A. Love, for issuing an executive order proclaiming this week as Family Doctor Week. We are happy to honor the family doctor who has made such a valuable contribution to the growth and development of our Nation.

The proclamation reads as follows:

STATE OF COLORADO: EXECUTIVE ORDER, PROCLAMATION FAMILY DOCTOR WEEK, JANUARY 12–18, 1964

Whereas the health and physical well-being of the people of Colorado is a basic goal fundamental to all other goals; and

Whereas the personal physician and family doctor occupy a key position in the system of medical arts and sciences by which the health of the American people is maintained at levels which are the envy and aspiration of the world; and

Whereas the education of the physician is a continuing and lifelong process to the furtherance of which the doctors of Colorado will gather January 12 through 18 at the University of Colorado Medical Center for their 10th annual General Practice Review;

Now, therefore, I, John A. Love, Governor of the State of Colorado, do proclaim the week of January 12 through 18, 1964, as Family Doctor Week and urge all citizens to avail themselves of the achievements and benefits of medical progress by enlisting the services of a personal or family physician.

Given under my hand and the executive seal of the State of Colorado, this second day of January, A.D., 1964.

JOHN A. LOVE,
Governor.

HON. HENRY C. SCHADEBERG

Mr. SHRIVER. Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. DEROUNIAN] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Kansas?

There was no objection.

Mr. DEROUNIAN. Mr. Speaker, I am proud to have as one of my colleagues the Honorable HENRY C. SCHADEBERG of the First Congressional District of Wisconsin, a true man of God.

I was fortunate to receive a Christmas card from Mr. and Mrs. Schadeberg with a greeting that had such warmth and was so appropriate, I would like to share it with all Members of the Congress.

Mr. SCHADEBERG, who was formerly pastor of the Plymouth Congregational Church of Burlington, wrote this poem:

"Peace on earth to men of good will"
Was the song of the angels as on Bethlehem's hills
The shepherds watched their flocks by night,
Expecting their God to set the world right.

"Peace!" men cry, but there is no peace
For those who seek for themselves, release
From the struggle to set the world free
From the price men must pay for liberty.

The "peace" that comes at Christmastime,
That fills our hearts with joy sublime,
Is to know that we are right with God
In the battles we fight on the paths we trod.

"Peace on earth! Good will to men!"
Is the song of the angels, now, as then,
For peace is ours each newborn day
If God is our partner along the way.

PRESIDENT JOHNSON DECEIVES AMERICAN PEOPLE ON AGED CARE

Mr. SHRIVER. Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. DEROUNIAN] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Kansas?

There was no objection.

Mr. DEROUNIAN. Mr. Speaker, in today's New York Times, President Johnson is reported as having said:

> That the administration programs would cost the employee and his employer 25 cents a week. The resulting assurance of hospital and nursing home care after retirement * * * would not be charity.

Are we to assume that President Johnson does not know what his own Secretary of Health, Education, and Welfare interprets the present medical care bill before the Committee on Ways and Means to assure?

Secretary Celebrezze testified that the present bill would cover about 30 percent of the average cost of hospital care for those over 65. The one-fourth of 1 percent proposed tax in the current bill was admitted by Mr. Myers, Chief Actuary of Health, Education, and Welfare, as being completely inadequate. He has said the tax should be double that proposed, in response to questions by the outstanding chairman of our committee.

Yesterday, the President also stated he was opposed to the means test in the present Kerr-Mills Act. Does the President mean he is against the following Federal programs: old-age assistance, aid to needy families with dependent children, aid to the blind, aid to the permanently and totally disabled, aid to the aged, blind, or disabled and/or medical assistance for the aged, low-rent housing, farm housing, school lunch program, veterans' pensions, veterans' hospital or domiciliary care and medical treatment? Every one of the foregoing requires a "means test."

The following additional Federal programs although not containing a specific means test, are intended to help only the needy: Indian health, surplus food programs, maternal and child health services, services for crippled children, child welfare services, National Defense Education Act loan program, treatment of narcotic addicts, and Public Health Service treatment of lepers.

It is about time that even the President of the United States stopped chicanery on such an important subject as care of our aged citizens.

HOWARD H. BAKER

Mr. SHRIVER. Mr. Speaker, I ask unanimous consent that the gentleman from New Jersey [Mr. CAHILL] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Kansas?

There was no objection.

Mr. CAHILL. Mr. Speaker, I wish to join my colleagues in expressing sincere regrets on the passing of our beloved and distinguished colleague from Tennessee, the Honorable HOWARD BAKER.

Mr. BAKER was an outstanding citizen dedicated to serving his community, his district, his State, and his Nation. He was respected by all who knew him.

Since coming to the House, I found myself relying heavily upon him as one of the most distinguished and learned members of the Ways and Means Committee. We have lost an invaluable colleague and he will be missed.

Mrs. Cahill joins me in extending our deepest sympathy to Mrs. Baker and the members of the family in their great loss and sorrow shared by all of us.

RESOLUTION ON PANAMANIAN CRISIS

Mr. SHRIVER. Mr. Speaker, I ask unanimous consent that the gentleman from Michigan [Mr. JOHANSEN] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Kansas?

There was no objection.

Mr. JOHANSEN. Mr. Speaker, it is time for Congress to say it again—with the hope that this time it will be heard and heeded.

In consequence of the grave Panamanian crisis, including current diplomatic developments, I have today introduced a House Concurrent Resolution designed to do just that.

This resolution is identical—word for word—with one passed by the House in the 86th Congress, February 2, 1960, by the nearly unanimous vote of 381 to 12. It is as follows:

> *Resolved by the House of Representatives (the Senate concurring)*, That it is the sense of the Congress that any variation in the traditional interpretation of the treaties of 1903, 1936, and 1955 between the United States and the Republic of Panama, with special reference to matters involving the provisions of such treaties concerning territorial sovereignty, shall only be made pursuant to treaty.

The broad purpose of the 1960 resolution and House action was to put the brake on State Department appeasement policies—and their implementation by Executive order.

One specific hope was to prevent the U.S. Government knuckling under to Panama's demand to be permitted to fly its flag within the Canal Zone alongside the American flag.

Neither object was realized.

In September 1960, under threat of a repetition of 1959 anti-American riots, the Eisenhower administration yielded to Panama's demand. The overwhelming, bipartisan sentiment of the House was totally disregarded.

There is no doubt that this concession, and the impression of weakness it created, has encouraged further demands and, along with the activities of Castro's Communist agents in Panama, contributed to recent events and the current situation.

I strongly supported this resolution in 1960. There is infinitely more reason for adopting an identical resolution now. The United States has agreed to OAS-sponsored talks between representatives of the two countries "who will have sufficient powers to discuss without limitations all existing matters of any nature which may affect relations" between Panama and the United States. Panama, in turn, is pressuring for full-scale negotiations and treaty revision.

This could provide a field day for appeasers.

If, as is to be devoutly hoped, President Johnson stands firm against appeasement, this resolution will strengthen his hand. In any event, Congress should put the administration on notice against retreat by Executive order or diplomatic concessions.

The issues involved are too crucial to be resolved, or decisions made binding, by any process which bypasses the constitutional "advice and consent" role of the Senate with the opportunity for full disclosure and debate this treatymaking procedure provides.

It is my own strong conviction that under no circumstances should the United States in any way surrender or weaken its complete, unilateral control over the Panama Canal—or remotely suggest abandoning the canal.

If there are areas of failure or neglect in our relations with Panama which call for correction, that correction should be applied after the threat of violence has ended, and it should be applied either in accordance with "traditional interpretation" of existing treaties or pursuant to duly ratified treaty revisions.

Let there be no concessions, now or hereafter, which handcuff the United States or permit the Canal Zone and the Panama Canal to become another Cuba or another hemispheric dagger at our heart.

It is desperately urgent that we understand that a shackled American sovereignty can protect neither our own legitimate interests nor the independence and sovereignty of other free nations against the enemies of freedom and independence.

THE ABUSED CHILD

Mr. LIBONATI. Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. MULTER] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. MULTER. Mr. Speaker, I have today introduced a bill to provide for the mandatory reporting by physicians and institutions in the District of Columbia of certain physical abuse of children.

The purpose of this bill is to provide for the protection of children who have had physical injury inflicted upon them and who are threatened with further injury by the conduct of those responsible for their care and protection. My bill would make it mandatory upon any physician, intern or resident or hospital to report to the Metropolitan Police Department any case of physical injury to a child under the age of 18 which comes to their attention and which they have reasonable cause to believe was caused by parents or guardians other than accidentally.

The bill would further grant immunity from liability, civil or criminal, to anyone participating in good faith in the making of such a report. It would further provide that in this instance neither the physician-patient privilege nor the husband-wife privilege shall be grounds for excluding evidence regarding a child's injuries or the cause thereof in any judicial proceedings resulting from a report.

This bill is based upon the suggested language of the Children's Bureau of the Welfare Administration in the Department of Health, Education, and Welfare. According to the Bureau there has been in recent years a noticeable increase in the number and violence of attacks on infants and young children by parents and others responsible for their care.

In January 1962, a group of consultants met with the Children's Bureau to consider the problem—one of their conclusions was a recommendation that legislation such as I have proposed be enacted in the various States. Largely as a result of this recommendation the following States now have laws providing the mandatory reporting of violence to children: California, Colorado, Florida, Idaho, Kansas, Minnesota, Pennsylvania, Ohio, Oregon, and Wyoming. My own State of New York now has a citizen's committee working on this problem.

What is frequently known as the "violent parent syndrome" is certainly not a new phenomenon in society. As I pointed out before, however, the increase in such violence is new and this bill provides one means of dealing with it.

I hope that we will see action on my bill in the near future.

RULE BY INTIMIDATION

Mr. LIBONATI. Mr. Speaker, I ask unanimous consent that the gentleman from Louisiana [Mr. WAGGONNER] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. WAGGONNER. Mr. Speaker, the affinity of the Washington Post for any leftwing cause, pink organization or idea that is other than American, is well known both here in Washington and throughout the country.

If their attacks on the basic elements of democracy were not at times so infantile, they would constitute more of a threat to this Nation than they are. Their teary-eyed appeal and their hand-wringing plea for the "right" of homosexuals to solicit funds on the streets of Washington is a good example of the lengths to which the Post will go in order to support a devious cause.

Last week, it became necessary for the Post to attack constitutionality in order to bring their support behind a Communist-front organization. It would be difficult for most people to openly support a subversive organization, but all it requires of the Washington Post, apparently, is to chop the truth up here and there, ignore the Constitution of the United States and build a case on false accusations and wild exaggerations. Such is what they have done to support the Communist-front organization, "Southern Conference Education Fund."

In an editorial entitled "Rule by Intimidation," the Post attacks the Louisiana counterpart of the House Committee on Un-American Activities and the Senate Internal Security Subcommittee, the Joint Legislative Committee on Un-American Activities and its parent act, the Subversive Activities and Communist Control Act.

The Post calls it an "exceedingly dubious legislative concoction," though the committee was created by the Legislature of Louisiana and the constitutionality of the laws it enforces has been upheld by a three-judge Federal panel.

It would seem that there is enough Communist activity already in this country without the State of Louisiana having to fight also the Washington Post. The help of the Post is not needed; the Communists are doing their job well enough.

In this editorial, the editor of the Post says that agents of the Joint Legislative Committee on Un-American Activities "arrested these reputable and respected citizens," referring to the often-cited Communist-front agent, James A. Dombrowski.

If this is the kind of reputation and respectability the Post admires, and it apparently is, then, at least, they should themselves have the respectability to retitle the editorial to "A Defense of Communism" or "Down With Americanism." It would be far more suitable and certainly a more accurate title for the predominant aim of the Post.

The editorial is reproduced below:

RULE BY INTIMIDATION

The pushing around to which the Southern Conference Educational Fund has recently been subjected in Louisiana is more than a matter of local concern. It involves some supplementary high-handedness on the part of a U.S. Senate subcommittee; and it also involves a flagrant disregard of some fundamental American rights.

Under the guise of enforcing a local and exceedingly dubious legislative concoction called the "Subversive Activities and Communist Control Act," policemen acting at the behest of the Louisiana Joint Legislative Committee on Un-American Activities, raided the homes and offices of three officials of the Southern Conference Educational Fund. With drawn revolvers, they arrested these reputable and respected citizens, terrorized them and their families and confiscated their papers and files.

The triumph of the Louisiana legislative committee would have been short lived had it not been for a helping hand from the Internal Security Subcommittee of the U.S. Senate. A Louisiana criminal district court promptly dismissed, for lack of any evidence whatever, the charge against the three SCEF officials that they had conspired to subvert something or other; and it would just as promptly, no doubt, have ordered return of the SCEF files had they not suddenly been subpenaed by the Senate Internal Security Subcommittee.

The subcommittee's role in this affair deserves scrutiny. Its seizure of the SCEF files was accomplished, it appears, by the use of a subpena signed in blank by the chairman, Senator JAMES O. EASTLAND, and filled out to be served at the last minute on the State legislative committee by the subcommittee counsel. This was precisely the scattergun practice used by the subcommittee in the case of Robert Shelton whose conviction for contempt of Congress was reversed just the other day because a subpena signed in blank was used to summon him. We think this is thoroughly irresponsible conduct by the subcommittee staff.

A three-judge Federal court now has under consideration a suit by the SCEF attacking the constitutionality of the Louisiana subversive activities and Communist control law. In the manner of its enforcement in Louisiana, the law seems to be a plain infringement on the advocacy of ideas—and as such in violation of the first amendment. It seems obvious that it is being used against the SCEF for the sole reason that that organization is engaged in advocating civil rights for Negroes in the South. If it succeeds in this case, it will be used in other Southern States to tag the civil rights movement as "subversive" and Communist. This amounts to rule by intimidation. It is the antithesis of the democratic process.

JUDGES UPHOLD LOUISIANA LAWS ON RED CONTROL

NEW ORLEANS, January 11.—The constitutionality of Louisiana's Communist control laws has been upheld by a special three-judge Federal panel.

The panel, in a decision issued yesterday, also tossed out a suit seeking an injunction banning the Louisiana Joint Legislative Committee on Un-American Activities from turning over records of the Southern Conference Educational Fund to the Orleans Parish grand jury.

The suit was filed by the Southern Conference Educational Fund, a group which says it fosters racial harmony, and its executive director, James A. Dombrowski, of New Orleans.

State police, acting under orders of the Joint Committee on Un-American Activities, swooped down last October on the fund headquarters and the office of its treasurer, Benjamin Smith, and his law partner, Bruce Waltzer.

Issuing the majority opinion were U.S. District Judges E. Gordon West, of Baton Rouge, and Frank B. Ellis, of New Orleans. U.S. Circuit Judge John Minor Wisdom dissented.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. SNYDER (at the request of Mr. HALLECK), for today, on account of official business.

Mr. HANNA, for the period January 20 to 23, 1964, on account of official business.

EXTENSION OF REMARKS

By unanimous consent, permission to extend remarks in the CONGRESSIONAL RECORD, or to revise and extend remarks, was granted to:

(The following Member (at the request of Mr. LIBONATI) and to include extraneous matter:)

Mr. MULTER.

BILL PRESENTED TO THE PRESIDENT

Mr. BURLESON, from the Committee on House Administration, reported that that committee did on January 15, 1964, present to the President, for his approval, a bill of the House of the following title:

H.R. 7406. An act to provide for increased participation by the United States in the Inter-American Development Bank, and for other purposes.

ADJOURNMENT

Mr. LIBONATI. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 1 o'clock and 11 minutes p.m.), under its previous order, the House adjourned until Monday, January 20, 1964, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

1542. A communication from the President of the United States transmitting a draft of a proposed bill entitled "A bill to authorize the appropriation of $115 million for the Peace Corps in fiscal year 1965"; to the Committee on Foreign Affairs.

1543. A letter from the Chairman, District of Columbia Redevelopment Land Agency, transmitting the Annual Report of the District of Columbia Redevelopment Land Agency for the fiscal year ending June 30, 1963, pursuant to Public Law 592, 79th Congress; to the Committee on the District of Columbia.

1544. A letter from the Deputy Administrator, Federal Aviation Agency, transmitting the 18th annual report of the Agency's operations for the fiscal year ending June 30, 1963, pursuant to Public Law 377, 79th Congress, as amended; to the Committee on Interstate and Foreign Commerce.

1545. A letter from the Assistant Secretary of the Interior, relative to a proposed amendment to the concession contract with the Quapaw Bath House Co. in Hot Springs National Park, pursuant to 70 Stat. 543; to the Committee on Interior and Insular Affairs.

1546. A letter from the Administrator, National Aeronautics and Space Administration, transmitting a report to the Committee on Science and Astronautics of the House of Representatives of the United States, relating to House Report 706, dated August 26, 1963; to the Committee on Science and Astronautics.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. PATMAN: Committee on Banking and Currency. S. 1309. An act to amend the Small Business Act, and for other purposes; with amendment (Rept. No. 1097). Referred to the Committee of the Whole House on the State of the Union.

PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. ICHORD:

H.R. 9648. A bill to provide for the exchange of certain lands by the United States and the State of Missouri; to the Committee on Interior and Insular Affairs.

H.R. 9649. A bill to amend the Annual and Sick Leave Act of 1951 to provide for the crediting for leave purposes of military and civilian service not credited under such act because of administrative error, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. DENT:

H.R. 9650. A bill to amend section 218 of the Social Security Act so as to enable States, through Federal-State agreement, to provide further opportunity for certain State employees to elect coverage under the insurance system established by title II of the Social Security Act; to the Committee on Ways and Means.

By Mr. GILBERT:

H.R. 9651. A bill to amend provisions relative to overtime compensation for substitute employees in the postal field service; to the Committee on Post Office and Civil Service.

By Mr. MULTER:

H.R. 9652. A bill to provide for the mandatory reporting by physicians and institutions in the District of Columbia of certain physical abuse of children; to the Committee on the District of Columbia.

By Mr. MURRAY:

H.R. 9653. A bill to extend the authority of the Postmaster General to enter into leases of real property for periods not exceeding 30 years, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. JOHANSEN:

H. Con. Res. 255. Concurrent resolution relative to the interpretation of treaties between the United States and the Republic of Panama; to the Committee on Foreign Affairs.

By Mr. BUCKLEY:

H. Res. 609. Resolution to provide for the further expenses of the investigation and study authorized by House Resolution 56; to the Committee on House Administration.

By Mr. MURRAY:

H. Res. 610. Resolution to provide for additional expenses for the investigation and study by the Committee on Post Office and Civil Service authorized by House Resolution 151, 88th Congress; to the Committee on House Administration.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII.

Mr. MORSE introduced a bill (H.R. 9654) for the relief of Ismail Bengisu and his wife, Olcay Bengisu, which was referred to the Committee on the Judiciary.

PETITIONS, ETC.

Under clause 1 of rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

631. By the SPEAKER: Petition of Henry Stoner, Avon Park, Fla., asking Congress to pass legislation creating the term, "Gold Star Father," with all the rights and privileges of the Gold Star Mothers; to the Committee on Armed Services.

632. Also, petition of Henry Stoner, Avon Park, Fla., to require the members of the Joint Committee on Printing to correct a statement on page A7715 of the daily CONGRESSIONAL RECORD, dated December 18, 1964; to the Committee on House Administration.

633. Also, petition of Henry Stoner, Avon Park, Fla., requesting the Joint Committee on Printing to make certain corrections in the RECORD regarding recognition of former Members as such when referred to in the RECORD, and to follow the practice; to the Committee on House Administration.

634. Also, petition of Henry Stoner, Avon Park, Fla., with reference to immigration; to the Committee on the Judiciary.

635. Also, petition of Henry Stoner, Avon Park, Fla., asking Congress to consider his proposal for settling jurisdictional disputes between committees; to the Committee on Rules.

EXTENSIONS OF REMARKS

President Johnson's Credo as an American

EXTENSION OF REMARKS

OF

HON. ABRAHAM J. MULTER

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, January 16, 1964

Mr. MULTER. Mr. Speaker, President Lyndon Baines Johnson has long been known for his dedication to the cause of liberty, and the free exercise of political, social and civil rights by all Americans. On April 3, 1962, President Johnson, then Vice President of the United States, was presented with the 1962 Stephen Wise Award by the Maryland Chapter of the American Jewish Congress for his fight against discrimination and bigotry. On that occasion the President delivered the following speech in which he defined his credo as an American. The speech appeared in the September 16, 1963, edition of the Congress Biweekly.

The speech follows:

MY CREDO AS AN AMERICAN

(By Lyndon B. Johnson)

(On April 3, 1962, President Johnson, then Vice President of the United States, was presented with the 1962 Stephen Wise Award by the Maryland Chapter of the American Jewish Congress for his fight against discrimination and bigotry. In accepting the award, Mr. Johnson delivered the following speech in which he defined his credo as an American.)

I accept this honor with a reluctance that goes way beyond modesty. I remember so well the remark made to me many years ago by a wise old Texan. "Young man," he said, "just remember that how many awards and honors you have isn't the real sign of greatness. It's how many you deserve." I can't think of any honor I've ever wanted to deserve more than this one. I cherish the very thought that I have contributed in some measure to spreading liberty and opportunity to more of our citizens.

I accept this honor in good conscience only because I view it as a token of appreciation and encouragement to those Americans, including members of the American Jewish Congress, who have worked so long to make the American dream a thing of life. But I could never view this plaque as a tribute to me alone. You see, I got my reward for my efforts against discrimination long before tonight. My reward has been an increased understanding and appreciation of what my country stands for and must be. My profit has been a sharper awareness of what it is we offer when we Americans speak to the world.

In the last several months I have been in many countries on several continents. I have seen many faces in that great mass of mankind which is caught up in turbulent change. I have seen people who most of all need hope. I have seen people who are yearning to be free. I have seen people who are struggling to break the bonds of poverty, illness, and illiteracy.

You cannot work for long with the President's Committee on Equal Employment Opportunity without achieving a better understanding of the forces that are most powerful among these people in far distant lands. After all, the goal of our human rights organizations is to provide for our own citizens the hope and freedom that we hold forth as a goal to these masses in other lands.

Why should our Government be so concerned about racial injustice?

There are some hard, practical considerations that none of us can overlook: Our country and the whole free world is confronted with an immense challenge. It is a challenge that stretches from the rice paddies of Vietnam to the rain forests of Africa to the steamy villages of Latin America. To meet that challenge in triumph we shall need every resource this Nation can muster. We shall need the intellectual genius, moral strength, political astuteness, oratorical skill, mechanical know-how—all these and many things more we shall need.

We must remember, as Harry Emerson Fosdick once said, that "democracy is based upon the conviction that there are extraordinary possibilities in ordinary people." Whatever may be offered by a lad trapped in the slums of Harlem, or a youngster isolated on an Indian reservation, or a boy struggling along on a midwestern farm—whatever each can offer the Nation must receive.

One of the most moving tributes to democracy and human freedom that I ever read was the statement by Chaplain Roland B. Gittelsohn a few years ago when he dedicated the 5th Marine Division Cemetery on Iwo Jima. He said:

"Somewhere in this plot of ground there may lie the man who could have discovered the cure for cancer. Under one of these Christian crosses, or beneath a Jewish Star of David, there may rest now a man who was destined to be a great prophet. * * * Here lie officers and men, Negroes and whites, rich men and poor. * * * Here are Protestants, Catholics, and Jews. * * * Here no man prefers another because of his faith, or despises him because of his color. Here there are no quotas of how many from each group are admitted or allowed. Theirs is the highest and the purest democracy."

That is a statement which reflects brilliantly the principles of morality, of religion, of respect for human worth, on which this Nation was founded. Each generation has an obligation to keep those principles alive. Each generation is obligated to expand their impact, to make them more meaningful to more people.

You and I know what the obstacles are. John Stuart Mill once wrote that, "The despotism of custom is everywhere a standing hindrance to human advancement." We see the painful truth of this as we observe efforts to erase from our society the blot of racial and religious discrimination. And I say this with no holier-than-thou attitude. We all have been influenced by the ideas, the assumptions, the likes, the dislikes, of our fathers and grandfathers. Each of us is to some degree a victim of our environments. What we must do is free ourselves and help to free each other, from the ignorance, the outmoded notions that are incompatible with a free society in an age of nuclear weapons and space vehicles.

I am not prepared to accept the notion that racial or religious hatred and conflict are inevitable any more than our forefathers were prepared to accept muddy roads and horses and buggies as an inevitable part of life. We must have confidence that we can make ours a society in which men and women of all races, religions, and backgrounds can live under conditions of mutual respect and of true equality of opportunity. I believe that we can.

I came to Washington from Texas some 30 years ago. I remember what Washington was like then. I remember how difficult it was for a Negro to get a Government job of any importance or prestige. We have come a long way in those 30 years.

I got a sharp, personal reminder of what has been happening in this country recently when I went to San Antonio to urge the people to elect Henry B. Gonzalez to Congress. We made whistle stops all over town. Late in the day we stopped near a big supermarket. I was given an eloquent introduction by a Negro who has been a friend for many years. Then I got up and delivered what I hoped was a good speech. As the meeting broke up a middle-aged Negro gentleman stepped up to the pickup truck on which I stood and said:

"Mr. Vice President, I was born two blocks from this spot. And I've lived here all of a long life. But let me tell you that never in the wildest night did I dream that I'd live long enough to have a white Texan Vice President of the United States come to this corner, be introduced by a Negro, and get up and appeal to the people to vote for a man named Gonzalez."

That was a sharply touching moment for me, because until that remark was made I was completely unaware of what really had taken place, or of how much it signified in the way of change. Yes, there's been a lot of change in the last 30 years. But there's room for a lot more. I pledge to you on behalf of the President that we're going to produce more progress in the first 4 Kennedy years than the country made in all those 30.

I am against bigotry and discrimination because I think they are wrong. I am for human understanding, for equal justice, for equality of opportunity because I think they are right.

May this country always be the kind where a man needs, and the people demand, no greater explanation than this.

HOUSE OF REPRESENTATIVES

MONDAY, JANUARY 20, 1964

The House met at 12 o'clock noon.

The Chaplain, Rev. Bernard Braskamp, D.D., offered the following prayer:

John 14: 1: *Let not your heart be troubled. Ye believe in God, believe also in me.*

Eternal God, our Father, always and everywhere we need Thee; in the joys that cheer us and in the trials that teach us to put our trust in Thee; in times of prosperity to restrain us from becoming proud and vainglorious; in our days of confusion and perplexity to clarify our minds and safeguard us from doubt and despair.

Show us how we may more fully embody the transforming and transfiguring spirit of our blessed Lord who walked upon this earth in the long ago with a love and a compassion which never sought anything but the glory of God and the welfare of all mankind.

Grant that when our days are dark and beset by difficulties we may go forth unafraid, placing our hands in Thine and heeding Thy still small voice, saying unto us, "This is the way; walk ye therein; be of good courage; lo I am with you always."

Hear us in Christ's name. Amen.

THE JOURNAL

The Journal of the proceedings of Thursday, January 16, 1964, was read and approved.

MESSAGE FROM THE PRESIDENT

A message in writing from the President of the United States was communicated to the House by Mr. Ratchford, one of his secretaries.

MESSAGE FROM THE SENATE

A message from the Senate by Mr. McGown, one of its clerks, announced that the Senate had passed a bill of the following title, in which the concurrence of the House is requested:

S. 385. An act to extend the maximum maturity of certain Veterans' Administration guaranteed or insured home loans to 35 years.

CHANGE IN PROGRAM

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that it may be in order on Wednesday next for the Speaker to entertain a motion to suspend the rules and pass Senate bill 741.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

Mr. GROSS. Mr. Speaker, reserving the right to object, what is the bill?

Mr. ALBERT. Mr. Speaker, if the gentleman will yield, it is a bill which was on the program to be called up under suspension of the rules today. The request was made by the Republican leadership. The distinguished gentleman from Ohio [Mr. McCulloch] is interested in this bill and has to be in his own State on official business today. We merely request that the consideration of the bill be put over until Wednesday.

Mr. GROSS. Mr. Speaker, I withdraw my reservation.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

TRIBUTE TO THE HONORABLE CLARENCE CANNON, CHAIRMAN, COMMITTEE ON APPROPRIATIONS

Mr. ALBERT. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

Mr. ALBERT. Mr. Speaker, I note the presence of the distinguished gentleman from Missouri [Mr. Cannon], the chairman of the Committee on Appropriations. I take this time to pay a word of tribute to his leadership.

The gentleman from Missouri has worked out a schedule for the handling of the supply bills this year. If all Members of the House will cooperate with him in effectuating the schedule, it will enable us to pass all appropriation bills by early in June. This will be an important accomplishment indeed, and the gentleman from Missouri is to be commended for the initiative he has taken in this matter.

I wish to advise Members further that the President has informed us that all authorization bills will be presented to Congress early this year. Some of them have already been sent up. We hope that all legislative committees will be able to act expeditiously on these bills so that the consideration of appropriation bills may follow in due course in compliance with the goals set by the gentleman from Missouri.

We are off to a good start this year. There is every reason to believe that we can dispose of the people's business in this Chamber at an early date this year.

ECONOMIC REPORT—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES (H. DOC. NO. 278)

The SPEAKER laid before the House the following message from the President of the United States; which was read and, together with the accompanying papers, referred to the Joint Economic Committee and ordered to be printed, with illustrations:

THE WHITE HOUSE,
Washington, D.C., January 20, 1964.

The Honorable the PRESIDENT OF THE SENATE,
The Honorable the SPEAKER OF THE HOUSE OF REPRESENTATIVES.

SIRS: I am presenting herewith my Economic Report to the Congress as required under the Employment Act of 1946.

In preparing this report, I have had the advice and assistance of the Council of Economic Advisers, who, in turn, have had the assistance of members of the Cabinet and heads of independent agencies.

Together with this report, I am transmitting the annual report of the Council of Economic Advisers, which was prepared in accordance with section 4(c)(2) of the Employment Act of 1946.

Respectfully,

Lyndon B. Johnson.

THE EDITORIAL POLICY OF THE WASHINGTON POST

Mr. HARVEY of Indiana. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Indiana?

There was no objection.

Mr. HARVEY of Indiana. Mr. Speaker, in accord with its prior custom, the Washington Post continues its policy of disparaging and attempting to destroy the Congress, particularly the House of Representatives. In the latest attempt they resorted to a little different device by having one of their book reviewers in the book section of the Sunday, January 19, edition analyze a book entitled "The Congressman: His Work as He Sees It" by Charles L. Clapp. Through this device they were able to get in their remarks concerning the Congress. One of the remarks made there, and I quote, is as follows:

> Since the great majority of Congressmen are neither qualified nor interested in framing specific legislation, they and the country would be better off if they devoted themselves to tasks they like and can do—enlarging the role of the House as a forum for the ventilation of issues, voting "yes" or "no" on bills prepared by the Executive, and representing constituents who have the problems with the bureaucracy.

Mr. Speaker, again I want to call the attention of the House to this policy.

Mr. Speaker, I am going to ask to include in the Congressional Record an editorial from the same edition entitled "Trifles." In actuality, this is not too bad an editorial, but it seems to me the title of it is significant and in tune with the type of editorial writing they do.

CALL OF THE HOUSE

Mr. BROOMFIELD. Mr. Speaker, I make the point of order that a quorum is not present.

The SPEAKER. Evidently a quorum is not present.

Mr. ALBERT. Mr. Speaker, I move a call of the House.

A call of the House was ordered.

The Clerk called the roll, and the following Members failed to answer to their names:

[Roll No. 8]

Abele
Addabbo
Arends
Aspinall
Avery
Baring
Barry
Boggs
Bolling
Bolton, Frances P.
Bolton, Oliver P.
Bow
Brock
Bromwell
Brotzman
Broyhill, N.C.
Buckley
Byrnes, Wis.
Cahill
Cameron
Cederberg
Celler
Clausen, Don H.
Collier
Colmer
Corbett
Davis, Tenn.
Denton
Derwinski
Donohue
Elliott
Farbstein
Findley
Finnegan
Fino
Fraser
Fulton, Pa.
Fulton, Tenn.
Gary
Giaimo
Gibbons
Gill
Glenn
Gonzalez
Grabowski
Grant
Green
Hanna
Hays
Hoffman
Jennings
Johansen
Jones, Ala.
Kee
Kelly
Kornegay
Lloyd
Long, La.
McCulloch
McDowell
McMillan
Macdonald
MacGregor
Martin, Mass.
Matsunaga
Michel
Miller, N.Y.
Milliken
Monagan
Montoya
Morton
Nelsen
Nix
O'Brien, Ill.
O'Brien, N.Y.
O'Hara, Mich.
Olsen, Mont.
O'Neill
Osmers
Pepper
Philbin
Powell
Rains
Reid, N.Y.
Rivers, Alaska
Rivers, S.C.
Robison
Rooney, Pa.
Roosevelt
Rostenkowski
Roybal
St. George
St. Onge
Saylor
Schadeberg
Schneebeli
Scott
Sheppard
Siler
Smith, Calif.
Smith, Iowa
Staebler
Van Deerlin
Watson
Westland
Wickersham
Williams
Wilson, Charles H.
Wyman

The SPEAKER. On this rollcall 319 Members have answered to their names, a quorum.

By unanimous consent, further proceedings under the call were dispensed with.

INTERNATIONAL COMPLICATIONS

Mr. CANNON. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the Record.

The SPEAKER. Is there objection to the request of the gentleman from Missouri?

There was no objection.

Mr. CANNCN. Mr. Speaker, apparently "international complications," like "misfortunes," seldom come singly. The rumor is that England is now insisting that, notwithstanding the treaty closing the Revolutionary War, she reserves the right to fly the Union Jack side by side with the Stars and Stripes in the United States. France is also calling attention to the fact that $15 million is an insignificant sum compared with the present value of the Louisiana Purchase and that the treaty should be renegotiated with that in view. And Spain is now insisting that the treaty by which she ceded Florida to the United States does not include control and tolls on the Florida canal from the Atlantic to the Gulf of Mexico.

There is also rumor of a protest from a noted statesman to the effect that he did not deny that the United States is a bully. On the contrary, Will Rogers insists that what he really said was that "we win all our wars and lose all our conferences."

However, Mr. Speaker, the charge of "duplicity" against the Department of State is well founded. The Department of State seems to proceed on the theory that "what the people do not know will not hurt them."

Under the circumstances, Congress might well give serious consideration to the general demand that the people and the Congress be informed—at least on commitments alienating fundamental American rights and the children of the Canal Zone should be cautioned against singing "The Star-Spangled Banner."

SUBCOMMITTEE ON RESEARCH AND DEVELOPMENT, COMMITTEE ON ARMED SERVICES

Mr. STRATTON. Mr. Speaker, I ask unanimous consent that the Subcommittee on Research and Development of the Committee on Armed Services have permission to sit during general debate today and for the balance of the week.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

APPOINTMENTS TO BOARD OF VISITORS, U.S. AIR FORCE ACADEMY

The SPEAKER. Pursuant to the provisions of 10 United States Code 9355(a), the Chair appoints as members of the Board of Visitors to the U.S. Air Force Academy the following Members on the part of the House: Mr. Rogers, of Colorado; Mr. Flynt, of Georgia; Mr. Chenoweth, of Colorado; and Mr. Laird, of Wisconsin.

APPOINTMENTS AS MEMBERS OF BOARD OF VISITORS OF U.S. COAST GUARD ACADEMY

The SPEAKER. Pursuant to the provisions of 14 United States Code 194(a), the Chair appoints as members of the Board of Visitors to the U.S. Coast Guard Academy the following Members on the part of the House: Mr. St. Onge, of Connecticut, and Mr. Martin, of California.

APPOINTMENTS TO BOARD OF VISITORS, U.S. MERCHANT MARINE ACADEMY

The SPEAKER. Pursuant to the provisions of 46 United States Code 1126(c), the Chair appoints as members of the Board of Visitors to the U.S. Merchant Marine Academy the following Members on the part of the House: Mr. Carey, of New York, and Mr. McIntire, of Maine.

APPOINTMENTS TO BOARD OF VISITORS, U.S. MILITARY ACADEMY

The SPEAKER. Pursuant to the provisions of 10 United States Code 4355(a), the Chair appoints as members of the Board of Visitors to the U.S. Military Academy the following Members on the part of the House: Mr. Teague, of Texas; Mr. Natcher, of Kentucky; Mr. Riehlman, of New York; and Mr. Ostertag, of New York.

APPOINTMENTS AS MEMBERS OF BOARD OF VISITORS OF U.S. NAVAL ACADEMY

The SPEAKER. Pursuant to the provisions of 10 United States Code 6968(a), the Chair appoints as members of the Board of Visitors to the U.S. Naval Academy the following members on the part of the House: Mr. Flood, of Pennsylvania; Mrs. Kee, of West Virginia; Mr. Minshall, of Ohio; and Mr. Stinson, of Washington.

CONSENT CALENDAR

The SPEAKER. This is Consent Calendar day. The Clerk will call the first bill on the Consent Calendar.

ACQUISITION OF PROPERTY IN SQUARE 758 IN DISTRICT OF COLUMBIA

The Clerk called the bill (S. 254) to provide for the acquisition of certain property in square 758 in the District of Columbia, as an addition to the grounds of the U.S. Supreme Court Building.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. FORD. Mr. Speaker, I ask unanimous consent that the bill be passed over without prejudice on the basis that I understand it is scheduled for debate under an open rule with one hour of general debate on Thursday, January 23.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

SAINT-GAUDENS NATIONAL HISTORIC SITE, N.H.

The Clerk called the bill (H.R. 4018) to authorize establishment of the Saint-Gaudens National Historic Site, N.H., and for other purposes.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. GROSS. Mr. Speaker, I ask unanimous consent that the bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Iowa?

There was no objection.

LAKE ERIE SESQUICENTENNIAL

The Clerk called the bill (S. 1828) to amend the joint resolution establishing the Battle of Lake Erie Sesquicentennial Celebration Commission so as to authorize an appropriation to carry out the provisions thereof.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. CONTE. Mr. Speaker, I ask unanimous consent that the bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

ORGANIC ACT OF NATIONAL BUREAU OF STANDARDS

The Clerk called the bill (H.R. 5838) to amend the act of March 3, 1901 (31 Stat. 1449), as amended, to incorporate in the Organic Act of the National Bureau of Standards the authority to make certain improvements of fiscal and administrative practices for more effective conduct of its research and development activities.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. FORD. Mr. Speaker, I ask unanimous consent that the bill be passed over without prejudice. It is my understanding that a rule has been granted, and I assume it will be programmed subsequently for full discussion and consideration.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

LAKE O'MAHONEY

The Clerk called the joint resolution (S.J. Res. 17) to designate the lake to be formed by the waters impounded by the Flaming Gorge Dam, Utah, in the States of Wyoming and Utah, as "Lake O'Mahoney."

The SPEAKER. Is there objection to the present consideration of the Senate joint resolution?

Mr. MORRIS. Mr. Speaker, I ask unanimous consent that the joint resolution be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from New Mexico?

There was no objection.

DESIGNATION AND ADMINISTRATION OF THE ICE AGE NATIONAL SCIENTIFIC RESERVE IN WISCONSIN

The Clerk called the bill (H.R. 1096) to authorize the Secretary of the Interior to cooperate with the State of Wisconsin in the designation and administration of the Ice Age National Scientific Reserve in the State of Wisconsin, and for other purposes.

The SPEAKER. Is there objection to the present consideration of the bill?

Messrs. VAN PELT, PELLY, and HALL objected.

MEDICAL AND DENTAL OFFICERS OF THE AIR FORCE

The Clerk called the bill (H.R. 8507) for the relief of certain medical and dental officers of the Air Force.

There being no objection, the Clerk read the bill, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That any medical or dental officer, or former medical or dental officer, of the Air Force who was credited with an erroneous amount of service for pay purposes because of paragraph 5 of Personnel Orders Numbered 193, the National Guard Bureau, is relieved of all liability to the United States for amounts received by him as a result of such erroneous credit.

Sec. 2. In the audit and settlement of the accounts of any certifying or disbursing officer of the United States, credit shall be given for amounts for which liability is relieved by this Act.

Sec. 3. The Secretary of the Treasury is hereby authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to each of the officers covered by section 1 of this Act an amount equal to the aggregate of the amounts paid by him, or withheld from sums otherwise due him, in complete or partial satisfaction of the liability to the United States described in section 1 of this Act.

Sec. 4. No part of the amount appropriated in this Act shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

CERTAIN RETIRED OFFICERS OF THE ARMY, NAVY, AND AIR FORCE

The Clerk called the bill (H.R. 8937) for the relief of certain retired officers of the Army, Navy, and Air Force.

There being no objection, the Clerk read the bill, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the limitation of time prescribed by the Act of October 9, 1940 (54 Stat. 1061; 31 U.S.C. 237), is hereby waived with respect to claims for increased retired pay by any retired officer of the Army, Navy, Air Force, Marine Corps, Coast Guard, Coast and Geodetic Survey, or Public Health Service, if (1) he served in any capacity as a member of the military or naval forces of the United States prior to November 12, 1918; (2) he was retired under any provision of law prior to June 1, 1942, and was subsequently called to active duty; and (3) he was returned to an inactive status on a retired list after May 31, 1942: *Provided,* That a claim for such retired pay shall be filed with the General Accounting Office by each such officer or by his designated beneficiary, within one year following the date of enactment of this Act.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

BRIBERY IN SPORTING CONTESTS

The Clerk called the bill (S. 741) to amend title 18, United States Code, to prohibit schemes in interstate or foreign commerce to influence by bribery the outcome of sporting contests, and for other purposes.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. FORD. Mr. Speaker, reserving the right to object, it is my understanding this proposal was originally scheduled to be considered under suspension of the rules today.

I am also informed that the gentleman from Ohio [Mr. McCulloch], who is unavoidably absent today, has asked that this bill be put over on the Consent Calendar. I understand he also requested that it be removed from consideration under suspension of the rules today.

Mr. ALBERT. Mr. Speaker, will the gentleman yield?

Mr. FORD. I yield to the gentleman from Oklahoma.

Mr. ALBERT. An order has been obtained to program this under suspension of the rules on Wednesday next.

Mr. FORD. Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

ADDITIONAL COMMISSIONERS OF THE U.S. COURT OF CLAIMS

The Clerk called the bill (S. 102) to provide for additional commissioners of the U.S. Court of Claims.

Mr. CHELF. Mr. Speaker, at the request of the gentleman from Ohio [Mr. Feighan], chairman of the subcommittee which handled this bill, I ask unanimous consent that the bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Kentucky?

There was no objection.

MORRISTOWN NATIONAL HISTORICAL PARK, N.J.

The Clerk called the bill (H.R. 3396) to authorize the addition of lands to Morristown National Historical Park in the State of New Jersey, and for other purposes.

There being no objection, the Clerk read the bill, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, in order to preserve for the benefit and inspiration of the public certain lands historically associated with the winter encampment of General George Washington's Continental Army at Jockey Hollow in 1779 and 1780, and to facilitate the administration and interpretation of the Morristown National Historical Park, the Secretary of the Interior is authorized to procure by purchase, donation, purchase with appropriated funds, exchange, or otherwise, not to exceed three hundred and twenty acres of land and interest therein including the Stark's Brigade campsite and such other lands as he deems necessary for the proper administration and interpretation of the Morristown National Historical Park.

Sec. 2. Lands acquired pursuant to this Act, unless exchanged pursuant to section 1 hereof, shall constitute a part of the Morristown National Historical Park, and be administered in accordance with the laws and regulations applicable to such park.

Sec. 3. There are authorized to be appropriated such sums as may be necessary to carry out the purposes of this Act.

With the following committee amendments:

Page 1, line 10, strike out "exchange,".

Page 1, line 11, strike out "three hundred and twenty acres" and insert "two hundred and eighty-one acres".

Page 2, lines 1 and 2, strike out "including the Stark's Brigade campsite and such other lands as he deems" and insert in lieu thereof ", which two hundred and eighty-one acres shall include Stark's Brigade campsite and other lands".

Page 2, lines 9, 10, and 11, strike out all of section 3 and insert:

"Sec. 3. There are authorized to be appropriated such sums, but not more than $281,000 for acquisition of lands and interests in land, as may be necessary to carry out the purposes of this Act."

The committee amendments were agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

MEDALS COMMEMORATING NATIONAL HISTORIC SHRINES IN NEW YORK CITY

The Clerk called the bill (S. 2079) to provide for the striking of three different medals in commemoration of the Federal Hall National Memorial, Castle Clinton National Monument, and Statue of Liberty National Monument American Museum of Immigration in New York City, N.Y.

There being no objection, the Clerk read the bill, as follows:

Be it enacted by the Senate and House of Representatives of the United State of America in Congress assembled, That, in commemoration of three congressionally designated national historic shrines located in New York City, New York, scheduled by the National Park Service of the United States Department of the Interior for official opening during the New York World's Fair, 1964–1965, namely, Federal Hall National Memorial, Castle Clinton National Monument, and Statue of Liberty National Monument American Museum of Immigration, the Secretary of the Treasury is authorized and directed to strike and furnish to the New York City National Shrines Advisory Board a Liberty Series of three different medals of a grand total of no more than seven hundred and sixty-five thousand medals with suitable emblems, devices, and inscriptions to be determined by the New York City National Shrines Advisory Board and subject to the approval of the Secretary of the Treasury. The medals shall be made and delivered at such times as may be required by the advisory board in quantities of not less than two thousand. The medals shall be considered to be national medals within the meaning of section 3551 of the Revised Statutes.

Sec. 2. The Secretary of the Treasury shall cause such medals to be struck and furnished at not less than the estimated cost of manufacture, including labor, materials, dies, use of machinery, and overhead expenses; and security satisfactory to the Director of the Mint shall be furnished to indemnify the United States for full payment of such cost.

Sec. 3. The medals authorized to be issued pursuant to this bill shall be of such size or sizes and of such metals as shall be determined by the Secretary of the Treasury in consultation with such advisory board.

Sec. 4. After December 31, 1965, no further medals shall be struck under the authority of this Act.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

Mrs. SULLIVAN. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the Record.

The SPEAKER. Is there objection to the request of the gentlewoman from Missouri?

There was no objection.

Mrs. SULLIVAN. Mr. Speaker, the House has passed four bills in this Congress which are very similar to this measure, and all of them were passed on the Consent Calendar and all of them were signed into law by President Kennedy. This is not a controversial bill in any sense of the word. The Subcommittee on Consumer Affairs held hearings last May on this whole subject of commemorative medals and determined as a result of its inquiry that first, the medals are produced at no cost to the taxpayers; second, they do not interfere with the regular coin lines at the mint since they are produced on different machinery and equipment; third, there is continuous control by the Treasury over the design of the medals and the Fine Arts Commission must also approve any design before it is used.

These are national medals but they are sold not by the mint itself but by the sponsoring organization to raise funds for worthwhile purposes. In this case the sponsoring organization is an official board created under act of Congress as an advisory board to assist the Secretary of the Interior in rehabilitating three of our great national shrines in New York City. Any money raised through the sale of these medals would be used as matching funds to Federal appropriations in refurbishing the three structures—that is Federal Hall, where Washington was first inaugurated; Castle Clinton, one of the original forts guarding lower Manhattan; and the Statue of Liberty American Museum of Immigration.

S. 2079 was jointly sponsored by the two New York Senators and the companion bill in the House was introduced by the gentleman from New York [Mr. Farbstein]. The bill was unanimously approved by the committee. The total number of medals authorized is 765,000, and that includes those struck under all three designs. It is the intention to sell them at the New York World's Fair as well as elsewhere in New York.

Mr. PATMAN. Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. Farbstein] may extend his remarks at this point in the Record.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. FARBSTEIN. Mr. Speaker, I am gratified that this measure, of which I was sponsor in the House, has now passed and is being referred to the President for final approval.

I was asked to introduce this legislation by the New York City National Shrines Advisory Board since all three of these historic landmarks, the Federal Hall National Memorial, Castle Clinton National Monument, and Statue of Liberty National Monument American Museum of Immigration are in my congressional district. I think I would have been honored to introduce the legislation in any event since I, just like each of you, am a descendant of immigrants to whom these areas have particular significance and I feel that I should like to have some little part in its history.

When these medals portraying the shrines I have just mentioned have been minted and are purchased by the citizens of this country, each of them will have helped in their restoration. The thousands of visitors to the World's Fair in New York will have an opportunity to visit these landmarks which tell the story of our country built in a measure by men and women who came to our shores from all over the world to seek and find the blessings of life, liberty, and the pursuit of happiness.

In the final analysis, this is a country of immigrants made eminently successful by the merging of people of diverse antecedents.

Completion of the three shrines has been estimated by the National Park Service to cost approximately $5,200,000. Of this sum, congressional action has authorized that the National Park Service can make use of up to $2,600,000 of its budgeted funds amounting to 50 percent of the cost, matching dollar for dollar an equal amount or $2,600,000 when and as the sum is raised by the New York City National Shrines Advisory Board and its cooperating groups. As of August 1, 1963, the Shrines Board reported that it must still obtain subscriptions of approximately $1,500,000 to meet its quota. The sale of the commemorative medals should insure the attainment of this quota and the completion of these historic landmarks during the New York City World's Fair years of 1964 and 1965.

MEDALS COMMEMORATING THE 200TH ANNIVERSARY OF THE FOUNDING OF ST. LOUIS

The Clerk called the bill (H.R. 9076) to provide for the striking of medals in commemoration of the 200th anniversary of the founding of St. Louis.

There being no objection, the Clerk read the bill, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury (hereinafter referred to as the "Secretary") shall strike and furnish for the Saint Louis Bicentennial Corporation (hereinafter referred to as the "corporation"), a not-for-profit organization for the celebration of the two hundredth anniversary of the founding of the Saint Louis community, national medals in commemoration of such anniversary.

SEC. 2. Such medals shall be of such sizes, materials, and designs, and shall be so inscribed, as the corporation may determine with the approval of the Secretary.

SEC. 3. Not more than one hundred thousand of such medals may be produced. Production shall be in such quantities, not less than two thousand, as may be ordered by the corporation, but no work may be commenced on any order unless the Secretary has received security satisfactory to him for the payment of the cost of the production of such order. Such cost shall include labor, material, dies, use of machinery, and overhead expenses, as determined by the Secretary. No medals may be produced pursuant to this Act after December 31, 1965.

SEC. 4. Upon receipt of payment for such medals in the amount of the cost thereof as determined pursuant to section 3, the Secretary shall deliver the medals as the corporation may request.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

Mrs. SULLIVAN. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentlewoman from Missouri?

There was no objection.

Mrs. SULLIVAN. Mr. Speaker, this is a most important year for St. Louis since it represents the 200th anniversary of the founding of our community. The city is planning a great many observances and celebrations, and President Johnson has agreed to come to St. Louis next month to help us open this great anniversary program which will extend through 1965.

The medals authorized by H.R. 9076 would serve two important purposes: to provide a tangible memento in the form of a national medal demonstrating the vital role played by St. Louis in the expansion of the United States from coast to coast; in addition, sale of the medals by the sponsoring organization will help us raise some of the necessary funds to finance our bicentennial events.

The medals authorized in this legislation would be minted at absolutely no cost to the Treasury. All of the expenses of striking the medals must be borne by the sponsoring organization. This is similar to the requirements written into every commemorative medals bill we have passed in the House.

As chairman of the subcommittee which handles this type of legislation in the Committee on Banking and Currency, I can assure the Members, Mr. Speaker, that my subcommittee has thoroughly investigated the merits of commemorative national medals, particularly as compared to proposals for authorizing commemorative coins. We have not approved any coin bills for limited distribution and for fundraising purposes. We have, on the other hand, approved a series of commemorative medals bills. They do not interfere with coin operations.

The St. Louis Bicentennial Corp., which would control the distribution of these medals, is a not-for-profit organization whose board consists of outstanding, nationally known leaders of our city's business and labor and civic communities. The honorary chairman is Mayor Raymond R. Tucker; the president of the organization is August A. Busch, Jr., chairman of the board and president of Anheuser-Busch, Inc. The vice presidents are Mr. Joseph P. Clark, president of the St. Louis Labor Council; Mr. Harry F. Harrington, chairman of the board and president of Boatmen's Bank; and Mr. J. Wesley McAfee, president of Union Electric Co. The secretary-treasurer is Mr. Eugene F. Williams, Jr., vice president and secretary, St. Louis Union Trust Co.

In addition to the officers, the board of directors includes the following leaders in St. Louis affairs: David R. Calhoun, Jr., president of St. Louis Union Trust Co.; Harry W. Chesley, Jr., president of D'Arcy Advertising Co.; Edwin M. Clark, president, Southwestern Bell Telephone Co.; Preston Estep, chairman of the board, Bank of St. Louis; Stanley J. Goodman, president, Famous-Barr Co.; Robert F. Hyland, Jr., vice president, CBS Radio, and general manager, KMOX; Aloys P. Kaufmann, president, Chamber of Commerce of Metropolitan St. Louis; David S. Lewis, president, McDonnell Aircraft Corp.; Sidney Maestre, chairman of the executive committee, Mercantile Trust Co.; Sidney Salomon, Jr., president, Sidney Salomon and Associates, Inc.; Raymond H. Wittcoff, president, Transurban Investment Corp.; and Howard B. Woods, executive editor, St. Louis Argus.

JUDICIAL PROCEDURES IN LITIGATION WITH INTERNATIONAL ASPECTS

The Clerk called the bill (H.R. 9435) to improve judicial procedures for serving documents, obtaining evidence, and proving documents in litigation with international aspects.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. GROSS. Mr. Speaker, reserving the right to object, I should like to ask someone on the committee if this means that a U.S. citizen can be compelled to testify on foreign litigation of any kind?

Mr. WILLIS. This bill would provide for the taking of testimony of witnesses abroad in connection with a lawsuit pending in the United States, or the reverse. It would apply to a citizen of the United States, and it provides for receiving the testimony of a citizen of the United States in connection with a lawsuit pending abroad.

This bill deals with procedures alone, the proof of documents in private litigation, and for the taking of testimony in private litigation. There is no substantial provision in this bill. It simply regulates the procedures. The bill really has procedures for its purpose. It sets forth the rules recommended by the Commission on International Rules and Judicial Procedure appointed in 1958 by President Eisenhower. This is the result of recommendations with reference to proving documents, the taking of testimony and so on along the lines I have indicated.

Mr. GROSS. I am sure the gentleman will recall several years ago there came before the House a bill which would have provided that a U.S. citizen, even a tourist, who had committed a misdemeanor in a foreign country could be returned from the United States to that foreign country for trial. Does the gentleman remember that bill? The House thought so little of the proposal that it killed it on a motion to strike the enacting clause.

Mr. WILLIS. I do not remember the details of that bill, but I do remember such a bill. But this is not the situation involved here.

Mr. GROSS. All I want is to be satisfied that a citizen cannot be compelled to leave the United States and testify in a case in a foreign country.

Mr. WILLIS. The answer is in the negative.

Mr. GROSS. I thank the gentleman.

Mr. Speaker, I withdraw my reservation of objection.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

There was no objection.

The Clerk read the bill, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section

1621 of title 18, United States Code, is amended, to read:

"§ 1621. Perjury generally

"Whoever, having taken an oath before a competent tribunal, officer, or person, in any case in which a law of the United States authorizes an oath to be administered, that he will testify, declare, depose, or certify truly, or that any written testimony, declaration, deposition, or certificate by him subscribed, is true, willfully and contrary to such oath states or subscribes any material matter which he does not believe to be true, is guilty of perjury, and shall, except as otherwise expressly provided by law, be fined not more than $2,000 or imprisoned not more than five years, or both. This section is applicable whether the statement or subscription is made within or without the United States."

Sec. 2. Section 3491 of title 18, United States Code, is amended to read:

"§ 3491. Foreign documents

"Any book, paper, statement, record, account, writing, or other document, or any portion thereof, of whatever character and in whatever form, as well as any copy thereof equally with the original, which is not in the United States shall, when duly certified as provided in section 3494 of this title, be admissible in evidence in any criminal action or proceeding in any court of the United States if the court shall find, from all the testimony taken with respect to such foreign document pursuant to a commission executed under section 3492 of this title, that such document (or the original thereof in case such document is a copy) satisfies the requirements of section 1732 of title 28, unless in the event that the genuineness of such document is denied, any party to such criminal action or proceeding making such denial shall establish to the satisfaction of the court that such document is not genuine. Nothing contained herein shall be deemed to require authentication under the provisions of section 3494 of this title of any such foreign documents which may otherwise be properly authenticated by law."

Sec. 3. The Act of July 3, 1930, 46 Stat. 1005, as amended by the Act of June 7, 1933 (48 Stat. 117; 22 U.S.C., secs. 270 through 270g), is repealed.

Sec. 4. (a) Chapter 113 of title 28, United States Code, is amended by inserting therein after section 1695:

"§ 1696. Service in foreign and international litigation

"(a) The district court of the district in which a person resides or is found may order service upon him of any document issued in connection with a proceeding in a foreign or international tribunal. The order may be made pursuant to a letter rogatory issued, or request made, by a foreign or international tribunal or upon application of any interested person and shall direct the manner of service. Service pursuant to this subsection does not, of itself, require the recognition or enforcement in the United States of a judgment, decree, or order rendered by a foreign or international tribunal.

"(b) This section does not preclude service of such a document without an order of court."

(b) The analysis of chapter 113 of title 28, United States Code, is amended by inserting:

"1696. Service in foreign and international litigation."

after:

"1695. Stockholder's derivative action."

Sec. 5. (a) Section 1741 of title 28, United States Code, is amended to read:

"§ 1741. Foreign official documents

"An official record or document of a foreign country may be evidenced by a copy, summary, or excerpt authenticated as provided in the Federal Rules of Civil Procedure."

(b) The analysis of chapter 115 of title 28, United States Code, is amended by striking:

"1741. Foreign documents generally; copies."

and inserting in place thereof:

"1741. Foreign official documents."

Sec. 6. (a) Section 1742 of title 28, United States Code, is repealed.

(b) The analysis of chapter 115 of title 28, United States Code, is amended by inserting after:

"1742. Land titles; foreign records."

the following:

"[Repealed]."

Sec. 7. (a) Section 1745 of title 28, United States Code, is amended to read:

"§ 1745. Copies of foreign patent documents

"Copies of the specifications and drawings of foreign letters patent, or applications for foreign letters patent, and copies of excerpts of the official journals and other official publications of foreign patent offices belonging to the United States Patent Office, certified in the manner provided by section 1744 of this title are prima facie evidence of their contents and of the dates indicated on their face."

(b) The analysis of chapter 115 of title 28, United States Code, is amended by striking:

"1745. Copies of foreign patent specifications and drawings."

and inserting in place thereof:

"1745. Copies of foreign patent documents."

Sec. 8. (a) Section 1781 of title 28, United States Code, is amended to read:

"§ 178. Transmittal of letter rogatory or request.

"(a) The Department of State has power, directly, or through suitable channels—

"(1) to receive a letter rogatory issued, or request made, by a foreign or international tribunal, to transmit it to the tribunal, officer, or agency in the United States to whom it is addressed, and to receive and return it after execution; and

"(2) to receive a letter rogatory issued, or request made, by a tribunal in the United States, to transmit it to the foreign or international tribunal, officer, or agency to whom it is addressed, and to receive and return it after execution.

"(b) This section does not preclude—

"(1) the transmittal of a letter rogatory or request directly from a foreign or international tribunal to the tribunal, officer, or agency in the United States to whom it is addressed and its return in the same manner; or

"(2) the transmittal of a letter rogatory or request directly from a tribunal in the United States to the foreign or international tribunal, officer, or agency to whom it is addressed and its return in the same manner."

(b) The analysis of chapter 117 of title 28, United States Code, is amended by striking:

"1781. Foreign witnesses."

and inserting in place thereof:

"1781. Transmittal of letter rogatory or request."

Sec. 9. (a) Section 1782 of title 28, United States Code, is amended to read:

"§ 1782. Assistance to foreign and international tribunals and to litigants before such tribunals

"(a) The district court of the district in which a person resides or is found may order him to give his testimony or statement or to produce a document or other thing for use in a proceeding in a foreign or international tribunal. The order may be made pursuant to a letter rogatory issued, or request made, by a foreign or international tribunal or upon the application of any interested person and may direct that the testimony or statement be given, or the document or other thing be produced, before a person appointed by the court. By virtue of his appointment, the person appointed has power to administer any necessary oath and take the testimony or statement. The order may prescribe the practice and procedure, which may be in whole or part the practice and procedure of the foreign country or the international tribunal, for taking the testimony or statement or producing the document or other thing. To the extent that the order does not prescribe otherwise, the testimony or statement shall be taken, and the document or other thing produced, in accordance with the Federal Rules of Civil Procedure.

"A person may not be compelled to give his testimony or statement or to produce a document or other thing in violation of any legally applicable privilege.

"(b) This chapter does not preclude a person within the United States from voluntarily giving his testimony or statement, or producing a document or other thing, for use in a proceeding in a foreign or international tribunal before any person and in any manner acceptable to him."

(b) The analysis of chapter 117 of title 28, United States Code, is amended by striking:

"1782. Testimony for use in foreign countries."

and inserting in place thereof:

"1782. Assistance to foreign and international tribunals and to litigants before such tribunals."

Sec. 10. (a) Section 1783 of title 28, United States Code, is amended to read:

"§ 1783. Subpena of person in foreign country

"(a) A court of the United States may order the issuance of a subpena requiring the appearance as a witness before it, or before a person or body designated by it, of a national or resident of the United States who is in a foreign country, or requiring the production of a specified document or other thing by him, if the court finds that particular testimony or the production of the document or other thing by him is necessary in the interest of justice, and, in other than a criminal action or proceeding, if the court finds, in addition, that it is not possible to obtain his testimony in admissible form without his personal appearance or to obtain the production of the document or other thing in any other manner.

"(b) The subpena shall designate the time and place for the appearance or for the production of the document or other thing. Service of the subpena and any order to show cause, rule, judgment, or decree authorized by this section or by section 1784 of this title shall be effected in accordance with the provisions of the Federal Rules of Civil Procedure relating to service of process on a person in a foreign country. The person serving the subpena shall tender to the person to whom the subpena is addressed his estimated necessary travel and attendance expenses, the amount of which shall be determined by the court and stated in the order directing the issuance of the subpena."

(b) The analysis of chapter 117 of title 28, United States Code, is amended by striking:

"1783. Subpena of witness in foreign country."

and inserting in place thereof:

"1783. Subpena of person in foreign country."

Sec. 11. Section 1784 of title 28, United States Code, is amended to read:

"§ 1784. Contempt

"(a) The court of the United States which has issued a subpena served in a foreign country may order the person who has failed to appear or who has failed to produce a document or other thing as directed therein to show cause before it at a designated time why he should not be punished for contempt.

"(b) The court, in the order to show cause, may direct that any of the person's property within the United States be levied upon or seized, in the manner provided by law or court rules governing levy or seizure under execution, and held to satisfy any judgment that may be rendered against him pursuant to subsection (d) of this section if adequate security, in such amount as the court may direct in the order, be given for any damage that he might suffer should he not be found in contempt. Security under this subsection may not be required of the United States.

"(c) A copy of the order to show cause shall be served on the person in accordance with section 1783(b) of this title.

"(d) On the return day of the order to show cause or any later day to which the hearing may be continued, proof shall be taken. If the person is found in contempt, the court, notwithstanding any limitation upon its power generally to punish for contempt, may fine him not more than $100,000 and direct that the fine and costs of the proceedings be satisfied by a sale of the property levied upon or seized, conducted upon the notice required and in the manner provided for sales upon execution."

SEC. 12. (a) Section 1785 of title 28, United States Code, is repealed.

(b) The analysis of chapter 117 of title 28, United States Code, is amended by striking:

"1785. Privilege against incrimination."

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

The **SPEAKER**. This concludes the call of the Consent Calendar.

SMALL BUSINESS ACT AMENDMENTS

Mr. **PATMAN**. Mr. Speaker, I move to suspend the rules and pass the bill (S. 1309) to amend the Small Business Act, and for other purposes, with amendments.

The Clerk read as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) paragraph (2) of section 7(b) of the Small Business Act is amended to read as follows:

"(2) to make such loans (either directly or in cooperation with banks or other lending institutions through agreements to participate on an immediate or deferred basis) as the Administration may determine to be necessary or appropriate to any small business concern located in an area affected by a disaster, if the Administration determines that the concern has suffered a substantial economic injury as a result of such disaster and if such disaster constitutes—

"(A) a major disaster, as determined by the President under the Act entitled 'An Act to authorize Federal assistance to States and local governments in major disasters, and for other purposes', approved September 30, 1950, as amended (42 U.S.C. 1855–1855g), or

"(B) a natural disaster, as determined by the Secretary of Agriculture pursuant to the Consolidated Farmers Home Administration Act of 1961 (7 U.S.C. 1961);".

(b) Section 7(b) of such Act is further amended by striking out the period at the end of paragraph (3) and inserting in lieu thereof "; and", and by adding after paragraph (3) a new paragraph as follows:

"(4) to make such loans (either directly or in cooperation with banks or other lending institutions through agreements to participate on an immediate or deferred basis) as the Administration may determine to be necessary or appropriate to assist any small business concern in reestablishing its business if the Administration determines that such concern has suffered substantial economic injury as a result of the inability of such concern to process or market a product for human consumption because of disease or toxicity occurring in such product through natural or undetermined causes."

SEC. 2. Section 16 of the Small Business Act is amended by adding thereto the following new subsection:

"(c) Whoever, with intent to defraud, knowingly conceals, removes, disposes of, or converts to his own use or to that of another, any property mortgaged or pledged to, or held by, the Administration, shall be fined not more than $5,000 or imprisoned not more than five years, or both; but if the value of such property does not exceed $100, he shall be fined not more than $1,000 or imprisoned not more than one year, or both."

The **SPEAKER** pro tempore. Is a second demanded?

Mr. **KILBURN**. Mr. Speaker, I demand a second.

Mr. **PATMAN**. Mr. Speaker, I ask unanimous consent that a second be considered as ordered.

The **SPEAKER** pro tempore. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. **PATMAN**. Mr. Speaker, S. 1309, as amended by the Committee on Banking and Currency, is one of those very rare pieces of legislation which will do positive good to many, and arouse criticism from none. It will not require additional appropriation and will remove an inequity in existing law.

S. 1309 as amended contains three parts. There was a fourth part in the Senate bill as passed, but which has been deleted by the committee.

The old section 1, which was deleted by a committee amendment, would have involved an increased appropriation for the Small Business Administration's revolving fund. In line with President Johnson's economy drive, and with the concurrence of the SBA, the committee removed this section.

The second part of the bill, S. 1309, is the old section 2(a), now 1(a) in the bill as amended. This, Mr. Speaker, is the heart of the bill as reported. It amends section 7(b)(2) of the Small Business Act, to broaden the authority of the SBA to make disaster loans to small businesses. At present, this authority applies only to small businesses that have suffered economic injury because of drought or excessive rainfall. There is no reason to limit assistance to businesses damaged by two of nature's phenomena, when businesses injured by other natural disasters are not covered.

Last winter the citrus growers of the State of Florida suffered tremendous losses because of an untimely and unusual freeze. Floods, hurricanes, fire, earthquakes, and storms are equally natural disasters, and equally damage the competitive stamina of small businesses. The SBA needs the authority to extend its disaster loan assistance to small businesses suffering economic injury by these other unkind acts of nature. Many businesses depend on tranquil weather and the absence of natural calamity. There is no economic distinction between one sort of disaster and another. And the SBA has assured us that the broadening of the disaster loan authority will not cost any extra money. It can be financed within existing appropriations.

The third part of the bill is the old 2(b), now section 1(b). This subsection would extend the disaster loan authority to cases where economic injury was suffered by small businesses because of:

> The inability * * * to process or market a product for human consumption because of disease or toxicity occurring in such product through natural or undetermined causes.

Mr. Speaker, it is possible for an unfortunate incident in one branch of an industry to affect the entire industry. The recent unfortunate incident of the toxic fish brought havoc to the Great Lakes fishing industry, where small business is the prevalent form. Such occurrences are natural disasters like drought and earthquake in that they are of undetermined and unanticipated cause and produce a situation in which it is impossible to continue to market products for human consumption until the disease is eliminated. Again at no additional cost, we are in this provision extending the disaster loan program to small businesses which are subject to such unforeseen natural calamities arising from undetermined causes.

The last section of the bill provides the Federal Government with authority to bring criminal proceedings against anyone who steals property mortgaged or pledged to the SBA for a loan. This safeguard already applies to other lending programs and should apply equally to the SBA.

Mr. Speaker, I have itemized the provisions of S. 1309 as amended, and have detailed the justifications for each item. I hope that we can pass this bill now, for it is a bill that benefits many and harms none. It costs no extra money. It merely extends the hand of charity to those damaged by natural disasters.

Mr. **EVINS**. Mr. Speaker, will the gentleman yield?

Mr. **PATMAN**. I yield to the gentleman from Tennessee.

Mr. **EVINS**. Mr. Speaker, I am in favor of the adoption of the pending bill—amendments to the Small Business Act as reported by the House Banking and Currency Committee which are desirable and needed.

During the last session, I introduced a bill embracing substantially the same amendments as are proposed here today. When my bill, H.R. 5480, was introduced during April of last year, it was reported by the Small Business Administration that an increase in SBA's revolving fund was needed—or would be needed. I am advised now, however, that the Small Business Administration has indicated that additional funds are not urgently required by the revolving fund—the loan fund of SBA—and that an increase in the present authorization can be postponed.

The committee, therefore, has acted properly and wisely in not recommending an additional authorization fund at this time—and such an amendment is not included in the bill before the House today.

Concerning the disaster loan aid provided by the Small Business Administration, present legislation authorizes disaster loans only to those small business concerns which have suffered substantial economic injury because of drought or excessive rainfall—disaster aid is dependent entirely upon rain—too much or too little.

There appears to be no equitable reason for excluding from the SBA disaster loan program, small businesses that have suffered disaster or economic injury other than those caused by the absence or excess of rainfall, such as calamities caused by earthquakes, fire, storms, and freezing, as well as the impairment of the marketability of foods caused by toxicity, such as the disaster which occurred in the Great Lakes fishing industry. This would certainly seem to have an equally valid claim for disaster aid.

The proposed amendments would make aid available to small business concerns suffering economic injury due to these and other natural and undetermined causes. In other words the amendments broaden the loan authority of the SBA in the disaster area. This is appropriate and proper.

There have been less complaints and more praise concerning the disaster loan program, administered by SBA than any other loan program of the Federal Government of which I am familiar.

Since the inception of this program—disaster aid—the Small Business Administration has granted nearly 22 000 disaster loans for a total of $205 million in needed areas.

The broadened amendments in this area should be adopted. An additional amendment provides for a fine or imprisonment of those who unlawfully and intentionally conceal, remove, convert or dispose of property mortgaged or pledged to the Small Business Administration. It is certainly a criminal act to dispose of property mortgaged to the SBA and an amendment along this line is necessary in order to protect the public interest.

Such an amendment was recommended by the House Small Business Committee in its final report of the 87th Congress.

Those who would defraud the Government by the removal or disposal of property mortgaged or pledged to the SBA should be punished either by fine or imprisonment or both, and this amendment is certainly in order and is proper.

I am in favor of the amendments set out in the bill before the House today, and I urge the adoption of this pending measure.

I thank the gentleman from Texas.

Mr. PATMAN. I thank the gentleman from Tennessee.

Mr. HALEY. Mr. Speaker, will the gentleman yield?

Mr. PATMAN. I yield to the gentleman from Florida.

Mr. HALEY. I ask the gentleman whether the proposed legislation is broad enough so that loans could be made to grove owners whose trees have been destroyed in freezes.

Mr. PATMAN. It is.

Mr. HALEY. I thank the gentleman.

Mr. PATMAN. Mr. Speaker, I reserve the remainder of my time.

Mr. KILBURN. Mr. Speaker, I yield myself such time as I may consume.

The chairman of our committee has described the bill in excellent terms, so that all Members can understand it.

Mr. Speaker, I now yield 5 minutes to the gentleman from Michigan [Mr. HARVEY].

Mr. HARVEY of Michigan. Mr. Speaker, I join our chairman in support of the bill.

I point out to the Members of the House that the fishermen in Michigan have been hard hit by reason of the discovery of the deadly form of botulism in fish in the Great Lakes, and as a result of subsequent orders by the Food and Drug Administration.

This situation in many respects is quite similar to that with respect to cranberries, which occurred a few years ago. Members of the House will recall at that time a different program was followed. In fact, at that time the House approved an indemnity program of some $8.5 million to more than 1,000 cranberry growers.

We are not asking for an indemnity program at this time, but merely point out that this particular bill would extend to the fishermen, in the fishing industry of Michigan, the right to secure small business loans as others in America now do because of drought or excessive rainfall.

I join again with my chairman. I commend him and other members of the committee for bringing up the bill.

Mr. FORD. Mr. Speaker, will the gentleman from Michigan yield?

Mr. HARVEY of Michigan. I yield to the gentleman from Michigan.

Mr. FORD. I join with the gentleman from Michigan in his remarks, and indicate my affirmative support for this proposed legislation.

Mr. HARVEY of Michigan. I thank the gentleman.

Mr. KILBURN. Mr. Speaker, I yield 1 minute to the gentleman from Michigan [Mr. KNOX].

Mr. KNOX. Mr. Speaker, at this time I join with my colleagues from Michigan and the members of the committee in support of the bill. Although I believe the legislation does not go far enough in order to bring about the full relief that is needed so far as the commercial fishing industry of the Great Lakes is concerned, I believe it will be a step in the right direction. I hope passage of the legislation will alleviate some of the problems now existing in that area.

Mr. KILBURN. Mr. Speaker, I yield 1 minute to the gentleman from New Jersey [Mr. WIDNALL].

Mr. WIDNALL. Mr. Speaker, I fully support this legislation. I urge its enactment.

This legislation is a logical extension of the present loan policy which applies only to disaster loans for losses resulting from drought or excessive rainfall. No discrimination should occur against the small businessman suffering losses simply because he lives and works in an area of the Nation unaffected by some specific type of disaster. There is a need to protect the small businessman against a whole range of natural disasters which can and do occur in a country as large as the United States.

I do not think there is any question of the value of this loan program. In my own State of New Jersey, in my own district, droughts the past 2 years have caused losses and hardships and the value of this loan program has been made apparent.

By broadening the definition of disaster, we do not enlarge the program in terms of costs since existing appropriations will be sufficient. What we are doing is increasing the number of businesses who can take advantage of an already proven program when natural disaster strikes.

Mr. BLATNIK. Mr. Speaker, I strongly support the bill now before us, S. 1309, which would widen the very narrow definition of "disaster" now applicable to small business loans. Specifically, the bill would permit SBA disaster loans to Great Lakes fishermen hard hit by the recent smoked fish scare. The Food and Drug Administration announcement of October 25, which warned consumers about smoked fish, was truly a disaster to Great Lakes fisherman and processors. Twenty thousand fishermen in the Great Lakes have lost their jobs and many smoked fish processors are on the brink of bankruptcy. We hope to turn the tide and this bill will help immensely.

Passage of this bill would come at a crucial stage, when fishermen need loans to get ready for the coming season. Because the bottom dropped out of the smoked fish market, many of the fishermen and processors have been unable to secure loans through normal channels and have been unable to meet their obligations as they come due. It is essential that they receive these loans to tide them over until the market returns to normal. We can't afford to see them go down the drain—they are a vital part of our Minnesota economy.

My State, Minnesota, has been active in helping restore the industry to public confidence, while providing extra protection for the public. They have issued regulations requiring that all smoked fish processors meet certain minimum standards to insure protection of consumers. While no fish from Minnesota were involved in last fall's scare, the Minnesota State Department of Agriculture is acting quickly and forcefully to prevent any such occurrence in Minnesota.

Mr. Speaker, I would like to commend my good friend from Texas [Mr. PATMAN], the chairman of the Committee on Banking and Currency, who worked hard on this bill and showed such an understanding of the problems of our Great Lakes fishermen and processors. The small businessmen of America can rest assured that they have an able advocate in the gentleman from Texas [Mr. PATMAN].

S. 1309 is one measure in a broad arsenal of weapons designed to restore the Great Lakes fisheries to normal market conditions. In addition, I am working for passage of my bill, H.R. 9408, which would authorize direct temporary compensation to economically distressed fishermen and small processors similar to that paid cranberry growers during the cranberry scare of 1959. When jurisdiction over fisheries was transferred to the Department of Interior, Congress neglected to give Interior the same authority to help fishermen as the Secretary of Agriculture had to aid farmers. My bill would remedy that oversight.

Mr. Speaker, I urge my colleagues to support S. 1309, which will benefit small businessmen throughout the country and will particularly aid my people in northeastern Minnesota, as well as fishermen and processors throughout the Great Lakes.

Mr. ZABLOCKI. Mr. Speaker, I rise in support of S. 1309, legislation which would amend the Small Business Act and hopefully provide some alleviation for the recently crippled Great Lakes fishing industry.

This legislation would extend existing disaster-type loans to small businesses suffering economic injuries from natural disasters or undetermined causes.

Mr. Speaker, it is clear that the passage of this bill may provide badly needed economic relief for Wisconsin's fishing industry. As we all know, the processors and producers of fish products in Wisconsin and throughout the Great Lakes area realized a sharp drop in sales following a suggestion from the Federal Food and Drug Administration that all Great Lakes smoked fish be destroyed.

The FDA action was a result of a few cases of death through poisoning in several cases of botulism, a deadly organism due to fish contamination.

Even though the warning applied only to smoked fish and not to fresh, frozen, pickled, or canned items, sales slumped. As a result, the Great Lakes fishing industry suffered a crippling blow from which it is striving to recover.

This legislation, according to my understanding, could assist in the rebuilding of the fishing industry in Wisconsin and the other Great Lakes States, by enabling them to apply for loans through the Small Business Administration. Certainly this industry is one which has suffered substantial economic injury because of a natural or undetermined cause.

The confidence of consumers is gradually being restored through the energetic efforts of the fish producers themselves. With this legislation, one of Wisconsin's oldest and proudest industries has a fair chance of obtaining the gain necessary to survive this serious economic blow.

The SPEAKER. The question is on the motion of the gentleman from Texas [Mr. PATMAN] that the House suspend the rules and pass the bill S. 1309, as amended.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the bill as amended was passed.

A motion to reconsider was laid on the table.

SMALL BUSINESS INVESTMENT ACT AMENDMENTS OF 1963

Mr. PATMAN. Mr. Speaker, I move to suspend the rules and pass the bill (S. 298) to amend the Small Business Investment Act of 1958.

The Clerk read as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Small Business Investment Act Amendments of 1963".

SEC. 2. The second sentence of section 302(a) of the Small Business Investment Act of 1956 is amended to read as follows: "In order to facilitate the formation and growth of small business investment companies, the Administration is authorized, notwithstanding any other provisions of law (but only to the extent that the necessary funds are not available to the company involved from private sources on reasonable terms), to purchase the debentures of any such company in an amount not to exceed—

"(1) the lesser of $400,000 or the amount of the paid-in capital and surplus of the company from other sources; but debentures of a small business investment company may be purchased by the Administration under the authority of this paragraph only during such period (in no case ending more than five years after the date of the issuance of such company's license under section 301(c) or the date of the enactment of the Small Business Investment Act Amendments of 1961, whichever is later) as may be fixed by the Administration; and in addition

"(2) the lesser of $300,000 or the amount by which the paid-in capital and surplus from other sources exceeds $400,000; but additional debentures may be purchased by the Administration under the authority of this paragraph only during such period (in no case ending after June 30, 1965) as may be fixed by the Administration."

SEC. 3. Section 303(b) of the Small Business Investment Act of 1958 is amended to read as follows:

"(b) To encourage the formation and growth of small business investment companies, the Administration is authorized (but only to the extent that the necessary funds are not available to the company involved from private sources on reasonable terms) to lend funds to such companies either directly or by loans made or effected in cooperation with banks or other lending institutions through agreements to participate on an immediate or deferred (standby) basis. Such loans shall bear interest at such rate (in no case lower than the average investment yield, as determined by the Secretary of the Treasury, on marketable obligations of the United States outstanding at the time of the loan involved) and contain such other terms as the Administration may fix, and shall be subject to the following restrictions and limitations:

"(1) The total amount of obligations of any one company which may be purchased and outstanding at any one time by the Administration under this subsection (including commitments to purchase such obligations) shall not exceed 50 per centum of the paid-in capital and surplus of such company or $4,000,000, whichever is less.

"(2) All loans made under this subsection (b) shall be of such sound value as reasonably to assure repayment.

"(3) In agreements to participate in loans on a deferred basis under this subsection, such participation by the Administration shall not be in excess of 90 per centum of the balance of the loan outstanding at the time of disbursement."

SEC. 4. Section 306 of the Small Business Investment Act of 1958 is amended to read as follows:

"AGGRAVATE LIMITATIONS

"SEC. 306. Without the approval of the Administration the aggregate amount of obligations and securities acquired and for which commitments may be issued by any small business investment company under the provisions of this Act for any single enterprise shall not exceed 20 per centum of the combined capital and surplus of such small business investment company authorized by this Act, or $1,500,000, whichever is the lesser."

SEC. 5. The last sentence of section 308(b) of the Small Business Investment Act of 1958 is amended to read as follows: "Such companies may invest funds not reasonably needed for their current operations in direct obligations of, or obligations guaranteed as to principal and interest by, the United States, or in savings or share accounts in any institution the deposits or accounts of which are insured by the Federal Deposit Insurance Corporation or the Federal Savings and Loan Insurance Corporation."

SEC. 6. (a) The Small Business Investment Act of 1958 is further amended by adding at the end of title III a new section as follows:

"CONFLICTS OF INTEREST

"SEC. 312. For the purpose of controlling conflicts of interest which may be detrimental to small business concerns, to small business investment companies, to the shareholders of either, or to the purposes of this Act, the Administration shall adopt regulations to govern transactions with any officer, director, or shareholder of any small business investment company, or with any person or concern, in which any interest, direct or indirect, financial or otherwise, is held by any officer, director, or shareholder of (1) any small business investment company, or (2) any person or concern with an interest, direct or indirect, financial or otherwise, in any small business investment company. Such regulations shall include appropriate requirements for public disclosure (including disclosure in the locality most directly affected by the transaction) necessary to the purposes of this section."

(b) That part of the Table of Contents of such Act which describes the matter included in title III is amended by adding at the end thereof the following:

"Sec. 312. Conflicts of interest."

The SPEAKER. Is a second demanded?

Mr. KILBURN. Mr. Speaker, I demand a second.

The SPEAKER. Without objection, a second will be considered as ordered.

There was no objection.

Mr. PATMAN. Mr. Speaker, the bill presently before the House is good legislation. This is my view, and it is the view of the other members of the Banking and Currency Committee.

The small business investment company program is one of the best programs ever adopted by the Congress in the economic field. At the time when it first came to this House, small businesses of every type were finding it harder and harder to obtain much-needed credit through regular channels. The Congress acted wisely to provide that through the instrument of SBIC's, private capital would be collected and pooled for investment in small businesses. Money that would otherwise have been unavailable to small businesses came within their reach. This is a wonderful program—a wonderful gesture of faith in the capacity of small business to serve this Nation.

None of us would want to contemplate the disappearance of small, independent, locally-owned businesses from the American economy. Yet I firmly believe that we were headed toward a gloomy event before we enacted the small business investment company program.

The bill that is before you today seeks to extend and amplify the present successful program of small business investment companies.

Fundamentally, S. 298 as amended seeks to facilitate investment in SBIC's and also investment by SBIC's. On the first point, broadening the capital base of the SBIC's, the bill temporarily raises the limit on the amount of subordinated debentures of an SBIC that may be purchased by the Small Business Administration, from $400,000 to $700,000.

As the committee pointed out in its report, the over-the-counter market is presently not providing adequate buyers for public sales of shares in SBIC's. Moreover, the SBIC's are not in a position to liquidate their present investments and return these funds to use for new investments. Many smaller SBIC's are locked into their present investment positions and are turning away borrowers who need their irreplaceable services.

The bill also provides explicit statutory sanction to the practice of having banks and other lenders participate with the SBA in the lending of operating funds to SBIC's.

No program that has been so very successful in its wholly admirable objectives as this one has, should be penalized for its success. Yet that is the danger at present. By having fulfilled the hopes of the Congress, and having lent out much-needed funds to small businesses until in some cases there is little or none left, the SBIC's have reached a point where they can go no further without more capital. No failure, but success, has brought this about.

On the second point, broadening the powers of the SBIC's to invest in small businesses, S. 298, as amended, raises the dollar limit on SBIC investment in a single small business concern, from $500,000 to $1,500,000.

There are no less than seven separate reasons why this increase in the dollar limit on SBIC investment in a single concern is necessary. First, the Senate Small Business Committee has found that it can cost one of the new small technically oriented companies as much as $50,000 in new capital to create a single new job. At that rate, $1,500,000—which may seem like a lot of money—will provide for as few as 30 employees—certainly still a small business. Second, only once or twice in the last 2 years has an equity issue of $1 million or less been floated successfully in the public securities markets. Furthermore, as SEC studies have shown, it is sometimes dangerous for a small company to go public prematurely, even if it can do so. The SBIC program thus provides a much needed way station between private ownership and public offerings. For eligible and worthy independent firms in the small business category, an SBIC may be the only suitable source of capital funds for growth. The equity gap between a half million and a million and a half must be filled if the SBIC program is to fulfill the hopes of its founders. Third, despite the fact that 90.2 percent of all SBIC investments have been in amounts of $500,000 or less, the dollar restriction has severely cramped the growth of eligible small businesses. A small business concern that has obtained a half million capital from an SBIC may find that its growth requires still more capital. Under present limitations, the SBIC's are forced to turn away the very companies that they have helped to make successful. Fourth, since the imposition of the $500,000 restriction in 1961, numerous worthy and well-qualified small businesses have not applied for SBIC financing, and have had to resort to more expensive and more difficult means of financing—when they could get it at all—simply because they recognized that they would eventually need more capital than half a million dollars, and they did not want to have their growth restricted by the legal limit. It need not be the destiny of small business to remain small, but the present dollar limitation certainly leans this way. Fifth, small business investment companies are private, profit-oriented lenders. Negative restrictions such as the dollar limit, which hamper their activities and decrease their profitability, make them very much less attractive to private investors and make their financing infinitely more difficult. The investment community has tended to regard the dollar limitation in this light, and has felt it to represent a sign of no confidence in the SBIC program on the part of Congress. This has discouraged private investors from putting their money to work in this field, which has hurt all applicant small businesses, both above and below the half million level. Sixth, as against the Senate proposal, which would have removed the dollar limitation altogether, your committee has raised the limit from $500,000 to $1,500,000. It cannot be said that the new limit will unduly restrict the operations of SBIC's, but it will assure that SBIC's will not tend to concentrate their lending in the area of larger small businesses. It is important that we retain the incentive to lend to both very small businesses and growing small businesses. Seventh, finally, there need be no fear that this increase will take the SBIC's out of the financing of strictly small businesses. They will still be restricted to businesses classified as small under the definitions established by the SBA. And they will still be limited, in their investment in any single concern, to a maximum of 20 percent of their capital and surplus. With these safeguards, I believe we can reasonably and confidently remove the unduly low dollar limit of a half million.

For these seven reasons, I earnestly recommend the raising of the dollar limit from $500,000 to $1,500,000.

Now the bill, S. 298, as amended, does two more things.

First, it gives explicit statutory recognition to the problem of conflict of interest. Now in the past, the SBA has used its implicit authority to issue regulations governing conflicts of interest, but it is necessary to make doubly sure that safeguards in this area are present and effective at all times and in all cases. S. 298 gives explicit authority to the SBA to issue such regulations, and also requires that the regulations include provision for adequate public disclosure. This will increase public confidence in the SBIC's, and will surely make their search for investors much easier.

And last, the bill will liberalize the restrictions on how the SBIC's may employ their temporarily idle funds. At present these funds may be invested in U.S. Government securities, or placed in federally insured banks. There is no reason to discriminate between federally insured institutions for this purpose, and the bill would permit the temporarily idle funds to be placed in insured savings and loans as well as banks. This extension will provide greater flexibility, and possibly on occasion higher interest, for these funds, without in any way diverting funds from small businesses.

The Small Business Investment Company program has been in existence for 5½ years, and it has been successful beyond its hopes. Its very success has made this new legislation necessary. I think this is good legislation; certainly it is necessary legislation if the program is to continue with the assurance of further success. I urge the adoption of S. 298, as amended, speedily and by an overwhelming vote. It will mark a vote of confidence in the SBIC's, in the SBA, and in the small businesses of America.

Mr. EVINS. Mr. Speaker, will the gentleman yield?

Mr. PATMAN. I yield to the gentleman from Tennessee [Mr. Evins].

Mr. EVINS. Mr. Speaker, I would like to commend the distinguished gentleman from Texas for bringing before the House at this time this bill amending the Small Business Investment Company Act of 1958. I think these amendments are needed, essential and necessary if the small business investment company program is going to succeed.

I would like to ask the gentleman, in view of the fact that this act was passed initially some 5 years ago at which time it held out great hope and great promise that the small business investment companies would really provide equity capital and long-term financing to assist small business, whether or not this is a true fact.

In 1961 we passed other amendments to liberalize this law in an effort to make it work—make the program effective. This is about the third time that the Congress has amended and extended the small business investment company program. We have authorized advancing the taxpayers' money into this program in an effort to make the small business investment companies work. I believe these further amendments should be adopted. However, I must say that some of the friends of the SBIC program are becoming somewhat disenchanted because they are not able to stand on their own feet and function under the present law as intended. I think these amendments should serve to make the program function and function efficiently as intended by the Congress.

Mr. PATMAN. I thank the gentleman from Tennessee.

Mr. EVINS. Does the gentleman agree?

Mr. PATMAN. I agree with the gentleman.

We are making rapid progress, but much has to be done. I agree with the gentleman.

Mr. EVINS. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the Record.

The SPEAKER. Is there objection to the request of the gentleman from Tennessee?

There was no objection.

Mr. EVINS. Mr. Speaker, I am in favor of passage of S. 298 as reported with amendments by the House Banking and Currency Committee.

As a member and later chairman of the House Small Business Committee, I have had the opportunity to closely watch this program from its inception.

It was an entirely new program—a new concept of supplying equity financing and long-term loans to small business concerns of the Nation when it was adopted in 1958. There have been times when it appeared the program was slow in getting off the ground. There were times when it appeared to some that this program could not succeed. However, the program must succeed.

Mr. Speaker, the Small Business Investment Act was first passed in 1958, and since that time the SBA has licensed and chartered some 730 small business investment companies. These small business investment companies—SBIC's—have a total capital and surplus today of approximately $600 million.

At the time of the passage of the original act—some 5 years ago—the law provided for the Government to participate in the formation of these new investment companies by SBA purchasing securities of the SBIC's in order that they might be adequately financed to make equity loans to small business concerns throughout the country.

In 1961, the formula for the Small Business Administration to make additional loans in further participation in the SBIC program was passed by the Congress.

Today, we are providing for further liberalization of the SBIC program with the expectation in mind that the SBIC's will serve their intended purpose, namely, to make equity loans to needed small business concerns throughout the country.

I am advised that more than $450 million has to date been supplied to small business firms through these companies.

The ratio of private capital to Government capital is more than 4 to 1.

The program is advanced to the point where it has become apparent that it is necessary to encourage additional capitalization.

Our committee is advised that the smaller SBIC's have reached the point where all or almost all of their funds are invested—they have become locked into an investment position and are incapable of further activity.

It is, thus, apparent that some amendments to this act are needed. Moreover, restrictions on the amount of funds that can be applied to one small business concern in some instances curtail the effectiveness of the program.

A subcommittee of the House Small Business Committee, in its report on the Organization and Operation of the Small Business Administration during the 87th Congress, recommended that amendments to enhance the flow of capital to small business concerns were needed or would be needed.

The report of the full committee at the end of the 87th Congress made similar recommendations that the amounts which may be advanced to individual SBIC firms be increased.

The distinguished chairman of the House Committee on Banking and Currency, the gentleman from Texas [Mr. Patman], introduced similar legislation during the 87th Congress in his bill, H.R. 13189.

He again introduced similar legislation in the early part of the 88th Congress in his bill, H.R. 799.

The original intent and purpose of the creation of the Small Business Investment Act by Congress was most desirable as equity capital and long-term financing is essential and necessary.

The original act held out great hope and great promise, and as indicated, the SBIC's must be made to work and function as intended by Congress.

However, a number of friends of the SBIC program are becoming somewhat disenchanted.

Many small business concerns are complaining that the SBIC's are not living up to their intended hope, promise, and expectation.

Many truly small business companies needing equity capital and long-term financing complain that the SBIC's are ineffective and that they have not and are not serving the purposes intended by Congress.

I, for one, hope that with the passage of amendments today, the SBIC's will become effective and useful instruments for financing—truly small business concerns needing equity capital and long-term financing and that the directors of the small business investment companies will seek to be guided not by the greed of profit alone, but by the will of Congress in creating these financial institutions.

GENERAL LEAVE TO EXTEND REMARKS

Mr. KILBURN. Mr. Speaker, I ask unanimous consent that any Member may have permission to extend his remarks at this point in the Record on this bill.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. KILBURN. Mr. Speaker, I think the chairman has described the bill very well, but I am not sure he covered one provision we put in the bill in committee. That was to limit the participation of Small Business Administration to 90 percent. The reason for that is we want those who participate to have something in the kitty so they will be interested and cannot get out free and whole. They would be interested in the small business, and it follows until the whole loan is paid.

The SPEAKER. The question is on suspending the rules and passing the bill.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the bill was passed.

GENERAL LEAVE TO EXTEND REMARKS

Mr. PATMAN. Mr. Speaker, I ask unanimous consent that all Members may be allowed to extend their remarks in the Record on the bills S. 1309 and S. 298.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

NATIONAL POLICE HALL OF FAME TO HONOR PRESIDENT JOHN F. KENNEDY AND PATROLMAN J. D. TIPPIT

Mr HALEY. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Florida?

There was no objection.

Mr. HALEY. Mr. Speaker, on Friday afternoon, January 17, 1964, the National Police Hall of Fame honored the memory of President John F. Kennedy and Patrolman J. D. Tippit.

The National Police Hall of Fame, located in North Port Charlotte, Fla., is a memorial to law-enforcement officers killed in the line of duty. At the ceremonies, Mrs. Tippit received on behalf of her late husband the National Police Officers Association of America posthumous Medal of Honor, the highest police award given for death in the line of duty.

At the ceremonies, Mrs. Tippit also was presented with a check of $2,463 which came from donations of the National

Police Officers Association and visitors to the Hall of Fame.

Under permission granted, I place in the Record at this time a statement describing the ceremonies that did take place that afternoon:

The National Police Hall of Fame To Honor President John F. Kennedy and J. D. Tippit

On January 17, 1964, at 1:30 p.m., the National Police Hall of Fame, North Port Charlotte, Fla., will dedicate a plaque to the memory of two deceased law-enforcement officers killed in the line of duty. They are President John F. Kennedy and Patrolman J. D. Tippit, of Dallas, Tex. Both died on November 22, 1963, at the hands of an assassin.

Ceremonies will include in attendance Mrs. J. D. Tippit, widow of the slain officer who will receive on behalf of the National Police Officers Association of America the posthumous Medal of Valor. This is the highest police award given for line of duty death. Assisting in this program will be Chief Gerald S. Arenberg, director, National Police Hall of Fame; Chief John D. De Baltz, national secretary; Sheriffs Don Genung, Ross Boyer, Kenneth Gross, Travis Parnell, Herb Blackburn, Snag Thompson, Police Chiefs Al Seneker, Bill Taylor, John Shockey, Burl Underhill, and Francis Scott.

Representatives of the clergy will include Dr. Terrance Peterson, Rev. Charles Cutherperson, Msgr. John Cummings, who will be in charge of dedication ceremonies.

The citation of the National Police Hall of Fame will read as follows:

"The Medal of Valor is hereby awarded to Patrolman J. D. Tippit, Dallas Police Department, Texas, in recognition of outstanding heroism, valor and meritorious service above and beyond the call of duty. That Officer J. D. Tippit while attempting to question the alleged assasin of the President of the United States was shot and killed. That his death lead comrades directly to the assasin in a nearby movie theater and prevented his escape from the country. This certificate is presented as a tribute to the loyalty and devotion of this officer to the preservation of law and order in our county and his community. Posthumously presented this 17th day of January 1964."

Signed by Donald H. Snyder, national president; Frank J. Schira, executive director; and Gerald S. Arenberg, resident director.

The mayor of North Port Charlotte, Col. Flavius Wood, and city commissioners, Thelma Roeder, Hubert Fox, Walter Cosman, and William McGee, presented Mrs. J. D. Tippit with a resolution of memorial on behalf of the community.

The National Police Officers Association of America sponsors the Police Hall of Fame which is a memorial to law-enforcement officers killed in the line of duty. It was dedicated on October 15, 1960, and lists the names of all policemen in the United States who have given their lives in the war against crime.

The association is making plans to appeal to the people of this Nation to make a fund available to all the families of officers killed in the line of duty for the education of their children. This would be known as the Tippit-Hall of Fame scholarship fund and would be available nationwide to police families.

President Lyndon B. Johnson said: "I have heard it said of our police that: No bands play and no crowds cheer as they go up dark alleys. It seems to me that this is an accurate description. But even though the bands do not play and the crowds do not cheer, the policemen who have given their lives for contributing to the security and the safety of our citizens deserve a prominent place in our hearts."

THE REA

Mr. TRIMBLE. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Arkansas?

There was no objection.

Mr. TRIMBLE. Mr. Speaker, rural electrification has made its way into the hearts of rural America, and its record needs no defense. It has brought the comforts and conveniences of electricity to millions of people since 1935. The rural electric cooperatives have been paying their loans to the Federal Government and have been serving areas which were unprofitable for the private power companies to serve.

Recently, criticism has been leveled at the Rural Electrification Administration, about certain activities of its administration.

Whether one is for rural electrification or against it, I think it proper that both sides be presented. By permission granted, I insert in the Record as part of my remarks this rebuttal by the Rural Electrification people:

U.S. Department of Agriculture,
Rural Electrification Administration.

Following are comments on an article which appeared in the December 1963 issue of Reader's Digest. They were prepared by REA in response to a number of requests for information about certain statements in the article which were especially misleading or in error.

Reader's Digest: "Created in 1935 to bring electricity to farm areas."

The facts: The Rural Electrification Act of 1936 says in section 4 that REA loans shall be made "for the furnishing of electric energy to unserved persons in rural areas." Section 13 defines "rural areas" as including "both the farm and nonfarm population."

Critics of REA and its borrowers have long attempted to convince the public that REA loans should be used only for farms, but not for schools, churches, nonfarm rural residences, service stations, and other commercial and industrial consumers. The act makes clear that all unserved rural establishments are eligible for service.

Reader's Digest: "The Rural Electrification Administration has grown into a many-headed monster."

The facts: REA has been assigned one additional task since adoption of the Rural Electrification Act in 1936—the extension and improvement of rural telephone service, also through a loan program. REA had fewer employees in 1963 than in 1953 (992 in 1963, 1,126 in 1953).

Reader's Digest: "Eating into the entire electric power industry."

The facts: During the period 1937–62, the number of power company consumers increased from 23.5 to 48.9 million and combined revenues of the companies rose from $2.2 billion per annum to $11.4 billion. In 1 year alone, 1961 to 1962, their net profits increased by about 10 percent.

The electric power market served by cooperatives financed by REA was developed by them from scratch. It is a market that was bypassed by the companies. REA financing cannot be used to extend service to consumers in cities, nor can it be used to duplicate service already provided by existing power suppliers.

Rural electrification is, in fact, good business for power companies. REA borrowers purchase $100 million worth of electric power at wholesale from commercial power suppliers annually for rural distribution. Since 1940, REA borrowers have purchased more than $1 billion worth of power from the companies. Generating capacity of REA borrowers is only 1 percent of the industry's capacity.

Reader's Digest: "Eating into * * * the taxpayer's pocketbook."

The facts: REA conducts lending programs, not giveaway programs. Its borrowers repay their loans with interest. The electric and telephone borrowers have paid $2 billion to the U.S. Treasurer in principal and interest payments.

The above comments apply to the heading of the article. In the pages of text that follow there appears an abundance of loose and unsupported statements. Here are a few samples from the first page:

Reader's Digest: "But down in the fine print the picture changed" (line 8).

The facts: This refers to a press release of April 30, 1963, by the U.S. Department of Agriculture, giving a report on REA electric loans made during the period April 11–24, 1963.

In double-spaced copy the announcement said, "3,000 rural consumers will receive electricity for the first time as a result of loans approved by the Rural Electrification Administration." And that is the fact explained in single-spaced copy in what Reader's Digest chooses to call the fine print. The magazine takes exception to the fact that 1 of those 3,000 consumers is an isolated radar tracking station. The location is 15 miles from the nearest town. It is in the heart of rural territory served for 22 years by the Choctawhatchee Electric Cooperative of De Funiak Springs, Fla.

Reading further, it becomes apparent to one who is familiar with the facts that much of the Digest's article is designed to support the contention of Gulf Power Co. that the Federal Government should have given it the contract to build lines into Choctawhatchee's service area to serve this particular rural power load. The one-sided story tells why it thinks Gulf Power Co., the high bidder, should have been given the contract in preference to the locally owned system which submitted the lowest bid to serve this rural load situated well within the service area which it pioneered and developed.

Reader's Digest: "$4,063,000 handout" (line 10).

The facts: The so-called handout is a loan that will be repaid with interest. The article overlooks that the Gulf Power Co. is enjoying special benefits under Federal law which are not available to all business firms. As of December 31, 1961, the company had available for its corporate purposes the amount of $6,900,000, representing deferred Federal income taxes, the equivalent of a Government loan without interest. Under the liberalized depreciation allowances, the company is receiving additional benefits. These amounted to more than $700,000 in 1961, and the company will continue to receive additional amounts annually. In contrast, the cooperative has received $6,656,000 in loans, every dollar of which must be repaid with interest.

Reader's Digest: "The tax-free co-op" (lines 16, 17).

The facts: All REA-financed cooperatives pay State and local taxes. They do not pay Federal income taxes because they do not make a profit. Any margins remaining at the close of the year's operations are paid back to consumers in rate reductions, in cash patronage refunds, or credited to their accounts as capital credits to be repaid later. The Gulf Co., of course, pays income tax on the profit it makes. However, it is well known that it, like other power companies, is permitted to include income tax on profits as a part of its approved rate. The company collects from customers (in this case the Federal Government) enough money to pay the tax to the Government.

Reader's Digest: "Gulf Power Co. offered to furnish the electricity from its nearby power system. Having served the base for 22 years, it was easily able to run in additional high-voltage lines" (lines 6–10 of col. 2).

The facts: This wording is even more ingratiating toward the Gulf Power Co. than that used by the company's own president, R. L. Pulley, when he testified before the subcommittee of the House Committee on Appropriations, April 2, 1963: "In October 1962, the Air Force invited Gulf Power Co. and Choctawhatchee Electric Cooperative to submit proposals. * * *"

Regarding the "nearby" power system, the proposal submitted by Gulf Power Co. called for construction of 81 miles of transmission line in order to serve the radar installation, according to a sketch attached to President Pulley's own statement.

The phrase "served the base" actually refers to Gulf service to the towns of De Funiak Springs some 15 miles to the north and Fort Walton Beach about 20 miles to the west of the radar site. The company has no electric lines in the eastern or southeastern part of the 800 square miles of the Eglin Field Military Reservation, as the cooperative has.

Gulf may have been "easily able" to run in lines, as Reader's Digest says, but Gulf's bid price to do this was higher than that of Choctawhatchee.

Reader's Digest: "Its vast transmission grid guaranteed instant emergency service" (lines 11–13 of col. 2).

The facts: The company's president promised "virtually uninterrupted service."

Reader's Digest: "An REA co-op—with no standby emergency system" (lines 15, 16 of col. 2).

The facts: There is no such thing as an "REA co-op," although this loose terminology is often used to give the impression that it is a branch of the Federal Government.

Actually this and other rural electric cooperatives are locally owned, locally controlled enterprises, incorporated under the laws of the States in which they operate. They are private enterprises because they are owned by specific groups of people. REA does not construct, own, or operate electric facilities.

Reader's Digest is in error about "no standby emergency system." This was a requirement of the contract, and the REA loan announcement specified a standby gas turbine unit for this purpose. It is a practice of the Government to provide important military installations with two and even three sources of power. It is called redundant supply.

Reader's Digest: "With its only adequate source of power 60 miles away in Alabama" (bottom of first page and top of second page).

The facts: Choctawhatchee had to go to Alabama Electric Cooperative, a generation and transmission cooperative, for additional wholesale power because Gulf Power Co. turned down the cooperative's request. In a telegram dated January 25, 1963, Gulf's president said: "I must advise you that I am not prepared to supply you with power for resale to the Bendix load."

The following comments apply to statements on page 2 of the article:

Reader's Digest: "Astonishingly * * * the co-op was awarded the contract" (line 3).

The facts: It would have been astonishing if the Air Force had not awarded the power supply contract to the low bidder offering guaranteed performance.

Reader's Digest: "Ruthless squashing of private enterprise" (lines 11, 12).

The facts: Since both bidders for the contract are owned and controlled by private citizens, it is hard to imagine how Reader's Digest sees an REA loan to one of them as "ruthless squashing of private enterprise."

Reader's Digest: "This * * * will impose a $2,645,702 penalty on all taxpayers" (lines 13–15).

The facts: Reader's Digest "penalty" figure is achieved by (1) assuming the Treasury pays 4 percent interest for all the money it obtains (it does not); (2) assuming the interest rate on Treasury long-term borrowings will be twice the REA interest rate for each of the next 35 years (the average rate on these Treasury borrowings was less than 2 percent in 1950 and 1951, and for the years 1943 through 1948); (3) assuming the cooperative will take the maximum 35-year period to pay off this loan (many REA borrowers have paid off ahead of schedule); (4) assuming the income taxes of Gulf will remain constant for the next 35 years.

Reader's Digest: "This 2-percent subsidy will cost the Treasury $1,123,202" (lines 25, 26).

The facts: This is an assumption (see comment above).

Reader's Digest: "REA has deprived the Government of $43,500 a year in corporation taxes" (lines 29–31).

The facts: The figure is an assumption (see comment above). It is an amount which the Digest says Gulf would have paid the Treasury if it had bid low enough to get the Air Force contract, and if it could have made enough profit from the Government contract to pay back that amount of income taxes if the tax rates remain constant for the next 35 years.

Reader's Digest: "In Indiana tax-fed co-ops" (lines 33, 34).

The facts: Rural electric co-ops in Indiana paid $1,348,379 in State and local taxes in 1962.

Reader's Digest: "Pirating away millions of dollars' worth of business from private enterprise * * * almost everywhere the electric cooperatives are doing business" (lines 34–36 and 38–40).

The facts: REA borrowers can hardly be a menace to other power suppliers since they serve areas that power companies had bypassed as unprofitable. There is no record of any power company going out of business because of competition from rural, nonprofit cooperatives. In fact, financial reports of the electric companies filed with the Federal Power Commission show that dividends paid on their common stock increased more than 39 percent during the 1938–62 period.

Reader's Digest: "With the job now virtually completed" (lines 11, 12 of col. 2).

The facts: Reader's Digest echoes power company propagandists who insist that because a line has been connected to the farmhouses, the job is done. Legal opinions which have been supported by court decisions, including a Federal court and many State courts, have held that persons in rural areas first served through REA loans may continue to have their lines heavied-up and to shift their sources of power, in proper cases, over to REA-financed generation and transmission systems. REA borrowers are connecting more than 100,000 new consumers a year. These new consumers coupled with increasing use of power by old consumers double the consumption of power on the REA-financed facilities every 7 to 10 years. Rural electrification is no more completed than urban electrification.

Reader's Digest: "1005 co-ops" (line 14 of col. 2).

The facts: There are 894 rural electric cooperatives which are active REA distribution borrowers, plus 23 which have paid their REA loans in full.

Reader's Digest: "Co-ops can boast well over 300,000 industrial and commercial customers" (lines 18–20 of col. 2).

The facts: The figure is correct but not nearly as significant as the article implies. Commercial and industrial consumers on the lines of REA borrowers make up less than 7 percent of the total, and only three-tenths of 1 percent constitute large loads (requiring a transformer in excess of 50 kilovolt-amperes).

All through the Reader's Digest article there seems to be an implication that any service to other than farms is improper or even sinful if provided by rural electric cooperatives. The Rural Electrification Act provides that loans may be made for service to all types of consumers in rural areas. This makes sense especially from the standpoint of (1) people who want electricity for needs in rural areas other than household and farmstead chores; (2) rural areas which need new enterprises to advance living standards and create additional wealth; and (3) the stability and future success of the rural electric system itself, through better balanced load. Revenues from commercial and industrial consumers help to offset the cost of service to isolated farms and remote ranches which still characterize most REA-financed systems. They serve an average of only 3.3 consumers per mile of line; the companies serve an average of 30 to 35 per mile. As for average revenue per mile of line, the cooperatives receive $414 per year. Class A and B companies collect more than $6,500 per year.

Reader's Digest: "REA's tax-supported co-ops" (lines 31, 32 of col. 2).

The facts: Rural systems financed through the REA program do not receive any revenue to support their operations from tax sources. All operating costs, including wages of employees, are fully met from revenues collected from consumers. It is also from these revenues that the cooperatives are repaying in full and with interest all capital funds borrowed from REA.

Reader's Digest: "187 of these supposedly rural co-ops were doing business in towns with populations of over 1,500" (lines 34–37 of col. 2).

The facts: If the authors of the Reader's Digest article had read a little further into the report on this survey, which appears in "supplement to hearings * * * on H.R. 7175," agriculture appropriations for 1960, they would have found that the Comptroller General had already ruled on a number of these instances, and that with the possible exception of 83 consumers in 7 towns, REA borrowers were found to have legal justification for the service provided to the small segment of their consumers in nonrural areas.

In the pages which follow in the Reader's Digest article, five general arguments are offered against the rural electrification program. Here are basic considerations which put each of the five contentions in more realistic perspective, without reference to individual points in the mixture of fact and fiction which filled the intervening paragraphs.

Reader's Digest: "REA co-ops with their 2-percent subsidy and tax-free advantages are competing unfairly with private business."

The facts: First, the cooperatives are private businesses. Second, they could not be competing with power companies, because they serve rural areas which the companies could not or would not serve.

The contention of the Digest authors seems to be that commercial power companies should be allowed to take over whatever electric loads or areas appear to be profitable, leaving what is left to the cooperatives. Such an approach to rural electrification would be disastrous. The leftover portions could not become self-sustaining. Three things could happen in those areas (1) no service at all, (2) rates so high that they would prevent broad and intensive use of electricity by consumers or (3) a heavy subsidy to keep the facilities in operation.

Congress early recognized that rural electrification has certain built-in handicaps: low density per mile of line, little load diversity to make maximum use of the expensive facilities, and isolated systems—isolated from big consumers and from sources of low-cost power. These still exist.

As a result, certain equalizers were provided: long-term, low-interest loans, REA technical assistance, and REA's authority to make generation and transmission loans where necessary to bring down the cost of power, to provide an adequate source of power, and to protect the security and effectiveness of the distribution systems. The rural people themselves added another equalizer—nonprofit operation through their cooperatives.

Objectives of the rural electrification program are: parity of service and rates with those of urban people (rural consumers pay on an average 20 percent more for the first 250 kilowatt-hours of electricity than the urban consumers), the development of self-sustaining systems, and elimination of the need for the equalizers provided by REA.

This approach to rural electrification is orderly and business-like. But in order to carry it to completion the cooperatives must have the right to do certain things.

First, the right to serve all the loads, large and small, that develop in their service areas.

Second, they must be permitted to apply the techniques of today's electric power industry to reduce power costs—large-scale generation and pooling arrangements and interconnections. Furthermore, they must be permitted to go about their business of developing the rural areas in which they operate.

Reader's Digest: "REA has barged into the industrial-loan business, an activity ridiculously far removed from its original design."

The facts: REA makes loans only for the following purposes (1) rural electrification, and (2) improvement and extension of telephone service in rural areas.

What the Digest refers to as "the industrial-loan business" are electric consumer financing loans made under section 5 of the Rural Electrification Act. This lending authority was provided by Congress in the original act of 1936, and has been used since that time.

The objectives of section 5 of the Rural Electrification Act are to assist rural people in the full use of electricity and, through the greater use of electricity, strengthen the rural electric system financially so that it can serve thinly settled areas at reasonable rates while paying off its REA loans. No section 5 loan is approved unless a determination is made that it meets these rural electrification purposes. Economic benefits to the community at large are noted when such loans are considered but they are not the basis for approval.

Section 5 loans are made to rural electric systems for relending to consumers on their lines who cannot get reasonable financing from any other source for the purchase and installation of electric wiring, plumbing, and electrical appliances, equipment and machinery. The local rural system must underwrite and assume responsibility to REA for repayment of such loans with interest.

These consumer-type loans make up less than 1 percent of total REA electric loans. They are used primarily by farmers and homeowners to finance installation of electrically operated appliances, equipment and wiring. Relatively few such loans over the years helped consumers who might be considered "industrial." This consumer financing assists rural people in making fuller use of electricity, strengthens the rural system financially so it can serve thinly settled areas at reasonable rates while paying off its REA loans. Amounts approved for consumer financing during the past 3 years are down more than 25 percent from the previous 3-year period.

In many areas these loans have served to prove the existence of a market for consumer financing, and have encouraged dealers, banks and other credit agencies to take over the job.

Reader's Digest: "REA-subsidized co-ops use their tax-free earnings for a variety of private, profitmaking ventures."

The facts: REA-financed cooperatives are private businesses, and it is the responsibility of each borrower to determine the proper use of its general funds. REA, however, is properly concerned that investments and expenditures of general funds shall not impair the Government's security, the ability of the borrower to repay its notes as scheduled, or the accomplishment of the objectives of the Rural Electrification Act. It therefore makes strong recommendations with respect to the general funds of its borrowers.

The earnings of rural electric cooperatives and other REA borrowers are used first of all to repay their Government loans. The co-ops are doing this on schedule and even ahead of schedule.

Every business enterprise, including suppliers of electric energy, must have on hand sufficient funds for normal operations and for adequate reserves in case of an emergency. Rural electric cooperatives are no exception. In addition, cooperatives cannot use REA loan funds for plant replacements. Poles and transformers and other items which wear out must be replaced out of revenues. REA recommends that a borrower should have reserve funds for plant replacements not exceeding 6 percent of total plant, reserve funds for contingencies not exceeding 3 percent of total plant, and sufficient working capital, not exceeding 6 percent of total plant. Further, REA recommends that all such working capital and reserves funds "be kept in banks whose deposits are insured by the FDIC or invested in securities of the U.S. Government or of institutions insured or guaranteed by the U.S. Government or by an instrumentality thereof."

From the Reader's Digest comments it is not clear whether the writers of the article expect the co-ops to operate without funds or whether they think it is proper to have operating and reserve funds providing they are kept as cash in the office safe and not deposited in banks or otherwise held in a manner their needs require.

Reader's Digest: "Many co-ops have been allowed to draw more funds from REA's kitty despite remarkable records of prosperity."

The facts: REA bulletin 1–7, dated February 12, 1962, provides that in reviewing loan applications, the amount and management of a borrower's general funds will be considered by REA * * * and that a loan application must be supported by a detailed analysis clearly justifying the amount and form of its deposits and investments where a borrower has general funds exceeding 20 percent of the cost of its facilities or where the nature of the borrowers' investments do not conform to REA's recommendations.

The three cases cited by Reader's Digest from 936 co-op borrowers of REA funds all predate the above regulation.

Reader's Digest: "REA is pouring out gigantic funds for the construction of co-op powerplants."

The facts: Congress recognized the necessity of low-cost power and secure sources of power for the conduct of an areawide rural electrification program when it granted REA authority to make loans to build generating and transmission facilities. Section 4 of the Rural Electrification Act of 1936 says: "The Administrator is authorized and empowered * * * to make loans * * * for the purpose of financing the construction and operation of generating plants, electric transmission and distribution lines or systems for the furnishing of electric energy to persons in rural areas who are not receiving central station service."

In the period immediately following establishment of the rural electrification program, loans for the construction of distribution systems took precedence. As REA borrowers connected additional members and as power usage increased, rural electric systems in many areas outgrew sources of supply. The growing need for adequate and dependable supplies of wholesale power at reasonable costs on the new rural distribution lines resulted in applications for generation and transmission loans.

REA makes these loans only under the following conditions: (a) Where no adequate and dependable source of power is available in the area to meet the consumers' needs, (b) where the wholesale rates charged by existing power suppliers are higher than those from facilities financed by REA would be, or (c) where generation and transmission facilities are necessary to protect the security and effectiveness of REA-financed systems. Loans approved by REA are based on detailed engineering studies which show comparative costs and other factors determining the soundness of the project.

Wholesale cost of power accounts for 42 percent of the average cost of providing retail electric service through REA-financed distribution systems. The price of this wholesale power is therefore significant in determining the rural electric cooperative's ability to deliver kilowatts to its members at rates comparable with those which prevail in nearby cities—a prime objective of the REA program.

Loans made for generation and transmission since the beginning of 1961 are estimated to reduce wholesale power costs to rural distribution systems by more than $70 million during the first 10 years of plant operation.

As a matter of REA policy, negotiations are conducted with existing suppliers for power. If satisfactory contracts cannot be obtained, REA makes loans for borrowers to build their own generating and transmission facilities where feasible.

With the addition of the security criterion in making loans for generation and transmission facilities, REA's aim is to broaden the opportunity of each borrower to serve all loads that may develop in the rural systems' service areas. This means the big loads as well as the small ones—commercial and industrial loads that bring in revenue to help offset the high cost of serving isolated farms and low income rural areas. This policy is necessary to help safeguard the contribution which the rural electric cooperatives make for the betterment of rural American life.

STEREOPHONIC MUSIC

Mr. GROSS. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and include a newspaper article.

The SPEAKER. Is there objection to the request of the gentleman from Iowa?

There was no objection.

Mr. GROSS. Mr. Speaker, I have just obtained permission to insert as part of my remarks at this point in the RECORD an article from the Washington Sunday Star dealing with the gift in 1959 of an expensive stereophonic set to Mr. Lyndon B. Johnson, at that time the majority leader in the other body.

Is it possible that where once 5-percenters, deep freezers, royal pastel mink and vicuna coats were issues in governmental operations, these have now been supplanted by stereophonic sets delivered by Bobby Baker?

The Washington Sunday Star article follows:

Baker Probers Study 1959 Gift to Johnson—Insurance Man Tells of Stereo Set, Also Describes TV Ad Purchase

(By Paul Hope and John Barron)

The Senate Rules Committee has received testimony alleging that Robert G. Baker arranged for a business associate to buy a stereophonic set costing $465 wholesale for President Johnson when Mr. Johnson was Senate Democratic leader.

The testimony came from Don B. Reynolds, a Silver Spring insurance agent, who also testified that while he was trying to sell a policy on Mr. Johnson's life he was persuaded to buy $1,200 worth of advertising from the Johnson television station in Texas.

The insurance, it is understood, was purchased by the L.B.J. Co., a family holding concern, which was controlled by Mrs. Johnson until she placed her stock in trust after her husband became President. Premiums on the policies were paid by the L.B.J. Co., according to Mr. Reynolds.

The Rules Committee juggled this hot political potato for 8 days, trying to decide whether to shelve the testimony, release it, or call Mr. Reynolds to testify in a public hearing.

COMMITTEE VOTED 6 TO 3

The committee Friday voted 6 to 3 to make public next week testimony taken from Mr. Reynolds in two closed sessions. All three Republicans voted against the decision, contending he should be questioned in public.

A source close to the committee said that the vote will not preclude the committee from summoning Mr. Reynolds to testify publicly at some later date during its investigation of Mr. Baker, the former secretary to the Senate majority. But at the moment there seems to be little likelihood that he will be.

Senator Jordan, committee chairman, said a sworn statement submitted by someone else also will be made public. He did not identify the person, but reportedly it was prepared by Walter Jenkins, a longtime assistant to Mr. Johnson.

WHITE HOUSE RETICENT

Assistant Presidential Press Secretary Andrew Hatcher was asked yesterday afternoon for White House comment on the Reynolds story of the stereo set and television advertising.

Mr. Hatcher refused to comment except to say: "That is a matter for the committee. The committee is in possession of the full facts."

Mr. Reynolds for several years was closely associated with Mr. Baker and his insurance firm once listed Mr. Baker as its vice president.

Mr. Reynolds testified under oath before the committee that Mr. Johnson in 1959 received the stereophonic set and speaker which he, Mr. Reynolds, had paid for. It is understood that Mr. Reynolds did not say Mr. Johnson knew where the set came from.

He said he paid $465.65 for the equipment as well as the additional cost of having it installed in the Johnson home which then was at 4921 30th Place NW. He said he was never reimbursed.

CANCELED CHECKS PRESENTED

Invoices and canceled checks relating to the incident have been given to the committee.

The invoices show that the Magnavox Co., of Fort Wayne, Ind., on June 5, 1959, shipped a speaker to "Senator Lyndon B. Johnson, 4921 30th Place NW., Washington, D.C.," and that it shipped the stereo system to him on June 26, 1959.

Bills of $82.65 and $382.50, reported as representing the wholesale price of the speaker and stereo, were mailed to "Don Reynolds, 8184 Fenton Street, Silver Spring, Md.," according to the invoices.

In essence, this is the story Mr. Reynolds says he told the committee:

He and Mr. Baker used to have an agreement whereby Mr. Baker, secretary to the Democratic majority when Mr. Johnson was majority leader, would try to obtain business for the Reynolds insurance agency.

A few weeks before the June stereo shipments, Mr. Baker called and advised Mr. Reynolds that it was time he did something for Senator Johnson. This was after a big policy on Mr. Johnson's life had been bought by the L.B.J. Co. through the Reynolds agency.

Mr. Baker asked Mr. Reynolds to procure a stereophonic system for the Johnsons as Mrs. Johnson desired one for a musicale she was planning at her home.

Through Mr. Baker, Mr. Reynolds sent a catalog to Mrs. Johnson and she designated the particular set she preferred.

Mr. Reynolds called the Magnavox Co., where he had acquaintances, explained his situation and requested that the equipment be delivered directly to the Johnsons. Although the company usually insists that its products be distributed through licensed dealers, it agreed.

Because the date of the musicale was near, the stereo set had to be shipped by air freight. By mistake it arrived at Friendship Airport near Baltimore.

Upon learning of the error, Mr. Baker dispatched a Government truck to pick up the set and deliver it to the Johnson home.

Installation was accomplished by a local firm which made several calls at the Johnson home to arrange the equipment according to Mrs. Johnson's wishes.

Mr. Reynolds also testified that in 1956 or early 1957, Mr. Baker told him that there was an opportunity to write a policy on Mr. Johnson's life, and suggested that Mr. Reynolds call Walter Jenkins about it. A $50,000 policy was issued in 1957, followed by additional policies of $50,000 and $100,000.

Mr. Reynolds said that at one point in the negotiations, he was shown a letter from another insurance man in Texas suggesting that the Texas man should get the business because he was in a position to buy advertising on Austin television station KTCB, owned by the L.B.J. Co.

Mr. Reynolds said he agreed to buy advertising time. According to Mr. Reynolds it was arranged that the time would be used by a Silver Spring cookware manufacturer which distributes its products nationally.

SHOWS CANCELED CHECK

He presented to the committee the canceled check for $1,200 which was made payable to the cookware manufacturer and the Austin station.

He asserted also that about the time he gave the stereo set to Mr. Johnson, Mr. Baker talked him into giving Mr. Baker one—a more expensive set than the one delivered to the Johnsons.

It also was reported that canceled checks have been presented to the committee indicating that Mr. Reynolds paid about $18,000 to Mr. Baker over a period of several years.

CANCELLATION OF DYNA-SOAR PROGRAM

Mr. STINSON. Mr. Speaker, I ask unanimous consent to insert my remarks at this point in the Record and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Washington?

There was no objection.

Mr. STINSON. Mr. Speaker, I wish to bring to the attention of my colleagues an article and an editorial from the Seattle Post-Intelligencer which constitute an excellent critique of the cancellation of the Dyna-Soar program:

[From the Seattle Post-Intelligencer, Jan. 13, 1964]

Dyna-Soar Cut Set Off Long Before Notice

(By William Schulze)

Expert analysis by editors of Air Force magazine, of the Dyna-Soar cancellation and substitution of the Manned Orbital Laboratory, Gemini X, and the expanded Asset program, convinces this writer that:

1. The change is most unlikely to save money.
2. The MOL is not a true substitute for Dyna-Soar.
3. Net result will be continued neglect of this Nation's military role in space.

Of much greater concern to the 5,000 Boeing employees who the company said are being affected by the cancellation just before Christmas, Roswell Gilpatric, Deputy Defense Secretary, apparently knew what was going to happen months before it was announced.

Defense Secretary Robert McNamara adhered to his customary method of operation by failing to give the Boeing employees several months official notice in which they could have adjusted to the blow.

The Post-Intelligencer did its best to alert Boeing employees and the community to the grim prospect, saying as early as January 9, 1963, that the Kennedy administration was planning a Dyna-Soar cutback.

Last March 1, the Post-Intelligencer printed word that Congressman Tom Pelly, greatly concerned, was seeking information on industry reports that Dyna-Soar would be canceled or cut.

Congressman Pelly warned in the Post-Intelligencer last March 27 that McNamara could kill Dyna-Soar at any time.

This was followed by a Post-Intelligencer news story last April from George Snyder, a Boeing vice president, that reports that Dyna-Soar might be canceled were "grossly exaggerated."

J. S. Butz, Jr., Air Force magazine's technical editor, wrote in the January 1964 issue:

Mr. McNamara states that substitution of the MOL, Gemini X, and enlarged Asset programs for the Dyna-Soar will save $100 million over the next 18 months. The implication is that much more will be saved during the remainder of the 1960's.

These claims must be doubted. The new program, in essence, calls for creation of the MOL (which Mr. McNamara says will cost hundreds of millions) and requires the substitution of the Gemini X reentry vehicle in place of the Dyna-Soar reentry vehicle, for Dyna-Soar could have been modified for use as the MOL's reentry transportation.

"Therefore, if there is to be a substantial total savings, the revamped Gemini X must cost substantially less than Dyna-Soar. This may not be possible for Gemini X apparently will be substantially larger than the National Aeronautics and Space Administration's Gemini, and there are reports that a hatch must be cut in its reentry shield to allow the crew to crawl into the MOL. This one feature alone could boost the price of the vehicle by a major percentage."

Claude Witze, Air Force magazine's senior editor, said in the January 1964 issue:

"Presenting and supporting the new Air Force approach to space, with MOL and without Dyna-Soar, is going to offer Mr. McNamara a new challenge early in 1964. Congress, at least, knows from its own record that both Dyna-Soar and an orbiting laboratory were in the Air Force's own program and that one, on paper, is not a substitute for the other."

Witze noted that Dyna-Soar at the outset was conceived and was discussed in presentations by Walter Dornberger, as a weapon system.

"It was called an orbiting bomber," Witze said. "But this conflicted, particularly in the Eisenhower administration, with the concept of space as a place that never would be defiled by war. Dyna-Soar was, in effect, cleansed of its strategic potential and turned into a research vehicle; hence the name X-20."

McNamara and Dr. Harold Brown, his director for research and engineering, are skeptical of any military usefulness of man in space, Witze said, but this "is not shared by Air Force military leaders." In announcing assignment of MOL to the Air Force, McNamara hedged by asserting it will be used to help determine "the military usefulness of man in space."

We in Seattle would like to know, if McNamara really meant this, why didn't he go ahead with Dyna-Soar, on which $400 million had been spent, and which had real military usefulness?

One fault of the MOL program, in which astronauts will return to earth aboard the Gemini X ballistic capsule, is that the "footprint" or prospective landing area probably will be about 3,000 by 5,000 miles in size. The maneuverable Dyna-Soar, Witze estimated, would have had a footprint more like 40 by 300 miles.

"The requirement for maneuverable reentry seems crystal clear to men with a military background," Witze wrote.

From here, it seems that by the time McNamara or his successor awakens to the need for and feasibility of a military capability in space, it will be too late. The Russians will be so far out in front in space war systems that, in their final confrontation with the United States, the latter will have no choice but surrender.

[From the Seattle Post-Intelligencer, Jan. 16, 1964]

ONE-MAN DECISION

That review of the Dyna-Soar program by Aerospace Editor William Schulze in Monday's Post-Intelligencer restirred and strengthened the apprehension that has been building up in us over what we sometimes suspect as the "personal telecomputer" conduct of our Nation's defense program.

Aerospace Editor Schulze Monday questioned the advisability of canceling the Dyna Soar program, and he revealed that many other national authorities question it.

The Post-Intelligencer has hesitated to set itself up as an authority to debate this highly technical question with our administration in Washington, D.C. However, we cannot hide our dismay at the way decisions apparently are being made in our Defense Department these days.

Award of the TFX contract offered another example of how such decisions are made.

Qualified authorities, civilian and military, discuss important programs pro and con. But the final decision apparently is made by one man, Defense Secretary Robert McNamara. Mr. McNamara issues his decisions on the basis of his own thinking, often seemingly without regard to the trend established in previous discussions or the weight of other qualified thinking. McNamara issues the decisions with little notice to the public on his own time schedule. (No one needs to remind Seattleites that the long-pending Dyna Soar decision was handed down as the Christmas holidays neared.) McNamara reaches his decision, apparently, without opportunity for further review or need for explanation beyond McNamara's opinion that his way seemed best to him.

There is no question that Secretary McNamara's personality and his record, in civilian life and in Government, have won him the highest respect.

It is an awesome responsibility. It could prove a dangerous one to place on the shoulders of one man, no matter how brilliant and conscientious he may be.

We do not want to quarrel here with any decisions made by Secretary McNamara. In our democratic country, though, based as it is on a system of checks and balances, we would urge our Government and Mr. McNamara, himself, to seek all possible means of insuring that our Defenes Department decisions are established after comprehensive, painstaking review and the fullest consideration of the views of all qualified parties concerned.

ONE OF OUR MAJOR WORLD PROBLEMS

Mr. STINSON. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Washington?

There was no objection.

Mr. STINSON. Mr. Speaker, on January 14, 1964, Ray Henle, on his program the NBC "Three-Star Extra," graphically outlined one of our major world problems. I wish to include it for the benefit of all Members:

The photographs from Moscow tell the story: Fidel Castro and Nikita Khrushchev, in joyful embrace—arms around each other, much patting of backs and shaking of hands—everything is eggs and coffee as the saying goes.

'Round the world go the pictures and 'round the world people see how pleased the leader of the world Communist movement is with his accomplishment in Cuba.

Khrushchev may have in his orbit a notorious Castro regime, steeped in economic and social failures—but he also has his jumping-off place for the announced Communist aim to subjugate all the Western Hemisphere, as a preliminary to the final prize—the United States.

Many are bound to wonder—why doesn't the free world's leadership embrace some individuals and some governments which are dedicated to overthrowing the world Communist movement?

Why don't we have photographs of President Johnson, and other free world leaders embracing Chancellor John Doe, head of a free government in absentia, of Hungary, or Bulgaria, Poland, Czechoslovakia, etc.

We don't, of course, because there isn't anybody like that. The free world has been too busy coexisting with Communist regimes. The so-called neutral or doubtful countries are inclined to back the winner, and they don't think it is going to be us.

The free world, including the United States, just keeps on being nice, exuding sweetness and light, embracing coexistence hoping one day—some day—the Communist will "see the error of their ways" and drop their aims of the world conquest. Until then, we're advised, don't rock the boat, don't speak above a whisper, and don't for heaven's sake do anything that will make Moscow mad. Meanwhile the world drifts slowly and steadily into the Communist orbit.

PRESIDENTIAL SUCCESSION LAW

Mr. GURNEY. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and include a joint resolution.

The SPEAKER. Is there objection to the request of the gentleman from Florida?

There was no objection.

Mr. GURNEY. Mr. Speaker, the assassination of our late President, John Fitzgerald Kennedy, has pointed up a dangerous weakness in our fabric of government. I refer to the Presidential succession law.

The greatest nation in the world, the leader of the free world, is now without a Vice President.

While the men next in line of succession, and especially our respected Speaker, JOHN MCCORMACK, are outstanding political figures, this Nation needs a full time Vice President.

In these troubled times, and in our role as world leader, there is no time for on-the-job training for a new President.

Whoever is elevated to the Presidency must be prepared to firmly and confidently take in hand the reins of the Office.

He must have full knowledge and understanding of domestic and foreign policy of this Nation.

The role and importance of Vice President has completely changed, with our recognition of the world struggle with communism. The Vice President should now be the alter ego of the President, if occasion demands.

My bill calls for a constitutional amendment providing that the House and Senate elect a new Vice President within 10 days after the vacancy occurs.

I have selected the House and Senate, for in my opinion, they represent the broad spectrum of political thought and opinion in our Nation, and also recognize the importance of the office of Vice President and the qualities necessary in the man to occupy the office.

It is imperative that this Congress act on this matter at our earliest possible moment.

H.J. RES. —

Joint resolution proposing an amendment to the Constitution of the United States relating to the election by Congress of a Vice President

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled (two-thirds of each House concurring therein), That the following article is hereby proposed as an amendment to the Constitution of the United States, which shall be valid to all intents and purposes as part of the Constitution when ratified by the legislatures of three-fourths of the several States:

"ARTICLE —

"SECTION 1. Whenever the office of the President shall devolve on the Vice President by reason of the death, resignation, or removal from office of the President, Congress shall, within ten days of the date the former Vice President takes the oath or affirmation required by clause 7 of section 1 of article II of this Constitution, meet in joint session and elect a Vice President, each Member of Congress having a vote.

"SEC. 2. Candidates for election to the office of Vice President under this article shall have all of the qualifications necessary to hold the office of President and in addition shall be a member of the same political party as the President.

"SEC. 3. The candidate receiving the greatest number of votes, if a quorum of both Houses is present and voting, and if such number is a majority of the total number of votes cast, shall be the Vice President.

"Sec. 4. A person elected Vice President under this article shall serve for the remainder of the term to which the person whom he is replacing was elected."

PRIVATE POWER'S PROPAGANDA CAMPAIGN—FICTION IN THE READER'S DIGEST

Mr. EVINS. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the Record and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Tennessee?

There was no objection.

Mr. EVINS. Mr. Speaker, the propagandists continue to attack the rural electrification program, particularly the Nation's rural cooperatives. In the December 1963 issue of Reader's Digest there appeared an article entitled "The REA—A Case Study of Bureaucracy Run Wild," which has been the subject of much criticism.

As I began to read this article and its vicious attack, I looked with anticipation toward some expression of the point of view of the REA and the thousands of members of REA cooperatives. I thought it could be assumed that good journalism would require that viewpoints from both sides would be discussed. I was, however, mistaken. It appears that the writers of this article were not interested in an objective study as the article is filled with deliberate falsehoods, half-truths and erroneous conclusions. As far as I could ascertain, the viewpoint of the Nation's rural cooperatives was not sought or ascertained.

I was pleased, however, to find that this article has not gone unanswered.

In the Rural Electric Minuteman of December 6, 1963, there appears a point-by-point analysis of the Reader's Digest article answering the charges contained therein. This article in the Rural Electric Minuteman, putting the matter in a more fair perspective, should be read by all of those interested and especially by the writers of the critical Digest article and its readers.

Mr. Speaker, I include the rebuttal article entitled, "Fiction in the Reader's Digest," to be reprinted in the Record. The article follows:

Fiction in Reader's Digest

The December issue of the Reader's Digest carries one of the most vicious attacks ever made against the Nation's rural electric cooperative program.

Titled "The REA—A Case Study of Bureaucracy Run Wild," it is another chapter in the multimillion dollar propaganda war being waged nationally against the co-ops by the power companies and their allies.

The authors of the article—yellow journalism at its worst—are listed as Kenneth Gilmore and Eugene Methvin, otherwise unidentified. The Digest also is offering dirt cheap reprints of the mudslinging article, to show how anxious it is to dig the graves of co-ops.

Although the Digest periodically castigates REA as being Government-subsidized (which it is not), the magazine never mentions its lush Government subsidy: a second-class mailing privilege that the Post Office estimated in 1958 saved the Digest some $5 million a year. It must be considerably more now. This is money that is taken directly from the pockets of U.S. taxpayers and isn't paid back. REA loans are repaid, of course, with interest.

It is also significant that the Digest takes thousands of dollars of advertising each year from the electric companies advertising program (ECAP) that rips into the rural electrics at every opportunity. Our late President, John F. Kennedy, described this advertising program as "particularly ugly."

Here are some of the many misrepresentations that appear in the current Digest article. The facts follow the quotes:

Quote: "The REA—A case study of bureaucracy run wild."

Fact: This is not a case study but sheer propaganda put out by private power companies as part of their drive to destroy consumer-owned electric systems. The U.S. Congress—not REA—after hearings and committee investigation voted the largest appropriations in REA's history to meet the growing capital needs of the program. Congress even voted more administrative funds than REA asked for to take care of the growing demands. The only thing running wild is the imagination of the two authors and the Reader's Digest.

Quote: "To bring electricity to farm areas."

Fact: The REA Act clearly specifies "rural areas." Use of "farm areas" is a calculated power company propaganda ruse, carefully planned over the years to distort the true objectives of REA and put artificial limits on the program's operations.

Quote: "REA is a monster eating into the entire electric power industry."

Fact: REA-financed systems make up only 1 percent of the entire electric business—and this small percentage was created in areas private power companies refused or could not serve. Power companies profits are at an alltime high and their flagrant overcharges have been verified by the Federal Power Commission Will the real monsters please stand up?

Quote: "Eating—into the taxpayer's pocketbook as well."

Fact: Tax-producing wealth created by REA-financed electric systems adds over a billion and a quarter dollars annually to the gross national product by creating markets for electric appliances, wiring, and equipment. Grade A milk, universal in the United States, could not be produced economically in quantities but for electric service. Rural homes and farms justify higher evaluations with electric service available, resulting in greater local tax income. Industry is attracted and greater economic activity results. Health standards are raised and hospitals are possible. Defense and transcontinental communication needs are met. For taxpayers outside the rural electric service areas, their tax burdens are lessened by the billions.

Quote: Regarding Florida Eglin Air Force Base, "the Federal subsidy allowed the tax-free co-op to grab business from a long-established taxpaying private utility" and "the Gulf Power Co. offered to furnish the electricity from its nearby power system."

Fact: The Comptroller General of the United States (no admirer of REA) reviewed the REA loan, and said "it is clear that Gulf Power would have to extend its lines approximately 15 miles to serve the radar site." The co-op line is 4 miles away. Regarding taxes, he said, "the Air Force states that taxes paid by private companies are dependent upon profits and may vary from time to time because of numerous factors. Interest paid by the Government also varies. To try and isolate these factors and give them a numerical value would be quite difficult and would involve considerable speculation."

Quote: "Such senseless spending and ruthless squashing of private enterprise are not all that is involved."

Fact: The REA loan is part of a long-range development plan to bring power to areas Gulf Power will not serve under any conditions. The airbase radar load helps the co-op develop its marginal territory and its limited number of consumers into a better system more able to serve future demands.

Gulf's profits and stock ratings along with other power companies are regarded by investors as the "growth stocks" of the financial world. They give the lie to any "ruthless squashing" asserted by Reader's Digest writers.

Quote: "By diverting the contract from the privately owned Gulf Power Co., the REA has deprived the Government of $43,500 a year in corporation taxes."

Fact: Even the Comptroller General disagreed with this. What Reader's Digest neglected to say is that the Government would be paying this $43,500 to the power company, in the first place, plus additional tax liability to cover all the company tax subsidies, investment credits and their share of gross profits.

Quote: "Such cases are cropping up across the Nation. In Indiana, tax-fed co-ops are pirating away millions of dollars worth of business from private enterprise."

Fact: This is sheer fantasy. Co-ops are private enterprise, incorporated under State laws. Their loans are restricted by Federal law so as not to compete with power companies. It is the power companies who invade co-op service areas and pirate away business planned to complete area coverage standards. The Government restrictions confine loans to developing areas the power companies would not or could not serve. It is not—and never was—business the power companies wanted. Now that development has grown where power companies want to merge rural systems into their own business and become sole electric suppliers in the country, they scream that the little co-ops hurt their business. Actually they get a $100-million in additional power sales from the co-ops.

Quote: "With the job now virtually completed, REA continued to expand."

Fact: Another line right out of the utility propaganda book. Does Reader's Digest advocate that power companies stop investing $4 billion a year to expand service to customers already receiving service? Rural customers' needs grow the same as urban customers.

Quote: "REA co-ops with their 2-percent subsidy and tax-free advantages are competing unfairly with private business."

Fact: The power business is a monopoly and not "private competitive enterprise" as the term is used in the business world. Reasonable profits are guaranteed by State regulation. Usually business risks are ruled out. REA interest loan rates and nonprofit operations are not factors in a utility's ability to carry on its business in its own service areas. There is no competition between electric systems. It is outlawed by State regulations. The interest rate and nonprofit State statutes are equalizers for the co-op to help overcome the lack of density in serving marginal territories no one else wanted. Power companies have the same tax advantages if they would forego profits.

Quote: "REA has barged into the industrial loan business, an activity far removed from its original design."

Fact: More utility propaganda. Reader's Digest writers carefully omit the fact that REA does not make commercial loans as described in the article. The House Oversight Committee held hearings on power company claims, such as Reader's Digest voices, and concluded there was nothing to substantiate the criticisms of funds loaned to develop ski resort equipment and the like.

Quote: "REA-subsidized co-ops use their tax-free earnings for a variety of private, profitmaking ventures."

Fact: This utility propaganda line was investigated by the Congress several years ago and found to be completely untrue.

Quote: "Many co-ops have been allowed to draw more funds from REA's kitty despite remarkable records of prosperity. REA recently admitted that by June 1962, 217 borrowers had piled up cash and liquid reserves equaling more than 20 percent of the entire value of their plants."

Fact: A good answer is to use the authors' own words, further along in the article: "During REA's entire history only nine co-ops have thus paid off their Government loans out of their earnings. This is an incredibly poor record."

It is utility practice to have 40 percent in reserves of the plant value. By the authors' own statement, less than a fourth of the co-ops have half that amount. Here is a sound reason why the REA financing must be continued until the co-ops are on a stable financial footing.

Incidentally power companies do not pay off their capital debt—they refinance it, something the co-ops cannot do under loan contract terms with the Government. Starting from scratch, co-ops have to pay off their loans and create their own equities at the same time—something that would give power company executives the fits.

Quote: "Most alarmingly, REA is pouring out gigantic funds for the construction of co-op powerplants."

Fact: Alarming to whom? Why, to power companies, of course, who act like elephants with a mouse. Consumers need greater supplies of power, whether they are customers of power companies or co-ops. The co-op plants do not supply power-company customers, only their own.

Quote: "Regarding the Indiana generating loan, it was a pure giveaway, for private enterprise with adequate power facilities was able and willing to supply energy to these co-ops at reasonable rates."

Fact: This loan has met every test invoked by power companies and been proved sound and in the public interest.

Quote: "Description of Colorado-Ute G–T development."

Fact: The account is taken from power company propaganda sheets and is lacking in credulity and authenticity. Reader's Digest fails to mention the loan was approved by the Colorado regulatory agency.

Quote: "The simple fact is that they (co-ops) no longer need to be propped up by the taxpayers."

Fact: The variable factors involved in some 1,000 rural situations across the Nation cannot be reduced to a simple fact which covers a majority, if not all of the problems. Present financing conditions have made possible service to nearly 20 million people living in over one-half the land area of the United States receiving electric service. Local rural leaders, working without pay to improve their living conditions, organized nonprofit organizations to do the job private utilities did not do. This great achievement of free citizens solving problems corporate management could not do should make an inspirational article for Reader's Digest. Unfortunately, its editorial policy permits no letters from readers or rebuttal to anything appearing in its pages.

NEEDED: A JOINT COMMITTEE ON CENTRAL INTELLIGENCE

Mr. ZABLOCKI. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The **SPEAKER.** Is there objection to the request of the gentleman from Wisconsin?

There was no objection.

Mr. ZABLOCKI. Mr. Speaker, I wish to advise the House that I have once again contacted the chairman of the House Committee on Rules, urging a hearing and favorable consideration of House Concurrent Resolution No. 2, legislation which provides for the establishment of a Joint Committee on Central Intelligence.

The recent, unprecedented press conference held by the Central Intelligence Agency to comment on the state of the Soviet economy indicates a severe departure from past CIA practices. Unfortunately, under the present arrangement Congress cannot know the circumstances surrounding this apparent policy shift nor assess whether it is in the national interest.

Numerous resolutions have been introduced into Congress in recent years calling for the creation of a joint congressional committee which would conduct continuing studies of intelligence activities and the problems faced by pertinent Government agencies. I myself have sponsored such a resolution in every Congress since 1953. Similar suggestions have been made by the Hoover Commission and endorsed by many thoughtful persons throughout the country.

The time has long since come for the enactment of legislation of this kind.

Mr. Speaker, two points must be emphasized in any discussion of a Joint Committee on Central Intelligence.

First, that the proposed committee in no way implies criticism of the loyalty, the patriotism, or the public spiritedness of our CIA employees. They are doing excellent work in an area which is vital to the safety and well-being of the United States.

It is my contention, however, that the intelligence activities carried on by the United States are not exclusively a function of the executive branch of our Government. Congress too, as the elected representatives of the people, must be informed on intelligence matters. This view is shared by other supporters of the Joint Committee on Central Intelligence.

Second, it must be made clear that the proposed legislation in no way reflects criticism or disapproval of the committees which currently handle CIA activities and appropriations. Their members are conscientiously trying to do the best they can.

However, the Members of Congress who serve on these committees often are busy with other legislative matters and cannot devote the time or energy to intelligence matters that they might deserve. For example, it has come to my attention that the Central Intelligence Agency Subcommittee of the Armed Forces Committee was able to meet only five times last year.

Unfortunately the result of the present system is all too often a piecemeal, hit-and-run examination of the policies and activities of the CIA and other U.S. intelligence-gathering agencies by Congress.

There is no single committee equipped to deal with these matters. This situation has opened the door to potentially dangerous abuses. It has produced an atmosphere of suspicion and uncertainty about the American intelligence community.

The remedy to this problem lies in creating a Joint Committee on Central Intelligence, patterned after the highly successful Joint Committee on Atomic Energy.

As proposed in House Concurrent Resolution 2, the committee would be composed of seven members from each body to be appointed respectively by the Speaker of the House and the President of the Senate. Not more than four Members from each body could be of the same political party.

The duties of this committee would be to conduct a continuous and comprehensive review of the activities and problems of all U.S. agencies engaged in intelligence matters—the Central Intelligence Agency, the Defense Intelligence Agency, the National Security Agency, and others.

These agencies would be required to keep the committee completely and currently informed of their operations. From time to time, the Joint Committee would report its findings and recommendations to Congress.

In this way Congress will gain sufficient expertise and experience to deal with intelligence matters wisely and well.

Mr. Speaker, former President Harry S. Truman, under whose leadership the Central Intelligence Agency was created, has written an article in which he expressed his fear that the CIA had strayed from strict intelligence gathering and was engaging in making foreign policy.

"There is something about the way the CIA has been functioning," he wrote, "that is casting a shadow over our historic position and I feel that we need to correct it."

The fears which Mr. Truman has expressed have been voiced by others before him. They may or may not be true. But until a Joint Committe on Central Intelligence is created, the Congress will be unable to know the truth, and to act accordingly.

It is for this reason that I have called upon the Rules Committee to hold early hearings on this legislation and to report it favorably to this body as soon as possible.

Mr. ROGERS of Florida. Mr. Speaker, will the gentleman yield?

Mr. ZABLOCKI. I yield to the gentleman from Florida.

Mr. ROGERS of Florida. Mr. Speaker, I want to concur in the thoughts the gentleman has expressed. What he has suggested is certainly needed and I hope that the Committee on Rules will take this up at the first opportunity.

Mr. ZABLOCKI. I thank the gentleman for his contribution.

CUBAN INVOLVEMENT IN PANAMA CRISIS

Mr. SIBAL. Mr. Speaker, I ask unanimous consent that the gentleman from Kansas [Mr. SHRIVER] may extend his remarks at this point in the RECORD and include extraneous matter.

The **SPEAKER.** Is there objection to the request of the gentleman from Connecticut?

There was no objection.

Mr. SHRIVER. Mr. Speaker, in 1962 the late President Kennedy declared it to be the policy of the United States not to permit the Castro regime in Communist Cuba to export communism or its aggressive purposes by force or threat of force. The President declared:

> It will be prevented by whatever means may be necessary from taking action against any part of the Western Hemisphere.

One aspect of the United States troubles in Panama which deserves the closest surveillance and investigation by our Government and the Organization of American States is the report of operations by Castro agents in the Canal Zone. Only a week ago the Secretary of the Army, upon his return from Panama, confirmed the arrest of at least 10 of these agents.

Cuba has been quietly creeping toward the Panama Canal as evidenced by recent upheavals in Venezuela and Colombia and now the arrest of Cuban Communists in Panama.

The canal represents one of the loopholes in this Nation's efforts to impose an economic squeeze upon Castro. For example, in fiscal year 1962, 90 ships bound for Cuba and 187 ships carrying cargo from Cuba used the canal. For the first 9 months of 1963, 30 ships bound for Cuba and 61 ships from Cuba passed through the canal.

Mr. Speaker, the administration's efforts to negotiate with fairness and firmness, and as a "good neighbor," with the Panamanian Government will be frustrated and endangered if the Communists are permitted to incite riots and upheaval on the scene.

It is evident that Cuban communism is being exported into a number of troubled Latin American nations, and possibly as far away as Zanzibar. I join in urging our Government and the Organization of American States to investigate immediately the extent of Cuban operations in Panama.

It is the hope of most Americans that the administration clarify our policy regarding Castro's Cuba before other Panamas crop up in this hemisphere.

COMMISSION ON EXPENDITURE POLICY

Mr. SIBAL. Mr. Speaker, I ask unanimous consent that the gentleman from Missouri [Mr. CURTIS] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Connecticut?

There was no objection.

Mr. CURTIS. Mr. Speaker, I am today introducing, along with my minority colleagues on the Joint Economic Committee, legislation to establish a Commission on Federal Expenditure Policy. Identical bills are being introduced in the House by the gentleman from New York [Mr. KILBURN] and the gentleman from New Jersey [Mr. WIDNALL]; and the legislation is being introduced in the Senate by Senator JACOB K. JAVITS, the senior Senate Republican on the Joint Economic Committee, and by Senator JACK MILLER of Iowa and Senator LEN B. JORDAN of Idaho.

The bill would establish a 16-member bipartisan Commission composed of members from the executive branch, Congress, and private life, which would begin the vital task of reviewing expenditure policy of the Federal Government. Much attention has been directed to the effects of the Government's tax policy upon our economic growth and employment. Little or no attention has been paid to expenditure policy. Yet there is no doubt that expenditure policy is at least as important as tax policy in its effects on our economy.

The Commission would be entrusted with the task of bringing some of the Nation's best minds to bear on the crucial issues of expenditure policy. It would be established on the model of the two Hoover Commissions, which did such excellent work for the Nation some years ago.

It should be emphasized that the Commission is not simply designed to seek and eliminate waste and inefficiency in Government. The art of expenditure policy is that of establishing priorities among needed and efficient programs. Eliminating waste and inefficiency is simply a matter of identification. Establishing priorities between good programs requires careful study and good judgment.

A blue-ribbon Commission, such as this bill would set up, would provide useful guidance for the executive and the Congress as they grapple with the issues of Federal expenditures in coming years. The reductions that have been announced in the estimates for the fiscal 1965 budget represent but a first step forward. It remains to examine expenditure policy from a broader and more long-range point of view. Specifically, the Commission would make studies and policy recommendations in the following areas:

First. Establishment of spending priorities among Federal programs, separating the desirable from those that are essential, in order to serve as a guide to the administration in drawing up the budget, particularly in years of expected deficits.

Second. Appraisal of Federal activities in order to identify those programs which tend to retard economic growth and for which expenditures should be reduced or eliminated.

Third. Improvement of the Federal budgeting and appropriations process in order to increase the effective control of expenditures.

Fourth. Examination of responsibilities and functions which are now assumed by the Federal Government, but which could be better performed and with superior effectiveness by the private economy.

Fifth. Review of Federal responsibility and functions in order to determine which could be better performed at the State and local levels.

Sixth. Improvement of Government organization and procedures in order to increase efficiency and promote savings, including a review of the recommendations of the Hoover Commission in order to determine how those already implemented have worked out in practice and whether those not yet implemented should be given further consideration.

Seventh. Determination of policies with regard to the level of user charges and fees to be made for special services furnished to members of the public by the Government.

The sponsors of the legislation earnestly hope that President Johnson will give the bill his complete support. I ask unanimous consent that a copy of our letter to President Johnson dated January 10, requesting his backing of the bill, as well as a copy of the bill itself, be included in the RECORD.

CONGRESS OF THE UNITED STATES,
JOINT ECONOMIC COMMITTEE,
January 10, 1964.

The PRESIDENT,
The White House,
Washington, D.C.

Mr. PRESIDENT: As the minority members of the Joint Economic Committee, we have had a lively interest in the national economic debate which was touched off when the late President Kennedy early last year submitted a program to cut taxes and increase spending at a time of already large budget deficits.

In our minority views on the Joint Economic Committee's 1963 annual report, we expressed our support of tax reduction and reform. At the same time, however, we urged the administration to undertake a firm and effective program of expenditure control and to review thoroughly the Government's expenditure policy.

Expenditure policy—which is too often neglected—is at least as important as tax policy in its impact on our Nation's economic growth and well-being. We believe that final passage of the tax bill by Congress would lend added urgency to the long overdue review of expenditure policy.

In a letter to President Kennedy dated March 19, 1963, as well as in our minority views already referred to, we suggested one means to this end. We urged the President to appoint a Presidential Advisory Commission on Federal Expenditures which would conduct a thorough, objective, and nonpartisan review of expenditure policy.

In a letter dated May 25, 1963, Budget Director Kermit Gordon rejected our suggestion. Mr. Gordon said that "established procedure" was satisfactory and that an advisory commission probably could not make "a direct or significant contribution" to resolving the issues of public policy involved. Mr. Gordon said, in fact, that the efforts to such a commission "by obscuring public understanding as to the locus of responsibility for resolving such issues * * * might well lead to an opposite result."

We find Mr. Gordon's confidence in "established procedure" difficult to share in view of the chronic budget deficits which plague the Government. The Commission we suggest would not overturn established budget procedures, but rather it would supplement and, hopefully, improve upon them.

Mr. Gordon's second point totally ignores the highly useful services performed by a large number of Presidential advisory Commissions. To name but a few, the Clay Commission, the Advisory Commission on Labor-Management Policy, the two Hoover Commissions, and the Randall Commission, have clearly made important contributions to the development of sound public policy.

Since the Budget Director's letter last spring, public and congressional concern over expenditure policy has become even more widespread. It should be emphasized that this concern embraces more than simply the elimination of waste and inefficiency in Government. Once waste or inefficiency is identified, there is little difficulty in getting general agreement to eliminate it. More difficult and more important in terms of savings is the task of continually reviewing the usefulness of existing programs and of establishing priorities among needed and desirable new programs.

Because of this widespread concern over expenditure policy, we are once again putting forward our suggestion for a Commission on Federal Expenditure Policy. The idea has now been embodied in identical bills which we are introducing in the House and the Senate. Such a Commission would serve as a logical expression of your own concern over the level and trend of Federal expenditures in recent years, and we earnestly hope you will give it your full support. The reductions made in the estimates for the fiscal 1965 budget represent but a first step forward. It is now time to examine expenditure policy from a broader and more long-range point of view. It is this function which the Commission we suggest would perform.

We envision that the Commission would be composed of Government members, private citizens from business, labor, education, the professions, and Members of Congress, equally from both parties. The work of the Commission, assisted by a professional staff, should parallel the 2-year period over which the pending tax bill is scheduled to take effect. During this period, the Commission should conduct studies and periodically make public its recommendations in the following areas:

(a) Establishment of spending priorities among Federal programs, separating the desirable from those that are essential, in order to serve as a guide to the administration in drawing up the budget, particularly in years of expected deficits.

(b) Appraisal of Federal activities in order to identify those programs which tend to retard economic growth and for which expenditures should be reduced or eliminated.

(c) Improvement of the Federal budgeting and appropriations process in order to increase the effective control of expenditures.

(d) Examination of responsibilities and functions which are now assumed by the Federal Government, but which could be better performed and with superior effectiveness by the private economy.

(e) Review of Federal responsibility and functions in order to determine which could be better performed at the State and local levels.

(f) Improvement of Government organization and procedures in order to increase efficiency and promote savings, including a review of the recommendations of the Hoover Commission in order to determine how those already implemented have worked out in practice and whether those not yet implemented should be given further consideration.

(g) Determination of policies with regard to the level of user charges and fees to be made for special services furnished to members of the public by the Government.

The recommendations of an objective and bipartisan commission of the kind described should command widespread support among the public and within the Congress. Its proposals would offer a sound basis upon which to begin the reform of Federal expenditure policy.

We earnestly hope you will give this recommendation your early and favorable consideration.

Respectfully yours,

Thomas B. Curtis.
Clarence E. Kilburn.
William B. Widnall.
Jacob K. Javits.
Jack Miller.
Len B. Jordan.

Mr. SIBAL. Mr. Speaker, I ask unanimous consent that the gentleman from New Jersey [Mr. Widnall] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Connecticut?

There was no objection.

Mr. WIDNALL. Mr. Speaker, I am introducing today, in conjunction with my colleagues on the minority side of the Joint Economic Committee, a bill which would establish a Commission on Federal Expenditure Policy. The bill would provide for a 16-member Commission, bipartisan in nature, and representative not only of the Congress and the executive branch, but State and local governments, and the finest talent available in labor, business, academic, and professional fields.

In contrast to the amount of study spent on fiscal and monetary policy, the specific area of Government spending and its effects upon the economy, our Federal system and the role of private enterprise has been left virtually unexplored. The work of a Commission on Federal Expenditure Policy would go a long way to filling the knowledge gap. Although areas of waste and inefficiency would be of importance in any study, the Commission would also concern itself with the problem of establishing spending priorities. It would also identify areas where private industry or State and local governments should or could be doing the work of the Federal Government.

Earlier this month, the minority members of the Joint Economic Committee renewed their efforts for the establishment of such a Commission through a letter to President Johnson urging his backing for this bill. It is too early yet to expect a reply from the administration, but I think it worthy of note that in the past, Budget Director Kermit Gordon has voiced objections to the Commission idea. In a letter dated May 25, 1963, Mr. Gordon observed that the "established procedure" was satisfactory, which is something of a self-serving statement, and that a Commission of this sort would not contribute to the advancement of policy resolution.

As I have already pointed out, we have spent a great deal of time studying tax policy but little or no emphasis has been placed on policy determining how we spend the money we take in from taxes. I think the work done by other advisory Commissions, such as the two Hoover Commissions and the Clay Commission on foreign aid, illustrates the usefulness of this approach in developing public policy.

Mr. Gordon also expressed concern that the report of the Commission would only serve to cloud the issues. I would hardly expect this to be true. If anything, the report of the Commission would clarify the problems and identify the possible policy alternatives which which could only lead to more intelligent public debate on spending policy. I should think Mr. Gordon would welcome the opportunity to put his deficit spending approach before the scrutiny of an informed public.

CONTRACT TO SPERRY SIGNED IN RECORD TIME

Mr. SIBAL. Mr. Speaker, I ask unanimous consent that the gentleman from Indiana [Mr. Wilson] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Connecticut?

There was no objection.

Mr. WILSON of Indiana. Mr. Speaker, last December 10 I told the House of the way in which Wright-Patterson Air Force Base at Dayton, Ohio, had wasted U.S. tax money buying a radar altimeter identified as the AN/APN 150. I reported that the Air Force conducted a two-step procurement for this item which resulted in an award of contract to the Sperry Rand Corp., Great Neck, N.Y., for a total price of $199,977.74. The system price was approximately $4,671.

The next two bidders were Emertron, Inc, Jersey City, N.J., at $750,000 and Raytheon, Waltham, Mass., at $987,535. These prices, it would seem to me, would indicate to an alert procurement official that either Sperry had overlooked some significant cost factors, or Emertron or Raytheon had overestimated these same costs.

Regardless of this, the Air Force rushed to award a contract to Sperry, signing it just 9 days after bids had opened.

To say that I was shocked in March 1963, to learn the Air Force had awarded a sole-source contract for this same equipment to Sperry for an average price of over $11,000 per unit according to the Air Force Secretary would be stating it mildly. In committing over $5.5 million of tax money, the Air Force allowed the price to jump almost three times the competitive price.

Those were the salient facts I mentioned to the Members of the House on December 10, 1963.

Subsequent to that speech, I received a letter dated December 13, 1963, from Air Force Secretary Eugene Zuckert, outlining the facts as viewed by Air Force personnel. I was requested to insert this letter in the Record. In compliance with that request, the letter is inserted at this point in my remarks.

Department of the Air Force,
Office of the Secretary,
Washington, December 13, 1963.

Dear Mr. Wilson: I have noted with considerable interest your speech of December 10th on the floor of the House of Representatives concerning Air Force purchase of radar altimeters. It is very important for the Air Force to have the confidence of the Congress and the public, and we are, therefore, always aware of our responsibility to the American taxpayer when awarding contracts. You can understand my desire that you have all of the correct information concerning this matter. I have personally reviewed these facts concerning the procurement and have found that the Air Force did not award a contract to bail out the contractor, as you contended. The Air Force carefully determined the minimum quantity of a vitally important item that, because of urgency, had to be procured from the only source which had produced a fully tested and qualified item. The balance of our requirements is being procured competitively. The details concerning the procurement are set out below.

The AN/APN 150 is an airborne radar altimeter that gives a continuous readout on an instrument showing exact altitude from 0 to 5,000 feet. It was developed as a replacement for the APN-22, which we originally intended to use in the B-52H model aircraft. The APN-22 has been in the inventory for some time and was successful at the higher altitudes for which it was originally obtained. These altitudes were considerably above the current low altitude requirement for the B-52H aircraft operations. When used at the lower level in the B-52H environment, the APN-22 failed. This created an immediate need for the development and production of an altimeter which would successfully and reliably perform its function in the low-level environment. At this point you should know that low-level use of aircraft of this type became a tactical necessity to permit survival of the aircraft under certain combat conditions. Crews operating these aircraft were highly trained and efficient at the higher altitudes but it became necessary to begin immediately a training program for operation of these systems at extremely low altitudes. This training could not begin until we could obtain radar altimeters which would reliably operate in the B-52 environment at such low altitudes.

The Air Force thereupon quickly surveyed industry and found three radar altimeters in existence which could possibly fulfill the immediate requirement at least on an interim basis, pending development of a standard item. These three instruments were subjected to very limited flight tests in the B-52, and only one of them survived. This was the model provided by Emertron. The Air Force immediately attempted an urgent sole-source procurement of some of these altimeters from Emertron and the buying agency was granted authority by the Assistant Secretary of the Air Force (Materiel) to do so. The authority had been granted with the understanding that Emertron would provide data which could subsequently be used for competitive reprocurement. However, Emertron asserted claims to certain proprietary rights and refused to agree to provide reprocurement data. Thus the authority which had been granted by the Assistant Secretary was negated and the Air Force then proceeded, even on sufferance of loss of time, to institute a competitive procurement under the two-step advertising procedure. It was correctly stated in your speech that the results of this procedure led to an award to the low bidder, Sperry Gyroscope, for development and production of 42 sets. As you also stated, the resulting contract was fixed price in the amount of $199,977.84. Qualification of the first article was a contractual requirement and was to be accomplished in part by flight test in the B-52H operational environment.

Award of this contract was made on January 19, 1962, and first article was to be delivered to the Air Force in November 1962. Item deliveries began in August 1962 and flight tests began in the same month. Qualification tests were completed in March 1963 and resulted in complete qualification of the altimeters. Thirty-two B-52H flights, totaling 138 hours were expended in these tests. It is important to note at this point that costs to the Air Force involved in the conduct of the flight and other tests exceeded $2 million.

By the time qualification tests were completed, the Air Force had requirements for 1,115 of these sets. Of these, 703 were for the B-52 fleet, and the remainder were needed for spares, and for requirements that had developed for other aircraft in the inventory. Upon review of the total requirements, it was determined that competitive procurement was appropriate. However, the urgency connected with the need to commence low-altitude training of B-52 combat crews led to a determination that a portion of the total requirements should immediately be placed on contract. The quantity for which no delay could be tolerated was computed to be 489 sets. Knowing the amount of time that had been required for Sperry to produce and test their first article, and knowing also of the more than $2 million cost involved in qualification testing, it was determined to be in the best interest of the Government to immediately negotiate with Sperry for the 489 sets so urgently required. The remaining quantities were being competitively procured.

It may interest you to know that Emertron was aware of the urgent requirement for these units and submitted an unsolicited proposal to provide them. The amount quoted by Emertron in their unsolicited proposal was $5,129,200, not including testing. For a portion of the testing, that is, reliability testing as distinguished from qualification testing, Emertron wanted an additional $320,610. Thus, their proposal was $5,449,810. The contract which was negotiated with Sperry is a fixed-price incentive contract which cannot exceed $5,607,358. Thus, the Emertron unsolicited proposal was $102,868 below the maximum liability of the Government on the Sperry contract. This was for an Emertron model which had not been submitted to qualification testing and for which such testing would be mandatory. A minimum of 4 months testing time and costs to the Air Force of over $2 million would result. You now have the facts by which the Air Force was faced at the time a contract with Sperry on a sole-source basis was decided upon.

The statement in your speech was correct that Sperry incurred a heavy loss in fulfilling their first contract.

Preliminary information available to us from our auditing system indicates that the unit cost to Sperry of the 42 sets on the first contract was about $38,100. The unit price to the Air Force for these 42 sets was $4,671. The follow-on contract for 489 systems was negotiated at a target price of $5,504,470, with a ceiling of $5,607,358. This price was mutually arrived at on the basis of projected costs, just as any other negotiated contract is and contains no allowance for any previous losses.

I am forwarding the foregoing detailed information because I am sure that, in the interest of fairness, completeness and accuracy, you will insert this letter in the public record.

Sincerely,

EUGENE M. ZUCKERT.

Mr. Speaker, the Air Force Secretary makes quite a cogent argument for the justification of a sole source contract with Sperry Rand. However, I deliberately withheld the insertion of the Secretary's letter until after the third procurement of this identical equipment had progressed to a point where competitive bidding prices would allow a complete analysis of Sperry's initial competitive quotation, its sole source price, and a third quotation under competitive conditions after experiencing production costs.

Now, please keep in mind, we are discussing multimillion dollar contracts. Here is the comparison in a nutshell.

Sperry's first contract was for about $4,671 per system, and the contractor alleges a tremendous loss—substantiated by the Air Force Secretary.

Sperry's noncompetitive, sole source price, according to the Air Force Secretary, was about $11,000 per unit.

Sperry's third price—a competitive price revealed in open competition—is about $6,000 per system. This is the price Sperry quoted January 7, 1964, under terms of Air Force invitation 33-657-64-163.

Mr. Speaker, after my December 10, 1963, speech, I learned that the dollar amount of the sole source AN/APN 150 contract had been increased to $7.5 million. Thus, about one-half of that amount was simply thrown away because the Air Force eliminated competition—under whatever guise.

The following abstract of bids received under invitation 33-657-64-163 shows how the Sperry price fluctuated once competition was allowed by the Air Force:

Name of firm bidding	*Composite system*
Sperry:	
Low range	$6,511.00
High range	6,022.00
AGA:	
Low range	9,110.70
High range	6,149.69
S.W.:	
Low range	10,204.34
High range	7,383.15
A.E.L.:	
Low range	12,225.76
High range	7,877.85
GPL:	
Low range	13,275.00
High range	7,810.00

Names of firms bidding above: first, Sperry Rand Corp., Great Neck, N.Y., terms net; second, Aero Geo Astro Corp., Alexandria, Va., terms net; third, Stewart Warner Electronics, Chicago, Ill., terms net; fourth, American Electronic Laboratories, Inc., Lansdale, Pa., terms net; and fifth, GPL Division, General Precision, Inc., Pleasantville, N.Y., terms net.

It is obvious, when all figures are studied, that the proper price for the AN/APN 150 is around $6,000. It also becomes obvious that someone in the Air Force allowed Sperry either to recoup early losses or reap a big profit with the sole-source purchase of the AN/APN 150. Regardless of the rationale used by the Air Force, the taxpayer "got it in the neck" to the tune of over $3.5 million.

I am making this statement today, Mr. Speaker, simply to keep the record straight and conclude another case. I have high esteem for the Air Force Secretary and what he is trying to do. But I must disagree with some of his conclusions. And the results of the competitive bid opening of January 7, 1964, bear out my contention that there has been a lot of money thrown away in the purchase of the AN/APN 150 radar altimeter.

PROPOSAL IN PRESIDENT JOHNSON'S BUDGET FOR FISCAL YEAR 1965

Mr. SIBAL. Mr. Speaker, I ask unanimous consent that the gentleman from Massachusetts [Mr. MORSE] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Connecticut?

There was no objection.

Mr. MORSE. Mr. Speaker, in the budget for fiscal year 1965 sent to Congress today by President Johnson, it is proposed that some $54 billion be spent on defense and defense-related activities next year. This enormous sum represents almost a tenth of our gross national product and more than half the entire Federal budget.

Obviously any significant changes in the quantity or character of these expenditures would have an important, and potentially unsettling, impact on our economy. Yet despite the constantly changing nature of our defense requirements, the rapidly shifting patterns in world politics, and the tremendous growth of our technology, we have devoted very little attention to concrete planning for our long-range economic health.

I was encouraged that President Johnson has given a more formal and permanent status to the informal executive branch committee established last summer to review and coordinate the work of the Federal agencies relative to the economic impact of defense and potential disarmament. The paucity of literature in this field and the repetitive nature of much that has been written attests to the low priority we have assigned to this problem.

We cannot assume that when the time comes we will be able to react adequately even to a gradual shift in our resources. The difficulties we have had in coping with high unemployment rates and technological dislocation in a period of huge defense outlays should put us on guard against reliance on quick and easy solution should these sums decrease in the future.

The economic significance of our Defense Establishment demands coordinated efforts now to insure that all levels of government, industry, labor, and education will be able to respond together to the inevitable changes in our economic structure.

Much has been said about the unmet needs of our society—presumably these could be met with the funds diverted from defense spending in time of reduced international tension. But little of practical value has been said about how the economy is to move resources, raw materials and personnel from guns to butter, from tanks to schools, from fighter planes to prefabricated housing. I do not doubt for a moment that we have the economic tools and the intellectual capabilities to accomplish these changes. But I think it is important that we give serious thought now to the specific steps that will have to be taken when the time comes.

To assure concrete attention to this problem, I am introducing legislation calling for the creation of a National Economic Conversion Commission. The Commission's first responsibility would be to prepare a study for the President and the Congress of appropriate policies to be carried out by the Federal Government for economic conversion capability. This study would reflect projected public and private investment patterns and their impact upon employment levels and would serve as a starting point for a National Conference on Industrial Conversion and Growth. The conference, to be held approximately a year from the date of enactment of this legislation, would encourage appropriate planning and programing by all sectors of the private economy as well as by the Government. To be chaired by the Secretary of Commerce and composed of the Secretaries of Defense, Agriculture, Labor, and Interior, the Chairman of the Atomic Energy Commission, the Director of the U.S. Arms Control and Disarmament Agency, the Chairman of the Council of Economic Advisers, the Administrator of the National Aeronautics and Space Administration, and the Administrator of the Small Business Administration, the Commission would operate out of the Executive Office of the President.

The bill reflects the basic premise that the question of conversion does not concern the Federal Government alone. Consultation and coordination with State Governors, the encouragement of regional planning and local responsibility would characterize the work of the proposed Commission.

Most important of all, Mr. Speaker, the legislation would bring the problem of conversion to its most important and fundamental level—the individual industrial concern. A recent study indicated that far too many manufacturers with a substantial proportion of their business with the Federal Government have simply not faced up to the possibility of economic conversion. We cannot rely on the solution of one manufacturer who does 25 percent of his business with the Government; he would simply fire 25 percent of his employees in the event of a contract cancellation.

The National Economic Conversion Commission would be empowered to prescribe regulations for inclusion in defense and related contracts requiring the creation of industrial conversion committees charged with planning for conversion to civilian work. Such a committee would be required of any contractor with more than 25 percent of his employees engaged in certain types of defense work on contracts which require at least 1 year to complete.

Whatever the uncertainties of the international scene, however far away a world at peace may seem at the present time, it cannot be too early to consider the mammoth and complicated problems that would be involved in any major shift in defense spending. The Commission I have proposed today would provide us with the necessary and presently unavailable data to enable us to face our changing economic future with confidence and intelligence.

COSTLY FEDERAL HELP

Mr. SIBAL. Mr. Speaker, I ask unanimous consent that the gentleman from Ohio [Mr. AYRES] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Connecticut?

There was no objection.

Mr. AYRES. Mr. Speaker, as a member of the Education and Labor Committee I found the following editorial written by Mr. James S. Jackson of the Akron Beacon Journal very thought-provoking.

The points Mr. Jackson makes are applicable to hundreds of school districts throughout the United States. There is no doubt, as Mr. Jackson says, that we should practice a little more of the do-it-yourself philosophy.

The article follows:

OTHERWISE, COSTLY FEDERAL HELP

Prediction: Pressure for Federal aid to education will mount during the coming year.

Cause: More and more school districts, both in large cities and in small rural communities, are in financial trouble. Unable to get enough funds from local taxes or from the State, they look hopefully to Uncle Sam.

Week after week, the financial problems of public schools are in the news, both locally and on the national level.

The Wall Street Journal on Wednesday had a lead article headlined: "Rising Education Costs Touch Off Tax Boosts for Property Owners."

The story dealt mainly with problems in the large cities. It included this significant paragraph:

"There's evidence that taxpayers in some areas are balking at new increases in property taxes to support schools."

One doesn't have to go any farther than Cuyahoga Falls, Norton, Springfield, Green and Bath-Richfield, right here in Summit County, to find such evidence. All voted down school tax levies last November.

Now, scarcely a week passes that boards of education in these districts and in nearby counties don't take action to either curtail certain school services or impose new fees or both.

Also on Wednesday, the Beacon Journal reported that the Triway District in Wayne County was imposing a "tuition fee" of $3 a semester for elementary pupils and $5 for high school pupils.

It developed later that "tuition" was technically the wrong word. Actually, the fee is for "materials of instruction"—paper, workbooks, laboratory materials, etc. But no matter what term is used, this is a not uncommon example of an effort to augment revenues after tax increases have been rejected.

As we pointed out the other day, "Ohio does not compare favorably to other progressive States in support of education at any level."

With the State administration holding the line against increased State aid and with many voters resisting real estate tax increases, the cries will grow louder for more help from Washington. This is happening and will happen not only in Ohio but in many other States.

As the Beacon Journal has pointed out many times in the past, Ohio has nothing to gain and much to lose by participating in a broad-scale Federal aid to education program.

On a per capita basis, Ohio is one of the wealthier States. The last plan seriously considered for aiding the schools would have cost the taxpayers of Ohio $1.50 for every $1 distributed in aid to the schools in this State.

That's not a good deal, is it?

Then why don't Ohioans get busy on a do-it-yourself basis to find ways of providing adequate financial support for the schools of our State?

THE POLITICAL SITUATION IN OHIO?

Mr. SIBAL. Mr. Speaker, I ask unanimous consent that the gentleman from Ohio [Mr. AYRES] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Connecticut?

There was no objection.

Mr. AYRES. Mr. Speaker, in the past few days I have been asked by many persons, "What do you think of the political situation in Ohio?" Rather than offer my own views I am submitting the following editorial which discusses the situation.

The editorial follows:

TRANSPARENT CYNICISM

Lausche, Young, Bender, Burke, Bricker, Taft, Burton, Bulkley, Huffman, Donahey, Fess, Willis, Harding, Pomerene—you can go way back to before John Glenn was born and not find a man who has served Ohio in the U.S. Senate without prior experience in some lesser public office.

FRANK LAUSCHE had been Governor five times. STEPHEN M. YOUNG and George H. Bender both served in the House of Representatives. Thomas A. Burke was mayor of Cleveland. John Bricker had been attorney general and Governor. These and all the other Ohio Senators in modern times have had one thing in common—a thorough grounding in the science of government.

But experience, you may say, isn't really necessary. Look at Dwight Eisenhower, you say—a novice in politics in 1952 when he was drafted to run for President.

Yes, Eisenhower was inexperienced in politics. But as commanding general of the Allied Forces in Europe during World War II and as Supreme Commander of Allied Powers, Europe, he demonstrated talent as an administrator which qualified him for executive responsibility in government.

John Glenn's experience as an astronaut qualifies him as an expert on space technology. The specialized knowledge which he has gained would be useful to him as a Senator, to be sure, but space is only one of the many subjects with which a well-rounded Senator needs to be familiar.

Glenn, personable and articulate, is a bright young man who could be expected to learn quickly.

At the present time, however, he knows nothing about politics. How little he knows was revealed in a statement he made last month in North Carolina: "My political feelings lie somewhere between a liberal Republican and a conservative Democrat." Any college student majoring in political science could tell him that he wasn't describing a narrow segment of the political spectrum, as he evidently believed, but was talking about extremes that are poles apart.

To us, it is evidence either of naivete or of supreme overconfidence that Glenn considers himself qualified for the U.S. Senate. One prefers to believe that he doesn't know any better.

But what about the political manipulators who convinced Glenn that he was ready for this lofty office?

Representative WAYNE L. HAYS, of Ohio, and Attorney General Robert Kennedy have been mentioned.

Perhaps Kennedy can be excused—he thought his brother, TEDDY, was mature enough for a Senate seat. But there is no excuse for HAYS. He knows Ohio's political traditions well enough to realize that the voters of this State don't just send "names"—no matter how glamorous—to the Senate.

Here a candidate for Senator is expected to understand what the issues are, to have a coherent political philosophy, and to have a record of public service on which voters can base a judgment.

Maneuvering Glenn into the Senate race is an example of transparent cynicism and we shall not be surprised if it backfires like no rocket ever launched from Cape Kennedy.

FINANCIAL STABILITY OF STATES IF PUBLIC STOPS SMOKING?

Mr. SIBAL. Mr. Speaker, I ask unanimous consent that the gentleman from Ohio [Mr. AYRES] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Connecticut?

There was no objection.

Mr. AYRES. Mr. Speaker, there has been much in the news lately regarding the harmful effects on the health of the Nation from cigarette smoking. The article printed below by Mr. Robert H. Giles, an editorial writer for the Akron Beacon Journal, is very constructive. I wonder what will happen to the financial stability of our States if the public stops buying cigarettes.

The article follows:

OHIO TAXES PUT IN PERSPECTIVE

(By Robert H. Giles)

Ohio's industrial climate, which has been dressed up by promises of no taxes and the assurance that "profit is not a dirty word," has been given another boost in a new publication by the Ohio Chamber of Commerce.

The Ohio Chamber's "tax table"—a comparison of Ohio taxes with those levied in 15 competing industrial States—is an updated version of a periodic publication prepared by the chamber's taxation and research department.

Its objective is set out in an accompanying "Memo To Industry" signed by Barton A. Holl, president of the Ohio Chamber of Commerce.

Praising the "new look" in the management of Ohio's fiscal resources, Holl says the tax table "is being reissued, not because of new taxes imposed in Ohio, but because of new levies and rate increases in other States."

The 15 States listed as competitors of Ohio for industry are California, Illinois, Indiana, Kentucky, Massachusetts, Michigan, Missouri, New Jersey, New York, North Carolina, Pennsylvania, Tennessee, Texas, West Virginia, and Wisconsin.

Ohio did not monopolize the "no new taxes" theory, however. Illinois, Kentucky, North Carolina, and Michigan did not increase State taxes, although Illinois did provide an estimated $171 million extra for the current biennium by tightening its sales tax collection procedures.

The most frequent target of tax increases was cigarettes. An additional penny or two was added to the cigarette tax in 7 of the 15 States.

The most expensive place to buy a pack of smokes is New York City where a 2-cent local tax was upped to 4 cents on top of a 5-cent State tax, bringing the total to 9 cents. Ohio's cigarette tax is 5 cents a pack.

Busiest State in the taxing field in 1963 was Indiana, which increased three old taxes and became the 37th State to adopt a sales tax.

Here is a summary of the new or increased taxes by 11 of Ohio's competitors:

California: Raised the rate of its franchise tax from 5 to 5½ percent and upped fuel tax from 6 to 7 cents per gallon.

Indiana: Adjusted its gross corporate income tax of 2 percent to cover interstate income of national firms moving into the State, raised the State income tax from 1½ to 2 percent, enlarged the cigarette tax from 3 to 4 cents and adopted a 2 percent sales tax.

Massachusetts: Increased the employer rate of unemployment compensation. (Ohio also revised unemployment compensation laws by increasing employer payroll taxes to the fund.)

Missouri: Enlarged the State sales tax from 2 to 3 percent.

New Jersey: Boosted cigarette tax from 7 to 8 cents a pack and added a special 6 cents per gallon motor fuel use tax on interstate trucks and buses.

New York: Cigarette tax in New York City was increased from 2 to 4 cents.

Pennsylvania: Sales tax was enlarged from 4 to 5 percent, making it the highest in the Nation. Cigarette tax was raised from 6 to 8 cents.

Tennessee: Corporation excise tax was increased from 3.75 to 4 percent of net earnings from business done in the State. The tax on cigarettes went from 5 to 7 cents a pack and the unemployment compensation rate to employers was broadened.

Texas: Increased its sales tax from 1.5 to 2 percent on motor vehicles, and replaced the old cigarette tax of 6 cents with one of 8 cents.

West Virginia: State income tax was changed from a flat of 6 percent of Federal income taxes paid to a graduated scale of 1.2 to 5.5 percent of net income. The change was made to fortify West Virginia against the impending Federal income tax cut.

Wisconsin: Raised the minimum rate of the State income tax from 2 to 2.3 percent. The maximum rate at 10 percent of net income is unchanged. Cigarette taxes were increased from 6 to 8 cents.

One change made by New York in its corporate income tax law was designed to give a tax advantage to firms locating in that State. Effective January 1, New York is allowing double Federal depreciation on machinery and equipment newly located there and a 1-year writeoff on research and development facilities.

Comparing taxes from State to State, chamber research officials concede, is something like relating apples to oranges.

It is possible to get a general picture of how Ohio's tax structure differs from its competitors, but for a company to learn the exact differences in tax costs would require considerable study by tax experts.

One factor, for example, is that some States have a State income tax and others, like Ohio, don't. But in Ohio, municipal income taxes are permitted, whereas they aren't in other States.

MR. NEILAN INVITES MR. PATMAN TO A PARTY—MR. PATMAN REPLIES

The SPEAKER pro tempore (Mr. LIBONATI). Under previous order of the House, the gentleman from Texas [Mr. PATMAN] is recognized for 60 minutes.

Mr. PATMAN. Mr. Speaker, since there is a Democratic caucus at 10 o'clock tomorrow when we expected to have our committee meeting, we cannot have the committee meeting until 11 o'clock tomorrow. I therefore ask unanimous consent that on tomorrow afternoon the Subcommittee on Domestic Finance of the Committee on Banking and Currency may be allowed to sit during general debate.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Texas?

Mr. KILBURN. Mr. Speaker, the gentleman from Texas spoke to me about this, and I told him that some Members on our side might want to object to it. I wish the gentleman would withhold the request.

Mr. PATMAN. That was a different situation. I asked the gentleman if they would yield to us to ask permission for this week and next week. He thought there might be objection. We talked to the gentleman from New Jersey [Mr. WIDNALL]. He did not seem to think we should ask for so long a time. But in view of the fact that we are prevented from commencing our committee meeting at 10 o'clock in the morning, and will have to wait until 11 o'clock to start, I did not think the gentleman would object to our meeting tomorrow afternoon when the House is in general debate. That is just for the day.

Mr. KILBURN. I may say the gentleman should get this permission when the House meets tomorrow noon when the Members are here.

Mr. PATMAN. We will be in committee at that time, and will not be in position to make the request.

Mr. KILBURN. We will not be meeting after the House begins tomorrow.

Mr. PATMAN. I think it is a reasonable request.

Mr. GROSS. Mr. Speaker, reserving the right to object, do I understand the parliamentary situation to be that we are on special orders?

The SPEAKER pro tempore. We are on special orders.

Mr. GROSS. It has been the unwritten rule and the custom that when the House starts on special orders, business of general interest to the House is not to be transacted. In view of the fact that we now are on special orders, I must agree with the gentleman from New York [Mr. KILBURN], that this request should be taken up tomorrow noon when we are in general session in the House.

Mr. PATMAN. Mr. Speaker, I am not permitting the gentleman's statement to go unchallenged.

Mr. GROSS. I reserved the right to object. Mr. Speaker, do I have the floor?

The SPEAKER pro tempore. The gentleman has the floor, but the gentleman from Texas may propound a unanimous-consent request.

Mr. GROSS. Of course, and it is also my privilege to reserve the right to object, as I understand it, Mr. Speaker.

The SPEAKER pro tempore. The gentleman is correct.

Mr. GROSS. Therefore, Mr. Speaker, under the circumstances, I am constrained to object to the request.

The SPEAKER pro tempore. Objection is heard.

Mr. PATMAN. Mr. Speaker, may I be recognized now on my special order for 60 minutes?

The SPEAKER pro tempore. The gentleman from Texas has been recognized.

Mr. PATMAN. Mr. Speaker, I ask unanimous consent to revise and extend my remarks and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. PATMAN. Mr. Speaker, first I want to say I do not agree with the distinguished gentleman from Iowa at all that it has been traditional here when you have special orders that that ends the business of the day. I can definitely state that has not been the rule during the period of time I have been here, and some of the most important business is often performed after the special orders. Unanimous consent requests of all kinds are made, and I do not want the gentleman's statement to go unchallenged, because I think it is subject to challenge, and with all due respect to the gentleman from Iowa, I challenge his statement and state that he is incorrect on that.

Mr. GROSS. Mr. Speaker, will the gentleman yield?

Mr. PATMAN. I yield to the gentleman.

Mr. GROSS. I am not surprised that the gentleman would challenge my statement, but I would invite the gentleman to go with me to the Speaker after this session or at any convenient time and find out and ascertain for himself whether that has not been the unwritten rule that business of interest to other Members of the House would not be transacted once the House has entered upon special orders.

MR. NEILAN INVITES MR. PATMAN TO A PARTY—MR. PATMAN REPLIES

Mr. PATMAN. Mr. Speaker, recently the Congress of the United States got into quite a discussion about junk mail. That is mail delivered by the post office at a very low price to anyone who lives in an apartment or a residence. Today I am going to talk about another type of junk mail. You gentlemen may have received a piece of it, as I did, on January 8, 1964. It was addressed to the Honorable WRIGHT PATMAN, U.S. House of Representatives, Washington, D.C. I opened the envelope and, as the saying goes, I could hardly believe my eyes. Let me read to you what the beautiful, engraved invitation inside had to say. At the top of the very expensive work of art was a blue seal. I looked carefully and discovered it was the seal of the U.S. Chamber of Commerce. Underneath this gorgeous seal—and I read:

> Edwin P. Neilan, president of the Chamber of Commerce of the United States cordially—

Get that word "cordially"—

> invites you to attend a congressional reception to be held—

Now, gentlemen, if any of you have coronary troubles, please leave the Chamber—

> invites you to attend a congressional reception to be held in your honor.

And then it continues on, saying where it is going to be held next month, and so forth.

Here is an invitation from a man who says of you and me—the people's representatives—that we are "confidence men"—"conscienceless public officials"—"Office holders squandering money to perpetuate ourselves in office." According to Mr. Neilan, we are "bag men," "bribed by our constituents"; "patronage peddlers"; "gravy ladlers"; and "rich men's sons on a spree," with "squatters' rights on the Treasury Department." The man who has the gall to "cordially invite" us to a reception in our honor has slandered us with these—and dozens of other—phrases just as flattering. I am not exaggerating. They are in the public record. He has been going up and down the country impugning our characters as I have just stated—and he has the unadulterated, unmitigated brass to "cordially invite" us to a reception in our honor.

Here is a man who deserves an award for the man with the most gall for the year 1963. He has more than a Government mule.

On previous occasions I have called the attention of the House to the totally irresponsible—and in many instances libelous statemens of Mr. Edwin Neilan—the man who cordially invites us to a reception in our honor. This is the same Ed Neilan who has questioned our morality and sneered at our motives. Our would-be host is the same fellow who opposes subsidies—in fact any Federal action that would put people back to work or rehabilitate our blighted areas in the cities and in the countryside. He favors only one subsidy which he never talks about. He loves the big bankers' bonus—billions of Federal deposits to lend out at the "going commercial rate" at no charge to the banks. He loves to create money on the Government's credit and to lend it out at 5, 7, or 8 percent interest, without paying the Government anything for the use of its credit. Parenthetically, let me say that if, during the last 40 years, during which time we had two major wars and a great depression, the credit of our Nation had been used in the interest of the Government instead of permitting its free use by the banks, we would have no national debt today and our annual national budget would be billions of dollars less.

Mr. GROSS. Mr. Speaker, will the gentleman yield?

Mr. PATMAN. I yield to the gentleman.

Mr. GROSS. Does the gentleman refer to the same president of the chamber of commerce who not too long ago complimented the President upon his alleged program of economy and indicated that he might vote for the President because of that economy program?

Mr. PATMAN. Well, that statement was short lived. He hardly got out of town until he repudiated it, and he has repudiated it many times since. You know, there are irresponsible people such as that.

Mr. GROSS. There is not any record that he has been given a free expensive stereophonic set yet, is there?

Mr. PATMAN. The gentleman is getting off onto another subject. I do not care to comment on that. It is not a related subject to the speech I am making at all.

Neither the President, his family, nor his friends have done anything in connection with his public service in any capacity that was wrong, in violation of law or ethical standards. That is my belief and I do not believe that statement will be disproved.

President Johnson is one of our greatest Americans. I have known him since he was 12 years old and know that he has always lived an honorable life. He has a lifelong reputation for honesty and trustworthiness.

Sometime later, when the gentleman would like to discuss it, I shall be glad to do so, but not when I have a prepared speech that does not concern it.

Mr. GROSS. Mr. Speaker, if the gentleman will yield, I will try to give him that opportunity later in the week.

Mr. PATMAN. Mr. Neilan has taken a shocking view of the whole American political system. Of the voters he says:

> Anyone who is so inclined can poor mouth or alibi his way to the public trough * * * since the subsidized voter is a bought-and-paid-for voter.

I hope the gentleman from Iowa is listening to this. This gentleman, Mr. Neilan, says:

> Since the subsidized voter is a bought-and-paid-for voter.

He is talking about the constituents of the gentleman from Iowa. He is talking about the constituents of all Members. He says he is a "bought-and-paid-for voter."

He is also on record as saying:

> More than a thousand American communities have lined up for political bribes * * * their net effect is the corruption of the electorate.

Is Ed Neilan trying to seduce the Congress by giving this party, I wonder? Is he trying to bribe us with petit fours? It makes me think of the old jingle:

> The duchess asked me to tea
> Her rumblings abdominal
> Were simply phenomenal
> She acted as though it were me.

You gentlemen will recall that recently Ed Neilan was caught with his Federal deposit slip showing. In remarks before this body, I pointed out that on October 15, 1963, Ed Neilan's Bank of Wilmington held over $8,100,000 of Government funds and that more than this amount was held during most of the year—at no charge whatsoever to anybody but the taxpayers of the United States. The old Ebenezer Scrooge of Wilmington the next day came back in a prepared statement that attempted to muddy the waters. He said that the banks are "subsidizing the Treasury," rather than the reverse. He contended that his Bank of Wilmington gave many services to the Federal Treasury and that there is no charge whatsoever for this bountiful largess from the goodness of Ed Neilan's heart. God bless him.

He failed to mention in his prepared statement that I said—and I quote from my remarks of a week ago:

> Most emphatically I favor a service charge for any service rendered to the Government by the banks. I want to see a fair ratio between a reasonable profit made by banks on Government deposits and actual work done for the Government by the banks. I do not want a bankers' bonanza as now exists.

Distortion, as any thinking person knows, is a major part of the Neilan technique. Of course, I said that banks should not be subsidized. Neilan is against any subsidies—except those to banks—but in one part of his rebuttal he really outdid himself. He stated that commercial banks should receive interest on their deposits in Federal Reserve banks. Now this is just plain preposterous for a very good reason.

Commercial banks do not create the money they deposit in Federal Reserve banks. These funds are created by the Federal Reserve Open Market Committee for the benefit of the banks. Only commercial banks and the Federal Reserve can create money. Others who attempt to create money wind up in the Federal penitentiary. The funds—and of course Ed Neilan knows this—the banks deposit in the Federal Reserve banks are the reserves of the commercial banking system.

Now just as of old, as a goldsmith used to lend out about 10 times the amount of gold their customers entrusted to them, so does America's commercial banking system lend out about 10 times the amount of funds on reserve in the Federal Reserve banks. In other words, these deposits or reserves are high-powered dollars—each dollar supporting about $10 in bank loans. These are the dollars Ed Neilan—the man with the unlimited amount of gall—wants banks to receive interest on from the Federal Government. He wants banks to have their cake and eat it too. He would like to see the commercial banking system use somebody else's cake to make loans aggregating nearly 10 times the dollars in the original cake. He is so venal, so greedy, he wants the banks to receive interest on the cake, which belongs to the depositors of the banking system to begin with, who are in reality the taxpayers of the United States. You see why I have called him the Scrooge of Wilmington. I was not kidding.

This happy-go-lucky fellow has a habit of bobbing up almost any place in the country, making a speech and infuriating a goodly number of those he talks to.

For example, on January 8, he turned up at the 41st annual meeting of the Bay City, Tex., Chamber of Commerce. Bay City is one of the many thousands of communities in America that has benefited through the years from the REA. In the course of his usual diatribe against the Government of the United States, he proceeded to give a totally distorted view of our Rural Electrification Administration. It is particularly amusing to note that he said:

> The REA takes money on which the Treasury pays 4 percent interest and lends it to power cooperatives for 2 percent. And that isn't the worst of it. Some of the rural electrical cooperatives invest money in Government bonds paying 3 percent plus. How's that for a merry-go-round ride at the taxpayers' expense?

Asks the banker from the Duchy of Dupont. Can you gentlemen imagine the gall of a man who is president of a bank—the Bank of Wilmington—that had an average of $9,680,000 of Federal money on deposit last year—on which the bank paid not 1 cent of interest—saying in criticism of REA loans:

> How's that for a merry-go-round ride at the taxpayers' expense?

Mr. ICHORD. Mr. Speaker, will the gentleman yield?

Mr. PATMAN. I yield to the gentleman from Missouri.

Mr. ICHORD. Was that an average balance of $9 million, approximately?

Mr. PATMAN. That is right. An average over the year, according to Mr. Neilan's statement that I have. According to Mr. Neilan's own statement, his bank invested in Government short-term securities yielding between 3¼ and 3½ percent. Thus during 1963, this gave the bank a return on its Government deposits of $314,000 to $338,000. And all during that time it had this $9.68 million, which, if turned over to the Treasury and paid on our national debt, would have saved our taxpayers about $400,000 on long-term securities being paid off. So there is where he was making over $300,000 a year by keeping those deposits interest free and at the same time it denied the taxpayers a saving of more than $400,000.

Now this shell game banker tells these citizens of Bay City, Tex.—whom he considers to be yokels—"You and I could get rich if you and I were on the receiving end of such an arrangement." So hopping mad were some of the people in Bay City that they took a half page ad in the Bay City Tribune with a heading, "Half Told Tales of Edwin P. Neilan." Mayor R. C. Gusman sent me a tearsheet which listed the statements and half-truths of Ed Neilan. The ad gave the lie to the Neilan nonsense. Whereas he was against REA—as he has been against anything that has done the country any good the past 30 years—the ad played up the historical facts of the constructive work done by the REA in the Bay City area. It called the cooperative power progam one of the "greatest and most beneficial programs ever inaugurated in America," and pointed out that rural electrics pay sales, property, excise, school, vehicle, and all other taxes, like any other business firm. In 1962, these electric systems contributed more than $23 million in taxes. Mayor Gusman's letter—like the ad—was what we might call a wee mite contemptuous of Neilan, and wound up with this sentence:

> I, for one, believe that the U.S. Government should withdraw all funds from Mr. Neilan's bank.

Maybe Ben Franklin had some advice for Ed Neilan that would be helpful:

> A slip of the foot you may soon recover
> But a slip of the tongue you may never get over.

One of the funniest chapters in the Ed Neilan saga took place in Indianapolis on January 6 of this year. The president of the U.S. Chamber of Commerce—talking to the local chamber—threw posies all over the room.

> It is rewarding—

He said—

> to recognize that a dynamic leadership is a necessary ingredient for a progressive local government, responsive to the needs of its citizens. This is most evident, here in Indianapolis. You are to be complimented * * * emulated, by an increasing number of citizens looking inward to a responsible local solution * * * instead of outward for irresponsible and expensive Federal aid.

He warned the good citizens of Indianapolis against the horrors of what he called the supermarket of subsidies designed to dazzle irresponsible shoppers. Indianapolis, he contended, would show the way.

No siree, Bob. Indianapolis would not be sucked in by Federal money.

Now let us see what happened in Indianapolis the past 12 months. I have received but a partial list of Federal monies spent in Indianapolis in 1963. Ed Neilan, of course, would not tell the good citizens of Indianapolis what would have happened to their city—socially, economically, and financially—if there had been no Government money spent in Indianapolis, but it hardly takes a bright man to conclude that Indianapolis would have been a disaster area.

The SBA made 417 contract awards to concerns in Indiana for a total amount of $21,324,000. There is no breakdown on these figures as to cities, but it is estimated that a major portion went to the city of Indianapolis. All together, defense contracts for the Indianapolis area during the year amounted to well over $170 million. General Motors plants alone got $104 million in contracts.

It should be noted that Fort Benjamin Harrison, the Army financial center, is located in Indianapolis. Payrolls for this installation have not been immediately obtained.

FHA home mortgages amounted to $4.1 million, and property improvement loans to $4 million.

Federal highway assistance in Marion County totaled approximately $26 million.

Here are a few incidental items: 230 men were trained under the Manpower Development and Training Act in 3 different programs; $980,000 in insured mortgage was secured for the Greenview Manor Nursing Home; $990,000 was secured as a loan for Butler University dormitory; $674,600 for airport improvements; $1 million in Federal grants for Community Hospital; $449,000 to James Whitcomb Riley Hospital; $490,000 purchased by AID for foreign aid—companies sharing: Lilly, Accurate Products, Atlas Manufacturing, P. R. Mallory, Marmon-Herrington, and Mobile Drilling; the Army Corps of Engineers at Fort Harrison, $36 million. It is safe to say that well over $300 million of Uncle Sam's money was spent by the Federal Government in Indianapolis and its environs.

On January 8, after the visit to Indianapolis by the Wilmington Rocket, Ed Neilan, stations WFBM—owned by Time-Life Broadcast, Inc.—offered their listeners and viewers an editorial.

> In a speech in Indianapolis this week—

It began—

> the president of the U.S. Chamber of Commerce, Edwin Neilan, condemned the Federal housing and urban renewal programs. And he praised Indianapolis.
>
> In neither case was his point well taken.
>
> Mr. Neilan said "the lion's share of these tax dollars from Washington go to the political favorites, not to the victims of poverty and misery." But, in his speech, he didn't give one example where a community that needed help was denied it. And he was also unable to give a WFBM reporter any specific examples.
>
> Mr. Neilan charged that "a major portion of the Federal urban renewal and public housing dollars are being spent in areas where housing is relatively good and incomes are relatively high." But he failed to point out that local officials are the ones who decide where in a community the money is used. Federal officials have nothing to do with it.
>
> He said the Federal Government's take on these programs is 12 percent. But he didn't mention the technical help that is given.
>
> And Mr. Neilan said New York City got the most Federal help because it was "a political plum of unmatched concentration." But he neglected to add that it is also the Nation's largest city with the largest slum-housing problem.
>
> These are just some of the points he failed to back up with facts. There were others. But his worst exaggeration was in his praise of Indianapolis.
>
> Mr. Neilan said, "We maintain that these programs can be solved locally." And maybe he's right.
>
> But then he said, "as Indianapolis has demonstrated." And there we take exception.
>
> The community's only recent attempt to help low-income families obtain decent housing is the Flanner House self-help program. And in it, Indianapolis has the seed of an idea. But, unfortunately, it's still only a seed.
>
> As good as the Flanner House program is, it has provided decent housing for only 335 families. And those families were not in the lowest income group.
>
> Indianapolis still has more than 7,600 families living in dilapidated housing and another 27,000 families in deteriorating housing. These are Bureau of the Census figures—not ours.
>
> In addition, Lockfield Garden, a 748-apartment housing project opened in 1938, is still full. And the manager reports there are more than 200 families on the current waiting list for apartments.
>
> So, while we favor local solutions, Indianapolis definitely hasn't proved it has one to the massive problem of slum housing. And the problem is getting worse all the time.

You see how Ed Neilan won friends in Indianapolis—now let us take a look at Cleveland. A while back he attacked its urban renewal project which has become the pride of the whole city. After his noisy charges which, as usual, distorted the facts, Mayor Ralph Locher replied, "Horsefeathers." The head of the city council, James V. Stanton, was not so harsh as the mayor. He only described Neilan's criticism as "nonsense." Even the head of the Cleveland Chamber couldn't take what the head of the national chamber had mouthed. He pointed out that most of the projects had been started under the Republican administration of Dwight Eisenhower.

Mr. VANIK. Mr. Speaker, will the gentleman yield?

Mr. PATMAN. I yield to the gentleman from Ohio.

Mr. VANIK. Mr. Speaker, I should like to commend the gentleman from Texas, the distinguished chairman of the Committee on Banking and Currency, for his contribution today. May I point out with respect to the Cleveland project, that our urban renewal program in Cleveland has been sparked and activated by the Cleveland Development Foundation which has as its core the outstanding civic leaders of the city, all of whom are members of the Cleveland Chamber of Commerce. So it seems that what Mr. Neilan says nationally is completely disregarded by the local chamber of commerce which has initiated, endorsed, and supported the urban renewal project in my city.

I thank the gentleman for yielding.

Mr. PATMAN. I thank the gentleman for his remarks. The gentleman is a very important member of our Committee on Banking and Currency. He is a member of the Domestic Finance Subcommittee that is looking into some matters.

If you want to find out about somebody, one tried and true way is to go to his neighbors. Let us try that on Ed Neilan.

Millsboro is a small community in Delaware not far from Wilmington. In order to get industry to the town—which incidentally is the home of U.S. Senator WILLIAMS—the good citizens of Millsboro and the local chamber of commerce sought a $250,000 Federal grant for a much needed sewer project. The Scrooge of nearby Wilmington soon publicly claimed that subsidy salesmen came to Millsboro and sold the citizens on a federally supported project that was not needed. Said William A. Carter, a director of the Millsboro Chamber of Commerce, regarding the mouthings of Mr. Neilan:

> He's got an awfully big mouth, and what he is saying is just not true.

According to a dispatch dated September 7 from Millsboro in the Philadelphia Sunday Bulletin, town officials headed by Carter had asked planning experts from the University of Delaware to help them draw up a long-range plan of economic improvement. The final plan called for an expansion of the town to triple its size and double its population. Millsboro had lost more than 500 jobs in the last 3 years. The expansion was approved by referendum and the townsfolk voted agreement to a $600,000 bond issue. But like lots of communities in America, it could not foot the total bill without some Federal aid, so one grant from HEW was made for $87,000 and the Area Redevelopment Administration came through with a quarter of a million dollars. Speaking of the ARA grant, Carter said:

> Neilan implied that this was a giveaway from the Federal Government which the Federal Government came around and sold us on accepting.
>
> The fact is we approached the Federal Government. This is no case of log rolling or pork barreling or political immorality, or any of these other things that Neilan has been talking about.
>
> He just lowered the boom on everybody without discrimination.
>
> Now, I am a dues-paying member of the chamber of commerce, and I am against Neilan using his position as head of the U.S. chamber to spout off his own opinions.
>
> Some of the things he is saying are just ridiculous.

Sometimes I wonder whether the directors of the U.S. Chamber of Commerce are in accord with the president of that organization. If they are, what an indictment of American business that such a prominent business group should be so attached to such medieval economic, financial, and social thinking as that expressed by Ed Neilan.

Let me see if we can summarize some of the thinking of the man who would be host to a party in the honor of the Congress of the United States. We have ample evidence that he slandered the Congress from coast to coast. We have ample evidence that he has made vicious and unsubstantiated charges about practically every sector of the American Government that has accomplished something good for the people of the country. He has slandered the voting population. He has ridiculed a thousand American communities and almost as many local chambers of commerce which have sought constructive projects with Federal support. He has indiscriminately attacked all subsidies except one—the banker's bonanza which I previously mentioned.

One of his worst boo-boos was to attack the veterans of the United States—the very men who defended the American capitalist system which makes the Bank of Wilmington possible. I will have more to say on this particular banker's fight against the veterans in the near future.

Perhaps most sinister of all is his attack against our way of life and our governmental processes that have evolved through trial and error since we became a free nation.

This is the man who invites us to a party. If I attended, my conscience would bother me, and I suspect any man in this room who accepts will have to wrestle with his. I enjoy breaking bread with friendly people. Most Americans are friendly. I enjoy breaking bread with honorable gentlemen who do not distort and twist facts, and attempt to mislead the public. Therefore, in this instance, I could not accept.

Moreover, I venture to add that the majority of the men in the Congress of the United States who have been so maligned by this little banker fellow from Wilmington will hardly be able to attend a party in our honor given by the very same man who has slandered and libeled us.

In closing let me say that anyone like Neilan who makes sweeping, unsubstantiated, shocking charges for headlines is hardly the man to be the spokesman for American business. He certainly is not the man to speak for American banks. The day Ed Neilan would become head of the American Bankers Association should bring a gleeful editorial in Pravda.

But, perhaps we are all taking Ed Neilan too seriously. In reality this tragic little man is hardly more than a dyspeptic joke. We should never lose sight of the fact that he really represents only the minority opinion of the minority party of the United States. And that is as it should be, and that is why I am so optimistic about the future of our great country. I thank you.

PANAMA

Mr. HALL. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Missouri?

There was no objection.

Mr. HALL. Mr. Speaker, from the teletype under the leadline, "Panama Aid," there is a statement that the State Department said today it is considering what to do about U.S. aid to Panama now that that country has broken diplomatic relations with the United States.

Mr. Speaker, in view of what has gone on here on the floor of the House before today by my distinguished senior colleague from Missouri, I think it is appropriate to include this in the Record, and I ask unanimous consent that this be included in the Record for today from the United Press International.

The SPEAKER pro tempore. Without objection, it is so ordered.

There was no objection.

The matter referred to is as follows:

> Washington.—The State Department said today it is considering what to do about U.S. aid to Panama now that that country has broken diplomatic relations with the United States.
>
> At the moment, a spokesman told newsmen, U.S. aid personnel who were in Panama are all in the Canal Zone and aid projects are not being worked on. But there has been no decision on any formal suspension of aid.
>
> Panama on Friday asked diplomats of the U.S. Embassy in Panama to leave the country, and they were evacuated to the Canal Zone. A small consular staff remains at the Embassy handling routine administrative matters.
>
> In ousting U.S. diplomats on Friday, Panamanian Foreign Office officials said aid and Peace Corps personnel could remain, there were reports Panamanian officials said they hoped these programs would continue.
>
> But State Department Press Officer Richard I. Phillips said today that Panamanian officials "did not make clear what their position with respect to aid projects was."
>
> Panama has been among the highest per capita recipients of U.S. economic aid in Latin America, receiving more than $100 million since 1946. It received $9.2 million in U.S. economic aid last year, which does not include a $1.9 million annuity for U.S. use of the Canal Zone.
>
> In the last 2 years U.S. aid programs have helped build 400 school classrooms, 4,000 homes, and 150 miles of roads to connect isolated farm areas with markets. Aid is also included in programs for printing inexpensive textbooks for schools.
>
> The State Department reported no United States-Panamanian diplomat contacts over the weekend or today seeking a solution to the diplomatic break.

Mr. HALL. Mr. Speaker, the UPI news dispatch reads further as follows:

> In ousting U.S. diplomats on Friday, Panamanian foreign office officials said aid and Peace Corps personnel could remain. There were reports Panamanian officials said they hoped these programs would continue.

Now you just cannot have your cake and eat it too, internationally or nationally or individually in this world. The State Department personnel were evacuated to the Canal Zone from the Panamanian Republic and although some remained for administrative purposes, it should be pointed out that, certainly, the State Department and the Agency for International Development should immediately put in escrow all funds and look toward discontinuing these to a nation that has withdrawn diplomatic relations from the United States, the principal supporter of aid, and the United Nations.

The item concludes with the statement that—

> The State Department reported no United States-Panamanian diplomatic contacts over the weekend or today seeking a solution to the diplomatic break.

I say only, "O mores, O tempore, O State Department where art thou?"

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. Broyhill of North Carolina (at the request of Mr. Byrnes of Wisconsin), for today, on account of official business with his House committee.

Mr. Kornegay (at the request of Mr. Fountain), on account of official business.

Mr. Gary (at the request of Mr. Slack), for balance of the week, on account of illness.

Mrs. Kee (at the request of Mr. Libonati), for today and the balance of the week, on account of illness.

Mr. O'Brien of New York (at the request of Mr. White), for the balance of the week, on account of official business.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

Mr. Patman, for 1 hour, on Monday, January 27, to revise and extend his remarks and to include extraneous matter.

Mr. Patman, for 1 hour, on Monday, February 3, to revise and extend his remarks and to include extraneous matter.

Mr. Selden (at the request of Mr. Patman), for 60 minutes, on Wednesday, January 22, and to revise and extend his remarks and to include extraneous matter.

EXTENSION OF REMARKS

By unanimous consent, permission to extend remarks in the Congressional Record, or to revise and extend remarks, was granted to:

Mr. Evins.

Mrs. Sullivan and to include a statement.

Mr. Alger in two instances.

(The following Member (at the request of Mr. Sibal) and to include extraneous matter:)

Mr. Curtis.

(The following Member (at the request of Mr. Patman) and to include extraneous matter:)

Mr. Dingell.

SENATE BILL REFERRED

A bill of the Senate of the following title was taken from the Speaker's table and, under the rule, referred as follows:

S. 385. An act to extend the maximum maturity of certain Veterans' Administration guaranteed or insured home loans to 35 years; to the Committee on Veterans' Affairs.

ADJOURNMENT

Mr. PATMAN. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 2 o'clock and 1 minute p.m.) the House adjourned until tomorrow, Tuesday, January 21, 1964, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

1547. A letter from the President, Gorgas Memorial Institute of Tropical and Preventive Medicine, Inc., transmitting the 35th annual report of the operations of the Gorgas Memorial Laboratory, covering the fiscal year ended June 30, 1963, pursuant to section 3 of the act of Congress approved on May 7, 1928, as amended (22 U.S.C. 278a) (H. Doc. No. 260); to the Committee on Foreign Affairs and ordered to be printed.

1548. A letter from the Secretary of the Navy, transmitting a report relative to the number of officers above the rank of lieutenant commander who received flight pay for the 6 months ending December 1963, pursuant to Public Law 301, 79th Congress; to the Committee on Armed Services.

1549. A letter from the Assistant Secretary of the Treasury, relative to the number of officers in the Coast Guard above the rank of lieutenant commander who received flight pay during the 6-month period July 1 to December 31, 1963; to the Committee on Armed Services.

1550. A letter from the Deputy Secretary of Defense, transmitting the annual report of the Secretary of Defense on "Reserve Forces" for the fiscal year 1963, pursuant to section 279 of title 10, United States Code; to the Committee on Armed Services.

1551. A letter from the Director, Selective Service System, transmitting the 13th annual report on the operations of the Selective Service System for the period ending June 30, 1963, pursuant to the Universal Military Training and Service Act, as amended; to the Committee on Armed Services.

1552. A letter from the Director, Office of Civil Defense, government of the District of Columbia, transmitting the annual report for the Office of Civil Defense for fiscal year 1963, transmitted through the Board of Commissioners of the District of Columbia, pursuant to Public Law 686, 81st Congress; to the Committee on the District of Columbia.

1553. A letter from the Comptroller General of the United States, transmitting a report on the audit of the Gorgas Memorial Institute of Tropical and Preventive Medicine, Inc., for the fiscal year ended June 30, 1963, pursuant to the act of May 7, 1928 (22 U.S.C. 278a); to the Committee on Government Operations.

1554. A letter from the Comptroller General of the United States, transmitting a report on an unnecessary procurement initiated for 9,000-British-thermal-unit air conditioners by the Department of the Army; to the Committee on Government Operations.

1555. A letter from the Chairman, Federal Power Commission, transmitting a copy of "Statistics of Natural Gas Companies, 1962"; to the Committee on Interstate and Foreign Commerce.

1556. A letter from the Secretary of the Interior, transmitting a proposed amendment to the concession contract with the Ozark Bath House Co., Hot Springs National Park, pursuant to 70 Stat. 543; to the Committee on Interior and Insular Affairs.

1557. A letter from the Assistant Secretary of the Interior, transmitting a draft of a proposed bill to provide for the disposition of judgment funds and other tribal funds now on deposit to the credit of the Pawnee Tribe of Oklahoma, and for other purposes; to the Committee on Interior and Insular Affairs.

1558. A letter from the national corporation agent, Legion of Valor of the United States of America, Inc., transmitting a copy of the financial statement of the Legion of Valor of the United States of America, Inc., pursuant to Public Law 224, 84th Congress; to the Committee on the Judiciary.

1559. A letter from the Chairman, Railroad Retirement Board, transmitting the report of the Railroad Retirement Board for the calendar year 1963 on positions in grades GS-16, GS-17, and GS-18, pursuant to Public Law 854, 84th Congress; to the Committee on Post Office and Civil Service.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. PATMAN: Committee on Banking and Currency. H.R. 5130. A bill to amend the Federal Deposit Insurance Act and title IV of the National Housing Act (relating to the insurance of savings and loan accounts) with respect to the maximum amount of insurance which may be provided thereunder; with amendment (Rept. No. 1098). Referred to the Committee of the Whole House on the State of the Union.

Mr. PATMAN: Committee on Banking and Currency. H.R. 8230. A bill to amend section 24 of the Federal Reserve Act (12 U.S.C. 371) to liberalize the conditions of loans by national banks on forest tracts; without amendment (Rept. No. 1099). Referred to the Committee of the Whole House on the State of the Union.

Mr. PATMAN: Committee on Banking and Currency. H.R. 9609. A bill to broaden the investment powers of Federal savings and loan associations, and for other purposes; without amendment (Rept. No. 1100). Referred to the Committee of the Whole House on the State of the Union.

PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. BLATNIK:

H.R. 9655. A bill to confer upon the Federal Trade Commission the power and duty to regulate the advertising and labeling of cigarettes; to the Committee on Interstate and Foreign Commerce.

By Mr. CORMAN:

H.R. 9656. A bill to amend the Immigration and Nationality Act, and for other purposes; to the Committee on the Judiciary.

By Mr. DINGELL:

H.R. 9657. A bill to confer upon the Federal Trade Commission the power and duty to regulate the advertising and labeling of cigarettes; to the Committee on Interstate and Foreign Commerce.

By Mr. FASCELL:

H.R. 9658. A bill to alleviate certain hardships to employees in the administration of the Federal Employees' Compensation Act, and for other purposes; to the Committee on Education and Labor.

By Mr. HALL:

H.R. 9659. A bill to amend the act of July 13, 1959, to extend the period of time within which the actual construction of certain improvements must be commenced on certain lands heretofore sold to the State of Missouri; to the Committee on Public Works.

By Mr. LONG of Maryland:

H.R. 9660. A bill to amend the District of Columbia Alcoholic Beverage Control Act to prohibit the sales of alcoholic beverages to persons under 21 years of age; to the Committee on the District of Columbia.

By Mr. MATTHEWS:

H.R. 9661. A bill to authorize the Secretary of the Interior to condemn certain property in the city of St. Augustine, Fla., within the boundary of the Castillo de San Marcos National Monument, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. MORSE:

H.R. 9662. A bill to establish a National Economic Conversion Commission, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. O'NEILL:

H.R. 9663. A bill to amend the tariff schedules of the United States; to the Committee on Ways and Means.

By Mr. TEAGUE of California:

H.R. 9664. A bill to prohibit any guarantee by the Export-Import Bank or any other agency of the Government of payment of obligations of Communist countries; to the Committee on Banking and Currency.

By Mr. TEAGUE of Texas (by request):

H.R. 9665. A bill to amend chapter 15 of title 38, United States Code, to revise the pension program of World War I, World War II, and Korean conflict veterans, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. MORGAN:

H.R. 9666. A bill to amend further the Peace Corps Act (75 Stat. 612), as amended; to the Committee on Foreign Affairs.

By Mr. BATTIN:

H.R. 9667. A bill to authorize the appropriation of funds for the construction, reconstruction, and improvement of the Alaska Highway; to the Committee on Public Works.

By Mr. BLATNIK:

H.R. 9668. A bill to bring under control the health hazards produced by the smoking of cigarettes; to the Committee on Interstate and Foreign Commerce.

By Mr. CURTIS:

H.R. 9669. A bill to establish a Commission on Federal Expenditure Policy; to the Committee on Government Operations.

By Mr. KILBURN:

H.R. 9670. A bill to establish a Commission on Federal Expenditure Policy; to the Committee on Government Operations.

By Mr. WIDNALL:

H.R. 9671. A bill to establish a Commission on Federal Expenditure Policy; to the Committee on Government Operations.

By Mr. TALCOTT:

H.R. 9672. A bill to provide for the conveyance of certain real property to the State of California; to the Committee on Merchant Marine and Fisheries.

By Mr. RAINS:

H. Res. 611. Resolution to express the sense of the House that Federal monetary policies should not conflict with the employment objectives of tax reductions; to the Committee on Banking and Currency.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. BRADEMAS:

H.R. 9673. A bill for the relief of Maria Karavati; to the Committee on the Judiciary.

By Mr. BROOMFIELD:

H.R. 9674. A bill for the relief of Allah P. Asker, Ahlam P. Asker, Talal P. Asker, Diah P. Asker, Samir P. Asker, and Samira P. Asker; to the Committee on the Judiciary.

By Mr. CLANCY:

H.R. 9675. A bill for the relief of Marie Sahely; to the Committee on the Judiciary.

By Mr. CONTE:

H.R. 9676. A bill for the relief of Miss Juana D. Dionisio; to the Committee on the Judiciary.

By Mr. FARBSTEIN:

H.R. 9677. A bill for the relief of Rosa Ochland; to the Committee on the Judiciary.

By Mr. FRELINGHUYSEN:

H.R. 9678. A bill for the relief of Anna Maria Geyer; to the Committee on the Judiciary.

By Mr. HALL:

H.R. 9679. A bill for the relief of James L. Hill; to the Committee on the Judiciary.

By Mr. MILLER of California:

H.R. 9680. A bill for the relief of Kil Ja Ahn; to the Committee on the Judiciary.

By Mr. MURPHY of New York:

H.R. 9681. A bill for the relief of Strategoulas Petosa; to the Committee on the Judiciary.

H.R. 9682. A bill for the relief of Carmela Togni; to the Committee on the Judiciary.

By Mr. ROONEY of New York:

H.R. 9683. A bill for the relief of Franca Fausto Stellino; to the Committee on the Judiciary.

By Mr. TEAGUE of California:

H.R. 9684. A bill for the relief of Mrs. Hamaka Nakamura; to the Committee on the Judiciary.

PETITIONS, ETC.

Under clause 1 of rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

636. By the SPEAKER: Petition of George J. Hurley, District of Columbia jail, relative to a redress of grievance relating to treatment in the District of Columbia jail; to the Committee on the Judiciary.

637. Also, petition of Bernard F. Harkanson, Newark, N.J., relative to investigating a probably universal abuse of freedom of the press involving this country's various news media; to the Committee on Rules.

638. Also, petition of Henry Stoner, Avon Park, Fla., asking Congress to legislate to charge decent interest to banks wherein Federal deposits of Federal moneys are placed, since the banks loan the money at an interest; to the Committee on Banking and Currency.

639. Also, petition of Henry Stoner, Avon Park, Fla., asking Congress to legislate to amend the National Bank Act of 1863, to force bill-collecting agencies never to charge more interest than 4 percent on the alleged debt; to the Committee on Banking and Currency.

640. Also, petition of Henry Stoner, Avon Park, Fla., asking Congress to legislate to form the U.S. Department of Physical Sciences, at Cabinet level, to bring together all physically scientific and related agencies; to the Committee on Government Operations.

641. Also, petition of Henry Stoner, Avon Park, Fla., asking Congress to require its members on the Joint Committee on Printing to give the CONGRESSIONAL RECORD Index to everyone who receives the RECORD, without a specific request being made; to the Committee on House Administration.

642. Also, petition of Henry Stoner, Avon Park, Fla., asking the House of Representatives to have published as a House document major portions of the new book, "Law, Liberty, and Psychiatry," by Dr. Thomas Szasz; to the Committee on House Administration.

643. Also, petition of Henry Stoner, Avon Park, Fla., asking the House of Representatives to subscribe to the verbatim United Nations "Official Records," for use in the House library; to the Committee on House Administration.

644. Also, petition of Henry Stoner, Avon Park, Fla., relative to declaring March 4, 1964, a national holiday; to the Committee on the Judiciary.

645. Also, petition of Henry Stoner, Avon Park, Fla., relative to the treatment of epileptics; to the Committee on Rules.

646. Also, petition of Henry Stoner, Avon Park, Fla., asking Congress to investigate a blunt, candid announcement of a possible military takeover in America, as stated on page 193, "U.S. Government Organization Manual, 1962–63," under the official description of the National War College; to the Committee on Rules.

647. Also, petition of Henry Stoner, Avon Park, Fla., asking the House of Representatives to require its Committee on Education and Labor to do a House document on "Noncollege Graduates Who Hold Influential U.S. Government Jobs"; to the Committee on Rules.

SENATE

MONDAY, JANUARY 20, 1964

The Senate met at 12 o'clock meridian, and was called to order by the President pro tempore.

The Chaplain, Rev. Frederick Brown Harris, D.D., offered the following prayer:

Our Father, God, again we turn to this wayside altar of prayer; but we come, not that we should commune with Thee only at this particular time and place, but to so open our lives to Thee that Thou wilt be the companioning presence of every hour, facing with us what we face, going with us where we go, sustaining, guiding, correcting, empowering, until our brief day's work is done.

Our Father, we cannot adequately face such a world and make our humble contribution to the healing of its open sores unless we keep untarnished our faith in Thy power to make even the wrath of man praise Thee, and in the ultimate victory of Thy purpose—

Lord, in this hour of tumult;
  Lord, in this night of fears,
Keep open, O keep open,
  Our eyes, our hearts, our ears.

In the dear Redeemer's name we pray. Amen.

THE JOURNAL

On request of Mr. MANSFIELD, and by unanimous consent, the reading of the Journal of the proceedings of Thursday, January 16, 1964, was dispensed with.

ATTENDANCE OF SENATORS

The following additional Senators attended the session of the Senate today:

HOWARD W. CANNON, a Senator from the State of Nevada, CLAIR ENGLE, a Senator from the State of California, DANIEL K. INOUYE, a Senator from the State of Hawaii, HENRY M. JACKSON, a Senator from the State of Washington, E. L. MECHEM, a Senator from the State of New Mexico, and GAYLORD NELSON, a Senator from the State of Wisconsin.

MESSAGE FROM THE PRESIDENT

A message in writing from the President of the United States was communicated to the Senate by Mr. Miller, one of his secretaries.

ECONOMIC REPORT OF THE PRESIDENT AND REPORT OF COUNCIL OF ECONOMIC ADVISERS—MESSAGE FROM THE PRESIDENT (H. DOC. NO. 278)

The PRESIDENT pro tempore laid before the Senate the following message from the President of the United States, which, with the accompanying report, was referred to the Joint Economic Committee:

THE WHITE HOUSE,
Washington, D.C., January 20, 1964.

The Honorable the PRESIDENT OF THE SENATE,

The Honorable the SPEAKER OF THE HOUSE OF REPRESENTATIVES.

SIRS: I am presenting herewith my Economic Report to the Congress as required under the Employment Act of 1946.

In preparing this report, I have had the advice and assistance of the Council of Economic Advisers, who, in turn, have had the assistance of members of the Cabinet and heads of independent agencies.

Together with this report, I am transmitting the Annual Report of the Council of Economic Advisers, which was prepared in accordance with section 4(c) (2) of the Employment Act of 1946.

Respectfully,

LYNDON B. JOHNSON.

LIMITATION OF DEBATE DURING MORNING HOUR

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the statements during the morning hour be limited to 3 minutes, unless exceptions are allowed.

The PRESIDENT pro tempore. Without objection, it is so ordered.

ORDER OF BUSINESS—CONSIDERATION OF AMENDMENT TO INTERNATIONAL DEVELOPMENT ASSOCIATION ACT

Mr. MANSFIELD. I ask unanimous consent that at the conclusion of the morning hour, Senate bill 2214, to amend the International Development Association Act, be made the pending business, and that upon completion of the morning hour at 2 p.m., this bill remain the pending business.

The PRESIDENT pro tempore. Without objection, it is so ordered.

EXECUTIVE COMMUNICATIONS, ETC.

The PRESIDENT pro tempore laid before the Senate the following letters, which were referred as indicated:

REPORT OF NATIONAL AERONAUTICS AND SPACE ADMINISTRATION

A letter from the Administrator, National Aeronautics and Space Administration, Washington, D.C., reporting, pursuant to law, on the activities of that Administration; to the Committee on Aeronautical and Space Sciences.

REPORT OF JOINT DOD-NASA COMMITTEE ON INSTRUMENTATION SHIPS

A letter from the Administrator, National Aeronautics and Space Administration, Washington, D.C., transmitting, pursuant to law, a report of the Joint DOD-NASA Committee on Instrumentation Ships, dated January 10, 1964 (with an accompanying report); to the Committee on Aeronautical and Space Sciences.

Report on Flight Pay, Department of the Navy

A letter from the Secretary of the Navy, reporting, pursuant to law, on flight pay in that Department, as of January 1, 1964; to the Committee on Armed Services.

Report on Reserve Forces

A letter from the Deputy Secretary of Defense, transmitting, pursuant to law, a report on reserve forces, for fiscal year 1963 (with an accompanying report); to the Committee on Armed Services.

Report on Flight Pay, U.S. Coast Guard

A letter from the Assistant Secretary of the Treasury, reporting, pursuant to law, on flight pay in the U.S. Coast Guard, for the 6-month period ended December 31, 1963; to the Committee on Armed Services.

Report of Director of Selective Service

A letter from the Director, Selective Service System, Washington, D.C., transmitting, pursuant to law, a report of that System, for fiscal year 1963 (with an accompanying report); to the Committee on Armed Services.

Publication Entitled "Statistics of Natural Gas Companies, 1962"

A letter from the Chairman, Federal Power Commission, Washington, D.C., transmitting, for the information of the Senate, a publication entitled "Statistics of Natural Gas Companies, 1962" (with an accompanying document); to the Committee on Commerce.

Report of Office of Civil Defense, District of Columbia

A letter from the Director, Office of Civil Defense, District of Columbia, Washington, D.C., transmitting, pursuant to law, a report of that Office, for fiscal year 1963 (with an accompanying report); to the Committee on the District of Columbia.

Report on Unnecessary Procurement Initiated for Certain Air Conditioners

A letter from the Comptroller General of the United States, transmitting, pursuant to law, a report on the unnecessary procurement initiated for 9,000 British thermal units air conditioners, Department of the Army, dated January 1964 (with an accompanying report); to the Committee on Government Operations.

Audit Report on Gorgas Memorial Institute of Tropical and Preventive Medicine, Inc.

A letter from the Comptroller General of the United States, transmitting, pursuant to law, an audit report on the Gorgas Memorial Institute of Tropical and Preventive Medicine, Inc., fiscal year 1963 (with an accompanying report); to the Committee on Government Operations.

Proposed Amendment to Concession Contract in Hot Springs National Park

A letter from the Secretary of the Interior, transmitting, pursuant to law, a proposed amendment to the concession contract with the Ozark Bath House Co., to operate a bathhouse within Hot Springs National Park and obtain hot waters thereof (with accompanying papers); to the Committee on Interior and Insular Affairs.

Financial Statement of Legion of Valor of United States of America, Inc.

A letter from the National Corporation Agent, Legion of Valor of the United States of America, Inc., Washington, D.C., transmitting, pursuant to law, a financial statement of that organization, for the period August 1, 1962, to July 31, 1963 (with an accompanying statement); to the Committee on the Judiciary.

Report of Railroad Retirement Board

A letter from the Chairman, Railroad Retirement Board, Chicago, Ill., transmitting, pursuant to law, a report of that Board, for the calendar year 1963 (with an accompanying report); to the Committee on Post Office and Civil Service.

INCOME TAX DEDUCTIONS TO TENANTS OF HOUSING ACCOMMODATIONS—RESOLUTION

The PRESIDENT pro tempore laid before the Senate a resolution of the Council of the City of New York, N.Y., relating to income tax deductions to tenants of housing accommodations, which was referred to the Committee on Finance.

ADDITIONAL FUNDS FOR COMMITTEE ON INTERIOR AND INSULAR AFFAIRS—REPORT OF A COMMITTEE

Mr. JACKSON, from the Committee on Interior and Insular Affairs, reported an original resolution (S. Res. 275); which, under the rule, was referred to the Committee on Rules and Administration, as follows:

Resolved, That the Committee on Interior and Insular Affairs is hereby authorized to expend from the contingent fund of the Senate, during the Eighty-eighth Congress, $10,000 in addition to the amount, and for the same purpose, specified in section 134(a) of the Legislative Reorganization Act approved August 2, 1946.

BILLS AND JOINT RESOLUTION INTRODUCED

Bills and a joint resolution were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. LAUSCHE:

S. 2437. A bill for the relief of Evpraksija A. Paunovic; to the Committee on the Judiciary.

By Mr. INOUYE:

S. 2438. A bill for the relief of the estate of Yoshito Ota; to the Committee on the Judiciary.

S. 2439. A bill authorizing the project for harbor improvements at Honolulu Harbor and Barber's Point Harbor, Oahu, Hawaii; to the Committee on Public Works.

By Mr. KEATING:

S. 2440. A bill for the relief of Abraham and Helena Bataan and their minor children Mordechai and Mira; to the Committee on the Judiciary.

By Mr. JAVITS (for himself, Mr. MILLER, Mr. JORDAN of Idaho, and Mr. MUNDT):

S. 2441. A bill to establish a Commission on Federal Expenditure Policy; to the Committee on Government Operations.

(See the remarks of Mr. JAVITS when he introduced the above bill, which appear under a separate heading.)

By Mr. ENGLE:

S. 2442. A bill to provide for the conveyance of certain real property to the State of California; to the Committee on Commerce.

By Mr. HARTKE:

S. 2443. A bill for the relief of Charles Chung Chi Lee; to the Committee on the Judiciary.

By Mr. McINTYRE:

S. 2444. A bill to establish a Chancery Center in the District of Columbia; to the Committee on the District of Columbia.

(See the remarks of Mr. McINTYRE when he introduced the above bill, which appear under a separate heading.)

By Mrs. SMITH (by request):

S. 2445. A bill for the relief of Ellanore Edwards Simons; to the Committee on the Judiciary.

By Mr. ANDERSON (for himself and Mrs. SMITH) (by request):

S. 2446. A bill to authorize appropriations to the National Aeronautics and Space Administration for research and development, construction of facilities, and administrative operations, and for other purposes; to the Committee on Aeronautical and Space Sciences.

(See the remarks of Mr. ANDERSON when he introduced the above bill, which appear under a separate heading.)

By Mr. JACKSON (for himself and Mr. MAGNUSON):

S. 2447. A bill to authorize the Secretary of the Interior to construct, operate, and maintain the Whitestone Coulee unit of the Okanogan-Similkameen division, Chief Joseph Dam project, Washington, and for other purposes; to the Committee on Interior and Insular Affairs.

(See the remarks of Mr. JACKSON when he introduced the above bill, which appear under a separate heading.)

By Mr. ERVIN:

S.J. Res. 147. Joint resolution proposing an amendment to the Constitution to provide for the filling of vacancies in the office of Vice President, or in the offices of both President and Vice President; to the Committee on the Judiciary.

(See the remarks of Mr. ERVIN when he introduced the above joint resolution, which appear under a separate heading.)

RESOLUTION

ADDITIONAL FUNDS FOR COMMITTEE ON INTERIOR AND INSULAR AFFAIRS

Mr. JACKSON, from the Committee on Interior and Insular Affairs, reported an original resolution (S. Res. 275) providing additional funds for the Committee on Interior and Insular Affairs, which, under the rule, was referred to the Committee on Rules and Administration.

(See the above resolution printed in full when reported by Mr. JACKSON, which appears under a separate heading.)

ESTABLISHMENT OF COMMISSION ON FEDERAL EXPENDITURE POLICY

Mr. JAVITS. Mr. President, on behalf of myself, and Senators MILLER, JORDAN of Idaho, and MUNDT, I introduce a bill to establish a Commission on Federal Expenditure Policy, on behalf of the minority of the Joint Economic Committee, a measure which has been introduced in the other body by Representative THOMAS B. CURTIS, of Missouri, ranking minority member of the committee, and ask that it be appropriately referred and printed in the RECORD.

The PRESIDING OFFICER (Mr. SIMPSON in the chair). The bill will be received and appropriately referred; and, without objection, the bill will be printed in the RECORD.

The bill (S. 2441) to establish a Commission on Federal Expenditure Policy, introduced by Mr. JAVITS (for himself and other Senators), was received, read twice by its title, referred to the Committee on Government Operations, and ordered to be printed in the RECORD, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

DECLARATION OF PURPOSE

SECTION 1. Recognizing the profound influence which the composition and level of Federal expenditures and their relationship to revenues have on the Nation's economic growth and stability, it is hereby declared to be the intent of Congress to initiate a far-reaching, objective and non-partisan review of Federal expenditure policy. In the carrying out of such review, and in the formulation of recommendations with respect thereto, particular consideration shall be given to the following—

(1) establishing spending priorities among Federal programs, separating the desirable from those that are essential, in order to serve as a guide to the administration in drawing up the budget, particularly in years of expected deficits;

(2) appraising Federal activities in order to identify those programs which tend to retard economic growth and for which expenditures should be reduced or eliminated;

(3) improving the Federal budgeting and appropriations process in order to increase the effective control of expenditures;

(4) examining the responsibilities and functions which are now assumed by the Federal Government, but which could be performed better and with superior effectiveness by the private economy;

(5) reviewing Federal responsibility and functions in order to determine which could be better performed at the State and local levels;

(6) improving Government organization and procedures in order to increase efficiency and promote savings, including a review of the recommendations of the Hoover Commission in order to determine how well those already implemented have achieved their purposes in practice and whether those not yet implemented should be given further consideration; and

(7) determining policies with regard to the level of user charges and fees to be made for special services furnished to members of the public by the Government.

ESTABLISHMENT OF THE COMMISSION ON FEDERAL EXPENDITURE POLICY

SEC. 2. (a) In order to carry out the purposes set forth in the first section of this Act, there is hereby established a commission to be known as the Commission on Federal Expenditure Policy (referred to hereinafter as the "Commission").

(b) The Commission shall be composed of sixteen members as follows:

(1) Four appointed by the President of the United States, two from the executive branch of the Government, including the Director of the Bureau of the Budget, and two from private life who have distinguished careers in labor, the professions, industry, local and State government, or higher education;

(2) Six appointed by the President of the Senate, four from the Senate, including two members of the Appropriations Committee and two members of the Finance Committee, and two from private life; and

(3) Six appointed by the Speaker of the House of Representatives, four from the House of Representatives, including two from the Appropriations Committee and two from the Ways and Means Committee, and two from private life.

(c) Of each class of two members referred to in subsection (b), not more than one member shall be from any one political party.

(d) Any vacancy in the Commission shall not affect its powers, but shall be filled in the same manner in which the original appointment was made.

(e) Service of an individual as a member of the Commission or employment of an individual by the Commission as an attorney or expert in any business or professional field, on a part-time or full-time basis, with or without compensation, shall not be considered as service or employment bringing such individual within the provisions of sections 281, 283, 284, 434, or 1914 of title 18 of the United States Code.

(f) The Commission shall elect a Chairman and a Vice Chairman from among its members.

(g) Nine members of the Commission shall constitute a quorum.

ADVISORY PANEL TO THE COMMISSION

SEC. 3. The Commission may establish an Advisory Panel which shall consist of persons of exceptional competence and experience in the fields of economics and/or political science. Such Advisory Panel members shall be drawn equally from the Government, private industry, and nonprofit educational institutions, and shall be persons available to act as consultants for the Commission.

STAFF OF THE COMMISSION

SEC. 4. (a) The Commission may appoint and fix the compensation of such personnel as it deems advisable in accordance with the provisions of the civil service laws and the Classification Act of 1949.

(b) The Commission may procure, without regard to the civil service laws and the classification laws, temporary and intermittent services (including those of members of the Advisory Panel) to the same extent as authorized for the departments by section 15 of the Act of August 2, 1946 (60 Stat. 810; 5 U.S.C. 55a), but at rates not to exceed $75 per diem for individuals.

DUTIES OF THE COMMISSION

SEC. 5. (a) The Commission shall make a comprehensive and impartial study and investigation of the programs and policies of the Federal Government with a view to carrying out the purposes set forth in the first section of this Act.

(b) During the course of its study and investigation the Commission may submit to the President and the Congress such reports as the Commission may consider advisable. The Commission shall submit to the President and the Congress a final report with respect to its findings and recommendations not later than January 1, 1966.

POWERS OF THE COMMISSION

SEC. 6. (a)(1) The Commissioner or, on the authorization of the Commission, any subcommittee thereof, may, for the purpose of carrying out its functions and duties, hold such hearings and sit and act at such times and places, administer such oaths, and require, by subpena or otherwise, the attendance and testimony of such witnesses, and the production of such books, records, correspondence, memorandums, papers, and documents as the Commission or such subcommittee may deem advisable. Subpenas may be issued under the signature of the Chairman or Vice Chairman, or any duly designated member, and may be served by any person designated by the Chairman, the Vice Chairman, or such member.

(2) In case of contumacy or refusal to obey a subpena issued under paragraph (1) of this subsection, any district court of the United States or the United States court of any possession, or the District Court of the United States for the District of Columbia, within the jurisdiction of which the inquiry is being carried on or within the jurisdiction of which the person guilty of contumacy or refusal to obey is found or resides or transacts business, upon application by the Attorney General of the United States shall have jurisdiction to issue to such person an order requiring such person to appear before the Commission or a subcommittee thereof, there to produce evidence if so ordered, or there to give testimony touching the matter under inquiry; and any failure to obey such order of the court may be punished by the court as a contempt thereof.

(b) Each department, agency, and instrumentality of the executive branch of the Government, including independent agencies, is authorized and directed to furnish to the Commission, upon request made by the Chairman or Vice Chairman, such information as the Commission deems necessary to carry out its functions under this Act.

COMPENSATION OF COMMISSION MEMBERS

SEC. 7. (a) Members of the Commission who are Members of Congress or officers of the executive branch of the Federal Government shall serve without compensation in addition to that received in their regular public employment, but shall be allowed necessary travel expenses (or, in the alternative, a per diem in lieu of subsistence and mileage not to exceed the rates prescribed in the Travel Expense Act of 1949, as amended), without regard to the Travel Expense Act of 1949, as amended (5 U.S.C. 835–842), the Standardized Government Travel Regulations, or section 10 of the Act of March 3, 1933 (5 U.S.C. 73b), and other necessary expenses incurred by them in the performance of duties vested in the Commission.

(b) Members of the Commission, other than those to whom subsection (a) is applicable, shall receive compensation at the rate of $75 per day for each day they are engaged in the performance of their duties as members of the Commission and shall be entitled to reimbursement for travel, subsistence, and other necessary expenses incurred by them in the performance of their duties as members of the Commission, as provided for in subsection (a) of this section.

EXPENSES OF THE COMMISSION

SEC. 8. There are hereby authorized to be appropriated to the Commission, out of any money in the Treasury not otherwise appropriated, such sums as may be necessary to carry out the provisions of this Act.

EXPIRATION OF THE COMMISSION

SEC. 9. The Commission shall cease to exist   days after the submission of its final report.

Mr. JAVITS. Mr. President, the basic objective of the Republican minority of the Joint Economic Committee in introducing this bill is to provide the President with a bipatrisan commission to assist him in the making of rational decisions on a variety of key questions regarding expenditures.

The war declared against the Nation's poverty by President Johnson in his state of the Union message is a call for an immense, yet hazy, undertaking. Under the general heading of "Poverty" the President lumps together two very distinct problems facing the Nation: First, the problem caused by our inability to raise the living standards of 9 million American families comprising 30 million people who today live on an annual income of $3,000 or less and of another 3 to 5 million people who live on incomes less than $1,500 per year; and second, the Nation's unemployed, representing close to 5.5 percent of the civilian working population or 4 million individuals.

The percentage of families left behind as the economy moves from record to new record and living on incomes of less than $4,000 remained at 31 percent in 1961, according to a Chase Manhattan Bank study of 1963. The problem disclosed by this figure may be attributable to a variety of causes including life-long experience with a slum environment and economic depression; lack of education or marketable skills; discrimination; social and psychological factors; while unemployment, to a large extent, is the result of rapid technological progress that some experts say is displacing as many as 40,000 jobs per week.

The national problems of human poverty and technological unemployment thus must be approached separately. The former requires fundamental changes in our social and economic fabric over a period of years, the latter calls for an immediate effort along several key fronts—literacy and job training, vocational education, legislative action to eliminate discrimination in jobs, and better public housing. I do not believe that either the unemployed or the poor would be served by lumping the two problems together.

The President has proposed to hold budgetary expenditures for fiscal year 1965 at $97.9 billion, compared with $98.4 billion in fiscal year 1964, to make room for $1 billion in new spending authority to finance his "war on poverty." His effort to eliminate unnecessary or wasteful expenditures from the budget would be immeasurably assisted with advice from the bipartisan Commission proposed by the Republican minority of the Joint Economic Committee.

The proper allocation of limited Federal revenues between programs representing an investment in the Nation's future, expenditures required by our national defense and that necessitated to run the ordinary day-to-day operations of the Government is a major responsibility shared by the President and the Congress. While the Bureau of the Budget is principally responsible to assist the President in this task, it is only prudent that from time to time, we, as a nation, take stock and make a judgment as to the suitability of Federal programs to the problems confronting this Nation.

The blue-ribbon Commission proposed in the bill, introduced today, would provide the President with an independent, thorough, and objective appraisal of Federal expenditure policy on the basis of which many long-needed reforms in the composition as well as in the preparation of the annual budget could be made.

On January 10 the minority of the Joint Economic Committee sent to the President of the United States the following letter on this subject and I ask unanimous consent that it be printed in the RECORD at this point in my remarks.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

CONGRESS OF THE UNITED STATES,
JOINT ECONOMIC COMMITTEE,
January 10, 1964.

THE PRESIDENT,
The White House,
Washington, D.C.

MR. PRESIDENT: As the minority members of the Joint Economic Committee, we have had a lively interest in the national economic debate which was touched off when the late President Kennedy early last year submitted a program to cut taxes and increase spending at a time of already large budget deficits.

In our minority views on the Joint Economic Committee's 1963 annual report, we expressed our support of tax reduction and reform. At the same time, however, we urged the administration to undertake a firm and effective program of expenditure control and to review thoroughly the Government's expenditure policy.

Expenditure policy—which is too often neglected—is at least as important as tax policy in its impact on our Nation's economic growth and well-being. We believe that final passage of the tax bill by Congress would lend added urgency to the long-overdue review of expenditure policy

In a letter to President Kennedy dated March 19, 1963, as well as in our minority views already referred to, we suggested one means to this end. We urged the President to appoint a Presidential Advisory Commission on Federal Expenditures which would conduct a thorough, objective, and nonpartisan review of expenditure policy.

In a letter dated May 25, 1963, Budget Director Kermit Gordon rejected our suggestion. Mr. Gordon said that "established procedure" was satisfactory and that an advisory commission probably could not make "a direct or significant contribution" to resolving the issues of public policy involved. Mr. Gordon said, in fact, that the efforts to such a commission "by obscuring public understanding as to the locus of responsibility for resolving such issues * * * might well lead to an opposite result."

We find Mr. Gordon's confidence in "established procedure" difficult to share in view of the chronic budget deficits which plague the Government. The Commission we suggest would not overturn established budget procedures, but rather it would supplement and, hopefully, improve upon them.

Mr. Gordon's second point totally ignores the highly useful services performed by a large number of Presidential advisory commissions. To name but a few, the Clay Commission, the Advisory Commission on Labor-Management Policy, the two Hoover Commissions, and the Randall Commission, have clearly made important contributions to the development of sound public policy.

Since the Budget Director's letter last spring, public and congressional concern over expenditure policy has become even more widespread. It should be emphasized that this concern embraces more than simply the elimination of waste and inefficiency in Government. Once waste or inefficiency is identified, there is little difficulty in getting general agreement to eliminate it. More difficult and more important in terms of savings is the task of continually reviewing the usefulness of existing programs and of establishing priorities among needed and desirable new programs.

Because of this widespread concern over expenditure policy, we are once again putting forward our suggestion for a Commission on Federal Expenditure Policy. The idea has now been embodied in identical bills which we are introducing in the House and the Senate. Such a Commission would serve as a logical expression of your own concern over the level and trend of Federal expenditures in recent years, and we earnestly hope you will give it your full support. The reductions made in the estimates for the fiscal 1965 budget represent but a first step forward. It is now time to examine expenditure policy from a broader and more long-range point of view. It is this function which the Commission we suggest would perform.

We envision that the Commission would be composed of Government members, private citizens from business, labor, education, the professions, and Members of Congress, equally from both parties. The work of the Commission, assisted by a professional staff, should parallel the 2-year period over which the pending tax bill is scheduled to take effect. During this period, the Commission should conduct studies and periodically make public its recommendations in the following areas:

(a) Establishment of spending priorities among Federal programs, separating the desirable from those that are essential, in order to serve as a guide to the administration in drawing up the budget, particularly in years of expected deficits.

(b) Appraisal of Federal activities in order to identify those programs which tend to retard economic growth and for which expenditures should be reduced or eliminated.

(c) Improvement of the Federal budgeting and appropriations process in order to increase the effective control of expenditures.

(d) Examination of responsibilities and functions which are now assumed by the Federal Government, but which could be better performed and with superior effectiveness by the private economy.

(e) Review of Federal responsibility and functions in order to determine which could be better performed at the State and local levels.

(f) Improvement of Government organization and procedures in order to increase efficiency and promote savings, including a review of the recommendations of the Hoover Commission in order to determine how those already implemented have worked out in practice and whether those not yet implemented should be given further consideration.

(g) Determination of policies with regard to the level of user charges and fees to be made for special services furnished to members of the public by the Government.

The recommendations of an objective and bipartisan commission of the kind described should command widespread support among the public and within the Congress. Its proposals would offer a sound basis upon which to begin the reform of Federal expenditure policy.

We earnestly hope you will give this recommendation your early and favorable consideration.

Respectfully yours,
THOMAS B. CURTIS.
CLARENCE E. KILBURN.
WILLIAM B. WIDNALL.
JACOB K. JAVITS.
JACK MILLER.
LEN B. JORDAN.

Mr. JAVITS. Mr. President, the Commission to be established by this bill would be the counterpart in the executive branch of the Joint Committee on the Budget in the Congress, which was proposed by both the Eisenhower and Kennedy administrations. In the present Congress, S. 537, to establish a congressional joint committee, was introduced by Senator MCCLELLAN and cosponsored by 76 Members of this body on both sides of the aisle, including myself. It was passed last year by the Senate for the sixth time and is now pending before the House Committee on Government Operations.

The increasing inability of the Congress to deal effectively, under its long unchanged procedures, with the increasing complexity of the executive budget was highlighted by the fact that the session of Congress just ended required 12 months to handle even the routine appropriation bills, which under the Reorganization Act of 1946 are expected to be handled by July 1 of each year. It is this kind of congressional budgetary paralysis which the proposed joint committee was designed to relieve, and the joint committee would be a valuable adjunct to the improved executive budget techniques now being proposed. Together the two bodies would assure that the constitutional authority of each over mid-20th century budgets would be handled with modern, rather than 18th century procedures.

One of the key contributions that the Commission could make in the area of expenditure policy reform is to take a careful look at the uses of the budget by other developed countries as a tool of economic policy. Countries, such as Sweden, have made significant contributions to knowledge in this field by successfully adapting their budgets to stabilize the business cycle and to utilize it to maximize economic expansion, without unduly inhibiting business and reducing the scope of private enterprise in their economies.

I ask unanimous consent to have printed in the RECORD at the conclusion of my remarks an article entitled "The Budget as a Tool of Economic Policy," which appeared in the December 1963 issue of the OECD Observer, the official publication of the Organization for Economic Cooperation and Development.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

THE BUDGET AS A TOOL OF ECONOMIC POLICY

The budget has assumed new importance for many OECD governments in recent years. Acceptance of ambitious economic objectives—promoting full employment and economic growth without inflation—has given rise to a search for ways to make fuller and more efficient use of all economic policy tools. Fiscal policy is receiving particular emphasis because the direct controls used just after World War II have fallen out of favor and the effectiveness of monetary policy as a means to regulate demand has been called into question, particularly since the liberalization of international capital movements in the late fifties. Moreover, though the importance of the Government's role varies from country to country, it is such that the way in which taxes are collected and spent, and the size of the gap between receipts and expenditures have a decisive impact on the economy whether or not the budget is consciously used as a policy instrument.

Although the theoretical range of possibilities available to policymakers is the same in every country—variations in the type and level of expenditure and taxation—the choice of measures and the way in which they are used are substantially different from one country to another.

Some governments consider the budget suitable only for influencing the distribution of income and the allocation of resources; others use it as a means of stabilizing the short-term business cycle; and in recent years many countries have examined how the budget could be used more actively as an instrument to promote growth.

THE BUDGET AND BUSINESS CYCLE

The United States and several other OECD countries have tended to rely heavily on so-called automatic or built-in stabilizers to moderate the cycle. As economic activity falls, so do taxes with the result that posttax incomes decline less than pretax incomes. A system of progressive taxation intensifies this cushioning effect because a lower income is taxed at a lower rate and vice versa. Unemployment compensation also works contracyclically: governments pay out more in benefits during a recession and this expenditure helps to maintain incomes.

The U.S. Council of Economic Advisers has estimated that as a result of the stabilizers, when gross national products falls by $1 in the United States, private income after taxes falls by only 70 cents. The Council goes on to point out what it considers to be the limitations of the automatic stabilizers: "If the forces causing the downturn are strong and persistent, the built-in stabilizers may not suffice to prevent a large and prolonged recession. Furthermore, they are blindly symmetrical in their effect. When economic activity quickens after a slump, the rise in Federal revenues begins immediately and slows the recovery in employment and incomes. For these reasons, the task of economic stabilization cannot be left entirely to built-in stabilizers. Discretionary budget policy—e.g., changes in tax rates or expenditure programs—is indispensable, sometimes to reinforce, sometimes to offset the effects of the stabilizers."

Sweden, perhaps to a greater extent than most other countries, has used discretionary fiscal policy to stabilize the business cycle. The OECD 1963 Economic Survey of Sweden describes the development of Swedish fiscal policy.

Until the early 1930's, the budget in Sweden, as in most other countries, was not generally regarded as an instrument with which to influence the economy; the prevailing attitude was that the budget should be in balance each year. In 1937, however, there was a budgetary reform which made it possible to run a deficit (or a surplus) providing the budget was in balance over the course of a number of years, generally understood to be the business cycle.

Since then, the attitude toward budget policy has changed. Today it is regarded as one of the most important instruments at the disposal of the authorities: attention is concentrated on the budget's function as a balancing factor in the economy as a whole, and the balance of the budget itself is considered a matter of less importance.

As in other countries, of course, the overall size of the budget and the structure of both expenditure and revenue in Sweden are determined not primarily by short-term economic policy needs but by other considerations. For example, decisions concerning expenditure are primarily related to the various activities with which the Government has been entrusted, e.g., education and defense. Moreover, the speed with which variations in expenditure and taxation can be made is conditioned by the principles and procedures of parliamentary government which require that the legislature approve budgetary decisions. But efforts have been made to increase the flexibility of the budget on both the expenditure and the revenue sides and to reduce the timelags that often make difficult the use of the budget to influence the business cycle.

On the expenditure side, the budget that is submitted to and approved by Parliament normally includes certain appropriations which are to be used only if measures to increase employment are required. The amount of these appropriations came to roughly $90 million (2 percent of total fixed investment) in the 1963 budget. In addition, a special budget is voted every year to cover emergency programs of public works; in 1963 this budget amounted to $300 million (6 percent of total fixed investment and 8 percent of ordinary budget expenditure). Of this sum a fifth of the funds may be spent by the administration on it own initiative; additional expenditures require the approval of the Parliament.

The responsibility for use of both types of funds rests with the Labor Market Board which, on the basis of short-term forecasts concerning the development of employment in different regions, and with a view to influencing both seasonal and cyclical patterns of employment, decides when and where projects should be started and stopped. The Board, in cooperation with central and local government agencies, keeps ready an up-to-date list of emergency investment projects. The recent OECD study of Sweden concludes that "efficient techniques have been developed to achieve contracyclical movements of public investment, a weapon which many countries have found to be particularly difficult to handle. Swedish experience in this field suggests that careful advance preparation is the key to success. It is not sufficient that appropriations should be available; suitable projects—suitable from the point of view both of location and duration of execution—must be ready to be started at short notice." (The Swedish authorities estimate that, even after advance preparation, it takes a minimum of about 4 months to get a project going.)

As regards revenues, changes in rates of taxation of personal incomes and profits have not generally been made for contracyclical purposes, though there have been certain modifications in indirect taxes. But the Government has developed a different instrument whereby taxes may be used to influence the timing of business investment—an investment reserve system. Under this scheme, companies are permitted to declare up to 40 percent of their taxable income as an investment reserve. In doing so, they avoid paying taxes on this income, but must deposit the amount they would have paid in taxes with the central bank, which freezes the money until such time as the Government decides it should be invested. The rest of the investment reserve must be kept liquid enough to be available for investment when the money being held by the central bank is released.

If, when the funds are released, the firm invests (within a time period fixed by the Government) both the released funds and those it has been holding, it can write off the entire sum at once and therefore avoid paying taxes on it altogether. In addition, the firm may deduct 10 percent of the sum from its taxable income for the year if it is used in accordance with the decisions of the authorities.

In the United Kingdom, the Radcliffe committee concluded in 1959 that "the importance attached to the use of fiscal measures, particularly the budget balance, has been one of the fundamental innovations of the postwar period. The main reliance of the Treasury for the regulation of the pattern and total of effective demand has, at least since 1948, been on fiscal measures, monetary measures being regarded as having only a supporting role."

Until recently, changes in taxation were made only with the prior approval of Parliament, ordinarily on budget day or, in a crisis, in a supplementary budget. In 1961, however, the Government was given power to change certain indirect taxes by 10 percent in either direction, providing the action were approved by Parliament within 21 days.

In late 1962 and early 1963 the Government announced a number of budgetary measures that would normally have been delayed until budget day. Investment allowances were raised, extra Government capital expenditure announced, postwar credits released in advance, and higher unemployment, pension, and other social security benefits announced.

A study of Austrian experience between 1953 and 1962 shows that, by comparison with most other member countries' budgetary systems, that of Austria was relatively flexible and adaptable, with the Government enjoying substantial discretionary powers over expenditures. The Minister of Finance was authorized, without prior leave of Parliament, to distribute any excess of actual over budgeted receipts among expenditure items as he saw fit. Or he could refrain from spending such receipts, although the ordinary budget was not, in principle, to be brought into surplus. The scope for discretionary Government action thus provided was considerable since actual tax receipts were normally significantly higher than those envisaged in the budget.

The Government had even greater discretionary authority over expenditure in the extraordinary budget, which could be varied up or down at the discretion of the Minister of Finance. These expenditures were provided for in a 10-year program set up in 1953 and designed primarily with an eye to contracyclical policy needs. The $400 million appropriated for the program in 1953 was used up by 1960, mostly for building roads. Since 1960 such expenditure has been voted on a year-to-year basis.

The same budgetary flexibility did not extend to changes in taxation, whether direct or indirect. These require Parliament's consent, which, of course, takes time; moreover, in Austria as in some other countries, public opinion regards taxation as a poorly suited instrument for short-term demand management, chiefly because it is thought that tax increases will result merely in a corresponding expansion in Government expenditure. There were, however, a number of tax cuts during this period as a result of parliamentary action.

The Austrian case illustrates some of the difficulties that countries can experience in attempting to use fiscal policy. In its 1963 review of the Austrian economy the OECD, commenting on the use of the budget for cyclical stabilization, noted that "while the Austrian authorities were highly successful in countering the cyclical slack in 1958, considerable difficulties were experienced in properly timing the reversal of the expansionary budgetary policy." Prompt action, the report continues, was taken by the budgetary authorities when a slack became apparent in 1958, and the existence of a long-term investment program enabled the delay to be kept to a minimum in starting contracyclical public works. In 1960, however, when the need for a stimulus from the budgetary side had definitely disappeared, the road construction program proved difficult to reverse, as did capital transfers to the private sector.

The Austrian Government has also experienced difficulties of a legal nature which are not uncommon among OECD member states; for parliamentary privileges in the matter of Government budgets were hard won and are, for good and proper reasons, not lightly to be relinquished. In many countries there is permanent legislation which governs such matters as the balance of the budget (in some cases the law requires not only that overall Government expenditures and receipts should be balanced, but that there should be a balance of some particular segment of the accounts, such as current transactions). In governments organized along federal lines, the law may require that the states as well as the federal government play a role in budget determination. This is true, for example, in Germany where the Länder must approve changes in income taxation. In the Austrian case, some of the Government's discretionary powers were found to be unconstitutional in December 1962.

GROWTH AND THE BUDGET

The increasing importance attached to growth as an objective of economic policy may lead some countries to reshape fiscal practices; in many cases the existing fiscal system was developed to meet conditions which have radically changed and which in the present context may actually hamper growth.

In some countries, the budget has already been integrated with long-term growth plans and consciously used to that end. In Norway, for example, the budget in the less-developed districts. With Government approval in certain cases private firms may establish tax-exempt funds to be used in these districts. The Government has also used its investment in infrastructure to influence the location of investment, though the nationalized sector is still relatively modest, accounting is continuously used to influence the level and pattern of investment. Judging that private savings alone would be inadequate to finance the level of investment considered desirable for growth, the Government itself has undertaken to provide the savings by maintaining a level of taxation that was relatively high compared to other countries, the Government during the last decade consistently created surpluses on current and investment account which, in large measure, it channeled back to private business through Government-controlled banks at low rates of interest. There has been no lack of demand for the funds thus made available. During the 1950's, 30 percent of gross national product was devoted to real capital formation as compared with an average rate for European member countries of about 20 percent. Of the total savings used to finance this investment, the public sector provided about half.

The Government has also used fiscal policy to influence the pattern of investment and its location. Until 1957, higher depreciation allowances were granted in sectors which the Government wished to encourage. New tax measures were taken in 1961 to encourage investment for only about 6 percent of employment and 8 percent of the value added of total industry.

France also has integrated the budget into its plan. The budgetary authorities work closely with the planning organisms in drafting the plan and the planners participate in the process of drawing up the budget which is discussed against the background of the progress made in achieving the plan's objectives.

One of the principal difficulties encountered in gearing the budget to growth objectives is that budgets are traditionally approved annually, yet a plan ordinarily requires long-term commitments for investment projects. To reconcile this conflict, the French employ a technique authorized by a decree of 1959 which utilizes so-called program authorizations and payment credits. The program authorization fixes the amount that can be spent on an investment program over the course of several years. It is approved along with the yearly budget but remains in force after the year is up, namely until it is canceled or revised. The payment credit sets forth what part of the total investment expenditure can be spent during the current year. It is also approved with the budget on an annual basis.

Central government expenditure in selected countries in 1960

[In percent of gross national product at market prices]

	Total	Current expenditure on goods and services	Gross capital formation	Transfers [1]
France	19.3	10.2	0.6	8.5
Germany	14.0	4.3	.6	9.1
Italy	18.5	8.2	.6	9.6
Netherlands	21.5	6.2	1.1	14.1
Norway	22.7	7.4	1.3	14.0
Sweden	23.2	8.2	3.6	11.4
United Kingdom	24.4	11.1	.5	12.8
United States	[2] 15.3	10.2	.4	[2] 4.7

[1] Current and capital transfers, subsidies, and interest on the public debt.

[2] Excluding capital transfers.

Source: Country submissions to the OECD.

A DIPLOMATIC CENTER FOR THE NATION'S CAPITAL

Mr. McINTYRE. Mr. President, for myself and the Senator from Maryland [Mr. BEALL], I introduce, for appropriate reference, a bill to create a chancery precinct or diplomatic center in the District of Columbia. Within the boundaries of such a center foreign governments could construct buildings or rent space for the conduct of their business of diplomatic representation. Social and recreational facilities might be provided for the diplomatic corps. Businesses and charities with oversea interests might construct offices. Tour facilities could be provided for students and others visiting Washington to learn about this country and its foreign relations.

My bill would grant to the Redevelopment Land Agency of the District of Columbia the power to condemn up to 30 acres for this purpose. The Senate has passed a bill, S. 628, to give the Redevelopment Land Agency full urban renewal powers in sections of the District of Columbia which are predominantly commercial, as well as in the residential sections where that agency is authorized to act by present law. S. 628 has not yet passed the House of Representatives, where the use of urban renewal powers in the District of Columbia has been made the subject of a searching investigation. The Senate is not being asked to approve the use of urban renewal powers for any portion of the District of Columbia, or for any purpose, or according to any procedure which is unauthorized by present law or which fails to conform with the Senate-passed bill, S. 628.

Mr. President, I sympathize with the concern of the Members of the House about the possibilities of abuse which inhere in the urban renewal power, whether through indiscriminate removal of dwelling space or excessive indemnification payments. The creation of a chancery center would require direct guidance from the highest levels of government, including agencies responsible for the conduct of our foreign relations. During the hearings on this bill, there will be ample opportunity to arrive at a clear understanding about any urban renewal problems.

TEMPORARY USE OF RESIDENTIAL PROPERTY PERMITTED

The Senate-passed bill, S. 646, would prevent any additional property within a residence district from being used as a chancery or business office after the date of passage. Our Senate committee asked the State Department and the District government to explore the feasibility of creating a chancery center to accommodate new chanceries after the passage of S. 646. This would be a desirable step, which my bill would help to carry out. But it would also seem to be desirable to permit foreign governments awaiting the completion of space within the chancery center to occupy space in existing buildings within residence districts for 2 or 3 years while offices were being completed in the chancery center. No building permits could be issued under the terms of S. 646, whether to enlarge existing buildings or create new ones. This would not be permitted under my bill either. But a foreign government could occupy existing space for up to 36 months provided that all such use would cease upon the completion of space within the center. The effect of this provision would be to impose a 3-year limit on any lease which might be written by the owner of property for a chancery within a residence district. The creation of the center would cause a shortage of prospective tenants and property which might be used during a transition period would soon be surplus to the needs of foreign governments. This represents a slight liberalization of the terms of the Senate version of S. 646, but I would hope that such a change would help that bill to meet with approval in the House. It would also enable some countries to solve their office space problems while awaiting completion of the chancery center. Otherwise, upon the passage of S. 646, such countries would have to locate outside the District of Columbia or in special purpose and commercial areas where terms would be most disadvantageous to them.

Mr. President, the bill I introduce today, to permit the condemnation of property in areas at least partly commercial, is in line with the provisions of S. 646. If the property to be condemned were to be residential only, the Redevelopment Land Agency would already have the authority under the Redevelopment Act of 1946. The Senate has voted that chanceries should move to commercial areas. My bill will help to make such a move possible.

THE ADVANTAGES OF A CHANCERY CENTER

Mr. President, the number of countries seeking to enlarge their chanceries or build new ones is at present about one dozen. As new nations become independent this list will grow. It is not just the small countries that seek chanceries. Larger nations on every continent seek to construct or lease office space in the next few years. The presence of their governments and famous international corporations and charities would reassure the newly independent nations that the American people were not relegating them to any position of unimportance.

Far from being a preserve for less esteemed nations, the chancery center could rapidly become a spot of international architectural distinction. It could make an immense contribution to the beautification of Washington. I would expect that the developer selected to administer the project would wish to construct sufficient low-cost housing in the vicinity of the project to enable displaced families to continue to live in their familiar neighborhood. The diplomats themselves are welcome in every section of Washington and it would not be my intention to create housing space for them either in the center or in its vicinity. There might be a club or hotel for transients, but that is a different matter. One of the advantages of bringing these nations together in a center would be that services, such as secure electronic communications, might be made available to the smaller countries whose facilities at the United Nations are increasingly burdened. For the first time they would be able to transmit and receive messages direct from Washington, without having to wait for them to be transmitted back and forth from New York.

In summary, Mr. President, the bill I introduce today would lead to the creation of a handsome international center in the District of Columbia. Except for the use of condemnation power, which the Senate has already approved in another bill, development would be in private hands without cost to the taxpayer. I submit that such a development would be welcome to all citizens of our Capital City, to the foreign governments concerned, and to all Americans interested in promoting the foreign relations of their country. It would be my hope that early hearings might be scheduled on this bill and that it might be passed and sent to the House for consideration as a companion measure to S. 646. Because of the considerable interest which this problem has aroused among Members of the Senate, I will ask that the bill be held at the desk for additional cosponsors until the close of business of Friday, January 24, and ask unanimous consent that the text of the bill be reprinted at the conclusion of my remarks.

The PRESIDING OFFICER. The bill will be received and appropriately referred; and, without objection, the bill will be printed in the Record and will lie on the desk, as requested by the Senator from New Hampshire.

The bill (S. 2444) to establish a chancery center in the District of Columbia, introduced by Mr. McIntyre, was received, read twice by its title, referred to the Committee on the District of Columbia, and ordered to be printed in the Record, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) for the purpose of establishing a center for chanceries, chancery annexes, and other business offices of foreign governments in the District of Columbia, the District of Columbia Redevelopment Land Agency is authorized to acquire and make available for such purpose a contiguous tract of land comprising, in the aggregate, not more than thirty acres. In carrying out the provisions of this Act, the District of Columbia Redevelopment Land Agency is authorized to employ all the powers conferred on it by the District of Columbia Redevelopment Act of 1945 (60 Stat. 790).

(b) The land comprising any such center established pursuant to subsection (a) of this Act shall be made available for use for the construction of (1) chanceries, chancery annexes, and other business offices of foreign governments, facilities for security, communications, and other services, and (2) social and recreational facilities for foreign diplomats and students, clubs, and hotels for transient diplomats and students, offices for eleemosynary and commercial organizations with foreign interests, and tour facilities for visiting students and others, but in no event shall more than one-third of the land comprising such center be available for the uses referred to in clause 2 of this subsection.

(c) Nothing contained in the Act of June 20, 1938 (52 Stat. 797), as amended, or in any other law or regulation shall prohibit the leasing to any foreign government of any building or part thereof, within a residence district established pursuant to such Act of June 20, 1938, for use by such government as a chancery, chancery annex, or other business office, if such government intends to move from such building so leased into facilities being planned or constructed for its use within the center upon the completion of such facilities, but in no event shall such government be permitted to occupy such building for a period in excess of thirty-six months.

AUTHORIZATION OF APPROPRIATIONS FOR NATIONAL AERONAUTICS AND SPACE ADMINISTRATION

Mr. ANDERSON. Mr. President, on behalf of myself, and the Senator from Maine [Mrs. Smith], by request, I introduce, for appropriate reference, a bill to authorize appropriations to the National Aeronautics and Space Administration for research and development, construction of facilities, and administrative operations, and for other purposes. I ask unanimous consent that the bill be printed in the Record, together with a letter from the Administrator, National Aeronautics and Space Administration, requesting the proposed legislation, and a sectional analysis of the bill.

The PRESIDING OFFICER. The bill will be received and appropriately referred; and, without objection, the bill, letter, and sectional analysis will be printed in the Record.

The bill (S. 2446) to authorize appropriations to the National Aeronautics and Space Administration for research and development, construction of facilities, and administrative operations, and for other purposes, introduced by Mr. Anderson (for himself and Mrs. Smith), by request, was received, read twice by its title, referred to the Committee on Aeronautical and Space Sciences, and ordered to be printed in the Record, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That there is hereby authorized to be appropriated to the National Aeronautics and Space Administration the sum of $5,304,000,000, as follows:

(a) From "Research and development," $4,382,000,000 for the following programs:

(1) Gemini, $308,400,000;

(2) Apollo, $2,677,500,000;

(3) Advanced missions, $26,000,000;

(4) Geophysics and astronomy, $190,200,000;

(5) Lunar and planetary exploration, $300,400,000;

(6) Sustaining university program, $46,000,000;

(7) Launch vehicle development, $128,200,000;

(8) Bioscience, $31,000,000;

(9) Meteorological satellites, $37,500,000;

(10) Communication satellites, $12,600,000;

(11) Advanced technological satellites, $31,000,000;

(12) Basic research, $21,000,000;

(13) Space vehicles systems, $38,800,000;

(14) Electronic systems, $28,400,000;

(15) Human factor systems, $16,200,000;

(16) Nuclear-electric systems, $48,100,000;

(17) Nuclear rockets, $58,000,000;

(18) Chemical propulsion, $59,800,000;

(19) Space power, $13,000,000;

(20) Aeronautics, $37,000,000;

(21) Tracking and data acquisition, $267,900,000;

(22) Technology utilization, $5,000,000.

(b) For "Construction of facilities," including land acquisitions, $281,000,000 as follows:

(1) Ames Research Center, Moffett Field, California, $6,081,000;

(2) Electronics Research Center (location to be inserted), $10,000,000;

(3) Goddard Space Flight Center, Greenbelt, Maryland, $1 300,000;

(4) Jet Propulsion Laboratory, Pasadena and Edwards, California, $3,714,000;

(5) John F. Kennedy Space Center, NASA, Cocoa Beach, Florida, $91,261,000;

(6) Langley Research Center, Hampton, Virginia, $4,454,000;

(7) Lewis Research Center, Cleveland and Sandusky, Ohio, $810,000;

(8) Manned Spacecraft Center, Houston, Texas, $25,166,000;

(9) George C. Marshall Space Flight Center, Huntsville, Alabama, $15,288,000;

(10) Michoud Plant, New Orleans and Slidell, Louisiana, $6,534,000;

(11) Mississippi Test Facility, Mississippi, $61,991,000;

(12) Wallops Station, Wallops Island, Virginia, $1,804,000;

(13) Various locations, $37,597,000;

(14) Facility planning and design not otherwise provided for, $15,000, 000.

(c) For "Administrative operations", $641,000,000.

(d) Appropriations for "Research and development" may be used (1) for any items of a capital nature (other than acquisition of land) which may be required for the performance of research and development contracts and (2) for grants to nonprofit institutions of higher education, or to nonprofit organizations whose primary purpose is the conduct of scientific research, for purchase or construction of additional research facilities; and title to such facilities shall be vested in the United States unless the Administrator determines that the national program of aeronautical and space activities will best be served by vesting title in any such grantee institution or organization. Each such grant shall be made under such conditions as the Administrator shall determine to be required to insure that the United States will receive therefrom benefit adequate to justify the making of that grant. None of the funds appropriated for "Research and development" pursuant to this Act may be used for construction of any major facility, the estimated cost of which, including nonseverable equipment, exceeds $250,000, unless the Administrator or his designee has notified the Committee on Science and Astronautics of the House of Representatives and the Committee on Aeronautical and Space Sciences of the Senate of the nature, location, and estimated cost of such facility. The provisions of paragraph (g) hereof shall not apply to the use of research and development funds authorized under this paragraph.

(e) When so specified in an appropriation Act, any amount appropriated for "Research and development" or for "Construction of facilities" may remain available without fiscal year limitation.

(f) Appropriations made pursuant to subsection 1(c) may be used, but not to exceed $35,000, for scientific consultations or extraordinary expenses upon the approval or authority of the Administrator and his determination shall be final and conclusive upon the accounting officers of the Government.

(g) No part of the funds appropriated pursuant to subsections 1 (a) and (c) for maintenance, repairs, alterations, and minor construction shall be used for the construction of any new facility the estimated cost of which, including nonseverable equipment, exceeds $100,000.

SEC. 2. Authorization is hereby granted whereby any of the amounts prescribed in paragraphs (1), (2), (3), (4), (5), (6), (7), (8), (9), (10), (11), (12), and (13), of subsection 1(b) may in the discretion of the Administrator of the National Aeronautics and Space Administration, be varied upward 5 per centum to meet unusual cost variations, but the total cost of all work authorized under such paragraphs shall not exceed a total of $266,000,000.

SEC. 3. Not to exceed 2 per centum of the funds appropriated pursuant to subsection 1(a) hereof may be transferred to the "Construction of facilities" appropriation, and, when so transferred, together with $30,000,000 of the funds appropriated pursuant to subsection 1(b) hereof (other than funds appropriated pursuant to paragraph (14) of such subsection) shall be available for expenditure to construct, expand, or modify laboratories and other installations at any location (including locations specified in subsection 1(b)), if (1) the Administrator determines such action to be necessary because of changes in the national program of aeronautical and space activities or new scientific or engineering developments, and (2) he determines that deferral of such action until the enactment of the next authorization Act would be inconsistent with the interest of the Nation in aeronautical and space activities. The funds so made available may be expended to acquire, construct, convert, rehabilitate, or install permanent or temporary public works, including land acquisition, site preparation, appurtenances, utilities, and equipment. No portion of such sums may be obligated for expenditure or expended to construct, expand, or modify laboratories and other installations unless (A) a period of thirty days has passed after the Administrator or his designee has transmitted to the Committee on Science and Astronautics of the House of Representatives and to the Committee on Aeronautical and Space Sciences of the Senate a written report containing a full and complete statement concerning (1) the nature of such construction, expansion, or modification, (2) the cost thereof including the cost of any real estate action pertaining thereto, and (3) the reason why such construction, expansion, or modification is necessary in the national interest, or (B) each such committee before the expiration of such period has transmitted to the Administrator written notice to the effect that such committee has no objection to the proposed action.

SEC. 4. Notwithstanding any other provision of this Act—

(1) no amount appropriated pursuant to this Act may be used for any program deleted by the Congress from requests as originally made to either the House Committee on Science and Astronautics or the Senate Committee on Aeronautical and Space Sciences,

(2) no amount appropriated pursuant to this Act may be used for any program in excess of the amount actually authorized for that particular program by sections 1(a) and 1(c), and

(3) no amount appropriated pursuant to this Act may be used for any program which has not been presented to or requested of either such committee,

unless (A) a period of thirty days has passed after the receipt by each such committee of notice given by the Administrator or his designee containing a full and complete statement of the action proposed to be taken and the facts and circumstances relied upon in support of such proposed action, or (B) each such committee before the expiration of such period has transmitted to the Administrator written notice to the effect that such committee has no objection to the proposed action.

SEC. 5. The Administrator is hereby authorized to transfer, with the approval of the Bureau of the Budget, funds appropriated pursuant to this Act (other than funds appropriated pursuant to paragraph (14) of subsection 1(b)), to any other agency of the Government whenever the Administrator determines such transfer necessary for the efficient accomplishment of the objectives for which the funds have been appropriated. Not more than $20,000,000 of the funds authorized by this Act may be transferred by the Administrator under this section, and no transfer in excess of $250,000 shall be made under this section unless the Adminitrator has transmitted to the Committee on Aeronautical and Space Sciences of the Senate and to the Committee on Science and Astronautics of the House of Representatives a written statement concerning the amount and purpose of, and the reason for, such transfer, and (1) each such committee has transmitted to the Administrator written notice to the effect that such committee has no objection to that transfer, or (2) thirty days have passed after the transmittal by the Administrator of such statement to those committees.

SEC 6. This Act may be cited as the "National Aeronautics and Space Administration Authorization Act, 1965."

The letter and sectional analysis presented by Mr. ANDERSON are as follows:

NATIONAL AERONAUTICS AND
SPACE ADMINISTRATION,
Washington, D.C., January 15, 1964.

Hon. CARL HAYDEN,
President pro tempore of the Senate,
Washington, D.C.

DEAR MR. PRESIDENT: Herewith submitted is a draft of a bill, "To authorize appropriations to the National Aeronautics and Space Administration for research and development, construction of facilities, and administrative operations; and for other purposes," together with a sectional analysis thereof. It is submitted to the President of the Senate pursuant to rule VII of the Standing Rules of the Senate.

This bill would authorize fiscal year 1965 appropriations to be made to the National Aeronautics and Space Administration in the sum of $5,304 million, as follows: (1) for "Research and development," $4,382 million; (2) for "Construction of facilities," $281 million; and (3) for "Administrative operations," $641 million.

Apart from differences in dollar amounts, the specific changes in the proposed language of the fiscal year 1965 authorization bill from the fiscal year 1964 authorization act are set out below. In particular, attention is invited to the provisions of subsection 1(g) with respect to maintenance, repair, alterations, and minor construction projects. In fiscal year 1963, repair, alterations, maintenance, and minor construction were funded out of the R.D. & O. appropriation. In fiscal year 1964, the former R.D. & O. appropriation was in effect divided into "Research and development" and "Administrative operations," and the repair, alterations, maintenance, and minor construction language appeared under the "administrative operations" account. In fiscal year 1965, it is proposed to seek similar appropriation act language in both the R. & D. and AO accounts. The projects involved will be funded either from the R. & D. or the AO account, depending on whether the project is program related, and hence properly attributable to an R. & D. program, or the project is of an administrative or general nature, and hence attributable to AO. In view of this fact, the limitation of subsection 1(g) has been made applicable to both subsections 1(a) and 1(c). Further, the changes in these subsections reflect a somewhat altered concept of minor construction, from that of the fiscal year 1964 act, by defining such construction as including "nonseverable equipment" instead of "collateral equipment," the term used in the fiscal year 1964 act. This change will provide a more appropriate definition of minor construction and will furnish needed flexibility in cases where minor construction is required to provide structures for or otherwise make operative severable items of research, testing, or operations equipment.

1. The clause in subsection 1(a) of the fiscal year 1964 authorization act which provides that $20 million may be used solely for implementing project Surveyor Orbiter is deleted.

2. The proviso in subsection 1(a)(7) of the fiscal year 1964 authorization act which provides that funds may not be obligated to furnish scientific or technological services for the exclusive benefit of persons other than U.S. Government agencies, except on a reimbursable basis, i.e., the so-called ComSat provision, is deleted. This proviso is unnecessary since, even in the absence of such a provision, it is, and has been, NASA's policy and practice to require reimbursement in such circumstances.

3. In subsection 1(a), the listing of NASA's 22 R. & D. programs has been revised to conform with the program categories currently in use.

4. In the C. of F. line items, the Electronics Research Center has been added (with location to be inserted later). Also, the name "Launch Operations Center, Cape Canaveral, Florida" (subsection 1(b)(6)) has been changed to "John F. Kennedy Space Center, NASA, Cocoa Beach, Florida."

5. In C. of F. subsection 1(b)(4) the location "Edwards," California, has been added to the Jet Propulsion Laboratory, Pasadena, California, line item. Also, in C. of F. subsection 1(b)(10) the location "Slidell" has been added to the Michoud Plant, New Orleans, line item.

6. In subsection 1(d) the word "nonseverable" has been substituted for the word "collateral," to express the altered concept of minor construction discussed above. Another change in this section is discussed below under item 7.

7. The minor construction limitation of subsection 1(g), which applies solely to subsection 1(c) in the fiscal year 1964 act, is made applicable to both subsections 1(a) and 1(c) in the proposed fiscal year 1965 bill, in recognition of the fact that, as stated above, it is proposed to seek appropriation language for maintenance, repairs, alterations, and minor construction in both the "Research and development" and in the "Administrative operations" accounts. Since this change will make the subsection 1(g) limitations on minor construction applicable to all R. & D. funds, and since it is desired to exclude from such limitations R. & D. funds used pursuant to subsection 1(d) authority, a new sentence has been added to the end of subsection 1(d), the effect of which is to make subsection 1(g) inapplicable to the use of R. & D. funds for items of a capital nature required for the performance of an R. & D. contract or to facility grants to nonprofit institutions of higher education or to nonprofit organizations whose primary purpose is the conduct of scientific research.

8. The term "nonseverable" is substituted for the term "collateral" in subsection 1(g) to express the altered concept of minor construction discussed above.

9. Subsection 1(h), relating to the Electronics Research Center, is deleted.

10. Subsection 1(i) requiring NASA to utilize design criteria and construction standards of General Services Administration, U.S. Navy Bureau of Yards and Docks, or the U.S. Army Corps of Engineers until NASA uniform design criteria and construction standards are established is deleted, since it is anticipated that such NASA criteria and standards will have been promulgated before the end of the current fiscal year.

11. Section 6 is deleted, since by its terms it is permanent legislation.

Subsection 1(b)(2) of the proposed bill provides authorization for appropriation of $10 million for "Electronics Research Center (location to be inserted)." The NASA Authorization Act, 1964 (77 Stat. 141, 142) subsection 1(h) provides that no funds authorized to be appropriated by section 1 of that act may be expended for the establishment of an Electronics Research Center unless the Administrator has transmitted to cognizant congressional committees a detailed study of the geographic location of, the need for, and the nature of, the proposed center. This study is currently being prepared. Based on the recommendations of the study, a location for the center will be submitted to the Congress for inclusion in this line item.

The President, in the fiscal year 1965 budget, will recommend appropriations to NASA in the foregoing amounts. Section 4 of the act of June 15, 1959 (73 Stat. 73, 75), provides that no appropriation may be made to NASA unless previously authorized by legislation; and it is the purpose of the instant bill to provide such requisite authorization. The National Aeronautics and Space Administration recommends that the enclosed draft bill be enacted. The Bureau of the Budget has advised that its enactment would be in accord with the program of the President.

Sincerely yours,

James E. Webb,
Administrator.

SECTIONAL ANALYSIS OF A BILL TO AUTHORIZE APPROPRIATIONS TO THE NATIONAL AERONAUTICS AND SPACE ADMINISTRATION FOR RESEARCH AND DEVELOPMENT, CONSTRUCTION OF FACILITIES, AND ADMINISTRATIVE OPERATIONS; AND FOR OTHER PURPOSES

SECTION 1

Subsections (a), (b), and (c), as did comparable provisions in the fiscal year 1964 Authorization Act (77 Stat. 141), would authorize to be appropriated to the National Aeronautics and Space Administration the sum of $5,304 million, as follows: (a) for "Research and development," $4,382 million; (b) for "Construction of facilities," $281 million; and (c) for "Administrative operations," $641 million. Subsection 1(a) for "Research and development" is further subdivided into 22 "line items" comprising the various NASA research and development programs. Subsection 1(b) for "Construction of facilities," is further broken down into 14 "line items"—12 locational, 1 consisting of a number of projects at various locations, and 1 for facility planning and design not otherwise provided for.

Subsection 1(d), as it did in the fiscal year 1964 act, would authorize the use of appropriations for "Research and development" for: (i) items of a capital nature (other than the acquisition of land) required for the performance of research and development contracts; and (ii) grants to nonprofit institutions of higher education, or to nonprofit organizations whose primary purpose is the conduct of scientific research, for purchase or construction of additional research facilities. Title to such facilities shall be vested in the United States unless the Administrator determines that the national program of aeronautical and space activities will best be served by vesting title in any such grantee institution. Moreover, each such grant shall be made under such conditions as the Administrator shall find necessary to insure that the United States will receive therefrom benefit adequate to justify the making of that grant.

In either case, as in the fiscal year 1964 act, no funds may be used for the construction of a facility the estimated cost of which, including nonseverable equipment, exceeds $250,000 unless the Administrator notifies specified committees of the Congress of the nature, location, and estimated cost of such facility.

But the provisions of subsection 1(g) do not apply to the use of R. & D. funds authorized under this paragraph.

Subsection 1(e), as in the fiscal year 1964 act, would provide that any amount appropriated for "Research and development" and for "Construction of facilities" may remain available without fiscal year limitation when so specified in an appropriation act.

Subsection 1(f), as in the fiscal year 1964 act, would authorize the use of not to exceed $35,000 of "Administrative operations" appropriations for scientific consultations or extraordinary expenses, including representation and official entertainment expenses.

Subsection 1(g) would provide that no funds appropriated pursuant to subsections 1(a) and 1(c) for maintenance, repair, alteration, and minor construction may be used to construct any new facility the estimated cost of which, including nonseverable equipment, exceeds $100,000.

SECTION 2

Section 2, as in the fiscal year 1964 act, would authorize the 5 percent upward variation of any of the sums authorized for the "Construction of facilities" line items (other than facility planning and design) when, in the discretion of the Administrator, this is needed to meet unusual cost variations. However, the total cost of all work authorized under these line items may not exceed the total sum authorized for "Construction of facilities."

SECTION 3

Section 3, as in the fiscal year 1964 act, would provide that not more than 2 percent of the funds appropriated for "Research and development" may be transferred to the "Construction of facilities" appropriation and when so transferred, together with $30 million of the funds appropriated for "Construction of facilities," shall be available for the construction of facilities and land acquisition at any location if (1) the Administrator determines that such action is necessary because of changes in the space program or new scientific or engineering developments, and that deferral of such action until the next authorization act is enacted would be inconsistent with the interest of the Nation in aeronautical and space activities. However, no such funds may be obligated until the Administrator or his designee has transmitted to specified committees of Congress a written report containing a description of the project, its cost, and the reason why such project is necessary in the national interest.

SECTION 4

Section 4, as in the fiscal year 1964 act, provides that, notwithstanding any other provision of this act—

(1) No amount appropriated pursuant to this act may be used for any program deleted by the Congress from requests as originally made to either the House Committee on Science and Astronautics or the Senate Committee on Aeronautical and Space Sciences,

(2) No amount appropriated pursuant to this act may be used for any program in excess of the amount actually authorized for that particular program by subsections 1(a) and 1(c), and

(3) No amount appropriated pursuant to this act may be used for any program which has not been presented to or requested of either such committee,

unless (A) a period of 30 days has passed after the receipt by each such committee of notice given by the Administrator or his designee containing a full and complete statement of the action proposed to be taken and the facts and circumstances relied upon in support of such proposed action, or (B) each such committee before the expiration of such period has transmitted to the Administrator written notice to the effect that such commitee has no objection to the proposed action.

SECTION 5

Section 5, as in the fiscal year 1964 act, would authorize the Administrator to transfer, with Bureau of the Budget approval, funds appropriated to NASA to any other agency of Government whenever the Administrator determines such transfer is necessary in order to more efficiently carry out the objectives for which the funds were appropriated. However, not more than $20 million of such funds may be so transferred and no transfer in excess of $250,000 may be made under this section unless the Administrator has transmitted to specified committees of Congress a written statement concerning the amount and purpose of, and the reason for, such transfer, and each committee has returned a written notice to the effect that there is no objection thereto, or 30 days have elapsed since the notice was sent to the committees.

SECTION 6

Section 6 would provide that the act may be cited as the "National Aeronautics and Space Administration Authorization Act, 1965."

MAINTENANCE OF THE WHITESTONE COULEE UNIT OF THE OKANOGAN-SIMILKAMEEN DIVISION, CHIEF JOSEPH DAM PROJECT, WASHINGTON

Mr. JACKSON. Mr. President, on behalf of my colleague, the senior Senator from Washington [Mr. MAGNUSON] and myself, I introduce, for appropriate reference, a bill to authorize the Secretary of the Interior to construct, operate, and maintain the Whitestone Coulee unit of the Okanogan-Similkameen division, Chief Joseph Dam project, Washington, and for other purposes.

This bill contains the authorizing legislation for the project on which the Secretary of the Interior submitted a feasibility report on January 2, 1964. This is a project which is important to the State of Washington. It is a multiple-purpose project, providing recreation, fish and wildlife, and irrigation benefits.

I ask unanimous consent that the letter from the Assistant Secretary of the Interior accompanying the feasibility report be included at this point in my remarks.

The PRESIDING OFFICER. The bill will be received and appropriately referred; and, without objection, the letter will be printed in the RECORD.

The bill (S. 2447) to authorize the Secretary of the Interior to construct, operate, and maintain the Whitestone Coulee unit of the Okanogan-Similkameen division, Chief Joseph Dam project, Washington, and for other purposes, introduced by Mr. JACKSON (for himself and Mr. MAGNUSON), was received, read twice by its title, and referred to the Committee on Interior and Insular Affairs.

The letter presented by Mr. JACKSON is as follows:

U.S. DEPARTMENT OF THE INTERIOR,
Washington, D.C., January 2, 1964.

Hon. CARL HAYDEN,
President pro tempore, U.S. Senate,
Washington, D.C.

DEAR MR. PRESIDENT PRO TEMPORE: The report of the Secretary of the Interior on the Whitestone Coulee unit, Okanogan-Similkameen division, Chief Joseph Dam project, Washington, is transmitted herewith as provided by section 9(a) of the Reclamation Project Act of 1939 (5 Stat. 1187).

The report presents a plan to provide irrigation water supply to 2,660 acres within the Whitestone Reclamation District. This district is located in the vicinity of the town of Tonasket in the upper Okanogan River basin in northern Washington. The proposed development is multiple-purpose in scope, providing fish and wildlife and recreation benefits in addition to irrigation, and serving an area which has been designated as a rural redevelopment area under the Area Redevelopment Act of 1961. The proposed plan is engineeringly feasible and economically justified.

The Secretary's proposed report on this project was transmitted to the affected States and interested Federal agencies for review as required by law and interagency agreement. All comments which have been received as a result of this review are attached to the report.

The report and copies of the comments received were submitted to the President on May 15, 1963. Enclosed is a copy of letter dated December 14, 1963, from the Deputy Director of the Bureau of the Budget, which states that there would be no objection to the submission of this report to the Congress.

It is recommended that construction of the Whitestone Coulee Unit, Okanogan-Similkameen division, Chief Joseph Dam project, Washington, be authorized as set forth in the attached report.

Sincerely yours,
KENNETH HOLUM,
Assistant Secretary of the Interior.

PROPOSED AMENDMENT OF CONSTITUTION RELATING TO PRESIDENTIAL AND VICE PRESIDENTIAL SUCCESSION

Mr. ERVIN. Mr. President, I am introducing, for appropriate reference, a joint resolution proposing an amendment to the Constitution to provide for the selection of a new Vice President whenever there is a vacancy in the office.

My joint resolution would provide that within 10 days of such a vacancy a joint session of Congress shall be convened for the purpose of selecting a new Vice President. The votes of a majority of the Members of the Senate and of the House in joint session, each Member having one vote, shall be necessary to select the new Vice President.

In the event both of our highest offices become vacant at once, Congress would select within 10 days both a President and a Vice President. In the interim period, the Presidency would temporarily be filled according to statute as enacted by Congress.

The tragic event of November 22, 1963, has led us all to examine more closely the pressing problems of presidential succession. The Constitution itself provides for the Vice President to fill the office of President in the event of vacancy or disability.

Twice in the last 20 years tragedy has struck, causing the Vice President to assume the highest executive office in the land. In these moments of national calamity, the viability of our system was ably demonstrated. For the Vice President immediately took office and the functions of Government continued uninterrupted.

Existing law provides for a line of succession should the Presidency and the Vice-Presidency both be vacant. After the Vice President, succession devolves to the Speaker of the House, then to the President pro tempore of the Senate and then to members of the Cabinet in stated order.

This may be a reasonable emergency measure to temporarily fill the office of President, should, by some castastrophic stroke, the lives of the President and the Vice President be taken simultaneously. For it is necessary that the country never be without a Chief Executive.

Yet the holders of these offices, capable though they may be, are not selected for their respective positions with the thought in mind that the office of the Presidency may fall to them. Nor are they chosen by a method which best reflects the will of all the people. Finally, all these offices entail responsibilities which may prevent their occupants from becoming fully conversant with all facets of domestic and foreign policy. Such knowledge is necessary to effect a smooth transition should the office of the President become vacant.

For these reasons it is imperative that there be, at all times, a Vice President who can participate in the functions of the office of the Presidency and who can be briefed and kept up to date on all important matters of domestic and foreign policy.

Mr. President, the joint resolution which I introduce remedies the deficiencies in the present system of presidential succession. First, under its provisions, there will always be a Vice President who can participate on the executive level in the making of and be briefed on all our national policies.

Secondly, the successor to the office of the Vice-Presidency will be selected by a majority of the Members of the House of Representatives and of the Senate. Since these are elected by the people, it can truly be said that the occupant of this office is chosen by a process which reflects the popular will.

Finally, in selecting the new Vice President, attention can be focused directly on the awesome fact that this person may one day have to assume the office of the Presidency. Thus, the country can be secure in the knowledge that this office was filled by a person whom a majority of the Congress considered to be qualified to be President.

I ask unanimous consent that the joint resolution be printed in the RECORD.

The PRESIDING OFFICER. The joint resolution will be received and appropriately referred; and, without objection, the joint resolution will be printed in the RECORD.

The joint resolution (S.J. Res. 147) proposing an amendment to the Constitution to provide for the filling of vacancies in the office of Vice President, or in the offices of both President and Vice President, introduced by Mr. ERVIN, was received, read twice by its title, referred to the Committee on the Judiciary, and ordered to be printed in the RECORD, as follows:

> *Resolved by the Senate and House of Representatives of the United States of America in Congress assembled (two-thirds of each House concurring therein)*, That the following article is proposed as an amendment to the Constitution of the United States, which shall be valid to all intents and purposes as part of the Constitution when ratified by the legislatures of three-fourths of the several States:
>
> "ARTICLE—
>
> "SECTION 1. Within ten days after the date on which the office of Vice President becomes vacant because of the death, removal from office, or resignation of the Vice President or the death of a Vice-President-elect before the time fixed for the beginning of his term, or because of the assumption by the Vice President or a Vice-President-elect of the powers and duties of President by reason of the death, removal from office, or resignation of the President or the death of a President-elect before the time fixed for the beginning of his term, the person discharging the powers and duties of President shall convene the Senate and the House of Representatives in joint session to elect a successor to the office of Vice President.
>
> "SEC. 2. Within ten days after the date on which the offices of President and Vice President both become vacant before the expiration of the term for which the President and Vice President were elected, the person discharging the powers and duties of President shall convene the Senate and the House of Representatives in joint session to elect a successor to the office of President and a successor to the office of Vice President.
>
> "SEC. 3. A quorum of each House of the Congress being present at a joint session convened under this article, a new Vice President, in the case of a vacancy in the office of Vice President, or a new President and a new Vice President, in the case of vacancies in the offices of both President and Vice President, shall be chosen by majority vote of the Members of both Houses present and voting.
>
> "SEC. 4. A President or Vice President chosen under this article shall serve as such until the end of the term for which the President or Vice President whom he succeeds was elected.
>
> "SEC. 5. The Congress may provide by law for the designation of a person who shall discharge the powers and duties of President at any time at which there is no President or Vice President chosen under article II of this Constitution, the twelfth or twentieth article of amendment to this Constitution, or this article of amendment. Any such person shall continue to discharge those powers and duties until a President or a Vice President is so chosen and has qualified.
>
> "SEC. 6. This article shall be inoperative unless it shall have been ratified as an amendment to the Constitution by the legislatures of three-fourths of the States within seven years from the date of its submission to the States by the Congress."

ADDITIONAL COSPONSOR OF BILLS

Mr. COOPER. Mr. President, at their next printing, I ask unanimous consent that the name of the Senator from Connecticut [Mr. DODD] may be added as a cosponsor of the bills (S. 2413 and S. 2414) for the relief of Isabella Samuelli, which were introduced by me on December 21, 1963.

The PRESIDING OFFICER. Without objection, it is so ordered.

NOTICE OF RECEIPT OF NOMINATIONS BY COMMITTEE ON FOREIGN RELATIONS

Mr. FULBRIGHT. Mr. President, as chairman of the Committee on Foreign Relations, I desire to announce that the Senate has received the nominations of Andrew V. Corry, of Montana, to be Ambassador to Sierra Leone, and Maj. Gen. Fred M. Dean, of Florida, to be an Assistant Director, U.S. Arms Control and Disarmament Agency.

In accordance with the committee rule, these pending nominations may not be considered prior to the expiration of 6 days of their receipt in the Senate.

EDUCATIONAL ACCOMPLISHMENTS OF 88TH CONGRESS, 1ST SESSION

Mr. MANSFIELD. Mr. President, I ask unanimous consent that at this time I may proceed for 3 or 4 minutes, in addition to the morning-hour limitation.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. MANSFIELD. Mr. President, the Senator from Oregon [Mr. MORSE] requires neither criticism nor praise from the majority leader. He stands in his own right as a Senator. His vote is the equal of that of every other Member under the rules—no more, no less. He speaks for himself and his State, as we all do, as duly elected Members.

If Senator MORSE needs neither praise nor blame, nevertheless, I deem it a function of the leadership to keep the legislative record straight and to give credit where credit is due.

It has been said that the 88th Congress has done more to make possible the improvement in education in this Nation than has been done in many decades. That may or may not be excessive praise of our contribution. I shall leave that for others to judge. But, whatever credit is due us, I should like the RECORD to show that no single Member of the Senate is more responsible for it than is the Senator from Oregon. His profound understanding of the problems of education, his persistent and tireless work in behalf of the administration's education program, and his persuasive legislative skills, particularly in conferences with the House, were an essential factor in the achievement.

When all the praise and blame are forgotten and when all the rancor of a superficial and ill-informed comment has faded, the legislative record in education of the 88th Congress, 1st session, will still be there, acting as a constructive force in every aspect of the Nation's being, and for decades to come; and those who pause to think before they write or speak will recognize the key part which the Senator from Oregon, along with his committee colleagues, played in this great advance.

Here, Mr. President, are some of the principal achievements of the 88th Congress, 1st session, in education, which the subcommittee of the Senator from Oregon reported and the Senate passed.

First. Public Law 88-210, a sweeping omnibus law making possible improvements in educational opportunities in vocational and grade schools and colleges and universities through vocational school aid, the National Defense Education Act, and the impacted areas programs.

Second. Public Law 88-204, providing essential Federal aid for a great expansion of higher education throughout the Nation, through grants and loans to colleges and universities for the construction of classrooms, laboratories, and libraries.

Add to these twin measures the following bills which are significant supplements in any overall approach to the problems of education; these bills have passed the Senate, and now are pending in the House:

First. S. 2265, the Library Services Act, which would bring about a greatly needed expansion and improvement in the facilities and resources of libraries in both rural and urban areas.

Second. S. 569, which, by the forgiveness of certain loans to students, would further stimulate the flow of outstanding potential teachers into that profession in all schools, colleges, and universities.

All this, Mr. President, was accomplished in one session of one Congress. To achieve it, the groundwork was laid in the 87th Congress, by the efforts of the distinguished Senator from Oregon, working in harmony with the great chairman of the committee [Mr. HILL] and the able Senator from Michigan [Mr. MCNAMARA]. In that session, the Senate actually passed precisely the legislation which the late President Kennedy sought. The fact that it was not enacted in that form and that there were frustrations had nothing to do with the Senator from Oregon or any of his colleagues. It is a mark of their sound judgment and persistence and maturity that they went on, from the initial failure, to work out the best possible legislative course in order to bring about a maximum possible accomplishment at this time. The record of the kind which eventually was achieved in the 1st session of the 88th Congress is achieved, not by adamancy, not by obstruction, not by absenteeism, not by the awards or denial of tidbits of privilege in the Senate, but by patience, understanding, and knowledge, by maturity of judgment and, most of all, by a passionate dedication and faithfulness to responsibility.

I do not know that the Senator from Oregon has been a "power" in the Senate, as some have labeled him as a kind of opprobium. But I do know that he has been a powerhouse and a workhorse in the Senate on legislation pertaining to education. Such credit as in the end may attach to the Senate for achievements in education during the 88th Congress will be shared by all of us. But I am only too happy to state now, and publicly, my deep sense of gratitude and my highest respect for the Senator from Oregon, for his powerful contribution to leadership in bringing to fruition a great deal of what was closest to the heart of the late President Kennedy and is similarly held by President Johnson—the improvement of the education of the young people of the United States.

Mr. President, I ask unanimous consent to have printed in the Record a summary of the 3-year record in the field of education—beginning on page 148 and ending on page 162 in the summary of 3-year Kennedy record and digest of major accomplishments of the 87th Congress and the 88th Congress, 1st session.

The PRESIDING OFFICER. Without objection, it is so ordered.

The excerpt is as follows:

EDUCATION, 1961

College housing

S. 1922—Public Law 87–70, approved June 30, 1961: Increased the loan authorization for college housing by $300 million for each of the 4 years beginning July 1, 1961, through 1964, and increased the limitation for other educational facilities by $30 million for each of the same 4 years.

Education of Blind Act amendment

H.R. 9030—Public Law 87–294, approved September 22, 1961: Authorizes wider distribution of books and special instruction materials for the blind by increasing the appropriations and the functions of the American Printing House for the Blind.

Scholarships—Eligibility

S. 539—Public Law 87–153, approved August 17, 1961: Permits legally classified American nationals to qualify and receive financial assistance under the Fulbright Act for advanced education abroad.

The original act limited this aid to American citizens. However, through inadvertence or by an interpretation of the statute, the people of American Samoa were not considered American citizens and, as a result, could not qualify for or receive financial assistance to continue their education abroad, as originally contemplated by the act.

By removal of this barrier, it is possible for these people to qualify in the same manner as other American citizens who pursue advanced education abroad.

Training for teachers of deaf

S. 336—Public Law 87–276, approved September 22, 1961: This act establishes a 2-year program to assist in training additional teachers for the deaf. It authorizes appropriations of $1.5 million annually to higher education institutions which are approved as training centers for teachers of the deaf.

Provides for grants-in-aid to assist in providing and improving courses of training and study and to establish scholarships for qualified persons who wish to enroll in these training courses.

Provides for an advisory committee, composed of persons with special knowledge and interest in training teachers of the deaf and in teaching deaf children, to review the program and applications for grants-in-aid.

The national shortage of classroom teachers of the deaf began during World War II and has become more acute each year. It is the task of the teacher of the deaf to bridge the gap between the deaf child's world of silence and the world of sound and hearing, the world of language and speech. The success with which a deaf child is able to bridge this barrier, to develop language and proportionately to minimize his great educational handicap, depends upon the skill, the understanding, and the professional training of his teacher.

War orphans education extension

H.R. 3587—Public Law 87–377, approved October 4, 1961: This measure provides additional time within which certain children may complete a program of education under the War Orphans Educational Assistance Act of 1956. The class of eligibles afforded additional time is limited exclusively to persons whose opportunities for an education under the act have been impaired by virtue of their residence in the Republic of the Philippines.

Additional time will be available to a person who had not reached his 23d birthday on June 29, 1956, and resided in the Philippines during all or part of the period June 29, 1956, through June 18, 1958.

The 1956 act provided that the educational assistance could be afforded only to an eligible person enrolled in a school or other educational institution in the United States, its territories, or possessions. This provision prohibited eligible persons residing in the Philippines from receiving assistance under the program while enrolled in a Philippine educational institution. In 1958, Congress removed this barrier by permitting the eligible orphans to pursue their educational program in their home country, but failed to grant the additional entitlement of 36 months to make up the original 5-year grant.

YEAR 1962

Armed Forces—Educational opportunities

H.R. 7727—Public Law 87–555, approved July 27, 1962: Permits qualified members of the Armed Forces and the Public Health Service to accept, from nongovernmental sources, competitive fellowships, scholarships, or grants for educational purposes.

Bill is intended to relax restrictions against Federal employees receiving contributions and awards as provided in the Government Employees' Training Act (Public Law 85–507). The military now assigns many of its personnel to nongovernmental institutions for training. This bill would permit those persons to receive deserved honors for their work, which in turn would partially defray Government expenses in maintaining them.

To avoid duplicate payment to a grantee, the bill provides if the grant pays for travel, quarters, etc., a reduction will be made from authorized Government payments.

Captioned films for the deaf

S. 2511—Public Law 87–715, approved September 28, 1962: Raised present ceiling of $250,000 to $1,250,000 for the established loan service of captioned films for the deaf in the Department of Health, Education, and Welfare and authorized the Secretary to provide for (a) research in the use of educational and training films for the deaf, (b) production and distribution of training films for the deaf, and (c) training persons in the use of films for the deaf.

College aid

H.R. 6984—Public Law 87–638, approved September 5, 1962: Provided for a method of payment of indirect costs of research and development contracted by the Federal Government at universities, colleges, and other educational institutions.

Authorized contracting agencies to include provisions in cost-type research and development contracts and grants with educational institutions for payment of reimbursable indirect costs on the basis of predetermined, fixed-percentage rates applied to the reimbursable direct costs incurred.

Depository libraries

H.R. 8141—Public Law 87–579, approved August 9, 1962: Increased total of depository libraries from the present 594 to a possible 1,174.

Redefined "Government publication" to permit depositories to receive publications from subsidiary printing plants throughout the Nation, as well as from the Government Printing Office.

Authorized the Government to assume the cost of mailing these publications.

Permitted, in addition to the permissible two depositories per congressional district, up to two regional depositories for each State and the Commonwealth of Puerto Rico.

Permitted depositories to dispose of unwanted materials after 5 years for purposes of space saving.

Present law provides for one depository library per congressional district. After much redistricting, 5 districts have 3 each, 37 have 2 each, and 104 have none.

Educational television

S. 205—Public Law 87–447, approved May 1, 1962: This bill is designed to assist, through matching grants, in the construction of educational television broadcasting facilities.

Authorizes appropriations for fiscal year 1963, and each of the 4 succeeding fiscal years such sums, not exceeding $32 million in the aggregate, as may be necessary to carry out the purposes of the bill.

Construction grants: For each project for the construction of educational television broadcasting facilities there must be submitted to the Secretary of Health, Education, and Welfare an application for a grant containing such information regarding the project as the Secretary may require by regulation, including the total cost of the project and the amount of the Federal grant requested, and it must contain assurance that—

(a) the applicant is (1) an agency or officer responsible for the supervision of public elementary or secondary education or public higher education within that State, or within a political subdivision; (2) the State educational television agency; (3) a university or college deriving its support in whole or in part from tax revenues; or (4) a nonprofit foundation, corporation, or association which is organized primarily to engage in or encourage educational television broadcasting and is eligible for a license from FCC for a noncommercial educational television broadcasting station;

(b) the operation of the facility will be under the control of the applicant or a person who qualifies under section (a);

(c) funds to construct, operate, and maintain the facility will be available when required; and

(d) the facility will be used only for educational purposes.

Limits to $1 million the total amount of construction grants available to any one State.

Requires applicants to advise State educational television agencies of applications for grants and requires the Secretary of HEW to advise the agency on the disposition of the application.

Authorizes the Secretary to base his approval determinations for awarding grants on prompt and effective use of all available educational TV channels, equitable geographical distribution, and service to the greatest number of people in the greatest number of areas.

Limits construction grants to 50 percent of the amount which the Secretary determines will be the cost plus, plus 25 percent of the amount which he determines to be the necessary cost of any educational television broadcasting facilities owned by the applicant on the date of the application, thus limiting the total amount of the grant, in any case, to 75 percent of the cost. Limits to 15 percent of any grant the amount that may be used to acquire and install microwave equipment, boosters, translators, and repeaters to connect two or more broadcasting stations.

Requires reimbursement to the United States if, within 10 years after completion of the facility for which the grant was made, the facility ceases to be used for educational purposes or the operator ceases to qualify.

Requires each recipient of assistance to keep records of the amount and use of the grant, total cost of the project, any assistance from outside sources and the amount, and any other information required by the Secretary.

Gives the Secretary of HEW and the Comptroller General of the United States full access to all such records, documents, papers, etc., for the purpose of audit.

Authorizes the Secretary of HEW and Federal Communications Commission to consult and cooperate closely in carrying out the provisions of the act.

Prohibits Federal interference in or control over educational television broadcasting or over the curriculum, program of instruction, or personnel of any educational institution, school system, or educational broadcasting station or system.

Includes Puerto Rico and the District of Columbia within the definition of the term "State."

National Science Foundation amendments

H.R. 8556—Public Law 87–835, approved September 16, 1962: Eliminated the non-Communist disclaimer from the National Science Foundation Act, and instead added a new provision making it a crime for any member of a Communist organization to apply for or to use any scholarship or fellowship awarded under the provisions of section 10 of the act.

Required each applicant for scholarship or fellowship to provide the National Science Foundation with a full statement of the crime for which he had been convicted other than crimes committed before reaching age 16 and minor traffic violations for which a fine of $25 or less was imposed. Also required information regarding any criminal charges punishable by confinement of 30 days or more which may be pending against the applicant.

Authorized the National Science Foundation to refuse or revoke any scholarship or fellowship award in the interests of the United States.

Repealed the disclaimer affidavit requirement in section 1001(f) of the National Defense Education Act and substituted a criminal penalty. Reenacted the loyalty oath provisions which are presently contained in section 1001(f).

Criminal penalties under section 1001(f) provide for a penalty of not more than $10,000 or imprisonment of not more than 5 years, or both, for a violation of this section.

Added a new provision authorizing the Commissioner of Education to refuse or revoke a fellowship award if not in the best interests of the United States.

War Orphans' Educational Assistance Act

H.R. 1811—Public Law 87–546, approved July 25, 1962: Permits eligible beneficiaries under the War Orphans' Educational Assistance Act to attend foreign educational institutions under certain limited conditions.

As originally enacted in 1956, war orphans' educational assistance was not available to a person eligible and enrolled in a course at an educational institution located outside of the States, territories, or possessions of the United States, District of Columbia, or the Commonwealth of Puerto Rico. An amendment enacted in 1958 (Public Law 85–460) extended the program to courses pursued in the Republic of the Philippines.

This bill does not authorize enrollment in foreign educational institutions other than in the Republic of the Philippines, directly; however, it does recognize the practice of some of our own schools of offering programs which include prescribed study in a foreign educational institution (for example, a "junior year abroad" program), and would permit an eligible person to participate in such a program while continuing to receive war orphans' educational assistance. More specifically it authorizes such enrollments if (1) the subjects to be taken are an integral part of and fully creditable toward satisfactory completion of an approved course in which the person is enrolled in an institution of higher learning located in a State or in the Republic of the Philippines, (2) the tuition and fees for attendance at such foreign educational institution are paid for by the principal institution, and (3) the principal institution agrees to assume the responsibility for submitting to the Veterans' Administration required enrollment certificates and monthly certifications of training as to attendance, conduct, and progress.

War orphans education aid

H.R. 9737—Public Law 87–819, approved October 15, 1962: Raised to 31 the present ceiling age of 23 when a war orphan must have completed his education provided suspension was due to conditions beyond his control.

YEAR 1963

Educational assistance

H.R. 221—Passed Senate amended December 10: Provides educational assistance to the children of veterans who are permanently and totally disabled as a result of a service-connected disability arising out of active military, naval, or air service during a period of war or the induction period. Wars include Spanish-American War, World War I, World War II, the Korean conflict.

Educational training cannot exceed 36 months for those generally between the ages of 18 and 23. The allowance for full-time training is $110 a month, $80 for the three-quarters time, and $50 for half-time training.

Exceptional children—Teachers

S. 1576—Public Law 88–164, approved October 31, 1963: Title III of the Mental Retardation Act authorizes grants to public or other nonprofit institutions of higher learning to assist them in providing professional or advanced training for personnel engaged or preparing to engage in employment as teachers of handicapped children, as supervisors of such teachers, or as speech correctionists or other specialists providing special services for education of such children, or engaged or preparing to engage in research in fields related to education of such children.

To carry out the purposes of this act, authorizes $11,500,000 for fiscal 1964; $14,500,000 for fiscal 1965; and $19,500,000 for fiscal 1966.

Authorizes the Commissioner to make grants to public or other nonprofit institutions of higher learning to assist them in establishing and maintaining scholarships for training personnel preparing to engage in employment as teachers of the deaf.

Authorizes $2 million to enable the Commissioner of Education to make grants to States, State or local educational agencies, public and nonprofit private institutions of higher learning, and other public or nonprofit private educational or research agencies and organizations for research or demonstration projects relating to education for mentally retarded, hard of hearing, deaf, speech impaired, visually handicapped, seriously emotionally disturbed, crippled, or other health impaired children who require special education.

Authorizes the Commissioner to appoint special or technical advisory committees as he considers necessary to advise him on matters of general policy relating to particular fields of education of handicapped children or relating to special services necessary for the problems involved.

Higher education

H.R. 6143—Public Law 88–204, approved December 16, 1963: Authorized a 5-year, $1.2 billion program of Federal grants and loans for construction of classrooms, laboratories, and libraries and provides for congressional review at the end of 3 years. Both public and private schools are eligible for funds.

Beginning with fiscal 1964, authorized $230 million a year for matching grants to the States for construction, rehabilitation, and improvement of undergraduate academic facilities, with 22 percent of the funds reserved for public junior colleges and public technical institutes. Beginning with fiscal 1964, authorized $25 million and $60 million in each of fiscal years 1965 and 1966 for construction grants to graduate schools or cooperative graduate centers; and $120 million a year for loans to institutions for construction, rehabilitation, or improvement of both undergraduate and graduate academic facilities.

Grants to undergraduate colleges and public technical institutes will be on the basis of a State's per capita income and the number of high school graduates in the State—with the Federal Government furnishing 40 percent of the matching funds. For a public community college and public technical institute to be eligible, the institution must be publicly supervised and controlled and offer a 2-year program beyond high school fully acceptable for full transfer credit toward a bachelor's degree, or a 2-year program in engineering, mathematics, or the physical or biological sciences to train a student as a technician on a semiprofessional level in those fields. A branch of a 4-year college is also eligible if located in a locality away from the parent school.

Grants may be made for the construction of undergraduate academic facilities other than public community colleges and public technical institutes with one-half of the funds allotted on the basis of the relative college and university enrollments in the States and one-half on the basis of the relative enrollments of students in grades 9 through 12 in all private and public schools in the States.

To be eligible for a grant, the applicant, other than a public community college or a public technical institute, must limit the construction to facilities designed to be used for engineering, natural or physical sciences, mathematics, or modern languages, or as a library.

Authorizes direct grants to graduate schools and cooperative graduate centers but limits the grant to one-third of the development costs.

Provides the basic authority for loans to institutions of higher education and to higher education buildings agencies for construction of academic facilities. Limits the amount of loans in any one State to 12½ percent of the total loans made. To be eligible for a loan not less than one-fourth of the facility's development cost must be financed from non-Federal sources. And the applicant must have been unable to obtain the loan from other sources at comparable rates and conditions. Loans must be secured and repaid within 50 years. Annual rates of interest will be one-fourth of 1 percentage point above the average annual interest rate on all interest-bearing public-debt obligations of the United States.

In signing this bill into law, President Johnson said:

"Working together, the Congress and the executive branch have made possible the enactment of a series of legislative landmarks in the field of education. Under these various measures:

"1. We will help to provide college classrooms for several hundred thousand more students who will nearly double college enrollment in this decade.

"2. We will help to build 25 to 30 new public community colleges every year.

"3. We will help to construct the technical institutes that are needed to close the gap in this crucial area of trained manpower.

"4. We will help to build graduate schools and facilities in at least 10 to 20 major academic centers.

"5. We will help to improve the quality of library facilities in our own universities and colleges.

"6. We will increase the number of medical school graduates and we will relieve the growing shortages of physicians and dentists and other needed professional health personnel.

"7. We will enable some 70,000 to 90,000 additional students to attend college each year under an expanded loan program.

"8. We will modernize and expand our Federal-State programs for vocational education in order to train for the changing world of work the 8 out of 10 young people who will never obtain a college education.

"9. We will reduce the shortage of qualified personnel for the training and teaching of mentally retarded and other handicapped children.

"10. We will expand our manpower development and training program to meet the growing problem of untrained, unemployed school dropouts.

"11. We will expand programs for teaching science and mathematics and foreign languages, while extending the other valuable provisions of the National Defense Education Act.

"12. We will continue the program of Federal financial assistance for the construction and the maintenance and the operation of schools that are crowded by the presence of children of Federal personnel.

"13. And finally, we will, under legislation to be passed shortly, provide public libraries for the residents of cities and counties all over this great country who now have only antiquated library facilities and some have no libraries at all.

"This legislation is dramatic, and it is concrete evidence of a renewed and continuing national commitment to education as the key to our Nation's social and technological and economic and moral progress. It will help meet the demands of our economy for more skilled personnel; it will enable many more of our young people to cope with the explosion of new knowledge and to contribute effectively in a world of intellectual, political, and economic complexity.

"But these new measures will still not do the whole job of extending educational opportunities to all who want and can benefit by them, nor in meeting our growing national needs. I, therefore, strongly urge the Congress to take early, positive action on the unfinished portion of the National Education Improvement Act, particularly those programs which will assist elementary and secondary schools. In addition, I urge prompt action on proposed programs for combating adult illiteracy, for expanding adult education, for improving the quality of education at all levels."

Juvenile Delinquency Act extension

S. 1967—Passed Senate September 25; pending in House Education and Labor Committee: Extends to June 30, 1967, the Juvenile Delinquency and Youth Offenses Control Act and authorizes appropriations of $10 million a year.

The basic act—

Authorizes the Secretary of HEW to make grants to State, local, or other public or nonprofit agencies for projects demonstrating improved methods for prevention and control of juvenile delinquency.

Authorizes the Secretary to make grants to agencies to develop courses of study and to train personnel for employment in programs to prevent and control juvenile delinquency.

Authorizes the Secretary to make studies, give technical assistance and disseminate information pertaining to the prevention and control of juvenile delinquency.

So far under the program, antidelinquency plans have been financed in 16 communities. Action programs have been funded in 4 cities and special training centers for instructing specialists in delinquency have been established at 12 universities. In addition there have been 48 grants for special research and instruction.

Library Services Act of 1963

S. 2265—Passed Senate November 26; H.R. 4879, House Calendar: Amends the Library Services Act of 1956 to increase Federal aid for expanding public library improvements to urban as well as rural areas and to authorize matching grants for construction of public library buildings.

Increases the authorization for public library improvements from $7,500,000 to $25 million for the next 3 fiscal years. Existing law guarantees a minimum allotment of $40,000 to each State and $10,000 to Guam, American Samoa, and the Virgin Islands. This bill raises this amount to $100,000 for each State and to $25,000 for Guam, Ameri-American Samoa, and the Virgin Islands.

Adds a new title to the Library Services Act to provide for grants for constructing public libraries and authorizes the appropriation of $20 million for the next 3 fiscal years.

This new title provides that the sums appropriated will be allotted among the States on the basis of their relative populations, except that each State will be first allotted $80,000, and $20,000 in the case of Guam, American, Samoa, and the Virgin Islands.

The State plans for library construction must set forth criteria and procedures which are designed to insure that priority will be given to projects for facilities to serve areas having, in the judgment of the State library administrative agency, the greatest need for additional facilities and which give particular consideration to projects for facilities to help achieve the objective of developing library services to satisfy the needs of students of all ages for useful and readily accessible library services and materials. The plan must give assurances that agencies whose applications are denied will be given an opportunity for a fair hearing.

The plan must also provide that laborers and mechanics employed on these projects will be paid wages at rates not less than the prevailing wage under the Davis-Bacon Act.

National Defense Education Act amendment

S. 569—Passed Senate October 24; pending in House Education and Labor Committee: This bill is designed to eliminate certain inequities in the National Defense Education Act which adversely affect education.

Under present law, not to exceed 50 percent of a National Defense Education Act student loan can be canceled if the borrower, after graduation, becomes a full-time teacher in a public elementary or secondary school. This bill extends this loan forgiveness clause to student borrowers who later teach in private nonprofit elementary and secondary schools or in institutions of higher learning.

This bill brings about another significant change in the National Defense Education Act by permitting private school instructors to receive the stipends now given public schoolteachers at special federally supported institutes in counseling, guidance, and language instruction. At present public schoolteachers attending these institutes are eligible to receive $75 a week and an allowance of $15 a week for each dependent.

Science and Technology Commission

S. 816—Passed Senate March 8, 1963; pending in House Science and Astronautics Committee: Authorizes establishment of a 12-member Commission on Science and Technology to study the possibilities and methods of strengthening the Government's contribution in promoting national security, national progress in scientific and technical development, world peace, and in insuring maximum use of all scientific know-how and information by coordinating Federal research and development programs with those of private industry and nonprofit organizations including educational institutions. This is a study bill only.

Section 1 emphasized need for establishing a program of national policies requiring coordination of science and technology programs and operations of the Federal Government by reorganizing existing departments and agencies which relate directly to Federal science, scientific research, and technology. A national policy program could result in increased efficiency in establishing systems for perfecting a scientific information program and improvement in policies for recruiting, training, and using Federal scientific and engineering manpower.

Section 2 sets out following objectives (by means of a study):

Effective reorganization of Federal departments and agencies which conduct or finance scientific programs to insure more effective performance.

Elimination of undesirable duplication and overlapping; insurance of maximum use of resources of private industry and nonprofit research organizations.

Conservation and efficient use of scientific and engineering manpower.

Determine whether a Department of Science and Technology is needed and what scientific functions in other departments or agencies should be transferred to such a department.

Section 3 waives the application of conflict-of-interest statutes for members or employees of the Commission.

Section 4 provides for appointment of the members as follows:

Four appointed by President, two from executive branch now participating in scientific or technological activities and two from private life who are eminent in one or more fields of science or engineering;

Four appointed by President of Senate, two from the Senate and two from private life qualified in science or engineering;

Four appointed by Speaker, two from the House and two from private life qualified in science or engineering.

Sections 5 and 6 provide for election of a Chairman and Vice Chairman from among the members; and establishes seven as constituting a quorum.

Section 7 provides that Members of Congress and members of the executive branch must serve without compensation but provides for reimbursement of expenses. The other members to receive $100 a day plus actual expenses when actually engaged in performing their duties in connection with the Commission.

Section 8 sets out the standards for personnel employment.

Section 9 authorizes the Commission to establish an advisory panel to serve on request.

Section 10 requires interim reports to the President and to Congress when deemed advisable and requires the final report to be submitted by January 1, 1965.

Sections 11–13 authorize the Commission to hold hearings; take testimony, and obtain necessary data and information from the Government departments and agencies on request of the Chairman or Vice Chairman.

Student trainees—Travel expenses

S. 814—Public Law 88-146, approved October 16, 1963: Authorizes payment of travel and transportation expenses to student trainees when assigned on completion of college work to positions for which there is determined by the Civil Service Commission to be a manpower shortage. Present law provides for these expenses only if the trainee was promoted to a shortage category position following completion of college training; in certain cases, the student received the promotion prior to graduation and was precluded from receiving travel expenses.

Vocational education—Impacted areas—National Defense Education Act

H.R. 4955—Public Law 88-210, approved December 18, 1963: Authorizes new matching grants to the States to expand vocational education programs, extends the National Defense Education Act, and extends the impacted areas legislation to June 30, 1965.

Vocational Education Act of 1963

Authorizes $60 million for this fiscal year rising to $225 million in fiscal 1967 and subsequent years for grants ($118,500,000 for fiscal 1965, $177,500,000 for fiscal 1966) for—

Vocational education for high school students.

Vocational training for high school dropouts or high school graduates preparing to enter the labor market.

Vocational education for those who have already entered the labor market and need training or retraining for stability or advancement.

Vocational education for those who have academic, socioeconomic, or other handicaps which prevent them from succeeding in regular vocational education programs. These funds can be used to assist specialized vocational training schools maintained by the States for handicapped children.

Construction of area vocational schools.

Related services such as teacher training.

Ninety percent of the above amounts will be available for grants to the States and 10 percent will be available to the Commissioner of Education for grants for research, leadership training, and pilot and developmental programs designed to meet the special vocational education needs of youths with handicaps of all types of communities which have substantial numbers of school dropouts and unemployed youths.

Establishes two new programs: (1) To create and operate residential vocational schools in large urban areas having substantial numbers of high school dropouts and unemployed youths; and (2) a work-study program which will provide young people in need of part-time work in public institutions so they may earn up to $45 a month and be able financially to undertake full-time vocational training.

Authorizes an appropriation for both of these programs in the following amounts: $30 million for fiscal year 1965, $50 million for fiscal year 1966, and $35 million for the next 2 succeeding years. Directs the Commissioner of Education to determine the portion of such sums for each such year which is to be used for the purposes of either program.

Under the 90-percent formula distribution to the States, 50 percent will be allotted on the basis of their relative populations aged 15 to 19 and their per capita income, 20 percent on the basis of their populations aged 20 to 24 and their per capita incomes, and 20 percent on the basis of their populations aged 25 to 65 and their per capita incomes, with a minimum State amount of $10,000.

For fiscal 1964, States need not match Federal funds but must maintain State and local expenditures at least equal to the amounts spent under the various federally aided programs during fiscal 1963; for fiscal 1965 and then on, the States must match Federal funds on a 50-50 basis in each of the use categories; however, Federal funds used for construction must be matched 50-50 in the first as well as subsequent years.

Requires each State, to qualify for Federal funds, to submit a plan detailing the policies, administration, personal qualifications, and accounting procedures of the program.

Requires that laborers and mechanics employed under the act be paid the prevailing wage rates established by the Davis-Bacon Act.

Establishes an Advisory Committee on Vocational Education in the Office of Education.

Amends the 1946 George-Barden and the 1917 Smith-Hughes Vocational Education Acts to permit funds earmarked for a specific occupational category to be transferred to any other category, to broaden the definition of agriculture and home economics to fit persons for gainful employment outside the farm home. Provides that distributive occupation funds, now limited to employed persons, can be used for training young people who are still in school or are dropouts. Permits trade and industry funds, now limited to occupations requiring extensive skill or multiple skills, to be used for vocational education of young people while still in high school to equip them for single-skilled or semiskilled jobs. Removes the requirement that one-third of any amounts earmarked for trades and industries be spent only for part-time day or night courses for already employed workers.

Makes permanent the practical nurse training program and the area vocational education program.

Requires the Secretary of HEW to appoint an ad hoc national Advisory Council on Vocational Education in 1966 and once every 5 years thereafter to review the administration of the programs.

Extension of National Defense Education Act

Extends the National Defense Education Act for a 1-year period and increases present $90 million authorization to $125 million for this fiscal year, $135 million for fiscal 1965. Raises the present $250,000 institutional ceiling to $800,000, thus enabling many of the larger institutions to participate more fully in the program.

Extends the National Defense Education Act to American Samoa; permits teachers in federally operated schools to receive benefits; and extends benefits to public elementary or secondary schools operated in connection with colleges of education or with universities as laboratory schools or schools maintained by public bodies such as State schools for the deaf or handicapped.

Extends moratorium on interest and repayment of principal on loans while student borrowers are continuing their higher education to cover periods during which the borrower attends an approved institution of higher education located outside the United States.

Extends the forgiveness feature, under which up to one-half of a student loan is canceled for service as a public elementary or secondary school teacher at the rate of 10 percent for each year of such service, to cover teachers in elementary or secondary oversea schools of the Armed Forces.

Extends authority for financial assistance to strengthen science, mathematics, and foreign language instruction and authorizes the Commissioner to reallocate to other States any unneeded State allotments. Repeals the 1-year allotment holdover provision of the original act which is no longer needed. Broadens the categories of equipment and materials which may be purchased to include test-grading equipment, equipment used in connection with audiovisual libraries, and published materials relating to charts and maps.

Extends the national defense fellowships title and grants the Commissioner authority to fill lapsed fellowships and to provide a flat $2,500 allowance, less tuition charged, replacing the present variable allowance to the institution.

Extends the guidance, counseling, and testing programs and increases the annual appropriation authorization for grants to States by $2.5 million in order to finance the extension of this program to all seventh and eighth grades. Increases the minimum allotment to each State from $20,000 to $50,000 to permit a more adequate basic program in the less populous States. Grants the Commissioner reallotment authority of unused funds.

Extends the program of establishing modern foreign language centers and institutes and authorizes institutes for training teachers of pupils for whom English is a second language.

Extends the program of research and experimentation in more effective utilization of television, radio, motion pictures, and related media for educational purposes, and brings into this program printed and published materials.

Federally Impacted Areas

Extends the impacted areas program for 2 years to June 30, 1965. This program, enacted in 1950, relates to public school construction and operation and maintenance costs of public schools, where the cost impact of Federal military and civilian personnel on school facilities and services can be met partially by Federal funds. Requests Secretary of HEW to transmit to Congress by January 1, 1965, a full report on the operation of this program.

In signing the bill, President Johnson said:

"It gives me great personal satisfaction to approve this legislation. It will expand educational opportunities at the grade school level, at the college level, and at the vocational school level. This bill, like the bill I approved on Monday, is dramatic evidence of our commitment to education as the key to our social and economic and technological and moral progress. As I said then, this Congress has justly and fully earned the title of the 'Education Congress of 1963.' It has enacted more significant education legislation than any other Congress in our entire history. So it pleases me to congratulate Senator MORSE and Senator HILL and Congressman PERKINS and Congressman POWELL and all of their colleagues, including Cabinet members, in this administration for their combined successful efforts in getting this legislation through the Congress and up to where we are signing it this morning.

"Modern demands upon labor and industry require new skills and an upgrading of old skills, require more education and greater knowledge. It has been said that we need over 100,000 technicians a year just to meet our needs in the engineering field alone but all our present programs combined, we are told, turn out a maximum not of 100,000 a year but only 20,000 technicians a year. We believe that this new law will help close this gap. Under this law high school students will be encouraged to stay in school. If they need financial assistance, they may receive it under a work and study program. Some of the most delightful years of my life were spent with the work and study program called the NYA where thousands of young men in high school and college were brought into a work and study program, and some of those men are today the leaders of this Nation.

"For the first time Federal funds are going to be available to construct new vocational schools. Demonstration and research projects authorized under this law will vastly improve the quality of our vocational training. Where there is severe unemployment and high numbers of school dropouts, special experimental programs of residential vocational education schools are authorized.

In addition, the amendment to the National Defense Education Act will make possible immediate loans to 70,000 needy college students not able to obtain such loans today.

"Finally, the extension of the program of aid to schools in districts affected by Federal activities will permit a continuation of Federal assistance where we have a special responsibility. I believe that this measure, together with a Manpower Development and Training Act, places us in a position to make a major attack on one of the most important obstacles to economic growth and productivity. It is a reaffirmation of our conviction that education is the cornerstone of our freedom."

Mr. MORSE. Mr. President, later today, on my own time, I shall discuss at some length the latest contribution to yellow journalism of two of the latest dropouts from the school of honest journalism, Evans and Novak. However, at this time, I rise to express my deep appreciation to the majority leader for the comments he has just made. They were unnecessary, but he is never guided by what is necessary or unnecessary when it comes to being fair. I appreciate it very much. I deeply resent the unfair attacks upon the majority leader and upon the record of the present President of the United States when he was majority leader of this body.

I believe these dropouts from honest journalism in the press gallery—an epidemic which seems to be contagious—are doing a great disservice to the Republic by uncalled for and false attacks upon both the previous majority leader, Mr. Lyndon Johnson, and the present majority leader [Mr. Mansfield].

I intend to discuss that problem later this afternoon, because the American people need to take warning that if they believe they are getting an accurate, honest account of the operations of Congress from many of those who are writing on the subject from the Senate press gallery, they could not be more mistaken.

Mr. PROXMIRE. Mr. President, briefly, I should like to join the distinguished majority leader in recognition of the great service which the Senator from Oregon [Mr. Morse] has rendered in the 88th Congress on education legislation. The sessions will be known as education legislation years. The actions taken were substantial; and the Senator from Oregon was a leader in every one of them. He has performed a superb service. To me nothing is more important than the subject of education and education legislation in America.

WHY TAXES SHOULD NOT BE CUT NOW

Mr. PROXMIRE. Mr. President, the President's economic report is out today. It is an interesting document. The President points out that for the past 2¾ years we have achieved a remarkable expansion of the economy.

To quickly read some of the statistics, because they are impressive:

Since 1960 the gross national product is up 16 percent, measured in constant dollars—that is, allowing for inflation—that is more than 5 percent a year.

Industrial production is up even more—23 percent.

Civilian nonfarm jobs are up 2¾ million.

Personal income is up $70 billion, or 17 percent.

Corporate profits are up 44 percent.

Net income per farm for 1963 is up almost $375, or 12 percent.

Total after-tax income of the American people is up $56 billion, or 16 percent.

Real disposable income per family is up more than $600, or 8 percent.

The President points out that the $100-billion rise in output in 2¾ years has no parallel, that never before have we achieved anything like this in peacetime economic annals.

The $56 billion in labor income is also unparalleled. Glowing statistics of a booming economy are exactly why taxes should not be cut at this time.

The timing of a tax cut could hardly be worse. Of all the times to cut taxes and deliberately deepen the Federal deficit, the middle of a soaring, booming expansion period is the worst.

The President tells the Nation that the $100 billion rise in output in the past 2¾ years knows no parallel in our peacetime economic annals; that we are now enjoying the biggest and one of the longest peacetime economic expansions in our history.

And yet with the tax cut we plan a deficit of more than $4 billion. If we cannot balance the budget now, we will never balance it.

The tax cut will contribute little or nothing to two great economic problems that confront America: unemployment and low farm income.

The unemployed will be left out of the tax cut because they have no income to be taxed now. Few of them will find jobs through the economic stimulation of the tax cut because unemployment is concentrated so heavily among the unskilled and minority groups.

The overwhelming majority of farmers pay no Federal income taxes because they have no net taxable income. They will be left out of any tax cut. And certainly the tax cut will not significantly increase the demand for food.

The elderly also will be excluded from the tax cut. The Treasury has reported that 80 percent of those over 65 pay no Federal income taxes.

That the Congress will pass the tax cut by an overwhelming vote within the next few weeks is sure, and it is also sure that it will be a popular action. But we will be throwing away the antirecession weapon we should rely on when the business cycle turns down. We are going to have business cycles as long as we have a free economy. Fiscal policy should be used to level out the peaks and valleys of the boom and gloom; not to elevate the peaks and leave no steam behind Government action to stimulate the Government out of recession.

WALL STREET JOURNAL CITES A WATERY WASTE

Mr. PROXMIRE. Mr. President, I invite the attention of Senators to an excellent editorial entitled "A Watery Waste," published in the Wall Street Journal for Friday, January 17, 1964, which highlights what I believe is one of the most serious extravagances of our Government in paying out taxpayer money for Federal projects that cannot be justified.

I ask unanimous consent to have this editorial printed in the Record:

There being no objection, the editorial was ordered to be printed in the Record, as follows:

A Watery Waste

Many in Congress are naturally quite sensitive about charges of pork-barrel waste. How can anyone, they say in effect, call it wasteful to spend money for such projects as water-resources development?

Senator Proxmire, of Wisconsin, a strong critic of the pork barrel, has now provided one interesting part of the answer to that question. He has inserted in the Congressional Record an analysis by Prof. Robert Haveman of Grinnell College, Iowa, which shows more than $1 billion of waste, or nearly 45 percent of the total under consideration, in Corps of Engineers programs.

The study embraces 147 water projects, in 10 selected States, underway between 1947 and 1962. Many of them are found to represent a misallocation of national resources.

As Mr. Haveman explains it, the existing investment criterion used by the Federal Government has been increasingly scrutinized in the work of professional economists. Some studies question the very concept of the benefit-cost ratio, the statistical formula which attempts to measure the particular undertaking's investment outlays against its probable returns to the Nation. Others raise doubts about some of the variables used in the benefit-cost formula.

All this is highly technical, but in brief what Mr. Haveman has done is subject the selected projects to other evaluation techniques which the economists believe are closer to reality than the Government's.

On the basis of one such test, 84 of the 147 projects should have been rejected. On the basis of another, 60 fail to pass the efficiency requirement; it is this evaluation which yields the nearly 45 percent of wastage of Federal funds.

Moreover, Senator Proxmire thinks the situation is even worse than that. The estimates assume that the additional lands brought into the production of surplus farm crops by these projects are of value to the Nation, whereas, in fact the taxpayer has to pay to take the crops off the market.

If the estimates, says the Senator, "had valued this crop production as worthless, which it certainly is, the overwhelming majority of these projects would have to be classified as wasted." Thus the waste of money is compounded by confusion of policy; with one hand the Government tries to curb farm surpluses while with the other it encourages them.

Doubtless the officials concerned would defend their cost and benefit computations, but the development of these other criteria raises questions about the validity and objectivity of present formulas. There is even a bill in one of the congressional committees which would revise the benefit-cost ratio; in Mr. Proxmire's view, it would leave less justification for all this seemingly indiscriminate spending.

Such criticism, after all, is not just a blanket charge of waste, but a scholarly examination of particulars. It is a fruitful area of investigation for those in Government who are seriously seeking ways to economize.

Until this sort of spending is curtailed, the taxpayer can be sure, as Mr. Proxmire puts it, that literally billions of his dollars will be squandered. And too much of the Nation's resources diverted into a watery waste.

QUALITY STABILIZATION WILL HELP SAVE AMERICA'S SMALL TOWNS

Mr. PROXMIRE. Mr. President, I invite the attention of Senators to an excellent editorial published in the Shawano, Wis., Leader, of December 21, 1963, supporting the much-beleaguered quality stabilization bill. It ably points out the great merit the bill possesses, especially for American small towns. I ask unanimous consent to have the editorial printed in the RECORD.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

SMALLTOWN BOON

A bill known as quality stabilization now before Congress is not only solidly backed by a major portion of America's nearly 2 million retail businessses, but is notable for the support given it by Members of Congress who understand the importance of widespread retail competition.

Much of the efficiency of chain stores is due to their being sheltered from price competition within the private brands they feature most. Likewise, independent retail business, with its fundamentally low costs and local flexibility can be expected to show a marked increase in competitiveness once quality stabilization becomes operative. The measure will give the legitimate merchants a form of strength big chains and catalog houses now enjoy.

This will help the consumer with invigorated competition between different stores and different lines of goods, and should create more opportunity for the public to choose goods on both merit and price without the confusion and deception which now prevails in many places as to what is a fair price.

A favorable effect on the tax rolls in the towns and cities of most congressional districts is one important side effect to be expected, because quality stabilization will arrest the continuing decline in the number of independent retail establishments in the country. This decline, according to the 10th national sample census of retail distribution, conducted by Audits and Surveys Co., continues to hit hardest in the smaller towns.

Thus quality stabilization stands out as a boon to America's rural and suburban towns and should have the full support of their civic-minded residents. Of course, they should let their Congressmen know that they want quality stabilization to prevent further deterioration of rural America.

SALUTE TO FEDERAL BUREAU OF INVESTIGATION

Mr. KUCHEL. Mr. President, in sharp contrast to many nations, the United States never has employed a national police force. Through nearly 2 centuries, our people have felt such an institution would imperil cherished rights and undermine our concept of liberty.

At the same time, our country has recognized the need for coordinated law enforcement in broad fields which exceed local, county, or State jurisdictions. By evolutionary processes, we have created and strengthened a conscientious and unique agency in the Federal Bureau of Investigation which has compiled an unmatched record for effectiveness and reliability in acting against criminals whose duty it is to apprehend. A notable instance of the speed and diligence which motivate the FBI was the recent solution of the kidnaping of Frank Sinatra, Jr.

The gratitude of countless Americans for the determination and competence of the Federal Bureau of Investigation and for the conscientious administration of its personnel by Director J. Edgar Hoover, as personified in the Sinatra case, was expressed in a recent editorial in the San Diego Union which I ask to have printed in the RECORD.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

[From the San Diego (Calif.) Union, Dec. 17, 1963]

FBI IN HIGH GEAR

The remarkable speed with which the Federal Bureau of Investigation acted so successfully in the Frank Sinatra, Jr., kidnaping case is a classic example of skilled crime investigation.

The victim was released unharmed, the ransom money was recovered almost to the dollar and three suspects were taken into custody within a few hours.

The San Diego bureau of the FBI, under the direction of E. C. Williams, played a particularly significant role in the affair with the arrest of a principal suspect and recovery of nearly $50,000 of the ransom in Imperial Beach.

In his long tenure as chief of the FBI, J. Edgar Hoover has developed the world's most efficient crime-investigating organization. Mr. Hoover and the men who work with him deserve the thanks of all Americans for the protection they afford us.

MONTANA'S DISTINCTIVE HERITAGE

Mr. MANSFIELD. Mr. President, much has been written and said about the fact that 1964 is a big year for Montana. It marks the 100th anniversary of Montana's establishment as a territory, the 75th anniversary of its statehood, and the 100th anniversary of the birth of its most outstanding painter, Charles M. Russell.

One of the more eloquent and descriptive pieces about Montana's distinctive heritage was contained in a recent editorial in the Signal Butte, the newly created student newspaper of the Custer County High School of Miles City. The piece, entitled "Centennial Begins," was written by Editor Karen Williams.

Miss Williams has captured in a mere five paragraphs the atmosphere and excitement, the grandeur and scope, of a young land at its best. With a power of expression which would do credit to more experienced writers, she has committed to paper the thoughts of all Montanans who have a deep feeling for their State. I commend its reading to all of my colleagues in the Senate.

Mr. President, I ask unanimous consent that the editorial by Miss Williams appear at this point in the RECORD.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

[From the Miles City (Mont.) Signal Butte, Jan. 17, 1964]

CENTENNIAL BEGINS

(By Karen Williams)

The world was progressing nicely. America was a young giant, puffing out its muscled chest to thwart the thrust of sharpened bayonets and the pain of "The War Between Brothers." Lincoln was President, the tall pine, still lean and straight, but beginning to wither a bit and unsuspecting the power of the seed of hatred that would finally fell him.

James Ashley was a Member of the House of Representatives at the Nation's Capitol and was chairman of the Committee on Territories. As such, he had a deep interest in the West. It was he who introduced a bill to create a new territory in 1864. It was he who proposed the name, one that had appeared in the works of Livy, the old Roman historian and the Latin Vulgate Bible. The name he chose was Montana, from the Latin "montanus" meaning "mountainous."

Thus, a new territory was born to the Nation, a territory that squalled as lustily and loudly as the angriest infant brought into the world. Here were the roughest and toughest of Americans, grizzled trappers, satisfied with the territory as it was—sparsely populated and a land of furs, and red men turned savage, their hatred of the whites growing as the West's population boomed, and ragged miners' huts grew up beneath their "shining mountains", somehow dulling their brilliance. The yellow, knee-deep prairie grass was accented now by the grouped cemeteries of buffalo, bones glowing chalk white through the swirling, dry dust. And the savage turned to face the inevitable tide.

One hundred years have passed and Montana has grown to young maturity. The territory is observing a birthday in 1964, celebrating the golden years gone by and those yet ahead. This year is not only the "Big Sky" country's centennial, but its 75th anniversary of statehood, the centennial of mining in Butte, the centennial of Montana cities, Helena and Bozeman, and the 100th anniversary of the birth of the cowboy artist Charles M. Russell, as well.

The treasure State, "Big Sky" country, the "Land of Shining Mountains," whatever its nickname, Montana is the year round vacation land, from its golden plains to its highest peak—from the stark beauty of its windswept prairies to the mysterious, looming and majestic glory of the Rockies. This is the year for Montana—and Montanans. A glorious year of celebration and boasting and fireworks, but, most of all, a time of great honor and a deep sense of pride in our wonderful, rugged and shining State—truly the land of the Big Sky.

The PRESIDING OFFICER. Is there further morning business?

Mr. MANSFIELD. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

APPROPRIATION OF SNAKE RIVER WATER FROM IDAHO TO TRANSFER TO LOS ANGELES

Mr. JORDAN of Idaho. Mr. President, in October of 1963, representatives of the city of Los Angeles made public a tentative plan to appropriate Snake River water from Idaho and transfer it to Los Angeles.

Such a plan met with immediate and determined resistance in Idaho. At that time, I said:

> I regard this particular plan of the city of Los Angeles to transfer 2.4 million acre-feet of water from the Snake River near Twin Falls to the Colorado River, via a 519-mile-long aqueduct to Lake Mead, as having the greatest potential threat of any I have examined. I think all Idahoans should become familiar with this brazen proposal so that we can better defend our water resources.
>
> Such a plan is not new. Back through the years we have resisted various proposals to raid Idaho's greatest resource by the thirsty Southwest.
>
> Proponents of this plan are aggressive and well financed, not only to employ competent engineers, lawyers, and economists, but to finance the building of such a project as well. Selfishly, they defend California's right to all of its own water, even to the extent of honoring county of origin preference in California water rights, while they search thirstily and aggressively for water from any other source that might be available without due consideration to the rights of the State so raided.
>
> California still has undeveloped water resources of its own.

Exhaustive studies have demonstrated there is ample prospect for solving the water shortage problems of Southern California with California's own undeveloped water resources. The results of these studies are available. They clearly indicate there is sufficient natural water in California to meet all future water needs within that State.

In addition to California's own undeveloped water, there are ample supplies in other coastal areas, including the Columbia River. I have seen preliminary plans by a private engineer for transferring a larger volume of Columbia River water to the arid Southwest in quantity sufficient to meet all needs. Such a proposal merits further study. Someday, water from this source alone could be made available for this purpose.

In the meantime, the city of Los Angeles plan should be dropped from further consideration because Snake River water is not available, when ultimate development of basin of origin is considered.

As a matter of fact, the Upper Snake River Basin has never been considered a water surplus area. Future irrigation demands within the basin will require all the water that can be made available under sound conservation practices.

In answer to my inquiry, Mr. Harold T. Nelson, Director, region 1, Bureau of Reclamation, Boise, Idaho, has written a letter to me reporting on this matter of water supply and demand in Snake River Valley.

Mr. Nelson's thorough report in this letter points up the fact, clearly and unmistakably, that Snake River water must be retained for basin of origin development.

Idahoans will resist all efforts to raid our precious water resources. The city of Los Angeles plan is unsound and impractical for the simple reason that the water is not available for transfer.

Mr. President, I ask unanimous consent to have Mr. Nelson's letter printed in the RECORD.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

U.S. DEPARTMENT OF THE INTERIOR,
BUREAU OF RECLAMATION,
Boise, Idaho, January 14, 1964.

Hon. LEN B. JORDAN,
Senate Office Building,
Washington, D.C.

DEAR SENATOR JORDAN: You have asked for direct comments that this office can make concerning the so-called Snake-Colorado River diversion plan as proposed by the Department of Water and Power of the City of Los Angeles, to supplement the preliminary analysis furnished to the Committee of Nine in our letter of November 27, 1963, with copy to your office.

I am sure that no one would wish to deny southern California the use of surplus waters wherever they may occur for the legitimate needs not only of Los Angeles, but for the Southwest area. It is our belief, based upon our knowledge of Snake River Basin, that the proposed Snake-Colorado diversion is a unilateral proposal based largely on reconnaissance data, is entirely premature, and in view of the extreme importance of the matter, entirely overlooks the need for a comprehensive analysis of all other similar opportunities for the utilization of undeveloped water resources both within California and in other west coastal areas where a water surplus will exist after all ultimate local potentials are provided for.

The urgency on the part of the city of Los Angeles for proposing a specific Snake-Colorado River diversion plan at this time is not clearly understood, particularly in view of the fact that (1) the Upper Snake River Basin has never been considered a water surplus area in terms of ultimate development, and (2) in consideration of the abovementioned fact that there are water surplus areas, including northern California, that could support water diversions to southern California without detriment to the development of the basin of origin.

The Los Angeles plan involves the diversion of 2.5 million acre-feet of water from the Snake River at the Thousand Springs site located northwest of Twin Falls to the Lower Colorado River Basin, with the possibility of delivering 1.2 million acre-feet of water to Lake Havasu and 1.2 million acre-feet to southern California via the existing Colorado River aqueduct. The Los Angeles plan provides for construction of Thousand Springs Dam and Reservoir, with a capacity of 350,000 acre-feet (elevation 3,000 feet) on the Snake River between Twin Falls and Hagerman, and diverting 2.5 million acre-feet of water south to Lake Mead on the Lower Colorado River. The plan would require a 519-mile-long aqueduct system, pumping plants to raise the Snake River water from elevation 3,000 feet at Thousand Springs Reservoir to the 6,100-foot level near the Nevada-Idaho boundary, a reregulation reservoir near the terminal end of the aqueduct, and a series of powerplants through which the water would drop into Lake Mead. The total static pumping head would be 3,100 feet, while the total drop into the powerplants would be 4,518 feet.

The only data available to this office concerning the Snake River diversion plan are contained in the brief October 1963 report prepared by the city's department of water and power. The report appears to be of preliminary reconnaissance nature, contains no data to support the feature cost estimates, with no breakdown whatsoever on associated right-of-way annual operating costs, and a great many other items that would require careful and detailed analysis. The analysis made by this office is, therefore, necessarily strictly limited to the Snake River hydrologic situation and water supplies available for possible diversion in consideration of present and long-range development potentials in Idaho, as well as other downstream areas. Although no cost analysis and comparative estimates of the Los Angeles plan are possible, we have strong reasons to believe that the costs are underestimated and that there would be serious operation problems that will introduce additional costs not recognized in their report. Therefore, we can only conclude at this stage that the major argument advanced by the city of Los Angeles proposal that it is more economical than some other alternate is not valid and not supported by the report.

We believe, however, that it would not be necessary to devote undue time and expense to any cost analysis of this particular plan for the overriding reason that available water resources in Snake River at the proposed point of diversion will not permit this diversion to be made, as will be explained below, without serious detriment to existing as well as potential developments in the basin of origin.

All hydrologic data used in the Los Angeles report appear to have been taken from a 1961 report of the Bureau of Reclamation and the Army Corps of Engineers, entitled "Upper Snake River Basin." Plate 46 of the 1961 Bureau-Army joint report is reproduced as plate 1 of the Los Angeles report, and is apparently relied upon as supporting the following quoted conclusion from page 11 of the Los Angeles report: "The attached plate 1 is based upon information in the joint report showing present and future average flows of the Snake River below Twin Falls from which it is apparent that a future surplus of water exists at all areas below Hagerman, Idaho."

I should now point out two fundamental erroneous assumptions that apparently were made in the Los Angeles report in the interpretation of plate 46 above referred to. A correct application of the plate 46 hydrologic data to the irrigation and other upper Snake River Basin development potentials above the proposed point of diversion, as listed elsewhere in the 1961 Bureau-Army Report, will demonstrate conclusively that the proposed diversion cannot be made without serious detriment to the basin of origin.

The first erroneous assumption is the use of a chart of average annual flows without taking into consideration variations by years and by months of the year to support a proposed continuous diversion of some 3,450 cubic feet per second of unregulated flow at the diversion point.

The second erroneous assumption may be due, in part, to a lack of clarity of the legend on plate 46. The chart is a schematic representation of average annual present (in this case 1960) flows at various points on upper Snake River, as compared to estimated depleted flows at the same points for an assumed future level of basin development associated with a selected group of specific projects outlined in table 20 of the summary report. The future level appearing on the chart and discussed in the report is not the ultimate level, but was intended to reflect flows that would prevail when the projects listed in the joint report are developed. These projects are largely considered feasible under present-day criteria, and are considered to reflect a level of development which could be expected to be achieved by about the year 2000. However, the report also lists ultimate potential developments not represented on plate 46, which could utilize the total flow of Snake River, including groundwater inflow above the proposed point of diversion. Further reference will be made later in this letter to the ultimate level of development considered necessary to protect the Snake River Basin. Nonetheless, before even introducing an ultimate level of Snake Basin development, an analysis of runoff by months for a critical year demonstrates that the proposed diversion could not be made. For example, the average flow at the downstream Murphy gage for July of 1961, under existing conditions, was only 6,200 cubic feet per second, and under estimated 1985 conditions of upstream irrigation development would be about 5,000 cubic feet per second. Immediately downstream there are requirements of about 1,800 cubic feet per second for the proposed Federal Mountain Home division, Snake River project, on which a State permit has been granted, and 340 cubic feet per second for the existing Owyhee project pumps. Thus, under 1985 conditions, there would be a deficit of over 600 cubic feet per second in making the proposed diversion, even if the river were completely dried up, which, of course, is impractical.

Additional irrigation developments beyond those envisioned by 1985, both upstream and downstream from Thousand Springs, will, of course, take place. Estimated additional irrigation developments subsequent to 1985 and by 2010 would reduce Snake River flows at the Murphy gage and downstream points by 1,000 cubic feet per second below those shown for 1985 level of development.

The 1934–35 water year has been considered to be the critical year for Snake River up until the 1960–61 water year, when the lowest July flow of record was observed at Murphy gage. Murphy gage is just upstream from Guffey Dam site, the diversion point for the Mountain Home division of the Snake River project, which now holds a State of Idaho diversion permit. There is no inflow of significance between the lower end of Hagerman Valley and the Murphy gage. Average monthly flows for a 1960–61 water year, adjusted to estimated 1985 level of development, are plotted on the attached hydrograph of Snake River below Guffey Dam site for 1960–61 water year. It will be observed that a subtraction of 3,450 cubic feet per second from this hydrograph would have the effect of drying up Snake River in the summer months, and taking into account existing diversions by pumping from Snake River for the Owyhee project immediately below Murphy gage, would actually result in an overdraft of some 600 second-feet of available Snake River flow.

The shape of this hydrograph would lead to a suggestion that perhaps it would be possible to provide upstream reregulation for the apparent surplus flows in the winter months to make up the summer deficit. The amount of storage required would, of course, be dependent upon the level of upstream development and the minimum flow requirements in Snake River below the Guffey site for municipal and industrial uses, pollution control, fishery, navigation, and other purposes. I am sure that the added costs for such storage are not included in the Los Angeles plan.

Before going into either the possibility of upstream reregulation or ultimate levels of development, it would be appropriate to discuss the makeup of present Snake River flows at Hagerman to emphasize matters that apparently were not known or taken into consideration in the Los Angeles report in drawing the conclusion the hydrology of Snake River could support the proposed diversion.

Page 11 of the Los Angeles report refers to a present average flow of 5,531,000 acre-feet at Hagerman, and estimates that 85 percent of this emanates from "spring" flow, from which, to quote the report, "the flow rate varies only slightly from month to month."

The unique makeup and origin of the so-called Thousand Springs flows are generally not known or completely understood outside of Snake River Basin. These flows certainly are not virgin spring flow in the commonly accepted meaning of this term. Prior to 1900, groundwater flows in the Snake River from Milner to King Hill were estimated to be 5,000 cubic feet per second, that is, 3,600,000 acre-feet per year, which represents the natural yield of the Snake Plains aquifer from the north and east. During the next 60 years, irrigation of some 2 million acres upstream from King Hill from natural flow and regulated surface runoff resulted in a buildup of these flows to a high of 8,300 cubic feet per second and a present total of some 8,000 cubic feet per second, that is, 5,800,000 acre-feet per year. In the process, the elevation of the Snake Plain groundwater aquifer was raised an average of some 65 feet. Thus, it can be seen that some 3,000 cubic feet per second of this Snake River flow at Hagerman, an amount approaching the diversion sought by Los Angeles, is actually a dividend put into the river by return flow from upstream irrigation operations. It is subject to modification as changes in upstream irrigation diversifications might be accomplished through exchange in source of supply to various lands.

The average surface flow of Snake River past Milner Dam, the last irrigation diversion point above Hagerman Valley, is now some 1,300,000 acre-feet. This average annual amount results from some extremely high unregulated snowmelt floods. There was a period of 13 years during which only one small spill occurred. Plans are underway, however, to regulate as much of this 1,300,000 acre-feet as possible for effective irrigation use within the basin, and the Bureau of Reclamation has for several years been investigating the possible use of a portion of the unregulated flow for groundwater recharge purposes on the Snake River Plain. Consequently, the flows at Milner Dam should not be considered for diversion below that point, and should be deducted. This would reduce the average dependable present flow at Hagerman from the 5½ million acre-feet used in the Los Angeles report to something like 4.2 million acre-feet outflow from the great Snake River aquifer.

Future development of this aquifer for irrigation of new lands and for exchange to permit more effective use of available surface flows, together with pumping diversions of Snake River flows for development of the vast areas west of Hagerman Valley, will effectively deplete the residual flows available at Hagerman. By the year 2000, it is estimated that the average annual flow from the aquifer at Hagerman would be reduced to about 3.2 million acre-feet. This residual would, however, not be uniform throughout the season, as assumed in the Los Angeles report, but would be mostly in the nonirrigation season. Diversions to the Bruneau project would utilize all of the summertime flows above the bare minimum releases. Consequently, there would be no divertible flow for use outside the basin, at least not on a year-round basis.

As mentioned earlier, the 1985 level of development in the basin of origin does not permit the proposed diversion to be made, but this rests partly upon the impracticability of reregulating nonirrigation season flows for this purpose. This impracticability stems from the fact that all available storage sites will be necessary to the development within the basin. Under conditions of ultimate development, a diversion becomes impossible even assuming complete regulation and integrated use of surface and groundwater flows if the theory of complete protection to the basin of origin, as advocated in California, is similarly applied outside of California. It will not be necessary to go beyond average annual flow patterns to demonstrate this. The average annual flow at Murphy gage under present (1960) conditions, as reported in the Bureau-Army Joint Report of 1961, is 7,048,000 acre-feet. This same report shows a potentially irrigable dry-land area above Murphy gage in excess of 4 million acres. The estimated net annual consumptive-use requirement for irrigation in the above area is 1.9 acre-feet per acre, or 7,600,000 acre-feet. This, of course, is in excess of available Snake River supplies, even assuming complete theoretical upstream regulation and integrated use of the entire surface-groundwater yield.

As mentioned earlier in this letter, in view of the inability of Snake River to support this proposed diversion from a hydrologic standpoint, it was not deemed necessary nor advisable to go into other aspects of the proposed plan. We do have occasion to question several assumptions and assumed criteria on the basis of our preliminary examination, which will be mentioned below.

The diversion proposal implies assistance in the form of joint use of diversion facilities to overcome investment and operating cost problems presumed to be precluding major irrigation development in southern Idaho. It would not be logical nor economical from a physical or engineering viewpoint to tap the California diversion facilities to supply areas such as the Salmon Falls project area south of Twin Falls, which could be served by a direct diversion from Milner pool, which is about 1,100 feet higher in elevation. Facilities could be shared in the eventual irrigation of a large area of arable lands on the Bruneau plateau south of Snake River in the general area west of Salmon Falls Creek. Irrigation facilities for the Bruneau Project development, exclusive of the Snake River Dam and power production facilities, are estimated to total about $111 million. Any incremental savings that might be involved in constructing joint facilities are insignificant to the economic and financial feasibility of an undertaking of this magnitude. Financial assistance for capital investment would still be required to a great extent, and the bulk of the annual costs would still have to be borne by project irrigators. The development of this large irrigation potential will depend on concerted local support, and large amounts of financial assistance and low-cost power, none of which is provided by the Los Angeles diversion plan.

The powerheads in the Snake and Columbia River Basins have been underestimated in the Los Angeles report. The total of the average heads of the existing plants from Thousand Springs downstream to Bonneville is 1,531 feet. The total of the average heads of existing and potential projects is about 2,665 feet. The Los Angeles report states these to be, respectively, 815 feet and 2,200 feet.

The Los Angeles report assumes the average cost of electrical power lost at existing and potential Snake River and Columbia River plants due to diversion of Snake River water to be 3 mills per kilowatt-hour. At the same time, it evaluates the electric power gain at the Lake Mead power drops and the cost of pumping power at 6 mills per kilowatt-hour. Since the loss of this power represents an economic loss to the region, we believe it should be evaluated at its economic value. Recent estimates furnished by the Federal Power Commission for the at-site value of power, based on steam replacement, is $14.80 per kilowatt of dependable capacity and 2.7 mills per kilowatt of energy. For firm, base load power at 100 percent load factor, this totals about 4.4 mills per kilowatt-hour. The real value of hydroelectric power in future operations in the Pacific Northwest, however, is in its ability to produce peaking capacity. If a load factor of 50 percent is assumed, which certainly is conservative for future hydroelectric peaking operations, the at-site value would be 6.1 mills. Thus, the actual value of the lost power resulting from the proposed diversion of water would be much greater than the 3 mills used in the report, and would be at least equivalent to the 6 mills used for evaluating power production at the Colorado River end of the aqueduct.

The Los Angeles report allows only 100,000 acre-feet out of a total diversion of 2,500,000 acre-feet for outages, evaporation, and seepage losses. We have not seen support for this estimate, but a total loss of only 4 percent in a system of this scope seems extremely low. We do not know what magnitude of evaporation and seepage losses would occur from Lake Mead and downstream, where the report indicates most of the losses are anticipated. However, the system contains 435 miles of open, lined canal and 5 miles of reservoir before reaching Lake Mead.

Based on our experience with lined canals, we would estimate that losses in this reach of the system before reaching Lake Mead would substantially exceed the 100,000 acre-feet estimated for the project in total. Therefore, we would conclude that either less water could be delivered than anticipated, or more water would have to be pumped from Snake River.

The Los Angeles report does not completely analyze the effect the proposed diversion would have on the lower Snake and Columbia Rivers. At the present time, there is a requirement for the release of a minimum flow of 5,000 cubic feet per second from Brownlee Reservoir for maintenance of navigation and fishery flows in the Snake River below Oxbow. Reduction in the base flow of Snake River by 3,450 cubic feet per second would have an impact on operation of downstream storage for power, navigation, and fishery purposes which has not been analyzed. Coupled with anticipated irrigation developments, this diversion would reduce summer inflows to Brownlee Reservoir below the specified 5,000-cubic-feet-per-second minimum release.

I foresee a number of operating problems for an aqueduct of this size crossing parts of Idaho and Nevada at a high elevation in winter months. I am unable to determine if capital investment and annual operation costs in the present report reflect these situations. It is my understanding that the aqueduct will primarily be a lined canal, which will require numerous crossings and protective measures for game animals and stock. Our experience in operating power canals and intercepting channels during the winter months under similar climatic conditions indicates a balance will need to be struck between reducing capacity in freezing weather as against heavy expenditures in controlling surface and frazil ice.

The above discussion certainly brings out the heavy impact of the proposed diversion from a tributary stream of the main Columbia. As a matter of information, I am attaching a water supply diagram for the Columbia River which brings out the heavy streamflows in the lower reaches of the main stream.

In summary, there are several basic conditions which we feel make the Los Angeles proposal infeasible:

(a) Ultimate development of land resources in Snake Basin susceptible for irrigation would require more than the available water supply in Snake River without the diversion.

(b) Even under year 1985 development conditions in Snake River Basin, in the critical year there is insufficient water in Snake River to meet identified downstream requirements and the diversion, without a large amount of reregulatory storage specifically for this purpose.

(c) Possible benefits from joint use of the proposed facilities for developments in Idaho are minor, since the plan does not provide large blocks of low-cost power and large-scale financial assistance which will be prerequisites of such developments.

(d) Interference with power production on Snake and Columbia Rivers has been underestimated and underevaluated in the proposed plan.

(e) System water losses have been underestimated.

(f) Proper recognition has not been given to downstream requirements on Snake River for other multiple purposes such as municipal and industrial water, navigation, pollution control, and fish and wildlife requirements.

By way of further summary bearing upon the overall proposition that the Upper Snake River Basin is not a water-surplus area on a long-range basis as compared to other alternative sources, I would call attention to a paper by Samuel B. Morris, a nationally recognized consulting engineer in the water resources field, entitled "Fresh Water," which was just recently published in volume 128, part 3, of the 1963 "Transactions of the American Society of Civil Engineers." It is my understanding that Mr. Morris, prior to entering the consulting field, was the chief engineer for the city of Los Angeles Department of Water and Power. I quote the following from pages 137 and 138 of the abovementioned volume:

"There is insufficient water for full development in the Snake River Valley, eastern Oregon, in California generally south of Sacramento, and in the Great Basin and Colorado River drainage areas. Exhaustive studies have demonstrated that there is sufficient water in California, including its Colorado River diversions, to fully meet ultimate requirements of some 50 million population and nearly 20 million irrigated acres. The necessary large storages, surface and underground, the long aqueducts, hundreds of miles long, combined with high pump lifts, indicate that the costs will be high.

* * * * *

"Fortunately, California since 1947 has been engaged in a thorough study of available water supplies, present and future water requirements, and the most economic means of conveying surplus waters from the north to meet the future supplemental water needs of the balance of the State. The results of these studies are available. They clearly indicate that there is sufficient natural water, including Colorado River water, to meet all future water needs within the State. Large surface and ground water storage facilities and long aqueducts will be required."

I understand that the Governor of California, as well as the California State Department of Water Resources, have recognized the fact that there are available unused natural flows in California that could be available for regulation and use in southern California. This further supports the conclusions that (1) the Snake-Colorado diversion plan should be dropped from further consideration because there cannot be a complete reservation for ultimate development in the basin of origin, and (2) there is ample prospect for solving the water shortage problems of southern California as well as the Pacific Southwest on the basis of the comprehensive analysis of all other opportunities, using comparable economic assumptions, cost estimates, hydrologic data, and other pertinent factors, with, of course, complete reservation for ultimate development in basins above points of diversion.

Very truly yours,

H. T. NELSON,
Regional Director.

Mr. KUCHEL. Mr. President, I have no higher respect for any Senator than I have for the able Senator from Idaho. He is a well-skilled advocate for his State. He understands the water problems of the West. He is my friend.

On the present occasion I merely observe that I come from a State whose population explosion defies imagination. I stand in the Senate representing 18 million people. Every year in the foreseeable future 600,000 more Americans will move to California as they have done for many years in the past. Our State is the most populous State, and it is destined to grow infinitely larger. California is semiarid. It is to the credit of those in my State, those in the southern part of my State and those in the north who have a responsibility to maintain the economy and to prepare for the future of the economy by making a beneficial supply of water available to human beings who live there now, those who will live there in the future, and also for industry and agriculture as they become increasingly thirsty in the development of California, that they are trying to explore every way in which possible water surpluses for the present and future needs of other parts of the country might be made available to Americans who live in the State from which I come. I remind my colleagues that the people of California have voluntarily bonded themselves to the extent of $1,750 million to start the necessary works for a California water plan. That is only a beginning. We have needed, and we have received, the support and the assistance of the Federal Government. We shall continue to need Federal assistance in repayable reclamation projects.

Only a few months ago, across the street in the U.S. Supreme Court, a decision was rendered with respect to a dispute between two good American States—Arizona and California. Now pending in the committee of which I am a member is proposed legislation sponsored by the two Senators from Arizona, which would take from the rivers of the Colorado River Basin 1 million acre-feet a year for the benefit of the people of Arizona. To that extent, that measure could constitute a hazard to the people who live in southern California and whose use of those waters—not California waters, but interstate waters—has been traditional, long standing, and continuing over a long period of time.

Obviously every part of our Union must take care of its own. But as Americans, when there is an opportunity to slake the thirst of citizens living in one populous area by a surplus of waters found elsewhere, I believe that, in good comradeship and in the national interest of America, we should earnestly try to satisfy those wants, without damaging the requirements of the areas of origin.

I am sure that the able and fine Senator from Idaho [Mr. JORDAN], a great American and a great representative of his country and his State, would join me in saying that the problems of which he has so vigorously spoken today ought to be discussed without rancor among the people in his State and in my State and, of course, in the committee which he graces and of which I am a member, in the hope that that basic question before all the people of the United States—a sufficient water supply for all for future growth—will, in the interest of a strong America, be solved by all parts of our country working together.

Mr. JORDAN of Idaho. Mr. President, will the Senator yield?

Mr. KUCHEL. I yield to my able friend.

Mr. JORDAN of Idaho. I commend the distinguished Senator for his forthright statement on the issue of which we have spoken. I remind him that I am a cosponsor of the bill S. 1275, which would go a long way toward establishing recognition of State water rights, which we think are so fundamental to the development of the water resources of the West.

I do not believe the Senator from California and the Senator from Idaho are in great disagreement. The Senator has said that his State is looking for sources of water that is not now required in the basin of origin, and will not be so required in the future. I emphasize the importance of future needs in the basin of origin.

With that statement I am in full agreement. The Senator from Idaho will join the Senator from California in looking for sources of water that meet those specifications—that is, for sources which are surplus to present and future needs in the basin of origin.

Mr. KUCHEL. Mr. President, I thank my able friend. Once again he has evidenced his fairness with respect to judging problems that not only exist across State lines, but also exist for our fellow citizens as a whole.

THE PANAMA CRISIS

Mr. MORSE. Mr. President, I ask unanimous consent to have printed in the Record at this point three articles published in this morning's issue of the New York Times on the subject of the Panama Canal.

There being no objection, the articles were ordered to be printed in the Record, as follows:

[From the New York (N.Y.) Times, Jan. 20 1964]

Canal Zone Upset by Morse Speech—Senator's Call for Reform Brings Heated Reaction

(By Paul P. Kennedy)

Balboa, C.Z., January 19.—Recent remarks by Senator Wayne Morse concerning the Panamanian crisis have added to the disquiet of residents of the Canal Zone.

The Oregon Democrat was reported in a reprint of the Congressional Record as having advocated on the Senate floor a number of reforms in Canal Zone procedures, including a rotation of employees. His remarks were reprinted without comment by the Star and Herald, an influential paper, as the leading article this morning.

Reaction in the zone ranged from threats of resignation by employees of the canal to demands that the Canal Zone Government defend the zone's residents. This Maj. Gen. Robert J. Fleming, Jr., Governor of the Canal Zone, did this afternoon.

In an interview, the Governor, on leave from the U.S. Army, deplored "undeserved" criticism of zone employees.

CALLS ATTACKS UNDESERVED

"I am appalled by criticism that is being heaped on the Zonian," he declared. "I think that by far the most part of this criticism is completely undeserved."

Senator Morse suggested in his Senate talk the rotation of personnel on a 2-year basis, and investigation of income tax laws as applied to the zone employees and of the privileges he said the zone workers enjoyed.

After the publication of the Senator's remarks, many Americans employed in the zone announced their intention of resigning as quickly as possible. One of these said, "If I have to go I might as well set the time myself and not let someone else do it for me."

The feeling of most Americans in the zone was summed up by this man, who said: "Where would we go? This has been our home for years. Our children were born and grew up here and went to school here. We would be displaced persons in the United States."

A recent survey showed that of about 2,000 employees questioned, more than 300 were second-generation Canal Zone residents.

"COLONIAL CLASS" SEEN

Senator Morse contended that prolonged employment in the zone tended toward a type of colonialism. He was quoted here as having said:

"We need to be careful not to make the same mistake that some other countries around the world have made in the development of a colonial class that takes advantage of the locale in which they live and creates for the American people in the field of foreign policy unnecessary problems. This in my judgment has happened in the Canal Zone."

There was no attempt in the zone administration building this afternoon to conceal dismay over the comments by Senator Morse and the indication that they might result in a congressional investigation and legislative action.

Many of the employees were alarmed over the possibility of a personnel-rotation system. Most were indignant over the impression given here that zone employees with incomes up to $10,000 were not required to pay income taxes.

Both secretaries and high-level executives expressed indignation. "They take money out of my pay every month and what makes me mad is that I still owe the Government about $50," a secretary said.

"They talk about the discrimination against a Panamanian," another employee declared. "In this office there are two Panamanians who earn as much money as I do and they pay only 2 percent income tax while we pay the full income tax."

The decline in morale as a result of the publication of the Senator's remarks has been startling according to Governor Fleming.

"Morale at this minute is such that one could put on a plug hat and walk under a duck," he declared. He said the American personnel "think the United States has abandoned them."

GOVERNOR PLEDGES ACTION

"I've got to do something to change that," he said, "and I am going to do something."

He did not give the details of his plans, but at the time of the interview his public relations department was preparing a special edition of Spillway, the Canal Zone house organ. The edition, to be published tomorrow, was to contain a statement by Governor Fleming to all employees of the zone.

"I am going to tell them to keep their shirts on and that they are not the nefarious people that they are made out to be," Governor Fleming explained.

The Governor said in the interview that "people have picked out a few extremists you can find in any American society and are saying that these extremists represent everybody."

"That is not true," he said. "The people coming here on the average are dedicated Americans trying to do a good job."

[From the New York (N.Y.) Times, Jan. 20, 1964]

Crisis in Panama Spurs U.S. Study of a New Canal—Slowness and Vulnerability of Present Lock System Are Cited by Planners—Mexico Site Mentioned—Nicaraguan and Colombian Areas Also Proposed—Atomic Excavation Seen

(By Tad Szulc)

Washington, January 19.—The Panama crisis is likely to speed a decision by the United States on building an Atlantic-Pacific sea level canal in the Central American region.

The need for a new canal for technical and military reasons has been recognized for several years. The subject has been under close study in the Government for nearly 2 years.

But the current crisis has convinced many key members of the administration and Congress that political pressures in Panama will go on indefinitely, regardless of the outcome of the present controversy. The officials believe that the U.S. security and interests require that the decision on a new canal be taken as promptly as posssible.

ATOMIC EXCAVATION SEEN

All discussions on the subject assume that atomic explosions would be set off to open the new canal. Estimates on the time needed to build a sea-level canal and place it in operation vary from 5 to 10 years, depending on the site.

There have been suggestions that the United States take on alone the building and operation of a canal under a treaty arrangement with a friendly country, possibly Nicaragua. One was that a sea-level canal could be built in Panama. Northern Colombia, and southern Mexico have also been mentioned.

But the conflict with Panama this month has suggested that any contractual arrangement in a foreign country may run into the difficulties that have arisen in Panama.

In a speech last week the Senate majority leader, Mike Mansfield, of Montana, proposed that the maritime nations and international financial institutions finance a new canal through the Tehuantepec Isthmus in southern Mexico.

Under Senator Mansfield's formula, the canal would be operated by Mexico for the benefit of all users.

In June 1962, when President Roberto F. Chiari of Panama visited Washington President Kennedy advised him that any new treaty relationship over the existing canal would have to take under consideration the plan for building a new one.

This was one reason that the United States refused to agree to renegotiate the treaty governing the canal. Mr. Chiari originally requested a renegotiation in a letter to President Kennedy in September 1961. He repeated the request in the Washington talks.

The Presidents parted with the understanding that the matter of a new treaty would be left in abeyance, probably until a decision on the sea-level canal was made within a few years.

LOCK SYSTEM IS COSTLY

The U.S. view is that by 1970 the Panama Canal will no longer be able to handle the steadily growing traffic. Even now there are costly delays in moving huge new tankers, ore carriers, and aircraft carriers through the intricate system of locks that compensate for the difference in altitude of other portions of the canal.

The Panama Canal is not flush with sea level, and its ends are at different levels. The locks adjust the water level as the ships pass through. Each lock is a separate compartment; when a ship enters, water is run in or out to raise or lower the ship to the next level.

In a sea-level canal, no locks are needed to compensate for the differences in levels at the ends. The depth of the canal itself would allow water to flow freely.

From a security standpoint, the Panama Canal is considered vulnerable in wartime because a single direct hit by a nuclear or conventional missile or bomb into a lock could paralyze it for a long time. A hit against a sea-level canal would cause much less damage.

The U.S. arguments against renegotiating the 1903 Panama Canal Treaty until before the opening of a new canal were repeated by Edwin M. Martin, the U.S. delegate, during last week's efforts to settle the crisis in Panama.

TREATY REVISION AT ISSUE

The heart of this argument was that for security the United States could not yield full control over the canal and the Canal Zone at least until a new canal was available.

Under an agreement reached Wednesday by the Inter-American Peace Committee of the Organization of American States, the United States agreed to talk with Panama about all issues, including the possibility of revising the treaty now.

But Panama has insisted that the accord included a commitment by the United States to renegotiate the pact.

This controversy has led to the collapse of the agreement. Panama completed her diplomatic break with Washington last Friday, insisting that no settlement was possible unless the United States agreed immediately to reach a new pact.

The Peace Committee, will reconvene here tomorrow to review the situation and to hear a report from Manuel Trucco, of Chile, who sought until last Friday to salvage the agreement. Mr. Trucco arrived tonight after a weekend rest in Miami.

The Committee will study the draft of a new communique worked out by officials of the Organization of American States, attempting to bridge the gap between the American and Panamanian positions. If the Committee decides that the draft offers the promise of an accord, it will take it up with representatives of the United States and Panama. Panama's new delegate to the OAS, Miguel Moreno, Jr., is expected here Tuesday.

Panama's determination to adhere to her demand for a treaty eliminating the U.S. control over the Canal Zone "in perpetuity," was voiced today by Aquilino Boyd, Panamanian delegate to the United Nations.

Mr. Boyd was interviewed here on the television program "Face the Nation" over the Columbia Broadcasting System. He said the 1903 treaty was "repugnant" and "obsolete."

"The situation there is going to deteriorate more and more if the United States is not going to cooperate," he said.

Panama will not resume diplomatic relations unless the Unites States agrees to negotiate a new treaty, Mr. Boyd added.

The stalemate with Panama, and the outlook for further difficulties there, have accelerated studies on a new canal. Initial studies were described in a report to President Kennedy before Mr. Chiari's visit in 1962 and were subsequently continued.

Today Senator Wayne Morse, Democrat, of Oregon, and chairman of the Subcommittee on Latin America, suggested in a radio interview that a "hemispheric canal, an Alliance for Progress canal," be built. He did not suggest a site. Such a canal, he said, could be financed by loans from all the American nations, including the United States.

[From the New York Times, Jan. 20, 1964]

Deadlock Persists on Panama Parley

(By Henry Raymont)

Panama, January 19.—Panama and the United States looked to each other today to make a first move to break the deadlock over the issue of revision of the treaty governing the Panama Canal. A solution seemed to hinge on finding a face-saving formula.

The 10-day-old conflict has presented President Johnson with a most serious challenge to his foreign policy. Panama completed her break in relations with Washington Friday.

There was still some hope here that a solution might be found through the continued effort of the Inter-American Peace Committee. But nationalist opposition to this course has been increasing.

High Panamanian and U.S. officials conceded privately today that they basically wanted to reach an agreement but did not know how to do so without compromising their domestic and international political positions.

Diplomats said an accord was blocked by domestic pressures, mutual distrust, and the problems inherent in the dealings between a big power and its proud and fiercely nationalistic small allies.

The Panamanian Government has staked its future on the pledge that it will not resume diplomatic relations with the United States unless it is guaranteed negotiations for the revision of the Panama Canal Treaty of 1903.

The Johnson administration, concerned with the security of the vital waterway as well as with its domestic and foreign prestige, has insisted that while it is disposed to discuss all outstanding issues with Panama, it cannot submit to the precondition of a new treaty.

The two Governments, diplomats suggested, are less far apart than they appeared after 5 days of semantic dispute.

Panama and the United States agreed last Wednesday to a formula worked out by the Peace Committee, an arm of the Organization of American States. They were to resume diplomatic relations immediately and, a month later, negotiate their differences.

President Roberto F. Chiari of Panama, facing strong pressures from nationalist opposition parties as well as from leftist student and labor organizations, proclaimed that the agreement meant the United States had agreed to revise the treaty.

The State Department replied that the English text of the Peace Committee's communique spoke of "discussion" and not "negotiation." The reply was issued quickly, and some U.S. officials now term it ill-advised.

Foreign Minister Fernández Galileo Solis remained critical of the U.S. Government today. He applauded a statement by Senator Wayne Morse, Democrat, of Oregon, and chairman of the Subcommittee on Latin America. The Senator said last week that the treaties on the Canal Zone should be "reviewed and negotiated from time to time."

The statement was widely publicized by the press and radio here and Mr. Solis suggested that it could provide "an opening for a new agreement."

But Washington has notified diplomats that Mr. Morse does not voice the views of the administration.

Some diplomats questioned whether Mr. Solis was the sole spokesman for Panama's foreign policy. The Foreign Minister, even today, continued to advocate the use of the Inter-American Peace Committee.

But Dr. Miguel J. Moreno, Jr,, a former Foreign Minister who has been named Panama's delegate to the Organization of American States, has strong views about how he should conduct his mission.

An opposition candidate in next May's presidential election, Dr. Moreno has indicated he will submit to further inter-American conciliation efforts only if Washington is prepared to voice willingness to negotiate a treaty revision.

Mr. MORSE. Mr. President, the first article is entitled "Canal Zone Upset by Morse Speech—Senators Call for Reform Brings Heated Reaction." The story, setting forth some of the reactions of the Zonians, show how right I am, and how their conduct so closely resembles that of the French Algerians. They are creating for the United States the same kind of colonial problem that the French Algerians created for France in Algiers.

I suggested a rotation basis for Americans living in the zone. Apparently the idea was a horrendous suggestion, because it would upset the special vested interest that certain Americans in the Canal Zone—some of them second and third generation Americans—have developed over the years down there. Some of them were threatening to resign. My message to them is, "The sooner the better. Come on home. You ought to have come home years ago. You ought to be replaced on a rotation basis, of not more than 2 years in duration, by other Americans, until we can train an ever-increasing number of Panamanians to do the job that you, with special benefits, are doing."

Another of our mistakes is that we have let the Pentagon exercise too much control over the zone for a long time. Whenever a nation, in carrying out a colonial policy, does so, it is headed for trouble. I wish to see the entire administration of the Canal Zone turned over to civilian hands as rapidly as possible.

So the military governor, on leave from the military, in my judgment, did not clothe himself with any great distinction by reason of the statements issuing from his mouth, as printed in the New York Times today.

He has said:

> I am appalled by criticism that is being heaped on the Zonian. I think that by far the most part of this criticism is completely undeserved.

Let him come back and defend his statements. I shall do everything I can to assist. I serve notice on Mr. Dean Rusk, the State Department, and the Pentagon that they will be called upon to defend their policies in the Panama Canal Zone. Many of their policies cannot be defended, and add up to a disservice to the best interests of our Republic. They have helped to cause the great crisis that exists in the Panama Canal Zone at the present time. So the sooner we develop all the facts, the better.

So I say, "Mr. Secretary of State, bring them back, and let us make the record."

TRIBUTE TO LATE PRESIDENT KENNEDY BY WILLIAM J. SIMONINI, U.S. AIR FORCE (RETIRED)

Mr. DIRKSEN. Mr. President, Mr. William J. Simonini, who is retired from the U.S. Air Force, has written a beautiful tribute to the late President, John Fitzgerald Kennedy, which is at once a tribute also to our Republic. It does merit inclusion in the Record of this body, and I ask unanimous consent to have it made a part of my remarks.

There being no objection, the tribute was ordered to be printed in the RECORD, as follows:

OUR GOD, OUR HOME, OUR GOVERNMENT—A TRIBUTE TO OUR LATE PRESIDENT, OUR NEW PRESIDENT, OUR EX-PRESIDENTS, OUR LATE PRESIDENT'S WIFE AND FAMILY, OUR CABINET, AND MEMBERS OF CONGRESS

(By William J. Simonini)

A few days ago, November 25, 1963, I stood on a hill overlooking Washington, D.C.'s, Arlington Cemetery. From horizon to horizon, my eyes saw row upon row of small white crosses marking the graves of soldiers who fought so bravely for their country. But today another soldier was being buried among the other small white crosses. His name was John Fitzgerald Kennedy, 35th President of the United States. As I observed the last rites of our beloved Commander in Chief, and as the sound of "Taps" echoed into the distant hills bordering the Potomac, my heart saddened, I turned my head toward the Capitol. As I looked on the towering marble building, a mist gathered in my eyes, as, standing there, I thought of its tremendous significance, its powers there assembled, and the responsibilities there centered—its President, its Congress, its courts, its gathered treasure, its Army, its Navy, its Air Force, and its more than 180 million citizens. All this I could see clearly before me, because of an assassin's bullet. This picture would have been unclear a day before. I saw before me our new President, our ex-Presidents, dignitaries from all over the world paying tribute to our late President. As the last note of "Taps" faded across the still green Virginia countryside, this last sound, above all, convinced those who refused to believe that our young Commander in Chief, including myself, was gone forever.

It seemed to me the best and mightiest sight that the sun could find, on this sad day, in its wheeling course was the majestic home of our Republic—the Capitol. Our Nation was hit hard by the loss of its titular head, but it has taught the world its best lessons of liberty—and I felt that if wisdom, justice, and honor abided therein, then the world would stand indebted to this temple (the Capitol) on which my eyes, filled with tears, rested, and in which the ark of my covenant was lodged for its final uplifting and regeneration.

And as I gazed, the memory of the great Capitol, and a great ex-President laid to rest, slowly faded from my mind. Forgotten during this crisis its treasure and its splendor. I slowly walked down the still green hill and I said silently to myself: "Surely here—here in the homes of the people of this great land is lodged the ark of covenant of my country. Here is its majesty and its strength. Here the beginning of its power and the end of its responsibility."

In sacrifice and denial let us keep them free (our homes) from debt and obligation. Let us make them homes of refinement in which we shall teach our daughters that modesty, and patience, and gentleness are the charms of woman. Let us make our homes temples of liberty, and teach our sons that an honest conscience is every man's first political law. That his sovereignty rests beneath his hat, and that no splendor can rob him and no force justify the surrender of the simplest right of a free and independent citizen.

And above all, let us honor God in our homes—anchor the family close to His love. (Remember President Kennedy and his wonderful family were always close to their creator.) Build His altars above our fireplaces, uphold them in the set and simple faith of our fathers and crown them with the Bible—that Book of Books in which all the ways of life are made straight, and the mystery of death is made plain. The home is the source of our national life, this and nothing else will the Capitol be. This, not Secret Service agents, will prevent future assassinations. Our homes need a good housecleaning. Let's make each home in America a temple of democracy. Let's read and follow the Good Book—if we do our country will always be strong.

In closing, our late President gave his life fighting hate, poverty, and ignorance. Our new President is now engaged in continuing this fight. But he needs our help, if we help him God will help all of us automatically. So, let's start by improving our standards in our home. And our Congress, which has worked so hard, and which we have given very little credit for. They have pulled us out of two serious crises—they are valiants for the 180 million people, they are the best the country can offer. This pertains to the Cabinet and Supreme Court members as well. But we at home must sustain this drive. We must vote and encourage others to vote, we must help our growing towns and cities by volunteering our time and services without pay. We must keep our churches strong, and, above all, we must strive for the highest family standard, and our weapon is the Bible. If we follow God's teachings we will eliminate hate, greed, and jealousy which, in turn, we will become humble. Lincoln remarked, "No man can become great without first becoming humble." And to be humble you can't hate. And remember, I say again, "What the home is, this and nothing else will the Capitol be. What the citizen wills, this and nothing else will the President be."

WILLIAM J. SIMONINI,
U.S. Air Force (Retired).

LETTER ON PRIVATE ENTERPRISE SENT TO MEMBERS OF ILLINOIS DAIRY PRODUCTS ASSOCIATION BY MARK G. VAN BUSKIRK, EXECUTIVE SECRETARY

Mr. DIRKSEN. Mr. President, Mark G. Van Buskirk, executive secretary of the Illinois Dairy Producers Association, of Chicago, has directed the affairs of that organization for more than a generation. In that time, he has seen and assessed the various forces which have operated upon the economy of this country and upon the system to which we proudly refer as the private enterprise concept of society. Never has he lost faith in that concept. Never has he compromised with ideas and theories which might dilute and impair it. Never has he failed to inspire the membership of his organization with it, regardless of their views or political affiliations. He has been one of the sturdy oaks of our time. I submit for the RECORD, and ask unanimous consent to have printed, his philosophical member letter which went to all of his members before the old year 1963 departed and the new year was ushered in. It is exceedingly worthwhile.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

To Members:

The concept of individual freedom which came into being with the founding of our Nation was something new and unique under the sun. Other people had, from time to time, glimpsed the possibilities inherent in such a program but none had leaders with the depth of vision or the fortitude to incur the risks which were involved in such an undertaking. Even the wisest of our leaders could not foresee the tremendous potential involved in the idea or forecast the unlimited advances in the fulfillment of human life which would result.

As one reads the sayings of the seers of antiquity he is struck forcibly by the hints of what might be brought about by breaking the shackles which bound the individual to traditions of every conceivable sort. Yet nowhere was the concept of freedom for the individual fully thought through or clearly delineated upon the drawing boards of men's minds. It remained for us to not only think through but to express forcibly in the Bill of Rights and in the Constitution the principles upon which such freedom must be founded. Here, for the first time, in a political unit was the image of man as a godlike creature and with godlike possibilities set forth. Here, for the first time, were the elements of strength and greatness inherent in every individual outlined in language which the man on the street could understand. Here, for the first time, were delineated upon a canvas the picture of what a man could become were he allowed to make his own decisions and to determine for himself the path his feet should follow. It was a vision to which he could, and did, respond in a manner to confound the critics and dissenters completely.

The results have been so unbelievable and of such transcendent value as to amaze the nations of the entire world and to cause the United States of America to be the lodestar toward which the peoples of the world have turned their eyes and their hearts.

One of the basic and more important elements in this new concept of freedom was that a man was assured that the profits from whatever legitimate activity to which he turned his hand were his. There were no limits, except to protect himself against raids on the part of his fellows, which also protected them. The moral principles, as set forth in the Ten Commandments, and similar declarations on the part of other major religions, were his rule of thumb, so to speak.

Under this concept a man might go as far and rise as high in the economic scale as his ability, willingness to work, and driving ambition would carry him. As a result his activities were multiplied over and over again, he dreamed of new worlds and, not satisfied with dreaming, made them become reality. In so doing he carried those about him, who were possessed of lesser talents, to heights not otherwise available to them.

As a result of incentives, not heretofore in existence, this new nation—but a babe so far as the nations of antiquity were concerned—gave the world more new things of every conceivable sort than all the other nations of the world combined. These things came about, not particularly because men were interested in new creature comforts and new manners and modes of life, but because the image of the individual was expanded over and over again.

Men created new things for themselves and for their own satisfactions. They created, as well, that they might raise the standards of living for all other men. Selfishness of a sort was involved, to a degree at least, because the creator of new things and new services saw possibilities to profit himself in what he sought to do. This is as it should be since in so doing he builded for himself and created new wealth for the entire economy. Inasmuch as in those days there was no stigma attached to the word "profit," he was willing to labor industriously and tirelessly to make his dreams become reality and he grew and prospered. The resultant development and accomplishment astounded an unbelieving world.

As a concomitant to the idea and reality of freedom to be himself there was a full recognition of a man's own responsibility for himself. He knew full well that if he was to be clothed, to find shelter, and to have food he must do so for and by himself. Inherent also in this new concept to succeed was the freedom to fail. Nothing was guaranteed to him but the freedom to try. There was, as well, the freedom to work in concert with his fellow men to the end that both he and they might profit.

With this freedom to try, to labor for himself, was the assurance that the fruits of his labor were to be his own. With it also he knew that if he failed in his endeavor he could rise again to his feet and begin to build his dream anew.

These were the days of high endeavor and great and lasting benefit to the Nation and to the world.

Then, somewhere, somehow, the insidious and damnable doctrine, that when a man failed it was the responsibility of government to pick him up, to wipe his nose, dry his tears, pick up his marbles and hand them to him or supply him with new ones was developed. The word "subsidy" began to appear in everyday language. One could climb on this new bandwagon and ride to economic success with ease. It was a great new day for the careless, the indigent, the weakling. But not for lovers of freedom and for the Nation as a whole.

With this new concept came a horde of bastard notions. Not only was self-determination and voluntary action frowned upon—made even slightly immoral—the enterprising individual was required by law to support numerous social programs regardless of his acceptance of them. Self-appointed, egotistical, emotionally unbalanced ribbon clerks worked out fantastic plans and presented the taxpayer with the bill. Government, not conscience, not good-will, not human interest made the determinations. A new day had dawned.

But it was a sad day for the United States of America. Manhood begins to disappear when man's interest in making and controlling his own destiny is either lost or is taken from him. Nor can all the soothing sirups and nostrums given to him by agencies of Government restore him to his godlike status. The darkest and lowest hour in a man's life comes when he attempts to obtain the awards and satisfactions, the well-being, which can come solely through his own efforts, by any means other than by honest work.

In that hour freedom is lost.

PURGE LIST OF PAUL REVERE ASSOCIATED YEOMEN, INC.

Mr. MORSE. Mr. President, I ask unanimous consent to have printed in the RECORD as a part of my remarks a release which a Senator sent to me, issued by a neo-Fascist organization in the United States called the "Paul Revere Associated Yeomen, Inc." It makes very interesting reading. A group of us are on the purge list of this group of neo-Fascists. I am delighted with the company I keep on that purge list—a wonderful group in the Senate, as all my colleagues are; but we have been singled out by this group for special notice.

There being no objection, the release was ordered to be printed in the RECORD, as follows:

PAUL REVERE ASSOCIATED YEOMEN, INC.,
New Orleans, La.

Editors, Businessmen, and Patriots:

There is still a bare possibility that we can save our country from complete socialism coming in 1965.

But there is only one way to do it, and it must be done before November 1964.

We know that the establishment does not yet control the House; but it does control the majority of the Senate and the Supreme Court—which, in turn—controls the Nation.

We must therefore get rid of the prosubversives in the Supreme Court, by first retrieving control of the Senate.

We must defeat the liberals in the Senate. It can be done as follows—the only way.

There are 19 sparsely populated States, with 38 Senators; 18 of whom are ultraliberals. They must be concentrated upon—and defeated. They are as follows:

Alaska, BARTLETT and GRUENING; Arizona, HAYDEN; Arkansas, FULBRIGHT; Hawaii, INOUYE; IDAHO, CHURCH; Maine, MUSKIE; Nevada, BIBLE and CANNON; New Mexico, ANDERSON; North Dakota, BURDICK; South Dakota, MCGOVERN; Oregon, MORSE and NEUBERGER; Rhode Island, PASTORE and PELL; Utah, MOSS; and Wyoming, MCGEE.

This can best be accomplished—at least cost and in the fastest manner, in the sparsely populated States.

The insurance companies, the utility companies, the large corporations which are still free of CFR control should meet and pledge large sums of money—$100 million—and go all out to defeat these 18 ultra leftwing liberal Senators in 1964. The doctors and lawyers to back them to the hilt, as well as independent businessmen.

It is now time for all Americans to spend half their wealth to protect the other half, or else have none left.

Otherwise, free enterprise is doomed, if these liberal Senators are not defeated in 1964. It will be too late—in 1965.

PAUL REVERE ASSOCIATED
YEOMEN, INC.,
H. S. RIECKE, Jr.

Mr. MORSE. Mr. President, I replied to my colleague who sent me this release as follows:

DEAR SENATOR: I thoroughly enjoyed your note of January 17 and its enclosure from the Paul Revere Associated Yeomen, Inc. Each one of us included in their purge list should be gratified because they will make us thousands of votes. They make the great mistake of assuming that the voters are as stupid as they are. Thanks for sending the material to me.

Cordially,

WAYNE MORSE.

TRIBUTE TO THE LATE SENATOR KEFAUVER

Mr. MORSE. Mr. President, I ask unanimous consent to have printed in the body of the RECORD an article from the Yale Law Review by Victor E. Ferrall, Jr., entitled "Senator Kefauver, of Tennessee."

There being no objection, the article was ordered to be printed in the RECORD, as follows:

[From the Yale Law Review]

SENATOR KEFAUVER, OF TENNESSEE

(By Victor E. Ferrall, Jr.)

Carey Estes Kefauver, 1927, a Member of Congress for nearly a quarter of a century, died on August 10, 1963. He was serving his third term as U.S. Senator from Tennessee.

Two days before his death, Senator Kefauver suffered a heart attack on the floor of the U.S. Senate. Leading the opposition to a $50 million communications satellites research and development authorization for NASA, he was delivering the opening speech condemning what he considered a calculated giveaway of public funds to the private Communications Satellite Corp. He was commanding, to quote one of his colleagues, the same "little band of willful men" which had filibustered during the last Congress in an unsuccessful effort to block that corporation's creation.

When the attack struck, Kefauver paused and in a whispered aside asked a colleague to suggest the absence of a quorum, not asking for it himself so as to avoid losing the floor. When the quorum call was terminated and debate resumed, Kefauver, still in obvious discomfort, finished his speech. Estes Kefauver fell with his boots on, protecting his right to the Senate floor. Thirty-six hours later he was dead.

Russell Baker noted perceptively in the New York Times that there was about Kefauver "a quality of introspection so deep that he was most enigmatic to those who knew him best." Not surprisingly, the extraordinarily popular and titillating activity of dissecting the plethora of coonskin caps, handshakes, unpopular causes, and political disappointments in order to discover the "real" or "essential" Kefauver has been continued by other writers, but it is not a profitable pursuit. The probability of penetrating the Kefauver engima is little or not enhanced by proximity to the man. I shall, therefore, avoid the hypersubjective and consider only those facets of Kefauver which I could observe or learn about during the last 3 years.

Politically, Kafauver's fate was substantially predetermined by the 1951 crime hearings. Without them, a seemingly bumbling, inarticulate southern Senator would never have tasted the heady wine of presidential candidacy; because of them, Kefauver's presidential demise was sealed. Whether or not it is true that Kefauver's hearings were directly responsible for the defeat of former Majority Leader Scott Lucas, few Senators senior to Kefauver doubt it for one moment. The memory of the U.S. Senate is extremely long and its temperament unforgiving.

Though he tried, Kefauver was never able to shake off the "crimebuster" label. This monolithic reputation may further have impaired his presidential aspirations, for to be President a man should be free from political overspecialization. To be President it is better to have no image at all than one too sharply defined.

As chairman of the Senate Subcommittee on Antitrust and Monopoly, Kefauver conducted hearings with restraint and fairness. The procedural polarity between his subcommittee and certain other investigating committees dramatized the dilemma confronting advocates of committee procedural reform. No meaningful legislative restriction is today placed on how congressional committees can investigate. The inquisitorial abuses of this absence of formal restraint flow from the true adage that a Senate committee chairman can do anything with unanimous consent and almost anything without it. Nowhere in government is caprice more thoroughly conduct determinative than in a congressional committee investigation.

Kefauver was a longtime proponent of reform. But, though he shared the deep-rooted American distrust of conscience as an adequate protection of the public interest, he accepted the Wilsonian investigatory function of Congress as fundamental. Thus he came over the course of time to be more concerned with insuring the rights of the investigated than proscribing the powers of investigators. He feared formal restraints on congressional committees would more hinder responsible investigation than restrain irresponsible inquisition. He himself practiced personal restraint at hearings, giving witnesses and their counsel free rein, often to the point of tedium. He substituted tenacity for abuse of constitutional rights.

As an antitruster, Kefauver must, I fear, be judged in some respects a failure. Measured by legislation passed, his subcommittee was one of the most unsuccessful in the Congress. Further, it is at the very least debatable whether his industry studies, e.g., in steel and autos, had any substantial effect on the abuses of economic power which he perceived. The drug investigation which consumed much of Kefauver's time during the last 3 years of his life focused primarily on high industry profits and prices. Yet, the legislation which ultimately resulted and which was regarded by many as a Kefauver victory, will have little or no effect on drug prices and profits.

In fairness, however, could anyone have done better than Kefauver did—or even as well? Surely not. During the past 8 years—as in all periods of relative opulence—antitrust has been unpopular. Indeed, in an era of people's capitalism, it may even be that the ability of industrial oligarchs to avoid effective competition is popularly admired.

Without Kefauver, antitrust and the preservation of competition would today be of far less concern to the public than it is. He kept it before the people with his insistence on the evils of administered prices. Though a confusing and uncertain notion at best, many citizens feel they understand administered prices. It conveys to them a vague notion that in markets where structural oligopoly, production barriers to entry and excessive product differentiation are the rule, the fruits of competition to the consumer are something less than fully ripe. This is true, and it was Kefauver's persistence which, in large measure, made the people see it.

Kefauver sensed, I think, a certain economic inevitability in the trend of industry toward capital-intensive giantism and concentration and, therefore, foresaw the necessity of increasing Government regulation or even ownership of productive facilities on a scale which no politician dare discuss candidly. He genuinely believed in competition and abhorred this necessity. He was, however, realistic about competition, both economically and politically. Thus, while he once characterized the Robinson-Patman Act as "the Magna Carta of small businessmen," his support of "smallness" was not unswerving. That he saw it is a competitive means and not an end in itself and that he identified its weaknesses as well as its strengths, will be attested by druggists and fair traders. He would not, however, concede that the mere absence of Government regulation is equitable with free price competition.

Above all, Kefauver conceived the ultimate end of competition to be to serve the consumer. Consumers are not a body politic. His approach to competition and antitrust, therefore, enhanced the unpopularity of his position with his colleagues. Had he subscribed to the better lobbied point of view that competition primarily serves small business, his task would have been far easier.

If, as is commonly observed, Kefauver was excluded from the Senate club, this must be attributed as much to his modus operandi as a Senator as to the Lucas incident. A "good" Senator plays a thoroughly institutionalized "game" with clearly defined rules. As a freshman he keeps out of mischief, does not make major floor speeches, and limits his energies to local matters. He may ask thoughtful, penetrating questions in his committee assignments, but he is retiring and definitely not a leader or spokesman of a particular position—even an approved position.

After a time—perhaps 2 years—he may tackle minor national issues. He is permitted, for example, to become an aspiring champion of heron conservation, antidetergent pollution, or minor agricultural reforms. He may also deliver an occasional speech on major foreign or domestic policy, so long as he does not actively lead legislative actions.

To a very large extent, he must establish himself as a subservient and responsive follower of the Senate's established Senate leaders (vis-a-vis its administration leaders) well into his second term. In the process, of course, he also demonstrates his ability to be reelected and, therefore, probable senatorial longevity.

The Senate's memory is elephantine. If the aspiring Senator stumbles at any point along this long road of restraint, redemption is unlikely. Failure to play the game virtually assures exclusion from the club. Lack of club membership radically reduces effectiveness as a lawmaker.

Playing the game for 10 or 15 years, however, takes its toll. Surely so much calculated docility drains at least some of the conviction and vigor any Senator brings to the Congress as a freshman. When the game is played out, he is better able to implement his beliefs, but has, perhaps, lost some of the inner impetus to do so. The—by international standards—exceptional harmony and tranquility of the Senate is, however, preserved. Whether the Nation is better served by a firebrand or a team player is debatable.

Clearly, though, Kefauver had no doubts on this score. He entered the Senate with an explosion, immediately captured the ear of the Nation, and seldom lost it. But, just as his aggressive approach to Senatorship set the stage for his ultimate national political defeat, it insured his relative lack of affirmative success as a legislator. As a champion of causes more popular with the people—of which there are a substantial number—than with the Senate. Kefauver was often good for 10 more votes than any other Senator. But, this was seldom enough to win, particularly if Kefauver was actively opposed by a full-fledged club member.

Kefauver's difficulties were compounded by the generally appalling inability of Senate liberals to mobilize effectively to accomplish anything. Thus, for example, the Kefauver forces opposing the Communications Satellite Corp. were unable last year to defeat a cloture petition—a motion which had not succeeded since the infamous bank scandals of 1928. Indeed, the vote on cloture was even worse from Kefauver's point of view than it appeared in the record, since many Southern and Republican Senators waited until success was certain before voting against it.

In the last 2½ years, Kefauver's problems were further enhanced by his New Deal brand of liberalism. He was firmly rooted on the old frontier. A Senator's success in dealing with the administration is by no means assured by his supporting its policies and legislation. Any administration (and I would be inclined to generalize this observation to cover almost all political groups) tends to better understand opposition, be more comfortable in the face of it, and be more willing to make concessions to gain its support, than it is willing to reward reliable followers. Kefauver's voting record from the administration's point of view was very good. But, had he been more cunning and a better trader in the way he cast his votes, he might well have received more administration support.

Politicians, living in a world of outstretched hands, are not comfortable with a person who helps them until they feel confident that they have identified his selfish motivation. Selfless support emanating from idealism rather than more pragmatic interests make politicians nervous. Kefauver, though no exception to this rule, was himself guilty of obscuring his ends. Though he enjoyed enormous political autonomy in Tennessee, he had not become a patriarchal statesman or "taken the overview," remaining until his death actively political. He was clearly not running for President or the Supreme Court. Thus, "What is he up to now?" was the question which plagued the Senate each time Kefauver plunged into a new area of political unpopularity and danger.

It was his high political morality that compounded the Senate's discomfort with Kefauver. I suppose the ultimately politically moral man is the martyr. The martyr's credo—"No matter what you say or do, I will waver neither from the ends I seek nor the means which I have chosen"—defines the borderline between personal incorruptibility and political stalemate. Incorruptible dedication to both ends and means is philosophically attractive, but anathema to political action. Every effective politician must have his price: what matters is what the price is.

Kefauver had his price, but his rates were unfathomable. Offer him elaborate gifts, and they would be spurned; offer him money, and he would surely expose and denounce you. But, bring in one vote from Red Boiling Springs that he was sure to get anyway, loan him your briefcase, eat a ham sandwich with him on a plane to Knoxville, engage in any one of a myriad of apparently unrelated little friendships and you might win the friendship of a U.S. Senator that others would have paid hundreds of thousands of dollars to obtain. Kefauver sought and seriously considered the advice of a perfectly astonishing potpourri of corporation counsels and Capitol Hill policemen, laborers, and landowners. With respect to listening to advice, he was unalterably antifree competition. The highest bid always lost—the lowest often won. Whether this is good or bad from the long-run point of view of an effective legislature, I do not know. There can be no question, however, that Kefauver was unfailingly, unflinchingly honest.

As a politician, Kefauver genuinely led the people of his State. No doubt that he did far more than merely mirror the popular positions in Tennessee—a State, after all, which is bordered by Mississippi, Alabama, and Georgia. Few seem to appreciate, however, that he was not a flaming liberal who far outliberaled his constituency. Thus, though he spoke out in favor of the constitutional correctness of the Supreme Court's prayer decision, he deeply regreted, as a son of the bedrock Bible Belt, that the case had been decided and felt the deletion of morning prayer a sad loss for America's school children. Again, though he refused to sign the southern manifesto, his civil rights platform extended very little beyond the simple notion that every citizen should have the right to vote. I seriously doubt that he would have voted for cloture in the civil rights dispute of 1963. And, he believed in the filibuster.

Yet, insofar as the people of Tennessee outstrip the South in liberality, it is, in large measure, because they were led by Estes Kefauver. Together with Cordell Hull he helped make Tennessee one of the most internationally minded States in the South. Through his leadership, the State came to share his appreciation for the message of free competition. And, because he was a true leader, his popular mandate was overwhelming.

I suspect few Congressmen, in their innermost being, genuinely trust "the people." Kefauver did. "Let the people know the truth and they will do the right thing" was not an empty aphorism for him. His campaign to bring television into the Senate gallery was an act of faith.

The above exercise in objectivity notwithstanding, I will remember Estes Kefauver with an outstretched hand, uncomfortably looking at a friend, suspecting he knew him too well to shake his hand—and probably had just shaken it, anyway. I will picture him in his cluttered office, simultaneously mastering a complicated nicety of antitrust law with incredible mental agility, trying to remember whether monopolization comes under section 1 or section 2 of the Sherman Act, and wondering if someone had sent the electric toaster he had had repaired back down to Aunt Charlotte in Madisonville. I will see him shuffling through an airport in his braces and shirt sleeves, carrying two briefcases, a bag of coats from the dry cleaners he forgot to drop off at home, three newspapers, a box of cookies old Miss Jones gave him to take to the children, and a paper cup filled with heaven knows what. In my mind's ear, I will hear him laugh. He was the only man I ever met who laughed "ho, ho," exactly as it is written.

I would suppose that most great men are hard to know. Surely, however, few are so very hard not to love as Estes Kefauver.

SUPPORT FOR VOLUNTARY WHEAT CERTIFICATE BILL

Mr. McGOVERN. Mr. President, I ask unanimous consent to have printed in the Record part of an article from the weekly newspaper at Heppner, Oreg., reporting that farm groups from a three-county area in that State, at a meeting sponsored by the Morrow County Farm Bureau and participated in by the State chairman of the Oregon Farm Bureau, unanimously endorsed a voluntary wheat certificate plan.

A resolution was unanimously adopted by representatives of the Morrow, Umatilla, and Gilliam County Farm Bureaus, the Morrow County Grange, the Morrow County Farmers Union, the Heppner-Morrow County Chamber of Commerce, and the Morrow County unit of the Oregon Wheat League which read:

> We favor a 1964 wheat program calling for the basic principles of a voluntary wheat certificate program.

The article reports that Harold Beach, State chairman of the Oregon Farm Bureau presented details of several plans, adding:

> Lou Norris, legislative and tax consultant for the State bureau, explained the principles of each bill, with the feeling that principles of the McGovern bill came closer to acceptance.

There being no objection, the article was ordered to be printed in the Record, as follows:

Leaders of Farm Groups Adopt Voluntary Plan

Representatives of seven organizations from Morrow, Umatilla, and Gilliam counties were present for a joint meeting at Lexington Grange Hall last Tuesday evening, January 7, to discuss ideas and suggestions relative to a unified agreement on a resolution to be sent into Congress.

The meeting was sponsored by the Morrow County Farm Bureau. Other organizations represented included Morrow County Pamona Grange, Morrow County Farmers Union, Heppner-Morrow County Chamber of Commerce, Morrow County unit, Oregon Wheat League, Umatilla County Farm Bureau, and Gilliam County Farm Bureau.

Farm Bureau President Herman Blettell called the meeting to order and explained the desire for a unified farm bill. After considerable discussion, a motion was made and carried that the group go on record as favoring a resolution of a voluntary certificate program for 1964. It reads as follows: "We favor a 1964 wheat program calling for the basic principles of a voluntary certificate program. This resolution was carried without opposition at Lexington, Oreg., on the 7th of January 1964."

Harold Beach, State chairman of Oregon Farm Bureau Federation, was present to discuss phases of the Quie plan, the McGovern bill, and the Humphrey bill. Lou Norris, legislative and tax consultant for the State bureau, explained the principles of each bill, with the feeling that principles of the McGovern bill came closer to acceptance.

POETIC TRIBUTE TO THE LATE PRESIDENT KENNEDY

Mr. MUSKIE. Mr. President, the shock of our late President's tragic death still pervades every phase of American life. Each of us has tried to express his grief in his own way. Some have the eloquence, the gift of expression, which the rest of us wish we possessed. Miss Kathleen Watson, of Bath, is one of those who has used her talent to express in poetry, something of the feeling which all Americans experienced when President Kennedy was struck down.

I ask unanimous consent that Miss Watson's poem, "Who Was This Man?" be printed in the Record.

There being no objection, the poem was ordered to be printed in the Record, as follows:

Who Was This Man?

Why has a nation bowed its head?
  Why is a world in sorrow?
Why does a woman walk alone
  Today and each tomorrow?

Why did a morning filled with joy,
  With laughter and with cheers,
Turn from a day to darkest night,
  To emptiness and tears?

Who was this man from whom we weep,
  Whose spirit will not die,
Whose tragic loss has made men pause
  To pray and ask God "Why?"

Who was this man beside whose grave
  A flame shall always burn,
Which thousands pass in silent grief
  And know not where to turn?

Who was this man who walked with us
  And taught us to be brave,
Who asked of us great sacrifice,
  And what he asked—he gave?

Who, if we could but speak to him,
  To ask him on this day,
"What can we do to honor you?"
  Would smile and then would say:

"Weep not for me, America;
  My task is not yet done,
But light the torch and follow me,
  And victory will be won.

"First rid your hearts of bigotry
  And fears that still remain,
For if you will but keep my dream,
  My death was not in vain.

"No monument of marble stone,
  No statue ever could
Bestow more honor on my name
  Than peace and brotherhood."

Who was this man who gave us hope
  Of peace and then was gone?
Who was this man so wise, so good?
  —A servant God called "John."

—Kathleen D. Watson.

LOBBIES AND TAX CUTS

Mr. DOUGLAS. Mr. President, I ask unanimous consent to have printed in the Record an excellent article by Prof. Robert Eisner. In the article he criticizes the decision of the Senate Finance Committee to act to prevent Federal regulatory bodies from passing any of the investment credit on to the users of federally regulated utilities.

There being no objection, the article was ordered to be printed in the Record, as follows:

[From the Washington Post, Jan. 20, 1964]

Lobbies and Tax Cuts

Most economists favor the proposed tax cut as a measure to increase purchasing power and consequently raise production, income, and employment. Yet, as the current tax bill slowly approaches its final form, it appears more and more to have become a vehicle for obtaining special privileges which have little to do with stimulating the economy.

A case very much in point is action just taken by a majority of the Senate Finance Committee to retain a section (202(e)) which would prohibit Federal regulatory agencies, without the agreement of the regulated companies themselves, from flowing through to consumers any but a very minor proportion of the substantial annual benefits of the investment tax credit.

This section, not part of the administration's original proposals but pushed avidly by gas pipeline and telephone companies and inserted by the House Ways and Means Committee, has been referred to as "an obscure provision." Yet it promises to cost consumers of gas, electricity, telephone services, and many other public utilities as much as $1 billion annually.

For if it becomes law all Federal regulatory agencies will be prevented from exercising their administrative judgment in setting rates. They will be compelled to allow regulated companies the usual "fair rate of return" after taxes plus the extra return of the investment tax credit even if unregulated companies in competitive industries are forced by market conditions to pass on their tax savings.

The provision in fact mocks the alleged purpose of the investment credit and the current tax bill as a whole. By bringing about higher prices in relatively noncompetitive regulated industries, it would reduce real purchasing power, rather than raise it, and thus inhibit the growth in output and employment at which the current tax program is aimed. It would hence also reduce the need for additional equipment, the acquisition of which the investment credit was intended to promote.

Chairman Swidler, of the Federal Power Commission, representatives of a number of major State commissions, the AFL–CIO, and others have urged deletion of this provision. Senator Paul Douglas has attacked it as a clear bonus to regulated companies and has stated that he will challenge on the Senate floor the propriety of dealing with a utility rate matter in a revenue bill. But the Congress is under many pressures. There is now grave danger that this provision, like so many others engineered by special lobbies, will be enacted, at great cost to the economy and the general public.

Robert Eisner.

Evanston, Ill.

AN ANSWER MAN FOR CONGRESS

Mr. BARTLETT. Mr. President, the respected journal, Chemical Week, has again endorsed my proposal to establish a Congressional Office of Science and Technology. In an editorial of admirable clarity, the magazine sets forth the need for a small office to serve faithfully and well as an information retrieval center for the Congress. The office of the Director of COST would not be a large office of scientists sitting about waiting for scientific questions. It would, instead, be a small office directed by men who "know science well enough to understand the questions" and "who know where to go for the answers."

Myriad sources of scientific information and facilities are available to Congress. COST would know where they are and how to utilize them.

I ask unanimous consent that this editorial, from the January 6, 1964, issue of Chemical Week, be made a part of the Record.

There being no objection, the editorial was ordered to be printed in the Record, as follows:

[From the Chemical Week, Jan. 11, 1964]

An Answer Man for Congress

Now that Congress is back to work, it is confronted by the high priority tasks of legislating tax relief and civil rights. Admittedly low on the priority list are proposals to insure that Members of Congress get sound scientific counsel—even though they must appropriate about $15 billion a year for Federal research and development.

We hope that more pressing issues will not bottle up these proposals in committee, because, as we said before, $15 billion "is simply too much money for Congress to appropriate without a sure knowledge of what it's buying and whether it's necessary."

And among the various proposals, we still like best the approach of Senator E. L. Bartlett (S. 2038) and Representative W. B. Widnall (H.R. 8066). An Alaska Democrat and a New Jersey Republican, respectively, these men would set up a Congressional Office of Science and Technology (COST) patterned after the similar executive office. Bartlett envisions a "small, highly skilled, permanent professional staff," and we like the emphasis on the word "small."

As we see it, there's no need for the head of such an office to build an empire. His job should be to know the many resources already available for expert guidance, choose particular ones as the occasion arises, and then use them.

All U.S. citizens—including all scientists and engineers in government, industry, and education—are at the beck and call of Congress. Any resident of the country (except foreign diplomats) can be subpenaed; but it's a sure bet that any responsible scientist would be willing to testify on his area of special competence.

Moreover, many reputable scientists are already working full time for the Federal Government—either directly or for major contractors. Such agencies as the Department of Agriculture, the Bureau of Mines, the Food and Drug Administration, and the National Institutes of Health are amply supplied with competent advisers in many branches of science and technology.

And surely companies that are big in defense contracting (e.g., General Electric, Boeing, General Dynamics) would rush platoons of experts to Washington if Representative Carl Vinson's Armed Services Committee, for example, needed information on electronics, air frames, or rocket fuels.

Then there's the great Library of Congress, one purpose of which is to make all manner of data available to our lawmakers.

In short, COST should function mainly as an information retrieval center. Its head must know science well enough to understand the questions, but primarily he should be a man who knows where to go for the answers. There's no need to tie up a large number of creative scientists on the chance that a Congressman might have a question. Let him ask his question, and then let COST get the experts' answers on an ad hoc basis. This mobile, flexible approach not only would be cheaper than a permanent, static staff; it also would provide better answers to a bewildering variety of questions.

TRIBUTE TO HUBBARD SEARLES RUSSELL, SR.

Mr. GOLDWATER. Mr. President, occasionally, as one travels the road of life, he has the unusual pleasure of walking arm in arm with men who are giants among men. In the course of my life, begun in the Territory of Arizona, it has been my privilege to have known several of such men. But, one passed away the other day in Arizona, whose leaving I cannot allow to go unrecognized.

"Hub" Russell was a man of the timber that built the West, and he was a man dedicated to the perpetuation of the building, never happy at standing still—always wanting to go forward. He was never attracted to the so-called liberal concepts, remaining throughout his life a firm believer in the Constitution and the free enterprise system.

One of his close friends, Mr. Raymond S. Richmond, has written of this gentleman, and so that my colleagues might have a better opportunity to know him, I ask unanimous consent that this piece be printed at this point in the Record.

There being no objection, the article was ordered to be printed in the Record, as follows:

Hub Russell, We Shall Remember—A Giant Among Men, He Left a Challenge Which Will Not Fade, an Inspiration Which Will Not Fail

(By Raymond S. Richmond)

Hubbard Searles Russell, Sr., known to thousands the country over as "Hub," has slipped away from us. Legions of good Americans are truly bereft.

We had no chance to say goodby to Hub. The heart attack that ended fatally less than 3 days after he suffered it on his Rancho Cuyama came with such devastating suddenness as a prelude to his passing in a Taft hospital that the great majority of his friends did not even know his life was in jeopardy.

We will, therefore, always remember Hub as he was—brimming with vitality, driving himself hard, filled with love of his country, full of plans for tomorrow, filled with distaste for men and ideologies he felt were making a mockery of the Constitution or sacrificing our national sovereignty, and filled with compassion for his less fortunate fellow Americans.

The fact that such a man deeply loved all members of his family and had great pride in them, young and old, need not be underlined. There was ample room in his great heart for all good things and, to Hub, his family was one of the really good things his Creator had given him.

Although he died at 78 years of age, it is not out of order or a misstatement to say that Hub was removed from us at the very prime of his life. His years rested very lightly on him. He cheerfully and zestly assumed the burdens and chores of a man 20 years younger. It was obvious to all that he never contemplated a carpet-slipper stage in his life. Each day pointed up too many things to do and too many challenges to meet for him to yield to the mere fact that he was 78 years old. He was up, about and doing before the dawn.

He rode his range to the last. In late years he rode it in his automobile or in a working truck. It was only a few years ago, with great reluctance, that he gave up making his rounds on horseback. But when he was on the ranch, up to the moment of his seizure, he was in his work clothes—levis, old boots and a battered hat. He helped bulldoze roads, remove boulders, open range-type gates that would try the strength of any man. The heart attack came while he was looking over some of his white-faced Herefords in one of his fields some miles from the main ranch house where he lived.

MUCH TO BE DONE

Heed admonitions to slow down that came from doctors, family and friends? Not Hub. There was too much to be done. What he did on and for the ranch was a labor of love. What he did away from the ranch—and in late years he spent fully half of his time away from it—was for deep love of country.

It is difficult to write objectively about this great and good man. None who knew him at all well could entertain any objective thoughts about him. In varying degrees they either loved, admired, or respected him. It is difficult to portray with accuracy the many facets in the character of this fallen giant. His interests ranged over so many topics, even to high enthusiasm over the Los Angeles Dodgers.

One of those who eulogized Hub at the services held in the Wee Kirk of the Heather at Forest Lawn cemetery prior to his interment was Joel McCrea, the well-known motion picture actor. Joel was a long-time friend who often sought Hub's advice on cattle and ranching.

Joel McCrea said, and this is not an exact quote, "Many people loved him. Many admired him. Many disagreed with him in things he stood for and fought for. But, I never met a man who didn't respect Hub Russell."

STEADFAST

Hub knew and enjoyed men in all walks of life. With the easy naturalness that was characteristic of him he talked with Herbert Hoover, his longtime idol; his warm friend Senator Bob Taft, and his latest idol of recent years, Senator Barry Goldwater. He talked with them with the same warmth and outspokenness he gave to the humblest cowhand on his ranch. He was not all things to all men: he was the same to all.

Men of high and low station gave Hub their confidence. He never abused or betrayed it. I believe that in his files will be found letters from Herbert Hoover in which "the Chief" wrote confidentially on important matters. He enjoyed the complete confidence of Bob Taft who, when he was nearing death, gave Hub his vision of why and how he was denied the nomination for President in 1952.

Hub's idol of recent years, Senator Barry Goldwater, trusted him implicity. The correspondence between the two men was never casual. Senator Barry, as Hub called him, did not hesitate to reveal some of his innermost thoughts involving the future of the country and his own viewpoints and activities.

Hub carried important bits of contemporary history with him to his grave.

The Hoovers, the Tafts, the Goldwaters, numerous Senators and Congressmen, Governors and others in high station could look to Hub for forthright, no-punches-pulled advice. Although they knew him to be a last ditch and partisan fighter they knew they could get from him a calm, well-reasoned appraisal of the facts they sought, as he saw them.

By the same token, a friend, a neighbor or an employee always found the door to Hub's heart wide open. He counseled these folk with the same care he employed in presenting his viewpoints to men and women whose names are household words in the Nation. He was truly, to employ Herbert Hoover's words, an uncommon man. It was one of his chief glories that he had the common touch.

MANY GOOD WORKS

While Hub was continuously busy in his never-ending fight against the leftist-leaning bureaucrats of both Federal and State Governments, his heart and head were not always in the turbulent clouds of politics and economics. A little known fact about him—little known because he was averse to letting people know of his private good works—was his constant reconditioning and rehabilitating of people who came directly over his horizon who he felt needed his help.

He was an abstemious man—a nondrinker. He made no effort to impose this abstemiousness on others. At a meeting, large or small, attended by Hub when some user of the "cup that cheers" turned that cheer into raucous, ribald or obscene mouthings, Hub quietly disappeared from the scene. He uttered no denunctions, no reproaches. He just quietly withdrew and, if the offense was repeated, he withdrew from the offender's life.

The writer is not trying to paint a picture of a prude. Hub cussed occasionally when deeply stirred over something he didn't like. When he did, his words had pungency and force; they had impact. But he did not tell off-color stories and when someone else did he was obviously uneasy.

The other side of the drinking coin was that when liquor got a man down and when he found his life in ruins because of his inability to control his appetites, he invariably found Hub interested in helping him. Over a period of many years Hub was directly responsible for the rehabilitation of many men. If they happened to be employees they got a second and third chance. All he needed to know was that the man was trying. I do not doubt there will be some reading this feeble tribute who were helped out of chronic alcoholism and restored to useful and proud citizenship.

Once a man had achieved the reasonably straight and narrow, without serious or prolonged relapse, Hub sang his praises loudly. Those who knew him well learned to know not to talk about a man's past errors. To his last day he was a firm believer in redemption.

HUB'S FIRSTS

Hub had many firsts to his credit—probably more than anyone knew.

He was proud that he was one of the first 21 subscribers to "Human Events." This original subscription list of that great nationally distributed conservative publication has become an unofficial roll of honor of pioneer conservatives who were alarmed by the fallacies inherent in the New Deal-Fair Deal and resisted them.

He was one of the organizers of "For America," a national political action organization, along with his close friends, Gen. Robert E. Wood, Col. Robert McCormick of the Chicago Tribune, Dean Clarence Manion, Robert M. Harriss of New York and J. Evetts Haley of Texas.

He was a pioneer in the fight for the repeal of the 16th (income tax) amendment. For a time he served as president of the original national organization that brought the iniquities of this Karl Marx type of taxation to the attention of the American public.

Cattlemen the country over have for years hailed Hub as the instigator of numerous programs that prevented their industry from being brought under complete Federal control.

It is a matter of personal knowledge that he was first, or always among the first, to give financial support to organizations and men who espoused principles for which he stood. Conservative and constitutionalist candidates for the Senate and House did not have to appeal to Hub for moral and financial support. Somehow or other he always knew about them and sensed their needs. Many men now in the House and Senate received substantial support from him, regardless of State lines. He felt deeply that in helping them he was helping the country.

Something happened in the last few months of his life that gave him great happiness and encourgement. That was the organization of the United Republicans of California. Only last March he met with a determined group of 40 Republican conservatives, drawn in common cause from all sections of California, in a historic meeting in Bakersfield. The topics discussed, in all their ramifications during a 2-day session, were how to rebuild a Republican Party in California that would shake off "me-tooism" and how to return the party to the grassroots with the wresting of control from the small group of self-anointed, self-appointed "kingmakers."

LET'S GET BUSY

Discussions were spirited and frank. They ended with the organization of the United Republicans of California (UROC). The minutes will show that it was Hub who made the motion that gave the fledgling organization its name. When organization had been completed, Hub asked the temporary chairman, Bruce Reagan, for the floor: said he simply, "What you have done here today has given me the happiest day I have known in 30 years. Now let's get busy." UROC got busy. Hub was chosen immediately as UROC's finance chairman.

A few weeks later UROC was incorporated in Sacramento with appropriate ceremonies. A beaming Hub was there to help Executive Secretary Rus Walton see that all went well and that the birth of UROC would be as official as law could make it.

The growth and success of UROC engrossed Hub in his final days. Not only had he instituted the formation of powerful, enthusiastic units in his own community and county but only a few weeks ago he exercised his great influence in the formation of the first San Francisco unit—Herbert Hoover Unit No. 1. Earlier units had been named after his good friends Bob Taft and Gen. Douglas MacArthur. The growth of UROC to nearly 200 units throughout the State, with a paid-up membership of approximately 6,000 members in a matter of a few months was a source of unbounded delight to Hub.

One day soon a book will be written about Hub's life and his political and economic philosophies. Such a book will have to recite that although he knew, as a deep student of history, that compromise is often necessary, he fought always against compromises on principle. He preferred to fight on—alone if necessary—rather than to give lipservice to programs and candidates in which he couldn't believe. There is no record anywhere in his life that he compromised on principle. It turned out he didn't have to fight alone. His deep convictions, his unrelenting war on what he believed was wrong for the United States and the individual citizen, attracted an ever-increasing flow of fighting recruits to the causes he espoused.

THE TENDER SIDE

On his ranch no employee was permitted to maltreat an animal. He insisted that the dumb creatures under his control be treated as gently and painlessly as possible. Woe to the employee he caught maltreating a horse or using unnecessary roughness on a steer.

Horses that had served him well over the years were never sold off in their "dotage" to pet food or glue manufacturers. They lived out their spans in spacious enclosures where the grass was good and the water plentiful. Rancho Cuyama was a horse heaven on earth.

The ranchhouse is located near the Cuyama River. Along its banks for miles there is excellent cover for quail and other birds. The quail concentration is intensive. His affection for all birds, and especially for quail, was deep. He was never too busy to watch these birds in flight or consorting as families. The writer has been an eyewitness more than once to concentrations of quail, numbering 500 or more, busy making a living picking up grains and seeds in the horse corrals. Hub's ire was aroused a year or so ago when one of the big oil companies, in a page advertisement in national magazines, pictured that part of the Cuyama Valley that was on the Russell brothers' property as a quail paradise. He feared it would attract gunners. Fortunately it did not because people for miles around knew of Hub's protective feeling for the birds and wisely decided not to fire away within earshot of the ranch home.

Every wild thing, including the usually hated jackrabbit, had a friend in Hub. To him, they were God's creatures and a part of the divine plan. "They are here for a reason," he said. "I know they help keep nature in balance."

Although the writer never discussed theology with Hub, he knew him to be a godly man. Hub believed in the spiritual, moral and ethical values of all religions. He was raised in the Methodist church and in memory of his dearly beloved mother and father he and his brothers financed the cost of the sanctuary in the New Cuyama Community Methodist Church.

A MORAL GIANT

So, we are left with this picture of a mental and moral giant—a man who loved a last-ditch fight for principle and a man who bound-up the wounds of the fallen and the unfortunate. He had no hesitation in jousting with the mighty and crossing swords with the powerful. He engaged constantly in the rehabilitation of less fortunate fellow humans. He was tender and protective toward all animal life, domestic and wild. A contradiction? Not at all. Ofttimes the strongest men are the tenderest.

Hub is gone. There is nothing we can do about it. He was taken at a time when he was confident we were approaching the Gettysburg in the long drawn out war against State socialism, big coercive government and the assorted ills they spawn.

Hub will live on—vibrant and unbeatable—in the hearts and minds of all who knew him or knew of his works.

When Bob Taft died, it was a severe shock to Hub. He said: "Bob Taft is gone but we are here. If we really believed in him and what he fought for we will carry on his fight."

Hub Russell is dead. But we are here. If we are truly devoted to the memory of Hub we will see that his dauntless, never-say-die spirit flames high in us and requires of us that we shoulder determinedly a real share of the heavy load he so cheerfully bore.

TAX REFORM

Mr. GORE. Mr. President, I am opposed to the tax bill, H.R. 8363. I consider it unsound and grossly unfair. Nevertheless, some version of it is sure to become law. I want to see the best bill possible, one which will make more equitable our tax system, assist in a more defensible distribution of the fruits of our national production, while not crippling our tax collecting potential to the point where essential Government services cannot be carried out without resorting to practices which will invite inflation.

It seems to me that it is incumbent on the proponents of this bill to show that it will make our system more equitable. It seems to me they must explain, if they can, how it will help cure the maldistribution of production so as to eliminate degradation and poverty. They have not even explained yet how unemployment will be materially lessened.

It is the shame of society in this richest of all nations that we have such a large percentage of hard-core poverty-stricken people among us. It is to our discredit that we disgrace democracy by distributing our goods and services in a way that we have a few ultrarich and many ultrapoor among us.

The tax bill is going to make matters worse in this regard.

The tax bill makes a mockery of reform.

The tax bill needs drastic revision.

Because the President has recently focused attention on poverty, it has now become generally known that some 9.3 million families among our people live in poverty—by definition, on an income of less than $3,000 per year for a family unit. There are also 3.2 million individuals not a part of a family unit who are in this least fortunate category, having less than $1,000 per year income.

Perhaps it is not so generally known that the pattern of income distribution which appeared to be getting better from the period of the mid-1930's up until after World War II, now seems to be moving back toward the 1929 pattern of concentration of income and wealth.

In 1929, some 70 percent of all our families had incomes of less than $4,000 measured in today's prices. During that same year, some 513 taxpayers had incomes of $1 million or more.

During recent years, after having dropped off considerably, the number of these million-dollar-per-year people has again been climbing.

On the lower end of the scale, some progress has been made, but it appears to have been frozen during the past few years. We must not rest while these conditions of extremes exist.

The tax bill will reduce the taxes on the prosperous by more than $11 billion. So far as I know, no proponent of the bill even claims that it will cure poverty. Some claim that it will, after a period of 2 or 3 years, reduce unemployment to something near the 4-percent level, but even this is said almost without conviction and wholly without proof.

But, let us look at the amount of money which would be necessary to cure poverty directly. Please understand that I am not advocating that the Government make direct grants or subsidies to all families making less than $3,000. I merely want to show what could be done with amounts of money in the $11 billion range.

Amazing as it might seem, it would require only $9.3 billion to bring all poor families up to an income of $2,500 and all unattached poor individuals up to $1,000 per year. This is about $2 billion less than the revenue the Government will lose under the tax bill.

For about $13.5 billion per year, we could supplement the income of all poor families and individuals sufficiently to bring their incomes up to $3,000 per year for each family and $1,000 for each individual not a part of a family group.

It may be amazing to some that for only $2 billion more than the cost of the tax bill, we could, directly and without any question of accomplishing the goal, lift to $3,000 the income of every family and to $1,000 the income of every individual not a part of a family group, whose incomes are now below those levels.

I cite these figures, not to indicate that I would vote for this kind of a direct subsidy. I would not. I use this means to indicate the magnitude of the tax cut as measured by what it would cost to attack poverty directly.

For those who disdain direct and positive programs of Government activity, it is, of course, unthinkable that the Government should even collect social security payments from individuals and employers and, in turn, pay out the benefits at an appropriate time and in proper amounts in accordance with the formula established by the Congress. But we do this, and it has been a boon to the country, both economically and socially.

Perhaps, before we vote this great loss of revenue, unbalance the budget, increase the national debt and thus impair the capacity of the Government to provide solutions to our most pressing problems, it would be well to contemplate the consequences of such folly.

STATE OF THE TERRITORY MESSAGE BY GOVERNOR OF THE VIRGIN ISLANDS

Mr. JACKSON. Mr. President, on January 13, 1964, the Honorable Ralph M. Paiewonsky, Governor of the Virgin Islands, presented his annual state of the territory message to the fifth territorial legislature.

I ask unanimous consent that Governor Paiewonsky's state of the territory message be printed at this point in the RECORD.

There being no objection, the message was ordered to be printed in the RECORD, as follows:

STATE OF THE TERRITORY MESSAGE

(By Gov. Ralph M. Paiewonsky, to the Fifth Legislature of the Virgin Islands, regular session, January 13, 1964)

Mr. President and honorable members of the fifth legislature, as you assemble here today for your second regular session, I wish you and the members of your legislative staff a fruitful and prosperous new year.

Our meeting is saddened in the shadow cast over the entire free world by the brutal assassination of our late beloved President John F. Kennedy. The period of official mourning is ended, but our hearts remain heavy in the wake of his untimely death.

However, our democracy survives, and democratic institutions such as this legislature continue without interruption. Our dedication to freedom and progress is renewed as the strong hand of another great leader is felt on the reins of our Government. In the short weeks since leadership of the free world was thrust upon him, President Lyndon Johnson has demonstrated that tragedy cannot swerve the United States from its destiny. Surely and firmly our new President has guided us through the depths of despair and a rededication of ourselves to the principles for which President Kennedy lived and died. To President Johnson, we offer our loyal and devoted support in the great causes he has so ably espoused. There will be no slackening in our efforts to continue to fight against poverty, ignorance and disease, even though we have achieved much during the past year for all our people. We have every confidence that recognition will be given to the progress made by the Virgin Islands and that this will qualify us for a greater degree of self-government.

The organic act requires that the Governor submit a message on the state of the territory and a budget of estimated receipts and expenditures at the opening of each regular session of the legislature. I will make this message on the state of the territory as concise as possible while reporting the tremendous and rapid progress our islands are making. Shortly, the director of the budget will present to you the 1964–65 budget as a basis for your appropriation bills to operate the government.

At this time last year, I reported that the state of the territory was excellent and that there was every promise it would continue so. I am happy to say now that the state of the territory of the Virgin Islands continues excellent. Indeed, there is continued evidence of progress and prosperity never before deemed possible, and this prosperity has a broader base than ever before. The measure of our accomplishments is seen in the breadth and width of our concern with the everyday problems of all our fellow citizens. And, as we appraise the advances made in the past year, we are pleased that this record progress was shared by all our people alike, as we advanced together on the economic, social, cultural, and political fronts.

However, our prosperity has brought with it a number of added problems, requiring expanded services of many kinds. It has placed heavy burdens on our service departments—burdens so staggering that some of our present facilities no longer are able to stand up under them. This, of course, requires a new appraisal of present and future needs.

There has been a lot of catching up to do. And during this past year, we have caught up in most areas and moved ahead. This significant record of accomplishment can be attributed to the splendid cooperation of the department of the interior, the legislature and the executive all working together toward a common goal. Furthermore, our achievements have been given impetus by the understanding and wholehearted support of the people of the islands and the devoted efforts of our dedicated corps of public servants.

The problems of our islands continue to bear a strong resemblance to those of emerging, underdeveloped areas. In addition to the need for catching up, the mixed blessing of accelerated population growth requires a projection of needs and much advance planning if we are to continue to move ahead. We are growing too rapidly for anymore hit-or-miss, day-by-day planning. We must look ahead, think ahead, and plan ahead.

The bureau of vital statistics of our department of health has estimated our resident population at 35,000. But hundreds of thousands of others also visit our islands each year. During the tourist season, cruise ships and aircraft daily pour thousands of additional people into our facilities. They come to enjoy our sunshine, our scenery, our hospitality, and our free port shopping attractions. They add millions of dollars to our economy. At the same time, they add to our service problems.

From 1950 to 1962, the rate of live births increased by 16 percent, while the death rate from all causes decreased by 25 percent. This is good. It reflects the growing efficiency of human services being delivered to our people. Nevertheless, when this growth rate is projected, it is apparent that the islands may well have a resident population in excess of 50,000 by 1970. Add to this the skyrocketing influx of tourists and the requirements for additional government services that must be provided really become formidable. As our budget picture will show, even with the strictest economy, the tremendous expansion of our physical plant and the greatly improved human services being rendered will require more money. Fortunately, more money is coming in—more than ever before in the history of the islands. Fortunately, too, the economic growth of the islands promises to keep pace with our expanding needs.

Let's look at revenues. For the first 6 months of this fiscal year, general fund revenues came to an alltime high of $6,375,000, or an increase of 47 percent over collections for the first 6 months of the last fiscal year.

For comparative purposes, the total general fund revenues collected in fiscal 1961, when I took office, was $8,872,113. Contrast this with the $16 million budgeted for this fiscal year, a 100-percent increase in less than 3 years. This fiscal year alone, we expect to collect in general funds $16 million, or $4 million more than last fiscal year. This increase in 1 year alone is 300 percent of the total budget of $1,350,000 for fiscal 1951, only 10 years before I assumed the governorship. These comparative revenue figures tell a story as astronomical economic progress.

Every capital expenditure carries with it a corresponding increased cost in our operating budget. Whenever we build a school or, for that matter, even a classroom; whenever we add to our health and hospital facilities; whenever we build a new abattoir as we have done in St. Croix, or renovate one as we have to do in St. Thomas; whenever we build detention centers as we will shortly do in both islands; whenever we improve and expand our institutions for the aged as we have done; whenever we construct any new facilities of whatever nature—we have to add personnel to our operating budget as well as equipment. These cost money and thereby increase our operating budget. This is the price we pay for progress.

Next, let's take a look at housing. We finally have made a real breakthrough in public housing and community renewal. In partnership with this legislature, stepped-up response to housing needs was accomplished by two organizational steps. First, a department of housing and community renewal was established. Second, the Virgin Islands Urban Renewal Board was set up and recognized by the Federal Government as the local agency for administering federally assisted slum clearance projects. Several housing and community development activities have been initiated, including the Altona, Demerara, and Hospital Ground projects in St. Thomas, and the Estate Profit, Richmond Gardens, and Camporico projects in St. Croix.

In the middle-income housing field, a major problem, 80 acres of land have been acquired in St. Thomas for development into rental apartments. Another middle-income housing development on Government-owned land at Bluebeard's Castle Estate will be financed by a direct mortgage loan from the Housing and Home Finance Agency.

In federally financed public housing, the Oswald E. Harris Court was dedicated and occupied in St. Thomas. Occupancy now has been begun at the Ralph de Chabert Place in St. Croix.

With establishment of the urban renewal board, comprehensive plans were activated for demolishing slums and relocating their residents in modern sanitary housing. In the Barracks Yard project in Charlotte Amalie, the Water Gut project in Christiansted and the Lagoon Street project in Frederiksted, progress is being made. Land is being acquired for demolition of substandard structures and rehabilitation of these blighted areas.

Now, let us turn to education. The College of the Virgin Islands opened its doors to the first freshman class on July 1, 1963. The trustees are committed to the idea of a college to serve both the Virgin Islands and students from abroad, particularly the U.S. mainland, the Caribbean area, and foreign countries. Through such an educational community, it is felt that the most productive climate for higher learning and cultural development can be created in the Virgin Islands. The college now offers 2-year transfer liberal arts programs in science and mathematics, engineering, teacher education, social science and the humanities. It also offers 2-year terminal occupational programs in business management, accounting, hotel and resort operation, executive secretarial studies, electrical and electronics technology. A nursing course will be added next year.

It is believed that these 2-year programs provided the soundest basis for establishment of the college. However, it is planned to extend one or more of the curriculums to 4-year status at an early date. The college also plans to establish a Caribbean Affairs Institute shortly to undertake sponsored research on Caribbean problems and an international training center which would devote itself to instruction of staff and field administrators for community development programs.

Starting in July 1963, with 46 full-time freshmen and 142 part-time students, the college now has a total of 314 full-time and part-time students. It is worth noting that half the faculty of the college hold Ph. D. degrees from leading universities.

In our public schools, the teacher-pupil ratio has been reduced substantially to a systemwide average of about 1 to 36. However, in both elementary and secondary schools, the pressure of growing population continues to cause a classroom shortage which is acute in some areas. This shortage has been greatly alleviated by new construction and remodeling on all three islands, and the situation will be further improved by substantial additions now being planned for this year.

The quality of both curricula and instruction was upgraded during the year, and collateral programs were expanded to provide our youth with extracurricular activities comparable to progressive mainland communities. As a result of progress made, our two public high schools in Charlotte Amalie and Christiansted were accredited as of this month.

The new pay plan for teachers, which went into effect September 1, 1963, has greatly strengthened our recruitment program and makes teaching more attractive to those who might otherwise be lured away by higher salaries in other fields.

An agreement was made with New York University to conduct a survey for evaluation and analysis of education in the Virgin Islands, and to make recommendations for future growth and development. Under this contract, the university is supervising training of both teachers and other educational personnel. This is being done by inservice training here and by courses on the mainland. Following close on the heels of a 2-year crash program for educational improvement, the guidance of specialists from New York University under the new program is expected to be of great value in both advance planning and day-to-day operations.

Next, I am happy to report that the state health in the islands has been generally good. There have been no serious outbreaks of any kind. An overall improvement in mortality statistics was registered, with the death rate reaching a new low of nine per thousand population. Services were expanded and improved as new additions were made to the staff. The cancer detection program was intensified. Clinics were organized to mount a full-scale attack on parasitic infection. A team of Columbia University specialists completed a project for the standardization of intelligence tests.

Hospital and clinical facilities were expanded and improved. The new laboratory was occupied at the Charles Harwood Hospital in St. Croix, thus providing a significant improvement in that service. Extensive remodeling there also made space for a new pediatric service. In St. Thomas, at Knud-Hansen Memorial Hospital, work is progressing on quarters for the hospital's house physicians and on complete remodeling and reassignment of the third floor space. This will provide 16 additional beds to relieve overcrowding. In St. John, the Calabash Boom Clinic is being renovated and modernized, and final plans for construction of new nurses' quarters are being made.

A long-range solution of the problems of adequate health and hospital facilities will be achieved only by the construction of new multimillion-dollar health centers now being planned for St. Croix and St. Thomas. Funds have been provided for a survey of needs, planning, and design. It is hoped that construction can be commenced within 3 years.

Turning to the field of industry and commerce, we find a bright picture. Industrial development and trade were at a record high. The tourist industry led the way in fiscal 1963 with a total of more than $41 million brought into the islands. This is an increase of $5,925,000 over the previous year. Bank deposits also reached a new high of $51,700,000, and bank loans shot up to a new record of $32,200,000. It is estimated that 331,000 visitors came to the islands, as compared with 291,000 in fiscal 1962. One hundred and sixty-three cruise ships visited St. Thomas, 33 more than the year before, and 4 cruise ships put in at Frederiksted. During the current tourist season, we expect 220 cruise ships to stop at St. Thomas and 40 at St. Croix. A few also will make stops at St. John. The number of tourists may well approach 400,000, and the total tourist revenue is expected to be in excess of $45 million.

Eight new manufacturing industries were established in the islands during the year. Exports scored a phenomenal increase to reach a total of $20 million, up to 119 percent in 1 year. Total imports were at the annual rate of $70 million in the first months of 1963, as compared with $61.8 million in calendar 1962, $50.2 million in 1961, $42.3 million in 1960, and $33.6 million in 1959. In 1962, about $42 million worth of goods was imported from the United States and Puerto Rico. Considering the population estimate of 35,000, the Virgin Islands per capita imports from the United States is $1,200, about three times that of Puerto Rico.

Per capita income of the Virgin Islands hit a new peak by the end of December 1963, of approximately $1,500 per year—the highest in the Caribbean.

Transportation was greatly advanced by the new jet airstrip at Alexander Hamilton Airport in St. Croix. This now is being extended 800 feet to accommodate jets carrying unrestricted payloads. In St. Thomas, harbor dredging at Charlotte Amalie was completed, making the channel easier and safer for navigation by cruise ships. The filled land project is being done in several stages to coincide with availability of funds. When completed, it will add about 50 acres of new land and 3,000 feet of bulkheaded waterfront for commercial and pleasure craft. At Christiansted, a new million-dollar dock has been completed and put into service.

The inadequacy of airport facilities on St. Thomas is a matter of deep concern for the local government and for the Federal Aviation Agency. In view of the increasing air traffic in and out of Truman Airport, FAA officials have urged me to take immediate steps to plan for a new airport. I have appointed a five-man committee in investigate the question of building new airport facilities in the Lagoon area. This committee has been requested to study previous investigations into the appropriateness of the Lagoon area and report its findings with recommendations before the end of this regular session.

A review of public works facilities and services finds population growth and commercial expansion creating record demands. Heavy increases in the number of passenger and commercial vehicles calls for intensified programs of maintenance and improvement of roads and streets throughout the islands.

Another field of development which showed good progress during the year was agriculture, particularly on the island of St. Croix. Our objective has been the creation of export markets, and significant gains have been made. Negotiations with a reliable vegetable processing and wholesale firm in the United States resulted in a contract for growing cucumbers for pickles last winter. It was found that, in comparison with sugar cane, the cucumber and other winter vegetable crops offered a greater net return per acre in a shorter space of time. We have been assured that as long as St. Croix can produce vegetables of good quality, at competitive prices, east coast buyers in the United States will buy the entire production. Our firm conclusion is that, with an efficient marketing organization, adequate rainfall or irrigation, equipment and financing, every acre of soil with good topography can be put to good, profitable use. The new agricultural center at Estate Lower Love will be headquarters for expansion of local crop operations.

My administration has initiated a study into the cost of living in the Virgin Islands to ascertain what can be done to bring food and housing costs more in line with income. A committee, with economic advisory counsel, was formed to carry out this study. While this is a matter of concern, it is our feeling that some improvement is being made through the normal channels of increased competition, particularly in food costs. As the supply of new housing eases the shortage in that field, we may expect rentals to be brought to a more reasonable level.

In the field of social welfare, notable progress was made in both Federal and insular activities. There was an increase in scholarships for training professional social workers. Plans were completed for securing Federal public housing funds to construct an aided self-care home for the aged. The local public assistance program still is hampered by the limitation of Federal participation to $330,000, and every effort is being made to get Federal participation in the Virgin Islands on the same basis as in the States. The insular training schools have continued to achieve improvement in services and morale of both the children and staff. A master plan was approved for construction of cottages, one for boys and one for girls, to expand the services of this important facility. Detention centers for St. Thomas and St. Croix are being planned, and funds already are available for their construction.

At the Queen Louise Home for the Aged in St. Thomas, an annex is nearing completion. Provisions are being made there for better coverage by medical personnel. At the Corneiro Home in St. Thomas, several rooms were renovated. However, the buildings still are in poor condition, and the entire plant is in need of major repairs. An overall improvement in services has been initiated at the Aldershville Home in Frederiksted. And at the Herbert H. Grigg Home for the Aged in St. Croix, there has been a physical transformation which has given a tremendous lift to morale. Greater emphasis has been placed on rehabilitation and maintenance of a homelike atmosphere.

The surplus food distribution program has been an outstanding success. This service now is extended to needy families who are ineligible for public assistance.

Throughout the year, the smooth enforcement of our comprehensive civil rights law was aided by the continued efforts of the human relations commission. Where misunderstandings arose, conciliation was used to settle them in an atmosphere of reason, without recriminations. The results of this work are evident in the fair and equal treatment of all citizens without regard to race, creed or color. Our model human relations was a source of comment and admiration from the many visiting dignitaries who came to our shores from other lands under the program sponsored by the U.S. State Department.

Our public safety problems multiplied over the year. A tragic occurrence was the escape of four juvenile delinquents and one adult prisoner in St. Croix. These escapees were armed and spread fear through the citizenry with the shooting of two residents, one of them fatally.

Essentially, these escapes reflect the fact that the increase and changes in our population makeup have outpaced the governmental services required to control such matters. In recent years, of necessity, we have been made aware of new problems resulting from the transformation in our population pattern. The impact on our schools, hospitals, power facilities and housing are most conspicuous. This has been consistently noted by department heads in their annual reports as well as in my reports to the Department of the Interior. But the effects of these basic community changes are not confined to any one area of community concern. In the case of our prisons, the practical problem we have had is that of dealing with a more sophisticated or experienced type of offender with personnel and physical facilities that date back to times past when Virgin Islanders could boast, with considerable honesty, that no one needs to lock his door at any time.

In order to cope with our growing public safety problems, additions and replacements in personnel have been made at topmost department levels. A new deputy commissioner, with 15 years of experience on the Cincinnati police force, was assigned to head up the organization in St. Croix. Also, an experienced criminal investigator was stationed on that island to set up the bureau of investigation. Although this has raised morale and efficiency, the full benefits of these personnel changes are still to be realized.

In an effort to attract more and better qualified recruits for police work, a new pay plan was adopted which increased salaries as of September 1, 1963. New equipment such as patrol vehicles and a modern radio communications system are being added.

The home guard, consisting of some 50 or more men, have been given auxiliary training and are, at present, doing limited police duty on St. Thomas. A similar group was activated on St. Croix and has been very helpful by providing an immediate reservoir of police trained and equipped men.

Additional prison guards have been added to strengthen the three prisons—Richmond Penitentiary, Frederiksted Fort in St. Croix, and Fort Christian in St. Thomas.

Funds have been allocated to expand the juvenile detention center at Anna's Hope, St. Croix. Two buildings have been secured for use as a detention center on St. Thomas, and bids will be invited within the next month.

A study was made early last year preparatory to the construction of a new penitentiary to replace Richmond. The Director of Federal Prisons made the survey and has made recommendations for action. We are attempting to secure an appropriate site on land now owned by Vicorp. This is urgent, since the present Richmond Penitentiary is no longer on the outskirts of Christiansted. It now is in the center of what will be one of the most populous residential districts, being completely surrounded by the Ralph de Chabert housing project, the Richmond Gardens apartments, the hospital, and the schools.

As an emergency measure, the Richmond Penitentiary grounds are being enclosed by a high cyclone fence as a precaution until the institution is moved to a more isolated location.

We must face the fact, however, that this matter of increased efficiency in dealing with crime is one that calls for the strongest action.

An intensified campaign to provide better highway safety was continued during the year. Despite this, the number of deaths from traffic accidents rose from 4 the year before to a total of 13. The number of accidents increased from 924 to 1,416. This was due to almost double the number of vehicles operating today than a few years ago. A total of 238 drivers' licenses were suspended by the courts.

The traffic problem in our islands has become a cause for deep concern. Growth of urban areas and the tremendous increase in number of vehicles has caused an alarming rise in the number of accidents. Parking has become a major problem. To cope with these conditions, the traffic advisory board authorized by the fourth legislature undertook a survey of traffic patterns to assess the most pressing needs. A 10-point traffic plan was prepared and recommended for Charlotte Amalie, where the problem is worst. Other areas are receiving study, and plans will be presented to your body as completed.

Fire losses in the islands mounted, due primarily to sugarcane fires on St. Croix and fires originating in substandard housing and commercial buildings. This points up the necessity for better regulation of buildings, as well as keeping our firefighting equipment modern and well maintained.

The last year saw an increased demand for legal services. This was directly attributable to the expanded activities of other departments and agencies. For example, housing regulations and property acquisition created a large volume of legal work for the Attorney General and his assistants. Forty-nine legal opinions were written and more than 5,000 criminal cases were prosecuted in the municipal courts. In the district court, the department of law represented the government in 21 cases and argued 2 before the U.S. Court of Appeals for the Third Circuit.

Turning to finance operations, we find a new centralized system of accounting which created many unforeseen problems during its first year of operation. Weaknesses in certain activities were identified and positive action was taken to strengthen these areas. This department's functioning has been vastly improved with new additions to the technical staff.

A study of the tax division by the U.S. Bureau of Internal Revenue has resulted in many improvements. The staff has been doubled, including the addition of four former employees of the Federal Revenue Service. Results are showing in increased tax collections due to better enforcement techniques.

During the year, the department of property and procurement completed the first governmentwide physical inventory of government-owned property. This will be kept as a running inventory with full accountability. Also, a new division of weights and measures has been established.

Another quite active body has been the public utilities commission. Approval was given to the Manassah Bus Line to institute service between Charlotte Amalie and Red Hook, with five trips daily. In matters involving telephone service, the commission approved regulations for joint user service, deceased subscriber and lease and sale of property situations. A temporary schedule of rates submitted jointly by the Virgin Islands Telephone Co. and All America Cables & Radio for interisland telephone service was approved on the condition that an amended application based on actual operating experience would be submitted later. The telephone company also was authorized to make a charge for unlisted service. On the question of higher storage rates petitioned by the West Indian Co., Ltd., the commission approved an increase of 20 percent. This was done to help alleviate congestion in the warehouses.

In the field of Federal legislation, efforts have been concentrated on preparing information for Congress before decisions can be made on several bills now pending. The submerged lands bill was enacted and was signed by the late President Kennedy as one of four bills he approved the last night of his office work before leaving for Dallas, Tex. A bonding bill has been passed which will permit the islands to issue general obligation bonds to the extent of 10 percent of aggregate assessed valuation of taxable real property. This authorization will be used in the near future for construction, improvement, extension and equipment of schools, hospitals, water systems and sewers and sewage disposal plants.

The local administration was successful in getting the Congress to extend the special $200 tourist tariff exemption for 9 months. This extension will expire March 31, 1964, and a brief has been prepared for submission to Congress in support of continued preferential treatment.

Another bill recently was introduced in Congress to limit section 301 of the Tariff Act which now allows for products of the Virgin Islands to enter the United States duty free as long as 50 percent of the cost of such items was incurred by production and other expenses in the Virgin Islands. The bill before Congress would set a definite ratio between labor costs in the islands and the value of foreign materials. To deter this, the local government took strong action to limit processing of woolen yard goods which had been regarded by Congress as a loophole in the tax structure.

In regard to the Virgin Islands Corporation, the Congress repeatedly has shown its unwillingness to provide funds for underwriting unprofitable activities. Such losses now are taken from local funds which otherwise could be used for capital projects by the local government. We are desirous of ridding ourselves of this burden. Federal authorities have decided, with our agreement, that the costly sugar operations of Vicorp must be phased out before the Corporation's charter expires in 1969. At the time of this message, the Board of Directors of Vicorp had not made a final decision as to disposition and use of 1,700 acres of land planted in sugarcane which previously had been offered for sale.

Although profitable, the operation of power generating plants on St. Croix and St. Thomas, as well as the salt water distillation plant, have not kept pace with the growing needs of the islands for power and water. Federal appropriations for future capital improvements have been denied, and these facilities recently were declared as excess to Federal needs. A recommendation has been made to the U.S. General Services Administration that they be sold to the territorial government. A decision on this is expected in the next few months. In addition to funds now reserved for the first payment and initial expansion of these facilities, the local government may need to use its revenue bond authority to complete financing of the purchase and expansion.

The skyrocketing demand for power continues to increase substantially in St. Thomas and St. Croix. An additional 3,000-kilowatt generator was installed in the St. Thomas plant and went into service in February 1963. However, a critical situation developed at year's end when gears were stripped on another large generator at a time when two other units were down for major repairs. Consumer cooperation in conserving power during the peak periods between 6 and 8 p.m. avoided the necessity of blacking out sections of the island. Engineers of the Virgin Islands Corporation expect the larger generator which is out of commission to be back in service this week. The other two units are being rebuilt and are expected to be ready for operation February 15 and April 15, 1964, respectively. Barring unforeseen circumstances, there should be sufficient generating capacity to carry us through this year. Meanwhile, under the authority vested in me by this legislature, I have invited four major manufacturers of electrical equipment to submit proposals for a 7,500-kilowatt steam generating electric plant. Evaluation of these proposals will be made this month. In consultation with your body, a determination will be made to award the contract for such a plant. I have assurances from several of the manufacturers that they will undertake to engineer, build, equip and deliver a functioning plant within 1 year after the date a contract is signed.

Until now, it has been the responsibility of Vicorp to supply the power needs of the islands. However, Congress has repeatedly refused to provide the necessary funds for increased generating capacity. As a result, the board of directors of Vicorp voted to sell the power facilities to the local government. Realizing the urgency to act in this matter, I already have put the wheels in motion to provide additional power generating capacity without delay, in order to avoid a crisis a year from now. An electrical engineering firm of national reputation will be selected to advise and guide us. Within the next few days, I will call a joint conference to consider this important decision. We must plan for years ahead and avoid the pitfalls of doing too little, too late. The lack of power can retard and stunt our growth during the most important period of our development.

Another important ingredient for our economic development in St. Thomas is water. During the Christmas season, we came too close to a crisis, with only 1½ days' supply of water in our potable water system. This was at the height of our holiday season when all hotels and guesthouses were full. The U.S. Navy responded immediately to our call for assistance and hauled water from Puerto Rico to avoid the crisis.

The reason for this situation was not due to bad planning. It was caused by a series of unfortunate circumstances which may never occur again in a thousand years. It all happened at once. The two tugs towing water barges both went out of commission. Also, the million-gallon barge which we had contracted to start hauling water November 15, 1963, ran into a freak hurricane in the Gulf of Mexico and was badly damaged. Another 800,000-gallon barge was secured to replace it, and this second barge had serious setbacks. At first it encountered bad weather, then went aground in the Bahamas. The tug towing this barge was badly damaged. Another tug was secured, and I am informed that this barge now is on its way to Roosevelt Roads, where it should arrive to begin taking on water today. With this larger barge added to those now in service, we should be bringing at least 1 million gallons of water to St. Thomas each day. Water from the distillation plant will bring the total to 1,275,000 gallons a day. Our present daily consumption is approximately 700,000 gallons, and this is on a restricted use basis.

I may mention here that the cost of water under our new contract for hauling from Puerto Rico, as of January 1, 1964, is 30 cents per ton plus 25 cents per thousand gallons for the water itself. This makes the total cost delivered here $1.45 per thousand gallons, which is just half the previous cost.

The same as with power, we are now considering long-range plans for water development. These include evaporation of seawater in larger, more efficient plants, the possibility of a pipeline from Puerto Rico, the development of reservoirs and wells and larger tankers. All of these possibilities will be thoroughly explored and recommendations presented when all the facts are gathered.

Of special importance to the future is the work of the planning board. Emphasis has been placed on continuing work on urban planning under a grant from the Home and Finance Agency. This is primarily concerned with preparation of topographic maps and comprehensive planning for future development of all three islands. The planning board also has administered zoning and subdivision regulations enacted by the legislature. A study was conducted and recommendations made for a new post office site. Assistance was given the College of the Virgin Islands with respect to sites and architecture for development of the campus.

Perhaps the most important challenge for the present and the future of our islands is that of providing qualified leadership in both government and private activities. Leadership begins with young people of intelligence and the will to serve. These we have. The second step is to train these young people in the professions and skills they must bring to key positions in our society. My administration believes that this is not just desirable, but an absolute necessity. Hence, we have adopted a program of sending promising young men and women for training in the best universities and colleges on the mainland. We also have encouraged inservice training by bringing specialists to the islands to work with our people, on the job, to improve their professional skills. This program is just beginning. We hope to expand it in the future to assure that we will have the leadership at all levels to cope with the problems which will inevitably arise.

During the course of your deliberations, I shall send a number of important and minor legislative proposals for the administration of the islands government. A few minor items already have been submitted. The major items will follow and they will include:

1. A new building code.
2. A housing code.
3. A child labor law.
4. An antilitter law.
5. Regulation of billboards.
6. Necessary amendments to the pay plan.
7. Amendment to pier dues law.
8. Procedures for administrative hearings.
9. Speed limits for motorboats and amendments to the motorboat law.
10. Revision of the town limits of Frederiksted.
11. Disposition of public records.
12. Housing numbering system for Frederiksted.
13. Tax incentive amendments.
14. Underground water regulation and control.
15. Report and recommendation on new airport facilities for St. Thomas.
16. New health centers for St. Croix and St. Thomas.

Other items still are pending recommendations of certain departments and agencies. All legislative proposals will be explained in my messages accompanying them as they are submitted.

In conclusion, let me say that the Virgin Islands are moving ahead. In some instances we actually are setting the pace for other communities on the mainland. Our resolve to move ahead can never be terminated as long as the will to progress is alive. This continuing process of development will take time, energy, and money. The broad majority of our people understands and accepts this responsibility as we move ahead toward higher social, economic, and cultural goals far beyond our present achievements.

We are writing the history of our islands not alone by the laws we enact, but by the new era of economic progress, well-being and our facing up to the challenges of this progress. We stand on the threshold of a new era of inevitable change. The entire tempo of our way of life, as we knew it in the past is being influenced by this new era and as Lincoln once said: "The dogmas of the quiet past are inadequate to the stormy present. Our case is new so we must think anew."

This message presents a picture of substantial progress in all areas of our government. Housing, education, health, commerce, and industry are all beginning to show concrete results and lasting benefits from our efforts. Our leadership in human relations is gaining for us worldwide recognition. We are fast becoming a model for the troubled Caribbean area with our stable and effective government operating and flourishing under a free system as American citizens.

Together we share the responsibility of government. May the ideals of truth and justice continue to motivate all our actions. Let us also continue to preserve the rights and privileges of our people as we rededicate ourselves to our duties and responsibilities as citizens of the United States, leader of the free world.

It is my considered opinion that the Virgin Islands, by virtue of this mature acceptance of responsibility, is justified in the hope that they might soon acquire the right to elect their own Governor and to be represented in Congress. To this end, I am sure that this legislature also is dedicated. To this end, political differences must fade into insignificance.

May the Almighty God grant us strength of body and mind to meet the challenges and the tasks ahead. May He also guide you in your deliberations and help you to accomplish your work speedily and successfully.

CIVIL RIGHTS

Mr. BREWSTER. Mr. President, on Friday, January 17, 1964, my colleague, the distinguished senior Senator from Minnesota, Hon. HUBERT HUMPHREY, delivered a brilliant and inspiring talk to an overflow audience of students and Marylanders at the Johns Hopkins University in Baltimore. In his excellent address, Senator HUMPHREY called upon Johns Hopkins students and their fellow Marylanders to join him in creating a new national climate of understanding and tolerance among all peoples. I am confident that my fellow Free Staters will accept the Senator's summons and will give their support to President Johnson in his moving call for early enactment of the most important civil rights legislation in recent years.

I would be less than candid if I did not acknowledge with gratitude and humility my distinguished colleague's gracious remarks concerning my consistent support of this legislation, and my vigorous efforts to insure equality for all Marylanders.

Mr. President, I ask unanimous consent to have Senator HUMPHREY's remarks printed at this point in the RECORD.

There being no objection, the address was ordered to be printed in the RECORD, as follows:

EXCERPTS OF REMARKS BY SENATOR HUBERT H. HUMPHREY AT CONVOCATION OF JOHNS HOPKINS UNIVERSITY, JANUARY 17, 1964, BALTIMORE, MD.

If I were a college student in this year 1964, I am sure I would be one of the angry young men.

Even at my age, if you will forgive me, I look back in anger at 1963 almost as much as in grief.

It's particularly painful to anyone with faith in liberty and justice to realize that the senseless act which took the life of our beloved President was born in a climate of extremism, hatred, and violence.

Such a climate could grow only because of our national indifference to the consequences of seemingly isolated events.

It seems almost unbelievable when one looks back at the events of 1963. Here is a Nation with such strong aspirations for peace and good will toward all men that we were able to bring forth a nuclear test ban treaty of great potential worldwide significance.

Yet during that same year this same Nation spawned a terrifying record of violence to human values among its own people.

I am angry and concerned about that record—but I am even more concerned about the national indifference—an indifference that permitted such isolated events as the terrorist bombing in Birmingham, Ala., that took the lives of four young girls while they were attending Sunday school in their church; the hate riots at the University of Mississippi that claimed two more lives; the sniper murder of the civil rights leader, Medgar Evers, in Mississippi; the wanton shooting of Baltimore's freedom walker, William Moore, while he was walking along an Alabama highway; and the use of such cruel and sadistic police methods as dogs, high pressure hoses and electric shock cattle prodders on American citizens who were asking for their God-given and constitutional rights.

I can't think of a record that could be better calculated to produce a generation of angry citizens and an atmosphere filled with hate and violence.

And I am angry, too, with the Congress because we have done little or nothing to temper such events. Even worse, we may have contributed, by our delay, to the despair of those who have a right to expect more of their elected representatives.

And I am angry with the indifference or poor judgment of those public officials—north and south—who have contributed to the breakdown of the processes of the law and thereby have forced many thousands of our citizens to use protest demonstrations in the streets to exercise their right to petition for the redress of their grievances.

The time has come for us to transform our anger into action. Our pain into relief.

Such a beginning has been made in Maryland. Since early last summer, one of the national focal points of the civil rights struggle has been here in Maryland in the city of Cambridge. The situation there became so tense that it was necessary for the Governor to order the Maryland National Guard into Cambridge to maintain law and order. Your own Senator, my friend and colleague DAN BREWSTER, who has a long record of dedication to the cause of eradicating every vestige of second-class citizenship, had the courage to personally intercede in the situation at a time when it appeared that another outbreak of violence was imminent. Through his efforts and with the cooperation of responsible citizens, the Cambridge Human Relations Committee was revitalized and expanded. Later this month, members of that committee will meet with Senator BREWSTER in Washington to review progress which has been made to date and confer with Federal and State officials on plans for the future.

Last year the Maryland General Assembly enacted a public accommodations law, but 12 of Maryland's 23 counties were exempt from the operation of that law. Passage of the omnibus civil rights bill now being debated in Congress would eliminate that unfortunate gap. Senator BREWSTER is one of the cosponsors of that bill which I am confident will be enacted this session. Senators BEALL and BREWSTER have again and again had the courage to stand up for civil rights.

I ask you to join me in creating a new national climate—one that will respond to President Johnson's call for an end of hatred and rancor and the beginning of a new tolerance of difference whether that difference be political or religious or racial.

The abolitionist founder of this university, "Old Johnny Hopkins," as you students call him in your song, understood that spirit, and I can think of no better place for us to begin creating our new national climate of understanding and tolerance than right here at his university.

I ask you to join and support the leaders of both political parties who want a good civil rights bill. We have the opportunity for success. The bill now awaiting action in the House is the best civil rights legislation ever presented for a vote in Congress. And it is a bipartisan bill.

It will give us an effective national policy and the machinery to insure that no American will be denied the right to vote because of the color of his skin.

It will give us new guarantees to make sure that schoolrooms are open to all children, regardless of their color.

It will make sure that no American will have to face the indignity of being refused service or accommodation at a public place because of his color.

I ask you to join me in calling upon all Senators to take a stand against a civil rights filibuster. If this civil rights bill is supported in the Senate with the same spirit of bipartisanship shown by House leadership, then we have a truly meaningful bill—filibuster or no filibuster.

Of course, there are many people who believe this bipartisan bill is not strong enough. And I can sympathize with them because there are some sections I would like to strengthen. But I for one am not going to complain. The primary point to remember is that a bipartisan agreement has been reached on an effective bill.

And I can't emphasize enough the importance of bipartisanship on this issue—which is, as President Johnson put it in his state of the Union message, a "moral" issue.

And I want to take this opportunity to salute the statesmanship of such Republicans as House Minority Leader CHARLES HALLECK and Representative WILLIAM MCCULLOCH, of Ohio, the ranking minority member on the House Judiciary Committee. Both of these men played a key role in hammering out the bipartisan bill that is now awaiting action by the House.

I also want to take this opportunity to salute the statesmanship and the leadership of President Johnson on this issue. He has served notice on the Congress that civil rights legislation is going to have the same top priority in his administration that it had in the Kennedy administration. And he means it.

President Johnson's firm leadership on this matter came as a surprise to some of my more liberal friends. But I'm afraid they just aren't familiar with Lyndon Johnson's record.

They fail to remember that his idol and political mentor was Franklin D. Roosevelt. They fail to remember that he became all too familiar with the ugly pattern of discrimination against Mexican-Americans when he was a young schoolteacher in south Texas.

They fail to remember he was not among the signers of the Southern Manifesto in 1956. And they do not give him enough credit for initiating and engineering the passage of the only two civil rights bills we've had in 100 years—1957, 1960.

Now all this is hardly what you'd call an easy political feat for a man from a State that was once part of the Confederacy.

I have every confidence that the House will pass this civil rights bill within the next few weeks and then our real difficulties will come in the Senate.

Passage in the Senate will depend very greatly upon the degree of bipartisan cooperation we can have. Without bipartisan cooperation we won't be able to pass a bill. There's no use kidding anybody about it. The southern Senators are not going to vote for a civil rights bill; that's one of the facts of life. They are prepared to wage an all-out battle against the bill and we will need a two-thirds vote to stop this filibuster and bring the bill itself to a vote.

In order to get that two-thirds vote the Democratic leadership in the Senate will have to call on Senator EVERETT DIRKSEN, the minority leader, for the Republican help and we'll need a minimum of 25 Republican votes to end the filibuster.

Therefore, I appeal to the party of Abraham Lincoln and the Republican leadership in the Senate to act in the spirit of Lincoln, the Great Emancipator, just as I appeal to the party of Thomas Jefferson and Andrew Jackson to act in the spirit of those two great Americans.

You students may rightly ask where do I come in? What can I do? Well, let me emphasize that your roles are important. One of the first places you can start is your everyday life—by helping instill in the community a greater spirit of tolerance of differences and a greater respect for the dignity of an individual.

And for those who think this is about all that any student could do let me remind you that the struggle for civil rights has been advanced to its present stage by the actions of a younger generation that isn't satisfied with piecemeal progress.

Fifteen days from now an anniversary may pass unnoticed—but the chain of events that four North Carolina college students began in Greensboro that afternoon on February 1 in 1960 has been on the front pages ever since.

When those four students became sit-ins at that first lunch counter, I doubt that they realized they were launching a social revolution that would grip this country and the entire world.

Those young people turned their frustration and their righteous anger into action and made America face up to the moral issue of civil rights—not only in the South where the problem is more apparent, but also in the North where indifference and hypocrisy hide private feelings and practices.

In doing this, these students have also forced the American people to look at another great national problem—the gnawing aggravations of unemployment and poverty in what has been called our affluent society.

To the vast majority of Negroes the issue of civil rights is tied directly to the problem of jobs, education, and to all too many Negroes the most immediate problem is finding a job that pays him enough money to feed, clothe, and house his family.

It's fine and dandy to have strong civil rights laws on the books and all that, but to paraphrase one of Comedian Dick Gregory's best lines—it doesn't mean a heck of a lot that you can sit at a lunch counter if you don't have a dime for the cup of coffee.

It would be foolish for anyone to think that civil rights is merely a narrow legal issue. It goes far beyond that. It is a moral issue. It is a political issue. And it is an international issue.

And I say to you that those fighting for civil rights are right morally and they are right politically. And internationally it's imperative that we come to the world with clean hands. How, I ask, can a nation that denies or ignores the rights of its colored citizens continue to be the leader of a world that is more than half colored? Our role of world leadership demands that we set an example for the world—an example of respect for human dignity, of equal rights for all its citizens and first-class citizenship for all Americans.

Before we can bring first-class citizenship to all Americans we must act boldly on many fronts to correct the conditions that breed the depressing poverty that underscores so much of the tension that has been gripping our land.

We have to correct what has become a citizenship gap in this country—the gap between the promise and the fulfillment of our Constitution and the Emancipation Proclamation; the gap between the promise and the fulfillment of our great free enterprise system.

For the average Negro family this citizenship gap means an income that is far less than the average white family—60 percent make less than $4,000 a year compared to only 28 percent for white families. Not only that, but the dollar gap between white and nonwhite wages has increased. In 1939 the difference was about $650 a year. Now it has grown to more than $2,000.

But poverty is more than being without money. It also is being without knowledge, being without even the means to help yourself. Neither the poverty nor the ignorance of the sharecropper is very much different than that of his brother living in the pressure cooker atmosphere of our big cities.

We are going to have to muster all our resources to bring new educational techniques and vocational and technical training to the young and the adults so they can be equipped to earn a living in this complex society of ours. This is true in our big cities and in our depressed rural regions.

Last year Congress took a decisive step in education by approving more than $3 billion in Federal aid to colleges and vocational programs. This is a good beginning. But it is only a beginning.

We need a growing economy. We need growing opportunities for all our citizens. We need growing minds for the new technology that is producing more things with fewer hands. We need new approaches to the new problems that this fabulous technology is creating.

And, by the way, as I look forward to this fall's election I would like to remind you that one of the best ways of doing something constructive about solving the problems of surplus food or surplus workers, as well as civil rights, is to make sure that the Members of Congress who are indifferent to those problems are declared surplus.

The great moral issues involved in the civil rights struggle today are not very different from those of 1948. I am proud to have been among those in 1948 who fought for a strong position on the civil rights issue in the Democratic national convention. And I am proud to have been among those in the Senate who have advocated a strong national commitment to the advancement of equal opportunity for all. What we began in 1948 remains at issue today. We must now, more than ever before, get out of the shadow of States rights and walk forthrightly into the bright sunshine of human rights.

I am proud to say that I am part of the Johnson administration team which has made a strong civil rights commitment and an equally determined pledge to wage unrelenting war on poverty. The President believes that each of these pledges is part of the same package because increasing job opportunities go hand in hand with the goals of the civil rights fight. When there are layoffs, the Negroes and the very young go first.

One of the best ways we can wage this war is to enact the tax cut bill proposed by the late President Kennedy. This measure will help create a climate of expansion in our business community and thus lead to increasing job opportunities.

But this is only a good beginning—only a part of a long and continuing war that others besides the Federal Government must also wage. As the President said in his state of the Union message, the war against poverty "must be won in the field—in every private home and every public office from the courthouse to the White House."

And it will not be a short or easy struggle. No single weapon or strategy will suffice—but we shall not rest until that war is won. The richest nation on earth can afford to win it. We cannot afford to lose it.

As I look out on this student body I am reminded that one of John F. Kennedy's greatest contributions as President was the new confidence and pride and idealism he instilled in the young people of this Nation. And by doing that he really got this country moving again.

To keep that momentum our job—yours and mine—is to convert that idealism, and yes, that righteous anger at the assaults on human dignity—into energy. We have to turn our frustrations into action. Turn our despair into hope.

We must once again dare to dream—for those who dare are the men who will make their dreams become deeds.

THE ADELA PROJECT—ATLANTIC COMMUNITY DEVELOPMENT GROUP FOR LATIN AMERICA

Mr. JAVITS. Mr. President, I am making a report to the Senate on a conference attended by leading personalities of the private and public sectors in Paris on January 10 and 11 for the purpose of establishing the ADELA Investment Co.

I ask unanimous consent that a release issued in Paris by the cochairmen of the organizing committee of the ADELA Investment Co., an article from the current issue of Time magazine on ADELA, as well as a list of the members of the NATO Parliamentarians' Working Party on ADELA may be printed in the RECORD at this point of my remarks.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

NEWS RELEASE ISSUED IN PARIS, FRANCE, BY THE COCHAIRMEN OF THE ORGANIZING COMMITTEE OF THE ADELA INVESTMENT CO., JANUARY 11, 1964

A group of private banking and industrial representatives met today at OECD headquarters in Paris and established an interim organizing committee from Europe, Japan, and the United States, cochaired by Mr. Gianni Agnelli, vice chairman of Fiat, and Mr. Emilio G. Collado, vice president and director of the Standard Oil Co. (New Jersey) and charged with organizing the ADELA multinational private Investment Co. for the purpose of undertaking equity investments in Latin America. This development is the outgrowth of the meeting held yesterday of private and public personalities and organizations on this subject.

[From Time magazine, Jan. 24, 1964]

Latin America—Debut for ADELA

Businessmen the world over agree about the urgent needs of Latin America's economy, but the foreign investor's recent tendency has been to reduce rather than increase his commitment there. To speed the southward flow of capital and induce more wealthy Europeans and Japanese to help out, a blue-ribbon group of 100 free-world businessmen met in Paris to launch a development corporation for Latin America that is both private and multinational.

The new Atlantic Community Development Group for Latin America, dubbed ADELA, intends to invest primarily in medium-sized consumer-goods industries. It will also buy shares in other businesses that have high potential, some risk, and a tough time securing capital from local sources. ADELA plans to raise $40 million from 80 or more companies in the rich Northern Hemisphere; with this it hopes to attract another $160 million from such sources as the World Bank and the Latin American moneymen, who are normally wary of investing in their own homelands. So far, a dozen firms have pledged up to $500,000 each, including Italy's Fiat, Belgium's Petrofina, Switzerland's Swiss Bank Corp., a Japanese consortium, and the U.S.'s IBM and Standard Oil (N.J.)

ADELA still conspicuously lacks capital support from affluent German, French and Canadian companies, and still has to prove that it can turn a private profit in chaotic Latin America. But the man who originated the idea for the organization and won it early support, New York Republican Senator Jacob Javits, feels confident enough to let the businessmen take over while he steps down to an advisory role.

Working Party of the NATO Parliamentarians' Conference on the Atlantic Community Development Group for Latin America:

Belgium, M. Lucien Radoux; Canada, Mr. Herbert Gray; France, M. Claude Roux; Germany, Dr. Kurt Birrenbach; Italy, M. Giuseppe Vedovato; Netherlands, Mlle. W. van Stoetwegen; Norway, M. Ingolv Helland; Portugal, Mr. Albano Rodrigues da Silva Tavares; Turkey, M. Kasim Gulek; United Kingdom, Mr. Anthony Kershaw (Mr. John Hall, alternate); and United States, Senator Jacob K. Javits, chairman.

Mr. JAVITS. Mr. President, the ADELA project had been initiated by me within the Economic Committee of the NATO Parliamentarians' Conference in November 1962 to see what could be done about bringing private enterprise in Western Europe and in other developed Western nations into closer collaboration with United States and Latin American private enterprise in the economic development of Latin America. Through a working party of the NATO Parliamentarians' Conference, of which I am Chairman, and through private efforts, ADELA was established in April 1963 with three executive directors loaned by their respective companies, without cost to ADELA, to develop a private enterprise investment company for the foregoing purpose. Dr. Aurelio Peccei—Fiat, Italconsult—is executive director for Europe, Dr. Julio Gonzalez del Solar—Inter-American Development Bank—is executive director for Latin America, and Mr. Warren Wilhelm—Texaco—is executive director for the United States, and Mr. Herbert J. Blitz is executive secretary.

Throughout this whole organizing phase, I had the most able cooperation of Senator Hubert Humphrey, of Minnesota, who gave ADELA invaluable support; and the leadership in the private sector of Emilio Collado, vice president and director of Standard Oil Co. of New Jersey and George Moore, president of the First National City Bank of New York.

On January 10 and 11, ADELA moved into its second phase as a result of the Paris Conference, which was attended by about 100 leaders of both the public and private sectors from the United States, Europe, and Latin America; including Prof. Thorkil Kristensen, Secretary General of the OECD; Willard Thorpe, Chairman of the DAC; Jose Mora, Secretary General of the OAS; and Felipe Herrera, President of the Inter-American Development Bank.

As a result of 2 days of deliberations a new instrument has been devised, which is expected to be called the ADELA Investment Co. The "go-ahead" decision was taken by a group of leading corporations and banks from the United States, Japan, Italy, Switzerland, and Belgium which have pledged equity capital participation, the time of their personnel, and their technical know-how. About $6 million of the $40 million in equity capital to be sought from non-Latin American sources has now been firmly pledged by major corporations from these countries and an interim organizing committee, charged with establishing the ADELA Investment Co., has been formed of which the United States and European cochairmen are Emilo Collado, vice president and director of Standard Oil Co. of New Jersey and Gianni Agnelli, vice chairman of the board of Fiat, Italy.

This interim organizing committee will now proceed to draw up the ADELA Investment Co.'s corporate charter and seek to broaden its capital base, especially through added support from West Germany, Great Britain and Sweden. A total impact of $200 million is envisaged on Latin American development from ADELA, based on its own equity capital, equity capital from Latin America, and loans, principally from the Inter-American Development Bank—IADB. While the IADB is prohibited by its charter to enter into equity investments, an arrangement is visualized wherein the operations of the two organizations will, in suitable projects, be closely coordinated.

To assure the continued interest of governments and international agencies in the ADELA Investment Co., there would also be established shortly a consultative committee composed of personalities concerned with the operations of germane international organizations.

The initiative taken through ADELA seems most promising at this time.

Mr. JORDAN of Idaho. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. FULBRIGHT. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Is there further morning business? If not, morning business is closed.

INCREASE IN RESOURCES OF INTERNATIONAL DEVELOPMENT ASSOCIATION

The PRESIDING OFFICER. Under the previous order of the Senate, the Chair lays before the Senate S. 2214, a bill to amend the International Development Association Act, upon which there is a limitation of debate and control of time.

The Senate resumed the consideration of the bill (S. 2214) to amend the International Development Association Act to authorize the United States to participate in an increase in the resources of the International Development Association.

Mr. FULBRIGHT. Mr. President, I yield myself 10 minutes, on the bill.

I wish to speak in support of S. 2214, a bill to amend the International Development Association Act of 1960, to authorize the United States to participate in an increase in the resources of the association. There is extensive material on the desks of Senators which explains the complicated background of this proposed legislation. And I believe that it would serve no useful purpose for me to recite at length what may be read in a much shorter period of time. I shall, therefore, confine myself to general matters which I think are at the heart of this proposal.

As the committee report notes, the IDA—as it is usually called—in large measure stemmed from an initiative taken by the U.S. Senate and specifically by our distinguished colleague, the senior Senator from Oklahoma. In 1960, we realized that many of the underdeveloped countries of the free world would be increasingly faced with a situation in which they could not service loans on hard commercial terms, and yet would be under growing pressure to make rapid progress with their economic development.

If that was the foreseeable situation in 1960, it is even more the case today. What we are really facing in this legislative proposal is the question of whether we wish, or do not wish, to support a policy of assisting the underdeveloped areas in their efforts to create economic progress leading to maintenance of their political stability and independence.

In 1960, we believed that the best method of helping those countries with their economic development plans was to bring them into an association linked with the World Bank and the International Monetary Fund. We believed that a sense of participation in such institutions, combined with the highly beneficial services and advice available within those institutions, would promote the fastest progress on the soundest groundwork.

Consequently, we made possible the opening of a soft-loan window in the World Bank which would permit the fulfillment of projects similar to those which were supported by regular World Bank loans, but which could not go forward on hard terms. The letter of former World Bank President Eugene Black, in the committee hearing record, testifies to the success of this operation and to the need for its continuation. I can think of no one better qualified to make such a judgment and to make it available to us in the Senate.

It should be remembered, in this connection, that our distinguished colleague from Oklahoma was very disappointed that in 1960 the resources made available to the IDA were limited to $1 billion to be paid in and committed over a 5-year period. He and other extremely knowledgeable originators of the IDA concept believed that the association should have initial resources of at least twice that figure. Events have proved them right, and the IDA is now requesting another $750 million in additional resources, to be paid in over a 3-year period commencing late in the calendar year 1965.

Here the point should be stressed that whereas the United States would put up $312 million of this total, the other industrialized countries of the free world—mainly in Western Europe—would be contributing $438 million. I might add that it took 8 months of hard negotiation to bring about this result, which embodies a slightly decreased percentage contribution by the United States in contrast to that made available by the other industrialized countries. But the vital point here is that the IDA represents the best available means of bringing our European allies into the concerted process of aiding the underdeveloped countries with loans on flexible terms. The importance of this feature cannot be overemphasized.

The bill before the Senate would call for an authorization of appropriations of $104 million in each of 3 successive years beginning with fiscal year 1966. It would also authorize the use of non-interest-bearing Treasury notes until such time as cash outlays were actually needed. The provision of this share of resources would make it possible for the IDA to continue its operations throughout virtually the remainder of this decade.

Now I would like to anticipate a few of the questions which are likely to generate the most discussion in the forthcoming debate.

In the first place, no one is trying to disguise the fact that IDA credits are not commercial loans on regular business terms. The IDA parent body—the World Bank—is the instrument whereby such loans from multilateral sources have been made available to the underdeveloped countries. Credits advanced by the IDA are "hard" in only one sense: They are repayable in convertible currencies over the 50-year period of the loan. And this is what the U.S. Congress contemplated and approved in 1960, when we were at the height of our balance-of-payments problem—which currently shows a trend toward improvement. It is very clear that these are the kinds of loans which the underdeveloped countries urgently require in the early stages of development. If we really mean to help those countries, we cannot sensibly reverse our 1960 decision and talk about remaking IDA credits into hard commercial loans. In any case, such an effort, if successful, would in itself mean the end of the association. It is not a matter of changing horses in midstream; the horses' hooves are only just getting wet.

Secondly, I want to raise the interrelated questions of the IDA's effect on our balance of payments and its procurement record with respect to purchases in the United States. It is very difficult to work out anything like precise figures. While the IDA has committed over $550 million, its actual cash expenditure is just over the $100 million level, and only about half that amount can be listed in terms of identifiable procurement. Using our experience in the World Bank as the best available guide, our Treasury Department estimates that 75 to 80 percent of the proposed contribution of the United States to the IDA would return to this country through purchases of export commodities.

The adverse impact of the proposed increase on our balance of payments thus would be roughly $25 million annually beginning with fiscal year 1966.

In the third place, it should be noted that there has been no instance where the IDA has granted a credit to a Government-owned industrial project with which private enterprise might normally compete. This useful question was raised and, I believe, satisfactorily resolved at the committee hearing. The fact is that the IDA is helping finance the same kind of specific projects in which the World Bank has been investing for over 15 years. I do not consider that there is any more reason for concern about the Bank's management of its resources and those of the IDA than in the past. In other words, if we now hear expressions of alarm regarding our so-called loss of control over U.S. contributions, and efforts to minimize the value of our voting power of roughly 27 percent, I can only wonder why there was relative silence on this score for well over a decade.

In this connection, it will be recalled that the IDA has no separate personnel or facilities, but instead is administered by officials of the World Bank. This feature in itself should give us good reason for confidence in the soundness of IDA activities, for I believe that the efficient record of the Bank is an accepted fact of life in the world of finance and, I trust, in this body.

Finally, I must make one point completely clear to my colleagues. Any successful effort to amend the bill by attaching conditions to the use of our contribution means rejection of the bill and, by extension, the end of the IDA as a functioning organization. The articles of agreement of the IDA preclude acceptance of a contribution to which strings have been attached.

Mr. President, what is at stake in S. 2214 is our policy of helping the underdeveloped world through the World Bank and its affiliate, the IDA. I believe this policy is a vitally necessary one and I urge my colleagues to vote favorably on this bill before us.

The PRESIDING OFFICER. The bill is open to amendment.

Mr. LAUSCHE. Mr. President, will the Senator yield for a question?

Mr. FULBRIGHT. I yield to the Senator from Ohio.

Mr. LAUSCHE. Is it or is it not a fact that in the making of loans, IDA is completely free from any conditions or restrictions contained in the AID program?

Mr. FULBRIGHT. Yes; the United States AID legislation has no controlling effect, or any effect, upon the administration of the IDA program. That does not mean that IDA, under its procedures, may not set its own conditions. However, it is true that it need not do so. The legislation the Senator refers to does not affect IDA at all.

Mr. LAUSCHE. Is it not true that the foreign assistance bill, recently passed, included restrictions and conditions for the purpose of serving, at least ostensibly, the interests of the United States? I refer, first, to the Hickenlooper amendment, which provides that no loans shall be made to any country that has expropriated property of American citizens without due compensation. Other conditions are contained in the foreign aid program.

My queston is: Are we not, on the one hand, creating conditions supposedly in the interest of the United States, while, on the other hand, we are giving a free rein to IDA which will receive $750 million more?

Mr. FULBRIGHT. The Senator is correct. The IDA is an international agency made up of members of the International Bank. Exactly the same situation exists with regard to the International Bank, to which the United States is the largest contributor, and the International Monetary Fund. Those agencies operate under their own restrictions or policies.

The Export-Import Bank has its own separate Board of Directors and its own principles, too. It is quite different. These are entirely separate organizations. AID is an unilateral agency over which the United States has complete control and over which we impose the conditions we want. We cannot impose such conditions on international organizations. If we were to do so, we would destroy the IDA. It might be better for us to say that we did not wish to participate in the IDA, but I think that would be a great mistake.

In this case, for every dollar we contribute, each of the other countries that are participating contributes roughly $1.40. This is a good bargain, as I see it, if we wish to participate in this activity and assist underdeveloped countries. If we do not wish to do so, that is another matter. But if we desire to engage in this activity, this is the best bargain of any for the United States. In my opinion, this agency is superior to AID, so far as the efficiency of the use of our funds in the field of aid to underdeveloped countries is concerned.

Mr. LAUSCHE. Is it not true that in the foreign assistance program Congress has declared that loans made shall bear interest at the rate of 2 percent a year at the end of the 10-year grace period; but that in this program loans are made repayable in 50 years with no interest, but with a three-quarters of 1 percent service charge a year? If that is true, how does the Senator reconcile the two policies?

Mr. FULBRIGHT. That is true. As I say, these are two different agencies. I hope the Senator does not feel that I do not make that point clear. The IDA is quite different from AID. It is different from the International Bank. So-called hard loans or business loans are handled by the International Bank. I suppose this might be called a supplementary activity, that goes along with the activities of the Bank. The Bank feels it is necessary to provide some assistance in the form of long-term, hard loans in the underdeveloped countries. The three-quarters of 1 percent is designed as a service charge to pay the overhead expenses of administering the program. As the Senator has said, it is not interest. However, the loans are all repayable in hard currency, not in soft currency. It is incorrect to say that such a transaction is not a loan. In my opinion, it is a loan. It is an interest-free loan, but it is repayable.

I wish only to emphasize that the money the other countries contribute is more than we contribute. Their money is loaned, just as ours is, without interest.

Mr. LAUSCHE. Is it not true that the State Department, with regard to the proposed borrowing by India of $950 million from the United States to build a socialized steel plant to compete with private steel plants in India, under the AID program, would not agree to the making of that loan?

Mr. FULBRIGHT. That is generally correct.

Mr. LAUSCHE. The State Department said that the United States would not lend the money to India. What is there to prevent India from borrowing the money from IDA, at least in part, to build the steel plant?

Mr. FULBRIGHT. The decision of the Board of Directors of the Bank would prevent it, in my opinion. Moreover, the IDA does not and will not have resources large enough to undertake such projects.

Mr. LAUSCHE. How much money has India thus far borrowed from this agency?

Mr. FULBRIGHT. A total of $300 million. That sum has not been all disbursed; it has been committed.

Mr. LAUSCHE. That is all I wish to ask.

Mr. MORSE. Mr. President, will the Senator from Arkansas yield for a question of information?

Mr. FULBRIGHT. I yield.

Mr. MORSE. The Senator said that the United States would contribute $1 as against $1.40 that would be put up by any foreign country. That is, if Mexico contributed any money, she would do so on the basis of $1.40 for every dollar the United States contributed, and the same would be true of Ecuador, Brazil, or Argentina. Does that mean that each of the other countries would contribute what amounted to $1.40, and that the United States would contribute $1?

Mr. FULBRIGHT. I refer the Senator to page 4 of the report, where a table outlines exactly what the contributions are. As the Senator knows, there are two classes of members. One class largely contributes in the currencies of their own countries, and another category contributes in hard currencies. The table gives a list of the contributions. The particular countries which the Senator mentioned are not included in the list. The so-called industrialized or advanced nations make contributions in hard currency.

Mr. MORSE. Although this money will go to the benefit of various underdeveloped countries of the world, they themselves, by and large, will not contribute any money to the Bank because they are not members thereof?

Mr. FULBRIGHT. Loans are made only to IDA members and to their territories. The contributions of the underdeveloped countries are not in hard currency, except for a 10-percent portion. The list on page 4 of the report shows the countries that will contribute the proposed increase in hard currency—that is, convertible currencies. The others are what are called part II countries. They will not contribute to this increase. Obviously, until we get much further along on the road, the local currencies are not worth much to the agency.

Mr. MORSE. Let us assume that the United States contributed $50 million. What would be the ratio that Australia would contribute?

Mr. FULBRIGHT. Australia's percentage is 2.64 percent. The percentages are set forth in the table. The United States would contribute 41.60. The rest is divided, according to the figures shown in the last column on the right. These are the hard-currency countries, and the percentages are the proportions they would contribute.

Mr. MORSE. That column does not help me, unless I do not fully understand the Senator.

Mr. FULBRIGHT. There are 17 such countries.

Mr. MORSE. That does not help to solve the problem to which I would like to have an answer. The Senator said that the United States would contribute $1, and that the other countries would contribute $1.40. I should like to know if this is arranged country by country, or if the total amount of money that is contributed by the other countries is on the basis of a ratio.

Mr. FULBRIGHT. It is the latter. It is the aggregate.

Mr. MORSE. I did not so understand. That is not the fault of the Senator from Arkansas. When we say that we are contributing $1 and that the other countries are putting up $1.40, I do not think it is much of an argument in support of our contributing $1, when we consider the countries that are contributing, according to the table on page 4. They include Australia, Austria, Belgium, Denmark, Germany, Japan, and others. I still think, if I correctly understand the table, that the share of contribution by the United States is too much.

Mr. FULBRIGHT. Perhaps the real difference is my assumption that this activity is in the interest of the United States. Will he not agree that a means of our getting increased contributions from these countries will be a better bargain for us, rather than for us to provide all the funds, as in the case of the AID program?

If the Senator is against it—and I believe he did vote against it, we do not share this basic assumption. But if he assumes that this whole activity is not in the interest of the United States, then his other points may be right. If one is going to engage in comparisons, this is a better bargain than we are getting in the other case.

Mr. MORSE. The Senator from Arkansas is entirely correct in his assumption. I think we are being "taken" again.

Mr. FULBRIGHT. However, this is not an assumption; it is a difference of opinion.

Mr. MORSE. I think we ought to stop and take a longer look at that. That is why this afternoon I am going to move to recommit. I do not think we ought to pass this bill until we make our decisions this year on our whole foreign assistance program. We should look at it as a total package; we ought not segmentize it in this way. However, I shall make my argument later.

Mr. FULBRIGHT. The Senator from Oregon is entitled to his opinion. Since he has stated a hypothetical, let me propound one: If we assume that this is a proper activity of the United States in rendering assistance to underdeveloped countries, and if we assume that it will be effective—regardless of whether the Senator believes that—will he agree that this particular organization, from which we do get a contribution, is superior to the AID program, from which we do not get a contribution? I ask that as a hypothetical question.

Mr. MORSE. As a former teacher of the value of syllogisms, I could not reach any other conclusion, because the Senator's two premises lead to that conclusion. However, I challenge the validity of the premises.

Mr. FULBRIGHT. I realize that, but I raise the point because there is the basic question of whether we should engage in this activity. That is for the Senate to decide, of course.

Mr. LAUSCHE. For the purpose of clarifying the figures, I direct the attention of the Senator from Arkansas to page 4, and ask him if it is a fact that of the funds put up, the United States contributes 41.60 percent, and the other 17 nations which are members, and are industrial nations, provide 58.40 percent.

Mr. FULBRIGHT. That is correct.

Mr. DIRKSEN. Mr. President, will the Senator from Arkansas yield?

Mr. FULBRIGHT. I yield.

Mr. DIRKSEN. In a discussion of a comparable bill the other day, I offered a proposal, and the distinguished Senator from Arkansas said that on a subsequent bill he would be glad to accept the amendment. I offer it now: After the word "appropriated" on page 2, line 4, insert a comma and the words: "out of funds supplied by the Nation's taxpayers or out of funds borrowed on their credit,".

This is what has been alluded to as the Dirksen formula. I offer it now, and hope the distinguished Senator from Arkansas will accept it.

Mr. FULBRIGHT. I recall that exchange. Aside from being committed to accept the amendment—and which I do—I want to say that it is only fit and proper that the Senator from Illinois be immortalized as the originator of the Dirksen formula, for it is only fair the leader of the Republican Senators have a formula similar to that of the Senator from Oregon [Mr. Morse] who originated the formula known as the Morse formula. So I am very glad to cooperate in accepting the Dirksen formula amendment, and I do accept it.

The PRESIDING OFFICER. The amendment of the Senator from Illinois will be stated.

The Legislative Clerk. On page 2, in line 4, after the word "appropriated", it is proposed to insert a comma and the words: "out of funds supplied by the Nation's taxpayers or out of funds borrowed on their credit,".

Mr. MORSE. Mr. President, will the Senator from Arkansas yield?

Mr. FULBRIGHT. I yield.

Mr. MORSE. I welcome this formula. I think it could be in the interest of the U.S. taxpayers—although that is highly hypothetical.

I only hope the Senator from Illinois will be as successful with the Dirksen formula as I have been with the Morse formula, because I think the calculations show that since 1946 we have saved more than $800 million by using the Morse formula; and we do not know how many additional hundreds of millions of dollars we have saved indirectly, because if it had not been for the existence of the Morse formula, there would have been other attempts to make surplus property a grabbag for those who want to give it away.

Mr. DIRKSEN. I shall be content if we are able to stimulate the 180 million American people, or as many of them as are taxpayers, to take an interest in the appropriations, by calling their attention to the fact that "their dough" is being spent.

Mr. FULBRIGHT. I assume that if we accept the Dirksen formula, the Senator from Illinois will vote for the bill.

Mr. DIRKSEN. That is not necessarily a sequitur; it may be a nonsequitur.

Mr. FULBRIGHT. But the bill will serve a very useful purpose; so I cannot imagine that the Senator from Illinois would strangle it at birth. And this is the first bill, as I understand.

Mr. DIRKSEN. The Senator from Missouri has completely disconcerted me with a statement of some facts about what goes on that gives me deep concern; and I want to examine the rest of his statement, because it is a devastating one. However, on the assumption that the bill will be passed, I wish to make sure that the Dirksen formula is embodied in it.

Mr. FULBRIGHT. I am sure the Senator from Missouri [Mr. Symington] will view with approval the Dirksen formula.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from Illinois.

Do the Senators who have control of the time on the amendment yield back the remaining time?

Mr. FULBRIGHT. I yield back the time remaining under my control.

Mr. DIRKSEN. I yield back the time remaining under my control.

The PRESIDING OFFICER. Then the question is on agreeing to the amendment of the Senator from Illinois.

The amendment was agreed to.

Mr. FULBRIGHT. Do I correctly understand that the Senator from Illinois is going to offer this amendment to all of the military defense appropriation bills?

Mr. DIRKSEN. Yes, to every bill on which it has a bearing.

Mr. SYMINGTON. Mr. President, will the Senator from Arkansas yield?

Mr. FULBRIGHT. I yield.

Mr. SYMINGTON. I assure the distinguished chairman that my interest in this bill is primarily because of interest in and apprehension about the balance-of-payments problem.

If we lose, this year, the same amount of gold that we have lost on average over the past 5 years, by the end of this calendar year there will be no free gold whatever available to honor our $25 billion of current liabilities, redeemable in gold dollars, now held by foreign countries.

I looked up these agencies. There are many of them and I noted the way they have been formed. In 1945, we created the World Bank. Then, in 1956, we created the somewhat "soft-loan" affiliate of the World Bank, the International Finance Corporation. Later, in 1960, we created the soft-loan affiliate being discussed today, the International Development Association.

So we have these two soft-loan affiliates of the World Bank; and the same thing is true of the Inter-American Development Bank. We created in effect, two soft-loan affiliates of that organization.

Since we have over $800 million of surplus in the World Bank, why can we not use some of that surplus to handle these soft loans? Why do we have to continue with such a heavy surplus in the World Bank, at the same time add to this soft-loan setup? The directors, the officers, and the entire structure are the same for both the World Bank and the International Development Association.

Mr. FULBRIGHT. I do not believe it is quite correct. The International Finance Corporation is not a soft-loan organization, it was created for a specific purpose, to assist private enterprise. Its purpose is to invest in equity, to get some business started, and to initiate the development of industries, particularly smaller industries, in underdeveloped countries. It is hardly a lending program in any case similar to this. It has a specialized purpose. It has not done a great deal, but what it has done I believe has been successful.

Mr. SYMINGTON. The Senator is correct. IFC interest is well under normal loan terms but the terms are more favorable to this country than those under IDA.

Mr. FULBRIGHT. It involves not only this country. It is a multinational organization and a subsidiary of the World Bank.

Much has been said with regard to the Bank surplus. Someone proposed that it be used to support the United Nations, and that other uses be made of it. The Bank is under a charter to which all members have subscribed. It is not easy to act unilaterally and say to the Bank, "This money must be used for this or that purpose."

That is a matter which the Bank must determine. I do not believe the Senator would question the fact that I believe that everyone I know of approves of the way the International Bank has been handled. It has never had a default. This surplus he mentioned on earnings or in loans has been a measure of its success. The Bank has loaned money—I do not recall the exact amount—to some 42 different countries. It has been well operated, with an efficient staff. One of the reasons for IDA being promoted here is the fact that it is affiliated with the Bank. It does not have a big overhead.

It utilizes its staff and the wisdom of the directors of the Bank, and it serves a special purpose. As I have stated, these are loans on much easier terms than those of regular banks. Some of them are like second mortgages. There are certain distinctions between first mortgages and second mortgages. At least, a second mortgage is junior in its claims. We make certain distinctions. Mr. Woods, who is now head of the Bank, and Mr. Black, who was formerly head of the Bank, are very much in favor of the program. It helps the Bank. In certain countries it makes it possible for the Bank to make hard loans, which it otherwise could not make, by the use of funds of IDA. There is no doubt that it is riskier.

It is what is called partly a soft-loan instrument. By that I mean a loan is repayable in hard currency. There is no question about that. There simply is no interest charge, that is the difference. If the IDA is administered properly, as I hope it will continue to be, and I trust it will be, I believe it will be of great assistance.

Mr. SYMINGTON. Mr. President, will the Senator from Arkansas yield further?

The PRESIDING OFFICER (Mr. Walters in the chair). Does the Senator from Arkansas yield to the Senator from Missouri?

Mr. FULBRIGHT. I yield.

Mr. SYMINGTON. I agree with the Senator that it is a fine and constructive thing to do, to help other countries, as it is to help all people. What is beginning to worry me is the fact that, even if we use our "monetized" gold, we will only have around 50 percent of that gold necessary to cover our current liabilities abroad.

An interesting speech was made by a member of the New York Federal Reserve, in which he pointed out the comparability between our present situation so far as fiscal and monetary position is concerned, and that of the British in 1931, when they went off the gold standard.

There is sentiment—some in this body I know of—about being willing to increase the price of gold from $35 an ounce. Of course that would reduce the value of the dollar, and if it happened, my guess would be, the way the world is today, that other countries would promptly devalue their currencies.

This country, of course, wishes to help other countries and their people. The sole question is to what extent. I would hope that we would present clearly to the American people the problems incident to going off the gold standard, because if these policies continue, it will be necessary to consider that action if our obligations are called. As to whether this is right or wrong, I am no expert. I do know there are many experts who believe any such action would give us serious monetary and fiscal problems.

Mr. FULBRIGHT. I am not a prophet but the policy of this country is not to devalue. This policy has been reiterated time and again. The Treasury, in a recent article, states that our balance-of-payments position is gradually improving, and that the fourth quarter was better than the previous quarter. What the ultimate effect of that will be, I do not know. I do know that the position of this country is not now comparable to that of Great Britain in 1931. Our economy is booming. Our gross national product is increasing.

Mr. SYMINGTON. It is true that the gross national product is increasing, but that is not the whole story, and not exactly what we are talking about.

Mr. FULBRIGHT. I am not as pessimistic about the U.S. economy as the Senator from Missouri is. I am not always pleased with some of its policies in international affairs, but so far as its economic strength is concerned I believe that it is quite different from that of England in 1932.

Mr. SYMINGTON. In 1931; and I am not talking about the U.S. economy.

Mr. FULBRIGHT. I mean 1931. I admit it is a difficult problem, which everyone else admits. It started in 1957. I agree that we were too slow to meet the change in circumstances. There is no question about that.

We really did not become aware of the situation until it had been going on 2 or 3 years. We should have reversed some of those policies much earlier than we did. That part of it is quite clear.

But what are we to do now?

We must balance out the importance to the national interest of whether we are to withdraw from these activities or continue to engage in them even though there is a relatively slight drain upon our balance of payments.

Mr. SYMINGTON. I have respect and pride in our economy, and do not criticize it. I do feel, because of the continuing unfavorable balance of payments, we should not overexpand. That is what is worrying me. We are expanding this program, not withdrawing from it.

I am not criticizing anything in the past but feel, based on my studies of the problem, that we should have a more solid understanding of the balance-of-payments situation as we plan for the future.

I shall speak on the bill later. Most of the restrictions that have been placed in the aid program protect the value of the dollar.

When we enter into these international commitments, we not only take away the prerogative of Congress, but we also take away to some extent the prerogatives of the executive branch of the Government. I am worried about future policies incident to the most important currency in the world—the dollar.

Mr. FULBRIGHT. Did any of the Federal Reserve officials recommend that we reject participation in IDA?

Mr. SYMINGTON. That was not the subject in discussion; but it is clear that IDA will increase the problem of the unfavorable balance of payments.

I believe we ought to do everything we can to obtain a more favorable balance-of-payments position. The problem has been with us for a long time. That is the thrust of my comments.

Mr. FULBRIGHT. If the Senator feels so strongly about the balance of payments, I suggest that we should bring all our troops home. We should stop all of our military aid. That is one way in which we could accomplish what the Senator has suggested. The question has been one of balancing off the various interests. The Senator has said that we should do everything we can. "Everything we can" means that we would withdraw all of our foreign activities.

Mr. SYMINGTON. I should say we should do everything logical and reasonable.

Mr. FULBRIGHT. I agree with that statement. I believe that this program is logical and reasonable.

Mr. SYMINGTON. I am glad to correct the RECORD to that extent if I was not clear.

As to troops abroad, not too long ago the Germans did not have any troops under arms, and we had some 250,000 American troops in Germany. Now the Germans have more than 400,000 troops under arms, and the nature of possible war has changed drastically. Yet we still have some 250,000 troops in Germany.

There are policies we could adopt which could help this situation. My position is not one of objecting to programs, rather not expanding them until we survey them more.

Mr. FULBRIGHT. The question is not one of expansion. If we do not pass the bill, the program will come to a dead halt. The IDA will be out of money in about a year, or perhaps less. The rate of loan commitment is already slowing down.

Mr. MONRONEY. Mr. President, will the Senator yield?

Mr. FULBRIGHT. I yield.

Mr. MONRONEY. I am afraid that we are overemphasizing some points and failing to take into consideration what has happened in regard to the balance-of-payments question through IDA and through the World Bank, with which IDA is affiliated. Not enough loans made have been disbursed and merchandise bought to get a true test of how much flows back to the United States in trade. However, roughly as a 40-percent contributor to the fund since the establishment of the fund in 1960, we have found that, to June 30, 1962, 75 percent of the expenditures of the loans was used in purchases in the United States. That was a very small amount because the fund was only starting.

During fiscal year 1963, only $28 million was disbursed. If all that amount were spent abroad, it would not have made a very great impact upon our balance-of-payments position. In fact 14.5 percent was spent here.

During the first quarter of 1964, 23.1 percent was spent in the United States.

Mr. LAUSCHE. Did the Senator say the first quarter of 1964?

Mr. MONRONEY. The first quarter of the fiscal year 1964.

Mr. FULBRIGHT. The fiscal year that began last July.

Mr. MONRONEY. On the basis of the cumulative total, through September 1963, there was a very small disbursement of 22.7 percent. Considering that we invested 40 percent, that would double the figure, percentagewise, which would help to show more nearly the 80 percent figure.

The best test is what has happened in the case of the World Bank. It has a similar operation. It has been in existence for a great many years—1947 on. Over that entire period, through September 30, 1963, which is a long enough period to test, in a cumulative total the United States has secured 45.4 percent of all of the procurement from the loans made by the bank. In other words, owning less than 40 percent of the bank stock, we have been receiving nearly half of the purchases and procurement through the World Bank over that long period of time.

The nearest country to us is the United Kingdom, which has received only 14.6 percent of the cumulative business during the existence of the bank.

The next country in the order of percentages is Germany, with 11 percent of the procurement.

Thus, I believe we can show that we are receiving as good a result as we do with "tight" loans in our own AID program.

The program involves free competition. U.S. industry has been able to maintain a very high average in relation to the money coming back to us. Consequently, there is no loss in our balance of payments.

While we are talking here and having an afternoon quite properly devoted to deciding whether that small segment of our international aid program can be handled through international sources in the time-tested World Bank facilities, it is important to note that we are talking about a 3-year period beginning with fiscal year 1966 appropriations. We would authorize the amount now; $104 million for 3 years to establish an additional $750 million in capital. We would put in $104 million a year for 3 years as an investment.

It is interesting to note that the situation can be related to the foreign aid bill, which I supported and will continue to support. The program is a good program. To show what international cooperation could mean, and how we could completely minimize the drain of foreign aid on our American taxpayer, the administrative expenses before any loan would be made under the last AID appropriation bill totaled $50 million. That would be for overhead, and can be compared with the amount which we are considering investing in the capital structure of IDA through the second assessment or subscription for IDA.

The program is proving itself. If we are seeking to find a better way to channel funds to underdeveloped areas, I believe the World Bank system and IDA, with whatever improvements could be made in the operation, offer us the best substitute. We would have some other means of encouraging nations, as they develop and as they are helped, to contribute funds for assisting underdeveloped areas, rather than letting Uncle Sam be the only subscriber to the community fund for international development.

Mr. ELLENDER. Mr. President, will the Senator yield?

Mr. FULBRIGHT. Mr. President, how much time have I remaining?

The PRESIDING OFFICER. The Senator has 12 minutes remaining.

Mr. FULBRIGHT. I yield to the Senator from Louisiana.

Mr. ELLENDER. Mr. President, I was interested in the statement made by the distinguished Senator from Arkansas awhile ago that IDA is a great help to the World Bank. Can the Senator tell us how that occurs?

Mr. FULBRIGHT. As the Senator knows, the program is administered under the direction of the Bank. When the Bank goes into a country, there are very strict requirements because the loans are hard loans in the fullest sense of that word. I am told that quite often if a country is able to have interest-free loans, which would not put too big a burden on its external payments, the Bank would be able to supplement them with hard loans. The Bank is not permitted to make interest-free loans under its charter, and it does not make them. The program of which we are speaking is to the advantage of the Bank. There is no doubt about it. It is felt that it provides it with an opportunity it otherwise would not have. It is very favorable to that program.

Mr. ELLENDER. Of course, I do not blame the Bank.

Mr. FULBRIGHT. I should like to add that the same effect would result from our AID program. I do not know whether the Senator was present in the Chamber a while ago when I made the statement about whether Senators would be for or against the program——

Mr. ELLENDER. I was present. I heard it.

Mr. FULBRIGHT. The proposal is a better way than foreign aid. If the Senator did not wish any aid to be given, he would be against the proposed program, too.

Mr. ELLENDER. Of course, the proposal amounts to aid. It is almost a giveaway, because the loans are payable in 50 years without interest. In addition, there would be 10 years' grace given as to principal.

Mr. FULBRIGHT. The provision for 10 years' grace applies to the repayment of the principal, not the three-fourths of 1 percent service charge.

Mr. ELLENDER. I know, but the three-quarters of 1 percent——

Mr. FULBRIGHT. Is a service charge.

Mr. ELLENDER. It is a service charge payable to the World Bank to handle the funds.

Mr. FULBRIGHT. To the IDA; that is correct.

Mr. ELLENDER. Is the Senator able to inform the Senate how the first increment of $1 billion, of which we put up $320-plus million, was loaned? Was any of it given to countries like Korea, which we have already assisted until it hurts? Were any of those funds made available to Formosa?

Mr. FULBRIGHT. As I stated, approximately $550 million has been committed. Much of it has not been paid out, because these are long-term projects. A list appears on page 27 of the House hearings. We did not have it in the Senate hearings, but I have a copy of the House hearings. We did not duplicate all of that record. There is a list that shows the countries, with the purpose of the funds, under IDA.

Mr. ELLENDER. I notice that India is one of the countries on that list.

Mr. FULBRIGHT. It is one of the largest.

Mr. ELLENDER. And free China.

Mr. FULBRIGHT. That is correct.

Mr. ELLENDER. And Pakistan.

Mr. FULBRIGHT. That is correct.

Mr. ELLENDER. We have already made available to those people money by the handful, as it were.

Mr. FULBRIGHT. There is no doubt about that.

Mr. ELLENDER. I wonder why it is necessary for this more or less free money to be given them. For the past 12 or 15 years, we have been letting those people have money until it hurts, as I have said. I do not understand that. I wish the Senator would explain it. We are proposing to engage in making available $750 million more money to recipients that have already received billions of dollars, and they will again receive some of this money.

Mr. FULBRIGHT. The Senator knows that our part of it is 42 percent.

Mr. ELLENDER. I understand that; but we continue to give money to those people, as we have been doing for the past 15 or 20 years. I am wondering if any of the funds for these programs could not well be provided by loan from the World Bank. It seems to me that what we have already made available to them should have made then good customers of the World Bank, rather than dependent on this free money.

I do not feel that we should adopt this bill at this time. The committee report offers little in the way of an explanation as to the effect this legislation will have on our balance of payments. There is no mention made about any reduction in our regular unilateral foreign aid program. Furthermore, this bill was reported to the Senate before the President's committee to study foreign aid has completed its task. I am not sure that we should authorize the appropriation of another $312 million which is to be used for soft loans. How will this fit into the revised, revamped, and reconstructed foreign aid program that is supposed to result from the President's study?

I know the answer is not available and that is why I urge Senators to vote against the pending bill.

The PRESIDING OFFICER. The bill is open to amendment. If there be no amendment to be proposed, the question is on the engrossment and third reading of the bill.

Mr. AIKEN. Mr. President, I suggest the absence of a quorum, because I know there are other Senators who wish some time to speak.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. FULBRIGHT. Mr. President, I ask unanimous consent that further proceedings under the quorum may be suspended.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. FULBRIGHT. Will the Senator from Vermont yield some time to the Senator from Missouri [Mr. SYMINGTON]?

Mr. AIKEN. How much time does the Senator from Missouri want? About 15 minutes?

Mr. SYMINGTON. Yes.

Mr. AIKEN. Mr. President, has any of the time of the opposition been used?

The PRESIDING OFFICER. No.

Mr. AIKEN. Then I yield to the Senator from Missouri 15 minutes.

The PRESIDING OFFICER. The Senator from Missouri is recognized.

THE TRUTH ABOUT THE INTERNATIONAL DEVELOPMENT ASSOCIATION

Mr. SYMINGTON. Mr. President, here are certain "summarized facts" about the purposes, and operations of the International Development Association. I present them today because I do not believe the details of this association, and its functioning, have yet been made clear to the Congress.

The previous participation of the United States to the subscription of the capital resources of the IDA was $320 million—about 43 percent—out of the total hard currency contributions by the part I members—the developed countries—of $743 million.

The present requested additional contribution is $312 million, out of total contributions by the developed countries of $750 million, or 41.6 percent. The "voting power" of the United States on the Board of Governors of this institution, however, is only 26 percent.

In the 3 years of IDA operations, to June 30, 1963, total loan commitments of $495 million were made, of which most went to India. One can justly say that the IDA is in large part a vehicle for channeling aid to India.

The legislation under consideration is a part of "forward planning" on foreign aid, authorizing appropriations at the rate of $104 million a year in the fiscal years 1966, 1967, and 1968.

The loans made by the IDA are soft loans at three-fourths percent service charge with no interest. They are usually lent for 50 years. After 10 years "grace period," a 1-percent repayment per year applies during the second 10 years, and 3 percent per year in the last 30 years.

From policy declarations of the World Bank, it is clear that this is but the beginning of an increasing demand for these so-called soft loan operations, which in reality are gifts.

Mr. George D. Woods, the new President of the World Bank and IDA, in his first speech to the meeting of the Board of Governors, urged the government banking authorities to put greater emphasis on soft loans. That this is part of the long-range program is also indicated in a staff report of the IDA which says, "The conclusion appears inescapable that if the steady progress of economic development is not to be impeded, a substantial and increasing proportion of the future net capital inflow into the less developed countries must be made available on lenient terms."

Let us remember that the staff of the IDA is identical with the staff of the World Bank.

The amount of soft loans now flowing to underdeveloped countries under our own AID and the IDA is in the order of $1.5 billion a year, not counting $1½ to $2 billion a year of Public Law 480 agricultural exports. As stated by the staff of the IDA, the needs of India take up most of this amount.

All of the loans of the IDA are made to other governments, primarily for public works projects. The IDA does not charge any interest to the recipient government; but these latter governments often relend the fund to local subsidiary organizations at interest rates which vary from 4 to 12 percent per year, and for repayment periods generally of 15 to 20 years.

In this connection, I ask unanimous consent to insert at this point in the RECORD a list given me by the Treasury which shows that, in the last complete fiscal year, fiscal year 1962–63, of the 12 loans made by the IDA which gave the recipient countries relending arrangements, 6 of the 12, and over 80 percent of the money—$178 million out of $213.2—went to India.

There being no objection, the table was ordered to be printed in the RECORD, as follows:

Relending terms on IDA projects, fiscal year 1962–63

Country	Project	Amount (millions)	Date of credit	Subborrower	Terms of sublending
India	Purna irrigation	$13.0	July 18, 1962	State of Maharashtra	4 percent per annum; 7 to 15 years plus grace period appropriate to individual projects.
Do	Koyna power	17.5	Aug. 8, 1962	do	4½ percent per annum; 30 years including 10-year grace period. Rate of interest subject to annual determination.
Do	Port of Bombay	18.0	Sept. 14, 1962	Trustees of the port of Bombay	5¾ percent per annum; 25 years including 5-year grace period.
Do	Telecommunications	42.0	Sept. 14, 1962	Posts and Telegraphs Department	4¼ percent dividend payable to Central Government; no amortization—funds considered as permanent investment by Central Government in Posts and Telegraphs Department.
Do	Railway improvement	67.5	Mar. 22, 1963	Indian railways	4½ percent dividend payable to Central Government; no amortization—funds considered as permanent investments by Central Government in railways.
Do	Kothagudem power	20.0	May 24, 1963	State of Andrha Pradesh	4½ percent per annum, 20 years after grace period corresponding to construction period. State to make funds available to State electricity board at 5 percent, same maturity.
Korea	National railroad	14.0	Aug. 17, 1962	Korean national railroad	5¾ percent per annum, 25 years beginning 1964.
Nicaragua	Managua water supply	3.0	Sept. 7, 1963	Empresa Aguadora de Managua	6 percent per annum, 24 years including 4-year grace period.
Pakistan	Industrial estates	6.5	Nov. 2, 1962	West Pakistan Industrial Developments Corporation.	4 percent per annum, 25 years including 5-year grace period.
Do	Brahmaputra flood control	5.0	June 26, 1963	East Pakistan Water and Power Development Authority.	Do.
Turkey	Development of private industry.	5.0	Nov. 23, 1962	Industrial Development Bank of Turkey.	5½ percent per annum, maturity related to maturities of bank's subloans; bank to sublend at 8 percent, maturities appropriate to individual projects.
Do	Cukurova power	1.7	Feb. 1, 1963	Cukurova Electric Co	5½ percent per annum; 20 years.

Mr. HICKENLOOPER. Mr. President, will the Senator yield?

Mr. SYMINGTON. I am glad to yield to my distinguished friend, the senior Senator from Iowa.

Mr. HICKENLOOPER. I do not wish to disturb the Senator's presentation at the moment. I have examined his speech, and it is a very powerful and quite persuasive presentation. I am very much disappointed that so many seats on both sides of the aisle are vacant. The Senator is making a presentation on a subject to which Senators should be listening to, because, manifestly, the Senator from Missouri is raising some questions which many Senators, I am sure, have not considered or evaluated. That is the way it appears to me.

I do not know whether a quorum call at this time would increase the number of listeners, but I do believe it would be very helpful if they did gather in the Chamber.

Mr. SYMINGTON. I am very grateful to my able friend from Iowa. However, these remarks will appear in the RECORD. I do not believe, or at least I am not sure, the administration would be in favor of this bill unqualifiedly, as it comes to us today. It required considerable research on my part to find out about the bill. It was sandwiched in along with the Inter-American Development Bank bill, which, as the Senator knows, had to do with Central and South America. It was emphasized that the latter bill went through the House on a voice vote. The IDA bill has never been considered by the House, however. It has little to do with Central and South America.

As presented, the pending bill has primarily to do with further aid to India.

I appreciate what the Senator from Iowa says. He knows of my great respect for him in this field.

Mr. HICKENLOOPER. I thought perhaps the Senator might wish to have me suggest the absence of a quorum. I hope to interrogate the Senator when he concludes his presentation. I wish to ask him some questions on certain parts of his speech. He is raising some persuasive arguments which I believe should be considered.

Mr. SYMINGTON. I thank my friend from Iowa. Based on the years that I have served on the Committee on Foreign Relations, the Senator from Iowa and the Senator from Vermont [Mr. AIKEN], who is also here, are two Senators truly conversant with foreign relations problems.

Note that the terms allowed under these particular "relending" agreements were for periods as short as 7 to 15 years, with interest rates as high as 6 percent.

It is clear, therefore, that much of this IDA operation is but another way to add to foreign aid; in this case in a manner however which first gives up future decision as to the use of the U.S. money invested in foreign countries, and second, gets around most of the restrictions Congress has placed in the regular aid program.

Because the period of operation of the IDA has been short, there is no recorded experience on sources of procurement. The World Bank record shows that the percentage of procurement obtained from the United States on World Bank loans has gone down from 68 percent in 1951 to 21 percent in 1963. These figures came from the annual reports of the World Bank; but the Treasury Department insists that the percentage of procurement of the World Bank in the United States is now about 33 percent—testimony of Mr. John C. Bullitt, Assistant Secretary of the Treasury, House Committee on Banking and Currency on H.R. 9022, December 3, 1963, page 12.

Even this percentage does not eliminate the adverse effect of World Bank procurement on U.S. balance of payments and trade.

The World Bank has accumulated, in a special reserve and a supplementary reserve, $813 million; and this is being augmented every year by over $100 million—fiscal year 1962, $100 million; fiscal year 1963, $123 million. Of course, the World Bank does not use these funds to repay the participating countries on their subscriptions, or earnings, or any interest on the money received from the subscribing countries; in fact, no determination has been made by the Bank's Board of Governors as to what use will be allowed for these funds.

The Board has, however, rejected the idea of making soft loans out of these reserves, or contributing them to the IDA for any such purpose.

Note, therefore, that while the World Bank retains this its tremendous earned surplus, the Bank has decided to go back to the part I countries in the IDA for new cash contributions.

And do not forget that the Board of Governors of the IDA is identical with that of the World Bank.

You hear remarks to the effect that the U.S. contribution is "comparatively small"; but let us look at the record.

We have already committed ourselves to $320 million in a previous authorization. Now we are being asked to contribute $312 million more—a total of $632 million.

Is this the total cost or, since the U.S. Treasury is operating at deficits, and we can only finance these appropriations through borrowings, should we not add the interest cost?

Of course, there is no provision for ever repaying these contributions to the original contributors; but even if we take the 50-year period of repayment to the IDA, and calculate the interest thereon, say, at 4 percent, we must add to this original figure 200 percent, or a total cost to the United States, "principal and interest," over a 50-year period, of $1.9 billion; and this figure is arrived at without compounding the interest rates.

The cost of the present requested authorization would be $936 million of that $1.9 billion. This is what today, despite our growing serious budgetary deficits and balance-of-payments problem, we are being asked to add to the some $180 billion we have already contributed in recent years to the security and prosperity of the other countries of the world.

It is said that the IDA is "meeting its own expenses." But this is pretty silly reasoning, because a look at the IDA balance sheet and income statement shows that this is achieved by reinvesting the no-interest appropriated funds they get in U.S. Government securities.

In other words, it is the interest earnings on U.S. Government securities, after the taxpayer makes the appropriations, which in turn makes it possible for the IDA to earn its current expenses.

From these facts, certain basic conclusions and questions arise.

Is this the beginning of a long-range "soft loan" program into the indefinite future?

In the light of the recent discussions on the foreign aid bill, and the restudy, and revisions ordered by the President, are we prepared now to make such heavy soft-loan commitments?

Faced with the ever more serious continuing balance-of-payments deficits, at the same time we are trying to increase the percentage of domestic procurement under section 604 of the Aid Act, are we prepared to make, in effect, contrary commitments over a long period of time; and before we have the balance-of-payments situation under control?

Are we prepared, today, in the face of this growing problem, to authorize appropriations which, admittedly, will increase our balance-of-payments deficits?

In view of the steadily changing world political relationships, almost from day to day, are we prepared to make long-range commitments in favor of a few chosen countries, under conditions where our voting power, as well as the specific prohibitions in the charter against any political considerations, will make it impossible for us to reach decisions, or retreat from our commitments?

In that connection, perhaps it is pertinent to point out that the charter of the International Development Association specifically prohibits any political considerations with respect to the utilization of this money contributed by American taxpayers.

Are we prepared to give up the conditions placed upon our own aid legislation with respect, for example, to termination of aid to countries that expropriate property without full compensation—conditions imposed by the Senate after extensive debate; or deny aid to countries which do not enter into guarantee agreements by December 1965, or terminate aid to countries that threaten the security of other recipients of U.S. aid?

Are we prepared to make additional appropriations to the World Bank for its "soft-loan" window, which is in fact what we are asked to do through the IDA, when this bank already has ample reserves from past earnings to take care of the expected "soft-loan" commitments for the 3-year period encompassed by this new financing.

The PRESIDING OFFICER. The time of the Senator from Missouri has expired.

Mr. SYMINGTON. Mr. President, I ask unanimous consent to proceed for an additional 10 minutes.

Mr. AIKEN. Mr. President, I have a request from the Senator from Ohio for 10 minutes. I believe about 40 minutes remain. I will yield an additional 5 minutes to the Senator from Missouri.

Mr. SYMINGTON. I appreciate the Senator's courtesy.

Mr. AIKEN. Other Senators, whom I have not heard from, may wish to speak against the bill.

Mr. SYMINGTON. Mr. President, is the IDA the receptacle into which the World Bank, either directly or indirectly, dumps its questionable loans?

It will be recalled that last year the Export-Import Bank came to the Congress for additional authorization to increase capital, but that Bank had to withdraw the request when it was found the Bank had nearly enough reserves and surplus of its own to equal the request of the new appropriations asked from the Congress.

Mr. MONRONEY. Mr. President, will the Senator from Missouri yield?

Mr. SYMINGTON. I am speaking on limited time, but would be glad to yield if I can get more time.

Mr. AIKEN. When the Senator from Missouri has used his 5 additional minutes, I believe it will be possible to yield more time for questions, but not too much.

Mr. SYMINGTON. I thank the Senator from Vermont. If there is any question about the allotment of time, I am sure the majority leader and minority leader would be willing to extend the time. Perhaps that could be done by offering a pro forma amendment.

Is this not a similar situation, with the World Bank's reserves now amounting to $813 million as of June 30, 1963? Again, we must not be misled by the separate corporate entity of the IDA, since all of the officers and directors of the IDA are the same as the World Bank.

Are we justified in making 50-year, no-interest loans at a time when we are borrowing money on a long-term basis at close to 4 percent and running a serious budgetary deficit, while the countries receiving this aid charge interest on relending the loans at between 4 and 12 percent, and receive repayment in periods as low as 7 to 15 years.

I was amazed to learn, for the first time, of a figure below 15 years. The repayment of one of the loans is down to 7 years. If a country borrows from us on the basis of 50 years, at no interest, and we allow it to reloan on the basis of 7 years, it is clear that, for 43 years what we will have done is merely give that country more foreign aid.

If we pass this bill today, it will take resources out of our own Treasury, leaving the United States the continuing interest cost into the indefinite future, while the recipient countries once again add to their own budgetary resources, by charging interest, and requiring repayment, in a shorter time.

Are we prepared to make a long-range commitment that is likely to go primarily to India without knowing what projects are going to be financed; without knowing, for instance, whether this may be used to finance the Bokaro Steel Mill, which the Congress has rejected?

It is well known that World Bank resources have been used in the past to finance steel industries in India and other countries. It is not logical to presume, therefore, that the IDA resources may be channeled equally into such industrial enterprises under government ownership schemes?

The bill we are asked to approve today increases by hundreds of millions of dollars the International Development Association. It is another soft loan receptacle for the World Bank. It takes future decisionmaking away from the President and the Congress. It contains none of the recent restrictions placed on the AID program by the Congress. Above all, it can only guarantee additional unfavorable balance-of-payment problems.

Mr. HICKENLOOPER. Mr. President, will the Senator from Missouri yield?

Mr. SYMINGTON. I am glad to yield to the able Senator from Iowa.

Mr. HICKENLOOPER. The Senator from Missouri has made a succinct, yet most comprehensive, statement of the principles involved in this particular subject. Frankly, I supported the reporting of the bill to the Senate when the committee originally considered it, without too much background evidence of its purposes.

The Senator from Missouri has been diligent. He has done much research since that time and is presenting pertinent facts which should be available to every Member of this body.

Since talking with the Senator from Missouri, listening to his presentation, and checking the figures that he has presented, I have come to two or three conclusions. One is that the proposed increase in the capital stock of IDA, will, indeed, let an international organization lend money in circumvention of things that we would not do bilaterally as a country.

Mr. SYMINGTON. The Senator from Iowa is correct. The Hickenlooper amendment is one of the most constructive amendments to the entire foreign aid program, and would specifically be excepted in this development.

Mr. HICKENLOOPER. That is true. That is one of the elements. In other words, a country that received assistance under the Mutual Security Act and confiscated American property but did not pay for the property so confiscated would have its aid program cut off. The proposed program for IDA would circumvent that policy and permit IDA to go around the corner and lend that country money out of IDA funds at no interest. It would circumvent the restraints which Congress attempted to impose by adopting the amendment to the Foreign Aid Act. In other words, this proposal would defeat the very purpose of the provisions for safeguarding American property which were placed in the AID program.

Mr. SYMINGTON. The Senator is correct.

Mr. HICKENLOOPER. Next, this proposal would permit IDA to do more lending of money to countries for purposes which Congress either has not authorized bilaterally or directly, or which Congress has specifically prohibited—for example, the Bokaro Steel Mill, about which the Senator has spoken.

Next, over a period of 50 years, the American taxpayers would be subsidizing the loans on which the borrowing countries would be making a profit of 6, 7, or even 10 or 12 percent, while we were furnishing the money for nothing.

Mr. SYMINGTON. The Senator is entirely correct.

Mr. HICKENLOOPER. To that extent, we would not only be furnishing the money, but we would be furnishing the countries a means of making a profit on the contributions of the American taxpayers.

Frankly, until a short time ago I thought perhaps this proposal might not be such a bad one, because, personally, I have supported the idea, in our bilateral operations, of making soft loans, in most cases, rather than grants, when the United States felt it was desirable to make a contribution to the development of the economy of an underprivileged country. Or when it was felt that a contribution was justified, I have favored making it as a soft loan for a certain time in the future, when the economy of the country was such that the country might be able to pay it back. But that would be a bilateral decision between ourselves and the country concerned.

And I am not prepared to turn over this decision to an international group in which we only have 26 percent of the voice in deciding where the money goes.

Mr. SYMINGTON. I believe in respect and friendship for our neighbors, and I know the Senator from Iowa has the same feeling. We want to do everything we can. A family wants to do everything it can for all of its members. Mr. Sukarno, when downstairs in the Foreign Relations Committee room, told us we were the most generous nation. He is correct.

The PRESIDING OFFICER (Mr. McIntyre in the chair). The time available to the Senator from Missouri has expired.

Mr. AIKEN. Mr. President, how much time have we left?

The PRESIDING OFFICER. Thirty minutes.

Mr. AIKEN. I yield 5 more minutes to the Senator from Missouri.

The PRESIDING OFFICER. The Senator from Missouri is recognized for 5 more minutes.

Mr. SYMINGTON. The question for the able Senator from Iowa, and for me, and for all other Senators, is this: Can we afford to continue this program in the future in the way it has been handled in the past?

Mr. HICKENLOOPER. Yes.

I do not wish to prolong this debate; but again I say to the Senator, as I did earlier today, that I regret that more Members are not present to hear his reasons, his figures, and his argument in connection with this measure. I presume that the bill will be passed without too much difficulty, this afternoon; but I think it is too bad that it will be passed in that manner, and I congratulate the Senator and commend him upon the work he has done and the service he has rendered in at least laying before the Senate the figures, the facts, the potentials, and the possibilities that are within this proposed action.

I understand that a motion to recommit the bill will be made. I shall certainly support that motion. If that fails, I shall vote against the bill. Just what will be the procedure, I do not know; but I believe this measure could well be circumscribed somewhat, so that it would be less of a complete, uncontrolled giveaway on the part of the United States. I would prefer to see the bill recommitted, rather than defeated, if I had my choice. But if it is not recommitted, I shall have to vote against the bill.

Mr SYMINGTON. Mr. President, I offer and send to the desk a pro forma amendment and ask that it be considered.

The PRESIDING OFFICER. The amendment will be stated.

The Legislative Clerk. On page 1, it is proposed to strike out the enacting clause.

Mr. MORSE. Mr. President, will the Senator from Missouri yield?

Mr. SYMINGTON. I am glad to yield.

Mr. MORSE. In due course of time this afternoon I shall move that the bill be recommitted, and I hope the motion to recommit will be agreed to. At that time I shall state in more detail the reasons for my motion to recommit.

However, I think I owe it to Senators to state now my general reasons for opposition to the present consideration of the bill.

I join my colleague on the Foreign Relations Committee, the Senator from Iowa [Mr. Hickenlooper], in his support of a motion to recommit at this time. I also join my colleague on the Foreign Relations Committee, the Senator from Missouri [Mr. Symington], in the arguments he has made against this bill. I shall reserve my further comment on his excellent statement, which I had read earlier this morning, and which I had marked up for comment here; and I shall comment on it later. I also join my colleague on the Foreign Relations Committee, the Senator from Ohio [Mr. Lausche], in certain amendments he will offer.

I have named these members because I think it is significant that I name offhand three other members of the Foreign Relations Committee who have many reservations about this bill; and before the debate this afternoon is over, I suspect there will be other members of the Foreign Relations Committee who will express their reservations.

The basic reason for the motion to recommit which I will make later, is my sincere conviction that we are not ready to vote on the bill on its merits. In my judgment, the Senate does not understand the implications or the ramifications of any part of the bill.

Mr. SYMINGTON. I thank the very able senior Senator from Oregon for his comments, and corroborate what he says about not being informed about the bill as a member of the Foreign Relations Committee. The bill came in a package with the IADB, which is a hard-loan agency. It went through the House—and this was emphasized—by voice vote.

The International Development Association has never been considered by the House. It is a soft-loan setup. Over 80 percent of the money under relending loans has gone to India. What I was trying to do was first to get the two bills separated and then to have an opportunity to study this bill.

I asked the majority leader if he thought he could postpone. He could not have been more fair about it. He had already postponed it twice, and I am in complete agreement, but this bill does need a great deal of investigation and study.

For example, Mr. President, I am certain that not one single Member of this body knew the extent to which these IDA loans were being reloaned by the recipients.

Let me respectfully make this statement on the floor of the Senate this afternoon: If we lose during this calendar year, the same amount of gold we have lost, average over the past 5 years, most of which gold has shown up in the more prosperous countries of Europe, then we will have no free gold with which to honor the $25 to $28 billion of current liabilities we owe today to the other countries of the world—primarily the countries of the Common Market.

Even if we then used the gold reserved for our currency, we would have not more than 50 percent of the gold necessary in order to honor those liabilities.

There are many people who say, "Some of these people don't work with us politically, but they have been very understanding with us financially"; and that is somewhat, but not entirely, reassuring.

I have thought it necessary to study this problem more because of speeches made and remarks made by such eminent authorities as the Chairman of the Federal Reserve Board, the President of the New York Board and many other experts. I would hope we would realize that what we are talking about now, as much as anything else, has to do with whether, if the current trend continues, this country over the long pull can stay on the gold standard. Whether it should or should not is a matter I do not pretend to understand. I am not an expert. But if it is going to be necessary for us to go off the gold standard, as some Members of this body believe we may have to do, and certain people believe we should, the question should be developed before the American people. We should not suddenly say, "We did not know that this would be the result."

Mr. MORSE. Mr. President, will the Senator from Missouri yield?

Mr. SYMINGTON. The Senator from Oregon already has the floor.

Mr. MORSE. There are two main reasons why I believe the bill should be recommitted to the committee. The Senator from Missouri and I are familiar with the points of view of some of the biggest bankers in the country who are now raising serious questions about the bill, and who have advised us that we had better take more time on it, that we had better extend the hearings and call in some of the financial experts to testify on some of the implications of the bill.

Today, all I can do is plead with the Senate to remember that there is no great urgency for the passage of the bill. There is no reason why the bill must be passed today or a month from today. In the interest of the American taxpayers, and in view of the warnings that the Senator from Missouri and I know about, we had better take a much longer look at the bill. There are some financial experts in the country who do not share the points of view, for example, of Mr. Black or Mr. Woods or others in regard to the bill.

The second main reason for proposing that the bill be recommitted is that I believe we should take a look at the totality of American foreign aid assistance, because we are being urged by the administration to give consideration to a possible reorganization of the whole foreign aid program, procedurally and administratively.

Mr. President, why the rush act? Because this is a part of the foreign assistance program.

But the chairman of the committee says, "It is not a part of foreign aid."

Who says it is not?

It is not a part of foreign aid in the limited sense that we have an AID program, but AID is a part of the whole foreign assistance program of this country. We cannot separate this bank or the Inter-American Bank, from any of the other international financial bodies into which we are pouring millions of American taxpayer dollars, without recognizing that they are part and parcel of the total foreign assistance program.

All I can do is express a suspicion. There are those who wish to segmentize the foreign assistance program and have these programs passed on the installment plan as fast as the steamroller will permit. I am for stopping the steamroller. I am for taking a look at the totality of the foreign assistance program.

I say to the American taxpayers that if they do not take a look, they will suffer further losses, as they have been suffering shocking waste under the AID program.

I hold in my hand a press release issued under date of December 18, 1963, from the Inter-American Development Bank. Apparently, it was issued because it was believed to be a good thing. All we have to do is read it and realize how right I am in urging that we hold up action on these individual, segmentized foreign assistance proposals until the Foreign Relations Committee, during this session of Congress, can review the totality of the foreign aid program, the bill now before us, and what we are going to do, if anything, in connection with the Inter-American Bank, and all the rest of the proposals that seek to commit hundreds of millions of dollars more of American taxpayers' money.

Listen to this:

> The Inter-American Development Bank today made a loan equivalent to $1,517,000 from its ordinary resources to help modernize and expand a meat-processing plant in Buenos Aires, Argentina. The borrower is Wilson y Cia, S.A.I.C., a slaughtering and meatpacking firm, wholly owned by the Argentine investor group.

Then it gives the names of the investors.

Turning to page 2 of this interesting news release, it states:

> The company plans to allocate more than 50 percent of its beef processing capacity to foreign trade. This, together with gradual shift in the composition of output toward better quality and more expensive products, is expected to have a favorable impact on Argentina's balance of payments.

Oh, how we weep over Argentina's balance of payments. Oh, how we weep over Brazil's balance of payments.

When are we going to start weeping over the balance-of-payments problem of the American taxpayer?

We are dealing with the country of Argentina and the Inter-American Bank which has this vast amount of American taxpayers' money in its coffers and is loaning it to develop a processing plant in Latin America when our own meat-producing industry is in dire straits. This is another example of using American taxpayers' dollars to export more American jobs; and we are going to do it in order to help Argentina's balance of payments. We cannot justify it.

Quoting further from the press release:

> For the export market the company will buy Argentine livestock, process it, and then sell it abroad through an international sales organization which, in addition to its own facilities, will use those of Wilson & Co., of Chicago, Ill., and of Transmundo Co., a New York export-import firm. The company which sells its products in the United States, the United Kingdom, Spain, Greece, Italy, Peru, and other countries.

It is only another example of what we are doing under the foreign assistance program to damage the economy of the United States. I am insisting that we had better put our own economy in order first, that we had better take a total look at the entire foreign assistance program before we vote another dollar for it. That is why we should hold hearings in the Foreign Relations Committee—starting as of yesterday, if I had my way—to bring before us and put on the top of the table every single segment of the foreign assistance program proposed for next year. Then we can take a look at the whole program and bring it to the floor of the Senate in a bill or a series of bills that will cover the entire foreign assistance program. That is what is needed.

I say as a Democrat to my Democratic administration, "You had better start doing it, because if you do not, the voters of the country will rise up in the months ahead and put you in your place if you continue the kind of waste that we are guilty of, the kind of undercutting of an industry in this country which the loan to Argentina amounts to."

Do not forget that Argentina has not yet even submitted a plan under the Alliance for Progress program. And why should she? Why should she adopt any reforms? Why should she make any commitments? She gets whatever she wants, from the Inter-American Bank, from this organization which will give her $312 million today, from the President's contingency fund, or from some other source. But she will not do for herself the things that need to be done in order to justify any financial cooperation from the American taxpayers.

I have had it, so far as I am concerned, in supporting any of the foreign assistance programs, until we see the total program before us.

That is why I shall move to send the bill back to committee.

Mr. SYMINGTON. Mr. President, I thank the able senior Senator from Oregon [Mr. Morse] for his contribution.

Mr. President, last September the Whitaker Cable Co., one of the fine companies in my State, wrote us a letter stating that if the Canadian Government tariff change on automobile parts went through, it would cost 600 jobs in my State, because Canada had agreed to waive any tariff, gross, on component parts bought in Canada for automobile assemblies later shipped into Canada. This business has now been lost by Whitaker. Men are being laid off in quantity.

For such reasons I join the senior Senator from Oregon in saying we must also give consideration to the importance of employment in our own country.

Earlier I stated that I thought the situation today was comparable to the situation that existed in England in 1931, when the British decided to go off the gold standard and there was a resulting serious situation from an international monetary standpoint. The distinguished Senator from Arkansas [Mr. Fulbright] said he could not agree to that statement.

It was not my opinion I quoted at that time; rather from a speech made by a member of the New York Federal Reserve Board. In that speech he gave his reasons why he thought the current situation was quite comparable. I will place in the Record the details of that speech.

As long ago as last April the president of the New York Reserve Board, Mr. Hayes, made a talk. I mention these gentlemen because they are experts in the monetary field, just as some of us may be experts in other fields. In his talk Mr. Hayes quoted the Chairman of the Federal Reserve Bank, Mr. William Martin, one of the true experts.

Mr. Hayes pointed out that in the past 5 to 6 years we have lost in unfavorable balances $16 billion, which we handled by selling $7 billion of our gold and giving current liabilities of $7 billion additional to foreign countries; the remaining $2 billion was lost in the private domain.

If we cannot go for advice and consideration of these problems to the Federal Reserve and Treasury, I do not know where we can go to obtain information.

The figures submitted for the Record today came from the Treasury.

Before we pass the proposed legislation, I believe it would be an excellent development to bring some of the fiscal and monetary experts before the committee and ask them to state frankly their position as to what we should do. For that reason I shall support a motion to recommit.

Last week we passed the IDAB bill. At that time it was felt necessary to pass the bill because the money was needed immediately. I believe $50 million was involved. Today, no such rush exists with respect to the International Development Association. Before we pass the bill, why can we not hear from those who are becoming increasingly apprehensive about our balance-of-payments position? Those people are making speeches on the subject around the country, before chambers of commerce and various other organizations, as to why they think the dollar may be affected.

Mr. LAUSCHE. Mr. President, will the Senator yield?

Mr. SYMINGTON. I am glad to yield to my able friend from Ohio.

Mr. LAUSCHE. I merely wish to point out that the bill which we passed last week to subscribe additional funds to IADB provided $411,760,000 to the capital of the International American Development Bank and $50 million to the IADB fund for special operations. The total amount was $461,760,000 of the taxpayers' money of the United States that we subscribed to the international agency. The bill envisions the subscription of $312 million in addition to the money which we provided in the foreign aid program.

Mr. SYMINGTON. Mr. President, the Senator is correct. I thank him for his comments.

In 1945 we started the World Bank.

In 1956 we started the International Finance Corporation. The interest rate was lowered. To that extent it is a soft loan affiliate of the World Bank.

In 1959 we started the Inter-American Development Bank. That is the bank considered last week. At the same time that we started the International Inter-American Development Bank we put in the funds for special operation. That is a soft loan affiliate of the Inter-American Development Bank.

Then in 1960 we started the International Development Association soft loan affiliate of the World Bank.

Everyone talks about how well the World Bank has done. I would be the first to agree that it has a very fine record. No one talks about how the soft loan affiliate of the World Bank is doing. Why should not the Bank do well?

In 1961 the Social Progress Trust Fund was established. That is another soft loan operation, administered by the IADB.

So we have the World Loan Bank with two soft loan affiliates. We have the Inter-American Development Bank with two soft loan affiliates. At the same time we have a steady retrogression in our balance of payments, therefore a weakening of the dollar.

I am not saying such procedure is not all right. I am worried about speeches being made by those in our country supposed to know more about the subject than anyone. If that is the way they feel, and they are willing to discuss the subject publicly, it is fair to ask they appear before the committee.

As the senior Senator from Oregon has stated, I should like to have an opportunity to bring those men before the committee and ask them some questions so we all can understand the subject better. The last thing in the world any Senator wishes to see is the value of the dollar affected to the point at which it could create a problem for the businessmen, the bankers, and all the people of the United States.

This is especially true as a result of the Bretton Woods agreement of 1944 which in effect fixed the dollar as the international currency. We are still the bankers of the world. But today we do not have 10 percent of the free gold needed to honor the liabilities of ours currently held by foreign countries.

Mr. MORSE. Mr. President, will the Senator yield for a request for the yeas and nays?

Mr. SYMINGTON. I yield.

Mr. MORSE. Mr. President, I ask for the yeas and nays on my motion to recommit, which I shall subsequently make.

The yeas and nays were ordered.

Mr. LAUSCHE. Mr. President, will the Senator from Missouri yield so that I may ask him two or three questions?

Mr. SYMINGTON. I yield.

Mr. LAUSCHE. Comparing conditions under which loans can be made under the foreign assistance program as distinguished from categories under IDA, is it not a fact that in the Foreign Relations Committee and on the floor of the Senate, through the passage of the Foreign Assistance Act of 1963, the Congress declared that restrictions and conditions had to be attached to loans made to foreign countries under the foreign assistance program?

Mr. SYMINGTON. That is correct.

Mr. LAUSCHE. Is it not also a fact that under the foreign aid program as now written, a loan must bear a rate of interest of 2 percent after the grace period of 10 years has expired.

Mr. SYMINGTON. The Senator is right.

Mr. LAUSCHE. I ask the Senator from Missouri what the conditions are under which IDA can make similar loans. Is it not a fact that IDA can make loans for a 50-year repayment period with a three-quarter of 1 percent service charge, but no charge for interest?

Mr. SYMINGTON. The Senator is correct; in addition to which there is no repayment on principal whatever for the first 10 years, 1 percent for the next 10 years; and the remainder in the next 30 years.

Mr. LAUSCHE. Will a foreign country that wants to borrow money go to our foreign assistance program or to IDA, knowing that from IDA it can get a 50-year loan, with a charge of three-quarters of 1 percent, instead of a 40-year loan——

The PRESIDING OFFICER. The time of the Senator on the amendment has expired.

Mr. MONRONEY. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. MONRONEY. Under the terms of the unanimous-consent agreement, a Senator has 30 minutes on the amendment. We wish to reserve our 30 minutes to reply. After other speakers have exhausted their time, if there is any time remaining, I shall be glad to yield time. But the opponents of the measure have consumed more time than the proponents.

Mr. DIRKSEN. Mr. President, will the Senator yield?

Mr. MONRONEY. I yield.

Mr. DIRKSEN. What is the amendment presently pending?

Mr. MONRONEY. It has the purpose of striking the enactment clause. It would strike the first two lines of the bill.

Mr. DIRKSEN. There has been no time limitation.

Mr. MONRONEY. Under the unanimous-consent agreement, there is a limitation of 30 minutes on each amendment.

Mr. DIRKSEN. What was the Senator's request?

Mr. MONRONEY. I was insisting on having 30 minutes in opposition to the Senator's amendment to be used by our side.

Mr. DIRKSEN. How much time has been used?

The PRESIDING OFFICER. Thirty minutes remain to the opponents of the amendment.

Mr. DIRKSEN. The opponents or the proponents of the amendment?

The PRESIDING OFFICER. The opponents of the amendment.

Mr. MONRONEY. The proponents have used their 30 minutes. I insisted on our having 30 minutes. I wish to yield a little time. The distinguished Senator from New York [Mr. JAVITS] has been seeking time to make a few studied remarks in support of this legislation and in opposition to the amendment to strike out the enactment clause.

Mr. DIRKSEN. Mr. President, a further parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. DIRKSEN. Has time been used on the bill?

Mr. MONRONEY. Mr. President, will the Presiding Officer advise us as to the time remaining to both sides on the bill?

The PRESIDING OFFICER. The proponents of the bill have 16 minutes remaining. The opponents have 30 minutes remaining on the bill. The opponents have 30 minutes on the amendment.

Mr. SYMINGTON. Mr. President, will the Senator yield?

Mr. MONRONEY. I yield.

Mr. SYMINGTON. The distinguished majority leader, and I am sure the distinguished minority leader, are willing to have any amendments discussed. There are none, except the technical amendment. So the time angle is somewhat technical.

Mr. DIRKSEN. If more time is needed, we shall be able to obtain some time.

Mr. MONRONEY. Mr. President, I think in the interest of orderly procedure, the proponents of the amendment having used their 30 minutes, 30 minutes should be reserved to the opposition.

I yield 10 minutes to the Senator from New York.

Mr. JAVITS. Mr. President, as to the bill before the Senate, and the opposition to it in the form of a pro forma amendment by the Senator from Missouri, the Senator from Missouri appears to base his opposition on the balance-of-payments problem. With all deference, I have dealt with that subject on the floor of the Senate as often as has any other Senator.

The problem, without any question, is a real one, but this is not the way to approach it, because we would be sacrificing far more than we gained if we sought to deal with the balance-of-payments problem in this context.

The Senator from Oregon has made the argument that we should wait. Anybody who is opposed to a measure wants us to wait. Waiting is always as good as winning. The difficulty with waiting is that the world will not wait.

The bill before us, to provide for increased participation by the United States in the International Development Association—which we owe to the Senator from Oklahoma [Mr. MONRONEY], who is in the Chamber—appears to deal with problems which will not wait.

The administration was told that we should wait on an appointment of an Ambassador to Panama. Some of the people who thought we could wait are now saying that one of the big things we missed on was the fact that if we had had someone on the ground, we would have been better apprised of the situation, and perhaps have been able to take measures to meet it. So, as the saying goes, the suggestion is "not as hot as it's cooked." It involves a prejudice in position, and could easily involve prejudice in position in the matter before us.

If we are really going to do something about the balance-of-payments problem, let us understand that we have troops overseas that cost us $3 billion a year; that tourists from this country spend money overseas, for fine purposes, but still purposes which are not absolutely essential to the security of the United States, and which adds something in the neighborhood of $1.4 billion annually to the deficit in our balance of international payments.

With our eyes wide open, we passed the foreign aid bill recently, which also has an impact on our balance of international payments, although most of the money appropriated is spent in this country. We did it because we are interested in the security of our Nation and our success in the world. By those standards, we cannot have balance-of-payment gains when we jeopardize the security of this country.

IDA has become a fixed and inseparable part of the work of international developmental organizations, which represent as much a part of the U.S. peacekeeping effort as our own foreign aid program.

One of the big fallacies which has been pointed up in this debate is that IDA is some kind of maudlin, mawkish pie-in-the-sky venture, which has cost us money. IDA is an integral part of one of the most hardheaded international banks in existence, the International Bank for Reconstruction and Development, the IBRD. In view of its vaunted reputation, I would rather see the IBRD used to run IDA than to have the program put under the United Nations or under other auspices, for the very reason that we want them to be hardheaded about it.

One of the points made this afternoon is that loans which are made by the International Development Association are soft loans. They are "soft" only in the sense that recipients of such loans have reasonable terms under which to repay them.

They are not soft loans in terms of what they accomplish. In fact, they are just the opposite. They are for the development of transportation and communications systems, agriculture, irrigation, water supply systems, power, and ports which are absolutely essential to the survival and the continued progress of the countries whom we need most to help, if we are to save the world from the Communist avalanche. So we are actually dealing with loans extended on the basis of strict criteria, and on special terms to creditworthy countries which are borrowing the money.

The second point is that this is one of the few examples of our having partners in foreign aid. Here we are being advised to kick that advantage away. After all, the whole impetus of American foreign aid in recent times has been to bring other countries into the program of assisting the developing countries of the free world. The fundamental idea behind IDA is that it does bring other developed countries besides the United States into the program.

I refer Senators to the table shown on page 4 of the report of the Committee on Foreign Relations, headed "Proposed Participation in Increase of IDA Resources," as an indication of what is being accomplished along these lines.

It will be seen that France, Germany, Japan, the United Kingdom, and Canada, the very countries whom we want most to bring into the economic aid program, are making substantial contributions to the overall fund.

Our contribution will remain in the area of 40 percent of IDA's total resources. The overall contribution of the other member countries will be in the area of 60 percent.

Let us remember that the United States represents over 60 percent of the productive strength of the free world. Our $600 billion gross national product is approximately 50 percent of the total gross national products of all the countries of the earth.

Therefore, first, we are not making soft loans, and we are not giving away the money. We are making them only for "hard" purposes, and we are making them in order to improve the debt-service position of the countries which are borrowing the money abroad.

Second, we are getting partners. We are getting extremely important partners through IDA.

Third, the balance-of-payment concept can only be an excuse for opposing the bill, because if we are going to do massive things in dealing with this problem, there are a great many other things that we can do about it before we do something that can result only in frustrating our policy.

The argument has also been made that these countries relend the money to banks or political subdivisions within their boundaries on harder terms than on which they obtain it from IDA. What do we want them to do? Do we want them to give the money away? They are able to relend the money as a revolving fund for their own development. When they collect interest, they are taxing their own people to pay the interest, and they increase the revolving funds. This, in my view, is entirely proper. There is nothing wrong with it. We would do it exactly in the same way.

There has been a great deal of talk about revising our foreign aid program. I have little doubt that we will revise it. However, one of the lines of revision, which will be the principal line, I believe, will be to channel as much as we can of our aid program through hardheaded international organizations in which we are likely to get partners to share the burden, and which will result in the least amount of diplomatic pressure being put on us from the point of view of economic assistance. IDA is one of the best structures for that purpose. If we ourselves are a party to not allowing this structure to develop and grow further, as our partners in this effort wish it to develop and grow, then we are closing off one of the most constructive channels for carrying on foreign aid in a most intelligent way.

In a sense the same thing is involved here as is involved in connection with the Inter-American Bank and the International Bank for Reconstruction and Development.

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. MONRONEY. I yield 2 additional minutes to the Senator from New York.

Mr. JAVITS. If we dismantle this structure of international lending agencies or if we destroy it, we will reverse the very trend that we wish to encourage, and reverse the likelihood of our getting partners, especially among the industrialized countries of Europe. It is extremely advantageous to us that they should come in as partners.

If anything, we must increase, instead of reduce, the incentive for them to proceed in that way.

In short, Mr. President, increased participation by the United States in IDA would not be a major factor in the U.S. balance-of-payments problem. It represents a critical element in American foreign policy. The measure proposed here today does much in having us go along the lines that we want to go, and it deals in a businesslike way with countries which we are duty-bound, in the interest of peace, to aid.

It is said that India gets a good deal of IDA credits. Why not? We are determined to make India the free world's showcase in Asia, and a bulwark of freedom in face of Red Chinese expansion. I do not wish to be faced again, as a Senator, with what I was faced with in 1948, when I had to face the loss of 400 million people and giving the Communists the balance of power in the world. I would rather vote the money and the resources, within the limits which this country can do it, while there is time.

I hope that the Members of the Senate, when they think about how they will vote, will pause to ponder this question: Is India worth saving, or shall we let her go down the drain?

It seems to me that when we begin to talk in such terms we begin really to appreciate why the expenditure of $312 million over a 3-year period starting in fiscal year 1966 will not overwhelm us.

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. MONRONEY. Mr. President, I yield myself 2 minutes. Is there any difference, except that other nations put up 60 percent of the loans that we make to India under the IDA program? India is also the biggest borrower from our AID program, in which we put up 100 percent. In other words, what I am trying to point out is that our contribution is supplemented under IDA in the aid to India, vital as it is to the success of the free world, by 60 percent of additional lending capital from other free nations of the world. That seems to be a rather ridiculous criticism.

Furthermore, the distinguished Senator from Missouri [Mr. SYMINGTON] has pointed out that apparently there is something bad in India relending to its various states, for development of the port of Bombay, and to agencies like India Railways, some of the funds which it borrows from IDA at three-quarters of 1 percent service charge over a 50-year period. In effect he is alleging that India is profiteering and reaping a high reward at higher interest rates.

The Senator from Missouri has submitted to us, in his well documented speech, the fact that India relends some of these funds at a rate of 4 percent per annum, for from 7 to 15 years, and some for 30 years.

In checking these facts we find that these loans are repayable in local currencies, not dollars or convertible funds. This is the injection of capital which is to be repaid at a low service charge over a 50-year period, which enables the support, in rupees, of the subloans which are being made.

I see nothing wrong in India's relending this money for development purposes. Therefore I do not believe that the point made by the Senator from Missouri is valid. I should like to ask the Senator's opinion on that question.

Mr. JAVITS. Mr. President, I agree with the Senator. I would like to make two additional points. First, in IDA we get the benefit of the collective judgment of an international lending agency.

This is extremely important. IDA utilizes highly qualified survey teams to evaluate the soundness of loan applications. As a consequence, we benefit from an objective appraisal of specific, definite development projects.

Also, we avoid the diplomatic headache of a country turning to us and saying that we are not doing enough for it; that we are dragging it down. Those are the very things, as I have pointed out, which we were accused of engendering in the foreign aid program on the floor of the Senate.

History will record that a great debt is owed the Senator from Oklahoma for what he has done in this respect. Yet when we show another road—and it is another road—we are told that we must abandon it, too. I cannot understand it.

Mr. MONRONEY. I agree that this is the greatest financial staff in the world; that the loans by IDA are subjected to the same close scrutiny as the hard loans made by the World Bank. Actually, when the processing of the loans starts with the World Bank staff, a staff which is common to IDA and the World Bank, no designation is shown as to whether the loans will be World Bank loans at 5½ percent over a maximum of 25 years or will become IDA loans at three-quarters of 1 percent interest over a period of 50 years. They are judged by the same harsh standards—what the loans will do for this country and the chances of the project being successful and paying out at the expiration of the term of the loan.

So while repayment may be much more lenient—and it is—than in the case of loans made by the World Bank or commercial loans, certainly the insistence by the World Bank Board and its staff that the loans must be able to meet the high standards of IDA has resulted in the generation of $554,200,000 of loans. This is because of the insistent, hard-boiled policy of the World Bank with respect to local contributions. They have generated a total of almost $2 billion of construction work and necessary improvements. Local contributions and the borrower's own contributions have been $1,251,700,000. Other financing from World Bank sources or U.S. aid has amounted to $170 million.

So we find that 29 percent of the work is carried by IDA, but that it generates 62 percent of the total cost by the countries themselves, and 9 percent from other financing sources.

It seems to me that if we want to minimize the load Uncle Sam has carried for so many years, we have to have someone else to help carry the load.

Mr. JAVITS. Mr. President, will the Senator from Oklahoma yield?

Mr. MONRONEY. I yield.

Mr. JAVITS. I would like to add one further point. The Senator has seen figures that show that the economy of India is substantially in private hands. Fifty-four percent of the IDA loans are infrastructure loans to India—that is, for the development of ports, electric power, and so forth. Hence we are contributing to the very thing we are fighting for, and I hope we are not too blind to see it.

Mr. MONRONEY. A country cannot survive without port facilities, water resources, and the other facilities for which loans have been made.

Mr. JAVITS. Precisely.

Mr. LAUSCHE. Mr. President, will the Senator yield?

Mr. AIKEN. Mr. President, I yield to the Senator from Ohio 10 minutes on the bill.

Mr. LAUSCHE. I should like to speak on my own time. I will offer an amendment.

Mr. MONRONEY. Mr. President, how much time remains on the Symington amendment?

The PRESIDING OFFICER. Nine minutes remain.

Mr. MONRONEY. I yield the 9 minutes to the distinguished chairman of the Subcommittee on International Finance of the Committee on Banking and Currency, the Senator from Pennsylvania [Mr. CLARK].

Mr. CLARK. Mr. President, I support the pending measure. The International Development Association—IDA—is the Senate's baby. We invented it; we gave it birth. We persuaded the Eisenhower administration to make it effective. The able senior Senator from Oklahoma [Mr. MONRONEY] invented IDA. He persuaded Eugene Black, of the World Bank, that there was a vast need for low-interest, long-term loans to aid underdeveloped countries.

In 1958 the Senator from Oklahoma [Mr. MONRONEY] was chairman of the Subcommittee on International Finance of the Committee on Banking and Currency. I succeeded him in that capacity. I remember full well the meetings that occurred in 1958 and 1959 when, through Senator MONRONEY's aggressive and intelligent efforts, this new tool for bringing peace to the world and a reasonable standard of living for underdeveloped countries was forged in the Senate.

I hope we will not this afternoon murder our own baby, which has been growing to healthy youth and will, in my opinion, if the proposed legislation is passed, soon become a mature adult, dedicated to the cause of freedom and the cause of a decent standard of living for all the people of the world. So I say, as my first point, let us not murder our own baby.

My second point is that there has been some criticism of the fact that so large an amount of the funds of IDA has been channeled to India. This is true. It is also true that India sometimes acts in a way that is rather irritating to many Members of the Senate. Loans have been made also to Pakistan, elsewhere in Asia, and the Middle East. Thirteen percent of the funds have gone to Latin America; a significant amount has gone to Africa; and a small loan has been made to Turkey.

We have this alternative, somewhat disagreeable to certain Senators. I do not find it disagreeable. We do not like India? Then no money to India. Let the Chinese Communists take over India. Let them move down across the Himalayas. Let them go down to the Arabian Sea. We do not like India? Let us not try to bolster her economy. But the inevitable result will be the spread of communism to the Indian Ocean. We might just as well not blink that fact any further.

What about the balance-of-payment argument? I suggest that the position of the Treasury is quite correct in making the reasonable assumption that long-run IDA program experience will be approximately the same as that of the World Bank. About one-third of the total IDA financing program would be from U.S. suppliers—33 percent. Since the United States is contributing slightly more than 41 percent of the new resources, about 80 percent of our contributions would result in U.S. exports and would thus improve our balance-of-payment situation.

Moreover, no money needed to be put up under the present proposal until November 1965, at the earliest, so there could be no effect upon our balance of payments until that time.

Figures provided by the Treasury Department indicate that over the entire period of its existence, the World Bank—and IDA is a subsidiary—has had practically no effect on the U.S. balance of payments, and that this favorable effect has been greater in the last 5 years, when our balance-of-payment problem has become more acute. This conclusion takes into account all the factors dealing with the balance-of-payment problems, insofar as they are affected by the International Bank for Reconstruction and Development.

So we cannot take the balance-of-payment problems too seriously, but they are an important point in support of legislation with respect to a multilateral setup, in which other well-developed, wealthy countries are contributing their share to this creative and humane enterprise. It is far better for us to put up money with other nations than to put it up by ourselves. I would hope that the Senate would not require the Secretary of the Treasury, who is a governor of the World Bank and our member of IDA, to renegotiate a deal which has taken painstaking, long drawn out negotiations, in order to change the terms of a successful, sound, and intelligent provision which has been worked out to the best interests of our country and its foreign policy.

Mr. President, I yield back the remainder of my time.

Mr. MANSFIELD. Mr. President, will the Senator from Pennsylvania yield?

Mr. CLARK. I am glad to yield to the Senator from Montana.

Mr. MANSFIELD. I wish to associate myself with the remarks of the distinguished Senator from Pennsylvania, who has correctly pointed out some of the implications of the pending measure. He has, at least indirectly, pointed out that for some time there has been underway a good deal of negotiation in an attempt to amend the International Development Act; and, of course, he has quite properly—in his position of chairman of the subcommittee of the Banking and Currency Committee, in which position he has, I believe, succeeded the Senator from Oklahoma—emphasized the point that the bill was originally the idea of the senior Senator from Oklahoma [Mr. MONRONEY], and was introduced in an attempt to make use of the so-called soft currencies, which otherwise would lie idle. He proposed that they be put to work in a way which would be beneficial to all concerned.

So I compliment the Senator on his remarks; and I hope the motion to recommit will be rejected.

Mr. CLARK. I thank the Senator from Montana.

Mr. LAUSCHE. Mr. President——

The PRESIDING OFFICER. All time available on the amendment of the Senator from Missouri has expired.

Mr. MONRONEY. Mr. President, I rise to a parliamentary inquiry.

The PRESIDING OFFICER. The Senator from Oklahoma will state it.

Mr. MONRONEY. Will the vote now to be taken be on the amendment of the Senator from Missouri, and not on the motion to recommit?

The PRESIDING OFFICER. That is correct.

Mr. LAUSCHE. Mr. President, I wish to yield myself 20 minutes on the bill; and I send to the desk an amendment.

The PRESIDING OFFICER. A further amendment will not be in order until the amendment of the Senator from Missouri is disposed of.

Mr. AIKEN. Mr. President, how much time remains?

The PRESIDING OFFICER. Thirty minutes on the bill.

Mr. AIKEN. I shall be glad to yield 15 minutes to the Senator from Ohio; and if he needs another 5 minutes, I think we can obtain it for him. I now yield 20 minutes to him.

Mr. LAUSCHE. First, let us dispose of the amendment of the Senator from Missouri. It is a pro forma amendment, is it not?

Mr. MANSFIELD. I think I can speak with authority when I say it is only a pro forma amendment.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from Missouri.

The amendment was rejected.

Mr. LAUSCHE. Mr. President, I offer, and send to the desk, an amendment, which would strike out, on page 2 of the bill, the words beginning with the word "there" on the fourth line, and continuing through the remainder of that paragraph.

Mr. AIKEN. Mr. President, in view of the fact that the Senator from Ohio is offering an amendment, and this will have half an hour in which to speak, I rescind my yielding of 20 minutes to him, in case some other Senator may want to use that time.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment will be stated.

The LEGISLATIVE CLERK. On page 2, beginning in line 4, it is proposed to strike out:

> There is hereby authorized to be appropriated, without fiscal year limitation, $312,000,000 to provide the United States share of the increase in the resources of the Association.

Mr. LAUSCHE. Mr. President, it has just been argued that the agency that is to be financed by the pending bill is a creature of the Senate, and that it would be wrong to indulge in infanticide. It is has been said, "We will murder the baby."

I call the attention of the Senate to the fact that many "babies" have been created by the House and the Senate, all of them drawing on the vitality of the parents; and we are reaching the point where the question to be answered is: "Are we going to commit parricide?"

This bill contemplates spending $312 million more on what is generally called the foreign aid program. It is denied that it is a foreign aid program; but, regardless of denials, an examination of the substance will reveal that it contemplates aiding what are supposed to be countries friendly to the United States.

In that objective of aiding our allies, I join; but there is a limitation on the extent to which we can continue aiding while our own fiscal problems are growing more acute every day. We now have a national debt of about $315 billion; and it has been argued, and I believe it is inevitable, that that debt will go up to $330 billion before long.

So we can with great confidence ask ourselves the question: "How long can we continue scattering our dollars around the world without eventually being required to pay the piper?" I think that day is rapidly approaching.

We now have the agency of the International American Development Bank. About a week ago, we increased the subscription to that Bank, and that subscription increase was rather substantial.

Today we are asked to increase by the sum of $312 million our subscription to IDA, with 16 other countries to provide $438 million. Thus we have before us the unanswerable fact that last week we put $461,800,000 into the International American Bank; and today we are asked to put $312 million into IDA.

IDA which we are now considering, came into existence about 1960. It has loaned $554 million. Fifty-two percent of those loans are reflected in the dollars which we have provided.

To India, there has been loaned $300 million; to Pakistan, $91,500,000. Those loans are in addition to the amounts we have given through the foreign assistance program.

I have mentioned the $300 million in loans made to India. A moment ago I heard the argument that the Chinese want to cross the Himalayas and take hold of India. On that score, let me say that ever since we began distributing our money in a most charitable way, India has constantly taken the position that she will stand by as a neutral spectator; that if danger is to be undertaken, it will be undertaken, not by India, but by the United States. With that philosophy, I do not agree. But worse than that, instead of being absolutely neutral intermittently when the crisis arose, India threw her lot, not with the United States, but with our enemy.

We have been good to India. She has no reason to complain. We have done much more for her than she has tried to do for us in maintaining the justness of the position which we occupy throughout the world.

The $312 million to which the United States will subscribe in the event the pending bill is passed is an addition to the foreign aid moneys that we have made available for lending by the Agency for International Development, AID, which is part of our foreign aid program.

A moment ago, I made mention of the increased subscription to the International Development Bank. Into that we put $411,800,000 more in the capital structure, and $50 million into the special operations fund, making a total of $461,800,000.

I should like to point out a statement made by a high official in our Government in Calcutta. When we turned down the application of India for a loan of approximately a billion dollars to build a specialized steel plant to compete with privately operated steel plants in India, this high echelon official of our Government made the statement in Calcutta:

> Though the foreign aid program has made it impossible for you to get the billion dollars, you will get it through other means.

That statement was allowed to go unobserved to a substantial degree. The significance of it was not recognized. The Senator from Oregon [Mr. MORSE] recognized it because he has been making the argument that acts of Congress cutting the amount of the foreign aid program and establishing restrictions and conditions under which loans shall be made are to be circumvented.

I say to the Senator from Oregon that we are now in the process of circumventing what the Congress sacredly declared to be its policy in the foreign assistance bill.

Mr. MORSE. Mr. President, will the Senator from Ohio yield?

Mr. LAUSCHE. I yield.

Mr. MORSE. The Senator from Ohio was the first to notice the statement by our ambassadorial official in India. He called it to the attention of the Foreign Relations Committee. He cross-examined the State Department officials in the executive hearings of the Foreign Relations Committee. The transcript will speak for itself.

In my judgment, the work that the Senator from Ohio did in this matter perhaps explains more than anything else, first, the slowing up of the State Department in its enthusiasm to make money available for the steel mill in India; and finally, the ultimate withdrawal of support for it.

I express my appreciation to the Senator from Ohio for the service he has rendered. This is only one of many examples of the type of indirection and evasive tactics used by the AID officials to get around the American taxpayers by wasting many millions more of their money.

Mr. LAUSCHE. The Senator from Oregon brings to mind the feeling of grief and indignation which I have suffered for some time, by reason of the fact that it is the thinking of the State Department that by some act of legerdemain it will be able to deceive Senators.

Let us take a look at the Bokaro steel plant. We fear the communization of India, yet it was proposed that we send her a billion dollars to establish a governmentally socialized steel plant to compete with private industry. Although there are not many who will agree with me, I am of the firm opinion that socialism is merely a temporary sojourn, and that finally it becomes communism.

In the foreign aid bill that was passed late last year, the amount requested by the administration was substantially reduced, and specific conditions were attached with respect to the making of loans and grants. No such conditions are prescribed in connection with loans made by IADB or by AID. We therefore have before us a conflicting situation in which, on the one hand, the Congress has stiffened the provisions of the foreign aid bill and substantially reduced the amount made available for that program; while, on the other hand, we are substantially increasing our subscription to the international agencies which are making loans exempt from the conditions which were imposed in the foreign aid program.

I believe what is being done is wrong. The Congress has spoken pointedly on the policies that it wants followed in the administration of the foreign aid program, but now in the face of the request that we expand the capital structures of IADB and IDA, we are completely frustrating the constructive work that was done in the reformation of the principles and in the act of reducing the amount of the foreign aid program.

Mr. President, in my judgment, we should not increase our subscription to IDA. To do so will be to nullify the constructive work we did in dealing with the Foreign Assistance Act. I am opposed to the adoption of the pending bill for the following reasons:

First. Its purpose is incompatible with the principle that was impliedly declared in the terms and conditions contained in the Foreign Assistance Act of 1963.

Second. It will enable this particular international agency—IDA—to make loans on terms of repayment less businesslike than those allowed in the Foreign Assistance Act.

To illustrate what I have in mind, I point out that the Senator from South Dakota [Mr. MUNDT], and I sponsored an amendment to the Foreign Assistance Act, to change the existing law allowing 40-year loans with a service charge of three-quarters of 1 percent without interest, to carry a rate of interest of 2 percent a year.

In part, we succeeded with that amendment. The amendment finally adopted provided that under the foreign aid program, loans may be made for 40 years, with a 10-year period of grace, during which time a charge of three-fourths of 1 percent for service would be made. But thereafter annual payments on the principal and 2 percent interest on the unpaid balance would be made. That provision is in the Foreign Assistance Act.

What are the provisions related to the agency about which we are speaking and to which we would subscribe an additional amount of $312 million? Loans of 50 years would be made without any payment on principal, without any payment of interest, and a payment of three-fourths of 1 percent a year as a service charge.

I ask unanimous consent to have printed in the RECORD at this point a tabulation of loans made by IDA as of this date.

There being no objection, the tabulation was ordered to be printed in the RECORD, as follows:

Member in whose territories development credits have been made:	*Development credits (in millions)*
Latin America:	
Chile	$19,000
Colombia	19,500
Costa Rica	5,500
El Salvador	8,000
Haiti	350
Honduras	9,000
Nicaragua	3,000
Paraguay	6,000
Total, area	70,350
Africa:	
Ethiopia	13,500
Sudan	13,000
Tunisia	5,000
Swaziland (United Kingdom)	2,800
Total, area	34,300
Asia (except India):	
China	15,300
Jordan	2,000
Korea	14,000
Pakistan	91,500
Turkey	26,700
Total, area	149,500
India	300,000
Grand total	554,150

Mr. LAUSCHE. I cannot see that as a constructive policy for our country. I cannot see how any nation would borrow under the Foreign Assistance Act when that nation can go to IDA and borrow on the very liberal terms that I have mentioned.

Third. The bill would permit the making of loans by IDA to foreign countries disqualified from borrowing from AID—that is, the foreign aid program—because the proposed borrower had expropriated the property of nationals of the United States without due compensation.

About 2 years ago, after the Castro expropriation of property, the Senator from Iowa [Mr. HICKENLOOPER] procured the adoption of an amendment. The amendment provided that whenever a country expropriates the property of an American citizen and does not pay reasonably for the expropriated property, that country shall be debarred from receiving foreign aid from the United States. The amendment was a good amendment. It was precipitated not only by the expropriation in Cuba, but also when Cuba got by with it, several other nations expropriated property. Under the foreign aid program, an expropriating country cannot borrow unless it has compensated a person whose property is taken. Under the proposed program any country that expropriates the property of American citizens can borrow from IDA. When it borrows, 42 percent of the money loaned will be put up by the United States.

Fourth. The bill would enable countries borrowing from IDA to use the borrowed money in purchasing goods wherever the borrowing country decides to make the purchase, although the dollars of the United States would be used in making the payment. That would be done at a time when our gold reserves are in a critical state and when our balance of payments is a very grave problem.

Mr. President, how much time have I remaining?

The PRESIDING OFFICER. The Senator has 7 minutes remaining.

Mr. LAUSCHE. The argument has been made—and in support of it statistics have been read on the floor of the Senate—that through the World Bank more goods are being purchased in the United States by way of percentage of the money borrowed than the money that we subscribe. If it is true that the restriction that we have in the foreign aid program has not been beneficial to our country by compelling the borrower purchasing goods to buy them in the United States, why do we have such a provision in the law? That provision was placed in the law on the basis of bitter experience. It was found that we were lending money to foreign countries, and that they were taking that money and buying goods throughout the world, but not in the United States. So out of that bitter experience came the decision that any country that borrows from us shall be required to purchase raw products and commodities from the lending country—the United States—unless the country bought the good within its own borders.

The Senator from Missouri [Mr. SYMINGTON] has argued about the imbalance in payments. Frankly, I believe that the citizens of our country have not been adequately conscious of the danger that confronts them in the probable removal of gold from the support of the dollar. At one time we had $23 billion of gold. The amount is now down to $14.5 billion; $12 billion of the $14.5 billion is needed to support $50 billion of currency that is in circulation and issued by the Federal Reserve bank.

So we have $2.5 billion available to meet $28 billion of foreign credits. If the foreign creditors begin demanding payment in gold, which they have a right to do, and there is a run on the $2.5 billion of gold available, I shudder at the thought of what will happen.

For 6 years I have been conscious of the problem. For 6 years I have argued about it. I heard the argument made on the floor of the Senate that what we need is a floating flexible support of the dollar. The fixed support that we do not need has been impliedly argued.

Mr. CLARK. Mr. President, will the Senator yield?

Mr. LAUSCHE. In one moment. I do not have much time remaining.

In the crash of 1932 there was weeping, and I predict that if we reach the point where the support of our paper dollar is removed, the minister, the school teacher, the recipient of social security, the annuitant, and the man with a few dollars in the bank will be weeping and rapping at the doors of the U.S. Congress. They will ask us, "What have you done?"

It will be pretty hard to answer that question.

Finally, I point out that we denied to India the ability to borrow $1 billion from IDA, but under the bill India would be able to go to AID and there borrow the money it needs to build its socialized steel plant.

I wish to be charitable. I wish to extend help. But, Mr. President, my primary responsibility is to the United States. On that basis I cannot see my way to vote for the measure.

ONE ENGLISHMAN'S VIEW OF PANAMA

Mr. MONRONEY. I yield 1 minute to the Senator from Georgia [Mr. RUSSELL].

Mr. RUSSELL. Mr. President, I have just read with great interest, and with a deep sense of appreciation, an article in the Washington Daily News of today written by a British correspondent, Mr. Robert Pitman, of the London Express, entitled "One Englishman's View of Panama."

It is gratifying to learn that there are those in the world who recognize that we have some rights in Panama and who do not think it is necessary for us to apologize for the wealth and power of these United States. I am glad to see that this one Englishman speaks up for the United States to protect is vital interests and preserve its dignity and self-respect in this trying problem.

I ask unanimous consent that the article be printed in the body of the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

THE FLAG WAS MADE IN WASHINGTON—ONE ENGLISHMAN'S VIEW OF PANAMA

(By Robert Pitman)

What should be the attitude of the British public to the sudden crisis in Panama? There can be only one answer: Support the Americans.

We must not allow the momentarily demented people of the Isthmus to interfere with the free traffic of ships between the Atlantic and Pacific Oceans—and in particular with the free traffic of American warships on which our own safety depends.

We must not support the Panamanian demands for a revision of the Canal treaty.

For let this be plain: There is nothing patriotic or independence-loving about these demands.

The Republic of Panama is the creation of the United States just as much as the Canal is the creation of the United States.

ASKED FOR IT

The present fury does not rise from any ancient, deep-seated patriotism. Only 61 years ago there was no Panama Republic to be patriotic about.

The villagers of Panama, afflicted by poverty and disease, were then citizens of Colombia.

But they know that the United States was proposing to drive a canal either through Panama or through the neighboring State of Nicaragua.

And when their own Government turned down a treaty with the United States for a canal at Panama, they rose in revolt. For they wanted the canal. They desperately wanted to prevent Nicaragua from getting it.

Thus in 1903 they became renegades from their own country of Colombia at the instigation of President Theodore Roosevelt.

They were not forced to become pensioners of the United States. They fought and clamored for the privilege.

That was how the Republic of Panama began. It was built upon America's Canal concessions—which were bought with huge sums of money.

So let us not be influenced by any talk of Panamanian patriotism.

The rioters beneath the Panama flag are not the William Tells of the New World. The flag was made in Washington, so was the wealth in which the flag-post is planted.

RESENTMENT

Equally let us not be influenced by any talk of Suez, where Britain faced an almost identical crisis in 1956.

True, we have strong cause for resentment over America's role at Suez. In Cairo the American Ambassador did everything he could to provoke the crisis. He gave fervent support to Nasser's spurious claims.

And even Eisenhower sprang to Nasser's aid when Anthony Eden launched his attack on the Canal—even though the West would have benefited immeasurably if the campaign had gone on as planned.

But our resentment and our sense of irony must not prevent us from sticking to our principles.

We must stand by the sanctity of international treaties. We live by them.

The Panama Treaty of 1903 was a binding contract—and it is in our interest, just as much as America's, that it should not wantonly be torn to shreds.

THE LESSON

What of the Americans themselves? What should we say to them?

We should remind them of a simple fact. It is in the nature of man that if he is beaten once, he is beaten twice. It may be said that the Americans have already been beaten once in Cuba. Just so.

And the lesson they should learn is to be firm when lawless hands seek to grab the means of wealth which either they or their allies have built up.

The Americans must restrain their desire to be regarded as the whole world's generous and kindly uncle. That only breeds future trouble.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Hackney, one of its reading clerks, announced that the House had passed, without amendment, the bill (S. 2079) to provide for the striking of three different medals in commemoration of the Federal Hall National Memorial, Castle Clinton National Monument, and Statue of Liberty National Monument American Museum of Immigration in New York City, N.Y.

The message informed the Senate that, pursuant to the provisions of title 10, United States Code, section 4355(a), the Speaker had appointed Mr. TEAGUE of Texas, Mr. NATCHER, of Kentucky, Mr. RIEHLMAN, of New York, and Mr. OSTERTAG, of New York, as members of the Board of Visitors to the U.S. Military Academy, on the part of the House.

The message also informed the Senate that, pursuant to the provisions of title 10, United States Code, section 6968(a), the Speaker had appointed Mr. FLOOD, of Pennsylvania, Mrs. KEE, of West Virginia, Mr. MINSHALL, of Ohio, and Mr. STINSON, of Washington, as members of the Board of Visitors to the U.S. Naval Academy, on the part of the House.

The message further informed the Senate that, pursuant to the provisions of title 10, United States Code, section 9355(a), the Speaker had appointed Mr. ROGERS of Colorado, Mr. FLYNT, of Georgia, Mr. CHENOWETH, of Colorado, and Mr. LAIRD, of Wisconsin, as members of the Board of Visitors to the U.S. Air Force Academy, on the part of the House.

The message also informed the Senate that, pursuant to the provisions of title 46, United States Code, section 1126(c), the Speaker had appointed Mr. CAREY, of New York, and Mr. MCINTIRE, of Maine, as members of the Board of Visitors to the U.S. Merchant Marine Academy, on the part of the House.

The message further informed the Senate that, pursuant to the provisions of title 14, United States Code, section 194(a), the Speaker had appointed Mr. ST. ONGE, of Connecticut, and Mr. MARTIN of California, as members of the Board of Visitors to the U.S. Coast Guard Academy, on the part of the House.

INCREASE IN RESOURCES OF INTERNATIONAL DEVELOPMENT ASSOCIATION

The Senate resumed the consideration of the bill (S. 2214) to amend the International Development Association Act to authorize the United States to participate in an increase in the resources of the International Development Association.

Mr. MONRONEY. Mr. President, I yield 5 minutes to the Senator from Iowa [Mr. MILLER].

Mr. MILLER. Mr. President, as the Senate knows, recently I have been calling attention to the situation within the United Nations of many nations throughout the world that have been partaking of our foreign aid and also various lending facilities such as the one furnished by the International Development Association.

Last week, during the debate on the bill relating to the Inter-American Development Bank, I had placed in the RECORD, as shown on page 378 of the January 14 RECORD, a table showing the situation with respect to various nations comprising the Inter-American Development Bank and their state of delinquency in assessments and payments within the United Nations. It presented a rather dismal picture. Only Colombia, Haiti, Ecuador, and Venezuela were current in their payments as of last September 30.

I have updated the United Nations report of assessments and delinquencies thereof, as of December 31, 1963, with respect to those 18 nations which are currently recipients of International Development Association credits. I think it is very important to point out that several of these nations are delinquent in their assessments before the United Nations. For example, Chile, as of October 31, 1963, had received outstanding credits of $19 million from the International Development Association. Chile also had received millions of dollars of foreign aid from our American citizens. Nevertheless, as of the end of last December, Chile was delinquent before the United Nations in the amount of $670,646. This goes back over a period of some time.

Colombia, Haiti, and Turkey are on the list, but I think, in fairness, I should point out that Colombia's and Haiti's delinquencies are of recent date and probably will be taken care of, because as of the end of October they were current, and as of just December 31 were they delinquent. We must allow them a reasonable period of time to take up the slack. But many of these other countries have been critically delinquent in their payments to the United Nations.

Turkey, on the other hand, has had a perfect record. I submit that when a country has had a good record of payment of its assessments to the United Nations, it should not be treated as other nations that are delinquent. Otherwise such countries as Turkey may get the idea that there is no point in their paying assessments to the United Nations, because the International Development Association and other organizations will treat them the same as other nations which do not pay their assessments. Therefore the IDA must share the blame if the United Nations goes into bankruptcy.

I also point out that that idea may have occurred to some of these 18 nations which have received credits from the International Development Association in the total amount of $554,150,000, a substantial amount of money.

I think the very excellent presentation by the Senator from Ohio [Mr. LAUSCHE] ought to warn us that there are many other sources of assistance from the American taxpayer besides the foreign aid appropriation; and if the American taxpayers do not like a certain policy, through their duly elected representatives in Congress they may see fit to write in certain prohibitions or to prevent certain things from happening under the foreign aid program.

Those policies will be frustrated if we turn around and provide something for the International Development Association or the Inter-American Bank amounting to carte blanche, so to speak, with respect to those policies.

Tunisia is one of the 18 nations that have received International Development Association credits. As of last October these credits amounted to $5 million.

The other day Mr. Bourguiba was entertaining Chou En-lai, from Red China, and indicated that Red China will be recognized by Tunisia. I understand that for the last two sessions of the United Nations, Mr. Bourguiba's representative in the United Nations has voted for the admission of Red China to the United Nations. I question whether the American taxpayers would want to give foreign aid for Mr. Bourguiba's country at this time, but it is going to be granted if we permit the International Development Association to expand credit by this authorization.

Accordingly, in addition to the arguments advanced by other Senators, I submit this bill should be defeated because of the reasons just presented.

I ask unanimous consent that the table to which I referred previously be printed at this point in the RECORD.

There being no objection, the table was ordered to be printed in the RECORD, as follows:

List of governments receiving International Development Association credits, arrearages in United Nations assessments of such governments, as of Dec. 31, 1963, and total IDA credits outstanding to each government as of Oct. 31, 1963

Country	U.N. arrearages 1963 and prior	IDA credits
Chile	$670,646	$19,000,000
Colombia	260,415	19,500,000
Costa Rica	45,681	5,500,000
El Salvador	15,927	8,000,000
Haiti	125,227	350,000
Honduras	66,179	9,000,000
Nicaragua	70,008	3,000,000
Paraguay	126,490	6,000,000
Ethiopia	11,059	13,500,000
Sudan	75,067	13,000,000
Tunisia	11,059	5,000,000
Swaziland	(1)	2,800,000
China	14,426,448	13,300,000
Jordan	108,582	2,000,000
Korea	(1)	14,000,000
Pakistan	92,882	91,500,000
Turkey	None	26,700,000
India	114,512	300,000,000
Total		554,150,000

[1] Not a member of the U.N.

Mr. MONRONEY. Mr. President, I rise in opposition to the amendment of the Senator from Ohio. First, I should like to correct some of the misunderstandings that have been raised with regard to the extension of IDA and the subscription of the United States for a 3-year period of $104 million each year.

In the first place, IDA, which is a subsidiary of the World Bank, has nothing whatever to do with the Inter-American Development Bank, or AID, or any of the other agencies in the field of international financing. It is a distinct, and I think distinctive, branch of the World Bank. None of the charges leveled at the international lending organizations relate to any of IDA's actions. IDA has not been responsible for Argentina's setting up competitive enterprises. I can find no record of any loan IDA has made that has competed in any way with private enterprise. Its efforts have been largely concentrated in the field of helping to build infrastructure, to build utilities, water resources, transportation, highways, to a small degree educational facilities, communications, and projects of that nature, on which private enterprise depends.

I see nothing wrong, with reference to the statement made by the Senator from Missouri [Mr. SYMINGTON], in the loan made to India. Many loans have been made to India, not only by this country. She is one of the biggest clients of the AID program and the International Development Association and the World Bank. Money has been loaned by India to several of its local government operations at a higher interest rate than we lend money to India under the IDA program.

India must repay this money in dollars. The money that she is collecting in interest over a shorter term will not be repaid in dollars, but in rupees, of which we have hundreds of millions of dollars worth on hand. We could well lend those rupees directly to India at no interest rate, if that were important.

Criticism has been leveled at the fact that no interest is charged. Our own program, which passed the Senate by an overwhelming vote—and it was advertised as a reform—charges three-quarters of 1 percent in the form of a service charge for the first 10 years, and provides for no repayment of principal during the first 10 years. Thus, for the first 10 years, the IDA and AID programs are identical.

After that, our own program, the AID program, exacts a 2-percent interest charge instead of a service charge of three-fourths of 1 percent, and provides for the repayment of principal over a 40-year period. In the IDA program, the period is 50 years.

Mr. AIKEN. Mr. President, will the Senator yield?

Mr. MONRONEY. I yield.

Mr. AIKEN. I believe that the policy of charging only seven-eighths of 1 percent as a service charge is an administrative decision. I do not believe there is any reason why IDA cannot charge 1, 2, 3, 4, or even 5 percent, and make loans for such length of time as the organization sees fit to do.

Mr. MONRONEY. The Senator is correct.

Mr. AIKEN. That is an administrative matter.

Mr. MONRONEY. Yes; it could do that, in keeping with the ability of the borrower to pay more.

Mr. AIKEN. It calls for a great deal of judgment on the part of the committee which recommends the making of a loan. It must determine whether a loan will be in the interest of the free enterprise system, whether it will contribute to the maintenance of the independence of what are called capitalist countries—countries which believe in free enterprise. Under Public Law 480, which has been very popular, even among some of those who oppose IDA and other international development agencies, loans are made for local currencies, and they, in effect, constitute gifts. Up to the present time the Public Law 480 program has amounted to a good many billions of dollars. It has succeeded in disposing of huge amounts of surplus farm commodities.

It can be pointed out that under IDA approximately the same amount which we invest is used for the purchase of U.S. commodities from our manufacturers.

The subject before the Senate this afternoon is an excellent subject for debate. One could well make a speech on either side. I believe the proponents of the legislation have a little more logic on their side.

However, I would add that before we go too far beyond this authorization, a more thorough study should be made of the overall situation with reference to our assistance to foreign countries. I am hopeful that the President will make some recommendations to Congress in the near future, although I have nothing to indicate that he will do so right away.

Mr. MONRONEY. I thank the distinguished Senator from Vermont for his observations. I also believe that Congress should make some contributions that will bring about a revision of foreign aid.

All Members of the Senate are familiar with difficulties that surround administration of a foreign aid program. America is weary of the load it alone has been carrying for most of the grants, loans, and help that have been extended to the underdeveloped nations.

Now, nearly 20 years after the close of the war, the hope is that this flow of funds so necessary to stability of the world, particularly new and developing nations, can be handled in some way through international institutions taking up a part of the burden. Our program is plagued by high costs of administration, the maintenance of large delegations of Americans in scores of nations to look after the Nation's program, strained relations with native governments and peoples charging "imperialism" for our good efforts to assist their development, charges of extravagance and waste, of encouraging unnecessary or unwanted projects just to build up the importance of our mission, charges by recipient countries of interference with their sovereignty, and so on and on.

We know the exaggeration or outright falsity of these charges. But they are repeated so often that the disappointments and frictions generated by misunderstandings about foreign aid take away much of the gratification that should flow in our pleasure of helping and in the satisfaction of receiving.

Because of these conflicts and misunderstandings, more aid is often asked than is needed or can be used. This, when trimmed by us to adequate figures, leaves injured feelings. Jealousies are aroused when country A receives more than country B, or when nation X gets giant projects although she has not contained the Communist threat as well as has country Y, whose aid need is not considered as great because of no danger of subversion.

The local leaders, to build up their reputation, seek top grants and expect rapid completion of works even at extra expense. Choice of contractors often goes by political preference of local leaders, and results in inefficient or unreliable performance.

Senators are aware that under our aid program, which is operated exclusively by us, we are the supporter of the whole burden of underdeveloped nations. It is a load that we cannot and should not be asked to assume alone. IDA is the only sound system under which other nations, the industrialized nations, have shown any willingness to make substantial contributions toward alleviating this critical need for money in the underdeveloped nations of the world.

We made a small start in this connection in 1960, with only $750 million of hard currency, less than half of what everyone agreed would be needed if IDA were to do the job that we expected it to do and that needed to be done.

Loans to developing countries were started with the $750 million fund. We knew that we would have to come back for a second subscription. We are here now asking for that second subscription.

The money in the fund has not run out, because the Association has been frugal in making commitments. However, if we are to be able to look ahead after fiscal year 1966, we must pledge our subscriptions, as all the other nations which are members of IDA have done. They have agreed, through their representatives on the Board of Directors of IDA, to put up their subscriptions.

The World Bank, which formerly had 70 members, now has 101 members. It includes all the free world industrial nations and also the neutral developing nations, most of which are emerging from colonial status.

Ninety nations are now members of IDA. If we are to help the World Bank supply funds that can be used to meet the great needs of the underdeveloped countries, we must have special kinds of interest charges and longer periods of time in which to pay back the loans.

The World Bank can offer nothing but hard loans, because it must borrow money at 5½ percent and pay it back in hard currency each year on terms not exceeding 25 years. Therefore it can reach only a market that comprises the well-developed or prosperous countries of the world, countries which, in today's improving financial situation in the international money market, should be able to go to private sources for their finances.

So with the World Bank being willing to cooperate and contribute its experience, its know-how, and its expertise in making loans, IDA is available to the lower strata of nations, which are seeking to find their own way, and who hope to obtain long-term loans at a three-quarters of 1 percent service charge. Such loans can be made without commitments or loss of sovereignty.

We have heard that we are exposed to the loss of large amounts of gold. We have heard charges, but no verification, that this will damage our balance-of-payments situation. All the evidence that has been given in the House and Senate hearings shows that the United States will do approximately the same amount of business each year on the IDA loans as is represented by the amounts we contribute. After all, the subscription we are asked to make, $104 million a year, will not impair our balance-of-payments situation by more than $10 million, $20 million, or $25 million, even under the most adverse conditions.

In tourism alone we are running a balance of $3 billion in the red and our military expenses will be $3 billion. In many other projects we use more gold than in this one.

I feel that the loan interest treatment, by which we lend and are compensated for the servicing, improving, disbursement, and collection of loans handled through the World Bank, is being done at a very low figure, less than $2,500,000. That has been the sole charge for the operation over 4 years by the entire staff of IDA. We have spent more than $50 million a year in administrative expenses for the AID program. Because this is almost a nonexistent expenditure for operations and making collections of loans by IDA, the three-quarters of 1 percent service charge can be added to the resources of IDA and can, to the extent of the amount that is left over, be reused.

I do not agree with the contention of some Senators that members of the Federal Reserve feel that IDA is causing our adverse gold position, or that the Treasury is concerned. The Special Report of the National Advisory Council on the Increase in Resources of the International Development Association, upon which sits the Secretary of the Treasury and the Chairman of the Federal Reserve Board, Mr. Martin, who was quoted by one or two of the opposition speakers, does not support the argument that IDA is a threat to our balance-of-payments situation. I shall read the conclusion on page 8 of the report which was submitted to Congress:

> V. CONCLUSION
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> Since its establishment 3 years ago, IDA has proved to be a major step forward in financing the development of the less developed free world countries. Its resources are urgently in need of replenishment in order for it to continue to commit funds in support of economic development. The negotiations just concluded, which provide for a total addition to IDA's resources of $750 million over 3 years by the economically advanced countries, have resulted in an outcome highly favorable to the United States. The other part I members of IDA are putting up over two-thirds more funds annually through this channel than under their initial subscriptions, and the aggregate of their contributions continues to exceed substantially that of the United States, while our share has been somewhat reduced in proportion. The United States played a leading part in the creation of IDA, and the institution has always received great support in recognition of its role in furthering development and in mobilizing resources from the other advanced countries on terms appropriate to the needs of the developing countries. The Council strongly recommends that the Congress take the necessary steps to permit IDA's operations to go forward without interruption, by authorizing U.S. participation to the extent of $104 million per year for 3 years, beginning in fiscal year 1966, in an expansion of IDA's resources.

I hope that statement will put to rest any fear that has been expressed by other Senators that the Secretary of the Treasury, the head of the Federal Reserve System, or this distinguished Board, which is the National Advisory Council on all international lending, express any doubt about the wisdom of making this addition to IDA.

If we deny the funds provided in the bill, if we vote for the motion to recommit that will be made, let us face the fact that IDA will be dead, because IDA was urged on the World Bank members by the United States. We contributed about 40 percent of the hard currency component of IDA. If we refuse at this time to go forward with the commitments that have already been made by representatives of the Board from other members of the World Bank, we shall be destroying their interest that has been generated throughout 3 successful years of its operation. We shall have to accept the position which I do not wish to see us do, of saying that we do not want to help; that we do not care to help; that we want no part in the program; that we are unwilling to cooperate in any way with other developed nations, which are willing and able and have, by the placement of their hard currency in IDA, shown that they are willing to carry 60 percent of the cost of this program, which in its past operations has proved to be so successful.

The very fact that we have the World Bank staff, the most competent and experienced men in the whole field, at our beck and call, on a minimum-charge basis, without having to keep them occupied full time, without having to build up an empire within IDA to make jobs for people, is extremely valuable. These men inspect the loans and approve them based on the same hardheaded judgment they use in considering loans for 10 times that amount by the World Bank. When loans are considered by the staff of the World Bank, they are not designated as World Bank loans or IDA loans; all of them are given the same careful consideration.

It would be a grave mistake at this time, without having some other organization to which other nations of the world contribute to assist developing nations, a job that will be with us for perhaps a score of years, to say that we do not want to assist any further; that we intend to discontinue the only means we have of participating and carrying on the task of supplying the necessary funds on a world basis.

People would rather borrow from an institution. An individual dislikes borrowing from the richest man on the block, because he has a personal feeling of resentment if his request is rejected. We must move toward a banking basis. We must move to corporate lending, by multinational groups.

I favor this type of lending and the careful administration of the loans. I believe this is the ideal way in which to move as we try to revamp and make more efficient our service in this field.

Mr. MORSE. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator from Oregon will state it.

Mr. MORSE. What business is pending before the Senate?

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from Ohio [Mr. LAUSCHE].

Mr. MORSE. Am I correct in assuming that all time in support of the amendment has been consumed?

The PRESIDING OFFICER. The Senator is correct. Two or three minutes remain in opposition to the amendment.

Mr. MORSE. Would a motion to recommit the bill be in order at this time?

The PRESIDING OFFICER. As soon as all time on the amendment has been yielded back.

Mr. MONRONEY. I yield back all our time on the amendment. It is my understanding that the Senator from Ohio said it would be satisfactory to have the Senator from Oregon ask to withdraw his amendment.

Mr. MORSE. If a motion to recommit the bill to the Committee on Foreign Relations were made, would the motion be debatable?

The PRESIDING OFFICER. It would be debatable, with 30 minutes allotted to each side.

Mr. MORSE. I desire to make only a few brief comments in reply to the Senator from Oklahoma. If I am correctly informed, I have the permission of the Senator from Ohio to withdraw his amendment temporarily. I ask unanimous consent that I may withdraw his amendment.

The PRESIDING OFFICER. Without objection, the amendment offered by the Senator from Ohio is temporarily withdrawn.

Mr. MONRONEY. A point of order. I think what the Senator from Ohio meant was that he wished to withdraw the amendment. I do not think we wish to establish a precedent on withdrawing amendments.

Mr. MORSE. I shall be glad to do that, but I want to make it perfectly clear that there is no parliamentary block that prohibits him from submitting it.

Mr. President, I ask unanimous consent that the amendment of the Senator from Ohio be withdrawn.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. MORSE. Mr. President, I now move that the pending bill, S. 2214, be recommitted to the Foreign Relations Committee.

The PRESIDING OFFICER. How much time does the Senator from Oregon yield himself?

Mr. MORSE. Ten minutes.

The PRESIDING OFFICER. The Senator from Oregon is recognized for 10 minutes.

Mr. MORSE. Mr. President, first, I wish to comment on some of the comments by the Senator from Oklahoma; and then I shall recapitulate my arguments in support of my motion to recommit.

I say to the Senator from Oklahoma that I think he made an eloquent argument—although he does not realize it—in support of my motion to recommit, because apparently he does not see the direct relationship between this segment of foreign assistance and the foreign assistance program as a whole.

I now paraphrase his remarks, but I think I do so accurately: He is a little at a loss to understand what interrelationship there will be between the work under this bill and the work of the Inter-American Bank or the operation of AID or the operation of the other segments of our foreign assistance program.

That is where the Senator from Oklahoma and I could not disagree more, for all of them are interrelated and intermingled; all of them involve American taxpayer dollars; and it does not make any difference whether the American taxpayers' dollars go into one or another segment of the foreign assistance program or into the Inter-American Bank or into AID or into the World Bank or into IDA.

The question this body ought to keep foremost at all times is whether the American taxpayer is getting his money's worth. The fact is the American taxpayer is getting rooked and cheated, so far as receiving proper value for the money spent is concerned. The fact is that the total foreign assistance program ought to be reexamined before we add a single segment to it.

Mr. President, on this point, I completely disagree with the Senator from Oklahoma. There is no rush about this; if we want to consider it on its merits, no time factor makes it essential that we pass this bill in the immediate future.

It is better, Mr. President, that we make a record on this bill more comprehensive than the record the Foreign Relations Committee has made today; and I am a member of that committee, and I want to say that in my judgment, Mr. President, the record is most incomplete.

The Senator from Oklahoma does not know, he says, about any opposition from people connected with the Federal Reserve and other high financiers. All we are saying to the Senator from Oklahoma is, "Give us a chance to produce the witnesses." Mr. President, they are there. In recent days they have been in communication with us, and they are concerned about the effect of the bill on the fiscal structure of this Republic.

The Senator from Oklahoma does not think the expenditure of the amount of money called for by this bill will have any serious effect on the balance-of-payment problem; but here, again, we can see that he argues from the premise that we consider this bill as being in a watertight compartment, and do not recognize the direct relationship between this proposal and many similar proposals in the whole field of our foreign assistance program, as regards the total effect upon our balance-of-payment problems, the fiscal soundness of the American dollar and the whole question of an ever-rising American debt.

Mr. President, I well recognize that the Treasury Department would like to get this one "swept under the rug." I recognize that the Treasury Department—and the record before the Senate is pretty much the Treasury Department record—would like to have this bill passed, and not have it subjected to closer examination in connection, now, with a thoroughgoing examination of our total foreign assistance program. All I am pleading for this afternoon, Mr. President, is that we wait and study and investigate this bill more, in connection with the criticism made by the distinguished Senator from Missouri [Mr. SYMINGTON], who has made, in my judgment, an unanswerable case. I heard not one word from the Senator from Oklahoma or from any other proponent of this bill that would even scratch the surface of the argument of the Senator from Missouri in opposition to this bill. The Senator from Missouri has simply said to the Senate, "I want to bring in my witnesses." Mr. President, I want to give him an opportunity to bring in his witnesses, for I am satisfied that there is evidence to sustain the position of the Senator from Missouri.

So, Mr. President, I move that the bill be recommitted—for two reasons, which I gave earlier this afternoon. I restate them now: I move that the bill be recommitted because I think the subject matter of this bill ought to be considered in light of this administration's proposals for a foreign assistance program.

What is this administration's program for foreign assistance? Not one Senator in this body, including the majority leader, knows this afternoon, the reason why the administration has not yet let us in on the secret; and I suppose the reason why it has not let us in on the secret is that it did not know; at least, it did not know as of last Friday afternoon, because last Friday afternoon the President asked the Under Secretary of State, Mr. Ball, and the director of AID to confer with me for an hour—as they conferred and had been conferring with other Members of the Senate and the House about the foreign assistance program—about suggestions for procedural changes and for organizational changes and about criticisms of the foreign assistance program.

Mr. President, they are not limited to a consideration of foreign aid. Those at the other end of Pennsylvania Avenue recognize that there is a total package, consisting of a whole series of foreign assistance items, of which this bill is but one; the Inter-American Bank bill is another; the AID program bill is another, and various other loaning program bills are others. In fact, I think the Senator from Missouri referred to it—although I was not on the floor of the Senate when he did—or mentioned it as an appendix to his speech. I refer to the items listed under the heading, "Progress Toward Further Grants of Foreign Aid Through Soft Loan Affiliates." This gives one example of the kind of problem that confronts us:

Progress Toward Further Grants of Foreign Aid Through Soft Loan Affiliates

1. 1945—International Bank for Reconstruction and Development (World Bank).
2. 1945—Export-Import Bank (Eximbank).
3. 1956—International Finance Corporation (IFC) (soft loan affiliate of World Bank).
4. 1959—Inter-American Development Bank (IADB).
5. 1959—Fund for Special Operations (soft loan affiliate of IADB).
6. 1960—The International Development Association (IDA) (soft loan affiliate of World Bank).
7. 1961—Social Progress Trust Fund (soft loan setup, administered by IADB).

There is great and growing concern, Mr. President, over more and more loss of control by the elected representatives of the people of this country who serve in the halls of Congress over the expenditure of American taxpayer dollars under the various international organizations.

This afternoon, the chairman of the Foreign Relations Committee admitted, here on the floor of the Senate, that once we pass this bill, we shall have lost control, insofar as placing strings or conditions or restriction on the expenditure of American taxpayer dollars by this international organization is concerned. The American taxpayers ought to insist that there be a stop to the passage of legislation of this kind, whereby we lose control over another $312 million, until we first reach an understanding as to how we would operate the whole foreign assistance program and what the interrelationship would be between and among the various segments of the program.

If there was ever a time—considering the rising tide of criticism across the country in respect to the foreign assistance program—when the Senate should take its time, when the Senate should study the question further, and hold the hearings for which the Senator from Missouri [Mr. SYMINGTON] is asking, at which the witnesses can testify in opposition to the Treasury Department, now is the time.

So, Mr. President, I believe it is wise. I believe it is the better judgment to postpone action today until the Foreign Relations Committee can take another hard look at the program, until the Senator from Missouri [Mr. SYMINGTON] can present to the Foreign Relations Committee the fiscal and financial experts of the country to testify in regard to the deleterious effect of the bill upon the financial structure of the country.

Mr. SYMINGTON. Mr. President, will the Senator yield?

The PRESIDING OFFICER (Mr. BREWSTER in the chair). Does the Senator from Oregon yield to the Senator from Missouri?

Mr. MORSE. I yield.

Mr. SYMINGTON. I thank the able Senator for the remarks he has made about my efforts to understand this problem. Based on talks by members of the Federal Reserve, the Chairman and the president of the New York Board, I am worried about the continuing outflow of gold, and the increasing current liabilities, redeemable in gold now held by foreign countries.

As has been mentioned previously, in the past 5 years our unfavorable balance of payments was some $16 billion. This is a subject on which I do not pretend to be an expert; but inasmuch as there is no need for great rush, as apparently was necessary in the case of the Inter-American Development Bank bill, I would hope we could have more testimony from others besides Treasury officials and private citizens before we make this commitment at this time.

Mr. MORSE. I say to the Senator from Missouri that in his eloquent speech earlier today, and in the summary he has just made, he has made the case more eloquently than I could for my motion to recommit.

I submit the motion.

Mr. MONRONEY. Mr. President, I shall be brief. The agreement with the 90 member-nations of the International Development Association has been discussed fully for nearly a year. Providing the necessary additional funds could be one of the brightest and most promising methods of handling the disbursement of credits to developing nations with which we have been connected.

The decision by Congress was supposed to have been made in December of last year. Hearings were held in the House. I understand there was a unanimous report of the House committee, now pending before the Rules Committee of the House. The bill is now before the Senate on a majority opinion, after the hearings by the Senate Foreign Relations Committee.

Let us make no mistake. If the United States demonstrates its unwillingness, after 3 years of existing operation and success of the International Development Association, to renew a subscription that has been reduced slightly from our percentage of subscription in former years, compared with that of other members of the World Bank, grave doubts will be cast on the continuation of this fine international effort to share the burden of channeling funds to the developing nations of the world.

There are several international programs, but no international program to which we belong channels in 60 percent of the funds from other countries to carry on foreign aid work in the developing nations, while we channel in 40 percent of the funds. We do not get it from the Inter-American Bank. We do not get it from any other source. The members of the other organizations have neither the hard currency nor the ability to cooperate with us and the 17 well-developed nations to supply these funds.

The record of the World Bank is magnificent. It has the most skilled administrators, the most thorough investigators, and the best collectors of any organization the world has ever seen. Not a single interest date has failed to be met on any loans made by the World Bank. Repayments of principal are up to date. IDA has not had long experience in this field, but the small amounts that have been due to IDA have come in on the due date, because people respect their international credit, and their international credit means their credit with the World Bank.

So if we expect to have reliable partners sharing 60 percent of the load while we carry 40 percent, we can go ahead today and pass the bill. This is not a wild experiment. The program has been known for more than 3 years and has been operating around the world. We have had enough experience with the World Bank and with its partners to know what will be done.

So let us get together and defeat the motion to recommit and let others interested in sharing the load put up their money as we put up our 40 percent, and give hope that together we can meet the capital needs of developing nations.

Mr. SYMINGTON. Mr. President, will the able Senator from Oklahoma yield?

Mr. MONRONEY. I yield.

Mr. SYMINGTON. As the able senior Senator knows, there is no Senator for whom I have greater respect than for him.

Mr. MONRONEY. I have a like regard for the distinguished Senator from Missouri.

Mr. SYMINGTON. But this is a matter on which, I respectfully submit to the Senator, I am not yet fully informed. I have worked a great many hours in the past few days trying to understand just how the operation works.

Because of the amount of time that is required to go into the details and because of the talks which have been made which in effect warn of the growing danger to the dollar, would not the Senator be willing to bring more witnesses before the committee?

An article was published in the Saturday Evening Post last week with which I was impressed. It is entitled "The Flight of the Yankee Dollar." In it the term "balance of payments deficit" is used. The article says that term is but another term for "weakening of the dollar."

That particular characterization worried me, so I would hope that we could hear from more witnesses to consider the question further. I ask the Senator from Oklahoma to give that suggestion the consideration he feels proper.

Mr. MONRONEY. If this were an ordinary situation and we were concerned only with a domestic situation in the establishment of capital funds—for example, our own aid program—I would be perfectly willing, as we were, to take a great deal of time to thoroughly discuss it, to hold long hearings, to have long discussions on the authorization bill, and a thorough discussion on the final appropriations. However, this issue involves an international agreement to which, I believe, 84 of the 90 members of the World Bank have already agreed, through their representatives. They have a parliamentary type of government, so it is practically a binding commitment to join in the placing of their funds in this additional capital.

We urged the creation of the additional capital. We urged the creation of the International Development Association. The body to which we give the highest priority, the National Advisory Council, on which, as the Senator has so often said, sits the Chairman of the Federal Reserve Board, Mr. Martin, and on which sits the Secretary of the Treasury, Mr. Dillon, has recommended strongly our participation for 3 years in the amount of $104 million per year.

I, too, am concerned over the outflow of gold. However, I feel that there are other places where we could recoup a great deal more, such as in the area of tourism, where we find an outflow of $1.5 or $1.33 billion. The proposal would not correct that situation.

I point out the $3 billion in military expenditures and many of the other wide gaps that open up so great a degree of risk.

Undoubtedly the Senator has read the hearings in the House, where the balance-of-payments problem was thoroughly considered. If the International Development Association follows anywhere nearly the pattern set by the World Bank, of which it is an affiliate, contracting and procurement will be by the approval of the same people in the World Bank. I believe if the Senator reads those hearings, he can satisfy himself that we will receive more in trade than our 41 percent of the aggregate capital that will be injected into the second subscription to IDA.

Mr. SYMINGTON. Mr. President, will the Senator yield?

Mr. MONRONEY. I yield.

Mr. SYMINGTON. On that score, I presented figures earlier to show that in recent years the amount of trade coming to this country from those other countries has dropped to 21 percent. Mr. Bullitt, in testimony before the committee, said 33 percent. Even taking that latter figure, it is only one-third.

The Senator speaks with much more authority in the field than I. Even though we agreed to start the program—and recommended it—but am I to understand that because we originally recommended it, we should automatically be willing to approve any increase for this international organization?

Even if we recommended and ultimately agreed to go into an organization of that character, does that mean that we are bound to go along because someone recommends an increase?

Mr. MONRONEY. I think what the Senator is asking is whether we are losing control of the program.

Mr. SYMINGTON. That is correct.

Mr. MONRONEY. I do not think we are. The original proposal, which I thought was minimum, was to start the International Development Association with $2 billion of hard currency. Instead, in order to try it out carefully and see that there were no "bugs under the chips," or that it was not a bad plan, the final outcome was for the interjection of about $750 million of hard currency and approximately $250 million of local currency, which has not been usable, but did bring in 10 percent of hard currency subscriptions, even from the many underdeveloped nations. That money has been wisely committed. It is being disbursed. We will not necessarily have to have appropriations for that subscription until the fiscal year of 1966.

Mr. SYMINGTON. That is why I felt that we need not do anything about it now. I should like to examine the program a little more thoroughly.

Mr. MONRONEY. But we must know whether we can make the commitments because we have committed more than $550 million, if my memory serves me correctly.

What has happened, I believe, is in conformity with the logical way in which a good bank should operate. A bank should gage the outflow of money and the loan commitments, and not wake up and find itself without any further capital to commit. It would then have plenty of time in which to be sure that the loans it makes are solid and sound loans on which the repayment of the principal and the service charge would be certain and sure.

Mr. SYMINGTON. Mr. President, will the Senator yield for another question on that subject?

Mr. MONRONEY. I yield.

Mr. SYMINGTON. I noticed that 80 percent of the loans appropriated by the agency in instances in which they agreed to let the recipient relend the money went to India.

Mr. MONRONEY. The Senator means 80 percent of the money which could be reloaned.

Mr. SYMINGTON. The Senator is correct.

Mr. MONRONEY. Not 80 percent of IDA's funds.

Mr. SYMINGTON. No, but 60 percent of all IDA's funds, on any basis, went to India. Some of those loans were made at a very low rate of interest. In the relending, they would get the money back in a period as short as 7 to 15 years, with interest at 6 percent.

The Congress decided we should not build a government steel mill in India, which would compete against the private steel industry in India.

I am opposed to financing government units which compete against private enterprise. Although such a provision was specifically knocked out of the AID program, it is agreed that in the case of a 7-year relending program, they would have the money back for 43 years. Therefore they could utilize it, indirectly, to build the steel mill in question.

Does not the able Senator believe that the question should be looked into, so that we do not do on an international basis what we have agreed not to do on a national basis?

Mr. MONRONEY. I am sure that the distinguished Senator knows that the loans that have been made to the various divisions of government out of funds that were committed to be reloaned are not being repaid in dollars. They are being repaid in rupees. They have all the rupees they need. They can print more. We have hundreds of millions of dollars of them on hand. They are local currency. The loans which the Senator is discussing are not dollar loans to branches of the Indian Government, and therefore do not bear upon the gold situation. So with the limited funds that IDA will have—the total being less than $750 million—under the program she will be very hard put, even if the Bank directors—who are most able and competent, and have the best record of international lending of any branch that I have seen—will not be persuaded or in any way influenced to make a loan of $1 billion or $750 million, or $500 million for any such program.

The Senator can show me no loans that have been made, nor have I been able to find any, that were contrary to the best interests of the United States, and loans that we would probably gladly have made had we been asked to make them. But, because of the additional funds—the 60 percent of the fund being contributed by others and not U.S. nationals—IDA has been able to raise $1.40 to invest in foreign development loans for the underdeveloped countries while we put up $1.

It is as simple as that. We can kick the program in the teeth and vote to recommit the bill. We can see the attitude of the people who are ready, willing, and able to contribute their money because they like to participate in the job. They have respect for the competence and ability of the staff of the World Bank.

There is confidence in this organization. We have asked them to contribute and subscribe. All the members except two have agreed. All of the 16 but 1—namely, Italy—though they may not have finalized their agreements as yet, have agreed to contribute. If the Senate recommitted the bill, for them there could be only one answer—"The United States does not like the program; let us get out of it." They can unburden their budgets by releasing the funds they had expected to contribute, and we can carry on alone.

I do not think any of the results of the AID program have been so spectacular as to say there is no need for improvement. I hope we can move toward an international bank that will take some of the load off the back of Uncle Sam, who has been carrying it ever since the close of World War II.

I yield now to the Senator from Missouri.

Mr. SYMINGTON. If the Senator has confidence in the World Bank, which he has, and which I subscribe to, why do they not use some of the $815 million surplus the Bank has developed over the years to handle some of these soft loans in question?

Second——

Mr. MONRONEY. Let me answer one question at a time.

Mr. SYMINGTON. The questions go together.

If they want to pride themselves on being a bank that has never had a bad loan—incidentally, that is not hard to do if one has a soft loan receptacle—why do we not use some of the 4,800 million rupees this country owns in India today instead of moving into the soft loan field with more commitments through IDA?

Mr. MONRONEY. Let me answer the first question. Why does not the World Bank take the $800 million surplus and put it into IDA? I think there is a good reason.

Mr. SYMINGTON. Some of the $800 million—not all of it.

Mr. MONRONEY. I think there is a good reason for it. We are obliged, under the original program of establishing the World Bank, to underwrite a total of $6 billion of the outstanding obligations of the World Bank. Our portion is $6 billion. I am glad we have $850 million, or $875 million, in reserves, because it will prevent a run on demands that we would have to back up or would be called upon to back up. Some of these investments are sold on the open market to investors who choose to buy because of the interest paid. Consequently, I am glad we have the reserve. I hope we will keep it.

With respect to the Senator's other point, I had great hopes—it was one of the main, impelling reasons for the organization that an international organization would be able to use local currencies which we have been accumulating in great amounts under Public Law

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480. We are going to have bales of currency traded for bales of cotton. The situation will be magnified, because the countries that will buy our surpluses will pay interest rates with local currencies. We shall have hundreds of billions of dollars of local currencies. At the exchange rates, they are of very little use on the world market. I had hopes that the local currencies could be used in underdeveloped countries—10 percent is paid in hard currency and 90 percent in local currencies at the present time—to establish development loan funds and to have the local currencies used to help in small housing developments, private enterprises, retail establishments, and small manufacturing plants, which would otherwise require dollars or gold.

If this idea were killed, it would have been the only hope to get the world to try to accomplish this purpose. I think it is a challenge. I do not believe it is a correct answer to casually say, "We are concerned that we are going to ruin ourselves because we may have a $10 million or $20 million or even a $25 million addition to our imbalance of payment."

The outflow of gold would be much less under this program than it would be under the $2,500 million foreign aid program—25 times as much—or as a result of the imbalance from tourism, which gives us an imbalance of $1½ billion; and certainly it would not be as much as the cost of military expenditures abroad, which the Senator and I approve of, but which regrettably contribute so much to the imbalance of payments.

Mr. SYMINGTON. I am much impressed with some of the arguments the Senator has made in favor of IDA.

We create a situation in which we lend money for 50 years, with no repayment for 10 years, and no interest.

When we went from grants to loans in the AID Agency, we automatically turned that Agency into the largest bank in the free world. At the same time, we did not have anyone trained in banking to follow the loans. Perhaps that is one of the reasons the Agency got into serious trouble. For that reason, I am apprehensive as to the expansion of this particular Agency under the World Bank. I think it good it has a surplus, but wonder how much surplus is necessary before the Bank can risk using said surplus for some of the soft loans it handles.

I am grateful to the Senator for yielding and for his invariable courtesy.

Mr. MONRONEY. The Senator has been most gracious to me.

The World Bank is the agency to administer this mixture of funds. I concur in what the Senator has said about the stated rate of interest. With respect to repayment, if we wanted to take the attitude that a 5½ percent interest charge should be made on loans to clients of IDA, we would only be deceiving ourselves. If we wanted a 3 percent interest charge to be made, we would be kidding ourselves.

With reference to the $800 million surplus, I think the Directors are capable of looking at the loans and determining what maximum interest rate can be paid for the loan. It is true that loans made under the AID program are charged for at the rate of three-quarters of 1 percent. It happens that is the interest rate for the first 10 years. There is an identical arangement under the IDA program. After that, the interest rate under the American AID program goes up to 2 percent. I wish it could go up to 2 percent under IDA.

I do not think that the World Bank members felt that the nations could afford to pay 2 percent. It is true that only three-quarters of 1 percent is paid, but the difference is that IDA gets a free ride on the administrative expenses of making the loan and on disbursing of the loan, while under our own AID program there is a $50 million administrative charge—half of the amount that is being proposed for 3 years under IDA for loans.

The administrative cost will probably continue for several more years. It is necessary to take care of that administrative cost. The net that will occur under IDA will be about the same as that which occurs under our own program, even though the rate of interest charged under the foreign aid program will be 2 percent after 10 years, while under IDA it will remain at three-quarters of 1 percent. When the Directors of the International Development Association feel that these development countries can, on their loans, afford a higher interest rate or pay on shorter terms, it requires only an act of the Board of Directors or board of governors to adjust that rate upward. So we are not, in perpetuity, guaranteeing a service charge of three-quarters of 1 percent.

I believe it is wise to calculate what a borrower can pay when the loan is made, and important that we do not kid ourselves by putting a loan on a high interest rate for a short period of time, which cannot be met. We will get our money back this way, and we will have a small amount with which to service the loan even beyond that. The plan that is in contemplation will allow the repayment of at least three-quarters of 1 percent as an increment to the fund that can be reloaned.

Mr. MORSE. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. MORSE. How much time have I remaining?

The PRESIDING OFFICER. The Senator from Oregon has 17 minutes remaining.

Mr. MORSE. I yield myself 5 minutes.

In response to the remarks of the Senator from Oklahoma, I would like to say that the personnel of IDA and the World Bank are the same, but that the obligation is different. All this talk about the World Bank has no relevancy to the issue before the Senate today. The question is whether we shall underwrite the policies of IDA. The World Bank is a "hard loan" bank. Of course it has a good record. It has a good record because it follows good banking practices. IDA does not follow good banking practices. IDA is a soft-loan program, in which the American taxpayers will lose their shirts time and time again. I do not care who operates IDA. The basis of IDA is not in the interest of the American taxpayers.

We had better take a long look at some of our domestic needs before we weep copious tears about what is happening in India or somewhere else.

With 1 out of 5 Americans not now enjoying an acceptable standard of living and good health, and with 1 out of 10 Americans living in abject poverty, it is time that we take a long, hard look at our domestic programs and at our own domestic needs.

We were told this afternoon that we must go along with what amounts to a 50-year giveaway program of loan after loan. We are not going to get even a small fraction of any of that money back into the pockets of the American taxpayers. I will not support this kind of giveaway program until we can hear from more witnesses and take a good look at it.

Of the many bits of evidence that I could offer, I give only a sampling of how we are walking out on our obligations in this Congress to the poverty-stricken people of America.

I ask unanimous consent that there be inserted in the RECORD at this point an article which appeared in the Washington Post of yesterday in regard to the poverty that exists in the environs of the Capital of the United States, in which we politicians work.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

[From the Washington Post, Jan. 19, 1964]

A JOURNEY INTO OUTSKIRTS OF HOPE—THE FACES OF POVERTY STILL CAN SMILE

(By Frank C. Porter)

("Unfortunately, many Americans live on the outskirts of hope, some because of their poverty, some because of their color, and all too many because of both.

("Whatever the cause, our joint Federal-local effort must pursue poverty, pursue it where it exists—in city slums and small towns, in sharecroppers' shacks or in migrant worker camps, on Indian reservations, among whites as well as Negroes, among the young as well as the aged, in the boom towns and in the depressed areas."—State of the Union Message.)

I took a journey into what President Johnson has called "the outskirts of hope" last week, and it isn't pretty country.

I saw the faces of poverty—toothless, pinched, sad, sullen, angry, uncomprehending, resigned but not always miserable. Even barefooted children used to a diet of beans and no toys can laugh and play like others.

I smell the stench of poverty—the not-so-subtle essence of dirty clothes, sweat, urine, coal oil, and stale food. But the smell is far from characteristic of all the poor.

And I heard the stories of poverty—chronicles of misfortune, disease, ignorance, and despair. But some spoke with a dogged optimism and hope.

AN OUTRAGED WONDER

Four days can give one only a superficial understanding of human deprivation, particularly when he can retreat to a sirloin steak and a clean motel bed at night. Probably poverty can be really known only by living it.

But 4 days with the poor can reinforce a sense of outraged wonder that the most affluent society on earth lets one in five of its number live in critical want; that a Nation bent upon the most efficient use of its natural resources could be so profligate with its human resources.

Photographer Douglas Chevalier and I spent the 4 days in a half dozen Maryland communities ranging from Cambridge on the eastern shore to Cumberland in the Appalachians. Maryland is often called "America in miniature," representing as it does so many varieties of geography and people. The deprivation we saw was typical of that found throughout the Nation as a whole.

THIRTEEN IN A SHACK

Begin with Leslie Milton Dyson. He is the closest to home.

Dyson, a 37-year-old unemployed lumber yard worker and sometime automobile mechanic, lives with his wife and 11 children in a rotting frame shack in Rosemary Hills in Montgomery County. Nearby are several attractive new ramblers, but Dyson doesn't share the affluence of his neighbors.

His house has no toilet, no bathtub, no faucets. He must carry water in pails from a neighbor's outdoor tap several hundred yards away.

The only entrance is over a rickety back stoop which nearly crumbled under our weight. The only heat is from an old-fashioned pot-bellied coal stove in a dingy cramped living room where Dyson sleeps with his wife and their youngest child.

The only other room that deserves the name is a small kitchen. From this, ladder-like stairs lead to a lightless, windowless attic. There the other 10 children sleep on five or six battered couches and cots jammed close together.

The attic is no more than 5 feet high at the highest point and the wind whistles through gaps in the shingles. "Almost the same as outdoors," says Dyson sadly, ignoring the fact that the attic is a horrendous firetrap.

The Dysons hate their home. They let us take pictures because they felt that it might call public attention to a serious housing problem in the county; that it might indirectly help others in a similar predicament.

ADEQUACY COMES HIGH

For 9 years they had a home they liked—roomy, clean, comfortable, in good repair. The rent was only $40 a month. It was the kind of a home in which you could hold a family together, could bring up the children right.

Then the landlord sold it to a man who wanted to live in it himself. The Dysons looked all over Montgomery for another home but could find nothing large enough within their means. Eventually, they moved into a house in the District which was adequate, but Dyson couldn't keep up with the $150-a-month rent on his $65-a-week income.

So now they live in a forlorn shack which costs them only $25 a month but which Dyson feels casts a dark shadow over the family's future. Unemployed and receiving welfare payments now, he expects to win back his lumberyard job when the weather improves. But even then, he has little chance of finding better housing on $65 a week.

Dyson would like to go back to being an automobile mechanic. That would boost his income to $75 or $80 a week and bring the dream of a better house closer to reality. But Dyson says he can't get the job without a drivers' permit and he lost his for lack of insurance coverage in an accident. Regaining his permit would cost $110, Dyson says, and he doesn't have that kind of money.

Just as Dyson feels that housing is the key to most of his problems, Montgomery social workers regard it as perhaps the most critical factor in the battle against a poverty that few county residents ever see. Many a suburbanite has never heard of, let alone seen, Ken Gar, Cairo, Tobeyville, Scotland, and the other pockets of deprivation that lurk off the highways and byways of the county.

William E. Royer, director of the Montgomery County Welfare Board, recently showed color slides of some of these pockets to members of the Montgomery Council and legislative delegation. In the words of an associate, the reaction of the political leaders to such squalor in the midst of one of the Nation's richest—if not the richest—counties was one of "general shock."

But housing is only one of many ingredients in the amalgam of poverty. Most of its victims are beset by deficiencies in skills, education, and health. The situation is often further aggravated by racial discrimination—as in Cambridge, where it has deepened economic crisis—or by changing technology—as in the Cumberland area, where mine mechanization and falling coal demand have turned once-proud industry into a human refuse heap.

Often overlooked is the contribution to poverty made by seasonal work. Millions of Americans—construction, agricultural, cannery, and other workers—live in thralldom to the elements and the calendar. Most of them are barely able to keep their families going when they're working full time; when they're laid off, they just can't make a go of it on their own.

Also misunderstood is the correlation of jobs and deprivation. During the Kennedy administration, primary emphasis was put on employment as an exit to poverty and it is popularly believed that a jobholder cannot be a pauper. This is a false assumption; low wage scales are a major factor in poverty.

Willie Glover, 38, pours concrete pipe for a construction company and is paid $65 a week if the elements are willing. Bad weather often sends his paycheck down as low as $45.

The seven-room East Baltimore house he lives in is reasonably comfortable and adequate for his huge family. But the $16.50 weekly rent leaves him little margin to buy food for himself, his wife, nine children of his own and two of his oldest daughter.

His oldest son was born with rheumatic fever and can handle occasional odd jobs but not steady work. Mrs. Glover has sought kitchenwork in a hospital without success and Minnie, the oldest daughter, is trying to raise the $5 book and equipment fee for a course leading to nurse's aide work. As Minnie says:

"If you don't have no education or references, you don't get no job."

And deprivation breeds improvisation. In his dark, close, cheerless West Baltimore flat, Joseph Judkins, an articulate construction worker on temporary layoff, and the father of six, philosophizes:

"When your income goes from $62 a week down to $27 in unemployment insurance, you just have to adjust. No one went hungry in this house." The family resigned itself to a fairly steady diet of cabbage, potatoes, and beans plus some meat. "But you don't buy any center-cut chops."

The point can be made that Judkins and Glover can't expect to support families of 8 and 13 persons on the wages of a single semiskilled worker. But in Cambridge, where the overall unemployment rate is about 15 percent and that of Negroes 30 percent, it's difficult to see how any family can avoid poverty on the $1.30 to $1.40 hourly wage that prevails in the area's canneries and food processing plants. And most of this work is seasonal.

Last week's snowfall softened the traditional earmarks of slums, the abandoned jalopies (and in this case a schoolbus) plus assorted other junk in backyards. But inside the ramshackle dwellings, most of them owned by a single white landlord, poverty fairly shouts its presence. People huddle about a coal oil heater, watching without expression a flickering TV set of ancient vintage—the only luxury we found in the homes we visited. The talk turns to disease, to layoffs, to discrimination in employment, to the last time so-and-so worked.

The atmosphere is more cheerful in Greene's Savoy bar and billiard parlor downtown. Few can afford the price of a drink; most come in to keep warm and to watch someone else shoot a game of pool.

Four youths in their early 20's—William Cornish, Dolbert Cepas, Frank Perry, and Charles Blake—sit about a table and drink a proffered can of Colt 45. All graduated from high school. All are articulate. All had steady jobs and two are owed more than $100 in back pay by a firm that went bankrupt. But all except Cepas are now unemployed and he works only 2 days a week.

"A factory here hires you and when you know your job well they hire a white man," says one. "Then after you teach him all you know, they fire you."

There are little or no racial problems in Hagerstown, a city where Negroes are but 3 percent of the population. But there is deprivation nonetheless, even though unemployment has dropped from 12 to 8 percent in the past few years.

No amount of new job opportunities, however, will help Mr. and Mrs. Elwood Sampson. A World War II GI now in his late 40's who resembles the late Ernest Hemingway, beard and all, Sampson is afflicted with an ulcerated stomach, acute varicose veins and an impaired arm which bar him from the laboring jobs he once held. Mrs. Sampson has no work experience and has her hands full caring for their seven children.

Their chief adversary is the $40-a-month house in which they live—a run-down cabin set in the midst of an affluent suburb south of the Hagerstown city line. The roof leaks badly. The only heat is from an old-fashioned wood-burning range. The outdoor privy is in extreme disrepair. The three bedrooms are tiny. The house is hard to keep clean. "Believe it or not, the kids sweeped the floor four times today," says Mrs. Sampson.)

The Sampsons make do on their $220-a-month welfare payment. But they hope they can find a better place to live. In the meantime they and their children have not forgotten how to laugh; deprivation has not crushed their spirit.

In the mining area of George's Creek, west of Cumberland, Lloyd Bittinger and his wife find it hard to laugh, or even smile. A miner for 20 years, Bittinger lost his job for good when the Big Vein Coal Co. sold out. At 61, he is now incapacitated and cannot work. His house is better than many in the area and welfare payments of $176 a month and a small vegetable garden keep the family going.

"I'm just about as dumb as a hog," says Bittinger. "I never went to school none. * * * Never got beyond the second or third grade.

"If you just haven't got the education, why nobody wants you."

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Another George's Creek resident, James Miller, quit school early to help his family.

Things went all right at first. He had a good job at the Celanese Corp. plant in Cumberland. When the company cut back its work force from 14,000 to about 5,000 in 1953 and furloughed Miller, he landed a job tending machines for the Container Corp. of American in Cleveland. Counting overtime, Miller made $120 to $125 a week plus roughly $50 more as a gas station attendant in his off hours.

In 1957, Container Corp. shut down its Cleveland plant and Miller had to return home. Since then work has been hit or miss—a short-lived stint as a hospital orderly, work on a dairy farm, odd jobs about the community. He failed an employment service test for machinists because he couldn't read blueprints. One week he worked 56 hours to earn $28 changing tires at a tire shop. A neighbor paid him $20 to help paint his house.

The Allegany County Welfare Department helps the Millers and their eight offspring with maximum payments under the Federal aid to dependent children program.

But the payments won't soothe the ache in Miller's heart—an ache which shows in his words and upon his face. It won't answer the unasked but implicit question: Why must a man who has shown a willingness over the years to work and work hard remain idle?

What does it all add up to?

"Anybody who wants work can get it in this part of the country. I don't go along with this business of getting paid for not working," says Mayor James E. Cummings, of Brunswick, Md., which has suffered an employment decline in its major industry, railroading. "There's no poverty here. Welfare takes care of that."

"If local government can't function (to eliminate poverty), then the Federal Government must step in," says Gloria Richardson, Cambridge's militant civil rights leader. "It's a national responsibility."

During our 4-day trip, we heard about the bums, the gyps, the ne'er-do-wells, the drunks on relief. One caseworker acknowledged sadly that half of more than 200 welfare clients in one Baltimore area drank heavily enough to interfere with any normal work life they might have. "One guy pawned his shoes to buy beer," he said. "The only man I know who went barefoot to stay drunk."

Question: Is this the effect or the cause? The wonder is, perhaps, that after all these years the James Millers and the Elwood Sampsons, the Joseph Judkins, the Willie Glovers, and the Leslie Dysons still haven't given up.

Mr. SYMINGTON. Mr. President, will the Senator yield?

Mr. MORSE. I will not yield until I have finished my remarks. I have listened to the colloquy during the past few minutes, and it seems to me that it is about time to face the basic issue before us. It is whether we shall "buy" the rush-act argument that we have heard from the Senator from Oklahoma that we must pass this bill this afternoon, or whether we shall send the bill back to the committee, to give it an opportunity for another 60 or 90 days to hear further evidence.

What kind of allies have we in this bank, if the Senator from Oklahoma is correct, if, unless we pass the bill today, they will walk out? If they are that kind of partners, the sooner they walk out, the better. I do not want to do business with that kind of allies, if the constitutional processes of this country cannot work and we cannot take the time in behalf of the taxpayers of this country to take a long, hard look at the operation of the proposed 50-year giveaway program.

If anyone thinks that we are going to get much of that money back, he is only deceiving himself. However, we have no right to kid the American taxpayers.

We are told that we have a great opportunity, and that for every dollar we put up, our allies will put up $1.40.

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. MORSE. I yield myself 5 additional minutes.

It is said that if we put up $1, our allies will put up $1.40 in this venture. If they do not want to stay in the program until we have an opportunity to take a long look at it, let them get out of it.

There is also implied in the argument made by the Senator from Oklahoma in behalf of the soft loan programs that there is some great advantage to us in being a party to this consortium. There is a great disadvantage, in my opinion, because once we enter into that consortium, we lose our checking process.

It is about time for Congress to maintain a check on the expenditure of every taxpayer dollar that is poured into a foreign assistance program. I do not propose to vote for a scheme under which we lose our checking prerogative, and turn it over to IDA. It would be much better for us to operate on a unilateral basis.

The argument of the Senator from Oklahoma is bottomed in no small part upon the procedures and policies of the World Bank. We had better decide whether or not the time has come for us to follow a unilateral course of action in regard to any soft loan program, and not be bound up into an international consortium, over which we lose our checking policy.

The more I hear the Senator from Oklahoma and the Senator from Arkansas speak in support of the pending bill, the more convinced I am that we ought to get out of the program so far as IDA is concerned, and take a look at soft loans that we individually approve, in connection with which we are willing to lend the American taxpayer dollars under a soft loan program, under such terms and restrictions as we wish to establish.

Let us remain in the World Bank, but let us get out of IDA, if staying in IDA means that the bill must be rammed through the Senate this afternoon before we have an opportunity to take further testimony from witnesses whom the Senator from Missouri has mentioned, who have come forward, since the hearings in the Foreign Relations Committee, with renewed doubts in regard to the advantages of the program.

I yield back the remainder of my time. I am ready to vote on the motion that the bill be recommitted to the Committee on Foreign Relations.

Mr. GORE. Mr. President, will the Senator withhold his yielding back the remainder of his time?

Mr. MORSE. I am glad to do so.

TAX REDUCTION

Mr. GORE. Mr. President, will the Senator yield me 5 minutes?

Mr. MORSE. I am glad to yield 5 minutes to the Senator from Tennessee.

Mr. GORE. On January 14 I inserted in the RECORD, at page 353, a table taken from the statistics furnished by the Treasury Department. This table shows that the "typical" taxpayer, with an adjusted gross income of $1 million a year and a "realized income" of more than $1,500,000 a year, will, under the Dillon tax bill, if it is enacted, pay less than 16 percent of his realized income in taxes.

I ask unanimous consent that the table, which I send to the desk, may be reprinted in the RECORD at this point.

There being no objection, the table was ordered to be printed in the RECORD, as follows:

Effective tax rates under H.R. 8363

[Married couple with 2 dependents, with typical dividends, capital gains and other income,[1] and typical itemized deductions]

Adjusted gross income [1]	Realized income [2]	Tax under H.R. 8363	Tax as percentage of realized income
$3,000	$3,131	0	0
$4,000	4,130	$103	2.5
$5,000	5,126	219	4.3
$6,000	6,126	339	5.5
$7,500	7,636	569	7.4
$10,000	10,186	972	9.5
$12,500	12.736	1,373	10.8
$15,000	15,385	1,830	11.9
$17,500	18,033	2,296	12.7
$20,000	20,713	2,820	13.6
$25,000	26,026	3,983	15.3
$30,000	31,461	5,297	16.8
$40,000	42,331	8,392	19.8
$50,000	53,201	12,217	23.0
$75,000	81,220	20,672	25.5
$100,000	113,212	29,670	26.2
$200,000	247,580	56.675	22.9
$500,000	721,365	138,216	19.2
$1,000,000	1,501,588	238,037	15.9

[1] Includes such income as wages and salaries, interest, rents, business and partnership income, royalties, and typical dividends and capital gains. Estimates of typical dividends and realized capital gains and itemized deductions are based on 1960 tax return data.

[2] Realized income exceeds adjusted gross income largely because adjusted gross income includes only 40 percent of capital gains under H.R. 8363 (50 percent under existing law).

NOTE.—Several items, such as tax-exempt interest, ½ of long-term capital gains, including so-called statutory gains which often have no logical relationship to capital transactions, depletion, and intangible drilling costs, are omitted from adjusted gross income and from realized income.

Source of basic data: Office of the Secretary of the Treasury, Office of Tax Analysis. See table on p. 709 of Finance Committee hearings.

Mr. GORE. Mr. President, in order that there may be no mistake whatsoever about the fact that these statistics are from official sources, I ask unanimous consent that there be printed in the REC-

ORD at this point a table supplied to the Committee on Finance by Secretary Dillon, which I now send to the desk.

There being no objection, the table was ordered to be printed in the RECORD, as follows:

Tax savings and increase in after-tax income under House bill

[Married couple with 2 dependents, with typical dividends, capital gains and other income,[1] and typical itemized deductions]

Adjusted gross income [1]	Present law		House bill		Tax cut or increase in after-tax income		
	Tax	After-tax income [2]	Tax	After-tax income [2]	Amount	Percentage tax cut	Percentage increase in after-tax income
$3,000	0	$3,131	0	$3,131			
$4,000	$143	3,987	$103	4,027	$40	28	1
$5,000	299	4,827	219	4,907	80	27	2
$6,000	455	5,671	339	5,787	116	26	2
$7,500	719	6,917	569	7,067	150	21	2
$10,000	1,193	8,993	972	9,214	221	19	2
$12,500	1,657	11,079	1,373	11,363	284	17	3
$15,000	2,196	13,189	1,830	13,555	366	17	3
$17,500	2,745	15,288	2,296	15,737	449	16	3
$20,000	3,369	17,344	2,820	17,893	549	16	3
$25,000	4,755	21,271	3,983	22,043	772	16	4
$30,000	6,322	25,139	5,297	26,164	1,025	16	4
$40,000	10,026	32,305	8,392	33,939	1,634	16	5
$50,000	14,254	38,947	12,217	40,984	2,037	14	5
$75,000	23,799	57,421	20,672	60,548	3,127	13	5
$100,000	33,965	79,247	29,670	83,542	4,295	13	5
$200,000	63,318	184,262	56,675	190,905	6,643	11	4
$500,000	154,249	567,116	138,216	583,149	16,033	10	3
$1,000,000	261,929	1,239,659	238,037	1,263,551	23,892	9	2

[1] Includes such income as wages and salaries, interest, rents, business and partnership income, royalties, and typical dividends and capital gains. Estimates of typical dividends and realized capital gains and itemized deductions are based on 1960 tax return data.

[2] After-tax income exceeds adjusted gross income for very high income-tax payers because 50 percent of the long-term capital gains, which constitute a high proportion of income for such taxpayers, is included in adjusted gross income under present law and 40 percent is included under the House bill.

Source: Office of the Secretary of the Treasury, Office of Tax Analysis, Oct. 11, 1963.

Mr. GORE. Mr. President, after these astounding statistics appeared in the RECORD, the distinguished junior Senator from Virginia [Mr. ROBERTSON] received from Secretary Dillon a letter making certain comments upon the statistics in those tables. In his letter, Secretary Dillon seemed to be undertaking, although never quite doing so, to cast some discredit upon the statistics which he had supplied. I thought this was a rather strange, odd performance. In any event, in the letter which he addressed to the junior Senator from Virginia, Secretary Dillon expressed some fondness for the tables and statistics which he had supplied to two of our distinguished colleagues, Senator DOUGLAS and Senator SMATHERS.

But upon studying the tables supplied to them, I find that they reveal substantially the same thing. So the statistics which Secretary Dillon furnished me cannot be very wrong, if the statistics which he furnished to Senator DOUGLAS and Senator SMATHERS are correct. I accept the statistics furnished by the Treasury in all three instances as correct.

It is rather astounding that even according to the table supplied to Senator SMATHERS by Secretary Dillon, a taxpayer with an income of $2 million a year would pay only 18½ percent of his realized income in taxes. This table somehow omitted reference to a typical taxpayer having $1 million a year adjusted gross income that was a part of the table furnished to me. It does refer to a taxpayer having $700,000 a year income and also to a taxpayer having $2 million a year income.

The PRESIDING OFFICER. The Senator's 5 minutes have expired.

Mr. GORE. Mr. President, I ask unanimous consent that I may proceed for 1 additional minute.

Mr. MONRONEY. Mr. President, does time remain on our side?

The PRESIDING OFFICER. The Senator from Oklahoma has 3 minutes remaining.

Mr. MONRONEY. I yield 3 minutes to the Senator from Tennessee.

Mr. GORE. The table furnished to Senator SMATHERS has been printed in the record of the hearings of the Committee on Finance. If Senators will refer to it, they will find that it contains the astounding result that a taxpayer having an income of $2 million a year, with a high proportion of capital gains, would pay 18½ percent of his realized income in taxes, and that a taxpayer having $700,000 a year income—a quite affluent person by most standards—would pay only 18.1 percent of his realized income in taxes.

So whether we argue about 18.1 percent for a taxpayer having an income of $700,000 a year, a tax payment of 15.9 percent of realized income by a taxpayer having an adjusted gross income of $1 million a year, or a tax payment of 18½ percent by the taxpayer with $2 million per year income, we cannot look our fellow men squarely in the eye, in my opinion, and say that we will be dealing fairly and equitably with the average citizen, when taxpayers having these enormous incomes will be paying only these small percentage amounts of their realized income.

I ask unanimous consent to have printed at this point in the RECORD a letter which I have addressed to the distinguished junior Senator from Virginia [Mr. ROBERTSON].

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

JANUARY 20, 1964.

Hon. A. WILLIS ROBERTSON,
5241 New Senate Office Building,
Washington, D.C.

DEAR WILLIS: I can't tell you how delighted I am that you took note of my brief remarks on the floor last Tuesday concerning one aspect of the tax bill, H.R. 8363. It would certainly make for a more meaningful debate on the bill when the measure does reach the floor next month if more of our colleagues would begin to familiarize themselves with the inequities of this iniquitous legislation.

The letter you received from Secretary Dillion, and which you inserted in the RECORD for January 15, on page 483, under the heading "Tax Reform," comments on my observation that the "typical" taxpayer having an adjusted gross income of $1 million per year would pay, under the terms of the bill, a rate of only 15.9 percent of his realized income. The source of these statistics was the Treasury Department. I note with interest that the Secretary appears to be trying to repudiate the statistics furnished me by his own office. This is a somewhat strained, odd performance.

To begin with, Secretary Dillon states in effect that there is no such thing as a "typical" taxpayer when one mingles with the denizens of the rarefied atmosphere where those with adjusted gross income in excess of $100,000 orbit grandly around the world of us lesser folk. It was the Treasury Department, in furnishing me the statistics I used, which coined the term "typical" to illustrate the taxpayer who paid a rate characteristic of the various income classifications running up to $1 million of adjusted gross income. The term is not mine. It is the Treasury's.

Is there, in fact, any such thing as a "typical" million dollar income man? This depends on one's idea of what the term "typical" both denotes and connotes. There are wide variations among individuals of all income levels, of course, but there are some things one can say about the people who are so affluent as to have an income of a million dollars or more per year.

First, based on an examination of 1961 income tax returns, there were 398 of them during that year. Their tribe, like Abou ben Adam's, increases. This is an increase of 92 over 1960. There were only about half as many (201) in 1954. At the rate we are going and with passage of the tax bill, we may soon reach the 1929 pattern of maldistribution of income which led to the great depression.

Second, well over 60 percent of the income realized by these million-dollar-per-year people comes from capital gains, and about 95 percent comes from capital gains and dividends together. In my book this is unearned income, and ought to be heavily, not lightly, taxed.

Third, most of these people are taxed at effective rates well below 30 percent, regardless of which individual one might settle on as "typical," and the tax bill will tax these people even more lightly.

Secretary Dillon seems now to dislike the table he furnished me, but he reiterates his fondness for certain tables furnished Senator DOUGLAS, which appear in the Finance Committee hearings beginning on page 278, and others which the Secretary furnished Senator SMATHERS, and which appear in the hearings on page 2660. Should I feel slighted?

What do these tables show? Those furnished Senator DOUGLAS show that the

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"median effective tax rate" for those having adjusted gross incomes between $1 and $2 million in 1959 was 23.8 percent, for those with adjusted gross incomes between $2 and $5 million it was 24.6 percent, and for those above $5 million 23.7 percent. The effective tax rate for 75 percent of all taxpayers who had "amended gross income" (that is, adjusted gross income plus the 50 percent of capital gains excluded on the income tax return) of $1 million or more was less than 30 percent in 1959.

The figures I used, and which were, I reiterate, furnished me by the Treasurer, were based on 1960 income tax return data, and on the formula contained in the tax bill, H.R. 8363, as passed by the House. The bill, of course, lowers the effective tax rate for these people, whether one refers to the "average," "median," or "typical" taxpayer in this group.

Secretary Dillon also seems to prefer the statistics he furnished Senator SMATHERS. What do these happier, in the eyes of Mr. Dillon, statistics show? They show that "hypothetical" taxpayers can vary their effective rates tremendously by shifting from ordinary income to capital gains. This is hardly news.

But Secretary Dillon sets great store by one of these tables, which shows effective tax rates for the rich and very rich, and how these rates vary according to whether these typical Dives' incomes come from just a little capital gains or a lot of capital gains.

In the real world of high income individuals, we know that the percentage of capital gains is high. It is well over 60 percent on the average. At any rate, these tables show varying rates according to whether the individual received a high, medium, or low proportion of his income in the form of capital gains.

For some reason, these tables skip the million-dollar man, about whom I have been talking, and jump from the $700,000 man to the $2 million man. Is there any reason to dislike the ordinary millionaire? So far as I know, he is an admirable fellow.

At any rate, the $2-million-per-year man, with income consisting of a high proportion of capital gains, would pay only 18.5 percent of his realized income in taxes under this iniquitous tax bill. Now mind you, WILLIS, this is from the table which Secretary Dillon furnished to Senator SMATHERS. Small comfort. Well, then take a look at the $700,000 man. He would pay only 18.1 percent. Perhaps the "typical" million dollar man I have been talking about, who would pay about 16 percent under the bill, is close to reality after all.

We are not told by the Treasury prestidigitators just how much of this hypothetical $2 million man's income consists of capital gains and how much consists of other income for which he must find other dodges and gimmicks to escape taxation. But we do know that in actuality the total capital gain for all recipients of $2 million to $5 million of "amended gross income" in 1959 was 70.4 percent of that income. I think this is a high proportion.

Whether these very rich will pay a tax rate of 15.9 percent, 18.1 percent, or 30 percent on their realized income—and I assure you this latter figure is high for most of them—can any of us look our ordinary fellow man in the eye and tell him that by the passage of this Dillon tax bill we will have made our tax structure more equitable?

And, by the way, WILLIS, at no place in any of these calculations do tax exempt interest, oil and gas depletion, or intangible drilling cost allowances, enter into my calculations or the Secretary's. Adding in such income, which is very real even if untaxed, would, of course, make the effective rates even lower for these affluent members of our only partially affluent society.

I do appreciate your interest and the degree of your concern for fairness for the mass of our people in tax matters.

I appreciate also your insertion of Secretary Dillon's letter in the CONGRESSIONAL RECORD, and I solicit your support for amendments to make this bill more equitable.

Sincerely yours,

ALBERT GORE.

INCREASE IN RESOURCES OF INTERNATIONAL DEVELOPMENT ASSOCIATION

The Senate resumed the consideration of the bill (S. 2214) to amend the International Development Association Act to authorize the United States to participate in an increase in the resources of the International Development Association.

The PRESIDING OFFICER. Is all time yielded back?

Mr. MONRONEY. I yield back the remainder of my time.

Mr. MORSE. I yield back the remainder of my time.

The PRESIDING OFFICER. All time has been yielded back. The question is on agreeing to the motion of the Senator from Oregon to recommit the bill. The yeas and nays have been ordered, and the clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. WALTERS (when his name was called). On this vote, I have a live pair with the Senator from Alabama [Mr. SPARKMAN]. If the Senator from Alabama were present and voting, he would vote "nay." If I were at liberty to vote, I would vote "yea." I withhold my vote.

The rollcall was concluded.

Mr. MANSFIELD. I announce that the Senator from Indiana [Mr. BAYH], the Senator from Nevada [Mr. BIBLE], the Senator from North Dakota [Mr. BURDICK], the Senator from Idaho [Mr. CHURCH], the Senator from Mississippi [Mr. EASTLAND], the Senator from Oklahoma [Mr. EDMONDSON], the Senator from California [Mr. ENGLE], the Senator from Alaska [Mr. GRUENING], the Senator from Florida [Mr. HOLLAND], the Senator from Minnesota [Mr. HUMPHREY], the Senator from North Carolina [Mr. JORDAN], the Senator from Massachusetts [Mr. KENNEDY], the Senator from Washington [Mr. MAGNUSON], the Senator from Wyoming [Mr. MCGEE], the Senator from Oregon [Mrs. NEUBERGER], the Senator from Rhode Island [Mr. PELL], the Senator from West Virginia [Mr. RANDOLPH], the Senator from Connecticut [Mr. RIBICOFF], the Senator from Virginia [Mr. ROBERTSON], the Senator from Alabama [Mr. SPARKMAN], the Senator from Mississippi [Mr. STENNIS], the Senator from Texas [Mr. YARBOROUGH], and the Senator from Ohio [Mr. YOUNG] are absent on official business.

I further announce that, if present and voting, the Senator from West Virginia [Mr. RANDOLPH], the Senator from Connecticut [Mr. RIBICOFF], and the Senator from Texas [Mr. YARBOROUGH] would each vote "nay."

On this vote, the Senator from Indiana [Mr. BAYH] is paired with the Senator from Nevada [Mr. BIBLE]. If present and voting, the Senator from Indiana would vote "nay," and the Senator from Nevada would vote "yea."

On this vote, the Senator from North Dakota [Mr. BURDICK] is paired with the Senator from Mississippi [Mr. EASTLAND]. If present and voting, the Senator from North Dakota would vote "nay," and the Senator from Mississippi would vote "yea."

On this vote, the Senator from Idaho [Mr. CHURCH] is paired with the Senator from Oklahoma [Mr. EDMONDSON]. If present and voting, the Senator from Idaho would vote "nay," and the Senator from Oklahoma would vote "yea."

On this vote, the Senator from Minnesota [Mr. HUMPHREY] is paired with the Senator from Alaska [Mr. GRUENING]. If present and voting, the Senator from Minnesota would vote "nay," and the Senator from Alaska would vote "yea."

On this vote, the Senator from Massachusetts [Mr. KENNEDY] is paired with the Senator from North Carolina [Mr. JORDAN]. If present and voting, the Senator from Massachusetts would vote "nay," and the Senator from North Carolina would vote "yea."

On this vote, the Senator from Washington [Mr. MAGNUSON] is paired with the Senator from Florida [Mr. HOLLAND]. If present and voting, the Senator from Washington would vote "nay," and the Senator from Florida would vote "yea."

On this vote, the Senator from Wyoming [Mr. MCGEE] is paired with the Senator from Virginia [Mr. ROBERTSON]. If present and voting, the Senator from Wyoming would vote "nay," and the Senator from Virginia would vote "yea."

On this vote, the Senator from Rhode Island [Mr. PELL] is paired with the Senator from Mississippi [Mr. STENNIS]. If present and voting, the Senator from Rhode Island would vote "nay," and the Senator from Mississippi would vote "yea."

Mr. KUCHEL. I announce that the Senator from Colorado [Mr. DOMINICK], the Senator from New Mexico [Mr. MECHEM], the Senator from Kentucky [Mr. MORTON], the Senator from South Dakota [Mr. MUNDT], the Senator from Kansas [Mr. PEARSON], the Senator from Massachusetts [Mr. SALTONSTALL], the Senator from Pennsylvania [Mr. SCOTT], the Senator from Texas [Mr. TOWER], and the Senator from North Dakota [Mr. YOUNG] are necessarily absent.

If present and voting, the Senator from Colorado [Mr. DOMINICK] would vote "yea."

On this vote, the Senator from New Mexico [Mr. MECHEM] is paired with the Senator from Kentucky [Mr. MORTON]. If present and voting, the Senator from New Mexico would vote "yea," and the Senator from Kentucky would vote "nay."

On this vote, the Senator from South Dakota [Mr. MUNDT] is paired with the Senator from Kansas [Mr. PEARSON]. If present and voting, the Senator from South Dakota would vote "yea," and the Senator from Kansas would vote "nay."

On this vote, the Senator from Texas [Mr. TOWER] is paired with the Senator from Pennsylvania [Mr. SCOTT]. If present and voting, the Senator from Texas would vote "yea," and the Senator from Pennsylvania would vote "nay."

The result was announced—yeas 30, nays 37, as follows:

[No. 3 Leg.]

YEAS—30

Allott
Beall
Bennett
Boggs
Byrd, Va.
Cannon
Carlson
Cotton
Curtis
Dirksen
Ellender
Ervin
Fong
Goldwater
Gore
Hickenlooper
Hruska
Johnston
Jordan, Idaho
Lausche
McClellan
Miller
Morse
Prouty
Russell
Simpson
Symington
Talmadge
Thurmond
Williams, Del.

NAYS—37

Aiken
Anderson
Bartlett
Brewster
Byrd, W. Va.
Case
Clark
Cooper
Dodd
Douglas
Fulbright
Hart
Hartke
Havden
Hill
Inouye
Jackson
Javits
Keating
Kuchel
Long, Mo.
Long, La.
Mansfield
McCarthy
McGovern
McIntyre
McNamara
Metcalf
Monroney
Moss
Muskie
Nelson
Pastore
Proxmire
Smathers
Smith
Williams, N.J.

NOT VOTING—33

Bayh
Bible
Burdick
Church
Dominick
Eastland
Edmondson
Engle
Gruening
Holland
Humphrey
Jordan, N.C.
Kennedy
Magnuson
McGee
Mechem
Morton
Mundt
Neuberger
Pearson
Pell
Randolph
Ribicoff
Robertson
Saltonstall
Scott
Sparkman
Stennis
Tower
Walters
Yarborough
Young, N. Dak.
Young, Ohio

So Mr. MORSE's motion to recommit was rejected.

Mr. FULBRIGHT. Mr. President, I move that the vote by which the motion to recommit was rejected be reconsidered.

Mr. KUCHEL. Mr. President, I move that the motion to reconsider be laid on the table.

The motion to lay on the table was agreed to.

LEGISLATIVE PROGRAM

Mr. DIRKSEN. Mr. President, while many Senators are in the Chamber, I should like to ask the majority leader what is the schedule of business for tomorrow.

Mr. MANSFIELD. Mr. President, if we complete the pending business today, it is the intention of the leadership to go over until 12 o'clock noon on Wednesday, at which time the business will be the resolution submitted by the Senator from Rhode Island [Mr. PASTORE], Senate Resolution 89.

That is about the best I can see at the moment. The committees are meeting, and there is not too much on the calendar.

INCREASE IN RESOURCES OF INTERNATIONAL DEVELOMPENT ASSOCIATION

The Senate resumed the consideration of the bill (S. 2214) to amend the International Development Association Act to authorize the United States to participate in an increase in the resources of the International Development Association.

Mr. FULBRIGHT. Mr. President, I am ready to yield back the remainder of my time, if the opponents are, so as to have a vote on the bill immediately.

Mr. MORSE. Mr. President, I yield back the remainder of my time, and I ask for the yeas and nays.

The yeas and nays were ordered.

The PRESIDING OFFICER. The bill is open to further amendment. If there be no further amendment to be proposed, the question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed for a third reading and was read the third time.

The PRESIDING OFFICER. All time on the bill having been yielded back, the question is, Shall the bill pass?

On this question the yeas and nays have been ordered; and the clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. WALTERS (when his name was called). On this vote I have a live pair with the Senator from Alabama [Mr. SPARKMAN]. If he were present and voting, he would vote "yea." If I were at liberty to vote, I would vote "nay." I therefore withhold my vote.

The rollcall was concluded.

Mr. MANSFIELD. I announce that the Senator from Indiana [Mr. BAYH], the Senator from Nevada [Mr. BIBLE], the Senator from North Dakota [Mr. BURDICK], the Senator from Mississippi [Mr. EASTLAND], the Senator from Oklahoma [Mr. EDMONDSON], the Senator from California [Mr. ENGLE], the Senator from Alaska [Mr. GRUENING], the Senator from Florida [Mr. HOLLAND], the Senator from Minnesota [Mr. HUMPHREY], the Senator from North Carolina [Mr. JORDAN], the Senator from Massachusetts [Mr. KENNEDY], the Senator from Washington [Mr. MAGNUSON], the Senator from Wyoming [Mr. MCGEE], the Senator from Oregon [Mrs. NEUBERGER], the Senator from Rhode Island [Mr. PELL], the Senator from West Virginia [Mr. RANDOLPH], the Senator from Connecticut [Mr. RIBICOFF], the Senator from Virginia [Mr. ROBERTSON], the Senator from Alabama [Mr. SPARKMAN], the Senator from Mississippi [Mr. STENNIS], the Senator from Texas [Mr. YARBOROUGH], and the Senator from Ohio [Mr. YOUNG] are absent on official business.

I further announce that if present and voting, the Senator from West Virginia [Mr. RANDOLPH] and the Senator from Alabama [Mr. SPARKMAN], would each vote "yea."

On this vote, the Senator from Indiana [Mr. BAYH] is paired with the Senator from Nevada [Mr. BIBLE]. If present and voting, the Senator from Indiana would vote "yea," and the Senator from Nevada would vote "nay."

On this vote, the Senator from North Dakota [Mr. BURDICK] is paired with the Senator from Mississippi [Mr. EASTLAND]. If present and voting, the Senator from North Dakota would vote "yea," and the Senator from Mississippi would vote "nay."

On this vote, the Senator from Wyoming [Mr. MCGEE] is paired with the Senator from California [Mr. ENGLE]. If present and voting, the Senator from Wyoming would vote "yea," and the Senator from California would vote "nay."

On this vote, the Senator from Texas [Mr. YARBOROUGH] is paired with the Senator from Oklahoma [Mr. EDMONDSON]. If present and voting, the Senator from Texas would vote "yea," and the Senator from Oklahoma would vote "nay."

On this vote, the Senator from Connecticut [Mr. RIBICOFF] is paired with the Senator from Virginia [Mr. ROBERTSON]. If present and voting, the Senator from Connecticut would vote "yea," and the Senator from Virginia would vote "nay."

On this vote, the Senator from Washington [Mr. MAGNUSON] is paired with the Senator from Alaska [Mr. GRUENING]. If present and voting, the Senator from Washington would vote "yea," and the Senator from Alaska would vote "nay."

On this vote, the Senator from Minnesota [Mr. HUMPHREY] is paired with the Senator from Florida [Mr. HOLLAND]. If present and voting, the Senator from Minnesota would vote "yea," and the Senator from Florida would vote "nay."

On this vote, the Senator from Massachusetts [Mr. KENNEDY] is paired with the Senator from North Carolina [Mr. JORDAN]. If present and voting, the Senator from Massachusetts would vote "yea," and the Senator from North Carolina would vote "nay."

On this vote, the Senator from Rhode Island [Mr. PELL] is paired with the Senator from Mississippi [Mr. STENNIS]. If present and voting, the Senator from Rhode Island would vote "yea," and the Senator from Mississippi would vote "nay."

Mr. KUCHEL. I announce that the Senator from Colorado [Mr. DOMINICK], the Senator from Kentucky [Mr. MORTON], the Senator from South Dakota [Mr. MUNDT], the Senator from Kansas [Mr. PEARSON], the Senator from Massachusetts [Mr. SALTONSTALL], the Senator from Pennsylvania [Mr. SCOTT], the Senator from Texas [Mr. TOWER], and the Senator from North Dakota [Mr. YOUNG] are necessarily absent.

On this vote, the Senator from Kentucky [Mr. MORTON] is paired with the Senator from Colorado [Mr. DOMINICK]. If present and voting, the Senator from Kentucky would vote "yea," and the Senator from Colorado would vote "nay."

On this vote, the Senator from Kansas [Mr. PEARSON] is paired with the Senator from South Dakota [Mr. MUNDT]. If present and voting, the Senator from Kansas would vote "yea," and the Senator from South Dakota would vote "nay."

On this vote, the Senator from Pennsylvania [Mr. SCOTT] is paired with the Senator from Texas [Mr. TOWER]. If present and voting, the Senator from Pennsylvania would vote "yea," and the Senator from Texas would vote "nay."

The result was announced—yeas 38, nays 31, as follows:

[No. 4 Leg.]

YEAS—38

Aiken
Anderson
Bartlett
Boggs
Brewster
Carlson
Case
Church
Clark
Cooper
Dodd
Douglas
Fong
Fulbright
Hart

Hartke
Hayden
Hill
Inouye
Jackson
Javits
Keating
Kuchel
Long, Mo.
Mansfield
McCarthy
McGovern
McIntyre
McNamara
Metcalf
Monroney
Moss
Muskie
Nelson
Pastore
Proxmire
Smith
Williams, N.J.

NAYS—31

Allott
Beall
Bennett
Byrd, Va.
Byrd, W. Va.
Cannon
Cotton
Curtis
Dirksen
Ellender
Ervin
Goldwater
Gore
Hickenlooper
Hruska
Johnston
Jordan, Idaho
Lausche
Long, La.
McClellan
Mechem
Miller
Morse
Prouty
Russell
Simpson
Smathers
Symington
Talmadge
Thurmond
Williams, Del.

NOT VOTING—31

Bayh
Bible
Burdick
Dominick
Eastland
Edmondson
Engle
Gruening
Holland
Humphrey
Jordan, N.C.
Kennedy
Magnuson
McGee
Morton
Mundt
Neuberger
Pearson
Pell
Randolph
Ribicoff
Robertson
Saltonstall
Scott
Sparkman
Stennis
Tower
Walters
Yarborough
Young, N. Dak.
Young, Ohio

So the bill (S. 2214) was passed, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 7 of the International Development Association Act (22 U.S.C. 284e) is amended by redesignating subsections (b) and (c) as subsections (c) and (d) and by adding a new subsection (b) as follows:

"(b) The United States Governor is hereby authorized (1) to vote for an increase in the resources of the Association and (2) to agree on behalf of the United States to contribute to the Association the sum of $312 million, both as recommended by the Executive Directors, in a report dated September 9, 1963, to the Board of Governors of the Association. There is hereby authorized to be appropriated, without fiscal year limitation, $312 million to provide the United States share of the increase in the resources of the Association."

Sec. 2. Redesignated subsection (c) of section 7 of the International Development Association Act is amended by striking from the first sentence the words ", after paying the requisite part of the subscription of the United States in the Association required to be made under the articles," and by striking from the third sentence the words "of the subscription of the United States".

Mr. **FULBRIGHT**. Mr. President, I move to reconsider the vote by which the bill was passed.

Mr. **KUCHEL**. Mr. President, I move to lay that motion on the table.

The motion to lay on the table was agreed to.

ORDER FOR ADJOURNMENT UNTIL WEDNESDAY

Mr. **MANSFIELD**. Mr. President, I ask unanimous consent that when the Senate adjourns tonight, it adjourn to meet at 12 o'clock noon on Wednesday next.

The **PRESIDING OFFICER**. Without objection, it is so ordered.

EXECUTIVE SESSION

Mr. **MANSFIELD**. Mr. President, I move that the Senate proceed to the consideration of executive business, to consider a nomination on the Executive Calendar.

The motion was agreed to; and the Senate proceeded to consider executive business.

The **PRESIDING OFFICER**. If there be no reports of committees, the clerk will state the nomination on the Executive Calendar.

FEDERAL DEPOSIT INSURANCE CORPORATION

The legislative clerk read the nomination of Joseph W. Barr, of Indiana, to be member of the Board of Directors of the Federal Deposit Insurance Corporation.

Mr. **LONG** of Missouri. Mr. President, it is a pleasure for me to urge confirmation of the nomination of Mr. Joseph W. Barr as a member of the Board of the Federal Deposit Insurance Corporation.

Mr. Barr would bring to this position a happy combination of experience and ability.

He is a businessman and a good one. He understands the problems of business through experience as treasurer of the O. L. Barr Grain Co. of Indiana, the Barr Development, and the American Theater Corp. of Illinois, and as executive vice president of Merz Engineering of Indianapolis, Ind.

Mr. Barr is a former Member of Congress, serving on committees which would increase his knowledge and understanding of the problems he will encounter on the FDIC Board.

Mr. Barr is impartial as regards banking. He is regarded as a skilled mediator—one who has a splendid record of bringing adverse groups together.

In my experience with him, I have found him to be highly ethical, another prime consideration for the position for which he has been nominated.

It is my opinion that Mr. Barr would be an ideal selection for member of the FDIC Board.

The **PRESIDING OFFICER**. The question is, Will the Senate advise and consent to this nomination

The nomination was confirmed.

Mr. **MANSFIELD**. Mr. President, I ask that the President be immediately notified of the confirmation of the nomination.

The **PRESIDING OFFICER**. Without objection, the President will be notified forthwith.

LEGISLATIVE SESSION

Mr. **MANSFIELD**. Mr. President, I move that the Senate resume the consideration of legislative business.

The motion was agreed to; and the Senate resumed the consideration of legislative business.

GERMANENESS OF DEBATE UNDER CERTAIN CONDITIONS

The **PRESIDING OFFICER**. The Chair lays before the Senate the unfinished business, which will be stated.

The **Legislative Clerk**. Senate Resolution 89, providing for germaneness of debate under certain conditions.

The Senate resumed the consideration of the resolution.

THE NATIONAL SECURITY POLICY

Mr. **SIMPSON**. Mr. President, one of my most respected friends in the U.S. Senate is Peter H. Dominick, from my neighboring State of Colorado. He was elected to the Senate in 1962 and, in my judgment, will be serving Colorado here in the Senate for several decades because he has demonstrated that his fast, tough mind, which is seasoned with wisdom and understanding, can cope with the problems of America and her people. Few persons are as effective in representing their constituents as is Senator Dominick.

On January 16, 1964, Senator Dominick delivered to the Air War College at Maxwell Air Force Base in Montgomery, Ala., the finest speech on our national security policy that I have ever read. This excellent speech deserves the attention of every American. And, in my opinion, it should be required reading for all the officials of the executive branch of our Government.

Recognizing that the United States and the entire free world faces the most serious challenge in our history, Senator Dominick stated:

> With American arms and personnel deployed throughout the world we have suffered one reverse after another. We have the firepower, we have the manpower, but whether we have the willpower to meet this menace is still doubtful. The fact of the matter is that we have not dedicated ourselves to a long range relentless struggle with the worldwide Communist conspiracy despite the fact that this conspiracy has long since declared war upon us.

In this well-prepared statement Senator Dominick points with alarm at those Americans who believe the totalitarianism of the Communist state is gradually disappearing and that the leaders of the worldwide Communist movement are mellowing and he calls them the wishful thinkers, the apologists, and the "don't-rock-the-boat" personalities of our society. Then, with realism and logic he presents several constructive steps that need to be taken if we are to develop a meaningful and consistent national security policy.

In his excellent speech Senator Dominick makes an eloquent plea for us to embark upon a crusade for freedom:

> We must marshal all the spiritual, philosophical, and personal resources of this Nation and all who will join us in—an irrevocable commitment to labor unceasingly toward the unveiling of the real meaning of the Communist conspiracy—the consistency of our dedication to the right of self-determination for every country, and the willpower to use force if necessary.

Mr. President, I ask for unanimous consent to have this speech by Senator Peter H. Dominick printed at this point in the Record so that it might be used as a guideline by all those Americans who seek freedom for the individual in this country and the world.

There being no objection, the speech was ordered to be printed in the RECORD, as follows:

ONE REPUBLICAN'S VIEW OF OUR NATIONAL SECURITY POLICY

(Address by Senator PETER H. DOMINICK)

It is certainly an honor and a privilege for me to participate in the series of discussions you have been holding here at the Air War College for the past 2 months. The topic, "Formulation of National Security Policy," is one with which we are and must be deeply concerned regardless of rank, occupation, or political party. A mistake in this field could be as catastrophic for me as for you and for our families as well as for us. Disagreements are bound to occur, but the extent of the disagreement over security policy has increased in geometric proportion over the last 3 years. It is only fair to ask why this has occurred and whether it is a political difference or a more fundamental schism.

The answers are often clouded by news analysts, political reporters, and differences in governmental philosophy. But it is evident that the flood of suggestions for defense policies originate from one main root.

The United States and the entire free world face the most serious challenge in our history. The placecards change, but the basic story remains the same. The Communists are on the move in Vietnam, in Panama, in Ghana, in Zanzibar, in Indonesia, in Europe, and in almost any area one selects—probing, attacking, slugging forward two steps and then withdrawing one. As fast as an offset is found for one attack, another is started somewhere else in the globe.

And with American arms and personnel deployed throughout the world we have suffered one reverse after another. We have the firepower, we have the manpower, but whether we have the willpower to meet this menace is still doubtful. The fact of the matter is that we have not dedicated ourselves to a long-range relentless struggle with the worldwide Communist conspiracy despite the fact that this conspiracy has long since declared all-out war upon us.

With few exceptions, we have bent over backward time and time again to rationalize and make excuses for the behavior of the Communists because we have so desperately wanted to preserve the peace. We have somehow become so confused as a nation that it has become fashionable in some circles to promote philosophies sympathetic with unilateral disarmament in the dream that the Communists would follow suit. Nonsense.

It is time we faced up to reality. The conflict facing us today cannot be placed in the usual historical frame or reference and defies comparison with previous conflicts. We are no longer in a power struggle between nations vying for increased trade routes, land mass or economic power as their ultimate objectives. It is no longer a matter of national honor having been impugned or of expropriation of capital assets. The struggle facing us transcends contemporary political figures; it knows no geographical boundaries nor is it associated with any special racial or ethnic group. It is no longer a simple case of the "damnyankee" against "Johnny Reb," or of the "doughboy" fighting the "Hun." We are faced with a worldwide ideological conspiracy which, in order to survive, must destroy the democratic nations of the world and the freedoms they represent. If we lose this one, there will be no reestablishment of a free society. There will only be communism. Not Soviet communism, nor Chinese communism, nor even American communism. There will only be communism. That is the nature of our opponent; single-minded, relentless, determined and uninhibited by any rules or regulations.

Over the past 18 years the Communist conspiracy, primarily directed from the Soviet Union has made remarkable gains. In Europe it has achieved absolute control over Hungary, Poland, Bulgaria, Rumania, Albania, Yugoslavia, Estonia and others. In Asia it has taken over control of the hundreds of millions of people on the Chinese mainland, has usurped by force the Mongolian and Tibetan states as well, has invaded and conquered North Vietnam and has de facto control in Laos. It is still moving and increasing its strength in South Vietnam, Cambodia, Burma, and Indonesia. In Africa it has already made significant, if not vital inroads into Ghana and newly emerged Zanzibar, not to mention the questionable status of Algeria, Syria and Egypt. Even in the Western Hemisphere its constant probes and aggressions have borne fruit in Cuba, British Guiana, Brazil, and others. We are now faced with problems in Panama where we find Communists agitating and inciting riots aimed at driving us out of the Canal Zone.

During the same 18 years the frontiers of freedom have not progressed significantly. Those of us who cherish freedom in the world seem to be finding it more and more difficult just to decide what we are trying to do, let alone extend the frontiers. We appear to be floundering and without direction. We are in a period of what might be called our "fire drill diplomacy" where we race from one hot spot to another attempting to placate whoever is making new demands upon us.

Certainly our policy has not been consistent in all parts of the world. For example, we not only tripped all over ourselves in a pellmell rush to recognize the military junta which overthrew and assassinated the elected rulers of South Vietnam, but we encouraged and perhaps even materially aided the conspirators. Yet at the same time we withheld recognition of a military junta in the Dominican Republic. Both military juntas claimed the incumbent rulers they had overthrown were not waging a vigorous enough battle against the Communists. Admittedly the situations are not perfectly analogous. Outstanding similarities do exist however, and the inconsistency of our national policy toward such situations causes many of us to be deeply concerned.

Another more recent example, which lacks the drama of a coup d'etat but has achieved equal recognition, is the sale of surplus American wheat to the Soviets on the one hand, and guaranteeing the Russian credit in order to make the sales, while grumbling over the British sale of buses to Cuba. We can hardly be expected to appreciate the actions of the Bitish in this case but to complain is clearly a case of the pot calling the kettle black.

This inconstancy of purpose is, I believe, one of the most serious shortcomings in our attempt to achieve a lasting national security policy. We cannot forever depend upon sheer military musclepower and foreign aid handouts for national survival. Our enemy will not allow us the privilege of always playing our strong suit. Like the excellent poker player he is, he will bluff, raise the ante, throw in a hand occasionally, call a misdeal or use any other tactic, legal or otherwise, to wear us down and then slam into our weaknesses. He is not interested in anything but our obliteration as a society based upon democratic principles and ideals. He has this as his national security policy. And since our destruction is his ultimate goal he attacks on every front and on many different levels. We must therefore maintain adequate balance on all of the fronts and levels as a prerequisite for our own survival.

Inconsistencies in our reaction to Communist moves throughout the world only play into Communist hands, for they undermine the most important bond between our allies and ourselves, that of mutual respect and trust. To react in Suez one way and Panama another is to place our most basic motives in question, and to hand to the Communists a propaganda weapon of the first magnitude. To be consistent a nation must have a clearly defined, recognized and accepted goal. It must be a realistic goal of desired future achievement upon which to base policy and program. It must consider matters as they exist in fact and not as we would like them to exist. This most careful and deliberate analysis of the true situation of the world and our position in it must consider as well our own historical inheritance and moral values. These latter requirements are of great importance for they preclude taking the easy road and force us to accept our responsibilities as the leader and last hope of the free world.

What then is this goal and how does it contribute to the development of an effective and long lasting national security policy?

In a word it is "freedom."

Freedom for every man, woman and child on the face of the earth to participate in full measure with all others in determining his own destiny. This is obviously an oversimplification, but a necessary one if we are to consider the alternative—and we must.

The alternative is lack of freedom, or slavery. Slavery is a term no longer in vogue, but it is nonetheless appropos for it aptly describes the position in which those lacking freedom find themselves. President Lincoln said a nation cannot exist half slave and half free. It must either be all slave or all free. By the same token a world cannot exist half slave and half free, even though that is the condition in which we find it today.

If our goal is to be meaningful, a policy dedicated to its achievement has to evolve from an extremely practical examination of existing obstacles. The prime impediment to freedom is the oppressive, dictatorial character of the Communist-controlled government.

I am sure there are those who would dispute this point, and it is here that they first begin to depart from the cold, hard facts of the world as it is and see it as they wish to see it. Those who believe the totalitarianism of the Communist state is gradually disappearing and that the leaders of the worldwide Communist movement are mellowing are the wishful thinkers, the apologists, and the don't-rock-the-boat personalities of our society. Every society has been plagued by them as far back as recorded history can carry us. Sincerity and emotionalism become substitutes for realism and logic. They would have us believe the real menace in the world is our own stubbornness rather than the aggressive and unremitting belligerence of the Communists.

In recognizing our own desires for peace and friendly relations they attribute the same desires to the Communists. They turn the other cheek to Communist duplicity, regardless of the frequency with which it is thrust in our face. Through some mechanism of mass introspection, they simultaneously arrive at the conclusion that time and patience, spiced here and there with small concessions, will convert a fanatical, ruthless communism into a benevolent society with which coexistence is not only possible, but desirable. These are the ostriches who have buried their heads deeply in the sands of their own wishful thinking.

This then becomes the first critical point along the road to developing a realistic and consistent national security policy—the acceptance of the Communist menace as the antithesis of individual freedom. If we hedge on that point; if we circumvent it; if we rationalize against it, then we are doomed to a hodgepodge or unrelated effort to contain outcroppings of violence here and there with no long-range goal in mind.

With the fractioning of interests within the free world and the simultaneous rift between the Soviet and Chinese Communists, there is a tendency to deny the inevitability of the overall struggle between freedom and communism. This mistake if made can only lead to further losses by the free world, for the ideological unity of the Communist world will be maintained vis-a-vis the free world despite their differences on tactics in the struggle.

By accepting the fact that a real and constant danger confronts us we take a giant step forward toward understanding the problem and mobilizing our resources to meet it most effectively.

Such a step can come none too soon for communism is sucking our lifeblood in every region of the world. In some areas, such as South Vietnam we are bleeding badly. In others, such as Berlin we have managed to stop the flow of blood, but the wound remains open and festering. In Latin America and Africa the way of freedom hangs precariously in the balance. This clearly indicates to me the universality of the Communist menace.

It means that the drive by communism for abolition of self-determination knows no permanent point of central control. There are Communist governments more firmly entrenched and more militarily and economically powerful than other Communist governments, but there is no one focal point which if eliminated would halt the spread of communism. This then is the second critical point of recognition in the development of realistic and lasting national security policy. The realization that communism has no single source or origin, but is a spreading evil with no national boundaries is important. It is important because it lays bare the fact that a detente with one group of Communist conspirators, even if they could be trusted, has no binding effect upon a different group. It forces us to recognize the futility of believing Communist encroachment is natural only to certain ethnic groups or areas of given socioeconomic or cultural conditions.

The third critical point in the establishment of a winning national security policy is the commitment. The threatening force to our security must first be recognized and its nature established. The inevitability of constant confrontation on many levels then presents itself and the possibility of full-scale hostilities becomes a consideration of magnitude. Accepting these harsh realities and committing ourselves to the ultimate victory of freedom is the only recourse short of slow dissolution through accommodation, appeasement and eventual collapse.

If we are to emerge victorious from this epochal struggle, our commitment must be absolute and irrevocable. It must utilize every weapon available to us and appropriate to the situation. It will require the adroit application of economic and political power as well as military might. Just as there is no set boundary to communism there is no set battleground. In an age when so many Americans consider themselves and their Government the ultimate in sophistication, there is an alarming lack of desire to drive a hard bargain, economically, politically, or militarily. Commitment requires sacrifice as well as sophistication.

Unfortunately it seems to me that the leadership of this Nation has not made an effort to convince the American people of the necessity of such a complete commitment. It has floundered along swatting gnats with canoe paddles and trying to shoot tigers with popguns.

Consider just a handful of developments over the past 3 years.

An invasion of Cuba, planned, organized, financed and guaranteed by our Government turned into a fiasco of horror, shame and everlasting embarrassment through lack of commitment.

A city divided by a wall built in violation of all international and military agreements and erected in stages, starting with barbed wire, over a period of time, testing our commitment.

The removal of missiles from Turkey and Italy under questionable circumstances only a few months after the Cuban missile crises. These missiles were removed only shortly after the administration stated they had no plans to remove them. These missiles were not only a physical symbol, but were a very practical reminder to the Soviet Communists of our commitment.

The continuous exportation of trained Communist saboteurs and subversive agents from Cuba, not only into South and Central America, but halfway around the world to Zanzibar as well.

There are other areas of the world that have, in recent years become test cases of our determination to stand firm in the face of communism. I am afraid to say that with but a few exceptions our political leadership has not shown the type of commitment referred to in this talk.

The ineffectiveness of our approach to these problems has undoubtedly placed roadblocks in the way of those policies we do attempt to carry out.

For example, much of the French resistance to the proposal to create a multilateral nuclear force within the framework of the North Atlantic Treaty Organization is based upon a concern over the constancy of our commitment to come to the aid of Europe if she were under attack and we had been assured by the Communists that our own people would not be harmed if we withheld support. They also express concern over the wisdom of proposing a force which would either require several fingers on the launch button or would in the final analysis be under American control. Thus, rightly or wrongly, De Gaulle's unwillingness to place the fate of France under the umbrella of American protection reflects his evaluation of our dependability and consistency of purpose.

Another area in which we appear to speak with unreliability is southeast Asia. Only a year or so ago the administration was proclaiming to the world that Laos would never be abandoned by the free world. Yet we literally forced the anti-Communist Laotian government to form a new coalition government with the Communists by cutting off our foreign aid assistance until they acquiesced. We hear little of Laos now, but the Communists have achieved their objective of halting anti-Communist activities of that tiny nation and of establishing attack-free bases for their infiltration of South Vietnam.

If there is anyone who doubts the advisability of our activities in Laos, one need only study the recent steps taken by the Cambodian Government to disassociate itself from us, and the rapidly increasing activity of Burma to follow suit.

The United States we think of is the United States of unblinking resolution against communism—the United States moving into Korea, the Formosa Straits, Lebanon, the Berlin airlift, and the initial phases of the Cuban missile crisis. This is not, however, the United States seen by those whose very survival may be frittered away by some enlightened sophisticates at a conference table at which the affected party may not even be present.

The United States they see is one which talks of mutual desires with the Communists for a just and lasting peace while Soviet ships carry weapons to Cuba; or one that refuses to sell surplus wheat to Communist Cuba while it falls all over itself to sell the same thing to Communist Russia. They see a nation which apparently recognizes the existence of the Communist menace but has classified some types of communism as tolerable and others intolerable. They wonder what criteria is used in assigning a Communist nation a tolerance level, and whether we will stand behind our commitments.

How then can we reverse this trend?

We can reverse it by embarking upon a crusade for freedom. We must marshal all the spiritual, philosophical and personal resources of this Nation and all who will join us to an irrevocable commitment to labor unceasingly toward the unveiling of the real meaning of the Communist conspiracy, the consistency of our dedication to the right of self-determination for every country, and the willpower to use force if necessary.

Such goals require utilization of every technique imaginable. The full force of our economic power should be brought to bear in the struggle whenever and wherever the opportunity arises. For every Communist demand uttered over the conference table a multitude of free world demands should be returned. Psychological warfare, utilizing the same Pavlovian techniques on a national scale they have used so successfully, should be adopted.

We should stop being apologetic about our national wealth and initiate position steps, which will soon be recognized by friend and foe as a strong, united, and determined nation on the march. Of the many areas of possible action, I suggest we start with the following steps:

1. Make known through our national leaders in government, labor, business, and the professions a ringing determination to have Russian, Chinese, East European, southeast Asian and other children grow up under freedom's banner instead of the hammer and sickle.

2. Bring about the institution of centers of greatly increased dissemination of the principles for which we and the free world stand, based upon regulation of government by people and not regulation of people by government.

3. Create a Foreign Service Academy designed not only to give all Americans going abroad in Federal positions the best possible instruction, but also to teach them the techniques of and the soft points in communism. Such an academy could also become a focal point of the principles for which all freemen are crusading.

4. Schedule immediate meetings of the free world countries to work out agreed policies to eliminate trade with Communist governments.

5. Eliminate all American foreign aid to Communist governments of any variety.

6. Work toward an agreement under which our allies will take over a much larger share of the defense of Europe and aid to underdeveloped countries.

7. Shift the present emphasis in our space programs to give greater development to military space defense systems.

8. Actively encourage the millions of freedom-loving people in Europe, Asia, Africa, and the Americas to resist communism.

9. Most importantly, put this spirit to work in the country and in the Government. Reduce Federal domestic and wasteful defense spending, cut taxes and permit the people of this country to regain control of their government and take over responsibility closer to home. Rekindle the "puritan ethic," wholesome patriotism and the realization that solvency and security are indivisible.

10. Let the leadership of this great Nation inspire its citizens and the rest of the world with its quest for establishing, on a worldwide basis, man's most sacred and most fragile earthly possession—individual freedom.

If we can plant both feet firmly on that road, we will have established an enduring national security policy.

THE ARAB WORLD VERSUS ISRAEL

Mr. JAVITS. Mr. President, in the New York Times of this morning there is an editorial entitled "The Arab World Versus Israel." Commenting upon the plans of 13 Arab States which have just met in Cairo to turn all of their joint armaments and other preparations against Israel, it declares that these states are set on a collision course.

I do not want to see our Government caught by surprise again, as it was in Panama. Here is notice written large upon the wall as to what is likely to occur with respect to the planned diversion of Jordan waters. I hope the United States will be forewarned with respect to its policies in Arab capitals, its policy toward President Nasser, its policy in the United Nations, and that it will push hard now to head off this threatened collision.

The New York Times editorial suggests the possibility of an international agreement for use of Jordan waters. This is entirely practical and was the essence of the Johnston plan. Congress has suggested that the United States not give aid, including food aid, to President Nasser unless we are sure he is not preparing for war against Israel or other nations in the Middle East. Senators such as the Senator from Oregon [Mr. Morse] who is present, my colleague from New York [Mr. Keating] and other Senators have joined in that request.

There is the possibility of action in the U.N., which should not wait until there is armed attack, when the whole world could be put into flames, because we have not taken notice of the warning.

Therefore, I urge the State Department to give attention to the Middle East in terms of the warning that the Arab States are set on a collision course. They may very well be. We hope not. But certainly no power like this country should do anything but take this warning to heart and act on the basis of it.

I ask unanimous consent to have the editorial to which I have referred printed in my remarks.

There being no objection, the editorial was ordered to be printed in the Record, as follows:

The Arab World Versus Israel

The kings and presidents of the 13 hitherto feuding Arab States have concluded their Cairo summit meeting with a remarkable display of unity and have agreed on long-range plans for joint military and economic action against Israel. To close ranks for such action they have agreed to end their own quarrels, to silence their propaganda against one another, to restore diplomatic relations with one another where broken, and to settle their differences in amicable compromises.

These agreements are still in principle only. Many similar Arab unity agreements have foundered in the past. But the Cairo agreements go farther than any previous ones. They embrace the whole Arab world of 100 million people and thereby revive President Nasser's dream of an Arab empire stretching from the Atlantic to the Persian Gulf. Indeed, in the interest of that dream, President Nasser set Arab unity above anti-Israel hostility and rejected Syrian demands for stronger immediate action that could only lead to another Arab debacle, as in 1948.

The Cairo agreements can therefore be regarded as moderate for the present. Insofar as they tend to restore peace among the Arabs themselves they can even be welcome, especially if they really end the Yemen war and the Algerian-Moroccan border dispute. But if carried out, they portend trouble for the future. They establish a unified military command under an Egyptian general to prepare for war if Israel interferes with a joint Arab project to divert the headwaters of the Jordan River, a project ostensibly for Arab use but primarily to dry up the river and deprive Israel of essential water.

Israel, of course, has no intention either to abandon its own irrigation projects or to permit any interference with them. The two sides are thus set on a collision course. The only way out of it would seem to be a return to the Eric Johnston plan for a kind of TVA on the Jordan for the benefit of all riparian states. This plan, sponsored by the United States and the United Nations, was endorsed by technical experts of both sides but was wrecked by politics. Israel accepted it with some reservations, but the Arabs rejected it by refusing to recognize Israel as a party to it. Both the United States and the U.N. are pledged to prevent an armed clash in the Middle East and the time for preventive statesmanship is now.

Mr. LAUSCHE. Mr. President, will the Senator yield?

Mr. JAVITS. I yield.

Mr. LAUSCHE. The proposal of the Israelis to take water from Lake Tiberias to bring life to the Negev Desert is one that will be of help not only to Israel but also to the Arab nations in that area. After the water is taken, we should direct our efforts to providing irrigation for the Arab nations in that area. If this is done it will bring an improvement in life not only to the Israelis but also to the Arabs. I join the Senator from New York in what he has just said.

Mr. JAVITS. It reminds us of Eric Johnston, who had a remarkable plan for this purpose, which everybody accepted, but which was frustrated solely on political grounds, because the Arab States want to cut off their nose to spite their face.

A great nation like ours should not stand by and see this done. It should not be done. This Nation should exercise its policies to see that it does not happen. It is not often that we get notice. Here is notice.

Mr. KEATING. Mr. President, I associate myself completely with the eloquent remarks of my colleague and sincerely hope that our Department of State will seize this opportunity to try to bring the powers together to enhance the chances of peace in the Middle East.

The one issue on which Nasser and his cohorts are able to unite is enmity toward Israel. How much better it would be if the leaders of the Arab world would devote their energy and resources to projects to help their people rather than to inflame hate and hostility.

Israel's plan to transform the barren Negev into a fertile land deserves not only a commendation but support and protection. Certainly we must take steps now to change the "collision" course depicted in the New York Times editorial and make every effort to induce the Arab countries not to interfere with Israel's attempt to improve the lot of its people.

PRESIDENTIAL SUCCESSION

Mr. KEATING. Mr. President, this week the Subcommittee on Constitutional Amendments will begin hearings on a number of proposals to alter the present line of Presidential succession. I have agreed to testify before the subcommittee, and since my intention is to deal at that time with the relative advantages and disadvantages of each of the proposals on their merits, I am not going into them in any great detail today. However, I would like to devote a few moments to furthering the dialog between former Vice President Nixon and myself concerning the plan to elect two Vice Presidents of the United States, which is a plan embodied within the proposal I have offered.

As I indicated earlier, Mr. Nixon, appearing on the CBS Reports telecast, "The Crisis of Presidential Succession" on January 8, expressed disapproval of the plan for two Vice Presidents on the ground that "it would downgrade the office of Vice President at a time that it just has received the stature that the second office of the land should have." At the time, Mr. Nixon did not amplify upon this, but in an extremely lucid article in the Saturday Evening Post of January 18, entitled, "We Need a Vice President Now," Mr. Nixon added "that the major disadvantage of this novel proposal" for two Vice Presidents "is that by dividing the already limited functions of the office, we would be downgrading the Vice Presidency at a time when it is imperative that we add to its prestige and importance."

Because the television program referred to and Mr. Nixon's Saturday Evening Post article are, in my judgment, significant contributions to the growing literature on the problems of Presidential succession and warrant the attention of public officials and citizens alike, I ask unanimous consent that the transcript of the telecast and Mr. Nixon's article be printed at this point in the Record.

There being no objection, the transcript and article were ordered to be printed in the Record, as follows:

CBS Reports "The Crisis of Presidential Succession" January 8, 1964

Reporters: Eric Sevareid, Harry Reasoner, Roger Mudd; producer: Gene De Poris; executive producer: Fred W. Friendly.

Bill Leonard. In our century, two Presidents, Harry S. Truman and Dwight D. Eisenhower—lived through the uncertainties of Presidential succession and disability and attempted positive measures to correct them. Their willingness and that of former Vice President Nixon to share that sense of history and that sense of urgency makes tonight's CBS Reports possible.

Eric Sevareid. In the past 19 years, five men have occupied the Presidency of the United States and each has had his tenure of office affected, either by sudden death, prolonged illness, assassination, or attempted assassination. The 32d President.

John Daly: We interrupt this program to bring you a special news bulletin from CBS World News. A press association has just announced that President Roosevelt is dead. The President died of a cerebral hemorrhage. All we know so far is that the President died at Warm Springs, in Georgia.

Mr. Sevareid. The 32d President.

Reporter. CBS presents a special report on today's unsuccessful attempt on the life of President Truman.

Charles Collingwood. Two armed assailants were shot down outside the Blair House, in Washington, which is the President's residence, this afternoon after a furious gun battle. The two men approached the Blair House from either side and rushed for the steps leading to the door. The President was inside. The gunmen opened fire as they ran. White House policemen and Secret Service agents immediately engaged them. In the ensuing battle, both the assailants were cut down.

Mr. Sevareid. The 34th President.

Announcer: President Eisenhower suffered a mild heart attack at the summer White House in Denver and was taken to the nearby Fitzsimons Army Hospital for treatment.

James Haggerty. From the original onset, at 2:45 a.m. Saturday morning, the President has withstood the attack well. At this time, there are no complications.

Mr. Sevareid. The 35th President.

Walter Cronkite. From Dallas, Tex., the flash, apparently official—President Kennedy died at 1 p.m., Central Standard Time. Two o'clock, Eastern Standard Time, some 38 minutes ago.

Mr. Sevareid. Of the 12 men who have held the office since 1900, only 2, Taft and Hoover have not had their administrations affected by natural death, assassination, or disability. In all our history, this Nation has been led 13 percent of the time by persons not elected to the Presidency. In 1964, the man a heartbeat away from the most powerful office in the world is the 72-year-old Speaker of the House, a Congressman with very little international experience. The next in line after him is the 86-year-old President pro tempore of the Senate, on the right. The shots that rang out in Dallas on November 22 have again dramatized our agonizing constitutional and legislative problem: the urgent, unfinished business of the Presidency. The great flaw in the constitution is, that when a President is disabled, the course of action is not clear and certain. A great legislative weakness is that if a Vice President becomes President, then himself dies, the present course of action, while legal, is deeply disturbing to many and possibly very dangerous.

Dwight D. Eisenhower. I think that now is a time for all of us to study it very intensively. We've just had this great tragedy. We came out of our state possibly of shock and disbelief, but now it is time to do something that common sense determines is the best way to keep our Government functioning without the possibility of great confusion right in the point of crisis.

Richard Nixon. We hear a lot these days about defending the United States of America against surprise attack. We remember the Cuban missile crisis. You can't afford a period not only of 14 months, even of 14 days or 14 hours, when no finger is on the trigger.

Harry S. Truman. I don't think, in the enormous emergency that we would be faced with under the circumstances if the President did become disabled, that we can wait much longer in meeting the problem. We must face it and solve it, or else we could find ourselves in an extremely grave situation if we continue to leave it to chance.

Announcer. The crisis of Presidential succession: An examination of the double dilemma involving our highest office—what happens when the President is disabled and who should stand in the line of succession beyond the Vice President? Here now is Eric Sevareid.

Mr. Sevareid. Good evening. History has been trying to tell us something about the Vice-Presidency. The office was added as an afterthought to the Constitution, which as a document has been called "the most wonderful work ever struck off at a given time by the brain and purpose of man." But by the time the Founding Fathers got around to the Vice-Presidency they were weary and impatient and the flaws of their haste have haunted us ever since.

This is the desk of the first Vice President of the United States, John Adams, who hated the job and, writing to his wife, said, "My country has, in its wisdom, contrived for me the most insignificant office that ever the invention of man contrived or his imagination conceived." Benjamin Franklin called the office, "Your superfluous Excellency." The 26 Senators who comprised the first Congress met here in Philadelphia. Vice President Thomas Jefferson also presided in this Chamber. Just down the stairs and across from the Liberty Bell is the hall where the Constitutional Convention of 1787 hammered out the articles that created the Presidency and the Vice-Presidency. Actually, the Vice-Presidency was an afterthought that was hurried through in the closing moments of the Convention. Vice President John C. Calhoun thought so little of the job that, in 1833, he resigned it to run for the Senate. In fact, nobody gave the Vice President's qualifications a second thought for the first 51 years of the new Republic, and the President's health presented no constitutional problem.

Then came the rollicking, boisterous campaign of 1840 and for the first time in American history, death was to test the Vice-Presidency. The winning ticket in 1840 was "Tippecanoe and Tyler too." Tippecanoe was Gen. William Harrison, hero of the War of 1812. His running mate was John Tyler, a States rights Democrat from Virginia. Harrison, 68, the oldest man ever elected President, caught cold at his inaugural and 1 month later was on his way back to Ohio for burial. John Tyler was in Williamsburg when the news came. He managed to borrow money for the trip and headed back to Washington. Tyler's temporary headquarters was the lavish Brown's Indian Hotel on Pennsylvania Avenue. Here, on April 6, 1841, John Tyler, for the first time met the Cabinet that was dominated by Secretary of State Daniel Webster. Last week, in Independence, Mo., a descendant of John Tyler, former President Harry Truman gave to Harry Reasoner and the rest of us a brief history lesson on that decisive point.

Harry S. Truman. It happened in the 1840's you know. William Henry Harrison only served 1 month and he was a great stickler for spit and polish. He put on a white suit and rode a white horse down Pennsylvania Avenue and he caught cold and it killed him and that was the first experience that they had, but that was followed through by a Vice President who knew what he wanted to do and did it. John Tyler was down in Virginia and he went to a Justice down there and had himself sworn in and then Dan Webster took it on himself, along with John Quincy Adams and one or two others, to inform Tyler that he was only Acting President. Well, old Dan was always sticking his nose in somebody else's business and in this case, he caught a crab, because Tyler told him to tend to his own business. He was the President of the United States and then very politely—I don't think very politely either—informed old Dan Webster that he was the Secretary of State and if he didn't like that job, he could quit and he'd appoint another one. He was the President of the United States and he was.

Mr. Reasoner. John Tyler a relative of yours? That sounds like you.

Mr. Truman. Well, John Tyler's brother was my great-grandmother's grandfather. We never bragged about the fact that Tyler was part of our family for we never thought much of him as a President. Oh, he established the precedent. If he'd been a weak man and had backed up to Webster and John Quincy Adams, why, the Vice President would never have been in the succession that he is now, and it's the proper way. That's what the Constitution means.

Mr. Sevareid. What John Tyler based his claim to the Presidency on was article II, section 1 of the Constitution which says, "In case of the removal of the President from Office, or of his Death, Resignation, or Inability to discharge the Powers and Duties of said Office, the same shall devolve on the Vice President * * * until the Disability be removed, or a President shall be elected."

Five years after Tyler left the Presidency, a second Vice President was summoned to the highest office in the land by death. Another Whig general, Zachary Taylor, hero of the Mexican War, had won the election of 1848. On July 4, 1850, he attended a celebration at the building site of the Washington Monument. Four hours of senatorial speeches in the hot summer sun were too much for him. He went back to the White House and cooled off with two quarts of iced milk and ripe cherries. Five days later, President Taylor was dead of cholera morbus. He was succeeded by Vice President Millard Fillmore, a pliable politician who ran a caretaker government until 1853, when he won neither reelection, nor even nomination. In 1865, 5 days after Appomattox, at a time when our war-torn country's need for a great President was as critical as it was in Washington today, death was again to determine leadership. Historian Carl Sandburg:

Mr. Sandburg. March 4 of 1865, Lincoln was sworn in. Lincoln took the oath as President. Andrew Johnson took the oath as Vice President. Forty-one days after his inauguration, Abraham Lincoln lay dead on a cot in the Peterson House opposite the Ford Theater and Andrew Johnson was sworn in. What is to be derived from this whole affair of Andrew Johnson? Who would have been the second best man by way of ability, no one knows. The Convention would have had difficulties solving that, but the Convention didn't care particularly about the second best man in ability. They went after the man who had politically and geographically qualifications that they wanted.

Mr. Sevareid. Sixteen years later, in 1881, the United States was again to have a President through assassination. Four months after his inauguration, President Garfield was shot by a frustrated officeseeker as he entered a Washington railroad station. Inventor Alexander Graham Bell was brought in to use his induction balance instrument to locate the bullet lodged in Garfield's spine. For 2 months, while Garfield lay fighting for life, neither Vice President Chester Arthur, nor the country knew whether the President's rights and duties devolved upon the Vice President. In September, Garfield died and Arthur spent the next 3½ years as President vainly trying to get Congress to clear up the confusion about the Vice Presidency.

Again, 20 years later, almost as in a cycle, death struck. In 1901, William McKinley rode to the White House for his second term and for the first time in 40 years, there was a Vice President worthy of the office. In the words of William Allen White, "They nominated Teddy Roosevelt not to praise him, but to bury him." Theodore Roosevelt, hero of the Battle of San Juan Hill, was too unpredictable a Governor of New York for the party bosses to handle, so they kicked him upstairs and out of Albany by nominating him for the Vice Presidency. Roosevelt, who wanted to abolish the office, fought this, but suddenly changed his mind and became a dynamic campaigner. Six months later, an assassin's bullet again changed the Nation's destiny. President McKinley was shot while visiting the Buffalo Exposition and as Republican Boss Mark Hanna said, "That damn cowboy is in the White House." Roosevelt proved to be an outstanding President and was doubtless an improvement on his predecessor.

Mr. Sevareid. Mr. Woodrow Wilson had the same Vice President for two terms, Thomas R. Marshall, perhaps best remembered for, "What this country needs is a good 5-cent cigar." Later, Marshall's Vice Presidency ceased to be a laughing matter as the office became the center of the worst crisis since Tyler. Woodrow Wilson, the victim of a paralytic stroke, lay physically helpless for 6 months. There was no machinery by which his illness could be certified and so article II of the Constitution could not be invoked. Arthur Krock of the New York Times, who has covered Presidential disability from Wilson's stroke, Eisenhower's 3 illnesses and Kennedy's assassination, tells us of the paralysis of Government wrought by Wilson's disability.

Arthur Krock. Wilson was inert, mentally and physically incompetent to exercise the powers and duties of his Office for months, at least until the following April. In that period, he was isolated from the world. There was no government except by a kind of family household junta, composed of Mrs. Wilson, doctor-Rear Admiral Grayson, his physician, and his secretary, Joseph Patrick Tumulty. They did whatever they thought he might want them to do, avoiding decisions as much as possible. In the first period of these months, of course, he didn't even know there were any decisions to make. In the second period, after April, Mrs. Wilson herself decided what questions she would put up to him. In that case, she in effect was acting as President of the United States. The Vice President, Thomas R. Marshall, of Indiana, was being urged to take over the powers and duties of the Presidency as provided in the Constitution in a case of disability, but he had two reservations that prevented him from doing so. One, it was still, at that time, believed that if a Vice President became Acting President, the President, even on recovery, could not resume his Office, and would cease to be President, because, as still exists, no one knew by whom or how the end of the period of disability would be stated, was decided. The other was, as Mr. Marshall told me at the time, "I am not going to get myself entangled with Mrs. Wilson," that "no politician exposes himself to the hatred of a woman, particularly if she's the wife of the President of the United States."

Mr. Sevareid. In 1920, both parties put up Ohio newspapermen for the Presidency. The Republicans chose Warren G. Harding, the Democrats, James M. Cox. Ironically, their vice-presidential running mates, Calvin Coolidge and Franklin Roosevelt, selected as afterthoughts, were destined to loom much larger in history. When Coolidge went to Washington to preside over the Senate, he had never seen the Senate in action, had in fact never even been to Washington, or left New England. He became the first Vice President to sit regularly with the Cabinet. Two years later, Warren Harding passed into contemporary history with a name so clouded by the treacheries of his friends that none would do it honor. With the inauguration of Calvin Coolidge in a Vermont farmhouse, the American people had a President by lottery for the second time in five administrations. Coolidge's Vice President was Charles Dawes, himself a symbol of nonworking Vice Presidents. He refused to sit with the Coolidge Cabinet and once complained about the low state of the Vice-Presidency to the late Senator Alben Barkley, who, a quarter of a century later, was to bring new stature to the office.

Alben Barkley. When Charles B. Dawes was Vice President, he and I became great friends and one day he said to me, "So this is a terrible job I've got here presiding over the Senate." I said, "What's the matter with it? I haven't heard that you resigned." "Well," he said, "I can only do two things." I said, "What are they?" He said, "One, I've got to sit up here and listen to you birds talk and I can't reply, and the other is to look at the papers every morning and see how the President's health is."

Mr. Sevareid. By the 1930's, the Vice-Presidency was still a laughing matter, celebrated in song and satire. Americans who couldn't name the country's Vice President know all about Alexander Throttlebottom, a Vice President not to be found in the history books. He was as much a part of the times as the depression, apple stands, soup kitchens, and the low ebb to which the Vice-Presidency had sunk. The show was a Pulitzer Prize winning, "Of Thee I Sing." It opened in 1931 and the late Victor Moore portrayed the memorable Throttlebottom in act II, scene I, when Throttlebottom was a tourist at the White House.

Guide. This, ladies and gentlemen, is the Executive Office. You will probably find this the most interesting room in your entire tour of the White House. It is in this room that President Wintergreen signs the many laws that govern your everyday life and from which he controls the various departmental activities. Here come various heads of Government for daily consultation with the Executive and to receive from him the benefit of his wide experience. It is in this room, ladies and—I beg your pardon, sir, but would you please stay over there? You see, we are personally responsible if anything is stolen.

Mr. Throttlebottom. Oh, yes, sir. Well, I wouldn't steal anything.

Guide. Thank you. Now, are there any questions?

Woman. Does the President reside here all the year around?

Guide. All the year round except when Congress is in session.

Woman. Where does the Vice President live?

Guide. Who?

Woman. The Vice President—where does he live?

Guide. Just a minute, please. Vice Regent, Viceroy, Vice Society. I'm afraid he's not in here.

Mr. Throttlebottom. I could tell you about that.

Guide. What?

Mr. Throttlebottom. I know where the Vice President lives.

Guide. Where?

Mr. Throttlebottom. On Z Street—7214 Z Street. It's next to the last house on the right-hand side of Z—way down to the end of Z Street.

Guide. Well, that's very interesting. He has a house there, has he?

Mr. Throttlebottom. Well, he lives there.

Guide. All by himself?

Mr. Throttlebottom. No, with the other boarders.

Guide. Is this the first time you've been to the White House?

Mr. Throttlebottom. Yeah. I didn't know people were allowed in here.

Guide. You seem to know the Vice President pretty well. What kind of a fellow is he?

Mr. Throttlebottom. Oh, he's a nice enough fellow when you get to know him, but—nobody seems to want to know him.

Guide. What's the matter with him?

Mr. Throttlebottom. Oh, there's nothing the matter with him—just Vice President. He don't talk much about it. I guess he's a little ashamed. You see, he's afraid that his mother will find out about it.

Guide. Well, how did he come to be Vice President?

Mr. Throttlebottom. Well, they put a lot of names in a hat and he lost.

Guide. What does he do all the time?

Mr. Throttlebottom. Well, he sits in the park and feeds peanuts to the pigeons and the squirrels, and then he takes walks and goes to the movies. Last week, he tried to join the library, but he needed to have two references, so he couldn't get in.

Guide. But when does he do all his work?

Mr. Throttlebottom. What work?

Woman. Doesn't he preside over the Senate?

Guide. Well, sure he does. That's the Vice President's job.

Mr. Throttlebottom. What is?

Guide. The Vice President presides over the Senate. It meets in the Capitol.

Mr. Throttlebottom. When does it?

Guide. Now, it's going on right now.

Mr. Throttlebottom. Well, how do you get to this place?

Guide. Streetcar at the door—right up Pennsylvania Avenue.

Mr. Throttlebottom. I guess I'd better get up there right away.

Guide. Why?

Mr. Throttlebottom. Well, you see, my name is Alexander Throttlebottom, and I'm the Vice President. Bye, bye.

Mr. Sevareid. If the joke seems slightly dated, that's because it was funny then and it isn't funny any more.

Announcer. Here again is Eric Sevareid.

Mr. Sevareid. Franklin D. Roosevelt had three Vice Presidents in the course of his four terms. John Nance Garner, of Texas, who had been Speaker of the House, was Vice President for F.D.R.'s first two terms. Henry Wallace, who was Secretary of Agriculture in the Roosevelt Cabinet, was the No. 2 man during F.D.R.'s third term; but by 1944, it was obvious that Wallace was considered too much of a liability for renomination. Harry Truman, the junior Senator from Missouri, went to that Chicago convention committed to nominate Jimmy Byrnes and ended up by being told that he was Roosevelt's personal choice for the Vice-Presidency. After the fourth-term victory, there was that cold rainy morning when Roosevelt came back to Washington and rode beside the man who might have been and the man who did become the next President of the United States.

Franklin Delano Roosevelt. It was a very wonderful welcome home that you have given me on this rather rainy morning, a welcome home that I shall always remember and when I say welcome home, I hope that some of the scribes in the papers won't intimate that I expect to make Washington my permanent residence for the rest of my life.

Mr. Sevareid. But Washington was to be his home for the rest of his life. Eighty-two days after the inauguration, Franklin Roosevelt was dead of a cerebral hemorrhage and Harry Truman was taking the oath of office totally unaware that he was becoming the first President of the atomic age. Harry Truman served almost 4 full years in the White House without a Vice President and with the consent of Congress, changed the line of succession.

Harry S. Truman. It was for an emergency when I became the President, because I was the Vice President. There was no successor then, except the Secretary of State, and I never thought I ought to appoint a Secretary of State for the simple reason that I didn't think the President of the United States ought to have a right to appoint his successor and under the old law—the law of 1886, the Secretary of State and then members of the Cabinet all the way down the line—all the way across the Cabinet succeeded and I didn't think the President of the United States ought to have a right to appoint a successor. I thought he ought to be an elected official and the nearly—the most nearly of the elected officials was the Speaker of the House.

Mr. SEVAREID. In 1952, Gen. Dwight D. Eisenhower was elected President of the United States. On September 24, 1955, 2 years and 8 months after Eisenhower took the oath of office and for the first time since Wilson's stroke, the inability clause in the Constitution again became a matter of national concern. President Eisenhower was stricken with a heart attack while visiting in Denver, Colo. It was the first of three illnesses he experienced during the course of his two terms and although 143 days elapsed from the time of his attack until his announced recovery, article II, section I, was not tested. Former President Eisenhower and former Vice President Nixon, the two men most intimately involved, now relate for us how they faced the problem of leadership in that crisis. First, Mr. Nixon, who tells Harry Reasoner what went through his mind after Eisenhower's heart attack.

RICHARD NIXON. It's really hard to recap the emotional reactions you have at such a time. I didn't frankly think—well, in a few minutes I might be President. What I was concerned about at the moment was the very personal factor—what's going to happen to President Eisenhower and is he going to be able to recover? We worked, for example, on the situation of getting him the best possible medical care. After we got that out of the way, then we got more into the routine, but very important problems of keeping the Government in operation during the critical period.

Mr. SEVAREID. Well, I think, sir, you were the first President to do anything about providing for conduct of your duties while you were incapacitated with Mr. Nixon. Can you describe what that arrangement was?

DWIGHT D. EISENHOWER. Well, yes; I talked largely and sometimes academically with my Attorney General. That was the one—how could we do anything? Finally we hit on this—an exchange of letters. First of all, we had an agreement, a meeting of the minds. We decided, and this was the thing that frightened me: suppose something happens to you in the turn of a stroke that might incapacitate you mentally and you wouldn't know it and the people around you, wanting to protect you, would probably keep this away from the public; so I decided that what we must do is make the Vice President decide when the President can no longer carry on, and then he should take over the duties and when the President became convinced that he could take back his duties, he would be the one to decide.

RICHARD NIXON. Well, let me point out, that the letter, which provided that the Vice President would step in and take over the office and make the determination the President could no longer handle the duties of the office, was not in existence at the time of either the heart attack, or President Eisenhower's stroke, so I didn't have that problem then. I had no intention at the time of taking over and I walked on eggs, so to speak, to avoid even the appearance of taking over duties. In both cases, there was a so-called committee system, in which I was sort of the chairman of the committee.

Mr. REASONER. Did the committee system work?

Mr. NIXON. It worked during the period of President Eisenhower's heart attack mainly because I would say there were no serious international crises at that time. But had there been a serious international crisis requiring Presidential decisions, then I think the committee system might not have worked. Let us suppose for example, that a case may have arisen during that period, or during the period of the 2 or 3 early days after his stroke. If, at that time, the problem of defending the United States against surprise attack had arisen, we could have had a serious constitutional crisis. As a matter of fact, that's why President Eisenhower, after his stroke, wrote the letter to me, but at that time and since that time, I have realized that it is vitally important that whoever is sitting on that hot spot of being Vice President of the United States must have written into the Constitution, or the law of the land, a provision that leaves no doubt as to what his responsibilities are in that position.

Mr. EISENHOWER. I know this, that in my case, Dick Nixon would never have decided that I was incapacitated unless he had had the advice of a number of doctors and there are eminent doctors and the public knows them. I was always dealing with people like Dr. Paul Dudley White and Dr. Ravdin, Pennsylvania, and General Heaton, the great surgeon and John Lyons—people like that. They would have all been in on this, including all the psychiatrists that they needed, if it were necessary.

Mr. NIXON. I like the agreement that President Eisenhower worked out with me, but on the other hand, it would not be effective in the event you happen to have a President and Vice President who did not get along and that has been the case several times in the history of the country. Let us suppose that after the next election, you have a President and Vice President. They have an argument. The President might not want to write a letter. If he had written one, he might tear it up. Let us suppose, for example, that the President became disabled and that the Vice President decided that he should step in and assume the duties of the Presidency, but at that particular time, we might have a situation where a member of the President's family held a Cabinet position or some other high post and did not believe that the President was so disabled that the Vice President should step in. You would have a constitutional crisis there of great magnitude and also you would have a situation in which, since it was not in the law of the land and simply an agreement, that whoever wanted to object to it could break down any kind of action that the Vice President might take. We just cannot have this great government of the United States run in that way, by the whims and the personal reactions of whoever may be Vice President, or President, or the wife of the President at a critical time.

Mr. EISENHOWER. You have got to depend upon the character and the selflessness and you might say the patriotism of these people that are going to be involved and they ought to make their arrangements in advance so that everybody would understand. As a matter of fact, the public could be allowed in on the secret, just as well as anybody else.

Mr. SEVAREID. Soon after John F. Kennedy and his Vice President, Lyndon Johnson, assumed office, the 35th President spoke on the subject of inability.

JOHN F. KENNEDY. Yes, I have entered into the same kind of an agreement with the Vice President that my predecessor, President Eisenhower entered into with Mr. Nixon in the case of presidential incapacity, or inability to fulfill his constitutional functions and I will ask Pierre if he could, at his noon briefing, put out a statement on what that agreement consists of.

Mr. SEVAREID. But the agreement was nullified by the shots that killed him 2 years and 10 months after assuming office, making Lyndon Johnson the 36th President of the United States. Johnson took command without a hitch and although article II, section 1, once again survived a crisis, the alarm bells concerning presidential succession and disability went off simultaneously throughout the country, in editorial rooms and the Chambers of Congress. Senator KENNETH B. KEATING, Republican, of New York, one of those most interested in this subject, expressed his concern to CBS Congressional Correspondent Roger Mudd.

Senator KENNETH KEATING. The Congress has the power now to determine the line of succession in case of removal or death or inability, but it does not have the power to determine how that inability shall be decided. My solution to it which I have felt was the preferable one, was the appointment of a commission by the President when he was elected, which would be made up of Members of Congress and members of the Cabinet and originally, I had proposed the Chief Justice as the chairman. In 1958, when we had this very seriously under review, Chief Justice Warren wrote me and said that he thought it would not be in line with the separation of powers and it might involve litigation which later might come before his Court and that he had discussed it with the members of his Court and they felt unanimously that the Chief Justice should keep out of it, but I am more interested in legislation in the field to do it than I am in the particular method.

Mr. EISENHOWER. This thing about the disability is very difficult, I believe, to be put either in the Constitution or in law. The second that you try to do too much of it, you will either put the Legislature over the executive department, or someone will put the Supreme Court over in the executive department. I just don't believe it's possible to write an amendment that will fit all cases.

Mr. SEVAREID. Mr. Truman, who advocates a medical commission, somewhat similar to that proposed now by Senator KEATING, nevertheless concedes the delicacy of such a plan.

Mr. TRUMAN. Well, disability is what we're trying to define and that's the hardest thing in the world to define. The only reason for the commission is to be sure that there isn't a chance of some political scalawag getting control of things and appointing a bunch of doctors that would fix things so that he can be railroaded out of office. This committee would select a board of leading medical authorities and should the medical board indicate that the President is unable to perform his duties and that he is incapacitated, and not merely stricken with a transitory illness and it's decided that he should not be allowed to serve as President and the Vice President then is informed according to the rules which I have set out here, that he's made President of the United States who should not be interfered with. He should serve out the term. Should the stricken President experience a complete recovery, he would not be entitled to repossess the office. That's of vital importance.

Mr. REASONER. What's the reason for that provision?

Mr. TRUMAN. For the simple reason that it would make the Presidential Office up for sale and that's not the way it ought to be.

Mr. SEVAREID. You would have no fears, theoretical, or otherwise, that a Vice President taking over temporarily might refuse to give up his duties once a President had recovered?

Mr. EISENHOWER. Well, no, I think he couldn't possibly get away with it.

Mr. SEVAREID. Mr. President——

Mr. EISENHOWER. The Constitution is clear on that point and says during the inability, I believe that the word is, of the President. Now, the President determines it is, well he's been elected by the people and I don't think the Vice President could do anything about it.

Mr. TRUMAN. It's a very, dangerous and ticklish question. We've never had an opportunity for that to take place except at the time when Woodrow Wilson was incapacitated, and I remember one incident they tell about the visit of the old Republican who said, "We are praying for you, Mr. President." and he said, "Which way?"

Mr. REASONER. Do you think it's a matter where the Vice President himself must take the definitive action and take over?

Mr. TRUMAN. It could be done that way, but you won't find any Vice President who would do it.

Mr. SEVAREID. The 33d President and the 34th President disagree on the vital question as to whether or not a Vice President who takes over for a disabled President keeps or surrenders the office when the President recovers. There is another painful obscurity about disability. By whose authority would a Vice President take over? His own, or with the agreement of some medical or political commission, or by congressional resolution? Just how? Richard Nixon lived that nightmare of uncertainty.

Mr. NIXON. A Vice President cannot be in a position where either by an informal letter that he may have from the President of the United States, or even with the situation with nothing at all. In a formal, or informal way, he must make the terribly important decision that the President no longer can handle the duties of the office. It must be written in the law of the land so that there's no doubt on that score.

Mr. SEVAREID. Arthur Krock observed that nightmare of uncertainty in the case of Woodrow Wilson and his Vice President Thomas Marshall.

Mr. KROCK. Now, here, Mr. Sevareid, is a problem that has plagued this country ever since it was formed. This matter of what to do about a disabled President. It must have a practical solution, the constitutional lawyers, the political scientists and the quibbling of other lawyers should step to one side and let the practical politicians work this out, because they understand it and if there is any delay at a time like this, it is absolutely imperiling the security of the United States for every minute that it endures.

Mr. SEVAREID. The problem of Presidential disability is profoundly confused. The problem of Presidential succession when there is no Vice President is profoundly controversial. We'll get into that in a moment.

ANNOUNCER. CBS Reports continues. Here again is Eric Sevareid.

Mr. SEVAREID. The controversy over Presidential succession now pivots around a 1947 law which former President Harry Truman initiated and which he outlined for us earlier in this program. It puts the Speaker of the House rather than the Secetary of State next in the line of succession after a Vice President. Former President Dwight Eisenhower, among others, objects to it.

Mr. EISENHOWER. Well, you raised the question right away of succession and I should say it should be the Secretary of State and for this, I have very definite reasons. In the last—well, since 1928, 35 years, there have been 10 of those years in which the White House and the Congress have been controlled by different parties. Now, if you have a line of succession which, right after the Vice President, brings in two of the legislative group, you can have a very, very bad situation arise in possibly in a period of crisis. For 6 years of my administration, of course, I had the Congress that was controlled by the Democrats, so right behind Mr. Nixon in the line of succession, stood, under the present law, Mr. Rayburn, Speaker of the House. He was a great personal friend, but he was of a different party. Now, my predecessor, my immediate predecessor, who in the 80th Congress, had the—the same experience that I did in reverse. He had Mr. MARTIN, but again, you would have had—when there was no Vice President, you would have had different parties taking over suddenly the White House, or the executive department and the executive department is a great organism. You can't change it over night and get it working effectively. I believe that if the electorate says such-and-such a party should have the White House for 4 years, it ought to have the White House for 4 years.

Mr. TRUMAN. The Speaker of the House has usually been a member of the House for a good, long time before he's ever elected Speaker and when he's elected Speaker, he comes more nearly being elected by the country at large than any other public servant in the Federal Government and of course, that's the reason I placed him next to the Vice President in the succession in the idea that I had in view of safety measure in case of disability of the President.

Mr. SEVAREID. Senator KEATING.

Senator KEATING. Well, I don't like the succession to the regular members of the Cabinet because they—two reasons. One, they are not elected officials. Second, they are very apt to be specialists in their field. Of course, the Speaker of the House is an elected official, but only in one congressional district. The President pro tempore of the Senate is elected, but only in one State. Therefore, I have proposed the election, at 4-year intervals, of two Vice Presidents; one an executive Vice President who would be first in line of succession; second, a legislative Vice President who would be second in line of succession. That bill has been referred to the Judiciary Committee of the Senate and will be considered by the constitutional amendment subcommittee of that committee promptly, I hope.

Mr. REASONER. Mr. Vice President, Senator KEATING has suggested that two Vice Presidents be elected at the time of the national election. Do you like that plan?

Mr. NIXON. No. I believe that downgrades the Office of Vice President at a time that it just has received the stature that the second office of the land should have.

Mr. SEVAREID. Do you feel that there ought—we ought to go to some kind of constitutional amendment for a permanent change, such as two Vice Presidents?

Mr. EISENHOWER. No, I think if I would change any constitutional thing on—at all on this—in this line, I would do this. If the Presidency went to a member of the Cabinet, then if that man had more than 1 year to serve his Presidency, I think they might be called a special election, and the Constitution might be—let the people decide this thing.

Mr. REASONER. Do you think the present system is satisfactory?

Mr. NIXON. No, I don't. Now, let me make it clear that the reason I oppose the President's—the present system—is not because, as some have suggested that a Secretary of State, for example, would always make a better President than the Speaker of the House. The question is much deeper than that. The question really which is involved here is, first, whether or not we now have reached the point in this country where we need a full-time Vice President. There have been 16 different times in the history of this country when we haven't had a Vice President. I think now, as a result of the experience under both President Eisenhower and President Kennedy, that the country needs a Vice President. I also happen to believe that President Johnson's ability to take over and be as effective in the early days of his Presidency is due in great part to the fact that he was trained for that office as Vice President. In other words, I believe the man best qualified to succeed to the Presidency is the Vice President of the United States rather than the Speaker or the Secretary of State.

Mr. REASONER. What would your proposal be to provide for succession?

Mr. NIXON. Well, it would provide, as I point out in my article in the Saturday Evening Post next week, that within 30 days after the office of Vice President becomes vacant, either by the Vice President becoming President, or by his dying in office, or resigning the office, if he might, that within 30 days, the President convenes the electoral college and the electoral college elects a new Vice President. In practical terms, it would mean that the President would probably recommend to the electoral college the man that he would like to have as Vice President, as the presidential candidates now recommend to the nominating conventions the men that they would like to have as vice-presidential candidates.

Mr. SEVAREID. Former President Truman, a few years ago, also proposed that the electoral college fill the Vice Presidential vacancy. Mr. Truman still advocates that plan as being superior even to the present law, which places the Speaker of the House in line.

Mr. TRUMAN. Well, you see, the electoral college is elected in all the various congressional districts in the States and they meet and elect a President and a Vice President and they are certified to the Congress of the United States and are then sworn in as the—the Vice President is sworn in by the Senate and the President is sworn in by the Chief Justice for the whole Nation at large and it seems to me that all they would have to do would be to meet again and elect a Vice President, if it was authorized. It has to be authorized to begin with.

Mr. REASONER. Why not have Congress elect a new Vice President?

Mr. NIXON. Well, Congress would be a fine body to do that, because it's in existence. It can be called very easily together, except for one critical point, which rules it out. If you had a situation where the Congress was controlled by the other party, the Congress might elect a Vice President who was of a different party than the President. This would not be an effective or correct way to handle the situation.

Mr. REASONER. Mightn't you have a situation in the case of President Kennedy's death, where an electoral college, representing a very close election and with rebellious elements in it, would do the same thing?

Mr. NIXON. Well, let me say that that would be much more likely with the Congress, because the Congress is more responsive to the whims of the electorate than the electoral college, which of course was selected for the specific purpose of voting for the man who happened to be President, or Vice President, whichever the case might be. I think that when a Vice President becomes President, he gets such immense immediate prestige as President Johnson has received, for example, that he would be able to get through the electoral college without question, either his man, or a man that was compatible with him.

Mr. SEVAREID. Since November 22, the man a heartbeat away from the Presidency is the 72-year-old Speaker of the House of Representatives, JOHN MCCORMACK. Roger Mudd talked to him.

ROGER MUDD. Mr. Speaker, are you in complete accord with the present presidential succession law?

Mr. MCCORMACK. I supported the 1947 act recommended by former President Harry S. Truman and I still support it.

Mr. MUDD. But 22 times, Mr. Speaker, the Speaker of the House has been of the opposite political party to that of the President. Does this present any difficulty in your mind?

Mr. MCCORMACK. That's one of the situations that would confront the country under any succession law. You could have a Secretary of State that's of the opposite party to the man who is President of the United States.

Mr. MUDD. But that Secretary of State would have been appointed personally, would he not, by the President?

Mr. MCCORMACK. He—that is correct. On the other hand, the Speaker is elected by the people and in turn, he's selected by his colleagues in the Democratic caucus, so I felt in 1947 when I was not directly faced with this question that the line of succession from Vice President to the Speaker was the wise one and the sound one and I still feel the same way. I'd prefer to discuss it if I were not in the line of succession at the present time, because then I could do it more objectively and without any possibility of misunderstanding on my part, but I certainly would not interpose any objection and by objection, I mean obstacles to Congress considering any other succession law that the Members might decide to do, but frankly from my talk with the Members, they are pretty much wedded to the present succession law.

Mr. MUDD. Mr. Speaker, is it fair to say that you do think the disability problem is a serious one and possibly more critical than that of succession itself?

Mr. MCCORMACK. I think it's a very serious question and I would welcome some legal machinery where it would be on the statute books to—where that could be determined in a manner where the legitimacy of Government would be assured.

Mr. NIXON. We've gotten excited about it seven different times—now eight times in our history. Books are written. Congressional committees have hearings—and then it's forgotten once a new President takes over. I think this is the best time in history and the most urgent time to do something about it. Because we have the Eisenhower experience on disability—we have the terrible tragedy of President Kennedy on succession. Now, I have an idea that if a commision were set up—appointed by the President of the United States in the first instance—the public members—it would occur to me that a commission made up of the three former Presidents of the United States—President Hoover, President Truman, President Eisenhower—appointed by the President—by three other members appointed by the Speaker of the House—by three other members appointed by the President pro tempore of the Senate—that a high powered, blue-ribbon group like this would have such immense prestige that whatever it recommended would, with the backing of President Johnson, become the law of the land—and this is the time to do it. Because, if it isn't done now, once the elections of 1964 are held—we have a new President and Vice President—this is going to be put away until we have another great international crisis. And I think it would be a great tragedy if the American people, at this particular time, missed this opportunity.

Mr. SEVAREID. The U.S. Constitution, an intricate and beautiful structure, was put together in 4 months' time. In more than a hundred years of periodic tinkerings, the Congress has been unable to repair this one particular fault in the structure, to find the spare part that will fit. Congress has behaved like the farmer in the story who never repaired the leak in his roof, because he said when it was raining, he couldn't repair it and when it wasn't raining, he didn't need to repair it. One day, of course, will come the deluge. Like the farmer, this country has been lucky so far, but for more than a century, history has been trying to tell us something to warn us about the mathematical laws of probability. There are no more quiet, uncritical periods for this Government in this world and the time is all but certain to come when a disabled President will refuse to admit his disability, or will reclaim his office before he is well, or when someone will succeed to the office who is of the opposite party, or who is not competent for the job. We have been listening to the warnings of history, but with only one ear. We do now tend to nominate better men for the Vice Presidency. We do have the informal precedent set by Presidents Eisenhower, Kennedy and Johnson on a course of action in case of disability, but few authorities think this is enough.

CBS Reports privately questioned 49 Senators. Some failed to see how anything more can be done about disability. Most think something can and must be done about the line of succession. Only one or two think nothing need be done about either. The Founding Fathers could not clearly foresee the party system, the power of the Presidency, or the power of this Government in the world. The power to act, the legality and the competence of the American Presidency ought not even for a day, or a week be in any doubt at all. The men we've just listened to all agree with that. They disagree on the exact focus of the danger and on the specifics of the remedy. No solution can work perfectly, but any solution can be perfectly clear of purpose. If the Constitution itself was not beyond the wit and wisdom of men, neither is its clarification. This is Eric Sevareid, good night.

ANNOUNCER. A word about the next CBS Reports in a moment.

CBS Reports, "the Crisis of Presidential Succession," was filmed and edited by the staff of CBS Reports, under the supervision and control of CBS News.

Former President Harry S. Truman is now preparing a series of television programs on the Presidency and his 8 years in office for the series "Years of Decision" which is being prepared by Screen Gems.

SPEAKING OUT: WE NEED A VICE PRESIDENT NOW

(By Richard M. Nixon)

The 8 weeks that have passed since the assassination of President Kennedy have been a period of great soul searching for the American people. We have asked ourselves how this tragic act of violence could have happened in our country. We have urged that steps be taken to provide better protection for our Presidents in the future.

We have also taken a new, hard look at the question of Presidential succession. And we have concluded that there is a serious deficiency in an otherwise remarkable constitutional process.

While everyone knows that eight Vice Presidents have succeeded to the Presidency upon the death of an incumbent, it is not so well known that another seven Vice Presidents of the United States have died in office, and one has even resigned. The office of the Vice President has been vacant 16 times. In other words, during over 40 years of our history, this Nation has not had a Vice President and there has been no constitutionally elected successor to the President.

Three times the Congress has dealt with this problem.

The first law, passed in 1792, made the President pro tempore of the Senate and then the Speaker of the House of Representatives the next in line of Presidential succession after the Vice President. These congressional officers were put ahead of the President's Cabinet because Hamilton, the Federalist Party leader, wished to block the path of Secretary of State Jefferson.

This law was changed in 1886, during the Democratic administration of Grover Cleveland. His Vice President had died the year before, and the Senate was controlled by the Republicans. To prevent the possible elevation of a member of the opposition party to the White House, the line of succession was given to the Cabinet, starting with the Secretary of State.

The last change was proposed by President Truman in 1945. He requested Congress to make the Speaker of the House his successor. Some observers at the time suggested that he was motivated by the belief that Speaker Rayburn would be a better President than Secretary of State Stettinius. And so, since 1947, when this law was enacted, the line of succession to the Presidency has run: Vice President, Speaker of the House of Representatives, President pro tempore of the Senate, the Secretary of State, and finally the other members of the Cabinet.

Assuming that a law should be written for all time and not just to deal with a temporary situation, the conclusion is inescapable that the laws of Presidential succession have in the past been enacted for the wrong reasons.

Now is the time to make a change for the right reason.

The right reason is not that a Speaker of the House is always less qualified to be President than a Secretary of State. Sam Rayburn, for example, would have been a better President than Edward Stettinius. And the present Speaker, JOHN W. MCCORMACK, is a man with a distinguished record of 40 years' service to our Nation, who has always stood in the forefront of the fight against communism both at home and abroad.

Yet as recent Presidents have rightly given more and more responsibilities to their Vice Presidents, the present system now raises to what has truly become the second office in the land a man who already holds one of the most burdensome offices of government—the Speaker of the House. Moreover, it is not unlikely that a Speaker could be of a different party from the President's. This was the case during the 80th Congress when President Truman would have been succeeded by Republican Speaker JOSEPH MARTIN.

So, putting present personalities aside, we must write a new law of presidential succession. And as did the framers of our Constitution, we must write for posterity, not merely for the moment.

There have been three serious proposals recently made for changing the law of Presidential succession.

First. It has been proposed that we go back to the old system of putting the Secretary of State and the Cabinet ahead of the Speaker of the House in the line of succession. But a good Secretary of State doesn't necessarily make a good President. While a particular Secretary of State might be an excellent choice, just as a particular Speaker might be, this proposal offers no such guarantee. It is significant to note that no one who has held the office of Secretary of State has been elected to the Presidency since James Buchanan. And, as President Truman suggested in 1945, I believe there are advantages in elevating a man to the Presidency through the elective, rather than the appointive, office.

Second. It has been proposed that the Congress elect a new Vice President. A similar plan would have the President appoint a Vice President with the consent of the Congress. Both of these proposals, however, could create grave difficulties if the Congress happened to be controlled by the opposition party, which has been the case during the terms of 16 Presidents.

Third. Senator KENNETH KEATING of New York has introduced a constitutional amendment to provide for the election of two Vice Presidents. First in the line of succession would be an Executive Vice President who would have no other constitutional duties. The second Vice President, or Legislative Vice President, would then follow in the line of succession, and would have the constitutional duties of presiding over the Senate and breaking tie votes. The major disadvantage of this novel proposal is that by dividing the already limited functions of the office, we would be downgrading the Vice-Presidency at a time when it is imperative that we add to its prestige and importance.

How can we best design a new law which will not have these objections? I believe the trouble in the past was that changes in the law of succession have been made to deal with an immediate, personal situation. Because it was thought that a particular individual should not be President, the plan was changed to block that man. Instead of trying to devise a plan which will promote or block a particular man, what we need to do is to direct our thoughts generally to the question of the kind of man who would be best fitted to succeed to the Presidency of the United States and then design a plan which will find that man.

What qualifications should a Vice President have?

He should be a man qualified to be President.

He should be a full-time Vice President with no other official duties.

He should be a member of the same political party as the President.

He should have a political philosophy which is close to that of the President, particularly in the field of foreign affairs.

He should be personally acceptable to the President, but since he may potentially hold the highest office in the land, his selection should reflect the elective, rather than the appointive, process.

What kind of plan will allow the selection of such a man?

I believe there is one proposal that has not been given adequate consideration to date and that would best accomplish this purpose. It would take the form of an amendment to article II, section 1, of the Constitution and would read as follows: "Within 30 days after a vacancy occurs in the office of Vice President, either because of death, removal, or the elevation of the incumbent to the Presidency, the President shall reconvene the electoral college for the purpose of electing a Vice President of the United States."

This proposal, as is the case with Senator KEATING'S, recognizes that merely changing the law of succession does not necessarily fill the office of the Vice President. And the office of Vice President itself, apart from the question of succession, has become necessary to the country.

By using the electoral college as the instrument for selecting a new Vice President, we would be relying on a popularly elected constitutional body which in contrast to the Congress always reflects the will of the people as of the last presidential election. While it is true that the electoral college is now a constitutional anachronism, this important new function would upgrade the body and would bring about the selection of more responsible persons to serve on it.

Besides filling the Vice-Presidency and reflecting the will of the electorate, this plan assures continuity of programs and the selection of a Vice President who can work with the President. For, as in the case of the nominating conventions, where the presidential candidate has the greatest voice in selecting his running mate, so too could we expect the President to have the greatest influence in the deliberations of the electoral college. He would probably recommend the man most acceptable to him as the new Vice President.

But the fact that the electoral college would have the final authority to make the decision would be a safeguard against arbitrary action on his part. Most important, it would mean that whoever held the office of President or Vice President would always be a man selected by the people directly or by their elected representatives, rather than a man who gained the office by appointment.

We now come to the most critical question of all—how do we get action on this or one of the other proposals which have been made to deal with the problem of Presidential succession?

The failure of the Congress to act on the equally important question of Presidential disability is a case in point. The Constitution does not set forth a procedure as to how and when the Vice President shall assume the duties of President when the President is unable to serve because of illness. Fifty years ago the country could afford to "muddle along" until the disabled President either got well or died. But today when only the President can make the decision to use atomic weapons in the defense of the Nation, there could be a critical period when "no finger is on the trigger" because of the illness of the Chief Executive.

After his heart attack in 1955, President Eisenhower asked the Congress to correct this situation. When the Congress failed to act, he took matters in his own hands and in 1958 wrote me a letter the key paragraphs of which follow:

"The President and the Vice President have agreed that the following procedures are in accord with the purposes and provisions of article 2, section 1, of the Constitution, dealing with Presidential inability. They believe that these procedures, which are intended to apply to themselves only, are in no sense outside or contrary to the Constitution but are consistent with its present provisions and implement its clear intent.

"1. In the event of inability the President would—if possible—so inform the Vice President, and the Vice President would serve as acting President, exercising the powers and duties of the office until the inability had ended.

"2. In the event of an inability which would prevent the President from so communicating with the Vice President, the Vice President, after such consultation as seems to him appropriate under the circumstances, would decide upon the devolution of the powers and duties of the Office and would serve as Acting President until the inability had ended.

"3. The President, in either event, would determine when the inability had ended and at that time would resume the full exercise of the powers and duties of the Office."

This historic document was later adopted by President Kennedy, and most recently by President Johnson. But it must be remembered that this procedure is merely a stopgap. It does not have the force of law. I strongly believe that either legislation or a constitutional amendment should be enacted to solve this problem on a permanent basis.

The time has come to give top priority to the consideration of proposals to deal with both Presidential succession and Presidential disability. The most effective way to get action is to set up a bipartisan Presidential Commission, such as the famed Hoover Commission on the Reorganization of the Executive Branch of Government. President Johnson might appoint to the commission to serve as public members our three former Presidents, Hoover, Truman, and Eisenhower. The Speaker and the President pro tempore of the Senate would appoint the six other members from the House and Senate. The recommendations of such a distinguished, blue-ribbon panel would not only be of great merit; they would, with the backing of the President, be almost sure to become the law of the land.

It is a tragic fact that it took a terrible crime in Dallas to remind us of a serious defect in our constitutional process. The murder of our President has forced us to reassess our law of succession and the Office of the Vice President.

Both Presidents Eisenhower and Kennedy recognized the importance of the Vice-Presidency as no other Presidents had done before them. The extensive duties assigned to Vice President Johnson and myself, at home and abroad, were unprecedented in our history. The country now feels safer and more confident because of the experience that Mr. Johnson gained while serving under President Kennedy. Clearly there can be no reversal of this trend toward greater duties and responsibilities for the Vice President.

When a President dies in office, the man in his party who has been best trained for the presidency should succeed him. The Vice-Presidency today, as a result of the way both President Eisenhower and President Kennedy upgraded the position is the only office which provides complete on-the-job training for the duties of the Presidency.

We have swiftly and dramatically been reminded again that when we choose a man for Vice President we may also be choosing a man who will become President. This means that our presidential nominating conventions can no longer fall back on the politically cynical formulas of "balancing the ticket"—of choosing a westerner for Vice President only because the presidential candidate is an easterner, or a conservative because the standard bearer is a liberal.

From now on it is absolutely essential that both political-party conventions nominate two Presidents—candidates for both national offices, President and Vice President—who have the ability and experience to lead the United States of America in these perilous times.

Mr. KEATING. Mr. President, there is much in Mr. Nixon's article with which I agree wholeheartedly. First, Mr. Nixon traces the entire history of changes in the law of Presidential succession and demonstrates vividly how each change was basically motivated by the personalities who happened to fill the crucial offices at the moment, rather than by the intrinsic merits of any particular plan for succession which would be valid and workable at all times and under all circumstances. In my judgment, Mr. Nixon put his finger right on the problem when he said:

> We must write a new law of Presidential succession. And as did the framers of our Constitution, we must write for posterity, not merely for the moment.

Second. Mr. Nixon and I are one in our belief that there are advantages in elevating a man to the Presidency through the elective, rather than the appointive route. Therefore, we both disapprove of going back to the 1886 succession law which put the Secretary of State and the rest of the Cabinet ahead of the Speaker of the House in the line of succession.

Third. Mr. Nixon in his article directed himself to two of the pending proposals which would bring Congress into the process of electing a new Vice President to fill a vacancy occasioned by either the death, removal, or resignation of the incumbent Vice President, or by his ascension to the office of the President for any reason. One of these proposals would have Congress simply elect in joint session a new Vice President from among present heads of Executive departments or from among Members of the Congress. The other plan would involve presidential appointment or nomination of a new Vice President with confirmation by a majority of the Members of both houses of the Congress. Mr. Nixon, correctly, in my judgment, disparages both of these measures because they could create grave difficulties if the

Congress happened to be controlled by other than the President's own party, which has been the case during the terms of 16 Presidents.

Again, I find myself in basic accord with Mr. Nixon in his spelling out of the qualifications which any new Vice President should have. Mr. Nixon says:

> He should be a man qualified to be President.
>
> He should be a full-time Vice President with no other official duties.
>
> He should be a member of the same political party as the President.
>
> He should have a political philosophy which is close to that of the President, particularly in the field of foreign affairs.
>
> He should be personally acceptable to the President, but since he may potentially hold the highest office in the land, his selection should reflect the elective, rather than the appointive, process.

Mr. Nixon now says that the single proposal which would best achieve all of these purposes is one which would direct the President to reconvene the electoral college to elect a new Vice President within 30 days after a vacancy occurs in that office because of the Vice President's death, removal or elevation to the Presidency.

In my judgment, Mr. President, this proposal, coming as it does from one of the most outstanding statesmen of our time, warrants study along with the rest of the proposals. But as of now, I perceive immense legal and practical difficulties in putting Mr. Nixon's plan into effect. Former President Truman, on the "CBS Reports" program, was of the opinion that the existing laws governing the creation and functions of the electoral college would first have to undergo drastic revision, since the electoral college does not now have the powers which Mr. Nixon's suggested amendment would require. Moreover, the Constitution, article II, as amended by the 12th amendment, relegates to the legislatures of the States the function of appointing electors to the electoral college, and in title 3, section 4 of the United States Code, Congress has authorized each State, by law, to provide for the filling of any vacancies which may occur in its college of electors when such college meets to give its electoral vote. All this would have to be changed in order to avoid a tremendous amount of confusion under Mr. Nixon's plan which would undoubtedly be generated by the death of electors or vacancies for other reasons in the electoral college at the time the President reconvened it to fill a vacant vice-presidency.

In addition, there is reason to believe, as a legal matter, that the electoral college passes out of existence once the electors vote for President and Vice President at 4-year intervals in the manner directed by the Constitution and forward the electoral voting certificates as required in title 3, United States Code, section 11. All the hurdles I have mentioned would first have to be overcome before Mr. Nixon's suggested amendment could be operational, and even then, I shudder to think of the possible divisiveness and contention which would attend the reconvening of the electoral college for filling a vacant Vice-Presidency if, at about the same time, a tragedy struck the Presidency again.

Mr. Nixon contends that "while it is true that the electoral college is now a constitutional anachronism, this important new function would upgrade the body and would bring about the selection of more responsible persons to serve on it." I share Mr. Nixon's views that the electoral college is an outworn institution and have myself supported another constitutional amendment which would abolish the electoral college and authorize the election of President and Vice President by direct popular vote. So I fail to see what useful purpose would be served by perpetuating an anachronism and giving that anachronism more to do. One cannot make an obsolete machine better simply by giving it more work.

It is ironic that my proposal for two Vice Presidents is at the same time near, yet so far from Mr. Nixon's plan; I, too, would use the electoral college, so long as it is sanctioned by the Constitution, as an instrument for filling a vacant Vice Presidency. But the crucial difference under my suggestion is that the electoral college would choose the potential successor to a vacant office of Vice President by selecting a second Vice President at the regular 4-year presidential elections.

Mr. President, in the constitutional amendment which I have offered, the so-called first Vice President is called the Executive Vice President, and the so-called second Vice President is called the Legislative Vice President. In other words, in the exercise of its usual 4-year functions, to which we have been accustomed for almost our entire history, the electoral college could in fact be used to solve the problem of Presidential succession. The real divergence between Mr. Nixon and myself, then, must lie in his objection to having two Vice Presidents in office at one and the same time. This takes us back to Mr. Nixon's first argument that this would simply downgrade the office of Vice President. Otherwise, he could have no serious objection to my proposal.

Very frankly, I am surprised by the downgrading argument made by Mr. Nixon. Under my plan, the two Vice Presidents could be upgraded in their tasks as much as the President saw fit to do. There are myriad possibilities for the President to make effective use of two subordinate officers elected by all the people of the United States. It would be expected that, as now, the President will have been instrumental in the selection of these two officers at the nominating convention at which the three-man ticket had been chosen. This would guarantee that the two men be personally acceptable to the President and be members of the same political party, as both Mr. Nixon and I believe absolutely necessary.

The American Law Division of the Legislative Reference Service at my request has compiled a list of all existing statutes, Executive orders and other Executive directives imposing duties on the single Vice President we now have. I ask unanimous consent that this compilation be inserted at this point in the RECORD.

There being no objection, the compilation was ordered to be printed in the RECORD, as follows:

THE LIBRARY OF CONGRESS,
Washington, D.C., January 14, 1964.
To: Hon. KENNETH B. KEATING.
From: American Law Division.
Subject: Vice President, special duties.

This will refer to your request of January 10, 1964, for a compilation of all existing statutes, Executive orders, and other Executive directives imposing duties on the Vice President. Following is such a list:

November 3, 1961: White House press release announced that the Vice President would take part in a series of White House regional conferences to take place in November 1961, in 10 U.S. cities concerning problems of full employment, economic growth, youth opportunities, senior citizens, and opportunities for cities.

April 25, 1961: Act of April 25, 1961 (75 Stat. 46; 42 U.S.C. 2471), made the Vice President a member of and Chairman of the National Aeronautics and Space Council, replacing the President as member and presiding officer. His function is to aid in advising the President on space matters.

A White House press release of April 10, 1961, announced that the Vice President would assume this new duty.

March 30, 1961: White House press release announced the appointment of the Vice President as Chairman of the National Advisory Committee on the Peace Corps.

March 7, 1961: Executive Order No. 10925 (26 F.R. 1977) created the Committee on Equal Employment Opportunity and made the Vice President the Chairman thereof. The duty of the Committee is to end racial and religious discrimination in Federal employment.

July 16, 1956: Executive Order No. 10673 (21 F.R. 5341) created the President's Council on Youth Fitness and made the Vice President Chairman thereof. The duty of the Council is to further Federal programs for youth fitness.

August 10, 1949: Act of August 10, 1949 (63 Stat. 579; 50 U.S.C. 402), added the Vice President to the National Security Council which advises the President on the integration of domestic, foreign, and military policies relating to national security.

August 10, 1846: Act of August 10, 1846 (9 Stat. 102; 20 U.S.C. 41), made the Vice President a member of and a regent of the Smithsonian Institution.

HUGH C. KEENAN,
Legislative Attorney.

Mr. KEATING. Mr. President, this compilation is limited only to those directives which are currently in force. As is commonly known, President Eisenhower delegated not an inconsiderable number of special duties to Mr. Nixon, which Mr. Nixon performed diligently, but several of these directives are not now in effect under the Johnson administration and before, in the Kennedy administration. Still, the Vice President, among other duties, is Chairman of the National Aeronautics and Space Council, Chairman of the National Advisory Committee on the Peace Corps, Chairman of the President's Committee on Equal Employment Opportunity, Chairman of the President's Council on Youth Fitness, and a member of the high-policy advisory body, the National Security Council.

I do not wish to be misunderstood. President Kennedy assigned Vice President Johnson to many special assignments in addition to those I have mentioned. They were all important tasks, merely illustrative of the diversity and usefulness of the functions which could be bestowed both by the President and by the Congress upon two Vice Presidents.

Rather than downgrade the office of Vice President, it is my judgment that a proposal for two Vice Presidents would enhance the position and prestige of the first Vice President and provide an additional measure of flexibility in assigning missions to the second, or legislative, Vice President. This view is supported by an editorial in the Washington Post & Times Herald of December 23, 1933, which appears in the Congressional Record, volume 109, part 19, page 25662. I ask unanimous consent that the editorial be printed again at this point in the Record.

There being no objection, the editorial was ordered to be printed in the Record, as follows:

[From the Washington Post, Dec. 23, 1963]

Executive Vice President

Senator Keating's suggestion that the country elect two Vice Presidents instead of one turns out to be somewhat more attractive than its advance billing. It would give the United States for the first time an executive Vice President who would become a high-level functionary in the administration. Being wholly within the executive branch, he would be an understudy to the President in all affairs and would be ready to take over the reins at any time in case of necessity.

There would be substantial advantages in having a Vice President giving his full time to executive duties, and this official under the Keating plan would be first in the line of succession. Even when there is only one Vice President, we have long thought that he should be freed from presiding over the Senate so that he could be more fully prepared for any emergency.

The serious problem under the proposed Keating amendment would be to find a man of presidential stature who would be willing to occupy the third spot with nothing more to do than preside over the Senate. There would be a strong tendency to use the third place on the presidential ticket to placate an ethnic or minority faction without much regard for presidential qualifications. If this plan should get serious consideration, however, it would doubtless be possible to build up the proposed legislative Vice-Presidency. That official could be made the chief liaison between the President and Congress and he could be selected with that special and important function in mind.

Mr. KEATING. Mr. President, I ask unanimous consent that an editorial entitled "Two Vice Presidents," published in the Middletown, N.Y., Record, and an article entitled "The Presidential Succession," published in the Washington Evening Star of December 7, 1963, be printed at this point in the Record.

There being no objection, the editorial and article were ordered to be printed in the Record, as follows:

[From the Middletown (N.Y.) Record, Dec. 3, 1963]

Two Vice Presidents

Senator Kenneth B. Keating's idea of two Vice Presidents for this country is both imaginative and logical.

With the accession of Lyndon B. Johnson to the Presidency, the United States will be without a Vice President until January 1965.

But a Vice President has valuable and necessary functions to perform. Because Mr. Johnson has no Vice President, he will have to forgo those functions or do them himself—at a time when he needs all the help he can get.

Mr. Keating's proposal should be explored fully.

[From the Washington (D.C.) Evening Star, Dec. 7, 1963]

The Presidential Succession

(By Gould Lincoln)

No Vice President of the United States who has stepped into the White House because of the death of a President has died in the Presidential office. This record should perhaps quiet the fears of those who are today proclaiming themselves exercised over a successor to President Lyndon B. Johnson, the latest Vice President to fall heir to the Presidency. In all, eight Presidents have died in Office, including the late President John F. Kennedy. Four of these died of natural causes, and four were the victims of assassins.

Of the seven Vice Presidents who preceded President Johnson in succession to the Presidency, three lived to be elected President, and four passed out of the White House at the close of the term to which they had succeeded. Those who won presidential terms in their own right were Theodore Roosevelt, Calvin Coolidge, and Harry S. Truman. President Johnson appears entirely likely to become the fourth elected to the Presidency in their own right.

RESIGNATION URGED

The latest suggestion emanating from those who profess to have misgivings about a successor to the Presidency if anything happens to President Johnson between now and January 20, 1965, when a newly elected President and Vice President are sworn into office, is that Speaker John W. McCormack, Massachusetts Democrat, should resign his high office and permit the election of a "younger, stronger, and wiser" man to take over the speakership. It comes from Editor James A. Hardman of the North Adams (Mass.) Transcript. It is a ridiculous suggestion. Under the law passed by Congress in 1947, the Speaker of the House of Representatives is in line for succession to the Presidency should both the President and Vice President die or become incapacitated. From a strictly political view it is unthinkable that Speaker McCormack would take such a step. And, from the point of view of the good of country, there is no other Democrat in the House who would make a stronger and wiser President if promoted to the White House.

Speaker McCormack is, indeed, 72 years old—but he is a hale and hearty 72. He has been a Member of the House for 35 years. His record in that period has shown him progressive, a leader, a strong supporter always of national defense, and an early and determined opponent of communism, nazism, fascism, and of bigotry and racial discrimination. He has been Democratic whip of the House, majority leader and Speaker, and has given a good account of himself in all these offices. It was as chairman of the Un-American Activities Committee of the House that he submitted a report in 1935—28 years ago—in which communism was denounced as an international conspiracy, not merely a political party. His committee also investigated and attacked the Nazis who were trying to gain a foothold in this country. He has sponsored important legislation, has worked with both Republican and Democratic Presidents in support of foreign policies and national defense. A man does not become Speaker of the House without showing qualities of leadership—as the record shows.

Further, Speaker McCormack has been a strong supporter of the policies and programs of the late President Kennedy. The Speaker kept his hands off in the election campaign in 1962 for the nomination for U.S. Senator, when the President's youngest brother, now Senator Edward M. Kennedy was opposed by the Speaker's nephew. When that battle was over, the Speaker moved in to help bind up political wounds and help unite the party. Nor did President Kennedy oppose Mr. McCormack's election to the speakership after the late Speaker Sam Rayburn died in 1961.

PROPOSAL OF TWO

Senator Keating, New York Republican, recently came up with a proposal that the country elect two Vice Presidents, one to preside over the Senate, and the other be used by the President on foreign missions and other administrative tasks. It would also provide an immediate successor to the White House should the President and Vice President die. This proposal would necessitate a constitutional amendment, a rather long process. It might have merit, however, since it would provide a constant, day-in and day-out, Presiding Officer of the Senate, which has been impossible in the cases of former Vice President Nixon and of Lyndon Johnson, who have been handed many tasks by former President Eisenhower and by the late President Kennedy. As things are today the duty of presiding over the Senate is parcelled out to Senators who are not always familiar with the rules and precedents of the Senate, sometimes creating awkward situations.

STEWARDSHIP REPORT

Mr. BYRD of West Virginia. Mr. President, at or following the end of each session of Congress it has been my practice, during my Senate service, to render an account of my stewardship in behalf of the people of West Virginia. I have sought to win for my State the kinds of Federal programs and facilities which would encourage a transition from economic decline to that of ascending job opportunities for all who wish to work and who are able to work. In this effort, I have especially pursued programs which are designed to awaken and stimulate the natural resources of the Mountain State, because through the development and exploitation of these bounteous resources can come new and vigorous economic growth—perhaps an industrial revolution which will for all time erase the picture of West Virginia as a pocket of poverty in an otherwise affluent Nation.

COAL RESEARCH

As a member of the Senate Appropriations Subcommittee on the Department of the Interior and Related Agencies, I was successful, during the year of 1963, in advancing two specific coal research efforts—Project Bootstrap and Project Gasoline—which, if pilot plant operations demonstrate commercial feasibility on a competitive basis, can mean the production of vast tonnages of coal annually and the establishment of new primary and satellite industries in my State.

When fiscal year 1963 budget requests of the Office of Coal Research were being considered by the subcommittee in 1962, I offered an amendment adding $450,000 to enable that agency to initiate research on Project Bootstrap, a research effort seeking to extract the equivalent of natural gas and commercially useful liquids from coal for industrial and home uses, and, at the same time, I offered an amendment adding $1 million for the purpose of advancing research on Project Gasoline, a scientific effort to manufacture high octane gasoline from coal. Both amendments were adopted.

Last year, in the same subcommittee, during a review of fiscal year 1964 budget requests, I again amended the appropriation bill to include an additional $1 million with which to accelerate the development work being undertaken on three gasification projects. By hastening the research work on these projects, it is entirely possible to combine them, for feasibility testing purposes, with the pilot plant operation being planned by OCR for Project Bootstrap in the Beckley area of West Virginia.

I also urged the subcommittee to restore a $2 million Office of Coal Research budget request, most of which was to be used for Project Gasoline, and which the House of Representatives had deleted from the fiscal year 1964 appropriation bill. Pilot plant operations for Project Gasoline are planned by OCR for the Cresap area of West Virginia. Although the Senate agreed to restore the $2 million requested for Project Gasoline, in a subsequent Senate-House conference, a final figure of $1 million was agreed upon. This sum, according to Interior Secretary Stewart L. Udall, is sufficient to assure continuing progress in the planning and engineering of a pilot plant for testing the processes which have been developed for manufacturing high-test gasoline from coal.

FORESTRY RESEARCH

Hardwood forests cover about 90 percent of West Virginia, thus making timber an abundant natural resource. However, through years of mismanagement, misuse, and neglect, the percentage of good grades of timber suitable for cutting is relatively small. I asked the U.S. Forest Service, back in early 1961, if a Wood Utilization and Marketing Laboratory could be established in West Virginia. The agency made a survey of the State, and reviewed the comparable timber resources in other Appalachian areas. I was then informed that such a laboratory as I had proposed would be highly useful and that it could make continuing contributions toward advancing the economic potential of the forest products industry of West Virginia and the rest of Appalachia.

Thus, when the fiscal year 1962 Forest Service budget requests were being considered in 1961 by the Senate Appropriations Subcommittee on Interior and Related Agencies, I added $450,000 with which to initiate planning and construction of a facility at Princeton, W. Va., the site selected by the Forest Service for the Laboratory.

In the short space of its existence, Mr. President, the work of the Princeton Laboratory has indeed been gratifying. Already several new or expanded wood products facilities have been put into operation in West Virginia, making available new jobs and stimulating the State's economy.

Mindful of these encouraging results, and eager to help effectuate an acceleration and expansion of important research work being undertaken by the Princeton Laboratory, I successfully added $300,000 in committee last year to the $100,000 which was requested in the fiscal year 1964 budget for this facility. Senate-House conferees reduced the amount added by my amendment to $250,000, thus making a total of $350,000 available to the Princeton Laboratory during fiscal year 1964. I feel confident that this additional sum of money which I was able to add to the laboratory's budget will be repaid tenfold to the Government and to the people through a growing wood products industry.

While conscious of the need for research to find new or improved uses for our timber, I was made aware, through discussing the matter with Forest Service officials, of increasingly heavy tolls by diseases of young hardwood timber growing stock. Members of the Senate Appropriations Subcommittee on Interior and Related Agencies were sympathetic to my proposal that the sum of $31,500 be added to the fiscal year 1964 budget requests of the U.S. Forest Service for preliminary planning of a forestry sciences laboratory, to be constructed at West Virginia University located at Morgantown.

This new Forestry Sciences Laboratory will also develop the engineering aspects of logging on steep hillsides, and the control of soil erosion resulting from logging operations.

Additionally, the Laboratory will do research work in wildlife habitat, because there is a need to encourage wildlife growth both for fur-bearing purposes and for increasing the use of Appalachia by sportsmen.

EXPANSION OF NATIONAL FOREST LANDS

The forest lands of West Virginia constitute a rich natural resource in several respects. Not only do they provide timber for our wood products industry, but they also hold great potential for recreational pursuits—for the fishing and hunting sought by sportsmen, and the picnicking, hiking, and camping sought by tourists. A good example of this is the Monongahela National Forest, in my State, where planned multiple use has resulted in a yearly increase in the allowable cut of good quality timber, and where growing numbers of sportsmen and tourists are finding recreational pursuits of a rewarding nature.

Having made an inspection of the Monongahela National Forest, early in February 1961, and having noted the work done by the U.S. Forest Service in the way of reforestation, conservation, and recreation, I explored with officials of that agency the possibility of extending the forest westward to include additional areas in eight counties where rugged terrain and submarginal farming have been a cause of long-term chronic and persistent unemployment.

Over a half million acres in parts of Braxton, Fayette, Greenbrier, Lewis, Nicholas, Randolph, Upshur, and Webster Counties would be included in the addition to the Monongahela National Forest, to be known as the Mountaineer unit. The year before last, I successfully amended the Department of Interior and related agencies appropriation bill to include $250,000 with which to initiate land purchases for the new unit. The Senate approved my amendment, but in a subsequent Senate-House conference on the appropriation bill, the amendment was deleted. Last year, I again was successful in amending the appropriation bill to include $200,000 with which to initiate land purchases for the Mountaineer unit, and again the Senate approved my amendment. Again, too, the Senate-House conferees deleted this item from the final bill.

The terrain to be encompassed by the envisioned Mountaineer unit cannot afford to continue to be economically unproductive. The area direly needs a carefully planned resources renewal program, coupled with a planned development of recreational potentials. I believe that whatever moneys are eventually invested in the area by the Federal Government will make of the terrain an economic asset of progressive value which will contribute to the enrichment of that section of Appalachia.

FISHERY MANAGEMENT

The White Sulphur Springs National Fish Hatchery has played an important role in supplying both cold and warm water species of fish to 27 counties in West Virginia. In fact, the work of this hatchery in helping to keep our streams and lakes well stocked with fish has contributed to the growing popularity of the Mountain State among sports fishermen.

Early in 1963, my attention was called to the badly deteriorated condition of the 60-year-old concrete rearing facilities at the White Sulphur Springs Fish Hatchery. I immediately ascertained what was required in the way of moneys to rehabilitate this hatchery so that it could continue its excellent services to our West Virginia counties. I was informed that $138,000 would be required for this work.

Therefore, when the Senate Appropriations Subcommittee on Interior and Related Agencies was considering the budget requests of the U.S. Bureau of Sport Fisheries and Wildlife, I amended the appropriation bill to include the needed $138,000 for the White Sulphur Springs Fish Hatchery. This was later reduced to $100,000 in conference with the House. I also amended the appropriation bill to include $30,000 to establish a fishery management project in the Elkins area of West Virginia. This project will coordinate and assist the activities of State and Federal agencies in the management of fishing on lands under Federal control, and this could benefit tourism in our State.

WATER POLLUTION

Mr. President, one of the great unsolved problems of the Ohio River basin is water pollution. However, through pollution control programs the region could be made more attractive for industrial and community development. In 1962, I initiated such a pollution control study by amending the fiscal year 1963 appropriation bill for the Department of Health, Education, and Welfare to include $500,000 for the project, this figure being reduced to $100,000 subsequently in the Senate-House conference. Last year, water pollution control in the Ohio River basin moved forward when the Congress agreed to my amendment to the fiscal year 1964 HEW appropriation bill adding $400,000 to the House-approved $100,000 for the project, which is headquartered in Wheeling, W. Va.

MINING DISEASE RESEARCH

Research in chest diseases among coal miners also will be spurred as a result of the acceptance by the Congress of my amendment to the fiscal year 1964 HEW appropriation bill adding $400,000 to the House-approved $100,000 for this program. The extra moneys for this program, which I initiated in 1962 by adding $520,000 to the Public Health Service appropriation, the amount being later reduced in a Senate-House conference, will permit an expansion and acceleration of the research work now being undertaken at Beckley, Raleigh County. The ultimate objectives of the program are prevention, diagnosis and treatment of chest diseases among coal miners.

JUVENILE DELINQUENCY

Work on juvenile delinquency and youth offenses in West Virginia has also been helped by congressional approval of my amendment to the fiscal year 1964 HEW appropriation bill adding $250,000 to the House-approved $6.7 million nationwide program to curb antisocial actions by juveniles.

FRUIT AND BERRY RESEARCH

A fruit and berry research laboratory, which would be regional in character, but which could be located in the eastern panhandle of West Virginia, received promising impetus when the Senate accepted my amendment last year appropriating $25,000 for a feasibility study of such a laboratory. In December of 1962, I had proposed to the U.S. Department of Agriculture, the establishment of this kind of laboratory in view of the need for basic research in problems related to the production, mechanical harvesting, handling and storage, quality control, marketing, and the development of hardy strains of fruits and berries which can be adapted to the specific climatic conditions prevailing on the Appalachian Mountain slopes. The work of this laboratory would complement and extend the research now being conducted on apples and peaches by the West Virginia Agricultural Experiment Station at Kearneysville.

Senate-House conferees on the fiscal year 1964 Agriculture Department appropriation bill did not agree on this item. However, Senator **HOLLAND**, Democrat, of Florida, chairman of the Senate Appropriations Subcommittee on the Department of Agriculture, has requested that a study regarding the feasibility of such a laboratory be made by the Department out of its own funds prior to the end of fiscal year 1964.

MILITARY CONSTRUCTION

An electromagnetically hostile environment which has developed over the years around the Naval Radio Receiving Station in Cheltenham, Md., dictates the military necessity for moving this facility to Sugar Grove, W. Va. This, and similar persuasive testimony, was elicited by me from Navy Department officials who appeared before the Senate Armed Services Committee, of which I am a member, in support of restoration of a $3,830,000 authorization to make the move to Sugar Grove—a request which the House Armed Services Committee had deleted from the fiscal year 1964 military construction authorization bill.

Optimum use of the Sugar Grove site has been my goal ever since the Navy Department abandoned construction of the 600-foot-diameter "big dish" in July of 1962. Therefore, following an inspection trip of the Naval Radio Receiving Station at Cheltenham, on August 4, 1963, I traveled by helicopter from Washington, D.C., with Navy Department officials, to Sugar Grove, to see at first hand how the Navy would phase the radio receiving station into the West Virginia installation. Shortly thereafter, I succeeded in obtaining restoration of the requested $3,830,000 authorization by my Armed Services Committee, and, later, I supported the needed appropriation in my Appropriations Committee.

As a result, an initial 7 officers and 98 enlisted men will be stationed at the Sugar Grove site, plus about 20 civilian personnel, I am informed. Housing accommodations for the Navy personnel and their families will be constructed about 12 miles from the center of operations at Sugar Grove. This relocation will prove to be helpful to the economy of Pendleton County and the surrounding area.

Construction of a combined field maintenance shop of the West Virginia National Guard, planned for location at Point Pleasant, W. Va., can proceed during this current fiscal year as a result of my amendment, offered in the Senate Armed Services Committee, to the fiscal year 1964 military construction authorization bill, which authorized $84,000 in deficiency funds—the sum needed to meet the lowest submitted construction bid, all bids having exceeded the previously authorized $340,000 cost of this facility. I then supported, in my Appropriations Committee, the moneys to fund the authorization, and this action was also approved by the Congress. This project was first authorized, with my support, in June of 1961, and it has been the subject of two competitive sets of bids. Construction of the facility will enable the West Virginia National Guard to maintain its equipment in top efficiency.

No other National Guard or Army Reserve facilities required appropriations last year, in view of the fact that my State's Reserve center and armory program is complete as far as congressional action is concerned. I amended the fiscal year 1962 military construction bill to add Army Reserve centers at Martinsburg, Morgantown, and New Martinsville, and to include an Army Reserve maintenance shop at South Charleston.

FEDERAL BUILDINGS

Site acquisition and planning moneys for six Federal buildings in West Virginia were included in an appropriation for the General Services Administration passed by the Congress for fiscal year 1964. The proposed sites and the estimated cost of each building are as follows: Gassaway, Braxton County, $203,000; Glenville, Gilmer County, $253,500; Parsons, Tucker County, $279,400; Pineville, Wyoming County, $252,500; Summersville, Nicholas County, $343,000; and White Sulphur Springs, Greenbrier County, $236,000.

Construction of these Federal buildings had already been authorized. Therefore, as a member of the Senate Appropriations Committee I supported the needed site acquisition and planning funds for these buildings. On several occasions I personally discussed the matter with Senator **WARREN G. MAGNUSON**, Democrat, of Washington, chairman of the Appropriations Subcommittee which reviews the budget requests of the General Services Administration, and also with GSA Administrator Bernard L. Boutin.

WEATHER BUREAU STATION

Demands for knowledge of the weather and climate are now being met in Raleigh County and adjacent areas by a new Weather Bureau Station at the Raleigh County Airport. I successfully amended the Department of Commerce appropriation bill the year before last to include $75,000 to establish this facility, which now operates 24 hours a day with a six-man crew. A killing spring frost in 1961 resulted in a 50 percent failure of the strawberry crop in Raleigh County, amounting to a loss of about $30,000. A warning system, such as the new station now provides, could have prevented this loss.

Last year, I had the high honor of making the dedicatory address at the opening of the Beckley Weather Station. I also supported the appropriation of $74,000 in operating funds for fiscal year 1964.

RECREATION AREAS

A new recreation area for West Virginia is envisioned in a bill which I have introduced in the Senate. To be known as the Spruce Knob-Seneca Rocks National Recreational Area, the proposed park would embrace about 100,000 acres in Pendleton County, adjacent to the Monongahela National Forest. The unique features of the area commend themselves as tourist attractions, and I have been advised that the Department of the Interior is preparing a report to Congress which will favor the establishment of this proposed recreational area because of its geographic location and accessibility to large urban population centers and because of its outstanding recreational resources.

A stimulus to tourism in West Virginia could also be achieved by approval of a bill which I introduced in the Senate for establishment of a 30,000-acre Coal River National Recreation Demonstration Area in Boone County. Development of the Coal River Park would provide recreational facilities to thousands of Americans who live within a few hundred miles of our State. Establishment of the park would also provide economic growth opportunities to this particular section of our State.

PUBLIC WORKS

In March of this year, severe flood damage occurred in many West Virginia communities, especially those along the Guyandotte and Tug Rivers. I quickly arranged with Government officials concerned with aiding flood areas to fly with me to Huntington, W. Va., where we were met by helicopters which then flew us over the Tug and Guyandotte Basins, landing first in Williamson, Mingo County, then in Logan, Logan County, for firsthand surveys of the floods. Returning to Washington, D.C., I began to press for all of the flood control measures which had been recommended by the U.S. Army Corps of Engineers for West Virginia.

One of my first actions, as a member of the Senate Appropriations Subcommittee on Deficiencies and Supplementals, was to amend the fiscal year 1963 supplemental appropriation bill to include $25,000 with which to assist the Army Engineers to initiate planning of the Justice Reservoir in Wyoming County, on the main stem of the Guyandotte River. Previous to this action, I had been successful in securing ARA moneys for use by the Army Engineers in connection with aerial photography of the site before the foliage appeared on the trees, thus helping to accelerate work on this $64 million project.

Progress was also made this year with regard to providing adequate funds for continuing the development of water resources projects in and affecting West Virginia. The Senate Appropriations Subcommittee on Public Works, of which I am a member, approved more than $41.3 million for such projects for fiscal year 1964, with most of the funds going for modernization of navigational facilities on the Ohio and Monongahela Rivers—economic highways of growing importance to commerce and industry in my State. I requested that my subcommittee approve $12 million for continuing construction of the Belleville locks and dam on the Ohio River near Parkersburg, W. Va.—an increase of $5 million over the House appropriation for this project.

Funds also were provided by my subcommittee for numerous flood control projects, as well as for the maintenance of projects already completed.

The Harmon Creek watershed project in the Weirton, W. Va., area was first approved in April by the Special Watershed Subcommittee of the Senate Committee on Agriculture, at my urging, and then by the full committee in May. The House Agriculture Committee has not yet acted on the project, which would include 13 water-retarding structures and a multipurpose structure of 1,701-acre storage capacity.

When high waters struck West Virginia again early in June of last year, I promptly asked the Army Engineers' district offices in Huntington and Pittsburgh to speed completion of their studies of the Little Kanawha River Basin and the Stonewall Jackson Reservoir on the Monongahela's West Fork. In 1961, as a member of the Senate Appropriations Committee, I amended the fiscal year 1962 public works appropriation bill to add $95,000 for an engineering study of the Burnsville, Steer Creek, and West Fork reservoirs in the Little Kanawha River Basin. The money was deleted in the subsequent conference with the House of Representatives. In 1962, we appropriated $65,000 for these engineering studies, and the recommendations of the Army Engineers will be before the Congress this year.

I was also instrumental, in 1962, in getting an initial appropriation of $20,000 for a restudy of the West Fork of the Monongahela River. We added $35,000 last year for completion of the study.

Mr. President, I would like to address myself for a moment to my efforts in behalf of two specific extensions of funds for the accelerated public works program—a program which has proved to be highly beneficial to many West Virginia communities.

In 1962, the Congress authorized the accelerated public works program and appropriated an initial $400 million out of a total $900 million authorization. Communities throughout my State and the Nation were quick to seek funds for worthwhile and long-delayed projects. As a result, half way through fiscal year 1963 the initial $400 million was fully committed, with numerous projects, which were ready for approval, being delayed for lack of funds.

Last year, I joined with other Senators in seeking the remaining $500 million appropriation for the accelerated public works program—the sum needed to complete the $900 million authorization. However, the House approved an appropriation of $450 million. As a member of the Senate Appropriations Committee, I urged that the Senate not reduce the amount but that it go along with the House-approved figure of $450 million. Immediatley after Senate-House conferees had agreed on the accelerated public works appropriation bill, I visited Community Facilities Administration Commissioner Sidney H. Woolner and personally reviewed with him the pending West Virginia applications and urged immediate action thereon.

In December of 1963, the Senate Appropriations Subcommittee on Public Works, of which I am a member, restored the $45 million accelerated public works funds previously disallowed by the House. In the Senate-House conference, this figure was reduced to $25 million.

The following projects are examples of how the accelerated public works program invests in the State of West Virginia: Raleigh County, for Stephens Lake development, $1,200,000 in Federal moneys; Logan County, for a new four-story courthouse, $1,207,800 in Federal moneys; Lincoln County, for a new courthouse, $396,000 in Federal moneys; Summersville, in Nicholas County, $165,000 in Federal moneys for a new municipal building; Mingo County, for a new courthouse, $1,245,000 in Federal moneys. I worked closely with Federal, State, and county officials in securing approval of these Federal grants.

NATIONAL TRAINING SCHOOL FOR BOYS

Construction of a national training school for boys, at Morgantown, received substantial impetus by congressional approval last year of $600,000 which is to be used by the U.S. Bureau of Prisons for site preparation and detailed architectural planning of the proposed new $8.5 million facility. The House of Representatives had allowed only $500,000 of the $700,000 budget request. However, as a member of the Senate Appropriations Subcommittee on State, Justice, Commerce, the Judiciary, and Related Agencies, I urged committee approval of the full $700,000—an action subsequently taken by the subcommittee, the full Appropriations Committee, and the Senate. In a Senate-House conference, the sum of $600,000 was agreed to.

The decision to relocate the 100-year-old Washington, D.C., National Training School at Morgantown resulted from my request early the year before last to the late President John F. Kennedy—a request to which the President agreed. As a result, the fiscal year 1963 bill making appropriations for the Department of Justice carried $250,000 in initial planning moneys for the new facility.

COMMERCE FIELD OFFICE

Also approved this year by my Appropriations Subcommittee were funds for the establishment of a four-man Department of Commerce field office in Charleston, W. Va., which will provide useful and beneficial services to businesses and industries in our State. In 1962, I had successfully amended in committee the fiscal year 1963 bill making appropriations for the Department of Commerce to include $40,000 with which to initate this project. The Senate accepted my amendment, but in a subsequent Senate-House conference this item was deleted. Last year, however, funds for the Charleston field office were included in the President's submitted budget requests.

ALLEGHENY PARKWAY

On May 3, 1961, I introduced a bill in the Senate which would authorize construction of a north-south recreational corridor to be known as the Allegheny Parkway. I felt that such a parkway, when completed, would bring new and growing economic wealth to West Virginia in the form of tourism and new job opportunities.

At my request on May 10 of 1962, Senator ALAN BIBLE, of Nevada, chairman of the Public Lands Subcommittee of the Senate Interior Committee, held open hearings on the proposed Allegheny Parkway. At the conclusion of these hearings, the subcommittee recommended that a feasibility study be undertaken by the National Park Service. Last year I reintroduced the bill, and the study, now completed and ready for submission to the Congress, recommends that the northern terminus of the Allegheny Parkway begin at Harpers Ferry National Historical Park in Jefferson County, W. Va., after which the parkway would course through about 390 miles of the eastern and southern counties of the State and then extend for another 240 miles through Virginia and Kentucky to a southern terminus in the Cumberland Gap National Historical Park.

I am informed that the study currently estimates the cost of the 630 mile-long Allegheny Parkway at about $240 million, of which an estimated $220 million would be needed for all construction—visitor centers, campsites, et cetera, as well as the two-way 22-foot-wide bituminous-paved roadway—and about $20 million for land acquisition. It is also estimated that construction of the entire length of the parkway would take from 10 to 12 years after congressional authorization and initial appropriations have been effectuated.

OTHER ACTIVITIES

In the foregoing paragraphs I have endeavored to mention merely the major efforts I have put forth in behalf of my State and its people. There are other actions, too numerous to mention here, which I have taken that have been of economic or social importance to many localities, and in the aggregate they will provide a base for new economic and social gains.

FOREIGN AFFAIRS

In February of last year, as a member of the Senate Armed Services Committee, I made a 2-day inspection of the U.S. Naval Base at Guantanamo Bay, Cuba. While there, I covered almost every foot of the fence that separates the land and water areas of the base from Cuba. I also toured our defense positions, and I talked with Cuban workers who passed through the northeast gate on their way to work on the base. I also talked with officers and men of our Armed Forces stationed at the base, several of whom are West Virginians. All of this afforded me the opportunity to discern that Castro cannot take our Guantanamo base, and that we must continue to develop this base because of its strategic importance to the mainland of our country.

Castro is a menace to all of Latin America, and we must hurry his demise by all possible means short of engendering nuclear war.

Mr. President, during my years of service in the Congress, I know of no decision on any issue which I have approached with as great concern as that which confronted the U.S. Senate during last year's debate on the test ban treaty. My vote against ratification of the treaty resulted from a painstaking analysis of the arguments in favor of the treaty, which I felt were not based on hard, realistic facts with regard to our relationship with the Communist world. Although the treaty had the approval of people generally, I could not conscientiously support it. I felt that, in the long run, the treaty would not be in the best interests of the security of our country. I hope that future events will prove me in error.

I voted for amendments to the foreign aid authorization bill which would have cut a total of $535 million from the program for fiscal year 1964. Of this group of amendments, cuts amounting to $460 million were sustained. I also voted to eliminate the Development Loan Fund authorization for fiscal years 1965 and 1966, an amount totaling $1,950,000, although authorization for the fund can be considered anew this year. After these reductions had been made, I voted for the bill on final passage.

I believe that the foreign aid bill which finally evolved from the Congress will encourage more efficiency in the total aid program, and will stimulate a more responsive participation by other affluent free nations in meeting their own obligations against the threat of Communist domination.

ATTENDANCE ON ROLLCALLS

In summation, Mr. President, I sought, during the year of 1963, to bring to West Virginia the kind of projects which not only supply immediate employment opportunities, but which also in the years ahead will prove to be of enduring and growing economic value, thus providing a brighter future for the forestry, coal, farming, recreation, and tourism industries of my State and the rest of Appalachia.

Like other Senators, I have many responsibilities: committee meetings, conferences with officials of agencies and departments, meetings in my State with constituents or officials, and various other duties. Nonetheless, I am proud to say that out of 229 rollcall votes in 1963, I missed only 20, or 8 percent. However, I was actually absent on only four rollcalls and was paired, so as to announce my intent, on the remaining 16.

JOURNALISTIC DELINQUENCY BY ROWLAND EVANS AND ROBERT NOVAK

Mr. MORSE. Mr. President, I rise to answer a column written by two dropouts from the school of honest journalism. Their names are Rowland Evans and Robert Novak. Their column was published Friday, January 17, in the Washington Post. I ask unanimous consent that this column assassinating the truth in typical McCarthyite fashion be printed at this point in the Record.

There being no objection, the column was ordered to be printed in the Record, as follows:

Inside Report: Tiger Running Wild

(By Rowland Evans and Robert Novak)

None of the reforms proposed by liberals to get Congress moving would sweep away the Senate's one-man obstacle course: Senator Wayne Lyman Morse, of Oregon.

Democrat Morse, labeled the "Tiger of the Senate" in a 1962 biography by journalist Robert Smith, ran wild in 1963. Immobilization of the mighty Senate in the foreign aid debate can be traced directly to Morse. Moreover, as the 1964 session begins, if Senator Mike Mansfield, the Democratic floor leader, has any intention of cracking down on Morse it's the best-kept secret in Congress.

But this is more than merely the success story of how Wayne Morse has transformed himself from an ineffectual maverick to one of the Senate's most powerful men. It also reveals what has been wrong with Mansfield's 3-year reign as majority leader.

Granted, the Senate majority leader has few inherent powers. Most leaders were little more than figureheads until Senator Lyndon B. Johnson welded the leader's meager powers (Example: The power to assign such goodies as Capitol hideaways to fellow Senators) into a might system of reward and punishment. This system restrained the Morses, and kept them more or less in harness, during the Johnson era.

Mansfield not only dismantled the Johnson system but set up a Mansfield system that seems to reward the wicked and encourage trouble.

Certainly, no one disputes that Morse has been big trouble. Although a package of Federal education legislation finally passed last year, many Democrats believe the school bills could have passed years earlier save for Morse's moody stubbornness.

But Morse's really big moment came during the foreign aid debate. Displaying brilliant parliamentary skill, Morse riddled the bill with damaging amendments in a series of skillful delaying actions.

What did all this cost Morse? Nothing. On the contrary, he seemed to receive special considerations.

The debate on the education bill scheduled for last summer was postponed so that Morse could keep a speaking engagement back in Oregon. Senators who had rushed back to Washington for the debate were furious.

The crowning blow came the day before Christmas, when the Senate was ready to vote final approval of the foreign aid bill. But Morse couldn't make it. So, while Senator J. W. Fulbright, of Arkansas, and others fumed, the finale was postponed to December 30 in keeping with Mansfield's "soft on Morse" policy.

Although Mansfield has a formidable mass of legislation to ram through the Senate in the next 6 months, nobody expects him to suddenly start cracking the whip against Morse and lesser troublemakers. Just last week he was defending Morse against a newspaper attack in Oregon.

Rather, cloakroom conversation revolves around whether Mansfield will resign the leadership next year to permit a more dynamic Democrat—such as Minnesota's Hubert Humphrey or Rhode Island's John Pastore—to take over the leadership. But there is no mass movement demanding that Mansfield must go.

"Mike never punishes anybody," asserts a senior Democrat, "and that's just fine. He's the kind of leader the Senate likes."

Certainly Wayne Morse does.

Mr. MORSE. Mr. President, earlier today, when the majority leader made a speech at the beginning of the session, I announced that following the consideration of the pending business, I would discuss this column.

Many lawyers have remarked privately how difficult it is in a malpractice suit for a plaintiff to find a doctor who is willing to testify against a defendant colleague. This column shows how the professional ranks of journalism tend to close protectively about a journalist whose professional ethics and competence have been questioned.

It is not an unexpected phenomenon, and it certainly is an understandable one. However, in writing such a column, under such circumstances, one would expect the authors to be factually accurate in their presentation.

Unfortunately, the research upon which the article is supposedly based suffers from a fatal and what might be termed an "A. Robert Smithian" flaw. The facts do not support the conclusions drawn. In the best interests of a free, enlightened, and objective press, I propose to answer briefly this contribution to journalistic delinquency by Evans and Novak.

Mr. President, setting aside for one moment the charmingly mixed metaphors of the first two sentences of the article, for to be both a tiger and an obstacle course simultaneously is, I am afraid, far beyond my poor thaumaturgic powers, I must protest the injustice of the column in that it neglects to give any credit to those Senators who fought valiantly, shoulder to shoulder, with me to improve the foreign aid bill.

The historic foreign aid debate was no one-man show, as Senators are well aware. The distinguished junior Senator from Alaska [Mr. GRUENING] with devastating logic and a wealth of factual material derived from his personal investigation of the program in the Middle East conveyed most effectively to the Senate the weaknesses which needed to be corrected and which were, in part, corrected. If I can be fairly called a "tiger" in seeking improvements in foreign aid, the least that Messrs. Evans and Novak could do, it seems to me, would be to characterize Senator GRUENING as the "polar bear" who gave credibility to our position. If, on the other hand, I am the "one-man obstacle course," then Senator GRUENING, surely, was the "combat firing range" of the foreign aid bill. These exercises helped to cut down on the fat of the program although more vigorous exercise, in my judgment, lies ahead.

As opponents of the bill or parts of the bill, we exercised our parliamentary right. It would appear that Evans and Novak and their ilk among the press are for parliamentary rights in the Senate available only to Senators who agree with them. I have noted that many members of the press corps give evidence of believing that Senators who do not go through partisan hoops at the crack of journalistic whips should be stripped of their senatorial rights. I have a message for such journalistic McCarthyites: Stop portraying such gross ignorance of the historic function and power of the Senate, designed by our constitutional fathers as a check against ill-advised, undesirable, and unsound legislation as well as a check against steamroller parliamentary tactics.

Such journalistic advocates of parliamentary absolutism and promoters of dictatorial control over so-called minorities in the Senate are pitiful historical illiterates. They are perfectly willing to smear Senators who insist on following where the facts lead irrespective of politics, but they write a different story when a Senator agreeing with their legislative viewpoint exercises the same parliamentary rights. An interesting example of this type of journalistic duplicity can be illustrated by an incident that occurred during the recent foreign aid debate. It is perfectly evident from their choice of adjectives that Evans and Novak opposed the "aggressor" amendment, the Indonesian amendment, and other policy guidelines that were included in the 1963 foreign aid bill.

One finds no criticism from them of the delaying tactics used to defeat the Mundt amendment. I am not implying that there should be any criticism. But it is evidence of the double standard so often used to discredit only that which the columnist is against.

The Senate was ready to vote on the foreign aid authorization bill on the evening of November 14. A last minute amendment was proposed by Senator MUNDT. It would have prevented the Export-Import Bank from underwriting Soviet credit. The amendment was debated; a motion to table it was defeated. I am of the opinion that if the Senate had continued on and voted on it that night, the Mundt amendment would have been adopted.

We did not vote only because the Senator from Minnesota, Mr. HUMPHREY, made it clear he would exercise his parliamentary rights to prevent the vote from being taken. He said:

> Mr. President, I know that Senators would like to vote. For many days I have wanted to vote. But, without a doubt, the proposed amendment is the most important amendment that has been offered to the bill. I am rather surprised that Senators who are members of the Committee on Banking and Currency, which committee has jurisdiction over the operations of the Export-Import Bank, are willing to have major policy questions decided on the floor of the Senate at 10 minutes after 10 p.m., after 3½ weeks of exhausting debate, discussion, and time-consuming activities in this body. I shall not let the Senate, if I can help it, vote on the issue immediately, because it seems to me that if we needed time to discuss some minor amendments to the aid bill, we need plenty of time to discuss the present situation.

A few minutes later, at 10:34 p.m., the Senate adjourned. The majority leader and the majority whip were seeking time to rally administration forces against the amendment. I favored the amendment; I voted against adjournment that night. I was ready to vote on the merits of the amendment and on the foreign aid bill itself. So apparently was the great majority of Senators present, and most of them were present.

But I am not critical of that delaying tactic. I am not critical of the Senator from Minnesota for delaying what he felt was a hasty vote, nor am I critical of the majority leader for accommodating the Senator from Minnesota. It is the duty and obligation of Senators to use the Senate rules in furtherance of what they believe to be sound public policy.

The interesting point, however, is that Evans and Novak are not critical of that delaying tactic, either, nor of the Senator from Minnesota for using it, nor of the majority leader for accommodating it. I read no charge from Evans and Novak or others that the Senator from Minnesota was guilty of "immobilization of the mighty Senate," to use their language.

I also resent the attack made on my majority leader in connection with my work in the Senate. Senator MANSFIELD, as majority leader, has operated—as he must—within the rules of the Senate. His distinguished predecessor did no more and no less. Much uninformed nonsense is written about "power" in the Senate. Each Senator, including the majority leader, has just as much "power" as the rules of the Senate permit. We are not children who are to be bribed by a piece of candy. We are 100 men and women with strong convictions, and we are attempting to the best of our respective abilities to uphold the oath each has taken to support and defend the Constitution of the United States in connection with the consideration of legislation.

Our majority leader is freely chosen by the Senators who belong to the majority party. As such, he has our respect and esteem. He does not ask us to vote against our convictions, nor did his distinguished predecessor. I must confess, however, that each in his individual style is a persuasive advocate for the administration position on proposed legislation. As one who has acted both as floor leader for administration bills and as an opponent of administration measures, I cannot testify that I have always received unfailing courtesy from my leadership. In an institution such as the Senate, so-called strong-arm methods simply will not work. If we ever come to the point where unfair pressures are applied or where bribery in any form, including the parliamentary payoffs suggested by Evans and Novak, is openly or covertly offered by an administration, then our political system will be in grave danger.

What is shocking to me is that Evans and Novak are, by implication, advocating that kind of political system in the Senate. They obviously believe that the use of payoffs and strong-arm methods is a desirable way of operating a legislative body. The legislative system they want is one of corrupting freemen, a return to the Cannonism of the House some decades ago, or to the Tammany Hall politics of the turn of the century.

The allegation that President Johnson, as majority leader, "restrained the Morses" and "kept them more or less in harness" by a "mighty" system of "rewards and punishments" will doubtless come as a shock to our President. This is a totally false and unjustified attack on Lyndon Johnson's fine record as majority leader. It is also an insult to every Senator who served in the Senate under Lyndon Johnson's leadership.

Moreover, the notion that the Senator from Oregon was "restrained" by such an alleged system will entertain many who were here during the Johnson leadership of the Senate. Perhaps Evans and Novak were not in Washington then. If they were, they have extremely short memories: I have always exercised my parliamentary rights to the fullest when I felt that would advance a cause in which I believed, and I did so no less under Senator Johnson's leadership than under Senator MANSFIELD's leadership.

Both have too much respect for honest government and honest men to act on the basis of the low standard of intellectual dishonesty which comprises the ethics of Evans, Novak, Smith, and their fellow travelers on the road of yellow journalism.

I now pass to the next paragraph of the article:

> Although a package of Federal education legislation finally passed last year, many Democrats believe the school bills could have passed years earlier save for MORSE's moody stubbornness.

I challenge these purveyors of McCarthyism to produce the name of one congressional Democrat who believes such a falsehood. In fact, my intuition tells me that their journalistic bedfellow, Smith, came running to them, and explained that the answer to his lying article, to which I made reference in the Senate some days ago, might cause some comment in Oregon; and, apparently to oblige him, Evans and Novak repeated the Smith lie. It is said that thieves work together.

Setting aside the "moody stubbornness" epithet, although I do not recall having been referred to previously as a Hamlet of legislation or of being indecisive, the charge that I have kept education legislation from passing is fantastically ridiculous.

The majority leader answered it the other day, at the time when I was commenting upon the lying article by Smith; and the majority leader answered it again this afternoon, in his speech on the record made during this Congress on education. As I said, I am very grateful to him for having set the record straight. I offer as my witnesses every Democratic Senator who has ever served with me on the Education Subcommittee of the Committee on Labor and Public Welfare. They know, as do all other members of the full Committee on Labor and Public Welfare, that for years I have urged persistently that we take the fastest possible action in voting our education legislation. Let us look at the record.

The first item: Part A of H.R. 4955, the vocational education bill, now Public Law 88-210, was not recommended to Congress until June 19, 1963, by the President. How this part of the education legislation could have been enacted "years ago" is a mystery to me. I worked with the President of the United States and his White House aids and the officials in the Department of Health, Education, and Welfare in pressing for the earliest possible action on this creative and imaginative proposal.

The next item: In May 1961, the Senate passed S. 1021, a general Federal aid bill for public elementary and secondary schools. Along with Senator HILL, I introduced the bill for the administration. No action was taken by the House of Representatives on that bill or on a companion general Federal aid bill. How Messrs. Evans and Novak could hold me responsible for the failure of the House to act on the Senate-passed legislation baffles me. Obviously they were bent on doing a smear job so they just lied and lied.

The next item: In February 1962, both the House and the Senate acted upon higher education proposed legislation. The conference report resulting from the differences between the two versions went first to the House of Representatives, for adoption. It failed of House adoption, and thus could not be brought to the Senate for a vote. Since this conference report, minus only scholarship language, subsequently passed the Senate during the past session, it is fair, I believe, to assume that if the House had adopted the higher education bill conference report of the 87th Congress, the Senate would have done likewise.

These three legislative events of the past 3 years, I submit, would seem to absolve the Senate from any charge that proposed education legislation has suffered by my action or by that of the Senate. Ever since 1947, when I first cosponsored the Taft Federal aid to education bill, I have either introduced or been a sponsor of—year after year—proposed education legislation, and I have worked and fought hard for the passage of such legislation.

I turn now to the allegation that "debate on the education bill scheduled for last summer was postponed so that MORSE could keep a speaking engagement back in Oregon." This, too, is a lie.

The facts are these: 17 days of hearings on the education bill closed on June 25, 1963. I had told those who testified that the record would be kept open until July 15, 1963. I further said, as shown on page 2547 of volume V of the seven printed volumes which comprised our hearings record:

> The Chair reserves the right, with respect to materials from various agencies and branches of the Government to extend further time as needed, if an adequate justification is received.

Material from the Agency for International Development was sent to the committee on August 1, 1963. Since this material appears in volume II of the hearings record, the printing of the record was delayed.

A check with the printing clerk discloses that volumes V, VI, and VII of the hearings were dispatched in printed form from the Government Printing Office on September 10, 1963. An executive session of the Education Subcommittee was scheduled for September 11, 1963. Two education bills were reported on that date to the full committee. In full committee executive session on September 25, 1963, four education bills were ordered reported. Three of these were included in the two bills reported from the subcommittee, and the fourth on my motion in full committee was ordered reported.

Mr. President, the summer debate dreamed up by Messrs. Evans and Novak, in light of the facts, was impossible. I shall, however, be happy to apologize publicly to any Senator who rushed back to Washington for the debate last summer and who was furious with me over it, if he will give me an inkling of when he was inconvenienced, or how he could be inconvenienced in a debate that could not possibly have taken place during the summer because the material was not ready for the consideration of the Senate until well into the fall.

The debate on the higher education bill took place in October, and the only postponement of debate on it occurred on October 15.

As the majority leader knows, I had previously planned to cancel a trip to Oregon, where on October 15 I was to receive a distinguished service award from the University of Oregon, when I was informed that the leadership would like to take up the higher education bill on October 15. Then I learned further that several Senators would not be ready to vote on that day because they were at work on several amendments and could not have their own ready by October 15. Some of these were amendments of a basic nature which, in my judgment, might have seriously harmed the bill and against which I wished to rally the full support of my subcommittee.

In addition, a sudden acute illness in my family, which I discussed with the majority leader, made it highly desirable to obtain the medical advice and examination of our Portland family physician, Dr. Charles Grossman. In view of all of these circumstances, and the desire of the leadership to dispose of S. 649, the Federal Water Pollution Control Act, both the majority leader and the minority leader agreed to a postponement of the debate of the higher education bill, H.R. 6143, from the close of business October 15 to Monday, October 21.

The lie has already been put to the claim that these writers make, next to the effect that because "MORSE could not make it" the final vote on the foreign aid bill was postponed to December 30.

As the majority leader said on the floor that day:

> During the course of the meeting of the Senate on Tuesday last, it was indicated or at least implied that the reason why the Senate did not act on the conference report, which had been agreed to that morning by the House, was that a promise had been made by the leadership to the distinguished Senator from Oregon [Mr. MORSE]. Nothing could be further from the truth. No promise was made to the Senator from Oregon, nor was any pledge requested by him.

As the Senator from Montana explained, the leaders of both parties had made it clear that a yea-and-nay vote would be taken on the conference report. The leadership on both sides of the aisle consulted with a cross section of their membership and decided to put the vote over until after Christmas. As the majority leader made clear, the Senator from Oregon had nothing whatever to do with that decision. Since it is in the interest of Evans and Novak to perpetuate this lie, I do not suppose that correcting it at this time will have any more effect on them than did correcting it on December 30.

It is in keeping with their low standards of legislative ethics that Evans and Novak seem to think it right and proper, and indeed necessary, for the Senate to adopt an important measure with only 11 members present. That is how many were present on the "day before Christmas" when they think the final vote should have been taken.

Thank goodness the majority and minority leadership of this body have some respect for representative Government and for the procedures needed to preserve it.

Finally, the presumptuousness of such conceited alleged journalists as Evans, Novak, Smith, and their jaundice-tinged cohorts in purporting to advise their readers who should be selected as official leaders of the Senate is all one needs to know about their lack of judgment. Intoxicated with their own mistaken notions of their own importance, they would have their readers believe that they know how the Senate should be run. This column by Evans and Novak is ample proof of their political illiteracy, as well as their ethical insolvency.

The Senator from Montana [Mr. MANSFIELD] was the unanimous choice of the Democrats in the Senate, and if a vote of confidence in his leadership were called for in the next Senate Democratic conference, I predict that the vote would be unanimous again.

Since I have been in this body, it has had seven different majority leaders. I have struggled with all of them at one time or another over parliamentary procedure. But I do not think any one of them is going to have a better record than the Senator from Montana [Mr. MANSFIELD] in achieving the enactment of important liberal and forward-looking legislation. This does not take anything away from any of the other Democratic majority leaders. Each has had his own special circumstances in which he had to work.

But under the leadership of the Senator from Montana [Mr. MANSFIELD], the Senate is going to make a new record of achievement in passing Democratic proposals. We are going to make a lot of that progress this year.

We will, for example, pass a strong civil rights bill. I am reminded that during the foreign aid debate, there was a journalistic effort to pressure the flank of those of us who were seeking to improve the foreign aid program. It was claimed by several political columnists, and repeated from across the aisle, that long debate on the foreign aid bill was delaying Senate consideration of a civil rights bill. In fact, it was said that MORSE was being "used" by southern Senators for this purpose.

Yet I do not see any of these columnists, especially Joseph Kraft and William Shannon, confessing now that debate could still be going on on the foreign aid authorization without delaying for 1 hour Senate consideration of a civil rights bill.

I believe the falseness and emptiness of that charge is a new ultimate in how journalists can distort facts in order to promote some cause—in this case, their idea of how foreign aid should operate.

Having seen how these columnists used the civil rights issue to generate pressure on behalf of foreign aid, it will be interesting to see how concerned they will be with civil rights as such.

Let us look at that issue for a moment. There has been much said and written, and rightly so, about passing the administration's civil rights bill as a monument to the late President. I shall be helping to do that.

But the bill under question was recommended to Congress only last June. It has been before us for 7 months. It has been moving along the legislative road. I predict that in less than a year from last June, the civil rights bill will be written into law.

Many of us would have preferred to have had the administration recommend this legislation long before it did. We all know the Kennedy administration did not have a strong civil rights program in mind for the 1st session of the 88th Congress. We could not get administration support for many of the civil rights bills that individual Senators introduced.

My own measure to prohibit the use of Federal funds in State and local segregated activities did not meet with administration approval originally.

But the racial picture in the summer of 1963 forced the administration to change its position. So a modified version of my bill found its way into the pending civil rights bill. So did the public accommodations features developed earlier by the Senator from Kentucky [Mr. COOPER].

It is too bad that so many of these political columnists do not know what they are for or against until someone in the executive branch tells them. It is too bad they have no capacity to recognize good legislation; it is only administration legislation they recognize.

More and more readers of American newspapers are recognizing more and more the failure of the American press to provide the public with honest journalism. The journalistic profession had better take a long, hard look at what the increasing dropouts from ethical journalism are doing to the reputation of the American press.

The American people are fast recognizing that the growing competition of television and radio in the news media is giving to the public a much more reliable source of honest reporting. There are some sordid examples of propaganda and truth-subverting programs on the air, but the primary channels, by and large, are presenting to the public more reliable commentators than some of the columnists in the press such as Evans, Novak, Smith, and their journalistic bedfellows.

Enough has been said of this particular column to demonstrate its inanity. I know, and I am sure that the majority leader knows, that these idle tidbits of pseudogossip being peddled by Messrs. Evans and Novak in their false column of January 17, 1964, and A. Robert Smith in his fabrications of December 25, 1963, are, like those set forth so well in act II, scene IV of King Henry IV, part I:

> These lies are * * * gross as a mountain, open, palpable.

ADJOURNMENT UNTIL WEDNESDAY

Mr. MORSE. Mr. President, if there is no further business to come before the Senate, I move, in accordance with the order previously entered, that the Senate stand in adjournment until noon on Wednesday next.

The motion was agreed to; and (at 6 o'clock and 21 minutes p.m.), under the order previously entered, the Senate adjourned until Wednesday, January 22, 1964.

CONFIRMATION

Executive nomination confirmed by the Senate January 20, 1964:

FEDERAL DEPOSIT INSURANCE CORPORATION

Joseph W. Barr, of Indiana, to be a member of the Board of Directors of the Federal Deposit Insurance Corporation for a term of 6 years.

EXTENSIONS OF REMARKS

Administration Propaganda on Behalf of the Tax Bill

EXTENSION OF REMARKS

OF

HON. THOMAS B. CURTIS

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Monday, January 20, 1964

Mr. CURTIS. Mr. Speaker, recently the Department of the Treasury prepared a brochure entitled "The Tax Bill: Some Questions and Answers," which was released by the White House on December 15.

The brochure alleges to be for the information of the public. In fact, it is nothing but a slick propaganda effort on behalf of the administration's tax bill released at the very time that bill was under active consideration by the Senate Finance Committee. To read the loaded questions and the misleading answers one would think that nothing had been learned as a result of the economic debate which has taken place in the last year.

In the light of the administration's economy drive, I am particularly interested in the number of the pamphlets prepared, their total cost, the distribution of them, and whether printing and distribution is still continuing. I have written Secretary Dillon requesting this information, and under unanimous consent I place a copy of my letter to him in the RECORD:

CONGRESS OF THE UNITED STATES,
HOUSE OF REPRESENTATIVES,
Washington, D.C., January 13, 1964.
Hon. C. DOUGLAS DILLON,
Secretary, Treasury Department,
Washington, D.C.

DEAR MR. SECRETARY: I have received and read with a great deal of interest a copy of the Treasury Department's brochure, "The Tax Bill: Some Questions and Answers," as well as a copy of the White House's related press release dated December 15.

The brochure, which is intended as an information pamphlet for the public, looks to me very much like a propaganda effort on behalf of the tax bill now under active consideration by the Senate Finance Committee. It would be an interesting exercise to discuss the validity of some of the replies to the questions which the Treasury poses in the brochure, but that is not my present purpose.

In the light of the administration's economy drive, I should like to know the number of brochures printed, the total cost, the distribution made of them, and whether they are still being printed and distributed.

Sincerely,

THOMAS B. CURTIS.

Bureau of Engraving and Printing Conversion Schedule To Incorporate the Motto "In God We Trust" on All U.S. Currency and Federal Reserve Notes

EXTENSION OF REMARKS

OF

HON. LEONOR K. SULLIVAN

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Monday, January 20, 1964

Mrs. SULLIVAN. Mr. Speaker, the Subcommittee on Consumer Affairs, of which I am chairman, has responsibility in the Committee on Banking and Currency not only for legislation of a consumer nature but also for bills dealing with coins and currency, on assignment from the chairman of the committee, Hon. WRIGHT PATMAN, of Texas. In recent weeks the subcommittee has received inquiries from a number of Members of Congress about the status of a rumored proposal to remove the motto "In God We Trust" from our coins or currency. Apparently many people throughout the country have been led to believe that there is some move afoot in the Congress to do away with the motto which has appeared on all coins for many years and also on some issues of currency.

Of course, there is no bill pending to remove the words "In God We Trust" from the coins and currency on which they now appear. I doubt very much that any Member of Congress would seriously propose any such legislation. Even if it were proposed, I do not imagine there would be much support in the Congress for such a move. In fact, it was only as recently as 1955 that the Congress passed a new law making mandatory the previous practice of the Treasury in using the motto on all coins even though prior law had required it only on certain coins. In the 1955 act, we also made it mandatory to place the motto "In God We Trust" on all currency issues "at such time as new dies for the printing of currency are adopted * * *."

ONLY $1 CERTIFICATES AND NOTES HAVE CARRIED MOTTO

Many Members of Congress, and many citizens, have expressed interest in the fact that although the act of 1955 required the use of the motto on all future currency issues, the words "In God We Trust" have been found so far only on currency of the $1 denomination. Beginning in October 1957, the $1 silver certificate (of which nearly 5 billion were subsequently printed) carried the motto until silver certificates were discontinued in November 1963 and replaced with $1 Federal Reserve notes.

Nearly 160 million $1 Federal Reserve notes printed in November and December 1963, also bear the motto, as will all such notes printed this year and in the future.

But no other issue or denomination of currency now in circulation bears the motto. This is not an oversight on the part of the Bureau of Engraving and Printing or defiance on their part of Public Law 140 of the 84th Congress, approved July 11, 1955, which states:

> That at such time as new dies for the printing of currency are adopted in connection with the current program of the Treasury Department to increase the capacity of presses utilized by the Bureau of Engraving and Printing, the dies shall bear, at such place or places thereon as the Secretary of the Treasury may determine to be appropriate, the inscription "In God We Trust" and thereafter this inscription shall appear on all U.S. currency and coins.

The fact is that except for the $1 silver certificates and $1 Federal Reserve notes, the Bureau of Engraving and Printing has not adopted new dies of the type referred to in Public Law 140 of the 84th Congress. However, such dies are now being prepared for seven additional denominations of currency and I have obtained from the Director of the Bureau of Engraving and Printing the anticipated schedule of conversion of these denominations to include the national motto.

CONVERSION SCHEDULE FOR SEVEN ADDITIONAL DENOMINATIONS

I am delighted to announce that the $2 and $5 U.S. notes should carry the words "In God We Trust" beginning in March 1964, and the $10 Federal Reserve note in April of this year. The motto is to appear on the $20 Federal Reserve notes beginning in September 1964, and on the $5 Federal Reserve notes 2 months later. By January 1965, first deliveries are expected of $50 and $100 Federal Reserve notes carrying the National motto.

The Director of the Bureau of Engraving and Printing, Mr. H. J. Holtzclaw, advises me that in the fiscal year 1963, the Bureau delivered nearly 900 million notes (actually 893 million) bearing the words "In God We Trust." This represents slightly more than 52 percent of our entire currency output. A contract has been awarded for four additional high-speed presses which will be utilized to produce currency carrying our National motto and these presses will be placed in operation as they become available.

FULL CONVERSION DATES ARE APPROXIMATE

Mr. Holtzclaw stated:

> We anticipate that by June 30, 1965, approximately 77 percent of our total currency note production will carry the motto. However, because of the many intangibles associated with the currency program it is not possible to give a firm date for complete conversion of all denominations which will carry the motto "In God We Trust" * * * I am committed to the proposition of continuing to make technological improvements in the Bureau of Engraving and Printing but gearing them to manpower availability, taking care of surpluses through normal attrition, and no involuntary reductions. It is my sincere desire that this humanitarian policy be continued.

Mr. Speaker, I submit herewith as part of my remarks a chart provided by Director Holtzclaw showing the status of the program to deliver U.S. currency and Federal Reserve notes bearing the National motto, as follows:

Conversion schedule to incorporate the motto "In God We Trust" on all U.S. currency and Federal Reserve notes

Denomination	Date of 1st delivery	Number of notes delivered as of Dec. 31, 1963	Proposed delivery schedule		Estimated date of full conversion (fiscal year)
			Fiscal year	Number of notes to be delivered	
$1 silver certificates [1]	October 1957	4,983,920,000			
$5 silver certificates [2]					
$2 U.S. notes	March 1964		1964	7,680,000	1964
$5 U.S. notes	do		1964	36,480,000	1964
$1 Federal Reserve notes	November 1963	158,720,000	1964	606,880,000	1964
$5 Federal Reserve notes	November 1964		1965	83,840,000	1969
$10 Federal Reserve notes	April 1964		1964	50,640,000	1969
$20 Federal Reserve notes	September 1964		1965	49,920,000	1969
$50 Federal Reserve notes	January 1965		1965	1,536,000	1966
$100 Federal Reserve notes	do		1965	1,280,000	1966

[1] $1 silver certificates were discontinued in November 1963 and replaced with $1 Federal Reserve notes.

[2] No information has been received concerning the future requirements for this item.

Source: Bureau of Engraving and Printing.

Washington Report

EXTENSION OF REMARKS

OF

HON. BRUCE ALGER

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Monday, January 20, 1964

Mr. ALGER. Mr. Speaker, under leave to extend my remarks in the RECORD, I include the following newsletter of January 11, 1964:

STATE OF THE UNION MESSAGE

(By Congressman BRUCE ALGER, Fifth District, Texas)

President Johnson's first state of the Union speech enumerated promises and hopes, more to be accomplished, at less cost. I shall help the President economize. Responsibly and constructively representing my constituents, remembering my oath to uphold and defend the Constitution, I present this critique.

1. The Federal Government cannot constitutionally do much that the President suggests. His proposals comprise a welfare or socialist society.

2. While budget cutting is stressed, all too clear is the increased NOA (New Obligation Authority), of $103.8 billion which exceeds anticipated spending by approximately $6 billion, to be deferred spending. (There is little, if any, relationship between budgetary spending level given and the total cost of the President's staggering list of promises and hopes, by untold billions. Unmentioned but possible increased spending techniques will undoubtedly include, (a) increased outlays now before June 30 chargeable to present budget; (b) Government sale of assets, to be spent; (c) increased trust fund outflow, not in budget.)

3. The zealous effort to alleviate life's insecurities results in downgrading our country and our system. We now have the world's highest standard of living, not the characterized squalor, misery and poverty.

4. Congress is not engaged so much in senseless quarrels as ideological differences reflecting the views of constituents. Surely, the President is not trying to stifle opposition, or is he?

5. "People's needs are expanding" is not true. Our needs are the same, but politicians' promises are expanding.

6. We are reminded that we are the richest nation, no reference to our having the greatest combined debt and taxes.

7. Gross materalism is implicit; money and Government control, are the central themes.

8. We devoutly want "a world without war," of course, but even more we want a world without slavery or government dictation. In other words freedom comes first, then peace. The unilateral disarmament, the trusting the Communists, the describing our military weapons as provocative, therefore reason for disarming, sound like sheer national suicide. Neither should we make deals nor give food and aid to the Communists.

9. How do we stimulate private investment abroad when U.S. property is expropriated with impunity.

10. The specific legislative recommendations are legitimately subject to criticism and opposition. Some appear to be self-defeating or improper solutions to the problems. We must await the further details.

The omissions are glaring: (1) Not once does the President mention communism although we are engaged in a worldwide life or death struggle and our President was assassinated by a Communist; (2) capitalism's virtues and socialism's pitfalls are strangely omitted; (3) the Monroe Doctrine is not mentioned nor any answer given to the President's recognition that men and arms are flowing from Cuba in Communist subversive efforts throughout this hemisphere.

The President says we must "prove success of our system." This is unquestioned. The United States is No. 1 in the world. Now, must we abandon the lessons of success, that is capitalism, for Government centralization which historically has always characterized the downfall of nations and societies? The President's statement could be that of one who either forgets or doesn't understand capitalism and socialism-communism. Yet, we know he knows. Surely, he must.

True, there must now be a disclosure of the details of the programs in the message. I shall aid every effort to economize and to free up and keep free our people and our capitalistic system. I pledge again to protect and preserve capitalism, U.S. sovereignty, and the republic form of government. To do this I shall use two yardsticks on each issue.

1. Is this a function of Federal Government?

2. Can we afford it?

All of last year's legislation is carried over into this 2d year of the 88th session, including the Alger bills. My basic constructive legislative program remains the same, as outlined throughout the year. I shall analyze the President's specific legislative requests as we receive them.

Medicare hearings resume January 20 before my committee, Ways and Means. I am now ranked sixth on the Republican side, due to the untimely death of Congressman Howard Baker this week.

The planned Cultural Center was renamed after John Fitzgerald Kennedy and Federal funds will now be used, contrary to the original plan of private contributions only.

The United States Should Stand Firm in the Panama Canal Crisis

EXTENSION OF REMARKS

OF

HON. JOE L. EVINS

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Monday, January 20, 1964

Mr. EVINS. Mr. Speaker, under unanimous consent, I include my newsletter, "Capital Comments," of January 20, relating to the Panama Canal crisis, in the RECORD:

THE UNITED STATES SHOULD STAND FIRM IN THE PANAMA CANAL CRISIS

The Panama crisis which erupted last week, as a result of a flag-flying incident by high school students, continues to be of great concern and interest in Washington as in the rest of the Nation, with no quick or easy solution evident.

The U.S. Government has a strong and clearly stated right to control and operate the Panama Canal and the Canal Zone, and we must not surrender nor bargain away this control. President Johnson has indicated that his administration will stand firm in order to maintain our national rights to the canal which were provided under the 1903 treaty between the United States and Panama.

"The United States tries to live by the policy of the good neighbor and expects others to do the same," President Johnson stated. He has further said: "The United States cannot allow the security of the Panama Canal to be imperiled. We have a recognized obligation to operate the canal efficiently and securely, and we intend to honor that obligation in the interest of all who depend on it."

The administration's stand in this international dispute has drawn general approval and support in Congress. Newspaper editorials and other expressions of public opinion indicate that the Nation as a whole approves of a firm stand on this issue.

During hearings last May, before the Public Works Appropriations Subcommittee, Chairman CLARENCE CANNON and members of the committee, including your Representative, questioned Maj. Gen. Robert J. Fleming, Governor of the Canal Zone and President of the Panama Canal Company, regarding U.S. sovereignty in the Canal Zone, and warned General Fleming that the United States must be firm and strong in its relations with the Panamanian Government.

Chairman CANNON stated at that time that we should have never yielded to Panamanian demands that their flag be flown coequally with ours in the first instance, and the committee record shows that I stated my agreement with Chairman CANNON, as American sovereignty was being challenged.

General Fleming said that the grant of the 10-mile-wide Canal Zone strip, is a grant in perpetuity—thus giving the United States full rights and control over the area. The Governor further pointed out in response to my question that President Eisenhower made the first decision to fly the Panamanian flag at one place in the Canal Zone, equal with the United States, and that later President Kennedy instructed a commission of citizens from both countries to work out an agreement permitting the Panamanian flag to be flown at 14 additional locations—at city hall and public schools—in the Canal Zone.

These steps have no doubt in the long run encouraged Panamanian officials to make additional demands upon this country.

Members of our subcommittee pointed out to General Fleming that the United States built the canal, paid for it, operates the canal and that we must resist any attempt by the Panamanian Government to assert control or authority over the operation of this important seaway.

It should be remembered that Panama is now in the early stages of a presidential campaign and that some Government officials may be forced to make unreasonable demands in an effort to gain attention from the Panamanian people; but while realizing this possibility, we must also remain firm in our position of protecting and defending American possessions.

Washington Report

EXTENSION OF REMARKS

OF

HON. BRUCE ALGER

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Monday, January 20, 1964

Mr. ALGER. Mr. Speaker, under leave to extend my remarks in the RECORD, I include the following newsletter of January 18, 1964:

WASHINGTON REPORT

(By Congressman BRUCE ALGER, Fifth District, Texas, January 18, 1964)

FISCAL INCONSISTENCIES

Question. Are we actually cutting Federal spending? It is true that cutbacks are being made in the military because we are reducing our defenses. (The wisdom of this should be considered.) On the other hand, the administration has asked for tremendous increases in welfare programs. In considering claims of Federal savings, several points must be remembered:

1. The President's proposed $97.8 billion budget is the spending budget. "New obligational authority," that is, spending for projects authorized, will amount to $103.8 billion. The actual cash budget, or what we will spend in all categories including payments from the trust funds, will run much higher and could reach $125 billion or more.

2. Just one small example of the juggling of figures: It is reported the President has already asked for a 20-percent increase in expenditures for the Peace Corps.

3. The much publicized "war to end poverty through Federal programs" is open end.

The cost of providing a "home for every man" is beyond estimating.

4. As is always the case, the proposed budget will be augmented during the year several times through supplemental appropriations to pay the bills for projects and programs previously authorized, but for which no appropriation is requested in the first budget.

There is only one sure way to cut expenses: Stop authorizing new programs until we have balanced the budget and insured the purchasing power of the dollar.

Don't be surprised if my letters to you are signed in red ink. This is just a reminder to all of us that we are spending money we do not have and that the Federal Government must get back into the black.

HOUSE ACTS TO ASSIST CITIZENS

The representation of indigent dependents bill (H.R. 7457) passed the House handily. This bill provides legal help for those under Federal criminal charges who are proven to be unable to afford an attorney. The judge will appoint an attorney who will receive $15 per hour in court and $10 outside court, with a top limit of $500 for felony cases and $300 for misdemeanor. Affidavits filed by attorneys are intended to safeguard proper use of Federal funds. This bill is an interesting companion piece to countless bills wherein the Federal Government and the Federal Treasury, under force of a constantly increasing bureaucracy, sue U.S. citizens.

MEDICARE UP AGAIN

The Ways and Means Committee will resume hearings on the new version of medicare, now called hospital insurance, Monday January 20. (Remember, the Supreme Court has ruled that social security is not insurance; as such it would be unconstitutional.) The President has promised an all-out effort to push this legislation through this session of Congress. In doing so he contradicts his pledge to respect the integrity of Congress and the separation of powers. In his appeal to senior citizen organizations, labor, and other pressure groups to help him lobby Congress he clearly breaks down the constitutional separation of powers between the executive and legislative branches.

COMMITTEE ACTION PAYS DIVIDENDS

The effectiveness of the fight I was able to wage, with the help of some of my colleagues on the Ways and Means Committee, to protect the oil and gas industry against tax discrimination in tax hearings and executive meetings. paid added dividends this year. We stopped the assault by the Secretary of the Treasury on the industry in committee and the House upheld our position. Now the Senate Finance Committee has turned down any effort to decrease depletion and Treasury has not made any further attempts to move in on the oil and gas industry.

PANAMA

While all the issues concerning the current trouble in Panama are not yet clear because we do not have all the facts and we don't know what deals are in the making, several points should be enumerated at this time:

1. Our treaty with Panama is a contract. As the world's leader we dare not allow contracts to be broken at the whim of one of the contracting parties, lest we invite the wholesale breaking of treaties and agreements.

2. Contrary to first reports, the incident was not instigated by overzealous students over the flying of the Panamanian flag, but rather Cuban-based Communists played, and are continuing to play, an important part in fomenting the situation.

3. The United States must not be coerced into giving up any of our rights to the canal, nor agree to negotiate under duress. To do so would be a signal for Communist-inspired uprisings all over Central and South America to complete the Soviet Union's grand design to encircle the United States.

4. The United States should secure the canal by whatever means necessary. Then we should discuss any differences regarding the contract with Panama, at the same time warning Soviet Russia, Castro's Cuba, or other potential troublemakers to stay out.

5. We should not turn the solution of this problem over to the United Nations. If we do, we will lose the canal, which will then be controlled by the Communists or those friendly to the Communists.

6. We should begin developing foreign policy in the self-interest of the United States and worry less about our image. For a change why cannot we proudly champion principle and by the rightness of our position compel others to conform? That is the test of leadership. We cannot win the war for freedom through weak and indecisive action in fear of the image we may create—an image manufactured and influenced by Communist propaganda.

Easy Availability of Firearms

EXTENSION OF REMARKS

OF

HON. JOHN D. DINGELL

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Monday, January 20, 1964

Mr. DINGELL. Mr. Speaker, since the tragic assassination of President Kennedy, the Congress and the public have been flooded with demands that the Federal Government do something about the so-called easy availability of firearms. Much of this reaction to the murder in Dallas has been generated in a highly charged atmosphere of emotionalism and shock.

While this reaction is understandable, it unfortunately has been pervaded by a lack of knowledge of the facts of firearms controls on the Federal and State levels in this Nation. Sweeping assertions have been made that almost anybody could obtain a firearm through the mails with nothing more than a request and a few dollars. The statements made in the press, over the radio and on television have created the impression in many person's minds and in the minds of the world's peoples that this Nation still operates with the code of the wilderness and the frontier. The creation of such an impression, Mr. Speaker, is a great disservice to the American people and to the cause of law and order. Clearly, when one investigates the facts of the situation, one finds that many controls—often of a highly restrictive nature—already exist on the Federal and State levels. Moreover, further examination reveals that the sins of a relatively few unscrupulous firearms dealers should not be visited upon the vast majority of those persons who enjoy firearms for the legitimate purposes of marksmanship, hunting, and collecting.

An experienced and calm voice amidst the turmoil and fury has been that of my esteemed colleague and fellow shooter-sportsman, the gentleman from California, the Honorable CECIL R. KING, a distinguished Member of this House and of the Committee on Ways and Means. The statement of the gentleman from California, Congressman KING, on firearms legislation submitted to the Senate Committee on Commerce is a call to the rational and realistic, to the equitable and factual. Because of this, I wish for this statement to be commended to this House and to the attention of the American people:

STATEMENT OF REPRESENTATIVE CECIL R. KING TO THE U.S. SENATE COMMITTEE ON COMMERCE, DECEMBER 13, 1963

Mr. Chairman, I have read with considerable interest your statement of December 10 concerning the nature and scope of the firearms legislation that will be considered by your committee today and in subsequent open hearings. I strongly endorse your general approach to a solution of the problems that give rise to such legislation and your intention of conducting a thorough exploration of this entire subject in an atmosphere of calm deliberation.

The possession and use of firearms by the law-abiding citizens of our Nation, based on the traditional guarantees of our Constitution, have long been a subject of interest and importance to me. On numerous occasions during the years that I have served in the House of Representatives, I have had the distinct privilege and pleasure of sponsoring several bills designed to further the peaceful enjoyment of legitimate shooting activities by citizens of good repute as a sport or hobby, and in the interest of our national defense. In each instance, I have endeavored to stress the necessity of penalizing the man behind the gun, rather than the gun itself.

Inanimate objects, such as firearms, knives, axes, or clubs, do not and cannot cause crime. They do not and cannot supply the motive or impulse. The causes of crime must be sought elsewhere—in greed, hatred, jealousy, and general moral depravity—and the remedy, if any there be, is more likely to be found in morals and education, in improved police methods of detection, and in the more prompt and certain imposition of punishment.

As a result of the tragic events in Dallas, the ire of the general public, in their efforts to vent their anger on the causes of such a national disaster, has been directed toward the weapon used to kill, without a full realization of the loss of constitutional freedoms that could result from such misguided intentions or misplacement of values. I do not think that this committee will entertain such intentions or embark on such a disastrous course of action.

I fully support legislation designed to prohibit the possession of firearms by persons who have been finally convicted of a crime of violence, fugitives from justice, mental incompetents, drug addicts and persons while adjudicated habitual drunkards; legislation providing severe additional penalties for the use of a dangerous weapon in the commission of a crime; and legislation making the sale of firearms to juveniles subject to parental consent and the use of firearms in public by juveniles subject to adequate supervision.

Mr. Chairman, I know that you and your committee will give a thorough study to all factors involved in the matter of proper and sound firearms regulation. To this end, I pledge my wholehearted cooperation and support.

UNIVERSITY OF MICHIGAN LIBRARIES

HOUSE OF REPRESENTATIVES

TUESDAY, JANUARY 21, 1964

The House met at 12 o'clock noon.

The Chaplain, Rev. Bernard Braskamp, D.D., offered the following prayer:

Psalms 5: 3: *In the morning will I direct my prayer unto Thee and will look up.*

Almighty God, we rejoice that each new day is full of promise and holds within itself the possibilities of noble and lofty achievements.

Grant that in this moment, set aside for corporate prayer, we may be inspired and encouraged to yield ourselves completely to the leading of Thy spirit and to dedicate ourselves anew to the high vocation of serving Thee and all mankind.

We humbly acknowledge that we often face tasks and responsibilities for which we feel so inadequate that we are tempted to resign ourselves to failure and defeat.

Take away from us all sense of strain and anxiety and may our minds and hearts pulsate with an exalting sense of the wonder and glory of Thy greatness and Thy goodness.

Hear us in Christ's name. Amen.

THE JOURNAL

The Journal of the proceedings of yesterday was read and approved.

SUNDRY MESSAGES FROM THE PRESIDENT

Sundry messages in writing from the President of the United States were communicated to the House by Mr. Miller, one of his secretaries.

MESSAGE FROM THE SENATE

A message from the Senate by Mr. McGown, one of its clerks, announced that the Senate had passed a bill of the following title, in which the concurrence of the House is requested:

S. 2214. An act to amend the International Development Association Act to authorize the United States to participate in an increase in the resources of the International Development Association.

THE BUDGET MESSAGE OF THE PRESIDENT, 1965—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES (H. DOC. NO. 265—PT. 1)

The SPEAKER laid before the House the following message from the President of the United States; which was read and, together with the accompanying papers, referred to the Committee on Appropriations and ordered to be printed with illustrations.

To the Congress of the United States:

This is the budget of the U.S. Government for 1965.

The preparation of this budget was the first major task to confront me as President, and it has been a heavy one. Many decisions of great importance have had to be made in a brief span of weeks. I have done my best, and I am satisfied that the budget which I am sending to the Congress will advance our Nation toward greater national security, a stronger economy, and realization of the American dream of individual security and equal opportunity for all of our people.

In formulating my budget, I have been guided by two principles:

I have been guided by the principle that spending by the Federal Government, in and of itself, is neither bad nor good. It can be bad when it involves overstaffing of Government agencies, or needless duplication of functions, or poor management, or public services which cost more than they are worth, or the intrusion of Government into areas where it does not belong. It can be good when it is put to work efficiently in the interests of our national strength, economic progress, and human compassion.

I have been guided by the principle that an austere budget need not be and should not be a standstill budget. When budgetary restraint leads the Government to turn its back on new needs and new problems, economy becomes but another word for stagnation. But when vigorous pruning of old programs and procedures releases the funds to meet new challenges and opportunities, economy becomes the companion of progress.

This is, I believe, a budget of economy and progress. On the one hand, it calls for a reduction from the preceding year in total administrative budget expenditures—and it is only the second budget in 9 years to do so. It calls for a substantial reduction in total civilian employment in the executive branch—and it is the first budget to do so since the practice of totaling the employment estimates in the budget was initiated in January 1956. It cuts the deficit in half, and carries us a giant step toward the achievement of a balanced budget in a full-employment, full-prosperity economy.

On the other hand, this budget safeguards the peace by providing for the further strengthening of the most formidable defense establishment the world has ever known; it recommends continued military assistance to those nations menaced by Communist aggression, direct and indirect; it includes economic assistance to those nations which are willing to take the steps necessary to guard their freedom and independence through economic self-help; it provides the funds necessary to advance our mastery of space toward the achievement of a manned lunar landing in this decade; it provides for the sound management and development of our natural and agricultural resources; and in its recommendations relating to education, housing, manpower training, health, and employment opportunities for youth, it provides more funds than ever before in our history for the fuller development of our Nation's most important resource—its people.

Moreover, this budget makes provision for the initiation of a new and major effort to break the vicious circle of chronic poverty, which denies to millions of our fellow citizens a just participation in the benefits of life in our country. We owe to every young person in America a fair start in life—and this means that we must attack those deficiencies in education, training, health, and job opportunities by which the fetters of poverty are passed on from parents to children. The attack on poverty must rely on local initiative and leadership; and the resources of the local, State, and Federal Governments must be mobilized to support these efforts. I will shortly send to the Congress a special message conveying my recommendations for the attack on poverty.

The urgent and necessary program increases recommended in this budget will be financed out of the savings made possible by strict economy measures and by an exhaustive screening of existing programs. As a result of the highly successful cost reduction program launched in 1962 by the Secretary of Defense, the 1965 program of the Department of Defense will require over $2 billion less in appropriations than would otherwise be the case—a sum greater than the 1965 cost of the new programs I am recommending to the Congress. Department of Defense expenditures will decline by more than $1 billion from 1964 to 1965, and additional savings are expected to be realized in agriculture, atomic energy, postal services, veterans' benefits, and in various lending programs through substitution of private for public credit.

My proposals call for administrative budget expenditures in 1965 of $97.9 billion—$900 million less than was requested in the 1964 budget and $500 million less than I now estimate will be spent in 1964. This reduction in expenditures will be achieved despite a steady growth in the workload of nearly every civilian agency of Government—ranging all the way from the number of income tax returns to the number of visitors to our national parks. The reduction in expenditures will be achieved despite built-in and relatively uncontrollable expenditure increases resulting from past commitments and legislative provisions, including higher costs for interest on the debt and for military and civilian pay increases required by law.

Administrative budget receipts are expected to increase in 1965 to $93.0 billion, $4.6 billion over 1964. This increase, reflecting the expectation of a strongly growing economy spurred by prompt enactment of the tax program, takes into account the estimated revenue losses from the new tax rates.

The resulting administrative budget deficit of $4.9 billion for 1965 is $5.1 billion below the deficit now estimated for the current year and marks an important first step toward a balanced budget.

Summary of Federal receipts and payments

[Fiscal years. In billions]

Description	1963 actual	1964 estimate	1965 estimate
FEDERAL RECEIPTS			
Administrative budget receipts	$86.4	$88.4	$93.0
Trust fund receipts	27.7	30.2	30.9
Deduct: Intragovernmental transactions	4.3	4.2	4.1
Total cash receipts from the public	109.7	114.4	119.7
Add: Adjustment from cash to accrual basis	.6	−.1	−.2
Deduct: Receipts from loans, property sales, and other adjustments	1.0	.7	.7
National income account receipts—Federal sector	109.3	113.6	118.8
FEDERAL PAYMENTS			
Administrative budget expenditures	92.6	98.4	97.9
Trust fund expenditures (including Government-sponsored enterprises)	26.5	29.3	29.4
Deduct: Intragovernmental transactions and other adjustments	5.4	5.0	4.6
Total cash payments to the public	113.8	122.7	122.7
Add: Adjustment from cash to accrual basis	.6	.1	1.1
Deduct: Disbursements for loans, land purchases, and other adjustments	1.8	3.7	2.3
National income account expenditures—Federal sector	112.6	119.1	121.5
EXCESS OF RECEIPTS (+) OR PAYMENTS (−)			
Administrative budget	−6.3	−10.0	−4.9
Receipts from and payments to the public	−4.0	−8.3	−2.9
National income accounts—Federal sector	−3.3	−5.5	−2.8

The traditional administrative budget does not include a number of important Federal activities financed through trust funds, such as social security and Federal aid to highways. These activities and the special taxes which finance them have substantial economic effects and serve significant public purposes. A comprehensive disclosure of Federal finances is provided by the consolidated cash statement of Federal receipts from and payments to the public.

On the cash basis, total payments to the public are estimated at $122.7 billion for 1965. Total receipts from the public are estimated at $119.7 billion, resulting in a $2.9 billion excess of payments over receipts. The estimates of cash payments and receipts in 1965 reflect the normal, built-in growth of trust fund benefit payments, and the employment and excise tax revenues which finance them.

Another measure of Federal finances—one which emphasizes the impact of the Government's fiscal activities on the economy—is based on the national income accounts. Under this concept, Federal fiscal data, including the trust funds, are generally estimated on an accrual rather than a cash basis, and eliminate transactions, such as loans, which do not directly result in production and income. These data indicate an excess of payments over receipts of $2.8 billion in fiscal year 1965.

THE ECONOMY AND TAX REDUCTION

The Federal budget is a detailed plan for managing the business of Government, but it is more than that: In setting the relationship between Government expenditures and taxation, the budget is also a powerful economic force which can help or hamper our efforts to achieve stable prosperity and steady growth.

The expenditure proposals in this budget are ample to satisfy our most pressing needs for governmental services, but the broad economic stimulus needed to carry our economy to new high ground in production, income, and employment will not come principally from Government outlays. I believe—as did President Kennedy—that the primary impetus needed to move our economy ahead should come, in present circumstances, from an expansion of the private sector rather than the public sector. Therefore, the earliest possible enactment of the tax reduction bill now before the Congress is an integral and vital part of my budgetary proposals.

Our country is currently in its fourth postwar period of economic expansion—a period which started in February 1961, and has now lasted nearly 3 years.

Preliminary estimates indicate that the Nation's total output of goods and services—our gross national product—rose to $585 billion in calendar year 1963, an increase of 5.4 percent over 1962.

Over the same period, personal income rose 4.7 percent, industrial production 5.1 percent, and corporate profits 10.5 percent.

Price stability has been maintained for the sixth consecutive year.

This is a record of strong expansion—and yet the expansion has not been strong enough to absorb the margin of idle workers and idle plant capacity which continues to tarnish our economy's performance. Almost 3 years after the trough of the last recession, and despite the creation of 2½ million new jobs in our economy, the unemployment rate now stands at 5½ percent. Our factories continue to produce below their optimum rate. As a nation we are producing at a rate at least $30 billion below our comfortable capacity. This is a gap for which we are paying a high price in idle resources, both human and physical.

This gap must be closed. It must be closed—as President Kennedy urged a year ago—by loosening "the checkrein of taxes on private spending and productive incentives." It must be closed promptly, for the unemployed have already waited too long for jobs which can be created simply by allowing our people to spend and invest a greater part of the money they earn.

The bill approved by the House of Representatives last September meets the fundamental requirements for tax action in 1964. I propose only two changes in that bill:

The bill provides for a reduction in the rate of withholding on wages and salaries from 18 percent to 15 percent for calendar 1964, starting on January 1, 1964. Since that date has already been passed, the institution of the 15 percent withholding rate at a later date in 1964 would require substantial additional refunds to taxpayers next year. A corresponding part of the economic stimulus provided by the tax program would be delayed until then. Hence, I propose that the withholding rate be reduced to 14 percent rather than 15 percent, effective as soon as possible after enactment. This will assure that the beneficial effects of the 1964 tax reductions are felt immediately, instead of being postponed, in part, for a year. It will simplify procedures for taxpayers and their employers by making unnecessary another change in the withholding rate in 1965, as provided in the House bill. Moreover, the change will also maintain approximately the same division between the fiscal year 1964 and 1965 revenue impact of tax reduction as would have resulted from the House bill. The revenue estimates in this budget assume approval of this change.

The House bill fails to close the loophole by which property transferred at death now escapes capital gains taxation, but it nevertheless would reduce the rate of taxation on capital gains. Without the former provision, the latter provision is unwarranted, and it should be deleted from the bill.

With these two changes, I urge the enactment of the House bill by the Senate.

With prompt enactment of the tax program, economic expansion in 1964 should proceed briskly. Reflecting the effects of the first stage of the tax reduction, the gross national product in calendar year 1964 should rise to about $623 billion, plus or minus $5 billion. This is substantially higher than the GNP which could be expected in the absence of prompt enactment of the tax legislation. In fact, since expectations of a tax reduction have been incorporated into the forward planning of many business firms, the effect on the economy of failure to pass the legislation swiftly might be deeply disturbing.

As the tax reduction takes full effect, its stimulus to private consumption and investment will shrink the $30 billion gap between the Nation's actual and potential output, and provide approximately 2 million additional jobs for the unemployed and the new workers entering the labor force. As economic activity expands, and personal and business incomes increase, Federal revenues will also rise. The higher revenues, combined with continuing pressure for economy and efficiency in Federal expenditure programs, should hasten the achievement of a balanced budget in an economy of full prosperity.

Income tax revisions: The bill currently before the Senate will reduce income tax liabilities by $11.1 billion. Individual rate reductions and structural changes account for about 80 percent of the total tax reduction. The remaining 20 percent reflects a reduction in corporate taxes, providing enhanced incentives for new investment.

Once the tax bill becomes fully effective in calendar year 1965, the entire schedule of individual income tax rates will fall from the present range of 20 percent to 91 percent to a range of 14 percent to 70 percent, and the current first $2,000 bracket of taxable income will be divided into four successive brackets of $500 each.

Receipts from the public

[Fiscal years. In billions]

Source	1963 actual	1964 estimate	1965 estimate
Administrative budget receipts:			
Individual income taxes	$47.6	$47.5	$48.5
Corporation income taxes	21.6	23.7	25.8
Excise taxes	9.9	10.2	11.0
Other	7.3	7.0	7.7
Total administrative budget receipts	86.4	88.4	93.0
Trust fund receipts:			
Employment taxes	14.9	16.8	17.0
Deposits by States, unemployment insurance	3.0	2.9	2.8
Excise taxes	3.3	3.5	3.5
Federal employee and agency payments for retirement	1.9	2.0	1.9
Interest on trust investments	1.5	1.6	1.7
Veterans life insurance premiums	.5	.5	.5
Other	2.7	3.0	3.5
Total trust fund receipts	27.7	30.2	30.9
Intragovernmental transactions (deduct)	4.3	4.2	4.1
Total receipts from the public	109.7	114.4	119.7

All corporations will pay lower tax rates, with incorporated small businesses receiving the largest proportionate tax rate reduction because the tax rate on the first $25,000 of their taxable income is reduced from 30 percent to 22 percent. Large corporations (with estimated tax liabilities above $100,000) will have to speed up their taxpayments in order to reduce the lag between the time when taxable profits are earned and the time when taxes are paid; however, this speedup plan is gradual, shifting the timing of corporation tax collections a bit each year for the next 7 years.

The combination of the investment tax credit and the revision of depreciation guidelines achieved in 1962, plus the $2½ billion tax rate reductions and structural changes proposed for corporations in the pending bill, will result in a total reduction of about $5 billion in corporate tax liabilities.

The bill also contains many changes in the income tax laws that are designed to reduce the weight of taxes where the burden is most unfair, and to correct special tax advantages which will no longer be equitable under the proposed structure.

Excise tax extension: The Congress should extend several current excise tax rates which will otherwise decline or expire on July 1, 1964. These excise taxes have been continued at the present rates through annual extensions for the past several years. Without extension, revenues would fall by $1.7 billion during fiscal year 1965.

User charges: Many Federal Government programs furnish specific, identifiable benefits to the individuals and businesses using them. Equity to all taxpayers demands that those who enjoy the benefits should bear a greater share of the costs. I am, therefore, renewing recommendations for the enactment of user charges for commercial and general aviation and for transportation on inland waterways.

Appropriate fees should also be assessed in other areas where the Government provides special services. New legislation is necessary in several cases to carry out this policy—such as a revision of patent fees to reflect today's costs more adequately—and appropriate proposals are either before the Congress or will be forwarded this year.

NEW OBLIGATIONAL AUTHORITY

Obligations incurred by Federal agencies under authority provided by the Congress are the forerunners of Federal expenditures. Expenditure control, therefore, depends substantially upon careful control of obligations.

In this budget, new obligational authority of $103.8 billion is proposed in the administrative budget for fiscal year 1965. This is $1.2 billion above the amount now estimated for fiscal year 1964, but is $4.1 billion less than was originally requested for the current year in the 1964 budget. The amount recommended for 1965 includes $50.9 billion for the Department of Defense (including military assistance), $120 million less than the amount for the current year.

New obligational authority

[Fiscal years. In billions]

Description	1963 actual	1964 estimate	1965 estimate
Total authorizations requiring current action by Congress:			
Administrative budget funds	$90.6	$90.0	$91.4
Trust funds	3.9	.4	4.2
Total authorizations not requiring current action by Congress:			
Administrative budget funds	11.6	12.6	12.4
Trust funds	24.7	31.3	27.6
Total new obligational authority:			
Administrative budget funds	102.3	102.6	103.8
Trust funds	28.6	31.7	31.8

Significant changes in new obligational authority from 1964 to 1965 include increases of $1.5 billion for the Department of Health, Education, and Welfare, mainly as a result of new health and education proposals; $361 million for the Department of Labor because of the recently amended manpower training program and the proposed youth employment legislation; and $500 million for special appropriations requested for new community programs to attack poverty. Major decreases include $1.5 billion for the Housing and Home Finance Agency, reflecting nonrecurring authority requested in 1964, and $1.3 billion for the Department of Agriculture.

Of the total amount proposed, $40 billion will become available under permanent authorizations without further congressional action, including $27.6 billion becoming automatically available as revenues flow into the trust funds. In the administrative budget, the principal permanent appropriation is to pay the interest on the public debt which in 1965 is estimated at $11 billion, $0.4 billion more than in 1964.

For the current fiscal year, the Congress is requested to enact $4.2 billion of additional new obligational authority to provide needed funds for housing and space programs and to finance legislation enacted last year for which no appropriations were provided—such as increased military compensation, broadened manpower development activities, aid to higher education, vocational education activities, and mental retardation programs. Including supplemental authorizations, a total of $102.6 billion in new obligational authority is estimated for fiscal year 1964 in the administrative budget.

GOVERNMENT PROGRAMS AND EXPENDITURES

The expenditures proposed in this budget are necessary to meet the needs of our growing society, promote the basic strength of the Nation, honor our worldwide commitments, and fulfill our financial obligations.

Between 1955 and 1965, our population will grow by almost 30 million people, about 17 percent with the largest increases in the very young and the very old age groups. To keep pace, the Federal Government has had to continue existing public services and provide the additional services needed for future growth. The expansion of the economy, even though falling short of its potential in recent years, has helped provide the resources for both increased public and private services.

We will continue to experience rapid population growth while we seek to improve the rate of economic growth, and over the long run this will put upward pressure on Government expenditures for civilian purposes. Nevertheless, wherever and whenever possible, we should try to reduce costs, curtail less urgent activities, and find other savings to permit essential new or growing services to be financed at the least cost to the taxpayer. That has been the policy in this budget. Essential services have been provided while administrative budget expenditures decline by over one-half bil-

lion dollars between the fiscal years 1964 and 1965.

The 1964 and 1965 budgets compared

[In billions]

	Change from prior year (administrative budget)			
	New obligational authority		Expenditures	
	1964 budget document	1965 budget document	1964 budget document	1965 budget document
National defense	+$2.2	−$0.2	+$2.4	−$1.3
Space	+2.0	+.1	+1.8	+.6
Interest	+.3	+.4	+.3	+.4
Subtotal	+4.6	+.3	+4.6	−.3
Health, labor, welfare, and education (including attack on poverty)	+2.1	+2.6	+.9	+.9
All other	−2.0	−1.7	−.9	−1.1
Total	+4.7	+1.2	+4.5	−.5

The attack on poverty: In this budget I have provided over $1 billion of new obligational authority to begin an all-out attack on the problem of poverty in the United States. In a nation as rich and productive as ours we cannot tolerate a situation in which millions of Americans do not have the education, health, and job opportunities for a decent and respected place as productive citizens. The vicious circle of poverty—in which one generation's poverty, ignorance, and disease breed the same problems for the next—must be broken. I propose to break that circle by raising the educational, skill, and health levels of the younger generation, increasing their job opportunities and helping their families to provide a better home life. I propose a program which relies upon the traditional and time-tested American methods of organized local community action to help individuals, families, and communities to help themselves.

Poverty stems from no one source, but reflects a multitude of causes. Correspondingly, a number of individual programs have been developed over the years to attack these individual problems of job opportunities, education, and training. Other specific programs deal with the closely related areas of health, housing, welfare, and agricultural services. I propose to establish a means of bringing together these separate programs—Federal, State, and local—in an effort to achieve a unified and intensified approach to this complex problem, in which each separate element reinforces the others.

Payments to the public

[Fiscal years. In billions]

Function	1963 actual	1964 estimate	1965 estimate
Administrative budget expenditures:			
National defense	$52.8	$55.3	$54.0
International affairs and finance	2.6	2.4	2.2
Space research and technology	2.6	4.4	5.0
Agriculture and agricultural resources	$7.0	$6.1	$4.9
Natural resources	2.4	2.5	2.6
Commerce and transportation	2.8	3.2	3.1
Housing and community development	−.1	−.2	−.3
Health, labor, and welfare	4.8	5.5	5.8
Education	1.2	1.3	1.7
Veterans benefits and services	5.2	5.4	5.1
Interest	10.0	10.7	11.1
General government	2.0	2.2	2.2
Allowances:			
Attack on poverty			.2
Civilian pay comparability			.5
Contingencies		.2	.3
Interfund transactions (deduct)	.5	.7	.6
Total administrative budget expenditures	92.6	98.4	97.9
Trust fund expenditures:			
Health, labor, and welfare	21.9	22.7	23.5
Commerce and transportation	2.9	3.4	3.5
National defense	.7	.9	1.2
Housing and community development	[1]	1.6	.5
Veterans' benefits and services	.8	.6	.5
All other	.8	.6	.7
Interfund transactions (deduct)	.5	.5	.5
Total trust fund expenditures	26.5	29.3	29.4
Intragovernmental transactions and other adjustments (deduct)	5.4	5.0	4.6
Total payments to the public	113.8	122.7	122.7

[1] Less than $½ million.

Under this proposal, locally initiated, comprehensive community action programs would be developed, to focus the various available resources on the roots of poverty in urban and rural areas. I shall shortly transmit to the Congress legislation initiating this attack and authorizing, in 1965, $500 million of new obligational authority specifically for this purpose. Additional funds for the local community action programs will be available from existing agency programs. Moreover, other legislative proposals, recommended elsewhere in this message, will contribute important new resources to the attack on poverty. The Youth Employment Act, the National Service Corps, and the community work and training program, are examples of such proposals. Of particular significance will be the education proposal for project grants to meet special educational needs. All told, in 1965 more than $1 billion of Federal resources under existing and proposed legislation would be concentrated, through local community action programs, in an intensive and coordinated attack on poverty.

Special emphasis is also being given to the economic needs of the 165,000-square-mile Appalachian region of the United States, which has been largely bypassed in the growth of prosperity in recent years. This emphasis by the Government, combined with the resources and activities of State, local, and private institutions and enterprises in the region, will be directed toward the development of the natural resources of the region, and the promotion of better employment opportunities for its people.

National defense: To preserve freedom and protect our vital national interests in these recent years of uneasy peace, this Nation has invested heavily in the improvement of its defenses. We have chosen not to concede our opponents supremacy in any type of potential conflict, be it nuclear war, conventional warfare, or guerrilla conflict. We have now increased the strength of our forces so that, faced with any threat of aggression, we can make a response which is appropriate to the situation. With present forces and those now planned, we will continue to maintain this vital military capability.

During the past 3 years, we have achieved notable increases in military readiness, including:

A 100-percent increase in the number of nuclear weapons available in the strategic alert forces.

A 60-percent increase in the tactical nuclear forces deployed in Western Europe.

A 45-percent increase in the number of combat-ready Army divisions.

A 35-percent increase in the number of tactical fighter squadrons.

A 75-percent increase in airlift capability to improve mobility.

These rapid gains result from an increase in cash payments for military purposes from $47.7 billion in 1961 to $56 billion in 1964. Along with the high level of preparedness we have now achieved, vigorous efforts to promote economies in the management of our Armed Forces have been producing significant savings. We are therefore able to propose a decrease of $800 million in cash outlays ($1.3 billion in the administrative budget) for national defense in fiscal year 1965 while maintaining our position of strength.

Nevertheless, national defense expenditures will remain high. These payments, estimated at $55.2 billion—$54 billion in the administrative budget—in 1965, will provide for all essential military purposes, including substantial improvements in our present and planned military capabilities. For example, the 1965 budget provides for additional Minuteman missiles, further improvements in our air, land, and sea tactical forces, procurement of additional airlift aircraft, and continued research and development to insure our ability to counter new threats.

To reinforce the total defense effort, the Congress should authorize funds for fallout shelters in public buildings, schools, hospitals, and other nonprofit institutions.

Although we continue to seek a relaxation of tensions, we cannot relax our guard. While the nuclear test ban treaty is a hopeful sign, neither that treaty nor other developments to date have, by themselves, reduced our defense requirements. We will continue underground

nuclear testing, maintain our above ground test facilities in ready condition, maintain strong weapons laboratories, and continue the development of detection devices. However, because of the nuclear strength we have achieved, it will be possible to cut production of enriched uranium by 25 percent and to shut down four plutonium piles.

Our inventories of strategic and critical materials are being reviewed to assure that they are necessary for current civil and military defense requirements. I recommend that the Congress enact legislation to improve the management of these materials and simplify the disposal of those no longer needed.

International affairs and finance: The less-developed nations are engaged in a critical struggle for political independence and economic betterment. This struggle takes many forms, from combating armed aggression and subversion in Vietnam to advancing national efforts to reduce poverty and illiteracy in South Asia, Latin America, and other areas. Upon the outcome of this struggle will depend the stability and security of much of the world. Through our programs of foreign assistance, we provide aid to these free peoples and thereby advance our own vital interests. It is essential that we continue, with a small portion of our great resources and technical knowledge, to promote in the emerging nations hope and orderly progress, replacing misery, hostility, and violence.

The $2.4 billion of new obligational authority recommended for 1965 in this budget for the program of the Agency for International Development is $1.1 billion less than originally requested for 1964. It will make the total 1965 obligational availability for the program equivalent to the amount provided by the Congress for 1964 including unobligated funds carried forward from the prior year. The 1965 recommendation represents a prudent assessment of the funds required to fulfill the obligations we have undertaken and the opportunities we seek in a changing and challenging world.

The amount requested reflects a continuing effort to increase the effectiveness and efficiency of our assistance programs. We are reducing AID staffing by several hundred employees, proportionately one of the largest reductions of any agency in Government. We are stressing the necessity for recipient countries to take adequate self-help measures. The 1965 request reflects the successes we have had in reducing the dependence of some nations upon the low-cost foreign aid loans made by the Agency for International Development; by 1965 a number of countries will have turned to other sources and types of loans more consistent with their increasing economic strength.

On the other hand, the 1965 budget does not allow for sudden opportunities that sometimes present themselves in international economic affairs. We must be able to take quick advantage of situations in which resolute and decisive actions can turn threats to the free world into constructive evidence of our determination to preserve the peace. We must also be able to take advantage of opportunities in which swift action can advance us dramatically along the road to free world cooperation and prosperity. Should such opportunities arise, I will request prompt action by the Congress to provide any additional funds needed to meet emerging requirements.

Our partners in the Alliance for Progress will continue to receive our most determined support and generous cooperation. Recent improvements in the organization of the Alliance should permit an acceleration of this program and foster ever greater hemispheric unity. I am therefore proposing an expanded bilateral program for the Alliance in 1965. Upon completion of negotiations and arrangements with other member countries, legislation will also be proposed to provide additional funds for long-term, low-interest loans by the Inter-American Development Bank.

The sincerity of our purpose overseas is exemplified by the highly successful work of the Peace Corps. As a result of this record and the gratifying flood of requests for the services of the Corps, funds are requested in 1965 for 14,000 volunteers, as compared with 10,500 in 1964.

Space research and technology: Our plan to place a man on the moon in this decade remains unchanged. It is an ambitious and important goal. In addition to providing great scientific benefits, it will demonstrate that our capability in space is second to no other nation's. However, it is clear that no matter how brilliant our scientists and engineers, how farsighted our planners and managers, or how frugal our administrators and contracting personnel, we cannot reach this goal without sufficient funds. There is no second-class ticket to space.

Appropriations enacted for 1964 for the National Aeronautics and Space Administration were $600 million below the amount requested. As a result, major development programs leading to the manned lunar landing have fallen behind schedule. Careful replanning of the entire program, including a reduction in the number of test flights, will offset some of this delay. Even so, more funds are needed in 1964, and I am therefore recommending a supplemental appropriation of $141 million for this year.

For 1965, I am requesting appropriations of $5.3 billion, $63 million above the 1964 amount, including the proposed supplemental appropriation. The 1964 and 1965 recommendations represent the minimum amount needed to achieve our goals in space. The estimated increase of $590 million in expenditures in 1965 is due principally to payments required by commitments made in 1964 and earlier years. With the leveling off of appropriations, annual outlays should remain relatively stable in subsequent years.

In addition to the manned space flight program, though related to it, funds are included to support unmanned space flights for lunar exploration and supporting research and development. Funds are also included for scientific satellites, planetary probes, and experiments with meteorological and communications satellites.

Agriculture and agricultural resources: At the present time, our farms are able to produce all we need for domestic use and all we can reasonably expect to sell abroad with substantially less land and manpower than are now being used. As a result, we have crop surpluses, inadequate farm income, underemployed rural people, and improper land use. A wide range of Government programs, including the feed grain and wheat programs, rural area development, and the more constructive use of surplus production at home and in food for peace, have improved this situation. Nevertheless, we need further efforts to help the farm economy adjust to its rapidly changing economic and technological environment and to help the Nation take advantage of its remarkably productive agriculture.

I shall shortly transmit to the Congress my recommendations for agricultural legislation. Included will be cotton and dairy proposals that will decrease by $230 million the estimated expenditures of the Commodity Credit Corporation in 1965.

Titles I and II of Public Law 480 (Agricultural Trade Development and Assistance Act), the principal authority for our food-for-peace program, should be extended beyond their expiration date of December 31, 1964. Legislation also should be enacted to encourage the shifting of more of our present cropland to less intensive uses.

Federal payments in 1965 for agriculture and agricultural resources are estimated at $5.1 billion, a reduction of $1.3 billion from 1964. This reduction is expected to occur mainly in farm commodity programs. A part, however, depends upon congressional approval of legislation proposed last year authorizing the Farmers Home Administration to insure private credit for financing the rural housing program and a new proposal providing for fees to cover the costs of meat, poultry, and grain inspection services.

Natural resources: We must manage and develop our natural resources wisely, to meet the needs of an increasing population and growing economy. Even within the limits of a restrictive budgetary policy, public investments must be made in resource conservation and development and in research to enable us to use more effectively our water, land, minerals, forests, and other resources. Federal cash payments of $2.7 billion are estimated in 1965 for these purposes.

The budget provides for continuing construction of going projects which will supply water to our cities, industries, and farms; abate water pollution and improve water quality; control destructive floods; produce electric power; improve navigation; and provide recreational opportunities. Provision is also made for the Corps of Engineers and the Bureau of Reclamation to start 44 new projects with an estimated total Federal cost of $512 million.

The need for outdoor recreational areas and facilities is growing rapidly. To help meet this need, legislation should be enacted to assist States in providing recreational opportunities. Legislation should also be enacted to preserve seashore and other areas with important recreation potential, and to protect our remaining wilderness areas.

Commerce and transportation: To encourage continuing growth of our Nation's millions of privately owned businesses, the Government provides extensive aids, particularly to smaller businesses and areas of persistent unemployment, and helps assure the availability of adequate transportation and communication facilities.

Enactment of legislation already approved by the Senate is essential to provide the additional authorizations necessary for the area redevelopment program to go forward and to permit necessary improvements in that program.

Major proposed revisions in our national transportation policy are also pending before the Congress. These proposals would make substantial contributions toward a more efficient transportation system by placing greater reliance on the forces of competition and improving the effectiveness of Government regulation. Extensive hearings have been held on these proposals and I recommend their prompt enactment.

Total Federal payments for commerce and transportation programs will amount to $6.6 billion in 1965. This is about the same amount as in 1964. Higher outlays from the highway trust fund—financed by special taxes on highway users—increased loans and grants to redevelop depressed areas, and financing of a design competition for the civil supersonic transport aircraft will be offset by reductions for the temporary accelerated public works program and the postal service, and by strict economies in all programs.

Housing and community development: In the Housing Act of 1961, the Congress substantially broadened Federal aids to private enterprise and local public agencies to help improve housing conditions and rebuild urban communities. The act also made funds available to finance these programs for several years. In several cases, these funds are now almost depleted. I am therefore recommending legislation to provide authority and funds for continuing such programs as urban renewal, urban planning and open space grants, housing loans for the elderly, and low-rent public housing. In addition, I am recommending important revisions and expansions essential to increase the effectiveness of these programs in meeting critical needs—particularly the needs of lower income groups whose inferior earning power seriously handicaps their efforts to achieve adequate living conditions.

Legislation is already being considered by the Congress to strengthen Federal aids to urban communities in order to help modernize and enlarge necessary mass transportation facilities. I urge that action be completed soon on this vitally needed program.

To carry on and improve housing and community development programs without adding to net budgetary requirements, we shall continue to sell to private lenders federally owned mortgages acquired in earlier years. New legislation is proposed to increase the effectiveness of the sales program. The proceeds of such sales and other receipts of housing and community development programs are expected to more than offset payments for these programs in 1965, with resulting net receipts estimated at $40 million.

Health, labor, and welfare: This budget places major stress on strengthening the productivity of our labor force, improving the health of our people, and reducing the fear of economic insecurity. In 1965, the Federal Government will strengthen the health, labor, and welfare activities which contribute to these objectives. Payments for these activities, mainly from self-financing trust funds, will be $28.6 billion, about $1.3 billion more than in 1964.

Most of the payments are for social insurance and public welfare programs which complement efforts by individuals and families to provide for their own security. These programs have been significantly improved by legislation enacted in recent years. To foster greater self-sufficiency and reduced reliance on public welfare, the Congress should enact proposed legislation to create a National Service Corps and expand demonstration projects in community work programs.

The budget proposals for health activities in 1965 will continue to strengthen the National Institutes of Health and the Food and Drug Administration and will improve environmental health protection. The budget provides for rapid progress under the legislation passed in the last session of the Congress to combat mental illness and retardation, increase the number of doctors and dentists, and reduce air pollution. New legislation is needed this year to improve nurse education and to extend the Hill-Burton program for construction of medical facilities, expanding and redirecting it to meet pressing needs for nursing homes and for modernizing urban hospitals.

Pending legislation to provide urgently needed health insurance for aged persons through the social security system should also be enacted. Provision should be made for benefits to be paid from administrative budget funds to those not eligible under the social security system. Since benefit payments would not start until 1966, this provision would not affect the 1965 budget.

For manpower training and services, the budget recommends for both 1964 and 1965 the full authorization provided under the recent amendments to the Manpower Development and Training Act. More than 275,000 unemployed workers, including youths found unqualified for military service will be trained on jobs and in classrooms during 1965. Of these, about 60,000 will receive basic literacy education. Prompt enactment of the Youth Employment Act is needed to provide work and training in camps and in hometown projects for an estimated 60,000 youths. Legislation is again recommended to improve the State unemployment insurance programs financed from the unemployment trust fund; this legislation would extend coverage to more people and lengthen the duration of benefits.

Education: Bills enacted last year for Federal assistance to higher education and enlarged Federal support for vocational education mark important milestones in efforts to improve our educational system on a national scale. The budget includes supplemental appropriations for 1964 so that these measures can be implemented promptly.

But much remains to be done. Important elements of the education program proposed last year have not yet been enacted. In particular, attention must be turned to the basic foundation of our educational system—the elementary and secondary schools. First, I recommend enactment of pending legislation providing grants to raise teachers' salaries and build critically needed classrooms. Second, to supplement this general aid, I am also recommending an expanded program providing project grants to meet special educational needs and to provide special services for schoolchildren, particularly for use in connection with community action programs to combat poverty.

The Congress should also enact the remaining portions of last year's proposals, such as the federally guaranteed loan program and the work-study program for college students; and the proposals directed at special educational needs of other individuals, including graduate students, prospective and existing teachers, all citizens who appreciate the advantages of good public libraries, adults who have missed the opportunity for basic schooling in the "3-R's," and those who seek to make learning a continuing process through university extension services.

In keeping with the continuing need to strengthen the scientific and technological resources of the Nation, the budget also provides for expansion of the National Science Foundation's basic research and science education programs. Major emphasis will be placed on increasing support for graduate students in the sciences and on strengthening science instruction and facilities in colleges and universities, one objective of which is to develop additional top-ranking centers of graduate study in the sciences.

Expenditures for education are estimated at $1.6 billion in 1965, an increase of $0.3 billion over 1964. New obligational authority of $3.1 billion is requested, up $1.2 billion from 1964.

Veterans benefits and services: We have a lasting obligation to those who died or were disabled in the defense of the Nation, and to their dependents. During the past 3 years a cost-of-living increase in disability compensation rates has been provided, and increases in benefits have been granted for the widows, children, and dependent parents of veterans who died as a result of military service. In addition, vocational rehabilitation programs have been extended to disabled peacetime ex-servicemen and to those wartime veterans who were precluded from entering training within the regular time limits.

In 1965, the Federal Government will spend $5.5 billion on its programs for veterans. This is $425 million less than in 1964, mainly because of an anticipated substantial rise in receipts from sales by the Veterans' Administration of Government-owned mortgages, which are applied against expenditures.

We will continue to make certain that veterans with service-related disabilities, and their dependents, are fairly provided for. Benefits and services for other groups of veterans will also continue to be provided, but with the recognition that veterans and their families are sharing to an increasing extent in Federal, State, and local programs which are raising the standards of income maintenance, educational opportunity, and health and welfare for all Americans.

SPECIAL ASPECTS OF THE GOVERNMENT PROGRAM

Certain additional elements of the proposed 1965 Government program deserve special note.

Federal expenditures and the balance of payments: The recent improvement in the U.S. balance of international payments represents progress toward eliminating our persistent payments deficit. Preliminary estimates indicate that the gross balance-of-payments deficit in the second half of calendar year 1963 was roughly one-third that of the first half. For the year as a whole, these estimates show the deficit to be the lowest since 1957.

Three factors in particular have contributed to the improvement during the past year: the continued price stability of U.S. products, a proposed interest equalization tax on foreign securities, which would be effective as of July 1963, and an increase in short-term interest rates. Anticipation of the proposed tax, which is intended only as a temporary measure, has already had a favorable effect. To insure continuing benefits from the tax during the critical period ahead, I urge its speedy enactment by the Congress. Enactment of the tax reduction legislation now before Congress will also help the balance of payments by making U.S. firms more competitive in world markets and by promoting the kind of economy which will be more attractive to U.S. and foreign investors.

During the past one and a half years, all Federal Government activities affecting the balance of payments have been under continuing scrutiny for the purpose of finding savings—large and small—which can be made in payments abroad. In some cases, purchases or activities formerly conducted overseas have been restricted to the United States. In others, they have been eliminated. Over 80 percent of the current obligations by the Agency for International Development for loans and grants to developing countries now must be spent for goods and services produced in the United States. In addition, defense offset agreements with certain of our European allies, the prepayment of funds previously loaned to foreign governments, and the sale of special nonmarketable, medium-term Treasury bonds to foreign central banks have been particularly helpful to our balance of payments.

As a result of the reviews and actions undertaken, the net annual outflow from Federal Government programs—payments less regular receipts—is estimated to drop by $800 million between 1963 and 1965. This excludes special receipts of a nonrecurring nature, such as prepayments of loans, sales of nonmarketable medium-term securities, and advances received on military exports.

Federal expenditures of an investment nature: A large part of the civilian expenditures of the Federal Government contributes directly and indirectly to the growth and development of the Nation's physical and human resources. For example, budget and trust fund expenditures for fiscal year 1965 include $3.7 billion for Federal civil public works, for the acquisition of major nondefense equipment and other physical assets, and for small business, rural electrification, and other loans and additions to civilian Federal assets. Another $5.3 billion of Federal civilian budget and trust fund outlays represent grants for highways, hospitals, schools and other facilities which increase State, local, and private physical assets.

Federal expenditures in 1965 also include $1.8 billion for such developmental activities as education, training, and health, and $1.5 billion for scientific research and development other than for defense and space objectives. These outlays increase knowledge, enhance skills, and strengthen the physical vigor and quality of the labor force. Thus, of the total estimated Federal cash payments to the public in 1965, about $12.3 billion or 10 percent, represent an investment in civilian programs which will help promote the longrun growth of our Nation.

Furthermore, during fiscal year 1965 an estimated $8.2 billion will be spent on defense research and development, including atomic energy, and $4.5 billion on space research and development. In the long run these outlays will also make a valuable contribution to the technological development and economic growth of our country.

Federal expenditures and the national output: Direct Federal purchases of goods and services in 1965 are estimated at $69.1 billion, which is less than 11 percent of the gross national product; five-sixths of these purchases are for the defense and space programs. Total Federal purchases of goods and services have remained at approximately 11 percent to 12 percent of the gross national product throughout the last decade.

Other large portions of the budget, such as social security payments, represent transfers of purchasing power to or within other sectors of the economy. Such outlays, amounting to $52.4 billion in 1965, are estimated to fall somewhat as a percent of total national output. These include $31.8 billion for transfer payments—such as old-age and survivors insurance benefits, unemployment compensation, and military and veterans pensions—which improve the recipients' standard of living by providing them with increased purchasing power. Similarly, grants-in-aid to State and local governments for such activities as highways, public assistance, and public health increase the ability of these governments to provide local public services. These Federal expenditures transferring purchasing power to other sectors of the economy have more than doubled from 1955 to 1964, while Federal purchases of goods and services have risen by about 50 percent.

In fiscal year 1965, the Federal Government will add to its direct use of total national output much less than will State and local governments. In contrast to the estimated rise of $1.3 billion in direct Federal purchases in 1965 as compared with 1964, present indications are that purchases by State and local governments will continue to rise by at least as much as the $3 billion to $4 billion by which they have been increasing in recent years.

PUBLIC DEBT

Under present law the temporary debt limitation of $315 billion will continue in effect through June 29, 1964. The temporary limit then becomes $309 billion for one day, June 30, 1964, after which the permanent ceiling of $285 billion again becomes effective.

Public debt at end of year

[Fiscal years. In billions]

Description	1962 actual	1963 actual	1964 estimate	1965 estimate
Owned by Federal agencies and trust funds	$55.7	$57.7	$60.3	$62.6
Owned privately and by Federal Reserve banks	242.5	248.1	251.5	254.4
Total	298.2	305.9	311.8	317.0

NOTE.—For further details see table 11 in pt. 2 of this document.

The present temporary debt limits were enacted in November 1963. The House Committee on Ways and Means noted in its report of November 4, 1963, that the ceilings were very restrictive, and cut sharply into the normal allowances for contingencies and flexibility during periods of peak requirements in March and June. The report also noted the concern of the Secretary of the Treasury that the debt could not be reduced to the $309 billion limit set by statute for June 30, 1964, without disrupting orderly management of Treasury finances.

Based on the latest estimates contained in this budget, the debt subject to limit on June 30, 1964, is now estimated to be $312 billion. Accordingly, a change in the limit is necessary before June 30, 1964, if serious difficulties in the conduct of public debt management are to be avoided. A further change will be needed to cover the anticipated, but reduced, deficit for 1965.

Debt limitations which are so restrictive or so temporary in application as to necessitate several legislative revisions in a single year—as last year—conflict with economical operation of the Government and effective financial management, and involve both the Congress and the Executive in unnecessarily repetitive discussions of the same issues. Instead, the debt ceiling should provide sufficient flexibility for sound management of the Government's finances at the lowest cost, and also permit the Treasury leeway for actively supporting the Nation's balance-of-payments position through timely debt operations. With or without a restrictive debt ceiling, expenditures in this administration will be held to the lowest possible level.

EFFICIENCY AND ECONOMY IN GOVERNMENT

I call upon all Government employees to observe three paramount principles of public service:

First, complete fairness in the administration of governmental powers and services;

Second, scrupulous avoidance of conflicts of interest; and

Third, a passion for efficiency and economy in every aspect of Government operations.

For its part, the Federal Government must be a good employer. It must offer challenging opportunities to its employees. It must be prompt to recognize and reward initiative. It must pay well to attract and keep its share of dedicated and resourceful workers. It must welcome fresh ideas, new approaches, and responsible criticism.

For 33 years I have been in Government service. I have known its challenge, its rewards, and its opportunities. But all these will multiply in the years to come. The time is at hand to develop the Federal service into the finest instrument of public good that our will and ingenuity can forge.

Controlling employment: Although both our population and our economy are growing and placing greater demands upon the Government for services of every kind, I believe the time has come to get our work done by improving the efficiency and productivity of our Federal work force, rather than by adding to its numbers.

This budget proposes a reduction in Federal employment in 1965—from 2,512,400 to 2,511,200 civilian employees—and I have directed the heads of all departments and agencies to work toward reducing employment still further. This reversal in the trend of Federal employment results from a rigorous appraisal of personnel needs, determined measures to increase employee productivity and efficiency, and the curtailment of lower priority work. It will be accomplished despite large and unavoidable increases in workloads.

Of the 9½ million civilian employees of governments in the United States today, 2½ million are employed by the Federal Government and about 7 million by the State and local governments. In the decade from fiscal year 1955, Federal civilian employment in the executive branch will rise by 6 percent, while the population of the United States will increase by 17 percent. State and local employment will increase about 65 percent during the same period.

In fiscal year 1955, we had 14 Federal civilian employees in the executive branch for every 1,000 people; in fiscal year 1965, we will have fewer than 13 Federal civilian employees to serve every 1,000 people.

Management improvement and cost reduction: As substantial as are savings due to tightening up on Federal employment, even larger economies result from actions which eliminate waste and dulication, simplify unnecessarily complex systems and procedures, and introduce new and better business methods.

The emphasis on management improvement in the executive branch during the past 3 years has led to impressive economies on a very wide front. Functions have been consolidated. Automatic data processing equipment has improved efficiency and reduced operating costs. Excess property in the possession of one agency has been transferred to others, saving substantial funds budgeted for new purchases. Productivity has been increased in agencies with the heaviest volume of workloads, thus avoiding payroll increases.

In the Department of Defense, the cost-reduction program has achieved exceptional results. Without impairing combat strength or effectiveness, savings of over $1 billion were achieved in fiscal year 1963, and annual savings by fiscal year 1967 are expected to reach the impressive figure of $4 billion. As part of this effort, defense bases and installations no longer needed will be shut down. The number of civilian employees in the Department of Defense will decrease by 10,000 in fiscal year 1964 and by another 17,000 in 1965—to the lowest level since 1950.

I have directed all departments and agencies to continue and intensify these efforts. When the search for economy is compromised, the taxpayer is the loser.

Government organization: The organization of the Government must be adjusted to cope with new and challenging problems resulting from scientific and technological advances, the development of new and the elimination of old programs, and changes in policies and program emphasis.

One of the most urgently needed improvements requiring congressional action is legislation to create a Department of Housing and Community Development to provide leadership in coordinating various Federal programs which aid the development of our urban areas. I recommend that the Congress approve establishment of this new Department during its current session.

The authority of the President to transmit reorganization plans to the Congress expired on May 31, 1963. Legislation now pending in the Congress should be enacted to renew, this authority.

Salary reform and adjustment: Although this budget is deliberately restrictive, I have concluded that Government economy will be best served by an upward adjustment in salaries. In the last year and a half the Federal Government has taken far-reaching steps to improve its pay practices. The Federal Salary Reform Act of 1962 and the Uniformed Services Pay Act of 1963 established the principle of keeping military and civilian pay generally in line with pay in the private economy. This is a sound principle, and it is reinforced by the sound procedure of annual review. This principle is fair to the taxpayer, to Government employees, and to the Government as an employer.

This budget provides for the costs of such action in this session of Congress. Any pay action by the Congress should bring salary rates for top executive branch positions up to levels more nearly commensurate with their respective responsibilities, and increase rates for the Congress and the judiciary. Economy and efficiency in Government will come primarily from the hard and conscientious work of our top managers, who are now plainly underpaid for what is expected of them.

CONCLUSION

Approval of this budget will:

Lift a major barrier to more rapid growth in the private sector of the economy by reducing tax burdens and providing investment incentives.

Meet the Nation's defense, international, and domestic requirements.

Provide generously for human needs and, with local community action, attack forcefully the pockets of human want and deprivation in our land.

Advance efficient and economical administration in the Government so that each tax dollar will be a dollar well spent.

The program proposed for 1965 should provide ample assurance of our determination to keep costs under tight control and move the tax reduction bill toward speedy approval. It should also provide ample evidence that critical national problems need not go unsolved and human wants unmet in a nation rich in moral as well as material strength.

A government that is strong, a government that is solvent, a government that is compassionate is the kind of government that endures.

There is no inconsistency in being prudent and frugal, in being alert and strong, and in being sensitive and sympathetic to the unfilled needs of the people.

This is the objective of this administration. It is an objective that will be met.

I firmly believe the proposals in this budget will serve the Nation well and I ask the support of the Congress and the American people in putting them into effect.

LYNDON B. JOHNSON.

JANUARY 21, 1964.

THE PRESIDENT'S BUDGET RECOMMENDATIONS FOR FISCAL YEARS 1964 AND 1965

Mr. CANNON. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and include my usual comments on the budget message.

The SPEAKER. Is there objection to the request of the gentleman from Missouri?

There was no objection.

Mr. CANNON. Mr. Speaker, rarely does a message to the House rank in importance to the country with the President's annual budget message. Today's message just read from the desk is no exception. It is a remarkable message, from a remarkable man, and it transmits a remarkable budget—one of the most exceptional in all my years in the House.

The President and his assistants have worked on it tirelessly and long, and with dedication. Notwithstanding the staggering size and complexity of the budget and the policies it necessarily embraces, within a week of assuming the office, he pledged the Government to a program of prudence and economy; to getting a dollar's value for a dollar spent; and to the support of the strength and stability of the dollar. The initial results are reflected in his plans and recommendations in today's message and budget.

The President gave the Congress and the country a glimpse of a few of the budget high points when he was before us 2 weeks ago. And further portions have since been divulged. So to some extent today's message is a bit anticlimactic but nonetheless enlightening and informative.

At the time, he said the budget would call for expenditures below the current year. And it does—at least initially. That certainly is a commendable objective.

He said the budget would cut the current deficit in half. And that is what today's figures show. And that certainly is in the right direction.

He said the budget would call for new obligational authority—essentially that means new appropriations—more than $4,000,000,000 below last year's request. It does, and, gratifyingly, the situation is not the other way around.

He said the budget would call for a substantial reduction in Federal employees, especially in defense. It shows a reduction, and that is certainly laudable.

He said the budget would reflect the closing of obsolete installations, curtail less urgent programs, and insist on a dollar's worth for a dollar spent. And that by so doing, he could, even while reducing the budget, provide for some new programs and enlarge some others. This part of the President's program seems especially to have captured the fancy and excited the interest of the press and the country. You could hardly pick up a newspaper or magazine these last 2 weeks without seeing a column or editorial on the seemingly miraculous accomplishment of a budget, as one put it, calling for less spending but actually allowing for more. Admittedly a remarkable feat—requiring much doing.

I am certain there is much about today's message and today's budget with which the country and both sides of the aisle here on the floor can concur. Unquestionably the country and the Congress will find the greater portion of it acceptable. Undoubtedly in conformity with custom we shall insist on making some changes in it.

The President only briefly and incidentally mentioned the budget in his state of the Union appearance. He was not here to talk about his budget. As I recall it, he used only three or four short sentences—he was only headlining two or three features of it. Of course headlines seldom disclose the story—they merely call attention to it. But many immediately ignored the old maxim about a little knowledge being a dangerous thing. Unfortunately, some misleading impressions about the size and direction of this budget have gone out to the country. The Federal budget is far too vast and complex to be judged solely by headlines. Many features must be considered in determining its size and direction. Long years of experience suggest the advisability of reading the fine print and the back pages before reaching a definite conclusion about the whole of it. I would say the budget just received conforms to that rule.

If we could first know where we are, and whither we tending, we could better judge what to do, and how to do it.

HIGHLIGHTS OF THIS BUDGET

May I first say, Mr. Speaker, that in the consideration of any budget it is well to remember that a fiscal year is a brief and arbitrary period of measurement. The operations of Government do not cease on June 30 and begin anew the next day. The aggregates of a given budget are therefore not necessarily conclusive. They need to be read in the light of the past and especially in the light of the trends of the time.

Contrary to impressions, this budget is higher, not lower than the current year. It calls for higher, not lower, appropriations—the budget calls it "new obligational authority."

Contrary to impressions, this budget is above, not below, the magic mark of $100 billion. This is the third straight year the asking price in obligational authority in the President's budget crosses the $100 billion mark.

This budget, while commendable in many respects, does not point to any lasting reversal of the upward trend of Federal spending.

This budget, if adopted as presented, sows the seeds of increased spending in the future by asking for higher appropriations.

Contrary to impressions, this budget, while proposing to hold the line against a further net increase in Federal employees, does not propose a substantial reduction below the current year—at least I do not regard a cut of 1,200 out of 2,512,000 as substantial.

The reduction in the huge current deficit comes almost entirely from an anticipated floodtide tax take rather than a reduction in spending.

Furthermore, Mr. Speaker, the President today urges supplemental obligational authority for the current fiscal year 1964 which, if adopted, would in total more than cancel out the entire cut made in the last session below the previous year. You will recall in the last session we cut below the preceding year's appropriations for the first time in several years.

And according to the revised estimates for the current year 1964, disclosed today, this budget abandons the previous promise—promised repeatedly—to hold expenditures in fiscal 1964 for everything except defense, space, and interest, below the preceding year. They now indicate higher expenditures, not lower.

Mr. Speaker, the first thing about this budget—any Federal budget—is to understand which budget the Congress processes. Congress acts on the new obligational authority budget. Congress does not act directly on the more widely known expenditure budget. If we grant more obligational authority, the executive branch can spend more and, conversely, if we cut the obligational request, they have less to spend. And since water seeks its own level, and inevitably finds it, it is, in the long run essentially immaterial as to precisely how much is spent in a given, arbitrary period of 12 months. The important longrun barometer to spending is the trend of new obligating authority. This seemingly technical question is so important to an understanding of today's budget that I quote the President himself:

> Obligations incurred by Federal agencies under authority provided by the Congress are the forerunners of Federal expenditures. Expenditure control, therefore, depends substantially upon careful control of obligations.

So, Mr. Speaker, it can be seen to be actively misleading—and it has been misleading—to lay undue store by the calculations of expenditures in any given year. When new obligational authority is increasing, a concurrent decrease in estimated disbursements—which is what they mean by the term "expenditures"—is little more than a momentary pause, often occasioned by undue optimism or temporarily fortuitous circumstances. Sales of mortgages and other paper held by several Government agencies—and there is a substantial anticipation of that in this budget—serve to offset expenditures rather than to be counted as income—strange to say. But those are limited and once sold, do not recur. So they tend to disguise the trend.

And in this connection, today's budget is higher, not lower. It signifies more, not less spending. The President today proposes that the Congress in this session grant new obligational authority of $108,026,000,000—of which $103,789,000,000 is for fiscal 1965 and $4,237,000,000 is supplementary to fiscal 1964 ending this coming June 30. That would be $5,472,000,000 more than the $98,317,000,000 obligational authority thus far enacted for the current fiscal year 1964. Even if the proposed supplements are approved—and I am certain they will be cut—the President's total new obligational request for 1965 would be higher than the current year—$1,235,000,000 higher just on the basis now submitted. And none of it due to national defense.

In fact, Mr. Speaker, today's spending estimate of $97,900,000,000 for 1965 is $1,283,000,000 higher than currently estimated spending for 1964 from funds already enacted. But according to the budget, the President would spend $1,788,000,000 additional in fiscal 1964 from the proposed 1964 supplemental obligational authority and by so doing raise total 1964 spending above what he now estimates for 1965. There are suggestions that 1965 requirements have been moved up to the 1964 budget and there is some evidence on that.

If the proposed 1964 supplements in this budget are adopted, it will mean wiping out, and more, the equivalent of the reductions made in new obligational authority last session below the previous year. You never really retrench expenditures until you cut below the previous year; we did that last year—the first time in several years. Fiscal 1964 obligational authority now stands $3,966,000,000 below fiscal 1963; the $4,237,000,000 in supplements now proposed to 1964 would of course reverse that.

We expect to examine critically all supplementals referred to the committee. A large number, for a variety of purposes, and for many agencies, are involved. Many are intimately associated with the corresponding 1965 budget request and, conversely, the 1965 level would to some extent be dependent on what was available in the current year. So we intend to consider the two in connection with each other.

And, Mr. Speaker, we regret exceedingly to note that these supplements involve at least one identified back door proposition—$1,400,000,000 new contract authority for the urban renewal program. There may be others. It had been hoped that there would be no further back door propositions submitted. It is an inexcusable, indefensible, and irresponsible practice. It serves the purpose of those special pleaders who do not want to abide by the rules or compete in the regular order with countless other demands on the Treasury. The Federal aid airport program was at one time on a back door contract authority basis but was changed to an advance appropriation 2 years ago and there have been no complaints. It has worked well. It is to be hoped the Committee on Banking and Currency will follow suit. Only last week the distinguished chairman of that committee took the floor to denounce what he regarded as back door financing involving the Federal Reserve System.

While this budget tentatively proposes 1965 spending $505,000,000 less than in 1964—and I emphasize it is only tentatively so—it proposes to spend $813,000,000 more for nondefense; national defense expenditures are estimated to drop $1,318,000,000 below 1964.

This budget proposes 1965 spending $16,385,000,000 above fiscal 1961—and $9,900,000,000 of the increase is for other than national defense, a 29-percent increase.

This budget proposes 1965 spending $30,363,000,000 above 10 years ago, fiscal 1954—the first post-Korean war year; $23,370,000,000 of the increase is for other than national defense, a 113-percent increase.

It is actively misleading to regard this budget as being below the $100,000,000,000 mark. To the contrary, this is the third successive one above that peacetime record amount. New obligating authority actually enacted for fiscal 1963 was above that—$102,283,000,000, according to today's budget. The President, in today's recommendations, proposes that we go over that mark for fiscal 1964—to $102,554,000,000. He also proposes, as noted, that we go on up to $103,789,000,000 for fiscal 1965. And from a brief look at the list of new propositions of legislation for new activities in today's budget, is there any doubt but that succeeding budgets will ask for still higher amounts? New programs not uncommonly begin modestly and then invariably accelerate.

OTHER THAN DEFENSE, SPACE, AND INTEREST

As to expenditures—that is, disbursements—the timing and precise volume of which are regulated by the executive branch rather than by Congress, this budget shows that the executive branch has revised upward, by some $600,000,000, the last official estimate of fiscal 1964 spending given to the Committee on Ways and Means last October; they now project $98,405,000,000 for 1964, including amounts applicable to proposed supplementals. And in this connection, they now estimate spending in fiscal 1964 for all purposes other than defense, space, and interest some $652,000,000 higher than fiscal 1963. A key feature of the original 1964 budget—and it was reiterated in connection with the pending tax bill—was that such spending was to be held below fiscal 1963. And it was held lower through the first 5 months of fiscal 1964. Evidently that policy no longer obtains.

On the important question of direction of spending in this budget, further proof that it will go higher is the upward trend of financial obligations being incurred. Look on page 50 of today's budget. Note the figures:

Obligations incurred:	*Millions*
Actual, 1963	$94,720
Estimated, 1964	103,337
Estimated, 1965	105,308

Unassailable proof. When you incur obligations you have to draw checks to pay the bills as they fall due. The President's spending estimate of $97,900,000,000 for fiscal 1965 is the checking account budget. When you charge more, you have to pay more—you have to draw more checks.

Even the higher revenue expectations—recordbreaking revenue expectations—fail to cover the expenditures urged, and a $4,900,000,000 deficit projection for 1965 is inescapable. This would be the 29th year of operating in the red since 1930. Through bleak years, through prosperous years, through war, through peace. Through recordbreaking years of floodtides of Treasury revenues—absorbed by ever-increasing expenditures, mostly for nondefense as we have so often documented. Utter lack of enough self-restraint to stop loading more debt on future generations unable to call us to account. Unwilling to distinguish between our needs and our wants. Refusing to pay as we go along for nondefense expenses or defer something until we are willing—if we ever are—to pay as we go.

The first Secretary of the Treasury, Alexander Hamilton, said:

> The first step toward determining what ought to be done in the finances of this country, is to estimate, in the best manner we can, its capacity for revenue; and the proportion between what it is able to afford, and what it stands in need of, for the expenses of its civil and military establishments.

The imperative necessity of the times is that we live within our income and stop piling up more debt and heavier interest payments to be passed on to future generations. As Hamilton inferred, we ought not to be spending money we do not have for things we can get along without. We ought to dispense with every nonessential expenditure. The consequences are too appalling. The President has taken some encouraging steps, but more can be done and ought to be done. If he continues to urge further expenditures, and we continue authorizing more and appropriating more, the history of public spending strongly suggests that regardless of rates or income, increased demands will continue to consume any additional revenues coming into the Treasury.

In consequence of failure to keep within our revenues, Mr. Speaker, for the 13th consecutive year—a year of record national revenues—we will be asked to extend, and of course raise, the debt ceiling. It will, undoubtedly, have to be further increased not only to accommodate the 1965 deficit but also adjusted upward for the closing day of fiscal 1964. In today's budget, the most careful estimate is a public debt of $317,000,000,000 at the end of fiscal 1965. The projections of revenues and expenditures on which the budget is premised are so tenuous, so uncertain, that the President plans to wait until later in the year—"when more reliable estimate of requirements may be possible," it is said in today's budget—to advise how much the ceiling must be raised.

UNCERTAINTIES OF BUDGET ESTIMATES

Budget projections are by historical fact tentative and uncertain. Especially is the initial budget all too often highly optimistic as to revenues and conservative as to spending and appropriations. Perhaps that is only natural. In any event it is traditional; after all, the budget is usually thought to contain an ample proportion of propositions designed, if not guaranteed, to make the country bloom and blossom as the rose. Today's budget concedes the uncertainty when it defers a debt ceiling request until a "more reliable estimate of requirements may be possible." So, the budget balance, or in this instance imbalance, is prospectively and optimistically arrived at and rests on both contingencies and uncertainties. The totals in this budget, like past budgets, are also contingent on several propositions of legislation first up for consideration in the legislative committees—some involving projected expenditure reductions of magnitude sufficient to alter the relationships between the 1964 and 1965 totals.

Another example of the changing nature of expenditure estimates is the interest on the public debt, estimated in the original 1964 budget at $10,020,000,000 but now shown for 1964 at $10,600,000,000. It is still an estimate, but here is a classic instance where the original estimate was wide of the mark.

So, Mr. Speaker, the first thing to keep in mind in considering this budget—both sides, all sides of it—is not to accept it at face value. It is only the initial guess. It will not turn out this way. It never does. More often than not, the final result is for the worse, not the better. So, for the purpose of deciding what to do in processing this budget, I am certain we can all agree it would be wiser to presume a change for the worse rather than the better, and to act accordingly. Lest there be any doubt about this, I include a striking set of variances in support:

Variations in administrative budgets—The original versus the final (using the last 9 budgets, 1955–63)

[NOTE.—Rounded amounts used]

Revenues:	
Original January budget projections totaled	$673,400,000,000
Final results (when the years were over)	658,400,000,000
Revenues fell short by	15,000,000,000
NOTE.—In 6 of the 9 years, revenues were less than the original budget; 3 were more.	
Expenditures:	
Original January budget projections	669,800,000,000
Final results	689,700,000,000
Expenditures went higher by	19,900,000,000
NOTE.—In 6 of the 9 years, actual spending exceeded the original budget. In 3 years, it was less.	
So, in toto, there was a deviation of	34,900,000,000
Surplus (+) or deficit (−):	
Original January budget projections	+3,600,000,000
Final results	−31,300,000,000
So, in total, instead of a surplus of $3,600,000,000 over the 9 years as originally projected, there was a deficit of $31,300,000,000—a change for the worse of	34,900,000,000
New obligational authority:	
Original January budget proposals from the President (which he not infrequently amends from time to time)	663,400,000,000
Final amounts enacted	709,700,000,000
Final amounts enacted exceeded the original budget proposals by	46,300,000,000

NOTE.—In every year the final amount enacted exceeded the original January budget proposal for the year.

Source: Budget documents.

NEW LEGISLATIVE PROPOSITIONS WITH BUDGET AMOUNTS

The extent of the contingency hinged on propositions of new legislation urged in today's budget, as affecting new obligating authority and estimated expenditures in both fiscal years 1964 and 1965, is shown in the following lists of particulars:

Proposed legislation reflected in the 1964 estimates of the 1965 budget

Department and item	In thousands	
	1964 new obligating authority involved	1964 budget expenditure effect involved
Agriculture, Agricultural Stabilization and Conservation Service, implementation of expanded cropland conversion program (contract authority, presumably "backdoor")	$40,000	
Agriculture, Rural Electrification Administration, permit use of receipts on outstanding loans to reduce expenditures (a bookkeeping proposition)		−$169,000 33,000
Commerce, Area Redevelopment Administration, grants to communities for construction of facilities which permanently increase employment	8,000	
Department of Health, Education, and Welfare, new education program	5,000	[1] 3,000
Labor, youth employment opportunities	30,000	[1] 10,000
State, Chamizal settlement with Mexico	39,310	[1] 650
Housing and Home Finance Agency, low-income housing demonstration program (contract authority, presumably "backdoor")	5,000	
Housing and Home Finance Agency, urban renewal fund (contract authority, "backdoor")	1,400,000	
Totals, which are included in the "Supplemental needed" columns of tables on pp. 44–45 of 1965 budget	1,527,310	[1] −122,350

[1] Plus a total of $36,160,000 spending in 1965 from the same 1964 new authority proposed. Note that this is a minus expenditure—a reduction.

Proposed legislation reflected in the 1965 budget estimates

[NOTE.—Does not list anything for the "attack on poverty" for which the 1965 budget includes a lump-sum separate item of $500,000,000 new authority and $250,000,000 associated expenditure estimate in 1965]

Department and item	In thousands	
	1965 new obligating authority involved	1965 budget expenditure effect involved
Agriculture:		
ARS: Meat inspection on a self-supporting fee basis	−$30,837	−$28,610
AMS: Poultry inspection and certain other inspection grading, and standardization activities on a self-supporting fee basis	−18,635	−16,400
ASCS:		
Cropland conversion program-contract authorization	40,000	
Appropriation to liquidate contract authorization	(47,000)	41,670
CCC: Anticipated new programs for cotton and dairy products		−230,000
REA: 1964 legislation to permit use of receipts on outstanding loans to reduce expenditures and NOA (see 1964 list, above)	−347,000	−178,000
FHA:		
Administrative expenses related to proposed insured loan program	3,000	2,850
Revolving fund to finance insured rural housing loans	100,000	40,000

Proposed legislation reflected in the 1965 budget estimates—Continued

[NOTE.—Does not list anything for the "attack on poverty" for which the 1965 budget includes a lump-sum separate item of $500,000,000 new authority and $250,000,000 associated expenditure estimate in 1965]

Department and item	In thousands: 1965 new obligating authority involved	In thousands: 1965 budget expenditure effect involved
Defense:		
Increased military compensation	$143,000	$136,000
Uniform rations	29,000	25,000
Health, Education, and Welfare:		
New education program	718,400	116,000
Graduate nurse training program and assistance to undergraduates	19,285	11,000
Hospital construction activities	270,000	5,000
SSA: Payments for military service credits	60,000	60,000
Welfare: Community work training	50,000	35,000
Interior: Land and water conservation fund	40,000	14,800
Labor: Youth employment opportunities	160,000	76,000
Federal Aviation Agency: Grants-in-aid for airports	75,000	5,000
HHFA:		
Urban transportation assistance	75,000	10,000
Sale of participations in mortgage pools		−200,000
Veterans' Administration: Sale of participations in mortgage pools		−100,000
Civil Service Commission: Permanent financing of civil service retirement and disability fund	−65,000	−65,000
District of Columbia: Federal payment	4,800	4,800
Total, 1965 proposed legislation	1,326,013	[1] −234,890

[1] Note that this is a minus expenditure effect. Also, see footnote on preceding 1964 list, regarding the $36,160, and expenditure estimate for 1965.

DEFENSE AND NONDEFENSE SPENDING

With the debt continuing to mount, year after year, and with the flood tide of Treasury revenues insufficient to cover current expenditures, it cannot too often be emphasized that repeated boosts in appropriations and the consequent spending for nondefense purposes lies at the bottom of the constantly mounting national debt in the years since the Korean war. That is what has principally, and consistently, unbalanced the last 10 or 11 budgets. It was not the lack of revenue; revenues have been setting new highs.

In this budget, the nondefense spending estimate for 1965 is $813,000,000 above what they hope to spend in 1964; $9,900,000,000, or 29 percent, above the level of 3 years ago, 1961; and $23,370,000,000—113 percent—above the first post-Korean year.

In contrast, the national defense spending estimate for 1965 in this budget is $1,318,000,000 below expected 1964 spending; $6,485,000,000 above 3 years ago, 1961; and only $6,993,000,000 above the first post-Korean year—this latter figure in sharp contrast to the $23,370,000,000 nondefense increase.

Spending money we did not have in the Treasury for nondefense things we could have done without until willing to tax ourselves to pay as we went along.

Mr. Speaker, this is so fundamental to the accrued Treasury depletion that I am inserting a lengthy table in support. It shows what the executive branch has spent from the general administrative budget:

President's estimate, in fiscal 1965 budget, of net "budget" expenditures—by summary, defense and nondefense functions

[NOTE.—Rounded amounts used]

	National defense functions	Other than national defense functions	Total
President's fiscal 1965 budget projection of spending, resting, as is always the case, in certain assumptions and contingencies, compared with—			
1965 budget estimate compared with current budget estimate for 1964 including proposed supplementals	−$1,318,000,000	+$813,000,000	−$505,000,000
1965 budget estimate compared with current budget estimate for 1964 based on funds already enacted	(1)	(1)	[2] +1,283,000,000
1965 budget estimate compared with 1961 actual	+6,485,000,000	[3] +9,900,000,000	+16,385,000,000
1965 budget estimate compared with 1964 actual	+6,993,000,000	[4] +23,370,000,000	+30,363,000,000

[1] Not readily available.

[2] That is, the budget estimates spending in 1965 this much above that currently estimated for fiscal 1964 (the current year) from funds already enacted for 1964. But the President proposes supplements of $4,236,638,000 in new obligating authority in fiscal 1964 from which it is shown in today's budget that $1,788,215,000 would be expected to be spent in 1964. If that materialized, then the budget estimate of spending in 1965 would be, as indicated, $505,000,000 less than for fiscal 1964.

[3] 29 percent increase in 3 years.

[4] 113 percent increase since end of the Korean war.

Source: Budget documents, and using the budget classifications as to defense and nondefense.

National defense and nondefense net "budget" expenditures—in more detail

[In millions of dollars]

Fiscal year	National defense functions: Defense military [1]	National defense functions: Total	Other than national defense	Total net budget expenditures
Fiscal 1953 (Korean war year)	43,610	50,442	23,678	74,120
Fiscal 1954 (1st post-Korean year)	40,326	46,986	20,551	67,537
Fiscal 1955	35,531	40,695	23,694	64,389
Fiscal 1956	35,792	40,723	25,501	66,224
Fiscal 1957	38,436	43,360	25,606	68,966
Fiscal 1958	39,070	44,234	27,135	71,369
Fiscal 1959	41,223	46,491	33,851	80,342
Fiscal 1960	41,215	45,691	30,848	76,539
Fiscal 1961	43,227	47,494	34,021	81,515
Increase in level during the 8 years, 1954–61	+2,891	+508	[2]+13,470	+13,978
Fiscal 1962	46,815	51,103	36,684	87,787
Fiscal 1963	48,252	52,755	39,887	92,642
Fiscal 1964:				
(a) Total projected by President in 1965 budget, including proposed supplementals	50,900	55,297	43,108	[3] 98,405
(b) Total projected by President based on fund already enacted	(4)	(4)	(4)	96,617

See footnotes at end of table.

National defense and nondefense net "budget" expenditures—in more detail—Continued

[In millions of dollars]

Fiscal year	National defense functions		Other than national defense	Total net budget expenditures
	Defense military [1]	Total		
Fiscal 1965 (the budget of the President, resting, as is always the case, on certain assumptions and contingencies)	50,000	53,979	43,921	[5] 97,900
Comparisons:				
Fiscal 1965 budget estimate under total now projected by President for 1964 including proposed supplements	−900	−1,318	+813	−505
Fiscal 1965 budget estimate over 1964 from funds already enacted	(4)	(4)	(4)	+1,283
Fiscal 1965 over 1961	+6,773	+6,485	[6] +9,900	+16,385
Fiscal 1965 over 1954	+9,674	+6,993	[7] +23,370	+30,363

[1] Unlike table in 1965 budget, p. 457, this column does not include military assistance part of the foreign aid program. It is, of course, included in the total for national defense functions.

[2] 65 percent increase, 1961 over 1954.

[3] Includes $1,788,215,000 estimated 1964 expenditures related to proposed 1964 supplemental requests for new obligating authority of $4,236,638,000.

[4] Not readily available.

[5] Includes $1,238,139,000 estimated 1965 expenditures related to $2,870,013,000 of new obligating authority requests for 1965 to be later transmitted, mostly all for new legislation proposals.

[6] 29 percent increase, 1965 budget over 1961 actual.

[7] 113 percent increase, 1965 budget over 1954 actual.

Source: Budget documents and using the budget classifications as to defense and nondefense.

NEW OBLIGATING AUTHORITY, DEFENSE AND NONDEFENSE

Of course, Mr. Speaker, the executive branch cannot spend a dollar at any time for any purpose until it first has been appropriated, through one Treasury door or the other, by the Congress. The ultimate responsibility lies right here in the Congress. The executive branch recommends, urges, pressures, and promises, but only Congress can give the green light. Congress does that by voting new obligational authority in one form or another—mostly through the appropriation bills. Accordingly, I also include a table on such authority divided as to defense and nondefense:

President's requests in fiscal 1965 budget, for new authority to obligate the Government—by summary, defense and nondefense functions

[NOTE.—Rounded amounts used]

	National defense functions	Other than national defense functions	Total
President's fiscal 1965 budget proposals for new obligating authority compared with—			
1. Fiscal 1965 budget compared with 1964 currently proposed total	−$185,000,000	+$1,420,000,000	+$1,235,000,000
2. Fiscal 1965 budget compared with 1964 thus far enacted	(2)	(2)	[1] +5,472,000,000
3. Fiscal 1965 budget compared with 1961 enacted	+7,658,000,000	+9,456,000,000	+17,114,000,000
4. Fiscal 1965 budget compared with 1954 enacted	+14,751,000,000	+26,273,000,000	+41,024,000,000

[1] This is the amount by which the President proposes to increase the level of new obligational authority in 1965 over and above the level thus far approved for 1964 ($4,236,638,000 proposed supplements to fiscal 1964 and $1,235,000,000 further increase for fiscal 1965).

[2] Not readily available.

Source: Budget documents, and using the budget classifications as to defense and nondefense.

New authority to obligate the Government (new obligational authority)—which precedes "budget expenditures"

[NOTE.—Rounded amounts used]

Fiscal year	National defense functions		Other than national defense		Total new obligational authority
	Amount	Percent of total	Amount	Percent of total	
1953 enacted (Korean war year)	$57,298,000,000	71.3	$23,010,000,000	28.7	$80,308,000,000
1954 enacted (1st post-Korean year)	38,901,000,000	62.1	23,864,000,000	37.9	62,765,000,000
1955 enacted	33,656,000,000	59.0	23,420,000,000	41.0	57,076,000,000
1956 enacted	35,903,000,000	56.8	27,295,000,000	43.2	63,198,000,000
1957 enacted	40,234,000,000	57.3	29,945,000,000	42.7	70,179,000,000
1958 enacted	40,448,000,000	53.0	35,897,000,000	47.0	76,345,000,000
1959 enacted	45,517,000,000	55.9	35,848,000,000	44.1	81,365,000,000
1960 enacted	44,761,000,000	46.3	34,813,000,000	43.7	79,574,000,000
1961 enacted	45,994,000,000	53.1	40,681,000,000	46.9	86,675,000,000
Increase in level in 8 years, 1961 over 1954	+7,093,000,000	+29.7	+16,817,000,000	+70.3	+23,910,000,000
1962 enacted	52,414,000,000	56.4	40,448,000,000	43.6	92,862,000,000
1963 enacted	54,323,000,000	53.1	47,960,000,000	46.9	102,283,000,000
1964 enacted thus far (as shown in 1965 budget)	(3)		(3)		98,317,000,000
1964 enacted plus supplementals proposed (as shown in 1965 budget)	53,837,000,000	52.5	48,717,000,000	47.5	[1] 102,554,000,000
1965 total proposed (as shown in 1965 budget)	53,652,000,000	51.7	50,137,000,000	48.3	[2] 103,789,000,000

See footnotes at end of table.

New authority to obligate the Government (new obligational authority)—which precedes "budget expenditures"—Continued

[NOTE.—Rounded amounts used]

Fiscal year	National defense functions		Other than national defense		Total new obligational authority
	Amount	Percent of total	Amount	Percent of total	
Comparisons:					
1965 budget compared with 1964 currently proposed total	−$185,000,000		+$1,420,000,000		+$1,235,000,000
1965 budget compared with 1964 enacted thus far	(3)		(3)		+5,472,000,000
1965 budget compared with 1961 enacted	+7,658,000,000	+44.7	+9,456,000,000	+55.3	+17,114,000,000
1965 budget compared with 1954 enacted	+14,751,000,000	+36.0	+26,273,000,000	+64.0	+41,024,000,000

[1] Includes $4,236,638,000 proposed as supplemental fiscal 1964 authority to obligate (some requiring new legislation).
[2] Includes $2,870,013,000 for transmittal later in session, most all of which entails new legislation proposals.
[3] Not readily available.

Source: Budget documents.

RISING REVENUES—HIGHER RISING EXPENDITURES

Mr. Speaker, the revenue expectation of $93,000,000,000 in this budget for fiscal 1965 is the highest ever reached—in war or in peace. Never before have we collected that much—registered that much—in the administrative budget in any year. It anticipates early enactment of the pending tax reduction bill and thereby involves some loss of revenue. It anticipates early stimulation of the economy as a result. It assumes another 1-year extension of certain Korean excise taxes. It assumes some additional revenue merely by reason of normal growth of the population and economy. And it assumes enactment of certain transportation charges and taxes.

The President presents a refreshing contrast in expenditures. It would be contrary to the most frequent pattern but he nonetheless estimates, at least tentatively, that expenditures in fiscal 1965 will be below the current year. The pattern of the years since the Korean war has been an ever-increasing expenditure—mostly for nondefense—and Treasury revenues, even at record levels and assisted by extensions of war taxes in time of peace, are insufficient to pay the bills. The gap has to be covered by issuing more Government bonds at higher interest rates.

In fiscal 1963, over 6 cents of each budget dollar spent was borrowed money. In the current year 1964, it is about 10 cents and under the President's budget for 1965, it will be about 5 cents of each dollar.

Including today's budget, in the 12 years since the Korean war the Treasury's budget books were unbalanced, or would be unbalanced, by some $49,502,000,000—an average of $4,125,000,000 a year.

Deficits during the 8 fiscal years following close of Korean war (1954–61)	$21,953,000,000
Deficits during the 4 fiscal years following that, on the basis of actual for 1962 and 1963; currently estimated for 1964 in today's budget; and today's budget estimates for 1965	27,549,000,000
Total deficit, 12 fiscal years, 1954–65, on basis shown (an annual average of $4,125,000,000)	49,502,000,000

Net budget receipts and net budget expenditures (the traditional administrative budget) 12 years, 1954–65

[NOTE.—In millions of dollars]

Fiscal year	Net budget receipts	Net budget expenditures	Budget surplus (+) or deficit (−)
1953 (Korean war year)	64,671	74,120	−9,449
1954 (from July 1953)	64,420	67,537	−3,117
1955	60,209	64,389	−4,180
1956	67,850	66,224	+1,626
1957	70,562	68,966	+1,596
1958	68,550	71,369	−2,819
1959	67,915	80,342	−12,427
1960	77,763	76,539	+1,224
1961 (to July 1961)	77,659	81,515	−3,856
8 years, 1954–61	554,928	576,881	−21,953
1962 (from July 1961)	81,409	87,787	−6,378
1963	86,376	92,642	−6,266
1964 (latest estimate from 1965 budget, January 1964)	[1] 88,400	[2] 98,405	−10,005
1965 (the budget, January 1964)	[3] 93,000	[4] 97,900	−4,900
4 years, 1962–65, on basis shown	349,185	376,734	−27,549
12 years, 1954–65, on basis shown	904,113	953,615	−49,502

[1] Influenced adversely to some extent on account of tax cut and revision proposals in today's budget (see p. 57 of 1965 budget).

[2] Includes $1,788,215,000 associated with proposed supplemental new obligation authority requests of $4,236,638,000 to be submitted for 1964 to the current session (some requiring new legislation).

[3] Assumes tax cut and revisions effective Jan. 1, 1964, with accompanying revenue reductions in fiscal 1965 offset in part by added revenues from economic stimulus, etc.; 1-year extension of present excise taxes due to expire July 1, 1964; enactment of certain transportation and other user charges and taxes. Principal economic assumptions as to calendar year 1964: Gross national product, $623,000,000,000 (up about $38,000,000,000 from 1963); personal income, $492,000,000,000 (up about $29,000,000,000 from 1963); and corporate profits before taxes, $56,000,000,000 (up about $4,300,000,000 from 1963). See pp. 56–61 of 1965 budget.

[4] Includes $1,238,139,000 associated with proposed new obligation authority requests for 1965, shown in today's budget at $2,870,013,000, to be later submitted to the current session (mostly entailing new legislation proposals).

Source: Budget documents.

THE PUBLIC DEBT

Mr. Speaker, today's budget contemplates reenactment of the annual debt ceiling ritual. Under the circumstances further upward adjustments may be expected—to a minimum of $317,000,000,000, probably more. It is now at $315,000,000,000; it is scheduled to revert to $309,000,000,000 on the last day of the fiscal year, June 30, 1964, but will have to be further adjusted to cover the now projected $311,800,000,000 debt for that day. It will be the 13th successive year of debt ceiling adjustments. As a Treasury official said, we need a ceiling on spending more than we need it on the debt. It is too late to control spending after the obligation comes due.

> For every one who is hacking at the roots there are a hundred hacking at the branches.

Interest on the debt continues to mount. Without Congress taking any affirmative action whatever, the annual cost rose $700,000,000 in the current year 1964 as compared to 1963. The original executive budget a year ago, for 1964, underestimated the 1964 cost by nearly $600,000,000. And today's budget projects a further rise of $400,000,000 in 1965—to $11,000,000,000—just the annual carrying charge; $20,800 every minute, day and night. Over 11 cents of the budget dollar gone before we start spending.

The total debt is up. And interest rates are up—and at short-term rates. And as portions of the debt in short-term securities roll over, the replacement issue is at a higher rate of interest. Thus the annual carrying cost goes up. Why higher short-term interest rates? Partly to stem the flow of short-term funds abroad. Why the outflow? Higher rates overseas, aggravating the balance-of-payments deficit.

What about that? Too many dollars, redeemable in gold on demand, held by foreign claimants against a depleted and dwindling U.S. gold supply. We have depreciated the value of the dollar through inflation and deficit spending. A dollar bill is only as valuable in the eyes of foreign holders as it is to us.

Just before this Republic was launched in 1789, a very wise man made a very cogent observation—pertinent to the situation today:

> There ought to be in every government, a perpetual, anxious, and unceasing effort to reduce that debt which at any time exists, as fast as shall be practicable, consistently with integrity and good faith.

But instead, unfortunately, we see illusory statistical methods of minimizing the size of the debt and making it appear less burdensome in comparison. They seem to mitigate the harshness of the situation. But I have not seen any statistics refuting the published fact that on a per capita basis, and despite a rising national product and population, Americans owe more public debt than in 1940; more than in 1950; more than in 1953; more than in 1960, more than in 1961. That includes all public debt—Federal, State, and local; the same population owes all of it.

Federal debt on significant dates

Date	Classification	Total direct and guaranteed debt	Per capita [1]	Computed annual interest rate on interest-bearing debt		
				Direct debt	Guaranteed debt	Total direct and guaranteed debt
	WORLD WAR I			Percent	Percent	Percent
Mar. 31, 1917	Prewar debt	$1,282,044,346.28	$12.36	2.395	-------	2.395
Aug. 31, 1919	Highest war debt	26,596,701,648.01	250.18	4.196	-------	4.196
Dec. 31, 1930	Lowest postwar debt	16,026,087,087.07	129.66	3.750	-------	3.750
	WORLD WAR II					
June 30, 1940	Debt preceding defense program	[2] 48,496,601,692.96	367.08	2.583	1.978	2.514
Nov. 30, 1941	Pre-Pearl Harbor debt	61,363,867,932.26	458.47	2.429	1.885	2.373
Feb. 28, 1946	Highest war debt	279,764,369,348.29	1,989.75	1.972	1.349	1.971
June 30, 1946	Debt at end of year in which hostilities ceased	269,898,484,032.56	1,908.79	1.996	1.410	1.995
Apr. 30, 1949	Lowest postwar debt [3]	251,553,319,739.98	1,690.29	2.235	2.356	2.235
	SINCE KOREA					
June 30, 1950	Debt at time of opening of hostilities in Korea (hostilities began June 24, 1950)	257,376,855,385.01	1,696.74	2.200	2.684	2.200
Dec. 31, 1952		267,445,125,544.96	1,687.90	2.353	2.565	2.353
Dec. 31, 1963	Highest debt [4]	310,088,641,784.17	[5] 1,626.10	3.486	3.736	3.487
Dec. 31, 1962	Debt a year ago	303,987,703,889.27	[2] 1,616.42	3.297	3.584	3.298
Nov. 30, 1963	Debt last month	308,932,504,993.29	[5] 1,621.80	3.476	3.728	3.476
Dec. 31, 1963	Debt this month	310,088,641,784.17	[5] 1,626.10	3.486	3.736	3.487

[1] Based upon estimates of the Bureau of the Census.

[2] Revised.

[3] Represents the lowest point of the debt at the end of any month following World War II. The lowest point of the debt on any day following that war was on June 27, 1949, when the debt was as follows:

Direct debt (gross)	$251,245,889,059.02
Guaranteed debt (not including obligations owned by the Treasury)	23,876,001.12
Total direct and guaranteed debt	251,269,765,060.14

[4] Represents the highest point of the debt at the end of any month. The highest point of the debt on any day was on Dec. 27, 1963, when the debt was as follows:

Direct debt (gross)	$310,471,934,698.90
Guaranteed debt (not including obligations owned by the Treasury)	741,796,775.00
Total direct and guaranteed debt (includes $364,784,869.05 not subject to statutory limitation)	311,213,731,473.90

[5] Subject to revision.

Federal, State, and local tax receipts, expenditures, and debt—On a per capita basis, selected fiscal years

Year	Per capita				Percentage distribution			
	Total	Federal	State	Local	Total	Federal	State	Local
1. Tax receipts:								
1940	$109	$43	$32	$34	100	39.2	29.2	31.6
1946	370	286	45	39	100	77.3	12.2	10.5
1950	369	255	60	54	100	69.1	16.3	14.6
1953	576	433	77	67	100	75.2	13.3	11.5
1960	718	501	114	102	100	69.8	15.9	14.3
1961	735	507	119	109	100	69.0	16.2	14.8
1962	766	526	126	115	100	68.6	16.4	15.0
2. Expenditures:								
1940	156	77	35	44	100	49.3	22.3	28.5
1946	602	502	47	53	100	83.5	7.7	8.8
1950	473	301	86	86	100	63.7	18.2	18.1
1953	707	514	90	103	100	72.7	12.8	14.5
1960	854	549	140	164	100	64.3	16.4	19.2
1961	912	583	155	174	100	63.9	17.0	19.1
1962	953	613	160	180	100	64.3	16.7	18.9
3. Gross debt:								
1940	483	328	27	128	100	67.9	5.7	26.4
1946	2,154	2,034	18	102	100	94.4	.8	4.8
1950	1,893	1,731	36	127	100	91.4	1.9	6.7
1953	1,925	1,708	50	167	100	88.7	2.6	8.7
1960	2,018	1,622	105	291	100	80.4	5.2	14.4
1961	2,025	1,606	111	308	100	79.3	5.5	15.2
1962	2,073	1,630	118	325	100	78.6	5.7	15.7

Source: Tax Foundation "Facts and Figures," 12th edition.

COST OF LIVING—BUYING POWER OF THE DOLLAR

Mr. Speaker, I again include for reference the cost-of-living index showing the related damage to the buying power of the dollar, in substantial measure the result of spending beyond income year after year. The 1939 dollar is now worth only 45 cents. It has not been falling fast in the last recent years, but it nonetheless is still falling—and is now at the alltime low.

Consumer Price Index and purchasing power of the dollar

Years	Consumer Price index (1947-49=100		Purchasing power of the dollar (calendar year 1939=100 cents) [1]
	All items	Foods	
1939	59.4	47.1	100.0
1940	59.9	47.8	99.2
1941	62.9	52.2	94.4
1942	69.7	61.3	85.2
1943	74.0	68.3	80.3
1944	75.2	67.4	79.0
1945	76.9	68.9	77.2
1946	83.4	79.0	71.2
1947	95.5	95.9	62.2
1948	102.8	104.1	57.8
1949	101.8	100.0	58.3
1950	102.8	101.2	57.8
1951	111.0	112.6	53.5
1952	113.5	114.6	52.3
1953	114.4	112.8	51.9
1954	114.8	112.6	51.7
1955	114.5	110.9	51.9
1956	116.2	111.7	51.1
1957	120.2	115.4	49.4
1958	123.5	120.3	48.1
1959	124.6	118.3	47.7
1960	126.5	119.7	47.0
1961	127.8	121.0	46.5
1962	129.3	122.3	45.9
Selected months:			
1946—June	79.8	72.1	74.4
1950—June	101.8	100.5	58.3
1952—December	114.1	113.8	52.1
1958—December	123.7	118.7	48.0
1959—December	125.5	117.8	47.3
1960—December	[2] 127.5	121.4	46.6
1961—June	[2] 127.6	120.9	46.6
1962:			
January	128.2	121.0	46.3
June	[2] 129.2	122.1	46.0
December	129.8	122.2	45.8
1963:—			
January	130.1	123.5	45.7
February	130.2	123.9	45.6
March	[2] 130.3	123.4	45.6
April	130.3	123.1	45.6
May	130.3	123.0	45.6
June	[2] 130.8	123.9	45.4
July	[2] 131.4	125.3	45.2
August	131.4	125.1	45.2
September	131.4	124.4	45.2
October	[2] 131.5	123.8	45.2
November	[2] 131.8	124.0	45.1

[1] As measured by the BLS Consumer Price Index.

[2] New record high.

CIVILIAN EMPLOYEES

Mr. Speaker, many years ago a distinguished Member of the House, in a position of firsthand observation, said that any time you believed everything the departments told you when they were defending their budgets you were a "damn fool."

There can be no excess of Federal employees unless there be an excess of appropriations. The two go hand in hand. No appropriations, no employees. Too many employees, excessive appropriations. From the beginning public men have contended with the size of the Federal establishment and the tendency to surplusages of employees. President Johnson has just been through the matter in making up this budget. He has demanded cuts in the payroll. Twice before, in October of 1961 and 1962, after Congress had made the appropriations and gone home, the President told the departments to get their work done with fewer employees than they could hire with the money in hand. He told them to reduce jobs and leave vacancies unfilled. And now, for the third straight year, they have again been told to reduce below what they could employ with appropriations already made. Unassailable proof that in the last 3 years Congress has appropriated too much. The departments defend every dollar and every job in their budget and sometimes threaten curtailment of the service if the additional funds or personnel are cut. Last year, for example, the committee made nominal cuts in the enlarged Post Office budget. Immediately there was dark and foreboding talk about deleting Saturday deliveries and no deliveries to new homes. They insisted the cuts be restored. Yet only 3 weeks ago the Department announced an immediate cut of 5,000 employees by this June 30 and other economy measures. The release said:

> These economy measures will result in no impairment of essential mail service.

Federal employment has sharply increased in the last 3 years; 140,139 were added between January 1961, and November 1963. Excessive appropriations have contributed; Executive orders to cut below the funded levels are proof of it. And in noting the nominal reduction of 1,200 suggested in today's budget, the President concedes there are still too many:

> I have directed the heads of all departments and agencies to work toward reducing employment still further.

Summary of civilian employment—Executive branch

Date	Department of Defense (all functions)	All other	Total
As of Jan. 31, 1961	1,032,835	1,308,250	2,341,085
As of June 30, 1961	1,042,407	1,364,622	2,407,029
As of June 30, 1962	1,069,543	1,415,111	2,484,654
As of June 30, 1963	1,050,007	1,447,028	[1] 2,497,035
As of Nov. 30, 1963 (latest available)	1,043,953	1,437,271	[2] 2,481,224
As of June 30, 1964 (as estimated and proposed in 1965 budget, January 1964)	1,039,293	1,473,107	2,512,400
As of June 30, 1965 (as estimated and proposed in budget for 1965)	1,020,751	1,490,449	2,511,200
Changes:			
During last 5 months of fiscal 1961	+9,572	+56,372	+65,944
During 2 fiscal years of 1962 and 1963	+7,600	+82,406	+90,006
During period January 1961 through November 1963	+11,118	+129,021	+140,139
Estimated change during fiscal 1964	−10,714	+26,079	+15,365
Estimated change during fiscal 1965	−18,542	+17,342	−1,200
Estimated change, 4 fiscal years 1962-65 (July 1961-July 1965)	−21,656	+125,827	+104,171

[1] In contrast to the 1964 budget projection (in January 1963) of 2,534,041 at the same date; namely, June 30, 1963 (which, incidentally, excluded project employees under "public works acceleration" program; the 2,497,035 figure includes 7,411 such employees).

[2] Includes 10,653 project employees under "public works acceleration" program.

Sources: Civil Service Commission data and table in budget for 1965, p. 53.

GOLD SUPPLY AND CLAIMS AGAINST IT

Foreign claims against our gold supply continue to mount—far beyond the supply. And the supply continues to dwindle. The balance-of-payments deficit in our international transactions, while now less, is still unsolved.

The dollar is not the solid currency it once was. A recent official report characterized the dollar as a weak currency. The Monthly Review of the New York Reserve Bank warns that if it gets much weaker, there will be "disastrous consequences, stretching far into the future. The time factor has now become a matter of major importance." As a nationally circulated publication headlined its story last week, "How long can we paper the crack of doom?" The Under Secretary of the Treasury is reported as saying our balance-of-payments deficit cannot go on forever.

Foreign holders of dollar claims against our short supply of gold watch the significant signs more closely than we do. They cannot afford to do otherwise. They cannot be expected to stand idly by while we continue to shake the dollar's foundation by piling up more and more debt—living it up, as it were, at the expense of the future. They can demand gold at any time. And we have not enough to cover.

Our tenuous gold position

[Rounded figures used]

Date	U.S. gold stocks	Gold stock (above required 25-percent backing for currency and deposits)	Possible foreign claims	Potential shortage of gold with present 25-percent backing provision
1957 (Dec. 31)	$22,900,000,000	$10,800,000,000	$14,900,000,000	$4,100,000,000
1958 (Dec. 31)	20,600,000,000	8,500,000,000	15,600,000,000	7,100,000,000
1959 (Dec. 31)	19,500,000,000	7,300,000,000	17,700,000,000	10,400,000,000
1960 (Dec. 31)	17,800,000,000	6,100,000,000	18,800,000,000	12,700,000,000
1961 (Dec. 31)	16,900,000,000	4,900,000,000	20,400,000,000	15,500,000,000
1962 (Dec. 31)	16,100,000,000	3,700,000,000	21,400,000,000	17,700,000,000
1963 (September)	15,600,000,000	3,300,000,000	22,900,000,000	19,600,000,000
Change, January 1958 through September 1963	−7,300,000,000	−7,500,000,000	+8,000,000,000	+15,500,000,000

Source: Department of Commerce, Office of Business Economics (but with their figures rounded as noted).

Civilian employment in the executive branch [1]

Description	As of June—		
	1963 actual	1964 estimate	1965 estimate
Executive Office of the President	1,660	1,621	1,618
Department of Agriculture	112,488	116,800	115,376
Department of Commerce	32,338	34,603	34,945
Department of Defense:			
Military and military assistance [2]	1,017,117	1,007,000	989,920
Civil [3]	32,648	32,293	31,831
Department of Health, Education, and Welfare	81,062	86,000	90,730
Department of the Interior	69,558	72,592	72,774
Department of Justice	32,081	32,759	32,759
Department of Labor	9,567	10,016	9,954
Post Office Department	587,161	593,100	597,900
Department of State	24,519	25,324	25,320
Agency for International Development	16,782	16,500	15,700
Peace Corps	1,110	1,150	1,250
Treasury Department	86,579	88,433	90,427
Atomic Energy Commission	7,120	7,330	7,330
Federal Aviation Agency	46,313	46,400	46,450
General Services Administration	32,650	35,944	37,700
Housing and Home Finance Agency	14,160	14,410	15,144
National Aeronautics and Space Administration	29,934	32,600	33,800
Veterans' Administration	172,864	173,021	173,754
Other:			
Civil Service Commission	4,085	4,125	4,079
Selective Service System	6,916	6,996	8,036
Small Business Administration	3,387	3,500	3,500
Tennessee Valley Authority	17,917	18,041	17,650
The Panama Canal	14,966	15,083	15,228
U.S. Information Agency	11,793	12,228	12,228
Miscellaneous independent agencies and other	23,513	24,531	25,797
Total	[4] 2,490,288	2,512,400	2,511,200

[1] Table 12, p. 53, budget for 1965.

[2] Consists of civilian employment for military functions and military assistance.

[3] Employment of the Panama Canal and the U.S. Soldiers' Home is included under "Other" below.

[4] Excludes 7,411 project employees for the public works acceleration program.

NOTE.—The figures include tentative estimates for employment under appropriations proposed for later transmittal. In accordance with definitions of the Civil Service Commission, the figures cover both those employees who are working on June 30, and also part-time and intermittent employees who work at any time during the month of June.

CONCLUSION

Mr. Speaker, in conclusion, may I again commend the President for his efforts in the direction of economy. The Treasury is in serious condition—depleted—and no one knows it better than he. Of each dollar spent this year 10 cents is borrowed money; tentatively, 5 cents next year.

The time is past due to cut expenses. This 1965 budget can be cut. It ought to be cut. I do not think the President would seriously object if it is cut.

The time is at hand to apply more restraint. That is the policy voted by the House in the pending tax bill. That is implicit in the President's pronouncements. And that is what the times and an empty Treasury urgently demand.

The Committee on Appropriations does not process all of the budget but welcomes any suggestions to assist us in cooperating with the President. We have already begun hearings and in cooperation with the leadership developed a schedule for reporting and floor consideration of the appropriation bills which I include herewith:

Bill	Report	Floor
District of Columbia	Feb. 29	Mar. 3
Interior	Mar. 13	Mar. 17
Treasury and Post Office	Mar. 20	Mar. 24
Legislative	Apr. 3	Apr. 7
Labor-Health, Education, and Welfare	Apr. 10	Apr. 14
Defense	Apr. 24	Apr. 28
State, Justice, Commerce, judiciary	May 1	May 5
Agriculture	May 8	May 12
Independent offices	May 15	May 19
Military construction	May 22	May 26
Public works	May 29	June 2
Foreign aid	June 5	June 9

We trust everyone concerned will cooperate so that we may clear the bills before the conventions this summer.

DISTRICT OF COLUMBIA BUDGET—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES (H. DOC. NO. 265—PT. 2)

The **SPEAKER** laid before the House the following message from the President of the United States; which was read and, together with the accompanying papers, referred to the Committee on Appropriations and ordered to be printed with illustrations:

To the Congress of the United States:

I present the budget for the District of Columbia for the fiscal year beginning July 1, 1964.

The District of Columbia, as the Capital of our Nation, should symbolize our civic ideals. What the National Government does, or fails to do, for the District largely determines the city's character and attributes.

A year ago, in transmitting the District of Columbia budget to the Congress, President Kennedy said "the problems of the District have become so critical as to challenge the National Government—both the administration and the Congress—to redouble its understanding of and interest in its Capital City." The need to meet that challenge continues. The policies and programs which President Kennedy proposed for the development and progress of the Nation's Capital remain largely unfulfilled. The budget which I am presenting will measurably advance their accomplishment.

In certain respects the District has needs and problems which are common to many large cities today. It is the core of the fastest growing metropolitan area in the East. Like other central cities, its population characteristics have been changing rapidly. Between 1950 and 1970 the number of school age children in the District will have increased by 46 percent; the number of older persons by 55 percent. The number of persons in the productive period of their lives, however, will have decreased by 18 percent. Negroes, whose economic and social resources taken as a whole still lag far behind, continue to be an increasing proportion—now some 57 percent—of the District's citizens. Only recently have they been enabled to start breaking through the artificial barriers which by and large have kept them within the District.

In other fundamental respects, the District is unique. It discharges not only the full range of municipal responsibilities, but also responsibilities generally undertaken by State and county governments. These include health, welfare, and education—the very functions which expand most rapidly in areas undergoing changes in population characteristics. Furthermore, the District has more park land, lower building heights, and little industry—all factors which severely limit potential tax revenue. Another important consideration is that the National Government holds title to 43 percent of the land area of the city—none of it revenue producing; yet the National Government is the District's only major industry.

These facts, coupled with an inadequate response to the needs of the District in years past, make imperative the adoption of programs that will increase substantially the stability, income, and resources of the city's present and future productive citizens.

The Federal Government has explicit responsibility for legislative direction of District affairs. Its implicit responsibility is even broader, since it also must assume a fair share of the District's financial needs.

Nor is it only a question of fairness. The efficiency and productivity of the Federal Establishment depend to a significant degree upon a capital city which is well planned and well run. From time to time, the Federal Government has increased its recognition of financial responsibility. Last year it enlarged the Federal payment authorization from $32 million to $50 million a year. This still falls short of enabling the Congress and the District to plan and efficiently carry out long-term commitments within a framework of sound fiscal policy.

I recommend strongly that the Congress authorize a Federal payment based on a formula which reflects the relative responsibility of the National Government and of the local taxpayers in meeting the financial needs of the District. Title I of H.R. 4592 embodies such a formula, keyed to the assessed value of real estate and personal property owned and used by the Federal Government and the amount the District could expect to receive if Federal Government activity were taxable as a private business.

Although a $54.8 million Federal payment would be authorized by H.R. 4592 in fiscal 1965, compared to $50 million already authorized, the real benefit from its enactment would be the maintenance of an equitable balance between Federal and local responsibility as conditions change. For example, by fiscal 1968 the formula would authorize an estimated further increase of $6.6 million in the Federal payment compared with increased revenues from local sources estimated at $39.8 million. True concern for the District requires that the Federal Government thus recognize its equitable share of the costs. It also requires, of course, that normally the Congress appropriate no less.

The adoption of this formula basis for the Federal payment would not establish a precedent requiring the Federal Government to make payments in lieu of taxes in other jurisdictions. For more than 125 years the Congress has recognized the Federal Government's responsibility by appropriating a share of the funds needed for the operation of the District government. The Congress has fully accepted the fact that, because Washington is the Federal city and the seat of the National Government, its development and growth have been unusually affected by Federal Government operations. Unlike most other communities where post offices, courthouses, and the many other local and regional activities of the Federal Government serve the local citizens, Federal activities in Washington predominantly serve the whole Nation.

Moreover, the Federal Government plays a larger part in the planning and development of the District than it does anywhere else in the Nation. The location and types of buildings in certain areas are dependent upon its approval. It imposes other restrictions, such as that which limits the height of all buildings within the District. Serious limitations are thus placed on the development of private industry and businesses in a city essentially geared to functioning as headquarters of the Federal Government. Such restrictions caused by the presence of Federal activities are not nearly so far reaching in any other city in the Nation. In other words, there is already a well-established precedent—that the Federal Government should and does contribute to the expense of government in the District. The issue is only what measure can best be used to determine the fair share which the Federal Government should provide. The proposed formula will establish that measure.

I also recommend that the authority of the District to borrow from the Treasury should be related to local needs and resources. Title II of H.R. 4592 embodies the form of an appropriate debt limit; namely, 6 percent of the 10-year average of the combined assessed value of taxable real and personal property (including property owned and used by the Federal Government as specified in the Federal payment formula). This is a flexible but prudent debt limit related directly to ability to repay, and in keeping with the restrictions on borrowing common to most State and local jurisdictions. The adoption of this proposal would, for example, result in a general fund limit of outstanding indebtedness of approximately $235 million as of fiscal 1965, and of $295 million as of fiscal 1970, compared with the present limit of $175 million, which must be renewed when it is exhausted.

The District will continue, of course, as it has in the past, to finance much of its general fund capital outlays from current revenues. Nonetheless, a flexible, predictable, and continuing debt limit which is related to ability to repay, taken together with the formula basis for the Federal payment authorization and the tax increases proposed herein, will permit the Congress and the District to plan and meet its critical needs on an orderly basis.

District taxpayers continue to bear the lion's share of financing the District government. This is as it should be. In keeping with this view, and inasmuch as the financial needs of the District, if it is to take and maintain its proper place among America's great cities, will continue to increase in the years ahead, I urge the Congress to enact H.R. 4598. This bill, which was recommended last year as a part of the overall general fund financing program, would increase certain District taxes which are low in comparison with neighboring jurisdictions. Together with a real estate tax increase to be set by the Commissioners concurrently, it will produce about $10 million of required additional revenue in fiscal 1965, and an estimated $12 million when fully effective in fiscal 1966. These local tax increases will expand the tax base and will represent a substantial further local contribution toward mounting District expenditure needs.

These tax changes, coupled with my recommended changes in the method of determining the Federal payment authorization and District borrowing, should assure adequate revenue to finance general fund budgetary needs for the next several years.

Requirements and financing of the general fund, 1964–70

[In millions of dollars]

	Estimates		Projections				
	1964	1965	1966	1967	1968	1969	1970
Funds required:							
Operating expenses	237.9	253.8	267.4	280.9	295.1	310.0	325.6
Capital outlay	31.9	41.9	42.0	42.2	41.1	40.4	36.0
Repayment of loans and interest	1.9	1.7	3.8	5.0	5.4	5.9	6.6
Reserves for contingencies	2.4	4.6	4.8	5.0	5.0	5.0	5.0
Total funds required	274.1	302.0	318.0	333.1	346.6	361.3	373.2
Revenues and balances:							
From present sources:							
Taxes, fees, etc	219.1	227.0	237.6	248.4	259.4	270.4	281.7
Balances	7.9	1.7					
Federal payment	37.5	50.0	50.0	50.0	50.0	50.0	50.0
Loan authorization	11.3	8.6	11.4	11.9	8.5	4.3	.2
Total from present sources	275.8	287.3	299.0	310.3	317.9	324.7	331.9
From proposed sources:							
Taxes		9.9	11.9	13.5	17.3	21.5	22.4
Federal payment		4.8	7.1	9.3	11.4	15.1	18.9
Total from proposed sources		14.7	19.0	22.8	28.7	36.6	41.3
Total revenues and balances	275.8	302.0	318.0	333.1	346.6	361.3	373.2

The financing of the general fund portion of this budget includes, therefore, new revenues from local taxes of $9.9 million, and a Federal payment of $54.8 million which would be authorized by the formula proposed.

These additional funds permit limited but necessary expansion of services and the acceleration of capital improvements, particularly school buildings, without excessive inroads into the District's borrowing authority.

The Congress may be assured that this budget, no less than the budget of the Federal Government, is designed to avoid waste, inefficiency, and unnecessary expenditures. At the same time, it is designed to meet urgent needs in education, health, welfare, recreation, and related fields. These are the requirements which are traditionally met by State and local governments, and which are largely responsible for an increase of 128 percent in the general expenditures of State and local governments between 1952 and 1962, in contrast to an increase of only 43 percent in general Federal expenditures during the same decade. Adequate funds for these purposes are essential to the needs of District citizens and to their hopes for improvement in employment, income, and family stability.

New obligational authority, all funds

[In thousands of dollars]

	1963 actual	1964 estimate	1965 recommended
Current authorizations:			
Education:			
Operating expenses	59,505	63,861	68,607
Capital outlay	7,693	15,626	24,684
Welfare and health:			
Operating expenses	65,913	70,526	75,496
Capital outlay	13,701	1,310	1,147
Highways and traffic:			
Operating expenses	11,454	12,408	13,663
Capital outlay	10,039	11,280	15,080
Public safety:			
Operating expenses	60,491	65,972	69,358
Capital outlay	1,446	539	886
Parks and recreation:			
Operating expenses	8,564	9,067	9,967
Capital outlay	327	378	1,130
General operating expenses:			
Operating expenses	16,388	17,883	19,369
Capital outlay	1,542	1,088	4,102
Sanitary engineering:			
Operating expenses	21,051	21,851	21,790
Capital outlay	12,235	15,400	23,066
Potomac interceptor sewerline	2,800		

New obligational authority, all funds—Continued

[In thousands of dollars]

	1963 actual	1964 estimate	1965 recommended
Current etc.—Con.			
Repayment of loans and interest	1,496	4,990	5,364
Payment of District of Columbia share of Federal capital outlays	972	916	1,860
Additional municipal expenses, inaugural ceremonies			283
Judgments, claims, and refunds	546		
Subtotal	296,163	313,094	355,852
General fund:			
Obligations	(262,808)	(263,913)	(299,574)
Change from obligations to new obligational authority	(−6,798)		
Other funds	(40,153)	(49,181)	(56,278)
Permanent authorizations	1,645	1,608	1,598
Operations of District of Columbia trust funds	37,375	43,703	61,099
Repayment (−) of advances from Federal funds	7,000	−10,000	
Investments	3,648		
Total authorizations	345,830	348,405	418,549
Funds required, general fund:			
Current authorizations	262,808	263,913	299,574
Adjusted deferred financing	−7,675	7,800	−2,200
Reserves for contingencies		2,350	4,572
Total, general fund	255,133	274,063	301,946

EDUCATION

For education programs, appropriations of $93.3 million are needed in 1965. The increase of $4.7 million for operating expenses will permit additional school staff necessary to provide teachers needed for a school population which will increase 5,000 over 1964. The system will achieve, for the first time, the pupil-teacher ratios set by the Board of Education several years ago as their standard.

Provision for these teachers is vital, yet a first-rate school system requires more than just an adequate number of teachers. The 1965 budget is also aimed at meeting critical deficiencies by providing: (1) the beginning of a library program for elementary schools—a program of special importance for children whose homes provide few if any opportunities to learn the joys of reading; (2) improved counseling and other guidance services to direct children into curriculums most suited to their individual needs; (3) an expansion of special education programs for mentally retarded children which can rescue many of them from the prospect of permanent dependency; (4) supporting administrative services which are needed to bring the District up to the level of school systems of comparable size; and (5) a continuation of the special effort to remedy the inability of culturally deprived students to speak, read, and write the English language—a serious and obvious social, academic, and economic disadvantage.

Of particular importance, the budget includes $24.7 million for an accelerated school construction program. These funds will provide classroom space for some 7,000 pupils by the construction of 4 new schools and the enlargement of 5 others, a considerable step toward the elimination of double sessions. The funds will also provide the preliminary steps in the replacement of seven of the District's overage and obsolete schools.

Much more needs to be done, however, if many of the young people now marching toward responsible adulthood are not to become instead a frustrated and embittered army of unemployed, swelling the welfare rolls and crowding the prisons.

The 1963 amendments to the Manpower Development and Training Act will enable the District to participate in an accelerated program of training in both basic literacy and specific employment skills for the hard core of unemployed youth and older workers. I am directing that programs be developed tc make maximum use of this opportunity in the District. The Vocational Education Act of 1963 not only will permit a substantial expansion and improvement in the vocational education programs of the District schools, but also will make possible in the National Capital region a demonstration residential vocational school which will be established as a means of emphasizing the relationship between training and employment opportunities.

The Committee on Public Higher Education in the District of Columbia will shortly present to me its recommendations for meeting the needs for publicly supported post-high-school education in the District. These recommendations will receive my careful attention. The Higher Education Facilities Act of 1963 will provide some assistance toward meeting the District's requirements.

We must demonstrate that we lack neither the will nor the resources to resolve the current crisis in education. We cannot afford a less than first-rate educational system in the Nation's Capital.

A comment is appropriate here on the Public Library. While its branch operations have largely kept pace with community needs, the central library at Mount Vernon Square has long been woefully inadequate. The examination of the central library problem authorized by the Congress in 1961 resulted in a recommendation for a larger and more accessible building on a new site. I am renewing last year's budget request embodying this recommendation, for the need is urgent.

WELFARE AND HEALTH

The budget recommends appropriations totaling $76.6 million for welfare and health, an increase of $4.8 million over 1964.

The attention devoted by the Congress to the District's welfare program has resulted in major gains by way of reorganization and improved administration of the Department. Some of the programs, unfortunately, still fall far short of the minimum necessary to realize the primary objective of public assistance—the rehabilitation of persons and families by positive actions which will enable them to achieve and maintain self-sufficiency. The organization, administration, and financing of welfare programs should each be geared to this objective.

The plight of dependent children remains particularly distressing. I strongly urge that funds be provided which will permit the District to participate in the national program of aid to children of unemployed parents authorized by the Congress in 1961. I am equally concerned that other measures also be undertaken to effect a major reduction in the population of Junior Village. The budget accordingly includes funds with which to increase the rates paid for foster home care, to provide extra personnel to find and to approve foster homes, to provide assistance to families in danger of disintegration, and to increase the availability of day care.

In other areas as well, the budget reflects my belief that the District should be a leader in effecting the improvements which the Congress made possible in the 1961 and 1962 amendments to the Social Security Act. Effective rehabilitation work is virtually impossible, for example, unless the caseload of social workers is reduced. Only 44 percent of the welfare recipients who might be rehabilitated are now served by social workers with caseloads acceptable under Federal standards. The 1965 budget will increase this figure to 50 percent. Here, and in other areas, failure to take forward steps only insures that welfare aid will remain essentially a dole, and that its recipients will perpetuate their dependency.

The Department of Public Health has also been reorganized, with advantages in improved service at minimal cost which will become apparent in the future. Medical care programs for the aged now provide for greater services to this group, ranging from home care and accident prevention to rehabilitation. The budget provides funds for a continuation of these programs, as well as for more intensive efforts in areas in which District rates are alarmingly high—infant mortality and venereal disease.

The District should also play a leadership role in adopting and demonstrating the new concepts in the prevention, treatment, and care of mental illness and mental retardation. The major effort by the District in these directions, as well as a significant part of its entire health program, is the plan for community health centers. This budget provides funds to plan for two such centers, which should be brought into being as soon as possible. In addition to their other services, these centers can provide help for mentally disturbed persons who do not require long-term hospitalization, and thus reduce materially the patient load at St. Elizabeths Hospital.

PUBLIC SAFETY

The Congress has responded promptly to past needs for more policemen. The 1965 budget seeks primarily to increase the efficiency of the present force, rather than to increase its size. Police cadet programs, financed in part by Federal funds, will take boys from 17 to 20 through a training-work program, and at age 21 move those who qualify into the patrol ranks.

A substantial proportion of serious crimes, in the District as elsewhere, is committed by juveniles. The District will soon have from Washington Action for Youth, a community effort developed by the President's Committee on Juvenile Delinquency and Youth Crime, a plan for a comprehensive attack on juvenile delinquency. That battle will not be easy, nor will success come quickly, for there are no panaceas. Law enforcement has its necessary role, but the significant efforts must come in the fields of education, recreation, health, employment, and welfare. In the District—as in the Nation—we face no more important social challenge. I fully support the effort that is being made to mount a comprehensive demonstration in the Cardozo area which will develop programs to seek out and eliminate the basic causes of poverty which contribute to the patterns of delinquency and dependency. I shall continue to encourage the most comprehensive attack on these evils that can be devised.

RECREATION

The recreation program of the District has not kept pace with the increase in the number of younger people. The budget will permit two major advances. First, it will provide funds for the District to begin a program to bring the city's swimming pool facilities into reasonable relation to its needs, and to assume complete operation of the pools currently operated by a concessionaire under the National Park Service. Second, it will provide funds to extend the hours of supervised operation of many present recreational facilities, which now are often unavailable when they would be most useful.

The budget also will continue the roving leader program, under which men and women work in the streets and neighborhoods directly with delinquent and potentially delinquent youths on both individual and group bases. This program has proved that it is possible to reach and help the hard-to-reach youngsters. It strongly merits the modest expansion proposed in the budget.

TRANSPORTATION

The administration and the Congress has been wrestling with the transportation problems of the District for many years. While some progress has been made I hope for further progress during the coming year.

A major barrier to the development of plans for the Interstate Highway System in the District was surmounted in November 1963, when the District Commissioners accepted the recommendations of an advisory committee drawn from all interested Federal agencies with respect to an additional central city Potomac River crossing and an interstate connection making maximum use of tunneling across the north central part of the District. President Kennedy accepted the recommendations, and they likewise have my approval. Although problems of specific location and of design remain to be worked out with the help of the advisory committee, the progress which has been made permits inclusion in the budget of funds for major additional segments of the urgently needed Interstate System in the District.

The financing of the construction of this Interstate System requires immediate attention. The system must be completed by 1972. The District also faces increasing requirements for funds to maintain the system and to construct, improve, and maintain other highways and streets. The resources of the highway fund are entirely earmarked revenues. The most equitable method of financing a street and highway network is taxation based upon use. There is warrant, also, for meeting a part of the cost of highways by borrowing which will be repaid by taxes on later users, since highways have a long useful life. I am proposing, therefore, a loan authorization for the highway fund of $35 million in addition to the $50.2 million already authorized. The Commissioners will propose an increase of 1 cent in the present 6 cents per gallon gasoline tax, which will provide $2 million annually, a sum sufficient to retire the $35 million loan in 30 years. These measures will meet the needs of the highway fund for several years, although other tax sources contributing to that fund may thereafter also have to be increased.

The resolution of the problems of providing a rapid rail transit system for the National Capital region is not yet in hand. Ten years and more of study, however, have made it abundantly clear that such a system is a critical necessity if intolerable traffic congestion is to be avoided. The recent recommittal of H.R. 8929 to the House District Committee demands a redoubling of efforts to find an acceptable program which will permit a transit development plan to proceed. I have instructed the National Capital Transportation Agency, together with other Federal agencies, to work with affected local jurisdictions to that end. I am confident that the Congress agrees on the need, and I trust that an acceptable program can be formulated at this session of the Congress.

A comprehensive transportation system must, of course, be the result of joint efforts between the District and its neighboring jurisdictions. Indeed, the Congress has conditioned continuing Federal assistance to highway development in urban areas after mid-1965 on the existence of such cooperation. Many other local problems, too, extend beyond the District's boundaries, just as many problems in the suburbs cannot be efficiently and economically solved without the full cooperation of the District. I intend to give my full support to the development of cooperative efforts to meet these regional problems and to provide for the orderly development of the National Capital region.

CONCLUSION

The Congress will be required to consider many other matters of concern to the District during this year. Some pending bills are of particular urgency. S. 628, passed by the Senate, would permit the District to act, as other cities have done, to revitalize the downtown area. S. 1024, also passed by the Senate, would authorize relocation assistance to those displaced by District government action, and would provide a central relocation service which would greatly increase the success of relocation efforts. I urge the Congress to enact these measures.

A bill (H.R. 5794 and S. 1650), which would both provide home rule for District citizens and protect Federal interests, was transmitted to the Congress by President Kennedy. As long as District citizens are denied the basic rights to vote and to govern themselves, they will remain less than full citizens, and will be less effective in assuming their proper share of responsibility for District problems. I urge strongly that the Congress enact home rule legislation at this session.

This budget, the programs which it funds, and the legislation which is recommended, will promote, in my opinion, the District's best interests. They will also serve the Nation's best interests by providing the means by which our Nation's Capital can become a living symbol of the political, social, and economic vitality of the United States in the last half of the 20th century.

Lyndon B. Johnson.

January 21, 1964.

DISPENSING WITH CALL OF PRIVATE CALENDAR TODAY

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that the call of the Private Calendar be dispensed with today.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

THE LATE HONORABLE WILLIAM J. GREEN, JR., A REPRESENTATIVE IN CONGRESS FROM THE STATE OF PENNSYLVANIA

The SPEAKER. The Chair recognizes the gentleman from Pennsylvania [Mr. Morgan].

Mr. MORGAN. Mr. Speaker, we are gathered here today to pay tribute to the memory of a beloved colleague whose career came to an untimely end on last December 21. On March 5, 1910, William Joseph Green, Jr., entered this world in the city of Philadelphia, born of parents of modest means. Bill grew up in the city of his birth, attending local parochial schools and later studying at St. Joseph College.

Young Bill Green followed his academic training with firsthand experience which began on the ground floor of politics. Long before he was old enough to cast his first vote, he was taking an active interest and part in local political activities. Through the years, he worked his way upward, holding two State positions and serving as leader in the the 33d ward in Philadelphia. Bill was first elected to Congress in 1944. He eventually became an influential member of the powerful Ways and Means Committee. Bill never lost sight of his local responsibilities during his service in Washington. Concurrent with the reform Democratic movement in Philadelphia in 1953, he was elected chairman of the Democratic organization and in the past decade proved the most able leader the city has ever had.

It has been my honor and privilege to number myself among Bill Green's close personal friends. During the nightlong session of the House on December 21, it was my sad duty to announce his passing, which I did with a deep sense of personal loss and grief. I know that all Members who heard me shared my feeling of shock and bereavement, for during his long tenure of office Bill had won close and devoted friends in all who came to know him.

Bill Green epitomized the best in American political life. He was a man devoted to his family and to his religion. He had early dedicated himself to public service and made it his way of life. Throughout, Bill demonstrated a rare native ability, which developed and grew with the years. His innate honesty and integrity inspired faith and confidence in those with whom he worked. With these traits, plus his genuine liking for his fellow man and his eagerness to render constructive public service, it is no wonder that Bill was acclaimed as the greatest and strongest leader in the city of Philadelphia, as well as one of the truly outstanding leaders and statesmen in the Congress here in Washington.

During his long years in this House, Bill became known as a fearless champion of the rights of the laboring man and a stanch supporter and author of many constructive measures. His high level of leadership led him into close personal contact that developed into warm personal friendship with Presidents Truman, Kennedy, and Johnson, all of whom trusted, admired, and liked him. His sage political advice was sought by many.

As I look back on the long years of our service together, I feel that my own life is the better for having known and associated with Bill Green. I learned much from him and from the example he gave to those who followed his career in public life. In joining today in tribute to the memory of this great American and warm personal friend, we are saddened to realize that his career was so abruptly ended while he was still so young that we had every reason to expect him to be with us for many, many more years of fruitful accomplishment for his State and country.

I know it must be a source of consolation to his widow and children to know that his colleagues have gained inspiration from the career of their husband and father and for years to come we will continue to benefit from our memories of his patient wisdom, his legislative skill, and his many other sterling qualities which made him a truly great American.

Mr. ALBERT. Mr. Speaker, will the gentleman yield?

Mr. MORGAN. I yield to the distinguished majority leader.

Mr. ALBERT. Mr. Speaker, I join the gentleman from Pennsylvania and his colleagues from his great State in expressing my deep, personal grief at the passing of our late colleague, William J. Green, Jr.

Bill Green was a man of unusual ability and unique talents. He was a great and knowledgeable legislator. He was a competent and dependable member of the Committee on Ways and Means. He was one of the most effective political leaders and organizers of our time. He was chairman of his party organization in one of the largest cities in the country—the great historic city of Philadelphia. He was a most effective leader in the campaign that led to the nomination and election of John Fitzgerald Kennedy as President of the United States.

Bill Green was a big man. A partisan politician, his politics were never petty or personal. His warm friendship touched every human being who knew him. It knew no party aisle.

Bill Green was a great progressive legislator. His political strength was based primarily upon his compassion for and his interest in his fellow man. He understood the problems and the issues of his day and he made a lasting contribution to the welfare of his generation and generations to follow. Strong, intelligent, resourceful, but reasonable and always friendly, Bill Green was a man who stood out in this House and in this country as one of the strong men of our time. We will all miss him. The great City of Brotherly Love has lost a true champion. This House, this Nation, the State of Pennsylvania and the Fifth Congressional District have lost a most valuable public servant.

Mrs. Albert joins me in extending to Mrs. Green and all the family, neighbors, and friends of our late colleague our sincere sympathy in this time of their bereavement.

Mr. HALLECK. Mr. Speaker, will the gentleman yield?

Mr. MORGAN. I yield to the distinguished minority leader.

Mr. HALLECK. I thank the gentleman from Pennsylvania.

The gentleman has referred to the fact that in the recent very late session held by the House it was his sad duty to announce the death of one of our colleagues.

I was as shocked and grieved as anyone could be at the untimely passing of our beloved colleague, Bill Green. At the time of the gentleman's announcement I spoke some of my innermost thoughts on the life and character of Bill Green. When I learned that a subsequent day was to be set aside for whatever we might wish to say I did not put my remarks on that occasion in the Record.

I am sure the gentleman will obtain unanimous consent for all of us to extend our remarks, and that I shall do in connection with the remarks I heretofore made.

But on this occasion, Mr. Speaker, I want to add this as a personal tribute from Charley Halleck, of Indiana, the Republican leader here in the House. I have often said that we have the center aisle that divides us politically, but to me one of the greatest experiences of my service here has come from the friendships, the very deep, warm friendships that I have been privileged to have without regard to that center aisle. Very properly it has been said here by those who have spoken from the Democratic side of the aisle that Bill Green was for his political party a magnificent, effective leader. We on this side have been on the receiving end of some of that, and we respected him for the effective manner in which he fought for his convictions. No one of us ever resented that. I think even sometimes in defeat we rather gloried in the fact that he was able to do the things he set out to do, but in a more personal vein I just want to make it clear for the record that I considered Bill Green one of the finest friends I have ever had here in the House of Representatives, and that covers a span of some 29 years. It was my great privilege to go to a little affair with him that he and one of our colleagues on our side of the aisle sponsored for one of the distinguished Members here in the House of Representatives. That fine gesture on Bill Green's part was typical of the great friend that he was for all of us. There he demonstrated the hospitality, the friendliness, and the good will that characterized him all of his life. I recall that recently, while in a gathering with President Johnson, I mentioned to him the fact that we had been at the party which took place not too long before our colleague's fatal illness. He said, "I just wish someone had thought to send me an invitation." I am very sure he would have been there, because, like all of us, I am confident he had only the highest respect for Bill Green.

So, to his widow, to his children, and to all of his family and friends I say that I am just as sorry as I can be that he is no longer with us. And may God bless them all.

Mr. MORGAN. Mr. Speaker, I yield to the distinguished gentleman from Pennsylvania [Mr. Barrett].

Mr. BARRETT. Mr. Speaker, 1 month ago today, December 21, 1963, my very dear friend and colleague, the Honorable William J. Green, Jr., passed away. Our Nation and this House lost a great and most capable leader.

To his mother, his devoted wife, Mary, and his children, Mrs. Barrett and I extend our heartfelt sympathies and humbly pray the Lord gives them the strength to understand His will.

Mr. Speaker, Bill Green was more than a colleague of mine. He was a loyal and devoted friend. Upon his broad shoulders he not only carried our political burdens, but took into his heart our personal problems. He was "always just around the corner" when we needed him and his talent to understand was insurmountable.

Bill, like I, was born in the City of Brotherly Love. He was educated in the Catholic schools; was graduated from St. Joseph's Prep School and also attended St. Joseph's College. As a profession, he chose to become an insurance broker. He served in the U.S. Army during World War II and began his first term in the U.S. Congress when the 79th Congress convened on January 3, 1945. Except for the 80th Congress, Mr. Green was a valued Member of this House until his untimely passing.

It is self-evident that his political star would shine brightly for he was a leader of men. His destiny was charted and great accomplishments would be his.

As a champion for the Democratic Party he was unequaled and those who observed him knew without a question of a doubt that he would succeed in his mission. We all knew of his great admiration for our late President Kennedy, and of his devotion and loyalty to President Johnson. His political star had reached the pinnacle. His destiny was fulfilled.

Mr. Speaker, our Nation has lost a greatly talented and humble man. Our Commonwealth of Pennsylvania has lost a favored son. Our city of Philadelphia has lost a noble warrior. I have lost a devoted friend.

In my grief, I pray for his loved ones. May they be comforted and blessed—and I hope they may find consolation in this verse from the Gospel of St. Luke, which so perfectly eulogizes Congressman Bill Green:

> The good man from the good treasure of his heart brings forth that which is good.

Mr. MORGAN. Mr. Speaker, I yield to the distinguished gentleman from Wisconsin [Mr. Byrnes].

Mr. BYRNES of Wisconsin. Mr. Speaker, I want to join my colleagues from Pennsylvania in paying tribute to our late colleague, Bill Green. We were all, of course, greatly saddened at his passing. Bill was a friend of all of us. He was an admired political leader, but as a political partisan he certainly did not permit that to dictate his friendships because he had as friends people of all political persuasions. All who knew him could not help but think of Bill Green as one of their friends.

Bill Green was a very able member of the Committee on Ways and Means. All of us on that committee who served with him, whether on his side or on the Republican side, admired him for his ability and his faithful service on that committee.

We will all miss Bill Green. I personally felt a great loss at his passing. Mrs. Byrnes joins me in expressing our deepest sympathy to his family.

Mr. McCORMACK. Mr. Speaker, will the gentleman yield?

Mr. MORGAN. I yield to the distinguished Speaker of the House.

Mr. McCORMACK. Mr. Speaker, the story of Bill Green's life is a Horatio Alger story, starting out with ambition and the courage to attain that ambition. His life was really representative of American institutions of government; the opportunity that everyone has under our form of government, if they have ambition, to get ahead, and if they have the courage and the determination to accomplish their ambition.

As we read the life of Bill Green, we know it is an example for young men and young ladies of America to follow, to take advantage of the opportunities that are offered under our form of government.

Mr. Speaker, we who served with **Bill Green** will always remember him. Our memory of him will always be a treasured one, because of the wonderful qualities that he possessed, the determination to take advantage of the opportunities offered to contribute in a constructive way not only to other human beings, but to our own Government.

Mr. Speaker, **Bill Green** was a man of deep faith. He believed in God and the truths of God. In his own way and in his own life he lived up to those truths. He was not a traditional believer. He firmly and strongly and actively believed in a God and in His word and in His law.

Bill Green also had deep faith in the American institutions of government. He exemplified that on so many occasions in and out of public life, and in his years of service in this Chamber, as we know who served with him. Reference has been made to his partisanship in politics but also to his fairness. That is a wonderful quality to possess, whether one is a Democrat or a Republican, because I like to see a man fight strongly for the principles and policies of his party, but do so in a fair and an honorable way.

My friend, the gentleman from Wisconsin, **John Byrnes**, has aptly and ably referred to that quality of our late friend, **Bill Green**.

The evidence of the respect that he enjoyed of his Democratic colleagues was shown some years ago when he was unanimously elected, by the Democratic caucus, a member of the Committee on Ways and Means.

The evidence of respect was shown by the profound friendship that existed for **Bill Green** by all of his colleagues without regard to party or political affiliation.

The respect was also shown by the confidence that was reposed in him by Presidents of the United States. When a man occupies the office of President, whether Democrat or Republican, he commands my complete respect and my complete confidence. I might disagree occasionally with a President, but I would never have a lack of respect or lack of confidence in him, nor would I impugn the purity of his motives.

Bill Green enjoyed the complete confidence of Franklin D. Roosevelt, Harry Truman, Dwight Eisenhower, John F. Kennedy, and also Lyndon B. Johnson.

He was a wonderful husband, he was a wonderful father. He set an example for all to follow.

In his loss the House has sustained a great loss through the taking from our midst one of our most valuable Members. He was not the flashy type, he was not the sensational type, but he was one who worked quietly and effectively. He cooperated with his leadership in a manner that will always be a prominent part of my thoughts during the remainder of my life.

To Mrs. Green and her loved ones I extend my profound sympathy in their great loss and sorrow.

Mr. MORGAN. I yield to the gentleman from Pennsylvania [Mr. **Flood**].

Mr. FLOOD. Mr. Speaker, nearly 20 years ago the gentleman from Pennsylvania [Mr. **Morgan**], leading in this eulogy today, the gentleman from Pennsylvania [Mr. **Barrett**], the Speaker pro tempore at this moment, **Bill Green**, and myself came to this House. I represented the heart of the coalfield region, 120 miles to the northeast. **Bill** was a big-city boy. During these past 20 years the four of us have been very close indeed. It was a shattering moment late in December when the gentleman from Pennsylvania [Mr. **Morgan**] informed the House of the sad news of **Bill Green's** passing.

The final departure of **William J. Green, Jr.**, of the Pennsylvania Fifth District, is a serious loss, not only to those of us who knew, admired, and respected him for his talents as a Congressman, but also to the many thousands who valued his political accomplishments, even from afar.

Man and boy, **Bill Green** was a citizen of Philadelphia, and he burned with a desire to serve the needs of the people and strengthen the traditions of that fair city. And—in keeping with this desire—he had the capacity to comprehend the needs of the times and serve his constituents with unflagging energy and unswerving devotion.

Entering the political field following several years in the insurance business and a stretch in the Army, **Bill Green** proved himself, from the start, a tough campaigner, a man of vitality, and a fast, sharp thinker on all issues of major importance. In the election of 1944, at a time when Philadelphia was still under tight Republican control, he sought and secured the Democratic nomination for Congress. Then, to the astonishment of many, he proceeded to carry his district with a sizable majority.

In his first term in Washington, **Bill Green** established himself as a particularly effective legislator and a man to be reckoned with at all times. 1946 was a Republican year in Philadelphia, however, and **Bill** was unseated—but only for the moment. Rallying, he came back in 1948 to recapture the seat he had held previously and proceeded to hold it, thereafter, until death relieved him of the responsibility.

A graduate of St. Joseph's Prep School in Philadelphia, **Bill** never felt obliged to finish college and therefore never did. This did not, however, prevent him from acquiring an education, for, to my way of thinking, he seemed among the best educated men in Washington, in fields ranging from foreign policy to baseball, and back again.

As a private citizen, **Bill** was also an outstanding personality, acquiring, among other things, a lovely wife and six charming children. But to those of us who knew him in the political sphere, the suspicion was that regardless of his other talents, politics was a game at which he was undoubtedly a past master.

Entering the political struggle in a city that had been dominated by the opposition party for almost 70 consecutive years, **Bill** displayed a will and determination that was to provide the basis for a political revolution in Philadelphia.

He organized groups, started clubs, met and introduced new political workers, and in short time was the head of a rapidly growing political organization. In no time, it seemed, he had brought together many diverse Democratic factions—to the point where victory seemed assured. The next thing we knew, **Bill Green** was a national figure, as a result of the fact that his organization, so long in the minority, had overwhelmed the Republican machine and taken control of city hall in the year 1955. From that point forward, until his death, **Bill Green** was recognized in the political world as a kingmaker, a party-builder, and, in short, a first-class, unqualified winner. There are not too many of those people around today or, for that matter, any day whatever.

As a climax to his career, **Bill Green** took charge of the 1960 Democratic presidential campaign in Philadelphia, with the result that John F. Kennedy secured an astonishing majority in the city of 326,000 votes—the largest ever in Philadelphia political history.

Yes, we who admired the political ability of **Bill Green** will miss him dearly in the days ahead. And those of us—myself included—who knew and loved him as a person, will be doubly mournful. It was an honor to know him—an honor to work and serve with him—an honor in fact, to have lived in the same country with him.

Mr. MORGAN. Mr. Speaker, I yield to the gentleman from New Jersey [Mr. **Cahill**].

Mr. CAHILL. Mr. Speaker, and Members of the House, while every Member of this House will undoubtedly miss the companionship of Congressman **William J. Green, Jr.**, no one, I can assure the membership, will miss him more than I will. During my 6 years in the House of Representatives Congressman **Green** has been one of my closest friends and greatest helpers. The friends that I have made, especially on the Democrat side of the House during the period I have been here, are the result in most instances of the unqualified imprimatur of Congressman **Bill Green**. Because he was my friend, his friends became my friends. Because he was my friend he attempted in every conceivable way to help me on the road to becoming a good Representative. Many doors were opened for me by **Bill Green** and I have learned much from him not only about politics but more importantly about our relationship with our fellow men and with the art of living. The more I knew of **Bill Green** the more I respected him. He possessed many unusual qualities. He was loyal, courageous, thoughtful, charitable, and above all, forgiving. **Bill Green** has had many fights in his political life but to my knowledge he never carried a single grudge.

I first became acquainted with Congressman **Green** some 35 years ago when we were both freshmen at St. Joseph's College in Philadelphia. That association grew stronger and more intimate as a result of our service here in the House of Representatives. Congressman **Green** was indeed an outstanding Member of the House of Representatives. As a member of the Ways and Means Committee he played a vital role in the most important legislation presented to the Congress. Congressman GREEN was also a national political leader. He became a national leader through his own efforts, his own hard work, his own organizational ability, his political principles, and his competitive spirit.

During his lifetime he enjoyed the friendship of most of America's great men including Presidents Roosevelt, Truman, Kennedy, and Johnson. Of all the men with whom BILL GREEN was associated during his lifetime he took, I think, the greatest pride in his association with the late President John F. Kennedy. When BILL GREEN spoke of President Kennedy you could see the pride shining in his eyes. It is interesting to note that these two men, who came to know each other through politics and who grew in friendship through the years, had so much in common. Their ancestry, their religion, their early family background, their belief in the priciples of the Democrat Party were the same. They both understood human nature. They were both kind and loyal and both possessed a fighting competitive spirit. Each of them fortunately also possessed a magnificent sense of humor so that they were able to take everything seriously except themselves. President Kennedy's assassination was not only a personal loss to Congressman GREEN but I believe it had a tremendous emotional and physical effect upon him. Many things have been said today in praise of Congressman BILL GREEN. I could reiterate all of them and add some more. Time does not permit me to say all I want to say. Congressman GREEN throughout his life was an obedient son, a devoted husband, and a loving father. While he was a man of national stature, he possessed great humility. He could disagree without being personal; he could fight without being bitter; he could win and he could lose with equal grace; he asked little and gave much; he was all forgiving. His greatest saying in politics was:

> I never remind anyone of what I do for them but I never forget what anyone does for me.

While we were of opposite political parties, BILL GREEN and I were always the best of friends and I always believed that he was at all times doing his best for the people he represented and for the Government and the country he loved. He was the least appreciated but the most productive public official in the State of Pennsylvania. While everybody did not like him, everybody had to respect him. This is all BILL GREEN ever wanted.

Betty joins me in very sincerely and sorrowfully expressing deepest sympathy to Mary and the family. All of us pray that he is—as we know he is—with his Creator at this time.

Mr. THOMAS. Mr. Speaker, will the gentleman yield?

Mr. MORGAN. I yield to the gentleman from Texas [Mr. THOMAS].

Mr. THOMAS. Mr. Speaker, it is a great privilege for me to join the many, many friends of our late and beloved "BILLY" GREEN, in paying my respect to him.

I recall when "BILLY" first came here about 20 years ago. At that time, as has been said, the gentleman from New York [Mr. KEOGH], the gentleman from Ohio [Mr. KIRWAN], and one or two members of his own delegation all were attracted to "BILLY." He was quiet. He was modest. Above everything else, he tended to his own business. He never had an unkind word to say about anybody. If he disagreed with you, why, he disagreed and that was it.

As time passed I doubt if any other man in this body grew more than "BILLY" GREEN. He grew in stature, in intelligence, and in actual accomplishments.

We have heard it said many times today that "BILLY" had a great understanding of people, a great organizing ability, and a great managerial ability, and accomplished an outstanding job for his party in the great State of Pennsylvania and certainly in the great city of Philadelphia.

He was a great leader, and it is too bad that he was taken right in the prime of his life. We have lost in this House a good many men in the last several years, long, long, long before their day. One of them was "BILLY." If I may be a little personal, I remember the beloved and distinguished gentleman from New Jersey who has just addressed the House, Congressman CAHILL, and our beloved friend "BILLY" and our beloved Speaker and some of our distinguished friends from the White House—Mr. O'Brien—our very beloved minority leader, CHARLEY HALLECK, our beloved colleague, our majority leader, the gentleman from Oklahoma [Mr. ALBERT], the gentleman from Massachusetts [Mr. BOLAND], our beloved friend EUGENE KEOGH of New York, and 10 or 12 of us who were having dinner together late last year. "BILLY" looked as well and as hale and as hearty as any human could. That was less than 10 days before. Well, the House has lost a great Member and the Nation has lost a great legislator and the State of Pennsylvania has lost a true friend.

May I join the gentleman from Pennsylvania [Mr. MORGAN] and, Mr. Speaker, the many friends of "BILLY" GREEN and may I extend to his lovely wife and his children my deep understanding and sympathy in their great loss.

Mr. MORGAN. Mr. Speaker, I yield to the gentleman from Ohio [Mr. BROWN].

Mr. BROWN of Ohio. Mr. Speaker, I wish to join in the tribute being paid to the memory of a great American, BILL GREEN. BILL GREEN was an outstanding Member of this House. It was my privilege to know him from the day he came into this Chamber, and throughout the years since our friendship blossomed and became warm and close.

He made his mark as a great legislator, just as many other men have reached greatness in this Hall of the Congress. But I wish to speak, if I may, about BILL GREEN in another way. We were of different political party affiliations. I have devoted a great part of my life to political organization just as BILL GREEN devoted his. We talked many times regarding political matters affecting our respective parties.

BILL GREEN would often tell me what he thought would happen politically in Philadelphia, in Pennsylvania, and in other parts of the country. He was a good forecaster, an able prognosticator, and a great prophet, because he was usually right in his predictions within a very, very few votes. In turn I would tell him what I thought might happen on our side of the political fence in different sections of the country.

I have been in the field of national politics long enough to know, as I am sure most of the men and women here in this House know, because we are all interested in matters political, that no man can become a political leader in his own party, a national political figure—not just a State figure but a national figure such as BILL GREEN—and a leader in his beloved city of Philadelphia, in his State of Pennsylvania and in the Nation, unless he is a kindly man, unless he is interested in other people, unless he gives of himself as well as taking from others, and unless he is absolutely honest. BILL GREEN was one of the three or four great political leaders of his party in this country of ours. No man can long be a success in the strenuous life of national politics, and especially attain the leadership of his party, unless he is absolutely honest and dependable.

BILL GREEN was that type of a political leader. He was so recognized, not only by those in his own party, not only by his colleagues in the House, but also by those of us who belong to the opposite party.

We sometimes crossed blades of steel with BILL GREEN in political combat. Never once, to my knowledge did he fight unfair, or do a little thing. He was a man of his word, a man of character, and a man of whom the great Democratic Party can be justly proud that he saw fit to serve it during his lifetime, just as we who serve in this House are grateful that he gave of himself to us here. BILL GREEN will always be missed, and yet he will always be remembered.

Mr. MORGAN. Mr. Speaker, I yield to the distinguished gentleman from New York [Mr. KEOGH].

Mr. KEOGH. Mr. Speaker, twice during the waning days of 1963 we were enveloped in great grief and sadness. First was the tragic death of our beloved President, John F. Kennedy, and, on Christmas eve, we laid to rest our distinguished and beloved colleague, Representative WILLIAM J. GREEN, JR., of Pennsylvania.

BILL GREEN was my good and dear friend, and it does not seem possible, as we begin the 2d session of the 88th Congress, that he will not be with us. We served together on the Committee on Ways and Means, and I had occasion to observe the diligence and painstaking attention he gave to the difficult and complex problems which have come before the committee. His was a keen mind and one which we could ill afford to lose. In addition to his duties as a Member of the House, he served with credit and distinction as chairman of the Philadelphia Democratic City Committee, and the

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constant demands made upon his time and energy undoubtedly contributed to his early and untimely passing. His was a life devoted to public service, and he served his country and the people of Philadelphia well and faithfully.

Bill Green was a kindly man and possessed a refreshing sense of humor which often lightened the burdens of his colleagues and friends. He was a man of great strength, courage, and wisdom—always available to those who sought the benefit of his sound advice and wise counsel.

His relationship with our late President was a close and personal one, and he was stunned by the sudden termination of that young and brilliant life. Little did he know at the time that so soon thereafter he, too, was to leave us and to join his friend in eternal rest. The world is a better place for the time Bill Green was among us. I shall miss him greatly, and I shall cherish his memory.

To his mother and his lovely and devoted wife, Mary, and to his fine children, I extend my deep and heartfelt sympathy on their great loss. I hope that they will find consolation in the knowledge that while we do not know the time or the place of our leaving this world, God knows, God directs, and all is done according to God's plan for each of us, including Bill Green.

Mr. MORGAN. Mr. Speaker, I yield to the distinguished gentleman from Pennsylvania [Mr. Dent].

Mr. DENT. Mr. Speaker, I share with my colleagues in the Pennsylvania delegation and, I am sure, with all Members, sadness at the death of Congressman William J. Green, Jr., who represented his Philadelphia district in the House for 17 years.

I think that our very sense of loss should call forth enhanced recognition of the kind of man Bill Green was during his lifetime.

He was a man of politics. He knew how to organize men into a team and how to make that team operate effectively in order to gain political support for his party.

Bill Green was elected Democratic city chairman of Philadelphia in 1953. From the time of the Civil War until the time he was elected Democratic chairman, Philadelphia was a Republican city. Registered Republicans outnumbered registered Democrats by something like 2 to 1. Bill Green changed that. Whipping his party organization into shape so that it could make a more effective appeal to Philadelphia voters, Bill Green was in great part reponsible for the fact his city voted for John F. Kennedy for President in 1960 by a record majority of 326,000 votes. President Kennedy carried the entire State of Pennsylvania by only 116,000 votes, and he himself said that Bill Green was the man most responsible for placing Pennsylvania's electoral vote in the Democratic column.

Bill Green had the respect of all who knew him; his chief opponent in Philadelphia, Republican Chairman William J. Devlin, expressed this regard in these words:

> The city of Philadelphia has lost a great political warrior and a dedicated public servant.
>
> The Democratic Party has lost the greatest and strongest leader in its history.

Having said all this about him, I have not yet said what is most important. Yes; he was a man of politics—one of the greatest. But politics to Bill Green was never an end in itself. Politics for him was a means. He made politics a means of achieving ends to which he dedicated a great heart and a keen and perceptive mind.

Bill Green dedicated himself to the great ends of liberalism.

He spoke out as champion of the rights of working men and women. Let me give you some of his own words spoken a few years ago in opposition to legislation which threatened to cripple labor's right to organize and to strike.

> If you think—

He said—

> that you are going to press a crown of thorns on the working men and women of this country you have another guess coming.

He said:

> The history of practical politics and the people who are trying to play that game show that those people have been defeated, and they should be defeated because the working men and women of this country are going to continue to grow and to organize and get their just rights.

Bill Green showed us the true aims of the Kennedy administration's programs of public assistance and welfare. His philosophy was that public welfare should be more than a stopgap program to feed those in need. His philosophy was that welfare must be aimed at helping those who receive public assistance to become self-dependent. He said that welfare programs must aim at "promotion of individual independence through community work and training programs." More than this, he declared that Federal and State agencies must undertake "prevention of dependency by dealing with the causes."

Bill Green had always in his heart and mind a special concern for underprivileged children, for the aged, for the handicapped, and for the socially maladjusted.

He spoke out especially as a champion of public aid for the blind. True to his liberal way of thinking, he urged that such aid be really adequate to enable blind persons to achieve a state of self-care, or self-support. He said that aid to the blind should be "directed toward assisting needy blind persons to work their way from dependence upon blind aid to the achievement of economically independent lives."

His fellow Members from Pennsylvania will remember Bill Green's ardent support of Federal aid for depressed areas in our State.

His colleagues on the Ways and Means Committee will remember Bill Green's devotion to committee work, his unusual intelligence and energy.

Mayor James H. Tate, of Philadelphia, said of Bill Green:

> For his service to his neighbors as their democratic leader, for his work in the Halls of Congress, he fought a battle of conviction for the ideals of democracy and for the working men and women of Philadelphia.

Mr. Speaker, we have lost a colleague and a dear friend whose life exemplified both the great American tradition of democratic politics and the best and truest liberalism.

My own personal friendship with Bill Green goes back for more than a generation. A generation in which many changes were made in our manner and method of living in this Nation.

I will always remember his valiant fight to rid our party of the self-seekers, the hangers-on who sprouted just before elections and then withered away until the spotlight of the next campaign would swing its arc and light up their, most times, futile attempts at leadership.

It was only the untiring, unselfish, and ofttimes heartbreaking personal efforts of Bill Green that welded our party into a winning political force.

He had a faculty found only in the leaders of men in all history, in every endeavor, that natural magnetism that drew and held to his leadership, men and women in every walk of life, a reassuring devotion and loyalty above and beyond the call of political or party duty.

His was a leadership based upon integrity, honesty, and reliance on a word given and a word honored. His word was his bond.

Bill Green often said that "friendship cannot be sealed with an affidavit or written contract. You are either a man of your word or you are not—there is no in-between area in friendship."

This was the core of Bill's philosophy and this was the reason for the loyalty and devotion of his followers in politics and the warmth and understanding in his personal friendships.

Mr. Speaker, our world as we know it, lost a truly great contributor to the betterment of our way of life.

His untimely death following within a few short weeks after the passing of his personal friend and political associate, our late President John F. Kennedy, was a double blow to the good and faithful peoples of our great State. Their work was left unfinished. We can build an everlasting memorial to their memory by enacting legislation for the betterment of the American people in all the walks of our national existence.

Let us, today, write their faults upon the disappearing sands of the ever moving seas, and their virtues upon the everlasting tablets of memory.

Recently, during the holidays, I read a prayer that voices the hopes, the aims, and the ultimate goal of men of good will amongst whom we must count in the front ranks our late beloved colleague, William Green. I would like to read this prayer since it expresses these worthy desires much better than I:

> Let us pray that strength and courage abundant be given to all who work for a world of reason and understanding; that the good that lies in every man's heart may

> day by day be magnified; that men will come to see more clearly not that which divides them, but that which unites them; that each hour may bring us closer to a final victory, not of nation over nation, but of man over his own evils and weaknesses; that the true spirit of this moment with its prayer, and its hope, and above all its abiding faith—may live among us; that the blessings of peace be ours—the peace to build and grow, to live in harmony and sympathy with others, and to plan for the future with confidence.

To his aged mother, to his beloved wife, and to their children I extend the regards and sympathies of Mrs. Dent, myself, and our children.

Mr. MORGAN. Mr. Speaker, I yield to the gentleman from Pennsylvania [Mr. NIX].

Mr. NIX. Mr. Speaker, the burden of sorrow which accompanies the stark realization that one has lost a dear friend often renders the most fluent among us inarticulate. Yet, in such circumstances, all of us are able to summon from our reservoir of memory some of our cherished impressions; and, in giving voice to them, somehow death becomes less formidable and perhaps not quite so final.

My friend and our colleague, WILLIAM J. GREEN, JR., was a strong and practical man; yet, there flowed from his personality a cordiality of heart and a serene gladness. He gave freely to all the priceless gift of friendship. He took every man's good will for granted. It can truly be said that his sense of fraternity, his gift of understanding, and his compassion are reflected in the widespread sense of loss at his passing.

In 1953, during the early stages of the Democratic Party's renaissance in Philadelphia, there was a need for a man who spoke the language of the heart, who was shrewd and pragmatic, who was bold in planning, who remained calm in the midst of confusion, who concerned himself more with the factors which united the party than those which divided. All of these qualities and more were found in BILL GREEN. Accordingly, history has recorded the signal effect of his leadership and influence upon the success of the Democratic Party in Philadelphia, in Pennsylvania, and in the Nation.

Mr. Speaker, if time be measured by the Creator, perhaps WILLIAM J. GREEN's 53-year span of life was but a brief interlude. If measured by the yardstick of our affection for him, his passing moment with us was far too brief. If measured by the magnitude of his contributions to his city, State, Nation, and party, neither brevity nor fleetness is sufficient to express the extent of time he will remain with us. In his allotted time among us, he gave added nobility to our concept of friendship by the unstinting gift of his own friendship. By his unswerving adherence to the code of loyalty, he demonstrated for all of us that loyalty is a gem as precious as life itself.

He made it evident that leadership has many facets; and that among these, humility, understanding, and forgiveness hold equal importance with dedication, ability, and planning. In an age when many men of influence, high station, and power follow the false glitter of ostentation; are lured away from the solace and promise of religion; and are oblivious to the discipline and beauty of family life; his life epitomized the quality of simplicity. His religious faith remained unimpaired. His love and devotion to family is a monument to felicity.

Mr. Speaker, although we cannot pierce the veil of an inscrutable destiny nor alter its decrees, we do find comfort in the knowledge that the life of each one of us has been immeasurably enriched because our friend, BILL GREEN, tarried a brief moment in our midst.

Mr. MORGAN. Mr. Speaker, I now yield to the gentleman from Pennsylvania [Mr. TOLL].

Mr. TOLL. Mr. Speaker, on Saturday, December 21, at 4 a.m., while on the floor of the House, participating in the foreign aid appropriations meeting, I learned the sad news of the death of my close friend and colleague, the Honorable WILLIAM J. GREEN, JR. Had he been well, he also would have been on the House floor as leader of the Philadelphia congressional delegation. He and his colleagues were devoted to their duties and always tried to support the Kennedy and Johnson administrations.

When I first ran for Congress in 1958 after serving 8 years as a representative in the Pennsylvania General Assembly, I was sponsored by the late Councilman Charles M. Finley. There were 12 of us in the primary election. Mr. Finley took me to lunch with Chairman GREEN, of the Philadelphia Democratic Party, 2 weeks before election day and received a commitment for my support. I was nominated and my sponsor died before the general election. The chairman was a man of his word, and I was elected with party support to the 86th Congress.

In the next presidential election Mr. GREEN strongly supported John F. Kennedy, and he brought the young Senator to my district for a talk to the largest audience we ever had. A representative of the Jewish Community Relations Council asked me to get President Kennedy's signature on a picture showing the President in formal attire and GREEN wearing a business suit. President Kennedy wrote above his name on the photograph, "I always get dressed up when I have to meet BILL GREEN."

BILL GREEN was extremely well informed about many legislative matters. He invited me to many meetings with Philadelphia groups and constituents. It was my privilege to attend many breakfast, luncheon, and dinner meetings with him and I was always greatly impressed by his knowledge, memory, and judgment. In turn, he listened to my views on legislation and frequently joined me in supporting liberal measures. He had a very good liberal and labor record.

Our congressional districts were separated by Frankford Avenue. BILL represented the east side and I represent the west side. We cosponsored a number of bills for the benefit of our constituents. In 1963 we introduced identical resolutions—TOLL, House Resolution 341, GREEN, House Resolution 342—urging the proper bodies of the United Nations to promote and support Arab-Israel meetings and conferences to establish peace in the Middle East.

As the Democratic leader of the largest ward in the city of Philadelphia, I had many political contacts with BILL GREEN as the Democratic city chairman and I observed his political wisdom. He was a strong party man and a terrific organizer. His direction of the work in the registration field was the best I have ever seen. He was diplomatic and gave people a second chance. I admired his political judgment.

BILL GREEN worked unceasingly in Congress and in politics for the benefit of our city, State, and Nation. Our people and his family are proud of his accomplishments in his public career.

I include the following from the excellent column by Arthur Klein in the Philadelphia Jewish Times of December 27, 1963:

THIS IS POLITICS

(By Arthur Klein)

"We shall meet, but we shall miss him,
  There will be one vacant chair;
We shall linger to caress him
  When we breathe our evening prayer."
—WASHBURN.

Yes; the chair is empty. Empty not in the sense of a possibility of being filled once again, but rather it is empty in the sense that the person who personified this expression has been taken from our midst. This term "the chair" had become synonymous with Congressman WILLIAM J. GREEN, JR., and with his passing goes into history one of the great epochs in political history of a man and a machine.

This was a man, fully eulogized over the past weeks, who never forgot his friends and always forgave his enemies. There are still many who can remember back 15 years to the time when the colleagues of BILL GREEN turned against him. He overcame their opposition and rose to a position of power. He did not walk over these people when he arrived at the top. Instead, he brought them up with him and made men of power and influence of them. And, for the most part, they were his stanchest allies.

His machine, too, was a testimonial to the work of which he was capable. As the system of the big-city political machine was going out of existence throughout the country, BILL GREEN was organizing and building a vote-getting operation that was second to none in the political history of this country. Through his intimate knowledge of what was happening he could call with great accuracy the future of elections in this city and he could play a great part in forecasting the future of the State or the Nation.

His ability in this field gained him the friendship and the respect of Presidents. Probably the highest tribute paid to him was the presence of the President of the United States at his funeral and the attendance of the brother of the late President Kennedy. These were, indeed, rare tributes to a rare man.

History will probably record BILL GREEN as one of the great political people in American history. It will record his tremendous efforts in the field of voter registration, which gained him national fame. It will record his effort in creating a strong Democratic organization from the ruins in which it found itself after 70 years of opposite party rule. It will record his prediction that his party's candidate for Governor, Richardson Dilworth, could not win. And, last but not least, it will record the 320,000 majority in the 1960 presidential campaign.

Mr. MORGAN. Mr. Speaker, I now yield to the gentleman from Pennsylvania [Mr. ROONEY].

Mr. ROONEY of Pennsylvania. Mr. Speaker, I rise to add my comments to those which are made today in memory of the late WILLIAM JOSEPH GREEN, JR., as a young man who owed him much in his lifetime for the encouragement and constant inspiration he offered.

It was my pleasure to know Congressman GREEN throughout my career as a leader of the Young Democrats in my native Northampton County, Pa., and as a member of the Pennsylvania State Senate in Harrisburg. Congressman GREEN was a close personal friend of my distinguished predecessors in the State senate and this Congress.

It would be impossible for me to put into words the effect BILL GREEN had upon the lives of younger men and women who became vitally interested in the Democratic Party. He gave them an understanding of politics and the nature of the elective process they might never have otherwise possessed.

When I was a young man, first considering active participation in the political and governmental life of my community, I was guided by two of the ablest and most distinguished men who ever served Pennsylvania—State Senator Joseph Yosko and Representative Francis E. Walter, both of Northampton County. Both are now dead, but each has left an undeniable and indelible imprint of his own personality on the destiny of our State and our Nation.

Certainly, all these things are true, also, of our late and beloved colleague, Congressman GREEN. Although he could devote his life to the cause of a political philosophy, he was, at the same time, a man who dedicated infinite wisdom, love, and loyalty to his family. I can think of no greater tribute to his consummate dedication to his lovely and charming wife, Mary, and their children than the fact that his son, William J. Green III, is now a candidate to fill the vacancy left by his father's death in this House of Representatives. Like his father, young William Green has chosen the road of public service and the path of dedication to the needs of human beings.

There is a tendency on the part of newspapers and publications in general to underestimate the humane principles of men who devote their lives to politics. It is far easier, of course, to cast aspersions, to criticize for the sake of criticism, to forget the good and useful services of a man and the political party of which he is a leader in the continuing difference of opinion which exists between editorialists and public servants. In the light of what we know of BILL GREEN'S life, those who have served with him and learned from him can add an important footnote to the temporary history which has been set down about him. We can say—and say proudly—that he was among the ablest practitioners of the art and science of politics this Nation has ever produced, for we believed, with him, that good politics dynamically organized and administered results in good government with a majority of the people taking part. We can speak of the warmth and understanding he brought to his deliberations in this House—and of the good humor with which his most serious thoughts might often be tempered.

These are the parts of a man of much complexity—a man who was more than a Congressman from a specific district, a man who recognized leadership in younger men and was willing to encourage and nurture those abilities with all the fibers of his being.

In 1960, when the citizens of Philadelphia went to the polls to choose a President of the United States, they proved that politics is sometimes the art of the impossible. They gave John F. Kennedy and Lyndon B. Johnson an overwhelming vote of confidence—a vote greater than any plurality ever registered in that city by any other candidates in its history.

No one was happier on that night—not even John Kennedy—than WILLIAM J. GREEN, JR., Democratic leader, Congressman, humanitarian, civic leader, and devoted champion of the young, newly elected Irish-American President of the United States.

That joy stayed with BILL GREEN through most of the remaining days of his life. It was cut short—as it was for all of us—by the death of John Kennedy.

The eulogies we speak here today will be some solace to us, as we remember. At least, in setting these words down in black and white, we have paid a part of the debt we owed BILL GREEN.

But nothing—no words we can speak or write—can repay him, or his family, for the hours of tireless effort, the unflagging sense of good humor, the broad grin, and the genuine joy of living he brought to our midst.

In politics, in service in this Congress, in the midst of his daily life with the family he loved more than anything else on earth, BILL GREEN was an extraordinary man of great talents and great abilities.

If we are fortunate, once in each generation, such men come along.

I am humbly grateful that such good fortunate fell to my State in my time.

Mr. MORGAN. Mr. Speaker, I now yield to the gentleman from Pennsylvania [Mr. BYRNE].

Mr. BYRNE of Pennsylvania. Mr. Speaker, I rise to pay tribute on my own behalf to our late and well loved colleague, WILLIAM J. GREEN, JR., and on behalf also of the thousands of people in Philadelphia and Pennsylvania to whom he endeared himself both as an individual and as a zealous public servant.

BILL GREEN, as he was affectionately known, was dedicated to the principles and philosophy of the Democratic Party because he sincerely believed that through that medium it was possible to achieve the greatest good for the greatest number of our fellow citizens. He served in this House with distinction and honor for 17 years. He was not only indefatigable in his efforts in behalf of his own district, but he was constantly alert for the interest of all the people of our State and of our Nation. From his earliest days he was devoted to the Democratic Party and he worked tirelessly to build and reconstruct our party in the city of Philadelphia and Pennsylvania in those lean days when it was not possible to hope for political preferment or reward, mainly because we were hopelessly outnumbered, and therefor there was very little chance of success; especially in fighting against an entrenched and powerful organization—supported by forces of great wealth and endorsed and aided by those who controlled the mediums of publicity.

He contributed greatly to the success of the Democratic Party in Philadelphia and Pennsylvania in the early days of our struggles in the political field, and in 1953 he was elected chairman of the Democratic County Executive Committee of Philadelphia. He not only solidified the gains we had made, but by his energy, sound judgment, his vision and his devotion to the public interest, he constructed one of the most efficient political organizations in the United States. In doing this he in no way faltered or diminished his attention to his duties or responsibilities as a Member of Congress. Indeed it is not too much to say that this continuous application to his responsibilities, with the constant and manifold demands this made upon his energy, resulted in the impairment of his health and his untimely death.

His courageous and forthright announcement in favor of the candidacy of John Fitzgerald Kennedy at the Democratic Convention in 1960 was a key factor in securing the nomination for our martyred President. His performance as leader of the Democratic campaign in Philadelphia in that year, which resulted in a majority of over 330,000 for President Kennedy, unprecedented in the history of Philadelphia for a presidential candidate, secured Pennsylvania's electoral vote for Mr. Kennedy and insured his election as President of the United States. His efforts in that election were not confined to Philadelphia only, but his counsel, advice, and energies freely given throughout the Nation and in other areas of the State, all were equally productive. President Kennedy was appreciative of his efforts and for BILL GREEN he had a warm affection and friendship, and he was numbered amongst the intimate counselors and advisers of our late President. He enjoyed, too, the friendship and the confidence of President Johnson who, despite the heavy demands made upon him at a most crucial period, went to Philadelphia for his funeral and a mass of requiem attended by thousands and celebrated in the cathedral there by His Excellency, the Most Reverend John F. Kroll, archbishop of Philadelphia.

As a political leader Congressman GREEN was not autocratic or domineering. He led well because he inspired those who were associated with him and because his character and personality commanded respect and affection. His friendships extended across party lines, both in this House and in our own State. In Pennsylvania he counted amongst his

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personal friends those who were prominent in the leadership of the Republican Party. While they recognized his vigorous espousal of the convictions he so firmly held they knew him also as a man of honor, sincerely attached and devoted to the things in which he believed.

In his personal life his character was outstanding. He was a man gifted with deep religious fervor, who walked humbly with his God and strove in his daily life to obey the divine law and the precepts of his religion. As a father and husband he was exemplary. His wife Mary and his children can well be proud of his achievements and accomplishments as a public servant and for the inspiration he gave them as a family throughout his life. With her and with them, I, who was his friend and colleague, join in saying, "Eternal rest grant to him, O Lord, and let the perpetual light shine upon him."

Mr. BOLAND. Mr. Speaker, will the gentleman yield?

Mr. MORGAN. I yield to the gentleman from Massachusetts [Mr. BOLAND].

Mr. BOLAND. Mr. Speaker, I seize this opportunity to join with the distinguished leader of the Democratic delegation from Pennsylvania, his colleagues from Pennsylvania, and my colleagues around the Nation in this tribute to WILLIAM GREEN.

In his zest for life and his zest for living BILLY GREEN was a delightful and stimulating colleague. I shall and do miss him because I genuinely liked him as a person.

The sudden death of a man at age 53—a man at the apex of his career—is almost impossible to understand. The enthusiasm and dynamism which characterized WILLIAM GREEN are very much a part of my memory of him.

I believe it is inescapable that one of the images we shall carry of BILLY GREEN is that of a politician—a politician in the most laudatory, the most complimentary, the most praiseworthy connotation of that word—for, just as we respect a doctor who is dedicated to ministering to physical needs of his patients or a clergyman who is dedicated to ministering to the spiritual needs of his parishioners, so all of us respect WILLIAM GREEN, who dedicated his life to the fulfillment of human needs in the political arena.

Talents are given to be developed and used both for the good of the bearer of the talent and for others. WILLIAM GREEN had a rare organizational talent and a keen perception of the political needs and desires of his neighbors. He perfected these talents in serving his constituents and his political party. There is no more honorable task.

Throughout his life his ability to lead and to inspire was recognized. In 1951 he was instrumental in returning the Democratic Party to office in Philadelphia after an absence of some 68 years. In 1953 he was elected Democratic city chairman of Philadelphia and served in that capacity for 10 years.

Nor did his influence stop at the lines of his district. As was mentioned here a moment ago by my colleague, Congressman DENT, President Kennedy credited him with insuring that the Democratic Party carried Pennsylvania in the 1960 presidential election. Often as I traveled with President Kennedy to the many sections of this country and across the waters, our late great leader, President Kennedy, often mentioned the fact that in the 1960 campaign BILLY GREEN was perhaps the most influential person he could mention and credited him with winning the Democratic endorsement of that convention for him.

The death of WILLIAM GREEN was a grievous loss to the city of Philadelphia and the State of Pennsylvania and this House. He was an able legislator and a valuable member of the Committee on Ways and Means. WILLIAM GREEN possessed massive political power and influence. But what seems most important to me is how he used that power and that influence. I believe he used it well. He was a man of principle and a man of his word. Certainly many there are who did not agree with him or with whom he did not agree, but there are none whose right to differ he did not respect or whose motives he questioned. Never did he confuse the right to disagree with the right to be disagreeable. He will be sorely missed in the years ahead. But he will be missed far more by his remarkable mother and his devoted wife and children. His devotion to them was a great source of strength to him and to them. I had the privilege of visiting his family often at the little seaside town of Longport in New Jersey and, believe me, there was no more delightful family to visit, none more ingratiating, and none more accommodating. Nothing did BILL GREEN enjoy more than the company of his own family.

So, I extend to his magnificent wife Mary, to his devoted children, William J., Mary, Ann, Michael, Dennis, and Patrick, my deep sympathy in their great hour of tragedy. I can say to them in this hour of tragedy they can take great comfort and their grief can be assuaged by the fact that he has been a credit to his family, to his church, to his Nation, to his State, and to his beloved city of Philadelphia.

Mr. MORGAN. Mr. Speaker, I yield to the gentleman from Pennsylvania [Mr. CLARK].

Mr. CLARK. Mr. Speaker, I want to join my colleagues today in eulogizing our beloved colleague and friend, the late WILLIAM GREEN, better known to most of us as BILL GREEN. He was a great American and statesman. His word was his bond. I knew BILL long before I came to Congress and admired him for his honesty, courage, and straightforwardness. I could always go to BILL GREEN for his help and advice. The country, the Commonwealth of Pennsylvania, the city of Philadelphia and his many friends will miss him very much. I extend my sympathy to his family who will miss him most of all.

Mr. MORGAN. Mr. Speaker, I yield to the gentleman from Pennsylvania [Mr. MOORHEAD].

Mr. MOORHEAD. Mr. Speaker, "the heart to conceive, the understanding to direct, the hand to execute"—Letter of Junius, March 19, 1770.

The death of my friend, our colleague, the late, great WILLIAM J. GREEN, JR., has been a loss to the Congress, to the Nation, and to freedom-loving democratic peoples everywhere.

In a world in which representative government abroad has often failed and, at home, is under severe criticism, BILL GREEN brought to the Congress a deep and wise understanding of the democratic process.

In our Nation, which has for too many years suffered from the divisive ills of extremism in politics, BILL GREEN, loyal Democrat, understood as Benjamin Disraeli did that "no government can long be secure without a formidable opposition."

There is a universality of the importance of the message of BILL GREEN's life which is of importance to freedom-loving people all over the world.

At a time when the entire world, but especially the newly independent nations, are considering the choice between the regimentation of a Communist dictatorship and, what may appear to them to be, the chaos of a free democratic society, the example of BILL GREEN is particularly meaningful.

BILL GREEN knew that in a successful democratic society the elected official should be neither the master nor the slave of the people.

BILL GREEN had that rare quality which is so essential for the success of democracy—political leadership.

He had political leadership because he had "the heart to conceive" and feel the needs and legitimate aspirations of the people.

But the mouthings of the beautiful but ineffective idealist were not his. He had "the understanding to direct" the popular democratic well-spring of feeling into reasonable and attainable goals.

This he did because BILL GREEN had the third great quality of a political leader which is essential in a democracy—BILL GREEN, the administrator, had "the hand to execute." Without this last ingredient of political leadership, democracy is an empty theory, producing nothing and hastening the onslaught of dictatorship.

Heart and head and hand—all of these were BILL GREEN'S.

Mr. Speaker, this world, this Nation, and this Congress will be the better if we learn to profit by the memory of the heart, the head, the hand—of our beloved colleague and friend, WILLIAM J. GREEN, JR.

Mr. MORGAN. Mr. Speaker, I yield to the distinguished gentleman from Illinois [Mr. LIBONATI].

Mr. LIBONATI. Mr. Speaker, the sudden death of our dear friend WILLIAM J. GREEN removed from the political scene one of the most powerful national leaders of the Democratic Party. His unswerving devotion to party loyalty and his exceptional ability to organize systematically the political activities of the party faithful at every level of the organization gave him a national reputation as a great leader. During the last presidential campaign, at the request of the Democratic National Committee, he stumped the Nation addressing Democratic organizations, schooling party workers in modern methods of canvassing, and using new approaches in stimulating voter registration. His practical and efficient methods and new ideas for the attraction of voters to the Democratic Party was an important factor in the success of the Kennedy campaign. In the city of Philadelphia where he officiated as city chairman, he repulsed the solid control of the Republican forces who had for 100 years—with several exceptions at rare intervals—delivering 326,000 plurality votes to President Kennedy—who carried the State by 116,000 votes. President Kennedy credited Mr. GREEN with the Democratic success in Pennsylvania.

Congressman GREEN was the product of the melting pot's teeming population—a rough and ready background prepared him to better serve the needs of his people.

In adversity he displayed coolness and control—no one ever overcame him by a surprise attack—either through the news media or his political enemies. He never abandoned a friend, but joined the fray anxious to see right prevail against might. He was direct and blunt, and did what he set out to accomplish. He was serious in his work and as a political leader did not live in a dreamland. He was sharp of mind and listened avidly to any interesting discussion and gave attention to the request of a friend or constituent. He was a quiet and gentle man, yet once aroused he became fiery and determined in voicing his resentment.

He lived in the world of politics and loved it. No one can match his versatility, and his like will never come this way again.

His climb to success was steady—being fortified by political wisdom and a deep knowledge of human nature. He was a strict disciplinarian in party matters and did not acknowledge the term "failure" as excusable. He developed leaders around him who were sincere and loyal. He followed the political philosophy that the worthy must be rewarded.

Political justice to his followers was based on the rules of the game as each played it. No phoney ever fooled him. His decisions were positive and unquestioned. He was fair, courageous, and considerate. He was fearless and never condescending. He could give credit to one who was deserving even though personally he held no esteem for the individual.

In the Congress, "BILLIE" GREEN, as he was affectionately called, was popular and influential. His colleagues respected his sound judgment and practical solution of legislative problems. He contributed much to the success of the party in legislative programs. He was a key figure among the leaders of the administration.

He molded the members of the Democratic Pennsylvania delegation to the Congress into an influential unit of solidarity acting in unanimity on legislative and policy questions. Among its members are the most active and deliberate legislators, authorities in their respective committees and dedicated to their duties and loyal to obligations to support party leadership, and above all serve the interests of the Nation and the citizens of Pennsylvania.

The Nation has lost a sagacious and dedicated statesman, the State of Pennsylvania and the city of Philadelphia its most powerful leader and influential Congressman, and the Congress of the United States a colleague admired and loved by his fellow Congressmen.

The Illinois delegation extends to his lovely wife Mary and his children, William, Mary, Anne, Michael, Dennis, and Patrick, our heartfelt condolences in their great sadness, and join them in prayers for God's blessing that He grant to him rest in the sacred acres of His eternal mansions.

Mr. SCHNEEBELI. Mr. Speaker, BILL GREEN has been my friend, and I have always held him in high regard and deep respect. We were members of opposite political faiths, but in our activities on the same committee he was most helpful to me. His sincerity of purpose and warm personality immediately instilled confidence, and my respect for him increased with my daily association with him in our committee work.

BILL was a brilliant political leader, and was obviously successful in his efforts to organize large groups of people. Several times I told him that to my thinking he was the most successful sales manager in our State of Pennsylvania. He was rewarded for his fine sense of organization management by the huge majorities which Philadelphia delivered to his political friends.

More importantly, however, BILL GREEN was a warm and sincere person who happily reciprocated any gesture of kindness and thoughtfulness. He was keenly attuned to the wants and needs of the people, and his concern and efforts in behalf of all segments of our society were an indication of his deep humanity.

The Congress is going to miss the fine contribution which BILL GREEN has made in increasing measure here in Washington. And I am going to miss a friend who was always kind and considerate to me, and who was a tremendous help to me when I was the freshman member of our committee. He was a "grand guy."

Mr. MILLIKEN. Mr. Speaker, may I join with the many others who regret the death of our colleague, WILLIAM J. GREEN.

I have known BILL GREEN for many years, and although we always were on opposite sides of the aisle politically, I had a high regard for him. I feel sure that he did his best to serve the people of his district during his long service in the Congress and that he will be missed by them. His wife and family have my sincere sympathy.

Mr. CURTIN. Mr. Speaker, we meet in sorrow today to pay tribute to the memory of one who has worked and lived among us for many years, but who passed away last month.

WILLIAM GREEN was a Representative for many years from a district in Philadelphia, which was adjacent to my own district, and I grew to know our colleague very well during the years that I have served in this august body. He and I were from different parties, and had different points of view on many issues. However, I never found a man who had a warmer sense of friendship than BILL GREEN, nor one who was willing to go more out of his way for his friends than our former colleague.

BILL GREEN always met everyone with a cheerful smile and a warm and friendly greeting. He was an engaging personality. He was a most distinguished Member, and we shall miss him in his accustomed place and seat in our midst. His district, State, and Nation have lost an outstanding Representative, and we, in the Congress, a warm friend. I wish to convey to the members of his family my sincere expression of sympathy in their bereavement.

Mr. GOODLING. Mr. Speaker, long before I came to Congress the name BILL GREEN was a byword in Pennsylvania. Those of us in public life had recognized that name for many years. Prior to coming to this body I had never had the privilege of meeting BILL.

Not all Pennsylvanians agreed with his political philosophy but we did admire and respect him as a man.

An incident during our last gubernatorial election comes to mind. A teller vote was in progress. Pennsylvanians generally occupy seats on or near the center aisle. It was routine with BILL to stop and talk. On this particular occasion, as we spoke, I said:

> BILL, come November we are going to help prove to the people of Pennsylvania how right you were when you said Dilworth can't win.

I can still picture that coy smile as he walked away, with not one word in response.

He had a great capacity for friendship and was devoted to those he served.

None of us are indispensable. BILL GREEN was not. The world will go on but those of us who served with him will miss BILL GREEN in the Halls of Congress.

I extend sincere sympathy to Mrs. Green and the children.

Mr. WHALLEY. Mr. Speaker, it is with great sadness that I rise to pay respects to our departed friend and colleague, WILLIAM J. GREEN.

WILLIAM GREEN was a man of great integrity, sincerity of purpose, and loyalty to his friends. While we served on different sides of the political aisle and did not always agree on the problems which came before the House, I had the greatest admiration for the integrity of WILLIAM GREEN. He will be missed on the Committee on Ways and Means and in this House and by his constituents.

My deepest sympathy goes out to the members of his beloved family.

Mr. MILLS. Mr. Speaker, it is with a sad heart that I pay tribute to the memory of our late departed friend and colleague, BILL GREEN. We were associated closely in the House and, more recently, as fellow members on the Committe on Ways and Means.

The passing of BILL GREEN is a genuine and real loss to his district, his State, and to the entire Nation. In particular, we experience a loss on the Committee on Ways and Means because of the varied attributes and abilities which he brought to our work. BILL GREEN was a man of great personal charm and outstanding ability. His work on the committee was thoughtful and involved many contributions in the public interest. Toward the legislation which he espoused, he did so with sincerity, with vigor, and with effectiveness. In a like manner, when he opposed legislation he did so with the same attributes. I know of no better monument to a man's memory than to say that he fought hard for those things in which he believed.

Since BILL GREEN became a member of the Committee on Ways and Means, that committee has reported many bills some provision of which bears his imprint. These legislative endeavors will long outlive what we can say or do here today.

We will miss BILL GREEN in our committee work; we will miss his personal friendship and his great charm; his district, State, and Nation will miss his leadership in the years to come.

Mr. Speaker, I extend to Mrs. Green and to his family sincere and deep condolences.

Mr. BUCKLEY. Mr. Speaker, it is with a very heavy heart that I arise today to pay tribute to a distinguished Member of Congress and an old friend, the late WILLIAM JOSEPH GREEN, JR., of Philadelphia, Pa.

I knew BILL GREEN from his arrival in the House in January of 1945 until his untimely death. I know him as an able legislator and outstanding political leader and a fine human being. BILL GREEN contributed much to the prestige of the House and to his home city of Philadelphia and the State of Pennsylvania. He was a leader in the true sense of the word. He was a warm and understanding individual. He had the ability to grasp the problems with which he was faced and to utilize the many abilities with which he was endowed to handle these problems.

He was a man in every sense of the word. The Congress will miss him; Pennsylvania will miss him; and his own Democratic Party will, indeed, miss him. I will miss him personally and I extend to Mrs. Green and his family, on behalf of Mrs. Buckley and myself, our deepest sympathy on his passing.

Mr. MADDEN. Mr. Speaker, the passing of our colleague, BILL GREEN, has saddened the hearts of all Members of Congress who were fortunate enough to enjoy his close friendship.

He made an outstanding record during his eight terms of service in the National House of Representatives. He possessed outstanding qualities as a legislator and as a worker in behalf of the Democratic Party in Philadelphia and the State of Pennsylvania. During his political leadership in Philadelphia, the Democratic Party rose to a success never enjoyed before in the history of that large city famed over the years for its Republican city administrations.

As a leader of the party in that city, all groups and factions followed him because of his personality, fairness, and ability to serve and represent all the people of Philadelphia.

Congressman GREEN'S passing is not only a loss to his congressional district, city, and State, but also a loss to the Nation. He has made a great contribution toward supporting legislation which is so necessary for the economy and prosperity of our Nation and future peace.

I extend to his wife and family my deepest sympathy in their bereavement.

Mr. EDMONDSON. Mr. Speaker, the loss of Congressman WILLIAM GREEN is a tragic one, both for his native State of Pennsylvania and for the Nation.

One of the ablest political leaders in the House, our colleague from Philadelphia was an influential member of the great Committee on Ways and Means, and a powerful force in the party to which he belonged.

Vigorous, outspoken, and fearless, he was a stout supporter of progressive legislation in many fields of congressional action.

It was a privilege and a pleasure to serve with him for nearly 12 years in the House, and he will be sorely missed.

To the Green family, and especially to Mrs. Green and their children, I want to express our family's deepest sympathy in their great loss.

Mr. CAREY. Mr. Speaker, I am privileged to join with my colleagues today in paying tribute to our departed friend and Member, WILLIAM J. GREEN, JR., a distinguished Representative of the Fifth District of Pennsylvania.

His mark upon the Congress and the country is illustrious and lasting.

Here in the House throughout our lifetime we have a cherished memory. The southeast corner of this Chamber was and will be known as "BILL GREEN'S corner." There he gave freely of his wise counsel; his warm and ready wit; his depth of insight; and his loyalty and love of politics and man.

BILL GREEN not only had a corner of the House which was his very own, he had a corner on many more of the values of life.

Through his ability and leadership our late President John Fitzgerald Kennedy was brought to the fore and aided on his path to the Presidency.

BILL GREEN'S task was to go throughout the country and tell us how he did it and how our party did it in Philadelphia. We gained as a Nation from his experience and his talent.

BILL GREEN had a corner also on the understanding of true democracy. He was false to no one and a favorite to all. He loved his God, his country, and his family. He never lost sight of the goal of perfection.

It has been said that true perfection of a man is his son. It has been my honor and fortune to know the family and children of WILLIAM J. GREEN, JR. Happily his great qualities are truly endowed to those children. They reflect his devotion, his great intelligence, his spirit, and his courage.

I know that throughout all the days of my life whenever I pass through this Chamber I shall never forget the man who presided over "BILL GREEN'S corner" of this House.

I truly hope that in my days of service in this body I can make some part of a similar contribution to that which he made on the great Committee on Ways and Means; as a National, State, and city leader of his party; as a veteran soldier of his country; and in the role he loved best—a true and gifted Member of the House of Representatives of the United States.

Mr. BROOKS. Mr. Speaker, our late colleague and warm personal friend BILL GREEN will be keenly missed here in the House of Representatives.

We knew him as a man of utter loyalty to the highest principles of our democratic society, of unflagging pursuit of our most worthy national goals and of abiding compassion for the poor and the downtrodden.

It will require extra effort on the part of each of us remaining to try to fill the void in our ranks left by the death of this exceptional leader and I am confident that in the memory of BILL GREEN we will make this extra effort.

Mr. DELANEY. Mr. Speaker, I can but echo the many fine words of tribute paid our departed colleague, WILLIAM J. GREEN.

BILL GREEN and I came into the Congress together in 1944. Our backgrounds, our districts, and our interests were very similar and it was only natural that we should become friends as freshmen. We came into the Congress together and, 2 years later, we went out the same way. In 1948, BILL GREEN and I came back to Washington and were good friends from that time on.

I do not believe that we, as Members of Congress, could have asked for a more able colleague nor that our elective system could have developed a more skilled political craftsman than BILL GREEN.

Coming from a large eastern city, I recognize as well as anyone the tremendous job that BILL GREEN did in Philadelphia. He stood out as a leader, a mediator, and a binder of political wounds. There are few tasks more difficult than molding a strong representative party unit from the diverse elements of a great American city, but BILL GREEN did it. In his hands, political organization became a fine art.

BILL GREEN worked diligently for his country, his constituents, and his political beliefs. His loss is felt deeply, but his legacy has enriched us all.

To his country he gave 20 years of dedicated public service. His tireless efforts have left their mark on his beloved Philadelphia and his warm friendship has left its mark in all our hearts. I am grateful for the privilege of paying deserved tribute to his memory.

Mr. HERLONG. Mr. Speaker, I join with my colleagues today in paying tribute to the memory of BILL GREEN.

He was a real personal friend and one who was sound in his thinking and always had the interests of our country foremost in his mind. His contributions to the Committee on Ways and Means, on which committee I had the privilege of sitting next to him, were many and constructive.

He was truly a great American and this Congress can ill afford to lose the services

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of people of the quality and character of Bill Green.

My deepest sympathy goes out to his devoted family and his friends, who were legion.

Mr. ELLIOTT. Mr. Speaker, I was privileged to call Bill Green "friend" in his lifetime. William J. Green was strong and steadfast. He was dependable and just. He was a leader who believed in binding up wounds and charting a course that led to great objectives.

Bill Green had great ability as a political leader. He was a great organizer, an inspirer of confidence. His people loved him and he loved them.

I shall miss my departed friend very much.

Mr. O'HARA of Illinois. Mr. Speaker, I never knew a finer gentleman than Bill Green. He seemed to me to possess all the qualities of nobility. I never talked with him, even though the conversations were brief and of passing moment, that I did not leave his presence with an enriching lift of spirits. It is difficult for me to realize that he is gone. I shall miss him very, very much, his quiet smile, his sweet gentleness, his big heart and his massive intellect. He was one of the truly great Americans of our times, and he was deeply beloved by his colleagues in the Congress regardless of party.

Mr. HEMPHILL. Mr. Speaker, Congressman William J. Green brought to the U.S. House of Representatives a personality which expressed the joy and fullness of life and the reasons for happiness.

I did not know him intimately, and I would have liked to, but like many others here, I counted him as a friend. I know on one occasion particularly when I asked him to help me in a matter, he responded quickly, happily, and effectively.

To those of us who served with him he always presented a picture of happiness in his service and proud of his fellow man. He had a rare wit, an intense loyalty, a natural ability for leadership, and the stern application for the necessity of discipline in political circles.

We will all miss him. Mrs. Hemphill and I extend to his family our deepest and continuing sympathy.

Mr. DERWINSKI. Mr. Speaker, the passing of our colleague William Green came as a shock to all of us. I had heard of his illness but naturally hoped that his recovery would be rapid.

Mrs. Derwinski and I extend to Mrs. Green and the family our sympathy in their time of sorrow. However, I am sure they are comforted to some degree with the realization that he left behind a well-deserved reputation as an effective Member of Congress, an outstanding party leader, and a man appreciated as a warm friend.

Mr. BOGGS. Mr. Speaker, my duty today is a sad one—saying farewell to an old and dear friend, a colleague of surpassing dedication and ability, one whose like we shall not see again in this House for many a day—our beloved Bill Green.

My mind goes back today to my years of service beside him in this House as we all wrestled with the perplexing problem of how to maintain peace abroad and public progress at home. More particularly do I remember the years when Bill and I sat together on the Committee on Ways and Means, studying and worrying over taxes, tariffs, social security, welfare, and a hundred other complex problems of our society.

Then there was the Bill Green of the political hustings—one of the greatest masters of the political art in our times. Here was a man who left an indelible mark of progress and good government on the old city of Philadelphia. More than that, through his successful political efforts, the entire State of Pennsylvania was given progressive, forward-looking modern government such as it had not known for generations.

I like best to remember Bill Green, the warm, wonderful, quietly humorous, always loyal friend, a friend in whose company you eternally reveled and whose trust you gladly reciprocated.

There was Bill Green, the wonderful husband and companion and teacher of six fine children.

In whatever capacity you found Bill Green, whether helping to solve great national problems, or winning a tough election, or loving his children, he always had the same fine basic qualities.

Commonsense, great energy, the ability to think clearly, a determination to do a good job, dedication to public service, loyalty, warmth, and courage. It is a tragedy for his loved ones and friends that he was cut down at so young an age when he might have been expected to enjoy many more years of life, but it is also a terrible tragedy for his fellow Americans in Philadelphia, in Pennsylvania, and all over this country who would have benefited so greatly from his continued service.

Bill Green left a great mark upon his times and upon his country.

Though words are small consolation, I would say to his lovely widow and his sorrowing children, "To live in hearts we leave behind is not to die at all."

Mr. BURKE. Mr. Speaker, as 1963 drew to its close the shadow of death grew large over the land, enveloping those of our leaders whom we had grown to love. Our grief, caused by the unspeakable deed in Dallas, had barely subsided when it was stirred anew by the loss of two more men, our colleagues, who had, like ourselves, given of their labor to the service of the Nation in these legislative halls.

Fate decreed that the man whose efforts helped in no small way to elect the assassinated President, was himself stricken with a fatal illness while preparing to pay his last respects to another outstanding legislator.

And thus William Joseph Green was taken from us at the untimely age of 53, 4 days before Christmas, 2 weeks after his seizure which he suffered enroute to the funeral of Herbert Lehman, the distinguished former Senator from the State of New York.

Congressman Green was known as a party disciplinarian. He was a politician who played the game with intelligence and skill. His political education began before he could vote with his absorption into the intricacies of neighborhood politics. He was a superb student as the opening years of the last decade would demonstrate.

He himself was of humble origins, but he was able to work with all social strata, and together they built a Democratic organization that overturned 68 years of Republican rule in Philadelphia. Since 1951 the City of Brotherly Love has remained in Democratic hands.

Congressman Green knew that the victorious stateman owes his success to party discipline as much as to personal appeal, glamour, or eloquence. In 1960 he put his sense of discipline to work on behalf of John F. Kennedy, and the late President credited William Green with helping him to carry Philadelphia and ultimately the vitally important State of Pennsylvania.

Discipline and devotion to duty were practiced proudly and faithfully by Bill Green. I had the privilege of observing these characteristics while serving with him on the House Ways and Means Committee. Though diligent and disciplined, he was a kind and considerate father to his four sons and two daughters. His strict discipline did not dull his sharp tongue or keen sense of humor.

I know I speak for my fellow members on the House Ways and Means Committee when I extend to the wife and family of William Green our deepest and most sincere and heartfelt condolences.

Mr. ROSTENKOWSKI. Mr. Speaker, I should like to join my colleagues here in the House of Representatives in paying respect to our late esteemed colleague, the Honorable William J. Green, Jr., the esteemed gentleman from Philadelphia, Pa. I keenly feel the sadness of his passing because of the fact that he not only had friends but was a friend.

His untiring and effective leadership was not only recognized by his constituency, for they expressed their confidence in him by electing him to the House of Representatives in the 81st Congress and subsequently to every Congress to the present one, but also by the Nation for he was dedicated to assist Mr. Average American and he fulfilled his promises. He was firm in his convictions but his warmth and understanding were outstanding qualities of his character which gained him the respect of those who believed in him as well as those who opposed his convictions. This is indeed the mark of a great man and one who will be long remembered.

We will miss his guidance in this body for he was an outstanding legislator but most of all we will miss his smile and friendlines which can never be replaced. Surely the House has lost a valuable Member and my sympathies go out to his loved ones.

Mr. MULTER. Mr. Speaker, it had been my good fortune to get to know Bill Green many years before I came to Congress. After I joined him as one of our colleagues I had the opportunity of cementing that friendship.

He was a warm and a kind man, able, honest, and honorable. His word was his bond. He was indeed a leader among men. Problems were never too big or too small. They were all matters requiring solution and he always did what he could to help all those who needed his help.

With a full heart I join our colleagues in extending to his bereaved widow and family heartfelt condolences with the prayer that his memory may be for a blessing forever.

Mr. MONAGAN. Mr. Speaker, it was a great tragedy that our friend, BILL GREEN, should have been taken from us at such an early age.

WILLIAM JOSEPH GREEN, JR., Representative in Congress for the Fifth District of Pennsylvania, was not only an outstanding legislator—he was also one of the foremost political leaders in the United States. He served as a constructive and informed member of the vital Committee on Ways and Means and, in this capacity, he made a great contribution to the economic progress of the United States. His public contribution was not confined to this area, however. In the field of local municipal politics in Philadelphia, BILL GREEN was preeminent, and his willingess to participate in this demanding and wearisome task should provide a model for every one of us who are beneficiaries of the operations of our democratic society. BILL GREEN, in his life, demonstrated eloquently his willingness to accept the burdens as well as the benefits of our American system.

These public achievements are not the only monuments that BILL GREEN has left behind. Perhaps the outstanding one is his remarkable family. No one who has met his delightful wife, Mary, and his children can be unaware of the wholesome and lasting influence that BILL GREEN had upon this outstanding family group.

It was a privilege to be a friend of BILL GREEN, and I speak with confidence when I say that his memory will live long in the hearts of the people of Pennsylvania and his friends here in the Congress of the United States.

Mr. ULLMAN. Mr. Speaker, it was my privilege to serve on the Committee of Ways and Means with BILL GREEN. I came to know him and love him as a loyal friend and a great American. He had a great capacity for leadership based on a deep kinship with people, an understanding of their problems and an unerring judgment as to how best to obtain political action to help resolve those problems. BILL GREEN left his mark on our times. In his own quiet way he marshaled the support that cast the decisive margin to elect councilmen, Governors, and Presidents.

We will miss BILL GREEN, not just because of his great political ability but because of his warmth and understanding as a great human being. I extend my heartfelt sympathy to Mrs. Green and his family.

Mr. HEALEY. Mr. Speaker, it is with very great sadness that I rise to pay tribute today to my departed friend and colleague, WILLIAM J. GREEN. I was not prepared for the shock of the news of his untimely death. Only a few days before I had written to him at the hospital telling him how much we missed him here and wishing him a speedy recovery.

Seven short months ago, BILL GREEN stood in this Chamber and said the following words in eulogy of his departed Pennsylvania colleague, Francis Walter:

> Mr. Speaker, in this Chamber today a place is vacant, a strong voice is stilled, because an extraordinary man has just passed from our midst.

We can apply these same words to this wonderful man who spoke them. Mr. Speaker, another extraordinary man has passed from our midst.

BILL GREEN was one of my closest friends in the House. His office was just two doors from my own. He often came in to visit me at the end of the day, and we often had dinner together. I learned a great deal from this warm, friendly man. While I feel deprived by his death, I also feel enriched by his living. I will always cherish our friendship and the pleasant hours we spent together.

His congressional district has lost a distinguished and capable Representative, the Democratic Party has lost an able leader, the country has lost a great American, and I have lost one of the finest friends I ever had.

My deep sympathy is extended to Mrs. Green and the children. They are in my prayers during this time of sorrow.

Mr. RODINO. Mr. Speaker, as it will for each of us one day, the bell has tolled for "BILLY" GREEN. And we here mourn him—we mourn his passing and his loss. For we have lost a friend and colleague and our country has lost a faithful and good servant.

We mourn his going forever from this scene which he loved so well, from the arena in which he fought so well, for the ideas and ideals in which he believed so deeply and so dearly. And, the people for whom he spoke, whose causes he championed—to whom he gave his last full measure of devotion—echo our grief in mourning the loss of their friend and their champion, their Congressman WILLIAM J. GREEN.

I read somewhere that "we are rich only in what we give; we are poor in what we refuse and keep." By this standard, BILL GREEN was rich, indeed, for he gave so much—and so much of himself.

BILL GREEN will not pass this way again but the legacy of his good deeds and of his good works will live long in our memory.

I extend to Mrs. Green and to the members of his family my deep and sincere sympathy.

Mr. DORN. Mr. Speaker, BILL GREEN was one of the most effective members of the informal textile group. It was on this committee that I grew to know intimately and love BILL GREEN. We had many conferences at the Cabinet level and with the President. BILL GREEN always kept uppermost in mind the welfare of the workers whose jobs were threatened by excessive and unfair imports. BILL GREEN made a great contribution to the welfare of the Nation when the international textile agreements were culminated.

BILL GREEN was a great Democrat, a highly successful political leader, and powerful in the high councils of the Democratic Party. He contributed as much to the election of the National Democratic ticket in 1960 as any one American.

BILL GREEN was a great national figure—forthright, courageous, and loyal. He was a great American. He was a devoted father and husband. Those of us who worked with him so closely were deeply shocked by his untimely passing.

Mrs. Dorn joins me in my very deepest sympathy to his lovely wife and wonderful family.

Mr. RHODES of Pennsylvania. Mr. Speaker, I join with my colleagues in paying respect to the Honorable WILLIAM GREEN, a valuable Member of the House of Representatives who died last month.

BILL GREEN, as we all affectionately knew him, was a man of great ability, of strong character, and with a most pleasant personality. He was known as a leader of his party, not only in his home city, but throughout the State and the Nation. He played a leading role in Democratic victories in his city and in successful State and national campaigns.

It was my pleasure to be closely associated with him in activities in the House of Representatives and as a personal friend. He was a strong Democrat, but he had a host of friends on both sides of the aisle.

He was a close friend of our late President, John F. Kennedy. The support given to the President by Congressman GREEN and the Democratic organization he headed in Philadelphia was an important factor in President Kennedy's success in carrying Pennsylvania and the Nation in the 1960 presidential election.

Mrs. Rhodes joins with me in expressing deepest sympathy to Mr. GREEN's loving and devoted wife and children. May they find some comfort in knowing that so many folks in all walks of life share their sorrow and their great loss.

Mr. ROOSEVELT. Mr. Speaker, our Nation, this body, and the State of Pennsylvania has lost a fine public servant with the passing our our late distinguished and able colleague, the Honorable WILLIAM J. GREEN. He was, as well, a warm friend to me.

I greatly admired BILL GREEN's sound political judgment and his enthusiastic dedication to the work at hand. As a result of his extraordinary talent for organization, the late President Kennedy carried the State of Pennsylvania in the 1960 election, without which he would not have been President of the United States.

I shall recall with much pleasure the hours I spent with Congressman GREEN, here in Washington and in Philadelphia. He will be greatly missed, and we shall think of him often in the days and years to come.

Mr. ZABLOCKI. Mr. Speaker, I wish to join with my colleagues in expressing my sorrow at the sudden and untimely passing of our esteemed colleague, the Honorable WILLIAM J. GREEN.

It was indeed a privilege to serve with him these many years in the House of

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Representatives. He was a man who served his district, his home city of Philadelphia, his State of Pennsylvania, and our Nation with ability and distinction.

Bill Green was a man who knew power and used it for what he believed were good purposes. His death has left a void that will not soon be filled.

How well I remember the many times that he offered his counsel and advice on legislative matters to me. From his vast store of knowledge about the House of Representatives, he drew words of prudence and wisdom.

Today, remembering those times, it becomes all the more clear how much Bill Green will be missed here. His death also inflicts a heavy loss on his family and his many friends in Pennsylvania and throughout the United States.

Congressman Green was an able and accomplished legislator. He served his God through his family and his work, and his fellow men through his legislative and personal endeavors. He has left an indelible imprint on the record of Congress, and on all those who came in contact with him.

My wife joins me in expressing deep sympathy to his wife and children. May they derive some consolation from the thought that we all share in their deep grief.

Mr. GRAY. My Speaker, when I came to Congress in January of 1955 one of the first people to greet me with a warm smile and friendly handshake was Bill Green. From that day until the sad hour of his untimely death we were very close friends. Mr. Speaker, Bill Green was the type of man that had a great following because he was a natural born leader. He believed in people. He believed in helping his fellow man. To now be taken from us in the prime of his life is beyond comprehension. The people of Pennsylvania have lost a great servant, the Congress has lost a great Member, and I have lost a great friend. I want to join those who have preceded me in saying we shall miss him very much and to extend my heartfelt sympathy to his wonderful family. I know they will receive comfort in the fact that this kind husband and father was so well loved by so many.

Mr. GLENN. Mr. Speaker, I join with my colleagues in their expression of great personal loss on the death of our good and dear friend, William J. Green, Jr. All who knew him were deeply shocked at his untimely passing.

Not only were Bill and I colleagues in the Congress, but we were personal friends. For the past 6 years we have many times traveled together back and forth from my district, as Bill and his family had a summer home at Longport, N.J., which is adjacent to my own town of Margate. I enjoyed his company immensely, as he had a dry sense of humor, a nice smile, and a characteristic willingness to listen in a quiet way, which endeared him to all who came in contact with him. He had a rare capacity for friendship, which is not often found, which is evidenced by the affection and esteem in which he was held by all the Members on both sides of the aisle. He served with competency and zeal, and fulfilled his responsibility to his constituents with a real spirit of dedication. Bill Green was indeed a capable Congressman, a fine friend, and a loving husband and father. His family can take pride in his splendid record of unselfish patriotic service and his devotion to duty. His passing leaves a great void in the hearts of his countless friends and I personally will sorely miss his friendship and our close association.

My deepest sympathy is extended to his wife and family in their great loss and it is my prayer that their knowledge of the fact that so many of us will also miss him, will aid them in the days ahead to bravely carry their burden.

Mr. GALLAGHER. Mr. Speaker, the recent death of Representative William J. Green of Pennsylvania, was a great loss to the people of that State, especially to those of its Fifth Congressional District whom he served so well for nearly 18 years as a Member of this House. He is mourned as a friend and as a dedicated public servant.

His colleagues, you and I, will miss him for we, perhaps even more so than his constituents, recognized his legislative ability, his dedication to the cause of sound democratic government and his political leadership. As we respected him for his ability and his accomplishments, we treasured his friendship which knew no political boundaries.

If we were to search for a single deed or characteristic that stood out and would perhaps be worthy of special note on this occasion, our search would be in vain for his accomplishments were many and he was a composite of great talents, good character, strength, and kindness. He was an able political leader, perhaps one of the most accomplished of this era. He recognized that politics was the cornerstone of sound free government to which he contributed so much in his nine terms in the Congress. He was a good citizen, as is attested to by his many contributions to the civic and community accomplishments of his native city. He was a loving and much loved father and husband.

We shall long remember Bill Green for what he was—outstanding political leader, a knowledgeable and dedicated legislator, a good citizen, and above all else to us, a kind and understanding friend.

Mr. KUNKEL. Mr. Speaker, the death of my good friend and able colleague, William J. Green, of Pennsylvania, has saddened me greatly. He was in the prime of life. His passing was most untimely. Bill Green was a good friend of mine of long standing. We differed radically in our political beliefs but we shared a deep love for the State of Pennsylvania and a desire to do everything we could for its benefit. Political disagreements never marred our friendship. On many occasions, Bill helped me with problems connected with the 16th District. He was particularly helpful a few years ago when the Air Force was considering moving the petroleum section from the Olmstead Air Force Base at Middletown to Washington. There was a big argument on this. Bill worked wholeheartedly with me. He helped a lot in making my efforts to retain the petroleum section successful—even writing a long, strong letter to President Kennedy on the subject. This was only one instance of many. Occasionally I was able to give him a hand with matters of benefit to Philadelphia. I will miss him. With his great ability, friendliness, and charm, it is most unfortunate for his congressional district, the State of Pennsylvania, and the Nation, that he no longer is with us. His countless friends will mourn him.

This has been a sad year for the State of Pennsylvania. We have lost influence in the Congress through the loss of Bill Green, Francis Walter, and Leon Gavin, all of whom occupied key positions in Congress through their seniority, ability, and hard work.

My deepest sympathy goes to Mrs. Green and Bill's family in this time of sorrow.

Mr. STRATTON. Mr. Speaker, I rise to express my deep regret and sorrow at the sudden and untimely passing of our late colleague from Pennsylvania, Bill Green.

To me William J. Green will be remembered in history for one thing more than any other, and that is for his courageous and dogged support of the candidacy of John F. Kennedy for President of the United States. Largely as a result of the energetic and devoted work of Bill Green the great delegation from Pennsylvania swung to support John F. Kennedy on the eve of the 1960 Democratic convention, thereby virtually assuring his nomination on the first ballot at Los Angeles. No one worked harder in the subsequent campaign to elect Jack Kennedy President than Bill Green. And once Jack Kennedy became President there was no more loyal or enthusiastic supporter of the great President in the House than Bill Green. And that support, as we all know in this House, extended far beyond Bill Green's own vote or his own voice. Bill's friends in this House were legion and when he made up his mind to support President Kennedy on some crucial issue you could always count on Bill Green swinging into line behind the programs of the New Frontier a very influential segment of Members of the House.

Mr. Speaker, we still mourn the untimely death of our late President, and we have felt the shock which his death inevitably inflicted upon the great programs of accomplishment and achievement to which he had summoned this country. When the history of the Kennedy administration is written, Mr. Speaker, the name of William J. Green will surely be written high on the roster of those who made this bright new era possible.

Mr. Speaker, we can be proud that President Johnson has picked up the reins of leadership so effectively and is carrying on the Kennedy program so brilliantly toward achievement. But all of us are the poorer and the sadder today because BILL GREEN has gone, because his infectious smile and his tireless energy will now be missing in this body, and because his great heart and his broad influence will also be missing in support of our new President as he carries on the great American program which BILL GREEN himself had so much of a hand in getting started.

To Mrs. Green and to her family Mrs. Stratton and I extend our deepest sympathy.

Mr. BYRNE of Pennsylvania. Mr. Speaker, the pontifical mass celebrated by Archbishop Krol of the city of Philadelphia Cathedral of SS. Peter and Paul in commemoration of the death at the funeral of Congressman WILLIAM J. GREEN, JR., was held on the 24th day of December 1963. His excellency, Archbishop Krol, gave the eulogy during the religious ceremonies, touching upon the distinguished career of his intimate friend, Congressman WILLIAM J. GREEN, JR.—both as to his political activity and as a Catholic father and citizen. It is with a deep sense of humility that I present for the CONGRESSIONAL RECORD the memorable and prophetic words brilliantly rendered on that sacred day—given before a distinguished group of citizens and officials of the Nation, the city of Philadelphia and the State of Pennsylvania, including the President of the United States, Lyndon B. Johnson, Attorney General Robert Kennedy, Mayor James H. J. Tate and his cabinet, and Lieutenant Governor Shaffer, and Members of the U.S. Congress, city, State, and Federal judiciary, and other officials.

The eulogy follows:

PRAYERFUL REFLECTIONS AT THE FUNERAL OF REPRESENTATIVE WILLIAM J. GREEN, JR.

Death has brought us together in this cathedral on the vigil of Christmas. Mournfully, we pay final tribute to the memory of WILLIAM J. GREEN, JR., and pray for the happy repose of his immortal soul, as we lay his mortal remains to rest. The solemn strains and prayers of the Requiem Mass, console us and strengthen our humble submission to the inscrutable decree of God, which summoned him who was so loved and revered as a husband, father, public servant and friend.

There is no irreconcilable discord between birth and death; between the joy which attends the commemoration of Christ's birth, and the sorrow which attends the funeral of a dear one. I speak, not only from profound religious convictions, but also from personal experience. Five years ago this very day and this very hour, I offered a similar service at the funeral of my own father.

Christian joy and hope does not exist in a vacuum. Christian optimism is not an indefectible comfort which suppresses the tragic realities of life. Our joy derives from the hope of the victory that transcends all sorrow and tragedy; a victory in which we pass beyond sorrow and tragedy to glory with Christ crucified and Christ risen.

The annual preparation for the observance of the feast of Christ's birth, in the season of advent, contains a curious telescoping of time, merging the past, with the present and with the future. We are called upon to prepare for a fitting observance of the historical fact of Christ's coming. We are called upon to give that historic fact a visible and meaningful effect in contemporary reality in our own lives, by accepting Christ into our hearts, and evincing his presence by a holiness of life. Finally, we are called upon to prepare for the final coming of Christ in power and majesty as the judge of our every thought, word, and dead.

Throughout advent and the Christmas season, the church focuses the light of faith upon the very meaning of life, of history, of man and of our own being. While encouraging the traditional family joys, she points out the redemptive purposes of Christ's coming as the true source of our joy. We rejoice because Christ the Saviour, through His death and resurrection, opened for us the gates of heaven.

The Christmas holly may be viewed as a blood-spattered holly—with its red berries. In the midst of Christmas joys, the church on the day following Christmas observes the feast of St. Stephen—the first Christian to shed his blood as a martyr. Two days later the church observes the feast of the holy innocents, whose blood flowed freely in Herod's vain attempt to kill the promised Saviour. With true Christian realism, the church blends the joys and sorrows of life, and directs us to the victory with Christ crucified and risen, which transcends all sorrow and tragedy.

It is not my purpose to praise one who in life shunned words of praise. However as the shepherd of the flock of Christ in Philadelphia, I find great comfort together with the family of the deceased in the pattern of life and of death of the deceased. He made a sincere effort to manifest in his life his acceptance of Christ's coming. He was a devoted son, husband, and father. He was faithful to his trust as a representative of his people. In his last illness, with true Christian realism he prepared for the coming of Christ in judgment.

Our burial prayers are as much for the comfort of the living as they are in supplication for God's mercy upon the dead. We extend our prayerful condolences to his devoted wife, mother, and children, who have given ample evidence of their resignation to the will of God; of their acceptance of the death of a beloved husband and father as an act of God. We know that God will comfort and console them.

We pray that the almightly and merciful Father will help them to bear their cross, and not to languish in fruitless and unavailing grief, but will direct them to the Christian hope of victory which transcends all human sorrow and grief.

May the immortal soul of WILLIAM J. GREEN rest in peace.

Mr. PHILBIN. Mr. Speaker, I was very deeply grieved by the very sad news of the untimely passing of my dear, beloved friend, Representative WILLIAM GREEN, of Pennsylvania.

For many years I served in the House with this great, outstanding leader of our democracy. He was a colleague of mine on the House Armed Services Committee, as well as in this great, deliberative body. He was outstanding in every respect and a dear, beloved friend.

BILLY GREEN was a rare and unusually gifted public servant and leader. He was possessed of magnetic personality and amiable personal qualities. He was a man of intense loyalty to his friends and the many good causes to which he was pledged.

He was a man of exceptional ability and keen awareness of the great problems of our time, endowed with deep convictions and firm resolute purpose, a great heart and a great mind, and a special, burning interest in the betterment and well-being of his fellow human beings.

His career was brilliant, outstanding, and the great progress he made during his life was predicated on his own natural talents, high ambitions, hard, persevering work and unflagging persistency in reaching his goals. He had a great gift for making sound, intelligent, judgments and decisions.

BILLY GREEN was not only an outstanding Congressman, but also the exceptionally successful political leader of his party in the great city of Philadelphia. Only a virtual superman could have performed the duties of these two high callings as Congressman GREEN performed them. His many burdens and responsibilities which he so cheerfully accepted and so commendably discharged, made many heavy demands upon his time, his energy, his attention, and his physical resources. That he was able to accomplish as much as he did throughout his brilliant career is not only a great tribute to Congressman GREEN, but must give us all pause to wonder how he was able to perform his many duties and meet the many demands made upon him. He died a martyr to his distinguished public service.

Notwithstanding his high positions, which he held with such becoming modesty, a quality that was part of his very nature, and the direct powers of leadership of a great, municipal political organization which he exercised with such commendable restraint, efficiency, eagerness, and dignity, Congressman GREEN never lost sight of the basic purposes of this great Government and the needs of those unable to help themselves.

Instinctively humble, he was always approachable, available, and willing to go out of his way, even at the cost of personal sacrifice, to respond to the very many requests and demands of the people of the rank and file of his district and city. He was greatly beloved in the House for his innate modesty and loyalty to his friends.

BILLY GREEN was a great patriot, a man who loved his country, and who was deeply devoted to promoting its best interests. His outstanding record in the Congress, his amiable personal qualities and his warm, loyal friendship will long be remembered in this distinguished body, where he had so many friends on both sides of the aisle.

We are all greatly saddened by the loss of such a dear friend and distinguished colleague. His passing has left a void in our midst that can never be filled. His memory will long remain with us. His peerless service here, his kindness, generosity, his good will and cooperative spirit will long continue to inspire us.

My heart is deeply touched by the loss of a valued friend and admired colleague. His great district, city, and Nation are vastly the poorer for his passing because he has been taken from us while at the peak of his powers, with many great tasks and glorious victories for the people still ahead of him. With a deeply sorrowing heart, I join his bereaved family, friends, and district, in mourning his loss, which is indeed irreparable for them as it is for us. I extend to them my deeply felt, most heartfelt sympathy in their sorrowful bereavement. I hope they may all be comforted in their sor-

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row by the knowledge of BILLY's essential goodness and kindness and many fine qualities and achievements, so manifest to all.

His great love and devotion to the ideals and values of America, his deep, religious faith and the knowledge of the high regard, esteem and affection in which he was held by all, will long keep his memory green.

May he find rest and peace in his eternal reward.

May the sainted Patrick he loved take him to his arms and may he dwell in the House of the Lord forever.

Mr. CHELF. Mr. Speaker, this House of Representatives has not been the same since the departure from its Hall and from this life of our esteemed friend, the late Hon. WILLIAM J. GREEN, JR. As a dear friend and a valued colleague, he is sorely missed.

BILL and I came to the Congress as freshmen Members together in 1945. I knew him well and admired him greatly. He was sincere, tolerant, lovable, and conscientious. He was devoted to the cause of good government and this motivated him to give of his best to his work for the people of his district, his State of Pennsylvania, and his Nation. His efforts here among us stand as a monumental record of achievement.

It was always a pleasure to work with BILL GREEN and I count it among my life's privileges to have known him and to have been associated with such an outstanding man.

I pray that God's richest blessings may rest always with his sweet widow and his family.

Mr. MORGAN. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days in which to extend their remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

THE LETTER OF THE PRESIDENT OF THE UNITED STATES ADDRESSED TO PREMIER KHRUSHCHEV

Mr. FASCELL. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Florida?

There was no objection.

Mr. FASCELL. Mr. Speaker, the President of the United States has performed a much needed service to all of humanity by clearing the air in his letter to Premier Khrushchev.

The President made it clear that the United States under no circumstances would sacrifice any of the vital interests of the free world. He referred specifically to the unification of Germany, integrity of the Republic of China, and the maintenance of this Nation's forces and bases abroad.

President Johnson's policies seek peace—and he has not equivocated in the slightest. But he does not seek surrender—and here again he has not equivocated in the slightest.

Furthermore, the President made it clear that he preferred to talk in practical terms rather than in the "fog language" that has characterized so many of the proposals that have come from the other side.

I believe that the President has placed this Nation in the proper posture. It is a position of seeking every possible road toward honorable peace but not at any time weakening the ability of the free world to defend itself against aggression.

MEMBERSHIP AND PARTICIPATION BY THE UNITED STATES IN THE SOUTH PACIFIC COMMISSION

Mr. FASCELL. Mr. Speaker, I ask unanimous consent to take from the Speaker's table House Joint Resolution 779 to amend the joint resolution of January 28, 1948, relating to membership and participation by the United States in the South Pacific Commission, so as to authorize certain appropriations thereunder for the fiscal years 1964 and 1965, with Senate amendments thereto, and concur in the Senate amendments.

The Clerk read the title of the bill.

The Clerk read the Senate amendments, as follows:

Page 2, line 1, strike out "1964" and insert "1965".

Page 2, line 2, strike out "1965" and insert "1966".

The SPEAKER. Is there objection to the request of the gentleman from Florida?

There was no objection.

The Senate amendments were concurred in.

The title was amended to read as follows: "Joint resolution to amend the joint resolution of January 28, 1948, relating to membership and participation by the United States in the South Pacific Commission, so as to authorize certain appropriations thereunder for the fiscal years 1965 and 1966."

A motion to reconsider was laid on the table.

SUBCOMMITTEE ON THE COAST GUARD OF COMMITTEE ON MERCHANT MARINE AND FISHERIES

Mr. BONNER. Mr. Speaker, I ask unanimous consent that the Subcommittee on the Coast Guard of the Committee on Merchant Marine and Fisheries may sit tomorrow, Wednesday, and Thursday of this week during general debate.

The SPEAKER. Is there objection to the request of the gentleman from North Carolina?

There was no objection.

PRESIDENT'S BUDGET MESSAGE

Mr. ALBERT. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

Mr. ALBERT. Mr. Speaker, President Johnson today proposed his budget. It is a sound budget, entirely adequate while prudent.

It is the budget of a strong America, able today to reduce its military expenditures. Yet it contains no sacrifice in our preparedness.

It is the budget of a rich America, now entering its fourth year of economic expansion. Yet it concentrates on our citizens who have not shared in the general blessing.

President Johnson has struck the right note for the American people.

He proposes, as did President Kennedy, a strategic tax cut to enable our businessmen and workingmen to carry forward our economic expansion.

He proposes a war on poverty, to lift that forgotten fifth of our people out of their unfortunate conditions and to help them enter the viable sector of our society and economy.

He proposes to cut the yearly deficit in half, to reduce Federal civilian employment, and to halt our international imbalance of payments.

Mr. Speaker, this is a budget which will be supported by the American people.

LIBRARY SERVICES

Mr. ELLIOTT. Mr. Speaker, by direction of the Committee on Rules, I call up the resolution, House Resolution 592, and ask for its immediate consideration.

The Clerk read the resolution, as follows:

Resolved, That upon the adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 4879) to amend the Library Services Act to increase the Federal assistance for the improvement of public libraries. After general debate, which shall be confined to the bill and shall continue not to exceed one hour, to be equally divided and controlled by the chairman and ranking minority member of the Committee on Education and Labor, the bill shall be read for amendment under the five-minute rule. At the conclusion of the consideration of the bill for amendment, the Committee shall rise and report the bill to the House with such amendments as may have been adopted, and the previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit.

Mr. ELLIOTT. Mr. Speaker, I yield 30 minutes to the gentleman from Ohio [Mr. BROWN]. Pending that, I yield myself such time as I may consume.

Mr. Speaker, House Resolution 592 provides for consideration of H.R. 4879, which is a bill to amend the Library Services Act to increase Federal assistance for the improvement of public libraries. The resolution provides an open rule, permitting amendments, and provides for 1 nour of general debate.

The public library today is one of our basic educational resources. Education in this rapidly changing world is now of necessity a lifelong process; hence, it is essential that good public library service be readily available to every citizen.

As a step toward helping to provide this necessary public library service for the Nation, in 1956 Congress passed the Library Services Act, of which I was a coauthor and sponsor with the gentlewoman from Oregon [Mrs. Green], authorizing a maximum of $7,500,000 a year for 5 years to assist the States and territories in developing public library service in areas with less than 10,000 population. In 1960 Congress extended the act for an additional 5 years. Again I was author and sponsor of the bill extending the act.

In 1961 there were still 18 million persons who had no readily accessible public library service and 110 million more with access only to libraries which are inadequate according to minimum State standards. Such libraries frequently have only limited and outdated book collections, are ill housed and so understaffed that they can remain open for use only a few hours a week.

Sixty million of the people with inadequate libraries, and one and a half million with no public libraries at all, are in urban areas of the Nation not included in the present act. The proportion of our total population in urban centers is continuing to grow rapidly and many social and economic problems are accompanying this growth: illiteracy, unemployment, delinquency, and cultural needs. These are problems which good library service can help to solve.

The inclusion of urban libraries in library development projects will enable these libraries not only to strengthen their own library service but also to extend these services more effectively and efficiently into rural areas through the organization of larger library systems.

H.R. 4879 would amend the Library Services Act to include all of the people, not only those in rural areas, and also would provide for matching construction grants for public libraries.

Minimum allotments to the States for public library services would be increased from $40,000 to $100,000 and from $10,000 to $25,000 for the territories. Additional sums would be based on their relative population. Particular consideration would be given in State plans to the educational needs of people of all ages, including students, for useful and readily accessible library services and materials.

The act would also provide in title II matching grants to the States for constructing public library buildings. Each State would be allotted $80,000 and each territory $20,000 plus additional sums based on their relative population.

Funds authorized under title I would be increased from the present $7.5 to $25 million for fiscal year 1964. Funds authorized under title II for construction would be $20 million for fiscal year 1964.

In both cases, such sums as the Congress may determine would be authorized for the following 2 years.

This bill by amending the Library Services Act of 1956 would remove the restrictive 10,000 population limitation and make all areas of the Nation eligible for the benefits; would increase the authorization for services from $7.5 to $25 million in the fiscal year 1964, and for such sums as the Congress may determine in each of the next 2 fiscal years; and would authorize $20 million for the construction of public libraries in the fiscal year 1964, and for such sums as the Congress may determine in each of the next 2 fiscal years. In this connection I should call attention to the fact that the companion bill, S. 2265 passed by the Senate on November 26, 1963, sets the authorization for services at $25 million, and for construction at $20 million for fiscal years 1965 and 1966, respectively. In the case of both services and construction, the allotments to the States would be made on the basis of the ratio of the State's population to the total population of the United States; and the Federal funds would be matched by each State on the basis of relative per capita income to the average per capita income of the United States, the amounts varying among the States but with a maximum of 66 percent and a minimum of 33 percent. To prevent States from using Federal funds to replace State and local expenditures, a provision requires that the latter amount must not fall below those for fiscal year 1964.

Again, the population of the United States has increased enormously during the last decade, with a notable trend toward metropolitan areas and the rapid erasing of rural, suburban, and city lives. This growth and change has been accompanied by an ever-growing mobility of residents as a result of improved highways, expressways, and the beginnings of better mass local transportation.

In addition, people have been more educated and trained, and require a higher order of public library services and facilities.

To perform effectively the needed services for its users, the modern public library must have not only suitable books in sufficient quantities and competent personnel, but also adequate physical facilities. For this reason, a modest sum has been included in this bill for construction, not a Federal handout, but a grant to be matched by each State, which determines what buildings will be built, and where.

Mr. Speaker, the road toward building an adequate library system for the American people has been long and hard. However, we can all rejoice now that we are well along the way. I have traveled the entire length of our progress in this field. We have built the foundation for an excellent library system. It is based upon local-State-Federal cooperation as these programs should be. It is now time to extend library services to all the people not now served. We should take this next step.

Mr. Speaker, I cannot help but reflect at this time that there are many thousands of America's finest women who are deeply interested in this program. I refer to library leaders like Miss Germaine Krettek of the American Library Association to Mrs. Bernice Youngblood, chairman of the Alabama library board, to Mrs. Elizabeth Beamguard and Mrs. Lura Crenier, heads, respectively of the library service divisions of the State governments of Alabama and Mississippi, and to the thousands of women throughout our country who man our libraries and library boards. They have fought a great battle for better libraries for all Americans.

Mr. BROWN of Ohio. Mr. Speaker, I join the gentleman from Alabama [Mr. Elliott] in supporting the resolution, which will make it in order to consider H.R. 4879, a bill to amend the Library Services Act in order to increase the Federal assistance for the improvement of public libraries.

Members will notice that for the first time, under this proposed measure, there would be included under the Library Services Act nonrural libraries.

I understand that certain amendments will be offered to the bill. I have no requests for time under the rule. I yield back the remainder of my time.

Mr. ELLIOTT. Mr. Speaker, I move the previous question.

The previous question was ordered.

The SPEAKER. The question is on the resolution.

The resolution was agreed to.

A motion to reconsider was laid on the table.

CALL OF THE HOUSE

Mr. VAN PELT. Mr. Speaker, I make the point of order that a quorum is not present.

The SPEAKER. Evidently a quorum is not present.

Mr. ALBERT. Mr. Speaker, I move a call of the House.

A call of the House was ordered.

The Clerk called the roll, and the following Members failed to answer to their names:

[Roll No, 9]

Aspinall
Baring
Barry
Bass
Belcher
Blatnik
Brademas
Byrnes, Wis.
Cameron
Cederberg
Celler
Clausen, Don H.
Cramer
Daddario
Davis, Tenn.
Dawson
Denton
Derwinski
Diggs
Donohue
Fulton, Pa.
Gary
Gill
Grant
Green
Hanna
Harris
Harvey, Mich.
Hoffman
Hosmer
Johansen
Jones, Ala.
Kee
Lankford
Leggett
McCulloch
McMillan
Macdonald
MacGregor
Martin, Mass.
Miller, N.Y.
Morton
Nelsen
O'Brien, Ill.
O'Brien, N.Y.
Patten
Pepper
Philbin
Pilcher
Purcell
Rivers, Alaska
Robison
Rogers, Tex.
Roosevelt
Roybal
Saylor
Schadeberg
Schneebeli
Scott
Senner
Sheppard
Sisk
Slack
Smith, Calif.
Tuck
Vanik
Vinson
Watson
Westland
Wickersham
Williams
Winstead
Wright

The SPEAKER. On this rollcall, 356 Members have answered to their names, a quorum.

By unanimous consent, further proceedings under the call were dispensed with.

SUBCOMMITTEE ON COMMERCE AND FINANCE OF THE COMMITTEE ON INTERSTATE AND FOREIGN COMMERCE

Mr. STAGGERS. Mr. Speaker, I ask unanimous consent that the Subcommittee on Commerce and Finance of the Committee on Interstate and Foreign Commerce may sit this afternoon while the House is engaged in general debate.

The SPEAKER. Is there objection to the request of the gentleman from West Virginia?

There was no objection.

LIBRARY SERVICES

Mr. POWELL. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 4879) to amend the Library Services Act to increase the Federal assistance for the improvement of public libraries.

The motion was agreed to.

IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the State of the Union for the consideration of the bill, H.R. 4879, with Mr. MOORHEAD in the chair.

The Clerk read the title of the bill.

By unanimous consent, the first reading of the bill was dispensed with.

The CHAIRMAN. Under the rule, the gentleman from New York [Mr. POWELL] will be recognized for 30 minutes and the gentleman from New Jersey [Mr. FRELINGHUYSEN] will be recognized for 30 minutes.

The Chair recognizes the gentleman from New York [Mr. POWELL].

Mr. POWELL. Mr. Chairman, I come before you this afternoon to present one of the few remaining elements of the original education package or omnibus bill, as it has been commonly called.

With the passage of the library services and construction bill which we have before us today, the only major link that will be missing is general Federal aid to elementary and secondary schools.

When the late President Kennedy presented his education message and gave indication of the legislation which he wished to be passed to implement it, I told him that I would do all I could to see that every aspect of the measure would be passed. However, I warned him that it would be impossible to pass such an omnibus measure in the form presented and predicted that it would have to be broken into smaller segments.

It gives me great pleasure then to bring before you this measure today—the library services and construction bill, H.R. 4879—because it will remedy partly a serious gap in the educational facilities of our Nation. It is perhaps unfortunate but nevertheless unavoidably true that, at present, no realistic discussion of public concern for the education of elementary and secondary school pupils can take place without confrontation of the church-state questions involved.

To that end, I introduced a bill in the 1st session of the 88th Congress, H.R. 6074, addressed to the problem of "shared time" as a means of approaching the omnipresent problem of church-state relations. In its most simplified form, "shared time" means that pupils in parochial schools take some of their school work in a public school. Usually these subjects are of the nonreligious character, such as science, foreign language, mathematics, physical education, manual training, and home economics.

It is an idea which has been used for more than 30 years in various sections of our country, and most recently in Pennsylvania, a public high school was built especially with this idea in mind.

The term "shared time" should be distinguished from "released time." The latter implies time granted by public schools to their pupils for the express purpose of attending religious classes conducted under the auspices of their respective denominations or faiths. The sole purpose of "release time" is to excuse the student for religious instruction and in no way exerts an influence on his academic subjects.

"Shared time," on the other hand, would provide a program where students of the different religious faiths would study certain academic courses under public auspices and other courses under the respective church-trained teachers.

I shall begin hearings on this and related legislation as soon as we have completed our activities on this important legislation before us today, with the hope that this will clear the air for the direct attack which must be made on the most important element of our education in America today—education in the common school where all of the children of all of the people must attend.

Now let us turn our attention directly to the issues of today—the library services and construction bill—a bill which should concern us all, especially when we realize that the library, for most of us and other adults, tends to serve as our major educational institution during adulthood.

In his proclamation for National Library Week in 1963, the late President Kennedy said:

> Good libraries are as essential to an educated and informed people as the school system itself. The library is not only the custodian of our cultural heritage but the key to progress and the advancement of knowledge. With increasing leisure its resources can enrich the quality of American life.
>
> Libraries, like all other institutions, must grow and adapt to changing requirements and conditions. The rate of change in the world today and in our knowledge of it is incredibly fast. We cannot afford to let our libraries slip behind. Nearly 20 million people in this country still have no access to a public library and over 100 million have only inadequate service. It is particularly shocking that over 40,000 schools attended by more than 10 million young Americans have no library at all.

There is no doubt that education is one of the most vital bulwarks of progress in the United States. It is a lifelong process. All agencies and all efforts which would support and advance education are of the deepest concern to the Nation. The public library, when adequately financed, is an instrumentality which has won high rank in furthering the intellectual, scientific, and cultural growth in our country, but it should be doing more. The public library should reach all citizens of all ages, of all degrees of wealth, of all levels of education, of all types of occupations, and in all kinds of geographic areas.

The public library must be developed to the greatest possible potential. The bill before us, H.R. 4879, would assist in achieving this goal for public libraries by amending the Library Services Act of 1956 so that the population limitation of 10,000 would be lifted. The authorized matching grants for public library services would be increased by $17,500,000 annually for 3 years and an authorization of a matching grant of $20 million for construction would be included annually for 3 years.

In passing the original Library Services Act of 1956 and in extending it in 1960, the Congress recognized the public library as a unique and essential aspect of our educational effort in the Nation. Substantial progress in public library development has been made under this program in improving staff and book collections and extending bookmobile services to rural children and adults. We received abundant testimony at the time of our hearings to demonstrate the tremendous success being made under the present act. Hundreds—yes, thousands—of individuals in rural communities who previously had not had the services of an adequate library have been serviced through the provisions of the public law.

However, the present Library Services Act limits its benefits to communities under 10,000 population and prohibits the use of funds for construction of buildings and the purchase of land. There is impressive evidence that communities above 10,000 population also need assistance in developing and improving their libraries.

In addition, library authorities have testified that many rural areas could be better serviced if there were funds available to involve the resources and services of the larger libraries in regional library development.

In the rural areas now eligible under the act, the period in which the law has been in force with a meager annual authorization in matching funds of $7,500,000, State appropriations have increased by 92 percent and local funds by 71 percent. The proposed amendments would bring the demonstrated stimulative powers of the Library Services Act to focus on public library needs throughout the Nation wherever they exist.

Since the passage of the original act, the population of America has become more urbanized than ever in the history of our Nation. Our population is highly mobile, its hundreds of thousands of citizens moving from State to State each year. If the library is to function in its best educational manner for the greatest number of American citizens, we can no longer neglect the communities of 10,000 or more citizens.

We must recognize that the great growth of metropolitan areas has increased the problem of library services and has made obsolete the little isolated library struggling along with only its own meager resources. Funds must be made available to the States to foster cooperating systems of independent libraries. Citizens long for and need good library service regardless of geographical boundaries.

Present demands exceed public library resources for expert services to special age groups such as senior citizens, children, and young people, and in the fields of adult education, business, technology, delinquency problems, and others. Public libraries are being overwhelmed by pupils after school hours as a result of the new emphasis on independent study. Public libraries are feeling the pressure of the higher education and reading levels of the general public. They even service students attending institutions of higher learning. The public libraries are involved in supplying services and materials and job retraining, particularly in urban areas.

The 69 million children born since World War II, more than one-third of the total population at present, have created needs for libraries and their services. Pressured in such a manner by such growing numbers of individuals, the public library buildings are in great need of repair and replacement. As of March 1962, the median age of public library buildings was estimated to be 53 years, with 30 percent having been built before 1910. This alone represents approximately $280 million needed to meet the present backlog in public library buildings. The present act prohibits the use of funds for the purchase or construction of buildings. During the administration of the present act, it has become increasingly clear that the lack of adequate public library buildings has a seriously hampering influence on the development of public library services. We have learned through experience under the Library Services Act that we must develop an overall plan or cooperative system which will insure not only better services to our rural citizens but also better services to those persons residing in urban areas and in the smaller cities by making available the large city or county library resources. Large city libraries at one time were designed both physically and servicewise for the service of the residents of that particular city only.

However, today, metropolitan libraries are flooded with requests for materials from people residing as far as 50 miles away. Hence, we cannot neglect the large cities while we serve only the rural communities. The situation calls for the development, in addition to the rural library, of regional or district library centers where persons in smaller communities may go freely and easily where more resources are obtainable. Not even the regional or district library can fully supply the needs of either the user of a rural library or regional library. So they, in turn, must depend on the largest collection possible to meet the ultimate needs of the reader.

The control, it should be noted, will rest with the States. They will draw up the plans for library development best suited for their own particular needs. The States and the local communities select the books and the personnel for the libraries functioning under the plan.

The public library is an agency for education and for continuing growth during the lifetime. Although it is achieving much, it still shows glaring deficiencies and they are compounded by the developments just enumerated.

For these reasons, I urge favorable action on the library services and construction bill so as to upgrade more effectively this great and essential asset to the Nation.

Mr. Chairman, I wish to publicly commend the gentleman from Kentucky [Mr. PERKINS], the gentlewoman from Oregon [Mrs. GREEN], and the distinguished author of the bill and chairman of the Select Education Subcommittee [Mr. DENT] for the work they have done.

After the House passes this bill today we shall have virtually completed the original so-called omnibus bill, except with respect to elementary and secondary education. We are wrestling with that problem. Members know what we face. We hope through the concept which we call "shared time," on which I shall hold hearings soon, to resolve that problem, so that education in the United States can proceed on all fronts.

I commend the gentleman from Pennsylvania [Mr. DENT], the author of the bill, for his zeal and ability as chairman of the subcommittee. I yield to him now whatever time he may desire.

Mr. DENT. Mr. Chairman, as chairman of the Select Subcommittee on Education, which held hearings on H.R. 4879 to amend the Library Services Act, I urge the immediate enactment of this important legislation.

The facilities and services of a good, modern public library touch, at every point, the intellectual, economic, and cultural life of the Nation. Since the beginning of the American public library, it has served as an informal source of learning for millions of citizens—adults, young people, and children—to the permanent benefit of themselves and of our democracy.

Today our public libraries continue to serve the traditional cultural interests of the community and the personal needs of individuals for continued intellectual growth. But they also are now called upon to serve many newly created demands of an increasingly complex nature. The technological and scientific revolution of our age is producing new knowledge and making former "knowledge" obsolete at a very great rate. The systematic collection, up-dating, and dissemination of this knowledge is of critical importance.

New emphasis on independent study in our elementary and secondary school programs demands public library facilities of the highest quality. Our increased national concern with manpower training and job retraining has already made additional demands on public libraries. In economically depressed areas, the public library is often the only freely available educational institution which is open to all.

In the fight on poverty and its cause, the public library is in a strategic position to play an important role. It can aid both those who are engaged directly in assisting the impoverished youths and adults to gain education and training, and the disadvantaged individual to gain skills necessary in a rapidly changing society.

In our larger cities, the public libraries are now trying to meet the special needs of such groups as culturally deprived youth; gifted students; potential delinquents; adult learners and the increasing numbers of retired persons. In short, the public library is now widely recognized as a vital cultural and economic resource as well as a fundamental educational institution.

Although the provision of public library service is and should be primarily the responsibility of State and local governments, the Federal Government should recognize that it has an important stake in making good libraries available to all. The problems now facing our public libraries are national in scope and I believe that a part of the solution also lies at the national level. What is required is a working partnership among all levels of government, a partnership which has had an excellent beginning in the present Library Services Act.

The Library Services Act of 1956, now in its seventh year, has had great success in extending and improving rural public libraries. Among other accomplishments this program has provided 38 million rural residents with new or improved public libraries, made possible the purchase of more than 10 million books and other reading materials, and has placed in rural operation more than 350 bookmobiles. Between 1956 and 1962 State appropriations for rural public library service have increased 92 percent and local funds for the same purpose have risen 71 percent over the same period.

These percentage increases clearly refute the few opponents of this legislation who allege that the States and local communities have not been stimulated by the original Library Services Act.

Serious deficiencies in public libraries exist throughout the Nation. For example, 18 million persons still are without public libraries and 110 million are hampered by trying to use seriously inadequate facilities. Despite the best efforts of States and localities, our urban and suburban libraries have not been able to keep pace with increasing demands. These needs for good book collections, well-trained personnel, and effective service programs do not exist in a vacuum. They go hand in hand with adequate library buildings. The average public library building today is 53 years old. This advanced age is usually accompanied by the lack of usable space, nonfunctional design, and resistance to modernization. The many changes in our cities during the past half-century has also made many library locations obsolete.

The Library Services and Construction Act of 1963, H.R. 4879, has been designed to correct two basic gaps in the present program. The major provisions of this bill are as follows:

First. Amend the Library Services Act of 1956, which presently is applicable only to rural areas—defined in the act as excluding communities having a population of more than 10,000—to remove this limitation, thus extending coverage to all areas of the United States regardless of size.

Second. Increase the presently authorized $7,500,000 amount to $25 million for fiscal year 1964 and each of the following 2 fiscal years.

Third. Increase the present basic allotment (a) to Guam, American Samoa, and the Virgin Islands from $10,000 to $25,000 and (b) to each of the States from $40,000 to $100,000.

Fourth. Add to the act a new construction title, for which $20 million is authorized in fiscal year 1964 and each of the 2 succeeding years.

Fifth. Bring within the coverage of the act the District of Columbia.

Sixth. Change the base year for determining minimum State expenditures from fiscal 1956 to fiscal 1963.

As under the present Library Services Act, allotments to the States would be on a population-ratio basis. Matching by each State, including local funds, would be on a per-capita-income basis. States would submit plans for the use of the grants.

In the course of consideration of this legislation by the other body, amendments were proposed by a minority Member and passed by the Senate which would set a ceiling of $25 million for services and $20 million for construction for each of the 3 years of the program. Elimination of the so-called open-end provision should serve to allay some fears concerning the size of future appropriations. Although this amount cannot solve all the problems of the Nation's public libraries during the 3 years of the program, it is sufficient to offer that stimulation to State and local action which is the primary intent of the legislation.

Other minor technical amendments made by the other body relate to the effective date of the act, required by the lateness in the fiscal year, and a minor change in language requested by librarians to avoid a possible confusion between the responsibilities of school and public libraries. This latter changes "students of all ages" to "people of all ages, including students."

The act will continue to guarantee State and local control in a clause which states that:

> The provisions of this act shall not be so construed as to interfere with State and local initiative and responsibility in the conduct of public library services—

And that the—

> Administration of public libraries, the selection of personnel and library books, and insofar as consistent with the purposes of this act, the determination of the best use of funds provided under this act shall be reserved to the States and their local subdivision.

By including both urban and rural areas, library planners will be able to build substantial programs of library extension and development on the best existing libraries in the larger cities. In this way, the improved facilities can be shared by all users regardless of their place of residence. Mr. Ralph Blasingame, Pennsylvania State librarian, recently commented on the limitation of the present act to areas of under 10,000 population. In urging that this provision be eliminated, he expressed his belief that the problems of suburban libraries are just as prevalent and just as hard to solve as they are in rural areas. He also noted that in very many Pennsylvania suburban towns the population has exploded and that library services to those areas has suffered neglect. Other States report similar conditions.

The building problem for public libraries has become acute. An examination of the situation shows that, for the country as a whole, conditions are deplorable. The average age of these public library buildings is estimated to be about 53 years. Many of the existing structures are ill-arranged for modern services, ill-equipped, ill-lighted, and grossly overcrowded, both as regards books and would-be users. A half century old, these buildings are manifestly unable to serve the educational, business, cultural, research, and other needs of an expanding population of adults, youths, and children in this modern age.

I support the enactment of H.R. 4879, the Library Services and Construction Act. This legislation will eliminate the inequities and the inefficiencies of the present population limitation and will authorize an additional $17.5 million to improve services wherever they are lacking or are inadequate. In addition, it will provide $20 million to give localities the necessary encouragement to meet their needs for better library buildings. The present Library Services Act has had a degree of success far out of proportion to the modest amount of Federal funds involved. I have every hope that this amended program will have the same result.

Mr. PERKINS. Mr. Chairman, will the gentleman yield to me?

Mr. DENT. I yield to the gentleman from Kentucky.

Mr. PERKINS. I wish to take this opportunity to compliment the gentleman from Pennsylvania [Mr. DENT], for bringing a very important piece of legislation to the floor. I recall back in 1950 we made an effort here in this Chamber to pass the rural library services bill and failed by two votes. We were unsuccessful until about 1953. Since that time the rural library program authorized by the Congress has been making a substantial contribution to making available literature and information to our rural citizens. If I understand the gentleman, this bill not only continues the service, but also extends the present program to the municipalities and makes construction funds available wherever needed in the country under the definition of this act, whether it be for the rural sections or municipalities. Is that correct?

Mr. DENT. That is correct.

Mr. PERKINS. I certainly want to associate myself with the remarks of the gentleman from Pennsylvania.

Mr. LANDRUM. Mr. Chairman, will the gentleman yield to me?

Mr. DENT. I yield to the gentleman from Georgia.

Mr. LANDRUM. In connection with the statement just made by the gentleman from Kentucky [Mr. PERKINS] the bill does not change or alter in any way the requirements for the rural areas to get the benefits previously provided under the present act.

Mr. DENT. No. The act in its formula would add to the present amounts now given to the rural areas and amounts would not be diminished but, in fact, would be increased.

Mr. LANDRUM. So the suggestion being made that the proposal is to amend and extend the provisions of the act to municipalities of more than or greater than 10,000 population, does not mean that the rural areas will receive any less support or any less attention than they have previously?

Mr. DENT. That is exactly correct, sir.

Mr. PERKINS. I am sorry if I created that impression in my remarks. The bill clearly so provides.

Mr. FRELINGHUYSEN. Mr. Chairman, will the gentleman yield further on that point?

Mr. DENT. I yield to the gentleman from New Jersey.

Mr. FRELINGHUYSEN. Is it not true that there is no protection of the rural areas in this bill? And, is it not true also the addition of any library that needs assistance can qualify for Federal aid may well mean the rural areas are going to get short-circuited in spite of the gentleman from Georgia's statement. There is not any protection, there is not any requirement that rural areas get any change from the program that has done so much for rural areas.

Mr. LANDRUM. Mr. Chairman, will the gentleman yield?

Mr. DENT. I yield to the gentleman from Georgia.

Mr. LANDRUM. Mr. Chairman, in the first place I am rather astonished to learn that by proposing to extend this act to the municipalities we have got to put any special safeguards in it for the rural areas. I did not know we were going to cut each other's throat around here.

Moreover, if the gentleman will yield further, the money is still appropriated through the State agencies and controlled at that level, as to how it is distributed in the States; is that correct?

Mr. DENT. That is correct. And you must take into consideration that here we have a new piece of legislation with added appropriations. The formula works out exactly as I have said, there is no decrease to the rural communities, because, as the gentleman from Georgia has stated, you still have to go through the gamut of State appropriations; and funds are made available upon a per capita income basis for protection of the rural areas.

Mr. ROOSEVELT. Mr. Chairman, will the gentleman yield?

Mr. DENT. I yield to the gentleman from California.

Mr. ROOSEVELT. Mr. Chairman, I want to congratulate the gentleman from Pennsylvania for his leadership on this bill. I want to say, also, to my colleagues in the House that the gentleman from Georgia has given us the correct facts about this bill just now, and has been a longtime leader in this entire area. The record will show that if there is an expert in the House in relation to library services it is the gentleman from Georgia [Mr. LANDRUM]. I am happy to associate myself with these two gentlemen.

Mr. Chairman, in his proclamation for National Library Week in 1963, our late President, John F. Kennedy, said:

> Good libraries are as essential to an educated and informed people as the school system itself. Libraries, like all other institutions, must grow and adapt to changing requirements and conditions. The rate of change in the world today and in our knowledge of it is incredibly fast. We cannot afford to let our libraries slip behind. Nearly 20 million people in this country still have no access to public libraries, and over 100 million have only inadequate services. It is particularly shocking that over 40,000 schools attended by more than 10 million young Americans have no libraries at all.

The library, in the public school, in the university, and in the community, should be the great vault of information, the storehouse of all man's accumulated knowledge, and the real foundation of an informed citizenry. When a totalitarian government takes control of a nation, its first and most sweeping assault is always made on the libraries, to remove from the people's grasp the thoughts, wisdom, and stirring ideas of the past which have in them a power to inspire men to overthrow the shackles of ignorance and oppression. But a library that is burned is no worse than a library that never existed, or one so failing the needs of the people that it is useless.

The current Library Services Act recognizes this, and has as its purpose the betterment of library services through incentives to the States. The State must make its own library appropriation pursuant to an approved plan, and then the United States provides up to 66 percent of that amount in additional funds. In this, the Congress intended only to perform an experiment. The scope of the act was limited to one most pressing need: the Nation's rural areas, and this was done to provide a narrow field of activity in which the success of the experiment could be readily measured. There was no presumption that rural areas represented the only real need or that the act, so restricted, supplied the only definitive solution. Nevertheless, it was greeted with great enthusiasm by State library administrators and its success over the past years has been clear. A recent report of the State of California to the U.S. Office of Education stated:

> Over a million people in California (have) improved library service now available because of the Federal projects. Tangible proof of the services provided by the project can be seen in the form of three bookmobiles; many thousands of books; several hundred films and phonograph records; added staff members; and expedited loan services. Intangible results are harder to measure, but a greater awareness on the part of the public of the library as a service agency available to all ages and types of people is shown by the increased use of the libraries in which projects have been conducted.

Mrs. Carma Leigh, California State librarian, testified:

> The present Library Services Act now forces us to plan library systems in a sort of hit-or-miss checkerboard pattern, cutting out medium sized and larger cities. Some formerly under 10,000 population had to be cut out automatically after the 1960 census, thus removing their resources from the systems being planned, and weakening the whole system to the detriment of rural areas. These places have much-needed book collections and staffs which have something to share with as well as to gain from the newly planned library systems. We need to cooperate with them, and they with each other and their rural area neighbors, for the most economical and effective use of all funds and library resources. This is true of all States.

In addition to the limitation in the act prohibiting the use of funds in nonrural areas, there is one other major malady. The present act prohibits the use of funds for the purchase or construction of library buildings. These buildings are today characterized by advanced age, lack of usable space, inefficient design, and expensive maintenance. In three States surveyed, California, Indiana, and Wisconsin, 85 percent of the public libraries were erected before 1920 and 30 percent were built before 1910. Construction now planned will fall far short of estimated needs.

H.R. 4879 would amend the Library Services Act to include all of the people, not only those in rural areas, and also would provide for matching construction grants for public libraries.

I wish to particularly emphasize that the States will not be divested of control over library services. The States will draft plans for library development best suited to their own particular needs. The States and local communities will continue to select the books and the personnel for the libraries functioning under the plan.

I believe it is sufficient for me to add that my own State of California estimates that more than 1,250,000 persons now benefit from the improved service provided by the act. This is all well and good, but California's total population is now approximately 17,500,000 persons. Public library services fall far short of the demands in many fields. The States are more than willing to continue their present programs, but the requirements of all the people can only be met by enlarging substantially the framework of this already tried and proven program.

It is a well-known fact that man's knowledge today is fast outpacing his ability to absorb it. We cannot abandon this opportunity to provide greater means and resources for buttressing this ability and thus helping to keep Americans the most alert, informed and enlightened of the world's people.

For these reasons I urge favorable action on the library services and construction bill so as to effectively develop this major and vital asset to the Nation.

Mr. WAGGONNER. Mr. Chairman, will the gentleman yield?

Mr. DENT. I yield to the gentleman.

Mr. WAGGONNER. Mr. Chairman, I would like to ask the gentleman whether or not the money required to implement the expansion of this program was provided in the President's budget message which was received by the Congress today.

Mr. DENT. But I yield to my chairman on that point.

Mr. POWELL. Mr. Chairman, may I say that in the preparation of the budget there was a request made by the chairman for anticipated legislation that might be enacted, and what the cost would be, and that cost was included in the thinking that brought forth the budget which we received today from the Chief Executive.

Mr. FRELINGHUYSEN. Mr. Chairman, will the gentleman yield to me on that point?

Mr. DENT. Mr. Chairman, may I say to the gentleman that I want to clear up at least the points covered by the act and answer some of the questions that were asked of me earlier. At that time, if I have any time remaining, or during the course of the debate, I am sure we will get answers to these questions.

Mr. CONTE. Mr. Chairman, will the gentleman yield?

Mr. DENT. I yield to the gentleman from Massachusetts.

Mr. CONTE. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

Mr. CONTE. Mr. Chairman, it is a great pleasure for me to rise in support of this legislation, which would amend the historic Library Services Act of 1956.

This legislation, H.R. 4879, will increase the Federal assistance for the improvement of public libraries, improving the 1956 legislation, which was extended in 1960.

Education, Mr. Chairman, is a lifelong process and the world of books is the key to a better understanding of the times in which we live. The public library, in this sense, is a basic educational resource. It is essential that every community have a good public library.

And by saying every community, Mr. Chairman, I mean precisely that there should not be an area in this Nation without this most precious resource, or an area without easy access to a library.

Who is to say that our future poets, politicians or philosophers will come from a particular place? Who among us could deny the fact that some of our great creative artists and some of our leading scientists have come and will continue to come from the kind of community that emphasized the role of books in our national life.

Where will our future historians be made? I am absolutely certain that the roots of genius reside in books, and that libraries are, in a genuine sense, a key to our future as a nation. In 1961, there were 18 million people without readily accessible public libraries, and 110 million more with access to libraries which are unadequate by State standards.

I am very proud of the fine accomplishments that Massachusetts has made under the Library Services Act of 1956. More than 1.2 million rural residents in my State have had their public library services improved and extended under this program. The Library Services Act has stimulated a 33-percent increase in both State and local appropriations for public library service. It also proved a valuable incentive for the development of three regional library systems which will supplement all local library resources to the benefit of every resident.

Mr. Chairman, H R. 4879, the Library Services and Construction Act, will give essential new impetus to this highly successful beginning. I believe that good libraries should be freely available to all This proposed amendment will accomplish this goal by doing away with the population restriction to places of under 10,000.

Massachusetts is not a large State in total area and its residents are highly mobile. They expect and they should receive easy access to good libraries anywhere in the State. It is unfair and uneconomical to deny assistance under this library development program to those who choose to live in our growing cities, suburbs, and metropolitan areas.

H.R. 4879 will help in two specific ways. First, it will aid these hard-pressed areas which are presently ineligible. Second, it will allow library officials to make the maximum economical use of all existing resources. Library books, library buildings, and librarians are becoming increasingly expensive with each passing year.

By including the entire State in a State plan for library extension and development, duplication and overlapping can be avoided and a maximum return on our investment can be assured.

Our national concern for high quality education is fully justified. The American public library has been accurately called the free university of all the people. H.R. 4879, the Library Services and Construction Act, will help all of us be certain that our libraries keep pace with the growing educational needs of the housewife, the employed or unemployed worker, the retired citizen, the newly literate, the research worker, and of students of all ages. By helping to fulfill the self-education of individuals, the good public library has a direct role in helping to achieve the national goals of our whole society.

It is expected, Mr. Chairman, that an additional 5 million more public library users can be expected by 1970.

There will be a great and continuing need to accelerate the public library service of this Nation.

The added materials, the staff and equipment needed for a modern library are all considerations which will have to be taken into account.

This legislation would, as L. Quincy Mumford, Librarian of Congress, said before the House subcommittee, "go a long way toward stimulating State programs to enable public libraries to meet their responsibilities and to realize their potentialities."

Emerson has said "You cannot make a cheap palace" and this legislation—which does not cost a great deal of money—can help establish a potential palace, a palace with purpose and books for everyone in the United States.

Mr. Chairman, I urge the prompt passage of this legislation.

Mr. FRELINGHUYSEN. Mr. Chairman, I yield 5 minutes to the gentleman from Nebraska [Mr. MARTIN].

Mr. FRELINGHUYSEN. Mr. Chairman, will the gentleman yield briefly?

Mr. MARTIN of Nebraska. I am happy to yield to the gentleman.

Mr. FRELINGHUYSEN. Mr. Chairman, I should like to correct an impression which the chairman of our committee, the gentleman from New York [Mr. POWELL], gave concerning whether or not provision has been made in the new budget submitted by President Johnson today for the increased program envisaged by this bill. I looked at the budget hastily and I find no such assurance that these additional funds are provided for. Provision is made for $7.5 million which is the amount for the program as it is presently authorized.

In addition, there are $5 million provided for a number of activities, including increased activities in this area, which would seem clear evidence that there is positively not sufficient funds requested to support this program if we should approve it.

Mr. MARTIN of Nebraska. I thank the gentleman for his remarks.

Mr. Chairman, the present Library Services Act is perhaps one of the most successful Federal programs that has ever been enacted by this Congress. It has done a tremendously fine job throughout the country and I think it is acknowledged that it is a successful program by Members on both sides of the aisle.

I would like to compare it, however, to a doctor treating a patient who gives that patient some penicillin and he recovers in 2 weeks. If we follow the logic of the proposals in this bill to change the present Library Services Act, we would say to the doctor if he gives the patient twice as much penicillin he will recover in 1 week instead of 2 weeks, or if he gives him three times as much penicillin he will recover in one-third of the time.

We have a bill here that gives the patient six doses for every one he should have because here is an increase in authorization of appropriation of 600 percent. The present Library Services Act first passed by the Congress in 1956 was a 5-year program, and extended until 1961. In 1960, the Congress in its wisdom extended the act for 5 more years. It does not expire until June 30, 1966, and costs $7.5 million a year.

We have a program here in this new proposal that calls for a total authorization of $45 million—$25 million in services and $20 million in an entirely new concept that has never been considered or acted upon favorably by the Congress before of Federal aid to libraries that provides $25 million of authorization for construction. This is only a foot in the door, as all of us realize, and would start us down the road to the authorization and appropriation of hundreds of millions of dollars in future years if we get into this construction field.

Testimony before the subcommittee, which was taken last April, was not complete. In fact, it was not very authoritative. Mr. Keppel, Commissioner of Education, admitted in his testimony that the department did not actually have many figures on this entire program but they based their information and their statistics on those furnished them by the American Library Association.

You know, Mr. Chairman, that the Library Association or any other association is going to want more. They have more programs and they are going to want more money for services or construction or whatever they feel is necessary for the promotion of their particular line of endeavor. That is what we have in our testimony.

Let me quote just a few lines from page 34 of the hearings, in which the gentleman from Kentucky [Mr. SNYDER] asked Mr. Keppel this question:

> Mr. SNYDER. All right, I was wondering whether or not your office or department has made an independent study of what constitutes adequate public library services, or if you have accepted the figures and the theories of the American Library Association.
>
> Mr. KEPPEL. I asked the same question, Mr. SNYDER. We have not in a formal sense made an independent study by a group of external advisers for this purpose.

In other words, Mr. Keppel was not quoting any figures, any statistics, any research done by HEW. It was quoting completely 100 percent figures from the American Library Association.

Do you know what the American Library Association says is an adequate library service? An expenditure of $3 per capita a year. That is what they say is adequate library service. I do not know what that is based on. I did not get any satisfactory reply from Mr. Keppel with reference to the figure of $3, or whether or not it should be $5, $2, or $1. They say $3 per capita per year for library services.

This program at present, as you know, is confined to rural areas, towns and communities under 10,000 population.

In our testimony, and again by Mr. Keppel it was stated that of 18 million people, who had inadequate library service in the United States—and mark this—of 18 million people, 16½ million are in the rural areas of the United States.

In other words, the need exists where these shortages exist in 92 percent of this area. Here we have an act that repeals the 10,000 limitation and cuts out this rural area program and opens it up to all sections of the country including the metropolitan areas.

We have had testimony in past years, and I think some of the other Members will quote from this testimony, that our metropolitan areas and our larger communities do have adequate library services.

There is one other point I want to make. State library programs have been mentioned. We have many States, Mr. Chairman, in this country that do not have State library programs. For instance, in my own State of Nebraska we do not have such a program. Our libraries are handled at the local level, where they should be, with local taxation based upon our real estate and personal property assessments. We add on a mill or a two or three mill levy in our local assessments in our communities to maintain our libraries. We do not have any State program, and we are proud of the fact in Nebraska that we have built some of the finest libraries in our communities of anywhere in the country, and I am happy to report we have had several new libraries built last year because local communities voted the bonds for their construction.

Mr. Chairman, later on I propose to offer some amendments. The primary amendment is to reject the construction section of this bill. Unless this amendment is adopted, and unless we can eliminate this entirely new program of $20 million a year, I must oppose this bill and I trust that Members will support this amendment when it is offered.

The CHAIRMAN. The time of the gentleman from Nebraska has expired.

Mr. FRELINGHUYSEN. Mr. Chairman, I yield 6 minutes to the gentleman from Ohio [Mr. TAFT].

Mr. TAFT. Mr. Chairman, it has been with pleasure that I and many Members of the House on our side of the aisle have during this session supported various measures to improve education in this country. Of course, this measure was originally included in the omnibus education bill. However, we have considered it on its own merits, and it has been separated from the omnibus bill and I think it is perfectly clear that this bill does not meet the standards which have led me, and I think led other Members, to support many of the educational bills that we have had before us and that have come before this House and have been passed.

Mr. Chairman, the testimony we have had in this area has in no way, I believe, sustained the point of view that this is basically or even in any way a truly Federal responsibility. The original act which was passed here in 1956, which was designed to do something about rural areas to meet extraordinary library needs in those areas on a need basis was indeed a fine measure.

As a member of the House Finance Committee in Ohio for three terms, it was my pleasure to consider and to learn how this program has worked in the State of Ohio and has been effective in doing just exactly what it was intended to do, in other words, to build up library services in rural areas. As has been pointed out by the gentleman from New Jersey, there is no guaranty whatsoever in this bill today which would mean that there would even remain in the rural areas any of the money that is presently going to them. More than that, I think this is a general Federal aid to libraries bill. It is the beginning of a financing plan under which the money for library services is going to come from the Federal Government handout rather than being supported with the kind of support and the kind of interest that you must have in order to have good and necessary library service at the local and State level, but particularly at the local level. Let me say further, there is presented by this proposed legislation a really serious danger to the continuing local and State financial support for our library system in this country.

I say that because in many States—and particularly in my own State of Ohio—there are earmarked special taxes for library purposes, which gives the libraries a priority with respect to certain funds. In Ohio that is the personal property tax. In many other States it is the real estate tax.

However, if we should now find that libraries will have to vie here with military programs, with space programs, and with all other kinds of programs, I believe we will find, very often, that the enormous demands with respect to matters of truly Federal concern will "eat up" the funds and put the libraries—as I believe a general Federal aid to education bill might do with respect to education—in a very real competition for funds in the big leagues, so to speak—in the big leagues with defense, in the big leagues with debt financing, and in the big leagues with the space program and other programs which make tremendous demands.

Let us consider what actually has happened. I have before me the record of the hearings. I should like to call to the attention of Members a few facts as to what has happened with respect to the matching fund appropriations and expenditures made by the States and local governments. The State expenditures alone mean little in this figure. The local expenditures along with the State expenditures make a composite of the matching funds we are concerned with.

The method of financing libraries at the State or local level should be left up to the State involved. I believe in Ohio, with our tax priority, the people prefer to do their primary financing of libraries at the local level. I believe that many other States do, also.

Let us take a look at the figures for Ohio. In 1957 the matching expenditures for this type of program were $104,000. This figure has been increased about 4 times during the 6 years it has been in effect.

The State of Pennsylvania went from nothing in matching expenditures in the year 1957—and I call this to the attention of the gentleman from Pennsylvania—to $1,134,000 in 1962.

New York went from $528,000 in matching expenditures in 1957 to $2,778,000.

How can it be said that the law which is presently on the books has not met the purposes for which it was originally passed and is not really doing something for the rural libraries?

That does not mean that we should stop now. I would be in favor of continuing the program as a rural library program, but the present proposal would not do that.

Mr. DENT. Mr. Chairman, will the gentleman yield?

Mr. TAFT. I yield to the gentleman from Pennsylvania.

Mr. DENT. The $1 million or more for the State of Pennsylvania was not restricted to the rural libraries. That program covers the entire gamut, both rural and other libraries.

Mr. TAFT. I believe if the Member from Pennsylvania will check the figures on page 67 of the hearings he will find that is not an accurate statement. The figure given for Pennsylvania expenditures, I believe, are the matching funds under the program.

Mr. DENT. If the gentleman will yield further, the State of Pennsylvania has a complete library program.

Mr. TAFT. I should like to call one further point to the gentleman's attention.

I believe it is quite interesting that the bill comes before the House today, the same day when there was presented to us by the President the Federal budget and when we hear statements about economy and fiscal responsibility. Yet, when we look at the budget itself we find that there is no allocation made for the additional funds which will be required by this program, other than the general $5 million which is to be earmarked for special additional programs throughout the whole field.

This will not be a drop in the bucket. This program is going to cost $45 million in the coming fiscal year, as compared to the $7.5 million in the present authorization, which could be spent even if the law were not changed in this respect.

I wonder if this is an example of the kind of fiscal responsibility that we are going to see in the presentation of the budget before the Congress. I hope it is not, but I fear, on the basis of figures that I have seen thus far, this will indeed be the case.

Mr. POWELL. Mr. Chairman, I yield 2 minutes to our distinguished majority leader [Mr. ALBERT].

Mr. ALBERT. Mr. Chairman, I desire first of all to state that I support this proposed legislation. I commend the distinguished chairman of the committee, the chairman of the subcommittee, and the other members of the committee who have brought this legislation to us.

The rural library program certainly has worked, and I feel that it is time to make it available to all sections of the country where it is needed.

Mr. Chairman, this is important legislation. The gentleman from Pennsylvania [Mr. DENT] has pointed up the basic factors which make it both important and necessary. This program supplements the formal education of our young people and prepares them for the challenges they will face in adult life. This legislation attacks the problem of providing for the continuing education of our adults to meet the opportunities of our changing society. The Rural Library Services Act has been an overwhelming success. The time has come when we must extend the act.

The pernicious evils this bill seeks to cure make no headlines in our daily newspapers. Yet there are millions of Americans who still have no public library to enable them to read and research and broaden their knowledge. There are also millions of Americans who have only the shoddiest library facilities, inadequate by any reasonable standards. Many of our existing libraries are too small to accommodate those who need their services. Many of these institutions have only meager, outdated collections to tempt our citizens.

This legislation is a frontal assault upon all these shortcomings. If we fail in our attack upon the deficiencies in our public library system, then we fail in our responsibilities to many of our young people to provide them the wherewithal to become informed, to grow intellectually and spiritually, and to become effective citizens.

If we duck the challenge now, then we fail in our duty to our adult population to provide the means to keep apace with the challenges of the 20th century.

If we are to remain a nation climbing steadily upward, we cannot afford to ignore these responsibilities.

The legislation before us is the proper tool with which to repair the ills in our auxiliary vehicle to education, our libraries. It will authorize funds to provide public libraries with the means of meeting the demands for their services. It will stimulate the construction of adequate buildings. It will strengthen the community library systems with competent personnel. It will excite the States into providing more efficient organizations.

Money invested in our library system today will pay dividends a hundredfold in a more literate society tomorrow. This legislation will make us a more educated people. It will make us a more prosperous and economically sufficient nation. It will advance children and adults alike toward the attainment of their full potential in the complex society of the space age.

On the subject of the budget estimates, I have a copy of the budget. The budget estimates contain, for existing legislation—which is the rural program—$7.5 million; this is the maximum amount authorized by law. For the new programs or proposed legislation the budget estimates contain $718 million for education, which is broken down into the various projects, including the construction of public libraries, expansion of public library services in urban as well as in rural areas.

This figure has been taken into account by the Bureau of the Budget. I have checked this with the Bureau of the Budget. There is nothing phony about the budget. The budget is real. The program is recommended by the President, and the President is recommending funds for its improvement.

Mr. POWELL. Mr. Chairman, will the gentleman yield?

Mr. ALBERT. I yield to the gentleman.

Mr. POWELL. I was biding my time, because the gentleman from New Jersey [Mr. Frelinghuysen] evidently has not done his homework. I was going to tell him exactly what the gentleman from Oklahoma has just said.

The gentleman from New Jersey said that the President did not include this item in his budget and he said I did not tell the truth. But the President did include it. If the gentleman will read it and he is literate, then he will know that he is wrong again.

Mr. FRELINGHUYSEN. Mr. Chairman, I yield myself 2 minutes. I wish to say to the gentleman from New York that I did not say that he did not say the truth. What I said is that the President of the United States did not submit a request for the increased amount to be authorized by this bill.

I do not believe the gentleman from Oklahoma is arguing that the President has made such a recommendation. Presumably the President is going to make a further recommendation, which will require an additional $718 million. I will not argue that point.

What I am saying is that we do not have, in the present budget submitted today, the figures for a new program.

Mr. ALBERT. If the gentleman will yield further, $718 million is in the President's budget.

Mr. FRELINGHUYSEN. Mr. Chairman, is it not true the President has not spelled out the ways in which that $718 million is to be spent? I believe that he has not done so, and that he has not submitted a request for these funds. He indicated there is going to be an addition of almost $1 billion in this area. So far as I know, there is absolutely no breakdown of any kind as to how this is to be spent. It is for that reason, I still insist, we do not know from the President of the United States how this money is to be spent or if one penny of this money is to be spent on this program.

The gentleman from Oklahoma presumably knows the President's mind, but I might say that the rank-and-file Members of the Congress cannot as easily spell out his position.

I repeat that I did not call the gentleman from New York a liar or anything of that kind.

Mr. POWELL. Mr. Chairman, I yield 2 minutes to the distinguished Member from Georgia [Mr. Davis].

Mr. DAVIS of Georgia. Mr. Chairman, I appreciate the opportunity to offer my comments in support of H.R. 4879 which amends the Library Services Act to extend Federal assistance to urban as well as rural libraries and provide funds for the construction of library buildings.

Congress has shown its full cognizance of the importance of education for our youth in a world whose demands upon its citizens are greater and more challenging than ever before. Our recent achievements in educational legislation show an understanding on our part of the era in which we live.

But we must realize the need to extend educational opportunities to all segments of our population. The public library offers the rewards of learning both to the student who is enrolled in an educational institution as well as to the technologist, businessman, Government official, scientist, housewife—any citizen who desires to enter its doors. As our U.S. Commissioner of Education has said:

> The public library is a basic educational resource. The widespread recognition that education is a lifelong process has dramatized the importance of having good public library service readily available to every citizen. Good libraries are as important as the purposes they serve and without them we cannot hope to achieve the social, educational, cultural, and economic goals of the individual and of society.

In 1956 Congress enacted the original Library Services Act to aid rural areas. In 1961 its benefits were extended. Now, in 1964 our needs persist. Approximately 128 million of our people or nearly 71 percent have inadequate library facilities. About 60 million of those who have inadequate facilities—almost one-third of our entire population—as well as 1½ million who have no public library at all, live in urban areas unaided by the present act.

Reports show that in 1961, 110 million people were served by libraries with limited and outdated book collections and by libraries that were understaffed and consequently open only a few hours a week.

Many of our public libraries are sorely in need of either improvement or replacement. In March 1962 the U.S. Office of Education estimated the median age of public library buildings at 53 years of age. In addition, because of population shifts, existing libraries are often poorly located to meet the needs of the community.

We live in a time of unprecedented change and growth. Our public libraries will have to open their doors to an estimated 5 million more patrons by 1970. And as the number of patrons increases, their interests and needs become more demanding. We must have the wide range of books to satisfy the diverse needs of our library users. We must have the staff well-trained and abundant to help our library users profit from the benefits of a public library. And we must have new books and new and improved buildings to house the ever-increasing knowledge of the past, the present, and the future. I support H.R. 4879 because I feel it will help meet these demands.

Mr. FRELINGHUYSEN. Mr. Chairman, I yield 3 minutes to the gentleman from Ohio [Mr. Ashbrook].

Mr. ASHBROOK. Mr. Chairman, the central misconception about this bill is that it only extends to urban areas the assistance now made available to rural areas. The fact is that the existing act is intended to help provide library services where they do not exist. All of the information presented to our committee in 1955 and in 1960 was that the areas in which there were no library services were rural areas. Information presented in 1963 indicated that over 90 percent of the remaining areas without library services were in communities of 10,000 or less.

This bill extends the act far beyond its original purpose. It would expand the act into one of general Federal aid to public libraries, without regard to whether there are existing library services.

The avowed intention of the advocates of the original act was to use Federal funds to stimulate increased State participation in providing a system of library services available to all areas of the State. This is a completely different purpose than that contemplated by this bill, which is to have the Federal Government take over the major responsibility for financing State systems of public libraries. I submit that this would not be a proper or sensible role for the Federal Government.

To the extent that the Federal Government under the existing act makes possible the provision of library services in areas without them, it may be said to encourage the States to work out a statewide library system; but the massive financial involvement of the Federal Government proposed now would have the opposite effect—it would replace the State responsibility for establishing a public library system. Under this bill, in fact, no State legislature would be required to appropriate a single dollar to match Federal funds. All of the matching funds could—and the bulk of them would—come from local communities. Even under the existing act, the latest available data shows that the Federal Government is spending $2 of its funds for every $1 that the State governments appropriate for library services in local areas.

In short, this is a proposal to federalize our public library system.

Mr. Chairman, I would like to include at this point the minority views on H.R. 4879 which were made a part of the report on August 5, 1963. I heartily reaffirm the statement we made at that time and raise the additional question as to how this fits into President Johnson's supposed economy drive:

MINORITY VIEWS

We, the undersigned, oppose the enactment of H.R. 4879 for the following reasons:

1. The existing act does not expire until June 30, 1966, and it is designed to meet the most urgent needs for improved library services. The 1956 act was directed at the provision of library services in those areas in which there were no services, or in which services were grossly inadequate. The areas without any services were almost wholly in communities of 10,000 or less population. Today, despite the contributions of the library services program in improving this situation, 92 percent of the 18 million persons without library services live in communities having 10,000 or less population.

Clearly, the most urgent needs are those being met under the existing act.

2. The committee heard no evidence that States and communities were unable to meet their needs for improved library services, and the very low level of State aid for public libraries suggests only that the States have not been willing to assume this responsibility. The total State and local expenditures for public libraries in 1960 were $260 million, of which less than 10 percent came from State funds.

Nor is there any convincing evidence that additional Federal funds will stimulate the States to make State funds available. After 6 years of Federal assistance for rural library services, the total annual expenditure of State funds for services in rural areas was only $6 million, a smaller amount than the Federal contribution. H.R. 4879 would authorize annual Federal expenditures for all public libraries of $45 million, nearly double the total amount the States see fit to appropriate for this purpose. In this circumstance, the plea for Federal assumption of this responsibility is not persuasive.

3. The principal proponents of the Library Services Act assured the Congress that this was to be a temporary program to meet a limited and urgent need.

In testimony before our committee on May 25, 1955, the president-elect of the American Library Association, Mr. John Richards, stated his belief that a 5-year Federal program would stimulate sufficient State action to begin to meet library needs, and gave this assurance: "And I would like to say in regard to (the termination date) that the American Library Association has no thought whatever of coming back for further funds after this termination date."

In 1960, at the urging of the American Library Association and the U.S. Office of Education, the act was extended another 5 years to June 30, 1966. The rationale for the extension was, in addition to the success of the program, that the program had not been fully funded during the first several years of operation. The Commissioner of Education was emphatic in his statement to our committee that Federal participation should be terminal. He expressed the hope that the Congress would "make it clear as a matter of legislative intent that at the end of the 5-year period * * * the Federal participation will cease and that the States will be expected to assume the full load."

In the face of those assurances the Congress should not consider extending the act until it has run its course.

The additional 5-year period has over 3 years to run, but the Congress is now asked to expand the existing program to cover all libraries, to expand the costs of the program sixfold, and, by inference, to make it permanent.

4. The Democratic majority on the committee—over the opposition of all Republican members—voted to eliminate the civil rights amendment which the committee had approved previously.

In 1961 the U.S. Civil Rights Commission found many examples of serious and flagrant discrimination against Negro citizens in the provision of public library service financed under this act. Yet it was many months after this report of the Commission that the Office of Education moved to investigate the facts, and the Secretary of Health, Education, and Welfare has taken affirmative action to deter discriminatory practices only in the past few weeks. The Secretary took this action (to require federally financed library services to be available on a racially nondiscriminatory basis) only after insistent and public pressure from this committee.

It is clear that this act should contain an express prohibition against the continued use of Federal funds for racially discriminatory public library programs.

5. The Kennedy administration has not assigned any particular priority to this legislation. Indeed, they have abdicated all executive branch responsibility for indicating the relative importance or merit of any education proposal as compared with any other. It would appear that an attempt has been made to please every interested group and to accommodate every educational interest—a familiar political technique—while leaving to the Congress the task of assigning priorities. The administration apparently is more interested in developing political issues than it is in developing legislation.

Moreover, as a direct result of this approach our committee still is in a state of confusion as to the disposition of 24 separate proposals embodied in H.R. 3000, the omnibus education bill. At this juncture, we do not know whether we are asked to approve H.R. 4879 alone, or as a part of a small omnibus bill. In the latter case, we are being asked to approve a bill piecemeal without knowing its final contents. This is a legislative procedure which we cannot condone.

Peter Frelinghuysen, Jr.
Robert P. Griffin.
Donald C. Bruce.
John M. Ashbrook.
Dave Martin.
M. G. Snyder.
Paul Findley.
Robert Taft, Jr.

ADDITIONAL MINORITY VIEWS

The present Library Services Act does not expire until 1966. Under its provisions, it assists in providing library services to the rural areas of our country which would be inadequately served without the benefit of this program.

The total cost at the present time is $7.5 million per year, and it is doing an outstanding job in bringing library services to the rural areas of America. H.R. 4879 would radically change this concept and provide a new concept—that of assistance to all areas and of assistance in construction, which has heretofore not been considered. We oppose this bill for the following reasons:

1. It would require a 600-percent increase in appropriations—$7.5 to $45 million.

2. The present Library Services Act restricts assistance to communities under 10,000 in population. H.R. 4879 would amend this provision and open the program to all cities regardless of size.

Witnesses from the Department testified that 18 million Americans have inadequate library services at the present time. Of this number, 16.5 million people are in towns with populations under 10,000. Under the provision of this new proposal, $25 million would be authorized to be appropriated for library services. Since all towns and cities regardless of population would be included under the act, it is possible that the rural areas, where the greatest need now exists, would be cut back in the amount of funds available. No clear need has been shown for Federal assistance in this field in metropolitan areas of the country.

3. $20 million would be authorized to be appropriated for construction needs, remodeling, and the purchase of real estate or equipment by public libraries. This is an entirely new concept from the present Library Services Act. It is Federal aid to libraries—a field which we believe should be handled at the State or local level and not by the Federal Government.

CONCLUSION

In view of the fact that the bill calls for a 600-percent increase in appropriations, that it could result in less assistance for the areas most in need of library services, and that the present law does not expire until 1966, we feel that there is no need for the enactment of this legislation at this time. As a consequence, we are in opposition to this bill.

Dave Martin.
Donald C. Bruce.
John M. Ashbrook.
Paul Findley.

Mr. FRELINGHUYSEN. Mr. Chairman, I yield myself such time as I may require.

Mr. Chairman, in the limited time available to us for debate on this transformation of what I consider a successful and beneficial program, we have only touched on the basic issue which separates some of us today. As you can see, some of us feel very strongly that this bill, as approved by the committee, is not an improvement on what we presently have. I feel very strongly that this new program will mean that we are going to move away from the aid which we have been giving to rural areas. We have had assurances from the Secretary of Health, Education, and Welfare that any money provided to improve services or facilities will only be done on a nonracially discriminatory basis. We have that assurance, but I will repeat, in spite of what the gentleman from Georgia said, or because of what he has said, that there is no protection to insure that money will be spent in rural areas. All reference to rural areas has been dropped out.

I would refer members of the committee to the language on the middle of page 12 of the committee report which points this out. The reference to rural areas is stricken out. New language is added that particular consideration is to be given to the development of public library services to satisfy the needs of students of all ages for useful and readily accessible library services and materials. There is no reference to any particular protection for the rural areas at all.

All big metropolitan areas will be included for assistance under this program. This might well mean that there will be nothing available for the rural areas of these States.

I consider that this is such a fundamental transformation of the program that we should give it most serious consideration. We cannot assume that this kind of assistance will be continued to rural areas in anything like its present volume, let alone anything more. There is going to be such a demand, I can assume, for assistance from the Federal trough, that if we make funds available to everybody, we can expect that rural areas which have received needed assistance will henceforth receive less than they should.

I think above all we must recognize that this is a move away from an assumption of Federal responsibility which was carefully thought through and which a good many Republicans, including myself, supported. That responsibility was defined as assistance by the Federal Government in order to provide library services in areas without them.

It has already been said that there are still areas, substantial areas with some 18 million people who still receive no such assistance. And of those 18 million, 16½ million reside in rural areas. It is our point, as it was the point of the American Library Association back in 1955, that this is still essentially a rural problem, so far as Federal responsibility is concerned. I might point out that in 1955 the committee report itself said that:

> Most of our large urban areas have done a good job in providing library services and it was interesting to note that representatives from metropolitan areas appearing before the committee were anxious that good service be provided to rural areas.

In my opinion, Mr. Chairman, if we should adopt this new construction program, we would no longer be concentrating on a problem which still remains unsolved, despite the progress that has been made. We will have a transformation of a good program into a questionable one. Even more questionable, in my opinion, is the suggestion that the Federal Government has a responsibility to rehabilitate and to build libraries anywhere in the country for any reason, so long as there are students of any age who have need of them.

Unquestionably there is a tremendous backlog of demand. Witnesses who presumably know, have estimated that nearly $300 million is needed to rehabilitate the Nation's library system. I am not saying that we should not spend the money. But I am saying that Uncle Sam is not the one to look to for this kind of money. In any event, $280 to $300 million is needed presently to rebuild the Nation's libraries. We estimate that about $24 million a year will be needed to maintain adequate libraries in this country.

If the Federal Government is going to have the responsibility of doing that job, we can recognize without any question that a mere $20 million will be a drop in the bucket. It will create an expectation in every community, large and small, that has some unmet library need, that Uncle Sam sooner or later is going to come along and foot that bill. Maybe that is the mood of Congress. Maybe that is the way we are going to have a frugal and economic Federal Government. However, I hope that we will have amendments accepted that will drop this construction program, and which will emphasize the necessity and importance of improving our facilities and services

These amendments will emphasize the unmet problems in the rural areas of our country which still lack needed library services. So when the time comes for proposing amendments I trust that our views will be considered favorably.

Mr. HORTON. Mr. Chairman, will the gentleman yield?

Mr. FRELINGHUYSEN. I yield to the gentleman from New York.

Mr. HORTON. Mr. Chairman, one of the things that concerns me is that the original program for stimulating interest in the rural areas has now been, by this proposal, expanded to cover the urban areas all across the country. It seems to me that a new approach should be added. The thing that concerns me is the lack of stimulation of State funds to participate in this type of program. I feel very strongly that the State and the local area have primary responsibility for their library programs. I certainly do not want our Federal Government to get into the library business.

In my study of this proposal I find that as best as I can get it, there is a matching type of program requiring State participation. But it is done on a percentage basis. As I understand, in New York State, for example, it would cost the State of New York $66 to get $33 or $34 of Federal money. In some of the other programs that have come out of the committee which the gentleman represents there have been 50 percent matching funds required of the States.

In other words, this is a type of program I have supported and that I have felt very strongly about, because here we are stimulating State participation on an equal basis. This seems to be a discriminatory type or not properly balanced with States such as New York, New Jersey, and some of the others. Did the committee look into this phase of the proposal that is now before us?

Mr. FRELINGHUYSEN. I thank the gentleman for his comments. I might say that there is a variable matching requirement in this bill, in order to qualify for Federal money, which discriminates against the so-called wealthy States like New York, New Jersey, and California. The formula makes it easier for the so-called poorer States to get a larger share of the Federal money. I doubt very much whether there is any real stimulation or assumption of State responsibility as a result of these kinds of Federal contributions.

In spite of what has been done under the rural program, the State contributions to rural library services even now totals only about $6 million a year. For all purposes in support of libraries our State governments provide about $25 million a year, out of the $260 million which is made available. We have seen precious little done by the States. It is my fear the wrong kind of a Federal program will result in less responsibility being taken by the States. There may be an assumption that it is easy to get money from Washington, and we are not going to stir ourselves about our own problems, even though the basic and traditional and proper responsibility for our libraries is local, with support from the State government where the local community is unable to support its own services.

Mr. KUNKEL. Mr. Chairman, will the gentleman yield?

Mr. FRELINGHUYSEN. I yield to the gentleman from Pennsylvania.

Mr. KUNKEL. I would like to know if there is any discrimination in this bill or whether it will create discrimination between a State such as Pennsylvania that has adopted a very comprehensive library aid bill for the whole State in cooperation with the local libraries, and a State like Nebraska, which, as the gentleman from Nebraska said, has no program at all for particular localities.

Mr. FRELINGHUYSEN. I may say that the matching requirement, in order to qualify for Federal funds, does not need to come from State sources at all. The fact that the State of Pennsylvania has an aggressive State program of assistance will carry no weight with respect to its ability to qualify for Federal funds. In any case, there would have to be money made available from local or State sources. This will not be a stimulation to other States to match, as Pennsylvania is already doing. That is another reason why we should be wary about launching a Federal program that may not have desirable results.

Mr. KUNKEL. Twenty million dollars would not go very far in building libraries.

Mr. FRELINGHUYSEN. Anybody who looks at the question knows that one metropolitan library will cost, with the acquisition of land, books, and teachers, and so forth, $20 million. So a Federal contribution to 50 States is not going to solve any problems at all. It will create an appetite which we will have to face up to at some future date, when perhaps the budget is more in balance or when we are less worried about a balanced budget.

Mr. **KUNKEL**. I thank the gentleman.

Mr. **SNYDER**. Mr. Chairman, will the gentleman yield?

Mr. **FRELINGHUYSEN**. I yield to the gentleman from Kentucky.

Mr. **SNYDER**. I think it is interesting to note that although there are 18 million people, as stated by the gentleman from Georgia, without library service, that according to the 1961 report of the Commission on Civil Rights, 10 million of these are not denied library services because of a lack of facilities, but rather they are denied library services because of their color.

Mr. **FRELINGHUYSEN**. I thank the gentleman.

Mrs. **MAY**. Mr. Chairman, will the gentleman yield?

Mr. **FRELINGHUYSEN**. I yield to the gentlewoman from Washington.

Mrs. **MAY**. I wonder if the gentleman from New Jersey would be willing to comment further concerning some remarks he has made about extending help to urban areas or rural areas in this particular bill? I would like to preface my remarks by saying that I represent a congressional district which is a 100-percent rural area. We have really made great progress in that area, with the extension library services to many small towns of 10,000 or under. However, the center of these services have by necessity and practical administration had to be in the center of what we call an urban area; for instance, my own home town of Yakima, Wash., which has a population of over 40,000.

Is it possible that we could still protect our interest in the development of rural areas which are certainly understaffed or not properly provided for as to adequate library services? Do we have to keep this ceiling at 10,000 people, or is there a way we can approach this by amending the bill that would allow more participation at the urban level without weakening the help to rural areas?

Mr. **FRELINGHUYSEN**. I do think it might be possible to consider, as an alternative to the present 10,000 ceiling, a ceiling of 20,000. I am afraid, if we remove the ceiling altogether as this bill does, that we will have a demand which could not possibly be met. This will result in a diminution of the effort which has been directed at rural areas, where there is a lack because the State does not have the services.

The **CHAIRMAN**. The time of the gentleman has expired.

Mr. **POWELL**. Mr. Chairman, I yield 2 minutes to the gentleman from Florida [Mr. GIBBONS], a member of the committee.

Mr. **GIBBONS**. Mr. Chairman, I intend to vote for H.R. 4879, the Library Services and Construction Act.

In the past two decades, and particularly since the late 1950's, the term "library service" has undergone a drastic change in its implications. Today's library has been transformed from a pleasant bookish backwater to the teeming community center of intellectual and cultural activity, to an active adult educational institution, and to participation as an important supplementary institution in the education of youth.

As the public has found new meaning in the public library, State and local governments have responded with added financial backing. But the supply of funds has not been adequate to the demand for services.

Until now the Federal Government has concerned itself solely with the inadequacies in library services to a very limited segment of the Nation's population. Under the Library Services Act extraordinary progress has been made. Meanwhile in our rapidly growing States the line between rural and urban communities are constantly changing and in many places disappearing altogether. The Library Services Act must be updated to fit the changing scene.

In its attempts to keep pace with the desire of its citizens for library improvement, Florida enacted in 1961 a program of State aid for libraries. I was cointroducer of that bill. Library Services Act funds undoubtedly helped to stimulate this new State support. However, because the interdependence of small and larger libraries had come to be recognized, Florida's State grants go only to county library systems, encompassing units in both urban and rural areas. Administration of the State program would be greatly facilitated by the greater flexibility in use of funds which H.R. 4879 proposes.

In addition, Florida's allotment for services and for buildings under the proposed Library Services and Construction Act will offer a very substantial incentive for additional, needed State and local support.

For we know by experience that Federal grants for library service can serve effectively as a catalyst for increased State and local effort. In the nine Southeastern States, State funds for the development of rural public library service have increased by $1.4 million—70 percent—between 1956 and 1963 and local appropriations have increased by $3 million. In my own State of Florida alone, State funds have increased 274 percent and local funds by 137 percent. But even this is not enough to meet the increasing demands for library service of quality.

All these segments of our population are demanding users of public library services. I am convinced that passage of the Library Services and Construction Act will meet with even greater support on the State and local level for expanded public library service than has the present Library Services Act program in the rural areas. The demands for public library services throughout the country are rapidly growing more complex and a strong program to meet the demand can be developed only if all kinds of public library resources can be fully involved in the program.

My State, along with the other 49, eagerly awaits enactment of H.R. 4879.

Mr. **POWELL**. Mr. Chairman, will the gentleman yield?

Mr. **GIBBONS**. I am glad to yield to the gentleman.

Mr. **POWELL**. With reference to this argument about rural and urban in this bill—and you are one of those who wrote the bill—the power of allocation strictly belongs to the State.

Mr. **GIBBONS**. That is correct.

Mr. **POWELL**. Can you tell me, and I confess my ignorance, as others seemingly do not—can you tell me how many State legislatures there are in this country that are controlled by urban votes?

Mr. **GIBBONS**. I do not think that that is ignorance, Mr. Chairman, but there are just not any and that is the whole fallacy in the argument that you have just heard from the other side. This money is authorized to go to the States and not to the cities and not to the rural areas. The money goes to the States and the States are going to allocate it, and they are going to distribute it as they see fit. The State will control how the money is spent. The State legislatures, as all of us know who have ever served in a State legislature and who have ever studied anything about political science and the makeup of Americana—are all controlled by the rural areas, and I am sure the rural area people will be well taken care of and will probably be much better taken care of than will the urban area people. That has always been true throughout the United States.

Mr. Chairman, this is a very fine bill. It is a bill that is very much needed. It provides a minimal amount of Federal intervention or Federal control.

On the State level I have participated in the introduction and passage of a library service measure and the only reason it was introduced and passed was the impetus of the Federal program. That is all we are attempting to do here. For every Federal dollar we spend on this program, there will probably be $4 or $5 or $6 spent by the State and local people.

I have seen a lot of public projects. We were talking here about the budget a while ago. But I have seen a lot of public projects that were never used or that were inadequately used, but I have never seen in my 44 years a library that was not adequately used and that was not fully used. And I have never seen a library that has become obsolete because the books you have in these libraries regardless of their age are still treasures of knowledge that all of us can use. Certainly, in this time when we are spending our energy and efforts in trying to train and retrain our manpower—the most valuable asset that we have in America—certainly we can spend it on building and putting books in those buildings for eager young men and women and older men and women to use these facilities and train themselves. This is the finest and most democratic program that we have and I strongly support it and ask for your support.

Mr. **POWELL**. Mr. Chairman, I yield 1 minute to our esteemed colleague, the gentleman from New York [Mr. HALPERN].

Mr. HALPERN. Mr. Chairman, I rise in enthusiastic support of the legislation before us to amend, extend, and improve the scope and effectiveness of the Library Services Act.

I applaud the Committee on Education and Labor for bringing before the House this measure so important to the educational and intellectual growth of the citizens of this country.

We live in an age when the only complete education for an American is a continuing education. The passage of decades, or even years, so changes the standards, concepts, and principles of our science, technology, and other branches of learning that in order for an individual to maintain the quality of his formal education he must continue to read, study and think, and utilize the latest books, and publications to aid him in his thinking.

This demonstrates the need for the legislation before us, for the public library is the basic storehouse of the knowledge and wisdom which we need to keep the educational standards of all Americans up to date, and we must see that high quality library services are readily available for the use of all our people who desire such services.

The present law has been a great help in this regard. It was enacted in 1956, extended in 1960, and provides for Federal assistance for library services to rural communities under 10,000 in population. At present the program is providing aid in all the States and territories.

This is all to the good but the amendments before us which would expand the program to areas over 10,000 in population, and also provide Federal assistance for construction of public libraries, would give this country a much better and more comprehensive program—the kind of program we truly need.

These two changes—library service for all of our people rather than just those in small towns, and aid for library construction—are both vitally needed to provide all Americans with good library facilities.

Evidence presented at the hearings on this bill indicates that of the 110 million persons in this country who have inadequate library services, 60 million reside in urban areas of the Nation and are not included in the program of the existing act.

Think of that; over half the Americans who have inadequate library services live in our urban areas and get no assistance whatsoever from the present Library Services Act. This is a defect which demands a remedy, and I urge my colleagues to remedy it today by approving the legislation before us. Only in this way can we provide adequate assistance to raise the standards of libraries throughout the Nation, in urban and rural areas, and lift them from their present inadequate conditions—limited and outdated book collections, lack of adequate staff—with resulting limited hours of service to the public—ancient and ill-planned library buildings and furnishings.

On the latter point, I do not believe there is any doubt as to the need for Federal assistance for library construction in order to replace and modernize the inconvenient, dark, antiquated structures that so often pass for libraries in our otherwise enlightened society. These needs would be met by title 2 of the bill, which would provide matching grants to the States for public library construction. Each State would be allotted a base amount of construction money plus additional sums to be based on population. The need for this construction assistance was clearly established by testimony at the hearings on the bill, and by the endorsement of the bill by such organizations as the National Congress of Parents and Teachers, the American Library Association and numerous State library associations.

Throughout history the library has been the symbol of advanced civilization. In the Greek and Roman era the library held the creations of the great classical scholars. Later, the great library at Alexandria, Egypt, preserved almost a million volumes of classical learning after the fall of Rome, and its destruction by fire has always been considered by scholars as one of the great tragedies in the intellectual history of man. Through the Middle Ages, as one European leader after another sought to keep alive Western learning from the general neglect of the Dark Ages, the library was the great storehouse and center for the diffusion of knowledge. And the establishment of a library, like legal, fiscal, and administrative reform, was always the sign of an enlightened and progressive ruler.

In our day, when our population is far greater and scattered throughout a vast Nation, the problem is much greater, but the principle remains the same. There is no better way to preserve and advance our great Western democratic tradition than by placing in the hands of all our citizens the great works of human intelligence. This means the construction, improvement, and dissemination of the public library throughout the country, and the expansion of library services to every citizen who desires them, and will make use of them.

This is a large and difficult task, but a most worthwhile one. I urge that we give it our strong support by the approval of the meritorious legislation before us today.

Mr. POWELL. Mr. Chairman, I yield 2 minutes to a distinguished member of our committee, the gentleman from New York [Mr. CAREY].

Mr. CAREY. Mr. Chairman, I take this time to hail again the great production committee of the House, the House Committee on Education and Labor.

This is the next plank in the greatest platform whichever has been built for education in this Nation.

I heard with interest the remarks of my colleagues from New York, from upstate, who indicated that the citizens in our great State pay about 66 percent for every dollar that they get back, in terms of the 33 percent which is paid from the money in the Federal Treasury.

I hail that. It is a good and significant remark. But I ask Members to keep this in mind. Unless this bill is passed the 8 million citizens of the city of New York will never know the benefits of the Federal library program. So if Members are worried about any inequality, then I say they had better join with me and to strike down the invidious inequality which exists in the library program today.

I want the city of New York in this bill. I want it, because the production committee of the House well recognizes that there is an intellectual explosion going on in this country at present. Thank God that we have people who want to use libraries. They are using our libraries day and night. It is simply impossible to keep up with the demand for books which the people are seeking today.

This is a great gift. Let us make it a permanent gift. Let us shoulder our burden and put the books where the people are. Forty percent of the people of our Nation live in cities. They do not have access to the library program.

As was well said on the other side, I believe by the gentleman from New York [Mr. HORTON], my distinguished colleague, and the gentleman from New Jersey [Mr. FRELINGHUYSEN], the primary responsibility happens to be now and will continue to be the local responsibility, but the word "primary" implies that there is another responsibility. That is the responsibility that we share today, to supplement the local effort, to assist the local effort, to stimulate the local effort, and to put the books where the people are.

This is what the bill would do. It is not a big bill. It does not involve a massive aid program. It will be a sound and good program, significant because it will put the books into the hands of those who need them in this intellectual explosion.

When I think of the public library today, I see a sort of educational supermarket. A good library should be as well stocked and as well staffed as a large department store for the use of everyone. Public libraries are now trying to meet the increasingly important and complex demands of students, businessmen, housewives, retirees, professional and technical workers, unemployed persons seeking new skills or new jobs, and many, many more. We are now fully aware of the economic importance of education, and all aspects of formal and informal education require adequate libraries.

The Library Services Act of 1956 has proved what great benefits can be derived from a modest Federal stimulation. The results of this program in New York State and elsewhere in the Nation have been extremely gratifying to all those who have had contact with the program. It is now time to look at the job which still remains to be done if every citizen is to have access to library service of excellence.

This unfinished job is clear cut. We must meet the educational needs of a greatly expanded population which is highly mobile and which is far better trained and educated than it was even a decade ago. We demand of people the ability to make complex choices and well-informed decisions. To do this, they must have a resource for reliable, current, and nonpartisan information on all subjects. Ours has been called the age of the computer, the age of space, and the age of automation. It is also an age which calls for human understanding. Whichever term you choose, it is definitely not the age of the little red schoolhouse or of the subscription library of Benjamin Franklin's day.

H.R. 4879, the Library Services and Construction Act, recognizes present trends by eliminating the unrealistic and unfair limitation of benefits to areas of under 10,000 population. The huge growth of our metropolitan areas and the progress made in rapid transportation and communication has abolished former distinctions between "urban" and "rural." The population movement between communities and between States and the speed with which these movements take place create problems which are so broad that the efforts of all levels of government—local, State, and Federal—must work together in their solution.

The larger public library systems find themselves entangled in these complications of metropolitan areas. The Brooklyn Public Library, for example, with its large and diverse collection is a natural magnet for all types of users over a wide area. It is faced with demands on all of its services, including research, by nontaxpaying residents outside the boundaries of the city many of whom are not even residents of the county or State. The large urban libraries welcome the chance to render this needed service, but the problem is to secure adequate, equitable financial support. H.R. 4879, by including both urban and rural areas will be an effective step toward solving these problems.

With this act, we would enable the city libraries, previously excluded from the program by the 10,000 population limitation, to apply for these funds. This would be a boon to many large cities where library facilities are strained to the breaking point in their attempt to serve large metropolitan areas, including suburban townships, while struggling to operate on the tax funds from a dwindling number of city residents.

Also adding to the tax burden of urban areas are a great number of the impoverished people of our country—those who lack the education, skills, or physical stamina to support themselves independently. If we are going to fight poverty and its causes—ignorance, lack of training, and poor health—we cannot afford to be penurious. What better way to launch an all-out campaign on ignorance than to make library service available to all people?

In Brooklyn, in New York State, and across the country, it is impossible to separate the idea of good book collections, adequate library personnel, and well-planned service programs from the need for physical facilities. The kind of libraries we require today must depend upon library buildings which are adequate, well-equipped, and strategically located for convenient use.

Title II of H.R. 4879 will provide matching grants of $20 million annually for library construction, an activity which is prohibited under the present act. These allotments for construction will be a significant incentive for States and localities to move ahead effectively in a systematic program of library renewal. Most existing public library buildings are obsolete, overcrowded, and totally unable to become an active, busy supermarket of ideas and information.

I believe that the Federal obligation for good public libraries is not fully realized in the present program. H.R. 4879, the Library Services and Construction Act, is a sound step toward meeting this Federal obligation and I urge its adoption.

Mr. POWELL. Mr. Chairman, I yield 2 minutes to a distinguished member of the committee and subcommittee, the gentleman from New Jersey [Mr. DANIELS].

Mr. DANIELS. Mr. Chairman, I rise to congratulate the chairman of the full committee, as well as the chairman of the subcommittee, for their leadership in bringing this bill, H.R. 4879, to amend the Library Services Act, before us today for consideration, as well as for the many other important education bills which have been presented to this Congress.

I support H.R. 4879 because it will render a much-needed service to the public in the expanding of services in urban areas as well as in rural areas, and because it will provide funds to many communities whose finances will not permit them to remodel, repair, or construct public library buildings.

I would like to join my colleagues in urging favorable action on H.R. 4879. I believe that good public library service should be available to every citizen of the United States regardless of where he may live. Education is now recognized as a lifelong process which cannot stop with a degree or a certificate. The public library is the one free educational institution which is open to all—the young and the old, the rich and the poor, the highly trained specialist and the newly literate job trainee. The Library Services Act of 1956 has done much to make good libraries a reality in many of our rural areas. This matching grant program has been so successful in these areas that it has pointed the way toward needed amendments.

H.R. 4879, the Library Services and Construction Act, will remove two limitations in the present program. It will extend benefits to all persons whether they live in urban or in rural areas, and it will allot funds for the remodeling, repair, or construction of public library buildings.

The economic, cultural, and educational adjustments required of all citizens by today's fast moving changes have resulted in overwhelming demands on all public library facilities. It is no longer correct to assume that the larger urban libraries can take care of themselves. We are now in an age when no one library, acting alone, can hope to meet adequately the quantity and diversity of the demands being placed upon it. The solution will lie in systematic cooperation among libraries of all sizes to the end that free access to materials is provided to all.

By removing the population limitation, H.R. 4879 will permit the growth of a two-way partnership in building good libraries. First, it will continue the financial partnership of State, local, and the Federal governments which has been soundly begun under the present legislation. Second, and of equal importance, it will encourage a partnership of large, small, and medium-sized public libraries so that the needs of all readers, urban, rural, and suburban may be fully met.

The funds under title I for improved services will be applied directly to the most critical library needs—the purchase of books and other library materials, the employment of librarians to organize the materials and to aid readers and the provision of bookmobiles and other equipment to assure maximum effective use of library facilities. The success of these actions to improve library service, however, will depend directly on the availability of an adequate physical plant.

Title II of the Library Services and Construction Act is designed to stimulate greater State and local effort in the construction of library buildings. The increases in population, particularly in those age groups which are the heaviest library users—the young and the old—have been more than sufficient to render nearly every library built before 1940 inadequate to meet the requirements of people in this progressive age. This numerical growth of people is only part of the whole story. Added to this is the new emphasis in school programs of independent study, the incredible growth in the publication of books, periodicals, journals, reports, and other information media, and the increasing necessity for formal and informal adult education at every level.

It is for these reasons that H.R. 4879, the Library Services and Construction Act, promises real strides toward achieving public libraries of excellence. I urge its enactment.

Mr. POWELL. Mr. Chairman, I yield my remaining time to the gentleman from Georgia [Mr. LANDRUM], the original author of the Library Services Act in 1956, which act was later amended on recommendation by the gentleman from Alabama [Mr. ELLIOTT] in 1960.

Will the gentleman from Georgia yield for a minute?

Mr. LANDRUM. I yield to the gentleman from New York.

Mr. POWELL. It has been said that there is no local or State stimulation and support of this library services program. That statement is wholly incorrect.

In the gentleman's own State of Georgia during the years the act has been in operation the amount of Federal funds involved has been slightly in excess of $800,000 and the amount of State and local funds which the good people of Georgia have put up has been more than $2 million.

The total figures, for the benefit of those who would like to have the facts, show that during the past years of this program the Federal Government has spent $41 million and the State and local governments have spent just a shade under $100 million.

I thank the gentleman.

Mr. LANDRUM. Mr. Chairman, I can think of no action in which I have had a part, since having the privilege to represent a constituency in this legislative body, from which I have received more genuine satisfaction than that I have received from the knowledge that I was able to participate in the writing of the first Rural Library Services Act.

I anticipate for the future an equal amount of enjoyment and pleasure from participating in the amendment of that act to extend it to all of the people and not just the rural areas.

Now, with regard to the matter of whether this original act has meant much to the areas in which it has been implemented, I would like to read just a brief statement about its operation in my own State and in my own district.

The effects of this program in my own congressional district is evidence of the fact that this has been of great value to the cultural and educational advancement of all the people. By 1963 all 18 of the counties in the district which I represent were receiving public library service through 6 regional library systems, but in 1955-56, the year immediately prior to the passage of the Library Services Act, only 12 of those counties had public library service of any kind. Much of this service was only through small local libraries, because there were only five small bookmobiles serving part of the district. Now there are nine bookmobiles, most of these new and more efficient units, serving all the rural areas of the district. Between 1956 and 1963, the number of books available through these libraries had increased 85 percent, but the circulation of these books increased 143 percent.

Mr. COHELAN. Mr. Chairman, I rise in support of this bill which would amend the Library Services Act by increasing and broadening the Federal assistance available for the improvement of public libraries.

There can be no question, Mr. Chairman, that education is the keystone of a free and open society. It is the foundation of good citizenship, and it is a lifelong process.

At the heart of our educational resources is the public library, a resource all too often taken for granted, but a resource which demands our attention and assistance if it is to be readily available to every citizen.

Since 1956, and the first Library Services Act, 38 million Americans in rural areas have gained new or improved public library services. In my own State of California alone approximately 1.3 million persons have benefited. State appropriations for rural library services have increased by 92 percent and local appropriations by 72 percent.

The program has obviously worked. Progress has been made. But more remains and needs to be done.

The job of making books available to all our people is still unfinished business. Millions still have no public library service, and much that exists is still inadequate.

As the committee determined during its hearings, 18 million persons in 1961 had no readily accessible public library service and another 110 million had access only to libraries falling below State standards.

Six California counties, with a population of approximately 118,000 still have no permanently established local countywide service. And California's population growth of 1,600 per day has so far outstripped library growth that the number of books per capita has dropped to the 1921 level of 1.3.

The problem today of insuring adequate public library services is not merely a rural one, nor is it one of books alone.

As the committee's report points out, 60 million of the people with inadequate libraries, and one and a half million of those with no public library services available at all, are in urban areas—areas not even included in the present act. In part, this has been caused by the tremendous growth going on in urban areas. In part it is the result of population shifts within communities where old library buildings have now been bypassed.

Furthermore, the present act prohibits the use of funds for the purchase or construction of library buildings. Yet, in several States, including California, which I want to emphasize has made a major, and one of the most productive, efforts in this field, 85 percent of the libraries were erected before 1920, and 30 percent before 1910.

Mr. Chairman, the bill before us, in addition to continuing this worthy library services program, would remove unwarranted restrictions. It would include all people, not only those in rural areas, and it would provide matching construction grants.

This is a sound bill. It will make needed improvements in a constructive program—one which has the future of our country at heart—and I urge that it be approved.

Mr. WHARTON. Mr. Chairman, this bill to amend the Library Services Act points up the deficiencies of attempting Federal aid to one segment of the population to the exclusion of others at some given population level. The desirability of a good public library service certainly is not in issue, nor is the fact that most institutions of that nature are short of financial resources.

In the city of Poughkeepsie, N.Y., which to all intent and purposes is a community of some 70,000 inhabitants, considerable interest has been expressed in this legislation. Unfortunately, a large portion of this community is still designated as a township which, according to the last census, has an official population of 32,000 and, technically, is not classified as a part of the city. For years, the people of that area have sought to be recognized as an industrial area in excess of 50,000 by the Federal Committee on Standard Metropolitan Statistical Areas, a creature of the Bureau of the Budget. Apparently, about all that has been done in response to local requests is a quick reference to census figures without further investigation as to the true composition of this thriving industrial community or its statistical qualifications.

I point this out as a valid and outstanding reason for the support of H.R. 4879, which would effectively eliminate this discriminatory practice through the use of census figures and without regard to the equities of a given situation or local requirements. The problem of Federal aid to libraries was disposed of under the Library Services Act of 1956, and the bill before us today would merely tend to make the plan workable and of greater benefit to the general public.

Mr. KORNEGAY. Mr. Chairman, I want to emphasize my support for this bill which would allow all of the people, and not just those living in rural areas, to enjoy the pleasures and benefits associated with the reading of good books. Perhaps no single factor has contributed as much to the development of the men who have led in the development of our country as has the reading and studying of worthwhile books. And, now in this scientific age, the need for more books for more people to read is greater than at any other time in our history.

Under the provisions of this bill before us today, North Carolina's share in the Library Services Act funds would be increased from $309,000 per year to $594,000 per year. Much has already been done in my State with the help of the Library Services Act funds. But, much more is needed. The pace of our day-to-day life is quickening. Knowledge is our only hope of keeping up, and, books are the key to this knowledge.

To emphasize the need for extending the provisions of this act so that urban, as well as rural, areas can benefit, let me refer briefly to a letter I received from Miss Evelyn Parks of the May Memorial Library in the city of Burlington, N.C. Miss Parks pointed out that the county there, Alamance, has participated in funds from the Library Services Act since its beginning. "But," she added, "always we have had to exclude Burlington on a population basis even though we serve rural areas from this library." Under the provisions of this bill, no more would Burlington be excluded from the act.

In further support of this bill, I would like to quote from a letter written me by Mrs. Richmond Bond, chairman of the board of trustees of the public library in Chapel Hill, N.C. I would like to say here that Chapel Hill, the home of the University of North Carolina, is one of the most educational-minded towns in this country.

Mrs. Bond said:

> Chapel Hill illustrates graphically and convincingly the need for the passage of this bill, and I feel sure there must be many communities in the country facing our problems. Our town, which is expanding very rapidly, does not have the financial resources to supply adequate library service to the people. It seems proper for urban residents, as well as rural, to receive Federal assistance in providing library service.
>
> Our library is also being called on to serve large numbers of people living in Orange County outside the town limits.

Mrs. Bond continued:

> This demand for library service is increasing as agricultural employment in the county decreases and many people living in rural areas are finding work in towns and cities. These people continue to be county residents, but they are coming into town for their work, for shopping and for amusement. They also want library service in town. They are being served by the Chapel Hill Public Library, which is chiefly town supported, but lack of funds makes this a heavy burden and our library service is inadequate in every way except in willingness to meet this need.

Mrs. Bond referred to the second feature of this bill before us today—that of providing funds for matching construction grants for public libraries. She said:

> The library badly needs more space. It is now located in small rental quarters where every wall is full of shelves and every shelf is full of books. We need more books—we have only half the number recommended by national standards—but there is no place for them.
>
> Land owned by the town is available for a library building, but we have no funds for construction, and the town's bonded indebtedness is already high to take care of other services which must be expanded in this growing community. We need assistance in meeting at least part of the building cost—

Mrs. Bond declared.

And, as she pointed out, Chapel Hill is not alone in this need. Other towns and cities in North Carolina and in every other State of this Nation are facing the same type of situation. This points to the definite need for the passage of this bill before us today. Our future will be built to some extent on a foundation of books. They must be placed so our people can get them to read and study. This legislation is a means of doing this. I urge others here to join me in voting for it.

Mr. JENSEN. Mr. Chairman, I have been a constant supporter of legislation beneficial to our public libraries, and would gladly vote for a continuation of the present program which has been of great benefit to all the people.

This bill now before the House expands the present program and greatly increases the cost, which I feel is not justified in face of a Federal debt of over $300 billion and a planned deficit year after year of billions of all our taxpayers' dollars.

Mr. HARRIS. Mr. Chairman, I fully support this legislation. I think it is a good bill.

The established concept of grants provides for mutual responsibility in the establishment, maintenance, and expansion of library services.

I should like to compliment the committee for working out and reporting this bill designed to extend further the benefits of public library service.

I should also like to compliment the work of the Library Commission in my own State of Arkansas. Their efforts in planning the provisions of the act and utilizing the resources available in the various jurisdictions of the State have produced highly gratifying results in extending library services to more of our citizens.

This will be a program of cooperation and working together to promote improvement by the States of existing facilities and further extensions to areas not presently served. I join the supporters of this bill in urging its passage.

Mr. ADDABBO. Mr. Chairman, I rise in support of H.R. 4879. The Library Services Act, passed in 1956 and extended in 1960, has proved the wisdom of those who initiated it and passed it. There is a continuing need for expanded library facilities and this need is not confined to areas of population of 10,000 or less.

In the larger metropolitan areas we have the concentration of colleges and universities and other institutions which bring on a greater need for up-to-date plants and reference facilities. I believe that we have a good library system in the city of New York, but the demands on it are greater than ever and growing. We do not need help to meet the existing need and I believe this legislation will go a long way toward alleviating our critical situation. We must have a well-rounded system and enlargement of the Library Services Act to include urban areas will make for a more balanced program.

As more and more books are available at ever-increasing costs, we must make sure that every person has access to the printed page regardless of where he lives.

Mr. Chairman, I urge enactment of this much-needed legislation which has the full support of the dedicated men and women of my area who serve on the library board without pay—their only reward is in the knowledge that they are serving their fellow man.

Mr. BROWN of California. Mr. Chairman, I am heartily in favor of H.R. 4879, the Library Services and Construction Act.

If the United States is to continue to lead the world, the people of the United States must continue to expand their mental horizons; and their best means of doing so is by intelligent use of the public library.

Amendment to the Library Services Act to include urban areas and to provide for construction of public library buildings would stimulate immeasurably the extent and quality of public library service in California.

The present Library Services Act has been a constructive and valuable program. According to California State librarian, Mrs. Carma Leigh:

> More concrete, permanent benefits to public library service have been realized in California in these 7 years than in more than 27 years prior to the Federal assistance. The progress has, of course, been only in our rural area.

A report filed with the U.S. Office of Education indicates that over 1,350,000 people in 31 of California's 58 counties have received improved library service since 1957 as a result of the Library Services Act.

In spite of these gains, there are great deficiencies. Six counties are still without countywide library service and they have a population of about 118,000. California is growing at the rate of about 1,600 people a day and libraries have not been able to keep pace.

Much of California is classified as urban according to the Library Services Act definition of rural places of population under 10,000. In fact, there are, according to the 1960 U.S. census, some 196 communities that are urban and are therefore ineligible to benefit at present under the rural library program. According to the State librarian:

> The present Library Services Act now forces us to plan library systems in a sort of hit-or-miss checkerboard pattern, cutting out medium-sized and larger cities. These larger places have much-needed book collections and staffs which have something to share with as well as to gain from the newly planned library systems. We need to cooperate with them, and they with each other and their rural area neighbors for the most economical and effective use of all funds and library resources.

If the Library Services and Construction Act is passed, these 196 larger communities will be eligible for financial assistance with their public library needs.

The current act has been a successful stimulant to the improvement of locally supported library development and the new act with a larger allotment for services to all areas and with funds to start a building program would certainly stimulate further State and local effort. The California Legislature in 1963 approved a State aid program in the amount of $850,000 in order to bring about an orderly planning and improvement of coordinated library services for all residents. The State is therefore increasing its share of responsibility for public library service.

All public services have been hard pressed to meet the needs of California's fast-growing population. A survey of library buildings in the State showed that more than half were between 40 and 63 years of age, were completely outgrown and no longer functional. Quality, present-day library service is frequently just not possible in crowded, antiquated buildings. The present Library Services Act does not permit use of funds for buildings. It has been more than 40 years since Carnegie funds were granted for library buildings and most of these structures are now outdated. There is great need for the construction provisions of the proposed Library Services and Construction Act.

Citizens share in the work of government and shape public opinion. This power of the people, which is democracy, demands that the citizenry should be well informed on all important problems. We must support this opportunity to keep Americans informed and useful citizens.

Mr. HARDING. Mr. Chairman, I rise in support of H.R. 4879 to increase the amount of Federal assistance for the improvement of public libraries.

It is evident that an educated people will remain a free people. In line with my views on this subject it is seldom that the Congress will consider legislation of more importance to the education of American youth than the bill we are now debating.

Libraries assume a vital role in providing enlightenment. Especially is this true in many of our Western areas, once formal education has been completed.

And it is not always possible for State and local communities to carry alone the financial burdens required to establish book centers. For this reason the passage of the Library Services Act in 1956 was acclaimed and continues to receive the praise of the people I represent in Idaho.

Particularly impressive is this tribute to the Library Services Act written my office by Mrs. Glenn Balch who has served on the Idaho State Library Board.

Writes Mrs. Balch of Boise:

> In Idaho the Library Services Act has literally meant the rebirth of the State library and has given encouragement to small libraries all over the State. We had almost no improvement in the State library picture for over half a century until the Library Services Act was passed.

And from Lois N. Hansen, assistant librarian at Boise Junior College, Boise:

> Eight years of active participation in the Idaho Library Association have convinced me that no single legislation or project has contributed one-tenth as much to the improvement of a statewide library program in Idaho as the Library Services Act.

However, the library needs of our Idaho people, as in most areas throughout the United States, continue to be far from resolved.

For example, in talking with our State librarian in the Gem State today, we were reminded that in Idaho 41 percent of our State's population still live in areas without a public library. No public library in Idaho meets national standards of staff, bookstock, or income. Only seven graduates of accredited library schools are employed in Idaho's public libraries.

Our State librarian, Mrs. Helen M. Miller, also reports that the only public library building program now under way in Idaho is in Grangeville. Among the larger libraries which have a great need for building expansion in the State are Boise, Nampa, Moscow, Caldwell, and Twin Falls. Just as acute are building needs in smaller towns.

One particular concern our Idaho library people have expressed to me is that the legislation we are considering be passed in the form which would remove the present population limitation from the Library Services Act, so that Federal funds can be used to help libraries in our leading Idaho cities as well as libraries in rural areas with populations of less than 10,000.

I support their position on this provision and recognize that removing this limitation in administering the Library Services Act would result in better overall coordination of library facilities and more extensive development of such services as bookmobiles to serve areas which would not warrant the construction of complete facilities.

In urging passage of this measure I wish to remind my colleagues of the position taken by the House Appropriations Committee on the Library Services Act which we all know is well known for the critical eye it casts over all Federal programs:

> For the small amount of Federal funds involved this has been not only one of the most popular, but one of the most worthwhile programs of the Federal Government

Let us now take the necessary action today to enact this worthwhile measure.

Mr. BOLAND. Mr. Chairman, I rise in favor of H.R. 4879, to amend the Library Services Act to increase the Federal assistance for the improvement of public libraries. This bill would amend the Library Services Act to include all the people, not only those in rural areas, and would provide for matching construction grants for public libraries.

Minimum allotments to the States for public library services would be increased from $40,000 to $100,000 and from $10,000 to $25,000 for the territories, while additional sums would be based on their relative population. The base year for determining minimum State expenditures would be changed from fiscal 1956 to fiscal 1963. Particular consideration would be given in State plans to the educational needs of people of all ages, including students, for useful and readily accessible library services and materials.

Mr. Chairman, one of our basic educational resources in America today is the public library. It is essential that every community, even those over 10,000 population, have an adequate public library. The proportion of our total population in urban centers is continuing to grow rapidly and many social and economic problems are accompanying this growth, such as, functional illiteracy, unemployment, delinquency, cultural deprivation. These are problems which good library service can help to solve.

Therefore, Mr. Chairman, I am opposed to any amendment which would prevent the extension of this legislation to library services in urban areas, and I hope such an amendment, when offered, will be voted down by the Members. I urge my colleagues to vote for the bill as presented to us by the Committee on Education and Labor, which will extend the library services to large communities, such as Springfield, Chicopee, West Springfield, Palmer, and Ware in my district, and increase the authorization of appropriations in the act from $7½ million to $25 million for the fiscal year ending June 30, 1964, and for each of the next 2 fiscal years.

Mr. GIAIMO. Mr. Chairman, it gives me great pleasure to rise today in support of this comprehensive library development program, even though I am no longer a member of the committee responsible for this laudable and far-reaching legislation. I am most anxious to commend my distinguished colleague from Pennsylvania who chairs the Select Subcommittee on Education, for reporting a bill which I feel will be invaluable to our efforts to improve the quality of education for our young people and which will contribute immeasurably to community and individual growth and development.

It was my distinct privilege in the 87th Congress, as a member of the Education and Labor Committee, to sponsor and support legislation much the same as that which we are to vote on today. Again in the present Congress I introduced a bill, the general effect of which was very similar to H.R. 4879. The most vital feature of both, and the feature which I wish to emphasize most strongly, is the removal of the minimum population figure of 10,000. The work done in rural and other small communities since the original Library Services Act was passed in 1956 has been so effective that our attention was forcibly drawn to the need to extend these useful provisions to our cities, which have their own problems in providing adequate libraries for their swiftly multiplying populations.

A library, more than any one other place, is the repository of learning, of all that comprises culture and education. Its shelves contain records of the ideals and principles upon which the free world was founded. We cannot expect future generations to continue fighting to safeguard ideals to which they have not been fully exposed, and proper understanding comes in the main from the written word. We must assure that all citizens have the opportunity for full individual intellectual development, which is symbolized by the library. Our future progress, economically and culturally, is directly dependent upon such a program as this legislation proposes.

The library is the heart of the community, the center of life of the college or public school. To the young child who sits enthralled during a "story hour," to the old citizen who comes to the library for the companionship of books, to the student who sees the entire pageantry of civilization come to life through the magic of books, the library is more than a cavernous building full of musty volumes. It is the heart of a meaningful, rich life typified by the love of books and learning.

The free public library was probably the greatest contribution ever made to the intellectual growth of man. It has made it possible for generations of citizens to become exposed to ideas, to profit from the records of the past and build on the hope of the future. It has helped make of us a learned people. We have the opportunity—indeed, the obligation—to assure that the principle embodied in the free public library system is continued and that each and every community, each and every public school, each and every institution of higher learning can provide library facilities for its citizens and its students.

Mr. Chairman, the members of the committee have well expressed the importance of this bill. The cost of this legislation is negligible, but the price we would have to pay without the opportunities provided by this bill is astronomical.

According to minimum State standards there were still in 1961, 18 million Americans with no ready access to libraries at all, and 110 million more with only inadequate services available. More than half of the latter reside in cities, which under the present law are not eligible for Federal assistance.

Furthermore, there are serious deficiencies in specialized library service programs for specific interest or age groups. We face a boom in school-age population which will be a tremendous strain on existing libraries, and even now we have 10,600,000 children who go to public schools without any library whatsoever. Nearly half of our public schools have no libraries. Nearly 60 percent of 4-year colleges have below-standard libraries.

These are shocking figures, for they mean that a tremendous number of people are being improperly equipped for life; that students are being denied the full, rich, range of knowledge; that young people are being deprived of an opportunity for intellectual development.

We cannot permit this situation to continue. This legislation is of vital importance to the future of our civilization, and I am sure that this House will act decisively to provide it.

I congratulate the distinguished chairman of the subcommittee for his leadership and wisdom, and I am proud to support him in this extremely important project.

Mr. PHILBIN. Mr. Chairman, I heartily commend and compliment the very able and distinguished committee upon its fine work in behalf of the pending library services bill. There is no question but that the bill will pass the House by a substantial margin, as it should, and that its provisions will permit a long-sought and very desirable extension of these valuable library services to the American people of every age and station.

Public enlightenment and the dissemination of information, learning, and culture has been a primary objective of American Government, local and State and Federal, since the founding of the Nation—yes, and since the earliest colonial times.

We can all take special pride that in so many ways and respects this lofty objective has been generally realized to a degree that makes it possible for people who live in our country today to have available wider and better opportunities for enlightenment, reading, acquiring information, book learning and education than is enjoyed by any other people on the face of the earth.

But it is up to the Congress to realize that, while the high level we have now reached is commendable as well as heartening, much remains to be done in this and related fields of general education.

The American people, generally speaking, are well read and well informed as they must be in a great democracy, like ours, where effective selection of public officials and the efficient functioning of government at every level is so dependent upon a well-informed, responsible citizenry.

To the extent that this gratifying picture is blurred by some illiteracy and some areas where books, news media and written materials are not readily available, we of the Congress must be concerned, and we must act constructively and remedially as we now propose to do.

As we do so, we cannot be certain that the valuable necessary services we here provide will adequately do the educational, enlightening work that has to be done, or afford adequate opportunities for all those who want and need reading materials to get them. More will be needed.

Nor can we be sure these days that some of the materials reaching the people this bill aims to reach will not contain some slanted, distorted viewpoints, or even undesirable or dangerous propaganda.

While we have laws that forbid the circulation of improper or indecent written materials and books, under our system, it is not permissible or practicable for the Congress to set up a general censorship over what the American people in our several States may read.

But we know, from long experience, the vital importance and value of public libraries and the means they provide for enlightenment, learning and the spread of information and awareness.

Of special value, and of special benefit, is the encouragement and assistance these library services afford for our young people. Who could predict at this time the number of young people in many sections of the country to which these services will be carried, the benefits and inspirations they may bring to countless American youth, for whom in many cases for the first time, the doors to the written treasures of the past and present may be opened, the broad vistas of enlightenment and learning explored, and lofty aspirations shaped. Who can know where a young Lincoln may be waiting.

Viewed in that light, as an immeasurable broadening of opportunity for the young, as well as the old, and the enriching of the culture and the incentive spirit of the Nation, this bill has far deeper significance than may appear on the surface.

It is, above all, a firm step forward to higher goals of national enlightenment, learning and opportunity. It marks, perhaps, the beginning of the final drive to banish every vestige of illiteracy from the Nation.

While this bill cannot reach or benefit those who for some reason are unable to learn—and this is a very serious problem which in larger measure requires our attention—or those who are not willing to learn, it nonetheless will bring new avenues and new tools to many not enjoying them now, and in that sense can and will appreciably add to our great American potential and the spreading of knowledge, learning, and culture throughout our great country.

I worked for and strongly supported the original Library Services Act in 1956 and was pleased to support in 1960 legislation to extend this beneficial library program for another 5 years. Today the House has the chance to perfect and improve the program so that not only our smaller libraries may benefit further from this Federal contribution to the Nation's educational effort, but also larger communities may participate in this necessary development of our library system.

This is a step forward in the important library services program which is now in its seventh year of remarkable progress in improving the Nation's rural libraries and I am sure that the House will endorse by an overwhelming margin the good work already accomplished by making library assistance benefits available to the larger centers of population. In addition, the House can remedy an important omission in the original act by permitting the use of Federal funds for the construction of library buildings and the purchase of land.

In my own State of Massachusetts, the library services program has benefited more than 1 million residents of rural areas and, in addition, has been an important incentive toward the development of a regional library system.

I am proud to say that one of the communities in my district has pioneered in the establishment of a regional library, largely through the effective interest and efforts of Mrs. George R. Wallace, of Fitchburg, Mass., and her associates who were instrumental in setting up the first regional library in the Commonwealth.

In the fall of 1962, the Fitchburg Public Library became the first regional library center in the Commonwealth, serving nearly 70 communities in the central Massachusetts area. The Fitchburg Library now provides film services to 68 communities in an area extending from the New Hampshire border to the Connecticut line and vitally needed book, reference, and professional advisory services to some 20 libraries in northern Worcester County.

Among the participating libraries in my district are Ashburnham, Ashby, Ayer, Barre, Berlin, Bolton, Dudley, Gardner, Groton, Harvard, Hopedale, Hubbardston, Hudson, Lancaster, Leicester, Leominster, Lunenburg, Mendon, Milford, New Braintree, Northbridge, Oakham, Oxford, Paxton, Pepperell, Princeton, Rutland, Shirley, Southbridge, Spencer, Sterling, Townsend, Upton, Uxbridge, Webster, Westminster, and Winchendon.

The benefits of the Fitchburg Regional Library have already helped these small communities in many ways and other communities in the central Massachusetts area are considering participation in the plan.

I am very proud to have such an outstanding leader as Mrs. Wallace in my district whose sustained efforts have made possible this educational landmark in the history of the Massachusetts library system. An esteemed friend and valued constituent, she has given dedicated service to the Fitchburg Public Library, of which she is chairman of the board of trustees. In addition, she is serving as a member of the Massachusetts Board of Library Commissioners.

Under the provisions of this bill, many more Massachusetts libraries will be able to benefit from the library services program and I am pleased to bring to the attention of my colleagues in the House the great progress which is being made in my own district in helping to meet the library needs of our citizens.

I strongly favor this wise, well-conceived, well-prepared and timely bill and thank the distinguished committee chairman and members for their vision, diligence, and splendid contributions in bringing this fine measure to the floor for passage.

The CHAIRMAN. All time has expired. The Clerk will read the bill for amendment.

The Clerk read as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

EXTENSION OF ACT TO NONRURAL AREAS

SECTION 1. (a)(1) Section 2 of the Library Services Act is amended by striking out "rural".

(2) Section 3 of such Act is amended by striking out "rural".

(b) Section 4 of such Act is amended by striking out "rural" wherever it appears therein.

Mr. POWELL (interrupting the reading of the bill). Mr. Chairman, I ask unanimous consent that the further reading of the bill be dispensed with and the bill be considered as read and open to amendment at any point.

The CHAIRMAN. Is there objection to the request of the gentleman from New York?

Mr. GROSS. Mr. Chairman, I object.

The Clerk read as follows:

(c)(1) So much of section 5(a) of such Act as precedes paragraph (1) is amended by striking out "to rural areas".

(2) Paragraph (3) of such section is amended by striking out "rural".

(d) Section 8(b) of such Act is amended by striking out "in rural areas".

(e) Section 9 of such Act is amended by striking out paragraph (e) and by striking out "; and" at the end of paragraph (d) and inserting in lieu thereof a period.

(f) The amendment made by subsection (a)(2) shall apply in the case of appropriations for fiscal years beginning after June 30, 1963. The amendment made by subsection (b) shall apply in the case of allotments from appropriations for fiscal years beginning after June 30, 1963. The amendments made by subsection (c) shall apply in the case of expenditures under State plans for periods after June 30, 1963. The amendment made by subsection (e) shall become effective July 1, 1963.

AMENDMENT OFFERED BY MR. POWELL

Mr. POWELL. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. POWELL: On page 2, strike out lines 8 through 16.

Mr. POWELL. Mr. Chairman, inasmuch as we cannot consider the bill as read because there was an objection, for the purpose of the chairman and the members of the committee, this amendment is the first of many to try to bring this bill into line with the bill passed by the other body by a vote of 89 to 7. If we do this, then we will not have to consume needless time by going to conference. So there will be a series of amendments, some 20 to 25, to get this bill in line with the one now passed by the other body.

Mr. FRELINGHUYSEN. Mr. Chairman, will the gentleman yield?

Mr. POWELL. I yield to the gentleman from New Jersey.

Mr. FRELINGHUYSEN. Inasmuch as the gentleman neglected to discuss this subject with this side of the aisle, and I have no knowledge of the 25 amendments to which he refers, I would like to ask him what will be the significance of dropping this language on page 2, lines 8 through 16. So far he neglected to indicate anything more than that he wants to conform with the bill passed by the other body. This could be done, I think, just as well with a conference with the other body as to try to amend it so extensively on the floor.

Mr. POWELL. The differences between the House bill and the Senate version are not significant. Mainly they are five. I will give you these five major differences.

Mr. FRELINGHUYSEN. Mr. Chairman, will the gentleman yield further?

Mr. POWELL. Yes. I will be glad to.

Mr. FRELINGHUYSEN. Are there five major differences in striking this language on page 2, or five major differences in all of the amendments that the gentleman may feel like offering to later parts of the bill?

Mr. POWELL. That is correct. By all of the amendments which are to be offered.

Mr. FRELINGHUYSEN. Could he confine himself to this amendment first of all?

Mr. POWELL. No; I will not confine myself to any one thing now.

Mr. FRELINGHUYSEN. Mr. Chairman, I would think there will be no choice but to confine himself to that.

Mr. POWELL. Mr. Chairman, I do not yield any more time.

The CHAIRMAN. The gentleman from New York declines to yield further.

Mr. FRELINGHUYSEN. Mr. Chairman, a point of order.

The CHAIRMAN. The gentleman will state it.

Mr. FRELINGHUYSEN. Is it not necessary when discussing an amendment offered that a Member be germane; that he confine himself to the discussion of the significance of the amendment which he has made?

The CHAIRMAN. The gentleman must confine himself to the discussion of the amendment. It may be to explain it he will have to be broader than just the narrow amendment itself, but it must be to the subject of the pending amendment.

Mr. FRELINGHUYSEN. And he must confine himself, Mr. Chairman, to the significance of the amendment which he has offered?

The CHAIRMAN. The gentleman will proceed in order.

Mr. POWELL. The amendment before this body will bring this bill in line with the bill in the other body which means that this amendment now and others which will come will amend the Library Services Act of 1956 which is presently applicable only to rural areas—it will remove this limitation and extend coverage to all areas of our country regardless of their size. That is what we have generally in our bill before us. It will increase the presently authorized amount of $45 million for the fiscal year 1964 and for the 2 fiscal years. Now, that is important because I, as chairman, and I believe the vast majority of the Members of this House, are opposed to back-door spending. This House bill leaves it up to Congress for the remaining 2 years. In other words, it opens the door. And I am not in favor of that. I am in favor of putting a limitation on this bill for each and every year that this will be the law of the land if it is passed by this body.

I ask for your support for this amendment.

Mr. Chairman, I have several perfecting amendments. I ask unanimous consent that they be considered en gros.

Mr. FRELINGHUYSEN. A point of order, Mr. Chairman.

The CHAIRMAN. The gentleman will state it.

Mr. FRELINGHUYSEN. The gentleman from New York apparently has been addressing himself to amendments which he may offer at a later time. I still have heard no discussion of the significance of the amendment which he has offered to page 2, to strike out lines 8 to 16. It seems to me that the least he can do is discuss the significance of that amendment.

The CHAIRMAN. Does the gentleman from New Jersey rise to make a point of order or to strike out the last word or in opposition to the amendment?

Mr. FRELINGHUYSEN. I rise to strike out the last word, Mr. Chairman, although I had risen to make a point of order.

Mr. Chairman, in spite of my request, the gentleman from New York has failed to discuss, so far as I can learn, the significance of striking the language on page 2, lines 8 through 16. He has referred to a number of other amendments which, apparently, he is going to offer at other places in the bill. His aim apparently is to show that we are interested in bringing this bill into conformity with the bill passed by the other body.

I still would like to know whether there is not some reason for the language on page 2, and what would be the significance of striking it. I would be glad to yield to the gentleman from New York to clarify this point, or to anyone else from the committee who might have some idea of what is being proposed. If no one knows the significance of the amendment being offered I, of course, would feel constrained to oppose it. Presumably, our committee considered the language which we approved with some care. I should think the least we could do is to defend substantial changes in that language.

Mr. Chairman, I would be glad to yield to anybody who might like to comment on the significance of the amendment offered by the gentleman from New York.

Mr. Chairman, I should be glad to yield to the gentleman from New Jersey [Mr. THOMPSON].

If the gentleman from New Jersey [Mr. THOMPSON] does not desire to comment, I should be glad to yield to the gentleman from Pennsylvania [Mr. DENT]; maybe he could enlighten us.

Mr. DENT. Mr. Chairman, I do not know whether I can enlighten the gentleman, but I can tell him what it does. This language changes the House bill to put it in line with the language in the Senate bill, and because the fiscal year date has already passed, we are pushing it forward. That is all there is to it.

Mr. TAFT. Mr. Chairman, will the gentleman yield?

Mr. FRELINGHUYSEN. I yield to the gentleman from Ohio.

Mr. TAFT. Mr. Chairman, while I share the astonishment of the gentleman from New Jersey as to the method of presenting these amendments, in an effort to get the House bill in conformity with the bill of the other body, without a conference report and without considering the intention of the House committee or anything else, it seems to me, and I wonder whether I would not be correct, that the present amendment would add to the authorization in this bill some $90 million. I think that is rather important for the House to understand.

Mr. POWELL. Mr. Chairman, will the gentleman yield?

Mr. FRELINGHUYSEN. I will be glad to yield to the gentleman from New York.

Mr. POWELL. If we consider all the other amendments the answer is "No," because 1963 is passed. We are trying in this particular amendment to update this legislation. We have to offer another amendment later which will then change the picture so that the $90 million will not be spent. It will be $45 million.

Mr. FRELINGHUYSEN. Mr. Chairman, I certainly would not accuse the gentleman from New York of being illiterate, but the language on page 2 does not refer to the calendar year 1963. I admit that the calendar year 1963 is passed. The language refers to the fiscal years beginning after June 30, 1963. That means the fiscal year 1964, which we are now in, and every subsequent year. So the point that the gentleman is making, it seems to me, is not well taken.

Mr. DENT. Mr. Chairman, will the gentleman yield?

Mr. FRELINGHUYSEN. I yield to the gentleman from Pennsylvania.

Mr. DENT. In order to make it as clear as I can, this bill was introduced in March of this past year. It was to become effective on July 1, 1963. Unless this language is adopted, we have an overlap of the $7.5 million with the $25 million of new appropriations that we are authorizing under the act. That is all there is to it. You eliminate the overlap by changing the effective date.

Mr. FRELINGHUYSEN. I may say this appears to be for more than the current fiscal year. It refers to the fiscal years beginning after June 30. It is not only this fiscal year we are talking about but thereafter. So presumably this language must have some meaning, and some value. I do not think the gentleman's explanation in reference to the situation is clear.

Mr. DENT. We then follow through with the increased authorization in the House bill by authorizing $25 million in line 23 of page 2, and closing the open-end appropriation for 1965 and 1966. The amendments which are to be offered by the gentleman from New York will take into consideration a stipulated amount equal to that which we are passing for 1964 in order to bring it in line with the amendment passed by the Senate. You must read both sections of the act to get the meaning of his amendment.

Mr. QUIE. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, the amendment of the gentleman from New York is confusing to me. As I understand the gentleman from New York, he is striking subsection (f), line 8 through line 16. I can understand why the situation is different in 1964 from what it was in 1963. It is a different year. However, in 1963 if it was necessary to lay out the language in this form to determine when the act will go into effect, why would it not be better to merely change the date 1963 to 1964 in each case, because the need for the language must be the same in January of 1964 as it was in March of 1963.

Mr. POWELL. If the gentleman will offer that as a substitute I will be glad to accept it.

Mr. FRELINGHUYSEN. Mr. Chairman, it seems to me the gentleman from New York has already admitted his amendment does not make sense, and he will take any alternative that is offered.

Mr. POWELL. Mr. Chairman, I demand that the words of the gentleman be taken down.

The CHAIRMAN. Does the gentleman insist on the words of the gentleman from New Jersey being taken down?

Mr. POWELL. I do, Mr. Chairman.

Mr. Chairman——

The CHAIRMAN. For what purpose does the gentleman from New York rise?

Mr. POWELL. Mr. Chairman, I ask unanimous consent to withdraw my request.

Mr. FRELINGHUYSEN. Mr. Chairman, I object. I should like a ruling on the question.

The CHAIRMAN. Objection is heard.

Mr. ROOSEVELT. Mr. Chairman——

The CHAIRMAN. For what purpose does the gentleman from California rise?

Mr. ROOSEVELT. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state the parliamentary inquiry.

Mr. ROOSEVELT. Mr. Chairman, may I properly at this time address the gentleman from New Jersey?

The CHAIRMAN. The gentleman may address a parliamentary inquiry to the Chair.

Mr. ROOSEVELT. May I ask at this time, Mr. Chairman, whether it is possible for the gentleman from New Jersey to object, as he just objected, in view of the fact that he is sitting down?

Mr. ASHBROOK. Mr. Chairman, I object.

Mr. ROOSEVELT. Then, Mr. Chairman, I ask unanimous consent to proceed for 1 minute or is that impossible at this point?

The CHAIRMAN. That is not possible at this time.

The Clerk will report the words objected to.

The Clerk read as follows:

> Mr. FRELINGHUYSEN. It seems to me the gentleman from New York has already admitted his amendment does not make sense, and he will take any alternative that is offered.

The CHAIRMAN. The Committee will rise.

Accordingly the Committee rose, and the Speaker having resumed the Chair, Mr. MOORHEAD, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee having had under consideration the bill, H.R. 4879, to amend the Library Services Act to increase the Federal assistance for the improvement of public libraries, certain words used in debate were objected to, and on request were taken down and read at the Clerk's desk and he herewith reported the same to the House.

The SPEAKER. The Clerk will report the words objected to in the Committee of the Whole House on the State of the Union.

The Clerk read as follows:

> Mr. FRELINGHUYSEN. It seems to me the gentleman from New York has already admitted his amendment does not make sense, and he will take any alternative that is offered.

The SPEAKER. The Chair, of course, views debate from a broad angle, particularly when engaged in extemporaneously.

The Chair sees nothing about these words that violates or contravenes the rules of the House.

The Committee will resume its sitting.

CALL OF THE HOUSE

Mr. BEERMANN. Mr. Speaker, I make the point of order that a quorum is not present.

The SPEAKER. Evidently, a quorum is not present.

Mr. FOGARTY. Mr. Speaker, I move a call of the House.

A call of the House was ordered.

The Clerk called the roll, and the following Members failed to answer to their names:

[Roll No. 10]

Aspinall
Auchincloss
Baring
Barry
Bass
Blatnik
Bolling
Brademas
Cameron
Cederberg
Celler
Clausen,
 Don H.
Davis, Tenn.
Denton
Derwinski
Diggs
Donohue
Finnegan
Fulton, Pa.
Gary
Gill
Grant
Green
Hanna
Hardy
Harris
Harvey, Mich.
Hébert
Hoffman
Johansen
Jones, Ala.
Kee
McMillan
Macdonald
MacGregor
Martin, Mass.
Miller, N.Y.
Moore
Morton
Nedzi
Nelsen
O'Brien, Ill.
O'Brien, N.Y.
Pepper
Philbin
Pilcher
Pillion
Rivers, Alaska
Robison
Rogers, Tex.
Roybal
St Germain
Saylor
Schadeberg
Schneebeli
Scott

Senner
Sheppard
Smith, Calif.
Springer
Steed
Tuck
Vinson
Watson
Westland
Wickersham
Williams

The SPEAKER. On this rollcall 362 Members have answered to their names, a quorum.

By unanimous consent, further proceedings under the call were dispensed with.

The SPEAKER. The Committee will resume its sitting.

The Committee resumed its sitting.

The CHAIRMAN. When the Committee rose the gentleman from Minnesota had the floor.

Mr. QUIE. Mr. Chairman, unless the gentleman from New York is going to withdraw his amendment, I have a substitute I want to offer.

Mr. POWELL. Mr. Chairman, I ask unanimous consent to withdraw my amendment.

Mr. SNYDER. Mr. Chairman, I object.

Mr. POWELL. Then I ask that we vote the amendment down.

Mr. QUIE. Mr. Chairman, I offer a substitute.

The CHAIRMAN (Mr. MOORHEAD). The Chair will advise the gentleman from Minnesota that his amendment is not in order at this time. We will have to vote on the pending amendment first.

The question is on the amendment offered by the gentleman from New York [Mr. POWELL].

The amendment was rejected.

AMENDMENT OFFERED BY MR. QUIE

Mr. QUIE. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. QUIE: On page 2, amend subsection (f) to change "1963" to "1964" each time it appears.

Mr. QUIE. Mr. Chairman, the reason for this amendment is that in the event nothing else is done, we have to make this bill comply with this year. It now applies to the year 1963. This changes the date to 1964. The situation was such in 1963, March of 1963, when the bill was introduced, we had to make provision for the effective date of the new money after the new fiscal year began. This just changes the dates so the same thing applies in 1964 as it did in 1963.

Mr. FREYLINGHUYSEN. Mr. Chairman, will the gentleman yield?

Mr. QUIE. I yield to the gentleman from New Jersey.

Mr. FRELINGHUYSEN. The original amendment offered by the gentleman from New York to strike subsection (f) was to avoid the necessity for a conference with the other body if a series of amendments were agreed to by the House. If we should accept the change in the language, such as the gentleman is now suggesting, it would not obviate the necessity for a conference with the other body because presumably the language will differ. So we are not avoiding that difficulty which he was seeking to avoid when he offered his amendment. Am I correct?

Mr. QUIE. Yes. I do not see that it makes any difference that we must go to conference. This is the usual legislative procedure. The Senate has written some language in there that is different from ours and we should go to conference rather than accept their language which we have not worked on or thought anything about. If we change the bill to conform with the Senate langauge, it should only be in those cases where we are certain we approve the Senate language.

Mr. DENT. Mr. Chairman, will the gentleman yield?

Mr. QUIE. I yield to the gentleman.

Mr. DENT. There is no objection to the amendment.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Minnesota [Mr. QUIE].

The amendment was agreed to.

Mr. FRELINGHUYSEN. Mr. Chairman, I ask unanimous consent that the bill be considered as read and be open for amendment at any point.

The CHAIRMAN. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

The remainder of the bill is as follows:

Extension and increase of authorization

SEC. 2. Section 3 of the Library Services Act is amended by striking out "is hereby" and inserting in lieu thereof "are"; by striking out "nine succeeding fiscal years" and inserting in lieu thereof "next six fiscal years"; and by inserting ", for the fiscal year ending June 30, 1964, the sum of $25,000,000, and for each of the next two fiscal years such sums as the Congress may determine," after "$7,500,000".

Increase in minimum allotments; availability of allotments

SEC. 3 (a) Effective in the case of allotments from appropriations for fiscal years beginning after June 30, 1963, section 4 of the Library Services Act is amended by striking out "$10,000" and inserting in lieu thereof "$25,000", and by striking out "$40,000" and inserting in lieu thereof "$100,000".

(b) Such section is further amended by adding at the end thereof the following new sentence: "The allotment to any State under this section for the fiscal year ending June 30, 1964, shall be available for payments to such State with respect to expenditures under its approved State plan during such year and the next fiscal year."

Development of library services for all students

SEC. 4. Effective July 1, 1963, section 5(a) (3) of the Library Services Act is amended by striking out all that appears after the comma and inserting in lieu thereof the following: "which policies and methods give particular consideration, in carrying out the objectives of this Act, to the development of public library services to satisfy the needs of students of all ages for useful and readily accessible library services and materials;"

Increase in minimum State expenditures required

SEC. 5. Effective in the case of payments from allotments for fiscal years beginning after June 30, 1963, subsection (a) of section 6 of the Library Services Act is amended by striking out "$10,000" and inserting in lieu thereof "$25,000", by striking out "$40,000" and inserting in lieu thereof "$100,000", and by striking out "June 30, 1956" wherever it appears therein and inserting in lieu thereof "June 30, 1963".

Payment procedure

SEC. 6. Effective in the case of payments from allotments for fiscal years beginning after June 30, 1963, subsection (b) of section 6 of the Library Services Act is amended to read as follows:

"(b) Prior to each period for which a payment is to be made under subsection (a), but not less often than semiannually, the Commissioner shall estimate the amount to which each State will be entitled under subsection (a) for such period; and the amount so estimated shall be paid, in such installments and at such time or times as the Commissioner may determine, after necessary adjustment on account of any previously made overpayment or underpayment under this section."

Construction grants

SEC. 7. (a) The Library Services Act is further amended by inserting "TITLE I—PUBLIC LIBRARY SERVICES" after section 2, by redesignating section 3, 4, 5, and 6, and references thereto, as sections 101, 102, 103, and 104, respectively, and by inserting after such sections the following new title:

"TITLE II—PUBLIC LIBRARY CONSTRUCTION

"Authorization of appropriations

"SEC. 201. There are authorized to be appropriated for the fiscal year ending June 30, 1964, the sum of $20,000,000, and for each of the next two fiscal years such sums as the Congress may determine, which shall be used for making payments to States, which have submitted and had approved by the Commissioner, State plans for the construction of public libraries.

"Allotments

"SEC. 202. From the sums appropriated pursuant to section 201 for each fiscal year, the Commissioner shall allot $20,000 each to Guam, American Samoa, and the Virgin Islands, and $80,000 to each of the other States, and shall allot to each State such part of the remainder of such sums as the population of the State bears to the population of the United States, according to the most recent decennial census. A State's allotment under this subsection for any fiscal year shall be available for payments with respect to construction projects approved, under its State plan approved under section 203, during such year or (but only in the case of a State allotment for the fiscal year ending June 30, 1964) the next fiscal year.

"State plans for construction

"SEC. 203. (a) To be approved for purposes of this title a State plan for construction of public libraries must—

"(1) meet the requirements of paragraphs (1), (2), (4), and (5) of section 103(a);

"(2) set forth criteria and procedures for approval of projects for construction of public library facilities which are designed to insure that priority will be given to projects or facilities to serve areas having, in the judgment of the State library administrative agency, the greatest need for additional facilities and which give particular consideration to projects for facilities to help achieve the objective of developing library services to satisfy the needs of students of all ages for useful and readily accessible library services and materials;

"(3) provide assurance that every local or other public agency whose application for funds under the plan with respect to a project for construction of public library facilities is denied will be given an opportunity for a fair hearing before the State library administrative agency; and

"(4) provide assurance that all laborers and mechanics employed by contractors or subcontractors on all construction projects assisted under this Act shall be paid wages at rates not less than those prevailing on similar construction in the locality, as determined by the Secretary of Labor in accordance with the Davis-Bacon Act, as amended (40 U.S.C. 276a–276c–5), and shall receive overtime compensation in accordance with and subject to the provisions of the Contract Work Hours Standards Act (Public Law 87-581); and the Secretary of Labor shall have with respect to the labor standards specified in this paragraph the authority and functions set forth in Reorganization Plan Numbered 14 of 1950 (15 F.R. 3176; 5 U.S.C. 133z-15) and section 2 of the Act of June 13, 1934, as amended (40 U.S.C. 276c).

"(b) The Commissioner shall approve any plan which fulfills the conditions specified in subsection (a) of this section.

"Payments to States

"SEC. 204. (a) From its allotment available therefor under section 202 each State shall be entitled to receive an amount equal to the Federal share (as determined under section 104) of projects approved, during the period for which such allotment is available, under the State plan of such State approved under section 203.

"(b) The Commissioner shall from time to time estimate the amount to which a State is entitled under subsection (a), and such amount shall be paid to the State, at such time or times, and in such installments as the Commissioner shall determine, after necessary adjustment on account of any previously made underpayment or overpayment."

(b) Section 9 of such Act is further amended by redesignating paragraph (d) as paragraph (e) and inserting after paragraph (c) the following new paragraph:

"(d) The term 'construction' includes construction of new buildings and expansion, remodeling, and alteration of existing buildings, and initial equipment of any such buildings; including architects' fees and the cost of the acquisition of land;".

(c) Subsection (f) of the section of such Act herein redesignated as section 104 is repealed.

(d) Subsection (a) of such section 104 is amended by inserting at the end thereof the following new sentence: "from such allotments, there shall also be paid to each State for each such period the Federal share of the total of the sums expended by the State and its political subdivisions during such period for administration of the plan of such State approved under section 203."

(e) Subsection (e) of such section 104 is amended by striking out "Act" and inserting in lieu thereof "title".

(f) Such Act is further amended by inserting "TITLE III—GENERAL" above the heading for section 7 and by redesignating sections 7, 8, and 9 as sections 301, 302, and 304, respectively.

(g) The first sentence of such section 301 is amended by inserting "applicable" before "requirements of this Act" and by inserting "(or, in his discretion, that further payments will not be made with respect to portions of or projects under the State plan affected by such failure)" before "until he is satisfied". The second sentence of such section is amended to read: "Until he is so satisfied, no further payments shall be made to such State for carrying out such State plan (or further payments shall be limited to parts of or projects under the plan not affected by such failure)."

(h) Such Act is further amended by inserting after such section 302 the following new section:

"Reallotments

"SEC. 303. The amount of any State's allotment under section 102 or 202 for any fiscal year which the Commissioner determines will not be required for the period for which such allotment is available for carrying out the State plan approved under section 103 and section 203, respectively, shall be available for reallotment from time to time, on such dates during such year as the Commissioner may fix, to other States in proportion to the original allotments for such year to such States under such section 102 or 202, as the case may be, but with such proportionate amount for any of such other States being reduced to the extent it exceeds the amount which the Commissioner estimates the State needs and will be able to use for such period of time for which the original allotments were available for carrying out the State plan approved under section 103 or 203, as the case may be, and the total of such reductions shall be similarly reallotted among the States not suffering such a reduction. Any amount reallotted to a State under this subsection from funds appropriated pursuant to section 101 or 201 for any fiscal year shall be deemed part of its allotment for such year under sections 102 and 202, respectively."

(i) The amendments made by subsections (c), (e), and (g) shall be applicable in the case of payments from allotments for the fiscal years beginning after June 30, 1963. The amendment made by subsection (h) shall be applicable in the case of such allotments.

Hearings and judicial review

SEC. 8. The section of the Library Services Act herein redesignated as section 302 is amended by adding at the end thereof the following new subsection:

"(d)(1) The Commissioner shall not finally disapprove any State plan submitted under this Act, or any modification thereof, without first affording the State submitting the plan reasonable notice and opportunity for a hearing.

"(2) If any State is dissatisfied with the Commissioner's final action with respect to the approval of its State plan submitted under title I or title II, or with respect to his final action under section 301, such State may appeal to the United States Court of Appeals for the circuit in which the State is located, by filing a petition with such court within sixty days after such final action. A copy of the petition shall be forthwith transmitted by the clerk of the court to the Commissioner or any officer designated by him for that purpose. The Commissioner thereupon shall file in the court the record of the proceedings on which he based his action, as provided in section 2112 of title 28, United States Code.

"(3) Upon the filing of the petition referred to in paragraph (1) of this subsection, the court shall have jurisdiction to affirm the action of the Commissioner or to set it aside, in whole or in part, temporarily or permanently, but until the filing of the record the Commissioner may modify or set aside his order. The findings of the Commissioner as to the facts, if supported by substantial evidence, shall be conclusive, but the court, for good cause shown, may remand the case to the Commissioner to take further evidence, and the Commissioner may thereupon make new or modified findings of fact and may modify his previous action, and shall file in the court the record of the further proceedings. Such new or modified findings of fact shall likewise be conclusive if supported by substantial evidence.

"(4) The judgment of the court affirming or setting aside, in whole or in part, any action of the Commissioner shall be final, subject to review by the Supreme Court of the United States upon certiorari or certification as provided in section 1254 of title 28, United States Code. The commencement of proceedings under this subsection shall not, unless so specifically ordered by the court, operate as a stay of the Commissioner's action."

Change in title and short title

SEC. 9. (a) The first section of the Library Services Act is amended by striking out "Library Services Act" and inserting in lieu thereof "Library Services and Construction Act".

(b) The title of such Act is amended to read "To promote the further development of public library services."

The CHAIRMAN. The Clerk will report the first committee amendment.

The Clerk read as follows:

Committee amendment: On page 12, line 21, insert:

"EXTENSION TO DISTRICT OF COLUMBIA

"SEC. 9. Subsection (a) of the section of the Library Services Act herein redesignated as section 304 is amended by inserting after 'State,' the following: 'the District of Columbia,'."

Mr. DENT. Mr. Chairman, I move to strike out the last word merely to say that there is no objection to the amendment, but I see no reason for it.

The CHAIRMAN. The question is on the committee amendment.

The committee amendment was agreed to.

The CHAIRMAN. The Clerk will report the next committee amendment.

The Clerk read as follows:

Committee amendment: On page 13, line 2, after "SEC." strike out "9" and insert "10".

The committee amendment was agreed to.

AMENDMENT OFFERED BY MR. QUIE

Mr. QUIE. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. QUIE: On page 3, line 17, strike everything following the word "amended," through line 23, and insert in lieu thereof "by striking the word 'rural'."

On page 6, line 16, strike everything after the word "that" through line 23, and insert in lieu thereof "facilities will be constructed only to serve areas, as determined by the State library administrative agency, which are without library facilities necessary to develop library services."

The CHAIRMAN. The Chair recognizes the gentleman from Minnesota [Mr. QUIE].

Mr. QUIE. Mr. Chairman, the Library Services Act under which we have been operating for a few years now has as its purpose to provide assistance—of course, in rural areas, but I am not going to talk about the difference between rural and urban now—but it has as its purpose to provide funds so that there can be maximum advantage for further extension of library services to areas without such services or with inadequate services.

Here are the two areas that we are assisting, those areas that have no services whatsoever and those areas which have inadequate services.

Mr. Chairman, the bill was changed, however, so that emphasis was placed only on providing library services to satisfy the needs of students of all ages. I do not think that is good reason for expanding library services. The main reason we want to expand library services is to assist in those areas that do not have library services or which have inadequate services. Therefore, my amendment strikes out the new language and goes back to the old language. But in order to conform with the bill, it strikes out the word "rural." Therefore, it would now read:

The State library administrative agency certifies it will in its judgment, assure the use of such funds to the maximum advantage and the further extension of public library services to areas without such services or with inadequate services.

Now if we are going to have a Library Services Act which is expanded, it ought to be for the same purposes that we had before and not to bring in some new reasoning that nobody fully understands as to how it would apply, benefiting students of all ages. There are many other individuals who feel that the library services ought to benefit them.

This has been taken up by the library associations and they feel the House language is inadequate. I feel the language, if we reinstate the old language, will conform with what they desire and maintain the original meaning of the law rather than either the House or Senate language even though the Senate language would be acceptable. I think my amendment is better than the Senate language, and for that reason I hope the House will adopt this amendment.

Mr. DENT. Mr. Chairman, reserving the right to object, and I do not now object, I wish to explain why the language was placed in the bill and what it would do.

The purpose of the language is to insure that students of all ages will be given the services, and that the services will be available to all people, because in some interpretations of the language there has been a question as to whether this would cause confusion in responsibilities of librarians. There are many persons who are not students who avail themselves of the opportunity to use these libraries. We tried to clear that up with this language.

I have no objection to the amendment, if the intention of the sponsor of the amendment is to allow all persons to use the libraries. If the gentleman will clarify the record to that extent, that is all we want.

Mr. QUIE. The gentleman is correct. That is the reason why I offered the amendment. It would include people of all ages, whether students or not. It would not prohibit students or anyone else.

Mr. DENT. We feel the language does that; however, in order to make sure it does, with the gentleman's interpretation of his amendment, I withdraw any opposition to the amendment.

Mr. CAREY. Mr. Chairman, will the gentleman yield?

Mr. DENT. I yield to the gentleman.

Mr. CAREY. I take this time for the purpose of asking a question of the gentleman from Minnesota, who has offered the amendment.

The thrust of the amendment would in no way affect the population count and would in no way deprive a city of the benefits of the bill?

Mr. QUIE. That is correct.

Mr. CAREY. If the judgment of the State agency handling libraries was that a city area was a proper area for use of the funds for library services, the city would be eligible; is that correct?

Mr. QUIE. Yes, that is correct. Some city areas are without services, and some city areas have inadequate service. They will be treated the same.

Mr. CAREY. I would agree with that. There are 80 million people who live in urban population areas. What may have been adequate 10 years ago is not adequate today. In terms of adequacy, this would be a decision for the State agency to make; is that correct?

Mr. QUIE. That is correct.

Mr. CAREY. I thank the gentleman.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Minnesota [Mr. QUIE].

The amendment was agreed to.

AMENDMENTS OFFERED BY MR. FRELINGHUYSEN

Mr. FRELINGHUYSEN. Mr. Chairman, I offer a series of amendments and ask unanimous consent to have the amendments considered en bloc.

The CHAIRMAN. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

The Clerk read as follows:

Amendments offered by Mr. FRELINGHUYSEN: On page 1, amend the title of the bill by striking out the period after "libraries" and inserting in lieu thereof "in rural areas."

On page 1, line 3, strike out "EXTENSION OF ACT TO NONRURAL AREAS".

On page 1, line 4, strike out everything following "SECTION 1" through line 16 on page 2, and insert in lieu thereof "Section 9(e) of the Library Services Act is amended by striking out 'more than ten thousand persons' and inserting in lieu thereof 'more than twenty thousand persons'."

On page 2, line 23, strike out "$25,000,000" and insert in lieu thereof "$15,000,000".

On page 3, line 6, strike out "$25,000" and insert in lieu thereof "$20,000"; on line 8, strike out "$100,000" and insert in lieu thereof "$50,000".

On page 4, line 6, strike out "$25,000" and insert in lieu thereof "$20,000"; on line 7, strike out "$100,000" and insert in lieu thereof "$50,000".

On page 5, strike out line 1 and everything that follows through line 3 on page 11.

On page 11, lines 5 and 6, strike out "SEC. 8" and insert in lieu thereof "SEC. 7"; strike out "The section of the Library Services Act herein redesignated as section 302" and insert in lieu thereof "Section 8 of such Act".

On page 12, strike out everything after line 20.

Strike out everything on page 13.

Mr. FRELINGHUYSEN. Mr. Chairman, the purpose of my amendments is quite simple. The major objective which I seek is to strike out the proposed new construction program for libraries. I suggest this because I feel very strongly, as I said in the general debate, that if we should engage in a library construction program we would be assuming a Federal responsibility which would require far more than the $20 million which is to be made available.

It is estimated that nearly $300 million is needed now to rehabilitate the Nation's libraries, and inevitably the Federal responsibility, if we should assume it, would be far more than the $20 million. In my opinion, we should continue as we have in the past with a Library Services Act, and not add a program to help construct library buildings.

Second, my proposal will reinstate what I consider to be a fundamental and very valuable objective of the existing program; that is, that Federal aid should be confined to rural areas and not made available across the Nation to any kind of library that may be in need. I say this because I do feel that in the existing program we have defined with a good deal of particularity what the Federal responsibility is with respect to rural libraries.

The third point of my amendment is to make available more money than is presently authorized for rural libraries. My amendment would allow libraries to receive aid in population centers up to 20,000 instead of the 10,000 limitation in the present law, and it would double the amount of money which is presently available. In other words, the new authorization ceiling would be $15 million a year instead of $7.5 million. It would be funds made available to communities of not more than 20,000 instead of the present limitation of 10,000. It would eliminate altogether the construction program envisaged by the bill as reported out by the committee.

It seems to me this is a recognition that the existing program could reasonably be expanded. It is a recognition, also, that we like the kind of program we adopted in 1956 and that we want to strengthen it and not weaken it.

Mention has been made time and again that if we make money available for any kind of library, that the rural areas will be sure to get their share. I share no such confidence. In the first place, it is not the State legislatures which determine the priority within a State for admittedly inadequate funds for all of the needs for libraries in that State. I feel there is almost sure to be a short circuiting of the money now appropriately provided by the Federal Government to our rural areas. So I do offer this in all earnestness as a major alternative to the bill as reported by the committee. I hope it will be approved.

The CHAIRMAN. The Chair will have to advise the gentleman from New Jersey the author of the amendments, that the first two lines of the amendments attempting to amend the title are not in order, because an amendment to a title is not in order until after the passage of the bill. So the question will occur on the balance of the amendments.

Mr. THOMPSON of New Jersey. Mr. Chairman, I rise in opposition to the amendment.

Mr. ALBERT. Mr. Chairman, will the gentleman yield to me?

Mr. THOMPSON of New Jersey. I yield to the majority leader.

Mr. ALBERT. Is it not true that the distinguished colleague of the distinguished gentleman from New Jersey now holding the floor offered an amendment which will cut the heart out of this measure and that it is intended by this measure we go not only to rural areas where the need exists but also to urban areas where the need exists?

Mr. THOMPSON of New Jersey. Yes. That is true.

Mr. Chairman and Members of the Committee, first I hasten to say of my friend and colleague from New Jersey this is, in consideration of New Jersey's position among the 50 States, a very statesmanlike and courageous action on his part. We are the second most heavily urbanized area of the 50 States, Rhode Island being the only one more heavily urbanized. We have in New Jersey the heaviest concentration of population per square mile of any part of the United States and, indeed, second only in the world, I believe, to Calcutta, India.

The purpose of the amendment of the gentleman from New Jersey [Mr. FRELINGHUYSEN] would seem to me to say that the fact of living in the more wide open spaces such as those enjoyed by our friends from larger and less populous areas—the mere accident of geography—means a youngster shall be able to enjoy the facilities of a library. The theory is, I suppose, that one can communicate with nature and one can contemplate the crops and animals and so on and therefore that communication with nature and with the farm products and animals means one has greater need to read than one who has nothing to look at but concrete sidewalks and an occasional dog. If one lives on the New Jersey seashore, of course, there are any number of dogs left there, mostly by urban dwellers who tire of them during the summer. They enjoy a very happy life on the beautiful New Jersey beaches and present something of a problem in multiplication to the residents of the areas in which they are abandoned. We need books to help us understand these things.

Mr. FRELINGHUYSEN. Mr. Chairman, will the gentleman yield?

Mr. THOMPSON of New Jersey. I will be glad to yield to the gentleman.

Mr. FRELINGHUYSEN. I might say that I compliment the gentleman for giving such a vivid description of our beautiful State. I share the gentleman's concern for its welfare, and I assure the gentleman my amendment was not directed against the State. The problem is that I think also we qualify as one of the wealthier States of the Union, and I cannot help but consider the taxpayers of my State as well as the recipients of our benefits.

In this case I think the need is greater in the area beyond the jurisdiction of our State.

Mr. THOMPSON of New Jersey. That is a very valid point. I would suggest to the gentleman that if he were to leave that great district that he represents, which is mostly urban, but in which there is more grass than I think in my whole district, and if he were to go to the sidewalks in the cities he might find people of intellectual and cultural deprivation for whose needs he could somehow or other have some vicarious association. The fact is, however, that geography is not the final determination of the need for books. It has never been and it should not be. We are one of the wealthiest States. I think we are in a somewhat better position, speaking even from my small contribution in taxes, to spread it around among the less fortunate elsewhere who enjoy the rural area advantages but do not enjoy the income that we enjoy in New Jersey.

In other words, we all have compensations. They have the sky, the grass, the fields, the animals. We have the sidewalks and the dogs and the money. We want to spread it about somewhat.

Mr. OLIVER P. BOLTON. Mr. Chairman, will the gentleman yield?

Mr. THOMPSON of New Jersey. I yield to the gentleman from Ohio.

Mr. OLIVER P. BOLTON. Mr. Chairman, I appreciate the gentleman's yielding during his spreading——

Mr. THOMPSON of New Jersey. This is a philosophical discourse, really.

Mr. OLIVER P. BOLTON. And I am glad that the gentleman made that point because I think he has put his finger on the nubbin of the difference of opinion that exists in this House. Is this a Federal question regardless of the ability of the State and local governments to pay and to take care of their own, or is it a question that the Federal Government should take care of it regardless of the ability to pay? I thank the gentleman for yielding.

Mr. THOMPSON of New Jersey. I will answer the question with a question. If it is a Federal question, is it one for the rural areas only, and if so, what distinction does one make between a Federal rural responsibility and a Federal urban responsibility? If there is any Federal responsibility then it should go to all of the citizens and the mere fact of our good luck in the matter of income in New Jersey should not mean that we should be deprived of library facilities because we are 80 percent urban. We want to share them. We share the bounties of good fortune, of heavy industry, et cetera, at the expense of depriving ourselves of the open areas. I have alluded to some biological advantages among some of the animals on the seashore; but we all read and in order to understand our environment and what goes on about us, I think we ought to have library facilities.

Therefore, Mr. Chairman, I ask that this amendment be defeated so that we may all share, urban and rural areas, alike.

Mr. DENT. Mr. Chairman, I rise in opposition to the amendment. I want to call to the attention of the House, that when we are talking about the rural population and the urban population no State is all urban or all rural. When we talk about the existence of poverty, no State is altogether poor and no State is altogether rich. We have more persons on relief in the State of Pennsylvania today than the total population of some of the States that are known as the rural States. These people are entitled to the benefits of public libraries. Most of the public libraries in Pennsylvania were built years ago when philanthropy was a fashion among the rich. But now most of the public library buildings in this Nation are 53 years of age or older. Philanthropy is no longer a part of the public scene. We now put the money into so-called trusts and we spend it in other fashions. Attempts are made to find out how many people are poor by having foundations make studies but they do not do anything about the findings. They then send the problem to Congress. All of the billions of dollars that they used to spend, or that used to be spent by the ultrarich to build libraries and public facilities are no longer spent for that purpose. They now spend the money to find out how many libraries we need and how much money the Federal Government should contribute to these uses.

I want to say to our Republican Members of the Congress that evidently they do not agree with those who wrote their platform in 1960. And I suppose the same plank will be in their platform in 1964. In order to show the difference of opinion, the difference of view between the gentleman from New Jersey and the Republican platform writers let me read that platform plank dealing with libraries:

> Toward the goal of fullest possible educational opportunity for every American we pledge these actions.
>
> Support of efforts to make adequate library facilities available to all citizens.

I imagine the Republican platform framers thought that the poor people and the people in the urban centers were among those whom they call citizens.

I assume that they did not mean only rural citizens. I am sure that the platform of the Republican Party envisions just this action that the Democratic Party has taken today to fulfill the Republican platform pledge.

Mr. CAREY. Mr. Chairman, will the gentleman yield?

Mr. DENT. I yield to the gentleman from New York.

Mr. CAREY. I want to point out to my colleague from Pennsylvania that in light of the amendment recently approved presented by the gentleman from Minnesota, we have a Dr. Jekyll and Mr. Hyde situation here. The amendment presented by the gentleman from Minnesota called upon the committee to approve language which would place responsibility for judging the adequacy or inadequacy of facilities or services in the hands of State agencies. Now we have an amendment offered by the gentleman from New Jersey which would take out this discretion in the State agencies and make the services available only to rural areas. This is a conflict, an anachronism and it is a Dr. Jekyll and Mr. Hyde amendment.

Mr. JOELSON. Mr. Chairman, will the gentleman yield?

Mr. DENT. I yield to the gentleman from New Jersey.

Mr. JOELSON. Mr. Chairman, I do not know if the author of this amendment believes that people in the cities are illiterate and cannot read and write. I prefer to believe that he considers they are too smart, but he does not want them to get smarter. This would give the entire Nation a stimulation to learn intellectually, and I hope Representatives from every congressional district will join in voting this amendment down.

Mr. PUCINSKI. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I rise in opposition to this amendment. I think the best argument in opposition to the amendment can be found on page 2 of the committee report. If Members will refer to the second-to-the-last paragraph, it is stated:

> Sixty million of the people with inadequate libraries and 1½ million with no public libraries at all are in urban areas of the Nation not included in the present act. The proportion of our total population in urban centers is continuing to grow rapidly and many social and economic problems are accompanying this growth: functional illiteracy, unemployment, delinquency, cultural deprivation. These are problems which good library service can help to solve.

I appreciate the gentleman's amendment. I appreciate his concern for economy. I believe the record of the last session was pretty good on this side, too. Last year I supported reductions in spending totaling 6½ billion. The fact of the matter is that not 48 percent, but 78 percent of the American population today lives in urban areas, urban areas that are accepting and inheriting more and more responsibility from the rural areas.

I represent a district in Chicago which is a residential district. Our school taxes have been going up and up and up every single year simply because we have had an influx of families into Chicago from rural areas from all over the country. This fantastic movement of rural families into a big city has created untold social problems.

I do not think it is fair to burden the homeowners in my district alone with all of these additional costs. The gentleman from Ohio asked, Is this a Federal problem? I submit it is.

We are a Republic of 50 States, and every citizen of this country has the right to move from one State to another. I have no intention of ever stopping or denying any citizen that right. But the fact remains that when an American citizen exercises his Federal constitutional rights and moves from one State to another, it is not fair to burden the host community with the full cost of needs created to the receiving community by such a move.

This amendment would establish a principle of saying, "All right, we are going to provide library facilities with Federal funds but only to rural areas." But what about the problems that urban areas suffer with the vast amount of the American population moving into large cities? The last report of the Census Bureau shows that 1 out of every 5 families in this country moves every year. In other words, 20 percent of the American population moves every year.

If we are going to deal with this problem, and you have to deal with it, you have to provide the youngsters of this Nation facilities with which to meet their 20th century space age responsibilities; if you are going to deal with this problem at all, then I say you ought to view the problem as the committee recommended. The committee held extensive hearings, the committee has studied the bill carefully, the committee gave it great consideration, and the committee came to the conclusion that the same problems exist in the rural areas of America which exist in the urban areas.

For anyone to say in this Congress that we have two standards of citizenship and that we have two kinds of problems is to fail to understand the facts and the problems of urban cities. I say to my rural friends, I would suggest that you very seriously consider the patience of those of us from the large urban areas who see vast problems confronting our city taxpayers go unsolved. We have supported legislation after legislation in this Congress dealing with the problems of the rural areas of America even though sometimes such support became a political liability in our districts; we have supported farm legislation because we have risen to the responsibility of looking out for what is best for all of America and not dealing with legislation from the narrow point of view of sectional differences. I think the time has come when this body had better start thinking about the problems of our large cities because this is where you get the strength to build up a $600 billion annual national economy.

Too long have we treated our urban areas as stepchildren in this Nation when in fact it is these very urban areas which give our Nation its economic strength. This is no longer a rurally dominated Nation and I say to you here now that if those of you from rural areas refuse to recognize our urban problems, you will be the loser in the long run.

I say that we are one Nation. We have problems confronting our rural areas and we have problems in our urban areas. The American way to approach these problems is to look at them together and to solve them together. This amendment should be rejected and we should proceed to adopt this bill. I agree with the gentleman from Georgia when he stated that this is one of the most important pieces of legislation to come before the Congress of the United States in many years. Passage of this bill as recommended by the committee will provide educational facilities for millions of America's citizens—young and old.

I say, Mr. Chairman, the time has come for all of us collectively in this body to light a candle—an intellectual candle—instead of complaining about the dark. Rejection of this amendment so our cities can participate in this library program will bring a new light of knowledge to all of America.

Mr. BOW. Mr. Chairman, I rise in support of the amendment.

Mr. Chairman, consistency sometimes is a jewel. We find a situation today where we are not being too consistent.

I call attention particularly to those of you who were in the House of Representatives in 1956 when we passed this bill, and many who are here speaking today to extend it and enlarge it to go into the urban areas and construction—they made statements at that time when they supported the bill. I would like to take you back in memory to the debate as found in the RECORD of May 8, 1956. I should like to call the attention of my friend, the gentleman from New Jersey, to the fact that he made an excellent exposé a few minutes ago about the need in New Jersey. But let me tell you what the gentleman from New Jersey had to say on the 8th of May 1956. This is what he said:

> I firmly believe that if our people are provided for a period of 5 years with good libraries staffed by well-trained personnel dedicated to serving the people, they will never want to do without them again. I believe that when Federal funds cease after the 5th year—

Remember now, this was in 1956—

> the States and the communities will somehow find other sources of revenue to continue the services they have learned to appreciate.

Mr. THOMPSON of New Jersey. Mr. Chairman, will the gentleman yield?

Mr. BOW. I yield to the gentleman.

Mr. THOMPSON of New Jersey. I acknowledge that statement and also acknowledge that the experience of 8 years has proven how very, very wrong I was and I hasten to acknowledge my error.

Mr. BOW. I am delighted the gentleman now acknowledges it. I am afraid he is getting into another program and starting another program that he probably will have to say he was wrong about this at some later date.

May I now speak to some of the other gentlemen who are here. My distinguished and beloved friend, the gentleman from Georgia [Mr. LANDRUM], has spoken for this bill and on this day in 1956, he had this to say. He was speaking to someone who was on the floor, and he said to him:

> Emphasize again, will you, that this bill is for a 5-year period and is to serve as a stimulus only.

Now we are still stimulating.

The gentleman from Alabama [Mr. ELLIOTT] said:

> If we pass this bill, providing the small amount of $7½ million per year for 5 years, I want to hazard the prediction that at the end of the 5-year period the system of rendering library services by bookmobile will have spread all over rural America.

That was the 5-year program in 1956.

And then may I mention another gentleman who speaks on this bill, the gentleman from Kentucky [Mr. PERKINS]. I quote the gentleman.

> The proposed program would be limited to 5 years.

He was speaking for his committee.

I quote him again:

> We have proof that after this period a rural library service program is most likely to be continued through local and State support.

Then I come down to our very distinguished majority leader, the gentleman from Oklahoma [Mr. ALBERT]. This is what he said on that particular date:

> It is contemplated that during the 5-year period the States and local communities will develop their own library-service plans which will permit the Federal Government to discontinue its work in this field.

Here we are, talking about bigger and larger programs. I am wondering where the economy drive is and where the effort to reduce budgets is. When we see it at one time it is to be a 5-year program, that is all, and it is going to stop there, with the States and localities taking it over, yet now it is sought to put the Federal Government not only in the bookmobile field but also into the other fields and construction.

There is another gentleman whom I would like to remind of his statement—the gentleman from California [Mr. ROOSEVELT]:

> All we are trying to do is to stimulate the States in helping them move forward and getting started those that have not started.

That is another stimulation, but now we are asked to stimulate the cities to get into the Federal act again.

My friend from Massachusetts [Mr. BOLAND] said:

> There is no doubt it will demonstrate the tremendous value of a good library system resulting in the local communities carrying the load when the Federal grants have ceased.

When are the Federal grants going to cease? Shall we continue to build grant upon grant, and payment upon payment? Do we really mean it?

The gentleman from Pennsylvania has mentioned the Republican platform. I am quoting now Democrat statements made on the floor of the House when the original bill was passed.

The CHAIRMAN. The time of the gentleman from Ohio has expired.

Mr. GROSS. Mr. Chairman, I ask unanimous consent that the gentleman may proceed for 5 additional minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from Iowa?

There was no objection.

Mr. BOW. Mr. Chairman, I also wonder about other things. We have had a budget message today. There still are deficits, and the Government is expanding into new programs.

I noticed in the budget message today that we will have supplementals for $4.5 billion, yet we are asked to expand a program that has been expanded once, after the statements I have quoted were made in 1956.

If I may, I also point out that the States can do these things. Let me tell you what we do in Ohio. In Ohio there is an intangible property tax law, and under the intangible property tax law within the State there is an allocation of funds. The last report I had was that the libraries received two-thirds of the $31.3 million raised, to carry on the library services. In other words, $21,261,612 of the funds of the taxpayers of Ohio went into the libraries, out of the $31,308,000 collected.

In Cuyahoga County alone, which is Cleveland, where more than one-fourth of the intangible property tax is collected, the total tax collected was $8.4 million, and into the libraries, in that one county of Ohio, went $6,981,000, or 87 percent of the intangible taxes collected.

You who believe in States rights, you who believe in States and communities looking after themselves, should take note that I point out this is being done. In those areas the tax dollars are going into the local communities for library purposes and it is not necessary to develop a large Federal program. You can do it within your own localities.

We stimulated this. If these areas were not stimulated sufficiently to approve of the program—if they do not like it well enough to follow through and the stimulation did not make them want more of it—why should we force it on them with further Federal funds?

The argument has been made, "We are only going to stimulate the program, and then quit at the end of 5 years, because they will like it so well that they will pay for it themselves."

Have we failed in our purpose in the original bill? Do they not like it well enough so that they are stimulated to pay for it? Or are we going to continue to take the tax dollars into Washington and then tell the taxpayers how to use the money in library services?

Mr. TAFT. Mr. Chairman, will the gentleman yield?

Mr. BOW. I yield to my friend from Ohio.

Mr. TAFT. I believe the point made by the gentleman with regard to priorities of allocation of certain taxes at a State level, with regard to services presently enjoyed, is a very good point. Does the gentleman agree with my statement—which I made earlier—that if we bring in Federal funds that will become the prime argument and in all probability the successful argument for removing the priority which the libraries presently have with respect to State and local funds?

Mr. BOW. I believe the gentleman is exactly correct. I point out again that the reason why we have the size budget we have today is that we start programs with the idea that they will be 5-year programs and that they will come to an end but, as my old friend Cliff Clevenger from Ohio used to say:

> There is nothing as permanent as a temporary program in Washington.

This is permanent if you pass this bill today.

Yes, consistency is a jewel, but this Chamber is not jewel studded today.

Mr. ROOSEVELT. Mr. Chairman, will the gentleman yield?

Mr. BOW. I am delighted to yield.

Mr. ROOSEVELT. Let me say to the gentleman, speaking for myself, that so far as I am concerned what has happened has been a stimulation of the States. Mr. Keppel, in his testimony before the committee, very clearly pointed that out. He said:

> I think we could argue on the basis of the past 7 years of experience that appropriations never more than $7.5 million a year during the course of your act have had an admirable stimulating effect, and have not in any sense taken the place of State and local funds that might otherwise be used.

I say to my good friend, "If you want to do things backward in Ohio, the rest of the country cannot help it."

I also believe it is fair to say that so far as the needs of the urban areas are concerned those needs have not been met.

So far as the budget is concerned, the President of the United States made it very clear that when he submitted his budget he was not going to cut down on items to take care of human needs. In my humble opinion, this is a human need we are discussing, and the action we seek to take will strengthen the country. I hope those who are on our side will do all they can to defeat the amendment.

Mr. BOW. I say this to the gentleman: All he has to say about our being backward is not true, we are accomplishing the job to be done with local funds, and they are not coming to Washington where we pay a premium for having it administered through the bureaucracy in Washington, but they are taking care of them at home. I think that was the philosophy of your great party, that you should have States rights.

Mr. GROSS. Mr. Chairman, I ask unanimous consent to extend my remarks at this point in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman from Iowa?

There was no objection.

Mr. GROSS. Mr. Chairman, the gentleman from Ohio [Mr. BOW] is to be commended for reminding several of the sponsors of this bill of their remarks a few years ago when they insisted that after a 5-year period there would be little or no need for this program, and certainly no expansion of it, based on spending from the U.S. Treasury.

This reminds me of the situation only a few days ago when the bill to spend more than $30 million on a cultural center was before the House. Several years ago the promoters of a cultural center in Washington solemnly pledged the Members of the House that it would never cost the taxpayers of the Nation one red cent—that the financing would all be from popular subscriptions.

Who and what are we to believe? This bill means a vastly expanded library program, a federally financed program no one contemplated. In fact the sponsors gave every assurance that we need never expect to be faced with the bill that is before us today.

No longer, it appears, is there a premium on saying what you mean, and meaning what you say.

Mr. MARTIN of Nebraska. Mr. Chairman, I rise in support of the amendment.

Mr. Chairman, I would like to quote from the statement made in 1955 by Mr. John Richards, president of the American Library Association, when testifying before the subcommittee in regard to the enactment of this Library Services Act. I quote from his testimony:

> And we feel that this demonstration in the various States which will come from this bill is going to be a great impetus in developing the self-help through the States, through the local taxing source, and that after the 5-year duration of the bill, we are going to be in a good position where the State and local communities are going to be in the position to carry it on themselves.

Then let me quote from the statement of the Commissioner of Education 4 years later, in 1960, when testifying before this same committee. I quote from the Commissioner's testimony:

> Because of the success of this program, we are recommending an extension. We do

> feel, however, that this is an area where the Federal Government should endeavor to stimulate additional activity at the State level, and that when this additional activity has been stimulated, Federal participation should be terminated.
>
> We hope, therefore, that the Congress will make it clear as a matter of legislative intent that at the end of the 5-year period provided for in this legislation, the Federal participation will cease, and that States will be expected to assume the full load.

Let us go to the testimony of last April by Mr. Keppel. I will quote first from the gentleman from Kentucky [Mr. SNYDER] in his colloquy with Mr. Keppel:

> Now, from that statement, I take it that you project the need to continue this program more or less indefinitely, at least to the 10 years you mentioned?
>
> Mr. KEPPEL. Well, I can certainly see that far ahead, sir, of what I suspect to be the need, personally, of Federal stimulation. The legislation proposed before you recommends we go through a 4-year period, here, basically, well, 3 years of expenditures, and ought to be looked at again at that time.
>
> But you asked a question, sir, and I ought to answer honestly, I think it will be a deuce of a job for the United States to build what seems to me the necessary facilities in that short a time.

So here we have a commissioner of education testifying on this bill last April and stating and admitting it is going to be at least a 10-year program. We have heard a great deal about economy in Government and cutbacks in expenditures of our Federal budget from our new President. This, Mr. Chairman, is a great opportunity for you to prove that you mean to cut back on expenditures and you mean to follow an economy line and not just give lipservice to it. Here is an amendment offered by the gentleman from New Jersey [Mr. FRELINGHUYSEN] which will cut $30 million from this authorization. I think that is a huge sum of money. I think it should be saved.

There is one other point I want to make in regard to eliminating the construction phase of this program, which is an entirely new concept. We have a public works program enacted by the Congress. Every community in this country that needs to do additional construction work on their libraries can make their plans and specifications, draw them up, and submit them to the Federal agencies and get assistance from the public works program in regard to construction. I do not think we need a duplication here to the tune of $20 million. I hope this amendment is adopted.

Mr. SNYDER. Mr. Chairman, will the gentleman yield?

Mr. MARTIN of Nebraska. I yield to the gentleman.

Mr. SNYDER. I think the quotes you gave us from the Commissioner of Education are very helpful, but it is also pertinent to notice, I think, when he projects needs he is projecting the need based not on any investigation of any facts that have been made for the Department of Education but rather based on what the Library Association reports to him being in need. In this instance we have a lobby of the Library Association writing the legislation. It makes as much sense for us to rely on the information of the American Library Association lobbying for this bill——

The CHAIRMAN. The time of the gentleman from Nebraska [Mr. MARTIN] has expired.

Mr. SNYDER. Mr. Chairman, I ask unanimous consent that the gentleman from Nebraska be allowed to proceed for 3 additional minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from Kentucky?

Mr. POWELL. Mr. Chairman, I object.

The CHAIRMAN. For what purpose does the gentleman from New York, the chairman of the committee, rise?

Mr. POWELL. Mr. Chairman, I ask unanimous consent that all debate on this amendment and all amendments thereto close at a quarter after 5.

The CHAIRMAN. Is there objection to the request of the gentleman from New York?

Mr. SNYDER. I object, Mr. Chairman.

Mr. POWELL. Mr. Chairman, I move that all debate on this amendment and all amendments thereto close at a quarter after 5.

The question was taken; and on a division (demanded by Mr. SNYDER) there were—ayes 94, noes 84.

So the motion was agreed to.

Mr. SNYDER. Mr. Chairman, I offer a preferential motion.

The Clerk read as follows:

> Mr. SNYDER moves that the Committee do now rise and report the bill back to the House with the recommendation that the enacting clause be stricken.

Mr. SNYDER. Mr. Chairman, I think it is unfortunate that a minority member of the committee handling this bill and a member of the subcommittee which heard the testimony is prevented from getting 3 minutes from the chairman of the committee. But if this is the way we have to play it, we will play it this way. I am not asking for a favorable vote on the preferential motion but rather using this device to get some time. I only have another sentence or two in regard to the comments of the gentleman from Nebraska. I had intended to say this, that if we are going to enact legislation without any study or any investigation being made by the agency involved, the Office of Education, if they are only going to accept the recommendation of the lobbying group, then I think it is only fair that we let the Post Office Department set postal rates based on what the magazine publishers want; I think that the Committee on Ways and Means ought to set the depletion rates based on what the oil people want; and I think we ought to pass our labor legislation based on what the labor unions want and pass our farm legislation based on what our farmers want. It makes just that much sense.

Mr. Chairman, I can conscientiously vote for this bill if the Frelinghuysen amendment is adopted which brings this bill back into its original concept.

Mr. Chairman, I hope I have not consumed more than the 3 minutes I originally asked for, and I apologize to the Members of the House for being required to get time in this fashion.

Mr. FOGARTY. Mr. Chairman, I rise in opposition to the motion of the gentleman from Kentucky [Mr. SNYDER]. Mr. Chairman, I had hoped that we would complete this bill an hour and a half ago. I dislike seeing politics brought into a library bill, as seems to have been the case today under the leadership of my friend from New Jersey.

This bill originally was sponsored by the gentleman from Georgia [Mr. LANDRUM], back in 1956 and was extended under the leadership of the gentleman from Alabama [Mr. ELLIOTT] by an almost unanimous vote in this House. It was passed by the Senate committee a few weeks ago by a vote of 89 to 7. Why in the world we are wasting so much time on a bill that so many people in every congressional district want is more than I can understand. I do not know of a library in any congressional district, I do not know of one person interested in the education of our youth in any congressional district, I do not know of a State officeholder of any State in the Union, who is opposed to this particular bill. But under the leadership of the Republican Party in the House of Representatives this afternoon we are seeing for the first time since 1956 partisan politics injected into the question of the youth of our country and into our library situation.

As far as the gentleman from Kentucky [Mr. SNYDER] is concerned, there is no one I know of in our country who knows more about the needs of the libraries than the people attached to the American Library Association. I do not know of any person who has given us more information on the needs of the libraries than those American Library Association representatives who are operating here in the Nation's Capital. When the gentleman puts the American Library Association in the same company as the American Farm Bureau and others, he is doing a great disservice to everyone who has a sincere interest in libraries all over our country.

The American Library Association is not a lobby organization. It is an association of librarians, dedicated librarians, who are working with great diligence to improve library facilities all over the country.

The Washington staff of this association has done a distinct service for all the people of every congressional district in these United States. I am personally grateful for the efforts they have expended to improve the library situation throughout the entire country for I know that any progress they are able to make nationwide will have a definite, salutary effect on my own congressional district and the people I am privileged to represent.

If there is a State in the Union that needs a bill like this, that needs help to educate their youth, to establish schools and to get rid of poverty and illiteracy as we know it today, it is the State of Kentucky that the gentleman who has just spoken comes from. I do not believe there is a State in the Union that needs help more than the State of Kentucky. Why he is up here trying to emasculate this program is more than I can understand.

When the gentleman from New Jersey [Mr. Frelinghuysen] gets up here and tries to emasculate this program, to defeat it, if you will, it disturbs me. Coming from the second most urbanized State in the country, second only to my own State of Rhode Island, in my opinion he is doing a disservice to every single person, not only in his own congressional district but in the entire State of New Jersey. They need this legislation just as much as Kentucky does.

I can understand my friend, the gentleman from Ohio [Mr. Bow], for the opposition he takes because he has always opposed it. He opposed it back in 1956, he opposed it when the gentleman from Alabama [Mr. Elliott] tried to get it extended, he is opposed to it now. He is not in favor of amending it. He is opposed to the enactment of this kind of legislation.

Normally I can understand opposition to a bill but in this case I cannot understand it because Ohio is as bad off as any State in the Union. I just do not see any Member from Ohio voting against this kind of legislation or voting for amendments that have the effect and intent of killing the legislation.

As far as I know the leaders in every congressional district in the State of Ohio have endorsed this type of legislation. I know when $7.5 million was available there was not a person from Ohio who ever got up on the floor and said, "We do not need the $7.5 million." When the gentleman from New Jersey gets up here and says, "No, I want to give them a little more money, I want to give them $15 million, I want to raise the population ratio from 10,000 to 20,000," that does not mean a thing. It is just an attempt and a very obvious attempt to defeat this legislation.

I am sorry that the leadership on the Republican side has allowed politics to be brought into what should be a nonpartisan issue here today, the libraries of our country. In my particular area, and I do not think mine is any different from Ohio or New Jersey, since 1956 the loaning of books has doubled, the amount of money from 1956 that has been appropriated at the local and State level, has increased by 100 percent. That is what this legislation has accomplished.

Mr. Chairman, my belief in the importance of public libraries is well known. I also believe that this bill, the Library Services and Construction Act, will make possible a giant step toward public library services of real excellence for every citizen.

Within its limitations, the Library Services Act of 1956 has had amazing success in providing rural readers with more and better books. Rhode Island began participating in this program in 1958. Since that time 43 rural community libraries have received book grants, professional advisory services, and centralized book preparation. The supervisor of this program, Miss Elizabeth G. Myer, has reported that the number of books loaned from these libraries doubled between 1956 and 1963. Local expenditures for public libraries also increased about 100 percent over the same period. The substantial increase in the use of books is tangible evidence of improved facilities. The significant increase in local appropriations demonstrates the success of the program in stimulating increased State and local financial effort.

The progress in other States has matched that in Rhode Island. Since 1961, all eligible States and territories have been participating in this State-plan, matching-grant program. The accomplishments of the act have been recognized and applauded, not only by librarians and congressional sponsors, but most importantly, by the 38 million rural readers who have used the improved services of their local libraries. It is essential to remember that this program is not for State libraries, or for local libraries, or for librarians. It is for the 128 million citizens who either have no local library whatever or who must use overcrowded, obsolete, and understaffed library facilities.

The limitation of the present program to areas of less than 10,000 population has been a real handicap to every State. It has denied benefits to the sorely pressed larger libraries and, in turn, prevented their strengths from being fully utilized in extending services to rural and suburban areas. In Rhode Island, a heavily urbanized State, the number of people eligible for participation will increase from 146,054 to 859,488 if H.R. 4879 is passed.

The rural population will continue to be helped under the proposed amendment; in fact, perhaps better than before. By virtue of combining resources of all libraries—large, medium, and small, not to mention bookmobiles, a comprehensive plan of library service can be achieved. The necessary efficiency in public library operation for the people of the United States can be achieved only by having public libraries of various sizes and in different localities cooperate jointly in the use of the resources of each. This bill will facilitate this situation.

An essential component of a good public library system is adequate physical facilities. The present act specifically prohibits the use of funds for the purchase or construction of buildings or for the purchase of land because it is a library services program and deals with villages and farming communities. In Rhode Island and throughout the country too many of our public libraries are struggling with overcrowded, dilapidated, and makeshift quarters. Other communities have long outgrown the familiar Carnegie buildings which, on the average, date from about 1920. Of all public libraries in the Nation, only 4 percent have been constructed since 1940. H.R. 4879, the Library Services and Construction Act, will provide $20 million in matching grants to give assistance and encouragement to communities like these.

Some colleagues seem to be worried about the proposed great expenditure for the services and facilities of public libraries. In actuality, the Federal Government is contributing only a small percentage to the deficiencies in funds for operating adequately our public libraries. In fiscal year 1961, for example, the total operating expenditures for public libraries was $285 million, whereas according to minimum standards formulated by the American Library Association, the total amount spent for services should have been $480 million for that year, an annual gap in operating expenditures of $195 million. This bill proposes that in order to lessen the deficiency, the Federal Government should contribute for library services the sum of $25 million, about 12 percent of the gap.

The Library Services Act of 1956 has made possible an excellent beginning. I am so impressed by this progress that I am confident of continued accelerating accomplishment. H.R. 4879, by correcting lacks in the present program, will advance the cause of good libraries to the point where each citizen can expect his public library to be an educational resource of excellence.

The American public library is a solid fortress in the war on poverty. Free to all, the public library meets the user on his own terms by providing the kinds of books and other library materials which he needs. Books, films, and recordings are expensive. Those adults who have just begun to read English, those laborers whose jobs have been automated, those immigrants whose original culture has not prepared them for life in our big cities cannot possibly afford to buy the informational materials they require. The free public library is their most important single resource for this kind of assistance.

I believe that H.R. 4879, the Library Services and Construction Act will allow States and localities to move swiftly and strongly toward the goal of good public library service for every citizen. This bill will greatly improve the present program being carried out under the Library Services Act of 1956. This ongoing program has had excellent success. Every eligible State and territory is fully participating and they are ready to move in this expanded program. Every State has been handicapped by the present limitation of assistance to areas of under 10,000 population. My State is heavily urbanized and this restriction denies assistance to more than 700,000 persons. The removal of this limitation will aid the struggling public libraries in our urban and suburban areas. In addition, it will permit the efficient use of their resources in a way which will make them available to all those who need them, whether these users live in the city, the suburb, the small town, or in the open country.

It is impossible to imagine good public libraries without efficient, functional buildings. Far too many libraries, in Rhode Island, and throughout the land are rendered ineffective because of overcrowded and obsolete buildings. H.R. 4879 anticipates the joint need for improved services and for renewed physical facilities. The provision in this bill for construction is based on the demonstrated success of the State plan concept. The requirement of matching funds from State and local sources assures that this will be a program of stimulation and encouragement. I believe that every level of government has a continuing responsibility for building library services of real excellence. The partnership program which has developed under the Library Services Act now involves State, local, and Federal efforts in a joint undertaking to this end. Now our goal is to improve and extend this program so that all aspects of the problem can be attacked at the same time.

I am confident that H.R. 4879, if passed, will be a historic turning point in public library development. No aspect of our entire educational system is more important than the firm foundation which is provided by having good libraries freely and conveniently available. I support the Library Services and Construction Act and urge its prompt enactment.

Mr. Chairman, a previous reference has been made to the new budget. In view of this I should like to set the record straight. Here are the facts.

The fiscal 1965 budget which President Johnson has submitted today breaks new ground:

It reduces total Federal spending by $500 million—yet, within that total, it provides for major increases in the fields of education, health, labor, and welfare.

It proposes to cut the Federal deficit in half—yet it calls for an $11 billion tax reduction, and provides the largest year-to-year economic stimulus of any peacetime budget.

It is perfectly natural to wonder how a single budget can accomplish these various—and at first glance, contradictory—objectives. But, Mr. Chariman, I submit that a closer examination will show how this budget is a closely reasoned, careful program with clear and straightforward objectives and a consistent, philosophical foundation.

In the first place, this budget is built upon the premise that frugality in Federal expenditures can be a weapon for social progress. Out of the savings made possible by a hardheaded and politically courageous review of lower priority expenditures and obsolete installation, funds have been released for use in constructive ways to help the American people—and especially to enable those millions of Americans living in poverty to help themselves. Frugality has not been practiced merely for frugality's sake. This budget proposes major increases in funds for education, youth employment opportunities, manpower training, vocational education and rehabilitation, health, and welfare. It also proposes the launching of an intensive attack against poverty in our local communities, and provides the funds for this attack. A tight budget, Mr. Chairman, need not be a stagnant one.

In the second place, this budget is a fiscally expansionary budget. But it proposes to achieve economic expansion, not through a vast increase in Federal outlays, but through a major reduction and reform in taxes. In 1964 the reduction in withholding taxes provided by this budget will put some $8 billion of additional money into the pockets of American consumers. Corporate tax reduction will increase corporate profits. And as this additional purchasing power moves through the economy, it will build new markets and create new jobs. When fully effective, the tax cut will add $30 billion to our gross national product over and above the economy's normal growth. It will provide 2 to 3 million extra jobs, for the unemployed and the young people coming into the labor market.

Mr. Chairman, as I said earlier, no other peacetime budget has ever provided as much economic stimulus as this one.

The effective way to end budget deficits is through the combination of economic expansion and expenditure control. As new jobs and new markets are created, national income rises—and, along with it, Federal revenues. Given the tremendous potential of our economy—now partially idle—economic expansion will more than yield back the revenues initially lost from tax reduction.

In short, Mr. Chairman, a careful review of the budget we have received demonstrates that fiscal expansion can accompany strict expenditure control and that a frugal budget can be a socially progressive one.

Mr. JONES of Missouri. Mr. Chairman, I ask unanimous consent to extend my remarks at this point in the Record.

The CHAIRMAN. Is there objection to the request of the gentleman from Missouri?

There was no objection.

Mr. JONES of Missouri. Mr. Chairman, I have asked unanimous consent to extend my remarks at this point in the Record, inasmuch as I was denied the privilege of making these remarks on the floor, due to the fact that a motion of the chairman of the Education and Labor Committee, to conclude all debate at 5:15, was adopted. I was on my feet seeking recognition at that time. A preferential motion consumed all of the time prior to 5:15 o'clock and none of those seeking recognition were permitted to speak. I will state here the remarks I had intended to make on the floor, in support of the Frelinghuysen amendment.

I have been a supporter of the Library Services Act, and believe that under it a most valuable service has been rendered, particularly in the rural areas of this Nation, including the 10th Congressional District in Missouri. I favor the continuation of this program, and would vote to increase the amount of funds which would be available under the Frelinghuysen amendment, which would also expand the areas of service.

However, I am unalterably opposed to the new sections of the bill which propose to embark upon a federally financed construction program for libraries, starting with an initial appropriation of $20 million. Where such a program would lead, it is difficult to estimate, but judging from other programs which were started on a small scale, with very small allocations to each State, but which have grown to enormous proportions, I think it is not unlikely that such a program would eventually be expanded to a point where it would cost the Federal Government not less than $100 million annually. Such a program is not needed, and I oppose it.

We have been reminded that when the Library Services Act was adopted in 1956, all of the sponsors and the leadership of this House assured us that this was a 5-year program, with a termination date. Some of those who made these statements back in 1956, and who are supporting the expanded program today, readily admit that they were in error at that time. I believe they are wrong today.

I think it should be understood by everyone that the present program does not expire until 1966, and there is no urgency for any legislation to merely continue the program which has been operated so successfully. As stated previously I have supported and would like to continue to support the program which has been in operation, but I cannot in good conscience vote to approve an entirely new program, which calls for the appropriation of Federal funds for the construction of library buildings in cities and communities which are already supplied with library facilities which far exceed those which are available in our rural areas. Particularly is this true in the District of Columbia, which by no stretch of the imagination can justify the allocation of Federal funds for library construction purposes when the need is so great in our rural areas which are being benefited through the present act. We are continually pouring money down ratholes in the District of Columbia, and this proposed bill is another instance of where committees of Congress are continually trying to give the District of Columbia the status of a State, and to apportion funds to the District on that basis.

Mr. Chairman, it has been my intention to vote for a continuation, yes, even an expansion of the Library Services Act, but I will not, and I cannot in good conscience lend my support to, or vote for any legislation which proposes to appropriate money from the Federal Treasury for building library buildings in communities which already have facilities far better than those in our rural communities, which have been benefited by the present act, and which would continue to be benefited by this act if the Frelinghuysen amendment is adopted. It is my belief that to adopt the bill in its present form, will actually take away from the rural areas benefits which have been justified and which they have received in the past.

For that reason, Mr. Chairman, I will support amendments and motions designed to remove the construction provisions, and will vote against the bill if they are permitted to remain in the bill.

The CHAIRMAN. The question is on the preferential motion offered by the gentleman from Kentucky [Mr. Snyder].

The preferential motion was rejected.

The CHAIRMAN. The question now recurs on the amendments offered by the gentleman from New Jersey [Mr. Frelinghuysen].

Mr. FRELINGHUYSEN. Mr. Chairman, I demand tellers.

Tellers were ordered, and the Chairman appointed as tellers Mr. POWELL and Mr. FRELINGHUYSEN.

The Committee divided, and the tellers reported that there were—ayes 138, noes 121.

So the amendments were agreed to.

AMENDMENT OFFERED BY MR. MARTIN OF NEBRASKA

Mr. MARTIN of Nebraska. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

> Amendment offered by Mr. MARTIN of Nebraska: On page 3, line 23, strike out the semicolon and insert in lieu thereof ", and assure that rural areas as defined in this Act prior to this amendment shall not receive less funds in any fiscal year than were allocated for such areas for the fiscal year ending June 30, 1963."

Mr. MARTIN of Nebraska. Mr. Chairman, I shall not require 5 minutes, because I can explain the amendment briefly, in about 1 minute.

The amendment would assure that the rural areas would not receive less money to carry on their programs as carried on under the present Library Services Act than they received in 1963. That is the sum and substance of the amendment. I hope it will be adopted so that the rural areas will not be restricted by more money being put into the urban areas of the country.

I hope the amendment will be agreed to.

Mr. DENT. Mr. Chairman, I rise in opposition to the amendment.

This is just the same doubletalk we have heard all afternoon. The law and the language of the bill before us are adequate. This has been explained and reexplained, and every person here has heard about the safeguards in the language and in the provisions of the act.

It seems there is a feeling that by offering amendments there can be a confusing of the issue, to disturb the voting on the legislation. The gentleman from Nebraska knows the safeguards in the bill, but this amendment will appeal to those who fear that the urban districts might receive more money and therefore deplete the funds for rural areas. That is not so, and whether the amendment is accepted or rejected will make no change in that provision of the law.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Nebraska.

The amendment was rejected.

The CHAIRMAN. Under the rule, the Committee rises.

Accordingly the Committee rose; and the Speaker having resumed the chair, Mr. MOORHEAD, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee having had under consideration the bill (H.R. 4879) to amend the Library Services Act to increase the Federal assistance for the improvement of public libraries, pursuant to House Resolution 592, he reported the bill back to the House with sundry amendments adopted in the Committee of the Whole.

The SPEAKER. Under the rule, the previous question is ordered.

Is a separate vote demanded on any amendment?

Mr. POWELL. Mr. Speaker, I demand a separate vote on the so-called Frelinghuysen amendments.

The SPEAKER. Is a separate vote demanded on any other amendment? If not, the Chair will put them en gros.

The amendments were agreed to.

The SPEAKER. The Clerk will report the Frelinghuysen amendments on which a separate vote has been demanded.

The Clerk read as follows:

> On page 1, line 3, strike out "EXTENSION OF ACT TO NONRURAL AREAS".
>
> On page 1, line 4, strike out everything following "Section 1" through line 16 on page 2, and insert in lieu thereof "Section 9(e) of the Library Services Act is amended by striking out 'more than ten thousand persons' and inserting in lieu thereof 'more than twenty thousand persons'."
>
> On page 2, line 23, strike out "$25,000,000" and insert in lieu thereof "$15,000,000".
>
> On page 3, line 6, strike out "$25,000" and insert in lieu thereof "$20,000"; on line 8, strike out "$100,000" and insert in lieu thereof "$50,000".
>
> On page 4, line 6, strike out "$25,000" and insert in lieu thereof "$20,000"; on line 7, strike out "$100,000" and insert in lieu thereof "$50,000".
>
> On page 5, strike out line 1 and everything that follows through line 3 on page 11.
>
> On page 11, lines 5 and 6, strike out "SEC. 8" and insert in lieu thereof "SEC. 7"; strike out "The section of the Library Services Act herein redesignated as section 302" and insert in lieu thereof "Section 8 of such Act".
>
> On page 12, strike out everything after line 20.
>
> Strike out everything on page 13.

Mr. FRELINGHUYSEN (interrupting the reading of the amendments). Mr. Speaker, I ask unanimous consent that the amendments be considered as read.

The SPEAKER. Is there objection to the request by the gentleman from New Jersey?

There was no objection.

The SPEAKER. The question is on the amendments of the gentleman from New Jersey [Mr. FRELINGHUYSEN].

Mr. POWELL. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The question was taken; and there were—yeas 179, nays 183, not voting 69, as follows:

[Roll No. 11]

YEAS—179

Abbitt
Abele
Abernethy
Adair
Alger
Anderson
Andrews, Ala.
Andrews, N. Dak.
Arends
Ashbrook
Ashmore
Auchincloss
Avery
Ayres
Bates
Battin
Becker
Beermann
Belcher
Bell
Bennett, Mich.
Berry
Betts
Bolton, Frances P.
Bolton, Oliver P.
Bow
Bray
Brock
Bromwell
Brotzman
Brown, Ohio
Broyhill, N.C.
Broyhill, Va.
Bruce
Burleson
Byrnes, Wis.
Cannon
Casey
Chamberlain
Chenoweth
Clancy
Clawson, Del
Cleveland
Collier
Corbett
Cramer
Cunningham
Curtin
Curtis
Dague
Derounian
Devine
Dole
Dorn
Downing
Ellsworth
Findley
Fino
Fisher
Ford
Foreman
Fountain
Frelinghuysen
Fuqua
Goodell
Goodling
Griffin
Gross
Grover
Gubser
Gurney
Haley
Hall
Halleck
Hardy
Harrison
Harsha
Harvey, Ind.
Henderson
Herlong
Hoeven
Horan
Horton
Hosmer
Huddleston
Hull
Hutchinson
Icnord
Jensen
Johnson, Pa.
Jonas
Jones, Mo.
Keith
Kilburn
Kilgore
King, N.Y.
Knox
Kunkel
Kyl
Laird
Latta
Lennon
Lindsay
Lipscomb
Lloyd
McClory
McCulloch
McDade
McIntire
McLoskey
Mahon
Mailliard
Marsh
Martin, Calif.
Martin, Nebr.
Mathias
Matthews
Meader
Michel
Minshall
Morse
Mosher
Norblad
O'Konski
Ostertag
Passman
Pelly
Pillion
Pirnie
Poage
Poff
Quie
Quillen
Reid, Ill.
Reid, N.Y.
Reifel
Rhodes, Ariz.
Rich
Riehlman
Rivers, S.C.
Rogers, Fla.
Roudebush
Rumsfeld
St. George
Schenck
Schweiker
Schwengel
Selden
Short
Shriver
Sibal
Siler
Skubitz
Smith, Va.
Snyder
Springer
Stafford
Stinson
Taft
Talcott
Taylor
Teague, Calif
Teague, Tex.
Thomson, Wis.
Tuck
Tupper
Utt
Van Pelt
Waggonner
Weaver
Whalley
White
Whitener
Wilson, Bob
Wilson, Ind.
Winstead
Wydler
Wyman
Younger

NAYS—183

Addabbo
Albert
Ashley
Baldwin
Barrett
Beckworth
Bennett, Fla.
Blatnik
Boggs
Boland
Bolling
Bonner
Brooks
Broomfield
Brown, Calif.
Buckley
Burke
Burkhalter
Byrne, Pa.
Cahill
Carey
Celler
Chelf
Clark
Cohelan
Colmer
Conte
Cooley
Corman
Daddario
Daniels
Davis, Ga.
Dawson
Delaney
Dent
Diggs
Dingell
Dulski
Duncan
Dwyer
Edmondson
Edwards
Elliott
Everett
Evins
Fallon
Farbstein
Fascell
Feighan
Flood
Flynt
Fogarty
Forrester
Fraser
Friedel
Fulton, Tenn.
Gallagher
Garmatz
Gathings
Giaimo
Gibbons
Gilbert
Gonzalez
Grabowski
Gray
Griffiths
Hagan, Ga.
Hagen, Calif.
Halpern
Hansen
Harding
Hawkins
Hays
Healey
Hechler
Hemphill
Holifield
Jarman
Jennings
Joelson
Johnson, Calif.
Johnson, Wis.
Karsten
Karth
Kastenmeier
Kelly
Keogh
King, Calif.
Kirwan
Kluczynski
Kornegay
Landrum
Leggett
Lesinski
Libonati
Long, La.
Long, Md.
McDowell
McFall
Madden
Matsunaga
May
Mills
Minish
Monagan
Montoya
Moorhead
Morgan
Morris
Morrison
Moss
Multer
Murphy, Ill.
Murphy, N.Y.
Murray
Natcher
Nix
O'Hara, Ill.
O'Hara, Mich.
Olsen, Mont.
Olson, Minn.
O'Neill
Osmers
Patman
Patten
Perkins
Pickle
Pike
Pool
Powell
Price
Pucinski
Rains
Randall
Reuss
Rhodes, Pa.
Roberts, Ala.
Roberts, Tex.
Rodino
Rogers, Colo.
Rooney, N.Y.
Rooney, Pa.
Roosevelt
Rosenthal
Rostenkowski
Roush
Ryan, Mich.
Ryan, N.Y.
St. Onge
Secrest
Shipley
Sickles
Sikes
Slack
Smith, Iowa
Staebler
Staggers
Stephens
Stratton
Stubblefield
Sullivan
Thomas
Thompson, La.
Thompson, N.J.
Thompson, Tex.
Toll
Tollefson
Trimble
Tuten
Udall
Ullman
Van Deerlin
Vanik
Wallhauser
Weltner
Wharton
Whitten
Widnall
Willis
Wilson, Charles H.
Wright
Young
Zablocki

NOT VOTING—69

Aspinall
Baring
Barry
Bass
Brademas
Burton
Cameron
Cederberg
Clausen, Don H.
Davis, Tenn.
Denton
Derwinski
Donohue
Dowdy

Finnegan
Fulton, Pa.
Gary
Gill
Glenn
Grant
Green
Hanna
Harris
Harvey, Mich.
Hébert
Hoffman
Holland
Johansen
Jones, Ala.
Kee
Langen
Lankford
McMillan
Macdonald
MacGregor
Martin, Mass.
Miller, Calif.
Miller, N.Y.
Milliken
Moore
Morton
Nedzi
Nelsen
O'Brien, Ill.
O'Brien, N.Y.
Pepper
Philbin
Pilcher
Purcell
Rivers, Alaska
Robison
Rogers, Tex.
Roybal
St Germain
Saylor
Schadeberg
Schneebeli
Scott
Senner
Sheppard
Sisk
Smith, Calif.
Steed
Vinson
Watson
Watts
Westland
Wickersham
Williams

So the amendments were rejected.

The Clerk announced the following pairs:

On this vote:

Mr. Gary for, with Mr. Gill against.

Mr. Barry for, with Mr. Hébert against.

Mr. Johansen for, with Mr. Aspinall against.

Mr. Smith of California for, with Mr. Rivers of Alaska against.

Mr. Schadeberg for, with Mr. Watts against.

Mr. Don H. Clausen for, with Mr. Philbin against.

Mr. Scott for, with Mr. Donohue against.

Mr. Hoffman for, with Mr. Denton against.

Until further notice:

Mr. Davis of Tennessee with Mr. Fulton of Pennsylvania.

Mr. Brademas with Mr. Saylor.

Mr. Baring with Mr. Robison.

Mr. Jones of Alabama with Mr. Martin of Massachusetts.

Mr. Williams with Mr. Harvey of Michigan.

Mr. Miller of California with Mr. Schneebeli.

Mr. Harris with Mr. Derwinski.

Mr. Holland with Mr. Glenn.

Mr. Sisk with Mr. Morton.

Mr. St Germain with Mr. Milliken.

Mr. Lankford with Mr. MacGregor.

Mr. Macdonald with Mrs. Kee.

Mr. Cameron with Mr. Dowdy.

Mr. Pepper with Mr. O'Brien of Illinois.

Mr. Steed with Mr. Watson.

Mr. Nedzi with Mr. McMillan.

Mrs. Green with Mr. Grant.

Mr. Bass with Mr. Miller of New York.

Mr. Wickersham with Mr. Purcell.

Mr. Rogers of Texas with Mr. Hanna.

Mr. Finnegan with Mr. Senner.

Mr. Vinson with Mr. Roybal.

Mr. O'Brien of New York with Mr. Pilcher.

Mr. Sheppard with Mr. Langen.

Mr. HEMPHILL changed his vote from "yea" to "nay."

The result of the vote was announced as above recorded.

The SPEAKER. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

Mr. MARTIN of Nebraska. Mr. Speaker, I offer a motion to recommit.

The SPEAKER. Is the gentleman opposed to the bill?

Mr. MARTIN of Nebraska. I am.

The SPEAKER. The Clerk will report the motion to recommit.

The Clerk read as follows:

Mr. MARTIN of Nebraska moves to recommit the bill, H.R. 4879, to the Committee on Education and Labor with directions to report it back forthwith, with the following amendment:

Strike out all of section 7, beginning on page 5, line 1, through line 3 on page 11.

On page 11, lines 5 and 6, strike out "SEC. 8" and insert in lieu thereof "SEC. 7"; strike out "The section of the Library Services Act herein redesignated as section 302" and insert in lieu thereof "Section 8 of such Act".

On page 12, lines 22 and 23, strike out "SEC. 9" and insert in lieu thereof "SEC. 8"; strike out "of the section of the Library Services Act herein redesignated as section 304" and insert in lieu thereof "of section 9 of such Act".

On page 13, line 1, strike out "AND SHORT TITLE"; strike out all of lines 2, 3, 4, and 5; strike out "(b)" on line 6 and insert in lieu thereof "SEC. 9".

The SPEAKER. The question is on the motion by the gentleman from Nebraska [Mr. MARTIN].

Mr. CLANCY. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The question was taken; and there were—yeas 174, nays 188, not voting 69, as follows:

[Roll No. 12]

YEAS—174

Abbitt
Abele
Abernethy
Adair
Alger
Anderson
Andrews, Ala.
Andrews, N. Dak.
Arends
Ashbrook
Ashmore
Auchincloss
Avery
Ayres
Bates
Battin
Becker
Beermann
Belcher
Bell
Bennett, Mich.
Berry
Betts
Bolton Frances P.
Bolton, Oliver P
Bow
Bray
Brock
Bromwell
Brotzman
Brown, Ohio
Broyhill, N.C.
Broyhill, Va.
Bruce
Burleson
Byrnes, Wis.
Cannon
Casey
Chamberlain
Chenoweth
Clancy
Clawson, Del
Cleveland
Collier
Corbett
Cramer
Cunningham
Curtin
Curtis
Dague
Derounian
Devine
Dole
Dorn
Ellsworth
Findley
Fisher
Ford
Foreman
Fountain
Frelinghuysen
Fuqua
Goodell
Goodling
Griffin
Gross
Grover
Gubser
Gurney
Haley
Hall
Halleck
Harrison
Harsha
Harvey, Ind.
Henderson
Herlong
Hoeven
Horan
Horton
Hosmer
Huddleston
Hull
Hutchinson
Ichord
Jensen
Johnson, Pa.
Jonas
Jones, Mo.
Keith
Kilburn
King, N.Y.
Knox
Kunkel
Kyl
Laird
Latta
Lennon
Lindsay
Lipscomb
Lloyd
McClory
McCulloch
McDade
McIntire
McLoskey
Mailliard
Marsh
Martin, Calif.
Martin, Nebr.
Mathias
Matthews
Meader
Michel
Minshall
Morse
Mosher
Norblad
O'Konski
Ostertag
Passman
Pelly
Pillion
Pirnie
Poage
Poff
Pool
Quie
Quillen
Reid, Ill.
Reid, N.Y.
Reifel
Rhodes, Ariz.
Rich
Riehlman
Rivers, S.C.
Rogers, Fla.
Roudebush
Rumsfeld
St. George
Schenck
Schweiker
Schwengel
Selden
Short
Shriver
Sibal
Sikes
Skubitz
Smith, Va.
Snyder
Springer
Stafford
Stinson
Taft
Talcott
Taylor
Teague, Calif.
Teague, Tex.
Thomson, Wis.
Tuck
Tupper
Utt
Van Pelt
Waggonner
Weaver
Whalley
Whitener
Wilson, Bob
Wilson, Ind.
Winstead
Wydler
Wyman
Younger

NAYS—188

Addabbo
Albert
Ashley
Baldwin
Barrett
Beckworth
Bennett, Fla.
Blatnik
Boggs
Boland
Bolling
Bonner
Brooks
Broomfield
Brown, Calif.
Buckley
Burke
Burkhalter
Byrne, Pa.
Cahill
Carey
Celler
Chelf
Clark
Cohelan
Colmer
Conte
Cooley
Corman
Daddario
Daniels
Davis, Ga.
Dawson
Delaney
Dent
Diggs
Dingell
Downing
Dulski
Duncan
Dwyer
Edmondson
Edwards
Elliott
Everett
Evins
Fallon
Farbstein
Fascell
Feighan
Fino
Flood
Flynt
Fogarty
Forrester
Fraser
Friedel
Fulton, Tenn.
Gallagher
Garmatz
Gathings
Giaimo
Gibbons
Gilbert
Gonzalez
Grabowski
Gray
Griffiths
Hagan, Ga.
Hagen, Calif.
Halpern
Hansen
Harding
Hardy
Hawkins
Hays
Healey
Hechler
Hemphill
Holifield
Jarman
Jennings
Joelson
Johnson, Calif.
Johnson, Wis.
Karsten
Karth
Kastenmeier
Keogh
Kilgore
King, Calif.
Kirwan
Kluczynski
Kornegay
Landrum
Leggett
Lesinski
Libonati
Long, La.
Long, Md.
McDowell
McFall
Madden
Mahon
Matsunaga
May
Mills
Minish
Monagan
Montoya
Moorhead
Morgan
Morris
Morrison
Moss
Multer
Murphy, Ill.
Murphy, N.Y.
Murray
Natcher
Nix
O'Hara, Ill.
O'Hara, Mich.
Olsen, Mont.
Olson, Minn.
O'Neill
Osmers
Patman
Patten
Perkins
Pickle
Pike
Powell
Price
Pucinski
Purcell
Rains
Randall
Reuss
Rhodes, Pa.
Roberts, Ala.
Roberts, Tex.
Rodino
Rogers, Colo.
Rooney, N.Y.
Rooney, Pa.
Roosevelt
Rosenthal
Rostenkowski
Roush
Ryan, Mich.
Ryan, N.Y.
St. Onge
Secrest
Shipley
Sickles
Siler
Sisk
Smith, Iowa
Staebler
Staggers
Stephens
Stratton
Stubblefield
Sullivan
Thomas
Thompson, La.
Thompson, N.J.
Thompson, Tex.
Toll
Tollefson
Trimble
Tuten
Udall
Ullman
Van Deerlin
Vanik
Wallhauser
Weltner
Wharton
White
Whitten
Widnall
Willis
Wilson, Charles H.
Wright
Young
Zablocki

NOT VOTING—69

Aspinall
Baring
Barry
Bass
Brademas
Burton
Cameron
Cederberg
Clausen, Don H.
Davis, Tenn.
Denton
Derwinski
Donohue
Dowdy
Finnegan
Fulton, Pa.
Gary
Gill
Glenn
Grant
Green
Hanna
Harris
Harvey, Mich.
Hébert
Hoffman
Holland
Johansen
Jones, Ala.
Kee
Kelly
Langen
Lankford
McMillan
Macdonald
MacGregor
Martin, Mass.
Miller, Calif.
Miller, N.Y.
Milliken
Moore
Morton
Nedzi
Nelsen
O'Brien, Ill.
O'Brien, N.Y.
Pepper
Philbin
Pilcher
Rivers, Alaska
Robison
Rogers, Tex.
Roybal
St Germain
Saylor
Schadeberg
Schneebeli
Scott
Senner
Sheppard
Slack
Smith, Calif.
Steed
Vinson
Watson
Watts
Westland
Wickersham
Williams

So the motion to recommit was rejected.

The Clerk announced the following pairs:

On this vote:

Mr. Gary for, with Mr. Hébert against.

Mr. Barry for, with Mr. Aspinall against.

Mr. Johansen for, with Mr. Rivers of Alaska against.

Mr. Smith of California for, with Mrs. Green against.

Mr. Schadeberg for, with Mr. Sheppard against.

Mr. Don H. Clausen for, with Mr. Denton against.

Mr. Scott for, with Mr. Brademas against.

Mr. Hoffman for, with Mr. Harris against.

Until further notice:

Mr. Macdonald with Mr. Cederberg.

Mr. Donohue with Mr. Saylor.

Mr. Davis of Tennessee with Mr. Derwinski.

Mr. Cameron with Mr. Morton.

Mr. Philbin with Mr. Fulton of Pennsylvania.

Mr. Rogers of Texas with Mr. Miller of New York.

Mr. St Germain with Mr. Milliken.

Mr. Hanna with Mr. Harvey of Michigan

Mr. Gill with Mr. Burton.

Mr. Nedzi with Mr. Schneebeli.

Mr. Miller of California with Mr. Glenn.

Mr. Bass with Mr. Langen.

Mr. Watts with Mr. Martin of Massachusetts.

Mr. Steed with Mr. MacGregor.

Mr. Holland with Mrs. Kee.

Mr. Jones of Alabama with Mrs. Kelly.

Mr. Pepper with Mr. Baring.

Mr. Slack with Mr. Dowdy.

Mr. Wickersham with Mr. Williams.

Mr. Pilcher with Mr. O'Brien of Illinois.

Mr. O'Brien of New York with Mr. McMillan.

Mr. Lankford with Mr. Watson.

Mr. Roybal with Mr. Senner.

Mr. Finnegan with Mr. Grant.

Mr. BENNETT of Florida changed his vote from "yea" to "nay".

Mr. COLLIER changed his vote from "nay" to "yea".

The result of the vote was announced as above recorded.

The SPEAKER. The question is on the passage of the bill.

Mr. FRELINGHUYSEN. Mr. Speaker, I demand the yeas and nays.

The yeas and nays were ordered.

The question was taken; and there were—yeas 254, nays 107, not voting 70, as follows:

[Roll No. 13]

YEAS—254

Abernethy
Addabbo
Albert
Anderson
Andrews, Ala.
Andrews, N. Dak.
Ashley
Auchincloss
Ayres
Baldwin
Barrett
Bates
Battin
Beckworth
Bennett, Fla.
Bennett, Mich.
Blatnik
Boggs
Boland
Bolling
Bonner
Bray
Bromwell
Brooks
Broomfield
Brotzman
Brown, Calif.
Buckley
Burke
Burkhalter
Byrne, Pa.
Cahill
Cannon
Carey
Celler
Chamberlain
Chelf
Chenoweth
Clark
Cleveland
Cohelan
Colmer
Conte
Cooley
Corbett
Corman
Curtin
Daddario
Daniels
Davis, Ga.
Dawson
Delaney
Dent
Diggs
Dingell
Dulski
Duncan
Dwyer
Edmondson
Edwards
Elliott
Everett
Evins
Fallon
Farbstein
Fascell
Feighan
Finnegan
Fino
Flood
Flynt
Fogarty
Forrester
Fountain
Fraser
Friedel
Fulton, Tenn.
Fuqua
Gallagher
Garmatz
Gathings
Giaimo
Gibbons
Gilbert
Gonzalez
Goodell
Grabowski
Gray
Griffiths
Grover
Hagan, Ga.
Hagen, Calif.
Halpern
Hansen
Harding
Harrison
Hawkins
Hays
Healey
Hechler
Hemphill
Henderson
Holifield
Horan
Horton
Huddleston
Ichord
Jarman
Jennings
Joelson
Johnson, Calif.
Johnson, Pa.
Johnson, Wis.
Jonas
Karsten
Karth
Kastenmeier
Keith
Keogh
Kilgore
King, Calif.
King, N.Y
Kirwan
Kluczynski
Knox
Kornegay
Kyl
Landrum
Leggett
Lesinski
Libonati
Lindsay
Lloyd
Long, La.
Long, Md.
McCulloch
McDade
McDowell
McFall
McIntire
McLoskey
Madden
Mathias
Matsunaga
Matthews
May
Meader
Mills
Minish
Monagan
Montoya
Moorhead
Morgan
Morris
Morrison
Morse
Mosher
Moss
Multer
Murphy, Ill.
Murphy, N.Y.
Murray
Natcher
Nix
O'Hara, Ill.
O'Hara, Mich.
O'Konski
Olsen, Mont.
Olson, Minn.
O'Neill
Osmers
Ostertag
Patman
Patten
Pelly
Perkins
Pickle
Pike
Pirnie
Powell
Price
Pucinski
Purcell
Quie
Rains
Randall
Reid, N.Y.
Reifel
Reuss
Rhodes, Pa.
Riehlman
Roberts, Ala.
Rodino
Rogers, Colo.
Rogers, Fla.
Rooney, N.Y.
Rooney, Pa.
Roosevelt
Rosenthal
Rostenkowski
Roush
Ryan, Mich.
Ryan, N.Y.
St. George
St. Onge
Schenck
Schweiker
Schwengel
Secrest
Selden
Shipley
Sickles
Sikes
Siler
Sisk
Smith, Iowa
Staebler
Stafford
Staggers
Stephens
Stratton
Stubblefield
Sullivan
Taylor
Teague, Tex.
Thomas
Thompson, La.
Thompson, N.J.
Thompson, Tex.
Toll
Tollefson
Trimble
Tupper
Tuten
Udall
Ullman
Van Deerlin
Vanik
Wallhauser
Weaver
Weltner
Whalley
Wharton
White
Whitener
Whitten
Widnall
Willis
Wilson, Charles H.
Wright
Wydler
Wyman
Young
Zablocki

NAYS—107

Abbitt
Abele
Adair
Alger
Arends
Ashbrook
Ashmore
Avery
Becker
Beermann
Belcher
Bell
Berry
Betts
Bolton, Frances P.
Bolton, Oliver P.
Bow
Brock
Brown, Ohio
Broyhill, N.C.
Broyhill, Va.
Bruce
Burleson
Byrnes, Wis.
Casey
Clancy
Clawson, Del
Collier
Cunningham
Curtis
Dague
Derounian
Devine
Dole
Dorn
Downing
Ellsworth
Findley
Fisher
Ford
Foreman
Frelinghuysen
Goodling
Griffin
Gross
Gubser
Gurney
Haley
Hall
Halleck
Hardy
Harsha
Harvey, Ind.
Herlong
Hoeven
Hosmer
Hull
Hutchinson
Jensen
Jones, Mo.
Kilburn
Kunkel
Laird
Latta
Lennon
Lipscomb
McClory
Mahon
Mailliard
Marsh
Martin, Calif.
Martin, Nebr.
Michel
Minshall
Norblad
Passman
Pillion
Poage
Poff
Pool
Quillen
Reid, Ill.
Rhodes, Ariz.
Rich
Rivers, S.C.
Roberts, Tex.
Roudebush
Rumsfeld
Short
Shriver
Skubitz
Smith, Va.
Snyder
Springer
Stinson
Taft
Talcott
Teague, Calif
Thomson, Wis.
Tuck
Utt
Van Pelt
Waggonner
Wilson, Bob
Wilson, Ind.
Winstead
Younger

NOT VOTING—70

Aspinall
Baring
Barry
Bass
Brademas
Burton
Cameron
Cederberg
Clausen, Don H.
Cramer
Davis, Tenn.
Denton
Derwinski
Donohue
Dowdy
Fulton, Pa.
Gary
Gill
Glenn
Grant
Green,
Hanna
Harris
Harvey, Mich.
Hébert
Hoffman
Holland
Johansen
Jones, Ala.
Kee
Kelly
Langen
Lankford
McMillan
Macdonald
MacGregor
Martin, Mass.
Miller, Calif.
Miller, N.Y.
Milliken
Moore
Morton
Nedzi
Nelsen
O'Brien, Ill.
O'Brien, N.Y.
Pepper
Philbin
Pilcher
Rivers, Alaska
Robison
Rogers, Tex.
Roybal
St Germain
Saylor
Schadeberg
Schneebeli
Scott
Senner
Sheppard
Sibal
Slack
Smith, Calif.
Steed
Vinson
Watson
Watts
Westland
Wickersham
Williams

So the bill was passed.

The Clerk announced the following pairs:

On this vote:

Mr. Hébert for, with Mr. Scott against.

Mr. Slack for, with Mr. Gary against.

Mr. Don H. Clausen for, with Mr. Johansen against.

Mr. Robison for, with Mr. Hoffman against.

Mr. Schadeberg for, with Mr. Barry against.

Mr. Moore for, with Mr. Smith of California against.

Until further notice:

Mrs. Green with Mr. Fulton of Pennsylvania.

Mr. Gill with Mr. Martin of Massachusetts.

Mr. Harris with Mr. Harvey of Michigan.

Mr. Holland with Mr. Burton.

Mr. St Germain with Mr. Glenn.

Mr. Rivers of Alaska with Mr. Sibal.

Mr. Philbin with Mr. Miller of New York.

Mr. Donohue with Mr. Nelsen.

Mr. Brademas with Mr. Saylor.

Mr. Aspinall with Mr. Derwinski.

Mr. Jones of Alabama with Mr. Cramer.

Mr. Steed with Mr. Cederberg.

Mr. Davis of Tennessee with Mr. Langen.

Mr. Denton with Mr. Morton.

Mr. Nedzi with Mr. Milliken.

Mr. Miller of California with Mr. Schneebeli.

Mr. Cameron with Mr. MacGregor.

Mr. Wickersham with Mr. Williams.

Mr. Watts with Mrs. Kee.

Mr. Hanna with Mrs. Kelly.

Mr. O'Brien of Illinois with Mr. Watson.

Mr. Lankford with Mr. McMillan.

Mr. Bass with Mr. Baring.

Mr. Sheppard with Mr. Grant.

Mr. Rogers of Texas with Mr. O'Brien of New York.

Mr. Pepper with Mr. Dowdy.

Mr. Roybal with Mr. Vinson.

Mr. Pilcher with Mr. Senner.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Mr. POWELL. Mr. Speaker, I ask unanimous consent for the immediate consideration of the bill, S. 2265, a similar bill to H.R. 4879 just passed by the House.

The Clerk read the title of the Senate bill.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There being no objection, the Clerk read the Senate bill, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

EXTENSION OF ACT TO NONRURAL AREAS

SECTION 1. (a)(1) Section 2 of the Library Services Act is amended by striking out "rural".

(2) Section 3 of such Act is amended by striking out "rural".

(b) Section 4 of such Act is amended by striking out "rural" wherever it appears therein.

(c)(1) So much of section 5(a) of such Act as precedes paragraph (1) is amended by striking out "to rural areas".

(2) Paragraph (3) of such section is amended by striking out "rural".

(d) Section 8(b) of such Act is amended by striking out "in rural areas".

(e) Section 9 of such Act is amended by striking out paragraph (e) and by striking out "; and" at the end of paragraph (d) and inserting in lieu thereof a period.

EXTENSION AND INCREASE OF AUTHORIZATION

SEC. 2. Section 3 of the Library Services Act is amended by striking out "is hereby" and inserting in lieu thereof "are"; by striking out "nine succeeding fiscal years" and inserting in lieu thereof "next six fiscal years"; and by inserting ", for the fiscal year ending June 30, 1964, the sum of $25,000,000, and for each of the next two fiscal years a sum not to exceed $25,000,000," after "$7,500,000".

INCREASE IN MINIMUM ALLOTMENTS; AVAILABILITY OF ALLOTMENTS

SEC. 3. (a) Section 4 of the Library Services Act is amended by striking out "$10,000" and inserting in lieu thereof "$25,000", and by striking out "$40,000" and inserting in lieu thereof "$100,000".

(b) Such section is further amended by adding at the end thereof the following new sentence: "The allotment to any State under this section for the fiscal year ending June 30, 1964, shall be available for payments to such State with respect to expenditures under its approved State plan during such year and the next fiscal year."

DEVELOPMENT OF LIBRARY SERVICES FOR ALL

SEC. 4. Clause (3) of subsection (a) of section 5 of the Library Services Act is amended by striking out all that appears after the word "advantage" and inserting in lieu thereof the following: "and will give consideration to the educational needs of people of all ages, including students;".

INCREASE IN MINIMUM STATE EXPENDITURES REQUIRED

SEC. 5. Subsection (a) of section 6 of the Library Services Act is amended by striking out "$10,000" and inserting in lieu thereof "$25,000", by striking out "$40,000" and inserting in lieu thereof "$100,000", and by striking out "June 30, 1956" wherever it appears therein and inserting in lieu thereof "June 30, 1963".

PAYMENT PROCEDURE

SEC. 6. Subsection (b) of section 6 of the Library Services Act is amended to read as follows:

"(b) Prior to each period for which a payment is to be made under subsection (a), but not less often than semiannually, the Commissioner shall estimate the amount to which each State will be entitled under subsection (a) for such period; and the amount so estimated shall be paid, in such installments and at such time or times as the Commissioner may determine, after necessary adjustment on account of any previously made overpayment or underpayment under this section."

CONSTRUCTION GRANTS

SEC. 7. (a) The Library Services Act is further amended by inserting "TITLE I—PUBLIC LIBRARY SERVICES" after section 2, by redesignating sections 3, 4, 5, and 6, and references thereto, as sections 101, 102, 103, and 104, respectively, and by inserting after such sections the following new title:

"TITLE II—PUBLIC LIBRARY CONSTRUCTION

"Authorization of appropriations

"SEC. 201. There are authorized to be appropriated for the fiscal year ending June 30, 1964, the sum of $20,000,000, and for each of the next two fiscal years a sum not in excess of $20,000,000, which shall be used for making payments to States, which have submitted and had approved by the Commissioner, State plans for the construction of public libraries.

"Allotments

"SEC. 202. From the sums appropriated pursuant to section 201 for each fiscal year, the Commissioner shall allot $20,000 each to Guam, American Samoa, and the Virgin Islands, and $80,000 to each of the other States, and shall allot to each State such part of the remainder of such sums as the population of the State bears to the population of the United States, according to the most recent decennial census. A State's allotment under this subsection for any fiscal year shall be available for payments with respect to construction projects approved, under its State plan approved under section 203, during such year or (but only in the case of a State allotment for the fiscal year ending June 30, 1964) the next fiscal year.

"State plans for construction

"SEC. 203. (a) To be approved for purposes of this title a State plan for construction of public libraries must—

"(1) meet the requirements of paragraphs (1), (2), (4), and (5) of section 103(a);

"(2) set forth criteria and procedures for approval of projects for construction of public library facilities which are designed to insure that priority will be given to projects for facilities to serve areas having, in the judgment of the State library administrative agency, the greatest need for additional facilities and which give consideration to the educational needs of people of all ages, including students;

"(3) provide assurance that every local or other public agency whose application for funds under the plan with respect to a project for construction of public library facilities is denied will be given an opportunity for a fair hearing before the State library administrative agency; and

"(4) provide assurance that all laborers and mechanics employed by contractors or subcontractors on all construction projects assisted under this Act shall be paid wages at rates not less than those prevailing on similar construction in the locality, as determined by the Secretary of Labor in accordance with the Davis-Bacon Act, as amended (40 U.S.C. 276a—276c–5); and the Secretary of Labor shall have with respect to the labor standards specified in this paragraph the authority and functions set forth in Reorganization Plan Numbered 14 of 1950 (15 F.R. 3176; 5 U.S.C. 133z–15) and section 2 of the Act of June 13, 1934, as amended (40 U.S.C. 276c).

"(b) The Commissioner shall approve any plan which fulfills the conditions specified in subsection (a) of this section.

"Payments to States

"SEC. 204. (a) From its allotment available therefor under section 202 each State shall be entitled to receive an amount equal to the Federal share (as determined under section 104) of projects approved, during the period for which such allotment is available, under the State plan of such State approved under section 203.

"(b) The Commissioner shall from time to time estimate the amount to which a State is entitled under subsection (a), and such amount shall be paid to the State, at such time or times, and in such installments as the Commissioner shall determine, after necessary adjustment on account of any previously made underpayment or overpayment."

(b) Section 9 of such Act is further amended by redesignating paragraph (d) as paragraph (e) and inserting after paragraph (c) the following new paragraph:

"(d) The term 'construction' includes construction of new buildings and expansion, remodeling, and alteration of existing buildings, and initial equipment of any such buildings; including architects' fees and the cost of the acquisition of land; and".

(c) Subsection (f) of the section of such Act herein redesignated as section 104 is repealed.

(d) Subsection (a) of such section 104 is amended by inserting at the end thereof the following new sentence: "From such allotments, there shall also be paid to each State for each such period the Federal share of the total of the sums expended by the State and its political subdivisions during such period for administration of the plan of such State approved under section 203."

(e) Subsection (e) of such section 104 is amended by striking out "Act" and inserting in lieu thereof "title".

(f) Such Act is further amended by inserting "TITLE III—GENERAL" above the heading for section 7 and by redesignating sections 7, 8, and 9 as sections 301, 302, and 304, respectively.

(g) The first sentence of such section 301 is amended by (1) striking out "administration of the State plan" and inserting in lieu thereof "administration of a State plan"; (2) by inserting "applicable" before "requirements of this Act"; and by (3) inserting "(or, in his discretion, that further payments will not be made with respect to portions of or projects under the State plan affected by such failure)" before "until he is satisfied". The second sentence of such section is amended to read: "Until he is so satisfied, no further payments shall be made to such State for carrying out such State plan (or further payments shall be limited to parts of or projects under the plan not affected by such failure)."

(h) Such Act is further amended by inserting after such section 302 the following new section:

"Reallotments

"SEC. 303. The amount of any State's allotment under section 102 or 202 for any fiscal year which the Commissioner determines will not be required for the period for which such allotment is available for carrying out the State plan approved under section 103 and section 203, respectively, shall be available for reallotment from time to time, on such dates during such year as the Commissioner may fix, to other States in proportion to the original allotments for such year to such States under such section 102 or 202, as the case may be, but with such proportionate amount for any of such other States being reduced to the extent it exceed the amount which the Commissioner estimates the State needs and will be able to use for such period of time for which the original allotments were available for carrying out the State plan approved under section 103 or 203, as the case may be, and the total of such reductions shall be similarly reallotted among the States not suffering such a reduction. Any amount reallotted to a State under this subsection from funds appropriated pursuant to section 101 or 201 for any fiscal year shall be deemed part of its allotment for such year under sections 102 and 202, respectively."

HEARINGS AND JUDICIAL REVIEW

SEC. 8. The section of the Library Services Act herein redesignated as section 302 is amended by adding at the end thereof the following new subsection:

"(d) (1) The Commissioner shall not finally disapprove any State plan submitted under this Act, or any modification thereof, without first affording the State submitting the plan reasonable notice and opportunity for a hearing.

"(2) If any State is dissatisfied with the Commissioner's final action with respect to the approval of its State plan submitted under title I or title II, or with respect to his final action under section 301, such State may appeal to the United States Court of Appeals for the circuit in which the State is located, by filing a petition with such court within sixty days after such final action. A copy of the petition shall be forthwith transmitted by the clerk of the court to the Commissioner or any officer designated by him for that purpose. The Commissioner thereupon shall file in the court the record of the proceedings on which he based his action, as provided in section 2112 of title 28, United States Code.

"(3) Upon the filing of the petition referred to in paragraph (2) of this subsection, the court shall have jurisdiction to affirm the action of the Commissioner or to set it aside, in whole or in part, temporarily or permanently, but until the filing of the record the Commissioner may modify or set aside his order. The findings of the Commissioner as to the facts, if supported by substantial evidence, shall be conclusive, but the court, for good cause shown, may remand the case to the Commission to take further evidence, and the Commissioner may thereupon make new or modified findings of fact and may modify his previous action, and shall file in the court the record of the further proceedings. Such new or modified findings of fact shall likewise be conclusive if supported by substantial evidence.

"(4) The judgment of the court affirming or setting aside, in whole or in part, any action of the Commissioner shall be final, subject to review by the Supreme Court of the United States upon certiorari or certification as provided in section 1254 of title 28, United States Code. The commencement of proceedings under this subsection shall not, unless so specifically ordered by the court, operate as a stay of the Commissioner's action."

EXTENSION TO DISTRICT OF COLUMBIA

SEC. 9. Clause (a) of the section of the Library Services Act herein redesignated as section 304 is amended by inserting after "a State," the following: "the District of Columbia,"

EFFECTIVE DATES

SEC. 10. The amendments made by sections 1, 3, 4, 5, and 6, subsections (c), (e), (g), and (h) of section 7, and section 9 shall apply with respect to appropriations made after the enactment of this Act, or allotments or payments from such appropriations, as the case may be.

CHANGE IN TITLE AND SHORT TITLE

SEC. 11. (a) The first section of the Library Services Act is amended by striking out "Library Services Act" and inserting in lieu thereof "Library Services and Construction Act".

(b) The title of such Act is amended to read "To promote the further development of public library services."

AMENDMENT OFFERED BY MR. POWELL

Mr. POWELL. Mr. Speaker, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. POWELL: Strike out all after the enacting clause of S. 2265 and insert the provisions of H.R. 4879 passed by the House.

The amendment was agreed to.

The bill was ordered to be read a third time, was read the third time, and passed.

A similar House bill (H.R. 4879) was laid on the table.

A motion to reconsider was laid on the table.

GENERAL LEAVE TO EXTEND REMARKS

Mr. POWELL. Mr. Speaker, I ask unanimous consent that all Members may be permitted to extend their remarks in the RECORD on the bill H.R. 4879 just passed by the House.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

APPOINTMENT AS A MEMBER OF THE MIGRATORY BIRD CONSERVATION COMMISSION

The SPEAKER. Pursuant to the provisions of 16 United States Code 715a, the Chair appoints as a member of the Migratory Bird Conservation Commission the gentleman from Pennsylvania [Mr. GOODLING], to fill the existing vacancy thereon.

RESIGNATION AS MEMBER OF COMMITTEES

The SPEAKER laid before the House the following communications which were read:

JANUARY 21, 1964.

DEAR MR. SPEAKER: I hereby submit my resignation from the House Interstate and Foreign Commerce Committee.

Respectfully yours,

GEORGE M. RHODES.

JANUARY 21, 1964.

DEAR MR. SPEAKER: I hereby submit my resignation from the Committee on House Administration.

Respectfully yours,

GEORGE M. RHODES.

The SPEAKER. Without objection, the resignations will be accepted.

There was no objection.

APPOINTMENT OF MEMBER TO THE COMMITTEE ON WAYS AND MEANS

Mr. THOMAS. Mr. Speaker, by direction of the majority caucus, I offer a privileged resolution and ask for its immediate consideration.

The Clerk read the resolution (H. Res. 612), as follows:

Resolved, That GEORGE M. RHODES, of Pennsylvania, be, and he is hereby elected a member of the Standing Committee of the House of Representatives on Ways and Means.

The resolution was agreed to.

A motion to reconsider was laid on the table.

THE LETTER OF THE PRESIDENT OF THE UNITED STATES ADDRESSED TO PREMIER KHRUSHCHEV

Mrs. KELLY. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include a letter.

The SPEAKER. Is there objection to the request of the gentlewoman from New York?

There was no objection.

Mrs. KELLY. Mr. Speaker, I believe the whole country and the whole free world will be pleased with President Johnson's response to Premier Khrushchev on the question of peace. The text of this response was released on January 20, 1964.

The President's reply to Mr. Khrushchev was balanced. It was responsible. It was reasonable. It was a document worthy of the Nation which is strong enough to maintain its integrity but is willing to listen to reasonable proposals to settle the disputes of the world through negotiation rather than through force. None of us, of course, are in a position to assess Premier Khrushchev's motivations. We can make a guess and it would probably be a good guess. But this country can know only after it has tried his sincerity.

The President quite rightly made it clear that this country would not negotiate away the vital interests of the free world. He is not going to be tricked or duped into unwise concessions. But it is not necessary to negotiate away the strength of the free world in order to insure honorable peace. This point he made clear.

The letter to Premier Khrushchev represents a wise and stable foundation for this country's efforts to maintain world peace and as such it is a historical document:

TEXT OF LETTER BY THE PRESIDENT ADDRESSED TO HIS EXCELLENCY NIKITA S. KHRUSHCHEV, JANUARY 18, 1964

DEAR MR. CHAIRMAN: I welcome the stated objective of your December 31 letter and agree with much of its contents. It is my hope that we can build on these areas of agreement instead of merely emphasizing our well-known disagreements. This Nation is committed to the peaceful unification of Germany in accordance with the will of the people. This Nation, which has fundamental commitments to the Republic of China, has for many years sought the renunciation of force in the Taiwan Strait. This Nation's forces and bases abroad are for collective defense, and in accordance with treaties and agreements with the countries concerned.

Let us emphasize instead our agreement on the importance your letter places on preserving and strengthening peace, and on the need to accompany efforts for disarmament with new efforts to remove the causes of friction and to improve the world's machinery for peacefully settling disputes. In this spirit, let us both present new proposals to the Geneva Disarmament Conference, in pursuit of the objectives we have previously identified: to prevent the spread of nuclear weapons; to end the production of fissionable material for weapons; to transfer large amounts of fissionable materials to peaceful purposes; to ban all nuclear weapons tests; to place limitations on nuclear weapons systems; to reduce the risk of war by accident or design; to move toward general disarmament.

I am sure you will agree that our task is to work hard and persistently on these and other specific problems and proposals—as you and President Kennedy did on the test ban treaty—instead of confining ourselves to vague declarations of principle that oppose some wars but not all.

Your letter singles out the problem of territorial disputes and concludes that "the use of force for the solution of territorial disputes is not in the interest of any people or any country." I agree; moreover, the United States proposes guidelines to implement this principle which are even broader and stronger than your own.

First, all governments or regimes shall abstain from the direct or indirect threat or use of force to change international boundaries; other territorial or administrative demarcation or dividing lines established or confirmed by international agreement or practice; the dispositions of truce or military armistice agreements; or arrangements or procedures concerning access to, passage across or the administration of those areas where international agreement or practice has established or confirmed such arrangements or procedures.

Nor shall any government or regime use or threaten force to enlarge the territory under its control or administration by overthrowing or displacing established authorities.

Second, these limitations shall apply regardless of the direct or indirect form which such threat or use of force might take, whether in the form of aggression, subversion, or clandestine supply of arms; regardless of what justification or purpose is advanced; and regardless of any question of recognition, diplomatic relations, or differences of political systems.

Third, the parties to any serious dispute, in adhering to these principles, shall seek a solution by peaceful means—resorting to negotiation, mediation, conciliation, arbitration, judicial settlement, action by a regional or appropriate United Nations agency or other peaceful means of their own choice.

Fourth, these obligations, if they are to continue, would have to be quite generally observed. Any departure would require reappraisal; and the inherent right of self-defense which is recognized in article 51 of the United Nations Charter would, in any event, remain fully operative.

You will note the basic similarities in our position. Agreement should not be impossible on this or other propositions—and I share your hope that such agreement will stimulate disarmament and peaceful relations.

The prevention of wars over territorial and other disputes requires not only general principles but also the "growth and improvement" to which you refer regarding the machinery and methods for peaceful settlement. The United States believe that the peacekeeping processes of the United Nations—and specifically its Security Council—should be more fully used and strengthened and that the special responsibilities and contributions of the larger countries—particularly the permanent members of the Security Council—deserve greater attention in solving its financial problems.

In conclusion with our allies, we shall offer specific proposals along these lines in the weeks ahead. Both the Geneva Disarmament Conference and the United Nations are appropriate places for such discussions.

Mr. Chairman, let me assure you that practical progress toward peace is my most fervent desire. This requires, not only agreements in principle but also concrete actions in accord with those principles. I believe this exchange of letters offers real hope for that kind of progress—and that hope is shared by all peace-loving men in every land.

Sincerely,

LYNDON B. JOHNSON.

I ask your indulgence, Mr. Speaker, to make an announcement.

Mr. Speaker, I have asked for the floor for the purpose of announcing that your Subcommittee on Europe of the Committee on Foreign Affairs will shortly open a set of very important hearings.

The hearings will concentrate on recent developments in Eastern Europe and in the Soviet Union. They will begin Monday, January 27, and continue for 2 weeks. Each day a panel of experts will discuss the most significant developments in a particular field—in the arts, in literature, in economics, in political trends, and so on.

The purpose of these hearings is to outline for the record what is happening in that part of the world, and to explore the implications of those changes for U.S. foreign policy.

Over 30 experts in different fields, including a number of American businessmen and exporters, will testify at these hearings. These persons are coming to Washington at their own expense to share their experiences and their knowledge of the conditions in the Soviet bloc with us.

Mr. Speaker, I believe that these hearings will prove of great interest to many of our colleagues and to the American people. For this reason, we are going to hold them in open sessions, and we wish to invite all interested Members to attend.

I am also very pleased to announce that I have requested and assigned our good friend and distinguished colleague from Connecticut, Congressman JOHN S. MONAGAN, to chair these hearings. Congressman MONAGAN has conducted a number of studies of the conditions in Eastern Europe for the Committee on Foreign Affairs. His interest in that area, and his knowledge of it, assure that this will be a very productive undertaking.

The schedule of the hearings—the dates of the hearings, the topics, and the witnesses—are as follows:

Monday, January 27, 10 a.m., "Recent Trends in Soviet and East European Literature," Dr. Victor Erlich, professor of Slavic literature, Yale University; Dr. Czeslaw Milosz, professor of Slavic languages and literature, University of California; Dr. Rufus Mathewson, professor of Slavic languages, Columbia University.

Tuesday, January 28, 10 a.m., "Recent Trends in the Arts Behind the Iron Curtain," Dr. Peter Selz, curator, Department of Painting and Sculpture, Museum of Modern Art, New York City; Miss Catherine Kuh, contributing art critic, Saturday Review of Literature; Dr. Norton T. Dodge, Department of Economics, University of Maryland; Mr. Harold Clurman, executive consultant, Lincoln Reperatory Theatre Co., New York City; Hon. William Walton, Chairman, U.S. Commission of Fine Arts.

Wednesday, January 29, 10 a.m., "Human Rights in the Soviet Union and in Eastern Europe," Dr. Harold J. Berman, professor, Law School of Harvard University; Dr. Paul B. Anderson, formerly consultant to the National Council of Churches of Christ in the United States; Dr. Boleslaw Biega, chairman, Assembly of Captive European Nations; Dr. Otto Kirchheimer, professor of government, Columbia University.

Thursday, January 30, 10 a.m., "The Younger Generation in the Soviet Union and in Eastern Europe," Mr. Darrell Hammer, instructor, Indiana University (American exchange student recently returned from Eastern Europe); Mr. George Feifer, WCBS-TV, New York City; Mr. Edward McGowan, Information Center for Travelers to the Soviet Union and Eastern Europe.

Monday, February 3, 10 a.m., "Recent Developments in the External Trade of the Soviet Bloc," Mr. Roswell Garst, president, Garst Warehouse Co., Coon Rapids, Iowa; Mr. Clayton Ruebensaal, manager, Marketing and Planning, Naugatuck Chemical International Division of U.S. Rubber; Mr. J. A. O'Neill, vice president, Continental Grain Co.

Tuesday, February 4, 10 a.m., "Political Trends and Party Factionalism Within the Soviet Bloc," Dr. Charles B. McLane, professor of government and Russian civilization, Dartmouth College; Mr. Norman Cousins, publisher, Saturday Review of Literature; Dr. Kurt L. London, director, Institute for Sino-Soviet Studies, George Washington University; Mr. John Campbell, Council on Foreign Relations.

Wednesday, February 5, 10 a.m., "Recent Trends in the Economy of the Soviet Bloc," Dr. Allen B. Ballard, Jr., professor of political science, City College, New York City; Dr. Harry Schwartz, New York Times specialist and writer on Soviet Economic Affairs; Dr. Aleksander Kutt, chairman, Assembly of Captive European Nations, New York City; Dr. Franklyn D. Holzman, Tufts College.

Thursday, February 6, 10 a.m., "Implications of Recent Changes in the Soviet Bloc for the Future of the Peoples of Eastern Europe and U.S. Foreign Policy," Dr. Vernon V. Aspaturian, Department of Political Science, Pennsylvania State University; Dr. Richard Burks, policy director, Radio Free Europe, Munich, Germany; Mr. Max Frankel, New York Times; Prof. James Billington, Department of History, Princeton University.

PRESIDENT JOHNSON ANSWERS CLEARLY WITH FIRMNESS

Mr. ZABLOCKI. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Wisconsin?

There was no objection.

Mr. ZABLOCKI. Mr. Speaker, I am happy to note that President Johnson has replied promptly, vigorously, and positively to President Khrushchev's December 31 letter calling for the peaceful settlement of territorial disputes.

The President's reply effectively undercut Khrushchev's efforts to erode the Western position in Germany and Berlin by recalling the U.S. commitment to support the peaceful unification of Germany and Western rights of access to Berlin. The President also reaffirmed our fundamental commitments to the Republic of China which Khrushchev was willing to turn over to the Chinese Communists on the mainland.

In contrast to Khrushchev's generalized exhortation in favor of peaceful solutions of territorial differences, President Johnson has issued a specific call for the removal of frictions between East and West. He has asked the Soviet leader to join the United States in presenting concrete proposals at the Geneva Disarmament Conference which, if agreed to, would effectively advance the cause of peace. President Johnson is quite clear. Boldly and imaginatively he has called upon Khrushchev to prevent the spread of nuclear weapons; to ban all nuclear weapons tests, including underground tests; to reduce risk of war by accident or design; and to move toward general disarmament. By urging Khrushchev to work toward the solution of specific problems, the President has answered the Soviet leader with a demand for action rather than vague promises or declarations.

Furthermore, through his willingness to work out new proposals at the Geneva Disarmament Conference and through his support for the use of the peacekeeping machinery of the United Nations, the President reaffirms the usefulness to the United States of these two international forums in which nations from all continents are represented. By expressing a continued American desire to work through the Geneva Disarmament Conference and the United Nations the President's message recognizes that major disputes in any part of the world are matters of concern to all nations and are not limited exclusively to the countries immediately involved.

THE SS "LOUISE LYKES"

Mr. BONNER. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from North Carolina?

There was no objection.

Mr. BONNER. Mr. Speaker, last Thursday at a special ceremony in the Cabinet Room in the White House, attended by Members of Congress, officials of the Department of Commerce and the Federal Maritime Administration, representatives of organized labor, and officers of the company, President Johnson ushered in a new era for the American merchant marine. The occasion was the keel laying at New Orleans of the SS *Louise Lykes*, the first highly automated cargo ship. The *Louise Lykes* is the first of 8 highly mechanized, 14,000-ton freighters that can be operated with a crew of 32 men, as compared with 46 on a conventional ship the same size.

The great promise in this event, symbolized by the President pushing a button in Washington to activate machinery at the shipyard, is that through the use of modern technology our maritime efficiency and productivity will enable this country to regain its strength and vitality upon the seas.

Mr. Speaker, I commend to this House the thoughtful remarks of President Lyndon B. Johnson on this historic occasion. The President's remarks were as follows:

> Members of Congress, officials of the Department of Commerce and the Federal Maritime Administration, representatives of organized labor, officers of the company which are cooperating in the construction of the SS *Louise Lykes*, my fellow Americans, I take great pleasure in participating in this historic ceremony.
>
> A little over 100 years ago, the merchant marine, with their beautiful clipper ships, gave our Nation the maritime leadership of the world. Today, we inaugurate a new generation of clipper ships. It offers the bright promise of a rebirth of American maritime leadership.
>
> To meet the challenge of foreign competition, we need efficient vessels of advance design with low operating costs. Today, we carry less than 10 percent of our trade in American bottoms. That percentage must be increased.
>
> A strong merchant marine is a guarantee of national security and a guarantee of economic stability. Some have called it the fourth arm of national defense.
>
> Even at its present level, it earns or conserves almost $1 billion of foreign exchange dollars every year, making it a major factor in our balance-of-payments position in the world.
>
> The vessel we begin today will apply the techniques of automatic operation to ocean-going cargo ships. Operating costs will be substantially reduced so that we can meet competition offered by the flags of other nations, and we can still pay better salaries to our own seamen.
>
> Subsidies of as much as $2 million a vessel can be eliminated. This will mean savings in excess of $500 million to the taxpayer. Shipping rates can be reduced, thereby greatly encouraging our exports which we need to encourage so much.
>
> So, my friends, this is truly a notable beginning. It is a great tribute to the statesmanship of both labor and management. They have worked together—both of them—for the benefit of all mankind. So, I should like to believe this morning that from this moment will come pride in what we are actively doing and benefits from what we will definitely achieve.
>
> I hope that all of you who participate in this ceremony now in retrospect in decades can look back and be proud that you were a part of it, proud that it was a part of the American effort.

Mr. Speaker, during the course of the double ceremony in Washington and New Orleans, Solon B. Turman, the able chairman of the board of Lykes Bros. Steamship Co., one of our most progressive operators in the American Merchant Marine, spoke at the shipyard in New Orleans. Mr. Turman's remarks set forth with great clarity the background of this event which grew out of energetic, cooperative teamwork among the key segments of the American merchant marine: the steamship company, the shipyard, the manufacturer and supplier, and the labor unions who will man the ship. All were represented on the platform in a crowd of about 200 people when Mr. Turman delivered his remarks.

Mr. Speaker, to make the record of this outstanding event complete I also insert Mr. Turman's remarks in the RECORD at this point:

> I am pleased to be here today with so many distinguished supporters of the American merchant marine and to participate on behalf of Lykes in the keel-laying ceremonies of the SS *Louise Lykes*.
>
> In these changing times many sweeping technological developments which occur under our very eyes go almost unnoticed and the remarkable becomes commonplace.
>
> Yet in the midst of this technical and industrial ferment which is so typical of our Nation today, occasionally it is worthy to pause for a moment—to recognize some sharp break with the past and to place a marker for history to note.
>
> That moment is at hand for the American merchant marine and we are proud and privileged that the President of the United States has seen fit to commemorate this occasion.
>
> The keel laying of the *Louise Lykes* marks both the beginning and the end of an era in the proud annals of the American merchant marine. The day of the conventional ship is over and soon these trusted workhorses of the sea will be flanked by a new, leaner breed of mechanized ships of which the *Louise Lykes* is the forerunner. These ships will help regain our Nation's rightful place on the seas, and I think it most appropriate that as a class they be called clippers—and follow in the tradition of the proud and stately sailing fleet which carried this Nation to maritime greatness.
>
> While other ships now under construction will include certain mechanized features, the *Louise Lykes* will be the most highly mechanized vessel to be constructed in these United States and the first one to be constructed as a mechanized ship from the keel up.
>
> The day of the mechanized ship offers both a challenge and opportunity for Government, industry, and labor to once again make our Nation great upon the seas. For while American technology and ingenuity offer the best arena within which to dispute the historical dominance of low-cost foreign flag merchant marines—and that is why the joint effort which made this ship possible is the hopeful beginning of this new era—it is no complete solution. The opportunity is here—the challenge is to use this development as a springboard to rebuild the American merchant marine.
>
> This is no mean task. The hurdles are great and the problems are many—and it will take practical men of good will from Government, industry, and labor—working together in the national interest—to get the job done. But it can and must be done—and all of us here today are witnesses to the fact that a start has been made—and it's a good start.
>
> The development of this ship was a team effort, and perhaps in telling you some of the background you will appreciate the complexity of the problem involved, the manner in which they were solved and the many people who helped make this day possible.
>
> During the last decade rapid strides have been made by shore-based industry in the development and application of automatic and remote controlled devices to steam powerplants. During 1961, at the time Lykes began preliminary design work on the Far East clippers, we decided we should thoroughly explore the possibility of adapting shoreside developments to maritime practice and after thorough consultation with my associates in the company and elsewhere, we decided to seek to enlist the technical background of experienced companies such as Westinghouse. Accordingly, on October 6, 1961, we wrote to Westinghouse and others soliciting their views, cooperation and technical assistance in determining whether or not the inclusion of advanced mechanization features, including a centralized, remotely controlled engine room, in our new ship design was practicable.
>
> Westinghouse responded almost immediately, stating that in its opinion the application we were considering was thoroughly feasible and that they were ready to organize a special task force of qualified engineers and other personnel to work with Lykes in developing the general profile and preliminary specifications of such an installation.
>
> In approaching this task both Lykes and Westinghouse recognized that in many respects the application of automatic and control features to shipboard operation is more difficult and complicated than utilizing them in steam generating plants ashore.
>
> A merchant ship is migratory, transiting not only the trading routes of the world where it is subject to international law, custom and convention, but also operating within the coastal waters and ports of national jurisdiction where it is subject to varying responsibilities and obligations.
>
> Seafaring is one of the oldest of man's occupations and as such bears the burdens of history. All of this adds up to the fact that in order to legally preserve and protect itself in these many jurisdictions a ship must be stanch, well equipped and tackled, and seaworthy in every respect so far as due diligence can make her so.
>
> For these reasons, in our preliminary discussions with Westinghouse, Lykes determined our first guideline should be that under no circumstances would we undertake any development which could possibly endanger the operation, safe navigation or seaworthiness of the ship. Indeed, as a target we decided that in addition to other advantages, the mechanized powerplant must be superior to conventional maritime powerplants in reliability, durability and safety.
>
> The second guideline we developed was that the system of shipboard mechanization was to be economically sound and that we would not automate merely for the sake of automation. Thus, in a very practical degree, the two problems intertwined.
>
> On the one hand, Lykes was resolved to maintain a security crew on board the ship at all times; that is, a crew which would

be able to navigate and to maintain the ship under any and all foreseeable conditions; on the other hand, this security crew should be available to perform many routine tasks and its presence would have to be taken into account in evaluating the economic feasibility of shipboard improvements.

Unlike the airplane which, because of its great speed, has relatively short transits, a modern merchant vessel traversing the great oceans of the world is cut off from shoreside facilities for long periods of time. Operating in a harsh environment, the ship must be capable of maintaining its own security against the hazards of nature, wind, weather, storm, mechanical failure, fire, strandings, and the many other perils which a vessel may encounter during her lifetime.

These stark necessities require that a ship shall be self-contained and that it be in position to protect itself, its crew and its cargo at all times.

Because of these facts, a modern-day ship is a relatively elaborate device involving many complicated control and service systems. These range from principal powerplant systems and all its auxiliaries to internal communication, housekeeping, and navigation.

I can illustrate the judgments which must be made in mechanizing shipboard installations by saying that in a ship such as the clipper class there will be approximately 1,400 valves with extreme variations in size and function and that these valves control many, many shipboard operations. To seek to control all these valves and all operating conditions by automatic means would greatly increase capital costs.

Accordingly, it is easy to see that a hardheaded sense of realism is essential to any economic application of shipboard mechanization lest the increased capital cost erode the benefits. This kind of seagoing realism was our basic approach to the problem.

Westinghouse contributed greatly from the wealth of its experience in engineering modern shoreside installations and from the technical capacities which were available at many levels of this great organization. Their task force and our new construction and operating staffs studied the problem in detail and since the new design was not yet off the drawing boards, we made an application—a dry run, if you will—to the class of ships which Lykes was then building.

This technical work extended over a period of many, many months and involved thousands of man-hours and hundreds of thousands of dollars free of cost to the Government.

At long last we became satisfied that the system was sensible, practical, and realistic and insofar as Lykes was concerned we were prepared to adopt it in the construction of the Lykes clipper class.

However, while we were satisfied with the technical features of this system, we had not yet opened discussions with labor as to its practical application at sea.

After informing our associate companies in the industry of our conclusions, we then felt we were ready to discuss this matter with labor.

Accordingly, during the early summer of 1963, I arranged meetings in New York first with Mr. Joseph Curran, president of the National Maritime Union, and then with Mr. Jesse Calhoon and Mr. Lee Pressman, respectively president and general counsel of the National Marine Engineers' Beneficial Association. To each of these groups I expressed the views that (1) shipboard merchanization was the wave of the future, that Lykes was convinced that it was feasible today and that the problem should be met openly and forthrightly; (2) Lykes and certain other responsible companies in the industry were realistic and did not at the present state of developments subscribe to the views of the theoreticians who argued that automated vessels could be operated with crews of 20 or even less. In this connection I discussed freely our views as to the basic security crew and the manning targets we had in mind; (3) the American merchant marine was face to face with a great ship replacement crisis and unless labor stability could be secured, the economic climate improved, and shipboard mechanization introduced, it was likely, and indeed probable, that the active fleet would shrink, that war-built vessels would not be replaced, and that this would adversely affect the seagoing work force and all concerned with the future of this industry.

These gentlemen told me that they too had been concerned about these circumstances and that provided fringe benefits were suitably improved to cushion the impact of this technological revolution, they and their unions would cooperate in the development of the program.

Collective bargaining negotiations then ensued in which this subject was one of the issues. The unions quite properly sought to protect the legitimate interests of their membership—and they did. After extended periods of collective bargaining, new agreements were hammered out with each of these two unions which, as an ingredient, included acceptance of the principle of shipboard mechanization.

Thereafter, Lykes entered into separate negotiations with the NMU and MEBA and after extended meetings finally reached agreements on the manning scale for the new class of mechanized clippers.

Then even though collective bargaining negotiations had not yet been concluded with the Masters, Mates, and Pilots, we decided to proceed with the construction of the Lykes clippers as mechanized ships.

At this juncture I would like to make it unmistakably plain that this industry—indeed the entire Nation—is deeply indebted to the seagoing wisdom and the enlightened self-interest of men such as Joe Curran, Jesse Calhoon, and Lee Pressman.

Their hardheaded willingness to recognize reality and to join in a program which enhances the possibility of rebuilding the American mechant marine has made these developments possible. Putting aside my role as chairman of Lykes, I would like to say that the integrity, capacity, and intelligence of these individuals are a credit to the highest standards of the American labor movement.

Of the labor leaders I have known during more than 40 years in this industry, I believe I have known Joe Curran the longest—and have known him for what he is: a redoubtable fighter for the rights of labor and one of the great figures in the ranks of organized labor. While willing to stand firmly for that which he holds is right, he is completely realistic and a man of his word. I am proud to number Joe Curran as one of my friends.

At the outset I said that shipboard mechanization was a product of teamwork, and I would be remiss if I did not acknowledge those individuals and organizations which played a large part in making these developments possible.

Turning first to the Lykes organization, the man who spearheaded and coordinated this operation was Frank A. Nemec, our executive vice president. Acting with me and for me, his aggressiveness, imagination and doggedness have contributed much to our ultimate success. Stuart Thayer and his able staff in our new construction division made our principal technical contributions—and they were substantial. All of this group are graduate naval architects or marine engineers who have served time at sea, and therefore, have had their theory tempered by practical experience. On our operating side we are indebted to Louis DeBlois and the able members of his maintenance and repair group who worked long and hard in making their practical contributions to this project. These, of course, are but a few. The Lykes group also included Robert A. Rader, our general vice president who coordinates our operations, and others too numerous to mention.

Organizations aside from Westinghouse have of course contributed. Avondale Shipyards and its president, "Zac" Carter, cooperated with Lykes by delaying construction of this Clipper class until such time as we concluded our basic negotiations with the unions. After the design for this ship was developed it was possible to construct the vessel either as a conventional ship or as a mechanized ship and pending final conclusion of our labor discussions, Mr. Carter agreed that Avondale would hold fast and not commence construction until such time as this matter was resolved. Additionally, once the decision was made to proceed with the mechanized ship, the Avondale engineering organization made real and substantial contributions in developing the performance specifications and the hardware to be installed on this ship.

During all of this work, Lykes relied upon the great technical capability of the Gibbs & Cox organization, our design agents. With their extensive experience in constructing all types of ships and powerplants, Gibbs & Cox was a real factor in the team effort.

Finally, and lastly, I should once again like to underscore the Westinghouse role. Now, as the principal systems subcontractor to Avondale they have responsibility for the entire engineroom control setup. Thus, they have had to engineer, develop, and manufacture most of the hardware necessary for operation of the entire engineroom system.

Speaking for Lykes, I say without reservation we have been proud to have been associated in this great industrial team effort which at every stage received the full support and constructive suggestions and help of Government.

From the President down, Government has been vitally interested in this development and the Department of Commerce has regarded progress in this field as vital.

In the Maritime Administration many have contributed under the able leadership of the former Maritime Administrator, Mr. Donald Alexander, who led a staff team captained by Messrs. Aptaker and Hoffman. They have served well and have assisted nobly.

So as I stand before you today I can say with true humility that the dawning of this new era—the day of the mechanized ship—has resulted from the combined efforts of many people in different walks of life. In such cooperative effort lies the real strength of our Nation and it enables us to face the future with renewed strength and confidence. Problems remain—stormy seas may be ahead. But let us make our mark boldly—for here is the beginning of our national reawakening on the high seas—here—today—begins the future of the American merchant marine.

Mr. BONNER. Mr. Speaker, I ask unanimous consent to revise and extend my remarks and include remarks of President Johnson and Mr. S. B. Turman, chairman of the board of the Lykes Bros. Steamship Co.

The SPEAKER. Is there objection to the request of the gentleman from North Carolina?

There was no objection.

NUCLEAR CONTAINMENT

Mr. HOLIFIELD. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The **SPEAKER**. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. **HOLIFIELD**. Mr. Speaker, some 18 years ago Bernard Baruch observed that "behind the black portent of the new atomic age lies the hope which, seized upon with faith, can work our salvation." The year 1963, as no other year of the atomic age, has given us a glimpse of that hope. The achievement of the limited nuclear test ban and the United Nations resolution against the orbiting of nuclear weapons has provided an apprehensive world with renewed hope that atomic energy will ultimately become the benefactor of mankind.

This goal may be brought yet closer to reality in 1964 if further steps are taken to transform atomic energy from a curse to a blessing. President Johnson's message to the Eighteen Nation Disarmament Conference has charted the guidelines by which this might be achieved. I speak, of course, primarily of the President's proposals to curb the nuclear weapons race and to allow international safeguards over the peaceful uses of atomic energy.

First, to curb the nuclear weapons race, he has called for agreement not to transfer nuclear weapons into the national control of states which do not now control them, and for renewed effort to achieve a ban on all nuclear weapons tests under effective verification and control.

The implementation of these proposals would be another significant advancement in the control of nuclear energy. The implementation of these proposals would represent another step toward the goal of every administration since that of President Truman to curb the nuclear arms race. The implementation of these proposals would be in our national interests.

The achievement of this measure of control over nuclear weapons is itself a worthy objective. But beyond this, President Johnson's proposals that transfers of nuclear materials to peaceful purposes be under effective international safeguards and that the Soviet Union join us in accepting inspection over its peaceful nuclear activities is perhaps ultimately of far greater significance. Such a step would be concrete evidence that we can join together to exploit the peaceful potentialities of atomic energy.

In 1945 the question was asked whether the mushroom cloud signified the last minute of the day or the first minute of a new day. I believe there is some hope that the atomic age constitutes a new day. In order to fully achieve it, however, proposals such as this made by President Johnson directed to the achievement of full international cooperation in the peaceful uses of atomic energy must be fulfilled.

Since Bernard Baruch set forth the U.S. position and the vision in 1946 we have continued to strive for the goal of the peaceful utilization of atomic energy. I hope that 1964 will see, if not fulfillment, at least major steps toward that goal.

I fully support the President in his efforts to achieve it. The President has proposed measures which are both feasible and sound. They are in the interest of the United States and of all mankind. As the President so aptly put it, the way to begin is to begin. I believe he has shown the way to begin, and that he deserves our full support.

THE FREEZE ON STRATEGIC NUCLEAR VEHICLES

Mr. **KASTENMEIER**. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The **SPEAKER**. Is there objection to the request of the gentleman from Wisconsin?

There was no objection.

Mr. **KASTENMEIER**. Mr. Speaker, I rise in support of the sound program of initiatives set forth today by our President, in his message to the Eighteen Nation Disarmament Conference in Geneva. The President has sounded a call of hope that mankind can look forward to peace.

But the President did more than spell out the hope of the future. He has set a course for achieving peace and has set us moving in that direction.

This has taken courage. We all know that there are persons who believe that our way in the world must be achieved by strength alone. These persons are in the minority, but they are a vocal minority. They oppose discussion. They oppose negotiation. They oppose any initiative that is not based exclusively on increasing the present superiority of U.S. arms. And these persons will attack the President for what he has done. They will criticize him for holding out his hand in friendship.

One of the types of agreement the President has proposed we explore in Geneva is a freeze on the number and characteristics of strategic nuclear vehicles. This freeze would apply to both offensive and defensive weapons. Compliance by the parties to such an agreement would be verified. Is such a proposal sound? I believe it is.

We all followed closely and with interest during the last session of the hearings on the test ban treaty and the debate on the floor of the other body. We have heard it said time and time again, by the highest officials of the executive branch, that the United States presently enjoys a strategic superiority over the forces of the Soviet Union. But, we have also been told that if a strategic war does come, both sides would receive such punishment, such destruction, such devastation, that the world which followed would be virtually unrecognizable. We were told by no less a realist than President Kennedy that that would be a world in which the living might well envy the dead.

Does it, then, not make good sense to call a halt to the race where it now stands? Certainly it makes sense to try to do so. And, discussing this possibility with the Soviets is the only way we can find out if we can call a halt now and work out arrangements to assure that no further progress is made by either side. If adequate verification arrangements can be negotiated and implemented, it seems to me that it is very much in our interest to do so. Whatever strategic superiority we enjoy now would be preserved. And, with an inspection system that would assure us that the Soviets could not make further significant progress without our knowledge, we would find tensions lessened and the cost of the arms race reduced. This might even lead to later reductions in present levels of armaments and forces, all under adequate provisions for verification.

Mr. Speaker, we are living in a world of vast uncertainty. We must take advantage of every opportunity to remove the most serious uncertainties that confront us. One of these is the specter of war. It is a dark cloud upon every horizon. Let us, to a man, support the President in his effort to make peace a certainty rather than just a possibility. Let us back him in this program for the Geneva Conference.

CALIFORNIA'S GOVERNOR BROWN: FEDERALISM A LIVING FRAMEWORK OF GOVERNMENT

Mr. **COHELAN**. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include a speech by Governor Brown of California.

The **SPEAKER**. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. **COHELAN**. Mr. Speaker, the debate over federalism—what is it, what are its problems, can it work—has frequently raised more heat than enlightenment.

A strong and welcome exception to this rule, however, was provided recently in the excellent address delivered by California's very able Governor, and my good friend, Edmund (Pat) Brown, at Harvard University.

To Governor Brown federalism is not an article of faith, nor a time encrusted vision. Rather, it is a "living framework of government, suited to the needs of the people it serves."

The Governor has not stopped here either. He has gone on to describe the "framework" he envisions:

> We need State governments with the vigor and imagination to complement and balance national power without checking national progress—State government which is able to carry out programs set in motion by national needs—a form of government created by men to help them do together what they cannot do alone.

No single State today has the resources, either human or material, to tackle many of the major problems at hand; problems which are in effect, national in scope.

But Governor Brown has made thoughtful and constructive suggestions to strengthen federalism; to make it work:

> First, we must give State Governors a more direct voice in policymaking at the Federal level.
>
> Second, we must set forth some ground rules for attacking problems on a regional

level, which is the dark continent of federalism.

Mr. Speaker, this is a powerful and timely address and I commend it to our colleagues for their attention.

ADDRESS BY GOV. EDMUND G. BROWN, JANUARY 8, 1964

I first want to thank Dean Price for letting me disturb the peace of the reading period. Harvard is off the path which a California Governor must beat to Washington each year to discuss program and philosophy and cold Federal cash and this is a welcome detour. I find Harvard, as always, a stimulating and creative institution: a good place to renew old acquaintances and exchange new ideas; quiet enough to encourage thought and yet not so quiet that a visitor loses sight of its position as the world's most elegant redevelopment project.

I am also pleased to find, despite contrary press reports, that there has been no change in your traditional respect for the dignity of the individual and the privacy of his pursuits. Only at Harvard could the president of the board of regents of the University of California be on the scene for 24 hours without being asked whether he is on a recruiting mission. As a matter of fact, I am not. But I can be reached any time after January 12 at my own office or at Berkeley. A postcard would do.

A visitor to Harvard in this month of this year is also struck by the fact that, while the state of mourning is officially ended, the state of shock lingers on. For Harvard, the assassination was more a family tragedy than for other schools, but I think the shock has cut deep at all American universities because of an emerging campus involvement with this country's problems and an increasing commitment to help solve them. President Kennedy, when he visited a school, often quoted a remark of Bismarck—that one-third of the students of German universities broke down from overwork; one-third from dissipation; and the rest went on to rule the nation. I am not prepared to say the same ratio can be applied to faculty. I do know that President Kennedy revived the coalition of scholarship and politics which was so much a part of early American history, and I know we need this partnership now more than ever before. The library you are to build here will be a monument to one of Harvard's finest sons. An extension of the blending of campus and government in which Mr. Kennedy believed so deeply would be a memorial of equal stature and service.

DEBATE OVER AMERICAN FEDERALISM

Of all the areas of joint endeavor, the most useful today is the debate over American federalism which I am sorry to say is engaging more scholars than politicians. The question of whether, in the past 175 years, federalism has acquired a patina or just a few streaks of rust is more than an academic exercise, it is a matter of survival. The fabric of federalism is being ground by forces as abrasive as any in our history and if the fabric is wearing thin, we should know it, face it and repair it.

LITTLE AGREEMENT

One difficulty with the debate is that there is so little agreement on definitions of federalism and so little attention to its real purpose. One scholar will say it is the essence of free government, American style, with its roots deep in our traditions of mistrust for power and for the majority. Another will say it is a system which has allowed the Nation to grow at different rates in different areas, to do different things in different places at the same time. One group of Americans claims it is primarily a doctrine of States rights, and uses it to shield States wrongs. The pluralists honor it as a device to promote initiative and experimentation and dishonor it by using federalism as an excuse to block reform.

FEDERALISM—A LIVING FRAMEWORK OF GOVERNMENT

I do not see how federalism can be discussed unless it is viewed as realistically as it was by the framers of the Constitution; not as an article of faith but as a living framework of government, suited to the needs of the people it serves.

Thomas Jefferson described federalism in 1790 as a system of shared sovereignty in which the States "were left to do whatever acts they can do as well as the National Government." This is acceptable today only as part of a definition. The 50 States of today are better equipped to act than were Jefferson's 13 States. But the separation of what the States can do best and what should be left to the National Government becomes increasingly difficult as the Nation grows. Today, much of any State's concern is for problems which are national, not local. When Jefferson wrote his definition, the population of all of the State of New York was 340,000—about the size of Oakland, Calif.; one-fifth the size of Detroit. He spoke of a nation in which the interests of Virginia farmers, New England artisans, and New York merchants were best served by a central government with limited powers and limited curiosity about how each State set about the task of meeting the needs of its people.

But we are closer to 1970 than 1790. We require a structure of government that meets the needs of 190 million citizens in a society dominated by giant clusters of power not confined to any State. Jefferson's world was agrarian. Ours is industrial. Our biggest challenges—the ones we must meet before we can be said to have secured domestic tranquillity—are not rural, but urban. A limited National Government could deal with the limited power of the factions that existed when Madison declared that "ambition must be made to counteract ambition." If Madison's premise still holds true, then Central Government certainly must be powerful enough to put the interests of the people above those of the largest corporation or the biggest labor union in this day of big industry, big labor, and big agriculture. At the same time, we need State governments with the vigor and imagination to complement and balance national power without checking national progress—State government which is able to carry out programs set in motion by national needs.

To assess whether these conditions are being met today, we should look at federalism not as the temple its largely false friends, the States righters and pluralists would make of it, but as a form of government created by men to help them do together what they cannot do alone. That is the purpose of government. The structure is incidental. When government at any level fails to right a social wrong, it is not some abstract concept of federalism that suffers, it is human beings. Urban areas are not transit systems and balanced budgets, they are people. Slums don't cheat cities of a full life, they cheat families. And if a local tax base cannot finance an adequate stock of textbooks, it is not the school district that is harmed, it is the children in the district.

In that light, I suggest that the Federal idea is as valid as it was 175 years ago, but that we must improve on the way we are using the idea. And the growth of our urban focus, the needs of the metropolis, the concentration of industrial activity demand that the improvement be made at once.

STEPS TO STRENGTHEN FEDERALISM

Today, I will suggest two steps which I believe can and should be taken immediately to strengthen federalism.

First, we must give State Governors a more direct voice in policymaking at the Federal level.

Second, we must set forth some ground rules for attacking problems on a regional level, which is the dark continent of federalism.

In this day the Governor alone among State officials represents city and farm, suburb and slum, rich and poor, and is, at the same time, responsible for maintaining the highest level of Government service. He is intimately—in some cases, desperately—acquainted with the details of transportation, public health, budgeting and dozens of other services as no other elected official at the State level can be. An increasing number of these services are provided under joint State and Federal programs. Yet is the Governor brought into the policymaking discussions on these programs for which he will eventually be responsible? Only in an infrequent, informal and haphazard way. Congress was created to represent the States at the Federal level, but most large States are as diverse and divided as the sectional interests of the Nation. As a result, Congressmen speak primarily for their districts. They do not speak for the State on more than a few issues. A Senator, of course, speaks for the whole State, but his responsibility ends when policy is set. He usually has little experience or knowledge of the complex of administrative and fiscal problems posed for the States by the national legislation on which he acts—or does not act. The Governor of the modern American State is the people's advocate, as close as we come on this country to the King's conscience, but he must speak at the national level through intermediaries. A State's congressional delegation—in California, at least—keeps in touch with the Governor's office and consults on legislation. But no Congressman or Senator can be or should be expected to know the State in the detail required of a Governor.

EXAMPLES CITED

One example of the difficulty which flows from this gap between the Governor's power and his responsibility is the Kerr-Mills Act, the Federal program for medical care to the aged. Designed to help the States pay medical expenses for indigent elderly citizens, it does not begin to do the job. Years later, only 26 States have been able to implement it at all. Of those, six spend 89 percent of the Federal funds available under Kerr-Mills, and Nelson Rockefeller and I, who do most of that spending, are equally unhappy with the inadequacy of the results. In California, we knew that the bill would fall short of its goal long before it was enacted. Most other Governors knew it was simply not the right program, but there was no organized way for them to bring their knowledge to bear at the necessarily rational order of decision.

Another area in which our federation fails the States today is on regional problems which are not covered at all by the 10th amendment and are covered imperfectly by cumbersome interstate compacts. Some regional needs have been met with special purpose districts or authorities, with functions in two or more States, but these often remove the power of decision even further from the Governor's office and from the people.

Let me propose possible solutions to the two problems I have just outlined. Argument over the details—and you can be sure there will be argument—can come in turn, and so can the refinements that the argument will produce. But the time to start the argument and move toward action is now.

GOVERNORS' COUNCIL URGED

First, I propose a Council of Governors, staffed and operating much as the present Council of Economic Advisers, providing a direct conduit through which Governors could both offer and receive suggestions and criticisms on a wide range of subject matter of great importance to them before rather than after Federal executive policy has been established. It might work best if administered by a council of five Governors, with rotating representation chosen on a bipartisan and sectional basis. To make its role a unifying one, rather than producing new elements of national discord, I would suggest they be named by the President and chaired by a Federal official of his choice, perhaps the Vice President.

Now I am well aware as one of the senior Governors in what has become a relatively short-lived calling in the last decade, that a Governors' conference already exists as a kind of open forum. But those who have attended its meeting know that it can never act as a policy body. In a sense, it is designed primarily for group therapy sessions, meetings of 50 men who know that nobody else really understands either them or their problems, and are therefore come together to achieve insights and self-help. Efforts to use these sessions for something more in recent years have, in fact, threatened to destroy its present real and useful function.

Let me make it clear that I believe the council I propose would regularly put people's needs ahead of States rights. America's Governors, as I have said before, are for the most part hard-pressed executives with tough problems, riding herd not only on State programs but many Federal programs as well. There might be some political grandstanding on such a council, but when it came to a choice between some vague notion of interference with States rights and a program that would meet the needs of chronically ill old people in their States they would be realists above all else. Gov. Paul Fannin, of Arizona, is a conservative, but he has not complained about plans to spend $1 billion of Federal funds for water development in his State. Governor Love, of Colorado, opposes national power but he has yet to protest because his State gets more in farm subsidies each year than mine. Gov. Ross Barnett is certainly no friend of Federal power, but he has not sent back any of the money which Biloxi has received for urban planning.

There undoubtedly would be a certain amount of political maneuvering on the council. That is part of the American tradition. But the advantages of a forum of the men who know State problems best would, I believe, outweigh that disadvantage.

REGIONAL RESOURCE PLANNING COMMISSIONS

My second proposal stems from a pilot experiment already in the making. It is the use of regional resource planning commissions under Federal authority.

Secretary of the Interior Udall, faced with a complex of bitterly argued problems of regional water development in the Pacific Southwest, began his approach with great intelligence. First, he consulted all the Governors involved. Then he drafted a plan and submitted it to the States for comment. He got reams of it, including a proposal from us for a permanent regional planning commission to assist the Federal Government in meeting its responsibilities to the region in a way reasonably satisfactory to all of the people of the region, regardless of the State in which they lived. We are working with the Department of the Interior on a detailed proposal right now, and if this commission can be successfully launched without getting us back into the old tangle of compact problems, I foresee a series of successors.

Now some people don't like commissions and councils. But as a Governor who has used a number of them to keep his information current and his analyses fresh while the demanding routines of office tax the other resources of his administration, I am grateful to them. Without them, I sometimes wonder how the revolutions of technology and information would ever get on my desk or into my briefcase.

In any case, I make these two proposals with full knowledge of the new problems of procedure, yes, and of protocol, that they would create, but with confidence that some action of this kind is necessary if federalism is to make its maximum contribution to the progress of both the Nation and the States.

Lord Bryce saw the States as laboratories for social progress and that role certainly should continue. But while the States experiment with programs to meet their own needs which may later be adopted for national use, they must spend increasing amounts of time on problems not of their own making. It is to help deal with emergencies not of their own making which come from beyond the State's borders that the Governors need their voice at the center of National Government.

The recent challenges to the States have prompted some observers to suggest we borrow Dante's inscription from the "Three Shades" and paint it over the Governor's door: "Abandon hope, all ye who enter here." The difficulties which have led to this conclusion have no party loyalties. They hit Republicans and Democrats alike. Governor Romney of Michigan lost his fight for tax reforms which were almost identical to those drafted by his Democratic predecessor. It cost Steve McNichols of Colorado his job to raise taxes to a level where they could sustain services and now his Republican successor finds that the increase was absolutely necessary, after all. Nelson Rockefeller believed he could start a new term without a tax increase and told the voters so. But the cost of living goes up even for a Republican Governor and it isn't reasonable to expect that a tax rate will support more people and more services indefinitely. Governor Rockefeller solved his problem by increasing what he called fees. The reaction to this was summed up on a card distributed with products on which fees had been increased. It said: "The price is the same, the taxes haven't been raised, but you pay more for it."

STATES NOT OBSOLETE

One school of political science interprets these breakdowns as a sign the State is obsolete. They recommend the Federal Government bypass the States and deal directly with the metropolitan areas. This is not the answer. Metropolitan areas have trouble enough assembling their own diverse political units. A relationship between the Federal Government and most metropolitan areas would not give us the decentralization we need. Only the State covers enough ground to provide true balancing centers of power to the Federal Government and to share the burden of joint programs.

California has been described as a window on the future; the State that deals today with the problems others will face tomorrow a cutting edge for the New Frontier. It is also a State in which every major challenge which this country and federalism must meet for the next 20 years can be found right now. These include the headlong forward rush of technology and science, American mobility, civil rights, the problems of the aging, urban sag and suburban sprawl, unemployment, education, taxes, and the crippling consequences of congressional delay.

SHARED SOVEREIGNTY

California takes a realistic view of the sovereignty it shares with Washington. What matters to us is that Californians get the best schools, the safest highways, the greenest parks, and the most efficient government possible. If a program is best financed and administered by a Federal-State partnership, we do it together. If no Federal program meets the need, we go it alone. But there is a limit to what even a prosperous and growing State like California can undertake by itself.

As attorney general of California, I put that proposition to the U.S. Supreme Court in the Ivanhoe water case more than 5 years ago. The issue was water development, but the argument applies to other fields as well. In the Ivanhoe case, I contended that the general welfare power (of the Federal Government) has the same attributes as any other Federal power, which is to say it enjoys the benefit of the supremacy clause. * * * My argument concluded: "Responsible representation of the State's interest * * * requires preservation of the power and mechanics of Federal cooperative activity and resistance to fanciful constitutional objections." The Court agreed. For the first time, it gave explicit approval to Federal use of the powers under section 8 of article 1 of the Constitution to promote the general welfare of the people of the United States.

The Ivanhoe opinion settled the legal question of the National Government's right to deal directly with national problems. But it still left us with a large body of public opinion which says national power should be used only in national emergencies.

We are about to get another massive dose of that doctrine. Last Friday's announcement of candidacy by Senator GOLDWATER guaranteed us hours of oratory on the theme that the Federal Government has too much power. We will be told that our only hope is to sell off TVA, sell out the U.N., chop up the United States into feudal baronies, and resign from the world. Many people may agree that this is the way out. But few Governors will be among them. During the Eisenhower administration, a commission set out to see whether some functions of Government might be returned to the States by Washington. It was a waste of time. The commission found that no State really wanted to get back a single basic Federal function, and that included the ones in which States rights was the best political banner a man could fly.

It is not hard to understand when you take a close look at America in the 1960's.

STATE CHALLENGES

One of the most sweeping challenges to American federalism today is the open road. Our mobility scatters social problems around the continent like tumbleweed in a high wind; problems of education, civil rights, employment, welfare and others. One-fourth of California's citizens change homes every year. One thousand people enter our State to stay every day. Some bring skills, some do not, but few bring jobs. They have potential, but no classrooms, fire departments or water supply. State and local government must provide those, at an average cost of $13,000 the first year for each new family. California has always drawn strength from such pioneers, whether they arrived by covered wagon or station wagon. But the investment in roads and public services for newcomers rises each year, whether in California or New York, Illinois or Washington, D.C. And the whole United States has yet to feel the full impact of mobility as we have.

Education presents another major challenge to the States. Nowhere in the free world is there a better, more broadly based, public school system than California's. But nowhere in that system is there a sustained and large-scale effort to make a child not only learn but want to learn. California's dropout rate is a shocking 25 percent, but it is well below the national average. We spend more than the total budgets of 43 other States on schools alone, but they are programed for the average youngster. We cannot afford to do much more than study the plight of the youngster from the poor home or the broken home who doubts that a diploma will make much difference for him. This is a national problem, rooted in poverty, and it requires a massive program which only the Federal Government can afford. Your own Professor Galbraith has outlined a program for helping these youngsters which I believe is excellent. But no single State has the talent or the funds to set his classroom peace corps into action on its own.

CIVIL RIGHTS

Not since the Civil War has the issue of civil rights dominated American life as it does today and our mobility is one of the root causes. In the South, denial of the Negro's rights is backed up by open and often brutal force—clubs, guns, dogs, and the law. Elsewhere in the Nation, the challenge of the minority's constitutional guarantees is more furtive than savage but its impact is no less real. The three largest Negro ghettos in the Nation are in the North, not the South. Justice Harlan wrote that the "Constitution is colorblind," but segregated schools, job discrimination and all-white neighborhoods demonstrate that many of our citizens are not.

In California, it has been a crime for nearly 100 years to turn a man away from a night's lodgings because of his color or creed. Our newer laws, achieved only in the last 5 years and regarded by most experts as the most advanced in the Nation, prohibit discrimination in housing or hiring. Yet even California, with progressive law and a consensus of respect for a neighbor's rights, is not wholly free of prejudice. And a California Negro must abandon his legal protections altogether when he travels to most other States.

The Negro's cry for recognition, that he is a human being and a free American, must be answered, and not in words but deeds. Racial barriers to schools and housing must be broken down and our society must be purged of discrimination before we can honestly claim that we are a free and democratic society. The most enlightened State cannot meet this challenge for America on its own. Strong and determined Federal action alone can lead us to this national goal.

URBAN PROBLEMS

. Our urban problem is another that needs national attention. One of the ironies of federalism is that we are investing billions of dollars on defense to prevent the destruction of our cities and doing so little to keep them from destroying themselves. This Nation, with nearly 90 percent of its citizens in metropolitan areas, is only as strong as its cities. But we have only begun to tackle slum clearance, juvenile delinquency, traffic and smog and encourage beauty on the necessary scale. We get an astronaut around the world almost as fast as we get some fathers home from work. Modern mass transit is needed in almost every major city in the country, but the cost is out of reach of most of them.

UNEMPLOYMENT

Unemployment is a challenge that can only be met by Federal action. We may be remembered in history as a nation that could create a machine to fulfill any job but couldn't create a job to fulfill a man. My staff economists tell me the administration's proposed tax cut would put more than $1 billion in disposable income into California. It would generate some $150 million more tax dollars without changing a single rate. In contrast, California could wipe out its personal income tax altogether and it would have less than one-third of the impact of a small cut in Federal taxes. The bulk of the machinery for automation comes from factories outside our State, but it disqualifies unskilled California workers as easily as though it were made at home. Our economy, like that of all other States, is tied with a thousand strings to the national economy and when a string goes slack, our economy sags.

CONGRESS

It is, of course, impossible to discuss federalism today without discussing the Congress. I am not an expert on the subject. I came here to point up the problem of the Governors, not tear down the legislative function. But I do read the newspapers. During the longest peacetime session in its history, the recent Congress produced a test-ban treaty, Federal aid to higher education and medical schools, and Federal aid to mental institutions. Fine. But it failed to cut taxes, act on civil rights or pass medicare. And when it adjourned, Walter Lippmann pronounced a one-word judgment on its record: Bad.

Congress may well be like the woman, stalled at a traffic light who finally slams out of her car, marches to the car behind and says to the driver: "You go up and try to start it. I'll stay here and blow the horn for you." I think Congress is in trouble partly because of the underlying philosophy with which the framers of the Constitution approached Federal Government. I think the blame for delay lies not with the Members, but with system and custom. The same mistrust of the majority which led the writers of the Constitution to reject direct election of the President and Members of the Senate has cast Congress increasingly in a negative role. Tradition has piled the further checks and balances of seniority and committee rule on the workings of Congress until it is scarcely its own master. Howard Smith, chosen by 50,583 Virginians, decided the issue of civil rights last year for millions of Americans who had no voice in his election.

I know the members of the California delegation and I know the majority would go down the line for programs I believe are crucial—the tax cut, civil rights, medicare and others. But they cannot enact laws unless they can vote on issues. It is not my job or my right to tell the Congress what to do or how to do it. But as a Governor, I believe I have a right to insist on a yes or no answer from Congress on every major proposal from the executive branch.

I believe a Council of Governors could help force faster decisions. Right now, the legislative process is a self-conscious tug-of-war between Congress and the President in which public opinion is sometimes dimly perceived and little felt. The Council could also fill that void by speaking with authority for State needs.

CONCLUSION

I believe the two steps I have proposed today are logical beginnings for a reform of the Federal system. They are in keeping with my belief that people are more important than procedures and that the structure of Government can be measured only by its performance in helping to serve the needs of its citizens. They are offered with some sense of urgency.

The greatest barrier to reform is the myth that change must be made slowly. If this were true of all segments of society, I would accept it. But there is nothing slow about the change which is being fed into our civilization by science and technology. In 50 years, the reciprocating gasoline engine has changed the face of America. The jet airliner, nuclear power, pesticides, detergents, and television have forced change at a fantastic rate.

Tocqueville wrote: "The end of good government is to ensure the welfare of the people, not merely to establish order in the midst of their misery."

If Government is to carry out that responsibility, it must change. It cannot change itself. That is our job.

GROWTH OF MANY AREAS IN NORTHEAST TEXAS

Mr. ROBERTS of Texas. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include an editorial.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. ROBERTS of Texas. Mr. Speaker, the growth of many areas in northeast Texas is causing comment throughout the State. And I am happy and proud to say that much of that growth is in the Fourth Congressional District.

If necessary, I could make a long speech on this subject, but it is not necessary. The record of these areas and the activities of their citizens speak for themselves.

For example, I ask unanimous consent to have printed in the Record an article from the October 1963, issue of Texas Parade magazine entitled "Surging Sherman" by Kenneth E. Lively.

Also, I ask unanimous consent to have printed an editorial from the Greenville Herald Banner entitled "Growth Rate Sets Record."

Surging Sherman

(By Kenneth E. Lively)

Every weekend throughout the long Texas summer a bumper-to-bumper procession of cars from the Dallas-Ft. Worth area stream northward on U.S. 75, headed for the cool waters and resort-lined shores of Lake Texoma.

Just before reaching Sherman the motorists pass through one of Texas' most modern industrial districts. On each side of the broad expressway stand gleaming new plants, designed to look good on the outside and produce well on the inside. The pleasure-bent motorist may give them but a passing glance. But to the people of Sherman these new industries mean plenty: new payrolls, new people, and tangible evidence that their city, one of Texas' oldest, is fast becoming an important industrial center in north Texas.

Of course, none of this happened without careful planning and hard work by the city fathers. Before setting up their industrial district, Sherman's planners made an exhaustive survey of successful industrial districts all over the country. Then with $110,000 contributed by local businessmen and civic leaders, Sherman Industrial District, Inc. bought land which became the nucleus of 1,487 acres in Blalock Industrial Park, now governed by the best of zoning provisions their study had uncovered.

Maynard Weitzel, Sherman enterprising chamber of commerce manager, will tell you matter-of-factly, "It's what you do with an industrial district after you get it that counts."

Blalock Industrial Park was named for Lewis Blalock, pioneer Texas industrial developer and first director of industrial development for Texas Power & Light Co., the utility which has been a major factor in development of the Sherman industrial base.

The Industrial Park offers industry substantial advantages: the land, for example, can be bought at reasonable prices; utility services are excellent; a lead track from the Frisco Railroad main line divides the district (two new sidings currently are being laid to recently acquired industries); water and sewerlines are in place; and, of course, the district fronts on U.S. 75 which is a controlled-access expressway.

Johnson & Johnson's new plant in the industrial district exemplifies the clean-cut look of industry located in Blalock. The nationally known pharmaceutical company moved its Dallas operation to Sherman because of a need for larger plant facilities and ample space for expansion. Also the company's management emphasizes beautiful landscaping and spacious grounds for all of its plants around the country. Right now the Johnson people are experimenting with 19 types of grass to determine which is best suited to the Sherman area. The company goes even further to avoid marring its plant's appearance: none of the trucks serving the company are ever seen in front of the plant; even the railroad spur that leads up to the back of the plant is below ground level and cannot be seen from U.S. 75.

This concern for plant appearance is reflected in the spruced-up facilities of other companies located in the district: IBM, Kaiser Aluminum, Grumman Allied Industries (makers of custom built truck bodies), a large warehouse and transportation center operated by Burlington Industries and nearby Line Material Co. (manufacturers of fiber pipe). Ditto, Inc. will soon begin manufacturing business forms in the district.

Chamber Manager Weitzel is quick to credit utility companies serving the Sherman area with helping to "sell" industrial prospects. The industrial development departments of Texas Power & Light Co., Lone Star Gas Co. and General Telephone of the Southwest not only help in finding prospects, they also lend their talents in working out programs that will fill the particular needs of potential new industry.

But in the final analysis—just as in the case of every growing community in Texas—it's the local people who make an industrial program. Sherman business leaders, even the heads of old, well-established companies, are community minded and eager for industrial growth.

"When a prospect visits Sherman, he may be transportation, power, fuel, tax or labor-oriented," Weitzel says, "and we immediately provide him with complete information. Often one of our established industrialists will write the prospect, following his visit, giving him 'first-hand' insight into the local industrial climate."

This spirit of cooperation twice has earned Sherman important statewide recognition. In 1954 and 1963, the city won grand awards in the Texas Manufacturer Association's "Texas Industrial Week" competition.

"Cooperation of old established and new industry was the secret of winning these awards," says Joe Kaufmann, local building supply man. He and David H. Brown, an attorney, will drop everything to go anywhere in the country to see an industrial prospect. Dan Poole, Jr., president of Sherman Manufacturing Co., is another who spends his time and talents to help locate new industry. G. R. Stephens, retired banker and present chairman of the chamber's industrial committee, has proven an able and willing aid in the all-important matter of arranging financing for new industry. E. A. Christie, present chamber of commerce president, often takes time off from his executive duties at Quaker Oats Co. to work in industrial expansion. Executives from other big local companies such as Anderson, Clayton (vegetable oil products), Hardwicke-Etter Co. (ginning and construction machinery), Poole Manufacturing (men's clothing) and Fant Milling Co. (grain products) also pitch in and help.

Since its early days—when the town's only post office and bank were the pockets of an old coat hanging in the public square—Sherman has grown slowly but surely, its economy geared mainly to the rich wheat and cotton fields that surround the city.

But in the past decade Sherman's natural advantages have begun to parlay into rapid industrial expansion.

The city has excellent transportation facilities (five major railroads and eight truck lines); an excellent labor pool comprised in good part of workers from the farms and the many small towns close to Sherman; and, of course, proximity to growing Texas, Southwest and Midwest markets.

"If you're going to serve the Texas-Midwest market, product distribution out of Sherman is more economic and faster than out of congested, metropolitan areas," says the traffic manager for one of Sherman's largest industries.

Absenteeism of workers is exceptionally low in Sherman, partly because of the excellent highways feeding into the city, and, of course, the lack of traffic congestion encountered in metropolitan areas.

Glenn DeAtley, production manager of Hardwicke-Etter, has had years of experience in northern industry. He says employee production in the Sherman area far exceeds that of workers he has supervised in the north and east.

One of the major appeals Sherman holds for incoming executives is that it's a wonderful place to live. Known in the latter 19th century as the "Athens of Texas," Sherman remains a city with lofty cultural values. The public school system is one of Texas' finest. Austin College, founded in 1849, is a 4-year coed school with particularly high academic standards. In 1962, the college received a Ford Foundation grant as a result of its 10-year development program, placing emphasis on faculty improvement and modernization of facilities.

Recreation also gets plenty of attention in Sherman. There are 15 tree-shaded, well-equipped parks scattered throughout the city. And, of course, it's only a few minutes' drive to sprawling Lake Texoma, which has 1,200 miles of shoreline. Texoma draws more visitors annually than any other inland body of water in America. It's a fisherman's paradise and a booming resort and residential area.

Some say the lake was the inspiration for the surge of community spirit that brought Sherman its progression of new plants, new opportunities, and new attitudes during the past decade. All will agree Texoma is an attraction that has made Sherman known to Texans by the hundreds of thousands, especially during weekends and holidays when Texoma-bound motorists pass through the fast-growing north Texas city on their way to water.

[From the Greenville (Tex.) Herald Banner, Sept. 8, 1963]

GROWTH RATE SETS RECORD

Is Greenville really growing? Why isn't it growing faster?

These questions, frequently asked of the newspaper, get an answer in the school enrollment figures reported last week, the largest first-day gains in the 13 years for which we have records.

The fact is that Greenville population has surged forward since 1960 unlike any other modern period.

Our estimate of 21,039 population as of the end of July gives Greenville approximately 2,000 population gain since April 1960. This gain lacks only a little of equaling the total gain from 1950 to 1960. Further, it exceeds the 10-year gains Greenville showed in all but two other campus periods since 1850.

Greenville is growing. Significantly, Hunt County is growing too.

Population and income are the keys to prosperity. They sometimes move in different directions and the results are that one section of the economy may appear prosperous while others decline.

Greenville is growing. Significantly, Hunt in general have been blessed with uniform advancements which prove the effect of boosts in people and earnings. Greenville bank deposits have soared to alltime record highs recently although normal peaks are in the fall. Building permit volume has broken every record of history and could possibly double the pace of just a few years ago before the end of 1963.

Retail and service trades have shown their most solid gains in many years during the 40 months since the census date.

Hunt County growth, as reported by the Population Research Center of the University of Texas, has edged the total back up to 40,200 from a 1960 figure of 39,399. Not since 1920 had Hunt shown a gain. The total figure covers a particularly wholesome situation because we can be assured that every single town of 500 population or more in the county is growing. This has not been true in the past, when Greenville's expansion did not quite equal the losses from other towns.

Such population growth cannot come without good cause. In Hunt County and Greenville we have the happy product of several factors powering our rise. Lake Tawakoni is the newest large boost, and its effect on the southern area and on tax valuations has been dramatic. East Texas College, when it opens for classes in a few days, will undoubtedly show a marked gain of enrollment and further build the powerful impact of this institution on Hunt County.

Industrial expansion gave us a big surge a few years ago and will continue to push up the population. One of the less obvious but important builders is the increasingly competitive strength of Greenville businesses, who are moving out into new territories and battling hard for the old trade. Combining all these factors together has given Greenville a dynamic forward motion.

The newspaper has taken active utility meter counts for March 21, 1960—the closest date to the census—and for July 31, 1963. Then by dividing the 19,087 population by the four utility counts, the result was an average ratio of 3 persons per meter in 1960. Using the latest figures the average result was 21,039—a gain of 1,952 in 40 months, or it could be 2,000.

The Herald Banner secured 1950 census information from the chamber of commerce to cover the territory now included in Greenville city limits. In 1950 there were four separate towns outside Greenville—Ardis Heights, Mineral Heights, Peniel and Reavilon—and all of them were annexed before 1960. Detailed statistics from the 1950 census showed those areas contained 2,304 persons making the real population of "greater Greenville" in 1950 a figure of 17,031. Thus, the gain to 1960 over the same area as 1950 was just 2,076.

These new figures make the growth since 1960 look especially good. Greenville looks good. The economy looks good, and if citizens and businesses will take advantage of everything the future offers, the future of Greenville looks rosy.

NEW PROPOSALS AT GENEVA

Mr. ASHLEY. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. ASHLEY. Mr. Speaker, the eyes of the world today are focused on Geneva and efforts are being made there to bring the world closer to peace. In an inspiring message to the representatives of ENDC, President Johnson has outlined a five-point program to reduce the risk of war and control nuclear threat.

The new offensive for peace which this Nation has launched today could mark the beginning of the end of the upward spiral of the nuclear arms race. This is what it would do: Production of fissionable materials for weapons purposes would be halted; the number and characteristics of strategic nuclear delivery vehicles would be frozen; nuclear weapons would not be transferred to have-not states; peaceful nuclear activities would be safeguarded; and all nuclear weapons test banned under effective safeguards.

These are measures designed not solely to enhance our own security but rather the security of all the world's nations. Their acceptance and execution could and would lead to a safer, saner world.

Mr. Speaker, these new initiatives at Geneva are a challenge to all who seek an honorable peace. Above all, they are a challenge to act. For many years nations have sought to halt the arms race, but accomplishments have been slow to go beyond the stage of discussion and debate. Yet as suspicions have been allayed, the beginning of mutual understanding has developed. Last year, as we know, a breakthrough occurred with the agreement on a direct communications link between Washington and Moscow and this was followed by the limited test ban agreement and the U.N. action against mass destruction weapons in outer space.

Now, as a followup of last year's significant steps, the President has issued a call for action on more substantial measures to control the threat posed to the world by modern armaments.

Mr. Speaker, it is to be hoped that these proposals will receive bipartisan support in this country and the backing of nations of good will throughout the world.

OFFERING ASSISTANCE TO THE PRESIDENT IN ACHIEVING HIS GOAL OF ECONOMY

Mr. **RIEHLMAN**. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The **SPEAKER**. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. **RIEHLMAN**. Mr. Speaker, I take this time to offer assistance to our President in achieving his goal of economy, so forcefully expressed in his state of the Union address.

The President's determination that "This Nation will get a dollar's worth for every dollar spent" has my complete support. During my 17 years in Congress and my tenure as a member of the House Committee on Government Operations, I have been striving toward the attainment of this end. In response to the President's call for action, I am submitting a bill that will provide a means of gaining economy and efficiency in the Government.

This bill calls for the establishment of a Commission on Organization and Operations of the Executive Branch of Government modeled after the Hoover Commissions established by the Congress in 1947 and 1953. It would provide essentially for a reestablishment of the Hoover Commissions on a permanent basis with an added emphasis on the elimination of unnecessary departments, agencies, and instrumentalities of the executive branch of Government.

The Commission I am proposing would go beyond its predecessors in that it would assure a continuing surveillance of Government operations, with annual reports submitted to the President and Congress. It would not be a "one shot" operation, but would be permanent.

In addition to the annual reports there is provision for submittal of interim reports, so that when duplication of effort or needless expense comes to light, it will be reported at once, and proper action may be taken by the President or Congress without waiting until a few billion dollars have been spent.

A permanent Commission can give continuing attention to the implementation of its recommendations and prevent them from becoming mere dust-catchers on library shelves.

The Second Hoover Commission submitted its final report and went out of existence in 1955. Many of its recommendations were never put into effect, due in part, I am sure, to the expiration of the sponsoring agency. This new Commission, in addition to carrying out the duties stated in the proposed legislation, could make a reappraisal of some of these recommendations of the Second Hoover Commission which were never acted upon, such as:

First. Elimination of duplicate staffing by both military and civilian personnel in the Department of Defense.

Second. Investigation of defense mobilization policies regarding retention and disposition of industrial properties.

Third. Adoption of a congressional policy to eliminate unnecessary Government competition with private enterprise.

Fourth. Elimination of interagency competition in the field of natural resources.

Fifth. Establishment of a Joint Committee on Intelligence Matters.

Sixth. Reorganization of Federal water resources and power activities and restriction of Federal activity to areas where private industry cannot operate.

The President's direct challenge to Congress, for economy in Government, should stir every one of us and the bill I am presenting today meets that challenge.

Budgetary control of Government agencies is not enough. The direct way of assuring complete saving is through the elimination of duplication and inefficiency.

The proposed Commission will consist of 12 members appointed by the President from leaders in private industry and the academic world, and from among others of exceptional competence and experience in appropriate fields. They should be among those having substantial knowledge of applying business policies and methods for the efficient and economic organization and operation of the executive branch of the Government. The language of the bill, as to appointment of members, has not been made restrictive in any manner so as to enable the President to exercise his best judgment in making appointments.

The proposed Commission is necessary because of the continuing increase in the size of our Government. The high cost of our role in the world demands the most efficient use of every dollar. It is increasingly difficult for the Congress to obtain a clear picture as to the efficient and economic operations of the agencies.

This proposed Commission would not take any duty or responsibility from any congressional committee. Rather, its purpose is to assist the Congress in carrying out its designated functions.

The amount of money used to operate this Commission will be returned to the Treasury many times over, in savings from the more efficient operation of agencies and in some cases the abolition of obsolete and duplicate agencies.

To assure the Congress complete knowledge of the activities of this Commission, I have also proposed that the chairmen as well as the ranking minority members of the Senate and House Committees on Government Operations be ex officio members, and that the executive branch be represented by the Director of the Budget, as an ex officio member.

PRESIDENT JOHNSON'S REPLY TO PREMIER KHRUSHCHEV'S NEW YEAR'S MESSAGE TO HEADS OF GOVERNMENT

Mr. **MORGAN**. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The **SPEAKER**. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. **MORGAN**. Mr. Speaker, I wish to commend both the tone and content of President Johnson's reply to Premier Khrushchev's New Year's message to heads of government. Premier Khrushchev's message was heavy on the propaganda side but very light when it came to specific proposals. It cantained vague declarations calling for the peaceful settlement of territorial disputes, although the United Nations Charter already calls upon U.N. members to abjure the use of force in the solution of territorial problems. Furthermore, Khrushchev did not worry about the sovereign rights of nations or the peaceful settlement of disputes when he supported the Chinese Communists' militant claim to the Republic of China. He denounced only certain types of wars while approving "anticolonial" wars.

Instead of dismissing the Khrushchev letter out of hand, however, President Johnson wisely has sought to find some positive elements in it. He, in effect, has challenged the Soviet leader to agree to certain guidelines which would make it increasingly difficult for the Soviet leader to use traditional Communist tactics to upset territorial arrangements, military armistice agreements, or other arrangements—such as the right of access to Berlin—which are already established by international agreement. The President also has challenged the Communist leader to cease the indirect use of force, whether in the form of aggression, subversion, or the secret supply of arms.

Instead, he has called for the solution of disputes by a variety of means, including negotiations, arbitration, or action by regional or appropriate U.N. agencies. At the same time, he has made it clear that any failure of the Soviets to live up to their international obligations would compel the United States to take appropriate action under the inherent right of self-defense called for in article 51 of the U.N. Charter.

In short, President Johnson has urged the Soviet Union to seek peace not in terms of words but in terms of deeds. He has said, in effect, we agree with your desire to solve territorial disputes peacefully but we wish to make it abundantly clear that we can only bring about the peaceful world we desire if you cease and desist from some of your traditional Communist practices. We call upon you to join with us in the search for peace through established international organizations such as the United Nations and the Geneva Disarmament Convention.

ANNOUNCEMENT

Mr. CRAMER. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Florida?

There was no objection.

Mr. CRAMER. Mr. Speaker, on the rollcall on H.R. 4879 I was tied up in my office on a long-distance call and therefore was unable to vote. I wish to state my position as being in opposition to the bill.

EIGHTEEN NATION DISARMAMENT CONFERENCE IN GENEVA, SWITZERLAND

The SPEAKER pro tempore (Mr. LIBONATI). Under previous order of the House, the gentleman from Oklahoma [Mr. ALBERT] is recognized for 10 minutes.

Mr. ALBERT. Mr. Speaker, today marks the reopening of the 18 Nation Disarmament Conference at Geneva. As chief negotiator for the United States, Mr. William C. Foster has presented to the Conference a message from President Johnson, which I should like to call to your attention.

Mr. Speaker, I ask unanimous consent to insert following my remarks in the RECORD the text of President Johnson's message to the Conference. I also ask consent to insert the President's message to the American people on the same subject.

The SPEAKER pro tempore. Without objection, it is so ordered.

There was no objection.

Mr. ALBERT. Mr. Speaker, the message has the great merit of both reaffirming our dedication to the goal of peace and showing our readiness to explore realistic measures toward that end—measures on which agreement in the coming months might well be possible.

Specifically, the President discussed the following five possible areas of agreement:

First, the message states that, in consultation with our allies, we will be prepared to discuss means of prohibiting the threat or use of force, directly or indirectly, to change boundaries or demarcation lines; to interfere with access to territory; or to extend control or administration over territory by displacing established authorities.

Second, it proposes an endeavor to halt further increases in strategic armaments now. It proposes that the United States and its allies explore with the Soviet Union and its allies the possibility of agreement on a verified freeze of the number and characteristics of strategic nuclear offensive and defensive vehicles.

Third, it reaffirms the willingness of the United States to enter into a verified agreement to halt all production of fissionable materials for weapons use. Pending agreement on this measure, it says the United States is willing to achieve prompt reductions through both sides closing comparable production facilities on a plant-by-plant basis, with mutual inspection.

Fourth, it reaffirms the need to further reduce the danger of war by accident, miscalculation, or surprise attack. As a move in this direction, it stated that, in consultation with our allies, we will be prepared to discuss proposals for creating a system of observation posts.

Lastly, it proposes a number of measures to stop the spread of nuclear weapons to nations not now controlling them; including, first, agreement that nuclear weapons would not be transferred into the national control of states which do not now control them, and that all transfers of nuclear material for peaceful purposes take place under effective national safeguards; second, acceptance by the major nuclear powers in their peaceful nuclear activities of the same inspection they recommend for their states; and, third, a comprehensive test ban agreement under effective verification and control.

Mr. Speaker, I wish to commend the President on this excellent, constructive message, and express my hope that the initiative by the United States will be followed by real progress in the Geneva negotiations.

MESSAGE OF PRESIDENT JOHNSON TO THE 18-NATION DISARMAMENT CONFERENCE IN GENEVA, SWITZERLAND

There is only one item on the agenda of this Conference—it is the leading item on the agenda of mankind—and that one item is peace.

Already this Conference has led to more concrete and effective results than any disarmament Conference in modern history. Your efforts and deliberations laid the groundwork for the nuclear test ban treaty—for the communications link between Washington and Moscow—and for the U.N. General Assembly action against nuclear weapons in space.

Today your search begins anew in a climate of hope. Last year's genuine gains have given us new momentum. Recent Soviet and American announcements of reductions in military spending, even though modest, have brightened the atmosphere further. Let us pray that the tide has turned—that further and more far-reaching agreements lie ahead—and that future generations will mark 1964 as the year the world turned for all time away from the horrors of war and constructed new bulwarks of peace.

Specifically, this nation now proposes five major types of potential agreement:

First, as Chairman Khrushchev and I have observed, the use of force for the solution of territorial disputes is not in the interest of any people or country. In consultation with our allies, we will be prepared to discuss means of prohibiting the threat or use of force, directly or indirectly—whether by aggression, subversion, or the clandestine supply of arms—to change boundaries or demarcation lines; to interfere with access to territory; or to extend control or administration over territory by displacing established authorities.

Second, while we continue our efforts to achieve general and complete disarmament under effective international control, we must first endeavor to halt further increases in strategic armaments now. The United States, the Soviet Union, and their respective allies should agree to explore a verified freeze of the number and characteristics of strategic nuclear offensive and defensive vehicles. For our part, we are convinced that the security of all nations can be safeguarded within the scope of such an agreement and that this initial measure preventing the further expansion of the deadly and costly arms race will open the path to reductions in all types of forces from present levels.

Third, in this same spirit of early action, the United States believes that a verified agreement to halt all production of fissionable materials for weapons use would be a major contribution to world peace. Moreover, while we seek agreement on this measure, the United States is willing to achieve prompt reductions through both sides closing comparable production facilities on a plant by plant basis, with mutual inspection. We have started in this direction—we hope the Soviet Union will do the same—and we are prepared to accept appropriate international verification of the reactor shutdown already scheduled in our country.

Fourth, we must further reduce the danger of war by accident, miscalculation or surprise attack. In consultation with our allies, we will be prepared to discuss proposals for creating a system of observation posts as a move in this direction.

Fifth, and finally, to stop the spread of nuclear weapons to nations not now controlling them, let us agree, first, that nuclear weapons not be transferred into the national control of states which do not now control them, and that all transfers of nuclear materials for peaceful purposes take place under effective international safeguards; second, that the major nuclear powers accept in an increasing number of their peaceful nuclear activities the same inspection they recommend for other states; and, third, on the banning of all nuclear weapons tests under effective verification and control.

Each of these proposed steps is important to peace. No one of them is impossible of agreement. The best way to begin disarming is to begin—and the United States is ready to conclude firm agreements in these areas and to consider any other reasonable proposal. We shall at all times pursue a just and lasting peace—and with God's help, we shall achieve it.

Mr. Speaker, the following is the statement by President Johnson to the American people:

THE WHITE HOUSE, *January 21, 1964*.

STATEMENT BY THE PRESIDENT

This morning in Geneva, Switzerland, the 18-Nation Committee on Disarmament resumed its work.

There is only one item on the agenda of that Conference—it is the leading item on the agenda of mankind—and that one item is peace.

In my message to Geneva today, I expressed pride in the gains we have made and prayed that the tide has turned, that further and more far-reaching agreements lie ahead, and that future generations will mark 1964 as the year the world turned for all time away from the horrors of war and constructed new bulwarks of peace.

Agreement on the control, the reduction and the ultimate abolition of weapons and war is not impossible, as it seemed for so many years.

We now have a limited nuclear test ban treaty.

We now have an emergency communications link—a "hot line"—between Washington and Moscow.

We now have an agreement in the United Nations to keep bombs out of outer space.

These are all small steps—but they go in the right direction—the direction of security and sanity and peace.

Now we must go further.

Just as we are determined to do whatever must be done to defend our freedom and deter aggression, so must we be equally determined to reduce the risks of another worldwide war, a war in which the first hour might be measured in terms of how many hundreds of millions are killed.

If we have the genius to create these terrible weapons of destruction, then we have the genius to create the means of their destruction.

There will be risks—there will be doubts and delays and disappointments.

But the pursuit of peace must continue.

Today we return to the conference table at Geneva with new momentum and hope. Based on continuing discussions with our allies and effective safeguards, the United States is asking the world to take further steps toward peace—enforceable steps which can endanger no one's safety and enlarge everyone's security.

First, we are proposing new agreements to stop the spread of nuclear weapons to nations not now possessing them. Today's uncertain and unsatisfactory balance of terror will be all terror and no balance if dozens of nations, large and small, have their own nuclear trigger.

Second, we are proposing that both sides accept observation posts on their own territories as a safeguard against miscalculation and misunderstanding and the fear of surprise attack.

Third, we are proposing that both sides stop all production of the fissionable material that is used in nuclear weapons. This country and the Soviet Union already have produced enough explosive force to equal 10 tons of TNT for every man, woman, and child on the face of the earth. We have already announced that we are cutting back our production. We are willing to shut down more plants if and when the Soviet Union does the same, plant by plant, with inspection on both sides.

Fourth, as stated in my letter to Chairman Khrushchev yesterday, we are proposing practical measures to ban the threat or use of force—direct or indirect force—to change boundaries, demarcation lines, the control of territory or access to it.

In short, we are going beyond Mr. Khrushchev's New Year's declaration against the use of force in territorial disputes and asking him to join us in applying that principle on a broader basis.

Finally, we are proposing that a way be found to stop the ominous increase in strategic nuclear forces. To this end, let both sides explore freezing the numbers and kinds of their strategic nuclear vehicles—whether planes or missiles, whether offensive or defensive.

Each one of these five proposals is important to peace. No one of them is impossible of agreement. The best way to begin disarming is to begin—and we shall hear any plan, go any place, make any plea, and play any part that offers a realistic prospect of peace.

Disarmament is not merely the Government's business. It is everyone's business. It is the concern of every parent and teacher, every public servant, and every private citizen.

I ask your support for these measures—and I ask your prayers for peace.

This world has had its fill of war. We want a just and lasting peace—and with God's help, we shall achieve it.

H.R. 21, THE VOLUNTARY, FREE ENTERPRISE METHOD OF PROVIDING MEDICAL CARE FOR RETIREES

The SPEAKER pro tempore (Mr. LIBONATI.) Under previous order of the House, the gentleman from Ohio [Mr. BOW] is recognized for 60 minutes.

Mr. BOW. Mr. Speaker, the House Ways and Means Committee has resumed hearings on legislation to provide hospitalization or medical care for Americans who have reached age 65, and I would like to call attention once again to the advantages inherent in H.R. 21, the Bow bill, which is the principal alternative to the social security measure endorsed by the administration.

I testified on H.R. 21 in the earlier hearings, and I wish to repeat to the House much of what I said to the committee at that time. My testimony was concluded only a few moments before we learned of the tragic event in Dallas November 22. As a result, neither the Members of Congress nor the public generally had time to consider or reflect upon my arguments in behalf of the Bow bill. Now that the hearings are resumed, I hope that the proposal will receive consideration.

I introduced H.R. 21 because I believe that the cost of modern medical care threatened the economic security of millions of elderly Americans creating an urgent social problem that demands our attention.

I believe that the program I have outlined in H.R. 21, supplementing the Kerr-Mills Act and other existing programs, can solve this problem.

On the other hand, I believe that the limited hospitalization program proposed by the administration, based upon compulsion and financed by a regressive payroll tax, will not solve the problem but will only create new problems adversely affecting Americans of all ages.

I do not intend to burden the record by repeating the great volume of statistics on the aged.

I would like to emphasize that we are not dealing with 18 million faceless individuals who somehow lost their identity when they passed their 65th birthdays. This is not a segregated group of men and women who have been shelved by society and must be treated en masse. Instead, we are dealing with some 18 million individuals who have individual abilities, resources, aims, desires, and needs. The cost of medical care is a problem for most of them, but in varying degree. About all we can say is that most of them will need medical care sometime during each year, that many will find it very difficult to pay the bills, and many cannot pay at all.

To correct this situation the administration proposes a program limited to hospitalization, some nursing care and related service. To me, this is a completely inadequate solution, for our older citizens must still find some way to meet, out of their limited resources, the other very considerable costs connected with major illness.

My bill, H.R. 21, is an effort to utilize the facilities and experience of the health insurance carriers of this Nation to solve the problem. Government incentives and assistance can be used to make medical care insurance, including hospitalization, available to everyone eligible under H.R. 21. And when I say carriers, I mean to include not only the insurance companies but Blue Cross-Blue Shield and the other associations and groups that provide prepaid health care. You have heard testimony that more than half of the people past 65 have some degree of insurance protection. We can solve most of the problems of medical care for the aged by making available more comprehensive coverage.

THE MECHANICS OF H.R. 21

H.R. 21 would enlarge the special tax consideration already granted to Americans over 65 by providing an income tax credit equal to the cost of premiums on medical care insurance, up to $150. The credit would be available to any individual over 65 whose income was less than $4,000, and a $300 credit would be available to any elderly couple whose combined income was less than $8,000.

In addition, H.R. 21 extends the same tax credit to a relative who wishes to purchase medical care insurance for a member of his family who is past 65, whether or not such individual qualifies as a dependent in other respects. I am certain every American would like to do all in his power to help any aged member of the family, and H.R. 21 will encourage and help millions of us to do so.

Finally, H.R. 21 provides the same tax credit incentive to any employer who provides medical care insurance for his retired employees. This is a growing practice today. Many labor-management contracts include provision for continuing in retirement the group coverage that is provided for active workers. I think it is a practice that should be encouraged and it will be encouraged by H.R. 21.

There will be those who cannot obtain protection through any of these incentives. Those whose relatives or former employees are unable or unwilling to provide insurance and who have no Federal tax liability will be able to derive no benefit from the tax credit plan. In order to assure that protection is available to them, section 3(a)(g) of H.R. 21 provides that the Internal Revenue Service shall issue a medical care insurance certificate to anyone whose income tax return shows that he has a tax liability less than $150, that he is not protected by a policy purchased by a relative or former employer, and therefore cannot realize full benefit from the incentive program.

The medical care insurance certificate would vary in value in relation to the tax each individual owed. An individual whose Federal income tax was $75 and who wished to participate in the program would receive a $75 tax credit and a medical care insurance certificate with a face value of $75. With the cash he saved by reason of the tax credit, and the certificate, he would be enrolled by a carrier for medical care insurance. The carrier would then present the certificate to the Treasury where it could be used as a credit against the carrier's tax, if any, or redeemed in cash. For the individual with no income tax liability, the certificate would have a value of $150.

I am confident that H.R. 21 would encourage many of our older citizens to obtain health insurance protection if they have none, or to obtain more comprehensive protection if they are among those who are now covered in some degree.

The mechanics of providing this service to our older citizens should be simple and easy to administer. Most men and women past 65 do not file an income tax return today. I suggest that the Internal Revenue Service could prepare a simple form on which everyone over 65 who would not normally file an income tax return, but who wished to participate in the program, could estimate his income and tax liability. This would be a confidential relationship between the individual and the Internal Revenue Service. It should require little additional administrative machinery to process these returns and issue the proper medical care insurance certificate.

The burden of determining and administering the benefits would remain with the carriers, the hospitals, the physicians, and suppliers of other medical services. The Federal Government would be spared the expense of a health care administration and the recruitment of a new bureaucracy to handle millions of individual claims and cases.

TWO KINDS OF POLICIES

In preparing this legislation, I sought the advice of the actuaries of several insurance companies who were brought together through the courtesy of the Health Insurance Association of America. I emphasize now that neither the association nor the individual companies have been asked to endorse or assume responsibility for this bill or the insurance programs outlined in it. However, they were kind enough to give me technical assistance as to what benefits could be offered at a premium cost of about $150.

The first program outlined in H.R. 21 is a first-dollar plan. The individual would be entitled to the benefits outlined in the plan without any additional financial obligation. This is the most satisfactory kind of protection for an individual whose circumstances make it impossible for him to be a coinsurer. I ask leave to include the text of H.R. 21 at the end of my remarks, so that Members may see that the benefits are substantially richer than those provided in the King-Anderson bill, including as they do both hospital charges, surgical charges and the services of physicians.

The second plan is more comprehensive because it provides that the individual pay a portion of his annual medical expenses. He must pay a $200 deductible and 25 percent of the expenses beyond the deductible.

Please bear in mind that I have not used an actual policy written by any carrier. These are not sample policies that are available for $150 anywhere, so far as I know.

COVERAGE AVAILABLE

However, they invite comparison with plans that are now being written and sold by several companies including the carriers that have pooled their resources in the Connecticut, New York, Massachusetts, and Texas "65" plans and with protection that is being offered in various parts of the country by Blue Cross-Blue Shield. For example, in Ohio Blue Cross-Blue Shield has prepared a senior citizens program that would cost $125.40 per year in my congressional district. This plan would provide up to 70 days of semiprivate hospital care including all hospital services except blood plasma and up to $300 for surgery.

During recent weeks I have polled many of the insurance carriers of the country asking advice on the adequacy of my $150 tax credit in relation to the benefits spelled out in the bill. A few of them have indicated that they believe the program would cost more in their sections because of high hospital charges. The majority have said they believe $150 is about right for the benefits described if sold as group insurance with enrollment periods.

My conclusion is that protection at least as comprehensive as that described in H.R. 21 could be offered if it is made available to millions of people across the Nation under a program that includes enrollment periods. It can be done on a guaranteed renewable basis with only limited restrictions because of preexisting conditions. The Texas 65 plan, for example, requires no medical examination or questionnaire, it covers preexisting conditions after 6 months and the only other condition is that an individual cannot be enrolled if he is in a hospital or for 31 days after his release from the hospital.

I am told that Secretary Celebrezze envisioned the need for additional Government control of the insurance industry if H.R. 21 were enacted into law. I do not believe this is a valid objection. The States have demonstrated that they can discharge their responsibilities in this area and they would continue to do so.

In passing, permit me to comment on the suggestion that H.R. 21 would be a "bonanza" for the insurance companies.

I can assure you that insurance carriers have uncovered no bonanza in their effort to extend health insurance coverage to those over 65.

The insurance carriers of this country deserve great credit for recognizing the growing problem of our older citizens and for shouldering the responsibility of solving it. Their imaginative efforts have been generally applauded, and their success in developing good coverage in recent years has been phenomenal. Pencils have been sharpened and actuaries have burned the midnight oil to find a way to provide more comprehensive coverage at less cost. I will not be surprised if experience proves that some of the new plans are too generous, for experience is still quite limited, but I think we must admit that the effort of the insurance industry to provide protection for senior citizens is in the finest tradition of the free enterprise system. I am confident that it will be successful, particularly if the Federal Government lends encouragement and assistance to those senior citizens who need the protection of voluntary health insurance.

Again, let me say that the same words of commendation apply to the Blue Cross and Blue Shield organizations that have worked diligently in this field.

COMPLEMENTS KERR-MILLS

I am often asked whether it is my intention that H.R. 21 should supplant or repeal the Kerr-Mills Act. The answer is "No."

I supported and voted for the Kerr-Mills law, and I am satisfied that it is doing a good job and will do a better job of solving the problem at which it is directed. But the Kerr-Mills law is not, and we did not claim it would be, the complete solution to the problem of medical costs for our older citizens. It deals in terms of medical indigence. The problem is far greater than that.

As I see it, statistics on income and liquid assets of the aged indicate that there are about 3 million people over 65 to whom the cost of medical care is not a serious problem. They are able to buy the comprehensive insurance protection that is now available. They can discharge the obligations arising from serious illness without undue strain upon their resources.

At the other end of the financial scale are perhaps 5 million who have little or no capacity to pay for the medical care they require. Most of these people could obtain help through old-age assistance and the Kerr-Mills program if fully implemented.

But what of the remainder? In between these extremes are 9 or 10 million Americans of very modest means. As we have heard many times, they depend heavily on social security, pensions, and small investments for their income. Many of them own their homes and have small savings. They are equipped to live modestly, perhaps frugally, in retirement. Extraordinary expense arising from prolonged or catastrophic illness is the problem that threatens their security and gives them great concern. I wish to protect them against the impact of these medical costs. I want the Federal Government to accept the responsibility of providing incentive or assistance so that these older people can take advantage of comprehensive health care insurance. I do not want any one of these citizens to be reduced to a condition of indigence because he had no protection, was eligible for no assistance, and was forced to dispose of his assets or assume a heavy burden of debt.

Let us all bear in mind that these assets cannot be replaced nor can the limited income of retirement years satisfy the indebtedness that may be incurred when serious illness strikes an elderly individual or his spouse. The result is that another good American is reduced to a state of dependency. This is the specter that haunts our older citizens. They should not be reduced to a condition of "medical indigence" before anyone is able to assist. This is the problem we must solve.

H.R. 21 and Kerr-Mills are complementary. State and Federal costs under Kerr-Mills and old-age assistance will be reduced greatly if H.R. 21 is enacted, but we will continue to need them as supplements. The addition of H.R. 21 will provide a well-rounded program and a flexible program that is capable of adjusting to the needs and circumstances of each individual as well as to the changing times.

Permit me to comment on one other feature of H.R. 21 before I go on to the subject of social security medical care.

As I see it, many of the problems that older citizens must face today will not affect people who retire 5 or 10 years hence, or will not affect them as seriously. We are dealing today with men and women who have weathered some of the most trying times in American history.

We have more people reaching retirement age than ever before in history, and they are people who have had less than a fair chance to provide for retirement.

A man who is 70 now was just starting his career when World War I interrupted. He came back from war to reestablish himself, only to experience a postwar depression. The great depression of the 1930's hit him in the prime of life. Postwar inflation and heavy taxation severely limited his ability to prepare for retirement in the final years of his working life. It should be no surprise that many men and women are finding it hard to make ends meet in retirement today.

This picture will change in a few years. People will be entering retirement with far greater preparation. Provided this Government does not encourage another inflationary cycle, many of the financial problems that face the aged today will soon be only memories. This is another strong argument for a flexible program for medical care, a program that can adjust to changing conditions as the years go by.

The reflection and study that produced H.R. 21 grew out of my opposition to the administration program for hospitalization of the aged financed by an increased social security tax and administered by the social security agency. I oppose that administration proposal, for I view it as inadequate, a dangerous departure from the basic purpose of our social security system, a threat to the soundness of that system, and an unreasonable financial burden of working people.

Many of the proponents of the administration proposal admit its inadequacy, and have stated freely that the benefits will be enriched and the coverage extended if only this initial legislation can be enacted. Walter Reuther has said that this first step will be followed by additional legislation which would lead, in my opinion, to the regulation of all health services for all Americans by the Federal Government. I know that this is not the intention of the congressional leaders who advocate the legislation. I am confident that the Members who have sponsored the administration proposal believe that it will serve the purpose stated by Mr. Celebrezze, and that is all. But I have been close to this issue for many years, I am well acquainted with the proposals and the philosophies expressed by Assistant Secretary Cohen in years gone by, and I am sure the Congress will be placed under intense pressure to enrich the benefits and broaden the coverage in each succeeding session if the administration bill becomes law. All of the saving provisions in the legislation do not change the fact that this program involves a great many contracts between a Government agency and individual hospitals. These contracts will provide that the Government agency must disburse funds of which the Government is the trustee to individual hospitals for services rendered to third parties, the individual beneficiary who is ill. Such a contract must inevitably include some provision assuring the Government that the services have been rendered satisfactorily to each of the patients. It would be very strange indeed if the Government did not demand such satisfaction. This means investigation, supervision, regulation or control. I do not understand how the trustee of the social security hospitalization fund can satisfy his trusteeship otherwise. And I am certain that the pressure for such regulation or supervision will be impossible to withstand when rising hospital costs place a heavier burden on the trust fund and on the taxpayer whose contributions must increase if the fund is to be sound and solvent.

I feel that the administration's proposals cannot help but place an unreasonable and increasingly heavy burden on the working people of this country and, in so doing, it will threaten the stability of the entire social security system.

We have heard many times that the administration proposal assures today's working man and his wife the benefits of hospitalization at age 65 at a cost of only 25 cents per week, not more than the price of a pack of cigarettes. Testimony you have already received casts grave doubt upon the ability of the proposed new health fund to provide such benefits 30 to 45 years hence when today's young workingman is ready to retire. Mr. Myers' answers to the chairman's question raise the possibility that the program will require a payroll tax at least twice as great as is now proposed, and this possibility is borne out by the estimates of experts in the field of private insurance.

I question whether it is proper to place this additional heavy burden on the weekly paychecks of millions of working men and women. It is a tax that is levied against gross income, and it will soon exceed the total Federal income tax liability of millions of American families.

Moreover, this additional tax burden relates only to the proposed new hospital program. Need I remind you that there is a large body of opinion that the present tax rates are inadequate to pay for even the benefits to which we are already committed? If this is true there must be social security tax increases simply to preserve the integrity of the present program.

In his testimony to the Ways and Means Committee during the previous hearings, former Secretary Ribicoff expressed the belief that a 10-percent tax was the practical limit for social insurance taxation. Gentlemen, we will be in grave danger of exceeding that limit by a significant amount if both the present social security system and the proposed new hospitalization program were properly funded.

EFFECT ON PRESENT SYSTEM

It is also a tax that will drain additional millions of dollars out of the channels of business and industry. At the present ceiling, the additional tax proposed in the King-Anderson bill would cost the working people of Ohio $53 million per year, money that they would otherwise spend or invest in our State.

Finally, I oppose the administration program because it is a compulsory program, offering the same limited benefit to every older person, whether he needs it or wants it or not, failing utterly to take into account the individual problems of this group of people.

I have been asked to compare the cost of my proposal with the cost of the King-Anderson bill.

I estimate that the income limitation in my bill would leave about 14 million people over 65 eligible to participate. On the face of it, this would mean an annual cost of slightly over $2 billion. But that amount is reduced by several factors, principal among them the fact that the tax credit for insurance will eliminate a very large percentage of the tax deductions for medical expenses now claimed by or in behalf of persons over 65. The last figures I have indicated that such claims amounted to $900 million. The tax revenue lost by reason of these deductions should be deducted from the apparent cost of H.R. 21.

Second, the States and Federal Government would be able to reduce MAA and OAA payments to the extent that the services presently paid for by these programs would be covered by the insurance.

Finally, there are a number of retired people who would not participate for religious reasons or because they have Government service available to them.

With all of these factors operating, I believe the cost of H.R. 21 would be about $1½ billion the first year.

This figure is comparable to the first-year estimate of the cost of King-Anderson, as advanced by Government witnesses. All the evidence indicates that the HEW estimates are undercosted, but even assuming that they are correct, I insist we would not be justified in adopting a Government program that would provide only hospitalization for the aged when for a similar amount of money we can provide the extensive medical care embodied in H.R. 21.

Several of my correspondents have pointed out that hospital costs are increasing at about 5 percent per year, and that this factor will inevitably increase the cost of insurance and put pressure on us to increase the income tax credit of H.R. 21 as the years go by. This is possible, but I wish to point out that the same escalation of hospital costs will have an even more serious effect on the administration program, since it is related almost solely to hospitalization, and certainly may be expected to require upward adjustment of the payroll tax as the years go by, with the burden falling more and more heavily on the workers of this country.

Summing up, I am opposed to a program that would place the burden of hospital care on the paychecks of those least able to afford it. I offer an alternative that would place the cost of solving this national problem on all of the tax sources of the Nation, like most other national programs.

I have faith in the ability of the insurance carriers, operating in the free enterprise tradition, to develop and provide adequate protection for the elderly at reasonable rates.

On the other hand, I believe that any program that requires Federal financing and administration through the social security system is a threat to the quality of health care for all Americans. The administration proposal as well as the new proposal unveiled by Dr. Fleming and his associates share this serious flaw.

I believe we must develop a plan that is flexible enough to satisfy the individual problems of our older people and that can be adjusted as the overall problems change in future years. I believe H.R. 21 is such a plan.

Thirty-six Members of the House have joined in sponsoring this legislation in the 87th or 88th Congresses.

In addition, I have in my files the personal endorsements of a great many physicians including officers of the Maryland, Michigan, and Wisconsin Academies of General Practice and other individual physicians and surgeons in most of the States. Several chapters of the American Association of Retired Persons and the Roanoke, Va., chapter of the Association of Retired Railroad Employees have formally endorsed the Bow bill, and members of many other such organizations in all sections of the country have written to me in support of my position.

I am confident it would have many additional sponsors throughout the country if I had the time, the energy or the resources to publicize it as the administration proposal has been publicized. I am continually finding people who never heard of any proposal but the administration proposal, and I find that almost all of them prefer H.R. 21 when it is offered to them. I have had this experience in scores of meetings with my own constituents, union members, senior citizens and members of the medical and hospital professions.

I offer a bill that can serve as a vehicle for progressive legislation to solve an urgent social need. I realize that it must be perfected, adjusted, and polished, and this is the task to which I hope the Ways and Means Committee may direct its energies if the Members agree with me that the principle is sound.

H.R. 21

A bill to provide for the medical and hospital care of the aged through a system of voluntary health insurance, and for other purposes

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Health Insurance Benefits Act of 1963".

FINDINGS AND DECLARATION OF PURPOSE

Sec. 2 (a) The Congress hereby finds that (1) many elderly Americans have resources inadequate to meet the expenses of major illness, (2) that more than one-half of all citizens who have reached the age of sixty-five have taken advantage of the growing opportunity to insure against such expenses, (3) that health and medical care insurance can be made available to all citizens regardless of previous medical history, (4) that health insurance coverage of all citizens who have reached age sixty-five is a desirable national objective, (5) that this coverage should be extended without Government interference on a voluntary rather than a compulsory basis, and (6) that it is in the public interest to provide Government assistance and encouragement to elderly Americans who seek the protection of medical care and hospitalization.

(b) The purpose of this Act is to make it possible for every citizen of the United States who has reached age sixty-five to obtain comprehensive medical care and hospitalization insurance of his choice, subject to minimum standards designed to protect against the costs of the customary illnesses of old age as well as major medical expenses, on a guaranteed renewable basis regardless of prior medical history, with direct Government assistance for all who are otherwise unable to obtain such protection, and with tax incentives for elderly citizens, their relatives or former employers who are able to provide such protection, utilizing the facilities of the voluntary health insurance carriers of the United States in a manner consistent with the dignity and independence of each individual and the historic ability of the Amercan people to solve social problems through their own initiative and enterprise, making certain that the Government will not control the individual's free choice nor interfere in his selection of a physician or hospital.

Sec. 3 (a) Part IV of subchapter A of chapter 1 of the Internal Revenue Code 1954 (relating to credits against tax) is amended by redesignating section 38 as section 39, and by inserting after section 37 the following new section:

"Sec. 38. Costs of Medical Care for the Aged

"(a) Definition of Qualified Medical Care Insurance Program for the Aged.—As used in this section, the term 'qualified medical care insurance program for the aged' means a program, offered by one or more insurance carriers operating in accordance with State law, providing protection, without regard to any preexisting health condition, under guaranteed renewable insurance for individuals 65 years of age or over against the costs of medical care (as defined in section 213(e)) through a system of benefits including either—

"(1) a plan providing benefits which may not be less than:

"(A) hospital room and board charges equal to the hospital's customary charges for semiprivate accommodations, for confinements not to exceed 90 days in a calendar year;

"(B) $120 for hospital ancillary charges in any calendar year including any such charges in connection with surgery or emergency treatment on an outpatient basis;

"(C) $6 for convalescent hospital room and board charges per day of confinement and $186 for all days of confinement in any one calendar year, immediately following confinement in a general hospital;

"(D) surgical charges according to a fee schedule with a $300 maximum;

"(E) $5 per call for physicians' services, and $75 for all such services in any one calendar year; or

"(2) a plan providing payment at the rate of not less than 75 percent of the following covered medical expenses after a deductible and subject to a maximum as specified in (B) below:

"(A) covered medical expenses must include at least the following:

"(i) hospital room and board charges equal to the hospital's customary charges for semiprivate accommodations;

"(ii) hospital ancillary charges including any such charges in connection with surgery or emergency treatment on an outpatient basis;

"(iii) $6 for convalescent hospital room and board charges per day of confinement immediately following confinement in a general hospital and $540 for all days of confinement in any one calendar year;

"(iv) surgical charges according to a fee schedule with a $300 maximum;

"(v) $5 per call for physicians' services, other than for surgery or postoperative care;

"(vi) $16 for professional private duty nursing charges per day and $480 for all days in any one calendar year;

"(vii) charges for drugs and medicines which require a doctor's prescription; diagnostic X-rays and other diagnostic and laboratory tests; X-ray, radium, and radioactive isotope treatment; blood or blood plasma not donated or replaced; anesthetics and oxygen; and rental of durable medical or surgical equipment such as hospital beds or wheelchairs; or

"(B) payment of benefits for the foregoing charges may be subject to a deductible of not more than $200 in a calendar year and a lifetime maximum of not less than $10,000;

If a medical care insurance program which is otherwise qualified under the provisions of this section offers protection for individuals under age 65 as well as those 65 and over, such program shall be considered a 'qualified medical care insurance program for the aged' for purposes of this section but only with respect to beneficiaries who are 65 years of age or over.

"(b) Definition of Carrier.—'Carrier' means a voluntary association, corporation, partnership, or other nongovernmental organization which lawfully offers a health benefits plan.

"(c) Allowance of Credit.—There shall be allowed to an individual, as a credit against the tax imposed by this subtitle for the taxable year, an amount equal to the aggregate of the premiums paid during the taxable year by such individual under one or more qualified medical care insurance programs for the aged (as defined in subsection (a)), to the extent that the aggregate of such premiums does not exceed $150 for any one person covered by such program or programs, plus

"(d) Individuals Eligible for Credit.—The credit under subsection (c) shall be allowable to a taxpayer only if—

"(1) he is the beneficiary of the medical care insurance program involved and is 65 years of age or over, and his income does not exceed $4,000 or $8,000 in combined income with his spouse in his last taxable year, or he files a sworn statement that for the taxable year in which he applies for the credit his income will not exceed these limits, or

"(2) each beneficiary for whom the premiums were paid under such program is a person 65 years of age or over who bears any of the relationships to the taxpayer defined under section 152(a).

For the purposes of this section, an individual shall be considered to be 65 years of age or over throughout any taxable year if he has attained such age by the close of such year.

"(e) Coverage Certificates.—Each insurance carrier offering a qualified medical care insurance program for the aged (as defined in subsection (a)) shall issue, to each individual who is covered under such program, a medical care coverage certificate setting forth the name of the insured, the amount of the premium, and a certification that the coverage meets the requirements of this Act. The credit provided by subsection (c) shall be allowed for any taxable year only if such certificate or a copy thereof is attached to the taxpayer's return for such year.

"(f) Credit in Case of Certain Employers.—Under regulations prescribed by the Secretary or his delegate, if any employer provides protection against medical costs for its retired employees who are 65 years of age or over by purchasing coverage for such retired employees under one or more qualified medical care insurance programs for the aged, such employer shall be entitled to a credit against the tax imposed by this subtitle equal to the amount of the credit to which it would be entitled under subsection (c)(1) if it were an individual taxpayer and such retired employees were persons described in subsection (d)(2).

"(g) Individuals Not Deriving Full Benefit From Credit.—In the case of any individual—

"(1) who is 65 years of age or over,

"(2) whose tax under this subtitle for the taxable year will be less than $150 (as estimated in accordance with regulations of the Secretary or his delegate), and

"(3) who is not the beneficiary of a qualified medical care insurance program for the aged,

the Secretary shall upon application by such individual issue to him a medical care insurance premium certificate which may be used by him in purchasing coverage under such a program and will be redeemed for cash by the Secretary when presented by an insurance carrier who certifies that it was accepted in payment of the premiums on such a program. The amount for which any certificate will be redeemed under the preceding sentence shall be the amount of the premiums payable on the program for the year or $150, whichever is less, reduced by the amount (if any) of the individual's tax for such year as estimated under clause (2) of such sentence and further adjusted (unless such an adjustment would be inequitable or impose undue hardship) to take account of any amounts by which benefits made available to such individual under this subsection in previous years were greater or less than they would have been if the estimate under such clause (2) for such years had been correct. No certificate under this subsection shall be issued to any individual for any taxable year unless he furnishes the Secretary with satisfactory proof of his compliance with clauses (1), (2), and (3) of the first sentence.

"(h) Credit Not To Cause Refund of Tax.—The credit allowed by this section shall not exceed the amount of the tax imposed by this chapter for the taxable year, reduced by the sum of the credits allowable under sections 33 (relating to foreign tax credit), 34 (relating to credit for dividends received by individuals), 35 (relating to partially tax-exempt interest), and 37 (relating to retirement income).

"(i) Regulations.—The Secretary or his delegate shall prescribe such regulations (including regulations providing for the application of this section in the case of joint returns) as may be necessary or appropriate to carry out the provisions of this section."

(b) The table of sections for such part IV is amended by striking out

"Sec. 38. Overpayments of tax."

and inserting in lieu thereof

"Sec. 38. Costs of medical care for the aged.

"Sec. 39. Overpayments of tax."

Sec. 4. Section 213 of the Internal Revenue Code of 1954 (relating to deduction for medical, dental, etc. expenses) is amended by adding at the end thereof the following new subsection:

"(h) Exclusion of Amounts Allowed as Credit.—Any expense allowed as a credit under section 38 shall not be treated as an expense paid for medical care for purposes of this section."

Sec. 5. The amendments made by this Act shall apply only with respect to taxable years ending after the date of the enactment of this Act.

THE LATE GOVERNOR GEORGE DOCKING, OF KANSAS

Mr. REIFEL. Mr. Speaker, I ask unanimous consent that the gentleman from Kansas [Mr. Ellsworth] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from South Dakota?

There was no objection.

Mr. ELLSWORTH. Mr. Speaker, I take the floor of the House of Representatives this afternoon in order to extend my deepest sympathy, and that of all my family and of my district, to the widow and sons and loved ones of George Docking, who died unexpectedly on yesterday.

George Docking was twice Governor of the great State of Kansas. He was the only Democrat ever to have been reelected Governor of our State. When he died yesterday, untimely and at the inappropriate age of 59, he was serving with distinction as Director of the Export-Import here in Washington, having been appointed to that post by the late President Kennedy and confirmed by the Senate of the United States.

I have known George Docking all my life. I have known Mrs. Docking and his two wonderful sons, Robert and George, just as long. The Docking family were long prominent in my hometown, Lawrence; his sons and I went to school together from grade school through the University of Kansas. They are all wonderful persons. Our hearts go out to them in this hour of their grief.

Our colleague, the gentleman from Kansas [Mr. Dole], who shared many mutual friends with the late Governor Docking, joins with me in this expression of sympathy.

I include an article on Governor Docking from today's Washington Daily News:

Director of Export-Import Bank: George Docking, Onetime Governor of Kansas

George Docking, of 4201 Cathedral Avenue NW., a Director of the Export-Import Bank, and 35th Governor of Kansas, died last night in Kansas City, Kans.

He had earlier undergone abdominal surgery.

A hospital spokesman said Mr. Docking died of respiratory complications stemming from emphysema, a disease that fills the lungs with fluid.

Mr. Docking, a Democrat, was elected Governor in 1956 and served two terms from 1957 through 1959. His reelection in 1958 marked the first time in the State's history that a Democratic Governor had been returned to office after his initial term.

He sought an unprecedented third term in 1960 but was defeated by Gov. John Anderson, a Republican. The following year, Mr. Docking was appointed by President Kennedy to the Board of the Federal Export-Import Bank.

The former Governor's wife, Mrs. Virginia Docking, said her husband had planned to return to Washington February 3 to resume his duties.

Mr. Docking, who had a background in banking, made his first campaign for public office in 1954 and won the Democratic nomination for Governor over Mayor W. C. Salome, of Wichita. But he was defeated in the gubernatorial race by Lt. Gov. Fred Hall.

Two years later, he again won the Democratic nomination and then went on to win the Governor's chair by defeating Warren W. Shaw, of Topeka. Mr. Shaw had ousted Governor Hall in the Republican primary, but he lost to Mr. Docking by 115,000 votes.

In 1958, Mr. Docking defeated Clyde M. Reed, Jr., of Parsons, in the gubernatorial battle and carried the Democrats to their greatest election success in the history of Kansas.

Winning office along with Mr. Docking were a Democratic Lieutenant Governor, State treasurer, supreme court justice, State printer, and three congressmen. The Democrats also gained 14 seats in the State house of representatives.

Mr. Docking was born February 23, 1904, in Clay Center. His father, William Docking, was a banker.

In 1929, after working as a bond salesman, he became cashier at the Kansas Reserve State Bank at Topeka. Two years later, he joined the staff of the First National Bank in Lawrence, where his father was an executive. He became vice president of the Lawrence Bank in 1937, then served as its president from 1942 until 1959. Later, he was appointed chairman of the board of the Union State Bank at Arkansas City.

In addition to his wife he is survived by two sons, Robert, of Arkansas City, Kans., and George, of Kansas City, Kans.

H.R. 9658

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that the gentleman from Florida [Mr. Fascell] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

Mr. FASCELL. Mr. Speaker, yesterday I introduced H.R. 9658, a bill to alleviate certain hardships to employees in the administration of the Federal Employees' Compensation Act, and for other purposes.

The bill follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 7(a) of the Federal Employees' Compensation Act, as amended (5 U.S.C. 757(a)), is amended by adding at the end thereof the following: "Until a written claim of an employee is approved in accordance with this Act and the employee is in receipt of compensation by reason of such claim, his salary, pay, or remuneration as an employee, in effect immediately prior to injury on which such claim was based, shall be paid to him and any amounts due the United States by reason of such payment of salary, pay, or remuneration may be withheld from his compensation payments in such manner as may be equitable to the employee and the United States."

SEC. 2. Section 8 of the Federal Employees' Compensation Act, as amended (5 U.S.C. 758), is amended by adding at the end thereof the following: "If, after a period of disability of an employee for which compensation is paid under this Act, such employee returns to duty, he shall receive annual and sick leave for such period, in accordance with the leave system applicable to him, at the same rate of accrual at which he would have received such leave in such period if the disability had not occurred."

Mr. Speaker, this measure would correct inequities which now exist in the Federal compensation program whereby an employee is obliged to remain without salary or compensation between the time his claim is submitted and the time he receives payment—often over a long period.

This delay, whether necessary or unnecessary, results in undue hardship on the employee. He is unable to meet his normal obligations and commitments for himself and his family, such as home rental or mortgage payments, utilities, to say nothing of the essentials of life such as food and medication.

The legislation I have introduced provides that until a written claim of an employee is approved and the employee is in receipt of compensation, his salary or remuneration in effect immediately prior to injury shall be paid to him. Any amounts due the United States by reason of such payment of salary, may be withheld from his compensation payments in an equitable manner.

The law now provides that any regular employee who goes on the rolls of the Bureau of Employees Compensation because of duty-incurred injuries, is deprived of the right to earn annual or sick leave for those periods which exceed any aggregate of 80 hours of leave without pay.

My bill will amend present law and also provide that when a disabled employee returns to duty, he shall be credited with the usual annual and sick leave accrual for that period of disability as he would have had the disability not occurred.

I sincerely hope that this measure will receive the support of my colleagues and that the Committee on Education and Labor will grant it early and favorable consideration.

THE KENNEDY TRAGEDY

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that the gentleman from Texas [Mr. GONZALEZ] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

Mr. GONZALEZ. Mr. Speaker, with the unanimous consent of the membership of this House, I would like to introduce for the RECORD a copy of a letter I am sending to the Honorable Earl Warren, Chairman of the President's Commission on the Assassination of President Kennedy. The letter is as follows:

HOUSE OF REPRESENTATIVES,
Washington, D.C., January 20, 1964.

Hon. EARL WARREN,
Chairman, President's Commission on the Assassination of President Kennedy, Washington, D.C.

DEAR JUSTICE WARREN: In light of recent developments I have become decidedly more sensitive to the hate literature that is widely distributed.

Of particular interest is the publication "On Target" dated March 15, 1963, published by the organization known as the Minutemen. A reading of this publication indicates that the Minutemen heartily endorse the use of a variety of weapons, from pistols to poison to target rifles, in the pursuit of their goals, and it suggests that the occasion for the employment of one or more of them is quite near. Thus, the publication states:

"Traitors beware. Even now the crosshairs are on the back of your necks."

It is of singular interest to me that in this same publication my name appears along with 19 other Congressmen in a black-bordered box with the words "In Memoriam" at the top of the list. But, it should also be of interest to your Commission that the Minutemen claim to be an organization of armed guerrilla bands preparing for what they say is the imminent Soviet takeover of the United States, that they encourage the widespread possession of firearms, and that the "crosshairs" statement quoted above is gruesomely reminiscent of the assassination itself.

I am therefore enclosing a copy of "On Target" for your examination and use, and I respectfully request that all possibilities of a relationship between the Minutemen and the tragedy of November 22, 1963, be explored.

With every good wish, I remain,
Sincerely yours,
HENRY B. GONZALEZ.

SUPPORT OF BUDGET

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that the gentleman from California [Mr. MOSS] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

Mr. MOSS. Mr. Speaker, I rise in support of the budget transmitted to the Congress today by President Johnson. I am sure that my reaction will be shared by the great majority of the American people. For seldom has a President proposed a budget so completely and obviously responsive to the Nation's needs and desires.

I have followed carefully, as I am sure we all have, the President's strenuous efforts to effect every possible saving of money and manpower through concentration of effort upon programs of the highest national urgency, through development and institution of simpler and more efficient procedures, and through more effective management and manpower utilization. Like many others, I was surprised and pleased to hear him announce in his state of the Union address that these and other measures would allow him to hold expenditures in fiscal 1965 to $97.9 billion. Even then, however, I confess to some anxiety concerning the reality of that estimate; I wanted to see the specifics which composed it.

I think that most of us can now agree that the budget certainly contains the proof of the pudding. In clear and unmistakable terms, it lays out a comprehensive and progressive program to respond to the foreign and domestic challenges we face while holding to a strict minimum the amount of money and the number of people required to conduct the public business.

Nowhere, perhaps, is this more evident than in the President's recommendations concerning foreign assistance programs. Many of us here and in the other body have expressed deep concern with these programs in recent years. We have watched the appropriation process with regard to them degenerate into a game in which the national interest could only be the loser. We have been frustrated by the vagueness with which parts of the request have been justified. We have been dismayed at the problems which have plagued the administration of these new and highly complex activities. Most of us have been sustained in our support for these programs principally by a deep and abiding conviction that both our concern for national security and our sense of morality require us to help those less developed nations which are willing to help themselves.

With his usual straightforwardness, the President has proposed in his budget a comprehensive approach to these problems designed to get at the roots of our misgivings. First, he has reduced his request for support of the economic assistance programs of the Agency for International Development to $2.4 billion, more than $1 billion below the amount requested in the 1964 budget. Second, he has indicated his intention to return to the Congress for more funds if contingencies develop which require them. Third, he has launched a far-reaching effort to reassess and improve AID programs and AID management, an effort which the budget states will allow a 5-percent reduction in Agency employment by the end of 1965. Fourth, he has requested the funds necessary to support an expanded Peace Corps, and to continue the high level of operations of the Export-Import Bank and the food-for-peace program.

What do these proposals signify? They mean that the President refuses to get involved in the time-honored ritual of pad and be cut through which these programs have been handled of late. They mean that he has decided to base his request for funds upon commitments made or foreseeable on the basis of the strictest criteria of self-help and national interest, with the understanding that if new opportunities or emergencies develop, he will not hesitate to increase that request. They mean that he is determined to bring the best minds available to bear on the problems of program content and administration. In short, they are the steps he believes necessary to restore congressional deliberation and action on foreign aid to a meaningful and responsible process, to investigate and correct the problems identified by Members of Congress and others, and to make the administration of assistance programs as efficient and cost conscious as that of any other program.

Most important, perhaps, is the challenge to the Congress which this approach represents. Whatever the justification of our complaints in the past, President Johnson has placed the issue squarely in the hands of the Congress in 1965. His proposals assume that the Congress will act with the same responsibility he has shown. It is this theme which perhaps best characterizes the budget as a whole, and it is in this spirit that we must act upon it.

OKLAHOMA INDUSTRIAL LEADER IS MOURNED AT MUSKOGEE

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that the gentleman from Oklahoma [Mr. Edmondson] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

Mr. EDMONDSON. Mr. Speaker, my hometown of Muskogee and the State of Oklahoma were saddened during the past week by the death of Carl G. Krepper.

A resident of Muskogee since 1924, Carl Krepper became vice president of the Muskogee Iron Works in 1928 and advanced to the presidency of this outstanding company in 1951. He held the post of president until his death, at the age of 69, on January 12.

In his lifetime, Mr. Krepper was not only an astute businessman and industrial leader, he was also a civic builder who participated actively in community development, having served as president of the Muskogee Chamber of Commerce, the Muskogee Rotary Club, and in many other posts of responsibility and leadership.

An active Mason and Shriner, he was a past potentate of the Bedouin Temple of the Shrine, and a director of the Muskogee Court of the Royal Order of Jesters.

He had been a director of the First National Bank & Trust Co. in Muskogee since 1949, and had served as president of the Oklahoma Fabricators Association.

A large man in size, Carl Krepper was also a large man in heart and in spirit, and gave his strong support to many worthwhile projects and community undertakings.

It was typical of his outlook that his family requested friends, in lieu of flowers, to give memorials to the Retina Foundation or the Oklahoma School for the Blind.

The deep sympathy of many Oklahomans is extended to the Krepper family.

RECORD OF COMMITTEE ON PUBLIC WORKS IN THE 88TH CONGRESS, 1ST SESSION

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. Buckley] may extend his remarks at this point in the Record and include charts and tables.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

Mr. BUCKLEY. Mr. Speaker, under leave to extend my remarks, I include the following summary of public works legislation reported by the Committee on Public Works during the 1st session of the 88th Congress:

GENERAL STATEMENT

The committee had 369 bills referred to it during the first session. These dealt with such subjects as navigation improvements, flood control, beach erosion, water pollution, highways, bridges, public buildings, land conveyances, water supplies, and public works acceleration.

The committee adopted 77 river and harbor, beach erosion, flood control, and watershed resolutions proposed by individual Members of Congress, which require only committee action. The civil works resolutions authorized review survey studies by the Corps of Engineers, Department of the Army, that will ultimately result in the submission of project reports to Congress if the projects are found feasible and are approved by the Board of Engineers for Rivers and Harbors and the Chief of Engineers. The watershed resolutions were approved pursuant to the Watershed Protection and Flood Prevention Act—Public Law 566, 83d Congress, as amended—which requires watershed projects having more than 4,000 acre-feet of total capacity to be approved by the Committee on Public Works.

The committee approved 213 public building projects under the Public Buildings Act of 1959. These included Federal office buildings, courthouses, post offices, customhouses, and border facilities throughout the Nation. While most of these were for new construction, some of them represent repair and remodeling of existing structures.

One of the most important measures acted upon by the committee in this session was the bill authorizing additional appropriations for the prosecution of comprehensive plans for certain river basins, now Public Law 88-253. Funds are provided for the fiscal years 1964 and 1965 for 11 river basins, totaling $700 million, as follows: First, West Branch of the Susquehanna River Basin, $2 million; second, central and southern Florida, $21 million; third, Brazos River Basin, $30 million; fourth, Arkansas River Basin, $157 million; fifth, White River Basin, $8 million; sixth, Missouri River Basin, $80 million; seventh, Ohio River Basin, $150 million; eighth, Upper Mississippi River Basin, $11 million; ninth, Los Angeles-San Gabriel River Basins, $30 million; tenth, Columbia River Basin, $195 million; and, eleventh, and for reclamation projects to be undertaken in the Missouri River Basin by the Secretary of the Interior, $16 million. This act also authorizes the construction or modification of 5 individual projects, as follows: First, Cape Fear River Basin at an estimated cost of $25,143,000; second, approves the general plan for the comprehensive development of the Flint River Basin, Ga., as set forth in House Document No. 567, 87th Congress, and authorizes the construction of the Spewrell Bluff Reservoir on the Flint River at an estimated cost of $63,200,000; third, Waurike Dam and Reservoir on Beaver Creek, Okla., at an estimated cost of $25,100,000; fourth, modifies the project for the Dardanelle lock and dam, Arkansas River, Ark., to provide that the United States shall assume the full cost of constructing the sewage outfall system for the city of Russellville at an estimated cost of $404,000; and, fifth, modifies the comprehensive plan for the Missouri River Basin to include such bank protection and rectification works at or below the Garrison Reservoir as in the discretion of the Chief of Engineers and the Secretary of the Army may be found necessary, at an estimated cost of $3 million.

A joint resolution renaming the National Cultural Center as the John F. Kennedy Center for the Performing Arts has passed the Congress and is expected to be enacted into law within a few days. This joint resolution makes the following changes in the basic legislation creating the National Cultural Center:

First. The requirement of existing law that the Board of Trustees submit to the Smithsonian Institution an annual report of its operations, including a detailed statement of all moneys received and disbursed by it, is amended to require that this report be also furnished to the Congress.

Second. The Board is given a specific directive to provide within the Center a suitable memorial in honor of the late President and is required to transmit to Congress a detailed report of any memorial which it proposes to provide. This memorial cannot be created until the Board of Regents of the Smithsonian Institution shall have approved it.

Third. Appropriations are authorized which in the aggregate will equal gifts, bequests, and devises held by the Board. These appropriations are to match on a dollar-for-dollar basis private contributions, and Federal expenditures for this purpose are limited to $15,500,000.

Fourth. The Board is granted authority to issue revenue bonds to the Secretary of the Treasury payable from revenues accruing to the Board, for the purpose of financing parking facilities. The total face value of such bonds shall not exceed $15,400,000.

Fifth. The Secretary of the Treasury is authorized to accept on behalf of the United States any gift which he finds has been contributed in honor of or in memory of the late President Kennedy. Conditional gifts to the United States, that is, gifts which specify the purpose to which they are to be put, cannot be accepted without authority from the Congress.

Sixth. The resolution provides that this Center shall be the sole national monument to the late President within the city of Washington and its environs.

The Federal-Aid Highway Amendments Act of 1963 was enacted into law during this session and makes the following changes in existing law:

First. Provides that Interstate System projects shall be built to standards adequate to enable such projects to accommodate the types and volumes of traffic anticipated for the 20-year period commencing on the date of approval by the Secretary of Commerce of the plans, specifications, and estimates, rather than being tied to the 1975 design date which has been stipulated by law since 1956.

Second. Revises the schedule of Interstate System cost estimates to provide for the submission of new cost estimates in January 1965, 1968, and 1969. The 1965 cost estimate, if approved by Congress, will be used as the basis for Interstate apportionments to be made in 1965, 1966, and 1967 for fiscal years 1967, 1968, and 1969, respectively. The 1968 and 1969 cost estimates, if approved by Congress, will be used as the basis for interstate apportionments for the fiscal years 1970 and 1971, respectively.

Third. Extends until July 1, 1965, the deadline for States to qualify for the bonus of one-half of 1 percent of a State's interstate apportionment offered by the Federal Government for meeting the Federal standards for the control of outdoor advertising along interstate right-of-way.

Fourth. Eliminates a special provision of existing law concerning the apportionment of urban highway funds in Vermont and Connecticut which has been in effect since 1944 and now appears obsolete.

Fifth. Clarifies existing law to make it plain that Federal-aid research and planning funds may be used for development as well as pure research. The intent is to stimulate the States to greater initiative and a more active role in the area of development.

Sixth. Raises the limitation on Federal-aid participation in construction engineering costs on ABC projects from 10 to 15 percent, to alleviate difficulties encountered in some of the Western States where construction costs on relatively small, isolated projects have frequently exceeded the present 10-percent limitation.

SPECIAL SUBCOMMITTEE ON THE FEDERAL-AID HIGHWAY PROGRAM

The Special Subcommittee on the Federal-Aid Highway Program conducted public hearings on April 30, May 1, 2, 7, 8, 9, 14, 15, and 16, 1963, following an intensive investigation of highway construction practices in the State of Arizona. Printed copies of the testimony are available under the designation of "Committee Document No. 88–4."

The hearings involved four contracts in 1961 and 1962 to bring a 32-mile stretch of U.S. Route 80, between Mohawk and Sentinel in Arizona, up to Interstate System standards at a cost of $4,293,694. Because of the ratio of public lands to the total land area in the State the Federal contribution to Interstate System cost in Arizona is 94.4 percent instead of the customary 90 percent.

Although the subcommittee's disclosures of woeful inadequacy of controls over construction in Oklahoma—House Report No. 364, 87th Congress, 1st session—and New Mexico—House Report No. 1819, 87th Congress, 2d session—were a matter of record and had been well publicized by the time the Arizona projects were underway, that State obviously had done little to insure proper controls over its own construction.

In many respects conditions in Arizona on these four projects were found to be even worse than they were in Oklahoma and New Mexico and the operational deficiencies followed the same general pattern.

The testimony placed in the record in the Arizona case will be summarized in the subcommittee's eighth interim report, which is presently under preparation.

Also under preparation is the subcommittee's seventh interim report on the investigation of right-of-way practices in West Virginia.

The subcommittee's sixth interim report on "Right-of-Way Acquisition Practices in the State of Massachusetts" was filed July 30, 1963—House Report No. 617.

SELECT SUBCOMMITTEE ON REAL PROPERTY ACQUISITION

The Select Subcommittee on Real Property Acquisition was created, by resolution adopted by the committee, on August 24, 1961, to make a bipartisan, comprehensive study of the question whether owners and occupants of property affected by Federal and federally assisted programs are fairly and equally compensated and otherwise receive fair treatment under present laws and agency practices, considering the value of their property, the expenses they incur in relocating their homes, farms, and businesses, and the interests of the general taxpayer.

During the year 1963, the subcommittee conducted a number of public hearings, two in Tennessee and three in California, to enable interested persons to express their views, and to illustrate the more significant problem areas. Representatives of the U.S. Army Engineers, Tennessee Valley Authority, Navy Department, National Park Service, Forest Service, Bureau of Reclamation, and the California Division of Highways appeared before the subcommittee. Testimony was received from approximately 100 public witnesses, including property owners, tenants, local officials, lawyers, appraisers, and others.

The committee is confident that these efforts will provide a solid foundation for an objective and reasoned report, with sound recommendations and legislative proposals, as appropriate.

SUBCOMMITTEE AND STAFF WORK

I have had splendid cooperation and invaluable aid from all committee members. I am grateful to Representatives **George H. Fallon**, **Clifford Davis**, **John A. Blatnik**, **Robert E. Jones**, and **John C. Kluczynski**, who served so ably as subcommittee chairmen. I am indebted to Representative **James C. Auchincloss**, ranking minority committee member, who has always been most cooperative and helpful. The committee is fortunate in having an efficient, hard-working staff of experienced persons, and I commend them for innumerable tasks well done.

SUMMARY

Following is a summary of the bills and resolutions acted upon by the committee in the first session:

Bills and resolutions enacted into law

Public Law No.	Bill No.	Date approved	Title
56	H.R. 5367	July 8, 1963	Designate Bear Creek Dam, Lehigh River, Pa., as the Francis E. Walter Dam.
62	H.J. Res. 82	do.	Designate Short Mountain lock and dam and reservoir, Oklahoma, as the Robert S. Kerr lock and dam and reservoir.
96	S. 850	Aug. 15, 1963	Change name of Bruces Eddy Dam and Reservoir, North Fork of the Clearwater River, Idaho, to Dworshak Dam.
97	S. 130	do.	Change name of Fort Randall Reservoir, Missouri River, S. Dak., to Lake Francis Case.
98	S. 131	do.	Change name of Big Bend Reservoir, Missouri River, S. Dak., to Lake Sharpe.
100	S. 1652	Aug. 19, 1963	National Cultural Center Act, amend to extend termination date and enlarge Board of Trustees.
102	S. 874	Aug. 20, 1963	Additional facilities for Bureau of the Mint.
----	H. Con. Res. 179	Aug. 28, 1963	American Association of State Highway Officials, 50th anniversary.
117	H.R. 1135	Sept. 6, 1963	Designate dam and reservoir on Des Moines River, Iowa, as Red Rock Dam and Lake Red Rock.
118	H.R. 3804 (S. 1139)	do.	Air-conditioning equipment in Government-owned or leased buildings in the District of Columbia.
121	H.R. 2671	Sept. 9, 1963	Guyandot River at Barboursville, W. Va., bank protection works.
122	H.R. 4823	Sept. 8, 1963	Rend Lake, Ill., modify flood control project.
123	H.R. 7594	Sept. 11, 1963	Designate McGee Bend Dam and Reservoir, Angelina River, Tex., as Sam Rayburn Dam and Reservoir.
140	H.R. 1696	Oct. 16, 1963	Defining rights of States and local interests in certain federally constructed water reservoirs.
142	S. 453	do.	Change name of Memphis lock and dam, Tombigbee River, Ala., to Aliceville lock and dam.
144	S. 1936	do.	Authorizing State of Rhode Island or its instrumentality to maintain, repair, and operate Mount Hope Bay Bridge.
157	H.R. 7195	Oct. 24, 1963	Federal-Aid Highway Amendments Act of 1963.
172	S. 1523	Nov. 7, 1963	Abolish Beach Erosion Board and reassign functions.
181	H.R. 5244	Nov. 19, 1963	Mississippi River at Muscatine, Iowa, permit use of certain property for public park purposes.
223	H.R. 6001	Dec. 21, 1963	Waukegan Harbor, Ill., convey certain real property to Waukegan Port District.
253	H.R. 8667[1]	Dec. 30, 1963	Additional monetary authorizations for certain river basin plans (1964–65).

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[1] Supersedes H.R. 6016, passed by House June 24, 1963, and by the Senate, with amendments, July 30, 1963—no further action.

Bill reported by the committee in 1st session (passed House and Senate in 2d session, and awaiting Presidential approval)

Bill No.	Reported from committee	Title
H.J. Res. 871 (S.J. Res. 136)	Dec. 17, 1963	Rename National Cultural Center as the John F. Kennedy Center for the Performing Arts.

Bills passed by the House and pending in Senate committee

Bill No.	Passed House	Title	Bill No.	Passed House	Title
H.R. 7638[1]	July 24, 1963	Additional monetary authorization for Los Angeles-San Gabriel River Basin.	H.R. 5160	Aug. 19, 1963	Milford Dam and Reservoir, Republican River, Kans., compensate owners of improvements on railroad.
H.R. 5478	Aug. 5, 1963	Authorize flood control survey of Frio River, vicinity of Three Rivers, Tex.	H.R. 7221	do	Four River Basins, Fla., modify project.
H.R. 6923	do	Authorize flood control survey of Cedar Bayou, Tex.	H.R. 7332	Dec. 19, 1963	Supplemental compact between New Jersey and Pennsylvania concerning the Delaware River Port Authority.
H.R. 1136	Aug. 19, 1963	Red Rock Reservoir, Des Moines River, Iowa, compensate owners of improvements on railroad right-of-way.	H.R. 8853	do	Authorize Secretary of Commerce to study future needs of Federal-aid highway systems.

[1] Incorporated in Public Law 88-253.

Bills approved by Senate and reported by House committee

Bill No.	Reported from committee	Title
S. 254	July 18, 1963	Acquisition of certain property as an addition to grounds of U.S. Supreme Court Building.
S. 530	Oct. 15, 1963	Great Lakes and St. Lawrence Seaway, provide for study of waterway deicing systems.

Bills reported by the committee

Bill No.	Reported from committee	Title
H.R. 6289	Oct. 1, 1963	Chicago Skyway (Calumet Skyway toll bridge), operate as a freeway.
H.R. 7351	Dec. 19, 1963	Amend Public Works Acceleration Act to increase authorization for appropriations.

PROGRAMS TO REDUCE UNEMPLOYMENT

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that the gentleman from California [Mr. ROOSEVELT] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

Mr. ROOSEVELT. Mr. Speaker, I have received a publication from the Conference on Economic Progress which I bring to the attention of the Members of the House because of its timeliness and sagacity. The report is entitled "Two Top-Priority Programs To Reduce Unemployment." The study was directed by Leon H. Keyserling and reflects the incisiveness and provocativeness for which he is renowned.

The report begins with an analysis of the shocking rate of unemployment over the last several years. It continues with an examination of failure of private enterprise and government to alleviate the problem.

The main default on the private enterprise side, it is asserted, "has been failure to maintain a satisfactory balance between the flow of funds into investment in the plant and equipment which add to our productive capabilities, and the flow of funds which add to the ability of consumers to buy enough to keep the plants fully running and the manpower fully employed."

The report adds:

> Adjustments within the structure of private enterprise cannot do the whole expansionary job. A large proportion of the structure of total demand must be redirected to those types of goods and services which require new admixtures of private and public spending, with heavy accent upon increased Federal spending * * * only this increased public spending can meet some of the top priorities of our unmet national needs.

The study focuses upon accelerated housing and urban renewal, as the largest single opportunity to direct increased Federal spending toward solution of the basic problems.

The two recommended programs are, therefore, first, to lift wage rates to expand consumption and to catch up with productivity gains, and second, to launch a much larger housing program to help counteract the elimination of jobs caused by technology and automation.

Whether we agree with the recommendations of the Conference on Economic Progress and the always controversial Leon Keyserling is unimportant at present. What is vital, is that we consider all reputable advice regarding the soluble, but unsolved, problem of chronic and acute unemployment.

The publication can be secured from the Conference on Economic Progress, 1001 Connecticut Avenue NW., Washington, D.C. I heartily recommend reading it in its entirety and particularly stress the utility of the data and charts which are presented in a most effective manner. The summary and theme follow:

BOTH PRIVATE AND PUBLIC ACTION ARE NEEDED TO RESTORE FULL EMPLOYMENT

WE ARE MOVING BACKWARD ON THE UNEMPLOYMENT PROBLEM

Unemployment during the first 11 months of 1963, measured as a percent of those able and willing to work, was almost twice as high as in 1953. Despite an economic recovery now said to be one of the longest on record, unemployment during the first 11 months of 1963 and in November 1963 was higher than during the corresponding periods of 1962. The true level of unemployment is now about 7 million. About 3¼ million, equating with full-time unemployment as officially reported of about 2 million, would be consistent with the prime national objective of maximum employment under the Employment Act of 1946. This true level of unemployment includes full-time unemployment, the full-time equivalent of part-time unemployment, and unemployment of those not counted as such because the shortage of jobs has discouraged their looking for work.

Unemployment is not an insoluble problem. It can be cured, and cured only, by bringing total demand for ultimate goods and services into line with our increasing ability to produce them under the new technology and automation. Under the American system of responsible free enterprise and responsible free government, this is a task for both. But we are neglecting both aspects of this task, and failing to recognize the inescapable relationship between the two.

Private enterprise, instead of initiating the steps which it can and should take, is waiting to see what the Government will do.

The Government is permitting an economy drive to snowball to such an extent that our native concern about the unemployed, the poor, and the deprived may become frozen in an icy indifference.

THE TROUBLE WITHIN THE PRIVATE ENTERPRISE AREA

The main default on the private enterprise side has been failure to maintain a satisfactory balance between the flow of funds into investment in the plant and equipment which add to our productive capabilities, and the flow of funds which add to the ability of consumers to buy enough to keep the plants fully running and the manpower fully employed. This explains how each short period of sharp economic upturn has been converted into stagnation, and how each stagnation prior to the current one has been converted into recession. During the current stagnation since fourth quarter 1961, our average annual growth rate has been less than 4 percent, or less than half that required for at least 2 years to lift us from where we are now to maximum employment and production. And during this current stagnation, profits have soared to higher levels than investors can use; investment in plant and equipment has once again expanded faster than demand for ultimate goods and services; and consumer purchasing power has continued to lag seriously.

THE CENTRAL IMPORTANCE OF THE WAGE DEFICIENCIES

For 1963 estimated as a whole, a consumer spending deficiency of about $59 billion has been more than three-quarters of the total national production gap of $76.5 billion. Meanwhile, a $56.4 billion deficiency in wages and salaries has been more than three-quarters of the total personal income deficiency of $72.9 billion which explains the inadequate consumer spending.

The chronically growing wage deficiency results largely because the hourly wage rates of those employed have lagged far behind productivity gains or increased output per man-hour worked. Until the huge shortage in purchasing power resulting from this is remedied, adequate reduction of unemployment remains impossible. During the most recent 5-year period 1957–62, while productivity in the whole private nonfarm economy rose at an average annual rate of 2.7 percent, real hourly earnings rose at an average annual rate of only 2.1 percent. In manufacturing, while productivity rose at an average annual rate of 3.4 percent, real hourly earnings rose at an average annual rate of only 1.8 percent. These vast disparities are augmenting even now.

The largest single step toward economic restoration needs to take the form of increases in hourly wage rates, to catch up with productivity gains and to reflect the accelerating rate of productivity gains under the new technology and automation. Starting with 1963 as a base, wages and salaries need to rise (through rate increases and reemployment) by about $72 billion by 1966, and by $160 million by 1970.

THE ROLE OF THE SHORTER WORKWEEK

Hourly wage rates can be lifted either by maintaining the current length of the standard workweek and increasing weekly take-home pay, or by shortening the length of the standard workweek to 35 hours or thereabout while maintaining weekly take-home pay. Neither of these alternatives would be inflationary in terms of the increased demand for goods and services which they would generate, in view of the immense shortage of such demand now and in the foreseeable future. Neither of these alternatives should be set aside on the ground that it would force up prices. Profit margins are now too high, and a better balance between funds available for investment and funds available for consumption would expedite economic growth, reduce idle manpower and plant, and enhance aggregate profits and investment in the long run. And in view of the fact that no dent in unemployment with the current standard workweek is foreseeable under private and economic policies now under active consideration, a shorter workweek appears manifestly desirable.

THE URGENT NEED FOR LARGE INCREASES IN PUBLIC SPENDING

But adjustments within the structure of private enterprise cannot do the whole expansionary job. First, the size of the job is too big and the need for speed too urgent. Second, the rates of technological advance and automation in various industrial sectors and in agriculture are moving so much faster than any feasible expansion of consumer needs and wants in these areas that it will be impossible to restore maximum employment by increases in purchasing power directed solely at goods and services produced in these areas. A large proportion of the structure of total demand must be redirected to those types of goods and services which require new admixtures of private and public spending, with heavy accent upon increased Federal spending. Third, only this increased public spending can meet some of the top priorities of our unmet national needs. These include, among others, rehousing of slum dwellers and renewal of our urban areas; enlargement of educational and health and recreational facilities and services; improvements in mass transportation; and expansion of resource development and conventional types of public works.

TAX REDUCTION ALONE IS A FRAIL WEAPON

The amounts in the now-pending tax reduction bill and the timing of their application can carry at best only a small part of the restorative burden. The types of demand resulting from tax reduction will be too largely directed to areas where the rate of technological advance and automation, for reasons stated just above, will not permit very large or fast additions to employment. Nor is tax reduction very helpful in meeting the top priorities of our domestic public needs. In addition, changes in the tax bill are needed to redirect much more of its benefits to middle- and low-income consumers in order to achieve larger stimulative effects. The mounting pressures to hold the line on Federal public spending in exchange for tax reduction is a very bad bargain on all scores.

PROPOSED INCREASES IN THE FEDERAL BUDGET

The Federal budget needs to play its part in helping (a) to attain an adequate volume of total economic expansion, (b) to bring about the needed changes in the structure of demand responsive to the new technology and automation, and (c) to reverse the progressive starvation of essential domestic programs. This study proposes that the Federal budget for fiscal 1965 (as presented in January 1964) be $8 to $8.5 billion higher than the original budget for fiscal 1964, or about $107 billion, with $3.5 to $4 billion of the increase allocated to domestic programs.

A GREAT NEW HOUSING EFFORT: PRIME RESPONSE TO TECHNOLOGY AND AUTOMATION

This study concentrates upon greatly accelerated housing and urban renewal, as the largest single opportunity to direct increased Federal spending toward solution of the basic problems defined just above. The proposal is designed to activate maximum increases in private employment and private investment for every dollar of increased public spending, and through resulting increases in tax revenues to combine these needed increases in Federal spending with an optimum long-range program to reduce greatly and ultimately to eliminate the Federal deficit.

For 1963, new nonfarm housing starts are estimated at 1.6 million. But practically all of this serves middle- and high-income groups, and so it has been in years gone by. This recurrently saturates the market. It leads to the extraordinary instability of housing starts which contributes to general economic instability. It furnishes inadequate expansion of employment opportunity. It makes only picayune progress toward helping the one-fifth of the Nation who are still ill housed.

Therefore, this study proposes a new long-range housing effort, very large in size and scope, starting at once and running through 1970. The program is pointed toward 2 million new nonfarm housing starts in 1966, and 2.2 million in 1970, divided as follows: (1) about 1.2 million units in 1966 and in 1970 of conventionally financed private housing for middle- and high-income families; (2) about 0.4 million units in 1966 and about 0.5 million in 1970 for lower middle income families. This would be privately financed housing, but with Federal assistance directed toward lower interest rates, longer amortization terms, and aid to land assembly and other aspects of urban renewal; and (3) about 0.4 million units in 1966 and about 0.5 million in 1970 for low-income families who now live in slums, with Federal subsidy assistance as well as State and local assistance.

THE LOW FEDERAL COSTS IN TERMS OF THE BENEFITS

The proposed program would require that the item in the Federal budget for housing and community development (urban renewal) be lifted from about one-quarter of a billion dollars in fiscal 1964 to $2.2 billion in calendar 1966 and $3.3 billion in calendar 1970. Even with these lifts, these outlays would comprise less than 3 percent of the Federal budget in 1970 and only 0.37 percent of what our total national production should be by that year.

Federal outlays for these purposes—$3 billion higher in calendar 1970 than in fiscal 1964—would contribute powerfully to a projected increase of almost $23 billion in private residential nonfarm construction in 1970, compared with calendar 1963. This in turn would contribute powerfully to a projected increase of about $40 billion in private investment in total new construction. Coordinately with this, employment in contract construction (of which employment in residential construction should be an increasingly large part), measured from a 1962 base, should and can be lifted 37.8 percent by 1966 and 48.6 percent by 1970, contrasted with a lift in total civilian employment (from a 1962 base) of 13.4 percent by 1966 and 22 percent by 1970.

THE TWO BASIC PROPOSALS ARE CONSISTENT AND MUTUALLY REINFORCING

The proposal (1) to expand private consumer spending by wage rate increases, and the proposal (2) to increase Federal outlays on the ground (among others) that this is needed to redirect demand toward areas where increases in private demand are not likely to add nearly enough to employment expansion, are entirely consistent.

Even in those areas where increases in private demand will not add very greatly to employment expansion because of the rate of the advancing technology and automation, these increases in private demand will nonetheless help to reverse the downward trend in employment occurring in many of these areas, and indeed promote some sizable increases. Further, the wage increases will purchase goods and services which enter into improved living standards quite as much as public services. In advocating enlargement of the public sector, we should not go overboard and lose perspective as to the essential nature of our economy, or as to the prevalence of the private low living standards in our midst which are quite as shocking in human terms and quite as inimical to economic growth and full employment as the poverty in the public sector. Large advances are needed on both the private and the public front.

Moreover, these two advances reinforce one another. Better education and health services, when publicly financed, help people to become fitted for higher grades of private employment. Higher grades of private employment, and higher wages for productivity in the same employment, help people to pay the cost of improved education and health services, either in the form of private outlays or in the form of their contributions to tax revenues. In short, the reduction of poverty and deprivation and the lifting of living standards in the United States are one and the same problem as the problem of speeding up economic growth and achieving and maintaining maximum employment and production. A sufficiently comprehensive and effective listing of the programs required for either of these two purposes would turn out to be practically the same as a listing of the programs required for the other.

This study has been directed by Leon H. Keyserling, with the primary assistance of Mary Dublin Keyserling and Philip M. Ritz. Martin H. Seiden and Antoinette Chautemps were also helpful.

JOHNSON NOTE TO KHRUSHCHEV

The SPEAKER pro tempore (Mr. **Libonati**). Under previous order of the

House, the gentleman from Delaware [Mr. McDowell] is recognized for 15 minutes.

Mr. McDOWELL. Mr. Speaker, I rise to applaud with strong feeling the masterful challenge directed by President Johnson to Premier Khrushchev. The President's reply to the latest in a series of Soviet peace overtures demonstrates the hardheaded commonsense required by our country to avoid built-in Soviet decoys, but to further the cause of peace itself.

President Johnson put the United States again on record—and in no uncertain terms—for a peace of the free. The President told Premier Khrushchev that he was wasting time in enunciating vague and grandiose declarations of principle, and asked him to get on with the cause of peace through the United Nations and other mechanisms carefully devised and operating for that purpose. And he told him that we would never be interested in the type of peace that would condone aggression from within a nation—the fifth column terrorism and takeover that has become communism's practice and policy under the masquerade of peaceful coexistence.

I am more than pleased that President Johnson has brought to the world arena this earnest and straightforward advancement. Our President, evidently, does not consider exchanges of propaganda platitudes to be the business of nations. It is certainly overdue that we cease to indulge in word games with the Russians, and make the true facts known about the search for peace, to a world that longs for peace. And I would like to note that these exchanges, long used as ready-made propaganda platforms by the Soviet, will serve them ill for that purpose if the world at large is provided the hard facts each time such spurious gesturing occurs.

Americans should know and underscore for others the conditions President Johnson has outlined for assurance of the peace.

He makes plain that working machinery is an absolute requirement; that we will not join in pacts and treaties abhorring aggression, unless other conditions and machinery actually make such aggression unattainable.

President Johnson has asserted that we prefer visible tensions to false detentes. We are very much aware that Communist brinkmanship has failed to cow the free world, and, instead, has eroded the will of those contained under communism. Premier Khrushchev is now made further aware that we will stand by our international commitments, "tension points" with the Communists though they may be, and that we do not consider abandonment of these commitments as an aid to the cause of peace, but the reverse. In other words, the President has let it be known that we have created a machinery for the peace of freedom, and that it will be dismantled only when better machinery for the same purpose is available.

Our desire for peace rejects declarations of peace unaccompanied by the acts of peace. Our President has spelled out some of those acts. It is for the Soviet now to indicate how much of their expressed desire for peace is something more than propaganda and pitfall.

EVANS AND NOVAK: A PLAN FOR PANAMA?

The SPEAKER pro tempore (Mr. Libonati). Under previous order of the House, the gentleman from Pennsylvania [Mr. Flood] is recognized for 60 minutes.

Mr. FLOOD of Pennsylvania. Mr. Speaker, a reading of the history of the Panama Canal while under U.S. control will show that since the days of Poultney Bigelow in 1905 it has suffered from journalists who, without objective study of the problems involved or for reasons undisclosed, express views that are definitely injurious to the United States. Prominent among such propagandists have been Rowland Evans and Robert Novak, who write regularly in the only morning paper of the Nation's Capital, the Washington Post.

The latest effusion from these scribes is their "Plan for Panama," published in the January 15, 1964, issue of the Post. Because it amounts to psychological warfare against our citizens in the Canal Zone who bear the heavy responsibility for maintaining, operating, and defending the Panama Canal and because it endeavors to belittle them as "Zonians," a Panamanian epithet, I would suggest that these two writers be invited to testify before the cognizant committees of the Congress to express their criticisms and suggestions.

While most of the assertions of these two writers as regards the canal are too prejudiced to have been the result of abysmal ignorance or stupid blunder, I shall comment on the more salient points.

First. As to our citizens in the Canal Zone being a "necessary evil," it would be interesting to know the names of the top officials in the Department of the Army who are alleged to have cast this aspersion.

Second. As to training Panamanians for "top-level executive jobs and even the exalted post of canal pilot," I would ask what top-level executive positions would they suggest be filled by Panamanians and how many Panamanians have the qualifications for pilot.

Third. Concerning rotation in canal assignments, this is the very disease from which the canal organization has suffered in the highest positions too long already. What is needed is a high degree of permanence among employees and officials of demonstrated capacity and loyalty to the United States in the operation and maintenance of the canal.

Fourth. With regard to reducing the present 10-mile width of the Canal Zone, this is a clever disguise for giving away the zone through a back-door method. What is needed is an extension of the Canal Zone to include the entire watershed of the Chagres River Valley in order to safeguard the summit-level water supply against the security of which plans are already being fomented by radical elements in Panama. What do these self-constituted arbiters know about these and related questions so vastly important to the canal enterprise? Nothing—absolutely. Apparently, all they care to do is to downgrade and asperse loyal U.S. citizens who have maintained and operated the canal not only in peace but also during three of the greatest wars in history.

Fifth. As to their invidious comparisons between the well-manicured Canal Zone towns with nearby slums in Panama, do these writers expect to solve this social matter by making the Canal Zone into slums? Would such injury to the Canal Zone better the lot of unfortunate slum dwellers? I think not. Certainly the Panama Canal cannot be maintained and operated by the denizens and habitues of the brothels of any country nor by Castroites.

Sixth. With regard to their charge that I am the champion of "the Zonians' Washington lobby," I know of no such lobby in Washington or elsewhere in the United States. If by this characterization these writers mean citizens who support the views that I have voiced on the floor of the House and elsewhere, I shall say that my correspondence shows that this support is national in scope and unanimous in support of the President's views that the United States has the "recognized obligation to operate the canal efficiently and securely" and that our Government intends to "honor that obligation." Under these circumstances, I am proud to be the champion of patriotic North Americans determined to protect the interests of their country and, in fact, the entire world, against such contemptible journalistic aggressions as those that have been made by Novak and Evans and their ilk. These are the real "ugly Americans" in the isthmian picture by whom patriots will not be intimidated.

While it has been and is the policy of the United States to employ a substantial number of Panamanians in the canal enterprise, it is nevertheless true that a grave problem is involved in preventing communistic infiltration by revolutionary agents in the ranks of Panamanians chosen for employment on the canal. If Panama is unable to prevent such bloody acts of violence as have just occurred and which, as Panama admits, have been directed by Communist leaders, how can Panama prevent infiltration of the rank of those who are given canal employment and how can the United States prevent it? The problems thus involved are of tremendously important character and cannot be solved by childish psychologists. The Panama Canal is one of the key agencies of strategy for war and peace in the entire world, and must be dealt with accordingly.

Again and again I would declare that if the great goal of the Communist powers to liquidate U.S. ownership and control of the canal is achieved, all the countries of Latin America, including Panama itself, will be taken over by communism.

In order that the nature of the above-indicated slanderous attack may be studied by cognizant committees of the Congress and others concerned, I quote the entire article. Moreover, I appeal to the loyal press of the Nation to delve deeply into the Panama Canal situation and, by the force of facts, reason, and logic, to offset the effects of such mendacious propaganda.

The indicated article follows:

[From the Washington (D.C.) Post, Jan. 15, 1964]

A PLAN FOR PANAMA

(By Rowland Evans and Robert Novak)

The only way to insure U.S. control over the Panama Canal without future violence is to strike at the real source of United States-Panamanian friction: the Panama Canal Zone and its inhabitants.

This is the opinion of many hardheaded students of the Panamanian question, both inside and outside the Government. Yet, the political power of the U.S. residents of the zone—the Zonians—is so great that it's questionable if any action against them will be taken, now or ever.

Of course, some concessions will be made to Panama. The rioting immediately resulted in additional showing of Panama's flag within the Canal Zone. In the future (some time after the 1964 election) Panama may get a bigger slice of canal tolls.

Yet, none of this will completely remove friction in Panama. What really angers rank-and-file Panamanians is the contrast between slum-infested Panama City and the well-manicured Canal Zone, which looks like one of the older Army bases (Fort Monroe, Va., for example) transplanted into the Central American jungle.

The irritation is intensified by the attitude of the Zonians who faintly resemble the French Algerian settlers. Though many are second and third generation residents of the Zone, they hold themselves aloof from Panamanians. These are the parents of the high school students who provoked last week's disastrous flag incident.

A good illustration of the Zonian mentality is the explanation by one canal official for a series of guided tours down the canal conducted for Panamanian high school students last fall. "We want to show them just how complicated the canal is and that it never could be operated by Panamanians," the canal official told us.

But can the United States run the canal without the Zonians?

Top officials in the Department of the Army, which has the responsibility for the canal, believe the Zonians are a necessary evil. But other Government officials have been toying with this three-part Panama plan:

1. Cut back drastically on the number of U.S. citizens employed by the canal. This would require a greatly intensified training program to qualify Panamanians for top-level executive jobs and even the exalted post of canal pilot.

2. The remaining canal jobs earmarked for U.S. citizens should be filled by rotating tours of duty, with Americans coming back and forth from the States. Perhaps the Army would have to take over the job. At any rate, the Zonians would be eliminated as a permanent white settler class with vested and emotional interests.

3. Reduce the present 10-mile width of the zone. Keep only the land actually needed for operation of the canal and for U.S. military installations. That means that much of the zone, now a taunt and a temptation to Panama, would become Panamanian.

It must be stressed that this is not now U.S. policy. Quite probably, it never will be. The Zonians' Washington lobby, championed in Congress by Representative DANIEL FLOOD, of Pennsylvania, is much too powerful.

As a less drastic alternative, enlightened officials within the Army Department talk about using education and evolution to coax Zonians into a more enlightened attitude toward the Panamanians.

This might happen about the same time that southern whites voluntarily agree to racial integration. In the meantime, Castro-Communist agents will take advantage of any and every disturbance, just as they did last week.

Less obvious is the way friction over the canal plays into the hands of Panama's ruling oligarchy, which is far more interested in profitable moneylending schemes than in the welfare of Panama's masses. Jealousy toward the zone and the Zonians is exploited to divert the masses' hatred away from the oligarchs.

But the primary consideration for the United States should be the security of the canal. As this column reported from Panama last November 1, the intransigence of the Zonians may eventually imperil canal security. The warning is doubly valid today.

HOW THE PANAMA CANAL BEGAN: T.R.'S OWN DEFENSE OF HIS ROLE

Mr. FLOOD. Mr. Speaker, of all the great public questions that I have seriously studied the one with the most regular patterns periodically repeated is that of interoceanic canals, particularly the Panama Canal. It is the understanding gained from such study that has enabled me to predict over a period of years a series of crises that came to pass and culminated in that precipitated by the January 9, 1964, outbreak at Panama. This is now a topic for world discussion, with Havana, Moscow, and Peiping arrayed against the United States and telling the "big lie" throughout the world.

One feature in the welter of propaganda on our relations with Panama that has confused many of our thoughtful citizens, including high officials, is the malevolent vein in the press of our Nation designed to create a sense of guilt on the part of our people for a great achievement that has made so many proud to be Americans. The journalists, college professors, and "bleeding hearts" who, in their readiness to undermine the legitimate vital interests of their own country, usually evidence an ignorance of the isthmian question that is appalling and truly tragic. Moreover, many of them have advocated policies which, in their effect, are treasonous.

To offset some of the failures of important elements in the mass news media and educational institutions of the United States, I would invite special attention to the fact that in the early part of the 20th century the Nation's highest officials personally worked on the canal policy questions and did not depend on departmental underlings. These leaders included John Hay, John Bassett Moore, Elihu Root, William Howard Taft, and Theodore Roosevelt.

Of those eminent statesmen, it was President Theodore Roosevelt who, more than any other, bore the heaviest responsibility, for it was his courageous canal policy in 1903 that led to the creation of the Republic of Panama, the acquisition of the Canal Zone territory, and the construction of the Panama Canal. Moreover, he had a deep knowledge of isthmian history and problems that enabled him to act with confidence.

Not withstanding the benevolent results that accrued to the entire world from his canal policy, Roosevelt himself became the target of calumnious accusations from certain elements in the press during and after leaving the Presidency. This caused him to defend his action at Panama on a number of occasions.

Fortunately, he left a number of written statements on the Panama question that are illuminating. Among these is an article by him published as an editorial in the October 7, 1911, issue of the Outlook, of which he was a "contributing editor." This was republished in a slightly abbreviated form in the January 20, 1964, issue of the National Observer.

The article is a powerful answer to critics of the policies that brought about the building of the Panama Canal. It is accompanied by the following editorial note, which is most helpful:

THE CHRONOLOGY OF THE PANAMA CANAL

In 1846: The United States and New Granada (which included what later became the states of Colombia and Panama) sign a treaty providing for the United States to guarantee the neutrality of the isthmus connecting North and South America.

In 1850: The United States and Great Britain sign the Clayton-Bulwer Treaty, prohibiting either from controlling a canal then proposed through Nicaragua or from colonizing, occupying, or fortifying any part of Central America.

In 1879: The French Panama Canal Co. begins excavations. Because of technical difficulties, it declares bankruptcy in 1889, but is reorganized in 1894.

In 1901: The United States and Great Britain sign the Hay-Pauncefote Treaty, superseding the Clayton-Bulwer Treaty. It recognizes the exclusive right of the United States to build and operate a canal across the American isthmus, provides that the canal be open to war and commerce vessels from all nations equally, and authorizes the United States to protect the canal against lawlessness and disorder.

In 1902: Congress passes the Spooner Act, authorizing the construction of a canal at Panama. The President is authorized to acquire all French holdings and obtain from Colombia perpetual control of a strip of land for maintenance, operation, and protection of the canal.

January 22, 1903: The United States and Colombia sign the Hay-Herran Treaty, providing for American acquisition of the Panama Canal site.

June 20, 1903: Colombian Senate rejects the Hay-Herran Treaty.

November 2, 1903: Panama threatens revolution and the U.S.S. *Nashville* arrives at Colon, Panama, with American troops.

November 3, 1903: Panama declares independence.

November 18, 1903: The United States and Panama sign the Hay-Bunau-Varilla Treaty, giving the United States exclusive use, occupation, and control of the Canal Zone in perpetuity, for which Panama receives $10 million in cash and a $250,000 annuity (now $1,930,000) beginning 9 years after ratification of the treaty.

May 4, 1904: The United States formally acquires the Panama Canal Zone.

July 1906: Actual construction of the canal begins.

August 14, 1914: The Panama Canal is opened to traffic.

In order that former President Theodore Roosevelt's 1911 historical contribution as republished in the National

Observer may be readily accessible to all concerned with Panama Canal problems, I quote it as part of my remarks and urge that it be studied by every Member of the Congress, especially those assigned to committees with cognizance over any aspect of the interoceanic canal problem and the staffs of those committees:

[From the National Observer, Jan. 20, 1964]

HOW THE CANAL BEGAN: T.R.'S OWN DEFENSE OF HIS ROLE—"RIGHT IN EVERY DETAIL, AT EVERY POINT"

(By Theodore Roosevelt)

No other great work now being carried on throughout the world is of such far-reaching and lasting importance as the Panama Canal. Never before has a work of this kind on so colossal a scale been attempted. Never has any work of the kind, of anything approaching the size, been done with such efficiency, with such serious devotion to the well-being of the innumerable workmen, and with a purpose at once so lofty and so practical.

* * * * *

In 18 months or so the canal will probably be in a shape that will warrant sending small vessels through it to test its actual working. Under these circumstances, it is worth while to remember just how it was that America won for itself and the world the right to do a world job which had to be done by someone, and the doing of which by anyone else would have been not merely a bitter mortification but a genuine calamity to our people.

THERE WAS NO BREATH OF SCANDAL

On December 7, 1903, and again on January 4, 1904, as President of the United States, in messages to the two Houses of Congress, I set forth in full and in detail every essential fact connected with the recognition of the Republic of Panama, the negotiation of a treaty with that Republic for building the Panama Canal, and the actions which led up to that negotiation—actions without which the canal could not have been built, and would not now have been begun. No one important fact was omitted, and no fact of any importance bearing upon the actions or negotiations of the representatives of the United States not there set forth has been, or ever will be discovered, simply because there is none to discover. It must be a matter of pride to every honest American, proud of the good name of his country, that the acquisition of the canal and the building of the canal, in all their details, were as free from scandal as the public acts of George Washington and Abraham Lincoln.

* * * * *

Of course there was at the time, and has been since, much repetition of statements that I acted in an unconstitutional manner, that I usurped authority which was not mine. These were the statements that were made again and again in reference to almost all I did as President that was most beneficial and most important to the people of this country, to whom I was responsible, and of whose interests I was the steward.

IN THE PEOPLE'S INTEREST

The simple fact was, as I have elsewhere said, that when the interest of the American people imperatively demanded that a certain act should be done, and I had the power to do it, I did it unless it was specifically prohibited by law, instead of timidly refusing to do it unless I could find some provision of law which rendered it imperative that I should do it. In other words, I gave the benefit of the doubt to the people of the United States, and not to any group of bandits, foreign or domestic, whose interests happened to be adverse to those of the people of the United States.

In my judgment, history had taught the lesson that the President has very great powers if he chooses to exercise those powers; but that, if he is a timid or selfish man, afraid of risks, he can of course manufacture ingenious excuses for failure to exercise them. At a great crisis in American history Mr. Buchanan had shown himself to belong to the latter type of President; Mr. Lincoln had represented the other type, the type which gave the people the benefit of the doubt, which was not afraid to take responsibility, which used in large fashion for the good of the people the great powers of a great office. I very strongly believed that Abraham Lincoln had set the example which it was healthy for the people of the United States that other Presidents should follow.

CLEARING THE WAY FOR AN ACT

For many years prior to 1903 our Government had been negotiating with foreign powers to provide for the building of a Panama Canal. By 1902, on the conclusion of the Hay-Pauncefote Treaty, we had cleared the way sufficiently to enable Congress to pass an act actually providing for the construction of a canal across the isthmus. By this act the President was authorized to secure for the United States the property of the French Panama Canal Company and the perpetual control of a strip of territory across the Isthmus of Panama from the Republic of Colombia within a reasonable time and at a reasonable price.

* * * * *

In October and November 1903, events occurred on the Isthmus of Panama which enabled me, and which made it my highest duty to the people of the United States, to carry out the provisions of the law of Congress. I did carry them out, and the canal is now being built because of what I thus did * * * I would have taken the action I actually did take even though I had been certain that to do so meant my prompt retirement from public life at the next election; for the only thing which makes it worthwhile to hold a big office is taking advantage of the opportunities the office offers to do some big thing that ought to be done and is worth doing.

Under the terms of the act, the Government finally concluded a very advantageous agreement with the French Canal Co. The French company had spent enormous sums on the isthmus. We felt justified in paying the company only a very small fraction of what it had thus spent. The treaty we made was advantageous to us, in a very high degree, and we got what in value was much more than what we paid for it; but the French company did get something, and if we had not stepped in, it would have gotten absolutely nothing.

WHAT SPECULATORS DID

Doubtless in Paris, and perhaps to a lesser extent in New York, there were speculators who bought and sold in the stock market with a view to the varying conditions apparent from time to time in the course of the negotiations, and with a view to the probable outcome of the negotiations. This was precisely what speculators did in England in connection with the outcome of the Battle of Waterloo, and in our own country in connection with Abraham Lincoln's issuance of the Emancipation Proclamation and other acts during the Civil War.

The rights of the French company having been acquired * * * there remained only the negotiations with the Republic of Colombia, then in possession of the Isthmus of Panama. Under the Hay-Pauncefote Treaty it had been explicitly provided that the United States should build, control, police, and "protect" (which incidentally means to fortify) the canal. The United States thus assumed complete responsibility for, and guaranteed the building of, the canal. Nearly 50 years before, our Government had announced that it would not permit the country in possession of the isthmus "to close the gates or interfere" with opening one of the "great highways of the world," or to justify such an act by the pretension that this avenue of trade and travel belong to that country and that it chose to shut it.

We had always insisted upon the doctrine thus declared, and at last the time had come when I could reduce it to action. We negotiated with the representatives of Colombia a treaty for building the canal, a treaty which granted to Colombia even greater advantages than were subsequently granted to the Republic of Panama, a treaty so good that after it had been rejected by Colombia, and after we had recognized Panama, Colombia clamored for leave to undo the past and enter into the treaty. But the Colombian Government for reasons which, I regret to say, were apparently very bad indeed, declined to consummate the treaty to which their representatives had agreed.

THE BACKGROUND OF WARFARE

Our Government first entered into a treaty with the possessors of the Isthmus of Panama in 1846. At that time the nation with which we treated was known as New Granada. After a while New Granada split up and the Republic of Colombia, another confederation, took its place; and Panama was at one time a sovereign state and at another time a mere department of the consecutive confederations known as Colombia and New Granada. In addition to scores of revolutions which affected successively New Granada and Colombia as a whole, the Isthmus of Panama during 57 years saw 53 revolutions, rebellions, insurrections, civil wars, and other outbreaks; some of the revolutions being successful, some unsuccessful; one civil war lasting nearly 3 years and another nearly a year. Twice there had been attempted secessions of Panama, and on six different occasions the marines and sailors from the United States warships were forced to land on the isthmus in order to protect property and to see that transit across the isthmus was kept clear, a duty we were by treaty required to perform, for by treaty we already possessed and exercised on the isthmus certain proprietary rights and sovereign powers which no other nation possessed.

On four different occasions the Government of Colombia itself requested the landing of troops to protect its interest and to maintain order on the isthmus—the order which it was itself incompetent to maintain. On several different occasions only the attitude of the United States prevented European powers from interfering on the isthmus. In short, Colombia had shown itself utterly incompetent to perform the ordinary governmental duties expected of a civilized state; and yet it refused to permit the building of the canal under conditions which would have perpetuated its control of the isthmus, and which would at the same time have put a stop to what can legitimately be called government by a succession of banditti. The United States would have shown itself criminal, as well as impotent, if it had longer tolerated this condition of things.

I was prepared to advocate our openly avowing that the position had become intolerable, and that, in pursuance of our duty to ourselves as well as to the world, we should begin the building of the canal. My knowledge—a knowledge which, as regards most of the essential points, was shared by all intelligent and informed people—of the feeling on the isthmus was such that I was quite prepared to see the people of the isthmus themselves act in such a way as to make our task easier. They felt that it was of vital importance to them to have the canal built, for they would be its greatest beneficiaries; and therefore they felt such bitter indignation at Colombia's indifference to their interests and refusal to permit the fruition of their hopes that among them there was a literally unanimous desire for independence. Not only was there not a single man on the isthmus who wished to perpetuate Colombian control, but all Colombians sent hither, even the soldiers, after a very short residence grew to share the desire of all Panamanians for the establishment of a separate republic.

Hitherto, the knowledge that the United States would interfere to stop all disturbances on the isthmus that interrupted traffic across it had resulted to the benefit of Colombia; and it was this knowledge that had been the chief preventive of revolutionary outbreak. The people of Panama now found themselves in a position in which their interests were identical with the interests of the United States; for the Government of Colombia, with elaborate care, and with a shortsightedness equal to its iniquity, had followed out to its end the exact policy which rendered it morally impossible as well as morally improper for the United States to continue to exercise its power in the interest of Colombia, and against its own interest and the interest of Panama.

PLENTY OF REVOLUTIONARIES

There was no need for any outsider to excite revolution in Panama. There were dozens of leaders on the isthmus already doing their best to excite revolution. It was not a case of lighting a fuse that would fire a mine—there were dozens of such fuses being lit all the time; it was simply a case of its ceasing to be the duty of the United States to stamp on these fuses, or longer to act in the interest of those who had become the open and malignant foes of the United States—and of civilization and of the world at large.

* * * * *

Through two Army officers who had visited the isthmus in September, I gained concrete and definite information. They informed me that, owing to the dissatisfaction because of the failure of Colombia to ratify the Hay-Herran Treaty, a revolution was certain to break out on the isthmus, and it might be expected immediately after the adjournment of the Colombia Congress in October; while on the isthmus they had calculated that it would not occur until after October 20, because not until then would a sufficient quantity of arms and munitions have been landed to supply the revolutionaries. Acting in view of all these facts, I sent various naval vessels to the isthmus.

The orders to the American naval officers were to maintain free and uninterrupted transit across the isthmus, and, with that purpose, to prevent the landing of armed forces with hostile intent at any point within 50 miles of Panama. These orders were precisely such as had been issued again and again in preceding years—1900, 1901, and 1902, for instance. They were carried out. Their necessity was conclusively shown by the fact that a body of Colombian troops had landed at Colon and threatened a reign of terror, announcing their intention of killing all the American citizens in Colon.

NO BLOODSHED HAD OCCURRED

With absolute unanimity the people of the isthmus declared themselves an independent republic, and offered immediately to conclude with our Government the treaty which Colombia had rejected, and to make its terms somewhat more favorable to the United States. No bloodshed whatever had occurred, and it could not occur unless we permitted Colombian troops to land. The Republic of Panama was the de facto Government, and there was no other on the isthmus.

There were, therefore, two courses open to us. One was to turn against the people who were our friends, to abandon them, and permit the people who were our foes to reconquer Panama with frightful bloodshed and destruction of property, and thereby to reestablish and perpetuate the anarchic despotism of the preceding 50 years—inefficient, bloody, and corrupt. The other course was to let our foes pay the penalty of their own folly and iniquity and to stand by our friends, and, as an incident, to prevent all bloodshed and disturbance on the isthmus by simply notifying Colombia that it would not be permitted to land troops on Panama.

Of course we adopted the latter alternative. To have adopted any other course would have been even more ridiculous than infamous. We recognized the Republic of Panama. Without firing a shot we prevented a civil war. We promptly negotiated a treaty under which the canal is now being dug. In consequence, Panama has for 8 years enjoyed a degree of peace and prosperity which it had never before enjoyed during its four centuries of troubled existence.

THE FOLLY OF CONDEMNING

Be it remembered that unless I had acted exactly as I did act there would now be no Panama Canal. It is folly to assert devotion to an end, and at the same time to condemn the only means by which the end can be achieved. Every man who at any stage has opposed or condemned the action actually taken in acquiring the right to dig the canal has really been the opponent of any and every effort that could ever have been made to dig the canal.

* * * * *

The United States has done very much more than its duty to Colombia. Although Colombia had not the slightest claim to consideration of any kind, yet, in the interest of Panama, and so as to close all possible grounds of dispute between Panama and Colombia, the United States some time ago agreed to a triparty treaty between herself, Colombia, and Panama, by which, as a simple matter of grace and not of right, adequate and generous compensation would have been given Colombia for whatever damage she had suffered; but Colombia refused to agree to the treaty.

* * * * *

Certainly nothing more should be done. There is no more reason for giving Colombia money to soothe her feelings for the loss of what she forfeited by her misconduct in Panama in 1903 than for giving Great Britain money for what she lost in 1776. Moreover, there is always danger that in such cases an act of mere grace and generosity may be misinterpreted by the very people on whose behalf it is performed, and treated as a confession of wrongdoing.

DID OUR DUTY BY THE WORLD

Not only was the course followed as regards Panama right in every detail and at every point, but there could have been no variation from this course except for the worse. We not only did what was technically justifiable, but we did what was demanded by every ethical consideration, national, and international. We did our duty by the world, we did our duty by the people of Panama, we did our duty by ourselves.

We did harm to no one save as harm is done to a bandit by a policeman who deprives him of his chance for blackmail. The United States has many honorable chapters in its history, but no more honorable chapter than that which tells of the way in which our right to dig the Panama Canal was secured, and of the manner in which the work itself has been carried out.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. Harvey of Michigan (at the request of Mr. Halleck), for today and the balance of the week on account of injury.

Mr. Steed (at the request of Mr. Albert), for 1 week, January 21 to 28, on account of official business.

Mr. Robison (at the request of Mr. Halleck), beginning yesterday, January 20, on account of death in his family.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

Mr. Albert, for 10 minutes, today; and to include two statements of the President of the United States concerning the Disarmament Conference.

Mr. Lindsay, for 1 hour, on Thursday next.

Mr. Feighan, for 15 minutes, on tomorrow.

Mr. Ayres (at the request of Mr. Reifel), on January 22, for 45 minutes.

Mr. Wyman (at the request of Mr. Reifel), on January 28, for 60 minutes.

Mr. Bow (at the request of Mr. Reifel), today, for 60 minutes.

Mr. Andrews of North Dakota (at the request of Mr. Reifel), on January 23, for 1 hour.

Mr. Bromwell (at the request of Mr. Reifel), on January 23, for 1 hour.

Mr. McDowell (at the request of Mr. Albert), to address the House for 15 minutes, today, and to revise and extend his remarks and to include extraneous matter.

Mr. Flood (at the request of Mr. Albert), for 60 minutes, today, and to revise and extend his remarks and to include extraneous matter.

EXTENSION OF REMARKS

By unanimous consent, permission to extend remarks in the Congressional Record, or to revise and extend remarks, was granted to:

Mr. Toll (at the request of Mr. Barrett) to extend his remarks following those of Mr. Nix and to include an editorial.

Mr. Cannon and to include an article by Mr. Flood appearing in a national periodical.

Mr. Hosmer and to include extraneous matter.

(The following Members (at the request of Mr. Reifel) and to include extraneous matter:)

Mr. Fino.
Mr. Jensen.
Mr. Battin.
Mrs. May.

(The following Members (at the request of Mr. ALBERT) and to include extraneous matter:)

Mr. FASCELL.
Mr. HAWKINS.
Mr. BOGGS.

SENATE ENROLLED BILL SIGNED

The SPEAKER announced his signature to an enrolled bill of the Senate of the following title:

S. 2079. An act to provide for the striking of three different medals in commemoration of the Federal Hall National Memorial, Castle Clinton National Monument, and Statue of Liberty National Monument American Museum of Immigration in New York City, N.Y.

ADJOURNMENT

Mr. ALBERT. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 6 o'clock and 51 minutes p.m.) the House adjourned until tomorrow, Wednesday, January 22, 1964, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

1560. A communication from the President of the United States, transmitting proposed new obligational authority in the amount of $2,225,532,300 for the fiscal year 1964 for various departments and agencies. In addition, other proposals not increasing new obligational authority are made to provide for the transfer of $5,388,000 between appropriations and for an increase in limitation in the amount of $120,000 (H. Doc. No. 203); to the Committee on Appropriations and ordered to be printed.

1561. A letter from the director, the American Legion, transmitting the proceedings of the 45th annual national convention of the American Legion, held in Miami Beach, Fla., September 10 to 12, 1963, pursuant to Public Law 249, 77th Congress (H. Doc. No. 204); to the Committee on Veterans' Affairs and ordered to be printed with illustrations.

1562. A letter from the Director, Bureau of the Budget, Executive Office of the President, relative to reporting that the appropriations listed in the attachment have been apportioned on a basis which indicates a necessity for supplemental estimates of appropriations, pursuant to section 3679 of the Revised Statutes, as amended (31 U.S.C. 665); to the Committee on Appropriations.

1563. A letter from the Secretary of Agriculture, transmitting the annual report relating to the Puerto Rican hurricane relief loans, pursuant to Public Law 692, 84th Congress; to the Committee on Agriculture.

1564. A letter from the Secretary of Labor, transmitting a report of claims paid by the Department of Labor during the year ending December 31, 1963, pertaining to the administrative adjustment of claims of $2,500 or less, pursuant to title 28, section 2673, United States Code; to the Committee on the Judiciary.

1565. A letter from the Administrator, National Aeronautics and Space Administration, relative to the amounts authorized for research and development programs in section 1(a) (Public Law 88-113) and the amount currently planned within the limitations of the Independent Offices Appropriation Act, 1964 (Public Law 88-215); to the Committee on Science and Astronautics.

1566. A letter from the Assistant Secretary of the Interior, transmitting the Department's report on a plan for accounting of water, San Juan-Chama project, Colorado-New Mexico, pursuant to Public Law 87-483; to the Committee on Interior and Insular Affairs.

1567. A letter from the Chairman, National Labor Relations Board, transmitting the 28th Annual Report of the National Labor Relations Board for the fiscal year ended June 30, 1963, and the names and salaries of all employees and officers of the NLRB, and cases heard and/or decided by the Board, pursuant to the Labor Management Relations Act of 1947; to the Committee on Education and Labor.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. FORRESTER: Committee on the Judiciary. H.R. 9094. A bill to authorize the President to declare July 9, 1964, as Monocacy Battle Centennial in commemoration of the 100th anniversary of the Battle of the Monocacy; with amendment (Rept. No. 1101). Referred to the House Calendar.

PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. PATMAN:

H.R. 9685. A bill to amend the Federal Reserve Act to provide that interest received by Federal Reserve banks on obligations of the United States shall be covered into the Treasury as miscellaneous receipts, to authorize appropriations for the expenses of the Federal Reserve banks and the Board of Governors of the Federal Reserve System, and for other purposes; to the Committee on Banking and Currency.

H.R. 9686. A bill to require the payment of interest on certain funds of the United States held on deposit in commercial banks, to provide for reimbursement of commercial banks for services performed for the United States, and for other purposes; to the Committee on Banking and Currency.

H.R. 9687. A bill to amend the Federal Reserve Act and the Federal Deposit Insurance Act by eliminating the prohibition against the payment of interest on demand deposits; to the Committee on Banking and Currency.

By Mr. BALDWIN:

H.R. 9688. A bill to extend the period during which responsibility for the placement and foster care of dependent children, under the program of aid to families with dependent children under title IV of the Social Security Act, may be exercised by a public agency other than the agency administering such aid under the State plan; to the Committee on Ways and Means.

By Mr. WILLIS:

H.R. 9689. A bill declaring a portion of Bayou Black and Bayou Terrebonne, La., nonnavigable waterways of the United States; to the Committee on Interstate and Foreign Commerce.

By Mr. DAVIS of Georgia:

H.R. 9690. A bill to amend section 7701 of the Internal Revenue Code of 1954 to clarify the tax status of certain professional associations and corporations formed under State law; to the Committee on Ways and Means.

By Mrs. DWYER:

H.R. 9691. A bill creating a commission to be known as the Commission on Noxious and Obscene Matters and Materials; to the Committee on Education and Labor.

By Mr. PILLION:

H.R. 9692. A bill to amend titles I and XVI of the Social Security Act to reduce from 65 to 62 the age at which an individual may become eligible for medical assistance for the aged under an approved State plan; to the Committee on Ways and Means.

By Mr. FINO:

H.R. 9693. A bill to provide that cigarettes sold in interstate and foreign commerce shall be packaged and marked so as to bear a warning that they may be dangerous to health and to show the nicotine and tar content of the cigarettes in each package; to the Committee on Interstate and Foreign Commerce.

By Mr. HOSMER:

H.R. 9694. A bill to provide for an eternal flame at the burial place of former Presidents of the United States in certain instances; to the Committee on Interior and Insular Affairs.

By Mr. POAGE:

H.R. 9695. A bill to amend the Watershed Protection and Flood Prevention Act, as amended; to the Committee on Agriculture.

By Mr. QUIE:

H.R. 9696. A bill to permanently extend the special milk programs for the Armed Forces and veterans' hospitals; to the Committee on Agriculture.

By Mr. RHODES of Pennsylvania:

H.R. 9697. A bill to amend section 218 of the Social Security Act so as to enable States, through Federal-State agreement, to provide further opportunity for certain State employees to elect coverage under the insurance system established by title II of the Social Security Act; to the Committee on Ways and Means.

By Mr. RYAN of New York:

H.R. 9698. A bill to amend the Higher Education Facilities Act of 1963 to provide relocation payments for persons displaced from their places of residence or business as a result of construction financed thereunder; to the Committee on Education and Labor.

By Mr. GALLAGHER:

H.R. 9699. A bill to amend further the Peace Corps Act (75 Stat. 612), as amended; to the Committee on Foreign Affairs.

By Mr. RIEHLMAN:

H.R. 9700. A bill for the establishment of a Commission on Organization and Operations of the Executive Branch of the Government; to the Committee on Government Operations.

By Mr. WHARTON:

H.R. 9701. A bill to amend the Agricultural Adjustment Act (as reenacted by the Agricultural Marketing Agreement Act of 1937) to require that prices stated in milk orders issued thereunder to be expressed on a per quart basis; to the Committee on Agriculture.

By Mr. BROCK:

H.J. Res. 892. Joint resolution designating the Bull Run steam electric plant of the Tennessee Valley Authority in the vicinity of the Melton Hill Lake, Tenn., as the "Howard H. Baker Plant"; to the Committee on Public Works.

By Mr. GONZALEZ:

H.J. Res. 893. Joint resolution proposing an amendment to the Constitution to provide for the appointment of a new Vice President whenever there is a vacancy in the office of Vice President; to the Committee on the Judiciary.

By Mr. ABBITT:

H.J. Res. 894. Joint resolution to authorize and direct the Secretary of Agriculture to conduct research into the quality and health factors of Flue-cured tobacco; to the Committee on Agriculture.

By Mr. POFF:

H. Con. Res. 256. Concurrent resolution relating to treaties between the United States and the Republic of Panama; to the Committee on Foreign Affairs.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. BOLAND:

H.R. 9702. A bill for the relief of Megerditch Birajiclian; to the Committee on the Judiciary.

By Mr. CUNNINGHAM:

H.R. 9703. A bill conferring jurisdiction upon the U.S. Court of Claims to hear, determine, and render judgment upon the claim of Frank E. Lipp; to the Committee on the Judiciary.

By Mr. MATSUNAGA:

H.R. 9704. A bill for the relief of Mrs. Dominga Sampayan Ragudo; to the Committee on the Judiciary.

By Mr. RYAN of New York:

H.R. 9705. A bill for the relief of Allen Friedrich; to the Committee on the Judiciary.

By Mr. TEAGUE of Texas:

H.R. 9706. A bill for the relief of Mrs. Delfina Urbon DeCarelli; to the Committee on the Judiciary.

By Mr. CHARLES H. WILSON:

H.R. 9707. A bill for the relief of Mrs. Marguerite Kedemos; to the Committee on the Judiciary.

PETITIONS, ETC.

Under clause 1 of rule XXII,

648. The SPEAKER presented a petition of Eugene J. McMahon, counsel, office of vice chairman of the Council of the City of New York, N.Y., calling for the amendment of the income tax laws in relation to deductions allowed to tenants of housing accommodations in computing net income; to the Committee on Ways and Means.

EXTENSIONS OF REMARKS

The Golden Anniversary of the Bronx

EXTENSION OF REMARKS

OF

HON. PAUL A. FINO

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 21, 1964

Mr. FINO. Mr. Speaker, this year marks the 50th anniversary of the establishment of Bronx County. On January 1, 1914, the county came into existence, and the first group of county officials, who had been elected at the November 1913, election, took office.

The year 1914 did not by any means mark the beginning of the history of the Bronx. The area, known as Keskeskeck by the Indians, was purchased from them in 1639 by the Dutch West India Co. Two years later Jonas Bronck became the first white settler when he bought 500 acres between the Harlem River and the Aquahung, which became known as Bronck's River. Religious dissenters and other colonists from New England arrived over the following years, but their settlements were to a large extent unsuccessful. The Morris brothers, who purchased the Bronck estate in 1670 and gave their name to Morrisania, were more fortunate. The descendants of one of them included Lewis Morris, a signer of the Declaration of Independence, and Governeur Morris, a member of the Constitutional Convention.

The Bronx remained a farming region through the colonial and early national periods. Urbanization began about 1840 and proceeded rapidly after the Civil War. New industries were established along the Harlem and East Rivers and railroads were built. In 1874 the western townships were added to New York City; in 1895 these were followed by the eastern township of Westchester and parts of Pelham and Eastchester. Under the Greater New York Charter of 1898 the Borough of the Bronx was constituted, consisting of the territory included in the two annexations. In 1914 the Bronx became a separate county, with its own courts and county officials.

In this Golden Jubilee Year the Bronx can look back with pride on its progress. Its population has increased from 200,507 in 1900 and 430,980 in 1910 to 1,424,815 in 1960. Pleasant woods and streams, its heritage from the days of Jonas Bronck, may still be found in its parks—Pelham Bay Park, Van Cortlandt Park, and Bronx Park. In the latter are the world-famous New York Zoological Park and the New York Botanical Garden. Other outstanding landmarks include Yankee Stadium, the Hall of Fame for Great Americans, and the Bronx County Building.

The Bronx is justly proud of its institutions of higher education, which include Fordham University, the Bronx Center of New York University, Manhattan College, a branch of Hunter College, Webb Institute of Naval Architecture, and the College of Mount St. Vincent. On the secondary level, Bronx High School of Science, established in 1938, is among those setting the pace in the contest for academic excellence in the United States.

On the material side, the 12,404 retail establishments in the Bronx in 1958 had sales of $1,173,300,000. The estimate of total sales for 1960 was $1,291,922,000. Although it is primarily a region of homes and apartments, the Bronx in 1958 had 2,081 manufacturing establishments employing 52,471 people.

Although problems remain to be solved, the county has made remarkable progress over the past 50 years. Heartened by a tradition of accomplishment, the people of the Bronx can point to the past with justifiable pride and face the future with hope and confidence.

The President Wants To Spend More, Not Less

EXTENSION OF REMARKS

OF

HON. BEN F. JENSEN

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 21, 1964

Mr. JENSEN. Mr. Speaker, a quick glance at the President's budget request would give the uninformed the idea that he intends to spend less in fiscal year 1965 than will be spent in fiscal year 1964, but such is not the case.

The facts are, that the President is asking Congress to appropriate about $6 billion more in 1965 than Congress appropriated for 1964.

He is also asking the Congress to now appropriate $4 billion additional supplementals for fiscal year 1964 of the $6½ billion that Congress cut out of the 1964 budget request, which is a clever gimmick to make his Federal 1965 spending look just that much less.

Facts are, also, that the President is requesting of Congress the authority to spend $5,800 million more out of previous years' unexpended balances in fiscal year 1965, than Congress authorized to be spent in fiscal year 1964.

Mr. Speaker, our Republican budget-cutting task force will continue to operate effectively during this session of Congress, just as it did during the last session when the 1964 budget was cut by $6½ billion, in round figures, giving hope to the people that Congress is yet interested in keeping their money sound as a dollar.

The Library Services and Construction Act

EXTENSION OF REMARKS

OF

HON. CATHERINE MAY

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 21, 1964

Mrs. MAY. Mr. Speaker, I supported the Library Services and Construction Act because I feel it will help to correct a dangerous gap in our program of education.

An amendment to the Library Services Act as proposed in H.R. 4879, would make it possible for urban as well as rural public libraries in Washington State to obtain much needed benefits. Under the rural act, demonstrations of service have been inaugurated and urban libraries at a cost to themselves have been used as service centers. According to the present act, however, there could be no direct financial benefit to these urban areas.

In Washington State, the percent of unserved population has gone down from 10 percent in 1955 to 6 percent in 1962 under the impact of the Library Services Act. Although efforts will be continued to bring service to those without libraries, there is an even greater need to improve the quality of library services everywhere. According to the State librarian, no public library in the State meets the criteria for minimum adequacy. The State library commission has the goal of seeing that good library service for the entire State is achieved.

Library demonstrations which would ultimately achieve local support and direction of a fully integrated region have been a major part of Washington's Library Services Act plan. The first two such demonstrations received favorable support by the voters resulting in the establishment of two new district libraries. This is clear evidence of the stimulation upon a State and its localities by Federal grants. In north central Washington five counties have formed the North Central Regional Library, originally known as the Columbia River Regional Library Demonstration. Full library service has been provided through headquarters, participating community libraries, three bookmobiles, and the U.S. mails. In addition to books and periodicals, recordings and films, and a trained staff have been provided.

The second demonstration under the Library Services Act resulted in the establishment of the Sno-Isle Regional Library. Snohomish County extended service to unserved Island County. In current operation is the Timberland Library Demonstration to improve and extend service in the five counties of Lewis, Mason, Thurston, Grays Harbor, and Pacific.

The State of Washington has assumed responsibility for carrying out the provisions of the Library Services Act by providing almost twice the funds allotted by the Federal Government. During the period 1958–64, Federal funds amounted to $867,584 while State and local funds totaled $1,703,752.

Washington has a statewide plan for the development of regional district libraries and for the improvement of the quality of service to all citizens. The present Library Services Act has fulfilled its purpose of stimulating Washington and some of its localities to move ahead toward implementing a part of this orderly plan for library development. The expansion of the act to serve urban areas and to provide more funds will make it possible for Washington to accelerate its program and for the first time to benefit urban libraries.

The quality of service that a library provides to the community may be directly related to the adequacy of its building facilities. The present Library Services Act prohibits the use of funds for the purchase or erection of buildings or for the purchase of land.

Many public library buildings were erected in the early years of this century with Carnegie funds and these are now overcrowded and are no longer functional. It is estimated that the median age of public library buildings is nearly a half century.

The Library Services and Construction Act authorizes an appropriation of $20 million for construction of public library buildings, to be allotted on the basis of State plans and contingent upon State and local matching funds. For Washington, the maximum grant, based on population, would amount to $327,666. This modest sum would encourage and stimulate local support for the construction of much needed public library buildings.

Knowledge is expanding rapidly. It is the responsibility of the public library to keep pace and to assemble, organize, and retrieve knowledge in order that our citizens may be informed and intelligent. The enactment of H.R. 4879 will help insure that this responsibility can be assumed.

Beef Imports

EXTENSION OF REMARKS

OF

HON. JAMES F. BATTIN

OF MONTANA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 21, 1964

Mr. BATTIN. Mr. Speaker, our colleague, the gentleman from Kansas [Mr. SKUBITZ], has made an excellent condensation of a series of meetings concerning beef imports. The following are the remarks of the gentleman from Kansas [Mr. SKUBITZ]:

> At the invitation of Secretary Freeman, representatives of the livestock producers came to Washington on January 8 to present the plight of that industry. They returned to their respective communities encouraged by the assurances that prospects for a satisfactory voluntary agreement limiting beef imports was in the making. But their hopes were shattered the following weekend when the Department revealed that the so-called negotiations were based not on average of beef imports from 1958 to 1962, but on the imports shipped into the United States in 1963. Since beef imports in 1963 reached an alltime high of 11 percent of our total beef consumption, the negotiations offered little or no relief to the livestock industry.
>
> Secretary Orville Freeman, on January 16, invited approximately 50 Members of Congress to attend a briefing session conducted by him and two of his assistants, Dr. Winn Finner, staff economist, agricultural economics; and Dr. Willard W. Cochrane, director of agricultural economics.
>
> Secretary Freeman assured the group that the Department and the President were concerned over the drop in beef prices. He pointed out that during the past 2 years the drop in beef prices has resulted in a loss of $170 million to the farmer. It was encouraging to note that the Secretary recognized that the United States is the only open market in the world for beef imports—that our so-called allies have established some sort of restriction or barrier to stop or limit the import of beef into their respective countries. It was discouraging to note that the Secretary and the administration are opposed to the adjustment of the tariff upward to give our farmers the same protection that other nations give their producers on the theory that while such action might stop the flow of beef from New Zealand and Australia, it would subject us to criticism by the Common Market countries who would claim we were now doing exactly the thing for which we criticized them. A Member of Congress pointed out that we export approximately $1½ billion worth of goods and products to the Common Market nations and approximately $500 million is already subject to variable fees (in effect a tariff) to protect the member countries, that the only thing that stops the European Economic Community (EEC) from establishing other variable fees today is not the charge of retaliation or the cry of discrimination by the United States but the fact that the member countries of EEC cannot agree among themselves.
>
> Dr. Winn Finner pointed out that while production and imports have been increasing (production up 7 percent in 1963 over 1962—imports up 13 percent in 1963 over 1962), we have maintained a favorable balance of trade in agricultural products. He stated that during the year (July 1, 1962, to June 30, 1963) our total agricultural exports were $5,084 million (wheat and flour, $1.158 million; feed grain, $977 million; oilseeds and products, $778 million; cotton, $492 million; fruit and vegetables, $442 million; tobacco, $378 million; livestock, $347 million; dairy and poultry, $257 million); whereas our imports totaled $3,911 million. What Dr. Finner forgot to say was that nearly one-third of our total exports were exported under the giveaway program provided by Public Law 480 and that about one-half of our total imports is in coffee. That means, of course, that we actually have an unfavorable balance of agricultural trade when we measure dollar imports and exports only. We should also bear in mind that many of our major crops are heavily subsidized in order for them to meet world prices.
>
> Dr. Cochrane stated that in the judgment of the Department there will be an upturn in price in March or April but it will not equal the drop. If there was a decrease in imports, the price increase would be on canners and cutters and not dressed beef. He stated a move was now on foot to decrease beef imports. Primary thrust will be to limit imports of low grade cuts.
>
> Secretary Freeman discussed the following possible actions that are now being considered:
>
> 1. GATT negotiations to liberalize European barriers for meat imports.
> 2. U.S. Tariff Commission action to raise duty on imported beef and veal.
> 3. Legislation in Congress.
> 4. Price supports and control on U.S. livestock production.
> 5. Section 32 purchases.
> 6. Voluntary agreement with Australia and New Zealand.
>
> The Secretary's remarks indicated that the first five courses of action are either impractical or unacceptable. The Secretary felt that only a voluntary agreement remains as a practical solution. He pointed out that Congress can expect no assistance at this time from the Secretary or the administration if it attempts to remedy the situation by legislation.
>
> The prospect of a voluntary agreement with Australia and New Zealand is uncertain. Looking at the issue from the standpoint of the Australians, why should they agree to limit on imports? There is no real barrier to their entry into the U.S. market now and the likelihood of future restrictions does not appear imminent.
>
> Unless the Secretary's hand is strengthened by congressional legislative action or

unless the Australians can be convinced that their long-range self-interest is impaired by a further decline in the U.S. market price or if some other benefits should be forthcoming, it does not seem logical to assume that they would accept a limit on their exports of beef and veal to the United States.

There is one approach which might be used that could be effective in bringing about a voluntary agreement with Australia outside legislative action. Australia sent to the United States 765 million pounds of beef in 1963. This represents 44 percent of all imports which totaled 1,750 million pounds. Overall imports of beef and veal were up 13 percent in 1963 over 1962 and represent 11 percent of domestic production.

Under the Sugar Act, Australia has a country quota of 43,339 short tons, raw ratio under the present law but she shipped an additional 180,367 tons under global purchase making total Australian sales in the United States in 1963 223,706 tons. (We are not bound in any way to purchase the extra 180,000 tons from Australia.)

Although the domestic quotas were extended for 5 years in the 1962 act, the foreign quotas were extended for only 2 years. Therefore, legislation must be passed before December 31, 1964, to extend the authority for obtaining foreign sugar.

If the President should recommend, and the Congress should pass, sugar legislation granting Australia an increased sugar quota, it is hoped that nation might be more receptive to limiting its exports of beef and veal. If they are not receptive, we should then consider removing Australia's sugar quota.

A trade of this nature would, of course, be difficult to negotiate and would perhaps be contrary to the longstanding most-favored-nation philosophy of the U.S. State Department. A Presidential decision would seem necessary under these circumstances.

On January 20, 20 Members of the Congress were invited to a conference by Gov. Christian A. Herter, special representative for trade negotiations at the State Department. We were cordially received, politely listened to, but accomplished nothing, learned nothing—except that this matter of beef imports is under consideration. Unfortunately our State Department apparently has assumed the attitude that the farmers and livestock producers are expendable pawns in the chess game of international politics. If the livestock producer is to get relief, it must come from pressure by Congress upon the executive department.

Old Florida Rum—A New Industry in Our Midst

EXTENSION OF REMARKS

OF

HON. DANTE B. FASCELL

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 21, 1964

Mr. FASCELL. Mr. Speaker, from Florida, a State beset with the enormous practical problems of relocating hundreds of thousands of displaced persons, comes a story which proves that our country still possesses that dynamism which brought it the unchallenged leadership of the free world.

This inspiring example of practical and realistic cooperation between American business and professional people and refugees from Castro's Communist Cuba culminated, on February 5, 1963, in the marketing of the first products of a new U.S. industry.

America achieved the highest standard of living that history has ever known through its dynamic capitalistic system, controlled by the democratic process religiously protected through the foresight of the authors of our Constitution. Our people have attained this high standard of living, not alone for the privileged few. In fact, all who dwell here and have the desire and the energy may reap great benefits and rewards.

Not only from Cuba, but from the far corners of the world, oppressed, freedom-loving people have flocked to the United States in time of stress and repression. They have left behind their possessions and often their loved ones—friends and family. America has opened its doors and its heart to these human beings who sought the freedom only the United States seemed able to provide.

With them, for two centuries, have come the brains and the skills of the world, enriching our country with those most precious of resources—human ability and aptitude—resources which can be fully developed only in an atmosphere permitting the freedom of choice in labor, in study, in play.

To those among us who may doubt that America any longer possesses that historic dynamism which resulted in bringing to our shores the genius of an Einstein and the voice of a Caruso, these remarks are directed.

In 1961, a small group of Florida business and professional men and women joined with two former Cuban distillers and laid the groundwork for a new industry in Florida.

These men and women adopted the traditional American way and asked the people of Florida to invest the funds to enable them to launch their infant enterprise. They pointed out that there had occurred a virtual explosion in the sugar industry in the United States and proposed that an American rum industry could rise phoenixlike from the ashes of the embargoed Cuban operation.

After all, Florida had the sugarcane, the water, the sunshine and, now, the people with the know-how to produce noble beverages in the tradition of the great rums of the Antilles.

To the everlasting credit of our Nation, the people of Florida responded to this challenge with spontaneous enthusiasm that can only bolster our faith in the democratic processes. More than 2,900 free Americans exhibited their faith in the skills and integrity of these pioneers. A new American industry was born—the Old Florida Rum Co. New payrolls were created. A new source of wealth and opportunity was developed in our midst.

The farm community benefits because Florida rum is created from Florida cane sugar grown in the Everglades-Okeechobee area, thus providing a growing market for this high-grade agricultural byproduct.

Initially the company's products were available only in Florida. But in less than 2 months orders and inquiries began coming in from Georgia, Tennessee, Texas, Indiana, Illinois, and other States as far away as Colorado and from the District of Columbia.

It is true that rum has been produced in the United States from earliest colonial days. But it is also true that the market for American-made rum dwindled in the 19th and 20th centuries to the point where it became a negligible factor in U.S. economy.

Now the ramifications of this expanding industry are almost beyond imagining. In its struggle to develop a more balanced economy, an economy less reliant, proportionately, on tourism, Florida, like some other States, is ardently exploring every possible way to attract a new clean industry to the State and to develop indigenous industry. The success of this campaign is vital to the continuing health of the State, especially in the face of the population explosion it is experiencing. And it is quite generally acknowledged that the addition of new payrolls alone is not enough. Certainly new service companies are more than welcome. New assembly and fabricating plants are sought after and warmly received. But a whole new industry, using the raw materials of Florida's fields and groves, as well as creating new payrolls, adds an additional dimension that is both rare and especially precious.

And, most fortuitously, even the fabled Florida tourism complex is helped by this new rum industry.

For example, industry leaders already are making advance explorations into the foreign market with the intention of carrying the name of the United States, through its rum, not only to Europe, but to the Near and Far East as well.

The cooperation of the U.S. Department of Commerce already is assured and a number of farsighted citizens are presently at work making important contacts in the foreign market.

It is anticipated that the permanent U.S. trade centers will be of immeasurable assistance in this connection as will the industry's participation in appropriate international trade fairs and expositions in many parts of the developed world.

Thus the name of Florida and the United States will be carried on the wings of one of its proudest products to every part of the globe. Certainly there exists no better ambassador of good will than a fine product, offered with dignity and respect to the people of foreign lands.

The Economic Message

EXTENSION OF REMARKS

OF

HON. HALE BOGGS

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 21, 1964

Mr. BOGGS. Mr. Speaker, our economy has completed a year which will stand up well by comparison with almost any other year in our history. It was a good year for the economy but not good enough.

This, as I read it, is the theme of the President's economic report. I commend it to the House.

In the year 1963, the United States left behind a number of significant economic milestones. Our gross national product passed $600 billion near the end of the year. In the 3 years since the late President Kennedy's inauguration, the gross national product has increased $100 billion or 20 percent. And very little of the increase in the value of our total output was the result of rising prices. In real terms, the output of our economy has expanded 16 percent since early 1961. This 3-year increase is greater than the total gross national product of every other country in the free world.

As we passed the $600 billion milestone, a number of other important markers of economic progress also went by—including record levels of weekly earnings for workers, of corporate profits, of total employment, and of residential construction.

We have good reason to take satisfaction in these gains. Our economy has been advancing for almost 36 months since the bottom of the 1960–61 recession. We have reversed the earlier postwar tendency for the time span between recessions to become shorter. And, if we enact the tax cut, we stand a good chance to extend this upswing to a record length.

But new records are not enough whether they be in length of unbroken advance or in level of GNP. As the President says in his report, we must measure our performance against our potential.

By this standard, we still have much to accomplish. Too many men and women are unemployed—5½ percent of the labor force. Too much factory capacity is idle—13 percent. It has been more than 6 years since unemployment has been even as low as 4 percent. It has been over 6 years since American industry has operated near its preferred rate of utilization. Full employment and full use of factory capacity are moving targets—the labor force grows continuously, workers are released by laborsaving machinery, and new investment increases the capacity of our factories. Thus we must move fast just to keep our distance from these targets from widening. To catch up with them, we need to grow even faster.

The tax reduction bill—passed by the House and now on its way through the Senate Finance Committee—is the best means we have to accelerate our economic expansion. This bill—with President Johnson's recommended cut in withholding rates to 14 percent—will give us a big push toward our goals. It will put $8.8 billion of additional usable income into the hands of consumers. It will put an additional $1½ billion into the hands of corporations. In fact, it will provide the greatest stimulus to production, employment, incomes, and profits in our peacetime history—as consumers and business go about spending their additional after-tax incomes.

Passage of the tax bill—and soon—will make the outlook for 1964 highly favorable. With the momentum our economy generated in 1963, the tax cut will help to accelerate our economic expansion instead of being used to counteract an existing recession. With unused resources and responsible price and wage decisions, our fine record of price stability—unmatched by any other major industrial country—will be maintained. And our balance of payments—already improving markedly—will benefit from more competitive exports and from a more attractive home demand for capital.

It is notable that the stimulus from the tax bill comes from an anticipated increase in private spending. By cutting taxes, we will unleash private demands—by consumers and business—and permit them to make the most of the resources our economy has the potential to produce.

President Johnson—in carrying forward and putting his own touch on the tax reduction program initiated under President Kennedy—is, in his own words, "combining efficiency with expansion, frugality with compassion."

He is submitting a budget that calls for a reduction in expenditures. At the same time, he is not only providing for a sizable fiscal stimulus to expansion through tax reduction, he is also launching new programs to meet human needs. The new poverty program represents a recognition that the forgotten fifth of our population needs more than an expanding economy to pull itself out of the vicious circle of inadequate income, insufficient education, poor health, and lack of skill.

It is recognized that these problems cannot be solved in Washington. They must be solved where they exist. But the Federal Government has a role to play—in shaping its own programs and in encouraging State and local governments and private groups to bring their efforts into focus in a concerted attack on poverty in America.

The President's program gives us an opportunity and a challenge—to use our economic resources to their full capacity, to mount an attack on poverty, and to adopt a lean budget without neglecting essential services that only the Federal Government can provide, at home and abroad. This program deserves our support, for it is in the best traditions of a dynamic economy that relies mainly on private initiative for its forward momentum.

The President's announcement that the Nation's output reached $600 billion in the fourth quarter of 1963 is welcome news to all of us. This represents a 20-percent rise during the period since the Democratic administration took office.

If this rate of expansion continues through 1964—and the President's message predicts that it will—the Nation's real output will have increased by nearly one-fourth in 4 years.

This record of solid achievement is a tribute to the strength of our free enterprise economy and to the wisdom and foresight of the economic policies of the Congress and the administration. Working together, the Government and private enterprise have moved America toward steadily growing prosperity.

But prosperity in general does not bring prosperity in particular. As the President so forcefully points out, many Americans are not receiving their just shares of the Nation's output.

At the end of 1963, 5½ percent of those seeking jobs were unable to find them, and many more were dissuaded from seeking employment because they knew it could not be found.

Even more shocking is the fact that one American family in five is now living on a yearly money income of $3,000 or less.

We know that the vast majority of those who are out of work do not wish to be idle. Many of them are experienced workers with families to support. All too many are teenagers who have yet to find their first jobs, who have yet to achieve the sense of self-respect that comes from self-sufficiency. Therefore the country urgently needs the expansion of private demand and job opportunities which will flow from enactment of the tax reduction in H.R. 8363.

We know too that the great bulk of the poor are not in poverty because they are stupid or lazy. They are the victims of a failure of American facts to match fully the American dream of equal opportunity for all. Until we are able to provide adequate education, good health, plentiful jobs, and freedom from discrimination for all Americans, that dream will not be a reality.

The President's war on poverty will mobilize private and public resources to insure that for more and more of our people, particularly our children, the door leading out of poverty will be opened.

The President's message is a program for Federal action, but not a call for greater centralization of authority in the Federal Government. The tax cut will bring a great stimulus to private demand and will provide expanding revenues for State and local government action.

The budget shows an actual reduction in Federal spending. The war on poverty will promote coordination of State, local, and private activities with Federal assistance.

While the economic message presents the President's overall strategy for attacking our economic problems, his chief reliance will be on the stimulation of private initiative and coordinated State-local-Federal efforts.

Report to the People

EXTENSION OF REMARKS

OF

HON. AUGUSTUS F. HAWKINS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 21, 1964

Mr. HAWKINS. Mr. Speaker, as a new Member of Congress, much time has necessarily been devoted to becoming acquainted with procedures and the Washington scene. I deem myself fortunate, however, in being able to draw heavily on my years of experience in the California State Legislature and many personal contacts to build a record and obtain benefits for my district.

I am pleased to have the privilege of inserting a few highlights of my activities on behalf of my constituents during the 1st session of the 88th Congress into the RECORD.

In another report I shall discuss legislation and my activities on the House Committee on Education and Labor. This report deals with office and community activities that often are overlooked as an essential part of a public official's duties.

The report follows:

REPORT TO THE PEOPLE

(From Congressman AUGUSTUS F. HAWKINS, Washington, D.C., February 1, 1964)

The work of our offices locally and in Washington has included: (1) the development of programs; (2) the handling of cases (veterans, social security, civil service, housing, immigration); (3) dealing with employment problems; (4) providing information; and (5) attempts to rehabilitate, develop, and improve the district socially, economically, and politically. To facilitate and expedite our work we opened two new offices, one at 9512 South Central Avenue, and the other at 4251½ South Avalon Boulevard.

This report covers the last half of our work in 1963, and only our office and some of our community activities. Persons desiring our report on the first 6 months or on legislative activities should contact our district or Washington offices.

A. PROGRAMS

I. Employment

Our activity in finding employment has brought about tangible results. While our main emphasis has been on stimulating programs to create employment generally, we have not neglected opportunities to assist individuals seeking specific jobs. Out of some 2,500 persons interviewed for employment, more than 500 were placed. Others are now in training and should eventually find employment. None was turned away without at least a try.

In addition, our office referred over 400 applicants for full-time clerical jobs with the Post Office and Internal Revenue, most of whom were placed.

From these figures it is easy to observe that our offices have striven successfully to ease the unemployment problem.

One of our major goals this year will be to increase employment opportunities.

We initiated a pilot vocational guidance program for approximately 2 months, and interviewed 75 people. Of this number, we were successful in helping 47. This program will be continued through 1964.

II. Training

In the realm of training programs, we were successful in initiating scholarships for 24 of the 28 requests.

Through our youth employment services we placed 400 in jobs in 1963 and many others in training under the manpower development and training program.

The building maintenance program, a trial project to train certain persons for maintenance jobs, is still struggling, but we were able to glean jobs, after completion of training, for 8 of the 14 applicants. This program will continue with greater emphasis this year.

Several trade schools and shops have offered us scholarships for 1964. We will recruit for these programs and solicit more. Although the hard core unemployed is a particularly difficult problem, through our training programs we hope to assist such persons to become qualified for employment even though they may have age or educational handicaps.

III. Miscellaneous

The Federal Small Business Administration aided our office in holding a small business development clinic, which was successful. Forty-two persons attended; Mr. Alvin Meyers, regional director, and Mr. Wilford White, Assistant Deputy Administrator for Management Assistance, were the main speakers. The persons attending agreed, generally, that the clinic was exceedingly helpful and should be more fully and specifically developed. The office is involved, therefore, in a questionnaire survey with the participants to obtain a basis for submitting a concrete and meaningful program in this area.

Our mental health committee, in conjunction with the south central welfare planning council, succeeded in getting the county board of supervisors, through the county department of mental health, to approve a mental health program for the south central Los Angeles area; $25,000 is to be spent to initiate this program. Also, a grant of $900,000, requested by our mental health committee from the youth opportunities board, has been approved locally, and it is hoped this activity will become a part of the overall youth opportunities board program. The service will be individual out-patient psychiatric therapy. The family as a unit will be given consideration.

Obtaining Academy candidates for the Army, Navy, and Air Force Academies has been quite a problem. Although we were not successful in attracting qualified candidates for the class entering in 1963, we now have 11 good prospects for the 1964 class. An effort will be made to work more closely with the high schools in order to interest more citizens in this program.

The coordinating council on economic development and employment, which we organized to furnish overall planning for our area, has been working steadily to increase the efficiency of our various community-sponsored committees and also to utilize the members of the advisory board more effectively. We now have 125 active members on the board.

The President's Committee on Equal Job Opportunities met in Los Angeles in November 1963 and we are happy to report that our office was responsible for obtaining invitations for more than 150 persons.

We have an apprenticeship training consultant in the district office every Friday morning who works closely with the State bureau of apprenticeship standards.

We also have a person from the Federal Housing Authority to dispense information on all kinds of housing problems.

We started a special program with Harbor Junior College and the consultants from the college, as well as our Mrs. William Thomas, have been on hand in the district office to assist and interview applicants for specialized training.

The youth opportunities board program, scheduled for the south central Los Angeles area, has received the go-ahead signal. It will help to alleviate the school dropout and unemployment problems among youth, and will also reach those persons suffering from general depression and dependent poverty. This program reaches causes, in addition to effects, and will in its initial stages prepare and place on the job about 6,000 young people.

The Central City Citizens Committee was overwhelmingly successful in their first, of a now planned annual, buffet supper party. The group worked diligently, quietly, and efficiently to make it a success. The guests were more than pleased with the results.

B. COMMUNICATIONS

Our office has used every means of communication to let the constituents know what we are doing.

1. Press releases—newspaper and radio: This past year we issued 153 press releases. They covered a wide variety of subjects including announcements of legislation introduced by Congressman HAWKINS, reports of job availabilities, information on scholarships, voters' registration drive, the area redevelopment program, the small business clinic, Federal activities of interest to our district, and items of general information.

2. Radio and television: Through our two radio programs we have been successful in getting additional news and information to our constituents. For a brief period we also had TV coverage on several channels. Currently, Congressman HAWKINS reports from Washington on the program "Know Your Congressman," over KGFJ-AM, 1340 on the dial, at 9:25 each Tuesday night. The other program, "Your Congressman at Work," originates locally on KTYM-FM, 103.9 on the dial, each Saturday night at 7 p.m.

3. Speeches: Throughout the year, our office handled (locally) more than 50 speaking engagements. We hope persons will become more interested in obtaining information about our community programs. There is always someone available to make an appearance, including Mr. HAWKINS when he is in the city.

4. Newsletters: We have mailed six separate newsletters to constituents in the 21st Congressional District, providing information on important issues before the Congress and discussing programs and activities of particular concern to our residents.

5. Reports: Our offices, locally and in Washington, jointly issued a monthly report on our activities throughout the year.

C. CASES

This past year the district office handled 2,216 constituents' problems and requests. Out of this number, the office succeeded in obtaining favorable results for at least 600. More than 100 special problems were handled in the Washington office. These included claims before the Veterans Appeals Board, servicemen seeking transfers, promotions and discharges, postal and civil service problems, and immigration matters.

The offices are available to assist every constituent, even if the only service we can perform is to refer them to the proper places to obtain the help they seek. During the year 166 persons were assisted by referral to the proper State agency, county supervisor, city councilman, assemblyman, or to other sources such as community centers, schools, and attorneys for appropriate assistance.

Federal agency cases

Department of Defense (Army, Navy, Air Force):	
Number of cases	76
Favorable disposition	23
Otherwise closed	13
Pending	40
Health, Education, and Welfare (social security):	
Number of cases	20
Favorable disposition	6
Otherwise closed	1
Pending	13
Justice and State Departments:	
Private immigration bills (pending)	5
Immigration cases	43
Favorable disposition	14
Otherwise closed	3
Pending	26
Post Office:	
Number of cases	21
Favorable disposition	9
Otherwise closed	1
Pending	11

Federal agency cases—Continued

Veterans' Administration:	
Number of cases	86
Favorable disposition	10
Otherwise closed	8
Pending	68
Civil Service Commission:	
Number of cases	8
Favorable disposition	2
Pending	6
Treasury Department (Internal Revenue):	
Number of cases	6
Favorable disposition	3
Pending	3
Interior Department:	
Number of cases	2
Pending	2
Department of Commerce:	
Number of cases	1
Pending	1

CONCLUSION

We have striven to rehabilitate, improve, and redevelop the district socially, economically, and politically. We have given a great deal of thought to rational planning in housing, education, social welfare, and business development.

The 21st Congressional District has been called a port of entry for newcomers to our city. Historically, the original residents have tended to move to the west side. Our programs are designed to assimilate these newcomers to our way of life, and to improve our communities so well that it will be unnecessary for older residents to move away to better their condition. We want the residents of our area to be so well served, to be so well housed, and provided with such fine economic and social opportunities that they will be proud and fortunate to live in our area of the county. We have made some progress. In 1964 we hope to make much more.

Safeguards To Reduce the Admitted Risks and Hazards of Test Ban Treaty Which Were Promised Have Not Been Established and No One Seems To Care Much

EXTENSION OF REMARKS
OF

HON. CRAIG HOSMER

OF CALIFORNIA
IN THE HOUSE OF REPRESENTATIVES
Tuesday, January 21, 1964

Mr. HOSMER. Mr. Speaker, when the limited test ban was before the other body for ratification a great to-do was made about the numerous risks and hazards involved in the pact. Not only were these risks and hazards admitted by the Kennedy administration to exist, but strenuous promises and protestations were made that all necessary steps would be taken to reduce them to the lowest feasible level.

Nothing much seems to be done about keeping these promises and no one seems to care much about it. No one has been designated at the White House level to see that the promises are kept. No appropriations of an order of magnitude I judge necessary after careful inquiry into the matter have been requested to finance the measures needed to keep the promises.

What of the national security? The most that I can gather is that no one seems to care much, at least as far as the test ban treaty safeguards are concerned.

What is the reason? Is it the euphoria that some predicted would follow the treaty? Is it just plain failure to "mind the store"? Or, is it something else, perhaps more sinister?

For the benefit of future students of our times who might, perhaps, be writing doctorial theses on some subject such as "Why the West Was Weak and Why Freedom Fell" I have asked permission to include below copies of my correspondence to the White House on the subject of the safeguards, together with such responses as it so far has elicited.

If my efforts in this matter bear no further fruit than that to date, at least they can be held forth as a prime example of an exercise in futility.

The correspondence, beginning September 24, the day of treaty ratification, is as follows:

SEPTEMBER 24, 1963.

THE PRESIDENT,
The White House
Washington, D.C.

Re reductions of risks and disadvantages of the limited test ban treaty.

DEAR MR. PRESIDENT: Secretary Dean Rusk, Secretary Robert McNamara, Under Secretary Roswell Gilpatric, Dr. Glenn Seaborg, you, and others in your administration have conceded that there are risks and disadvantages in the limited test ban treaty. This concession is implicit from your assurances and promises to take steps to reduce the effects of these risks and disadvantages upon the national security.

The assurances and promises given have been instrumental in obtaining both Senate and public support for ratification of the treaty. In this sense, they constitute a solemn compact between you and the American people, which must be kept.

Among the steps to be taken, as outlined in separate communications each dated August 23, 1963, to Senator RICHARD B. RUSSELL, chairman, Senate Committee on Armed Services, from Under Secretary Gilpatric and Gen. Maxwell D. Taylor, Chairman of the Joint Chiefs of Staff, are the following:

1. The conduct of comprehensive, aggressive, and continuing underground nuclear test programs.

2. The maintenance of modern nuclear laboratory facilities manned by topflight scientific personnel.

3. The maintenance of facilities and resources necessary for prompt resumption of atmospheric testing in the event of Soviet abrogation of the treaty or should the national security otherwise require.

4. The improvement of our capability to detect treaty violations and Sino-Soviet nuclear activity, capabilities, and achievements.

Unfortunately, these assurances and promises have been only general in nature. What, specifically, in terms of personnel, material, and programs are needed to meet and keep them are yet to be determined. The Joint Chiefs' communication defined them as "criteria" and added that they were stated "necessarily in general language since additional study will be needed to determine specific standards and programs."

Obviously and regrettably, these specifics were not worked out before the treaty was negotiated. Had this been done, perhaps the treaty terms might have been written to make them less onerous and less expensive to carry out. In any event, the fundamental security of the country depends first, upon determining what they are, and, second, upon actually taking those actions specifically determined to be necessary to meet the criteria. Any error risking action less than the minimum necessary must be scrupulously avoided. Uncertainties always must be resolved positively, on the safe side, to make certain we adequately flesh-out all the necessary specifics of each of these skeletal general criteria.

Unfortunately, these specifics will involve a considerable effort because of the magnitude of the risks and disadvantages involved.

You, yourself, on February 7, 1962, described an atmospheric treaty without an adequate inspections system guarding against preparations for surprise abrogation as extremely vulnerable. The treaty at hand, of course, has no inspections system at all—adequate or inadequate.

Again, on March 2, 1962, you warned that if we are to maintain our scientific momentum and leadership, "our weapons progress must not be limited to theory or to the confines of laboratories and caves." The treaty at hand, of course, does fix such limitations.

At that time you also warned: "In actual practice, particularly in a society of free choice, we cannot keep topflight scientists concentrating on the preparation of an experiment which may or may not take place at an uncertain date in the future. Nor can large technical laboratories be kept fully alert on a standby basis waiting for some other nation to break an agreement. This is not only difficult or inconvenient—we have explored this alternative and found it impossible of execution."

Thus, observing your assurances and promises respecting the treaty calls for doing the difficult, and, in addition, what you yourself have described as the impossible. It will surely call for a large expenditure and a large effort—much larger than Secretary McNamara indicated during his treaty testimony. For instance, his offhand estimate of the cost of maintaining a readiness-to-test posture was $200 million. My own calculations, detailed below, considerably enlarge this figure.

Unfortunately, also, there appears to be a line of resistance developing domestically against the taking of these vitally necessary actions at all. This was hinted in a recent letter to the editor of the New York Times written by the scientist, Dr. Eugene P. Wigner. It was amplified in a letter to the editor of the New York Herald-Tribune by the scientist, Dr. Leo Szilard, who argued that should the vigorous underground testing program be carried out, "then, rather than furthering the cause of peace, the test ban agreement would be likely to do just the opposite." Presumably his same reasoning also would apply in opposition to the other three categories of action to which you are committed. I note with apprehension that the thinking of even some of your official family seems to parallel that of Wigner and Szilard.

Thus, keeping your assurances and promises regarding steps to reduce the risks and disadvantages of the test ban treaty will require, on your part, overcoming the resistance of some of the very people who work closely with you, as well as others who have given you strong and consistent political support.

In determining what, specifically, will have to be done to meet and keep your assurances and promises, certain fundamental considerations must be in mind. With respect to each of the criteria, these include:

UNDERGROUND TEST PROGRAM

Either a community must be built at the Nevada Test Site for personnel working there, or a rapid transit system from Las Vegas must be constructed in order to attract and keep topflight personnel on the work.

Due to the proximity of both the city of Las Vegas and the Hoover Dam to the Nevada site, there is a limitation on the yield of devices which can be tested underground there without unacceptable offsite seismic shock damage. It will be necessary to find and develop a second underground testing site for high-yield experiments.

Much greater discretion and flexibility in scheduling events and conducting tests will have to be given laboratory and test site personnel than was the case during our 1962 test series. At that time, I personally pointed out to Dr. Jerome Weisner, your science adviser, that his tendency, in your name, to act as test director from his office in Washington, remote from the Nevada and Pacific test sites, operated both to decrease the scientific data gained from the tests and increase the cost and difficulty of conducting them.

MAINTENANCE OF LABS AND RETENTION OF TOP FLIGHT SCIENTISTS

The test-site improvements and testing discretion at the laboratory and test-site levels discussed above also have a bearing on our ability to keep topflight scientists' interest in the nuclear weapons program under partial test-ban conditions.

The added difficulties of analyzing samples from underground experiments—contaminated with extraneous elements from the soil—requires added radio-chemistry facilities and personnel. Simulation facilities for other than underground environments and other limitations imposed by the treaty also require a boost in personnel and new laboratory physical facilities, equipment and instrumentation for diagnostic and extrapolation purposes.

The flow of qualified and capable new, young, topflight scientists into the nuclear weapons laboratories must be stimulated and encouraged by stepped-up activities at such nonweapons, but related facilities, as the Lawrence Radiation Laboratory at Berkeley.

The importance of immediate starts on new laboratory facilities—as encouraging physical evidence to our nuclear weapons scientists now working that their efforts are not devoted to a dead-end program—is most vital to prevent them from drifting away from the laboratories.

PROMPT READINESS FOR ATMOSPHERIC TESTING

This capability must include readiness to proof test weapons systems in stockpile, new experimental devices, and weapons effects in a variety of environments and under all operational conditions.

Since testing, if and when resumed, will be under emergency conditions, considerable redundancy in test hardware is necessary in order that tests may be conducted promptly and not suffer delay from the unavailability of standby equipment.

A complete missile range, including ICBM silos at both ends and operational anti-ICBM installations at one end must be in readiness for proof tests of both ICBM and anti-ICBM weapons, as well as to determine effects of nuclear explosions on the reliability and capabilities of each.

Johnstone Island, little larger than an aircraft carrier, is unsuitable for installing equipment which must obtain test data simultaneously from different directions. This triangulation problem must be solved. Proper readiness involves an ironclad agreement with the British for continuing access to and availability of Christmas Island facilities, installation of necessary testing equipment and facilities at Howland and Baker Islands, and construction of two, better three, unmanned floating test diagnostic ships, together with nuclear submarines which connect with these ships by underwater cable to protect test personnel safely underwater from the effects of weapons being tested.

Present aircraft available for collecting radioactive air samples at various vital altitudes are about worn out. They should be replaced by a new fleet of approximately 12 fully equipped aircraft.

A second fleet of three diagnostic aircraft should be provided in addition to the fleet of three aircraft now being readied. This will provide both a standby capability and a simultaneous testing capability for air-dropped experimental devices.

Both drop aircraft and rocket vehicles must be in readiness for the delivery of test devices.

Facilities should be provided for constantly updating and revising test schedules for instantaneous use in the event of test resumption—similar to procedures for keeping our strategic deterrent plans always current.

BROADENING AND IMPROVING DETECTION CAPABILITIES

Both the importance of, and difficulties regarding, this effort, plus a necessity for strict classification of equipment and installations, call for a relatively large effort and expenditure in this area.

The very fuzzy situation respecting both space-detection hardware and space-testing procedures requires prompt clarification.

My preliminary estimates of the capital expenditures required for hardware and facilities to meet your assurances and keep your promises to take the actions necessary for reducing the risks and disadvantages of the partial test ban treaty are as follows:

[In millions]

Underground testing program:	
Nevada Test Site improvements and additions	$50
Additional high yield test site	50
Total	100
Maintenance of labs and topflight scientists:	
Los Alamos Laboratory	25
Sandia Laboratory	25
Livermore Laboratory	50
DOD Laboratories	50
Education, training, and encouragement of topflight scientific personnel at weapons labs	10
Total	160
Readiness for atmospheric testing:	
Test range, silos, missiles, A-ICBM equipment, etc	150
3 pairs, surface/submarine effects tests units	300
Drop aircraft and rockets for launching experimental devices	20
2d standby diagnostic fleet (3 fully equipped jet aircraft)	25
3 aircraft for shuttling samples from test sites to labs for prompt analysis	10
Air sampling fleet (12 jet aircraft)	15
Johnstone / Howland / Baker / Christmas Island testing complex	30
Rear base logistic facilities	10
Upper atmosphere and space diagnostic/detection equipment	50
Total	610
Detection system improvements: Classified items	80
Miscellaneous and contingencies	50
Grand total	1,000

In addition to the foregoing capital outlays, which should be made promptly if we are to have a readiness for testing, it is estimated that the cost of maintaining, improving, and keeping this capability in constant readiness to move on an emergency basis will involve operating outlays of approximately $250 million annually.

It is sincerely hoped that you are planning to call upon Congress forthwith for funds of the foregoing magnitude to take the actions necessary to forestall, to the maximum extent possible, the disadvantages and risks to U.S. national security and survival inherent in the partial test ban treaty. Under the circumstance I see no possible course for me but to support such a request vigorously.

Very respectfully,

CRAIG HOSMER.

U.S. ATOMIC ENERGY COMMISSION,
Washington, D.C., October 17, 1963.

Hon. CRAIG HOSMER,
House of Representatives

DEAR CRAIG: The President forwarded to the Commission your letter of September 24 on the question of safeguards under the limited test ban treaty. We have held up our answer until we could provide you with specific information on the outcome of planning and a review of funding requirements.

As you know, our principal assignment has been the development, in coordination with the Department of Defense, of detailed plans, such as those referred to in your letter, to assure a vigorous program of weapons development through underground testing, the maintenance of strong weapons laboratories and the retention of topflight scientists, and, in addition, a program that will enable us to maintain and strengthen our capability to resume testing promptly, should it become necessary.

I am enclosing, for your information, a copy of the President's letter of October 16, 1963, to the Speaker of the House, forwarding a request for an amendment to the Commission's fiscal year 1964 plant and capital equipment budget. This increase will be used to construct facilities, mainly in the Commission's three weapons laboratories, as a part of the safeguards program.

You will note from the President's letter that most of the Commission's part of the program will be funded by savings in and reprograming of available and budgeted funds, and that this program will complement the measures being taken by the Department of Defense.

The President's request will undoubtedly be forwarded to the Joint Committee on Atomic Energy. I assume there will be an opportunity in the committee for further discussion of the safeguards program when the Commission meets with the committee in executive session on October 24.

Sincerely yours,

Glenn,
GLENN T. SEABORG.

OCTOBER 18, 1963.

THE PRESIDENT,
The White House,
Washington, D.C.

Re reductions of risks and disadvantages of the limited test ban treaty.

DEAR MR. PRESIDENT: My letter to you dated September 24, 1963, concerning the above-captioned matter has just been answered by Atomic Energy Commission Chairman Dr. Glenn Seaborg, under date of October 17, 1963.

Dr. Seaborg's letter states your administration is seeking authorization to make the following treaty safeguards expenditures during the balance of fiscal year 1964:

Los Alamos Scientific Laboratory, New Mexico:	
Occupational health laboratory	$1,650,000
High temperature chemistry facility	1,435,000
Plutonium research support building	655,000
Lawrence Radiation Laboratory, Livermore, Calif.	
Radiochemistry building	5,900,000
Hazards control addition	1,000,000
Plant engineering and services building	1,400,000
West cafeteria addition	255,000
Craft shop addition	200,000

Sandia Base, New Mexico:	
Development laboratory	$3,780,000
Explosive facilities	540,000
Classified technical reports building (addition)	500,000
Nevada test site:	
Control point additions	630,000
Total	17,945,000

Dr. Seaborg's letter also indicates that a request for appropriation of $5,945,000 will be made and that the remaining $12 million of the total sum of $17,945,000 will be obtained by reallocating money already appropriated for other purposes.

For the purposes of comparison, I have prepared the following table setting out the sums I have estimated are necessary to establish the treaty safeguards you have promised and sums you requested on October 16:

Action required by promised safeguards	Cost estimated in Sept. 24, 1963, letter to you	Your Oct. 16, 1963, request	Percent
Underground test site improvement and additions	$100,000,000	$630,000	0.63
Weapons Laboratory improvements and retention of top flight scientists	160,000,000	17,315,000	10.82
Readiness for atmospheric tests resumption capability	610,000,000	------------	0
Detection system improvements and miscellaneous	130,000,000	------------	0
Total	1,000,000,000	17,945,000	1.79

This table indicates a serious discrepancy between your views and mine as to the actions required to implement the safeguards, their costs and as to the permissible delay in implementing them. This discrepancy is further enlarged by my estimate that, in addition to the original investment, at least one-fourth billion dollars must be spent annually to maintain the safeguards in operational efficiency.

Inasmuch as statements by yourself and members of your administration raise no question as to the necessity for establishing the safeguards, the difference between my views and yours seem to lie in the following areas:

1. What actions are necessary to establish the safeguards?

2. How urgent is it to establish them without delay?

3. How much will they cost?

These are very grave questions concerning which I believe the American people are entitled to know your views in detail. I feel they also are entitled to reassurance that the $12 million reallocation above mentioned is not from items essential to the national security.

Dr. Seaborg's letter, I presume, indicated only a part of what you may have in mind relative to investments at the laboratories and for underground test site facilities. It was wholly silent as to what you may have in mind respecting the creation and maintenance of readiness for prompt resumption of atmospheric testing under emergency conditions. It also was wholly silent as to what you may have in mind respecting the improvement of our capability to detect possible violations of the treaty and to monitor Soviet nuclear weapons improvements.

I sincerely hope you will avail yourself of an opportunity to reveal to the Nation your thinking on these important matters, either in a comprehensive reply to this letter or otherwise.

I make this request because the amount you are presently seeking for implementation of the safeguards is such a small fraction of what many believe is needed that it raises doubts that the entire matter of the safeguards are being taken seriously by those who may be advising you in these matters.

I make this request also because there is no assurance that Soviet scientists have not already embarked on a clandestine program of secret developments aimed at overpowering U.S. capability in every category of nuclear weapons; there can be no assurance on this point until the promised safeguards are fully in being; and, until they are, an open invitation to the Kremlin is outstanding to get away with anything and everything we cannot detect or discover.

Very truly yours,

CRAIG HOSMER.

THE WHITE HOUSE,
Washington, D.C., November 5, 1963.

Hon. CRAIG HOSMER,
House of Representatives,
Washington, D.C.

DEAR MR. HOSMER: In reply to your letter to the President dated October 18, in regard to the limited test ban treaty, I understand that the hearing last week before the Joint Committee on Atomic Energy on the 1964 supplemental appropriations offered an opportunity for a full and lengthy exchange between you and the members and staff of the Atomic Energy Commission with respect to the questions you raised in your letter.

Sincerely,

CHARLES E. JOHNSON.

HOUSE OF REPRESENTATIVES,
Washington, D.C., November 12, 1963.

THE PRESIDENT,
The White House,
Washington, D.C.

Re reductions of risks and disadvantages of the limited test ban treaty.

DEAR MR. PRESIDENT: I wrote you relative to the above-captioned matter in detail under date of September 24. This was the date the Senate voted its consent to the limited test ban treaty. My letter enumerated these following safeguards promised by you and members of your administration:

1. The conduct of comprehensive, aggressive, and continuing underground nuclear test programs.

2. The maintenance of modern nuclear laboratory facilities manned by topflight scientific personnel.

3. The maintenance of facilities and resources necessary for prompt resumption of atmospheric testing in the event of Soviet abrogation of the treaty or should the national security otherwise require.

4. The improvement of our capability to detect treaty violations and Sino-Soviet nuclear activity, capabilities and achievements.

This letter estimated the bare cost of hardware to achieve these safeguards at $1 billion and the operating costs of maintaining them at one-quarter billion dollars annually.

Eventually, under date of October 17, the Chairman of the Atomic Energy Commission wrote me what purported to be a reply to the September 28 letter. Dr. Seaborg indicated your administration's plan to spend $17,315,000 at the laboratories in pursuance of above-mentioned safeguard No. 2, and $630,000 for Nevada test site improvements in pursuance of safeguard No. 1. It made no reference whatever to safeguards No. 3 and No. 4.

Promptly on October 18, I wrote you again, pointing out that the safeguards expenditures proposed by you amounted only to 1.79 percent of the amount I estimated as the required minimum. I pointed out that this considerable discrepancy indicated a basic difference in viewpoint in the following areas:

1. What actions are necessary to establish the safeguards?

2. How urgent is it to establish them without delay?

3. How much will they cost?

I also pointed out that Dr. Seaborg's letter was wholly silent as to what you may have in mind respecting the creation and maintenance of readiness for prompt resumption of atmospheric testing under emergency conditions. I also pointed out the Seaborg letter was wholly silent as to what you may have in mind respecting the improvements of our capability to detect possible violations of the treaty and to monitor Soviet nuclear weapons improvements.

Additionally, the letter expressed my hope that "you will avail yourself of an opportunity to reveal to the Nation your thinking on these important matters" either in a comprehensive reply to my communication or otherwise.

Eventually, under date of November 5, I received a terse reply from Charles E. Johnson, of your staff, stating his understanding that Joint Committee on Atomic Energy hearings on the 1964 Supplemental Appropriations "offered an opportunity for a full and lengthy exchange between you and the members of the staff of the Atomic Energy Commission with respect to the questions you raised in your letter."

Mr. Johnson's understanding is quite incorrect.

The fact is that safeguard No. 2 was the subject of the hearings; safeguard No. 1 was touched only in passing; safeguard No. 3 was not within the scope of the hearings; and, neither was safeguard No. 4, although subsequently the committee on its own made a partial inspection of present detection facilities.

Realistically, I did not expect you would ever see either one of my letters, but I did expect they might be read and processed by someone on your White House staff who could be expected to have some understanding of what this mail involved. My letters have never been properly answered and I think they should be.

However, whether I get a reply or not is far less important than the alarm I feel over the apparent inability of anyone in your White House family to understand what one is talking about when he talks of the test ban treaty safeguards and what is being done to implement them. The Atomic Energy Commission has responsibilities pertaining to them, yes, but so does the Department of Defense—particularly in connection with safeguards No. 3 and No. 4. The safeguards are a group of related actions, each of which must be carried out competently and completely in order to reduce the admitted risks and hazards of the treaty and in order to protect the national security.

I can only gather from the history of this exchange of correspondence that nobody in the White House really is in charge of defining what these safeguards are and seeing to it they are carried out. Yet a very big thing was made of them in order to get the Senate's consent to the treaty.

My second letter to you stated that the amount of money sought to implement the safeguards is such a small fraction of what many believe is needed that "it raises doubts that the entire matter of the safeguards is being taken seriously by those who may be advising you in these matters." The naive partial and incomplete responsiveness of the Seaborg and Johnson replies to my letters only reinforces these doubts.

If, in fact, at this point no one of your staff has been delegated the overall responsibility of coordinating the effort to put these safeguards into effect and making sure it is done—and done adequately—I most respectfully and urgently recommend that it be done without delay. I hope you also will consider the advisability of my early recommendation that you reveal to the Nation your thinking on the important matter of the safeguards.

In any event, I would appreciate knowing the name of your assistant who is now, or may in the future be, assigned the overall safeguards responsibility.

Very truly yours,

CRAIG HOSMER.

Understandably, Mr. Speaker, no reply was received to the November 12 letter due to President Kennedy's assassination shortly thereafter.

The following letter, taking up the matter with the new President, was written and mailed December 20, 1963:

HOUSE OF REPRESENTATIVES,
Washington, D.C., December 20, 1963.

Re reduction of risks and disadvantages of the limited test ban treaty.

THE PRESIDENT,
The White House,
Washington, D.C.

DEAR PRESIDENT JOHNSON: On September 24, October 18, and November 12 I wrote the late President Kennedy relative to the above-captioned matter. The last letter, of course, was not answered. But replies to the first two indicated to me a matter of serious concern.

Apparent from the replies was the fact that no one on the White House staff appears to have responsibility for bringing together the important actions which both the Department of Defense and the Atomic Energy Commission must pursue if the necessary safeguards—which were promised—are to be carried out to reduce the admitted risks and disadvantages of the limited nuclear test ban treaty.

These safeguards are the following:

1. The conduct of comprehensive, aggressive, and continuing underground nuclear test programs.

2. The maintenance of modern nuclear laboratory facilities manned by topflight scientific personnel.

3. The maintenance of facilities and resources necessary for prompt resumption of atmospheric testing in the event of Soviet abrogation of the treaty or should the national security otherwise require.

4. The improvement of our capability to detect treaty violations and Sino-Soviet nuclear activity, capabilities, and achievements.

I think it is quite safe to say that so far no comprehensive and coordinated steps have been taken to insure that the safeguards are implemented. Such few actions that have been taken to date in no way measure up to the promises made to the Senate and to the Joint Chiefs of Staff to obtain their concurrence to the treaty.

As a matter of fact, it is understood that serious cuts in the fiscal year 1965 budget already are being contemplated for the underground testing program.

I need not point out that notwithstanding the treaty, the Soviets are still deadly serious in their intention to rule the world. Nor need I point out their consistent ability to make substantial nuclear progress behind the secrecy of the Iron Curtain.

In order that you may be fully informed of my above-mentioned letters I am enclosing copies.

In order that the national security interests of the United States may be fully served, I am making the same recommendation to you that was made to the late President; namely, that a knowledgeable and interested member of your staff be delegated the overall responsibility for coordinating the effort to place into effect the foregoing safeguards—and making certain it is done.

With best wishes for the holiday season, I remain,

Sincerely yours,

CRAIG HOSMER.

Mr. Speaker, by January 20, 1964, no acknowledgement or reply having been received from President Johnson, the following letter was dispatched, and time alone will tell whether it, also, will be ignored:

HOUSE OF REPRESENTATIVES,
Washington, D.C., January 20, 1964.

Re reduction of risks and disadvantages of the limited test ban treaty.

THE PRESIDENT,
The White House,
Washington, D.C.

DEAR PRESIDENT JOHNSON: On December 20, 1963, I wrote you concerning the above-captioned matter. The letter has neither been acknowledged, nor has a reply been received thereto.

I am attaching a copy of the December 20 letter (less enclosures).

It is hoped that this matter will receive the serious attention the national security indicates it deserves.

Very truly yours,

CRAIG HOSMER.

Panama Canal: Wake Up America, Your House Is on Fire

EXTENSION OF REMARKS
OF

HON. CLARENCE CANNON

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 21, 1964

Mr. CANNON. Mr. Speaker, as a close observer in the Congress for many years of conduct of the foreign policies of the United States, I long ago noted that what may appear as a sudden crisis has usually been foreseen by others in our Government who have given timely warning with a view to its prevention. This has been notably true in questions affecting the Panama Canal, as repeatedly demonstrated in the objective analyses and accurate predictions by my distinguished colleague from Pennsylvania [Mr. FLOOD].

In his brilliant radio address over the Manion Forum on June 2, 1963, entitled "Wake Up America, Your House Is on Fire," he foresaw the danger at Panama and warned of the necessity for maintaining U.S. sovereignty over the Canal Zone.

The story of the January 9–10, 1964, Panamanian outbreak, aided, abetted, and directed by Castro-type Communist agents from Cuba, is now a matter of history. It required the use of the U.S. Army to protect the Canal Zone against mob violence and the personal attention of the President of the United States. The loss of American lives and injuries to American citizens, all within the Canal Zone, the damage to American property in both Panama and the zone, and the attack on the U.S. Embassy in Panama city that forced its evacuation, combined to make the incident one of momentous consequence, comparable to a psychological Pearl Harbor. It emphasized the Panama Canal as the key target for communistic revolutionary conquest of the Western Hemisphere and stressed the necessity for our Government to clarify and make definite its policy of maintaining the untrammeled U.S. sovereignty over the American territory known as the Canal Zone.

Following a Presidential conference in the White House lasting until 2 a.m. on January 14, 1964, an executive press statement announced that the United States has a "recognized obligation to operate the canal efficiently and securely" and that our Government intends to honor that obligation. But this statement alone is not enough. It is only the first step.

The Congress, as the ultimate authority in matters of foreign policy, should support the President in this stand by prompt passage of House Concurrent Resolution 105, which is now pending before the Committee on Foreign Affairs, and to take such other steps as the situation requires.

Because the June 2, 1963, address by my colleague supplies ample justification for such actions by the Congress and reflects the vision that makes it a paper of historic importance, I quote it as part of my remarks and urge that this address be read by every Member of Congress, both House and Senate, as well as by every official in the executive departments concerned with Panama Canal policy questions.

The address follows:

WAKE UP AMERICA, YOUR HOUSE IS ON FIRE

(By Hon. DANIEL J. FLOOD, Member of Congress from Pennsylvania)

Dean MANION. The iron hand of the Communist conquest presses down hard upon Cuba now but it does not rest there. The long fingers of this blood-red hand are constantly probing the Central American mainland and its index finger points ominously at the Panama Canal. There—and now within the reach of the rapacious Kremlin conspiracy—is the rich paydirt of U.S. territory.

How serious is this Red threat to Panama? With me here now is the person in Washington best qualified to answer this question. In Congress, Representative DANIEL J. FLOOD, of Pennsylvania, is known as the watchdog of the Panama Canal. This distinguished man has long had a passionately patriotic interest in this vital waterway which he keeps well informed and alerted by frequent visits to the isthmus. Nothing that you have ever heard on this program is more important than what he has to say to you now.

Congressman FLOOD, welcome back to the Manion Forum.

Mr. FLOOD. Thank you, Dean Manion.

Wake up America, your house is on fire. Indeed, the very foundation of your house—the Panama Canal Zone—is smoldering and every so often is spurting forth flames. For it is the Panama Canal which is the key target of the world revolutionary movement in the Caribbean.

Thus far, we have not taken the measures required to put out this fire. Instead, we have floundered from crisis to crisis making concession after concession to Panama, and Panama, in return, has continued with larger and larger demands.

Warnings of what was to come have been given time after time in the Halls of Congress, but these warnings fell on deaf ears.

But in each case, the things I warned of came to pass. There was the attempt of Panamanian students to hoist the Panama flag at the Canal Zone Administration Building in 1958; the November 3, 1959, attempted invasion of the Canal Zone by a Panamanian mob which required the use of the U.S. Army to quell the uprising.

Then, there was the ill-advised action of the President of the United States, contrary to the mandate of Congress, in directing the formal display of the Panama flag over the Canal Zone territory as evidence of Panama's so-called titular sovereignty.

And, on October 29, 1962, on orders from the executive department of our Government, there was the formal raising of the Panamanian flag at the Canal Zone Administration Building alongside the U.S. flag and similar displays at other points in the zone, which was taken as increased recognition of Panama's claim of "titular sovereignty" over the zone and the Panama Canal.

This last action was taken by our Government despite the fact that on October 12, only 17 days previously, the ceremonies for the dedication of the Thatcher Ferry Bridge at Balboa, attended by Under Secretary of State George W. Ball, and other notables, was marred by Panamanian demonstrators, who used Communist tactics and claimed Panamanian sovereignty over the bridge.

And with all of the foregoing, we find evidence that Panamanian aspirations are aided by our own Department of State. The State Department's program has been one of aiding the piecemeal liquidation of our undeniable treaty rights in the Canal Zone.

President Chiari's Secretary of Finance, Gilberto Arias, only this March was quoted as saying: "In the future, with God's help, we will achieve our objective; that the Panama Canal be the property of Panamanians, under full and absolute jurisdiction of the Republic of Panama, maintained by Panamanians, operated by Panamanians, sanitated by Panamanians, and protected by Panamanians."

How can responsible officials of our Government knowingly collaborate with Panamanian radicals to surrender more of our authority to a country which, since 1955, when sanitation in the cities of Colón and Panamá was returned to it, has not even succeeded in collecting its garbage? It is incomprehensible?

Here I must emphasize that the Republic of Panama grew out of the movement for the Panama Canal, and not the reverse. The only advantage that Panama can claim as regards the canal is its geographical location, which it never ceases to exploit in advancing its demands for increased benefits and sovereignty over the Canal Zone.

To make sure there is no uncertainty as to what purpose the Panamanian Government is using all its energies to acquire, I shall quote its openly declared objectives, as stated in a report on September 20, 1960, to President Chiari by his Committee on International Politics. These demands include:

Raising the Panamanian flag in the zone; equal salary treatment and job opportunities for Panamanians with North Americans; raising the annuity to 20 percent of the gross income, with a guaranteed minimum of $5 million; mixed courts in the Canal Zone; complete supplying by Panama of the Zone market, including ships, and stopping of production activities in the zone; recognition of Canal Zone exequaturs granted by Panama to foreign consuls; use of Panamanian postage in the zone; liquidation of the Panama Railroad.

They also include establishment of Spanish as the official language of the zone; Panamanian jurisdiction in the zone over passengers and cargo coming into Panama and over ships flying the Panamanian flag; granting to Panama of dock and port facilities, and at U.S. expense; organization of Panama's civil defense at U.S. expense; corridors, under Panamanian jurisdiction, across the zone; opportunities for Panamanian products in U.S. markets. And, finally, acceptance of compulsory jurisdiction of the World Court over controversies between Panama and the United States.

Such demands are matters that would inevitably affect all interoceanic commerce that uses the Panama Canal and has to pay tolls. They present grave questions to which the merchant marine of all nations simply cannot afford to be indifferent. Moreover, it is significant that the flag of Panama's new Independent Revolutionary Party carries 10 stars, the 10th star representing the Canal Zone.

As to the flag question previously mentioned, it will be recalled that the Committee on Foreign Affairs, in early 1960 in anticipation of difficulties with respect to the flag question, conducted hearings on United States-Panama relations when high executive officials and myself testified.

The unanimous recommendation of the full committee was for a concurrent resolution expressing the sense of the Congress that any variation in the traditional interpretation of the treaties of 1903, 1936, and 1955 between the United States and Panama with reference to matters of territorial sovereignty shall be made only pursuant to treaty. After an animated debate on February 2, 1960, the House adopted this resolution by the overwhelming vote of 381 to 12, which should have prevailed over the the predilections of executive officials.

Although this bill died in the Senate, the magnitude of the House vote is significant, clearly reflecting the concern of our people for the security of the Canal Zone territory.

It also demonstrates to the international infiltrators in the Department of State and their collaborators that these influences can never succeed in perpetrating their schemes with respect to the Panama Canal through normal procedures. They realize they must bypass the Congress by means of a new canal treaty.

This, they no doubt feel, can be pushed through, as was the 1955 treaty, without adequate debate to continue the process of erosions that started with the 1936–39 treaty. And that is why Congress must keep alert.

We must guard U.S. vital interests. We must have control of the maritime approaches to the Panama Canal, both at the Atlantic and Pacific ends. We must maintain untrammeled sovereignty over the zone and meet our treaty obligations to maintain free and open transit for vessels of commerce for all nations on terms of equality with tolls that are just and equitable.

We must insist on civil protection of the Canal Zone from disorders and pestilence, originating in the terminal cities of Colon and Panama, as well as safeguard the summit-level water supply as required for lockages and maintaining channel depths. We must also assure military and naval defense of the Panama Canal from aggression.

By the fall of 1962, the process of erosion of our rights, power, and authority, symbolized by formal display of the Panamanian flag in the Canal Zone wherever the U.S. flag is flown by civilian authorities as increased evidence of Panamanian sovereignty, has gone so far that our citizens in the zone decided to act, and in a desperate effort to protect our country's interests, organized at their own expense court action to test the legality of the formal display of the Panamanian flag over the Canal Zone territory of the United States.

A suit was filed against Gov. Robert J. Fleming, Jr., of the zone and the Secretary of the Army Cyrus R. Vance, in an effort to end this symbol of surrender by the United States to the mob-ruled Panamanian Government. In retaliation to the suit, a Panamanian citizen, on January 9, 1963, filed a suit in the Supreme Court of Panama that aims to establish that the ratification of the 1903 treaty by executive decree of the Panamanian revolutionary junta was illegal and hence null and void.

If sustained by the Panamanian Supreme Court, it would logically follow that the 1903 revolution by which Panama gained its independence from Colombia was likewise null and void and that Panama is still a department of the Republic of Colombia, and that Colombia, not Panama, is the sovereign of the isthmus.

While in Panama last December, I visited the Canal Zone and found general alarm on the part of our citizens at the conduct of the Governor of the Canal Zone.

At a press conference held at the Tivoli Hotel, I learned about an address given by the Governor before the American Society of Civil Engineers, which includes Panamanian engineers among its membership.

Not only was his address the most disconcerting ever publicly uttered by a Governor, but he seems to have reveled in its flavor.

He reflected the philosophy of international socialist elements in and on the fringes of public affairs and advocated what amounts to a permanent state of social revolution, as well as belittling the constitutional foundations of our country and urged unconditional exercise by Federal agencies of power without regard to constitutional limitations.

He also condemned the past in our history without discriminating between what is great and that which is ephemeral, and failed to present our Constitution in its true light as the great contractual document under which the Thirteen Original States created three separate and independent agencies of government with limited powers.

His conclusion was an illiberal assault upon those who differ with his views as having "small minds" bent on preserving the "status quo" and thus, in effect, as being domestic enemies "as dangerous" to the United States as foreign enemies.

This, my friends, was a deliberate administrative attack against the present diplomatic and juridical foundation of the Panama Canal enterprise and, as an attempted public intimidation of those standing up for the sovereign rights, power, and authority of the United States over it. Thus, this shocking address served to invite further aggressions against the sovereignty of the United States over the Canal Zone territory.

I say that Governor Fleming must be replaced. And that would be a beginning.

I would state that, since the birth of freedom, parliamentary bodies have preserved the just rights of a nation against the misguided exercise of executive power. In this present juncture, it seems that the legislative branch of our Government must similarly act to uphold and maintain the unalienable rights of our Nation in regards to the great Isthmian waterway.

Congress must act, and act now. You can help by sending thoughtful letters to your Senators and Representatives telling them of the dangers that confront us in the Caribbean.

Dean MANION. Thank you, thank you very much my good friend, Congressman DAN FLOOD, of Pennsylvania.

My friends, for Congress to act you must act first. Send this startling speech to your newspaper editor, to your minister and, of course, to your Senators and Congressman. If the United States is forced out of the Panama Canal Zone, the Red fist will close around the throat of the world's commerce and trade. Wake up and put out this Red fire.

SENATE

WEDNESDAY, JANUARY 22, 1964

The Senate met at 12 o'clock meridian, and was called to order by the President pro tempore.

The Very Reverend Myron Pacholok, St. Nicholas Church, Troy, N.Y., offered the following prayer:

In the name of the Father, the Son, and the Holy Spirit. Amen.

O God Almighty, who with wisdom inscrutable and great riches of providence maintaineth all things and bestoweth upon us all that is good and gracious, we, Thy servants, lift up our hearts in prayer to Thee and invoke Thy divine blessings upon our God-loving and God-protected country, the United States of America, and upon our most distinguished President, Lyndon B. Johnson. Grant him Thy guidance, strength, and determination in the performance of his many arduous duties.

Give rest, O our God, to the soul of Thy departed servant, our late President, John F. Kennedy, and preserve it in the life of eternal blessedness which is with Thee.

Sustain and illuminate, O Sovereign Master, the hearts of all the Members of our great deliberative bodies—the U.S. Senate and the House of Representatives—so that they may always strive to do Thy will and ascribe to Thee Thy glory, preserving our glorious heritage for all generations to come.

Most Gracious God, send down Thy blessings of love and understanding to the citizens of this glorious Nation. Protect them from all discord and violence, and endue them with the spirit of wisdom and true fellowship.

We thank Thee, O Lord, for the magnificent gift of liberty Thou hast bestowed upon our country, being ever mindful of our great responsibility to toil and sacrifice in order that all mankind may soon live in dignity and freedom.

When creating man, Thou placed into his very being an intrinsic desire to be free. Therefore, as this day we commemorate the 46th anniversary of the Proclamation of Independence of the Ukrainian National Republic, we pray to Thee, our Father who lovest mankind, for Thy deliverance from bondage of the long-suffering people of Ukraine and those of other captive nations. Their enslavement by the satanic hand of the most despotic regime in the history of the world will come to an end, as good will most certainly conquer evil. Although still oppressed by Communist imperialism, the Ukrainian people continue their struggle for liberty and independence in every manner available to them, for the vision of everlasting freedom is not lost, but burns like an inextinguishable flame in the depths of their hearts.

Permit us, O Eternal God, to bow our heads in solemn tribute to the countless heroes of our beloved land, the United States of America, to those of Ukraine, and to those of all other nations of the world, who gave or are now offering themselves in sacrifice for the cause of liberty and for the right to worship Thee, our Heavenly Father, for Thou art the only source of true and lasting freedom, and unto Thee we ascribe glory and thanksgiving, together with Thine only begotten Son, Jesus Christ, and Thy lifegiving Spirit, both now and ever, and unto ages of ages.

In the name of the Father, the Son, and the Holy Spirit. Amen.

THE JOURNAL

On request of Mr. Mansfield, and by unanimous consent, the reading of the Journal of the proceedings of Monday, January 20, 1964, was dispensed with.

ATTENDANCE OF SENATORS

The following additional Senators attended the session of the Senate today: Quentin N. Burdick, a Senator from the State of North Dakota, Warren G. Magnuson, a Senator from the State of Washington, and Gale W. McGee, a Senator from the State of Wyoming.

MESSAGES FROM THE PRESIDENT

Messages in writing from the President of the United States were communicated to the Senate by Mr. Miller, one of his secretaries.

THE BUDGET, 1965—MESSAGE FROM THE PRESIDENT (H. DOC. NO. 265—PT. 1)

Mr. HUMPHREY. Mr. President, the budget message of the President was read in the House on yesterday. I ask unanimous consent that the reading of the message transmitted to the Senate today be waived, and that the message be referred to the Committee on Appropriations.

The PRESIDENT pro tempore. Without objection, it is so ordered.

The message from the President was referred to the Committee on Appropriations.

(For President's budget message, see House proceedings of January 21, 1964, p. 704, Congressional Record.)

DISTRICT OF COLUMBIA BUDGET, 1965—MESSAGE FROM THE PRESIDENT (H. DOC. NO. 265—PT. 2)

Mr. HUMPHREY. Mr. President, there was also transmitted to the Senate today the message of the President on the District of Columbia budget, 1965. As this message was read in the House on yesterday, I ask unanimous consent that the reading of the message be waived, and that the message be referred to the Committee on Appropriations.

The PRESIDENT pro tempore. Without objection, it is so ordered.

The message was referred to the Committee on Appropriations.

(For President's message on the District of Columbia budget, 1965, see House proceedings of January 21, 1964, p. 720, Congressional Record.)

EXECUTIVE MESSAGES REFERRED

As in executive session,

The PRESIDENT pro tempore laid before the Senate messages from the President of the United States submitting sundry nominations, which were referred to the appropriate committees.

(For nominations this day received, see the end of Senate proceedings.)

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Bartlett, one of its reading clerks, announced that the House had passed the following bills, in which it requested the concurrence of the Senate:

H.R. 3396. An act to authorize the addition of lands to Morristown National Historical Park in the State of New Jersey, and for other purposes;

H.R. 8507. An act for the relief of certain medical and dental officers of the Air Force;

H.R. 8937. An act for the relief of certain retired officers of the Army, Navy, and Air Force; and

H.R. 9435. An act to improve judicial procedures for serving documents, obtaining evidence, and proving documents in litigation with international aspects.

ENROLLED BILL SIGNED

The message also announced that the Speaker had affixed his signature to the enrolled bill (S. 2079) to provide for the striking of three different medals in commemoration of the Federal Hall National Memorial, Castle Clinton National Monument, and Statue of Liberty National Monument American Museum of Immigration in New York, N.Y., and it was signed by the President pro tempore.

HOUSE BILLS REFERRED

The following bills were severally read twice by their titles and referred as indicated:

H.R. 3396. An act to authorize the addition of lands to Morristown National Historical Park in the State of New Jersey, and for other purposes; to the Committee on Interior and Insular Affairs.

H.R. 8507. An act for the relief of certain medical and dental officers of the Air Force;

H.R. 8937. An act for the relief of certain retired officers of the Army, Navy, and Air Force; and

H.R. 9435. An act to improve judicial procedures for serving documents, obtaining evidence, and proving documents in litigation with international aspects; to the Committee on the Judiciary.

LIMITATION OF DEBATE DURING MORNING HOUR

On request of Mr. Mansfield, and by unanimous consent, statements during the morning hour were ordered limited to 3 minutes.

COMMITTEE MEETINGS DURING SENATE SESSION

On request of Mr. Mansfield, and by unanimous consent, the Constitutional Amendments Subcommittee of the Committee on the Judiciary and the Committee on Rules and Administration were authorized to meet during the session of the Senate today.

On request of Mr. **Pastore**, and by unanimous consent, the Business and Commerce Subcommittee of the Committee on the District of Columbia was authorized to meet during the session of the Senate today.

On request of Mr. **Dirksen**, and by unanimous consent, the Subcommittee on National Penitentiaries of the Committee on the Judiciary was authorized to meet during the session of the Senate today.

On request of Mr. **Mansfield**, and by unanimous consent, the Committee on Finance was authorized to meet during the session of the Senate this afternoon.

AUTHORIZATION FOR COMMITTEE MEETING DURING SENATE SESSION TOMORROW

On request of Mr. **Mansfield**, and by unanimous consent, the Committee on Finance was authorized to meet during the session of the Senate tomorrow.

DESIGNATION OF SENATOR MUSKIE TO READ WASHINGTON'S FAREWELL ADDRESS ON FEBRUARY 21

Mr. MANSFIELD. Mr. President, in view of the fact that the 22d of February this year will fall on a Saturday, I ask unanimous consent that Washington's Farewell Address be read to the Senate on Friday, February 21, by a Senator to be designated for that purpose by the President pro tempore.

The PRESIDENT pro tempore. Without objection, it is so ordered.

Under the order of January 24, 1901, the Chair appoints the Senator from Maine [Mr. **Muskie**] to read Washington's Farewell Address on Friday, February 21.

EXECUTIVE COMMUNICATIONS, ETC.

The PRESIDENT pro tempore laid before the Senate the following letters, which were referred as indicated:

Report on Puerto Rican Hurricane Relief Loans

A letter from the Secretary of Agriculture, reporting, pursuant to law, on Puerto Rican hurricane relief loans, as of December 31, 1963; to the Committee on Agriculture and Forestry.

Report on Reapportionment of Appropriations

A letter from the Director, Bureau of the Budget, Executive Office of the President, reporting, pursuant to law, that certain appropriations had been apportioned on a basis which indicates the necessity for supplemental estimates of appropriation (with an accompanying paper); to the Committee on Appropriations.

Report on Accounting of Water, San Juan-Chama Project, Colorado-New Mexico

A letter from the Assistant Secretary of the Interior, transmitting, pursuant to law, a report on accounting of water, San Juan-Chama project, Colorado-New Mexico, dated February 1963 (with accompanying papers); to the Committee on Interior and Insular Affairs.

Report on Tort Claims Paid by Department of Labor

A letter from the Secretary of Labor, transmitting, pursuant to law, a report on tort claims paid by that Department, for the calendar year 1963 (with an accompanying report); to the Committee on the Judiciary.

Report on Tort Claims Paid by District of Columbia Redevelopment Land Agency

A letter from the Chairman, District of Columbia Redevelopment Land Agency, Washington, D.C., reporting, pursuant to law, on tort claims paid by that Agency, for the calendar year 1963; to the Committee on the Judiciary.

PETITIONS AND MEMORIALS

Petitions, etc., were presented, and referred as indicated:

By Mrs. SMITH (for herself and Mr. MUSKIE):

A resolution of the Legislature of the State of Maine; to the Committee on the Judiciary:

"Resolution Ratifying the Proposed Amendment to the Constitution of the United States Relating to the Qualification of Electors

"Whereas the 87th Congress of the United States of America, at the 2d session begun and held at the city of Washington, on Wednesday, the 10th day of January 1962, by a constitutional two-thirds vote in both Houses adopted a joint resolution proposing an amendment to the Constitution of the United States, to wit:

" 'Joint resolution proposing an amendment to the Constitution of the United States relating to the qualification of electors

" '*Resolved by the Senate and House of Representatives of the United States of America in Congress assembled (two-thirds of each House concurring therein)*, That the following article is hereby proposed as an amendment to the Constitution of the United States, which shall be valid to all intents and purposes as part of the Constitution only if ratified by the legislatures of three-fourths of the several States within 7 years from the date of its submission by the Congress:

" ' "Article —

" ' "Section 1. The right of citizens of the United States to vote in any primary or other election for President or Vice President, for electors for President or Vice President, or for Senator or Representative in Congress, shall not be denied or abridged by the United States or any State by reason of failure to pay any poll tax or other tax.

" ' "Sec. 2. The Congress shall have power to enforce this article by appropriate legislation." ': Therefore be it

"*Resolved*, That the Legislature of the State of Maine hereby ratifies and adopts this proposed amendment to the Constitution of the United States; and be it further

"*Resolved*, That the secretary of state of the State of Maine notify the President of the United States, the Secretary of State of the United States, the President pro tempore of the Senate of the United States, the Speaker of the House of Representatives of the United States, the Administrator of General Services of the United States, and each Senator and Representative from Maine in the Congress of the United States of this action of the legislature by forwarding to each of them a certified copy of this resolution.

"Read and adopted in the house of representatives January 15, 1964.

"Harvey R. Pease,
"*Clerk.*

"Read and adopted (in concurrence), in senate chamber, January 16, 1964.

"Chester T. Winslow,
"*Secretary.*"

A joint resolution of the Legislature of the State of Maine; to the Committee on Interior and Insular Affairs:

"Joint Resolution Memorializing the Honorable Stewart L. Udall, Secretary of the Interior, To Remove or To Liberalize the Restrictions on Residual Fuel Oil Imports

"We, your memorialists, the Senate and House of Representatives of the State of Maine in special session of the 101st session assembled, most respectfully present and petition the Honorable Stewart L. Udall, Secretary of the Interior, as follows:

"Whereas on Monday, December 9, President Johnson resolved to you the responsibility and role of being the chief agency for petroleum policy matters for the Federal Government; and

"Whereas it has been recognized that one of the major burdens placed on both industry and consumers in all of the North Atlantic States has been the restriction on residual fuel imports kept in effect for the past several years; and

"Whereas the development and maintenance of the vital economy in the State of Maine is dependent upon a sufficient supply of imported residual fuel oil at competitive prices, be it

"*Resolved*, That we recommend and urge to the Secretary of the Interior that appropriate action be taken to either remove or revise present residual fuel oil import restrictions to the end that the best interests of both the consumer and our Nation are served; and be it further

"*Resolved*, That a copy of this memorial, duly authenticated by the secretary of state, be transmitted by the secretary of state to the Honorable Stewart L. Udall and by the secretary of state to the Members of Senate and House of Representatives representing Maine in Congress.

"Read and adopted in senate chamber, January 14, 1964.

"Chester T. Winslow,
"*Secretary.*

"Read and adopted in the house of representatives (in concurrence), January 15, 1964.

"Harvey R. Pease,
"*Clerk.*"

A joint resolution of the Legislature of the State of Maine; to the Committee on Labor and Public Welfare:

"Joint Resolution Memorializing Maine Congressional Delegation To Oppose New Stringent Requirements in Public Assistance Case

"We, your memorialists, the Senate and House of Representatives of the State of Maine in the 101st legislative session assembled, most respectfully present and petition your honorable body as follows:

"Whereas the Federal Department of Health, Education, and Welfare requires an increase in the frequency of review of eligibility in public assistance cases and also requires a new system of so-called "quality control"; and

"Whereas compliance with these requirements will mean the appropriation of additional State funds in order to continue to operate the public assistance programs under new eligibility standards which are totally inapplicable and transcend the needs and conditions existing in this State; and

"Whereas the failure to conform to these Federal requirements will place Maine's public assistance Federal matching funds in jeopardy: Now, therefore, be it

"*Resolved*, That in the stringent requirements by the Department of Health, Education, and Welfare for increased review of eligibility, as well as the imposition of a new system of 'quality control,' we recognize a complete disregard of the purposes for which the Federal-State assistance programs were designed and the highly impractical and utopian desire on the part of the Department to promote the fallacious objective of nationwide uniformity in Federal assistance requirements; and be it further

"*Resolved,* That the Legislature of the State of Maine expresses the opinion that these requirements ought not to be imposed upon this or any other State in the absence of their consent, nor under the threat of loss of Federal matching funds if there is noncompliance; and be it further

"*Resolved,* That the Senators and Representatives of this State in the Congress of the United States be instructed to oppose the imposition of these requirements upon this State; and be it further

"*Resolved,* That a copy of this preamble and these resolves, duly authenticated by the secretary of state, be immediately transmitted by the secretary of state to the President of the Senate and the Speaker of the House of Representatives in Congress, to the Secretary of the U.S. Department of Health, Education, and Welfare, and to each of our Senators and Representatives in Congress.

"Read and adopted in senate chamber, January 15, 1964.

"CHESTER T. WINSLOW,
"*Secretary.*

"Read and adopted in the house of representatives (in concurrence), January 16, 1964.

"HARVEY R. PEASE,
"*Clerk.*"

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. **MUSKIE**, from the Committee on Government Operations, without amendment:

S. 1928. A bill to authorize the Administrator of General Services to sell a part of the former Cheli Air Force Station to Chanslor-Western Oil and Development Co. by negotiation, and for other purposes (Rept. No. 822).

By Mr. **MUSKIE**, from the Committee on Government Operations, with amendments:

S. 855. A bill to provide for more effective utilization of certain Federal grants by encouraging better coordinated local review of State and local applications for such grants (Rept. No. 821).

By Mr. **BREWSTER**, from the Committee on Government Operations, without amendment:

H.R. 3368. An act to authorize the Administrator of General Services to convey by quitclaim deed a parcel of land to the Lexington Park Volunteer Fire Department, Inc. (Rept. No. 826).

By Mr. **McCLELLAN**, from the Committee on Government Operations, without amendment:

S. 1833. A bill to authorize Government agencies to provide quarters, household furniture and equipment, utilities, subsistence, and laundry service to civilian officers and employees of the United States, and for other purposes (Rept. No. 829);

H.R. 1959. An act to authorize the transportation of privately owned motor vehicles of Government employees assigned to duty in Alaska, and for other purposes (Rept. No. 827); and

H.R. 4801. An act to amend subsection 506 (d) of the Federal Property and Administrative Services Act of 1949, as amended, regarding certification of facts based upon transferred records (Rept. No. 828).

EXAMINATION AND STUDY OF FOREIGN POLICIES OF THE UNITED STATES (S. REPT. NO. 823)

Mr. FULBRIGHT, from the Committee on Foreign Relations, reported an original resolution (S. Res. 277) authorizing the Committee on Foreign Relations to examine and study the foreign policies of the United States, and submitted a report thereon, which resolution, under the rule was referred to the Committee on Rules and Administration, as follows:

Resolved, That the Committee on Foreign Relations or any duly authorized subcommittee thereof is authorized under sections 134(a) and 136 of the Legislative Reorganization Act of 1946, as amended, and in accordance with its jurisdictions specified by rule XXV of the Standing Rules of the Senate, to examine, investigate, and make complete studies of any and all matters pertaining to the foreign policies of the United States and their administration.

SEC. 2. For the purposes of this resolution the committee, from February 1, 1964, to January 31, 1965, inclusive, is authorized (1) to make such expenditures; (2) to employ, upon a temporary basis, technical, clerical, and other assistants and consultants; (3) to hold such hearings, to take such testimony, to sit and act at such times and places during the sessions, recesses, and adjourned periods of the Senate, and to require by subpena or otherwise the attendance of such witnesses and the production of such correspondence, books, papers, and documents; and (4) with the prior consent of the heads of the departments or agencies concerned, and the Committee on Rules and Administration, to utilize the reimbursable services, information, facilities, and personnel of any of the departments or agencies of the Government, as the committee deems advisable.

SEC. 3. In the conduct of its studies the committee may use the experience, knowledge, and advice of private organizations, schools, institutions, and individuals in its discretion, and it is authorized to divide the work of the studies among such individuals, groups, and institutions as it may deem appropriate and may enter into contracts for this purpose.

SEC. 4. Expenses of the committee, under this resolution, which shall not exceed $150,000 for the period ending January 31, 1965, shall be paid from the contingent fund of the Senate upon vouchers approved by the chairman of the committee.

STUDIES RELATING TO EFFICIENCY AND ECONOMY OF OPERATIONS OF THE GOVERNMENT

Mr. McCLELLAN, from the Committee on Government Operations, reported an original resolution (S. Res. 278) authorizing the Committee on Government Operations to make certain studies as to the efficiency and economy of the operations of the Government, which, under the rule, was referred to the Committee on Rules and Administration, as follows:

Resolved, That in holding hearings, reporting such hearings, and making investigations as authorized by section 134 of the Legislative Reorganization Act of 1946 and in accordance with its jurisdiction under rule XXV of the Standing Rules of the Senate, the Committee on Government Operations or any subcommittee thereof, is authorized from February 1, 1964, through January 31, 1965, to make investigations into the efficiency and economy of operations of all branches of the Government, including the possible existence of fraud, misfeasance, malfeasance, collusion, mismanagement, incompetence, corrupt or unethical practices, waste, extravagance, conflicts of interest, and the improper expenditure of Government funds in transactions, contracts, and activities of the Government or of Government officials and employees and any and all such improper practices between Government personnel and corporations, individuals, companies, or persons affiliated therewith, doing business with the Government; and the compliance or noncompliance of such corporations, companies, or individuals or other entities with the rules, regulations, and laws governing the various governmental agencies and its relationships with the public: *Provided,* That, in carrying out the duties herein set forth, the inquiries of this committee or any subcommittee thereof shall not be deemed limited to the records, functions, and operations of the particular branch of the Government under inquiry, and may extend to the records and activities of persons, corporations, or other entities dealing with or affecting that particular branch of the Government.

SEC. 2. The Committee on Government Operations or any duly authorized subcommittee thereof is further authorized from February 1, 1964, to January 31, 1965, inclusive, to conduct an investigation and study of the extent to which criminal or other improper practices or activities are, or have been engaged in in the field of labor-management relations or in groups or organizations of employees or employers, to the detriment of interests of the public, employers, or employees, and to determine whether any changes are required in the laws of the United States in order to protect such interests against the occurrence of such practices or activities. Nothing contained in this resolution shall affect or impair the exercise by the Committee on Labor and Public Welfare of any power, or the discharge by such committee of any duty, conferred or imposed upon it by the Standing Rules of the Senate or by the Legislative Reorganization Act of 1946.

SEC. 3. The Committee on Government Operations or any duly authorized subcommittee thereof is further authorized and directed from February 1, 1964, to January 31, 1965, inclusive, to make a full and complete study and investigation of syndicated or organized crime which may operate in or otherwise utilize the facilities of interstate or international commerce in furtherance of any transactions which are in violation of the law of the United States or of the State in which the transactions occur, and, if so, the manner and extent to which, and the identity of the persons, firms, or corporations, or other entities by whom such utilization is being made, what facilities, devices, methods, techniques, and technicalities are being used or employed, and whether or not organized crime utilizes such interstate facilities or otherwise operates in interstate commerce for the development of corrupting influences in violation of the law of the United States or the laws of any State, and, further, to study and investigate the manner in which and the extent to which persons engaged in organized criminal activities have infiltrated into lawful business enterprise; and to study the adequacy of Federal laws to prevent the operations of organized crime in interstate or international commerce; and to determine whether any changes are required in the laws of the United States in order to protect the public against the occurrences of such practices or activities. Nothing contained in this resolution shall affect or impair the exercise by the Committee on the Judiciary or by the Committee on Commerce of any power, or the discharge by such committee of any duty, conferred or imposed upon it by the Standing Rules of the Senate or by the Legislative Reorganization Act of 1946.

SEC. 4. The Committee on Government Operations or any of its duly authorized subcommittees shall report to the Senate by January 31, 1965, and shall, if deemed appropriate, include in its report specific legislative recommendations.

SEC. 5. (a) For the purposes of this resolution, the Committee on Government Operations or any of its duly authorized subcommittees, from February 1, 1964, to January 31, 1965, inclusive, is authorized, as it deems necessary and appropriate, to (1) make such expenditures from the contingent fund of the Senate; (2) hold such hearings; (3) sit and act at such times and places during the sessions, recesses, and adjournment periods of the Senate; (4) administer such oaths; (5) take such testimony, either orally or by sworn statement; (6) employ on a temporary basis such technical, clerical, and other assistants and consultants; and (7) with the prior consent of the executive department or agency concerned and the Committee on Rules and Administration, employ on a reimbursable basis such executive branch personnel as it deems advisable; and, further, with the consent of other committees or subcommittees to work in conjunction with and utilize their staffs, as it shall be deemed necessary and appropriate in the judgment of the chairman of the committee or subcommittee: *Provided further*, That the minority is authorized to select one person for appointment and the person selected shall be appointed and his compensation shall be so fixed that his gross rate shall not be less by more than $1,600 than the highest gross rate paid to any other employee.

(b) For the purposes of this resolution the committee, or any duly authorized subcommittee thereof, or its chairman, or any other member of the committee or subcommittee designated by the chairman, from February 1, 1964, to January 31, 1965, inclusive, is authorized, in its or his or their discretion, as may be deemed advisable, to require by subpena or otherwise the attendance of such witnesses and production of such correspondence, books, papers, and documents.

SEC. 6. Expenses of the committee under this resolution, which shall not exceed $450,000, shall be paid from the contingent fund of the Senate upon vouchers approved by the chairman of the committee.

STUDY OF CERTAIN ASPECTS OF NATIONAL SECURITY OPERATIONS

Mr. JACKSON, from the Committee on Government Operations, reported an original resolution (S. Res. 279) to study certain aspects of national security operations, which, under the rule, was referred to the Committee on Rules and Administration, as follows:

Resolved, That in holding hearings, reporting such hearings, and making investigations as authorized by section 134 of the Legislative Reorganization Act of 1946, and in accordance with its jurisdiction under rule XXV of the Standing Rules of the Senate, the Committee on Government Operations, or any subcommittee thereof, is authorized, from February 1, 1964, through January 31, 1965, to make studies as to the efficiency and economy of operations of all branches and functions of the Government with particular reference to:

(1) the effectiveness of present national security methods, staffing, and processes as tested against the requirements imposed by the rapidly mounting complexity of national security problems;

(2) the capacity of present national security staffing, methods, and processes to make full use of the Nation's resources of knowledge, talents, and skills; and

(3) legislative and other proposals or means to improve these methods and processes.

SEC. 2. For the purposes of this resolution, the committee from February 1, 1964, to January 31, 1965, inclusive, is authorized—

(1) to make such expenditures as it deems advisable;

(2) to employ upon a temporary basis and fix the compensation of technical, clerical, and other assistants and consultants: *Provided*, That the minority of the committee is authorized at its discretion to select one employee for appointment; and

(3) with the prior consent of the head of the department or agency concerned, and the Committee on Rules and Administration, to utilize on a reimbursable basis the services, information, facilities, and personnel of any department or agency of the Government.

SEC. 3. Expenses of the committee under this resolution, which shall not exceed $90,000, shall be paid from the contingent fund of the Senate upon vouchers approved by the chairman of the committee.

STUDY OF INTERGOVERNMENTAL RELATIONSHIPS BETWEEN THE UNITED STATES AND THE STATES AND MUNICIPALITIES

Mr. MUSKIE, from the Committee on Government Operations, reported an original resolution (S. Res. 280) authorizing a study of intergovernmental relationships between the United States and the States and municipalities, which, under the rule, was referred to the Committee on Rules and Administration, as follows:

Resolved, That the Committee on Government Operations, or any duly authorized subcommittee thereof, is authorized under sections 134(a) and 136 of the Legislative Reorganization Act of 1946, as amended, and in accordance with its jurisdiction specified by subsection 1(g)(2)(D) of rule XXV of the Standing Rules of the Senate, to examine, investigate, and make a complete study of intergovernmental relationships between the United States and the States and municipalities, including an evaluation of studies, reports, and recommendations made thereon and submitted to the Congress by the Advisory Commission on Intergovernmental Relations pursuant to the provisions of Public Law 86-380, approved by the President on September 24, 1959.

SEC. 2. For the purposes of this resolution the committee, from February 1, 1964, to January 31, 1965, inclusive, is authorized (1) to make such expenditures as it deems advisable; (2) to employ upon a temporary basis, technical, clerical, and other assistants and consultants: *Provided*, That the minority is authorized to select one person for appointment, and the person so selected shall be appointed and his compensation shall be so fixed that his gross rate shall not be less by more than $1,600 than the highest gross rate paid to any other employee; and (3) with the prior consent of the heads of the departments or agencies concerned, and the Committee on Rules and Administration, to utilize the reimbursable services, information, facilities, and personnel of any of the departments or agencies of the Government.

SEC. 3. The committee shall report its findings, together with its recommendations for legislation as it deems advisable, to the Senate at the earliest practicable date, but not later than January 31, 1965.

SEC. 4. Expenses of the committee under this resolution, which shall not exceed $129,000, shall be paid from the contingent fund of the Senate upon vouchers approved by the chairman of the committee.

ADDITIONAL FUNDS FOR POST OFFICE AND CIVIL SERVICE COMMITTEE (S. REPT. NO. 824)

Mr. JOHNSTON, from the Committee on Post Office and Civil Service, reported an original resolution (S. Res. 281) to provide additional funds for Post Office and Civil Service Committee to make certain studies, and submitted a report thereon, which was ordered to be printed, and the resolution, under the rule, was referred to the Committee on Rules and Administration, as follows:

Resolved, That the Committee on Post Office and Civil Service, or any duly authorized subcommittee thereof, is authorized under sections 134(a) and 136 of the Legislative Reorganization Act of 1946, as amended, and in accordance with its jurisdictions specified by rule XXV of the Standing Rules of the Senate to examine, investigate, and conduct such studies as may be deemed necessary with respect to any and all aspects of—

(1) The postal service, particularly with respect to (a) the efficient distribution of the mail, including the ZIP code and ABCD systems, (b) the administration and operation of the Post Office Department, including modernization of equipment and facilities, (c) parcel post, with emphasis upon research into ways to bring costs and revenues into reasonable consonance, and

(2) The civil service system, studies embracing (a) the merit system and its maintenance, including inquiries to assure that civil service rules and regulations are adhered to in recruitment and promotions, (b) Federal compensation, a continuation of the committee's intensive study of congressional pay, executive pay, and all other civilian salary systems; and the principle of comparability as endorsed by Congress in the Salary Reform Act of 1962, (c) dual compensation, (d) the Federal health and life insurance programs, (e) and the Federal retirement program.

SEC. 2. For the purposes of this resolution the committee, from February 1, 1964, to January 31, 1965, inclusive is authorized (1) to make such expenditures as it deems advisable; (2) to employ upon a temporary basis, technical, clerical, and other assistants and consultants: *Provided*, That the minority is authorized to select one person for appointment, and the person so selected shall be appointed, and his compensation shall be so fixed that his gross rate shall not be less by more than $1,600 than the highest gross rate paid to any other employee; and (3) with the prior consent of the heads of the departments or agencies concerned, and the Committee on Rules and Administration, to utilize the reimbursable services, information, facilities, and personnel of any of the departments or agencies of the Government.

SEC. 3. The committee shall report its findings together with its recommendations for legislation as it deems advisable, to the Senate at the earliest practicable date, but not later than January 31, 1965.

SEC. 4. Expenses of the committee under this resolution, which shall not exceed $75,000, shall be paid from the contingent fund of the Senate upon vouchers approved by the chairman of the committee.

AUTHORITY FOR POST OFFICE AND CIVIL SERVICE COMMITTEE TO EMPLOY A TEMPORARY CLERICAL EMPLOYEE (S. REPT. NO. 825)

Mr. JOHNSTON, from the Committee on Post Office and Civil Service, reported an original resolution (S. Res. 282) to authorize the Post Office and Civil Service Committee to employ a temporary clerical employee, and submitted a report thereon, which was ordered to be printed; and the resolution, under the rule, was referred to the Committee on Rules and Administration, as follows:

Resolved, That the Committee on Post Office and Civil Service is authorized from February 1, 1964, through January 31, 1965, to employ one additional clerical assistant to be paid from the contingent fund of the Senate at rates of compensation to be fixed by the chairman in accordance with the provisions of Public Law 4, Eightieth Congress approved February 19, 1947, as amended.

EXECUTIVE REPORTS OF COMMITTEES

As in executive session,

The following favorable reports of nominations were submitted:

By Mr. FULBRIGHT, from the Committee on Foreign Relations:

Edwin M. Martin, of Ohio, a Foreign Service officer of the class of career minister; to be Ambassador Extraordinary and Plenipotentiary to Argentina;

C. Burke Elbrick, of Kentucky, a Foreign Service officer of the class of career minister, to be Ambassador Extraordinary and Plenipotentiary to Yugoslavia; and

Ellsworth Bunker, of Vermont, to be the representative on the Council of the Organization of American States, with the rank of ambassador.

By Mr. JOHNSTON, from the Committee on Post Office and Civil Service:

Tyler Abell, of the District of Columbia, to be an Assistant Postmaster General.

BILLS AND JOINT RESOLUTIONS INTRODUCED

Bills and joint resolutions were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. PASTORE:

S. 2448. A bill to amend the Atomic Energy Act of 1954; to the Joint Committee on Atomic Energy.

S. 2449. A bill for the relief of Dorothy Eyre; to the Committee on the Judiciary.

By Mr. PASTORE (by request):

S. 2450. A bill to authorize appropriations to the Atomic Energy Commission in accordance with section 261 of the Atomic Energy Act of 1954, as amended, and for other purposes; to the Joint Committee on Atomic Energy.

By Mr. HUMPHREY:

S. 2451. A bill for the relief of Kiren Lall; to the Committee on the Judiciary.

By Mr. DODD:

S. 2452. A bill for the relief of Angelina Martino; to the Committee on the Judiciary.

By Mr. ELLENDER (by request):

S. 2453. A bill to amend subsections (a) and (b) and to repeal subsection (f) of section 3 of the Rural Electrification Act of 1936, as amended, to establish the Rural Electrification Administration loan account, and for other purposes; to the Committee on Agriculture and Forestry.

By Mr. MONRONEY:

S. 2454. A bill to establish a Commission on Presidential Election and Succession, and for other purposes; to the Committee on Rules and Administration.

(See the remarks of Mr. MONRONEY when he introduced the above bill, which appear under a separate heading.)

By Mr. FULBRIGHT (by request):

S. 2455. A bill to amend further the Peace Corps Act (75 Stat. 612), as amended; to the Committee on Foreign Relations.

(See the remarks of Mr. FULBRIGHT when he introduced the above bill, which appear under a separate heading.)

By Mr. MAGNUSON (by request):

S. 2456. A bill to authorize appropriations for procurement of vessels and aircraft and construction of shore and offshore establishments for the Coast Guard; to the Committee on Commerce.

(See the remarks of Mr. MAGNUSON when he introduced the above bill, which appear under a separate heading.)

By Mr. YOUNG of Ohio (by request):

S. 2457. A bill to extend the authority of the Postmaster General to enter into leases of real property for periods not exceeding 30 years, and for other purposes; to the Committee on Public Works.

By Mr. CHURCH:

S.J. Res. 148. Joint resolution proposing an amendment to the Constitution of the United States relating to a vacancy in the office of Vice President; to the Committee on the Judiciary.

(See the remarks of Mr. CHURCH when he introduced the above joint resolution, which appear under a separate heading.)

By Mr. YOUNG of Ohio:

S.J. Res. 149. Joint resolution proposing an amendment to the Constitution to provide for the filling of a vacancy in the office of Vice President; to the Committee on the Judiciary.

By Mr. HARTKE:

S.J. Res. 150. Joint resolution to provide for an investigation and study to develop an inexpensive device to lift and lower small craft over dams; to the Committee on Public Works.

(See the remarks of Mr. HARTKE when he introduced the above joint resolution, which appear under a separate heading.)

RESOLUTIONS

TO PRINT AS A SENATE DOCUMENT THE SEVENTH ANNUAL REPORT ON THE STATUS OF THE COLORADO RIVER STORAGE PROJECT AND PARTICIPATING PROJECTS

Mr. ANDERSON submitted the following resolution (S. Res. 276); which was referred to the Committee on Rules and Administration:

Resolved, That there shall be printed as a Senate document the Seventh Annual Report on the Status of the Colorado River Storage Project and Participating Projects, prepared by the Department of the Interior, and an introductory statement by Senator ANDERSON.

EXAMINATION AND STUDY OF FOREIGN POLICIES OF THE UNITED STATES

Mr. FULBRIGHT, from the Committee on Foreign Relations, reported an original resolution (S. Res. 277) authorizing the Committee on Foreign Relations to examine and study the foreign policies of the United States, which, under the rule, was referred to the Committee on Rules and Administration.

(See the above resolution printed in full when reported by Mr. FULBRIGHT, which appears under a separate heading.)

STUDIES RELATING TO EFFICIENCY AND ECONOMY OF OPERATIONS OF THE GOVERNMENT

Mr. McCLELLAN, from the Committee on Government Operations, reported an original resolution (S. Res. 278) authorizing the Committee on Government Operations to make certain studies as to the efficiency and economy of the operations of the Government, which, under the rule, was referred to the Committee on Rules and Administration.

(See the above resolution printed in full when reported by Mr. McCLELLAN, which appears under a separate heading.)

STUDY OF CERTAIN ASPECTS OF NATIONAL SECURITY OPERATIONS

Mr. JACKSON, from the Committee on Government Operations, reported an original resolution (S. Res. 279) to study certain aspects of national security operations, which, under the rule, was referred to the Committee on Rules and Administration.

(See the above resolution printed in full when reported by Mr. JACKSON, which appears under a separate heading.)

STUDY OF INTERGOVERNMENTAL RELATIONSHIPS BETWEEN THE UNITED STATES AND THE STATES AND MUNICIPALITIES

Mr. MUSKIE, from the Committee on Government Operations, reported an original resolution (S. Res. 280) authorizing a study of intergovernmental relationships between the United States and the States and municipalities, which, under the rule, was referred to the Committee on Rules and Administration.

(See the above resolution printed in full when reported by Mr. MUSKIE, which appears under a separate heading.)

ADDITIONAL FUNDS FOR POST OFFICE AND CIVIL SERVICE COMMITTEE

Mr. JOHNSTON, from the Committee on Post Office and Civil Service, reported an original resolution (S. Res. 281) to provide additional funds for Post Office and Civil Service Committee to make certain studies, and submitted a report thereon, which was ordered to be printed; which resolution, under the rule, was referred to the Committee on Rules and Administration.

(See the above resolution printed in full when reported by Mr. JOHNSTON, which appears under a separate heading.)

AUTHORITY FOR POST OFFICE AND CIVIL SERVICE COMMITTEE TO EMPLOY A TEMPORARY CLERICAL EMPLOYEE

Mr. JOHNSTON, from the Committee on Post Office and Civil Service, reported an original resolution (S. Res. 282) to authorize the Post Office and Civil Service Committee to employ a temporary clerical employee, and submitted a report thereon, which was ordered to be printed; which resolution, under the rule, was referred to the Committee on Rules and Administration.

(See the above resolution printed in full when reported by Mr. JOHNSTON, which appears under a separate heading.)

AUTHORIZATION FOR COMMITTEE ON COMMERCE TO MAKE CERTAIN STUDIES

Mr. MAGNUSON submitted the following resolution (S. Res. 283); which was referred to the Committee on Commerce:

Resolved, That the Committee on Commerce, or any duly authorized subcommittee thereof, is authorized under sections 134(a) and 136 of the Legislative Reorganization Act of 1946, as amended, and in accordance with its jurisdictions specified by rule XXV of the Standing Rules of the Senate, to examine, investigate, and make a complete study of any and all matters pertaining to—

(1) interstate commerce generally;

(2) foreign commerce generally;

(3) maritime matters;

(4) interoceanic canals;

(5) transportation policy;

(6) domestic surface transportation, including pipelines;

(7) communications, including a complete review of national and international telecommunications and the use of communications satellites;

(8) Federal power matters;

(9) civil aeronautics;

(10) fisheries and wildlife;

(11) marine sciences; and

(12) Weather Bureau operations and planning, including the use of weather satellites.

SEC. 2. For the purposes of this resolution the committee, from February 1, 1964, to January 31, 1965, inclusive, is authorized (1) to make such expenditures as it deems advisable; (2) to employ, upon a temporary basis, technical, clerical, and other assistants and consultants: *Provided*, That the minority is authorized to select one person for appointment, and the person so selected shall be appointed and his compensation shall be so fixed that his gross rate shall not be less by more than $1,600 than the highest gross rate paid to any other employee; and (3) with the prior consent of the heads of the departments or agencies concerned, and the Committee on Rules and Administration, to utilize the reimbursable services, information facilities, and personnel of any of the departments or agencies of the Government.

SEC. 3. The committee shall report its findings, together with its recommendations for legislation as it deems advisable, to the Senate at the earliest practicable date, but not later than January 31, 1965.

SEC. 4. Expenses of the committee, under this resolution, which shall not exceed $—— shall be paid from the contingent fund of the Senate upon vouchers approved by the chairman of the committee.

PRESIDENTIAL SUCCESSION

Mr. MONRONEY. Mr. President, I introduce, for appropriate reference, a bill to establish a Commission on Presidential Election and Succession. This Commission would make a comprehensive study of the present provisions of the Constitution and statutes of the United States governing the election of the President and the Vice President and the succession to the powers and duties of the office of the President of the United States. It would be the duty of the Commission to determine whether changes in the Constitution or statutes of the United States are necessary or desirable in order to, first, provide under all circumstances for the orderly and timely selection of a President and Vice President, and second, insure the uninterrupted discharge of the powers and duties of the Office of the President under all contingencies which might occur.

The tragic assassination of President Kennedy has caused us once again to examine closely our existing procedure with respect to the succession to the Presidency. In the press, much concerning the need for a change has been written. Many bills proposing new and different methods to govern the succession to this great office have been introduced in Congress.

The orderly and uninterrupted transition of the power of the Presidency is one of the strongest attributes of our system of government. But our system may not be as good as it could be. There are too many contingencies in which the orderly transition of Executive power could be disrupted. This could happen with just as disastrous consequencies in the election of a President as it could in the succession to the Presidency upon the removal, death, resignation, or disability of the President. Therefore, a study of the methods by which we elect a President and Vice President is just as urgently needed as is a study of the problems of succession.

One of the deepest instincts of man is his need and respect for leadership. Man must have a leader; this Nation must have a leader; and the world must have a leader. When President Kennedy died, we and all the rest of the world mourned for a great and good man, and we were afraid because a leader had fallen.

We are profoundly grateful to the men who created our stable system of Government, and to President Kennedy, who so wisely chose his Vice President, because our Nation and the rest of the world now have a new and strong leader. But it might not have been so; the whims of fate are not always so kind.

On the occasion of this great national tragedy, it is again time to study our laws. It is time to consider all the contingencies and circumstances under which the Office of the President might be vacant. It is time to try to construct a system of laws which will insure, as much as can be done, the uninterrupted discharge of the powers of the Presidency—both upon election and succession.

The best minds in this Nation, both in public life and in private life, should be assigned to this task, which is of such vital importance. No system of government is perfect; not all the contingencies surrounding the transition of power can be covered. But we must devise the best system we can, and we must provide for as many contingencies as possible. Perhaps our present system is as good as can be achieved; but we should study it again, to make sure.

The Commission on Presidential Election and Succession, proposed in this bill, would make such a study. The Commission is patterned after the Hoover Commission, which made a comprehensive study of the executive branch of our Government; and many of the recommendations of that Commission have been adopted, to the benefit of the country.

The Commission would be composed of 12 of the most eminent citizens in the country—6 from public life, and 6 from private life; and it would be bipartisan. The President, the Speaker of the House, and the President pro tempore of the Senate would each select four members of the Commission.

The Commission's study would include, but would not be limited to, consideration of the following:

The procedure to be followed in the event of the death, resignation, or disability, prior to an election, of the nominees for the Office of the President and Vice President.

The electoral college, its functioning and effectiveness in the choosing of a President and a Vice President, and the obligation of the electors to cast their ballots for previously designated candidates for the Office of President and Vice President.

The procedure in the event of failure to choose a President or Vice President before the time fixed for the beginning of his term.

Mr. President, there is nothing in the law, statutory or otherwise, to prepare for a substitute in the event of the death, disability, or resignation of a candidate chosen in the national conventions of either of the major political parties. If death or disability occurred 2 or 3 weeks before the election, we have no statutory procedure by which a successor to the nominee could be chosen.

We do not want a smoke-filled room technique used or a committee of three. Some regular method of selecting another nominee shortly before the election is vitally important.

Another frightening contingency would be the death of the elected President or Vice President between election day and the day of his inauguration.

The problems which could arise in the electoral college are even greater. Even though in the November election, one of the candidates had been selected by the people, today there is no assurance that the electoral college would choose a member of the same party or would be required to vote for that party's nominee, whoever might be formally chosen by it. So we have these two dangerous defects in our system.

Under the Norris amendment, the time of swearing in of the new President was changed from March 4 to January 20. The lame duck Congress canvassed the votes of the electoral college and then declared who had been elected President and Vice President. Under the changed procedure, the new Congress canvasses the electoral votes when it convenes on January 3; and the House and the Senate must organize themselves before they can meet jointly to canvass the electoral college votes. The very essence of our electoral process is the certification of the electoral college votes by the Senate and House, meeting jointly; yet if at some time there were a three-party system or a large number of independents, it would be very possible for the House to convene on January 3, but not be able to organize itself to the extent of selecting a Speaker by majority vote by the time the President's term expired on January 20. No existing law provides for extension of the previous President's term until the new President qualifies. Thus, on January 20, there would be uncertainty because the candidate who had been elected President in the popular election had not been confirmed by the Congress. I believe this is one of the problems which needs study by the Commission called for by my bill.

The Commission's study would also include the procedure in the event of the death, resignation, or disability of a President-elect or Vice-President-elect, or their failure to qualify before the time their terms began.

The situation which would exist in that event also needs study; for if the candidate for whom the people felt they had voted in November were to die or become disabled before the electors met and cast their votes, under the circumstances now existing there would be no established means by which the party in power could proceed to nominate and qualify a successor to the newly elected President; and at present there is also no established means by which, in that event, the newly elected Vice President would automatically qualify to serve as the President.

Such a Commission should also study the procedure to be followed in the event of the removal, death, resignation, or disability of a President or Vice President. This is another problem that has been discussed for a long time, and I think it needs very careful study by such a high-level Commission.

One year after enactment of this bill the Commission would report to the President and the Congress its findings, together with any recommendations for changes in provisions of the Constitution or statutes of the United States which it deemed to be necessary or desirable. If it considered our present laws adequate, it would so report.

I believe this Commission would perform a great public service. Its completely objective study and appraisal would either reassure us that our existing methods of election and succession are the best that man's ingenuity can devise, or it would recommend to us what changes should be made to make our system as near perfect as it can be. This study must be made, and it should be made by the type of Commission proposed in this bill. The prestige of such a highly qualified Commission would add dignity and impetus to any changes in our present system deemed by the Commission necessary or desirable.

Our Republic has survived its recent crisis. But, unfortunately, history will repeat itself, and we shall find ourselves faced with a similar crisis. We must make certain that we keep our laws and procedures as up to date as the contingencies and circumstances which could arise to take away from us, once again, the leader of this Nation.

Mr. President, I ask unanimous consent that the text of this bill be printed at this point in the RECORD.

The PRESIDENT pro tempore. The bill will be received and appropriately referred; and, without objection, the bill will be printed in the RECORD.

The bill (S. 2454) to establish a Commission on Presidential Election and Succession, and for other purposes, introduced by Mr. MONRONEY, was received, read twice by its title, referred to the Committee on Rules and Administration, and ordered to be printed in the RECORD, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That it is the purpose of this Act to provide for a comprehensive study of present provisions of the Constitution and statutes of the United States with respect to the election of the President and the Vice President of the United States and succession to the powers and duties of the office of President of the United States, for the purpose of determining whether changes in those provisions are necessary or desirable to (1) provide under all circumstances for the orderly and timely selection of a President and a Vice President, and (2) to insure the uninterrupted discharge of such powers and the performance of such duties in all contingencies.

ESTABLISHMENT AND MEMBERSHIP OF THE COMMISSION

SEC. 2. (a) There is hereby established the Commission on Presidential Election and Succession (referred to hereinafter as the "Commission").

(b) The Commission shall be composed of twelve members as follows:

(1) Four members appointed by the President of the United States, two from the executive branch of the Government and two from private life;

(2) Four members appointed by the President pro tempore of the Senate, two from the Senate and two from private life; and

(3) Four members appointed by the Speaker of the House of Representatives, two from the House of Representatives and two from private life.

(c) Of each class of two members appointed under subsection (b), not more than one member shall be a member of each of the two major political parties. The Commission shall elect a Chairman and a Vice Chairman from among its members.

(d) Seven members of the Commission shall constitute a quorum, but a lesser number may conduct hearings. A vacancy in the Commission shall not affect its powers, but shall be filled in the same manner in which the original appointment was made.

(e) In the application of chapter 11 of title 18, United States Code, service of an individual as a member of the Commission, or as an attorney or expert employed by the Commission, shall be considered to be service as a special Government employee.

(f) The Commission shall cease to exist six months after the date of transmittal to the Congress of its final report pursuant to section 3 of this Act.

DUTIES OF THE COMMISSION

SEC. 3. (a) The Commission shall conduct a comprehensive study of existing provisions of the Constitution and statutes of the United States relating to the election of the President and the Vice President, and providing for succession to the office or powers and duties of President, to determine whether changes are necessary or desirable to (1) provide under all circumstances for the orderly and timely selection of a President and a Vice President, and (2) insure the uninterrupted discharge of the powers and duties of the office of President of the United States under all contingencies which may occur.

(b) Such study shall include, but shall not be limited to, a consideration of the following subjects and contingencies:

(1) the death, resignation, or disability of a nominated candidate for the Office of President or Vice President before a President or Vice President is chosen for a term of office;

(2) the effectiveness and uniformity of application of existing provisions of the Constitution, and of laws of the States and of the United States, which govern the selection of electors to choose a President and a Vice President, including the functioning and effectiveness of the electoral college system of choosing a President and a Vice President and the obligation of the electors to cast their ballots for previously designated candidates for the offices of President and Vice President;

(3) the failure to choose a President or Vice President before the time fixed for the beginning of his term;

(4) the death, resignation, or disability of a President-elect or a Vice-President-elect, or the failure of a President-elect or a Vice-President-elect to qualify for office, before the time fixed for the beginning of his term; and

(5) the removal, death, resignation, or disability of a President or a Vice President.

(c) The Commission from time to time shall transmit to the President such reports relating to its duties as he may request, and may make such reports to the President as the Commission deems appropriate. Not later than one year after the date of enactment of this Act, the Commission shall transmit to the President and to the Congress its final report, including a full and complete statement of its findings of fact and its recommendations for any changes in provisions of the Constitution or statutes of the United States which the Commission may consider necessary or desirable.

HEARINGS AND INFORMATION

SEC. 4 (a) The Commission, or upon authorization by the Commission any subcommittee thereof, may, for the purpose of carrying out its functions and duties, hold such hearings and sit and act at such times and places, administer such oaths, and require, by subpena or otherwise, the attendance and testimony of such witnesses, and the production of such books, records, correspondence, memorandums, papers, and documents as the Commission or such subcommittee may deem advisable. Subpenas may be issued under the signature of the Chairman or Vice Chairman, or any duly designated member, and may be served by any person designated by the Chairman, the Vice Chairman, or such member.

(b) In case of the contumacy of any person or the refusal of any person to obey a subpena issued under subsection (a), the district court of the United States for any judicial district in which the inquiry of the Commission is conducted or in which such person is found, resides, or transacts business shall have jurisdiction to issue to such person, upon application made by the Attorney General of the United States, an order requiring such person to appear before the Commission or a subcommittee thereof and to produce evidence if so ordered, or to give testimony touching the matter under inquiry. Any failure to obey such order of the court may be punished by the court as a contempt thereof.

(c) Each department, agency, and instrumentality of the executive branch of the Government, and each independent agency of the United States, is authorized and directed to furnish to the Commission, upon request made by the Chairman or Vice Chairman, such information as the Commission deems necessary to carry out its functions under this Act.

APPROPRIATIONS, EXPENSES, AND PERSONNEL

SEC. 5. (a) There are hereby authorized to be appropriated to the Commission such sums as may be necessary to carry out the provisions of this Act.

(b) Each member of the Commission shall receive compensation at the rate of $75 per diem for each day on which he is engaged in the performance of duties of the Commission, except that no such compensation shall be paid to any member of the Commission who is receiving compensation from the United States for service rendered in any other office or employment under the United States, or to any member who is receiving compensation from any State or local government for service rendered in any office or employment under such government.

(c) Each member of the Commission shall be reimbursed for travel, subsistence, and other necessary expenses incurred by him in the performance of duties vested in the Commission.

(d) The Commission may appoint and fix the compensation of such employees as it deems advisable without regard to the provisions of the civil service laws and the Classification Act of 1949, as amended.

(e) The Commission may procure, without regard to the civil service laws and the Classification Act of 1949, as amended, temporary and intermittent services to the same extent as authorized for executive departments of the United States by section 15 of the Act of August 2, 1946 (60 Stat. 810), but at rates not to exceed $50 per diem for individuals.

TO AMEND FURTHER THE PEACE CORPS ACT (75 STAT. 612), AS AMENDED

Mr. FULBRIGHT. Mr. President, by request, I introduce for appropriate reference a bill to amend further the Peace Corps Act (75 Stat. 612), as amended.

The proposed legislation has been requested by the President, and I am introducing it in order that there may be a specific bill to which Members of the Senate and the public may direct their attention and comments.

I reserve my right to support or oppose this bill, as well as any suggested amendments to it, when the matter is considered by the Committee on Foreign Relations.

I ask unanimous consent that the bill may be printed in the RECORD at this point, together with the letter from the President dated January 16, 1964, to the President pro tempore of the Senate in regard to it and also a section-by-section analysis of the proposed bill.

The PRESIDENT pro tempore. The bill will be received and appropriately referred; and, without objection, the bill, letter, and section-by-section analysis will be printed in the RECORD.

The bill (S. 2455) to amend further the Peace Corps Act (75 Stat. 612), as amended, introduced by Mr. FULBRIGHT, by request, was received, read twice by its title, referred to the Committee on Foreign Relations, and ordered to be printed in the RECORD, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 3(b) of the Peace Corps Act, as amended, which authorizes appropriations to carry out the purposes of that Act, is amended by striking out "1964" and "$102,000,000" and substituting "1965" and "$115,000,000", respectively.

The letter and section-by-section analysis presented by Mr. FULBRIGHT are as follows:

THE WHITE HOUSE,
Washington, January 16, 1964.

Hon. CARL HAYDEN,
President pro tempore of the Senate,
Washington, D.C.

DEAR SENATOR HAYDEN: I take pleasure in transmitting legislation which would authorize the appropriation of $115 million for the Peace Corps in fiscal year 1965.

The Members of the Congress know how close this program was to the heart of John Fitzgerald Kennedy. The day-to-day achievements of nearly 7,000 American men and women now at or about to depart for work overseas in over 2,400 cities, towns and hamlets in 46 countries are a living memorial to the 35th President of the United States.

For fiscal year 1964 the Congress appropriated approximately $96 million for the Peace Corps, under an authorization of $102 million. The amount appropriated is sufficient to enable the Peace Corps to reach a level of 10,500 volunteers by September 1964. The requested Peace Corps authorization for fiscal year 1965 is an increase of $13 million over the amount authorized by the Congress for fiscal year 1964. This increase of less than 15 percent will enable the Peace Corps to expand by a third to reach a level of 14,000 volunteers by September 1965.

As the Peace Corps concentrates on improving the scope of programs in existence, and as more and more American men and women volunteer for service in the Peace Corps, it is becoming possible to take advantage of economies of size in the Peace Corps budget. The steps which have been taken during the last year to reduce the cost of the Peace Corps will be spelled out in detail in the agency's presentation materials.

In view of these economies, the requested increase in authorization and appropriation is fully consistent with my fiscal year 1965 budget program.

Sincerely,

LYNDON B. JOHNSON.

SECTION-BY-SECTION ANALYSIS OF THE PROPOSED ACT TO AMEND THE PEACE CORPS ACT AS SUBMITTED BY THE EXECUTIVE BRANCH

The proposed act (the bill) to amend the Peace Corps Act, as amended, (the act) would authorize new appropriations under the general authority in the act for appropriations to carry out the purposes of the act. The bill would accomplish this by striking out the amount and the reference to the fiscal year in that general authorization and substituting the new amount and the new fiscal year. Deletion of the amount and date in the general authorization, of course, has no effect on funds heretofore made available to carry out the purposes or provisions of the act.

Section 1 amends section 3(b) of the act, which relates to authorizations, to authorize the appropriation of $115 million for fiscal year 1965. In 1963, the appropriation of $102 million for fiscal year 1964 was authorized by amendment of this general authority; $92.1 million, plus a carry forward of approximately $3.9 million, making a total of approximately $96 million, were actually appropriated to carry out the provisions of the act in fiscal year 1964.

APPROPRIATIONS FOR PROCUREMENT OF CERTAIN VESSELS AND AIRCRAFT FOR THE COAST GUARD

Mr. MAGNUSON. Mr. President, by request, I introduce, for appropriate reference, a bill to authorize appropriations for procurement of vessels and aircraft and construction of shore and offshore establishments for the Coast Guard. I ask unanimous consent to have printed in the RECORD a letter from the Secretary of the Treasury, requesting the proposed legislation, together with a memorandum listing in summary form the procurement and construction programs for which appropriations would be authorized by the proposed legislation.

The PRESIDENT pro tempore. The bill will be received and appropriately referred; and, without objection, the letter and memorandum will be printed in the RECORD.

The bill (S. 2456) to authorize appropriations for procurement of vessels and aircraft and construction of shore and offshore establishments for the Coast Guard, introduced by Mr. MAGNUSON, by request, was received, read twice by its title, and referred to the Committee on Commerce.

The letter and memorandum presented by Mr. MAGNUSON are, as follows:

THE SECRETARY OF THE TREASURY,
Washington, January 14, 1964.

Hon. CARL HAYDEN,
President pro tempore of the Senate,
Washington, D.C.

DEAR MR. PRESIDENT: There is transmitted herewith a draft of a bill "To authorize appropriations for procurement of vessels and aircraft and construction of shore and offshore establishments for the Coast Guard."

This proposal results from the recent enactment of Public Law 88–45. That act provided that no funds could be appropriated to or for the use of the Coast Guard for the procurement of vessels or aircraft or the construction of shore or offshore establishments unless the appropriation of such funds had been authorized by legislation enacted after December 31, 1963.

This is the first bill to be submitted since adoption of the authorization procedure. It would provide the necessary authorization of appropriations for fiscal year 1965 for procurement of vessels and aircraft and for the Coast Guard's major construction programs.

The Department notes that there is general authorization in permanent law for appropriations to support Coast Guard activities. This legislation, therefore, is responsive only to the requirements of Public Law 88–45, which requires specific authorizations for procurement of vessels or aircraft or construction of facilities.

There is attached a memorandum listing in summary form the procurement and construction programs for which appropriations would be authorized by the proposed bill. In further support of this legislation, the cognizant legislative committees will be furnished detailed information with respect to each program for which fund authorization is being requested in a form identical to that being submitted in explanation and justification of the budget request. Additionally, the Department will be prepared to submit any other data that the committees or their staffs may require.

It would be appreciated if you would lay this proposed bill before the Senate. A similar bill has been transmitted to the Speaker of the House of Representatives.

The Department has been advised by the Bureau of the Budget that there is no objection to the submission of this proposed legislation to the Congress and that its enactment would be in accord with the program of the President.

Sincerely yours,

DOUGLAS DILLON.

Summary of fiscal year 1965 U.S. Coast Guard program for procurement of vessels and aircraft and for construction of shore and offshore establishments

[In thousands of dollars]

1. PROCUREMENT OF VESSELS

	Obligations (est.)
(a) 1 high-endurance cutter to replace large overage vessel____	14, 000
(b) 5 medium endurance cutters to replace overage patrol vessels_	18, 750
(c) 1 medium endurance cutter to enforce U.S. laws and international treaties relative to Atlantic fisheries_______________	3, 750

Summary of fiscal year 1965 U.S. Coast Guard program for procurement of vessels and aircraft and for construction of shore and offshore establishments—Continued

[In thousands of dollars]

	Obligations (*est.*)
(d) 1 coastal tender to replace overage tender	2,500
(e) 3 inland tenders to replace small overage tenders	2,100
(f) 3 small harbor tugs to replace 3 small overage tugs	795
(g) 9 small patrol cutters (2 to replace overage harbor tugs and 7 to improve search and rescue coverage in areas of increased boating activity)	3,375
(h) 1 river tender to service aids to navigation on the Missouri River (see construction phase in 3(b) below)	500
Total vessel procurement	45,770
2. PROCUREMENT OF AIRCRAFT	
(a) 9 helicopters to replace overage helicopters	4,950
(b) 5 helicopters to improve search and rescue protection in areas not adequately covered	2,750
(c) 3 helicopters for proposed air detachment, Detroit, Mich. (see construction phase in 3(e) below)	1,650
Total aircraft procurement	9,350
3. CONSTRUCTION OF SHORE AND OFFSHORE ESTABLISHMENTS	
(a) 2 offshore light platforms to replace overage lightships at Diamond Shoals and Chesapeake Bay entrance	3,500
(b) Moorings for Missouri River tender in vicinity of St. Joseph, Mo.(see procurement phase in 1(h) above)	135
(c) Replace runway, Air Station, Elizabeth City, N.C	3,000
(d) 24 family housing units and support facilities at Air Detachment, Annette Island, Alaska	1,140
(e) Air Detachment to be established at Naval Air Station, Grosse Pointe, Mich., to operate three helicopters (see procurement phase in 2(c) above)	738
(f) Construct paint and dope shop at Aircraft Repair and Supply Base, Elizabeth City, N.C	630
(g) Improve operational and maintenance facilities at Air Detachment, San Juan, P.R	170
(h) Continue construction of moorings at Mayport, Fla	540
(i) 120 family housing units and support facilities at Fort Buchanan, San Juan, P.R	3,028
(j) Replace storm-damaged facilities at Depot, Guam	450
(k) Moorings at Wilmington, N.C., for a large cutter to replace existing facility	500
(l) Continue to improve facilities at base, Ketchikan, Alaska	178
(m) Improve facilities at base, Woods Hole, Mass	380
(n) Complete construction of field house at Academy, New London, Conn	1,750
(o) Improve runway at Loran station, Sitkinak, Alaska	540
Total shore and offshore establishments	16,679

A PROPOSED CONSTITUTIONAL AMENDMENT TO PROVIDE FOR FILLING OF VACANCIES IN THE OFFICE OF VICE PRESIDENT

Mr. CHURCH. Mr. President, in the history of our country there has been a vacancy in the office of Vice President no less than 16 times. Eight times the Vice President has become President; seven Vice Presidents have died in office; one resigned to become a Senator. The Constitution is silent as to any procedure for filling these vacancies, and none exists. Accordingly, I introduce a joint resolution proposing an amendment to the Constitution relating to the filling of vacancies in the office of Vice President.

Let it be noted that this proposed amendment deals with a problem quite distinct from that of statutory succession to the Presidency, though it is closely related to it. The question of succession is now beclouded by controversy, with some advocating a return to the former practice of placing the Cabinet in line, and others defending the present law under which the Speaker of the House of Representatives, followed by the President pro tempore of the Senate, would precede members of the Cabinet in the order of succession. Wise judgments on this controversy are rendered more difficult by reason of the circumstance that there is no Vice President. The possibility of succession being real and imminent, it is impossible to separate considerations of what office or procedure should be looked to for the successor, from evaluations of the particular persons who currently occupy the offices in question, and who would, in fact, succeed under this or that version of the law.

But repairs to our constitutional roof are rarely undertaken when the Republic enjoys unobstructed sunshine; it is likely that they will be made, if at all, at a time, like the present, when recent crisis has dramatized the need.

It is significant, however, that a constitutional procedure to insure that the office of Vice President would be promptly filled, when vacant for any reason, would render moot most of the argument about statutory succession to the Office of President. For the need would arise only in the unlikely event, against which careful precautions are taken, that both the President and the Vice President should perish or suffer disability at the same time.

The question of devising procedures to cover all of the possible contingencies involving Presidential disability is also quite different from that of filling vacancies in the office of Vice President. The problem of Presidential disability is very difficult to resolve. If it is to be tackled in the context of constitutional revision, I think it would be well to divorce it from the problem of replacing a Vice President. To tie the two problems together unnecessarily complicates the solution of either. The amendment I am now proposing is, therefore, addressed to the single objective of instituting a constitutional procedure for filling vacancies in the office of Vice President.

The proper guiding principle in approaching this problem, it seems to me, is to make maximum use of the provisions already in the Constitution, and of the usages which have developed under them. The difficulties in the way of holding a special election to fill the office of Vice President seem to me very formidable. Likewise, selection of a new Vice President by the electoral college, while plausible at first glance, is not really in accord with our present political practice. The members of the electoral college are not in fact chosen to be representative of the people, or for the wisdom needed to make so momentous a judgment. They are chosen to perform a ministerial function, limited to the formality of casting their votes for a previously selected party candidate. But a practicable constitutional analogy can be found, I think, in the procedure for choosing the highest nonelective officials of the Government, such as Cabinet ministers, ambassadors, and justices. In such cases, the President nominates, and "by and with the advice and consent of the Senate," appoints. My amendment would incorporate this procedure in filling a vacancy in the office of Vice President.

Today, however, we are much more conscious than were the Founding Fathers of an intimacy of connection between the Vice President and the President which calls for the closest possible rapport between the two, so that there may be continuity if the need arises. Therefore, it seems to me that something akin to the constitutional role which the House of Representatives plays in relation to the Presidency might be made applicable to the Vice Presidency for the special purpose which here concerns us. Only the House can elect a President if no candidate receives a majority of the votes cast in the electoral college. Accordingly, the amendment I am now proposing would leave the final selection of a Vice President chosen to fill a vacancy in that office to the House of Representatives. The exact procedure is quite simple: I will read now the operative language of the amendment.

> Whenever there shall be a vacancy in the office of Vice President, the President, by and with the advice and consent of the Senate, shall nominate not more than five nor fewer than two persons qualified for the office. The House of Representatives shall immediately, by ballot, choose one of these persons to be Vice President. A quorum for this purpose shall consist of two-thirds of the whole number of Representatives, and a majority of the whole number shall be necessary to a choice.

Here is a procedure which conforms as closely as possible to the existing practice under the Constitution. It provides the President, the Senate, and the House of Representatives with a role in the selection for which each is best suited: The President exercises his responsibility in such a way as to insure that the new Vice President will be acceptable to him—reflecting the actuality of our present nominating procedures at party conventions—and that continuity of party and policy can be maintained; the

Senate scrutinizes the qualifications of each nominee, free from the pressures to which a President may sometimes be subjected, to insure that each is fully qualified for the second highest office in the Nation; the House, most representative of the people, makes the final choice of the candidate it believes to be best endowed with the qualities of leadership and popularity without which no President can realize the full potential of the office.

Mr. President, I hope this suggested solution to the problem we face when there is no Vice President can receive, with others that are now before the committee, of which the present Presiding Officer [Mr. BAYH] is a member, can receive in the Senate, in the House, and in the country, the close examination which a matter of such importance deserves.

I send to the desk the joint resolution to which I have referred and ask that it be appropriately referred.

I also ask unanimous consent that it may appear in the RECORD following these remarks.

The **PRESIDENT** pro tempore. The joint resolution will be received and appropriately referred; and, without objection, the joint resolution will be printed in the RECORD.

The joint resolution (S.J. Res. 148) proposing an amendment to the Constitution of the United States relating to a vacancy in the office of Vice President, introduced by Mr. CHURCH, was received, read twice by its title, referred to the Committee on the Judiciary, and ordered to be printed in the RECORD, as follows:

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, (two-thirds of each House concurring therein), That the following article is proposed as an amendment to the Constitution of the United States, which shall be valid to all intents and purposes as part of the Constitution when ratified by the legislatures of three-fourths of the several States:

ARTICLE —

Whenever there shall be a vacancy in the office of Vice President, the President, by and with the advice and consent of the Senate, shall nominate not more than five nor fewer than two persons qualified for the office. The House of Representatives shall immediately, by ballot, choose one of these persons to be Vice President. A quorum for this purpose shall consist of two-thirds of the whole number of Representatives, and a majority of the whole number shall be necessary to a choice.

STUDY TO DEVELOP MEANS TO LIFT SMALL CRAFT OVER DAMS

Mr. HARTKE. Mr. President, I introduce, for appropriate reference, a joint resolution to provide for an investigation and study looking toward the development of a device which would be of greatest usefulness to our rapidly growing recreational small-boat enthusiasts.

The November issue of the Monthly Reporter of the National Rivers and Harbors Congress made the suggestion which brought this to my attention in an article entitled "New Locks for Old." The resolution I present for study of that suggestion might very well lead to a considerable expansion of the possibilities of waterway use by small boat owners.

In our waterways developments for conservation and flood control purposes, the recreational opportunities for boats are very often limited by the confines of a water area which terminates in a dam. The stream might be navigable, as a smaller tributary, down to larger streams and rivers for many miles were it not for the relatively small obstacles of these small dams. At the same time, on the larger rivers, such as the Ohio, which are complete with locks for commercial craft, the small boat either has a very long wait until the lock is filled for bigger vessels or there is a large expense for a small craft if it is operated without waiting.

The "water elevator" which a feasibility study might launch toward reality would be small, inexpensive to construct, and operable by the boat owner himself. The Rivers and Harbors Congress article believes such a development is feasible today in view of our advanced technology, the availability even in relatively remote areas of electricity, and the skills of hydraulic engineers.

Mr. President, I do not have the engineering ability to pronounce whether or not such a construction could be developed. But I believe that its promise is sufficient to warrant a study such as this resolution would order. If installation of such self-operated small locks or "water elevators" proves possible, they could expand very greatly the usefulness of our waterways system for the millions of boat owners in their growing numbers.

I ask unanimous consent that the joint resolution be printed in the RECORD.

The **PRESIDENT** pro tempore. The joint resolution will be received and appropriately referred; and, without objection, the joint resolution will be printed in the RECORD.

The joint resolution (S.J. Res. 150) to provide for an investigation and study to develop an inexpensive device to lift and lower small craft over dams, introduced by Mr. HARTKE, was received, read twice by its title, referred to the Committee on Public Works, and ordered to be printed in the RECORD, as follows:

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That in order to promote the development and conservation of natural resources for recreation by making more practical and inexpensive the improvement of minor streams for use by small recreational craft, the Chief of Engineers, Department of the Army, under the direction of the Secretary of the Army, shall make a full and complete investigation and study for the purpose of developing an inexpensive device for safely lifting and lowering small craft over dams. The Chief of Engineers shall submit to the President and the Congress, as soon as practicable, the result of such investigation and study, together with his recommendations.

SEC. 2. There are authorized to be appropriated such amounts as may be necessary to carry out the provisions of this joint resolution.

OREGON DUNES NATIONAL SEASHORE—AMENDMENT (AMENDMENT NO. 383)

Mr. ANDERSON. Mr. President, I send to the desk an amendment to the bill, S. 1137, establishing the Oregon Dunes National Seashore in the State of Oregon, which now is pending on the Senate Calendar. I ask that my proposed amendment be printed and lie on the table until such time as the measure is considered.

Mr. President, my proposed amendment would in substance restore the original language to subsections (a) and (b) of section 6 of S. 1137. This bill authorizes the Federal Government to acquire and manage lands and waters in a specifically designated area on the coast of Oregon, including ocean beaches, sand dunes, forested areas, and fresh water lakes. As the Interior Committee report points out, this area has been described by highly qualified experts as "the most beautiful and impressive coastal dunes in North America, if not the world." In my judgment the proposed Oregon Dunes National Seashore meets every criteria for a place for the physical recreation and the spiritual and esthetic refreshment of all of the people of all of the States of our United States. The committee wisely restricted the area to reduce to a minimum any possible infringement upon private property rights or impairment of present and future industrial development in adjacent areas.

Subsections (a) and (b) of section 6 of S. 1137, as introduced, would have directed the Secretary of the Interior to permit, upon the request of the State of Oregon, the withdrawal and conveyance of ground and surface waters within the seashore to places outside of it for private uses, and would have permitted the transportation and disposal of domestic and industrial wastes within or through the seashore. However, such uses of the Federal lands and the waters on and in them would be subject to a determination by the Secretary that the proposed uses would not impair the scenic, scientific, historic, and recreational features of the seashore.

That is, the public purposes and uses were made the paramount or dominant uses, and private uses in this particular, limited area would be subject to such public purposes.

However, the committee adopted an amendment proposed by the International Paper Co. to section 6 which would change these provisions in the following three important respects:

First. It adds "storage" as one of the uses of federally owned lands. Thus, it could be that federally owned lands of the seashore would have to be made available for use as sites for non-Federal reservoirs.

Second. The State, in granting permits, need not make a finding that the removal of water from the seashore would be in the public interest.

Third. The Secretary would have no discretion to refuse the use of federally owned lands for reservoirs or water conveyance structures and features, even though, in his judgment, such use would impair seashore values.

Thus, the revision proposed by the committee's amendment would place the Oregon Dunes National Seashore completely at the mercy of any water activities the State of Oregon might see fit to authorize, and, accordingly, would leave the Secretary no authority to avoid conflict with the scientific, scenic, historic and recreational features of the seashore.

My proposed amendment would restore the original language with the addition of specific protection for the industrial developments now underway by the International Paper Co. I submit that under it the interests of the State, private property holders, and the Federal Government all are adequately safeguarded.

The PRESIDENT pro tempore. The amendment will be received, printed, and lie on the table.

CHANGE OF REFERENCE

Mr. JOHNSTON. Mr. President, at our recent meeting of the Committee on the Judiciary after consideration of H.R. 7235, an act to amend sections 671 and 672 of title 28, United States Code, relating to the Clerk and the Marshal of the Supreme Court, the committee authorized and directed the chairman to request that the Committee on the Judiciary be discharged from further consideration of the bill, since it pertains to the payment of salaries.

On behalf of the chairman, I ask unanimous consent that the Committee on the Judiciary be discharged from further consideration of H.R. 7235, an act to amend sections 671 and 672 of title 28 of the United States Code relating to the Clerk and the Marshal of the Supreme Court and that it be referred to the Committee on Post Office and Civil Service.

The PRESIDENT pro tempore. Without objection, it is so ordered.

EXTENSION OF TIME FOR COMMITTEE ON GOVERNMENT OPERATIONS TO FILE CERTAIN REPORTS

Mr. McCLELLAN. Mr. President, I ask unanimous consent that the Committee on Government Operations be given until March 31, 1964, to file certain reports of its Permanent Subcommittee on Investigations.

These reports describe hearings which have been concluded and drafts are now in the possession of the subcommittee members. The members of the subcommittee have not yet reached definite conclusions and, for this reason, I ask that the time for submitting these reports be extended to enable members to further deliberate and weigh the record before submitting final reports.

There are other subjects concerning which the subcommittee has conducted hearings but are not yet concluded since additional hearings will be necessary. Reports concerning these matters will be prepared and filed with the Senate as soon as possible.

For the foregoing reasons, I ask unanimous consent that the time for the filing of these reports be extended until March 31, 1964.

The PRESIDENT pro tempore. Without objection, it is so ordered.

ADDITIONAL COSPONSORS TO CLAIMS BILL

Mr. KEATING. Mr. President, I ask unanimous consent that the names of Senators Hartke and Scott be added as cosponsors to the bill S. 2422, to amend the International Claims Settlement Act of 1949, as amended, to provide for submission of certain claims agreements to the Senate for its advice and consent.

The PRESIDENT pro tempore. Without objection, it is so ordered.

COMMISSION TO STUDY THE MILITARY DRAFT

Mr. McGOVERN. Mr. President, I have asked that my name be added as a cosponsor to S. 2432, a bill introduced by the distinguished junior Senator from New York [Mr. Keating], to provide for a comprehensive study and investigation of the adequacy of the present system of military conscription. The American people have traditionally opposed the extension of the military draft except in times of national crisis. In several major wars in which the United States was involved, a military draft was found to be necessary. Our youth accepted this necessity in good grace and fought valiantly and successfully to maintain our freedom and independence. Their willingness to serve in time of national need places upon us the duty of seeing that they are not asked to serve in any nonvoluntary manner, unless there is an urgent need. We also should be certain that we are making the wisest possible use of their abilities when they are called to serve.

Last year, when a 4-year extension in the draft laws came before this body, it was passed by a voice vote in less than 10 minutes. The debate in the other Chamber was mostly perfunctory.

We owe more to the youth of this Nation. Before we ask them to sacrifice years of time and effort performing tasks that may have nothing to do with their chosen careers, we should be certain that there is no better alternative for securing our military manpower. And if we find that the compulsory services of our young men are required, we must be sure that they are conscripted in the fairest possible way, and in a way that is least disruptive to their lives and personal well-being.

The junior Senator from New York [Mr. Keating] has rendered a great service to all of us who bear responsibility for this program by proposing an impartial Commission to study the need for, and the adequacy of, the present draft system. The Commission would be required to issue a report on their findings in time for all Members of Congress to be more adequately prepared to vote the next time the draft laws come up for renewal in 3 years. I am pleased to add my name to those who have already joined the distinguished Senator from New York in sponsoring this important measure.

Mr. KEATING. Mr. President, I wish to thank my distinguished colleague from South Dakota for his observations on the proposed study of present and future draft needs and practices. In this era of rapidly shifting military requirements, far too little notice has been given to the young men trained to defend our Nation. It is my hope that this Commission will be established in the near future and get an early start on its task to help improve effective employment of military, not to mention civilian, human resources.

Study of changing manpower needs is a key aspect of the vital issue of economic conversion. My distinguished colleague has already pointed out that the ways and means of economic adjustment under different economic requirements must be seriously contemplated now if they are ever to be realized in the future. Such studies as the one proposed in the Senator's economic conversion resolution are called for on many fronts, and must be balanced between Federal, State, and local responsibilities.

I think the Senator himself has made an important and interesting contribution to the problems of economic adjustment. These problems certainly deserve careful study.

I welcome the support of the Senator from South Dakota for my proposal to study further the operation of the draft laws because I feel that it, too, is an important step in the overall reassessment of our Nation's military and economic structure.

I am also very pleased that the distinguished Senator from Illinois [Mr. Douglas] has today evidenced his support for the proposed study of the draft system by becoming a cosponsor of S. 2432. I have received widespread and bipartisan indications of backing for this study and I am hopeful that it can be undertaken in such a way as to provide maximum assistance and guidance to the relative congressional committees which, of course, have the prime responsibility for any amendment to the Universal Military Service and Training Act.

Mr. President, I ask unanimous consent to include following my remarks the text of an article by Lee Townsend which appeared in a recent issue of the New York World-Telegram and Sun.

There being no objection, the article was ordered to be printed in the Record, as follows:

Draft Reform Likely, Charges of Unfairness Mount

(By Lee Townsend)

Faced with mounting evidence that the peacetime draft is unfair, Washington is finally taking a hard look at the Nation's highly selective system of Selective Service.

In rapid succession this month, President Johnson and the Pentagon took steps that might lead to the first major reforms in the postwar draft since its inception 15 years ago.

And yesterday, five Republican Senators, among them Kenneth Keating, Republican, of New York, joined to introduce a bill calling for a review of the draft laws.

"The present system has been too long extended as a matter of course," Keating said. "Some of the present inequities in the draft system have been called to my attention by an ever-increasing number of letters from New York State and other parts of the country."

The President ordered induction examinations to be given, wherever possible, as soon as youths reach the age of 18 instead of at the age of 22 or 23, which is the current practice.

The White House hopes that early detection of disabilities will lead to corrective measures. And this, it is hoped, will lead to a reduction in the number of 3.5 million draft-age Americans who so far have managed to escape military service because they are "unfit."

Just last week the Pentagon announced a sweeping study of the draft with an eye to major reforms. The brass gave no hint about what steps might be taken to improve the Selective Service system but made it clear there was little chance the draft would be abolished.

Defense experts argue that, in order to scrap conscription entirely, the size of our armed forces would have had to undergo a sizable reduction—and no such reduction is anticipated. In fact, most officials seem to feel that it would be impossible to think of a nation getting by without some form of conscription—even though this country never had a peacetime draft before 1940. Canada still doesn't have it, and England got rid of it in 1960.

The Nation's elaborate Selective Service currently can take credit for providing only about 7 percent of America's military force of 2.7 million.

And up to half of the 200,000 draftees are actually volunteers. These are men who ask that their names be pushed up on the draft list, usually because they figure, rightly or not, that military service is inevitable and so they might as well get it over with.

Conscription has been cited for bolstering our armed forces indirectly by bulldozing men into the Army, Navy, Marines and Air Forces to avoid a draft notice. But with enlistment periods for all services usually set at 3 years, there's no evidence that men have flocked to recruiting stations in great numbers just to avoid a 2-year stint as a draftee.

RESERVE VERSUS DRAFT

It is generally conceded, however, that the Army Reserve program, in which men may fulfill their active duty military requirements in 6 months, has thrived solely as a substitute for the draft.

Local Selective Service authorities point out that an important part of their job is to provide a pool of readily available men in case of national emergency.

They say many men, who now are "better serving their country" with deferments and exemptions can be called into uniform in time of need.

Yet during the Berlin crisis in 1961, tens of thousands of reservists—among them former draftees—were called back to duty because there was not time to draft and train new men.

At one point, the Army admitted that more than 1,000 of these men were recalled erroneously.

Although draft calls increased sharply during the crisis, there was a serious question raised as to how successful Selective Service is in delivering men to meet the instant emergencies of the atomic age.

The vital questions about the effectiveness of Selective Service were not answered when the fourth extension of the draft law swept through both Houses of Congress last March.

In fact they were hardly asked.

The House of Representatives debated mainly whether the life of the law should be reduced from 4 to 2 years. It wasn't.

The Senate didn't even handle this issue. Debate there took only two pages of the CONGRESSIONAL RECORD and about 10 minutes.

Oregon Senator WAYNE MORSE delivered the only real blast against the peacetime draft. He said, "Selective Service remains just as discriminatory in its selection as before, and just as unfair to the young men of the Nation.

* * * * *

"It is astonishing to me that in a Pentagon building with the so-called whiz kids and slide-rule minds that pride themselves on industrial efficiency, we must still stagger along with a rickety, wasteful, and completely unfair system of filling the ranks of the Army."

WIDER SCOPE EXPECTED

The Selective Service Director, Lt. Gen. Lewis B. Hershey, and Col. Paul Akst, New York City draft chief, have indicated that reforms are likely to expand the scope of the Selective Service System, not reduce it.

For instance, draft experts here feel more should be done to divert many skilled men, now deferred or exempt, to useful positions in the military or in national industry. Such provisions now are made in the case of doctors, who are called into service when there is a need for them.

One high draft official said, "Such a policy would aid in balancing the scales in the minds of persons who do not qualify for deferment before age 26 and enter military service."

It also has been proposed that men be drafted right after high school rather than in their early 20's, as is usually done now. Representative ALBERT H. QUIE, of Minnesota, pointed out, "We are drafting men between 23 and 26 with jobs and leaving younger men without jobs."

So far, most reforms are strictly talk. And the draft forecast for the near future remains: Good luck for the many, tough break for the few.

There is no guarantee that the forecast won't be the same in 1967, when the Universal Military Training and Service Act comes up again for passage * * * and the first babies born under peacetime conscription start trying to beat the draft.

ENROLLED BILL PRESENTED

The Secretary of the Senate reported that on today, January 22, 1964, he presented to the President of the United States the enrolled bill (S. 2079) to provide for the striking of three different medals in commemoration of the Federal Hall National Memorial, Castle Clinton National Monument, and Statue of Liberty National Monument American Museum of Immigration in New York City, N.Y.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Hackney, one of its reading clerks, informed the Senate that, pursuant to the provisions of 16 U.S.C. 715a, the Speaker had appointed Mr. GOODLING, of Pennsylvania, as a member of the Migratory Bird Conservation Commission.

The message announced that the House had passed the following bills of the Senate, each with amendments, in which it requested the concurrence of the Senate:

S. 298. An act to amend the Small Business Investment Act of 1958; and

S. 1309. An act to amend the Small Business Act, and for other purposes.

The message also announced that the House had passed the bill (S. 2265) to amend the Library Services Act in order to increase the amount of assistance under such act and to extend such assistance to nonrural areas, with an amendment, in which it requested the concurrence of the Senate.

The message further announced that the House had agreed to the amendments of the Senate to the joint resolution (H.J. Res. 779) to amend the joint resolution of January 28, 1948, relating to membership and participation by the United States in the South Pacific Commission, so as to authorize certain appropriations thereunder for the fiscal years 1964 and 1965.

The message also announced that the House had passed a bill (H.R. 9076) to provide for the striking of medals in commemoration of the 200th anniversary of the founding of St. Louis, in which it requested the concurrence of the Senate.

ENROLLED JOINT RESOLUTION SIGNED

The message further announced that the Speaker had affixed his signature to the enrolled joint resolution (H.J. Res. 779) to amend the joint resolution of January 28, 1948, relating to membership and participation by the United States in the South Pacific Commission, so as to authorize certain appropriations thereunder for the fiscal years 1965 and 1966, and it was signed by the President pro tempore.

HOUSE BILL REFERRED

The bill (H.R. 9076) to provide for the striking of medals in commemoration of the 200th anniversary of the founding of St. Louis, was read twice by its title and referred to the Committee on Banking and Currency.

ADDRESSES, EDITORIALS, ARTICLES, ETC., PRINTED IN THE RECORD

On request, and by unanimous consent, addresses, editorials, articles, etc., were ordered to be printed in the RECORD, as follows:

By Mr. RANDOLPH:

Remarks by him on the 140th anniversary of the birth of Thomas Jonathan "Stonewall" Jackson.

GENEVA MEETING OF 18-NATION DISARMAMENT COMMITTEE

Mr. MANSFIELD. Mr. President, on yesterday, the 18-Nation Disarmament Committee resumed proceedings in Geneva, after a recess of several months. In connection therewith, the President of the United States dispatched a message of hope, expectation, and specific proposal.

This message, Mr. President, rests on the sound foundation of last year's achievements—notably, the partial nuclear test ban treaty. It is not without significance that the treaty, drawn with infinite patience and modest expectation, has already become a widely accepted part of the present international atmosphere. So far, at least, the horrible fears and unnamed terrors which just a few months ago were predicted as inevitable concomitants of this one step back from the brink of the inferno have not materialized. So far, there apparently have been no tricks and no euphoria. On the contrary, the treaty has established itself as a modest force for stability in the world. Whether or not it is realized, people of all nations breathe a little more easily—in more ways than one—because it is in force. "The flickering light where there was no light" now burns with a more certain glow.

It may be, therefore, that the moment is ripe to essay other steps toward a more durable peace—cautious steps, limited steps, but nonetheless firm steps. That is the hope of the President's message to the Geneva negotiators. To bring this hope to fruition, he has emphasized five specific areas in which he believes work can and must be done now to strengthen the stability of peace:

First. Prohibiting the threat or use of force in a variety of circumstances of international tension.

Second. Halting further increases in strategic armaments.

Third. Halting all production of fissionable materials.

Fourth. Creating a system of observation posts, to reduce the danger of war by accident, miscalculations, or surprise attack.

Fifth. Prohibiting the transfer of nuclear weapons to third parties; increasing inspection of peaceful nuclear activities in all countries; and banning all nuclear tests, under effective verification and control.

Mr. President, the President's message is a most significant statement of American policy on armaments control. I hope other nations will consider most carefully and soberly, his specific proposals and will seek to make contributions of their own—as admirable and as specific as his—to the realization of the universal desire for a reliable peace.

I ask unanimous consent, Mr. President, that the text of the President's message on January 21, 1964, to the 18-Nation Disarmament Committee, be printed at this point in the RECORD.

There being no objection, the message was ordered to be printed in the RECORD, as follows:

Message From President Lyndon B. Johnson to the Opening of the 18-Nation Disarmament Committee, January 21, 1964

There is only one item on the agenda of this Conference—it is the leading item on the agenda of mankind—and that one item is peace.

Already this Conference has led to more concrete and effective results than any disarmament conference in modern history. Your efforts and deliberations laid the groundwork for the nuclear test ban treaty—for the communications link between Washington and Moscow—and for the U.N. General Assembly action against nuclear weapons in space.

Today your search begins anew in a climate of hope. Last year's genuine gains have given us new momentum. Recent Soviet and American announcements of reductions in military spending, even though modest, have brightened the atmosphere further. Let us pray that the tide has turned—that further and more far-reaching agreements lie ahead—and that future generations will mark 1964 as the year the world turned for all time away from the horrors of war and constructed new bulwarks of peace.

Specifically, this Nation now proposes five major types of potential agreement:

First, as Chairman Khrushchev and I have observed, the use of force for the solution of territorial disputes is not in the interest of any people or country. In consultation with our allies, we will be prepared to discuss means of prohibiting the threat or use of force, directly or indirectly—whether by aggression, subversion, or the clandestine supply of arms—to change boundaries or demarcation lines; to interfere with access to territory; or to extend control or administration over territory by displacing established authorities.

Second, while we continue our efforts to achieve general and complete disarmament under effective international control, we must first endeavor to halt further increases in strategic armaments now. The United States, the Soviet Union and their respective allies should agree to explore a verified freeze of the number and characteristics of strategic nuclear offensive and defensive vehicles. For our part, we are convinced that the security of all nations can be safeguarded within the scope of such an agreement and that this initial measure preventing the further expansion of the deadly and costly arms race will open the path to reductions in all types of forces from present levels.

Third, in this same spirit of early action, the United States believes that a verified agreement to halt all production of fissionable materials for weapons use would be a major contribution to world peace. Moreover, while we seek agreement on this measure, the United States is willing to achieve prompt reductions through both sides closing comparable production facilities on a plant-by-plant basis, with mutual inspection. We have started in this direction—we hope the Soviet Union will do the same—and we are prepared to accept appropriate international verification of the reactor shutdown already scheduled in our country.

Fourth, we must further reduce the danger of war by accident, miscalculation, or surprise attack. In consultation with our allies, we will be prepared to discuss proposals for creating a system of observation posts as a move in this direction.

Fifth, and finally, to stop the spread of nuclear weapons to nations not now controlling them, let us agree: (a) That nuclear weapons not be transferred into the national control of states which do not now control them, and that all transfers of nuclear materials for peaceful purposes take place under effective international safeguards; (b) that the major nuclear powers accept in an increasing number of their peaceful nuclear activities the same inspection they recommend for other states; and (c) on the banning of all nuclear weapons tests under effective verification and control.

Each one of these proposed steps is important to peace. No one of them is impossible of agreement. The best way to begin disarming is to begin—and the United States is ready to conclude firm agreements in these areas and to consider any other reasonable proposal. We shall at all times pursue a just and lasting peace—and with God's help, we shall achieve it.

Mr. PASTORE. Mr. President, will the Senator from Montana yield?

Mr. MANSFIELD. I yield.

Mr. PASTORE. Mr. President, as chairman of the Joint Committee on Atomic Energy, I have read intently and with deepest interest the message sent by President Johnson to the 18-Nation Disarmament Conference at Geneva. The message appears to me to set out clearly for the Conference a program which, if achieved, will take us further down the road to peace. The President outlines what we should strive for in today's world. The aims are clearly in our national interest as well as in the interest of all nations.

It is the area of nuclear proposals that especially commands my attention. I would like at this time particularly to point out the proposal raised by the President relating to the curtailment—and perhaps eventual halting of the production of fissionable materials for weapons use.

As President Johnson rightly observed, the halt in production of fissionable materials for weapons use under adequate and effective verification procedures, including the necessary inspections, would be a major contribution to world peace. The United States has in the past attempted to engage the Soviet Union in mature consideration of this step. It is extremely regrettable that the Soviet Union has been unable to recognize the contribution which this would make to world peace. I would hope that during the renewed session of the Geneva Conference, the Soviet Union will reconsider its position.

The President's call for a reduction of fissionable material production in his state of the Union message represents a sincere effort to control and ultimately to halt the production of nuclear material for weapons use. This was demonstrated by the President when he announced the 25-percent reduction in enriched uranium production and the planned closing down of four plutonium piles. He is now calling on the Soviet Union to follow our example.

I sincerely hope the Soviet Union truly understands our initiative, draws correct conclusions, and will reciprocate U.S. good will and our intent for world peace by following our example. Additionally, I hope that further reductions can be achieved by both sides closing comparable production facilities. This would be done on a plant-by-plant basis with provisions for adequate and effective verification, including reciprocal inspection procedures.

The attainment of a continuing reduction and final stoppage of the production of fissionable material for weapons use could constitute a major contribution to world peace. While this will not eliminate the danger of nuclear war, it will nevertheless represent a practical step toward that goal.

Further, such a measure would result in worthwhile expenditure savings—savings which could be devoted to the attainment of worthier objectives, such as the unconditional warfare our Nation means to wage on poverty.

I am sure the Congress will anxiously await the Soviet response to this important initiative by President Johnson. The world at large will be waiting and listening and hoping. There is no justification for the Soviets turning their backs on this important message with its help and hope for all mankind.

THE PRESIDENT'S BUDGET

Mr. ROBERTSON. Mr. President, the budget proposals of the President of the

United States for the fiscal year 1965 reflect a major shift of emphasis in Federal fiscal policy. They represent a gratifying move toward fiscal sanity at the Federal level which I am glad to support. On the basis of such constructive spending reductions, I feel justified in voting for a tax cut.

I am glad not only to support, but to accelerate this historic move to fiscal soundness on the part of President Johnson. It is my view, based on preliminary estimates, that the fiscal 1965 spending estimates of $97.9 billion can be reduced by as much as $2 billion more without jeopardizing the public welfare or the national defense. I think foreign aid could be cut $500 million and the "shot to the moon" $500 million. While I am not prepared at this time to itemize other reductions, I shall do so at a later date.

Today, I suggest that Congress accept every reduction proposed by President Johnson in spending items. I also point to further possible sources of reduction in the new spending schemes contained in the domestic program and in the foreign aid program.

Before turning to these matters, Mr. President, I call the attention of Senators to the record on the budget for the fiscal year 1964. On March 7, 1963, on the floor of this Chamber, I recommended cuts totaling $5,905,470,000 in the budget for the fiscal year 1964. As it turned out, Congress reduced by $6,300 million the requests of President Kennedy.

I take pardonable pride in the general accuracy of my judgment of the views of Senators concerning the reasonable restraint in Federal spending which is in the public interest. Accustomed to cries of reform of the Congress, the public scarcely appreciates the painstaking, conscientious analysis of complex and at times hastily conceived new spending schemes rejected by the Congress, which has contributed to the current climate of optimism and confidence in the soundness of Government fiscal policy.

Mr. President, I ask unanimous consent to insert at the end of my remarks a table showing, for the budget estimates for fiscal 1964, my own recommendations, item by item, and the final action of the Congress. I believe the table will be of value to the many Members of Congress who, like myself, wish to join President Johnson in striking a new note of fiscal soundness in this era of unprecedented prosperity and growing business confidence.

The **PRESIDING OFFICER** (Mr. NELSON in the chair). Is there objection to the request of the Senator from Virginia? The Chair hears none, and it is so ordered.

(See exhibit 1.)

Mr. ROBERTSON. Mr. President, before turning away from the budget for fiscal 1964, it is easy to overlook the fact that some of the economies possible for fiscal 1965 stem from pushing spending back into this fiscal year. Thus, President Johnson will ask for $4.237 billion of supplemental spending for fiscal 1964, a not-inconsiderable amount to be subtracted from fiscal 1965 totals.

Furthermore, the 1965 budget calls for sales of $2.3 billions of federally owned financial assets, compared with an estimate of $1.6 billion of sales during the current year. These sales, of course, act as a partial offset to expenditures. Finally, in cutting the Department of Agriculture by $1 billion plus, the 1965 budget assumes that Congress will pass agricultural legislation which will greatly reduce costs associated with price supports. Yet, however, the reduced total of $97.9 billion for expenditure estimates may have been achieved, still the reduction in spending it reflects is a step in the right direction and could mark the beginning of a historical trend to economy in government.

The philosophy of the fiscal 1965 budget lies in the shift away from increased defense spending and toward increased spending for domestic "welfare" programs. For example, the budget foresees a net reduction of Federal civilian employment from fiscal 1964 to fiscal 1965 of 1,200 employees. Even if only infinitesimal in a total of 2,511,200 such employees, it is a reduction. What illustrates the budgetary philosophy is that the net reduction is made up of a cut of more than 17,000 in civilian defense personnel offset by increases in other programs. And we should not forget that from 1963 to 1965 the total for Federal employment rises by 21,000 people.

The employment totals, then, illustrate not only the philosophy of the budget. They also show the need for care and circumspection on the part of the Congress in interpreting its meaning. While it is a tired cliche to say that the Government budget is complex, this is not quite my intent; rather, it seems to me that the budget for fiscal 1965 requires special care on the part of experienced analysts.

I should like to conclude these remarks, Mr. President, illustrating the need for care, by turning to the much-discussed attack on poverty. It has been variously reported that the program will require $300 million in spending in 1965; that it will require more than $1 billion in new obligational authority in 1965. What is the truth about the attack on poverty?

As nearly as I can determine, the truth is that we do not know how much the attack on poverty may cost. For one thing, we do not know yet precisely what is to be included in the attack. We do know that Federal, State, and local agencies, according to U.S. News & World Report in its issue of January 27, 1964, are now spending $44 billion on programs to help the needy. This is a lot of money by anyone's standards. According to the Council of Economic Advisers, it would take $11 billion to bring up to $3,000 per year the incomes of all those famiiles now receiving less than $3,000 per year. The natural question is whether we intend to add $11 billion to the $44 billion total, and I do not doubt that there are some presidential advisers who might very well have such a course in mind. This is one reason for taking heart at President Johnson's philosophy of economy.

Nevertheless, it is the record of welfare and other such programs in the past to start small and, once authorized, to go big. "Start small—go big" may be said to be the strategy of those who doubt the power of our free society with its enterprise economy and constitutional government to allow us to deal with our own problems as self-reliant and God-fearing U.S. citizens have done historically. "Start small—go big" is the strategy of the big spenders.

I trust that the sound philosophy of avoiding waste and promoting reasonable solutions by cooperative action will guide President Johnson to the inspiring goal of full use of our human and physical potential without reliance upon the fundamentally defeatist counsels of the big spenders.

Mr. President, such is the happy interpretation that I place upon the budget for fiscal 1965—as a move toward economy and freedom. I shall be glad to be counted among the friends of President Johnson who support such an advance.

EXHIBIT 1

Fiscal year 1964 budget estimates, Senator Robertson's recommendations, and actual action

Item	Budget estimate, 1964	Senator ROBERTSON'S recommendations [1]	Actual reduction effected
Defense spending:			
1. Procurement programs	$16,724,800,000	−$633,000,000	$1,018,753,000
2. Military construction	1,232,000,000	−123,000,000	283,526,000
3. Family housing	734,000,000	−137,000,000	96,594,000
4. Civil defense	346,900,000	−217,800,000	235,900,000
5. Military assistance	1,480,000,000	−148,000,000	480,000,000
Non-Defense spending:			
6. Foreign aid	3,465,100,000	−1,800,000,000	1,465,100,000
7. Area redevelopment	350,000,000	−350,000,000	350,000,000
8. Aid to education	1,215,170,000	−1,215,170,000	1,215,170,000
9. Mass transportation	100,000,000	−100,000,000	100,000,000
10. Youth employment	100,000,000	−100,000,000	100,000,000
11. Medical school construction, nursing homes, scholarships	30,390,000	−30,390,000	30,390,000
12. REA	495,000,000	[2] −15,000,000	None
13. National Science Foundation	589,000,000	[2] −266,500,000	235,800,000
14. Housing for elderly	125,000,000	−125,000,000	25,000,000
15. Rural recreation, hospital renovation, etc	44,610,000	−44,610,000	44,610,000
16. Other		[3] 600,000,000	619,157,000
Grand total		5,905,470,000	6,300,000,000

[1] This amount to be reduced.

[2] No specific amount recommended. For this table, the fiscal year 1963 appropriation was used as amount recommended.

[3] Includes 5-percent reduction in personnel recommended by Senator ROBERTSON plus miscellaneous reductions elsewhere.

CODE FOR PUBLIC OFFICIALS

Mr. WILLIAMS of Delaware. Mr. President, under preceding administrations the acceptance of lavish entertainment and large gifts by officials of the U.S. Government was strongly condemned, and it cannot be condoned now any more than it was then.

I see no difference in the acceptance of an expensive stereo than in the acceptance of a mink or vicuna coat, a deep freeze, or an oriental rug.

I condemned the deep freezes and the vicuna coats of the preceding administrations, and I will not defend the stereo now.

Whenever anyone gives a public official an article of such value he is expecting something in return, and any public official who accepts such gifts is not so naive as to be unable to recognize that point.

There can be but one code for public officials.

In this connection, I ask unanimous consent to have printed in the RECORD a copy of a similar statement which I made on June 17, 1958, on a similar subject.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

CODE FOR PUBLIC OFFICIALS

(Statement made by Senator JOHN J. WILLIAMS of Delaware, as appearing in the CONGRESSIONAL RECORD, June 17, 1958)

Mr. President, I have read Mr. Adams' statement as presented to the House committee very carefully, and regret that I cannot accept his explanation as clearing up the implications involved.

Under the preceding administration the acceptance of lavish entertainment and large gifts by officials was strongly condemned, and it cannot be condoned now any more than it was then. I see no difference in the acceptance of a $2,400 rug and a vicuna coat than in acceptance of a deep freeze. I condemned the deep freezes, and I will not defend the rugs now.

In 1952 the American people repudiated the corruption and loose practices exposed as existing under the preceding administration and returned the Republican Party to power largely on our promise that we would restore integrity to public office. During that campaign we said that the test of the character of any administration was not to be based upon the fact that a few men violated their trust—human nature being what it is such instances will happen—but the real test lies in the manner in which that administration meets the challenge when wrongdoings on the part of any of its officials have been called to its attention.

Today the Republican administration stands confronted with that challenge. The acceptance by Mr. Sherman Adams, the administrative assistant to the President, of lavish entertainment and large gifts from a private citizen and allowing that same citizen to use the prestige of his office to further his case before Government agencies must not be condoned. It must not be condoned now any more than such practices were to be condoned under the preceding administration.

There can be but one code for public officials. Mr. Adams' resignation is in order.

DEATH OF FORMER GOVERNOR OF KANSAS, GEORGE DOCKING

Mr. CARLSON. Mr. President, Kansas has lost one of its outstanding citizens in the untimely death of Hon. George Docking, former Governor of the State of Kansas. At the time of his death, Governor Docking was serving as a member of the Export-Import Bank, having received the appointment from the late President Kennedy. While Governor Docking and I were members of different political faiths and different political parties, we not only had a high regard for each other, but we had become close personal friends.

He rendered outstanding service to his State and to the Nation; and he will be greatly missed.

Mrs. Carlson and I extend our sincere sympathy to Mrs. Docking and her family.

Mr. President, I ask unanimous consent that I may yield to my colleague from Kansas.

Mr. PEARSON. Mr. President, I thank the distinguished senior Senator from Kansas. I join with him in expressing deep regret.

The late Governor George Docking of Kansas was a viable part of our State's political and economic history during his years of public service. Because he and I were of different political persuasions, I can perhaps be even more objective and here record that he was indeed a man of high principles to which he steadfastly adhered throughout his life.

He served two terms as Governor of our State of Kansas, from 1957 to 1961; and more recently, he served with distinction as a Director of the Export-Import Bank after his nomination by President Kennedy on January 30, 1961.

Conservative by nature, Governor Docking learned his business principles well from 1942 to 1959, as president of a Lawrence, Kans., bank. During this 17-year period and throughout his 2 years as Governor, he was deeply involved in community and State affairs, serving these interests on a national level as Chairman of the Governors' Conference Special Committee on Federal and State Relations from 1957 to 1960.

Mr. President, Kansas has lost one of its truly fine leaders. His views, his thoughts, his presence, will be deeply missed. I know that all Senators will wish to join me today in expressing our sorrow and regret to Mrs. Docking and her two sons, Robert and George.

PRESIDENT JOHNSON'S MESSAGE TO THE 18-NATION GENEVA DISARMAMENT CONFERENCE

Mr. HART. Mr. President, a few moments ago, the Senate heard the distinguished majority leader [Mr. MANSFIELD] give specific endorsement to the message just addressed by the President of the United States to the 18-Nation Disarmament Conference as it resumed its meeting in Geneva.

This expression by the majority leader is one to which I fully subscribe. I am delighted that he placed in the RECORD, as the session opened, the point of view which I believe is shared by the overwhelming majority of the thoughtful people of America. I am sure we could extend it to reach around the world, including all men and women conscious of the destructive power which the major nations of the world now possess.

In my view, President Johnson's response constitutes an important statement of U.S. policies and principles in areas of vital concern to the entire free world.

At the outset of his letter President Johnson expressed our fundamental commitment to both the peaceful unification of Germany, in accordance with the will of her people, and to the Republic of China. Furthermore, he emphasized that our forces and bases abroad were established for the collective defense of the free world and will not be removed as long as the need for their presence remains. He stressed, however, our desire to make further progress in the field of disarmament, reiterating the general objectives that both the United States and Soviet Union have already agreed should be met. He also reaffirmed our firm belief in the vitality of the United Nations and its peacekeeping processes, stating that these processes should be more fully used and strengthened.

President Johnson directed particular attention to the problems of territorial disputes. He proposes specific guidelines to eliminate the threat or use of force in the resolution of such disputes. These guidelines make it clear that settlement in this area must be through negotiation, arbitration, judicial settlement and other peaceful means. But he also noted that the obligation to refrain from the threat or use of force to change international boundaries and other territorial arrangements must be generally observed, that any departure would require reappraisal, and that the inherent right of self-defense must remain fully operative.

Finally, the President indicated that the United States will offer specific proposals based on the guidelines set forth in his letter, perhaps through the Geneva Disarmament Conference or the United Nations.

We live in an age when war is no longer an acceptable alternative. We must, therefore, seek peaceful solutions to the problems that in the past have led the countries of the world to war. I believe that President Johnson has made a significant contribution to the furtherance of this goal.

ROADBLOCKS IN THE PATH TO PEACE—ADDRESS BY SENATOR CLARK

Mr. HART. Mr. President, on November, 22, 1963, in Philadelphia, the Brith Sholom Peace Conference was held, on the subject, "America's 1,000-Mile Journey Toward Peace."

At that conference, the senior Senator from Pennsylvania [Mr. CLARK] was the principal speaker. I believe he eloquently voiced the aspirations of most Americans when he described knowledgeably the roadblocks we find in our search for peace. The Senator from Pennsylvania is knowledgeable in this area to a degree not attained by many. He is courageous and eloquent.

I feel that his speech reflects the kind of thought which should be made broadly available to the people of the United States; and for this reason I ask unanimous consent that excerpts from the speech, and the resolution adopted by the conference, may be printed in the Record.

There being no objection, the excerpts and the resolution were ordered to be printed in the Record, as follows:

ROADBLOCKS IN THE PATH TO PEACE

(Excerpts from speech by Senator Joseph S. Clark, Democrat, of Pennsylvania, at Brith Sholom Peace Conference, Bellevue-Stratford Hotel, Philadelphia, Pa., November 24, 1963)

This conference in which we are taking part is on "America's 1,000-Mile Journey Toward Peace." So, in order to keep the metaphors unmixed, I have given my speech the title, "Roadblocks in the Path to Peace."

One wonders why there should be roadblocks in our path. Peace is universally desired; war is universally detested. With everyone striving for the same goal, it should be an easy matter to achieve and keep the peace. War has few outright apologists—either on this side of the Iron Curtain or the other. And even the Red Chinese, who talk about building communism on the ashes of the nuclear holocaust, claim to be for peace and disarmament.

But the fact is that even for men of good intentions, the road to peace is long and arduous. It is impassable except in the best of weathers and it is blocked at many points by a variety of barricades. What are these roadblocks? Who has placed them in our path? I would place the blame on these three:

1. Our adversaries: The history of our disarmament efforts at Geneva since World War II amply proves the proposition that agreeing about where you want to go is easier than getting there. Both the Soviet Union and the United States have repeatedly declared, over the years, their commitment to the goal of general and complete disarmament. On September 20, 1961, the United States and the U.S.S.R. announced their agreement on 18 basic principles to govern disarmament negotiations—including the common objective of general and complete disarmament arrived at by stages under strict international control. Both nations have tabled at the Geneva Conference draft treaties to achieve this common aim. Yet despite these broad areas of agreement, crucial differences remain. Three of these have been particularly troublesome:

First, although the Soviets have agreed that there should be strict verification and inspection of the weapons to be surrendered, and the forces to be disbanded during the disarmament process, they have refused to permit inspection of those that are retained in the midway period. Our view has been that both should be open to the inspectors, else we cannot be protected against a concealed Russian superiority in remaining armaments and weapons systems.

Second, we have favored in broad general language a strong, "veto free" international disarmament organization tied in some way to the United Nations; an international peace force to keep the peace and enforce the treaty, similarly loosely tied to the United Nations; and improved international tribunals of law, equity, mediation and conciliation with the power to issue decrees enforceable by the world police force. The Russians have insisted on a veto control over the IDO; have been leery of a strong world police force; and have reacted negatively to strengthened international tribunals of justice.

Third, the Soviets have pressed very hard for a total ban on the big weapons—nuclear warheads and their delivery systems—early in the game. We have resisted this, on the ground that it would place the United States at a disadvantage in view of the Soviet superiority in conventional forces. More recently, the Russians agreed tentatively to the retention of a small number of nuclear missiles until the last stage of the disarmament process. But their proposal has been very vague and nonspecific.

These differences are not merely technical. I believe that to a very great extent they reflect a fundamental problem in the Soviet Union's relationships with this Nation and with the rest of the world. I use the word "fundamental" advisedly, because its roots are far older than communism, which is—relatively speaking—a newcomer on the Russian scene.

That problem arises from the Russian obsession with secrecy. It lies squarely in the path toward general and complete disarmament, and there is no easy way around it—if in fact it can be circumvented at all. All of our thinking in the area of disarmament has been predicated on the existence of strong and effective machinery under international control to carry out inspections on the soil of participating nations so as to detect violations of the disarmament agreement.

In this regard, the recently adopted Limited Nuclear Test Ban Treaty is an anomaly. Because the art of detecting nuclear tests above ground, underwater, and in the atmosphere, has developed to the point where tests in these media can be detected without the need to send inspectors onto another country's soil, the treaty is self-policing.

It is cheatproof—without inspection. Thus it was acceptable to the Russians, who did not have to open their frontiers to strangers; and it was acceptable to this country, because there was no need to send inspectors into Russia to see if the Russians were keeping their part of the bargain.

The comprehensive ban—which would forbid underground testing as well—is another matter altogether. Although negotiations continued on this subject right up to the signing of the limited treaty, the Russians proved unwilling to agree to the kind and quantum of inspection which we felt necessary to give adequate assurance against cheating. Because the art of detecting underground nuclear tests is more subtle and complicated, the comprehensive ban—even with inspection on Soviet soil—would be far less cheat-proof than the limited ban with no inspection at all.

I do not think that a comprehensive test ban treaty need be permanently beyond us. The art of underground detection is advancing steadily, and we can hope for the day when our scientists will be able to tell us that they can detect and identify underground tests without inspection, with virtually the same certainty as tests in other media.

But the real goal, general and complete disarmament, can probably never be put on a self-enforcing basis. It will require a basic revision of long-held Russian beliefs and attitudes, and such a change is not easily made. But I am convinced it will come; and come in our lifetime.

2. Our allies: It is a great mistake to think that Western cold war policy is made in Washington and rubber-stamped in London, Bonn, and Paris. Our NATO allies—especially France and Germany—are daily growing in the strength of their positions and the independence of their views.

It is hard for us, a full ocean and a half continent away, to appreciate the intensity of Russian fears of Germany and German fears of Russia. Viewed from the West, Berlin is a hostage city, held at the mercy of the Communists. But viewed from the East, Berlin is seen as an aggressive outpost for "revanchism", and an entry port for capitalist subversion. As long as matters remain so, Berlin will be a point of friction to both sides—the West's painful corn, as Khrushchev has described it, for the Soviets to stamp on.

The tides of French foreign policy are very hard to discern. What is clear, however, is a determination to pursue an independent course, in diplomacy as well as in military policy. France's abstention from the limited nuclear test ban treaty, and from the mainstream of East-West disarmament negotiations, is as lamentable in its way as is the absence of Communist China. Unless some way is found to bring both of these nations into our disarmament planning, our efforts may be self-defeating.

3. Ourselves: Neither the ferment over Berlin nor the French pursuit of national glory poses so troublesome an obstacle to peace as the one which exists in that peculiarly American institution—the Congress.

* * * * *

Congress does not take disarmament seriously because the American people do not take disarmament seriously. This is one of those cases in which the electorate gets just about the kind of representation it deserves.

Instead of being moved to new efforts, Americans too often tend to respond to frustrations and disappointments in the complex disarmament negotiations with retreat and defeatism. For a nation which aspires to land a man on the moon by 1970, we are very quick to say, "It can't be done" about plans to create effective international institutions to keep the peace here on earth. Because we have been lucky enough to have kept our balance on the brink of terror and nuclear disaster this long, we foolishly suppose we can keep it forever—and so we dismiss general and complete disarmament as "farfetched" and "visionary."

This kind of thinking is reflected in the Congress' attitude toward the arms race and disarmament. As I mentioned earlier, at the time the Limited Nuclear Test Ban Treaty was signed, there was also pending in the negotiations a U.S. proposal for a Comprehensive Nuclear Test Ban Treaty. In order to give us an adequate assurance against cheating, this proposal called for seven on-site inspections per year on the soil of the opposite number country, and the placing of seven automatic seismic detection stations, or "black boxes," in the opposite number country, each of which might be visited eight times a year.

I believed then, and so stated on many occasions—and I believe now—that this proposal is consistent with our national security. This view was held by President Kennedy and each of his principal advisers in the field of national security—Secretary of Defense McNamara, Secretary of State Rusk, Chairman Seaborg of the Atomic Energy Commission, and William C. Foster, Director of the Arms Control and Disarmament Agency.

Yet if the Soviet Union had accepted this proposal for a comprehensive nuclear test ban, I believe there is a good chance that the Senate would have killed the treaty just as it killed President Wilson's bid to take this country into the League of Nations. Early last March my staff made a survey of senatorial attitudes on the U.S. proposal for a comprehensive ban. Fifty-seven votes were all we could count in favor—10 short of the 67 needed to ratify.

2. The defense budget has gotten so big—more than $50 billion a year—that many Americans feel that they have a personal financial stake in keeping our huge Military Establishment intact. Just as President Eisenhower warned in his farewell address, we have developed a huge and powerful "military-industrial complex" which feeds on defense contracts and generates pressures and influence for more and bigger defense contracts.

The result is a suicidal circle in which big defense spending builds big defense industries which demand and receive more and more taxpayers' dollars to make and maintain instruments of war. Anyone who thinks that the "armament lobby" is a 19th century fable ought to see, as I do, the regular flow of mail—from businessmen and unions alike—pleading for, or demanding, more defense contracts.

These people do not want war; no rational person in this nuclear age does. What they want is defense—and more and more of it. I imagine that they believe that by spending more and more on defense they really are enhancing our security, instead of increasingly endangering it. But intentions are irrelevant when the effect of their actions is to perpetuate the arms race and bring us closer to the danger of war. For it was this combination of self-interest and self-deception which theatened the approval of the limited nuclear test ban treaty in the Senate, and which continues to stand as a formidable obstacle to our efforts to achieve the true security which can exist only in a disarmed world under effective international authority.

RESOLUTION ON PRESIDENT JOHN F. KENNEDY

Whereas John F. Kennedy, 35th president of the United States devoted his life to America and to its people in peace and in war as soldier, legislator, President, statesman and world leader; and

Whereas the cause of peace and the strengthening of friendship between nations were his most sought after goals; and

Whereas his efforts to strengthen democracy at home and to create the conditions favorable to peace reflected the image of a progressive America concerned about human ideals; and

Whereas his lifetime of achievement and activity on behalf of his Nation made him representative of the best of our Nation; and

Whereas his own unselfish example inspired our Nation to measure up to the noblest goals of man: Now, therefore, be it

Resolved, That the Conference on America's 1,000 Mile Journey Toward Peace sponsored by Brith Sholom on this 24th day of November 1963, record its profound grief upon the tragic death of President John F. Kennedy, felled by an assassin's bullet in the service of his country, and join with multitudes everywhere who mourn our Nation's irreparable loss; and be it further

Resolved, That we dedicate ourselves with increasing zeal and determination to further the peaceful aims for which our President labored valiantly; and be it further

Resolved, That a copy of this resolution be conveyed to his beloved widow and young family, with our expressions of deepest sympathy for their personal loss which we share with them.

REPORT ON SMOKING BY ADVISORY COMMITTEE OF SURGEON GENERAL

Mr. COOPER. Mr. President, I should like again to comment on the recent report on smoking and health recently made public by the Advisory Committee of the Surgeon General. I repeat that this report is receiving and should receive serious consideration.

What I say is not in any way in derogation of the report, but there are some facts about it that should be kept in mind.

The report is not based upon new research conducted by the committee, but upon a review and evaluation of research conducted prior to the appointment of the committee, and data previously accumulated.

The report makes that point very clear.

The report did not make any judgment, as was reported by a part of the news media, that filters were not effective. To the contrary, Dr. Luther Terry, Surgeon General of the United States has stated, in response to a letter written by me to him, that first, "it is erroneous to conclude that cigarette filters have no effect," and second "the committee felt that the development of better filters or more selective filters is a promising avenue for further development."

There is much in the report to suggest that a great many questions relating to the use of tobacco remain unanswered. I think all of us have urged that research be extended, and specifically that research on filters be strengthened.

I wish to comment upon another subject. A few individuals in the Congress and in private life have suggested that the farm program for tobacco growers embracing production control and providing price support be abolished.

I have some knowledge of that program, going back to 1948, when, with Senator Barkley, I offered an amendment which provides burley tobacco growers a support price based on 90 percent of parity, and to growers of dark tobacco their comparable support. In later years in the Senate, particularly in 1960, I sponsored and worked on tobacco legislation to improve and make more effective our tobacco program.

I merely make the following comment. To abolish the tobacco program, or its price support feature, would be a grave mistake both in the light of our economy. I hope that those who make that proposition will think about it, for to do so would result in the unrestricted production of cheap tobacco, disastrous prices for farmers, loss of marketing controls, and the end of Government supervision of tobacco quality through official grading of tobacco.

As a member of the Committee on Agriculture and Forestry, I would certainly oppose any proposed legislation to abandon the tobacco program. For the reasons I have given, I believe the tobacco program will be maintained.

ANNIVERSARY OF UKRAINIAN INDEPENDENCE

Mr. KEATING. Mr. President, this is the 46th anniversary of the Ukrainian proclamation of independence. It provides us with a poignant reminder that the threat to freedom of all peoples and independence of nations is a continuing one which requires strength and perseverance among the free as well as the oppressed. Apathy is the greatest ally of tyranny.

The powerful tide of national independence movements that began in 19th century Europe and continues to this day throughout the world has been ruthlessly suppressed within the Soviet empire. The more we learn about the fate of minority nationalities within that empire the more we realize we are facing the greatest enemy of national self-determination in history.

The Ukrainian people were among the first to suffer the fate that has befallen millions of others. We must not forget the plight of the people under Communist rule, or take our own freedom for granted. If we keep the ideal of freedom a living reality in our part of the world, history will one day mark down the Soviet empire as a temporary interlude in man's inexorable progress toward liberty.

In 1918, just 46 years ago, the flame of independence and democracy flickered briefly in a Russia torn by the ravages of the First World War. The Ukrainian People's Republic, centered in Kiev, proclaimed its independence from the Moscow revolutionary regime, already in the hands of the Bolsheviks.

But even then Ukraine was in the throes of civil war because a minority within the central council, a minority composed of Bolsheviks and other like-minded enemies of national freedom, refused to abide by the majority decision for independence and set up a separate government.

The central council in Kiev had contained representatives from all walks of Ukrainian life, including Bolsheviks. Thus the natural democratic instincts of the Ukrainian leaders were exploited by the Bolsheviks in their drive for totalitarian control.

The practice of exploiting democratic liberties only to destroy democracy has been repeated over and over. And, as always with Communist imperialism, the issue was settled by bullets, not ballots. Soviet troops swept aside the republic before it could defend itself, and another portion of freedom was devoured.

But the Ukrainians' love of freedom and passion for independence have proven that the spirit of liberty is not so easily extinguished. Therefore we commemorate this day to remind the Communists that the winds of change are blowing history in the direction of freedom for all men, and to remind ourselves to appreciate and guard the freedom that we now enjoy.

Mr. President, it is particularly appropriate therefore that the Senate and the House of Representatives today should welcome as visiting chaplains two distinguished representatives of the religious faiths of the Ukrainian people.

The Right Reverend Myron Pacholok of St. Nicholas' Ukrainian Orthodox Church in Troy, N.Y., delivered the opening prayer for the Senate and I understand that the Most Reverend Jaroslav Gabro, Eparch of St. Nicholas diocese of Chicago, delivered the prayer in the other body.

Mr. President, we are pleased to have with us this bishop and this clergyman who join with us in memory of the tragic lesson of freedom: men can lose in a few months the precious treasure of human rights and dignity; but that it takes years, generations, and centuries to preserve and defend the cause of freedom and to make it a living part of our own heritage.

Mr. LAUSCHE. Mr. President, today, January 22, 1964, marks the 46th anniversary of the independence of Ukraine.

When mention is made on the Senate floor paying tribute to a people at this critical period in the history of the world, it becomes exceedingly significant to remember that today, when the voice of Ukrainia is speaking, it is the voice of a liberty-loving people praying to brothermankind, and to the Lord for emancipation from the despotism to which these people have been subjected.

The Ukrainian people number 40 million and to the core there are no greater devotees of freedom than these noble Slavs. They speak the voice of the oppressed colonial nations in Europe and they form a part of more than 200 million people in Eastern and Middle Eastern Europe who are waiting for the day when they will be able to stand up and strike from their hands and wrists the shackles which the Communists have imposed upon them.

Today, figuratively, I want to place a wreath upon the tomb of those thousands of Ukrainians who have gone to their deaths for our cause. I join with the Ukrainians in the United States, and Ukrainians everywhere, in giving thanks to those heroic people, and joining in prayer that the day of their emancipation will soon be at hand.

Mr. INOUYE. Mr. President, today is the 46th anniversary of the independence of Ukraine. Since the Ukraine is part and parcel of the Union of Soviet Socialist Republics, an independence observance today seems paradoxical.

But we know there is a strong spirit of nationalism among Ukraine residents. We should do everything to foster that spirit. We know that many of these people still believe in freedom. It is appropriate, therefore, that today we salute the freedom-loving men and women of Ukraine and that we remember their short-lived independence so long ago.

Mr. BURDICK. Mr. President, an inspiring example of the intense human desire for freedom was demonstrated 46 years ago today when the Ukrainian people proclaimed their independence in Kiev, capital of Ukraine, after 2½ centuries of foreign oppression.

A year later, on January 22, 1919, the Ukrainian National Republic was united with the Western Ukraine, forming one sovereign, independent republic.

The new Republic was recognized by several nations, including Soviet Russia. However, the Soviet Union attacked Ukraine and after 3½ years of heroic struggle, Ukraine succumbed to numerically superior forces.

For the past 4½ decades, Ukraine has remained under heavy authoritarian rule, but it has never surrendered the spirit of freedom nor given up hope for regaining its full freedom and national independence by a series of uprisings and large-scale resistance movements, such as the underground warfare of the Ukrainian Insurgent Army in World War II and afterwards. The Ukrainians paid a high price in this struggle for freedom, facing famine, deportations, and executions.

The U.S. Government has recognized the plight of the Ukrainian people in the "Captive Nations Week Resolutions," which list Ukraine as one of the captive nations entitled to full freedom and national independence.

As a further mark of respect, the Ukrainian Congress of America, Inc., is building a statue in Washington, D.C., of Taras Shevchenko, an outstanding Ukrainian poet and freedom fighter and an ardent advocate of the same type of political system as the one established in the United States by George Washington.

As another sign of support for the Ukrainian people, proposals have been advanced for the U.S. Government to issue a Shevchenko "champion of liberty" stamp.

In my State of North Dakota, appropriate ceremonies marking Ukrainian Independence Day are being conducted. Dr. Anthony Zukowsky, of Steele, N. Dak., president of the North Dakota branch of the Ukrainian Congress Committee of America, Inc., has written me as follows:

> The 46th anniversary of the proclamation of independence of Ukraine and the 45th anniversary of the act of union of all Ukrainian lands into one, sovereign and independent state of Ukrainian people, provides an appropriate occasion for the American people and the U.S. Government to demonstrate their sympathy with and understanding of the aspirations of the Ukrainian nation to freedom and independence.

I ask unanimous consent that a proclamation issued by Gov. William L. Guy in behalf of the citizens of North Dakota be printed at this point in the Record.

There being no objection, the proclamation was ordered to be printed in the Record, as follows:

PROCLAMATION

STATE OF NORTH DAKOTA,
OFFICE OF THE GOVERNOR,
Bismarck.

Whereas on January 22, 1964, Ukrainians in North Dakota and throughout the free world will solemnly observe the 46th anniversary of the proclamation of a free Ukrainian state; and

Whereas after a defensive war lasting 4 years, the free Ukrainian state was destroyed in 1920 and a puppet regime of the Ukrainian Soviet Socialist Republic was installed, later becoming a member state of the Soviet Union; and

Whereas the once free Ukraine is now no more than a colony of Communist Russia and its vast human and economic resources are being exploited for the purpose of spreading communism; and

Whereas the U.S. Congress and the President of the United States of America have recognized the legitimate right of the Ukrainian people to freedom and national independence by respectively enacting and signing the "Captive Nations Week Resolution" in July 1959, which enumerated Ukraine as one of the captive nations enslaved and dominated by Communist Russia; and

Whereas some 25,000 Americans of Ukrainian descent now living in North Dakota have made significant contributions to both State and Nation: Now, therefore,

I, William L. Guy, Governor of the State of North Dakota, do hereby proclaim Wednesday, January 22, 1964, as Ukrainian Independence Day in North Dakota and urge all citizens to demonstrate their sympathy with an understanding of the aspirations of the Ukrainian nation to again achieve its rightful inheritance of freedom and independence.

Given under my hand and the great seal of the State of North Dakota here in my office in the State Capitol at Bismarck, N. Dak., this 15th day of January 1964.

WILLIAM L. GUY,
Governor.

Mr. DIRKSEN. Mr. President, on behalf of the distinguished Senator from Arizona [Mr. GOLDWATER], I ask unanimous consent to have printed in the Record at this point a statement prepared by him in connection with the observance of the 46th anniversary of the proclamation of Ukrainian Independence.

There being no objection, the statement was ordered to be printed in the Record, as follows:

STATEMENT BY SENATOR GOLDWATER

Today a freedom-loving but enslaved people will observe the 46th anniversary of the proclamation of their independence—a proclamation which brought upon them the most savage and sadistic torture and slaughter Soviet communism can mete out.

Each year at this time, Ukrainians the world over observe this date in solemn prayer that the other nations of the world which have pledged themselves in the United Nations charter to bring self-determination to all people will fulfill that promise. They pray that the cynical assaults on free world colonialism will in some way be broadened to include similarly vigorous attacks on Communist colonialism, by far the most oppressive and bloodthirsty form of territorial aggrandizement the world has ever known.

It is doubtful that any nation or people in the world have fought so long and at such great cost in human lives for freedom from foreign oppression, a freedom we in this Nation far too often take for granted. Almost continuously from the 13th century, when their lands were laid waste by the Mongol hordes, until 1918, when they proclaimed their independence from the Soviet, the Ukrainian people fought against overwhelming odds for liberty. Soon after issuance of that proclamation, however, Red troops moved in and the long-cherished freedom of the Ukraine was drowned in blood.

Nikita Khrushchev, whom our State Department treats as a civilized leader of a democratic nation, personally directed the slaughter of countless Ukrainians, whose bodies then were dumped into mass graves. Playgrounds were erected on these burial sites in the foolish hope the Ukrainians would forget the atrocities vested upon them by the man we trust so completely in negotiations which concern our own survival in freedom. But they cannot forget and will not forget so long as they are ground beneath the Soviet heel.

The estimated 44 million inhabitants of this, the most fertile and prosperous colony of the Soviet Union, look to this Nation for eventual liberation—liberation which is truly that and not acquisition. For 3 successive years, despite the specific direction of Congress, this administration has refused to call for this freedom.

Let us all pray that when the time comes next summer for the President of the United States to issue his captive nations week proclamation, that he will revert to the practice of former President Eisenhower, who carried out the wish of Congress in demanding that the nations held in Communist slavery be freed.

And let all of us, in the interim, devote our efforts and energies to the one goal of eventually freeing all people from foreign domination or rule, particularly those who have suffered most under foreign oppression—the colonies of Soviet Russia, such as the Ukraine.

Mr. DODD. Mr. President, the struggle for national self-determination and freedom from alien domination has been one of the primary political forces shaping the world since 1850. Many peoples, however, have not been so fortunate as we have been in this struggle, and still continue to live under the yoke of a foreign regime.

Today, January 22, is most significant in this respect, as it is the 46th anniversary of the declaration of an independent Ukrainian state. At the time the Ukrainian National Republic was proclaimed in 1918, the Ukrainian people were under attack by the Red Army of the newly powerful Bolsheviks and faced insurmountable obstacles on all sides.

Although continuing a valiant fight to establish the long dreamt of Ukrainian nation, these people were beset by a multitude of problems and met with brutal oppression. This period of independence was short-lived, and within 2 years virtually the entire country was captured and absorbed into the Soviet Union. Thus the Ukrainian Socialist Soviet Republic was born, and with it died the Ukrainian National Republic and the unfulfilled promise of independence.

The people of the Ukraine have throughout history been subjected to various forms of alien domination. The area has been partitioned, divided, and redivided among the ruling powers of central Europe and Russia. Yet Ukrainian nationalism has survived this and today remains a potent threat to Moscow.

After the Red Army imposed Soviet rule on the Ukraine, executions, mass deportations, forced famines, and other brutal means were employed to bring the Ukrainian people completely within the Soviet sphere.

But measures such as these do not create strong allegiance to one's overlord, and despite the hardships suffered by the Ukrainians, their spirit of freedom remains alive. These people are united by a distinctive heritage, national culture, and common language, which time and tremendous adversity have not been able to destroy, and the desire to establish an independent nation of the Ukraine has been a persistent one.

For Ukrainians, January 22 is a day to honor the memory of those who aspired to freedom. For Americans it serves to strongly reinforce our mistrust of communism and its inherent dichotomy between word and deed.

It is a time when we all join with those of Ukrainian heritage to remember the significance of this day in 1918, and to renew our faith in liberty, democracy, and the eventual freedom of all the peoples held captive by the Soviet Union.

NEWSDAY OFFERS ALICIA PATTERSON SCHOLARSHIPS

Mr. KEATING. Mr. President, the late Alicia Patterson, who was editor and publisher of Newsday on Long Island, has been honored by her colleagues by the establishment of two college scholarships in her name. Winners, a boy and a girl each year, will be chosen from the Long Island area. Applicants must be in the top 5 percent of their high school classes; finalists will be interviewed by a panel of distinguished New York educators.

This award will be a fitting memorial to Miss Patterson who, during her lifetime, took a vital interest in the education of America's young people. I commend Newsday for inaugurating the scholarships and ask unanimous consent that an article announcing their establishment be printed in the RECORD at this point in my remarks.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

ALICIA PATTERSON SCHOLARSHIPS OFFERED

Newsday announces today a high honors competition for Alicia Patterson memorial scholarships for the most outstanding, all-around boy and girl student of Long Island high schools.

Winners will be selected on the basis of scholastic achievements; leadership, as shown by extracurricular activities, offices held and other services to the school or community, and personality.

The scholarships are in memory of Miss Patterson, editor and publisher of Newsday from its founding in 1940 to her death last July. They will consist of $1,000 each to two winners for their first year at the college, university or technical institute of their choice, followed by sustaining scholarships of $500 each annually during their remaining undergraduate years.

The competition is open to all public, private or parochial high school students who are residents of Nassau or Suffolk Counties and rank in the upper 5 percent of their senior classes. Members of the families of Newsday employees are not eligible.

Application forms for the scholarships may be obtained by filling out the request blank that appears in today's paper on page 56. It will be published daily in Newsday through February 8. Completed requests should be mailed to the Newsday High Honors Editor, 550 Stewart Avenue, Garden City, by midnight, February 8.

Application must be made on the form and must be accompanied by an official transcript of the applicant's high school record for six semesters. A confidential report from the school principal on a form furnished by Newsday must also be included. Deadline for receipt of these forms is February 15.

Before filling out the application form, the applicant should check with the school principal to be sure he or she is in the upper 5 percent of the senior class. When the forms have been completed, the applicant should submit them to the principal for endorsement. The principal will then attach the confidential report and the official transcript of marks and forward the complete package to the Newsday high honors editor.

Announcements of the Newsday high honors competition, with all details and sample application forms, have been mailed to all senior high school principals in Nassau and Suffolk.

Fourteen finalists, seven boys and seven girls, will be selected from among the applicants by the Newsday scholarship committee. A personal interview will be arranged for each of the finalists with members of the final selection committee, consisting of presidents and deans of Long Island colleges and universities.

The two winners, a boy and a girl, will be chosen by the final selection committee on April 20 and announced in Newsday the following day. The Newsday high honors competition replaces the blind date contest, which Newsday felt had outlived its usefulness after 18 years of popular participation by Long Island high school students. Newsday believes that in today's world, the goals of this new program are more worthwhile.

An advisory committee of prominent Long Island educators assisted Newsday in establishing criteria and procedures for the high honors competition. Serving on this committee are Gerald E. Thayer, principal of Baldwin High School, and Robert A. Cushman, principal of Huntington High School, who are the presidents, respectively, of the Nassau and Suffolk sections of the New York State Secondary School Administrators Association.

Other members of the committee are: Robert N. LaFountain, district principal, Bridgehampton; John O'Donnell, principal, West Islip Senior High School; Walter Yannett, assistant principal, Bethpage Senior High School, and George Hopke, principal, W. Tresper Clarke Junior-Senior High School, Westbury.

Also Msgr. Edgar J. McCarran, superintendent of schools, Diocese of Rockville Centre; Alexander MacNutt, principal, Friends Academy, Locust Valley; Rabbi Meyer Fendell, principal, Hebrew Academy of Nassau County; Donn M. Gaebelein, headmaster, Stony Brook School; the Reverend Elmer F. Eggold, principal, Lutheran High School, Brookville; Leopold Hedbavny, dean of the faculty, Eastern Military Academy, Huntington, and Dr. Myles K. Ren, headmaster, Woodmere Academy, Woodmere.

CRISIS IN CYPRUS

Mr. KEATING. Mr. President, the current dispute on Cyprus concerns us all. In this connection I bring to the attention of my colleagues an open letter to President Johnson from the Council for Hellenic Affairs that appeared in the New York Times on Sunday, January 19, 1964, and ask unanimous consent that it be printed following my remarks.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

[From the New York Times, Jan. 19, 1964]

AN OPEN LETTER TO PRESIDENT JOHNSON

DEAR MR. PRESIDENT: As Americans we are deeply concerned with the grave situation in Cyprus, and the free world. At stake in the troubled island are the stability of NATO in the eastern Mediterranean and basic principles which we cherish and for which we are admired by all freedom-loving people.

The actions of our Government and that of the United Kingdom have helped to bring about a ceasefire. But in order to insure a permanent peace on this unfortunate island, the underlying causes of the dispute must be considered.

The Zurich and London agreements which made Cyprus independent in 1960 gave a small minority of 18 percent absolute veto powers over all important legislation, including money bills. They framed a rigid and complicated system of checks and balances which in effect segregated the Greek and Turkish communities. By placing provisions in the Constitution which gave the Turkish minority an unusually privileged position in Cyprus they planted the seeds for future discord and government paralysis.

The present constitutional crisis began, Mr. President, last November when President Makarios put forward 13 proposals to amend the Constitution and to eliminate some of the provisions which, he felt, impeded the smooth functioning and development of the state. The most significant proposal was to abolish the absolute veto on noncultural and nonreligious matters. The other proposals called for a single administration for each municipality, the unification of the administration of the judicial system, and the elimination of a separate Greek and Turkish parliamentary body to be replaced by a single mixed chamber. They also called for the modification of the constitutional provisions which allow the Turkish minority (18 percent) 40 percent of the military posts and 30 percent of the public service jobs in proportion to the actual ratio of the population of Greek and Turkish Cypriots. Not in question were the safeguards, as internationally understood and accepted, for the protection of minorities. The Archbishop made proposals, especially in the economic and social fields, expressly designed to give the Turks minority rights surpassing those of any other country, including Turkey.

We question, Mr. President, whether in this day and age any supposedly representative form of government can ultimately survive when a minority has power to obstruct a majority on critical issues.

The international aspects of troubled Cyprus, Mr. President, are her treaty of alliance with Greece and Turkey and her treaty of guarantee with Britain, Greece, and Turkey. The former provides for the presence of 950 Greek soldiers and 650 Turkish soldiers on Cyprus. The latter guarantees the independence, territorial integrity, and security of Cyprus as well as respect for the Constitution. It also allows for the unilateral intervention by one guarantor power should common or concerted action prove impossible.

We believe, Mr. President, that these treaties limit the sovereignty of the Republic of Cyprus and merely served to perpetuate the divisive forces within the island. The guarantor ought to be a disinterested party, such as the U.N. or the Commonwealth; Greek and Turkish forces should be withdrawn from the island.

We believe, Mr. President, that treaties should not be unilaterally abrogated, but we also believe that treaties which are opposed to the development of the free activity of a nation, or which hinder the exercise of its natural rights should not be encouraged. When the existence or the vital development of a state stands in unavoidable conflict with the state's treaty obligations a change is in order. We should bear in mind, Mr. President, that the Constitution and treaties mentioned above were reluctantly accepted as a necessary step to bring about the independence of Cyprus and the end of violence and thus give an opportunity to its people to begin a new life.

We are particularly distressed, Mr. President, by the fact that Turkish military forces, supplied with American equipment, have behaved in an unfriendly manner toward Cyprus. We are further distressed by the irresponsible charges of genocide made by the Turkish Government and their representatives in Cyprus. Those merely serve to incite the Turkish people, to support their demands for partition, and to delay a just solution to the problem.

A new solution must be found. In the negotiations ahead compromises will be necessary, but should we compromise the independence of a state and the principles in which we believe? Mr. President, the Soviet Union has voiced its support for Archbishop Makarios and hopes to increase its prestige in Cyprus and among the new states if we and the British oppose him. Is Cyprus to become another Algeria or a Congo?

Are we to sacrifice our principles and our interests by denying the Cypriots the right of sovereignty in the community of nations?

Respectfully yours,

AMERICAN FRIENDS OF CYPRUS.

NEW BUDGET MEANS MORE SCIENTIFIC CUT IN FEDERAL SPENDING

Mr. PROXMIRE. Mr. President, when the President of the United States presents his budget to the Congress, criticisms are often made by members of the minority party. Praise is heard from members of the majority party, but rarely is attention paid to some of the really substantial and significant basic improvements in the budget. That is particularly true this year. From the standpoint of the statisticians and the economists, this is the most exciting and significant budget that we have had in a long time.

The new budget reports all spending by the Federal Government more fully and accurately than ever before in history. This budget marks a decisive departure from the obscure and partial information made available in past budget reports.

Incidentally, virtually all of these improvements are changes which the Statistics Subcommittee of the Joint Economic Committee recommended under my chairmanship last year.

I urge all Members of Congress, as well as the press and citizens generally, to study this new and previously unavailable material. This budget provides us with information which all of us should know in order to understand our Government's activities better.

Here are the major improvements which our subcommittee had recommended and which are now included in the new budget:

First. For the first time the budget includes—in a memorandum on annexed budgets—a number of Government activities which are outside the jurisdiction of the Bureau of the Budget, such as the Board of Governors of the Federal Reserve System and the Comptroller of the Currency.

Second. The statistics subcommittee has repeatedly urged that expenditures of the Federal Government be shown on a gross as well as a net basis. This is now done for the first time in a special analysis B of the budget.

Third. For a number of years the Federal budget has shown civilian employment figures but we have urged that some analysis of this employment also be provided in the budget. This is now done for the first time in a special analysis C of the budget.

Fourth. I have personally been very critical of the deceptive practices in previous budgets by which expenditures were held down through the sale of Government assets. The budget now shows, in special analysis E, the anticipated sales of these assets, as well as the future potential for sales. So there is no deception.

Fifth. Perhaps the most important recommendation of the statistics subcommittee has been for more analysis of particular Government functions. A brand new analysis of all health programs by the Federal Government is included for the first time in a special analysis G of the budget. I predict that this will be the forerunner of many new assessments of types of Government programs in the future.

Sixth. Finally, there has been much talk in the past about the influence of the Federal Government on our balance of payments. Special analysis L in the new budget provides, for the first time, a significant examination of all Federal activities as they affect our balance of payments.

As a new member of the Appropriations Committee, let me say that the budget will be very helpful to Members of the Senate and the House in arriving at decisions and being able to make reductions in the future on a priority basis and on a far more informed basis than ever before.

IMPORTS OF BEEF AND MEAT PRODUCTS

Mr. CARLSON. Mr. President, every phase of our economy in the livestock producing areas is greatly disturbed by the present rate of imports of beef and meat products.

Recent prices on livestock markets show a continuing downward trend that has resulted in a drop of 20 percent in price within the last year.

Since 1960, we have seen a tremendous jump in the importation of beef from about 3 percent of domestic consumption to the current 11 percent. In 1963 we imported 18 percent more red meat than in 1962. Lamb was almost double for this same period.

With foreign beef consistently underselling domestic beef by 5 cents a pound, the packer who uses domestic beef has no choice but to put pressure on the price he pays to the producer.

Packers who bone beef for processing, usually small, independent companies, work on a profit of about one-fourth cent per pound. Obviously, they cannot meet the 5-cent differential by cutting profit. The only means is to pay less to the farmer.

The result is reduction in the farmer's and rancher's income and the value of his livestock, which is collateral for his loans. Continuation of importing cheap foreign meat will force further liquidation of herds and bankrupt many producers, just as it has already bankrupted many small packers.

We cannot totally exclude foreign meats. They are necessary to meet the demand for processed products.

We can combine quotas and tariffs that will limit imports to the amount needed to satisfy domestic needs. We can assure a market for domestic products and discourage the favoring of foreign meats over our own.

The livestock industry is the most important industry in the State of Kansas. It also represents the largest segment of agriculture in Kansas. In 1962, cash receipts from livestock and livestock products totaled $683,102,000. This is equal to 53 percent of all cash farm receipts in Kansas during 1962. Total cash receipts for the State in 1962 were 4 percent below the 1961 total. While total cash income in 1962 was down 2 percent from the 1961 figure, net farm income was down to $410 million, which represents a 14-percent decrease from 1961. The enormous increase in farm production costs and lower prices were the principal causes of this lower net income.

The American livestock industry has been highly successful. It does not operate under Government controls. In this immediate crisis, we owe our cattlemen, farmers, and meat packers every protection against fast rising imports of foreign meats.

Mr. President, the January 16 issue of the Journal of Livestock and Agriculture, published in St. Joseph, Mo., carried an "Appeal to Congress on Meat Imports," which was signed by the Livestock Committee of the St. Joseph Chamber of Commerce.

I share the concern expressed in this article and ask unanimous consent that it be made a part of these remarks.

There being no objection, the statement was ordered to be printed in the Record, as follows:

Appeal to Congress on Meat Imports

Dear Journal Readers: The Livestock Committee of the St. Joseph Chamber of Commerce sent the following telegram to Senators Symington, Long, and Carlson and Representatives Hull and Avery:

"We note the recent investigations into imports of beef and would like to express the concern of the Livestock Committee of the St. Joseph Chamber of Commerce, composed of representatives of livestock marketing and processing, feed grain, banking, and general industries of St. Joseph, Mo.

"There is a general feeling that the tremendous increase of these imports in recent years has a very depressing effect—both economical and psychological—on cattle and swine prices.

"Imports along with the 7-percent increase in beef tonnage and 5-percent increase in pork tonnage in 1963 has caused added losses to livestock producers and feeders.

"Imports could be more damaging this year should drought conditions continue to prevail in this area. Continued drought could force cattlemen to liquidate present cow herds. If this happens, imports would be in direct competition with the possible upcoming supply of cow beef.

"We urge your increased consideration of this matter; it is vital to the economy of the Midwest.

Livestock Committee, St. Joseph
Chamber of Commerce.

TRIBUTE TO SENATOR MARGARET CHASE SMITH

Mr. STENNIS. Mr. President, the Reserve Officers Association each year selects from among the outstanding citizen-leaders of the United States one individual to receive recognition as "the citizen who has contributed most to national security." This is popularly known as the "ROA Minute Man of the Year Award" because it is presented in the "minuteman" tradition. To receive this award for 1964, the ROA has chosen an outstanding Member of the Senate—the Honorable Margaret Chase Smith.

Senator Smith does more than her share of the work, not only in the work of the Armed Services Committee and the Preparedness Investigating Subcommittee but on both the Appropriations and Space Committees. Senator Smith and I have identical committee assignments, and it is my pleasure to serve and work with her on these committees.

We have been through a great many battles together and as the days have passed, my admiration has increased for her tremendous ability, vitality, knowledge, dedication, and great service to her country. Throughout her service in the Senate, she has set a high standard for all of us.

In selecting Senator Smith for this award, the ROA honors the Senate. I know that all of us feel that this is recognition richly deserved, and we join in extending to her our congratulations.

Doubtless, most of us will be on hand on the evening of February 28 to join our friends of the Reserve Officers Association in their national tribute to Senator Smith. Details of this award are contained in the attached ROA press statement, which I request be inserted in the Record at this point.

There being no objection, the release was ordered to be printed in the Record, as follows:

Tribute to Senator Margaret Chase Smith

The Reserve Officers Association of the United States has selected Senator Margaret Chase Smith to receive its 1964 award as "Minute Man of the Year." The annual citation traditionally singles out a citizen leader "whose career has contributed most to the security of the United States."

ROA's National President, Brig. Gen. James E. Frank, of San Francisco, made the announcement from the association's national headquarters in Washington. Of the award, he said:

"Senator Smith, who herself has served in the Reserves, has made a significant contribution to the stability and effectiveness of the armed services. As a member of the Senate Armed Services Committee, she has influenced in substantive degree national policy affecting all the services, both Active and Reserves, and in the non-partisan, nonpolitical approach which is the hallmark of national defense, she has been an effective advocate of sound military policy.

"Senator Smith's unselfish devotion to the ideals of fairness to all elements in the military services, her insistence upon highest standards in the services, and her recognition that the citizen-reservist tradition is indispensable have made her outstanding in a group of devoted patriots.

"Our association is honored by Senator Smith's acceptance of this recognition."

Formal presentation of the ROA award will take place on February 28 at the association's annual Midwinter National Council Banquet at the Sheraton-Park Hotel. ROA, whose membership embraces more than 150 Members of the House and Senate, will announce later an outstanding Reserve officer who will be selected to make the presentation. Many Members of the Congress, as well as the Secretariat of the Defense Department and military services, and the members of the Joint Chiefs of Staff and other military leaders usually attend. ROA members from throughout the United States and overseas come to Washington for a 3-day conference, climaxed by the banquet.

Last year, the annual ROA award went posthumously to Senator Dennis Chavez, who had served many years as chairman of the Senate Defense Appropriations Committee, and was received by his widow. Other recipients of the award have been: Representative Carl Vinson, chairman of the House Armed Services Committee; Mr. Bryce Harlow, assistant to the President of the United States; Mr. Hugh M. Milton, Under Secretary of the Army who also had served in uniform as Chief of Army Reserves and ROTC; Brig. Gen. David Sarnoff, a much-decorated military signal expert who is now chairman of Radio Corporation of America; Senator Richard B. Russell, chairman, Senate Armed Services Committee.

A similar "Minute Man" award annually is presented to an outstanding military leader at the ROA's national convention in June.

The Reserve Officers Association, chartered by the Congress, is the only association of officers of all the military services. While its membership is drawn largely from the Reserve forces, and the more than 150,000 Reserve officers in the Active Forces, it also includes many Regular officers who are associate members and cannot vote or hold office in the association.

ROA was organized in 1922 at a Washington convention at which the late Gen. John J. Pershing was keynote speaker.

The act issuing its charter specifies that the association shall support a "military policy for the United States that will provide adequate national security." The same law prohibits the association from engaging in either partisan or personal political activity.

During its 41 years, ROA has appeared before congressional committees in support of hundreds of bills and is considered the champion of the modern Reserve forces programs, although its advocacy also covers Active Forces matters.

COLORADO RIVER STORAGE PROJECT

Mr. ANDERSON. Mr. President, under date of December 30, 1963, Hon. Kenneth Holum, Assistant Secretary of the Interior, transmitted to the President of the Senate the seventh annual report of the Department of the Interior on the status of the Colorado River storage project and participating projects, as required by section 6 of the authorizing act of April 11, 1956—70 Statutes 105.

These annual reports reflect the progress that has been made since 1956 when construction was initiated. In the 7 past years, the Navajo Dam has been substantially completed, the Flaming Gorge and Glen Canyon Dams and powerplants are approaching completion and the Curecanti unit and the transmission system are well along the way. Four of the participating projects are in the final stages of construction. It is of interest to note that during 1963 the first annual repayment for municipal water facilities was returned to the Government.

Mr. President, despite the tremendous size of the project, and the engineering complexities that faced the planners, it is only fair to point out that there were always men available to meet the challenge and effectively produce the things that had been contemplated. It is with considerable pride that I pay my respects particularly to the three engineers, alumni of the University of New Mexico School of Engineering, who have been to a large degree responsible for the successful construction of the major dams on the project. Two of these men have just retired from the Bureau of Reclamation, and I am advised that the third will continue at least until his job as construction engineer on the Curecanti unit has been completed. The following information supplied by the Bureau of Reclamation indicates in summary the high regard with which these graduates of the University of my State of New Mexico are held by their associates.

This month marks the retirement of two of three engineers who were graduated from the University of New Mexico School of Engineering within 3 years of each other and who have climaxed remarkably similar Bureau of Reclamation careers with the construction of the major storage dams on the Colorado River storage project, the Department of the Interior said today.

One, Jean R. Walton, construction engineer at Flaming Gorge Dam on the Green River in northern Utah, has already retired. The other, L. F. Wylie, who has served as construction engineer for the giant Glen Canyon Dam on the Colorado River in northern Arizona, retires January 24.

The third of the trio of Bureau of Reclamation engineers, who all were graduated from the University of New Mexico School of Engineering between 1931 and 1933, is James D. Seery, construction engineer on the Curecanti unit, which involves construction of three dams on the Gunnison River in Colorado. He intends to stay on the job until construction work there is finished.

The three have a total of 96 years of service in the Federal Government, almost all of it, except military service, with the Bureau of Reclamation.

Commissioner Floyd E. Dominy said:

> The retirement of L. F. Wylie and Jean R. Walton will be a tremendous loss to Reclamation. These two men have been responsible for constructing the two largest dams of the Colorado River storage project. The jobs are fitting climaxes to their work with the Bureau. We regret to see them go but they have served full 30-year careers together and it is fitting that they bow out together. They were together as students at the University of New Mexico; they both started with Reclamation as assistant engineers in the early thirties; they both served as company commanders during World War II in the South Pacific; and they both climbed the ladder to top construction jobs at the same time.
>
> One consolation is that Jim Seery didn't get the retirement bug along with his two friends.

Seery, who was construction management engineer at the Navajo unit before going to the Curecanti unit, went through engineering school at the University of New Mexico with Wylie and Walton, was also a combat engineer in the South Pacific during World War II, and just as they did, he climbed in the Bureau of Reclamation from an assistant engineer in the early thirties to his present major assignment. Among their fellow engineers the trio had been dubbed "the three musketeers of the Colorado River storage project."

Wylie, a native of Jenny Lind, Ark., has been construction engineer at Glen Canyon Dam since construction started in the summer of 1956. Glen Canyon Dam, largest of the CRSP dams and a close rival in size to the world-famous Hoover Dam on the lower Colorado, was topped out September 13, 1963, and only minor structural work remains before the giant structure is officially labeled completed. Glen Canyon powerplant, begun by Mr. Wylie, will have a generating capacity of 900,000 kilowatts when construction is completed and all generators are installed. In addition to his engineering duties, Wylie was responsible for establishing and managing the now thriving construction city of Page, which had to be carved out of the isolated and inhospitable dessert country of northern Arizona, near the Utah border.

Walton, who initiated construction of Flaming Gorge Dam and powerplant in northern Utah at almost the same time that work began on Glen Canyon Dam, leaves his assignment with the construction work virtually completed. The dam was topped out in November 1962, and initial power from Flaming Gorge powerplant, the first power to be generated by the Colorado River storage project, went on the line in November 1963. Just as Wylie had done in northern Arizona, Walton was responsible for establishing a construction town—Dutch John—in the isolated, mountainous terrain of northern Utah.

WESTERN NATIONS SHOULD SET POLICY ON RUSSIAN CREDIT

Mr. MUNDT. Mr. President, increasingly from throughout the country my office is receiving support and encouragement for a suggestion I first made when the issue of the American guarantee of Communist credits was before the Senate. Since then, I have renewed the suggestion is several ways and places. My proposal is simply that the President of the United States should issue a call for a free world aid-trade conference at which the many significant ramifications of trying to commingle trade with the Communists with a program of trying to help the free world resist Communist aggression would be frankly and fully discussed.

We now find the United States in a hopelessly incongruous and weak position. While we protest to Spain against exporting supplies to Cuba; while we try to discourage the British from selling buses to Castro; and while we urge the free world to limit its extensions of Red credit to not more than 10 years we have by congressional action moved directly against such line of counseling by proposing that through our American Export-Import Bank we guarantee a Red credit card arrangement enabling Communist countries to buy what they need in this country and obligating the American taxpayer to pay up the bad debts created by Communist dictators. Such gross inconsistency of course totally weakens the United States when we urge others to go slow on selling Communist countries what they need on credit.

So far as I know, President Johnson has not yet authorized the extension of American guaranteed credits to Khrushchev. I hope he never does. But I feel such a trade-aid conference among free world exporting countries is the only way we can recapture world leadership in this important area. I ask that an editorial from the Daily Plainsman of Huron, S. Dak., be printed at this point in the RECORD.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

WESTERN NATIONS SHOULD SET POLICY ON RUSSIAN CREDIT

Cuba's Fidel Castro's recent visit to Moscow points up one of Russia's major problems—keeping Castro and his government is costly.

Cuba, with the other Russian foreign aid programs to the satellites and nonalined nations, has become an almost unbearable burden for the Soviet economy which is sounding a few engine knocks.

The Central Intelligence Agency, plunging a dagger into the cloak of secrecy which surrounds the Soviet economy, revealed the Russians are falling behind in the economic race.

The national rate of growth, the CIA said, was 2½ percent in 1962 and 1963, down from the 6-percent growth recorded in the 1950's.

Rate of growth, the pulse of the economy, in the United States was 3.7 percent last year.

Agriculture is Russia's big problem, with a 4-percent decline in this field last year. To offset this, the Russian leaders unveiled a 17-year plan of beefing up the chemical and fertilizer industries—a program that could cost $2 billion in capital expenditures before it is completed.

But the Russians lack the money to undertake such a long-term expansion of heavy industry. Their gold reserves have slipped from $3 billion to $2 billion and they are selling the gold in the British market which is pennies higher than the world price.

Russia's major need now is long-term credit. This need is the soft spot in the Soviet economy. It could be an Achilles' heel.

Russian is looking to the Western World for the long-term financing it needs. Faced with the question whether to extend the credit, the free nations have no uniform policy to guide the decisionmakers.

While trade with Russia has been restricted to nonstrategic items, the British seemed embarrassed and defensive about their recent sale of buses to Cuba.

Senator KARL MUNDT has repeatedly called for a Western-nation conference on credit, to hammer out a firm policy for all nations to follow. The United States has been urging a 5-year limit on credit to Russia, but has had trouble encouraging the Allies to go along on such a short-term limit.

Positive identification of Cuban-trained leaders in the recent Panama Canal crisis, forcefully points up the argument that long-term credit to Russia is actually helping the Soviet to finance Castro to train revolutionary leaders to cause the United States trouble in South and Central America.

It is obvious that long-term credit is, and will be, used against us. Senator MUNDT's proposal is worthy of more attention than it has been getting in Washington.

STATE RESPONSIBILITIES IN URBAN PROBLEMS

Mr. MUNDT. Mr. President, in a statement to the Senate on September 24, 1962, I discussed certain questions regarding the responsibilities of State government in helping to meet some of the problems besetting our large urban areas. I urged State legislatures and Governors to give attention to these problems because, in failing to do so, they would afford excuses to be seized upon by those desiring to see the Federal Government establish supremacy in this field through the establishment of a Federal Department of Urban Affairs.

I am pleased to report that 1963 witnessed the greatest volume and variety of State legislation ever enacted for the help of urban areas in meeting new problems. Some of these enactments grew directly out of recommendations of the Advisory Commission on Intergovernmental Relations of which I am pleased to be a member. By way of illustration there follows a summary of some of the principal enactments of legislatures in the Midwest, which is sometimes referred to as the stronghold of rural dominated legislatures.

First. One of the principal developments occurred in my home State where a municipal home rule amendment to the constitution was approved by the voters in November 1962 and went into effect on July 1, 1963.

Second. Nebraska and North Dakota adopted legislation authorizing interlocal contracting for the performance of governmental functions.

Third. Iowa and Nebraska granted municipalities authority to exercise zoning and planning powers in urban fringe areas.

Fourth. Iowa, Nebraska, and North Dakota authorized creation of metropolitan planning commissions, at least, on a countywide basis.

Fifth. Kansas enacted legislation strictly regulating new municipal incorporations.

Sixth. Nebraska liberalized its annexation procedure and enacted a statewide retirement program for public employees.

Seventh. Kansas, Nebraska, and South Dakota strengthened their State water pollution control programs.

Eighth. Iowa enacted legislation granting financial aid in the form of reduced motor fuel taxes for urban transit companies and also enacted a municipal home rule measure which, among other provisions, directed that all powers granted local governments shall be liberally construed by the courts.

Ninth. Finally, the South Dakota Legislature authorized the placing on the ballot of a proposed constitutional amendment which would permit counties to consolidate the offices of county elective and administrative positions.

I think the foregoing is an answer to those who contend that urban areas cannot get State legislatures interested in their problems and that such attention can only be obtained in Washington. Of course, the responsibilities of the States regarding these problems are not discharged in a single legislative session; State responsibilities are continuing and increasing and much remains to be done. Nevertheless, I think the progress in 1963 is very encouraging for future trends in State-city relations.

PRESERVATION OF OUR CONSTITUTIONAL GOVERNMENT

Mr. TALMADGE. Mr. President, on Monday, January 20, the distinguished Senator from Virginia, the chairman of the Banking and Currency Committee, delivered a major address at the convention of the Wisconsin Bankers Association in Milwaukee. Senator ROBERTSON is a stanch advocate of economy in Government, and I am proud to be associated with him in the Senate as he diligently continues his efforts to achieve a much-desired end of unnecessary spending. I also join him in his desires to halt the ever-increasing spread of Federal bureaucracy in the areas which are purely a matter of State and local concern.

I commend Senator ROBERTSON on his outstanding address to the Wisconsin bankers, and I recommend it to the Senate. I ask unanimous consent that his speech be printed in the RECORD.

There being no objection, the speech was ordered to be printed in the RECORD, as follows:

REPORT ON THE WASHINGTON SCENE

(Remarks of Senator A. WILLIS ROBERTSON at the convention of the Wisconsin Bankers Association, Milwaukee, Wis., January 20, 1964)

It is a coveted privilege to address the bankers of this great State. As a Senator from Virginia, I have a warm feeling toward the State of Wisconsin because the territory which is now Wisconsin belonged to Virginia until Virginia ceded to the new Nation its claims to the Northwest Territory as part of the agreement which led to the acceptance of our first Constitution—the Articles of Confederation.

Wisconsin was an important part of the old Northwest Territory. It was settled partly by sturdy pioneers from Virginia, Pennsylvania, New York, and other Eastern States, who moved west in search of open land for homesteading, partly by French woodsmen from Canada, and partly by some of our finest immigrants, the Scandinavians, who knew farming and loved the rich soil of Wisconsin. And, of course, I should not overlook our German friends, who made Milwaukee the brewing industry's national capital.

Your invitation to address this meeting reminded me of my first contact with a prominent political leader from Wisconsin. When I was a young lawyer, prior to World War I, I was attorney for a girls' junior college. When the president of that college, who was a Methodist minister, was called upon to certify to the accuracy of his new income tax return, he confided to me that he would prefer for me to be responsible for any charge of tax delinquency or error in the report. My reply was, "Make me president and I'll assume full responsibility." That was done, and I became a college president. One of my duties as president of the college was to provide commencement speakers. In 1916 I offered the distinguished Senator from Wisconsin, Bob La Follette, an honorarium of $150, plus expenses, if he would deliver the commencement address. When he made his speech, I was convinced he had indeed earned his honorarium. On a hot June day in the Valley of Virginia, he spoke to those young girl graduates for 2 hours on railroad legislation, a subject about which they had never heard before and which they hoped, God bless you, never to hear again.

Incidentally, that was my first introduction to our Senate rule of unlimited debate, which during the past 17 years I have been forced to use at times in what I am pleased to call a fight for the preservation of American constitutional liberty. The senior Senator La Follette was, I have always felt, the real father of some of our New Deal legislation, but he did not have the help of such New Deal papers as the New York Times. He was a man of ability, who had a due regard for the Constitution and has been honored by being chosen as one of the leading Senators whose portraits have been painted on the walls of the Senate reception room. Consequently, I do not lay at his doorstep the unconstitutional provisions of the pending civil rights bill.

Washington today is a fascinating place for those interested in banks and other financial institutions. The air is full of new legislative proposals, new laws, new regulations, new interpretations, new appointments, and new controversies.

As long ago as 1956, the Banking and Currency Committee made an extensive study of banks and other financial institutions. We had the assistance of an outstanding committee of bankers. The financial institutions bill of 1957 which grew out of the study was passed by the Senate but was killed in the House Banking and Currency Committee. Many of the proposals in it, however, have since become law. Other studies since made were an extensive review of the fiscal and monetary situation by the Finance Committee under the chairmanship of Senator BYRD of Virginia, the major study of the Commission on Money and Credit, and the studies and reports of the Heller Committee, the Saxon Advisory Committee, and the Advisory Committee to Chairman McMurray of the Federal Home Loan Bank Board.

As a result of all these studies and reports, many legislative proposals have been made, dealing both with the supervisory and regulatory agencies in Washington and with the powers, functions, and scope of the various banks and financial institutions.

There have been many complaints about the present supervisory and regulatory setup for commercial banks, to say nothing of the problem involved in the supervision of mutual savings banks, savings and loan associations, credit unions, and other financial institutions. The dual banking system itself is being criticized both by its national bank members and by its State bank members. The Federal regulatory bodies, including the Comptroller of the Currency, the Federal Reserve Board and the FDIC, with the Antitrust Division and the Internal Revenue Service taking a hand from time to time, clearly do not provide efficiency or clear-cut lines of authority.

The present arrangement is complicated and confused. There is room for the expression of many points of view. As we all know, these different points of view can be expressed quite vigorously, quite forcefully, and sometimes with complete disregard for what used to be considered the bureaucratic amenities. In fact, the acrimony of the debates about supervisory responsibilities and powers has added weight to the arguments of those who urge that the system should be changed in order to promote efficiency and eliminate disagreements.

However, in considering proposals to simplify and improve the dual banking system and the Federal bank supervisory system, we must not overemphasize the importance of efficiency and unanimity. These must be achieved within a framework of freedom, individual initiative, and competition. The problem is to preserve a reasonable balance between the two.

In addition to the many proposals to reorganize the dual banking system and the Federal regulatory setup, there are perhaps even more proposals to revise, usually in the form of expanding, the powers and functions of the various financial institutions. National banks and many other commercial banks would like to make larger loans in proportion to their capital and surplus; they would like to make increased loans on residential mortgages and on forest tracts; they would like to underwrite State and municipal revenue bonds; and they would like to undertake the collective investment of managing agency and custodian accounts. Federal savings and loan associations would like to invest in municipals, to make loans on household consumer goods, and to make loans for education. Most savings and loan associations and some banks would like to increase the amount of FSLIC and FDIC insurance to $20,000. Mutual savings banks are seeking nationwide scope and broadened investment powers through Federal charter.

So far the regulatory agencies disagree sharply on these proposals. It is even more difficult than usual to find an administration position on these issues, because each of the agencies involved is more or less independent of the executive branch.

The House Banking and Currency Committee has had extensive hearings on some of these proposals. The Senate committee has not considered most of them. By experience we have found that we can save time and effort by letting the House act first on many of these matters.

My hesitance to enter promptly and extensively in these fields is strengthened by the fact that there is relatively little evidence of any pressing need to do so. The financial institutions themselves, and their managements and stockholders, appear to be getting along very well. And I cannot see any severe shortage of funds for investment in Government bonds, business loans, and corporate financing, mortgage financing, or consumer loans, and other personal financing. With most financial institutions thriving and with their customers on the whole supplied with adequate credit, the need for substantial changes in the organization of our financial institutions does not appear great. The long established rules of a game should not be changed unless and until the need for change has been proved.

My hesitance to enter the area of change is further strengthened by the fact that the Congress has other proposals which are generally considered to be of far greater immediacy and importance, whatever one may think of their merits.

The banking proposals must compete for the attention of the Congress with such measures as the tax cut bill and the civil rights bill which the President has placed at the top of the list. I should like to discuss these two proposals, at least briefly, and give you some of their implications for banking.

The tax cut bill has already passed the House and is now being considered by the Senate Finance Committee. It is indeed a major measure, and it must be considered in the light of its effects on the economy in general, on inflation, and on our balance of payments, and in the light of our overall fiscal and monetary situation.

I think all can agree that Federal taxes are far too high. The upper brackets are now so high that they seriously interfere with business development and the growth of the country. So, other things being equal, we should all favor an even more substantial tax cut than is proposed. But we cannot overlook the possible effect of a substantial tax cut on our economy. If Federal taxes are cut substantially without an equal or greater cut in Federal expenditures, the effect will be in the direction of inflation. And any substantial measure of inflation will be bad in itself, and it will make even worse our present balance-of-payments deficit.

The tax cut is recommended in order to prevent a threatened recession. I am glad to say this recession has neither arrived nor become visible on the horizon. In fact, most of the indexes indicate that even without a tax cut there would be a substantial chance that the present prosperity would continue. While there is considerable unemployment, the rate of unemployment of married men is at a low level, and much of the unemployment is concentrated in particular industries such as coal mining, where John L. Lewis' $22 minimum wage priced about one-half of the coal miners out of business. There is less than complete use of our industrial facilities, but some of the excess capacity can be attributed to the emergency expansions of industrial capacity during the Korean war.

On the other hand, total employment is high; hourly and weekly earnings are high; the industrial production index is high; and both wholesale and retail prices are continuing to mount. Both the gross national product and the national produced income are at an all-time high and will go still higher.

I favor cutting taxes and, as a safeguard against harmful inflation, I favor corresponding economies in spending. The pending tax bill, which I believe will be reported to the Senate before the end of the month and I hope can be passed by the Senate by the end of February, will reduce income tax withholding by some $800 million a month. This will greatly add to the purchasing power of millions of taxpayers. Certainly the Congress must support the President's recommendations for economy as part of his overall financial policy. In fact, I am willing to see his cut and raise him a billion. For instance, he could not cut foreign aid too much to suit me. And we can save billions by leaving out of the Federal budget such programs as area redevelopment, mass transportation, education, and so on. The tax cut will provide enough funds for the taxpayer to provide these services for himself if he really wants them, either through private expenditures or by State or local action. And by leaving these matters to the people and the States, we can help to keep the Federal Government from growing still more powerful. It is just as important in the field of expenditures as it is in the field of banking to preserve a proper balance between the Federal Government and the States.

I hope we can cut every ounce of fat out of the defense program. But we must be equally careful to preserve our military strength. We cannot proceed on the assumption that the Communists have abandoned their oft-declared intention to destroy us. I voted against the test ban treaty because I do not trust the good will of the Politburo. I voted against the wheat sale because I do not wish to use public credit with which to strengthen an enemy. It may be old fashioned to believe in the Bible. But both the Catholics and the Lutherans of Wisconsin still believe in the Bible, and they know the Bible predicts our destruction when we propose peaceful coexistence with the Devil. St. Paul warns in Thessalonians that when the people "shall say, peace and safety; then sudden destruction cometh upon them."

I have reached the point where I do not hesitate to state my age in the biographical section of the Congressional Directory. But, since I have held public office continuously for 46 years and have never been defeated, I can claim that at least in the Old Dominion my political philosophy and my political views have been endorsed by a majority of the voters on many occasions. My political views may not be worth a barbee in Wisconsin but, for whatever they are worth, I wish to honestly confess to the feeling that the best contribution the 2d session of the 88th Congress could make to the general welfare of the Nation would be to promptly pass a tax cut bill, promptly pass the appropriation bills totaling $97 billion or less and then adjourn sine die. "What about civil rights?" you ask. My reply is, first, that we already have all the Federal laws necessary to enforce the 13th, 14th, and 15th amendments. And beyond that, I would reply that the Federal Government should stick to its Federal functions—defense, foreign relations, and so on—and should leave to the States matters which have no conceivable relation to any Federal concern. FDIC insurance should not be used as a device to force down the throat of insured banks employment policies and lending policies entirely unrelated to the insurance. This is just another case, like the proposals to have the Federal bank supervisory agencies take over virtually all banking functions, where I think the Federal Government should leave matters in the hands of the States and the people. And, as to all the new schemes to end poverty, I have just told you that we have the highest standard of living in the world. And why? Because of our private enterprise system and our Constitution which places limitations upon the Federal Government and leaves all other powers to the States or the people thereof. That Constitution was framed, as you know, in the summer of 1787 and ratified the following year. Have you ever stopped to think that there is no nation in the world which now has the same form of government which it had when we established ours in 1789? Yes, we have poor people still, but the remedy to eliminate poverty is not socialism. As Abraham Lincoln once said, "Let not him who is houseless pull down the house of another, but let him labor diligently and build one for himself, thus by example assuring that his own shall be safe from violence when built."

Our Federal Constitution has proved a workable and effective framework for a people who started less than two centuries ago with just 3 million people divided into 13 States and which now number 190 million people in 50 States and who, under beneficient influence of the private enterprise system, have been able since the end of World War II to distribute in foreign aid over $100 billion without going broke. That private enterprise system has provided scope for an incredible growth in population, in industrial capacity and output, and in the standard of living of our population. It has provided greater opportunities for our citizens, and more freedom to our citizens, in their business activities and in their private lives, than any other government on the face of the earth.

The separation of powers between the Federal and State governments and the division of powers within the Federal Government have been essential to the development of our country and to the continued freedom which our country has provided. If we are to preserve American constitutional liberty, we must maintain these vital elements of our Constitution.

NINILCHIK LIBRARY: ACTIVE AND EXPANDING

Mr. BARTLETT. Mr. President, no State values its libraries more than the State of Alaska.

The citizens of no State devote more of their time working to improve and enlarge their libraries and facilities than do Alaskans.

We are a book-conscious State.

In previous statements I have outlined the work done by many Alaska communities. Last month I brought the attention of the Senate to the extraordinary efforts of the city of Seward, efforts which received national recognition when the Seward Library was awarded $1,000 from the Book-of-the-Month Club. In part, because of the excellent work done by the community of Seward for its library, the city has now been nominated to receive the coveted All America City Award.

Another example has recently been brought to my attention. The town of Ninilchik, on the southern end of the Kenai Peninsula has a population of but 97. Yet, through community effort, it has raised enough money to purchase a building for its local library. The men of the city have volunteered their time as carpenters to build shelves and to remodel the interior of the building. Citizens have held fundraising parties and new books are constantly being added to the collection. The extraordinary efforts of this small town emphasize once again the high value which Alaskans and, indeed, all Americans attached to their libraries.

I ask unanimous consent that an article telling the story of Ninilchik, by Miles L. Coverdale, printed in the issue of the Christian Science Monitor for August 24, 1963, be printed in the Record.

There being no objection, the article was ordered to be printed in the Record, as follows:

[From the Christian Science Monitor, Aug. 24, 1963]

Ninilchik Acquires a Public Library

(By Miles L. Coverdale)

Ninilchik, Alaska.—Fifteen years ago, the wife of a grade-school teacher at Ninilchik, Alaska, fled the area declaring it a cultural wasteland. Her assessment may have had some merit.

The little Alaska community, at the mouth of the Ninilchik River flowing into Cook Inlet, was almost completely cut off from the outside world. A primitive road wandered through the woods southward to Homer, 30 miles distant. There one might take a plane to Anchorage, and hence to Seattle. Within the memory of middle-aged people, the only way out of the community was to walk the beach of the Kenai Peninsula at low tide, or to travel by boat to Homer or Seldovia.

Ninilchik was established by the Russians who ruled Alaska until 1867, as a sort of old-age home for colonial citizens, or superannuated employees of the Russian-American Company. These people were held in serflike subjugation, and were not permitted to return to Russia when their term of servitude had expired. Instead, they were sent to Ninilchik to establish an agricultural colony in what was considered the best farming climate in Alaska.

Isolated as it was, the little colony became insular and clannish, and remained so even after the advent of the American occupation. The community centered around the Russian Orthodox Church, prominent on the bluff above the Ninilchik River, and around the grade school that was the limit of education for most of the village children.

The end of World War II, and the completion of the Sterling Highway in 1950, across the Kenai Peninsula from Homer to Anchorage, changed all that. Servicemen who had been stationed in the North and liked the free, unhampered life, took advantage of the special privileges given to veterans under the Homestead Act. All the land along the highway, and the river, was filed on and patented. Nonveterans, too, acquired land and within a few years a cosmopolitan citizenry centered around Ninilchik.

Once the first grinding labor of homesteading was completed, the people sought cultural interests to stimulate them during the long Alaska winters, when night fell at 3 o'clock and outdoor work had to stop. A desire for a public library came naturally. Alaskans are noted for their voracious and comprehensive reading habits, and it was logical to want a clearinghouse for private books that were passed from hand to hand.

The first effort to establish a public library was made by the principal of the school. He wrote to friends and acquaintances all over the United States, begging for books. Several hundred volumes were obtained in this way, and were kept at the school for want of a library building.

With the growth of the area more schoolrooms were needed, and the library lost its home. The books were stored by one or another of the library board members, and other citizens. They became inaccessible to the public, and because of poor storing conditions some of the books were badly water damaged and mildewed.

A year ago a new library board was elected; they determined that the library would never be a real asset to the community until it was housed in its own building. Temporary quarters were obtained in the village, and more books were acquired to a total of 1,400 volumes. There was no assurance that the building would be available indefinitely, however, so the board of men and women decided to acquire a building of their own.

It was learned that public funds are available to functioning libraries in Alaska. The State will grant $250 a year for the purchase of books, upon the presentation of paid invoices. The Federal Government will grant $1,200 a year for equipment, supplies, and remodeling, also on a reimbursable basis.

Since the Ninilchik Community Library had no capital with which to make the purchases to be reimbursed, they sought means of financing. The manager of the Soldotna branch of the National Bank of Alaska agreed to loan them the money with which to make their purchases, in order to benefit from the two grants.

By various fundraising methods, money was acquired to buy a building, which is to be moved to a central location accessible to the village and to the widely scattered outlying homesteads. When the house is moved the male board members, augmented by other volunteer carpenters, have promised to remodel the quarters to make them suitable and attractive for library purposes.

The most recent fundraising activity, to usher in National Book Week, was an autograph party honoring Elsa Pedersen, an Alaska writer of books for young people, who lives on the Kenai Peninsula. Featured was "Cook Inlet Decision," Mrs. Pedersen's fifth published book, while the ones previously published were also made available to the public. The drugstore in Homer offered the books to the library on a consignment basis, at very little more than cost, and the proceeds realized were well worth the effort made by the board members.

With an active and expending library, Ninilchik can no longer be regarded as a cultural wasteland by even the harshest critics. It is a credit to the Kenai Peninsula, and to the State of Alaska as well.

BRITISH GOVERNMENT TO ABANDON QUALITY STABILIZATION

Mr. BARTLETT. Mr. President, the Nation's press last week reported an event in England which is of more than passing significance to the Congress of the United States. On Wednesday, January 15, the Honorable Edward Heath, Minister for Trade and Industry, and President of the Board of Trade, told the House of Commons that it was the intention of the British Government to outlaw commercial agreements that allow manufacturers to set retail prices for their goods.

What the British call retail price maintenance, we in the United States have referred to as fair trade, or more recently, in a bill now pending before the Congress, as quality stabilization.

Mr. President, it is my understanding that retail price maintenance has been enforced throughout Great Britain for approximately 7 years. The main reason given by Mr. Heath in support of the Government's intention to end this practice was that retail price maintenance is considered to inhibit competition among retailers, which is "against the public interest."

As reported in the Wall Street Journal of Thursday, January 16, Mr. Heath said that retail price fixing "is in general incompatible" with the Government's objective of "encouraging effective competition in keeping down costs and prices." It is also Mr. Heath's position that such a step would tend to dampen the tendency toward inflation, and would thereby improve the opportunity for industrial growth within the United Kingdom.

Mr. President, there are presently before the Congress of the United States bills which would exempt from the antitrust laws retail price maintenance, as the British call it, by manufacturers of branded merchandise. In the House of Representatives H.R. 3369 has already been reported favorably by the Interstate and Foreign Commerce Committee, and is awaiting action by the Committee on Rules. Here, S. 774, a like bill, is before a special subcommittee of the Senate Committee on Commerce.

I believe that the action proposed in the House of Commons in Great Britain has some relevance to our own actions with regard to H.R. 3369 and S. 774. Of course, what the British do is not in any way dispositive of our own needs or what actions we should take. But, since the British have had 7 years of experience under national fair trade law, I think we would be well advised to review the results of such a law in England before enacting such legislation in this country.

Mr. President, I ask unanimous consent to have printed in the Record at the close of my remarks the news articles from the Wall Street Journal and the New York Times of January 16, reporting on Mr. Heath's proposal and also an editorial from the Wall Street Journal of January 17, commenting upon this proposal.

I believe that these matters will be of great interest and value to all of us.

There being no objection, the articles and editorial were ordered to be printed in the Record, as follows:

[From the New York Times, Jan. 16, 1964]

Britain Is Opposing Retail Price Fixing

(By Clyde H. Farnsworth)

London, January 15.—The Government said today it intended to abolish the practice of retail price fixing by manufacturers. The hope is to strengthen competition and lower prices in a modernized Britain.

Edward Heath, president of the Board of Trade, told the House of Commons that the Government would shortly introduce legislation abolishing the manufacturers' price-fixing powers—known here as resale price maintenance.

He termed the practice, which tends to keep prices higher than they would be through the free interplay of competition, "against the public interest."

But a spokesman for small shopkeepers, whose business would be hit most by elimination of the price umbrella, said his group, the National Chamber of Trade, would "move heaven and earth to prevent this (legislation) being adopted."

Manufacturers pointed to the desirability of maintaining "stable" price levels.

The United States went through a comparable situation in the late 1950's, when fair-trade laws—giving American manufacturers powers comparable to the British under resale price maintenance—came under attack from spreading discount houses. A key court case gave the Masters chain in New York the right to sell General Electric products below the list price.

The proposed British legislation, which may become law before the next general election, could touch off establishment of discounting on a wide scale in Britain.

About 35 to 40 percent of British trade at present comes under resale price maintenance agreements. Products covered range from cars to toothpaste.

SEEN AS INFLATION HEDGE

Groceries used to be covered before the growth of supermarkets.

The Government believes that abolition of price maintenance will help it in its current battle to fight inflation. It also sees the step as an important election maneuver.

The general public support it will win is expected to outweigh resentment voiced by the small shopkeepers. There are about 475,000 Britons working in establishments with three or fewer persons.

At the same time, retailing has been changing radically in Britain.

FIGHT FOR BUSINESS

With a wider range of products competing for the money in peoples' pockets, retailers are finding that they must fight hard for the business that once came easy. Recently, for example, there has been an explosion of premium offers of one variety or another.

Mr. Heath also said the Government intended to strengthen antimonopoly legislation, particularly to protect the public against collusion and other restrictive practices by manufacturers.

Antitrust powers here are much weaker than in the United States. For example, rarely does the Government move to block a merger or indict manufacturers for rigging markets.

Mr. Heath said the Government was "satisfied" that the "neutral and uncommitted" approach remains "fundamentally right," but he added:

"There are nevertheless occasions when the public and the Government need to know how a monopoly is operating in case intervention is necessary."

Most mergers, Mr. Heath said, are beneficial in that they help streamline the economy.

[From the Wall Street Journal, Jan. 16, 1964]

BRITAIN SEEKS TO BAR RETAIL PRICE FIXING, TIGHTEN MONOPOLY LAWS TO SPUR PRICE CUTS

LONDON.—The British Government announced plans to outlaw most commercial agreements that allow manufacturers to set retail prices for their goods.

Edward Heath, Minister for Trade and Industry, also said the Conservative government will ask Parliament to tighten the nation's antimonopoly laws and prohibit competing companies from sharing price lists and contract terms.

Mr. Heath, in a statement to the House of Commons, said the enabling legislation will be introduced in the current session of Parliament.

The broad program is designed to prevent inflation from marring the United Kingdom's industrial growth. Reginald Maudling, Britain's chancellor of the exchequer, had warned recently that wage demands are raising the specter of inflation. The Government believes that increased business competition will result in lower prices and that these, in turn, will lead British unions to reduce their demands for pay increases.

PRICE FIXING PREVALENT

Mr. Heath said retail price fixing "is in general incompatible" with the Government's objective of "encouraging effective competition and keeping down costs and prices." The ban on "resale price maintenance," as the practice is called in Britain, would affect a wide range of products, including electrical appliances, automobiles, and chocolate products.

Such agreements have been prevalent in Great Britain for many years: Retailers can't get the desired goods until they agree to abide by the prices that the manufacturers set. And, under present national law, manufacturers can enforce their price schedules through the civil courts.

Mr. Heath said the Government wouldn't propose a ban on all agreements. He said a judicial tribunal would be empowered to grant exemptions to specific companies.

Some retailers immediately praised the Government's plan. Jack Cohen, chairman of the Tesco chain of stores, told United Press International that the end of price fixing "will be the green light for the most intensive retail developments this country has seen."

Some retailers also noted that an end to price maintenance would bolster the outlook for the newly emerging trading stamp industry in Britain. Some manufacturers have been maintaining that trading stamps are illegal because they are, in effect, discounts from fixed prices.

AIM IS TO BOLSTER ECONOMY

Mr. Heath said the Government's planned assault on monopolies and other restrictive practices is designed to "strengthen the economy to the benefit of all sections of the community and to the advantage of our competitive position in international trade."

Mr. Heath said the Government will move against certain consolidations by strengthening the monopolies commission, and by giving the Government added powers to enforce the commission's rulings, particularly on mergers.

The Minister emphasized that the Government doesn't plan to block mergers that help the economy by creating stronger units with more effective sales organizations. Nor, he added, does the Government "wish to place any obstacles in the way of the greater number of mergers whose effects on the economy aren't significant."

But Mr. Heath added: "There is a small minority of mergers that may lead to monopoly conditions damaging to public interest." He said the Government plans to act against "this type of case."

The Government will also seek legislation that would, in effect, restrict exchange agreements among competing manufacturers. Under such accords, rivals sometimes exchange information on prices and contract provisions. Mr. Heath declared that truly competitive conditions are essential to the nation's economic growth.

[From the Wall Street Journal, Jan. 17, 1964]

SEVEN-YEAR ITCH

Proponents of so-called fair-trade laws ought to take a long and thoughtful look across the Atlantic. The British Cabinet is going to seek to end the similar form of price fixing with which the public has been saddled for 7 years.

The British law requires the maintenance of resale prices; under it manufacturers can go to court to try to prevent retailers from cutting prices on brand-name goods. Thus the setup is very much like the various laws that have been tried in the United States and the proposed new Federal fair-trade law which parades under the appealing label of quality stabilization.

What is especially interesting about the British move to junk fair trade is the reception it's getting. Are consumers up in arms, demanding that legalized price fixing be retained? They are not. They are itching for its demise, which would lower prices significantly on the one-third of retail goods affected by the act.

The lesson could hardly be plainer, whether or not the fans of fair trade are capable of grasping it. Such laws do not stabilize quality or prices. They just make things cost more.

SECRETARY RUSK SPEAKS TO FARMERS

Mr. HUMPHREY. Mr. President, on December 10 Secretary of State Dean Rusk spoke at the 26th annual meeting of the Farmers Union Grain Terminal Association in St. Paul, Minn. Secretary Rusk's eloquent address was the highlight of the 3-day GTA convention. More than 10,000 persons heard it.

The Secretary told his audience that—

> The food and fiber produced by American farmers is "a powerful asset in the defense of America's national interests * * * and in promoting peace and freedom around the world.
>
> The miracle of American agriculture has not merely produced more and more food for a still hungry world—

Secretary Rusk said—

> It has turned men's hopes toward science and technology and their appetites away from plunder and conquest. It has opened the historical possibility of meeting by peaceful means the elementary daily needs of the whole human race.

The Secretary emphasized that selling farm products overseas—especially in the European Common Market—has become a major goal of U.S. foreign policy. He pointed out that our agricultural exports of about $6 billion a year—more than $4 billion for hard currency—are crucial to our balance of payments. He said:

> We will be alive to the need for a major American market in Europe for the foreseeable future.

Mr. President, I ask unanimous consent that Secretary of State Rusk's address before the Farmers Union Grain Terminal Association annual meeting be printed at this point in the RECORD.

There being no objection, the address was ordered to be printed in the RECORD, as follows:

ADDRESS BY THE HONORABLE DEAN RUSK BEFORE THE FARMERS UNION GRAIN TERMINAL ASSOCIATION, AUDITORIUM, ST. PAUL, MINN., TUESDAY, DECEMBER 10, 1963

I

It is a high personal privilege for me to meet with the Farmers Union Grain Terminal Association and, through you, with more than 300,000 farm families of our upper Midwest. I come in a period of national mourning because the Nation lives and must get on with its appointed tasks. President Kennedy would have had it no other way.

I shall not try to put into words the personal grief shared with us here by hundreds of millions of ordinary men and women throughout the world. We have been diminished by the loss of so much gallantry, so much energy and vision, so much dedication and commonsense. We are benumbed and shamed by the cost of senseless violence, but lifted up and inspired by the rediscovery, in the midst of our sorrow, of the power of the hopes and aspirations of man and the strength of decency and moderation in our relations with others.

In these days of sadness and shock, we have found new sources of confidence. We have found them in the resilience of our constitutional system, in the capacity of our country to unite behind the man who now carries the awesome and lonely burden, in the sure hand and clear head with which he has taken up his task, in the confidence which those beyond our borders have given us in these critical days. I should like to ask you to recall once more the words of

President Johnson to the Congress, words which expressed the deepest conviction of one who is intimately in touch with the world about us and the policies which guide our foreign relations:

"This Nation will keep its commitments from South Vietnam to West Berlin. We will be unceasing in the search for peace; resourceful in our pursuit of areas of agreement even with those with whom we differ; and generous and loyal to those who join with us in common cause.

"In this age where there can be no losers in peace and no victors in war—we must recognize the obligation to match national strength with national restraint—we must be prepared at one and the same time for both the confrontation of power and the limitation of power—we must be ready to defend the national interest and to negotiate the common interest. This is the path that we shall continue to pursue. Those who test our courage will find it strong and those who seek our friendship will find it honorable. We will demonstrate anew that the strong can be just in the use of strength—and the just can be strong in the defense of justice."

II

As your Secretary of State I wish to talk to you about our foreign relations. Let me start with a remark which I hope you will never forget: Foreign policy is about you. It is about your home, your community, your safety, your well-being, your chance to live a decent life and prepare a better world for your children. Foreign policy is not a game played by "those people in Washington" with other players from far off distant places. It is as close to you as the member of your family, or the neighbor's boy, in uniform, as close as the taxes you pay to sustain the struggle for freedom, as close as the prices and markets for what you produce. Even more personal, it is as close as your highest hopes, your puzzled concern that man can be both so good and yet so evil, your own impulse to do something to build a better world, your own private search for the answer to the ageless question "What is the chief end of man"?

There are those who say that the Department of State has no constituency, but I know better. How we dispose of our affairs at home can decide elections; but how we dispose of our relations with the rest of the world can decide the survival of mankind. So we have our constituency—every man, woman, and child across our great Nation.

III

Our time has seen breathtaking changes. Technology has advanced on a thousand fronts and at accelerating speeds. The atom has been unlocked, and man has begun to reach out from his earthly home toward the moon and the planets. But to me, one of the most wondrous miracles of all is the rise in farm productivity.

I was born on a small farm in Cherokee County, Ga. It wasn't much of a farm by your standards—just a few acres of red clay. Today, when I read the statistics on increased yield per acre and output per-man hour, I can hardly believe them. And the miracle of rising agricultural production continues to unfold.

The abundance of food and fiber that you produce is a powerful element in our national strength. It is a powerful asset in the defense of our national interests and national life, and in promoting peace and freedom throughout the world.

The miracle of American agriculture has not merely produced more and more food for a still hungry world. It has turned men's hopes toward science and technology and their appetites away from plunder and conquest. It has opened the historical possibility of meeting by peaceful means the elementary daily needs of the whole human race.

Our agricultural exports of approximately $6 billion a year—more than $4 billion for hard currency—are crucial to our balance of payments. Without them, we would be hard pressed to meet the costs of guarding the ramparts of freedom and of helping other peoples to preserve their independence and raise their living standards.

Our food for peace programs are a mighty instrument of security, good will, and peace. They are saving human lives every day. Under one of them, more than 40 million children in 91 countries get a square meal once a day—at school. Tens of millions of other people are getting supplemental feedings.

Food for peace programs are not only saving lives. They are serving economic development. They have had a growing role in our programs of assistance to the less-developed nations of the world. Our interest in helping these nations to move forward into the modern world is not humanitarian alone. We want them to move forward because we want a peaceful world. Communism feeds on hunger and frustration; it encourages disruption and exploits chaos. We want orderly progress in freedom—not for ourselves alone but for all men.

Food for peace also serves to develop future markets for American farm products.

As Secretary of State, I find it very reassuring to have in support the great resources of American farm production. From my viewpoint, our agricultural abundance may be regarded as strategic reserves. In certain crises it can be as valuable as our military reserve forces.

Not the least of the contributions which you farmers make to freedom and peace is to demonstrate so dramatically that a revolution in agricultural abundance has taken place in a free society. No Communist country has made a success of food production. Communist China has sunk into misery. East Germany has been converted from an area with a food surplus to one with a food deficit. The smaller Eastern European Communist states have been plagued by difficulties in farm production. It is significant that Poland and Yugoslavia, where most of the farming is done by families on small farms, have generally fared better than the countries which have enforced collectivization. Shortfalls in farm production in the Soviet Union have been aggravated by climatic handicaps and vagaries of the weather. And by applying more fertilizer and up-to-date methods, the Communist states doubtless could increase their agricultural output. But I am convinced that a large part of their trouble in agricultural production is inherent in the Communist system.

IV

The central purpose of our foreign policy, as of our military forces, is to maintain an environment in which we can "secure the blessings of liberty to ourselves and our posterity." When I was a child we felt safe in our continental home behind ocean barriers. Today we cannot find security apart from the rest of our planet. In these days of intercontinental missiles and thermonuclear warheads, we can be safe only if our total environment is safe. By total environment we now mean not only the land, waters, and air of the earth, but the adjoining areas of space as far out as man can project himself and his instruments.

In political terms, we seek a peaceful world of independent nations, each free to choose its own institutions so long as it does not threaten the freedom of others, and all free to cooperate in their common interests and in the welfare of mankind. That is the kind of world described in the Charter of the United Nations.

In working toward our goals we have five basic policies. First—and indispensably—we seek to protect the free world against aggression. We possess a nuclear deterrent of unimaginable power. We maintain large conventional forces, and these are modernized and increasingly mobile. And we have been increasing our capacity, and that of our allies, to deal with guerrilla warfare, the form of aggression to which South Vietnam is presently being subjected. We have demonstrated our will and capacity to make resort to force by our adversaries unprofitable and dangerous—and, at the higher levels, prohibitively destructive.

While, with our allies, we check aggression, we seek to build the strength of the free world.

We seek to enlarge and improve our partnerships with the other economically advanced nations of the free world—with Western Europe, Canada, Japan, Australia, New Zealand, and others. Our partnerships with these nations embrace defense. They embrace political problems. They embrace trade and economics. We seek the most intimate cooperation in lowering the barriers of world trade, in managing the international balance of payments, and in assisting the less-developed nations.

A third cardinal element in our policy is assistance to the less-developed nations in advancing economically, socially, and politically. We have welcomed with open arms the nearly 50 nations which have emerged in Asia and Africa since the Second World War. National independence does not automatically lead to economic progress. Yet the peoples of all the less-developed countries—new and old—know that man need not live on the edge of starvation, that modern technology makes possible a decent life for all.

I would emphasize that the phrase "modern technology" includes modern methods of producing food and fiber. And, in passing, I would note that the Peace Corps needs more people who can teach modern farm methods. You don't have to be young to join the Peace Corps. Some of our volunteers are 60 and 70 years of age.

Helping the less developed countries to move into the modern world will be a continuing task, for a decade or, in some cases, perhaps longer. But many of them are making genuine progress. And as each moves forward to self-sustaining growth and political stability, it adds to the total strength of the free world. Our aid to the less developed countries is helping to create new markets. And, most important, it is helping to build the kind of world in which we and our children will want to live.

And let me point out that our very able AID Administrator, David E. Bell, was born in North Dakota.

A fourth element in our policy is to improve and strengthen the organizations and institutions which enable the nations of the world to work together more effectively. Some of these are regional, some are specialized. Others are of broader scope. Above them all stands the United Nations. We strive unceasingly to make the United Nations a more effective instrument for making and keeping peace and serving the welfare of mankind.

Let us note that this is Human Rights Day—the 15th anniversary of the approval of the Universal Declaration of Human Rights by the United Nations General Assembly. We in the United States have special reasons to rejoice in this anniversary.

A century and a half ago, Thomas Jefferson summed up this Nation's position in the world in these memorable words: "The station we occupy among the regions of the earth is honorable but aweful: Trusted with the destinies of this solitary Republic of the world, the only monument of human rights and the sole repository of the sacred fire of freedom and self-government, from whence it is to be lighted up in other regions of the earth, if other regions of the earth ever become susceptible of its genial influence."

On this Human Rights Day of 1963, we can still agree that our station is both "honorable" and "aweful." But no longer are we the "sole repository of the sacred fire of freedom and self-government." No longer are we the "solitary republic of the world," for Jefferson's fire has indeed kindled the earth. No longer are we the only monument of human rights, because the chief precepts of our Bill of Rights have been adopted in many lands, have been expressed in the constitutions of most of the new republics, and have been reaffirmed for the world in the United Nations Charter and in the Universal Declaration of Human Rights.

The Charter of the United Nations properly links the rights of individuals with the rights of nations, and tolerance with peace. President Kennedy made the same vital connection last June when he said: "As is not peace, in the last analysis, a matter of human rights?"

Many nations have yet to ensure equal rights for all of their citizens, and the struggle to obtain these fundamental rights will color the future course of world affairs.

Personal independence depends not alone on equal rights but, more importantly, on mutual respect. There is no more urgent task before us as a people than to secure for every individual the rights and respect due to him as a human being.

As President Johnson said in his address to Congress on November 27:

"We have talked long enough in this country about equal rights. We have talked for 100 years or more. It is time now to write the next chapter, and to write it in the books of law.

"There could be no greater source of strength to this Nation both at home and abroad," than to "eliminate * * * every trace of discrimination and oppression that is based upon race or color."

V

I turn now to a fifth element in our foreign policy. While we seek to protect and build the free world, we search earnestly and untiringly for areas of common interest with our adversaries—and especially for measures to reduce the danger of a great war.

Recently, we have reached a few limited agreements with the Soviet Union. The first was on a "hot wire" or direct line of communication between the President and the head of the Soviet Government—for use at moments of crisis.

We achieved the treaty banning nuclear tests in the atmosphere, in outer space, and under water. We are pleased that this has now been signed by 107 governments.

The Soviets and we both supported the United Nations declaration against placing in orbit weapons of mass destruction. And they and we have reached a broad agreement on principles of law for outer space.

These are small but useful steps toward peace. But—let me say this frankly—these steps do not yet constitute a detente. The Soviets have not abandoned their aims of world revolution—and neither has Peiping. Chairman Khrushchev has stated on several occasions that the ideological struggle will continue.

There can be no full and lasting détente between the chief Communist states and the free world without settlement of critical and dangerous political issues—such as the division of Berlin and Germany, the aggressions against Laos and South Vietnam, and the use of Cuba as a base for subversive activity in Latin America.

Moreover, this world will remain a very dangerous place until progress is made in controlling armaments and in reducing the dangers of war from surprise or miscalculation.

President Johnson, like President Kennedy, is determined to explore most earnestly and patiently every possibility of reaching agreements on further steps toward a more stable peace. But as yet we are not in the slightest justified in relaxing our vigilance or reducing our effort.

VI

There are significant developments within the Communist world. There is the Sino-Soviet quarrel, which involves both ideology and state relations. It is serious but not a complete break. And, as dictatorships can change direction overnight, it might be patched up.

There are growing signs of nationalism throughout the Soviet bloc. The smaller Communist states of Europe are finding a little more autonomy for themselves and seeking to increase their trade and other relations with the nations of Western Europe and the United States. And not only in these smaller Communist states but in the Soviet Union itself, there are signs of growing interest in more personal freedom.

The Communist states have problems in allocating their economic resources among the competing demands of armaments, industrialization, consumer satisfaction, and the promotion of the Communist world revolution.

Processes of change are clearly evident behind the Iron Curtain. It would be a mistake to expect these changes to come rapidly. But it would be a mistake to underestimate the power of historic nationalism and of the ideas of freedom.

The ideas of freedom, which gave birth to our Nation and which we have nurtured and fought to defend, have spread over the earth. They are, I believe, inherent in the nature of man. They are shared today by men everywhere, including behind the Iron and Bamboo Curtains. They are our most priceless possession—and our mightiest asset.

But we cannot win this worldwide struggle between coercion and freedom by standing at ease. We cannot make the world safe for freedom by retreating. There are those who would have us quit the struggle—by slashing our defenses and our foreign aid, by abandoning our alliances, by leaving the United Nations. That is a prescription for defeat and disaster.

I believe that the American people are determined to win this struggle—win it by achieving a stable peace in which we and others can live in freedom. We can win if we persevere—if we work at protecting and building the free world with unwavering resolve.

THE POSITION OF THE COMPTROLLER OF THE CURRENCY ON COMMINGLED FUNDS MAINTAINED BY BANKS

Mr. ROBERTSON. Mr. President, on December 19, 1963, I inserted in the Record a letter from the Chairman of the Securities and Exchange Commission, Mr. William L. Cary, setting forth the position of the Commission with respect to the jurisdiction of the Securities and Exchange Commission and the bank supervisory agencies over the administration of commingled funds by banks. I did this in order to supplement previous discussions on this subject which had occurred on November 20, 1963, in connection with the report on the Independent Offices Appropriations Act, 1964, and the remarks of the Senator from Colorado—Senator Dominick—on October 8, 1963, when he introduced S. 2223. In requesting that Mr. Cary's letter be printed in the Record, I stated that I was doing so only that his views might be brought to the attention of all interested parties. I pointed out that his letter referred to a bill pending before the Senate Banking and Currency Committee on which I wished to reserve judgment until the committee had reports from other agencies and until the matter had been fully explored.

I have now received a letter from the Comptroller of the Currency, Mr. James J. Saxon, dated January 20, 1964, in which he sets forth his position on the question of the jurisdiction of the Securities and Exchange Commission and the bank supervisory agencies over the administration of commingled funds by banks. The Comptroller has asked that his letter be printed in the Record.

I believe it would be appropriate to print Mr. Saxon's letter in the Record. In requesting this, however, I want to make it entirely clear, as I did in the case of Mr. Cary's letter, that I am doing this only so that his views may be brought to the attention of all interested parties. Mr. Saxon's views relate, as did Mr. Cary's, to a bill now pending before the Banking and Currency Committee on which I wish to reserve judgment until we have had reports from the other interested agencies and until the matter has been fully explored.

I should like to make it clear, also, that having placed in the Record the views of Mr. Cary and Mr. Saxon, I do not propose to request permission to insert any more material on the subject in the Record. Instead, any further comments may be addressed to the Senate Banking and Currency Committee for its consideration in connection with S. 2223.

Mr. President, I ask unanimous consent that Mr. Saxon's letter be printed in the Record at this point.

There being no objection, the letter was ordered to be printed in the Record, as follows:

January 20, 1964.

Hon. A. Willis Robertson,
Chairman, Banking and Currency Committee, U.S. Senate, Washington, D.C.

Dear Mr. Chairman: This is in reference to a letter dated November 27, 1963, written by Mr. William L. Cary, Chairman of the Securities and Exchange Commission, pertaining to the asserted applicability of the Federal securities laws to collective investment funds operated by banks. This letter was introduced by you into the Congressional Record of December 19, 1963, to supplement the several discussions which have occurred on this matter. Inasmuch as the letter reflects what appears to us to be a serious misunderstanding of the regulations governing the fiduciary operations of national banks issued by this Office on April 5, 1963, and of the prior regulations of the Board of Governors of the Federal Reserve System, I feel it appropriate to submit this letter in order that the record may be complete.

As you know, the authority over the fiduciary activities of national banks was transferred to this Office from the Board of Governors of the Federal Reserve System by the act of September 28, 1962, 76 Stat. 668. Prior to that time and since the enactment of the Federal Reserve Act, regulation F of the Board had governed such activities. Following passage of the Revenue Act of 1936, which accorded tax-exempt status to common trust funds operated in conformity with regulations of the Board, that body revised regulation F to provide detailed regulations concerning common trust funds. Regulation F, as so revised, contained a prohibition against the admission to common trust funds of trusts not established for "bona fide fiduciary purposes." This vague phrase was interpreted by the Board to prohibit the establishment by a bank of an investment trust, meaning a mutual fund operation. Regulation F was administered by the Board so as to proscribe severely bank common trust fund activity, with the result that an extremely wide gulf separated such activities from those of mutual funds. So wide was this gulf that many legitimate bank fiduciary activities, in no way approaching the operation of a mutual fund, were prohibited. Yet at all times this was no more than Board policy based upon no statutory requirements.

When in the late 1930's the Investment Company Act of 1940 was drafted, it contained an exemption from the definition of investment company for common trust funds. The original language of this exemption would have incorporated the Board's policy regarding "bona fide fiduciary purposes" by making that exemption depend upon conformity with the Board's regulations. However, it was amended to its present form: "any common trust fund or similar fund maintained by a bank exclusively for the collective investment and reinvestment of moneys contributed thereto by the bank in its capacity as a trustee, executor, administrator, or guardian * * *." This language finally adopted was significantly broader than the language of the Revenue Act of 1936, upon which the common trust fund provisions of regulation F were based. In fact, at no place in the legislative history of the Investment Company Act of 1940 does it appear that it was the intent to enact into law the regulatory policy of the Board.

The foregoing shows decisively, we believe, that there is no identity between the application of the Investment Company Act of 1940 and the regulatory policy followed by the Board of Governors of the Federal Reserve System. That the Commission may have, at isolated instances in the past, asserted that violation of regulation F made the common trust fund involved an investment company subject to the provisions of the 1940 act is of no relevance to the question of whether such interpretation was, in fact, legally correct, for it has never been tested. The decision of the Supreme Court in *S.E.C. v. Variable Annuity Life Insurance Co. of America,* 359 U.S. 65 (1959), oft cited by the Commission, resolved a completely different issue than is here involved. The Securities Act of 1933, the Securities Exchange Act of 1934, and the Investment Company Act of 1940, as well as the Banking Acts of 1933 and 1935 were enacted at times when banks operated commingled fiduciary funds. In fact, the existence of such funds significantly preceded the legislation of the 1930's. Yet nowhere in the history of these acts appears any statement that it was considered that the operation of these funds involved the issuance of securities.

Over the years the investment company industry has actively sought to maintain and even broaden further the wide separation between the operation of common trust funds and mutual funds. At the same time, the banking industry has long sought to have removed or modified various restrictions of regulation F. In the 1950's the Board of Governors of the Federal Reserve System proposed an amendment of the regulation which would limit common trust fund entry to irrevocable trusts. However, this change was not effected. But the cumulative result of the policy of the Board, the position of the Commission, and the adamant assertions of the investment company industry has been the emergence of a myth that the slightest deviation from the stringent regulations governing common trust funds would make them indistinguishable from mutual funds, and outside the exemption from the Investment Company Act of 1940. As is shown above, this has no basis in law.

Early in 1963, after careful consideration of all factors, with the technical assistance of a committee drawn from the banking industry, this Office determined that the limitations on common trust fund activity could be moderately relaxed, by permitting the collective investment of moneys of certain managing agency accounts. Where the managing agency agreement confers investment discretion upon the bank, there is abundant and eminent authority that a trust relationship results, with the attendant potential liabilities. In recognition of this, our office in past years began to recognize the substance rather than the label of the relationship in such cases in our regulatory policy. Similarly, when regulation 9 was revised, it was decided that it was sound and logical that these accounts should be permitted to be operated like trusts; i.e., invested in common trust funds. It cannot be overemphasized that this amendment of the regulation applied only to investment-discretion accounts, and not to those where the bank's role is merely advisory. This is the full thrust of the liberalization effected in this area.

The provisions of regulation 9 have been misunderstood by the Commission and by the investment company industry. That the regulation permits this slight relaxation of common trust fund regulations does not mean that it would permit anything which might be characterized as "widespread merchandising." It is obvious that statements by bankers as to what might be necessary to operate Smathers-Keogh trusts profitably and statements by members of our technical advisory committee made in speeches or debates prior to their service on that committee, have no relevance to what is permitted by the regulations issued by this Office. That this Office does not agree that a slight modification of unnecessarily strict rules puts banks in the securities business, does not mean that we will fail to administer our duties responsibly. Indeed, investigation will reveal that the prohibitions of regulation 9 on advertising are more strict than those of regulation F. Therefore, once one divorces the inaccurate characterizations of what regulation 9 contemplates from what has actually been done, it becomes apparent that the operation by a bank of an investment company, with the attendant considerations which this might entail, is not in question.

With the foregoing in mind, therefore, I submit that the conclusions of the letter are not soundly premised. To the extent accurate, the allusion that a bank trust department customer, under regulation 9, may "buy a pro rata share of a pool of largely equity securities, and the value of his investment will fluctuate in accordance with the market performance of the pooled portfolio" speaks only to a truth which has had equal validity to all common trust funds over the years. And the conclusion from the foregoing that this is "indistinguishable from the purchase of a share in a mutual fund" is irrelevant from the standpoint of existing law, for whether it is to the Commission indistinguishable or not, it has been specifically excluded from the Investment Company Act. That exclusion rests upon a congressional policy determination which is of controlling "substance and significance" to the question of the responsibility of the Commission for investor protection. If anything of substance or significance may be gleaned from the legislative history of the securities laws, it is that bank activities were not to be within their purview.

The suggested shortcomings in regulation 9 reflect a lack of comprehension of banking supervision and of the operations of banks in the fiduciary area. Banks do not operate from private residences with housekeepers maintaining their books. They may not sell units of interest in collective investment funds. Even the purported dangers which the Commission and the investment company industry profess to see in this modest amendment, such as that pressures will be generated to make inappropriate loans to companies whose securities are held in the investment fund portfolio, or to make improper fund investments in companies with which the bank has outstanding commercial loans, reflect this lack of understanding. It is readily seen by one familiar with bank operations that these same purported dangers must exist in equal degree as to all bank trust activity. That they have been effectively regulated under regulation F over the years is apparently conceded by the Commission in its indication of satisfaction with the enforcement of that regulation. Regulation 9 retains the same proscription as regulation F in this regard, and will be enforced by the same bank supervisors. In addition, regulation 9 and our interpretations thereof, specifically incorporate many requirements which were assumed as included under the "bona fide fiduciary purposes" test. Also overlooked are the plethora of regulations affecting all phases of banking activity, including the extensive disclosure and reporting requirements imposed by this Office, which are tailored to banking activity and reinforced by the constant and meticulous examination by bank examiners. The cumulative effect of these factors is that the beneficiary of a bank fiduciary relationship is provided with far better protection than is enjoyed by the investor in a mutual fund. For these reasons, we submit that a recital of specific disclosure requirements enforced by the Commission under the Investment Company Act of 1940, which are not duplicated in regulation 9, is meaningless. In addition, it is questionable whether a bank could comply with certain of the enumerated requirements of the Investment Company Act—such as the establishment of a fund management which is elected at regular intervals, or the approval by the interest holders of changes in investment policy. Thus, it will be seen that to compel a rigid compliance with the identical requirements as are applicable to investment companies would be unwarranted, inappropriate, productive of no public benefit and would likely exclude banks from the execution of a legitimate fiduciary function.

In conclusion, the Commission's letter is premised upon a fictitious equation between the scope of former regulation F and the exemption from the Investment Company Act of 1940 for common trust funds. The modifications effected in this area by regulation 9 permit nothing more than a realistic administration of fiduciary powers, and have no identity with the operation of a mutual fund. The regulation prescribes safeguards which are oriented to banking activity, and enforced through regular examinations by bank examiners. Finally, the suggestion that the application of the Investment Company Act will in some manner be publicly beneficial demonstrates a pervasive misunderstanding of the range and depth of bank fiduciary activities in general, and bank examination and supervision in particular.

We are enclosing herewith a copy of the memorandum concerning the legal issues involved, which was furnished to the Subcommittee for Legal and Monetary Affairs of the Committee on Government Operations of the House of Representatives at hearings conducted into this matter on May 20, 1963.

Sincerely,

JAMES J. SAXON,
Comptroller of the Currency.

THE FREEZE ON STRATEGIC NUCLEAR DELIVERY VEHICLES

Mr. McGOVERN. Mr. President, I have read President Johnson's message to the Eighteen Nation Disarmament Conference and I commend it to the detailed attention of the Senate. The President has set forth a program of five areas of potential agreement for exploration by the Conference. Each of these areas for discussion could be a significant step in our efforts to achieve peace in the world. We must pursue them all, with caution and with sincerity, because they are designed to lead to a more secure and peaceful world.

Of the five proposals set forth by the President, one, above all others, caught my imagination. The President has suggested that the United States, the Soviet Union, and their respective allies should agree to explore a verified freeze of the number and characteristics of strategic nuclear offensive and defensive vehicles. I do not know the detailed thinking on this proposal, but I do know that if it can be implemented with the proper safeguards, it could be a sound, safe, and significant step forward. Let us examine briefly the basic notion involved here.

Suppose we and the Soviets and our respective allies, at this point in time, stop producing and deploying strategic delivery vehicles capable of carrying nuclear weapons to each other's territories. Suppose further that we can agree upon an inspection system that will assure that these activities have really stopped on both sides. That will leave us and the Soviets in the same relative strategic positions that we are in right now.

From what we have been told, this means that the United States will continue to enjoy some margin of strategic military advantage over the Soviet Union. We also have been told that neither side can attack the other with any hope of remaining unscathed. This means that as we now stand vis-a-vis the Soviet Union, there is little or no incentive for either of us to engage in a nuclear exchange. Although this is not an ideal position from the point of view of the United States, it is not a bad position. And, unless there is a clear opportunity for us to improve it, we had best try to preserve the advantage we now enjoy.

From what I understand, the likelihood of our improving our strategic military position vis-a-vis the Soviet Union is relatively small. If we can freeze the situation as it is now, and be certain that it will remain frozen, we will be in the best feasible position and we may derive a number of other advantages.

What are the possible advantages of a freeze on strategic nuclear delivery vehicles? First there is the matter of the psychological effect of turning down the arms race. I personally believe that an upward spiral in an arms race feeds on its own momentum. I believe equally that a downward spiral can do the same thing, and that a beginning, in any area, can and will lead to more significant measures and greater inspection and verification procedures. Thus, it is important that we begin.

Second, there is the matter of costs. If we canont improve our strategic military position significantly by continuing the arms race, it ill behooves us to continue to spend millions of dollars needlessly. If we can freeze the arms race where it is, and assure that our relative position is not worsened, why should we not save millions of dollars?

We may well ask ourselves why the Soviets might be tempted to let us derive these advantages I have cited. The answer, I believe, is quite simple. They would derive precisely the same advantages from an adequately verified freeze. Since they apparently cannot improve their position vis-a-vis us, they, too, may be tempted to enjoy a relaxation in the threat that the present race poses, as well as the economic savings involved.

In summary, I will state that this proposal of the President seems to me infinitely logical as a matter for exploration at the Geneva Conference. I stand with the President on this, as well as his other proposals, and I pray that progress may be made.

HISTORY AND THOSE WHO REPORT IT

Mr. MAGNUSON. Mr. President, two longtime friends visited at some length in "Scotty" Reston's column in the New York Times of today.

Reston was talking to Edward R. Murrow, in the column, when he was not affectionately talking about him. Those of us from Washington State, where Ed hails from, genuinely liked what "Scotty" Reston had to say.

I am sure that a great many other Americans felt the same way. Therefore, I ask unanimous consent that the Reston column of Wednesday, January 22, 1964, be printed at this point in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

"AND HERE'S A HAND, MY TRUSTY FRIEN'"

(By James Reston)

WASHINGTON, January 21.—The official word at the White House was that Ed Murrow had quit his job as Director of the U.S. Information Agency, but this obviously couldn't be true, for Ed Murrow never quit anything in his life.

He has been thrown out of places, Ed has, and has thrown a lot of people out of places; but if they mean by quitting that he gave up, then it's clearly not true.

Ed Murrow was this country's most distinguished and influential reporter of that critical period before the second German war. He was the best of a remarkable and unlucky crew.

Among them were Ernie Pyle, Vincent Sheehan, Bill Shirer, Eric Sevareid, Wallie Deuel, Wallace Carroll, Elmer Davis, Edgar and Paul Scott Mowrer, Herbert Elliston, Joe Driscoll, Dorothy Thompson, Walter Duranty—and a lot more.

They told America what it didn't quite believe and certainly didn't want to hear: that a savage civil war was developing within the Western World and that it would reach a tolerable end only when the United States threw its power into the battle.

THE CASUALTIES

In the long story of American journalism there was never a brighter chapter or a more talented and sensitive group of reporters, but it was not exactly an easy life, and the casualty list was heavy.

Some of them, like Pyle, were killed in battle; others, like Sheehan, Shirer, and Edgar Mowrer, decided to escape from the tyranny of the daily deadlines; others, like Sevareid and Carroll, carry on, but most of the rest, like Murrow, had trouble with their health.

Murrow, on the whole, was lucky. He operated during the war from London on the assumption that a man could exist happily for years on a diet of black coffee and cigarettes. He thought sleep was for children, and had an almost suicidal yen for making trips in bombers over Wilhelmshaven or the Ruhr.

On the odds, he should have lost his life, but as it was, all he lost was a lung, and that should not be too much of a handicap, for Ed Murrow can say more on one lung than most other mortals can on two.

Murrow improved the U.S. Information Agency down here, not as much as he hoped to or would have if he hadn't been benched by cancer, but the main thing he did was to take the USIA out of the doghouse and into the White House.

When President Kennedy asked him to leave CBS and take this job, Murrow made one condition. He said that a good information service could not make up for bad policy, and that he had to be in on the policy decisions he was expected to explain to the world. President Kennedy agreed, except in the first Cuban disaster, which caused a row, but thereafter kept the promise.

Murrow had his disappointments too. He thought he would attract to the Agency more good men than he actually did. He had an excellent aid, Don Wilson of Life magazine, and he greatly improved the film and magazine output of the Government, particularly the former, but he would be the last to say that he had achieved the ideal before he had to resign and take a rest.

Maybe he'll really take a rest this time, but don't bet on it. He used to broadcast from a dungeon in the BBC every night during the blitz on London and wind it up with a beer and a pack of cigarettes and a long nostalgic tale about how he was eventually going back to the west coast and run a small college and work on his slice.

This gradually developed into a family joke. After the war, he was a national figure, sort of a cross between John Barrymore and Richard Harding Davis. He was recognized everywhere he went. His voice was better known than Roosevelt's, and every time he went off with his wife, Janet, and his boy, Casey, he detoured off somewhere to plan or produce another television show.

THE LOST GENERATION

If he really took time off to tell the story of this remarkable period, he would serve his country well, for one of the odd things about the men and women who reported the events just before and during and after the Second World War is that so few of them slowed down long enough to sum up their experiences.

There is, therefore, a gap between the remarkable generation of Arthur Krock, Walter Lippmann, and David Lawrence and the journalists now in their forties; and Murrow, when he comes back, could do a lot to fill it in.

Meanwhile, all golfers west of the Rockies are hereby put on notice. If you see a handsome southpaw who swings like a rocking chair, and hits a No. 3 wood from the tee with a little educated slice, don't be deceived, for Ed Murrow is the shrewdest first-tee negotiator in the country and the best left-handed putter in Christendom.

Everywhere else in the world he's a gentleman, but on a golf course, and particularly within 8 feet of the cup, he's a scoundrel.

THE PRESIDENT'S REPLY TO MR. KHRUSHCHEV

Mr. McGEE. Mr. President. the President's reply to Chairman Khrushchev's message of December 31 is a sincere and open invitation to try to come to grips with some of the most pressing and persistent problems which have kept the East and West on opposite sides of the fence. While we can never agree with communism, we must work to eliminate as many as possible of the issues where we disagree with the Communists.

Let us hope for some type of breakthrough. While Mr. Khrushchev's latest message had some of his well-worn propaganda in it, this letter also contained some new declarations of peaceful intent which should be carefully investigated to determine whether they have substance or are more bluff and bluster. Of course, we must look at the past record of the Soviets and maintain a careful balance of skepticism and hopefulness. The President is to be commended for the constructive and sincere tone of his reply. That much abused word "peace" may get another chance and may be permitted to reenter the lexicon of statesman with its former stature.

The peace we want is more than freedom from war. It is the removal of the causes which lead to war. On this point President Johnson and Chairman Khrushchev seem to be in agreement. That is a small start. It is not too important who makes the next move, as long as some move is made. The manner in which any move is made is most important.

President Johnson's move was exactly right—it was a clear statement of principles with a forthright, honest invitation to discuss explosive problems before they are detonated.

MAIL-ORDER WEAPONS

Mr. DODD. Mr. President, America was awakened to the almost daily tragedies involving mail-order weapons on last November 22 when Lee Harvey Oswald pulled the trigger of a mail-order rifle and snuffed out the life of President Kennedy.

That murder more than any other starkly emphasized the need for control over the sale of these weapons which move through interstate commerce by the millions and are frequently delivered to juveniles, criminals, and narcotic addicts in violation of local and State law.

Last August 2, I introduced S. 1975 to control this traffic in guns and amended it on December 12 to include not only concealable weapons, but all firearms. Public support for the measure has been tremendous. Thousands of newspaper and magazine articles attest to it. My office mail was unprecedentedly high in favor of the proposal. Hundreds of newspaper editorials and by-lined columns have publicly asked for its immediate passage into law.

Mr. President, I have here a small geographical sampling of this editorial support for S. 1975, which I would like to share with my colleagues and ask unanimous consent that they be printed in the Record at this point.

There being no objection, the editorials were ordered to be printed in the Record, as follows:

[From the Bridgeport (Conn.) Telegram, Dec. 9, 1963]

GUN BAN GAINS SUPPORT

It is encouraging to note that the Justice Department has endorsed tough legislation to curb mail-order traffic in certain types of guns. Understanding that the Senate Commerce Committee has scheduled hearings to consider two pending firearms bills, Deputy Attorney General Nicholas deB. Katzenbach addressed a letter to the Senate committee.

The letter endorsed the measure introduced by Senator Thomas J. Dodd, but it also suggested certain amendments designed to make the bill more effective and stronger. The letter pointed out to Chairman Warren C. Magnuson, that the bill, with the proposed amendments, would be extremely effective in providing desirable controls applicable to the interstate shipment of firearms.

It is important to note that in the opinion of the Deputy Attorney General, if control over firearms is to be made fully effective, States and cities must also enact strong local laws to govern sales of weapons.

Regardless of what has been said and done in Washington on this matter, it is clear that further legislation is needed to make it more difficult for irresponsible persons to get firearms.

There are millions of Americans who have guns, who never abuse their use. Such people are not responsible for the problem. But there are irresponsibles who should be legally prevented from getting dangerous weapons.

[From the Bridgeport (Conn.) Post, Dec. 7, 1963]

MAIL-ORDER GUNS

(Portland Oregonian)

The shooting of President Kennedy with a $12 rifle ordered from a mail-order house by the assassin, using a false name, has already stimulated emotional talk of national legislation severely restricting the purchase or possession of fire arms.

It is an old theme, and one fiercely resisted by outdoorsmen and others who set a high value on the constitutional right to bear arms. Senator Thomas Dodd's bill, requiring evidence of age (over 18) and attesting lack of a criminal record in ordering a gun, is not so extreme as some in the past. Efforts must be made to prevent juveniles with criminal bents from arming themselves with pistols by mail order. But Americans, particularly in the West, are not going to submit, we believe, to a system of licensing of all firearms, including hunting weapons, as has been frequently proposed.

The historic and valid argument against restrictive legislation is that it tends to disarm the victim while utterly failing to keep guns out of the hands of criminals. Obviously, the assassin capable of planning and executing the killing of President Kennedy would have found a way to obtain a rifle had he not been able to order it so easily by mail.

[From the Bridgeport (Conn.) Telegram, Dec. 4, 1963]

WE'RE WITH SENATOR DODD

(Washington Daily News)

Count us in with Senator Thomas J. Dodd, Democrat, of Connecticut, for a Federal law to control the sale of firearms. He is doing a great public service in trying to get better Federal controls which are long overdue.

We supported his first bill. This earned us the criticism of various organized rifle groups and gun lobbies. They failed to convince us we were wrong. Therefore, we support his new, strengthened bill which he has just introduced. As a matter of fact, we think that it doesn't go nearly far enough.

Senator Dodd's original bill applied to small arms. This new one includes all firearms, and has language which would prohibit sellers to ship to minors, convicted felons and into States which forbid possession of firearms.

His bill would require buyers to furnish sellers affidavits showing their identities, criminal records, if any, and to be cleared by local police.

All that's good, but it isn't enough. No convicted felon should ever be allowed to have a gun.

We think all gun purchases should be licensed and that the fee for the license should be large enough to cover the cost of a central Federal record of the gun, as well as all relevant data, including fingerprints of the purchaser which, of course, would be available to all police agencies.

With present-day electronic office and filing machinery, this would be a cinch and it need not cost the taxpayers a dime.

Mind you, we're not against people owning guns—although we have some doubts on that score, too. We have no doubts about the perils inherent in the indiscriminate, unrecorded sale and purchase of guns.

[From the Bridgeport (Conn.) Telegram, Dec. 10, 1963]

MULCAHY APPROVES DODD BILL

In a recent direct-to-the-point statement, State Police Commissioner Leo J. Mulcahy urged every police chief in Connecticut to support the weapons control bill introduced by Senator Thomas J. Dodd.

The proposed legislation would amend the National Firearms Act, to require signed affidavits in the mail-order purchase of all guns. It will go a long way in making certain that firearms will not fall into the hands of undesirable persons, the commissioner said.

Because of the assassination of President Kennedy, this is a matter which has attracted nationwide attention. People throughout the country are convinced that it is altogether too easy for individuals to purchase firearms and use them for questionable purposes. In short, persons who should not be allowed to have and use guns for any reason whatever, are now able to get them and use them indiscriminately without supervision or control.

In some way, it is vitally important that the sale and use of guns be restricted to those persons who have legitimate purposes in mind. If Senator Dodd's bill will tighten up the restrictions, it is definitely needed.

Through his outstanding experience, and his familiarity with the problem itself, Colonel Mulcahy is particularly well qualified to advise the public on the proper restrictions for firearms.

[From the Bridgeport (Conn.) Post, Dec. 10, 1963]

GUN BILL UP TODAY

Senator Tom Dodd's bill (S. 1975) to curb mail-order traffic in the sale of guns will be taken up today by the Senate Commerce Committee. He was assisted in its drafting, it should be carefully noted, by the National Rifle Association, which in the past has opposed gun control laws.

In most of our States it is about as easy to buy a gun as it is to buy a bottle of liquor. The Federal Government has only two laws governing firearms, the National Firearms Act and the Federal Firearms Act. Federal weapons control dates to the gangster era of the 1930's. First of the above laws, enacted in 1934, often referred to as the machinegun act imposes license taxes of $500 a year on manufacturers and importers; $300 on pawnbrokers and $200 on others who make, transport, or sell (1) weapons designed to fire more than one shot without manual reloading, (2) shotguns or rifles with barrels less than 18 inches long, and (3) mufflers or silencers for such weapons. A tax of $200 is imposed on every such sale.

In 1938 Congress enacted the Federal Firearms Act. This attempted to prevent sale of any firearm, ammunition or silencer to lawless elements. It contains licensing provisions, restrictions on shipment in interstate commerce, and a ban on transportation of stolen weapons or arms from which the manufacturer's serial number has been removed.

State statutes, where they exist, have little effect. Only 21 States and the District of Columbia require dealers to obtain licenses to sell handguns at retail.

It was noted last week in the Christian Science Monitor that "only seven States require a permit to purchase a gun. Only seven States and the District of Columbia require a waiting period between purchase and delivery. Only in New York State is a license required to possess a handgun. Only in Hawaii must guns be registered. Only in South Carolina is it against the law to sell a gun."

Today's hearing should bring to light many more facts about the purchase and use of guns.

[From the Waterbury (Conn.) Republcan, Dec. 13, 1963]

COMMONSENSE ON GUNS

(By Richard Spong)

In most of the United States it is easier to buy a gun than a shot of liquor. The Federal Government has only two laws governing firearms, the National Firearms Act and the Federal Firearms Act.

Federal weapons control dates to the gangster 1930's. The first of the above, enacted in 1934, often referred to as the machinegun act, imposes license taxes of $500 a year on manufacturers and importers, $300 on pawnbrokers, and $200 on others who make, transport, or sell (1) weapons designed to fire more than one shot without manual reloading, (2) shotguns or rifles with barrels less than 18 inches long, and (3) mufflers or silencers for these weapons. A tax of $200 is imposed on every sale of such weapons.

Congress in 1938 enacted the Federal Firearms Act, which attempted to prevent sale of any firearm, ammunition, or silencer to lawless elements of the population. It contains licensing provisions, restrictions on shipment in interstate commerce, and a ban on transportation of stolen weapons or arms from which the manufacturer's serial number has been removed.

Both statutes, where they exist, have little effect. Only 21 States and the District of Columbia require dealers to obtain licenses to sell handguns at retail. A Christian Science Monitor article asserts: "Only seven States require a permit to purchase a gun. Only seven States and the District of Columbia require a waiting period between purchase and delivery. Only in New York State is a license required to possess a handgun. Only in Hawaii must guns be registered. Only in South Carolina is it against the law to sell a gun."

Those who object to rigid restrictions on private ownership of firearms frequently point out that the Constitution protects the right of the people to keep and bear arms. The Constitution, however, relates that right to maintenance of a well-regulated militia.

The Supreme Court has held that the provision of the National Firearms Act of 1934 forbidding movement in interstate commerce of unregistered shotguns does not infringe the constitutional right because it has no reasonable relationship to the preservation of a well-regulated militia. The term itself seems something of a nonsequitur in a nuclear age.

Nevertheless when Representative Victor L. Anfuso, Democrat, of New York, in January 1962, introduced a bill requiring registration under auspices of the Federal Bureau of Investigation of all firearms owned by private individuals, a storm of protest came from extremists. The measure was viewed as a plot by internationalists who cannot get control of the United States until they have seized the firearms of the people.

The Senate Commerce Committee is now studying a much milder bill which would curb mail-order traffic in handguns. It was introduced by Senator THOMAS P. DODD, Democrat, of Connecticut, with the drafting assistance of the National Rifle Association, which in the past has opposed gun control laws. Whether the NRA would continue its support depended on the stand it would take on amendments introduced by DODD on November 27 on U.S. Justice Department recommendations.

One thing that led to the disenchantment of Lee Harvey Oswald with Soviet Russia—by his own witness—was that he couldn't own a rifle.

[From the Troy (N.Y.) Record, Dec. 10, 1963]

HALT GUNS BY MAIL

Undoubtedly legislation will be enacted for stricter regulation of the sale of firearms as the result of the assassination of President Kennedy. The Senate Commerce Committee has a bill to curb the mail order sale of handguns. And State lawmakers, including Senator Berkowitz of Granville, have indicated they will sponsor new firearms legislation.

Of course some form of restriction is called for because as matters stand anyone can obtain a rifle and ammunition regardless of age, mental condition or motive for acquiring the weapon. Certainly the stipulation in the Constitution of the United States that Americans should have the right to keep and bear arms never was intended to place lethal weapons in the hands of children and mentally unbalanced persons.

When the need for increased safeguards is granted, however, due heed should be given also to the need for commonsense in enacting restrictions. Care should be exercised to avert robbing law-abiding Americans of their right to acquire rifles and shotguns for such wholesome things as hunting and target shooting. As usual when emotions are at fever pitch there exists a real danger that well-intended legislation will go to extremes.

On one point there should be no disagreement. That is, laws to halt the sale of guns by mail are urgently needed. The seller of a weapon offered blindly to anyone who sends a name and address accompanied by the selling price cannot complain because the security of the public outweighs his personal profit. The true sportsman cannot complain about loss of rights because ample sources of supply will be available without mail order guns.

One of the best indications of the understanding of the nature of the danger involved in mail sales of guns is found in the assistance the National Rifle Association has given the drafting of a bill to curb the mail order traffic. The association in the past has opposed more severe gun control legislation. Yet the association aided Senator DODD of Connecticut in the preparation of the bill before the Senate Commerce Committee. Continued cooperation by such representative bodies as the National Rifle Association, the Justice Department, Congress, and State lawmakers would be beneficial. New restrictions are warranted. To ward off repressive and unwarranted legislation the groups and the authorities most concerned would do well to work together rather than at cross purposes.

[From the Dubuque (Iowa) Telegraph-Herald, Dec. 10, 1963]

ON BUYING GUNS

One thing that led to the disenchantment of Lee Harvey Oswald with Soviet Russia—by his own witness—was that he couldn't own a rifle there.

With the assassination of President Kennedy by such a rifle fresh in mind, the Senate Commerce Committee took under consideration this Tuesday a bill proposed by Senator DODD to curb mail order traffic in handguns.

Two Federal laws, now on the books, are designated primarily to keep machineguns and other weapons firing more than once without manual reloading, out of the hands of gangsters. Their sale is presumably regulated by imposing licenses on the sellers.

But there are few State statutes covering any kind of sale, and only one State, South Carolina, actually prohibits selling a gun.

It is said that in most of the States it is easier to buy a gun than a shot of liquor.

Objection to restriction against selling and possessing firearms, has come from persons who maintain that the Constitution protects the right of the people to keep and bear arms. But the Supreme Court held in 1934 that this right was restricted in the Constitution to a well-regulated militia, and that control of the sale of guns was not an infringement of the Constitution.

Senator DODD's bill is a relatively mild one, however, merely curbing mail order traffic in firearms. It has the endorsement of the National Rifle Association. Senator DODD himself admits that it is limited in scope, but believes that it would eliminate some of the worst features of unregulated traffic in handguns—including, for example, the ease with which Oswald, under an assumed name, bought his deadly weapon.

[From the Paramus (N.J.) Sunday Post, Dec. 14, 1963]

GUNS BY MAIL

Let us hope that the assassination of President John F. Kennedy has so affected the consciences of National and State lawmakers that they will not hesitate to adopt new restrictions on the sale and possession of firearms.

A complete ban would be impractical and dangerous. Americans are guaranteed the right to bear arms by the U.S. Constitution and the chances of getting rid of that provision are slim indeed. Such a law would also make life even more precarious for peace-loving citizens. We are reminded of the days of prohibition when many previously law-abiding folks were forced to obtain alcoholic beverages from illegal sources. A period of lawlessness followed from which this country has not yet recovered.

Similarly, a ban on personal weapons would drive honest gun fanciers underground and provide gangsters with another source of revenue. It is hard to believe that the illegal traffic in guns and other weapons would not increase if the right to bear arms was somehow taken away.

This does not mean, however, that new laws making it more difficult for people to acquire and own firearms should not be enacted. Present Federal and State laws are definitely inadequate if they allow the likes of Lee Harvey Oswald to purchase a rifle through a mail order house. Senator THOMAS J. DODD, of Connecticut, on the Federal level and Attorney General Arthur J. Sills on the State level have both offered reasonable suggestions for the further regulation of firearms.

Again, let us hope that our legislators will take these suggestions seriously and act on them.

[From the Bedford (Ind.) Times-Mail, Dec. 17, 1963]

A Strong Case for Tightening Weapon Sales

The assassination of President Kennedy last month has brought to the attention of Congress the dangerous situation in which persons with criminal records can buy, with ease, high-powered firearms, and it now appears that some national legislation will be forthcoming on the problem.

One might argue that criminals will obtain the weapons they need one way or another. Guns have long been a favorite form of loot for burglars who may have ideas of promoting themselves to armed robbers. But tighter control of both high-powered pistols and rifles and ammunition for them might at least curb persons who act on impulse. One has no way of knowing what the situation would have been in Dallas if Oswald had been unable to buy a foreign-make military rifle through the mail, but we can at least speculate that President Kennedy might still be alive today if adequate restrictions were placed on such purchases.

Mail-order guns have killed many people over the country—many more than the average individual would realize.

Senator Thomas J. Dodd, Democrat, of Connecticut, is one who urges passage of legislation to place controls over the shipment of dangerous weapons in interstate commerce. He developed, in his study of the problem, interesting, if not alarming, statistics on weapon sales.

During this year, approximately 1 million dangerous weapons were ordered through the mails and delivered by mail order firms. Thousands of these were delivered to persons with criminal records, and one, of course, was used to murder the President.

Weapons available via mail order to juveniles, dope addicts, mentally deranged persons, and criminals range in size and destructive power all the way from small caliber pistols to field artillery pieces.

In Fairfax County, Va., a 14-year-old boy was recently murdered by a mail order weapon in the hands of a mentally disturbed teenage friend. The head of a California firm which shipped the weapon was a convicted ex-pornographer. "They had the money; I sold them the gun," said the seller. "I didn't break any law, did I?"

In Sussex County, N.J., three youths in Nazi uniform set up an antitank gun purchased through the mails and were in the process of demolishing a building with 20-millimeter, armor-piercing shells when they were seized by police. The youths also had an arsenal of mail order weapons.

In Washington, D.C., since January 1, this year, 72 persons were arrested in one precinct alone using mail order or foreign-made weapons in the commission of crimes.

In New York City, since June 1, 1963, there have been 131 persons killed or injured with mail order or foreign-made guns. In Los Angeles, five homicides have been committed with mail order guns since September.

The Senate Subcommittee To Investigate Juvenile Delinquency conducted an intensive survey of mail order gun recipients in the District of Columbia. This is what it found:

Twenty-five percent of all recipients of mail-order guns had criminal records. In the precinct with the highest percentage of crimes, 80 percent had criminal records. Chiefs of police from Atlanta, Los Angeles, Chicago, New York, Boston, Pittsburgh, and other large cities reported that the Washington experience was typical.

Senator Dodd said that some people are so out of touch with reality, so unwilling to be slightly inconvenienced, or so financially involved in the gun traffic as to hold that no regulation whatever should be imposed upon commerce in deadly weapons. But he added that any reasonable, objective person, looking at this problem from the viewpoint of public safety, will agree that some form of control must be achieved.

Dodd speaks with authority. For 2 years, as chairman of the Senate Subcommittee To Investigate Juvenile Delinquency, he has conducted investigations into this problem, seeking a legislative solution.

Dodd's committee now has before Congress Senate bill 1975 which he said he believes will solve the mail-order problem. An amendment to the bill would control not only the sale of handguns through the mail but all firearms.

The bill would prohibit the shipment in interstate commerce of guns to persons under 18 years of age; would bar mail-order weapons to those who have been convicted of a felony; would tighten licensing requirements for manufacturers and sellers of guns in a manner designed to discourage fly-by-night mail-order houses and others who operate on the fringes of the law.

It would require one seeking to buy a gun through the mails to state in an affidavit his name, address, age, whether he has a criminal record, and whether the purchase would be contrary to local or State law. It would require that the affadavit include the true name and address of the principal law enforcement officer of the locality in which the affiant resides and that the affiant deliver the statement in duplicate to the seller who would be required to forward a copy of the statement to the law enforcement officer named by registered mail with a return receipt requested.

We would go a step further. Let the purchaser of a mail-order gun include on his order a copy of his fingerprints. If he has nothing to hide, he would not object to the requirement.

The proposed legislation would curb any mail-order sales of firearms. But if the buyer objected to the law, he could still buy guns over the counter at local stores.

We believe that the purchaser of anything other than a shotgun or smallest caliber rifle should be required to obtain a permit.

Certainly, Federal legislation is needed, and we believe it will be forthcoming, soon.

[From the Lubbock (Tex.) Avalanche-Journal, Dec. 13, 1963]

Curbs on Sales of Guns Urged

(By Andrew Tully)

Washington.—Possibly it is beginning to dawn on Americans that it is easier to get shot dead in the United States than in any country in the world. At any rate, Congress seems to be interested in a bill sponsored by Senator Thomas J. Dodd, Democrat, of Connecticut, to curb and regulate the sale of mail-order guns such as the rifle that killed President Kennedy.

Here in America any lunatic, assassin, ex-convict, or stubborn child can buy a gun over the counter or by mail, as Lee Oswald did. In most of the world's other civilized countries, no one may buy or possess a firearm without a police certificate, and these slips of paper are issued only to those judged to be rational and of good repute. Elsewhere, of course, as in the Iron Curtain countries, a citizen knows better than to be caught with a weapon he is not authorized to possess.

INDIANS NOW PACIFIED

There has been a great deal of romantic nonsense uttered over the years about the American citizen's inalienable right to own a gun. This harks back to the pioneer days when a man needed a gun to protect himself from Indians. Gun nuts also are fond of citing the second amendment, which notes that a well-regulated militia being necessary to the security of a free State, the right of the people to keep and bear arms shall not be infringed.

But these are not pioneer days; indeed today it is the Indian, who requires protection from the white man. And this pew will not buy the premise that Lee Oswald or Jack Ruby or the average Chicago hoodlum qualify as members of a well-regulated militia.

The rifle club boys can scream all they want, but basically a gun is a weapon constructed with the purpose of killing some living animal, man, or beast. A man with a murderous grudge against one of his fellows does not go forth to settle the score with an armful of snowballs. Policemen carry pistols because they are the handiest weapons with which to kill or maim the armed criminal who may violently resist arrest.

THE BUMP-OFF SCORE

Handy is the word. There were 7,261 murders reported by the FBI last year, and more than half of these were perpetrated with guns. Four Presidents of the United States have been assassinated, all with guns. Yet the Nation's timid and careless local and National Governments have done virtually nothing to regulate the estimated 50 million persons in the United States who own guns.

Tales of wanton murder crowd the columns of newspapers, and every year thousands of Americans are killed or wounded by guns that were used carelessly or because somebody didn't know it was loaded. Foreign guns, such as the weapon used in the Kennedy assassination, are dutyfree and taxfree.

ONLY A START

Senator Dodd's bill actually is only a start in curbing the American public's long adventure with the means of self-destruction. It merely curbs the sale of mail-order guns and tightens an existing provision designed to prohibit interstate shipment of firearms to localities where they are not permitted, and to minors and convicted felons.

Purchasers would be required to submit affidavits to dealers and common carriers showing the purchaser's age, name, address, criminal record if any, and whether he was complying with State gun laws.

OPPOSITION POWERFUL

More important, however, the measure would require that the affidavit be authenticated "by the highest local law enforcement authority in his community." Under such a provision, Lee Oswald could have been prevented from ordering a rifle from a Chicago house under an assumed name.

When he introduced the bill last August, Dodd acknowledged it had weaknesses, but he explained there was latent opposition to the measure, and he had tried to frame a bill that would have a chance of passage. Apparently there are still people who believe that, as the Washington Post remarked, guns are good for us.

[From the Bismarck (N. Dak.) Tribune, Dec. 11, 1963]

Strange Oversight in the Law

When Senator Dodd, of Connecticut, and others set about strengthening laws governing sale of firearms, particularly by mail, a most unusual oversight in the law showed up.

It turned out, according to U.S. News & World Report, that the assassination of a President is not covered by Federal law. Immediately bills were introduced to make it a Federal crime to kill or conspire to kill the President, Vice President, and others in the line of succession.

At present, apparently, the murderer of a President would be subject only to prosecution in State courts, as would any other murderer.

Senator Dodd's new firearms bill would require that one seeking to purchase a gun by mail provide both a notarized statement giving name, address, and criminal record, but also an affidavit authenticated by the highest local law-enforcement authority in his community.

The latter provision, presumably, would have prevented Lee Oswald from using a false name to purchase the gun with which he shot President Kennedy.

This will not prevent criminals, of course, from acquiring guns. They can steal them or get them through unlawful channels. The legislation may make it a little more difficult for firearms to get into dangerous hands.

[From the Shawnee (Okla.) News-Star, Dec. 6, 1963]

THE FIREARMS MENACE

The death of President Kennedy has dramatized how easy it is for the mentally deranged and the criminally inclined to buy firearms. Not surprisingly, the tragedy has accelerated moves already underway on Capitol Hill to tighten up Federal firearms laws.

Senator Thomas J. Dodd has been trying for nearly 3 years to combat what he calls "murder by mail order."

Recently, the National Observer reported Senate Majority Leader Mike Mansfield as telling Dodd: "You keep that gun bill. I'm with you."

In August, after a lengthy investigation by his Senate Juvenile Delinquency Subcommittee, Senator Dodd, from Connecticut, introduced a bill aimed at barring mail-order sales of handguns to juveniles, convicted criminals, narcotics addicts, and persons who are mentally incompetent.

Last week, after huddling with law enforcement officers, Senator Dodd broadened his bill to include rifles and shotguns as well as pistols. He also stiffened the bill's enforcement provisions: A notarized statement attesting to the buyer's name, age, address, and criminal record, if any, verified by his local police chief.

No one pretends that this bill, or any other for that matter, will prevent a determined assassin from getting his hands on a deadly weapon.

The bill's backers insist, though, that closer control over the mail-order firearms traffic at least would discourage the casually interested youth from buying firearms.

They believe, too, that the publicity it generates would make parents more aware of the traffic and would pressure pulp magazines and other publications to stop accepting enticing gun ads that appeal to the immature.

During the 1950's a new and ominous trend began. A flood of cheap, foreign-made guns began pouring into the United States.

Authorities estimate that between 5 and 7 million of these guns have entered the country during the past 5 years.

Certainly there is need for some kind of control, and Congressmen need to be encouraged to improve the situation.

[From the Kansas City (Mo.) Star, Dec. 7, 1963]

THE FLOW OF GUNS IS TOO FREE

Agitation for some regulation of the firearms business has followed the death of President Kennedy. Positive action is likely and, we believe, necessary.

The bill proposed by Senator Thomas J. Dodd is a result of nearly 3 years of investigations and testimony. It is no hastily drawn measure, and now it stirs considerable interest.

Primarily, it would prohibit the interstate shipment of handguns ordered by mail to persons under 18 years of age. Anyone who ordered such a weapon would have to enclose a sworn affidavit stating his age and whether he had been convicted of a felony. Dodd wants to amend the bill to include rifles.

The Senator points out that such a law might have made it a little more difficult for Lee Harvey Oswald to order the rifle from Chicago. But there is no possible way to prevent an assassin or a more common criminal type from getting guns. The Dodd bill, however, very definitely would make it harder for young persons to send off for guns without the knowledge of their parents. We think this would be desirable.

There ought to be nothing in impending legislation to work inconveniences against hunters and people who like to shoot at targets. Yet some groups have resisted fiercely any attempts to curtail the ease with which firearms can be obtained. There has been much nonsense about the second amendment of the Constitution which says the citizen shall have the right to bear arms because a well-regulated militia is necessary. This was written when Lexington, Concord, and George III were in the immediate past. We doubt whether the Founding Fathers intended to provide guns for teenage hoodlums.

The Dodd bill is far from a cure-all and certainly it is in no way an oppressive measure. But it does introduce a measure of regulation that might save some lives.

[From the Tampa (Fla.) Times, Dec. 10, 1963]

FOR BETTER CONTROL OVER FIREARMS

The varied comments of five Tampa Bay area law enforcement directors on the subject of firearms controls underline the difficulties involved in drafting tighter, more effective, and constitutional regulations.

Four of the five officials agreed new legislation was needed, but they differed considerably on the specifics of how to control the sale, registration, and possession of deadly weapons. Since these officers find it difficult to agree, it is more understandable why Members of Congress, State legislators and local officials usually have wound up doing nothing when demands for stricter control legislation are heard.

In the wake of the assassination of President Kennedy, however, the demands have arisen again. It is pointed out, for example, that if a bill introduced early in August by Senator Thomas Dodd, of Connecticut, had been approved before the end of that month, Lee Harvey Oswald would have had a more difficult time obtaining the $12.78 Italian-made rifle he used to murder the President.

The Dodd measure to amend the Federal Firearms Act, adopted in 1938, would establish uniform national regulations designed to prevent sale and interstate shipment of firearms to any persons less than 18 years old. A purchaser would be required to submit a notarized statement that he was over 18 years of age and was not a convicted felon. He would be required to certify that he would be violating no local or State law in purchasing the weapon and that his name and address were correctly given.

The fact is that sale of weapons by mail order is a big business in the United States. Such firms buy handguns, rifles, and other weapons in wholesale lots from distributors who buy them from foreign governments as surplus goods. Firearms are plentiful almost everywhere in the country not only for the maintenance of a well-regulated militia which has little use for them but also for children who want to see if they are loaded, for adolescents who want to play Russian roulette, for hopped-up juvenile delinquents who want to imitate the rankest hoodlum and for anyone who happens to get momentarily irritated at his or her spouse.

Many will contend that no single law can keep a lunatic or a determined individual bent upon a career of crime from getting a gun. That may be true. But often a suspect can be held on a comparatively minor charge, such as swearing falsely, while evidence of more serious offenses is checked. Guns may be transferred to new owners or may be left at the scene of a crime. The trail they leave behind, picked up through registration procedures established under the Dodd bill, could be of great help to law enforcement officials.

As this measure moves to the Senate floor for consideration, we trust Senators will resist all moves to add drastic, unworkable, and unconstitutional amendments. Certainly, any law which finally clears Congress should contain nothing which would interfere with the maintenance of a well-regulated militia or the right of respectable householders to keep firearms on their premises for their protection if they so desire.

As it is made more difficult to acquire firearms through the mails and to conceal ownership, there will be less chance for juvenile delinquents, the mentally ill, and the Lee Oswalds to obtain them. On the other hand, regulations which would necessitate needless redtape for law enforcement agencies, domestic arms manufacturers and sporting goods dealers and deny the citizen's right to possess firearms would be a grave restriction of individual liberty. That must be avoided at all costs.

[From the Savannah (Ga.) News, Dec. 7, 1963]

SHORTCOMINGS IN LAWS

The death of President John F. Kennedy has revealed widespread confusion about this country's laws regarding such a tragedy—and in some cases, confusion in the laws themselves.

Such is the case with the law of Presidential succession, which should be made clearer and more effective.

There has been talk, too, of stricter regulation of the sale of firearms. Senator Thomas Dodd and others are renewing pleas for approval of a proposal Mr. Dodd has advocated for some time, aimed at keeping weapons from the hands of convicted felons and children.

Congress may look with favor on the Dodd legislation so long as it does not interfere with Americans' constitutional right to bear arms, which is one of the very first privileges our Founding Fathers sought to guarantee.

But the accused slayer of President Kennedy was neither a felon nor a child. He was a Castroite, a Marxist, and apparently a neurotic, but Senator Dodd's proposed legislation would not have barred his purchase of a weapon. It would require stiffer laws against subversives and Communists to make it more difficult for persons like Lee Harvey Oswald to obtain firearms.

Another legal fact which has surprised many Americans is the lack of existence of a Federal law against assassination. What is even more surprising is that although murder of a President is not a Federal crime, murder of Federal judges is. So is the slaying of U.S. attorneys, marshals, Department of Justice employees, and other types of Federal agents.

Two other ironic notes: It is a Federal crime to use the mails to threaten a President, but not to assassinate one. The Secret Service is not specifically empowered to arrest Presidential assailants. The law states only that the Secret Service is authorized to "protect the person of the President."

Many people believe that investigation of the President's assassination was handicapped by the lack of laws allowing Federal authorities to take immediate charge. Because of this belief, legislation to make assassination a Federal crime is receiving bipartisan backing in Congress. One supporter of such legislation is Senate Judiciary Chairman James Eastland, of Mississippi, who usually opposes extension of Federal powers.

Such are the confusions of existing law, however, that it is not true that the Federal

Bureau of Investigation and the President's special commission have no legal grounds to probe the Dallas tragedy. It is a Federal crime to conspire to injure an officer of the United States engaged in discharging the duties of his office. Therefore Federal agencies investigating the possibility of a conspiracy to assassinate the late President are acting under legal provision.

All this demonstrates the need to reappraise existing laws and to correct any shortcomings. It should be done while the events in Dallas and their ramifications are still very much on Americans' minds.

[From the Casper (Wyo.) Tribune & Star, Dec. 6, 1963]

SMALL ARMS

Senator Thomas J. Dodd, of Connecticut, has long been an advocate of better regulation of small arms without finding much support in Congress.

Whenever the matter has come up in State legislatures, which traditionally bear the regulatory responsibility, sportsmen and gun collectors have instantly sprung to active opposition, a fact of which Members of Congress are well aware.

Moreover, the opposition is keyed to the constitutional right of the people to keep and bear arms.

That, of course, is a right. Also it is a right that grew out of life on the frontiers when a man had to have a gun not only to provide food but to protect himself from hostile Indians as well. It has little bearing on present-day circumstances.

Neither does effective control of small arms infringe on the right of ownership.

Senator Dodd thought to differentiate when he wrote a bill to curb the sale of mail-order guns, to prohibit interstate shipment of firearms to areas where they are illegal, and to prohibit sales to minors and criminals.

The assassination of President Kennedy cast new light on the whole situation, and aroused an active interest in Congress.

Senator Dodd amended his bill to require complete identification of would-be purchasers, authenticated by local law enforcement officials.

The Justice Department recommended that interstate shipment of guns be permitted only between manufacturers and licensed dealers, wiping out mail-order shipments to individuals.

The National Rifle Association, widely recognized as spokesman for those interested in small arms, indicated that it would oppose any rigid regulations, though it had endorsed Senator Dodd's original bill.

Thus, in effect, it broke the united front against any Federal regulation at all. But more will have to be conceded.

President Kennedy was killed by a mail-order rifle in the hands of an expert rifleman with a background of psychopathic disturbance. The legislation now proposed may not have acted to prevent the assassination, but it would have made it much more difficult to carry out.

So far as handguns are concerned, they have virtually no use other than as man-killers. It may be too much to ban ownership, but it would not be too much to insist upon responsibility on the part of the owner, even to the point of registration.

[From the Latrobe (Pa.) Bulletin, Dec. 9, 1963]

STRICTER LAWS NEEDED

In the wake of the assassination of President Kennedy and his alleged assassin there arises the need for more strict security measures.

Heading the list should be more stringent restrictions upon mail-order purchase of weapons.

There should be no hemming and hawing about a movement to make it mandatory for those persons wishing to purchase guns through the mails that they are qualified to do so.

It was this mail-order distribution of firearms that put an Italian rifle in the hands of the alleged assassin of President Kennedy, Lee Harvey Oswald.

It is logical to believe that this whole sordid chain of murders might have been avoided if Oswald were not in a position to arm himself so easily.

Throughout the Nation there should be a tightening of the firearms purchasing laws, and a good start would be the adoption of Connecticut Senator Thomas Dodd's bill now in the Congress.

This law should not necessarily interfere with law-abiding citizens who purchase guns for their collections or by sportsmen. They could easily fill the requirements proposed in the Dodd bill.

The various States could abet this proposal by adoption of stiffer firearms laws, especially those coming into their States from other States.

These statutes may not entirely prevent the acquisition of firearms by criminals, hate-motivated individuals or the demented ones, but it would be the least the Nation and its individual States could do to provide minimum safeguards against the misuse of firearms.

Currently, the attorney general of Pennsylvania is reviewing the Commonwealth's firearms acts to determine whether they are sufficient to block crackpots and criminals from securing firearms.

This is a good move, and if there is a need for stronger laws, then Pennsylvania should take the lead in this direction with the hope that other States will follow.

[From the Norfolk (Va.) Virginian-Pilot, Dec. 16, 1963]

TO KEEP AND BEAR ARMS

The National Rifle Association, which has always blocked gun control laws in the past, is now supporting the bill proposed by Senator Thomas J. Dodd, Democrat, of Connecticut, to prevent the sale of mail-order firearms to criminals, juveniles, and the mentally unstable—all of whom can easily purchase anything from a cannon to a pistol through the mail today.

The bill would prohibit the shipment of guns to felons and persons under 18, tighten licensing requirements for gun manufacturers and sellers, and require mail order houses to comply with the laws of the States into which they ship guns.

A person ordering a gun by mail would be required to furnish an affidavit with his name, age, and address, stating that he is not a felon and the possession of the weapon would not violate a local or State law. He would also have to furnish the name of the chief local law enforcement officer, and the mail order house would have to mail a copy of the affidavit and a description of the gun to the law officer by registered mail and could not ship the weapon until receiving a receipt of the arrival of the letter.

Those who oppose any and all control of guns rely on the second amendment to the Constitution, saying that "the right of the people to keep and bear arms shall not be infringed." But they forget that the amendment in full, is "A well-regulated militia being necessary to the security of a free state, the right of the people to keep and bear arms shall not be infringed."

The courts have explicitly held that the second amendment does not guarantee the individual the right to keep and bear arms, and also have held that it does not restrict the regulation of arms by the several States, such as licensing laws patterned after the Sullivan law in New York.

The right to bear arms under the second amendment is clearly limited to the preservation of "a well-regulated militia" (*United States* v. *Cruikshank*, 1875; *Presser* v. *Illinois*, 1885; *United States* v. *Miller*, 1939). It is not guaranteed to hunters or skeet-shooters, or to holdup men, or to snipers.

A little inconvenience to the individual is small price to pay for protecting society as a whole. There can be no doubt that the indiscriminate traffic in weapons contributes to crime in the United States. The doubt indeed is that the Dodd bill goes far enough in regulating such traffic. And the regret is that it takes a Lee Harvey Oswald to assure the bill's passage.

[From the New Brunswick (N.J.) Home News, Dec. 15, 1963]

GUNS BY MAIL

Let us hope that the assassination of President John F. Kennedy has so affected the consciences of National and State lawmakers that they will not hesitate to adopt new restrictions on the sale and possession of firearms.

A complete ban would be impractical and dangerous. Americans are guaranteed the right to bear arms by the U.S. Constitution and the chances of getting rid of that provision are slim indeed. Such a law would also make life even more precarious for peace-loving citizens. We are reminded of the days of prohibition when many previously law-abiding folks were forced to obtain alcoholic beverages from illegal sources. A period of lawlessness followed from which this country has not yet recovered.

Similarly, a ban on personal weapons would drive honest gun fanciers underground and provide gangsters with another source of revenue. It is hard to believe that the illegal traffic in guns and other weapons would not increase if the right to bear arms was somehow taken away.

This does not mean, however, that new laws making it more difficult for people to acquire and own firearms should not be enacted. Present Federal and State laws are definitely inadequate if they allow the likes of Lee Harvey Oswald to purchase a rifle through a mail-order house. Senator Thomas J. Dodd, of Connecticut, on the Federal level and Attorney General Arthur J. Sills on the State level have both offered reasonable suggestions for the further regulation of firearms.

Again, let us hope that our legislators will take these suggestions seriously and act on them.

[From the Kansas City (Kans.) Kansan, Dec. 4, 1963]

FIREARMS REGULATION

Agencies existing for the preservation of the right to bear arms in the United States have become unusually vigilant to counter, if need be, any move to restrict sale of guns.

And such moves rightly have been started. Senator Thomas Dodd, Democrat, of Connecticut, introduced a bill to tighten existing firearms laws 4 months ago. He has had assurances, since the death of President Kennedy, that action on the proposal will be expedited.

J. Edgar Hoover, Director of the FBI, declares that the easy accessibility of firearms has contributed significantly to the Nation's crime problem. In 1962, there were 3,920 murders by firearms in the United States.

In many cities it is legal for an adult, even though he may be an ex-convict, drug addict, alcoholic, or mentally ill to buy a gun. It is even easier through a mail-order house. Any person, adult or child, may obtain a gun if he sends enough money and states on a form that he is 21 or over. A person with a criminal record can get a gun by using a phony address and assumed name.

The Federal Firearms Act of 1938 controls interstate and foreign shipment of all types of guns. A dealer license to trade in guns costs but $1. The law is regarded as too lenient.

Only seven States—Hawaii, Missouri, Massachusetts, Michigan, New Jersey, New York, and North Carolina now require a permit to buy a gun. Texas has no firearms regulations.

Sale and purchase of firearms is one of the American freedoms which may need to be curtailed in the interest of saving lives. It is admitted by experts, however, as expressed by Senator Paul Douglas, Democrat, of Illinois, that in a period of high-powered rifles and telescopic sights it is almost impossible to protect the President from the mentally deranged.

Keeping the dangerously deranged out of circulation is as difficult as keeping dangerous guns away from those who like to carry guns.

[From the Kansas City (Mo.) Star, Dec. 5, 1963]

Protecting the President

(By the Arkansas Gazette)

As if we had not already been made only too aware of it, experts on the subject have reminded us that there is no way to guarantee the safety of the Chief Executive's person. Here, as in other areas, there can be no such thing as absolute security.

We also know—too late—that something less than maximum security was maintained on the Kennedy party's ill-starred visit to Texas, starting first with the late President himself and his characteristic lack of physical fear, coupled with a false sense of well-being induced by the early crowd responses. The slackness was compounded all the way along the line by the most incredible sorts of coincidence, mischance, and bumbling.

No amount of second-guessing will bring Mr. Kennedy back. There are, however, one or two things that might be done to make the assassin's task somwhat more difficult in the future.

It should not be beyond the ingenuity of our lawmakers to draw up somewhere inside our existing constitutional framework a statute that would give the Federal authorities jurisdiction over cases involving the assassination or attempted assassination of Federal constitutional officers.

Some degree of control over the interstate movement of firearms by mail clearly can be accomplished by statute. Indeed a bill by Senator Thomas J. Dodd of Connecticut designed to accomplish just such an end is already pending in Congress.

In the nature of things, both proposals would be calculated to receive their strongest opposition from persons and groups that profess the most concern for "States rights" and for the citizen's supposedly unrestricted right to "bear arms" for any and all purposes.

It is true enough that the bulk of the work in more sensible gun-control legislation must be done at the State and local level, although it most conspicuously is not being done in most places at the present time.

It is not, after all, as if we had not been over some of the same ground before. Most of the Federal gun-control laws already on the books date from the early 1930's, when some of the same objections to any kind of restrictions also were heard. Then, interestingly enough, sentiment for still stricter legislation had been provoked, not so much by the preinaugural attempt upon the life of Franklin D. Roosevelt as by the cumulative effect of headlines dealing with the rise of gangsterism in the twenties and thirties.

On the larger immediate point, however—which is jurisdiction over Presidential assassination cases—fewer Americans than ever will be prepared to make the traditional obeisances to States rights after witnessing the harm done to the larger national interests by the inept end performance of local authorities at Dallas.

Here again, it is not as if some jurisdictional precedents did not exist. It was Representative Charles E. Goodell, Republican, of New York, speaking last week in support of a joint congressional investigation of the tangled events at Dallas, who noted that the act of shooting a game warden is a Federal crime, but that the act of shooting a President is not.

(By the St. Louis Post-Dispatch)

Few issues kindle such an emotional response as the debate over firearms regulation which invariably flares up in the wake of a publicized crime. The controversy is enmeshed in a web of complex Federal and State laws which sportsmen generally do not want stiffened. They cite the second amendment as affording constitutional backing for their position. Others, holding the amendment to be misinterpreted and outdated, would limit, or even eliminate, the private possession of deadly weapons.

Mr. Kennedy was killed with an Italian surplus military rifle, one of 5 to 7 million surplus foreign weapons imported in the last 5 or 6 years and sold at low prices, many by mail. Mr. Kennedy, as a Senator, tried unsuccessfully to bar these imports in 1958, but only to protect Massachusetts arms manufacturers. Mr. Kennedy was a member of the National Rifle Association, the principal organization opposing stricter laws. Through the director of civilian marksmanship and the NRA, the U.S. Government itself sells surplus weapons to sportsmen at low prices.

Rifles and shotguns usually present no real problem. They are sold to hunters, collectors, and marksmen. They are usually repeaters like the Italian gun, or semiautomatic weapons. True automatic weapons are not obtainable through commercial channels. There are few restrictions on the sale of rifles and shotguns, and their use in crime is rare.

Pistols and revolvers, which can be concealed on the person, are another matter. Their purchase has been regulated in Missouri for years, but in many States it is not. Now, high-powered revolvers are coming into use as hunting weapons, but basically handguns are useful for law enforcement, target shooting, home protection, collecting—and crime. Few could object to stricter laws governing the mail-order sale of handguns as set forth in the Dodd bill. A resident of Missouri cannot buy such a gun by mail without a police permit, which is a fair restriction. A similar law on the Federal level might prove desirable.

[From the Trenton (N.J.) Times, Dec. 3, 1963]

Still There Are Guns

Depressing accounts of spreading banditry continue to turn up in local news budgets.

For example, there was the holdup of a service station at a busy Morrisville intersection. Again, a man walking on North Willow Street in Trenton was robbed of his wallet.

These crimes were not carried out with stealth. Instead, they were characterized by the boldness required to risk capture in public places.

What reinforces that boldness and adds to its threat to every citizen is the use of guns—weapons of death in the hands of desperate men willing to venture to the edge of murder. The slightest resistance, the faintest alarm could trigger a capital crime.

Such things go on in spite of the national wave of revulsion that followed assassination and subsequent murder in Dallas. They should spur the pressure by Attorney General Sills and the State's prosecutors who seek laws to tighten the reckless distribution of firearms readily obtainable in mail order houses.

There are few restraints now, but they may be coming. Senator Dodd, Democrat, of Connecticut, has introduced legislation to deny such weapons to juveniles, mental defectives, and persons with criminal records. A purchaser would be compelled to swear before local authorities that he would not transfer ownership of a gun.

Dodd's bill is being redrafted now in tougher language, and it may pass, providing the constitutional guarantee of the right of citizens to bear arms can be accommodated. Dodd's investigators believe hundreds of thousands, perhaps millions of guns have been sold through the mail.

Weapons ordered from out of State are hard to control. "There is anarchy in the sales of weapons in the United States," asserts Col. Minor Wilson, of the Chicago police force. The mail traffic in guns represents nullification of State codes. Federal laws should be enacted to regulate indiscriminate buying.

The work of enforcement would be made easier if the police were empowered to know who has a gun and why he has one.

[From the Kokomo (Ind.) Tribune, Dec. 4, 1963]

Control of Gun Sales

If the bill sponsored in Congress by Senator Thomas Dodd, of Connecticut, to tighten existing firearms laws, will make it more difficult for men like Lee Oswald to obtain lethal weapons, it will serve a real need. It has been easy for people with homicidal tendencies to obtain guns in this country.

Oswald got the $12.78 Italian rifle and telescopic sight with which he has been accused of assassinating President Kennedy, from a mail-order house in Chicago. This particular model of rifle has deluged the United States to the dismay of domestic sporting arms manufacturers, who concede that the weapon is extremely accurate despite its shoddy appearance.

The Dodd bill would ban interstate shipment of firearms to minors and criminals. Also, it would require that local gun laws be complied with when ordering such weapons by mail.

Not only is the Government considering stricter controls on the arms traffic, but in some private quarters steps toward better control are being reported. For example, Sears, Roebuck & Co. is pulling gun ads from its catalogs.

Senator Dodd proposes to prevent the shipment by common carrier of mail-order handguns to juveniles, increase the Federal Firearms Act dealer's license fee from $1 to $10, require that applicants for such licenses be 21 or over, provide for the marking of packages containing guns to include the number and type of weapons, provide that a mail-order purchaser enclose a sworn affidavit with his order to establish his true age, address, and criminal record.

Despite all these provisions, it probably still will be possible for people intending malice to obtain guns. Affidavits may be forged, applicants may lie about their past, and so on. There would be no sure way of preventing people like Oswald from obtaining weapons for evil purposes. Still, the Dodd bill might reduce the number of weapons sold to individuals of this kind, and if it would do that it would serve a useful purpose at least to some extent.

Only seven States—Hawaii, Missouri, Massachusetts, Michigan, New Jersey, New York, and North Carolina—require a permit to buy a gun. These seven, plus the District of Columbia, also require a waiting period between purchase and delivery. Only 21 States plus the District of Columbia have laws that dealers must obtain licenses to sell handguns at retail. Texas has no firearms regulation at all.

A much more widespread requirement for permits to buy guns would be helpful. In the case of Indiana, this would be a good step for the 1965 legislature to take.

[From the Knoxville (Tenn.) Journal, Dec. 10, 1963]

Put Weapons on Record

Drew Pearson has called attention to the fact that had a bill been enacted as introduced by the then U.S. Senator John F. Kennedy in 1958, importation of the rifle which took his life would have been impossible. The Kennedy bill would have stopped the importation of surplus military arms such as the Italian-made rifle used by Lee Harvey Oswald in Dallas.

Conceding the columnist's conclusion to be correct, there will be few who will not recognize that any determined assassin will find it possible to obtain a gun for his purpose, regardless of whether it is an import or is manufactured in this country.

We suspect a majority of American citizens would oppose any move to void their constitutional right to own firearms, most of which are bought for peaceful purposes. The conclusion of most citizens would be that any law or amendment to the Constitution barring purchase and ownership of firearms by citizens would represent an undesirable shift of physical power to the lawless and violent element in this or any other country. One might be certain that even if law-abiding citizens could not obtain firearms, thugs and gangsters would continue to do so even if it were necessary to set up a wholesale smuggling operation for the purpose.

It is obvious, however, that the right of citizens to buy firearms can be easily preserved while at the same time providing the public with some protection against indiscriminate ownership. Nobody thinks of barring the sale of automobiles because these vehicles are frequently the cause of fatalities. Governmental agencies do, however, in every State require the registration of their ownership, a process which not only produces substantial revenue but provides a ready means for tracing responsibility in the case of either bodily harm or property damage resulting from operation of a motor vehicle.

Though we are required to register automobiles and as drivers to own licenses, only 7 States require a permit to purchase a gun. The only State which requires a license to possess a pistol is New York. Hawaii is the only State where guns must be registered. Dealers are required in only 21 States to obtain licenses to sell handguns and the only State which prohibits the sale of such guns is South Carolina.

The tragic assassination of our late President emphasizes the need for either universal action by State legislatures, or for national legislation such as has been proposed by Senator **Thomas Dodd**, of Connecticut, to make it necessary for records on firearms sales to be kept, or perhaps a licensing system established to make it difficult for just anybody who wants possession of a weapon to be able to buy one. Investigation has revealed that perhaps 25 percent of the mail-order weapons purchased are delivered to individuals who have criminal records.

We hope that at the next session of Congress Senator **Dodd**'s bill will receive support sufficient for enactment along with whatever amendments are felt necessary to make the legislation effective.

[From the Dallas (Tex.) Times Herald, Dec. 5, 1963]

Gun Problems

Long before the assassination of President Kennedy there was a strong movement to impose controls over mail-order sales of guns. Now Senator **Thomas Dodd**, of Connecticut, has asked the Treasury Department to recommend changes it wants to stiffen the Federal law regulating interstate shipment and sale of firearms.

The Treasury Department recommends banning importation of used foreign-made guns (which avoid the high U.S. tariff by coming into the country disassembled as spare parts). It asks shippers be made to notify REA Express whenever they are sending guns from one State to another (Post Office regulations are so stiff most guns are sent via REA Express). Treasury wants closer supervision of licenses to sell weapons interstate (currently: payment of a $1 fee totals the procedure), and asks that the recipient of a weapon swear out an affidavit as to his age, mental condition, correct name, and address.

(Ironically, when President Kennedy was a Senator he introduced a bill to outlaw importation of weapons such as the one used to kill him. The bill was defeated.)

Stringent regulations on sale and distribution of firearms will not of themselves stop the use of firearms in murders or other shootings, of course. But one alarming fixture of American life is the ease with which anyone, of any age or mental condition, can lay hands on a firearm.

Firearms, like alcohol, have their beneficial aspects but it is growing more and more evident that more responsibility for their possession and use must be accepted in our crowded society. It is to the best interests of hunters, collectors and other legitimate owners that some check be held over those who have no business with a gun. Society recognizes this fact, psychology and criminology bow to it. It's time the law took greater cognizance of it.

[From the Brattleboro (Vt.) Reformer, Dec. 17, 1963]

Mail-Order Firearms

Recently dying (or at least breathing hard), a bill regulating the sale of firearms by mail-order firms has now been resuscitated in the Senate Commerce Committee. What gave it new life was the shocking assassination—with a mail-order rifle—of President Kennedy. The legislation may not be passed quickly. And it may be watered down more than its supporters would have it, but some manner of vitally needed law in this field can now be expected to pass Congress.

The National Rifle Association, one of the past stumbling blocks toward enactment of this legislation, has finally agreed to go along with Connecticut's Senator **Dodd** on a measure which would make it difficult for children and criminals to buy pistols through mail-order concerns. Some feel the NRA will give its blessing, also, to an amendment including rifles.

In an oversimplified position that is open to considerable rebuttal, the NRA has argued that Americans should have the right—indeed, be encouraged—to arm themselves both for personal protection and for hunting and target practice. The rifle association declares that a basic deterrent to communism and other sources of subversion is an armed populace.

Beyond the bill's intent to curb crime and violence and to deter the young and the unqualified—psychologically or otherwise—from acquiring firearms through the mails, this pending legislation would also protect domestic manufacturers from an invasion of their market by firms dealing in cheap imports that are often castoffs of European nations which have declared the arms to be surplus and have switched to more modern weaponry.

Let us grant the NRA and its 600,000 sportsmen members the hunter's right to buy firearms through sporting goods stores—so long as the stores are tightly regulated in the sale of weapons.

But, let us also put an end to the oh-so-easy mail-order nonsense, which is quite another thing; let us tell our voting Senators and Congressman that we object to a youngster or a mentally twisted potential sniper being able to shop for arms through the relative anonymity of the Post Office Department.

[From the Columbus (Ind.) Republican, Dec. 2, 1963]

Gun Sale Control

"A well-regulated militia being necessary to the security of a free state, the right of the people to keep and bear arms shall not be infringed."

This is article II of the Bill of Rights, written in 1789 and defended strongly by many groups who emphasize that the right to keep arms is one of the Nation's best defenses against military takeovers.

These groups have a good argument, but courts have ruled that the right to bear arms can be denied drunkards, dope addicts, minors, mental incompetents, and known felons. No one can find room for argument with these restrictions, but there are loopholes in the firearms licensing laws. Both J. Edgar Hoover, head of the FBI and a strong supporter of individual rights, and the National Rifle Association, a sponsor of proper use of firearms by individuals, have urged that these loopholes be closed and that licensing laws be stricter.

Senator **Dodd** of Connecticut introduced legislation in Congress last August 2 to close some of these loopholes. It would create a uniform national law preventing shipment of firearms to anyone under 18 and requiring the purchaser to get a notarized statement that he is over 18 and has not been convicted of a felony and to produce certification that no local law is violated by the purchase and that the name and address are given correctly.

The bill would not prohibit interstate shipment of firearms, but merely control it. Neither would the bill stop murder by bullets, but it would bring a little more order in the slipshod administration of existing firearms rules and regulations.

[From the Boston (Mass.) Christian Science Monitor, Dec. 10, 1963]

Mail-Order Murder, U.S. Style

The Christian Science Monitor has just published a shocking series of articles on guns that can, oh, so easily, be ordered by mail.

It's particularly shocking in Utah because this State lacks regulations that other States use to curb the weapon traffic.

Both Sheriff LeRoy Hadley of Weber County and Ogden City Police Chief Harry Needham feel the Utah Legislature should face the facts at its next session and enact control regulations.

Just a few days ago, there was a gunplay incident in an Ogden bar. No one was injured. But the hazard was there. And the gun was of a type favored by the "murder by mail" establishments.

The only antigun law in Utah makes it illegal to carry a concealed weapon. If police halt a suspicious driver and find a pistol on the seat of a car, they can do nothing about the gun. They can arrest the owner only if he hides it.

Chief Needham contends "this is basically all wrong. I feel every gun should be registered."

In its series, the Monitor pointed out that mail-order guns figured in several instances of recent racial violence. A Senate subcommittee on juvenile delinquency was told that 18 shipments of firearms were delivered by express to 77 cities in Alabama over a 2-month period this summer.

Director J. Edgar Hoover of the Federal Bureau of Investigation feels the easy accessibility of firearms is a major factor in America's crime problem.

Peddlers of the weapons shrug their shoulders when questioned. As one dealer testified, after a gun he'd sold figured in a murder, "I didn't break the law, did I? If they've got the money, I sell the gun. I'm not responsible for what they do with it."

Senator Thomas J. Dodd, Connecticut Democrat, has introduced a bill to strength firearms laws. It's now before the Senate Commerce Committee.

Congressional enactment of the Dodd firearms bill would be an important step toward curbing "murder by mail."

[From the Minneapolis (Minn.) Tribune, Dec. 24, 1963]

Support for the Mail-Order Gun Bill

The National Rifle Association (NRA) has been a consistent and militant champion of the right of the law-abiding American citizen to keep and bear arms. The fact that it supports the Dodd bill to regulate the sale of firearms in interstate commerce therefore assumes special significance. It gives assurance that the bill contains no unreasonable restrictions.

The measure as it has been amended and approved by the NRA applies to all firearms, not handguns only. Sponsored by Senator Thomas J. Dodd, Democrat, of Connecticut, it prohibits the sale of mail-order weapons to persons under 18 years of age and to those who have been convicted of a felony. An affidavit would be required setting forth the would-be buyer's name, address, age, and criminal record, if any. It would also state whether or not the purchase would be contrary to local or State law.

A copy of this affidavit would go with the gun's description to the local police as a matter of record but not for authentication. Senator Dodd makes it plain that his bill does not "place in the hands of police authorities any discretion as to who should and who should not obtain weapons."

Franklin L. Orth, the NRA's executive vice president, was asked at a Senate hearing if his organization objected to the inclusion of rifles in the bill. He answered: "Do you think anyone who calls himself an American can object to placing in this bill the instrument that killed the President of the United States?"

The NRA is still opposed to many gun controls, including the registration of firearms at any level of government and the requiring of licenses to purchase or possess firearms. But it has joined with law enforcement officials, the arms industry and the Justice, Treasury, Commerce, and State Departments in supporting the Dodd bill.

This bill will not accomplish miracles but it will help keep mail-order weapons out of irresponsible and criminally disposed hands. We urge that it be passed.

[From the Wheeling (W. Va.) Intelligencer, Dec. 16, 1963]

Mailed Death—Federal Control of Mail-Order Sale of Firearms No State Infringement

This newspaper has been a longtime champion of the doctrine of States rights, disposed to look with apprehension at the steady trend toward centralization, the extension of Federal authority at the expense of State sovereignty. Nevertheless, it believes the idea of States rights has been stretched too far in opposing a pending bill for the control of mail-order sales of firearms, just as the commerce clause heretofore has been distorted in covering the extension of Federal authority.

The measure in question is designed to deal with a condition disclosed by the assassination of President Kennedy. That condition is the lack of any control of firearm traffic by mail. Anybody, apparently, can send away to a mail-order house and buy a firearm as Lee Oswald did and thereafter account to nobody for it. The bill proposes that such transactions be accompanied by affidavits calling for pertinent information, and provides for the verification and filing of that information.

The objection of opponents, as voiced by Senator Hickenlooper, Republican, of Iowa, is that the regulation would impinge on the police powers which our Constitution so wisely reserved to the States. Should this be done in the matter of firearms, the Senator warned, there is no end to the legislation involving criminal acts to which such a precedent would lead. We would be, in effect, establishing a police State.

The Senator, we think, is unduly alarmed. After all, as this newspaper understands it, the regulations would apply only to mail-order transactions which are, we would think, clearly interstate in character and thus properly within Federal jurisdiction. The apparent purpose is to cover a no-man's land of control which the States are powerless to police and which the Federal Government thus far has failed to. That it is an area of large scope and great lawless potential may be judged from the fact, as reported by Senator Dodd, of Connecticut, that incomplete figures for 1963 show the sale by mail of approximately a million weapons ranging from small caliber pistols to light artillery.

Somebody should control this traffic. That the pending bill proposes. It may need some modification as to detail, but the principle on which it rests seems quite sound.

[From the Beckley (W. Va.) Post-Herald, Dec. 22, 1963]

Gun-Totin' Era Should Be Ended

Despite widespread public concern over the traffic of mail-order firearms, legislation designed to control this flow of weapons is running into opposition.

It is certain that no legislation should be passed as an emotional reaction to a national tragedy. Nor should legislation be enacted to rid a nation of guilt feelings or to strike back at an indefinite foe.

In August, Senator Thomas J. Dodd, Democrat, of Connecticut, introduced a bill which would make it more difficult, if not prevent, the shipment of mail-order handguns to juveniles, dope persons, and criminals. Immediately following the assassination of President Kennedy, in which a $12.78 mail-order carbine was said used, Dodd amended the bill to include rifles as well.

Opponents of the measure began their attack as soon as the bill was placed in the legislative hopper, with the National Rifle Association leading the pack.

This opposition has thus far succeeded in a weakening of the measure, which still has not been acted upon. The NRA says it is not opposed to keeping firearms out of the hands of undesirables—as long as no sportsman has trouble obtaining whatever weapons he wants to purchase.

The NRA, which claims to represent more than 600,000 members, clearly wants no controls placed on firearms traffic, regardless of the effects. With some 190 million people in this country, it is amazing that such a small portion of the population can obtain what amounts to special privileges, while the lives of many others are endangered at the same time.

Dodd recently pointed out that since June 1, some 131 persons have been killed or injured in New York City with mail-order or foreign-made guns. In Washington, D.C., since January 1, he says, some 72 persons were arrested in a single precinct using mail-order or foreign-made weapons in the commission of crimes.

Dodd's initial legislation was introduced long before the death of President Kennedy. The need for it has existed for a long time. In fact, the killing of the President only illustrated the need for laws that police and other interested parties have been seeking for years.

The laws proposed by Dodd would, at best, be very difficult to enforce. We feel that much stronger laws are actually needed—at the State as well as Federal level. And provisions could be made to obtain, perhaps through their official organizations, any reasonable weapon.

We feel it's time to end the gun-totin', lawless era of American history once and for all. After all, we are supposed to be civilized.

[From the Providence (R.I.) Bulletin, Dec. 2, 1963]

More Teeth for the Gun Bill

Senator Dodd, sponsor of a proposed bill restricting mail-order sales of guns, is properly trying to strike while the iron is hot. Further, he is trying to toughen the bill appreciably through the tragic opportunity provided by President Kennedy's death. That a U.S. President was assassinated in this day and age is a calamitous and stupefying event that the Nation will regret until the Republic falls. That so dear and important an American could be so easily shot is infuriating; that he was assassinated with a cheap, foreign-made war surplus gun costing $12.78 and which any paranoid can now get, cries out that the Nation must come to its senses about this wretched traffic in weapons.

Yet Senator Dodd was no sooner up and about in this sensible business than the first squirmings from the rifle and revolver fraternity became clear. They see in the Senator's bill only the sinister cancellation of the constitutional right to bear arms. This is the kind of thinking that now bulwarks the Constitution's 2d amendment, but that must now be adapted to the realities of mid-20th-century life.

Senator Dodd will have tough going, we predict, incredible though the resistance may seem. Gun lovers and weapons fanciers up and down the land will clamor that it's the act of murder that needs attention, not the gun laws. In short, if the Senator is going to restrict mail-order-gun sales, then he must look to other weapons, too—bread knives, rocks, and nylon stockings. It would be pleasant if the gun lovers took some time to cooperate in writing effective controls on mail-order sales—perhaps even as much time as they are spending on attacks on the Dodd bill.

[From the New York (N.Y.) Times, Dec. 14, 1963]

Regulating Firearms

Laws designed to regulate the indiscriminate shipment and ownership of dangerous weapons must be tightened.

Local authorities have the right to know the real name and address of every person who owns a rifle or other firearm. A man and the weapon he shoots should be registered for the common safety; there is no need in the United States today for unknown private arsenals.

There are those who argue that to have a shooting iron over the mantlepiece (or one hidden in the garage) is the constitutional right of every citizen and good for the country in time of peril. But they seldom cite the full constitutional reason for this "right to bear arms," as propounded by the Founding Fathers. The whole of the second amendment reads: "A well regulated militia, being necessary to the security of a free State, the right of the people to keep and bear arms, shall not be infringed."

When the Bill of Rights was drawn, it was clearly emphasized that the reason for the amendment was to assure the security of a free State through a militia rather than by standing armies alone. The right to bear arms is not merely a personal right; and the Supreme Court has so interpreted the second amendment in this century. When the National Firearms Act of 1934 regulated and taxed the transfer of certain types of firearms (including machineguns), the Supreme Court held that to require registration of such arms was not an unconstitutional usurpation of police power reserved to the States. Carrying a sawed-off shotgun, the Court said, does not further in any way the preservation of a well-regulated militia.

Those who argue against registration also say that weapons will always find their way into the hands of criminals, while the good citizen and the legitimate hunter will be needlessly harassed. But because criminals will break laws does not mean that the laws are wrong and should not be on the books. There are motorists who drive at 80 miles an hour on turnpikes; should we abolish the speed laws to accommodate the lawbreakers? What legitimate laws for the common safety always do require is better law enforcement.

There can be little doubt that the easy availability of dangerous weapons contributes to crime in this country. Of course, it is the man, not the weapon, that pulls the trigger. But, under the second amendment, Federal and State authorities can and should regulate the indiscriminate sale of the weapon to the man.

Registration will be a small inconvenience, as are most exercises of police power, but it may prevent great tragedies.

[From the Cleveland (Ohio) Plain Dealer, Dec. 17, 1963]

DRY UP THE SOURCE

Mail-order sale of handguns—guns capable of concealment—should be curbed.

These are the guns which are cheap and usually inferior, which are not sought by sportsmen and respectable citizens but by the lunatic fringe and the criminal element.

The Senate Commerce Committee is considering a bill which would curb this business—a bill introduced by Senator THOMAS J. DODD, Democrat, of Connecticut. It is significant that the bill was drafted with the assistance of the National Rifle Association.

Anyone buying a handgun in Cleveland, East Cleveland, Parma, and Lakewood first must get a police department permit. Elsewhere in this area a permit is not necessary, although it should be. Anyone can buy a rifle or a shotgun without even giving his name or address.

There is no easy answer to the gun problem. The Federal Firearms Act, passed by Congress in 1938, attempts to minimize sale of any firearms, ammunition, and silencers to lawless elements. It contains licensing provisions, restrictions on shipments in interstate commerce and a ban on the transportation of weapons from which the serial numbers have been removed. The law is still on the books, but has not been widely enforced.

The differences between DODD's bill and the 1938 bill include the following changes: Shipment of guns to persons under 18 would be prohibited; anyone ordering a gun would be required to send a notarized statement that the name he sent was the right name, the age the right age, the address the correct address, and to state whether he had ever been convicted of a felony and if he had complied with all State and local laws.

It would be mandatory for the seller to send a duplicate of the answers to the highest police authority in the purchaser's home area. Before a dealer shipped a gun to a purchaser he would be required to send a copy of the bill of sale to local police.

Senate bill 1975 sounds as if it would help in a bad situation.

[From the San Francisco (Calif.) Examiner, Nov. 29, 1963]

THE MAIL-ORDER MURDER TOOL

The assassination of President Kennedy has shocked this Nation into realization of the too-ready availability of firearms.

Mr. Kennedy might be alive today were it not for the fact that any crackpot or hoodlum can purchase the tools of murder by mail.

For the deadly imported carbine that fired the fatal shots in Dallas was purchased from a Chicago mail-order house for $12.95.

Thus, a catalog, a postage stamp, and a money order added up to death—just as they have so many times before.

The tragic death of our late, great President should arouse Congress to the need to curb this traffic in murder through the mails. It should give immediate consideration to the legislation drafted by Senator THOMAS J. DODD, Democrat, of Connecticut, and Representative JOHN M. MURPHY, Democrat, of New York, which would—

Require every purchaser of a mail-order weapon to supply a sworn affidavit that he has no criminal record and is a reputable person; and

Bar the sale of lethal weapons to persons under 18.

We also believe that rifles and shotguns should be licensed just as pistols are.

We are well aware that such licensing has been opposed by hunters and gun enthusiasts who argue that this would abridge the constitutional right of the people to bear arms.

The right of the people to bear arms is a relic of a frontier society when constituted authority was spread thin and every man had to be his own protector.

Surely, any sportsman knows that a gun is a dangerous weapon in the wrong hands. Why should legitimate gun club members and hunters object to obtaining gun licenses any more than they object to the need for hunting licenses?

We think that the great majority of the people of the United States feel strongly that the time has come to restrict the sale of firearms—of all sizes and shapes—to adults whose character is vouched for by the local authorities.

The Federal Government can control the distribution through the mails. The States themselves must pass their own form of legislation governing possession and local sale.

[From the Denver (Colo.) Rocky Mountain News, Nov. 30, 1963]

THE TRAFFIC IN GUNS

The least that should be done by Congress, concerning the sale of firearms is to pass the bill just tightened up by Senator THOMAS J. DODD, of Connecticut.

The assassination of President Kennedy with a $12.78 mail-order rifle is a terrible reminder of careless neglect in this field.

Under present regulations it is amazingly true that a child, a narcotics addict, a known criminal with as little as $5 can buy a gun.

The easy accessibility of firearms, says J. Edgar Hoover, contributes significantly to the crime problem. Firearms were used in 3,910 homicides last year. Only seven States require permits to buy guns. Only 21 license dealers. The State of Texas has no firearms regulations at all.

Colorado's restrictions pertain only to concealing lethal weapons. This newspaper for many years has urged stiff gun controls. Dr. E. U. Condon, University of Colorado physicist, joined the ranks of citizens asking for sterner gun controls.

Even under Senator DODD's proposal, firearms still could be bought without severe restrictions. Any legislation must be drafted with the second amendment to the Constitution in mind—article 2 of the Bill of Rights which provides:

"A well-regulated militia being necessary to the security of a free State, the right of the people to keep and bear arms shall not be infringed."

Memory of the self-armed Minuteman at Lexington and Concord may have prompted this amendment, but security requirements have changed radically and repeal of this amendment should be considered.

Meanwhile DODD would require, for the purchase of a gun, an affidavit stating age, name, address, and criminal record, if any. It would have to be certified by the highest local law enforcement authority in the purchaser's home community.

Persons requiring guns for sport would not be seriously inconvenienced by this regulation. Both sportsmen and manufacturers have approved most of the bill.

We feel certain, along with DODD, "that the responsible, law-abiding sportsmen and gun owners * * * will be willing to tolerate what I feel is only a slight inconvenience at the worst * * * what more do we need than the death of a beloved President to arouse us to place some regulation on this traffic in guns used for crime?"

[From the New Orleans (La.) States & Item, Nov. 29, 1963]

WEAPONS EASY TO GET

Three months ago Senator THOMAS J. DODD, Democrat, of Connecticut, introduced a bill in Congress seeking to curb indiscriminate, mail-order distribution of lethal weapons.

This legislation, thus far ignored by the Nation's lawmakers, would have prohibited interstate shipment of guns to persons with criminal records or those who can't, by sworn affidavit, establish that their past experiences are free of suspicious circumstances.

At the same time this newspaper urged the Nation's lawmakers to give their attention to Senator DODD's proposal.

Prompt passage of this legislation would not, of course, have prevented Lee Harvey Oswald from acquiring the high-powered weapon said to have killed President Kennedy. For Oswald had already received delivery on the rifle long before the measure was proposed.

But one can hardly disagree with Senator DODD's intimation that ready availability of lethal weapons ought to have been restricted long ago.

Going back to 1955, the Senator has noted that between that year and 1960, when the juvenile population increased by 25 percent, the number of youngsters arrested for carrying guns increased 50 percent.

How many persons—juveniles then, but currently young adults, as was Oswald—are now armed with weapons whose acquisition posed no particular problem?

The number could be considerable, since the owner of the Chicago sporting goods firm from which the alleged assassin bought his rifle says that hundreds of such companies are in existence across the Nation.

[From the Seattle (Wash.) Post Intelligencer, Nov. 30, 1963]

MURDER

The assassination of President Kennedy has shocked this Nation into realization of the too-ready availability of firearms.

Mr. Kennedy might be alive today were it not for the fact that any crackpot or hoodlum can purchase the tools of murder by mail.

The imported carbine that fired the shots in Dallas was purchased from a Chicago mail-order house for $12.95.

A catalog, a postage stamp, and a money order added up to the death of a President.

Congress should curb traffic in murder through the mails. It should give immediate consideration to legislation drafted by Senator THOMAS J. DODD, Democrat, of Connecticut, and Representative JOHN M. MURPHY, Democrat, of New York, which would require every purchaser of a mail-order weapon to supply a sworn affidavit that he has no criminal record and is a reputable person.

We also believe that rifles and shotguns should be licensed just as are pistols.

The right of the people to bear arms is a relic of a frontier society when constituted authority was spread thin and every man had to be his own protector.

The Federal Government can control the distribution through the mails. States themselves must pass their own form of legislation governing possession and local sale.

[From the Rapid City (S. Dak.) Journal, Nov. 29, 1963]

MURDER BY MAIL ORDER

How many rifles and shotguns, pistols, and revolvers are there in the United States?

The number couldn't be counted because many people do not list weapons on their personal property tax returns, the records of import weapons is incomplete, and there are guns of antique value which still fire.

The assassination of President Kennedy with a $12 rifle equipped with a $4 scope bought through the mail puts new emphasis on a measure proposed to Congress and the Senate Commerce Committee is looking at it, perhaps with a new view.

Crime is easier when mail-order guns are available to anyone who bothers to clip the coupon and send the money to so many stores in the United States. The advertisements run in magazines of several descriptions, including the bona fide sportsmen's periodicals.

The Senate committee has taken no action on the proposed legislation which would crack down on murder by mail order. This was the phrase used when Senator THOMAS DODD, Democrat, of Connecticut, offered the bill.

If passed and enforced, this measure might keep mail-order guns out of the hands of trigger-happy juveniles, mental defectives, known criminals, and others who up to now have used this type of purchase as a means of obtaining firearms.

The Dodd bill would not be a complete solution for the firearms problem. It would help by requiring all purchasers of mail-order guns to furnish a sworn affidavit as to age and criminal record, if any. It would also require firearms dealers and manufacturers to notify express companies in writing when these guns were being shipped in interstate commerce.

Control of firearms meets opposition from some sportsmen. These are sportsmen who hope to hunt birds and big game, sportsmen who hope to teach their children how to hunt, where and what to shoot. These are sportsmen who know how to care for weapons, the dangers and the joy of hunting.

How tough regulations may become is a question this Nation should face now. The sportsmen should be more interested than the criminals or the fanatics who can buy a gun out of a catalogue or magazine for a price which barely equals the cost of licenses to shoot in South Dakota.

The Dodd bill does not call for gun registration or fingerprinting of purchasers.

It has been called minimum, but realistic legislation, the only kind which stands a chance of passing. The bill does not infringe on the right of law-abiding citizens to possess firearms for defense or for sport. The National Rifle Association and other sports groups plus law enforcement authorities favor the measure.

Shooting people should never be condoned; sale and possession of weapons deserves some control.

[From the Akron (Ohio) Beacon Journal, Dec. 3, 1963]

FIREARMS SALES STIR THE SENATE

(Editorial in the Detroit Free Press)

The Senate Commerce Committee has abruptly come to life on the subject of Senator THOMAS J. DODD's bill designed to regulate the mail-order sale of firearms. Incidentally, it could well be extended to cover firearm sales over the counter.

Until President Kennedy was assassinated with a mail-order weapon, Dodd's bill appeared to have a poor chance. Nor can the Senators be too much blamed for having been lukewarm toward it.

Anyone who has ever suggested that it might be desirable to control gun sales knows what happens. He is assailed, often venomously, by a voluble and seemingly fairly large part of the public which believes a deadly weapon should be as readily available as an egg beater.

The attacks range from attenuated constitutional arguments to charges of Communist sympathies.

An oddity here is that the same individual who thinks there should be much stricter laws on who can drive an automobile will often be the same one who contends that anybody—lunatic, criminal or irresponsible—should have no obstructions put in his way when it comes to owning a gun.

For our part, the man slain by a bereft or incompetent gun handler is just as dead as the one killed by an irresponsible driver.

So, despite the so predictable assault by the freedom-to-shoot faction, we're backing Senator DODD's bill, and a much stiffer one if somebody will write it.

[From the Long Beach (Calif.) Independent-Press-Telegram, Nov. 25, 1963]

TOO EASY TO BUY GUN

Lee H. Oswald, the dead suspected assassin of the late President John Kennedy, obtained by mail order for $12.78 the gun believed to have been used in that shocking murder.

In view of the ease with which the weapon was obtained by Oswald and the use to which it was put, we think it appropriate to repeat an editorial which ran on this page less than 1 month ago:

"During a 2-year investigation, a U.S. Senate Subcommittee on Juvenile Delinquency has collected a large assortment of firearms used by juveniles to hold up banks, slay policemen, and commit other crimes.

"The guns, of every kind and description, have one common fact in their history: They were obtained by their juvenile owners by mail order with the greatest of ease.

"The subcommittee discovered that a youngster can buy a gun simply by filling out an order blank stating that he has never been convicted of a crime, and declaring that he is over 21. No verification is required.

"He sends his money and sits back to wait for delivery of his double-action revolver or his submachine gun.

"James V. Bennett, Director of the U.S. Bureau of Prisons, states that three policemen are shot to death each month by persons they are trying to arrest. Often the person on the trigger end of the gun is one who has not even begun shaving.

"Society keeps wringing its hands and saying, 'What can we do about juvenile crimes of violence?'

"One thing society can do is make it more difficult for kids to get the weapons with which to do violence. The Constitution gives Americans the right to bear arms. We seriously doubt whether our Founding Fathers meant to condone the sale of dangerous firearms to youngsters scarcely out of diapers."

[From the Los Angeles (Calif.) Times, Nov. 26, 1963]

THE RIGHT TO KEEP AND BEAR ARMS

One of the many grim sidelights of President Kennedy's assassination was the ease with which the murder weapon was purchased from an out-of-State firm.

Perhaps his tragic death will stir Congress to take long overdue steps to control the wide-open interstate traffic in lethal weapons—and cause State and local officials to reexamine their firearm regulations.

Senator THOMAS DODD, Democrat, of Connecticut, describes the exploitation of lax Federal firearms laws as mail-order murder. His bill to start an overhaul of this shameful situation is before a Senate committee.

As a beginning Senator DODD seeks to require that buyers of weapons from mail-order houses submit a sworn affidavit of their age and criminal record. Dealers would be obliged to notify common carriers of the interstate shipment of guns.

It is a beginning and not much more, for the bill still places the emphasis upon voluntary compliance with rules that call for active enforcement. Tougher laws are needed for the screening of mail-order dealers (such as are usually applied to local gunsellers) and for the furnishing of a notice of sale to local police departments.

The main target of stronger laws is the handgun. But as Friday's tragedy proved, the rifle is no less deadly. Serious study should be given to effective registration of rifles at the time of purchase—whether by mail order or over the counter. A permit such as required for the possession of a pistol would not be necessary, but law-enforcement officers should surely have some means of checking ownership.

The purpose of these measures is not to deprive sportsmen or others of the lawful possession of guns but simply to make certain that those who abuse the constitutional right "to keep and bear arms" can be quickly identified.

[From the Buffalo (N.Y.) News, Nov. 26, 1963]

ANTIWEAPON WEAPONS

The rifle used to assassinate President Kennedy was purchased by mail order from a Chicago dealer. Any reader of many advertisements in cheap magazines—teenage hoodlum, narcotics addict or mentally ill—can get possession of just such a deadly weapon in this anonymous fashion.

The Senate Commerce Committee has before it an amendment to the Federal Firearms Act that would curb the sale of guns, including the sort of weapon used in Dallas to murder the President.

A New York State legislative committee took action toward major changes in the State's laws governing the possession and use of firearms within hours after the death of the President. Rifles and shotguns do not now require licenses; pistols and automatics do.

Both Federal and State moves toward closer control of civilian possession and use of guns are long overdue.

The Federal measure would require all purchasers of mail-order guns to furnish a sworn affidavit as to age and criminal record, if any, and would also require firearms dealers and manufacturers to notify express companies in writing whenever such guns are shipped in interstate commerce. It is not a tough bill but is a realistic one.

The State law, as proposed, would require licenses for all civilians who purchase rifles and shotguns and would make the carrying of all loaded guns a felony. As it stands, the carrying of a concealed weapon is a felony while carrying a loaded rifle is only a misdemeanor.

Police experts—from the FBI on down to the State level—agree that existing laws are wholly inadequate to combat what Senator THOMAS J. DODD, Democrat, of Connecticut, who introduced the Federal bill, called murder by mail order. We have had it brought home in monstrous manner that Federal and State action is needed.

[From the Eugene (Oreg.) Register-Guard, Nov. 26, 1963]

MAKE IT TOUGHER

Lee Oswald was a nut with a record of mental and emotional instability and of disloyalty to his country. Yet, he owned two weapons, the rifle he used to kill President Kennedy and the pistol he used to kill a Dallas policeman. The question is asked: How come he had all that firepower?

It's a reasonable question. The fact is that just about anybody who really wants a weapon can get it. This is demonstrated repeatedly in New York City, where it is against the law to own a gun. This means that only crooks have them.

In most communities, however, there is some control over who owns weapons. The Constitution says there shall be no infringement on the right to own a gun. But there can be some controls.

These controls, however, are meaningless if a person buys a gun by mail. Anybody can do that. He signs a thing saying he is 21, not a felon, not crazy, and pretty soon his gun comes by express. He doesn't need to use his correct name or address, nor does he need to tell the truth about his age or criminal record.

The death of the President, from a bullet fired through a rifle bought by mail for $12.78, renews the Nation's interest in a bill introduced last summer by Senator Thomas Dodd. That bill would require notarized statements of the customer's age, criminal record, name, and address.

The Dodd proposal does not go as far as some would urge. It would not outlaw the mail-order traffic in weapons. But it would plug some loopholes. Now especially, it should pass.

[From the Charlotte (N.C.) News, Dec. 2, 1963]

Firearms and the Law

Americans have always been sensitive about the right to keep firearms in their homes. Yet this same freedom, reaching back to the frontier roots of our society, also allows maniacs to possess weapons.

Of the 7,261 murders reported last year by the FBI, more than 50 percent of the victims were killed with guns and pistols. Every American President who has been assassinated fell by the gun.

Anyone old enough to write his name can buy a pistol or rifle in department stores, gun shops or from mail-order houses. The Chicago sporting goods firm from which the weapon that killed President Kennedy probably came, said that hundreds of companies were in the same business. And the only applicable enforceable regulation in postal transfer is that the rifle cannot be loaded in transit.

The proverbial aftermath of a great tragedy is repression, but repression in some instances is urgently needed. In the Senate now awaits a bill that would control mail-order sales of pistols; in the House is a bill introduced in 1961 that requires the filing of a registration statement with respect to the possession of a pistol by any private person. This leglislation would help, but regulation should also be extended to rifles.

An attempt to regulate all firearms would be practically impossible. For the same reason that President Kennedy was murdered in Dallas, many Americans feel that they need firearms in their homes to protect their families—and this is understandable. But the lunatic is still with us in various shapes and forms, and he must be dealt with. Somehow, rifles and pistols will have to come under regulation, because this is the only way it can be done.

Gun enthusiasts, understandably, may argue that the presence of firearms in the home is a constitutional right but there is nothing in the Constitution which would forbid the reasonable regulation of lethal weapons. And, certainly, no gun enthusiast could resent registration if it helped prevent the kind of thing that happened in Dallas on November 22—and has happened so many times before in our land.

[From the Green Bay (Wis.) Press-Gazette, Dec. 1, 1963]

Mail-Order Guns

A New York State legislative committee was meeting to review that State's regulations concerning the ownership and use of firearms at the time President Kennedy was assassinated. The murder has brought a new effort for such review in many States.

In Wisconsin it is illegal for a minor to possess a pistol unless he is being supervised by an adult during target practice. It is also illegal for an adult to provide a minor with a pistol except for such supervised use. Machineguns must be registered. There are statutes concerning punishment for reckless use of dangerous weapons, use while intoxicated or carrying a concealed weapon.

But we have no regulation about possession of rifles or shotguns. Nor is there any law governing registration or ownership or qualifications for such ownership or use.

Dallas County requires that the retailer register the sale of any gun but there is no law governing proof concerning the buyer identity. Texas law requires an affidavit of moral character signed by a responsible official but the law is widely ignored. And in almost every State in the Union, anyone can order the most deadly of weapons through the mail for relatively small sums. The rifle that killed the President was such a weapon and cost less than $13.

Senator Thomas Dodd has been among the officials who is concerned with the problem on a national level. It is not merely a matter of keeping weapons out of the hands of the depraved or the insane. Every hunting season hundreds are killed or seriously wounded by the careless handling of high-powered guns. Almost everyone has had unfortunate experiences with ineptly or casually wielded weapons especially among the young.

The right to own and possess weapons is traditional in the United States. The second amendment to the Constitution in the Bill of Rights specifically states that the right of the people to keep and bear arms shall not be infringed. As Texas authorities have explained after the indignation in Dallas, the right to carry a gun is somehow equated with being an American.

But there is no good reason why that right does not have to be earned. While the difficulties of licensing the ownership of all guns are tremendous there are other steps which States might take to make the owners of firearms more responsible. It is probably not an infringement of the right to bear arms to limit ownership to adult persons or to require the sale of weapons to be registered.

[From Boston (Mass.) Record American (Sunday Advertiser), Dec. 1, 1963]

Murder by Mail

The assassination of President Kennedy has shocked this Nation into realization of the too-ready availability of firearms.

Mr. Kennedy might be alive today were it not for the fact that any crackpot or hoodlum can purchase the tools of murder by mail.

For the deadly imported carbine which fired the fatal shots in Dallas was purchased from a Chicago mail-order house for $12.95.

Thus, a catalog, a postage stamp, and a money order added up to death—just as they have so many times before.

The tragic death of our late, great President should arouse Congress to the need to curb this traffic in murder through the mails. It should give immediate consideration to the legislation drafted by Senator Thomas J. Dodd, Democrat, of Connecticut, and Representative John M. Murphy, Democrat, of New York which would—

Require every purchaser of a mail-order weapon to supply a sworn affidavit that he has no criminal record and is a reputable person; and bar the sale of lethal weapons to persons under 18.

We also believe that rifles and shotguns should be licensed just as pistols are. We are well aware that such licensing has been opposed by hunters and gun enthusiasts who argue that this would abridge the constitutional right of the people to bear arms.

The right of the people to bear arms is a relic of frontier society when constituted authority was spread thin and every man had to be his own protector.

We think that the great majority of the people of the United States feel strongly that the time has come to restrict the sale of firearms—of all sizes and shapes—to adults whose character is not vouched for by the local authorities.

Only 3 weeks ago, on November 10, the Boston Sunday Advertiser urged all responsible citizens to support vigorously legislation to tighten the loose controls which govern the sale and shipment of firearms. That editorial ended with the warning:

"Unless we insist on adequate curbs upon the now virtually unrestricted mail-order traffic and over-the-counter-no-permit sale of guns, we are playing Russian roulette with our way of life."

How tragically prophetic those words proved to be.

A letter from a reader, appearing in the Mailbag on this page, proposes that sale of firearms be permitted only through State-operated agencies. This suggestion, which is not without merit, commends itself to serious consideration by legislators of Maine, New Hampshire, and Vermont, where no permit now is required to purchase guns and where buyers frequently use aliases.

The Federal Government can control the distribution of firearms through the mails. The States themselves must pass their own form of legislation governing possession and local sale.

[From the Fort Worth (Tex.) Press, Dec. 1, 1963]

Easy Traffic in Firearms

The least that should be done by Congress, concerning the sale of firearms, is to pass the bill just tightened up by Senator Thomas J. Dodd, of Connecticut.

The assassination of President Kennedy, with a $12.78 mail-order rifle, is a terrible reminder of careless neglect in this field.

Under present regulations it is amazingly true that a child, a narcotics addict, a known criminal with as little as $5 can buy a gun.

The easy accessibility of firearms, says J. Edgar Hoover, contributes significantly to the crime problem. Firearms were used in 3,910 homicides last year. Only seven States require permits to buy guns. Only 21 license dealers. The State of Texas has no firearms regulations at all.

Even under Senator Dodd's proposal firearms still could be bought without severe restrictions. Any legislation must be drafted with the second amendment to the Constitution in mind—article 2 of the Bill of Rights which provides:

"A well-regulated militia being necessary to the security of a free State, the right of the people to keep and bear arms shall not be infringed."

Memory of the self-armed minutemen at Lexington and Concord may have preempted this amendment, but security requirements have changed radically and repeal of this amendment should be considered.

Meanwhile Senator Dodd would require, for the purchase of a gun, an affidavit stating age, name, address, and criminal record, if any. It would have to be certified by the highest local law-enforcement authority in the purchaser's community.

Persons requiring guns for sport would not be seriously inconvenienced by this regulation. Both sportsmen and manufacturers have approved most of the bill.

We feel certain, along with Senator Dodd, that the responsible, law-abiding sportsmen and gun owners * * * will be willing to tolerate what I feel is only a slight inconvenience at the worst. What more do we need than the death of a beloved President to arouse us to place some regulation on this traffic in guns used for crime?

[From the Ogden (Utah) Standard-Examiner, Nov. 30, 1963]

DODD GUN BILL

One aftermath of President Kennedy's assassination probably will be quick Senate consideration of the Dodd bill to curb mail-order sale of guns.

Lee Harvey Oswald, accused slayer of the President, bought a $16 Italian-made rifle from a Chicago mail-order house, using a false name and address.

Senator Thomas J. Dodd, of Connecticut, sponsor of the control measure, asked, "What more do we need than the death of a beloved President to arouse us to place some regulations on the traffic in guns used for crime?"

The measure would require that gun buyers submit a sworn statement that they are over 18 years old and eligible, under local laws, to receive the weapon they propose to buy.

The chairman of the Senate Commerce Committee, Senator Warren Magnuson, of Washington, polled his committee this week and said a majority favor the legislation.

Sportsmen naturally are apprehensive of any controls on guns that would restrict their purchases. We don't blame them, and agree that the Bill of Rights guarantees all citizens the right to bear arms.

But the mail-order sales have gotten out of hand and some form of restriction is obviously needed—and soon.

[From the Fort Wayne (Ind.) News-Sentinel, Nov. 30, 1963]

THE RIGHT TO KEEP AND BEAR ARMS

(From the Los Angeles Times)

One of the many grim sidelights of President Kennedy's assassination was the ease with which the murder weapon was purchased from an out-of-State firm.

Perhaps his tragic death will stir Congress to take long overdue steps to control the wide-open interstate traffic in lethal weapons—and cause State and local officials to reexamine their firearm regulations.

Senator Thomas Dodd, Democrat, of Connecticut, describes the exploitation of lax Federal firearms laws as mail-order murder. His bill to start an overhaul of this shameful situation is before a Senate committee.

As a beginning, Senator Dodd seeks to require the buyers of weapons from mail-order houses submit a sworn affidavit of their age and criminal record. Dealers would be obliged to notify common carriers of the interstate shipment of guns.

It is a beginning and not much more, for the bill still places the emphasis upon voluntary compliance with rules that call for active enforcement. Tougher laws are needed for the screening of mail-order dealers (such as are usually applied to local gunsellers) and for the furnishing of a notice of sale to local police departments.

The main target of stronger laws is the handgun. But as Friday's tragedy proved, the rifle is no less deadly. Serious study should be given to effective registration of rifles at the time of purchase—whether by mail order or over the counter. A permit such as required for the possession of a pistol would not be necessary, but law-enforcement officers should surely have some means of checking ownership.

The purpose of these measures is not to deprive sportsmen or others of the lawful possession of guns but simply to make certain that those who abuse the constitutional right to keep and bear arms can be quickly identified.

[From the New Haven (Conn.) Journal-Courier, Dec. 5, 1963]

RIGHT TO BEAR ARMS

The right of the citizen to bear arms was one of the "freedoms" written into the U.S. Constitution in the earliest days of the Nation. And in pioneer times, a man's house was not only his castle, but, on the wild frontier, a fortress as well, to be defended by the flintlock at the door. Possession of guns, then, was essential; they were tools needed for the sustenance of life itself.

Americans never have been a people to bow to prohibitions.

When misuse of intoxicating liquors in the early years of this century led to the amending of the Federal Constitution outlawing the manufacture, sale, and use of beverage alcohol, and this noble experiment failed, there arose urgent demand for repeal, but with wise restrictive licensing and sales provisions set up in the sovereign States.

As public responsibilities underlie the use of alcohol, so too the constitutional right of the citizens to bear arms cry out for sensible restrictions.

Rifles, shotguns, revolvers, in all the refinements of modern improvements, are not only cherished by collectors and desired by sportsmen—from whose safekeeping they sometimes fall into the hands of children or psychotics to cause tragic accidents—but they have become evil tools in the arsenal of the underworld.

Presently Connecticut's Senator Dodd is seeing renewed push behind the measure he introduced last summer, a bill that proposes to put some needful brakes upon the purchase and possession of firearms. In some quarters it is felt his proposals do not go far enough, in others, too far. It is a problem, however, which in the face of recent events, stands in sore need of solution.

[From the Norwich (Conn.) Bulletin, Dec. 5, 1963]

CONTROL OF ARMS

Opposition to control of firearms is based largely on the brief sentence that comprises the second amendment to the Constitution: "A well regulated militia being necessary to the security of a free state, the right of the people to keep and bear arms shall not be infringed. Circumstances have changed so much since the late 18th century, when this was written, that it is only the flimsiest basis for argument against registering firearms and restricting their sale.

The question has been a subject of concern in Congress during the past several months, brought up by Senator Thomas Dodd's bill that would regulate the sale of firearms by mail and otherwise. Now it has been brought to a head by the Kennedy assassination, and it appears that action may be taken in the near future. Several measures are under consideration in Congress.

Congressional action alone may not suffice. At present, State and Federal law on the subject lack uniformity. It would seem sensible for Federal and State authorities to develop a system of interlocking laws to regulate shipment and sale of all firearms. This could be done within the framework of the second amendment.

It cannot be assumed that even the strictest regulation would absolutely rule out the possibility of assassination. There can never be any guarantee that a man of apparently good character who buys a deer rifle will not turn it to criminal use. But firmer controls would greatly cut down on the number of weapons in the hands of juveniles and criminals of record. It would reduce, though not eliminate, the chance of another such terrible event as that at Dallas. These are reasons enough for wholehearted support of firearms regulation by law.

[From the Easton (Pa.) Express, Dec. 7, 1963]

MORE STRINGENT GUN LAWS ARE DEMANDED

(An editorial in the Washington Post)

Men have perfected many devices for killing their fellow creatures; but none has proved so deadly as a gun. Of the 7,261 murders reported by the Federal Bureau of Investigation last year, more than half of the victims were killed with guns. Of the four Presidents of the United States who have been assassinated, all died by shooting.

Yet guns are readily available to every demented being who may take it into his head to snuff out the life of the Chief Magistrate of the American people. Guns can be purchased for a few dollars, brought into the country at will from abroad, or even, as in the case of Lee Oswald's high-powered rifle, ordered by mail. Guns are readily available also, it seems, to any thug who chooses to thwart the orderly processes of American justice and snuff out the life of an accused without trial or even so much as a judicial hearing.

What lunacy is it, what bemusement with a frontier past long vanished, that leads the people of this land to allow firearms to be sold and possessed in the United States almost entirely uncontrolled? It is estimated, although no one really knows, that there are more than 50 million guns in the United States today. According to a Gallup poll, at least half of all American householders own guns; in the South there are firearms in two out of three homes. And apart from the crimes they abet, there is no way to measure the mischief they foment—the deaths and injuries resulting from careless handling of guns by their lawful owners, from accidents occurring when firearms are left within reach of children, from suicides, from the actions of normally law-abiding persons who find a gun at hand in a moment of anger or intoxication.

Guns are weapons. They are designed for the killing or maiming of living creatures. Some types of rifles and shotguns are called "sporting weapons" by those whose idea of sport it is to kill or maim birds or the wild creatures of the country's steadily diminishing forest. They are, nonetheless, mortally dangerous to human beings. And pistols of every kind have no other function than to injure or destroy human life.

In England, and in most civilized countries, no one may purchase or possess any firearm unless he has been issued a police certificate specifying the purpose for which the weapon is wanted; and certificates are issued only to persons of supposedly sound mind and good repute. This is the beginning of rationality in regard to firearms. There is nothing whatever in the language of the second amendment to the Constitution which forbids such a sensible safeguarding of the public welfare.

Senator Dodd's bill to control mail-order sales of handguns would be a useful step in the right direction. Representative Anfuso's bill, introduced in 1961, to require the filing of a registration statement with respect to the possession of a pistol by any private person would go a desirable step further. But the country ought to recognize from the tragic events of the past week that regulation of greater stringency is imperatively needed. We believe that it should include a drastic reduction in the present proliferation of firearms, the strict establishment of responsibility for reporting sales or transfers of these deadly weapons and a recognition in law that the owner of a gun may be held liable for any injury which it may inflict.

It is high time to put an end to the merchandising of murder and assassination.

BOXCAR PROBLEMS AND THE INCENTIVE PER DIEM BILL, S. 1063

Mr. **HRUSKA**. Mr. President, recently a stimulating article appeared in the December 28 issue of Business Week concerning the per diem rate paid by one railroad to another for the use of the owning railroad's boxcar. I recommend this article to other Members for the information it contains.

In the Midwest, and particularly in my State of Nebraska, we have been plagued by continuing shortages of cars to move our agricultural products. During 1963, our need for boxcars was so acute that on two occasions the Interstate Commerce Commission, under the able leadership of then Chairman Laurence K. Walrath adopted several car service orders which were helpful in alleviating the problem, although such orders result in only temporary increases in the number of cars made available to our shippers. Their needs continued high and at one time Nebraska had the most acute shortage of cars in the Nation to move grain.

Commencing January 1, 1964, through the Association of American Railroads, the industry has adopted a sliding scale of per diem charges. While it is hoped that the adjustment in the rates will be helpful to the railroads, I for one do not see this as a complete solution of the boxcar problem. It has long been my opinion that the most constructive step which can be taken to ease this problem would be for the Congress to adopt legislation such as the incentive per diem bill, S. 1063.

Under terms of the bill, the Interstate Commerce Commission would be given the authority to fix car rental charges at a level which would encourage the ownership of and maintenance of a national car fleet which would be sufficient to meet business, commerce, and defense needs.

Some means must be found to make car ownership more attractive. Per diem charges must not be so low that railroads find it remains more profitable to pay the rental charge and use another railroad's cars than to buy cars for their own needs.

This legislation has the support of the Interstate Commerce Commission and is needed by them. The Interstate Commerce Commission is presently undertaking a study of this entire subject. I believe that prompt enactment of S. 1063 will give the Commission adequate criteria which they can utilize and which will be most helpful to them in seeking a permanent solution to this continuing problem.

I ask unanimous consent to insert the article at this point in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

THERE IS MONEY IN FREIGHT AGAIN—A SURGE OF ORDERS FOR NEW CARS, MANY OF THEM SPECIALLY DESIGNED TO SUIT THE CUSTOMER, SHOWS RAILROADS' OPTIMISM OVER FREIGHT VOLUME AND NEW RENTAL SCHEDULE

Railroads, long the soot-blackened Cinderellas of the transportation industry, may make a comeback in their freight operations in 1964.

"I am more enthusiastic about the future of the railroads now than at any time since I came to work in 1931," says George L. Green, vice president of Pullman-Standard division, car-manufacturing wing of Pullman, Inc. "Since the Railway Progress Exposition in Chicago last October, there has been a contagious new feeling throughout the industry that better times are ahead."

TURNING A CORNER

The present tide of optimism is buoyed by a marked improvement in earnings. Total estimated net income of $650 million for 1963 is more than 70 percent above net income for 1961.

According to the Association of American Railroads, some of this increase is derived from tax credits yielded by the new depreciation guidelines. But freight business has also shown a healthy 10-percent increase over the last 2 years, to an estimated 622 billion ton-miles total for 1963.

MORE CARS ON ORDER

Much of this increased profit is going into dramatically stepped-up orders for railroad rolling stock. Henry A. Correa, vice president of ACF Industries, Inc., a leading freight car manufacturer, predicts industry-wide car deliveries of more than 43,000 for 1963 and about 53,000 for 1964. This compares with total orders of 30,700 for 1961. These predictions are echoed by other freight car manufacturers.

The sudden upsurge of freight car orders is already getting an additional boost from a new rental rate schedule due to be introduced by the industry on January 1. This rate is crucial to railroads, which employ one another's rolling stock almost interchangeably.

SLIDING SCALE

Up to now, a fixed daily rate of $2.88 per car has been charged, regardless of whether the car was a completely depreciated 30-year-old boxcar or a brandnew refrigerator car worth $15,000. As of January 1, a multilevel rate will be introduced, ranging from $2.16 per day for cars worth less than $1,000 to $7.74 for cars worth $20,000 or more.

"The effect of the single rate was to discourage railroads from purchasing and owning the more expensive—and more specialized—equipment," says Walter A. Renz, executive vice president of the American Railway Car Institute. "Hence, despite increasing competition, they frequently could not cater to specialized demands of customers."

The new rental schedule promises to stimulate construction of more specialized freight cars. "About 90 percent of our orders are expected to be in specialized cars," says ACF's Correa. "Orders are particularly strong in hoppers, center-flow cover hoppers, and tank cars—also in bigger, more specialized boxcars."

FUTURE DEMAND

Such a renaissance in car building is long overdue. The average boxcar today has passed its 18th birthday. Approximately 20 percent of the Nation's 1,650,000 cars are more than 30 years old.

Many industry observers feel that the demand for new freight cars is likely to remain high for several years, as railroads' marketing departments get a bigger say in operations.

"In the past, operating departments just gave a customer what they felt he needed," says a top executive of a major railroad. "Now our marketing department researches our customers' needs, then puts the whip on the operating department to come through. Inevitably, under this setup, customers' requirements are going to become increasingly specialized."

SQUARING ACCOUNTS

The surge in orders for specialized modern cars, combined with the new sliding scale for car rental charges, may also end the long boxcar war between western and eastern railroads.

For years, major eastern roads such as the New York Central and the Pennsylvania have unloaded more cars than they have loaded. They tended to accumulate freight cars owned by railroads that originated the shipments.

Simply by paying the relatively low daily rental of $2.88 per car, they could use these cars profitably in their own operations (last year the New York Central paid out some $14-million in excess per diem rentals). Meanwhile, the western roads that owned the cars were screaming of a shortage of cars to handle their own business, particularly during the wheat harvest.

DEFICIT IN CARS

"Time and again we've had to build quantities of the modern, larger cars to take care of this demand," says Eldon Martin, vice president of Chicago, Burlington & Quincy Railroad and outspoken critic of the single per diem rental rate. "But they just go east. The more expensive they are and the more capital we have invested in them, the longer they stay away."

During the height of the annual boxcar shortage, the Burlington, which owns some 22,000 boxcars, had less than 16,000 on its tracks to meet the swollen demand. Even then, only 35 percent of these belonged to the railroad itself. Six hundred brand-new $10,000 cars were introduced by the Burlington in 1959. Since then they have spent less than 13 percent of their time on home tracks.

Under the new schedule some 80 percent of the Nation's freight cars will actually fall under a reduced rental rate after January 1. However, AAR hopes there will now be a sufficiently attractive long-term incentive to justify the replacement of the older, cheaper, and less efficient equipment.

ENCOURAGEMENT

Clarification of attitudes toward featherbedding and mergers has also helped to make this a time of optimism for the railroads. Last year's acceleration of tax depreciation (reducing the writeoff period for most freight cars from about 30 years to about 15 years) has also stimulated the boom in carbuilding.

Another bright spot on the horizon is the introduction of a new transportation commodity code, designed to simplify much paperwork. The new code, which also becomes effective on the first of the year, lists some 35 major producing industries and some 14,000 different commodities.

Implemented under the auspices of AAR, the new standardized system has already been adopted by the Interstate Commerce Commission. It may provide the foundation for a standard commodity coding system adaptable to other modes of transportation.

MORE COMPUTERS

Some railroads, such as the Western Pacific, the Southern Pacific, and the Louisville & Nashville, already have plans to install a totally computerized management information and control system.

Under a completely computerized information system, a railroad can keep up-to-the-minute tabs on the whereabouts of every car, its load, its route, its destination. It will also help reduce turnaround time, improper car use, and inaccurate scheduling.

TRIBUTE TO PRESIDENT KENNEDY

Mr. **HUMPHREY**. Mr. President, many Americans have expressed their grief at the tragic assassination of President Kennedy. The distinguished commentator Richard Rovere has written one of the most moving of these valedictories. In a few short paragraphs Rovere gives us a touching picture of the late President's human qualities—the depth of his knowledge and interest in the world around him, his sharp wit, and the winning directness of his manner.

I ask unanimous consent that this tribute by Richard H. Rovere from the New York Review of Books for December 26, 1963, be printed in the RECORD.

There being no objection, the tribute was ordered to be printed in the RECORD, as follows:

[From the New York Review of Books, Dec. 26, 1964]

A TRIBUTE TO PRESIDENT KENNEDY

(By Richard H. Rovere)

I was not one of the Washington journalists who knew him well and saw him often. Before his nomination, I knew him scarcely at all. The first time I sat down alone with him was only a few days before his election. He had had a wild day campaigning in and around Philadelphia. He had shaken so many hands that his own right one looked like raw beef. One woman, running alongside his car, had held on to avoid losing her balance and perhaps being run over. There was a chance that he had dislocated a shoulder. It hurt badly. Around midnight, I joined him at supper in his cabin on the *Caroline*. After getting me settled, he said, "What do you know about Taper?" I couldn't imagine what he meant. I had to ask him. "Taper," he said, "you know, the one who writes that column in the Spectator." I was at the time a correspondent for the London Spectator, and Taper was a pseudonym used by Bernard Levin, a political writer for that magazine, who has since become theater critic for the London Daily Mail. I told him what I knew, which wasn't very much; Kennedy said he admired Levin and would enjoy meeting him.

I had three talks with him in the White House. There were several more "Taper" incidents. "I ran into Kahn the other day," he said once. I wracked my brain. Herman Kahn, the thermonuclear-war man? The Aga Kahn? But wasn't he dead? Aly Kahn? Otto Kahn? Dead, too, wasn't he? Could it be a friend of mine, another Herman Kahn, an historian in the National Archives? Mohammed Khan of Pakistan? Who the hell was Kahn? He could see me struggling. "Jack Kahn, you must know him, on the New Yorker? He was in here doing a Talk of the Town story. He was talking to my secretary about my going to theaters in New York. I've been wondering about the piece. Do you know when it's going to come out?" I knew nothing about it.

Another time, he seemed mildly and inexplicitly upset about a New Yorker piece that had appeared—a profile of Pablo Casals by a man whose name really was Taper, Bernard Taper. "It was interesting," he said, "but I figured it must have been written a long time ago. It wasn't up to date." Thinking fast, I assumed he meant that it had not said enough about the Casals concert in the White House. I asked him if that was it. "No, no," he said, and he went on to explain that in three or four places it had described arrangements in Casals' life that had changed in recent months. He seemed to feel that the New Yorker was somehow losing its grip if it couldn't be au courant in such matters. "Who is this Taper?" he said. I told him a bit, mentioning that this Taper and Pierre Salinger were friends, having worked together as reporters in San Francisco. He went on with something like, "What did you make of that last Norman Mailer piece?"

Once, when I felt that I had really taken up more than enough of his time, I tried to prepare the way for my leaving with what would have been a lame and elaborate opening. What I meant to say was something like this—that I would really worry about the country if I thought that its President was putting in a lot of time talking with someone like me about Norman Mailer, Bernard Taper, and so forth. I forget how it went, but I got out just a few words, like "Mr. President, I'm taking up too much of your time. I think that if—."

"You think," he said, "that I wouldn't be much of a President if I spent much of my time this way."

The PRESIDING OFFICER. Is there further morning business? If not, morning business is closed.

GERMANENESS OF DEBATE UNDER CERTAIN CONDITIONS

The PRESIDING OFFICER. The Chair lays before the Senate the unfinished business, which the clerk will state.

The LEGISLATIVE CLERK. Senate Resolution 89, providing for germaneness of debate under certain conditions.

Mr. PASTORE. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. HUMPHREY. Mr. President, I ask unanimous consent that further proceedings under the quorum call be suspended.

The PRESIDING OFFICER. Without objection, it is so ordered.

RESIGNATION OF EDWARD R. MURROW, AND APPOINTMENT OF CARL T. ROWAN, AS DIRECTOR OF U.S. INFORMATION AGENCY

Mr. HUMPHREY. Mr. President, Edward R. Murrow's resignation as Director of the U.S. Information Agency is news that saddens us because it means the Nation has lost an outstanding public servant.

Mr. Murrow assumed his post at great personal sacrifice and threw all of his talents and energies into revitalizing the USIA into an agency that is respected throughout the world.

Health has forced his resignation and, as President Johnson said in accepting that resignation, "the same high sense of duty" that brought him to Washington "now obliges you to depart."

The Nation is fortunate, however, that President Johnson was able to select an outstanding successor in Carl T. Rowan, our Ambassador to Finland.

Mr. President, Carl Rowan is a resident of my home State of Minnesota, and I have known him for a long time as both a friend and a distinguished journalist.

Mr. Rowan will be an excellent director of the USIA because he will bring to the job exceptional talents as a newspaperman, diplomat, and a perceptive observer of world affairs.

It happens that Carl Rowan is a Negro, and in his new job will be the first member of his race to sit on the National Security Council. But, as the Baltimore Sun pointed out in an editorial this morning:

> It is altogether incidental that Rowan is a Negro. * * * Carl Rowan would have distinguished himself in any society that gave him even half a chance.

I compliment the Baltimore Sun on that observation, because of all the distinguished and fine friends I have had the privilege to know, no one is finer than Carl Rowan.

Mr. President, I ask unanimous consent to have printed in the RECORD news articles and a biographical sketch from the Washington Post and the New York Times, along with editorials from those two newspapers, the editorial from the Baltimore Sun, and James Reston's moving tribute to Edward R. Murrow in the New York Times.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

[From the Washington Post, Jan. 22, 1964]

ROWAN NAMED USIA DIRECTOR AS MURROW RESIGNS—WORK OF RETIRING HEAD PRAISED BY JOHNSON

President Johnson yesterday accepted the resignation of Edward R. Murrow as Director of the U.S. Information Agency and picked Carl T. Rowan, Ambassador to Finland, to succeed him.

Rowan is a Negro and, if confirmed by the Senate, will be the first member of his race to sit as a member of the National Security Council.

The highest ranking Negro in the Government has been Robert C. Weaver, Administrator of the Housing and Home Finance Agency.

There had been reports immediately after Mr. Johnson entered the White House that Rowan might be named White House press secretary. However, the President and Press Secretary Pierre Salinger have gotten along well and Salinger is expected to remain in his present position.

Murrow was picked by President Kennedy for the USIA post in 1961, after a distinguished career in television. He became ill last fall and was operated on for lung cancer.

In his letter of resignation, Murrow said he had told Mr. Kennedy he might have to resign.

As a Deputy Assistant Secretary of State for Public Affairs, Rowan made several foreign trips with Mr. Johnson when he was Vice President and occasionally wrote speeches for him.

President Kennedy named Rowan Ambassador to Finland last year. He was on home leave at the time of President Kennedy's assassination and was one of the first officials called in for a conference with the new President.

Murrow's letter of resignation was dated December 19, 1963. He said that while his recovery was normal, it would be several months before he could resume full-time duty.

Mr. Johnson told Murrow he had done "a magnificent job. * * * Your entire life, your eloquence and idealism and sound judgment, your determined drive and sparkling personality all combined to make you superbly qualified for the task of conveying the true picture and purpose of this country to the world."

Rowan is a 38-year-old native of Tennessee who was a naval officer in World War II. He holds a bachelor's degree from Oberlin College and a master's degree from the University of Minnesota.

While a reporter for the Minneapolis Tribune, he was cited by the Minneapolis Junior Chamber of Commerce as "Minneapolis outstanding young man of the year."

He is the author of "South of Freedom," "The Pitiful and the Proud," "Go South to Sorrow," and "Wait Till Next Year."

In a statement, the President said that "after the most careful study, I have concluded that the man most eminently qualified to supervise this vital program of telling America's story abroad is Carl T. Rowan."

Describing him as "young and dynamic," the President said Rowan has traveled widely in Asia, Africa, and Latin America and "has written with great perception about these areas. * * * He is superbly qualified by training and experience to carry on the work of Ed Murrow."

Mr. Johnson said that he had had many opportunities to work closely with Rowan and "to see for myself the skill and good judgment, the idealism, and integrity, that he has applied to each task placed before him."

Rowan is married to the former Vivien L. Murphy, of Buffalo, N.Y. They have a daughter and two sons.

[From the New York Times, Jan. 22, 1964]

MURROW QUITS POST; ROWAN IS SUCCESSOR

(By Tom Wicker)

WASHINGTON, January 21.—President Johnson announced today that Edward R. Murrow had resigned as Director of the U.S. Information Agency.

Mr. Johnson said he would name Carl T. Rowan, a blunt and controversial former newspaperman, to succeed Mr. Murrow, who has been in ill health.

Mr. Rowan, now the U.S. Ambassador to Finland and once an Assistant Secretary of State, will be one of the two highest ranking Negroes in the Federal Government.

The other, Robert C. Weaver, is Administrator of the Housing and Home Finance Agency.

Neither man has Cabinet rank, but the White House press secretary, Pierre Salinger, said today that Mr. Rowan would be the first Negro to sit in the National Security Council.

The Director of the Information Agency has been designated for a council seat since early in the Kennedy administration.

Mr. Murrow, the former news broadcaster and television personality, told Mr. Johnson in a letter, "As you know, I was separated from a cancerous lung in early October."

His recovery was normal, he said, but it would be months before he could resume "full-time duty" or direct the Information Agency "as you are entitled to expect it to be directed."

Mr. Johnson, accepting the resignation with "the greatest reluctance," said he recognized that "the same high sense of duty" that had brought Mr. Murrow to Washington "now obliges you to depart."

The President's letter ended with this sentence:

"I close, Ed, with a paraphrase of the words you made forever famous on radio and television: 'Goodby and good luck.' "

HAILS ROWAN'S QUALIFICATIONS

The President described Mr. Rowan, who is 38 years old, as "the man most eminently qualified to supervise this vital program of telling America's story abroad."

Mr. Rowan, he said, is "young and dynamic and he has had a breadth of private and governmental experiences that are especially valuable qualifications for this job."

"As a perceptive observer of world affairs, as an effective diplomat and public servant, as a tireless worker for the improvement of America's position in the eyes of all the world, he is superbly qualified by training and experience to carry on the work of Ed Murrow," the President wrote.

Mr. Johnson and Mr. Rowan first became closely acquainted in 1961, when Mr. Johnson, then the Vice President, traveled around the world as a special representative of President Kennedy.

Mr. Rowan, then the Deputy Assistant Secretary of State for Public Affairs, accompanied the Vice President as his press spokesman. Both men are outspoken and strongwilled, and they clashed frequently during the trip.

By the time it was over, however, Mr. Johnson had developed a high opinion of Mr. Rowan's ability as well as his willingness to stand up to his superiors and back up his positions.

The two men worked closely together again last year when Vice President Johnson toured the Scandinavian countries. Mr. Rowan, by then the Ambassador to Finland by appointment of Mr. Kennedy, was involved in the planning and execution of the tour.

When Mr. Johnson became President upon the death of Mr. Kennedy last November, Mr. Rowan was in Washington and was one of the first officials to confer with the new President.

Speculation arose immediately that he would replace Mr. Salinger as the White House press secretary, or be named to some other high administration post.

Mr. Rowan returned to Helsinki and remained there until he returned here last Saturday for consultations with the President.

Mr. Rowan's nomination as Director of the USIA will be sent to the Senate immediately, Mr. Salinger said today. No difficulty in obtaining confirmation is expected. The Director's salary is $21,000 a year.

[From the New York Times, Jan. 22, 1964]

OUTSPOKEN EX-NEWSMAN: CARL THOMAS ROWAN

WASHINGTON, January 21.—An apocryphal story about Carl Thomas Rowan, the Negro former newspaperman who is slated to become Director of the U.S. Information Agency, goes like this:

Soon after Mr. Rowan and his wife and three children moved to Washington in 1961, they bought an old, rambling house with a big front lawn in a recently integrated neighborhood.

Mr. Rowan was out mowing the lawn one Saturday, in Bermuda shorts and a T-shirt, when a white man drove up to the curb and called out: "Hey, boy, how much you get for cutting the grass?"

Mr. Rowan, sweating and grinning, stopped his power mower, walked to the car window and retorted: "The lady of the house lets me live with her."

A brusque, broad-shouldered man, Mr. Rowan cut through redtape as Deputy Assistant Secretary of State for Public Affairs in a way that earned him the affectionate regard of his working press colleagues and the enmity of some old hands.

Mr. Rowan was, for 13 years, a prize-winning reporter for the Minneapolis Tribune. After 2 years on the Tribune's copy desk, he won reportorial recognition every succeeding year, including the Sidney Hillman award in 1951 and the Sigma Delta Chi award for "the best foreign correspondence of 1955."

His foreign assignments were in India, and southeast Asia, where he covered the Bandung Conference. He has written four books.

However, in 1961, the year he came to the State Department, Mr. Rowan stunned his colleagues by challenging the "pious assumption that the only people in this country who really care about the public's right to know are the newspaper and magazine people."

CRITICIZES THE PRESS

At a symposium on the government and the press at New York University, Mr. Rowan declared that the "holier-than-thou attitude" of journalists who were then criticizing the Kennedy administration for managing the news "rubs me the wrong way."

The press, he charged, is "scoop conscious," and "many newsmen with whom I deal are more concerned with their reputations than about how well informed the American public is." Then he added:

"I am wise enough to the workings of the world of publishing to know that a great deal of this so-called concern about the public's right to know is really concern about the fourth estate's right to make a buck. While the public does have a right to know, it also has a right not to know."

Mr. Rowan also sent a "press guidance" memorandum to American officials in South Vietnam suggesting that "newsmen should not be transported to military activities of the type that are likely to result in undesirable stories."

His clearly stated position that the Government is not always obligated to tell what it knows is regarded by many officials here as "sensible."

It is sure to be of interest to the Senate, however, in consideration of Mr. Rowan's appointment to head the USIA, an Agency that has had recurring internal policy disputes over "how much to tell."

After President Kennedy named him Ambassador to Finland last year, Mr. Rowan took Helsinki by storm.

"The most colorful Ambassador in Helsinki," a Finnish newspaper headline said—a description that made him laugh.

At the end of his first month he was pleased to note that the newspapers paid less attention to his color, but continued to report his unusual diplomatic style.

TRIED TO REACH MASSES

He moved outside the Embassy circle of businessmen and upper income Finns and played golf, went bowling, and attended track meets "to reach the masses."

Mr. Rowan was in his late teens before he left Tennessee. He was born August 11, 1925, in Ravenscroft, Tenn., and was reared in McMinnville.

He graduated from high school there in 1942 and, with 77 cents in his pockets, moved on to Nashville, where he enrolled in Tennessee State University. He left school a year later to serve in the Navy, becoming an ensign at 19.

Mr. Rowan has said his 3 years in the war as an ensign on the Atlantic, "Got me out of the race situation."

After the war ended, he moved north, graduated from Oberlin College in Ohio, moved on to the University of Minnesota for a master's degree in journalism, and then took a job on the Minneapolis Tribune.

He married the former Vivien L. Murphy, a registered nurse, of Buffalo, in 1950.

Their sons, Carl, Jr., 10, and Geoffrey, 9, enjoyed the Embassy life in Helsinki "because we didn't have to make our beds every day."

Mrs. Rowan has a daughter, Barbara, 19, by a previous marriage.

[From the New York Times, Jan. 22, 1964]

MR. MURROW RESIGNS

Edward R. Murrow's resignation as Director of the U.S. Information Agency provides a vivid example of the heavy cost to the Nation of the rising incidence of lung cancer. Having assumed his post at great personal sacrifice, Mr. Murrow threw all of his very considerable talents and energy into the task of telling this country's story to the world as effectively as possible. As he retires to private life, he has the Nation's thanks, and also its warmest best wishes for a complete recovery from his illness.

Carl T. Rowan, who will now assume this post, was trained originally as a mathematician, but has distinguished himself this past decade as journalist, State Department official, and, most recently, as Ambassador to

Finland. In his person, of course, he also provides concrete evidence that in the middle of the 20th century the United States does have opportunities for talented Negroes to rise to positions of national importance.

Mr. Rowan takes over command of USIA at a time of major shift in the focus of that Agency's activities. The propaganda battle which has occupied so much of USIA's energies is changing in character as the character of Soviet-American relations alters. Moscow's decision last year to halt jamming of the Voice of America is illustrative of a new situation. Now the need to get the U.S. point of view over to the masses of turbulent Africa and Latin America is far more pressing and much better understood than it was in earlier years. But the lack of funds which has plagued USIA, and which Mr. Murrow sought unsuccessfully to rectify, continues.

From his personal experience, Mr. Rowan undoubtedly knows that the best propaganda is deeds, not words. A United States which exhibits economic vitality, takes concrete steps to further the cause of peace, and makes genuine progress toward equal treatment for all its citizens is one which gives USIA effective and irrefutable material with which to combat anti-American feeling abroad.

The image of America is what all of us make it daily. In that sense the Nation as a whole will determine how successful Mr. Rowan can be in his new assignment.

[From the Baltimore Sun, Jan. 22, 1964]

CHANGE OF VOICE

The loss to the public of the services of Edward R. Murrow is distressing. Murrow, a distinguished reporter who became one of the great names of the radio and television news spots, joined the Government as head of the U.S. Information Agency at great personal sacrifice. He did it because he had faith in the United States, and because he believed its story should be told abroad in terms of facts, not of fanciful propaganda. He was not always successful, because the old ways of Government are hard to change; but Murrow gave the job all he had, and that was considerable. He has resigned to convalesce from surgery for cancer and the Nation wishes him full recovery.

In his place President Johnson has selected Carl Rowan, who has been serving as Ambassador to Finland. No appointment could be more appropriate. Mr. Rowan, too, is by profession a newsman and by performance a formidable one. With the usual reluctance of a man who prizes his craft, he went to the State Department at the request of President Kennedy, first as a Deputy Assistant Secretary for Public Affairs and later as an envoy. His familiarity with news and news media, and with the State Department and its oversea listening posts make him ideally qualified for the USIA directorate. It is altogether incidental that Rowan is a Negro, and will be the highest ranking Negro in Government. Carl Rowan would have distinguished himself in any society that gave him even half a chance.

[From the Washington Post, Jan. 22, 1964]

MURROW STEPS DOWN

Few of President Kennedy's appointments seemed as eminently right as the naming of Edward R. Murrow as Director of the U.S. Information Agency. Mr. Murrow was not only a seasoned professional, but he was also synonymous with integrity. In his years at CBS, he set standards of fairness and proficiency as a broadcaster and news director; his yearend roundtable discussions with the network's correspondents were intellectual events in a medium usually dedicated to frothier fare.

In resigning as USIA Director, Mr. Murrow can look back on substantial achievements in a difficult job. The Voice of America has acquired both volume and credibility under his direction. It has been his belief that truth is the best propaganda, and he has handled with exemplary candor the difficult assignment of interpreting domestic problems such as the civil rights struggle to the rest of the world.

Perhaps the proudest achievement of the Murrow years at USIA was the restoration of morale and self-respect at the Agency. A decade ago, the Voice stuttered with internal feuds and was under constant attack from Senator Joseph R. McCarthy. That period is part of the nightmare past; one of Mr. Murrow's initial acts was to rehire Reed Harris, an Agency official who had quit in protest over the McCarthy onslaught.

Mr. Murrow's successor, Carl Rowan, takes command of an Agency surer of itself and of its mission than at any time in the postwar years. Mr. Rowan, former Ambassador to Finland, is also a respected professional who won a host of prizes as a reporter. We hope that under the new leadership the Murrow tradition will continue.

[From the New York Times, Jan. 22, 1964]

"AND HERE'S A HAND, MY TRUSTY FRIEN'"

(By James Reston)

WASHINGTON, January 21.—The official word at the White House was that Ed Murrow had quit his job as Director of the U.S. Information Agency, but this obviously couldn't be true, for Ed Murrow never quit anything in his life.

He has been thrown out of places, Ed has, and has thrown a lot of people out of places; but if they mean by quitting that he gave up, then it's clearly not true.

Ed Murrow was this country's most distinguished and influential reporter of that critical period before the second German war. He was the best of a remarkable and unlucky crew.

Among them were Ernie Pyle, Vincent Sheehan, Bill Shirer, Eric Sevareid, Wallie Deuel, Wallace Carroll, Elmer Davis, Edgar and Paul Scott Mowrer, Herbert Elliston, Joe Driscoll, Dorothy Thompson, Walter Duranty—and a lot more.

They told America what it didn't quite believe and certainly didn't want to hear: That a savage civil war was developing within the Western World and that it would reach a tolerable end only when the United States threw its power into the battle.

THE CASUALTIES

In the long story of American journalism there was never a brighter chapter or a more talented and sensitive group of reporters, but it was not exactly an easy life, and the casualty list was heavy.

Some of them, like Pyle, were killed in battle; others, like Sheehan, Shirer, and Edgar Mowrer, decided to escape from the tyranny of the daily deadlines; others, like Sevareid and Carroll, carry on, but most of the rest, like Murrow, had trouble with their health.

Murrow, on the whole, was lucky. He operated during the war from London on the assumption that a man could exist happily for years on a diet of black coffee and cigarettes. He thought sleep was for children, and had an almost suicidal yen for making trips in bombers over Wilhelmshaven or the Ruhr.

On the odds, he should have lost his life, but as it was, all he lost was a lung, and that should not be too much of a handicap, for Ed Murrow can say more on one lung than most other mortals can on two.

Murrow improved the U.S. Information Agency down here, not as much as he hoped to or would have if he hadn't been benched by cancer, but the main thing he did was to take the USIA out of the doghouse and into the White House.

When President Kennedy asked him to leave CBS and take this job, Murrow made one condition. He said that a good information service could not make up for bad policy, and that he had to be in on the policy decisions he was expected to explain to the world. President Kennedy agreed, except in the first Cuban disaster, which caused a row, but thereafter kept the promise.

Murrow had his disappointments, too. He thought he would attract to the Agency more good men than he actually did. He had an excellent aid, Don Wilson of Life magazine, and he greatly improved the film and magazine output of the Government, particularly the former, but he would be the last to say that he had achieved the ideal before he had to resign and take a rest.

Maybe he'll really take a rest this time, but don't bet on it. He used to broadcast from a dungeon in the BBC every night during the blitz on London and wind it up with a beer and a pack of cigarettes and a long nostalgic tale about how he was eventually going back to the west coast and run a small college and work on his slice.

This gradually developed into a family joke. After the war, he was a national figure, sort of a cross between John Barrymore and Richard Harding Davis. He was recognized everywhere he went. His voice was better known than Roosevelt's, and every time he went off with his wife, Janet, and his boy, Casey, he detoured off somewhere to plan or produce another television show.

THE LOST GENERATION

If he really took time off to tell the story of this remarkable period, he would serve his country well, for one of the odd things about the men and women who reported the events just before and during and after the Second World War is that so few of them slowed down long enough to sum up their experiences.

There is, therefore, a gap between the remarkable generation of Arthur Krock, Walter Lippmann, and David Lawrence and the journalists now in their forties; and Murrow, when he comes back, could do a lot to fill it in.

Meanwhile, all golfers west of the Rockies are hereby put on notice. If you see a handsome southpaw who swings like a rocking chair, and hits a No. 3 wood from the tee with a little educated slice, don't be deceived, for Ed Murrow is the shrewdest first-tee negotiator in the country and the best left-handed putter in Christendom.

Everywhere else in the world he's a gentleman, but on a golf course, and particularly within 8 feet of the cup, he's a scoundrel.

Mr. SALTONSTALL. Mr. President, will the Senator yield?

Mr. HUMPHREY. I yield.

Mr. SALTONSTALL. I wish to add a few brief words with relation to Mr. Murrow. Of the various gentlemen who headed the U.S. Information Agency, I think he had a clearer conception than anyone else of its possibilities and what they involve. During the several years he was the head of the Agency, I worked with him as a member of the Appropriations Committee.

I grew to appreciate his knowledge of the subject and also to appreciate his friendly qualities. We played some golf together but I will leave it to him to say who was the better player.

I join the Senator from Minnesota in pressing regret that Mr. Murrow is leaving Government service.

Mr. YOUNG of Ohio. Mr. President, I concur in every statement that has been made regarding Edward R. Murrow. In my judgment, based upon intimate knowledge of the facts, Mr. Murrow made a great personal and financial sacrifice to serve his country. He has been a truly dedicated public servant. He has done more to increase prestige of the United States throughout the world than almost anyone else in Government. Our prestige abroad has been immeasurably enhanced by the work of the U.S. Information Agency under his direction.

It is a real loss to the Nation that Edward R. Murrow must resign from his high position. I am sure that all of us wish him Godspeed and happy landings in anything that he may undertake in the future.

Mr. MONRONEY. Mr. President, I join the distinguished assistant majority leader, the Senator from Masschusetts, and the Senator from Ohio in expressing a deep sense of sorrow in the loss of one of the most capable, efficient, knowledgeable, and effective public servants the Government has ever had. Edward R. Murrow brought to his important post in the Government a deep sense of dedication and competency that we can ill afford to lose.

As a commentator in the highly competitive field of radio and television broadcasting, he was respected as one of the leaders.

With vigor, energy, and knowledge he presented the good side of American life, and also admitted frankly that certain parts of American life were not good. His way of presenting the news lent authority and credence to the message that was carried across the seven seas by the Voice of America and the other U.S. Information Agency services.

Within the USIA he created a new type of extreme loyalty and great pride of service in the vital field in which he performed with such great effectiveness, efficiency, and dedication, which won for him the loyalty and affection of all those who served with him.

I hope that his moving to California and retiring from the pressures of the operation of a giant governmental agency will not interfere with his facile pen, his cogent means of expression, and his dedication to the promotion of the ideals of democracy to people around the world, and that these great abilities will still be available for helping those who look to us for an understanding and interpretation of the actions of this country.

Mr. HUMPHREY. Mr. President, I conclude my remarks with reference to Mr. Murrow and Mr. Rowan by reflecting how fortunate it is that this great Nation has such dedicated public servants with a sense of sacrifice as Ed Murrow, whom we know so well and respect so much and love so dearly.

How very fortunate we are that we can find to succeed him a man who has unusual qualifications in the field of communications, and unusual qualifications in terms of his experience and background in the field of news media. I refer, of course, to Carl T. Rowan.

I wish Mr. Rowan all possible success as he assumes his new responsibilities. I am convinced that he will fulfill them with distinction and honor.

PUBLIC OPINION POLLS ON PRESIDENT JOHNSON

Mr. HUMPHREY. Mr. President, my fellow Minnesotans have indicated in many ways their approval of the fine leadership which President Johnson has given to our country since the death of our late and beloved leader, President Kennedy.

Most strikingly, the accurate and tested pollsters of the Minneapolis Tribune, who conduct the Minnesota poll, have published three polls—one on December 22, one on December 29, and another on January 21—which conclusively demonstrate that more than 8 out of 10 Minnesotans—indeed, almost 9 out of 10 Minnesotans—approve of President Lyndon B. Johnson as he completes his first weeks of office. It is particularly noteworthy that while 95 percent of the members of my own party approve of President Johnson, 89 percent of those who consider themselves independents also approve of him, and even 74 percent of those who are Republican voters register approval.

Finally, only 4 out of 100 Minnesotans could be found who register even mild disapproval of the President.

This is a new record for approval of a President in recent history—and tops even the very warm support enjoyed by President Kennedy and President Eisenhower at the comparable period in their terms of office.

President Johnson has earned this approval of my constituents by his demonstration of courage and firmness and intelligence, which are the hallmarks of a great leader in time of crisis. I am proud, Mr. President, to place in the public record this incontrovertible evidence of the public estimation of our President.

I ask unanimous consent, therefore, to have printed at the conclusion of my remarks the three articles from the Minneapolis Sunday Tribune of December 22, December 29, and January 21, 1964.

There being no objection, the articles were ordered to be printed in the Record, as follows:

[From the Minneapolis (Minn.) Sunday Tribune, Dec. 22, 1963]

NINETY-THREE PERCENT LIKE WAY JOHNSON TOOK OVER

Minnesotans are in overwhelming agreement about President Johnson on these two points:

They like the way Mr. Johnson has taken on the duties of the Presidency since the death of John F. Kennedy.

They expect he will be nominated by the Democratic Party for President in 1964.

In a statewide survey by the Minneapolis Tribune's Minnesota poll, those two points of view are expressed by Minnesota men and women, regardless of place of residence in the State, age, education, or political affiliation.

A question which poll field reporters put to a balanced sampling of voting-age residents in December was:

"When it comes to the way Lyndon B. Johnson has taken on the duties of the Presidency, are you favorably or unfavorably impressed?"

Ninety-three percent of the people say they they are favorably impressed by the manner in which Mr. Johnson assumed his Presidential responsibilities. Two percent have unfavorable reactions, and 5 percent are noncommittal.

When people with favorable reactions were asked what has impressed them most about President Johnson, they answered in these ways:

	Percent
L.B.J. is decisive, efficient, kept Government operating	38
Like his decision to continue Kennedy administration policies and personnel, provides continuity	27
L.B.J. well prepared for Presidency, experienced in politics	20
L.B.J. personal qualities: Friendly, honest, sincere, patient, aggressive, courageous	11
Other answers	20
Don't know	6
Total	122

(The column totals more than 100 percent because many Minnesotans cited several things about President Johnson that impressed them.)

People also mention that President Johnson is trying to do his best for the whole Nation, approve of his speeches and manner of speaking, feel that he is determined to cut Government spending, and give a variety of other favorable reactions.

State residents also were asked:

"President Johnson has asked all members of the Kennedy Cabinet to stay in office. In the next few months, do you expect there will be quite a few changes in the Cabinet, or not very many?"

	Percent
Quite a few changes will take place in Cabinet	12
Not very many	62
None	21
No opinion	5
Total	100

When asked what changes might take place in the President's Cabinet, only 28 percent of the entire sample suggested any specific Cabinet posts. Singled out most frequently were Attorney General Robert F. Kennedy, the late President's brother, and Secretary of Agriculture Orville Freeman.

Another question in the survey was:

"Do you think Lyndon B. Johnson will be the Democratic Party's 1964 candidate in the presidential race, or do you think someone else is more apt to be nominated?"

	Percent
L.B.J. will be nominated	91
Someone else will be nominated	5
No opinion	4
Total	100

[From the Minneapolis Tribune, Dec. 29, 1963]

JOHNSON FAVORED IN STATE OVER GOP OPPONENTS

That President Johnson would be a formidable opponent to the Republicsan nominee for President in 1964 is indicated in these findings from a statewide survey by the Minneapolis Tribune's Minnesota poll:

In a test race between Mr. Johnson and former Vice President Richard M. Nixon, Minnesotans today favor President Johnson 71 to 25 percent.

The preference margins are even more onesided in Mr. Johnson's favor when voting age residents consider Senator Barry Goldwater, of Arizona, and Gov. Nelson Rockefeller, of New York, as possible GOP standard bearers in 1964.

The heavy emotional impact of President Kennedy's death undoubtedly is reflected in the survey findings. Interviewing was started in early December, 2 weeks after Mr. Kennedy was killed in Dallas, Tex.

A balanced sampling of voting age men and women was asked:

"Suppose that the presidential election next November turns out to be a race between Senator Barry Goldwater, of Arizona on the Republican ticket and President Lyndon Johnson on the Democratic ticket. Which man would you favor as things stand today—Goldwater or Johnson?"

Similar questions were asked with Rockefeller and Nixon as candidates against Mr. Johnson. The replies of all Minnesotans questioned, and of Republicans:

[Percent]

	Johnson versus Gold- . water	Johnson versus Rockefeller	Johnson versus Nixon
All Minnesotans:			
Favor Johnson	76	76	71
Favor GOP entry	17	18	25
"Neither"	1	1	1
No opinion	6	5	3
Total	100	100	100
Republicans:			
Favor GOP entry	51	44	65
Favor Johnson	44	48	31
"Neither"	1	4	1
No opinion	4	4	3
Total	100	100	100

Independent voters favor Mr. Johnson by very wide margins in all three test races, with Nixon making the strongest showing of the Republican trio.

[From the Minneapolis Tribune, Jan. 21, 1964]

Big Majority in State Approve L.B.J.'s Actions

Nearly 9 out of 10 Minnesotans approve of President Lyndon Johnson at the beginning of his White House service, a statewide survey by the Minneapolis Tribune's Minnesota poll indicates.

It's strong approval with 54 percent of the people interviewed and mild approval in the case of 34 percent.

Such a popular start for a President might well stand as a record in Minnesota if exact comparisons could be made.

In a 1961 statewide sampling of Minnesotans, 83 percent approved of the way President Kennedy was handling his duties at the beginning of his term. Approval of President Eisenhower stood at the 77-percent level at a comparable time in 1953.

Those responses were in reply to a direct approve-or-disapprove type of question.

In the current survey, voting age men and women living in all parts of Minnesota were given a numbered rating scale making it possible for them to indicate whether they approve or disapprove of Mr. Johnson and also tell how strongly they held their views.

The replies:

	Percent
Strong approval of President Johnson	54
Mild approval	34
Neutral	8
Mild disapproval	3
Strong disapproval	1
Total	100

While approval of Mr. Johnson on that basis is higher than it was at any time for President Kennedy, the fact that interviewing took place in December, a short time after Mr. Kennedy's death, is an important consideration.

Here is the extent to which different types of Minnesotians approve of President Johnson in the survey:

[Percent]

	Strong approval of L.B.J.	Mild approval of L.B.J.	Total
All adults	54	34	88
Men	54	34	88
Women	54	34	88
21 to 29 years	45	42	87
30 to 39 years	45	40	85
40 to 49 years	58	29	87
50 to 59 years	62	30	92
60 and over	58	30	88
Democratic-Farmer-Labor Party backers	72	23	95
Republicans	33	41	74
Independents	49	40	89

AFL–CIO REACTION TO PRESIDENT'S STATE OF THE UNION MESSAGE

Mr. HUMPHREY. Mr. President, on January 8 the Nation was reassured and inspired by President Johnson's state of the Union message. We were reassured that our new President is determined to carry on the enlightened programs of his predecessor for the greater welfare and freedom of this Nation's citizens. We were inspired by the dynamic personal commitment of our new President who made it clear that his recommendations to Congress would bear his individual stamp.

President George Meany, of the AFL–CIO, reacted promptly and enthusiastically to the goals outlined in the President's message. In a news release issued that same day, he assured the President that this great organization was "with him 100 percent in these fights."

This is good news, but it is no surprise to those of us familiar with the distinguished record of the American labor movement, which has repeatedly proven itself not a narrow interest group, but a force seeking the public interest in its widest sense. I ask unanimous consent that Mr. Meany's remarks be placed in the Record at this point.

There being no objection, the press release was ordered to be printed in the Record, as follows:

The President has challenged America to make the American way of life more meaningful to more people. He obviously intends to judge the prosperity of America only by the well-being of all her people. That can only be achieved when we outlaw the pockets of poverty, the inhumanities of discrimination and segregation, the illiteracy, the exploitation, the suffering, that are today the lot of too many of our citizens.

This is a warm and human message, and it bespeaks an administration of warmth and humanitarianism.

The President demonstrated a sound understanding of the major problem of unemployment that faces us and of the need for a constantly growing, expanding economic base which is essential to the United States both at home and abroad. Obviously America cannot be half-strong or half-employed, or half-housed or only partially prepared to lead the forces of the free world.

President Johnson recognizes all of these facts.

Like him, we are opposed to waste in Government. Like him, we deplore the waste that is inherent in long-term, widespread unemployment. Unlike some of the carping critics of our time, the American worker is just as interested in balancing the budget of human needs as he is in balancing the fiscal budget of the United States.

We don't think there is any magic budget figure. The details of the President's budget are what will count as far as we are concerned. As we have said often in the past, we are prepared to pay the cost of keeping America strong militarily and economically, so it is the specifics of the budget message—not just the total figure—that will count with us.

The President has voiced his opposition to the 35-hour week which the American labor movement believes is essential to solving the problem of unemployment. Let me reiterate the fact that the AFL–CIO has never contended the 35-hour week was the sole magic formula for solving the jobless problem. We have said from the beginning that if this Nation can achieve a full employment economy at 40 hours we will be the first to applaud.

But we are unconvinced by the President's observation that a 35-hour week would merely share employment. We shall continue to fight for a shorter workweek. The only thing that will stop our fight is achievement of full employment.

The President has quite correctly assessed the problem of overtime as a major contributing factor to unemployment. We think there is abundant evidence now to cause the Congress to enact a double-time-for-over-40-hours provision in the Fair Labor Standards Act.

The President's call for a high-level commission on automation is eminently sound. The short- and the long-term problems that automation is causing and will cause this Nation cannot be wished away. The answer is immediate study and thoughtful action, and we commend the President for his understanding of this need.

The President has given the highest priorities to a tax cut, to enactment of civil rights legislation, and to passage of hospital care for the aged under social security. We are with him 100 percent in these fights. America can brook no further delay by the Congress of the United States on these matters.

The President's message is a challenge to the Congress and to the people. The American labor movement is ready and willing to do its part in meeting this challenge.

PRESIDENT JOHNSON'S MESSAGE TO GENEVA DISARMAMENT CONFERENCE

Mr. HUMPHREY. Mr. President, at the opening of the 18-nation disarmament negotiations this week in Geneva, President Johnson sent a message which briefly, but clearly, notified the world that the United States will continue realistic initiatives for peace in the year ahead.

Negotiations over the last 18 years have so often been marred by propaganda thrusts by the Soviet Union for peace in general that little has been achieved in terms of concrete results.

Such gambits are really no longer possible. One thing we have learned is that inspection and verification are the absolute essentials for any meaningful program of arms reduction or control. The world has learned this, too. Hereafter, credibility will be given only to proposals which include provisions for feasible inspection.

With a closed society, the Soviet Union has greater difficulty in accepting the openness that inspection requires than we do. Agreements for large steps are probably not possible and should not be expected. But limited progress is possible. We should spare no effort to seek this. We should seek limited agreements first, and place the burden on the Soviet Union to accept some inspection.

We are proposing limited measures. We will discuss them singly or as a package. There is a singular acuteness in the President's major new proposal—that of limited delivery systems for atomic warheads. Inspection of the production of bombs would have to be elaborate. Inspection of the delivery systems would not have to be elaborate. Yet it would be a considerable step toward halting an atomic arms capability race.

We are making a series of limited, but sound, proposals. Progress on even a few would be heartening.

The only good propaganda is deeds not words. We have now taken the initiative of proposing something concrete and possible. With perseverance, it should pay off.

We have an experienced negotiator in William Foster as the head of the American delegation.

Mr. Foster is an experienced public servant. He has already served under four Presidents; namely, President Roosevelt, President Truman, President Eisenhower, and President Kennedy, and now is serving under the fifth President, President Johnson.

We have the firm leadership of a President who knows that the leading item on the agenda of mankind is peace.

The new round of disarmament talks now opening in Geneva can offer fruitful opportunities for both the United States and the Soviet Union.

Once again the United States has a chance to demonstrate unmistakably, in an international forum, our readiness to discuss reasonable approaches to joint reduction of armaments and control of weapons. And once again, in going back to the Geneva bargaining table, we shall be leading from strength, not weakness. It is clear to the whole world—including the Soviet bloc—that our military capability is second to none. Yet once again we welcome this opportunity to tell the whole world that we are willing to enter into agreements designed to reduce the tensions that might lead to war, provided that those agreements are safeguarded in such a way as to prevent any nation from cheating.

In case there had been any question about it at all, President Johnson has spelled out anew our objectives in his letter to Chairman Khrushchev. We seek to block the spread of nuclear weapons and limit present systems, to end both testing and the production of fissionable materials, to divert much of these materials to peaceful use and to reduce the risk of war by either accident or design. These are goals to which all Americans can subscribe. These are goals which most other nations in the world share. These are goals toward which U.S. negotiators at Geneva will work as consistently as they have in past conferences there.

It remains to be seen in what spirit the Soviet Union will return to negotiations. The Soviet Union has long paid lipservice to the objectives enunciated by President Johnson, first, in the letter to Premier Khrushchev; second, in his message to the Geneva Conference; and only yesterday in his message to the American people on the subject of peace and arms control. The Soviet Union now has an opportunity to prove to the world that it means business; that when Mr. Khrushchev talks peace, he means peace.

It also remains to be seen what kind of leadership the Kremlin will give to the Soviet people and other Communist nations represented at Geneva. There are signs that the Eastern European countries on which she has imposed her will are beginning to be fed up. The sounds we hear faintly through the Iron Curtain seem to indicate that the Soviet bloc—or at least some of its elements—is getting restless. No one is foolish enough to suspect that any of the bloc countries is about to revolt on a large scale and invite another Hungarian-type bloodbath. But Mr. Khrushchev and his cohorts in the Kremlin must be well aware that danger signals are flying along the Danube, and that pious preachment about peace must be backed up by concrete action contributing to peace.

Mr. Khrushchev and the other Kremlin leaders took a small step forward last year when they agreed with the United States, Great Britain, and subsequently with many other nations to a nuclear test ban treaty. Now let us see whether they are prepared—as we are—to go forward from that modest beginning. Let us see whether the Kremlin has the wisdom, the courage, and the good faith to provide positive, peaceful leadership to those whom they would lead. The world knows that the United States means what it says.

I am highly pleased that President Johnson delivered this message to the American people by television, radio, and the press, not merely as a message to the negotiators at Geneva. The President has made the securing of a just peace the people's business. He has placed the highest priority upon it, and for this he is to be truly commended. Mr. Khrushchev now has another opportunity to prove that he means what he says. We hope that, for once, he will seize the opportunity that Geneva affords. As the negotiators return to Geneva, our guard is still up, but we are hopeful and determined to work for what President Johnson describes as "practical progress toward peace." We hope Mr. Khrushchev is, too; and we urge him to do the same.

The disarmament negotiations are resuming at Geneva with renewed hope engendered by the achievement in the past year of the hot-line agreement, the nuclear test ban treaty, and the United Nations resolutions calling on all nations to refrain from the placing of weapons of mass destruction in orbit.

But coupled with this hope is the strong resolve of the Western nations to achieve further progress in this field. This resolve is admirably shown in President Johnson's message to the Conference, on which I would like to comment briefly today.

The message not only reaffirms the dedication of the United States to the goal of a just and lasting peace, but enumerates five areas of importance to that goal in which the President considers agreement possible in the relatively near future.

First. He addressed himself to the December 31, 1963, note from Chairman Khrushchev on territorial disputes. He declared that, in consultation with our allies, we will be prepared to discuss means of prohibiting the threat or use of force, directly or indirectly, to change boundaries or demarcation lines; to interfere with access to territory; or to extend control or administration over territory by displacing established authorities.

Second. He proposed that an endeavor be made now to halt further increases in strategic armaments. He proposed that the United States and its allies explore with the Soviet Union and its allies the possibility of agreement on a verified freeze of the number and characteristics of strategic nuclear offensive and defensive vehicles.

About this subject I have already commented. He expressed the conviction that the security of all nations can be safeguarded within the scope of such an agreement, and that this initial measure, preventing the further expansion of the arms race, could open the path to reductions in all types of forces from present levels.

Third. He reaffirmed the belief of the United States in the desirability of a verified agreement to halt all production of fissionable materials for weapons use. Pending agreement on this measure, he said the United States was willing to achieve prompt reductions through both sides closing comparable production facilities on a plant-by-plant basis, with mutual inspection.

Fourth. He reaffirmed the need to further reduce the danger of war by accident, miscalculation, or surprise attack. As a move in this direction, he said that, in consultation with our allies, we will be prepared to discuss proposals for creating a system of observation posts.

Lastly, he proposed a number of measures to stop the spread of nuclear weapons to nations not now controlling them, including, first, agreement that nuclear weapons would not be transferred into the national control of states which do not now control them, and that all transfers of nuclear material for peaceful purposes take place under effective national safeguards; second, acceptance by the major nuclear powers in their peaceful nuclear activities of the same inspection they recommend for other states; and, third, agreement on the banning of all nuclear weapons tests under effective verification and control.

I wish to add my hearty endorsement of the President's message, which I consider both forward looking and practical.

It would be hard to conceive of a more auspicious way in which to reopen the negotiations on which the entire world looks with such interest and hope.

Mr. President, I ask unanimous consent to have printed at this point in the RECORD the text of President Johnson's message to the Disarmament Conference; the text of the President's reply to Mr. Khrushchev's letter of December 31, 1963; the text of his statement to the American people; an article entitled "L.B.J. Arms Plea Dominates Parley," written by Robert H. Estabrook, and published in the Washington Post of January 22, 1964; and an editorial entitled "A Missile Freeze," published in the New York Times.

There being no objection, the items were ordered to be printed in the RECORD, as follows:

President's Message to Geneva Conference

There is only one item on the agenda of this Conference—it is the leading item on the agenda of mankind—and that one item is peace.

Already this Conference has led to more concrete and effective results than any disarmament conference in modern history. Your efforts and deliberation laid the groundwork for the nuclear test ban treaty—for the communications link between Washington and Moscow—and for the U.N. General Assembly action against nuclear weapons in space.

Today your search begins anew in a climate of hope. Last year's genuine gains have given us new momentum. Recent Soviet and American announcements of reductions in military spending, even though modest, have brightened the atmosphere further. Let us pray that the tide has turned—that further and more far-reaching agreements lie ahead—and that future generations will mark 1964 as the year the world turned for all time away from the horrors of war and constructed new bulwarks of peace.

Specifically, this Nation now proposes five major types of potential agreement:

First, as Chairman Khrushchev and I have observed, the use of force for the solution of territorial disputes is not in the interest of any people or country. In consultation with our allies, we will be prepared to discuss means of prohibiting the threat or use of force, directly or indirectly—whether by supply of arms—to change boundaries or demarcation lines; to interfere with access to territory; or to extend control or administration over territory by displacing established authorities.

Second, while we continue our efforts to achieve general and complete disarmament under effective international control, we must first endeavor to halt further increases in strategic armaments now. The United States, the Soviet Union and their respective allies should agree to explore a verified freeze of the number and characteristics of strategic nuclear offensive and defensive vehicles. For our part, we are convinced that the security of all nations can be safeguarded within the scope of such an agreement and that this initial measure preventing the further expansion of the deadly and costly arms race will open the path to reductions in all types of forces from present levels.

Third, in this same spirit of early action, the United States believes that a verified agreement to halt all production of fissionable materials for weapons use would be a major contribution to world peace. Moreover, while we seek agreement on this measure, the United States is willing to achieve prompt reductions through both sides closing comparable production facilities on a plant-by-plant basis, with mutual inspection. We have started in this direction—we hope the Soviet Union will do the same—and we are prepared to accept appropriate international verification of the reactor shutdown already scheduled in our country.

Fourth, we must further reduce the danger of war by accident, miscalculation or surprise attack. In consultation with our allies, we will be prepared to discuss proposals for creating a system of observation posts as a move in this direction.

Fifth, and finally, to stop the spread of nuclear weapons to nations not now controlling them, let us agree:

(a) That nuclear weapons not be transferred into the national control of states which do not now control them, and that all transfers of nuclear materials for peaceful purposes take place under effective international safeguards;

(b) That the major nuclear powers accept in an increasing number of their peaceful nuclear activities the same inspection they recommend for other states; and

(c) On the banning of all nuclear weapons tests under effective verification and control.

Each of these proposed steps is important to peace. No one of them is impossible of agreement. The best way to begin disarming is to begin—and the United States is ready to conclude firm agreements in these areas and to consider any other reasonable proposal. We shall at all times pursue a just and lasting peace—and with God's help, we shall achieve it.

Text of Letter by the President Addressed to His Excellency Nikita S. Khrushchev, January 18, 1964

DEAR MR. CHAIRMAN: I welcome the stated objective of your December 31 letter and agree with much of its contents. It is my hope that we can build on these areas of agreement instead of merely emphasizing our well-known disagreements. This Nation is committed to the peaceful unification of Germany in accordance with the will of the people. This Nation, which has fundamental commitments to the Republic of China, has for many years sought the renunciation of force in the Taiwan Strait. This Nation's forces and bases abroad are for collective defense, and in accordance with treaties and agreements with the countries concerned.

Let us emphasize instead our agreement on the importance your letter places on preserving and strengthening peace, and on the need to accompany efforts for disarmament with new efforts to remove the causes of friction and to improve the world's machinery for peacefully settling disputes. In this spirit, let us both present new proposals to the Geneva Disarmament Conference, in pursuit of the objectives we have previously identified: To prevent the spread of nuclear weapons; to end the production of fissionable material for weapons; to transfer large amounts of fissionable materials to peaceful purposes; to ban all nuclear weapons tests; to place limitations on nuclear weapons systems; to reduce the risk of war by accident or design; to move toward general disarmament.

I am sure you will agree that our task is to work hard and persistently on these and other specific problems and proposals—as you and President Kennedy did on the test ban treaty—instead of confining ourselves to vague declarations of principle that oppose some wars but not all.

Your letter singles out the problem of territorial disputes and concludes that "the use of force for the solution of territorial disputes is not in the interest of any people or any country." I agree; moreover, the United States proposes guidelines to implement this principle which are even broader and stronger than your own.

First, all governments or regimes shall abstain from the direct or indirect threat or use of force to change international boundaries; other territorial or administrative demarcation or dividing lines established or confirmed by international agreement or practice; the dispositions of truce or military armistice agreements; or arrangements or procedures concerning access to, passage across or the administration of those areas where international agreement or practice has established or confirmed such arrangements or procedures.

Nor shall any government or regime use or threaten force to enlarge the territory under its control or administration by overthrowing or displacing established authorities.

Second, these limitations shall apply regardless of the direct or indirect form which such threat or use of force might take, whether in the form of aggression, subversion, or clandestine supply of arms; regardless of what justification or purpose is advanced; and regardless of any question of recognition, diplomatic relations, or differences of political systems.

Third, the parties to any serious dispute, in adhering to these principles, shall seek a solution by peaceful means—resorting to negotiation, mediation, conciliation, arbitration, judicial settlement, action by a regional or appropriate United Nations agency or other peaceful means of their own choice.

Fourth, these obligations, if they are to continue, would have to be quite generally observed. Any departure would require reappraisal; and the inherent right of self-defense which is recognized in article 51 of the United Nations Charter would, in any event, remain fully operative.

You will note the basic similarities in our position. Agreement should not be impossible on this or other propositions—and I share your hope that such agreement will stimulate disarmament and peaceful relations.

The prevention of wars over territorial and other disputes requires not only general principles but also the "growth and improvement" to which you refer regarding the machinery and methods for peaceful settlement. The United States believes that the peacekeeping processes of the United Nations—and specifically its Security Council—should be more fully used and strengthened and that the special responsibilities and contributions of the larger countries—particularly the permanent members of the Security Council—deserve greater attention in solving its financial problems.

In conclusion, with our allies, we shall offer specific proposals along these lines in the weeks ahead. Both the Geneva Disarmament Conference and the United Nations are appropriate places for such discussions.

Mr. Chairman, let me assure you that practical progress toward peace is my most fervent desire. This requires, not only agreements in principle but also concrete actions in accord with those principles. I believe this exchange of letters offers real hope for that kind of progress—and that hope is shared by all peace-loving men in every land.

Sincerely,

LYNDON B. JOHNSON.

Statement by the President to the American People

This morning in Geneva, Switzerland, the 18-Nation Committee on Disarmament resumed its work. There is only one item on the agenda of that Conference—it is the leading item on the agenda of mankind—and that one item is peace.

In my message to Geneva today, I expressed pride in the gains we have made and prayed that the tide has turned, that further and more far-reaching agreements lie ahead, and that future generations will mark 1964 as the year the world turned for all time away from the horrors of war and constructed new bulwarks of peace.

Agreement on the control, the reduction and the ultimate abolition of weapons and war is not impossible, as it seemed for so many years.

We now have a limited nuclear test ban treaty.

We now have an emergency communications link—a "hot line"—between Washington and Moscow.

We now have an agreement in the United Nations to keep bombs out of outer space.

These are all small steps—but they go in the right direction—the direction of security and sanity and peace. Now we must go further.

Just as we are determined to do whatever must be done to defend our freedom and deter aggression—so must we be equally determined to reduce the risks of another worldwide war, a war in which the first hour might be measured in terms of how many hundreds of millions are killed.

If we have the genius to create these terrible weapons of destruction, then we have the genius to create the means of their destruction.

There will be risks—there will be doubts and delays and disappointments. But the pursuit of peace must continue.

Today we return to the conference table at Geneva with new momentum and hope. Based on continuing discussions with our Allies and effective safeguards, the United States is asking the world to take further steps toward peace—enforceable steps which can endanger no one's safety and enlarge everyone's security.

First, we are proposing new agreements to stop the spread of nuclear weapons to nations not now possessing them. Today's uncertain and unsatisfactory balance of terror will be all terror and no balance if dozens of nations, large and small, have their own nuclear trigger.

Second, we are proposing that both sides accept observation posts on their own territories as a safeguard against miscalculation and misunderstanding and the fear of surprise attack.

Third, we are proposing that both sides stop all production of the fissionable material that is used in nuclear weapons. This country and the Soviet Union already have produced enough explosive force to equal 10 tons of TNT for every man, woman, and child on the face of the earth. We have already announced that we are cutting back our production. We are willing to shut down more plants if and when the Soviet Union does the same, plant by plant, with inspection on both sides.

Fourth, as stated in my letter to Chairman Khrushchev yesterday, we are proposing practical measures to ban the threat or use of force—direct or indirect force—to change boundaries, demarcation lines, the control of territory or access to it.

In short, we are going beyond Mr. Khrushchev's New Year's declaration against the use of force in territorial disputes and asking him to join us in applying that principle on a broader basis.

Finally, we are proposing that a way be found to stop the ominous increase in strategic nuclear forces. To this end, let both sides explore freezing the numbers and kinds of their strategic nuclear vehicles—whether planes or missiles, whether offensive or defensive.

Each one of these five proposals is important to peace. No one of them is impossible of agreement. The best way to begin disarming is to begin—and we shall hear any plan, go any place, make any plea, and play any part that offers a realistic prospect of peace.

Disarmament is not merely the Government's business. It is everyone's business. It is the concern of every parent and teacher, every public servant, and every private citizen.

I ask your support for these measures—and I ask your prayers for peace.

This world has had its fill of war. We want a just and lasting peace—and with God's help, we shall achieve it.

[From the Washington Post, Jan. 22, 1964]

L.B.J. ARMS PLEA DOMINATES PARLEY

(By Robert H. Estabrook)

GENEVA, January 21.—President Johnson's five-point proposal aimed at freezing strategic nuclear weapon levels and reducing risks of accidental war dominated the opening session of the resumed 18-Nation Disarmament Conference here this afternoon.

There was no immediate Soviet reaction to Mr. Johnson's proposal. Initial "suggestions" advanced by Chief Delegate Semyon K. Tsarapkin appeared to be largely a recitation of known Soviet positions couched in more conciliatory language.

Tsarapkin did indicate renewed Soviet interest in the exchange of observer posts by NATO and the Warsaw Pact to warn against surprise attack, but linked this firmly to agreement on a denuclearized zone covering West and East Germany.

FRIENDLIER ATMOSPHERE

Participants said that the atmosphere at the Palais des Nations today was notably friendlier and easier than in the sessions which were suspended last summer. The attitude of delegations was described as ranging from cautiously to flatly optimistic.

American delegation chief William C. Foster found the tone of Tsarapkin's comments "hopeful for further negotiations." Soviet restoration of observer posts as an item for negotiation, Foster noted would be an item of interest "after discussion with our allies."

Foster emphasized after the meeting that the call for a verified freeze on the number and characteristics of strategic nuclear weapons is the principal new American idea.

This and President Johnson's response to Soviet Chairman Khrushchev on development of means to prohibit the threat or use of force in territorial disputes, Foster said, are the items of greatest significance in the American approach.

WELCOMED BY BRITAIN

British Minister of State Peter Thomas warmly welcomed Mr. Johnson's proposal. Thomas also advanced a British suggestion for a new approach in the Conference with fewer formal debates and more reference to working groups and invited experts.

Despite the generally mild tone of the Soviet comments, Tsarapkin could not resist a slap at West German "Revanchists," and he took an indirect poke at the American-sponsored multilateral nuclear force.

Tsarapkin cited seven areas in which the Soviet Union believes progress may be possible. These include:

Agreement on general reduction of armed forces, especially forces based on foreign territory.

Withdrawal or reduction of military forces in Europe. The Soviet Union, he said, is ready to start withdrawals from the German Democratic Republic and other East European countries if other states will start withdrawals from West Germany and elsewhere in Western Europe.

Reduction in military budgets. He noted that both the United States and the Soviet Union have reduced their arms budgets—in the case of the Soviet Union, he claimed, by 4.3 percent or 600 million rubles ($660 million at the official rate of exchange).

A nonaggression treaty between NATO and the Warsaw Pact countries.

Creation of denuclearized zones in central and northern Europe, the Mediterranean and the Balkans. The Soviet Union has supported the establishment of such zones in Africa and Latin America, he noted, but views central Europe as the most important area because it is the most dangerous.

Measures to reduce the danger of surprise attack, including the exchange of observer posts between NATO and the Warsaw Pact. He coupled this, however, with reduction in military force levels, lessened tension and establishment of a denuclearized zone covering the two Germanys.

[From the New York Times]

A MISSILE FREEZE

President Johnson has broken important new ground in his proposal for a "verified freeze" on long-range missiles and other strategic nuclear delivery systems. His message to the Geneva Disarmament Conference yesterday for the first time opened the way for East-West action on the single most critical issue in arms control.

The danger of all-out nuclear war hinges on the existence of thermonuclear warheads and the vehicles that can carry them to target. Powerful warheads now are so small, numerous, and easily concealed that they defy mutual control. But delivery systems, so far, are still of a size and complexity that would permit effective inspection, if an agreement could be reached to limit numbers and types.

A situation of mutual deterrence now inhibits both East and West from starting a major war. But this situation contains dangerous instabilities. If the arms race in strategic systems continues, there is the possibility of a technological breakthrough that an aggressor might be tempted to exploit. Short of that there is the danger of war by accident, miscalculation, or surprise attack. For modern arms provide an enormous advantage to the side that uses strategic nuclear weapons first—or even as a quick second.

President Johnson's proposal, if accepted, would be a huge step toward coming to grips with all these problems. It would end the arms race in the nuclear missile field, heading off development of, for example, antimissile systems that could destabilize mutual deterrence.

Equally important, as the President emphasized, it would "open the path to reductions" in missile numbers and other forces. This is the route toward an international system of minimum deterrence which could eliminate the greatest risks of war through miscalculation.

The big question is whether Moscow will discuss inspection, the key to progress in most fields. Minimum inspection would suffice for the missile freeze President Johnson has proposed. Occasional visits to a few large missile and bomber plants probably would be sufficient to police an agreement.

All of the measures under discussion in Geneva are dwarfed by the new Johnson proposal. For progress here could lead to the kind of arms control that could convert the present balance of terror into a far more stable balance of prudence.

Mr. PASTORE. Mr. President, will the Senator from Minnesota yield?

Mr. HUMPHREY. I yield.

Mr. PASTORE. I am happy to associate myself with the remarks just made by the distinguished assistant majority leader. Only today, at the beginning of the morning hour, the distinguished majority leader [Mr. MANSFIELD] spoke on the same subject. At that time I, too, made a statement.

The one point that needs to be reiterated at this time, and which has been emphasized by the Senator from Minnesota, is that if the agreement is consummated, no one need have any fear whatsoever that the security of this Nation and the security of the rest of the free world will be jeopardized in the least because of the agreement.

The President should be applauded for his action. He should be complimented upon taking advantage of the spirit that now prevails. All of us are hopeful that while this is another small step, it is nevertheless a step in the right direction. We all hope that the Soviet leaders will consider it in the same good spirit as that of the American Government in proposing it.

Mr. HUMPHREY. I thank the Senator from Rhode Island for his statement. His voice in this body and his strong influence in the Senate constitute a significant force for the good of the Republic. His statement concerning arms control and the negotiations now under way at Geneva is meaningful not only to the Senate but to the entire world, as well.

The President yesterday asked the people of America to interest themselves in these matters and to speak out. The representatives of the people of the United States have spoken out today. Now we shall await the remarks and comments of our fellow citizens.

GERMANENESS OF DEBATE UNDER CERTAIN CONDITIONS

The Senate resumed the consideration of the resolution (S. Res. 89) providing for germaneness of debate under certain conditions.

The PRESIDING OFFICER. The question is on agreeing to the amendment in the nature of a substitute, proposed by the Senator from Pennsylvania [Mr. CLARK], for himself and his colleague [Mr. SCOTT], to the text of the resolution, as amended.

THE PRESIDENT'S BUDGET AND THE ECONOMIC MESSAGE

Mr. HUMPHREY. Mr. President, on Tuesday, I issued a comment to the press on President Johnson's budget message. I said:

> The President's budget is a declaration of war upon waste, inefficiency, poverty, illiteracy, and disease.

I said:

> The budget is a mandate for action in the fields of social welfare. It represents a shield of strength in national security and is a commitment to fiscal responsibility. The waste and fat cut from military spending has been converted into an investment in human betterment.

To me it is all of this and more; and it follows the heartening Economic Report.

Today, I should like to comment on the President's economic message.

When the present Democratic administration took office early in 1961 under President Kennedy, we were in the midst of a recession—the third recession to hit the American economy in 7 years. At that time nearly 7 percent of the labor force was unemployed; over 20 percent of manufacturing capacity lay idle; and actual output was running $50 billion behind our economy's great potential.

At that time, it appeared to some that not only were recessions inevitable but they were to become the rule rather than the exception.

The President's Economic Report makes clear the impressive strength of the current expansion. It shows that in nearly 3 years of unbroken expansion since early 1961 the rate of activity in the United States economy has moved up sharply.

Gross national product is up $100 billion, or 16 percent, in constant dollars.

Industrial production is up 23 percent.

Civilian nonfarm jobs are up 2¾ million.

Personal income is up $70 billion, or 17 percent.

Corporate profits before taxes are up $17 billion, or 44 percent.

Net income per farm for 1963 is up almost $375, or 12 percent.

Total after-tax income of the American people is up $56 billion, or 16 percent.

Real disposable income per family is up more than $600, or 8 percent.

The unparalleled peacetime record of a $100 billion rise in total output in 2¾ years and the many other economic achievements of the past 3 years would hardly have been possible if it were not for the prompt and effective economic policies of a Democratic administration and a Democratic Congress—policies which promoted recovery, speeded expansion, and encouraged business and consumer confidence.

While we can take satisfaction in these achievements, we cannot afford to be complacent about them. The President shows that our job is far from done.

It is far from done when over 4 million workers cannot find employment.

It is far from done when the unemployment rate has not been below 5 percent in over 6 years, and when our labor force will expand at a much faster rate in the coming decade than in the one just past.

It is far from done when one-fifth of our fellow citizens—36 million Americans—live in poverty, with little hope, and below minimum standards of decency. These people lack the education, the health, the skills, the jobs, and the community and area resources, that the other four-fifths of our Nation enjoy.

Clearly we have much unfinished business. The keystone of our policies for dealing with this Nation's unfinished business is the speedy passage of the tax cut.

With the passage of the tax cut early this year:

We shall lay the fiscal groundwork for accelerated expansions. This is absolutely necessary if we are to reach full employment and remove the intolerable waste of human resources which has blighted our economic record for the past 6 years.

We shall safeguard ourselves against a recession which would otherwise cost us a minimum of $25 billion in lost output, 2 million persons more unemployed, and an irretrievable setback in our advance toward our economic goals.

We shall greatly increase and complement the successes of our programs to retrain workers displaced by technological advance, to reinvigorate economically depressed areas, and to remove the barriers to equal employment opportunities.

The tax bill, H.R. 8363, will set about these objectives by cutting individual income tax collections by $8.8 billion, and corporate tax liabilities by $1½ billion in 1964. These long overdue reductions will pay for themselves many times over in increased jobs, output, consumption, and investment.

There are some who say that America must choose between efficiency and frugality in government on the one hand and large Federal expenditures and debts to meet this country's unmet needs on the other. Also, that America must choose between maintaining an adequate defense posture and providing adequate standards of health, education, and welfare for all our people.

Fortunately for the American people, President Johnson has demonstrated that careful and judicious planning can avoid these harsh and basically invidious choices. The proposed budget for fiscal 1965 shows that it is possible to provide a net fiscal stimulus to the economy that will be three times as great this year as in 1961, 1962, or 1963 and will provide a greater net stimulus than in any other peacetime year in history, while cutting our Federal deficit in half; to hold the fiscal 1965 budget below the fiscal 1964 budget, while expanding vital programs in the areas of health, education, manpower retraining, urban renewal, and public housing; to satisfy our defense requirements fully, while strengthening our programs to meet pressing human needs.

The economics of efficiency and frugality is clearly consistent with the economics of expansion and compassion.

The Washington Post, in an editorial entitled "Beyond the Tax Cut," published on January 21, hailed the Economic Report as one that "should be read by all who wish to inform themselves about the forces which are shaping our economic future."

The President's budget has been greeted with skepticism in some quarters. But I prefer to greet it the way Roscoe Drummond did today in his syndicated column in the New York Herald Tribune: "a solid beginning toward solvent government which can afford to be humane."

Mr. President, I ask unanimous consent to have printed in the RECORD the Washington Post editorial, and the column written by Roscoe Drummond.

There being no objection, the editorial and article were ordered to be printed in the RECORD, as follows:

[From the Washington (D.C.) Post, Jan. 21, 1964]

BEYOND THE TAX CUT

The President's economic message and the annual report of his Council of Economic Advisers reflect an important change in the state of public opinion. Last year it was necessary to persuade a largely uninformed public and a skeptical Congress that tax reduction is an effective and prudent path to fuller employment and a higher rate of economic growth. With the passage of a substantial reduction in taxation virtually assured—and with the din of the election campaign growing more audible—the two documents, presented by law as the Economic Report of the President, are largely focused on post-tax cut problems. Among the most prominent of these are monetary policy, the persistence of poverty, and the stability of wages and prices.

President Johnson, in the staccato style which is becoming his hallmark, has indicated that he will vigorously counter forces which may vitiate the expansionary effects of tax reduction. His remark that "it would be self-defeating to cancel the stimulus of tax reduction by tightening money" is a clear warning to the Federal Reserve authorities that interest rates and credit conditions must encourage private investment in 1964.

Nor does the President intend to permit an inflationary spiral of price and wage increases to erode the benefits which can flow from tax reduction. He intends to establish an early warning system with the Government agencies in order to detect wage and price pressures. And the Council of Economic Advisers, in reaffirming the principles of the price-wage guideposts, first set forth in 1962, recommend price reductions in industries where the gains in productivity exceed the national average. By passing on more of the fruits of progress to the consumers, the demands for wage increases which are elicited by higher unit profits would be averted.

The Council's forecasts of income and employment for 1964 are sober reminders that one must not expect economic miracles from the tax cut. With a more congenial fiscal climate created by the prompt passage of the tax cut, the gross national product in 1964 should fall within a $10 billion range centering on $623 billion. With gross national product thus growing at a rate in excess of 6 percent, the Council expects the rate of unemployment to fall to approximately 5 percent which would imply a total of unemployed in excess of 3.5 million. The attainment of the interim goal of 4 percent, the Council says bluntly, "lies beyond 1964."

The most striking aspect of both economic documents is the emphasis on the elimination of poverty. The Council's chapter on that subject is an admirable example of lucidity and compactness in which a compassion for the poor is commingled with hard realism. The characteristics of the poor are described, and many of the causes of the poverty in which some one-fifth of all American families live are identified. But an effective program for the eradication of poverty, as distinct from its amelioration, has yet to be worked out.

Notwithstanding the fact that they are political as well as economic documents, the President's message and the annual report of the Council reflect a deep respect for the facts and a high level of analytical sophistication. They should be read by all who wish to inform themselves about the forces which are shaping our economic future.

[From the New York Herald Tribune, Jan. 22, 1964]

POLITICAL STANCE QUESTIONED—JOHNSON'S FIRST BUDGET AND CAPITOL'S SKEPTICS

(By Roscoe Drummond)

WASHINGTON.—It is a fair tactic for Senator DIRKSEN and other Republican leaders to greet President Johnson's 1964–65 budget with a shower of skepticism.

But it is a weak tactic because the nub of their position is that the Johnson budget is too good to be true. Therefore it is attacked as unattainable.

Conceivably in the end it may prove to be unattainable, but this is not an effective political stance against a budget which is basically conservative—a budget in which substantial economies are projected and some of the savings used to support social welfare programs.

The President deserves credit for making a heroic effort to cut back spending without neglecting the Nation's most acute unresolved problem—continued high unemployment at a time of prosperity.

It is a lame strategy for the Republicans to simply argue that Mr. Johnson is talking through his hat, is proposing economies he is not going to be able to make and to dismiss his budget disdainfully as merely a "blueprint for paradise" which is bound to be illusory.

It is more than that. It is a solid beginning toward solvent government which can afford to be humane.

Wouldn't it be better for the Republicans in Congress to help the administration realize the economies against any liberal Democratic pressures to throw them away?

There is no doubt that the President is offering a budget which has tremendous popular appeal because it combines fiscal conservatism with a humane approach to unemployment which the Nation cannot afford to neglect. Private spending and private enterprise, liberated from oppressively high tax rates, are the best way to create new jobs, but private enterprise cannot take care of the unemployed when the jobs are not available or retrain them for the jobs that will become available. Only government—Federal, State, and local—can do that.

This is what the administration is setting out to do: Nourish private spending and release private enterprise by an early tax cut and help the unemployed, especially the mounting young unemployed, to be ready for new employment opportunities.

The prospective budget cuts are not puny. They are considerable—at least $4 billion under the 1964–65 estimates projected by President Kennedy, $900 million less than was requested this year and a half billion less than the probable 1964 expenditures.

But the largest significance of the Johnson budget is that it begins a downward trend in spending which has eluded the Government for many years. This is the first time in 9 years that the total administrative budget has, if the administration and the Congress hold to it, brought a reduction in Federal spending. It marks a decline in military expenditures. It marks a reduction of 11,000 employees in the executive branch of the Government, the first budget that trims the Federal payroll since 1956.

There is no special magic which has made these reductions possible. They are being made possible by three things: (1) such a favorable balance of military power that we can begin to trim military spending without military risk; (2) a total 16 percent economic growth during the past 4 years; (3) a restless determination by Mr. Johnson to squeeze the fat out of Government operations.

True, these are not economies already made. They are projected. We will not know for sure that they will be realized until later this year. Let's not argue that they are unattainable but rather build a public demand to support them.

TRIBUTE TO PRESS, RADIO, AND TELEVISION FOR THEIR COVERAGE OF PRESIDENT'S BUDGET AND ECONOMIC REPORT

Mr. HUMPHREY. Mr. President, while I have the time, I wish to commend the American press, radio, and television for the excellent manner in which they have presented the budget message and the Economic Report to the American people.

The pages of the newspapers have been filled with meticulous and detailed reports and analyses of these important public documents.

In each of the leading newspapers that came to my attention, I noticed the front-page stories, the detailed editorial comment and, of course, the comments of many of our distinguished commentators and columnists.

This morning, the New York Times published the complete budget message, with descriptive information. All of the Washington newspapers have been most helpful in making clear to the American people what these messages involve and what they include.

As one public servant, I thank the news media of America for the help they have extended in bringing to the attention of the American people these vital documents that tell the story of the economy and also lay out for the American people the pattern of governmental policies and programs.

THE U.S.S. "UTAH"

Mr. MOSS. Mr. President, I have spoken a number of times in this body about my interest—and the interest of 38 Senators—in the bill to erect a simple flagpole over the half-sunken hulk of the U.S.S. *Utah* at Pearl Harbor, so that the American flag could be flown over the 54 brave men entombed there. On December 18, the Navy Times published an editorial on my U.S.S. *Utah* bill which speaks for itself. I ask unanimous consent to have the editorial printed in the RECORD.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

REMEMBER PEARL HARBOR (AND REMEMBER THE "UTAH")

For 22 years, 54 Navy men—including a Medal of Honor winner—have rested at their battle stations within the shattered hulk of the U.S.S. *Utah* at Pearl Harbor.

They went down with their ship when the Japanese attacked December 7, 1941.

For 22 years their twisted, rusting graveyard has been unmarked, except for a small bronze plaque mounted slightly above the waterline of the hulk.

At no time has the flag for which these men died been flown over this service cemetery.

For the past 3 years, we have urged that these gallant Navy men be honored by the erection of a single flagpole on the *Utah's* hulk. Last year the magazine Parade and Senator FRANK E. MOSS, Democrat, of Utah joined a campaign to have a flagpole erected.

More than 3,000 letters from the American public have been received by Senator Moss in support of the campaign. Some offered contributions; some sent in petitions with hundreds of signatures; all were shocked, indignant and sad in learning of the neglected *Utah* men.

When Senator Moss introduced a bill—S. 703—to erect a flagpole over the half-submerged hulk, 38 other Senators joined him as cosponsors. Despite that, and despite statements by the Defense Department and the Budget Bureau that they had no objection to the bill, the measure rests in Senate Armed Services Committee files.

When the next session of Congress convenes we urge that Chairman RUSSELL schedule hearings.

The American public supports the bill; more than a third of the Senate has cosponsored it, and we know the late President Kennedy had personal interest in the measure. He asked about its status only a week before he was assassinated.

Two purposes would be served by passing it.

One would be a resurgence of interest in Pearl Harbor Day itself. Commemoration of the anniversary is being deliberately obscured by the Government, probably out of consideration for Japan, now an ally. (As well abolish the Fourth of July because it might stir up feelings among our British friends.) Pearl Harbor Day needs to be remembered as a warning of what happened the last time we let our guard down.

The other result would be simple justice to the memory of *Utah*'s own dead.

As long as the *Utah* remains in full sight on the northwest side of Ford Island, the men entombed within her shouldn't be denied the honor of resting under the Stars and Stripes.

They earned that honor, that right, 22 years ago just as surely as did the 1,102 men men still entombed in the U.S.S. *Arizona* (over which a flag flies daily) on the other side of Ford Island.

FLAMING GORGE BRIDGE

Mr. MOSS. Mr. President, no one feels more strongly than I that a community, county, or State should pull at every bootstrap to solve its own problems before turning to the Federal Government. This philosophy is rooted deep among the people of my State of Utah, settled as it was by hardy Mormon pioneers who trekked a thousand miles to establish themselves in a desert wilderness, and who survived mainly through their own resourcefulness and hard work. We are a proudly self-reliant people.

But on the other hand, when problems rear up purely as a result of Federal activity in our State, or in an area of it, and when these problems are obviously too large or too expensive for the people there to handle, then I feel—and our people feel—that it is incumbent on the Federal Government to give us a hand.

We have such a problem in the State of Utah today, and I am sorry to say that the Federal Government has firmly turned its back on it. I am referring to the urgent requirement for a new bridge in Daggett County across Flaming Gorge Reservoir to supplant the bridge on the Green River covered by the rising waters behind Flaming Gorge Dam.

Daggett County is a mountainous, sparsely populated county at the northeast corner of Utah, bordering both Colorado and Wyoming. There were a total of 1,164 people in Daggett County according to the 1960 census, or about 1½ persons per square mile. This is, however, real congestion in Daggett, since it is almost a thousand more people than the county had in 1950, and represents a population increase of 219 percent in 10 years. It is obvious that even with this increase, tax revenues cannot be large. And the fact that about two-thirds of the county is national forest land, and that additional land is being removed from the county tax rolls by the dam, reservoir, and associated works, decreases other tax revenues Daggett would normally have.

Much of the increase in Daggett County's population stems directly from construction of the Flaming Gorge Dam. A whole new community named Dutch John has been established at the damsite.

In order to get construction materials to the damsite, and to service the workers and their families there, the Bureau of Reclamation built a bridge across the Green River just below Dutch John. The spot chosen was at a relatively stable fiord. This crossing had been used for many years, especially for cattle, since the water was low enough for fording except in the snow-melt season. Of course, as soon as the bridge was built, the settlers began using it instead, and it was also widely employed by the residents of Dutch John en route to Manila, the county seat, some 30 miles away. Probably the most regular commuters over the bridge, however, were some 60 or 70 Dutch John high school students who traveled every day to Manila to attend the Daggett County High School there.

As was anticipated, this bridge was covered by the waters of the Flaming Gorge Reservoir when it filled early last summer. The only connection between Dutch John and Manila in this winter of 1963–64 is a partially improved circuitous forest highway which is precarious in good weather, and impassable in bad. It is a scenic route through the mountains, never intended for daily winter travel. Yet, this is the route the students are now using. I do not have to tell you it is a dangerous route, and that people in the area are very much worried.

Early in the 1st session of the 87th Congress I introduced a bill to authorize the Bureau of Reclamation to construct a new bridge across the Flaming Gorge Reservoir, at an estimated cost of $5 million, to replace the one which would be flooded out. Both the Department of the Interior and the Budget Bureau gave unfavorable reports on that bill. They based their objections mainly on the fact that there was no bridge at the spot specified before the Flaming Gorge Dam was constructed. This is true—there was only a well used fiord—but there was no community of Dutch John, either.

The adverse report on my Flaming Gorge bill did not reach the Senate Interior Committee until late in the 2d session of the 87th Congress, and there was not time then to try to fight an authorization bill through the House and the Senate in the face of adverse departmental reports.

I then tried to interest the National Park Service in the Flaming Gorge problem, since the Park Service will administer the recreation area established around the reservoir. I pointed out that a bridge across the reservoir is essential to full access to the area. Without it, access will be limited to the south side or the north side, short of a long circuitous route around the reservoir over mostly unimproved roads. Park Service officials admitted that such a road would be most desirable, but informed me they had no authority or funds to construct it, or to participate in its construction.

So, with time running out for the people of Dutch John and Daggett County, I went directly in this present 88th Congress to the Senate Reclamation Appropriations Subcommittee to ask that funds for the construction of the bridge be written into the fiscal year 1964 appropriations bill. I felt, and I still feel, that the construction of a bridge across Flaming Gorge Reservoir should have been made a part of the original construction plans for the Flaming Gorge project, and funds appropriated for it. I argued that the urgency of the situation more than justified writing the funds into the 1964 bill. The Appropriations Committee, unfortunately, did not agree, and no funds were appropriated.

To say I was disappointed is to put it mildly. It is not as though Dutch John will close up after the work on the dam and reservoir are completed. There will be a substantial force there to maintain the dam, and manage its works, year round, and there will be families living there and children to be educated. An elementary school has been built for the younger children, but the older children will have to get to Manila somehow to continue their schooling.

Obviously a sparsely settled county like Daggett, which is only about a third of a county anyway because of the large Federal land holdings in it, cannot raise $5 million for this bridge.

Someone may say that the State of Utah should build it. The State Road Commission would like to do so. But it would be hard to justify putting millions into Daggett County in one bridge when there are heavy demands from well-populated parts of the State for road State and Federal funds.

The State has been valiantly trying to help Daggett County with its urgent transportation problem by improving nonforest highway sections of the winding mountain road between Dutch John and Manila which is now being used. I, too, have been working on the completion of this mountainous road, conferring regularly with the Bureau of Public Roads and the Forest Service. Five additional miles are being graded with the fiscal year 1964 forest highway funds, and I am hopeful this section will receive a crushed stone base and bituminous treatment next summer. It is also possible that funds will be made available to grade 2.5 miles more of the road next year. But even then there will still be 7.5 miles of unimproved, difficult, rough, mountainous road over which about 60 school students must be transported each morning and night to and from school.

Whose responsibility is it to build the Flaming Gorge bridge? Is it the responsibility of the handful of ranchers and farmers who had been living in Daggett County for many years before the Congress decided to locate one of the storage dams of the Colorado River storage project there? Is it the responsibility of the hard pressed local school board? Is it the responsibility of the State of Utah, which has almost a million other citizens, many of them in far more densely settled areas, who are clamoring for improved roads and new bridges to get to their place of work or their children to school or their farm products to market? I think it is not. I think it is the responsibility of the Federal Government. The crisis is of Federal making—not State or county.

I do not wish to indicate that we in Utah are not unmindful of the benefits which will come to us from the Colorado River storage project, of which the Flaming Gorge Dam is an integral and important part. We are most grateful to the Federal Government for lending the money to construct this storage dam, and we expect, as we have with every other reclamation project, to pay back to the Federal Government this money with interest.

We realize that the nonreimbursable features of the Flaming Gorge include the recreation area around the reservoir which will be of great benefit to Daggett County, and to the people of the surrounding area, as well as to outdoor lovers in the entire Nation. A Western wonderland of incomparable natural beauty will be opened up for the recreation and enjoyment of all. Utah, and Daggett County, appreciate this.

But a storage dam, which will make possible the irrigation of land in counties many miles away, and will provide a good trout fishing lake, will not return to Daggett County enough money in tax revenues, or any other kind of revenues, to build a bridge across a reservoir so that the children brought into the county by Federal activity can get to school. The cost is simply too great.

I have devoted a great deal of time for 2 years now to the Flaming Gorge bridge problem. I have been joined in my efforts by the distinguished Senator from Wyoming [Mr. McGEE]. I have worked through the appropriate congressional committees, and I have consulted at length with Federal agencies. I have encountered the greatest display of buckpassing I have ever seen in my life.

I intend to keep on working on Flaming Gorge. To me it is an example of what I think Abraham Lincoln meant when he said it was the responsibility of the Federal Government to do for the people what they cannot do for themselves.

Must we have a tragic accident on a dangerous mountain road in Daggett County, Utah, before the Federal Government is willing to face up to its responsibility?

Mr. PASTORE. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. PASTORE. Mr. President, I ask unanimous consent that further proceedings under the order for the quorum call be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

GERMANENESS OF DEBATE UNDER CERTAIN CONDITIONS

The Senate resumed the consideration of the resolution (S. Res. 89) providing for germaneness of debate under certain conditions.

Mr. CLARK. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. CLARK. What is the pending business?

The PRESIDING OFFICER. The question is on agreeing to the amendment in the nature of a substitute offered by the Senator from Pennsylvania for himself and his colleague [Mr. SCOTT] to the text of the resolution as amended.

Mr. CLARK. Mr. President, I ask unanimous consent that the clerk be instructed to read the proposed amendment.

The PRESIDING OFFICER. Without objection, it is so ordered.

The LEGISLATIVE CLERK. It is proposed to strike out all after the word *"Resolved,"*, and insert in lieu thereof the following:

> That rule XIX be amended by adding at the end thereof the following new subsection:
>
> "8. During the consideration of any measure, motion or other matter, any Senator may move that all further debate under the order for pending business shall be germane to the subject matter before the Senate. If such motion, which shall be nondebatable, is approved by the Senate, all further debate under the said order shall be germane to the subject matter before the Senate, and all questions of germaneness under this rule, when raised, including appeals, shall be decided by the Senate without debate."

Mr. PASTORE. Mr. President, will the Senator yield with the understanding that he will not lose his right to the floor so that I may suggest the absence of a quorum?

Mr. CLARK. I am happy to yield to my friend from Rhode Island.

Mr. PASTORE. Mr. President, I am about to suggest the absence of a quorum——

Mr. CLARK. Mr. President, will the Senator withhold his request for a moment?

Mr. PASTORE. I withhold the request.

Mr. CLARK. Mr. President, I should like the RECORD to show the deep and intense interest in measures of congressional reform as evidenced by the Senate today. I hope, in short order, if a few Senators can be brought to the Chamber, there can be a vote on the substitute for the Pastore resolution, which is the pending question. I note four Senators are present in the Chamber, and one is in the Chair, despite the fact that there has just been a quorum call which went down through the "W's" before the Senator from Rhode Island asked unanimous consent to rescind the order for the quorum call. I hope that when the absence of a quorum is again suggested, the attachés and clerks will be instructed to get word to Senators that we would like to dispose of the pending business in reasonably short order—within the next hour or so—if there can be a sufficient attendance of Senators to make it possible to have a vote.

Mr. PASTORE. Mr. President, will the Senator yield?

Mr. CLARK. I yield to the Senator from Rhode Island.

Mr. PASTORE. I thank my friend from Pennsylvania. The RECORD should show that many Senators have been invited to the White House to attend the signing of a treaty, which accounts for the small attendance in the Senate at this moment. I understand that about 2:30 p.m. a strong contingent of Senators will be present, at which time, or even sooner if he wishes, I hope the Senator from Pennsylvania will explain his amendment. I have already informed him that upon conclusion of the debate on his substitute amendment, I propose to move to lay the substitute on the table. I hope there can be a yea-and-nay vote on the motion. I believe that is what the Senator from Pennsylvania desires, and that is what I would want him to have.

Therefore, Mr. President, I again suggest the absence of a quorum. I hope that the legislative clerk will not unduly speed the rollcall.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

RECESS UNTIL 3 P.M.

Mr. MANSFIELD. Mr. President, I move that the Senate stand in recess until 3 o'clock this afternoon.

The motion was agreed to; and at 1 o'clock and 47 minutes p.m. the Senate took a recess until 3 o'clock p.m. today.

At 3 o'clock p.m., on the expiration of the recess, the Senate reconvened when called to order by the Presiding Officer (Mr. McNAMARA in the chair).

Mr. PASTORE. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. PASTORE. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

AGRICULTURAL PROBLEMS

Mr. AIKEN. Mr. President, to one who has been a Member of the Senate for some time and has seen many changes, the change in public interest in agriculture seems most significant. No longer are Members of Congress swamped with mail importuning relief or suggesting remedies for the ills which may afflict the farm people of the United States. From time to time, we get complaints about specific matters, such as the present drop in the price of beef. A letter from a farmer today is as likely to relate to the economic situation or Government spending or international relations as it is to a strictly agricultural problem.

Does this mean that farming has become relatively unimportant, or does it mean that American agriculture has now become self-sufficient and should not require the attention that is given foreign investments, the balance of payments, job retraining, or industrial problems?

If anyone thinks that today agriculture is one whit less important to the United States than it used to be, or that the problems of the farmer have been miraculously dispelled, he is sadly misinformed. To be sure, farming has become greatly integrated and has become mechanized, so that production per man has been greatly increased; but it is no less important to our overall economy than it ever was. Agriculture is still our most important industry; and to consider it otherwise would be to invite national difficulties.

For instance, over 25 percent of all U.S. exports are comprised of farm commodities, which are a primary support of the U.S. shipping industry, are perhaps our most powerful weapon in fighting the cold war, and are a major source of income for our 190 million people.

It used to be said, and it could be said today, that a farm dollar changes hands six or seven times before coming to rest back in the bank, compared with only a two to three times turnover for an industrial dollar.

Although only about 8 percent of our working force is now employed in farm production, the capital investment per farm worker amounts to $25,390, which is $7,500 above the per capita investment for the worker employed in manufacturing.

Furthermore, when we consider that approximately one-third of the total number of employed people in the United States are engaged in producing farm supplies, or transporting, processing, and handling farm commodities, as well as working on the land, we realize the utmost necessity for maintaining a strong national agriculture.

The maintenance of this strength requires not only the capability and intelligence of our farmers, but also the wholehearted and cooperative support of both the legislative and executive branches of Government.

When the executive branch of Government changed hands in 1961, it made a major mistake which is more or less characteristic of any new administration. It felt that it had to undo in toto important agricultural programs of the previous administration. I make no claim that the Eisenhower price support programs were perfect—in fact, they were the product of a Democratic Congress, anyway; but they did hold much good that should have been continued and built upon.

Apparently, under political pressure, the new administration decided to discredit existing farm support price programs or some of them, and to promote new ones of greater political value and invoking more Government controls over food and fiber production.

In an effort to carry out the new policy, the Secretary of Agriculture made three errors which have proven to be costly, either politically or economically.

First, he upset the cotton program as it was intended by the 1958 law.

The result was a drastic cut in acreage allotments from 18.5 million acres to 16.2 million acres, the statutory minimum, in only 2 years' time.

During the same 2 years, the amount of cotton exported dropped from nearly 7 million bales to less than 3,500,000 bales a year.

Commodity Credit cotton stocks increased from 1.5 million to 8.2 million bales, at a cost of over $1 billion for acquisition, and an increase from $25 to $75 million for annual storage and handling charges, exclusive of interest, transportation, and sales costs.

Incidentally, the figure of 8.2 million bales is several months old; and the amount of cotton which is in the hands of the Commodity Credit Corporation or is controlled by the Commodity Credit Corporation at the present time, is considerably larger.

In 1962 and 1963 we exported gold, instead of cotton, to the tune of almost a billion dollars.

The second most costly error by the administration related to dairying.

On April 1, 1961, the Commodity Credit Corporation owned virtually no butter and no cheese.

Supply and demand for milk production had finally been brought into balance.

Then what happened? In less than 18 months, the CCC found itself in possession of nearly a billion pounds of butter and cheese—while the cost of supporting the milk program had risen to several hundred million dollars a year.

What brought about this situation was this:

First. The Secretary, undoubtedly with good intentions, boosted the support price for manufacturing milk from $3.22 to $3.40 per 100 pounds. This naturally increased milk production at a time when consumption of butter was steadily dropping.

Second. The good Lord provided—from coast to coast—the finest growing weather and pasture conditions we had had for years. We shall not hold the Secretary responsible for that.

Third. The administration urged the enactment of legislation establishing Federal controls and national allotments over milk production. This was the most serious contributing factor to overproduction. It not only slowed up the culling of dairy herds, but actually encouraged overproduction by farmers, who did not intend to be caught in an uneconomic position if controlled production should become an accomplished fact.

In May 1962, Congress made plain that it did not intend to tolerate the imposition of Federal allotments on dairymen.

Since then, the production, consumption, and price situation have improved materially, and still better days are in prospect so long as Congress stands its ground.

The third big mistake of the Department was the attempt last year to scare, threaten, cajole, or mislead the wheat farmer into approving a program which he did not want, and which he knew would work to his disadvantage if it were forced upon him. The effect of this historic revolt of the wheat farmers is likely to be more political than economic.

Whether the price of wheat is high or low next fall will depend upon what the administration wants it to be.

I doubt that President Johnson wants low-priced wheat in an election year—or in any other year, for that matter.

Although Secretary Freeman has made what might be called major errors in dealing with wheat, dairy, and cotton programs, we must give him credit for recognizing some of the long-range hazards of U.S. agriculture and for undertaking to alert the public and Congress to the needs and dangers.

Technology has rendered millions of acres uneconomic for crop production. This has resulted in a change of occupation for millions of erstwhile marginal farmers. Most of them are living better now than when they were trying to eke a mere existence out of the land.

There is still the problem of adjusting the land to proper use. I am glad the Secretary has taken serious cognizance of this fact, even though satisfactory solutions to the problem are slow in coming.

Possibly the most immediate danger to American agriculture is the danger of being traded out of world markets.

As the greatest producing country in the world, we need those markets.

We need to be more than a residual supplier to the world.

Recent reports indicate that agriculture may be considered expendable in the effort to expand markets for manufactured products, or to increase dividends to U.S. investors who put their trust and money into other countries.

Here again, we must give Secretary Freeman credit for recognizing this danger and protesting vigorously against any trade out or sellout of our most important industry.

The recent swap of U.S. planes for Australian beef is only one instance of how an investor's meat may be a producer's poison.

What our negotiators should not overlook is the fact that when one U.S. farmer is traded out of business it is not only one person who is out of work.

It is at least three other people as well.

While exports of farm commodities are increasing, there is little cause for rejoicing if the increase in the main comes from relief and welfare programs, or from the sale of heavily subsidized products.

One generally underemphasized factor in evaluating the position of the farmer and farm income is the part that inflation and costs of production play in determining the net income, which represents the amount that is available to the producer for the support of his family.

The U.S. Department of Agriculture report on agricultural prices as of December 15, 1963, indicates that the parity ratio as of that date was 76 percent, or the lowest since August 1939.

While I cannot subscribe to the parity formula as a fair criterion for determining farm prices, it is clearly apparent that the necessity for increased capital, rising costs of production, and the increase in family expenses, has driven large numbers of farm families off the land into other lines of business.

Greatly increased State and local taxes on inflated valuations have also been a potent factor in driving people off the farm.

This is particularly true in those important agricultural areas adjacent to great centers of population.

In this respect, I am greatly concerned with the possible effect the new tax law may have upon agriculture.

An $11 billion cut in Federal taxes will undoubtedly greatly accelerate the threat of inflation now looming ominously well above the horizon.

Unless history reverses itself, we may well expect that the effect of more inflation will be felt heavily upon the farm.

In his state of the Union message delivered on January 8, President Johnson declared war on poverty in America.

The President also stated that the attack to be effective must be organized and supported by State and local efforts.

I would commend the President for his effort to make welfare programs and the attack on poverty a cooperative effort.

If State and local people are required to assume more responsibility and a share of the cost of these programs, we will undoubtedly get more for a dollar spent.

But I would also point out that States and communities cannot participate in these programs without money.

In most cases, this will mean higher State and local taxes.

These increased taxes will fall most heavily on those already burdened to the limit.

Should a reduction in Federal taxes and expansion of welfare programs result in a further increase in State and local taxation, the farmers would then be placed in double jeopardy.

I earnestly hope that the Senate Finance Committee will have the wisdom to recommend tax reduction in the fields that need it most and where benefits will redound to our Nation as a whole.

If this is not done and the benfits are directed toward those who have already developed an insatiable appetite for tax benefits, then we will have contributed to the temporary enjoyment of a few and to the permanent weakening of our country and its Government.

I have tried briefly to point out the great importance of a strong agriculture to our national economy and our security.

Responsibility for maintaining our agricultural strength rests upon both the legislative and executive branches of Government.

The Congress provides the tools. The executive branch is charged with using them properly. The principal factor in keeping us strong is, of course, the farmer himself. He cannot, however, do the job as an individual. He must have the cooperation of his fellow farmers and his Government.

Congress must not yield to the pressures of those who would limit or destroy the operations of farm cooperatives. The Nation needs ample—even generous reserves of food and fiber—enough to meet any contingency domestically, and enough to maintain our prestige in a needy world. The farmer alone cannot possibly carry this load so desperately essential to the well-being of all people. It is a proper function of government to assume this responsibility and to exercise it fairly and adequately.

Our farmers deserve an income and standard of living fully comparable to that enjoyed by people in other lines of business. While they are still at the mercy of the weather, there is no reason why they should be at the mercy of price manipulators—national or international. Free enterprise should not be construed as licensing the few to exploit the many.

Price supports exist under different names for various phases of our economy and price supports for agriculture should be available in such manner and at such level as may be necessary to obtain desirable supplies and provide adequate compensation to the producers.

Price supports should not be at a level which encourage excess production, provide unearned profits or result in unsound transition from one crop to another. Neither should price supports be tendered the farmer on condition that he surrender his pride and right to run his own business to Federal controls.

Since the revolt of the wheatgrowers last spring, the administration has adopted a policy of promoting voluntary programs. A close scrutiny of these programs reveals the fact that voluntary means the farmer will either volunteer, or else he will be left behind.

Do we need price support legislation "voluntary" or otherwise at this session of Congress?

Take the case of wheat. At the end of this marketing season, the supply of wheat in the United States—largely in Commodity Credit Corporation hands—will be down to what appears to be a minimum security amount.

The prospective crop production for 1964 will be less than the amount needed for domestic consumption and exports based on the present levels. With this situation prevailing, the price for the 1964 crop of wheat will be just what the administration wants it to be.

If exports are again restricted and if CCC holdings are dumped on the market, the price could be driven down to the unfortunate and illogical level predicted by the Department last spring when it was trying to force wheat growers to vote against their own interests.

But if the broadened export markets are maintained, and if CCC holdings are disposed of judiciously, the farm price for wheat next fall can be as high or higher than it was this year.

The only excuse for new wheat legislation at this time would be to extricate the USDA planners from a mess of their own making. This same conclusion applies to dairy legislation. The supply-demand situation and the market price for milk has been steadily improving for months and will continue to improve if let alone.

I do commend Secretary Freeman for his good judgment and fairness in administering milk marketing orders. I trust that he will consider further improvement in this field of marketing through the consolidation or enlargement of some areas. As for cotton, I have no new recommendations. I do know that cotton is in trouble. I do believe that something should be done to improve the situation in the world market as well as in the domestic market.

But I would not base any support price program or any domestic or export subsidy for cotton on the needs of the most uneconomic producer. It is disconcerting to find that the various cotton producing areas and the various factors of the cotton industry are seemingly unable to agree among themselves.

Until they reach a reasonable degree of agreement, it will be difficult to enact any new program at all. Under such circumstances, it may be best to reinstate the provisions of the 1958 law which, after all, did improve the overall cotton situation materially, even though temporarily.

Mr. President, it is not more legislation that our agriculture needs today other than that which is routine in character. It is the administration of existing programs and existing legislation in a manner which will protect the American farmer and subordinate political ambitions. I should like to remind our politically minded friends in the USDA that the best politics they can play is to do their job fairly and efficiently.

The maintenance of broad international markets on a competitive level will help us to keep strong. Our international trade representatives must remember that our farm production is not expendable and hold firm in bargaining with other countries. Our tax legislation must not be discriminatory. Our faith in agriculture must be maintained.

(At this point Mr. BAYH took the chair as Presiding Officer.)

Mr. PROUTY. Mr. President, will the Senator yield?

Mr. AIKEN. I yield.

Mr. PROUTY. I commend my senior colleague for his brilliant analysis of the agricultural problems confronting our country. No one can speak with greater authority, and no one has been a greater champion of the American farmer than my distinguished colleague. As he has so ably pointed out, we cannot maintain a sound and viable national economy unless our farm economy is equally strong.

I commend the Senator most highly. I know that Senators will read his remarks with a great deal of interest.

Mr. AIKEN. I thank my colleague for his remarks. He, like myself, comes from an area which is primarily dependent upon the production of milk for its income. Our State is materially better off than it was a year ago, with the price of milk improving, consumption increasing, and nationwide production decreasing.

I hope that in considering proposed legislation relating to agriculture this year—and I believe that we should review the situation to determine what, if any, legislation is necessary—we can do so on a nonpartisan basis.

I have pointed out two or three mistakes which the Secretary of Agriculture has made. I have also commended him for some of his good ideas. I think he is trying hard to do a good job.

We must recognize the fact that agriculture is still far and away the most important of U.S. industries. More people depend upon agriculture for their welfare and prosperity than on any other phase of our entire economy.

GERMANENESS OF DEBATE UNDER CERTAIN CONDITIONS

The Senate resumed the consideration of the resolution—Senate Resolution 89—providing for germaneness of debate under certain conditions.

Mr. CASE. Mr. President, I am happy indeed that the Senate is again taking up Senate Resolution 89, which I was happy to join the Senator from Rhode Island [Mr. Pastore] in sponsoring. I think it proposes a necessary and useful change, which would help expedite business on the Senate floor. I commend the Senator for developing this proposal and the Committee on Rules and Administration for giving it consideration and recommending it.

Desirable as it is, this resolution goes only a short way toward the important goal of achieving reform of congressional procedures so that the Congress may measure up to its great responsibilities.

I ask unanimous consent to place in the Record, some of the many articles, editorials, and columns, which have appeared since July 31, last year, when the 1st session of the 88th Congress was supposed to have completed its work for that year.

There being no objection, the material was ordered to be printed in the Record, as follows:

[From the New York Times, Jan. 25, 1963]

Our Archaic Congress

The 88th Congress is entering this year of struggle against odds of its own choosing. It will attempt to legislate wisely for the needs of the space age with a legislative mechanism geared to the age of the horseless carriage.

This is not only absurd, it is dangerous. It is all but impossible for Congress to move swiftly to meet a developing emergency. It is all but impossible for Congress efficiently to analyze and oversee the expenditure of the billions it appropriates each year. It is all but impossible to inject new blood and fresh minds into the hierarchical leadership structure. It is all but impossible to assert the will of a majority of Congress if a minority chooses to oppose it.

The executive branch of our Government, cumbersome as it still is, has been extensively overhauled on at least four occasions in the last 25 years. Moreover, its administrative machinery is constantly updated by the management engineers of the Bureau of the Budget, among others. Automation, for example, is no novelty in some branches of the Federal bureaucracy.

In contrast, the only two substantial revisions in congressional organization in this century were made in 1910 and 1946. Both were limited in scope. The fundamental weaknesses of inertia, senescence and crippling traditionalism remain, and are even magnified in the context of the times.

A half-dozen bills looking to the reorganization of Congress already have gone into the hopper in this session. Two that command particular respect are those introduced by Representative Henry S. Reuss, Democrat of Wisconsin, and Senator Clifford P. Case, Republican of New Jersey. Each, with minor differences, seeks the establishment of a high-level board on the order of the Hoover Commissions of the past to study and recommend means for improving the way Congress works.

Congress has an enormous built-in resistance to such innovations. The public's interest is deeply involved, however, and public pressure will have to be focused relentlessly upon Congress if it is to be made to sweep up its own stable.

[From the Washington Post, Jan. 15, 1963]

First Item of Business

"The public," says Senator Clifford P. Case, of New Jersey, "is beginning to lose confidence in the ability of the Congress to meet the problems of the 20th century." Congress is bedeviled by archaic rules, lack of systematic procedure, and the diffusion of leadership. Better organization of Congress itself thus becomes one of the foremost issues before the present session.

Mr. Case approaches the problem by a route somewhat different from that favored by many of his colleagues. In place of the Joint Committee on the Organization of Congress sponsored by Senator Joseph S. Clark, Jr., and 21 other Senators, including Mr. Case, the latter would create a Commission on Congressional Reorganization, modeled on the Hoover Commission which worked out plans for streamlining many segments of the executive branch a few years ago. The advantage of this approach is that the proposed commission would include six outside experts as well as three Members of each House.

The naming of specialists from private life would recognize the enormous interest of the public in a strong Congress. Doubtless it would also encourage the study group to bring in bold and comprehensive recommendations, for Members of Congress are often too deeply immersed in its traditions to see the need for changes. If Congress should insist on having a majority of its own Members on the study group, it could be made up of four Members from the Senate, four from the House, and four experts from private life. This would permit the naming of two Members from each party in each House.

Senator Case would require the proposed bipartisan commission to report on 12 specific "problem areas," but it certainly ought not to be confined to any such list. One of the major problems is the excessive diffusion of power among committee chairmen, and this is not included among the 12 listed subjects unless it could be squeezed into point 2 dealing with the structure, staffing, and operation of committees.

More important than either the structure of the study group or its agenda is an early start on this vital project. It would give the whole country a lift if the Senate would make a study of Congress its first item of business in place of a futile filibuster over rule XXII.

[From the Atlantic City (N.J.) Press, Jan. 21, 1963]

Modernizing Congressional Procedures

Displaying a brand of courage constituents have come to expect of him, U.S. Senator Clifford P. Case, of New Jersey, is trying to do something about what he believes to be archaic congressional procedures.

He proposes to introduce a bill creating a Commission on Congressional Reorganization made up of Senators, Representatives and individuals from private life, with a mandate to examine a dozen specific problem areas.

The study, aimed at modernizing congressional procedures, would include such matters as conflicts of interest, office terms of Congressmen, financing of election campaigns, expense allowances, congressional committee structure, making of appointments and rules and procedures.

A veteran of 16 years in the House and Senate, Case regards the work of the previous session of Congress as a "slipshod" affair and says "the public is beginning to lose confidence in the ability of Congress to meet the problems of the 20th century."

Senator Case has tackled a formidable job. Assuming that the commission materializes, makes the study and submits its recommendations, there still will be the little matter of getting Congress to approve revision. The filibusterers are not going to take it lying down.

As for conflicts of interest in public office, New Jersey made a study of the problem a number of years ago but the State legislators have shown no disposition to translate the recommendations into law. The New Jersey Bar Association vainly continues to apply pressure for reform in the area of conflict of interest.

Senator Case undoubtedly is aware of the difficulties. He has our best wishes in his efforts to bring about a comprehensive modernization of the La Follette-Monroney Congressional Reorganization Act in 1946.

[From the Plainfield (N.J.) Courier-News, Jan. 16, 1963]

For Efficiency

Senator Clifford P. Case, of New Jersey, has proposed legislation for a study of Congress with a view to speeding the effective functioning of that body. Case says there has been no reorganization of Congress or an attempt to modernize its methods of procedure since 1946. Since then the Nation has grown, and the United States is taking a far greater part in world affairs.

Our observation is that the 12-point program proposed by Senator Case has merit. In the last session of Congress, weeks of time were used not in the consideration of important legislation, but in the political maneuvers and procedures preliminary to any such consideration. Some legislation never got out of committee to receive consideration.

We are heartily in favor of the nice checks and balances which exist in our form of government. Such checks and balances prevent hasty legislation and the unfavorable impact of violent changes. But our Government has become too big and too expensive an operation to have it exist for manipulation by the politically adept. Also there are modern methods which could be adopted to save time as in the long, laborious rollcall vote. The Ecumenical Council used an electronic system to get an immediate recording. So a program to increase the efficiency of Congress to perform its constitutional responsibilities could serve a useful purpose.

[From the Elizabeth (N.J.) Daily Journal, Jan. 22, 1963]

Case Prods Congress To Update Creaking Legislative Ways

Washington.—Fed up with their own inability to get things done under outmoded rules and traditions that have been considered almost sacred, more and more Congressmen are lining up this year behind proposals for reform and reorganization of the Congress.

The ease with which the House of Representatives put through permanent enlargement of its Rules Committee to 15 members on opening day indicates the change in sentiment.

An effort to make it a little easier to curb Senate debate by majority vote after 15 days of filibustering may have tougher sledding. With bipartisan backing from 10 Senators the new proposal was given a chance until Senator Everett Dirksen, Republican minority leader, called for a quick end of debate on the subject, saying there was no steam behind it.

These reforms, intended to let the Congress work instead of preventing it from acting on legislative proposals blocked by minorities are just a beginning—straws in the wind.

Twenty-two Senators from both parties have already signed up as cosponsors of Pennsylvania Democrat Joseph S. Clark's plan to set up a new Joint Committee on Organization of Congress. They have staked top billing for it as Concurrent Resolution 1.

It will be open for 10 days to receive signatures from other Senators who may wish to sponsor it before it is referred to the Rules Committee for consideration. A similar resolution is being introduced in the House by Representative John Lindsay, Republican, of New York.

It has been 16 years since the Congress was reorganized. There is some feeling in both Houses that, since the earlier reorganization didn't do all that was expected of it, another reform drive won't do any more.

A principal feature of the La Follette-Monroney Reorganization Act of 1947, was simplification of the committee structure. While the number of standing committees was reduced, subcommittees multiplied. This made the machinery as complex as it was before.

Senior Congressmen who want things left as they are argue that while congressional practices may be cumbersome and slow moving, they have served the country well, so why change?

The last session of the Congress did not adjourn until October 13. This was only 3 weeks before election. There was a tieup of money bills caused by a personal prestige feud between House and Senate Appropriations Committees. That tied up many Government agencies and disgusted even some of the oldest Members.

CASE A COSPONSOR

This has resulted in proposals for congressional reorganization this year. One of the most promising has come from Senator Clifford P. Case, Republican, of New Jersey. He is a cosponsor of the Clark resolution, and its other backers are also sponsoring the Case proposal. Representative Henry S. Reuss, Democrat, of Wisconsin, is introducing a similar proposal in the House.

Senator Case calls for creation of a new Commission on Congressional Reorganization. It would be modeled on former President Herbert Hoover's Commission on Organization of Government. Its membership would be three Senators, three Representatives and six private citizens qualified to make studies and recommendations on improving the functioning of the legislative processes.

Specifically, the Case plan would require the bipartisan Commission to report on 12 of the most frequently criticized congressional proceedings:

Obsolete rules; staffing and operation of committees; the congressional workload; floor procedures; conflicts of interest of Congressmen; Senate and House terms of office; congressional expense accounting; financing of congressional duties on executive appointments; legislative oversight; congressional power over appropriations; and operation and regulation of lobbies.

Other reforms which have been widely discussed without receiving open backing including increasing Representatives' terms from 2 years to 4 and increasing Congressmen's salaries by $7,500 a year to a total of $30,000—because they work so hard.

[From Newsweek, Jan. 28, 1963]

Uncreative, Negative, Smug—Is This Today's U.S. Congress?

A venturesome band of Members asked Congress last week to hold a mirror up to itself and confront an image that has been producing widespread dismay, criticism, and demand for reform.

Moments after President Kennedy ended his state of the Union address, Senator Joseph Clark, the slim, intense Pennsylvania Democrat, introduced a resolution—marked "Senate Concurrent Resolution 1"—to set up a joint committee that would streamline congressional procedures. He had 30 cosponsors from both parties. A bit later, Clifford Case, New Jersey Republican, submitted a bill to create a congressional reorganization commission—including private citizens as well as legislators—for much the same purpose. Down the Capitol hall, at least 10 similar bills were dropped into the House hopper.

Joe Clark was deadly serious. "The harsh fact is," he said, "that the present rules and methods of operation of the Senate and of the House are stacked against the people of the United States. They penalize those who seek action in the national interest in a time of world crisis. They reward those who cling to an outmoded status quo which threatens our very survival."

For a prime example of the "outmoded" methods, Clark had only to look around him. All week long, under the threat of a southern filibuster, the Senate was bogged down in its biennial skirmish over the efforts of liberals to change rule 22, which makes filibusters possible by requiring a two-thirds vote of Members present to shut off debate. On both sides of the aisle, the leaders seemed to have lost their taste for the windy hassle—and the debate seemed likely to peter out in a southern victory.

Whatever the outcome, there was an ever-mounting chorus of criticism of the hardening arteries of Congress itself. It came from political scientists, editorialists, and legislators themselves. And it boiled down to the charge that Congress is essentially a negative instrument; that in the 1960's, its creaky, antiquated machinery is simply not up to the challenges of the times.

GOVERNMENT DEADLOCK

Among the articulate critics, James MacGregor Burns, biographer of F.D.R. and J.F.K. and himself a defeated Democratic congressional candidate, takes Congress to task in his new book "The Deadlock of Democracy." At a time, says Burns, when the United States is beset by such urgent problems as urban decline, conservation, education, tax reform, medical care, civil rights, and a sluggish economy—not to mention foreign affairs—"we are mired in governmental deadlock, as Congress blocks or kills not only most of Mr. Kennedy's bold proposals of 1960, but many plans of the Republican platform as well."

Within the Halls of Congress, Senator Case complains: "The public is beginning to lose confidence in the ability of Congress to meet the problems of the 20th century." Others call Congress uncreative, negative, undisciplined, disorganized, old-fashioned, smug, self-righteous, and corrupt.

They cite last session's examples:

For 3 months, 85-year-old Carl Hayden, chairman of the Senate Appropriations Committee, and 83-year-old Clarence Cannon, Hayden's opposite number in the House, held up billions of dollars in urgently needed funds while they feuded over the location of a meeting room for their joint committee.

Two Congressmen—Frank Boykin of Alabama and Tom Johnson of Maryland—were indicted on charges of using their official position to help a savings-and-loan racket in Maryland.

James O. Eastland, segregationist chairman of the Senate Judiciary Committee, for months held up the appointment of Negro attorney Thurgood Marshall as judge of the U.S. Court of Appeals.

Adam Clayton Powell, New York Negro Congressman and chairman of the House Education and Labor Committee, was off on a study trip to Paris and the Aegean Isles with two young women assistants (his pregnant wife remained behind, and on the congressional payroll at $12,974 a year) at the very time that the badly needed college-aid bill was stuck in a Senate-House conference.

During the 87th Congress, because parallel committees of the two Houses seldom agree to sit jointly, Secretary of State Dean Rusk made 54 committee appearances, not including private meetings with individual Congressmen. Secretary of Defense McNamara spent a total of 203 hours in congressional testimony.

The "TTT," or Tuesday Through Thursday club, was in full sway. As explained by Representative William R. Poage, of Texas: "So many Members of Congress (about 250) go home to perform their legitimate duties, and in some cases, to practice law or operate a business that it becomes impossible to have any sessions Friday, Saturday, or Sunday, and nothing vital is done on Monday."

Even in the face of such evidence, some Washington observers in and out of Congress maintain that both Houses are being unjustly plagued. Their arguments: the Founding Fathers were not seeking to create the most efficient government; rather they deliberately framed one in which tyranny would be prevented by a system of checks and balances. Legislation enacted in haste nearly always results in bad law. Whenever the overriding national interest has been involved, Congress has acted promptly. If Congress ordinarily has an undistinguished record of creative legislation, it is because there has been no great popular demand for it.

"We have the longest operating experience with a democratically elected deliberative body in the world," says Dr. Evron Kirkpatrick, executive director of the American Political Science Association. "We must be careful in talking about reform not to end up by throwing the baby out with the bath water."

But there is obviously plenty of room for improvement. Congress had its last face-lifting in 1946, when its standing committees were reduced from 33 to 15 in the Senate, and from 48 to 19 in the House. Since then, action has been stymied by vestigial restraints—at a time when the United States has been adding 47 million to its population, the infant jet era has spurted into the space age, and the atom has come into its own.

Among basic reforms urged by the critics: a brake on unlimited Senate debate; loosening the iron grip of the House Rules Committee, which determines which legislation shall be considered; extending the 2-year term of Representatives to give them a breathing spell from campaigning, and enacting a conflict-of-interest law for Congress. (Many legislators vote on bills which affect their own holdings. As one observer put it: "Sherman Adams was disgraced for the kind of thing many legislators do day in and day out.")

TYRANNICAL VETO

Perhaps the knottiest problem is the seniority system by which committee chairmen exercise virtually absolute authority over legislation before their committees—and thereby wield a tyrannical veto power. Most committee chairmen are ultraconservatives (whether Democrats or Republicans) from safe rural districts which are less politically active, and therefore less responsive to national needs. Professor Burns points out that about 300 of the 435 House seats never switch to the other party.

Chief among the committee chairmen is HOWARD SMITH, 79, conservative Democrat of Virginia, who as ruler of the Rules Committe had life-or-death power over virtually every bill in Congress—before the administration added three members to the committee at the last Congress. He still holds enormous influence. The seniority system, as represented by men like SMITH, tends to produce what President Eisenhower called "government by checkmate." Most political scientists agree the seniority system is bad, but other means of choosing chairmen might be worse.

BILL OF RIGHTS

In view of all the furor, if Congress decides to look itself over, what reforms might be realistically expected? At best, a mixed bag. Under mounting pressure, SMITH himself announced that he planned to crack down on junket funds requested by House committeemen. But such fundamental issues as seniority would not be touched. Some procedural reforms would undoubtedly result; and congressional experts think that even these would be well worthwhile. The chief proposal talked about last week is a "committee bill of rights," which would permit a majority of the members of any standing committee to convene meetings of the committee, consider any matter within its jurisdiction, and end committee debate on a given measure. To many, this seems the only solution, however indirect, to the vexing seniority problem.

Whether Congress can really improve itself is perhaps its ultimate test as an institution intended to express the popular will. One able congressional expert, Dr. George Galloway, of the Library of Congress, puts it this way: "In the last analysis, schemes for congressional reforms depend, at least in part, upon the ability of legislators to lift themselves by their own bootstraps. The difficulties of such self-elevation are great.'

[From the National Publisher, February 1963]

CONGRESSIONAL CRITICS ASK—WHAT SHOULD CONGRESS DO TO IMPROVE ITS IMAGE?

(By Bert Mills)

Reputation is a precious thing. An individual or an institution can possess no asset so valuable as its good name. Congress is no exception and it seems clear that our National Legislature lacks the standing it used to have, and should have.

This should be a matter of national concern. If the public no longer respects its lawmaking body, how much longer will we respect the laws made by that body? It would seem to be high time that Congress recognized that its own image is on the downgrade and took steps to change the situation.

This is not an original idea. From time to time students of contemporary history have pointed out that congressional reforms are overdue. Not long ago, Senator CLIFFORD CASE, Republican, of New Jersey, said the public is losing confidence in Congress ability to meet 20th century problems.

Senator CASE has an ax to grind, of course. He is a frustrated liberal who believes that the outmoded rules of both the Senate and House have served to prevent passage of proposals he supports. He would like to see the rules changed that bottled-up legislation will be uncorked and passed.

Senator CASE cites a second reason for the declining reputation of Congress, and this one has nothing to do with the unending conflict between liberal and conservative political philosophies. It is the ethical standards of Congress. He thinks—and many editors will agree—that Congress sets a high standard for officials of the executive branch, but a low standard for the legislative branch.

In recent years, the Senate has used its powers to confirm appointments to key positions to insist that top officials divest themselves of stocks and other holdings which might result in a conflict between public and personal interest. Congress imposes no such standards on its own Members.

CONFLICTS CAUSE SCANDAL

More than half the Members of Congress are lawyers, and most of them continue to receive remuneration from their law practice while holding a full-time job as Senator or Representative. Occasionally this leads to a scandal, as when two Members of the 87th Congress were indicted last year. (Both were defeated for reelection.)

More often, nothing is said about elected officials who use their position to feather their own nest. A recent Saturday Evening Post article cited numerous case histories. There are many instances of law practices becoming most lucrative after a member of the firm became a Member of Congress.

Of course, lawyer-legislators are not the only professionals whose conduct raises ethical questions. A few years ago there was even a tailor Representative who sold suits from his headquarters in the House Office Building. But legal retainers are generally more lucrative than peddling the kind of suits men wear.

Some Members of Congress do set a high ethical standard for themselves. Some lawyers disassociate themselves from their firms and accept no share of the profits. Others refuse to vote on legislation affecting an industry in which they have a personal stake. But such intances are relatively rare.

NEPOTISM PUBLICIZED

Ethical violations lead to a lot of the bad publicity Congress gets. Among the favorite subjects is nepotism. The Louisville (Ky.) Courier-Journal reported recently, in an article condensed and reprinted in Reader's Digest, that 24 congressional wives are on the House payroll, 9 of them being paid over $10,000 a year.

Some of those wives work hard and are worth every penny they are paid, even if their husbands did put them on the payroll at taxpayer expense. Others are never seen in the office where they are paid to work, and are robbing the Treasury every time they sign a pay voucher.

THE ABSENT WIFE-SECRETARY

Best publicized example of congressional nepotism is the case of Representative ADAM CLAYTON POWELL, Democrat, of New York, now chairman of the House Labor Committee. The Harlem preacher divorced his wife, married his secretary, and gave his bride a wedding present of a $9,900-a-year salary increase. What's more, she lives in Puerto Rico and still draws her pay.

It is cases like this that give Congress its bad name, and there will be no letup in the bad publicity as long as the abuses continue uncurbed.

There are other reasons why the reputation of Congress is not what it once was, having nothing to do with the personal conduct of Senators and Representatives. The rules and practices of Congress are archaic. Filibusters are a huge waste of time and money. Congressonal junkets to foreign lands, while often of some value, are usually a boondoggle—a free vacation for the privileged few.

The trouble is that Congress makes its own rules and is easy on itself. Reforms will come only when an outraged public demands them. There isn't any reason why Congress should take 9 months to finish the job which could be done in 6. But it will keep happening until voters insist on reform.

REFORMS SUGGESTED

Here is a quick checklist of changes that will be necessary if Congress is to improve its image:

1. Revise Senate and House rules to prevent minority rule, jurisdictional disputes between committees, and Senate talkathons.
2. Insist that the same ethical rules of conduct enforced on other officials is applied to Members of Congress—no private gain resulting from official position.
3. Ban all relatives from the congressional payroll.
4. Require Members of Congress and all policymaking officials elsewhere in Government to file annual statements of income and assets, including the source of payments from outside activities.
5. Curb junkets by Members of Congress by requiring that any trips at public expense be justified in detail, with cost figures made public.

Unfortunately, these reforms are not likely to be popular with most legislators. But they should be popular with voters who can exercise their immemorial right to "throw the rascals out." Not many would have to be turned out before the reforms would come about.

[From the Newark (N.J.) Evening News, April 30, 1963]

REFORMING CONGRESS

Speaker MCCORMACK doesn't think much of proposals for overhauling the machinery of the House of Representatives. He says the seniority system for filling committee chairmanships is the best that could be devised, he minimizes the possibility of conflicts of interest, and opposes a mandatory retirement age.

About all the Speaker will concede is the desirability of reviving the rule that would permit any bill to be brought to the floor after the Rules Committee has held it for 21 days.

There are many others, in and out of Congress, who hold less complacent views. Representative GROSS of Iowa, for example, has just observed that there is absolutely no excuse for wasting so much time in the early months of a session. Senator CASE of New Jersey has introduced legislation providing for the appointment of a commission to propose a reorganization of Congress, including the revision of its archaic and shackling rules. Mr. CASE, after successive attempts to eliminate filibusters, knows how frustrating those rules can be.

Speaker MCCORMACK joins defenders of the seniority system, which has conceded drawbacks but which could be overcome in part by adoption of adequate rules to protect committee members from an arbitrary or obstructive chairman. As Speaker Rayburn once observed, "a determined majority can always work its will" in committee.

In concentrating on the seniority system, critics have tended to obscure a broader area where more important reforms could be made. These include a crackdown on absenteeism, setting deadlines for committee reports, easing conflicting demands on Members' time by setting separate days for committee work and floor action and eliminating duplicate hearings on the same bill. It has been recommended that overlapping committees in the same chamber hold joint hearings and that there be more joint committees representing both Houses.

And despite Speaker MCCORMACK's refusal to recognize the problem, Representative DORN, of South Carolina, among others, is concerned about congressional ethics. He is sponsoring legislation that would impose a strict code, embracing such matters as abuses in traveling expenses, hiring relatives, and conflicts of interest that Congress wouldn't tolerate in the executive branch.

And if Mr. McCORMACK thinks the public isn't concerned about such things, he must have a more tolerant constituency than many other Congressmen, who have been hearing plenty from the voters back home.

[From the Passaic (N.J.) Herald-News, Apr. 20, 1963]

CASE SAYS CONGRESS MUST REFORM TO HOLD PUBLIC CONFIDENCE

(By Edward J. Reardon)

WASHINGTON.—The record compiled by Congress thus far this session certainly adds substance to the contention of Senator CLIFFORD P. CASE, Republican, of New Jersey, and other Members that there is a real need for congressional reform.

Since it convened last January and up to the time it recessed for its Easter vacation this month, the 88th Congress had passed only one public law of any consequence—an extension of the draft. Not one of the 12 major appropriation bills had cleared both Houses.

At the present pace, the 88th is threatening to eclipse last year's record for longevity, when the session dragged into the middle of October. There are some Members who are expressing the fear that this year's session may last until Christmas, or even beyond.

It is only logical that Americans, who are suffering from lack of jobs, need for medical care or adequate educational help are losing patience with this slow-moving Congress. They, too, feel strongly there is a vital need for congressional reform.

Senator CASE, conscious of this feeling, states frankly that there is a real danger the public will lose confidence in the ability of Congress to meet the problems of the 20th century. He points out there has been no comprehensive attempt to improve congressional procedures since enactment of the La Follette-Monroney reorganization act in 1946. Since then, he says, the Nation has added two new States, increased its population by 50 million and accumulated a whole new set of national and international problems.

Yet it is still trying to do business at the old stand.

This is why the gentleman from New Jersey has helped to sponsor a bill which would create a commission on congressional reorganization. It would provide for a 12-member commission—3 Members each from the House and Senate and 6 private citizens well versed in the problems of public administration or the functioning of legislative bodies—to study the major problems hampering the smooth functioning of Congress at present.

Here are some of these problems as Senator CASE sees them:

Legislation is now very slow coming to a vote during the early months of a congressional session, with an inevitable end-of-session pileup.

CASE would set a deadline for committee action on important bills. He would also schedule committees meetings on Mondays, Wednesdays and Fridays and sessions of the House and Senate on Tuesdays and Thursdays (Saturdays, when necessary) to speed action on major legislation.

He would also extend appropriation bills to cover 2-year periods so that Congress could concentrate on legislation in one session and on appropriations in the second session, with due provision for consideration of emergency legislation.

He would change the present structure of congressional committees, their staffing and operation, and reexamine the present role of seniority in selecting committee chairmen.

Senator CASE thinks private immigration and claims bills constitute a heavy drain on the time of Congress which should be devoted to national issues. More of this responsibility, he thinks, could be placed in the immigration and naturalization service and the courts.

One of the real timesavers is CASE's suggestion for joint hearings of House and Senate committees on topics of mutual interest. At present, high-ranking Government officials like Defense Secretary Robert S. McNamara, Secretary of Labor W. Willard Wirtz and others of like stature are called on to testify on the same subjects before separate Senate and House committees. If joint committee sessions were held, the time of both witnesses and Congressmen would be saved.

For instance, McNamara has spent considerable time before both the Senate and House Armed Services Committees, testifying on practically the same subjects. If these had been joint sessions, he would have saved a lot of time he can ill-afford to sacrifice from his important duties at the Pentagon.

Electronic voting in both the Senate and House Chambers is another timesaver advocated by Senator CASE. It takes a good 40 minutes to record a rollcall vote of the House's 435 Members.

The New Jerseyite thinks, too, that lengthening the term of office for Members of the House would reduce the time they must now spend campaigning. Before he retired, former Representative London Canfield from New Jersey's Eighth District suggested a 4-year instead of the 2-year term for House Members for the same reason.

Senator CASE thinks regulations assuring prompt and effective reporting on legislative expenses, including travel expenses for individual Congressmen and committee members, should be considered.

Senator CASE admits not all these and other proposals included in his congressional reform plans were originated by him. Many are recommendations of other Members.

He maintains all are worth considering, however, and that the creation of a congressional reorganization commission such as he advocates is a practical way of going about it.

[From the Chicago Daily News, Apr. 29, 1963]

CONGRESS VERSUS OUTSIDERS

Congress, as nearly everybody knows, has a double standard of conduct—one for itself and one for everybody else.

It will, for example, demand that Defense Secretary McNamara get rid of every last nickel of his Ford Motor stock before taking office, but find no interest conflict whatever in the late, oil-rich Senator Kerr's vigorous opposition to any measure in any way inimical to the oil industry.

It will bray solemnly about the virtues of economy, but blow millions of the taxpayers' dollars for swimming pools, lounges, junkets, and sundry amenities aimed at making legislating less rigorous.

It will load the CONGRESSIONAL RECORD with lofty speeches on ethics, and let any of its Members commit lawful forgery by altering the record of a speech to erase a blunder.

Any one of its Members might agree that nepotism is an evil—for others; but the piling of congressional wives, uncles, and cousins on the payroll is deemed the sensible exercise of a time-honored prerogative.

Latest to take wry note of this double standard is the IUD Digest, published by the Industrial Union Department, AFL-CIO.

Among other things, the Digest notes the fact that any relationship between the committee chairmanship a Congressman happens to hold and his qualifications to hold it are, at best, accidental.

Simply by lasting long enough a Congressman can get to head a committee. "In the present Congress, this seniority system has resulted in 10 of the Senate's 17 committees being chaired by men over 65. * * * (In) the House * * * 13 of its 21 chairmen are over 65, 3 in their eighties, and 6 in their seventies. Thus, in both the Senate and the House, the majority of chairmen are beyond the normal retirement age." Many are also thoroughly insulated against the public will, yet use the vast power of their positions to block vital bills virtually singlehandedly.

Something can be done to bring on a reformation of the ancient rules that help to make Congress the stodgy, inefficient, and often self-centered body that it is.

Bold and righteous measures aimed, for example, at modifying the seniority system have always been hooted off the floor or simply ignored. But Senators CASE, of New Jersey, and CLARK, of Pennsylvania, have introduced resolutions calling merely for formation of a committee to study whether rules changes are needed. If such a committee could, as Senator CASE proposes, include public members with the Congressmen, a tide of public opinion might be started that even Congress couldn't stop. It is well worth a try.

[From the AFL-CIO American Federationist, April 1963]

MODERNIZING CONGRESS

(By Senator HUBERT H. HUMPHREY, of Minnesota)

Since the end of the 87th Congress last October, there have been increasingly strident pleas and demands in Washington and throughout the country that "Congress modernize itself."

I agree and I am hopeful that one of the major efforts of the 88th Congress will be a legislative reorganization act which will enable the Senate and the House of Representatives to meet the Nation's domestic obligations and international responsibilities more efficiently.

The waning weeks of the 87th Congress last year were significant for three reasons—all of which should be considered in any discussion of the need to "modernize" Congress.

First, the 1962 congressional session was one of the longest peacetime sessions in history.

Second, the 87th Congress approved more major legislation than at any time since the 1930's.

Third, the long delays and petty bickering which marked the final weeks of the 1962 session obscured the real record of accomplishment of the 87th Congress and cut into the confidence of the people in the legislative branch of their Government.

The length of the 1962 congressional session is often cited as one of the glaring examples of congressional backwardness and is mentioned as dramatic proof of the need to modernize Congress.

This is misleading. Whether we like it or not, long congressional sessions will remain common. Members of the Senate and the House, and the public, must realize that Congress today has a full-time, yearlong job.

The reason is a matter of simple mathematics. Since 1946—the time of the last Legislative Reorganization Act—the population of the United States has increased 33 percent. Our Government's domestic obligations have multiplied. Our Nation's international responsibilities have become constant, instead of occasional.

But in the same period, the number of Members of Congress has remained substantially the same.

The result is that there is today far more for Congress to do, but only the same number of Members to do it. It is thus inevitable that Members of Congress must work harder, for longer hours and through longer sessions of Congress.

As the flow of demands on Congress has increased, so has the flow of legislation.

In the Congress which approved the last legislative reform (the 79th, in 1945 and 1946), less than 13,000 bills or resolutions were initiated.

The 87th Congress which ended last year initiated, by contrast, more than 20,000 bills or resolutions—a 60 percent increase.

The total of major bills actually passed by Congress has also increased in the past decade.

The 87th Congress approved 73 major legislative proposals. The 83d Congress, representing the first 2 years of the Eisenhower administration, approved 29 major legislative proposals. The number of public bills approved by the 87th Congress was about double the number of public bills approved by the 83d Congress.

I pause briefly here to stress a positive point. In all the criticisms of Congress, we must face the fact that the most recent Congress—the 87th—did produce an impressive record of legislation.

Here are just some of the domestic programs approved in 1961 and 1962:

The area redevelopment program, investment tax credit, public works acceleration, increase of minimum wage, manpower training to give new skills to the unemployed, an expanded loan program for college students, an increase of the lending authority for both the Small Business Administration and the Farmers Home Administration.

Also approved were liberalized social security benefits, revision of public welfare programs (with emphasis on rehabilitation), the most comprehensive housing program in our history, water pollution control, the Federal Airport Act, two comprehensive farm bills, the drug control bill and extension of the Civil Rights Commission.

On legislation relating to international relations, the record of the 87th Congress was equally impressive. Here are some of the actions of that Congress on the international front:

A 20-percent increase in funds for defense forces, including a doubling of the Polaris missile program and a fourfold increase in antiguerrilla forces, a 200-percent increase in our budget for space programs, and the Communications Satellite Act.

Other key actions included the Trade Expansion Act (the most important new foreign policy tool in 15 years), the Peace Corps (established in 1961 and expanded in 1962), the U.S. Arms Control and Disarmament Agency, the Alliance for Progress, approval of long-term foreign aid, expansion of the food-for-peace program, approval of the United Nations bond issue and strengthening of the U.S. Information Agency.

I cite the record of the 87th Congress not as a boast, but to place any criticism of the structure, procedures and approach of Congress in proper perspective.

The basic problem is not the length of congressional sessions. It is not in the amount of legislation handled or approved.

The problem rests partly with the way in which Members of Congress spend the time they do have.

A common complaint of Members of Congress is that they "don't have time to be legislators."

It is a conservative estimate that every Member of Congress spends more than half of his time in direct service to constituents. Many Members of both the Senate and the House spend up to 90 percent of their time (and the time of their staffs) answering mail, meeting with constituents and handling individual constituent complaints or requests.

The volume of work involving direct service to constituents has increased sharply in recent years—for two reasons. First, as Government has grown bigger and less able to respond to individual needs and complaints, the average citizen has become aware that he can "get through" with his own request only by dealing with his individual Congressman or Senator. Second, speedy air travel and campaigns to "write your Congressman" have caused a big increase in the flow of visitors and mail to congressional offices.

My own experience can stand as an example.

In my first year in the Senate—1949—an average of 150 letters were received each day. Today, the daily average is between 800 and 1,000 letters. In 1949, 30 telephone calls was typical for 1 day. Today, 500 phone calls to my office are normal in 1 day. In 1949, a personal visit to the office by a constituent was a special event. Today, more than 100 citizens visit my office each day, about half of them constituents from my home State of Minnesota.

The Member of the Senate or the House does not complain about this pattern. He accepts the heavy constituent workload as a natural part of his job. Nothing can be done—or should be done—to reduce it.

But the remaining time a Congressman has can be used more efficiently to handle his legislative duties.

Several steps are possible and they should be taken soon if Members of Congress are to be able to have enough time to study the issues they face carefully and to act—and vote—wisely.

First, there should be more joint meetings of congressional committees and subcommittees. Too often, a Senator or Congressman serving on more than one committee must hear substantially the same testimony repeated at different times before two different committees.

Second, there should be more standing joint committees of Congress. This would save the time of Congress as a whole, especially toward the end of each session when late-rising differences between the Senate and House on legislation often stall the work of both bodies.

Third, a change should be made in the "morning hour" in the Senate to permit Members to send their speeches or articles to the clerk for insertion in the CONGRESSIONAL RECORD, without taking their own time and the time of the whole Senate for the speeches to be read word by word.

Fourth, there should be application of the "rule of germaneness" to the Senate, to require Members to restrict their remarks to the issue formally listed as the business of the Senate.

Fifth, there should be more efficient scheduling of the workdays of Congress. Specific days—particularly in the earlier months of the session—would be reserved exclusively for committee hearings and action. As the legislation begins to flow out of the committees, more days would be reserved exclusively for debate and action by the full Senate and House.

One additional change would, I am convinced, improve the efficiency of Congress—particularly in the later months of the session: a summer recess of at least 3 weeks.

The immediate value of such a recess would be the opportunity for Members of Congress to spend some time with their families during the school vacation period and to visit their home States or districts for renewed contacts with constituents.

Congressmen are human beings; they get tired and their nerves can become frayed from long months of pressure and hard work. I am convinced the change of pace of a summer recess would reduce the tensions and bickering which are now so common in the final few months of congressional sessions.

The second key problem in Congress today involves the divisions of congressional power and the lines of authority for specific issues on which Congress is called to legislate.

The first several weeks of the 88th Congress, in the Senate, were spent in an attempt to modify one antiquated device of power—the filibuster.

Liberals in the Senate sought to reduce from two-thirds to three-fifths or a 51-vote majority the number of votes necessary for cloture—the closing off of a debate to bring an issue to a final decision.

Our effort was not to establish a "gag rule" on debate nor was it to quash the rights of the minority in the Senate.

Our proposal included the assurance of adequate time for debate on any legislative issue. It assured the rights of the minority in the Senate.

But it also called for the basic right of a majority of the Senate to decide an issue—to cast a "yea" or "no" vote—after a reasonable period of full and free debate.

The efforts of liberals to amend rule 22 and to place the filibuster under control in the Senate did not succeed this year.

We were set back, but not defeated. The test vote found 54 members—a clear majority—joining the group seeking the change. This was shy of the two-thirds vote necessary. But it offered new and encouraging evidence of a pattern toward victory on this issue. Ten years ago, Senate liberals could muster only 19 votes in support of a change in rule 22.

Another major defect in the congressional structure involves the lineup of committees in Congress.

There were 2 weeks of confusion in 1961 after I introduced a bill to establish a U.S. Arms Control and Disarmament Agency. The measure was first assigned to the Foreign Relations Committee, then switched to the Government Operations Committee, then back to Foreign Relations. On one day, it almost went to Armed Services Committee for consideration.

The bill was finally debated and approved, but the delay was an example of the need for more clearly defined lines of authority in the congressional committee system.

One specific suggestion I have advanced is the establishment of a Joint Committee on National Security Affairs.

Today, as an example, the subject of nuclear test ban proposals involves the Foreign Relations Committee, the Armed Services Committee and the Joint Committee on Atomic Energy. This crucial issue need not bypass any of those committees. But there should be one central committee which can seek to harmonize the various viewpoints of the other committees into a basic consideration of the national security issue involved.

My comments have touched on only a few of the specific problems and needs in Congress. There are many more.

What is clearly needed is a complete and detailed review of the overall structure and workings of Congress—and a set of recommendations to improve the efficiency of Congress.

A resolution sponsored by Senator JOSEPH CLARK, Democrat, of Pennsylvania, and 31 other Senators of both political parties calls for a Joint Committee on the Organization of Congress. A companion measure in the House agrees this committee should conduct a full review of the legislative branch and produce recommendation for change.

I am hopeful that this resolution will be adopted and that the joint committee can begin its work soon. A review and reorganization of Congress is long overdue.

Congress must update its procedures. In a free nation with a representative government, we cannot expect total order and absolute efficiency in the legislative branch.

But we can expect—and must demand—a congressional system willing and able to remain responsive to a fast-changing nation and world.

[From the Vineland Times Journal, Apr. 25, 1963]

AN AMERICAN TRADITION: CONGRESS HAS CHANGED ITS RULES MANY TIMES OVER THE YEARS

(EDITOR'S NOTE.—Critics of Congress maintain that it is presently displaying its weaknesses to an unusual degree. History sheds some light on such moments. This story reviews past congressional behavior and efforts to reform it.)

(By Congressional Quarterly)

WASHINGTON.—Proposals to reform Congress are by no means a recent development. Since first convened on March 4, 1789, the U.S. Senate and House of Representatives have undergone a continuous transformation.

Many current proposals have precedents in the past, or are in reaction to changes made in earlier Congresses. Like Congress itself, today's suggested reforms reflect the history of the Nation as a whole.

A variety of pressures have contributed to past reorganization of Congress. These factors fall largely into three categories:

1. The continually shifting distribution of power within Congress;
2. Recurring efforts to guarantee that Congress properly represents the Nation and carries out its popular mandate;
3. The expanding functions of Government, especially the executive branch, in this century.

These various factors are usually so interrelated that it is impossible to separate them completely. But the relative importance of the three major pressures has not been constant.

AN INTERNAL ISSUE

At a time when Government and politics played a smaller part in American history, when transportation left Washington more remote from the bulk of the country, when mass media did not subject Congress to constant publicity, when Senators were elected indirectly and large parts of today's electorate had no vote, the organization of Congress was primarily an internal issue.

With the significant interruption of the Civil War, this situation prevailed throughout most of Congress' first century. The distribution of power within Congress was the decisive question.

Despite an abhorrence of the spirit of party among the Founding Fathers, the party caucus was the first center of power to make its weight felt in the House of Representatives.

After 1790, the Federalists, led by Alexander Hamilton, used the caucus to promote their legislative program. From 1801 to 1809 the Democrats, led from the White House by President Thomas Jefferson, made such effective use of the party caucus that Federalists in the House complained that all great political questions were being settled elsewhere.

SPEAKER'S POWER GROWS

After a brief interregnum in party discipline during President James Madison's first term, the party caucus was revived under the leadership of Henry Clay, Speaker of the House. It was Clay who first made significant use of the powers of the Speaker for party aims.

The Speaker's position was enhanced by his power to appoint committees. Meanwhile the committees increasingly dominated the legislative process, and the importance of the party caucus declined. The influence of the committees in the pre-Civil War disputes over slavery led to bitter struggles over the election of the Speaker, who would appoint them.

The Senate was slower to organize. Its smaller size and the longer term of its Members was conducive to an informal manner of proceeding. It was reluctant either to divide its powers among committees, or concentrate them in a leader.

The presiding officer in the Senate—the Vice President—was not chosen by the Senators, who therefore granted him no more authority than necessary. Unlike the Speaker of the House, he could not combine with his office the power of party leader.

SENIORITY SYSTEM DEVELOPS

Only slightly larger than some of today's Senate committees, and burdened with less work than most of them, the early Senate had little need to split up into permanent groups of specialists. In more than a quarter of a century, the Senate established only four standing committees, and these were administrative rather than legislative.

But in 1816, 11 additional standing committees were created. As committees grew in importance their chairmanships were increasingly determined by seniority.

In 1859, a northern Democrat called the seniority usage "intolerably bad," and complained that it "has operated to give the Senators from slave-holding States the chairmanship of every single committee."

But earlier in the same year the Democratic caucus had violated the principle of seniority to remove Senator Stephen A. Douglas, Democrat of Illinois, from his chairmanship of the Committee on Territories because he refused to go along with the southern wing of the party on the question of slavery in the territories.

CIVIL WAR AND REACTION

During the Civil War the power struggle within Congress was replaced by a conflict between the legislative and executive branches of Government.

In spite of Congress' efforts to direct the war through such institutions as the Joint Committee on the Conduct of the War, President Abraham Lincoln managed to dominate the scene, often taking action without prior legislative authority from Congress.

After Lincoln's death, Congress reasserted its powers, hamstrung the administration, and came within one vote of removing President Andrew Johnson from office.

But the unity of Government given first by Lincoln's administration, and then by the Radical Republicans in Congress, broke down. From 1875 to 1897, one party, simultaneously controlled both Houses of Congress and the White House in only 3 of 11 Congresses.

The resulting inactivity of Government probably suited the mood of the Nation, which had its fill of great causes in the War and Reconstruction. In this situation, the organization of Congress again became primarily an internal issue.

THE PROGRESSIVE ERA

During the progressive era that spanned the turn of the century, an increasingly restive public demanded more genuinely popular government.

Under popular pressure, Congress enacted such progressive legislation as civil service reform (1883), the Interstate Commerce Act (1887), the Sherman Antitrust Act (1890), conservation legislation (1891), and an income tax (1894). But the income tax was invalidated by the Supreme Court, and other measures were rendered ineffective by their vagueness and loopholes, by court rulings, and by unenthusiastic administration of the laws.

As a result, frustrated reformers decided more democratic control of the Government was necessary to secure the measures they sought. The reform movement turned increasingly toward measures such as direct primaries, women's suffrage, and measures against corrupt election practices.

This movement, through pressure from citizens groups, State legislatures, and the House of Representatives, finally led to the 17th amendment, providing for direct election of Senators.

REVOLT AGAINST THE SPEAKER

In the House, the "reforms" were internal. Their purpose, however, was to make the House more responsive to public opinion.

In 1890 Representative Thomas B. Reed (Republican, of Maine), strengthened the power of the Speaker to overcome minority obstruction. He claimed, "Party responsibility has begun, and with it also the responsibility of the people * * *."

But by 1910 the Speaker, Joseph G. Cannon, Republican, of Illinois, had become so powerful that insurgent Republicans joined the minority Democrats to weaken his authority. This "revolt" deprived the Speaker of his right to appoint committees and of other power.

Both the 1890 move to strengthen the Speakership, and the 1910 effort to weaken it, were aimed in theory at enabling the majority of the House to carry out its popular mandate. The problem was that there were two majorities—the majority of the majority party, as represented by the Speaker, and the majority of the whole House, as in the coalition against Cannon, or in today's "conservative coalition."

REORGANIZATION AND WORLD WARS

As in the Civil War, in this century's World Wars the Government, especially the executive branch, assumed extraordinary powers. This has presented two major problems for Congress: the need to deal efficiently with its increased workload, and the need to maintain its authority vis-a-vis the Executive.

The greatly increased expenditures that began in the First World War led Congress to revise its budgeting procedure.

The Budget and Accounting Act of 1921 established two important offices—the Budget Bureau and the General Accounting Office. The former was created to centralize fiscal management of the administration directly under the President; the latter was designed to strengthen the oversight of spending by Congress.

At the same time, the House (1920) and the Senate (1922) each restored exclusive jurisdiction over spending to its Appropriations Committee, thus centralizing Congress' consideration and control of the whole budget.

Even before the Second World War ended, a great debate began on the reorganization of Congress to cope better with its increased workload and with the expanded executive branch.

In February 1945, Congress set up a Joint Committee on the Organization of Congress—the La Follette-Monroney committee. On the basis of the committee's recommendations, the Legislative Reorganization Act of 1946 was enacted.

The act raised congressional salaries, banned certain types of private bills, and required lobbyists to register.

The number of standing committees was reduced by more than half in each House, each committee was authorized to acquire professional staff, and every committee was directed to exercise "continuous watchfulness" on the execution of administrative agencies of laws whose subject matter fell within its jurisdiction.

[From the Miami (Fla.) News, Apr. 5, 1963]

CONGRESS MUST REORGANIZE

(By Roscoe Drummond)

WASHINGTON.—What is the crucial issue before the 87th Congress? Is it the tax bill or medicare or aid to education?

All of these are important, but I am convinced that the issue of highest priority on the agenda of this Congress is the reorganization of Congress itself.

Congress has already lost its capacity to transact the public business carefully, responsibly, and efficiently.

Look at one example:

The Senate's Government Operations Committee is vigorously investigating whether the Department of Defense may have made a mistake in selecting the TFX fighter plane and awarding the $6.5 billion-contract to General Dynamics.

The civilian heads reviewed the facts, exhaustively for many weeks. Six and a half billion dollars shouldn't be spent casually. It wasn't.

Last October in the last 4 days before the session expired, it rushed through five appropriations bills totaling $15,850 million—one-sixth of a $93 billion budget. Fifteen billion dollars shouldn't be appropriated casually. It was.

I am not saying that Congress should not investigate the TFX contract for fear it was casually decided. I am simply asking when Congress is going to look into the mirror and do something about its own failure to transact the public business carefully, responsibly, and efficiently.

This year Congress is being called on to appropriate $100 billion in Federal spending, and there is no visible prospect that this annual budget will get smaller. How carefully does Congress deal with this budget? This is how carelessly it deals with it:

Congress appropriates everything piecemeal. It never examines the budget in toto. Different committees look at different parts. Congress never looks at the whole.

After authorizing the expenditure of billions of dollars each year, Congress fails to give itself adequate staff to review the misuses of Federal funds reported to it by its own agency, the General Accounting Office.

The National Committee for an Effective Congress makes this early-session report:

"Last year Congress found it almost impossible to finish its business. This year Congress found it almost impossible to get started. The Senate did not even organize its committees until the end of February."

"Congress is not handling its workload."

Fortunately there are some influential Senators and Congressmen who are acutely aware that Congress must modernize its machinery for transacting the public business. There is formidable resistance from those Members who would rather have a weak and ineffectual Congress than give up special privilege and personal power.

Time is running out because this session of Congress is farther behind than the last.

[From the Washington Post, June 10, 1963]

CONGRESS MUST SEIZE THE INITIATIVE

(By Roscoe Drummond)

A veteran of the House of Representatives who is retiring undefeated from one of the largest States remarked in private conversation the other day: "In all my 15 years in Congress I have never been able to devote more than one-tenth of my time to doing what I was primarily elected to do—help shape the laws of the land."

The able and respected chairman of one of the Senate's many investigating committees raised his arms in despair the other evening and exclaimed: "The executive has become so big that we (the Congress) have simply lost control. We can't review it adequately; we can't check it adequately; we just don't know what it is doing."

And this: Congress never gives one look at the massive and mounting Federal budget as a whole. It looks at it piecemeal but never in toto. It appropriates piecemeal without ever putting the parts together to know what it is doing, then it abandons responsibility for continuous, overall review—despite the fact that its own rules call for such review.

What do these facts (and others like them) really mean? They mean that the congressional minutiae so gobble up the time of individual Members of Congress that they can't do their primary work; that even the best congressional investigating committees are no longer able to oversee how the executive is carrying out the congressional will; that as the Federal budget grows, Congress is steadily losing control, even losing sight, of what is going on.

The need for congressional reorganization to modernize its creaking, model-T machinery is no longer seriously questioned. The need is to enable the Congress to lay hold of the means and procedures to transact the public business efficiently and responsibly and to capture its eroded authority.

Fortunately, the prospects for such reorganization are looking up. One step is the bipartisan resolution introduced by Senator CLIFFORD CASE, Republican, of New Jersey, and Senator JOSEPH CLARK, Democrat, of Pennsylvania, to create a Commission on Congressional Reorganization to study and propose needed reforms.

Public hearings will be held shortly by a Senate Rules Subcommittee under the chairmanship of Senator CARL HAYDEN, Democrat, of Arizona, aided by a specially appointed staff counsel, former Representative Hugh Alexander, of North Carolina.

Reflecting the almost unanimous endorsement of those in private life who know most about the Congress, the volume of correspondence which Senator CASE has had from political scientists is particularly revealing.

Senator CASE has received 195 letters from specialists in government. Of these, 160 strongly approve the move for congressional reform, none is opposed, 35 are noncommittal. Eighty-two percent of the letters consider the proposed study very timely and necessary, and hope it will succeed. Some of the specific comments and suggestions are these:

The Commission should focus on this central question: How can Congress remain an independent, productive, efficient, and creative branch of Government?

Many contend that Congress is not measuring up to its potential and to public expectations.

The statement that "congressional reform is long overdue" repeatedly occurs in the letters.

"Congress is in for rough sledding in the coming months and years," one of the political scientists writes. "Unless Congress moves to reform itself, that criticism will grow. Now is the time to begin study of reform so as to bring Congress up to date before even more power passes to the executive branch and before the image of Congress drops further in the minds of our people."

Wouldn't it be well if Congress paused in trying to reform everybody else and took a clear look at its own shortcomings—and did something about them?

[From the Philadelphia Inquirer, July 4, 1963]

CONGRESSIONAL REFORM

(By Roscoe Drummond)

WASHINGTON.—It has always been evident that the "power structure" in Congress—meaning most of the committee chairmen—would try to block congressional reorganization. And if they couldn't block it, they would act to delay and dilute it.

This tactic came slyly into the open during a brief hearing which the Senate Rules Subcommittee gave to the proposals to bring about needed reforms. These proposals had been introduced by Senator CLIFFORD CASE, of New Jersey, and Senator JOSEPH CLARK, of Pennsylvania, and were cosponsored by at least 30 other Senators.

The purpose is to set in motion a thorough and expert study of how Congress can modernize its machinery to regain control of its responsibilities.

Most Senators and Representatives are aware that Congress has lost all legislative initiative to the President, and that it has neither the time nor the staff to make effective check on whether the $100 billion it appropriates every year is being properly spent.

And what did the Senate Rules Committee, headed by Senator CARL HAYDEN, Democrat, of Arizona, graciously do in behalf of the most urgent issue before Congress, next to civil rights and tax reductions? This is what it did:

1. It called a hearing at 10:30 a.m., and adjourned it at 12:30 p.m., giving a total of 2 hours' attention to a matter which many Senators had been earnestly pressing for more than a debate.

2. It failed to take testimony from anybody but Senators; it made no provisions to call expert witnesses who had devoted their lives to the study of the functioning of Congress.

3. Subcommittee Chairman HAYDEN, who is also the powerful chairman of the Senate Appropriations Committee, refused to give any assurance that his committee would hold further hearings to allow additional witnesses to testify.

It has been 17 years since Congress, through the Reorganization Act of 1946, took some modest steps to bring its machinery out of the model-T era. And now, 2 hours of perfunctory public hearings and the chairman indicates he has had enough. Must be someone who doesn't like reform up there on Capitol Hill.

There is no missing the implication of this attitude—that Congress is an institution "of the Congressmen, by the Congressmen and for the Congressmen," and the public should stand 10 paces to the rear and keep quiet.

[From the Asbury Park (N.J.) Press, July 1, 1963]

SENATE REFORM

A frequent criticism voiced by visitors to the gallery of the U.S. Senate is that the Senate appears to be doing nothing. It is a valid judgment. The fact is that for most of the time the Senate is in session urgent public business is sidetracked by speeches that have no relation to the subject at hand and more often than not only a handful of Senators is available to maintain the myth that the Senate is the greatest deliberative body in the world.

The move to impose a rule of germaneness under which at least 4 hours a day would be reserved for Senate debate which sticks to the subject at hand deserves far more support than prior attempts have attracted. Senator CASE of New Jersey, long an advocate of reform in congressional rules, has persisted in seeking to make some of them effective. The recent resolution by 31 Senators calling for the rule of germaneness should encourage Senator CASE to carry on his efforts.

The most frequent impression reported by high school students after their first visit to see Government in action deals with the discovery that seats in the Senate are vacant with one or two Members droning along for the purpose of entering into the RECORD views and opinions for home consumption. Recently Senator DOUGLAS had to wait 2 hours to speak on President Kennedy's area redevelopment proposal because of interruptions completely foreign to the pending business.

The rule of germaneness is needed if only to save the Senate from its declining reputation as a legislative body. Enough Senators should appear on the floor and stick to the issue until the rule is accepted.

[From the Washington (D.C.) Post, July 2, 1963]

BALL-AND-CHAIN CONGRESS

Congress took a fleeting look at its creaking and outmoded machinery last week and then went on another vacation. There was no direct connection between the 1-day hearing on organization problems conducted by a Senate Rules subcommittee and the suspension of all major business for an extended Fourth of July holiday. But the coincidence once more highlights the disturbing incapacity of Congress to meet its obligations and the great reluctance of the leaders to do anything about it.

Senator KEATING told his colleagues that "in major respects Congress itself must bear the blame for its declining role." Instead of being a responsive instrument of the national will, Congress too frequently serves as a ball-and-chain on the leg of national progress. To our way of thinking, Senators CLARK, MONRONEY, CASE, BARTLETT, and KEATING made a powerful case for the appointment of a study group that would seek out the causes of congressional ineffectiveness, as did the La Follette-Monroney committee during the 1940's. But Chairman HAYDEN of the Rules Committee adjourned the hearing without fixing a date for its resumption, and fear is being expressed in the cloakrooms that nothing will be done. Congressional apathy is nowhere more profound than in the sphere of injecting new life and more efficiency into Congress itself.

Meanwhile the outlook for the current session becomes increasingly discouraging. Many of the important bills which the administration has recommended to Congress are apparently to be quietly discarded without so much as a committee report or a vote on them. Several high-priority bills are stalled in the House Rules Committee despite the "reform" that was supposed to have been imposed on that mortuary squad last January.

In 6 months of much talk and legislative meandering Congress has passed only a few minor bills. Most of the topflight measures in the administration's program are still moving sluggishly, or not at all, within the committee structure. As Senator MONRONEY noted, the all-important task of legislation occupies only a minor portion of Congressmen's time. The two Houses are toying with a thousand things without the wit or the discipline to focus their efforts upon major tasks or to pursue a systematic agenda.

No Member of Congress can safely be indifferent to this state of affairs. The legislative branch is bringing disrepute upon itself by slavishly clinging to a stale traditionalism in the atomic age. If this condition is allowed to worsen, the first question to be asked a Congressman returning to his home district may well be, "What have you done to relieve Congress of its ball-and-chain?"

[From the St. Louis Post-Dispatch, July 1–7, 1963]

CONGRESS NEEDS REFORM

Congress is facing a record legislative logjam, and it may be a poor time to suggest consideration of measures not already high on its priority list. Yet it would be a serious mistake to ignore a warning given a few days ago by a bipartisan group of legislators. The gist of this is that Congress should move now for a comprehensive overhaul of its machinery or risk "total eclipse" in national affairs.

It is painfully evident that Congress is wallowing in a slough of impotency. It has moved at snail's pace in the last 6 months. Major portions of President Kennedy's program have not reached the floor of either Chamber. Committee work on tax cut and foreign aid bills, to mention only two measures, is behind schedule, and a rocky road is ahead for civil rights proposals. The customary adjournment target, Labor Day, has been virtually abandoned; most Members think they will be lucky if they get home by Thanksgiving, and it could be much later.

Against this background Senator CASE of New Jersey told a Rules subcommittee that Congress is so bogged down in cumbersome procedures that "the executive and judicial branches have had to take over primary responsibility for conducting the Nation's business." Senator KEATING of New York backed him up, and added: "This is not simply the result, as some contend, of a desire on the part of strong Chief Executives and Chief Justices to assume great power; in major respects Congress itself must bear the blame for its declining role."

It is significant that a prominent place among the critics was taken by Senator MONRONEY of Oklahoma, coauthor of the La Follette-Monroney Act of 1946. This was the last major reorganization of Congress, and it must be said that the effects have to a considerable extent worn off. Mr. MONRONEY favors a vast overhaul, to be brought about after a study by a special joint Senate-House committee. Senator CASE and CLARK of Pennsylvania have suggested this course.

Senator CASE also has proposed a commission of three Senators, three Representatives and six outside experts appointed by the President, but, as Mr. MONRONEY notes, this is open to the criticism that the Executive would be invading the field of congressional prerogatives. The 1946 act was drafted by a Senate-House committee with a staff of experts. While it brought about many needed reforms, it could not get at several evils that still plague Congress—the filibuster, the seniority system, and the inordinate power of the House Rules Committee to block legislation.

Whatever the body chosen to make the study, it could well give thought to a recent proposal by Columnist Walter Lippmann. Mr. Lippmann suggested that "the most important and most needed reform would be a rule that measures proposed by the President must, if he labels them urgent, be reported out of committees within a certain time and brought to a vote within a certain time." This gets to the heart of the matter. There is no logical reason why the Nation cannot get prompt action—either yes or no—on an administration proposal. A mere handful of legislators, often responding to sectional pressures, now can cause interminable delays. The country can no longer afford the luxury of a Congress like the current one is showing itself to be at this session. It is true that the President represents the country as a whole and Congress, in a manner of speaking, its separate parts. Yet Congress has been able to form a national consensus in times of clearly defined peril. What levers can be used to bring about a similar consensus in times of relative peace? The progress of civil rights legislation may well show the scope of the problem; Congress had better start looking into it at once.

[From the Paterson (N.J.) Morning Call Aug. 17, 1963]

LETHARGIC CONGRESS

Rarely has a Congress dillydallied as this one has. Without disrespect, one can fairly say that the lawmakers have a disturbing lack of urgency about dealing with the major problems that confront them.

Never in recent times has Congress, after 7 months in session, had such a backlog of unfinished business. The idea that Congress might still be plugging away come Christmas used to be something of a joke, but it is no longer funny. Now the joke is that Congress originally planned, as usual, to adjourn around Labor Day. At the present rate, by Labor Day work will scarcely have begun on some important legislation.

It is true that Congress has been handed a few tough nuts, among them notably the civil rights crisis, the threatened railroad strike, the nuclear test ban treaty. None of these came to a head until quite recently, however. Moreover, the prospect of a long session because of these and other major problems has tended to delay other legislation; committees have felt no urgency about getting their bills to the floor. A certain lethargy seems to be the order of the day.

These observations may sound more testy than the situation warrants. It might be argued that the most important work of Congress goes on behind the scenes, and that apparent indolence conceals zealous activity. Perhaps so. But a lay view is that Congress has, on the whole, been taking things pretty easy since January. If there is evidence to the contrary, a lot of Americans would like to hear it.

[From the Washington Post Aug. 6, 1963]

LIMPING CONGRESS

With Congress still in a relaxed mood, national issues are accumulating much faster than they are being disposed of. At the beginning of the present session attention was concentrated on a single objective—inactment of a tax-reduction bill. That problem still looms large on the legislative horizon, but subsequent events have added to it the civil rights bill, the railroad emergency problem, and now the nuclear test ban treaty. Yet, Congress ambles along with no apparent concern about its accumulated burden.

The latest report of the Congressional Quarterly shows that Congress has approved only 4.7 percent of President Kennedy's legislative requests at the end of July—the target date for adjournment under the La Follette-Monroney Act. The only three major Kennedy bills to be passed by both Houses merely extend previous legislation dealing with feed grains, corporate and excise taxes, and the debt limit. On a percentage basis, the present congressional score is less than half that of 1961 and is still further below the record for former President Eisenhower's third year in office. The Congressional Quarterly describes it as a "record low."

Quite a number of bills have passed one House and are awaiting action in the other, and none of the President's recommendations has been finally rejected. But these facts scarcely relieve the dismal general picture. Although nearly 7 months have elapsed since the 88th Congress assembled, more than 76 percent of the President's recommendations have either been ignored or have gotten no further than committee hearings. Viewed from any angle, this is a sorry performance.

The outlook is the more discouraging because Congress has shown little interest in improvement of its own creaking machinery. After one day of hearings on proposals for a new study of congressional deficiencies, this hopeful project again appears to have been laid on the shelf. A flaccid and limping Congress seems unwilling to face the facts about its own inadequacies.

[From the Newark (N.J.) News, Aug. 13, 1963]

LEADERSHIP

The concluding session of the 76th Congress, longest on record, lasted 366 days. It was finally adjourned January 3, 1941. The current session of the 88th, after 7 months of unproductivity, promises to equal that mark.

This year has brought enactment of only three of the administration's major legislative requests. All were emergency extensions of existing laws—the draft, feed grains and national debt limit—and required little congressional initiative.

Except for tax legislation, little or no progress has been made on measures to which President Kennedy assigned high priority. Among these are area redevelopment, mass transportation, youth employment, aid for medical schools, and cotton controls. Other administration proposals, such as health insurance for the aged, aid to education, and establishment of an urban affairs department, are altogether out at this session.

Tax reduction and reform has been stalled by the lethargic House Ways and Means Committee for months. It is doubtful the bill will reach the House floor much before Labor Day, traditionally the time for adjournment. Accordingly Senator Gore, Democrat, of Tennessee, has found reason to doubt there'll be a tax bill this year.

Even the annual appropriation bills have not received normal congressional attention. The result is a press of unfinished business that could take Congress into the new year even without the specter of a Senate filibuster over civil rights.

It's difficult to account for Congress slowdown except that it is bewildered by the rush of events. As examples of new and emergent legislation, the rail labor dispute and the nuclear test ban treaty may be cited.

Some of the congressional inertia undoubtedly is attributable to the ineffectual Democratic leadership. House Speaker McCormack is no more a Sam Rayburn than Senate Majority Leader Mansfield is a Lyndon Johnson. The power once wielded by the Texans seems to have trickled down to committee chairman, and the White House itself hasn't done much better in behalf of its legislation over the futile McCormack and Mansfield.

[From the New York Herald Tribune, Aug. 5, 1963]

Model-Change Time in Congress

When the family chariot grows rusty, sputters, coughs, and stalls on the freeway, it's a good sign that it's time to turn it in for a new model.

Ditto for Congress.

In its first 7 months, the 88th Congress has flapped its distinguished jaws through more than 13,000 pages of the Congressional Record, but this is just about the only record it's written.

Commenting that "the deliberative process was not meant to be an exercise in continuous futility." Senator Javits the other day recalled Mr. Truman's blast at the Republican 80th as the "do nothing" Congress. But, Senator Javits noted, in its first 7 months (in 1947) the 80th had:

By approving aid for Greece and Turkey, given congressional support to the first mutual security doctrine;

Approved the first post-World War II effort at Armed Forces unification;

Provided $350 million in foreign aid;

Passed the Taft-Hartley Act, over a Presidential veto;

Passed the 22d (two term) amendment to the Constitution;

Provided a new procedure for Presidential succession;

Approved popular election of the Governor of Puerto Rico;

Ratified peace treaties with Italy, Hungary, Rumania, and Bulgaria;

And also: "Approved United Nations site agreements; reincorporation of the Inter-American Institute, American participation in the International Children's Fund, and in the International Refugee Organization; extension of the Commodity Credit Corporation; establishment of a sugar quota system, extension of rent controls and wartime excise taxes; establishment of priorities for critical materials in short supply; extension of the school lunch program, and a freeze on social security taxes."

It's perfectly true that congressional achievement can't be measured simply by the volume of legislation it enacts. Often Congress serves the Nation better by rejecting bills than by passing them, and when a lot of bad bills are sent up to Capitol Hill they can clog the legislative hopper.

It's also true that President Kennedy deserves a good bit of blame for Congress present tangle of inaction. After President Eisenhower's long, patient efforts to get Congress to assert its proper role of legislative leadership, Mr. Kennedy started off with a lot of heavyhanded bludgeoning aimed at centering legislative control in the White House. In trying to hog the political credit, he helped break down the mechanism of initiative and responsibility. And now that he himself is no longer leading forcefully, there's a vacuum left on Capitol Hill.

But the important thing now is that there is a vacuum, not only of effective leadership but of achievement. There hasn't even been the negative achievement of any very impressive list of rejected bills. Congressmen are talking gloomily of not adjourning until Thanksgiving, or later; and even so, the prospects of a legislation logjam are formidable and frightening.

And the drab performance of the jellied 88th doesn't offer much hope for the future. Its nonrecord is largely the result of antiquated, time-wasting procedures, of attention to trivia while the great issues are shunted to the sidelines, dawdled over, or ponderously politicked.

It's high time—it's past time—for, as a bipartisan group of Senators has proposed, establishment of a House-Senate commission to modernize congressional rules and procedures. And it's also time for Congress to show a little more pride in the congressional function—by functioning.

[From the Vineland (N.J.) Times-Journal, Aug. 21, 1963]

Present Congress Is Regarded Greatest Do-Nothing in Years

(By James Marlow)

Washington.—Democrats have run Congress since 1955 but they paid a lot more attention to business under President Dwight D. Eisenhower than they are doing under President Kennedy.

The present Congress, which some people think may be here until Christmas, probably is the greatest do-nothing Congress in a generation. The reason primarily seems to be lack of tough leadership.

For 6 of his 8 White House years, Eisenhower had to depend on a Democratic Congress to put his programs through. It got a lot of work done, although not always to his satisfaction.

None of those Congresses finished later than mid-September. Most were finished before September.

Kennedy has expressed approval of Congress work so far in his administration but it has left a lot of people cold. And it takes longer and longer to get its job finished.

The 1961 session, ending September 27 was the longest since 1951, when this country was fighting the Korean war. The 1962 session wound up October 13, the longest peacetime session since 1949 and the longest in an election year since 1942. This one will be longer still.

The Senate in Eisenhower's time was under the guidance of Lyndon B. Johnson, now Vice President. Speaker Sam Rayburn, a Texan like Johnson, bossed the House. He was still boss for part of 1961 but died that year.

These men were tough, hard-driving masters of detail. Johnson seems unquestionably to have been the best Senate leader in this country.

His successor, Senator Mike Mansfield, of Montana, is a mild and gentle man, immensely liked, but not in the same league with Johnson for day in and day out hammering. Rayburn's successor, John W. McCormack of Massachusetts is well liked, too. But he's no Rayburn.

There also is the question of Presidential leadership to get Congress, no matter what its mood, to act on White House programs.

In one way it is difficult to draw a contrast between Eisenhower and Kennedy in this field. Kennedy has followed Eisenhower's technique of never fighting with Congress.

Since he had to deal with a Democratic-run Congress through most of his two terms, Eisenhower never was in a position to put on the pressure in the way Kennedy should be able to do. Kennedy's own party is running Congress.

But much of the time Kennedy looks halfhearted in fighting for his programs. A good example was medical care for the aged, one of his major proposals last year.

He made only one public speech for it, and that was off the cuff, and the whole thing melted. And the Members of Congress who bottled it up got the kid glove treatment.

This year, until civil rights took first place, a tax cut was his biggest program. But that hasn't passed either House and may not get through. He compromised on this one early—too early, some people think.

It might be argued that southern Democrats, peeved at the Kennedy administration for its other activities in the civil rights field, have been slowing up the works. But that's hardly a full story.

It should not be forgotten that Johnson and Rayburn in Eisenhower's time, over the opposition of southern Democrats, pushed through the first two civil rights bills in this century, got a lot of other work done, and finished early.

Two of the biggest factors in the present stumbling along seem to be undistinguished Democratic leadership on Capitol Hill and a lack of fighting leadership by Kennedy in dealing with Congress.

[From U.S. News & World Report, Aug. 12, 1963]

Why Congress Is Deep in Trouble

It is August, 7 months after the new 88th Congress took office. At this time, Congress normally is thinking of winding up its work to get out of the Washington heat.

This Congress is deep in trouble. One month of a new fiscal year is gone. Yet most of the major appropriation bills still are in committees. And a massive logjam of legislation is piling up.

Talk now is that Congress will be in session until Thanksgiving Day. Many Members expect to stay longer.

What accounts for the trouble?

Both Houses of Congress are controlled by Democrats. In the Senate are 67 Democrats and 33 Republicans. In the House are 257 Democrats, 177 Republicans, and 1 vacancy.

The opposition party, in other words, cannot be held accountable for the slowdown.

To learn what does seem to account for it, staff members of U.S. News & World Report talked with key Members in both branches of Congress. These Congressmen spoke freely, with the understanding that their views would not be attributed to them as individuals.

NEW LOOK IN CONGRESS

An important Senator, a Democrat on friendly terms with the President, put it this way: "The controversy over civil rights has put a new look on everything in Congress.

"It is true that the session started slowly. Then things began to pick up as the southerners gave support to the White House on public works and other issues.

"All the while, however, there was no great urge in the country for new laws of any kind. Negroes then began their civil rights demonstrations. After this, foot dragging started in earnest.

"So now, in Congress, everything else has faded into the background. Foreign aid will be cut below $4 billion. Need for legislation to deal with a threatened railroad strike will tie up things more. So will debate over a ban on nuclear testing. A tax cut of some kind is likely to pass in the end. So will some kind of civil rights law, but it will be watered down."

[From the Evening Bulletin, Philadelphia, Sept. 16, 1963]

HIDEBOUND CONGRESS IN TROUBLE

(By Marquis Childs)

WASHINGTON.—Lazy, indifferent, inefficient, venal, outdated—these are some of the epithets that with increasing frequency over the years are heaped on Congress.

So tarnished is the image that Congress itself has begun to notice. With editorials and cartoons hitting hard at the slothful pace of the present session a first tentative step has been taken to determine what reforms might help. But this step is so hedged around with barriers protecting the worst abuses that its usefulness is questionable.

The Senate Rules Committee approved a concurrent resolution establishing a Senate-House committee to study the organization of Congress. But the resolution says that the 12-man committee—6 from each body—is not to consider "rules, parliamentary procedures, practices, or precedents." This is like a police chief telling a precinct captain to investigate a series of robberies in his district but not to inquire into the means that were used.

RUNAROUND

Moreover, nothing could better illustrate the ring-around-the-rosy of congressional procedure than the probable fate of this resolution. To be effective, it must be approved also by the House Rules Committee. The word from the House side of the Capitol, where 80-year-old HOWARD W. SMITH, Democrat, of Virginia, presides over rules, is nothing doing.

Senator JOSEPH S. CLARK, Democrat, of Pennsylvania, the most forthright congressional critic of Congress, says he will try when his resolution comes up on the Senate floor to count the House out and make it a Senate operation. If he succeeds there will at least be an inquiry.

This happened last in 1946. Two conscientious men, Senator MIKE MONRONEY (he was then in the House) and the late Senator Robert M. La Follette, Jr., put through a reform bill which brought some changes. CLARK and the cosponsor of the present resolution, Senator CLIFFORD CASE, Republican, of New Jersey, point out that the La Follette-Monroney inquiry operated under a similar restriction excluding rules and procedures. So they hope for a net gain even though the frame of reference is narrow.

The reforms that critics both in and out of Congress put forward match the abuses these same critics cite. First and foremost are unlimited debate—the filibuster—and the custom of seniority in the selection of committee chairmen. The first is written into Senate Rule 22, requiring a two-thirds vote to shut off discussion. This means the southerners with a little help from conservative Republicans can go on talking as long as they can muster enough voices to hold the floor indefinitely.

Senator CASE in a reform bill has proposed some modifications of the brassbound system. For example, he would set the time limit on committee consideration of legislation proposed by the Executive. Within, say, 30 days measures sent from the White House would have to be either forwarded to the floor or rejected. That would put a restraint on the current custom which is simply to bottle up at least two-thirds of the proposals that go into the congressional hopper.

[From the Newark (N.J.) Evening News, Sept. 20, 1963]

MR. CHAIRMAN

When and if Congress gets around to examining its organization and procedures, one aspect deserves high priority: the role and rule of committee chairmen.

Among those who believe the chairmen have too much power is Senator CASE, of New Jersey, one of the sponsors of a resolution, approved by the Senate Rules Committee, which would authorize such a study.

A committee chairman, says Mr. CASE, decides what bills are to be taken up and what bills are to be buried. And he largely determines whether hearings are to be held, their subjects and duration, and what witnesses are called.

"Some Members of Congress have a vested interest in antiquated procedures," Senator CASE continues. "For them, power and prerogatives are assured under today's system."

It was unnecessary for him to be more specific. Speaker MCCORMACK, for one, has brushed aside most of the criticism of congressional methods, and is a strong defender of the seniority system which produces committee chairmen without regard to ability or their attitude toward their party's programs. Mr. MCCORMACK seems to think that all that is necessary is to adopt rules to protect committee members from an arbitrary or obstructive chairman. Speaker Rayburn's view was that a "determined majority can always work its will in committee."

This is an oversimplification that ignores the unwritten code of the congressional establishment which makes it a breach of manners for a committee to challenge or overrule its chairman.

To Congress the committee system is indispensable and committees cannot function without leadership. What any plan for congressional reorganization must define is the point where leadership becomes dictatorship and where procedure becomes an instrument for thwarting the will of Congress.

[From the Christian Science Monitor, Sept. 13, 1963]

STUDY PROPOSED: CONGRESS EDGES TOWARD REFORM

(By William H. Stringer)

WASHINGTON.—Prospects that Congress will actually set up a committee to study how to reform itself have been somewhat improved by the 7-to-1 vote of the Senate Rules Committee approving the Clark-Case resolution calling for a study committee of six Senators and six Representatives.

Senators supporting the combined proposals of Senators JOSEPH S. CLARK, Democrat, of Pennsylvania, and CLIFFORD P. CASE, Republican, of New Jersey, suggest that the Senate leadership has decided to back the "reform and efficiency" study, if only as a defense against charges that this is a "do-nothing" Congress.

If the resolution reaches the Senate floor, approval by the Senate is believed fairly likely. Subsequent approval by the House is less likely, since one target of reform is the House Rules Committee which has the power to determine whether the House shall take up reform legislation.

ACTION WELCOMED

Much depends upon whether public opinion gets behind the proposal for improving congressional procedures and practices, supporters say.

In a statement welcoming the Senate Rules Committee action, Senator CASE said:

"There is a growing—and I think justified—feeling that Congress has become so ensnarled in its own archaic and complex procedures that the executive and judicial branches of Government have had to take over the primary responsibility for the conduct of our Nation's business. The legislative branch cannot be permitted to bog down in practices and procedures which contribute to delay."

In a recent major speech, Senator CLARK criticized the Senate as being run by an oligarchical "establishment" which, he said, "is almost the antithesis of democracy." He added that the establishment "is not selected by any democratic process; it appears to be quite unresponsive to the caucuses of the major parties, be they Republican or Democratic."

The resolution originally proposed by Senator CASE called for setting up a kind of Hoover Commission for studying reform, consisting of Members of Congress plus outside experts.

A Senate Rules subcommittee took brief testimony on this bill and a companion measure introduced by Senator CLARK calling for a study committee composed of Members of Congress only. Senator CLARK argued that Congress would be more likely to approve a study group consisting of its own membership only.

This type of membership is provided for in the approved resolution.

Critics of present congressional procedure say that, as the rules now stand, no procedure is set up for the scheduling of legislation, or for assuring a President that his legislative program will be voted on—either up or down. The congressional leadership publishes no timetable of legislative action.

SCHEDULE COMPLAINT

Simultaneously, it is stated, there is no firm requirement that congressional committees meet, at stated intervals or at any other time. Most committees meet at the will of their chairmen only.

Another current complaint is that the House rarely schedules any vital measure for consideration on days other than Tuesday through Thursday. If it did, there might not be sufficient Members on hand for a quorum.

Senators CLARK and CASE would like to see a "march on Washington"—of national opinion demanding that Congress modernize its rules and procedures.

[From the Newark (N.J.) Star-Ledger, Sept. 17, 1963]

TIME FOR A CHANGE

For years Congress has been hopelessly enmeshed in outdated work procedures and duplication of effort, resulting in needless delays in the enactment of legislation.

While it has been critical of old-fashioned work practices in the executive branch of Government, Congress has done little or nothing to get its own house in order since 1945, when it passed the Legislative Reorganization Act.

Now another attempt is being made to review the work procedures of Congress. A resolution that would set up a joint Senate-House committee for the study has been reported out favorably by the Rules Committee. It is a joint effort, based on resolutions introduced by Senator CASE, Republican, of New Jersey, and Senator CLARK, Democrat, of Pennsylvania.

"There is a growing feeling—and I think justified—that Congress has become so ensnarled in its own archaic and complex procedures that the executive and judicial branches of Government have had to take over the primary responsibility for the conduct of our Nation's business," says Senator CASE.

The resolution calls for the creation of a bipartisan committee of six Senators and six Members of the House. If the bill is adopted, the group would review procedures for scheduling of legislation for consideration and action, the structure, staffing, and operation of congressional committees and the duties of Congressmen in connection with appointments.

While the committee could make recommendations for modernizing procedures for more efficient operation, it would not have authority over the formal rules of either legislative body. Each House has the sole constitutional right to promulgate its rules.

The dismal record of the current Congress should provide impetus for the study committee. The 8 months' tenure of the present Congress is a glaring example of the frustrating practices under which legislators have been forced to operate. The bill is expected to pass in the Senate but it faces rough going in the House, traditionally opposed to change. In this case, however, a change in procedures would be an improvement.

[From the Washington Post, Sept. 13, 1963]

THE SENATE'S EXAMPLE

The action of the Senate Rules Committee in proposing a major study of legislative procedures is both unexpected and refreshing. Not since the La Follette-Monroney hearings of 1946 has Congress taken a critical look at its own machinery, and the time is long past for a similar self-examination. By its near-unanimous approving vote, the Rules Committee has made very likely, prompt and decisive action by the Senate as a whole.

Much credit is due to Senators CLARK and CASE, leaders of a bipartisan bloc that has been pressing for reform. But the Rules Committee verdict also seems to reflect a change in view among the Senate leadership on the need for a procedural study. Surely the best case for a thoroughgoing inquiry is the disappointing record of this Congress, which seems to spend more and more time doing less and less.

To be sure, the proposed study would be conducted only by Members of Congress themselves and would not be empowered to delve into the touchy question of the basic rules of the two legislative chambers. These are not fatal defects, although it would be laudable if Senators CLARK and CASE could persuade their brethren to add strengthening vitamins to the committee resolution. The signal point is to commit Congress to a sorely needed reappraisal of archaic procedures; once begun, the study may achieve a momentum of its own.

There is still a major obstacle ahead. Assuming the Senate approves the recommendation, the House must also concur if the study is to become a reality. This means the House Rules Committee—itself the symbol of what is wrong with legislative procedures—must allow Members of the entire House to cast a vote on this vital question. Proponents of procedural reform in the House ought to begin organizing now for an affirmative result. The Senate has shown the way, and with a little energy and vision among House leaders, the fight can be won.

[From the Newark (N.J.) News, Sept. 13, 1963]

CONGRESSIONAL REFORM

Combining resolutions introduced by Senator CASE, of New Jersey, and Senator CLARK, of Pennsylvania, the Senate Rules Committee has approved establishment of a joint committee to study and recommend changes in the machinery and procedures of Congress.

Reflecting the opinion both of political scientists and observant citizens, Senator CASE says there is a growing feeling that Congress has become so ensnarled in its archaic and complex procedures that the executive and judicial branches have had to take over primary responsibility for the conduct of the Nation's business.

Many reforms have been suggested, including a crackdown on absenteeism, setting deadlines for committee reports, easing conflicting demands on Members' time by setting separate days for committee work and floor action, and eliminating duplicate hearings on the same bill. It has been recommended that overlapping committees in the same Chamber hold joint hearings and that there be more joint committees representing both Houses. Diminishing the dictatorial powers of committee chairmen is another object of reform.

Although it is prodigal with criticism of operations in the executive branch, Congress has been reluctant to acknowledge its own deficiencies. But public doubts about the efficiency of its work habits, which have been intensified by the slow pace of business in the current session, have become hard to ignore.

Prospects for passage of the Case-Clark resolution in the Senate are considered good. The House will be another matter. It is the principal target of the critics, but its leadership has shown no particular interest in reorganization.

Fortunately, many House Members, particularly the younger ones, disagree. If enough do, it is possible, not only that procedures can be modernized, but that Congress will be forced to face the most delicate question of all, its ethical standards.

It imposes high standards on the executive branch, but tolerates flagrant abuses in traveling expenses, hiring relatives, and conflicts of interest among its Members.

[From the Washington (D.C.) Evening Star, Sept. 16, 1963]

ON REORGANIZING CONGRESS—PROCEDURES CALLED ARCHAIC, COMPLEX; PROPOSED INQUIRY FOR REFORMS LAUDED

(By Max Freedman)

At last there is some good news from Congress. It does not concern the fate of any one bill, nor does it signify any desire to pass President Kennedy's legislative program. But if Congress indorses the action of the Senate Rules Committee, it will have the chance for the first time in many years to pass considered judgment on the organization of the House and Senate.

Of course, the proposed inquiry falls far short of what many people have wanted. But at least it is a beginning, and is a timid and tentative recognition of the widespread public disenchantment with the record of Congress.

As Senator CASE, of New Jersey, has said, there is a growing and justified feeling that "Congress has become so ensnarled in its own archaic and complex procedures that the executive and judicial branches of Government have had to take over the primary responsibility for the conduct of our Nation's business."

This development has brought Congress into growing disrepute. A few men, against heavy odds, have led the lonely campaign for reform. Since the compulsions of tradition rest more starkly on the Senate than on the House of Representatives, the greatest credit for carrying the burden of reform should go to men like Senators CLARK, CASE, MONRONEY, and DOUGLAS.

Their effort will be totally misconceived unless it is seen as a campaign to win new respect and influence for Congress in the development of national policy.

An indispensable role in the work of Congress will always be filled by the Democrats with safe seats in the South and Republicans with safe seats in the Midwest. Their experience of national problems, together with their personal mastery of the arts of parliamentary life, will always make them formidable figures in committee and in debate. But the time has come to broaden the sources of effective power in Congress to include new men and new interests.

That is the real meaning of this inquiry into congressional organization. Other investigations will follow, and slowly and cumulatively, as these things are done in this country, the work of Congress will adjust itself to a new age.

At present there is a tragic waste of ability and leadership among Members of Congress who have no adequate scope to influence the process of legislation.

They should be among the first to rally to the support of those who are trying to improve Congress by making it a more effective and responsive servant of the national interest.

[From Life, Sept. 6, 1963]

CONGRESSIONAL REFORM

Senator FULBRIGHT heatedly called Life's article "a libel of the entire Congress." But Congress has a better defense than name-calling and buckpassing. It could reduce its own temptations and improve its own archaic organization. If it won't buy the item veto, let it pass a bill which Senators CASE, CLARK, and KEATING sent to the Rules Committee last week. This would form a Hoover-type commission to review and overhaul a dozen of Congress' basic mechanical shortcomings, from committee workloads to conflicts of interest and floor rules.

The last effort to modernize Congress was in 1946, since which time the Nation has added some 50 million people, two new States and a whole new range of programs at home and abroad. "The public is beginning to lose confidence in the ability of the Congress to meet the problems of the 20th century," says CASE.

[From the Washington Post, Sept. 25, 1963]

STATE OF THE CONGRESS

Congress is coming in for a new round of criticism as it enters the showdown stage of the present session. For nearly 9 months it has dawdled along with an astonishing lack of systematic effort or sense of purpose. Now it is confronted by hopelessly congested calendars, overworked individuals, and possibly frustrated national objectives.

Senator SCOTT and others are worried by the probability that some Members of Congress may not survive the turmoil of the session-end squeeze. His concern has ample justification. Yet the greater damage is likely to fall in the realm of congressional prestige. Senator JAVITS has pointed out that in the eyes of the people Congress "seems to be listless, halting, haphazard and half-hearted in its efforts." Consequently, he feels, along with many of his colleagues, that "Congress is in the gravest danger of suffering tremendously in its reputation with the country."

The Congressional Quarterly's box score on 26 major bills before the 88th Congress shows final action taken on only 6. These include such routine bills as the corporate and excise tax extension, the debt limit, extension of the draft and the feed-grains program. Congress did show that it could act in an emergency by promptly passing the railway settlement bill. But that good work stands out in embarrassing contrast to the sluggish motion elsewhere.

Anxiety hangs heaviest over the two biggest bills of the session—the tax cut and omnibus civil rights bills—now that the test ban treaty has been approved by the Senate. Although the House is scheduled to vote on the tax bill on Wednesday, the Senate has taken no action, and the danger that the tax bill will become entangled in a civil rights filibuster mounts with each day of delay. The civil rights bill itself is still in the House Judiciary Committee.

Less concern over the fate of these measures would be felt if Congress had cleared its legislative channels of the glut of lesser bills. But nearly 3 months after the beginning of the fiscal year, only two appropriations bills—Interior and Treasury-Post Office—have been enacted. Eleven more appropriations bills and a vast number of legislative measures await completion aside from the big bills on which public attention is centered. On three bills which the administration deems to be of major importance, medical care for the aged, unemployment benefits and the creation of an Urban Affairs Department, no action whatever has been taken.

It is impossible to conclude from this record that Congress is doing well. Many of its own Members have called it variously the "standstill Congress," the "do-nothing Congress," the "limping Congress" and so forth. It is not a question of whether Congress may ultimately muddle through to a defensible legislative record. What is most disturbing is the failure of Congress to use tested and reliable methods of handling its business with efficiency and dispatch.

The most tangible hope for improvement to come out of the present session is the Senate Rules Committee's approval of a Senate-House committee that would take up the congressional reform trail where the La Follette-Monroney committee left off nearly two decades ago. The Senate committee also approved rules changes that would require Senators to stick to the subject under debate for at least 3 hours a day (why only 3 hours?), to permit longer committee sessions and authorize former Presidents to address the Senate.

Even the study resolution sponsored by Senators Clark and Case was unfortunately watered down, however, and its chance for survival in the House is considered slender. The country has cause to be alarmed over the plight into which Congress has fallen. Senator Case was right in saying the other day that it has "become so ensnarled in its own archaic and complex procedures that the executive and judicial branches of Government have had to take over the primary responsibility for the conduct of the Nation's business."

[From the Union City (N.J.) Hudson Dispatch, Sept. 14, 1963]

Time Congress Speeded Up Its Work

It has been 18 years since the Legislative Reorganization Act of 1945 was passed and procedures in the lumbering deliberations of Congress have gone unchanged since then despite an almost unbelievable increase in the burdens of Representatives and Senators due to mainly the creation of endless special investigating committees. There have been many attempts in this period to update the rules but not until Senator Clifford P. Case, Republican, of New Jersey, and Joseph Clark, Democrat, of Pennsylvania, introduced a combination of separate resolutions this week has there been any progress toward mounting a serious study of a serious situation.

Senate Rules Committee, with only a single dissenting vote, on Wednesday, gave its approval to legislation that would eastablish a special joint Senate-House group to conduct the too-long-deferred study into what Senator Case terms "archaic and complex procedures" that "have compelled the executive and judicial branches of the Federal Government to take over the primary responsibility for the conduct of the Nation's business."

Although it hasn't been so stated, we suspect that the tabbing of the 88th Congress as a "doing-nothing" body has spurred the move for a self-survey by the national lawmakers of the way that branch of our Government does—or doesn't do—its work.

The joint resolution approved by the Rules Committee of the Senate, which will be reported to the full upper branch on Tuesday, would create a bipartisan committee of six Senators and six Representatives to take a long look at the scheduling of legislation for debate and action, the structive, staffing, and operation of congressional committees and the duties of Congressmen with regard to various appointments.

The New Jersey Senator maintains that the "legislative branch cannot be permitted to bog down in practices and procedures which contribute to delay." Although Mr. Case did not say so in as many words, it would appear that he is quite cognizant of what we mentioned above—that the present Congress in 8 months of life has been characterized by lack of action, with most major legislation delayed, especially tax reduction, foreign aid, and civil rights.

At least partially, acknowledgment that the legislators are proceeding at a molasses-in-the-winter pace accounts for powerful support of the proposed study from Democratic Majority Leader Mike Mansfield and Chairman Hayden, the Arizonian who heads the Rules Committee. Supporters of the survey measure look for passage of the bill in the Senate at least in the near future.

Reforms other than those we have already referred to may be expected to include a crackdown on absenteeism, the establishment of deadline for committee reports, easing of conflicting demands on Members' time by setting separate days for committee work and floor action, and the elimination of duplicate hearings on the same bill.

[From the Christian Science Monitor, Sept. 6, 1963]

Congress Ho-Hums Through Session

(By Richard L. Strout)

The public is beginning to wonder about Congress.

Few Congresses in peacetime have been asked to do so much and yet have done so little.

Washington knows that—sooner or later—something must give. For 7 months ending in July, President Kennedy has got only 5 percent of his 403 specific legislative requests for 1963.

Either the legislative logjam will break, possibly with spectacular results, or Mr. Kennedy can hardly avoid characterizing the sluggish and predominantly Democratic Congress just before an election year.

And what's Congress doing? Taking another comfortable recess, with nominal meetings this week. The excuse—Labor Day.

Almost everybody thinks the tempo will quicken, however, for things are moving inexorably to the showdown stage. Committee work is ending and Congress must say "yes" or "no." President Kennedy must decide whether or not to refrain from public criticism.

DEADLINE PASSED

Other Presidents have applied the whip to Congress; not Mr. Kennedy. The administration posture is still that Congress is cooperating nicely, if languidly, and that everything will turn out all right.

Talk is that this session will merge seamlessly with the second session, January 3, and that unpassed legislation will just continue its gentle ride. The trouble with this situation is that 1964 is a presidential year and President Kennedy has big plans to make medicare (health care for the aged) the key voting issue of the campaign. Medicare is there—waiting its time.

President Kennedy August 23 lashed out at Republican House Members who helped slash foreign aid, calling the cut a shocking and thoughtless partisan attack by the Republican leadership.

UNUSUAL OUTBURST

It was an unusual outburst for the discreet and reserved President and some wonder if he might later bring conservative Democrats into his field of fire.

The Washington picture is of a liberal Presidential legislative program undermined and restricted by congressional delay partly due to sluggish machinery, partly to studied maneuver.

President Kennedy's program to stimulate the economy by tax cuts is being purchased at the cost of his social welfare program.

The measures here alone would be a respectable year's work: urban mass transit, youth employment opportunities, area redevelopment, domestic Peace Corps, a system of wilderness reserves, Federal aid to education, foreign aid, and public works authorizations. They appear to be sacrificial lambs to the tax bill.

Mr. Kennedy has two must bills: tax cuts and civil rights, but opponents can delay one by delaying the other.

SPEEDUP LOOMS

Congress showed frantic energy in stopping the rail strike. It postponed the issue 180 days but did not settle it, and threatened compulsory arbitration.

The consequences of this are not fully realized. Compulsory arbitration, if adopted, asserts the Federal right to fix profits as well as wages. The next stop on this line could be Government ownership.

Faster legislative action now seems certain. Here are the prospects:

September 9: The Senate starts debate on the test ban treaty, with overwhelming approval expected promptly.

September 9: The House Ways and Means Committee meets to try to report out the tax bill. House action by September 18 is expected. After that—2 months of repetitious tax hearings by the Senate Finance Committee headed by Senator Harry Flood Byrd, Democrat, of Virginia.

[From the Newark (N.J.) Star Ledger, Sept. 10, 1963]

The Do-Nothing Congress

Three legislators are in danger of losing their social standing in the most exclusive club in the world—the U.S. Senate.

They are guilty of violating a cardinal precept in Washington—public criticism of their colleagues. It's all right to beef about fellow legislators as long as it is done in the sacrosanct precincts of the congressional cloakroom, where most of the adroit politicking is carried on with an appropriate cloak of secrecy.

But there's an unwritten law—like the one the French have for crimes of passion—never to put the public rap on that august legislative body.

However, the sorry legislative record of the current Congress has prompted three legislators—a Democrat and two Republicans—to wash the dirty linen in public.

And the record, hanging limply on the line, is a sad one indeed.

Senator Joseph C. Clark, the able, articulate Democrat from Pennsylvania, says he's ashamed of the do-nothing Congress.

Clark's Republican counterpart from Pennsylvania, Senator Hugh Scott, says this Congress has been something of a turkey.

"When the country isn't watching the Congress, it tends to subside and be its own fat, dumb, and happy self * * * and proceed under the ancient rules and frustrate everybody," adds Senator Scott.

Another discerning legislator, Senator Jacob K. Javits, New York Republican, is critical of his colleagues for dawdling and an inability to get anything done.

Now all this complaining and criticism would have been accepted procedure if it were done in the cloakroom, where it would be muffled by the outerwear. But to do so in public, on a national TV hookup, constitutes a rupture of congressional clubmanship. These things just aren't done, old chap, not even on a bipartisan basis.

Obviously, there is more than ample cause for complaint.

This Congress is distinguished more for what it has not done than for what it has accomplished. It has passed four appropriation bills—but it has failed to act on nine other money measures that were supposed to be out of the way by last July 1.

A number of major proposals still have to be disposed of by this reluctant Congress—ratification of the test ban treaty, tax reduction, civil rights, and foreign aid.

The big clinker in this logjam is the sensitive, volatile civil rights bill submitted by the administration. This alone, with threatened filibusters, can keep Congress in session until Christmas, or later.

But there's one consolation: The legislators can always recess for Thanksgiving at home. This is something like having your turkey and eating it, too. And this Congress is an authority on turkeys.

[From the New York Times, Sept. 1, 1963]

LONG SLEEP ON CAPITOL HILL

Under the Legislative Reorganiaztion Act of 1946 the House and Senate are supposed to finish their yearly business and go home by July 31. When the 88th Congress opened in January, most observers believed it would come within a month of meeting that target. Now, with September beginning and the uncompleted tasks on Capitol Hill much more numerous and more formidable than the anemic accomplishments, the expectation is that the first session may simply blend into the second, with no real break.

Part of this logjam is, of course, the result of high-priority assignments unforeseen when Congress assembled—the civil rights crisis, the necessity for a legislated solution of the railroad featherbedding dispute and the ratification of a nuclear test ban treaty. But at least as much of the delay stems from slack floor leadership, chaotic operating procedure, and general legislative listlessness.

The nearest Congress has come to exhibiting a sense of urgency was in its frantic enactment last week of a law to head off the threatened rail strike. Yet even then it tried hard to find an excuse for evading action. The Senate's Democratic and Republican leaders appealed to the railroads to hold off a showdown, but 4 years of Government-dictated delay had convinced the carriers that useless train jobs never could be eliminated if they gave Congress a fresh excuse for dawdling.

President Kennedy's civil rights bill, the most imperative item on the domestic calendar, is getting ho-hum treatment. On the very day 200,000 Negro and white citizens were massing in Washington to urge congressional speed, the House Judiciary Subcommittee that now has the controlling voice in how fast the bill moves decided to take a 10-day recess. This virtually kills hope of action by the full committee this month. And, of course, at the end of the long road is the certainty of a Senate filibuster, with no clear indication yet that the Republicans will join with Northern and Western Democrats in supplying the votes to force closure.

On almost every other major program, from taxes to better public schools and fuller employment, negativism has been the congressional approach. Tax reform has suffered so many amputations that only a shriveled stump remains, and even tax reduction may fail this year unless the administration fights harder than it has thus far. Foreign aid has been riddled in the House, and a dozen other programs are in trouble or sunk without a trace. Almost the only really bright chapter is the Senate Foreign Relations Committee's overwhelming vote to affirm the test ban treaty without reservations.

The hope for a basic procedural overhaul to end slow motion in Congress and permit greater discrimination between the urgent and the trivial is nil at this session. The only chance for getting anything substantial done is through a much firmer exercise of Presidential initiative. Just before Easter Mr. Kennedy was airily brushing aside expressions of concern about how little Congress was doing. Four months later the record of bills passed remains meager. It will stay that way until some insistent push is felt from the White House.

[From the Newark (N.J.) News, Sept. 22, 1963]

CONGRESS ON SPLIT SESSION?—MAGNUSON OFFERS PLAN TO SMOOTH BUDGET CHORE

(The charge frequently is made that Congress handles its money chores in wasteful, slipshod fashion. But not much has been done about it. Senator **WARREN G. MAGNUSON**, Democrat, of Washington, believes he has an answer. He explains his plan here in an article written for United Press International.)

New savings must be found by Congress if mounting international and domestic needs are to be trimmed intelligently to a size which can be met.

This means more attention must be given our Federal budget.

Large individual areas of spending can be seen at a glance. Of this year's projected $98.8 billion budget, about $60 billion is for defense, space, and international programs. If you also subtract amounts set aside to care for veterans and service the debt incurred in three active wars and the cold war, then only $21 billion remains to cover all other expenses of National Government.

YEAR OF PREPARATION

What happens with a budget now? Individual agencies have a full year to prepare and marshal facts to support their spending arguments. Only then does Congress get the proposed spending figures.

Under the House interpretation of the Constitution, these budgets go to the House and remain there until the House is ready to send them to the Senate. For example, most of these budgets for 1963-64 haven't been sent to the Senate this year. Even when they arrive in the Senate, all too much time often must be spent comparing House cuts with the original request and what the agency now tells us it needs, and all too little time on further sensible appraisal.

An example is the Independent Office Appropriation bill which I handle in the Senate. Twenty-nine agencies are included. That appropriation bill still is in the House.

FACTS AND TIME

There might be a different story to tell if Congress had both additional facts and time with which to sharpen and utilize its potent shears intelligently.

Members of Congress, for example, need to know what dollars in a given budget are being invested, what dollars being spent without return.

Any corporation gives stockholders a summary of funds invested in plant and facilities as compared with those spent without return.

Not so our Federal Government.

This showing would be required in any budget, drawn by any administration, under the measure (S. 1301) which I have sponsored in the 88th Congress.

We would have an administration tell Congress each year the Government's total capital assets and their value at fiscal year's end. There would be a showing made of expenditures which are to be repaid to the Treasury.

Then, more time is needed for scrutiny of any President's budget than we have now. Now, a President presents his budget in January, after having had almost a year to draw it up. Congress is supposed to consider it, pass it and put it into operation by July 1.

This action on the budget is supposed to occur while Members are busy on other legislation, meeting crises and ratifying treaties. In other words, our consideration of Federal spending has to be sandwiched in with other necessary duties.

The measure I'm discussing would change that.

There would be two sessions of Congress each year. Starting January 1, attention would be given regular legislation, including measures authorizing appropriations to be made. This session would continue as long as necessary, but not beyond the first Monday in November.

Then, the second Monday in November would witness the start of a fiscal session which would last until actual appropriations had been approved, or as late as December 31. Only money matters would be considered.

A change in our fiscal year would be necessary. Instead of observing a fiscal year which starts July 1 and ends June 30, there would be a change to the calendar year of January 1 to December 31.

A President would send his budget to Congress by July 15 each year. Then Members could take it home with them during the congressional recess, discuss it with their voters, assess needs realistically and be ready to give it thorough, painstaking consideration when the fiscal session opened in November.

[From the Washington Post, Sept. 15, 1963]

HILL LAG LIKELY TO SET RECORD—LONG DELAY BY CONGRESS ON BUDGETS CURTAILS VITAL PROJECTS, EFFICIENCY

(By Jerry Kluttz)

If an indecisive and vacillating board of directors ran the financial affairs of a large corporation the way Congress handles those of the Federal Government, the disgusted stockholders would rise in wrath and throw them out of office.

The richest corporation could neither afford nor tolerate the wasted motion, uncertainty, and poor relations with the general public that have become part and parcel of the Federal budgetmaking process which is constantly influenced by congressional whims and moods.

The 1964 fiscal year is now in its 77th day, or a fifth of it is history, and Congress has cleared appropriation bills which supply fiscal year operating funds for only Treasury and Post Office. The Interior Department bill also is law but it isn't complete because the Department is awaiting approval of the public works bill in order to get funds for the Reclamation Bureau and its public power projects.

The word on Capitol Hill is that agency budgets face record jam-ups and delays and that the last appropriation bill won't be cleared until around December 1, or 5 months after the July 1 deadline which was the beginning of the 1964 fiscal year. If this likely prospect occurs, Congress will have taken longer to act on agency budgets than in any like period during the 187-year history of the Republic.

[From the Washington Post, Oct. 13, 1963]

THE CONGRESSIONAL CRISIS

One year ago today Congress adjourned amid complaints that it had been dilatory and inefficient. Today the mountain of unfinished business appears to be greater than ever before in history after 10 months of continuous session, and there is no thought of adjournment before Christmas.

The measure of this breakdown in our congressional machinery is clearly shown in the box score kept by the Congressional Quarterly. By mid-October Congress had approved 37 of President Kennedy's 405 legislative requests. In other words, it had accomplished slightly more than 9 percent of the work the President had marked out for it, to say nothing of measures independently sponsored by its own Members. By comparison, the 87th Congress had approved 44.6 percent of the President's 1962 requests before it went home.

Further indication of the paralysis that has settled on the legislative branch may be seen in the fact that only 4 of the 12 major appropriation bills have cleared both Houses. Several others have passed the House and some are in conference, but the fact that only one-third of the big money bills have been sent to the President 3½ months after the beginning of the fiscal year is in itself evidence of shocking mismanagement.

Even more alarming is the outlook for the two bills by which this Congress will be known in history. Sponsors of the tax-reduction bill appear to have reconciled themselves to the probability that no vote on it will be taken in the Senate this year. And the civil rights bill, which has not yet passed the House, appears to be moving toward an inglorious yearend filibuster in the Senate.

The chief cause of this malfunctioning on Capitol Hill must be apparent to the most casual observer. The executive branch has a legislative program, but the legislative branch has no orderly procedure for getting it enacted. There is no legislative agenda because neither House has enough centralized leadership to provide one. Power and leadership are recklessly dispersed among committee chairmen, many of whom are more interested in thwarting legislation than in promoting it.

The President urged prompt action on his proposed tax cut more than 10 months ago. The Senate Finance Committee, under the sway of its hostile chairman, Senator HARRY BYRD, has not yet begun its hearings. This is not responsive policymaking but misuse of a horse-and-buggy system to sabotage national leadership that is seeking to stimulate the national economy.

Congress itself is thus rapidly becoming the most troublesome issue on the national horizon. It is making a mockery of representative government in the nuclear age. The little tyrants who preside over the slowdown are unintentionally telling the American people that they cannot achieve their objectives under the present system.

The time for a showdown is rapidly approaching. We doubt that it will be possible to restore Congress as an efficient and responsible policymaking body in this dynamic age without a major operation. Legislators are always loath to face such a necessity, but when it has come to a choice between new methods and national stagnation for want of governmental machinery that can function, the country has seldom hesitated in the past.

[From the Machinist, Oct. 24, 1963]

CONGRESS

The longest peacetime session of the U.S. Congress occurred in 1868. That was the year they impeached President Andrew Johnson. In the end, the House found him guilty, but the Senate failed by one vote to muster the necessary two-thirds.

A new record for congressional durability will probably be set this year by the 1st session of the 88th Congress. After 41 weeks, Members of this Congress already have earned a special citation for stamina. They have proved they can take it.

But the length of this session also proves this to be one of the most indecisive Congresses in history. On the record so far, they just can't make up their minds. Some people are calling it the timid Congress.

Criticism is growing of the seniority system which permits the Congress to be dominated by old men from smaller, one-party States.

Demands for reform of the antiquated procedures of Congress have been recently reinforced by indications that some of its staff and some of its members may have conflicts between their personal welfare and the welfare of the Nation.

[From the Elizabeth (N.J.) Daily Journal, Oct. 11, 1963]

CONGRESS NOT EARNING ITS PAY

It's fortunate for Senator CLIFFORD P. CASE that he doesn't have to depend on the votes of some of his fellow legislators to keep his job.

If the truth hurts, and we hope it does, he has damaged the self-esteem of more than a few of the Members of the Senate and House in his persistent campaign against the inaction in both Houses and the abuses that contribute to it.

In his latest foray, Senator CASE asked what should be the most embarrassing question of the year:

"What have we done when you stop to think of it?" His answer, anyone's answer, is: Practically nothing except to collect pay checks.

Less than a half dozen major pieces of legislation have been passed, appropriations bills have been neglected, and there is no visible inclination to act on civil rights, tax cut, health and education measures.

No wonder the Senator continues to demand sweeping reforms in the congressional structure to speed up consideration of bills shelved by cumbersome procedures and to end misuse of power by committee chairmen.

The taxpayers will be forever indebted to Senator CASE and the others who side with him if they keep up their fight until they can give the Nation the kind of congressional responsibility and action it has been paying for but not getting.

The demands for congressional reform gain stature from the imposing credentials of the Senators who champion congressional reform. Look at the names of the reformers: JOSEPH CLARK, of Pennsylvania, PAUL DOUGLAS, of Illinois, WAYNE MORSE, of Oregon, CLIFFORD CASE, of New Jersey, to name a few.

The leaders of this 88th Congress oppose reform. They defend this overlong session. According to George Nelson, IAM legislative representative, they blame the lack of action by this Congress on the civil rights bill.

Administration leaders in the House say they are purposely refraining from bringing bills to the floor for a vote until the civil rights bill has been passed and sent to the Senate.

Presumably, the House leaders fear logrolling with southern Democrats swapping their votes against President Kennedy's program in return for Midwest Republican votes against civil rights. Once civil rights is disposed of, the House is then supposed to push ahead with the rest of the program. Our scorecard on page 1 shows the size of the backlog that awaits that happy day.

Events will prove whether this is a tactical explanation or an alibi. Either way it does not lessen the need for basic reform of Congress.

[From the Elizabeth (N.J.) Daily Journal]

THE 88TH CONGRESS LEAST PRODUCTIVE

Congress is back at work today after the Veterans' Day-weekend rest, but seems little refreshed as it dawdles into days and possibly weeks of debate over the most urgent items on the session's agenda. Both tax reduction and civil rights now appear to be on the calendar after the Christmas recess. Five appropriations bills are not yet in shape. Medicare, most school aid, and revision of congressional procedure are also-rans.

Leaders in both Houses and in both parties are casting about for causes. They advance theories, complain of the amount of work required of the Nation's top legislative agency, decry leadership, and talk of reform. Still nothing happens.

Members of Senate and House and sundry outsiders have proposed means of streamlining procedures, effective brakes on Senate filibusters, and more attention to administration desires.

None mentions the unusual political tensions as both camps lock forward to the national conventions and a presidential election. Yet those influences cannot be denied.

The campaign impact of civil rights, tax reduction, and medicare, for instance, are incalculable. Each side fears any move that might give advantage to the other, particularly because of the sectional hostility on civil rights.

On all sides this congressional session is being decried as "one of the least productive."

Any correction necessarily will be the work of Congress itself, yet the ingrained creakiness of the system forecloses positive steps. Proposals by several, including New Jersey's Senator CASE, have been emasculated until they are unrecognizable. Custom, tradition, and partisan expediency stand in the way of all practical reforms.

While matters essential to the national interest lodge in these Capitol Hill doldrums, there has not yet been a storm of protest. No candidate ever has been elected on a commitment for Capitol Hill reform.

The 88th Congress perversely may bring about reform by irritating the citizenship to an outright and unmistakable insistence on a better performance. This could be done, if enough national leaders spoke out and really led the voters in a protest that would be felt at the ballot box.

[From the New York Post, Nov. 14, 1963]

CONGRESS' ILLS

(By William V. Shannon)

What's wrong with Congress?

Senator CLIFFORD CASE, the exceptionally able and thoughtful New Jersey Republican, has been talking frequently to audiences about the failings of this Congress, and he has been getting an increasingly lively response.

The public is impatient with Congress. A year ago, even with the deadline of a midterm election hanging over it, Congress did not adjourn until October. This year, Congress is apparently going to round out the entire year and still not complete action on either of the administration's major bills—civil rights and a tax cut.

Now Senator DIRKSEN, Republican, of Illinois, the minority leader, says maybe something can be done by next March 15. Meanwhile, because of a Southern go-slow movement in the Senate Appropriations subcommittee, half of the routine appropriations bills have not been acted upon although they are normally cleaned up by midsummer. In short, despite a top-heavy Democratic majority in the Senate and close to a Democratic working majority in the House, this has become not a do-nothing Congress but rather a can't-do Congress.

Clifford Case is not partisan in his analysis of this situation. As he tells audiences, "The man in Washington who needs congressional reform most and should want it most is President Kennedy."

Case and Senator Joseph Clark, Democrat, of Pennsylvania, are the two hardest workers for congessional reform. Last January, Case introduced a bill to create a 12-man group modeled on the old Hoover Commission on Government Reorganization that would consist of 3 Members from the Senate, 3 from the House, and 6 from the general public. It would study what Case calls 12 problem areas.

These include the scheduling of measures for consideration and action, the staffing and operation of congressional committees, the workload of Congress and its committees, congressional rules and procedures, conflicts of interest, the term of office of Members of the House, travel and other allowances of Members of Congress, the financing of campaigns, the duties of Members of Congress connected with the appointment of postmasters and of cadets to military academies, and the whole problem of lobbying.

Since Clark introduced a resolution with very similar objectives, the two became cosponsors of each other's measures. Clark's resolution has 31 cosponsors, 22 Democrats (including Senator Dodd, of Connecticut, who blasted the leadership recently) and 9 Republicans including Senators Javits and Keating of New York.

Case and Clark protested against making the Senate rules an off-limits subject. They are going to offer an amendment restoring this power once the resolution is called up. But even if they lose, as seems likely, the resolution will still provide a useful vehicle for reorganizing Congress for the first time since the La Follette-Monroney Act of 1946.

The seniority system should be abolished or at least seriously restricted in its operation. Senators and Representatives do not observe seniority in electing their floor leaders. There is no reason why members of committees could not exercise their own best judgment in electing their chairmen.

Senator Pastore, Democrat, of Rhode Island, has a resolution pending, which has a fair chance of passage, to institute a rule of "germaneness" in debate. At present, Senators can speak on any topic that enters their minds regardless of the bill under consideration. Under Pastore's reform, Senators for 3 hours each afternoon, could talk only if their remarks were germane to the pending bill.

Congress must modernize its own procedures and also face up to the ugly problem of financial conflicts-of-interests. Otherwise, in Case's words, "It may become another historical exhibit in the Smithsonian Institution alongside the one-hoss shay."

[From the Atlantic City (N.J.) Press, Dec. 26, 1963]

Looks More Like Brushoff—No Miracles in Congress for Johnson

(By Peter Edson)

Washington.—One word from L.B.J.—and Congress does as it pleases.

Which proves once again that the cowboy who can tame that critter hasn't yet been born.

A lot has been written and spoken about how the new President is a great operator on Capitol Hill. This is based on his record as Senate majority leader during the Eisenhower administration.

The late Sam Rayburn was Speaker of the House in those 8 years, and the two Texans made a good team.

During the Kennedy administration, however, while Vice President Lyndon Johnson was Senate Presiding Officer, the record of legislative accomplishment was not so good.

This can't all be blamed on the Vice President. He sat in on White House conferences with congressional leaders. But he wasn't directly responsible for running the lawmaking machinery. And he was out of town or out of the country much of the time on business for the President.

In the 87th Congress, first 2 years of the Kennedy administration, White House aids maintained that Congress enacted three-fourths of the President's requests. Independent checks were never able to put the count above half, even though there were some notable accomplishments.

This year Senate majority leader Mike Mansfield claims that Congress passed more than 60 percent of President Kennedy's 137 message recommendations and requests.

Senators Joe Clark, Democrat, of Pennsylvania, and Clifford Case, Republican, of New Jersey—pushing congressional reform because of its do-nothing record—say that over a quarter of Kennedy's more than 400 requests never received any consideration.

And the number of Presidential recommendations approved—85 by the Mansfield count—won't total 50 percent.

This poor showing is attributed to the President's opposition in both parties. His opponents did not like either his foreign or domestic policies and they made him their personal whipping boy over Cuba, South Vietnam, civil rights.

When Johnson became President, the assumption was that this would change because the new man was an old hand with Congress and knew how to get what he wanted.

His first priorities were civil rights and the tax bill—the same as Kennedy's. Neither one is being passed this year.

The President approved a discharge petition to get the civil rights bill out of the Rules Committee. It failed for lack of both Democratic and Republican support, in spite of the fact that GOP House leader Charlie Halleck was invited to the White House for breakfast.

Another breakfast for Harry Byrd of the Senate Finance Committee has failed to speed up the tax bill.

Repeated statements on the importance of foreign aid in carrying on American foreign policies did not prevent the $4.5 billion request being cut to $3.6 billion.

Still another White House conference with Speaker John McCormack and Representative Otto Passman, Democrat, of Louisiana, chairman of the House Appropriations Subcommittee on Foreign Aid, did not prevent the $3.6 billion being cut to $2.8 billion in committee.

The House approved the cut. The Senate raised it to $3.2 billion before sending the bill to conferees for compromise.

Meanwhile, Johnson's insistence on Pentagon cutbacks and economy in all other departments of Government, while unquestionably sincere, are somewhat meaningless because next year's budget is going to be close to if not over $100 billion for the first time in history, despite everything anybody can do to prevent it.

The new President has tackled everything except oil, which being a slippery substance in his home State of Texas and elsewhere—he has turned over to Secretary of Interior Stewart Udall.

He still has his first miracle to pass in Congress.

[From the Atlantic City (N.J.) Press, Dec. 13, 1963]

Congressional Procedures Need Reform

The current controversy over the role of the House Rules Committee in the legislative process serves to emphasize the need for procedural reforms advocated by Senator Clifford P. Case.

One of the objects of proposed reform would be to diminish dictatorial powers of committee chairmen. The New Jersey Senator feels that Congress has become so ensnarled in its "archaic and complex" procedures that the executive and judicial branches have had to take over primary responsibility for conduct of the Nation's business.

A proposal by Senator Case and Senator Joseph S. Clark, of Pennsylvania, for a joint Senate-House study to recommend changes in the machinery and procedures has been laid over indefinitely in the Senate.

The House Rules Committee, to cite just one instance of the need for reorganization, was originally established to guide and control the flow of House legislation with some reasonable sense of priorities. It has taken upon itself to block the flow of certain major proposals to the floor. The Rules Committee under leadership of veteran chairman Howard Smith of Virginia seems to be functioning with dictatorial power.

Smith, under heavy pressure, finally has said that in January his committee will hold hearings on the highly controversial Kennedy-Johnson civil rights bill calling for—among other things—freer use of public accommodations by Negroes.

All aside from other aspects of the matter, criticism is descending upon Smith for this declared intent to have hearings.

The point is made that the House Judiciary Committee already has had extensive hearings on the substantive content of the civil rights bill, and has reported out that bill. It is further contended that the Rules Committee, basically a legislative "traffic agency," is not charged with consideration of bills on their substantive merits. It is supposed simply to meet and decide how to handle these bills.

Beyond this, the whole question arises again of the wisdom of allowing a small group of House Members, often quite unrepresentative of the larger body, to act virtually as final arbiter in determining what bills shall come to the House floor.

It seems so basic it should not have to be said: All major matters, including the most controversial, ought in a freely working democracy to have a full airing and then be voted up or down.

But the Rules Committee today, not just in civil rights but in many matters, labors unabashedly to prevent the very kind of open, free decision by the Nation's lawmakers which our system is supposed to assure.

[From the Newark (N.J.) Evening News, Dec. 9, 1963]

But Not Forever

Among the many things Congress isn't doing anything about is the need to improve its organization and procedure.

A proposal for a joint Senate-House study to recommend changes has been laid over indefinitely in the Senate. Consideration was deferred when southern Senators, fearing a drive to weaken their filibustering powers, objected.

New Jersey has been conspicuous in the effort to modernize Congress. Senator Case joined with Senator Clark, of Pennsylvania, in proposing the joint committee. An identical resolution was introduced in the House by Representative Joelson, and Representative Dwyer has endorsed its objective.

"Unless we clean our own house, said Mr. Joelson, "we will forfeit the confidence of the American people." Mrs. Dwyer observed that Congress is "not properly organized, not well led and not sufficiently responsive to its obligations" to the voters.

Their observations, unhappily, are not likely to influence Speaker McCormack or the committee chairmen who exercise dictatorial power over legislation. Mr. McCormack is a strong defender of the seniority system, which produces committee chairmen without regard to ability or their attitude toward their party's programs.

The current session offers ample proof that Congress is, as Senator CASE says, so ensnarled in its "archaic and complex" procedures that the executive and judicial branches have had to take over primary responsibility for the Nation's business.

With its own Members numbered among its severest critics, Congress can delay self-reform indefinitely, but not forever. Ultimately it must face the fact that its comfortable, but obsolete, rules and customs are dangerously diminishing public respect and trust.

[From the Elizabeth (N.J.) Daily Journal, Dec. 11, 1963]

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In his latest foray, Senator CASE asked what should be the most embarrassing question of the year:

"What have we done when you stop to think of it?" His answer, anyone's answer, is: Practically nothing except to collect pay checks.

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The taxpayers will be forever indebted to Senator CASE and the others who side with him if they keep up their fight until they can give the Nation the kind of congressional responsibility and action it has been paying for but not getting.

[From Life magazine, Dec. 13, 1963]

THE LETHARGIC 88TH VERSUS L.B.J.

The energetic and decisive way President Johnson has taken charge of his office imparts his own self-confidence to the country. But one of the great hopes invested in him may, we fear, be disappointed through no fault of his own. This is the hope that he can exert more influence over Congress than did Kennedy, whose 1963 legislative proposals were all but hopelessly stalled. Can Johnson, who was once the virtual boss of Congress, get action from it? If not, why not?

The thing to remember is that the 88th Congress, before the assassination, had sat longer than any peacetime Congress in memory while accomplishing practically nothing. It was feebly led, wedded to its own lethargy and impervious to criticism. It could not even pass routine appropriations bills. It was a scandal of drift and inefficiency.

The murder of Kennedy, it was briefly thought, would make enough Congressmen ashamed of their record to give his successor the support Kennedy had been denied. Johnson is the first outstanding modern congressional leader to become President, and as President he has lost no time in seeking to revive his old contacts and authority. Instead of the cool distance that had developed between Kennedy and Congress, imperfectly bridged by Larry O'Brien's phone calls, Johnson sees the leaders daily and phones many other Members himself ("This is Lyndon"). His first speech as President was a great success with Congress, especially his promise to respect "the independence and the integrity of the legislative branch." After sounding out HARRY BYRD on the possibility of getting action on the tax bill by bypassing his committee, he learned this precipitate maneuver would offend the traditionalists and abandoned it. Nevertheless he is bringing unprecedented pressure for the petition to discharge the civil rights bill from Judge SMITH's House Rules Committee. He wants these measures not just because Kennedy did but because, he said, "we have talked long enough."

But whom does he mean by "we"? One trouble is that Lyndon Johnson is no longer entitled to use that word in talking to Congress. The very legislative prerogatives he respects set a distance between the Presidency, whoever fills it, and the lawmakers, however well disposed. Johnson may push harder and more skillfully for action than Kennedy did, but ours is still a system of divided and mutually checking powers. The 88th is especially tender of this division. It is the same Congress that gave these same bills the lethargy treatment for almost a year. As for the shock effect of the assassination, Senator JAVITS put it well: "The public is in a mood to be galvanized but Congress is not."

Judge SMITH, the segregationist czar of the Rules Committee, still refuses to clear the civil rights bill because of what he calls "the present state of hysteria." By this he can only mean that the White House, the Negroes, labor, and the liberals are all demanding a vote on it. Congress is reluctant to bypass Judge SMITH because of its respect for its own hoary rules and seniority rights. Senator BYRD enjoys a similar veto over the tax bill. If Congress were allowed to vote on these bills, and voted them down, the country would at least be able to say (at the next election) whether this Congress has represented the country's wishes or not. The scandal of the 88th is not its conservatism but its evasiveness—its refusal to vote yes or no on issues of central importance.

This scandal has put our whole system of parliamentary democracy in question. A few conscientious Congressmen realize this and want to do something about it. Senators CASE and CLARK have introduced a resolution for the study and basic reform of Congress archaic rules, committee structures, precedents and other machinery, which were inadequately changed in 1946 and have not been touched since. Such a study would at least give Congress a chance to turn itself from a living-statue show into a businesslike organ of popular government. The civil rights and tax bills can perhaps be blasted toward a vote by popular pressure (why not write your Congressman?) But equal pressure is needed for the Case-Clark resolution. If the political shock waves of recent days won't bring Congress to life, don't blame the new President; not even Lyndon Johnson can pass that kind of miracle. The fault and the remedy lie with Congress itself.

[From the Washington World, Dec. 2, 1963]

A CONGRESSMAN SPEAKS—FACTS OF LIFE CRY OUT: MODERNIZE CONGRESS

(By Representative CHET HOLIFIELD, Democrat, of California)

(NOTE.—Representative HOLIFIELD has a business background of more than 35 years in the manufacturing and selling of men's apparel. His broad experience in congressional and governmental affairs stems from his long tenure in the House of Representatives, now in his 11th consecutive term.)

Extensive overhaul of the machinery of Congress is urgently needed. My 21 years of service in the House of Representatives have included tenure as chairman of the Joint Atomic Energy Committee, chairman of an important subcommittee of the House Government Operations Committee, and service on the second Hoover Commission on Reorganization of the Executive Branch of our Government. I am convinced that the Congress must undertake a massive effort to reform itself if it is to merit the trust of the American public.

The need for congressional reorganization is not a partisan matter. Republicans and Democrats, liberals and conservatives alike share a common concern over the increasingly obvious crisis in our legislative branch of Government—the backbone of our representative system.

The brutal fact of life is that Congress has been slowly but surely losing its ability to cope with the vast and complex problems of our modern society. It is also losing ground in the historic struggle for power among the three coequal branches of the Federal Government as established in our Constitution.

Both the executive, with its farflung and heavyhanded bureaucracy, and the judiciary, with its widening areas of influence, have gained power at the expense of the Congress. The gradual decline in power and influence of the Congress and its growing inability to conduct the people's business in a way to maintain the confidence of the average citizen is a matter of grave concern.

SOCIETY MORE COMPLEX

Vast changes in the scope and complexity of our social, economic, scientific, and political systems have brought new and crushing demands on the Congress. Mushrooming increases in Members' constituencies have also doubled or tripled the workload of the Congressman and his staff, reducing the time available for study of complex areas of legislation.

There is an increasing awareness and expression of public concern over the present unhealthy state of affairs in our legislative branch, frequently stated by distinguished observers of the congressional scene such as Roscoe Drummond, Walter Lippmann, and Marquis Childs.

Voices within the Congress are also heard. Members of both parties in the House and Senate have urged congressional reorganization along the lines of the exhaustive study that produced the Legislative Reorganization Act of 1946.

It is ironic that since that time Congress has seen fit to authorize two separate Hoover Commissions to make extensive studies and recommendations on improving the efficiency of the executive branch, which produced hundreds of constructive suggestions subsequently put into effect.

Yet Congress has not authorized any such action where its own effectiveness and, indeed, the future of representative government is at stake.

STREAMLINING A MUST

In my opinion the need for congressional reform can be divided into two major areas:

First, is the need for improving the physical facilities and supporting services of Members of Congress. A few examples will serve to illustrate the inadequacy of present facilities. The tremendous demands on a Congressman's time makes it imperative that an administrative assistant be provided for House Members to assist in handling the myriad duties involving constituent cases, nonlegislative demands, and other administrative responsibilities. Hundreds of manhours of time could be saved by the institution of electrical rollcall equipment, already used by more than half of our State legislatures. Installation of more modern office equipment could further reduce the burdensome workload of congressional offices.

Secondly, there must be a streamlining of congressional procedures. Present rules were devised to handle congressional business of a bygone era. They are no longer adequate to deal expeditiously with the complex legislative affairs of our modern society. Abnormally long sessions, absenteeism, petty feuds between chairmen over jurisdictional authority, lack of coordinated legislative programing, and the inability of Congress to adequately deal with vast areas of the executive bureaucracy have all contributed to the negative attitude of the public toward the work of Congress.

TOUGH JOB AHEAD

I am convinced by my discussions of these and other problems with colleagues in the Congress from both parties that there is a ground swell in favor of establishing a special blue-ribbon committee to study and recommend steps toward genuine congressional reorganization. Let's not kid ourselves. It is a tough job.

Reorganization efforts necessarily become involved with thorny problems of personality, entrenched power, and embarrassing subjects such as junkets, nepotism, conflicts of interest, and others so much in the headlines.

However, it is my strong view that we must tackle this difficult problem without further delay so that an efficient streamlining of the congressional machinery can be achieved to enable Congress to efficiently perform the duties assigned to it by the Constitution.

The stakes are high—the preservation of our representative system of Government in a world where we are being constantly challenged by ideological opposites. We must not fail to successfully meet this challenge.

[From the Washington World, Dec. 2, 1963]

Two Meetings Yearly Suggested for Congress by Mansfield

Senate Democratic Leader Mike Mansfield, of Montana, has struck out for some seemingly major changes in the congressional legislative process. In a recent "on the record" press interview, he said that something would have to be done about the fact that all tax and appropriations bills originate in the House of Representatives.

The Constitution requires that revenue measures start in the House, but many Senators dispute the House claim that the same procedure is mandatory for appropriation bills.

Senator Mansfield also endorsed the plan of Senator Magnuson, Democrat, of Washington, to hold two separate sessions of Congress each year, the first for general legislation and the second limited to money bills.

As to the Senate itself, he came out for a change from two-thirds to three-fifths in the number required to end a filibuster. He also came out for a rule of germaneness for a part of each day, and some change in the power of one Senator to object to unanimous-consent agreements.

[From the Washington (D.C.) Star, Dec. 4, 1963]

Monroney Asks Action To Overhaul Congress

Deploring the record of this Congress, Senator Monroney, Democrat, of Oklahoma, called on his colleagues yesterday to act on three pending resolutions to overhaul legislative machinery.

One resolution would require germane debate for at least a part of each day. Another would give committees more leeway to meet while the Senate is in session.

The third would set up a joint committee to make a general study of ways to improve congressional procedure. Senator Monroney, then a Member of the House, took part in writing a similar reorganization law for Congress in 1946.

"President Johnson has already shown the courage and competence the Members of this body knew he possessed," said Senator Monroney. "The world now sees that our executive branch is in good hands. But what of the Congress?"

Answering his own question, Senator Monroney said the lawmaking function has run into grave difficulties which only the lawmakers themselves can remedy.

"The facts against the record of this Congress are, at this point, beyond refutation," he continued. "Here we are, on December 3, with major appropriations, for a fiscal year that is nearly half gone, still not yet enacted. Can the Congress still submit to tactics of delay and to petty haggling while the public looks on with growing scorn and dismay? A threat to the Nation remains as long as business as usual and creeping paralysis prevail on the Hill."

[From the Washington (D.C.) Post, Dec. 10, 1963]

Government Unworkable

(By Walter Lippmann)

This session of Congress has a spectacular record of refusing to consider the major proposals of the Chief Executive. On some of these proposals there may be a majority opposed in one House or in the other. Some measures, had the Congress been allowed to vote, would have commanded a majority in both Houses. The critical fact is that by a manipulation of the delaying devices which are embedded in the committee system, the legislative branch of the Government has been prevented from debating and voting on most of the legislation proposed by the President.

We have here in its American form the critical disease of democratic government; namely, the paralysis of the executive by the elected assembly. Democratic government based on the popular election of representative assemblies is a difficult form of government, and the great majority of mankind have never enjoyed it. Many countries have tried it and have failed to make it work. Except here, it has never before been tried on a continental scale, and there is no certainty that we shall long be able to make it work. The system did not work when slavery was at issue, and there are serious reasons for asking ourselves whether the system as it exists today will be able to cope with the world as it is in the middle of the 20th century. Will it be able to cope with the grave issues which beset a nation composed of great urbanized industrialized masses and destined to live in a revolutionary world? A government in which the Chief Executive cannot induce the legislature to consider his proposals is dangerously weak.

If we look at the advanced countries—those which have attained a certain level of education and wealth—we must recognize, I believe, that democracy has been unworkable where the executive was paralyzed. In what we call the free world of Western Europe, one can count on the fingers of one hand the countries where representative democracy as it was conceived in the 19th century, is still working reasonably well.

Aside from Portugal and Spain, Greece and Turkey, what do we see on the Continent? In France, General de Gaulle, and elsewhere, the muffling of representative democracy by coalitions of the mass parties. Austria and Belgium are ruled by coalitions which exclude or compromise the issues between the Christian Democrats and the Social Democrats, the two parties to which the great mass of the people belong. Italy is now experimenting with such a coalition, and there is reason to think that West Germany will have to come to it also. Only in Britain, the Scandinavian countries and Switzerland is representative democracy working well.

Whether the solution is authoritarian, as under Salazar, Franco, and De Gaulle, or is a coalition which suspends party conflict, the common element is the liberation of the executive from the paralyzing grip of the representative assembly.

This problem, which is the central theme of West European politics, is also our central problem. I do not know what will happen if we cannot remedy the paralysis of the executive. But I do know that there is no greater necessity for men who live in communities than that they be governed, self-governed if possible, well-governed if they are fortunate, but in any event, governed.

If the diagnosis is correct, if the trouble from which we suffer is that the legislature paralyzes the executive, then the remedy is, I submit, clear. It is also simple. Let each House of the Congress pass a rule that any measure proposed by the President and certified as important, must be put to a vote by some specified date or within some specified time.

The rules and practices of the House of Representatives make impossible the fantastic spectacle of a tax proposal by the President in the summer of 1962 which will not be ready to be voted on at the beginning of 1964. When I was in London recently, I asked the Chancellor of the Exchequer what he would do if he had to operate under such conditions. I can only report that he was speechless.

There are a number of other things that ought to be changed in Congress, notably the excessive respect for seniority. But a rule which gives indisputable priority to a request of the President is, I believe, the essential reform to make the congressional system workable.

[From the Hackensack (N.J.) Record, Dec. 31, 1963]

The Premonitions of Mr. Case

Senator Clifford P. Case, Republican, of New Jersey, had some pretty acid things to say about Congress in his latest television interview. The distressing aspect of the outburst was not in the saying but in the truth of what was said. Mr. Case was talking about the need for congressional reform. He is for it.

Said the Senator:

"I've never been in a session that I thought was more sterile. It seemed to me in past years we had reached some kind of a hard point that couldn't be exceeded, but I think we have succeeded this time. * * * I think it's a matter * * * that has very serious forebodings for the future of the country." He continued, criticizing Congress' delegation of the power given to committee and subcommittee chairmen. He criticized legislators who avoid tough questions, particularly those who prevent the discussion of business that would require taking a stand. In his sternest and most prophetic warning he declared:

"Congress doesn't exist to provide jobs for 100 Members of the Senate and 437 Members of the House in which they can live in respectable penury. This isn't the purpose of the institution, and if this is allowed to be its apparent purpose, it's going to destroy itself."

Senator Case wants the Congress to reform itself, to be about the business of legislation. Particularly does Senator Case mean the statesmen of the solid South; status quo is the ideal goal in the mind of its committee chairmen, chairmen not necessarily by reason of ability but by reason of an antiquated, discredited, all but monarchistic seniority system. Mr. Case wants reform. Perhaps the whole people want reform. Want it or not, they deserve it. If Congress is to provide leadership and not merely reflect the lowest common denominator reform should—must—be coming. Will it?

Senator Case and his reform-minded colleagues in both parties have a fight on their hands, and if they press it they'll not endear themselves to fellow legislators who are satisfied with the way Congress has stumbled through this disastrous session. Senator Case has come in for thunderous attack from Senator Dirksen, a member of his own party and minority leader in the Senate.

But just such primitive reflexes are what Mr. CASE is talking about. He should not be discouraged. He should pursue it vigorously and forthrightly, knowing he is in the right. The congressional system may be incurable. But let the record show at least one honest effort to cure it.

[From the Newark (N.J.) Evening News, Dec. 30, 1963]

WILL OF THE PEOPLE

Efforts by Senators CASE and CLARK and others to improve rules and procedure came to nothing in the first session of the 88th Congress, and judging by the observations of its leaders there is not much hope for reform in the second session.

Senator Minority Leader DIRKSEN denies this has been a do-nothing Congress. "The more appropriate term," says Mr. DIRKSEN, "would be a 'stop, look, and listen' Congress."

Other apologists maintain that congressional resistance to Presidential programs and recommendations accurately reflects the attitude of the electorate. Those who defend the record of the 88th on this ground are missing the point, which is that on most of the important issues Congress was denied the opportunity to vote.

The need for caution and careful consideration, for reconciling conflicts of national interest or the questionable wisdom of some of the proposals, none of these can justify the slow pace of committee action or the fact that on too many matters there was no determination of the will of the majority.

The proposals of the critics present no threat to the integrity and independence of the legislative branch. On the contrary, Mr. CASE and Mr. CLARK would revise the rules and temper the tradition of seniority and absolutist chairmen so that Congress could once again resume its constitutional function, which is to legislate.

This can be achieved only if the business of Congress is returned to the place where the Constitution intends, and the principles of representative government require, that it should be disposed of—the floor of each House. There, and only there, can the will of the people be expressed.

[From The New York Times, Dec. 26, 1963]

COBWEBS IN CONGRESS

At the turn of the century that cynical American observer, Ambrose Bierce, defined Congress as: "A body of men who meet to repeal laws." At this time cynical Washington observers could shorten the definition to: "A body of men who meet." The performance of the 88th Congress, which has done little and took an unconscionably long time to do even that, proves the point.

There is a built-in malaise in our legislative branch today. The increase in scope of the Federal Government, and the number of its agencies, has resulted in an ever-longer pause of study, testimony, conference, stalling, and scheduling pressures between presentation of a program and its passage or rejection by Congress.

Congress can move when it really wants to. Senator MANSFIELD has said, "I think the fault lies with Senators," especially the absentees, rather than with the procedures. It is easy to blame the machinery instead of the men. But the state of the machinery makes it easier for the men to clog the gears.

What is called for is a fresh look at the workings of Congress and a program of reorganization and reform to restore the legislature to its rightful role. Changes are long past due in the seniority system which enables antediluvian committee chairmen to exercise tyrannical powers. Less cumbersome methods should be established for prying bills out of committee. A rule of germaneness would grant against time-wasting talk, and an electronic voting system would speed the taking of rollcalls.

Subcommittees pigeonhole bills and the rules policemen who are supposed to speed legislative traffic stand instead as blocking backs. The filibuster remains a real enough problem, but it is the sloth before a bill reaches the floor that often prevents action.

The Legislative Reorganization (La Follette-Monroney) Act of 1946 succeeded in reducing the number of committees. Since then the workload of Congress has vastly increased. Senators from both parties, including CLARK, CASE and MONRONEY, now are pressing for a special study commission to examine congressional rules and procedures and recommend reforms. It is long past midnight for a new reorganization act.

Although the proposed congressional study commission has thus far been blocked, reorganization is bound to push aside the cobwebs. President Johnson has refocused the Nation's eyes directly on the Congress. The scandalous lag in the Legislature is out in the open for all to see.

Congress has a constitutional obligation to function as the Legislature; it can only do so by a thoroughgoing reform. At stake is nothing less than the respect of the American people for the Congress.

[From the Washington (D.C.) Post, Dec. 22, 1963]

A SLOW-FREIGHT CONGRESS WITH A SLEIGH FULL OF GIFTS

(By Robert C. Albright)

The interminable 1st session of the 88th Congress lived up to its lackadaisical reputation right up to the end.

Last night it demonstrated again it didn't know when to quit. For almost a year it was arguing with Santa Claus to see who'd be first down the chimney.

For a drifting, uninspired Congress, reluctant to face up to its tasks, the gifts it will leave at the fireplace of history are few but surprisingly handsome.

Senate ratification of the nuclear test ban treaty stands out near the top of the heap. It may well be remembered when the frustrations of the session are long forgotten.

Left to history also was a legacy of education bills dwarfing in scope any others ever enacted. The package included aid to colleges, medical schools, and vocational education and aid to schools in federally impacted areas.

The ambling, much-attacked Congress also came through with a mental health facilities act and a mental retardation-child health act, both first in a new and vital field.

But in handling the two overriding assignments the late President Kennedy gave to his Legislature—a civil rights bill to end racial discrimination and an $11 billion tax cut to bolster the economy—Congress faltered and failed.

Some have blamed the failure on the most sophisticated filibuster ever conducted in Congress, a subtle slowdown in legislation all along the line. Bipartisan liberals charge that it was conducted unobtrusively by southerners opposed to civil rights and by conservatives opposed to a tax cut in the face of a deficit.

Whatever the cause of the endless delays, the two big Kennedy "must" bills were still hopelessly bogged down when President Johnson picked up the torch from his slain predecessor November 22.

Mr. Johnson pushed for "soonest possible" passage of the two bills. When action before Christmas was ruled out, he dickered for a speedup in the session convening in January.

Congressional leaders have assigned top priority to both measures, but the road ahead could still be a long one.

Except for these big disappointments and a number of lesser frustrations, the White House is represented as not unhappy over the record of the Congress.

Nevertheless, a tattoo of criticism is still directed at the disorganized, hit-and-miss, meandering nature of the session. It pours out almost daily from critics within and observers without.

But the ironical fact is that Congress rating looks fairly good in the bare-bones statistical record.

The White House checklist, for example, shows that out of 58 major bills sought by the late President, Congress enacted 35. At this halfway point, the 88th thus had a completion record of 61 percent on Kennedy bills.

That is only one percentage point below the respectable 62 percent recorded for Kennedy bills in the first session of the 87th Congress. That first Kennedy Congress ran up an overall 74 percent average for the full 2 years, 1961–62. Can the second half of this Congress top it? For Mr. Johnson, whose prowess with Congress is legendary, that will certainly be a challenge.

Administration tacticians say they believe that the long-range odds are now weighted in their favor on both civil rights and tax legislation. They believe that the turning point on civil rights was reached during the House Judiciary Committee's second hard look at the bill in the last weeks of Mr. Kennedy's life.

The top Republican leadership, represented by Representative WILLIAM M. MCCULLOCH, Republican, of Ohio, on the committee and Minority Leader CHARLES A. HALLECK, Republican, of Indiana, in the House, got together with the Democratic leadership on that basic revision.

House passage of the bill has been only a question of time ever since. The Senate operation will be more difficult. Mr. Johnson's experience in pioneering civil rights legislation should help.

During this elongated first session, the Senate and its mild-mannered helmsman, Majority Leader MIKE MANSFIELD, Democrat, of Montana, caught the brunt of the critics' fire. But in the statistical rundown on the session's performance, the Senate topped the House in administration legislation passed.

Twelve Kennedy bills approved by the Senate were still hanging fire in the House. They included the area redevelopment bill, youth employment opportunities legislation and the mass transit bill, on which the House floor count, for the time being at least, was reported too close for comfort.

Only two House-approved Kennedy bills were still held up in the Senate. They were the tax reduction bill, which still must be completed by the Finance Committee, and the controversial fallout shelter program.

The sharp point of the criticism of Congress which has raged repeatedly in the Senate was directed not so much at the leaders. It was aimed at the structural organization of Congress and at built-in rules of the two Chambers which are making it increasingly difficult to bring a bill to a vote.

In the case of the Senate, Members can talk almost without limit and without any rule of germaneness. In the House, Kennedy-Johnson legislation must be channeled through a Rules Committee which is out of sympathy with much of the program.

A bipartisan attempt to do something about it, which was sponsored by Senators JOSEPH S. CLARK, Democrat, of Pennsylvania, and CLIFFORD P. CASE, Republican, of New Jersey, sought to set up a House-Senate committee to study and report on the problem. The Senate leadership gave a green light to the resolution, with one important reservation: that the proposed joint committee would not monkey with the rules of the two Chambers.

When the resolution came before the Senate, CLARK said in effect that it wasn't worth a hoot without some rules changes. He and Case offered an amendment to broaden its scope.

Their proposal reverted to the calendar for an indefinite stay after what Clark described as a "two-word filibuster" by Senator Richard B. Russell, Democrat, of Georgia. Russell's two words were, "I object." Later, he said that his antagonists had not even conducted "a pillow fight."

Across the Capitol, a similar proposal by Henry S. Reuss, Democrat, of Wisconsin, to restudy the rules and modernize Congress has never come out of committee and appears to have little chance. Reuss says he doubts that any real facelifting can take place in Congress until Democrats and Republicans get a mandate in the platforms of their national political conventions. With specific planks on the subject Reuss believes that an effective fight for rules changes could be mounted at the start of the 89th Congress.

In reply to the whole series of demands for congressional reform, Senator Mansfield told the Senate that the most serious inadequacy, in his judgment, was the day-to-day financial housekeeping functions of Congress.

He cited what he termed the congressional "ritual" of raising the debt ceiling every few months, and the unprecedented pileup of appropriation bills. This session, the fiscal year was months underway before the basic money bills became law, and some of them never did.

He suggested that the Senate initiate half of the money bills, a province the House jealously reserves to itself. As another possible remedy, he suggested that Congress approve the proposal of Senator Warren G. Magnuson, Democrat, of Washington, to hold separate sessions, one earmarked for legislation and the other for appropriations.

[From the New Brunswick (N.J.) Daily Home News, Dec. 14, 1963]

New Gearing Needed for Creaky Congress

(By Peter Edson)

Washington.—All hope for study of congressional reorganization and reform have been knocked for this session and probably the next, after two short, dull rounds of debate.

On successive days, Senators Joe Clark, Democrat, of Pennsylvania, and Clifford Case, Republican, of New Jersey, cosponsors with 30 other Senators of a resolution to set up a Joint Committee on Organization of Congress—asked unanimous consent to consider an amendment which would permit six Senators and six Representatives to study the antiquated Senate and House rules.

Two words—"I object"—were enough to kill the unanimous-consent request under existing rule. Sponsors of the reform movement had no stomach for a knockdown, dragout fight which might lead to a filibuster. So they threw in the towel. And modernization of congressional procedures to speed them up is dead.

ALWAYS THAT WAY

Many Senators and Representatives are pretty sensitive these days to criticism that this session has been a "do-nothing" Congress. Their contention is that long sessions and apathy in Congress are not new. The same criticisms of every Congress have been made for the last 50 or 100 years.

Back any intelligent Member of Congress into a corner for his private opinions, however, and he will deliver a far worse indictment of the present legislative inaction than anything that has been said or written by outside critics.

What it all adds up to is that Congress is not adequately organized to handle its present problems, to say nothing of the increasing workload in the next 25 years.

What's needed is said to be a change in structure of Congress as well as a change in its Members' attitudes.

On the latter, "We don't have time to think out the answers to our problems," says one Member. "We're lucky if we can just identify them. I barely know what's going on."

On the structural reorganization of Congress, 50 percent of the delays are now said to be caused by jurisdictional disputes between committees.

Who is responsible for the foreign trade issue which is becoming increasingly important for instance? Is it the Foreign Relations or Commerce Committee? Or is it Finance Committee business because tariff rates are involved? Or Agriculture, for farm product exports and imports? Or Interior, for minerals? How can they all get into the act?

The fact that both Senate and House committees have to hold separate hearings on every issue is another great time consumer. Joint Senate-House subcommittee hearings have been suggested to eliminate this duplication of effort.

STAFFS INADEQUATE

It is generally agreed that congressional committees still do not have adequate staffing for policy planning to deal with modern, increasingly complex problems.

One major deficiency cited is on national security issues that involve both international relations and military affairs. Another inadequacy is in the field of international finance.

The majority party which controls all committees is in far better position on staffing than the minority. Representative Fred Schwengel, Republican, of Iowa, has headed a House Republican policy subcommittee that has worked diligently on this issue. It has put out a lot of publicity, but it hasn't solved its problem and probably won't till there is general reorganization.

The increasing workload of Congress during the next quarter century is bound to make present organization and procedure seem even more inadequate. Reform has to be effected for the future it is felt, even if not for the present.

Population growth means a greater concentration of people in cities. Constantly improving farm technology means that more food will be produced by far fewer people. Automation makes achievement of full employment more difficult.

Congress has to gear up to deal with more complex human problems as well as political, economic, or international affairs. And it has to gear up to make decisions faster.

[From the Christian Science Monitor, Dec. 24, 1963]

Lag in Congress Assessed

(By Godfrey Sperling, Jr.)

New York.—The president-elect of the American Political Science Association calls the current Congress "the most unproductive Congress in the last dozen years."

Further, in an interview with the Christian Science Monitor, David B. Truman, dean of Columbia College, attributed this dragging of feet to failings in leadership ("an absence of push") and a congressional mood that seemed to accentuate negative tendencies that are continuing and institutional.

Although he expressed much admiration for President Kennedy and what he saw as his intellectual powers, Dr. Truman said the late President was one who found it personally difficult to use the means necessary to rally public support behind his program and that this reluctance to use the direct approach contributed to the failure of the Congress.

Would President Johnson be more effective with Congress?

"If Johnson continues as effective as he has been in making a popular appeal, then I would say the fact that he is prepared by his experience better than any President in modern history to work with Congress—this may make his accomplishments in the next session and next administration (if he has one) quite impressive."

JOHNSON CALLED SENATE INSIDER

Continuing on Mr. Johnson: "There is not a direct transfer from the Senate role to the White House. But Kennedy was not an insider in the Senate. Johnson was. He knows how to get things done in the Senate. He can't run the Senate from the Presidency, but he may know how to strengthen the hand of (Senate Majority Leader Mike) Mansfield, Democrat, of Montana, and strengthen Mansfield's resolution enough so that the next session will be a better one."

Whether the Kennedy approach was "dictated by the narrowness of his election margin in 1960," said Dr. Truman, "or how much the inexperience of a new President entered in, you cannot tell. This is a real quandary.

"But he certainly was a man, unlike the two Roosevelts, who disliked demagoguery, the soapbox role. Actually, something I particularly admired in Mr. Kennedy was that he clearly had very little of the demagog in him. He didn't really—as both Roosevelts did—enjoy deliberately building and using public opinion as an instrument for himself and his program. This in many ways is to his credit. The (direct) approach can cheapen, and he was not cheap."

ASSESSMENT OF CURRENT CONGRESS

"But," he continued, "such uncongeniality to this approach is a handicap for any President—particularly if he wants to make some positive changes. If he merely wants to maintain things as they are, that's something else again."

"One of the tragedies of the assassination," said Dr. Truman, "is that we'll never know whether in the second term (if he were elected) Kennedy would have developed more of this direct approach."

In assessing the current Congress, Dr. Truman listed the following as "failures":

"The unproductivity was most clearly evidenced in the unprecedented delay in the passage of major appropriation bills.

"It was most unfortunate there was no final action on the tax cut and on the civil rights bills.

"In addition, there was the severity of the action on foreign aid."

The "pluses," as Dr. Truman sees them:

"Passage of the higher education bill is to its credit.

"Passage of the civil rights bill in the House is of major importance.

"That the House finally passed the tax bill is of no small importance.

"Passage of the test ban treaty."

"However," he added, "measured against the size of Congress problems, it is a bad record."

Of the general problem of moving Congress along, Dr. Truman said: "There is and has been since the 1930's strong evidence of a shift of the initiative to the executive side, to the White House and the bureaucracy." This, says Dr. Truman, results in a "kind of an institutional insecurity," with the individual legislator wondering what his role is. "Thus, the cry that Congress is a rubberstamp is often heard. It had its earliest currency in the F.D.R. period."

INSTITUTIONAL PECULIARITIES

Add to this, he said, the "hostility and resentment" aimed at Congress, and stemming from the unpopularity of foreign aid * * * and "the uncertainties that the legislature and citizens feel about the tax bill, the economic logic of which is not clear to most Americans" and "the kind of silent filibuster" stemming from civil rights and other issues.

"Then you get down to the quality of leadership in both Houses * * * reinforced by institutional peculiarities—the power which individual committees and subcommittees can exercise by way of vote and restrictions.

"If there isn't a strong push to restrain or overcome this sort of isolated veto tendency in many committees, then you get the kind of footdragging and negative tendencies that have been displayed in this session.

"Further difficulties," Dr. Truman said, "were traceable to a lack of high competence on the part of the principal leaders in Congress, Senator MANSFIELD and Representative JOHN W. McCORMACK, Democrat, of Massachusetts."

TWO LEADERS EVALUATED

His evaluation of the Senate majority leader and the Speaker of the House:

"MANSFIELD. A very nice man with the right kind of convictions who demonstrated conclusively that he simply isn't a first-rate parliamentarian. He repeatedly got himself in awkward circumstances where his own rebellious followers or the opposition maneuvered him into situations that were embarrassing for him.

"The surprises that occurred for him, particularly in floor action, have been genuine surprises. First-rate leadership may lose but it doesn't encounter surprise.

"McCORMACK. An older man, not as energetic (as he should be). There is also the history of differences between the McCormacks and Kennedys in Massachusetts politics, not helped at all by the Senate election in 1962. It is fair to say that McCORMACK as a legislative tactician and strategist simply is not in the same class with a Rayburn or any of the first-rate people who have occupied this position in the 20th century."

JOHNSON APPROACH

"The fact of the matter is," said Dr. Truman, "that the country, and particularly the Democratic Party as a party has taken for granted in Rayburn and Johnson a kind of legislative leadership of extraordinary high order. Now this has been replaced by something of a decidedly second-rate character."

Of Johnson's leadership and his use of the direct approach to getting things done:

"I have been surprised in the weeks since Kennedy's assassination at the extent to which Johnson had used this approach. I would not have expected it of him.

"Johnson came out of an entirely different political background than did F.D.R. Roosevelt was a Governor. Virtually all of Johnson's political experience has been of a (face to face) legislative character.

PERSONAL CONTACT

"As a Senate leader his effectiveness rested heavily on personal contact, personal negotiation.

"The point is he did not have the experience—such as a Governor would have—of having to go directly to the masses, to the public, on substantial matters of policy. That weakness showed up in his effort to gain the presidential nomination. He was not effective in projecting himself as a popular figure in 1960. I say this, although I have long admired him.

"It is still not clear that he will do this (use the direct-to-the-public approach), but he is moving in this direction with confidence—and most effectively. It proves the old truth, that a man may change once he gets in the Presidency—not in his character, but in his skills and approaches to getting things done."

PRODUCT OF THE TIMES

Does Dr. Truman feel that the need (as he sees it) for the use of the direct approach (which sometimes looks like demagoguery) is such as to reflect adversely on the democratic system and American society?

"Direct, popular leadership," he said, "is nothing to be alarmed about. In any system, which depends on popular consent—and which at the same time is confronted with highly complicated problems—there is a need for this sort of thing. It is a product of the times. You find it also in Britain, France, Canada, other countries. * * * It is politically inevitable. * * *

"(In this context) there is another extenuating circumstance regarding Kennedy, lest we judge him too harshly in our comparison with F.D.R.:

AFFLUENT SOCIETY

"That is, these were times (under Mr. Kennedy) when things were moving smoothly, and most people never had it so good. Here I am not referring to the unemployment or the minority Negro population, but generally this was the affluent society and people were contented. So the possibility of getting the people's attention for the kind of public education (we are talking about) is not present to the same degree as it was at the time of F.D.R.

"Under F.D.R., during the first and part of the second administration, he could do this (gain the attention of the public) with regularity on domestic policy. But remember how in 1937 he tried this on foreign policy with his quarantine speech and failed?

"But Kennedy still could have provided more push. I don't mean to say it would have been easy for him. It would have been hard to make an effective, direct popular appeal—given his personality and the general contentment of the people.

COMPLAINTS NOTED

"Mainly he used the indirect approach—and his legislative liaison people were doing quite a bit behind the scenes. * * * In fact, there were a good many complaints that they were less than subtle at times.

"Kennedy did make a TV appearance on the tax bill. He did react pretty openly on the congressional resistance to his foreign aid legislation.

"But there was not the deliberate and substantial attempt to educate the electorate on these matters by the President and thus bring about a steady pressure on the Congress."

Back on the subject of Congress, Dr. Truman said:

"The first thing that can be said is that no Congress drew so close to the end of its session with so few of its major appropriation bills still not acted on. The question is 'why,' and the answer lies in two areas:

"First, the temper of Congress, and second, certain institutional peculiarities of Congress that facilitate this.

"With regard to the first, certainly this has been a continuing handicap. It stems, in part, from the narrowness of Kennedy's election margin in 1960 and not dispelled by his personal popularity since. Thus, those who are opposed to his policies felt they had nothing particularly to lose by refusing to go along with him.

"With a number of programs (foreign aid was only the most conspicuous), the unpopularity of the program, together with the spending involved, encouraged much criticism and hostility. It is worth noting that this foreign-aid business has consistently been criticized. As far back as the early days of the Marshall plan it has been the most unpopular part of our entire foreign policy.

"If you had submitted the issue of foreign aid to popular referendum any time in the last 15 years, it undoubtedly would have been defeated—and heavily.

"This means that Members of Congress pretty generally have been assuming serious political risks whenever they supported foreign aid.

"Regarding the merits of the program—and certainly some phases of foreign aid were ill managed—it would take a fairly biased judgment to say on balance it was a failure. We tend to forget that any large, organized effort—private or by Government—is wasteful. I would suspect that the dollar efficiency of Government in its various aspects is at least as efficient and I suspect even more efficient than that of many private corporations.

"But the point is that foreign aid is basically unpopular. So any Member of the House or Senate voting for it was inviting a challenge in his primary and risks in the general election.

"The miracle is that foreign aid has done as well as it has.

"I think that the hostility toward foreign aid, building up cumulatively through the years, and the special circumstances of this Congress have facilitated this open expression (of resistance to getting things done).

"If we ask ourselves what the things are that facilitated this expression of resentment, you get down to the quality of leadership in both Houses. This (quality of leadership) is highly relevant."

[From the Washington Post, Dec. 29, 1963]

OUR SICK, SICK CONGRESS

(By Karl E. Meyer)

It was an unlikely blend of the Keystone Cops and Gotterdammerung. How else describe the penultimate moments of the 1st session of the 88th Congress? In terms of low comedy, these are the scenes that stick in the mind: There were the planes swooping over the country, scooping up absent Congressmen and returning them to the snows of Washington for an unheard-of meeting at 7 a.m. the day before Christmas.

There were the frantic conferences of the weekend before, in which the terrible-tempered Representative OTTO PASSMAN stormed into Capitol corridors to proclaim what changes he would or would not accept in legislation which he heartily detests anyway.

There was the unseemly tumult over assembling a quorum of the House Rules Committee so that one branch of the National Legislature could get the permission of a subbranch to cast a vote on a matter it had already voted on before.

There was the strange scene in the Senate on the day before Christmas, when the world's greatest deliberative body could not prevail over an absent member (Senator WAYNE MORSE) who insisted that a quorum be present, whether or not he was there. So the Senate meets again on Monday, the final twitch in the interminable 88th, the longest peacetime session in history.

A SWELLING CHORUS

Yet the language of comedy is inadequate, because what is at stake is profoundly important. In discrediting itself, Congress discredits representative government. And there is little question that Congress has nearly touched bottom in public esteem.

What kind word can be said about an institution that in the name of frugality slashes the foreign aid bill and at the same time tacks onto the bill a $2.7 million expense allowance increase for itself?

What ails Congress? That something is wrong is admitted by Members themselves.

Last February, Senator JOSEPH S. CLARK, Democrat, of Pennsylvania, was pretty much a lonely voice when he indicted what he called the Senate establishment. But since then, some of his colleagues have joined in self-criticism.

"Congress is becoming the laughingstock of this Nation," Senator CLIFFORD CASE, Republican, of New Jersey, has said.

"The whole Senate seems to be pervaded by a spirit of lethargy," Senator THOMAS J. DODD, Democrat, of Connecticut, has lamented. "Every Senator is becoming a partner in this fiasco."

Even pithier is the remark of the usually kindly Senator GEORGE D. AIKEN, Republican, of Vermont: "The country is disgusted with us."

THE DIAGNOSIS

But if the patient is ailing, physicians differ about the nature of the disease. Certain chronic afflictions were nevertheless apparent during the final, frantic 2-week fight over foreign aid.

In clinical terms, the pathology of Congress can be dissected under these headings:

The Passman syndrome: Only in America does the Executive submit its program to a committee chairman wholly antagonistic to the principle of the legislation he is supposed to shepherd through Congress. It is a characteristic irony that foreign aid bills go to Representative Passman, Democrat, of Louisiana, who yields to no one, not even Khrushchev, in his belief that Yankee dollars should stay home.

As chairman of the Appropriations Subcommittee handling foreign aid, Passman wins guffaws in the House when he caustically attacks the legislation he is submitting for its vote.

Samples: "We have only one foreign policy—the checkbook." "More heads of state have been assassinated and more governments overthrown since we began foreign aid than in the previous 75 years, because we give them something to fight for."

Why did Congress flounder in the last days of the session? In part, because Otto Passman refused to compromise in conference with the Senate December 20. He said at one point:

"They (the Senators) wanted a $3.1 billion bill and we refused it. So there will be no foreign aid bill this year * * *. Good day, gentlemen. I'm going home for Christmas."

The procedures of Congress, notably the seniority system, enable Passman to address the world in tones usually reserved for monarchs.

"Halleckitis": The procedures of Congress also enable an adroit minority to snarl the entire legislative process, and few know more about the obstructive art than Representative Charles A. Halleck, the Republican leader. The gentleman from Indiana is frankly not concerned with the niceties of foreign affairs or the prestige of a President if he can win a few political chips at the poker table.

Halleck made it party strategy to press for an amendment limiting President Johnson's authority on wheat sales; it was all right, he held, to take cash from the Soviet Union for wheat, but not to extend credit.

On December 14, the House approved the Republican amendment to the foreign aid bill with the help of some northern Democrats anxious to cast an "anti-Communist vote" and sure that the Senate would kill the amendment anyway. The Senate did kill the amendment, but after its December 20 conference with the House, Halleck saw his chance.

He rejected a compromise acceptable to President Johnson and to Senator Karl Mundt, the amendment's Republican sponsor in the Senate. The compromise, Halleck allowed, "stunk."

What would happen if it came to a vote? The minority leader said:

"The Democrats have 86 Members absent. We have 56 Members absent. I'll take a look at my hole card." The gentleman from Indiana played his usual shrewd hand, aided by—

The computer complex: The largest club on Capitol Hill is the Tuesday-Thursday Society, composed of some 50 big-city Democrats from centers like New York, Chicago, Boston and Philadelphia, who find the thought of more than 3 days a week in Washington unbearable.

On the Friday before Christmas, with a major test vote in prospect, Democratic Members began drifting away from Washington, their numbers swelled by some normally conscientious legislators who had made elaborate holiday plans. This circumstance formed Halleck's hole card.

Friday afternoon, Congress was in recess, awaiting the conferees' report on foreign aid, and Democratic whips communicated little sense of urgency to the melting majority. When the conferees finally did agree, a further hurdle remained to delay a vote.

Rules rigor mortis: The hurdle was the House Rules Committee headed by Representative Howard Smith, Democrat, of Virginia, the very symbol of the conservative coalition that thwarts majority rule in Congress. In this instance, however, the courtly Judge Smith was not at fault; a quorum of the committee was lacking.

Under House procedure, the Rules Committee can get two cracks at an important measure. It must first clear the bill for floor action. And once passed, if the bill is modified in conference with the Senate, the Rules Committee must judge it anew—an auxiliary brake in an institution loaded with brakes.

Eventually, a quorum was assembled, and ultimately enough truant Democrats flew back to Washington to uphold the President in the House. In an extraordinary meeting at 7 a.m. December 24 (held early in order to enable Members to attend the funeral of a Philadelphia Congressman), the foreign aid bill passed the House. But the end was not yet.

The Morse mumps: A handful of Senators were on the floor when the House communicated its approval. They were ready to vote—but an absent Member foiled them. Senator Morse had insisted that a live quorum be present, and Senator William Proxmire, Democrat, of Wisconsin, the acting majority leader, felt bound to honor the Oregon Senator's insistence.

Morse represents one of Congress' more enigmatic afflictions; theories flourish as to what causes him to expend his brilliance on making life miserable for the Democratic leadership. The administration expects the hostility of Republicans and conservative Democrats, but it was the hostility of the liberals that led to this year's foreign aid disaster.

During November, the Morse mumps were catching: The liberals joined with Republicans and southern Democrats in scuttling the bill reported out of the Foreign Relations Committee.

No one, in fact, emerged from the foreign aid fight looking very glorious. The Democratic leadership looked languid; the Republicans, like crafty shellgame operators; the liberals, like fair-weather soldiers or cranky crusaders. It is somehow appropriate that the last gasp of the 1st session of the 88th Congress should be Monday's meeting of Senator Morse's version of the Quorum Club.

WHERE CREDIT IS DUE

The tale of the close was the tale of much of the session—but not all of it. The Senate did approve the test ban treaty and the congressional leadership can point to a scattering of other meritorious work.

But in the memory of the present, and probably in the verdict of history, the 88th's 1st session will be chiefly associated with a refusal to legislate. The failure to accord the administration even the courtesy of a vote on civil rights and the tax cut dramatized as seldom before the archaic methods of Congress.

Quite possibly, the future may decide that the chief accomplishment of the first session was to swell the demand for congressional reform in the second.

[From the New York Times, Jan. 7, 1964]

CONGRESS: SLUMBER OR ACTION?

The 88th Congress reconvenes today, on notice from its leaders that it may once again be meeting from one end of the calendar to the other. This is as doleful a prospect for the country as it must be for our nonlegislating legislators. A repetition of the slow-motion record of the first session will not only leave many urgent national problems unattended; it will contribute further to undermining public confidence in this key branch of the Federal Government.

Two major bills awaiting action are civil rights and tax reduction. The House Rules Committee will begin this week its own hearings on the rights bill, with no one too sure how much time must pass before Chairman Smith gives his imperial nod to let it move to the House floor. When the bill finally gets to the Senate, it faces the certainty of indefinite delay through every device of parliamentary evasion and filibuster that its enemies among the southern Democrats can muster. How well its fair employment and public accommodations provisions will survive this infighting is anybody's guess.

The imminence of the national elections and the stress the administration has put on the $11 billion tax cut as the key to a high-level economy make passage of the truncated tax bill virtually certain. There seems no prospect that either the White House or Congress will do anything serious about reviving the tax reforms that are far more essential to a sound tax measure than across-the-board reductions.

Cutting taxes without closing loopholes will merely accentuate the inequities that now shut millions of Americans out of effective participation in the richness of our economy. President Johnson intends to submit a variety of new programs for reducing poverty and large-scale unemployment. If these are to be translated into action, Congress will have to demonstrate more responsiveness to the challenges of human misery than was evident last year.

Medical care for the aged, Federal aid for public schools, a basic overhaul of the unemployment insurance system, funds for urban mass transit, housing, action on the wilderness and other conservation bills, a new battle over foreign aid—all these and more await the returning Congressmen. Despite the volume and complexity of the issues, there is no valid reason why Congress should not complete its business before the opening of the Republican National Convention in mid-July. The experience of the 86th Congress when it met for 3 weeks after the nominating conventions in 1960 makes it plain that a campaign is a wretched backdrop for genuine legislative accomplishment. Both parties ought to resolve now to act, not dawdle.

[From the Washington Post, Jan. 6, 1964]

THE HARRIS SURVEY: BY VOTE OF 2 TO 1, PUBLIC FEELS CONGRESS IS DRAGGING ITS FEET

(By Louis Harris)

There is every indication that the American voters are in revolt against the 88th Congress. By nearly 2 to 1, the public registers a vote of no confidence in the job this Congress has done to date. There is widespread belief Congress has dragged its feet at a time when action was required. Chief blame for the delays is leveled at southern Democrats generally in the House and Senate, closely followed by congressional committee chairmen and the Republican minority.

Back in October and again just before adjournment, a carefully drawn cross section of the public was asked to rate the job Congress had done. Here is the trend among those with opinions (approximately 8 in every 10 people in each case):

RATING OF 88TH CONGRESS

Positive, December, 35 percent; October, 41 percent.

Negative, December, 65 percent; October, 59 percent.

Not sure, December, 22 percent; October, 17 percent.

This essentially negative public assessment contrasts sharply with the 76 percent positive rating accorded President Johnson in his first days in office. Most important, however, is that the trend of public opinion about the Nation's top legislative body is distinctly downward.

The 1963 session of Congress may have been the longest in peacetime, but the public impression is that very little was accomplished. Here are the comments as people volunteered them in their own words:

Profile of 88th Congress, total with opinions

	Percent
Negative	65
Not done much	21
Avoided major bills	8
Too slow	7
Didn't cooperate with JFK	7
Everything stalled in committee	7
Civil rights not passed	6
Too much bickering	4
Medicare not passed	2
Not interested in people	2
Education bill not passed	1
Positive	35
Trying hard	17
Passed some good bills	6
Making some progress	6
Blocked bad bills	4
An average Congress	2

When asked directly where the responsibility for the delays in Congress rests, those interviewed tend to focus chief attention on southern Democratic committee chairman:

Responsibility for delay

	Percent
Southern Democrats	38
Committee chairmen	21
Republican opposition	21
Democratic leadership	14
Northern Democrats	6
(Not sure)	(22)

While the brunt of criticism is centered on the southern Members with chief seniority, the Republican minority in Congress does not escape sharing some of the public blame. This fact could weaken a GOP issue against the Democrats in the 1964 election.

Undoubtedly, the death of President Kennedy sharpened some of the criticism of Congress. A clear majority of the public says it wants the Kenendy program passed.

Congress and the J.F.K. program

	Percent
Should be passed	64
Should not be passed	36
(Not sure)	(19)

In fact, Congress' failure to act on the major elements of the Kennedy legislative program has now become the principal point of criticism by the public. On a number of other pieces of legislation passed in the last session, the 88th Congress comes off rather well.

RATING ON SPECIFIC LEGISLATION—(THOSE WITH OPINIONS ONLY)

Keeping United States militarily strong, positive 81 percent; negative 19 percent.

Supporting the space programs, positive 78 percent; negative 22 percent.

Ratification of the test ban treaty, positive 73 percent; negative 27 percent.

Railroad strike legislation, positive 63 percent; negative 37 percent.

Passing Kennedy program, positive 38 percent; negative 62 percent.

(As reported in previous Harris surveys, large majorities favor early passage of the administration's tax bill (67–33 percent) and the civil rights bill (62–38 percent).

The trouble Congress has with the public obviously is over what people believe are errors of omission rather than of commission. The mood of the people is clearly for more action from Congress in this election year.

[From the Washington Post, Jan. 9, 1964]

SPUR OF OPINION

How does the public feel about Congress? Thanks to a survey by Louis Harris published in this newspaper on Monday, it is possible to offer an answer based on something more than a soothsayer's hunch. The answer is that the country does not evince excessive enthusiasm about the languid 88th—in precise terms, the Harris poll shows that two out of three persons who hold an opinion have a distinctly critical view of their National Legislature.

The findings are important because they diminish the weight of the argument that Congress, in refusing to legislate, somehow represents popular feeling. The Harris survey points unequivocally to the opposite conclusion—that the Kennedy program has broad support, and that the failure of Congress to grant even a vote to the administration's key items forms a principal charge in the popular indictment of Congress.

Once again, the often maligned man in the street shows a finer sense of discrimination about political issues than many politicians credit him with. Asked to apportion the blame for the poor showing of Congress, those polled volunteered this list: Southern Democrats (38 percent), committee chairmen (21 percent), Republican opposition (21 percent), Democratic leadership (14 percent), Northern Democrats (6 percent). One may quarrel with the ranking, but surely the list is plausible and impressively complete.

Perhaps this spur of opinion will help swell the demand for reform within Congress. Certainly the Harris results show that President Johnson has a large reservoir of support in his campaign to get Congress moving again. We hope he draws on it.

[From the Chicago Tribune, Jan. 5, 1964]

WHAT'S WRONG WITH CONGRESS? HERE ARE SOME OF THE THINGS—EVEN SOME OF THE MEMBERS ARE DISGUSTED

WASHINGTON, January 4.—What's the matter with Congress?

It limps back to town next Tuesday to begin a concluding session that could make, break, or blur Lyndon B. Johnson's dreams of winning the Presidency on his own in 1964.

What happens to civil rights, to tax reforms, to a dozen other important bills, is certain to be hotly debated in the 1964 campaign.

Congress itself—so easy to love, to deplore, to criticize, to laugh at—has been under such relentless attack that it, too, may become an issue.

From within and without, angry words have stabbed, belabored, whacked, belittled.

"Congress is becoming the laughing stock of this Nation," Senator CLIFFORD P. CASE, Republican, of New Jersey, has said.

"The whole Senate seems to be pervaded by a spirit of lethargy," Senator THOMAS J. DODD, Democrat, of Connecticut, has complained. "Every Senator is becoming a partner in this fiasco."

PAY FOR MISMANAGEMENT

Representative H. R. GROSS, Republican, of Iowa, in discussing a proposed pay increase for Congressmen: "They will be paying themselves for helping to mismanage the affairs of this country."

Even Senator GEORGE D. AIKEN, Republican, of Vermont, the kindly sort who is rarely bitter, finally concluded: "The country is disgusted with us."

Congress still has its loyal defenders, of course, who insist that before this year is out a splendid record will be made.

But editorials, speeches, articles, and books emphasize and expand this theme: Congress can't, or won't, cope with a $100 billion a year Government in an increasingly complex world.

Although its critics insist reforms are essential, they split quickly on what should be done; no surprise, since they disagree on what really ails their venerable patient.

SOME COMPLAINTS LISTED

Here are only a few of the complaints put forward by critics:

1. Congress is hobbled by antiquated rules that give the foot-dragger too many opportunities to impede legislation. In its tortuous course toward becoming a law, a bill can be killed in a dozen spots, all the way from a quiet, efficient knifing in the House Rules Committee to a public drowning in a Senate filibuster.

2. Blind devotion to seniority gives committee chairmen enormous power, sometimes at a doddering age when they are least able to handle it. Under civil service, this Government requires all employees to quit at 70, although in rare cases temporary appointments may go to older men whose health is good. Congress puts no such restrictions on itself.

3. Congressional leadership is weak, at least by comparison with its predecessors. This complaint stems from the facts of life and death.

TWO LEADERS OUT

On January 20, 1961, Lyndon Johnson stepped out as Democratic leader of the Senate and into the Vice-Presidency. On November 16 of that year Speaker Sam Rayburn died.

Not only was each a strong, opinionated leader in his own right, but these two friends worked smoothly as a team.

One great difficulty is that most bills pass the Senate and House in somewhat different forms. These differences must be resolved in a conference committee, and then approved by both bodies.

If either the House or Senate refuses to budge toward a compromise, a stalemate is created. Without Rayburn and Johnson around to knock heads together—so the argument runs—intramural squabbling has reached a distressing low.

4. "A civil rights smog," Senator HUBERT H. HUMPHREY, Democrat, of Minnesota, says, hampers all progress on Capitol Hill.

LOGJAM HELPS FOES

Those who want no part of civil rights legislation, this theory runs, enjoy a logjam that will help keep it off the floor. Until the civil rights issue is resolved, HUMPHREY says, "leaders can implore and deplore * * * but there will not be much improvement."

5. Congress appropriates $5.1 billion a year for space exploration, yet in its own operations it travels by stagecoach.

Traditionally, the House and Senate meet at noon. Once these sessions start, committees must quit unless they have special permission to continue. The result can be absurd: a Cabinet officer may be testifying on problems of supreme importance, but he must be interrupted so Members can attend to what often is listless, nonsensical business in the main Chamber.

REFORM CALLED EASY

Surprisingly, some complaints about Congress could be easily settled by instituting reforms and changes.

Senator MIKE MONRONEY, Democrat, of Oklahoma, who, as a House Member in 1946, joined Senator Robert M. La Follette, Republican, of Wisconsin, in writing the last reorganization plan, believes perhaps 20 to 40 changes may be helpful.

Senator JOSEPH S. CLARK, Democrat, of Pennsylvania, a full-time practicing critic of Congress, plumps for 140 to 160 changes.

Assuming they are right, what can be done?

During one vain attempt to modify Senate rules, Senator CLIFFORD CASE, Republican, of New Jersey, said:

"If this is not a shocking indictment of the Senate and its practices, procedures and rules, and acquiescence in being led by the nose by a small bunch of willful men, I do not know what could be.

CALLED SHOCKING THING

"And we sit still and do nothing about it. It is a shocking thing. If this does not awaken the conscience of the country to putting some pressure behind the move to change the rules, I shall almost be inclined to despair."

Perhaps the best comment about life on Capitol Hill came from that long suffering, eternally criticized, Democratic leader, Senator **MIKE MANSFIELD**, of Montana.

"I find it frustrating, exhilarating and depressing," he said.

That's our Senate. That's our House. That's our Congress.

[From the New York Post, Jan. 2, 1964]

WILL CONGRESS EXAMINE ITSELF?

The 1st session of the 88th Congress ended in a defensive mood. There was no need to apologize about its accomplishments, said Majority Leader **MANSFIELD**.

But that is not the way the public feels about it. All over the Nation there are signs of dissatisfaction with congressional stagnation. Unfortunately, some congressional dignitaries appear to believe the press is to blame for this growing criticism.

Waving his eyeglasses at the press gallery, Minority Leader **DIRKSEN** warned that if confidence in the legislature wavered, democracy's future would be in doubt.

It is true, as has been pointed out, that in discrediting itself, Congress discredits representative government.

The remedy is not, as Senator **DIRKSEN** would appear to believe, for the press to join a conspiracy of silence but for Congress to subject to ruthless self-examination the procedures and customs which have turned it, as Senator **CASE** has ruefully noted, into a national laughing stock.

The most urgent congressional reform is a rule that would insure a vote, after reasonable debate, on Presidential proposals. Congress may vote such proposals up or down. What is inexcusable is a system which permits one man to prevent Congress from registering its views on essential measures.

"How can anyone claim that Congress is carrying out its constitutional responsibilities when fully a fourth of the President's proposals received absolutely no action in the House or in the Senate, or in any committee or even any subcommittee of the House or Senate?" asks Senator **CASE**.

The resolution presented by Senators **CASE** and **CLARK** to study congressional reform was itself a victim of the Senate's built-in tendencies toward paralysis. Although it was reported almost unanimously by the Rules Committee, a single objection kept it from being called up for a vote.

If what Senator **JAVITS** calls "legislative stagnancy" is to be ended, the Case-Clark bill should be given priority consideration, when Congress returns next week.

And that will only happen if the press and the public keep up a drumfire of criticism.

[From the Washington World, Jan. 13, 1964]

THE GOVERNMENT: CONGRESS AT THE CROSSROADS

The Congress of the United States, a great machine in every part as the Nation's founders built it, has reached a point of sharp turnoff to the repair shop. The repairmen, constitutionally and conscionably, must be the Members of Congress itself.

There have come biting, and ofttimes deserved, criticism of languid leadership, of do-nothingism, and, in deplorable, if few, instances of actual corruption. Attacks on dragging leadership in both Houses largely scar the Democrats, because there they hold leadership. But two issues involve Congress, totally.

One is a demand for revision of congressional rules. The other has been termed "the question of morals in Congress," calling up cases involving those twilight zones between legitimate intervention in behalf of constituents (and friends) and improper pressure.

The seniority system determines the chairmen of committees, and most of these chairmen are conservative Southern Democrats. Once elected in one-party districts they are returned again and again to Congress. In their hands is gripped an extraordinary power over the locomotion of measures which are the business of Congress entirely.

Critics continually cry against "an archaic concept of a hierarchical bureaucratic authority" and "an all powerful paternalistic system of dictatorial rule."

Many Congressmen privately have expressed abashment. But no general overhaul of the seniority system or any other function attracting agreement appears in sight. Always sensitive to public discontent over outside issues, Congress clogs its ears more often than not when criticism is beamed at it.

Simply for the ends of good government, if a committee majority favors a bill, it should be reported to the floor for action. But often worthwhile measures are sealed in committee for months—and sometimes for years.

Congress, lawfully, is self-policing on the outside activities of its Members. But, somehow, the guard has been lowered. Just recently, a Member and a former member were convicted of conflict-of-interest crimes. Charges have flown concerning congressional interference with FCC on TV license applications, with Treasury on adverse Internal Revenue Service rulings, and, indeed, with the State Department concerning a housing project loan in Panama.

Hasty conclusions must be avoided. For in an apparatus as gigantic as the Federal Government the separation of honesty from misdeed requires instruments of search and balance difficult to create. But, with all, Congress should bend a listening ear. The criticism it is managing to weather passes beyond the regrettable into a realm where grave harm may easily come.

[From the Philadelphia (Pa.) Bulletin, Jan. 5, 1964]

CONGRESS IS CONFINED IN A STRAITJACKET OF ITS OWN MAKING

(A critical domestic issue as the Nation enters a presidential election year is the lack of forceful and energetic legislation on Capitol Hill. A seasoned Washington correspondent analyzes some of the reasons Congress isn't getting much done.)

(By Arthur Edson)

WASHINGTON, January 4.—What's the matter with Congress?

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LAUGHING STOCK

From within and without, angry words have stabbed, belabored, whacked, belittled.

"Congress is becoming the laughing stock of this Nation," Senator **CLIFFORD P. CASE**, Republican, of New Jersey, said.

"The whole Senate seems to be pervaded by a spirit of lethargy," Senator **THOMAS J. DODD**, Democrat, of Connecticut, complained "Every Senator is becoming a partner in this fiasco."

Representative **H. R. GROSS**, Republican, of Iowa, in discussing a proposed pay increase for Congressmen, said:

"They will be paying themselves for helping to mismanage the affairs of this country."

NOT ALL CRITICAL

Even Senator **GEORGE D. AIKEN**, Republican, of Vermont, the kindly sort who is rarely bitter, finally concluded:

"The country is disgusted with us."

Congress still has its loyal defenders, of course, who insist that by next fall a splendid record will have been made.

But editorials, speeches, articles and books emphasize and expand this theme: Congress can't, or won't, cope with a $100 billion-a-year Government in an increasingly complex world.

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SOME SYMPTOMS

Here are only a few of the complaints put forward by critics:

1. Congress is hobbled by antiquated rules that give the foot dragger too many opportunities to impede legislation.

In its tortuous course toward becoming a law, a bill can be killed in a dozen spots, all the way from a quiet, efficient knifing in the House Rules Committee to a public drowning in a Senate filibuster.

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LEADERSHIP WEAK

3. Congressional leadership now is weak, at least by comparison with predecessors. This complaint stems from the facts of life and death.

On January 20, 1961, Lyndon Johnson stepped out as majority leader of the Senate and into the Vice-Presidency. On November 16 of that year, Speaker of the House Sam Rayburn died.

Not only was each a strong, opinionated leader in his own right; these two friends worked smoothly as a team.

"You might say Lyndon and Mr. Sam both left at the same time," a congressional observer said, "and the result was almost inevitable. They held this place together with baling wire. When they left, it fell apart."

NO HEAD KNOCKING

One great difficulty is that most bills pass the Senate and House in somewhat different forms. These differences must be resolved in a conference committee, then approved by both bodies.

If either the House or Senate refuses to budge toward a compromise, a stalemate is created.

Without Rayburn and Johnson around to knock heads together—so the argument runs—intramural squabbling has reached a distressing low.

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Those who want no part of civil rights legislation, this theory runs, enjoy a logjam that will help keep it off the floor.

As assistant to the Senate majority leader, Senator **MIKE MANSFIELD**, Democrat, of Montana, **HUMPHREY** has no illusions about his job. Until the civil rights issue is resolved, HUMPHREY says, "leaders can implore and deplore, but there will not be much improvement."

STAGECOACH PACE

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The result can be absurd. A Cabinet officer, for instance, may be testifying on problems of supreme importance, but he must be interrupted so Members can attend to what often is listless, nonsensical business in the main Chamber.

It should be remembered, however, that some of the exasperation arises from traits inherent in the democratic process.

Anyone who ever attended a PTA or union meeting knows that in theory true democracy is wonderful. In practice, it can be a monumental bore.

TIMELESS COMMENT

Look at this:

"I am wearied to death with the life I lead. The business of Congress is tedious beyond expression.

"This assembly is like no other that ever existed. Every man in it is a great man, an orator, a critic, a statesman. Therefore, every man upon every question must show his oratory, his criticism, and his political abilities.

"The consequence of this is that business is drawn and spun out to an immeasurable length. I believe that if it was moved and seconded that three and two make five, we should be entertained with logic and rhetoric, law, history, politics, and mathematics, and then—we should pass the resolution unanimously in the affirmative."

This criticism was written by John Adams of the old Continental Congress before the Constitution was adopted.

Despite the requirements of the democratic process, some complaints about Congress could be easily settled by instituting reforms and changes.

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SHOCKING INDICTMENT

During one futile attempt to modify Senate rules Senator CASE, of New Jersey, said:

"If this is not a shocking indictment of the Senate and its practices, procedures, and rules, and acquiescence in being led by the nose by a small bunch of willful men, I do not know what could be.

"And we sit still and do nothing about it. It is a shocking thing. If this does not awaken the conscience of the country to putting some pressure behind the move to change the rules, I shall almost be inclined to despair."

THAT'S NOT EASY

Well, it's hard to build up pressure about anything as technical as a rules change. It is not so much whether the country has become disgusted with Congress; what counts is, is Congress genuinely distressed about itself?

No one is better aware than President Johnson that Congress, jealous of its own powers and rights, looks on a President, any President, as its natural enemy.

[From the Asbury Park (N.J.) Press, Dec. 29, 1963]

THE PRESS BELIEVES PUBLIC WILL APPLAUD SENATOR CASE'S VIEW THAT CONGRESS NEEDS MODERNIZING

Senator CASE is concerned over the inadequacies of the 1st session of the 88th Congress. He suggests that it has marked time for almost 12 months and left a tremendous amount of unfinished business and unsolved problems behind them as they returned home for the holidays. Senator CASE, with Senator JOSEPH CLARK, of Pennsylvania, has introduced a resolution for the appointment of a Joint Committee on the Organization of Congress to make a full and complete study of the Congress of the United States. The committee would be assigned to recommending improvement in the organization of Congress and to simplify its operation. Thus it is hoped that the House and Senate could be pulled from the mire of obsolete rules and procedures and rescued from interminable haggling to the point where it could readily dispose of the business at hand.

Mr. CASE's criticism of Congress probably reflects majority opinion, but it enjoys less than unanimous support. A dissident group contends that in its failure speedily to adopt the late President Kennedy's proposals and in its hesitancy to endorse President Johnson's recommendations, Congress is accurately reflecting the will of the people. They point out that the Founding Fathers intended that Congress should serve as a check and balance on the White House and that legislative supremacy rests with the Congress rather than with the President.

But the criticism voiced by Senator CASE is not aimed specifically at Congress rejections of administration programs. Rather is it directed at the failure decisively to either adopt or scrap such recommendations. As comment quoted by Senator CASE describes the situation, "The scandal of the 88th is not its conservatism but its evasiveness—its refusal to vote 'yes' or 'no' on issues of essential performance."

If a White House proposal is too radical for Congress to swallow, let it reject it. Thus it might reflect the popular will. But we have found no sign of public sentiment calling upon Congress to stall and stumble, to debate itself out of decisions, or to adhere to archaic rules that block effective action.

In this era of war without warning, of instantaneous communications, and of rapidly changing circumstances, prompt and decisive action can be of the essence in safeguarding the security and the welfare of the United States. Obviously a Congress that cannot in 11 months reach a decision on issues of essential importance cannot measure up to this vital assignment. In fact, the sloth and indecision of the 88th Congress probably constitutes the most disturbing problem that confronts this country.

We urge Congress to adopt as its New Year's resolution a resolution providing for a committee to improve its organization and operation. The American people are weary and fearful of vital bills being killed by a single committee chairman who may represent but a scant majority of a backwoods district. And they are alarmed that Congress too seldom is sufficiently forthright to bring important matters to a vote on the floor; that it is inclined to dispose of such issues in the obscurity of committee meetings. The most pressing business before Congress, in other words, is to adopt the reforms that will permit it to do its job.

[From the Camden (N.J.) Courier-Post, Dec. 31, 1963]

WORST FAULT IN CONGRESS RULES

Some of the reforms suggested in congressional procedure may be too radical and might tend to upset the delicate system of checks and balances that is the heart of our Government and has worked so well over our history.

But Senator CASE, one of the leading crusaders for congressional reform, puts the finger on the chief fault of the present rules, one that unquestionably is hurting Congress badly and with it, our whole governmental system.

That is the power wielded by committee chairmen under which they can bury legislation without ever allowing it to come to a vote.

CASE says: "It seems to me incomprehensible that a body of adults would consent to let one of their number have sole power to decide not only whether they pass or approve a measure but whether they would even consider it."

Yet that is the power committee chairmen have in both the Senate and the House. It is seen in its most exaggerated form, perhaps, in the power the chairman of the House Rules Committee has to withhold legislation from the floor even after it has been approved and reported out by the committee responsible for studying and drafting it.

Crusty old Representative HOWARD SMITH, Democrat, of Virginia, chairman of this committee for years past, probably has blocked as much legislation as any Congressman in memory through his use of this defect in the House rules. It is certainly an abuse of power and, as Senator CASE says, it represents an attitude of disdain toward Congress itself as much as toward the executive branch or other backers of the legislation in question.

The House does have a method by which, theoretically, it can bypass a stalling committee chairman and force a bill to the floor, but there are practical considerations that keep it from being used except in rare instances.

Both the House and the Senate need rules that would at least let measures favored by majorities be voted up or down, with reasonable protection for the minorities that oppose them and with provisions that would prevent bills from being rushed through without due deliberation.

Rules ought not to allow committee chairmen to pigeonhole bills because they individually oppose them while the majority of the committee wants to report them to the floor.

This is the second half of the 20th century. The tempo of world affairs is different today from that of our Republic's early years. Congress must adjust itself to conform, much as it may wish the adjustment were not necessary, and painful as it may be in some respects.

[From the Chicago Daily News, Jan. 8, 1964]

PROSPECTS SLENDER FOR LITTLE BAND OF WOULD-BE CONGRESSIONAL REFORMERS

(By William McGaffin)

WASHINGTON.—The U.S. Congress is full of self-satisfied men.

Despite the miserable performance in the session that has just ended, they like thihgs as they are.

There is a little band of courageous souls among the 100 Senators and 435 Congressmen who recognize the urgent need for reform. But they can expect precious little help from the leaders of Congress, or from the President.

If the reform effort they have launched is ever to get anywhere, some concentrated pressure on Congress from the American public may become necessary.

Though its propsects are slender, probably the resolution developed in the Senate by CLIFFORD P. CASE, Republican, of New Jersey, and **Joseph Clark**, Democrat, of Pennsylvania, represents the best immediate hope for getting started on a reform.

This resolution would set up a Joint Committee on the Organization of Congress. Composed of Members appointed from the Senate and the House, it would take a long look at what's wrong with Congress and come up with recommendations to strengthen and improve it.

This avenue of reform is similar to one that produced good results 17 years ago. A joint committee, headed by Senator Robert La Follette, Jr., Republican, of Wisconsin and then Representative **Mike Monroney**, Democrat, of Oklahoma, held extensive hearings in 1945 and 1946. The report it issued led to adoption of the Congressional Reorganization Act of 1946.

Some Members of the House agree with Senators **Case** and **Clark** that it is high time Congress took another look at itself with a view to correcting its shortcomings.

Resolutions similar to the Clark-Case proposal have been introduced in the House by **Florence P. Dwyer**, Republican, of New Jersey, **Charles S. Joelson**, Democrat, of New Jersey, **John V. Lindsay**, Republican, of New York, and **Henry S. Reuss**, Democrat, of Wisconsin.

These, however, are all stuck in the House Rules Committee. Representative **Howard W. Smith**, Democrat, of Virginia, the committee chairman, has refused so far to even give the resolutions a hearing.

Clark and **Case** have done considerably better in the Senate. Their resolution has cleared the Senate Rules Committee and is on the Senate Calendar. The first attempt to bring it up for a vote failed in the closing days of the last session. Now they are planning a second attempt.

No action was taken in December because Senator **Richard Russell**, Democrat, of Georgia, objected when Senate majority leader **Mike Mansfield**, Democrat, of Montana, asked for unanimous consent to take up the resolution.

Case and **Clark** are now considering a private approach to the majority leader to try to get a vote on the resolution early in the new session.

Mansfield has the power to call the resolution up on his own authority. It would then require only a majority vote of the Senate to make it the pending order of business.

Case and **Clark** expect a lull of 2 or 3 weeks early in the new session that they think may give them the chance for action they are seeking.

Meantime, they would welcome organized support from the public in the form of a national citizens association to push for congressional reform.

"I am confident that growing public impatience with the inadequacies of the 1st session of the 88th Congress will force action on our resolution," **Case** said recently.

The Senator said that if he had to pick out one single fault with Congress as an institution, it would be the power that has devolved upon every chairman to bury a legislative proposal referred to his committee or subcommittee.

"It seems to me incomprehensible that a body of adults would consent to let one of their number have sole power to decide whether they would even consider a measure.

"But this is what Congress has given to the collection of people who happen to be chairmen of committees or subcommittees. Once a bill gets into one of these committees, it is dead unless the chairman wants it out."

The key committees are chaired, **Case** pointed out, by a small group of men, largely from one-party States, who reached their powerful pinnacles through the seniority system.

"How can anyone claim that Congress is carrying out its constitutional responsibilities when fully a fourth of the President's proposals received absolutely no action in the last session?" he asked.

The "scandal" of that session, he declared, was its "evasiveness." The Members, he recalled, refused to vote yes or no on issues of great importance.

But many Members like the system, he said, because it enables them to avoid tough questions. They feel that they have a better chance of holding their jobs, he asserted, if they can prevent issues from arising on which they would have to take a stand.

"This is terrible," he said. "Congress does not exist to provide jobs for 100 Senators and 435 Members of the House. If this is allowed to be the apparent purpose of this institution, it is going to destroy itself."

The new attempt at congressional reform may take time to achieve results. But the 1946 committee did establish a precedent, which should make reform easier to sell to the current Congress.

The La Follette-Monroney committee is credited with bringing about some sweeping changes in the internal machinery of Congress.

The number of standing committees was reduced from 81 to 47. Professional staffs were provided congressional committees for the first time. The Legislative Reference Service of the Library of Congress was expanded. The Office of Legislative Counsel was strengthened to improve the facilities for drafting bills.

But there were a number of areas that the La Follette-Monroney committee did not touch. Monroney, a congressman 17 years ago, is now a Senator. But for some reason he does not seem nearly as interested in congressional reform these days.

It is **Clark** and **Case**, and a few others in the Senate and House, who are citing the dismaying record of the last session as vivid evidence of the need for Congress to have another go at itself.

[From the Philadelphia (Pa.) Bulletin, Jan. 7, 1964]

Ol' Man Congress Jus' Keeps Rollin' Along

(By Inez Robb)

New York.—It has been some time since I have seen copies of Hobo News, Variety, my sorority's house organ and the Phi Beta Kappa Quarterly. But it is dollars to doughnuts that within recent issues all four have, in one way or another, put the blast on Congress.

If not, they are the only publications in the United States that have failed to throw a roundhouse punch at Congress within the past 4 or 5 weeks. Never before have so many tossed so much at so few. And now, as the 88th Congress begins its 2d session, never have so few been so disdainful of so much criticism from so many constituents.

Like Ol' Man River, Congress jus' goes rollin' along, impervious to demands for action, speed, modernization, or reform. It is as delighted with its own image as was Narcissus, who pined and died of self-love.

TWO THUNDERERS

Strong hints that this could be the fate of Congress pop up in magazines and newspapers of every shade of Democratic and Republican opinion.

The old Saturday Evening Post recently cried: "The Congress of the Unted States is in deep trouble. More than ever before, the public attitude toward Congress is a mixture of indifference, amusement, and contempt. * * * When the citizens of a democracy begin to hold their legislature in contempt, democracy is itself in danger. Never before in history has Congress talked so much to accomplish so little."

TIMES COMMENT

The New York Times was equally emphatic when it editorialized:

"Unless it responds more vigorously to the country's needs in a 1964 session shortened by the exigencies of a presidential campaign, this Congress will be remembered chiefly for the damage it did to public confidence in the legislative process."

Congress listens to absolutely no one, not even its own Members who have been urging congressional self-reform for years. Senator **Joseph S. Clark**, Democrat, of Pennsylvania, and Senator **Clifford P. Case**, Republican, of New Jersey, have been trying to get the Legislature to brace up, modernize its procedures and reform.

But if the Messrs. **Clark** and **Case** were King Canute and Congress were the sea, the new broom the two Senators propose to wield could not be more futile. Only Congress can remold itself, and its urge to self-reform is approximately that of a self-confident chorus girl who has just received her fifth diamond necklace with mink coat to match.

[From the Bayonne (N.J.) Times, Dec. 27, 1963]

Brushoff From Congress

(By Peter Edson)

Washington.—One word from L. B. J.—and Congress does as it pleases.

Which proves once again that the cowboy who can tame that critter hasn't yet been born.

A lot has been written and spoken about how the new President is a great operator on Capitol Hill. This is based on his record as Senate majority leader during the Eisenhower administration.

The late Sam Rayburn was Speaker of the House in those 8 years, and the two Texans made a good team.

During the Kennedy administration, however, while Vice President Lyndon Johnson was Senate Presiding Officer, the record of legislative accomplishment was not so good.

This can't all be blamed on the Vice President. He sat in on White House conferences with congressional leaders. But he wasn't directly responsible for running the law-making machinery. And he was out of town or out of the country much of the time on business for the President.

In the 87th Congress, first 2 years of the Kennedy administration, White House aids maintained that Congress enacted three-fourths of the President's requests. Independent checks were never able to put the count above half, even though there were some notable accomplishments.

This year Senate Majority Leader **Mike Mansfield** claims that Congress passed more than 60 percent of President Kennedy's 137 message recommendations and requests.

Senators **Joe Clark**, Democrat, of Pennsylvania and **Clifford Case**, Republican, of New Jersey, pushing congressional reform because of its do-nothing record—say that over a quarter of Kennedy's more than 400 requests never received any consideration.

And the number of Presidential recommendations approved—85 by the Mansfield count—will not total 50 percent.

This poor showing is attributed to the President's opposition in both parties. His opponents did not like either his foreign or domestic policies and they made him their personal whipping boy over Cuba, South Vietnam, civil rights.

When Johnson became President, the assumption was that this would change because the new man was an old hand with Congress and knew how to get what he wanted.

His first prorities were civil rights and the tax bill—the same as Kennedy's. Neither one is being passed this year.

The President approved a discharge petition to get the civil rights bill out of the Rules Committee. It failed for lack of both Democratic and Republican support, in spite of the fact that GOP House Leader CHARLIE HALLECK was invited to the White House for breakfast.

Another breakfast for HARRY BYRD of the Senate Finance Committee has failed to speed up the tax bill.

Meanwhile, Johnson's insistence on Pentagon cutbacks and economy in all other departments of Government, while unquestionally sincere, are somewhat meaningless because next year's budget is going to be close to if not over $100 billion for the first time in history, despite everything anybody can do to prevent it.

The new President has made efforts to get new farm legislation to prevent a farm income drop next year. He has moved in to reorganize the faltering Alliance for Progress in Latin America. He is here, there and everywhere, promoting a 75-million job economy, protecting consumer interests, trying to abolish poverty.

He has tackled everything except oil, which—being a slippery substance in his home State of Texas and elsewhere—he has turned over to Secretary of Interior Stewart Udall.

He still has his first miracle to pass in Congress.

[From the Elizabeth (N.J.) Journal, Jan. 7, 1964]

CONGRESS HAS NEED FOR CASE PROPOSAL

(By Peter Edson)

WASHINGTON.—Unfinished business of the 1963 session of Congress is far greater than what it accomplished, in spite of the long run and late finish.

If President Johnson's state of the Union message lists nothing more than what remains undone, the 1964 Congress will have all that a short, election-year session can handle.

It isn't just the new year hangover headaches of civil rights and tax cut that will take up the time, either. Another troublemaker that could develop a massive snarl is medical care for the aged under social security, on which only preliminary House Ways and Means Committee hearings have been held.

Then there are the $750 million bill for matching grants to the States to develop mass transit plans, and the Youth Conservation, and National Service Corps bills. They have passed the Senate, but are tied up in House committees.

Three conservation measures of importance are the 6.8 million acre wilderness preservation bill, river basin planning and a bill to finance development of land and water resources for State and Federal recreation facilities.

While Congress did pass major acts for college construction, vocational education, and medical schools, Federal aid for elementary and secondary schools and teacher training still have to be considered in the new year.

BUDGET MAJOR BATTLE

If the railroads and their train operating unions fail to settle their differences by February 25, under the compulsory arbitration award procedure set up by Congress, another law may have to be passed to prevent a strike.

Hearings have been completed on general transportation reorganization, but both Senate and House must act.

President Johnson's major battle with the 2d session of the 88th Congress will be over the budget. If it takes Congress as long to approve appropriation bills in 1964 as it did in 1963, there will have to be an extra session after the Republican and Democratic nominating conventions.

One of the worst problems in next year's budget will be appropriating money for new programs approved in 1963 on college aid, mental retardation, vocational education, increased military pay. This is what may run the total up to, if not over, the $100 billion mark.

It's the bills that one branch of Congress has approved, but not the other, which cause most confusion.

The Senate has approved a $455 million extension of the area redevelopment program. The House killed it, however, and may have to reconsider its decision as was done on the 1-year Mexican migrant labor legislation extension.

CASE OFFERS REMEDY

It is hard enough getting these things through Congress once, without having to go through the process a second time.

Passed by the House but awaiting Senate action are: A cotton bill to subsidize U.S. textile mills, fallout shelter construction, stricter requirements on hiring and firing Government employees in sensitive national security jobs.

Still other Kennedy programs on which there has been little or no action include: District of Columbia home rule, food stamp plan, extension of Hill-Burton Hospital Construction Act, immigration amendments, making permanent the temporary extended unemployment insurance benefits.

What all this points up again is that there should be further consideration of the Senate's Clark-Case resolution to set up a commission for the study of congressional reorganization. But even without this there are several separate, specific reform plans worthy of consideration.

Passed by the House but awaiting Senate action are:

A bill for stricter regulation of congressional travel abroad and expense account reporting.

A ban on back-door spending to end the financing of Government agency programs by borrowing from the Treasury.

Passed by the Senate but awaiting House action is a meritorious proposal to set up a Joint Congressional Committee on Federal Budget. It would eliminate duplicate hearings on money bills and save much time for everyone in Government.

The record of the next session of Congress will determine in large measure what action can be taken on the plan to raise the salaries of Congressmen, judges and top officials.

This year's precedent should apply: No good work, no raise.

[From the Washington World, Jan. 20, 1964]

MANY CONGRESSMEN ASKING FOR REFORMS

Within both Houses of the legislative branch, three proposals have been made to establish study groups which would make recommendations to Congress for "reforms." Procedure would be similar to that followed in 1945–46 when Congress established a joint House-Senate committee to study reorganization and which reported the Legislative Reorganization Act of 1946 (the La Follette-Monroney Act).

A bipartisan group of 30 Senate liberals, headed by Senator JOSEPH S. CLARK, Democrat, of Pennsylvania and including Majority Whip HUBERT H. HUMPHREY, Democrat, of Minnesota and Minority Whip THOMAS H. KUCHEL, Republican, of California, has introduced a resolution (S. Con. Res. 1) to establish a Joint Committee on Organization of Congress, to comprise seven Senators (4 Democrats, 3 Republicans) and seven Representatives (4 Democrats, 3 Republicans) who will make a "full and complete study of the organization and operation of the Congress," and recommend any needed reforms. It would study among other things the "organization of each House, their interrelationship, Congress' relationship with other branches of the Government, the employment and remuneration of congressional employees and Members, the structure of the various standing and special committees, rules and parliamentary procedures, practices and/or precedents in both Houses and the consolidation and reorganization of committees and their jurisdictions.

Senator CLIFFORD P. CASE, Republican, of New Jersey, a cosponsor of the Clark resolution, also has introduced a bill (S. 177) to establish a Hoover-type commission on congressional reorganization, composed of three Senators, three Representatives, and six non-Congressmen appointed by the President. The commission would be bipartisan (seven Democrats, five Republicans) and would study organization, including scheduling measures for consideration and action; structure, staffing and operations of committees; workload of Congress and committees; rules and floor procedures; conflicts of interest of Members; terms of office; communications, travel, and other allowances of Members; financing of election campaigns; appointments of postmasters and service acadamy candidates; legislative oversight; fiscal reform and lobbying.

In addition to Senator CASE's ambitious proposal, Representative Henry S. REUSS, Democrat, of Wisconsin, Representative JOHN V. LINDSAY, Republican, New York, and nine other House Members have introduced identical bills (H.R. 1947 through 1957) to establish a commission on congressional organization, to consist of seven Senators (four Democrats, three Republicans) and seven Representatives and Presidential appointees.

[From the Allied Industrial Worker, January 1964]

CONGRESS: IT MUST REFORM—DECLINE OF CONGRESS STIRS CITIZEN DEMAND FOR RULES CHANGES

Reform of Congress can no longer be put off. The time for action, not words, has long since passed.

The performance of the 1st session of the 88th Congress, which finally came to a close in late December after the longest session since the Korean war, has made it clear to all reasonable men that something must be done—and fast—to overhaul our legislative process to meet the demands of a nuclear world.

The listless 1963 session which had pitifully few achievements despite its record length may, however, ironically accomplish more by its lack of action than it could have achieved by attacking the problems it faced.

By its shameful disregard of duty, the 88th Congress has stirred up a vast outcry among American citizens demanding a reform of our congressional system. Throughout the land, many average citizens have rallied behind Senator JOSEPH CLARK, Democrat, of Pennsylvania, and other liberal Congressmen in their demands for a change in the status quo.

Newspapers, magazines, radio, and TV stations, the entire mass media and even including some conservative groups, have been stirred by what the Washington Post has described as the decline of Congress.

One knowledgeable expert in the field of politics commented recently in all sincerity that he feared for the safety of American democracy. And he wasn't talking about the threat of communism or the Bobby Baker scandal, although they are real enough threats.

He was talking, instead, about the respectable ways in which our democratic processes have been and are being corrupted so as to prevent the will of the American people from being carried into effect.

Just a year ago, Senator CLARK was pretty much a lonely voice when he indicted what he called the Senate Establishment. But since then, many of his colleagues have joined in self-criticism.

"Congress is becoming the laughing stock of the Nation," commented Senator CLIFFORD CASE, Republican, of New Jersey.

"The whole Senate seems to be pervaded by a spirit of lethargy," lamented Senator THOMAS J. DODD, Democrat, of Connecticut. "Every Senator is becoming a partner in this fiasco."

Even kindly Senator GEORGE D. AIKEN, Republican, of Vermont, who is rarely bitter, said: "This country is disgusted with us."

Representative H. R. GROSS, Republican, of Iowa, in discussing a proposed pay increase for Congressmen, added:

"They will be paying themselves for helping to mismanage the affairs of this country."

The results of a Louis Harris poll released early in January confirmed what these Congressmen feared. The poll indicated that the American voters are indeed in revolt against our sick, sick Congress.

By nearly 2 to 1, the public registered a vote of no confidence in the job of the 88th Congress. The poll also revealed that a clear majority, some 64 percent, want the Kennedy program passed.

DEFECTS IN SYSTEM

The 1963 record of the 88th Congress clearly illuminates the defects in the system. Although Congress did inaugurate three major new domestic programs—aid for construction of public and private colleges, a Federal program to attack mental illness, and medical school construction aid and medical student loans—it will be most remembered for what it didn't do.

The Congress failed to bring the civil rights bill to a vote in either House despite the greatest public support for this type of legislation in our history. Despite the fact that President Kennedy proposed it back in the summer of 1962, the tax reduction bill has completed only half its legislative journey 18 months later and the tax reform proposals have been emasculated.

Medicare and general school aid did not get out of committee. Unemployment compensation reform and minimum wage expansion were not even considered.

Congress wasted an enormous amount of time passing three simple debt-limit bills. The wrangle over foreign aid, which should by now be relatively settled policy, went on for weeks. Routine financial authorization bills were not passed until December, 6 months after the new fiscal year began, hamstringing Government agencies in their day-to-day activities.

All this happened in spite of the fact that we had an extremely popular President who had overwhelming majorities in each House. How could this be, many people asked themselves * * *.

There are a number of reasons. We shall list the important ones and label them the "roadblocks to liberal legislation."

1. THE POWER OF COMMITTEE CHAIRMEN

The Congress is run by committees. Congressional committees dominate legislation and congressional policy. They demand more time from a Member than any other aspect of Congress. Senator HUBERT HUMPHREY, Democrat, of Minnesota, estimates that 90 percent of the legislative work of the Senate is done in committee.

Committees are also a major source of personal power and status. Committee chairmen are all powerful as we shall show you later.

During the last attempt to reform Congress in 1946, the number of committees was sharply reduced—48 House committees being consolidated into 19 (now 20) and 33 Senate committees into 15 (now 16).

These committees are delegated powers by their parent bodies and, in theory, can be relieved of these powers. In practice, however, they operate just as their chairmen decides he wants to. Thus, the Senate and House have actually abdicated responsibility over legislation to the committees and their chairmen.

This is particularly true in the House where seldom is major legislation ever considered on the floor. Anyone who is not on the particular committee which handles the bill is therefore given no chance to speak on the measure or offer an amendment.

Because of seniority, southern conservatives from safe districts have been able to control most of the committees—including all of the important ones—for many years.

Southern Senators now hold the chairmanship of 10 of the 16 standing committees; southern Representatives are chairmen of 12 of the 20 House standing committees.

The chairmen wield enormous power. They call committee meetings, arrange the agenda, decide what proposals will be considered by the committee, screen individuals to testify and appoint subcommittees.

A committee chairman who does not support his party's program, such as the two most powerful men in the Congress, Representative HOWARD SMITH, Democrat, of Virginia, chairman of the House Rules Committee, and Senator HARRY BYRD, Democrat, of Virginia, chairman of the Senate Finance Committee, can arbitrarily delay or bury legislation he personally opposes. He can (SMITH and BYRD often do) even refuse to call committee meetings or hearings on a bill he opposes.

2. POWER OF THE HOUSE RULES COMMITTEE

An excellent example of the misuse of power by a committee chairman can be found in the House Rules Committee. This unit is the traffic controller for House business. It has charge of bringing most major legislation to the floor of the House for discussion and vote.

Since some 10,000 bills are introduced into Congress each year, it is easy for the committee and Chairman SMITH to "forget" about a bill they don't like such as the civil rights bill now buried there.

The Rules Committee also sets the rules under which bills may be debated. It can even demand that a bill be changed before being permitted to reach the House floor. Moreover, if the Senate and House have passed different versions of a bill, the Rules Committee has often prevented it from going to a Senate-House conference committee.

SMITH, 79, who has headed the Rules Committee for the past 9 years, supported President Kennedy only 45 percent of the time during the entire 87th Congress. He supported Republican President Eisenhower 53 percent of the time in the 86th Congress.

BYRD, 75, has also headed the Senate Finance Committee since 1955. He supported Mr. Kennedy only 28 percent of the time in the last Congress, but supported Republican Ike 53 percent of the time in the 86th Congress.

In an effort to give the majority a stronger hand in the actual operation of Congress, the House Rules Committee was expanded last year from 12 to 15 members. This enabled the Democratic leadership to appoint two additional liberal members to the committee. One Republican was also added.

This move, however, does not affect the basic powers of the committee chairmen.

As many liberals have been pointing out for years, we really have a three-party system in Congress, Republicans, Democrats, and the conservative coalition.

3. POWER OF THE CONSERVATIVE COALITION

The conservative coalition is a band of southern Democrats and Republicans which operates both in committees and on the floor of the Congress to block, weaken, and often defeat progressive legislation.

In contrast, while Republicans do not always vote in a block, usually only a handful of GOP Congressmen desert the party on major issues.

The backbone of the coalition is a group of southern Senators and Representatives who run without effective opposition so they are assured reelection year after year. These conservatives are not responsive to the needs of the working people and they are politically untouchable until a two-party system emerges in the South.

The coalition forms on such issues as Federal spending, State versus Federal powers, labor and wage legislation, aid to education, and other social benefits (such as medicare), civil rights issues, and foreign aid.

In the 88th Congress, even though few major bills reached a vote, the coalition was credited with rejecting additional spending authority for the Area Redevelopment Administration, cutting the foreign aid authorization, reducing the funds for manpower development and training programs, and limiting the scope of the proposed National Service Corps.

The coalition is able to display power way beyond its size in Congress because of the seniority system. The filling of vacancies on committees is determined by seniority, thus the committee member with the longest uninterrupted service on a committee becomes the chairman. It is easy to see that this system is particularly advantageous to the southern Members who are returned year after year.

4. BLIND DEVOTION TO SENIORITY

This devotion to strict seniority gives committee chairmen tremendous power, often at a doddering age when they are least able to handle it.

Under civil service regulations, our Government requires all employees to retire at the age of 70. Congress puts no such restrictions on itself despite the mental and physical strain on its Members.

Senators RICHARD B. RUSSELL, ALLEN J. ELLENDER, OLIN D. JOHNSON, and JOHN L. MCCLELLAN, all southern Democrats, have served as committee chairmen during the administrations of Presidents Truman, Eisenhower, Kennedy, and Johnson.

In the House, Representative CARL VINSON has been chairman of the Armed Forces Committee for 32 years, since the Hoover administration. (Have you ever noticed how many military installations are located in his home State of Georgia?)

Representatives John L. McMillan, Brent Spence, who retired recently at the age of 89, and Clarence Cannon, headed committees under Roosevelt, Truman, Eisenhower, and Kennedy. MCMILLAN and CANNON continue to serve under President Johnson.

Defenders of the system contend that it honors experience. The system also tends, however, to elevate mediocrity because the only way to get ahead in Congress is by getting elected—again and again and again.

Prof. James McGregor Burns points out that a man from a "safe" district "can expect steady promotion to the top councils of the congressional party, regardless of merit. No other major Western democracy rewards its politicians with so much power for so little relevant accomplishment."

Legislators who buck the establishment find, however, that the seniority tradition can be discarded. Senator CLARK recently charged that of 14 Senators with more than one 6-year term behind them who voted in favor of filibuster reform, only 1, Majority Leader MIKE MANSFIELD, received his first choice on committee assignments.

On the other hand, of the eight nonfreshmen Senators who voted with the establishment on this issue, six received their first choice on committee assignments.

5. SENATE FILIBUSTER

Of all the weapons used by the minority to thwart the majority in Congress, the Senate filibuster is probbaly the most flagrant and flamboyant.

Under the rules of the Senate, debate can only be terminated under rule 22 by two-thirds of those present and voting. And with the conservative coalition to contend with, this is almost impossible.

Efforts have been made to change rule 22 to adopt cloture (cut off debate) by three-fifths vote or a majority vote, but to date have not been successful.

Since there is no germaneness rule in the Senate, during the filibuster legislators may discuss anything they wish. Senators have been known to read pages from the Bible and discuss almost any subject during their endless speeches.

These filibusters do not always work, but even when they fail, many days, sometimes weeks, of valuable time is lost.

6. OVERREPRESENTAION OF RURAL AREAS

Today, 70 percent of our citizens live in cities or suburbs. The problems that affect these people who live in the ubran areas are not of primary concern to Congressmen who represent conservative rural areas.

And since the majority of States have not reapportioned their congressional districts to reflect the changing population pattern, the rural areas are overrepresented in Congress.

According to Congressional Quarterly, the respected Washington news service, there are 203 "rural" seats in the House and 50 "suburban" seats. Another 79 seats lacked any predominant characteristic and were listed as mixed.

It is not hard to understand why Congress has generally not been responsive to the problems of urban areas where nearly three-quarters of our population lives.

7. LACK OF LEADERSHIP

There is little doubt that current congressional leadership is weak, at least in comparison with its predecessors.

On January 20, 1961, Lyndon Johnson stepped out as Democratic leader of the Senate and became Vice President. Later that year on November 16 Speaker of the House Sam Rayburn died.

Not only was each a strong, opinionated leader in his own right, but they were great friends and worked smoothly together as a team to push legislation through both Houses.

Without Rayburn and Johnson around to knock heads together if necessary to get action in the past session, the Senate and House have many times stalemated over bills and intramural squabbling has reached a distressing low.

Mild-mannered **Mike Mansfield**, majority leader of the Senate, has not or won't get tough as Johnson did on occasion to get things moving.

On the other side of the Capitol, House Speaker **McCormack** has refused to exercise any leadership in his post. There is no doubt that the House Speaker has little constitutional power, but the post can be effective—as it was under Rayburn—if the man that fills it asserts himself.

SUGGESTED REFORMS

First and foremost, as the dean of Washington columnists, Walter Lippmann has pointed out—the rules of Congress must be changed to provide some way to bring the President's proposals to the floors of Congress "by some specified date or within some specified time" after he has submitted them for consideration.

The President heads one of the three major branches of our Government and is a vital cog in what Americans like to call "the balance of power." The balance ceases to exist, however, if another branch can hogtie the Executive by refusing to consider his program.

It is one thing for Congress to vote a Presidential proposal down, it is another for it to refuse it a vote at all.

Under the British system such a stalemate is impossible. There the controlling party's program is put to a vote. If it fails passage the party can often be forced out of power by a vote of no confidence. But action is taken on the party's program one way or another.

SPECIFIC PROPOSALS

The most frequently considered congressional reform—almost a perennial issue in the Senate—is a change in rule 22 which requires concurrence by two-thirds of those present and voting to invoke cloture, that is, to limit debate.

Other proposals are designed to place Senate debate under ground rules similar to ones governing the House, which has a rule of germaneness and permits inserts of unread speeches in large type in the **Congressional Record**.

Proposals to strip the House Rules Committee of some of its power include a rule which would allow committee chairmen to call up on the floor bills approved by their committees which have been before the rules unit for 21 days, require the Rules Committee to clear a House-approved bill for conference with the Senate within 7 days, deprive the committee of the power to require changes in the language of the bill as a condition for granting it clearance, require the committee to develop rules of procedure and print a calendar, assign only majority Members to the committee, and reduce the number of names needed on a petition to discharge a House committee from consideration of a bill.

A majority of the Members, some 218 names, is now required on a petition. This is about the only method Representatives now have to force a bill out of the Smith committee, but it is a very difficult, cumbersome procedure.

A 21-day rule was adopted in the 81st Congress and was in effect from 1949 to 1951, but it was then eliminated by a coalition of Republicans and southern Democrats.

Proposals to improve the operations of committees include the following:

(1) Require all committees to adopt and publish rules; (2) provide a "bill of rights" for committees which would permit a majority of the members to convene meetings, consider matters in the committee's jurisdiction, and end debate—prerogatives frequently reserved by the chairmen; (3) joint hearings by parallel House and Senate committees; (4) eliminate overlapping jurisdictions; (5) and print minority views on substantive legislation.

Proposals to modify the strict seniority system include allowing the party caucuses to elect committee members without following the seniority rule of thumb, permit a majority of the committee to elect the chairmen by secret ballot, and provide an age limit of 70 for chairmen.

Other reform proposals center on the need for better scheduling of the workload on Congressmen. The demands on a legislator's time and talents have increased manifold in the mid-20th century.

New problems of a space age, new international responsibilities, automation, peaceful and belligerent uses of nuclear power, all face Congressmen already tackling increased constituent demands and election problems.

Congress must now oversee 2,500,000 Federal employees, 2,300 executive departments, agencies, bureaus, etc., and a Federal budget of around $100 billion, plus $56.3 billion invested in trust funds.

To handle this vast job, Congress is organized into 300 committees and subcommittees, employs 23,055 workers, and has an operating budget of $155 million.

Longer sessions in recent years have even denied Members normal family life, vacation time and opportunities to return home for politicking and other business.

Proposals have been offered to improve the scheduling, set up definite holidays on which legislators could plan speaking engagements and a 1- or 2-month summer recess.

Senator **Mike Monroney**, Democrat, of Oklahoma, who as a House Member helped write the 1946 Reorganization Act with the late Senator Robert La Follette, Republican, of Wisconsin, believes that some 20 to 40 rules changes are needed.

Senator **Clark** plumps for at least 140 to 160.

A group of House Democratic liberals have launched a long-range campaign aimed at reform. As a first step, they named a 15-member campaign committee headed by Representative **Richard Bolling**, of Missouri, to raise money to elect more liberals next November.

Their aim is to raise $50,000 and throw $1,000 into 50 districts where liberal Democrats seem to stand a chance to win over Republicans.

If they succeed, they would move in the party caucus next January to try to purge or at least keep in line the committee chairmen. As a minimum program, the liberals talk of denying committee assingments and patronage to any party member who bolts the national ticket in 1964.

If they succeed in electing all or most of the 50 liberals, they may even move to break the seniority system altogether and transfer to the caucus—acting with the speaker—the power to appoint committee members and chairmen without regard to seniority.

Among their leaders are Representatives **Chet Holifield**, of California; **John A. Blatnik**, of Minnesota; **James Roosevelt**, of California; **Frank Thompson, Jr.**, of New Jersey; and **Bolling**. The latter is a former top lieutenant of Speaker Rayburn.

In any case, with the average citizen finally aroused by the lethargy displayed by the 88th Congress, congressional reform may very likely be a major issue in the 1964 election campaign.

The 1963 session, as the Washington Post pointed out, "has demonstrated that Congress is the real problem child of our Federal system" and it again must be made "an instrument of popular government instead of an obstruction to it."

Senator **Case** probably described the problem best last year after his vain attempt to modify the Senate rules when he said:

"If this is not a shocking indictment of the Senate and its practices, procedures, and rules and acquiescence in being led by the nose by a small bunch of willful men, I do not know what could be.

"And we sit still and do nothing about it. It is a shocking thing. If this does not awaken the conscience of the country to putting some pressure behind the move to change the rules, I shall almost be inclined to despair."

The Washington Post: "The 1963 session has demonstrated that Congress is the real problem child of our Federal system. It has not kept pace with either the executive branch or the Supreme Court in its adjustment to the demands of modern government.

"Its rules and procedures are outmoded and unequal to the legislative requirements of a great world power. Its meager achievements in the last year stand as a warning to the country of serious trouble ahead unless Congress can be made an instrument of popular government instead of an obstruction to it."

The Louisville Courier-Journal: "The Nation looks to Congress for action, not merely in honor of a fallen leader, but in respect for the reputation of Congress itself and its historic place in the American system of government. Cynicism about a legislative body that talks but does not act, that obstructs but does not lead, is a sign of ill health in our democracy."

The Milwaukee Journal: "In the United States a few elderly and perverse men can obstruct the strongest of Presidents. The greatest office on earth can be frustrated by a single individual elected by a few thousand persons. The Nation's business can be brought to a dead halt, and sometimes is, by pure pique on the part of a senior Congressman.

"The Nation can no longer tolerate the risks inherent in such an illogical situation."

Columnist Walter Lippmann: "We have here in its American form the critical disease of democratic government, namely the paralysis of the executive by the elected assembly. Democratic government based on the popular election of representative assemblies is a difficult form of government, and the great majority of mankind has never enjoyed it. * * * "The system did not work when slavery was at issue, and there are serious reasons for asking ourselves whether the system, as it exists today will be able to cope with the world as it is in the middle of the 20th century. * * * A government in which the chief executive cannot induce the legislature to consider his proposals is dangerously weak."

Congressional Quarterly: "A proposal to reform Congress is not a radical idea, nor is it a recent development. Congress has been undergoing change since it first convened in 1879. In fact, many of the current suggestions have precedents in the past, or are in reaction to changes made in earlier Congresses.

"The only reforms in the structural organization made in the past three decades, however, were made in 1946 in the La Follette-Monroney Act."

[From the New York Times, Jan. 13, 1964]

President and Congress

The struggle for power between the executive and legislative branches of the American Government is even older than the Constitution of the United States. It began as soon as the original 13 Colonies chose a Continental Congress.

That Congress, true to later form, was convinced that it knew better than George Washington how to direct the strategy of the Revolutionary War. It even threatened on one occasion (the Conway cabal) to displace Washington as commander. Years later Congress attempted to take over an immense executive responsibility (in this case, a responsibility of Abraham Lincoln's) when the Committee on the Conduct of the War was established in 1861.

These are extreme instances, but they dramatize a contest which goes on almost uninterruptedly and of which we had our most recent example in the dispute over the President's power to negotiate the purely administrative details of the sale of American wheat to Russia.

The real measure of the present rivalry for leadership between Executive and legislature is to be found in the record of the first session of this same Congress which reconvened last Tuesday. To this Congress President Kennedy had recommended, among other things, a plan for tax reduction and reform, a new civil rights bill, a program of medical care under social security and various measures dealing with area redevelopment, mass transportation, civil defense, youth employment, SEC amendments and the establishment of a conservation fund. Though Congress was in session for 356 days—the fifth longest session in history—no time could be found to take action on any of these proposals.

What is most disturbing in this record is not that the judgment of Congress failed on all these measures to agree with the judgmen of the Executive. There are and always will be instances in which the collective judgment of Congress is better than the collective judgment of the President and his advisers. The really disturbing fact is that even in a very long session not one of these measures was permitted to come to a conclusive vote in the House and Senate. Congress, in short, simply ignored the necessity of Presidential leadership.

If the American system of democratic government is to cope successfully with the great new problems of the modern world, surely the minimum safety requirement is an assurance that proposals made by an American President will at least be brought to a congressional vote—up or down—within a reasonable period after these proposals are submitted. This could be accomplished, in the House, by a revival and improvement of the "21-day rule." It would need more heroic treatment in the Senate to curb King Filibuster. But unless changes of this kind are made, unless the procedures of Congress are modernized, we seem certain to face increasingly grave dangers of drift and indecision.

[From the Washington Post, Jan. 18, 1964]

The Public Is Disenchanted

(By Roscoe Drummond)

Since the invention of scientific polling, no Congress has ever received such low grades from voters as this 88th.

Consider the shocking fact that while 80 percent of the Nation feels that the President of the United States is doing a "good job," 65 percent of the Nation feels that the Congress of the United States is doing a "bad job."

The public's low estimate of Congress has been getting continuously lower as the record of Congress has been getting continuously slower—and sterile. Last October the unfavorable opinion had reached 59 percent—high enough as a warning signal. But at the beginning of 1964 the graph line of congressional popularity shot down six more points.

Even when you shake out all of the inflationary factors in the President's remarkable popularity and in Congress' massive unpopularity, it is still very significant that the President stands so high and the Congress stands so low.

What's behind this tremendous disparity? These polls do not measure the public's feeling about all the actions of the President and Congress. They measure the sum-total impression of how each is doing. The polls mean that the voters overwhelmingly believe the President is doing his job effectively and responsibly and that the Congress is doing its job ineffectively and irresponsibly.

In a word, the nationwide verdict is: The President is doing his job. Congress is not doing its job.

President Johnson got to the root of the matter in his state of the Union message when he said:

"Here in Congress, you can demonstrate effective legislative leadership by discharging the public business with clarity and dispatch—voting each important proposal up or voting it down, but at least bringing it to a fair and final vote."

The reason the country strongly approves President Johnson is because it believes he is doing his job diligently. The reason the country strongly disapproves the record of Congress is not because it dislikes the little it has done but because it believes that Congress has dallied, delayed, or failed to deal—for or against—the major issues.

Senator Clifford P. Case, Republican, of New Jersey, makes the issue clear.

"At the end of the last session, there had been no consideration whatsoever—not a hearing or a vote of any kind—on fully 25 percent of all the proposals made by the administration. There was no active consideration of these proposals by a subcommittee, committee, or, much less, the full House or Senate. This is not to argue that all or any administration proposals should be enacted into law. It is to argue that there should be a vote up or down on these issues. One man, as chairman of a committee or subcommittee, should not have the power to bottle up a hill entirely."

There is the core of the matter. The rule of the few in Congress has substantially replaced the power of the majority. As a result Congress was not allowed to vote on 14 major administration bills—from tax cut to civil rights, from medicare to aid to public schools.

Fortunately Congress has before it resolutions calling for a thorough study of its procedures for transacting the public business. In the Senate the sponsors are Senators Case, Republican, and Joseph Clark, Democrat, of Pennsylvania, and in the House, Representatives Thomas Curtis, Republican, of Missouri, and Chet Holifield, Democrat, of California. They have wide bipartisan support—except from the most powerful. Their purpose is to offer proposals to enable Congress to do its job diligently and efficiently and responsibly.

The public by a vote of 2 to 1 says such reform is badly needed. It will be interesting to see what Congress says.

[From Newsweek, Jan. 20, 1964]

Walter Lippmann: A Critique of Congress

There is a greater business before us than the tax bill or even than a civil rights bill, and that is to think seriously about the problem of making the American system of government work in the kind of world we live in. During 1963 American political institutions have gone through a serious ordeal.

The assassination of President Kennedy put them to the fundamental test, which is whether a government can survive a terrible blow and can continue and can carry on. The test was met with resounding success. Thanks above everything to Mr. Kennedy's choice of his running mate in 1960, the country is carrying on smoothly. But the grim truth is that we are now left quite unprepared were another calamity to befall us. After Mr. Johnson there remains no satisfactory or qualified line of succession. For the next 12 months, at home and abroad, the highest interests of the Nation depend upon a prayer's being answered—that the President will be invulnerable to the ills that mortal men are heir to.

This dangerous situation would not exist were it not that the Congress of the United States has neglected to do its duty. Under the Constitution it is the duty of the Congress to provide against a vacancy in the Presidential office, whether the vacancy occurs because the President dies or because he is disabled. How a vacancy shall be filled ought not to be left to chance, and to private arrangements by the doctor, the family, and officials, as it was when Garfield and Wilson and Eisenhower were ill. The duty of dealing with a vacancy is confided to Congress by article II of the Constitution.

In the case of the death of a President and of the Vice President, the Congress has, to be sure, provided a line of succession through the Speaker of the House. But this has placed in the line a politician who has never considered himself, and has never been considered by anyone else, a possible President of the United States. Yet unsatisfactory as this is, the case of a disabled President is even worse. There is no provision made by the Congress as to who is to decide when a President is disabled permanently, as was Garfield, or partially, as were Wilson and Eisenhower. This failure of Congress is a dereliction of duty which could cost the country dearly.

The last year of the Kennedy administration was clouded by the deadlock between the Congress and the Presidency. Before President Kennedy's death, Congress had developed a habit of smothering and strangling measures it did not like before they could come to a vote. I have seen this defended on the ground that so many of the Kennedy measures were in advance of their time. I have also heard it praised on the ground that the Kennedy measures were undesirable and should not have been passed. It has also been said that since there has been so little public outcry, the Congress was in its fashion expressing the will of the people.

But to my mind the process of smothering measures in committees is a subversion of the principles of representative government. It is a subversion in that it prevents public debate. Yet debate is the great educator of democratic peoples. It is subversion in that it prevents a decision by a vote, which is the sovereign principle of democracy.

I do not say any of this as a believer in the rule of simple majorities. On the contrary, I have long been a firm believer in the various provisions of the Constitution which, for example in the case of treaties or amendments to the Constitution, require the approval of substantially more than 51 percent of those voting. Moreover, on the whole, I have defended the right to filibuster in the Senate, a right subject to a vote of cloture and not to be exercised in time of undisputed national emergency. It has seemed to me that on the whole the basic liberties of our people are safer if they cannot be swept away by small majorities in a storm raised by rabble-rousers. In matters deeply affecting its institutions and customs, a great heterogeneous continental democracy like ours must move as far as possible by consensus rather than by paper-thin majorities.

But what was done in the 88th Congress and its more recent predecessors is something quite different from, something quite alien to, the spirit and principle of consensus. The filibuster, that is to say the right of protracted debate, differs radically from the procedure of the Rules Committee of the House and of some of the standing committees of the Senate. In a filibuster there is a debate, and the measure has been brought to the floor and can be put to a vote by a sufficient majority. The current system, which is far more objectionable than the filibuster, is operated by a coalition of senior Republicans and senior southern Democrats. It nullifies the basic principles of representative democracy—the right to debate and the right to vote.

This does not mean that all the proposals made by a President can be regarded as equally important and should be dealt with immediately by the Congress. There are measures, for example medical care for the aged, which can wait for a searching examination in the committees before they are put to a vote. But there are other measures, in this Congress the tax bill and civil rights, which should get speedy consideration by the Congress, since the President is the best judge of whether or not the general prosperity or the general tranquillity of the Nation is urgently involved.

It is no easy matter to make a system of coordinate branches work, and it requires a strong will in Congress and in the administration alike to make the system work. While there is no doubt that Congress controls the appropriation of money and, therefore, has the ultimate power to bring the Government to a standstill, it is also true that where the national interest is concerned, the Executive is, on the whole, likely to be better informed and better equipped to judge. Members of Congress are best informed about their districts and their regions. But the President, who receives information from every corner of the country and from every country on the globe, should be in a better position than the chairman of a committee to judge the national interest abroad and the national economy at home.

To make our system work, it is essential that the initiative of the President be respected by Congress, and when he says a measure is of great national importance, his proposals should be accorded enough priority to bring them to a vote and a decision within a reasonable time, say 3 months. Three months is plenty of time to hear all the arguments of all the experts and all the interested people pro and con and to bring the issues before the Congress for a decision.

The true function of the Congress is to grant money, to maintain the framework of laws under which we live, to authorize administrative actions under the Constitution, to investigate the conduct of the Government, and to hold the Executive accountable. It is not the function of the Congress to administer the Government, to go behind the President and the heads of departments and agencies, and to set out, as Joseph McCarthy did, to hire and fire, to manage and meddle with the individuals who work for the Government.

Yet there is a theory being bandied about that since Congress appropriates the money to run the Government, it has the right to run the Government. These theorists, who happen to admire the 88th Congress because it is dominated by a conservative coalition, overlook the truth that in order to operate a coordinate system like ours there must be a very large supply of commonsense. Congress does indeed appropriate money to pay the salaries of our Ambassadors. But Congress cannot write the instructions to an Ambassador as to what he is to say to the foreign minister of the country to which he is accredited.

If Congress tried to write the instructions of the Ambassadors or to censor the speeches of the Secretary of State, the result would be chaos. Yet a fallacy is in the air around Congress, the simple-minded fallacy that because Congress appropriates the money it can and should run the Government. Thus in the course of devising the authorizations and the appropriations for foreign aid, various Members of Congress, sometimes successfully and sometimes not, have been trying to legislate foreign policy. They have tried to lay down a policy for dealing with the whole Communist world and a policy for dealing with the uncommitted world. By various legislative injunctions and prohibitions they have attempted to take away from the President, who under the Constitution has the duty of conducting foreign relations, the right to determine and, if it seems expedient, to discriminate among all the growing variations, as for example between Yugoslavia and China, of the Communist world.

The critique which can now be made of Congress is, I submit, first that it has been derelict in its duty to provide satisfactorily for a vacancy in the Presidency, and that this has put the stability and the continuity of government in jeopardy.

It is, second, that Congress is using a procedure of smothering and strangling, rather than of debating and voting, which violates the basic principles of representative government.

It is, third, that Congress is trespassing upon the constitutional prerogatives of the President in attempting to determine foreign policy by legislative injunctions and prohibitions.

These criticisms deal with matters that are more fundamental than any piece of legislation or than the whole program of legislation. These criticisms are concerned with the question of whether we understand the inwardness of our own unique system of government well enough to make it work.

[From the Congressional Record, Jan. 8, 1964]

EXCERPT FROM STATE OF THE UNION ADDRESS BY THE PRESIDENT

The PRESIDENT. * * * Here in the Congress, you can demonstrate effective legislative leadership by discharging the public business with clarity and dispatch—voting each important proposal up or voting it down but at least bringing it to a fair and a final vote.

Mr. CASE. The comments which I have placed in the Record very clearly indicate that the record last year was a poor one. This year Congress faces a shorter session and a heavier workload. I think the Senate should take speedy action to pass upon and adopt Senate Concurrent Resolution 1, which the Senate Committee on Rules and Administration also approved on the same day as it approved Senate Resolution 89, which the Senate is now considering, last September 19.

Senate Concurrent Resolution 1 has been cleared by the Senate Democratic policy committee. At least it was cleared once, I know. It was on the Senate floor for a few hours several weeks ago, and then was put aside for other matters.

I wonder if the Senate majority leader, who is on the floor, could give the Senate some idea as to what his plans are, if any, for bringing up Senate Concurrent Resolution 1.

Mr. MANSFIELD. Mr. President, at the moment, I cannot give any definite assurance to the distinguished Senator from New Jersey, but I want him to know that the leadership on both sides has not forgotten Senate Concurrent Resolution 1, in which the Senator has shown such extreme interest, and on which he has spoken so vehemently and so well.

It is hoped, depending on developments, that the Senate will be able to take up sometime this year the three proposals reported from the Committee on Rules and Administration. We have not lost sight of the fact that it was brought up, and we hope to bring it up again before too many moons have passed.

Mr. CASE. I thank the Senator for his generous remarks and his interest. I know of his own interest in improving the procedures. It could not be otherwise, it seems to me.

I wonder if the majority leader thinks there will be any time to do it between now and the time when the Senate receives the first controversial measures, of which perhaps the tax bill is one, and of which the civil rights bill certainly is one. Does the majority leader think we could dispose of this matter, which is relatively noncontroversial, before that time?

Mr. MANSFIELD. I cannot give the Senator such assurance. We are watching very carefully the tax bill, hoping it will come from the committee soon, and thereafter be brought to the floor as soon as possible. The leadership has made commitments with respect to several bills, depending on conclusion of the markup in the Finance Committee. So while I cannot give the distinguished Senator from New Jersey assurance that the concurrent resolution will be taken up soon, I can give him assurance that it is the intention of the leadership, at the appropriate time, time permitting, to bring it up. When we tried to bring it up before, we could not get it off the calendar and have it made the pending business because certain objections, of which the Senator is aware, were made at that time.

Mr. CASE. I am aware of that fact. The majority leader has stated the facts quite accurately; but the majority leader hopes to bring it up before the end of the session?

Mr. MANSFIELD. Yes.

PRESIDENT JOHNSON'S REPLY TO PREMIER KHRUSHCHEV'S LETTER

Mr. FULBRIGHT. Mr. President, there are numerous ways to reply to a diplomatic note. One is to acknowledge receipt and do nothing more. Another is to refute the points made in the note—usually not too difficult with a Soviet diplomatic message. Another is to state one's own position without addressing directly the points made by the senders. One can also reject the note, refuse it, or find it unacceptable.

President Johnson did none of these with Premier Khrushchev's letter. He carefully studied the long letter, which was sent to every other government in the world, and found those sections which could be built on and followed up. His reply was along positive lines. He told the Soviets we are interested in peace. He told them in sober words in the hope that they would heed, not in blatant tones designed to make headlines. He stated our aims and purposes and said it in language designed so that the Soviets would comprehend and react.

The President called on Soviet leadership to renounce the goal of Communist expansion through subversion and the threat of war. We have done this before. But this time the President has, in effect, reminded the Soviets that it is in their interests as well as in the interest of the West to do so. Mr. Khrushchev said he was opposed to some wars, but did not say that he was against all wars. The President's guidelines spell out how all wars may be avoided.

The President's reply is a constructive proposal which should demonstrate that the United States is serious in seeking peaceful and just solutions to international problems. These proposals protect the vital interests of the United States and the free world. At the same time, the peaceful development of people of all countries would be made more secure.

If some progress is made toward the avoidance of conflict, the United States would welcome it. If the Soviet Union fails to respond, at least the Soviet intentions will be clear to all. President Johnson has made clear the issues involved.

THE RESIGNATION OF EDWARD R. MURROW AS DIRECTOR OF USIA

Mr. FULBRIGHT. Mr. President, I noted in the press reports, with regret, that Mr. Edward R. Murrow has found it necessary to resign as head of the USIA. Like other Senators, and most Americans, I have known Mr. Murrow for a number of years, especially since he performed such an outstanding service in reporting World War II. I know of no man with greater integrity, ability, and experience in the field in which he has been serving than Mr. Murrow. It is with regret that I learned of his resignation. Particularly am I shocked and saddened by the fact that he has had to retire because of ill health. I wish him well.

I hope he will enjoy a complete recovery and be able to return, if not to Government service, at least to the great role that he played in helping to educate and inform the people of this country.

As a part of my remarks I ask unanimous consent to have printed in the RECORD a very statute column written by James Reston and published in this morning's New York Times.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

"AND HERE'S A HAND, MY TRUSTY FRIEN' "

(By James Reston)

WASHINGTON, January 21—The official word at the White House was that Ed Murrow had quit his job as Director of the United States Information Agency, but this obviously couldn't be true, for Ed Murrow never quit anything in his life.

He has been thrown out of places, Ed has, and has thrown a lot of people out of places; but if they mean by quitting that he gave up, then it's clearly not true.

Ed Murrow was this country's most distinguished and influential reporter of that critical period before the second German war. He was the best of a remarkable and unlucky crew.

Among them were Ernie Pyle, Vincent Sheehan, Bill Shirer, Eric Sevareid, Wallie Deuel, Wallace Carroll, Elmer Davis, Edgar and Paul Scott Mowrer, Herbert Elliston, Joe Driscoll, Dorothy Thompson, Walter Duranty—and a lot more.

They told America what it didn't quite believe and certainly didn't want to hear: that a savage civil war was developing within the Western World and that it would reach a tolerable end only when the United States threw its power into the battle.

THE CASUALTIES

In the long story of American journalism there was never a brighter chapter or a more talented and sensitive group of reporters, but it was not exactly an easy life, and the casualty list was heavy.

Some of them, like Pyle, were killed in battle; others, like Sheehan, Shirer, and Edgar Mowrer, decided to escape from the tyranny of the daily deadlines; others like Sevareid and Carroll, carry on, but most of the rest, like Murrow, had trouble with their health.

Murrow, on the whole, was lucky. He operated during the war from London on the assumption that a man could exist happily for years on a diet of black coffee and cigarettes. He thought sleep was for children, and had an almost suicidal yen for making trips in bombers over Wilhelmshaven or the Ruhr.

On the odds, he should have lost his life, but as it was, all he lost was a lung, and that should not be too much of a handicap, for Ed Murrow can say more on one lung than most other mortals can on two.

Murrow improved the U.S. Information Agency down here, not as much as he hoped to or would have if he hadn't been benched by cancer, but the main thing he did was to take the USIA out of the doghouse and into the White House.

When President Kennedy asked him to leave C.B.S. and take this job, Murrow made one condition. He said that a good information service could not make up for bad policy, and that he had to be in on the policy decisions he was expected to explain to the world. President Kennedy agreed, except in the first Cuban disaster, which caused a row, but thereafter kept the promise.

Murrow had his disappointments too. He thought he would attract to the agency more good men than he actually did. He had an excellent aid, Don Wilson of Life magazine, and he greatly improved the film and magazine output of the Government, particularly the former, but he would be the last to say that he had achieved the ideal before he had to resign and take a rest.

Maybe he'll really take a rest this time, but don't bet on it. He used to broadcast from a dungeon in the B.B.C. every night during the blitz on London and wind it up with a beer and a pack of cigarettes and a long nostalgic tale about how he was eventually going back to the west coast and run a small college and work on his slice.

This gradually developed into a family joke. After the war, he was a national figure, sort of a cross between John Barrymore and Richard Harding Davis. He was recognized everywhere he went. His voice was better known than Roosevelt's, and every time he went off with his wife, Janet, and his boy, Casey, he detoured off somewhere to plan or produce another television show.

THE LOST GENERATION

If he really took time off to tell the story of this remarkable period, he would serve his country well, for one of the odd things about the men and women who reported the events just before and during and after the Second World War is that so few of them slowed down long enough to sum up their experiences.

There is, therefore, a gap between the remarkable generation of Arthur Krock, Walter Lippmann, and David Lawrence and the journalists now in their forties; and Murrow, when he comes back, could do a lot to fill it in.

Meanwhile, all golfers west of the Rockies are hereby put on notice. If you see a handsome southpaw who swings like a rocking chair, and hits a No. 3 wood from the tee with a little educated slice, don't be deceived, for Ed Murrow is the shrewdest first-tee negotiator in the country and the best left-handed putter in Christendom.

Everywhere else in the world he's a gentleman, but on a golf course, and particularly within 8 feet of the cup, he's a scoundrel.

Mr. FULBRIGHT. Mr. President, I also ask unanimous consent, following my remarks about the appointment of Mr. Rowan, to have published in the RECORD an editorial entitled "Mr. Murrow Resigns," published in this morning's New York Times. The editorial calls attention to the appointment of Carl T. Rowan as the successor to Mr. Murrow.

I greatly regret the necessity for Mr. Murrow's retirement. I have known Mr. Rowan for some time. He has appeared before the Committee on Foreign Relations in connection with his nomination as Ambassador to Finland. I consider him an outstanding man. From his experience as our Ambassador and also as an outstanding journalist, he would appear to me to be extremely well qualified for this appointment.

I ask that the editorial be printed in the RECORD.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

MR. MURROW RESIGNS

Edward R. Murrow's resignation as Director of the U.S. Information Agency provides a vivid example of the heavy cost to the Nation of the rising incidence of lung cancer. Having assumed his post at great personal sacrifice, Mr. Murrow threw all of his very considerable talents and energy into the task of telling this country's story to the world as effectively as possible. As he retires to private life, he has the Nation's thanks, and also its warmest best wishes for a complete recovery from his illness.

Carl T. Rowan, who will now assume this post, was trained originally as a mathematician, but has distinguished himself this past decade as a journalist, State Department official, and, most recently, as Ambassador to Finland. In his person, of course, he also provides concrete evidence that in the middle of the 20th century the United States does have opportunities for talented Negroes to rise to positions of national importance.

Mr. Rowan takes over command of USIA at a time of major shift in the focus of that agency's activities. The propaganda battle which has occupied so much of USIA's energies is changing in character as the character of Soviet-American relations alters. Moscow's decision last year to halt jamming of the Voice of America is illustrative of a new situation. Now the need to get the U.S. point of view over to the masses of turbulent Africa and Latin America is far more pressing and much better understood than it was in earlier years. But the lack of funds which has plagued USIA and which Mr. Murrow sought unsuccessfully to rectify, continues.

From his personal experience, Mr. Rowan undoubtedly knows that the best propaganda is deeds, not words. A United States which exhibits economic vitality, takes concrete steps to further the cause of peace, and makes genuine progress toward equal treatment for all its citizens is one which gives USIA effective and irrefutable material with which to combat anti-American feeling abroad.

The image of America is what all of us make it daily. In that sense the Nation as a whole will determine how successful Mr. Rowan can be in his new assignment.

GERMANENESS OF DEBATE UNDER CERTAIN CONDITIONS

The Senate resumed the consideration of the resolution (S. Res. 89) providing for germaneness of debate under certain conditions.

Mr. PASTORE. Mr. President, I do not say this in any sense of impertinence. But rather in a sense of pertinence that is germaneness. I wish to emphasize that what has transpired here today since 12:30 has occurred under our established custom and all within the rules of the Senate.

If ever there has been impressive and graphic proof of the need for the adoption of what is proposed in the resolution on germaneness we have had it this afternoon.

The Senate met at 12 o'clock noon. It finished the transaction of morning business around 12:30 o'clock or a quarter to 1. With the exception of 3 or 4 minutes of debate by the Senator from New Jersey [Mr. CASE], about 10 minutes ago, hardly anything has been said about the pending business. It is now a quarter to 4 in the afternoon.

Mr. CHURCH. Mr. President, having just introduced a matter which is utterly irrelevant to the pending business, I concur in what the Senator from Rhode Island has said. My only defense is that what I have done conforms with prevailing custom in the Senate.

The Senate has been engaged in a debate as to whether the Senate should debate what is before it for debate when it is up for debate. If ever there has been an indication of how this institution seems to be slowly sinking into a quagmire, in which it thrashes about like a dinosaur about to become extinct, this is it. If ever a case is to be made in favor of the proposed change now pending, it is the case we make from day to day in this Chamber.

I commend the Senator from Rhode Island for submitting his resolution. I am hopeful that it will be adopted by a large majority.

Mr. PASTORE. In order to apprise the distinguished Senator who offered the amendment which is now pending, I am compelled again to suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. PASTORE. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

Mr. McNAMARA. Mr. President, reserving the right to object, I should like to ask the distinguished Senator from Rhode Island what the prospects are with respect to the remainder of the day. Will any business be transacted, or may Senators go home?

Mr. PASTORE. So far as I am concerned, I am very happy that the distinguished Senator from Michigan has asked that question.

The PRESIDING OFFICER. The Senator from Rhode Island has asked that the order for the quorum call be rescinded. The Chair is advised by the Parliamentarian that the request is not debatable. The question before the Senate will have to be disposed of one way or another without debate. The question propounded by the Senator from Michigan is not in order at this time.

Mr. McNAMARA. Is the Chair forcing me to object?

The PRESIDING OFFICER. No. The Chair is following the rule, as stated to him by the Parliamentarian.

Mr. McNAMARA. What is the parliamentary situation?

The PRESIDING OFFICER. Debate is not in order during a quorum call.

Mr. McNAMARA. I should be very happy to object, if that is what I must do.

The PRESIDING OFFICER. The Senator from Rhode Island has requested that the quorum call be suspended and the order for it rescinded.

Mr. McNAMARA. I have a right to object.

The PRESIDING OFFICER. Under the rule, that question is not debatable. The Senator from Michigan is within his rights in objecting.

Mr. McNAMARA. Reserving the right to object, I am sure that an adjustment can be arrived at. If not, I must object.

The PRESIDING OFFICER. No debate is in order during a quorum call.

Mr. PASTORE. I shall be happy to have my distinguished colleague from Michigan defer his question until later. I shall be very happy to answer it within 2 minutes after my unanimous consent request is granted. I will be very happy to accommodate my personable and dear friend from Michigan.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Rhode Island?

The Chair hears none, and it is so ordered.

Mr. PASTORE. Now I shall be very happy to answer the question.

Mr. McNAMARA. The question has already been asked. I shall be happy to have the Senator answer it.

Mr. PASTORE. Mr. President, as I understand the situation, the Senate now has before it an amendment proposed by the distinguished senior Senator from Pennsylvania [Mr. CLARK], on behalf of himself and his colleague [Mr. SCOTT]. When he has fully discussed it—and I understand he will require only about a half hour to do so—I shall move to lay it on the table. The motion to lay on the table will, of course, be determined without debate. At the time the motion to lay on the table is made, I shall ask for the yeas and nays. I made that promise to the Senator from Pennsylvania. I assured him that I would urge that there would be a yea-and-nay vote on the motion to lay on the table. I do not believe I would be within my parliamentary rights at this time to ask for the yeas and nays on a motion that has not yet been made. That is why I refrain from doing so now. I assure the Senator from Pennsylvania that when the debate on his amendment has terminated, I shall move to lay his amendment on the table, and I further assure him that there will be a request for a yea-and-nay vote.

Mr. CLARK. Mr. President, will the Senator from Rhode Island yield?

Mr. PASTORE. I yield.

Mr. CLARK. I have asked the Senator to yield to permit me to make a suggestion. It will not take me anything like a half hour to present the argument in support of the amendment. It will not take more than 10 minutes. I should like to make the argument before as many Senators as can be brought to the Chamber. I suggest that if there be another quorum call now, and perhaps 15 or 20 Senators come to the Chamber, or enough to have the yeas and nays ordered, the debate could be terminated and the vote taken before 4:30 p.m.

Mr. PASTORE. I am perfectly agreeable to the suggestion. We should, of course, remember the old adage: "You can lead a horse to water, but you cannot make him drink." We can bring Senators to the Chamber, but we cannot make them remain.

Mr. CLARK. Neither can they be compelled to speak germanely—which is one reason why it is almost 4 o'clock and hardly any debate has taken place on the pending proposal today.

Mr. PASTORE. If the rule I propose shall be adopted, I think they can be required to speak germanely. That is why I have submitted the resolution. I hope the rule will be adopted, to give the proposal for germaneness a genuine trial. I have been told time and again that such a rule would not work; that it could readily be violated. There is not a law that we can write that cannot be violated. Much depends on the propriety, the courtesy, consideration, and the wishes of this body. All we seek to do is to keep our discussions germane to the pending business.

It is now 7 minutes to 4, but we have talked about the pending business only 3 scant minutes since 12 o'clock.

Mr. CLARK. Mr. President, will the Senator further yield?

Mr. PASTORE. I have been sitting in this chair all that time.

Mr. CLARK. Mr. President, will the Senator yield?

Mr. PASTORE. And this chair is not too comfortable, I may say to the majority leader. I would prefer to be on my feet, debating, discussing, and dispatching the business before the Senate.

Mr. CLARK. Mr. President, will the Senator yield?

Mr. PASTORE. I yield.

Mr. CLARK. I should like to ask the Senator in charge of the pending resolution whether it would be agreeable to him if I suggested the absence of a quorum and if the quorum call were allowed to continue 4 or 5 minutes, in the hope that a few more Senators might come to the Chamber.

Mr. PASTORE. That is agreeable to me.

Mr. CLARK. Mr. President, I ask unanimous consent that I may suggest the absence of a quorum, without losing my right to the floor.

Mr. KUCHEL. Mr. President, reserving the right to object—and I shall not object—do I correctly understand that it is the desire of the able Senator from Pennsylvania to speak when the quorum has been developed?

Mr. CLARK. Briefly.

Mr. KUCHEL. Briefly on the amendment; and then proceed to a vote?

Mr. CLARK. That is correct.

Mr. KUCHEL. I have no objection.

Mr. CLARK. Mr. President, I renew my request.

The PRESIDING OFFICER. Without objection, the request is agreed to.

The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. CLARK. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. CLARK. Mr. President, the pending amendment, which is in the nature of a substitute for the proposed change in the rules, which is the pending business, and which was initially proposed by the senior Senator from Rhode Island [Mr. PASTORE], the Senator in charge of the resolution, reads as follows:

> Strike out all after the word "*Resolved*,", and insert in lieu thereof the following:
>
> "That rule XIX be amended by adding at the end thereof the following new subsection:
>
> " '8. During the consideration of any measure, motion or other matter, any Senator may move that all further debate under the order for pending business shall be germane to the subject matter before the Senate. If such motion, which shall be nondebatable, is approved by the Senate, all further debate under the said order shall be germane to the subject matter before the Senate, and all questions of germaneness under this rule, when raised, including appeals, shall be decided by the Senate without debate.' "

The proposed substitute would take the place of the pending resolution to create a limited rule of germaneness. This temporary rule of germaneness would require Senators in debate to stick to the point for 3 hours after the end of the morning hour each day.

I should like to make it clear that if my amendment in the nature of a substitute and a further and different amendment which I shall propose to the pending resolution are defeated, I shall vote for the Pastore resolution, because it would bring about a perceptible improvement in our present procedure.

The Senate of the United States is the only legislative body in the civilized world which does not have some sort of rule of germaneness. The erosive and evil effects of our failure to have such a rule have been in evidence for many a long year, and were particularly apparent to all Members of the Senate during the 1st session of the 88th Congress, when, day after day after day, hour after hour after hour, we were unable to come to the business before the Senate because Senators would come to the Chamber and interject irrelevant comments, sometimes engage in colloquy lasting hours at a time, and frequently read long speeches, thus making it impossible for the Senate to proceed with its business. So any rule of germaneness is better than the chaos under which we presently operate.

I suggest, Mr. President, that the more flexible rule of germaneness which my colleague [Mr. SCOTT] and I have provided in our substitute amendment would work better and would be more satisfactory to a majority of the Members of the Senate than would the rule sponsored by the Senator from Rhode Island [Mr. PASTORE] and perhaps some 30 other Senators. The difficulty with the Pastore resolution is that it is completely inflexible; it calls for 3 hours of germane debate, to start at the end of the morning hour and to terminate 3 hours later, whether we need it or not, even at times when we might not need it and many times we would not need it. Moreover, the Pastore resolution would terminate germaneness of debate 3 hours after its inception, regardless of whether the pending business had then been disposed of.

Let us consider the situation which would exist toward the end of a crowded session, when there would be on the calendar many measures in which Senators would be very much interested. If we then had a rule which required germane debate for 3 hours, that period might end, let us say, at 4 or 5 o'clock in the afternoon; but the Senate might remain in session until 7 or 8 or 9 p.m., in hopes of disposing of substantial, additional business, so Senators could go home, following adjournment. Yet there would then be no way to invoke another rule of germaneness, unless the Senate met the next day and then had another morning hour and then had 3 more hours of debate.

Our proposal would permit the Senator in charge of the bill, the majority leader, or any other Member of the Senate to move that the rule of germaneness become effective. That motion would be voted on without debate, although if necessary there could be a yea-and-nay vote. Then the germaneness rule would stay in effect until that particular matter had been disposed of—it might be 20 minutes, it might be 3 hours, it might conceivably be several days. At any rate, having begun its consideration of that measure, the Senate would continue to consider it and the debate would be germane until such time as that particular measure was disposed of.

Mr. PASTORE. Mr. President, will the Senator from Pennsylvania yield?

Mr. CLARK. I yield.

Mr. PASTORE. I understand completely the proposal of the Senator from Pennsylvania. But to point up one of the difficulties in his proposed measure, we had such an experience this afternoon. The Senator from Vermont took the floor and made an excellent speech on agriculture. It took about 20 minutes. Agriculture is a primary industry in this country, essential to our very life. It provides the food and fiber and milk necessary for the well being of our people.

Under the amendment of the Senator from Pennsylvania, suppose we had the tax bill under consideration. That might consume 2 or 3 weeks. If the majority of this body voted to have the debate remain germane—that is, to the tax bill—the Senator from Vermont would be frustrated and the impact of his excellent speech would be deferred, if not destroyed.

Before the Senator from Vermont could deliver his important speech on agriculture, he would have to get the majority of the Senate to vote to suspend the rule. If he could not get the majority of the Senate to vote to suspend the rule, he would have to wait for 3 weeks or 3 months, depending upon the duration of the debate on the tax bill. By that time, perhaps half of the country would have starved.

Mr. CLARK. Mr. President, I should like to point out that, in my opinion, the Senator from Rhode Island is not correct in the statement he just made.

Mr. PASTORE. Why not?

Mr. CLARK. Under the Senator's rule, the rule of germaneness would have come into effect at 2 o'clock this afternoon; and, in that case, when the Senator from Vermont rose to make his important speech on agriculture, the rule of germaneness would have been in effect, and he could not then have made his speech on agriculture.

Mr. PASTORE. He could have made it at 5 o'clock.

Mr. CLARK. But in that event, he could not have made it when he did; neither could the Senator from Idaho or the Senator from Michigan or the Senator from Arkansas or several other Senators have made their speeches when they did.

Mr. PASTORE. That is true.

Mr. CLARK. So in this respect, there would be no difference between the procedure under the rule I propose and that under the rule the Senator from Rhode Island proposes until at least 5 p.m.

Mr. PASTORE. Yes; but there is this difference: At the end of the 3 hours, any Senator would be entitled to speak to his heart's content, because my rule would apply only once each calendar day. The rule I propose does not pretend to change the custom and the rules of the Senate. The Senator from Arkansas, who made his speech on foreign relations, could still make his speech; the Senator from Vermont could still make his speech—on the same day.

I am only saying that under the proposal of the Senator from Pennsylvania, if the Senate voted to require germaneness during the debate on a pending bill, the rule would remain in effect as long as that measure was before the Senate. During debate on civil rights, or, let us say, the tax bill, the debate might last for 2 or 3 weeks. In that event, under the proposal of the Senator from Pennsylvania, neither of those Senators could have made his speech until 3 weeks had passed. That is my point.

Mr. CLARK. All I am saying, Mr. President—and I say this with great deference to the Senator from Rhode Island, who knows how much I love and respect him—is that, in my humble opinion, he is in error; and I think he is in error for the reason that although the rule of germaneness would apply during the pendency of the unfinished business—and I hope the Senator is listening to me.

Mr. PASTORE. Yes, I am.

Mr. CLARK. I did not think he was. I thought he had begun to listen to the Senator from Illinois.

Mr. PASTORE. I was listening to both Senators—with one ear, to the Senator from Illinois; with the other ear, to the Senator from Pennsylvania.

Mr. CLARK. Of course, the Senator from Rhode Island can hear more with one ear than most of us can with two.

Mr. PASTORE. Perhaps so. [Laughter.] But, in all seriousness, I would want to give my best ear to the earnest argument being made by my good and able friend, the Senator from Pennsylvania.

Mr. CLARK. At any rate, under the rule I proposed, many a time a rule of germaneness would be suspended, by unanimous consent, as a courtesy to other Senators. Furthermore, if the Senator in charge of the bill was not prepared, as a matter of senatorial courtesy, to agree to suspend the rule, the aggrieved Senator, who might be faced with a press deadline, and might not have informed himself as to how the rule of germaneness would apply, could alway move that the rule be suspended; and if he was able to persuade nonsentimental Senators that his right of freedom of debate was being infringed upon, no doubt they would support his position, and then—if they were in the majority—the rule would be suspended.

So, as a practical matter, the only difference between the rule proposed by the Senator from Rhode Island and the rule I propose is that the rule of the Senator from Rhode Island would make it a little bit—but not much—more difficult for another Senator to interrupt, in the middle of debate on an important measure, in order to make a speech—although, of course, he could at any time hand it in and have it printed in the RECORD, or he could make it during the morning hour the next day, or he could wait until just before the adjournment, and then obtain unanimous consent. In my opinion, that would be an improvement.

Mr. PASTORE. Mr. President, will the Senator from Pennsylvania yield?

Mr. CLARK. I am delighted to yield.

Mr. PASTORE. I do not question what the Senator from Pennsylvania has said about the practical situation. I am speaking about the law and about the rule. The Senator from Pennsylvania keeps saying I am wrong, but he has not told me where or why I am wrong. My point is that under the rule he proposes, once the majority votes to require germaneness in the debate, the only way to obtain an exception would be by majority vote——

Mr. CLARK. That is not correct.

Mr. PASTORE. Or by unanimous consent. The only way you can get the rule or a deviation from it is by a majority vote. In other words, once that rule were invoked, a Senator who desired to speak on some other important subject would be at the mercy of the entire Senate, if he wants to obtain unanimous consent; or, if he made a motion, he would be at the mercy of the majority. Otherwise, he could not prevail against the rule.

Mr. CLARK. The Senator from Rhode Island can shout as loud as he wants, and so could I——

Mr. PASTORE. I am not shouting; I am just talking loud enough to enable the Senator from Pennsylvania to hear me.

Mr. CLARK. However, at the moment the Senator from Rhode Island is not using his usual low and well-modulated tone of voice.

Mr. PASTORE. I prefer not to whisper. Does the Senator from Pennsylvania wish me to speak now, or not?

Mr. CLARK. Yes, of course I wish to hear the Senator's comments.

Mr. PASTORE. Then will the Senator from Pennsylvania yield?

Mr. CLARK. I shall yield in a moment, but first I wish to comment on what the Senator from Rhode Island has said. I have the floor, and I shall be happy to yield to him in a few minutes.

The point I wish to make is that the only difference between the proposal of the Senator from Rhode Island and my proposal is that under my proposal it will be a little more difficult, but not much more, for a Senator who had asserted his own rugged, American, individual right to interrupt the rest of the Senate when he wants to "get about" his business, to do so. Perhaps the difficulty would be psychological rather than legal. The Senate usually legislates by unanimous consent. I wish it did not. It sometimes legislates by majority rule. Most frequently of all, it does not legislate at all, because of minority pressures.

The motives and objectives of the Senator from Rhode Island and myself are identical. The only difference between my proposal and his is that mine would go a little further. I would have said that it would have been a good thing if the Senator's rule of germaneness had been in effect at the end of the morning hour today, and if there had been no speeches until the matter was disposed of.

Now I am glad to yield, first to the Senator from Rhode Island, and then to the Senator from Massachusetts [Mr. SALTONSTALL].

Mr. PASTORE. Will not the Senator from Pennsylvania admit that, under my resolution, as reported by the committee, the obligation to remain germane in debate would automatically run out after a period of 3 hours?

Mr. CLARK. The Senator is correct.

Mr. PASTORE. Therefore, and thereby, the Senate becomes unshackled from the rule each day——

Mr. CLARK. After 3 hours, to permit Senators to——

Mr. PASTORE. Does the Senator from Pennsylvania wish me to finish my statement? If I may finish without interruption what I have to say, the Senator can correct me later.

Mr. CLARK. If the Senator from Rhode Island will accord me the same privilege the next time I start to speak, of course.

Mr. PASTORE. Naturally.

Mr. MORSE. Would Senators like a mediator?

Mr. PASTORE. What I am saying is that under my rule, once the rule of germaneness went into effect, then automatically, after 3 hours, whether business was completed or not, the Senate would revert to the status quo. Then any Senator who felt he must issue a press release on some important matter which he wished to call to the attention of the Senate, could do so without asking for any motion, without asking for the permission of the majority or asking for unanimous consent. Automatically he could be recognized by the Chair, and he could proceed to discuss any question he desired in any way that he desired, provided only he adhered to all the other rules that have been invoked by the Senate. Automatically, that happens. Under the proposal of the Senator from Philadelphia——

Mr. CLARK. Pennsylvania, please.

Mr. PASTORE. Excuse me. Pennsylvania.

Mr. CLARK. Pennsylvania is a large State.

Mr. DOUGLAS. That is the second time the Senator has said that.

Mr. PASTORE. That is correct. I remember that the Senator from Pennsylvania was once mayor of Philadelphia. That is why I make that mistake. The Senator from Pennsylvania was one of the best mayors Philadelphia ever had.

Mr. CLARK. I am delighted to hear those encomiums from the Senator from Rhode Island.

Mr. PASTORE. Under the proposal of the Senator from Pennsylvania, any Senator could make a motion to require germaneness. The majority could decide, there and then, that the debate would have to be germane. If there were pending business that would require 1 week, 2 weeks, 3 weeks, 4 weeks—even 5 weeks, as the Senator from Oregon [Mr. MORSE] has suggested—and I can imagine what a hardship that would be on the Senator from Oregon—for 5 weeks the debate would have to remain germane.

The only way the Senate could unshackle itself from that requirement would not be through any automatic process after 3 hours in the same day. It could only be done by unanimous consent or by majority rule.

A deep trouble with that amendment is that while the objective behind it is good, it is obnoxious to certain Senators who feel that minority rights should also be protected. Therefore, if a Senator came into the Chamber and wished to suspend the rule in order to make any kind of speech he might desire, once the rule was invoked, he would either have to move to suspend the rule by majority vote or seek to do so by unanimous consent.

The Senator from Pennsylvania has said that as a practical matter he would be given such permission. That is his problem. Some Senators do not believe in what is practical.

Mr. CLARK. That is because they do not believe in majority rule.

Mr. PASTORE. That is why we are debating this issue today. Some Senators do not believe in being practical.

I admire the distinguished Senator from Pennsylvania for his steadfastness. His proposal was put before the committee and rejected. I know what he has in mind. I believe that perhaps someday, somehow, it may be adopted as a rule of the Senate; but I feel that that is in the future. I fear that if his amendment were adopted today there would be such a filibuster on final passage that we would wind up with exactly nothing. In the words of the anxious farmer eager for a crop, I am just as sure of that as that God made little apples.

Mr. CLARK. The Senator from Rhode Island has quite fairly summarized the difference between my proposal and his. Under the circumstances, I believe his statement has been quite objective.

The position of the Senator boils down to the fact that he is against majority rule.

Mr. PASTORE. Oh, no.

Mr. CLARK. He does not want Senators, by majority vote, to decide whether or not to have a rule of germaneness in effect. The Senator wants a small minority of the Senate—what might be called the rugged individualists of the late years of the 18th century—to be able to throw the Senate back into chaos every day, 3 hours after his fine, little rule of germaneness had gone into effect. I honor the Senator for the lucidity with which he has stated his position. The admiration of the Senator from Rhode Island for me is small in comparison with my admiration for him.

Mr. PASTORE. Mr. President, will the Senator from Pennsylvania yield?

Mr. CLARK. I should like to do so, but not at the moment.

The distinguished Senator from Rhode Island, the Senator in charge of the bill, is a great liberal, a strong supporter of civil rights, a man who would vote tomorrow to change the cloture rule, and would probably make it effective by majority vote, or by a three-fifths vote.

Whether we support the resolution itself, we do not dare support the Clark-Scott amendment, because if we do, a small minority of the Senate, which prefers chaos to orderly government by majority, will filibuster.

The Senator from Rhode Island may well be correct. I am not saying that he is not. All I am saying is that it will be a shameful day in the Senate when a proposal such as mine and that of the junior Senator from Pennsylvania [Mr. SCOTT] cannot be brought to a vote on its merits because certain Senators are afraid of majority rule and do not wish to see it come to the Senate. I regret very much the exigencies of the position in which the distinguished Senator from Rhode Island finds himself, in that he is compelled to make so unsound an argument.

Mr. PASTORE. Mr. President, will the Senator from Pennsylvania yield further?

Mr. CLARK. Not at the moment.

It seems to me, in view of what has gone on, that I should yield, first to the Senator from Rhode Island, next to the Senator from Massachusetts, then to the Senator from Illinois; next, to my seatmate, my beloved friend the Senator from Idaho [Mr. CHURCH], and after that, to the distinguished junior Senator from New York. But I point out to my friend from Rhode Island, before I yield to him, that I said I would be prepared to vote in 10 minutes, but that now seems impossible because of the intense interest which this fascinating subject has engendered among so many Senators.

Mr. PASTORE. Is the Senator from Pennsylvania happy about this?

Mr. CLARK. I am rather pleased.

Mr. PASTORE. Of course.

Mr. CLARK. Now I yield to my friend the Senator from Rhode Island.

Mr. PASTORE. I have always believed in majority rule. I have been a Member of the Senate for 13 years, and no Senator has been a stronger protagonist of majority rule than I have been. I say to my distinguished colleague, the Senator from Pennsylvania, that I do not wish his right to speak on the floor of the Senate, on any subject he considers important, to depend upon whether or not the majority will let him speak. That is what his amendment amounts to.

Mr. CLARK. Oh, no.

Mr. PASTORE. Oh, yes it does. Once the Senator's rule was invoked, any Senator in order to be released from the effect of that rule would have to obtain unanimous consent, or obtain a majority vote to suspend the rule. Once the rule proposed by the Senator from Pennsylvania was invoked, the right of a Senator to speak on any subject he desired would depend on a suspension of the rule by the majority. All that the Senator from Rhode Island is saying is that he goes a bit too far—quite a bit too far.

I sincerely believe in freedom of debate. I believe that bills must be fully and exhaustively discussed. Then I think there should be a vote. I do not believe that any Senator should be permitted to speak interminably merely to prevent a vote. But I am saying that the right of a Senator to speak on the floor of the Senate is a sacred right. It ought to be limited in some respects. But whether or not a Senator can rise at any time to speak on any subject on any day of the week in any way he desires should not depend upon the will of the majority. I make that statement as loud as I can, shouting as much as I can, because the subject reaches into the fundamental core of our system which makes the Senate the greatest deliberative body in the world.

Mr. SALTONSTALL. Mr. President, will the Senator yield?

Mr. CLARK. Not quite yet.

If there had been present in the Chamber, when my dear friend from Rhode Island made his last statement, a larger number of Senators, the substantial minority of this body which is always anxious to prevent the majority from acting, which believes in unlimited debate, and which believes in the filibuster, would have been unable to restrain themselves. They would have broken out into loud applause at the eloquent but, if I may say so, unsound argument of the Senator from Rhode Island in support of that "rule of chaos" under which the Senate has been operating since the filibuster was first invented in 1840.

My point is that it is about time for the only legislative body in the civilized world which does not have a rule of germaneness which would enable it to conduct its business with some order and less chaos to adopt a sensible rule of germaneness.

The proposal of my friend the Senator from Rhode Island would be an improvement. I suggest that the proposal of my colleague from Pennsylvania [Mr. SCOTT] and myself would be an even greater improvement. I regret that the Senator from Rhode Island has been placed in the invidious and unfortunate position of contending that my proposal cannot be brought to a majority vote on its merits because he yields to the filibuster. He yields to the minority. He says, "We will not allow majority rule to prevail. We will not allow the Clark-Scott amendment to be voted upon on its merits because certain Senators would filibuster the proposal. Therefore, if we wish a rule of germaneness at all, we must cave in, give up, withdraw the proposal. I will move to table it. Let us never admit that the majority is entitled to have a simple proposal passed upon; a simple rule of germaneness is the wiser one to debate."

I yield to the Senator from Massachusetts.

Mr. SALTONSTALL. Mr. President, I shall vote against the amendment of the Senator from Pennsylvania——

Mr. CLARK. The Senator is not surprised.

Mr. SALTONSTALL. But for a completely different reason than what the Senator from Rhode Island has said. The Senator from Pennsylvania was the mayor of Philadelphia; the Senator from Rhode Island was Governor of Rhode Island. I have listened to their discussions with a great deal of interest. I believe that a rule of the Senate should be entirely apart from personalities, and as far as possible from any question of personality.

The proposal of the Senator from Pennsylvania would depend upon the majority leader or a Senator interested in a bill making a motion.

Assume that the Senator from Pennsylvania should wish to invoke the rule of germaneness, and I should come to him and tell him that I had a very important speech that I wished to make and would appreciate it very much if the Senator would refrain from making his motion for the time being. Such a request would put the subject on a personal basis between the Senator from Pennsylvania and myself on the question of whether he would enforce the rule of germaneness and take me from the floor.

I believe the same point would apply to the majority leader or the minority leader.

It is difficult to tell a Senator that he may not make a speech because a motion to make the subject germane is about to be made and the discussion would have to be confined to that subject.

The situation would become very difficult if I should ask that question of the Senator from Pennsylvania. Suppose I should say, "It is very important for me to speak on a certain subject. I have told a few Senators about it." It would then become a personal matter.

I believe that the Senate rules should be entirely free from personalities. They should not repose in any individual Senator the discretion to make a request that the debate be germane.

A requirement that for 2 or 3 hours—3 hours may be too long and 2 hours might be better—debate be germane would be a fixed rule and would not be subject to personalities. For those reasons I shall vote against the proposal of the Senators from Pennsylvania.

Mr. CLARK. Mr. President, I believe that my dear friend from Massachusetts would honestly conclude, if he would consider the two proposals together, that personalities are not one whit more involved in my proposed rule than they would be in the rule proposed by the Senator from Rhode Island. Both rules would apply evenly, and would merely change slightly the procedure under which the Senate now operates.

Under the rule proposed by myself and my colleague, unanimous consent would be required to dispense with the rule of germaneness. Under present procedures the rule of germaneness cannot be invoked except by unanimous-consent agreement. It is always done under a unanimous-consent agreement. I believe that the burden should be the other way. Senators who wish to have the Senate set aside the pending business, even temporarily, should have the burden of proving that it is in the public interest for them to make their speeches or to interject their irrelevant material when the Senate is headed toward a vote on the pending business.

I do not believe that personalities have anything to do with the proposal.

I point out to my friend, the Senator from Massachusetts, that the Legislature of Massachusetts has such a rule. The Senator was formerly the distinguished Governor of the Bay State. I do not know whether he was ever in the Massachusetts Legislature.

Mr. SALTONSTALL. I served 8 years as its speaker and enforced the rule of germaneness for 8 years.

Mr. CLARK. The Senator enforced the rule of germaneness for 8 years.

That is also the case in the House of Representatives. It is the case in each of the other 49 States outside of Massachusetts.

It is time for Senators to begin to civilize themselves a little in the interest of disposing of the public business. The rugged individualistic freedom of the past has been shown to be quite useless and rather a drag on progress today.

The only point I really wish to make to my friend, the Senator from Massachusetts, is that bringing personalities into operation in connection with either rule would really not be pertinent to the debate. There is no question of personalities under either rule.

The Senator has spoken of my wishing to obtain permission to make a speech. That is something that I have never really done, for I have followed the rule of handing my speech in at the desk and asking unanimous consent to have it printed in full in large type and then going about my business. The Senator from Massachusetts has done the same.

Mr. President, I regret that I said "type." What I said was "type" but I meant "tripe."

Mr. SALTONSTALL. Mr. President, will the Senator yield further?

Mr. CLARK. I yield.

Mr. SALTONSTALL. I join with the Senator from Rhode Island in seeking the rule of germaneness that he is proposing. I believe it is worth a trial. I believe it is worth experimentation to see if it would really work in order to accelerate the business of the Senate, and also to encourage a larger number of Senators to be present in the Chamber when they are interested in the debate.

I disagree with my friend the Senator from Pennsylvania in that I do not see any personality involved in the proposal of the Senator from Rhode Island. The time would be fixed every day. For X number of hours—2, 3, or 4 hours—3 hours under the terms of the resolution—the debate would be germane. Under the proposal of the Senator from Pennsylvania the rule would not apply unless the majority leader or some other Senator made a motion that it apply, and the question would be decided without debate.

As I see it, the proposal would bring in the question of personalities. There would not be a fixed rule on the subject. For that reason I oppose the substitute offered by the Senators from Pennsylvania and shall vote in support of the proposal of the Senator from Rhode Island.

Mr. CLARK. I regret that I find myself unable to agree with the Senator. It is not the first time, nor will it be the last time.

I yield now to the Senator from Illinois.

Mr. DOUGLAS. I should like to ask the Senator from Pennsylvania a question. Does not the objection of the Senator from Rhode Island really subdivide itself into two objections: First, an argument on the basis of logic, but finally the clinching argument he advances is that if the Senator's motion were put, there would be a filibuster which would tie up the proceedings of the Senate?

Mr. CLARK. With the result that no rule of germaneness would be adopted, not even the modest one which the Senator from Rhode Island proposes, and for which I shall vote if I have no alternative. The Senator from Illinois is correct.

Mr. DOUGLAS. Does not this indicate that a filibuster does not have to be exercised in order to be effective?

Mr. CLARK. I think the saying is that we in the Senate legislate under the shadow of a filibuster which rarely comes out of the shade.

Mr. DOUGLAS. In other words, the threat of filibuster can be, and frequently is, as effective as a filibuster itself, either in forcing a compromise which the majority would not want to agree to, or in defeating a proposal.

Mr. CLARK. The threat hovers at this very moment. The Senator from Illinois is correct.

Mr. CHURCH. Mr. President, will the Senator yield?

Mr. CLARK. I yield.

Mr. CHURCH. First, as I said earlier, it is noteworthy that, during the past 10 days, the Senate has had before it for debate the question of whether or not the Senate should debate what is up for debate when it is up for debate—which seems to me to be symptomatic of the problem that faces us.

I wish to compliment the Senator from Pennsylvania for the leadership he has given in trying to reform and modernize the rules of the Senate. As the saying goes, if the Senate is pulled kicking and screaming into the 20th century, the Senator from Pennsylvania will deserve a great deal of the credit.

Mr. CLARK. Mr. President, will the Senator yield?

Mr. CHURCH. Before I yield to the Senator who has yielded to me, will the Senator permit me to disagree with him on his time?

Mr. CLARK. Of course, but if the Senator will yield first, I shall be deeply grateful to him.

My reason for asking the Senator to yield is that it occurs to me the clear issue involved here is which of the two proposals, that of the Senator from Rhode Island [Mr. PASTORE] or mine, is the most useful one for the Senate to adopt, and not whether we can get around to consideration of the Clark-Scott proposed rule because a minority of the Senate will not permit us to vote on the merits of that measure.

Mr. CHURCH. I will try to discuss the matter on its merits. I agree with the Senator from Rhode Island, but for a different reason than has been emphasized in the debate. I know the rule proposed by the Senator from Pennsylvania might be the best one in terms of getting germane discussion most of the time. However, I do not think that is the issue.

I shall never forget the first time I came on the Senate floor and listened to the debate. I was completely astonished by what took place. The matter that was up for discussion was never discussed. A Senator would get up and talk about the problems of Patagonia. Another Senator would discuss fish flour. Another Senator, when he got the floor, would talk about the future of TVA. Another Senator would talk about some other subject, close to the hearts of his constitutents—like the quality of russett potatoes grown in the lava soils of the great Northwest, which is always a good subject for a Senator from Idaho to discuss. But the subject of debate, the issue before the Senate, the legislative business, was never discussed during the whole afternoon.

I was amazed at such procedure, with no discipline, no direction, nothing but confusion and disorder.

Yet it is to this procedure that we have all become accustomed; and if we are going to change this procedure we had better take into account the prevailing mood of the Senate, and most of us, I suspect, would not like to lose our chance to discuss a subject of our choice, whenever we think it timely.

The chief merit of the proposal which has the endorsement of the Committee on Rules and Administration is that it seeks a reasonable rule of germaneness that may be acceptable to the majority of the Senate, whereas the proposal of the Senator from Pennsylvania is not.

Mr. CLARK. How would we know until we got to a vote on it?

Mr. CHURCH. I am confident that the proposal of the Senator from Rhode Island has a better chance of getting adopted than the proposal of the Senator from Pennsylvania. And I would like to see some progress made. The proposal of the Senator from Pennsylvania could deprive Senators for days on end of a chance to speak on subjects they regard as timely and important. Most are unwilling to accept so severe a limitation on senatorial prerogative. So why not make progress by keeping within the bounds of the possible? I say that if we realistically want to make progress, the way to make it is by adopting the proposal endorsed by the committee. For this reason I shall have to oppose the proposal of the Senator from Pennsylvania, much as it hurts me to do so.

Mr. CLARK. May I say that the position of the Senator from Idaho hurts me more than it does him. I suggest that if a majority of the Senate would like to see adopted a more rigorous rule of germaneness than that proposed by the Senator from Rhode Island, they have a fundamental, an American right to so decide by majority vote. I say it is essentially un-American and foreign to prevent that matter from coming to a vote on its merits.

The Senator from Idaho thinks my proposal would be defeated on its merits. He may be right. My objection is that there are certain Senators who will not let that issue come to a vote on its merits. They want to see if a motion to table will carry. They hope it will carry. But if it fails, they are going to deny the right of a majority to change the rules. I think this is essentially un-American and unwise.

Mr. CHURCH. Will the Senator yield for a moment?

Mr. CLARK. I am happy to yield.

Mr. CHURCH. It seems to me that another virtue of the Pastore proposal is that it is definite. All of us know exactly what this limitation is. All of us know there will be 3 hours of germane debate. How much that will help to expedite the business of the Senate; how it will help to bring Senators to the floor to attend the debate; what a real step forward it will be.

The chief objection to the alternative proposal offered by the Senator from Pennsylvania is that it leaves us all in doubt as to when germaneness will be invoked, and how long it will last. These doubts are the kind that will stir a majority of the Senate to make no change at all.

That is not the way to make progress. Therefore I feel we should adopt the proposal approved by the committee.

Mr. CLARK. Let me say two things in reply. In the first place, the Clark-Scott proposal is every bit as definite as the Pastore proposal. Its definiteness is tied to the conclusion of the pending business. I believe that on many occasions the rule of germaneness we propose would be in effect for a shorter time than under the proposal of the Senator from Rhode Island, because, for example, if it were decided to invoke the rule of germaneness, the debate might proceed for 20 minutes, and then it would be out of the way. But it is just as definite as the Pastore proposal, because it would remain in effect until the pending business was disposed of or unanimous consent was given to put aside the rule of germaneness on motion decided without debate, if a majority of the Senate decided that it wanted to lift the germaneness rule. There is nothing more definite about the Pastore proposal than about the Clark-Scott proposal.

The Senator from Idaho saw fit to refer to me as the leader of efforts for congressional reform. One cannot be a leader unless he has troops to lead. So far as I am concerned, there are very few troops available.

As I have stated, I believe the Senate is in danger of losing its status as the greatest deliberative body in the world. I think it has already lost it. The Senate is open to increasingly bitter criticism from the people of the United States day after day. There are articles from outstanding columnists on how Congress is not doing its job. I have a sheaf of such articles, which I shall be placing in the RECORD from time to time.

The people of the United States are in revolt against Congress. If we do not heed the warnings, this legislative body will go down the drain of history as others have, starting with that in Greece, and many legislative bodies in what is now free Europe and other parts of the world.

I appreciate the fact that these are strong words on a very minor question relating to a rule of germaneness. This is merely an effort to cure a small symptom of a widespread disease which, in my opinion, is malignant. It is time to use the surgeon's scalpel, and to give a little radium treatment. If we let the patient's condition grow any worse we may come back within our lifetime and find that the people of the United States in their wisdom have destroyed the Senate of the United States and have converted it into a far different body than the one we love so much, as it is today. I love the Senate as much as does any other Member of the Senate. I should like to sit in the Senate and be proud of it. It is for that reason that I am making this effort.

I yield first to the Senator from New York. Then I shall yield to the Senator from Indiana [Mr. BAYH].

Mr. KEATING. Mr. President, I have one comment to make; then I shall address a question to the distinguished Senator from Pennsylvania.

I agree with the latter part of the Senator's remarks. I am one of the troops who believe there is a need for revision of the Senate rules. That is one of the reasons—not the principal one—why the editorials we read are being written. They reflect upon all Members of the Senate, not only upon the leadership or upon any particular group, but upon the whole Senate.

That is my reason for cosponsoring the resolution of the distinguished Senator from Rhode Island [Mr. PASTORE]. I feel it is at least a small step in the right direction.

I pointed out the other day that, having served in the House, I know we cannot expect too much from the germaneness rule that is proposed. However, along comes the Senator from Pennsylvania with his proposal. I consider it to be preferable. I believe it is an improvement over the resolution submitted by the Senator from Rhode Island, which I have cosponsored.

I presume it would be sparingly invoked, either by the majority leader or by any other Senator. Probably if any Senator other than the majority leader invoked it, he would not be successful. We know that to be so from our experience in this body.

I assume that this point has been thought of and that there is some reason for the form in which his amendment is presented. I see nothing inconsistent between the Pastore resolution and the Clark-Scott amendment. It seems to me that the Senator from Pennsylvania goes further. I wondered why the Senator couched his amendment as a substitute for Senate Resolution 89, rather than as an amendment of or as an addition to Senate Resolution 89.

Mr. CLARK. The reason is largely historical. My proposal had been offered to the Committee on Rules and Administration. A hearing had been held on it before the committee. Two members of the committee, including myself, preferred my version to that of the version offered by the Senator from Rhode Island. I thought I might as well bring it to the floor in this form, inasmuch as it had been considered in that form by the Committee on Rules and Administration. It could have been phrased differently. In phrasing it I have taken a little wisdom from an editorial in the Washington Post of this morning entitled "Stick to the Subject." I ask unanimous consent that the editorial be printed in the RECORD at this point.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

STICK TO THE SUBJECT

> When the Senate debates a bill or resolution should its Members be required to stick to the subject? Or should they be free to range all over the universe? This is the chief question that will confront the Senate today when it takes up Senator PASTORE's rule of germaneness. In other words, it might be said that the Senate will vote on whether it should indulge in free-for-all frolic or tend to the public business.
>
> The self-discipline that Senator PASTORE has proposed is mild enough. He would require that for 3 hours following the folksy and miscellaneous morning hour, Senators would be allowed to talk only about the business at hand. It is difficult to see how this could impose a hardship on anyone. Both before and after the precious 3 hours that would be reserved for orderly debate on the bill before the Senate, there would be ample opportunity for the Members to expatiate upon the beauties of nature and the problems of their home States. Indeed, one complaint about the Pastore proposal is that it does not go far enough.
>
> In an effort to improve on the Pastore resolution, Senators CLARK and SCOTT have offered a substitute. They would permit the majority leader, the Senator in charge of the bill, or for that matter any other Senator, to move that all further debate on the pending business be germane. The motion would not be debatable, and if the Senate approved it, all the subsequent discussion would have to be directly related to the business at hand until it was disposed of. This would have the substantial advantage of keeping the Senate on the subject, not for just 3 hours a day, but as long as necessary to bring the debate to a close.
>
> The Clark-Scott substitute would have the disadvantage, however, of not being automatically effective every day. An easygoing Senate might invoke it only in emergencies. In our opinion, it would be highly desirable to have both proposals in effect. The Pastore rule would require the Senate to focus consistently on its pending business for at least 3 hours every meeting day. The Clark-Scott rule could be readily invoked to prevent meandering debate during other hours whenever necessary to meet the requirements of a legislative agenda. The two ideas are not conflicting but complementary. The necessity for sticking to the subject 3 hours every day would be especially useful as a reminder to Senators that a new tool was at hand for more extensive use at any time that the course might seem desirable.
>
> We hope that the Senate will approve both the proposed rules of germaneness.

Mr. CLARK. Mr. President, if my amendment is defeated, I shall be prepared to offer the other version as an amendment.

Mr. KEATING. Does the paper which the Senator has in his hand provide for an amendment of Senate Resolution 89 by adding to its provisions, rather than making it a substitute for the Pastore resolution?

Mr. CLARK. I will read it for the information of the Senate. The other proposal that I shall advance, which I have discussed with the Senator from Rhode Island, and which I hope he will be prepared to accept, would be the complete text of the Pastore resolution plus this language, which would be added at the end of that resolution.

The additional language reads as follows:

On page 2, line 3, of Senate Resolution 89, it is proposed to strike out the closing quotation marks, and insert in lieu thereof the following:

> If at the end of the period of germane debate provided by this paragraph, the specific question then pending before the Senate shall not have been disposed of, any Senator may move that all further debate under the order for pending business shall be germane to the subject matter before the Senate. If such motion, which shall be nondebatable, is approved by the Senate, all further debate under the said order shall be germane to the subject matter before the Senate, and all questions of germaneness under this rule, when raised, including appeals, shall be decided by the Senate without debate.

Mr. KEATING. I thank the Senator. I wonder if the Senator does not feel that he would do better on the tabling vote if he offered his amendment now. Have the yeas and nays been ordered?

Mr. CLARK. No.

Mr. KEATING. I wonder if he would not do better if he modified his amendment. My personal feeling is that that would be the way to handle it. Speaking for myself, I am somewhat in a quandary as to how to vote on the motion to table. I like the wording of the Pastore resolution. I believe if the Senator would modify his amendment in the way now suggested, it would be completely acceptable, and I am sure would improve the Pastore resolution. I do not like to eliminate the Pastore resolution.

Mr. CLARK. The wisdom and parliamentary acumen of my friend from New York are highly persuasive with me. I only regret that he had the bad judgment to be elected to sit on the other side of the aisle instead of over here.

A parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. CLARK. Have I the right to withdraw my amendment and offer a perfecting amendment?

The PRESIDING OFFICER. The Senator may either modify or withdraw his amendment.

Mr. CLARK. I withdraw my amendment, and I send to the desk another amendment and ask that it may be read. Then, if it is agreeable to the Senator from Rhode Island, I shall ask for the yeas and nays on the amendment.

The PRESIDING OFFICER. The amendment will be stated.

The LEGISLATIVE CLERK. On page 2, line 3, it is proposed to strike out the closing quotation marks, and insert in lieu thereof the following:

> If at the end of the period of germane debate provided by this paragraph, the specific question then pending before the Senate shall not have been disposed of, any Senator may move that all further debate under the order for pending business shall be germane to the subject matter before the Senate. If such motion, which shall be nondebatable, is approved by the Senate, all further debate under the said order shall be germane to the subject matter before the Senate, and all questions of germaneness under this rule, when raised, including appeals, shall be decided by the Senate without debate.

Mr. CLARK. I direct an inquiry to my friend from Rhode Island. Does he have in mind accepting the amendment, or at least permitting a vote on its merits?

Mr. PASTORE. This amendment was rejected by the committee. The committee had considered the subject. I am quite aware of the probability that his amendment would jeopardize even a small step in the direction that I would like to take.

I shall make my motion to lay his amendment on the table. I would want the vote to be a yea-and-nay vote. If I am not sustained in my effort, there will be a vote on the merits of the amendment. I have already apprised my distinguished friend from Pennsylvania that I would do precisely that.

Mr. CLARK. I make the point that this particular amendment was not presented in its present form to the committee; that only the substitute amendment, which was withdrawn, was presented; and that while that amendment was rejected by the committee, it was by a divided vote. Sometimes even I agree that a minority on a committee may be right and the majority wrong. I am prepared to have the Senator from Rhode Island move to table the amendment.

Mr. PASTORE. And ask for the yeas and nays?

Mr. CLARK. Yes.

Mr. PASTORE. Mr. President, I move to lay on the table the amendment proposed by the Senator from Pennsylvania. First, I ask for the yeas and nays.

The yeas and nays were ordered.

Mr. THURMOND. Mr. President, I have a few words to say on the subject.

Mr. CLARK. The motion to table is not debatable.

Mr. THURMOND. I can make my remarks after the vote is had.

The PRESIDING OFFICER. The question is not debatable. The yeas and nays have been ordered, and the clerk will call the roll.

The legislative clerk called the roll.

Mr. HUMPHREY. I announce that the Senator from Nevada [Mr. BIBLE], the Senator from Mississippi [Mr. EASTLAND], the Senator from Oklahoma [Mr. EDMONDSON], the Senator from Tennessee [Mr. GORE], the Senator from Alaska [Mr. GRUENING], the Senator from Michigan [Mr. HART], the Senator from Massachusetts [Mr. KENNEDY], the Senator from Montana [Mr. METCALF], and the Senator from Alabama [Mr. SPARKMAN] are absent on official business.

I further announce that, if present and voting, the Senator from Nevada [Mr. BIBLE], the Senator from Mississippi [Mr. EASTLAND], the Senator from Oklahoma [Mr. EDMONDSON], and the Senator from Massachusetts [Mr. KENNEDY] would each vote "yea."

On this vote, the Senator from Alaska [Mr. GRUENING] is paired with the Senator from Michigan [Mr. HART]. If present and voting, the Senator from Alaska would vote "yea," and the Senator from Michigan would vote "nay."

On this vote, the Senator from Alabama [Mr. SPARKMAN] is paired with the Senator from Montana [Mr. METCALF]. If present and voting, the Senator from Alabama would vote "yea," and the Senator from Montana would vote "nay."

Mr. KUCHEL. I announce that the Senator from New Hampshire [Mr. COTTON], the Senator from Arizona [Mr. GOLDWATER], the Senator from Kentucky [Mr. MORTON], and the Senator from North Dakota [Mr. YOUNG] are necessarily absent.

The Senator from New York [Mr. JAVITS] is absent on official business.

On this vote, the Senator from Kentucky [Mr. MORTON] is paired with the Senator from New York [Mr. JAVITS]. If present and voting, the Senator from Kentucky would vote "yea," and the Senator from New York would vote "nay."

The result was announced—yeas 70, nays 16, as follows:

[No. 5 Leg.]

YEAS—70

Aiken
Allott
Anderson
Bartlett
Bayh
Beall
Bennett
Boggs
Brewster
Burdick
Byrd, Va.
Byrd, W. Va.
Cannon
Carlson
Church
Cooper
Curtis
Dirksen
Dodd
Dominick
Ellender
Engle
Ervin
Fong
Fulbright
Hartke
Hayden
Hickenlooper
Hill
Holland
Hruska
Inouye
Jackson
Johnston
Jordan, N.C.
Jordan, Idaho
Lausche
Long, Mo.
Long, La.
Magnuson
McClellan
McGee
McGovern
McIntyre
Mechem
Miller
Monroney
Mundt
Muskie
Nelson
Pastore
Pearson
Pell
Prouty
Proxmire
Robertson
Russell
Saltonstall
Simpson
Smathers
Smith
Stennis
Symington
Talmadge
Thurmond
Tower
Walters
Williams, Del.
Yarborough
Young, Ohio

NAYS—16

Case
Clark
Douglas
Humphrey
Keating
Kuchel
Mansfield
McCarthy
McNamara
Morse
Moss
Neuberger
Randolph
Ribicoff
Scott
Williams, N.J.

NOT VOTING—14

Bible
Cotton
Eastland
Edmondson
Goldwater
Gore
Gruening
Hart
Javits
Kennedy
Metcalf
Morton
Sparkman
Young, N. Dak.

So the motion to lay on the table was agreed to.

Mr. PASTORE. Mr. President, I move that the vote by which the amendment was laid on the table be reconsidered.

Mr. MANSFIELD. Mr. President, I move that the motion to reconsider be laid on the table.

The motion to lay on the table the motion to reconsider was agreed to.

Mr. PASTORE. Mr. President, I do not know of other amendments to be submitted to the resolution. While so many Senators are present, I wonder whether it will be possible to obtain an agreement to limit further debate on the resolution.

Mr. DIRKSEN. Mr. President, I wish to express my opposition to the resolution, although I am prepared to enter into an agreement to limit debate. I should like to have approximately 15 minutes in which to express my views on the resolution.

Mr. PASTORE. Mr. President, I propose the following unanimous-consent agreement:

One hour of debate, with one-half an hour to each side; the time for Senators in opposition to be under the control of the minority leader [Mr. DIRKSEN], and the time for Senators who favor the resolution to be under the control of the majority leader [Mr. MANSFIELD]; and with the further proviso that debate and all motions in connection with it be germane.

Mr. DIRKSEN. Mr. President, reserving the right to object, first let me ask whether the Senator from Pennsylvania proposes to offer the other amendment, as an additional amendment.

Mr. CLARK. The Senate voted on it only a moment ago, so I am through.

Mr. DIRKSEN. If the Senator from Pennsylvania does not have a further amendment to propose, I presume the next question is on agreeing to the resolution as submitted by the Senator from Rhode Island [Mr. PASTORE], in behalf of himself and the various cosponsors.

Mr. HOLLAND. Mr. President, will the Senator from Illinois yield?

Mr. DIRKSEN. I yield.

Mr. HOLLAND. Is the proposed agreement to include a reservation similar to that in connection with the customary third reading of a bill or joint resolution?

Mr. PASTORE. I think the understanding is that inasmuch as the resolution is a Senate resolution, no such proviso is required.

Mr. DIRKSEN. Mr. President, further reserving the right to object, I wish to have time in which to discuss the resolution, but 15 minutes will suffice. If a total of 1 hour, to be equally divided, is deemed sufficient, I am prepared to agree to that proposal, unless some other Senator wishes to be heard further on the resolution.

Mr. ERVIN. Mr. President, I am informed that the senior Senator from Georgia [Mr. RUSSELL] wishes to speak in opposition to the resolution. However, at the moment he is not in the Chamber.

Mr. PASTORE. In that event, I shall allot to the Senator from Georgia 15 minutes of the time under my control, if the Senator from Georgia wishes to speak in opposition to the resolution.

Mr. ERVIN. The trouble is that I do not know how long the Senator from Georgia may wish to speak. Therefore—although I do so with great reluctance, Mr. President—I object to the proposed unanimous-consent agreement.

UNANIMOUS-CONSENT AGREEMENT

Mr. MANSFIELD. Mr. President, after consultation with the distinguished minority leader and other interested Senators on both sides, I should like to make a unanimous-consent request—with the understanding that no further amendements will be offered—that a vote be taken on Senate Resolution 89 at 3 o'clock tomorrow afternoon, and that the time be equally divided.

The PRESIDING OFFICER. Is there objection?

Mr. HOLLAND. Mr. President, reserving the right to object—I shall not object, I wished to report certain bills from the Government Operations Committee with the recommendation that they pass.

Mr. CLARK. Mr. President, will the Senator from Montana yield?

Mr. MANSFIELD. I yield.

Mr. CLARK. I know the problems that the majority leader has in meeting the needs of all Senators, but I wonder if he could make the hour 4 o'clock instead of 3 o'clock, because I have a speaking engagement at a luncheon in New York tomorrow which I am reluctant to break. I can be back by 4 o'clock.

Mr. MANSFIELD. Mr. President, I amend my unanimous consent request from 3 o'clock to 4 o'clock.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and it is so ordered.

Mr. CLARK. I thank the Senator from Montana for his unfailing courtesy.

UNANIMOUS-CONSENT AGREEMENT

Ordered, That, effective on Thursday, January 23, 1964, at the conclusion of routine morning business, during the further consideration of the resolution (S. Res. 89) providing for germaneness of debate under certain conditions, all debate be equally divided and controlled by the Senator from Rhode Island [Mr. PASTORE] and the minority leader or some Senator designated by him: *Provided further*, That no amendment shall be received.

Ordered further, That a vote on adoption of the resolution be taken at 4 o'clock p.m. on January 23.

ORDER FOR ADJOURNMENT

Mr. MANSFIELD. Mr. President, I ask unanimous consent that when the Senate concludes its business today, it adjourn until 12 o'clock noon tomorrow.

The PRESIDING OFFICER. Without objection, it is so ordered.

THEY GIVE OF THEIR LABOR—TO CONQUER CANCER

Mrs. NEUBERGER. Mr. President, a heartwarming communal effort is taking place in our country that recalls the logrolling and house raising of pioneer days. A building is going up and the builders are not paid. It will house pioneers in the field of medicine—doctors and scientists—who are seeking answers to the cancerous diseases.

The new Waldemar Cancer Research and Prevention Center, Woodbury, Long Island, is a 40,000-square-foot building which normally would cost close to $2 million to construct and equip. However, the costs are being cut considerably because of the cooperation of the Nassau-Suffolk Building & Construction Trades Council on Long Island, which has contributed a great deal of the construction labor. Its president, Mr. John E. "Buddy" Long, has been able to involve 21 international unions in the project with the men giving their time on Saturdays, Sundays, and after hours. The generosity of these workers has also inspired companies to contribute materials. One of the laborers, in describing his reasons for having worked during the past 18 months, said:

> Cancer is war * * * and this is the only way I have of fighting it.

The center, when completed, will serve as a comprehensive facility to be devoted to all aspects of the cancerous diseases. In addition to an expanded research program, a diagnostic center for the examination of well persons will also be conducted. It is expected that 25,000 patients will be examined each year.

The Waldemar Medical Research Foundation has excellent scientific standing. This is evidenced by the firm support given to its scientists by the American Cancer Society, the National Science Foundation, and the National Institutes of Health. Over 100 research publications and reports to professional societies in this country and at international meetings have appeared in leading scientific and medical journals. Waldemar conducts active research in such diverse fields as role of immunity in cancer and neoplastic diseases; the effect of magnetic fields on tumors and on living tissue; techniques for the early detection of cancer in various regions of the body are studied; the effect of the environment on cancerous processes; and the role of viruses as an agent in the cause of cancer; teaching activities by foundation scientists at leading universities and in courses conducted at the foundation. Fully accredited university-sponsored graduate courses are given at the foundation to selected students enrolled for the master's or doctorate degrees; training college students in research procedures, a research participation program during the summer months, and a similar program for science teachers and high school students the year round.

Mr. President, an article entitled "They Give of Their Labor—To Conquer Cancer" which appeared in the December issue of the Construction Craftsman describes the activities of the foundation and the union men. I ask unanimous consent that following my remarks the text of the article be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

THEY GIVE OF THEIR LABOR—TO CONQUER CANCER

(By Jack Chamberlain)

"This major health facility—the only one of its kind on Long Island—will stand as a tribute to labor, management, and residents of our communities. Without their unselfish and generous help and support, this Cancer Research and Prevention Center could not have been built at this time." (Dr. Norman Molomut, scientific director, Waldemar Medical Research Foundation.)

For over a year now, out on Long Island, a small army of bricklayers, cement masons, steelworkers, laborers, electrical workers, carpenters, pipefitters, sheet metal workers, painters, glaziers, operating engineers, and others have been hard at work on a very special construction project.

What is different about the new $1,250,000 Waldemar Cancer Research and Prevention Center—to be completed next month—is that, during these 17 months, most of the labor that has gone into the building has been a spontaneous gift of love for all those in the area afflicted with cancer, and a gift of hope for the early elimination of the insidious disease from the lives of all people, everywhere.

The new research center is located on 10 open acres near Woodbury in eastern Nassau County, just north of Northern State Parkway fronting on Sunnyside Boulevard. It will accommodate the Waldemar Medical Research Foundation's ever-increasing research, detection, and educational programs in the area of early cancer detection and prevention.

The story of the rapidly growing foundation, with its future potentialities, is what has inspired the men of the Nassau-Suffolk County building trades under the leadership of Building Trades Council President John E. "Buddy" Long. The foundation began its work in 1947 in small quarters in Brooklyn. It was named after Waldemar Vernet, a victim of cancer, whose brother Sergius supported the new research group with generous contributions.

A grant from a Chicago foundation in 1953 made possible the group's second laboratory in Port Washington, Long Island, with the scientists—because of shortage of funds for everything that was crying out to be done—performing much of the construction work themselves.

For 15 years the Waldemar Foundation has continued to grow in size and scientific stature. It is now ready to move into its third and most spacious home at uncrowded Woodbury.

A total of 17 craft unions have contributed their services, without pay, since the first work began at the site in the summer of 1962. At the same time, and with a similar spirit, many business firms have contributed their talents and materials and time—including architects, builders, construction companies, suppliers, and services of various kinds. Saturdays—and even Sundays and holidays—have been "big days" on the Waldemar job.

The dream of a large, modern, and fully equipped center, at an estimated cost of $1,250,000 for construction and equipment, was originally that of Dr. Norman Molomut, scientific director of the foundation. Actual cost will be approximately one-third that figure, thanks to the donated labor and materials.

A $272,000 Federal construction grant from the National Institutes of Health in Washington got the project started last year. In the past decade, the foundation has been awarded some $480,000 in Federal grants for research projects, and a bequest of $157,000 in securities from the legacy of the late Dolly Belasco.

The administrative director of the foundation, Mrs. Florence Lazere, related to this reporter how workers by the hundreds—as well as many industries, businesses, and other services—"rallied to our cause last year after learning of our financial difficulties in starting construction of the proposed center. Leaders of labor and management groups contacted us—with almost unbelievable spirit, determination, and camaraderie—offering us free time and labor, materials and services, for weekend work sessions."

When completed next month, the new center will be an L-shaped building extending 268 feet in the main wing—75 feet wide—with the second wing 100 feet long.

One-quarter of the building's space will be the cancer detection facility that will be seen by the public using the services of the foundation. In addition to routine examinations, new methods derived from the foundation's scientific research in early cancer detection will be applied, including oral cancer prevention, a pediatric examination program, and other innovations.

The rest of the building—30,000 of the 40,000 square feet to be available—will be the laboratory space, of most modern design, for research studies. Scientific equipment and specialized laboratories of various sizes will be available to the staff for a variety of study fields. These include work in immunology, histochemistry, bacteriology, cytology, biophysics, biochemistry, pathology, histology, clinical research, and animal laboratories for research experiments.

All the time given free by Long Island building tradesmen for the construction of the facilities for this medical project—time ordinarily worth a total of hundreds of thousands of dollars—will be repaid many times over. As Dr. Molomut said last month, experience has shown that whenever proper and adequate facilities for cancer detection are provided, deaths due to cancer have decreased. With this facility, all Long Island will benefit.

"Today," he said, "one million Americans are still alive because diagnosis and treatment were made available in time."

Ultimately, cancer will be conquered, as other diseases have been in the past. But this can come about only by the training of additional scientists; in acquiring new and fundamental knowledge through research; and for the ordinary citizen, in providing adequate diagnostic facilities for the community in which he lives.

The new Waldemar Center is a step in the right direction. Every life saved there in the years to come will send a glow into the heart of every Long Island tradesman and businessman who gave of his time and his talent so that this much-needed service facility could become a reality sooner.

FILING OF CLAIM BY DEPARTMENT OF JUSTICE AGAINST McCLOSKEY & CO., PHILADELPHIA

Mr. WILLIAMS of Delaware. Mr. President, I have received a letter from the Department fo Justice stating that they are filing a claim against McCloskey & Co., Philadelphia, Pa., and others, for $4,918,577 as the result of the contractor's failure to have built a Veterans'

Administration hospital in Boston according to specifications.

On October 10, 1962, as appearing in the Congressional Record, volume 108, part 17, pages 22933–22934, I called the attention of the Senate to the faulty construction of the Veterans' Administration hospital in Boston which had been built in 1950 by McCloskey & Co.

In that statement I inserted a report, signed by Maj. Gen. J. B. Lampert, in which he confirmed that the Veterans' Administration hospital had not been built according to specifications and that the estimated cost of necessary repairs would approximate $4 million.

I stated that on that date I was sending a copy of both my statement and Major General Lampert's report to Attorney General Robert Kennedy for his examination.

The Attorney General's office acknowledged receipt of this report and stated that they would investigate to determine what steps should be taken to protect the taxpayers.

As a result, I have just received a letter dated January 17, 1964, signed by Mr. John W. Douglas, Assistant Attorney General, in which he states that the Government has determined that the facts indicated a basis for filing a suit. According to Mr. Douglas, the Department of Justice on December 24, 1963, mailed demand letters first to the construction contractor, McCloskey & Co., Philadelphia, Pa.; second, the architects, Shepley-Bulfinch-Richardson and Abbott, a Boston partnership; and third, the engineers, Charles T. Main, Inc., of Boston.

In this letter the Department of Justice demands payment of $4,918,577 plus appropriate interest and states that unless this payment is received on or before January 20, 1964, the Department of Justice, in order to protect the public interest, would file a suit against the several contractors to recover the amount demanded.

I compliment the Department of Justice upon the vigorous manner in which they have pursued this case and thereby protected the interests of the American taxpayers.

At this point I ask unanimous consent to have printed in the Record the letter dated January 17, 1964, from the Department of Justice as signed by Mr. John W. Douglas, Assistant Attorney General, in which he confirms the filing of this $4,918,577 claim.

There being no objection, the letter was ordered to be printed in the Record, as follows:

Department of Justice,
Washington, D.C., January 17, 1964.
Hon. John J. Williams,
U.S. Senate,
Washington, D.C.

Dear Senator Williams: As you will recall, in our letter to you of July 31, 1963, we stated that we would advise you when a decision had been made whether to file a suit against the builder and/or the architect-engineer of the Veterans' Administration hospital in Boston.

Since my letter to you of July 31 we have been engaged in securing and evaluating additional information relating to the defects and deficiencies in the hospital.

Several weeks ago it became apparent that the facts indicated a basis for filing a suit. Accordingly, on December 24, 1963, we mailed demand letters to (1) the construction contractor, McCloskey & Co., Philadelphia, Pa., (2) the architects, Shepley-Bulfinch-Richardson and Abbott, a Boston partnership, and (3) the engineers, Charles T. Main, Inc., of Boston. The letters stated that, if payment of $4,918,577 plus appropriate interest was not received on or before January 20, 1964, the Department of Justice, in order to protect the public interest, would file a suit against the several contractors to recover the amount demanded.

We shall, of course, be pleased to furnish any additional information which you may desire on the status of this matter.

Sincerely yours,
John W. Douglas,
Assistant Attorney General.

Mr. SALTONSTALL. Mr. President, will the Senator from Delaware yield?

Mr. WILLIAMS of Delaware. I yield.

Mr. SALTONSTALL. I should like to inform the Senator that the Senate Appropriations Committee has been considering this question for the past 2 or 3 years, and I am glad to hear what the Senator from Delaware has reported.

Mr. WILLIAMS of Delaware. I thank the Senator. The Department of Justice should be complimented for pursuing this case involving these serious charges of faulty construction and of not meeting the specifications outlined under the contract. As a result, the Government is now demanding payment of nearly $5 million, and I am certain that this subject will be pursued to final collection.

Mr. CLARK. Mr. President, a few minutes ago the senior Senator from Delaware [Mr. Williams] spoke from a prepared statement about a suit which is being brought by the Department of Justice against McCloskey and Co., Philadelphia, Pa. I could not hear all the Senator said.

I hope all Senators will, in the best American tradition, reserve judgment as to whether the suit is or is not well founded until a fair trial has been held in a Federal court.

I have the highest regard and respect for Mr. McCloskey. I pass no judgment on the merits of this litigation. Accordingly, I suggest to all Senators that they refrain from passing judgment, express or implied, until a judge and jury have determined whether or not the charges are well founded.

Mr. WILLIAMS of Delaware. Mr. President, will the Senator from Pennsylvania yield?

Mr. CLARK. I yield.

Mr. WILLIAMS of Delaware. I am not passing judgment, I am merely placing in the Record the letter which I have just received from the Department of Justice. In October of 1962 I placed in the Record the report from Maj. Gen. J. B. Lampert. In this report General Lampert made a rather serious charge as to the faulty construction of the Veterans' Administration hospital which had been built in Boston by McCloskey & Co.

Mr. President, at this point I ask unanimous consent to have printed in the Record again General Lampert's letter and report.

There being no objection, the letter and report were ordered to be printed in the Record, as follows:

Headquarters,
Department of the Army,
Office of the Chief of Engineers,
Washington, D.C., September 13, 1962.
Hon. John J. Williams,
U.S. Senate.

Dear Senator Williams: This letter is in further reply to your recent inquiry regarding the Veterans' Administration Hospital in Boston, Mass.

I am inclosing a report on our investigation of the construction defects, including our findings and the actions we propose to take to correct the defects.

I trust that the report gives you the information you desire.

Sincerely yours,
J. B. Lampert.
Major General, USA, Director of Military Construction.

Report of Construction Defects, Veterans' Administration Hospital, Boston, Mass., Background

The 1,000-bed general medical hospital was designed and constructed under the jurisdiction of the Corps of Engineers. Design was accomplished by contract with the architectural firm of Coolidge-Shepley-Bulfinch & Abbot, and the engineering firm of Charles T. Main, Inc., acting as joint venturers. Inspection of construction was performed by the same joint venture. A lump sum contract for construction was awarded to McCloskey & Co., February 15, 1950, on the basis of competitive bids from the following firms:

McCloskey & Co	$10, 563, 000
John A. Johnson & Sons, Inc	10, 917, 000
Thompson & Sterrett Co	11, 137, 000
Gust K. Newburg Construction Co	11, 157, 000
Charles H. Thompkins Co. and G. L. Rugo & Sons, Inc	11, 180, 000
B. Perini & Sons, Inc. and C. J. Maney Co., Inc., and Peter Kewitt Sons Co	11, 183, 786
Thomas O'Connor & Co., Inc	11, 215, 000
Merritt-Chapman & Scott Corp	11, 245, 000
Turner Construction Co	11, 252, 930
George A. Fuller Co	11, 432, 000
Gilbane Building Co	11, 444, 684
John Bowen Co	11, 512, 000
J. Slotnik Co	12, 817, 000
Government estimate	12, 160, 000

The structure comprises 14 floors, several penthouse service levels, a basement and partial sub-basement. The structural framework is reinforced concrete and the facing is brick. The hospital was completed October 1952.

HISTORY OF DAMAGE

In April 1953 the Veterans' Administration informed the Corps of Engineers that cracking, bulging, and spalling of the brick surface had become evident. Beginning in June 1953 several investigations were made and corrective actions were taken to repair damages that occurred progressively.

Under authority of the Veterans' Administration the Corps of Engineers in mid-1961 through employment of consulting engineers conducted an extensive investigation of the structure and subsequently awarded a contract for removal and replacement of brickwork in distressed areas. At the same time a close examination was made of the structure in an effort to determine the cause of the continuing failures and to recommended methods of corrective action. This investigation showed that more than half of the limestone window mullions were cracked or broken; in some locations there was evidence of major cracking and the brickwork had moved away from the building frame to which it was originally fastened; in many places there were varying degrees of spalling, bulging and cracking of the brickwork. While the face of the existing brickwork in general is true and plumb, it was found, after removal of portions of the brickwork, that there was a greater than normal space between the brick and the concrete frame; there was evidence of poor construction practice in the manner in which the block and brick backup were installed; the brick relieving and the window lintel angles were not properly installed.

In addition, all windows have at times become inoperable and have required constant repair. Investigation disclosed that the aluminum windows, which were permitted under contract specifications as an alternate to rolled steel section windows, were not of a design adequate for a facility such as this hospital where they required constant operation. The windows are of light construction with thin materials and connections that are difficult to adjust, maintain, and replace. With the varied numbers of people operating the windows and the frequency of their use, the windows are subjected to heavy duty but have only light duty capacity.

THE PRESENT CONDITION

In view of the fact that brickwork in several locations has spalled and fallen from various levels, steps have been taken to reduce accident hazards by limiting or eliminating personnel movement around the building in all but essential areas and by installing temporary protective covering over the roofs of entrances.

REMEDIAL ACTION

Because of the practical difficulties involved in proper brick or wall replacement, and because of the various irregularities of construction encountered in the examination made to date, an exterior enclosure not dependent on the present backup construction or concrete frame is considered most feasible. Therefore, a curtain wall of insulated metal panels will be installed on a stage basis to replace the present brick.

All windows will be replaced.

The Veterans' Administration has authorized the Corps of Engineers to design the corrective features noted herein and is expected to authorize the award of a construction contract after design is completed.

The estimated cost of these repairs, including design, is $4 million.

DETERMINATION OF RESPONSIBILITY

Because of the shortage of personnel at the time of original construction of the hospital, due largely to the Korean war, the architects-engineers who performed the design were retained to perform the inspection of construction. This was done by exercise of an option under the basic contract. This practice is resorted to by the Corps of Engineers only in rare instances, where its own personnel are not adequate in numbers at the time construction is to begin.

The architect-engineers and the construction contractor have been notified of the defects in the hospital, and that their responsibilities in connection with the construction are under legal review.

During reconstruction the Corps of Engineers will exercise intensive supervision through its own personnel with a view of determining, in detail, the causes for the failures and making recommendations to the Department of Justice as to whether legal action against the architect-engineers and/or construction contractor is indicated.

Mr. WILLIAMS of Delaware. Mr. President, following my statement on October 10, 1962, I wrote to Attorney General Robert Kennedy in the Justice Department, enclosing a copy of this report and asking him to conduct an investigation to see what steps should be taken to protect the American taxpayers. It is as a result of his investigation that the claim was filed against McCloskey & Co. I should like to read this letter signed by Mr. John W. Douglas, Assistant Attorney General, under date of January 17, 1964.

DEPARTMENT OF JUSTICE,
Washington, D.C., January 17, 1964.

Hon. JOHN J. WILLIAMS,
U.S. Senate,
Washington, D.C.

DEAR SENATOR WILLIAMS: As you will recall, in our letter to you of July 31, 1963, we stated that we would advise you when a decision had been made whether to file a suit against the builder and/or the architect-engineer of the Veterans' Administration hospital in Boston.

Since my letter to you of July 31 we have been engaged in securing and evaluating additional information relating to the defects and deficiencies in the hospital.

Several weeks ago it became apparent that the facts indicated a basis for filing a suit. Accordingly, on December 24, 1963, we mailed demand letters to (1) the construction contractor, McCloskey & Co., Philadelphia, Pa., (2) the architects, Shepley-Bulfinch-Richardson and Abbott, a Boston partnership, and (3) the engineers, Charles T. Main, Inc., of Boston. The letters stated that, if payment of $4,918,577 plus appropriate interest was not received on or before January 20, 1964, the Department of Justice, in order to protect the public interest, would file a suit against the several contractors to recover the amount demanded.

We shall, of course, be pleased to furnish any additional information which you may desire on the status of this matter.

Sincerely yours,
JOHN W. DOUGLAS,
Assistant Attorney General.

Mr. CLARK. Mr. President, will the Senator yield for a question?

Mr. WILLIAMS of Delaware. I yield.

Mr. CLARK. I am sure the able and distinguished senior Senator from Delaware agrees with me that lawsuits should not be tried on the floor of the Senate, and that he does not intend, by the material that he has just placed in the RECORD, to pass any judgment with respect to guilt or innocence in the pending litigation.

Mr. WILLIAMS of Delaware. Has the Senator from Pennsylvania heard me make any remarks in which he felt that I was doing so?

Mr. CLARK. I merely asked the Senator to answer my question. If he does not desire to do so, he does not have to.

Mr. WILLIAMS of Delaware. I welcome the Senator's question as to my opinion. If he wishes to know whether I believe anything is wrong I will say "Yes." I think it is a scandalous situation. It is scandalous that a man who has had as many Government contracts as McCloskey has had would build a Veterans' Administration hospital in Boston with as faulty construction as was employed.

The Senator asked me for my opinion. He has it. If the Senator wishes me to go further and express in greater detail why I think the faulty construction of this Veterans' Administration hospital is a shocking indictment against this company I shall be glad to accommodate him.

The Department of Justice has been exceedingly lenient in evaluating the question. I am glad that they are getting around to collecting the damages and asking for the payment.

In connection with another Government building construction by this same company I ask unanimous consent that there also be printed in the RECORD at this point in my remarks an article entitled "Probe the Stadium," written by George Clifford and published in today's issue of the Washington Daily News.

This article raises some very pertinent questions concerning the stadium contract. This stadium was built by this same McCloskey & Co.

Only yesterday the Rules Committee released testimony to the effect that there had been kickbacks paid to Government officials in connection with the insurance on this stadium while it was under construction by Mr. McCloskey.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

PROBE THE STADIUM

(By George Clifford)

Looks like it is time for a full scale probe of District of Columbia Stadium.

Charges in the Senate yesterday that big money changed hands to secure profitable contracts for the construction of the ball park should be enough to open the lid all the way on one of the biggest puzzles in the city.

There are many things about the construction itself that are mysterious.

Why did the cost spiral up and up, finally sticking the taxpayers for $24 million?

Why was Congress—and the city—assured that the stadium would pay for itself, and why isn't it?

Why were fancy trimmings added to the construction, like an elevator to carry the President to the second level and a presidential reception room? Neither has ever been used—at least for the purpose intended.

Why do members of the Armory Board—the stadium's controlling bodies—give misleading figures on the cost of the elevator? They claim it added only $30,000 to the bill. The figure is closer to $200,000.

Why did the construction contract have to be renegotiated after the park was completed to give the builder more cash?

Why does the playing field keep sinking?

These are just a few of the areas that might be explored by qualified investigators. There are many more.

It is my hope that there will be a full probe and full disclosures. The public interest demands it.

The public interest also demands that the investigation be carried on by somebody other than the House District Committee.

While the probers are sniffing around, there are some other things that need a good, hard look.

Like the parties that were held to convince key Members of Congress that the site next to the armory was the right one.

The source of the money for these parties might add another interesting chapter.

The investigators might even be interested in looking at the books of the stadium-armory operation. The complete cash figures, apparently, are not a matter of public record. Qualified people have asked for a financial statement, and have been refused.

Going a step further, the probers might want to learn how the armory can be rented for parties at a figure that is below cost. It has happened recently.

The whole administration of the stadium is fertile for some deep digging.

> The Armory Board is composed of honorable men—Chairman Francis Kane is as close to being the ideal public spirited citizen as is likely to be found here; Commissioner Walter N. Tobriner is a dedicated man; National Guard Gen. W. D. Abendroth is the same.
>
> These men, however, have other duties. Working on the Stadium Board is just moonlighting for them. They lack the time to do the job properly.
>
> The show is run by Arthur (Dutch) Bergman, a glib former football coach, who is Washington's highest paid employee.
>
> If there are bodies buried out there, he should know where they are.
>
> The testimony yesterday from the Bobby Baker hearing indicates there are some bodies—in shallow graves.

Mr. ALLOTT. Mr. President, will the Senator yield?

Mr. CLARK. Mr. President, will the Senator yield further?

Mr. WILLIAMS of Delaware. I first yield to the Senator from Colorado, and then I shall yield to the Senator from Pennsylvania.

Mr. ALLOTT. Mr. President, I was interested in the remarks of the Senator from Pennsylvania. Of course, lawsuits should not be tried on the floor of the Senate. But I congratulate the Senator from Delaware for having been able to obtain a reply to his request. For the past 2 years the Subcommittee on Appropriations for Independent Offices has attempted, by questioning the Administrator, Mr. Gleason, to find out what had become of the action in relation to the Veterans' Administration facility in Boston, which is of comparatively new construction, and which immediately started falling apart.

There is no question that the Veterans' Administration, or at least the Government, has had to go in. I am not sure whether the Veterans' Administration or GSA is doing the necessary repair. But there is no question that they have had to go in and completely reconstruct the outside of the hospital at a cost in excess of $4 million—almost $5 million. So we do not have to talk about trying lawsuits on the floor of the Senate. The facts are available. The building was constructed, and almost immediately the outside fell off. The Government has had to go in and rebuild it. Mr. McCloskey is the man who built the facility. There are no questions about that, are there?

Mr. WILLIAMS of Delaware. No questions at all. That faulty construction report was prepared by Major General Lambert, Director of Military Construction, Corps of Engineers, who investigated the subject. This report was printed in the RECORD on October 10, 1962, and I have asked that it be printed in the RECORD again today. McCloskey & Co. were the builders.

I have never taken it upon myself to try lawsuits on the floor of the Senate. The Senate is not a court. But we can call these cases to the attention of the Department of Justice. That was done a year ago last October. The Department of Justice acknowledged the communication and stated that it would look into it. The Department has examined the charges and as a result of its examination has announced that notice is being served, on McCloskey and his associates to pay $4,918,577 plus an appropriate interest charge not later than January 20, 1964, or the Department would file suit. The Department of Justice made that decision; I did not. I do compliment the Department of Justice for having taken the appropriate steps to protect American taxpayers.

THE UNITED NATIONS CAN MAKE A POSITIVE CONTRIBUTION TO PEACE

Mr. CHURCH. Mr. President, in his message to Chairman Khrushchev setting forth new U.S. guidelines to settle territorial disputes, President Johnson has seized upon the seemingly positive elements in the New Year's Day letter and built a positive response upon those points. This is creative statesmanship on his part. It may come to nothing but if so, it will not be because of negativism on our part.

It is our duty to continue to disagree with the Soviet Union where that protects our national interest. It also is our duty to find areas of common interest where agreements can be reached in the interest of world peace.

I have no way of knowing whether Chairman Khrushchev means what he says at any given time or whether the words he uses mean the same thing to him as they do to us.

But the fact is that his New Year's message includes the following words:

> The United Nations can make a positive contribution to the peaceful settlement of territorial and boundary questions.

Certainly we can agree to that statement. We have said as much over and again for the past 18 years—and we have helped make it true by contributing our moral and material support.

But it is novel to hear this view of the U.N. coming from the Kremlin. It is a far cry from what we have been accustomed to hear from the Soviets. In fact, the financial problems of the United Nations today are caused largely by the past refusals of the Soviet Union to pay its share of peacekeeping operations.

Now Mr. Khrushchev says that the peacekeeping machinery of the United Nations can make a positive contribution to peaceful settlement of border disputes. Certainly it is our duty to find out whether he is prepared to back up that statement by supporting the U.N. machinery instead of undermining it with vetoes and by refusing to pay peacekeeping assessments. The way is open to the Soviet Union to settle its accounts and to strengthen the U.N. for the future.

What counts is not words but action. But President Johnson is wise to challenge Chairman Khrushchev to match his words with action. If the words are propaganda, we shall soon know—and so will the rest of the world. If they mean what they say, then the prospect for peace is strengthened.

Mr. HUMPHREY. Mr. President, will the Senator yield?

Mr. CHURCH. I yield.

Mr. HUMPHREY. I rise to commend the Senator for his statement. The Senator is chairman of the Subcommittee on International Organizations of the Senate Committee on Foreign Relations. I know of no Member of this body who is more intimately acquainted with the workings and the responsibilities of the United Nations than the Senator from Idaho. His statement now in reference to the message of President Johnson has added significance because of his intimate knowledge of the fiscal operations and the financial obligations of the United Nations and the members to the United Nations.

I am hopeful that the message will be read by delegates to the United Nations, because the financial solvency of that institution is of great importance to every person who seeks peace and wishes a more secure and peaceful world.

Furthermore, there has been indication that some of the so-called eastern European countries or the Communist Socialist countries are beginning to recognize their responsibilities to the U.N. I believe I noticed in the press the other day that Czechoslovakia had paid up some of its dues that were in arrears. That example might well be followed by the Soviet Union on peace-keeping obligations of the United Nations and the debt that is owed by the Soviet Union for those peace-keeping operations.

Mr. CHURCH. I certainly would hope so. As the Senator well knows, 1964 will be a year of decision at the United Nations, because the point is being reached where efficacy of article XIX of the Charter must be put to the test. If the United Nations fails to uphold article XIX, and to impose its penalty against those members who have refused to pay their share of duly enacted assessments, the fiscal integrity of the United Nations will be undermined, and its strength as an institution for peace will be seriously weakened.

In failing to pay up, the Soviet Union is a main offender, together with several other Communist countries.

I take heart, as does the assistant majority leader, from the fact that some of the smaller Communist governments are now beginning to pay up. The time is ripe for the Soviet Premier to match his words with action, and to see to it that the Soviet Union pays up, so that this crisis can be passed, and the United Nations can continue to play an active and expanding role in keeping the peace.

Mr. HUMPHREY. Mr. President, will the Senator yield?

Mr. CHURCH. I yield.

Mr. HUMPHREY. President Johnson has spoken in very strong and firm terms about the obligation of peace-keeping, under the Charter of the United Nations, for all members of the United Nations. President Johnson has asked Premier Khrushchev to match his words with deeds. He has asked Premier Khrushchev to give consideration to five proposals that this country has advanced at the Geneva Disarmament Conference.

I am pleased to see the United States take the lead in efforts at disarmament and lessening of world tensions, without jeopardizing our security or the security of other free people. This is the kind of policy that will bring about respect at home and abroad.

Mr. CHURCH. I could not agree more fully with the Senator. When President Johnson said it was the first objective of his administration to work for peace, he reiterated what was the primary mission of his predecessor, John F. Kennedy, and I know he struck a responsive chord in the hearts of the American people.

I think the Senate, and Congress as a whole, should give the President full endorsement and support in his mission for peace. He should be commended for the proposals he has put forth at Geneva.

PRESIDENT JOHNSON'S FIRM REPLY TO KHRUSHCHEV ON PEACE

Mr. HARTKE. Mr. President, I congratulate and compliment the Senator from Idaho, because I was greatly pleased when I read President Johnson's letter to Chairman Khrushchev. In his letter the President put into practice the pledges he has made to carry forward, as our most important task, the late President Kennedy's efforts to make this a less dangerous world.

I have read Khrushchev's letter of December 31. It would have been easy to dismiss it as nothing more than a propaganda gambit. It would have been easy to do nothing more than show up Khrushchev's twisted distortions of American policy, and of that of our German and Chinese allies. It would have been easy to dismiss Khrushchev's proposal for an agreement banning disputes as a meaningless gesture, and a one-sided one at that, since it seems to have been designed to give the Soviets a free hand, while tying that of the free world. It would have been easy to take this approach, but it would not have advanced the cause of peace.

President Johnson, instead, responded as a statesman. He quickly brushed aside the distortions, and the propaganda, and he treated Khrushchev's proposal not as something that had simply to be countered, but as something that provided an opportunity to advance serious, concrete proposals for actions, not just words, that can lead to a better world.

I applaud President Johnson's letter, for I firmly believe this is the approach we must take, if we are to move out of the age of mutual nuclear terror into one of peace and progress. We must keep up our guard against the Soviet Union, but at the same time we must constantly probe for areas of mutual agreement and constantly press the quest for peace, against the time when the Soviet leaders recognize that not only peaceful coexistence, but genuine peace is in their interests.

THE FREEZE ON STRATEGIC NUCLEAR VEHICLES

Mr. McNAMARA. Mr. President, I rise in support of the courageous and sound program of initiatives set forth today by our President. In his message to the 18-Nation Disarmament Conference in Geneva, the President has sounded a call of hope—hope that mankind can look forward to peace. This is a hope that all of us—every responsible human being—shares and joins.

But the President did more than spell out the hope of the future. He has set a course for achieving peace and he has set us steaming in that direction. This has taken courage.

We have been told time and time again, by the highest officials of the executive branch, that the United States presently enjoys a strategic superiority over the forces of communism. But we have also been told that if a strategic war came, both sides would receive such punishment, such destruction, such devastation, that the world which followed would be virtually unrecognizable. While the Geneva Conference has been going on, while both sides have been talking about how to reduce these ominous stockpiles, they are growing steadily larger. This is a most dangerous, costly, and self-defeating part of the arms race. We ought to stop it now.

Discussing this possibility with the Soviets is the only way we can find out if we can call a halt now and work out arrangements to assure that no further increases are made by either side. If adequate verification arrangements can be negotiated and implemented, it seems to me that it is very much in our interest to do so.

Mr. HUMPHREY. Mr. President, I thank the Senator from Michigan and the Senator from Indiana for their speeches on the proposals of the President. I do so as chairman of the Subcommittee on Disarmament. I do it in appreciation of the consideration Senators have given to the proposals of the President.

ADJOURNMENT

Mr. HUMPHREY. Mr. President, if there is no further business to come before the Senate, in accordance with the previous order, I move that the Senate stand in adjournment until 12 o'clock noon tomorrow.

The motion was agreed to; and (at 5 o'clock and 36 minutes p.m.), under the previous order, the Senate adjourned until tomorrow, Thursday, January 23, 1964, at 12 o'clock meridian.

NOMINATIONS

Executive nominations received by the Senate January 22, 1964:

U.S. Attorney

Edward V. Hanrahan, of Illinois, to be U.S. attorney for the northern district of Illinois for the term of 4 years, vice James P. O'Brien, deceased.

U.S. Marshal

Roy Lee Call, of Alabama, to be U.S. marshal for the northern district of Alabama for the term of 4 years, vice Peyton Norville, Jr., deceased.

In the Army

Maj. Gen. Robert Hall McCaw, O38722, Judge Advocate General's Corps, U.S. Army, for appointment as the Judge Advocate General, U.S. Army, under the provisions of title 10, United States Code, section 3037.

Brig. Gen. Harry Jarvis Engel, O39840, Judge Advocate General's Corps, U.S. Army, for appointment as the Assistant Judge Advocate General, as major general, Judge Advocate General's Corps, in the Regular Army of the United States and as major general, Army of the United States, under the provisions of title 10, United States Code, sections 3037, 3442, and 3447.

The following-named officer to be placed on the retired list in grade indicated under the provisions of title 10, United States Code, section 3962:

To be lieutenant general

Lt. Gen. Garrison Holt Davidson, O16755, Army of the United States (major general, U.S. Army).

The following-named officer under the provisions of title 10, United States Code, section 3066, to be assigned to a position of importance and responsibility designated by the President under subsection (a) of section 3066, in grade as follows:

Maj. Gen. Edwin John Messinger, O18503, U.S. Army, in the grade of lieutenant general.

In the Air Force

The following persons for appointment in the Regular Air Force, in the grades indicated, under the provisions of section 8284, title 10, United States Code, with a view to designation under the provisions of section 8067, title 10, United States Code, to perform the duties indicated, and with dates of rank to be prescribed by the Secretary of the Air Force:

To be majors, U.S. Air Force (Medical)

John H. Antonelli, AO3000960.
Roy J. Atkinson, AO1928865.
Benjamin H. Brown, AO2239470.
Stephen F. Lehman, AO3042912.
Vincente Martinez, AO3001895.
Mack D. Wolst, AO3074899.

To be majors, U.S. Air Force (Dental)

James F. Collins, AO3060202.
Richard L. Leonardi, AO3112262.
Duwayne R. Swenson, AO3090392.

To be majors, U.S. Air Force (Medical Service)

Frank R. Houpt, AO804826.
Norman H. Schwartz, AO2068480.
Hassell M. Short, AO963045.

To be captains, U.S. Air Force (Medical)

Wadie H. Abraham, Jr., AO3070764.
Walter E. Afield, AO3091748.
Robert M. Allman, AO3079478.
Arthur A. Altman, AO3089303.
Thomas P. Ball, Jr., AO3078157.
Donald R. Barnes, AO3092790.
Kenneth N. Beers, AO3078385.
Henry M. Bellamy, Jr., AO3075055.
Donald R. Bennett, AO2232024.
James C. Benton, AO3123381.
James A. Benz, AO3043997.
Walter C. Bernards, AO3091327.
Robert J. Boivin, AO3077248.
John L. Bond, AO3091666.
Jack L. Bratton, AO3113393.
Roger C. Breslau, AO3079274.
Lloyd C. Brewton, AO3113207.
Walter H. Butler, AO3091557.
Patrick E. Callaghan, AO3043966.
John L. Campbell, II, AO3111262.
James W. G. Carman, AO3076960.
Richard F. Chambers, AO3091331.
Philip R. Choate, AO3114786.
Alfred W. Christopher, Jr., AO3074953.
William O. Cleland, AO1864938.
Earl C. Cline, AO3114161.
Joseph J. Combs, Jr., AO3077395.
Robert A. Cook, AO3091628.
Thomas T. Coolidge, AO3092858.
Donald E. Courts, AO3092200.
David L. Cram, AO3089068.
James W. Daly, AO3044056.
Theodore A. Dann, AO3044051.
Alfred J. Derby, AO3110315.
William F. Deverell, AO3075577.
Nelson H. Dyess, AO3043230.
Joseph A. Eaddy, AO3076716.
Frank E. Edmunds, Jr., AO3077572.

William E. Elliott, AO3002427.
John W. Ellis, Jr., AO3091668.
Felix A. Evangelist, AO3114338.
Robert E. Evans, AO3112717.
Jerald B. Felder, AO3111100.
Owen L. Felton, AO3114708.
Emmett B. Ferguson, Jr., AO3110950.
Stanley Finkel, AO3076402.
Robert T. Fitzgerald, AO3045094.
Alan N. Fleckner, AO3091632.
John W. Foft, AO4055728.
Stephen L. Friedland, AO3079492.
William R. Fuqua, AO3011023.
Richard D. Gambrell, Jr., AO3075260.
Walter F. Gillespie, AO3079495.
Maurice S. Goldman, Jr., AO3091139.
Peter A. Goodhue, AO3090733.
Gerald N. Goodman, AO3089069.
Allen E. Green, Jr., AO3076889.
George A. Griggs, Jr., AO3075442.
Donald Grillo, AO3114176.
Ralph W. Hajosy, AO3091028.
Albert S. Hale, Jr., AO3091052.
John D. Hallewell, AO3047458.
Arnold J. Halpern, AO3092815.
Benjamin F. Hard, AO3043082.
James E. Hart, AO3089067.
Robert C. Hauver, AO3110604.
Francis E. Healy, Jr., AO3075082.
Andrew M. Hegre, Jr., AO3091589.
Hector N. Hernandezlopez, AO3091073.
James F. Hoffman, Jr., AO3075759.
Paul E. Hoffman, AO3092520.
Carl W. Holl, Jr., AO3075304.
William B. Holliday, AO3075023.
Talmadge R. Howell, AO3075301.
William D. Howell, AO3074847.
Alain M. Hurdle, AO3111307.
Raymond V. Hussey, AO3089062.
Robert R. Hylton, AO3092836.
Francis M. Jackson, AO3075356.
James F. Jennings, AO3125843.
James A. Johnson, AO3075287.
Willard L. Johnson, Jr., AO3110348.
Thomas K. Jones, Jr., AO3110453.
Frank E. Kachinski, AO3089056.
David M. Kawasaki, AO3076406.
George E. Keeler III, AO3075095.
Foster F. Keene, AO3089057.
Bruce K. Kimbel, AO2083741.
Donald L. King, AO3111330.
Gilbert E. Kitching, AO3045956.
Harris W. Knudson, AO3074681.
Joe D. Kocks, AO3123261.
Joseph C. Kopinski, AO3091339.
Stanley W. Kran, AO3077718.
Edward J. Kremchak, AO3090329.
John W. Lacelle, AO3113052.
William R. Lagergren, AO2216510.
Thomas P. Lahaye, AO3089952.
Muryl L. Laman, AO3089792.
Jerome R. Lance, AO3113181.
Gordon L. Larsen, AO3079526.
William J. Lawson, AO3077216.
George I. Lebaron, Jr., AO3044175.
Robert I. Lechowski, AO3113131.
William B. Leeds, AO3079413.
Frederick E. Lind, Jr., AO3074996.
Charles B. Mahon, AO3078992.
James G. Mann, AO3054765.
Sanford M. Markham, AO3112313.
Jose A. Martinez O'Ferrall, AO3110524.
Albert N. Martins, AO3091374.
Albert N. May, AO3114027.
Thomas M. McCarthy, AO3110557.
John W. McClellan, Jr., AO3112517.
Duncan A. McIntosh, AO3078253.
Clarence R. McLain, Jr., AO3043257.
Claude A. McLelland, AO3113562.
Arch F. Meredith, Jr., AO3091408.
Bobby C. Merkle, AO3091393.
Lewis H. Milburn, AO3091763.
Monte B. Miller, AO3044440.
Merle L. Moberly, AO3090148.
Ferdinand Morales, AO3111853.
Dale H. Myers, AO3079508.
Charles E. Nahn, Jr., AO3110350.
Peter A. Nardulli AO3076446.
William R. Neal, AO3043092.
Richard V. Normington, AO3091403.
Eugene T. O'Brien, AO3089831.
Robert M. Olson, AO3092066.
Angle Oquendocabrera, AO3123198.
Robert W. Paret, AO1905022.
Ernest L. Park, Jr., AO3112953.
J. Warren Patterson, AO944168.
Richard E. Paulsen, AO3090807.
Willis E. Peacock, AO3089296.
Francisco Perezguerra, AO3123900.
Manuel R. Perezvarela, AO3112145.
Francis L. Perry, AO3079501.
Raymond R. Petrauskas, AO3010470.
Kenneth E. Petri, AO3075347.
Lloyd G. Pickering, AO3018009.
Wesley F. Pietz, AO3114331.
Fred R. Plecha, AO3092154.
Robert Po, AO3112393.
George Potor, Jr., AO3090243.
Richard F. Preator, AO2230314.
Armstead B. Pruitt, Jr., AO3088983.
Boyce B. Pryor, Jr., AO3111499.
Charles L. Pummill, AO3089099.
Edwin D. Ramos, AO3075413.
Donald E. Red, AO3089101.
Patrick C. Reddin, AO3044891.
James A. Reinarz, AO3091484.
Frank A. Reynolds, AO3114070.
James W. Reynolds, AO3075282.
Ralph D. Reynolds, AO3091584.
Joseph G. Rhode, AO3111324.
Jesse F. Richardson, AO3091461.
William H. Rickles, Jr., AO3122982.
Claude C. Riley, Jr., AO3000298.
Charles H. Robinson, Jr., AO3091537.
Edwin I. Roth, AO3123808.
Harold R. Rubel, AO3075012.
Robert G. Ryder, AO3044919.
Hilbert B. Savage, Jr., AO3091845.
Robert J. Saxer, AO3075136.
Eliot Schechter, AO3092865.
Morris A. Schultz, AO3089106.
Richard C. Scibetta, AO3045718.
Robert G. Self, AO3112927.
Louis A. Shirley, AO2291862.
David L. Simes, AO3042208.
Odis D. Skinner, AO3075128.
Alexander M. Sloan, AO3110571.
Robert F. Sloop, Jr., AO3113584.
Leonard F. Smith, AO3046042.
James W. Solomon, AO3110295.
James N. Spivey, AO3013455.
Daniel H. Spoor, AO3090247.
Joe S. Stell, AO3112750.
Donald R. Stoker, AO3075138.
Richard L. Strom, AO3075134.
Henry R. Sturkie, Jr., AO3077173.
Jerome Tilles, AO3091394.
Nicholas A. Toronto, Jr., AO3113071.
Joseph E. Traynor, AO3044805.
Liebert S. Turner, AO3091482.
Constantine M. Voyagis, AO3113739.
Theodore J. Wachs, AO3075148.
William H. Walter, III, AO3091372.
Ray W. Ware, AO3043209.
Ned J. Whitcomb, AO3113729.
Jerry A. White, AO3111845.
Wilson C. Wilhite, Jr., AO3112787.
John L. Williams, Jr., AO3110435.
John G. Wingert, AO3045356.
Robert I. Wingert, AO3092895.
Richard D. Wolfe, AO3089196.
Howard H. Wong, AO3076790.
Ralph H. Wood, AO3075906.
Wendell I. Wyatt, AO3114059.
James W. Young, AO3053157.

To be captains, USAF (Dental)

Leroy M. Baum, Jr., AO4046451.
Donald P. Buercklin, AO3110904.
William H. Campbell, AO3111884.
Bert T. Cecconi, AO3090991.
Albert W. Costley, Jr., AO3111231.
James A. Fowler, Jr., AO3090336.
Robert A. Gallagher, AO31111072.
Hampton Green, Jr., AO3000450.
Donald F. Hackman, AO3111281.
Glenn J. Jividen, AO3043798.
Robert T. Johnson, AO3088736.
Wayne K. Keith, AO3089255.
William P. King, AO3090567.
Preston R. Kleinman, AO2270742.
Paul A. Krusee, AO3110870.
William A. Kuebker, AO3043807.
Theodore P. Lazanas, AO3001683.
Arnold I. Malhmood, AO3091855.
Thomas C. Marks, AO3110871.
Ward A. Meyerhoeffer, AO3001515.
Francis D. Nelen, AO3090598.
Howard K. Nihei, AO3111202.
Ellsworth R. Richards, AO3091043.
Donald L. Risk, AO3010989.
Charles R. Simmonds, AO3090333.
Robert Teisch, AO3090846.
Arthur M. Tilles, AO3092245.
George A. Triffon, AO3077832.
Rodolfo Valle, AO3110878.
Loyal G. Walters, AO3114581.
Henry W. Wampler, AO3124895.
Paul D. Watkins, AO3088991.
Clifford G. H. Wee, AO3113744.
Kenney L. Willarson, AO3043649.
William E. Wymer, AO3088712.
Harold H. Zwick, AO3114050.

To be captains, USAF (Judge Advocate)

Bruce Irving, AO3014031.
Samuel P. Morrow, Jr., AO3060272.

To be captains, USAF (Veterinary)

George L. Anstadt, AO3078995.
William T. Ashby, AO3078827.
Robert O. Shannon, AO991846.
Alvin W. Smith, AO3078979.
Malcolm C. Smith, Jr., AO3090930.

To be captains, USAF (Medical Service)

Jackie D. Carter, AO1861039.
Lonnie J. Dickson, AO3043730.
John R. Farringer, AO3043894.
Robert C. Gibbs, AO2048308.
James E. Hartley, AO3000013.
Jack E. Hattesen, AO3000887.
James M. Jeffries, Jr., AO2221173.
John F. Kendig, AO2227320.
Loren K. Olson, AO2221308.
Alfred J. Pratt, AO3044366.
Robert R. Rolfs, AO3030063.
John P. Schenkel, AO3001498.
Robert E. Thomas, AO3042192.
Alfred P. Urquia, AO2238010.

To be captains, USAF (Nurse)

Irene E. Anderson, AN2242162.
Audrey E. Arseneau, AN3074684.
Edna L. Bachman, AN2242961.
Evelyn F. Ball, AN2243406.
Mary E. Barry, AN3044831.
Elizabeth B. Bemis, AN2243312.
Doris I. Borgwardt, AN2242900.
Mary A. Brunner, AN3078369.
Mary H. Buchanan, AN3045537.
Janet L. Butler, AN2243457.
Martha E. Cantwell, AN2242915.
Lucy R. Cater, AN3075825.
Joan E. Corbett, AN2243381.
Dorothy I. Davis, AN2244536.
Dorothy E. Devaney, AN2242055.
Virginia A. Donahue, AN2244247.
Harold L. Exford, Jr., AN2243526.
Rita C. Flanigan, AN3045799.
Alma M. Fleming, AN3045344.
Mary J. Glasgow, AN2242800.
Marjorie C. Googe, AN3075562.
Regena R. Hancock, AN2242559.
Doris A. Hardin, AN3045328.
Margaret T. Higgins, AN1912790.
Marilyn E. Hosmer, AN3045320.
Joyce E. Kerwood, AN1912903.
Marjorie B. Kindem, AN2243430.
Dennis J. Kirby, AN3044844.
Barbara E. Knox, AN2242473.
Annie L. Lawrence, AN3075776.
Bertha A. Logan, AN3044698.
Ora V. Long, AN3075383.
Jean F. Magee, AN3044838.
Joan A. Matheson, AN2243211.
Biddie R. McAllister, AN3075574.
Janice L. McCarron, AN3075803.
Jean E. Mease, AN2242798.
Jean T. Merrow, AN3074835.
Richard T. Morgan, Jr., AN3075672.
Clarabel Nelson, AN2243490.
Robert C. Overacre, AN3075216.
Josephine M. Palmerino, AN2243283.
Leroy O. Pratt, AN3074689.

Gladys C. Pulliam, AN2241616.
Mary E. Radvansky, AN2242943.
Mary L. Reid, AN2242918.
Marie T. Spinelli, AN1912785.
Geneva Stephens, AN2242874.
Marguerite Stewart, AN2242142.
Elizabeth J. Strippy, AN2243375.
Nancy S. Tolle, AN3074834.
James R. Vandusen, AN3045085.
Mary F. Wilhite, AN2242799.

To be captains, USAF (Medical Specialist)

Sylvia M. Ball, AJ3111874.
Muriel E. Omdahl, AJ2240597.

To be first lieutenants, USAF (Medical)

Bruce A. Ames, AO3113933.
Joseph R. Armstrong, AO3114534.
Samuel M. Atkinson, Jr., AO5302580.
Robert M. Boerner, AO3113948.
George R. Brown, AO3124965.
Richard E. Brown, AO3113947.
Frank H. Brunstetter, AO3015752.
Clark W. Bryant, AO3124530.
Matthew L. Burns, AO3084915.
Frank T. Corker, AO3113946.
John J. Costanzi, AO3111541.
Clyde J. Dellinger, AO3113945.
Daniel H. Draughn, AO3111694.
William R. East, AO3112154.
William A. Fogarty, AO3114267.
Phillip D. Foley, AO3111668.
Raymond F. Haling, Jr., AO3125737.
William S. Harada, AO2230331.
Karl D. Hawver, AO3111769.
Olson Huff, AO3114453.
David M. Ivey, AO3111671.
Raymond E. Kandt, Jr., AO3113937.
David J. Kudzma, AO3114576.
Wallace R. Leachman, AO3111921.
Sidney T. Lewis, AO2205481.
Philip A. Manaker, AO3073025.
George R. Mayes, AO3113942.
William M. McKell, Jr., AO3124974.
James E. Payne, Jr., AO3111712.
Douglas A. Rayner, AO3111559.
David W. Rodgin, AO3111558.
Ronald A. Rollins, AO3111931.
Laird F. Schaller, AO3034460.
Archibald F. Shuler, AO3006060.
James M. Sims, AO3113929.
Robert M. Snider, AO3113952.
Robert M. Takamoto, AO3114378.
Amos R. Townsend, AO2247988.
Harry E. Trantham, AO3113932.
John H. Triebwasser, AO3111574.
Romulus S. Von Hazmburg, AO3124956.
Bruce E. Wenger, AO3084635.

To be first lieutenants, USAF (Dental)

Michael A. Brown, AO3113859.
Clarence C. Bryk, AO3113854.
Arthur B. Coyne, AO3113805.
Elmer L. Gaudet, AO3125442.
Donald R. Gee, AO3113284.
Robert I. Gold, AO3114031.
William A. Hammond, AO3126597.
John C. Harrison, AO3125425.
James C. Hickey, AO3113846.
Thomas P. Johnston, AO3113848.
Phillip A. Lainson, AO3124855.
Harold Litvak, AO3124854.
Arnold I. Loew, AO3113852.
Dan M. Loughlin, AO3124853.
John T. Murphy, Jr., AO3125269.
Harold E. Nemchick, Jr., AO3124852.
Gary G. Nordquist, AO3125345.
Jackson G. Perry, AO3125988.
Kenneth H. Schrecengost, AO3124899.
William G. Sinclair, Jr., AO3124898.
Donald R. Smidt, AO3113860.
Ronald M. Staab, AO3124946.
Frank M. Turner, AO3113853.
David C. Vandersall, AO3113834.
James E. Vick, AO3124896.
Richard L. Wells, AO3113836.
Alfred S. Windeler, Jr., AO3113786.
Stanley L. Wyll, AO3113837.

To be first lieutenants, USAF (Judge Advocate)

Stephen R. Bloss, AO3103775.
James J. Foley, AO3093894 .
Thomas V. Griffith, AO3117368.

To be first lieutenants, USAF (Veterinary)

Robert E. Armstrong, AO3124750.
James C. Brown, AO3140340.
Edward L. Chandler III, AO3125310.
Donald K. Hinkle, AO3123197.
Thomas A. Janik, AO3125112.
Gay D. Kruchko, AO3124844.
James D. Peeples, AO3113828.
James E. Peguesse, AO3125184.
Edward J. Phelan, AO3124817.
Robert E. Schmidt, AO3124215.
John M. Sparks, III, AO3083301.
Ethard W. Vanstee, AO3113191.

To be first lieutenants, U.S. Air Force (Medical Service)

Harold E. Batiste, AO3077985.
David P. Buchmueller, AO3096383.
Ronald D. Burnett, AO3106377.
Clark E. Crum, AO3111958.
John J. Gokelman, AO3097771.
John A. Gorman, AO3112144.
Walter E. Gundaker, AO3097458.
Lionel E. Harkleroad, AO3078663.
Larry K. Hill, AO3098248.
John A. Jurgiel, AO3097773.
Paul R. Kelley, AO3112246.
James A. Kenny, AO3078144.
Gene C. Keys, AO3100510.
David T. Kopp, AO3097506.
Robert W. Krutz, Jr., AO3124779.
George A. Lahood, AO4049316.
Michael D. Lutsch, Jr., AO3112053.
Darryl T. Markland, AO3106854.
Roderick F. McNeil, AO3078423.
Galen P. Mell, AO3066732.
Rudolph W. Oeben, AO3105461.
Morton K. Ohlbaum, AO3091687.
Euril W. Perry, AO3111602.
Kenneth R. Porter, AO3085010.
Stephen V. Powell, AO3112110.
David S. Ridderheim, Jr., AO3111792.
William G. Robertson, AO3078466.
Donald J. Rogers, AO3095739.
Evan N. Rossignol, AO3092222.
Thomas C. Rushmore, AO3106214.
Lewis D. Sanders, AO3105487.
Jack M. Sneider, AO3078480.
Theodore A. Stang, Jr., AO3100619.
Eric C. Theiner, AO3072458.
Robert G. Thomas, AO3091682.
Thomas Tibbetts, AO3112051.
James D. Wallace, AO3085122.
David K. Wilson, AO3100008.

To be first lieutenants, USAF (nurse)

Mary E. Adams, AN3090486.
Nancy L. Aitchison, AN3124362.
Constance A. Allen, AN3090076.
Rhea S. Anderson, AN3111726.
Helen V. Armstrong, AN3092780.
Shirley A. Armstrong, AN3090698.
Mary E. Bailes, AN3089674.
Olive M. Baker, AN3092069.
Patrick J. Baker, AN3124982.
Karen A. Barnard, AN3112168.
Gladys J. Bartol, AN3078260.
Donna M. Baukus, AN3078972.
Susane A. Bayley, AN3123247.
Evelyn S. Beachert, AN3074967.
Elizabeth A. Behlmann, AN3123376.
Mary A. Belt, AN3123374.
Margaret Bennett, AN3111151.
Lillie M. Bentley, AN3114231.
Dorothy M. Bernard, AN3078262.
Carol A. Betron, AN3122895.
Patricia L. Birch, AN3112448.
Barbara A. Bordes, AN3123212.
Ronald A. Bower, AN3111824.
Joanne M. Brinkmann, AN3088900.
Dorothy Brooks, AN3123972.
Miriam E. Brown, AN3091376.
Dolores E. Bryant, AN3114481.
Lyda A. Bullington, AN3089937.
Karol A. Burton, AN3123063.
Norma J. Butler, AN3123517.
Joan M. Carney, AN3078745.
Arlene D. Carreiro, AN3112282.
Eleanor E. Caskey, AN3112335.
Alma W. Cobb, AN3078370.
Jeanne T. Coghlan, AN3123024.
Mary A. Costello, AN3091150.
Marilyn E. Crowley, AN3091646.
Rosemary Cunningham, AN3114596.
Patricia M. Danis, AN3091151.
Joy M. David, AN3112449.
Dee J. Dean, AN3122932.
Geraldine B. Dolezal, AN3114637.
Regina C. Domogala, AN3091676.
Grace E. Donnelly, AN3089582.
Joanne T. Dubay, AN3110565.
Helen V. Ellis, AN3077432.
Shirley E. Engleman, AN3089749.
Mary K. Evans, AN3091900.
Jeanette M. Ferrari, AN3124104.
Claudia A. Fields, AN3122944.
Lucia C. Finelli, AN3123569.
Rosalie M. Funt, AN3123037.
Lorena J. Furlong, AN3089876.
Valida T. Gagne, AN3079476.
Marilynn A. Gajdusek, AN3123181.
Edith Garcia, AN3112010.
Harry E. Gemmill, AN3113098.
Elsie M. Gerrard, AN3091285.
Mary F. Gore, AN3077974.
Joan I. Gray, AN3123373.
Lessie J. Greer, AN3089799.
Sara E. Hale, AN3089407.
Ann H. Hamberger, AN3124267.
Shari M. Harkins, AN3111779.
Billie D. Harrison, AN3092853.
Mary A. Harvell, AN3075993.
Allie H. Hayes, AN3091818.
Mary J. Heck, AN2242902.
Mary M. Helm, AN3110440.
Verna M. Hermansen, AN3110503.
Robert J. Higgins, AN3112290.
Anne C. Hildebrand, AN3114295.
Stephen R. Hildock, AN3110966
Charlotte A. Hiler, AN3123172.
Catherine Hill, AN3111686.
Merle E. Hirai, AN3113007.
Janet R. Hodgkins, AN3114695.
Maurita E. Holt, AN3089643.
Edna M. Hopkins, AN3088874.
Caryl J. Howard, AN3092967.
Leanne H. Huisken, AN3090206.
Grayce I. Hunt, AN3112984.
Barbara A. Huntley, AN3112773.
Pauline J. Husarik, AN3091947.
Dora F. Huskey, AN3092782.
Judith Hutchins, AN3092806.
Janice Hutchinson, AN3112370.
Marilyn J. Hutts, AN3122992.
Junaita R. Inchausti, AN3111037.
Bernadette M. Jablunovsky, AN3114634.
Mary I Jackson, AN3112055.
Doris M. Jacobson, AN3091826.
Frances L. Jacobson, AN3092877.
Andrea M. Johanson, AN3112157.
Patricia A. Johnson, AN3112657.
Phyllis J. Johnson, AN3123747.
Rosa I. Johnson, AN3091586.
Ernestine M. Jones, AN3078359.
Ruth E. Jones, AN3112435.
Sharon A. Jones, AN3092870.
Constance J. Jorgensen, AN3123716.
Margaret J. Jorgensen, AN3092901.
Rosemary C. Kambic, AN3089368.
Ronald D. Kaufmann, AN3112921.
Harry J. Keirl, AN3091825.
Nora M. Kendall, AN3112408.
Carole M. Kennedy, AN3123122.
Jane V. Kennedy, AN3092837.
Joan A. Kennedy, AN3091982.
Sheila A. Kepner, AN3112603.
Sandra C. Kessler, AN3077097.
Corrie P. Kibler, AN3123416.
Ann M. Kinavy, AN3089966.
Carol A. Kirkpatrick, AN3113103.
Georgia A. Kirn, AN3092161.
Gloria G. Klefman, AN3111956.
Lorraine M. Klinghoffer, AN3123255.
Pearlie M. Klutz, AN3123234.
Betty A. Knuth, AN3112231.
Jean M. Kochan, AN3111526.
Margaret M. Korach, AN3111059.
Patricia J. Kowalski, AN3091771.
Ernest H. Kreth, Jr., AN3112167.
Elizabeth E. Krieger, AN3113035.
Ann Marie T. Kuchinski, AN3114660.
Alice L. Kuhne, AN3112307.
Delores M. Kujawa, AN3092902.

Mary A. Kvaternik, AN3112076.
Lucille L. Lampron, AN3111848.
Frank T. Least, AN3111522.
Thomas S. Least, AN3111399.
Christine Locke, AN3091322.
Johnnie O. Lomax, AN3090474.
Nancy S. Lumsden, AN3091577.
Helen A. Luuru, AN3092047.
Virginia K. Lynch, AN3113101.
Barbara J. Martin, AN3091454.
Laura Martinsek, AN3091648.
Elizabeth M. Maxim, AN3077355.
Victoria C. McClory, AN3091694.
Fred S. McDowell, Jr., AN3125261.
Nina E. McDowell, AN3088591.
Sylvia A. Merrill, AN3123496.
Betty K. Michelena, AN3112628.
Victoria M. Micozzi, AN3123235.
Mary A. Molloy, AN3091734.
Ann L. Morrow, AN3123123.
Patricia M. Moynahan, AN3114297.
Peter L. Munto, AN3091861.
Barbara E. Murphy, AN3090677.
Helen M. Norris, AN3111872.
Robert E. Nowak, AN3114298.
Janet E. Ogle, AN3089347.
Eunice J. Oleson, AN3089770.
Peggy J. Parnell, AN3089188.
Sarah L. Parris, AN3092182.
Julia M. Peman, AN3090972.
Marie P. Perron, AN3123008.
Patricia A. Peterson, AN3123354.
Ola P. Phillips, AN2296813.
Margaret A. Pierson, AN3123318.
Patricia M. Pinkham, AN3123856.
Elizabeth F. Pitcher, AN3123998.
Elizabeth A. Powell, AN3079350.
Sandra L. Prager, AN3113093.
Roger L. Pulda, AN3111880.
Ruth E. Purinton, AN3123754.
Janet L. Rankin, AN3123783.
Betty L. Reed, AN3110329.
Constance Reed, AN3110566.
Eileen T. Reilly, AN3112223.
Dorthea C. Requate, AN3089889.
Carol L. Reyniers, AN3088576.
Mary A. Riddle, AN3112288.
Cecelia A. Robertson, AN3112642.
Sylvia L. Romans, AN3075515.
Peggy A. Rose, AN3112126.
Eleanor C. Rovnyak, AN3089887.
Helen T. Rudtke, AN3123112.
Norma J. Runyan, AN3123007.
Elia M. Ruotsala, AN3112195.
Ann S. Russell, AN3111677.
Barbara I. Sanders, AN3088901.
Beverly A. Schulz, AN3091980.
Rosemary Schumacher, AN3113009.
Mary K. Seitz, AN3091974.
Rosemary B. Seledic, AN3076129.
James W. Sexton, AN3112725.
Barbara E. Shipley, AN3111462.
Jean M. Shute, AN3112001.
Joan F. Shute, AN3112003.
Betty M. Silas, AN3088002.
Shirley M. Sineath, AN3091684.
Sarah M. Six, AN3113189.
Herbert S. Skuba, AN3123439.
Margaret M. Smith, AN3123245.
Mary A. Sones, AN3089918.
Maria S. Sparacino, AN3123004.
Mary E. Stadelman, AN3089117.
Lorraine Steiner, AN3089861.
Norma D. Stewart, AN3077812.
Frances E. Stitt, AN3123802.
Constance R. Sturim, AN3112325.
Lillie M. Taylor, AN3089721.
M. Joann M. Thompson, AN3111662.
Mary E. Thompson, AN3091925.
Myrtle A. Thorington, AN3091903.
Gwendolyn Tolbert, AN3124802.
Carol M. Trasher, AN3111039.
Verdell Trotter, AN3114077.
Ann M. Vanbuskirk, AN3114789.
Marilyn J. Vanells, AN3090640.
Corinne O. Vanier, AN3091753.
Marie T. Varela, AN3111611.
Lentha J. Varner, AN3091858.
Elizabeth M. Ventura, AN3091588.
Norma J. Vick, AN3111676.
Carmelita Vigil, AN3089118.
Kathleen F. Wagner, AN3111521.
Mary J. Walters, AN3091585.
Kathleen E. Warner, AN3091906.
Marilyn J. Watkins, AN3123401.
Nancy A. Weaver, AN3110298.
Patsy A. Weaver, AN3111612.
Ruth E. Webb, AN3123000.
Marian L. Weimer, AN3114524.
Joan M. Wells, AN3114312.
Mabel E. Wells, AN3114527.
Anna I. Wertman, AN3111523.
Edwina S. Wesolek, AN3114626.
Delores D. Wethington, AN3123435.
Edith J. Whitehead, AN3124992.
Shirley E. Whitehurst, AN3092761.
Leona M. Wiencek, AN3123623.
Marcella R. Wienecke, AN3111717.
Betty L. Wiley, AN3123764.
Jo Ann Williams, AN3112136.
June Wolbert, AN3090158.
Earline L. Wolfe, AN3123343.
Doris E. Woodward, AN3112651.
Nancy P. Wright, AN3089580.
Arline M. Yesko, AN3111879.

To be first lieutenants, USAF (Medical Specialist)

Ronald B. Bailey, AJ3071543.
James H. Braatz, AM2241138.
James D. Evans, AR3113074.
Miriam W. Fortune, AR3091310.
Martha S. Friedmeyer, AM3091523.
Donna J. Hessler, AM3091829.
Marlene J. Moll, AM3091750.
Mary B. Newsome, AR3089728.
Elizabeth T. Quinn, AM3091913.
Sylvia M. Rodriguez, AR3078194.
Jack L. Vespaziano, AM3112272.

To be second lieutenants, USAF (Medical Service)

Robert F. Agranov, AO3123610.
Terrance C. Aldrich, AO3114587.
Robert A. Bloechle, AO3107735.
Robert C. Bonovich, AO3123382.
George E. Burnette, AO3108188.
Roger W. Cochran, AO3124317.
Charles Comer, AO3113410.
Harry J. Davitt, Jr., AO3118481.
Donald D. Dunton, AO3114562.
Richard F. Dyer, AO3114723.
Roger C. Fitch, AO3114035.
Robert F. Garvin, Jr., AO3108443.
Arjay Godston, AO3105017.
James M. Graham, AO3124363.
Roger B. Graham, AO3123317.
Buford J. Green, Jr., AO3108214.
James E. Grisolano, AO3100364.
Thomas D. Hall, AO3109205.
Richard A. Hartman, AO3119248.
Samuel B. Horton, AO3119002.
John H. Hunter, AO3108321.
Robert O. Iott, AO3114767.
Leo F. Jaroszewski, AO3107931.
Michael S. Kirsch, AO3114563.
William M. Klein, Jr., AO3048092.
Joseph P. Miller, Jr., AO3124826.
Robert L. Mills, AO3100699.
Leland P. Miner, AO3104732.
Joseph C. Morris, AO3108130.
Bruce L. Nelson, AO3107720.
Joseph P. Parimucha, AO3112682.
Alan H. Perry, AO3097471.
William E. Pickett, Jr., AO3108384.
Joseph E. Polk, AO3108859.
Neil B. Reilly, AO3108434.
John T. Richardson, III, AO3108226.
Frank G. Rohrbough, AO3118909.
George Roman, AO3108898.
Norman W. Rosema, AO3114687.
Mark M. Rosenfeld, AO3114268.
Wilbur M. Sappington, Jr., AO3108709.
Joyce A. Savoy, AE3125260.
Jessie F. Scarbrough, AO3114221.
Richard W. Sharpe, AO3124423.
George D. Smith, AO3124578.
Richard A. Smith, AO3114566.
Jerome Splan, AO3114653.
Gordon M. Sprenger, AO3114554.
Billie L. Stover, AO3123482.
Larry C. Sudderth, AO3118919.
Lloyd E. Tolley, AO3119273.
Richard C. Torres, AO3122962.
David J. Trimberger, AO3108534.
Richard L. Watkins, AO3124665.
Hubert E. Wrenn, AO3113741.

To be second lieutenants, USAF (Nurse)

Nancy L. Allen, AN3125040.
Stephen E. Bobko, AN3124669.
Brent N. Boothe, AN3114712.
William A. Cass, AN3124087.
Charles D. Heise, AN3114129.
Mary E. Hughley, AN3113577.
Joan M. Kecer, AN3113724.
Patricia A. Lach, AN3123025.
Ann P. Lillis, AN3113543.
Patricia A. Murphy, AN3113887.
Ruth G. Payton, AN3123489.
Jeanne Plante, AN3124191.
Carole A. Purin, AN3113373.
Linda J. Smith, AN3113378.
Priscilla J. Sorrells, AN3113377.
Judith M. Sowle, AN3123874.
Paula A. Voigt, AN3114080.
Judith A. Welinske, AN3123594.
William M. Wilder, AN3123485.

To be second lieutenants, USAF (Medical Specialist)

Kathleen M. Ashton, AM3114570.
Elizabeth M. Baldwin, AM3122903.
Mary A. Huebsch, AJ3113747.
Marian A. Moorhouse, AR3122962.
Elinor E. Rubinovitz, AM3123287.
Christine M. Swanson, AM3114614.
Nancy L. Wiseman, AM3114395.

The following persons for appointment in the Regular Air Force, in the grades indicated, under the provisions of section 8284, title 10, United States Code, with dates of rank determined by the Secretary of the Air Force:

To be captain

Paul F. Radke, Jr., AO3008739.

To be first lieutenants

William J. Black, AO3086111.
Warren R. Hayden, AO3087315.

Subject to medical qualifications and subject to designation as distinguished military graduates, the following distinguished military students of the Air Force Reserve Officers' Training Corps for appointment in the Regular Air Force, in the grade of second lieutenant, under the provisions of section 8284, title 10, United States Code, with dates of rank to be determined by the Secretary of the Air Force:

Michael W. Bartlett
Stephen F. Burrell
Tommy F. Stone

IN THE REGULAR ARMY

The following-named officers for promotion in the Regular Army of the United States, under the provisions of title 10, United States Code, sections 3284 and 3299:

To be lieutenant colonels

Abarr, Robert G., O80368.
Abel, Carl M., O79720.
Abrignani, Vincent A., O40966.
Adams, Dwight L., O36323.
Adams, Edwin C., O38212.
Adams, Hobert D., O79723.
Adams, James D., O79724.
Adamson, James B., O26935.
Akins, James D., O79725.
Allan, Robert H., Jr., O38070.
Allen, William M., O80369.
Althaus, Kenneth G., Jr., O41121.
Amacher, Aaron G., O27040.
Ammerman, Howard E., Jr., O84840.
Anderson, Arnold V., O37666.
Anderson, Edward P., O39426.
Andreoli, Robert L., O41181.
Andrews, Albert E., O55492.
Andrews, George H., O79726.
Anido, Victor M., Jr., O79727.
Applewhite, Kermet H., O36787.
Ariail, Thomas M., O81886.
Arnold, Edwin Y., O84045.
Aschoff, John F., Jr., O37856.

Aud, James E., O27051.
Bailey, Bernard O. A., O81887.
Barbour, Alfred E., O37787.
Barfoot, Van T., O38209.
Barickman, Robert J., O25932.
Barnes, Joseph P., O26501.
Barraclough, Donald F., O36996.
Bartley, James T., O26649.
Barton, Jack E., O79733.
Baxter, Samuel F., O79734.
Belford, Jack F., O55279.
Bell, William, 3d, O26934.
Benckart, Robert G., Jr., O49838.
Benner, John S., Jr., O38089.
Bennett, Ralph O., O36860.
Bennett, William, O80373.
Bercaw, Roger M., O79738.
Bergsagel, Ralph M., O79739.
Bermingham, Peter F., O79740.
Berry, George A., Jr., O80374.
Betchtel, Robert W., O38218.
Betts, Charles A., O79741.
Beyer, Richard A., O38263.
Bieschke, Keith A., O87477.
Billard, Jules F., O79742.
Bishop, Raymond C., O79743.
Black, Frederick H., Jr., O26796.
Black, Harold, O49373.
Blackwell, Lotus B., O80375.
Blaha, Charles R., Jr., O38245.
Blaikie, John W., O81889.
Blair, Wayne A., O55653.
Blake, Stewart P., O38221.
Blanchard, George S., Jr., O26737.
Blandford, James T., Jr., O26598.
Blewett, Rex R., O38030.
Boardman, William M., O79745.
Boesch, Eugene F., O79746.
Bohannon, Frederick G., O27057.
Bohnak, Joseph A., O27036.
Bolick, James O., O36920.
Born, Raymond N., O79749.
Bott, Fredric C., O79750.
Boughn, Robert E., O79752.
Bowers, Frame J., Jr., O41129.
Boyles, Wilson N., Jr., O26933.
Brady, John B., O26794.
Brandenburg, William H., O38080.
Branton, Harold M., O37345.
Braun, Eugene J., O37790.
Braun, Gustav J., Jr., O38191.
Bray, Edward, O48259.
Bressler, Dean M., O26809.
Brey, Albert J., O79757.
Brinnon, William H., O55931.
Brondstatter, Wallace W., O85300.
Brooks, Dwight M., O50004.
Brooks, Lawrence P., O80049.
Brown, Charles H., O49617.
Brown, George B., Jr., O26623.
Brown, John W., Jr., O26751.
Brown, Lawrence G., O80376.
Brown, Royal B., O80050.
Brownley, Richard H., O55919.
Brust, Robert P., O79759.
Bryan, Robert L., O41125.
Buerger, Kenneth G., O80377.
Bullard, Robert H., O55817.
Burdell, Frank E., Jr., O79760.
Burgess, John F., Jr., O79761.
Burkholder, James B., O79762.
Burr, William E., 2d, O26597.
Burton, Lloyd P., O80379.
Buser, George W., O79764.
Buzzett, Harry A., O26683.
Cabaniss, Jelks H., Jr., O26558.
Cabell, DeRosey C., Jr., O26902.
Cahill, James P., O89039.
Call, William T., Jr., O37896.
Callahan, Leslie G., Jr., O26704.
Campbell, James B., O26690.
Campbell, John E., O79766.
Canham, Robert C., O38192.
Cann, Richard T., 4th, O37799.
Capka, Jerry G., O26573.
Cariano, Samuel P., O84350.
Carley, John W., O26571.
Carlson, John H., O26479.
Carne, William B., O38011.
Carraway, Joseph G., Jr., O50012.
Carson, James E., O41206.
Carter, Doniphan, O26907.
Cary, Randolph J,. O26905.
Case, Frank B., O78689.
Caton, June C., O38074.
Chamblee, John J., O79770.
Chance, Donald W., O87704.
Charles, Alvin K., O79771.
Chegin, Thomas E., O79772.
Chiment, John A., O27048.
Christensen, John J., O49867.
Claterbos, Henry L., O89751.
Clautice, Edward W., O79774.
Cleveland, John G., O26559.
Clifford, John W., O80384.
Clore, Duncan D., O26642.
Coachman, Francis G., O49618.
Coburn, Herbert W., O80385.
Cody, Robert L., O55980.
Coffin, Sanford, O80386.
Coggins, Samuel M., O37861.
Cole, Jack N., O79775.
Coleman, Bernard H., O38243.
Colley, Ernest J., O81891.
Collings, Kent J., O80387.
Collins, Rodney J., O55519.
Conant, Robert W., O26502.
Connell, James M., O26700.
Connolly, Thomas W., O56008.
Conway, Marion L., O80388.
Cooch, Francis A., 3d, O26712.
Cook, Harvey J., O79778.
Cook, Richard H., O79779.
Cook, Thomas A., O38238.
Cook, Walter H., Jr., O25466.
Cook, Woodrow W., O80389.
Cooksey, Howard H., O37690.
Cooper, Kenneth B., O26476.
Coulter, Joseph S., O81892.
Coupe, Robert D., O79781.
Cowan, Donald E., O79782.
Cowherd, Robert M., O26932.
Cox, Emmett W., Jr., O37200.
Craddock, William P., Jr., O37952.
Crawley, James J., O49218.
Crea, Robert D., O80393.
Crispell, John P., O81893.
Crowell, William H., Jr., O84547.
Cude, Harold E., Jr., O80394.
Cunningham, Donald H., O36799.
Cunningham, Thomas J., Jr., O79787.
Curry, Jack A., O39354.
Cushman, John H., O26483.
Cutrona, Joseph F. H., O26655.
Cyr, Clarence W., O26753.
Dallam, Robert N., O49607.
Dalton, Charles H., 3d, O37943.
Daly, Robert C., O26707.
Daly, Thomas M., O79790.
Dancy, Albert G., O26542.
Daniel, Charles D., O26744.
Darling, Howard N., O55893.
Darms, John L., Jr., O79791.
Dart, Robert C., O26552.
Davis, Charles, Jr., O26491.
Davis, William A., O55935.
Davis, William E., O49241.
Davis, Woodrow W., O79793.
DeArment, Harold G., O26617.
DeGraff, Andrew J., O26696.
DeMilt, Irving F., Jr., O79795.
Decker, Edwin R., O26510.
Deeter, Chalmer L., Jr., O26822.
Dempsey, Jack T., O37816.
Dempsey, Michael A., O79796.
Denman, Dale, Jr., O26691.
Desmond, John B., O26627.
Dew, James R., O37758.
DiSilvio, Armond, O26817.
Dickinson, Werner L., O55569.
Dinsmore, Oliver R., Jr., O37806.
Dittmer, Robert E., O79798.
Dixon, Walter J., O55511.
Doctor, Robert C., O83095.
Doherty, Stephen S., O84360.
Dollar, Fred W., O39385.
Donaghey, James C., O80399.
Donaldson, John W., O26637.
Dondanville, Wilfred LaV., O26658.
Donovan, Charles W., O36500.
Dooley, Edward M., O38168.
Dougherty, Joseph F., O55921.
Douglas, James S., O26625.
Douglass, John J., O49602.
Doyal, Dean A., O49917.
Drackett, Ferris J., O49474.
Drake, Robert E., O26621.
Dring, John P., O37734.
Driscoll, Arthur F., O79802.
Duncan, Carl R., O38140.
Duncan, Harry N., O80400.
Dupont, Leo E., O55889.
Durand, William H., O80401.
Durst, John E., O79804.
Duttweiler, Charles H., O79805.
Duttweiler, Oscar E., Jr., O26908.
Duvall, Duncan E., O36477.
Dwyer, Frank A., Jr., O79806.
Dyer, Joseph C., O79807.
Eastham, Warren C., O37025.
Eaton, Robert L., O55596.
Eblen, Thomas H., O50018.
Ebrey, Henry J., Jr., O25627.
Eddy, John H., O80404.
Eiler, Keith E., O26533.
Emerson, Edwin W., O49152.
Emley, Paul C., O26909.
English, Keith H., O55422.
Erlenkotter, Richard, O26507.
Evans, James G., O80407.
Evans, John M., O39493.
Evans, Lawrence J., Jr., O38205.
Evans, William E., O81896.
Everton, Theme T., O41103.
Farber, Leo J., O79809.
Farne, George H., O26857.
Ferriter, Richard H., O76837.
Fink, Richard A., O80409.
Finnegan, John B., O79812.
Fish, Charles R., O38068.
Fiske, Robert W., O80410.
Fitzgerald, Charles G., O41098.
Fitzpatrick, Spillman N., Jr., O37826.
Flash, Edward T., O38087.
Flynn, Thomas F., Jr., O26646.
Forsythe, Alva J., O26640.
Franaszek, Joseph J., O55447.
Francis, Henry M., O26715.
Franey, John E., O49217.
Frank, LeRoy P., O85539.
Franklin, Victor A., O25658.
Freakley, Edwin M., O39440.
Frock, Charles F., O26731.
Frost, Thomas G., O80411.
Fuller, Robert J., O79816.
Fullerton, Thomas K., O79817.
Funke, Nathaniel L., O80412.
Fye, John H., 3d, O37715.
Gallagher, Hugh T., O79819.
Gallez, Douglas W., O26594.
Gardner, Hamilton B., O76838.
Gates, Quinten L., O80413.
Gausman, Willis F., O79821.
Geehan, Bernard T., O79822.
Genger, Edward P., O79823.
Gentleman, Robert W., O50006.
Gephart, John W., O38069.
Gerstner, John F., O55315.
Gibson, Henry W., O80414.
Giddings, Ralph L., Jr., O81900.
Gilbert, James B., O49514.
Gildersleeve, Robert E., O88698.
Gill, Bryan E., Jr., O56005.
Glab, John E., O26556.
Godfrey, Hampton J., O37822.
Goforth, Robert C., O37670.
Goldenberg, Joseph, O80415.
Goodell, Henry W., O79832.
Goodman, Paul, O81902.
Grace, Henry A., O26714.
Graham, William B., O26509.
Grandia, Lester W., O55417.
Grant, Philip S., O26837.
Graves, Ernest, Jr., O26473.
Graves, William F., O49828.
Greaves, Fielding L., O26656.
Green, Charles W., O37744.
Greer, Henry B., O76839.
Gregg, Frank A., O37864.
Gregorie, James B., Jr., O80416.
Gruenther, Donald A., O26528.
Guild, Walter A., Jr., O26525.
Gundling, David L., O79833.

Guss, Stephan J., Jr., O80096.
Haar, Herbert R., Jr., O49842.
Hacker, William C., O38083.
Haley, John J., O79835.
Halin, Paul J., O55597.
Hall, John B., O79837.
Hall, Lloyd C., O79838.
Hames, William E., Jr., O79839.
Hamilton, Howard E., O79841.
Hamlin, Jack I., O38004.
Hamlin, John J., O81903.
Hansen, Richard A., O79843.
Hansen, Richard H., O37714.
Hardy, Harry B., O41238.
Harper, Wilson C., O26663.
Harris, Charles E., O80419.
Harris, Douglas L., O26763.
Harris, Walter R., O26585.
Harrop, John W., O38136.
Hartley, Glenn E., O84367.
Hauser, John R., O37946.
Hayman, George R., Jr., O26576.
Hayward, Harold I., O26755.
Hazam, Mitchell J., O83583.
Heaser, William J., Jr., O49892.
Heidt, George F., Jr., O41076.
Heiss, Gerson K., Jr., O26613.
Henion, John Q., O38206.
Hennessey, John J., O26793.
Henry William R., O37960.
Hensley, William W., O79850.
Herzer, Arno P., O81905.
Hicks, Grady L., Jr., O38006.
Higgins, Warren J., O49460.
Hillard, James R., O80420.
Hindman, Thomas O'N., O84842.
Hipp, Macon A., O84047.
Hixon, Robert C., O37892.
Hoadley, Dallas W., O27012.
Hochmuth, Milton S., O55986.
Hodge, William L., O79855.
Hodges, Warren D., O37869.
Hoffman, Roy A., O26726.
Holland, Norman L., O79856.
Holm, George P., O79858.
Horlock, Fred H., O80422.
Hostetler, Jerome K., O88744.
Howard, Harry McV., O79860.
Howland, John S., O26589.
Hoy, Thomas H., O38207.
Hranicka, Joseph G., O80424.
Hughes, Orville R., O39432.
Hughes, William E., O80425.
Hulsey, Alvin, O79861.
Humma, William J., O26861.
Humphrey, James B., O49620.
Hunt, Paul E., O36910.
Hunt, Wheeler H., O79862.
Hurst, Robert H., O26868.
Hutchinson, Wallace C., O79864.
Hutter, Dean E., O38210.
Hyman, Arthur S., O26774.
Hymers, Charles S., O48228.
Ice, Jack C., O79865.
Irvine, James, Jr., O26495.
Ives, Charles G., O39418.
Jacks, Gordon L., O49357.
Jackson, Harry H., O55516.
Jackson, Saul A., O26636.
Jacobs, Harold J., O79867.
Jenkins, Joseph E., O49610.
Jepson, Warren H., O38216.
Johnson, Charles W., Jr., O80115.
Johnson, Charles S., Jr., O26866.
Johnson, Elliott McC., O79869.
Jones, Charles E. H., O79871.
Jones, Robert E., O79872.
Jordan, William K., O55586.
Jordan, Woodrow W., O80431.
Kahn, Wilbur L., O26631.
Kalergis, James G., O79873.
Kampschroer, Felix, O80432.
Kane, Frank R., Jr., O79874.
Keebaugh, Donald R., O83096.
Keisel, Walter I., O79875.
Keller, Andrew K., O26474.
Kenworthy, Max R., O76841.
Kessler, Herman E., Jr., O55898.
Kettler, Jack F., O50003.
Kimbel, John F., O26480.
Kinnard, Leo D., O26736.
Kipp, Eugene H., Jr., O39401.
Kirk, Raymond L., O87822.
Kirkwood, Walter V., Jr., O79878.
Kjellstrom, John A., O38252.
Kleist, Erwin H., O26504.
Knight, Hale H., O55247.
Knight, John T., 3d, O81908.
Knight, Ovid L., O37601.
Knoll, Dallas L., Jr., O26550.
Knuepfer, Dieter C., O89081.
Kolankiewicz, Charles F., O79880.
Konopka, Wenceslaus F., O87827.
Kovach, Frank Z., O80434.
Krams, Cortland T., O37858.
Kutchinski, Henry P., Jr., O26734.
LaMarre, Jean B., O26539.
Ladd, Harvey M., O79882.
Ladd, Jonathan F., O27041.
Lafield, William C., Jr., O37894.
Lahmer, John A., O79883.
Lail, James G., O79884.
Lance, John E., Jr., O38026.
Langham, Dwight W., O80437.
Larson, James C., O55520.
LeClair, Joseph A., O79888.
LeMay, Robert W., Jr., O38236.
LeVan, C. J., O38124.
Leeper, Bryan H., O26579.
Lehman, Arthur M., O79890.
Lehman, Robert H., O79891.
Leinhaas, Ralph P., O81911.
Leonard, William B., O80132.
Lerch, Archer L., Jr., O26735.
Lewis, Robert B., O37802.
Libby, Jack P., O37932.
Licord, Frank A., O79895.
Lieding, Robert K., O80438.
Likens, Ellery A., Jr., O79897.
Lindell, Kermit O., O26530.
Lindell, Rodney W., O26719.
Lippencott, George H., O80136.
Losch, Joseph W., O26812.
Lovell, William F., O80439.
Loving, Roger C., O55885.
Lowe, Thomas A., O49826.
Lowe, William H., Jr., O80440.
Lowrie, Elvin S., O79901.
Lowry, Walter C., Jr., O37959.
Lucas, Eugene R., O39383.
Lucas, John G., O79902.
Lyon, David L., O79903.
MacDonald, Francis A., Jr., O41082.
MacWilliams, Donald G., O26551.
Mack, John D., O80443.
Maher, Thomas L., O84386.
Mahin, Frank C., Jr., O26489.
Mahone, Nelson A., Jr., O38003.
Maiello, Ernest A., O81913.
Maish, Alexander M., O26523.
Malkemes, William C., O41223.
Malone, Patrick M., O79904.
Malone, William F., O80445.
Maloy, Richard E., O55496.
Mangum, Claud D., O80446.
Marshall Arthur R., O26584.
Marshall, Ben F., O80448.
Marshall, Max L., O26867.
Martin, John R., O79906.
Martin, Robert W., O79907.
Mason, William H., O79908.
Mathews, Charles B., O79910.
Mathews, Stanley R., O37737.
Mathis, William H., O37653.
Mathwin, Albert V., O37721.
Mayer, Edward E., O79914
McAdams, James O., O80449.
McAuliffe, Dennis P., O26609.
McCartney, Dan A., O84389.
McClurkin, James H., O37825.
McCoid, Chester B., O36251.
McConnell, Donald W., O80146.
McConnell, Guy G., O49201.
McCutchen, Roy M., Jr., O54575.
McDonald, Thomas J., O41221.
McDonald, Thomas, Jr., O39437.
McDonnell, Patrick J., O84391.
McElwee, Daniel W., O37732.
McFarland, Edwin D., O80451.
McGinn, Boyd, O84392.
McGowan, James F., O79920.
McGuire, Thomas J., Jr., O26733.
McIlwain, Bob A., O55346.
McKaney, William A., Jr., O79922.
McKeen, Chester M., Jr., O49816.
McKeever, Bernard E., Jr., O26789.
McKenzie, Donald H., O80147.
McKiernan, Frederick A., O84395.
McLain, John V., O37662.
McLaughlin, Hugh S., Jr., O81914.
McNaught, David R., O38081.
McNeil, Samuel F., Jr., O49354.
McRae, John R., O55582.
McSoley, George F., O37677.
Meares, Edward D., O56013.
Medinger, John N., O80453.
Mendelson, Sheldon H., O79926.
Mercer, Oliver L., O39382.
Merlo, William J., O80457.
Merrick, Ralph B., O80458.
Merritt, Charles A., O80459.
Metz, Robert G., Sr., O49890.
Metzler, Howard C., O26521.
Miccio, Edward, Jr., O50013.
Miles, Charles E., Jr., O55717.
Miller, Adelbert E., O41085.
Miller, Robert G., O36863.
Millington, Edgar N., O26759.
Minton, William, O89263.
Mitchell, Barry H., O79931.
Mitchell, Clarence A., Jr., O26903.
Moffett, Oren E., O80460.
Mohl, John L., O37815.
Molloy, Cornelius J., Jr., O26792.
Montesclaros, Melecio J., O79934.
Moon, Franklin B., O26511.
Moore, Alva J., O79935.
Moore, Frank E., Jr., O26865.
Moore, Robert F., O36304.
Moore, Robert L., O79936.
Moore, Thomas E., Jr., O26615.
Moore, Thomas N., O37295.
Moran, James J., O79937.
Morris, Charles A., O37730.
Morrisey, John C., Jr., O80462.
Moser, Dewey F. L., O41197.
Moss, Felix R., O49876.
Moulis, Wallace J., O26863.
Mowery, Lawrence L., O38023.
Mullen, William C. F., O55926.
Mummey, Robert McC., O26610.
Murphy, Maxwell C., Jr., O26768.
Murphy, Robert H., O26650.
Murray, Douglas B., O80466.
Murray, Howard C., O81917.
Murray, William H., O85396.
Muser, Norman F. A., O49353.
Myers, Gordon R., O38250.
Myers, John W., O84824.
Nabors, George A., O80467.
Nalle, Richard, O26716.
Nason, Condee C., O81918.
Nealon, Arthur J., O80468.
Neilond, Patrick McA., O26616.
Nelson, William J., O26572.
Newman, James W., O37751.
Noid, William D., O38247.
Noonan, James H., Jr., O79943.
Oberg, Vincent G., O79944.
Oberman, Marvin D., O79945.
O'Brien, James K., O26535.
O'Callaghan, James P., Jr., O81919.
Odom, Robert E., O49363.
O'Donnell, Charles F., Jr., O81920.
O'Donnell, Edwin T., O26527.
Okier, Oliver E., O50039.
Oldham, Leo G., O85227.
Olney, Gregory L., O38142.
Osborne, Lloyd A., O38123.
Ott, David E., O26522.
Overton, Daniel, O27026.
Pahl, Irving C., O80470.
Pappas, George S., O26787.
Parker, Albert J., O37759.
Parker, Burton F., O55932.
Parker, Lester L., O36638.
Parker, Warne R., O80472.
Parks, Leonard F., O41207.
Parks, Robert W., O26694.
Parrish, Edward L., O80474.
Parson, Nels A., Jr., O26713.
Patch, Lloyd E., O81921.
Patterson, Lucius K., Jr., O49239.

Patton, Oliver B., O26747.
Pearce, Robert McI., O26721.
Pearson, Robert A., O79946.
Pelham, Charles C., O79947.
Perry, Eugene M., Jr., O56272.
Peterson, Carl L., Jr., O26692.
Peterson, John T., O26901.
Petrone, Joseph C., Jr., O26813.
Pettigrew, Dee W., Jr., O26717.
Pfeiffer, Dewey T., O38031.
Phillips, J. Coulson, O49712.
Phillips, Paul W., O26611.
Phillips, Robert F., O36918.
Phillips, Wayne N., O79950.
Pickett, George E., 4th, O26828.
Pierce, Gardner T., O81922.
Pierce, John A., Jr., O56915.
Pierce, Thomas A., O79953.
Piper, James G., O49248.
Pitts, Kern P., O26718.
Pollin, Jack M., O26520.
Pool, Flournoy P., Jr., O79954.
Porter, Ray E., Jr., O37741.
Porter, William A., Jr., O80476.
Povendo, Nicholas A., O79956.
Preble, Charles E., Jr., O55490.
Prentice, Neil B., O79958.
Preston, Roy W., O37756.
Price, Arthur P., O49538.
Pugh, Delmar A., O80477.
Pumphrey, A. T., O79960.
Quante, Frank, Jr., 079961.
Quin, Hillrie M., O81923.
Rackham, Karl M., O83586.
Rael, Zacarias F., O79962.
Rafert, Walter E., O27044.
Rankin, Robert B., O79963.
Rantz, Richard C., O55168.
Raouls, Bernard H., O80478.
Rapp, Paul C., O80479.
Rashid, Ralph J., O81924.
Raulin, Ernest C., Jr., O25793.
Rawls, Louie T., O55581.
Reed, Gilbert R., Jr., O80480.
Reeder, Boyd F., O55238.
Reid, Marion M., O79964.
Reid, Raymond T., O37925.
Reid, Robert J., O84412.
Reinhard, Charles A., 080482.
Reiter, Nathan I., Jr., O80483.
Reitmeier, Woodrow A., O55144.
Rice, John L., Jr., O80484.
Rich, Robert E., O50002.
Richards, Howard W., O26689.
Richards, Robert H., O47545.
Ried, George H., O27032.
Riggins, Jack F., O79967.
Riley, William T., Jr., O79969.
Ripley, Richard M., O37760.
Robbins, Hugh W., O84415.
Robbins, Vernon E., O26871.
Roberts, Robert A., O80485.
Robichaux, Douglas B., O80486.
Robinson, Edward A., O37735.
Robinson, Robert B., O26531.
Rodden, Robert M., O26588.
Roemer, William A., O37665.
Rogers, George, O79970.
Rogers, Harry L., 3d, O26578.
Rogers, Poole, O79971.
Rounds, Raymond B., O79974.
Routh, Robert K., O26850.
Rowlands, Richard A., Jr., O79976.
Royal, George S., O55598.
Roye, Herbert F., O79977.
Ruff, Henry, O80487.
Russell, Cecil R., O36600.
Russell, Earl L., Jr., O37829.
Sabel, August J., O79979.
Salmon, Henry S., Jr., O79981.
Samuel, Robert W., O26723.
Samuell, Edward W., Jr., O26668.
Sanders, Joseph L., O81925.
Sanders, Leo F., O89285.
Sanderson, Walter L., O79984.
Savan, Jules, O80488.
Sayre, Gordon E., Sr., O79988.
Scales, Joseph W., O79989.
Schardt, Bruton B., O26757.
Scheer, James H., O37749.
Scheftel, Lawrence A. L., O80489.
Scherer, Charles R., O84420.
Schofield, Rudolph J., O88308.
Schoomaker, Fred B., O38249.
Schrecengost, Howard E., O80182.
Sciolla, Ralph A., O26628.
Scoggin, James F., Jr., O26472.
Scott, Winfield S., O26697.
Seidel, Richard L., O39355.
Selander, Stanley W., O55344.
Selton, Robert W., O26678.
Sewell, Donald M., O80491.
Sewell, Toxey H., O49609.
Shannon, Robert F., O26860.
Shaw, John M., O49362.
Shaw, Stanley H., O80492.
Shealy, Carroll D., O79993.
Shelton, Earnest A., O81926.
Shelton, James A., O79994.
Shepard, Norman C., Jr., O26654.
Sheppard, Byron E., O39353.
Shupe, Joseph B., O83588.
Sieber, Charles F., O49615.
Silver, Benjamin S., Jr., O39427.
Silver, David L., Jr., O26919.
Simon, Arthur D., O84422.
Sims, Leonard H., Jr., O26786.
Singley, George T., Jr., O55928.
Sinko, William A., O88937.
Skaggs, Joseph E., O84423.
Sloan, Harold B., O26624.
Smith, Frederick A., Jr., O26494.
Smith, Glen W., Jr., O38139.
Smith, Grover G., O80001.
Smith, Hulett DeW., O81927.
Smith, Irvin D., Jr., O39399.
Smith, James P., O81928.
Smith, Jeffrey G., O39417.
Smith, Malcolm W., O80003.
Smith, Ray H., O49768.
Smith, Robert A., O26679.
Smith, Robert McK., O39408.
Smith, Robert S., Jr., O50000.
Snead, George M., Jr., O27028.
Snow, Beverly C., Jr., O26499.
Snow, Harold E., Jr., O80494.
Sommer, Harry A., O80192.
Spagnolo, Joseph A., O80495.
Spiegelberg, Frank J., O54373.
Sproul, Donald N., O49441.
St. Sauver, Richard T., O37658.
Staffa, Rudolph W., O49348.
Stanek, Frank J., O81929.
Staser, Bruce I., O26842.
Steel, Charles L., Jr., O26546.
Stevens, Kenneth T., O36203.
Stewart, John A., Jr., O37800.
Stier, Robert J., O80008.
Stine, Harlan C., O80009.
Stoecker, John Van D., O80496.
Strantz, William R., O54512.
Strecker, Robert H., O26853.
Stuart, Whitney D., O37788.
Styve, Lester O., O38199.
Suddeth, James A., O55222.
Sullivan, John S., Jr., O26904.
Swanson, Arthur V., O80010.
Sweers, Peter C., Jr., O39371.
Tarpley, Thomas McK., O26827.
Taylor, Leonard B., O83589.
Taylor, Thomas A., Jr., O80014.
Taylor, William D., O81930.
Terris, Alexander A., O80016.
Thebaud, Charles C., O38008.
Thomas, Jay P., O49885.
Thompson, Edwin G., O81931.
Thompson, Milton R., O49532.
Thomure, Richard F., O49440.
Tichenor, John F., O80501.
Tinari, Emanuel J., O80018.
Tjossem, Oliver P., O80502.
Tkacik, John J., O26590.
Todd, William N., 3d, O26846.
Toffler, Alan R., O38037.
Tompkins, Charles H., O80503.
Toon, Philip B., O26799.
Torbett, Oscar C., O55654.
Townsend, Emmett C., O81932.
Trattner, Herbert M., O80504.
Treadwell, Jack LeM., O38163.
Trevathan, Louis B., O86869.
Trigg, Robert E., O49819.
Trimmer, John C., O26633.
Troxell, Raymond A., O80020.
Truman, Corbie R., O26883.
Truog, John E., O55415.
Tully, Larkin S., O26929.
Turner, Walter M., O37963.
Tuttle, George A., O26583.
Tuttle, William B., Jr., O26941.
Ulanowicz, Emil M., O80507.
Ursano, James J., O37890.
Vail, Robert E., O80508.
Valencourt, Charles W., Jr., O81933.
Valenstein, Earle L., O50040.
Van Hazel, George J., Jr., O81308.
Van Lydegraf, Dean, O49667.
Van Wert, Robert W., O80509.
Vance, Wendell W., O55895.
Vaughn, Jack E., O80511.
Vetrone, Phillip L., O84578.
Vignes, Joseph L., O80512.
Vitullo, Anthony J., O26760.
Von Sholly, Frederick W., O80513.
Wade, William D., O83590.
Wadsworth, William F., Jr., O80515.
Walker, J. LeRoy, O37248.
Walker, Joseph, Jr., O37817.
Waller, Charles P., 5th, O55840.
Wallis, Luther D., Jr., O26592.
Walters, Gene A., O37805.
Ward, Ben H., O80516.
Wardlow, Ralph C., O49516.
Ware, Richard S., Jr., O26688.
Warner, Virgil L., Jr., O41122.
Watson, Francis M., Jr., O39381.
Wear, George E., O26783.
Weathers, James W., Jr., O26879.
Weaver, Earl J., O80517.
Webster, Robert A., O55579.
Wedbush, Othon E., O55231.
Weihs, Donald H., O56001.
Welch, Bert B., Jr., O84440.
Wells, Howard B., O83591.
Wessels, Robert R., O26630.
Westbrooke, Jack G., O80518.
Weston, Alan E., O26519.
Wheatley, Melford M., O80519.
Wheeler, Jesse L., Jr., O49154.
White, Fred R., O49616.
White, Lawrence J., O37738.
Whitesides, Bruce McK., O49707.
Whitt, Ralph L., O80521.
Wignall, Kenneth K., O76846.
Wilder, Harold W., O94969.
Wilkins, Wallace W., Jr., O80522.
Willcox, Edwin J., O25594.
Williams, David H., Jr., O38029.
Williams, Harry R., O84442.
Williams, Richard K., O38174.
Willmann, William G., O81936.
Willson, Clayton R., O81937.
Winterbottom, Frederick W., Jr., O80526.
Wise, George V., O84444.
Wise, Richard A., O38171.
Witt, Warren W., O49370.
Wolfinger, Clarence E., Jr., O26831.
Wood, Carroll H., O27024.
Wood, Starling W., O80527.
Woodson, Wilbert T., Jr., O49358.
Woolsey, Myron F., O80026.
Yantis, Myron De W., O38014.
Young, Leilyn M., O80528.
Young, Mason J., Jr., O26603.
Young, Robert M., O37803.
Young, Wilbur P., O84581.
Zebrowitz, Morris, O80529.
Zillmer, David, O26722.
Zucker, Lester J., O92056.

To be lieutenant colonels, Chaplain

Goss, Charles A., O81862.
Krug, Clement P. J., O76793.
Underwood, Carmah C., O79687.
Walsh, Emmett L., O87655.

To be lieutenant colonels, Women's Army Corps

Averett, Imogen E., L160.
Baker, Maxene M., L173.
Belin, Hedwig C., L136.
Branch, Elizabeth H., L147.
Brister, Jane G., L289.

Carlson, Lane, L169.
Chapman, Janet L., L261.
Effengham, Esther M., L324.
Frank, Leta M., L329.
Guyette, Mary J., L183.
Howell, Lenore P., L177.
Williams, Carol M., L175.

To be lieutenant colonels, Medical Corps

Albrite, James P., O63715.
Amos, James D., O57990.
Aronstam, Elmore M., O56211.
Artiss, Kenneth L., O57944.
Ashford, Alexander W., O61183.
Bacharach, Theodore, O57987.
Baker, Hinton J., O56897.
Baker, Stewart L., Jr., O57547.
Beach, Prince D., O58753.
Belaval, Gustavo S., O71902.
Benitez, Roberto E., O58706.
Bernstein, Robert, O60025.
Berte, Stephen J., O60132.
Blake, Hu A., O58708.
Blohm, Raymond W., Jr., O57559.
Bradley, Robert J., O56255.
Bralley, Ernest M., Jr., O57820.
Bres, Edward S., Jr., O61178.
Britton, George T., O62778.
Broaddus, Robert E., O57532.
Brown, Aubrey K., Jr., O49959.
Caldwell, Samuel W., O63714.
Carrasco, Enrico D., O65414.
Caskie, James D., O63670.
Clausen, Roy E., Jr., O57385.
Clearkin, Kevin P., O94449.
Cohen, Arthur, O65412.
Conte, Nicholas F., O62905.
Cook, Henry M., Jr., O58694.
Cowley, Ray G., O57992.
Cranston, Robert W., O63826.
Donnelly, Henry J., O72587.
Donovan, James F., O57546.
Dozier, Slater M., O58184.
Edwards, David J., O62907.
Edwards, John E., O56945.
Eskridge, Jack, O63829.
Fahy, Donald G., O61064.
Fairchild, John P., O57936.
Fancy, Henry F., O59523.
Fitzpatrick, Jack C., O63832.
Fried, Julian J., O72873.
Gale, Russell J., O63156.
Gallup, Samuel C., O57019.
Graf, Russell E., O59685.
Green, Charles R., O65413.
Hamilton, Longstreet C., O60742.
Hamit, Harold F., O57980.
Hannum, William Y. C., O71798.
Hansen, James L., O57011.
Hartgering, James B., O49931.
Hauschild, Thomas B., O76206.
Hayes, George J., O57388.
Hemphill, James E., O63779.
Henderson, Harry McC., O57409.
Henderson, Warren S. P., O60739.
Hendrix, Thomas L., O58206.
Hewitt, Clarence B., O49926.
Hewlett, Thomas H., O57932.
Higgins, John G., O57706.
Hollifield, William C., O59671.
House, Royce E., O81846.
Hughes, Carl W., O58018.
Inmon, Thomas W., O56254.
Jackson, Marshall D., O37625.
Jauernig, Russell R., O58019.
Jenicek, John A., O57989.
Johnston, Edward H., O59536.
Joseph, Donald J., O60027.
Juel, Roger A., O58193.
Kennedy, Julien C., O57382.
Kingman, Allen F., Jr., O57556.
Kraul, Charles W., O61935.
Krauskopf, Frederick F., O57053.
Lewis, Evan L., O58205.
Lindsey, Douglas, O43248.
Lockwood, Robert S., O37626.
Lukeman, John M., O61061.
Lumpkin, Walter L., Jr., O37615.
MacDonald, William F., O63215.
Maldonado, Leonard, O63475.
Marvin, Sidney L., O57063.
Mayer, William E., O89897.
McDowell, Marion E., O57399.
McNair, Joel N., O52075.
Meroney, William H., 3d, O57010.
Metz, Charles W., Jr., O49934.
Miller, Byron L., Jr., O37630.
Miller, Frank L., O57564.
Miller, Ray L., O63827.
Modrak, Henry H., O65415.
Moffett, James B., O59441.
Moncrief, William H., Jr., O37637.
Mott, Loran E., O63153.
Mourat, Stephen, O59515.
Moyar, John B., O71570.
Myers, Donald S., O57972.
Neel, Spurgeon H., Jr., O58688.
Neuman, Frank A., O52077.
Otto, Wayne R., O78112.
Overholt, Edwin L., O60030.
Parmley, Loren F., Jr., O52087.
Parvin, Robert W., O61065.
Patterson, John C., O57046.
Penner, Ralph S., O56223.
Perrine, James P., O56971.
Pfotenhauer, Martin A., 2d, O61066.
Phillips, Richard J., O72423.
Plough, Irvin C., O57055.
Pracher, John R., O37622.
Pratt, Daniel W., O89129.
Redner, Wallace J., Jr., O58767.
Reed, Charles R. W., O60017.
Reid, Spencer B., O64924.
Richey, Carl B., Jr., O63147.
Rixey, Charles O., O39341.
Robbins, Thomas L., O57551.
Roberts, John E., O57833.
Rodriguez, Samuel, O63449.
Rosegay, Harold, O58766.
Ross, Richard H., O73246.
Runcik, Karel, O88907.
Rutledge, Ben A., O49950.
Scavone, Edmond, O57396.
Schirmer, Jacob F., O63158.
Schoenbucher, Albert K., O58189.
Schwab, Linden H., O37620.
Scott, Norman McL., Jr., O57569.
Seitzman, Leonard H., O60028.
Shannon, Frank J., Jr., O63157.
Sheedy, John A., Jr., O59675.
Sieber, Paul E., O58707.
Siege, Alfred G., O59676.
Sproat, Harry F., O57416.
Stenberg, Edwin S., Jr., O60029.
Storrs, Bruce D., O61060.
Strand, Donald J., O57067.
Stropes, Lloyd R., O37629.
Stroud, Joseph C., Jr., O58693.
Summerson, Donald J., O60747.
Taylor, Richard R., O62785.
Thomas, Joseph W., O58015.
Tumbusch, Wilfred T., O58755.
Tuttle, Jay F., O57703.
Umlauf, Harry J., Jr., O58198.
Van Buskirk, Kryder E., O57889.
Vivona, Stefano, O63717.
Walker, Keith A., O62910.
Warren, Willard R., O58079.
Whelan, Thomas J., Jr., O59531.
White, John W., O58248.
Wilson, William E., O89311.
Worrall, Joseph A., O67975.
Yessler, Paul G., O57027.

To be lieutenant colonels, Dental Corps

Arbuckle, Robert B., O52078.
Baze, Wallace R., O73985.
Bhaskar, Surindar N., O78570.
Boyer, Lea M., O43241.
Kepper, John C., O52066.
Kirchoff, Wayne F., O43243.
Love, William D., O39325.
Snead, Ralph B., O43257.

To be lieutenant colonels, Veterinary Corps

Dixon, George F., O37624.
Folling, Bjarne N., O52058.

To be lieutenant colonels, Medical Service Corps

Barrett, Rex M., O84723.
Brumfield, Jesse W., O79648.
Bryan, George R., O88596.
Bunger, Egbert V., O39492.
Bunson, Sydney M., O56273.
Cheezum, Lynn R., O41363.
Clutter, Carroll E., O41362.
Cook, Dudley P., O38552.
Devolites, Milton C., O79650.
Dexter, Wade H., O38554.
Drotning, Theodore B., O79664.
Epperson, Jordan L., O38550.
Erb, John J., Jr., O38538.
Flora, Jack L., O38551.
Foley, Joseph S., O38539.
Hart, Bernard A., O38544.
Hoffman, Edgar F., O79666.
Kaplan, Clarence, O79653.
Kealey, Robert C., O79654.
Keenan, James W., O49972.
Kilmer, Joseph M., O37498.
Lewis, Garland B., O79655.
Lukas, Frank W., O79656.
Lyons, Russell J., O84311.
Madden, James P., O83550.
McCall, Robert G., O80277.
Morse, Warren C., O79657.
Prettyman, William O., Jr., O38549.
Redmond, John, Jr., O38542.
Urbine, Anthony W., O80278.
Van Gilder, Robert E., O80279.
Wells, Frederick M., O39487.
Wight, Collins, O84313.
Williams, John R., O38533.
Wiscarson, John W., O37588.
Youngs, Edward R., O83552.

To be majors

Hutcherson, Harold, O57516.
Lawler, Thomas M., Jr., O65136.

To be major, Chaplain

Burnette, Lester E., O79682.

The following-named officers for promotion in the Regular Army of the United States, under the provisions of title 10, United States Code, sections 3284 and 3304:

To be lieutenant colonels, Army Nurse Corps

Ayer, Ida B., N2082.
Bailey, Margaret E., N2293.
Bonnet, Edith J., N1597.
Boone, Ada E., N1301.
Bryan, Mary C., N2094.
Burkhead, Florence A., N1998.
Cannon, Erin E., N1497.
Casserly, Mary A., N1572.
Curran, Isabelle R., N1984.
Donoghue, Rose A., N877.
Faulk, Eleanor H., N458.
Fraser, Mildred L., N624.
Hartley, Mary E., N1375.
Hayes, Sally C., N1231.
Henley, Nellie L., N486.
Hennies, Elma E., N401.
Henry, Jonike E., N1065.
Honeycutt, Hazel V., N1913.
Jablunovsky, Velma V., N0471.
Kehoe, Lelia M., N1349.
Krumanocker, Josephine M., N1045.
Mahoney, Elizabeth C., N1665.
McFadden, Martha A., N402.
Nolan, Charlotte L., N1351.
Orsini, Clara E., N2424.
Peacock, Leoleen I., N831.
Pecora, Florence M., N359.
Percival, Hazel, N696.
Pritchard, Ruby E., N690.
Rose, Anne, N2190.
Sipple, Blanche I., N1204.
Slaats, Alpharetta E., N684.
Stafford, Margaret C., N2204.
Stevens, Marilynn C., N1491.
Stewart, Blanche McR., N2003.
Stohl, Dora J., N2455.
Toudouze, Mary P., N467.
Trimmer, Mildred L., N1911.
Waterhouse, Marian, N1619.
Williams, Althea E., N2098.

To be lieutenant colonels—Army Medical Specialist Corps

Coeling, Ethel W., M10104.
Dillon, Edna L., M10118.
Evans, Nannie R., R10019.
Harman, Thelma A., R10092.

Johnson, Fuchsia L., R10023.
Lipscomb, Mary, R10025.

The following-named officers for promotion in the Regular Army of the United States, under the provisions of title 10, United States Code, sections 3284 and 3298:

To be first lieutenants

Aldrich, Harold B., 3d, O97880.
Bertelsen, Geoffrey H., O92326.
Brandt, Goetz K., O92280.
Campbell, John C., O93137.
Casto, James G., O93141.
Clawson, Lucien B., Jr., O97099.
Cleveland, Donald L., O92399.
Edwards, George V., O89922.
Elderd, Raymond K., Jr., O95312.
Ferguson, Jack W., O94527.
Ferring, Theodore J. J., Jr., O95318.
Fox, James H., O93171.
Hager, Henry F., 3d, O94197.
Hogan, Thomas F., O91436.
Hudson, Richard L., O96985.
Hyde, Thomas A., 3d, O97924.
Jacobs, Darrel D., O91282.
Johnson, Ben A., O97925.
Johnson, Lidge O. J., O97927.
Jones, Robert S., Jr., O97142.
Kawamoto, Dennis F., O92595.
Kazenski, John T., O90898.
King, Thomas R., O97157.
Labell, Simmin N., O90176.
Mahr, Walter C., O97438.
Mason, Robert W., O89549.
McCarthy, William J., O97448.
McClendon, Miles R., O94217.
Miyamasu, Paul K., O97333.
Moody, Robert D., O97951.
Nartisissov, George, O97818.
Orlov, William S., O97549.
Powers, Gary R., O97959.
Rizer, Gene C., O98353.
Scott, Kenneth G., O97974.
Shiner, Clyde R., Jr., O92880.
Stainback, William C., O94347.
Stonehocker, Herbert F., Jr., O92929.
Sturdivant, Clifford R., O97986.
Taylor, Benjamin D., O97363.
Terry, William F., 3d, O97047.
Walker, Larry T., O98261.
Wenz, Henry F., O97996.
Wright, Kenneth E., O97374.
Zimmers, Joe L., O96726.

To be first lieutenants, Medical Service Corps

Anderson, Jon D., O94736.
Blakemore, Vaughan A., Jr., O97280.
Constable, Joseph F., O94920.
Cundiff, David E., O94744.
Harman, Richard B., O97349.
Judy, Richard B., O94939.
Kistler, Thomas E., Jr., O96691.
Lemmers, Dean P., O97390.
Murphy, Thomas W., O94775.
Sandifer, Calvin P., 6th, O92780.
Schafer, Thomas E., O95096.
Shambora, Robert A., O94788.
Shelton, Edward J., O95101.
Spiker, James E., Jr., O98199.
Walker, James O., Jr., O95114.
Ward, John R., O97218.

To be first lieutenant, Army Nurse Corps

Cope, Doris A., N3056.

To be first lieutenant, Army Medical Specialist Corps

Sager, Jane F., R10184.

The following-named persons for reappointment to the active list of the Regular Army of the United States, from the temporary disability retired list, under the provisions, of title 10, United States Code, section 1211:

To be colonel

Sams, Gerald A., O41931.

To be lieutenant colonel

VanLaethem, George, O36342.

The following-named persons for appointment in the Regular Army by transfer in the grades specified, under the provisions of title 10, United States Code, sections 3283, 3284, 3285, 3286, 3287, 3288, and 3292:

To be major

Malone, Alfred C., Jr. (JAGC), O63275.

To be captain, Judge Advocate General's Corps

Zoghby, Guy A. (TC), O73251.

To be second lieutenant

Sentell, Jack H. (MSC), O94724.

The following-named persons for appointment in the Regular Army of the United States, in the grades specified under the provisions of title 10, United States Code, sections 3283, 3284, 3285, 3286, 3287, and 3288:

To be majors

Darling, Gregory, O1688813.
Lynes, Marvis F., O949067.
McMahon, Richard A., O1341809.
McManus, Luther M., Jr., O975625.
Sexton, Thomas L., O2014581.

To be captains

Adams, Paul M., Jr., O4015888.
Ahearn, John F., O4009741.
Ashby, Charles C., O4031237.
Austin, Richard K., O4074442.
Baker, Ralph H., Jr., O2289397.
Bartlett, Leslie R., O4026690.
Barton, Robert H., Jr., O4004174.
Bartron, Hubert K., O4005466.
Becker, Donald C., O4004102.
Beshens, Gerald J., Jr., O2266397.
Blaker, John R., O1932128.
Bolduc, Donald A., O4006135.
Bond, James A., O4025668.
Boon, Ivan G., O4006569.
Bournes, William V., O1936308.
Bringham, John L. B., O2288503.
Brown, Paul M., O4031425.
Cascio, Charles J., O4069406.
Caulfield, Robert N., O4011023.
Clark, Gordon F., O4030722.
Corbett, Cleveland, O1935009.
Costanzo, Irving E., O4038632.
Covert, James L., O4010707.
Daniels, Thomas W., Jr., O2033988.
Doyon, Leonard E., O4007153.
England, Marion F., Jr., O1924732.
Fehlauer, Werner A., O4069682.
Fleming, Hewell D., O1931245.
Fromm, Rudolph W., O4083218.
Fuchigami, Hideto, O4014617.
Geesey, Edwin P., O4026527.
Greenleaf, Edward T., Jr., O1935125.
Gunter, Charles R., O4003930.
Hering, Robert R., O4016845.
Higgins, George R., O85568.
Hollowell, William E., Jr., O1931464.
Holm, Dennis W., O4062189.
Hottel, David T., O4062484.
Isaacson, Roger M., O1936232.
Jones, Richard B., O2273918.
Kowal, Samuel J., O4057698.
Kramer, Gordon L., O4009704.
Lang, Marlin C., O4074509.
Leakey, Robert J., O4074404.
MacKinnon, Ray D., Jr., O4066194.
Madden, Joseph P., O4039232.
McBride, Floyd A., O4048876.
McFadden, Louis P., O4034756.
McMillan, Mervyl C., O4004501.
Neighbors, James D., O4076175.
Noonan, Richard B., O4016826.
O'Grady, Edmund J., O4065227.
Olson, Eugene S., O4010954.
Petty, Robert E., IV, O4062843.
Phillips, Edward L., O4005842.
Pitts, George E., O4025000.
Poston, Robert E., O4042572.
Pressley, Ancil R., O4025833.
Reid, James W., O4048558.
Reimer, Donald D., O2287941.
Reynolds, Leslie D., O4071936.
Richards, William E., O4011071.
Ridgeway, James H., O4070376.
Rodriguez, Raymond, O4010915.
Rogers, Amos J., O4024251.
Rogers, James R., O4063244.
Rohlfing, Robert E., O4040287.
Sammon, Bernard J., O4010744.
Silva, Theodore S., O4083408.
Skelton, Robert D., O1841763.
Smart, William E., O4029625.
Smith, Loren K., O4010324.
Smith, Osbin E., O4030948.
Thompson, James A., O1702308.
Tompkins, Edward, O4074641.
Treadway, James D., O4083658.
Villella, Fred J., Jr., O4035243.
Vittorini, Domenic, O4006889.
Walker, Delbert L., O2285394.
Ward, Matt R., O4063269.
Wehrle, Alfred L., O4066147.
Westerman, Ted G., O4031275.
Wilson, Roosevelt, O1925864.
Woods, James R., O4049657.
Yenter, Kenneth E., O1928090.

To be first lieutenants

Allen, Richard H., O5000837.
Alvis, John M., O5410280.
Barrios, Roy J., O4048442.
Belisle, Aldorien E., Jr., O5207222.
Bendele, James C., O5403534.
Benton, Hubert F., O5409530.
Bihn, Marvin A., O5203762.
Bourque, Archille O., Jr., O1926834.
Broksieck, Don E., O5508161.
Brunner, Karl R., Jr., O5209690.
Buckbee, Donald M., O5201653.
Byrnes, James P., O5511154.
Cameron, Carl H., O5303702.
Coston, James G., O5410068.
Cressler, Walter L., Jr., O5007423.
Dexter, Charles E., O5305932.
Donlon, Roger H. C., O5307067.
Driscoll, William J., O5006655.
Duerre, Chester W., O5509539.
Eggerichs, James M., O5510424.
Elliott, Thomas H., O5511597.
Estes, Jimmie L., O5409049.
Faubel, Gordon J., O5511907.
George, James T., O5203880.
Girard, Valmore J., O5006584.
Harris, Lyman B., Jr., O5305804.
Harrison, Edward R., O5307596.
Heard, Wayne L., O5410518.
Heathman, Jimmie J., O5511935.
Hickman, Carlos W., O5409440.
Higginbotham, Jerry R., O5308350.
Higgins, Glenn E., O5205143.
Hone, Gerald J., O5210584.
Hughes, William L., O5303797.
Hungerford, Dale, O5305487.
Hunter, Harry D., O5303715.
Johnsen, Frederick W., O5304346.
Kelly, Robert H., O5507878.
Kidd, Wayne H., O5206210.
Kierstead, Dana S., O5000787.
Kraft, Thomas J., O5509268.
Ladd, Eddie B., O5306480.
LaSpina, Jack J., Jr., O5205780.
Lewis, Terris C., O5509130.
Lind, Richard W., O5405441.
Markofski, Donald R., O2309819.
Mattox, James I., O5206922.
McCarthy, Frank T., O5506231.
McCoskey, James L., O5508518.
McMicken, Farris G., O5402315.
Minutoli, John R., O5005175.
Mirkovich, Richard S., O5704803.
Mohr, Carl E., O5702435.
Moose, Robert G., O5506811.
Odom, Fredwin M., O5404975.
Osteen, James L., O5307121.
Ota, Harry S., O5702570.
Pope, Cecil D., O5311550.
Potter, Donald C., O5510162.
Quinn, John T., O5001111.
Riley, Wilmot T., III, O5307853.
Roney, Kenneth D., O5310939.
Saathoff, Donald I., O5512113.
Schmid, Thomas W., O5207082.
Shackelford, William L., O5507287.
Shrontz, Alva G., O5203662.
Stephens, Donald G., O5402054.
Stokke, Edward T., O5405328.
Stroud, Lamar A., Jr., O5203907.
Townsend, Willis M., O5512070.

Truumees, Vallo, O5309969.
Vigelis, Eugene R., O2302146.
Walker, Byron G., O5508289.
Ward, Joseph G., II, O5405503.
White, Travis W., O5309555.
Williams, James E., Jr., O5405680.
Willison, Darryl L., O5509686.
Wise, George W., O5310711.

To be second lieutenants

Adams, Charles W., O5412957.
Beeman, Richard C., O5009932.
Belke, Richard A., O5405966.
Bogden, Joseph, O5207930.
Borneman, Edward L., O5214859.
Bosserman, David C., O5405806.
Brown, Billy C., O5412874.
Casey, Thomas J., Jr., O5214864.
Cooper, Nelson J., O5405741.
Counts, Ronald W., O5314179.
Craft, Carroll F., O5010111.
Danner, Robert F., O512538.
Dill, Paul H., O5211576.
Dondlinger, Jerome C., O5513390.
Duzenski, Thadeus A., O5218723.
Dye, Preston C., O5314899.
Eddy, Thomas F., O5214202.
Elliott, David R., O5216520.
Estes, James H., O5413266.
Francis, Joseph J., O2310154.
Freeman, Malcolm A., O5405941.
Gabelmann, James F., O5406144.
Grindell, Chelsey V., O5007206.
Hansen, David G., O2300357.
Harrison, David A., O5514207.
Henderson, William D., O5706971.
Hineman, Phillip D., O5707741.
Hitti, John L., Jr., O5513491.
Holmes, Larry L., O5516960.
Huffman, Donald O., O5706346.
Jackson, Jerry E., O5705986.
Jarock, Norman F., O5506259.
Karrer, Robert J., Jr., O5307607.
Krebs, Joseph G., O5514589.
Labovich, Walter, O5875175.
LeFew, Charles F., O5215755.
Lucas, Wayne L., O5513606.
Martin, Robert F., O5410758.
Matteson, Stephen C., O5216360.
Moss, Robert D., O5515877.
Myer, Allan A., O5405929.
Payne, Gilbert M., Jr., O5216570.
Perry, Stephen M., O5706357.
Pryor, Robert W., O5311801.
Randt, Richard C., O5000462.
Redner, Paul C., O5011252.
Rogers, Talmage G., Jr., O5405996.
Scharrett, William J., O5009187.
Scruggs, James T., Jr., O5314897.
Shepherd, William M., O5215644.
Simpson, Jerry J., O5215092.
Sinkwich, Edward L., O5011139.
Smart, Eric E., O5314271.
Smith, Robert P., O5314515.
Spaulding, William J., Sr., O5515901.
Staehler, Joseph C., O5512030.
Stumpff, Steven O., O5514954.
Taylor, John C., Jr., O5213161.
Tippins, Gerald M., O5314648.
Walker, Charles R., O5410292.
Walton, Jamie W., O5311153.
Wassom, Herbert M., O5213253.
Watson, Neal C., O5313574.
Whitehead, Robert W., O5513571.
Woodbury, Paul W., O5216988.
Wulf, Bruce L., O5706369.
Yablon, Stuart H., O5009343.
Zimmer, Otho B., Jr., O5309956.

The following-named persons for appointment in the Regular Army of the United States, in the grades and branches specified, under the provisions of title 10, United States Code, sections 3283, 3284, 3285, 3286, 3287, 3288, 3289, 3290, 3291, 3292, 3293, 3294, and 3311:

To be major, Judge Advocate General's Corps

Davis, Gerald W., O405322.

To be majors, Medical Corps

Bethea, William T., Jr., O485936.
Dwyre, William R., O4071001.
Slade, Robert E., O1941539.

To be captains, Army Nurse Corps

Cotter, Joan K., N902601.
Forsha, Sue M., N2312037.
Mackey, Helen J., N900193.
Miller, Martha P., N792827.
Peterson, Bernice M., N901426.

To be captain, Chaplain

Dowd, Theodore J., O2277101.

To be captains, Dental Corps

Collins, George R., O4036092.
Dearr, Marvin D., O2284719.
Kate, William, Jr., O5206890.
Noelke, Donald R., O5501237.
Nutter, David J., O4067340.
Overton, Eugene E., O1925550.
Palaszek, Casimir F., O4073325.
Preston, Jack D., O5701368.
Reckrey, Harold L., O5518983.
Reif, Charles W., O5213560.
Russell, Emery A., Jr., O5307031.
Smith, Donald E., O4049995.

To be captains, Judge Advocate General's Corps

Andrews, Thomas T., O4017042.
Conboy, Joseph B., O2021607.
Downes, Michael M., O5302366.

To be captains, Medical Corps

Chesky, Frank H., O4056602.
Cove, Laurence A., O5518010.
Derby, James H., O5518575.
Gunderson, Finn O., O5703243.
Mills, James E., O5217693.
Murphy, John J., O2298303.
Piper, Jurgen F., O5518590.
Sakakini, Joseph, Jr., O4036161.
Selby, David K., O5707134.
Thomas, John P., O5214106.
Varela, Gilberto E., O5826387.
Wyers, Robert A., O2300646.

To be captain, Medical Service Corps

Garrett, McLain G., Jr., O4075800.

To be captains, Veterinary Corps

Stolz, Hal F., O2295487.
Wevv, Adin R., O4040583.

To be first lieutenants, Army Medical Specialist Corps

Brewer, Jessie S., R5407415.
Bury, Joanne, M2300832.

To be first lieutenants, Army Nurse Corps

Budack, Marietta E., N2305306.
Stanfield, Ruby N., N5407100.

To be first lieutenants, Judge Advocate General's Corps

Belknap, Hobart D., Jr., O2307755.
Crow, Samuel J., O2310072.
Davis, Franklin G., O2309833.
McGowan, James J., Jr., O5208029.
McHugh, Richard K., O2311769.
Pelino, Philip E., Jr., O2309881.
Rogers, Jack D., O2311799.
Su-Brown, James C., O2306107.
Wicker, Raymond K., O2307708.

To be first lieutenants, Medical Corps

Ballard, Jerry D., O5312757.
Slaughter, John C., O5509613.

To be first lieutenants, Medical Service Corps

Drill, John C., O5512323.
Hanson, Robert L., O2297608.
Zell, Matthew N., O2298307.

To be first lieutenants, Veterinary Corps

Barck, John C., O2308050.
Freel, Marvin E., O2305797.
Godzik, Joseph R., O2305571.
Hilmas, Duane E., O5519041.
Keefe, Thomas J., O2305782.
Lawton, Richard R., O2307973.
Morris, James M., O2305093.
Taylor, James F., O2308991.
Vandercook, Richard A., O2309870.
Via, Robert E., Jr., O5219903.

To be first lieutenants, Women's Army Corps

Cascone, Joan C., L2298052.
Gross, Dorothy M., L2304898.

To be second lieutenant, Army Medical Specialist Corps

Webb, Annie J., M2305504.

To be second lieutenants, Medical Service Corps

Huff, Fred V., O5513950.
Lobingier, John H., O5412345.

To be second lieutenant, Women's Army Corps

Tate, Alice M., L2305151.

The following-named distinguished military student for appointment in the Judge Advocate General's Corps, Regular Army of the United States, in the grade of first lieutenant, under the provisions of title 10, United States Code, sections 3283, 3284, 3285, 3286, 3287, 3288 and 3292:

Shaw, Richard A., O5704414.

The following-named distinguished military students for appointment in the Medical Service Corps, Regular Army of the United States in the grade of second lieutenant, under the provisions of title 10, United States Code, sections 3283, 3284, 3285, 3286, 3287, 3288 and 3290:

Boyd, Raymond
Case, Harry M.
Cole, Edward G.
Lapinski, Lawrence J.
Martin, Ronald S.
Newborn, James L., O5320816.
Purcell, Jackson D.
Spears, Emerson L., Jr.
Spille, Robert M., O5531934.
Wagner, Frank J., Jr.

The following-named distinguished military students for appointment in the regular Army of the United States in the grade of second lieutenant under the provisions of title 10, United States Code, sections 3283, 3284, 3285, 3286, 3287 and 3288:

Abel, Gene P.
Adams, Johnnie R.
Adamson, Robert W.
Andersen, Foster
Ansley, Benjamin T., IV
Apprill, Earl J.
Armour, Richard J.
Austin, Norman T.
Bannigan, Eugene F.
Barlow, Ronald B.
Bates, Jared L.
Bear, Eugene F.
Beaver, Clyde R., Jr.
Beil, Kenneth A.
Benson, Roger L.
Berrong, Larry B., Jr.
Biller, James F.
Blanchard, Robert C.
Bluhm, Raymond K., Jr., O5531728.
Bohm, John A.
Bourgault, Bruce A.
Bowen, Jerry W.
Boyd, Clinton B., O5320699.
Boyd, Gary A.
Boyd, Joel D.
Brennan, Robert F.
Bridgewater, Gary L.
Brosnahan, Patrick M.
Brown, John R.,
Brunner, George S. N., Jr.
Buckley, Kurt F.
Bunch, Francis B.
Burkheart, George W.
Carroll, Brian J.
Cepiel, Edward R.
Chapman, Jesse L. R., Jr.
Cholak, Paul M.
Cidras, Joseph M.
Coffman, James E.
Cohen, Gene D.
Cole, Lester E.
Collins, Charles E., Jr.
Connelly, Dennis W.
Cornwell, David L.
Couture, Paul E.
Cryer, Thomas H.
Deane, Peter J.
Denison, Richard H.
Dexter, Thomas H.
Dotson, George S., O5016090.
Duckworth, Robert D.
Dyer, Elbert W.
Eakin, William C., O5223503.
Emigh, Donald B.
Esser, Michael F.
Feistner, James P.
Ford, David R.
Fornnarino, George M., II
Friday, Vernon W.
Fritz, Ronnie E.
Gollnick, John P.
Gregory, Thomas R., O5319521.
Gressette, Tatum W., Jr.
Grose, William C., O5319532.
Grossman, Warren L.
Guin, Jackie B.
Haack, Duane G., O5531915
Haggerty, Edward D.
Hankins, Guy L.
Harman, Dick E.
Harris, Allen E.
Hawkes, Michael A.
Hayes, James H.
Hennon, Clyde L.
Hogrefe, Robert E.
Hudson, Jim R.
Isaac, William T., Jr.
Jamieson, John D.
Jensen, Bruce A.
Jobe, James H.
Johnson, James, III
Johnson, Julius F.
Kasik, James E.
Keaton, Dickie G.
Kepner, Richard B.
Kimenis, Visvaldis

Knotts, Lawrence E.
Kocsis, Alexander S.
Koehler, Albert P.
Krstolic, Raymond C.
Kuehl, William R.
Lanpher, Michael J.
Larremore, Joseph T.
Lee, John P.
Lenius, Harlan J.
Lindsay, Edward E.
Long, James G.
Lund, Robert R.
Mannix, Thomas B.
Mason, Edward P.
Mason, Gregory W.
Mason, William L.
McAllister, Amos J., II
McCarron, Geoffrey A.
McCormack, James W.
McCubbin, Hamilton I.
McDonnell, Wayne M., O5532056.
McDuff, James M.
McGruder, John P.
McGuirk, Dennis M.
McHale, John L., III
Mebane, William C., III, O5320681.
Mendoza, Felipe, Jr.
Miffleton, George S., Jr.
Minney, Robert W.
Morrison, Ronald E., Jr.
Neubauer, Earle R., Jr.
Newman, Lawrence J., Jr.
Oakes, Henry M.
Oesterling, Richard L., O5320625.
Olszewski, Walter A.
Onstott, Billy M.
Orsini, Fuldo E.
Palm, Harald E., Jr.
Patterson, Bryce L., Jr.
Peddrick, Rodney S.
Peeples, Hardy W.
Peters, Donald G.
Peters, Joseph F.
Pfluger, Addison L.
Pinson, James W.
Pongonis, James A.
Primosch, Thomas A.
Redd, Harry C., III
Redish, Stephen, Jr.
Reid, Michael J.
Reinhardt, Jeffrey H.
Rhame, Thomas G.
Richardson, Lawrence D.
Ricketson, Don A.
Riley, Richard D.
Rivers, Henry O5313725.
Roberts, Donald B.
Satterlee, Alan K.
Sauter, Fred E.
Sawyer, Paul F.
Schuerman, William T.
Sette, Domenic R.
Seymour, Charles B.
Sherrill, George D., Jr.
Shipp, Travis
Shockey, Gilbert L.
Simmons, Richard P., Jr.
Simpson, Larry W.
Smith, James L.
Sonricker, William C., O5415600.
Stone, Frank D.
Strecker, William, Jr.
Surdu, Frank G.
Taylor, John M., Jr.
Terna, Cyril J.
Timian, Robert C.
Turner, Richard W.
Tutton, Raymond F.
Uecke, John W.
Underwood, James H., III
Vititoe, John N.
Volkman, Ronald L.
Vonderahe, Thomas A.
Walker, Clyde E.
Wallace, James C.
Weaver, Noel L.
Whitney, Douglas W.
Wiener, William, O5018079.
Williams, Fontaine L., Jr.
Wilson, Gary R.
Winmill, John I., O5017342.
Wood, Jack E.
Wynn, Hugh F.

HOUSE OF REPRESENTATIVES

WEDNESDAY, JANUARY 22, 1964

The House met at 12 o'clock noon.

The Most Reverend Jaroslav Gabro, D.D, bishop of the St. Nicholas diocese in Chicago for the Ukrainians, offered the following prayer:

Almighty and eternal God, in whose dominion are the authority and rights of all humanity, look with favor upon those who are in authority over us, that throughout the world, religion and national security may have a firm and lasting foundation.

We beseech You, O God, to assist with Your holy spirit of counsel and fortitude the President of the United States, that his administration be guided in righteousness, and be eminently useful to the people over whom he presides, encouraging due respect for virtue and religion, and faithfully executing our laws in justice and mercy.

Let the light of Your divine wisdom direct the deliberations of our esteemed Congress, in their laws and achievements, so that they may tend to the preservation of peace, the promotion of national welfare, the increase of industry, and the perpetuation of the blessings of equal liberty.

We recommend to Your unbounded mercy and judgment, O Lord, the national welfare of the Ukrainian Nation, whose proclamation of national liberty was observed 46 years ago, and whose people have striven during these years to free themselves from the tyranny of an atheistic oppression, in the hope of enjoying the liberties and freedom, under God, that are so abundantly evident here in our United States. We pray that the benefits of freedom granted to democracies throughout the world, may serve as an infallible encouragement to the people of Ukraine, fostering their long-delayed ambition of unrestrained participation in the family of the free and God-fearing nations of the entire world.

Finally, O God of mercy, we ask your indulgence upon the souls of our departed civil servants, all those gone into eternity before us, and who now repose in the infinite majesty of Your omnipotence. In special and devoted measure we pray for the intention of our late President, John Fitzgerald Kennedy, who in his life no less than in his death, has merited a charitable and grateful remembrance from our entire Nation. In his zeal for righteousness, devotion to the obligations incumbent upon him, in both war and in the shadows of war, he gave unparalleled example of trust in God, loyalty to his country, and a deeper appreciation to us for having shared a common heritage of freedom in our free form of government.

For all these, do we ask to be granted through Your omnipotence in bestowing, Your mercy in hearing, and Your infinite charity for all mankind. Amen.

THE JOURNAL

The Journal of the proceedings of yesterday was read and approved.

A TRIBUTE TO THE LATE HONORABLE CHARLES EDWARD CREAGER, A FORMER REPRESENTATIVE IN CONGRESS FROM THE STATE OF OKLAHOMA

The SPEAKER. The Chair recognizes the gentleman from Oklahoma [Mr. EDMONDSON].

Mr. EDMONDSON. Mr. Speaker, during the past few days, a former Member of the U.S. House of Representatives and a great Oklahoman from my hometown of Muskogee passed away.

The Honorable Charles Edward Creager died in Muskogee on January 11, at the age of 90, leaving behind a rich and colorful life of leadership and service to his fellow man, including service in this great legislative body as Oklahoma's first Republican Congressman.

Poet Walt Whitman once wrote: "Nothing endures but personal qualities." The many fine personal qualities of Charles Creager are the enduring and endearing legacies which he leaves behind.

C. E. Creager was a man of many interests, a man who lived life to its fullest, a man who gave much and in that spirit of giving received his rewards.

Mr. Creager was born in Dayton, Ohio, but the exciting life which he charted for himself carried him to many corners of the United States and to lands beyond our national borders.

A résumé of his career indicates the many facets of this splendid man's life. He was a Congressman, Army sergeant, war correspondent, oilman, an official for the Bureau of Indian Affairs, author, schoolteacher, cub reporter, police reporter, political reporter, oil editor, city editor, publisher, Chief Clerk for the Office of Price Administration, and a U.S. oil inspector.

As a journalist, C. E. Creager reported many events of great significance in that transition period from the 19th to the 20th century.

He was an author who recorded the histories of the Ohio National Guard, and the history of Masonry in Oklahoma, and more recently a still unpublished manuscript concerning the Bible.

He was a civic leader whose foresight in authoring Muskogee's form of city government created stable local government.

Charles Creager was an optimistic man who believed in the youth of our country. He recently wrote:

> We weep on the shoulders of the clergyman, the schoolteacher and the policeman to bewail our serious and worsening problem of juvenile delinquency. For every single "problem child" there are hundreds of home loving, God fearing, boys and girls who have already assumed the personal responsibilities of good citizenship. Of course, there is no need to worry about these fine youngsters. But they are rightfully entitled to all the encouragement and help we can give them.

Charles Creager was a remarkable man for many reasons. One of those reasons was his most recent accomplishment—a book written just before he died and still unpublished, entitled, "It's Fun To Read the Bible."

I have had the privilege of reading the introduction to Mr. Creager's manuscript. It is remarkable enough that a man in his 90th year would assume such an awesome task of writing a book. However, even more remarkable is the interesting, colorful, and penetrating style of his writing.

His observations in this book are clearly those of a man who understands life—not only from reading about it and researching it in the great works of our time—but from living it.

Charles Creager was a religious man who knew the value of religion and of the Supreme Being in our society. Again let me quote from his book:

> Fundamentally, man is the same creature he was when he first appeared on earth, a "little lower than the angels." He has the same attributes, hopes, and ambitions. He rebels against tyranny, resents too much authority, and is as ready to fight for liberty and independence as he has always been. He enjoys what he calls a higher culture which he has developed in the light of the "Lamp of Experience" but he is still deeply in need of help.
>
> He who works in the ditch and dwells in a slum is quite as much in need of the benefits to be derived from the Bible as he who

> lives in a palace and enjoys the luxuries afforded by wealth.
>
> In this day of unrest, economic uncertainty, and social turmoil, the most stable governments on earth are as seriously in need of divine wisdom as were the first cities and states when they suffered from growing pains in the early stages of history.

Charles Creager was a lifelong Republican who fought hard for his party. However, the influence which he exerted and the respect which he commanded knew no party lines.

For example, in 1963 the Democratic-dominated State legislature in Oklahoma passed a resolution honoring and congratulating Mr. Creager on his 90th birthday.

We in Oklahoma today are indeed fortunate that a man of Charles Creager's character and talents became an adopted son of our State when it was in its infancy of statehood. His influence at this critical period helped in a major way to get our State on its feet and walking in the direction of progress and achievement.

My deepest sympathies go out to Mrs. Creager, the lovely and talented wife of our former colleague, and to the family. However, I know that the great strengths which Charles Creager possessed in life give strength to all who knew him in their time of sorrow today.

Mr. BELCHER. Mr. Speaker, will the gentleman yield?

Mr. EDMONDSON. I am glad to yield to the gentleman from Oklahoma, [Mr. BELCHER].

Mr. BELCHER. Mr. Speaker, Oklahoma shares with the Nation a heavy loss in the passing of our former Congressman, Charles Edward Creager, who so ably devoted his 90 full years to the betterment of mankind.

It was only last May that I had the opportunity of paying tribute to Charles as he entered upon his 90th year; and in the RECORD reminisced with fellow Oklahomans about his long record of accomplishments. Indeed it is a long record. A life story that took him through wars, into the world of journalism and the business arena on to a congressional office, as the Republican Representative from the new State of Oklahoma in the 61st Congress. Oklahoma at that time was only 2 years old, having been admitted to the Union in 1907.

Charles' term in Congress—1909–11—were growing years both for him and for the State of Oklahoma. He was having to apply hard earned and carefully assimilated experience to the tasks at hand; and young Oklahoma through increased population had to find better ways to serve its people. A census was taken and redistricting was considered; and then the newly elected Governor ordered the three allowed Representatives to run at large, rather than call a special session for the redistricting question. Charles faced a tough battle in a State that was overwhelmingly Democratic, and against heavy odds the young Republican lost his congressional seat. However, he was not one to be easily discouraged, and took up his post as "John Q. Citizen" with renewed vigor, making some of his most needed contributions to mankind in the field of business and journalism.

It is a great privilege to be able to say that Charles Creager was an "Oakie"; but perhaps the character of a man is best assessed by his evident spiritual insight into the problems at hand. In this light, Charles might be judged by this statement he made in the introduction to one of his books:

> In this day of unrest, economic uncertainty, and social turmoil, the most stable governments on earth are as seriously in need of Divine wisdom as were the first cities and States when they suffered from growing pains in the early stages of history.

Yes, Oklahoma and I will sorely miss Charles Creager's wit, his activity, his enthusiasm and alertness to duty, but it will never cease to benefit from his rich legacy of contributions to the State of Oklahoma and the country. We are indeed fortunate "heirs".

To his family, I extend my sincere sympathy.

Mr. ALBERT. Mr. Speaker, will the gentleman yield?

Mr. EDMONDSON. I am very glad to yield to the distinguished majority leader.

Mr. ALBERT. Mr. Speaker, I join my colleagues in this word of tribute to a great Oklahoman, who was such a versatile man, who was such a venerable and respected character in our State for so many years; a great Congressman, a great author, an outstanding editor, and a successful businessman. He has lived the good life and the full life and we shall all miss him.

Mr. EDMONDSON. I thank the gentleman.

Mr. Speaker, I ask unanimous consent that all Members wishing to do so may extend their remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

Mr. STEED. Mr. Speaker, the career of the late Congressman Charles E. Creager of Muskogee, Okla., was a distinguished one in many fields. He served as a Member of this House from 1909 until 1911, and for many years was associated with the Bureau of Indian Affairs. In addition he won renown as a journalist, author, oilman, and a leader in Masonry.

A native of Ohio, he served in the Spanish-American War and had a notable career as a newspaperman before moving to Oklahoma 60 years ago.

During his service in the House he introduced a bill that would have established a Department of Health and Welfare, a proposal that proved more than 40 years ahead of its time. He also was a sponsor of a bill that was enacted at the time establishing the Bureau of Mines.

A member of the McAlester Consistory since 1908, Mr. Creager held a 50-year pin as Knight Commander of the Court of Honor. He was believed to be the senior holder of the KCCH rank in the State of Oklahoma.

A former potentate of the Bedouin Shrine Temple, he was also past grand high priest of the grand chapter of Royal Arch Masons of Oklahoma.

His career was a long and fruitful one, and I join in expressing regret at his passing and sympathy to the members of his family.

RESIGNATION FROM COMMITTEE

The SPEAKER laid before the House the following resignation from a committee:

JANUARY 22, 1964.

Hon. JOHN W. MCCORMACK,
Speaker of the House,
House of Representatives,
Washington, D.C.

DEAR MR. SPEAKER: Please accept my resignation as a member of the Committee on Post Office and Civil Service and the Committee on the District of Columbia.

Thanking you, I am
Yours respectfully,
JOEL T. BROYHILL,
Member of Congress.

The SPEAKER. Without objection, the resignation will be accepted.

There was no objection.

ELECTION TO COMMITTEE

Mr. HALLECK. Mr. Speaker, I offer a privileged resolution and ask for its immediate consideration.

The Clerk read as follows:

H. RES. 613

Resolved, That JOEL T. BROYHILL, of Virginia, be, and he is hereby, elected a member of the standing Committee of the House of Representatives on Ways and Means.

The resolution was agreed to.

A motion to reconsider was laid on the table.

SUBCOMMITTEE ON DOMESTIC FINANCE—COMMITTEE ON BANKING AND CURRENCY

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that the Subcommittee on Domestic Finance of the Committee on Banking and Currency have permission to sit during general debate today.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

RESIGNATION OF EDWARD R. MURROW AS CHIEF OF U.S. INFORMATION AGENCY

Mr. ALBERT. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

Mr. ALBERT. Mr. Speaker, with the resignation of Edward R. Murrow as Chief of the U.S. Information Agency one of the great public figures of this generation has stepped down. Mr. Murrow has occupied this important post during a most critical and difficult period. He has told the American story around the world perhaps better than anyone else could have told it. He has done this despite the inherent handicaps of bureaucracy and public policy.

And the great services he performed for this Nation as a member of the National Security Council can never be fully chronicled.

Mr. Murrow as much as any man I know has represented the positive side of American journalism. He was one of those who did not need to find a man who had bitten a dog in order to write a good story. His great job of reporting and interpreting the events which led to World War II and his reporting during the war have become classic sources for the historian. To the infant medium of television he gave new dimensions that have not yet been equaled.

A very able man, Mr. Carl Rowan, succeeds Mr. Murrow. President Johnson is to be congratulated on this appointment. We are confident that he will do a splendid job.

We are also sincerely hopeful that Ed Murrow, that kindly, considerate man whose professional and personal life have been marked by integrity, and who gave up so much in the way of financial remuneration to become a distinguished public servant, may fully recover his health and may have many more happy and useful years. This man has earned and deserves the accolades and good wishes of the entire Nation—and in his own words—"This I believe."

Mr. BOW. Mr. Speaker, will the gentleman yield?

Mr. ALBERT. I am glad to yield to my friend from Ohio [Mr. Bow].

Mr. BOW. Mr. Speaker, I should like to join the distinguished majority leader in the tribute he has paid to Edward R. Murrow. I am a member of the Subcommittee on Appropriations that handles the budget for the USIA. During the period Mr. Murrow was the head of that Agency I learned to know him well and admired him very much. He brought competence into a very difficult position and served the country well in that position.

Mr. Speaker, I join the gentleman in wishing him well. We shall miss him for he has done an excellent job in a very difficult assignment.

Mr. ALBERT. Mr. Speaker, I thank the gentleman.

Mr. BOLAND. Mr. Speaker, will the gentleman yield?

Mr. ALBERT. I yield to the gentleman from Massachusetts.

Mr. BOLAND. Mr. Speaker, I should like to compliment the majority leader on the remarks he has made concerning Edward R. Murrow and on the excellent job he has done as head of the USIA. Also I concur in the remarks of the gentleman from Ohio [Mr. Bow]. I had the opportunity of sitting in on some of the supplemental appropriations requests for the USIA and observed Mr. Murrow in action. I agree with my distinguished colleagues in saying that this gentleman has done an outstanding job as Director.

All of us are reluctant to see Mr. Murrow leave the public service. Americans everywhere have felt a personal link with him because he has visited many times in their homes by means of the television screen and the radio loudspeaker. They have felt confidence in knowing that the portrayal of America abroad was in charge of this man so dedicated to his country and so dedicated to the truth, so understanding of the people and problems of this country, and so understanding of the problems of interpreting them for others.

In his difficult work Mr. Murrow found one unfailing guideline: truth. When asked by a Senate committee over a decade ago to comment on how the U.S. information program should be handled, Mr. Murrow said:

> We have no choice but to try to tell the truth about ourselves. There is no other way to make the Voice of America more authoritative, more trustworthy; no other way to persuade our allies and the doubters that we pursue a policy which they can endorse, support, and join.

Mr. Murrow brought to his job as Director of the U.S. Information Agency a wealth of experience in news presentation and international understanding. Born April 25, 1908, near Greensboro, N.C., he had graduated Phi Beta Kappa from Washington State College. One of his early jobs was as assistant director of the Institute of International Education, for which he served as head of its foreign offices in several European capitals. He joined CBS in 1937 as director of its European affairs and during the Second World War he became known to all Americans for his reports, "This—Is London." Later he became a vice president and director of public affairs and one of the Nation's most distinguished commentators. It was with great personal financial sacrifice that Mr. Murrow left CBS in 1961 to take the position as head of USIA, a post he took because of his great regard and esteem for the late President Kennedy and the devotion of both of these men to their country.

The whole Nation owes Ed Murrow a great debt of gratitude for the magnificent job he did at USIA during the past 3 years, and though we are sorry to see him leave the post we hope that his retirement from the demands of public office will bring about a full and speedy recovery. All of us affectionately reiterate President Johnson's closing words in reluctantly accepting Mr. Murrow's resignation: "Goodbye and good luck."

At the same time I would like to take this opportunity to commend President Johnson's selection of Carl T. Rowan to replace Mr. Murrow. Mr. Murrow himself has said that this is a job which ought to be done by newsmen, and Mr. Rowan ranks high among the excellent journalists in our country. For 13 years, Mr. Rowan was a prize-winning reporter for the Minneapolis Tribune. He has been the recipient of many awards for journalism, including the Sigma Delta Chi award for the best foreign correspondent of 1955.

Mr. Rowan has received additional invaluable experience for his new post in his more recent positions as Deputy Assistant Secretary of State for Public Affairs, to which he was appointed by President Kennedy in 1961, and as Ambassador to Finland, a post to which he was appointed last year and which further demonstrated his ability in international communication. Additional qualifications of Mr. Rowan, who was born August 11, 1925, in Ravenscroft, Tenn., are service as an ensign in the Navy, one of the first Negro Navy officers in our history, graduation from Oberlin College and a master's degree in journalism from the University of Minnesota.

Mr. Rowan has proved to have ability, dynamism, understanding, and sensitivity. To Mr. Rowan, who will now hold one of the highest Government offices ever occupied by a Negro, we say "Hello and good luck." The job of portraying America abroad is in your hands.

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that all Members may extend their remarks on this subject at this point in the RECORD.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. EDMONDSON. Mr. Speaker, I thank our distinguished majority leader for his usual thoughtfulness in making time available to all Members to join in a highly deserved tribute to Edward R. Murrow.

Few Americans in our time have made a contribution which compares to the contribution of Edward R. Murrow, in the all important fields of communications and public education.

As a great wartime correspondent during World War II, Ed Murrow won the admiration and confidence of his fellow countrymen.

In the hectic years which followed the war, he continued to build upon that foundation, while doing more than other commentators to call public attention to some of our Nation's most urgent problems.

As head of the U.S. Information Agency during the past few years, he has performed a splendid patriotic service.

All America owes Ed Murrow a debt of gratitude.

Mr. O'HARA of Illinois. Mr. Speaker, hanging on the wall of my office directly to the right of my chair is a framed photograph of Edward R. Murrow. That photograph will continue to occupy a place of honor in my office as Ed Murrow shall continue to hold a place of affection in my heart.

Edward R. Murrow has planted in millions of homes the world over the image of Uncle Sam as we would wish it to be known and to be accepted. As chairman of the Subcommittee on Africa and as a member of the Subcommittee on Inter-American Affairs, I have been in a position to judge with accuracy the work of Edward R. Murrow in these two important and restlessly dynamic areas. Let me sum it up very briefly. It was the genius of Ed Murrow and his associates in understanding people and in transmitting the chronicle of news events in the tempo of human understanding; it was this genius that turned the tide in Latin America and in Africa.

He gave to the U.S. Information Agency and to the Voice of America that touch of quality, of class, of high vision that he earlier had brought to the TV channels. In the all too brief period of his service as Director of USIA he has won a lasting place as one of the most cherished and eloquent ambassadors of good will and understanding in our national history.

President Johnson's selection of Carl T. Rowan as Mr. Murrow's successor as USIA Director will be universally applauded, and with Mr. Rowan as he tells abroad the story of America will go the every good wish of the Members of this body.

PRESIDENT PUSHES FOR PEACE

Mr. REUSS. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Wisconsin?

There was no objection.

Mr. REUSS. Mr. Speaker, three important steps for preserving peace were taken in 1963: the nuclear test ban, the Washington-Moscow hot line, and the United Nations General Assembly action against nuclear weapons in space.

President Johnson is determined to maintain this momentum, and to find new ways in which international tensions can be reduced.

Yesterday, in a message to the disarmament conference in Geneva, the President made several proposals which will carry us in that direction. Let us unite behind the President in support of his program, and in general support of his constructive search for ways to resolve conflict among nations without resort to force.

We cannot put less energy and thought into the problem of peace than we have put into inventing the weapons of war—weapons whose complete destructiveness requires us to control them.

Cool, collected perseverance will be needed at the 18-nation disarmament talks now opening in Geneva. The Congress should be as one in support of the President on this crucial issue. We should lend our unqualified support, and show the world that President Lyndon Johnson leads a nation united in the search for a secure peace, for ourselves and for people everywhere.

THE LATE WILLIAM J. GREEN

Mr. CELLER. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the Record.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. CELLER. Mr. Speaker, I am sure that my sorrow is shared by all Members of this Chamber in marking the passing of our late and beloved colleage, William Joseph Green, Jr., of Pennsylvania. For Bill Green to have died before the age of 54, is, indeed, not only a personal tragedy for his family and friends but also a loss to his State and to his country which he served so valiantly.

Bill Green was a fighter. In his years of service, he proved what fighting for what is right could do when it is joined with the energy, the perspicacity, the balance of judgment, which were his. It seems hard for me to believe that Bill is no longer with us. I had known him since he first came to this arena in the 79th Congress, and I have seen him in action since then as a leader and persuader, as a man of the widest of sympathies and the deepest of loyalties.

To his wife and to his children, to his friends, I extend my sympathies, but a portion of that sympathy I reserve for myself because I, too, was proud to call him "friend."

COMMEMORATION OF UKRAINIAN INDEPENDENCE DAY

Mr. ANDREWS of North Dakota. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from North Dakota?

There was no objection.

Mr. ANDREWS of North Dakota. Mr. Speaker, January 22, 1964, is the 46th anniversary of Ukrainian independence. Every year on the 4th of July we Americans celebrate our independence in freedom and comfort. But the Ukrainian people, suppressed by the weight of an occupation army and the loss of national independence, are not so fortunate. They are permitted only the most superficial and harassed celebrations.

It is well known that the Ukraine has a history and culture quite distinct from that of Muscovite Russia. For centuries the Ukrainians fought repeated invasions from all sides, accompanied by horrible massacres and famines. In fighting together they gradually came to realize their national character and to feel themselves part of a great nation. From their first cooperative efforts arose, in 1918 the Rada, a popularly elected assembly, which promised to be the foundation of a democratic government for a Ukrainian Republic. But in 1920 Soviet Russia conquered the Ukraine, smothering democracy almost at birth. Since then, the hard working Ukrainian people have made the Ukraine one of Soviet Russia's most prized colonies.

The Ukraine has been forcibly so thoroughly incorporated into the Soviet empire—indoctrinated, infiltrated, reorganized—that the Ukrainians themselves must have nearly despaired of ever reviving their former freedom. But the spirit of freedom cannot be so easily extinguished. The people of the Ukraine still remember that they once were a proud, independent nation. Surely, when the time comes, the Ukraine will rise again. Then Ukrainians will be able to celebrate their independence day as it should be celebrated—openly, happily, with a strong sense of pride. The American people look forward to that day.

Americans of Ukrainian descent in our State of North Dakota are planning to observe this memorable event with appropriate ceremonies. Special church services will be held at Belfield and Wilton, N. Dak., and rallies and a radio program will be held on Sunday, January 26.

ESTABLISHMENT OF A COMMISSION ON ORGANIZATION AND OPERATIONS OF THE EXECUTIVE BRANCH OF THE GOVERNMENT

Mr. HARVEY of Indiana. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Indiana?

There was no objection.

Mr. HARVEY of Indiana. Mr. Speaker, I am today introducing a bill that will provide for the establishment of a Commission on Organization and Operations of the Executive Branch of the Government in accord with recommendations by our President, and in full support of many Members of Congress. I am hopeful that we will have established a so-called Hoover Commission on Reorganization of the Government.

It was my privilege when I first came to the Congress to serve on the Committee on Government Operations that implemented the report and recommendations of the first Hoover Commission. The gentleman from Ohio [Mr. Brown] and our Speaker of the House were members of the committee at that time. I know they will bear out my statement that it was a very effective effort. I am joining with my colleague, the gentleman from New York [Mr. Riehlman], who is the ranking Republican member on the House Committee on Government Operations in submitting this bill.

The SPEAKER. The time of the gentleman has expired.

PERSONAL EXPLANATION

Mr. SIBAL. Mr. Speaker, I ask, unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Connecticut?

There was no objection.

Mr. SIBAL. Mr. Speaker, yesterday after voting on the amendment and the motion to recommit on H.R. 4879, the Library Services Act, I was called from the floor and unavoidably detained by a constituent. Upon my return to the floor I learned that the vote had been taken upon final passage during my absence. I wish the Record to show that had I been present I would have voted "aye."

SUBCOMMITTEE ON FINANCE AND COMMERCE OF THE COMMITTEE ON INTERSTATE AND FOREIGN COMMERCE

Mr. STAGGERS. Mr. Speaker, I ask unanimous consent that the Subcommittee on Finance and Commerce of the Committee on Interstate and Foreign Commerce may be permitted to sit during general debate this afternoon.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from West Virginia?

There was no objection.

BRIBERY IN SPORTING CONTESTS

Mr. CORMAN. Mr. Speaker, pursuant to the unanimous consent agreement of January 20, 1964, I move to suspend the rules and pass the bill (S. 741) to amend title 18, United States Code, to prohibit schemes in interstate or foreign commerce to influence by bribery the outcome of sporting contests, and for other purposes, as amended.

The Clerk read the bill, as follows:

> *Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That (a) chapter 11, United States Code (entitled "Bribery and Graft"), is amended by adding at the end thereof the following new section:
>
> "§ 224. Bribery in sporting contests
>
> "(a) Whoever carries into effect, attempts to carry into effect, or conspires with any other person to carry into effect any scheme in commerce to influence, in any way, by bribery any sporting contest, with knowledge that the purpose of such scheme is to influence by bribery that contest, shall be fined not more than $10,000, or imprisoned not more than 5 years, or both.
>
> "(b) This section shall not be construed as indicating an intent on the part of Congress to occupy the field in which this section operates to the exclusion of a law of any State, territory, Commonwealth, or possession of the United States, and no law of any State, territory, Commonwealth, or possession of the United States, which would be valid in the absence of the section shall be declared invalid, and no local authorities shall be deprived of any jurisdiction over any offense over which they would have jurisdiction in the absence of this section.
>
> "(c) As used in this section—
>
> "(1) The term 'scheme in commerce' means any scheme effectuated in whole or in part through the use in interstate or foreign commerce of any facility for transportation or communication;
>
> "(2) The term 'sporting contest' means any content in any sport, between individual contestants or teams of contestants (without regard to the amateur or professional status of the contestants therein), the occurrence of which is publicly announced before its occurrence;
>
> "(3) The term 'person' means any individual and any partnership, corporation, association, or other entity."
>
> (b) The analysis of chapter 11, title 18, United States Code, is amended by adding at the end thereof the following new item:
>
> "224. Bribery in sporting contests."
>
> Amend the title so as to read: "An Act to amend title 18, United States Code, to prohibit schemes in interstate or foreign commerce to influence by bribery sporting contests, and for other purposes."

The SPEAKER. Is a second demanded?

Mr. McCULLOCH. Mr. Speaker, I demand a second.

The SPEAKER. Without objection, a second will be considered as ordered.

There was no objection.

CALL OF THE HOUSE

Mr. HALL. Mr. Speaker, I make the point of order that a quorum is not present.

The SPEAKER. Evidently, a quorum is not present.

Mr. ALBERT. Mr. Speaker, I move a call of the House.

A call of the House was ordered.

The Clerk called the roll, and the following Members failed to answer to their names:

[Roll No. 14]

Ashbrook
Baring
Barry
Bass
Blatnik
Brock
Byrnes, Wis.
Cameron
Cederberg
Clausen, Don H.
Colmer
Davis, Tenn.
Dawson
Denton
Derwinski
Donohue
Dowdy
Findley
Fisher
Flynt
Fulton, Pa.
Gary
Gill
Grant
Green
Hanna
Hansen
Harvey, Mich.
Hébert
Hoffman
Holifield
Jensen
Johansen
Jones, Ala.
Kee
Kelly
McMillan
MacGregor
Martin, Calif.
Martin, Mass.
May
Miller, Calif.
Miller, N.Y.
Milliken
Montoya
Moore
Morton
Nelsen
O'Brien, Ill.
O'Brien, N.Y.
Pepper
Philbin
Powell
Pucinski
Rivers, Alaska
Rivers, S.C.
Robison
Roybal
Saylor
Schadeberg
Schneebeli
Scott
Sheppard
Sisk
Smith, Calif.
Staebler
Steed
Teague, Tex.
Udall
Vinson
Watson
Watts
Westland
Wickersham
Williams
Wilson, Ind.

The SPEAKER pro tempore (Mr. ALBERT). On this rollcall 355 Members have answered to their names, a quorum.

By unanimous consent, further proceedings under the call were dispensed with.

BRIBERY IN SPORTING CONTESTS

The SPEAKER pro tempore. The Chair recognizes the gentleman from California [Mr. CORMAN].

Mr. CORMAN. Mr. Speaker, this bill involves competitive sports, an important aspect of American life. Every young American has an interest in the athletic field, and in sporting events. Many thousands of Americans earn their living in professional sports.

There has grown up over the years a substantial illegal business of gambling. It has been estimated that it runs as high as $25 billion a year, which passes from one person to another in this illegal manner.

The purpose of S. 741 is to prohibit bribery in any form, if it is carried on through interstate commerce, as it may relate to a sporting event. At present there is no Federal law which controls this kind of activity. Federal bribery laws go to the conduct of governmental officials in their official capacity.

The 87th Congress passed a law which prohibited movement in interstate travel for the purpose of violating laws. It has been very useful in curbing organized crime in this country. But, it does not cover the specific evil attempted to be covered by this legislation.

It is to be noted that of the 50 States, 12 States do not prohibit bribery in sporting events.

During the hearings before the Committee on the Judiciary, this specific legislation was supported by the National Collegiate Athletic Association, the American Football Coaches Association, the National Association of Basketball Coaches, the National Association of Collegiate Coaches. Further, it has the endorsement of the Department of Justice.

During the hearings, the House Committee on the Judiciary made some significant changes in the bill, S. 741, which I would like to call to the attention of the House.

The amendments broadened the coverage of the Senate version of the bill by eliminating reference to participants. The original bill, S. 741, dealt only with bribery of participants. This bill deals with bribery of any person in connection with the sporting event.

Furthermore, the Senate bill spelled out that bribery was to influence the outcome of the contest. During the hearings, it became apparent that frequently not only the outcome of a contest, but the point spread in a game or the round in which a prizefight might be terminated and many other things can become the object of betting. It was, therefore, the intent of the committee to cover these aspects of sporting events also and not just the outcome of the event. That is the reason for the change.

We changed the penalty so that the penalty provisions would conform with the penalty provisions in other bribery statutes.

I call the attention of the House to another change which occurs in subsection (c)(1) of section 224. The Senate version read:

> The term "scheme in commerce" means any scheme effectuated in whole or in part through the use of any facility for transportation or communication in interstate or foreign commerce.

The House version reads:

> The term "scheme in commerce" means any scheme effectuated in whole or in part through the use in interstate or foreign commerce of any facility for transportation or communication.

Thus, we make it clear we anticipate covering conduct which is carried on or attempted only in interstate commerce.

Mr. MEADER. Mr. Speaker, will the gentleman yield for a question?

Mr. CORMAN. I yield to the gentleman.

Mr. MEADER. I might say, as a member on the Committee on the Judiciary that studied this measure and was concerned that the measure might be a precedent for Federal regulation of sporting events, as the gentleman probably knows there has been a very violent controversy going on under the court decisions that professional football is regarded commerce and subject to the antitrust laws, but that professional baseball is not. Therefore, its efforts to clear up that situation in the Committee on the Judiciary have met with failure because of the emotional character of this subject. It is my concern that this bill should not be regarded as a precedent for Federal regulation of sporting events on the theory that they are interstate commerce whether they be professional sporting events or whether they be collegiate or other amateur sporting events, and I was assured by the counsel of our committee and by the members of the committee who are interested in this legislation, and I want to make legislative history on this subject today, that this bill in no way is to be regarded as a precedent for the regulation of sporting events generally on the theory that they are interstate commerce. My understanding is that the philosophy and theory of this bill is what is the subject matter of Federal attention here, and that is the utilization by bribery of interstate facilities.

Now I would like the assurance of the gentleman who is handling the bill on the floor that my understanding of this bill is correct and that it is not to be regarded as a determination that the Congress has authority to regulate sporting events generally on the theory that they are interstate commerce.

Mr. CORMAN. I believe the gentleman has stated the law as to this bill correctly. Certainly, this bill extends only to curbing bribery and has nothing to do with the contest itself as such.

Mr. CELLER. Mr. Speaker, will the gentleman yield?

Mr. CORMAN. I yield to the gentleman.

Mr. CELLER. It is very significant that quite a number of States—I believe 38 States—have antibribery statutes concerning sports, but they are all facing difficulties because when the State line is reached they are blocked.

As an example, the committee received an interesting communication from one of the assistants of the very distinguished and honored district attorney of the county of New York, Mr. Frank Hogan. Speaking for Mr. Hogan, the assistant district attorney said:

> The experience gained from two major investigations by this office into corruption in sports discloses that it is national in scope and that the criminal element does use interstate facilities of communications and transportation to carry out their nefarious schemes.
>
> The need for this legislation is further emphasized by the limits of jurisdiction of local authorities to deal with interstate crimes. In addition, it does not appear that all States currently have local statutes covering this subject.

As a matter of fact, there are 12 States which do not have such statutes.

Our inquiry revealed that most of the college sports associations and professional sports associations exercise, so far as they may, rather severe disciplinary controls over sensitive provisions regarding gambling, but something more is needed.

Mr. Pete Rozelle, commissioner of the National Football League, said, among other things, in advocating passage of the bill, that the bill would:

> Serve as a strong deterrent to individuals not within the jurisdiction of our organizations who may desire to corrupt those participating in team sports.

The Judiciary Committee found among its membership no one in opposition to the bill. The report was unanimous. I do indeed hope that the bill will prevail under the suspension of the rules procedure.

Mr. MEADER. Mr. Speaker, will the gentleman yield for a question?

Mr. CELLER. I yield.

Mr. MEADER. I believe the gentleman is absolutely correct in saying that there was no opposition to the bill, but I believe the gentleman will also concede that I raised the same question in the committee which I raised with the gentleman from California [Mr. CORMAN] a moment ago on the floor, and it was only because of the assurance given to me in the committee that the bill would not be considered a precedent for Federal regulation of sporting contests generally on the theory that they are interstate commerce that I did not object.

I should like to have an expression of view by the chairman of the committee on that subject.

Mr. CELLER. The gentleman is eminently correct when he states exactly what he has stated. There is no attempt to bring that about at all.

Mr. MEADER. I say to the gentleman that if I did not have complete assurance that this was not to be a precedent for the regulation of sporting events by the Federal Government I would be constrained to oppose the bill as vigorously as I know how.

Mr. McCULLOCH. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, as never before, American athletes are now being subjected to temptation by some of America's most despicable element, the bribers, fixers, and gamblers. Though only a comparatively few of the tens of thousands of honest professional and collegiate athletes of this country have succumbed to the mounting temptations brought to bear by the gambling fraternity, the increasing number of sports scandals, uncovered in recent years, have been a source of chagrin and dismay to us all. The greed of the professional gambler and the weakness of a very few collegians, in particular, have temporarily clouded the appealing image of collegiate athletics and threatens to undermine public confidence in all competitive games.

The gambling and bookmaking operations of today are big business, and numerous investigations of sports fixes have made it clear that the gamblers have attempted to make and, in a few instances, have made a large-scale move into such collegiate, amateur, and professional sports events as basketball, boxing, baseball, and football. It is believed by many law-enforcement officers that the proceeds from gambling on sporting events is one of the major sources of income for the underworld and is used to promote the expansion of other criminal activities such as labor racketeering, bootlegging, traffic in narcotics, and white slavery.

Whether a sports bribe is carried out on a multistate basis, as most are, or on a local basis, should be of no great concern to Congress in finding a jurisdictional foundation, for both utilize interstate communication facilities. The briber or fixer often uses the telephone, the telegraph, or the mail to contact and pay off conspiring athletes. He communicates, by the same means, his "information" to the bookmaker, who, in turn, may relay the news of the predetermined outcome of the game to other trusted members of the organization. And these, in turn, may be the same individuals who originally suggested and planned the scheme through the channels of interstate communication. In short, it is quite evident that modern organized gambling operations are completely intertwined with the Nation's communications systems.

Subcommittee hearings on this bill revealed numerous examples of the interstate nature of this objectionable activity. For example, there is the case of the University of Oregon football player, who was approached in Ann Arbor, Mich., by a Miami Beach gambler. By the time the Michigan authorities arrived, in an attempt to apprehend the gambler, he had already left the State. The subcommittee was also told of a New York City lawyer who was involved in attempting to fix 25 basketball contests in 10 different States.

Perhaps one of the most objective and dependable recent studies on this subject is compiled in a New York State document entitled, "Syndicated Gambling in New York State." At page 115 thereof appears this finding of the committee:

> Central New York syndicated bookmaking is an integral part of the smoothly functioning interstate network of such bookmaking activity extending throughout a 14-State area and the northeastern section of the United States. Direct and important bookmaking contacts also extend from central New York into Canada, Miami, Fla., and Biloxi, Miss.

The Department of Justice pointed out in a report on this subject, to the chairman of the Senate Committee on the Judiciary:

> State law enforcement agencies have been handicapped either by an absence of adequate laws in this area or by jurisdictional limitations; the Federal Government has been handicapped by lack of complete statutory authority to assert its full power.

Though this lack of Federal authority was partially remedied in the 87th Congress by the enactment of Public Law 87–216—16 USC 1084—Transmission of wagering information, Public Law 87–218—18 USC 1952—Interstate and foreign travel or transportation in aid of racketeering enterprises—these laws allow only a partial attack on this problem.

For example, Public Law 87–228 applies only to interstate sports bribery when the bribe occurred in a State which has laws proscribing sporting events bribery. Thus, existing law covers this situation only to a limited degree, leaving an obvious need for further Federal action. With an exercise of its plenary power over interstate facilities for transportation and communication, Congress would be authorizing the assistance so badly needed by the States in coping with this problem.

It was with a view to this intolerable situation that I submitted H.R. 3696 in February of this year, a bill identical in substance to the bill which is before us today. S. 741 would make it a Federal offense to conspire to influence in any way, by bribery, any sporting contest in which the scheme involves the use of any facilities, of interstate or foreign commerce. The bill would apply penalties of up to $5,000 and/or 10 years in prison to all who may be involved in such endeavors including players and officials, as well as the gamblers and fixers. Under the provisions of this bill, it is clear that granting Federal authority over this subject matter would in no way exclude or circumscribe the effect of any local law or the jurisdiction of any local authority over an offense over which it would have jurisdiction in the absence of this legislation. Furthermore, the sports bribery bill in no way affects the legal relationship between the Federal Government and the Nation's sporting endeavors. In short, this bill suggests no change in our present antitrust law attitude toward athletic teams or organizations, for the bill finds its jurisdiction in the interstate nature of the bribing and fixing activities, and in no way depends upon, or implies, any interstate nature of the sporting contests.

The bill in its present form has been given strong endorsement from many quarters including not only the Department of Justice, but the National Collegiate Athletic Association, the Eastern College Athletic Conference, the American Football Coaches Association, the National Association of Basketball Coaches, the National Football League, the commissioner of baseball, Mr. Ford C. Frick, and the president of the National Association of Professional Baseball Leagues, Mr. George M. Trautman. Mr. Pete Rozelle, the commissioner of the National Football League, said this bill would:

> 1. Give the general public major additional assurance of the strong protective measures being taken to preserve the integrity of team sports that have such wide appeal.
>
> 2. Serve as a strong deterrent to individuals not within the jurisdiction of our organization who may desire to corrupt those participating in team sports.

The Senate, on October 30, 1963, acted favorably on this bill authored by Senator Keating.

I urge every Member of the House to support the motion to suspend the rules and pass the bill.

I support the motion, and I hope that it will be agreed to overwhelmingly.

As has already been indicated, the bill came from the Committee on the Judiciary without a single vote in opposition thereto. Every major collegiate athletic association in the country is in favor of this legislation. I know of no professional sports organization that is against it.

Mr. CELLER. Mr. Speaker, will the gentleman yield?

Mr. McCULLOCH. I am pleased to yield to the chairman of our committee.

Mr. CELLER. The gentleman is very modest. The bill was his own bill. We were very glad to embrace its provisions, but, from a parliamentary standpoint, since the Senate bill had already passed we felt it would be well to have it passed by the House.

Mr. McCULLOCH. Mr. Speaker, I thank the chairman of our committee very much for his statement.

In addition to what the gentleman has said, as I recall, the legislation not only passed the other body in 1963 but also passed the other body in 1962 or theretofore.

Mr. MEADER. Mr. Speaker, will the gentleman yield?

Mr. McCULLOCH. I am glad to yield to the gentleman from Michigan [Mr. Meader].

Mr. MEADER. Mr. Speaker, I note that the hearings held by the subcommittee of the Committee on the Judiciary on November 21, 1963, contain the testimony given by the gentleman from Ohio, the author of this legislation. I wish to read from page 16 of the transcript, from the statement made by the gentleman from Ohio to the subcommittee of the Judiciary Committee, as follows:

> Furthermore, the provisions of this bill are not to be construed as altering the status of sporting contests under existing law. I want to make that statement unmistakably clear.

In view of the fact that the gentleman is the author of the legislation and is the ranking minority member of the Committee on the Judiciary, I should like to address to him the same question I have addressed to the gentleman from California [Mr. Corman] and to the gentleman from New York [Mr. Celler], the chairman of the committee; namely, whether this bill should be treated as a precedent for Federal power to regulate sporting events generally, whether they be professional or amateur, on the theory that they are in interstate commerce.

Mr. McCULLOCH. Mr. Speaker, I am glad to say to my distinguished colleague from Michigan [Mr. Meader] that that was not the intention when I drafted the bill, when I conferred with Senator Keating about it, nor was it my intention during the hearings on the bill. The quotation which the gentleman from Michigan has read was my opinion then and was my intention then. It is my opinion now and it is my intention now. I want to make that unmistakably clear.

Mr. MEADER. Mr. Speaker, will the gentleman yield further?

Mr. McCULLOCH. I am happy to yield.

Mr. MEADER. Mr. Speaker, I should like to call the attention of the House to the paragraph of the report on page 3 of the committee report just above the departmental reports, which reads as follows:

> It should be noted that this bill is based on the employment of facilities in interstate commerce for effectuating a scheme to influence a sporting contest by bribery. It does not purport to deal with or affect the issue of whether sporting contests are to be considered in interstate commerce.

If the gentleman will yield further, I would like to ask unanimous consent to include at this point in the Record a memorandum with relation to this bill prepared by one of the minority counsel of the Committee on the Judiciary.

The SPEAKER pro tempore. Without objection, it is so ordered.

There was no objection.

The memorandum referred to is as follows:

The Sports Bribery Bill (H.R. 3696 and S. 741)

1. The sports bribery bill in no way affects the legal relationship between the Federal Government and the Nation's sporting endeavors. In short, this bill suggests no change in our present antitrust law attitude toward athletic teams or organizations, for the bill finds its jurisdiction in the interstate nature of the bribing and fixing activities, and in no way depends upon, or implies, any interstate nature of the sporting contests.

To say that this bill would suggest that sporting contests are in interstate commerce, and thus subject to Federal jurisdiction, would be the same as saying that a racehorse, upon which a bet is placed, is similarly engaged in interstate commerce.

2. It has been suggested by some that a sports bribery bill (H.R. 3696 and S. 741) is unnecessary in the light of existing laws which are said to adequately cover the situation. It is submitted that this contention is not accurate. As stated by the Department of Justice in a report to the Senate Committee on the Judiciary, "State law-enforcement agencies have been handicapped either by an absence of adequate laws in this area or by jurisdictional limitations; the Federal Government has been handicapped by lack of complete statutory authority to assert its full power."

There are three principal laws, enacted in 1961, which deal with the problem of gambling, but which unfortunately allow only a peripheral attack on bribery in sporting contests, 18 U.S.C. 1084 (Public Law 87-216) deals with the transmission of wagering information. While prohibiting the use of wire communication facilities "for the transmission in interstate or foreign commerce of bets or wagers, or information assisting in the placing of bets or wagers" would perhaps have some applicability to a bribery situation, it is clearly not sufficient to do the job.

In the same manner, 18 U.S.C. 1953 (Public Law 87-218) is aimed at stopping the interstate transportation of wagering paraphernalia, but this, too, is inadequate to give Federal authorities jurisdiction over the typical fixed-game operation.

Finally, 18 U.S.C. 1952 (Public Law 87-228) bans interstate travel or transportation, or use of any facility in interstate commerce to aid or promote racketeering enterprises. Among the specific prohibitions of this section is the use of "any facility in interstate commerce, including the mail," to "promote * * * carry on, or facilitate * * * any unlawful activity." Since the definition of an "unlawful activity" includes "extortion or bribery in violation of the law of the State in which committed or of the United States," this section can only be applied in those cases where the sports bribery occurred in a State which has laws proscribing such activities, but is of no avail when State law is silent on the subject.

Mr. McCULLOCH. Mr. Speaker, so far as this side of the aisle is concerned, the matter has been covered. There are no more requests for time.

Mr. CORMAN. Mr. Speaker, I would like to join our chairman, since I sat on the subcommittee which held the hearings, in stating that I know the gentleman from Ohio [Mr. McCulloch] was the moving force behind this bill along with the gentleman from Georgia, Congressman Forrester, our subcommittee chairman.

Mr. Speaker, I ask unanimous consent that the gentleman from Florida [Mr.

Fascell] may extend his remarks at this point in the Record.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California?

There was no objection?

Mr. FASCELL. Mr. Speaker, I am pleased to rise in support of the bill to prohibit schemes in interstate or foreign commerce to influence by bribery, the outcome of sporting contests. I cosponsored this measure in the House of Representatives and hope it will receive favorable consideration here today.

The bill will add a new section 224 to title 18, United States Code, to make it a criminal offense to influence a sporting contest by bribery. For such conduct to constitute a Federal offense, it must be done through the facilities of interstate or foreign commerce. The penalty provided by my bill is a fine of not more than $10,000 or imprisonment for not more than 5 years, or both.

In the past few years, unpleasant circumstances and unsavory events have made this legislation a necessity. Many States have passed laws in an attempt to curb the offering or acceptance of bribes in sporting contests; however, about 12 States have no statutes on this subject. Therefore, enforcement is increasingly more difficult because of the interstate nature of these illegal activities.

We must not allow these vicious operations to continue unchecked. Thousands of honest Americans are engaged or involved in legitimate sporting activities as their means of livelihood. Many thousands of others participate in college sports, professional and amateur athletics, while millions of Americans enjoy watching sporting events as their favorite form of recreation.

If our young people are to mature with a healthy respect for good, clean sports and retain their hero-image of their sports idols, we must do all we can to keep the games free of corrupting influence.

Unfortunately, gamblers and racketeers have other ideas. They look upon college and professional sporting events as their "gravy train" and are certainly not above tempting players and officials with large sums of money to manipulate the score or outcome of the contest.

The bill has the full approval of the Department of Justice and to my knowledge, no opposition has been forthcoming from informed sources. I take this opportunity to urge passage of this legislation.

The SPEAKER pro tempore. The question is on the motion that the House suspend the rules and pass the bill S. 741 as amended.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the bill was passed.

A motion to reconsider was laid on the table.

The title was amended so as to read: "An act to amend title 18, United States Code, to prohibit schemes in interstate or foreign commerce to influence by bribery sporting contests, and for other purposes."

PATENT OFFICE FEES

Mr. TRIMBLE. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 593 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

> *Resolved,* That upon the adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 8190) to fix the fees payable to the Patent Office, and for other purposes. After general debate, which shall be confined to the bill and shall continue not to exceed two hours, to be equally divided and controlled by the chairman and ranking minority member of the Committee on the Judiciary, the bill shall be read for amendment under the five-minute rule. At the conclusion of the consideration of the bill for amendment, the Committee shall rise and report the bill to the House with such amendments as may have been adopted, and the previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit.

Mr. TRIMBLE. Mr. Speaker, I yield 30 minutes to the gentleman from Kansas [Mr. Avery]; and pending that such time as I may consume.

As the Members know from the reading of the resolution it makes in order the consideration of the bill H.R. 8190 which concerns fees payable to the Patent Office and for other purposes. The rule provides 2 hours of general debate. It is an open rule. I know of no opposition to the rule and I reserve the balance of my time.

Mr. AVERY. Mr. Speaker, it is my conclusion from the reading of the report accompanying this bill that there is agreement that patent fees should be increased in order that the income to the U.S. Patent Office may be restored to as nearly as possible the same level at which it has prevailed historically. Further, it is my understanding there has been no increase in Patent Office fees since 1932. There is disagreement on the formula for increasing these fees.

It was anticipated originally when the Patent Office was first created that patent fees should not carry the full expense of the Office, but the income from them should approximate about 75 percent of the cost of operating the agency. At the present time the fees will defray only about 30 percent of the expense of the operation of the agency.

The members of the committee who have drafted this bill have concluded that with the passage of the bill the accumulation from the fees collected will restore the income of the agency to about 75 percent of the cost of its operation.

There have been bills introduced in almost every Congress since 1932 to increase the patent fees, but I think this is the first time that a bill has reached the floor of the House for formal consideration. So, Mr. Speaker, I urge the adoption of the rule.

Mr. TRIMBLE. Mr. Speaker, I move the previous question.

The previous question was ordered.

The SPEAKER pro tempore. The question is on the resolution.

The resolution was agreed to.

IN COMMITTEE OF THE WHOLE

Mr. CELLER. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 8190) to fix the fees payable to the Patent Office, and for other purposes.

The motion was agreed to.

Accordingly, the House resolved itself into the Committee of the Whole House on the State of the Union for the consideration of the bill H.R. 8190, with Mr. Joelson in the Chair.

The Clerk read the title of the bill.

By unanimous consent, the first reading of the bill was dispensed with.

Mr. CELLER. Mr. Chairman, I yield myself 7 minutes.

I yield myself only a paucity of time because it is far better for the gentleman who presided over the destinies of this bill in the Judiciary Committee to give his explanation of it. I refer to the distinguished gentleman from Louisiana [Mr. Willis]. He will be here momentarily.

The purpose of this bill is to increase the fees payable to the U.S. Patent Office. Patent fees are prescribed by statute, and as indicated a few moments ago, they have not been overhauled in the last 30 years. In that period, of course, the value of the dollar has greatly changed. The time has come when we have to reappraise the fees presently charged by the Patent Office. Once the fee income of that Office substantially covered its costs. They now recover a little more than 30 percent of such costs.

H.R. 8190 is responsive to an executive communication from the Department of Commerce. It is the latest in a series of measures designed to restore a rational relationship between the Patent Office fees and the cost of administering the American Patent Office. The enactment of the bill will ultimately permit recovery of fees of approximately 75 percent of the cost.

The Bureau of the Budget very significantly stated with reference to these fees the following:

> In fairness to the taxpayer, who carries the major burden of support of Federal activities, the Government has adopted the policy that the recipient of these special benefits should pay a reasonable charge for the service or product received or for the resource used.

The monetary value of rights acquired through the patent system is very large and very valuable. A large subsidy to the system is not necessary to protect the public. The bill would provide a fair degree of income to the Patent Office to defray the expenses thereof.

The bill also contains provisions of the fee structure, principally to serve two purposes:

First. To provide incentives to efficient and economical prosecution and examination of patent applications; and, second, to provide for deferment of payment of parts of the fees to times when the patent owner will be in a better position to judge the commercial value of his patent. This is also designed to encourage patentees to discard patents whose disclosures they do not expect to come into commercial use, and is expected to reduce the number of unused patents in force.

I am informed that the fees that are now charged by our Patent Office are the lowest of any fees charged by patent offices throughout the world. That is rather anomolous. A bill of this character has been introduced in the House year in and year out for several years, but we were never able to get to first base with it.

I hope this House will realize that there is a need for a change in these fees and that this bill will be overwhelmingly adopted.

Mr. GROSS. Mr. Chairman, will the gentleman yield?

Mr. CELLER. I yield to the gentleman from Iowa.

Mr. GROSS. Is there any increase in pay for employees of the Patent Office, any upgrading of employees, anything dealing with the compensation of personnel in any way involved in this bill?

Mr. CELLER. Nothing of that sort whatsoever in the bill.

Mr. GROSS. Nothing at all?

Mr. CELLER. Nothing at all.

Mr. GROSS. May I ask the gentleman, what about foreign companies and corporations? Do they pay fees to the U.S. Patent Office, or is there some form of reciprocity involved?

Mr. CELLER. It does not deal with that at all. It simply deals with an increase in patent fees. There is no reference to that at all.

Mr. GROSS. Your report says that more than 70 percent of the patents nowadays are assigned to American and foreign companies, and the U.S. Government. So we do have some foreign traffic here. My question is whether they pay fees to the United States or whether there is some reciprocity involved when we go to them for registration of a patent?

Mr. CELLER. Foreign entities pay the same fees as domestic entities, and they would have their fees increased, as would domestic entities, under this bill.

Mr. GROSS. I see; I thank the gentleman.

Mr. MEADER. Mr. Chairman, will the gentleman yield?

Mr. CELLER. I yield to the gentleman.

Mr. MEADER. I was interested to note that the first postwar bill on this subject was introduced by my predecessor in the House of Representatives, Hon. Earl Mitchener, who was chairman of the Committee on the Judiciary in the 80th Congress. But, apparently, he did not get any further with his bill than you have been getting with your bill subsequently, Mr. Chairman.

Mr. LINDSAY. Mr. Chairman, I yield myself such time as I may require.

Mr. Chairman and Members of the Committee, first of all I think the Members of the Committee ought to take note of title V of United States Code, section 140. That section was enacted in 1952 and reads as follows:

> It is the sense of the Congress that any work, service, publication, report, document, benefit, privilege, authority, use, franchise, license, permit, certificate, registration, or similar thing of value or utility performed, furnished, provided, granted, prepared, or issued by any Federal agency (including wholly owned Government corporations as defined in the Government Corporation Control Act of 1945) to or for any person (including groups, associations, organizations, partnerships, corporations, or businesses), except those engaged in the transaction of official business of the Government, shall be self-sustaining to the full extent possible, and the head of each Federal agency is authorized by regulation (which, in case of agencies in the executive branch, shall be as uniform as practicable and subject to such policies as the President may prescribe) to prescribe therefore; such fee, charge, or price, if any, as he shall determine, in case none exists, or redetermine, in case of an existing one, to be fair and equitable taking into consideration direct and indirect cost to the Government, value to the recipient, public policy or interest served, and other pertinent facts, and any amount so determined or redetermined shall be collected and paid into the Treasury as miscellaneous receipts: *Provided*, That nothing contained in this section shall repeal or modify existing statutes prohibiting the collection, fixing the amount, or directing the disposition of any fee, charge or price: *Provided further*, That nothing contained in this section shall repeal or modify existing statutes prescribing bases for calculation of any fee, charge or price, but this proviso shall not restrict the redetermination or recalculation in accordance with the prescribed bases of the amount of such fee, charge or price. (Aug. 31, 1951, ch. 376, title V, 501, 65 Stat. 290.)

Mr. Chairman, I think it is important that all Members of the Committee who are interested in Government economy take into account the mathematics of this proposition. I do not care what anyone says to the contrary, the fact of the matter is that the Patent Office is supposed to be self-sustaining. During all the years of its early existence, possibly up to the 1920's, the Patent Office was self-sustaining to the extent of 90 percent. However, the fees charged by the Patent Office have not changed since 1932, while everything else in this world has been changed very substantially since 1932.

As has been pointed out, the Patent Office presently is self-sustaining only to the extent of approximately 30 percent. Some put the figure at the outside at 32 percent.

This bill is designed to rearrange the fee schedule in an eminently fair and reasonable way. This will recoup for the Patent Office sufficient funds which will put the Patent Office on a self-sustaining basis only to the extent of 75 percent; 25 percent will still have to be paid for by the appropriations process, from general revenues and from the taxpayers of this country.

One should take note of the European experience in this field. The European countries on the whole have been more attentive to private rights than has been the United States in both the copyright and patent area. Copyright and patent laws of European countries are stronger on behalf of private ownership and the monopoly right that is granted by governments to individuals, partnerships, or corporations, as the case may be, to own or to control patents. Yet, in Europe in the patent field, fees have been reorganized substantially in order to put the administering governmental agencies on a self-sustaining basis. For 32 years we have not been willing to do the same.

Members may wish to turn to the report of the committee on pages 13 and 14 and there in short form Members will find a chart indicating what the fee schedule is presently and what is proposed for the future. Members will note also that under the bill additional revenues are expected to be recouped to the extent of $13 million so that the revenue that comes into the Patent Office ultimately after all new fees go into effect will be approximately $20.5 million a year.

The cost of the Patent Office in 1961 was $23.6 million. That cost, as has been pointed out, is going up.

The routine fees will be adjusted as follows:

For filing, from $30 to $50.

For each claim in excess of 20 the present fee is $1. It is proposed to change this to $2 for each claim in excess of 10.

The issue fee is to be changed from $30 to $75. In addition to that, there is to be $10 for each page of specifications and $2 for each sheet of drawing.

The filing fee for reissue is to go from zero to $75.

The filing fee for a reissued patent is to go from $30 to $50.

So far as the hearings are concerned before the Board of Appeals, the present fee for an oral hearing is $25. It is proposed to change this fee from $25 to $100. For written submissions on appeal, without oral hearing, the fee would be changed from $25 to $50.

The recording of assignments fee is to be changed from $3 to $20.

There is a little adjustment in the field of trademark filings. That is to be changed from $25 to $35.

The renewal fee for trademarks is to be changed from zero to $5; filing an affidavit, from zero to $10.

The big issue of contention—and some Members have mentioned that they have received letters from patent attorneys at home on this—is chiefly in the area of what are called maintenance fees.

The maintenance fees are provided for, Members of the Committee will find, on page 6 of the bill, in section 155.

It is proposed, in substance, that there be a fee charged for the maintaining of a patent in the Patent Office, as follows: In the 5th year, $50; in the 9th year, $100; and in the 13th year, $150.

The argument is made that perhaps this is prejudicial to the little man, to the new inventor, to the fellow who does not have a large amount of capital, and so forth, and that he will be penalized by this provision. Some have objected to it on the grounds that it should not be necessary to have a carrying charge, as it were, in the Patent Office, for the privilege of merely maintaining a patent there.

Exactly the opposite is true with respect to the little man, and I will explain to Members why.

We should remember, first, that approximately 70 percent of all patents are issued to corporations and to the U.S.

Government, but chiefly to corporations. It is estimated, roughly, that some 50 percent of the patents on file in the Patent Office are what are known as defensive patents, or patents which are not used. The application is filed and the patent is issued, and then nothing is done about it. It is a patent used for protective purposes, to hold a monopoly position, but the "gadget" or whatever it may be which is being protected is not put into the marketplace, and is not used by the public, and is not constructive.

The cost for carrying these patents on file is enormous, and one of the problems we face is the burden on the Patent Office of really carrying what some people call "deadwood." Each time a member of the public files for a patent, the Patent Office must go through an enormous examination and search to determine whether or not the issuing of the patent would infringe on the rights of some other prior owner. That includes this great backlog of roughly 50 percent of unused patents. In this day and age, as technology and science get more complicated, the effort and the cost to bring about this constant search and review becomes a great deal higher.

It is mainly the large corporations which keep these unused patents around, and this is where we find the heavy cost in the Patent Office. Therefore, we suggest that we hold down the filing and issue fees—the fees that the impecunious young inventor must pay—and impose a fee for the real area of cost. The hard fees are the first ones, and these we have been able to hold down because we have been able to build into the bill this provision for maintenance fees.

In addition to the foregoing, the Judiciary Committee has gone further and taken other steps to protect the new inventor. He is to be given a 6-month period of grace on the payment of maintenance fees. He can get that almost automatically.

Second—and this is noteworthy—he can defer the whole thing. He can defer the first $50 fee payable after 5 years; he can defer the second fee which is payable after 9 years; he can defer up to 13 years—because these maintenance fees, as I pointed out, are chargeable the 5th year, the 9th year and the 13th year in terms of $50, $100, and $150.

Mr. WILLIS. Mr. Chairman, will the gentleman yield at this point?

Mr. LINDSAY. Yes. I will be delighted to yield to the chairman of the subcommittee.

Mr. WILLIS. As a matter of fact, is it not so that the maintenance fees provision of the bill is really a device for the benefit of the small inventor?

Mr. LINDSAY. Absolutely.

Mr. WILLIS. Instead of having the small patent inventor pay everything originally and initially as the patent is issued, these payments are deferred over a number of years. Only in case his patent proves to be successful is he required to augment the amount. If we were not interested in the small patentee, we would impose it initially.

Mr. LINDSAY. The gentleman from Louisiana is absolutely correct on that. The small inventor or businessman who has a patent on file in effect has 13 years to make good. In other words, he has that time to discover whether his patent is going to earn anything. In 13 years he should know whether the patent is a useful one or not. Seventeen years is the life of the patent in any event. Here he is given 13 years during which he pays no maintenance fee provisions if he has not been able to earn an income on the patent at least equal to the fee due and he submits an affidavit asking for a deferral. In addition to revenue there is an incidental benefit from maintenance fees and that is, it is hoped, that some of the so-called deadwood can be cleaned out a little bit so that the cost of running this Patent Office, which goes up all the time, can be held down. If any owner or corporation has an unused patent and really wants to keep it on file for his protection in the Patent Office, he has the right to do so provided he pays this very modest fee. If the patent is not earning, he may submit an affidavit and there will be a deferment of payment for a period of up to 13 years.

Mr. GIAIMO. Mr. Chairman, will the gentleman yield?

Mr. LINDSAY. I will be delighted to yield to the gentleman from Connecticut.

Mr. GIAIMO. Mr. Chairman, one of the objections which I heard against the maintenance fee provision on the part of the bar association in my own State of Connecticut—and I understand there are many other bar associations which are opposed to this maintenance fee provision—is this:

Mr. LINDSAY. Mr. Chairman, I would like to correct the gentleman to say that there are not many bar associations but a very few bar associations and some few individual patent attorneys who oppose this bill.

Mr. GIAIMO. And some patent associations.

Mr. LINDSAY. There are some, but I would say it would be an overstatement to say that the patent bar is in solid opposition to it.

Mr. GIAIMO. Yes. I said there were some, and in my own State of Connecticut the opposition I have heard from the bar association is particularly directed to this problem of maintenance, because at the present time, as I understand it, there is no maintenance charge. Is that correct?

Mr. LINDSAY. That is correct.

Mr. GIAIMO. Under this bill there would be a maintenance charge which I am told could run to $300 in many instances.

Mr. LINDSAY. That is the total over the life of the patent.

Mr. GIAIMO. That would be the total amount. The theory of the opposition seems to be that this would be a burden on many of the smaller types of industries who would have to pay this charge in addition to the legal fees involved, which would mean that in order to protect their position in the area of the protection of patents and copyrights, they would have this new charge imposed on them which could come to $300 to $500, which they do not have now. Therefore, it puts smaller business in a much more disadvantageous position in relationship to large business, which is not concerned too much with fees in this area. Is that a fair comment?

Mr. LINDSAY. I appreciate the gentleman's comment, but I just cannot agree with the suggestion he is making. The fact of the matter is that small business and small industry are helped by this. It is the big corporations who flood the Patent Office with numerous defensive patents. These patents are not used constructively. They force out the little men because the competition is removed as long as that defensive patent is there. At the present time these defensive patents are getting a free ride. If these big corporations wish to keep these unused patents alive, it seems to me it is eminently fair and reasonable to suggest they pay over a period of 17 years time, which is in effect the length of the life of the patent, a reasonable charge for having it carried and maintained in the Patent Office. The patent attorneys, incidentally, I have noticed, have not been bashful about raising their own lawyer fees since 1932 whereas the taxpayers of the country have been forced to subsidize the Patent Office because the fee schedule has not changed since 1932, as I pointed out. What we are attempting to do is to hold down the routine fees, the initial filing and issuance fees which the little man, the little company, has to pay. The maintenance fee is geared either to the successful patent or to the defensive patent. It will not affect the struggling patent. The defensive patent is largely held by the big corporation which tries to hold a piece of the economy in a noncompetitive status for protective purposes.

Mr. WILLIS. Mr. Chairman, will the gentleman yield further on the question of the maintenance fee?

Mr. LINDSAY. I yield to the gentleman from Louisiana.

Mr. WILLIS. Mr. Chairman, as I indicated a while ago, I agree completely with the gentleman on the idea behind this new approach of the maintenance fee provision. The Members will first have to make up their minds whether or not there should be additional revenues paid to the Patent Office in order to make that agency slightly more self-sufficient. I have been on this subcommittee for 15 years and chairman of it for 10 or more years, and I have been concerned, of course, about the small patent owner. And so in our search for some additional revenues for the Patent Office we considered the question of this maintenance fee. It was our idea that by this device of the maintenance fee we would be helping the small patent owner initially, the guy who cannot afford to pay too big a price to file an application or to have a patent issued to him without any assurance that his invention will be a success. And after he and he alone determined that it was a success he could maintain it by paying additional fees. These could have been imposed initially. The little guy, such as my friend has questioned the gentleman from New York about, can get a patent at a price as low as we have been able to devise initially and is given an opportunity to cut costs later unless he thinks his patent is paying out, based on the returns of that patent. I am not sure at all that the so-called small-attic-type patentee is going to quarrel about this maintenance fee provision.

Mr. LINDSAY. Mr. Chairman, I think the gentleman from Louisiana has stated the argument clearly and succinctly and I am grateful to him for that. It should be emphasized once again that even with these adjustments—holding down the initial mandatory fees for the benefit of the little man and finding another device, the maintenance fee, for the successful patent or the defensive patent—even then we are only recouping 75 percent of the cost of the Patent Office.

I would like to say, too, that Members might be interested in taking a look at the statement made by the Honorable Robert C. Watson, former Commissioner of Patents, now in private practice, at page 170 of the hearings on the importance of these new fees. He does not see why the Patent Office should not be put more on a sustaining basis. He, of course, supports the maintenance fee provision.

Mr. GROSS. Mr. Chairman, will the gentleman yield for a question?

Mr. LINDSAY. I yield to the gentleman for a question.

Mr. GROSS. Help me with these figures on page 14 of the report—"Patent Maintenance." This first fee is a $50 fee and the second is a $100 fee. Would this be an additional $50, or would it be $100?

Mr. LINDSAY. It is $100—the second fee, which is payable 9 years after the patent has been issued, is $100. So far he has paid $150, unless he asks for deferral.

Mr. GROSS. The third fee is another $150?

Mr. LINDSAY. Yes.

Mr. GROSS. And there is a $25 penalty for delayed payment of any of these fees?

Mr. LINDSAY. Yes; and that is in the present law.

Mr. GROSS. Apropos of these remarks I wonder if we can provide a commensurate penalty to the delinquents in the United Nations?

Mr. LINDSAY. The gentleman's question is not germane.

Mr. HUTCHINSON. Mr. Chairman, will the gentleman yield?

Mr. LINDSAY. I yield to the gentleman from Michigan.

Mr. HUTCHINSON. Has there been a study at all as to what kind of administrative costs are going to be imposed upon the Patent Office in keeping track of all of these maintenance fees? What kind of costs are involved?

Mr. LINDSAY. I think the gentleman from Louisiana may be in a better position to comment on that than I. The Patent Office is economy minded, and has done a good job in that respect.

Mr. WILLIS. Mr. Chairman, will the gentleman yield?

Mr. LINDSAY. I yield to the gentleman from Louisiana.

Mr. WILLIS. If I understood the question right, may I say I do not anticipate any additional cost to administer this provision. At least, the returns will overwhelmingly exceed the cost. The cost will be a minimal percentage of the returns derived from the bill.

Mr. LINDSAY. The experience in European countries that have prospered with the free enterprise system is that a maintenance fee charge has had the effect of ultimately weeding out approximately 50 percent of what is known as "deadwood," that is to say, patents which are not used, which are not developed, which the owners have no present intention of using or developing. The 50-percent figure I have given is a very rough approximation, but that has been the experience in European countries.

Mr. HUTCHINSON. Mr. Chairman, will the gentleman yield?

Mr. LINDSAY. I yield to the gentleman from Michigan.

Mr. HUTCHINSON. Suppose I as an inventor decided I wanted to defer the payment of these maintenance fees, and I kept deferring them until the end of the 13 years, then I decided it was not worth it. Do I pay anything at all?

Mr. LINDSAY. You do not pay anything, and the patent does what they call "lapse," which means it is ended. It has the same effect as the expiration of 17 years, which is the statutory end of any patent.

Mr. HUTCHINSON. Could a corporation do the same thing? Could they defer their so-called defensive patent maintenance fees for 13 years, then let it go?

Mr. LINDSAY. Yes, a corporation could elect to let its patent lapse by not paying a maintenance fee. But a corporation could not defer any payments of maintenance fees because it cannot be an inventor.

Mr. HUTCHINSON. So in effect this really carries the deadwood for 13 years instead of 17 years?

Mr. LINDSAY. That is correct. The right to ask for deferral is a right that goes to the inventor. In many cases there has been the assignment of a patent to a corporation by an individual inventor. That corporation will not have the right to ask for deferral—only the inventor.

Mr. HUTCHINSON. That places a different light on the matter. I thank the gentleman.

Mr. LINDSAY. Mr. Chairman, I yield 5 minutes to the gentleman from Maryland [Mr. MATHIAS].

Mr. MATHIAS. The Congress has a responsibility to the people of this country to constantly survey the effectiveness and appropriateness of existing laws and to make modifications where necessary. In the same manner, the legislation pertaining to the departments and agencies of our Government must be periodically remolded in order to reflect the most recent changes in, among other things, technology and economic conditions. Today we are considering H.R. 8190, a bill that presents a long overdue revision of the fee schedule for the U.S. Patent Office. This bill's effect, basically, will be twofold:

First, it will increase fees for the first time in over 30 years. Legislation enacted in 1932 enabled the Patent Office to be substantially self-supporting by collecting fee income which covered 90 percent or more of its costs of operation. However, increasing costs without proportionate fee increases have forced this figure down to a present recovery of 32 percent of revenues. The revision embodied in H.R. 8190 will permit the Patent Office to eventually collect fees—and I say eventually collect fees because it will not be an immediate recovery—of 75 percent of actual operating costs.

As noted in early 1962 by the Director of the Bureau of the Budget, many Federal agencies provide services or funds to "identifiable recipients," which give benefits greatly in excess of those which accrue to the public at large. In fairness to the taxpaying public, the recipients of these special benefits should pay a reasonable charge for the product or service received and, thereby, make the agency self-supporting to the greatest extent possible. Clearly, the patent system provides special benefits to identifiable recipients. The monetary value of the rights acquired by the inventors, applicants, and holders of patents certainly warrants their paying a fair share of the costs of maintaining the system.

It will be noted, however, we are not purporting by this bill to make the Patent Office completely self-supporting. We recognize that the public at large gains some benefit from the fact that a system by which inventors are encouraged to develop their products and to make them available to the entire public confers benefit upon the entire Nation. The public will continue, under this bill, to pay a portion—ultimately a share of approximately 25 percent—of the cost of maintaining the patent system.

A second and equally important result of this legislation ought to manifest itself as an incentive or encouragement to applicants and patentees to pursue more efficient practices in using the patent system.

In surveying the major provisions of H.R. 8190, you will note an increase in the filing fee from $30 to $50, with a payment of $2 on claims, whether dependent or independent, in excess of 10, and $10 for each independent claim in excess of 1. As you may know, an independent claim stands alone in defining an invention, while a dependent claim incorporates by reference a previous claim and modifies it by an additional specification. The shorter and more comprehensible dependent claims not only facilitate the examining process in the Patent Office, and thus reduce the cost of examination, but they also serve to make claim interpretation easier for our courts. This fee change will serve to cover the greater examination costs of independent claims and provide an incentive for more extensive use of dependent claims which will reduce the unnecessary multiplicity of claims contained in many patent applications.

Another change raises the issue fee to $75. Moreover, an additional charge of $10 is to be made for each page of specification as printed and $2 for each sheet of drawing. This innovation is intended to relieve the present discrepancy between the volume and complexity of the patent, and the fee charged under the present uniform fee system. Printing and examining costs are obviously greater for the larger patents, and it is certainly unjust to require inventors, who file brief and concise disclosures, to pay a large portion of the cost of processing these more lengthy and complex applications. The proposed fee schedule should relieve this inequity, and provide a more realistic operating cost recovery. In addition, it is hoped to encourage applicants to delete unnecessary drawings and extensive and repetitive descriptions. As a result, such practice will not only reduce the burden on patent examiners, but make analysis easier for the courts and the public as well.

Another change in the fee schedule is that filing and issue fees for a reissued patent are to be increased to the same level as those charged for an original patent. This revision reflects the fact that Patent Office costs are reported to be practically the same for both, and, therefore, uniform treatment is established for all patent applications.

One of the problems which has been of concern to both the Patent Office and the public is the great delay in time between the date the patent application is filed and the date of issuance. While under the present law this period can extend to 6 months, this bill would provide for issuance of the patent within 3 months after notice of allowance of the application, provided the proper fees have been paid.

Thus, new technology will be available and published at an early date, with the resulting stimulating effect on competitive product research and design.

I might say that at this point the committee was very careful in accelerating the time to preserve the inventor's control over the patent application and to prevent his patented idea from being exposed without his consent. It assured that the applicant will be notified of any balance due on the issue fee arising from costs of reproduction of the patent.

I note the fact that the committee has attempted in this way to avoid so far as possible substantive changes of law which might have been incident to the increase in the patent fees.

A $20 fee for the recording of patent assignments is another of the revisions encompassed by the patent fee bill. Admittedly, this figure does not reflect the actual cost of recording, but it is utilized to provide income which would otherwise have to be obtained through increases in other fees taxed to those who have not yet had the opportunity to ascertain the worth of their inventions. Certainly, patent applications and registrations which are assigned must have value to the assignee, and this fee, covering a part of the overall expenses of the Patent Office, is not an unreasonable charge to the assignee when compared to the value of his interest which is protected through the privilege of assignment recording.

Also revised by this bill are the sections dealing with design patents and trademark fees. In both cases, the changes involve proportionate increases in the existing fee schedule with minor changes in the fee structure.

As proposed, the fee on appeal to the Board of Appeals will now be $100, with $50 returned if an oral hearing is not requested prior to consideration by the Board. In the event the appeal is withdrawn prior to consideration by the Board, all but $25 is returned. This change establishes a fee which, again, more nearly covers the expenses involved. Furthermore, it will provide an incentive to appeal on submission of briefs by charging a special and more realistic fee for each of the two types of actions. Encouragement to make timely withdrawal of appeals will help the court to maintain a more orderly case schedule, and will, also, reduce the extent of gross disrespect shown to the court by the frequent failure of parties to appear for scheduled oral hearings without having given prior notice.

Probably, the most important innovation presented by the bill is the establishment of maintenance fees. To maintain his patent rights after issue, the patentee would be required to pay fees of $50 at the end of the 5th year of the patent period, $100 at the end of the 9th, and $150 at the end of the 13th. A failure to pay the fee within 6 months of the due date results in a lapse of the patent. However, there is a provision for the deferment of these periodic fees by an inventor who has not received value, prior to the date the fee is due, at least equal to the amount of the fee. In short, an inventor may keep his patent in force for 13 years without payment of maintenance fees unless he has realized benefits at least equal to one or more of the three required fees.

One of the effects of this provision will be an encouragement to patentees to discard inactive and defensive patents which clutter the files of the Patent Office. In addition, it will allow deferment of payments until a time when the patentee is better able to both pay for and judge the worth of the patent on his invention. If, during the 13th year, he determines that the patent is without value, he may allow it to lapse, but if it warrants the expenditure he will pay the fee in support of the patent system which continues to protect his valuable interest. Thus, with the successful patentees sharing the greater burden of maintaining the Patent Office, it is possible to place the least possible cost on the individual filing his application for patent and, thereby, not stifle his incentive to invent.

Thus, I urge your support of this measure in order that our patent system might once again approach its earlier standard of being financially self-sustaining; a goal which can be achieved through H.R. 8190 without restricting the creative genius of this Nation.

Mr. WILLIS. Mr. Chairman, I yield myself 10 minutes.

Mr. Chairman, this bill would not cost any money. It will produce money—which is an odd situation these days. It will result in additional money coming into the Treasury of the United States by increasing the cost of processing a patent application.

For example, the initial cost of filing a patent would be increased. The cost of certified copies of documents would be increased. The cost of issuance of the patent itself would be increased, and so on.

Perhaps the starting point should be a few words about the constitutional basis for a patent and a few words about patent policy.

The Constitution itself says that Congress shall have the power to promote the progress of science and the useful arts by securing for limited times to authors and inventors the exclusive right to their respective writings and discoveries.

On the other hand, we are all familiar with the antitrust laws. Under the antitrust laws there has been provided a prevention of unfair competition and monopolies in restraint of trade. We created a Federal Trade Commission, which is to police trade practices and fair competition.

Now, pursuant to the Constitution, in order to encourage new discoveries and so on, by an act of Congress we have established a patent system which is really an exclusive right to make, use, or sell an invention, which means a limited monopoly. The patentee has a monopoly over the fruits of his discovery for a period of 17 years. That is the reward given to the patentee.

All of this is as it should be. I, for one, am in favor of a vigorous enforcement of the antitrust laws. I am also in favor of full protection of the rights of the patentees.

The Committee on the Judiciary, happily enough, has jurisdiction over both subjects which to a point, at least, seem to be conflicting. We have a balanced understanding of the meaning of patent, which is a limited monopoly for 17 years, and also of the antitrust laws which prevent monopoly and restraint of trade.

Now, when a person files a lawsuit he has to pay the court costs. He has to make a deposit. So, when one goes to the Patent Office he has to make a deposit with his application for a patent.

How much should that deposit be? How much should other subsequent charges be? That is what the bill is all about. The bill deals with figures. It has nothing to do with substantive rights. The patentee is not to be given new rights and no old rights are to be taken away from him.

As I say, if Members will read the bill they will see that it deals with figures only. The figures on increases of costs of processing patents were worked out on the basis of experience.

Even under the bill, however, the Patent Office still will not be self-sustaining. It will still cost the Government some money to run the Patent Office, despite these additional fees. But that should not horrify anybody. Other agencies are in the same position.

The Department of Justice is not self-sufficient. Court costs are charged, and there are other charges for copies of documents and so on, but the court costs and other costs for filing and processing of lawsuits are not sufficient to pay for the salaries of Federal judges and the whole Department of Justice.

The same is true with respect to the Post Office Department. There is a charge for stamps and other things, but the Government still must spend some money to sustain the Department.

The truth of the business is that no Federal agency is self-sustaining, except perhaps the Internal Revenue Service, and in that case frequently and as a matter of pattern in the past few years we have operated on a deficit basis.

At the present time the Patent Office is 32 percent self-sustaining based on present charges. With the additional charges provided by the bill, our Patent Office will become only about 75 percent self-sustaining, but that will help. The bill will bring in about $12.8 million additional annual revenue. So really, the only question before us is this: Are these charges too high or too low? There are some who will contend they are too high and others who will contend they are too low, but I repeat that the figures in this bill were worked out by the Department itself on the basis of experience.

This is a bipartisan proposal. I have been with this particular committee for 15 years. In one form or another a Patent Office increase bill has been advocated by the Truman administration, under which I served, and by later administrations, namely, the Eisenhower administration and the Kennedy administration; and, if President Johnson has not said anything about it yet, you will hear that he will be for it, too. All of the Secretaries of Commerce since I have been here, under President Truman, President Eisenhower, and President Kennedy and now President Johnson, have favored a proposal of this kind. Every Commissioner of Patents has favored an increase in these charges.

Percentagewise the increase is high; the increase is steep. Some increases, as it has been pointed out, will run over 100 percent. For example, at present the basic filing fee, which is the fee you must pay with the application, is $30. Under this bill it will be $50. The basic issuance fee or the cost of the patent when it is handed to you is presently $30. Under this bill it will be $75. And so on. What has occurred to require these increases? Well, the present schedule of fees was established back in 1932, 32 years ago. Since that time we have had no increase in the schedule of fees applicable to the Patent Office. In the meantime, in these past 32 years the value of the dollar has decreased very substantially. The cost of living has increased, the cost of a loaf of bread has increased, and the cost of the operation of the Government has increased. Meanwhile we have seen the cost of Government rise, we have seen the prices rise, we have seen the cost of living go up, but we have been bound by the schedules of Patent Office fees established back there in 1932. That is why the increases in this bill have an appearance of being high, and they are.

You will hear that this bill will hit the little fellow. You will hear that it will hit the little guy who invents a patent at night under lamplight or now under an electric light in his attic.

Mr. CELLER. Mr. Chairman, will the gentleman yield to me at that point?

Mr. WILLIS. Yes. I am glad to yield to the chairman of the committee.

Mr. CELLER. It is very significant, in answer to that query, that the Commissioner of Patents before the Committee on the Judiciary had this to say, and I quote:

> I will say this, however, that I have never seen an invention of importance fail to be patented because of the impoverishment of the inventor.

Another statement is:

> I have never seen a good invention fail to be patented because of high Patent Office charges.

Mr. WILLIS. My good chairman is eminently right, and if we look upon this thing in light of the increased cost of everything else, this reference to the small inventor loses sight of the facts of life. For example, court costs have gone up because we, the Members of Congress, made it so, and court costs hit the little fellow, too. Since 1932 we have seen an increase in the cost of postage stamps, and that hits the little man. A stamp used to cost 2 cents, but it is now 5 cents. Back in 1932 it used to cost 1 cent to mail the poor man's letter. The postal card is how much now—4 cents? That is an increase of 300 percent. That hits the little guys, too. But we have to face these things. Of course, you will hear some lawyers come to the defense of the little, small attic inventor, but they do not tell you about the increase in their own fees. I am all for lawyers making a living. I happen to belong to that profession myself.

Mr. CASEY. Mr. Chairman, will the gentleman yield?

Mr WILLIS. I certainly will.

Mr. CASEY. Mr. Chairman, may I say to the distinguished gentleman that the principal complaint I have received was the initiation of the maintenance fee. This is a new charge, as I understand it, and they consider it more of a tax than a fee for services rendered. I wonder if the gentleman could possibly enlighten me as to the necessity for this maintenance fee.

Mr. WILLIS. Yes; I am delighted to respond to the gentleman's question because, as my subcommittee visualized it, the maintenance fee or the deferral of payment of part of the total cost over a period of years was put in this bill in large measure as a protection to the little guy. In other words, instead of imposing a large amount initially, either when he applied for the patent or when the patent was issued to him, which to some small people might be a discouragement to the prosecution of the ingenious discovery—by deferring these payments until the small guy has made up his mind that his patent will pay off, until he gets a return from his patent, we do a favor to the small patent applicant. Thus, having paid only part of the cost originally, if after owning it for a certain number of years he finds that he cannot develop the patent and is not making any money out of it, he may let his patent lapse and does not owe the total amount. That, I say to the gentleman, in large measure is a device first to protect the small inventor. Secondly, patents that are acquired by the big shots, the fat cats, and are sat upon and are suppressed and are not developed, will lapse, too, unless their owner pays the cost. So there is a dual purpose for this provision.

Mr. LINDSAY. Mr. Chairman, will the gentleman yield?

Mr. WILLIS. I yield to the gentleman from New York.

Mr. LINDSAY. I thank the gentleman for yielding.

Mr. Chairman, I have noted that those lawyers who have contacted some Members in opposition to the maintenance fee schedule were, most of them, from larger firms that represent the big corporations and their opposition to this is because they want to perpetuate the practice which exists now under which a big corporation can get 50 to 60 employees on salary, inventors, who file patents all over the map, put them in the Patent Office and let them sit there as holding operations. They do not use or develop them or put them into the public domain. And this practice has gotten wider and wider. For this reason the little guy, the new inventor, the small company, finds himself blocked out when he goes into a new field, because the big corporations have occupied the field. All we are suggesting is that these larger corporations carry a little bit of the high cost of carrying these unused patents.

I want to repeat, most of the suggestions I have noticed that Members are getting at this time come from law firms that represent the big giants, not the little companies.

Mr. WILLIS. Mr. Chairman, let me say something in amplification of what my friend from New York has said. It is absolutely true that the bulk of the patents—and I imply no wrong, but under the present system and we are not changing it—find their way into the hands of the large corporations. Some of them—not all, but too many— may be using the hue and cry about the attic inventor to promote very important patent policies that affect themselves. In other words, sometimes we see the pitiful hand of Esau but we shut our ears to the soft voice of Jacob in this area of patents.

That is why, I will say to my friend from Texas, as I said to a dear friend of mine who preceded me as chairman of this subcommittee, a former Member and a friend from Texas, I am for the small guy too, but we have to look at this thing as it is.

Further might I point out, while I think of it, as a result of Government research programs, the lot of the small inventor in discovering techniques and devices has been made much easier by Federal funds both for the benefit of the little and the big guy. So I say that all things considered, including this research program spending by the Government, make it easier to develop a patent. That certainly is a compensation to everyone for this comparatively small increase in the cost of getting the patents.

Mr. CASEY. Mr. Chairman, will the gentleman yield?

Mr. WILLIS. I yield to the gentleman from Texas.

Mr. CASEY. This is not a fee for any maintenance service. As the gentleman explained to me, this is a spreading out of the total cost as we find it for the issuance and filing of a patent?

Mr. WILLIS. That is the idea behind it. It is a deferral of a cost which we could impose initially or over a period of time.

Mr. CASEY. This maintenance fee idea is a term that you use to spread it out?

Mr. WILLIS. Yes.

Mr. GIAIMO. Mr. Chairman, will the gentleman yield?

Mr. WILLIS. I yield to the gentleman from Connecticut.

Mr. GIAIMO. In our effort to assist the small businessman, are we not increasing the amount he must pay for the filing fee and for issuance and in addition are we not adding a new charge, a maintenance fee?

Mr. WILLIS. There is no doubt about that, and the increase percentagewise is high. It is high because, as I said, we in Congress control what the price shall be, just as we control the cost of processing a Federal lawsuit, and just as we control the price of the postage stamp. In the case of court costs and postage stamps, however, we, the Members of Congress, have done something about that. But we have not done anything about Patent Office fees for 32 years so that now, percentagewise it is necessarily high.

Mr. LINDSAY. Mr. Chairman, will the gentleman yield?

Mr. WILLIS. I yield to the gentleman from New York.

Mr. LINDSAY. I should like to add to what the gentleman said, that this has multiplied five times since 1932, and the fee charge has only doubled when you add it all up. Now, would the gentleman from Connecticut prefer that you increase the initial fee that the young inventor has to pay, or would you like to see the present situation continue where only 30 percent of the cost of the patent fees are self-sustained? Would the gentleman like to see that continued, or would he like to see it self-sustained up to 75 percent?

Mr. DADDARIO. I appreciate the efforts to make patent fees more self-sustaining, but I am concerned about this: We seem to be increasing the cost to the small business people who have enough problems as it is.

I would like to point out that in the gentleman's explanation he has said the only issue here is whether the fee is a proper one, and that there is no attempt here to work against the substantive rights of patentholders. But in the explanation made by several Members here in support of this bill, it does seem that this maintenance fee can amount to a penalty. If this is aimed at the so-called defensive patents we should recognize that a fee in the form of a penalty is surely not the answer.

Mr. WILLIS. No, I would say to the gentleman that is related to dollars and cents.

The CHAIRMAN. The time of the gentleman has expired.

Mr. LINDSAY. Mr. Chairman, I yield 5 minutes to the gentleman from Illinois [Mr. ANDERSON].

Mr. ANDERSON. Mr. Chairman, I would not like the record of this debate this afternoon to close without showing there is some opposition and, I hope, energetic opposition to this bill here on the floor of the House.

If you will read carefully the record of the hearings that were conducted on this bill which was then known as H.R. 10966, you will note that there is some very significant opposition to the bill among the patent bar as well as by other organized groups and individuals throughout the country.

The debate thus far would almost make it seem that anyone who speaks against this legislation is necessarily for the so-called fat cat—for the big businessman—for the monopoly. But I would point out that the record contains some statements that are quite to the contrary by men, who I am sure have much more expertise in this field than I have.

For example, on page 163 of the record you have a very excellent statement by a member of the patent bar from the State of New York. He said and I quote:

> It makes very little difference to the large corporation whether filing fees, prosecution fees, and fees such as appeal fees are increased or whether the added patent costs come out of final fees and taxes on the patents. The small inventor, however, really cannot afford to pay increased filing fees and increased prosecution fees. He can only afford larger fees after he knows he is going to get a patent.

The gentleman from Louisiana began this afternoon by saying that this was an unusual bill in that it did not cost anybody anything. It is precisely because I am afraid it will cost somebody something; namely, the small inventor in this country and that it will serve to stifle the incentives he may otherwise have to produce and to add to the fruits of technology that we enjoy that I am opposed particularly to the maintenance fees that are set out in one section of this bill. We do not argue that all of these fees, as now scheduled, should never increase. I think you can certainly say that after 30 years the fee for an application and the fee for final issuance ought to be increased commensurate with other increasing costs of government. I would hope, however, that during this session when we get other bills affecting other departments of the Federal Government that we would find an equal zeal on the part of Members of this body to make sure that those departments are self-sustaining and self-supporting.

I wonder if, for example, the Department of Commerce or the Department of Labor, or any of the other numerous agencies that I could mention are ever going to be self-sustaining in the sense that gentlemen seem to be anxious in putting the Patent Office on a paying basis.

I think, and I have been told this many times by other Members of this body, that it is possible to indulge in false economy. It is possible to be pennywise and pound foolish. I would suggest that, if we adopt the schedule of maintenance fees, we are in great danger of doing the very opposite of that which we are enjoined by the language of the Constitution to do and that is we are told that we, in Congress, should support invention and that we should promote progress and the useful arts by a patent system. I think if we are going to install a system of fees or impose a schedule of fees that is going to be burdensome and onerous for the small businessman and for the small corporation and for the small inventor, I want to be on the other side of that proposition.

There has been a great deal of concern expressed here this afternoon about patents not being used and that this is the only way we can shake them out. I would remind the gentleman that not long ago I, myself, saw in the Smithsonian Institution a very interesting exhibit of what is known today as the power-steering mechanism which first began to be used in American automobiles, I think, around 1955. Do you know when that was first invented? It was back in 1920, more than 35 years before it was finally put to use.

I would suggest that there is a very real reason to believe that many of the small inventors and small businessmen may not be able to get the kind of financial backing they will need initially to prosecute a claim for a patent with the very expensive increases which would be called for in this bill.

Mr. Chairman, I hope that the House this afternoon, in its wisdom, will pay some attention to some of the arguments which have been made, and which were made in the hearings held on this bill.

I believe that the bill should be recommitted to the Committee on the Judiciary for further consideration before we take a step that may be truly false economy.

Mr. WILLIS. Mr. Chairman, I yield such time as he may consume to the gentleman from Connecticut [Mr. GIAIMO].

Mr. GIAIMO. Mr. Chairman, I rise in opposition to this legislation because I am concerned that in our efforts to shake loose certain patents which many companies have maintained as protective devices we may well adversely affect the small business sector of our economy.

The Connecticut Bar Association has communicated with me in this regard. Other small business people in my State of Connecticut—which has many small businesses—are rightfully concerned, for they wish to protect themselves. There will be an increase in costs for filing and issuance fees and also for maintenance, which will add cost to their production and manufacture. This cost will unduly burden small businesses. It will put small businesses in a more disadvantageous position with their competitors; namely, the big business people and, in addition, I believe with those in foreign nations who are competing so strenuously with us.

During the past several months, I have received many communications concerning various aspects of H.R. 8190. As I said, the Connecticut Bar Association has strong feelings about the bill and has asked me to seek changes in it. The bar association has passed a resolution setting forth amendments to H.R. 8190 and proposing an alternative bill. I feel that the points made by the bar should be brought to the attention of this House.

Essentially, criticism of this bill stems from the provisions concerning filing and final fees, in other words, fees payable to the Patent Office upon the filing of a patent application and those payable upon the granting of a patent. In addition, strong criticism has been levied against the so-called maintenance fees.

The pointed criticism against the filing fee "formula" is that it results in very high filing fees and it is an underlying substantive law change. In this latter connection it is argued that the payment of $10 for each independent claim over one will penalize the inventor who resorts to the use of more than one independent claim, notwithstanding the fact that dependent claims are not kindly interpreted by the courts during litigation.

The pointed criticism of the final fee formula in H.R. 8190, based upon the number of printed pages of specification and sheets of drawings is that it penalizes the inventor who makes a comprehensive and definitive disclosure to the public, notwithstanding the statutory requirement placed upon the inventor of making a full, clear, and concise disclosure. In addition, the H.R. 8190 final fee formula results in heavy final fees.

As to the maintenance fee schedule, the basic criticism against such an innovation to our patent laws is that it places an additional $300 burden on the inventor over and above everything else. It also causes much uncertainty as to the status of a patent—whether it is enforcible or not—and results in endless surveillance of a patent by the Patent Office and the inventor.

It is felt that the net result is an adverse effect upon innovation and more importantly upon its legal protection. H.R. 8190 places additional obstacles in the path of obtaining legal protection for an invention, which ultimately results in less public disclosure of invention, less development of inventions, with the resultant harm to the industry and Nation as a whole.

A survey made by one medium-sized corporation and other surveys made by private practitioners indicate that under H.R. 8190, the average patent filing fee will jump from $35 under the present fee schedule to about $225. The average patent final fee will jump from about $30-odd to about $240 under H.R. 8190. These, coupled with maintenance fees of $300 per patent, will amount to an increase of from about $65 to $775.

Accordingly, the opponents to H.R. 8190 as it now stands suggest alternatives which are in keeping with the subcommittee's objectives of raising the revenue received by the Patent Office to about the $20 million level. These alternatives are believed, by the proponents, to be realistic and at the same time devoid of the severe objections to those provisions of H.R. 8190 noted above.

I have requested permission to include the explanatory charts and proposed alternative in the daily Record.

The proposed change would amount to a reduction of the projected revenue under H.R. 8190 from $6,042,000 to $5,152,620 for patent filing fees; second, from $6,188,000 to $3,666,000 for patent final fees; third, from $822,500 to $705,000 for trademark filing fees; and fourth, deletion of the obnoxious maintenance fees.

In exchange; first, the patent copy recovery would be increased from $2,859,000 to $5,718,000; second, the trademark copy recovery would be increased from $30,800 to $61,600 and two new fees would be added; third, a trademark issue fee amounting to a recovery of $503,925 and; fourth, interference fees amounting to a recovery of $256,000.

These figures are based upon annual volume assumptions set forth in the attached schedule and computation comparing fee incomes under the present fee schedule, H.R. 8190, and the suggested alternative bill. A copy of the alternative bill is also attached.

But for the maintenance fee figures, this would result in essentially the same amount of net recovery of unamended H R. 8190; namely, a little less than $20 million. This is a substantial recovery when compared to the net survey of slightly less than $9,200,000 under the present fee schedule currently in effect.

The current budget for the Patent Office is about $26 million, so that the recovery of slightly less than $20 million amounts to about 75 percent on an annual basis.

Mr. DADDARIO. Mr. Chairman, will the gentleman yield?

Mr. GIAIMO. I yield to the gentleman from Connecticut.

Mr. DADDARIO. I should like to add to that which my colleague from Connecticut has already put on the record the fact that there is a great deal of question in my mind as to the effect of the argument, which refers to what will happen to defensive patents as they have been described in the course of this debate.

As the chairman of the Committee on the Judiciary [Mr. Celler] has said, a good patent will not suffer because of the fees involved, and that is so. Neither will a good patent be allowed to lie dormant, because there are individuals and companies which have technical skills and abilities so that they can invent around a patent. That is what does happen. That is why we have progress in this country.

It is not possible for a person to get an idea, to put it on the shelf, and to allow it to lie dormant and go to waste. There are to many skills and abilities in our country to permit that to happen. It does not happen.

The attempt here, which appears to be to penalize, rather than to obtain additional fees, is supported by argument which in my opinion could do more harm than good.

I believe the legislation should be looked at carefully and the reasons and motivations behind these maintenance fees should be scrutinized not only with respect to the amounts of money they will bring into the Patent Office but also with an eye to the effects they will have on the patents system of this country.

Mr. WILLIS. Mr. Chairman, I yield 2 minutes to the gentleman from Texas [Mr. Roberts].

Mr. ROBERTS of Texas. I thank the distinguished gentleman from Louisiana for yielding to me.

I rise in opposition to the bill strictly from the standpoint of the fact that it would raise more money for this agency and I should like for all Members to know some of the record as to exactly what the Patent Office has been doing with its money.

Is it not true, Mr. Chairman, that personnel of this organization comes under the rules of the Civil Service Commission?

I have in my hand a copy of the October 1963 issue of Sepia magazine. It commends very highly the Patent Office for the promotions made in that office. It lists some 7 people who were promoted in that period of a few months from grade 4 to grade 13 and from grade 5 to grade 14. Some of these employees had advanced on 2 to 4 grades from 1949 and then jumped to grade 13 or 14 in months.

Either some personnel man in this organization has been hiring some very good people at substandard grades, or he has not been abiding by the promotion rules now in effect. I suspect that they had some good people and they were not paying them what they were entitled to receive.

Certainly I believe it would be well for the committee to look into this situation. It strikes me as being just as bad to employ a man qualified for a grade 9 in a grade 3 job as it is to try to put a grade 3 man in a job with a grade of 13.

The magazine is very commendatory in kicking these people up 10 grades, one man from $3,700 a year to $16,000. Possibly he is entitled to it, but certainly we ought to make this agency follow the civil service rules.

Mr. LINDSAY. Mr. Chairman, I yield 2 minutes to the gentleman from New York [Mr. Horton].

Mr. HORTON. Mr. Chairman, I thank the gentleman for yielding. I rise at this time in opposition to the bill. I subscribe to the remarks that were made earlier by the gentleman from Illinois [Mr. Anderson]. I think he very clearly and succinctly and in a very responsible manner articulated the opposition that there is to this bill. It is certainly the position I support. With reference to the proposed maintenance fees, I feel that we should take into consideration not only the larger corporations but the smaller corporations. I hold in my hand a letter I received from a corporation located in the 36th District of New York, which I represent, and one which is fairly well known. It is engaged in the nursery business and is a fairly modest corporation. It is known as Jackson & Perkins Co. They have some 383 plant patents. The statistics they give are quite interesting and bear on this question. I would like to read a part of the letter for the information of the Members of the House.

> To the present time, we have 383 plant patents. In many cases these patents are active in connection with further plant research but in themselves are no longer in commercial production; and, as a consequence, no direct income is derived therefrom. Our research expenditures, however, are a continuing proposition; and in striving for new improved plant varieties, we many times utilize these varieties in our hybridizing program, and if these are automatically lapsed, we would lose the protection of our own research development accumulated over the years.

As an example, in their letter Jackson & Perkins set forth the additional costs to this rather modest corporation as a result of this proposed bill. The additional cost of doing business due to the increased application and issue fees would be some $25,000. The proposed maintenance fees would amount to $20,000 at the end of 5 years, $38,000 at the end of 9 years, and over a 13-year period it would be some $57,000. For the 383 patents the total would amount to some $114,000. I think the House should be aware that this new maintenance fee is going to add an additional cost of doing business for the smaller businesses, which are the businesses we certainly want to encourage and keep going.

Mr. Chairman, I have also received several letters from members of the patent bar association in my district. They have been quite concerned about this bill and its provisions. In each case they indicated they do not oppose a modest or reasonable raise in the application and issue fees. I received a letter from the president of the Rochester Patent Law Association in which he makes two good points. First of all he says:

> Item 1 of the bill provides for a fee of "$10 for each claim in independent form which is in excess of 1, and $2 for each claim (whether independent or dependent) which is in excess of 10." Under the present law an applicant can include at least 20 claims without extra fee.

Then he goes on to say:

> The harmful effect of the proposed change would be its tendency to cause inventors to claim their invention inadequately in an effort to save a few dollars.

He also objects to the feature in which the period of time is reduced from 6 months to 3 months for final filing and states:

> Under present law the period is 6 months which is the time allowed for other responses to Patent Office actions. The full 6 months is normally needed for the careful handling of the various matters that must be attended to before the patent is allowed to issue. For one thing, inventors often need this full 6 months to protect their rights to obtain foreign patents. The difficulty is that if the United States patent issues before a foreign patent application is filed the inventor is barred from obtaining patents in most foreign countries. Three months after notice of allowance of the U.S. patent is not enough time for handling the foreign correspondence. Indeed, 6 months is often barely enough.

It seems to me these are valid objections in considering this legislation.

Mr. WILLIS. Mr. Chairman, I have no further requests for time, so I reserve the balance of my time.

Mr. LINDSAY. Mr. Chairman, I yield 5 minutes to the gentleman from Kansas, [Mr. ELLSWORTH].

Mr. ELLSWORTH. Mr. Chairman, I appreciate the gentleman from New York yielding to me. I certainly do not intend to take the full 5 minutes. First of all I want to say I think the committee has done a very excellent job in preparing and bringing out this bill as well as in explaining it. Certainly I do not intend to go over the ground that has been so well covered by the gentleman from Louisiana, the chairman of the subcommittee, and the gentleman from New York [Mr. LINDSAY]. However, as a former practitioner of patent law, I would like to make very clear my enthusiastic support for this bill. A good many of the points made in opposition to the bill, of course, I am sure are motivated by the highest possible motives, but if I may say so, I think from an insider's view that they lack force in the face of two qualities of the bill that I want to emphasize.

First of all is the fact that this is a bill designed to meet the responsibilities that are imposed on the Congress to be financially responsible. This is a bill which fits in, I think, with the very admirable general principle that when special benefits accrue to identifiable recipients above and beyond those which accrue to the public at large, those recipients ought to support the services to a reasonable extent. Certainly this bill does that. It raises the level of the support for the Patent Office provided by those who receive special benefits from the Patent Office from about 30 percent of operating costs to about 75 percent. While one might quibble with the exact amounts of the fees imposed, one, I think, is almost compelled to recognize this principle and to recognize that the committee has done a careful job in arriving at the figures.

If you want to argue with the committee you will get into a numbers game, but I think with very little profit.

Second, I want to point out that this business of the relative positions of the small inventor and the big inventor, which has been touched upon a number of times this afternoon, has already been given very careful consideration by the committee. I think the committee has designed a fee structure both with respect to application fees and issuance fees as well as with respect to this business of the maintenance fees with that very much in mind. I think it is obvious to a person who gives it thought that with Patent Office operating costs having gone up as they have since 1932, and returns in terms of dollars to those who acquire patents having gone up as surely they must have and obviously have since 1932, the beneficiary of a static fee system is the large corporation or the wealthy inventor when compared with the small business competitor or the individual inventor. So when you raise fees in accordance with the rise in costs and benefits, you are attempting, as the committee has obviously done, to equalize the competitive situation of those two classes of inventors with respect to each other.

Furthermore, of course, the difference between the application fee which is increased a small amount and the issuance fee which is increased relatively more, favors the small inventor, gives him his day in court with a minimum of burden. So I think the committee has, contrary to suggestions that have been made, given careful thought to this situation.

I want to say in conclusion that fees traditionally have covered the costs in the Patent Office and the patent system has flourished. All other costs and fees have gone up; returns have gone up. I think it is an excellent bill. It meets our financial responsibilities and I hope it will pass by a very heavy majority.

Mr. LINDSAY. Mr. Chairman, I yield 2 minutes to the gentleman from Ohio [Mr. MCCULLOCH].

Mr. McCULLOCH. Mr. Chairman, I wish to join my colleagues, the chairman of the committee, the gentleman from New York [Mr. CELLER], my good friend, the gentleman from Louisiana [Mr. WILLIS], the gentleman from Maryland [Mr. MATHIAS], and the gentleman from New York each of whom has made such an excellent presentation of this legislation.

Similar legislation has been before us in one form or another on previous occasions. It is my studied judgment, Mr. Chairman, that it would be impossible to devise a fee schedule or a maintenance schedule that would meet the approval of each of the 435 Members of the House. The subcommittee did an excellent job. I should like to say this, to supplement what my good friend from Illinois has said about services, that the Congress fixes such fees for such services. That is a duty that falls upon us and almost every fee that we fix falls with a heavier hand on small business than it does on big business. I am sure all of us are aware that within the next 30 days there will be an increase in the parcel post fees of some 10 or 15 percent. That increase in fees, Mr. Chairman, is going to fall harder on small business than on big business.

Mr. Speaker, this is good legislation, it has long been needed, and I hope it will receive a favorable vote at the hands of the House today.

Mr. LINDSAY. Mr. Chairman, I yield myself such time as I may require to conclude.

Mr. Chairman, I am not going to make an additional speech. I think the ground has been covered. In conclusion I wish to say that your Judiciary Committee has studied this question at great length. Hearings were carefully held. This matter has been pending before the House Judiciary Committee literally for 30 years. We have been up and down the mountain on the question. Your Judiciary Committee balanced this fee schedule out as carefully and as fairly as is possible. We did so keeping in mind the need for holding down the initial, mandatory fees in order to accommodate the new inventor and the small businessman.

I think we have done this, and it is noteworthy that those distinguished gentleman who have spoken in opposition to the bill have neither been able to suggest any alternative to what the committee has carefully come up with as a reasonable and fair balance, nor do they argue with the general proposition that we ought to put Government services of this kind on a pay-as-you-go basis insofar as that is possible.

Therefore, Mr. Chairman, I would like to end as I started, by reminding the committee once more that the Congress gave express statutory authority to the basic principle of title V of the Independent Offices Appropriation Act of 1952 when it said in plain language that an objective of the Congress and the U.S. Government is that services rendered of this kind to special beneficiaries by Federal agencies should be self-sustaining to the fullest extent possible. This command is contained in plain statutory language in 5 United States Code 140, and your Committee on the Judiciary is living up to the mandate of that statute by presenting this bill today.

Mr. WILLIS. Mr. Chairman, I yield such time as he may desire to the gentleman from Texas [Mr. Casey].

Mr. CASEY. Mr. Chairman, I support the committee in its recommendation about increasing fees. However, I am opposed to the maintenance fee provision.

The gentleman from Louisiana [Mr. Willis] stated a moment ago that the term "maintenance fee" was nothing more or less than a term used for spreading out the total cost of filing a patent.

I am well aware that the committee had a tremendous task in bringing about an upgrading and modernization of the fees in the issuance of patents and trademarks. But it should be the desire of this Congress not to further complicate the obtaining of a patent but more, to simplify or at least maintain the status quo.

It has been contended that the large corporation is the one opposed to this maintenance fee provision. But I think anyone who stops to think realizes that the large corporation is more able to pay the additional fees, and the large corporation is more in a position to keep track of the status of its patent so as to not have it forfeited for failure to pay the so-called maintenance fees at 5-, 9-, and 13-year intervals.

The present estimated revenue as pointed out in the committee's report is $7,700,000. The bill promises to increase these revenues to approximately $20,588,000, or an increase of $12,888 000. The maintenance fee portion of the bill is estimated to bring in $2,877,000 of the proposed increase, and I dare say that quite a bit of this would be used up in bookkeeping and notification as various patents became subject to the maintenance fees.

The maintenance fee provision is a wholly new concept, which I understand has been borrowed from Europe. It is a concept that I personally cannot buy, and I sincerely hope that this House will reject it should an amendment be offered to delete it.

As to the other increases and fees, they are indeed substantial, amounting to better than $10 million. They may be out of line in some areas, but I am not in any position to debate this point with the committee which saw fit to pass out this bill unanimously. But I can assure you that I am not in support of this bill unless the maintenance fee provision is stricken because I can see untold headaches for the small inventor and a complication of our patent system to which I do not wish to be a party. I do not feel the maintenance fee provision is a vital part of this bill.

Mr. WILLIS. Mr. Chairman, I yield myself the balance of the time on this side.

Mr. Chairman, I join with my friend from New York in reminding the members of the committee that this bill comes on the floor of the House as the result of long years of consideration. This is truly a bipartisan matter. The proposition in one form or another, I repeat, during my service in Congress, has had the direct recommendation of the administrations of President Truman, President Eisenhower, and the late President Kennedy, and is continued by the present administration of President Johnson. It has been requested by every Secretary of Commerce over those years, it has been requested by every Commissioner of Patents of all political parties during that time.

Every item of increase was defended and justified by testimony. To be sure, as my friend from Ohio said, there could be disagreement as to whether one particular item of increase should be as stated or should perhaps be $2 more or less. But that is the way these things are worked out by expert testimony. We received that testimony and achieved bipartisan support. That has been brought out in our subcommittee many times, and in the full committee, with virtually no dissenting votes. There was only 1 dissenting vote this year in the committee of 35. In light of this and of the objectives to be achieved, I hope the House will support the bill by a very large vote. I may say that as far as I know the other body feels the same way about it.

The CHAIRMAN. If there are no further requests for time, the Clerk will read the bill for amendment.

Mr. GIAIMO. Mr. Chairman, I make the point of order that a quorum is not present.

The CHAIRMAN. The Chair will count. [After counting.] Seventy-four Members are present, not a quorum.

The Clerk will call the roll.

The Clerk called the roll, and the following Members failed to answer to their names:

[Roll No. 15]

Ashbrook
Ashley
Aspinall
Auchincloss
Baring
Barry
Bass
Blatnik
Cameron
Cederberg
Clausen,
Don H.
Davis, Tenn.
Dawson
Denton
Derwinski
Diggs
Donohue
Dowdy
Frelinghuysen
Fulton, Pa.
Gary
Gill
Grant
Green
Hanna
Hansen
Harsha
Harvey, Mich.
Hébert
Hoffman
Hosmer
Jensen
Johansen
Jones, Ala.
Kee
Kelly
Kilburn
Langen
Lankford
Leggett
McIntire
McMillan
MacGregor
Martin, Mass.
Miller, Calif.
Milliken
Morris
Nelsen
O'Brien, Ill.
O'Brien, N.Y.
Pepper
Philbin
Powell
Pucinski
Rivers, Alaska
Robison
Roosevelt
Roybal
Saylor
Schadeberg
Schneebeli
Scott
Sheppard
Smith, Calif.
Staebler
Steed
Tupper
Utt
Vinson
Watson
Watts
Westland
Wickersham
Williams
Wilson,
Charles H.

Accordingly, the Committee rose; and the Speaker having resumed the chair, Mr. Joelson, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill H.R. 8190, and finding itself without a quorum, he had directed the roll to be called, when 354 Members responded to their names, a quorum, and he submitted herewith the names of the absentees to be spread upon the Journal.

The Committee resumed its sitting.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the items numbered 1, 2, 3, 4, 5, 6, 7, 8, 9, and 10, respectively, in subsection (a) of section 41, title 35, United States Code, are amended to read as follows:

"1. On filing each application for an original patent, except in design cases, $50; in addition, on filing or on presentation at any other time, $10 for each claim in independent form which is in excess of one, and $2 for each claim (whether independent or dependent) which is in excess of ten.

"2. For issuing each original or reissue patent, except in design cases, $75; in addition, $10 for each page (or portion thereof) of specification as printed, and $2 for each sheet of drawing.

"3. In design cases:

"a. On filing each design application, $20.

"b. On issuing each design patent: For three years and six months, $10; for seven years, $20; and for fourteen years, $30.

"4. On filing each application for the reissue of a patent, $50; in addition, on filing or on presentation at any other time, $10 for each claim in independent form which is in excess of the number of independent claims of the original patent, and $2 for each claim (whether independent or dependent) which is in excess of ten and also in excess of the number of claims of the original patent.

"5. On filing each disclaimer, $15.

"6. On an appeal for the first time from the examiner to the Board of Appeals, $100. If an oral hearing is not requested prior to any consideration by the Board, $50 of the $100 fee will be refunded; or, alternatively, if the appeal is withdrawn prior to any consideration by the Board, all of the fee over $25 will be refunded.

"7. On filing each petition for the revival of an abandoned application for a patent or for the delayed payment of the fee for issuing each patent, $15.

"8. For certificate under section 255 or under section 256 of this title, $15.

"9. As available and if in print: For uncertified printed copies of specifications and drawings of patents (except design patents), 25 cents per copy; for design patents, 10 cents per copy; the Commissioner may establish a charge not to exceed $1 per copy for patents in excess of twenty-five pages of drawings and specifications and for plant patents printed in color; special rates for libraries specified in section 13 of this title, $50 for patents issued in one year.

"10. For recording each assignment of an application or a patent, $20; for recording any other paper, $20."

SEC. 2. Section 41 of title 35, United States Code is further amended by adding the following subsection:

"(c) The fees prescribed by or under this section shall apply to any other Government department or agency, or officer thereof, except that the Commissioner may waive the payment of any fee for services or materials in cases of occasional or incidental requests by a Government department or agency, or officer thereof."

SEC. 3. Section 31 of the Act approved July 5, 1946 (ch. 540, 60 Stat. 427; U.S.C., title 15, sec. 1113), as amended, is amended to read as follows:

"(a) The following fees shall be paid to the Patent Office under this Act:

"1. On filing each original application for registration of a mark in each class, $35.

"2. On filing each application for renewal in each class, $25; and on filing each application for renewal in each class after expiration of the registration, an additional fee of $5.

"3. On filing an affidavit under section 8(a) or section 8(b), $10.

"4. On filing each petition for the revival of an abandoned application, $15.

"5. On filing notice of opposition or application for cancellation, $25.

"6. On appeal from an examiner in charge of the registration of marks to the Trademark Trial and Appeal Board, $25.

"7. For issuance of a new certificate of registration following change of ownership of a mark or correction of a registrant's mistake, $15.

"8. For certificate of correction of registrant's mistake or amendment after registration, $15.

"9. For certifying in any case, $1.

"10. For filing each disclaimer after registration, $15.

"11. For printed copy of registered mark, 10 cents.

"12. For recording each assignment of a registration, $20; for recording any other paper, $20.

"13. On filing notice of claim of benefits of this Act for a mark to be published under section 12(c) hereof, $10.

"(b) The Commissioner may establish charges for copies of records, publications, or services furnished by the Patent Office, not specified above.

"(c) The Commissioner may refund any sum paid by mistake or in excess."

SEC. 4. Section 151 of title 35, United States Code, is amended to read as follows:

"§ 151. Issue of patent

"If it appears that applicant is entitled to a patent under the law, a written notice of allowance of the application shall be given or mailed to the applicant. The notice shall specify a sum, constituting the issue fee or a portion thereof, which shall be paid within three months thereafter.

"Upon payment of this sum the patent shall issue, but if payment is not timely made, the application shall be regarded as abandoned.

"Any remaining balance of the issue fee shall be paid within three months after the date of the issue of the patent; if not paid, the patent shall lapse at the termination of this three month period.

"If any payment required by this section is not timely made, but is submitted with the fee for delayed payment within three months after the due date and sufficient cause is shown for the late payment, it may be accepted by the Commissioner as though no abandonment or lapse had ever occurred.

SEC. 5. Section 154 of title 35, United States Code, is amended by inserting the words "subject to the payment of issue and maintenance fees as provided for in this title," after the words "seventeen years,".

SEC. 6. Title 35, United States Code, is amended by adding the following new section after section 154:

"§ 155. Maintenance fees

"(a) During the term of a patent, other than for a design, the following fees shall be due:

"(1) a first maintenance fee on or before the fifth anniversary of the issue date of the patent;

"(2) a second maintenance fee on or before the ninth anniversary of the issue date of the patent; and

"(3) a third maintenance fee on or before the thirteenth anniversary of the issue date of the patent.

In the case of a reissue patent the times specified herein shall run from the date of the original patent.

"(b) A grace period of six months will be allowed in which to pay any maintenance fee, provided it is accompanied by the fee prescribed for delayed payment.

"(c) The first and second maintenance fees may be deferred in accordance with subsection (f) of this section.

"(d) A patent will terminate on the due date for any maintenance fee unless, as provided for in this section, the fee due (including any fees previously deferred) is paid or a statement in accordance with subsection (f) of this section requesting deferment is filed. Such termination or lapsing shall be without prejudice to rights existing under any other patent.

"(e) Notice of the requirement for the payment of the maintenance fees and the filing of statements in compliance with this section shall be attached to or be embodied in the patent. Approximately thirty days before a maintenance fee is due, the Commissioner shall send a separate notice thereof to the patentee and all other parties having an interest of record at the addresses last furnished to the Patent Office. Irrespective of any other provision of this section, a maintenance fee may be paid within thirty days after the date of such separate notice.

"(f) Any inventor to whom a patent issued (or his heirs) and who owns the patent may within six months of the fifth anniversary of the issue date of the patent (by a statement under oath) request deferment of the first maintenance fee if the total benefit received by the inventor or any other party having or having had any interest in the subject matter of the patent, from, under, or by virtue of the patent or from the manufacture, use, or sale of the invention, was less in value than the amount of the fee, and the statement so specifies. The fee shall thereupon be deferred until the time the second maintenance fee is due and shall be paid in addition to the second maintenance fee.

"Any inventor to whom a patent issued (or his heirs) and who owns the patent may within six months of the ninth anniversary of the issue date of the patent (by a statement under oath) request deferment of the second maintenance fee (and further deferment of the first maintenance fee if such fee has been deferred) if the total benefit received by the inventor or any other party having or having had any interest in the subject matter of the patent during the preceding four years, from, under, or by virtue of the patent or from the manufacture, use, or sale of the invention, was less in value than the amount of the second fee, and the statement so specifies. The second fee, or the first and second fees, as the case may be, shall thereupon be deferred until the time the third maintenance fee is due and shall be paid in addition to the third maintenance fee and with the same result if not paid. No deferment of any of the fees beyond the thirteenth anniversary of the issue date of the patent shall be permitted and the patent will terminate at the end of the thirteenth anniversary of the issue date unless all maintenance fees are paid in accordance with the provisions of this section."

SEC. 7. The analysis of chapter 14 of title 35, United States Code, immediately preceding section 151, is amended to read as follows:

"Sec.
"151. Issue of patent.
"152. Issue of patent to assignee.
"153. How issued.
"154. Contents and term of patent.
"155. Maintenance fees."

SEC. 8. Subsection (a) of section 41 of title 35 United States Code, is further amended by adding the following:

"12. For maintaining a patent (other than for a design) in force:

"a. beyond the fifth anniversary of the issue date of the patent, $50;

"b. beyond the ninth anniversary of the issue date of the patent, $100; and

"c. beyond the thirteenth anniversary of the issue date of the patent, $150.

"13. For delayed payment of maintenance fee, $25."

SEC. 9. (a) This Act shall take effect three months after its enactment.

(b) Items 1, 3, and 4 of section 41(a) of title 35, United States Code, as amended by section 1 of this Act, do not apply in further proceedings in applications filed prior to the effective date of this Act.

(c) Item 2 of section 41(a), as amended by section 1 of this Act, and sections 4, 6, and 8 of this Act do not apply in cases in which the notice of allowance of the application was sent, or in which a patent issued, prior to the effective date; and, in such cases, the fee due is the fee specified in this title prior to the effective date of this Act.

(d) Item 3 of section 31 of the Trademark Act, as amended by section 3 of this Act, applies only in the case of registrations issued and registrations published under the provisions of section 12(c) of the Trademark Act on or after the effective date of this Act.

SEC. 10. Section 266 of title 35, United States Code, is repealed.

The chapter analysis of chapter 27 of title 35, United States Code, is amended by striking out the following item:

"266. Issue of patents without fees to Government employees."

SEC. 11. Section 112 of title 35, United States Code, is amended by adding to the second paragraph thereof the following sentence: "A claim may be written in independent or dependent form, and if in dependent form, it shall be construed to include all the limitations of the claim incorporated by reference into the dependent claim."

Mr. LINDSAY (interrupting reading of the bill). Mr. Chairman, I ask unanimous consent that the bill be considered as read and open to amendment at any point.

The CHAIRMAN. Is there objection to the request of the gentleman from New York?

There was no objection.

The CHAIRMAN. The Clerk will report the first committee amendment.

The Clerk read as follows:

Committee amendment: Page 1, line 11, add the following:

"Errors in payment of the additional fees may be rectified in accordance with regulations of the Commissioners."

The committee amendment was agreed to.

The **CHAIRMAN**. The Clerk will report the next committee amendment.

The Clerk read as follows:

Committee amendment: On page 2, line 16, add the following:

"Errors in payment of the additional fees may be rectified in accordance with regulations of the Commissioner."

The committee amendment was agreed to.

The **CHAIRMAN**. The Clerk will report the next committee amendment.

The Clerk read as follows:

Committee amendment: On page 5, line 24, substitute the following in lieu of the paragraph starting there and continuing through line 3 on page 6:

"Any remaining balance of the issue fee shall be paid within three months from the sending of a notice thereof and, if not paid, the patent shall lapse at the termination of this three-month period."

The committee amendment was agreed to.

AMENDMENT OFFERED BY MR. ANDERSON

Mr. **ANDERSON**. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. ANDERSON: On page 6, beginning with line 14, strike out all of section 5 and section 6 through line 12, on page 9.

The **CHAIRMAN**. The gentleman from Illinois is recognized for 5 minutes in support of his amendment.

Mr. **ANDERSON**. Mr. Chairman, the purpose of this amendment is very simple. It would strike out those sections of the pending bill which would provide for an entirely new and novel set of so-called maintenance fees. In other words, for those of you who have examined the bill or who have listened to the debate that went on in the committee, you know under the language of sections 5 and 6, provision is made that the patentee shall pay a fee before the 50th anniversary of the date of issuance of the patent and then a second fee on or before the 9th anniversary and a third fee on or before the 13th anniversary.

This is something new, something we have never had before. We have had application fees and issuance fees, but nothing like this. I think, as I said when I spoke on this bill when we were in committee, this is going to place a burden on the small inventor and the small businessman. It is not going to be any effort for the big corporations to keep track of these matters and to pay these fees as they fall due. But I think it is going to b a real disincentive for the individual inventor.

I would like to point out that many people who appeared before the subcommittee in opposition to these maintenance fees and people who testified in opposition were not people who are totally opposed to any increases in fees of the Patent Office.

In that regard I would call the attention of the committee to the testimony of former Assistant Commissioner of Patents, Mrs. Daphne Leeds, as that testimony appears on page 129 and 130. She in her testimony was very strongly in favor of increasing some of the fees to the extent that the Office could operate at less of a loss to the taxpayers, but she also said at page 131:

The proposed after-issue maintenance fees—would not only be burdensome to the patentee, but they would be quite costly to administer.

Now I am told that something like 50,000, and in some years as many as 75,000 patents are issued by the Patent Office of the United States. Under the language of this bill, a notice is going to have to go out to every one of these individuals every 4 years and every 9 years and every 13 years to tell them that unless they pay this fee, their patent rights are going to expire.

That brings up another important point. An effort has been made here this afternoon to picture this entirely new system of fees as nothing more than a sort of deferred payment of the original application fee. But, I would point out that the bill is very specific in saying that unless the individual pays those user fees at specified times, he loses his right and he loses his right as a holder of the patent. So do not be mistaken and think this is just a system for deferring the payment of the application fee.

I shudder, frankly, to think what kind of bureaucracy we are going to have to build up to send out all of the notices and set up all of the elaborate bookkeeping to collect these fees from all of these people every 4 years and every 9 years and every 13 years.

I think it is entirely possible that we may end up spending more money to collect these user fees than is ever lost by the Treasury of the United States.

I hope very much the House this afternoon will vote in favor of this amendment to eliminate from the bill this new and novel, and I think, wholly undesirable and unwarranted category of fees; namely, the maintenance fees as provided in section 5 and section 6.

Mr. **GROSS**. Mr. Chairman, will the gentleman yield?

Mr. **ANDERSON**. I yield to the gentleman.

Mr. **GROSS**. This in no wise affects the increases in filing fees?

Mr. **ANDERSON**. The gentleman is correct.

Mr. **GROSS**. This deals exclusively with maintenance fees; is that correct?

Mr. **ANDERSON**. It applies to the other sections of the bill dealing with increased application fees and with increased fees for claims and so on, such as appeal fees. That is all left in the bill.

Mr. **GROSS**. I want to say to the gentleman, I support his amendment. I think it is an excellent amendment and compliment him for offering it.

Mr. **ANDERSON**. I thank the gentleman from Iowa.

The **CHAIRMAN**. The time of the gentleman has expired.

Mr. **LINDSAY**. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, like a revenue-raising bill which comes from the Committee on Ways and Means, I suppose it would be impossible for any committee to present a money bill designed to increase revenue of the Government without hearing a lot of "squawks."

As I mentioned during the general debate, the balance of this fee schedule has been carefully considered by the Judiciary Committee and every point of view and every argument has been taken into account.

As I mentioned a moment ago, the committee was unanimous on this fee schedule with perhaps one exception, and in the view that if we are to put the Patent Office on anywhere near a self-sustaining basis the fees must be increased. All we do under this proposed fee schedule would be to put it on a 75 percent of self-sustaining basis. There was a time when it was 90 percent self-sustaining. It is supposed to be 100 percent self-sustaining.

In order to put the Patent Office on a 75 percent self-sustaining basis it has been necessary to make some adjustments in the fee schedule in effect at the Patent Office.

The attack now is on the maintenance fee.

I assure the gentleman from Illinois [Mr. ANDERSON]—who I believe is in favor of the Government being on a pay-as-you-go basis and in favor of economy in government—if we removed the maintenance fee we would have no other choice than to raise the initial fees; either that or we permit the Office to run at the giant deficit it is now maintaining. Every year, to the extent of 70 percent of the cost, the Appropriations Committees of the House and Senate must come up with the dollars, at the taxpayers' expense, to carry this load. If the filing and issuing fees should go up, which they must if we knock out the maintenance fee, who would be hurt? It would be the little man, the little inventor, the individual man or small fellow trying to test a new patent, because these fees are immediately payable, whether or not the patent has earned a dime.

That is the only alternative we would have. Otherwise we would have to leave it as it is, in complete derogation of title V of the United States Code, which specifically says that agencies of this kind, providing services of this kind, must be on a self-sustaining basis.

Let us have a clear understanding of the maintenance fee. When we talk of the maintenance fee we are talking ultimately about nearly 50 percent of the new revenue. Twelve million dollars of new revenue would be provided when all fees are in effect. It is estimated that eventually almost half of this will come from maintenance fees.

The maintenance fee is a fee to help pay the high cost of keeping patents on file in the Patent Office. After 5 years have gone by there is to be a charge of $50 for carrying that patent in the Office; after the 9th year, a charge of $100; and after the 13th year, a charge of $150.

The maximum life of a patent is 17 years. Any inventor who has not produced income from that patent would have a right to ask for deferment. He could ask for deferment of the first $50 fee, and he could ask for deferment of the next $100 after the ninth year, and the deferment would run for a total of 13 years.

Is it not reasonable that if after 13 years have gone by the patent has proved to be so worthless that it has produced no income at all, the man should be given an opportunity then to drop the whole thing, or be asked to pay a fee if he still wants to hold the patent monopoly?

If he elects to let the patent lapse no maintenance fee would be charged and the patent would then lapse. The patent would end automatically in any event 4 years later, at the expiration of 17 years. I do not know of anything more reasonable than that.

I should like to reiterate the point made earlier. The objection to the maintenance fee does not come from the little man or from the new or young inventor. The objection comes from the big corporations, which have a whole "stable full" of salaried inventors, who flood the Patent Office with patent applications which they have no present intention of using, which will not be developed, which will not be put to constructive use, and which will continue to be held as a private monopoly to the exclusion of other competition.

Mr. GIAIMO. Mr. Chairman, I move to strike out the requisite number of words.

Mr. Chairman, I rise in support of the amendment. I believe that the maintenance provisions of the bill should be stricken.

What we are asked to do is to increase the cost to business people who must pay these patent fees and copyright fees; to increase the cost of the filing fee and the cost of the issuance fee—and now, for the first time, as I understand it, to add a new fee, a maintenance fee.

It has been said that these people will not have to pay any maintenance fee, which will amount to as much as $300 over the 13 years, until such time as they begin to derive benefits from the patent. The point is that we are talking about a new fee, which will be in the neighborhood of $300, something which they have not heretofore paid.

I believe that this is of extreme importance and interest to the small business people who must pay these fees in order to protect themselves in order to maintain the edge or know-how they have developed with respect to a certain item.

Members of the bar of other States have come out in opposition to it. In my State, where we have many small businesses, this will become a large added new item of cost in the protection of their know-how and of their skill. Therefore, it will be a new cost added to the product which they make. Big business can afford to pay these license fees. Big business will pay them in order to maintain protective patents or defensive patents, as they are called. However, this becomes a large item to a small company. When you add $300 plus the increased costs for filing and issuance of patents plus those which they will have to pay to skilled people such as patent attorneys and so on in order properly to present their claims and to prepare their papers, it is not a small matter.

We say we want to make the Patent Office a much more going concern moneywise. We say we want to make it self-sustaining. I am in accord with that, but we must not do it at the expense of the small companies who are struggling more and more every day in their efforts to compete with large industry and in their efforts to keep their share of the American economy. I think this will hurt them and this will penalize them. New ways can be explored by the committee by which to raise money to sustain the operation of the Patent Office. However, I submit that the maintenance fee method is not the way to do it and that it will hurt small industry. What will happen? Many small industries will forgo patent protection rather than pay the cost, which means that they will lose that small advantage which is so important to them. Many inventors will not tie in with small companies but will go with large companies because they know there they will be protected. This adds additionally to the detriment which small business suffers increasingly in the United States today.

Mr. HORTON. Mr. Chairman, will the gentleman yield?

Mr. GIAIMO. I will be happy to yield to the gentleman.

Mr. HORTON. I would like to concur with the remarks that the gentleman just made and indicate my support of this amendment. I would like to point out earlier I gave some statistics with regard to a small nursery which happens to be in my district. They have some 383 patents, and this additional fee will cost at the end of 17 years some $114,000 and in the first year will cost some $20.000. It seems to me this is a terrific burden that we are placing on our small businesses across the country, and we should certainly eliminate this maintenance fee.

Mr. GIAIMO. Mr. Chairman, I thank the gentleman for his contribution.

In conclusion let me say, Mr. Chairman, I hope this amendment will be supported and that then we will be able to go on toward solving these problems which confront the Patent Office.

Mr. MATHIAS. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, the gentleman from Illinois, in offering the amendment, said that he felt the maintenance fees might be productive of a growth of bureaucracy within the Patent Office because it would be necessary to set up certain bookkeeping systems to keep track of the payment of the maintenance fees. I would suggest to the gentleman and to the committee that this system of maintenance fees may in fact be productive of a decrease of bureaucracy and bureaucratic methods in the Patent Office. The gentleman should recognize that there are today a large number of dormant patents on file in the Patent Office which are alive and valid and, as the gentleman from New York just pointed out, these constitute approximately 50 percent of the patents which are now outstanding. It is necessary for someone in the Patent Office to search through this enormous file of dormant patents, which is one of the causes for the skyrocketing of the expenses of the Patent Office. By a system of maintenance fees it should be possible to weed out and keep down the patents which are dormant and not going to be used or held only as a matter of neglect or inadvertence. Therefore, we should be able to decrease the amount of bureaucratic paper shuffling presently going on in the Patent Office, although this would be only a byproduct of the system.

Mr. LINDSAY. Mr. Chairman, will the gentleman yield?

Mr. MATHIAS. I yield to the gentleman from New York.

Mr. LINDSAY. I think the gentleman's point is absolutely valid and correct. In other words, every time a new inventor files for a patent and submits an application, the Patent Office has to search through this mountain of records and dormant patents that are left to find out if there is some kind of an infringement. The European experience has been—and as a practical matter Europeans are more protective in this matter than we are—the European experience has been that they have weeded out some of the dormant patents. The point should be made also the purpose of the bill is not to weed out. That is a fine thing that may occur and it is beneficial, but the purpose is to put this Office on reasonably near a self-sustaining basis.

Mr. ANDERSON. Mr. Chairman, will the gentleman yield?

Mr. MATHIAS. I yield to the gentleman.

Mr. ANDERSON. This particular point was discussed during the hearings by no less than the former Assistant Commissioner of Patents. She was asked by the gentleman from New York:

> Do you think it is desirable to shake out the files?

The answer was:

> I do not think it serves much purpose, really. I am really not convinced, I have never been convinced it would serve any real purpose.

She went on to make the point that the big corporations that the gentleman talks about who have all of these patents are going to pay the fees anyway. This is not going to shake out the files.

Mr. LINDSAY. Mr. Chairman, will the gentleman yield?

Mr. MATHIAS. I yield to the gentleman from New York.

Mr. LINDSAY. The lady to whom the gentleman from Illinois was referring is opposed to any fees. She thinks the Patent Office should not be on a self-sustaining basis. She thinks the whole load ought to be carried by the taxpayers on the basis of appropriations. I am sure the gentleman is not going to agree with that.

Mr. ANDERSON. No.

Mr. LINDSAY. I am sure the gentleman favors maintaining Government services on a self-sustaining basis so far as possible. She professed in the hearings—and I cross-examined her carefully—to be in favor of some fees, in favor of an increase, but philosophically she has stated many times—and I know the lady, she is a distinguished lady—she has stated many times that she does not agree with the proposition that the Patent Office ought to be on a self-sustaining basis. She thinks it ought to be carried by the taxpayers.

Now, the gentleman has always favored economy in Government and putting the Government on a self-sustaining basis, pay as you go. I am surprised to see the gentleman opposed to pay as you go in this area.

Mr. ANDERSON. Mr. Chairman, will the gentleman yield further?

Mr. MATHIAS. I will, after a moment.

Mr. Chairman, I would like to point out that on page 69 of the hearings on this bill there is a chart which illustrates very graphically the $6 million which would accrue to the Patent Office as a result of the maintenance fees. As a result of the gentleman's amendment, if it were to be adopted, we would simply wipe off the end of this chart and with it a large portion of the new revenue which could be obtained through the Patent Office.

Mr. ANDERSON. Mr. Chairman, will the gentleman yield further?

Mr. MATHIAS. I yield.

Mr. ANDERSON. Mr. Chairman, I would like to say in reply to the remarks made by the gentleman from New York that if he will assure me that during the balance of this session he will support with equal vigor any efforts made to put all the other departments of the Federal Government on a pay-as-you-go basis I would be willing to withdraw my amendment.

Mr. LINDSAY. I have no objection to that.

Mr. WHITENER. Mr. Chairman, I rise in support of the amendment.

Mr. Chairman, I had not anticipated this debate. When this bill was before our Committee on the Judiciary there was a great deal of discussion of the fee-raising which it would bring about. This maintenance fee, it seems to me, is designed to constitute a qualified restriction on the life of patents. The policy of our country is well established of giving to these patents a life of 17 years. This business of its being a burden to the Patent Office, I think, is not very well-founded because once a patent is granted I cannot see where some individual who has a little patent should have to pay $50 at the end of 5 years or lose his patent, or $100 later on, or $150 after that. If you are going to approach the matter this way, why not approach the cost on the original issuance of the patent rather than to do it in this way?

The argument which my friend from New York makes about saving money is somewhat inconsistent with his other argument that most of these patents are held by big corporations who are going to pay automatically this fee and renew them. How have you limited the work in the Office? I happen to come from an industrial area where many, many individuals, working as machinists in textile plants, seek patents. The great proportion of these patents are never very productive to the individual. Nevertheless, when he seeks his patent he thinks it is the greatest invention in the world and oftentimes because of lack of funds a patent is issued and it is more than 5 years before this little fellow is in a position to promote his patent.

It seems to me that we cannot justify a maintenance fee unless we are going to say we do not believe in the present law concerning the life of patents. So I hope that the amendment of the gentleman will be accepted.

Mr. BELCHER. Mr. Chairman, will the gentleman yield?

Mr. WHITENER. I yield.

Mr. BELCHER. Mr. Chairman, does the gentleman know of any department of the U.S. Government that is self-sustaining—the Department of Agriculture with $5 or $6 billion, the Department of Defense with $50 billion, and even yesterday we upped a program from $7.5 million to $45 million. Unless I misunderstood, the gentleman from New York voted for that extra $37½ million. Now today he wants to take $6 million off of small business to make up for what he voted yesterday.

Mr. WHITENER. Mr. Chairman, I would not undertake to answer the gentleman's several questions but I would say this. I think the Patent Office more nearly falls in the same category as the Post Office Department.

Mr. BELCHER. While we appropriate for small business and keep small businesses all over the country in operation, we turn around and put a burden on small business so that we will again have to set up another Small Business Administration to help take care of them. It seems to me that we are traveling around in a circle.

Mr. WHITENER. I will say to the gentleman, speaking of the Defense Department, that some time ago I was told that a new aircraft that was now in development already had had some 840-odd new patents granted in connection with research and development on it.

I can see where this sort of thing would result in a great burden even to a big company that has many patents. It seems to me once the patent is granted it ought to be like the title to a piece of real estate which is registered in the courthouse of the hometown. You have title and there is no fee on maintenance. There are not any of us who do not come from a county where it costs the local taxpayers money to maintain the recording of deeds and other evidence of title. But we do not say to a man, you must go down to the courthouse every 5 years, or every 13 years, and pay a maintenance fee, otherwise you are going to lose title to your house.

Mr. WILLIS. Mr. Chairman, I rise in opposition to the pending amendment.

Mr. Chairman, I stated in general debate that the present fees payable to the Patent Office were established by the Congress in 1932. Everything else, as far as I know, has been raised except the filing fees in that Office.

We, the Congress, raised the cost of litigation and the filing of lawsuits; we, the Congress, increased during that period of time the cost of the postage stamp from 2 cents to 5 cents; we, the Congress, increased the cost of mailing a postcard from 1 cent to 4 cents; but nothing has been done in Patent Office fees, and this is a long overdue measure to revise these fee schedules.

Let me say for the benefit of those who were not here during general debate that this is a bipartisan measure. It was advocated during my period of service on the Committee on the Judiciary by the administration of President Truman, it was advocated by the administration of President Eisenhower, it was advocated by the administration of President Kennedy, and now the administration of President Johnson.

Now, in addition to this maintenance fee provision having the virtues described by the gentleman from New York and the gentleman from Maryland, let me point out this is a deferred payment for the benefit of the little guys that you have been talking about. We increased the basic filing fee in the bill from $30 to $50. Do you want to increase it from $30 to $350? This is a revenue measure. This is to bring the Patent Office, not on a pay-as-you-go basis but on a 75 percent pay-as-you-go basis. We could have raised this original fee from $30 to $350. We did not do that. We provided from $30 to $50. Why? As an aid to the small patent owner they are talking about. They say the big guys do not object to this. I wonder if they would object if we put it at $350 to start with? But they are paying this at the end of the filing because it would compel these patents that are being sat on or suppressed and not developed to bear an additional amount or else to lapse.

The small patent owner initially would pay a $50 filing fee, and after 5 years if he thinks his patent is going to pay off, at that time only is he called upon to pay $50 more. Then on the 9th year of the patent if he thinks the fruits of his ingenious mind are paying off, and in that case only and at that point, $100 more is assessed, and on the 13th year $150 more is assessed, or a total of $350, which is part of the total cost of processing and maintaining the patent. If he does not want to pay that cost he can permit the patent to lapse. If the large corporations that are sitting on these patents want to permit them to lapse, let them do so.

Mr. Chairman, I hope this amendment which would very substantially cut the revenues under this bill will be defeated.

The CHAIRMAN. The time of the gentleman has expired.

Mr. CASEY. Mr. Chairman, I move to strike out the requisite number of words.

Mr. Chairman, let us get to the heart of this. As the chairman says, they have not raised fees since 1932 and they need adjusting. The proposal under this bill is to raise the total fees approximately 169 percent. This amendment will cut out a small portion of that, but it will also stop the complicating of a system of maintaining a patent and paying a penalty in maintaining one.

Look at the report on pages 14 and 15. The estimated revenue from the new maintenance fees—and, mind you, the chairman during the debate stated that this was the best name they could think of for this additional charge—is $2,877,000. The total estimated revenue from the bill is $12,888,000. So you knock out an estimated $2,877,000 and are making the process of maintaining a patent much simpler.

The big corporations do not mind. They have bookkeepers and they have patent attorneys and they have clerks galore to keep up with this, but why complicate matters for a poor small businessman or small operator and compel him to pay this so-called maintenance fee in order to keep his patent alive? I am not going to quarrel with the chairman about whether these other fees are in line. I am not going to argue with him about that. But I say he is still left with an increase of 130 percent on present income if you adopt this amendment. So do not let anyone try to tell you that you are crippling the revenue on this because you are not.

Mr. Chairman, I urge the adoption of this amendment to keep this as simple as possible and still grant them what they want, to increase the revenue. I heartily urge each of you to vote for the amendment offered by the gentleman from Illinois.

Mr. GROSS. Mr. Chairman, will the gentleman yield?

Mr. CASEY. I yield to the gentleman.

Mr. GROSS Does the gentleman know of any other place in Government or any other agency of Government where a direct tax is levied?

Mr. CASEY. Not in the U.S. Government. The gentleman from New York [Mr. LINDSAY] stated that this is a European plan. They are trying to put that in. This is a tax on patents. That is all this is—a tax.

Mr. GROSS. I am not surprised at that, but I do not know of any reason why we should adopt it simply because some European nations have such a plan, and I am sure the gentleman does not know of any reason why we should also adopt such a plan.

Mr. CASEY. No, sir, I will say to the gentleman.

Mr. WILLIS. Mr. Chairman, will the gentleman yield?

Mr. CASEY. I yield to the gentleman.

Mr. WILLIS. In the interest of and in the name of the small patent processors, would the gentleman vote to increase the initial fee to $ 50 instead of the $50 you are speaking of?

Mr. CASEY. You are increasing the fees by 130 percent. That is what you have left—130 percent.

Mr. WILLIS. Then the total return on this maintenance provision is what percentage of the total revenue produced?

Mr. CASEY. What do you mean—under this amendment?

Mr. WILLIS. It is a considerable amount of the total revenues produced and it is strange to see that those opposing it primarily—and I am not talking of Members of Congress, but I am talking of those who appeared before the committee—are the so-called corporate inventors and not the small inventors for whose benefit we put the provision in.

Mr. CASEY. I have not heard a word from any of my big corporations. All I have heard from are the small practicing attorneys.

Mr. WILLIS. I wish to say I excluded the gentleman in my remarks. I have also received correspondence along the lines I have indicated.

Mr. CASEY. I appreciate the gentleman's statement.

Mr. WHITENER. Mr. Chairman, will the gentleman yield?

Mr. CASEY. I yield to the gentleman.

Mr. WHITENER. Would not the gentleman say from his legislative experience that the same thing would apply to almost any hearing—that the unorganized small citizen does not have a lobbying group to appear and testify before the committees, and that there is no particular magic in the statement that my good friend just made.

Mr. CASEY. In other words, right now the estimated income is $7,700,000 and if you adopt this amendment you will still have an increase of $10 million or over $10 million which would be approximately, according to my arithmetic, a 130 percent increase.

Mr. Chairman, I urge the adoption of the amendment.

The CHAIRMAN. The time of the gentleman has expired.

Mr. DADDARIO. Mr. Chairman, I move to strike out the last word and rise in support of the amendment.

Mr. Chairman, I came to the floor of the House this afternoon purposely to listen to the debate on this legislation affecting the patent fee system. I have had an interest in the general subject of patent legislation through work as chairman of the Subcommittee on Patents and Scientific Inventions of the House Committee on Science and Astronautics.

I had believed that this debate would center on the one issue of fees and the amount of return to be so derived but as I listened to the debate it became quite clear that the small businessman, the small inventor, would be affected. It is obvious on its very face that it will be a prohibition against him to pay a $300 charge, even if it is spread over a period of time. The chairman of the subcommittee asked if one would like to have it as an initial fee rather than spread over a period of time as a maintenance fee. That remark indicates that it is too large a fee to pay in one instance.

I should like, however, to confine the remainder of my remarks to other points which are of fundamental importance.

If there is in this country a system through which there is an accumulation of patents so that they are hidden and remain unproductive, something ought to be done about it. It stands to reason that we are a progressive nation and that we will not allow knowledge and information to be suppressed. It is a matter of record, I believe, that no invention can lie dormant. There are skills and abilities in our manufacturing concerns and among individual inventors so that any such attempt will be speedily circumvented. Our people have a great capability in inventing around existing patents.

But if there is a suppression or if there is a harmful accumulation, we should not use the subterfuge of a fee as a penalty. I believe we should look over the entire structure of Government patents and legislate across the board and the sooner the better. Such a step, properly taken, would lead to a better understanding of our patent system and is the way through which weaknesses should be corrected.

Mr. SIBAL. Mr. Chairman, will the gentleman yield?

Mr. DADDARIO. I yield to the gentleman.

Mr. SIBAL. Is this maintenance provision a new patent tax concept in our law?

Mr. DADDARIO. As I have been able to review the situation, I have found no precedent for it in the patent system of this country. It is new and it is, as the gentleman from Texas [Mr. CASEY] pointed out, a takeoff on the European system, where it is more of a tax.

Mr. SIBAL. The gentleman's experience and contributions in this field are well known to all of us. I should like to ask the gentleman if he feels that our system, which is different from the traditional European system, has in any way inhibited the development of patents in the past?

Mr. DADDARIO. It is a matter of record, I believe, that we are the foremost nation in the world insofar as inventive genius is concerned. We have led by leaps and bounds over the course of the years.

I believe it is a fiction that patents can be suppressed. We all know that in every instance when an invention does come forth there are improvements on it time and time again, and these improvements come about because information is available and because Americans have the genius to invent around patents and inventions.

Mr. SIBAL. I thank the gentleman, and I join him in supporting the amendment.

Mr. LINDSAY. Mr. Chairman, will the gentleman yield?

Mr. DADDARIO. I yield.

Mr. LINDSAY. I take issue with the the gentleman, but not with the gentleman's statement.

No one wishes to copy the European system at all. What we would like to do is to see what will happen.

The fact is that in respect to both copyrights and patents most of the European nations, under the systems used there, are much more protective of private ownership in regard to patent rights and copyrights than the United States.

Mr. DADDARIO. I believe the gentleman is correct. This is a reason why I believe we should get on with those steps that would lead to overall patent legislation so that we could protect the private rights which exist in respect to patents.

If that is the situation, and I believe they are better protected, it is the fault of our own patent system. We should not try to overcome this by a fee or maintenance charge of this type. There are fundamental ways open to us to make necessary improvements and it would serve us well to move in that direction.

Mr. CELLER. Mr. Chairman, I move to strike the requisite number of words.

I rise in opposition to the amendment.

Mr. Chairman, we have heard some rather strange arguments here today. One was to the effect that we should not strive to put a department of Government on a nearly self-sustaining basis, which is the prime objective of the bill.

An argument was also advanced, in support of that argument, that only the other day the House considered a bill or bills which would not have placed a department on a self-sustaining basis and there was objection to that procedure.

We cannot have it both ways.

The Judiciary Committee has been striving to be fair to the inventor—to the small inventor, to the large inventor, to all inventors and all those who are under the label of "genius." We have striven to be fair to them.

On the other hand, we wish to be fair to the general public of the United States. Even a genius must pay his fair share.

We give to an inventor a monopoly, for 17 years. Generally we are opposed to monopoly, but when it comes to someone who devises something new and inventive we say, "Well and good; we will give you a special privilege." It is a special privilege. It is the exception we make, when we say that he or she shall have 17 years' exclusive use of that particular patent or the result of his inventiveness and ingenuity.

In addition, virtually no country in the world, has fees for patents that are as low as ours.

Now, I want to emphasize that this maintenance fee—and I say this in opposition to the amendment—is only a deferred payment. If you are going to wipe out the maintenance fee, you are going to incur the danger of increasing the initial fee. Almost all countries of Europe charge the maintenance fee, particularly Germany, Sweden, the Netherlands, Norway, Switzerland, and Great Britain. I have searched the records to find out whether any harm or disadvantage accrues to the inventors because of the maintenance fee, and I find no such record anywhere. I defy anyone in this House to point out to me one country where he will find a disadvantage to the inventor because there is charged a maintenance fee.

Mr. GROSS. Mr. Chairman, will the gentleman yield?

Mr. CELLER. Yes. I yield to the gentleman from Iowa, who is now objecting to a bill that would make a Department fairly self-sustaining. When he objects to such a bill, it goes counter to his frequently expressed philosophy. Why does he oppose this bill when it seeks to make this Department fairly self-sustaining? He has been arguing day in and day out against Government costs.

Mr. GROSS. Is the gentleman going to yield?

Mr. CELLER. Let the gentleman tell us about that, and then, if he answers that, I will answer his other questions. But let him answer that first.

Mr. GROSS. I will get my own time. I thank the gentleman.

Mr. CELLER. All right. Then, the gentleman may get his own time.

But, in any event, this maintenance cost is spread over a period of 13 years. If that is not aiding a young or impecunious or small or poor inventor, I do not know what is. He has 5 years before he pays the first maintenance fee. Then he has until 9 years before he pays the second maintenance fee, and he has 13 years before he pays a third maintenance fee. If you are not going to charge these maintenance fees, he is going to have to pay all of those fees in the initial stage, namely, at the time he files the patent initially.

Mr. CELLER. Mr. Speaker, I ask unanimous consent to proceed for 3 additional minutes.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. CELLER. He will have to pay that before he knows whether or not his patent is going to be in any wise successful. I read the record again, and I am told that by means of these maintenance fees we will shake out, as it were, out of the Patent Office, many unused, suppressed, and useless patents, and that will make it far less difficult to make the searches at the Patent Office. I am told that at the subcommittee hearings the then Commissioner of Patents indicated clearly the following:

> The resulting simplification in the infringement searches and other investigations primarily concerned with patents still in force would be of considerable help to industry. In addition, new businesses would be far freer to utilize prior service in the development of their products and their processes.

That is what he said. His words are echoed by his predecessor, the former Commissioner of Patents, with reference to the so-called maintenance charges.

Now, the Committee on the Judiciary is composed of lawyers exclusively. We debated this bill very, very carefully. We went over it with a fine-tooth comb. We sought to find every conceivable defect in the bill. There was only one lone voice that expressed some opposition. That voice is stilled this afternoon. We do not hear from the gentleman. Therefore, I take it he has changed his views, and we have the virtually unanimous consensus of all the 35 members of the Committee on the Judiciary, all of whom are lawyers.

Enactment of the measure will be best for the Patent Office and also best for inventors and for the public in general.

For these reasons I hope that the amendment will be voted down.

Mr. GROSS. Mr. Chairman, I move to strike out the requisite number of words.

Mr. Chairman, I doubt that I could conjure up a philosophy that would be acceptable to the gentleman from New York. We are about as far apart as the poles and he has all the answers to all issues. At one time I nominated him for that new club, the famous 5-H Club. I understand he has become a charter member of the 5-H Club which means—"Hell, how he hates himself."

I do not think anything I could say would convince him, nor anything that he might say to me would be convincing.

I suggest that the gentleman from North Carolina made the best analogy of the afternoon in the discussion of this bill with respect to the maintenance fee.

I am not opposed to the other fees that are being increased and substantially. When you go from $30 to $50 for an original filing on a patent and collect additional fees in other provisions of the bill, I think you have done pretty well as a first bite in this agency. I want to see all the agencies of Government, and all the departments of Government, come as nearly as possible to balancing their budgets. But I will say to you that I do not know of a single agency or department, which charges a fee or an admission, that operates on a balanced budget. If you know of any tell me about it.

So I think we will be doing pretty well as a first step, as the first increase since 1932, without the maintenance fee.

The gentleman from North Carolina said that he knew of no municipality or county that levies a fee strictly for the maintenance of real estate records, or other records pertaining to property.

Mr. BELCHER. Mr. Chairman, will the gentleman yield?

Mr. GROSS. I yield to the gentleman.

Mr. BELCHER. While we are talking about philosophy, I do not know of any philosophy that advocates wasting all afternoon talking about the loss of a little over $2 million of revenue and then turn around and vote for a $13 billion tax cut, vote for a $600 million cotton bill, a $45 million library bill, as we did on yesterday, and all of those put together did not take as much time and argument as has been taken on this question involving $2½ million.

Mr. GROSS. I thank my friend from Oklahoma for his observation.

The gentleman from New York [Mr. CELLER] talks about the levying of fees for this purpose in foreign countries. If they are doing so well levying and collecting fees for this purpose, the purpose of registering patents in foreign countries and for other purposes I wish he would tell the House why the foreigners have their hands so deep in our pockets.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Illinois [Mr. ANDERSON].

The question was taken; and on a division (demanded by Mr. GROSS) there were—ayes 53, nays 72.

So the amendment was rejected.

The CHAIRMAN. Under the rule the Committee rises.

Accordingly, the Committee rose; and the Speaker having resumed the chair, Mr. JOELSON, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill

(H.R. 8190) to fix the fees payable to the Patent Office, and for other purposes, pursuant to House Resolution 593, he reported the bill back to the House with sundry amendments adopted by the Committee of the Whole.

The SPEAKER. Under the rule the previous question is ordered.

Is a separate vote demanded on any amendment? If not, the Chair will put them en gros.

The amendments were agreed to.

The SPEAKER. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

Mr. ANDERSON. Mr. Speaker, I offer a motion to recommit.

The SPEAKER. Is the gentleman opposed to the bill?

Mr. ANDERSON. I am, Mr. Speaker.

The SPEAKER. The Clerk will report the motion to recommit.

The Clerk read as follows:

> Mr. ANDERSON moves to recommit the bill, H.R. 8190, to the Committee on the Judiciary.

The SPEAKER. The question is on the motion to recommit.

The motion to recommit was rejected.

The SPEAKER. The question is on the passage of the bill.

The bill was passed, and a motion to reconsider was laid on the table.

VENEZUELA SULPHUR CORP.

Mr. BECKER. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. BECKER. Mr. Speaker, I do not have the time in 1 minute to read this entire statement; however, ever since 1962 I have been fighting with the State Department over the seizure by the Government of Venezuela of a plant owned by the Venezuela Sulphur Corp., a subsidiary of Chemical Natural Resources Corp., a U.S. corporation.

A case is coming up in the court of common pleas in Philadelphia to determine the sovereignty of Venezuela from U.S. courts. The Department of Justice is supporting Venezuela in this matter.

At the same time, Dean Acheson, a member of the law firm of Covington & Burling, is representing Venezuela while at the same time Dean Acheson is an adviser to the State Department appointed by the President of the United States. How can any man with ethics represent Venezuela as an attorney and receive fees while at the same time acting as an adviser to the State Department, appointed by the President?

If this is legal ethics, I think it is time we do something about it, and I hope the court will take an American stand for a change.

Mr. Speaker, I have been fighting, since 1962, the seizure by the Government of Venezuela of a $20 million plant owned by a U.S. corporation, the Venezuela Sulphur Corp., a subsidiary of Chemical Natural Resources, Inc., but without any success. I called attention to this matter in 1962 at a time when our Government loaned Venezuela $30 million immediately after the seizure, but without any results. The attorneys for the Venezuela Sulphur Corp. have on many occasions met with and asked the assistance of our State Department, but with no results. The upshot of all this is that the Venezuela Sulphur Corp. has been informed by our State Department the only redress they have is to sue the Venezuelan Government in their courts. I think we could all determine in advance that such a suit would have no possibility of succeeding in Venezuelan courts. However, a new situation has arisen in that a case is coming up in the court of common pleas in Philadelphia which is being prosecuted by the Justice Department in support of the State Department's position in this matter, which supports the sovereignty of Venezuela against any suit in the United States.

At the same time, at the crux of this matter, it should be understood that Dean Acheson, a member of the Washington law firm of Covington & Burling, is representing, in the United States, the country of Venezuela. It is also an absolute fact that Dean Acheson is acting as an adviser to our U.S. State Department at the same time.

If one talks about ethics, I am wondering how the President of the United States can justify such a conflict of interest as I have detailed here. And, I sincerely hope when this matter does come before the court of common pleas next month, the court will for once recognize that U.S. investors in South America have the right to sue in the U.S. courts, and in the final analysis, have the Government fight on their side rather than on the side of a foreign state.

This case of Dean Acheson is typical of many with which he has been connected and these facts have appeared in the newspapers, on September 21, 1963.

UKRAINE INDEPENDENCE

Mr. DULSKI. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. DULSKI. Mr. Speaker, today is the 46th anniversary of Ukraine's short-lived independence.

The Ukrainians have been among the most unfortunate peoples in modern history. For centuries their country was overrun by conquering armies, and remained divided under alien rulers until 1918 when they overthrew their oppressors. But this newly won freedom, from the time of its very birth on January 22, 1918, was to end all too soon 2 years later when the Red army invaded the Ukraine and took over. Since then the Ukrainians have been ruled by Moscow, victims of Soviet colonialism.

The sad occasion of this day, in reviewing events endured by these brave Ukrainian people over the years, bids us to pause and reflect on the sufferings of these people in their thirst for freedom. Theirs is a thirst for freedom that has never once wavered, and it is as strong today as it ever was.

We, in America, who enjoy all of the God-given freedoms, must never forget these freedom-loving patriots. We must be ever mindful of their plight; ever cognizant of their relentless pursuit to gain independence and liberty.

In observing the 46th anniversary of the independence of Ukrainians, this event should also serve to give impetus to the formation of a Special House Committee on Captive Nations in this session of Congress. Such a committee could serve as a beacon throughout the world to show the solidarity and determination of the American people that these captive nations are not forgotten in their struggle for liberation and true independence.

The 42 million Ukrainians, who are virtually prisoners in their own homeland, cannot celebrate today as their own great national holiday. But those Ukrainians living in the free world, and especially Americans of Ukrainian descent in this great country, do so in the hope that some day—and soon—this independence day can be celebrated in a free and liberated Ukraine. I wholeheartedly join Ukrainians everywhere in the wish that this cherished dream will be realized.

LIMITATION OF DEBATE

Mr. JONES of Missouri. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Missouri?

There was no objection.

Mr. JONES of Missouri. Mr. Speaker, I wish to address myself to a situation which has been developing in the House for quite awhile and which in my opinion is threatening to destroy the opportunity for free and open debate on some of the important issues which come before, and which are the responsibility of, this House.

I am referring to the tendency which has developed to limit and close off debate on amendments which are offered to important bills. For instance, yesterday when we were considering the Library Services Act, a very important amendment was offered by the gentleman from New Jersey [Mr. FRELINGHUYSEN], and despite the fact that an attempt was made—and I might add with no small measure of success—to have it considered as a partisan political amendment, there were some of us on this side of the aisle who thought it had much merit, and would have retained and improved the original concept of the Library Services Act. The chairman of the Education and Labor Committee, after seeking to obtain unanimous consent, moved to close all debate on that amendment and all amendments thereto, at 5:15 p.m., allowing approximately—actually less than—10 minutes additional debate. There were some four or five Members, including myself, who were standing and who had every reason to believe that we might obtain approximately 2 minutes to express our views. Unfortunately, a preferential motion was made, and while the proponent of the motion did not use the full 5 minutes to which he was entitled, the opponent of the preferential motion, did use all of the time up to 5:15, at which time the vote was taken.

Mr. Speaker, I think we are all aware of the fact that after 5 o'clock in the evening, there is a tendency for all Members to want to conclude the business of the day, even if it means doing our work in a slipshod manner, and without the proper consideration being given to important amendments. The House cannot do its best work in a creditable manner under such circumstances, and I am suggesting that, under such circumstances, it would be well to consider trying a new method of procedure, that of carrying over until the following day consideration of important bills when it appears that final action cannot be taken before 6 o'clock in the evening, without precluding Members from thoroughly discussing amendments which are pending.

I do not think there is anyone in this House so naive as to believe that this House is going to be in session on Friday of this week for the transaction of any important business. The whip notice so indicates, and I would predict that an effort will be made to adjourn over from Thursday until Monday, and if objection is made, there will be only a short session on Friday with no business of any consequence. Why, then, under such circumstances, especially here at the beginning of a session, can we not give full and complete consideration to legislation which is pending, rather than to try to push it through with Members who might make a worthwhile contribution being denied this privilege?

How long, Mr. Speaker, are we going to continue to operate the House of Representatives for the convenience of Members whose outside interests take precedence over their obligations as Representatives of their constituents to the extent that they feel compelled to be away from Washington from Thursday until Tuesday, thus preventing the efficient and effective operation of the Congress?

HENRY FORD SPEAKS OUT ON TECHNOLOGICAL PROGRESS AND HIGH EMPLOYMENT

Mr. RYAN of Michigan. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. RYAN of Michigan. Mr. Speaker, last week in Detroit there was a meeting of some 20,000—that is right—20,000, scientists, engineers, and manufacturers who came to share their thoughts and experience.

They met in Detroit under the banner of the Society of Automotive Engineers, a group devoted to progress. Its members include not only the top names of the industrial world but also thousands of engineers who are on the firing line of active, competitive, day-to-day business life.

On Wednesday, January 15, 1964, the society was privileged to hear an address made by Mr. Henry Ford II, chairman of the board, Ford Motor Co., in Detroit, Mich.

The response which Henry Ford II received after his speech was as encouraging as the speech itself. Mr. Ford's three-part program for unemployment was as good an answer as anyone could give. Ford argued that technological progress creates jobs, contrary to the views expressed by many who take the opposite view.

He is right; technology does displace some workers, but by making a product cheaper or possible, it creates more jobs than it eliminates. Mr. Ford contends that if people are able to take advantage of the possibilities of technology they must achieve a true equality of employment opportunities.

Finally, Mr. Ford put it up to the Congress. Technological progress comes when an industry can see how money spent on research can produce a dividend for the stockholders. Research is always a long-shot gamble.

If the Government, by confiscatory taxes, makes the payoff too small, industry will not take the chance. And without technological progress the result is—no jobs.

The remarks made by Mr. Ford brought out some well thought out ideas, and I would like to have the Members of this Congress give them their utmost consideration and thorough study. I am happy to have the opportunity to place them into the Congressional Record for I believe they merit our thinking big and being willing to look for radical solutions to rough problems.

The remarks of Mr. Ford follow:

Remarks of Henry Ford II, January 15, 1964

January is a time for assessment, a time to look back to see where we have been in the past 12 months, and to look ahead to see where the next 12 months will take us. This evening, I plan to look ahead, not to see where the future may take us, but to consider what directions we want the future to take.

This is a year, like other years, in which America will arrive at a series of crossroads in the long journey in search of our national destiny. There have been many such crossings in our history. At each, we have made a choice—some for the better, some for the worse. But whatever course we chose, we managed, in the long run, to come out ahead. From weakness, we drew strength. From confusion, we brought about order. From doubt, we forged new confidence.

We Americans have made a habit of success—so much so that we take success for granted and look upon adversity as only a spur to later, greater triumphs.

At the beginning of this new year, our mood of confident optimism is especially strong. Our Nation has come through a great tragedy and emerged with a new President whose competence and leadership are widely acknowledged. Our economy bids fair to resume the pace of longrun growth that has been interrupted in the past few years. The Russian bear has grown a bit tamer, and the prospect for continued peace a bit brighter. It is a good time for Americans, a time that gives us reason for confidence in ourselves and our future.

A generation ago, we were told that the only thing we had to fear was fear itself. Today our danger is the opposite. The only thing we have to fear is that confidence will become overconfidence. It is easy, when things are going well, to assume that all we need do is what we have traditionally done. It is tempting, when the road we are on is so pleasing, to ignore the choices that confront us at each crossing. It is natural, when times are good, to let both our problems and our opportunities slide beyond our grasp.

To be honest with ourselves, there is still much to be done in this country of ours. There are problems—serious ones—to which we must address ourselves before they become even more serious. There are opportunities—great ones—which we must begin to grasp while they are still within our reach. Neither our problems nor our opportunities will yield, unless we cultivate the ability and the courage to question the way things are and to set out boldly on new and unfamiliar roads.

Consider, for example, the current state of American industrial technology—and here I mean not only the way we make things, but the things we make. For generations, our technology has been the most advanced and progressive in the world. It is the basis of our standard of living, of our national security, of our position in the community of nations. We have grown accustomed to thinking of ourselves as the unchallenged masters of the machine age.

Fifteen years ago, such self-confidence was fully justified. The rest of the world came here to learn how to make things better and cheaper and faster. More recently, in industry after industry, we have seen new processes developed abroad and then adopted here. We have seen foreign products challenging our own, even in our domestic market, not only because the foreign products are cheaper but also because they are often better and more advanced.

Signs such as these suggest that we should be asking ourselves some important questions. Do we still have more to teach the world than it has to teach us? Are American contributions to technological advance proportionate to the size and resources of American industry? Has our rapidly growing investment in research and development paid off as it should have in new products and processes for the civilian economy?

While I'm at it, here is another question. Has automotive technology advanced as rapidly in the past as it might have and as it should in the future? The 1964 automobile is a remarkable machine. Compared to the cars we were making even 5 years ago, it's a more efficient, better-performing, more reliable, more durable, more comfortable and safer vehicle. Today's cars are a tribute to the ingenuity of the engineering profession in refining and developing and improving on the established principles of automotive design.

On the other hand, when you think of the enormous progress of science over the last two generations, it's astonishing to realize that there is very little about the basic principles of today's automobiles that would seem strange and unfamiliar to the pioneers of our industry.

I raise these questions not to cry wolf, nor to find fault, but to suggest that we in the United States have a problem, or, if you will, an opportunity—an opportunity to break away from technological traditions and to find really new and better ways of making really new and better products for the markets of the world. The slow and patient work of refining and improving on existing technology will always be important. But what we need even more than the refinement of old ideas is the ability to develop new ideas and put them to work.

Increasing the flow of practical, new ideas in American industrial technology is, itself, a task that will require fresh approaches, not only in industrial management, but also in our universities, in Government, and in the engineering profession.

We must look to our universities to conduct basic research and to train scientists and research engineers in fields which underlie industrial technology as well as in fields which may have more glamour and prestige. Science cannot be bound by practical considerations—but neither can it neglect the needs of society.

Transportation engineering is a case in point. Although transportation accounts for roughly 20 percent of our gross national product, relatively little attention is now given to those branches of science and engineering research that are most closely related to transportation technology. In view of the economic and social importance of fast, efficient transportation, we might well expect much more activity than there now is in these fields.

We must look to industrial management to provide facilities and policies that will stimulate adventurous technological exploration. The development of new technology is a complex process involving the translation of scientific discovery into practical applications—practical not only in an engineering sense, but also in an economic sense.

It is a difficult process because it requires the blending of qualities which are natural enemies—of visions and dreams on the one hand, and of hard commonsense on the other. One of the greatest challenges facing industrial management today is to learn how to create an environment for research which is at the same time free enough to encourage dreams, and disciplined enough to lead to practical results.

To meet this challenge, industry needs a very special breed of engineer. We need engineers who can keep the spark of creative talent glowing while still accepting the discipline imposed by practical considerations. And we need engineers who combine in themselves the varied skills needed to harness science to practical ends.

The engineer stands in the middle of the research and development team. On the one side, he must understand the scientist whose discoveries he draws upon. And, on the other side, he must understand the economist, the cost analyst, and the market researcher who define the economic limits of practicality.

The more the engineer knows of all these disciplines, the better he will do his job and the faster our technology will advance. If all we want is to refine old ideas, then we can make good use of the engineer who is merely a specialist. But if we want big new ideas, then we need engineers who are at home in science and in management as well as in their engineering specialities.

People like this will always be scarce. Our job in industry is to make sure that when we do find them, we use and reward their very special talents appropriately. This is the only way in which we can hope to attract more of them in the future.

No matter what we may do, however, industrial research is always a gamble. If we are content to search for small improvements in old ways of doing things, then the cost may be small and the odds favorable. But if we seek for radical departures from established products and processes, then the cost is high and the odds are long.

The only reason why investors are ever willing to put down the money it takes to achieve a genuine technological breakthrough is the possibility of a return on their investment commensurate with the great risks involved. This is where Government policy may be the determining factor. For two decades, our economy has been operating under high wartime tax rates which greatly reduce the possibility of earning a return on investment big enough to justify really big risks. This, I am convinced, is one of the major reasons why American industry has not been more venturesome in its pursuit of technological progress. The smaller the payout when a long shot wins, the less backing the long shots will have.

The tax reduction bill now before Congress is a first step toward restoring the incentive to invest in technological long shots, in the search for new ideas rather than the refinement of old ones. It is a step that should have been taken years ago, and one that should be followed by longer steps in the same direction in the years ahead.

Let me turn now to some of the other serious problems and great opportunities that confront us in 1964.

Industrial technology exists to serve people, to enable them to work more effectively and more productively and thereby to increase their real income. If, as I think, we are not taking full advantage of the opportunities for technological progress, then we are wasting the work of our people and limiting their ability to earn better and richer lives for themselves and their families.

There are other ways in which our Nation wastes work and limits the standard of living, and one of the worst of them is unemployment.

The fact that we are steadily providing more jobs for our growing labor force is small comfort to those who have no job, for nothing is more demoralizing to the individual than to find that no one wants his work.

Unemployment is dangerous, not only to those it hits directly, but to all of us. It breeds resentment and frustration and fear. It poisons our industrial relations and our politics and strains the fabric of our society. It makes us all poorer, for those who are not working must be supported by those who are.

Unemployment is a serious problem mainly for specific groups of Americans rather than for our labor force as a whole. Among white husbands with families to support, unemployment is close to the irreducible minimum. For them, it is mainly a brief interval between jobs—a normal result of the amount of job changing essential in a healthy and growing economy.

Among other groups—teenagers, Negroes, the unskilled and the undereducated—unemployment is very much higher. For many in these groups, it is a constant threat and when it strikes it often lasts for weeks and months and sometimes, even for years.

The heavy concentration of unemployment among particular groups of Americans suggests that we are really dealing with two different kinds of problems. Beyond the general problem of providing enough jobs for all the people who want to work, we face the specific problems of fitting the people who need work into the jobs that become available.

There are many today who argue that we are not providing enough jobs because we have too much technological progress, too much automation, too rapid displacement of men by machines. There are those who say we will never again have enough work to keep all of our labor force fully and productively employed; indeed, that we will have less and less work for more and more people.

From this point of view, the remedy for unemployment is to make work, to halt the progress of technology, to freeze people in their present jobs whether they are doing useful work or not, to create new jobs artificially by restricting the output of those who are already employed.

This is the most dangerous kind of nonsense. It is nonsense because it is based on the false assumption that technological progress is abolishing the need for work. The rate of unemployment has been too high throughout the past 6 years but, in spite of the rapid growth of our labor force, it has not been increasing. This can only mean that we are creating new jobs substantially faster than we are eliminating old ones. We are not creating new jobs fast enough to close the gap between the level of unemployment we have had in recent years and the level we should have. But neither are we faced with a technological cataclysm that leaves us with more and more of our labor force unemployed.

Any effort to cope with unemployment by making work is dangerous because it can only intensify the problem it seeks to solve. To make work by restricting and limiting progress is to embark on a policy of deliberately cultivating industrial stagnation and inefficiency. In a competitive world, there is no way to protect the markets of stagnant and inefficient enterprises, and without markets there are no jobs.

If we have not had enough jobs in our economy during the past 6 years, the reason is not that we have had too much technological progress, but too little. We get new jobs when technology gives us new products and new industries. We get new jobs when technology expands the market for existing products by showing us how to make them better or more cheaply. Thus, we come back again to the need for new ideas, new processes and new products in American industry.

The automobile industry today provides an excellent example of the relation between technological progress and high employment. Our industry now has very close to total employment, with only a handful of employees on layoff. Ford Motor Co. employment for the last 2 years has been substantially higher than at any time since 1957. Unemployment in Detroit and in Michigan is at its lowest level in years.

These, of course, are the results of booming automobile sales. And the sales, in turn, are in large part the result of technological gains that have made it possible for us to offer our customers substantially better cars at virtually the same prices we were charging 6 years ago. If we can step up our rate of technological advance, we can add still more to our sales and our employment by offering our customers even better value for their money.

Providing a larger total number of jobs is only one of the things we need to do to solve the unemployment problem. Unemployment is too high, not only because we do not have enough jobs, but also because many of the unemployed are poorly qualified by skill and education to fill the jobs that are available.

In an advanced industrial nation, education is the key to employment opportunity, especially for young people who, because they are young, have had no chance to acquire skill through experience. Our country sends more of its young people through high school, college, and graduate school than any other country. But, compared to many other industrial nations, we also have many more of our young people beginning adult life with very little education—far less than they need to find a secure and productive place in our space age economy.

The fact that some 40 percent of our young people fail to complete high school is a serious and well-known problem. But what is far more serious and far less well known is that one youngster out of eight never even gets beyond the eighth grade. As recently as 1959 the Census Bureau counted 145,000 young adult Americans who had never even learned to read or write.

These are the unemployed of the future. Even when they are working, most of them will be employed in the least skilled, least productive, least secure, and lowest paying jobs our economy has to offer. Lack of education contributes even more to the ranks of the underemployed and the lowest paid than it does to the ranks of the unemployed. In 1961, for example, families headed by persons who had not completed elementary school had an average income of little over $3,000, while families headed by high school graduates had an average income of more than $6,000—almost twice as high.

Lack of education will be an even greater handicap in the future than it is today. As our technology advances, and as prevailing minimum wage scales go up, the relative number of unskilled jobs will go down, and the undereducated will face increasing difficulty in making their way.

But the solution to this problem is not to keep the educational and skill requirements of work down to the educational level of our population. The solution is to raise the educational level of our people so that they are capable of handling work that demands less of their muscles and more of their minds. The problem is not just to put the unemployed to work, but to equip both the unemployed and the underemployed for better, more productive jobs—jobs that will permit them to contribute to and to share more fully in the affluence of our society.

The problem of undereducation is not the fault of the schools alone, nor can it be solved by the schools alone. The young people who are receiving the least education today are, for the most part, children of parents who themselves have had little education. Many of them are Negroes or members of other minority groups. Most of them come from poor homes and poor neighborhoods in our big cities and our depressed rural areas.

Low income and lack of education tend to feed upon each other and to perpetuate themselves. Breaking this circle will require changes in family attitudes toward education, in our Government policies and in our employment practices as well as in our schools. Among other things, it will require full equality of employment opportunity, regardless of race or color or national origin. Above all, it will require that we find new and better ways of awakening in young people the desire to stay in school and to profit from it.

Although the schools are only one element in the solution, their role is a crucial one. Today, it is clear that the schools in our poorest communities and neighborhoods are not able to do their job as well as they must. Part of the reason is that many of the schools that have the biggest educational problems also have most limited educational resources. The result is that youngsters who get the least stimulation and encouragement from their homes and families and friends often get the least from their schools, when they need the most.

The time has come for a fresh approach to these problems. Somehow, we must find ways to improve the performance of the schools that serve our least fortunate young people, and to pay the cost of giving these youngsters a better opportunity to improve upon the circumstances in which they were born and raised.

I do not know precisely what this will involve. Certainly, it will require better teachers, more and better guidance and counseling and, frequently, more and better classrooms, books, and school equipment. Certainly, it will require new programs and new approaches to provide the motivation essential for more and better learning. All of this will cost money.

Money alone will not solve the problem, but neither will it be solved without more money. Spending money to help people to help themselves is a far better investment than spending money to relieve the distress of those who are unable to help themselves.

The promise of the American dream is a genuinely equal opportunity to earn a better life. This is essentially what I have been talking about tonight. Technological progress is an important part of that dream, for the advance of technology is the record of man's growing ability to use his God-given intelligence to lighten his labor and to satisfy his needs and his desires.

Technological progress is an important part of the American dream in still another sense. It is the wellspring of the economic growth we need to provide jobs for all those in our increasing population who want to work and to expand the resources available for education and other essential services.

Technological progress, in short, is the key to the opportunity to earn a better life. To fulfill the promise of Ameircan life, we need, in addition, to make that opportunity an equal one. It will not be equal, and we will not be true to our dream, as long as we fail to teach so many of our young people what they need to know to take their place in our advancing technology.

Over the years, as social and economic inequality has diminished in America, we have turned away from political extremism. As more and more Americans share a material stake in the society's well-being, we are becoming a more conservative people—in the best sense of that word. If we can resolve the remaining hard-core problems in our social and economic life—and it's well within our power to do so—we shall have gone a long way toward protecting our free institutions against the danger of political and economic radicalism.

The social and economic problems of our society today—the problem of unemployment, the problem of poverty, the problem of equal opportunity to share in the riches of American life, the problem of faster economic growth, the problem of effective education for life in the space age—all of these are interrelated.

What helps solve one, helps solve all.

The aggregate power and wealth of the society must be employed not to control or dictate the course of the economy or the lives of individual human beings. It must be employed in the cause of freedom. It must be so used as to free men from their enforced dependence on the support of the society. It must be used, not in any attempt to control the Nation's productive resources to achieve predetermined goals, but to liberate further the latent energy and creativity of our people.

Where the remaining deep and vital problems of the Nation require action by the Federal Government, I believe that we, as businessmen, should support such action, so long as we are convinced that the principles underlying it, and the probable effects, as well, are liberating, conducive to freedom and, ultimately, to less direct governmental intervention in social and economic life.

But I do not say: Sit back and let Washington do it.

I say that industry, labor, education—all the dynamic forces in the society—must contribute their full shares to the solution of these problems.

And, gentlemen, for us, that means starting to do a better and more imaginative job in our own shops, so that we may sustain and increase the vitality of a great and creative industry—an industry that carries on its shoulders so great a share of America's resources, and of its hopes for a more abundant life for all its people.

THE 41ST ANNIVERSARY OF THE INDEPENDENCE OF THE UKRAINE

Mr. BECKER. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. BECKER. Mr. Speaker, it saddens me that the 46th anniversary of the Independence of Ukraine, on January 22, finds the Ukraine enslaved behind the Iron Curtain. It is a captive nation today because other nations were not strong enough to understand agreements made with Soviet Russia only bind countries like the United States, but never the Soviets.

I believe a position of firmness, such as I have taken through the years, would have been of far greater advantage to the freedom of the captive nations than the policy of appeasement and so-called negotiation we have been following throughout the years

Zanzibar and Ghana and Laos are more recent victims as well as Cuba. Unless we face up to the fact, become realistic, and realize we must take a firm stand now, it will be too late even to save ourselves.

In my attempts to free the Ukrainians, and other enslaved peoples, I must admit I have a selfish motive—and that is, to retain the freedom for the people of the United States and other free countries. But, whatever my motives are, I believe they are in the best interest of the people of Ukraine and other captive nations.

I pray we will alter our policies, and deal from strength, not in weakness.

THE 44TH ANNIVERSARY OF THE JUNIOR CHAMBER OF COMMERCE

Mr. DORN. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from South Carolina?

There was no objection.

Mr. DORN. Mr. Speaker, this week the Nation is paying homage to one of its greatest, most accomplished, and dedicated national organizations—the junior chamber of commerce. I congratulate and salute the more than 200,000 young men who are this week celebrating their 44th anniversary as a great national organization.

The Jaycees philosophy in the United States is a dynamic, positive philosophy seeking to preserve for unborn generations the same concepts of private enterprise that made this Nation the arsenal of democracy and the hope of all freedom-loving peoples. The Jaycees know that the private enterprise philosophy is positive, modern, and progressive. They believe this proven and tried philosophy, which created out of the most undeveloped continent in the world, the United States of America, is the only philosophy that can save the undeveloped areas of the world from dictatorship, slavery, and poverty.

Mr. Speaker, let us not turn the clock back to the wornout, decadent philosophy of Socialist government; paternalism which was tried in ancient Greece, tried by the Roman Empire, and by countless civilizations in the past and which always failed.

Mr. Speaker, may we in the Congress move the clock forward with these young men of the future who have confidence in the individual and his destiny.

Mr. Speaker, I commend the following to the attention of the Congress, which became the creed of the South Carolina Jaycees when they launched "Operation Free Enterprise":

OPERATION FREE ENTERPRISE

OBJECTIVES

The objective of Operation Free Enterprise is threefold: (1) It is designed primarily as an educational program aimed at the general public to create a better understanding of the many facets of our traditional system of private enterprise; (2) it will provide unlimited opportunities for leadership training among Jaycees; and (3) it can become an effective cold-war weapon against the onslaught of communism and other systems of state control, both in our own Nation and throughout the world.

The program is based on the premise that private enterprise and the responsibilities it demands, and the individual initiative it creates, has been the driving force which has made this Nation strong and wealthy, and has raised us to the highest standard of living enjoyed by any nation in the world.

Before we discard, or even alter too much, the system we now have, let us take note of the fact that the United States of America today has the highest standard of living of any country in the world. Let us also remember the fact that no other country can match ours in the broad diffusion of its living standard to so high a percentage of its people. And let us note further, and more significantly, that our present and past record of outstanding productive achievement—on a scale not even closely approximated anywhere else in the world—was made with an economy that was relatively free of Government planning and domination. All this was attained with a measure of individual economic freedom unmatched by any other country on this globe at any time.

Because our Constitution was created primarily to limit government, the trend of the past 30-odd years toward bigger, more centralized, more bureaucratic government is considered to have adversely affected our free enterprise economy. More important, this trend is considered to have caused a change in the economic philosophy of a great many of our citizens, to the extent that paternalism in government is taken for granted by most people and demanded by a considerable number. These trends can be shown to have a weakening effect upon the morals of our people as the necessity for personal responsibility and individual initiative is gradually removed.

The program is based upon the concepts of (1) limited government at all levels, as envisioned by the Founding Fathers; (2) government by the consent of the majority of the governed with adequate protections for the rights of the minority; (3) government which does not cempete with its private citizens in traditionally private enterprises; (4) government which does not compel its citizens to participate in social welfare experiments which are detrimental to the legitimate interests of even a minority group; (5) government which operates on a sound fiscal basis, operating within its income as any business must, and making a respectable effort to repay debt previously incurred; and (6) government capable of administering all regulations necessary for the protection of its citizens in all areas, including the protection of the right to participate freely in our private economy.

ANNIVERSARY OF THE UKRAINE INDEPENDENCE

Mr. SIBAL. Mr. Speaker, I ask unanimous consent that the gentleman from Ohio [Mr. Bow] may extend his remarks at this point in the Record and include a letter.

The SPEAKER. Is there objection to the request of the gentleman from Connecticut?

There was no objection.

Mr. BOW. Mr. Speaker, it is an honor to join in paying tribute to the brave people of the Ukraine who continue their struggle for independence despite 45 years of Soviet rule.

I hope Americans everywhere will join in observance of this significant anniversary and pledge their support to the aspirations of the enslaved people of the Ukraine.

I ask leave to include with my remarks a letter from Dr. Stephan B. Kurylas, chairman, and Ivan Ivanytzky, secretary, of the Canton, Ohio, branch of the Ukrainian Congress Committee of America, Inc. I am proud to know these men and to support them in their devotion to the cause of liberty for the Ukraine.

The letter follows:

UKRAINIAN CONGRESS
COMMITTEE OF AMERICA, INC.,
CANTON, OHIO, BRANCH,
January 17, 1964.

The Honorable FRANK T. BOW,
U.S. House of Representatives,
Washington, D.C.

DEAR SIR: January 22, 1964, will mark the 46th anniversary of the proclamation of independence of the Ukrainian National Republic, which took place on January 22, 1918, in Kiev, and the 45th anniversary of the proclamation of the Act of Union on January 22, 1919, whereby Western Ukraine united with the Ukrainian people.

Although the young Ukrainian republic was recognized by a number of states, including the Government of Soviet Russia, it was attacked by the Communist forces of Soviet Russia. For almost 3½ years the Ukrainian people, deprived of any help and assistance from abroad, valiantly defended their independence and sovereignty in a defensive war against Communist Russia, but by 1920 this gallant struggle of the Ukrainian nation came to a tragic end, and Ukraine was reconquered by Communist Russia.

During the subsequent four decades of Russian Communist enslavement, the Ukrainian people never accepted the Communist yoke imposed by Moscow and have continued to wage an unequal struggle for their freedom and national independence. Through a series of bloody and heroic uprisings, active and passive resistance, and large-scale underground warfare against Communist Russia during World War II and after, the Ukrainian people have demonstrated their love of freedom and their opposition to alien slavery and oppression.

The U.S. Congress and the President of the United States of America have recognized the legitimate right of the Ukrainian people to freedom and national independence by respectively enacting and signing the "Captive Nations Week Resolution" in July 1959, which enumerated Ukraine as one of the captive nations enslaved and dominated by Communist Russia. During the debate on colonialism at the U.N. General Assembly in 1960 and 1961, a number of Western statesmen, including the representatives of the United States, Canada, Great Britain, and the Republic of China, raised their voices in protest against the persecution and enslavement of the Ukrainian people by Communist Russia.

Americans of Ukrainian descent in this city are planning to observe the forthcoming 46th anniversary of Ukrainian Independence on February 2, 1964, in a fitting and solemn manner. We firmly believe that you are fully aware of the importance of Ukraine as an ally in the common struggle against Russian Communist imperialism and aggression.

We sincerely hope that you, sir, fully understand the significance of this observance of Ukraine's independence anniversary and will issue an appropriate proclamation on or about January 22, 1964, in solidarity with the plight and struggle of the Ukrainian people for their freedom and national independence.

Respectfully yours,
DR. STEPHAN B. KURYLAS,
Chairman.
IVAN IVANYTZKY,
Secretary.

THE LATE GOVERNOR GEORGE DOCKING, OF KANSAS

Mr. SIBAL. Mr. Speaker, I ask unanimous consent that the gentleman from Kansas [Mr. SHRIVER] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Connecticut?

There was no objection.

Mr. SHRIVER. Mr. Speaker, it was with deep personal regret that I read yesterday of the sudden passing of George Docking in a Kansas City, Mo., hospital. At the time of his death, Governor Docking was serving his Nation with distinction as a director of the Export-Import Bank. He had previously served the State of Kansas as Governor.

It was my privilege to serve in the Kansas Legislature during the 4 years of the Docking administration. Although our political philosophies were different, George Docking won the respect and cooperation of legislators on both sides of the aisle.

I join with my colleagues in the House of Representatives in conveying my sympathy to Mrs. Docking, her two sons, and their families. We pray that God will bless them and comfort them during this time of great sorrow. Kansas and the Nation have lost a dedicated public servant.

FORTY-SIXTH ANNIVERSARY OF UKRAINE PROCLAMATION OF INDEPENDENCE

Mr. SIBAL. Mr. Speaker, I ask unanimous consent that the gentleman from North Dakota [Mr. SHORT] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Connecticut?

There was no objection.

Mr. SHORT. Mr. Speaker, I would not want this day to pass without bringing to the attention of the House of Representatives the fact that this day is a very important anniversary to the Ukrainian peoples, both those who are still enslaved by the Soviet Union, and those who enjoy the liberties and blessings of this republican form of government in the United States.

Our past President, Dwight D. Eisenhower, once made some comments about freedom which I feel are worth repeating, and I quote:

> Suffocation of human freedom among a once-free people, however quietly and peacefully accomplished, is more far reaching in its implications and its effects on their future than the destruction of their homes, industrial centers and transportation facilities.
>
> Out of rubble heaps, willing hands can rebuild a better city; but out of freedom lost can stem only generations of hate and bitter struggle and brutal oppression.

These comments—to me—exemplify what has happened to the once-free Ukrainians. Not one of us who has any knowledge of history, and the struggle in our own country for freedom, can blame the Ukrainians for commemorating each year the anniversary of their proclamation of independence. This is the 46th year. They are still enslaved. At this moment, I am sure not one has any assurance that they will successfully regain their freedom, as a nation. They are to be commended, admired, and respected for continuing their battle for freedom from the forum provided them in this country.

Today I would like to add to my remarks a copy of the press release drawn up by the Ukrainian Congress Committee of America, Inc., State branch of North Dakota. I would like to draw attention to the fact that a radio program to be beamed from Bismarck, Minot, and Dickinson, N. Dak. on Sunday, January 26, will be broadcast for 30 minutes by this same North Dakota branch, as a manifestation of their belief in American ideals and freedom from tyranny for all people.

I also would like permission to include with these remarks, a copy of a letter I have received from Dr. Anthony Zukowsky, president of the State branch of North Dakota Ukrainian Congress Committee of America, Inc. This letter expresses far better than I can express the history and feelings of these proud descendants of the once-free Ukraine.

JANUARY 22 IS UKRAINIAN DAY

For many years now the 22d of January has been proclaimed and celebrated in our American cities and States from coast to coast as Ukrainian Day.

It is the day when all Americans join their fellow citizens of Ukrainian descent in marking the anniversary of the renewal of the independence of Ukraine which was solemnly proclaimed by the Ukrainian Parliament on January 22, 1918, in the capital of the Ukraine, Kiev.

Moreover, the 22d of January 1964, is a double anniversary for Ukraine, and the rest of the world to which the fate of Ukraine is today more than ever of crucial importance.

For on January 22, 1964, 45 years will have elapsed since that day in 1919 when the unification of all Ukrainian territories in one independent Ukrainian state was solemnly proclaimed by another act of the Ukrainian Parliament in the capital city of Kiev.

January 22, 1964, will therefore be Ukrainian Independence Day.

It should be recalled that the independence and sovereignty of Ukraine were recognized by a number of states, including Soviet Russia. But the latter attacked Ukraine both by direct military aggression and by subversion and infiltration from within. After almost 3½ years of bloody and heroic struggle, Ukraine, deprived of all military, economic, and diplomatic assistance from the Western World, succumbed to the numerically superior forces of Communist Russia.

For the past four and a half decades Ukraine has remained under the Communist yoke of Moscow, but it never has surrendered the spirit of freedom, nor has it given up the hope of regaining its full national independence.

During the period of enslavement the Ukrainian people have demonstrated their love of freedom and independence by a series of uprisings and large-scale resistance movements such as the underground warfare of the Ukrainian insurgent army (UPA) in World War II and after it.

The Ukrainians paid a high price in this struggle for freedom, and Moscow has tried every way to destroy the spirit of the Ukrainian people, by persecuting the Ukrainian churches, arresting Ukrainian leaders and clergy, by forced collectivization, mass deportations, executions, inhuman and cruel genocide, and many other inhuman methods. Khrushchev, himself, confessed at the 20th Congress of the Communist Party that Stalin planned the total annihilation of the Ukrainian people for their resistance to Russian communism.

Both the U.S. Congress and the President of the United States of America have recognized the plight of the Ukrainian people by enacting and signing the Captive Nations Week resolution, which listed Ukraine as one of the captive nations enslaved by Communist Russia and entitled to full freedom and national independence.

Americans of Ukrainian descent in our great State of North Dakota are planning to observe this memorable event with appropriate ceremonies. Our national organization, the Ukrainian Congress Committee of America, which has State branches and local branches in our State, is now in the process of building a statue of Taras Shevchenko in Washington, D.C., in honor of the 150th anniversary of his birthday. Taras Shevchenko was an outstanding Ukrainian poet and freedom fighter and an ardent advocate of such political systems for Ukraine as the one established in the United States by George Washington.

The closeness of the Communist threat now in Cuba makes us realize much better the events of four decades in Ukraine and all the events since. It also makes us appreciate much more the unbroken spirit of freedom and the everlasting faith of the Ukrainian people.

And it is in the common spirit of liberty, faith, and justice that the American people join the Ukrainians all over the world in celebrating the anniversary of independence and reunification of Ukraine.

Special church services will be held in Belfield and Wilton, rallies and radio programs will be held on Sunday, January 26.

UKRAINIAN CONGRESS COMMITTEE
OF AMERICA, INC.,
STATE BRANCH OF NORTH DAKOTA.

UKRAINAIN CONGRESS COMMITTEE
OF AMERICA, INC., STATE BRANCH
OF NORTH DAKOTA,
Bismarck, N. Dak., January 8, 1964.

Hon. DON L. SHORT,
House Office Building,
Washington, D.C.

DEAR CONGRESSMAN SHORT: On January 22, 1964, Americans of Ukrainian descent will observe the 46th anniversary of the proclamation of independence of Ukraine, which occurred on January 22, 1918, in Kiev, the capital of Ukraine and the 45th anniversary of the proclamation of the Act of Union on January 22, 1919, whereby Western Ukraine (Galicia, Bukovina and Karpatho-Ukraine) united with the Ukrainian National Republic into one, sovereign and independent Republic of the Ukrainian people. This day was a culmination of the aspirations of the Ukrainian nation, which after two and a half centuries of foreign oppression, regained its freedom and national independence. It should be recalled that the independence and sovereignty of Ukraine were recognized by a number of states including Soviet Russia. But the latter attacked Ukraine both by direct military aggression and by subversion and infiltration from within. After almost 3½ years of bloody and heroic struggle, Ukraine, deprived of all military, economic and diplomatic assistance by the Western World, succumbed to the numerically superior forces of Communist Russia.

For the past 4½ decades Ukraine has remained under the Communist yoke of Moscow but it never has surrendered the spirit of freedom nor has it given up the hope for regaining its full freedom and national independence. During the period of enslavement the Ukrainian people have demonstrated their love of freedom and independence by a series of uprisings and large-scale resistance movements such as the underground warfare of the Ukrainian insurgent army (UPA) in World War II and after it. The Ukrainians paid a high price in this struggle for freedom, as they were decimated by a man-made famine, ruthless deportations and executions. Khrushchev himself confessed at the 20th Congress of the Communist Party in February 1956, that Stalin planned the total annihilation of the Ukrainian people for their resistance to Russian communism.

Both the U.S. Congress and the President of the United States of America have recognized the plight of the Ukrainian people by respectively enacting and signing the Captive Nations Week resolution which listed Ukraine as one of the captive nations enslaved by Communist Russia and entitled to full freedom and national independence.

Americans of Ukrainian descent in our great State of North Dakota are planning to observe this memorable event—the 46th anniversary of Ukraine's independence—with appropriate ceremonies. Our national organization, the Ukrainian Congress Committee of America, which has a state branch in our State, is now in the process of building a statue of Taras Shevchenko in Washington, D.C., in honor of the 150th anniversary of his birthday. Taras Shevchenko was an outstanding Ukrainian poet and a freedom fighter and an ardent advocate of such a political system for Ukraine as the one established in the United States by George Washington.

Therefore the 46th anniversary of the proclamation of independence of Ukraine and the 45th anniversary of the Act of Union of all Ukrainian lands into one sovereign and independent state of Ukrainian people, provides an appropriate occasion for the American people and the U.S. Government to demonstrate their sympathy with and understanding of the aspirations of the Ukrainian nation to freedom and independence.

We especially request that the U.S. Government issue a Shevchenko "champion of liberty" stamp in honor of this outstanding freedom fighter, as the first sign of support to the Ukrainian people, and to remove any and all obstacles in the way of erecting the statue of Taras Shevchenko in Washington, D.C., in accordance with Public Law 86-749.

Respectfully yours,

Dr. ANTHONY ZUKOWSKY,
President, UCCA, State Branch of North Dakota.

WHERE TO AFTER 1972?

Mr. SIBAL. Mr. Speaker, I ask unanimous consent that the gentleman from Iowa [Mr. SCHWENGEL] may extend his remarks and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Connecticut?

There was no objection.

Mr. SCHWENGEL. Mr. Speaker, on Tuesday night, it was my privilege to be the guest of the National Limestone Institute, Inc., at the reception and dinner scheduled each year as a highlight of the annual convention of this well-known organization.

Mr. Robert M. Koch, president, and his executive committee, always do a wonderful job in getting Members of Congress together with active members of the Institute from their home districts. The hospitality is the best and the programs are always worthwhile.

I was especially impressed this year with the awards which were made to two leaders of note: Maj. Gen. (retired) Louis W. Prentiss, executive vice president of the American Road Builders' Association who was presented the Distinguished Service Award for his many contributions to our national highway program, and Mr. E. A. Cleavinger, a Kansas soil scientist, who received the Distinguished Service Award for his outstanding contributions to American agriculture. I commend the National Limestone Institute for its selection of individuals to receive these awards.

Addressing the dinner this year was my able colleague from Iowa, the Honorable JACK MILLER, who made some thoughtful observations on what we might expect in the Nation's highway program after the present Interstate Highway program expires in 1972. Senator MILLER's remarks, "Where to after 1972" bear reading by every Member of Congress who is interested in seeing that we have a sound highway program which not only meets the needs but anticipates some of them. I commend this address to all who read the CONGRESSIONAL RECORD.

Under leave to extend my remarks, I ask that it appear at this point.

WHERE TO AFTER '72?

Members of the National Limestone Institute, Governor Morrison, my colleagues in the Congress, ladies and gentlemen—and my old colleagues in the IRS. It is always intriguing to be asked to forecast the future. One can make an estimate, and if the estimate turns out to be reasonably accurate, his reputation for genius is assured. If the estimate misses the mark, one can nevertheless preserve his reputation by pointing out certain unforeseeable events which quite understandably threw the estimate off. Those of us who have arrived at a fishing camp the day after the big ones were hitting, and left the day before they started hitting again, are familiar with explanations of unforeseeable events—such as the weather, a fresh hatch of bugs, sore mouths of the big ones, rough water, and the like. Of course, if the forecast is far enough into the future, the forecaster can feel safe because he won't be around to receive the epithets or accolades, as the case may be, so why worry?

But we do have forecasters who worry—not about their reputation but about their country. In the military we call them long-range, stategic planners. They have to be right. They have to take into account the unforeseeable through contingency plans so that if the unforeseeable happens, the country's security is maintained. It is a deadly serious business. The future of the free world is in their hands.

I have had the opportunity to participate in some of this longrange strategic planning—both during World War II and subsequently; to work on plans and contingency plans, to evaluate future developments—extending 5, 10, and 20 years into the future. All of us in Congress do a certain amount of longrange planning—not only in evaluating requests for authorizations and appropriations for the Department of Defense, for the Atomic Energy Commission, and for the National Aeronautics and Space Agency, but in other areas as well—education, social welfare, agriculture, natural resource development, and public works, to name only a few. The military, economic, technological, and social security of our Nation are all at stake. I have found my military experience in longrange strategic planning particularly helpful in this phase of my work in Congress. And if I were to make any criticism of the work we do, it would be that we are still too prone to consider only the problems of the moment without due regard to the future problems which will be created by our solutions of today's problems. For example, our serious balance-of-payments deficit and outflow of gold problems might have been avoided if several years ago they had been taken into account in developing solutions to problems of military assistance, foreign aid, taxation, and labor-management relations.

In short, laws with a good purpose can be bad laws—at least in their long-range effect. President Theodore Roosevelt once said: "It is difficult to make our material condition better by the best laws, but it is easy to ruin it by bad laws."

Businessmen have to do long-range planning too. They must foresee market trends and developments, production requirements, personnel needs, and—especially in your field—activities of the Federal, State, and local governments. Roadbuilders, road equipment and materials suppliers, and automative manufacturers are today asking: "Where to after 72?" And they are developing plans based on their forecasts in answering this question.

It seems almost incredible that only 7 years ago the 41,000-mile interstate highway program began; that today it is more than one-third completed, with another one-third in various stages of completion, and the balance in the blueprint stage—scheduled for completion only 8 years from now, in 1972. Until last year, design specifications were required to only meet traffic flows through 1975; but Congress changed this to require that designs be geared to traffic flows 20 years from the date of the design, so that highways being designed today are calculated to meet the traffic needs of 1984. By that time, over 120 million registered vehicles will be traveling 1.3 trillion vehicle miles—roughly 50 percent more vehicles going 66 percent more miles than today. Our population will have increased from over 190 million today to nearly 260 million.

Not only will the interstate long since have been completed, but it can be expected that the 50-50 Federal-State A-B-C road program will have been continued, with its 800,000 miles of primary and secondary roads being both improved and added to. Industries, residential areas, and entire new communities can be expected to grow up along the way.

Our cities and towns do not have room to accommodate such a huge increase in population and the housing it will require. The president of the Mortgage Bankers Association of America forecast just yesterday that 19 million new housing units will be built in just the next 10 years. So millions of people will have to locate in the growing suburbia, and many of them will even be able to locate in what is now considered rural America, from which rapid rail and highway transportation will enable them to commute to their jobs. Thousands of additional miles of freeways will be needed, because already the urban mileage of present freeways is operating at 90 percent of practical capacity. So we can expect a follow-on program of more freeways after completion of the interstate.

It is also possible that there will be a Federal program of matching funds with the States covering maintenance of the Interstate System if the States fail to handle this problem—not much now, but very expensive later on—in a satisfactory manner.

According to a recent Automobile Manufacturers Association study, freeway systems in our large urban areas will occupy not over 3 percent of the area's land, but will carry half of all motor traffic. Local streets will occupy up to one-third of the area's land and will carry the other half.

No matter how well new roads are built, there comes a time when the traffic flow is beyond their capacity. Until now, the answer has been to merely add more roads or build bigger ones—usually with little coordinated planning with overall community development. We have, so to speak, superimposed road systems on existing population centers. It has been horribly expensive. Now, belatedly, we are giving attention to metropolitan and areawide planning as a means of minimizing or eliminating duplicated or unnecessary costs and effort in our road programs. Bills are pending in Congress which would make such coordinated planning mandatory in connection with programs directed by the Federal Government. One, S. 855, was reported out favorably by the Government Operations Committee, of which I am a member, just today. Originally recommended by the Advisory Commission on Intergovernmental Relations, it would require any local application under a Federal program to be accompanied by appropriate comments from the local metropolitan or areawide planning agency so that the reviewing authority in Washington can determine whether or not the Federal project—housing, airport, urban renewal, bridge, or road—will meet future as well as present requirements.

But even this planning coordination has its limitations. What do you do when there has been good planning and fine roadbuilding, but the traffic density is such that public safety and convenience still cry out for relief? We have such conditions in some areas today—including the Washington metropolitan area.

One answer is to decentralize industries and Federal Government buildings and activities. Such a policy is now supposed to guide the Federal Government, but it has not been followed very well. Another answer is to require housing developments to be approved by an area planning or traffic agency, so that people to be housed will not buy a home or rent an apartment only to find that they cannot get to their jobs within a reasonable time due to the congestion on local roads and highways.

Recently a clergyman in a county adjoining Washington asked his congregation to write letters to the county commissioners. With tears in his eyes, he said that these officials had become so hungry to add population notches to their belts to show what a growing area theirs is that they were approving apartment construction while looking the other way when it comes to improving traffic arteries to carry the increased traffic load. His sermon blamed such a shortsighted policy for the deaths of two children on a congested road within the past week. But no action has been forthcoming; more apartments are going up and the roads are still the same.

Local governments, through their zoning powers, probably can take action if they would. The trouble is that many of them are subject to control by special interest groups. In the years ahead, it may be necessary for the Federal Government, in the case of federally directed programs, to require agreements with local governments to insure that the traffic capacity of freeways will not be exceeded as a result of the location of housing developments or industrial complexes; to insure, in other words, that there will be a safe balance between population density and transportation.

Another answer is to tackle the density problem itself by improved electronic traffic control devices. Actually there are pilot projects underway today in Detroit, Toronto, New York, and St. Louis, using television, radar, electronic computers, and ultrasonic sensors. But they have their limitations.

In addition to more freeways after 1972 and the continued improvement of existing highways, two other areas of need are clear. One, parking. Improvements in this area have not kept pace with improvements in highways. The fact that traffic capacity has not been reached on most freeways does not mean that the commuter or shopper can therefore find adequate, convenient parking. More, much more, planning and coordination by local government agencies will be needed. And it is entirely possible that a federally directed program for parking will eventually emerge after the Interstate System is completed.

Another area of need—more and better highways for access to outdoor recreational areas. There are narrow acreage limits for most metropolitan areas to acquire and develop to meet the recreation demands of their citizens. Millions of these people will have automobiles or access to public transportation; and more and better, faster roads to parks, golf courses, lakes, streams, and forests must be built to enable people to use them. Meanwhile, Federal roads will continue to be constructed in our national parks and forests.

So, after 1972, I believe our national appetite, which will have been whetted by the Interstate, will be far from satisfied, and that the emphasis through the 1980's will be on freeways, parking facilities, and access to outdoor recreation. After that will come improved mass access to areas in Alaska, Canada and Latin America.

Not to be overlooked is the economic impact of our road programs. According to the Department of Commerce, for each $1 billion of highway construction, there will be 1 year of onsite employment for 48,000 men; and offsite employment of at least the same number. It is estimated by the Bureau of Public Roads that the annual level of expenditures for roads and highways by all levels of government will be in excess of $15 billion by 1970. Of equal importance to the employment potential is the fact that this activity of Government promotes commerce, safety, and economic growth of a lasting character.

Looking far into the future, it is, of course, reasonable to expect special freeways permitting the use of vehicles equipped with electronic guidance systems—quite possibly vehicles moving on a cushion of air at speeds of 150–200 miles per hour, rather than on wheels and pneumatic tires. Such systems would be expensive, but they are in the experimental stage today.

I believe we can look forward to new cities and towns being built—superimposed on efficient and safe road and highway networks, rather than the other way around—as it has been previously.

However, during the 20th century, I do not think we should expect our present system of automotive-highway transportation to be replaced with something new and revolutionary. Improvements—more safety devices built into both roads and vehicles—yes. In fact, I would expect that there will be something revolutionary in automobiles (such as the air cushion vehicle) before we have something greatly different in superhighways.

These are what I see in my crystal ball after 1972. I think I see something else too. Taxes to pay for all of these things. It won't be the Federal, State, or local government that will pay for them. It will be you. So even if you don't agree with my predictions, I hope you have enjoyed them. They haven't cost you any money—yet.

THE 46TH ANNIVERSARY OF THE INDEPENDENCE OF THE UKRAINE

Mr. SIBAL. Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. OSTERTAG] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Connecticut?

There was no objection.

Mr. OSTERTAG. Mr. Speaker, today marks the 46th anniversary of the independence of the Ukraine and I wish to take this opportunity to give special attention to this event. The 45 million people of the Ukraine were among the first victims of Soviet Russia's imperialistic oppression and today represent the largest captive nation of the Soviet Union.

The Ukrainians established a free and independent nation on January 22, 1918, but they did not enjoy their precious freedom for long. Only 2 years later the army of Communist Russia overran the Ukraine and brought it under the tyranny and oppression of a totalitarian government.

Nevertheless, the Ukrainians have never relinquished their desire for freedom and independence. Their strong nationalism has forced the Soviet Union to endeavor to satisfy this desire by classifying the Ukraine as a separate nation within the U.S.S.R. This is complete sham for propaganda and political purposes, however; the Ukraine remains a captive nation.

Today we hear more and more reports that the Soviet Union is encountering increasing difficulties in the application of its misguided economic and political principles. Those of us who believe in freedom of choice for all peoples must continue to pledge our support for the aspirations of the people of the Ukraine and all other subjugated lands. We salute those patriots here and in the Ukraine who continue to hold high the torch for liberty and freedom.

UKRAINE INDEPENDENCE

Mr. SIBAL. Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. RIEHLMAN] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Connecticut?

There was no objection.

Mr. RIEHLMAN. Mr. Speaker, today marks the 46th anniversary of the independence of Ukraine.

Unfortunately, the 45 million persons in that subjugated country will not be able to celebrate because they are captives of Russia.

The Ukraine is one of the most powerful forces of patriotic nationalism in the U.S.S.R. In its constant and glorious fight for independence from Russia, it has forced Moscow to resort to unusual tactics.

Moscow, in its propaganda, refers to the Ukraine as an "independent" and "free" nation within the "federal" framework of the U.S.S.R.

Such a masquerade must be apparent to all the countries of the free world. It is part of the master plan of Russia to illustrate to the world that it is indeed paternalistic in its attitude toward enslaved people.

We in the West must give encouragement to this little nation because we were not strong enough or not farseeing enough to help it retain independence in 1918–20.

We can help ourselves, and the cause of freedom everywhere, by paying homage to this long-suffering country today.

In fact, we should intensify our efforts by deed and word to bring some hopeful feeling to the distressed people behind the Iron Curtain who would once again like to savor the joys of freedom.

WOOL IMPORTS

Mr. SIBAL. Mr. Speaker, I ask unanimous consent that the gentleman from New Hampshire [Mr. CLEVELAND] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Connecticut?

There was no objection.

Mr. CLEVELAND. Mr. Speaker, while the President plans a campaign against poverty, he should not ignore the plight of the wool industry. The best way to attack poverty is to prevent it. In New Hampshire thousands of jobs are threatened by woolen imports. Despite repeated promises of aid, the wool textile industry has received no relief. During the past year I have, on at least 35 occasions, spoken out or acted in behalf of the wool manufacturing industry.

Yesterday I appeared before the U.S. Tariff Commission which is considering the matter of tariffs on wool manufactures. Because of the importance of this issue to the economy of New Hampshire and to the Nation, I enclose my statement at this point in the RECORD:

Mr. Chairman, in my district, the Second Congressional District of New Hampshire, several thousand people are employed by the woolen textile manufacturing industry. These people are now threatened with the loss of their jobs by increasing wool imports. The economies of whole communities are at stake. Since 1961, there have been repeated promises by the administration to help protect these jobs by placing quantitative restrictions—similar to those arranged for the cotton industry—on wool imports. It seems unbelievable that these solemn promises and commitments have not been kept.

The wool textile situation remains extremely critical and is of major importance to New England. Facts and figures have been supplied to you by distinguished leaders of the wool manufacturing industry, such as George A. Dorr, Jr., chairman of the Northern Textile Association, of Newport, N.H. As Mr. Dorr pointed out in his excellent statement to you dated January 10, 1964, "If the rate of increase of imports of wool products continues at the same pace as during the past 4 years, the wool textile industry in the United States would disappear by 1968. Tariff rates which were intended to equalize production costs between European manufactures and American textile manufactures have proved wholly inadequate during the last decade to accomplish that result." Mr. Dorr further pointed out that "Employment in textile mills has declined by over 350,000 jobs or approximately 29 percent between 1947 and 1963—942 textile mills employing 253,000 workers have been liquidated since 1947. These declines have resulted in chronic unemployment concentrated in areas along the Atlantic seaboard in numerous cities and towns where textile mills constitute the sole or principal source of employment. Fifteen million people are dependent for a living on the textile and related industries."

For these reasons and in view of the stated objectives of this administration in warring on poverty and unemployment, any further reduction of the tariffs on wool imports by any agency of the Federal Government would be, in my opinion, a gross breach of faith. Any reduction in tariffs would make a bad situation worse.

Although my remarks have been addressed in particular to the problem of wool manufacturers, I should point out that my opposition is to any reduction of tariffs on textiles. I concur in the statements of Mr. Dorr and Mr. William F. Sullivan, president of the Northern Textile Association, insofar as they also protest against any reduction of tariffs on textiles and textile products.

The cotton textile arrangement is working fairly well. There is a general consensus that trade in wool products should also be handled by a separate international agreement providing quotas. If this cannot be accomplished by international agreement, as it has been for cotton, then I would recommend unilateral action by the United States under the authority of section 232 of the Trade Expansion Act. Hopefully, the progress that has been made for cotton will soon be matched in regard to wool textiles and products. Hopefully, promises by an American Government to American people will be kept. The entire matter should be reserved from the Kennedy round of tariff discussions and should be handled on a quantitative restriction basis by country and by category on all textile imports.

In conclusion, Mr. Chairman, I wish to affirm my concurrence with Mr. Dorr's excellent statement and to urge this Commission not to reduce tariffs on textiles generally and wool manufactures in particular. Such an action at this time would be ruinous. The textile program, as announced by this administration, is and should be distinct and separate from the GATT negotiations. The program should be carried out in accordance with the terms and promises of the administration. I urge this Commission to so recommend and to so act. At stake is an industry of importance and concern not only to whole communities, but to our national economy. Also at stake is the fundamental question of whether or not people can trust their own government to keep its word. I beg of you not to break faith with people whose welfare and trust our government and its agencies are designed to protect, foster, and serve.

FURTHER ENCOURAGEMENT AND TAX RECOGNITION FOR THOSE WHO INVEST IN EDUCATION

Mr. SIBAL. Mr. Speaker, I ask unanimous consent that the gentleman from Michigan [Mr. GRIFFIN] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Connecticut?

There was no objection.

Mr. GRIFFIN. Mr. Speaker, earlier in this 88th Congress, on September 24, 1963, I introduced a bill, H.R. 8539, designed to provide further encouragement and tax recognition for those who invest in education.

The bill calls for a tax credit—not a new deduction but a direct tax credit—which would be applicable in two areas. First, the bill would allow a credit of up to $300 per year to a taxpayer for each dependent on whose behalf he pays college tuition and fees. Second, the bill would further encourage the direct giving of private gifts to colleges and universities by allowing a tax credit of up to $100 per individual taxpayer, and up to $5,000 for each corporation, for gifts made during a tax year.

Mr. Speaker, I have long been convinced that the genius of our Nation's educational system—the wellspring from which its vitality stems—lies in its diversity. Our educational system is diversified not only in teaching methods, but in philosophy, in curriculum, and in the composition of its varied student bodies.

This diversity in our educational system has contributed greatly to the preservation of our pluralistic society. Indeed, it has played an essential role in the constant battle against mounting pressures toward conformity and centralization.

Although there are great and important differences among America's colleges and universities, at the same time, they share some common problems. For example, they are caught up in the pressures of rising costs at every turn. I believe that the public is generally aware of this problem and is sympathetic toward it. The extent of public interest is amply demonstrated by the many bills which are introduced in Congress each year proposing various forms of Federal aid to schools from the primary grades through the graduate level.

Too many of the bills which are dropped in the congressional hopper to aid education at its various levels call for new grants of funds to be handed out by the Federal bureaucracy. The outlook for action on such legislation is always overshadowed by controversy about the church-state relationship as well as the specter of Federal control of education. These concerns cannot be ignored by the realistic legislator who sincerely seeks practical and possible solutions for problems confronting education.

I believe that our tax system offers a vehicle which appropriately can be utilized to provide a greater measure of recognition and encouragement for those who invest in education—whether the education is furnished through our public or private or church-related schools. Every accredited school serves a valid and essential public purpose, and there is an urgent need for more equitable tax treatment among those who bear the heavy costs involved.

The bill I have introduced offers simplicity of administration and it avoids governmental controls. A tax credit would apply with respect to gifts made directly to the college or university of the taxpayer's choice. The funds would not pass through a governmental agency. Handled in this way, each institution would be free to use the private funds it receives for those educational purposes which are most important to its own needs and purposes.

In the same manner, a tax credit would be available with respect to payments made to a college or university for student tuition and fees. Again, the funds would not be channeled through a Federal bureau.

I am confident that such a tax credit in combination with the existing national student loan program—which I was proud to cosponsor in 1958—could make that extra bit of difference for many families of limited means. It would open the door of opportunity for many talented sons and daughters who might not otherwise be able to go to college.

Mr. Speaker, the use of tax relief and tax incentives as an avenue for assisting education has many advantages and is highly preferable, in many respects, to the outright disbursement of Federal grants. This avenue should be more fully explored by the Congress, because, in my opinion, it is the way which holds the greatest hope and promise for meaningful progress in the continuing struggle to find additional financial support for our educational system.

Like a number of other bills introduced in the House, my bill embodies a principle which is now the subject of a proposed amendment to the administration tax bill pending in the Senate. Unfortunately, when the same tax bill came before the House, it was brought up under a closed, or gag, rule which permitted no amendments to be considered.

I continue to believe strongly that a reduction in the level of Federal revenue should be accompanied by a responsible and determined effort to hold the line on Federal spending. I am also convinced that tax relief such as that proposed in my bill, and in the amendment pending in the Senate, is the kind of tax relief that we need and can afford.

UKRAINE INDEPENDENCE ANNIVERSARY

Mr. SIBAL. Mr. Speaker, I ask unanimous consent that the gentleman from Minnesota [Mr. QUIE] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Connecticut?

There was no objection.

Mr. QUIE. Mr. Speaker, today, January 22, marks the 46th anniversary of the independence of Ukraine. It is well that Americans should recognize and honor Ukrainian independence, for the Ukrainian people have spent centuries battling for that independence and after it was gained 46 years ago today, it was again quickly lost in fact, though not in spirit.

It was in the midst of a bloodbath that the Ukraine lost its newly found independence. Barely had that nation of 45 million people gained independence, when it was again lost to the colonialism of the Soviet Russian revolution. The freedom of the Ukraine was lost while Western hands were idle to help that nation in its defense.

Though held under Communist oppression, the people of the Ukraine have shown their independent patriotism and their desire for freedom. The Ukraine has continued its internal battle for independence and by doing so has forced Moscow to resort to masquerading this captive nation as independent and free.

Today the Ukraine is not free. It is held in the bondage of Soviet communism, along with others of its sister, captive nations. But the indications are strong that behind the Iron Curtain, the people of the Ukraine desire freedom, not as a masquerade but in the real and tangible way experienced for just a few brief days in the second decade of this century.

Therefore, let us pause for a moment to pay honor to the desire of Ukrainians for freedom; a desire which has been alive under the harshest of oppression for half of this century.

Let us hope that before this century ends—in the time which delayed justice dictates—that the Ukrainians may again call themselves free and may observe a day in memory of lasting, unconditional freedom.

JACK RUBY TRIP TO CUBA REVEALED

Mr. SIBAL. Mr. Speaker, I ask unanimous consent that the gentleman from Florida [Mr. CRAMER] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Connecticut?

There was no objection.

Mr. CRAMER. Mr. Speaker, an Associated Press dispatch from Dallas, Tex., reported in the St. Louis Globe-Democrat dated January 21, 1964, carries the story of Jack Ruby's trip to Cuba in 1959 and other related facts as brought out in testimony at the Ruby hearings in Dallas.

Knowing of the interest of the Members in this subject matter, I include the article in the RECORD at this point.

JACK RUBY TRIP TO CUBA REVEALED—TRIED TO SELL JEEPS TO CASTRO IN 1959—OSWALD'S KILLER MENTALLY ILL, DEFENSE ASSERTS

DALLAS.—A psychiatrist described Jack Ruby Monday as a man wound up "to attack, to fight"—and one who did not understand what he was doing when he killed Lee Harvey Oswald, accused assassin of President Kennedy.

Cross-examination brought testimony that Ruby had a Russian father and made a trip to Cuba in 1959 to try to sell jeeps.

The description of Ruby was by Dr. Walter Bromberg, clinical director of Pinewood Psychiatric Hospital in Westchester County, N.Y. He testified for the defense in its effort to have Ruby freed on bond while awaiting trial on a charge of murder with malice for shooting Oswald.

1959 TRIP

In cross-examination by State attorneys, Dr. Bromberg said Ruby had told him of making a trip to Cuba in 1959, 9 months after Prime Minister Fidel Castro took over.

District Attorney Henry Wade asked if Ruby had told Dr. Bromberg of trying to sell jeeps to Cuba. The doctor confirmed this and added: "But the deal didn't go through * * *. It was an involved financial deal in Houston and elsewhere. He wanted to make some money in a hurry."

He said Ruby spent about 10 days in Cuba.

FBI Agent C. Ray Hall, last witness of the day, testified that Ruby had also told him of going to Cuba to try to sell jeeps, using a plane ticket sent to him by a person the State described as "someone in Cuba."

The hearing was recessed at 5:05 p.m. until 9 a.m. Tuesday.

Assistant District Attorney William Alexander asked if the doctors had learned from Ruby that his father was a native Russian named Rubenstein who had served in the Russian Army. The psychiatrist said, "Yes."

Mr. Alexander asked whether this Russian background might have influenced Ruby's state of mind.

Dr. Bromberg replied: "It might have had an effect on his organic background." There was no explanation of this answer.

Oswald spent several years in Russia, once tried to obtain Russian citizenship, married a Russian woman and, after returning to this country, handed out pro-Castro pamphlets in New Orleans.

Earlier, Psychologist Roy Schafer of Yale University testified he believes Ruby has an organic brain disorder that can cause an explosive mental state under emotional stimulation.

RIGHT AND WRONG

Describing Ruby, who grew up as a brawler in Chicago's South Side, Dr. Bromberg said: "He was pre-set to be a fighter, to attack, to fight. He's a fighting man, geared up for physical action. He thinks he's tough."

Dr. Bromberg said Ruby "did not know the nature of his act" when he killed Oswald November 24, could not tell the difference between right and wrong.

"I feel that the emotional excitement triggered a fugue state," Dr. Bromberg said. He described that as a state in which people do things without being aware of them.

Ruby stepped out of a crowd of newsmen and killed Oswald in the basement of the Dallas city jail.

"At the moment he caught sight of Oswald he lost recall," said the psychiatrist. "His recall came back during the scuffle on the concrete floor." The scuffle occurred as officers subdued Ruby after the shooting.

Mr. Alexander said Ruby was reported to have said of Oswald, "I hope he dies." Dr. Bromberg said that would not have been out of character with a fugue state.

Dr. Bromberg testified that "Ruby does not have delusions of grandeur. But he does have a grandiose tendency and a paranoid tendency."

When Mr. Alexander asked whether Ruby should have psychiatric treatment, Dr. Bromberg replied that he should have a thorough and complete examination.

The defense headed by Attorney Melvin Belli of San Francisco, has announced it will try to prove Ruby was insane when he killed Oswald, 2 days after the assassination of the President.

Ruby's trial is scheduled to begin February 3.

Dr. Schafer said he examined Ruby in late December for 9½ hours, giving him standard psychological tests. But he said he believes other tests should be given.

He said he would recommend an examination of the physical and nervous systems, and electroencephalograph, and a psychiatric examination.

An electroencephalograph is an electronic measurement of the activity of the brain to try to determine whether it is normal.

Dr. Schafer said he thinks it likely but not certain that an electroencephalograph would show abnormalities in the functioning of Ruby's brain.

He testified he believes Ruby has a disorder called phychomotor epilepsy and that he has had it a long time.

LEGISLATIVE PROGRAM FOR BALANCE OF THE WEEK

Mr. HALLECK. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Indiana?

There was no objection.

Mr. HALLECK. Mr. Speaker, I take this time to inquire of the majority leader as to the program for tomorrow and the balance of the week if he can give it to us.

Mr. ALBERT. Mr. Speaker, in response to the inquiry of the gentleman, at the request of those managing the bill and for the information of the House, the Supreme Court parking lot bill will not be called up for consideration tomorrow.

I cannot advise the gentleman at this time with reference to the program for next week.

Mr. HALLECK. That will be announced tomorrow?

Mr. ALBERT. That will be announced tomorrow.

Mr. HALLECK. We will meet tomorrow. Would it be the plan then to go over until Monday?

Mr. ALBERT. It will be our plan to go over until Monday because we have no further legislative business for the week.

Mr. HALLECK. I thank the gentleman.

MR. PATMAN'S OPENING REMARKS AT FEDERAL RESERVE HEARINGS

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that the gentleman from Ohio [Mr. VANIK] may extend his remarks at this point in the RECORD and include a statement.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

Mr. VANIK. Mr. Speaker, at the outset of the Banking Committee hearings on the Federal Reserve System, our distinguished chairman, the gentleman from Texas [WRIGHT PATMAN], made an opening statement that sets forth in clear, concise English the public purpose of this investigation and characterizes the spirit with which this committee intends to pursue the inquiry.

Because it so eminently expresses many of my own views and those of a number of my colleagues on the committee, I offer it here for publication:

OPENING STATEMENT BY CHAIRMAN PATMAN AT START OF HEARINGS ON BILLS TO REVISE THE FEDERAL RESERVE SYSTEM, JANUARY 21, 1964

The Federal Reserve System recently reached its 50th birthday, which I think is a good time for a general checkup. More than 30 years have gone by since the Federal Reserve System has received any legislative attention, and a great deal has happened in that time. Ours is a very different economy with different needs and different relationships than those that existed 30 years ago. Some of the revisions adopted 30 years ago were born in a depression atmosphere. Now we should look at the most powerful banking system on earth, our Federal Reserve, in terms of the conditions of 1964. We have learned a great deal in those 30 years about economic development, about interest rates, the money supply, and full employment.

It should be very clearly understood that the primary and fundamental consideration of this committee is to assure that our vast Federal Reserve System is serving the needs of the people and their Government to the greatest possible extent. That is the sole consideration. It should be clearly understood that these hearings will be so handled as to represent at all times the paramount interest of the people of the United States and their Government. We want to make sure that the public interest is the paramount consideration of the Federal Reserve. We want to make sure the Nation's money system is not governed by or for the private interest of any one group.

In line with this we are vigorously opposed to anything that smacks of unsound money. We want neither inflation nor deflation. We seek prosperity and high employment under the terms of the Full Employment Act and we want to be sure that the Federal Reserve System, holding as it does the great monetary powers of the United States, serves that end.

It is no secret that I have long been concerned about the aloofness of the Federal Reserve from both the executive branch and the Congress. Although the Federal Reserve System is a creature of Congress, it is not subject to any of the usual Government budgetary, auditing, and appropriations procedures. Also, the Federal Reserve is not required to obtain congressional approval for its policies, even though its actions have important repercussions for every sector of our economy. This sort of unbridled freedom, whether it is used for good or evil, just is not compatible with representative democratic government, in my opinion. The will of the people ought to be reflected in monetary policy as well as fiscal policy, foreign affairs, and all other matters affecting the public welfare.

These matters of concern on my part are well known, but it should be made absolutely clear that if any long-standing ideas that I hold should be proved erroneous, I will be the first to acknowledge it and change my viewpoint. We are after one major objective in these hearings: the truth.

It is our hope that these hearings will help us first of all to preserve the good that is in the Federal Reserve System; second, to eliminate any undesirable or outmoded features of the existing system; and, third, to improve and strengthen the System to make it more responsive to the needs of our society.

We have for consideration by this committee several legislative proposals intended to make revisions in the Federal Reserve System. One, H.R. 3783, would direct the Federal Reserve System to retire the so-called stock now held by the privately owned member banks. A second, H.R. 9631, would bring about several structural changes in the Federal Reserve System—particularly through expanding the Board of Governors to 12 members, including the Secretary of the Treasury, eliminating the Open Market Committee and require an annual audit by the General Accounting Office.

There are three other bills which I now have in draft form and intend to introduce today. One would eliminate the prohibition on interest payments by commercial banks on demand deposits. A second would require banks to pay the Treasury interest on the Treasury's commercial bank demand deposits and would permit banks to collect for actual services rendered the Government after consideration of the value of services received by them. A third would eliminate the interest income now received by the Federal Reserve from the Treasury on the $30 billion portfolio on Government bonds, and would require the Federal Reserve Board and Federal Reserve banks to obtain annual appropriations from the Congress like other Government agencies.

A NEW OPPORTUNITY FOR THE SAVINGS AND LOAN INDUSTRY TO SERVE THE EXPANDING ECONOMIES OF CALIFORNIA AND THE NATION

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that the gentleman from California [Mr. ROOSEVELT] may extend his remarks at this point in the RECORD and include extraneous matter.

The **SPEAKER.** Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

Mr. ROOSEVELT. Mr. Speaker, in its new role as the Nation's largest State, California has had an unprecedented need for new housing for its burgeoning population. The providing of needed financing by the savings and loan industry has done much to enable California to meet this vital need.

While my State boasts what is probably the most vigorous sector of the industry, the contribution of savings and loan associations has been national in scope. Millions of Americans today own their own homes because of the availability of long-term loans at reasonable rates of interest from savings and loan associations. Millions more enjoy the security that comes from receiving generous rates of interest on funds which they have invested in federally insured savings and loan institutions.

I have today introduced a bill which will provide additional opportunities for the savings and loan industry to be of service to the people of my State and the Nation as a whole. The bill will provide a new convenience for State and local governments by allowing them to deposit funds in savings and loan institutions. The bill also provides that savings and loan associations may invest a sum not in excess of 20 percent of their assets in loans insured under title I and II of the National Housing Act. Associations are further authorized by the bill to invest up to 5 percent of their assets in mobile homes. They will make available to those desiring to purchase mobile homes, funds on the same basis as those traditionally available to the purchasers of conventional homes. The final provision of the bill permits insured savings accounts and share accounts to be accepted as security for all public funds of the United States, as well as for the funds of all corporations organized under the laws of the United States.

The enactment of this bill would enable savings and loan associations to provide convenient places of deposit and other services for local governments, and to allow additional borrowers to avail themselves of the facilities of the industry by authorizing loans for additional purposes.

It is my privilege to join with the gentleman from Texas, the Honorable WRIGHT PATMAN, in introducing this measure. The proposal is presently before the Banking and Currency Committee; I know that the distinguished chairman and members of that committee will give this proposal their most serious consideration. It is my hope that they will see fit to act favorably upon it.

VICE ADM. JOHN S. McCAIN, JR.

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that the gentleman from Virginia [Mr. HARDY] may extend his remarks at this point in the RECORD and include extraneous matter.

The **SPEAKER.** Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

Mr. HARDY. Mr. Speaker, Vice Adm. John S. McCain, Jr., commander of the Amphibious Force, Atlantic, has a long and distinguished career in the Navy. Throughout his service he has directed attention to the value of seapower and emphasized the importance of naval supremacy to the Nation.

Under unanimous consent, I include in the RECORD at this point an editorial in the Virginian-Pilot entitled "An Indian Ocean Task Force," which calls attention to Admiral McCain's warning in 1960, since repeated, of the need for protection from Communist expansion into land regions bordering the Indian Ocean.

AN INDIAN OCEAN TASK FORCE

Washington's decision to send a task force from the Seventh Fleet into the Indian Ocean is in line with the McCain doctrine. Vice Adm. John S. McCain, Jr., commander of the Atlantic Amphibious Force, for a long time has been preaching the virtues of a fleet in that unguarded expanse. Back in October of 1960, for example, when his two-star flag flew over an amphibious group, he warned in a speech to the Military Order of the World Wars that land regions bordering the Indian Ocean were being eyed by the Communists for expansion. Africa and India are a part of those regions.

Not a fleet, but an aircraft carrier with a few destroyers and support ships, is tagged for the assignment. This seems tiny in relation to the trouble and chances of it in that part of the world. India is under threat of a renewal of the Red Chinese attack over the Himalayas. President Sukarno, of Indonesia, is angry because his policy of confrontation of Malaysia has been thwarted by Britain. Pakistan plays a reckless game with the United States and the Soviet Union. In Somalia and elsewhere in Africa, communism is attempting to gain a foothold in the new lands and among tribal groupings.

Gen. Maxwell Taylor, Chairman of the Joint Chiefs of Staff, has sounded out New Delhi on the idea of the Indian Ocean venture. He has been poorly rewarded for his solicitude. While Prime Minister Nehru has assumed the chilly attitude that the high seas are not India's to regulate, Members of Parliament have protested that "America has no business to send ships to a region 7,000 miles away from its shores." The Indian press has charged that our aims are political and imperialistic.

The Pentagon's act of deference to Mr. Nehru has distorted the matter of an Indian Ocean naval force. India's curious record of "nonalinement" was warning enough that our good intentions would be made to look bad there. The question, anyway, is not for India to decide.

In the absence of a collective defense force among the countries of southeast Asia, there are sound strategic reasons for placing naval power in the military vacuum. Britain no longer is able to keep an effective fleet there. The United States must provide what ships are sent. The few in mind are hardly enough. The fleet envisioned by Admiral McCain would be in better order.

UKRAINIAN INDEPENDENCE DAY

The SPEAKER. Under previous order of the House, the gentleman from Pennsylvania [Mr. Flood] is recognized for 60 minutes.

Mr. FLOOD. Mr. Speaker, I ask unanimous consent to revise and extend my remarks and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

GENERAL LEAVE TO EXTEND

Mr. FLOOD. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days to extend their remarks on this subject.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. FLOOD. Mr. Speaker, at the end of the discussion on this subject today, I ask unanimous consent that the following Members be permitted to extend their remarks on this subject—the gentleman from Illinois [Mr. Kluczynski], the gentleman from Indiana [Mr. Bray], the gentleman from New York [Mr. Horton], and the gentleman from New Hampshire [Mr. Cleveland].

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. FLOOD. Mr. Speaker, today, January 22, 1964, marks the 46th anniversary of the independence of Ukraine. As in previous years, in both the House and the Senate, the elected representatives of the American people take this memorable occasion to express the deep feeling of affinity and common purpose we hold for the captive nation of 45 million Ukrainians.

We share with them the ideals of real democracy, national self-determination, and individual liberty and in many ways truly support their undying aspirations for freedom and national independence.

OCCASION FOR HOUSE RESOLUTION 14

On this significant occasion of the 46th anniversary of Ukraine's independence, I deem it necessary to go beyond the realm of sincere expressions of thought and feelings by advancing a concrete proposal that would aid immensely in the eventual liberation of Ukraine—indeed, all other captive nations—from the imperiocolonialist heel of Moscow. I know that by offering the adoption of House Resolution 14, a measure to establish a desperately needed Special House Committee on the Captive Nations, my proposal for specific and concrete action bespeaks also the desires of numerous Members of this body, who in both the 87th Congress and this one have joined in submitting similar resolutions. This congressional observance of Ukrainian independence affords us the excellent opportunity in this 88th Congress to urge the necessary creation of this special committee.

Mr. Speaker, in a move which I believe touches the heart of every Ukrainian patriot—in fact, the hearts of all our captive allies in the Red totalitarian empire—I take this important occasion to urge the immediate adoption of House Resolution 14, which reads as follows:

Whereas on the issue of colonialism the blatant hypocrisy of imperialist Moscow has not been adequately exposed by us in the United Nations and elsewhere; and

Whereas two Presidential proclamations designating Captive Nations Week summon the American people "to study the plight of the Soviet-dominated nations and to recommit themselves to the support of the just aspirations of the people of those captive nations"; and

Whereas the nationwide observances in the first anniversary of Captive Nations Week clearly demonstrated the enthusiastic response of major sections of our society to this Presidential call; and

Whereas following the passage of the Captive Nations Week resolution in 1959 by the Congress of the United States and again during the annual observances of Captive Nations Week, Moscow has consistently displayed to the world its profound fear of growing free world knowledge of and interest in all of the captive nations, and particularly the occupied non-Russian colonies within the Soviet Union; and

Whereas the indispensable advancement of such basic knowledge and interest alone can serve to explode current myths on Soviet unity, Soviet national economy, and monolithic military prowess and openly to expose the depths of imperialist totalitarianism and economic colonialism throughout the Red Russian Empire, especially inside the so-called Union of Soviet Socialist Republics; and

Whereas, for example, it was not generally recognized, and thus not advantageously made use of, that in point of geography, history, and demography, the now famous U–2 plane flew mostly over captive non-Russian territories in the Soviet Union; and

Whereas in the fundamental conviction that the central issue of our times is imperialist totalitarian slavery versus democratic national freedom, we commence to win the psychopolitical cold war by assembling and forthrightly utilizing all the truths and facts pertaining to the enslaved condition of the peoples of Poland, Hungary, Lithuania, Ukraine, Czechoslovakia, Latvia, Estonia, White Ruthenia, Rumania, East Germany, Bulgaria, mainland China, Armenia, Azerbaijan, Georgia, North Korea, Albania, Idel-Ural, Tibet, Cossackia, Turkestan, North Vietnam, Cuba, and other subjugated nations; and

Whereas the enlightening forcec generated by such knowledge and understanding of the fate of these occupied and captive non-Russian nations would also give encouragement to latent liberal elements in the Russian Soviet Federative Socialist Republic—which contains Russia itself—and would help bring to the oppressed Russian people their overdue independence from centuries-long authoritarian rule and tyranny; and

Whereas these weapons of truth, fact, and ideas would counter effectively and overwhelm and defeat Moscow's worldwide propaganda campaign in Asia, Africa, the Middle East, Latin America, and specifically among the newly independent and underdeveloped nations and states; and

Whereas it is incumbent upon us as free citizens to appreciatively recognize that the captive nations in the aggregate constitute not only a primary deterrent against a hot global war and further overt aggression by Moscow's totalitarian imperialism, but also a prime positive means for the advance of world freedom in a struggle which in totalistic form is psychopolitical; and

Whereas in pursuit of a diplomacy of truth we cannot for long avoid bringing into question Moscow's legalistic pretensions of "noninterference in the internal affairs of states" and other contrivances which are acutely subject to examination under the light of morally founded legal principles and political, economic, and historical evidence; and

Whereas in the implementing spirit of our own congressional Captive Nations Week resolution and the four Presidential proclamations it is in our own strategic interest and that of the nontotalitarian free world to undertake a continuous and unremitting study of all the captive nations for the purpose of developing new approaches and fresh ideas for victory in the psychopolitical cold war: Now, therefore, be it

Resolved, That there is hereby established a committee which shall be known as the Special Committee on the Captive Nations. The committee shall be composed of ten Members of the House, of whom not more than six shall be members of the same political party, to be appointed by the Speaker of the House of Representatives.

Sec. 2. (a) Vacancies in the membership of the committee shall not affect the power of the remaining members to execute the functions of the committee, and shall be filled in the same manner as in the case of the original selection.

(b) The committee shall select a chairman and a vice chairman from among its members. In the absence of the chairman, the vice chairman shall act as chairman.

(c) A majority of the committee shall constitute a quorum except that a lesser number, to be fixed by the committee, shall constitute a quorum for the purpose of administering oaths and taking sworn testimony.

Sec. 3. (a) The committee shall conduct an inquiry into and a study of all the captive non-Russian nations, which includes those in the Soviet Union and Asia, and also of the Russian people, with particular reference to the moral and legal status of Red totalitarian control over them, facts concerning conditions existing in these nations, and means by which the United States can assist them by peaceful processes in their present plight and in their aspiration to regain their national and individual freedoms.

(b) The committee shall make such interim reports to the House of Representatives as it deems proper, and shall make its first comprehensive report of the results of its inquiry and study, together with its recommendations, not later than January 31, 1964.

SEC. 4. The committee, or any duly authorized subcommittee thereof, is authorized to sit and act at such places and times within or outside the United States to hold such hearings, to require by subpena or otherwise the attendance of such witnesses and the production of such books, papers, and documents, to administer such oaths, and to take such testimony as it deems advisable.

SEC. 5. The committee may employ and fix the compensation of such experts, consultants, and other employees as it deems necessary in the performance of its duties.

THIS 46TH ANNIVERSARY

Mr. Speaker, the national histories of East European peoples are full of miseries and misfortunes, and the history of the Ukrainian people is no exception. Since the signing of a compact between the Russian czar and the Ukrainian leaders in 1654, stouthearted and liberty-loving Ukrainians have not been allowed, except for periods in the 18th century and the brief 2-year period of 1918–20, to enjoy the benefits of free and independent life in their historic homeland.

Through the turns and twists of fateful international events, 45 million Ukrainians have not been permitted to be masters of their fate. For too long a period they have been held down under the oppressing yoke of alien despots. They have endured hardships, privations, and indescribable miseries. They have been ruthlessly persecuted for clinging to their national ideals, for dreaming and cherishing their independence and freedom.

Yet, no oppressive measure, no amount of severe persecution could compel them to abandon their yearning for freedom. Instead, oppressions and persecutions have united the Ukrainians against their foes, held them together. Then toward the end of the First World War, when the decrepit czarist regime was overthrown, and Austria's hold over the western Ukraine was broken, the Ukrainians proclaimed their independence and established the Ukrainian National Republic.

This historic event took place on the memorable 22d of January 1918—46 years ago. That day has become a landmark in the history of Ukraine, and remains the brightest spot in their struggle for freedom and independence. Unfortunately, the newborn republic was suffering under severe handicaps. It was surrounded by powerful foes, ready to pounce upon it and put an end to its existence. And that is what happened even before the joy and jubilation had ceased.

Before the Ukrainian people had any time to recoup their losses, they were attacked by their inveterate foes, Moscow and its Red army. Early in 1920 enemy forces entered and occupied the eastern part of the country; soon the whole country was overrun and all Ukrainian opposition was ruthlessly crushed. Then in the fall of that year Ukraine became a satellite of Soviet Russia, and by 1933 it was forcibly incorporated into the Soviet Union.

Since those fateful days, for more than 40 years, Ukraine has been submerged in the Soviet Russian Empire, and the Ukrainian people have suffered grievously under Moscow's totalitarianism. For all practical purposes the country is sealed off from the free world. Neither the people of Ukraine are allowed in large numbers to travel abroad, nor are the people of the free world, except under carefully guided Communist supervision, permitted to go to Ukraine.

Thus, the country has become a large prison-house for its people. Their most cherished possession is their spirit of freedom. Inhuman Kremlin agents have resorted to every device to deprive the Ukrainian people of this possession, but fortunately they have not succeeded in their task. Today, even under the most relentless of Soviet Russian totalitarian tyrannies, the sturdy and stouthearted Ukrainian clings steadfastly to his national ideals and still preserves his fervent love for freedom and independence.

The Ukrainian people, in and out of their homeland, have been a boon to the communities in which they lived. In this country they have been noted for their industry, ingenuity, and tenacity for hard work in whatever vocation. They have never shunned heavy labor in preference to something less arduous. In this respect their tough and resilient physique, and their tenacious nature have served them well.

Hundreds of thousands of loyal, patriotic, and hardworking Americans of Ukrainian origin have always given excellent account of themselves in this country. I can say this because I have known many of them in my congressional district, and have seen them at work. These people of stolid character have contributed their full measure to the free and democratic way of life in this great Republic. They have been a positive force in the building of our democratic institutions, and they have always been ready to fight and die for the preservation of these institutions.

Today on this solemn occasion, I am happy to join them in the celebration of the 46th anniversary of Ukrainian Independence Day.

In addition, Mr. Speaker, I would like to make the following material as part of my remarks today:

[From the Washington Report, Jan. 6, 1964]

THE NEXT MOVE

(EDITOR'S NOTE.—Dr. Lev E. Dobriansky is a professor of economics at Georgetown University. He is the author of the Captive Nations Week resolution (Public Law 86–90) which was passed by Congress in 1959. This resolution provides that the third week of July be set aside each year to remind the world of the nations held in bondage by Russian imperialism. Dr. Dobriansky is also a member of the American Security Council's strategy staff.)

What's next in the name of peaceful coexistence? Khrushchev now desperately wants our politico-moral acquiescence to his empire of captive nations, and he seeks to obtain it through a Soviet-styled nonaggression pact.

At the very moment of signing the test ban treaty—significantly the Treaty of Moscow—the Russian leader was in many ways making two points perfectly clear: (1) the cold war is a permanent enterprise and (2) a nonaggression pact is a high priority Russian objective. At that time, his U.N. spokesman, Fedorenko, was attacking Portuguese colonial policies and equating these policies with United States and Western European policies in an attempt to influence Africa against NATO. As to the second, shortly thereafter, at the Inter-Parliamentary Meeting in Belgrade, Khrushchev's representatives hammered away at the need for a nonaggression pact between the Warsaw Pack Nations and NATO if international tensions are to be relaxed. These are just two of many examples of the Soviet Russian pattern.

In the meantime, reacting as usual to Moscow's maneuvers, we have been contenting ourselves with the mirage of progressive steps toward a genuine peace. In government and elsewhere many believe that the next step should be a confidence-building nonaggression pact with the world's foremost aggressor. This brand of naive thinking is a natural offshoot of our self-defeating policy of containment and all its accouterments of accommodation, coexistence with totalitarian puppet and satellite regimes, and the unrealistic hope for a structural fragmentation of Moscow's colonial empire.

Khrushchev has his troubles, of course. Contributing to his present troubles was a whole decade of unrest and uprisings among his captive nations, viz, to mention a few, Ukraine in 1950–51, Slovakia 1952, East Germany 1953, Turkistan 1954, Georgia, Poland, and Hungary 1956. (Many people do not realize that nationalistic, anti-Soviet uprisings have occurred within the Soviet borders as well as within the East European satellites.) Back in 1955 the power center of the world Communist conspiracy recognized that it couldn't afford such perpetual opposition if its global cold war ambitions were to be satisfied. Moscow launched its massive campaign for "peaceful coexistence" and, profiting from the fear induced by its military and space technology from 1957 on, it has succeeded in preventing most Western governments from concentrating on the core of the world's primary problem, Soviet Russian imperiocolonialism.

Historically, the Russians have always been masters in capitalizing on their troubles as well as their strength. Most Americans would be horrified to learn how, both officially and materially, we have aided the Russian imperiocolonialists in recreating and expanding their empire from 1918 to the present, particularly in periods of "Russian troubles." Whereas these periods, including the present one, should have been seized as our opportunities for the advancement of world freedom and thus genuine peace, they invariably have turned into phases of Russian power consolidation.

We are going through such a phase now, abetting it, as before, with our wishful hope for fragmentation of Moscow's empire, an erosion of its totalitarian power, and the weaning of its supposedly nationalist puppet regimes. The continued absence of an affirmative cold war strategy and the succession of compromises are now being eloquently rationalized as conscientious endeavors for peace, to be balanced against the horrendous prospect of thermonuclear codestruction. The irony of it all is that this course paves the way for the outcome we all seek to avoid. A politicomoral acquiescence to the Soviet Russian Empire will take us a long way on this disastrous course.

Aside from the sticky problem of allied NATO consent, the chances for such acquiescence via a nonaggression pact depend on two contrary forces in the United States. One is the accommodationist spirit which is growing because of the above-mentioned poorly founded hope and illusions. This spirit is based on a persistent inability to profit from the lessons of history. Even on the highest levels of our Government it is marked by a serious lack of understanding in regard to the empire-state nature of the Soviet Union, the long tradition of Soviet cold war policy and techniques, and the means for defeating the Soviets in the cold war without precipitating a hot one. Common expressions of this force are "don't irritate the bear," "the less said about the captive nations the better," "we must relax tensions."

If the spirit of accommodation is spread by further euphoria or plain fear, it will virtually guarantee the pact and our politicomoral acquiescence to Moscow's farflung empire. Countering this force is a second one based on the moral objective liberating the captive nations and clear understanding of the strategic importance of these nations in the cold war.

Aiding the totalitarian overlords of these nations on the basis of a "weaning" theory fortifies the unwanted regimes, not the people in their struggle for freedom. Indeed, it undermines the struggle which in essence is a cold war between the people and their Communist governments. The net result is a weakening of our own posture in the cold war. A nonaggression pact would be a crushing blow to that struggle.

THE LESSONS OF CAPTIVE NATIONS WEEK

On these major points, the lessons of Captive Nations Week in this country are both revealing and instructive. Millions of Americans know them; others have yet to grasp them. Many misconceptions of both the Captive Nations Week resolution and the week itself still circulate, but once they're dissolved the reasons why Khrushchev wants acquiescence to his empire become crystal clear. Also, it is an open secret that accommodationists seeking a pact with the constant aggressor would have the observance eliminated.

Khrushchev and his satraps have never opposed anything any more vehemently and for so long as the Captive Nations Week resolution (Public Law 86–90) which Congress passed in July 1959. His unprecedented explosion at that time is a matter of historical record. Here scores of officials were bewildered by the reaction. As he testifies in his book "Six Crises," former Vice President Nixon, who was then in the U.S.S.R., found the resolution to be "the major Soviet irritant throughout my tour."

Why this unusual Russian opposition to the resolution, then and since? Before 1959 our leaders had often spoken in behalf of some captive nations. Actually, there are several answers to the question. First, it was the first time that our Government recognized the numerous captive non-Russian nations in the U.S.S.R. itself, such as Georgia, Armenia, Ukraine, and others. Khrushchev instinctively understood the meaning of this for the false image of the U.S.S.R. in the world at large. Second, being self-renewing annually, the resolution could always be implemented to combat Moscow's cold war operations. That this will in time be done is a source of apprehension for the Russian cold war instigators. And third, as perpetual reminders of the slave half of the world, both the resolution and the week (third week in July) are stumbling blocks to Moscow's deceptive campaigns for peaceful coexistence and a nonaggression pact.

Just review these few highlights of Moscow's sensitivity to the law and week. Still in 1959, Khrushchev scorned the law in his Foreign Affairs article "On Peaceful Coexistence"; in October, before the Supreme Soviet in Moscow, the Russian leader again denounced the law. In 1960, similar denunciations flowed during the week's observance and new tactics were employed by Moscow to deflect world attention from the captive status of nations both within and outside the U.S.S.R., viz, the sudden Moscow-sponsored publication in London of pamphlets titled "The 15 Soviet Republics, Today and Tomorrow"—a "Potemkin" version of their "independence and prosperous growth"—and also Khrushchev's tirade in the U.N. against "Western colonialism." The November 20, 1960 issue of the Neue Zürcher Zeitung gave a vivid report of how this maneuver almost backfired when Canada's John Diefenbaker broached the subject of the captive non-Russian nations in the U.S.S.R., even producing a furor there.

Similar evidence grows for 1961–63. In 1961, for instance, Khrushchev again violently attacked the resolution in the October Communist Party Congress, using the age-old Russian diplomatic gimmick of "no interference in internal affairs." Though Western diplomats fall for this gimmick, the fact that numerous non-Russian nations in the U.S.S.R. itself were originally conquered by Soviet Russian imperialism reveals the myth of this argument. The week's observance in 1962 received similar treatment. Then, in 1962, UNESCO aided Moscow's efforts immensely by publishing the fraudulent "Equality of Rights Between Races and Nationalities in the U.S.S.R." On January 23, 1963, Moscow's weekly the New Times asked "Is it not high time to discontinue the 'Captive Nations Week' in the United States?" On July 8, Pravda berated the President for proclaming the week and "losing his sense of reality"; on July 14 Izvestia painted the week as "a propagandistic trick of the American enemies of the freedom and independence of nations." There is lots more.

The 1963 Captive Nations Week observance surpassed all others. The week's fifth anniversary in 1964 holds high promises for both public nonacquiescence to a Russian-styled nonaggression pact, and for a Special House Committee on the Captive Nations. Or, as other peoples have found to their tragic regret, would you prefer to follow Pavlovian Dr. Khrushchev's advise: relax, be less tense about basic truths, agree with our truth, and you'll have peace?

Lev E. Dobriansky,
Editor.

National Captive Nations Committee, Inc.

Now 30 Senators, 146 Congressmen Members of NCNC—Donald L. Miller Appointed Executive Director

Washington, D.C.—The National Captive Nations Committee announced today, on the 7th anniversary of the smothering of the Hungarian Revolution, that 30 U.S. Senators and 156 Congressmen now comprise its honorary committee membership, 15 Senators and 105 Congressmen having joined during the past few weeks. The committee is headed by former President Herbert C. Hoover. (See enclosed list below.)

The NCNC Executive Committee today reelected as chairman Dr. Lev E. Dobriansky, professor of economics at Georgetown University. In commenting to the committee on today's anniversary, Dr. Dobriansky stated: "On this day we mournfully recall the brutal Russian crushing of the Hungarian revolution 7 years ago. The National Captive Nations Committee's significant growth is our answer to the cynicism involved in the present U.S. corn deals with Moscow's puppet Kadar regime in Hungary."

Elected today also were: Donald L. Miller, of Alexandria, Va., vice chairman and executive director; and Mrs. Colby Bowden of Washington, D.C., vice chairman-treasurer.

Mr. Miller, who is president of Associated Public Relations Counselors, is a former naval intelligence officer and editor of three widely distributed analyses of Russian Communist affairs. He is a 1940 graduate of Kenyon College (Ohio) and a member of Phi Beta Kappa. For the past 4 years he has been chairman of the Washington (D.C.) Captive Nations Committee.

Mrs. Bowden, who operates Colby Associates, a research and business services organization, is a former executive director of the Early American Research Foundation and associate editor of World Press. She is a graduate of Mt. St. Joseph College and attended the University of Cincinnati Graduate School.

The National Captive Nations Committee is a nonpartisan, nonprofit organization engaged in research and dissemination of educational information on the captive nations, and sponsors Captive Nations Week. Plans are now under way for the fifth anniversary of Captive Nations Week, scheduled for July 12–18, 1964. The committee's membership consists of 435 national leaders in labor; education; church, veteran, ethnic, civic, and women's groups; and public service.

National Captive Nations Committee, Honorary Committee

Honorary chairman: Herbert C. Hoover.

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Birch Bayh, Democrat, of Indiana.

J. Caleb Boggs, Republican, of Delaware.

Daniel B. Brewster, Democrat, of Maryland.

Carl T. Curtis, Republican, of Nebraska.

Everett M. Dirksen, Republican, of Illinois.

Thomas J. Dodd, Democrat, of Connecticut.

Peter H. Dominick, Republican, of Colorado.

Paul H. Douglas, Democrat, of Illinois.

James O. Eastland, Democrat, of Mississippi.

Hiram L. Fong, Republican, of Hawaii.

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Jacob K. Javits, Republican, of New York.

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Winston L. Prouty, Republican, of Vermont.

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Hugh Scott, Republican, of Pennsylvania.

Milward L. Simpson, Republican, of Wyoming.

Stuart Symington, Democrat, of Missouri.

Strom Thurmond, Democrat, of South Carolina.

John G. Tower, Republican, of Texas.

Ralph W. Yarborough, Democrat, of Texas.

Milton R. Young, Republican, of North Dakota.

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John O. Marsh, Jr., Democrat, 7th District Virginia.

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Abraham J. Multer, Democrat, 13th District, New York.

John M. Murphy, Democrat, 16th District, New York.

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Ancher Nelsen, Republican, 2d District, Minnesota.

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Howard W. Robison, Republican, 33d District, New York.

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Benjamin S. Rosenthal, Democrat, 8th District, New York.

Dan Rostenkowski, Democrat, 8th District, Illinois.

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Katharine St. George, Republican, 27th District, New York.

Fernand J. St Germain, Democrat, 1st District, Rhode Island.

William L. St. Onge, Democrat, 2d District, Connecticut.

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John W. Wydler, Republican, 4th District, New York.

Clement J. Zablocki, Democrat, 4th District, Wisconsin.

Mr. FEIGHAN. Mr. Speaker, will the gentleman yield?

Mr. FLOOD. I yield to the gentleman from Ohio, who, year after year, has joined me in this effort.

Mr. FEIGHAN. I congratulate the able and distinguished gentleman from Pennsylvania, who has keen knowledge and insight into this extremely important and critical problem. Again I express appreciation not only for all of those of Ukrainian extraction but also for all freedom-loving people throughout the world, for the magnificent job the distinguished and able gentleman from Pennsylvania [Mr. Flood] has performed.

Mr. Speaker, on this 46th anniversary of the national independence of Ukraine, it is natural that our thoughts turn to the present plight of that ancient nation. As is well known, the era of national independence we observe today in Congress was snuffed out by imperial Russian communism before the rebirth of that nation could be solidified.

After several centuries of domination and occupation by Russian czardom, the Ukrainian people threw off the yoke of imperial control and declared their separation forever from Russia. The legitimacy of their return to sovereign nationhood was attested to by the Treaty of Brest-Litovsk. That treaty brought to an end the war between imperial Russia and the German empire. Trotsky was signatory to the treaty for the Bolsheviks who then were in control of Petrograd and much of the Russian nation. That was the first treaty signed by the new ruling class in Russia and it was the first treaty broken by the new Russian elite class. They have broken practically every treaty they entered into since then, on their way to establishing the last empire in the world. Ukraine, along with a score of other non-Russian nations, is held by force within that Russian prison house of nations.

After the U.S.S.R. was created by the Russian Bolsheviks their propaganda organs claimed that Ukraine, along with other captive nations, was free and independent. After Lenin's death Stalin went a step further by claiming a mythical national independence for Ukraine. That myth was launched in an effort to calm the heroic efforts of the Ukrainian people—who were determined to throw the imperial Russians off their soil.

World War II burst that Stalin myth, when the Ukrainian people opened warfare on their Russian occupiers when the German armies invaded the U.S.S.R. While this did not restore their national independence, it did put victory within the grasp of Germany—an opportunity which Germany failed—by virtue of the Hitler racist theories.

With victory for the Western Allies approaching, Stalin insisted that Ukraine, along with Byelorussia, be given full membership in the United Nations. His appeal to President Roosevelt and Winston Churchill at Yalta was that unless such separate recognition was given to Ukraine, he, Stalin, would not be able to hold the U.S.S.R. together. Stalin's appeal was heeded and Ukraine was given mythical membership in the United Nations. For the record shows the people of Ukraine are not represented in the United Nations—while the Russians have acquired another vote in the United Nations councils.

Khrushchev began his imperial reign by emphasizing that Ukraine and the other captive non-Russian nations of the U.S.S.R. had been given their national independence by the Russian Communists. He defined that independence as national in form but socialist in substance. That means, of course, the heart and soul of the Ukrainian nation are in Russian bondage.

Only a few years ago, Khrushchev paraded about in the captive non-Russian nations of the U.S.S.R. telling the people how free and independent they were. He encouraged them to display and enjoy their national cultures, to enjoy their freedom and national independence under communism. It now appears the captive peoples took him at his word because nationalism is rampant throughout the U.S.S.R., that is, non-Russian nationalism.

Khrushchev lifted the edge of Pandora's political box, ever so slightly, and what came out has driven him to a new tactic through which he will try to establish what he calls a Communist unitary state. By this he means elimination of the distinctive national character of these non-Russian nations, and another intensive program by Moscow of "Russification," in a last ditch effort to remake all the peoples in those captive non-Russian nations into conformist, contented, obedient, but exploited little Russians. That imperial objective possessed a long line of despotic Russian tzars from Peter I to Nicholas II. None of them was successful, and worse, they were the source of European and Asian wars over the centuries. Total collapse of the Russian empire in 1917–18 brought only temporary relief from this scourge upon all civilizations. The cold record of history over the past 45 years reveals that the Russian commissars took the torch of imperial tyranny from the hands of the fallen tzars and have raised it up in our times to threaten the unstable peace of a cruelly divided world.

These facts of contemporary life should govern our thinking on this commemoration of the 46th anniversary of the national independence of Ukraine. For these facts are the keys to universal peace for all nations and all peoples. They are the truisms which explain the ages-long struggle of the Ukrainian people to assume a separate but equal station among the nations of the world.

Our distinguished colleague, "Dan" Flood, is a proven champion of the cause of justice among nations as well as among men. The service he has rendered our Nation as a dauntless advocate of the captive nations' cause has marked him as an uncommon man in an age when conformity and false fears bind the tongues of the less courageous. Week after week and year after year he has stood in the well of the House reminding all who will listen that universal and lasting peace can not be won so long as entire nations are held in a state of human bondage. He has held high the torch of truth so that the pathway to peace with freedom and justice could be lighted for all to follow.

I commend our colleague for the great work he has done and will continue to do. All of us appreciate and admire his determination and we are inspired by his dedication to a cause whose certain victory will be a lasting tribute to his labors.

Mr. FLOOD. The gentleman is very kind, but he knows full well that if it had not been for the help I have had through the years from the gentleman from Ohio and from many Members on both sides of the aisle this extremely important subject would not be as paramount as it is.

Mr. PATTEN. Mr. Speaker, will the gentleman yield?

Mr. FLOOD. I yield to the gentleman.

Mr. PATTEN. Mr. Speaker, I am proud to join my colleagues in the commemoration of the 46th anniversary of Ukrainian Independence Day.

It was a pleasure to see my longtime personal friend, Bishop Gabro, here today, because he was the pastor of our Ukrainian church for many years.

It may interest the gentleman from Pennsylvania [Mr. Flood] to know that in my town the Ukrainian people bought more U.S. bonds during World War II than any other group; and that is the church itself. The amount was more than $1,250,000. Those of us who served in the bond drive deeply appreciated it.

After years of struggle by the Ukrainian people against Russian autocracy, the Ukrainian National Council met on January 22, 1918, and proclaimed independence.

Tragically, the freedom and happiness of the Ukrainian people lasted only 2 years before another form of Russian despotism—communism—crushed their independence with brutal military power.

Since then, over 40 million Ukrainian patriots have dreamed of the day when their independence will be restored in the land they love and once again live and work in freedom.

The United Nations has recognized the Ukraine as a separate nation, but it remains a Russian satellite, dominated by the evil force of communism. Despite this tyranny, I know that some day—soon, we hope—the Ukraine's cherished dream of real independence, will come true.

On this anniversary, which is observed in the United States and in other free nations, let us not only honor the great heritage of the Ukrainian people and Americans of Ukrainian descent—their indomitable courage, their fine character and their valuable contributions to our community and national progress—but let us also reaffirm to the Soviet Union and the world that the United States has not abandoned hope for the freedom of the Ukraine and the rest of the captive nations, and that America will continue to work and fight for their independence until victory is inevitably achieved.

The flame of freedom can never be extinguished by any man or nation, for it is a divine gift, bestowed by the Creator, whose will can be violated, but never destroyed.

The Ukraine and other captive nations will be free again.

Mr. FLOOD. I thank the gentleman. I am always glad to have such vigor and courage in a new Member on this very important subject. I commend you to the Ukrainians in your district, and I hope they return you for many years until you are successful in this project.

Mr. Speaker, I yield back the balance of my time.

Mr. KLUCZYNSKI. Mr. Speaker, the Ukrainians have been among the most unfortunate peoples in all Europe. Their fate seems to have been determined to a great extent by the geography of their beloved homeland. Placed almost squarely between Europe proper and the Eurasian continent the country has been a sort of gateway to Europe for invaders from the East. In this continental struggle between East and West the fate of unhappy Ukrainians has been conditioned by forces and factors over which they have no control. For centuries the country was overrun by conquering armies, and remained divided under alien rulers until the end of the First World War. Then, as the forces oppressing the Ukrainians were overthrown, the Ukrainians seized the opportunity thus offered to them and proclaimed their political independence on January 22, 1918.

The weak Ukrainian National Republic thus born was a helpless being; it was surrounded by powerful forces of destruction, and marked by its foes, especially by the Russian Communist regime, as a ready prey. That is what happened in 1920. After struggling for its very existence, the independent state was overrun by the Red army and all Ukrainian opposition in the country was ruthlessly subdued. That was the end of the short-lived but gallant Ukrainian National Republic.

Since then, for almost 44 years, the Ukraine has been part of the Soviet Union. There the Ukrainians toil, often under the most wretched and discouraging conditions, mostly for the benefit of Soviet Russia.

Under the circumstances, Ukrainians cannot hope to celebrate their national independence day in their own country, but they all cherish the idea and nurse the spirit of freedom and independence in their hearts and souls. On the 46th anniversary of their independence day we all ardently hope and pray that they will regain their freedom, and enjoy it in the years to come.

Mr. BRAY. Mr. Speaker, this is the 46th anniversary of Ukrainian independence.

There is a strange irony in that statement. Although the Ukrainians declared their independence in 1918, they were one of the first victims of Soviet imperialism. They remain today one of the largest captive nations in Europe, even though their Soviet masters maintain the sham of calling them independent.

Some of the story of the Soviet treachery to the Ukraine is told in my book "Russian Frontiers." That story follows:

> The Ukrainians learned to their eternal sorrow more than 300 years ago that treaties with Russia are used as a vehicle of enslavement. An oral treaty covering military operations with the czar was made at Pereyaslav on January 18, 1654. Russia used this vague treaty to interfere in the internal affairs of Ukraine and caused great difficulty. By the treaty of Andrusivo in 1667, the czar and the King of Poland divided the Ukraine. In order to obtain independence, the Ukrainians revolted in 1708 and joined the forces of King Charles XII of Sweden. Czar Peter I took terrible vengeance and tortured and massacred all of the citizens of the Ukrainian city of Baturyn. When Catherine II came to the throne, she took away all self-government in the Ukraine, established serfdom, changed the name of Ukraine and caused it to be called Little Russia or South Russia.
>
> It is of note that, even after about 300 years of Russian control, Ukrainian nationalism asserted itself with great rejoicing at its first opportunity after the Russian revolution. On June 23, 1917, the Ukraine issued what was, in effect, a declaration of independence that was recognized by Lenin, when he said:
>
> "We, the Soviet of People's Commissars, recognize the Ukrainian National Republic and its rights to separate from Russia or to make an arrangement with the Russian Republic for federative or other similar mutual relations between them. Everything that touches national rights and the national independence of the Ukrainian people, we, the Soviet of People's Commissars, accept clearly without limitations and unreservedly."
>
> However, the Soviets immediately started trouble. Following the Russian pattern, a handful of Russian Bolsheviks established a Central Executive Committee of Ukraine and a People's Secretariat. On December 25, 1917, this group was recognized by Lenin.
>
> On February 8 and 9, 1918, less than 2 months after Lenin promised to respect Ukrainian national independence "clearly without limitations and unreservedly," the Soviets entered Kiev against the heroic but futile efforts of the tiny Ukrainian Army. The Soviets executed more than 5,000 Ukrainians in 3 days. They even executed Ukrainian Communists caught speaking their native language.
>
> In November 1918, Lenin set up another Ukrainian puppet government under Russian control and in December stated that anyone who obeyed the orders of the legal Ukrainian Government would be executed. The Germans later forced the Russians out of the Ukraine and the Ukrainian National Republic was proclaimed on January 22, 1919.
>
> The duplicity of the Soviets is well documented in instructions given by Trotsky in 1919 to a group of women agitators who were sent to the Ukraine to get Ukrainian confidence which would later be used in destroying the independence of the Ukraine. Extracts from his speech follow:
>
> "Comrades, the arguments discussed here in Russia with complete frankness, can be spoken of only in a whisper in the Ukraine, but better still, should not be mentioned at all. The art of silence is one of the forms of eloquence. You, comrades, are going now to the Ukraine.
>
> "Do not force communism on the Ukrainian peasants until our power is stabilized there.
>
> "Try to convince the people that there is no communism in Russia.
>
> "As a counter to the independence proclaimed by Petloura [Ukrainian leader] and others, one should affirm that Russia also recognizes the independence of the Ukraine, but on condition that the Soviet Government is established there, while Petloura in reality would sell the Ukraine to the bourgeois states."
>
> Russian armed might finally overcame Ukrainian freedom in November 1920. Volodymyr Vynnychenko, a famous writer and member of the Directory of the Ukrainian Democratic Republic, who had returned from exile and was appointed Vice Premier of the Ukrainian Soviet Government in the 1920's, stayed a half year in the country and left the Soviet Union. Speaking for all non-Russian nations, he published a public protest on October 23, 1923, in the Socialist Journal Nova Doba stating:
>
> "The policy of Russia toward the non-Russian nations of the former tsarist Empire, especially in regard to Ukraine, is the policy of the old one and indivisible Russia. Never has a government in a more cynical manner fooled public opinion by lies than the government of Soviet Russia. * * * There is a deep traditional goal of that policy, apparently inherited by the Russian Communist party from the political history of Muscovy and Russian history, a history bespattered with blood and filth. That is the traditional policy for the preservation by the Russians of the one and indivisible Russia at any price."
>
> Later, to crush the spirit of the Ukrainians and force them to give up their land and accept communism, Stalin decided to cause starvation in the Ukrainian villages. In the period of 1922–1933, between five and eight million Ukrainians died. Ukrainian culture was destroyed. Of the 240 authors living in the Ukraine, all but 40 were liquidated. Thousands of Russian families were moved into this area for settlement on Ukrainian farms.
>
> Another general purge of the Ukrainians took place in 1937–1938 under the leadership of Khrushchev. More than 400,000 were destroyed. More than 800,000 young Ukrainians were moved to cultivate new lands in Siberia and Kazakhstan.
>
> In 1954 Russia celebrated the 300th anniversary of the Treaty of Pereyaslav which brought the Ukraine into Russia. However, there is still a burning desire for freedom in the hearts of the Ukrainians. During World War II they welcomed the invading German army as liberators but were repulsed with inconsideration and cruelty. The Ukraine revolt toward freedom got nowhere. Khrushchev returned to the Ukraine in 1943 to lead another ruthless purge of the Ukrainians. Since World War II the Ukrainians have again unsuccessfully attempted to regain their freedom through appeal to the United Nations.
>
> The aspiration for freedom is a weapon that can destroy Communist tyranny and bring freedom to the captive peoples of the world. Instead of encouraging this aspiration for freedom, all too many of our American leaders have attempted to downgrade this aspiration for freedom.

For all too long we have allowed the Soviets to take the initiative, to keep on the offensive. For all too long we have tried merely to answer their false charges, to repair the damage made by the blasts that the Soviets have made against the dikes of freedom.

We have a weapon that will throw the Soviets on the defensive if we have the courage, vigor and tenacity to use that weapon to its fullest. That weapon is the demand that Russia give to her satellite countries freedom of choice—to allow these peoples to vote for the kind of government they want and to elect the officials they want.

This demand should not be repeated just once; it must be repeated a million times—in the legislative forums of the free world, from the rostrum of the United Nations, by press, radio, and television throughout the world. It should be beamed hourly to these captive nations. If we will publicize the truth with the same vigor as Russia publicizes her lies, truth will win.

This demand for freedom should not be an attack on the Russian people. We should point out that the only reason for the existence of such an empire as Russia's is for the glory of its leaders; that if such an empire ever was of value to the people that value has long ceased to exist. We only want for other people the freedom and dignity enjoyed by our own people.

The demand for free elections is one that Russia cannot openly refuse and yet one which she knows she can never accept and keep the people under her dictatorship. This demand on our part will put Russia on the defensive as nothing else will. The right of the free ballot box is inherent in the Atlantic Charter and in the Yalta declarations, which Russia accepted and cannot repudiate.

Let us lead from our strength to Russia's weakness. Our greatest strength, the strength that has made America what it is today, is the recognition of the freedom and dignity of man. It is the recognition of freedom and human dignity that has made America so strong economically that our problems are those of surplus while the Communist problem is that of a continuing scarcity.

The denial of the freedom and dignity of man is Russia's greatest weakness. As those behind the Iron Curtain become more aware of the advantages of freedom that have been denied them by Russian autocracy, that weakness will become catastrophic.

Our constant demands that Russia grant her satellite peoples the right of a secret ballot to allow them to chart their own lives will not be granted, of course, for a long time and only after great turmoil and repercussions in Russia. However, our demands that Russia grant her people the freedom enjoyed in other nations will focus world attention, the attention of the satellite peoples, and the attention of the Russian people themselves on Russia's great weakness.

Mr. HORTON. Mr. Speaker, today is an important occasion—a landmark in the struggle between the forces of freedom and slavery. January 22 is important to every freedom-loving American for it marks the 46th anniversary of the independence of the Ukrainian Republic.

The independence of the Ukraine was tragically short lived, for since 1920 its people have been living in involuntary servitude, the unwilling subjects of Soviet tyranny. The Ukraine is a captive nation. The Ukrainians are a people shackled and persecuted. Mr. Speaker, their plight is our plight. For as long as an atheistic and despotic political system can effectively withhold individual liberties and collective determination from millions of people, those of us who live under those qualities now denied the peoples of the Ukraine and other captive nations are threatened.

I wish with all my heart that we could send a message to the Ukrainian people today which would convince them of our intention to meet and beat the challenge of international communism. Yet, I am sure the enslaved millions of the Communist world find little to cheer in the recent actions of the United States approving the sale—even granting credit for these transactions—of wheat, corn, and other agricultural commodities to their captors.

Too long, our national attitude toward the captive nations has been blurred and weak. For that reason, one of my first actions after being sworn in as a Member of the 88th Congress was to introduce House Resolution 175 providing for the establishment of a Special Committee on the Captive Nations. This committee would be charged with conducting a study of the captive nations with particular reference to the morality and legality of their Russian domination. The committee also would be responsible for recommendations on how the United States could assist the captive peoples in their aspiration to regain their national and individual freedoms.

I submit that no matter of foreign policy should have higher priority than the desire of this Nation to once and for all secure the freedom from Communist bondage of those in the Ukraine as well as all others who live under the Communist cloak.

Mr. CLEVELAND. Mr. Speaker, today we are commemorating the 46th anniversary of Ukrainian independence. That country's freedom was attained early in 1918 upon the overthrow of the czarist regime in Russia. It was the culmination of a long struggle which had its beginnings in the 17th century. The independence of the Ukraine was the happiest climax in the modern history of its people.

It was tragic, Mr. Speaker, how soon the freedom and independence of the Ukraine was destroyed. In 2 short years the Russian armies invaded the young republic and trampled on the liberty of its people. The country was put under the yoke of the Soviet Union where it remains to this day. The Ukraine became one of the very first of the captive nations under the tyranny of Communist rule.

For 44 years the Ukrainian people have suffered under Communist totalitarianism. They have courageously carried on a silent struggle against their oppressors. The spirit of the Ukrainian people will not be subdued and they will continue the struggle for liberty until it is won. Together with the 2½ million Americans of Ukrainian ancestry, I look to the day when the Ukraine will once again be a truly free nation.

Today is the time for free peoples to loudly proclaim their support of the Ukrainian peoples' struggle. The brave men and women in that captive nation cannot be expected to carry on the struggle alone. They need our encouragement and that is the least we can give them in their time of trouble.

Mr. DERWINSKI. Mr. Speaker, today marks the 46th anniversary of the independence of the Ukraine, and I am pleased to join my colleagues this afternoon in commemorating this occasion.

The hard-fought freedom which was won by the people of the Ukraine on January 22, 1918, was short lived. Soon afterward, the Communists took control of these brave people, but the light of freedom that burns in the heart of every Ukrainian can never be extinguished.

The spirit of nationalism beats strongly in the hearts of these people. This spirit is pro-Western and anti-Communist in its history, philosophy, and tradition. The people are deprived of political and economic advances, and they continue to look to us—the leaders of the free world—for help in the ultimate restoration of a government of their own choice.

One way in which we can help bring about freedom not only for the Ukrainian people but also for all the enslaved peoples of communism, is by obtaining favorable consideration by the Rules Committee of House Resolution 14, to establish a Special House Committee on the Captive Nations, introduced by our colleague, the gentleman from Pennsylvania, DAN FLOOD.

Mr. Speaker, as you know, many Members on both sides of the aisle, including myself, have introduced similar resolutions, and it is our earnest hope that during this session of Congress we will be able to obtain favorable consideration by the Rules Committee, so that the House can work its will and, I am confident, approve the establishment of a Special Committee on the Captive Nations.

Mr. LIBONATI. Mr. Speaker, the 22d day of January 1964, marks the celebration of the 46th anniversary of Ukraine's national independence. In sad mediation on this day reviewing the horrors through the years suffered by the Ukrainian people held in captivity, marks this day one of lamentation and mourning. The Ukrainian people were the first victims of Communist aggression.

Ukraine is the largest captive non-Russian nation, both in eastern Europe and the Soviet Union. The Ukrainians are powerfully active in asserting their patriotic support of national independence. Its terrific fight for national independence and freedom forced the Soviets to act even though falsely propagandizing that Ukraine was a free and independent nation within the "Federal" framework of the U.S.S.R. So that we as a nation must encourage this spirit of nationalism especially at this time when Moscow is experiencing critical "times of trouble" within Russia itself.

I join with my friends of Ukrainian descent, in prayer, that we persevere to support and aid the realization of the desire of the Ukrainian people to regain their freedom.

In America, where we enjoy all of the God-given freedoms, it is important that we keep alive, by open discussion, the cause of Ukrainian independence. We are their only hope—and we must be ever active to keep alive their fires of freedom. In strengthening our potential military power, we are able to give realistic impetus to their belief that, some day, these 45 million people will return to enjoy the democratic fundamental principles of liberty, as a nation. The flag of aqua blue and yellow gold is unfurled all over our land for those pioneers of Ukrainian ancestry who contributed so much to the economy and culture of our Nation. It is a reminder of the continuing protest of the American people against the enslavement of the Ukrainian people. We cannot accept the servitude of the people of the Ukraine nation without thinking that the true purpose of our foreign policy is to restore to them their historic claim of freedom as an independent nation in the free world. We have, through the courageous and determined stand taken by our martyred President, John F. Kennedy, in the recent Cuban incident, shown these devout Christian people, with a long record of opposition to Communist domination, that the military power of the United States is to be feared and respected.

The day is not distant when we will refuse to permit our enemies to retreat. The 86th Congress of the United States was militant in its pointed action toward this end—the sincerity of its attitude toward captive nations and their leaders was reflected in the passage of the Captive Week resolution, Public Law 86-749, authorizing a Shevchenko Statue and honoring this "Europe's Freedom Fighter," House Document No. 445.

At the insistence of the gentleman from Pennsylvania, Representative DANIEL J. FLOOD, as in the 87th Congress and presently in the 88th Congress, House Resolution 14 urges the formation of a special House Committee on Captive Nations. It is of monumental importance for the United States to further impress all of the peoples within the immediate control of the Soviet nation that our determined foreign policy be accentuated in purpose to strongly symbolize to the world the determination of the American people, reflected by the Congress, to work toward the liberation of all captive nations in order to secure a lasting peace among men and all nations.

The United States must destroy the false image of the capitalist system and its leaders. These are set up by our enemies as mental figments of clever propaganda—the method used to influence the peoples of the captive nations to transfer their loyalties and support to the Soviet Union.

We must, in our future actions, not only contrive to stop the spread of communism, but must, by every means, counteract false propaganda within the Soviet Union itself, and its satellities, to thus weaken our enemies from within.

The victory of this age of the cold war will only be ours when the internal control of the Soviet States will be weakened. This can best be accomplished by destroying the Russian image of power and falsity of purpose.

The freedom-loving patriots within these captive nations, armed with the truth and realistic proof, can cause such a measure of unrest and confusion that enormous military forces will be needed for security surveillance.

This aroused populace, flexing its muscles of freedom, will, in itself, weaken and destroy the stability of the controls at Moscow. It will hasten the end of the cold war and result in independence and freedom among all nations at the new, extended frontier of peace. We must persevere to help, not to abandon, our allies for freedom. We owe it to the Ukrainian people—they must be free.

Mr. NEDZI. Mr. Speaker, I welcome the opportunity to contribute to the observance of the 46th anniversary of the proclamation of independence of the Ukrainian National Republic.

Probably no ethnic group within the Soviet Union has suffered more, suffered longer, and resisted harder than the Ukrainians. The wall which today divides Berlin dramatizes to the world the oppressive nature of the Soviet state. A fact not nearly as well known is that 40 million people of the Ukraine have been walled in over 40 years.

In my judgment, it is the duty of American Government officials to speak soberly and fairly about the realities of the world politics. They should not raise false hopes in the course of once-a-year speeches. Freedom for the Ukraine does not appear within reach, short of an all-out nuclear war which no responsible person advocates.

Is there any hope, then, or anything that can be done? Yes. We live in days when enormous social, economic, political, and scientific forces are at work, shaking our universe to its foundations. What appears hopeless today, may become possible tomorrow. There may be light at the end of the long, dark tunnel.

History teaches us that the spirit of freedom cannot be starved. The will to resist is a stubborn thing. Three centuries ago the Ukraine was independent and comparatively rich. Then, despite hundreds of years of domination by the Russian and Austro-Hungarian Empires, the hunger for freedom was maintained, Ukrainian culture and language was preserved, the nationalist drive remained alive. In 1918, freedom was briefly achieved and independence declared. But the freedom of a nation, when newly achieved, is often as delicate as a new-born baby. It needs time to strengthen itself against outside dangers. Precious time was denied to the Republic of the Ukraine. Hunger, disease, subversion, and war choked this young nation and tragedy was the result.

Our observation of Ukrainian Independence Day is a valuable thing. On this day first, we show the people of the Ukraine that they are not forgotten; second, we keep faith with what is morally right; third, we reaffirm the principle of self-determination; and fourth, we help remind the newly emerging nations of Africa and Asia, whose leaders are often unfamiliar with all but recent history, that the Soviet Union is the last big remaining colonial empire on earth.

In doing these things we serve the cause of freedom.

Mr. HALPERN. Mr. Speaker, on January 22 we celebrate a grim independence day, the independence anniversary of a nation which is no longer a sovereign and independent state. Forty-six years ago, on January 22, 1918, a band of stouthearted and patriotic Ukrainians revolted against their Russian oppressors and proclaimed the independence of the Ukraine. But it was an independence which lasted no more than 2 years; the new republic did not have time enough to gain strength to withstand the postwar convulsions in Europe or the onslaught of aggressive neighbors. Even before the end of the war Poland attacked from the north, and by the autumn of 1920 the Soviet armies had dealt the crushing blow of defeat. The independence which the Ukraine had gained with such pride in 1918 was brutally snatched from her in November 1920.

The history of the Ukraine is a tragedy, for the very resources which held the germ of a great nation—the fertile soil, the rich minerals, the intelligence and stamina of the people—made the Ukraine the target of jealous and unfortunately more powerful neighbors. Prior to independence the Ukraine had suffered for nearly 300 years under the autocratic rule of the Russian czar. That rule was broken only when the autocracy was shattered by revolutionary forces. It is not surprising that the Ukrainians felt some bitterness when 2 years later Russia again turned on the Ukraine and clamped upon it the yoke of Soviet dictatorship.

What then befell the Ukraine was far worse than the czarist autocracy had ever dreamed of being. Many thousands of Ukrainians were forced to flee from their homeland in search of refuge abroad. Those who remained were forced to live under the Soviet dictatorship which allows no freedom of expression or association, none of the individual liberties which we so cherish. For over four decades the Ukrainian people have been oppressed under a system which does not allow them to realize their national aspirations. They have not been permitted to fulfill their political and spiritual ambitions. As part of the U.S.S.R. the Ukraine contributes much of itself—its wheat, its minerals, its industrial products, and the labors of its people—and receives little but oppression in return.

It is an indelible tribute to the Ukrainian people that they have not broken under this tyranny. Their desire for freedom and independence is as fervent as ever. Their determination not to yield their spirits to the Communist dictatorship grows ever stronger. I join with the thousands of Ukrainians who took refuge in our own country and today are among our loyal, hardworking citizens in expressing sympathy to the Ukraine on its independence anniversary. I hope that the ultimate goal of the Ukrainian people—their freedom—will once again be achieved.

Mr. O'HARA of Illinois. Mr. Speaker, today we pay tribute to a nation which is living proof that the spirit of independence is indomitable. Forty-six years ago on January 22, 1918, the independence of the Ukraine was recognized. Even today, imperialist Moscow resorts to the propaganda show of designating the Ukraine as an independent and free nation within the federal framework of the U.S.S.R.

On January 22, 1918, the Ukraine was proclaimed a sovereign and independent state, and recognized as such by Lenin. Prating of self-determination, he prepared to invade the Ukraine on the pretext that the Ukraine was acting in a bourgeois manner and could not be accepted as a representative of the laboring and exploited masses. Thus the Bolshevik government of Russia became a military aggressor against the young republic it had pretended to recognize.

After 4 years of bloody fighting, Communist rule, accompanied by deportation, genocide, purges, was imposed. The Ukraine, the largest of the captive countries, was the first to have the Iron Curtain lowered. Communist Russia turned a fair land into a prison.

The history of the domination of the Ukraine by U.S.S.R. was merely a repetition of the exploitation of the Ukraine by the czarist regime. It was one of complete economic exploitation of the resources, the labor of the Ukraine for the benefit of Russia. Economic exploitation was followed by a complete Russification of the schools. Russian industry was financed with Ukrainian money, and built by Ukrainian manpower. Ukrainians were deported to build public works or to cultivate through volunteer pioneering efforts more lands in Siberia.

Fortunately, many Ukrainians have migrated to the United States. They have contributed to our strength, our intelligence, our culture. They have found the freedom and independence denied them in their homeland. They give the lie to Russian protests of sympathy for national independence and hypocritical protests against colonialism.

The Ukraine, the largest non-Russian land within the Russian Empire presents to the world and before the bar of the United Nations an irrefutable demand for recognition of its right to independence and national sovereignty. We join with our American citizens of Ukrainian blood and their brothers behind the Iron Curtain in a demand for that independence and freedom which is their birthright and ours.

Mr. DELANEY. Mr. Speaker, January 22 signifies a great landmark in the epic struggle of man to attain national independence and personal freedom. On that date, 46 years ago today, the Ukrainian people proclaimed the independence of the Ukainian National Republic. That winter day in 1918 marked the high point of a nation seeking and striving for survival as well as liberty.

The riches of Ukrainian fields and the country's strategic location have made the Ukraine one of the most coveted and fought over lands in modern history. This fertile country, situated between Europe and Asia, has been forced to fight usurpers from the early Mongol hordes to modern Soviet colonialism.

Ukrainians fought Russians as early as 1667 when the czar began annexing Ukrainian lands. Ukrainian history from that time on is written in the blood of patriots who fought the Russian steamroller as it overran the country and then persisted in organizing revolutions against the czarist and, later, the Bolshevik armies.

January 22, 1918, the Ukraine emerged as a whole free nation for the first time since the 17th century. Unfortunately, her freedom was short lived and, in December 1920, the Bolshevik army again swept across the land. The Red army is still in control of the Ukraine and that country now is the largest non-Russian nation behind the Iron Curtain.

We Americans won freedom in a matter of years, but the Ukrainians have fought for centuries. When our men were fighting at Lexington and Concord, the Ukrainians had been defending their land, or trying to win it back, from the Russians for over a century.

On this 46th anniversary of Ukrainian Independence Day we can but look in awe at the epic struggle for a free Ukraine. I am proud to join with all Americans of Ukrainian extraction in observing Ukrainian Independence Day. I extend my sincere sympathy for the long suffering of the Ukraine and my limitless admiration for her valiant sons.

Mr. FALLON. Mr. Speaker, today is the 46th anniversary of the Ukrainian Republic, and a good time to inquire into the methods used by the Bolsheviks to conquer it.

The Ukrainian Republic was proclaimed by a group of patriots led by Volodymir Vinnichenko and Simon Petlyura. The Government was to be based on a democratic assembly called a Rada, after the original Ukrainian Parliament of 300 years before. The people were hopeful for peace and independence for the first time since the czars had conquered them. But Lenin disregarded his early promises to them and established a Communist regime, supported by the invading Red army, and headed by Christian Rakovsky.

After this first defeat, the Ukrainian nationalists could never again overcome the military strength of Russia. But their resistance never weakened. The leaders of the Soviet Union employed the most extreme measures to retain their hold on the Ukraine. A Communist agent assassinated Petlyura in 1926; another shot underground leader, Evhen Konovalets, in 1938. Even the Ukrainian Communists were not proper servants to the Soviet empire it appears, because in major purges throughout the 1930's, many Ukrainian Communist premiers and deputy premiers were executed, in a frenzy of colonial suppression, directed by Stalin.

The Ukraine has since suffered terribly from Nazi invasion and Soviet reprisals. In the very brief spell of chaos after the Nazis were driven back, the Ukrainian desire for freedom momentarily burst forth again in a new attempt to regain independence. But the Red army crushed this attempt with brutal force, just as in 1920.

In recent years the Ukrainian underground leaders in exile have grown older and many have died. Because the Soviets will not allow any of their colonial peoples to travel freely, it is difficult to get news on how strong resistance is in the Ukraine. But from the impressive example of Ukrainian citizens of the United States, we can see and hear how strong is the love of freedom among the Ukrainian people. What little news is received from behind the Iron Curtain indicates that the brutal invasion of the Communists and untold horrors of colonialism are not forgotten. The Ukrainians presently lack the means to revolt. But tyranny cannot long endure, founded as it is on the dead bodies and chained minds of suppressed peoples. A crack is bound to appear soon in the Iron Curtain shutting in the free emotions of the Ukrainian people. When it does, woe to the Communist imperialists, to their henchmen, and to their system. The Ukraine will be free again, its national flag will fly again on independence day, and the people will rejoice.

Mr. WALLHAUSER. Mr. Speaker, today marks the 46th anniversary of the independence of Ukraine. Naturally, the question arises of the importance this is to us as Americans. Why should we commemorate this event with addresses and statements in the Congress, with proclamations by State officials, and with observances across the Nation?

Let us consider these few facts. With its 45 million population, Ukraine was one of the first victims of Soviet Russian imperiocolonialism and to this day has been the largest captive non-Russian nation both in Eastern Europe and the Soviet Union. Had its independence been assisted by the West in 1918–20, there might have been no U.S.S.R. and thus no Soviet Russian menace to world freedom today. In the incessant cold war we can now help ourselves by supporting the goal of national freedom on the part of this large nation that for decades has given lie to any Soviet monolith.

Second, Ukraine represents one of the most powerful forces of patriotic nationalism in the U.S.S.R. Its invincible fight for national independence and freedom has forced Moscow to resort to the propaganda sham of masquerading Ukraine as an independent and free nation within the Federal framework of the U.S.S.R.

We, it appears, have done little to encourage this spirit of nationalism. Our support today of this 46th anniversary can lead to such encouragement. It will be a fitting answer to Khrushchev that we have no intention of abandoning our allies for freedom.

Mr. BOLAND. Mr. Speaker, this January 22, 1964, marks the declaration of independence made by the Ukrainian people 46 years ago, in 1918. Their declaration was the culmination of a long series of epic wars, fought against barbaric invaders, drawn to the Ukraine's great natural wealth from Europe on the one side and Asia on the other, who terrorized, enslaved, and massacred people wherever they went.

As soon as the scattered Ukrainian people became numerous and advanced enough to sense a better future in unity and common defense, they were torn asunder and parceled out at various times among Poland, Czarist Russia, and Austria-Hungary.

This situation endured for 250 years. World War I ended it and gave the unyielding Ukrainian patriots the chance they had been awaiting so long. They took this chance and established the popular and democratic Ukrainian Republic.

Many mistakes were made by the statesmen of the world in the first chaotic years after World War I. One of the worst was overlooking the tremendous potential for wealth and stability which the Ukraine offered. Perhaps most statesmen took Lenin at his word when he said the former Czarist imperial colonies had the right of self-government. If they did believe Lenin, it was certainly a mistake. Because the Bolsheviks marched into the Ukraine and conquered it amidst terrible slaughter in 1920.

The ferocity of the Soviet attack carried the day, but did not break the spirit of the Ukrainian people. Their resistance has endured through famines in 1930–33, Nazi invasion, and Soviet reconquest. Their voice to the outer world fades with time, but there is no doubt the flame of liberty even now still burns brightly in most Ukrainian breasts.

It is about time the Soviet Union ceased hypocritically attacking the United States for so-called "imperialism." The Soviet Union is the largest imperial power in the world today. Let the Soviet leaders practice what they preach. Allow the peoples of the Ukraine, Latvia, Lithuania, Estonia, Turkestan, and all the other subject peoples to choose freely their own form of government. They would choose freedom, national independence, and representative democracy in every case. There would be a whole phalanx of reborn free nations in East Europe, if the Communists allowed it to be so.

On the anniversary of Ukrainian independence we should take the opportunity to remind ourselves of the true situation in the U.S.S.R., and to strengthen our determination to resist the Soviet tactic of stalling for time while new generations of obedient Communists are raised in Soviet colonies to crush forever the hope for freedom born 46 years ago today.

Mr. ZABLOCKI. Mr. Speaker, today, January 22, marks the 46th anniversary of the independence of the Ukrainian National Republic.

I am certain that the commemoration in the United States of this important date will serve as an inspiration to the millions of Ukrainians behind the Iron Curtain.

Words are inadequate to describe the tragic plight of the people living under the yoke of communism. Deprived of their basic rights and freedoms, they frequently live in abject poverty, in fear, and in terror. In spite of these conditions, we know that oppression has not succeeded in eradicating from their hearts their love of freedom and justice.

The continuing evidence of courage and sacrifices for freedom of the people of the Communist-dominated nations are in inspiration and an example for all of us.

Today, as we consider the early indications of progress in the free world's struggle with the Communist menace, we should reaffirm our sympathy for the Ukrainian people's quest for freedom. We earnestly hope that this thirst for freedom and justice will be fulfilled before long and we pledge our continued efforts to this end.

The long history of the struggle for freedom and against Communist tyranny by the Ukrainian people is both tragic and heroic.

It is tragic because of the brutal suppression during the period of collectivization which was perhaps more bloody and more sharply resisted in the Ukraine than anywhere else in the whole U.S.S.R.

At the same time, it was heroic—heroic because this very resistance toward the forced domination of the Ukraine was another chapter in the glorious history of the Ukrainian people.

History has demonstrated that the undaunted human spirit cannot be suppressed.

The history of the Ukrainian people and their attitudes toward resisting any encroachment on their individual freedoms should today be a reminder that the air of freedom we breathe has been stifled for others, but never extinguished.

Mr. Speaker, let us today remember that we must pledge ourselves to the goal of a better world where all peoples must live in peace, freedom, and justice. The sympathies and hopes of the free world are with the Ukrainian people.

Mr. RODINO. Mr. Speaker, today, January 22, 1964, marks the 46th anniversary of the independence of the Ukrainian peoples. This year as in the past, the American people extend their hands and hearts thousands of miles into the heart of East Europe in an effort to express their deep feeling of compassion and affinity toward the more than 45 million persons of captive Ukraine.

On January 22, 1918, after hundreds of years of subjugation to the crown of Russia, the Ukrainian people announced to the world that they were a free and independent nation. This event, cause for joy among any freedom-loving people, was the more courageous in light of the fact that at the time the Ukrainian leaders declared the country's independence at last, the Russian Army had marched into the capital city of Kiev and began mass executions. With the help of the Germans, the Ukrainian people were able to push the Russians out of their country. On January 22, 1919, 1 year after independence, the Ukrainian leaders announced union with the western Ukraine. However, these two memorable events were short lived, for in 1920, 2 years after independence, the entire Ukraine was under the control of the Red army.

Mr. Speaker, Americans of all generations have shared a close feeling of kinship with people who share our ideals of democracy, individual liberty, and self-determination. On this 46th anniversary of Ukrainian independence which lasted only 2 years, I join with other Members of this Chamber and Americans of all national origins in reflecting for a moment on the inspiring example the Ukrainian peoples have given the cause of liberty. I am certain that history will show theirs to be a temporary fate, and that someday the Ukrainian people will live in a close bond of friendship with American people, in a world of peace and self-determination.

Mr. PUCINSKI. Mr. Speaker, today we mark the declaration of the freedom of the Ukraine. This freedom was proclaimed 46 years ago, but the people of the Ukraine are unable to celebrate this independence for they remain sealed behind the wall of Communist imperialism.

Since coming to Congress in 1959, I have stood here each year and paid tribute to the anniversary of the proclamation of Ukrainian independence. It is important for us to keep this date, and the dates of all the nations locked in bondage which had once proclaimed their freedom to the world, fresh in our minds.

These important dates help us to remember the enormous value of our own independence and liberty. We won our liberty at great cost and, with the help of Providence, we have never had to yield it to a foreign power. In this time of trial for all nations who are striving to be free, let us remember and pay tribute to our friends who have waged such a long and gallant struggle against the slavery of a totalitarian dictatorship.

They deserve our support. Let the people of all captive nations know that we remember their anniversaries of freedom and that we will continue to acknowledge them publicly until one day they are able once more to commemorate them with us and with all the world.

Mr. MINISH. Mr. Speaker, today we should be reminded of the fate of a noble and brave people living under the yoke of Soviet tyranny. Today is the 46th anniversary of Ukrainian independence, an occasion not for rejoicing but for tributes to the valor of Ukrainian martyrs and to the sacrifices of a long-suffering people. Indeed, 3 years ago, when the centennial of the Ukrainian poet, Taras Shevchenko, was celebrated, we were reminded that in the poetry of Shevchenko, the Ukraine has contributed an eloquent monument to the cause of freedom and independence everywhere.

After 300 years of oppression, Ukrainian independence lasted only 2 short years—from January 1918 to the spring of 1920. The czar was overthrown and independence was proclaimed only to be crushed by the agents of 20th century totalitarianism. The Ukraine experienced no respite during World War II; the Soviets withdrew only to be replaced by other cruel masters—the Nazis. Today, the weight of Soviet authority rests as heavy as ever. But the aspirations of the Ukrainian people endure, and must be shared by all freedom-loving peoples.

It is especially important that here in the United States, where the cause of national independence has been traditionally regarded with warm sympathy, and where countless millions have sought shelter from oppression, the plight of the Ukraine be recalled. Moreover, the United States is today the mighty moral leader of the forces of the free world. Can the United States afford to forget that the interests of all who seek freedom are indissolubly linked? The answer must be a categorical "No." Can the United States afford to deny hope to those who suffer under the burden of tyranny? The answer must again be an emphatic "No." The U.S. Congress recognized these facts in July 1959 when it passed a resolution affirming the right of 22 captive nations to self-determination, and established Captive Nations Week, dedicating it to the freedom of forgotten peoples.

Since the end of World War II, we have seen the rise of many new nations. Some of them have thrown off colonial bonds after long periods of subjugation. They have found self-respect; they have entered the community of nations; they have become members of the United Nations. The Ukrainians, too, have a delegation to the United Nations—a sham delegation. For the facade of independence covers the ugly fact of subservience. The Ukraine did not gain independence following World War II; it refound its traditional masters.

The Ukraine has a population of more than 45 million, and a territory which exceeds in area that of several Western European nations combined. The history and culture of the Ukraine is more than 1,000 years old; the Ukraine is rich in human and material resources. Is it not a singular injustice that this people continues to be subject to exploitation, that today it forms part of the worst colonial system of modern times? To be sure, the fate of the Ukrainians is shared by others. All the more reason not to be blinded by peace overtures and test ban treaties. Let us not fear to name the common oppressor. Let us be reminded by the Ukrainian cause that vigilance against the Soviet Union is a continuing necessity, that the "world will not be safe for democracy" until all captive nations have achieved the right to self-determination in freedom. Let us rededicate ourselves today to the ideals and aspirations that we share with the Ukrainian people, and express the fervent hope that they will soon rejoin the community of free nations.

Mr. GALLAGHER. Mr. Speaker, it is fitting that on this date each year, we recognize that in the dark world of captive nations, the light of freedom still burns. It is the symbol of a sustained spirit that communism has failed to destroy. Soviet dictators may imprison a man, but not his soul or his brain, wherein the spirit rests.

Few free people in this world have suffered as long or as severely as those of the Ukraine. For more than 300 years, under czarists and Communists, they have borne the yoke of the oppressor. But still the torch of freedom burns not in a public square, but in the hearts of the people.

Only for a very brief period of 2 years did they enjoy some freedom. They tried hard to fashion their own destiny, but unfortunately they were not successful in their gallant attempt.

At the end of the First World War, when the autocratic czarist regime was shattered and therefore Russians were unable to hold Ukrainians in check, then the people of Ukraine proclaimed their independence and established their national government in the newly created Ukrainian Republic. Under severe and indescribable handicaps they managed to maintain their freedom and preserve their rather weak state for about 2 years. But even from the moment of its birth, it seemed that the days of the new state were numbered unless effective foreign assistance was forthcoming. At the time this proved impossible. Then in 1920 the Ukrainian Republic was treacherously attacked by the Red army, was overrun, and all opponents of Soviet Russia were ruthlessly eliminated. Independent Ukraine ceased to exist, and the country became part of the Soviet Union. They were deprived of freedom, yet they still clung to their ideals of freedom and independence. Only by keeping alive the spirit of freedom can captive citizens ever hope to be free. This spirit, so evident in the Ukraine, is probably the free world's most effective weapon in our continuing fight against the powerful forces of communism.

Today marks the 46th anniversary of Ukrainian Independence Day, and I join all Americans of Ukrainian descent in the celebration of the Ukrainian Independence Day, a memorable and significant occasion.

Mr. FARBSTEIN. Mr. Speaker, it is my privilege this afternoon to join with my colleagues in the commemoration of Ukrainian Independence Day. Today, January 22, 1964, marks the 46th anniversary of the independence of Ukraine; and I think it fitting and proper that we, the elected representatives of the American people express the deep feeling of affinity and common purpose we hold for this captive nation of 45 million Ukrainians, for we share with them the ideals of individual liberty, national self-determination and real democracy.

I believe this day of independence should be commemorated annually so that all the world will know that we do not recognize the right of the Soviet Union—or any country—to turn free nations into Communist colonies. We must continue to remember that the threat to freedom of any one people or any one nation is a threat to freedom of all peoples. We must send to these people constant reminders that we have not forgotten them, that we stand for their freedom with all the vigor that a free nation can muster, that we are dedicated to the restoration of liberty and self-determination to all who suffer under Red tyranny.

Those living in the Ukraine, under the tyrannical regime imposed upon them by the Kremlin dare not celebrate their independence day; but we Americans salute them and renew our pledge of support for their great cause.

We shoulder this responsibility gladly. We pledge ourselves to continue to fight for freedom for all who are denied this God-given right of man; and we will follow every course toward the achievement of this ultimate goal.

Mr. DENT. Mr. Speaker, the 20th century abounds in tragic ironies. Surely one of the greatest is the fact that during an age when many nations are acceding to independence and freedom for the first time, others are being submitted to one of the cruelest tyrannies the world has known. The Ukraine is among the unlucky; the Ukraine has been among the unlucky for centuries. Today we commemorate the 46th anniversary of the declaration of Ukrainian independence, we mourn the loss of that independence, we reaffirm our faith that that loss shall be repaired.

For over a thousand years the Ukraine has constituted a distinct cultural entity. The history of the Ukraine as a national political and economic unit is long. Today the Ukraine supposedly enjoys an independent and sovereign status. The facts belie the appearance. Instead, the Ukraine is wholly submitted to Soviet control, and subject to Soviet persecution and exploitation. The Ukrainian people are the largest non-Russian people living under the Soviet dictatorship and behind the Iron Curtain. These facts are worth emphasizing. The Soviet Union pretends to be the defender of peace and justice and freedom for all peoples. At the same time, it ruthlessly subjects a sturdy and valiant people to the worst of hardships—the denial of independence.

The United States can boast of over a million Americans of Ukrainian descent. They have proved themselves to be hard-working, self-reliant citizens. Their hope to see their land of origin regain its independence after so many years of suffering accords well with American ideals and interests. The cause of the Ukraine is the cause of the United States. Today, it is worth remembering that even hard-won liberty is precarious, and that the enemies of freedom have yet to be vanquished.

Mr. LIPSCOMB. Mr. Speaker, 46 years ago, the people of the Ukraine declared themselves independent. This proclamation on January 22, 1918, was the culmination of centuries of struggle, of futile uprisings and crusades, mass purges and deportations and terrorism.

Unfortunately war did not end for the Ukrainian state at the conference table of Versailles. Victorious Polish and Russian Armies proceeded to conquer and annex once again the Ukrainian homeland. By 1922, independence was only a word; the territory became a part of the newly formed Union of Soviet Socialist Republics.

The memory of this short-lived Republic, however, has not been forgotten. Throughout the free world, those fortunate Ukrainians who managed to gain asylum from the tyrannical rule of Communist brutality, keep alive the spirit of independence through their writings and work in Ukrainian societies. They tell of the hardships which the people in their homeland are enduring. They relate how difficult it is for their relatives now living under Communist regulations to keep alive the spirit of independence.

Therefore, on the 46th anniversary of the proclamation of the sovereign Ukrainian Republic, let us remember, too, the valiant struggle of this oppressed people for freedom and add our encouragement and hopes that sovereignty may once more be enjoyed in their beloved homeland.

Mr. DADDARIO. Mr. Speaker, it is important that we note the traditions of liberty and the desire that all men attain the freedom for which they have struggled through the centuries. Today marks the 46th anniversary of the independence of the Ukraine, one of the first victims of Soviet imperialism.

When the Bolsheviks were moving toward conquest of the Soviet Union, they spoke often of the desire for self-government and for liberation from tyranny. But in the first years after their victory, they proved the mockery of these words. They overrode the efforts of smaller groups to recognize their own traditions and their own rights to self-government.

The Ukraine, from which so many brave people have come to the United States, and in which many fierce battles for freedom have taken place, is a key region for the U.S.S.R. It has always been a center of agricultural production, in a nation where continued meddling with the freedom of the farmers has caused desperate straits. I have talked with many who are deeply aware of the issues at stake in the Ukraine, and I believe we in the Congress should take note of, and celebrate the day when the Ukraine looked forward to a true independence under their own people.

I also want to call to the attention of the Congress, a letter written by a Hartford man and published in the Hartford Courant, which states his feelings on this anniversary:

> INDEPENDENCE FOR THE UKRAINE
>
> To the EDITOR OF THE COURANT:
>
> Every year during the month of January Ukrainians this side of Iron Curtain mark the proclamation of independence of Ukraine, announced in the manifesto of the Ukrainian Central Rada, January 22, 1918, which declared: "As of today, the Ukrainian National Republic becomes the independent, free and sovereign state of Ukrainian people."
>
> The history of Ukrainians' struggle for liberty and independence begins with the country's defense against the Tartar invasion from the east. The inhabitants of Kievan Rus'—Ukraine—were known as Rusyny, Rusythy, and foreigners called them Ruthenians or Ukrainians.
>
> These people conducted trade and waged wars with the Byzantine Empire and accepted the Christian religion from Byzantine under King Volodomyr the Great of Kiev. During 10th and 14th centuries, the Ukraine was an independent and flourishing nation with a highly developed culture.
>
> At the beginning of the 18th century the Russian armies destroyed the Ukraine. Russia ruled until the revolution in 1917. On January 22, 1918, immediately after the revolution, the Ukraine announced its independence.
>
> Its independence was destroyed by newly reborn Poland and Communist Russia, which reestablished Moscow control over Ukraine and promoted the creation of Soviet Ukraine. The Soviet Ukraine, regarded as a sovereign state, was actually a colony of Communist Russia's empire.
>
> The history of the Ukraine for the last 250 years has been blood and tears. The people in Ukraine know, just as we knew while we lived behind the Iron Curtain, that there exists abroad an active government-in-exile of the Ukrainian Democratic Republic.
>
> Today, the world understands the fate of countries like Ukraine, which are subjugated by Communist Russia. There will be no peace, not only in Europe but in the whole world, until Ukraine and other countries of a similar fate have once again gained their independence and have been accepted as a member of equal standing by the large family of the free nations.
>
> PETER LUCYK.
>
> HARTFORD.

Mr. BATES. Mr. Speaker, as we pause today to join the enslaved people of the Ukraine in prayers for their restoration to freedom, it seems appropriate to recall the prayer offered in this House Chamber 1 year ago by the Very Reverend Volodymyr Bukata, pastor of the Ukrainian Orthodox Church of Holy Ascension, Newark, N.J. He said, in part:

> The universal cause of the dignity of man under God and his freedom is indivisible. We, therefore, on this day in the commemoration of the proclamation of independence of the Ukrainian people 45 years ago as the Ukrainian National Republic raise our voices in prayer for this long-suffering nation which is denied freedom by Communist imperialism. We pray also for the many other nations which aspired and continue to aspire to freedom despite the brutal and ruthless suppression then and now by the most despotic ideology and regime the world has ever known.

One year later, we reiterate those prayers but find, sadly, that in the past 12 months the same forces of oppression have engulfed even more nations which enjoyed only brief periods of long-sought independence. As we consider this distressing fact, we cannot help but become aware of the similarity of conditions which have led to one nation after another falling into the captivity of unprincipled foreign domination.

Geography has always been a factor when nations are overrun by aggressors—whether working from without or from within. The Ukraine has had more than its share of misfortune because of its location at the crossroads between Europe and Asia, and because of its rich, fertile soil. It has, accordingly, been an almost constant center of discord between East and West.

Today, the centers of discord between the East and the West are many—no longer confined to the region with which we are especially concerned on this date. Just as the struggle for independence and personal liberty continues for the 45 million people of the Ukraine—the largest non-Russian captive nation in eastern Europe—so does that struggle persist for countless millions in other oppressed countries.

Mr. Speaker, the United States is the largest and strongest free nation in world history, and it is, therefore, only right and proper that this country should, in every way possible, give encouragement to those in other lands who are less fortunate than are we, yet who strive for deliverance so that they, too, may reap the fruits of freedom. Because of this, I consider it a privilege to join my colleagues here on this 46th anniversary of Ukraine's independence by urging Congress to approve the establishment of a Special Committee on Captive Nations.

This committee would, I believe, symbolize to the world that Americans are determined never to forget the captive nations and their struggles for freedom from despotism. Moreover, such a committee might well acquaint others who are still free with the problems which resulted in those nations' captivity—thereby perhaps helping to preserve independence elsewhere.

At this same time, I am pleased to record and endorse the support of the Boston Branch of the Ukrainian Congress of America, Inc., not only for the resolutions seeking establishment of a Special Committee on Captive Nations, but also for the issuance in 1964 of a U.S. commemorative stamp of the "Champion of Liberty" category in honor of the 150th anniversary of the birth of Taras Shevchenko, the great Ukrainian poet and champion of universal freedom and justice. Issuance of such a stamp would coincide with the unveiling this year of a statue here in Washington, as provided by the 86th Congress, honoring this Ukrainian patriot.

And, Mr. Speaker, as we pay tribute to the freedom-hungry people of the Ukraine, may we also seek to give continued heart and hope to others like them wherever they may be in this half-slave, half-free world.

Mr. DINGELL. Mr. Speaker, the history of the Ukrainians is the story of a large group of gifted, industrious, and brave people who have not been allowed to enjoy the fruits of their labor during most of modern times. Through some unfortunate turn of history, these 40-odd million Ukrainians have not been masters of their fate, and for about 300 years, except for a brief period of 2 years, they have not known national political independence. In their historic homeland they have lived under alien despots and endured all sorts of hardships, privation, and misery, and yet they have retained their spirit of freedom. And freedom was at last attained at the end of the First World War. When Russia's czarist autocracy was overthrown by the Russian revolution, Ukrainians felt free, seized upon the opportunity and proclaimed their independence on January 22, 1918.

That event, the proclamation of the Ukrainian National Republic, symbolizes the realization of a dream centuries old, and justly has become a landmark of great significance in Ukrainian history. Unfortunately the newborn and very weak state was under severe handicaps at its birth. The war-torn country was literally ravaged and the fertile Ukraine was a wasteland. Most of its inhabitants were uprooted from their homes, and the normal course of life was badly disrupted. These were grave problems for a new government to face, but even more serious was the Communist Russian threat to the independence of the country. Before the Ukraine Government had the chance to bring some order out of the existing chaos, it was attacked by the Red army, the country was overrun early in 1920, and independent Ukraine ceased to exist. Then the country was merged with the Soviet Union as one of its constituent republics.

Ukrainians have suffered more under the Soviet tyranny than under the autocratic czars. Today their fair land is practically sealed off from the free world, and there they live something like the people on the dark side of the moon. It is almost impossible to know their actual conditions, and just as difficult to understand their genuine feelings under such circumstances. Of one thing we are sure; we are positively certain that they have not given up their hope for freedom and independence. On the 46th anniversary celebration of their independence day we pray for their deliverance from Communist totalitarian tyranny.

Mr. ST GERMAIN. Mr. Speaker, January 22 each year is marked by many Members of Congress as the day on which to recall that 40 million people in the Ukraine are still held captive behind the Iron Curtain.

Forty-six years ago today the Ukrainian Republic was proclaimed despite the bitter opposition of the revolutionary government in Russia. The Republic was popularly constituted and had the backing of the great majority of the Ukrainian people. But fate and time dealt poorly with the Ukraine, despite every hope. It now languishes, suppressed and exploited, the major colony in the Soviet empire.

We should take this chance to emphasize to the world that the Ukraine was captured by the Communists against its will and is held by force. No country in the world ever received such treatment from the United States or ever will. We are here to proclaim that the Ukraine has as much right to its freedom, and to a government of the people, as any other country. Every American looks forward to the day when communism is defeated in the Ukraine and democracy allowed to flourish.

Mr. LINDSAY. Mr. Speaker, 46 years ago this month the Ukrainian National Republic declared her independence after centuries of subjugation under the yoke of Mongols and the Russian czars. The independence and liberty of the freedom-loving Ukrainians was almost immediately stamped out by the Soviet Communist dictatorship, but the indomitable spirit of the Ukrainian people survives despite the purges, repressions, and cruelties of the Communist dictators. The flame of liberty still burns brightly in the minds and hearts of the Ukrainian people.

Ukraine represents one of the most powerful forces of patriotic nationalism in Eastern Europe and the Soviet Union. Its invincible fight for national independence and freedom has forced Moscow to resort to a masquerade of Ukraine as an "independent" and "free" nation within the "federal" framework of the U.S.S.R.

As Prof. Lev E. Dobriansky, chairman of the Ukrainian Congress Committee, points out, we must offer our best in encouraging this spirit of nationalism in that captive nation. As he says, it would be foolhardy, indeed, to ignore our natural allies behind the Iron Curtain because Moscow is experiencing another "time of troubles."

With its 45 million population Ukraine was one of the first victims of Soviet Russian imperiocolonialism and to this day has been the largest captive non-Russian nation both in Eastern Europe and the Soviet Union, Professor Dobriansky points out.

I am honored to pay tribute to this freedom-loving nation for her inspiring example in continuing the unabated struggle for recovery of the liberty which is rightfully hers. It is the sincere hope of America and the entire free world that soon the Ukraine will join them in the family of free nations.

It is fitting here that we also offer tribute on this occasion to all Ukrainian-Americans and to the Ukrainian Congress Committee of America, Inc., whose moral support and assistance in so many ways helps the people of the captive Ukraine to keep alive the spark of freedom and to maintain faith in their ultimate liberation. Again, I am honored to join my colleagues in paying tribute to this gallant, freedom-loving nation. We earnestly hope they will gain their goal of liberty.

Mr. PIRNIE. Mr. Speaker, 46 years ago in the great city of Kiev an independent Ukraine Republic was proclaimed. Released at last from Moscow's yoke, a proud people anticipated the blessings of liberty and self-government, but in less than 3 years the Red army brutally restored Kremlin tyranny in the Ukraine, obliterating the blazing fires of full nationhood. The Ukraine joined the long list of nations made captive by Russian imperialism. Recollection of their heroic resistance to Soviet oppression rekindles hope for eventual independence and continues to inspire freedom-loving people throughout the world. Not only must we preserve the memories of their struggle by annual recognition in the Congress, but this body should establish a Captive Nations Committee to better focus national and international attention on the menace of Red imperialism. Even though we cannot lift the Iron Curtain by force, we can proclaim the truth that we know will eventually free the multitude of peoples who currently inhabit the Russian prisonhouse of nations.

Mr. BUCKLEY. Mr. Speaker, January 22, 1964, marks the 46th anniversary of the independence of Ukraine. This is an anniversary that cannot really be celebrated because the 45 million citizens in the Ukraine live today under the cloak of Communist tyranny. Theirs is not a free and independent country.

With the rise of communism in Russia in the dark days of 1917 and 1918, the Ukraine became one of the first sovereign states to be overwhelmed by the colonialism of the Soviets. The darkness of Communist domination has covered the Ukraine from that day to this.

Within the breast of the people of the Ukraine, a constant yearning for freedom has burned ever brightly.

As a result, the Soviet Union has been forced to turn to a masquerade, wherein the Ukraine is held up to the free world as an independent and free nation within the federal framework of the U.S.S.R. Those who are conversant with the facts know just how independent the Ukraine is. The day will come, however, when this independence will become a reality. Until that day arrives, I am proud to salute the Ukraine and its people on this 46th anniversary of their independence, knowing full well that some day it will take its rightful place in the family of free nations.

FIRM POSITION IN CANAL CRISIS

The **SPEAKER** pro tempore (Mr. LIBONATI). Under previous order of the House, the gentleman from Alabama [Mr. SELDEN] is recognized for 60 minutes.

Mr. SELDEN. Mr. Speaker, as chairman of the House Subcommittee on Inter-American Affairs, I have had numerous requests during the past 10 days for information dealing with our relations with the Republic of Panama. I would like to inform those who have requested such information that the Foreign Affairs Committee now has available reprints of a study prepared by the subcommittee. Although more than 3 years old, the report contains indispensable information for understanding the present crisis in United States-Panama relations. The report provides historical background, texts of the pertinent treaties with Panama, a review of Panama's grievances, U.S. efforts to relieve points of friction, suggestions which have been put forward as alternatives to U.S. control of the canal, and the subcommittee's recommendations.

Since the November 1959 riots along the Canal Zone border, the Subcommittee on Inter-American Affairs has followed developments in Panama carefully. In 1960, and again in late 1962, we conducted on-the-spot study missions in Panama and the Canal Zone. The reports of these study missions—which go into considerable detail regarding United States-Panama relations—are also available at the Foreign Affairs Committee.

Today I would like to clarify some of the issues involved in recent tragic developments surrounding United States-Panamanian relations.

First of all, let us consider the treaty arrangements by which the United States operates the Panama Canal. Under the basic agreement signed in 1903, the United States acquired in perpetuity the use, occupation, and control of a 10-mile strip of land across the Isthmus of Panama for the construction, maintenance, operation, and protection of a canal. Further, the Republic of Panama granted to the United States "all the rights, power, and authority within the zone—which the United States would possess and exercise if it were sovereign—to the entire exclusion of the exercise by the Republic of Panama of any such sovereign rights, power, or authority."

Mr. EDMONDSON. Mr. Speaker, will the gentleman yield at that point?

Mr. SELDEN. I will be happy to yield to the gentleman from Oklahoma.

Mr. EDMONDSON. Is the gentleman quoting now from the exact treaty document that was concluded between the

Republic of Panama and the United States?

Mr. SELDEN. That is correct.

Mr. EDMONDSON. I thank the gentleman.

Mr. RIVERS of South Carolina. Mr. Speaker, will the gentleman yield?

Mr. SELDEN. I yield to the gentleman from South Carolina.

Mr. RIVERS of South Carolina. Does the gentleman further mean to assure the House that the United States owns this property in perpetuity?

Mr. SELDEN. The Republic of Panama granted to the United States all the rights, power, and authority within the zone which the United States would possess and exercise if it were sovereign, to the entire exclusion of the exercise by the Republic of Panama of any such sovereign right, power, or authority.

Mr. RIVERS of South Carolina. So, were the property located in the United States, the United States would have what in an individual we would call the fee simple title?

Mr. SELDEN. That is correct, except that I would say the Republic of Panama does have reversionary rights as far as the Canal Zone is concerned. If the United States should ever decide to give up the zone, then it would go back to the Republic of Panama.

Mr. RIVERS of South Carolina. Was there ever any understanding that the United States would have to renegotiate its holdings or its ownership of this property?

Mr. SELDEN. There was none.

Mr. RIVERS of South Carolina. But there was not any responsibility on the United States to do so?

Mr. SELDEN. Not at all. But it should be noted that the 1903 treaty was revised in 1936 and again in 1955 by the United States and Panama.

Mr. RIVERS of South Carolina. Is the gentleman going to cover this in the fine statement he is making?

Mr. SELDEN. Yes.

Mr. RIVERS of South Carolina. I would like to say to the gentleman, Mr. Speaker, that he has done an outstanding job in bringing to the attention of the American people our problems in Panama along with the distinguished gentleman from Pennsylvania [Mr. FLOOD]. I know of no two men in America or anywhere else who have done a more magnificent job for the security of America and, indeed, the free world. I hope that you, in your statement, will cover the vast benefits in dollars that these people have gotten from the Treasury of the United States and from the backs of our taxpayers. This has not been an unjust treaty. Panamanians have gotten 50 times more out of it than have we in the United States.

Mr. SELDEN. Mr. Speaker, I thank the gentleman for his remarks, and I assure him that I shall cover in my speech the points to which he has referred. As I intimated a few moments ago there has been much talk recently to the effect that a treaty secured 60 years ago is an outmoded relic of a bygone era. Panama's delegate to the United Nations, Mr. Aquilino Boyd, has been saying in New York that the 1903 treaty was secured under duress. Incidentally, Mr. Boyd was one of the leaders of the 1959 riots when the U.S. flag was torn to shreds at our chancery in Panama.

I would remind Members again that in 1936 and again in 1955, the United States and Panama revised the treaty arrangement, leaving intact the basic authority of the United States conferred by the 1903 treaty. Thus the revised agreement by which the United States runs the Panama Canal is only 8½ years old.

Clearly the architects of the original agreement and those who negotiated the subsequent changes wisely realized that authority and responsibility in the Canal Zone cannot be divorced.

In a recent speech Secretary Rusk called attention to the developing danger in the United Nations where the small nations, who contribute very little toward maintaining the United Nations or defending the peace, are becoming inordinately powerful within that world body. In short, United Nations experience is demonstrating once again the maxim that responsibility and authority must go hand in hand.

The subcommittee's special study mission to Panama recognized this basic principle in its 1963 report, stating:

> The United States should be firm in resisting any erosion of its treaty rights in the Canal Zone.

At the same time, the subcommittee recognized that the efficient operation of the Panama Canal depends in large measure upon good relations between this country and Panama—especially the people of Panama. Certainly the United States has been and remains dedicated to a policy of securing the friendly cooperation of the Panamanian people.

Yet, in this endeavor, there are no easy solutions. United States-Panama relations are complicated by a complex intermingling of a number of historical, economic, political, and psychological factors.

The Republic of Panama is only half the size of Florida and has the smallest population in Latin America—slightly over 1 million people. The country is poor, with few natural resources. The per capita gross national product is only about one-seventh that of the United States. Moreover, income is badly distributed, being concentrated in the hands of relatively few families. Almost one-fourth of the population lives in single-room households of six members or more. Panama City boasts some of the most spectacular slums in the hemisphere. Unemployment in the terminal cities, Panama and Colon, reaches to about 17 percent of the working population.

Meanwhile, the canal slices the Republic of Panama in half. Panamanians in Panama City and Colon have only to cross the street into the zone to enter a different world. The contrast must be seen to understand its full impact. From a world of decaying structures, haphazard sanitation, and unfulfilled necessities, the Panamanian looks across the road into a neat American community, with comfortable houses, plentiful food, modern schools, and manicured lawns.

Perhaps to the tourist's eye Panama is colorful. To the Panamanian who must endure the squalor, the presence of a prosperous American enclave is a constant goad. Furthermore, Panamanians are wont to connect the American level of living in the Canal Zone directly to the canal, and draw the conclusion that the canal is a cornucopia of all good things which they see beyond their reach in the zone.

The attitude that the canal represents the Nation's best hope for prosperity has roots back to the arrival of the Spaniards on the isthmus. Since earliest colonial days Panamanians have lived by supplying goods and services to people transiting the isthmus, first by mule, then by railroad in the 1850's, and finally by ship.

Preoccupation with commerce precluded the Panamanians from giving proper attention to other aspects of the economy. Only 1.4 percent of the country's rich hydroelectric potential has been developed and this is highly concentrated in the terminal cities near the Canal Zone. In rural areas electric power is sporadic, if it exists at all. In the economically vital central provinces only 12 percent of the population is served. Although two-thirds of the people live in rural areas and the country has unused land suitable for cultivation, Panama must import 12 percent of its food requirements. The present system of roads reaches only about half the rural settlements. What roads there are are of dirt construction usable only during the 4 months of the dry season.

This concentration on commerce which led to a neglect of most other resources also gave rise to differing views between the United States and Panama with regard to the canal. The U.S. objective has been the efficient operation of the waterway for international commerce at reasonable rates and for defense purposes. The Republic of Panama has regarded the canal as a source of revenue.

Earlier this week in a broadcast from Panama, Dr. Manuel Fabrega—a former foreign minister and an adviser to President Chiari—stated that Panama's chief resource is its geographic position, hence the canal should provide Panama great profits.

Dr. Fabrega's argument ignores two major considerations. In the first place the canal is not a floating cash register. While gross revenues—which include tolls, sales of commodities, service sales and rentals—amounted to over $100 million during the last fiscal year, net revenue was only $2.4 million. Thus, the $1,930,000 annuity which Panama received during 1963 was more than two-thirds of the net proceeds from canal operations. Furthermore, over and above the normal operating expenses, last fiscal year the Panama Canal Company put in about $14.6 million in capital expenditures, principally to enlarge Gaillard Cut and to install lights on the locks and a new power plant.

Secondly, Dr. Fabrega ignores the enormous contribution which the canal does make to Panama's economy. Income for Panama generated by the canal far exceeds the $1,930,000 annual annuity. Such factors as the payment of salaries and annuities to Panamanians employed in the zone, purchases made in Panama by U.S. Government agencies, expenditures made in Panama by U.S. citizens residing in the zone, et cetera, add up to over $80 million a year. This dollar income helps substantially to offset Panama's traditional excess of imports over exports, and hence to maintain Panama's balance-of-payments position.

Panama's emphasis on the canal as a direct source of revenue is unfortunate not only from the point of view of the United States. Other countries have vital interests in the efficient operation of the canal. For example, almost one-fourth of the total commercial tonnage which transited the canal in fiscal year 1963 originated in or was destined for Japan. Forty percent of the total commercial tonnage originated in or was bound for Latin America.

Unfortunately, the small group of men who hold in their hands most of the wealth and political power in Panama, as well as all the media of information and communications, have found the canal an expedient political tool. Elections are largely a jockeying among the few at the top for a turn at bat. And there is the canal, vast and visible and foreign operated—an inviting target.

Over the years Panamanian politicians have found that the canal provides them a triple-headed weapon: First, it is a convenient scapegoat upon which to blame their own failures to solve their nation's pressing economic problems. They can continue to keep taxes low and largely evade even those on the books; run the government in such a way as to enhance their own fortunes; and ignore the social and economic development of their country. All they have to do is divert popular discontent by claiming that, if only the United States would be more generous with their only natural resource, everything would be rosy. Needless to say, the Panama Canal is not a natural resource. Rather, it is a contribution to hemispheric development constructed at great sacrifice and cost by the United States.

Second, the canal has proven to be an effective votegetter among the Panamanian people, who are extremely sensitive to slights against their national pride.

Finally, by exploiting this nationalistic sentiment, Panamanian leaders have been able to enhance their bargaining power with the United States. And each time they win a concession, they can go proudly before the Panamanian electorate while at the same time gaining another short reprieve in which national problems need not be faced squarely.

This is not to say that all of the Panamanian grievances which have cropped up have been without foundation. In the past 61 years the United States has taken many steps to ameliorate frictions which have developed.

These include: Renouncing the right to intervene in the terminal cities to maintain public order and to expropriate additional land for canal use; agreeing to the principle of equality of job opportunities for Panamanian nationals; agreeing to discontinue the manufacture and processing of goods in the Canal Zone if they are available in Panama in satisfactory quantities and qualities and at reasonable prices; permitting the Panamanian flag to fly in the Canal Zone.

This last concession—the trigger to our current difficulties in Panama—was the result of a 1960 order of President Eisenhower, which bypassed the Senate and disregarded the overwhelming opposition of this body to the flying of the Panamanian flag in the Canal Zone. This action of the Eisenhower administration, in the opinion of a great majority of the Members of the House of Representatives, constituted a basic change in treaty interpretation which should not have been accomplished without due constitutional process.

Mr. RIVERS of South Carolina. Mr. Speaker, will the gentleman yield?

Mr. SELDEN. I yield to the gentleman.

Mr. RIVERS of South Carolina. I think one of the greatest mistakes this country ever made was when the President of the United States—the then President—issued the order for the flying of that flag at that time without the consent of the Congress of the United States. We were never taken into the confidence of the President and of the State Department on this action. I think this is the one thing that has brought this trouble to our doorstep today. Would not the gentleman conjecture that that was a serious mistake?

Mr. SELDEN. As I pointed out a moment ago, I feel that this action is definitely connected to our current difficulties in Panama.

If the gentleman will remember, I introduced legislation which was considered and passed overwhelmingly on the floor of the House expressing the sense of the Congress that such action should not be taken except by due constitutional process.

Mr. RIVERS of South Carolina. That is correct.

Mr. LINDSAY. Mr. Speaker, will the gentleman yield?

Mr. SELDEN. I yield to the gentleman.

Mr. LINDSAY. I appreciate the gentleman's remarks and I appreciate the gentleman yielding to me. I just hope that before the gentleman has concluded he would be so kind as to advise the House as to why in this current ruckus there was no U.S. Ambassador to Panama in office and that prior to that a distinguished U.S. Ambassador had been removed and that during the height of the difficulties in Panama, in fact, the Governor was not even in residence in the Canal Zone. Before the gentleman has concluded, I would like to hear some discussion of that, particularly in view of the reference to the alleged error that was made by President Eisenhower.

Mr. SELDEN. Let me say in response to the gentleman that as far as I know, the distinguished Ambassador to Panama, Mr. Farland resigned. If he were removed, as the gentleman from New York [Mr. LINDSAY] has stated, that is news to me. As far as I know, no new Ambassador has been confirmed by the Senate although an appointment was made by President Kennedy.

I assume that after President Kennedy's death ambassadorial appointments were held up until the new administration had had a chance to make its own selections.

Mr. ROGERS of Florida. Mr. Speaker, will the gentleman yield?

Mr. SELDEN. I yield to the gentleman.

Mr. ROGERS of Florida. I want to say to the gentleman that I know the Members of the House are very conscious of the leadership the gentleman has exerted in this field. I think the gentleman is an outstanding expert, being the chairman of the Foreign Affairs Subcommittee on Latin America. I know the time and effort he has put in on trying to firm up the policy of this country and holding firmly on this issue. I was particularly pleased to see the views of the gentleman from Alabama set forth in one of the major publications, U.S. News & World Report, where he has again reiterated for the benefit of the American people the fact that we should and must maintain a position of firmness in this particular controversy. I think what the gentleman is doing today in giving the background and showing the problem that has existed, and the handling of it, certainly should be noticed most emphatically by our Department of State, by the administration, and by all those who will have to deal with this problem as it develops in showing that the Congress wants a firm policy here to continue. I think the gentleman certainly is responsible in large measure for the fact that to date we have taken a firm position. I commend the gentleman and join with him in calling for a continued firm policy in handling this particular situation.

Mr. SELDEN. I thank the able gentleman from Florida for his remarks, and I am pleased that he agrees with the position I have taken.

Mr. RIVERS of South Carolina. Mr. Speaker, will the gentleman yield at this point so that I may comment on the point raised by the distinguished gentleman from New York?

Mr. SELDEN. I yield to the gentleman from South Carolina.

Mr. RIVERS of South Carolina. Let us get the record straight. An Ambassador was designated to Panama. The former Ambassador resigned. The Governor was on his way to testify before a congressional committee, but he got as far as Miami and went back so fast it would make your head swim. Now this I believe is a fact. I think there is more than an "alleged mistake" made by a prior administration. It just happened in that administration. It is not an allegation; it is a fact.

Mr. LINDSAY. Mr. Speaker, would the gentleman yield at this point?

Mr. RIVERS of South Carolina. If the gentleman would permit me to conclude my statement, I am sure the gentleman from Alabama will yield to you since he has yielded to me.

Mr. LINDSAY. It is always a pleasure to hear my friend speak.

Mr. RIVERS of South Carolina. Well, each of us can learn something once in a while, I am sure.

Let me say this to the gentleman. We must maintain a firm position. To the eternal credit of Lyndon Johnson, this is what he is doing.

We must back him up. We can ill afford not to give him the backing he needs at this time.

In my city of Charleston, S.C., every single evacuee who has been landed during the past couple of weeks—and more than 1,200 of them have—lived on the economy. Members should hear the harrowing tales those people have told me, as have others, when they got off those MATS planes. I saw little children, with their parents, who had brought nothing with them but the pajamas they were wearing. They were literally kicked out of their houses.

There has been talk about students leading riots, but some of these so-called students were 45 or 50 years old.

I said yesterday, as I say today, they were, in my opinion, fresh from an indoctrination on the island of Cuba. That is where those people were indoctrinated. I have said, as I said in 1960, behind all of this is Fidel Castro.

Unless and until we take a firm stand, in the future we shall have much more trouble in this and other places.

This small country—small as it is—could not exist without our help, in my considered opinion. We must, therefore, continue to be firm.

Mr. EDMONDSON. Mr. Speaker, will the gentleman yield?

Mr. SELDEN. I yield to the gentleman from Oklahoma.

Mr. EDMONDSON. I certainly wish to join my other colleagues in commending the gentleman from Alabama for the presentation he is making today. One of the best parts of it is the fact that it has been a bipartisan presentation. The gentleman is not endeavoring to make "partisan medicine" out of this, because he has clearly indicated by his remarks that concessions to the Panamanians took place in 1936, under the Roosevelt administration, as well as in 1955 and 1960 under the Eisenhower administration.

I believe it is to the credit of this House that on February 2, 1960, when the question of whether we should have additional executive concessions without congressional approval was before this House, by a vote of 382 to 12, with a definite bipartisan majority, this House went on record as opposed to any further executive giveaways of sovereignty or authority in the Panama Canal Zone.

I hope we can continue to give to President Johnson strong bipartisan support for a firm position against the yielding of any of America's rights in the Panama Canal Zone.

Mr. LINDSAY. Mr. Speaker, will my good friend from Alabama yield?

Mr. SELDEN. I will yield to the gentleman from New York, and then I would like to finish my statement. After I have done so, I will be glad to yield to anyone else who wishes me to do so.

Mr. LINDSAY. I should like to comment, not necessarily in disagreement with our distinguished friend from South Carolina, because I have a high regard for him, as I do for the gentleman in the well.

I agree with the gentleman from South Carolina [Mr. RIVERS], who is an expert on this subject. I always listen to him very carefully. I agree with what he said on the infiltration that occurred in Panama. The riots were unquestionably if not triggered off at least carried on as a result of infiltration by hard-core Communist infiltrators from Cuba. There is no doubt about that.

I believe, however, that at some time the question must be answered as to what happened to our distinguished former colleague from Maine, Frank Coffin, and the nomination which was made by the late President. I understand that nomination has been put on the back burner, if not thrown in the ashcan altogether.

To me this is quite serious. I believe it is a lapse about which the Congress has the right to ask questions and about which Congress should ask questions. Unless all the press is incorrect, there were real differences between the former Ambassador and elements of the Congress, and possibly of the executive branch, though I do not know.

I should like to ask the gentleman a question. If it was an error for President Eisenhower to suggest that the Panamanian flag be flown simultaneously with the American flag, was it in error for President Johnson—and I am not arguing it was—to order that the Panamanian flag be flown along with all American flags on all flagpoles rather than at only one location?

Mr. SELDEN. I will respond briefly to the gentleman, and then I should like to continue with my statement.

As the gentleman from Oklahoma pointed out, I have attempted to make this a nonpartisan statement. I merely pointed out that among the concessions which have been made—and there have been many—one concession, which happened to be made by the Eisenhower administration, was opposed by a record vote of this House. I feel the executive branch made a mistake in connection with that particular concession. Yet when one Panamanian flag was flown in the zone a precedent was established and it should have been obvious to all that further demands would be made and granted for the flying of additional flags. As far as the appointments of ambassadors are concerned, I presume we would have to secure information on that subject from the executive branch of our Government. As I stated earlier, however, perhaps the death of President Kennedy had something to do with the delay of the appointment and confirmation of an Ambassador to Panama.

I wish to say again, however, that the list of concessions over the years has been a long one. I have merely named a few. For those who are interested, all of these concessions can be found in the various reports which have been submitted by the Subcommittee on Inter-American Affairs, which are available in the Foreign Affairs Committee room.

With respect to concessions, the special study mission reported in 1963:

> It seems unlikely that efforts to promote more friendly relations between residents of the zone and Panamanians or the granting of concessions will be sufficient to contain further manifestations of nationalism. Rather, it seems probable that concessions will merely encourage more sweeping demands.

Yet, the subcommittee has not ignored the responsibilities of Zonians who by their day-to-day conduct have a considerable bearing on our own Government's relations with the Government and the people of Panama.

In the subcommittee's 1960 report we stated:

> The subcommittee recognizes that U.S. residents in the Canal Zone perform a great service for their country at certain personal sacrifices. At the same time, American citizens in the Canal Zone have a special responsibility to assist to the maximum extent toward furthering amicable relations with nationals of the Republic of Panama. The subcommittee approves every effort to assure U.S. citizens in the zone a standard of living comparable with that which they would enjoy in continental United States. However, the Republic of Panama is no longer the isolated frontier civilization of construction days which motivated the U.S. Government to adopt measures designed to mitigate harsh living conditions. Unfortunately, there exists a human tendency to regard emergency measures which endure for a long period of time as vested interests. The subcommittee is confident that officials of the U.S. agencies operating in the Canal Zone, in living up to our treaty commitments with Panama, will take into consideration the welfare of the residents of the zone. At the same time, the subcommittee urges the Panama Canal Company and Zone Government to emphasize to their employees their responsibilities as U.S. citizens living in a unique situation.

Nevertheless, the way in which some commentators have criticized the Zonians and leaped to the conclusion that U.S. treaty rights should be renegotiated is nonsense.

There is another side to this coin.

Panamanian officials are not innocent bystanders in the recent unhappy events. The manner in which an incident involving schoolchildren escalated into full-blown riots in which some two dozen people lost their lives and hundreds were injured needs to be explored.

It must be noted that on Thursday, January 9, from the time the Panamanian schoolchildren sought to raise their flag at Balboa High School, Panamanian radio stations, which are owned by prominent political figures in the Republic, broadcast inflammatory reports of the flag incident and the subsequent rioting. These reports presented a distorted view of the activities of the Canal Zone police and zone residents, and generally described the events as a patriotic struggle for Panamanian sovereignty in the zone. These broadcasts intentionally incited the Panamanian people.

Panamanian elections are upcoming in May. Again Panamanian officeseekers seem to have found it expedient to whip up a nationalistic fervor, then to present themselves as the most fervent of nationists.

At the same time there is no question of the presence of trained Communist agitators in the mobs that tried to force their way into the Canal Zone. The rapid appearance of Molotov cocktails and the efficient manner in which buildings were demolished attest to the presence of expert organizers of chaos.

It may be that the Zonian schoolchildren were insensitive to a delicate political situation. But the real catalysts to the tragic riots of recent weeks in Panama were the Communists, who seized an opportunity to foment violence, and those Panamanian officials who aroused the people's emotions, then could not contain them.

Last April the special study mission warned:

> It is increasingly clear that nationalism as a political weapon is no longer the sole possession of the governing group.

Perhaps, the tragic bloodshed 10 days ago will make this evident to the ruling classes in Panama.

In the meantime, the United States alone cannot resolve the present dead end into which the Panamanian Government has driven itself. President Johnson was correct to insist on the restoration of order and diplomatic relations before resuming discussions with Panama. The Panamanians must be made to understand that the United States cannot be blackmailed by a rioting mob.

If this means a prolonged break in diplomatic relations and an indefinite postponement of discussions of honest areas of disagreement, so be it. The administration should make unequivocably clear that we are prepared to run the canal and maintain safe the lives and property within our jurisdiction in the Canal Zone.

Let it be noted that the ruling group in Panama has in its power, through its ownership of all the news media, to create the climate of understanding and cordiality which is necessary for further discussions. Instead of grossly exaggerating canal matters and leaving false impressions with their own people, they could be presenting a true picture of how much the canal has meant to Panama and how the United States, through the Alliance for Progress, is striving to bring meaningful economic progress to the Republic.

For our own part, we would do well at this juncture to explore seriously the possible routes outside the Republic of Panama for the construction of a nuclear-blasted sea-level canal. If by their irresponsible leadership the ruling group in Panama cause the bypassing of the Panama Canal as a major route in hemispheric and world commerce, they will have to answer to their own people for their folly.

Mr. RIVERS of South Carolina. Mr. Speaker, will the gentleman yield?

Mr. SELDEN. I yield to the gentleman from South Carolina.

Mr. RIVERS of South Carolina. Mr. Speaker, I want to congratulate the gentleman on one of the finest dissertations I have ever heard on this or any subject. He has given us a document that should be in the Archives of the Congress of the United States and made available to the American people. He has done an outstanding job. I want to congratulate him because I wish that every Member of the House, as well as of the other body, could have heard this fine, this excellent defense of America and of the free world, and the accurate appraisal of what transpired in this troubled part of our hemisphere.

Mr. SELDEN. I am very grateful to my distinguished colleague from South Carolina. I can assure him that I am aware of the position of firmness he has always taken when the prestige of our Nation is at stake, and I am extremely pleased that he concurs in the remarks I have made here this afternoon.

Mr. EDMONDSON. Mr. Speaker, will the gentleman yield?

Mr. SELDEN. I yield to the gentleman from Oklahoma.

Mr. EDMONDSON. Mr. Speaker, I would like to join my colleague from South Carolina in complimenting the gentleman from Alabama for the statesmanlike presentation which he has made. I think he has spoken with a cool head and yet I think his position in favor of a firm hand is also unmistakable.

The post which he holds as chairman of the Subcommittee on Inter-American Affairs has certainly put him in a position of responsibility in connection with this issue for a long time. It is to his very great credit that in the debates on February 2, 1960, in connection with the resolution that he brought to the floor, he predicted with clarity, I think, exactly what would happen if we yielded on this score. The remarks of the gentleman from Alabama can be found in the CONGRESSIONAL RECORD, volume 106, part 2, page 1798. He stated very definitely that the flag matter would be an opening wedge in a long chain of demands to yield to the ultimate assumption by Panama of complete sovereignty over the canal. That was the prediction of the gentleman from Alabama on that date. He was backed up in that prediction by the able gentleman from Texas [Mr. BURLESON] who spoke along similar lines.

The United Press International story of January 20, 1964, gives the sequel to this story because on that date, as referred to previously by the gentleman from Alabama, Mr. Aguilino Boyd appeared before the television cameras of the country and demanded that we give to the Panamanians control over the Panama Canal. He made it very clear that the Panama Canal for Panamanians was the goal of the drive that is now going on in his country.

To my way of thinking this not a question of expropriation of private property or any question in which the sovereignty of the Republic of Panama is involved. This is a question of standing by our Government's treaty rights. It is a question as to whether the people of Panama are going to stand by their Government's treaty obligations and whether they are going to respect international law and order and decency while they attempt to discuss the changes that they feel should be made.

Personally I strongly endorse the position which has been stated by the gentleman from Alabama and which I believe is held today by the President of the United States. We should refuse to continue discussions of any kind under the threat of force or blackmail. We should require that an orderly situation continue in effect at the canal for some time before we sit down at a table with the representatives of the Republic of Panama. When we do sit down with the representatives of the Republic of Panama I think it should be made clear at the outset that while we may be willing to discuss with them areas of honest disagreement, we certainly are not willing to even discuss the question of control of the canal and the responsibility for its operation and defense. These are points that are not negotiable as far as the American people are concerned, and I certainly hope they are points that are not negotiable as far as the Chief Executive of this Nation is concerned.

Mr. Speaker, I thank the gentleman for yielding.

Mr. SELDEN. Mr. Speaker, I thank the distinguished gentleman from Oklahoma for his excellent contribution to this discussion of United States-Panamanian relations.

PANAMA CANAL—A FEDERAL CORPORATION

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that the gentlewoman from Missouri [Mrs. SULLIVAN] may extend her remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore (Mr. LIBONATI). Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

Mrs. SULLIVAN. Mr. Speaker, as chairman of the Subcommittee on Panama Canal, of the House Committee on Merchant Marine and Fisheries, responsible for all legislation pertaining to the operation and maintenance of the Panama Canal and the Canal Zone, I have been very close to the many problems of this area for many years.

Because of the very delicate situation existing between the United States and Panama at this time, I have refrained from making any public speeches or statements concerning the present conflict. This is true also of the members of my subcommittee. We have been, and are being constantly advised of the events as they are taking place in the area.

However, I have been greatly concerned over a number of statements in both the United States and Panama press concerning the desirability of increasing payments to Panama out of canal revenues. Unfortunately, in all the information which has been presented in the press about our operation of the canal, there has been almost no material on just how the Canal Company is set up and what its financial circumstances really are. This is not a moneymaking enterprise.

The Panama Canal Company is a Federal corporation in which the President is the sole stockholder and as such corporation it files an annual report which is available for examination. The latest report, that for the fiscal year 1962, shows that transit tolls have increased from $37.5 million in 1953 to $58.3 million in 1962. Unfortunately, advocates of larger payments to Panama concentrate on this figure rather than on the net revenue of the Company which has varied from $300,000 in 1955 to $7.3 million in 1962.

For the period following the published reports, I am informed that the net revenue of the Company for the current fiscal year is $2.3 million and that there is every reason to believe that there will be no net income for the next fiscal year.

The decrease in net revenue arises from two things. First, there has been a leveling off of tolls by reason of a decrease both in number of ships and cargoes and recent wage increases given to Panamanian employees, in the amount of $7 million per year, which wiped out not only the current net income but also accumulated reserves.

By reason of these facts, necessary work to keep the canal abreast of its expected increasing traffic has been deferred.

Transits through the canal have increased from 807 in the year 1916 to over 13,000 in 1963, and the tonnage carried has increased from slightly over 3 million to almost 64 million tons. The canal presently is operating at a capacity undreamed of by its designers but such was the soundness of their design and engineering and such is the ability of the present employees that present operations are being conducted without strain. However, it has been necessary to continue work to meet the increasing demands and since 1953 through the end of fiscal 1963, a total of $122.7 million has been spent on canal improvements. These include lighting of Gailliard Cut and the locks to permit 24-hour operation, the purchase of faster towing locomotives, widening of the cut from 300 to 500 feet to permit uninterrupted two-way traffic and numerous other minor but equally important improvements.

During the next 2 years, it was anticipated that an additional $25 million would be required to conduct the improvement program which is vital to maintain the free and uninterrupted flow of traffic as it increases.

Primarily because of wage increases given the Panamanian employees, this program will be slowed, with possible adverse consequences to the operation of the canal.

In addition to all of the varying expenses necessary for the maintenance and operation of the canal which must be paid out of the tolls revenues, there is an additional amount of $1.5 million a year paid to Panama under the terms of the 1955 treaty which is not reflected in the expenses of the Canal Company. If this sum is deducted from net revenues of the Company, the current year net income would be only $800,000 and there would be a sizable deficit for the coming fiscal year.

It is extremely difficult to determine a reasonable source for any additional payments to Panama since the 1960 report of the board of consultants of the House Committee on Merchant Marine and Fisheries pointed out that while world shipping could stand a moderate increase in tolls, if a substantial increase were placed in effect, there would be an appreciable decrease in the traffic through the canal, so that the toll increase would not serve to appreciably increase the gross revenues of the Company.

NEED FOR LONG-OVERDUE REVIEW OF OUR IMMIGRATION POLICY

The SPEAKER pro tempore (Mr. LIBONATI). Under previous order of the House, the gentleman from Ohio [Mr. FEIGHAN] is recognized for 15 minutes.

Mr. FEIGHAN. Mr. Speaker, a misleading article appeared in the New York Times on January 14, 1964, on the status in Congress of administration proposals for revision of our immigration policy. That article, written by Tom Wicker, attempted to portray me as holding up a full-scale congressional review of immigration policy and therefore the prime opponent of new legislation. I quote the false charge in the Wicker story:

> An administration source said Mr. Feighan was the prime opponent to new legislation.

After reading that false but planted charge, I telephoned the White House and spoke to Mr. Myer Feldman, Deputy Special Counsel to the President, and asked him if that charge represented the thinking of the Johnson administration. He replied emphatically that it did not. I then asked him if he knew the source of the false charge. He replied that he did not know the source but that it did not originate with any responsible people in the Johnson administration. I asked him what he intended to do to set the record straight. He requested that I quote him as correctly representing the administration's position in his repudiation of the charge in the New York Times story.

I invite members of the press, Members of Congress and the interested public to telephone or write Mr. Feldman at the White House for any further details they may require.

Let me identify the role of Mr. Feldman in the matter. I was at the White House meeting on January 13, 1964, as reported in the New York Times article to which I have referred. President Johnson informed me at that time he had assigned Mr. Feldman to immigration matters and that Mr. Feldman was to cooperate with me in my capacity as chairman of the Joint Committee on Immigration and Nationality Policy and as chairman of the Subcommittee on Immigration and Nationality of the House Judiciary Committee. It was only natural that I should turn to Mr. Feldman for a clarification of the false charge in the New York Times story.

After Mr. Feldman clarified the administration position on the New York Times story, I initiated discreet but pointed inquiries into the source of that false charge. I did not telephone Mr. Wicker, the vehicle used for it, because the press has a right to protect its sources and I was convinced Mr. Wicker would invoke that right to protect his misinformer. Since Mr. Wicker did not seek my reaction to the statement of an alleged administration source before filing his story, I could hardly expect him to reveal his source. But there are other means open for identifying and pinning down such faceless "administration sources." The results of my inquiry point the steady finger of truth at a high-ranking political appointee in the Department of State. While the long finger of truth is pointed at him, the opportunity is still open for him to clear himself of involvement in misrepresentation of the Johnson administration. He can do that by simply stating publicly that he was not involved, directly or indirectly, in using Mr. Wicker of the New York Times as a vehicle to misrepresent the Johnson administration. I am not questioning his personal convictions, which he is entitled to and which are well known, but if Mr. Wicker confused his personal convictions with the views of the Johnson administration, that confusion must be cleared up forthwith. No one has the right to drape his personal convictions over this or any Federal administration while he reposes safely in the bombproof shelter of the faceless mass in the Department of State.

The prime opponents to new legislation are those who have opposed and continue to oppose full and open inquiries by the Joint Committee on Immigration and Nationality Policy. It is the statutory function of the joint committee to make a continuing study of first, the administration of the immigration laws and its effect on the national security, the economy and the social welfare of the United States, and, second, such conditions within or without the United States which in the opinion of the committee might have any bearing on the immigration and nationality policy of the United States—section 401, Public Law 414, 82d Congress. These congressional responsibilities have not been discharged because the Joint Committee was not activated until July of 1963 and then was confronted with the lack of funds to discharge its responsibilities.

As chairman of the Joint Committee I initiated action in Congress on August 1, 1963, to secure the funds required to launch the work of the Joint Committee. If Congress is to act intelligently, objectively, and expeditiously on the administration's proposals for revision of our immigration policies, Congress has a first duty to establish all the facts bearing on those proposals. Congress should not be expected to act in the dark on any matter, let alone a matter of high public policy such as immigration. Moreover, the people are entitled to know all the ramifications of our present immigration policy and to be informed of the merits as well as to hear the arguments advanced for change in that policy. It is the duty by law of the Joint Committee to meet those responsibilities and I intend to see that those responsibilities are met.

It is significant to note that the last budget request made to Congress by President Kennedy, November 21, 1963, carried a request for funds to initiate the long overdue work of the Joint Committee on Immigration and Nationality Policy. That request, so far as funds for the work of legislative committees is concerned, was the only one blocked from consideration by Congress during the closing days of the first session. If those blocking efforts continue, I have no other course open but to put the full facts before the Congress and the American people, including public exposure of the name of the prime blocker and his close associates in efforts to prevent full and open inquiry by Congress.

Let me make the record clear. As soon as the hearings on immigration and nationality policy are concluded, the subcommittee of the House will then be in a position to consider substantive legislation to be presented to the Congress. Time is of the essence in this matter, as I have repeated to interested parties, and the sooner the hearings are completed on policy the sooner will Congress be able to take up specific legislation relating to that policy.

A FULL INVESTIGATION NEEDED

The SPEAKER pro tempore (Mr. LIBONATI). Under previous order of the House, the gentleman from Iowa [Mr. GROSS] is recognized for 15 minutes.

Mr. GROSS. Mr. Speaker, it is time for committee investigators of the other body to quit toying with Mr. Walter Jenkins and engage in serious questioning of this man as to his involvement in the gift of a stereophonic set to Lyndon B. Johnson.

It is clear favoritism to permit Jenkins to submit the type of statement that he did to the Rules Committee of the other body. The issue is clear:

Was pressure put upon Don B. Reynolds, a Maryland insurance agent, to force him to rebate or kickback things of value—an expensive stereo set and $1,200 in unneeded advertising—to Lyndon B. Johnson and the L.B.J. Co.?

There apparently is no doubt that Reynolds paid for the advertising on the Austin, Tex., radio and television station, and it should be obvious that Reynolds' Maryland insurance firm had no need for it.

According to Reynolds' testimony under oath, he did not want this advertising time on the Austin station and he apparently worked out some kind of an arrangement to resell the time to a neighbor, Albert Young, who sells stainless steel ware. All of the documents thus far sustain Reynolds' version of this transaction, and it should be easy for the Rules Committee to call Mr. Young to determine if he was present at a meeting with Walter Jenkins when there was discussion of this advertising matter.

The questioning of Mr. Young and the investigation of further documents should be supplemented with a thorough questioning of Walter Jenkins under oath so that the public may know whether Jenkins' fuzzy explanation is fact or an attempted coverup.

It is important to know whether Jenkins, now reported to be the No. 1 aide at the White House, was a party to a scheme for extracting $1,200 for the L.B.J. Co. from this Maryland insurance man.

It is also important to know just how much Lyndon B. Johnson knew about the gift of a stereo set from the same Don B. Reynolds who had written $200,000 worth of insurance in favor of the L.B.J. Co.

The White House admits the stereo set was delivered to the Johnson home; that it was a gift, and that it was apparently selected by Mrs. Lyndon B. Johnson from a catalog supplied by Bobby Baker. The point at issue is whether Lyndon B. Johnson thought this expensive gift came from Reynolds or whether he thought it was a gift from his longtime friend, associate, and protege, Bobby Baker.

I am not fully acquainted with how things are run on the other side of the Capitol, but it would seem to me that even if the White House version is correct, Mr. Johnson should have raised some questions if his $19,500 a year protege suddenly bestowed a stereo set, with an $800 or $900 retail value, on him as a gift.

Perhaps this type of thing was not unusual in the world Bobby Baker inhabited, especially from 1955 to 1961. As I recall from some earlier statements, it was in this same period that another friend said he gave Baker a piece of a Florida land deal because he felt Bobby had great need for extra money because of a young and growing family. It appears that the war on poverty started some time ago.

Apparently Bobby Baker was many things to many people. He was a contact for an abortion, a ready store of large stacks of cash money, a wheeler and dealer on the District of Columbia Stadium legislation, a Capitol contact for the Teamsters' Union crowd, a vending machine kink, and a magician who could produce free stereo sets out of a $19,500 salary.

This scandal has so many ramifications that it would appear the House should set up a special committee to examine some of the tangents of the Baker probe, including the activities of one Matthew H. McCloskey, contractor for the construction of many federally financed buildings and bridges, including a badly defective Veterans' Administration hospital in Boston, Mass.

Mr. EDMONDSON. Mr. Speaker, will the gentleman yield?

Mr. GROSS. I am glad to yield to the gentleman from Oklahoma.

Mr. EDMONDSON. I have listened with some interest to the remarks of the gentleman, as he has proposed the creation of a congressional committee in the House. I wonder if the gentleman believes that committee also should include in the scope of its inquiry the numerous bulls and expensive pieces of equipment which were delivered to the Eisenhower farm in Gettysburg during the time Mr. Eisenhower was President.

Mr. GROSS. I am well aware of that. I never condoned it when Mr. Eisenhower was the President. I questioned the preferential tax treatment which was given to the former President with respect to his book.

All of these things I have criticized in the past. I believe the gentleman from Oklahoma well knows my position on many issues during the administration of President Eisenhower.

Mr. EDMONDSON. Mr. Speaker, will the gentleman yield further?

Mr. GROSS. I am glad to yield.

Mr. EDMONDSON. I am quite sure the gentleman makes no distinction in his judgment on the propriety of the different gifts, and I am quite sure that he would have abundant support for his position that gifts of this type should be examined closely by the recipient.

Mr. GROSS. That is correct.

Mr. EDMONDSON. I do not recall the gentleman ever previously demanding a congressional committee to look into any of the numerous gifts that went to the Eisenhower farm at Gettysburg during the period of time he was there. If my knowledge of choice and fine beef is at all accurate, I have an idea that the former President, who has the ranch at Gettysburg, probably received more monetary value in beef each week than would be represented by the stereophonic set which has been talked about here on the floor.

Mr. GROSS. I say to the gentleman, I might have thought that the gentleman from Oklahoma would ask for an investigation committee to look into some of those things.

Let me point out that a congressional committee did investigate the Goldfine matter, the vicuna coats, and that sort of thing during the Eisenhower administration. I believe the gentleman recalls that investigation resulted in the early retirement of the then No. 1 White House aid to President Eisenhower.

Mr. EDMONDSON. Mr. Speaker, will the gentleman yield further?

Mr. GROSS. I am glad to yield.

Mr. EDMONDSON. I do not take any exception to anything the gentleman said, but I believe the reference to the stereo set ought to be put in context with some of the things that happened during the Eisenhower administration.

The gentleman is frank and honest about it. He will admit that many items of much greater value than a stereo set were delivered to the Eisenhower farm without any particular congressional disturbance on the matter.

Mr. GROSS. If I recall correctly, the Democrats were overwhelmingly in control of both Houses of the Congress during all but 2 of the 8 years of the Eisenhower administration, and they could very well have constituted any number of investigating committees. That would have had my approval and my support.

TRADE EXPANSION WITH RUSSIA

The SPEAKER pro tempore. Under previous order of the House, the gentleman from Wisconsin [Mr. LAIRD] is recognized for 30 minutes.

Mr. LAIRD. Mr. Speaker, the decision of our Government to permit the sale of wheat in large quantities to Communist countries is now history. When the late President Kennedy informed the Nation that the Government had decided to approve such a sale, much was made of the fact that this would be a one-shot transaction. I doubted it then and I am more convinced now that far from being a one-shot deal, our decision to expand trade with the Communist countries will become a long-range commitment.

When it became obvious that the executive branch would refuse to delay a decision until the appropriate committees of Congress had an opportunity to study the ramifications of such a decision, the senior Senator from Wisconsin, Mr. PROXMIRE, and I joined together in requesting an in-depth study of Soviet bloc grain trade. Three Soviet experts under the auspices of the American Enterprise Institute prepared a study in compliance with our request. They are Prof. Warren Nutter, of the University of Virginia; Prof. George Macesich, of Florida State University; and Prof. Stanley J. Zynievsky, of the University of Kentucky.

At the conclusion of my remarks, I ask unanimous consent that the two-part study on Soviet bloc grain trade be included in the RECORD.

Mr. Speaker, several very important considerations emerge from the evidence presented in this highly informative study. In the first place, a convincing case is made for the proposition that the Communists face a long-range problem in agricultural production. It is demonstrated that because "the United States, Canada, and Australia hold the principal carryover stocks of wheat outside the Communist countries," there is every reason to expect that the Communists for a long time to come face either of two grim alternatives: they can reduce their consumption of wheat, or they can make up their losses through increased imports from non-Communist countries. The principal reason for the Communist prospects of a long-range crisis in agriculture is contained in the following statement from the study:

> The next question to ask is whether the emergency is likely to extend beyond this year. The possibility that it will do so should by no means be ruled out. The fragmentary evidence so far published clearly implies that the failure of the wheat crop occurred mainly in the new lands region of the Soviet Union. These are lands of marginal and highly variable rainfall and growing season. This year's crop failure has been widely attributed to an unusually severe drought coupled with other adverse weather conditions, and this diagnosis is most likely correct. But the situation may be much more serious than loss of a single year's crop.
>
> Ever since the new lands were first plowed up, many Western specialists have doubted that they could yield crops over a sustained period unless they were sparingly cultivated, each plot being left fallow for a relatively long time after each short period of cultivation so that it might recapture lost soil moisture. The Russians have, however, not done this. On the contrary, they have heavily exploited the land year after year, leaving less and less of it in fallow at any time. One expects such a policy to lead to creation of a dust bowl, and this may be what has in fact happened. The primary evidence pointing in that direction is the intensive campaign, launched in the Soviet press immediately after the first harvestings this fall, to solve the Soviet agricultural problem through irrigation and massive applications of fertilizer.
>
> It may well be that we can look forward to substantial imports of wheat into the Soviet bloc over several years to come and perhaps indefinitely. In that event, the entire wheat situation in the non-Communist world would turn itself around: Wheat would cease to be a surplus commodity, and subsidies might not be needed to support prices at current domestic levels.

Mr. Speaker, in addition to a detailed analysis of the production and consumption and the export and import of wheat in the Communist countries, this study also attempts to analyze some of the implications contained in a U.S. decision to liberalize trade relations with Communist countries.

It is stated, for example, that "there are those who hold that any increase in economic contacts between East and West is likely to have a moderating effect on the internal climate of Communist politics." While admitting the possibility that if the Soviet economy becomes more consumer oriented, greater efforts will be made to expand trade, it is suggested that the real question is whether the converse is true; namely, whether widening of trade relations will cause the Soviet economy to be more consumer oriented. In the opinion of the author, this seems more doubtful.

He suggests instead:

> Rather than opening trade and hoping for the best in the way of improvement in political relations, it would seem much more prudent to require some concrete political concessions as a condition for opening trade. The one thing we know now is that the bloc is suffering serious economic difficulties, difficulties that can be ameliorated through better trade relations with the West. Soviet leaders should be willing to pay something for the amelioration, and the most important payment from our point of view would come in the form of political concessions. We can be sure that there would be hard bargaining of this nature if the situation were reversed.

Mr. Speaker, no one I think doubts that were the situation reversed the Soviets would drive as hard a bargain as the traffic would allow, that every possible concession that could conceivably be wrested from the West would be sought. To my knowledge, there has not been one single attempt on the part of our Government to place any conditions on our blind offer to help the Soviet economy.

Mr. Speaker, to my mind, there are three central facts that emerge from this study. First, the Communists apparently are in for a long-range agricultural crisis, during which time they need the help of the West.

Second, we have it in our power to ease their economic problems. If we choose to do so, we can do it in one of two ways. Either we sell them wheat and perhaps other commodities at the prevailing world price for cash or for credit. Or, we can demand in addition certain political concessions which, if the situation were reversed, we can be certain they would demand of us.

Third, as the authors point out:

> The big drive now underway is to expand the chemical industry as rapidly as possible in order to provide fertilizer on a massive scale for agriculture. Simultaneously, ambitious irrigation projects are to be undertaken. The plan is obviously to seek a way to tide the country over its present agricultural crisis until a foundation is built for self-sufficient agriculture.

Obviously, during this "tiding over" period, Communist countries will have to rely rather heavily on imports from non-Communist countries. While this is happening, if the United States supplies both the grain they need as well as long-term credits, we will in effect be financing their buildup of the chemical industry. On the other hand, if we insist on short-term credits or cash, we will be draining away their foreign exchange and in effect squeezing their ability to buy machinery and other strategic materials.

Mr. Speaker, these matters and many others are examined and analyzed in the following report. I urge my colleagues to examine the evidence presented by these distinguished experts on Soviet economics.

The material referred to follows:

MEMORANDUM ON THE WHEAT SITUATION, DECEMBER 3, 1963—PART I

Over the years 1959–61 the Soviet bloc has produced and consumed more than a quarter of the world wheat crop. There was a slight net export of wheat out of the bloc as a whole, amounting to less than 1 percent of production. Trade in wheat was, however, more substantial than this net movement indicates, the Soviet Union exporting about 8 percent of its crop to the satellites and about 3 percent to the rest of the world while the satellites were importing about 21 percent of their consumption from the Soviet Union and about 7 percent from the rest of the world. On the average, the Soviet Union annually exported (net) 5.4 million metric tons, 3.9 million going to the satellites and 1.5 million to the rest of the world. The latter exports exceeded by a small amount the net satellite imports of 1.4 million metric tons from outside the bloc.

Against this background the bloc purchases of wheat this year, both actual and under negotiation, are striking: 6.5 million metric tons from Canada, 1.7 million metric tons from Australia, and 4 to 6.8 million metric tons from the United States—a total of 12 to 15 million metric tons. They exceed the average annual wheat crop of the satellites over 1951–61. They amount to more than a fifth of the average annual bloc production and consumption of wheat in the same period. Their importance in the arena of international trade in wheat is shown by the fact that total annual imports throughout the world, on a gross basis, have averaged less than 33 million metric tons over the last 5 years, or only 2½ times the planned bloc imports for this year.

Communist China is also increasing its imports of wheat above the relatively high levels of the last 2 or 3 years. Imports for the present crop year (July 1, 1963, to July 1, 1964) have been estimated as over 5 million metric tons as compared with 3 to 4 million in 1961 and 1962.

Yugoslavia, on the other hand, is apparently enjoying a good wheat crop this year, and its imports—recently 700,000 tons a year—are not likely to rise and may even fall.

Total imports into all Communist countries during the present crop year are likely, on the basis of purchases already made or under negotiation, to be more than double the imports of either 1961 or 1962. If consumption and trade in other parts of the world run their normal course, existing stocks of wheat are likely to be reduced by around 9 million metric tons, or by almost a fifth.

The United States, Canada, and Australia hold the principal carryover stocks of wheat outside the Communist countries. Those stocks now amount to about 3½ months consumption at current rates in the non-Communist world. If the projected decline in stocks occurs, they will amount in mid-1964 to about 3 months consumption. At the same time, each country's stocks will represent a much longer period of consumption for that country alone: about 18 months for the United States, about 40 months for Canada, and about 12 months for Australia. The strategic reserve for the United States is generally placed at 12 months consumption, so that surplus stocks equal to 6 months consumption would still remain in mid-1964 under the projected conditions. This would represent a considerable fall from the peak surplus in 1961, which amounted to 16 months consumption.

The question whether world stocks of wheat will continue to be depleted depends on future developments in the Communist world. We should therefore analyze trends in wheat consumption and production there before proceeding further.

We may start with Communist China, about which we unfortunately have few reliable data. The Food and Agricultural Organization (FAO) of the United Nations gives the average annual production as around 16 million metric tons over 1948–49—1952–53, roughly the 4 years following the Communist takeover. The same Organization shows output as rising to 29 million metric tons in 1958–59 and 31 million metric tons in 1959–60, though the latter is described as an estimate. No further data are given by FAO. In view of the series of crop failures suffered by Communist China beginning with the fall harvest of 1959, the small rise shown by the FAO for the wheat crop in 1959–60 casts serious doubt on the accuracy of all of the FAO figures.

We do know that Communist China shifted in 1961 from being an intermittent exporter and importer of wheat in small amounts (around 100,000 metric tons a year) to being an importer in large quantities (about 3.6 million metric tons in 1961 and probably more in 1962). Recent purchases indicate that imports will rise even more in 1963 and 1964. Unless the leaders of Communist China completely reverse the agricultural policies introduced in 1958 and 1959, the need to import large quantities of wheat and other agricultural products will continue indefinitely. The extent to which imports actually materialize will depend on the success of Communist China in exporting other products in exchange. It is difficult to see how the economy as it is now constituted and is likely to be constituted over the next decade or so can sustain net importation of food without substantial outside loans or aid. In any case, as far as the next year or two are concerned, we may expect total trade in wheat to be larger than normal by virtue of Communist China's imports, and this factor in and of itself works in the direction of reducing wheat stocks in the non-Communist world.

Let us turn now to the Soviet bloc. The average annual wheat crop over the 6 years 1957–58—1962–63 has run around 65 million metric tons, 52 million in the Soviet Union and 13 million in the Soviet satellites. The peak crop of 74 million metric tons (63 million in the Soviet Union and 11 million in the satellites) was harvested in 1958–59, the most bountiful agricultural year in this century for the Soviet Union in terms of weather. Since imports into the Soviet bloc were balanced by exports out of it, the resulting wheat used for consumption or stockpiling inside the bloc was virtually equal over these years to the total crop. The Soviet Union accounted for about 73 percent of this internal use and the satellites for the remaining 27 percent—shares not too different from the corresponding fractions of population, which run about 70 percent and 30 percent.

The situation since 1956 has been strikingly different in several important respects from the situation in the earlier postwar years. For one thing, before the plowing up of the Soviet new lands in south-central Asia that took place on a large scale in 1955 and 1956, wheat production was relatively stagnant at a level about 20 percent below the average for succeeding years. The subsequent increase in wheat production has probably come almost exclusively from these newly plowed lands.

Despite the smaller crop, the wheat available to the Soviet Union for internal use may well have been only around 10 percent less than in recent years because of the relatively low level of Soviet wheat exports before 1957. Exports to satellites amounted to only 1.7 million metric tons in 1955 and 0.5 million in 1956; exports to the rest of the world, to only 0.4 and 0.9 million metric tons. On the other side, the same Soviet situation and policy meant that there was significantly less wheat available for internal use in the satellites than in recent years.

There is no way of knowing how much of the wheat available for use in the Soviet bloc has been consumed and how much has been put into stockpiles. From available data on Soviet production of flour and on Soviet production and net exports of wheat and rye, we may estimate that the new supply of wheat and rye has exceeded use for flour and seed by around 40 million metric tons over the period 1958–61. An unknown but probably large fraction of this unaccounted-for remainder was used for animal feed. It is quite possible, however, that 20 million metric tons were added to the wheat stockpile, taken mainly from the bumper crop of 1958. This much wheat is equivalent to just under 6 months' consumption in the Soviet Union at recent rates. Whatever might be the case for additions to stocks over this period, it does not seem likely, in view of the poor record of agricultural production, that accumulated stocks now on hand can exceed required strategic reserves by very much if at all.

This leads us back to the question of what has caused the wheat problem this year and how the Soviet bloc is affected by it.

The immediate cause has been a major failure of the wheat crop in the Soviet Union combined with a poor harvest in the satellites. Judging by the projected bloc imports of 12 to 15 million metric tons during the current fiscal year, the crop this year is at least 20 percent below its normal level. There are probably no surplus reserves available to offset these losses. Hence the only probable alternatives open to Soviet leaders are either to reduce consumption of wheat by at least 20 percent or to make up the loss through imports.

It should come as no surprise that the final decision was to import wheat rather than to reduce consumption. Bread and potatoes are the staples of diet in the Soviet bloc, and neither has shown a significant upward trend in output since 1956, 1963 being left out of consideration. At the same time, population has been increasing by around 1.4 percent a year, or by almost 10 percent since 1956. The apparent fall in per capita consumption of these staples has been offset to an unknown degree by improvement in the supply of meat and other items, but the future does not promise a continuation of this development unless the general grain problem can be solved. The situation this year is aggravated by a serious failure in the potato crop for 2 years in a row, this one and last one.

In brief, the food situation in the Soviet bloc is always tight, and failure of a major crop creates an emergency that cannot be easily ignored. On the basis of what we know now, it would be too strong to say that there would be starvation on a large scale in the absence of substantial imports of wheat this year, but it is not too strong to say that there would be widespread and intensive discontent, particularly among the populations of the satellite countries.

The next question to ask is whether the emergency is likely to extend beyond this year? The possibility that it will do so should by no means be ruled out. The fragmentary evidence so far published clearly implies that the failure of the wheat crop occurred mainly in the new lands region of the Soviet Union. These are lands of marginal and highly variable rainfall and growing season. This year's crop failure has been widely attributed to an unusually severe drought coupled with other adverse weather conditions, and this diagnosis is most likely correct. But the situation may be much more serious than loss of a single year's crop.

Ever since the new lands were first plowed up, many Western specialists have doubted that they could yield crops over a sustained period unless they were sparingly cultivated, each plot being left fallow for a relatively long time after each short period of cultivation so that it might recapture lost soil moisture. The Russians have, however, not done this. On the contrary, they have heavily exploited the land year after year, leaving less and less of it in fallow at any time. One expects such a policy to lead to creation of a dust bowl, and this may be what has in fact happened. The primary evidence pointing in that direction is the intensive campaign, launched in the Soviet press immediately after the first harvestings this fall, to solve the Soviet agricultural problem through irrigation and massive applications of fertilizer.

It may well be that we can look forward to substantial imports of wheat into the Soviet bloc over several years to come and perhaps indefinitely. In that event, the entire wheat situation in the non-Communist world would turn itself around: wheat would cease to be a "surplus" commodity, and subsidies might not be needed to support prices at current domestic levels.

ADDENDUM: BRIEF NOTE ON THE DATA USED

We have used official Soviet data in the case of imports and exports but not in the case of production. The latter are grossly exaggerated in varying degree for different years. This is also the case for some satellite countries. We have accordingly used USDA estimates for wheat production in all Soviet bloc countries.

We call attention to the fact that production data refer to fiscal (crop) years while trade data refer to calendar years. Trade occurring in 1958, for instance, will reflect production in both 1957–58 and 1958–59.

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Memorandum on the Wheat Situation, December 30, 1963—The Economy of the Communist World, Part II

It is impossible to construct an accurate and comprehensive picture of the Communist economy because of the selective and unreliable nature of available statistics. After many years of study, Western specialists have come to agree on the broad structural outlines of the Soviet economy, but there are still strong disagreements about aggregative levels of production in the economy as a whole and in some major sectors. Not even this stage of agreement has been reached for the European satellites and, particularly, for Communist China. We shall accordingly restrict the discussion here to rather general terms, hoping that it will provide the background needed for assessment of the primary issue at hand.

The Communist world has still not crossed the rudimentary boundary marking emergence of the truly industrial economy. In the Soviet Union half the population resides on the farm. (In the United States less than a third of the population resides in rural areas and less than a tenth on the farm.) The situation is roughly the same in the European satellites as a whole, the fraction varying from a third to three quarters in individual countries. In Communist China the fraction is perhaps four-fifths.

More than 40 percent of the active labor force works in agriculture in the Soviet Union and probably also in the European satellites, as compared with less than 8 percent in the United States. Similar figures are not available for Communist China, but it is reasonable to suppose that more than 80 percent of the labor force is currently engaged in agriculture there. Despite the heavy application of manpower to agricultural pursuits, labor is almost constantly in short supply relative to the output expected from agriculture. This results from the low productivity of labor, which is in turn attributable to two major factors: first, the inefficient system of collectivized production; and second, the small volume of capital investment. The Soviet Union uses almost 8 times as much labor in agriculture as the United States to produce 70 percent as much: each worker accounts for more than 10 times as much production in the United States as in the Soviet Union.

Except for Poland and Yugoslavia, agriculture is collectivized everywhere in the Communist world. Peasant farming predominates in Poland and Yugoslavia, but sizable segments of agriculture are also collectivized there. The final drive for collectivization in the European satellites took place at the end of the 1950's and is therefore part of the Khrushchev, not the Stalin, era. Stagnation of agriculture in the 1960's is not unconnected with this development.

The Communist world has no reason to be pleased with its inefficient agricultural system, because the basic longrun objective is to become the dominant industrial power while retaining self-sufficiency. The system survives for a number of interrelated reasons: it conforms to ideological prescriptions; it keeps the bulk of the population more firmly under the control of the autocratic state; it is a logical extension of centralized planning; it is a convenient mechanism for regulating the flow of population into urban areas to their capacity for absorption; and so on. In other words, a lousy economic system is imposed on agriculture in order to gain other benefits, real or presumed.

The Communist world obsessively pursues the goal of power, and industrialization is viewed as the instrument of power. Industrial production accounts for 30 to 40 percent of the gross national product of the Soviet Union; agriculture, for 10 to 12 percent—even less according to the estimates of some Western specialists. According to my calculations, military and space products account for about a third of industrial production and investment goods for perhaps another third. The remaining third is available for consumer goods.

It is well at this point to specify the disagreements that exist among Western specialists on the size of Soviet production, and this is most easily done by using U.S. production as the reference point. In the generally accepted view, Soviet gross national product evaluated in U.S. prices is about 60 percent of the U.S. level, this fraction holding more or less for all major sectors except agriculture, where it is about 70 percent. My estimates are much lower in the cases of industry (29 percent), the services sector (15 to 30 percent), and consequently gross national product (35 to 30 percent). In the discussion here, I shall use my estimates, making parenthetical references to the generally accepted view where it differs markedly from mine. For example, on the matters already outlined, the generally accepted view would divide Soviet industrial production as follows: a sixth each to military space products and investment goods and the remaining two-thirds to consumer goods.

To return to the main thread of the discussion, the Soviet economy has been heavily unbalanced, when compared with Western economies, in favor of the military and investment sectors. In the United States, for example, military space products account for only a ninth of industrial production and investment goods for perhaps a fifth. At the moment, the Communist world is staggering under this heavy burden.

As economic problems have mounted, the Communist world has relaxed its policy of autarchy and expanded trade relations with the outside world. The volume of trade is, however, still small relative to internal production: on the average over the years 1957–61, the merchandise trade turnover amounted to about 7 percent of gross national product in the case of the Soviet Union (3.5 percent in the generally accepted view) and to about 20 percent in the case of the Soviet satellites (10 percent in the generally accepted view). Merchandise trade turnover with the non-Communist world amounted to only 2 percent of gross national product in the case of the Soviet Union and only 6 percent in the case of the Soviet satellites.

Over the same period, exports shipped out of the Communist world annually exceeded imports shipped into it by about $200 million on merchandise account, composed of an export balance of $100 million for the Soviet Union and $200 million for the Soviet satellites and an import balance of about $100 million for Yugoslavia. The last item was financed by aid and loans, primarily from the United States. Merchandise trade between the non-Communist world and the Chicom bloc was roughly in balance. Payments by all Communist countries except Yugoslavia to the non-Communist world for shipping and related costs probably amounted to around $500 million a year, leaving an annual current trade deficit of about $300 million which was financed by gold shipments of around $200 million from the Soviet Union and by emigrants' remittances and other invisible receipts of an additional $100 million.

The trade pattern within the Communist world indicates a net annual movement of $1.3 billion worth of merchandise from the Soviet satellites as a group to the Soviet Union. This exploitation of the satellites has been accomplished in two ways. First, there has been an indirect transfer of goods amounting to $400 million through offsetting trade balances with the Chicom bloc and with underdeveloped areas of the non-Communist world. In both bases, the Soviet Union has run an annual import balance of $200 million as against an equal export balance for the satellites. It is interesting to see that there has been no net movement of goods out of the Soviet bloc as a whole to either the Chicom bloc or underdeveloped countries over this period. Instead, satellites were merely financing net Soviet imports through net exports of their own.

Second, there has been a direct transfer of goods amounting to more than $800 million through overcharging by the Soviet Union for exports and underpaying for imports. The official accounts show the Soviet exports to satellites as some $400 million larger annually than imports, but studies by Western scholars have shown that, in trade with its satellites, the Soviet Union overcharges on the average of 25 percent and underpays on the average of 20 percent.[1] Hence Soviet exports to satellites must be reduced by 20 percent and imports raised by 25 percent to reflect values at normal world prices. When the proper adjustments are made, apparent Soviet net exports of $400 million are shown to be instead net imports of $800 million.

Both the Chicom bloc and Yugoslavia have maintained a rough balance in their merchandise trade with the rest of the Communist world. In the former case, as mentioned earlier, net imports from Soviet satellites have been offset by net exports to the Soviet Union.

In recent years the Soviet Union has been a net importer of food at the rate of about $200 million a year. While drawing in net imports of around $370 million a year from China and underdeveloped areas of the non-Communist world, the Soviet Union has been sending out net exports of around $200 million to her satellites. The Soviet satellites are maintaining a rough balance in their food trade, exporting to the rest of the world about as much as they are importing from the Soviet Union.

It is against this background that we should view the recent wheat sales to the Communist world. In addition, we should recognize that, as a result of several converging developments, the Communist world is facing serious economic difficulties. As is normal for any economy that has followed a similar path of growth, the economic growth rate is slowing down. This normal deceleration has been made much sharper by the massive expansion of the military space burden that has taken place since 1958. The inefficiency of the organizational structure of the economy has become increasingly damaging as the economy has become more and more complex. Finally, there has been the sudden failure of the new lands program in the Soviet Union, adding an agricultural crisis of unknown duration to the other accumulated problems. Meanwhile, in the Far East, the Communist Chinese economy continues in its "descending spiral," brought about by the excesses of internal policy.

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[1] See, e.g., S. Fischer-Galati (ed.), "Eastern Europe in the Sixties," Praeger, 1963, pp. 138 ff.

THE SPECIFIC ISSUES

What have been past experiences in commodity negotiations with Communist bloc countries?

All Communist trade is carried out through the state monopoly. In general, Communist countries prefer to enter bilateral trading agreements under which transactions are carried out by governmental agencies. The bulk of Communist trade is of this nature, the primary exceptions being trade with the United States, Canada, and a few other Western countries. In bilateral trading, the purchasing and selling prices turn out to be whatever the bargainers can agree on, and they need not be the same from one country to the next—in fact, they will not be if there is any significant difference in bargaining power. At base and in principle, all Communist trade involves discriminatory pricing. Of course, Communist negotiators always argue the contrary as to prices they pay: they should never exceed those applying to the "most-favored nation." As already pointed out, the Soviet Union exploits every bargaining advantage to the fullest: in trade with her satellites, she overcharges for her exports by an average of 25 percent—varying widely from one commodity, and one country, to another—and underpays for her imports by an average of 20 percent.

In the case of countries like the United States and Canada, Communist purchases and sales must be arranged with private firms, subject to general governmental regulations. The terms are simply the best the Communist countries can extract. It is normal for the Soviet Union to insist publicly that prices charged should be nondiscriminatory, that is, should be world prices. This is sheer hypocrisy. In any case, we can be sure that Soviet leaders are not equally disturbed over the possibility that the prices they charge will turn out to be higher than world prices.

As far as credit financing of trade is concerned, the Soviet record since the 1920's has been virtually spotless. There are no important cases known of defaulting on payments due or failing to meet terms in other respects. Special courts exist to adjudicate disputes between foreigners and the export-import agencies.

How are agricultural resources allocated in the Soviet bloc and how does this allocation affect production of war materials and other strategic goods?

The heavy burden of the agricultural sector on the economy of the Soviet bloc has already been pointed out. Despite the fact that some 40 percent of the work force is engaged in agriculture, agricultural production accounts for perhaps 10 percent of gross national product. Food production is not growing as fast as population. If the Soviet bloc insists on retaining collectivized agriculture and also on remaining roughly self-sufficient in food, there will be a heavy cost imposed on the economy in terms of the growth and industrial production that could otherwise be achieved. The alternative is to solve the agricultural problem through trade, a course that would impose a much smaller cost on further industrialization of the bloc.

How have the grains previously sold been allocated in the Soviet bloc, and how has this allocation freed labor for industrial and other uses?

While there is no direct evidence available on this matter, it seems reasonable in view of recent history to suppose that the grain supplies of the Soviet bloc will be distributed roughly on the basis of population, with a slight favoring of the satellites because of their traditionally higher food consumption. As far as this year's grain shortage is concerned, nothing can be done by shifting labor from industry or anywhere else into agriculture. The damage is already done with this year's crop and cannot be undone until next year's crop comes in.

There are three alternatives open to the Soviet bloc in any variety of combinations: (a) reduce consumption, (b) draw down reserve stocks of grain, and (c) import. Apparently, it has been decided that importing would impose the least cost under the terms of sale anticipated. In general, the shorter the period of time into which the costs can be compressed, the greater they will be. For example, the economic cost of importing grain will be higher if full payment must be made in cash than if credit is extended, for the latter allows some of the burden to be shifted forward to future years.

What are the implications of the easing of trade relations with Soviet bloc countries in terms of their political objectives

Expansion of trade relations with the outside world would significantly improve economic conditions within the Soviet bloc. The cheapest way for the bloc to acquire a large portion of its food is to produce other commodities and exchange them for food. The bloc has been reluctant to follow this policy because of the political advantages it attributes to economic self-sufficiency, although in recent years it has turned increasingly to trade as a way out of growing economic difficulties.

Wherever possible, the Soviet Union has tried to orient its trade in such a way that it would be of maximum short-run assistance while not tying the country down to long-run dependence on outside sources. Trade has been used, for example, as a means of importing technology in one-shot deals. Specific items of machinery are purchased to serve as prototypes for copying by Soviet industry; entire plants and Western expertise are purchased in order to build an industry, such as the chemical industry at the moment; and so on. In all of these cases, however, there has not been a shift away from the traditional policy of exporting raw materials in exchange for complicated products. Now that the problem has become one of importing food, the situation changes to some extent.

Nevertheless, even in this case, Soviet leaders have not given up hope of eventually forgoing dependence on non-Communist sources. The big drive now underway is to expand the chemical industry as rapidly as possible in order to provide fertilizer on a massive scale for agriculture. Simultaneously, ambitious irrigation projects are to be undertaken. The plan is obviously to seek a way to tide the country over its present agricultural crisis until a foundation is built for self-sufficient agriculture. Whether this policy will ultimately be followed cannot now be known, but a major effort is clearly being launched to do so. Therefore, it is too early to say whether substantial expansion of trade relations would lead to permanent changes in economic relations between East and West.

There are those who hold that any increase in economic contacts between East and West is likely to have a moderating effect on the internal climate of Communist politics. This is said to be particularly true to the extent that the Soviet economy becomes more consumer oriented. If the Soviet economy becomes more consumer oriented, greater efforts will be made to expand trade. The real question is whether the converse is true, whether widening of trade relations will cause the Soviet economy to be more consumer oriented. This seems more doubtful.

Rather than opening trade and hoping for the best in the way of improvement in political relations, it would seem much more prudent to require some concrete political concessions as a condition for opening trade. The one thing we know now is that the bloc is suffering serious economic difficulties, difficulties that can be ameliorated through better trade relations with the West. Soviet leaders should be willing to pay something for the amelioration, and the most important payment from our point of view would come in the form of political concessions. We can be sure that there would be hard bargaining of this nature if the situation were reversed. And, as of the moment, we know only that Communist tactics have changed; we have no firm evidence of an important change in Communist objectives or strategy.

How has the Soviet bloc utilized gains acquired in the past from the free world—In particular, to what extent have they been used for political advantage such as in aid programs to other countries?

As we have seen, the Soviet bloc has been, until this year, a net exporter of grain in small amounts. Hence imports have made no net contribution to programs of this sort. No doubt, in some specific instances it may have been more advantageous to ship Western grain to such places as underdeveloped countries than to ship Soviet grain, but again the Soviet bloc has been a net importer of food, particularly from underdeveloped areas.

The purchases of grain this year from the West have enabled the Soviet Union to maintain export commitments both inside and outside the Communist world. Included in those commitments were shipments to Cuba. But on the whole trade has not facilitated the Soviet foreign aid program primarily because there has been no discernible net shipment of goods from the Soviet bloc to underdeveloped areas.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. JOHNSON of California for Wednesday, January 22, 1964, through February 12, 1964, on account of official business.

Mr. HOSMER, through Tuesday next, on account of official business in constituency.

Mrs. HANSEN (at the request of Mr. ALBERT), for today, on account of official business.

Mr. PATTEN (at the request of Mr. FRIEDEL), from today through January 27, 1964, on account of official business.

Mr. MCCLORY, for January 27–31, 1964, on account of participation as subcommittee member in hearings to be held in Sacramento, Calif., by Special Subcommittee on Death Valley National Monument, Committee on Government Operations.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

Mr. Flood, for 1 hour, on Monday, February 17.

Mr. O'Hara of Illinois, for 1 hour, on February 13, on the subject of the anniversary of the sinking of the battleship *Maine*.

Mr. Gross, for 15 minutes, today.

Mr. Laird, for 30 minutes, today.

Mr. Weltner, for 30 minutes, on January 30.

Mr. Ayres (at the request of Mr. Sibal), for 45 minutes, on January 23.

EXTENSION OF REMARKS

By unanimous consent, permission to extend remarks in the Congressional Record, or to revise and extend remarks, was granted to:

Mr. Hosmer and to include extraneous matter.

Mr. Laird to revise and extend his remarks and to include extraneous matter under the special order for today.

(The following Members (at the request of Mr. Sibal) and to include extraneous matter:)

Mr. Weaver.

Mr. Ayres.

(The following Members (at the request of Mr. Albert) and to include extraneous matter:)

Mr. Purcell.

Mr. Multer.

ENROLLED JOINT RESOLUTION SIGNED

Mr. BURLESON, from the Committee on House Administration, reported that that committee had examined and found truly enrolled a joint resolution of the House of the following title, which was thereupon signed by the Speaker:

H.J. Res. 779. Joint resolution to amend the joint resolution of January 28, 1948, relating to membership and participation by the United States in the South Pacific Commission, so as to authorize certain appropriations thereunder for the fiscal years 1965 and 1966.

ADJOURNMENT

Mr. EDMONDSON. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 5 o'clock and 36 minutes p.m.) the House adjourned until tomorrow, Thursday, January 23, 1964, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

1568. A letter from the Secretary of Agriculture, transmitting a report covering the activities of the Rural Electrification Administration for the fiscal year 1963; to the Committee on Agriculture.

1569. A letter from the Acting Associate Director, Bureau of Land Management, Department of the Interior, relative to reporting that there were no compensatory royalty agreements affecting oil and gas deposits in unleased Government lands entered into during calendar year 1963, pursuant to 30 U.S.C. 226(g); to the Committee on Interior and Insular Affairs.

1570. A letter from the Chairman, Board of Directors, Future Farmers of America, transmitting a report on the audit of the accounts of the Future Farmers of America for the fiscal year ended June 30, 1963, pursuant to Public Law 740, 81st Congress; to the Committee on the Judiciary.

PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. BECKWORTH:

H.R. 9708. A bill to amend title II of the Social Security Act to provide that monthly benefits based on age may be paid at age 55 rather than only at age 62 (subject to the existing actuarial reduction in the amount of such benefits in certain cases); to the Committee on Ways and Means.

By Mrs. GRIFFITHS:

H.R. 9709. A bill to amend the Internal Revenue Code of 1954 to authorize and facilitate the deduction from gross income by teachers of the expenses of education (including certain travel) undertaken by them, and to provide a uniform method of proving entitlement to such deduction; to the Committee on Ways and Means.

By Mr. HARVEY of Indiana:

H.R. 9710. A bill for the establishment of a Commission on Organization and Operations of the Executive Branch of the Government; to the Committee on Government Operations.

By Mr. HOLIFIELD:

H.R. 9711. A bill to amend the Atomic Energy Act of 1954; to the Joint Committee on Atomic Energy.

By Mr. HOLIFIELD (by request):

H.R. 9712. A bill to authorize appropriations to the Atomic Energy Commission in accordance with section 261 of the Atomic Energy Act of 1954, as amended, and for other purposes; to the Joint Committee on Atomic Energy.

By Mr. ROOSEVELT:

H.R. 9713. A bill to broaden the investment powers of Federal savings and loan associations, and for other purposes; to the Committee on Banking and Currency.

By Mr. ST GERMAIN:

H.R. 9714. A bill to require the payment of interest on certain funds of the United States held on deposit in commercial banks, to provide for reimbursement of commercial banks for services performed for the United States, and for other purposes; to the Committee on Banking and Currency.

By Mr. MATSUNAGA:

H.R. 9715. A bill to amend the provisions of section 15 of the Shipping Act, 1916, to provide for the exemption of certain terminal leases from penalties; to the Committee on Merchant Marine and Fisheries.

By Mr. OLSEN of Montana:

H.R. 9716. A bill to authorize the appropriation of funds for the construction, reconstruction, and improvement of the Alaska Highway; to the Committee on Public Works.

By Mr. TEAGUE of Texas (by request):

H.R. 9717. A bill to amend title 38, United States Code, to permit, for 1 year, the granting of national service life insurance to certain veterans heretofore eligible for such insurance; to the Committee on Veterans' Affairs.

By Mr. WINSTEAD:

H.R. 9718. A bill to authorize the crediting of certain military service for purposes of Reserve retired pay; to the Committee on Armed Services.

By Mr. CHENOWETH:

H.R. 9719. A bill to revitalize the American gold mining industry; to the Committee on Interior and Insular Affairs.

By Mr. KILGORE:

H.R. 9720. A bill authorizing a study of dust control measures at Long Island, Port Isabel, Tex.; to the Committee on Public Works.

By Mr. ANDREWS of North Dakota:

H.J. Res. 895. Joint resolution to authorize the President to proclaim October 9 in each year as Leif Erikson Day; to the Committee on the Judiciary.

By Mr. BOGGS:

H.J. Res. 896. Joint resolution providing for the establishment of a bipartisan commission to make a study and investigation of the food and fiber policies of the United States; to the Committee on Agriculture.

MEMORIALS

Under clause 4 of rule XXII,

The SPEAKER presented a memorial of the Legislature of the State of Maine, memorializing the Maine congressional delegation to oppose new stringent requirements in public assistance cases, which was referred to the Committee on Ways and Means.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. AVERY:

H.R. 9721. A bill for the relief of Lt. Col. Stanley C. Morris; to the Committee on the Judiciary.

By Mr. FINO:

H.R. 9722. A bill for the relief of Eligio Ciardiello; to the Committee on the Judiciary.

By Mr. LANKFORD:

H.R. 9723. A bill for the relief of Safia Talibi Naz; to the Committee on the Judiciary.

H.R. 9724. A bill for the relief of Hiram D. Moon; to the Committee on the Judiciary.

By Mr. MAILLIARD:

H.R. 9725. A bill for the relief of Dirk Arnold ten Crotenhuis; to the Committee on the Judiciary.

By Mr. SIBAL:

H.R. 9726. A bill for the relief of Mrs. Luigia Spaziani Parisi; to the Committee on the Judiciary.

By Mr. SMITH of Iowa:

H.R. 9727. A bill for the relief of Dr. Violeta Poblacion; to the Committee on the Judiciary.

PETITIONS, ETC.

Under clause 1 of rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

649. By Mr. BYRNE of Pennsylvania: Petition of the Democratic County Executive Committee of Philadelphia, Pa., extending their profound sorrow at the death of the Honorable William J. Green, Jr.; to the Committee on House Administration.

650. By the SPEAKER: Petition of Henry Stoner, Avon Park, Fla., relative to Congress legislating that in the President's antipoverty campaign, there also be an extinguish-Federal-subsidies-to-the-rich campaign; to the Committee on Banking and Currency.

651. Also, petition of Henry Stoner, Avon Park, Fla., requiring members of the Joint Committee on Printing to promote the concept of listing standing committees of the House in the Congressional Record as often as those of the Senate are listed; to the Committee on House Administration.

EXTENSIONS OF REMARKS

Ukrainian Independence Through the Ages

EXTENSION OF REMARKS

OF

HON. JAMES D. WEAVER

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 22, 1964

Mr. WEAVER. Mr. Speaker, the Ukraine in East Europe provides one of the saddest and yet most interesting tales in history. Its hardy people, intelligent and vigorous, have been seeking their freedom for centuries. Despite their great efforts Ukrainians have been the victims of a nearly unique geographical position—the name of their country means borderland—which lays them open to invasion from near neighbors on all four sides. Therefore, they have only once really enjoyed independence; that was between their official declaration of independence on January 22, 1918, and March 18, 1921. But January 22 through the ages has seen many other great events in a continuous struggle which must eventually end in victory for the Ukraine.

Ukrainian history begins to take shape in the early 16th century when the Cossacks, free peasant soldiers, formed the first united segment of Ukrainian society.

January 22, 1648, would have seen the leader, the Hetman, of the Cossacks defeating the Poles in the first liberation of Ukrainian soil. This man was Chmielnicki, and he returned to Kiev, the new capital of the Ukraine, as a liberator. But many Ukrainians were loyal to Poland in return for their privileged positions and landholdings. Thus, January 22, 1662, dawned with the Cossacks still not in control of all their territory. In May, the Ukrainian assembly, the Rada, asked the Russian Czar for aid against Poland. The assemblymen lived to regret it; the Russians defeated the Poles, but immediately imposed the harshest rule yet known in the Ukraine.

In January 1667, the Ukraine was partitioned between Poland and Russia, the years later this already complicated situation was further complicated by the first of many such arrangements. Five invasion of the Turks from the south. For awhile the Ukrainians were torn between these three powers, all competing with Sweden.

By January 22, 1776, while Americans were achieving their own independence, the Ukraine was crushed under an autocratic czar, its hopeful assembly banned, and its Cossacks permanently suppressed. In 1793 it became an integral part of Russia; its name and unity disappeared. A few Ukrainians, who realized their national heritage, remained underground, hoping for a future chance to revolt. These were mostly historians and authors, such as Taras Shevchenko, symbol of Ukrainian freedom. But for a century and a half Ukrainian nationalists had no opportunity to put their plans into effect. The proper moment only came with World War I.

January 1916 and January 1917 came and went with mounting hope and activity among Ukrainians for independence. Finally, in July 1917, a provisional government was formed around Volodymir Vinnichenko and Simon Petlyura. They summoned the first Rada to meet in the Ukraine in almost two centuries. It was this Rada which made January 22, 1918, a truly memorable day in Ukrainian history by declaring independence. The Ukraine should have been able to celebrate January 22 as independence day from then on. The Ukrainian people are distinct from their Polish, Russian, Turkish, and other neighbors in language, culture, physical characteristics, history, and religion. They fought against overwhelming odds for centuries to gain their freedom. They had shown their ability to organize an effective government and an army. They had made good use of their rich soil and forests, being for the most part richer than their Russian neighbors. Yet, they never were able to celebrate freely more than 3 independence days. By January 22, 1921, the Red army had nearly overrun the whole territory of the Ukraine. On March 18, the last struggling remnants of the Ukrainian Army were forced to capitulate. They had been fighting in isolation with almost no industrial base or outside aid for 3 years. They surely deserved the eternal gratitude of their people for a supreme effort.

Under the Soviet Union the Ukraine has never experienced a happy January 22. Any January in 1930, 1931, 1932, or 1933 appeared with the horrible specter of famine, created by Soviet seizures of food during the drive to break Ukrainian resistance to collectivization. Literally millions of Ukrainians are known to have starved to death. Any selected January 22 after that might have witnessed the Communist executions of thousands of Ukrainians by public hangings or firing squads. Executions were regular events for any Ukrainians, Communist, or not, who showed the slightest resistance.

Again after World War II Russians executed Ukrainians. This time those who had welcomed even the infamous Nazis as liberators were the victims. The ironic circumstance of location made the Ukraine the protective buffer behind which the Communists withdrew to collect their strength. The vassal Ukraine, which had never wanted Russian suzerainty in the first place, provided 10 million lives and its immense distances to protect Russia. The Ukraine was rewarded with new suppression and increased misery.

Today is again January 22. It marks the 46th anniversary of the most hopeful moment in Ukrainian history. It is hard to imagine that after such a brief freedom, and 46 years of known misery, the Ukrainians could still think of independence. This thought is constantly in the minds of the thousands of persons of Ukrainian ancestry who live in Mercer, Crawford, and Erie Counties. These industrious people play a significant role in the 24th District where they have contributed heavily to the culture and the economy of the area.

There is every evidence that patriots like Shevchenko, Petlyura, and Vinnichenko are arising every day in the Ukraine, aware of their great history, and determined to free their country. We must let them know that we sympathize with their desires. It is the duty of every American to encourage the patriots of the Ukraine. The people of the United States would be happy to greet a liberated Ukraine as a brother nation, following the same path to honor and progress which we trod ourselves, 188 years ago.

Heroic American, "Stonewall" Jackson, Born 140 Years Ago in Clarksburg, in State Now West Virginia

EXTENSION OF REMARKS

OF

HON. JENNINGS RANDOLPH

OF WEST VIRGINIA

IN THE SENATE OF THE UNITED STATES

Wednesday, January 22, 1964

Mr. RANDOLPH. Mr. President, it is fitting that we recall the 140th anniversary of the birth of one of the most illustrious sons of West Virginia and of our Nation. On January 21, 1824, Thomas Jonathan Jackson—later known to history as "Stonewall"—was born in Clarksburg, in what is now West Virginia.

It is a paradox that so devoted a Christian gentleman as Stonewall Jackson is remembered throughout the world for his brilliance as a general in our land's bloody and terrible Civil War. In that conflict, which pitted brother against brother, he earned the respect of his enemies, the love of his men, and the implicit trust of his commander.

On May 10, 1863, Stonewall Jackson died of wounds accidentally inflicted by his own troops during the confusion of the Battle of Chancellorsville. So widespread was the esteem in which he was held that a leading Union newspaper concluded an editorial eulogy with these words:

> Stonewall Jackson was a great general, a brave soldier, a noble Christian, and a pure man.

Not only the southern cause, but the entire Nation suffered a deep loss at the passing of this hero. West Virginia, which achieved statehood on June 20, 1863—scarcely a month after his death—might well have benefited by his many talents in the difficult years following the close of the war. However, this celebrated son of the Upper Monongahela Valley did leave to posterity the rich example of his truthfulness, self-abnegation, modesty in victory and courage in defeat. Thus the spirit of the man has transcended even the genius of the military strategist. His compassion and high moral qualities are accurately reflected in his words:

> We must think of the living and those who are to come after us and see that by God's blessing, we transmit to them the freedom we have ourselves inherited.

Analysis of Attendance Records

EXTENSION OF REMARKS

OF

HON. WILLIAM H. AYRES

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 22, 1964

Mr. AYRES. Mr. Speaker, in view of the discussion in recent weeks of the activities of the 1st session of the 88th Congress, it would perhaps be of interest to analyze the so-called attendance record method of evaluating the diligence of Members of Congress.

The Congress usually adjourns in August or September, thus giving Members the opportunity to transact both the official business of Congress and the business of the district they represent during the months after adjournment. The 1st session of the 88th Congress did not adjourn, of course, until the end of December. Despite the fact that the Congress was in session, official business away from Washington had to continue. As a result, the attendance records of most Members of Congress has been lower than usual this year.

On one occasion, October 31, 1963, I missed the call of the roll three times because of a 7-hour absence from Washington honoring a commitment to address the Rotary Club of Barberton, Ohio. The commitment was made, incidentally, 8 months previously, at a time when no one dreamed that Congress would be in session at the end of October. The bill being considered at that time was a bill that had no direct bearing upon my own district.

In fact, at the time commitments of this nature were being made by Members, little did we realize that on the last vote of the session 80 of our Members would be caught in a snowstorm and unable to return to Washington.

But let us talk about attendance records. How do we measure it? Shall it be measured by the number of days a Representative was present while the House was in session? Or should we use the total opportunities a Member of Congress has to voice approval or disapproval of a measure on the floor of the House of Representatives. Most political writers seem to prefer using as their guide the number of times a rollcall vote is taken in the House of Representatives. I cannot picture a more ridiculous method of computing attendance than this.

First of all, it is important to recognize that the House of Representatives does not have a rollcall vote every day. Weeks may pass with no rollcall, and then they may have seven in 1 day. In the 88th Congress, which opened January 9, 1963, there was a call of the roll four times the first day. These were the only rollcall votes in approximately the first 7 weeks of the session. If a Member missed this opening day but was present during the balance of the 7 weeks, voting conscientiously on other bills on which the roll was not called, he would have had an attendance record, up to this time, of 0 percent because the roll was not called from January 9 to February 27. In fact, the roll was called on only 108 of the 186 days the House was in session. So a Member could have been absent on the 78 days the roll was not called and still record a 100 percent attendance record. This is ridiculous.

During the 1st session of the 88th Congress, I answered 88 of the 119 yea and nay recorded votes in the House of Representatives. This statistic alone does not tell the story. In fact, it is very misleading. Members who have been in the Congress long enough to have attained seniority and a better than average knowledge of certain subjects are most often designated to represent the Congress at important functions away from Washington. Such designations may be made by the Speaker of the House or by a committee chairman. Such absences from Washington, even though on official business for the House of Representatives, are recorded when a rollcall vote is missed.

During the 88th Congress, I was designated by the Speaker of the House of Representatives to represent the Congress at a meeting of the International Labor Organization in Geneva, Switzerland. Because of this assignment, I was unable to respond to the call of the roll on 13 occasions. Despite this fact, the service I was able to render to my Nation, and, consequently, my district was greater than it would have been had I been present and answering the roll during this period. As a result of my attendance at the International Labor Organization Conference, I was able to report thereon to the Congress and to alert United Nations Ambassador Adlai Stevenson to the possibility of the United Nations General Assembly meeting being split asunder as the result of South Africa's position on apartheid and its resentment by the other 32 African nations. My report permitted Ambassador Stevenson to take corrective action, thus preventing a walkout in the United Nations by the African Nations similar to that that occurred in the ILO Conference. I am proud that my actions in this regard earned for me the thanks of my colleagues in the House of Representatives as well as those of United Nations Ambassador Adlai Stevenson.

My report on the conference was presented to the House of Representatives on June 27, 1963. I quote from the CONGRESSIONAL RECORD, the colloquy between Congressman PELLY of Washington and myself which followed the presentation of the report.

> Mr. AYRES. I yield to the gentleman from Washington.
>
> Mr. PELLY. Mr. Speaker, I have listened to the gentleman from Ohio [Mr. AYRES] with great interest. I may say, in all frankness, I have learned a great deal from the statements which the gentleman has made here today. Often I think, Mr. Speaker, the public is critical of Members of Congress who travel—even, I might say in my own case, I have looked askance at sending Members abroad to attend meetings of this sort. But I can only express my view today, Mr. Speaker, that if Members would be as conscientious as the gentleman from Ohio and report as promptly and in such detail, it is my opinion that much of this criticism would disappear.
>
> Mr. Speaker, I have enjoyed hearing the gentleman, and I commend the gentleman for a very fine statement.
>
> Mr. AYRES. I thank the gentleman from Washington. As I said in my remarks, I hope the House in its wisdom will see fit to have representatives from this body attend all of these international conferences. There is no way in which one can get the exact information, that one can get the feel of what the Communists are doing throughout the world, other than to be there and witness their operations firsthand. They are clever. We are in a fight, and we had better be there to see what is going on and set up the rules so that we at least have the opportunity to refute their misrepresentations in order that the weaker nations of the world will not be misled.

Let us examine this attendance based on votes from another angle. There were actually 934 measures passed by the House of Representatives in the 1st session of the 88th Congress. I could have been present for the 119 recorded votes and been absent when 815 measures were passed and still have an attendance record of 100 percent. My attendance in relation to the 934 measures that passed the House in 1963 is 96.7 percent.

I mentioned the fact that the roll is not called every day, while on other days it is called several times. Any Member can request a call of the roll, even though the other 434 Members realize it will not affect the final vote. Had a Member been absent only on April 25, June 4, December 4, and December 10, a total of 4 days out of 186, his attendance record would have been the same as mine because on those 4 days alone, the roll was called 31 times. The roll was also called 31 times while I was away from Washington—12 times while in Geneva, 6 times while on assignment for the Committee on Education and Labor, and 6 times while fulfilling commitments and otherwise attending to the needs of my constituents.

Even though a Member of Congress may be absent on official business, procedures of the House of Representatives permit him to have his position on an issue recorded. This is accomplished by being paired with another absent Member espousing a contrary position. It is for this reason, that an equal number of Democrats and Republicans are usually assigned to official details that take them away from Washington.

An example of the ridiculousness of computing attendance records from the number of times a Member responds to the calling of his name is shown by rollcall No. 6 on January 14 of this year. The vote on this rollcall was 298 to 11 with 123 absentees. The absentees were, of course, paired with persons endorsing opposite views. Had all of the 123 absentees been present, and joined the 11 who voted against the bill, it would not have changed the result on final passage. Not a single one of my absences from a rollcall vote had any bearing on the results of the vote. In other words, the votes were so decisive that my one vote would not have changed the outcome in any respect.

During the entire 1st session of the 88th Congress I missed a vote because of official business on only one major bill and that was the vote on the depressed area bill. The vote here was 204 in favor and 209 opposed. Had Mr. Roosevelt and I, both paired and attending the ILO Conference, been present and voting, the result would have been a vote of 205 to 210.

If we are to get a true and honest attendance record, then, one must compare the days away from Washington with the days the House was in session. The House was in session 186 days. Because of official business and work in my district, I was not present on 24 days, when the roll was called 31 times. I was present in the House of Representatives each day I was not away from Washington. Therefore, taking the days the House was in session, 186, dividing into days I was present, 162, you will arrive at 87 percent, a far more honest manner to figure the attendance record for this year.

And this is still not the complete story, for, congressional duties are carried on during days when the House is not officially in session when committee meetings, et cetera, are being held. This year there were 100 congressional workdays in addition to the days the House was in session, bringing the total to 286 workdays. And even during congressional recesses, when any, I am usually busy handling problems of my constituents.

I am proud to be the Representative to Congress of Ohio's 14th District, and this has been the most unusual congressional session in 30 years.

For my 13 years' service, to date, my attendance, based on answering the call of the House, is 91.4 percent. And, based on the number of days I have been on the job in Washington in proportion to the days of the House in session for this 13-year period my record is 97.2 percent.

It is a real pleasure to serve all of the people of our district and, to whatever degree, our Nation.

Ukrainian Independence Day

EXTENSION OF REMARKS

OF

HON. ABRAHAM J. MULTER

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 22, 1964

Mr. MULTER. Mr. Speaker, 300 years ago Ukraine was made a part of the Russian empire.

In spite of the courageous opposition of the Ukrainian people, it is still today a part of the Russian empire under the Communist regime. During these many ideals of freedom and liberty. And all years the Russians have tried to eradicate Ukrainian nationalism and the this time the Ukrainians have bravely fought off Russia's attempts to liquidate them as an independent people.

The Ukraine's struggle against Russian domination has few parallels in history. For only a brief moment the people of Ukraine have had some freedom and liberty. In 1918 the abdication of the Czar Nicholas II enabled Ukraine to realize its dream of independence. On January 22 the Ukrainian National Republic was proclaimed with joy and pride throughout the land.

However, the new Russian Government had no intention of giving up the rich resources of Ukraine. Communist Russia turned on the young republic and after 2 years of savage struggle succeeded in crushing the people's resistance. Thus came to an end Ukraine's brief experiment with independence. From this time on, more than 42 million Ukrainians have been held captive under the Russian Communist system. The spirit of the people of Ukraine, however, remains steadfast and strong and will not be extinguished until freedom is restored to their land.

Mr. Speaker, this is the 46th anniversary of the Ukrainian proclamation of independence. It provides us with an opportunity to rededicate ourselves to the principles of freedom and liberty. The day is a poignant reminder to us that the struggle for these revered principles is a continuing one which requires strength and perseverance among the freedom-loving people of the world.

Naval Shipyards Vital to U.S. Defense Function at Least Cost

EXTENSION OF REMARKS

OF

HON. CRAIG HOSMER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 22, 1964

Mr. HOSMER. Mr. Speaker, the use of statistics in furtherance of a burning cause does not always constitute employment of an exact science. It would seem that, all too often, overzealous sponsors of such causes offer statistics to prove their merits which do not paint a true picture of the fiscal end results.

One gets to the point of suspicion where it seems the better part of caution to adopt the slogan: "Beware of statistics."

Thus it is with the statistics being offered and publicized by those who are out to get rid of the U.S. naval shipyards. While there can be no argument that these facilities should be operated as efficiently and economically as possible, neither can we accept the figures being offered by those who would close down the Navy yards which purport to show that it would be more economical for repair, alteration and conversion of naval vessels to be carried on in private yards rather than naval yards.

These statistics are misleading. They do not tell the whole story because they fail to encompass indirect as well as direct costs to the government. Indirect cost factors as well as direct costs must be taken into consideration when any decisions are made regarding the future status of the existing naval installations.

Further, when comparisons are made between private and naval yard costs, particular care must be exercised to avoid confusion brought about by statistics covering new ship construction as distinguished from repairs and conversion of existing vessels. New ship construction, of course, takes place before crews are assigned to the vessels. Consequently, when we are talking about new ship construction, no consideration can properly be given to the interrelationship between a vessel's deployment or location and the costs of personnel, particularly those indirect costs arising from the failure of men to reenlist because of undue personal burdens occasioned by hardship deployment overseas or hardship assignment of a vessel for repairs or conversion to a shipyard away from the residences of a crew.

But under the latter (repair and conversion) conditions, the enormity of expense to the Government brought about by neglecting consideration of enlistee "dropout" costs can be rather simply determined by taking as a base for determination figures included in a 1962 report by Arthur Anderson & Co. This report compares only direct costs for certain repair and conversion work as between private and naval shipyards. But the report's alleged savings from utilizing the former in preference to the latter are not true savings because they take no account of extra crew costs which come about when work is performed in private yards away from home ports.

This determination will readily be recognized from the following facts:

The cost of maintaining a naval vessel is the sum of the ship costs and the crew costs.

Savings on ship costs which increase crew costs by a greater sum result in a net loss to the Government.

Today's Navy is a married man's Navy—75 percent of its 72,000 officers and 39 percent of its 581,000 enlisted men are married. Naval wives and children number approximately 750,000 persons.

Today's peacetime Navy keeps much of its fleet deployed overseas for protracted periods, averaging 7 months, during which naval families are necessarily separated.

Even when back in the States, ships often are away from the home port where families reside and children are in school—approximately 7 of each 10 ship repairs presently are carried on away from home ports.

Maximizing stateside time in home port obviously will make Navy life more attractive and encourage reenlistment.

The cost of replacing a man who fails to reenlist is $7,000.

In the context of the foregoing, it is meaningful to look at reenlistment rates in relation to ship repair costs in private yards away from home ports.

Arthur Anderson & Co.'s report on 247 selected ship repairs over a 3-year period showed a hypothetical $437,703 savings to the Department of Defense from utilization of private shipyards in preference to naval shipyards.

Assume these ships averaged 100 enlisted crewmen, a total of 24,700 3-year-enlistment men. The Navy's average overall 36.2-percent reenlistment rate for fiscal year 1964 should bring a total of 8,941 enlistments from this group.

Yet, the composite specific reenlistment rate for two west coast homeported ships frequently sent away from home ports for repair was only 21.7 percent—or just 5,360 reenlistments for the group. This is 3,581 short of the overall Navy norm.

The cost for replacement of these 3,581 who failed to reenlist at $7,000 each, totals $25,067,000, not even considering the additional cost of training them in many special skills such as engineering, electronics and so forth, which runs to more millions of dollars.

If, under this hypothesis, keeping ships at home in naval complexes for repairs at naval shipyards would have reunited families sufficiently to encourage only 63 more reenlistments, out of the group of 24,700 enlisted men, the saving from dispersing ships away from home port for private shipyard repair would be wiped out.

If home yard repairs at naval shipyards boosted reenlistments to the overall Navy average, the net saving to the Department of Defense would amount to $24½ million.

The spillover effect of ship repair policies here noted is far too large to be ignored when making Department of Defense decisions on cost effectiveness of public and private shipyards as they relate to ships in commission with crews aboard.

This factor also must be considered by Congress in its decisions stipulating a legal requirement for contracting 35 percent of ship repair, alteration, and conversion to private shipyards.

As a matter of fact, a recent necessity to send ships from the Pacific to the Atlantic in order to comply with the 35–65 split of ship repair work between private yards and navy yards, in addition to whatever extra cost it created by discouraging reenlistments, actually generated the following costs for transportation charges for dependents of naval personnel. These costs would not have been incurred except for the misguided attempt by Congress to economize on the theory that private yards could do the jobs cheaper and thus must have at least 35 percent of the work:

October 1962, U.S.S. *Mason* (DD–852) to Boston	$67, 224
October 1962 U.S.S. *Tucker* (DDR–875) to Boston	42, 736
October 1962, U.S.S. *MacKenzie* (DD–836) to New York	56, 479
May 1963, U.S.S. *Rogers* (DDR–876) to Charleston	37, 099
June 1963, U.S.S. *Rowan* (DD–782) to Philadelphia	35, 938

The fact that some of the foregoing ships went to public yards on the east coast rather than private yards is immaterial. The material fact is that except for the difficulties mandatorily imposed by the legislatively dictated 35–65 split, the switch between coasts never would have become necessary.

For this good reason, it is my opinion that Congress should establish no such arbitrary ratios but that it should impose upon the Department of the Navy responsibility for determining, in each individual repair or conversion project, where such work can be most economically performed, taking into consideration not only all direct costs but also such other indirect costs as I have outlined.

To me, such an approach would be a practice of cost effectiveness at its best and would completely demolish the "statistical" case of those who would shut down the Navy shipyards with complete and highhanded disregard of all but their own mathematics.

Other related matters of importance on this general subject were covered in the following excellent article by Washington Columnist Virginia Kelly which appeared in numerous Ridder newspapers, including the Long Beach Independent-Press-Telegram:

NAVAL SHIPYARDS VITAL TO DEFENSE OF UNITED STATES

(By Virginia W. Kelly)

Senator JOHN STENNIS, Democrat, of Mississippi, chairman of the Senate Preparedness Subcommittee, has ordered a staff study to be made of U.S. naval shipyards. He said the staff study is to determine what future course the committee will take. He has, he said, no preconceived ideas about naval shipyards.

Serving with Senator STENNIS on the Preparedness Subcommittee are Democratic Senators JACKSON, SYMINGTON, and THURMOND; and Republican Senators SALTONSTALL, MARGARET CHASE SMITH, and GOLDWATER.

When he was majority leader of the Senate, President Johnson served as chairman of this influential and highly respected subcommittee. He will certainly give careful consideration to their views as he will to the House Armed Services Committee scrutiny.

The close examination by Congress is in the interest not only of all Americans but of the U.S. Navy.

President Johnson has named a committee to study naval shipyards. Chairmaned by Navy Secretary Nitze and members from the Defense Secretariat and the Navy Secretariat and officers headed by the Chief of Naval Operations, Admiral McDonald, the Committee will report within 1 year. Many have feared that after the Nitze board reports, that Secretary McNamara will advise closing several Navy shipyards. President Johnson, of course, will make the final decision.

Some of Secretary McNamara's advisers believe the next war will be atomic and brief, and that Navy shipyards are not needed. The fragility of this philosophy is emphasized when one remembers that President Truman closed the Long Beach, Calif., Naval Shipyard on the advice of Defense Secretary Louis Johnson, who was as famous as Secretary McNamara for "knocking heads together."

The shipyard closing brought severe unemployment to the thousands who had been working in the yard. Suddenly the Korean war developed. The Long Beach Naval Shipyard had to be reopened with much governmental expense.

The naval shipyards are an important bastion in national defense. In World War II, the Germans nearly defeated the United States with submarines in the Atlantic. The Japanese inflicted grave losses on our fleet in the Pacific. Every naval shipyard and private yard was vital to our survival.

Strategists believe that the Pearl Harbor yard is in no danger of closing. Nevertheless, Senator DANIEL K. INOUYE, Democrat, of Hawaii, made an important speech on shipyards in the Senate last October. He made these points:

The Anderson report was sponsored by the Department of Defense and the Navy's Bureau of Ships in a genuine effort to learn more about the comparative costs of private and naval shipyards in accomplishing naval ship work. The release of the Anderson report has generated misleading conclusions that private yards are vastly more economical and efficient than Navy yards. This has lead to the clamor that the operation of Navy yards be curtailed or that some or all be closed.

Warships and naval shipyards are instruments to preserve the freedom of the seas and the security and sovereignty of our Nation. In the time of cold wars and hot tensions, naval yards are more than ever vital to the organization of Navy military commanders. These commanders are in need of maximum logistical forces whether they be Navy shipyards or supply ships.

Without the assurance of a regular home yard to which Navy ships return at stated intervals, there would be an alarming turnover of Navy personnel. One quarter of Navy men separated at Norfolk said that long separations from families was the reason for not reenlisting.

To minimize naval personnel turnover, and in order to operate our intricate warships and complex Navy weapons systems, it is imperative that Navy shipyards be maintained. Navy yards are geared to many military, technological, and scientific changes which are evolving.

Navy yards are staffed with skilled artisans, technicians, engineers, scientists, administrators and managers. Once scattered (by the closing of yards) these teams cannot be reassembled.

Government yards are better equipped and manned than certain private yards to complete complex fire control and electronics repairs.

Government workers in Navy yards cannot strike, whereas strikes in private yards have delayed construction by many months.

Government yards are Navy bases with medical training, and recreational installations for ship personnel, while ships are being overhauled.

Hon. Orville L. Freeman Addresses the Convention of the National Association of Wheat Growers

EXTENSION OF REMARKS

OF

HON. GRAHAM PURCELL

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 22, 1964

Mr. PURCELL. Mr. Speaker, the National Association of Wheat Growers held their annual convention in Amarillo, Tex., this month. The Secretary of Agriculture, Hon. Orville L. Freeman, addressed the convention delegates on the evening of January 9. His address contained some very interesting information on the subject of wheat legislation, which I believe can be most valuable to Members of Congress in their deliberations on this problem.

The text of his address follows:

ADDRESS OF HON. ORVILLE L. FREEMAN BEFORE THE NATIONAL ASSOCIATION OF WHEAT GROWERS IN AMARILLO, TEX.

Wheat farmers throughout the world face the new year with problems and prospects not foreseen when I spoke to the National Association of Wheat Growers in Denver 1 year ago. In that year wheat producers in this country rejected marketing quotas for the first time for any major national commodity. In 1963, U.S. farmers harvested a good crop of wheat and sold it at prices generally above support levels. The wheat States of the Plains and the Northwest are generally prosperous. Crop prospects for 1964 are favorable.

Russia and Eastern Europe experienced a massive grain crop failure. We estimate that in Russia alone the production of grains was at least 25 percent—or 40 million tons—below 1962 levels. Farmers in Western Europe suffered from unfavorable harvesting conditions, and much of their wheat can be used only for animal feed. Canada and the United States have made subtsantial sales of wheat to Russia and Eastern European nations. As a result of these events, world wheat exports by all countries may reach 2 billion bushels this year—or 25 percent higher than in the previous marketing year.

The whole world has once more had a demonstration of the absolute necessity for carrying adequate stocks of wheat to meet domestic and world emergencies. Yesterday's surpluses again have proved to be today's silk purse.

Important as these events were, they have not solved the world's wheat problems. However, they have made their mark and we must take into consideration what has happened.

Nonetheless, the single most important fact in the world wheat economy remains unchanged. Wheat stocks in the free world continue to be too large. The United States will have in storage more than 1 year's commercial needs even if we export one billion bushels of wheat in the current crop year as we now expect. Canada will carry 1 full year's needs into the 1964 harvest, despite record export sales of over 550 million bushels. The failure of world wheat prices to rise significantly in the face of unprecedented demands in the past 6 months is a sobering reminder of the extent of surplus stocks of wheat in the world.

Stocks, however, are not really the heart of the problem. The world's capacity to produce grains continues to expand at a rate clearly faster than the expansion of commercial grain markets. Surpluses above commercial requirements for most grain may be in prospect for Europe in the near future. Surpluses continue to be the lot of all major grain exporters, barring further crop disasters.

With an intuition born of long experience with low and unstable prices, our wheat farmers have recognized the sobering facts of the long-range wheat situation. Wheat farmers from Texas to Washington voted in an unheralded referendum last September and October. The polling places were in the wheat fields. The ballots were grain drills and tractors. The result was a smashing vote for wheat programs in the future—programs to limit acreage and to support prices and incomes.

Last year, following the "no" vote on the referendum, it was expected that wheat farmers would ignore their acreage allotments when they planted wheat for 1964. Instead, they have so far largely planted within their allotments in order to preserve their wheat acreage allotments on their farms for the future. As a result, prospective winter wheat production this year is below early expectations. If spring wheat producers do not exceed their acreage allotments, and if 1964 exports are large, the 1964 crop could move into the market and allow our surplus wheat stocks to be further reduced. Should that happen we could well be down to about 600 million bushels, the lowest since 1953. This is a level that the Department of Agriculture considers necessary if we are to maintain adequate security and stabilization reserves.

However, a smaller crop than anticipated will not by itself prevent sharply lowered price and income prospects for wheat in 1964. Gross income levels, under foreseeable production levels for 1964, will not vary greatly. This is so because the improvement in price levels with each decline in production is substantially cancelled out because fewer acres mean fewer bushels produced. This means that unless a wheat bill is enacted which will provide a substantial improvement in price, wheat farmer income will drop about $600 million below 1963.

President Johnson is deeply concerned that in the absence of new legislation the wheat grower will suffer a serious loss. Also, a decline of this magnitude will adversely effect the entire economy, particularly in the major wheat-producing areas. There is no better illustration of what higher farm income can mean than to look at how farmers have spent the extra $8 billion in total income they have earned over the past 3 years—$8 billion they would not have had if 1960 income levels had prevailed.

Farmers invested $521 million more in tractors, $900 million more in autos and $310 million more in other farm machinery and equipment during the past 3 years than would have been possible with a 1960 style income. Some $2 billion more was spent on feed, fertilizer, and lime. Farm families, in addition, spent some $1.6 billion more for food, clothing, and household furnishings.

Thus it is clear that farm income is important not just to farmers, but to everyone up and down the line who does business with them. You know it, and I know it.

This administration is committed to improving farm income * * * and to reducing unneeded stocks and lowering the cost of farm programs. In the case of wheat, we believed that if two-thirds of the wheat producers voting in a referendum chose a program of marketing quotas, this would be the most effective way to achieve these goals. However, when the growers voted the program down, it was clear the farmers faced a substantial decline in farm income unless they could arrive at sufficient agreement on a wheat program that would further progress toward these three basic goals.

I am confident that we can develop wheat legislation that will improve the opportunity for increased farm income without a substantial increase in budget expenditures, and, at the same time, will continue the welcome reduction in wheat stocks still at surplus levels.

Two days ago I testified before the wheat subcommittee of the House Agriculture Committee and told them what I am telling you now. I said there are several bills now before the Congress which would accomplish this. Bills by Senator MCGOVERN, Senator HUMPHREY, Senator CARLSON, and Senator YOUNG all contain elements which we support. I indicated that we stood ready to assist in drafting legislation which will maintain farm income, cut surpluses and hold down taxpayer costs.

These goals can be achieved by a program which incorporates the two-price certificate system, because that system will be the least costly to the taxpayer. It will maintain at present levels both consumer prices and the price of wheat received by the farmer.

Let me repeat: A voluntary certificate program can (1) insure stable consumer prices, for wheat users will pay approximately the same for wheat this year as they did in 1963; (2) insure that wheat farm income will be substantially higher than the level estimated for 1964 under current law; (3) hold the line on budget costs; and (4) accomplish another substantial reduction in the carryover supplies of wheat—in the neighborhood of 100 million bushels more than would otherwise be the case.

Action on wheat is essential. At a time when bread is still a scarce commodity to millions of people in this world, the American consumer has so abundant a supply that bread is scarcely given a passing thought. The achievement of the American family farm in providing a wealth of food and fiber is little short of magic. Yet, it is poorly appreciated and even more poorly rewarded. Instead, attention is more often focused on the cost of farm programs, and the disparity between farm and nonfarm returns for comparable effort is largely forgotten. Yet farm income per capita is less than 60 percent of the income of the nonfarm earner. Surpluses receive far more attention than the surprisingly low real cost of food in this country—about 19 percent of the average family budget. Yet no other nation has ever eaten so well for so small a part of the disposable income of its people as the United States.

Today, with less than 8 percent of our population engaged in farming, most Americans fail to recognize that farm commodity programs are as essential to their continued good fortune as they are to the family farmer. The consumer tends to forget that the family farmer deserves much of the credit for the high abundance of low-cost food we enjoy. Without the family farm system of agriculture, there would be no assurance of abundance; and without commodity programs, there is no assurance that the family farm system would survive.

The Communist countries—where scarcity rather than abundance is the problem—envy the productive ability of our agriculture. Yet they refuse to admit that the productivity which flows from the incentives and the flexibility and adaptability of free enterprise family farming will never be achieved under their system. And, as yet, no other system has been designed that can match the productive capabilities of our family farms.

Thus, so long as overproduction and low prices are the silent companions of abundance, commodity programs will be essential to the family farm system of agriculture. So long as agriculture is subject to the volatile effects of a massive scientific and technological revolution; so long as productivity per farm worker grows 6 percent and more each year; so long as we continue to produce more each year from less land with fewer people, commodity programs will be necessary. They are not welfare programs, but essential tools of adjustment for the well-being of the family farmer as well as every single American citizen.

Let me repeat once again: this administration, as it has from the beginning 3 years ago, will support commodity programs directed toward the basic goals of reducing surplus stocks, holding down Government costs and strengthening farm income.

However, the support of the administration is not enough, nor is the availability of sound legislation enough to insure the enactment of a wheat program.

Wheat legislation is the toughest kind of legislation to pass; and a wheat program is no good to anyone unless it can be passed.

Massive, united and effective support by the wheatgrower and those who are genuinely interested in the welfare of the wheatgrower and his family is necessary if wheat legislation is to be enacted for 1964.

Recently, all farm groups but one met at the invitation of the National Grange. There was broad, united agreement at this meeting for a voluntary program for wheat. I urge that this encouraging spirit of unity be carried forward vigorously now to the Congress to inspire the quick action which will mean better farm income.

Enactment of new wheat legislation will provide the base on which we can go forward to build a strong expanding wheat economy. Legislation, however, will not create markets, nor will it enable us to compete more actively for the commercial markets of the world. These things we must do ourselves.

This administration is determined to find new markets for wheat, and we will use every resource at our command—including trade and aid—to sell wheat. Last week the largest single commercial sale of wheat in U.S. history was made by Continental Grain Co. to the Soviet Union. It totaled 1 million metric tons of wheat; it brought us clear almost $65 million at world prices; and the Russians paid cash. I predict it is only the first of several sales we will make to the Soviet Union.

We paid an export subsidy on the total 37 million bushels of about $25 million—which is neither more nor less than we would have paid if any other nation had purchased the same quantity of wheat. We saved annual storage charges of $5 million—and some of that wheat would otherwise have remained in storage 6 to 8 years or longer. We have strengthened appreciably the Nation's critical balance-of-payments position, and countless additional jobs will be created as the wheat moves from the elevators on its journey to Russian seaports.

Strangely, we have heard some people say they would kill this sale if they had the power. Last December we saw a determined effort in the Congress to tie the hand of the President in any such negotiations with the Russians. You have seen these things as well as I have; and I ask you, Do you produce wheat in order to sit on it, or do you produce wheat in order to sell it?

Perhaps there are some who think we can sit on wheat and hatch prosperity, but I am not one of them. Prosperity comes with hard work and a determined effort to seek and find people who want to buy what we have to sell.

Competition for commercial markets of the world is getting tougher every day. Our trading partners have made it clear by action and by word that they intend to sell in world markets and that they will make new terms when necessary in order to sell wheat.

We have made it equally clear that the United States will not take second place in the grain markets of the world. If we are to get our share of the world commercial grain markets we must offer our grain of all kinds and qualities and at all our ports at prices competitive with those of other major grain exporters. This we can do, and we not only intend to maintain the current level of wheat exports but also we expect to increase that share in the years ahead.

One key element in the world commercial grain markets may have changed for the worse during the year. I refer to the question of access for efficient producers to the European grain markets. The United States is presently engaged in negotiations with the major grain importers and exporters of the world in the GATT cereals group. So far in these talks the European Economic Community has shown little disposition to negotiate. Instead, just prior to the November meeting of the GATT cereals group, the EEC Commission published proposals for arriving at a common grain price and for negotiating on agricultural matters at the Kennedy round which would jeopardize traditional markets of the United States and other grain exporters. The EEC has, in fact, shown a strong protectionist flavor at every point in our negotiations during the past year from chickens to grains. In this situation the United States has had and continues to have no choice but to insist that the traditional access to these markets by third country suppliers be maintained.

Of course, this is not a one way street. The United States is prepared to grant other countries which export to us the same rights we ask of the Common Market at this time. We are, for example, undertaking negotiations to assure those countries which export beef to the United States of a fair share of the growing U.S. beef market. We would base this fair share on the traditional exports of these countries. Similar arrangements, in all fairness, ought to be extended by the grain importing countries that make up the Common Market in the current GATT negotiations.

We are taking this strong position not only because we believe it is only fair to our economic interests and other third country suppliers; but also because we believe that to do otherwise would constitute a retreat back to the era of rivalry and scarcity. It would force a return to the inward-look protectionism which contributed to a worldwide depression and culminated in the horror of war itself as petty nationalism dominated the world. We believe that in liberal trade policies we can find the key to cooperation and abundance which will lift all people of the world to a higher level of prosperity and peace.

If we can learn to share and expand commercial markets for grain and livestock producers, then there also will be hope that, in time, we also can help the developing nations to become strong commercial trading partners in world markets.

It is in these developing areas, where people yearn to escape from the bonds of scarcity, that the great future markets for the American farmer will be found. But before these people can buy what they need from us, we will have to help them achieve a level of economic development high enough to create the demand we can find nowhere else.

Back home in Minnesota, our family always believed that if a hungry person came to the door we should feed him, and then find a job for him. He then could buy the food for himself and contribute more fully to the whole community. What we seek to do in the world is simply an extension of that philosophy.

The American wheatgrower recognized a decade ago that we must use our abundance as an instrument to first set the people of the world free of the bondage of hunger and then of the bondage of poverty. Through the market development program of the Wheat Associates, working through the food-for-peace program, millions of people have escaped starvation. In recent years, we have begun to use food as capital to build schools, roads, irrigation projects, and other public facilities; to open new lands and assist land reform, all necessary for economic growth. In South America I have seen the school-lunch projects sponsored by Wheat Associates where children go to school in order to eat and leave with the priceless gift of education. There is a school in Pakistan that, in many ways, is my proudest achievement as Secretary of Agriculture. In July of 1961 I promised a village leader there that we would supply the wheat for wages in order to build a school in that humble village. Wheat Associates helped me keep my word by arranging for the wheat to be delivered. Today the new school building is the only structure in town with running water.

These are but a few of the many examples of how we have begun the real task of putting our food abundance to work. What we have done falls far short of the need, for the disparity of income standards between the developed and the developing nations is widening today rather than closing. A recent estimate of the increase in value of product per individual placed the growth in the developing nations at an annual rate of $3.40 while in the developed nations it is increasing by $38.60, or 10 times as fast.

Our generation must do more, not less. We must use our abundance more fully and more generously. Thus far, we have locked ourselves into the perpetual dilemma of overproduction and low prices, and we have failed to recognize that overproduction, or abundance, can itself be the means by which we can escape our present confinement. The use of food abundance to accomplish economic development in dozens of needy nations not only can be our salvation, but also the salvation of other nations which face overproduction in agriculture.

Thus, if the relatively prosperous nations can reach beyond the short-range goals many seem to seek through protectionism and trade rivalry to the greater goal of expanding opportunity for all people, we could in the process substantially expand the volume of trade. It would be a level far above anything possible when trade is largely confined to the more fortunate nations.

In this regard, agriculture is increasingly pointing the way. I predict that the time is not too distant when all the developed nations of the world will be participating extensively in an international food-for-peace program. Food will be a key instrument as rapid economic progress takes place in nations which today are still chained to poverty. And, when this has been accomplished, wheatgrowers will be richly deserving of the accolade "They were the pioneers who led the way to a new frontier of using abundance to make abundance possible for all mankind."

To do this will require combined programs of trade and aid. It will require the firm support of all people—farmers and nonfarmers alike. But it can be done. Already we have seen, through the food-for-peace program, that food aid can result in substantial market gains. Japan, a former beneficiary of food for peace, is now the largest single commercial purchaser of American food products. Other countries, like Spain, Israel, Greece, and Formosa, are becoming cash customers. Already we can look with pride to more and more programs all over the world using food as capital.

A very discerning observer wrote not too long ago that "such efforts, pursued on the basis of equal contributions, could raise the Atlantic states above the present risk of deadlock—over agriculture, over balance of payments, over international lending; could revive confidence in the [underdeveloped] nations and could begin to provide some philosophical aim and justification for the flood of Atlantic wealth which so far surpasses society's ability to use it well."

This is the true challenge of our generation. We can pursue the elusive balance between what we produce and what we can consume and hope to provide a modest income level for the family farm. Or we can transform the vast unmet needs of the world into a massive commercial demand for our food abundance.

I, for one, choose the latter; for it is the true road to world peace.

HOUSE OF REPRESENTATIVES

THURSDAY, JANUARY 23, 1964

The House met at 12 o'clock noon.

The Chaplain, Rev. Bernard Braskamp, D.D., offered the following prayer:

Psalms 34: 3: *O magnify the Lord with me and let us exalt His name together.*

O Thou who art the God and Father of all mankind, may the members of the human family be inspired to worship Thee and to cultivate right feelings and attitudes toward one another.

May there be a sincere desire on the part of all nations to break down the walls of antagonism and antipathy of selfishness and suspicion, and supplant them with the beautiful highways of friendship and fraternity.

Grant that the character and conduct of our personal and national life shall reveal and radiate the noble virtues of kindness and sympathy, of appreciation and understanding, of peace and good will.

Hear us in the name of the Prince of Peace. Amen.

THE JOURNAL

The Journal of the proceedings of yesterday was read and approved.

JOINT COMMITTEE ON INTERNAL REVENUE TAXATION

The SPEAKER laid before the House the following communication:

JANUARY 20, 1964.

The Honorable JOHN W. MCCORMACK,
Speaker of the U.S. House of Representatives.

MY DEAR MR. SPEAKER: Pursuant to section 8002 of the Internal Revenue Code of 1954, the Honorable THOMAS B. CURTIS, of the Committee on Ways and Means, has been designated as a member of the Joint Committee on Internal Revenue Taxation to fill the vacancy created by the death of the late Honorable Howard W. Baker.

Sincerely yours.

WILBUR D. MILLS,
Chairman.

BOSTON SPACE ELECTRONICS RESEARCH CENTER

Mr. ROUSH. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Indiana?

There was no objection.

Mr. ROUSH. Mr. Speaker, I read an article in yesterday's Washington Post concerning the location of the Electronics Research Center at Boston. I hope some of what I read was not true and I hope that it was inaccurate reporting. The article states that Mr. Webb disclosed that he had told the White House staff that a quick look at the presentations from more than 50 localities including Boston supported the original selection of the Boston area. These presentations which were made deserve more than a quick look. The communities involved spent thousands and thousands of dollars in putting together their presentations, and they deserve more than a quick look. However, the article goes on to state that this Boston center will merely be a center and that work will be farmed out all over the Nation and that there will be attention given to a more equitable geographic distribution of this research work. They point to the areas to which this work will go. They say part of it will go to Illinois, and those of us from the Midwest are grateful for this. However, they also say the projects would include work in Los Angeles, in the Stanford-San Francisco area, and in the New York-New Jersey area. These are a long distance from the Midwest. They increase the already heavy concentration of research on our coasts. Those of us from the Midwest feel that more attention should be given to our area.

Mr. Speaker, we are going to demand that more attention be given to our area.

RESULTS OF WORK OF SUBCOMMITTEE ON ST. ELIZABETHS HOSPITAL

Mr. DANIELS. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

Mr. DANIELS. Mr. Speaker, the work of the ad hoc subcommittee on St. Elizabeths Hospital, which I have the honor to chair, reveals the need for a residential treatment center for children, facilities to house prisoner-patients which provide adequate security to protect the public, a board of visitors to advise the Congress on the affairs of the hospital, and several technical statutory changes which can result in an annual savings of about $500,000.

I am proud to state that this investigation has cost less than 1 percent of the amount which can be saved in 1 year, if these changes are made.

I have today introduced a bill designed to achieve these urgently needed reforms. It must not be assumed that this is a cureall. These obvious improvements can be carried out as the subcommittee continues to consider the broader problems which demand the attention of the Congress.

The first section of my bill amends the authorization for appropriations for the hospital, which is title 24, United States Code, section 185. Its purpose is threefold. Modern psychiatry endorses the practice of placing chronic, nonviolent patients in foster homes. Suitable foster homes can be found at less than one-half of the actual cost of maintaining these patients at the hospital. This cost during the last fiscal year was approximately $3,756 per patient.

The hospital estimates that there are in excess of 250 patients suitable for such placement who cannot be placed in foster homes because there is no authority to do so. The savings which will result from this proposal could reach the level of $1 million annually. It has been the practice of the hospital since 1948 to ignore the clear language of its authorization statute. When this body last considered this authorization the report which accompanied the bill spelled out specifically that new construction and major alterations are not authorized under its provisions. Despite this, the hospital has consistently bypassed the Committee on Education and Labor and has expended in excess of $37 million for these purposes. In fact, the proposed budget for the new fiscal year requests almost $900,000 for air-conditioning of its geriatrics facility. For these reasons my bill is designed to place a per centum limitation on the funds available in any year for repairs, replacements, and minor improvements.

The bill requires the establishment of a special account for these items. This will simplify the problems of the General Accounting Office in policing the utilization of these funds.

In the course of our hearings we discovered that the hospital must engage in tenuous legal interpretation to justify expenditures for research and training programs. Incredible though it may seem, the hospital must rely on legislation adopted in 1855. No modern hospital can operate effectively without research and training programs. For this reason, I feel specific authorization is necessary. I have placed a percentage limitation on annual appropriations for these purposes. In this way the Congress grants substantial latitude to the hospital and at the same time retains fundamental policy control.

Section 2 of my bill is designed to clarify the responsibility for the cost of the maintenance and care of prisoner patients committed to the hospital. For the first time, in current fiscal year, a formula has been adopted which places the District of Columbia on an equal footing with the several States in this respect. It is the purpose of section 2 to provide clear-cut authority for this purpose.

Section 3 and 4 of this bill are specific authorizations for the expenditure of funds for the preparation of plans and specifications for facilities for the care and treatment of childen and for additional facilities for the care and treatment of prisoner patients. The provisions of section 4 are worded to incorporate the best modern practice known as the "concept of continuing treatment" in the plans for the facilities for such patients.

Section 5 of the bill is a simple directive to the Secretary of Health, Education, and Welfare that he engage the services of independent management consultants to evaluate the management practices of the hospital. This subcommittee has reason to believe that substantial savings can be effected by more efficient organization of functions and utilization of personnel than now exists.

Section 6 of the bill creates a board of visitors to advise the superintendent of the hospital, the President, and Congress on the management and policies of the hospital. A majority of the members of this board will be representatives of the District of Columbia, which is today entirely without voice in the operation of the hospital. In the last fiscal year the District paid approximately $18 million of the total of $27 million required to operate the hospital. About five-eighths of the patients in the hospital are the responsibility of the District of Columbia. This proposal is designed to provide a responsible group which will be cognizant of the policies governing the operation of the hospital. Decisions of the board, however, will not be binding upon the superintendent. Because the board is required to make an annual report to the Congress, I believe we can expect the development of intelligent well-balanced policies which will give proper consideration to the equitable interests of the District of Columbia.

I want to repeat, this measure is not a cure-all. There are many major problems bearing on the operation of the hospital. A reading of our hearings, which I hope will be available for distribution on Monday, clearly indicates the existence of many trouble areas. A substantial amount of work lies ahead of us in developing a clear picture of the problems and a determination of the appropriate solution for each.

STRETCH OUT OF THE MOON SHOT

Mr. PELLY. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Washington?

There was no objection.

Mr. PELLY. Mr. Speaker, in May of 1961, President Kennedy, as Members of the House will recall, suggested to the Congress a goal of landing a man on the moon before 1970. This week this goal was reaffirmed by President Johnson in presenting his budget to Congress.

Today I am introducing a concurrent resolution which would establish the goal of the lunar landing project as before 1975 instead of before 1970. The change of policy as I will explain is to allow our scientists greater flexibility in meeting the challenging technological problems of the Apollo project. Especially, I have in mind the desirability of eliminating the pressures of meeting time schedules, of minimizing perils such as solar radiation, and frankly I would stretch out the fantastic cost of the manned space exploration program over a longer period of time.

As I told the Members of the House last August, Mr. Speaker, when the NASA authorization bill was under consideration, dangerous sunspots will be at the top of their 11-year cycle in 1970 and this had been pointed out by a University of Washington scientist, John H. Ballard, as something quite alarming. I have in mind that many distinguished engineers and scientists have urged the reprograming of the manned moon shot for a later date. I would hope that testimony from independent experts could be invited as to the proper scheduling time on the basis of reducing hazards, and likewise as to allowing greater time to evaluate scientific and other knowledge to be gained from instruments and unmanned probes of outer space.

As to the financial savings it may be that deferral and postponement would not represent a cut in the final cost. However, I certainly believe it would help our economy by spreading the cost and avoiding such large expenditures as are included in the 1965 budget. Also much of the $141 million supplemental request for the current fiscal year might be avoided.

In my remarks to the House in the Congressional Record, volume 109, part 10, pages 13879–13882, I spelled out considerable in the way of opinions of leading scientists in support of a stretchout of the moon shot program. My new resolution is to invite the opinions of qualified experts and knowledgeable persons on this subject. I have said before and I emphasize now, Congress should provide for an overall reappraisal of such a costly manned flight activity which accounts for two-thirds of the $5 billion space budget. Certainly, I cannot believe there is any valid reason why the Space Administration and those engaged in the manned space research venture should not be given more latitude in the scheduling of the program. Any slippage in time schedules due to reasons of safety and increasing assurance of success should not require any apology or excuse. Nor should the program be speeded for prestige at the cost of added risk. Congress by adopting my resolution would be setting a policy of proceeding at an orderly and normal speed and of avoiding undue risks in establishing any deadline. Finally, this greater latitude should allow for tighter budgeting and contribute to reductions in the level of annual appropriations.

MILK PRODUCTION

Mr. HORTON. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. HORTON. Mr. Speaker, today I have introduced a bill to increase dairy industry support of milk advertising, promotion, and nutrition education. My bill would amend the Agricultural Marketing Agreement Act to permit dairymen operating under Federal marketing orders to approve uniform deductions of up to 3 cents a hundred pounds—46.5 quarts—to finance milk promotion and research programs.

This measure is aimed at establishing permissive authority through which milk producers under any Federal marketing order will have the right to call for a referendum on a proposal for a uniform deduction under the order. To make the deduction effective, two-thirds of the producers voting would have to approve the referendum.

I have written into this bill a specific provision that disapproval of an amendment for a promotion program would not affect the continuance of the order.

My bill provides that the promotion program would be supervised by the milk producers and their cooperatives through an agency organized for that purpose. Further, participation by milk dealers is also provided in the bill if they elect to assist in financing of the program.

The agency formed under the order would be authorized to designate or employ persons or organizations to conduct the various advertising, promotion, and nutrition education projects. This could help to enlarge the excellent job being done by the American Dairy Association and the National Dairy Council.

In the New York-New Jersey milkshed, the ADA–NDC "down the road" program has shown steady growth over a 4-year period, with some 50 percent of the milk producers now participating. I consider such progress for individual solicitation a good record.

Nevertheless, milk promotion could be twice as effective if all producers under the order were supporting it. Under my bill, assuming such a program were strongly desired by dairymen, unanimous support would be accomplished.

Mr. Speaker, I feel it is pertinent to name the respected agricultural organizations which favor legislation along the lines I am proposing. They include the New York Farm Bureau; the Dairymen's League Cooperative Association, Inc.; the Mutual Federation of Independent Cooperatives, Inc.; the New England Milk Producers Association; and the National Milk Producers Federation.

Dr. Leland Spencer, professor of marketing, New York State College of Agriculture, Cornell University, Ithaca, N.Y., last year prepared a series of comments on some current legislative proposals and marketing problems relating to milk. Discussing an amendment to the Agricultural Marketing Agreement Act to authorize marketwide contributions under Federal orders to milk advertising and promotion programs, Dr. Spencer stated:

> This is a type of activity in which optimum results can be achieved only when the entire milk industry associated with a given market functions as a unit. It is not a type of activity that can be carried on satisfactorily by individual producers or even groups representing mere segments of the market as a whole.

Mr. Speaker, in explanation of the principal provisions of the bill I have offered, I am including with my remarks an analysis which I have prepared and the text of the bill.

EXPLANATION OF PROPOSED AMENDMENT TO THE AGRICULTURAL MARKETING AGREEMENT ACT OF 1937

The purpose is to provide permissive authority for uniform producer deductions under the milk orders to support promotion and research programs so as to encourage increased consumption of milk and its products.

The bill would amend the Agricultural Marketing Agreement Act of 1937 concerning milk orders (7 U.S.C. § 608c(5)), to:

1. Allow a hearing to be called at the request of milk producers under an order to consider the creation of an agency to support promotion and research of milk and milk products. Such hearing would include expert testimony from existing organizations such as the American Dairy Association and National Dairy Council on the nature of a promotion and research program that could

best serve the dairy industry within a particular area and the anticipated cost.

2. Permit producers and their cooperatives to vote on whether they want to support such a program as developed at the hearing and recommended by the U.S. Department of Agriculture.

2a. The maximum amount that producers would contribute to such program would be based on the hearing record evidence and set forth in the decision on which the producers would vote. Such amount could not be more than 3 cents per hundredweight.

2b. The program would go into effect only if approved by two-thirds of the producers voting—(three-quarters of the producers where handler pooling is in effect such as in Philadelphia). If such approval is not given, then the rest of the order provisions would continue without change. This point is of tremendous importance to producers, for normally if a "no" vote is registered, producers run the risk of losing the entire order. This bill would give producers the freedom of voting on a promotion and research amendment, while at the same time providing the assurance of the continued protection of the other order provisions.

2c. The producer agency that would be created as a result of a hearing and a favorable vote would be free to develop its own program and/or support the programs of existing organizations such as the American Dairy Association and National Dairy Council, which are recognized to be doing a good job. One purpose of this legislation would be to help such organizations do even more. What would be provided is the means or machinery of getting far greater funds for the worthwhile purposes of promotion and research, while reducing the expense presently involved in individual solicitation.

It is to be noted that the purposes have been made broad enough to include advertising as part of promotional efforts in addition to research and educational activities. Provision is also made for milk dealers to contribute to and participate in such a program.

A Bill To Amend the Agricultural Adjustment Act, as Reenacted and Amended by the Agricultural Marketing Agreement Act of 1937, as Amended, and for Other Purposes

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Agricultural Adjustment Act, as reenacted and amended by the Agricultural Marketing Agreement Act of 1937, as amended, is further amended by adding at the end of section 8c(5) the following new subparagraph (H):

"(H) Establishing or providing for the establishment of marketing research and development projects, and advertising, sales promotion, educational, and other programs, designed to promote the marketing and consumption of milk and its products, to be financed by producer deductions at a rate not to exceed three cents per hundredweight fixed in the order on all producer milk under the order. Such deductions may be made from payments to producers in the case of orders containing provisions under subparagraph 8c(5)(B)(i) or from the producer settlement fund established under subparagraphs 8c(5)(C) in the case of orders containing provisions under subparagraph 8c(5)(B)(ii). If an assessment against producers is in effect, the order may provide also for the collection from handlers of a corresponding amount. If handlers of at least 50 per centum of the volume of producer milk under the order favor a provision requiring a specific rate of payment by handlers to assist in financing projects and programs under this subparagraph, the Secretary may make provision for such payment by all handlers on all producer milk under the order. Such funds shall be paid to an agency organized by milk producers and producers' cooperative associations in such form and with such methods of operation as are specified in the order. Such agency shall be empowered to designate and employ persons and organizations engaged in such projects and programs. All funds collected under this subparagraph shall be separately accounted for and shall be used only for the purposes for which they were collected. No order provision under this subparagraph shall become effective in any marketing order unless separately approved by producers in the same manner provided for the approval of marketing orders. Disapproval of an order provision under this subparagraph shall not be considered disapproval of the order or of other terms of the order. Order provisions under this subparagraph may be terminated by separate vote in the same manner provided for the termination of marketing orders."

LEGISLATIVE PROGRAM FOR NEXT WEEK

Mr. HALLECK. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Indiana?

There was no objection.

Mr. HALLECK. Mr. Speaker, may I inquire of the majority leader as to the program for next week?

Mr. ALBERT. Mr. Speaker, the program for next week, in response to the inquiry of the minority leader, is as follows:

Monday is District Day. There are no bills to be considered.

On Tuesday, H.R. 6041, amendments to the Davis-Bacon Act, under an open rule with 2 hours of debate.

For Wednesday and the balance of the week the following bills and resolutions will be considered:

Four resolutions providing additional funds for certain committee investigations and studies, as follows:

House Resolution 587, for the Committee on the Judiciary.

House Resolution 590, for the Committee on Foreign Affairs.

House Resolution 607, for the Committee on Armed Services.

House Resolution 568, for the Committee on Education and Labor.

Printing authorization resolutions of Committee on House Administration, as follows:

House Resolution 597, President Kennedy's Thanksgiving Proclamation.

House Concurrent Resolution 243, President Kennedy's Inaugural Address.

Senate Concurrent Resolution 69, tributes by Members of Congress to the life, character, and public service of President Kennedy.

Mr. Speaker, this announcement is made subject to the usual reservation that conference reports may be brought up at any time, and any further program will be announced later.

Mr. Speaker, in connection with future programs, and in order that the Members may be properly and thoroughly advised, may I say that it is anticipated a rule will be granted on the civil rights bill, and if a rule is granted it is expected it will be brought up not later than Friday of next week. When brought up, consideration will continue until the bill is finally disposed of. It is hoped and expected it will be passed before Lincoln's Birthday.

Mr. HALLECK. Mr. Speaker, as the gentleman knows, many of us on this side of the aisle have commitments involving dinners around the country on January 29. In view of the fact that amendments to the Bacon-Davis Act will come up on Tuesday, may I suggest to the majority leader that possibly we might come in a little early on that day in the hope that the amendments may be considered and disposed of with proper consideration on Tuesday in order that those of us—and I am one of them—who have commitments quite some distance from this area may be present for the dinners on the 29th of January?

Mr. ALBERT. Certainly it is the desire of the leadership on this side to cooperate with the gentleman. His request is appropriate and reasonable. We would have no objection to coming in at 10 o'clock on Tuesday to make certain of the early disposition of this bill, if agreeable to the Members on both sides of the aisle.

Mr. HALLECK. As far as I am concerned, that would suit me very well.

HOUR OF MEETING OF THE HOUSE ON TUESDAY NEXT

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that when the House adjourns on Monday next it adjourn to meet at 10 o'clock on Tuesday next.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

LEGISLATIVE PROGRAM

Mr. HALLECK. Mr. Speaker, I ask unanimous consent to proceed for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Indiana?

There was no objection.

Mr. HALLECK. Mr. Speaker, may I make one further observation to the majority leader? He has indicated by what he has just said he rather expects that a rule will be forthcoming next week on the civil rights bill. It has been my information, and I presume the majority leader has the same information, that a rule might be reported on the 30th of January. If it is so reported I would hope that we could go immediately into general debate and work that weekend with respect to general debate. May I say, Mr. Speaker, as far as I am concerned reasonable time for general debate is very much in order; at the same time, in the consideration of a complex measure such as this civil rights bill is, containing the titles it does contain, probably the better end result would be to obtain more thorough consideration under the 5-minute rule. May I say to the gentleman from Oklahoma and to the Speaker that they have been most cooperative in this matter.

I want to express the hope that under the 5-minute rule, if the rule is forthcoming, and if we could start consideration under the 5-minute rule on Monday, February 3, of the civil rights bill, we could continue to work on it through that whole week, including Saturday, the 8th of February, in order that those of us on our side of the aisle who traditionally have made arrangements to be home for Lincoln Day meetings would be able to get off that week.

Mr. ALBERT. I thank the gentleman for his observation. I previously made the statement that we sincerely hope and actually expect that the bill will be disposed of before Lincoln's birthday. I would not like to make more definite commitment at this time.

Mr. HALLECK. I thank the gentleman.

Mr. ALBERT. As I announced yesterday, there is no further program for the balance of this week.

ADJOURNMENT UNTIL MONDAY, JANUARY 27

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that when the House adjourns today it adjourn to meet on Monday next.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

CALENDAR WEDNESDAY BUSINESS

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that the business in order under the Calendar Wednesday rule may be dispensed with on Wednesday next.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

LOCATION OF PROPOSED ELECTRONIC CENTER

Mr. LONG of Maryland. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and include a letter.

The SPEAKER. Is there objection to the request of the gentleman from Maryland?

There was no objection.

Mr. LONG of Maryland. Mr. Speaker, the news account that Mr. Webb has told the White House that he planned to put the new $50 million Electronic Center in Boston has caused me and other Congressmen great concern.

On December 17, 1963, I sent the following letter of protest to Mr. Webb:

DEAR MR. WEBB: I have arranged for a group to meet with Dr. George Simpson, of the National Aeronautics and Space Administration, on December 19, in order to present the merits of the Baltimore area as the location for the proposed electronics center. We shall attend this meeting—but under protest.

At the hearings before the House Committee on Science and Astronautics in April, NASA officials indicated their intention to locate the electronics center in the Boston area. After hearing their testimony, however, the House Space Committee proposed a survey of other suitable areas in the Nation. The proposal was enacted into Public Law 88–113, and directed that "a detailed study of the geographic location of, the need for, and the nature of, the proposed center" be made and presented to both the House and Senate committees before any construction might begin.

Following passage of this law, you set up a five man "factfinding committee to evaluate the advantages and disadvantages of potential geographic locations" for the proposed electronics center.

We in Baltimore assumed that the enactment of the law calling for this detailed study, and the setting up of this fact-finding committee, necessarily involved on-the-spot inspections by members of the committee; meetings with interested persons and groups; and opportunity for hearings before the factfinding committee.

Accordingly, we asked for a meeting with the factfinding committee; a visit by that committee to the Baltimore area; and an opportunity for oral presentation before it, followed by questions and answers.

Dr. George Simpson, the Deputy Assistant Administrator for Public Affairs, who is not a member of the site selection committee chosen by you, is the only NASA official with whom the Baltimore area group has been granted an opportunity to deal. Visits by the factfinding committee or by Dr. Simpson to the Baltimore area have been refused; and the Baltimore area group has been allowed to meet only with Dr. Simpson, instead of with the factfinding committee. Even the oral presentation, scheduled for December 19 before Dr. Simpson, was discouraged. All these ground rules Dr. Simpson informed me, have been approved by you.

We feel that these rules violate the spirit of Public Law 88–113. It is not easy to see how the selection of the site can conform to the requirement of a "detailed study" unless the factfinding committee members visit the area, see its advantages and disadvantages firsthand, and hear testimony in Washington. Our feeling concerning this procedure apply not only to the Baltimore area. Every area—not just Baltimore—should have a full opportunity to be seen and heard.

NASA's present procedures constitute a mere "going through the motions" and bear out such statements as that in Missiles and Rockets (December 1963) that "there's been no change in the viewpoint of top NASA officials that the best location for the proposed electronics research center is in Boston."

The national interest demands an impartial and thorough examination of all suitable locations for this $50 million electronics research center. The procedures insisted on by NASA are not calculated to serve this national interest and are less than fully obedient to the express mandate of Congress.

Sincerely,

CLARENCE D. LONG.

VETERANS' ADMINISTRATION HOSPITAL, BOSTON, MASS.

Mr. GROSS. Mr. Speaker, I ask unanimous consent to revise and extend my remarks and include a letter.

The SPEAKER. Is there objection to the request of the gentleman from Iowa?

There was no objection.

Mr. GROSS. Mr. Speaker, I am pleased to report that the Department of Justice is taking action to collect $4,918,577, plus appropriate interest, from McCloskey & Co. and the architects and engineers involved in the construction of a Veterans' Administration hospital in Boston, Mass.

This is the $10 million VA hospital which started falling apart soon after it was completed and occupied. It was built by the construction firm headed by one Matthew H. McCloskey, who is resigning as Ambassador to Ireland so that he can once again take on the job of raising campaign funds for the Democratic Party.

I have kept in touch with the Justice Department about this matter for more than a year, and last week I received a letter from Assistant Attorney General John W. Douglas telling me of the action being taken.

His letter reads as follows:

DEPARTMENT OF JUSTICE,
Washington, January 14, 1964.

Hon. H. R. GROSS,
House of Representatives,
Washington, D.C.

DEAR CONGRESSMAN GROSS: This letter is in reply to your letter of January 8, 1964, addressed to the Attorney General in which you request a statement of the action taken by the Department of Justice regarding the construction deficiencies of the Veterans' Administration Hospital in Boston, Mass.

Since my letter to you of June 26, 1963, we have been engaged in securing information which would enable us to file a complaint against the several contractors involved.

On December 24, 1963, following receipt of sufficient facts to frame a complaint and to compute the potential damages, we mailed demand letters to (1) the construction contractor, McCloskey & Co., Philadelphia, Pa., (2) the architects, Shepley-Bulfinch-Richardson & Abbott, a Boston partnership, and (3) the engineers, Charles T. Main, Inc., of Boston. The letters stated that, if payment of $4,918,577 plus appropriate interest was not received on or before January 20, 1964, the Department of Justice, in order to protect the public interest, would file a suit against the several contractors to recover the amount demanded.

We shall, of course, be pleased to furnish any additional information which you may desire on the status of this matter.

Sincerely yours,

JOHN W. DOUGLAS,
Assistant Attorney General.

WE CANNOT AFFORD TO EXPORT JOBS

Mr. BRAY. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Indiana?

There was no objection.

Mr. BRAY. Mr. Speaker, I rise to protest the most recent example in which we condone the taking of jobs from American workers to give to the workers of other nations, and where our own Government even applauds such action.

Specifically I am referring to the recent announcement by the Consolidated Edison Co. of New York City that it proposes to import hydroelectric power from Canada. We all know that our own domestic coal industry has suffered many setbacks in recent years. I for one have repeatedly sought to give it some protection from the flow of residual fuel oil into this Nation. In a number of other ways our coal industry has been penalized—often at the same time we were helping the economies of other nations.

This most recent proposal seems to be going a far way to avoid doing business with American industry. It is reported that these powerlines will stretch some 1,100 miles. It is obvious that we could go a much shorter distance and find adequate coal reserves in the hard-hit Appalachian region, or in the coal fields of Indiana, Illinois, and Kentucky.

If necessary, power-generating facilities could be constructed at the mouth of these mines, and the power carried to the consumers of Consolidated Edison. Or it is also possible to transport coal by pulverizing it and shipping it through coal pipelines.

Fortunately this absurd effort has been strongly protested by the president of the United Mine Workers of America, W. A. Boyle. His protest is timely and well stated.

What makes this effort to export jobs doubly infuriating is that it was praised and complimented by a member of the President's Cabinet, Secretary of the Interior Stewart Udall. At the same time this administration is talking of a great war on poverty, it overlooks this opportunity to encourage and build employment and prosperity at home and praises the efforts of one power company to take these jobs out of the country.

Mr. Speaker, many of us have the impression that there is a concerted effort on the part of the administration in many fields to not let the right hand know what the left hand is doing. This seems to be one more example where the promise in one field is contradicted by the actions in another.

MIDWEST WILL SUFFER UNDER THE JOHNSON BUDGET

Mr. LAIRD. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Wisconsin?

There was no objection.

Mr. LAIRD. Mr. Speaker, I was surprised at the alarm expressed by the gentleman from Indiana [Mr. ROUSH] as to the location by the Johnson administration of a new electronics research laboratory to be located in Boston, Mass. I would suggest to the gentleman from Indiana that within the next few weeks all of us from the Midwest take a close look at the Johnson budget. We find in the Johnson budget there is a request for over $14 billion in research and development funds. The two largest new laboratories, the Environmental Health Center and the Electronic Research Center will be located on the east coast. Of the funds requested by President Johnson, 82.5 percent will be expended in the coastal States of this country. If this Johnson budget is carried forward, it could very well make the Midwest an economic wasteland. Research and development dollars attract procurement dollars. For each dollar of research expenditure at least $10 of procurement follow within a period of from 3 to 6 years. This Johnson budget with its emphasis on research laboratories and research contracting in the coastal States can very well have a disastrous effect on the future economic development of the Midwest. I direct your attention to the AEC budget, the defense budget, and the space budget, in particular.

We in the Midwest on both sides of the aisle have a responsibility to analyze this budget closely.

The SPEAKER. The time of the gentleman has expired.

TRADING BY "ALLIES" WITH CUBA

Mr. ROGERS of Florida. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Florida?

There was no objection.

Mr. ROGERS of Florida. Mr. Speaker, Americans concerned over recent trade agreements between our "allies" and Cuba were much encouraged by the remarks made last night by Secretary of State Dean Rusk. The Secretary made it very plain that our Government views these deals with Castro as a violation of our friendship and the stated policy of the U.S. Government.

The statement by the Secretary, along with past statements by high-level executive branch officials, clearly state U.S. policy. But we are still faced, not only with the fact of the Cuban trade, but the assumption that our own policy decisions are not being acted upon by our own Government, below the top level. We have been told, over and over, what our policy is. Yet we need to see more results from that policy.

England is selling buses to Castro. Spain is considering selling ships. All of Europe seems interested in giving some form of assistance to Castro, who is working day and night to bring communism to all of Latin America.

Every single time I have asked the State Department for a report on their success to end this trade, we get a reply in general terms suggesting that is a most difficult problem, but that we are hopeful it will meet with success. Certainly it is difficult. It may become more so. But there is not a chance for success unless we make a more determined effort, that has not been demonstrated to date. Particularly, we should make a more determined effort to isolate Cuba through the OAS.

I have made an effort to see what, if anything, is being done to implement the new action by Congress, which will require a halt to all foreign aid to any country which permits its ships or planes to supply Castro, but have received no reply to date.

I have introduced legislation which would close U.S. ports to any nation which permits its ships or planes to trade with Cuba. In the event that the State Department fails to carry out the law in regard to foreign aid in addition to whatever other steps would be indicated, enactment of this legislation would accomplish the same purposes and should be adopted at the earliest possible time.

The Secretary of State has expressed the official displeasure of the U.S. Government to England on the bus deal. Now let us have some action to followup on the speeches.

A PLEA TO THE PRESIDENT

Mr. HORTON. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. HORTON. Mr. Speaker, when the Pentagon evidenced an interest in economy last month by discontinuing the activities of 33 of our Nation's defense installations, I accepted the explanation that they were "no longer required by the Armed Forces." In spite of the fact that New York State was hardest hit by this action—seven of its installations are affected—I attributed only the highest and most honest motives to those responsible for the reduction.

I always applaud Government economy where it can be effected without sacrifice to our national security. In the instance of the Defense Department economy program, I was prepared to rely on the judgment of those closest to the situation, feeling they knew best where to save taxpayer dollars, and yet not jeopardize our military readiness.

We all heard suggestions that political expediency was behind the discontinuance decisions. But, I am reasonably certain that most of us in Congress put these statements down as impetuous. Who would believe that our President or our Secretary of Defense would play political favorites in the vital area of national defense?

Now, Mr. Speaker, there is a published report that an elected official has stated publicly that New York State was picked to "bear the brunt" of 6,000 displaced Defense Department employees out of a nationwide total of 21,000 because New York does not have a Democrat U.S. Senator. The gentleman went on to tell his partisan audience in Geneva, N.Y., on Saturday, January 11, that because New York has elected two Republican U.S. Senators and a Republican Governor "it takes a superhuman effort to remind the national administration that New York State is still in the Union."

Frankly, I could not believe my eyes when I read the United Press International account of this speech. That any person holding elective office in our Government could impugn so many precious American ideals to serve his own political ambition defies belief.

Mr. Speaker, it is my hope that by making these remarks in the House, this serious situation will be brought to the attention of the President. I would urge that the President examine the matter thoroughly and forthwith report to the American people, telling us finally whether political considerations figured in the decision to close certain military installations or whether the statement ascribing this motivation is entirely without substance.

Should the latter alternative be confirmed, I feel the person responsible for the statement is morally obligated to issue a full and public apology for his rash implications. If, in fact, the presence of politics is confirmed by the President, we deserve an Executive explanation—and all the help we can get.

THE LINDSAY-TUPPER BILL FOR HOSPITALIZATION AND NURSING CARE FOR THE AGING

The SPEAKER. Under previous order of the House, the gentleman from New York [Mr. LINDSAY] is recognized for 60 minutes.

Mr. LINDSAY. Mr. Speaker, I ask unanimous consent to include a brief summary and a copy of the bill which I introduced on the subject of hospital care for the aged.

The SPEAKER pro tempore (Mr. LIBONATI). Without objection it is so ordered.

There was no objection.

Mr. LINDSAY. Mr. Speaker, for nearly 30 years this country has been at odds over how it should help its elderly citizens protect themselves against the high cost of illness.

As early as 1935, responsible groups were asking the President and Congress to develop a national health insurance plan which would be workable and fair.

Mounting costs of hospital and nursing care, coupled with a steady increase in our elderly population, have made health protection for the aging a major national problem.

The need is plain as the figures and the cases increasingly demonstrate. More and more, we hear of an entire family's savings wiped away by the high cost of hospital or nursing home care. Science and the medical profession have made wonderful advances in making it possible for people to live longer. But who can deny that this has raised additional problems.

For several years there have been bills before the Congress attempting, in various ways, to meet this need. Thus far, the proposals have met a legislative impasse.

Today, I am offering a bill which is not only a constructive alternative to these other views, but which, I believe, can be a means of starting the hospitalization and nursing care plan through Congress. This bill is a refinement—with an important innovation—of earlier hospitalization proposals I have put before the Congress. I am delighted that Congressman STANLEY TUPPER, of Maine, is joining me in introducing this bill. He has made an enormous contribution toward its development.

At the outset I want to make it absolutely clear that this legislation we are introducing has nothing to do with the practice of medicine or doctors or doctors' fees or the selection of doctors. Nor does it have anything to do with Government involvement in the selection of hospitals. It will not involve the Federal Government in the medical profession.

This legislation is confined to, and only deals with, the question of the mechanical, physical costs of hospitalization, or nursing home care, or nursing care at home. I will explain its provisions, and why I believe it is the alternative that can start this important plan moving, later in these remarks.

This country's population over age 65 is increasing at the rate of 1,000 a day. Next year, it will pass the 18 million mark. By 1980, the census tells us, our aged will number 24,458,000—an increase of more than a third in the next 15 years.

Almost one-half of the over-65 population in the United States must live on incomes of less than $2,500 a year. Worse, nearly half of the aging who live alone have incomes of less than $1,000 a year. One-half have liquid assets of less than $1,000. About 40 percent have less than $5,000 total assets, including homes.

Added to the problem of scarce funds is the fact that one-half of our over-65 citizens have no health insurance. Many more have grossly inadequate coverage.

Yet four out of five have a chronic ailment. With this high tendency to illness, our over-65 citizens need three times as much hospital care as younger people. And the aged are the primary users of nursing homes and chronic disease hospitals. In New York City alone, there are nearly 11,000 nursing homes.

And the cost of hospitalization is rising rapidly. Even in 1961, the latest complete figures we have, the average cost of each day in the hospital was $35.

The total cost of health care for persons over 65 is estimated at more than $5 billion a year. Nearly half of this goes into hospital and nursing home care, including custodial and mental hospital care.

The facts are before us: the growing number of aging citizens, the financial problems many of them face, the high cost of and therefore the lack of insurance, the tendency of the aging to chronic ailments, and the increased cost of hospital care.

The basic question we face as a Nation is how best to help our aging people meet this problem. I suggest that a broad-scale health insurance program for all of our aging, financed through a payroll tax, is the best kind of help we can give.

The payroll tax—the same financial source that the social security program uses—can be applied to most of the working force of our Nation; has a wide base; is easily collected, and does not fluctuate as much as the income tax.

Further, we could not load a broad program of hospital care for the aged onto the progressive income tax or the corporate income tax. Higher rates in those areas would, in my opinion, have a serious impact on our incentive to increase profits and income through growth. Even at this moment, Congress has before it a proposal to make substantial cuts in both of these taxes. Meanwhile, in the absence of a properly financed system, there is increasing pressure for a broadening of the Kerr-Mills Federal grant-in-aid plan, financed out of general revenues. Somehow, it is argued that this is voluntary. I know of nothing voluntary about the income taxes that must be paid to finance such a program.

Under the Lindsay-Tupper hospitalization insurance plan, as in King-Anderson, the payroll, or social security, tax rate would go up one-quarter of 1 percent.

Thus, an individual making $4,800 a year would pay $1 a month toward his old-age hospitalization insurance. This legislation, as in King-Anderson, would also increase the taxable wage base—this will provide higher benefits.

I will say here that I believe $1 a month is not a high price for a working individual to pay for adequate insurance against hospitalization and nursing costs in old age.

I also believe the payroll tax is fair—it is shared 50–50 by employers and employees, and is paid by the self-employed during their working years. Thus, an employee paying $1 a month would have $1 more added by his employer.

Though the payroll tax aspects of my legislation are the same as King-Anderson, our bill differs in other aspects from the administration proposal in two very important ways:

First. Under the Lindsay-Tupper bill, individuals could choose either a Government or a private hospitalization insurance plan. The King-Anderson measure is compulsory Government health insurance with benefits offered only under a Government plan.

Second. States would administer the insurance plan under our legislation. In the administration proposal, the Secretary of Health, Education, and Welfare in Washington would handle the insurance program.

Like our earlier bill, this new version combines the payroll tax base with freedom of choice between a private and a government insurance plan. I want to stress that this feature distinguishes our measure most sharply from the administration bill.

This freedom of choice provision, or option, I believe will encourage the further growth and development of private health insurance and voluntary prepayment plans, particularly in the fields of catastrophic illness.

The Lindsay-Tupper bill provides this free option to covered persons under which they can have the benefits that would normally accrue to them over age 65, measured actuarially, paid over in cash either directly or by assignment. They will use these cash payments to continue or to begin a private insurance program of their own choosing.

There are safeguards in the Lindsay-Tupper bill against what we call adverse risk, that is, the use of policies which do not measure up to standards and coverage in relation to premium.

Concerning the second major difference from King-Anderson, our new bill shifts administrative responsibility for the hospitalization and nursing care program from the Secretary of Health, Education, and Welfare to the States. Our legislation makes it mandatory that there be an administering State agency.

Under our plan, the role of the Federal Government would be confined to first, establishing the structure of the program and preserving uniformity through Federal regulations, and second, collecting and disbursing to the administering State agencies the sums necessary to pay the benefits to our elderly citizens. It is my opinion that this plan would virtually eliminate the often-voiced fears of Federal involvement in health care.

It may be argued that providing for State administration will raise the costs of carrying out the insurance plan. I think just the reverse is true. It will be even less costly, particularly if voluntary organizations are used by the States. The opportunity is there—at present there are some 240 voluntary health-insuring organizations, including Blue Cross and Blue Shield.

Another reason why State administration is important is the close interrelationship this insurance plan would have with the Kerr-Mills program, which is also administered by the States.

In the first place, State agencies dealing with hospitals and nursing homes under the Kerr-Mills program already have experience and expertise.

Second, many OASDI beneficiaries receiving hospital benefits from my proposed legislation might to some extent be getting doctors' bills paid for by the already-enacted Kerr-Mills program. It would be grossly wasteful to set up duplicate files on such patients and deal with their records from both the Federal and State levels—this problem would occur under King-Anderson.

Kerr-Mills is here to stay. An estimate in New York suggests that as little as 20 percent of the Kerr-Mills program would be absorbed by a hospitalization and nursing care insurance plan. For the sake of efficiency, any new program for the aged should be administered in the same channels to the extent feasible—the Lindsay-Tupper State administration proposal would accomplish this.

A third major point of difference between our legislation and the King-Anderson bill is the method of providing benefits for those aged citizens not covered under social security.

Our proposal simply adds an additional category in social security for the noncovered group. At the present, in addition to old age assistance, there is aid to the blind, and aid to recipients with dependent children. The Lindsay-Tupper bill would add hospitalization. It would be financed the same way as the other categories—in other words, matching provisions, Federal and State, with full choice in the States to match or not, as they wish.

Once a State has joined and made the contribution, as in the case of Kerr-Mills today, the administration and coverage are the same as that provided for those persons under social security.

I have been interested to note that since Senator Javits in the Senate and I in the House have pressed for some means of covering persons not under social security, the administration has amended King-Anderson to make such a provision.

I do not agree with the method the administration has proposed, however—it simply takes in those aged not under social security and defines them as being covered for purposes of hospitalization. There is no matching provision. The Federal Government would simply pay 100 percent. Under the Lindsay-Tupper legislation, the States would pay 15 to 45 percent for benefits to those not under social security, and the Federal Government would pay the balance—similar, as I have pointed out before, to Kerr-Mills.

There should be no dispute about the need to provide hospitalization and nursing care insurance for those aged not under social security. It is estimated that at present some 3.5 million citizens over 65 are not eligible for old-age and survivors' insurance—social security, and thus, would not be covered under the payroll tax plan.

We must formulate this insurance plan—which has been a broad concept from its beginning—with all our aged citizens in mind.

I note with satisfaction that the administration has included in its King-Anderson proposal of the 88th Congress a provision contained in the Lindsay-Tupper 87th Congress bills; namely, a separate health—or hospital—insurance trust fund.

Under our proposal, as in the King-Anderson bill, insurance benefits from the plan would include inpatient hospital services, skilled nursing facility services, home health services or outpatient hospital diagnostic services. This covers a wide area—from bed and board in a hospital to speech therapy—designed to give very adequate protection for our aged against the heavy costs their illnesses can put on them and on their families.

This legislation is the result of 2 years research, study, and thought on my part and on the part of Congressman Tupper on the problems of our elderly citizens. In drafting the measure, we have drawn heavily on the program originally defined nearly 3 years ago by the distinguished Governor of my State of New York, Nelson A. Rockefeller.

In drawing up this measure and formulating its concept, I am indebted to my friend and constituent, Roswell B. Perkins, former Assistant Secretary of Health, Education, and Welfare under President Eisenhower, for his tireless assistance.

Mr. Speaker, I believe the Lindsay-Tupper bill is the answer to this major public question of how to help our aged insure themselves against devastating hospital and nursing costs.

This measure is not a dole—it is insurance, paid for in small installments by the individual as he works over the years. It is not insurance for everyone, but for those over 65.

It is not Government interference with the medical profession—it has nothing to do with this area. It is not medicare—it is hospitalization and nursing care.

It is not more Federal control—my measure shifts administration of the plan to the States.

It is not a Federal takeover of private insurance—this bill offers the individual an option between Government and private plans and encourages the private sector to offer plans for catastrophic illness.

Mr. Speaker, I am submitting for the Record, to be appended by my remarks, a summary of this bill we are introducing today. I urge every Member of the House to read this summary and to consider carefully whether my bill will not meet the needs of our older persons on a basis which is fiscally sound yet not compulsory in its benefit system.

This is a program which I submit can provide the breakthrough in the impasse on hospital-insurance for the aged that we have witnessed during the past few years. I believe the Congress can rally in support of this measure, and in so doing, carry out the consensus of the American people.

SUMMARY OF LINDSAY-TUPPER BILL FOR HOSPITALIZATION AND NURSING CARE FOR THE AGING

The Lindsay bill uses the payroll tax for financing hospital and nursing care benefits and includes (in part 2) a Government plan which has the same benefit structure proposed in the administration's King-Anderson bill (H.R. 3920 and S. 880). However, the Lindsay bill contains (in part 3) a so-called private health benefits option, and makes the bill elective as to which insurance plan is used.

A major new feature of the Lindsay bill is its provision for administration of the Government insurance plan by State agencies instead of by the Federal Government (pt. 2). Provision is also made to cover those aged citizens not eligible for the insurance under the social security system.

1. The private health benefits option: The option available to the individual social security beneficiary is as follows: He may elect to receive cash in lieu of protection under the Government plan, so long as he is covered by a private health insurance policy or health benefits plan which has an actuarial value equal to that of the Government plan. The individual beneficiary who elects to take advantage of the cash option may assign his monthly cash payment to the carrier of his private health benefits plan. The King-Anderson bill does not provide such an option.

2. Administration by the States: This new feature of the Lindsay bill, which further distinguishes it from the King-Anderson proposal, provides that the Government plan shall be administered by an agency in each State, designated by each State's legislature.

3. Noneligible coverage and State participation: The Lindsay bill provides for the 3.5 million over-65 citizens not covered by social security by giving this group (under the public assistance provisions of the Social Security Act) the same insurance coverage as under the Government plan, but financed out of general revenues on a matching basis with the States. State matching participation would vary from 15 to 45 percent. The King-Anderson bill also covers the noneligibles, but does not require any State participation.

4. Separate trust fund: Under the Lindsay bill, a separate Health Insurance Trust Fund—for payment of the benefits—would be created. In this way, the health insurance program would be made to stand on its own feet financially. This would be in lieu of merging the two existing funds and lumping the hospital insurance plan with them. (This is same as King-Anderson.)

DETAILED SUMMARY

Part I

The Lindsay bill would add a new title XVII to the Social Security Act (which now has 16 titles). The following would be sections of the new title:

Section 1701: This section sets up protection against any Federal interference in the practice of medicine, or in the selection of hospitals or nursing homes.

Section 1702: This section guarantees freedom of choice by the beneficiary as to providers of services.

Section 1703: This section establishes eligibility for health insurance benefits for all social security beneficiaries. It also establishes the fundamental option for all beneficiaries; namely, (1) to be covered by the Government plan created by part 2; or (2) to receive a monthly cash payment if covered by a private health benefits plan, as permitted by part 3.

Part II

This part of the bill establishes the Government plan which consists of the same benefits provided under the King-Anderson bill. All the definitions and terms of King-Anderson are incorporated without change.

This part also provides for the important new feature of this bill—administration of the Government plan by State agencies. Under this method, the plan will be administered by an agency in each State designated by that State's legislature. General regulations for the agencies will be set down by the Secretary of Health, Education, and Welfare.

Benefits under the Government plan include inpatient hospital services, skilled nursing facility services, home health services, and outpatient hospital diagnostic services. This covers a wide area—from bed and board in a hospital to speech therapy.

The plan provides coverage for up to 180 days in the hospital, 180 days of nursing home care or 240 nursing visits at home. The benefits become available at age 65 or over.

Part III

This part establishes and defines the private health benefits plan option, the feature which offers the alternative of private insurance to the Government plan.

Section 1720: This section defines the key terms. A "private health benefits plan" may be any kind of private health insurance policy or membership plan. "Health benefits" include protection not only for the hospital and nursing home and related services offered by the Government plan, but also for substantially the full range of health services needed by an individual.

Section 1721: This establishes the requirements for a qualified private health benefits plan. For example, the plan must be guaranteed renewable for life, as defined in subsection (b).

The most important requirement is that the plan have an actuarial value at least equal to that of the Government plan. Furthermore, the plan must provide health benefits of the same type as the Government plan (hospital and skilled nursing home care and certain home care services) for an actuarial value not less than 60 percent of that of the Government plan.

Thus, a private plan may qualify even though it has a range of benefits different from the Government plan so long as (1) its benefits in the categories covered by the Government plan have a value of at least 60 percent of the Government plan, and (2) benefits in all categories combined have an actuarial value at least equal to that of the Government plan.

The qualified plan may, in fact, be a combination of plans—for example, a package of Blue Cross, Blue Shield, and a major medical policy.

The Secretary of Health, Education, and Welfare is required to issue regulations (with the advice of the Advisory Council and after consultation with the National Association of Insurance Commissioners) prescribing standards for determining actuarial equivalence. These regulations might include detailed tables giving assigned values for different types and duration of benefits.

The private carrier would make application to the State insurance commissioner (of the State wherein the policy is to be issued) for a determination that a plan is qualified. The carrier would present data showing the actuarial value of the plan as compared with the Government plan (subsec. (g)).

The State insurance commissioner would review the plan and make a determination as to whether it meets the requirements of a qualified plan. His determination would be conclusive (subsection (e)).

The determinations by the State insurance commissioners would be made pursuant to agreements with the Secretary of Health, Education, and Welfare. The State insurance commissioners, in making their determinations, may enlist the aid of a special committee of the National Association of Insurance Commissioners if one is established. (There is precedent for such a professionally staffed committee of the NAIC today, in connection with the rating of securities for investment purposes.) If requested by the NAIC, the expenses of such a committee would be reimbursed by the Federal Government (subsecs. (h) and (i)).

Section 1722: This section provides for payment of the monthly cash payment to a social security beneficiary who exercises the private health benefits option. The beneficiary must submit evidence that he is covered by a qualified private health benefits plan.

The amount of the monthly cash payment would be the same as the actuarial monthly value (in dollars and cents) if the benefits provided by the Government plan plus 5 percent of such value, adjusted to the next higher amount in whole dollars. At the outset the monthly cash payment would be $8 per month.

Section 1723: This section permits a beneficiary to assign his monthly cash payment to a carrier. It also creates certain rights in an employer or trustee of a welfare fund where the employer pays over half the cost of the qualified plan which is the basis of the monthly cash payments.

Section 1724: This section contains technical provisions as to the commencement and termination of monthly cash payments.

The Secretary would establish by regulation a month or months during the years when an individual could exercise the option or revoke such an exercise.

A beneficiary could not exercise the option a second time if he has exercised it once but subsequently accepted coverage under the Government plan.

Section 1725: This section provides for agreements between the Secretary and State insurance commissioners for making the determinations required by section 1721. If there is no such agreement with a particular State, the Secretary would make the determination. Provision is made for reimbursement of the expenses of the State insurance commissioner in making the determinations.

Part IV—Miscellaneous

Section 1730: This section provides for the same Hospital Insurance Benefits Advisory Council as the King-Anderson bill, except that at least four members must be "persons who are outstanding in the fields of private health benefit plans."

Section 1731: This section provides for judicial review of the Secretary's determination.

Section 1732: (Technical provisions).

Section 1733: This section provides for development of optional or supplemental private health insurance protection, under part 2 or part 3.

Section 102: This section provides for a separate Federal Hospital Insurance Trust Fund, in lieu of lumping it with other funds.

Section 103: This section increases the wage base to $5,200, as under the King-Anderson bill—for purposes of the payroll tax which finances the plan under the Social Security Act.

Section 104: (Technical amendments).

TITLE II

This title provides for tax rate increase as under the King-Anderson bill.

TITLE III

This title provides a system of hospital benefits for aged individuals not eligible under the old-age survivors and disability insurance system (title II of the Social Security Act.) It accomplishes this by providing similar benefits to those under the public assistance provisions in the Social Security Act (old-age assistance, etc.), and providing for State participation and administration.

This portion of the bill makes the necessary changes in title I of the Social Security Act so that this grant program, hospitalization, may be added.

The hospitalization provision would be financed in the same way as the other public assistance programs under the Social Security Act—in other words, matching provisions, Federal and State.

Any eligibility tests, based on income or otherwise, would be established by the States. The State plan requirements are similar to those in the Kerr-Mills program.

State matching participation would vary from 15 to 45 percent.

Under the King-Anderson bill, funds to carry out this portion of the insurance plan would be 100-percent Federal.

Section 304 of this title provides for payments from the Federal hospital insurance trust fund for services furnished to individuals eligible under the program of a State which is participating in this part of the Federal program.

TITLE IV

This title amends the Railroad Retirement Act (as does the King-Anderson bill) to provide the same hospital insurance benefits program for railroad retirement beneficiaries as for social security beneficiaries.

H.R. 9732

A bill to provide through the social security system a means of financing hospital and related services to aged beneficiaries, but offering freedom of individual choice to each beneficiary to select voluntary health plan coverage, and for other purposes

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Free Choice Hospital Insurance Act of 1964".

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FINDINGS AND DECLARATION OF PURPOSE

SEC. 2. (a) The Congress hereby finds that—

(1) the heavy costs of hospital care and related health care are a grave threat to the security of retired and other older persons;

(2) hospital insurance coverage to protect against such costs for all citizens who have reached age 65 is a desirable national objective;

(3) the financing of such hospital insurance must be on a basis which is effective, fiscally sound, the least possible deterrent to national economic growth, and fair and equitable to and among individuals and employers;

(4) the method of financing which best accomplishes these objectives is the contributory payroll tax shared by employees and employers, with comparable taxes upon the self-employed during their working years;

(5) any hospital insurance system so financed should provide for the administration of payments to providers of services by the respective States or, through the States, by voluntary organizations;

(6) any hospital insurance system so financed should preserve the principle of freedom of choice by the individual with respect to particular hospital insurance plans or policies;

(7) any such program should also encourage the further growth and development of private hospital insurance and voluntary prepayment plans;

(8) the associations of insurance organizations which are operating in many States and in formation in others, under State law, to provide uniform hospital insurance plans for persons over 65 on an open-enrollment basis, should be particularly encouraged; and

(9) older persons who are not protected against the costs of hospital and related health care under such a system or under the existing Federal-State public assistance programs should be afforded an opportunity for comparable protection under a supplementary hospital benefits system.

(b) The purposes of this Act are—

(1) to provide the necessary financing for a program of hospital insurance benefits for retired and other older individuals;

(2) to establish a government plan under which the individual may elect to be protected;

(3) to provide an option to the individual as to whether he elects protection under such government plan or under a private health benefits plan of his own choosing;

(4) to provide a supplementary system of hospital benefits available to the States under Federal-State agreements for older persons who are not otherwise protected under the Federal old-age, survivors, and disability insurance program; and

(5) to do these things in a manner consistent with the dignity and self-respect of each individual, without interfering in any way with the free choice of physicians or other health personnel or facilities by the individual, without the exercise of any Federal supervision or control over the practice of medicine by any doctor or over the manner in which medical services are provided by any hospital.

(c) It is hereby declared to be the policy of the Congress that skilled nursing facility services for which payment may be made under this Act shall be utilized in lieu of inpatient hospital services where skilled nursing facility services would suffice in meeting the medical needs of the patient, and that home health services for which payment may be made under this Act shall be utilized in lieu of inpatient hospital or skilled nursing facility services where home health services would suffice.

TITLE I—HOSPITAL INSURANCE BENEFIT PROVISIONS

Hospital insurance benefits for the aged

Sec. 101. The Social Security Act is amended by adding after title XVI the following new title:

"TITLE XVII—HOSPITAL INSURANCE BENEFITS FOR THE AGED

"Part 1. General; private health benefits option

"Prohibition Against Any Federal Interference

"Sec. 1701. Nothing in this title shall be construed to authorize any Federal officer or employee to exercise any supervision or control over the practice of medicine or the manner in which medical services are provided, or over the selection, tenure, or compensation of any officer or employee of any hospital, skilled nursing facility, or home health agency; or, except as otherwise specifically provided, to exercise any supervision or control over the administration or operation of any such hospital, facility, or agency.

"Free Choice by Patient Guaranteed

"Sec. 1702. Any individual entitled to hospital insurance benefits under this title—

"(1) may (if he is entitled as described in section 1703(b)(1)) obtain the inpatient hospital services, skilled nursing facility services, home health services, or outpatient hospital diagnostic services for which he is entitled to have payment made under part 2 from any provider of services with which an agreement is in effect under such part and which undertakes to provide him such services; and

"(2) may (if he has elected entitlement as described in section 1703(b)(2)) to obtain the coverage to which he is entitled pursuant to such election under any plan which is a qualified private health benefits plan within the meaning of part 3.

"Entitlement to Benefits; Option by Beneficiary

"Sec. 1703. (a) Every individual who—

"(1) has attained the age of 65, and

"(2) is entitled to monthly insurance benefits under section 202,

shall be entitled as provided in subsection (b) to hospital insurance benefits for each month for which he is entitled to such benefits under section 202, beginning with the first month with respect to which he meets the conditions specified in paragraphs (1) and (2). Notwithstanding the preceding provisions of this subsection, no payments may be made under this title for inpatient hospital services, outpatient hospital diagnostic services, or home health services furnished an individual prior to January 1, 1965, or for skilled nursing facility services furnished him prior to July 1, 1965.

"(2) For purposes of this title, entitlement of an individual to hospital insurance benefits for a month shall consist of either—

"(1) entitlement to have payment made under and subject to the limitations in part 2 on his behalf for inpatient hospital services, skilled nursing facility services, home health services, and outpatient hospital diagnostic services furnished him in the United States (as defined in section 210(i)) during such month, or

"(2) entitlement to payment of cash benefits during such month in the manner provided in part 3 if he is enrolled in a qualified private health benefits plan as therein defined;

but an individual's entitlement to hospital insurance benefits for any month shall consist of entitlement under paragraph (1) unless before the begining of such month he has elected entitlement under paragraph (2) in the manner prescribed in part 3.

"(c) For purposes of subsection (a), an individual shall be deemed entitled to monthly insurance benefits under section 202 for the month in which he died if he would have been entitled to such benefits for such month had he died in the next month.

"Part 2. Government plan

"Administration by State Agencies; Role of the Secretary

"Sec. 1710. (a) The provisions of this part, except as otherwise expressly provided herein, shall be administered by an agency or agencies within each of the respective States to be designated by the legislature of such State (or, until such time as the legislature of a State shall have acted, to be designated by the Governor of such State). The agency or agencies so designated within any State (which may be or include one or more nonpublic organizations) shall be known as the 'Administering State Agency' of such State; and references in this title to 'the Administering State Agency' shall be deemed to refer separately to the Administering State Agency of each State with respect to the administration of this part within that State. All determinations, regulations, and other actions of an Administering State Agency under this part shall be consistent with the regulations of the Secretary issued under subsection (b).

"(b) The Secretary shall issue general regulations to assure that all payments made from the Federal Hospital Insurance Trust Fund under this part are applied strictly for the purposes of this title and to assure reasonable uniformity among the States in carrying out this part.

"(c) Before issuing any regulations under this part or amending any such regulations, the Secretary shall (1) give at least 60 days' advance notice of the proposed regulations or amendment to all Administering State Agencies then designated, and to the Hospital Insurance Benefits Advisory Council, and (2) consult with representatives of such Agencies (designated by a majority of them) and with such Council to receive and consider their views concerning such regulations or amendment.

"Description of Services

"Sec. 1711. For the purposes of this title—

"Inpatient Hospital Services

"(a) The term 'inpatient hospital services' means the following items and services furnished to an inpatient in a hospital and (except as provided in paragraph (3)) by the hospital—

"(1) bed and board,

"(2) such nursing services and other related services, such use of hospital facilities, and such medical social services as are customarily furnished by the hospital for the care and treatment of inpatients, and such drugs, biologicals, supplies, appliances, and equipment, for use in the hospital, as are customarily furnished by such hospital for the care and treatment of inpatients, and

"(3) such other diagnostic or therapeutic items or services, furnished by the hospital or by others under arrangements with them made by the hospital, as are customarily furnished to inpatients either by such hospital or by others under such arrangements;

excluding, however—

"(4) medical or surgical services provided by a physician, resident, or intern, except services provided in the field of pathology, radiology, physiatry, or anesthesiology, and except services provided in the hospital by an intern or a resident-in-training under a teaching program approved by the Council on Medical Education and Hospitals of the American Medical Association (or, in the case of an osteopathic hospital, approved by a recognized body approved for the purpose by the Administering State Agency), and

"(5) the services of a private-duty nurse.

"Skilled Nursing Facility Services

"(b) The term 'skilled nursing facility services' means the following items and services furnished to an inpatient in a skilled nursing facility, after transfer from a hospital in which he was an inpatient, and (except as provided in paragraph (3)) by such skilled nursing facility—

"(1) nursing care provided by or under the supervision of a registered professional nurse,

"(2) bed and board in connection with the furnishing of such nursing care,

"(3) physical, occupational, or speech therapy furnished by the skilled nursing facility or by others under arrangements with them made by the facility.

"(4) medical social services,

"(5) such drugs, biologicals, supplies, appliances, and equipment, furnished for use in the skilled nursing facility, as are customarily furnished by such facility for the care and treatment of inpatients,

"(6) medical services provided by an intern or resident-in-training of the hospital with which the facility is affiliated or under common control, under a teaching program of such hospital approved as provided in subsection (a)(4), and

"(7) such other services necessary to the health of the patient as are generally provided by skilled nursing facilities;

excluding, however, any item or service if it would not be included under subsection (a) if furnished to an inpatient in a hospital.

"Home Health Services

"(c) The term 'home health services' means the following items and services, furnished to an individual who is under the care of a physician by a home health agency, or by others under arrangements with them made by such agency, under a plan (for furnishing such items and services to such individual) established and periodically reviewed by a physician, which items and services are provided in a place of residence used as such individual's home—

"(1) part-time or intermittent nursing care provided by or under the supervision of a registered professional nurse,

"(2) physical, occupational, or speech therapy,

"(3) medical social services,

"(4) to the extent permitted in regulations of the appropriate administering State agency, part-time or intermittent services of a home health aid,

"(5) medical supplies (other than drugs and biologicals), and the use of medical appliances, while under such a plan, and

"(6) in the case of a home health agency which is affiliated or under common control with a hospital, medical services provided by an intern or a resident-in-training of such hospital under a teaching program of such hospital approved as provided in subsection (a)(4);

excluding, however, any item or service if it would not be included under subsection (a) if furnished to an inpatient in a hospital.

"Outpatient Hospital Diagnostic Services

"(d) The term 'outpatient hospital diagnostic services' means diagnostic services—

"(1) which are furnished to an individual as an outpatient by a hospital or by others under arrangements with them made by a hospital, and

"(2) which are customarily furnished by such hospital (or by others under such arrangements) to its outpatients for the purpose of diagnostic study;

excluding, however—

"(3) any item or service if it would not be included under subsection (a) if furnished to an inpatient in a hospital, and

"(4) any service furnished under such arrangements unless (A) furnished in the hospital or in other facilities operated by or under the supervision of the hospital, and

(B) in the case of professional services, furnished by or under the responsibility of a member of the hospital medical staff acting as such member.

"Drugs and Biologicals

"(e) The terms 'drugs' and 'biologicals', except for purposes of subsection (c)(5), include any of such drugs and biologicals, respectively, as are included in the United States Pharmacopoeia, National Formulary, New and Non-Official Drugs, or Accepted Dental Remedies, or are approved by the pharmacy and drug therapeutics committee (or equivalent committee) of the medical staff of the hospital furnishing such drugs or biologicals (or of the hospital with which the skilled nursing facility furnishing such drugs or biologicals is affiliated or is under common control).

"Arrangements for Certain Services

"(f) The term 'arrangements' (as used in this section) is limited to arrangements under which receipt of payment by the hospital, skilled nursing facility, or home health agency (whether in its own right or as agent), as the case may be, with respect to services for which an individual is entitled to have payment made under this part, discharges the liability of such individual or any other person to pay for the services.

"Deductible; Duration of Services

"Deductible

"SEC. 1712. (a)(1) Except as provided in subsection (c), payment for inpatient hospital services furnished an individual during any benefit period shall be reduced by a deduction equal to $20, or if greater, $10 multiplied by the number of days, not exceeding nine, for which he received such services in such period.

"(2) Payment for outpatient hospital diagnostic services furnished an individual during any thirty-day period shall be reduced by a deduction equal to $20. For purposes of the preceding sentence, a thirty-day period for any individual is a period of thirty consecutive days beginning with the first day (not included in a previous such period) on which he is entitled to benefits under this part and on which outpatient hospital diagnostic services are furnished him.

"Duration of services

"(b) Payment under this part for services furnished any individual during a benefit period may not be made for—

"(1) inpatient hospital services furnished to him during such period after such services have been furnished to him for ninety days during such period, except as provided in subsection (c); or

"(2) skilled nursing facility services furnished to him during such period after such services have been furnished to him for one hundred and eighty days during such period.

For purposes of the preceding provisions of this subsection, inpatient hospital services or skilled nursing facility services shall be counted only if payment is or would, except for this subsection and except for the failure to comply with the procedural and other requirements of or under section 1715(a)(1), be made with respect to such services under this part. Payment under this part for home health services furnished an individual during a calendar year may not be made for any such services after such services have been furnished him during two hundred and forty visits in such year.

"Election as to Duration of Inpatient Hospital Services and Deductible

"(c)(1) An individual may elect, instead of the number of days in a benefit period for which payment may be made for inpatient hospital services furnished to him specified in subsection (b)(1)—

"(A) to have such number of days for each benefit period increased to one hundred and eighty, and, in such case, the payment under this part for inpatient hospital services furnished him during any benefit period shall, instead of being reduced by the deduction specified in subsection (a)(1), be reduced by a deduction equal to either (i) two and one-half times the average per diem rate for such services, determined under paragraph (4), or (ii) if less, the charges customarily made for such services by the hospital which furnished them, or

"(B) to have such number of days reduced to forty-five for each benefit period and, in such caes, the reduction, provided in subsection (a)(1), in the payment under this part for inpatient hospital services furnished during any benefit period shall not apply to him.

"(2) An individual may make an election under paragraph (1) only on such form or forms and in such manner as the administering State agency may prescribe. Any such election shall be valid only if made before the month preceding, and after the fourth month preceding, the first month in which he both has attained the age of sixty-five and is eligible for the benefits referred to in section 1703(a)(2); except that if such first month occurs before January 1965, such election shall be valid only if made after May 1964 and before December 1964. For purposes of the preceding sentence, an individual shall be regarded as eligible for benefits for a month if he is or, upon filing application for such benefits in such month, would be entitled to such benefits.

"(3) An individual shall be permitted only one election under this subsection and such election shall be irrevocable.

"(4) The Secretary shall, between July 1 and October 1 of the calendar year 1966 and of each calendar year thereafter, promulgate the average per diem rate for inpatient hospital services which shall be applicable in the case of benefit periods beginning during the succeeding year. Such promulgation shall be based on the best information available to the Secretary (at the time the determination is made) as to the amounts paid under this part on account of inpatient hospital services furnished, during the calendar year preceding such determination, by hospitals, with which agreements under section 1716 are in effect, to individuals who are entitled to have such payments made with respect to such services; and the amount so determined shall be rounded to the nearest $1, or, if it is a multiple of $0.50 but not of $1, to the next higher $1. For benefit periods beginning prior to the calendar year 1967, such average per diem rate shall be $37.

"Benefit Period

"(d) For the purposes of this section, a 'benefit period' with respect to any individual means a period of consecutive days—

"(1) beginning with the first day (not included in a previous benefit period) (A) on which such individual is furnished inpatient hospital services or skilled nursing facility services and (B) which occurs in a month for which he is entitled to insurance benefits under this part, and

"(2) ending with the ninetieth day thereafter on each of which he is neither an inpatient in a hospital nor an inpatient in a skilled nursing facility (whether or not such ninety days are consecutive), but only if such ninety days occur within a period of not more than one hundred and eighty consecutive days.

"Definitions of Providers of Services

"SEC. 1713. For purposes of this part—

"Hospital

"(a) The term 'hospital' (except for purposes of section 1712(d)(2), section 1715(f), paragraph (6) of this subsection, and so much of section 1711(b) as precedes paragraph (1) thereof) means an institution which—

"(1) is primarily engaged in providing, by or under the supervision of physicians or surgeons, to inpatients (A) diagnostic services and therapeutic services for medical diagnosis, treatment, and care of injured, disabled, or sick persons, or (B) rehabilitation facilities and services for the rehabilitation of injured, disabled, or sick persons.

"(2) maintains clinical records on all patients,

"(3) has bylaws in effect with respect to its staff of physicians,

"(4) continuously provides twenty-four-hour nursing service rendered or supervised by a registered professional nurse,

"(5) has in effect a hospital utilization review plan which meets the requirements of subsection (e),

"(6) in the case of an institution in any State in which State or applicable local law provides for the licensing of hospitals, (A) is licensed pursuant to such law or (B) is approved, by the agency of such State responsible for licensing hospitals, as meeting the standards established for such licensing, and

"(7) meets such other of the requirements prescribed for the accreditation of hospitals by the Joint Commission on the Accreditation of Hospitals, as the Administering State Agency finds necessary in the interest of the health and safety of individuals who are furnished services by or in the institution.

For purposes of section 1712(d)(2), such term includes any institution which meets the requirements of paragraph (1) of this subsection. For purposes of section 1715(f) (including determination of whether an individual received inpatient hospital services for purposes of such section 1715(f)), and so much of section 1711(b) as precedes paragraph (1) thereof, such term includes any institution which meets the requirements of paragraphs (1), (2), (4), and (6) of this subsection. Notwithstanding the preceding provisions of this subsection, such term shall not, except for purposes of section 1712(d)(2), include any institution which is primarily for the care and treatment of tuberculosis or mentally ill patients.

"Skilled Nursing Facility

"(b) The term 'skilled nursing facility' means (except for purposes of section 1712(d)(2)) an institution (or a distinct part of an institution) which is affiliated or under common control with a hospital having an agreement in effect under section 1716 and which—

"(1) is primarily engaged in providing to inpatients (A) skilled nursing care and related services for patients who require planned medical or nursing care or (B) rehabilitation services,

"(2) has policies, which are established by a group or professional personnel (associated with the facility), including one or more physicians and one or more registered professional nurses, to govern the skilled nursing care and related medical or other services it provides and which include a requirement that every patient must be under the care of a physician,

"(3) has a physician, a registered professional nurse, or a medical staff responsible for the execution of such policies,

"(4) maintains clinical records on all patients,

"(5) continuously provides twenty-four-hour nursing service rendered or supervised by a registered professional nurse,

"(6) operates under a utilization review plan, which has been made applicable to it under subsection (g), of the hospital with which it is affiliated or under common control,

"(7) in the case of an institution in any State in which State or applicable local law provides for the licensing of institutions of this nature, (A) is licensed pursuant to such law, or (B) is approved, by the agency of such State responsible for licensing institutions of this nature, as meeting standards established for such licensing; and

"(8) meets such other conditions of participation under this section as the administering State agency may find necessary in the interest of the health and safety of individuals who are furnished services by or in such institutions; except that such term shall not (other than for purposes of section 1712(d)(2)) include any institution which is primarily for the care and treatment of tuberculosis or mentally ill patients. For purposes of section 1712(d)(2)), such term includes any institution which meets the requirements of paragraph (1) of this subsection.

"Home Health Agency

"(c) The term 'home health agency' means an agency which—

"(1) is a public agency, or a private nonprofit organization exempt from Federal income taxation under section 501 of the Internal Revenue Code of 1954,

"(2) is primarily engaged in providing skilled nursing services or other therapeutic services,

"(3) has policies, established by a group of professional personnel (associated with the agency), including one or more physicians and one or more registered professional nurses, to govern the service (referred to in paragraph (2)) which it provides,

"(4) maintains clinical records on all patients,

"(5) in the case of an agency in any State in which State or local law provides for the licensing of agencies of this nature, (A) is licensed pursuant to such law, or (B) is approved, by the agency of such State responsible for licensing agencies of this nature, as meeting standards established for such licensing, and

"(6) meets such other conditions of participation as the administering State agency may find necessary in the interest of the health and safety of individuals who are furnished services by such agency;

except that such term shall not include any agency which is primarily for the care and treatment of tuberculosis or mentally ill patients.

"Physician

"(d) The term 'physician', when used in connection with the performance of any function or action, means an individual (including a physician within the meaning of section 1101(a)(7)) legally authorized to practice surgery or medicine by the State in which he performs such function or action.

"Utilization Review

"(e) A utilization review plan of a hospital shall be deemed sufficient if it is applicable to services furnished by the institution to individuals entitled to benefits under this part and if it provides—

"(1) for the review, on a sample or other basis, of admissions to the institution, the duration of stays therein, and the professional services furnished, (A) with respect to the medical necessity of the services, and (B) for the purpose of promoting the most efficient use of available health facilities and services;

"(2) for such review to be made by either (A) a hospital staff committee composed of two or more physicians, with or without participation of other professional personnel, or (B) a group outside the hospital which is similarly composed;

"(3) for such review, in each case in which inpatient hospital services are furnished to such individuals during a continuous period, as of the twenty-first day, and as of such subsequent days as may be specified in regulations of the administering State agency, with such review to be made as promptly after such twenty-first or subsequent specified day as possible, and in no event later than one week following such day; and

"(4) for prompt notification to the institution, the individual, and his attending physician of any finding (after opportunity for consultation to such attending physician) by the physician members of such committee or group that any further stay therein is not medically necessary.

The provisions of clause (A) of paragraph (2) shall not apply to any hospital where, because of the small size of the institution or for such other reason or reasons as may be included in regulations, it is impracticable for the institution to have a properly functioning staff committee for the purposes of this subsection.

"Provider of Services

"(f) The term 'provider of services' means a hospital, skilled nursing facility, or home health agency.

"Skilled Nursing Facilities Affiliated or Under Common Control With Hospitals

"(g) A hospital and a skilled nursing facility shall be deemed to be affiliated or under common control if, by reason of a written agreement between them or by reason of a written undertaking by a person or body which controls both of them, there is reasonable assurance that—

"(1) the facility will be operated under standards which are developed jointly by, or are agreed to by, the two institutions, with respect to—

"(A) skilled nursing and related health services (other than physicians' services),

"(B) a system of clinical records, and

"(C) appropriate methods and procedures for the dispensing and administering of drugs and biologicals;

"(2) timely transfer of patients will be effected between the hospital and the skilled nursing facility whenever such transfer is medically appropriate, and provision is made for the transfer or the joint use (to the extent practicable) of clinical records of the two institutions; and

"(3) the utilization review plan of the hospital will be extended to include review of admissions to, duration of stays in, and the professional services furnished in the skilled nursing facility and including review of such individual cases (and at such intervals) as may be specified in (or in regulations of the administering State agency under) this part, and with notice to the facility, the individual and his attending physician in case of a finding (after opportunity for consultation to such attending physician) that further skilled nursing facility services are not medically necessary.

"States and United States

"(h) The terms 'State' and 'United States' shall have the same meaning as when used in title II.

"Additional skilled nursing facilities

"(i) The Secretary shall, as soon as practicable after December 31, 1964, study the best ways of increasing the availability of skilled nursing facility care for beneficiaries under this part under conditions assuring good quality of care; and, on the basis of such study and after consultation with associations of nursing homes, the American Hospital Association, the Joint Commission on Accreditation of Hospitals, and other appropriate professional organizations, he may determine that additional nursing facilities in which such conditions assuring good quality of care exist constitute skilled nursing facilities under subsection (b) if they meet the requirements of such subsection (other than the requirement of affiliation and other than the requirement that a hospital utilization review plan be made applicable) and if the Secretary finds that such action will not create (or increase) any actuarial imbalance in the Federal Hospital Insurance Trust Fund. The Secretary shall report to the Congress from time to time, and in any event by July 1, 1966, the results of the study under this subsection and any action taken as a result thereof.

"Special rules for accreditation in certain cases

"(j)(1) An institution shall be deemed to meet the conditions of participation under section 1713(a) (except paragraph (5) thereof) if such institution is accredited as a hospital by the Joint Commission on the Accreditation of Hospitals. If such Commission, as a condition for accreditation of a hospital, hereafter requires a utilization review plan or imposes another requirement which serves substantially the same purpose, the Administering State Agency may find that all institutions so accredited by the Commission comply also wtih section 1713(a)(5).

"(2) If the Administering State Agency finds that accreditation of an institution by a national accreditation body, other than the Joint Commission on the Accreditation of Hospitals, provides reasonable assurance that any or all of the conditions of section 1713(a), (b), or (c), as the case may be, are met, such Agency may, to the extent authorized by its regulations, treat such institution as meeting the condition or conditions with respect to which it made such finding.

"Consultation With National Accrediting Bodies; Variations in Conditions

"Sec. 1714. In carrying out their respective functions under this part with respect to conditions of participation by providers of services under section 1713(a)(7), section 1713(b)(8), and section 1713(c)(6), the administering State agencies and the Secretary shall consult with recognized national listing or accrediting bodies. Such conditions, to the extent prescribed in regulations of the Secretary, may vary for different areas or different classes of institutions or agencies, and may, as determined by the administering State agency of any State, provide higher requirements for such State than for other States.

"Conditions of and Limitations on Payment for Services

"Requirement of requests and certifications

"Sec. 1715. (a) Except as provided in subsection (f), payment for services furnished an individual may be made only to eligible providers of services and only if—

"(1) written request, signed by such individual except in cases in which the administering State agency finds it impractical for the individual to do so, is filed for such payment in such form, in such manner, within such time, and by such person or persons as may be required by regulations of the administering State agency;

"(2) a physician certifies (and recertifies, where such services are furnished over a period of time, in such cases and with such frequency, appropriate to the case involved, as may be required by regulations of the administering State agency) that—

"(A) in the case of inpatient hospital services, such services are or were required for such individual's medical treatment, or such services are or were required for inpatient diagnostic study;

"(B) in the case of outpatient hospital diagnostic services, such services are or were required for diagnostic study;

"(C) in the case of skilled nursing facility services, such services are or were required because the individual needed skilled nursing care on a continuing basis for any of the conditions with respect to which he was receiving inpatient hospital services prior to transfer to the skilled nursing facility or for a condition requiring such care which arose after such transfer and while he was still in the facility for treatment of the condition or conditions for which he was receiving such inpatient hospital services; or

"(D) in the case of home health services, such services are or were required because the individual needed skilled nursing care on an intermittent basis or because he needed physical or speech therapy; a plan for furnishing such services to such individual has been established and is periodically reviewed by a physician; and such services are or were furnished while the individual was under the care of a physician;

"(3) with respect to inpatient hospital services or skilled nursing facility services furnished such individual after the twenty-first day of a continuous period of such services, there was not in effect, at the time of admission of such individual to the hospital, a decision under section 1716(e) (based on a finding that timely utilization review of long-stay cases is not being made in such hospital or facility); and

"(4) with respect to inpatient hospital services or skilled nursing facility services furnished such individual during a continuous period, a finding has not been made (by the physician members of the committee or group) pursuant to the system of utilization review that further inpatient hospital services or further skilled nursing facility services, as the case may be, are not medically necessary; except that, if such a finding has been made, payment may be made for such services furnished in such period before the fourth day after the day on which the hospital or skilled nursing facility, as the case may be, received notice of such finding.

"Determination of Costs of Services

"(b) The amount paid to any provider of services with respect to services for which payment may be made under this part shall be the reasonable cost of such services, as determined in accordance with regulations of the administering State agency establishing the method or methods to be used in determining such costs for various types or classes of institutions, services, and agencies. In prescribing its regulations, the administering State agency shall consider, among other things, the principles generally applied by national or State organizations (which have developed such principles) in computing the amount of payment, to be made by persons other than the recipients of services, to providers of services on account of services furnished to such recipients by such providers. Such regulations may provide for payment on a per diem, per unit, per capita, or other basis, may provide for using different methods in different circumstances, and may provide for the use of estimates of costs of particular items or services.

"Amount of Payment for More Expensive Services

"(c)(1) In case the bed and board furnished as part of inpatient hospital services or skilled nursing facility services is in accommodations more expensive than two-, three-, or four-bed accommodations and the use of such more expensive accommodations rather than such two-, three-, or four-bed accommodations was not at the request of the patient, payment with respect to such services may not exceed an amount equal to the reasonable cost of such services if furnished in such two-, three-, or four-bed accommodations unless the more expensive accommodations were required for medical reasons.

"(2) Where a provider of services with which an agreement under this part is in effect furnished to an individual, at his request, items or services which are in excess of or more expensive than the items or services with respect to which payment may be made under this part, the administering State agency shall pay to such provider of services only the equivalent of the reasonable cost of the items or services with respect to which payment under this part may be made.

"Amount of Payment Where Less Expensive Services Furnished

"(d) In case the bed and board furnished as part of inpatient hospital services or skilled nursing facility services in accommodations other than, but not more expensive than, two-, three-, or four-bed accommodations and the use of such other accommodations rather than two-, three-, or four-bed accommodations was neither at the request of the patient nor for a reason which the Administering State Agency determines is consistent with the purposes of this title, the amount of the payment with respect to such services under this part shall be the reasonable cost of such services minus the difference between the charge customarily made by the hospital or skilled nursing facility for such services in two-, three-, or four-bed accommodations and the charge customarily made by it for such services in the accommodations furnished.

"No Payments to Federal Providers of Services

"(e) No payment may be made under this part (except under subsection (f) of this section) to any Federal provider of services, except a provider of services which the Administering State Agency determines is providing services to the public generally as a community institution or agency; and no such payment may be made to any provider of services for any item or service which such provider is obligated by a law of, or a contract with, the United States to render at public expense.

"Payment for Emergency Inpatient Hospital Services

"(f) Payments shall also be made to any hospital for inpatient hospital services or outpatient hospital diagnostic services furnished, by the hospital or under arrangements (as defined in section 1711(f)) with it, to an individual entitled to hospital insurance benefits under this part even though such hospital does not have an agreement in effect under this part if (A) such services were emergency services and (B) the Administering State Agency would be required to make such payment if the hospital had such an agreement in effect and otherwise met the conditions of payment hereunder. Such payment shall be made only in amounts determined as provided in subsection (b) and then only if such hospital agrees to comply, with respect to the emergency services provided, with the provisions of section 1716(a).

"Payment for Services Prior to Notification of Noneligibility

"(g) Notwithstanding that an individual is not entitled to have payment made under this part for inpatient hospital services, skilled nursing facility services, home health services, or outpatient hospital diagnostic services furnished by any provider of services, payment shall be made to such provider of services (unless such provider elects not to receive such payment or, if payment has already been made, refunds such payment within the time specified by the administering State agency) for such services which are furnished to the individual prior to notification from such agency of his lack of entitlement if such payments are not otherwise precluded under this part and if such provider complies with the rules established hereunder with respect to such payments, has acted in good faith and without knowledge of such lack of entitlement, and has acted reasonably in assuming entitlement existed.

"Coordination With Private Option, and With Health Benefits for the Aged

"(h) Notwithstanding any other provision of this part, if an individual otherwise entitled to hospital insurance benefits under this part during any benefit period has (during the same benefit period)—

"(1) been furnished any services pursuant to a qualified private health benefits plan as provided in part 3, or

"(2) received any hospital benefits for the aged under a State plan approved under title I (or under title IV, X, XIV, or XVI),

then the hospital insurance benefits to which such individual is entitled under this part for the remainder of such benefit period shall be reduced as though the services described in clause (1) or the health benefits described in clause (2) had been furnished or provided under this part; and each administering State agency shall require each provider of services under this part to maintain and make available such information as may be needed, in conjunction with other information in the possession of or available to such agency, to carry out this subsection.

"Agreements With Providers of Services

"SEC. 1716. (a) Any provider of services shall be eligible for payments under this part if it files with the administering State agency an agreement not to charge any individual or any other person for items or services for which such individual is entitled to have payment made under this (or for which he would be so entitled if such provider had complied with the procedural and other requirements under or pursuant to this part or for which such provider is paid pursuant to the provisions of section 1715(g)), and to make adequate provision for return (or other disposition, in accordance with regulations) of any moneys incorrectly collected from such individual or other person, except that such provider of services may charge such individual or other person the amount of any deduction imposed pursuant to subsection (a) or (c) of section 1712 with respect to such services (not in excess of the amount customarily charged for such services by such provider) and, where the provider of services has furnished, at the request of such individual, items or services which are in excess of or more expensive than the items or services with respect to which payment may be made under this part, such provider may also charge such individual or other person for such more expensive items or services but not more than the difference between the amount customarily charged by it for the items or services furnished at such request and the amount customarily charged by it for the items or services with respect to which payment may be made under this part.

"(b) An agreement with the administering State agency under this section may be terminated—

"(1) by the provider of services at such time and upon such notice to the administering State agency and the public as may be provided in regulations of such agency, except that the time such agreement is thereby required by such agency to continue in effect after such notice may not exceed six months after such notice, or

"(2) by the administering State agency at such time and upon such notice to the provider of services and the public as may be specified in regulations of such agency, but only after such agency has determined, and has given such provider notification thereof, (A) that such provider of services is not complying substantially with the provisions of such agreement, or with the provisions of this part and regulations thereunder, or (B) that such provider no longer substantially meets the applicable provisions of section 1713, or (C) that such provider of services has failed to provide such information as such agency finds necessary to determine whether payments are or were due under this part and the amounts thereof, or has refused to permit such examination of its fiscal and other records by or on behalf of such agency as may be necessary to verify such information.

Any termination shall be applicable—

"(3) with respect to inpatient hospital services or skilled nursing facility services furnished to any individual who is admitted to the hospital or skilled nursing facility furnishing such services on or after the effective date of such termination,

"(4)(A) with respect to home health services furnished to an individual under a plan therefor established on or after the effective date of such termination, or (B) if such plan is established before such effective date, with respect to such services furnished to such individual after the calendar year in which such termination is effective, and

"(5) with respect to outpatient hospital diagnostic services furnished on or after the effective date of such termination.

"(c) Nothing in this part shall preclude any provider of services or any group or groups of such providers from being represented by an individual, association, or organization authorized by such provider or providers of services to act on their behalf in negotiating with respect to their participation under this part and the terms, methods, and amounts of payments for services to be provided thereunder.

"(d) Where an agreement filed under this part by a provider of services has been terminated by the administering State agency, such provider may not file another agreement under this part unless such Agency finds that the reason for the termination has been removed and there is reasonable assurance that it will not recur.

"(e) If the administering State agency finds that timely review in accordance with section 1713(e) of longstay cases in a hospital or skilled nursing facility is not being made with reasonable regularity, it may, in lieu of terminating its agreement with such hospital or facility, decide that, with respect to any individual admitted to such hospital or skilled nursing facility after a date specified by it, no payment shall be made for inpatient hospital services or skilled nursing facility services after the twenty-first day of a continuous period of such services. Such decision may be made only after such notice to the hospital, or (in the case of a skilled nursing facility) to the hospital and the facility, and to the public as may be prescribed by regulations of the administering State agency, and its effectiveness shall be rescinded when such Agency finds that the reason therefor has been removed and there is reasonable assurance that it will not recur.

"Payment to Providers of Services

"Sec. 1717. (a) Each administering State agency shall periodically determine the amount which should be paid by it to each provider of services under this part with respect to services furnished by such provider, and shall notify the Secretary of the aggregate of the amounts so determined together with the cost to it of administering this part during the period involved. Such agency shall be entitled to receive from the Federal hospital insurance trust fund, in the manner and subject to the conditions described in subsection (b), a sum equal to the total of such aggregate amount and such cost of administration.

"(b) The Secretary shall certify to the managing trustee of the Federal hospital insurance trust fund the total sum of which he is notified by the administering State agency under subsection (a), reduced or increased, as the case may be, by any amount (for which adjustment hereunder has not previously been made) by which the Secretary finds that the sum certified for any prior period was greater or less than the sum which should have been paid to such agency for such period; and the Managing Trustee, prior to audit or settlement by the General Accounting Office, shall make payment from the Federal hospital insurance trust fund to such agency at the time or times fixed by the Secretary, in accordance with such certification.

"(c) The administering State agency shall pay to each provider of services, from the total sum received by such agency under subsection (b), the portion of such total sum (reduced or increased, as the case may be, by any amount (for which adjustment hereunder has not previously been made) by which such agency finds that the amount paid to such provider for any prior period was greater or less than the amount which should have been paid to it for such period) to which such provider is entitled under this part with respect to services furnished by it.

"(d) All money paid to an administering State agency under subsection (b) shall be used solely for the purposes provided in this section; and any money so paid which is not used for such purposes shall be returned to the Treasury of the United States for deposit in the Federal hospital insurance trust fund.

"Overpayments to Individuals

"Sec. 1718. (a) Where—

"(1) more than the correct amount is paid under this part to a provider of services for services furnished an individual and the administering State agency determines that, within such period as it may specify, the excess over the correct amount cannot be recouped from such provider of services, or

"(2) any payment has been made under section 1715(g) to a provider of services for services furnished an individual,

proper adjustments shall be made, under regulations prescribed by the Secretary, by decreasing subsequent payments—

"(3) to which such individual is entitled under title II, or

"(4) if such individual dies before such adjustment has been completed, to which any other individual is entitled under title II with respect to the wages and self-employment income which were the basis of benefits of such deceased individual under such title.

"(b) There shall be no adjustment as provided in subsection (a) (nor shall there be recovery) in any case where an incorrect payment has been made (including payments under section 1715(g)) for services furnished to an individual who is without fault and where such adjustment (or recovery) would defeat the purposes of title II or would be against equity and good conscience.

"(c) No certifying or disbursing officer shall be held liable for any amount certified or paid by him to any provider of services where the adjustment or recovery of such amount is waived under subsection (b) or where adjustment under subsection (a) is not completed prior to the death of all persons against whose benefits such adjustment is authorized.

"Use of Private Organizations To Facilitate Payment to Providers of Service

"Sec. 1719. (a) The administering State agency is authorized to enter into an agreement with any organization which has been designated by any group of providers of services, or by an association of such providers on behalf of its members, to receive payments under section 1717 on behalf of such providers, providing for the determination by such organization (subject to such review by the administering State agency as may be provided for in the agreement) of the amount of payments required pursuant to this part to be made to such providers, and for making such payments. The administering State agency shall not enter into an agreement with any organization under this section unless such agency finds it consistent with effective and efficient administration of this part.

"(b) To the extent that the administering State agency finds that performance of any of the following functions by an organization with which it has entered into an agreement under subsection (a) will be advantageous and will promote the efficient administration of this part, it may also include in the agreement provision that the organization shall (with respect to providers of services which are to receive payments through the organization)—

"(1) serve as a center for, and communicate to providers, any information or instructions furnished to it by the agency, and serve as a channel of communication from providers to the agency;

"(2) make such audits of the records of providers as may be necessary to insure that proper payments are made under this part;

"(3) assist in the application of safeguards against unnecessary utilization of services furnished by providers to individuals entitled to have payments made under this part with respect to services furnished them;

"(4) perform such other duties as are necessary to carry out the functions specified in subsection (a) and this subsection.

"(c) An agreement with any organization under this section may contain such terms and conditions as the administering State agency finds necessary or appropriate, and may provide for advances of funds to the organization for the making of payments by it under subsection (a) and shall provide for payment of the reasonable cost of administration of the organization as determined by such agency to be necessary and proper for carrying out the functions covered by the agreement.

"(d) If the designation of an organization as provided in this section is made by an association of providers of services, it shall not be binding on members of the association which notify the administering State agency of their election to that effect. Any provider may, upon such notice as may be specified in the agreement with an organization, withdraw his designation to receive payments through such organization and any provider who has not designated an organization may elect to receive payments from an organization which has entered into agreement with the administering State agency under this section, if such agency and the organization agree to it.

"(e) An agreement with an administering State agency under this section may be terminated—

"(1) by the organization entering into such agreement at such time and upon such notice to such agency, to the public, and to the providers as may be provided in regulations, or

"(2) by such agency at such time and upon such notice to the organization, and to the providers which have designated it for purposes of this section, as may be provided in regulations of such agency, but only if it finds, after reasonable notice and opportunity for hearing to the organization, that (A) the organization has failed substantially to carry out the agreement, or (B) the continuation of some or all of the functions provided for in the agreement with the organization is disadvantageous or is inconsistent with efficient administration of this part.

"(f) An agreement with an organization under this section may require any of its officers or employees certifying payments or disbursing funds pursuant to the agreement, or otherwise participating in carrying out the agreement, to give surety bond to the United States in such amount as the administering State agency may deem appropriate, and may provide for the payment of the charges for such bond from the Federal hospital insurance trust fund.

"(g) (1) No individual designated pursuant to an agreement under this section as a certifying officer shall, in the absence of gross negligence or intent to defraud the United States, be liable with respect to any payments certified by him under this section.

"(2) No disbursing officer shall, in the absence of gross negligence or intent to defraud the United States, be liable with respect to any payment by him under this section if it was based upon a voucher signed by a certifying officer designated as provided in paragraph (1) of this subsection.

"*Part 3. Private health benefits plan option*

"Definitions Relating to Private Health Benefits Plan Option

"SEC. 1720. For purposes of this part—

"(1) the term 'carrier' means a voluntary association, corporation, partnership, or other non-governmental organization which offers a private health benefits plan; except that such term may include a State or local government or unit thereof or an organization sponsored thereby if it (A) offers a health benefits plan solely to its employees or former employees (or both) and (B) elects to be treated as a carrier hereunder;

"(2) the term 'private health benefits plan' means an individual, group, blanket, or other health insurance or service policy or contract, voluntary prepayment plan, hospital or medical service agreement, membership or subscription contract, or similar arrangement or program, which is provided by a carrier for the purpose of providing health benefits (with or without other benefits), in consideration of premiums or other charges paid or payable to such carrier;

"(3) the term 'health benefits' means the provision of, payment for, or reimbursement for the expenses of any service of the type provided by the Government plan for which payment may be made under part 2, without regard to limits on duration or deductibles in such part, and for the expenses of any other physicians' services, hospital and clinic outpatient services, prescribed drugs and biologicals, laboratory and X-ray services, [illegible] services, physical and speech therapy, [illegible] services;

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"(6) provide that the carrier will, not later than fifteen days following the expiration of the applicable grace period, notify the Secretary of any lapse in payment of premiums or other periodic charges required to be paid with respect to the plan.

"(b) As used in subsection (a), the term 'guaranteed renewable for life' means renewable from time to time at the option of the covered individual during his entire life, without the right of the carrier to cancel or refuse renewal: *Provided*, That the following shall not exclude a plan from this definition:

"(1) the right of an employer contributing to a plan for retirees to cease participation in or sponsorship of such plan; or

"(2) the right of a carrier to terminate an entire plan upon at least one year's notice to all persons covered thereby following a determination by the State insurance commissioner of the State wherein such plan was issued to the effect that it is no longer a qualified private health benefits plan.

No private health benefits shall be considered guaranteed renewable unless increases or decreases in premiums or other charges payable to the carrier under the plan are applied to all members of the plan (or a broad class of persons thereunder) without regard to the utilization of health services or health or other personal characteristics of the member; nor shall such a plan be considered guaranteed renewable if it provides coverage on a family basis unless it includes provision, upon termination of coverage on a family basis because of death of a member, for entitlement to issuance of an individual membership upon application within a reasonable period without evidence of insurability.

"(c) A combination of private health benefits plans may, taken together, satisfy the requirements of paragraphs (4) and (5) of subsection (a) and be considered a single qualified private health benefits plan for purposes of this part, provided that each of such plans comply with the other requirements of subsection (a).

"(d) For the purposes of paragraphs (4) and (5) of subsection (a), actuarial value shall be determined on the basis of broad national averages, without distinction as to age, sex, condition of health, or other factors.

"(e) Determinations as to the compliance of a private health benefits plan with the requirements of subsection (a) shall be made initially and thereafter reviewed and rede-
rmined periodically by the State insurance
mmissioner of the State wherein such plan
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State insurance commissioner may utilize, to the extent he deems appropriate, advisory opinions or determinations rendered by any committee, commission, or professional staff designated, employed, or retained for the purpose by the National Association of Insurance Commissioners.

"(i) If so requested by the National Association of Insurance Commissioners, such Association shall be entitled to receive payment or reimbursement for all reasonable expenses of such Association incurred by any committee, commission, or professional staff as contemplated by subsection (h), and the provisions of section 1725(d) shall apply to the manner and terms of such payment or reimbursement (substituting for the term 'State' used in section 1725(d) the name 'National Association of Insurance Commissioners').

"Entitlement to and Amount of Payment

"SEC. 1722. (a) Any individual who meets the conditions specified in paragraphs (1) and (2) of section 1703(a) shall be entitled to a monthly cash payment (in addition to any benefits payable under title II) for each month in the period specified in section 1724(a) if he elects entitlement under this part (as authorized by section 1703(b)(2)) by filing with the Secretary a written request for such payment on such form as the Secretary may by regulations prescribe, accompanied by such certificates, issued by the appropriate carriers on such forms and containing such information as the Secretary may by regulations require, as may be necessary to show that such individual is covered by a qualified private health benefits plan. An individual entitled to a monthly cash payment for a month under this subsection shall not be entitled for such month to hospital insurance benefits under part 2.

"(b) Subject to subsections (c) and (d), the monthly cash payment provided for in subsection (a) shall be equal to the actuarial monthly value (in dollars and cents) of the benefits provided by the Government plan plus 5 percent of such value, adjusted to the next higher amount in whole dollars. Such actuarial monthly value shall be determined by the actuarial board appointed under section 1730(b), on the basis of broad national average for all aged beneficiaries without distinction as to age (except pursuant to subsection (c), sex, condition of health, or other factors, and shall be certified by such board to the Secretary before July 1 of the year in which the determination is made. The Secretary, on or before such date, shall promulgate the monthly
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termination and promulgation is made and all prior months shall be $8.

"(c) The Secretary, after consultation with the actuarial board appointed under section 1730(b), shall from time to time by regulation establish such variations in the amounts of the monthly cash payments under this part (above or below the amount determined and promulgated under subsections (a) and (b)), according to ages or age brackets or according to the area of residence of the beneficiary, as may be necessary or appropriate to reflect variations in the cost of providing services.

"(d) Notwithstanding any other provision of this section, the monthly cash payment to which an individual is entitled under this part on the basis of a qualified private health benefits plan (whether paid to him or assigned under section 1723) shall in no case exceed the cost of his coverage under such plan.

"Assignment of Monthly Cash Payment

"SEC. 1723. (a) The monthly cash payment to which an individual is entitled under this part shall be made to the carrier of the qualified private health benefits plan by which such individual is covered if such individual files with the Secretary a statement under such conditions as the Secretary may by regulation prescribe, designating such carrier as such individual's assignee of such monthly cash payment.

"(b) In any case where the entitlement under this part of an individual who has elected such entitlement is based on a qualified private health benefits plan to which a contribution representing over 50 per centum of the cost is being currently made by an employer or former employer of such individual no monthly cash payments will be made to such individual until there has been filed with the Secretary either—

"(1) an appropriate assignment under this section designating the carrier of such qualified private health benefits plan as the assignee of such monthly cash payments, or

"(2) an instrument signed by the administrator of the welfare fund through which such plan is financed (who may be the employer or former employer of the individual) consenting to any other disposition of such monthly cash payments.

"Period During Which Payments Are Made

"SEC. 1724. (a) For purposes of section 1722 the period during which an individual is entitled to a monthly cash payment—

"(1) shall begin with whichever of the following is the latest—

"(A) the month in which the request filed pursuant to section 1722 becomes effective, or

"(B) the month in which such individual becomes entitled (without regard to section 202(j)(1)) to monthly insurance benefits under section 202, or

"(C) January 1965,

and—

"(2) shall end with whichever of the following months is the earliest—

"(A) the month in which a revocation of entitlement to a monthly cash payment, filed by such individual, is effective, or

"(B) the month in which such individual ceases to be covered by a qualified health benefits plan, or

"(C) the month preceding the month in hich such individual's entitlement to bene- under section 202 ceases (except where h entitlement ceases on account of the th of such individual), or

(D) the month in which such individual es.

"(b)(1) For purposes of subsection (a), n individual's request for a monthly cash payment, his revocation of entitlement to a monthly cash payment, or the termination of his coverage by a qualified private health benefit plan shall become effective in such month or months within a year as the Secretary may by regulation specify; except that the month or months so specified shall not be earlier than the month in which such request is filed with the Secretary, the month in which such revocation is filed with the Secretary, or the third month following the month in which the individual actually ceases to be covered by such plan, as the case may be.

"(2) Notwithstanding paragraph (1), a revocation filed by an individual with the Secretary or a termination of his coverage by a qualified private health benefits plan shall be null and void if, prior to the month in which such revocation or termination becomes effective, such individual files a written statement with the Secretary withdrawing such revocation or again files a request for payment accompanied by certificates as specified in section 1722.

"(3) Any request filed by an individual pursuant to section 1722 shall not be accepted as such and shall be null and void if, prior to the filing of such request, (A) a revocation of his entitlement under this part has become effective, or (B) a termination of his coverage by a qualified private health benefits plan has become effective.

"(c) No request filed pursuant to section 1722 shall be accepted if it is filed by an individual earlier than—

"(1) the third month preceding the first month in which such individual meets the conditions specified in paragraphs (1) and (2) of section 1703(a) without regard to section 202(j)(1)), but only if such first month occurs after December 1965; or

"(2) the month in which this section is enacted, but only if the first month specified in paragraph (1) occurs prior to January 1966.

"Agreements With States

"SEC. 1725. (a) The Secretary shall enter into an agreement with each State which is willing to make such an agreement under which the State insurance commissioner shall make the determinations required by section 1721 and provide the information necessary to the Secretary for the administration of this part.

"(b) Any agreement entered into pursuant to subsection (a) may be terminated—

"(1) by the State upon reasonable notice as provided in the agreement; or

"(2) by the Secretary upon reasonable notice as provided in the agreement, but only for noncompliance with the terms thereof.

"(c) In the case of a State which has no agreement under subsection (a) the determinations referred to in such subsection shall be made by the Secretary.

"(d) Each State which has an agreement with the Secretary under subsection (a) shall be entitled to receive from the Federal hospital insurance trust fund, in advance or by way of reimbursement, as may be mutually agreed upon, the cost to the State of carrying out the agreement under this section. The Secretary shall from time to time certify such amount as is necessary for this purpose to the Managing Trustee, reduced or increased, as the case may be, by any sum (for which adjustment hereunder has not previously been made) by which the amount certified for any prior period was greater or less than the amount which should have been paid to the State under this subsection for such period; and the Managing Trustee, prior to audit or settlement by the General Accounting Office, shall make payment from the Federal hospital insurance trust fund at the time or times fixed by the Secretary, in accordance with such certification. All money paid to a State under this subsection shall be used solely for the purposes for which it is paid; and any money so paid which is not used for such purposes shall be returned to the Treasury of the United States for deposit in the Federal hospital insurance trust fund.

"Part 4. Miscellaneous

"Hospital Insurance Benefits Advisory Council

"SEC. 1730. (a) For the purpose of advising the Secretary on matters of general policy in the performance of his duties under this title, including the formulation by him of regulations under this title, there is hereby created a Hospital Insurance Benefits Advisory Council which shall consist of 14 persons, not otherwise in the employ of the United States, appointed by the Secretary without regard to the civil service laws. The Secretary shall from time to time appoint one of the members to serve as chairman. Not less than 4 of the appointed members shall be persons who are outstanding in fields pertaining to hospitals and health activities, and not less than 4 of the appointed members shall be persons who are outstanding in the field of private health benefits plans (as defined in section 1720). Each appointed member shall hold office for a term of 4 years, except that any member appointed to fill a vacancy occurring prior to the expiration of the term for which his predecessor was appointed shall be appointed for the remainder of such term, and except that the terms of office of the members first taking office shall expire, as designated by the Secretary at the time of appointment, 3 at the end of the first year, 4 at the end of the second year, 3 at the end of the third year, and 4 at the end of the fourth year after the date of appointment. An appointed member shall not be eligible to serve continuously for more than 2 terms. The Secretary may, at the request of the Advisory Council, appoint such special advisory or technical committees as may be useful in carrying out its functions. Appointed members of the Advisory Council and members of its advisory or technical committees, while attending meetings or conferences thereof or otherwise serving on business of the Advisory Council or of such a committee or committees, shall be entitled to receive compensation at rates fixed by the Secretary, but not exceeding $100 per day, and while so serving away from their homes or regular places of business they may be allowed travel expenses, including per diem in lieu of subsistence, as authorized by section 5 of the Administrative Expenses Act of 1946 (5 U.S.C. 73b–2) for persons in the Government service employed intermittently. The Advisory Council shall meet as frequently as the Secretary deems necessary. Upon request of four or more members, it shall be the duty of the Secretary to call a meeting of the Advisory Council.

"(b) The Hospital Insurance Benefits Advisory Council, in such manner and on such terms and conditions as it may deem advisable, shall appoint an actuarial board consisting of not less than 3 members from among persons who are actuaries or are otherwise qualified in the matters under this title to which its functions and duties relate. Under the general supervision of the Advisory Council, the board shall perform the functions conferred upon it by section 1722 and such other functions as may be appropriately requested of it by the Advisory Council or the Secretary.

"Review of Determinations

"SEC. 1731. Any individual dissatisfied with any determination made by the Secretary or an administering State agency that he is not entitled to hospital insurance benefits under this title, or that he is not entitled to have payment made under part 2 with respect to any class of services furnished him, shall be entitled to a hearing thereon by the Secretary to the same extent as is provided in section 205(b) with respect to decisions

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Increase in Earnings Base

Definition of wages

SEC. 103. (a)(1) Paragraph (3) of section 209(a) of the Social Security Act is amended by inserting "and prior to 1965" after "1958".

(2) Such section 209(a) is further amended by adding at the end thereof the following new paragraph:

"(4) That part of remuneration which, after remuneration (other than remuneration referred to in the succeeding subsections of this section) equal to $5,200 with respect to employment has been paid to an individual during any calendar year after 1964, is paid to such individual during such calendar year;".

Definition of self-employment income

(b)(1) Subparagraph (C) of section 211(b)(1) of such Act is amended by inserting "and prior to 1965" after "1958"; and by striking out "; or" and inserting in lieu thereof "; and".

(2) Such section 211(b)(1) is further amended by adding at the end thereof the following new subparagraph:

"(D) For any taxable year ending after 1964, (i) $5,200, minus (ii) the amount of wages paid to such individual during the taxable year; or".

Definitions of quarter and quarter of coverage

(c)(1) Clause (ii) of section 213(a)(2) of such Act is amended by striking out "1958" and inserting in lieu thereof "1958 and before 1965, or $5,200 in the case of a calendar year after 1964".

(2) Clause (iii) of section 213(a)(2) of such Act is amended by striking out "1958" and inserting in lieu thereof "1958 and before 1965, or $5,200 in the case of a taxable year ending after 1964".

Table for determining primary insurance amount

(d)(1) The table in section 215(a) of such Act is amended by striking out all the figures in columns II, III, IV, and V beginning with the line which reads

"101.50 102.30 315 319 109 254.00"

and down through the line which reads

"399 400 127 254.00"

and inserting in lieu thereof the following:

"101.50	102.30	315	319	109	255.20
102.40	103.20	320	323	110	258.40
103.30	104.20	324	328	111	262.40
104.30	105.10	329	333	112	266.40
105.20	106.00	334	337	113	268.00
106.10	107.00	338	342	114	268.00
107.10	107.90	343	347	115	268.00
108.00	108.50	348	351	116	268.00
		352	356	117	268.00
		357	361	118	268.00
		362	365	119	268.00
		366	370	120	268.00
		371	375	121	268.00
		376	379	122	268.00
		380	384	123	268.00
		385	389	124	268.00
		390	393	125	268.00
		394	398	126	268.00
		399	403	127	268.00
		404	407	128	268.00
		408	412	129	268.00
		413	417	130	268.00
		418	421	131	268.00
		422	426	132	268.00
		427	431	133	268.00
		432	433	134	268.00".

(2) The amendment made by paragraph (1) shall be applicable with respect to monthly insurance benefits under title II of such Act for months after December 1964 and with respect to lump-sum death payments in the case of deaths after December 1964.

Average monthly wage

(e) Paragraph (1) of section 215(e) of such Act is amended by striking out "and the excess over $4,800 in the case of any calendar year after 1958" and inserting in lieu thereof "the excess over $4,800 in the case of any calendar year after 1958 and before 1965, and the excess over $5,200 in the case of a calendar year after 1964".

Technical Amendments

Suspension in case of aliens

Sec. 104. (a) Subsection (t) of section 202 of the Social Security Act is amended by adding at the end thereof the following new paragraph:

"(9) No payments shall be made under title XVII to an individual for any month for which the prohibition in paragraph (1) against payment of benefits to him is applicable (or would be if he were entitled to any such benefits)."

Persons convicted of subversive activities

(b) Subsection (u) of section 202 of such Act is amended by striking out "and" before the phrase "in determining the amount of any such benefit payable to such individual for any such month," and inserting after such phrase "and in determining whether such individual is entitled to hospital insurance benefits under title XVI for any such month,".

Benefits in case of deportation of primary beneficiary

(c) Subsection (n) of section 202 of such Act is amended by adding at the end thereof the following new paragraph:

"(3) No monthly cash payment under section 1722(a) shall be made to an individual for any month for which no monthly benefit may be paid to such individual by reason of the preceding provisions of this subsection."

Advisory Council on Social Security Financing

(d) (1) Subsection (a) of section 116 of the Social Security Amendments of 1956 is amended—

(A) by striking out "and of the Federal disability insurance trust fund" and inserting in lieu thereof ", the Federal disability insurance trust fund, and the Federal hospital insurance trust fund"; and

(B) by inserting before the period at the end thereof "and the hospital insurance benefits program".

(2) Subsection (d) of such section is amended by striking out "and the Federal disability insurance trust fund" and inserting in lieu thereof ", the Federal disability insurance trust fund, and the Federal hospital insurance trust fund".

(3) Subsection (f) of such section is amended by striking out ", the adequacy of benefits under the program, and all other aspects of the program" and inserting in lieu thereof "and the hospital insurance benefits program, the adequacy of benefits under the programs, and all other aspects of the programs".

TITLE II—AMENDMENTS TO THE INTERNAL REVENUE CODE OF 1954

Changes in Tax Schedules

Self-employment income tax

Sec. 201. (a) Section 1401 of the Internal Revenue Code of 1954 (relating to the rate of tax on self-employment income) is amended to read as follows:

"Sec. 1401. Rate of Tax.

"In addition to other taxes, there shall be imposed for each taxable year, on the self-employment income of every individual, a tax as follows—

"(1) in the case of any taxable year beginning after December 31, 1962, and before January 1, 1965, the tax shall be equal to 5.4 percent of the amount of the self-employment income for such taxable year;

"(2) in the case of any taxable year beginning after December 31, 1964, and before January 1, 1966, the tax shall be equal to 5.8 percent of the amount of the self-employment income for such taxable year;

"(3) in the case of any taxable year beginning after December 31, 1965, and before January 1, 1968, the tax shall be equal to 6.6 percent of the amount of the self-employment income for such taxable year; and

"(4) in the case of any taxable year beginning after December 31, 1967, the tax shall be equal to 7.3 percent of the amount of the self-employment income for such taxable year."

Tax on employees

(b) Section 3101 of such Code (relating to rate of tax on employees under the Federal Insurance Contributions Act) is amended to read as follows:

"Sec. 3101. Rate of Tax.

"In addition to other taxes, there is hereby imposed on the income of every individual a tax equal to the following percentages of the wages (as defined in section 3121(a)) received by him with respect to employment (as defined in section 3121(b))—

"(1) with respect to wages received during the calendar year 1964, the rate shall be 3⅝ percent;

"(2) with respect to wages received during the calendar year 1965, the rate shall be 3⅞ percent;

"(3) with respect to wages received during the calendar years 1966 and 1967, the rate shall be 4⅜ percent; and

"(4) with respect to wages received after December 31, 1967, the rate shall be 4⅞ percent."

Tax on employers

(c) Section 3111 of such Code (relating to rate of tax on employers under the Federal Insurance Contributions Act) is amended to read as follows:

"Sec. 3111. Rate of Tax.

"In addition to other taxes, there is hereby imposed on every employer an excise tax, with respect to having individuals in his employ, equal to the following percentages of the wages (as defined in section 3121(a)) paid by him with respect to employment (as defined in section 3121(b))—

"(1) with respect to wages paid during the calendar year 1964, the rate shall be 3⅝ percent;

"(2) with respect to wages paid during the calendar year 1965, the rate shall be 3⅞ percent;

"(3) with respect to wages paid during the calendar years 1966 and 1967, the rate shall be 4⅜ percent; and

"(4) with respect to wages paid after December 31, 1967, the rate shall be 4⅞ percent."

Effective dates

(d) The amendment made by subsection (a) shall apply with respect to taxable years beginning after December 31, 1964. The amendments made by subsections (b) and (c) shall apply with respect to remuneration paid after December 31, 1964.

Increase in Tax Base

Definition of self-employment income

Sec. 202. (a) (1) Subparagraph (C) of section 1402(b) (1) of the Internal Revenue Code of 1954 is amended by adding "and before 1965" after "1958"; and by striking out "or" and inserting in lieu thereof "and".

(2) Such section 1402(b) (1) is further amended by adding at the end thereof the following new subparagraph:

"(D) for any taxable year ending after 1964, (i) $5,200, minus (ii) the amount of the wages paid to such individual during the taxable year; or".

Definition of wages

(b) Section 3121(a) (1) of such Code is amended by striking out "$4,800" wherever it appears and inserting in lieu thereof "$5,200"

Federal service

(c) Section 3122 of such Code is amended by striking out "$4,800" and inserting in lieu thereof "$5,200".

Returns in the case of governmental employees in Guam and American Samoa

(d) Section 3125 of such Code is amended by striking out "$4,800" wherever it appears and inserting in lieu thereof "$5,200".

Special refunds of employment taxes

(e) (1) Section 6413(c) (1) of such Code is amended—

(A) by inserting "and prior to the calendar year 1965" after "the calendar year 1958";

(B) by inserting "or (C) during any calendar year after the calendar year 1964, the wages received by him during such year exceed $5,200," after "exceed $4,800,"; and

(C) by inserting before the period at the end thereof "and before 1965, or which exceeds the tax with respect to the first $5,200 of such wages received in such calendar year after 1964".

(2) Section 6413(c) (2) (A) of such Code is amended by striking out "or $4,800 for any calendar year after 1958" and inserting in lieu thereof "$4,800 for the calendar year 1959, 1960, 1961, 1962, 1963, or 1964, or $5,200 for any calendar year after 1964".

Effective date

(f) The amendments made by subsections (b), (c), and (d) shall be applicable with respect to remuneration paid after 1964.

Technical amendment

Sec. 203. Section 2131(1) (6) of the Internal Revenue Code of 1954 is amended by striking out "and the Federal disability insurance trust fund," and inserting in lieu thereof ", the Federal Disability Insurance Trust Fund, and the Federal Hospital Insurance Trust Fund,". The amendment made by this section shall be effective January 1, 1965.

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"(B) provide for a method of predetermination (and redetermination) of eligibility for such benefits (in accordance with the standards described in subparagraph (A)), including the issuance to each eligible individual of a health benefits card or other evidence of eligibility which shall be valid for such period or periods as may be specified therein and shall entitle such individual to such benefits whether he is within or outside the State;

"(C) provide for payment of the cost of such benefits (and agree to make reimbursement of the Federal Hospital Insurance Trust Fund) in the manner prescribed by subsection (d);

"(D) require any hospital, skilled nursing facility, or home health agency furnishing services in the form of hospital benefits for the aged under the plan to file with the Secretary an agreement not to charge any individual or other person for services to which such individual is entitled under the plan (or to which he would be so entitled if such hospital, facility, or agency had complied with the procedural and other require-

under or pursuant to the plan), and
ke adequate provision for the return
ther disposition, in accordance with
tions) of any moneys incorrectly col-
from such individual or other per-

E) provide that, if any individual other-
eligible for hospital benefits for the
under the plan during any benefit
iod (as that term is defined in section
2(d)) has received hospital insurance
nefits under title XVII during the same
nefit period, such individual's eligibility
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XVII had been furnished as hospital benefits
for the aged under the plan; and include provisions for effectively making available the information needed to carry out this requirement and section 1715(g);

"(F) provide that no enrollment fee, premium, or similar charge will be imposed as a condition of any individual's eligibility for such benefits; and

"(G) provide that no lien may be imposed against the property of any individual prior to his death on account of such benefits paid or to be paid on his behalf under the plan (except pursuant to the judgment of a court on account of benefits incorrectly paid on behalf of such individual), and that there shall be no adjustment or recovery (except, after the death of such individual and his surviving spouse, if any, from such individual's estate) of any such benefits correctly paid on behalf of such individual under the plan."

(c) Section 2(b) of such Act is amended—

(1) by striking out "assistance" where it first appears and inserting in lieu thereof "assistance or benefits"; and

(2) by inserting after "medical assistance for the aged" in paragraph (2)(B) the following: "or hospital benefits for the aged".

(d) Section 2 of such Act is further amended by adding at the end thereof the following new subsection:

"(d) Payment for hospital benefits for the aged furnished under an approved State plan shall be made to the providers of services involved from the Federal Hospital Insurance Trust Fund as though the individuals with respect to whom such payment is made were entitled to hospital insurance benefits under title XVII, subject to reimbursement by the State agency. Reimbursements of the Federal Hospital Insurance Trust Fund for payments under the preceding sentence shall be made by the State agency in such manner and form and at such times not less often than quarterly as the Secretary of the Treasury may prescribe, shall be made without regard to whether or not payment for the services furnished was correctly made, and shall be in amounts covering the full cost to the trust fund of such payments (exclusive of administrative expenses). There are authorized to be appropriated to the Federal hospital insurance trust fund such sums as may be necessary to provide for the administrative expenses incurred by such fund under this subsection."

(e)(1) Section 3(a) of such Act is amended by redesignating paragraphs (4) and (5) as paragraphs (5) and (6), respectively, and by inserting after paragraph (3) the following new paragraph:

"(4) in the case of any State, an amount equal to the Federal medical percentage (as defined in the last sentence of section 6(c)) of the total amounts paid during such quarter under the State plan, on account of hospital benefits for the aged, to the Federal Hospital Insurance Trust Fund as required by section 2(d); and".

(2) The paragraph of section 3(a) of such Act redesignated as paragraph (6) by this subsection is amended by striking out "in paragraph (4)" and inserting in lieu thereof "in paragraph (5)".

(3) Section 3(b)(2) of such Act is amended by striking out "assistance" and inserting in lieu thereof "assistance or benefits".

(4) Section 3(c) of such Act is amended—

(A) by striking out "paragraph (4) of subsection (a)" each place it appears and inserting in lieu thereof "paragraph (5) of subsection (a)"; and

(B) by striking out "paragraph (5) of such subsection" and inserting in lieu thereof "paragraph (6) of such subsection".

(f) Section 6(c) of such Act is amended—

(1) by striking out "For purposes of this title" and inserting in lieu thereof "For purposes of this title (except as provided in the last sentence of this subsection)"; and

(2) by adding at the end thereof (after and below clause (2) of the last sentence) the following new sentence:

"For purposes of section 3(a)(4) (and section 1603(a)(4)), the term 'Federal medical percentage' for any State shall be equal to the Federal medical percentage for such State as determined and promulgated under the preceding provisions of this subsection and increased by 5 percentage points."

(g) Section 6 of such Act is further amended by adding at the end thereof the following new subsection:

"(d) For purposes of this title, the term 'hospital benefits for the aged' means payment, on behalf of individuals sixty-five years of age or older who are not entitled to hospital insurance benefits under title XVII or under section 21 of the Railroad Retirement Act of 1937 but whose income and resources are insufficient to meet the costs of necessary health services, for inpatient hospital services, skilled nursing facility services, home health services, and outpatient hospital diagnostic services furnished such individuals in the United States, in the same manner, to the same extent, and subject to the same limitations as are provided in part 2 of title XVII."

(h) The amendments made by this section shall be effective with respect to calendar quarters beginning on or after January 1, 1965.

Medical Assistance and Hospital Benefits for Aged Individuals Under the Programs of Aid to Families With Dependent Children, and to the Blind, and to the Permanently and Totally Disabled

SEC. 302. (a) Title IV of the Social Security Act is amended by adding at the end thereof the following new section:

"Medical Assistance and Hospital Benefits for Aged Relatives of Dependent Children

"SEC. 410. Notwithstanding any other provision of this title, any State plan approved under section 402 may include medical assistance for the aged (as defined in section 6(b)) or hospital benefits for the aged (as defined in section 6(d)) or both, subject to regulations prescribed by the Secretary of Health, Education, and Welfare and to the following conditions:

"(1) Such assistance or benefits may be provided only on behalf of individuals who are recipients of aid under this title and who meet the statutory requirements for eligibility for medical assistance for the aged or hospital benefits for the aged under title I.

"(2) The State plan must contain provisions substantially equivalent to those required under sections 2(a)(11) and 2(b) if it provides medical assistance for the aged, and provisions substantially equivalent to those required under sections 2(a)(12), 2(b), and 2(d) if it provides hospital benefits for the aged.

"(3) Payments to the State with respect to expenditures for such assistance or such benefits shall be computed in the manner provided in section 3(a)(3) or section 3(a)(4), or both, as the case may be."

(b) Title X of such Act is amended by adding at the end thereof the following new section:

"Medical Assistance and Hospital Benefits for Aged Blind Individuals

"SEC. 1007. Notwithstanding any other provision of this title, any State plan approved under section 1002 may include medical assistance for the aged (as defined in section 6(b)) or hospital benefits for the aged (as defined in section 6(d)) or both, subject to regulations prescribed by the Secretary of Health, Education, and Welfare and to the following conditions:

"(1) Such assistance or benefits may be provided only on behalf of individuals who are recipients of aid to the blind and who meet the statutory requirements for eligibility for medical assistance for the aged or hospital benefits for the aged under title I.

"(2) The State plan must contain provisions substantially equivalent to those required under sections 2(a)(11) and 2(b) if it provides medical assistance for the aged, and provisions substantially equivalent to those required under sections 2(a)(12), 2(b), and 2(d) if it provides hospital benefits for the aged.

"(3) Payments to the State with respect to expenditures for such assistance or such benefits shall be computed in the manner provided in section 3(a)(3) or section 3(a)(4), or both, as the case may be."

(c) Title XIV of such Act is amended by adding at the end thereof the following new section:

"Medical Assistance and Hospital Benefits for Aged Disabled Individuals

"SEC. 1406. Notwithstanding any other provision of this title, any State plan approved under section 1402 may include medical assistance for the aged (as defined in section 6(b)) or hospital benefits for the aged (as defined in section 6(d)) or both, subject to regulations prescribed by the Secretary of Health, Education, and Welfare and to the following conditions:

"(1) Such assistance or benefits may be provided only on behalf of individuals who are recipients of aid to the permanently and totally disabled and who meet the statutory requirements for eligibility for medical assistance for the aged or hospital benefits for the aged under title I,

"(2) The State plan must contain provisions substantially equivalent to those required under sections 2(a)(11) and 2(b) if it provides medical assistance for the aged, and provisions substantially equivalent to those required under sections 2(a)(12), 2(b), and 2(d) if it provides hospital benefits for the aged.

"(3) Payments to the State with respect to expenditures for such assistance or such benefits shall be computed in the manner provided in section 3(a)(3) or section 3(a)(4), or both, as the case may be."

(d) The amendments made by this section shall be effective with respect to calendar quarters beginning on or after January 1, 1965.

Hospital Benefits for the Aged, Blind, or Disabled

SEC. 303. (a) Section 1601 of the Social Security Act is amended—

(1) by striking out "and (c)" and inserting in lieu thereof "(c)";

(2) by inserting before "there is hereby authorized" the following: "and (d) of enabling each State, as far as practicable under the conditions in such State, to provide hospital benefits on behalf of all aged individuals who are not entitled to hospital insurance benefits under title XVII or under section 21 of the Railroad Retirement Act of 1937 but whose income and resources are insufficient to meet the costs of necessary health services,"; and

(3) by striking out "State plans for aid to the aged, blind, or disabled, or for aid to the aged, blind, or disabled and medical assistance for the aged" and inserting in lieu thereof "State plans for aid to the aged, blind, or disabled, or for aid to the aged, blind, or disabled and medical assistance for the aged or hospital benefits for the aged or both".

(b)(1) So much of section 1602(a) of such Act as precedes paragraph (1) is amended to read as follows:

"(a) A State plan for aid to the aged, blind, or disabled, or for aid to the aged, blind, or disabled and medical assistance for the aged or hospital benefits for the aged or both, must—".

(2) Section 1602(a) of such Act is amended—

(A) by striking out "for aid or assistance" in paragraph (4) and paragraph (8), and inserting in lieu thereof "for aid or assistance or for eligibility for hospital benefits";

(B) by inserting before the semicolon at the end of paragraph (8) the following: "and eligibility for such benefits shall be determined with reasonable promptness for all applicants therefor";

(C) by striking out "assistance to" in paragraph (9) and inserting in lieu thereof "assistance or benefits to or for", and by inserting before the semicolon at the end of such paragraph the following: "in the State"; and

(D) by striking out "aid or assistance" in paragraph (11) and inserting in lieu thereof "aid, assistance, or benefits".

(3) Section 1602(a) of such Act is further amended by striking out "and" at the end of paragraph (14), by striking out the period at the end of paragraph (15) and inserting in lieu thereof "; and", and by adding at the end thereof the following new paragraph:

"(16) if the State plan includes hospital benefits for the aged—

"(A) include reasonable standards, which shall be consistent with the objectives of this title (but need not be the same as the standards applicable to aid to the aged, blind, or disabled or medical assistance for the aged), for determining eligibility for such benefits;

"(B) provide for a method of predetermination (and redetermination) of eligibility for such benefits (in accordance with the standards described in subparagraph (A)), including the issuance to each eligible individual of a health benefits card or other evidence of eligibility which shall be valid for such period or periods as may be specified therein and shall entitle such individual to such benefits whether he is within or outside the State;

"(C) provide for payment of the cost of such benefits (and agree to make reimbursement of the Federal Hospital Insurance Trust Fund) in the manner prescribed by subsection (d);

"(D) require any hospital, skilled nursing facility, or home health agency furnishing services in the form of hospital benefits for the aged under the plan to file with the Secretary an agreement not to charge any individual or other person for services to which such individual is entitled under the plan (or to which he would be so entitled if such hospital, facility, or agency had complied with the procedural and other requirements under or pursuant to the plan), and to make adequate provision for the return (or other disposition, in accordance with regulations) of any moneys incorrectly collected from such individual or other person;

"(E) provide that, if any individual otherwise eligible for hospital benefits for the aged under the plan during any benefit period (as that term is defined in section 1712(d)) has received hospital insurance benefits under title XVII during the same benefit period, such individual's eligibility under the plan shall be reduced as though such hospital insurance benefits under title XVII had been furnished as hospital benefits for the aged under the plan; and include provisions for effectively making available the information needed to carry out this requirement and section 1715(g);

"(F) provide that no enrollment fee, premium, or similar charge will be imposed as a condition of any individual's eligibility for such benefits; and

"(G) provide that no lien may be imposed against the property of any individual prior to his death on account of such benefits paid or to be paid on his behalf under the plan (except pursuant to the judgment of a court on account of benefits incorrectly paid on behalf of such individual), and that there shall be no adjustment or recovery (except, after the death of such individual and his surviving spouse, if any, from such individual's estate) of any such benefits correctly paid on behalf of such individual under the plan."

(c) Section 1602(b) of such Act is amended—

(1) by striking out "aid or assistance" and inserting in lieu thereof "aid, assistance, or benefits";

(2) by inserting after "medical assistance for the aged" in paragraph (2)(B) the following: "or hospital benefits for the aged"; and

(3) by inserting after "medical assistance for the aged" each place it appears in the sentence following paragraph (3) the following: "or hospital benefits for the aged".

(d) Section 1602 of such Act is further amended by adding at the end thereof the following new subsection:

"(d) Payment for hospital benefits for the aged furnished under an approved State plan shall be made to the providers of services involved from the Federal Hospital Insurance Trust Fund as though the individuals with respect to whom such payment is made were entitled to hospital insurance benefits under title XVII, subject to reimbursement by the State agency. Reimbursements of the Federal Hospital Insurance Trust Fund for payments under the preceding sentence shall be made by the State agency in such manner and form and at such times, not less often than quarterly, as the Secretary of the Treasury may prescribe, shall be made without regard to whether or not payment for the services furnished was correctly made, and shall be in amounts covering the full cost to the trust fund of such payments (exclusive of administrative expenses). There are authorized to be appropriated to the Federal Hospital Insurance Trust Fund such sums as may be necessary to provide for the administrative expense incurred by such fund under this subsection."

(e)(1) Section 1603(a) of such Act is amended by redesignating paragraphs (4) and (5) as paragraphs (5) and (6), respectively, and by inserting after paragraph (3) the following new paragraph:

"(4) in the case of any State, an amount equal to the Federal medical percentage (as defined in the last sentence of section 6(c)) of the total amounts paid during such quarter under the State plan, on account of hospital benefits for the aged, to the Federal Hospital Insurance Trust Fund as required by section 1602(d); and".

(2) The paragraph of section 1603(a) of such Act redesignated as paragraph (6) by this subsection is amended by striking out "in paragraph (4)" and inserting in lieu thereof "in paragraph (5)".

(3) Section 1603(b)(3) of such Act is amended by striking out "aid or assistance" each place it appears and inserting in lieu thereof "aid, assistance, or benefits".

(4) Section 1603(c) of such Act is amended—

(A) by striking out "paragraph (4) of subsection (a)" each place it appears and inserting in lieu thereof "paragraph (5) of subsection (a)"; and

(B) by striking out "paragraph (5) of such subsection" and inserting in lieu thereof "paragraph (6) of such subsection".

(f) Section 1605 of such Act is further amended by adding at the end thereof the following new subsection:

"(c) For purposes of this title, the term 'hospital benefits for the aged' means payment, on behalf of individuals sixty-five years of age or older who are not entitled to hospital insurance benefits under title XVII or under section 21 of the Railroad Retirement Act of 1937 but whose income and resources are insufficient to meet the costs of necessary health services, for inpatient hospital services, skilled nursing facility services, home health services, and outpatient hospital diagnostic services furnished such individuals in the United States, in the same manner, to the same extent, and subject to the same limitations as are provided in part 2 of title XVII."

(g) The amendments made by this section shall be effective with respect to calendar quarters begininng on or after January 1, 1965.

Payments From Federal Hospital Insurance Trust Fund

SEC. 304. The last sentence of section 201(i) of the Social Security Act (as redesignated and amended by section 102 of this Act) is amended by inserting after "title XVII" the following: ", and payments of hospital benefits for the aged required to be made under title I, IV, X, XIV, or XVII (subject to reimbursement as provided thereunder),".

Technical Amendments

SEC. 305. (a) Section 1108 of the Social Security Act is amended by striking out "title I (other than section 3(a)(3) thereof), IV, X, XIV, and XVI (other than section 1603(a)(3) thereof)" and inserting in lieu thereof "titles I, IV, X, XIV, and XVI (other than under sections 3(a)(3), 3(a)(4), 409, 1007, 1406, 1603(a)(3), and 1603(a)(4))".

(b)(1) Section 618 of the Revenue Act of 1951 is amended—

(A) by striking out "title I (other than section 3(a)(3) thereof), IV, X, XIV, or XVI (other than section 1603(a)(3) thereof)" and inserting in lieu thereof "title I, IV, X, XIV, or XVI"; and

(B) by inserting after "any such funds or payments" the following: "(other than the disbursement of funds or payments under section 3(a)(3), 3(a)(4), 409, 1007, 1406, 1603(a)(3), or 1603(a)(4))".

(2) The amendment made by paragraph (1) shall apply only with respect to fiscal years ending after January 1, 1965.

TITLE IV—RAILROAD RETIREMENT AMENDMENTS

Hospital Insurance Benefits for the Aged Under the Railroad Retirement Act

Hospital insurance benefits for the aged

SEC. 401. (a) The Railroad Retirement Act of 1937 is amended by adding after section 20 of such Act the following new section:

"Hospital insurance benefits for the aged

"SEC. 21. (a) For the purposes of this section, and subject to the conditions hereinafter provided, the individuals described in subsection (b) of this section shall have the same rights to hospital insurance benefits within the meaning of title XVII of the Social Security Act as the individuals to whom such title applies. This section shall be administered in each State by the Administering State Agency designated for such State under section 1710 of the Social Security Act (or by the Board, in the case of individuals electing to receive such benefits in the form of monthly cash payments as described in section 1703(b)(2) of such Act) as if the provisions of such title XVII were applicable, references to the Secretary of Health, Education, and Welfare were to the Board, references to the Federal Hospital Insurance Trust Fund were to the Railroad Retirement Account, references to the United States or a State included Canada or a subdivision thereof and the provisions of sections 1714 and 1730 of such title XVII were not included in such title. For purposes of section 11, a determination with respect to the rights of an individual under this section shall, except in the case of a provided of services, be considered to be a decision with respect to an annuity.

"(b) Except as otherwise provided in this section, every individual who—

"(A) has attained age sixty-five, and

"(B) (i) is entitled to an annuity, or (ii) would be entitled to an annuity had he ceased compensated service and, in the case of a spouse, had such spouse's husband or wife ceased compensated service, or (iii) had been awarded a pension under section 6, or (iv) bears a relationship to an employee which, by reason of section 3(e), has been, or would be, taken into account in calculating the amount of an annuity of such employee or his survivor.

shall be entitled to health insurance benefits in accordance with subsection (a). The payments for services included in such benefits (or, in the case of individuals electing to receive such benefits in the form of coverage under a qualified private health insurance plan, the monthly cash payments with respect to such entitlement) shall be made from the railroad retirement account (in accordance with, and subject to, the conditions applicable under section 10(b) in making payments of other benefits), including payments for services provided in Canada to individuals to whom this subsection applies but only to the extent that the amount of payments for services otherwise hereunder provided for an individual exceeds the amount payable for like services provided pursuant to the law in effect in the place in Canada where such services are furnished.

"(c) No individual shall be entitled to have payment made for the same services (or to monthly cash payments), which are provided for in this section, under both this section and title XVII of the Social Security Act, and no individual shall be entitled to have payment made under both this section and such title XVII for more than the number of days of inpatient hospital services determined as provided in section 1712 or more than 180 days of skilled nursing facility services during any benefit period, or more than two hundred and forty visits in any calendar year in which home health services are furnished. In any case in which an individual would, but for the preceding sentence, be entitled to hospital insurance benefits under both this section and such title XVII, such benefits shall be provided in accordance with the procedures established pursuant to the next succeeding sentence, upon certification by the Board or by the Secretary of Health, Education, and Welfare. It shall be the duty of the Board and such Secretary with respect to such cases jointly to establish procedures designated to minimize duplications of requests for health insurance benefits and determinations with respect thereto and to assign administrative functions between them so as to promote the greatest facility, efficiency, and consistency of administration of this section and title XVII of the Social Security Act; and, subject to the provisions of this subsection, to assure that the rights of individuals under this section or title XVII of the Social Security Act shall not be impaired or diminished by reason of the administration of this section and title XVII of the Social Security Act. The procedures so established may be included in regulations issued by the Board and by the Secretary of Health, Education, and Welfare to implement this section and such title XVII, respectively.

"(d) Any agreement or other arrangement entered into by an Administering State Agency pursuant to title XVII of the Social Security Act shall be entered into for purposes of both such title and this section. The preceding sentence shall not be construed to limit the authority of the Board to enter on its own behalf into any such agreement or arrangement relating to services provided in Canada or in any facility devoted primarily to railroad employees.

"(e)(1) A request for payment for services or monthly cash payments filed under this section shall be deemed to be a request for payment for services or monthly cash payments filed as of the same time under title XVII of the Social Security Act, and a request for payment for services or monthly cash payments filed under such title shall be deemed to be a request for payment for services or monthly cash payments filed as of the same time under this section.

"(2) An election filed under this section for purposes of determining the number of days of inpatient hospital services for which payment may be made, as provided in section 1712(c) of the Social Security Act, shall be deemed an election filed as of the same time under section 1712(c) of such Act, and such an election filed under such section 1712(c) shall be deemed to have been filed at the same time under this section.

"(f) The Board and the Secretary of Health, Education, and Welfare shall furnish each other with such information, records, and documents as may be considered necessary to the administration of this section or title XVII of the Social Security Act."

Amendment Preserving Relationship Between Railroad Retirement and Old-Age, Survivors, Disability, and Hospital Insurance Systems.

(b) Section (1)(q) of such Act is amended by striking out "1961" and inserting in lieu thereof "1963".

Financial Interchange Between Railroad Retirement Account and Federal Hospital Insurance Trust Fund

(c)(1) Section 5(k)(2) of such Act is amended—

(A) by striking out subparagraphs (A) and (B) and redesignating subparagraphs (C), (D), and (E) as subparagraphs (A), (B), and (C), respectively;

(B) by striking out the second sentence and the last sentence of the subparagraph redesignated as subparagraph (A) by subparagraph (A) of this paragraph;

(C) by adding at the end of the subparagraph redesignated as subparagraph (A) by subparagraph (A) of this paragraph the following new subdivision:

"(iii) At the close of the fiscal year ending June 30, 1965, and each fiscal year thereafter, the Board and the Secretary of Health, Education, and Welfare shall determine the amount, if any, which, if added to or subtracted from the Federal hospital insurance trust fund, would place such fund in the same position in which it would have been if service as an employee after December 31, 1936, had been included in the term 'employment' as defined in the Social Security Act and in the Federal Employment Contributions Act. Such determination shall be made no later than June 15 following the close of the fiscal year. If such amount is to be added to the Federal hospital insurance trust fund the Board shall, within ten days after the determination, certify such amount to the Secretary of the Treasury for transfer from the retirement account to the Federal hospital insurance trust fund; if such from the retirement account to the Federal hospital insurance trust fund the Secretary of Health, Education, and Welfare shall, within ten days after the determination, certify such amount to the Secretary of the Treasury for transfer from the Federal hospital insurance trust fund to the retirement account. The amount so certified shall further include interest (at the rate determined under subparagraph (B) for the fiscal year under consideration) payable from the close of such fiscal year until the date of certification.";

(D) by striking out "subparagraph (B) and (C)" where it appears in the subparagraph redesignated as subparagraph (B) by subparagraph (A) of this paragraph and inserting in lieu thereof "subparagraph (A)"; and

(E) by amending the subparagraph redesignated as subparagraph (C) by subparagraph (A) of this paragraph to read as follows:

"(C) The Secretary of the Treasury is authorized and directed to transfer to the Federal old-age and survivors insurance trust fund, the Federal disability insurance trust fund, of the Federal hospital insurance trust fund from the retirement account or to the retirement account from the Federal old-age and survivors insurance trust fund, the Federal disability insurance trust fund, or the Federal hospital insurance trust fund, as the case may be, such amounts as, from time to time, may be determined by the Board and the Secretary of Health, Education, and Welfare pursuant to the provisions of subparagraph (A), and certified by the Board or the Secretary of Health, Education, and Welfare for transfer from the retirement account or from the Federal old-age and survivors insurance trust fund, the Federal disability insurance trust fund, or the Federal hospital insurance trust fund."

(2) The eighth sentence of section 4(n) of such Act is amended by striking out "and the Federal disability insurance trust fund" and inserting in lieu thereof ", the Federal disability insurance trust fund, and the Federal hospital insurance trust fund".

(3) The amendments made by paragraphs (1) and (2) of this subsection shall be effective January 1, 1965. None of the amendments made by this section shall be construed to increase or diminish the sums to be transferred, under the provisions of section 5(k)(2) of the Railroad Retirement Act before their amendment by paragraph (1) of this subsection, between the Railroad retirement account and the Federal old-age and survivors insurance trust fund or the Federal disability insurance trust fund.

TITLE V—MISCELLANEOUS PROVISIONS

Meaning of Term "Secretary"

Sec. 501. As used in the provisions of the Social Security Act amended by this Act, the term "Secretary", unless the context otherwise requires, means the Secretary of Health, Education, and Welfare.

Studies and Recommendations

Sec. 502. The Secretary of Health, Education, and Welfare shall carry on studies and develop recommendations to be submitted from time to time to the Congress relating to (1) the adequacy of existing facilities for health care for purposes of the program established by this Act; (2) methods for encouraging the further development of efficient and economical forms of health care which are a constructive alternative to inpatient hospital care; (3) the feasibility of providing additional types of health insurance benefits within the financial resources provided by this Act; and (4) the effects of the deductibles upon beneficiaries, hospitals, and the financing of the program.

Mr. TUPPER. Mr. Speaker, will the gentleman yield?

Mr. LINDSAY. I yield to the gentleman from Maine.

Mr. TUPPER. Mr. Speaker, I should like to commend the distinguished gentleman from New York for his untiring efforts in developing this free choice hospital insurance bill. I think it is truly an imaginative piece of legislation and should help meet the pressing need in our country while dispelling the doubts raised by other similar bills.

This is a piece of legislation that those on both sides of the political aisle should be able to support.

I congratulate the gentleman from New York. I am glad to associate myself with him in introducing this bill, and with his remarks.

Mr. LINDSAY. Mr. Speaker, first of all I should like to thank my friend, the gentleman from Maine, for his remarks just now, but more important I should like to thank him and express my appreciation to him for the years of joint effort that he and I have put into the development of this comprehensive piece of legislation.

I have never enjoyed sharing a legislative breakthrough as much as I have in working with the gentleman from Maine. I regard him as one of the most constructive and able legislators we have in the House of Representatives today.

I should also like, Mr. Speaker, to express at this moment my grateful appreciation to Mr. Larry Filson of the Office of the Legislative Counsel in the House of Representatives for the first-class professional work that he has done in assisting the gentleman from Maine, Congressman Tupper, and me in the drafting of this bill which is in its draft form 121 pages in length. Mr. Larry Filson lives up to the very highest standards of the legal profession and he does credit to the legislative counsel in the House of Representatives and, indeed, to our whole excellent staffing system in the House. He has my compliments and my grateful thanks.

Finally, Mr. Speaker, I should like to encourage once again every Member of the House to take the time in the next few weeks to read the summary of the Lindsay-Tupper bill which will appear in the Record along with a full copy of the bill itself.

BEEF IMPORTS

The SPEAKER pro tempore (Mr. Libonati). Under previous order of the House, the gentleman from North Dakota [Mr. Andrews] is recognized for 60 minutes.

Mr. ANDREWS of North Dakota. Mr. Speaker, these are indeed strange days on the New Frontier. Those of us in Congress representing agricultural areas have been concerned for the past months over the rapid decline in beef prices brought about, we are told by many market analysts, by the tremendous increase in rate of imports of dressed beef and veal into America.

These imports have increased fantastically. Last year they reached the record level of almost 2 billion pounds of beef. Not only has this been an injustice to the livestock producer, but this amount of beef if fed in America would have consumed 200 million bushels of our surplus feed grain and aided immeasurably the grain farmer as well.

We have been wondering why no action has been taken. The President by Executive order on findings of the Tariff Commission could set import quotas. As a matter of fact, it is not too long ago that he did set import quotas on brandy. Now, this very important commodity, I am sure, deserved the rapid treatment it got. In the meantime, however, those of us concerned with beef have had countless meetings with administration officials. We have been assured by Secretary Freeman that the Department and the President are concerned over the dropping of beef prices. He pointed out that the drop in beef prices has resulted in the loss of $170 million to the American farmer. As late as January 20, 20 of us were invited to a special conference held with the trade negotiators who also told us of their concern but would take no concrete action.

Then lo and behold, we walked out of this White House conference with one group of administration leaders, back to our offices, and found headlines had been made by the new farm expert of the New Frontier, Mr. Hodges, telling the farmers to "stop whining."

Now, I do not know if Mr. Hodges is an expert on farmers or if he tends to favor the city set, but I can assure him that the farmers of North Dakota, and of the entire Midwest, are not "whiners." At the present time, we are just plain fed up with broken promises and lack of performance on the part of this administration.

We recognize—no one has to tell us—that the parity price we receive for our products has reached the lowest point since 1937. We know how difficult it is to educate our children and save a little for our old age under the present situation. We realize, also, that the major budget cuts made by the President were made in the field of agriculture. And we resent even more being called "whiners."

The Eastern experts on Western agriculture have also said that we must trade with these other countries because they are such good customers of American business. I think it is about time that some of us point out to Mr. Hodges and his crew that agriculture is the best customer of American business. The farmer spends $27 to $28 billion a year for goods and services to produce crops and livestock, and another $15 billion a year for the same things that city people buy and these are American prices the farmer pays, which is the reason he needs a little bit more than the farmer of foreign lands who achieves his production at a much lower cost.

Our farmers purchase more steel in a year than is used for a year's output of passenger cars. We consume more petroleum products than any other industry in the country, and our inventory of machinery exceeds the assets of the steel industry.

Importing beef to America and breaking the farmer's market makes about as much sense to me as importing tens of thousands of Chinese coolies to provide cheap labor and break the laboring man's wages.

Yet the American farmer is virtually unprotected when it comes to imports. We have the lowest import tariffs on food of any nation. I would suggest to the President that if he is unwilling to help, the least he could do is have his Cabinet Members sing the same tune. While we are treated to deep concern and friendly reception in one department, we wonder how sincere it is when another member of the same Cabinet sings off tune with a blast like this.

Farmers are proud people, Mr. Speaker. They are proud to be Americans, and America can well be proud of them. There is no nation that is as well fed as America. There is no nation where the individuals pay less percentagewise of their pay checks for food than here in America. If it were not for the capabilities and productive genius of the farmers of America, we could not possibly be the No. 1 Nation in the world today.

These same farmers who have made our Nation strong by giving us a dependable and more than adequate supply of that basic necessity—food—deserve more than fancy wisecracks about their situation.

The Secretary of Commerce certainly owes an apology to the farmers of America. Farmers know how to run their operations. Back on the farm, the bull that just paws the ground, looks pretty and bellers, but fails to produce gets made into baloney.

Likewise, President Johnson should tell Secretary Freeman we farmers are more interested in performance than promises.

Mr. Speaker, I ask unanimous consent that the remarks by the gentleman from Kansas [Mr. SHRIVER] and by the gentleman from Montana [Mr. BATTIN] be included at this point in the RECORD.

The SPEAKER pro tempore (Mr. LIBONATI). Is there objection to the request by the gentleman from North Dakota?

There was no objection.

Mr. SHRIVER. Mr. Speaker, for more than a year now we have been witnessing steadily decreasing prices in the livestock industry. Like the weather, everyone is talking about it but no one seems to be able to do anything about it.

When you examine the market and find that the price of beef dropped from $30 per hundredweight to $22 per hundredweight in the period of a few months, it is evident that the problem of the domestic livestock producer has approached serious proportions.

I have joined with a number of my colleagues in the House in calling the attention of the President to the growing impact of imports upon the U.S. livestock industry. In recent weeks, we have enjoyed courteous attention from the Secretary of Agriculture and Mr. Herter, the Special Representative for Trade Negotiations. While the administration acknowledges that increased beef imports have contributed to the break in prices, it is content to just keep a watch on the situation.

Mr. Speaker, I agree with my colleagues that the time has come when we must consider the damage which imports are having upon the American livestock producer. We cannot stand idly by while the administration watches the further deterioration of this vital segment of American agriculture.

In my home State of Kansas, livestock products accounted for 54 percent of all farm income in 1962, and cash receipts from sales of cattle and calves totaled nearly $537 million. No other single commodity produces a larger slice of Kansas cash farm receipts than does cattle or calves. On the national level, almost one-third of all cash receipts from farming come from the sale of meat animals.

With meat imports increasing some 39 percent in 1962 over 1961, it is imperative that quotas on either a voluntary or involuntary basis be established at once until conditions in the industry can be stabilized.

If the solutions are not forthcoming at the executive level, then the Congress should proceed to work toward a legislative solution to this problem.

At the same time, it seems proper that the chain stores and other retail outlets in the Nation's food industry make every effort to pass on to the consumer the lower wholesale prices. Increased beef consumption in this country obviously can help revitalize the livestock industry.

Mr. BATTIN. Mr. Speaker, cattlemen have to contend with a lot of horns but that is part of the business and something that never particularly worried them. But now they find themselves impaled on the horns of a dilemma—a dilemma that really has them riled up.

After months of letter writing, introducing bills and testifying before the U.S. Tariff Commission while beef, mutton, and lamb imports went up and up and livestock prices went down and down, the Secretary of Agriculture finally decided that cattlemen might really be hurting on account of imports. So he has been holding some hearings with cattlemen and even Congressmen to hear their side of the story and has even evidenced some sympathy with their problem which has been brought on by a mounting flood of cheap imported meat. The President himself seems to feel that the U.S. cattleman is entitled to some consideration.

But now a real farm and cattle expert has horned into the act. That prominent rancher from North Carolina has been blowing his horn around the country and calling the cattlemen a herd of whiners. Secretary of Commerce Luther Hodges went up to Fargo, N. Dak., and told the ranchers to cut out your whining about beef imports and take the bull by the horns and sell him to some other country. He said product quality and imaginative merchandising is what is needed. Then he goes down to Oklahoma City and tells them that we have already got the best beef in the world and if we quit whining about the possibilities of what foreign beef producers can do to us and go out and do it to them, we will be better off.

I did not know Mr. Hodges was a cattle expert but I did think he knew something about the chicken raising business in North Carolina. They raise them on a big scale down there and the poultry people did go out and "do it to them" by building up a big market for frozen poultry in Europe. And then what happens? The chicken raisers in Europe raised such a holler that the European Common Market boys doubled the tariff on U.S. poultry and it did not take them long to do it.

When some of us propose an increase in U.S. duties on cattle and beef—the lowest in the world—what are we told? Well, here is what the U.S. Department of Agriculture said about my bill—this and two more pages I would not bore you with:

> Any nonnegotiated duty increase would be contradictory to the present U.S. liberal trade policy—

And the Department of State experts who are as concerned as Secretary Hodges with the cattleman's problems added:

> The Trade Expansion Act of 1962 expresses the intention of the United States to take a bold step in reducing barriers to the expansion of international trade. Enactment of the proposed legislation would be inconsistent with this declaration of U.S. initiative.

These are fine and idealistic statements and I am sure the ranchers can appreciate such prose as they starve to death or sell a $10,000 bull for chili meat—except that most of the chili and soup is made from imported cow meat which the Department of Agriculture says is not competitive with our cow meat. Up in Montana last fall when Secretary Freeman had an open meeting to hear from farmers and ranchers, someone pointed out that a rather large percentage of the kind of beef he was talking about went into hamburger and it really did not make much difference to a hamburger whether the beef came from a cow or a steer—the gentleman did not say so but I imagine he could have added another ingredient to Mr. Freeman's explanation—bull.

Sixty percent of all Montana lands are pasture or range lands and are valuable only for livestock production. Many Montana communities are partially and some almost wholly supported by the livestock industry. Feed and forage on these lands is valuable only as the end product of meat, wool, and other livestock products. The livestock industry in fact accounts for Montana's largest dollar income for products exported from the State.

So what if the price of a 1,000-pound fed steer at Chicago drops $50 in a year and imports of cheap foreign beef, lamb, and mutton doubles, what do these people have to whine about?

They, by Secretary Hodges' own admission, raise the finest beef in the world. And during the past 20 years the U.S. cattleman has been successful through promotion and the production of quality beef in almost doubling per capita beef consumption. But this is not enough, says Secretary Hodges. He must quit whining about cheaply produced and uncontrolled foreign meat taking over the market he has developed and go sell his meat somewhere else. Where? Australia? New Zealand? Argentina? The European Common Market countries where they neither need it or want it? Well, maybe Russia would buy it on credit—if we sell it to them as cheap as Australian or New Zealand beef.

But we must quit whining even if every cattleman in Montana goes broke and has to turn his land back to the buffalo and join up in the program for retraining the unemployed.

Mr. KYL. Mr. Speaker, will the gentleman yield?

Mr. ANDREWS of North Dakota. I yield to the gentleman from Iowa [Mr. Kyl].

Mr. KYL. The gentleman has piqued my curiosity. Does the gentleman say Mr. Hodges, the Secretary of Commerce, made a speech in North Dakota in which he asked the farmers to quit whining about the imports? Was that the gist of the speech?

Mr. ANDREWS of North Dakota. The Secretary of Commerce made a speech in Fargo, N. Dak., at a testimonial dinner, I believe it was, on behalf of the junior Senator from North Dakota [Mr. Burdick] and the headlines that were picked up by the newspapers stated that Hodges said the farmers should "stop whining."

As a matter of fact, I believe that at the desk there is a copy of that particular press release. I do not have it with me.

Mr. KYL. Was the purpose of that comment to indicate that there is no problem with respect to the imports of red meat?

Mr. ANDREWS of North Dakota. I cannot comprehend the words of the Secretary of Commerce. I would assume that, using judgment, he should have been more careful in his choice of words.

Mr. KYL. I note, in the release which has just been handed to me, that the Secretary apparently said:

> Product quality and imaginative merchandising is what is needed.

Of course, if there is to be an imaginative merchandising of products which come from abroad, the same as we do with ours, this would not help the situation much, would it?

Mr. ANDREWS of North Dakota. It certainly would not.

Mr. KYL. Mr. Speaker, I ask unanimous consent to include in the Record at this point the Associated Press and UPI news articles headlined "Hodges Urges Cattlemen To 'Cut Out Whining'" and "Beef Imports 'Whining' Hit."

The SPEAKER pro tempore (Mr. Libonati). Is there objection to the request by the gentleman from Iowa?

There was no objection.

The matter referred to is as follows:

[From the Great Falls (Mont.) Tribune, Jan. 19, 1964]

BEEF IMPORTS "WHINING" HIT

Oklahoma City, Okla.—Commerce Secretary Luther Hodges said today he did not share Oklahoma Gov. Henry Bellmon's fears about beef imports.

At a news conference preceding Hodges' meeting with the Governor, the Cabinet member was reminded of Bellmon's efforts to curb beef imports and asked to give his own views.

Hodges said he knew beef imports had increased, but added, "I do not think it's gotten out of hand."

"We've got the best beef in the world. If we quit whining about the possibilities of what they (foreign beef producers) can do to us and go out and do it to them, we will be better off."

Bellmon recently asked the Tariff Commission to reduce the amount of beef and cattle shipped into the United States from abroad.

There was no indication that Hodges and Bellmon discussed the beef situation during their private meeting.

[From the Billings (Mont.) Gazette, Jan. 18, 1964]

HODGES URGES CATTLEMEN TO "CUT OUT WHINING"

Fargo, N. Dak.—U.S. Secretary of Commerce Luther H. Hodges Saturday urged American cattlemen to "cut out our whining" about beef imports and get to work selling U.S. beef to other countries.

Product quality and imaginative merchandising is what is needed, Hodges said.

The Secretary was here for a dinner Saturday night honoring Senator Quentin N. Burdick, Democrat, of North Dakota. His comments came at a news conference.

"We have not yet licked the problem of agricultural commodities in the Common Market," Hodges said. Pointing to differences in outlook among countries on imports of agricultural products into the Common Market, Hodges predicted, "They're going to have a terrible scrap before it's done."

On foreign trade, Hodges pointed to the sales of wheat to the Soviet Union and Soviet bloc nations as a benefit to the United States and North Dakota.

Mr. KYL. Now, we mentioned Mr. Hodges who, under normal considerations, would be regarded as the person in charge of exports over American products, I believe.

Mr. ANDREWS of North Dakota. That is true.

Mr. KYL. As a matter of fact, which Departments are at the present time seemingly in control of this import situation? Would the gentleman agree with me that perhaps the State Department rather than Agriculture or Commerce is the Department which is actually calling the tune on these imports?

Mr. ANDREWS of North Dakota. The State Department is the Department that seems to be recommending we farmers must take it in the neck to win friends and build more business for the American businessmen abroad.

Mr. KYL. Proceeding as logically as possible, we have several Departments involved in current discussions and we have had several alternative suggestions for improvement. Was the gentleman in the well one of those who attended the meeting with Secretary Freeman last week to talk about this problem?

Mr. ANDREWS of North Dakota. I was unable to attend that particular meeting because of my membership on the Canadian-American Interparliamentary Group, but a number of our colleagues briefed me on the meeting.

Mr. KYL. Did the Secretary at that time recognize there was a problem?

Mr. ANDREWS of North Dakota. He did. Yes. And I pointed out in my remarks that he anticipated this import of beef cost us some $170 million in lost income that the farmers of America would have had.

Mr. KYL. Did the Secretary at that time say the Agriculture Department would give a favorable report to pending legislation which would limit the imports of beef and red meat?

Mr. ANDREWS of North Dakota. I was not at that meeting. I attended the meeting that I was invited to with the trade conference on January 20.

Mr. KYL. Let us get to the trade conference and Mr. Christian Herter who is the negotiator. I attended that meeting, and it is my opinion the first thing Mr. Christian Herter tried to do is to explain that he actually does not have much authority in this field and all that his group really could do was to negotiate to get some voluntary agreements from these foreign countries so that the imports into this country and the exports from these other countries would be limited, but he also indicated there were some serious problems involved here because most of these countries had no control over exports at home and, if they did indeed agree to some voluntary arrangements they wanted to use as the base period for these agreements 1963 and 1962, which were years of very high imports into the United States.

Mr. ANDREWS of North Dakota. You will recall that in that meeting he said they would agree to set a quota for imports from Australia provided we would set it at this year's imports.

Mr. KYL. Which was the highest level in history.

Mr. ANDREWS of North Dakota. Yes. He also told us this—and I am sure you will remember it—that the sole individual who could stop this without waiting for legislative action is the President by Executive order on recommendation of his Tariff Commission.

Mr. KYL. Is it true that the United States is the only one of these nations trading in meat that has no restrictions on the import of beef?

Mr. ANDREWS of North Dakota. It was brought out at that meeting that we are one of the lowest nations. We have a 3 percent, if I am correct, tariff on beef, whereas Australia has an 80-percent tariff and New Zealand has a 100-percent tariff.

Mr. KYL. There is one other factor that I think we ought to talk about a little bit. We have spoken of beef imports. Of course, the gentleman is well aware of the problems we have had with the Common Market with regard to poultry, which is a competing protein product, but is it not also true that the vastly increased imports of certain pork items and most lamb items created situations which are very injurious to those private segments of the industry and in turn created a problem for the whole meat industry since all of these products compete against each other?

Mr. ANDREWS of North Dakota. That is true. One pound of red meat of whatever type competes with every other type of red meat.

Mr. KYL. I am very grateful to the gentleman for taking this time to talk about a problem for which we have to find some solution and quickly, because I do not think our livestock producers can go many more months under present circumstances.

Mr. McLOSKEY. Mr. Speaker, will the gentleman yield?

Mr. ANDREWS of North Dakota. I yield to the gentleman from Illinois.

Mr. McLOSKEY. Mr. Speaker, at the outset I wish to compliment my distinguished colleague from North Dakota and likewise my good friend and colleague, the gentleman from the State of Iowa [Mr. BROMWELL], for taking these few minutes this afternoon to discuss a subject which I feel is so vital to a large segment of our agricultural industry; namely, the livestock producers of America.

I am pleased to associate myself with you in your effort to find a solution to this problem of beef imports which has had such a depressing effect on our domestic market. I think it is rather interesting, as the gentleman in the well pointed out, that we have had two conferences, one with the Department of Agriculture, one with Mr. Herter, the chief negotiator for the President under our Trade Expansion Act. They were very friendly conferences, both times, and there was a manifest interest in and a hope to arrive at a solution. And here today, as pointed out by the gentleman, we find another Cabinet officer, the Secretary of Commerce, who apparently is talking out of the other side of his mouth.

I do not know how Members find the situation in their particular districts, particularly those who represent agricultural districts, but I can say to you today that the farmers I represent most certainly are not whiners. They are attempting as best they can to solve their own problems. But in this particular instance, speaking of horns of cattle, we might say that they find themselves on the horns of a dilemma and I think it is in poor taste when a member of the President's Cabinet makes such a statement as he did in your great State.

Early last year I introduced H.R. 5870, a bill to establish quotas on beef imports and to impose an increase in tariff rates on foreign imports when they exceeded the average of the past 5 years.

I do not profess to take any particular pride of authorship in this legislation because approximately at the same time and subsequent to the introduction of my bill many other bills of like nature were introduced by Members of this body.

Most of you I am sure are familiar with the history of this legislation. There is none because even though there have been numerous requests made no hearings were ever held on this type of legislation and from all indications no hearings will be held in the foreseeable future.

There are perhaps many reasons why this type of legislation has not been considered, but the political facts of life are that opposition was tendered not only by the Agriculture Department and the State Department but also the executive branch of our Government.

For too long, I am afraid, it has been the feeling of this administration that the farmers, and more particularly the livestock producers of America, are "expendable pawns" in the chess game of international politics.

In all candor I must state that for months the departments involved denied that increased beef imports had any effect on our domestic prices. I am happy to learn that now the thinking has been changed and at least there has been some acknowledgment that there is a problem.

Many of us, as the gentleman stated, attended this recent meeting conducted by Secretary Freeman and also the one conducted by the gentleman from North Dakota [Mr. BURDICK]. In both instances the conferences were polite and friendly, but as is often the case we seem to get considerable doubletalk.

Now, talk is cheap and while the conferences have been enlightening and entertaining I suggest we have less talk and more action. I realize that the solution is not simple and that there are many facets of international trade problems which enter into the picture. But I do feel, however, that we have had just about all the delay we can stand and the time for action is close at hand.

I personally feel that the time has arrived when our own American citizens should be given first priority—I think it high time we gave our own farmers the same protection that other nations give their farmers.

I wish to state that I for one stand ready to join in any joint effort which will bring about results.

If the Executive and the Cabinet officers will not act then I say we should resort to congressional action.

I thank the gentleman for yielding to me.

Mr. HARRISON. Mr. Speaker, will the gentleman yield?

Mr. ANDREWS of North Dakota. I yield to the gentleman from Wyoming.

Mr. HARRISON. Mr. Speaker, I want also to congratulate my colleague for taking the time to bring this important issue before the House. The situation of our stock growers and farmers who raise a few head of cattle is very precarious. Their situation is such that unless some immediate relief is given to them many of them will go broke and will lose all they have worked so hard for over the years.

I regret very much that Secretary of Commerce Hodges saw fit to make the statement he did in North Dakota. To accuse the American farmer and rancher of whining is not only unfair but quite untruthful. There is no segment of our population here in the United States that is a harder working group than our stockman. There is no segment of our population that has asked less for himself than our stockman. He has never asked for Federal help or a subsidy. He has been willing to stand on his own feet at all times. At present all he is asking is his right as an American citizen to be treated fairly and properly as any other American citizen has a right to expect from his Government.

Approximately a year ago I represented the wool industry on an unofficial committee here. During that time we called on the Secretary of Commerce and others trying to get some help for that group. It was in a meeting in the Department of Commerce that the statement was made leaving the impression it was the feeling of the administration that the wool industry was expendable. That, to me, was a very unfortunate situation because I do not think the wool industry is expendable. It is a necessary part of the economy of this country, and particularly those States who raise a great deal of wool.

I am wondering whether or not the statement made by the Secretary of Commerce recently cannot be tied into the previous statement, and whether or not it is also felt that the cattle industry, the meat producing industry, is expendable. I certainly hope not. It seems to me that men who represent this Government of ours in a high executive position such as the Secretary of Commerce should be very careful on the remarks made, and should endeavor at all times to be fair and just to the American citizens he is supposed to serve.

Unfortunately, I was not able to attend the meeting held by Mr. Freeman. I did attend the meeting held in the executive offices a few days ago with Mr. Herter and some representatives of the State Department. I came away from that meeting very much discouraged because it would appear from the conversation we had there and the statements made that there is no definite plan to help prevent the continual increase in the importation of meat into this country and to keep our stock grower in a healthy fiscal situation.

We were told that the two avenues of relief were, first, legislation and, second, a ruling by the Tariff Commission, neither of which have been forthcoming. I personally do not feel we will get any relief from the Tariff Commission. The only relief we can possibly get will either be through voluntary action of the administration in forcing some kind of a solution or through legislation passed by the House and Senate.

It was pointed out to us that in the absence of either legislation or a ruling by the Tariff Commission the only avenue open was a voluntary agreement, particularly with Australia which is one of the heaviest importers, and that a voluntary agreement was hard to get unless you had some pressure to force that agreement.

It was also pointed out to us that we might expect in the years to come increased rather than decreased imports from Australia, because their ability to expand was about 10 percent a year, and undoubtedly in any agreement they would enter into, at least voluntarily, they would insist that provision be made for an increase in their yearly quotas in order to take care of this expansion in their own country.

Recently I received a letter from a constituent of mine who was complaining about the prices of cattle. This lady had gone to market, and had sold probably 20 or 30 head of registered cows. While registered cows on the market will not bring any more than a grade animal, she said her shipment brought 8 cents a pound, and she saw cows in the lower grades going for 5 cents a pound.

When you figure the average weight of those animals bringing 5 cents a pound is probably 800 or 900 pounds, you can see what they brought to the producer. When you take the shipping charges and the commission charge out of that, the producer has very little left.

It is not only the large States that have large ranches and run large numbers of cattle like Wyoming, Montana, and the Dakotas, it is also the little farmers who have farms of 60 acres or higher in the Corn Belt and other States here in the United States that are dependent on the income they receive from the cattle they sell. It might be a milk cow or a calf from a milk cow that they do not care to hold over for milk production in the future. They are dependent on this for their income and to provide taxes and the necessities for their families. So that the import of meat, which has gone out of control in the past year, is affecting families in every part of this country of ours.

It is my feeling that if Australia is not willing to make some reasonable concessions and realize that we must protect our producers, if they are not willing to meet our position and make some compromise, then certainly we must take legislative action here to see that it is done or find some other way to bring the necessary pressure on Australia, even if we might have to give some consideration to the very favorable sugar quota they have at this time. I hope that will not be necessary, that we will get the immediate help of the administration in solving the problem, which is a very dangerous and important one to all of us.

Mr. YOUNGER. Mr. Speaker, will the gentleman yield?

Mr. ANDREWS of North Dakota. I yield to the gentleman from California.

Mr. YOUNGER. I thank the gentleman from North Dakota for yielding. Our colleague failed to mention the good State of California as a very large producer of meat. I have heard from a number of the producers, and I think we are just reaping the harvest of this so-called Trade Expansion Act which was passed some time ago and was supposed to cure all of the unemployment and all of the ills, economic and otherwise, which beset this country.

I also have heard from our mushroom growers. I got a long letter this morning. They are in the same position. The imports of canned and canning mushrooms have increased almost fivefold or tenfold. The same difficulty of imports is true of our specialty crops, nuts and fruits. I can see no prospect of help even at a time when the administration wants to increase employment, because they have rather cut the bridges out from under them with this Trade Expansion Act. That does not mean that we should stop trying to help, but unless the administration and the Tariff Commission change their attitude, I see very little help for the producer not only of meat but many of our other crops.

Mr. EDMONDSON. Mr. Speaker, will the gentleman yield?

Mr. ANDREWS of North Dakota. I yield to the gentleman.

Mr. EDMONDSON. The gentleman, I believe, will recall that I have accompanied him and other colleagues in the House in several efforts in this direction in the last few weeks. I was at the Tariff Commission hearing early in the battle to try to get some attention paid to this problem. Subsequently, I appeared before the Trade Information Committee and was at the Secretary of Agriculture's conference with a number of my colleagues who are on the floor at this time.

We, in Oklahoma, certainly share a keen awareness of this problem of imports and the impact of the imports upon the prices of our cattle and share also a conviction that there is a need for some action at the Federal level to relieve the impact of the imports upon the marketing conditions prevailing for beef and for other meat products here in the United States.

I think in order to get a complete understanding of the picture that prevails, however, with reference to relief, it should be made very clear that the Tariff Commission does not on its own initiative go into questions of this type. We have had relief in the case of imports on a number of products in the past where the Tariff Commission investigations have been launched at the complaint of an industry and a finding has been made that the industry is being injured badly as a result of imports; and following the Tariff Commission's recommendation, action has been taken by the President to try to relieve the import situation.

In the case of the cattle industry—and what strikes me as being most unfair about the comment that is attributed to the Secretary of Commerce, if he did attach the label of whiners to the cattlemen and the beef producers of the United States, it is most unfair, because in the instance of this industry the principal fault I can see with reference to this industry is that they have not complained soon enough and forcefully enough and loud enough about the trend of imports into the United States. It lies completely within the ability of the livestock producing industry in the United States to initiate an action for relief in the Tariff Commission. If they were whiners—if they were complainers—which I do not believe is a fair charge to make about them at all—they would have been coming here many months ago with a formal complaint and a formal request for consideration of this import situation by the U.S. Tariff Commission.

The fact of the matter is that the only formal request that has been made to the Tariff Commission for an investigation of this situation is a request that has been made by a committee of the Senate. There is today an inquiry going on by the Tariff Commission as the result of a Senate committee request.

But the cattle industry in my State is so ruggedly and determinedly individualistic and so resolved to stand on their own feet that they took punishment for many, many months in the situation before they began to make any kind of complaint. Making complaint was their American right, and I personally feel it should have been done a number of months before they did it. I think that now we do have an investigation underway in the Tariff Commission, we have a route that can lead to some kind of executive action to do something in this regard once we have recommendations out of the Tariff Commission.

In the meantime I personally hope Secretary Freeman will be successful in getting a voluntary cutback in the exports from Australia and New Zealand to the United States, because I think that would probably give us more immediate relief than anything else, and certainly it would be in the best interest of the people who produce cattle in those countries to cut down on the flood of imports they are sending into this country and to help us to get these prices to a healthy level.

I commend the gentleman for what he has brought to the floor today, in the nature of evidence of a very serious problem and in the nature of general support for some kind of action in this regard.

If the Secretary of Commerce actually made the statement which is attributed to him in the headlines—and sometimes such headlines are accurate and sometimes they are not—then I certainly would say he has become another victim of what seems to be a disease which frequently hits members of the Cabinet and even Members of the House of Representatives—he is another victim of the "foot-in-mouth disease" which seems to hit a lot of people around Washington.

Mr. KYL. Mr. Speaker, will the gentleman yield so that I may ask a question of the gentleman from Oklahoma?

Mr. ANDREWS of North Dakota. I shall be glad to yield to the gentleman, but I should like to add one thing first.

I appreciate the remarks made by my good friend from Oklahoma. I had the same problem the gentleman had.

I had lunch this week with Mr. Cushman Radabaugh, the president of the National Cattlemen's Association. I asked him about why the cattlemen's association had not taken a case to the Tariff Commission. He said that he had been advised by members of the executive branch of the Federal Government that this would be a slow and not necessarily a fruitful route to follow, and for that reason they had not followed that route.

As the gentleman will recall, those of us who serve in Congress have introduced bills to take action in this regard since last June. I believe the gentleman from Montana [Mr. BATTIN] introduced one of the first bills. I know that I introduced a bill shortly after I was sworn in as a Member of Congress.

The Department of Agriculture certainly should have been aware of this problem. I have received a comment from the Department on a bill, which I introduced to preclude such imports. Those comments from the Department of Agriculture at that time were that the imports were not hurting the American beef producers.

As a result of that type of comment I would assume that the cattlemen's association figured they would get about the same type of treatment from the Tariff Commission.

I certainly share the gentleman's hope that we may get some performance from the Secretary of Agriculture in this field, where action is needed right now. If we wait around for another 6 months, how many more farmers will go broke because of this lack of attention? That is our concern today.

Now I yield to the gentleman from Iowa [Mr. KYL].

Mr. KYL. I should like to address a question to the gentleman from Oklahoma [Mr. EDMONDSON].

As a result of his and our common experience, considering the findings of the Tariff Commission on lead and zinc, for instance, on voluntary agreements in that field, would the gentleman say that we face an optimistic future as to obtaining some favorable Tariff Commission ruling?

Mr. EDMONDSON. Mr. Speaker, will the gentleman yield to me, so that I may answer that question?

Mr. ANDREWS of North Dakota. I yield to the gentleman.

Mr. EDMONDSON. In the first place, I wish to point out that the lead and zinc industry in the United States got favorable findings out of the Tariff Commission on three different occasions which I personally know about, including favorable recommendations. They were not always successful in getting the President—incidentally, two of those recommendations were made to President Eisenhower, unless I am mistaken—to go along with their recommendations; but we did get some quota controls for lead and zinc out of the recommendations of the Tariff Commission. Those quotas are in effect now.

The gentleman from South Dakota [Mr. BERRY], who participated in some of that effort, well knows those quotas have continued to this date. I believe they have made possible the survival of the domestic industry we have today in the lead and zinc mining field.

Mr. KYL. Mr. Speaker, will the gentleman yield further?

Mr. ANDREWS of North Dakota. I yield.

Mr. KYL. I should like to add, if it had not been for those quotas there would be no lead and zinc industry in the United States today, in my opinion.

Mr. BERRY. Mr. Speaker, will the gentleman yield to me for another question?

Mr. ANDREWS of North Dakota. I am glad to yield to the gentleman from South Dakota.

Mr. BERRY. Really it is not a question of the gentleman from Oklahoma. I believe it is correct to say that we were told that the reason why the stock growers had not made application for tariff protection was that under the Trade Expansion Act the only relief which could be granted would have to be based upon the proof of damage at the tariff level prior to the reduction.

The reduction was made in 1960, I think, from 6 cents to 3 cents, and unless that reduction from 6 cents to 3 cents is what is causing the difficulty, then there is no relief that can be obtained other than by legislation. This was the thing that Governor Herter explained to us very carefully at the meeting down there the other day. So the only relief we can actually get is quotas, as the gentleman from Oklahoma indicated.

Mr. EDMONDSON. Will the gentleman yield further on that point?

Mr. ANDREWS of North Dakota. I yield to the gentleman.

Mr. EDMONDSON. The Tariff Commission has a very broad latitude for recommendations it can make if it makes a finding that our national security is being affected by the trend of imports and by the heavy impact of imports on an essential American industry. I certainly consider food production one of the most essential American industries we have and our independence from reliance on imports of beef would certainly be something very vital to American citizens, in my personal judgment. We have had a reduction in tariff back in 1959 on a number of meat items, too. I think these reductions that have taken place would have to be established as a factor in the unfavorable trend that has developed on the share of the domestic market that imports have.

Mr. BERRY. Not a factor, but we have to prove that that is the cause.

Mr. SHORT. Mr. Speaker, will the gentleman yield?

Mr. ANDREWS of North Dakota. I will be glad to yield to my colleague from North Dakota.

Mr. SHORT. Mr. Speaker, I thank my colleague from North Dakota, and I want to express my appreciation of the fact that he has taken this time to discuss this subject, which is certainly most important to our mutual interests in agriculture in North Dakota. This problem of beef imports I am sure became more or less crystal clear to both of us some months ago and it became clear to me to the extent that I introduced legislation. I believe I introduced one of the first bills introduced on the House side last spring on April 9. I have not been too encouraged at the reaction of the administration with respect to this effort of perhaps embarking on a legislative course, because the Department of Agriculture and the Department of State and the Bureau of the Budget have all reported adversely on these bills which have been introduced. We have talked about a lot of facets of this situation. I think there is an angle which is the real important one, and that is the extent of the damage that has accrued to the livestock industry because of the decline in prices that has taken place over the last several months. It may be debatable as to just what portion of this decline in prices is related to imports. I think it has been well established—and the Secretary of Agriculture seems to subscribe to this—that imports are a factor. The facts are that prices of fat cattle are down as much as from 4 cents to 7 and 8 cents a pound. The price of cows is down as much as 2½ or 3 cents a pound. We market in the United States 37 million cattle or thereabouts every year. Multiply this 37 million by a decline in price of from $10 to $20 a head on the cows and $25 to $50 a head on the fat cattle and you come up with a figure something in excess of $700 million.

Cattle are produced in every county in America. It is the largest single agricultural crop produced in America dollarwise. There are more people involved in it. If we are thinking of something that has had an adverse impact on our whole agricultural economy, I do not know of anything that we can point to that you can more positively say has had an adverse effect on the agricultural economy than this decline in beef prices.

I was amazed at the statement made by the Secretary of Commerce in Fargo, N. Dak., some days ago. It seems to demonstrate, unfortunately, that he may have a lack of knowledge of this situation. He seemed to say—I should not say "seemed to say," but he did say, according to the press release—that we should bestir ourselves and start selling beef. I would remind Members of the House and the Secretary of Commerce that many, many years ago the livestock industry in the United States established the National Livestock and Meat Board for the specific purpose of promoting the use and consumption of livestock products. At a later date the National Beef Council was formed, which was since incorporated into the National Livestock and Meat Board, which is a producer-financed operation or effort to try to expand the use and consumption of beef and related products.

The Secretary of Commerce indicated that we ought to be bestirring ourselves to sell beef to foreign countries. I would simply ask him in what foreign country would we be able to sell any beef, due to the present high tariff situation, 100 percent ad valorem in New Zealand and 40 percent-plus ad valorem in Australia, with the variable import fees in the European Common Market? Where could we sell this beef if we had any extra to sell? We have been trying, and I think the industry subscribes to this idea of getting some quotas established for beef imports. This is something that the Department of Agriculture keeps talking about, but we have to be careful that the quotas we secure will provide some protection.

The Australians—and this is only a natural reaction—are not going to give away this market unless they have to. That is why I think that maybe in the long run legislation is going to be necessary. The Australians have said, "We would accept the 1963 quotas, the 1963 level of imports as a quota." But this is not going to be much of a relief. This is the highest level of imports in history, 20 percent above a year ago, and if it goes up above that, if imports do go up next year, I would rather have the opportunity to go to Congress for the purpose of securing legislation. I think that if this most important industry is more seriously affected there will be a reaction in Congress that would be more favorable toward legislation.

As the senior Senator from the State of Minnesota said not long ago on the

Senate floor on this subject, if the price of stocks and bonds in the United States would go down 3 percent everybody in Congress would be bestirring themselves about it. But I do not find anybody here today bestirring himself because of this serious decline in livestock prices.

This is a very serious thing. I think we have been, as the gentleman from Oklahoma has said—and may I say that I commend him for entering into this discussion; I know his interest is as sincere as that of any of us—but as the gentleman pointed out, the approach that we must make has been delayed too long. Perhaps our only recourse is to come to the Congress of the United States, which is the only place in the final analysis where we can actually secure relief from this very severe decline in income from which the whole livestock industry is suffering.

Mr. Speaker, I thank the gentleman for yielding.

Mr. LANGEN. Mr. Speaker, will the gentleman yield?

Mr. ANDREWS of North Dakota. I yield to the distinguished gentleman from Minnesota.

Mr. LANGEN. Mr. Speaker, I thank my colleague for yielding. Also I wish to commend him for taking the time and the effort and, very specifically, for having very eloquently presented to this House a few of the problems that confront the beef industry at this moment. I join him in this effort and I suppose when I do I then become one of the whiners. If we have got to be so classified let me say that I would rather be classified with that group than with the other group which completely ignores the whole agricultural section, as was done in the state of the Union message that was presented to this House not so long ago, in which you could not even find the words farm, farmer, or agriculture, anywhere in that whole message.

At the same time it was directing attention to almost every other conceivable cause throughout the country.

The reason I say this is because to me this is a very serious matter. I took occasion to point out a few days ago that the experience during 1963 because of beef imports meant to the farmers of Minnesota a loss of $20 million. Evidence indicates that come 1964 it might well be substantially greater than that. To anyone who may have gone through as I did this last week's recent issue by the Department of Agriculture pointing out the 1964 agricultural outlook, within that pamphlet you are going to find mentioned time and time again a reference of the extent to which farm income has been affected because of beef imports, indicating again that this is one of the effects that will play a big part in anticipating even a further reduced agricultural income in 1964 than we experienced in 1963.

The gentleman now in the well of the House has properly pointed out that the parity ratio for 1963 is back to the 1937 level. This indicates we are going back even further than that.

There are some pertinent points relating thereto, because while agriculture has had this experience, the cost of food to the consumer has gone up during the same time and, in addition to that, when we look at gross income of agriculture we find that the farm income has dropped by 3 percent. The off-the-farm income has gone up and so tends to lower the extent to which gross income has dropped. It would even be worse if that income were associated only with the income that might be directed to agricultural production all by itself.

But probably we have not touched on the most important point of all yet. We have heard debated in the House and in the Congress over the years this matter many times. I should at this point take the time to point out it is 5 years ago now since I first started directing attention to the degree to which agriculture has been affected by virtue of imports and the degree to which we as a nation have been shortchanged in our exchange of trade with foreign countries. I shall not go into the details of that matter, but it is still evident.

Again, there is a report that came to my attention this morning relating to recent actions of the Common Market and the extent to which we again are having our leg pulled. The point that we have so often missed in the Congress, I think, is the extent to which Government has become involved in one program after another—subsidy payments, controls, and restrictions. Constant criticism is directed at agriculture because of these expenditures and controls.

Let me ask you, how did they come about? They came about at times when agricultural income was down to the point where it became necessary for the Government to enter into the situation in order to maintain proper prices. Here we are now facing the same kind of a danger and the same kind of a threat. If they want to ignore it, let them go ahead, but if they ignore it long enough we are going to have the same identical experience. You are going to find somebody who is going to suggest that we have to have another program that will apply to beef. There are going to be further costs, further expenses, and further restrictions, all of which we have seen too much of up to this point.

Every time we come along with a new restriction, every time we come along with some additional subsidy or some additional cost, what has been the actual relationship of that to the American farmer? We have told him, you raise too much, you will have to reduce. Why? In order to protect a market for a foreign country. So these expenses that so often are charged to American agriculture do not belong there at all. They belong right in the laps of the foreign countries that enjoy the advantages provided by this country.

It does not make any difference whether you talk about meat, cheese, milk, grains or any of the others because all of these crops are interrelated.

There is an interesting report by the Department of Agriculture, which shows the production of food in the last 30 years or more. In that chart compiled from the agricultural census taken every 5 years you will note there is not one single year—you can exclude the war years if you want to—when this country raised as much food as we have used domestically, and as we have exported. There is only one way that you can possibly come up with surpluses, and that is to add imports.

I again thank the gentleman for yielding.

Mr. Speaker, I ask unanimous consent to revise and extend my remarks and, further, I ask unanimous consent that at this point, because of the close relationship, I may include a statement I made before the U.S. Tariff Commission at the time they held the hearings on articles being considered for trade negotiation.

The SPEAKER pro tempore. Without objection, it is so ordered.

There was no objection.

The matter referred to follows:

Testimony of the Honorable Odin Langen of Minnesota Before the U.S. Tariff Commission Hearings on Articles Being Considered for Trade Negotiation, Monday, December 2, 1963

Mr. Chairman and members of the Commission, I extend my compliments and pleasure to this Commission for arranging these hearings on this most important subject, and for permitting me to present statements in behalf of the American producers of agricultural commodities. These hearings are of particular significance to the Seventh Congressional District of Minnesota, which I have the privilege of representing, as well as to other agricultural areas throughout the Nation. The economy of these areas substantially depends on agricultural income for survival, and I am pleased that their point of view has been solicited in this inquiry, designed to assist the President in trade negotiations next year.

I am equally aware of the importance of next year's trade negotiations on the entire American economy. I realize that any negotiation of tariffs or other trade controls must be considered in the best interests of our entire national economy and that ample consideration must be given to all segments of that economy, including agriculture as but one facet of this total picture. We can well contemplate the complexities of such considerations. Even the balance-of-payments problem is a factor that cannot be ignored.

While admitting that agricultural products do not constitute the entire scope of our negotiations, it is respectfully pointed out that many of us in farming areas of this country do not feel that agriculture has been sufficiently considered in analyzing this total scene. There has been a general feeling among my people in rural America that past negotiations have too often resulted in concessions being made to other trading nations on agricultural products in order to gain concessions for ourselves in other trade areas. Sometimes lost in such considerations is the total effect not only on our farm economy but on the entire nation of taxpayers and consumers who must in the final analysis pay the bill.

It is hoped that in future negotiations, proper consideration will be given to the relationship between controls imposed on agricultural products by other nations and the controls or lack of controls employed by the United States on our own commodities.

It seems to me that while the United States has relaxed controls over competitive imports, other countries have been tightening theirs. And tariffs aren't the only weapons used against us. We see all types of nontariff barriers such as quotas, licensing systems, variable import fees and the like. This was documented by the Department of Agriculture in their recent study entitled "Agricultural Protection by Nontariff Trade Barriers." The press release accompanying this publication states: "The study shows that all our major trading partners practice a higher degree of agricultural protectionism through nontariff barriers than does the United States." The study also identified that the United States and Canada were the only countries studied that refrain entirely from the use of all protective devices other than tariff on livestock and meat. (See chart I below.)

Not only do we refrain from nontariff barriers, but now we appear to be considering the reduction of the already low tariffs presently in force. We are told that if we hold down or reduce our barriers against imports, other countries can be persuaded to do the same and thus foreign markets for our surpluses can be developed. Surely we ought to do everything possible to encourage trade wherever it serves to improve our own agricultural problem with surpluses and related costs. In too many cases, we have experienced a reverse effect which has rather contributed to our surpluses and to the costs of our agricultural programs.

Our entire Nation must then pay for this inbalance while our farmers experience a drop in income even while reducing their own production to accommodate the imports.

The 1964 outlook issue of the U.S. Department of Agriculture's Economic Research Service quarterly "Demand and Price Situation Report" indicates that we can expect continued expansion in the domestic demand for farm products and can further expect record high exports in 1964. But in the same paragraph of that report it is stated that gross farm income will be down in 1964, and when coupled with an expected farm production expense increase of $750 million, realized net farm income is expected to be lower by perhaps 5 percent or more. This is startling news to the farmers who continue to be caught in the ever-tightening cost-price squeeze. The following table from the mentioned report shows how realized farm income has dropped during the current year. Coupled with the estimated additional drop for 1964, the picture is indeed dim. (See chart II below.)

American agriculture is operating at the lowest parity ratio since 1939. Farming costs are at the highest level in history, now increasing by $750 million a year. Farm mortgages are at an alltime high. And farm surpluses continue at high levels.

While a drop in U.S. farm income is predicted, the Agriculture Department's Economic Research Service further reports that overall consumer incomes after taxes this year are running nearly 5 percent above 1962, with a further substantial gain in prospect for 1964. And it is further predicted that total consumer spending for food in 1963 is 3 percent more than in 1962 with a further rise indicated for next year.

Certainly this is an indication that agricultural income is not keeping pace with the rest of the economy. One of the many reasons for this situation is, in my opinion, the effect of imports.

This causes me to wonder whether or not it is good U.S. policy to ask our agricultural producers to reduce production by various programs of controls and incentives in order to make it possible for other nations to export these same commodities.

If and when imports have the effect of reducing the prices paid to American producers, our farm income or purchasing power isn't the only area to suffer. Whenever a Government control or incentive program is involved, there is a further effect on the rest of our economy. Any time we import an item that is in surplus or covered by a farm program, we have an additional liability to the taxpayer through storage costs and other administering expenses. Additional reduction of our own production is then necessary to provide a market for foreign products.

But the American farmer is continually blamed for all of the problems facing his field. Simply because he has become efficient, he is blamed for the surpluses, for the cost of farm programs and for everything else. Actually, he's paying the bill himself through reduced production and lower income. And every year he must accept even further restrictions on his production. He now faces still another round of such controls in the many pieces of legislation currently pending in the Congress.

I am curious to know just how many other countries reduce their own production, at a resulting loss in domestic farm income, to accommodate foreign markets. From information we have studied, it would appear that the United States is alone in this field. While realizing that our overall trade policies must be considered and that agricultural products constitute but one segment of that relationship, it appears that our basic policy should be to sell our products to nations needing these products, and to encourage other countries to follow the same policy to the greatest possible extent. This is only good business from the standpoint of a lasting trade policy as well as our desire to provide for an ample supply of food and proper diet throughout the world.

The Congress recognized as early as 1953, when section 22 of the Agricultural Adjustment Act was amended, that prompt consideration should be given to the problem of importing commodities already in surplus production. The Congress recognized that there would be times when emergency authority to establish import quotas should be used. The history of this authority, however, indicates that such actions have not been taken and that the import problems have not been adequately solved. Even though the authority is still there, we have witnessed commodity after commodity move into the surplus area and we have witnessed the Government moving into still more agricultural areas with programs and restrictions on domestic producers.

Now we see still another area of agriculture moving firmly into the surplus and Government-control group. That is the area of dairy products.

I have expressed concern during the past year over the introduction of cream imports into the trade stream. Such imports started a little over a year ago. As of November 2 of this year, the total pounds of cream imported into the United States since January 1 equaled 5,658,344, according to the Bureau of Customs. This is the milk equivalent of 71,125,384 pounds. (See chart III below.)

Every gallon or pound of cream imported into this country directly displaces a gallon or pound of domestic cream, a product already in surplus for which the American taxpayer must support in price and storage.

I have introduced legislation to tighten the provisions of section 22 in an effort to make the hearings by the Tariff Commission mandatory whenever any agricultural product is both in surplus and being imported.

As our dairy surpluses mount, and imports of these products increase, the American taxpayer gets hit once again when the Government finds it necessary to buy these products in an effort to stabilize or raise prices to domestic producers.

The 1964 Outlook issue of Dairy Situation, the U.S. Department of Agriculture's Economic Research Services' November 1963 issue, says that "prices for most dairy products are considerably higher in the United States than in other countries." And they also say that "without imports quotas and limitations, more dairy products would flow into the United States from other surplus-producing regions." The future possibilities are obvious.

Import quotas are not always the answer. A special report by the Comptroller General in September of 1961 indicated that since the institution of the initial import quotas on dairy products proclaimed by the President in 1953, there have been a number of instances where importers have, in effect, been able to avoid import quotas on dairy products. The objective could be better achieved with the establishment of a quota that would cover all dairy product commodities, based on butterfat content.

The attractiveness of the American market and the inbalance between countries is clearly shown by a number of examples such as this analysis of import and export figures relative to cheese transactions with Italy. The American Blue Cheese Association recently reported that Italy shipped nearly 24 million pounds of varied cheeses to the United States last year, yet applied for surplus American processed cheese for its national school lunch program. The United States in turn has recently purchased 2,841,000 pounds of processed American cheese from producers for 40.49 cents per pound, then sold it to Italy for the world market price of 25 cents a pound. There are indications that additional purchases and sales have been made with even greater price differential. Since such a transaction affects all of the consumers and taxpayers of the United States, it provides another example of how our trade policies in agricultural products fit into this country's total economic picture.

There was some rejoicing when USDA announced on October 9 that a number of principal U.S. supplying countries of Colby cheese, Junex, and frozen cream had indicated they will limit 1963–64 shipments to the U.S. market. But the self-imposed limitation on frozen cream, for instance, would still be 50 percent higher than the amount shipped this year. And the Department's Economic Research Service reported in November of this year that the history of such self-imposed limitations by major suppliers doesn't always work, because additional countries take up the slack by initiating new shipments of dairy products into this country. Section 22 action appears to be the only logical course in such situations.

Looking at another example of where imports are hurting American agriculture, permit me to quote from the October 28, 1963, issue of the USDA publication, Foreign Agriculture:

"U.S. imports of red meat in the January–August period of 1963 totaled 929 million pounds, up 18 percent from the same period last year.

"U.S. imports on boneless beef, the major category, rose by 20 percent to 605 million pounds, and those of canned meat by about 50 percent to 75 million pounds.

"Nine ships left Australia during the month of September, with 27,301,120 pounds of beef, 403,200 pounds of mutton, 51,520 pounds of lamb, and 24,640 pounds of variety meats, to the United States.

"Meat shipments to the United States from New Zealand totaled 203 million pounds in the 11-month period beginning October 1, 1962. Beef and veal accounted for 94 percent of these shipments."

The threat of even greater imports, since the tariff is now only negligible, hangs over our cattle industry. The only thing that keeps them out of the country at this moment is the embargo on imports from most Latin American countries because of the prevalence of foot-and-mouth disease. Once these restrictions are lifted, our market could be flooded.

In the past when some of us have protested or questioned these rising imports of meat products we have been told that such imports have had very little if any effect on domestic livestock prices. Gentlemen, this is wishful thinking. The facts don't bear out that conclusion. Actually, we've reached a point of diminishing returns, as evidenced by the fact that the monthly average for choice steers in Chicago fell from $30.13 a hundred in November last year to $22.61 in May of this year.

Even the Economic Research Service of the Agriculture Department sees the folly in concluding that imports have no effect on prices. In its November 1963 report the Research Service says: "If imports are a smaller proportion of domestic production, the effect on fed cattle prices is less; if they are a larger proportion, the effect on prices is greater." The point here is that there is indeed an effect and the effect is increasing.

The Economic Research Service's "Livestock and Meat Situation" report for this November indicates that if beef imports should equal 10 percent of the total domestic beef production it would cause, on the average, a drop of about 1 percent in the price of choice steers and nearly 3 percent in the price of utility cows. When you project those percentages, the amount runs into the millions of dollars a year in lost income to our domestic producers. In fact, beef imports were running at a rate of 12.3 percent of domestic production in August of this year and averaged 11 percent during the first 8 months of this year.

Dairy products and meat imports are only two examples of the many instances in which agricultural surpluses, supplies, and prices have been and are affected by continuing and increasing imports. I won't take the time today to go over each of these, commodity by commodity, for it should be recognized here that there is a relationship of all agricultural products, one to the other. When cattle are grazing on an acre of land, it means they can't raise wheat, corn, or any other products on it. So meat, cream, or any other product imported has a direct relationship to the aggregate production of all agricultural products. A typical example is the meat and dairy industry as a consumer of feed grains.

We continually tell our farmers to reduce their output. Commodity after commodity is cut back, is stored at taxpayer expense, and is subsidized. And we now face the possibility of a vast amount of land coming out of the soil bank next year unless further provisions are made. These are factors that indeed contribute to the current and future problems of agriculture and problems to the taxpayers and consumers of this country. These factors should be considered in the light that the problems will be compounded if unfair trade balances continue.

It's time we begin to give American agriculture the same kind of consideration that producers in other countries receive from their governments.

It didn't take long for our friend to the north, Canada, or the Common Market countries, to close the doors when imports hurt their turkey and chicken markets, for instance.

When American agriculture is told to reduce production by 10 percent, why can't we require our foreign suppliers of the same products to reduce their exports to us by the same percentage? Actually, we might go even further than that.

Gentlemen, when international negotiations begin next year, it is my hope that much thought will be given to the total effect on our economy of the problems of agriculture. I hope serious consideration will be given to some method of limiting unnecessary imports, whether we employ higher tariffs, firmer quotas or other controls. None of us expect agriculture or any other segment of our economy to receive preferential treatment. But the American farmer should have a full voice at the international trade table. In more ways than one the economic outlook for agriculture reflects the economic outlook for the entire Nation.

CHART I

TABLE 1.—*Comparison of the proportion of agricultural production benefiting from nontariff import controls in the United States and selected important agricultural countries*

Country	Percentage
United States	26
France [1]	94
West Germany [1]	93
Netherlands [1]	79
Italy [1]	63
Belgium [1]	76
Greece [1]	82
Austria [2]	91
Denmark [2]	87
Norway [2]	97
Portugal [2]	100
Sweden [2]	(3)
Switzerland [2]	94
United Kingdom [2]	[4] 37
Canada	41
Australia	41
New Zealand	100
Japan	76

[1] European Economic Community countries.

[2] European Free Trade Association countries.

[3] Neither total output in terms of value nor representative prices for majority of commodities are available.

[4] Because this analysis is limited to direct restrictions on imports it does not take into account the operation of the United Kingdom deficiency payment system, extent or manner of payments to farmers, or impact of the system on prices and imports.

CHART II

TABLE 4.—*Agricultural prices, marketings and income, 1961 to date*

Item	Unit	1961	1962			1963		
		Year	Year	3d quarter	4th quarter	1st quarter	2d quarter	3d quarter
Prices received by farmers	1910-14=100	240	243	245	244	242	241	241
Crops	1910-14=100	227	230	229	225	233	245	234
Livestock and products	1910-14=100	251	255	257	260	250	238	247
Prices paid, interest, taxes, and wage rates	1910-14=100	302	306	306	308	311	311	311
Family living items	1910-14=100	291	294	294	295	297	297	297
Production items	1910-14=100	266	270	269	272	274	273	208
Parity ratio		80	79	30	79	78	77	77
Volume of farm marketings	1947-49=100	135	136	138	181	126	108	142
Crops	1947-49=100	128	130	136	216	114	61	139
Livestock and products	1947-49=100	140	142	139	154	135	143	144
Cash receipts from farm marketings [1]	Billion dollars	34.9	35.9	9.1	12.0	8.2	6.9	9.2
Crops	do	15.5	15.9	4.2	6.5	3.4	2.2	4.3
Livestock and products	do	19.4	20.0	4.9	5.5	4.7	4.7	4.9
Farmers' realized net income [2]	do	12.5	12.6	12.4	12.6	12.7	12.0	12.2

[1] Seasonally adjusted annual rates are: 1962—3d quarter, $35,800,000,000; 4th quarter, $36,200,000,000. 1963—1st quarter, $36,400,000,000; 2d quarter, $35,600,000,000; 3d quarter, $36,100,000,000.

[2] Seasonally adjusted annual rates.

Source: U.S. Department of Agriculture, November 1963.

CHART III

Imports of cream into the United States, 1963

1963	Gallons		Pounds		Pounds of milk equivalent (3.5-percent milk)	
	Census Bureau [1]	Customs Bureau [2]	Census Bureau	Customs Bureau	Census Bureau	Customs Bureau
January	163,290	76,049	1,368,370	637,291	17,200,411	8,010,748
February	59,871	98,747	501,719	827,500	6,306,608	10,401,675
March	114,924	118,941	963,063	996,726	12,105,702	12,528,846
April	118,933	26,485	996,659	221,944	12,528,004	2,789,836
May	26,357	0	220,872	0	2,776,361	0
June	35,530	86,006	297,741	720,730	3,742,604	9,059,576
July	85,891	45,326	719,767	379,832	9,047,471	4,774,488
August	16,274	45,454	136,376	380,905	1,714,246	4,787,976
January–August	621,070	497,008	5,204,567	4,164,927	65,421,407	52,353,132
September		37,327		312,800		3,931,896
October		140,885		1,180,616		14,840,343
January–November 2		675,220		5,658,344		71,125,384

[1] Source: "U.S. Imports of Merchandise for Consumption," FT-110, Bureau of the Census, U.S. Department of Commerce.

[2] Source: Bureau of Customs, Treasury Department.

NOTE.—Gallons converted to pounds on the basis of 8.38 pounds per gallon. Cream assumed to be 44 percent butterfat.

Prepared by National Milk Producers Federation.

Mr. ANDREWS of North Dakota. I appreciate the remarks of my colleague from the Red River Valley.

It brings another thing to mind, too. These days we are having a lot of comment about selling wheat to far-off lands. In this comment there is criticism about export subsidies. Too often this is reflected against the farmer, but a large share of these export subsidies are reflected not in what the farmer gets but in the increased cost of American transportation, in the increased cost of maintaining our merchant marine. We think as farmers that justifiably many of these expenses should be charged to the people they directly benefit.

Mr. BERRY. Mr. Speaker, will the gentleman yield?

Mr. ANDREWS of North Dakota. I yield to the gentleman from South Dakota.

Mr. BERRY. I should like to commend not only our colleague from North Dakota who has made this discussion possible but our colleague from Minnesota for the remarks he has just made.

He said that this problem of surpluses belongs in the laps of the foreign countries that are exporting these agricultural products. It does not belong in the laps of the foreign countries. It belongs in the lap of this Congress, because this Congress has made it possible for these foreign countries to export these commodities.

There was some question about just what the Secretary of Commerce said out there in North Dakota, and I want to read what the Associated Press has reported Mr. Hodges as having said there. This is an exact quote:

> Cut out our whining about beef imports and get to work selling U.S. beef to other countries.

Here is another quotation:

> Americans are going to have to get off whatever we're sitting on and sell goods.

I think that the Secretary must know that it is not possible, as has been indicated here, to get off whatever we are sitting on and sell goods as long as Canada and we are the only two nations in the free world that do not have some kind of nontariff trade barrier. We and Canada both have some trade barriers, but our tariff is so low that it does not stop the import of beef.

If you will check the record you will find that the imports of beef in 1962 were to such an extent that they were greater than all of the beef produced and marketed in the States of South Dakota, Wyoming, and six counties of the gentleman's State of North Dakota. So this is the area that the farmers of America have to squeeze down to in order to make room for these imports.

I want to read the list of the principal countries with nontariff barriers, at least as they apply to livestock and meat imports: Italy, Greece, Austria, Denmark, Portugal, and New Zealand exercise nontariff controls to protect 100 percent of their domestic livestock and meat production. For France, West Germany, the Netherlands, Norway, and Switzerland the corresponding figure is 95 percent.

For Australia and Japan, it is over 50 percent. For Belgium it is 46 percent. For the United Kingdom it is 34 percent.

If you are interested in getting these figures from the Department of Agriculture, they have just completed a study entitled "Agricultural Protection by Non-Tariff Trade Barriers." It is a pamphlet that has been put out by the Department and they have made a very complete study on these nontariff trade barriers.

In other words, this is the only dumping ground spot left in the free world and this is the reason why Australia is not going to agree to a voluntary quota. And it is the reason why New Zealand is not going to agree to a trade quota—because this is the only dumping ground left so far as beef is concerned.

The SPEAKER pro tempore (Mr. Libonati). The time of the gentlemen has expired.

BEEF IMPORTS

The SPEAKER pro tempore (Mr. Libonati). Under previous order of the House, the gentleman from Iowa [Mr. Bromwell] is recognized for 60 minutes.

Mr. BROMWELL. Mr. Speaker, I, too, wish to commend the gentleman from North Dakota for the interest he has manifested in this most serious problem which affects the entire economy of the United States, and most particularly the economy of the area between the Appalachians and the Rocky Mountains.

Mr. GROSS. Mr. Speaker, will the gentleman yield?

Mr. BROMWELL. I yield to the gentleman from Iowa.

Mr. GROSS. Mr. Speaker, first of all, I want to commend the gentleman from North Dakota and the gentleman from Iowa for taking the time to bring this serious matter to the attention of the House. As one of the alleged whiners who went to hear Secretary of Agriculture Freeman a few days ago, I regret to say that I got no consolation whatever that Mr. Freeman is going to obtain any substantial relief for American farmers from the punishment they are taking from foreign imports. About all I got from Freeman was that he hoped for the best and feared the worst insofar as the continuance of imports of agricultural products from foreign countries is concerned.

I should like to add that on the very same day Secretary of Agriculture Freeman was giving us the usual treatment at the Department of Agriculture, those in charge of our Military Establishment in Europe were announcing that they had made a deal to trade U.S. wheat to Communist Yugoslavia for $5 million worth of commodities including beef, and other agricultural products to feed our military forces in Europe. It is inconceivable that this Government would enter into a deal of this kind whereby Communist Yugoslavia provides our military forces in Europe with food products. This is another market that ought to be protected for the products of the American farmer.

It is necessary for me to go to a committee meeting and I thank the gentleman for yielding at this time.

Mr. HARVEY of Indiana. Mr. Speaker, will the gentleman yield?

Mr. BROMWELL. I yield to the gentleman from Indiana [Mr. Harvey].

Mr. HARVEY of Indiana. Mr. Speaker, I thank the gentleman from Iowa for yielding to me. I also want to compliment him, as have other Members who have taken part in this discussion concerning the impact of beef imports upon our economy at home.

Looking back on the history of foreign trade, it seems to me that the farmers, in many instances, have been led down a blind alley. It has been held forth that the Trade Expansion Acts, such as the one we passed in 1962, would bring a lot of pluses and very few minuses. It has turned out, I believe, that the farmers who were led to believe the Trade Expansion Act of 1962 would bring only greater prosperity have not fully understood that it is a two-way street.

That brings me to an observation about something we in this country too often overlook; that is, our country is in a rather unique position with respect to trade. We are approximately 95 percent self-sufficient. That is an enviable position in which to be. However, since we have tried to follow a policy of expanding trade, that can only be done by abandoning some of our domestic business in favor of foreign business.

In the case of our own livestock industry, which is being so sorely pressed at the present time, the public at large probably is inclined to believe—if there is any thought given to it at all—that this represents a gain for them, that they will get cheaper beef. Actually, as has already been brought out in the course of the debate today, that is not the case, since the price of meat over the counter is approximately the same now as it was some time ago. So the public has not profited by the severe reduction in the prices paid to beef producers.

Before I close I should like to call attention particularly to the importance of the livestock industry in our whole agricultural economy. Roughly two-thirds of all farm income comes from livestock. We in the House, as is true of the Congress itself, have spent a great deal of time discussing the importance of other commodities. I would not in anywise underestimate the importance of other commodities to our economy, but the livestock industry is the backbone of American agriculture, and anything which causes a drop in the prices of one segment of our livestock industry affects all segments.

The cattle industry has been an admirable one. The people in the cattle industry have not come to Washington with hats in hand. They are a very independent and self-reliant group of people. This is all to their credit. I am proud, myself, to be associated with a group of people of that kind.

However, those people have a sense of justice and equity. In appearing before our committee they themselves stated, quite frankly, they realized that the imports of beef were not the only cause of their problem, but that it was one cause. They stated they believed they had a right to expect Washington to take notice of it.

I join with my other colleagues here today in suggesting that this great industry, which can have such a great impact upon our whole economy, be given equitable treatment and not be regarded as a stepchild, not only for the welfare of the livestock industry but also for the welfare of our whole economy.

I should like to make one other point in closing, because I believe it has not been mentioned and should be recognized. Our entire meat supply is an interdependent supply. I mean by that, if the price of beef cattle is driven down by some unfortunate event, such as the one we are now witnessing, prices for all other types of livestock will be proportionately driven downward also. The impact of this beef fiasco is being felt in other segments of the industry—such as swine—as well.

Again I compliment the gentleman for taking this opportunity to bring to the attention of the House and of our country a very vital problem. I thank the gentleman for yielding to me.

Mr. BROMWELL. I thank the gentleman.

Mr. DOLE. Mr. Speaker, will the gentleman yield?

Mr. BROMWELL. I yield to the gentleman from Kansas.

Mr. DOLE. Mr. Speaker, first of all I wish to state that I appreciate this opportunity to join with many here who are sincerely experts in this field and to make it very clear I do not consider this to be a partisan issue. We have heard from both sides of the aisle on this very important issue, affecting a very important industry. It is unfortunate if Secretary Hodges made the statement that the cattlemen should stop their whining. Secretary Freeman admitted when many of us visited with him less than 2 weeks ago that the loss of income to the livestock industry would be $170 million over a 2-year period and no doubt this is a conservative estimate. Many of us pointed out before the Tariff Commission in December, in visiting with Secretary Freeman last week, and this Monday with former Governor Herter—who is now the President's special negotiator—that there is a serious problem indeed involved here and I believe these persons recognize the seriousness of it. It seems Congress not only has a responsibility, but an obligation to this great industry to do something now rather than wait until the Tariff Commission acts, GATT negotiations are completed, or until voluntary agreements are reached.

As indicated to Secretary Freeman, I feel it would strengthen the hand of anyone trying to negotiate voluntary agreements if Congress would start now in earnest on the problem and have hearings on the proposals many of us have introduced. These proposals would raise import duties and also establish a reasonable quota system. If we were having hearings, on the many bills pending in the House providing for reasonable increases in import duties, we might assist in reaching voluntary agreements very soon.

I certainly commend the gentleman from Iowa [Mr. BROMWELL], and the gentleman from North Dakota [Mr. ANDREWS], for taking this time on a most important problem.

Mr. Speaker, many of us have introduced bills to amend the Tariff Act of 1930 and to provide a system of quotas and impose additional duties on cattle, beef, and veal imported in excess of annual quotas. The proposed legislation will increase duties substantially on overquota imports:

First. By 5 cents a pound on cattle weighing less than 700 pounds.

Second. By 6 cents a pound on cattle weighing more than 700 pounds.

Third. By 12 cents a pound on beef and veal, fresh, chilled, or frozen.

These tariff increases will restore to American cattlemen much of the domestic market lost to foreign countries in recent years—and with this would come a much-needed strengthening of cattle prices. The time has come for the administration to either support this legislation to impose higher tariffs on imported livestock or to quickly enter into voluntary agreements with the major foreign importing nations to restrict beef imports in a manner similar to that already worked out for dairy products and cotton textiles.

The United States imposes only a token tariff on beef imports, an average of about 2½ cents a pound. This represents an open invitation to foreign producers to step up both production and exports to this country. In its outlook report for 1964, the U.S. Department of Agriculture predicts that American beef importations will remain extremely high. Last year, the United States took 79 percent of Australia's beef and veal exports and, for the past 3 years, we have been the market for 90 percent of New Zealand's boneless beef exports.

Today more than 11 percent of the beef consumed in the United States is imported. Fresh beef imports increased from 414 million pounds in 1960 to 863 million pounds in 1962. Live cattle imports jumped from 645,000 head in 1960 to 1,232,000 in 1962. There have been comparable increases in mutton and lamb imports.

Choice fed cattle bring about 25 percent less than a year ago in the livestock markets of Kansas City, Omaha, and Chicago, and when the profits are largely eliminated from cattle feeding, the price effect is felt not only in the feeding lots but back on the range, as well.

Even as poor a nation as Haiti, which cannot feed its own population adequately, exported 2.7 million pounds of meat to the United States in the last fiscal year. This fact is a sidelight of the Bobby Baker scandal currently rocking Washington. Cattlemen believe price troubles facing their industry have been caused by unprecedented heavy imports of beef. They foresee continuing depressed prices for domestic cattle unless these imports are substantially reduced.

Western Kansas farmers receive most of their income from wheat and cattle and as I indicated on October 18, 1963, the cattle industry is in deep trouble and has been for some time—largely because huge importations of foreign beef have been hammering down prices received by domestic producers. The farm income situation, released in November 1963 by the U.S. Department of Agriculture, states that realized net income in 1964 is expected to be 5 percent or more below 1963. This would make farm income in 1964 less than in 1960, the last year of President Eisenhowers' administration.

The U.S. Department of Agriculture contends it is powerless to act. The Federal Tariff Commission has authority to impose either higher tariffs or quotas or both on foreign beef but Congress, in my opinion, should provide leadership with legislation.

It seems to me, first of all, that we have through the years surrendered nearly every right we once had to protect American industry—whatever it may be. For all practical purposes, we are at the mercy of the exporting countries, and it is not too often your competitor wants to make things easier for you and even surrender some of his business, and this is about the situation our country finds itself in now, insofar as the livestock industry is concerned. The present difficulty has been building up for over 2 years, and, as everyone knows, it is not something that just happens overnight. While there are predictions the price of fed cattle will increase in late March and early April by about $2 per 100 pounds, this offers little consolation to those in the livestock business. It is too late now to wonder why something was not done many, many months ago. It is now conceded the primary difficulty is from expanded beef imports and not expanded domestic production; and again, to many of us—both Republicans and Democrats—the most effective way to solve the dilemma is by quick legislative action which would come if the administration, including the President, would encourage Congress to act immediately. Statements such as those made last week by Secretary of Commerce Luther Hodges in Fargo, N. Dak., that American cattlemen should "cut out their whining" will certainly not solve the problem, but is another indication of the apparent reluctance of our Government to protect this American industry, not through subsidy or any program of controls, but simply to prevent this country from becoming the "dumping ground" for every other country in the world.

The livestock industry is known throughout the history of our country for its independent spirit. Cattlemen pride themselves on being "rugged individualists" and fear Government programs which could ultimately encompass them, and because of this spirit they have remained free from governmental control or direction.

Now that cattlemen ask their Government to protect their industry against unwarranted imports of beef, some are saying the industry is asking for a subsidy, a form of price support, or even an indirect Government payment. This attitude "begs" the question and is an insult to the integrity of this great industry.

Tariffs are as old as our country and have played a major role in our industrial development. Tariffs are, in many cases, a necessary facet of our way of life and our economy would suffer without them. Is it "un-American" to protect this American industry rather than use it as a "pawn" in foreign policy decisions?

Something must be done immediately to avert disaster to thousands of our farmers. The urgency cannot be overemphasized, and I respectfully request prompt action to raise tariffs to the level necessary to protect a great American industry. The Kansas Livestock Association very properly suggests:

> A system of quotas be established based on average imports over a long period of time. This system of quotas should be accompanied by substantial increases in our import duties. We feel it is only fair to the livestock industry that our import duties at least equal those of our competitive importing nations. This plan would give importing countries access to our markets on a competitive basis.

Mr. **BROMWELL**. Mr. Speaker, I ask unanimous consent that the gentleman from Colorado [Mr. BROTZMAN] may extend his remarks at this point in the RECORD.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Iowa?

There was no objection.

Mr. **BROTZMAN**. Mr. Speaker, a situation exists that has all the elements of disaster for the Nation's farmers. At the close of 1963 the Department of Agriculture issued a gloomy forecast. The release made from that Department predicted that farm income would decline by nearly $400 million in 1963 and by another $600 million in 1964—a total decline of approximately $1 billion in this 2-year period.

One area in which this situation is critical concerns the livestock industry. This segment of our economy, a bulwark of individual enterprise and individual freedom, a courageous opponent of Government regulation and control is being strangulated by depressed prices caused by the Government's policy of open end, unrestricted importation of meat products. Even the blind observer of the agriculture picture should be impressed by the necessity for quick and decisive action. Yet the administration has stoutly refused to give our cattlemen and ranchers any help.

For many months I have been attempting to bring this situation to the attention of the President of the United States and the Secretary of Agriculture. For months I have been exploring every avenue, seeking the best route to impress upon the administration the gravity of the problem and the urgency of the need for action by the executive department of our National Government. Every effort I have made has been rebuffed.

Mr. Speaker, there is no doubt that the administration holds in its hand the solution to this problem. The authority is contained in section 204 of the Agricultural Act of 1956. It provides:

> The President is authorized to negotiate agreements with foreign governments in an effort to limit the export to the United States of agricultural commodities or products.

On the 8th of January this year, representatives of the livestock industry came to Washington to plead with the executive department to use this authority to help the cattlemen. They went home encouraged by administration assurances that prospects for a satisfactory voluntary agreement limiting beef imports was in the making.

Their hopes were short lived. The following weekend the Department revealed that the negotiations were based, not on an average of beef imports from 1958–62, but on the level of imports shipped into the United States in 1963, the year of the alltime high in beef imports. From the standpoint of the cattlemen, they had picked the worst year in history as a point of negotiation. There is little hope arising from this deal when you stack the cards against yourself.

As far as I am able to tell, two administration spokesmen have taken official note of this problem. According to the Nebraska Farmer, November 2, 1963, Secretary Freeman was asked about raising beef tariffs during his trip through the West. His answer was a model of either ignorance of the problem or a lack of concern for it. He said:

> At this time I would say there is no reason to believe that beef imports, according to our most careful calculations, are adversely affecting beef prices to any significant degree.

An even more damaging statement was made by Secretary of Commerce Luther Hodges. While being interviewed in Oklahoma City recently he was asked about the beef import problem. He stated:

> I do not think it's gotten out of hand.

But Secretary Hodges had not completed his task of insulting the cattlemen and ranchers of the country. On the 18th of January this year, he was interviewed in Fargo, N. Dak. Again he was asked about the problem of beef imports and this time he urged American cattlemen to "cut out the whining" about the problem.

Mr. Speaker, I submit that this administration official displayed a callous disregard for the facts and a frightening disregard for the welfare of one of the most important elements of the agricultural economy. I represent one of the Nation's outstanding cattle districts. I know these ranchers. I grew up with them. I promise you there is no group in the country that is less guilty of "whining" than the ranchers of the West.

If the Secretary of Commerce or any other administration official wants to see men and women who are not only eager to stand on their own two feet but beg for the chance, I will conduct him personally on a tour through my district. I will show him something the devotees of the supply management theory of agricultural regulation and control might not understand—self-reliance and independence.

The importance of the cattle industry is immediately apparent. Today in America there are nearly 4 million farms. Two and one-half million of them have livestock. Over 1 billion acres of land are involved in permanent or temporary pasture. Almost one-third of all cash receipts from farming come from the sale of meat animals. The cattle industry has been one of primary deterrents to the accumulation of larger surpluses of feed grains. It is an industry that has consistently rejected Government control and regulation, but today it is suffocating from the skyrocketing level of imports of meat and meat products.

More than $3.5 billion worth of farm commodities were imported by the United States in 1962. Approximately one-third of this total was noncompetitive with domestic products such as coffee, tea, and cocoa. But almost $500 million worth of meat products were also imported and that level is causing havoc among the cattlemen.

Between 1957 and 1962 we have increased our imports of boneless beef and veal by nearly 1,000 percent. In 1962, for example, the United States took 79 percent of Australia's beef and veal exports and for the past 3 years we have accepted almost 90 percent of New Zealand's boneless beef. This problem is compounded by the 1,250,000 head of livestock on the hoof, brought in from Canada and Mexico in 1962. Now, imported beef adds up to almost 11 percent of domestic production and that figure is constantly rising.

Mr. Speaker, we are not "whining" when imports in 1961 totaled nearly 1.3 billion pounds, rose to nearly 1.5 billion pounds in 1962 and zoomed to an estimated 1.75 billion pounds last year. We are not "whining" when imports of beef and veal reach a per capital level of 9.4 pounds, up 4.1 pounds from 1960. We are not "whining" when beef and veal imports jump from 775 million pounds—carcass weight equivalent—valued at $182 million in 1960 to almost 1.5 billion pounds valued at well over $300 million in 1962. We are not "whining" when in the first 6 months of last year compared to the same period in 1962 the increase in imports of meat to the United States was 21 percent on beef and veal, 18 percent on mutton, and 95 percent on lamb. We are not "whining" when the United States is importing 25 percent of the total quantity of meat moving in world trade.

And, Mr. Speaker, the cattle industry is not "whining" when the Government recognizes the danger of large imports to other industries but studiously avoids making the same recognition of the cattlemen's problem. For example, last December our Government raised the tariff on trucks valued at $1,000 or more from 8½ to 25 percent. The cattleman understands that action and does not condemn it. But he uses more trucks than any other group and he has great difficulty understanding why he cannot exist under the same ground rules. He cannot understand it and neither can I.

Seven countries account for the great majority of imports into the United States. They are Australia, New Zealand, Argentina, Paraguay, Uruguay, Mexico, and Brazil. In 1962 these countries shipped to the United States over 818 million pounds of beef or 85 percent of all that was imported.

Unless Government action is taken, the handwriting is on the wall, telling the story of even more serious problems in the future. Last year these countries added 4,181,000 to their herds. Since the 1956–60 period these herds have been increased by almost 8 million head.

Gerald Leighton, president of the Chicago Livestock Exchange, puts his finger on the great inequity of the problem. In the Chicago Tribune, May 28, 1963, he is quoted as telling this story:

> The United States recently has become the world's greatest beef importer, a position formerly held by the United Kingdom. According to the Foreign Agricultural Service, at least one of this group of countries (listed above) has agreed to curtail beef shipments to Britain for the remainder of the year to assist in stabilizing cattle prices in Britain. As a result that country may face a surplus problem unless it can dump more beef in the United States.

Such countries as New Zealand and Australia, large exporters of meat themselves, do not hesitate to provide sweeping protection against imports for the benefit of their own producers. Australia uses a combination of devices to protect over 50 percent of their livestock and meat industry, yet the United States refuses to help our cattlemen.

In fact, in some areas it almost appears that the Government is going out of its way to increase the problem. The per capita consumption of beef is constantly increasing, due in a large part to the efforts of the cattle industry in promoting the sale of their product, but this trend is not reflected in military purchases of meat. In fiscal 1960, 275 million pounds of beef, valued at $149 million, were purchased by the Armed Forces. In fiscal 1962, although there were 200,000 more men in the service, beef purchases dropped to 268 million pounds valued at $146.7 million.

Furthermore, it is estimated that the Defense Establishment is purchasing abroad for resale purposes in commissaries about 1 million pounds of meat a month. This means that our own Defense Department is spending more than $4 million a year on foreign produced meat and meat products.

Mr. Speaker, I submit the cattle industry is not "whining" although our Government is strangulating the industry through its open end, unrestricted imports of foreign meat with one hand while buying less domestic meat and more foreign meat for our armed services with the other hand.

The results of this policy are easy to comprehend. The price of choice cattle has plummeted from $30 per hundred a year ago to $22 per hundred in December of last year. These declines in fat cattle prices have been reflected also in the prices of "feeders." Those prices dropped from $3 to $4 per hundredweight over the same time. The correlation between increased imports and decreased prices is so apparent it is difficult to see how any reasonable man could doubt it.

Secretary Freeman has made a faint defense of the policy of unrestricted imports of meat and meat products. He claims that we import only the lower quality of meats and this does not compete with the better class of meat produced on American ranches. Therefore, he contends, the sharp reduction in prices of choice cattle does not reflect the influence of large imports of meat.

This argument stretches credulity. There are only so many dinner plates to be put on American tables, only so many stomachs to fill. And if your stomach is full of Australian hamburger, you are not very hungry for an American steak.

Furthermore, it appears that Secretary Freeman has not read the material published by his own Department. In the 1964 outlook issue of the "Livestock and Meat Situation," an Economic Research Service study published by the Department of Agriculture, there appears this statement:

> If imports are a smaller proportion of domestic production, the effect on feed cattle price is less; if they are a larger proportion, the effect on prices is greater.

Mr. Speaker, the reason for this policy of nonrecognition of this critical problem cannot be ascertained. Mr. Leighton believes the cattleman is being "sold out" for two reasons:

> 1. To buy the friendship of foreign nations, and
>
> 2. To shackle the freedom of one of the most independent groups of men in agriculture.

We cannot know whether or not his do-nothing policy of the Government is a deliberate attempt to bring a proud industry to its knees with a plea for price supports. Of this I am positive, however: the cattle industry has never asked for Government help. The stockmen have only one plea: leave them alone, allow them to conduct their own business, to make their own markets. They have asked only for the right to preserve the integrity of their own industry.

Mr. Speaker, can we do less? Can we turn our backs on this valiant group of "rugged individualists" who, never having asked for preferential treatment, now ask only for fair treatment?

The urgency cannot be overemphasized. The time for patter has passed. The time for performance is now.

Mr. ROGERS of Colorado. Mr. Speaker, will the gentleman yield?

Mr. BROMWELL. I yield to the gentleman from Colorado.

Mr. ROGERS of Colorado. I appreciate the gentleman yielding to me because the State of Colorado is a great producer of food such as cattle and sheep and other animals. While my district does not have a farm or a cattle ranch in it, the fact remains that we have a lot of consumers there. We also supply the material to the rancher and the farmer and their headquarters are in my district. Whenever the price of cattle dips, it affects the economy of our State. Naturally we are all interested to see that the price of cattle remains so that the producer may get a fair return for his labor. There has developed a situation, and there is a great deal of publicity out our way, in connection with the so-called monopolistic practices of those who are distributing the beef products to the consumer. You and I recognize that not every day or every other day is it possible for the ordinary wage earner to go into the grocery store and buy a good steak. Most of them are content with buying a piece of hamburger which may or may not be as nutritious as the other parts of the animal may be. This situation has developed, and I think the gentlemen looking into the question of cattle production and its ultimate consumption by the consumer should also look into the practice that has developed whereby only certain large chains have an operation which is such that they are the only ones who are in a position to purchase the meat for distribution. We should pay attention to that situation, so that after the beef or the sheep has been produced, the distribution system is such that it can get into the hands of the consumers without their paying an outrageous price.

I am sure that if you could work out some system under which the price would not be so high you would have enough consumers who would eat all the meat you are able to produce.

I do not think we should permit competition with the producers by bringing products in from the outside. Nevertheless, that is one of the factors we are faced with. But let us look also at the problem, as the slaughterhouses are being reduced in number, of the ability of the distributors to purchase at a fair price, or to give to the farmers and the ranchers a fair price without taking all the profit before it gets to the consumer.

Mr. Speaker, I want to commend the gentleman from Iowa and the gentleman from North Dakota for calling this matter to the attention of the Members of the House. I am hopeful that they will take steps to assist the cattle producers, that they will consider the question of how, after the producer has raised the cow and had it slaughtered, he can get it to the table of the consumer at a fair price.

Mr. BROMWELL. I thank the gentleman.

Mr. TALCOTT. Mr. Speaker, will the gentleman yield?

Mr. BROMWELL. I yield to the gentleman from California.

Mr. TALCOTT. Mr. Speaker, I thank the gentleman for yielding. I should like to commend the gentleman from Iowa and the gentleman from North Dakota for calling these matters to the attention of the Congress. I appreciate it affects their districts, but it affects also districts throughout the United

States. It appears to me that most of the remarks were very well taken. I do not want to repeat too much, but we are concerned because many of our surpluses actually are imported, either through grains or meat, and that concerns every single American, so that the problems pointed out by the beef imports should be of great concern to every single American.

This is a problem that is very crucial today but it can be aggravated by increased imports. All of these imports are likely to cause us more difficulties in the future even than there are today.

Mr. Speaker, I would like to suggest to the Secretary of Agriculture that he appoint a National Advisory Committee of people who are knowledgeable in this field, so that he may add to his resources the brains, experience, and background that would be useful in finding a solution to this problem.

I thank the gentleman for yielding.

Mr. HORAN. Mr. Speaker, will the gentleman yield?

Mr. BROMWELL. I yield to the gentleman from Washington.

Mr. HORAN. Mr. Speaker, I thank the gentleman from Iowa for yielding to me. Also, along with my colleagues I want to commend the gentleman from North Dakota [Mr. ANDREWS] and the gentleman from Iowa [Mr. BROMWELL] for taking this time to have a bipartisan discussion of a problem that I think is very important to us.

You may recall that when we contemplated the Trade Expansion Act the future looked very calm and peaceful, everything was going to be all right, we were going to expand trade. But implicit in that debate was the fact that we might have to share part of our American markets.

I think we have gone about as far as we need go in that direction. I for one have taken part in a request that we give the American producer his fair share of the best market in the world as opposed to producers from offshore or from other governments. The extent of that sharing ought to be written in ink instead of water. I agree that quotas, adequate and perhaps generous, should be in order. But I cannot see that we can keep on sharing or increasing the share of American market for the production that may be produced for much less than we can do it here at home.

I am happy this discussion is taking place now, because one of these days the subcommittee on which I serve which goes over the activities of the Department of Agriculture appropriationwise will be sitting, and I am intending to go into this not only with the Secretary but with the Foreign Agricultural Service, and the marketing services in the Department of Agriculture.

It may be recalled that a section exists in one of our basic agricultural laws, section 22, which enables the Secretary to impose quotas and to make the proper move in the defense of the American producer. But we never use them. It has never been used. The failure to use that has cost the American taxpayer money, we know that, because they find other ways to get around the lack of use of that particular tool which could be of some use to the American producer.

Again I want to commend the gentleman and the gentleman who preceded him for taking this time to bring this matter to the attention of the American people.

Mr. BROMWELL. I thank the gentleman.

Mr. BRAY. Mr. Speaker, will the gentleman yield?

Mr. BROMWELL. I yield to the gentleman from Indiana.

Mr. BRAY. Mr. Speaker, I want to associate myself with the remarks of the gentleman from Iowa [Mr. BROMWELL].

The growing problem in the beef cattle industry is another example of our unrealistic attitude toward import problems.

Briefly stated, beef imports in 1963 reached an alltime high, equaling in fact 11 percent of all total beef consumption. During the past 2 years, and largely as a result of increased imports, beef prices have dropped to the extent of causing a loss of $170 million to American producers.

In the face of this problem, livestock producers appealed to the Government for assistance. Government help could be in the form of duties levied on meat imports, quota restrictions on beef imports and/or expanded export opportunities in Europe. In this connection, it is interesting to note that the United States is the only open market in the world for beef imports. All of our friends in Europe have established some sort of restriction or barrier to stop or limit imported beef into their countries.

So far, the response of the administration has been very discouraging. Secretary Freeman apparently believes the only acceptable course of action is to seek a voluntary agreement with Australia and New Zealand to limit the amount of beef they ship to the United States. Prospects for a meaningful agreement in the near future are not bright. Meanwhile, another member of the President's Cabinet, Commerce Secretary Luther Hodges, has told American cattlemen to "cut out whining" about beef imports and get to work selling U.S. beef to other countries. He apparently is unmindful of the restrictions which limit our export possibilities and apparently insensitive to the developing crisis in our own beef industry.

Mr. Speaker, I must say that it seems to me that I have "heard this song before." Time and again American farmers, workers, and businesses have appealed to their Government for protection against foreign imports. They know that our products sent abroad must overcome stiff obstacles in tariff and quota barriers. They know that their livelihood and prosperity is threatened by imports against which we have raised only minimal barriers and we are currently proposing to do away with these. These imports of beef add to our alarming deficit of payment.

In our continued desire to aid other nations we cannot further sacrifice the rightful interests of our own people. Let the war on poverty begin here. Let us first stop the unfair and unnecessary drain on our own economy caused by unrestricted competition from imports. Let us see to our own welfare first, as indeed these other nations are doing, and give our own people the protection they deserve.

Mr. BROMWELL. I thank the gentleman.

Mr. REIFEL. Mr. Speaker, will the gentleman yield?

Mr. BROMWELL. I yield to the gentleman from South Dakota.

Mr. REIFEL. I thank the distinguished gentleman from Iowa for yielding. I want to associate myself with the concern that has been expressed here this afternoon on a nonpartisan basis.

I am particularly concerned, as all who have expressed themselves in regard to this problem are, because our State of South Dakota gets about 72 percent of its agricultural income from livestock and livestock products. Of course, when the prices of cattle decline, quite a large area of our State becomes immediately concerned and is affected.

When the gentleman from Iowa and I attended a conference with the Secretary of Agriculture, Mr. Freeman, he suggested that Congress could take some action in respect to quotas or increases in tariffs, but he warned us against taking that kind of action. At least, this is the impression that I got, that our representatives are seriously negotiating with the Common Market to open some new avenues of thought and opportunities for our exports to those countries. Then when we met later with Governor Herter, the chief trade negotiator, he pointed out that this organization could not do anything at this point. He said they had a staff of only 17. That surprised me because it was being promoted last year as a great saver of our economy, and then to go down there and find him saying they could not do anything until the Tariff Commission had acted.

I am hopeful as the Tariff Commission now making this study will come up with something soon that we may use as an effective force in the discussions for voluntary restrictions on the part of, say, New Zealand and other countries exporting meat to this country.

But if it does not, it seems to me that Congress should take some action. Until then I think we should wait with the greatest concern and follow closely the efforts of the administration and various agencies to bring about as early a consideration of this problem as possible, so that the beef industry and the meat industry can get relief, and soon.

If it does not, it seems to me that Congress should be prepared to take some action. Even though the President may not need extra authority, the fact is that it would be there and he could use it in negotiations so that we could get some adjustments, at least voluntarily, in reducing our imports—from other countries that affect us adversely.

Mr. BEERMANN. Mr. Speaker, will the gentleman yield?

Mr. BROMWELL. I yield to the gentleman from Nebraska.

Mr. BEERMANN. Mr. Speaker, I want to thank the gentleman from Iowa [Mr. BROMWELL] and also the gentleman from

North Dakota [Mr. Andrews] for taking the time to discuss this problem today as well as all of our colleagues on both sides of the aisle who have joined in this discussion.

Mr. Speaker, a week ago today at about this very hour, it was my privilege to address the 40th annual meeting of the Producers Commission Association at Sioux City, Iowa. This cooperative livestock marketing association has about 9,000 active members in Iowa, Nebraska, South Dakota, Minnesota and approximately 900 of them were at the meeting.

I discussed several reasons that influence lower livestock prices, three of which are meat imports, feed grain program, and the increase in domestic livestock numbers.

Just prior to my address, the association passed a resolution—very democratically, I would say, because the president of the association called for the yeas and nays and gave them sufficient time to respond—and it was a very enjoyable meeting.

Mr. Speaker, I would like very much to have the resolution put in the Record at this point.

The SPEAKER pro tempore. Without objection, it is so ordered.

There was no objection.

The resolution referred to is as follows:

PRODUCERS COMMISSION ASSOCIATION STOCK YARDS, SIOUX CITY, IOWA—IMPORTS

Be it resolved, That the membership of the Producers Commission Association of Sioux City, Iowa, does at this, our 40th annual meeting in Sioux City, Iowa, January 16, 1964, take a position in regard to imports of meat and meat products as follows:

1. That quotas be set on imports of meat and meat products of beef, pork and lamb, into the United States at such levels that there will not be a depressing effect on prices of domestic beef, pork and lamb.

2. That tariffs on meat and meat products imported under these quotas shall not be lowered to levels below those now in effect.

3. That when any imported meat or meat products are offered to consumers in fresh or frozen form, or as an ingredient in manufactured foods that the fresh, frozen, or manufactured food carry a label which sets out clearly that it is in fact an imported meat item or includes imported meat items; and further

That the manager and officers of this association be instructed to make known this three-point position on meat imports to the Secretary of Agriculture, the Office of International Trade of the United States, State Department, and all U.S. Representatives and U.S. Senators serving the trade territory of this association, and, finally, that they communicate with and work with the National Live Stock Producers Association, American Farm Bureau Federation, American Cattlemen's Association, and related organizations to make known this position and effect its acceptance as policy.

Adopted: Annual meeting, January 16, 1964, Sioux City, Iowa.

Mr. BEERMANN. Mr. Speaker, I, too, would like to join my colleagues in expressing intense disagreement with Secretary of Commerce Hodges' remarks about the cattlemen whining. What Mr. Hodges mistakes for a whine is really a cry of distress. And the reason that it is repeated and repeated, to Mr. Hodges' irritation, is because cattlemen do not know where to direct it.

All cattlemen are told is that the Australian and New Zealand imports, which are destroying their industry, are being "negotiated." They are never told who is doing the negotiating or who will make the final decisions.

Frankly, Mr. Speaker, I cannot find out who is responsible either. I also attended the briefing with Governor Herter on livestock imports that other day and asked this question. The only answer I received was that the decisions would be made by the "executive branch." Does that mean Mr. Freeman, Mr. Hodges, Mr. Herter, or President Johnson? I would be pleased and I am sure the cattlemen would be, too, if whoever is responsible for the decision on imports would step forward and identify himself. Then cattlemen could take their problems directly to this person and would not have to annoy Mr. Hodges. However, as long as the cloak of anonymity is up, then just so long will Mr. Hodges have to put up with cattlemen's cries of distress.

Mr. Speaker, I want to point out that the cattlemen, while fiercely independent, are the most frustrated people on earth today. Besides coping with all the natural hazards of their industry like anthrax, black leg, red nose, and weather—they are now undergoing the additional risk of Government-condoned foreign competition. And while cattlemen might vaccinate against the diseases I have mentioned, they sure cannot vaccinate against risks encouraged by Government. Is it any wonder they cry out in frustration?

Let me emphasize—Government is the cattleman's biggest problem. It hampers his operation with regulations and it taxes his profit unmercifully when he makes one. Now it sits idly by while his natural market is being gobbled up by foreign imports.

Frankly, Mr. Speaker, cattlemen are becoming extremely spooky. If my colleagues do not know the meaning of "spooky," let me define it as a tendency to stampede. The reason cattlemen are so spooky is because they have watched a series of other industries—glass, pottery, glove, cotton, and tobacco, to mention a few—get into deeper and deeper trouble as the result of Government manipulations. Cattlemen are also watching while imports are ruining the cattle industry in Hawaii. They want to avoid ruin if they can. Therefore, they are hoping for relief from the present negotiations.

After reading Mr. Hodges' remarks in the newspapers, however, they are not optimistic, since Mr. Hodges hardly sounds sympathetic. In addition, he works in the executive branch and his opinion could well be the "Executive" opinion, the opinion that will accept or refuse final negotiations. Frankly, Mr. Speaker, after the cattlemen have consulted with various departments here in reference to the negotiations, they feel they are the stakes in an international poker game and they do not like the idea one bit.

Perhaps we could understand the cattlemen's apprehension a little better if we probed a little deeper into some of Mr. Hodges' official remarks. For instance, on November 15, 1962, Mr. Hodges, in an interview with the China Mail, a Hong Kong newspaper, told textile producers there they could look forward to a much greater expansion of their textile exports to the United States. Here is the article as it appeared in that newspaper:

HODGES' MESSAGE OF HOPE FOR HONG KONG

Now that the textile dispute has been settled you can look forward to great expansion of exports to the United States.

Hong Kong can look forward to a great expansion of her exports to the United States, now that the textile dispute has been settled, Mr. Luther M. Hodges, the American Secretary of Commerce, said before his departure today.

He said that the United States is an extremely favorable market for the colony and there is no ill-feeling against "made in Hong Kong" products.

His advice for Hong Kong manufacturers was to devote more effort and money to research.

He said industries here should not limit themselves to any particular products or market.

He described the bustle and activity he saw in Hong Kong as "fantastic."

The mental attitude of the people in Hong Kong is excellent, he said. He believed that people in Hong Kong generally wanted free trade.

He said the textile dispute between Hong Kong and the United States created some misunderstanding in both countries.

But this, he said, had been cleared up and future trading patterns would follow orderly arrangements under the long-term Geneva agreement.

Remembering that the greatest threat to the textile industry is competition from foreign imports, and remembering that these imports are possible only because of Government subsidies, Mr. Hodges' public remarks are difficult to reconcile.

One more point, Mr. Speaker: Mr. Hodges has suggested that the American cattleman solve his problem by "getting to work selling American beef to other countries." Cattlemen hear this advice and then probably ask "Where?" since I am sure the Secretary knows that every nation with which the United States now trades in any volume of livestock or meats, except Canada, provides substantial and very effective nontariff protection for their domestic producers. Canada is the only country with which any appreciative degree of reciprocity exists. Therefore, any sudden surge of American imports into any of these nations would surely result in more and quicker restrictions to protect local producers.

Mr. Speaker, since the United States is among the most liberal in the world in its agricultural import policies and since all major countries with the exception of the one I have mentioned, Canada, provide a much higher degree of protection for the domestic livestock production than we do, I think cattlemen are perfectly justified in asking import restrictions on the countries destroying their industry. Here is why:

First. Australia, the largest exporter of beef and veal and mutton to the United States, prohibits imports of cattle and sheep and imports of hog and pork products from the United States under a health restriction. Also, the Government's Tariff Board has the authority to impose emergency tariffs or other types of import controls whenever it is deemed necessary to protect domestic producers against competition from imports.

Second. New Zealand, the largest exporter of lamb and second largest exporter of beef and veal to the United States, prohibits imports of most meat and other packinghouse products.

Third. Ireland, the third largest exporter of beef and veal to the United States, generally restricts all livestock and meat products by requiring import licenses. Tariffs are high.

Fourth. Trade barriers severely restrict U.S. exports of livestock and meat products to Mexico. This is one of the two large exporting countries of live cattle to the United States. If these controls were lifted, U.S. exports would rise sharply. Import permits from the Ministry of Industry and Commerce are required for most products. Imports are also subject to high tariffs, and imports of slaughter livestock are prohibited.

Fifth. Denmark, one of the largest exporters of pork to the United States prohibits entry of such products from the United States under a health restriction. Also, annual "licensing budgets" are set up each fiscal year denoting global import quotas with quantity, value, and items specified.

Mr. Speaker, now is the time for action and I respectfully request early action by the man who can do the most the quickest—the top man in the executive branch—President Lyndon B. Johnson.

Mr. BROMWELL. I thank the gentleman.

Mr. Speaker, I ask unanimous consent that the gentleman from Kansas [Mr. SKUBITZ] may extend his remarks at this point in the RECORD.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Iowa?

There was no objection.

Mr. SKUBITZ. Mr. Speaker, I want to commend my colleagues from North Dakota and Iowa for bringing this matter to the attention of the Congress. If the Secretary of Commerce, Mr. Hodges, is guilty of making the statement attributed to him it is unfortunate and regrettable. Frankly, I know of no group that has asked less of the Federal Government than those connected with the cattle-producing industry. They have faced up to their problems and met them head on. They oppose bureaucratic meddling. But when every country of the world has established some sort of restrictive barrier to stop or limit meat imports while our country remains an open market, when beef imports were up 13 percent in 1963 over 1962 and that represents 11 percent of our domestic production. All this, while our own beef production is going up and the bottom has dropped out of prices, the beef producers have a right to ask and are entitled to positive action on the part of their Government.

On January 16, a number of us met with Secretary Freeman to learn what steps the Department was taking to limit imports. I think I am correct in saying that the Secretary informed us that efforts were being made to get the Australians and New Zealanders to enter into voluntary agreements. Talk is fine—but the prospect of a voluntary agreement with Australia and New Zealand is uncertain. Looking at the issue from the standpoint of the Australians, why should they agree to a limit on imports? There is no real barrier to their entry into the U.S. market now and the likelihood of future restrictions does not appear imminent.

Unless the Secretary's hand is strengthened by congressional legislative action or unless the Australians can be convinced that their long-range self-interest is impaired by a further decline in the U.S. market price or if some other benefits should be forthcoming, it does not seem logical to assume that they would accept a limit on their exports of beef and veal to the United States.

On January 20, 20 Members of this body, including myself, conferred with Gov. Christian A. Herter of the State Department. We were cordially received, politely listened to, but accomplished nothing, learned nothing—except that this matter of beef imports is under consideration. Unfortunately our State Department apparently has assumed the attitude that the farmers and livestock producers are "expendable pawns" in the chess game of international politics.

If the livestock industry is to get relief it must come from pressure by Congress. Our State Department seems to be sympathetic but more sympathetic toward other countries. Our Department of Agriculture has no weapons at its disposal to bring about a satisfactory solution by a voluntary agreement. If the livestock producer is to get relief it must come from the Congress through pressure on the executive branch. As I view it, there are two avenues of approach: First, under the Sugar Act, Australia has a country quota of 43,339 short tons, raw ratio, under the present law but she shipped an additional 180,367 tons under global purchase making total Australian sales, in the United States in 1963, 223,706 tons. We are not bound in any way to purchase the extra 180,000 tons from Australia.

Although the domestic quotas were extended for 5 years in the 1962 act, the foreign quotas were extended for only 2 years. Therefore, legislation must be passed before December 31, 1964, to extend the authority for obtaining foreign sugar.

If the President should recommend and the Congress should pass sugar legislation granting Australia an increased sugar quota, it is hoped that nation might be more receptive to limiting its exports of beef and veal. If they are not receptive, we should then consider removing Australia's sugar quota.

Second, the Committee on Ways and Means could face up to its constitutional responsibility. There are a number of bills pending before the committee dealing with beef imports, including H.R. 9526 which I introduced. Unfortunately, through the years the Congress has surrendered its constitutional authority to the executive branch. This committee and Congress can act and it is time they did so. If hearings were begun the hands of the Secretary would be strengthened in his effort to reach a meaningful voluntary agreement. Let us start protecting our own national interest before we have no interests to protect.

Mr. BROMWELL. Mr. Speaker, I have listened with a great deal of interest to the statements that have been made this afternoon by my colleagues, in such number as most certainly to impress the Nation with the scope of this problem and the sincerity with which the problem is being approached here in the Congress—if not with the possibilities for its immediate solution.

The remark of the Secretary of Commerce last week was regrettable because it demonstrates either a failure to grasp the problem or an unwillingness to deal with it.

The fact remains there is a grave problem in the livestock business and the problem will remain with us for some time.

Many figures have been stated here on the floor of the House this afternoon and I would associate myself with the use of those figures.

I should like to add a few more, to demonstrate the importance of the solution of this problem to the Nation at large.

Farmers of the State of Iowa produce the meat for 26 million Americans. I repeat, 26 million Americans in 50 States receive their meat and meat products from the State of Iowa. This is about one-eighth—1 pound out of every 8—of all the meat consumed in the United States.

What happens in this industry is extremely important to the State of Iowa, and I submit that by the same token it is extremely important to the Nation. When the cattle market fell off abruptly in the fall of 1962 it cost the farmers of the State of Iowa $140 million. It cost the farmers of our one State alone that much.

I am inclined to believe that the decline in cattle prices to which the Secretary of Agriculture has referred as costing $170 million over a period of 2 years does not take into full account the effect of the precipitate drop in cattle prices in the fall of 1962.

Last Wednesday, together with the junior Senator from Iowa [Mr. MILLER], I attended a meeting of livestock producers and others in related industries in Des Moines. This meeting was called by the secretary of agriculture of the State of Iowa, Mr. L. B. Liddy. It was called for the purpose of discussing there the same problem we have discussed here today.

That meeting was attended by 100 to 125 interested persons; secretaries of agriculture of Wyoming, North Dakota, and South Dakota either were present or were represented at the meeting; representatives of national livestock producers associations and representatives of Iowa State livestock producers associations were present. They expressed their concern in varying terms. They dealt with the facts.

I spent the entire day in their company listening to what they had to say from the rostrum and visiting with them personally. I was most impressed by one fact, which was the general concurrence—I would say unanimous agreement, which was later reflected in a resolution prepared by that group—that what is needed is quota legislation and that it is needed now. Needed forthwith.

One might have expected, in view of all the statements which have been made in derogation of the position that import controls are necessary, that there would have been widely mixed or varied points of view, because the people who were there, although related, to be sure, in terms of economic interest, were not necessarily related on the basis of their thinking as to the problems of the agricultural industries.

I point out that the people who were at the meeting were deeply skilled. In many cases they were people who had spent lifetimes not only in the practical end but also in the scientific end of this business. There was represented, for example, the faculty of Iowa State University at Ames, Iowa. There were representatives of the American Meat Institute and representatives of meatpacking concerns, and so on.

I mention this to emphasize again the scope and the breadth of the knowledge available.

The opinion was unanimous that what was needed was quota legislation and that it was needed swiftly.

I should like to mention two other things which I believe have not been mentioned this afternoon, at least from the point of view I should like to mention them.

In laying the case for the American livestock producer before the American people we can start with something which the American people full well appreciate. We can start with the existing feed grain program.

Now, the feed grain program, not only the existing one but its predecessors, have been subject to strenuous attacks in the metropolitan press because of the costliness of them. No one can deny that they are costly, but one of the most interesting aspects of the debate on feed grain legislation, in this body and even in the Committee on Agriculture of the House, which is skilled in these matters, is that feed grain is conceived of as a cash commodity. Those of us who live in the Corn Belt know that it is not a cash commodity. It is primarily a basic raw material for the livestock industry. That is why they call it feed grain—8 out of every 10 pounds, 8 out of every 10 bushels, and 8 out of every 10 carloads produced of feed grains is fed to livestock. It does not come to us in the form of oatmeal and corn flakes but is fed to livestock substantially in the form in which it is grown and comes to us as bacon and steak. The only purpose of a feed grain program is to provide elements of stability in the grain market, which will permit the farmers of the Middle West to feed that grain more profitably to hogs and cattle. Livestock farming is a high-cost, low-profit industry, and unless one can see his corn walk off the farm, he has not only been an unsuccessful livestock producer but he has been an unsuccessful feed-grain farmer.

The feed grain program which we have supported as a people at great cost is jeopardized to its very foundation by a weakness in the livestock market which will prove devastating to ever so many farmers unless the matter is quickly corrected. I am going to take this liberty to go back in history a little bit and to refresh the recollection of the House on one point. When the present feed grain law, that is to say the initial law, which was enacted in 1961, came to the floor of this House, concern was expressed by ever so many people from the Grain Belt over the price of corn which would be established in the free market by the Secretary. It was not only suggested or threatened but it was absolutely promised flatly on the floor of this House that the price of free corn would be $1 a bushel. A part of the opposition that arose to this legislation came from the people in the livestock areas who said, "If you give us this raw material at $1 a bushel, you are likely to jeopardize the livestock industry."

Mr. Speaker, the livestock industry is jeopardized and corn has been $1 a bushel since that legislation. I think this is worthy of mention.

That is water over the dam. That is behind us. This is a part of this expensive program. Unless the price of livestock is restored and sustained, the feed grain program will have been a total failure. It will not have kept anybody in business, but indeed it will have substantially contributed to putting them out of business.

Mr. BEERMANN. Mr. Speaker, will the gentleman yield?

Mr. BROMWELL. I yield to the gentleman.

Mr. BEERMANN. There have been only a couple of times in history when the livestock industry made money on cheap feed. The industry says and traditionally believes that times of good feed prices, higher than they are at the present, are the best times to feed. Most of the livestock producers do not like cheap feed which this administration, as you have so ably pointed out, has forced onto the farm economy.

Mr. BROMWELL. I thank the gentleman from Nebraska.

Mr. JENSEN. Mr. Speaker, will the gentleman yield?

Mr. BROMWELL. I will be glad to yield to the gentleman from Iowa.

Mr. JENSEN. I want to compliment the gentleman, my colleague from Iowa, for his fine presentation relative to the problem not only of the grain farmer but the livestock farmer, a problem which they are experiencing today and have been for quite some time. Of course, I do not have to tell him that the farmer has been in a price-cost squeeze for many years past. The gentleman who is now addressing the House, along with about 40 other Members of Congress from the Middle West and the South in the cattle producing areas of the country, talked with Mr. Freeman and a number of us have talked to the Secretary of State, and I might tell you I even talked to the President of the United States about this problem. I am sure the gentleman will agree that we have had very little satisfaction out of meetings that we held with these high Federal officials. It seems to me that the cattle men are completely stymied in their attempt to have the Congress or the administration or the Tariff Commission do something about these terribly low prices of cattle. Our tariff, of course, has been reduced constantly over the years on meats of every description. To find a method by which we can get these prices up through legislation seems to be a Herculean task almost beyond anybody's power to achieve.

I know the gentleman is a farmer in his own right and knows what have been the problems of the farmer. I only hope that we can do something for cattle men, but right this minute I can only say that it looks pretty hopeless; does the gentleman agree with me?

Mr. BROMWELL. Mr. Speaker, very reluctantly I do agree with the gentleman that at the moment it appears relatively hopeless. That is why we are here this afternoon to talk about it. Let me mention this point. There has been talk about increasing the sale of meat abroad. The consumption of beef has risen continuously over recent years domestically. Few industries have done nearly as good a job not only in producing at a low cost—the finest cattle, the kind you seek to get steaks from at fancy prices—sell for a price of 22 to 25 cents a pound to the farmer. Few people have done such a job in producing or in merchandising, and this is important—merchandising—as has the livestock industry. They are not subject to criticism on this point.

I would like to make this clear, as I understand it. The case is not being made realistically currently for the complete curtailment of all imports from outside. We recognize the complexities of foreign trade. I think most of the American people would be shocked to discover that there is no way to control the importation of meat at the present time which is effective. There is no way to control it, there is no mechanism. We have sat here in the United States and have idled millions and millions and millions of acres at the taxpayers' expense while we have brought in surpluses from outside the country. And they have come in at a continually expanding rate. What we have been doing is to take a snapshot at 5 percent to 6 percent of our consumption coming in from outside or a snapshot at 10 percent and our leaders in the administration have said that, "This is not serious, it is only such-and-such a percentage."

What we are talking about is not the amount of meat we imported in 1962. It is what we have imported in 1963 and what we are going to import in 1964. It is going to be more than that. It is going to continue to be more until the American people take hold of the thing and impose some kind of control on it. We have a right to control this.

We are watching at the present time a double passing of the buck. Mr.

Speaker, we have looked without any success to the administration. It was only about 90 days ago that the Secretary of Agriculture stated in my district, where more fine, fat cattle are produced, I suppose, than in any district in the United States, that this matter of imports was not serious, while those people stood there looking at him and listening to him were losing $40 a head on every animal in their feedlots.

What has been done is to ask some unidentified negotiator to go to our friends who are sending meat in here and ask those people not to sell us so much stuff. If the people in the livestock area can be excused for it, they are not expecting much from this kind of negotiation. It is not the responsibility of the people of Australia and New Zealand to protect the American livestock farmer. That is our responsibility. If our Government will not interpose its strength between our farmers and disaster, we can expect the people in Australia and New Zealand to continue to send meat in here.

Mr. EDMONDSON. Mr. Speaker, will the gentleman yield?

Mr. BROMWELL. I yield to the gentleman from Oklahoma.

Mr. EDMONDSON. I agree with the gentleman; it is not their responsibility to protect our market. Does not the gentleman believe they would have a very definite interest in preserving a healthy price level for that country in not running the price down to a level on which neither the Australian producer nor the American producer can make money? I think that is what they are doing. I think there is at least a shred of hope in the negotiations going forward that they will realize this will be ruinous for the New Zealander and Australian and for the U.S. meat producer if they do not change their ways.

Mr. BROMWELL. I would hope so. I would hope that would be the case, and I agree with the gentleman this would be a sound motivation on their part.

The point I am making is we have in the United States the initial responsibility for making a decision as to how we will protect the American livestock farmer. The whole thing is now hanging fire between these anonymous negotiators and some outside country as to what kind of a level we shall reach in controlling these imports. But we have a responsibility which goes beyond this. We have a legislative responsibility.

I was most interested in the remarks of the gentleman from Colorado when he was referring to the problems which are inherent in the distribution of meat. That is a problem for the American housewife, and the American farmer with these fine animals he has been spending years in cultivating, the American farmer who with this 22- or 25-cent-a-pound price watching his wife go to the supermarket and paying $1 or more for that meat—this is a problem that the two have in common.

We ought to take a look at this whole picture all the way from the corncrib to the frying pan. As a matter of fact, we should go behind the corncrib to the pastures, and have a look at the whole problem. But that is our responsibility.

They talk about the Tariff Commission having hearings induced by a Senate committee talking about this matter. The Tariff Commission is not going to get around to those hearings until April. By that time there will be another crop of calves, the pastures will green up, and the farmers are going to have to look at the market at that time and sell their calves for fattening. That is the time the Tariff Commission will take that matter up. By the time negotiations are finished under our present laws the snow will be here again, and there will be another crop of calves on their way.

Mr. JENSEN. Mr. Speaker, will the gentleman yield?

Mr. BROMWELL. I yield to the gentleman from Iowa.

Mr. JENSEN. I think it should be said time and time and time again that the American farmer, with the aid of the people that market foodstuffs, is feeding the American people and has for years for about 24 percent of their income. Yet we have folks that will say, "Well, we have to look after the consumer's interests, too." Well, of course we have to, but I do not think we should feel dutybound to keep the farmers in a cost-price squeeze and drive them to the wall as long as they are feeding the American people for 24 percent of their income, when the rest of the world on an average is paying over 60 percent of their income just for food.

A few years ago the people of India were spending 89 percent of their income just for food. Many nations of this world spend as much as 75 percent of their income just for food. Yet the American farmer and the businessmen who market the food to the people are feeding the American people and feeding them better than any of the rest of the people in the whole world for about 24 percent of their income.

Mr. BROMWELL. Mr. Speaker, I should like to conclude what I have to say by turning back to the area of responsibility which I think we have. I think we can submit that the Secretary of Agriculture, indeed perhaps the Secretary of Commerce, too, have a responsibility for being creative in this field and for advocating the interests of the American livestock industry. Sad to relate, the response we have received to the moment is zero, zero in terms of getting something done in the areas in which we need action forthwith. We may not be able to affect the attitude of the Secretary or of the people in the Department or of the Secretary of Commerce in this area, but we cannot avoid our own responsibility. I submit that we have the duty, and I call on the chairman of the Committee on Agriculture to look into this matter to proceed with hearings in this area, and to produce some results whether the Secretary of Agriculture recommends it or not.

Mr. HORAN. Mr. Speaker, will the gentleman yield?

Mr. BROMWELL. I yield to the gentleman from Washington.

Mr. HORAN. I just want to point out as we conclude that in no sense have the livestock men that I have heard been asking for punitive tariffs, but they do want their share in the market that they themselves helped to create in America. They do feel they should have quotas, that they should know exactly how much of that market they are expected to share with producers abroad.

Mr. BROMWELL. I thank the gentleman, and I agree with what he has had to say.

NASA LAUNCHING OF RELAY II COMMUNICATIONS SATELLITE

Mr. HARRIS. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Arkansas?

There was no objection.

Mr. HARRIS. Mr. Speaker, the National Aeronautics and Space Administration on Tuesday last, January 21, 1964, successfully launched Relay II, the second Relay communications satellite.

I was privileged as one of the observers to be present at this occasion. As chairman of the Committee on Interstate and Foreign Commerce, I was invited to participate in this most interesting incident. The gentleman from Texas, our colleague, Hon. WALTER ROGERS, chairman of the Subcommittee on Communication and Power of our committee, was also invited, and he, too, witnessed the successful launching of Relay II.

Mr. Speaker, it is rather phenomenal that this was the 22d straight success for the Delta launch vehicle which boosted the new relay into orbit of some 4,600 miles apogee and about 4,300 miles perigee. It is now orbiting the earth about every 3 hours and 15 minutes while moving in a path inclined 47° to the Equator.

Mr. Speaker, the National Aeronautics and Space Administration issued a release of the launching which describes the mission of this work, its objectives, and contains a description of its operation.

I ask unanimous consent, Mr. Speaker, that it be included at this point in the RECORD along with the technical description of the space craft and systems operation.

The SPEAKER pro tempore. Without objection, it is so ordered.

There was no objection.

The matter referred to is as follows:

Relay's mission is to continue the work of its successful sister satellite, Relay I, which is still orbiting more than a year after launch, and to provide an evaluation of improvements built in the new spacecraft. Its communications experiments, including television, will help determine the feasibility of this type spacecraft in future operational space communications networks.

At the same time, engineers will get a better estimate of the spacecraft's lifetime. The expanding network of ground stations around the world will get an opportunity to work with two Relay satellites. The new Relay will send back to earth data of radiation encountered and the degradation radiation may cause the spacecraft's components.

SUPERVISION

Direction of the Relay program is under NASA's Office of Space Science and Applications with direct management of the project under NASA's Goddard Space Flight Center, Greenbelt, Md. RCA's Astro-Electronics Division, Princeton, N.J., built the spacecraft under contract to GSFC. The

Delta launch vehicle was built by the Douglas Aircraft Co., Santa Monica, Calif.

RELAY I STILL OPERATING

Relay I, during its more than a year of operation, has made many telecasts between the United States and Europe, and several—including the first TV transmission to Asia—were made to Japan from the United States. More than 2,000 experiments were made during the 300 hours of transmission time.

It was launched December 13, 1962, had a life expectancy of 6 months to a year, but is still going strong. It was supposed to have been shut off at the end of the year by an automatic timing device which failed to work. The device, an electrolytic solution, was to have eaten its way through the main power lead about a year after launch. However, it failed to do so. Scientists believe that spacecraft temperatures, lower than anticipated, apparently affected the rate of destruction by the electrolytic solution.

Before launch, the spacecraft's television and radio transmitting equipment was not expected to be operating properly after 6 months to a year in orbit. Therefore, it was considered better to shut down all transmissions completely, including the occasional beacon signals that merely take up a frequency that could better be used by other satellites.

IMPROVEMENTS

The new Relay, identical to Relay I in most respects, has no automatic cutoff device. Scientists want to learn how long this one can communicate. It has N-on-P (negative on positive) solar cells which give greater resistance to radiation than the P-on-N solar cells on the previous Relay.

Other component changes are different transistors for the voltage regulator; electrically operated mechanical switches to assure ability to turn off transmitting equipment; relocated temperature measuring devices and a new traveling wave tube. The traveling wave tube transmits the television or radio signal through the spacecraft antenna to the ground.

The newest Relay, like Relay I, can transmit one-way wide-band communications (television, 300 one-way voice channels or high-speed data) or two-way narrowband communications (12 two-way telephone conversations or teletype, photofacsimile and data).

IMPROVED VISIBILITY

After launch, Relay will be in excellent mutual visibility position between North America and Europe for transmission of television between the two hemispheres. On various orbits around the earth the satellite will be in position to transmit programs up to an hour or more in length between Europe and the United States. This will gradually lengthen until April when there will be periods of as much as 70 minutes mutual visibility time. This time will drop as the high point of the spacecraft's orbit moves into the southern hemisphere, ultimately bringing only 10 to 12 minutes of mutual visibility time from about mid-July to 20 to 30 minutes in October and increasing back to the maximum as the satellite apogee moves back north.

Mutual visibility with Japan, which will be about 40 minutes at maximum, will decrease to nothing by mid-July and continue with no mutual visibility until mid-November.

On the whole, this satellite will be in much better mutual visibility relation to Europe, South America, and Asia than Relay I. During the first month, it will afford opportunity to conduct tests of 15 to more than 50 minutes duration three times a day between United States and oversea ground stations.

EXPERIMENTS AND DEMONSTRATIONS

Wideband experiments and demonstrations will be conducted between stations in the United States (the American Telephone & Telegraph station at Andover, Maine, and the NASA/Goddard Station at Mojave, Calif.); the United Kingdom General Post Office station at Goonhilly Downs, England; the French National Center for Telecommunications Studies station at Pleumeur-Bodou, France; and the Kokusai Denshin Denwa station at Hitachi, Japan. The West German Deutsches Bundespost is currently operating on narrowband from a portable station at Raisting, Upper Bavaria. A German wideband station will become operational this year, as will a ground station of the Scandinavian countries located at Goteborg, Sweden.

Narrowband experiments and demonstrations—two-way telephone, teletype, and data transmission—will be conducted between the International Telephone & Telegraph Federal Laboratories ground station at Nutley, N.J., and one near Rio de Janeiro operated by Radio International do Brasil by authority of the Brazilian Department of Posts and Telegraphs.

One-way voice and teletype as well as reduced quality wideband tests will be received from the United States and Brazil at Fucino, Italy, about 50 miles northeast of Rome. Telespazio is the cooperating organization in Italy.

TRACKING

As soon as Relay is injected into orbit the worldwide NASA STADAN (space tracking and data acquisition network) will begin to track and receive data from the spacecraft. Data will be transmitted to the Goddard Space Flight Center Operations Control Center for analysis by Relay project officials.

THE RELAY TEAM

NASA headquarters: Dr. Homer E. Newell, Associate Administrator for Space Science and Applications, overall program management; Robert F. Garbarini, Director of Applications; Dr. Leonard Jaffe, Director, Communications and Navigational Satellite Programs; Donald Rogers, Relay Program Manager; Edmund Buckley, Director, Office of Tracking and Data Acquisition; C. P. Wilson, Tracking and Data Acquisition Program Support; T. Bland Norris, Delta Program Manager.

Goddard Space Flight Center: Dr. Harry J. Goett, Director; Daniel G. Mazur, Chief, Satellite Systems and Projects; Alton E. Jones, Chief, Communications Satellites; Wendell Sunderlin, Project Manager; Robert H. Pickard, Spacecraft Manager; Gilbert Bullock, Demonstrations Coordinator; William Schindler, Delta Coordinator; Thomas E. Ryan, Tracking and Data Systems Manager; Robert Gray, Chief, Goddard Launch Operations Branch.

Radio Corp. of America (spacecraft contractor): R. A. Dunphy, project manager.

Space Technology Corp. (test operations): B. N. Abramson, program director.

Douglas Aircraft Co. (vehicle contractor): Garry F. Hanson, field station manager, JFKSC, Missile and Space System Division; John Kline, chief Delta system engineer.

TECHNICAL DESCRIPTION

The Relay spacecraft and systems operation

Outwardly, the new 172-pound Relay spacecraft looks exactly like Relay I except for the darker color of its solar cells.

Here are the changes made:

1. N-on-P instead of P-on-N solar cells, for greater resistance to radiation. The N-on-P cells should deteriorate only about 20 percent during a year, compared to about 50 percent for P-on-N cells.

2. Shortly after the launch of Relay I, transistors for the high-power voltage regulator would not turn off. This caused a voltage drop that impaired operations for a while. Improved transistors have replaced those of Relay I.

3. Magnetic latching relays added to the wideband power supply to provide a second, redundant, way to turn off the power supply by ground command in case Relay I's trouble develops again.

4. Temperature sensors added near the voltage regulator transistors to detect, by telemetry, if and when their temperature becomes critical. Five sensors have been relocated.

5. New unpressurized traveling wave tubes will be used on this Relay in addition to a pressurized tube like those in Relay.

6. Command circuitry has been improved so that stray radiation on the same frequency (148 megacycles) will not generate spurious commands. Command transmitter power at NASA's Nutley and Mojave test and command stations has been increased to provide more reliable command capability.

7. Elimination of the 1-year timer used on Relay I.

Size and characteristics

The new 172-pound Relay spacecraft is an eight-sided prism which tapers at one end. It is 33 inches high and about 29 inches in diameter at its broad end. The 18-inch-long wideband communications antenna extends from the narrow end of the body, giving it a total height of 51 inches. Four whiplike telemetry antenna extend from the broad end of the satellite at about 45° angles.

Relay's shape was selected to permit use of the Delta vehicle's low-drag fairing. The components are attached to a fabricated aluminum frame or chassis or to tubular rings which encircle the top and bottom of the chassis. The exterior, composed of 8 honeycomb aluminum panels studded with 8,215 solar cells, is attached to the chassis rings and gives Relay its octagonal shape. The solar cells, covering the outer entire surface, except the top and bottom of the structure, provide power to 3 nickel-cadmium storage batteries containing 20 cells each. The average requirement from the solar cells to maintain sufficient power for spacecraft operations is 45 watts. The N-on-P solar cells are shielded to prevent excessive radiation damage encountered in the space environment.

For reliability, Relay has two identical transponders. In the event one should fail, the other can carry out the communications tests. Under normal operating procedures, selection of the transponder to be used during a test will be made by ground command from the test station. The unpressurized traveling wave tube, especially designed for Relay by RCA, uses a platinum-cobalt magnet and has an overall efficiency of 21 percent. Each of the Relay transponders can handle wideband one-way signals, such as television, or two-way telephone traffic and other narrowband signals.

Wideband signals are received from the ground stations at a frequency of 1,725 megacycles and transmitted by the satellite to the ground at 4,170 megacycles.

Two-way telephone and other narrowband traffic are transmitted on the following frequencies:

Ground to satellite: 1,726.6 megacycles, West-East and North-South.

Satellite to ground; 4,175 megacycles, West-East and North-South.

Ground to satellite: 1,723.3 megacycles, East-West and South-North.

Satellite to ground: 4,165 megacycles, East-West and South-North.

Telemetry and command equipment

One of the most complex electronic systems carried in Relay is the telemetry and command equipment. It consists of an antenna, two command receivers, two subcarrier demodulators, two command decoders, two telemetry transmitters, one command control unit, and one telemetry encoder. The duplicate units are to insure reliability of the system's operation.

The command system has 20 command channels which control operation of the communication transponders and telemetry system. The signals are received, demodulated, decoded, and applied to the command control unit which performs the switching function desired and initiates a verification signal to be telemetered back to the ground station.

The Relay telemetry encoder is the most complicated single element in the entire spacecraft. It encodes data from sensors within the satellite and transmits to the ground through 128 channels at the rate of one channel per second. The 1-pound encoder comprises 5,186 parts, including 581 transistors, and 1,378 diodes.

Relay will be spin-stabilized at 150 revolutions per minute. A sun aspect indicator and horizon scanner provide telemetry data of the satellite's orientation. The spin axis can be adjusted by a ground signal which activates a coil within the spacecraft. This, in turn, reacts with the earth's magnetic field and provides the torque required to properly orient the satellite.

The temperature within Relay is controlled by a shutter system of aluminized mylar vanes at its broad end. When the vanes are closed, the temperature is at the proper level. To dissipate excessive heat, a bellows controlled by a temperature-sensitive fluid opens the shutter vanes. Temperature within the satellite is expected to vary from 5° to 25° centigrade.

The STADAN stations track Relay's 136-megacycle beacon which operates continually and transmit data to the Goddard Space Flight Center where scientists will compute the orbital elements. This orbital information is the basis for determining Relay's "look angles" which are necessary for the ground station antennas to acquire Relay for conducting the communication experiments.

Just before Relay is mutually visible between ground stations, the NASA test station will pick up the tracking beacon and exercise commands for obtaining telemetry on its operating condition. If the systems are in good condition, the test station then sends another command to turn on one of the communications transponders and set the mode for wideband or narrowband transmissions. Test station operations require about 5 to 10 minutes.

Turning on the transponder also activates a 4,080-megacycle tracking beacon by which the ground station antenna acquires Relay. After the ground acquires Relay and prepares its ground equipment the programed communication tests are carried.

When the tests between ground stations are completed the NASA test station sends a command to Relay which turns off the transponder in order to conserve the power supply. However, should the satellite pass over the horizon before the cutoff signal is received, and automatic timer turns off the equipment 2 minutes after the illuminating signal from the ground is lost. Relay's power supply is designed to permit communication tests up to 100 minutes each day.

The Delta launch vehicle

The NASA-developed, three-stage Delta rocket, built by Douglas Aircraft Co., will be used to launch Relay into orbit. If successful, this will be the 22d consecutive satellite launched into orbit by Delta. To date, the Delta record includes 21 successes and 1 failure. The Delta program is managed by the Goddard Space Flight Center.

The Delta rocket has the following general characteristics:

Height: 90 feet.

Maximum diameter: 8 feet.

Lift-off weight: About 57 tons.

First stage: Modified Air Force Thor, produced by Douglas Aircraft Co.

Fuel: Liquid (kerosene with liquid oxygen as oxidizer).

Thrust: 170,000 pounds.

Burning time: About 2 minutes and 25 seconds.

Delta space weight: Over 50 tons.

Second stage: Aerojet General Corp., JA 10–118 propulsion system.

Fuel: Liquid.

Thrust: About 7,500 pounds.

Burning time: About 2 minutes, 40 seconds.

Delta space weight: 2½ tons.

Third stage: Allegany Ballistics Laboratory X–248 motor.

Fuel: Solid.

Thrust: About 3,000 pounds.

Burning time: 40 seconds.

Weight: About 516 pounds.

Length: 57.5 inches.

Diameter: 18 inches.

During first and second stage powered flight, the Bell Telephone Laboratory radio-guidance system is used for inflight trajectory corrections. It also commands second-stage cutoff when the desired position, velocity, and altitude have been achieved.

Following second stage cutoff, a 19-minute coast period occurs. Near the end of this period, small rockets mounted on a table between the second and third stages ignite and spin up the third stage and the satellite to their proper velocity. The second stage then separates and third stage ignition occurs, giving Relay its final boost toward orbital injection.

FOREIGN POLICY SPEECH BY SECRETARY OF STATE DEAN RUSK

Mr. GIBBONS. Mr. Speaker, I ask unanimous consent to address the House for 5 minutes.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Florida?

There was no objection.

Mr. GIBBONS. Mr. Speaker, it has been a great privilege to sit here and listen to this debate revolving around the problems of the cattle industry. Coming from one of the largest cattle producing States in the Nation, I would like to join with my colleagues and say it is certainly for the good of America that we keep cattle prices at an equitable level so that the cattleman can better grow his crop and produce and sell it. The strength of America depends on us being well fed and being able to support ourselves.

Speaking for my cattle producers, they have asked me and I believe, that they want a minimum—a very minimum of governmental interference in the price structure, particularly in the area of feed grain laws so that they will not have to pay artificially high prices for their feed.

I wish to comment now about a speech given by Secretary Rusk last night in New York.

Mr. Speaker, last night Secretary Rusk took what I believe to be the strongest position yet taken by our State Department concerning our problems with Cuba.

I quote some interesting portions of the speech by Secretary Rusk:

> The first purpose of our foreign policy, and of the military power which supports it, is to defend freedom—without war, if possible. Our foreign policy is designed also to strengthen freedom wherever it exists and to promote it by peaceful means where it is still suppressed.

I quote further from the speech made by Secretary Rusk last night:

> Havana continues to encourage and engage in subversive activities in the Western Hemisphere.

The Secretary also said:

> A few weeks ago the Government of Venezuela uncovered a cache of arms from Cuba intended for terrorists whose objective is the destruction of the democratic Government of Venezuela. The recent unfortunate disturbances in Panama were immediately exploited by terrorists trained in Cuba. In several other Latin American countries, Castro-trained agents are actively promoting violence and terrorism.

While we are speaking about Castro, I point out that Castro's terrorists and subversive experts have even gone so far as to visit that famous island of Zanzibar, now so much in the news, so the threat of Castro is not limited to this hemisphere but is now stretching out into worldwide significance.

I quote further from the speech made by the Secretary last night:

> The continuing dedication of the Cuban regime to active terrorism and aggression in Latin America is a basic reason for our attitude toward free world economic ties with Cuba. We cannot accept the contention that trade with Cuba is comparable to ordinary trade with any Communist country. The Castro regime represents an unacceptable intrusion of Marxist-Leninism into the Western Hemisphere.

I quote further from the speech:

> Those countries which for commercial reasons supply Cuba, especially with goods critical to the Cuban economy, are prejudicing the efforts of the countries of this hemisphere to reduce the threat from Cuba. * * * We think that free nations outside the Western Hemisphere—and especially our allies whose freedom is so actively bound up with ours—should pursue with respect to Cuba policies which harmonize with those of the Organization of American States.

I applaud this speech, because I believe it sounds a reawakening to the threat which still lies in Cuba, a threat demonstrated the other day in Panama, a threat demonstrated in Venezuela, a threat demonstrated now in Zanzibar—that Castro is a part of the worldwide conspiracy to destroy and to bury us. And, further, that he is a very active part of it.

I hope that the Secretary's speech will be heeded by our allies. I hope that those in his Department will heed it. I hope it will give encouragement to the enactment of legislation and the furthering of policies designed to bring Castro down and to lift freedom up in this hemisphere.

PANAMA

Mr. BEERMANN. Mr. Speaker, I ask unanimous consent that the gentleman from Kentucky [Mr. SNYDER] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Nebraska?

There was no objection.

Mr. SNYDER. Mr. Speaker, while the State Department and the administration mumble of peace and peace treaties, at three widely separated strategic points the Communists are busy breaking treaties to take over key bases, important to their scheme of world conquest.

Mr. Speaker, we must realize that the attempt to end U.S. control of the Panama Canal—which we proudly built to link the Atlantic and Pacific—is merely part of a simultaneous effort on three vital free world defense strong points.

First. Moscow has formally backed the efforts of the Greek Cypriots—some 40 percent Communist or Communist controlled—to break a treaty made as late as 1960. This treaty made possible the independence of Cyprus. Both Greek and Turkish Cypriot officials have stated publicly the Reds—active on Cyprus since 1924—seek to make this island Communist. Cyprus is a key to the eastern Mediterranean and an air and potential missile base.

Second. On the island of Zanzibar off the African coast, there is evidence the whole affair was run out of Communist diplomatic missions in nearby Tanganyika. Castro Cubans had a big role. Here a treaty granting independence only last year is torn to shreds.

Third. There is Panama.

In Panama, the Communists are inflaming nationalist sentiment. On Zanzibar, they enticed one race to attack another. On Cyprus, they aroused the Greek Cypriots to attempt to massacre the Turkish minority. The Communists use any excuse, play upon any existing passions to gain strategic victories of utmost importance while we stand idly by openmouthed, not even realizing what is happening.

So now the Communists, having already obtained an unsinkable aircraft carrier, Cuba, off our coast are busy getting an unsinkable aircraft carrier, Cyprus, to control Turkey, Suez, and the eastern Mediterranean, and a third unsinkable aircraft carrier, Zanzibar, to control Africa.

In Panama, the Communists seek not only an air and missile base to dominate South and Central America. They move into position to halt the world's commerce at will and to make of our two-ocean Navy a one-ocean Navy.

Mr. Speaker, the world is being lost under our eyes. Can we bring the State Department thinkers out of their ivory tower above foggy bottom to look, see, and act? Can our leaders stop telephoning Latin America and realize that some of our neighbors have always been jealous of our great accomplishment in joining the two biggest oceans. The interests of the United States and the free world are at stake. This is the time for firmness not appeasement.

ECONOMY IN GOVERNMENT—CUSTOMS SHOWS HOW

Mr. BEERMANN. Mr. Speaker, I ask unanimous consent that the gentleman from New Hampshire [Mr. CLEVELAND] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Nebraska?

There was no objection.

Mr. CLEVELAND. Mr. Speaker, those of us who for a long time have been urging economy in Government certainly welcome all who join in the battle. That economy in Government is possible without sacrificing service or efficiency can be demonstrated.

Too often we criticize agencies of the Federal Government for their failure to exercise thrift and frugality, and forget to praise those agencies that are doing a good and conscientious job in this respect. For this reason I am pleased to congratulate the Bureau of Customs for its significant achievements in realizing efficiencies and economies in the administration of its functions.

In this connection I would like to place in the RECORD and call to my colleagues' attention a letter from a distinguished public servant, James A. Reed, Under Secretary of the Treasury. As Mr. Reed points out in his letter, the accomplishments of the Bureau of Customs in regard to economy are noteworthy. It is a pleasure to extend to this Bureau my congratulations on their achievements:

DEAR MR. CLEVELAND: You inquired some time ago about various aspects of the Bureau of Customs. It occurred to me that a study of some of the key statistics relating to Customs operations would be a graphic representation of the efficiency of this service. Accordingly, I am attaching hereto some of these statistics.

It seems to me that it is significant that between 1947 and 1963, the total Customs collections have increased from $623 million to $1,721,505,000, while Customs employment has actually decreased 12 percent during this same period. When we further reflect on the fact that with all of the tremendous increase in its business activities, the cost to the U.S. Government for Customs to collect $1 has decreased 26 percent, or from roughly 5½ cents per dollar to a little less than 4 cents, Customs' effectiveness becomes even more apparent.

In my opinion, Customs has not received adequate recognition for the truly remarkable job that it constantly performs. Yet while I say this, I should be remiss if I did not point out that Customs is badly in need of larger appropriations in order to obtain the necessary manpower to discharge its manifold obligations which are constantly increasing. Just comparing this year with last year, for example, shows that with respect to nearly every one of our key statistics, Customs has experienced an increase of roughly 6 percent. This trend gives no indication of slowing down, and indeed our projections envision similar if not greater increases in the foreseeable future.

If you have any questions that you might wish to raise with respect to the Bureau of Customs, I would be very happy to endeavor to answer them.

With very best wishes.

Sincerely yours,

JAMES A. REED.

Comparison of key workload items, collections, value of imports, customs employment and cost to collect $1, fiscal years 1947 and 1963

	1947	1963	Percent change
Formal entries	542, 000	1, 629, 000	+200
Carriers arriving	18, 149, 000	47, 888, 000	+164
Persons arriving	78, 948, 000	164, 109. 000	+95
Total customs collections	623, 234, 000	1, 721, 505, 000	+176
Value of imports	5, 386, 956, 000	16, 461, 530, 000	+206
Customs employment	8, 787	7. 763	−12
Cost to collect $1	$0. 0535	$0. 0394	−26

THE SENATE AND MR. BAKER

Mr. BEERMANN. Mr. Speaker, I ask unanimous consent that the gentleman from Connecticut [Mr. SIBAL] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Nebraska?

There was no objection.

Mr. SIBAL. Mr. Speaker, this morning's New York Times carries a thoughtful and well-expressed editorial on the problems of personal ethics for those of us in public service. It is prompted by the latest extremely disturbing disclosures coming out of the so-called Bobby Baker case. The editorial is an accurate measure of the concern which is felt throughout the country about Congress. It raises questions which we must answer in no uncertain terms. I ask that the editorial be printed at this point in my remarks:

THE SENATE AND MR. BAKER

The Senate investigation into the affairs of Robert G. Baker continues to turn up disquieting revelations. But it is not pursuing them as unflinchingly as the best interests of the American people demand.

Congress now has no code of ethics to guide its Members on possible conflicts of interest between their private business pursuits and their duties as legislators. The time has come—if it is not already long overdue—when this difficult and delicate subject demands the fullest exploration, consideration, and then action.

When our new President publicly disclosed that his wife had divested herself of control over her television enterprises, the Nation applauded. Now it has been testified that an insurance man who had sold Mr. Johnson a large amount of life insurance while he was the Senate majority leader made him a present of a valuable stereo set. This the White House denies, asserting Mr. Johnson believed the set was a gift from his longtime protégé, Mr. Baker. The same insurance agent has testified that he paid $1,200 for advertising on a TV station controlled by the Johnson family. He added that he later sold the rights to an advertiser for $160. On this whole alleged episode there was no comment from the White House.

If the President was right in putting aside his family enterprises when he entered the White House, might it not have been better for him to have done the same thing as a Senator, and as Vice President? If the answer is that there are many other Members of Congress with personal or family interests in businesses under Federal regulation, the reply is, once again, that it is long past the time when a higher standard should be required for public officeholders than has been set up to now.

The same Senate committee brought out last week that Senator GEORGE A. SMATHERS, of Florida, made a very handsome profit in a Florida land deal and that he generously cut Mr. Baker and an administrative assistant of the Senator's in on the deal. The chairman of the committee says there was nothing improper in the deal. We do not contend there was; but we think that the American people are entitled to know by what foresight Mr. SMATHERS came into such good fortune, especially as the land was not far from the Cape Kennedy complex.

When it is suggested that the committee should probe more deeply into these matters, we are curtly told that it is investigating Mr. Baker, not Members of the Senate. That may well be the limit of its present authority. But the Senate itself should not be content with such an answer. Out of respect for its own good name it should see that these and other questions arising from the Baker investigation are relentlessly pursued and fully answered, no matter whom they may embarrass.

Mr. Speaker, we in Congress have been very diligent over the years in pursuing breaches of personal ethics in the executive branch. We have been quick to come down relentlessly on the receivers of vicuna coats, deep freezers, free trips, and all sorts of bribery and questionable practices.

The revelations of the past months are deeply disturbing and dangerous because they are undercutting the moral position of the Congress itself. The misbehavior of a few is threatening to tar us all. The situation is extremely serious because an impression is growing throughout the country that there is a corruption in government infecting both branches of government and extending into the very highest places.

Particulars aside—they are being dealt with individually—I strongly believe that we must act promptly to correct a general condition and move swiftly to restore public confidence in our system of government.

We must fairly and openly set for ourselves such standards and procedures for enforcing them that never again can the basic integrity of the Congress be called into question. The only way that I can see that this can be done is through an ethical standards bill for Congress. I am working on such a proposal and shortly will offer it for the consideration of the House.

It will propose to set certain business and financial activities outside the realm of accepted ethical behavior for a Member of Congress.

Whatever is done, however, must be done quickly if we are to retain the confidence of those who sent us here and whose interests should be our only interests so long as we hold office.

SETTING THE CLOCK BACK

Mr. BEERMANN. Mr. Speaker, I ask unanimous consent that the gentleman from New Jersey [Mr. WIDNALL] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Nebraska?

There was no objection.

Mr. WIDNALL. Mr. Speaker, in view of the great interest in the present hearings being held by the House Banking and Currency Committee, with respect to an evaluation of the Federal Reserve System, during its 50 years of service, I am inserting for the RECORD an editorial entitled "Setting the Clock Back," from the Journal of Commerce and Commercial, published in New York on January 22, 1964.

The article follows:

SETTING THE CLOCK BACK

It is rather ironic that in this fiftieth anniversary year of the Federal Reserve System the chairman of the House Banking and Currency Committee, Representative WRIGHT PATMAN, should sponsor a bill to destroy it in its present form.

The Texas Democrat, long an unfriendly critic of our central banking system, has said he does not wish to destroy it, but just wants to change it. Even a hasty glance at his bill suggests that in this case change would be for the worse and would be a setting back of the hands of the clock of progress. The proposed changes would, in effect, be tantamount to destruction.

Mr. PATMAN proposes to do away with the existing 7-member Federal Reserve Board, appointed by the President for 14-year terms, and substitute for it a 12-man board appointed for staggered 4-year terms; its chairman would be the Secretary of the Treasury; a vice chairman and chief executive would be named by the President, who would also name all the others.

The new board would take over the powers of the Federal Open Market Committee, now comprised of the seven Federal Reserve Board members and 5 of the 12 Federal Reserve Bank presidents, at the frequent meetings of which monetary policy is formulated. The existing Federal Advisory Council, which has 12 members, one elected by the directors of each of the regional banks, would be enlarged to an unwieldy crowd of 50 members, two of whom would have to be the Comptroller of the Currency and the Chairman of the Federal Deposit Insurance Corporation.

What is proposed is nothing more than a vehicle under which the agency, which has painfully evolved into one that is almost independent of the Government, would be sold down the river, becoming merely another Government department or division of the Treasury. The vast monetary powers, supposed to be exercised for the public good, free of ordinary political pressures, could be set and carried out according to the whim of the political administration in power.

One can just imagine the edifying spectacle of the Secretary of the Treasury presiding over a board which might buy or sell billions of the Government's own securities which with his other hand he is selling; if he were an unscrupulous person almost anything could be put over on investors and the securities market could be manipulated. Money could be made easy or tight for political purposes; probably it would be always easy and we would be inflated to hell.

Many years ago the Secretary of the Treasury and the Comptroller were ex officio members of the Reserve Board and Congress eliminated them from it not only because no useful purpose was served but because it tended to subordinate the Board to the Treasury. Congress, it may be noted, has been quite circumspect over the years in forcing its views upon the Reserve Board. Individual Members of Congress, notably Mr. PATMAN, have given their opinions copiously.

We suspect that during all these years Mr. PATMAN hasn't liked the idea that the Federal Reserve Board is not accountable to him and is in fact less accountable to Congress than a line department of the Government, although it is, naturally, a creature of Congress.

So is the Treasury, but it is always easier to make the individual head of a Government line department run the congressional gantlet than it is to make an independent board do so. Since the Federal Reserve banks pay all the costs of the Board, it is free of dependence upon Congress for appropriations. Fourteen-year terms of members add to their independence and attract good men.

It is remarkable that Mr. PATMAN's new threats to the Federal Reserve System come at this time, not because of the Fed's 50th anniversary, but because since 1951, when the famous "accord" between the Treasury and the Federal Reserve Board gave the latter back its independence from Government domination, the Board has functioned probably better than at any time in the 50 years. And it has done so in recent years under the chairmanship of William McChesney Martin, Jr., whom Mr. PATMAN delights to badger

There has always been in this country a deepseated popular distrust of either a dominant private money power or a dominant Government-run bank; what happened to the second Bank of the United States could happen again to any Government bank operated by politicians.

Both because of this popular view and public satisfaction, on the whole, with both the setup and policy of the present Reserve Board, we are quite sure Mr. PATMAN's bill has no chance and that most people will shrug off his new cries about a wolf in Federal Reserve clothing.

PEOPLE, NOT LAWS, WILL ELIMINATE PREJUDICE

Mr. BEERMANN. Mr. Speaker, I ask unanimous consent that the gentleman from California [Mr. TALCOTT] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Nebraska?

There was no objection.

Mr. TALCOTT. Mr. Speaker, individuals, not laws—Federal, State, or local—will be the force or guiding light which eliminates discrimination and prejudice.

An important, dramatic example of this truism is the Defense Language Institute, West Coast Branch, at the Presidio of Monterey in California.

Presently there are four races involved: Negroid, caucasian, brown, and yellow.

There are seven religions: Christian, Judaism, Buddhism, Moslem, Taoism, Confucianism, and Hindu.

There are 56 different nations or separate principalities involved.

Here many persons of varying race, color, religion, and state of national origin, within the present U.S. Civil Service regulations, live and operate in an atmosphere of remarkable harmony and compatibility.

With the passage of the civil rights bill, I prayerfully hope that those stanch, vocal, prepassage civil libertarians will not rest on their laurels, but will personally work as conscientiously and assiduously to eliminate prejudice and discrimination as they did to pass another law.

BIBLE READING, PRAYER, CONSTITUTION

Mr. BEERMANN. Mr. Speaker, I ask unanimous consent that the gentleman from Pennsylvania [Mr. SCHWEIKER] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Nebraska?

There was no objection.

Mr. SCHWEIKER. Mr. Speaker, few issues have generated the public interest that has developed as the result of the Supreme Court decision ruling against Bible reading and prayer in the public schools. A number of colleagues and I have introduced bills proposing a constitutional amendment which would permit these practices in our schools on a voluntary and nonsectarian basis. It is my hope that support for such an amendment will increase. I feel my colleagues will be interested in reading an editorial on this subject which recently appeared in the Main Line Times, an outstanding weekly newspaper in my district, and I am including it at this point with my remarks:

Bible Reading, Prayer, Constitution

Not since prohibition has the public so widely and openly violated the law of the land as it has done in flaunting last year's decision of the U.S. Supreme Court which declared unconstitutional the reading of the Holy Bible and recitation of the Lord's Prayer in the public schools. From the outset of this controversy we have strongly disagreed with the High Court's ruling, which as Representative Richard S. Schweiker points out indicates that the Court "has judged that the right not to worship God is a higher and more important right than the right to worship God." Nevertheless we feel that the widespread breaking of the law, however well-intentioned it may be, is not the way to correct this situation.

It is true that the laws of the land should reflect the will of the majority, and there is little doubt that a large majority of our citizens approve of religious exercises in the schools. But the orderly way to accomplish this is not by setting the example of lawbreaking to our children. Rather it is to press for State and national constitutional amendments which permit but do not require students to exercise the privilege of observing religious exercises at the beginning of each school day. A forthright constitutional amendment, such as that supported by Representative Richard S. Schweiker, will remove forever the possibility of court interpretations, which thwart the wishes of the majority of God-fearing citizens in this country with respect to the legality of religious observances in the school. And while we're on the subject of religious exercises in the public schools, we feel it appropriate to emphasize that the present dispute over the constitutionality of this issue highlights the importance of more intensive religious training in the home, to enrich and make meaningful the reading of the Bible and the recitation of the Lord's Prayer. For basically the argument over religion in the schools boils down to the question of whether we want to permit religion to be an integral part of our children's lives, whereby they gain spiritual strength and inspiration in all of their activities at home, school, and church. A resounding approval of constitutional amendments for this purpose will settle the issue once and for all by a legally constituted process.

ROOSEVELT CAMPOBELLO INTERNATIONAL PARK

Mr. EDMONDSON. Mr. Speaker, I ask unanimous consent that the gentleman from California [Mr. Roosevelt] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

Mr. ROOSEVELT. Mr. Speaker, it is my privilege today to introduce a bill to establish the Roosevelt Campobello International Park, and for other purposes, as envisioned by the treaty signed yesterday between Canada and the United States. My colleagues from the State of Maine, Mr. Tupper and Mr. McIntire, have joined me in introducing the bill in the House, and I am pleased that a similar measure is being introduced in the Senate by Senator Muskie.

This bill, of course, is one in which I have a very warm and personal interest. Campobello Island is where I spent many wonderful hours as a boy, where my father taught me to swim and how to sail a boat, where I met my first North American Indian; all this being when Campobello was a true haven from the cares of the world, for there was no telephone and no electricity to or from the mainland. These inadequacies, if such they were, have been remedied in more recent years, but the beauty of nature, especially in summer, was in no way spoiled.

As a park, I am sure Campobello will bring much enjoyment to many American visitors as well as to our friends from Canada. It represents another symbol of the closeness of the people of Canada and our country. Even when I was a boy the formalities of the border were at a minimum, and understanding and friendship between our two peoples has been maintained at all times.

I can think of no finer words than those exchanged yesterday by President Johnson and Prime Minister Pearson at the signing of the international park agreement in the Treaty Room of the White House, and I am happy to include them, not only for the historical record, but for all those who realize that in the relations between Canada and the United States, there is an example for all the world to follow.

The remarks follows:

Exchange of Remarks Between President Lyndon B. Johnson and Prime Minister Lester B. Pearson, Prime Minister of Canada, Upon Signing of Roosevelt Campobello International Park Agreement in the Treaty Room

President Johnson. Mr. Prime Minister and distinguished guests, President Roosevelt would have approved of what we are doing here today. He approved of anything that advanced, however small, the general well being of human beings. So it cheers me to join with Prime Minister Pearson in taking the first step toward establishing Franklin Roosevelt's summer home as a memorial park.

I want to publicly thank Dr. Armand Hammer, Harry Hammer, and Victor Hammer for their most generous contribution in President Roosevelt's memory, and to his deeply held love for the Canadian people. I think that President Roosevelt would be pleased that this is a new and special project. It is, as you know, the first jointly owned United States-Canadian park. This is ample evidence of a close tie between the United States and Canada.

This involves land and people. This is the heart of human concern and national kinship. Canada and the United States are not only good neighbors, but we are good partners. We are going to stay good partners. Each will help the other to stay strong, to stay solvent, to stay stable, and to stay compassionate.

We have no problems that cannot be solved. We have no difficulties that cannot be settled. We have no future that cannot be shared. That is why I am happy, in concert with the distinguished Prime Minister of Canada, Mr. Pearson, to sign this agreement.

I hope that Campobello Park will live eternally as a symbol of our friendship that cannot be shaken or diverted. President Roosevelt would want it this way.

Prime Minister Pearson. Mr. President, may I tell you how deeply I appreciate the privilege of joining you today in signing the agreement which will make possible the establishment of the Franklin D. Roosevelt Campobello International Park.

I recall last May when I was in Hyannis Port when this idea was advanced and we were able to proceed with it at that time through the generosity of Dr. Hammer and his brothers, and through the understanding support and cooperation of the members of the Roosevelt family, the process which began then has now come to the stage of completion insofar as the signing of this agreement is concerned. I am very happy, indeed, to be a part of it.

As you say, Mr. President, this is something of which Mr. Roosevelt would have approved. We cherish this action in Canada not only because it will establish another link in the friendship between our two peoples across our border, that border which is so easily crossed, but also because it will be an eternal memorial to one of the great and towering figures of our age, a man who had done so much for human freedom and one whose memory is as imperishable in Canada, a country which he loved, and in which he spent so much of his time, whose memory will be as imperishable in Canada as it is in the United States.

My colleagues and I are very proud, Mr. President, to be able to take part in this ceremony today.

President Johnson. To some of you here for the first time I would like to point out the beauty of this room is made possible because of the great, dedicated efforts of Mrs. Kennedy. She had just completed the decoration of it. It is known as the Treaty Room. The Indian Treaty was signed here, a number of other treaties. We have had two agreements and one treaty signed since November ourselves.

President Andrew Johnson's first Cabinet met in this room for the first time. It has many things of historical importance here, including its chandelier that hung in my office in the Capitol for a number of years. It had originally been in the White House. But when President Theodore Roosevelt became President, in days before air conditioning, he would have to open the windows in the evening to let the breeze in to keep cool, and the chandelier glass would tingle and keep him awake. So he told the butler one evening to get that chandelier out of here and take it down to the Capitol. The frustrated butler said, "Where do we take it?" He said, "Take it to the Vice President. We need something to keep him awake." So it stayed there, Mr. Prime Minister, for many years, and I guess Mrs. Kennedy finally concluded that I was wide awake and she told me she wanted that chandelier brought back to the White House where it belonged, and her wish was my command.

MEMORIAL SERVICE FOR PRESIDENT KENNEDY

Mr. EDMONDSON. Mr. Speaker, I ask unanimous consent that the gentleman from Rhode Island [Mr. Fogarty] may extend his remarks at this point in the record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

Mr. FOGARTY. Mr. Speaker, under leave to extend my remarks I would like to include an address delivered by President Francis H. Horn of the University of Rhode Island at memorial services for our late President, John Fitzgerald Kennedy, on November 25, 1963, at Edwards Hall.

MEMORIAL SERVICE FOR PRESIDENT KENNEDY, NOVEMBER 25, 1963

The Nation's new President, Lyndon B. Johnson, has proclaimed today, the day of the funeral service of our late President, John F. Kennedy, a "national day of mourning throughout the United States." He has urged that people assemble "in their respective places of divine worship, there to bow down in submission to the will of Almighty God, and to pay their homage of love and reverence to the memory of a great and good man." The Governor of our State, John H. Chafee, similarly has requested that memorial services be held this morning in all the schools of Rhode Island.

We have gathered here together not only in response to these requests, but also because we as a university community, so terribly grieved by the tragic death of President Kennedy, feel the need deep within us for a university ceremony of tribute to the gallant leader who has been snatched so suddenly from us. Each of us in the last few days, regardless of political affiliation or ideological convictions, has responded with tears, if not openly, at least inwardly, to the sad events of last Friday. Many have already participated in memorial services in our respective churches. But it is especially appropriate that we as a university, an institution which for over eight centuries has been dedicated to the search for truth and the meaning of life, engaged in the preparation of leaders for society, and consecrated to the advancement of the welfare of all mankind, should pause to mourn one who has demonstrated so effectively in his own life the ideals for which universities exist.

It is particularly fitting that our university should mourn today for President Kennedy. He had special ties to Rhode Island through Mrs. Kennedy's family, through his close personal friendship with the members of the Rhode Island congressional delegation, and through his frequent visits to our State. We had hoped to see him here often next summer. This hope, along with so many so much more significant for the world and its future, ended in Parkland Hospital in Dallas at 2 p.m. last Friday.

The initial shock, the disbelief, indeed, the horror, of the assassination are now pretty largely over. We have lived for 3 days with the headlines, the radio announcers, and the TV screens. Through the magic of the TV cameras, we have witnessed the historic events which will end with the interment this afternoon in Arlington National Cemetery. We have been moved by both the monumental worldwide outpouring of grief for President Kennedy and by the truly magnificent courage of Mrs. Kennedy, to whom our admiration and our affection go out with our prayers for her and her two children. We have read and listened to the tributes, to the recital of things achieved and goals unaccomplished, to the preliminary and tentative evaluation of Mr. Kennedy's place in history. There is no doubt both as to his stature as one of the great leaders of our time and as to the warm human qualities of the man. It has been rightly noted that John F. Kennedy has with his own death written the final chapter to his "Profiles in Courage."

It is not my intent at this memorial service, therefore, to attempt to add to the tributes. I think it not inappropriate, however, if I take this occasion to make several observations, of special significance to a university audience.

First, it seems to me that John F. Kennedy should remain a continuing inspiration to the youth of the world, especially to college students. No one of our day exemplified so thoroughly the ideal of the well-rounded individual, or as the ancient Greeks put it, the possessor—and user—of "a sound mind in a sound body." Yesterday's Journal, in Frank Lanning's superb tribute, referred to him as the "personification of youth, by word and act an ardent advocate of athletics and, by example, an apostle of sportsmanship." Yet he graduated from Harvard "cum laude" and published a best selling book the year of his graduation and subsequently another which won him the Pulitzer Prize. Elected to Congress at 30, to the Senate at 35, he narrowly missed nomination for the Vice-Presidency at 39, and was elected President at 43. One must go back into history to discover one so young whose impact on his time was so great. In a world in which youth questions its role, shuns personal ambition, and is skeptical as to what any single individual can accomplish, the life and example of John F. Kennedy should stand as a beacon to all our young people calling them to lives of greater and nobler achievement.

Second, no modern President, not even Franklin Delano Roosevelt, demonstrated so thoroughly as did President Kennedy a commitment to the life of the mind, the promotion of which is the basic reason for the existence of universities. The most perceptive of newspaper columnists, James Reston, in his first statement after the President's death, wrote that he was "a rationalist and an intellectual." The speech he was on his way to deliver in Dallas when he was struck down, stated that learning and reason must guide American policy. The goal of any university is to promote learning and to develop the rational power of its students, with the ultimate objective of bringing greater wisdom into the affairs of men and of nations. John F. Kennedy, a man of action who brought the world to the brink of nuclear war and who used the full power of his high office to uphold the constitutional rights of the Negro, was one who based his actions upon knowledge and upon reason and believed others should do the same. His example is one for us to hold high to the generations of students passing through our institutions of higher education in the decades ahead.

Third, and finally, we must keep the memory of President Kennedy ever bright for his commitment to peace. Though he risked war, his ultimate goal was a world truly at peace, one in which the fatherhood of God and the brotherhood of man had become realities. In his own words, he called upon all to join him in the endeavor to establish "a new world of law, where the strong are just and the weak secure and the peace preserved forever." He has set us on the high though torturous road toward that goal; he has charted the course not only for future statesmen and Presidents, but for all of us ordinary citizens everywhere. The sacrifice of his life will not have been in vain if his goals and his ideals remain ever before us.

Today, we must not only mourn President Kennedy—though this we do with sad hearts. We must also, as President Johnson said in his proclamation, make this a day of "rededication." President Kennedy, he said, "would not have us shrink from carrying on his work beyond this hour of national tragedy." If John Kennedy could speak to us today from beyond the veil, would he not have us ask ourselves, as he asked the Nation in his inaugural address: "Ask not what America can do for you and for me, but what we together as Americans can do to bring peace to the world and freedom for all mankind."

John F. Kennedy must remain in the hearts and minds of us all; but more, each of us must pledge to work vigorously for those major goals of a better world which he held most dear. Our hopes and prayers must therefore go out, as Mr. Kennedy would have them go out, to his friend and successor, our new President, Lyndon B. Johnson, to whom now falls the task of leading us toward those goals. This too is a part of our meditations in today's service.

The President asked that we gather in our places of worship for these services. The University of Rhode Island has no chapel, but it does have chaplains. Consequently, to lead us in prayer on this solemn occasion we have the university's four chaplains or their representatives.

We shall now proceed to our service of prayer and meditation.

(Our service of mourning for John F. Kennedy and of rededication to the ideals for which he lived and died will conclude with the benediction.)

THE CRISIS IN PANAMA

Mr. EDMONDSON. Mr. Speaker, I ask unanimous consent that the gentleman from Florida [Mr. FUQUA] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

Mr. FUQUA. Mr. Speaker, the events which have transpired in the past few days in Panama have shocked the American people. The rioting and destruction of property which has taken place in this land which is the site of the Panama Canal, so essential to world transportation, is an affront to the American people.

Irresponsible officials of that nation, in an election year, have aided and abetted trained Communist agents in creating havoc, these agents having in many instances been trained in subversion in Cuba. They have created a major international crisis.

I am dismayed that the Government officials of Panama, instead of attempting to preserve law and order, have in actuality assisted this lawless pillage by failing to fulfill their basic responsibility of maintaining simple civil obedience.

This is not the first time—and I am afraid that it will not be the last, that we have seen such reckless activity in the Panama Canal Zone.

This Nation cannot and must not bow to the irresponsible and unreasonable demands which this Central American nation has seen fit to demand. From what should have been a minor incident, we now find this little nation making absurd demands that the Panama Canal be turned over to the Government of Panama after a fixed term agreement. In light of the traditional instability of South American governments, accentuated by this present incident, this would be the most foolish act that this Nation could do. I commend President Johnson for his refusal to renegotiate our treaty, but as always, we are willing to discuss our differences.

There are problems, of course, and they should be discussed. But what is not generally realized is that the Republic of Panama has a high standard of living compared with other South American nations and that two-thirds of its national income is said to be derived from the United States in payments to the Panamanian Government or in salaries to canal employees.

This Nation must stand up against this intimidation and the threats of continued violence. The Panama Canal is essential to the security of the United States, it must be operated for the benefit of world seafaring, and this can best be accomplished under the control of the United States. We are in the right and we should not waver in our determination to preserve these rights in administering the Panama Canal.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to Mr. MOSS, for January 27–31, 1964, on account of participation as subcommittee chairman in hearings to be held in Sacramento, Calif., by Special Subcommittee on Death Valley National Monument, Committee on Government Operations.

SPECIAL ORDER GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to Mr. WILSON of Indiana (at the request of Mr. BEERMANN), for 10 minutes, on Monday, January 27, 1964.

EXTENSION OF REMARKS

By unanimous consent, permission to extend remarks in the CONGRESSIONAL RECORD, or to revise and extend remarks, was granted to:

Mr. PILCHER.

Mr. ROUSH.

Mr. SMITH of Virginia (at the request of Mr. ALBFRT) and to include extraneous matter.

Mr. EVINS and to include extraneous matter.

The following Members (at the request of Mr. BEERMANN) and to include extraneous matter:)

Mr. HORAN.

Mr. CRAMER.

Mr. SCHADEBERG.

(The following Member (at the request of Mr. BEERMANN) and to include extraneous matter:)

Mr. HAWKINS.

ADJOURNMENT

Mr. EDMONDSON. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 3 o'clock and 1 minute p.m.), under its previous order, the House adjourned until Monday, January 27, 1963, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

1571. A letter from the Assistant Secretary of Defense, Installations and Logistics, transmitting the July-November 1963 report on Department of Defense procurement from small and other business firms, pursuant to the Small Business Act, as amended; to the Committee on Banking and Currency.

1572. A letter from the Chairman, Federal Communications Commission, transmitting a copy of the report on backlog of pending applications and hearing cases in the Federal Communications Commission as of November 30, 1963, pursuant to Public Law 554, 82d Congress; to the Committee on Interstate and Foreign Commerce.

1573. A letter from the Secretary of the Interior, transmitting a report of activities by the Geological Survey during the period July 1 to December 31, 1963, pursuant to Public Law 87-626; to the Committee on Interior and Insular Affairs.

1574. A letter from the Chief Commissioner, Indian Claims Commission, transmitting a report stating that proceedings have been concluded relating to the claims of certain Indian tribes, pursuant to 60 Stat. 1055; 25 U.S.C. 70t; to the Committee on Interior and Insular Affairs.

1575. A letter from the Chairman, District of Columbia Redevelopment Land Agency, transmitting a report of administrative settlement of claims made by this Agency, during the calendar year 1963, pursuant to 28 United States Code, section 2673; to the Committee on the Judiciary.

1576. A letter from the Acting Director, U.S. Arms Control and Disarmament Agency, transmitting the annual report for the calendar year 1963 on the 14 scientific or professional positions established in the U.S. Arms Control and Disarmament Agency, pursuant to Public Law 87-367; to the Committee on Post Office and Civil Service.

1577. A letter from the Commissioner, Immigration and Naturalization Service, U.S. Department of Justice, transmitting reports concerning visa petitions which this Service has approved according the beneficiaries of such petitions first preference classification, pursuant to the Immigration and Nationality Act, as amended; to the Committee on the Judiciary.

1578. A letter from the Deputy Assistant Secretary of Defense (Properties and Installations), relative to certain information relating to certain facilities projects proposed to be undertaken for the respective Reserve components of the Armed Forces utilizing authorizations contained in Public Law 88-174, pursuant to 10 U.S.C. 2233a(1); to the Committee on Armed Services.

1579. A letter from the Comptroller General of the United States, transmitting a report containing information for the calendar year 1963 concerning positions in the U.S. General Accounting Office in grades 16, 17, and 18 of the general schedule of the Classification Act of 1949, as amended, and the incumbents; to the Committee on Post Office and Civil Service.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. McMILLAN: Committee on the District of Columbia. H.R. 9419. A bill to provide for the regulation of the business of selling securities in the District of Columbia and for the licensing of persons engaged therein, and for other purposes; with amendment (Rept. No. 1102). Referred to the Committee of the Whole House on the State of the Union.

PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. TUPPER:

H.R. 9728. A bill to create a U.S. Botanical Survey; to the Committee on Interior and Insular Affairs.

By Mr. DANIELS:

H.R. 9729. A bill relating to St. Elizabeths Hospital; to the Committee on Education and Labor.

By Mr. HORTON:

H.R. 9731. A bill to amend the Agricultural Adjustment Act, as reenacted and amended by the Agricultural Marketing Agreement Act of 1937, as amended, and for other purposes; to the Committee on Agriculture.

By Mr. LINDSAY:

H.R. 9732. A bill to provide through the social security system a means of financing hospital and related services to aged beneficiaries, but offering freedom of individual choice to each beneficiary to select voluntary health plan coverage, and for other purposes; to the Committee on Ways and Means.

By Mr. TUPPER:

H.R. 9733. A bill to provide through the social security system a means of financing hospital and related services to aged beneficiaries, but offering freedom of individual choice to each beneficiary to select voluntary health plan coverage, and for other purposes; to the Committee on Ways and Means.

By Mr. McCLORY:

H.R. 9734. A bill for the establishment of a Commission on Organization and Operations of the Executive Branch of the Government; to the Committee on Government Operations.

By Mr. PIRNIE:

H.R. 9735. A bill for the establishment of a Commission on Organization and Operations of the Executive Branch of the Government; to the Committee on Government Operations.

By Mr. POWELL:

H.R. 9736. A bill to amend Public Law 815, 81st Congress, with respect to the construction of school facilities for children in Puerto Rico, Wake Island, Guam, or the Virgin Islands for whom local educational agencies are unable to provide education; to the Committee on Education and Labor.

By Mr. SENNER:

H.R. 9737. A bill to incorporate the Young Engineers and Scientists of America, for the purposes indicated by Public Law 85-875; to the Committee on the Judiciary.

By Mr. WIDNALL:

H.R. 9738. A bill to establish a National Capital Commission on a Metropolitan Area Transit Program to make a new study and investigation of the total transit problem of the Washington metropolitan area and to make specific recommendations for a transportation policy as to the form a balanced mass transit program should take; to the Committee on the District of Columbia.

By Mr. ROSENTHAL:

H.R. 9739. A bill to amend the Federal Insecticide, Fungicide, and Rodenticide Act, as amended, to provide for labeling of economic poisons with registration numbers, to eliminate registration under protest, and for other purposes; to the Committee on Agriculture.

By Mr. ROOSEVELT:

H.R. 9740. A bill to establish the Roosevelt Campobello International Park and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. McINTIRE:

H.R. 9741. A bill to establish the Roosevelt Campobello International Park and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. TUPPER:

H.R. 9742. A bill to establish the Roosevelt Campobello International Park and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. PELLY:

H. Con. Res. 257. Concurrent resolution expressing the sense of the Congress with respect to extending the time fixed as the goal for accomplishing a manned flight to the moon and safe return; to the Committee on Science and Astronautics.

MEMORIALS

Under clause 4 of rule XXII, memorials were presented and referred as follows:

By Mr. McINTIRE: Memorial of the Legislature of the State of Maine memorializing the Maine congressional delegation to oppose new stringent requirements in public assistance cases; to the Committee on Ways and Means.

Also, memorial of the Legislature of the State of Maine memorializing the Honorable Stewart L. Udall, Secretary of the Interior, to remove or to liberalize the restrictions on residual fuel oil imports; to the Committee on Ways and Means.

Also, memorial of the Legislature of the State of Maine ratifying the proposed amendment to the Constitution of the United States relating to the qualification of electors; to the Committee on the Judiciary.

By the SPEAKER: Memorial of the Legislature of the Commonwealth of Puerto Rico, memorializing the President and the Congress of the United States relative to expressing grief over the death of the late President of the United States, John F. Kennedy; to the Committee on House Administration.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. HARDY:

H.R. 9730. A bill to revive the Office of General of the Armies of the United States and to authorize the President to appoint General of the Army Douglas MacArthur to such Office; to the Committee on Armed Services.

By Mr. SIBAL:

H.R. 9743. A bill for the relief of Mrs. Antonio de Oyarzabal; to the Committee on the Judiciary.

By Mr. THOMPSON of Louisiana:

H.R. 9744. A bill for the relief of Clifford Duplechin; to the Committee on the Judiciary.

PETITIONS, ETC.

Under clause 1 of rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

652. By Mr. SENNER: Petition of the Arizona Highway Commission concerning H.R. 6457; to the Committee on Public Works.

653. By the SPEAKER: Petition of Francis R. Smith, city chairman, Democratic County Executive Committee, Philadelphia, Pa., relative to expressing sorrow at the passing of the late Honorable William J. Green, Jr.; to the Committee on House Administration.

654. Also, petition of A. J. Petrone, Cardinal Farley General Assembly, Knights of Columbus, Mamaroneck, N.Y., relative to the assassination of the late President Kennedy; to the Committee on House Administration.

655. Also, petition of Henry Stoner, Avon Park, Fla., relative to tax-exempt foundations and their impact on our economy; to the Committee on Banking and Currency.

656. Also petition of Henry Stoner, Avon Park, Fla., to provide for a suitable plaque to be placed in the Speaker's office honoring Maj. Gen. Arthur St. Clair, of Pennsylvania, and make amends for troubles St. Clair was not to blame for; to the Committee on House Administration.

657. Also, petition of Henry Stoner, Avon Park, Fla., relative to the pricelisting of certain documents by the Superintendent of Documents, U.S. Government Printing Office; to the Committee on the Judiciary.

658. Also, petition of Henry Stoner, Avon Park, Fla., requesting that the appropriate committee of the House of Representatives investigate the statistics of crime by epileptics, in view of the fact that one Rubinstein (Ruby) the assassin of Oswald is using as his defense that the disease of epilepsy is responsible for his crime of murder, and that this well-promoted idea for defense is detrimental to the welfare of law-abiding epileptics; to the Committee on Rules.

SENATE

Thursday, January 23, 1964

The Senate met at 12 o'clock meridian, and was called to order by the President pro tempore.

The Chaplain, Rev. Frederick Brown Harris, D.D., offered the following prayer:

Almighty God, Thou hast made us in Thine image and likeness, and hast imparted within us quenchless desires which a world of mere things can never satisfy.

Amid the earthquake, wind, and fire of this violent world, for this hallowed moment we would be still and know that Thou art God. As we spend our years like a tale that is told, may it be to the last page a record of service well done, of duty faced without flinching, of honor unsullied, and of far horizons of progress that ever beckon.

In the fierce fight to maintain our own liberty and everywhere to make men free, we pray that, earthen vessels though we are, we may be the channels of Thy holy purpose to break all slavish shackles which bind Thy children and betray their dignity.

In this day of constant change, save us from being prophets of gloom and of doom. Even as we peer at the fiery destruction of the old, may there be vouchsafed to us luring vistas of a richer, fairer earth to be.

We ask it through riches of grace in Christ Jesus, our Lord. Amen.

THE JOURNAL

On request of Mr. Inouye, and by unanimous consent, the reading of the Journal of the proceedings of Wednesday, January 22, 1964, was dispensed with.

MESSAGES FROM THE PRESIDENT—APPROVAL OF BILLS

Messages in writing from the President of the United States were communicated to the Senate by Mr. Jones, one of his secretaries, and he announced that on January 20, 1964, the President had approved and signed the following acts:

S. 585. An act for the relief of Agaram K. Sreekanth;

S. 1196. An act for the relief of Mrs. Maria Nowakowski Chandler; and

S. 1524. An act for the relief of Hai Yung and Johnny Jung.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Hackney, one of its reading clerks, announced that the House had passed the bill (S. 741) to amend title 18, United States Code, to prohibit schemes in interstate or foreign commerce to influence by bribery the outcome of sporting contests, and for other purposes, with amendments, in which it requested the concurrence of the Senate.

The message also announced that the House had passed a bill (H.R. 8190) to fix the fees payable to the Patent Office, and for other purposes, in which it requested the concurrence of the Senate.

HOUSE BILL REFERRED

The bill (H.R. 8190) to fix the fees payable to the Patent Office, and for other purposes, was read twice by its title and referred to the Committee on the Judiciary.

LIMITATION OF STATEMENTS DURING MORNING HOUR

On request of Mr. Inouye, and by unanimous consent, statements during the morning hour were ordered limited to 3 minutes.

COMMITTEE MEETING DURING SENATE SESSION

Mr. INOUYE. Mr. President, I ask unanimous consent that the Committee on Rules and Administration be authorized to meet during the session of the Senate today.

The PRESIDENT pro tempore. Without objection, it is so ordered.

EXECUTIVE COMMUNICATIONS, ETC.

The PRESIDENT pro tempore laid before the Senate the following letters, which were referred as indicated:

Report of Rural Electrification Administration

A letter from the Secretary of Agriculture, transmitting, pursuant to law, a report of the Rural Electrification Administration, for the fiscal year 1963 (with an accompanying report); to the Committee on Agriculture and Forestry.

Report on Certain Facilities Projects Proposed for Reserve Components of the Armed Forces

A letter from the Deputy Assistant Secretary of Defense (Properties and Installations), transmitting, pursuant to law, a report on certain facilities projects proposed to be undertaken for the respective Reserve Components of the Armed Forces for the year 1964 construction authorization program (with accompanying papers); to the Committee on Armed Services.

Report on Water Resources Research

A letter from the Secretary of the Interior, reporting, pursuant to law, on water resources research in the Southwest United States, and on the Amazon River; to the Committee on Interior and Insular Affairs.

Report on Final Settlement of Claims of Certain Indians

A letter from the Chief Commissioner, Indian Claims Commission, Washington, D.C., reporting, pursuant to law, on the final settlement of the claims of certain Indians (with accompanying papers); to the Committee on Interior and Insular Affairs.

Reports on Visa Petitions According First Preference to Certain Beneficiaries

A letter from the Commissioner, Immigration and Naturalization Service, Department of Justice, transmitting, pursuant to law, reports concerning visa petitions according the beneficiaries of such petitions first preference classification (with accompanying papers); to the Committee on the Judiciary.

Report of National Labor Relations Board

A letter from the Chairman, National Labor Relations Board, Washington, D.C., transmitting, pursuant to law, a report of that Board, for the fiscal year ended June 30, 1963 (with an accompanying report); to the Committee on Labor and Public Welfare.

Report on Scientific or Professional Positions

A letter from the Acting Director, U.S. Arms Control and Disarmament Agency, Washington, D.C., transmitting, pursuant to law, a report on scientific or professional positions established in that Agency, for the calendar year 1963 (with an accompanying report); to the Committee on Post Office and Civil Service.

Report on Positions in Grades GS–16, GS–17, and GS–18

A letter from the Comptroller General of the United States, transmitting, pursuant to law, a report on positions in Grades GS–16, GS–17, and GS–18, for the calendar year 1963 (with an accompanying report); to the Committee on Post Office and Civil Service.

PETITIONS AND MEMORIALS

Petitions, etc., were laid before the Senate, or presented, and referred as indicated:

By the PRESIDENT pro tempore:

A joint resolution of the Legislature of the State of Maine, ratifying the amendment to the Constitution of the United States relating to the qualification of electors; to the Committee on the Judiciary.

(See the above joint resolution printed in full when presented by the Senators from Maine [Mrs. SMITH and Mr. MUSKIE] on January 22, 1964, p. 807, CONGRESSIONAL RECORD.)

A joint resolution of the Legislature of the State of Maine opposing new stringent requirements in public assistance cases; to the Committee on Labor and Public Welfare.

(See the above joint resolution printed in full when presented by the Senators from Maine [Mrs. SMITH and Mr. MUSKIE] on January 22, 1964, p. 807, CONGRESSIONAL RECORD.)

A resolution of the House of Representatives of Puerto Rico; to the Committee on Interior and Insular Affairs:

"Resolution To Express the Grief of the House of Representatives for the Death of the President of the United States, John F. Kennedy

"Whereas on November 22, 1963, the 35th President of the United States of America, Mr. John Fitzgerald Kennedy, was shot to death by a murderer in the city of Dallas, Tex.; and

"Whereas for his dedication to the ideals of political democracy, human justice and social welfare and international peace and security, President Kennedy had won the admiration, affection, and solidarity of all the democratic peoples of the world, and was the unquestionable leader in the strife and hope of the freemen of the earth to attain indestructible standards of respect for the spiritual and moral dignity of the human being throughout the globe; and

"Whereas President Kennedy dedicated himself to effectively canalizing in the United States the valid rehabilitation of civil rights, the expansion of the educational, health, and charity services, of work opportunities and fair and safeguarded means for a decent livelihood to the great masses of population of the North American nation, by undertaking and developing fundamentally important social and economic reforms for the political stability of the United States as the world's leader of democracy; and

"Whereas President Kennedy had the fortunate inspiration of directing his dynamic zeal toward improving the relationships between the countries of the Western Hemisphere, by sponsoring the creation of the Alliance for Progress, in a sincere and lofty effort to help step up in Latin America the processes of the economic expansion, social development, and political reforms necessary to create in said countries a climate of confidence, security, and progress propitious to the achieving of better living standards and closer understanding between all social and productive classes, thus increasing the opportunities for a more comprehensive and fruitful political, economic, and cultural relationship between the United States and Latin America; and

"Whereas ratifying the traditional policy of the North American people, of respect for and recognition of the rights and personality of the other peoples of the world, as well as the praiseworthy actions of his predecessors, ex-Presidents Harry S. Truman and Dwight D. Eisenhower, President Kennedy at all times expressed the cordial understanding of his administration toward the desires, needs, and hopes of the people of Puerto Rico, and lent his sincere support to the principles of free determination for our people; and

"Whereas the death of President Kennedy is an irreparable loss to the United States of America and to the cause of international democracy, peace, and justice, and his premature passing away has been unanimously grieved and mourned by all the people of Puerto Rico: Therefore be it

"Resolved by this House of Representatives of the Commonwealth of Puerto Rico:

"1. Officially and solemnly to express, as it is hereby expressed, the sorrow of this house of representatives and of all the people of Puerto Rico for the tragic death of President Kennedy, and to convey to the Government and the people of the United States of America our heartfelt condolence for such grievous event, and the deepest sympathy of all our people;

"2. Likewise to express our grief and condolence to the family of the illustrious late President, and especially to his widow, Mrs. Jacqueline Bouvier Kennedy, and children.

"3. To transmit copies of this resolution to the President, the House and Senate of the United States of America, and to Mrs. Jacqueline Kennedy.

"On approving, at today's sitting, its official resolution expressing the sorrow of the people of Puerto Rico for the tragic death of the Honorable President John Fitzgerald Kennedy, the House of Representatives of the Commonwealth of Puerto Rico unanimously resolved to send you, Mr. President, this message of salutation, to offer you its cooperation and solidarity, and to wish you all kinds of success in your great and delicate responsibility as the new President of the United States of America."

In testimony whereof, I issue this certificate to which I set my hand and affix the seal of the house of representatives in my office at the capitol, San Juan, P.R., this 20th day of January 1964.

[SEAL] NÉSTOR RIGUAL,
Secretary, House of Representatives.

The petition of Joe Lucas, of Cocoa Beach, Fla., favoring the ratification by the United States of certain United Nations conventions; to the Committee on Foreign Relations.

RESOLUTION OF PRODUCERS COMMISSION ASSOCIATION

Mr. MILLER. Mr. President, I ask unanimous consent to have printed in the RECORD, and appropriately referred, a resolution adopted by the Producers Commission Association, a cooperative livestock marketing association with membership of 9,000 in the States of Iowa, Nebraska, South Dakota, and Minnesota, at its annual meeting in Sioux City, Iowa, on January 16.

There being no objection, the resolution was referred to the Committee on Finance, as follows:

Resolution on Imports by the Producers Commission Association Stock Yards, Sioux City, Iowa

Resolved, That the membership of the Producers Commission Association of Sioux City, Iowa, does at this, our 40th annual meeting in Sioux City, Iowa, January 16, 1964, take a position in regard to imports of meat and meat products as follows:

1. That quotas be set on imports of meat and meat products of beef, pork, and lamb, into the United States at such levels that there will not be a depressing effect on prices of domestic beef, pork, and lamb.

2. That tariffs on meat and meat products imported under these quotas shall not be lowered to levels below those now in effect.

3. That when any imported meat or meat products are offered to consumers in fresh or frozen form, or as an ingredient in manufactured foods that the fresh, frozen, or manufactured food carry a label which sets out clearly that it is in fact an imported meat item or includes imported meat items; and be it further

Resolved, That the manager and officers of this association be instructed to make known this three-point position on meat imports to the Secretary of Agriculture, the Office of International Trade of the United States, State Department, and all U.S. Representatives and U.S. Senators serving the trade territory of this association, and, finally, that they communicate with and work with the National Livestock Producers Association, American Farm Bureau Federation, American Cattlemen's Association, and related organizations to make known this position and affect its acceptance as policy.

RESOLUTIONS OF MILITARY ORDER OF THE WORLD WARS

Mr. THURMOND. Mr. President, the 1963 national convention of the Military Order of the World Wars approved four important resolutions which I feel merit the earnest study and consideration of the U.S. Congress. I, therefore, ask unanimous consent, Mr. President, that these resolutions be printed in the Record and referred to the appropriate committees of the Senate for such study and consideration.

There being no objection, the resolutions were ordered to be printed in the Record, and referred to the appropriate committees, as follows:

To the Joint Committee on Atomic Energy:

"Resolution To Keep Our Nuclear Power Strong

"Whereas the promotion of a strong national defense posture has been always the primary aim of the Military Order of the World Wars; and

"Whereas the Military Order of the World Wars shares the fear expressed by top administration and military leaders that the nuclear test ban treaty may lull our people into a false sense of security; and

"Whereas the Joint Chiefs of Staff have outlined certain minimum overall measures that must be taken to offset some of the military disadvantages inherent in the approval of the nuclear test ban treaty: Now, therefore, be it

"*Resolved*, That the Military Order of the World Wars in national convention assembled at San Antonio, Tex., on October 8, 1963, urges that American citizens remain fully alert to the necessity of maintaining the nuclear superiority that has been the primary deterrent to aggression thus far, and recommends rigid adherence by the administration to the implementation of the nuclear criteria set forth by the Joint Chiefs of Staff; and be it further

"*Resolved*, That copies of this resolution be forwarded to all Members of Congress."

To the Committee on Armed Services:

"Resolution on Security of Continental United States and of the Monroe Doctrine

"Whereas this Nation has established its international position with respect to Western Hemisphere security for many generations by proclamation of and adherence to the Monroe Doctrine; and

"Whereas the covert and unwarranted violation of that Doctrine in Cuba by the Union of Soviet Socialist Republics was checked by forthright military countermeasures; and

"Whereas the continuing bold presence of Soviet troops and weapons in Cuba constitutes a further violation of that Doctrine and a menace to American and hemispheric security: Now, therefore, be it

"*Resolved by the companions of the Military Order of the World Wars in convention assembled in annual national convention at San Antonio, Tex., on October 10, 1963,* That this order support the Government of the United States in whatever measures, military or otherwise, it may be required by circumstance to take to achieve the removal of Soviet troops and armament from Cuba; and be it further

"*Resolved*, That this order urge such prompt executive action as will thus restore the integrity of the Monroe Doctrine; and be it further

"*Resolved*, That copies of this resolution be forwarded to all Members of Congress."

"Resolution Opposing Action To Discontinue Chaplaincy in Our Military Forces

"Whereas our Nation was founded by those to whom the spiritual and moral values were of paramount importance, and the Supreme Court has many times over the years declared that 'This is a religious Nation'; the Constitution of the States of the Union makes reference to and dependence upon God; and

"Whereas the self discipline and the freedom of religious worship have been responsible for the high spiritual and moral values that are the base of our Nation's greatness and strength; and

"Whereas the major objective of the Communists is to destroy these moral and spiritual values as a prerequisite of acceptance by our people of a Soviet way of life; and

"Whereas the American Civil Liberties Union has for years repeatedly supported many who have attacked the American way of life, our common and accepted customs based upon traditional and historical ideals and have even attacked the Constitution of the United States; and

"Whereas many of the persons defended by American Civil Liberties Union have been known Communists whose godless philosophy is well known; and

"Whereas the American Civil Liberties Union has recently attacked the inclusion of chaplains in the military services, charging that such use of spiritual leaders among our Armed Forces is a violation of the principle of the separation of church and state. Now it is useful for the American people to recall that chaplains were first included in the military organizations of the United States before the writing and adoption of the Constitution of the United States, and that the framers of that foundation of our liberties were well aware of that spiritual service when they enunciated the principle to prevent the establishment of a State religion: Now, therefore, be it

"*Resolved by the Military Order of the World Wars in Convention assembled this 10th day of October 1963,* That our members be alerted of this convention action of exposing the American Civil Liberties Union's attempt to discontinue the chaplaincy in our military forces, and that they take every appropriate step to implement the action of this convention; and be it further

"*Resolved*, That we urge the Congress of the United States to make a full scale investigation of the American Civil Liberties Union with a view of forcing them to register as an agent of a foreign country if the investigation reveals that they are aiding the Communist causes; and be it further

"*Resolved*, That copies of this resolution be forwarded to all Members of Congress."

To the Committee on Foreign Relations:

"Resolution for Congress To Exercise Greater Control Over Disarmament Policies

"Whereas the United States has entered into a critical period of negotiations and decisions in connection with arms control and disarmament; and

"Whereas the Department of State and the U.S. Arms Control Disarmament Agency have published blueprints setting forth the recommended U.S. position on general and complete disarmament, as well as recommended measures to add power to those currently held by the United Nations, and to yield to the United Nations present national rights and privileges of the individual citizen of the United States: Now, therefore, be it

"*Resolved*, That the Military Order of the World Wars in national convention assembled at San Antonio, Tex., on October 11, 1963, considers all this in violation of the fundamental freedoms and individual liberties of each citizen of the United States of America, and deplores the actions of the Department of State and the U.S. Arms Control Disarmament Agency and of their spokesmen as well as the endorsement of the President of the United States in sponsoring this so-called "blueprint for the peace race"; and be it further

"*Resolved*, That the Military Order of the World Wars in national convention assembled urges that the Congress take early action to modify Public Law 87–297, approved September 26, 1961, so as to provide a greater degree of congressional control and stronger guidelines over the future action and pronouncements of the Department of State and the U.S. Disarmament Agency in the field of general and complete disarmament; and be it further

"*Resolved*, That copies of this resolution be forwarded to all Members of Congress."

INCREASE OF EXPENDITURES FOR HEARINGS BEFORE COMMITTEE ON ARMED SERVICES—REPORT OF A COMMITTEE

Mr. RUSSELL, from the Committee on Armed Services, reported an original resolution (S. Res. 285) increasing the limit of expenditures for hearings before the Committee on Armed Services, which, under the rule, was referred to the Committee on Rules and Administration, as follows:

Resolved, That the Committee on Armed Services hereby is authorized to expend from the contingent fund of the Senate, during the Eighty-eighth Congress, $10,000 in addition to the amount, and for the same purposes, specified in section 134(a) of the Legislative Reorganization Act, approved August 2, 1946.

INVESTIGATION OF CERTAIN MATTERS RELATING TO NATIONAL DEFENSE—REPORT OF A COMMITTEE

Mr. STENNIS, from the Committee on Armed Services, reported an original resolution (S. Res. 286) authorizing the Committee on Armed Services to investigate certain matters relating to national defense, which, under the rule, was referred to the Committee on Rules and Administration, as follows:

Resolved, That the Committee on Armed Services, or any duly authorized subcommittee thereof, is authorized under sections 134(a) and 136 of the Legislative Reorganization Act of 1946, as amended, and in accordance with its jurisdiction specified by rule XXV of the Standing Rules of the Senate, to examine, investigate, and make a complete study of any and all matters pertaining to—

(1) Common defense generally;

(2) The Department of Defense, the Department of the Army, the Department of the Navy, and the Department of the Air Force generally;

(3) Soldiers' and sailors' homes;

(4) Pay, promotion, retirement, and other benefits and privileges of members of the Armed Forces;

(5) Selective service;

(6) Size and composition of the Army, Navy, and Air Force;

(7) Forts, arsenals, military reservations, and navy yards;

(8) Ammunition depots;

(9) Maintenance and operation of the Panama Canal, including the administration, sanitation, and government of the Canal Zone;

(10) Conservation, development, and use of naval petroleum and oil shale reserves;

(11) Strategic and critical materials necessary for the common defense;

(12) Aeronautical and space activities peculiar to or primarily associated with the development of weapons systems or military operations.

Sec. 2. For the purpose of this resolution the committee, from February 1, 1964, to January 31, 1965, inclusive, is authorized to (1) make such expenditures as it deems advisable; (2) to employ upon a temporary basis, technical, clerical, and other assistants and consultants: *Provided*, That the minority is authorized to select one person for appointment, and the person so selected shall be appointed and his compensation shall be so fixed that his gross rate shall not be less by more than $1,600 than the highest gross rate paid to any other employee; and (3) with the prior consent of the heads of the departments or agencies concerned, and the Committee on Rules and Administration, to utilize the reimbursable services, information, facilities, and personnel of any of the departments or agencies of the Government.

SEC. 3. The expenses of the committee under this resolution, which shall not exceed $190,000 shall be paid from the contingent fund of the Senate upon vouchers approved by the Chairman of the committee.

BILLS AND JOINT RESOLUTION INTRODUCED

Bills and a joint resolution were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. INOUYE:

S. 2458. A bill for the relief of Lloyd K. Hirota; to the Committee on the Judiciary.

By Mr. LAUSCHE (for himself and Mr. YOUNG of Ohio):

S. 2459. A bill providing for the loss of nationality in the case of an individual entering a Communist country with the intent to transfer his allegiance from the United States to that country; to the Committee on the Judiciary.

(See the remarks of Mr. LAUSCHE when he introduced the above bill, which appear under a separate heading.)

By Mr. SYMINGTON (for himself and Mr. LONG of Missouri):

S. 2460. A bill to amend the Act of July 13, 1959, so as to extend the period of time within which certain construction may be undertaken by the State of Missouri on lands conveyed to such State by the United States; to the Committee on Public Works.

By Mr. TALMADGE:

S. 2461. A bill for the relief of Vassilios I. Mamais; to the Committee on the Judiciary.

By Mr. KEATING:

S. 2462. A bill for the relief of the estate of Donovan C. Moffett; to the Committee on Finance.

S. 2463. A bill for the relief of Miss Agnese Goffredo; to the Committee on the Judiciary.

By Mr. MUSKIE (for himself and Mrs. SMITH):

S. 2464. A bill to establish the Roosevelt Campobello International Park, and for other purposes; to the Committee on Foreign Relations.

(See the remarks of Mr. MUSKIE when he introduced the above bill, which appear under a separate heading.)

By Mrs. NEUBERGER:

S.J. Res. 151. Joint resolution to authorize and direct the Secretary of Agriculture to conduct research into the quality and health factors of Flue-cured tobacco; to the Committee on Agriculture and Forestry.

RESOLUTIONS

INVESTIGATION OF PROBLEMS OF AMERICAN SMALL AND INDEPENDENT BUSINESS

Mr. SPARKMAN (for himself and Mr. SALTONSTALL) submitted the following resolution (S. Res. 284); which, under the rule, was referred to the Committee on Rules and Administration:

Resolved, That the Select Committee on Small Business, in carrying out the duties imposed upon it by S. Res. 58, Eighty-first Congress, agreed to February 20, 1950, and S. Res. 272, Eighty-first Congress, agreed to May 26, 1950, is authorized to examine, investigate, and make a complete study of the problems of American small and independent business and to make recommendations concerning those problems to the appropriate legislative committees of the Senate.

SEC. 2. For the purposes of this resolution, the committee, from February 1, 1964, to January 31, 1965, inclusive, is authorized (1) to make such expenditures as it deems advisable; (2) to employ, upon a temporary basis, technical, clerical, and other assistants and consultants; and (3) with the prior consent of the heads of the departments or agencies concerned, and the Committee on Rules and Administration, to utilize the reimbursable services, information, facilities, and personnel of any of the departments or agencies of the Government.

SEC. 3. The committee shall report its findings, together with its recommendations for legislation as it deems advisable, to the Senate at the earliest practicable date, but not later than January 31, 1965.

SEC. 4. Expenses of the committee under this resolution, which shall not exceed $125,000, shall be paid from the contingent fund of the Senate upon vouchers approved by the chairman of the committee.

INCREASE OF EXPENDITURES FOR HEARINGS BEFORE COMMITTEE ON ARMED SERVICES

Mr. RUSSELL, from the Committee on Armed Services, reported an original resolution (S. Res. 285) increasing the limit of expeditures for hearings before the Committee on Armed Services, which, under the rule, was referred to the Committee on Rules and Administration.

(See the above resolution printed in full when reported by Mr. RUSSELL, which appears under a separate heading.)

INVESTIGATION OF CERTAIN MATTERS RELATING TO NATIONAL DEFENSE

Mr. STENNIS, from the Committee on Armed Services, reported an original resolution (S. Res. 286) authorizing the Committee on Armed Services to investigate certain matters relating to national defense, which, under the rule, was referred to the Committee on Rules and Administration.

(See the above resolution printed in full when reported by Mr. STENNIS, which appears under a separate heading.)

OPPOSITION TO FRENCH RECOGNITION OF RED CHINA

Mr. DODD. Mr. President, I submit, for appropriate reference, a resolution expressing the support of the Senate for the stand taken by the administration in opposing French recognition of Red China and in urging President de Gaulle to reconsider his decision.

I am joined in sponsoring this resolution by Senators DOUGLAS, MUNDT, DOMINICK, ALLOTT, RIBICOFF, SMATHERS, and THURMOND.

I have reason to believe that a number of Senators will wish to associate themselves with this statement, presented in the form of a sense resolution.

I therefore request that the resolution be laid on the table for additional signatures until the Senate adjourns this coming Monday, January 27.

I ask unanimous consent that the text of this resolution be printed at this point in the RECORD.

The PRESIDENT pro tempore. The resolution will be received and appropriately referred; and, without objection, the resolution will lie on the desk, as requested by the Senator from Connecticut.

The resolution (S. Res. 287) was referred to the Committee on Foreign Relations, as follows:

S. RES. 287

Whereas the relations between France and the United States have been characterized by mutual friendship and respect since the founding of our Nation; and

Whereas the French people and the American people have fought shoulder to shoulder in two World Wars and are again allied today against the threat of Communist aggression; and

Whereas the Western Alliance cannot survive without an alliance of the spirit and of understanding between France and America; and

Whereas the recognition of Communist China by France would make more difficult the task of arresting the erosion of recent years in the relationship between our countries, and would thereby endanger the cause of freedom; and

Whereas the administration has let it be known that it has communicated with President de Gaulle its own firm view that the recognition of Red China at this time would be most unwise and unfortunate; and

Whereas it may not yet be too late to persuade our French allies to reconsider their position: Therefore be it

Resolved, That the Senate of the United States go on record as supporting the stand taken by the administration on this issue; and be it further

Resolved, That the Senate adopt the following statement of position so that our French allies can be left in no doubt as to the broad bipartisan support which the administration enjoys in opposing the recognition of Red China, and so that they will have a better understanding of the reasons that motivate American opposition to the fateful step France is now preparing to take.

All men who cherish freedom have been gravely disturbed by the growing cleavage between France and America in recent years.

We recognize that the responsibility for the series of differences that have alienated our two countries probably does not lie wholly on one side.

We have all been hopeful that the differences of the past might be overcome and a new and better understanding achieved between France and America, through the processes of diplomacy.

But we fear that French recognition of Red China would gravely damage the prospect of reconciliation between our two nations. While the American people regard other differences as negotiable, the recognition of Red China in their eyes is not negotiable.

We implore our French friends not to underestimate or minimize the strength of American conviction on this issue. There is no single issue on which there has been greater unity between Democrats and Republicans and between Congress and successive administrations. A measure of our conviction is the fact that both Houses of Congress have repeatedly voted against the recognition of Red China, and that the conventions of both parties in 1956 and again in 1960 adopted platforms which specifically rejected the recognition of Red China and its admission to the United Nations.

> The experience with Nazi Germany demonstrated that there are regimes which are organically aggressive, and that one cannot placate such regimes by offers of concessions or by catering to their desire for enhanced acceptability and prestige. The only result of concessions to such regimes is to increase their contempt for the democracies and to spur them to further acts of aggression.
>
> The American people believe that no regime in history has shown itself to be so inextricably wedded to aggression as the Chinese Communist regime. In less than 15 years in power, it has been guilty of direct military aggression in Korea and in India, it has been guilty of sponsoring and supporting the Vietminh forces against the French, the Malayan guerrillas against the British, the Laotian Communists against the Laotian Government, and the Vietcong forces against the Government of South Vietnam. Anything which enhances the prestige of this Government will, we are certain, automatically enhance its power of aggression and subversion, and lead, ineluctably, to the enslavement of more millions of peoples.
>
> Some of our French friends have made the comment that the United States, for some reason which they cannot understand, appears to be reacting much more violently to the proposed French recognition of Red China than they reacted to British recognition of Red China in 1950. There is a world of difference, however, between the recognition of such a regime at the point of inception when there was perhaps some excuse for misappraisal and wishful thinking, and the recognition of this regime in the year 1964, after its appalling and unbroken record of aggression. We are certain that, had the British postponed recognition of Red China and had they proposed to offer recognition today, the American people would react just as strongly as they are now to the proposed recognition of Red China by the Government of France.
>
> We believe that in the light of the British experience, there is less reason, not more reason, for recognizing Red China today than there was when Britain took the fateful step in 1950.
>
> British recognition has brought Britain no advantages.
>
> It has in no way served to moderate Red China's behavior vis-a-vis her neighbors.
>
> It has diminished rather than augmented the security of the area.
>
> And it has demonstrated how terribly difficult it is to undo such an action, once it has been taken, even when the course of history has established its futility.
>
> France under President de Gaulle has always stood against appeasement and against compromise with tyranny. President de Gaulle has played a historic role both in the defeat of nazism and in the promotion of a united Europe.
>
> We pray that the lessons of recent decades in Europe will not be forgotten in Asia.
>
> We pray that even at this late hour our French allies will take the time to consider our plea that France and America stand united today, as they have in the past, in their opposition to the menacing tide of Communist imperialism both in Europe and in Asia.
>
> And we pray that the confirmation of our unity of interest and purpose on this issue will pave the way to a broader unity between our two great nations.

LOSS OF NATIONALITY IN CERTAIN CASES

Mr. LAUSCHE. Mr. President, I have been in contact with the Department of State, seeking to inquire under what authority Mr. Oswald was allowed to reenter the United States after he had taken out papers indicating a purpose to abandon his citizenship. I have received from the Department an answer to my inquiry.

In the letter answering my inquiry, it is stated:

> Under existing law, a person who is a U.S. citizen may lose his nationality in a number of ways.
>
> * * * * *
>
> The question whether an individual has lost his U.S. citizenship must be determined in accordance with this act. For example, persons desiring to renounce their U.S. nationality under section 349(a)(6) of the Immigration and Nationality Act are required to appear before a diplomatic or consular officer of the United States abroad and take an oath of renunciation of nationality of the United States in the form prescribed by the Secretary of State. Lee Harvey Oswald did not renounce in accordance with the provisions of the statutory requirements and therefore did not lose his U.S. citizenship.

In my inquiry, I also asked on what theory the loan was made to enable Lee Oswald to come back to the United States. The answer states as follows:

> The Department of State grants loans to U.S. citizens abroad who are destitute and without relatives, friends, or others able and willing to finance their return to the United States. Each such case is carefully investigated to insure that the loan applicant is a destitute U.S. citizen. Each applicant to whom a loan is granted is required to sign a promissory note covering his loan and to repay it as soon as possible after his return to the United States.
>
> A repatriation loan was granted to Lee Harvey Oswald to cover the cost of transportation for him, his wife, and his child from the U.S.S.R. to the United States. He repaid the loan in installments after he returned to this country.

The PRESIDENT pro tempore. Under the 3-minute limitation in the morning hour, the time available to the Senator from Ohio has expired.

Mr. LAUSCHE. Mr. President, I ask unanimous consent that I may proceed for 2 additional minutes.

The PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. LAUSCHE. Mr. President, there have been other persons who have gone to Communist countries, indicating an intention of abandoning their citizenship in the United States, who have been permitted to come back.

Under the present law, even though one goes abroad, intending to give up his citizenship in the United States, unless he takes an oath in the consul's office, that intention to abandon citizenship does not effect a forfeiture.

I think the law is weak in that respect. While we should make it difficult for legitimate citizens who are not defaulting our cause, to lose their rights when going to a foreign country, we should not make it hard for a person who wants to give up his U.S. citizenship and become a Communist, to do so.

On that theory, I am introducing a bill which I ask to have printed, which will contain such an amendment to the existing law, as follows:

> Any person, a citizen of the United States, entering any country which is Communist, Communist dominated, or Communist occupied, with the intent to transfer his allegiance from the United States to such country, or formulating an intent while in such country to transfer his allegiance from the United States to such country, and thereafter taking any action with a view to carrying out that intent, shall not be permitted to reenter the United States.

Mr. President, if this proposed language were in the law when Oswald asked to come back to the United States, he could not have done so; and I cannot understand why we should be gentle and sympathetic and easy with those Americans who go to Communist countries and announce their purpose to abandon allegiance to the flag of the United States and their citizenship. I cannot understand why they should subsequently be permitted to reenter.

I ask that my bill be printed, and be printed in the RECORD, and that it be permitted to lie on the desk for 1 week so that those who want to join in it will have the opportunity to do so.

The PRESIDENT pro tempore. The bill will be received and appropriately referred; and, without objection, the bill will be printed in the RECORD, and lie on the desk, as requested by the Senator from Ohio.

The bill (S. 2459) providing for the loss of nationality in the case of an individual entering a Communist country with the intent to transfer his allegiance from the United States to that country, introduced by Mr. LAUSCHE, was received, read twice by its title, referred to the Committee on the Judiciary, and ordered to be printed in the RECORD, as follows:

> *Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That section 212 (a) of the Immigration and Nationality Act is amended by striking out the period at the end thereof and inserting in lieu thereof a semicolon, and by adding at the end thereof the following new paragraph:
>
> "(32) Any person who has lost his nationality pursuant to the provisions of paragraph (11) of subsection (a) of section 349 of this Act."
>
> SEC. 2. Section 349(a) of the Immigration and Nationality Act is amended (1) by striking out the period at the end thereof and inserting in lieu thereof a semicolon and the word "or", and (2) by adding at the end thereof the following new paragraph:
>
> "(11) (A) entering any country which is Communist, Communist-dominated, or Communist occupied with the intent to transfer his allegiance from the United States to such country, or (B) formulating an intent, while in any such country, to transfer his allegiance from the United States to such country and thereafter taking any action with a view to carrying out that intent."

THE ROOSEVELT CAMPOBELLO INTERNATIONAL PARK

Mr. MUSKIE. Mr. President, the firm friendship between our country and Canada is the object of admiration and wonder throughout the entire world. It is a mystery to many how two sovereign nations can live together in peace while sharing an undefended, contiguous border thousands of miles in length.

One of our great Presidents, Franklin Delano Roosevelt, carried our international friendship even further. He maintained a summer home in Canada on Campobello Island, just off the Maine coast. It was at Campobello where

President Roosevelt won his initial victory over the crippling illness of polio. This was the subject of the hit play and movie, "Sunrise at Campobello."

Many Canadians and Americans have long felt that the establishment of an international park at the Roosevelt homesite on Campobello Island would serve both as a living memorial to President Roosevelt and a lasting symbol of Canadian-American friendship.

I wrote President Kennedy in 1961 suggesting that such a memorial be established. He evidenced great interest in the proposal and asked the Interior Department to investigate the feasibility of establishing such a park. In August 1962, President Kennedy sent his naval aid, Capt. Tazwell Shephard, to represent him at the dedication of the Franklin D. Roosevelt Memorial Bridge which constitutes the first direct transportation link between the island and the United States.

In May 1963 Canadian Prime Minister Lester Pearson and President Kennedy, in meetings held at Hyannis Port, Mass., reviewed plans for the project. President Kennedy personally called Dr. Armand Hammer, then owner of the former Roosevelt home. Dr. Hammer, after discussing plans for the park with other members of his family, graciously agreed to donate the property subject to the conclusion of an agreement between the two countries.

President Kennedy then directed the Department of State to enter into negotiations with the Government of Canada to work out plans for the establishment of the park. Congressman JAMES ROOSEVELT, of California, played a major role during the subsequent negotiations in working out the numerous details involved.

Yesterday, Prime Minister Pearson and President Johnson, to whom great credit is due for bringing the project to a successful conclusion, announced their agreement on plans to establish the park. Their agreement will require the enactment of legislation to create a joint United States-Canadian commission empowered to accept formal title to the property from the Hammer family, to restore the Roosevelt home to its former condition when occupied by the President's family, and to administer the park as a memorial.

I am honored at this time to introduce on behalf of myself and my senior colleague from Maine [Mrs. SMITH], for consideration by the Senate, legislation designed to accomplish these objectives. Representative ROOSEVELT is introducing a companion bill in the House.

I request unanimous consent that my letter of April 7, 1961, to President Kennedy; an article from the August 11, 1962, issue of the Kennebec Journal; an article from the January 23, 1964, issue of the New York Times; and my letter of January 9, 1964, to President Johnson be included in the RECORD at this point.

The PRESIDENT pro tempore. The bill will be received and appropriately referred; and, without objection, the letters and articles will be printed in the RECORD.

The bill (S. 2464) to establish the Roosevelt Campobello International Park, and for other purposes, introduced by Mr. MUSKIE (for himself and Mrs. SMITH), was received, read twice by its title, and referred to the Committee on Foreign Relations.

The letters and articles presented by Mr. MUSKIE are as follows:

APRIL 7, 1961.

THE PRESIDENT,
The White House,
Washington, D.C.

DEAR MR. PRESIDENT: For a number of years there have been suggestions that a living memorial to President Franklin Delano Roosevelt be established on Campobello Island, New Brunswick, Canada. This unique, unspoiled island on Passamaquoddy Bay, off the coast of Maine, was the scene of the President's happiest days in his childhood and youth. It was also the scene of his initial victory over the crippling illness of polio.

Several years ago, the late Gov. Clinton A. Clauson of the State of Maine brought this suggestion to my attention. He had discussed the proposal with former Premier Hugh John Fleming of the Province of New Brunswick, who indicated a favorable interest in this project. The residents of the island are proud of President Roosevelt's love of the island and Canadians some years ago erected a simple monument to him in the village on the island.

More recently, it has been suggested that a joint United States-Canadian park be established on Campobello Island as a living memorial to the wartime leaders of the United States and Canada, President Roosevelt and Prime Minister Mackenzie King, who did so much to strengthen the ties between our two countries. This, to me, is an imaginative and especially appropriate way in which to pay tribute to these two leaders and to the close cooperation which exists between our two nations in peace and war. In addition, such a park would conserve a fine natural resource on the easternmost boundary of the two countries.

Campobello Island is 8 miles long and averages 2 miles in width. It is typical of coastal islands along the shores of Maine and New Brunswick and it compares favorably with much of Acadia National Park 70 miles to the southwest. President Roosevelt's home is still standing in excellent condition. There is one small fishing village on the island and there are a few summer homes, seldom used. Only a small portion of the island is in private hands. There are forest trails through most of the island. A bridge between the American mainland and the island is now under construction. When completed it will make the island more accessible for visitors.

I am certain that citizens of both countries would support such a living memorial with enthusiasm. The park would combine the splendid natural attractions of our coastal islands, which played such an important role in the early settlement of this continent, with a symbol of man's courage, his capacity for good works, and his ability to achieve international cooperation. Action on such a project should not be delayed. With the construction of the bridge to the island, it may not remain in its present unspoiled state for very long.

I hope you will be able to explore this proposal and ways of implementing it with Prime Minister Diefenbaker at your forthcoming meeting in Ottawa. I shall be pleased to work with you or any member of the administration in developing an appropriate plan for the establishment of this international memorial park.

Sincerely,

EDMUND S. MUSKIE.

[From the Kennebec Daily Journal, Aug. 11, 1962]

PROPOSES CAMPOBELLO PARK AS MEMORIAL TO ROOSEVELT

(By Donald C. Hansen)

BRUNSWICK.—President John F. Kennedy arrived in Maine Friday evening to tell a rain-swept crowd of 7,000 at the Naval air station here that "whether the sun shines or not I'm delighted to be here."

Under a steady drizzle of rain, Kennedy, arriving for a weekend of seclusion off the Maine coast, said that his visit here brought back memories of another U.S. President Franklin D. Roosevelt, who also vacationed on the Maine coast.

PROPOSAL

In a brief address at NASB, Kennedy suggested the creation of a park at Campobello Island, home of the late Democratic President.

"The opening of the bridge between Maine and Campobello Island emphasized the ties between the United States and Canada," Kennedy said.

A park at the home of the late President would further strengthen the bond of friendship between the two countries, the President said.

The Presidential plane dropped from beneath the leaden skies at approximately 6:15 p.m. As the plane touched down a Maine National Guard unit began pounding out a 21-gun salute for the Chief Executive.

A steady drizzle met the President as he descended from the plane to the strains of "Hail to the Chief," played by the First Naval District Band from Boston.

But a broad smile crossed his face as a roar swept the crowd estimated at about 7,000 by naval officials.

"Before I came here I was informed that there is no place more beautiful than the State of Maine when the sun shines," he told the cheering crowd. "But regardless of whether it shines or not I'm delighted and privileged to be here."

The official ceremony was disrupted when the President detoured into the crowd after leaving the speaking platform to mingle and shake hands for several moments with the thousands of well-wishers.

A huge roar swept through the crowd as the bareheaded Chief Executive turned from an automobile in which he was to inspect the crowd and, arm outstretched, walked toward them.

After the ceremony the President climbed into a helicopter to fly to John's Island off Pemaquid Harbor, where he will spend the weekend with friends at the home of former heavyweight boxing champion Gene Tunney.

Gov. John H. Reed, who greeted the President on behalf of the State, presented the youthful, bacheloring President with a two-foot square relief plaque depicting a Maine sailor at the helm of a ship.

Reed, who through earlier mix-ups involving protocol and prior commitments almost missed the President's arrival, wished President Kennedy, "a most cordial and hearty welcome."

"I am honored that the President has selected our State as his vacation site," Reed said and expressed apologies about the raining weather.

The plaque presented by Reed to the often-yachting President was carved by Richard Steel of Rockport.

Tanned and wearing a gray suit, Kennedy stepped from the Presidential plane at approximately 6:15 p.m., onto a 10-foot-long red carpet stretched from the plane's boarding ramp.

Immediately following the President from the plane was U.S. Senator EDMUND S. MUSKIE, Democrat, of Maine, who flew from Washington with the President.

Kennedy as usual was without a topcoat during the ceremony. Although he carried a light blue hat in his hand he never wore it.

A canopy was erected over the speaking platform earlier in the day when it became apparent that the day would be dull and rainy for the President's arrival.

A hearty 20-second ovation greeted the President when he was introduced by Muskie as a "fellow New Englander and a man who loves the sea."

Muskie also introduced Maine senior Senator Margaret Chase Smith, who flew to Maine to attend the ceremonies aboard a Navy airplane.

Earlier in the day Senator Smith had indicated she doubted if she would be able to attend the welcome because of Senate business.

Speaking briefly, Senator Smith said she was "delighted the President had come to Maine" and hoped he would return soon.

Before introducing Reed, Muskie recalled that 7 years ago he—as Governor—had welcomed then-President Dwight D. Eisenhower to Maine, "to enjoy a few days of rest and hospitality in our great State."

Kennedy is the 15th of the Nation's 35 Chief Executives to visit Maine while in office.

Kennedy also paid tribute to the Nation's Navy in his speech and praised the community service work being accomplished by civilians and the Navy in staging the air station summer festival, which benefits both the Navy Relief and the Brunswick area United Fund.

Attending the welcoming ceremonies was the entire Maine delegation in Washington with the exception of U.S. Representative Peter A. Garland, who was in Washington. All principal Maine Democratic candidates attended with the exception of congressional candidate Thomas L. Maynard of Portland, who is recovering from a recent illness.

Kennedy, accompanied by NASB Commander William L. Pack, Rear Adm. George P. Koch, Norfolk, Va., commander, Fleet Air Wing, Atlantic; and Capt. Norman Davis, commander, Fleet Air Wing 3, inspected a Marine Corps honor guard prior to mounting the speakers platform.

As he left the platform en route to the Presidential helicopter, the Blue Angels, a precision Navy flying team, made a special presentation to the President.

Accompanying the President on his hourlong flight to Maine from Washington was Senator Benjamin Smith, Democrat, of Massachusetts, Navy Under Secretary Paul B. Fay Jr., and Muskie. Senator Smith replaced President Kennedy in the Senate after his election as President.

Newsmen flying aboard the Presidential plane were Mrs. May Craig, representing the Guy Gannett Newspapers, and Brunswick-born CBS news correspondent Paul K. Niven, Jr.

While enroute to Maine the President left his private compartment aboard the plane to chat with the two reporters.

Approximately 40 other Washington newsmen preceded the President's arrival to Brunswick aboard another plane. Following the ceremony the newsmen were taken to press headquarters in Boothbay Harbor aboard a chartered bus.

The Presidential plane made the flight from Washington to Maine flying at 27,000 feet at an average speed of 585 miles an hour.

Following a weekend near the fashionable Boothbay Harbor region, Kennedy will return to Washington from Brunswick at 9 a.m. Monday.

Reliable sources said Friday that the President is planning to invite Senator Smith of Maine to return as his guest aboard the Presidential plane Monday.

It's not known whether the President will visit Boothbay Harbor over the weekend. The White House has said he won't but Government boats are known to have been clocking the distance between Tunney's island home and Boothbay Harbor.

January 9, 1964.

The President,
The White House,
Washington, D.C.

Dear Mr. President: I understand you and Prime Minister Lester Pearson will meet in Washington, beginning January 22, 1964, to discuss matters of mutual concern to the United States and Canada. At that time I hope you will be able to discuss with the Prime Minister the proposed hydroelectric projects on Passamaquoddy Bay and the St. John River, both of which involve boundary water agreements between the United States and Canada.

You will recall that President Roosevelt initiated the first Passamaquoddy project. The new proposal expands on his dream and contemplates the integration of tidal power from Passamaquoddy with the river hydro potential of the St. John.

On July 16, 1963, President Kennedy received the Department of Interior report recommending construction of the two projects. On that date he endorsed the proposal, directed the Department of Interior and the Corps of Engineers to complete their preliminary engineering studies and requested "the Secretary of State to initiate negotiations immediately with the Government of Canada looking toward a satisfactory arrangement for the sharing of the benefits of these two projects."

Although such negotiations have not been initiated, technical discussions on the proposed projects did take place in Ottawa, December 4–5, 1963. It is my understanding that those discussions were constructive and fruitful. We know that leaders in New Brunswick have a strong interest in the projects and are favorably disposed toward them. I believe the time is ripe to begin formal negotiations.

I understand final arrangements have been made for a formal agreement on the joint management by the two Governments, of President Roosevelt's Campobello Island (Canada) home in Passamaquoddy Bay. I hope you and Prime Minister Pearson will be able to announce such an agreement during your Washington meetings. In addition, I hope the recent optimistic reports on progress on the Columbia River Treaty will be borne out by a final announcement of agreement by you and the Prime Minister, this month.

From the point of view of New England, there could be no more encouraging news from the Washington conference than an announcement that you and Prime Minister Pearson have discussed the Passamaquoddy-St. John projects and have directed the Department of State and the Department of External Affairs to initiate formal negotiations on the projects. I hope you will find it possible to discuss this with the Prime Minister.

Sincerely,

Edmund S. Muskie,
U.S. Senator.

[From the New York Times, Jan. 23, 1964]

U.S. and Canada Agree on Power and Campobello—Johnson and Pearson Watch as Accord Is Signed for Columbia Basin Dams—Joint Park Is Planned—Roosevelt Summer Home on New Brunswick Island Will Be Restored

(By William M. Blair)

Washington, January 22.—Canada and the United States, at odds on some issues, formally agreed today on cooperation in two areas.

Agreements were signed in the White House on a multimillion-dollar power and flood control development for the Columbia River Basin in the Pacific Northwest and for making an international park at the summer home of President Franklin D. Roosevelt on Campobello Island, New Brunswick, off the Canadian east coast.

President Johnson and Prime Minister Lester B. Pearson, presided at the exchange of notes this morning to implement a treaty for cooperative source development on the Columbia River. This afternoon they signed an intergovernmental agreement to establish Roosevelt Campobello International Park.

The Roosevelt summer home on Campobello was donated by the Hammer family of New York and California. President Roosevelt left the 20-acre site to his son Elliot, who sold it to the Hammers a decade ago.

Dr. Armand Hammer of Westwood, Calif., is president of the Occidental Petroleum Corp., and coowner with his brothers, Harry and Victor, of the Hammer Galleries in New York City.

The Hammer brothers were guests of the President today at a White House luncheon honoring Prime Minister Pearson and at the signing of the intergovernmental agreement.

In a joint statement, President Johnson and Mr. Pearson said that the park would "stand forever as an expression of the close relationship between Canada and the United States as well as a fitting memorial to the President of the United States who so greatly strengthened that relationship."

Canada and the United States will share equally in the cost of developing the park.

It was at Campobello that President Roosevelt was stricken with crippling poliomyelitis in 1921 after a day of sailing and swimming in the cold waters off the island.

Mr. Roosevelt visited the summer home of his boyhood and early manhood the year he became President, 1933, and again in 1936 and 1939. Franklin D. Roosevelt, Jr., now Under Secretary of Commerce, was born there in 1914.

AMENDMENT OF CONSTITUTION RELATING TO SELECTION OF A NEW VICE PRESIDENT—AMENDMENT (AMENDMENT NO. 384)

Mr. JAVITS submitted an amendment, intended to be proposed by him, to the joint resolution—Senate Joint Resolution 138—proposing an amendment to the Constitution to provide for the selection of a new Vice President whenever there is a vacancy in the office of Vice President, which was referred to the Committee on the Judiciary and ordered to be printed.

REDUCTION OF INDIVIDUAL AND CORPORATE INCOME TAXES—AMENDMENT (AMENDMENT NO. 385)

Mr. DIRKSEN (for himself, Mr. Bennett, and Mr. Carlson) submitted an amendment, intended to be proposed by them, jointly, to the bill (H.R. 8363) to amend the Internal Revenue Code of 1954 to reduce individual and corporate income taxes, to make certain structural changes with respect to the income tax, and for other purposes, which was referred to the Committee on Finance and ordered to be printed.

NOTICE OF RECEIPT OF NOMINATION BY COMMITTEE ON FOREIGN RELATIONS

Mr. FULBRIGHT. Mr. President, as chairman of the Committee on Foreign

Relations, I desire to announce that today the Senate received the nomination of Carl T. Rowan, of Minnesota, to be Director of the U.S. Information Agency.

In accordance with the committee rule, this pending nomination may not be considered prior to the expiration of 6 days of its receipt in the Senate.

ADDITIONAL COSPONSORS OF BILLS

Under authority of the orders of the Senate, as indicated below, the following names have been added as additional cosponsors for the following bills:

Authority of January 15, 1964:

S. 2427. A bill to establish a Commission on Automation, Technology, and Employment: Mr. Bartlett, Mr. Brewster, and Mr. Williams of New Jersey.

Authorities of January 16, 1964:

S. 2429. A bill to confer upon the Federal Trade Commission the power and duty to regulate the advertising and labeling of cigarettes: Mr. Church, Mr. McGovern, Mr. Metcalf, and Mr. Nelson.

S. 2430. A bill to bring under control the health hazards produced by the smoking of cigarettes: Mr. Church, Mr. McGovern, Mr. Metcalf, and Mr. Nelson.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Bartlett, one of its reading clerks, informed the Senate that, pursuant to section 8002 of the Internal Revenue Code of 1954, the Speaker had appointed Mr. Curtis of Missouri as a member of the Joint Committee on Internal Revenue Taxation, on the part of the House.

ADDRESSES, EDITORIALS, ARTICLES, ETC., PRINTED IN THE RECORD

On request, and by unanimous consent, addresses, editorials, articles, etc., were ordered to be printed in the Record, as follows:

By Mr. YARBOROUGH:

Address entitled "Decade of Change Ahead," delivered by himself before the annual meeting of the Dallas Letter Carriers Association, on January 19, 1964.

PRESIDENT JOHNSON'S PEACE PROPOSALS IN LETTER TO CHAIRMAN KHRUSHCHEV

Mr. MUSKIE. Mr. President, I rise this afternoon to commend President Johnson on his masterful reply to the New Year's greetings of Premier Khrushchev. The President's letter illustrates the imagination and vigilance that must ever characterize a free people striving for peace, ever willing to reach out toward the promise of peace, ever willing to deflate the propaganda barrage which masquerades under the guise of peace.

In welcoming the New Year's message from the Soviet Premier, the President stressed the areas of agreements with magnanimity and the need for substantive implementation with disarming candor. In a letter offering concrete proposals, the President called upon Premier Khrushchev to implement vague rhetoric with concrete actions. Mr. Johnson called for specific, well thought out, and attainable proposals to be presented to the new session of the 18-Nation Disarmament Conference opening yesterday in Geneva. The President asked Chairman Khrushchev to present practicalities rather than platitudes.

To a Soviet leader who writes of peace, the President held up the United Nations as man's highest hope for peace.

The President invited Mr. Khrushchev to enter the forums of negotiation with new candor, to remove the causes of friction between nations and to improve the world's machinery for peacefully settling disputes.

The President responded to vague principles with far-reaching proposals and guidelines against the threat or use of force. He asked Mr. Khrushchev to join him in proscribing subversion and the clandestine supplying of arms. He bid the Soviets strengthen, through usage and contributions, the peacekeeping machinery of the United Nations.

As the President so wisely stressed in his state of the Union message, this is a time when we must "be constantly prepared for the worst and constantly acting for the best."

MISSOURI EDUCATORS SUPPORT COLD WAR GI BILL

Mr. YARBOROUGH. Mr. President, one of the primary forms of readjustment assistance provided by the World War II and Korean GI bills was educational and training assistance. Literally hundreds of thousands of veterans utilized this assistance to obtain college educations; and the educators of this land, who had the responsibility and opportunity to teach and observe these veterans during their college life, have hailed the GI bills as the most successful programs of veterans' benefits which any nation has instituted. These same men are now backing and urging the passage of the cold war GI bill as a concept of readjustment assistance which has more than proved its worth and which will be of as much value to the individual veterans and the Nation today as the World War II and Korean GI bills were in the past. Missouri is a typical State in the Union; let us look at Missouri's reaction to the value of GI education. The compelling statements of its able educational leaders are unanswerable. The Missouri educators have done a service to the Nation in spelling out so clearly this issue which is of such vast importance to the American people now.

Mr. President, I ask unanimous consent to have printed at this point in the Record recent letters in support of S. 5, the cold war GI bill, from: Dr. Elmer Ellis, president of the University of Missouri; Dr. Carleton F. Scofield, chancellor of the University of Missouri at Kansas City; Dr. Walter H. Ryle, president of Northeast Missouri State Teachers College; Dr. J. W. Jones, president of Northwest Missouri State College; Dr. Mark Scully, president of Southeast Missouri State College; Dr. Leland Eldridge Traywick, president of Southwest Missouri State College; and Mr. Edgar H. Finlay, president of Finlay Engineering College.

There being no objection, the letters were ordered to be printed in the Record, as follows:

University of Missouri,
Office of the President,
Columbia, Mo., November 25, 1963.

Senator Ralph W. Yarborough,
Chairman, Subcommittee on Veterans' Affairs, Committee on Labor and Public Welfare, U.S. Senate, Washington, D.C.

Dear Senator: I am glad to have an opportunity to say a few words in support of the cold war GI bill which, I understand, is under consideration in your subcommittee.

Few of our other citizens realize as well as college educators do, what a tremendous achievement we have made as a result of our legislation which granted educational opportunities to veterans of the Second World War.

Whatever good may have been accomplished by the various bonus laws after World War I, these effects have long since been spent and no longer benefit our Nation. Yet every dollar spent under the GI bill and the Korean veterans' law is now, and will be for a whole generation and more, a factor of prime importance in the welfare and prosperity of our country.

Such benefits not only serve to give one man a chance for higher education. They draw a whole family, and that family's descendants into a class which, by education, is qualified to give leadership, drive, creativeness, and achievement to our society.

Without the Land-Grant Act of 1862 and the laws providing financial benefits to secure education for veterans, our people might well still be in a deprived state so far as higher education is concerned, comparable to the populations of most European countries until very recently and to those in most of the rest of the world today.

This legislation is a most wise investment in the greatest resource we have—the education of our young people. In the long run, no other investment we could make costs so little in comparison with the monumental results which are attained. I believe the experience of all those engaged in higher education is unanimous on this point.

You may use this letter in any way you think may assist in further consideration of this most important subject.

Yours sincerely,

Elmer Ellis.

University of Missouri
at Kansas City,
Kansas City, Mo., December 4, 1963.

Hon. Ralph W. Yarborough,
U.S. Senate,
Washington, D.C.

Dear Senator Yarborough: I wish to offer strong support for S. 5, the cold war veterans bill, which you cosponsored.

Our experience with the World War II and Korean GI bills has shown what a magnificent benefit this type of legislation can be for young men and women who have served their country, and for our democratic society.

Our experience with the national defense student loans has shown how important the availability of financial assistance is in permitting a large segment of our population to acquire a college education. All of the funds appropriated for the national defense student loan program have been loaned, and, in fact, have been inadequate to supply the demand for financial aid. This is valid evidence of the fact that many cannot afford college without aid.

It is a fact that the cost of attending college is increasing annually; this, in turn, increases the need for financial help for students. Veterans, generally, are older, more mature, and more likely to have family obligations. As a group, they are highly motivated to improve their education. At the same time, they are less able to afford a college education.

It is indisputable that a college education increases the productivity, income, and welfare of the individual. An educated citizenry is vital to the national welfare. Educated parents obligate themselves to educate their children. The greater the percentage of our citizens with college education the greater the assurance of a continued pattern of enlightened participants in our democracy.

To provide an opportunity for a college education to these fine young men and women who have served their country in times of relative peace is as fair and just as to provide the opportunity to those who served during wartimes. They are preserving the peace made possible by the World War II and Korean veterans.

The purpose of S. 5 is entirely consistent with the goals of the World War II and Korean GI bills, and serves the national purpose equally well.

I feel it a privilege and a duty to be on record in support of the cold war veterans bill.

Sincerely yours,
CARLETON F. SCOFIELD,
Chancellor.

NORTHERN MISSOURI STATE
TEACHERS COLLEGE,
OFFICE OF THE PRESIDENT,
Kirksville, Mo., November 25, 1963.
Senator RALPH W. YARBOROUGH,
U.S. Senate,
Washington, D.C.

DEAR SENATOR YARBOROUGH: Sufficient time has passed to begin to see clearly the value of the educational benefits that our Government provided for the veterans of World War II and the Korean conflict. It is my studied judgment that these benefits are more apt to be underestimated than overestimated. It seems to me that these same benefits should be provided to our veterans of the cold war. Without such Federal assistance many of these veterans will not be financially able to receive a college education. This is not only a concern to the individual veteran but also to our national welfare.

As it was with the veterans of World War II, so it will be to the veterans of the cold war—it will be a great aid in reorienting many of these young men into civilian life. This is a basic factor that we must not overlook.

Sincerely,
WALTER H. RYLE,
President.

NORTHWEST MISSOURI
STATE COLLEGE,
OFFICE OF THE PRESIDENT,
Maryville, Mo., December 9, 1963.
Senator RALPH W. YARBOROUGH,
Chairman, Subcommittee of Veterans' Affairs, Senate Office Building, Washington, D.C.

DEAR SENATOR YARBOROUGH: I wish to commend you for the introduction of S. 5, the bill dealing with veterans' education and training.

The experience of the Northwest Missouri State College would verify the many fine things which have been said about the programs already in existence helping veterans.

We have found many cases of students who would not have been able to obtain a college education had it not been for benefits received from these programs. Hundreds of students from this immediate area have been able to obtain a college degree and advanced degrees from the assistance received by these programs, and we would be more than interested in seeing a program developed which would provide educational benefits for cold war veterans.

It is our opinion that these two programs are conclusive evidence that not only is there a great need for providing assistance for veterans to attend college, but that it is also one of the most effective ways of assuring this country a supply of well-trained and well-educated men and women. This college respectfully recommends the favorable consideration of providing educational benefits for the cold war veterans.

I sincerely trust that this bill will eventually be passed by the Congress. You have my permission to use any part of this letter that you desire in any way that will help the furthering of this bill.

Very truly yours,
J. W. JONES,
President.

SOUTHEAST MISSOURI STATE COLLEGE,
Cape Girardeau, Mo., November 22, 1963.
Hon. RALPH YARBOROUGH,
Senate Office Building,
Washington, D.C.

DEAR SENATOR YARBOROUGH: Attached hereto you will find a copy of a letter which I wrote March 29, 1962, to Mr. Paul S. Smelser, director of veterans' education for the State of Missouri. In it I set forth what I believe to be the benefits derived from the educational program conducted by veterans of World War II and the Korean war. I definitely feel that those young men who have the ability to do college work and who have been taken from the mainstream of their lives for a year or two or three in the cold war should be accorded the same treatment as the veterans of other wars in this matter. It seems to me to be only fair.

I have a definite feeling that we need to reconsider our whole military picture, and I have reached the place where I am a little bit fed up with the idea of maintaining the forces that we maintain abroad unless those people whom we are trying to protect are more willing to protect themselves than they have shown to date. This reinforces my feeling that those young men turning from civilian life to this job are warranted in expecting something in return.

Very sincerely yours,
MARK SCULLY,
President.

MARCH 29, 1962.
Mr. PAUL S. SMELSER,
Director, Veterans' Education,
State Department of Education,
Jefferson Building,
Jefferson City, Mo.

DEAR MR. SMELSER: I have your letter of March 27 and I am pleased to be able to make the following statements concerning observations made by members of our staff concerning the veterans' educational benefits as they were awarded to veterans of World War II and the Korean war:

(1) Veterans' benefits made it possible for men with ability to get an education who might not otherwise have been able to do this. This, in turn, increased the productive power of the individual to his benefit and that of the Nation. Many of these men were married and had families and would not have been able to attend school at all without the assurance of some income during this period.

(2) Our staff noted a considerable improvement in the quality of work of many of these young men who had done some college work prior to their army service, after they came back. The veteran was more mature and he felt a sense of security because he had an assured income while in school.

(3) There was the observation that dropouts and grade failures among veterans were considerably lower than for the nonveteran groups.

(4) Both the students and the college benefited from the veterans' benefit program, and it has been a means for the Federal Government to aid in a generally acceptable way the program of higher education.

(5) The grade average of the veterans' group was generally higher than that of the student body as a whole. This served to stimulate the nonveterans' group as well.

(6) Our people thought that they observed from both the general pattern of conduct as well as industriousness that the veterans' group exceeded the average of the student body. This was a considerable contribution to the morale of the school.

Very truly yours,
MARK SCULLY,
President.

SOUTHWEST MISSOURI STATE COLLEGE,
Springfield, Mo., December 5, 1963.
Hon. RALPH W. YARBOROUGH,
U.S. Senate,
Washington, D.C.

DEAR SENATOR YARBOROUGH: We are interested in the cold war GI bill which proposes to furnish educational assistance to veterans who entered the military service subsequent to January 31, 1955. It is our understanding that you are the sponsor of this bill, which is designated S. 5.

This college provided higher education for some 2,300 World War II veterans and nearly 1,700 veterans of the Korean conflict under the provisions of previous GI bills. These men have taken their places in society and many of them reside in the Greater Springfield area where they serve as teachers, doctors, lawyers, engineers, veterinarians, ministers, and business executives. When these veterans attended our college, they were older and more mature than the usual college students who had just completed high school. As a result, they were a very capable and dedicated group of students who made higher grades and did a better job in college than the nonveteran.

It has been proved that education for veterans is not a national expense. As a result of more education and training, the veterans increased their earning power and as a result paid more taxes to the Government. Over a period of time, the cost of the education is paid for by the veterans themselves; thus the increased earning power with the resultant increase in taxes makes the program self-liquidating.

It is estimated that 4 to 5 million veterans will receive benefits if the cold war GI bill is passed. It is probable that almost 2 million of these men and women will attend college. The experiences they have encountered while in military service, especially those who rendered service in foreign lands, make them more fully realize the importance of higher education. It may also cause them to realize the need for more competent world leaders. There is probably no group more qualified to become world leaders than many of these young men and women if they only have the opportunity to obtain higher education.

The plans of many young men today are uncertain because of the possibility of having to render military service. There are many ways that some can be relieved of the obligation of military service, such as the recent ruling that married students are not to be drafted. The educational programs of many young men are interrupted in order to perform military service and their earning power is usually decreased during this period of time. It seems unfair that some youth should be required to perform military service without some additional compensation and benefits being provided, while others are relieved of the obligations—to profit from civilian life. Some financial assistance should be provided for the loss of earnings and loss of educational opportunities.

The facilities of this college are being taxed to capacity with increased student enrollments each year. We do not urge passage of this bill in order to increase our enrollment; however, it is our belief that we have an obligation to these veterans and that it would be good for the economy of the country if this bill should become law.

Sincerely yours,

L. E. Traywick.

Finlay Engineering College,
Kansas City, Mo., November 29, 1963.

Hon. Ralph Yarborough,
U.S. Senator,
Senate Office Building,
Washington, D.C.

Dear Senator Yarborough: Recently we received information concerning Senate bill No. 5, which proposes to extend educational benefits to cold war veterans.

For the record, it may be stated that the Finlay Engineering College trained disabled veterans of World War I, from 1921 through 1924. Again, since 1943, FEC has also trained veterans of World War II and the Korean war. Hundreds of these men, due to financial limitation, would have been compelled to remain more or less, in the ranks of common labor.

Congress, however, came to their aid, and the passage of bills No. 346 and 550, provided the necessary monetary assistance which was spent at home on native Americans, and enabled them to double and treble their former salary potential.

Among these recipients of educational benefits, are graduates of Finlay, who have proved most valuable in the cold war service. One of these was among the top designers of the X–15 plane equipment; another is the patentholder of NEAR, while another, according to our latest information, is director of the Richland Arsenal. All of these are veterans. Many FEC veteran graduates are engaged in classified computer, missile, and nuclear projects, as well as in other less spectacular but essential, engineering and management positions, demanding high degrees of knowledge and responsibility, hitched to proportionate remuneration. It scarcely seems necessary to state that many of these FEC veteran graduates are also professional engineers.

Bills No. 346 and 550 have constituted wise legislation, which, in our nation's welfare, have already brought returns, far in excess of the money spent, and will continue to do so for many years.

The passage of U.S. Senate bill No. 5, we are confident, will also prove to be wise legislation. We urge its speedy enactment by Congress.

Respectfully yours,

Edgar H. Finlay,
President.

POSTMASTER GENERAL GRONOUSKI COMMENDS SMOOTHNESS OF TRANSITION OF GOVERNMENTAL POWER IN TRAGIC DAY OF CRISIS

Mr. YARBOROUGH. Mr. President, an address of major significance was delivered by the very able Postmaster General, John A. Gronouski, at the first day of issuance of the Sam Houston commemorative stamp at the Rice Hotel in Houston, Tex., January 10, 1964.

The Postmaster General spoke of the smoothness of the transition of administrations, with which he has been so closely associated as a Cabinet officer.

The transition, Postmaster General Gronouski said, was "enormously impressive and reassuring, not only to Americans, but to people all over the world. The orderly transferral of power, in a time of sudden crisis, was a dramatic demonstration of the stability of our Government. It made clear the maturity of American political society and the strength of our democracy."

Because of the significance and timeliness of the Postmaster General's comments, I ask unanimous consent that they be printed at this point in the Record.

There being no objection, the address was ordered to be printed in the Record, as follows:

Address by John A. Gronouski, Postmaster General, at the Dedication of the Sam Houston Commemorative Stamp, Rice Hotel, Houston, Tex., January 10, 1964

It is a great pleasure to be in the city named for Sam Houston to dedicate this stamp in his memory.

We receive many more requests for commemorative stamps than we can possibly meet. It is our policy to issue only 15 commemoratives each year so that each stamp will become better known and so as not to dilute the significance of each commemorative.

Requests in our files for a Sam Houston stamp date back to the 1930's. One appeal came in 1955 from a well-known Senator from Texas—Lyndon B. Johnson. The appeal was turned down by the Post Office Department at the time. It may have been that postal officials thought that since Senator Johnson had a brother called Sam Houston Johnson some kind of nepotism was involved.

We are glad to issue the stamp now to honor Sam Houston and all those named after him.

The handsome design of the stamp is by a Texan—Tom Lea. He was selected from among five Texas artists chosen by Senator Yarborough.

There is no one in the Congress who takes a greater and more cooperative interest in the work of the Post Office Department than Senator Yarborough, who is a distinguished member of the Senate Post Office and Civil Service Committee.

Like many a man after him, Sam Houston came to Texas to seek a new life and new challenges. He had already been a Congressman and Governor of Tennessee. He helped to give Texas her independence and in turn Texas renewed and remolded him. Houston distinguished himself, not only as a brilliant general and leader of men, but as a man of the strongest ideals which he refused to yield or compromise even under the heaviest pressure. He was irrevocably committed to the Union. His opposition to secession and his refusal to swear allegiance to the Confederacy caused him to be deposed as Governor. Sam Houston was one of the soundest and noblest men that this country has produced.

Once, deploring the absence of leaders in the new Republic, Houston said Texas needed men "brave enough for any trial, wise enough for any emergency, and cool enough for any crisis."

It was fortunate for all of us that in the terrible tragedy which befell our Nation last November, we had a man to take over who met those criteria. No Vice President in our history has been better qualified to take over the Presidency than Lyndon Johnson. His many years in the Congress gave him a broad understanding and appreciation of every area of government.

President Johnson was at the fulcrum of decisionmaking throughout the 3 years of President Kennedy's administration. He took part in meetings of the Cabinet and the National Security Council. He was Chairman of the Space Council and Chairman of the Committee on Equal Employment Opportunity.

He was intimate with all phases of policy and able to take over the reins of Government without dropping a stitch.

I think the smoothness of the transition of administrations was enormously impressive and reassuring, not only to Americans, but to people all over the world. The orderly transferral of power, in a time of sudden crisis, was a dramatic demonstration of the stability of our Government. It made clear the maturity of American political society and the strength of our democracy.

I have enormous respect for the depth of President Johnson's experience. At Cabinet meetings, he has demonstrated a profound grasp of national issues and an imposing familiarity with the intimate details of the working of government. The skill, vigor and determination with which he has begun his presidency have won him almost unprecedented public confidence.

The President has made clear that the overriding business of his administration will be to work for world peace. In his address at the United Nations last month, he said: "The greatest of human problems—and the greatest of our common tasks—is to keep the peace and save the future. * * * The United States wants to see the cold war end, once and for all."

In the past 3 years we have witnessed a solid beginning in the difficult road to an honorable, just, and sound peace. Among the concrete achievements is the so-called hot line, a direct line between the Kremlin and the White House to be used in emergency situations. This is an important device to prevent miscalculation or fateful misunderstanding in a fast-moving or dangerous situation.

The most important step forward has been the test-ban treaty, which bars nuclear tests in the air, in space and on the water. Hailed all over the world as a historic step in lessening tensions and in preserving humanity from the unknown dangers of nuclear fallout, it has provided new confidence and experience in meaningful and realistic peaceful collaboration.

At the United Nations, President Johnson also stressed that America will continue to do its share to raise the standard of living of the world's people. Through food for peace, the Alliance for Progress, and our mutual assistance programs, we are helping the less developed nations emerge from the darkness of hunger, illiteracy and despair.

The Peace Corps, one of the most sensational successes of the last 3 years, will have 10,000 volunteers working in 37 countries by the end of this fiscal year. The Peace Corps has captured the imagination of the entire world and spread the image of American idealism to the remotest sections of the globe.

Last July, when he reported to the Nation on the signing of the test-ban treaty, President Kennedy cited the ancient Chinese proverb that it takes only a single step to begin a thousand-mile journey. That first difficult step was taken under President Kennedy's brilliant leadership. It is now time to think about the rest of the journey.

The task that faces us is to unwind the tangled web of mutual distrust and suspicion built up between the Soviet Union and the United States since World War II. The United States and the Soviet Union have never been at war. We share with the Soviet people a hatred of war resulting from the losses we both suffered in our successful joint effort to conquer the Nazis.

While we will continue to take every step to break down the walls of hostility, we will at all times maintain our guard. Our security must be preserved at every point.

Although our strength must be second to none, the time has come to leave behind the old slogans and tired cliches of the cold war. There can be no victory in a nuclear age. Speaking of the irresponsibility and dangers of demands for so-called cold war victory, President Johnson has denounced those who "would play the juvenile game of 'chicken' with our national life."

In our domestic affairs, President Johnson has stressed from the very beginning, that the expenditures of Government in this administration will be handled with the utmost thrift and frugality. The taxpayer is going to be assured of a dollar's value for every dollar of his money spent.

The expenses of every Federal agency are being trimmed to the bone. For the first time in a decade the growth in Federal employment will be halted—in fact, there will be fewer people on the Federal payroll next year than in fiscal 1964.

In the Post Office Department we shall cut our employment by 5,000 by June 30. This will be achieved by leaving vacated jobs unfilled. Our economy measures will not result in impaired postal service. We expect to handle our rapidly growing volume of mail by improved management techniques and harder work all around. Employee productivity has been increasing steadily in the Postal Service and we intend to bring about even further gains.

President Johnson's stress on efficiency and frugality in Government does not mean that essential and desirable programs will be cut back or halted. It is essential that within the context of efficient management we move forward.

Put another way, we are running a taut ship, but one that is sailing full speed ahead. As the President has put it himself, "We are not going to stand still in this country. We do expect never to be just content to sit in our rocking chair and enjoy the status quo."

As the President emphasized in his state of the Union message, we are going to make a massive attack on the remaining poverty in our Nation. We need a program of health insurance for the aged. We need more hospitals. We need a better public housing program. The minimum wage law must be extended to cover many of the individuals not now under it. And we must expand and improve our schools, our libraries, our colleges and universities if we are to keep pace with the great demand for trained men and women in an increasingly complex industrial society.

One key public issue that needs immediate attention is tax-cut legislation. I happen to be an economist by profession and my area of special competency is in the field of taxation. That is why I have a particular interest in the tax bill. Professional economists seem to be close to unanimous in their support of a tax cut. That in itself is something to behold. It is even more remarkable in this case because we find ourselves in agreement with large numbers of conservative businessmen and labor leaders as well. The administration's tax legislation is receiving broad support from all across the political spectrum.

America has begun to move again in the last 3 years. We are in one of the longest sustained peacetime booms in our history. Gross national product now exceeds $600 billion and corporate profits are at an alltime high. Annual income has increased by $300 per person in the last 3 years. Personal income now averages $2,500 for every man, woman and child in the United States.

The average wage of factory workers now exceeds $100 a week for the first time. And on top of all this, prices have remained stable.

There is, however, still room for improvement. Our economy's performance is not measuring up to its full potential. Some $30 billion of annual production potential is going unused. Ten percent of our industrial plant capacity lies idle. While most of us are prospering, 4 million of our fellow citizens cannot find work.

The administration's tax bill is designed to help end this terrible human idleness and material waste. Its purpose is to further bolster the economy and take up its remaining slackness. It will boost demand, sharpen incentives, increase the flow of investment funds, and step up the rate of economic growth.

The present Federal tax structure, much of which is left over from World War II days, is clumsy and burdensome. It siphons off too big a share of personal and business purchasing power.

Recent history gives evidence that budget deficits are caused not so much by increases in Government spending as by recessions and sluggish economic growth.

Federal spending cannot be viewed apart from the total growth and output of the Nation. Under President Eisenhower the Federal budget represented 18.6 percent of total output. President Johnson's budget keeps the ratio below that figure.

Our perennial budget deficits are caused not by too little taxation or by too much Government spending. They are caused by an economy that is operating at too low a level. It is paradoxical, but true, that tax rates are too high and tax revenues too low. The best long range way to raise revenues is to cut taxes now.

The administration's tax bill is not a quickie tax cut or temporary shot in the arm to the economy. It represents a long range means to expand industrial capacity and reduce unemployment. I hope you will get behind this program and give it your full measure of support.

I hope also, that you will buy lots of Sam Houston stamps. The stamps, which will go into homes and offices all around the land, will remind millions of Americans of Sam Houston's high ideals and the great services he rendered to Texas and to the United States.

STUDENT ESSAYS BY HONOLULU HIGH SCHOOL STUDENTS

Mr. FONG. Mr. President, recently I received from Honolulu, essays written by a number of students at McKinley High School there on the theme of "What It Means To Be an American."

Because the essays express so well the pride and loyalty of these young Americans, I wish to share their patriotic sentiments. As an alumnus of McKinley High School, I am especially proud of the depth of feeling and devotion to their country, reflected in the students' essays. I thank their teacher, Mrs. Florence Wittich, for sending me the essays.

I ask unanimous consent to have printed in the RECORD at this point two of these essays which are representative of the several others I have received.

There being no objection, the essays were ordered to be printed in the RECORD, as follows:

I AM AN AMERICAN

(By Wesley Oshimo)

"O beautiful for spacious skies, for amber waves of grain."

As I listened to the tune of the song on the record, I began to feel the feelings of joy, and yet sadness filled me, for I am an American. Born in a free country, getting a free education, and most important, freedom to do as I please within the limits of the law. This is joy, for I am an American.

I began to imagine far back during World World II how many young boys went off to the war, and so few coming back to their homeland after the war. On King Street across from the library is a monument filled with names of the dead who were brave and courageous, who fought for their belief in freedom and liberty. Our country was built on men like these, who died to save their country's freedom and its people from countries which wanted to take these rights from us. This is my sorrow, for I am an American.

Freedom and liberty were born when immigrants came to live in our wild country to start all over again—long, long ago. America's people are still fighting for freedom, like the Negro people fighting for their freedom.

Freedom is hard to be earned. It is hard to be conquered, too. Freedom is part of the rights of the people in our democratic way of life.

If we believe in these things about freedom and fight for that belief, then Americans shall be feared by countries who want to take these rights from us. We shall not be conquered from invaders from other countries because America has people who strongly believe in such things as freedom and democracy which make our country what it is today. I am proud that I live in America for I am an American.

How much does your country mean to you? It means many things to me. I will fight for my country and guard it with my life. Next to my country, life means nothing if freedom and liberty are at stake.

This is how much I love my own country. For I am an American.

I AM AN AMERICAN

(By Gail Powell)

I am an American and I'm very, very proud of it.

I am proud to say that I have so many freedoms that I can do almost anything I choose to do. I must abide by the laws, of course, but that wouldn't be hard for anyone to do if they stop to think of how much freedom they have compared with people in other parts of the world. Although I'm not a millionaire and I'm not even a tiny bit wealthy, I consider myself as being one of the most lucky people in this world.

Sometimes I forget that I have it so easy living in America. I don't want to eat certain things, I get choosy about what I want, I won't wear a certain style of clothing, I get disgusted at times when I can't have something I want, and many other things. I don't stop to think about how much I already have and don't begin to appreciate it, until I suddenly remember that I have so much and other children in other countries have so little.

There is only one thing I can say. America is my country and I can't begin to say how proud and thankful I am to be living in it.

BIBLE READING IN THE PUBLIC SCHOOLS

Mr. STENNIS. Mr. President, a letter from the adult Sunday school department and the adult training union department of the First Baptist Church, of Greenwood, Miss., requests that the resolution, accompanying the letter be printed in the CONGRESSIONAL RECORD.

The same letter and resolution have appeared in the pages of the Baptist Record, of Jackson, Miss., and since that time, I have received requests from other Baptist churches asking that they be joined in this resolution.

I ask unanimous consent that the resolution be printed in the RECORD; and trust that the resolution will be read and considered by every Member and the people of the Nation.

There being no objection, the resolution was ordered to be printed in the RECORD, as follows:

RESOLUTION OF FIRST BAPTIST CHURCH, GREENWOOD, MISS., ADULT I TRAINING UNION AND SUNDAY SCHOOL DEPARTMENTS

Whereas almost four centuries ago our forefathers came to these shores seeking not escape from God but freedom to worship, bringing an abiding faith in God and a determination that this faith would be woven into the fibers of their government; and

Whereas after the passage of years with the admonitions of Benjamin Franklin ringing in their ears, "Except the Lord build the house they labor in vain that build it." God-fearing, praying men invoked the providence of God as they struggled to lay the foundations of a new nation; and as a result thereof, there evolved therefrom the most perfect document written by man for his own governing, the Constitution of the United States of America; and

Whereas the Lord did build this house, and the God of Abraham, Isaac and Jacob has been the God of this Nation and has caused us to prosper and to survive; and this Nation's institutions have heretofore acknowledged our dependence upon and love for God and the Holy Bible; and our national motto has proudly proclaimed to the world that in God do we trust; and

Whereas there are now ruthless atheistic assaults made daily upon the religious foundations of our Nation; there are evil and despicable movements to remove God from our schools, our judicial system and all functions of our life related to the National Government; and

Whereas Christian people have been grievously concerned and have become indignant over these attempts to obliterate God from our national life and will not accept a godless society or government; and

Whereas we continue to believe with Benjamin Franklin that unless the Lord continue to build this house, the Government which we now know and treasure shall not long survive: Therefore, be it

Resolved, by adult I training union and Sunday school departments of First Baptist Church, Greenwood, Miss., that the Congress of the United States of America be, and the same hereby is, petitioned and implored to protect the Christian heritage of this Government, to immediately take all necessary action to assure the right of Bible reading in our public schools and institutions and to assure for our national life the spirit and message of our national motto, "In God We Trust"; further

Resolved, That the Congress give these matters the earliest and most urgent attention.

So resolved, on this, the 8th day of December, A.D. 1963.

MRS. J. H. KYZAR,
Superintendent, Adult I Sunday School Department.
JAMES C. PITTMAN, Jr.,
Director, Adult I Training Union Department.

FOOD FOR PEACE—A DRAMATIC SUCCESS STORY

Mr. McGOVERN. Mr. President, this year the Congress will again review the food for peace—Public Law 480 program with a view to extending it into the future.

A summary of this program issued by the Department of Agriculture has just come to my attention. This report summarizes in succinct terms what has been accomplished since the program was started nearly 10 years ago. It highlights the dramatic developments in using American agricultural abundance to feed hungry people, to help the developing countries promote their economic growth and, indirectly help them to become better customers of ours, to further American foreign policies, to promote new markets, and to provide additional income for American farmers and businessmen.

I commend this summary to my colleagues as they give consideration to the need for extending the Public Law 480 program. I ask unanimous consent to have it printed in the RECORD at this point.

There being no objection, the summary was ordered to be printed in the RECORD, as follows:

FOOD-FOR-PEACE HIGHLIGHTS

In the past 9½ years, the United States has shared with needy people, mainly in the developing nations, nearly $13 billion worth of agricultural products at export value. These food-for-peace shipments represented a third of the total value of approximately $39 billion worth of U.S. farm commodities exported over the period. Food-for-peace shipments under Public Law 480 reached a record total of $1.6 billion in calendar year 1963.

For the developing countries, food for peace is feeding hungry people, promoting economic growth.

For the United States, the food-for-peace program is furthering American foreign policy by (a) strengthening the free world; (b) creating good will toward the United States among recipient countries; (c) giving uncommitted nations, many of which are predominantly agricultural, a chance to compare the efficiency of free U.S. agriculture with the inefficiency of regimented Communist farming; building, through market promotion and economic development, the basis for future cash sales of U.S. farm products; and providing useful outlets for U.S. agricultural abundance and additional income for American farmers.

Of the $12.8 billion total shipped in the period July 1954 to July 1963, the bulk of it—about $10.7 billion worth—represented exports under Public Law 480, the Agricultural Trade Development and Assistance Act of 1954. About $2.1 billion worth was shipped under other legislative authorities.

Title I: Forty-six countries with a total population of about 1.5 billion have received $6.7 billion worth of food and fiber, at export value, through sales for foreign currencies under title I, Public Law 480. Largest recipients were, in order, India, Pakistan, Yugoslavia, Spain, Poland, Turkey, Brazil, Korea, and Indonesia.

(In the past 9 years, some of the countries once receiving U.S. food under title I have "graduated"; that is, they have now become able to purchase food from the United States with dollars. Among these countries are Spain, Italy, and Japan, the latter currently the largest oversea cash customer for U.S. food and fiber.)

A big part of the rupees, pesos, cruzeiros, and other foreign currencies received by the United States for its products are loaned or granted to the receiving countries to speed economic development. A smaller part finances U.S. expenses in the receiving countries, U.S. agricultural market development, student exchange programs, research, book, translations, and defense support.

Foreign currency sales the past 9 years accounted for nearly 2.8 billion bushels of wheat, 83 million bags of rice, 417 million bushels of feed grains, 7.6 billion pounds of fats and oils, 8.1 million bales of cotton, and large quantities of other products.

Title II: A total of 64 countries received, under title II, Public Law 480, emergency supplies, having a value of $1 billion. Much of this food was granted on a "government-to-government" basis for the victims of such disasters as earthquakes, droughts, floods, and locust plagues. Substantial quantities of food are being used in child feeding, refugee feeding, and works project programs.

Title III: Donations to U.S. voluntary relief agencies, such as CARE, Catholic Relief Services, Church World Relief, Lutheran World Relief, and United Nations Children's Fund were made under title III, Public Law 480. Under this authority, foods valued at $1.4 billion were exported to 77 million needy people in 134 countries and territories.

Surplus farm products valued at $1.6 billion were exchanged under the barter program, also authorized by title III, Public Law 480, for minerals and other durable materials, goods, or equipment produced abroad.

Title IV: Under title IV, Public Law 480, $134 million worth of commodities have been sold for export ($75 million worth actually exported) under long-term supply and dollar credit arrangements. This expands U.S. exports of agricultural commodities and at the same time assists developing nations in conserving their resources while strengthening their economies.

The table below summarizes food for peace exports in recent years, as compared with total U.S. farm product exports:

[In millions of dollars]

	Fiscal years 1955–60	1961	1962	1963	Total, July–June 1954–63
Public Law 480:					
Title I	3,629	952	1,019	1,072	6,672
Title II	475	146	176	159	956
Title III:					
Barter	1,205	144	198	57	1,604
Donations	892	144	169	182	1,387
Title IV	----------	----------	19	56	75
Total, Public Law 480	6,201	1,386	1,581	1,526	10,694
Mutual security exports [1]	1,803	186	74	13	2,076
Total, food for peace	8,004	1,572	1,655	1,539	12,770
Other exports [2]	15,603	3,374	3,486	3,545	26,008
Total, agricultural exports	23,607	4,946	5,141	5,084	38,778

[1] Largely exports under secs. 402 and 550 of the Mutual Security Act.

[2] Includes unassisted sales for dollars, shipments of some commodities with governmental assistance in the form of export payments, short- and medium-term credit, and sales of Government-owned commodities at less than domestic market prices.

Source: U.S. Department of Agriculture, Foreign Agricultural Service.

FAILURE OF CUBAN POLICY

Mr. SCOTT. Mr. President, we have just witnessed three events which dramatize the utter failure of our Cuban policy.

While our diplomats talked peace Cuban revolutionaries stirred a mob to violence in Panama, and three American soldiers died in defense of their country's rights.

Then, Fidel Castro flew off to Moscow to consult with his leader, Nikita Khrushchev.

And, last but certainly not least, a successful Communist coup has been carried out in the faraway African island of Zanzibar by Cuban-trained guerrillas.

Communism's success in Zanzibar is part and parcel of our faltering, failing Cuban policy. Yet, our policymakers continue to hide their heads in the sands of wishful thinking in the apparent belief that if we ignore it long enough, the problem of Cuba will just go away.

Even those of us who speak out on the problem of Cuba here in the Senate are ignored by pussyfooted policymakers and paltering pundits alike, perhaps in the vain hope that we too will go away.

But the crisis in Panama will not just go away, nor will that in Zanzibar. Indeed, such crises can be expected to multiply as long as we fail to heed our vital interests and face our responsibilities in Cuba.

The New York Times has described Zanzibar as "a starting point for penetration of the heart of the African Continent." There are already signs of trouble in the nearby mainland country of Tanganyika.

And Cuba, communism's export center for subversion, violence and revolution is still right next door to the United States. It will not just go away, nor will it float off to some far distant clime where it will not be so obviously annoying.

The increasing menace of Cuba must be faced. Not to face it is to ignore the past and default the future.

DEATH OF DR. ERNEST J. ENGQUIST, JR.

Mr. PROXMIRE. Mr. President, I regret to bring to the attention of the Senate the passing of one of the leading statisticians in the Federal Government, Dr. Ernest J. Engquist, Jr. Dr. Engquist died on Wednesday, January 15, while driving his automobile.

Dr. Engquist had a brilliant career in economics and particularly in statistics. He was a graduate of Lawrence College in Appleton, Wis., in 1929. He then received a masters degree from the University of Illinois and his Ph. D. degree from Northwestern University.

Dr. Engquist began his career in Government as an economist with the Agriculture Department in 1933. He then progressed through the Commerce Department, the War Production Board, and the War Assets Administration before taking his position as Director of the Statistical Division at the Internal Revenue Service.

Mr. President, as chairman of the Statistics Subcommittee of the Joint Economic Committee, I have had occasion to examine closely the way in which Government statistics are developed. I think there is little awareness of the fact that a large proportion of all Federal statistics are based upon Internal Revenue Service data. Dr. Engquist was in charge of collecting, preparing, and publishing these data since 1963, and his work in this area has been brilliant.

His accomplishments include expediting the compilation and publication of tax statistics, the development of major new areas of statistical tax research, and some excellent specific studies of particular tax provisions, such as those dealing with capital gains and insurance companies. His loss will be sorely felt by those who are concerned about the quality of economic statistics.

EFFICIENCY OF U.S. GOVERNMENT EMPLOYEES

Mr. McGEE. Mr. President, the average employee of the U.S. Government is one of the most efficient workers in the world. This fact is supported by the remarkable circumstance that while our population has grown by leaps and bounds the number of civilian Government employees has dropped from 19 per thousand persons to 13 per thousand.

Despite this record many people find it expedient to portray the Government worker as an inefficient clockwatcher, interested only in collecting his pay. I am convinced that most thoughtful Americans reject this idea and I was pleased to receive a thoughtful letter from a gentleman in Wyoming, Mr. Wayne Erickson of Riverton, complementing two Federal agencies on the efficiency of their operations.

Mr. President, I ask unanimous consent that this letter be printed in the Record.

There being no objection, the letter was ordered to be printed in the Record, as follows:

Riverton, Wyo., *January 14, 1964.*

Senator Gale McGee,
Senate Office Building,
Washington, D.C.

Dear Senator: Too often we citizens bring only our problems with Government agencies to you. Other agencies are doing really fine work which we fail to bring to your attention. Two such agencies are the U.S. Geologic Survey and the Office of Minerals Exploration.

The work the USGS is doing cannot be done by private industry yet it is of extreme importance if we are to maintain a free and strong economy. The basic research and mapping performed is unexcelled. As our Nation can be no stronger than its basic resources, it is imperative that this work be continued.

The services supplied by the OME are equally important. All major mines were once small. The OME makes it possible for these small mines and prospects to grow into major producers. Through the OME our natural resources are developed. Not only does this create employment and job opportunities, but it also keeps our depletable reserves in a strong position.

Both of these agencies, the OME and USGS appear to be well managed. Our experience has shown them to be cooperative and quite conscientious of the work and services they are performing. I am confident that the majority of the people within the mining industry share my opinion.

Respectfully yours,
Wayne Erickson.

COMPETITION FROM FOREIGN WOOL

Mr. McGEE. Mr. President, the State which I have the honor to represent derives nearly one-fourth of its gross income from its agricultural economy. It is obvious than that any threat to the stability of our agricultural operations is a threat to the entire economy of Wyoming.

I am deeply concerned with the increasing competition from foreign sources that has adversely affected our wool growing industry. Recently I was privileged to present a statement regarding the crisis facing this important industry to the U.S. Tariff Commission and to the Trade Information Committee. I ask unanimous consent that this statement be printed in the Record.

There being no objection, the statement was ordered to be printed in the Record, as follows:

Statement of Senator Gale McGee, Submitted to U.S. Tariff Commission, Trade Information Committee, Hearings on Wool Fibers and Wool Textiles, January 10, 1964

Mr. Chairman and members, I appreciate the opportunity to submit for your consideration my remarks on the subject matter of these hearings, wool fibers and textiles and their inclusion on the list for negotiation at the GATT meetings in Geneva.

Mr. Chairman, my comments on this matter will be short and to the point. The briefs filed by Mr. Edwin E. Marsh of the National Wool Growers Association, and by Mr. Robert P. Bledsoe of the Wyoming Wool Growers Association are outstanding in their treatment of this matter both on the national and State level. Those briefs discuss in detail the harmful effects that any further reduction in the tariffs on these commodities would have on the domestic woolgrowing and textile industries.

My State of Wyoming now ranks second in wool production with an annual output in excess of 22 million pounds of wool. Nearly one-fourth the basic gross income in Wyoming is derived from agriculture with 79 percent of this amount attributable to livestock and livestock products. These figures point up the extreme importance of agriculture, including wool production in Wyoming. I wish to emphasize this importance in my comments to you today.

While the woolgrowing industry in Wyoming is a large and important industry, it is not as healthy as it should be. To illustrate this I would call your attention to the fact that cash receipts from wool in Wyoming have fallen from $9,069,000 in 1954 to $8,690,000 in 1961. While cash receipts from wool amounted to 6.9 percent of Wyoming agricultural production in 1954, these receipts amounted to 5.4 percent of this production in 1961. The fact of the matter is that the woolgrowing industry in Wyoming is harmed in proportion to the damage suffered by our domestic textile industry. All wool produced in Wyoming is marketed to domestic mills and purchases have been on the decline because of the high imports of foreign fibers and textiles. It is no secret that a number of mills have been forced to close and others to cut back on production for this reason. The direct and damaging effects of this situation on the domestic woolgrowing industry are obvious.

Mr. Chairman, I strongly oppose the inclusion of these items on the list for negotiation and would urge that every consideration be given to the imposition of an import quota system on these items. Any further reduction in tariffs would have the twofold effect of increasing imports and reducing revenues available under the National Wool Act. A further reduction in the raw wool tariff would adversely affect the present operation of the Wool Act necessitating larger payments by the Federal Government to meet the difference between the market price and the incentive level. Certainly the market price would decline should the tariff be reduced.

In conclusion, Mr. Chairman, may I again strongly urge that these items now being considered not be included on the list for negotiation and that an import quota be imposed. A reduction in the tariffs on these commodities would strike a grievous blow to an already badly damaged industry.

ACCOMPLISHMENTS OF IMMIGRATION AND NATURALIZATION SERVICE

Mr. PELL. Mr. President, a recent release from the White House gives high praise to the Immigration and Naturalization Service as an example of government with a heart. The Service, headed by a fellow Rhode Islander, Raymond F. Farrell, richly deserves this praise.

The Service operates under grossly restrictive legislation, but in spite of this has done a great deal to break the barriers of bureaucracy and cut the bindings of redtape. We in Congress can do even more in aiding these efforts. We can, as the President has urged us, and as I have long advocated, pass new nondiscriminatory immigration legislation. We can eliminate the prejudicial national origins quota system, make easier the reuniting of families, attract new blood to these shores. We can, if we put forth the effort, make Ray Farrell's job a great deal easier.

I ask unanimous consent that the statement by the President, and the Attorney General's report to him concerning the accomplishments of the Immigration and Naturalization Service, be printed in the RECORD at this point.

There being no objection, the statement and report were ordered to be printed in the RECORD, as follows:

STATEMENT BY THE PRESIDENT

The report of the Immigration and Naturalization Service is an example of government with a heart.

By applying existing immigration laws with humanity, we are demonstrating that compassion and efficient administration go hand in hand.

America's strength has risen from the diversity of its heritage.

Its future has always rested on the hopes of our forebears as they came to seek freedom and abundance.

We can take renewed faith in the eagerness of people throughout the world to become citizens—to share with us in the building of an even stronger country.

We can express that faith by passing and implementing legislation already proposed to abolish the discriminatory national origins system.

This bill will eliminate the waste of unused quotas.

It will permit families to be reunited.

I am hopeful of passage as early as possible.

The Attorney General's report makes it clear that the Immigration Service has done its job with understanding, ability, and energy. In executing the new legislation it will continue to perform in that manner.

REPORT TO THE PRESIDENT FROM THE ATTORNEY GENERAL CONCERNING ACCOMPLISHMENTS OF THE IMMIGRATION AND NATURALIZATION SERVICE

JANUARY 13, 1964.

DEAR MR. PRESIDENT: I am happy to report that the U.S. Immigration and Naturalization Service made important progress during 1963 in eliminating time-consuming redtape for citizens and visitors, without diluting national security safeguards.

One of the Service's most satisfying accomplishments in the year was to make streamlined new procedures available to Americans who want to adopt alien orphans. Already, I am told, there has been a sharp reduction in the time required to adopt 1,500 of these orphans.

Raymond F. Farrell, Commissioner of Immigration and Naturalization, also has reported to me that major gains in cutting redtape have been achieved in the inspection procedures for visitors from abroad. These improvements have been especially timely since they came during a year when an estimated 986,000 foreign tourists, a record number, visited the United States, compared with 851,506 in 1962 and 766,591 in 1961.

One of these improvements results from the adoption by several large ship lines of the Service's suggestion to use the simplified manifests long employed by the airlines. This change will ease the jam at inspection facilities, permitting inspection of all passengers on a first-come, first-served basis.

Another travel aid instituted this year allows foreign passengers arriving and departing on cruise vessels to enter and clear U.S. ports as part of their tour without having to obtain nonimmigrant visas from U.S. consuls abroad.

I am also pleased to report to you that courtesy and cooperation along both sides of the thousands of miles of borders with Mexico and Canada during the year were unusually high all during the year.

As an example of this cooperation, the Mexican Federal Judicial Police worked with the Immigration Service to break up a major counterfeiting ring in Mexico City which was producing bogus versions of the forms issued to aliens residing permanently in the United States.

Again this year, the Immigration Service continued its vigorous drive on organized crime and racketeering. Commissioner Farrell reports that 676 aliens were deported under criminal, immoral or narcotics charges.

Among them was "Countess" Elizabeth Spedding, who had been convicted of violating the white slave traffic act. She was deported to Canada following her release from confinement for illegal reentry.

Others deported during the renewed drive on criminals and racketeers included Giuseppe Crisalli, whose convictions include armed highway robbery, and Umberto Bauco, wanted by authorities in Italy for fraud and embezzling.

Also during the year, deportation proceedings were started against Hugo Rossi, a narcotics trafficker who was recently denaturalized

Also in 1963, the Supreme Court upheld a denaturalization order against John "Bathbeach" Oddo, a racketeer loan shark who has been identified as a member of Cosa Nostra.

Other highlights of the 1963 activities of the Immigration and Naturalization Service are:

An alltime record number of 174 million aliens and citizens were admitted during the year, an increase of 1 million over the year before. This total, of course, includes many aliens and citizens who made frequent crossings of the land borders.

During the year, the U.S. population was increased by 314,000 aliens who entered as immigrants or as permanent residents. More than half came from Germany, Italy, the United Kingdom, Canada, and Mexico.

Cubans fleeing Castro continued to arrive in the United States despite the termination of scheduled airline flights between the two countries in October 1962.

From then until last July, 6,076 refugees brought to the United States by American Red Cross-sponsored vessels and aircraft, while others continued to arrive by small boat along the Florida coast. As of December 31, there were 154,703 political refugees in the United States from Cuba.

The Service continued to accept Chinese refugees from Hong Kong into the United States under President Kennedy's directive of May 23, 1962, to help alleviate overcrowding in that colony caused by the influx of persons fleeing from Communist China. Although no new applications have been accepted since January 1, 1963, 6,446 entered during the year, making a total of 9,200 who have arrived in this country.

All refugees, of course, are carefully screened before being permitted to enter this country.

During 1963, 73,250 aliens conceded deportability and were permitted to depart without formal proceedings. The 22 percent increase over 1962 was made up primarily of illegal entries from Mexico.

Fifty mentally ill aliens were returned to their native lands. Hospitalization of these aliens already had cost the United States $340,000. Had they continued to remain in hospitals in the United States during their lifetimes, the projected cost would have been $3,850,000.

Subversive aliens deported during the year include: Gus Polites, long active Communist functionary in the Detroit area; Antonio Rodriguez Echazabal, former Cuban Ambassador to Haiti and Guatemala and alleged Communist agent.

Moy Cheung Seto, former propagandist for the Chinese Communist Party, who had procured documentation by fraud and was seeking entry to the United States, was excluded and deported. Stanislav Byczkowski, former member of the United Polish Worker's Party and suspected espionage agent was also required to depart.

Eng Let Poy, a Chinese Communist who had falsely claimed U.S. citizenship, departed while under deportation proceedings. Deportation proceedings were initiated against Joseph Sherman, long active in Communist organizations in the Boston area.

Roger Tetreault, Pierre Schneider, and Mario Bachand, youthful members of the terrorist Quebec Liberation Front were expelled to Quebec. All three had fled Canada after being charged with involvement in large-scale bombings there which resulted in the death of one person and injury to others.

There were 4,053 investigations of possible fraudulent evasion of the immigration and nationality laws. Prosecutions were sought in all cases of individuals or rings seeking to profit from fraudulent practices. Among them were Richard A. Cody, a Los Angeles attorney, who arranged sham marriages between aliens and citizens for substantial fees. He was indicted together with three of the grooms.

Salvatore Vavolizza, president of the Vavolizza Travel Service, Bronx, N.Y., two of his employees and the owner of another travel agency were indicted on 73 counts for conspiring to make false statements in applications for first preference visas. Elmer R. Castillo, a self-styled immigration consultant was indicted for furnishing fraudulent employment assurances to potential immigrants from Mexico.

There were 591 investigations in alien smuggling cases conducted by Service officers. George H. Stodder, Robert A. Clause, and Efrain Rio-Gutierrez were indicted for illegally bringing four Mexican aliens into the United States and in furtherance of the violation transporting the aliens from the border to Wyoming by plane. They are awaiting trial.

Marvin Kenneth Wilson and Joe Frank Langston were charged with inducing 14 aliens to enter the United States illegally and with conspiring to convey them by plane from the Mexican border to Oregon. Wilson pleaded guilty and is serving a 1-year sentence. Langston is awaiting trial.

A. J. Kupper, Hoke McKim, and Roman Vidrio Virgen were indicted for having induced eight Mexicans to enter the United States illegally and conspiring to convey them by plane from the border to Kaufman, Tex. They, too, await trial.

Service efforts to combat desertions by sailors resulted in the location of 1,930 deserters. One, a Greek crewman, who deserted his ship, was located in Chicago. He attempted to avoid arrest by being lowered from a third-story window on a bedsheet rope. His trial—and that of his accomplices for harboring and concealing him—is pending.

During 1963, illegal aliens found in this country by the border patrol increased by 23 percent to 43,174 from 35,096 from 1962.

In addition to aliens located by the border patrol, 12,795 aliens were found in urban areas by Immigration Service investigators who have the responsibility of seeking out aliens who have entered unlawfully or who have violated the conditions of their admissions.

In the lower Rio Grande Valley of Texas, the marked increase in illegal entries during July, August, and September almost paralleled exactly the sharp seasonal trend noted last year. In addition to the 23,558 aliens who entered illegally, 19,508 aliens who had violated nonimmigrant status were found. Most of these were working or seeking work on farms and ranches.

A moderate increase in the number of alien smugglers detected by the border patrol was noted—382, compared with 355 during 1962. There was a marked increase, however, in the number of smuggled aliens, from 635 last year to 821 during 1963.

There was an increase in the use of aircraft to smuggle aliens into the United States or to transport them after entry. In July, officers picked up 37 deportable aliens who were waiting for a plane to transport them from Deming, N. Mex., to Brooks, Oreg., where they had been promised work.

Reentry of deportable aliens is minimized by transporting them to the interior of Mexico nearer their homes rather than by releasing them at the border. Accordingly, 11,340 aliens were flown by chartered aircraft to Leon, Guanajuato, and 4,129 aliens were transported to Chihuahua.

Cooperation with other enforcement agencies continued to pay dividends. These agencies delivered 3,632 deportable aliens to patrol officers during the year and the border patrol was able to turn over to them 1,013 violators of various Federal, State, and local laws.

An officer at Wolf Point, Mont., arrested Sam Mannarino, Pittsburgh rackets figure, wanted for violation of the Federal income tax laws.

In routine operations, Oceanside officers solved a burglary (and recovered $5,500 worth of men's clothing) by arresting three men fleeing the scene of a crime.

A Del Rio officer identified a deportable alien as a suspect, and as a result, 36 burglaries were cleared. El Paso officers arrested an alien wanted for murder in Canada.

Laredo officers arrested a man wanted in Dallas for murder after he attempted to evade inspection at a traffic checking point. In October, Del Rio officers arrested two smugglers and seized 100 pounds of marijuana concealed in their automobile.

In accordance with the requirements of the Immigration and Nationality Act, 3,236,684 aliens filed address report cards with the Service in 1963. This is an increase of 107,919 reports over last year. The three States with the largest number of aliens reporting were: California, 710,419 or 22 percent; New York, 600,468 or 18.5 percent; Texas, 241,001 or 7.4 percent.

Resident aliens comprise 89 percent of the aliens reporting. The largest numbers of resident aliens were of Mexican nationality (577,895), followed by Canada (339,659), the United Kingdom (247,811), Germany (247,805), Italy (228,766), and Poland (129,884). There were less than 100,000 in other nationalities. Most Mexican nationals live in California and Texas; Canadians in New York and California; British in New York and California; Germans in New York and California; Italians in New York and New Jersey; and Poles in New York and Illinois.

Another important function of the Immigration and Naturalization Service is the naturalization of resident aliens.

Among the 125,000 persons who became citizens through naturalization were approximately 8,000 Hungarians, who came to this country following the revolution of 1956. More than half of those naturalized were former nationals of Germany, Italy, United Kingdom, Canada, Mexico, and Hungary.

Another major area in the nationality field was the issuance of certificates of citizenship to 18,500 foreign-born persons who acquired U.S. citizenship through their naturalized parents; an additional 23,200 persons were issued other nationality documents.

The Service policy of expediting the naturalization of military personnel and their dependents was continued in 1963.

Ceremonies were held at many military stations at which children born abroad to Armed Forces personnel were issued certificates of citizenship, thus saving the servicemen and the Government time and expense.

Respectfully,

ROBERT F. KENNEDY,
Attorney General.

ADDRESS BY SENATOR KENNEDY

Mr. MUSKIE. Mr. President, since he entered the Senate in 1962, the junior Senator from Massachusetts [Mr. KENNEDY] has maintained a strong and consistent interest in the economic well-being of our shoe industry.

Last night, in Boston, Senator KENNEDY delivered a thoughtful address on the problems of the shoe industry to the New England Shoe & Leather Association. He also offered some important suggestions on steps which should be taken to achieve an orderly market in the face of disruptive increases in imports.

I recommend this speech to the attention of my colleagues and ask unanimous consent that it be printed in the RECORD at this point.

There being no objection, the address was ordered to be printed in the RECORD, as follows:

PROGRESS ON SHOE IMPORTS

(An address by Senator EDWARD M. KENNEDY to the New England Shoe & Leather Association to review the progress of industry and congressional efforts on shoe imports, Boston, Mass., January 22, 1964)

I know there are many matters which concern the shoe industry. You are concerned with tax relief, with expanding the purchase of shoes by American consumers, with marketing problems, with efficiency and cost cutting, with the close domestic competition which you face, and with other problems. But I think there is one thing above all which troubles all of us who are interested in the vitality of the shoe industry. That is the threat of rising imports from abroad.

So tonight I would like to speak about the efforts we are making to deal with this threat.

You are all familiar with the statistical facts on foreign imports and I will not belabor them. Imports are continuing to rise. In 1961 imports amounted to 6.2 percent of U.S. production. In 1962 they rose to 8.9 percent. In 1963 the latest figures indicate they rose again, to 13.9 percent.

You know the real meaning of such bare statistics. You know the impact which imports have on your practical, daily business operations. You have the responsibility—to your employees, to your communities, and to your stockholders—and you know only too well what the impact of rising imports means in a strongly competitive industry like the shoe business.

I also appreciate the meaning which further aggravation of the shoe import problem could have, for I am keenly aware of the importance of this industry. My own State of Massachusetts is the most important shoe producing State in the Nation with 14.8 percent of this country's output. Over 37,000 people are employed in the Massachusetts industry alone. It is the second largest employer of wage earners—of men who must support their families—in the Commonwealth of Massachusetts.

New England produces one-third of the shoes made in the United States. Over one-quarter of a billion dollars in wages is paid annually to employees in New England's shoe factories.

I know what the vitality of this industry means in Boston, in Brockton, in Haverhill, in Lawrence, in Lowell, in Lynn, and in hundreds of other towns throughout Massachusetts, New England, and the Nation.

I appreciate one other thing, which is often overlooked. The welfare of this industry has a significance to our Nation well beyond the confines of the industry itself. The shoe business is a unique example of real free enterprise. It has the keenest competition. It is an aggressive, tough, resourceful industry. It is, in fact, the kind of industry we mean when we praise the virtues of the American free enterprise system.

It is my conviction that, if we are serious about making such praise a reality, we must protect this vital industry from sudden, disruptive increases in foreign imports. The competitive balance is so fine that a major flood of imports will have a sharp and sweeping effect. This could have a disastrous impact on a historic American industry.

A year ago this industry clearly foresaw these things. You came to the Capitol and you conferred with your elected representatives in Congress. On May 1 I met with your leaders to plan the action to be taken on the problem of imports.

At that time I pledged that "I strongly support the responsible efforts of the industry to achieve an orderly market."

Then, together with your able national representatives and leaders in Congress, we went to work.

First. Upon investigation it developed that precise information did not exist to show exactly the impact which rising imports were having on the domestic industry. The leaders of the industry decided to obtain a thorough analysis of the effect of imports on a category by category basis. This was a farsighted decision. I am sure it will ultimately pay off by helping us to make the most persuasive case for quotas.

Second. We clarified the legal issues involved in negotiating formal quantitative arrangements with foreign governments. There is still considerable disagreement about the statutory requirements for imposing formal quotas, and a final decision has been withheld on the Presidential level pending completion of a precise analysis of the effect of footwear imports.

Third. Your Washington representatives enlisted support in Congress for the industry's program to alleviate import problems. A petition to the President requesting action to help the industry was signed by 236 Representatives and 46 Senators. This was a remarkable range of support, and I doubt if this performance has ever been equaled by any American industry.

After further preparation, on October 17 we met with the late President. I attended this meeting with other congressional leaders, and representatives of management and labor in the domestic shoe manufacturing industry. It was a very successful conference. After full and frank discussion, President Kennedy outlined a four-point Government-industry program of action.

One. The President established an Industry Advisory Committee to work on a continuing basis with the Government's Interagency Shoe Committee. This is the first time such recognition has been given to the industry. Nine representatives of both labor and management have been selected. On December 19 they held their first meeting in Washington.

Two. The duties of the Government's official Interagency Shoe Committee were expanded and it was made permanent. It is now authorized to undertake any project that will improve the conditions of the shoe manufacturing industry. This includes not only the impact of imports but other problems as well.

Three. The President ordered Government help for the industry's investigation and analysis of the effect of imports. The expert services of Customs, the Census and the Commerce Department have been brought to bear on the import investigation. This will require some $200,000 in Federal funds which are being provided in a supplemental appropriation now pending before the House. Final and successful action on the appropriation should be completed in the next few weeks.

The import investigation will be based on a greatly refined number of import categories in the tariff schedules. The President agreed to the industry's request to increase the number of categories from 35 to 92. This effort will include the collection of import statistics, the collection of such supplemental domestic production information as may be required, and analysis of the data. It will give both industry and Government more detailed and meaningful information, to better appraise the impact of imports.

This statistical program should go into operation in the next few weeks, and its importance should not be underrated. It is a necessary and very useful foundation for our continued efforts to obtain restrictions which will preserve an orderly domestic market.

Four. The President withheld any decision on the industry's long-range program for formally negotiated quotas. However, he instructed the Department of State to help the industry discuss its import problems with the Japanese and Italian industries and governments. Our industry's objectives in such discussions would be to impress upon those nations that their own best interests call for voluntary restraints on imports of footwear to the United States. Under this informal approach we will be able to advance the domestic political and economic reasons for voluntary self-restraint by the foreign governments and industries. By avoiding formal diplomatic trade negotiations at this stage—when a precise analysis of import categories is not yet available—discussions can begin immediately.

I have recently participated in similar talks affecting the wool industry, and they were fruitful.

I feel that a similar opportunity for constructive communication exists in the case of footwear, if we can bring to bear the abilities of some of our experienced, practical industry leaders.

These informal Government-industry discussions on shoe imports have been held up because of the industry's commendable desire to be sure of complying with the antitrust laws. There are several possibilities for following through with such discussions within the antitrust laws, and I think they should be carefully explored.

One approach would be for the industry to utilize the official channels of the State and Commerce Departments to press forcefully the political and economic reasons for voluntary restraint by the Italians and Japanese. A persuasive presentation of these reasons could appropriately include experienced American industry and congressional leaders, acting individually. They could voice the realities of the dilemma which faces our domestic industry. The Italians and Japanese then would be in a position to evaluate the situation and act unilaterally, if they so choose. I would be pleased to work with you in consulting the antitrust division to obtain guidelines for legitimate discussions if that becomes necessary.

Another approach which I think should be explored is to utilize the apparatus of the OECD, the Organization for Economic Cooperation and Development. Our Government is a member of the OECD, along with the former Marshall plan countries, including Italy. There is a possibility that Japan may also soon join. The OECD has industry committees and it might be worthwhile to establish a shoe industry subcommittee. This would operate under international governmental auspices and under these auspices members of our industry would meet directly with the foreign industries to press for voluntary quotas.

Of course, these approaches seeking voluntary self-restraint would not interfere with continued efforts to develop the case for formally negotiated trade agreements limiting imports. They simply provide a promising added alternative, as President Kennedy recognized, and we should try to exploit it.

We now have a new President. President Johnson has pledged that he will carry forward the programs of the late President and of the Democratic administration. I have suggested that Senator MUSKIE, Senator PASTORE, and myself should confer with the President on the problem of foreign shoe imports and this administration's program to help the industry help itself. We are arranging such a meeting.

We will ask for the President's strongest support and action to carry through the administration's program. We will ask for his most sympathetic consideration for the industry's efforts against the impact of imports.

As for myself, I would like to pledge my continued support for your industry's efforts to achieve an orderly market. It will be a pleasure to work with your constructive, resourceful industry in the days ahead.

I thank you for this opportunity to review the progress we have made.

THE POLL TAX AMENDMENT—SOUTH DAKOTA'S ACTION MEANS RATIFICATION OF THE 24TH AMENDMENT TO THE U.S. CONSTITUTION

Mr. McGOVERN. Mr. President, I am delighted with the announcement that today the Senate of my State, South Dakota, has ratified a resolution which will outlaw the use of a poll tax in Federal elections. The South Dakota House acted favorably last week. As the 38th State to so ratify, South Dakota's action completes the necessary three-fourths of the States needed for ratification of a constitutional amendment. The resolution, therefore, is now the 24th amendment to the U.S. Constitution. This action is, of course, a special cause of justifiable satisfaction to the senior Senator from Florida [Mr. HOLLAND] who has been the prime mover and author of this important constitutional amendment.

I am proud of the role played by South Dakota in this historic action. The people of our State have always been devoted to the basic democratic principle that every citizen shall have the right to vote, regardless of race, creed, or financial status. I am pleased.

It is not easy to amend our Constitution. Amendment was purposely made difficult by the authors of that document so that the will of the people would be clear before any change was made in our fundamental law. The will of the people is now abundantly clear. They will not accept any unreasonable barrier to the right to vote.

Mr. President, we will shortly debate on the floor of this Chamber a civil rights bill. One of the major aims of that bill is to eliminate for all times those remaining barriers to the exercise of the basic right to vote. We now have from the American people whose representatives have voted, not only in Congress but in the legislatures of three-fourths of our States, a clear mandate to eliminate one of the most troublesome of these barriers, the poll tax. We can do no less than enact with dispatch, a civil rights bill which will bring down the remaining barriers.

THE LATE HUMPHREY DOULENS

Mr. DODD. Mr. President, it was with deep regret that I recently learned of the death of Humphrey Doulens, a native of the city of Norwalk in my home State of Connecticut. Humphrey Doulens was one of those rare human beings who went through life without ever uttering an angry word. He was a great American whose first and foremost thoughts were always about what he could do for his fellow man.

The 56 years which he spent with us were all too few, and he will be sadly missed by the countless number of friends that he made first as a newspaperman and finally as vice president of the Columbia Artist Bureau.

There were many wonderful tributes paid to Humphrey, but I believe that they were all summed up by the beautiful eulogy delivered by Francis Robinson of the Metropolitan Opera Co.

I ask unanimous consent that Mr. Robinson's eulogy be printed in the RECORD.

There being no objection, the eulogy was ordered to be printed in the RECORD, as follows:

One of the deep and abiding comforts of the Anglican communion, I have always felt, is that it makes no provision for a sermon or eulogy in its order for burial. The rites for a king or a coal miner are one and the same. They stick to these few matchless pages in the prayer book and not a word more.

The only departure from this I think I have ever encountered was the funeral of Robert E. Sherwood. Alfred Lunt mounted the pulpit and read a lengthy tribute from Maxwell Anderson. If they felt anything need be done beyond the majestic words vouchsafed us by the church they might have chosen Bob Sherwood's own beautiful lines from the last act of "There Shall Be No Night."

This afternoon I would settle for anybody's lines. And at this point I beg to say I stand here through no choice of my own but on Humphrey's specific instruction. You can imagine what a difficult assignment, to sort from his manifold and great virtues a single or a combination for remembrance today.

The first thing that comes to mind is the skill, the energy with which he served his company and his particular charges. "Seest thou a man diligent in his business? He shall stand before kings; he shall not stand before mean men."

The second thing I like to recall is his devotion, his loyalty. Devotion and loyalty wouldn't be to much avail without knowledge and application but Humphrey objectified his dream and "He whom a dream hath possessed knoweth no more of doubting."

In his last letter to me, dated the day after Christmas, 2 days before the operation and only 4 days before he died, he wrote with pleasure and excitement that one of his doctors at Mayo had grown up in Knoxville and that the doctor's mother had been born in Jellico and had gone to school with Grace Moore.

Think of that: in the valley of the shadow his eye and mind and heart still fixed on the bright star.

His heart? It was no accident his heart gave out on him. When he had that first attack last summer I remembered what one of our former conductors suffering from heart trouble said of a colleague. "No wonder he has a good heart," and he named an older and more famous conductor, "he never used it."

Humphrey was all heart, and he used it. And that brings me to my final thought, his love of his family and his capacity for friendship. You may remember Elizabeth Bowen's definition of courtesy. "Politeness," she wrote, "is not a constriction; it is a grace. It is really no more than an exercise of the imagination on other people's behalf." Perhaps more than anyone I have ever known, Humphrey practiced that.

"A faithful friend is a strong defense, and he that hath found such an one hath found a treasure." We may lose a treasure like Humphrey by our death but never by his, and if in this new year and the years ahead we may be a little more understanding, show a little more forbearance, shed a little of his loving kindness, then certainly his life and even his death during these holy days have not been in vain.

I think that is his message to us today, and it is shining and clear.

FUNDS FOR AGENCY FOR INTERNATIONAL DEVELOPMENT

Mr. WILLIAMS of New Jersey. Mr. President, on January 3, 1964, the Washington Star published an editorial entitled, "Happy Days." The article pointedly implies that Congress did not know how much money was in carryover funds in the foreign aid program and that AID officials use procedures that permit them to cover large sums from congressional scrutiny. The editorial stems from a recent report from AID of $669 million in carryover that, when added to the $3 billion appropriation for this year, makes for a more adequate figure.

On January 7, 1964, the Washington Star published a letter to the editor from Mr. David E. Bell, Administrator of the Agency for International Development. It was very correctly titled, "No 'Surprise' in AID's Carryover Funds." The editor's note, following the text of Mr. Bell's letter, states:

> In retrospect, we agree that our implication that AID had concealed the existence of the carryover funds was unjustified.

In his letter, Mr. Bell points out that it is congressional custom in past years to make such carryover funds available. He noted:

> Last year, for example, about $700 million of carryovers and recoveries were available, in addition to $3.9 billion of new appropriations. Our estimated carryovers and recoveries for the present year have been neither lost nor found nor concealed in any way.

Mr. Bell also noted:

> Beginning early last spring, we have kept the Congress fully informed at all times of what amounts of past appropriations might be available in fiscal 1964 through carryovers and recoveries of various types.

Mr. President, since the reply of Mr. Bell to the charge as set forth in the editorial has never been printed in the Record, and in fairness to the able Administrator of AID, I ask unanimous consent that it be printed, along with the January 3, 1964, editorial, following my remarks. I think it is important that the record on this subject be complete and accurate.

There being no objection, the editorial and article were ordered to be printed in the Record, as follows:

[From the Washington (D.C.) Star, Jan. 3, 1964]

Happy Days

Having listened to so many shouts of alarm in recent days, it is immensely gratifying to read an Associated Press dispatch which says there is a "surprise" in the foreign aid picture. This surprise lies in the fact that foreign aid officials have just happened to "find" $669,876,000 in unspent and unobligated funds which they didn't know they had.

Now, $669,876,000 may not be a whole lot of money when measured against the billions which have been poured into the AID program. Still, it is a tidy sum and it will help to keep the wolf away from many a foreign aid door.

When added to the $3 billion in new money which a pinch-penny Congress provided, after the administration had asked for $4.5 billion, it should quiet the worst fears of those who were telling us that we had been pushed to the edge of disaster by the unwillingness of Congress to fork over.

Of course, Congress presumably didn't know just how much carryover was available when it cut the appropriation, although it certainly understood that there was something hidden under the AID mattress. But whether it knew or didn't know, this is the kind of belated discovery which lays a duty on the legislators to look with a certain skepticism on officials who just can't seem to break the spending habit. It also calls for two other things. One is a searching scrutiny of future AID money requests and a hardboiled attitude toward them. The other is a thoroughgoing overhaul of AID procedures which make it possible for such a large sum to be "lost" until after AID appropriations have been set.

If these two things come to pass we may yet see the time when the taxpayers will be heard singing "Happy Days Are Here Again."

[From the Washington (D.C.) Star, Jan. 7, 1964]

No "Surprise" in AID's Carryover Funds

A Star editorial of January 3 suggested that AID officials have "found" funds for foreign aid that we, and the congressional committees who supervise our activities, did not know we had. Unfortunately for our badly battered budget, this is not so. Contrary to the assertion in the editorial, it is no surprise to us in AID or to the Members of the Congress responsible for our appropriations, that over $800 million in carryovers and recoveries are available this year for economic and military assistance in addition to the new appropriations of $3 billion just enacted.

It has been the congressional practice for years to make such funds available. Last year, for example, about $700 million of carryovers and recoveries were available, in addition to $3.9 billion of new appropriations.

Our estimated carryovers and recoveries for the present year have been neither "lost" nor "found" nor concealed in any way. While you were doubtless misled by news reports from others who had drawn the same erroneous conclusion, a single telephone call from them or from anyone on the Star to this agency should have avoided such unfair and misleading implications.

Beginning early last spring, we have kept the Congress fully informed at all times of what amounts of past appropriations might be available in fiscal 1964 through carryovers and recoveries of various types. For example, in testifying before the Senate Appropriations Committee on December 9, I presented tables, which were discussed at length with the committee, showing our financial situation at that time, including carryovers from prior fiscal years, and the anticipated reimbursements and recoveries in the present fiscal year. Those figures were very close to our present estimates, the only change since then being an increase in estimated recoveries, stemming in large part from the curtailment of our programs in Cambodia.

This year, as every year, the Appropriations Committees made their decisions on new appropriations after considering the funds that would be available through carryovers and recoveries. To illustrate how carefully they consider these facts, the House Appropriations Committee this year specifically reappropriated $127 million of last year's unspent contingency funds which we had not requested (compensating for this action, of course, by reducing our new appropriations).

When everything is taken into account, in comparison with a financial program (including carryovers and estimated recoveries), of $436 billion requested by the President last spring, we have available instead for economic and military assistance (including carryovers and estimated recoveries), $3.67 billion, a cut of 25 percent. This, and its consequences to U.S. interests in Asia, Africa, and Latin America, seem to me to be the major subject of interest about foreign aid appropriations this year.

David E. Bell,
Administrator, Agency for International Development.

Editor's Note—In retrospect, we agree that our implication that AID had concealed the existence of the carryover fund was unjustified.

AMENDMENT OF SMALL BUSINESS INVESTMENT ACT OF 1958

Mr. PROXMIRE. Mr. President, the Senate has received a message that the House has passed the bill (S. 298) to amend the Small Business Investment Act of 1958. I ask that the Chair lay before the Senate the amendments of the House to that bill.

The PRESIDING OFFICER (Mr. Walters in the chair) laid before the Senate the amendments of the House of Representatives to the bill (S. 298) to amend the Small Business Investment Act of 1958 which were, on page 1, strike out lines 5 through 10, inclusive, and insert:

Sec. 2. The second sentence of section 302(a) of the Small Business Investment Act of 1958 is amended to read as follows: "In order to facilitate the formation and growth of small business investment companies, the Administration is authorized, notwithstanding any other provisions of law (but only to the extent that the necessary funds are not available to the company involved from private sources on reasonable terms), to purchase the debentures of any such company in an amount not to exceed—

"(1) the lesser of $400,000 or the amount of the paid-in capital and surplus of the company from other sources; but debentures of a small business investment company may be purchased by the Administration under the authority of this paragraph only during such period (in no case ending more than five years after the date of the issuance of such company's license under section 301(c) or the date of the enactment of the Small Business Investment Act Amendments of 1961, whichever is later) as may be fixed by the Administration; and in addition

"(2) the lesser of $300,000 or the amount by which the paid-in capital and surplus from other sources exceeds $400,000; but additional debentures may be purchased by the Administration under the authority of this paragraph only during such period (in no case ending after June 30, 1965) as may be fixed by the Administration."

On page 2, line 9, after "rate" insert: "(in no case lower than the average investment yield, as determined by the Secretary of the Treasury, on marketable obligations of the United States outstanding at the time of the loan involved)"; on page 2, line 17, strike out "$5,000,000," and insert "$4,000,000,"; on page 2, line 21, strike out "repayment." " and insert "repayment."

"(3) In agreements to participate in loans on a deferred basis under this subsection, such participation by the Administration shall not be in excess of 90 per centum of the balance of the loan outstanding at the time of disbursement."

On page 2, after line 23, insert—

"Aggregate limitations

On page 3, line 5, strike out "Act." " and insert "Act, or $1,500,000, whichever is the lesser." ", and on page 3, strike out lines 11 through 14, inclusive, and insert "the United States, or in savings or share accounts in any institution the deposits or accounts of which are insured by the Federal Deposit Insurance Corporation or the Federal Savings and Loan Insurance Corporation." ".

Mr. PROXMIRE. Mr. President, I move that the Senate disagree to the amendments, request a conference with the House thereon, and that the Chair appoint the conferees on the part of the Senate.

The motion was agreed to; and the Presiding Officer appointed Mr. Proxmire, Mr. Robertson, Mr. Sparkman, Mr. Douglas, Mrs. Neuberger, Mr. McIntyre, Mr. Simpson, Mr. Tower, and Mr. Dominick conferees on the part of the Senate.

BRITAIN PROVIDES $14 MILLION OF AIRCRAFT AID TO CUBA

Mr. PROXMIRE. Mr. President, a number of days ago a considerable amount of attention was given to a deal being arranged by which Britain would sell surplus buses to Cuba. This deal received a considerable amount of critical notice in the United States.

I am shocked to discover that another, and much more serious, transaction has now been consummated between Britain and Cuba. This deal, although also consummated, has received, to my knowledge, virtually no attention either in the press or in the Halls of Congress.

According to my understanding of the transaction, the Bristol Aircraft Corp., which used to produce Britannia Airliners, has announced that it intends to overhaul four of these airliners for delivery to Cuba. The transaction will involve some $14 million. A Cuban mission has gone to London to arrange the precise terms. Apparently this is to be a forerunner for future aircraft transactions.

The Secretary of State has mentioned this and he has confirmed it; and this morning my office confirmed it with the State Department.

I believe this is a shocking breach in British-American relations. We have made it perfectly clear to the British that we view Castro-Cuba as a Communist outpost in this hemisphere. Moreover, we have made it perfectly clear that we intend to take all the necessary and appropriate economic actions to cripple the Castro regime in Cuba.

The approval by the British Government of this transaction by a British firm represents a direct attempt to thwart the economic sanctions which we have placed upon Cuba which we have had in effect since February 1962. I believe our criticism of the British Government for permitting this transaction should be clear and unequivocal.

PRESIDENT JOHNSON'S DRIVE FOR PEACE

Mr. PROXMIRE. Mr. President, President Johnson's direct offer to Premier Khrushchev to replace words with action is an approach which is typically American. Whether we get a reply which is typically Russian, or any reply at all, is a question.

The President's letter was clearly designed to elicit a response. His message is constructive without being compromising, direct without being derogatory. The tenor is positive. If the Soviets respond, if they take up only one of the President's suggestions, we may be on the way to something resembling a rule of law which might, some day, lead to genuine peace. We have reached that point in history where both East and West are aware of the dangers inherent in today's world. We may have reached the point where both East and West are ready to discuss means of reducing the dangers. Mr. Khrushchev's round-robin letter may be another Soviet propaganda ploy; it may be an evidence of helplessness and frustration; it may represent a real desire to come to some terms with the West. The President cannot know which, if any, of these the Soviet message represents.

Whatever the Soviet's purpose, the President's reply is a serious, well-reasoned, calculated effort to find an opening for discussions. His proposal for talks in a multilateral forum, whether in the United Nations, in the Disarmament Conference, or by other means, should convince the Soviets that we are ready and willing to talk with them.

President Johnson is to be congratulated, in that he resisted the temptation to reply in the usual diplomatic protocolese, picking apart the Soviet note point by point, rehashing language of old diplomatic notes and saying very little in the end.

Admittedly, this may be only one more Soviet note. That remains to be seen. But the President's answer is certainly not just one more reply. Let us see. And let us hope that it will get something moving. If it does not, it will not be the fault of President Johnson.

ENCOURAGING PHYSICAL CONDITION OF SENATOR ENGLE

Mr. YOUNG of Ohio. Mr. President, yesterday, many Senators were present in the Chamber when the Senator from California [Mr. Engle] sat in our midst and voted on the issues before the Senate at that time.

The Senator from California sits between my distinguished colleague, the senior Senator from Ohio, and myself. Being in a position to thus observe him, I could readily see how greatly he had improved in appearance and health since the last time he was present in the Chamber.

I know that all Senators who talked with him yesterday during the hours of the session were heartened over the fine recovery he is making.

In today's Washington Post there appears a news article under the caption "Engle's Physician Finds Senator Fit To Run Again." The article states that he is rapidly recovering from the serious brain surgery to which he was subjected several months ago. I ask unanimous consent to have the article printed in the Record.

There being no objection, the article was ordered to be printed in the Record, as follows:

Engle's Physician Finds Senator Fit To Run Again

Senator Clair Engle's physician said yesterday that the California Democrat is recovering at a pace that should permit him to be "entirely able to fulfill the duties of his office" if reelected.

Engle, recuperating from a brain operation last August 24, released a statement in which Dr. Roy L. Sexton, his physician, said "it can be assumed" the Senator's recovery "is proceeding on schedule and will continue henceforth on an accelerated basis."

"Upon this assumption," Sexton said, "we feel certain that the Senator will be fully able to take on the active phases of his reelection campaign at the proper time, and if elected he would likewise be entirely able to fulfill the duties of his office.

Sexton said it would be impossible to meet the request of California Democratic leaders to make public "full medical facts, including all relevant medical records" concerning Engle's illness. This would be "professionally and administratively impossible to comply with," the doctor said.

SENATE SERVICE RECORD OF SENATOR YOUNG OF OHIO

Mr. YOUNG of Ohio. Mr. President, during the 5 years I have served in this body, I have devoted full time to the job of representing the citizens of Ohio as one of their two U.S. Senators.

It is well known that in December of 1958, following my election, I severed all connection with my law practice in Cleveland, to which I had been devoted for more than 40 years, and that I had my name removed from my office door.

In addition, it is well known that I made a complete disclosure of my financial holdings, for the reason that I had criticized my opponent during the campaign on the subject of conflict of interest, and I desired that the citizens of my State should know the status of my financial situation.

At that time I sold the stocks which I owned in Pan American World Airways, because I was appointed a member of the Committee on Aeronautical and Space Sciences. I also sold some sugar stock which I owned because I was appointed a member of the Committee on Agriculture and Forestry. I sold these stocks at much less than their market value.

During the 5 years I have served in the Senate, I have been present and voted on more than 90 percent of all yea-and-nay votes.

The PRESIDING OFFICER. The time of the Senator from Ohio has expired.

Mr. YOUNG of Ohio. Mr. President, I ask unanimous consent that I may proceed for 3 additional minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. YOUNG of Ohio. I see my distinguished colleague the senior Senator from Ohio in the Chamber. He is almost invariably present. If the record of the past 5 years is checked, it will be readily observable to anyone that the two Senators from the State of Ohio have an attendance and voting record of well over 90 percent.

In recent months, I have missed only 3 yea-and-nay votes.

On Tuesday, January 14, I was at the White House when a yea-and-nay vote was taken on passage of a bill providing for an increase in capital stock for the Inter-American Bank. Had I been present to vote, I would have voted "no." The bill passed, 45 to 24. On January 20, I was necessarily absent from the Senate to deliver the keynote address to an informal gathering of Democrats in Columbus, Ohio. On that day, while in my home State, I missed two yea-and-nay votes. Both were on the bill to provide an increase in resources for the Inter-American Development Association. The first yea-and-nay vote was on the Morse motion to recommit the bill. Had I been present, I would have voted "yes." The motion failed of passage by a vote of 30 to 37. The second yea-and-nay vote was on final passage of the bill. Had I been present, my vote would have been "no"—the same as that of my distinguished colleague from Ohio. The bill passed, 38 to 31.

I make this statement so that the Record will clearly state my position. No one need ever question where I stand on any issue, although frequently they may disagree with me.

While making this statement, Mr. President, I ask unanimous consent to have the address I made in Columbus printed in the Record.

There being no objection, the address was ordered to be printed in the Record, as follows:

Keynote Speech of U.S. Senator Stephen M. Young at Democratic Meeting in Columbus, Ohio, January 20, 1964

My fellow Democrats—my neighbors and friends. I am happy to be here this morning to meet with you who are the leaders of the United Democratic Party of Ohio. The Senate is in session. The majority leader, Mike Mansfield, has asked me to return to Washington as soon as possible. If I miss shaking hands with each of you personally, I do it figuratively.

I hope for and shall be proud to have the support and help of each one of you Democratic leaders in my candidacy for reelection. On January 7 the Ohio Democratic County Chairman's Association meeting here in Columbus endorsed me for reelection as your U.S. Senator.

We Democrats may well be proud of our party's past. Its victories have been the people's triumphs. When the time demanded firm guidance and leadership, America has always found its strength in the Democratic Party.

Since the days of Thomas Jefferson and Andrew Jackson, Americans have entrusted national leadership to our party in every period of great national challenge and peril. This was true under Franklin D. Roosevelt, Harry S. Truman, and John F. Kennedy. It is true today under President Johnson. Our new President has indeed brought continuity without confusion to the Nation we love. His state of the Union message—a great state paper—revealed a man of great courage, compassion, and vision. We support his leadership and he will be reelected President of the United States next November by the largest majority since Franklin D. Roosevelt swept every State in the Union except Maine and Vermont.

When John F. Kennedy became President on January 20, 1961, America was in the throes of its third serious recession in 6 years. Nearly 1 of 10 Americans were out of jobs; business failures were at the highest levels since the depression in the thirties; housing starts were at the lowest level since 1949; we were using only about half of our steel capacity; farm incomes were critically low; our overall national economic growth was too slow to meet our needs. Whether you call this a recession or a depression, our economy was dangerously sick.

Since then we have gone a long way under great leadership—aid for distressed areas, manpower retraining, adequate housing and highway programs, liberalized social security, and an increased minimum wage—just to mention a few achievements. Under President Kennedy the Federal Government—for the first time—came to grips with the problem of mental illness and retardation. Your Congress did more for aid for education than any Congress since 1863.

Under President Johnson's inspired leadership the most far-reaching income tax cut and tax reform legislation in modern times will be enacted into law before next March 1. This Congress will enact into law the administration's civil rights proposals. I am coauthor in the Senate of the administration's civil rights legislative proposals. The most significant in 100 years. President Johnson and your Congress will not neglect the elderly. We will pass the proposal for hospital and nursing home insurance under social security, commonly called medicare.

Recently an Ohio Republican politician—indulging in a political circus parade in three Ohio cities—expressed the belief that our country has been turning to men—young and flexible. "Flexible" is defined as "ready to yield to influence." This politician said that a Republican ticket headed by Barry Goldwater would make it difficult for him to be elected U.S. Senator. Then when Goldwater's friends became sharply critical he demonstrated his flexibility. This politician said he had been misquoted and that he would be happy to have Barry Goldwater as his party's presidential candidate. This flexibility first displeased the friends of Senator Goldwater. The second exercise of flexibility displeased the opponents of Senator Goldwater. These contradictory and flexible statements also displeased honest, objective news reporters.

You and I know the rank and file members of the Republican Party are now—as they have always been—far ahead of their reactionary leaders such as "Ev" Dirksen and "Charlie" Halleck. Many Republican Congressmen and Senators claim to be ardent supporters of the civil rights bill now before the Congress. They showed their flexibility when they refused to sign a discharge petition which would bypass the Rules Committee and bring the civil rights bill to a vote. Not 1 of the 18 Ohio Republican Congressmen has signed this discharge petition. They certainly are flexible.

The most important problem confronting Americans and all peoples of the world today is not pending legislation; it is the problem of going along the road together—each nation with every other nation—walking hand in hand with dignity and understanding toward permanent world peace. As your Senator, I spoke and voted for confirmation of the limited nuclear test ban treaty. This treaty was indeed a major step on the road to peace.

I fervently believe it is not enough to fight against the policies I oppose. We should fight with even greater courage and dedication for the principles in which we believe.

In the 1930's we Democrats fought shoulder to shoulder with Franklin D. Roosevelt for the New Deal. We knew then—and we have not forgotten—the meaning of the four freedoms.

Later—under the leadership of our beloved President Harry S. Truman, we carried on the battle for the rights and aspirations of the common man.

On his inaugural day, President Kennedy pointed to the duty of all Americans—Democrats and Republicans alike. He admonished us "Ask not what your country can do for you—ask what you can do for your country." He summoned all Americans to new heights of working and pulling together. Inspired by these immortal words we have forged ahead in support of the New Frontier. Let us continue to carry forward the program of John F. Kennedy, whom history will record as one of our great Presidents.

And now—under the strong and able leadership of my personal friend and colleague of 22 years, President Lyndon B. Johnson, let us continue to go forward.

I have worked and will continue to support wholeheartedly President Johnson's program for frugality and the elimination of all duplication, waste and unnecessary spending in Government.

Guided by President Johnson, we Democrats will work for full employment. We join in his massive all-out attack on poverty. We will work to give to all our citizens a better life and complete civil rights as guaranteed by our Constitution.

Our country is not made great by a comparatively few officials in positions of authority in Washington. It is made great by the courage, industry, intelligence, integrity and enterprise of you from whom that authority comes.

BRITISH SALES TO CUBA

Mr. LAUSCHE. Mr. President, I just listened to the statement made by the Senator from Wisconsin [Mr. PROXMIRE] complaining about the sales Britain is making to Cuba.

This morning on television, I heard a statement by the Secretary of State also taking exception to the sales that were made to Cuba. The Secretary himself stated that he did not believe it proper for any one of our allies to be selling critical goods to Cuba. I completely subscribe to that principle. Moreover, it was applicable to our sale of wheat to Russia but we did not adhere to it.

We went down the wrong way when we decided to sell wheat to Russia. The Senator from Wisconsin voted against the measure. I also voted against it. I was then of the opinion that that deed was going to plague us, and it is plaguing us now by the sales that are being made to our enemy 90 miles from our shores.

Mr. President, I am not given to making predictions, but I believe that we have seen only the beginning. Britain has now made two sales to Cuba, one involving $10 million worth of buses. Will the Senator from Wisconsin state what the other transaction is?

Mr. PROXMIRE. Yes, indeed. I commend the Senator from Ohio on his position, which I endorse completely. The second transaction involves $14 million worth of overhaul service on Cuba's planes, and the beginning of a relationship between Cuba and London for a great deal more service in the future. The Cuban mission is now in London working on the subject. As the Senator from Ohio has indicated, the Secretary of State has taken strong exception to it.

It seems to me the activity has not been given the attention in the press that it should have had. It is far more serious than the bus episode, for the aircraft could be used for military purposes.

Mr. LAUSCHE. I thank the Senator.

Mr. HOLLAND. Mr. President, I subscribe completely to the statements made by the distinguished Senator from Ohio and the distinguished Senator from Wisconsin. We who represent Florida have an even more difficult task of trying to defend what was done with reference to wheat sales to Russia and the building of a predicate for more and more sales, and contrasting the transactions with our treatment of Cuba. We are in a completely inconsistent situation. It is an indefensible situation for us to move in every way we can to sell profitably to the principal actor in the Communist camp, and at the same time try to penalize our allies who let their ships move goods to Cuba by not permitting those ships to come to our harbors, and in the same bill—the foreign aid bill—also penalize our allies who happen to receive any foreign aid by the condition that if they enter into any sort of commercial relationship with Cuba, foreign aid will cease. I cannot think of our doing two things less consistent and more indefensible than what we are doing in that regard.

I thank both of my able friends for commenting upon the situation.

Mr. LAUSCHE. Mr. President, may I have 2 additional minutes?

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. LAUSCHE. When the wheat deal was approved, it was done on the basis that Canada and our allies in Europe had sold commodities to Russia. Therefore, it was argued, we should sell. We fell into the indefensible position of the person who said, "Others are doing it; why should not I?"

The query was not whether the action was right. It was the weak-backed—I would say immoral—position of saying, "Because Jones does it, I will do it, right or wrong."

Mr. President, I cannot subscribe to that reasoning. I repeat that we have seen only the beginning. The course of action will go on interminably.

IMPROVED GRADING STANDARDS FOR WHEAT

Mr. CARLSON. Mr. President, adoption of new and improved grading standards for wheat should be welcome news to the Nation's wheat growers.

This action, perhaps more than anything else, serves notice to the world that we are not content to accept a residual share of the world wheat market after our competitors have satisfied their marketing needs. The improved standards reflect our determination to participate, fully and effectively, in the international wheat trade.

In recent years, the Nation has been plagued with wheat surpluses, acreage allotments and an unfavorable payments balance. The improved wheat standards will help solve these basic problems, and bring closer the day when U.S. wheat growers will be able to make greater use of their productive resources.

The existing standards, with their liberal allowances for admixtures, have been a constant source of embarrassment for handlers and sellers of U.S. wheat.

The new standards, which will go into effect on the 1964 crop, will provide many benefits. To the farmer, it will mean that the quality of his crop will be safeguarded as it moves through marketing channels to the ultimate consumer. Exporters of U.S. wheat will have the assurance that they are representing a product that is more in line with world needs and with wheats now being offered by our major competitors. Foreign buyers also will have more confidence in knowing that they can be assured of a quality product at a fair price.

The Department of Agriculture, and especially the Agricultural Marketing Service, is entitled to commendation for developing the improved standards and putting them into effect.

With these new and improved standards, the U.S. wheat industry will be in a better position to compete in quality markets and to capture an enlarged share of world cash sales.

EDWARD R. MURROW'S SERVICE IN THE U.S. INFORMATION AGENCY

Mr. MANSFIELD. Mr. President, in the past 3 years, the U.S. Information Agency itself has not been in the news a great deal. But the Agency has been disseminating a great deal of effective and credible and respected news about this Nation to the rest of the world. This ideal condition, so long sought for the oversea information program, was brought about while the Agency was under the direction of Edward R. Murrow.

Mr. Murrow came into Government service with an outstanding reputation for integrity, creativity, and high responsibility in the use of the instruments of mass communication. He did much to nourish these same characteristics within the structure of the Information Agency. In so doing, he reshaped this arm of the foreign relations of the Nation and made it a far more effective, if less evident, source of strength for the Nation's position in the world. He did so, Mr. President, largely by a firm and courageous adherence to a simple but very elusive principle that "honesty is the best policy." At the same time, he stressed not only the technological means of communications but the quality and integrity of the information which was disseminated by these means.

It is most regrettable that the condition of Mr. Murrow's health requires his withdrawal from Government service at this time. His talent and character will be sorely missed. I know that the Senate joins with me in an expression of gratitude to him for his service and in the wish for his complete recovery and continued usefulness in whatever he may choose to do in the years ahead.

Mr. KEATING. Mr. President, will the Senator yield?

Mr. MANSFIELD. I yield.

Mr. KEATING. I wish to add my word of tribute to Edward R. Murrow for the service he rendered to the people of the United States. Both as a newscaster and a Government policymaker he has pursued policies of integrity and straightforwardness that have won widespread respect. The contribution that he has made to date is a rich and varied one and it is the hope of all of us that his rich experience will continue to influence our people and Government. I join in the hopes expressed by the distinguished majority leader that Mr. Murrow will be soon returned to full health and vigor and will be able again to serve our Nation as he has so illustriously done in the past.

Mr. MANSFIELD. I appreciate those remarks.

Mr. PASTORE. Mr. President, will the Senator yield?

Mr. MANSFIELD. I yield.

Mr. PASTORE. I should like very much to associate myself with the generous and appropriate remarks made by our distinguished majority leader on behalf of Edward R. Murrow. I came to know Edward Murrow quite intimately in an official way because it was his responsibility to appear before the Committee on Appropriations and explain the needs of his department, and also to elaborate upon the performance of that department in disseminating news and propaganda so that the rest of the world might have the proper image of America. No man in that capacity ever served with greater efficiency, more graciousness, or a better understanding of our way of life. It is regrettable that he has had to lay down his mantle of responsibility for health reasons. I know that all his friends in Washington and throughout the United States, particularly Members of the Senate, join our distinguished majority leader in today saying to Ed Murrow:

> May you have many years of good health and useful life; and all of us hope that one day you will again return to public service.

Mr. JAVITS. Mr. President, will the Senator yield?

Mr. MANSFIELD. I yield.

Mr. JAVITS. Ed Murrow is a personal friend of mine. I was delighted when he took office, because I thought he would bring great distinction and ability to the Information Agency. Considering the way we neglect the USIA in terms of authority and appropriation, I think he performed in a creditable manner.

I join my colleague in deprecating and feeling unhappy about the reason why Mr. Murrow has given up the office. I deeply feel that Ed Murrow has left many good years of service for his Nation and our people, and that he will find another way to render service.

I express what I know is the appreciation of the people of my State for the sacrifice he has made and the dedication he has displayed in line of duty.

Mr. MANSFIELD. Mr. President, the Nation is the loser because of Edward R. Murrow's withdrawal from public service, but, by the same token, the Nation is the beneficiary because of the years he has given in service to the Government and the people of the country, as well as other people of the free world.

A UNION OF GRIEVING HEARTS

Mr. MANSFIELD. Mr. President, in the Evening Star, January 22, there appears a moving tribute to the late President Kennedy by the eminent columnist, Mr. Max Freedman. Mr. Freedman's words of insight and understanding enlarge the meaning of the experience which was shared by millions of Americans in the celebration of the requiem mass last Sunday in Boston. His words reveal to us, too, something of ourselves, as Americans, of the shared need to which Mr. Kennedy so uniquely responded and of the gap which remains after his death, the gap which is still filled by a lingering national grief.

I ask unanimous consent that the article by Mr. Freedman be printed at this point in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

A UNION OF GRIEVING HEARTS

(By Max Freedman)

"MASS FOR PRESIDENT KENNEDY UNITED PEOPLES OF MANY RELIGIONS AND RACES"

BOSTON.—With a prophetic foretaste of his approaching death, Matthew Arnold wrote in his notebook this verse from Ecclesiastes:

"Weep bitterly over the dead, as he is worthy, and then comfort thyself; drive heaviness away; thou shalt not do him good, but hurt thyself."

For the next Sunday, the Sunday after his burial, he wrote: "When the dead is at rest, let his memory rest; and be comforted for him when his spirit is departed from him."

Millions of Americans can never agree. If the splendid cathedral in Boston had been 10 times in size, it would have been filled to overflowing with men and women of all faiths, and of none, eager to join with reverence and hope in the requiem mass to the martyred President. The same emotions united the whole Nation Sunday morning as it listened to Cardinal Cushing celebrate the mass and heard the valedictory loveliness of Mozart's music. The Nation has dried its tears but it cannot forget its grief.

In death President Kennedy has wrought a tiny miracle. He has muted, even if he has not altogether banished, the prejudices of race and religion that have sometimes disfigured Boston. Hundreds of people, resident of Boston all their lives, were in this cathedral for the first time. Many had trouble finding it, so remote is it from the sedate paths of the Boston brahmins.

But this huge congregation had not gathered in tribute to the glory of Mozart and the greatness of the Boston Symphony Orchestra, with its assembled choirs and artists. It had come out of gratitude for President Kennedy's life and sorrow for his death; out of admiration and respect for the noblehearted constancy of Mrs. Jacqueline Kennedy and all the members of the Kennedy family; and out of a devout hope that America's great grief would purify its petty grievances.

For once there was neither Protestant nor Catholic, neither white nor colored, neither rich nor poor. There was only a union of grieving hearts, as men and women stood before the last inscrutable mystery, and listened with uplifted hearts as the consolations of religion sought to rob the grave of its victory, and the majesty of music took from death its sting.

All grieved but some friends in the intensity of their loss at least approached the incalculable pain of the stricken family. This is sacred ground and one must tread lightly. But friends like Ted Sorenson and Ken O'Donnell and Evelyn Lincoln and Lemoigne Billings and David Powers and Larry O'Brien and Ralph Dungan were not absent from our thoughts or our most sensitive sympathy.

President Kennedy loved them all, and others like them, and for them his name can never grow dim. One may adapt for President Kennedy the immortal sentences in which Sir Francis Bacon praised the great Elizabeth. "As for his memory, it is so strong and fresh, both in the mouths and minds of men, that now death has extinguished envy and lighted up fame, the felicity of his life. The only true commender of this man is time which in its cruel brevity, hath brought us hither."

Let our last words for President Kennedy be the words, with only a very few changes, which were spoken on the death of Byron.

Nothing in President Kennedy is so worthy of wonder and admiration as the scope and range of his power. New fields and ways of work, had he lived, might have given room for exercise and matter for triumph to his spirit. As it is, his work was done at Dallas; all of his work for which the fates could spare him time. A little space was allowed him to show at least a heroic purpose and attest a high design; then, with many things unfinished, he fell asleep after many troubles and triumphs.

Few can ever have gone to the grave with less fear. He had done enough to earn his rest. Forgetful now and set free forever from all faults and foes, he passed through the doorway of death out of reach of time, out of sight of love, out of hearing of hatred, beyond the blame of his critics and the praise of his friends. In the full strength of spirit and of body his destiny overtook him, and made an end of all his labors. He had seen and borne and achieved more than most men on record. He was a great man, good at many things, and now he has achieved this also—to be at rest.

LET THE SENATE ADVISE AND CONSENT

Mr. YOUNG of Ohio. Mr. President, yesterday I introduced a joint resolution proposing an amendment to the Constitution of the United States to provide for the filling of a vacancy in the Office of the Vice President.

The proposed amendment would establish fixed procedures for selecting a Vice President in the event of the death, removal from office, or resignation of a Vice President or Vice President elect, or his accession to the Presidency. These procedures provide an orderly transition of power and responsibility with a minimum of disruption.

Recent events have dramatically pointed out to us the desirability of a clearcut provision for Presidential succession. Today we have no Vice President. Of course, there is an established line of succession, for Congress has provided that the distinguished Speaker of the House should be next in line. We are fortunate indeed to have an outstanding and able Speaker in whom all Americans have confidence. Speaker JOHN W. MCCORMACK is indeed a truly great public servant with many years of experience and learning. He has received votes in Democratic conventions for President. He is certainly worthy of those votes of confidence. Nevertheless, the present succession law raises grave constitutional questions, and is far from adequate.

Mr. President, we cannot afford to have any doubts about Presidential succession. In this age of change and challenge, the succession to the Presidency, the most important public office in the world, must be explicit, beyond constitutional doubt, and, above all, practical.

It is customary that a presidential candidate choose his running mate. It seems fitting and proper, should the unfortunate need arise, that an incumbent President be empowered to propose his selection for Vice President. My joint resolution provides that, should the office of Vice President become vacant, the President within 60 days shall nominate a new Vice President by and with the advice and consent of a majority of the U.S. Senate.

This procedure would assure an essential continuity of party and, therefore, of program and policy. It would also once and for all remove any constitutional doubts and questions now existing in the event of the inability of the President to discharge his duties. Under present law it is possible that a person of the party other than that of the President would become next in line to the Presidency, thus ignoring the mandate of the previous general election.

It took a tragedy of unprecedented proportions to again focus our attention on this vital link in our chain of Government. As the grief and pain of last November gradually fade, let us not return to business as usual without strengthening our chain of command—forging new and stronger links. America has been indeed fortunate to have a man of the high caliber of President Lyndon Johnson to take over the reins of Government in the wake of the death of the late, great President Kennedy.

For our own sake and that of the entire free world, which depends upon us, we cannot rely solely on good fortune in the future. We must insure the future stability of the office of the Presidency by now availing ourselves of the best possible provision for any eventuality. We can do this by writing into our Constitution a method and manner of firmly establishing continuity in the Office of President and of Vice President.

THE TRAGEDY OF PANAMA

Mr. KEATING. Mr. President, an interesting and perceptive editorial recently appeared in the Ogdensburg Journal. The editorial written by Frank Little, president and publisher, reflects Mr. Little's own experiences on a recent visit in the Canal Zone and his analysis of the problems facing the United States and Canada. There can be no doubt that the actions and attitudes of American inhabitants of the Canal Zone have contributed to the long-range problem. Yet, at the same time, it is equally evident that the United States cannot permit its own security and deep economic interests in the Panama Canal to be sacrificed to satisfy the demands of mob violence and Castro-promoted terrorism.

Mr. President, I ask unanimous consent to include in the Record, the thoughtful editorial of Wednesday, January 15, from the Ogdensburg Journal.

There being no objection, the article was ordered to be printed in the Record, as follows:

The Tragedy of Panama

Some years ago we were in Panama for several days and called on an old friend at the American Embassy in Balboa, the capital city on the Pacific side. He was Mr. Julian Harrington, then U.S. Ambassador to Panama, whom we had known when he was U.S. Minister to Canada and chargé d'affaires at the U.S. Embassy in Ottawa. Mr. Harrington has had many years of experience in the diplomatic service around the world. He is not the striped pants type of diplomat, but a very sensible, sound, down-to-earth and practical man.

At the time we called on him Colonel Nasser in Egypt had just seized and nationalized the Suez Canal. Aided and abetted by the Communists there was a strong demand in Panama that the Panamanians do likewise with our canal. Mr. Harrington was talking about his problems in trying to keep the nationalist feeling in Panama from erupting and riding out the storm raised by Nasser's action in Suez when he kicked the British and French out and seized Suez.

He told us that a great deal of the trouble in Panama was caused by the Americans who live and work down there in the Canal Zone. "The Canal Zone is 10 miles wide and we have several thousand U.S. citizens who live there and operate the canal. In addition there are thousands of troops distributed throughout the zone to guard this vital lifeline. These Americans live completely in a world of their own. They have their own communities, schools, shops, hospitals, libraries, churches, recreation. They lead a life which is completely insulated and isolated from the people of Panama. They make no effort to learn the Spanish language, they have no social contact or intercourse with the Panamanians, and they want none. They live exactly as if they were in a suburban community back in the United States. When they do go to the native sections of the country they tend to flaunt their big cars, their far higher standard of living, and make no effort to disguise their contempt for the people of Panama. This does not make friends for the United States. To the people of Panama the United States is the Americans they see, hear, meet. I can assure you my job of keeping things peaceful down here as not been aided by the attitude and actions of the U.S. citizens who live here in the zone, or live in other parts of his country."

The Ambassador compared the attitude of the Americans in Panama to that of the British in many cases in the Empire which slipped so fast from their hands. "People are pretty much alike in reactions and fundamental points of view all over the world," the Ambassador told us. "They do not like to be treated like inferiors, they do not like to be ignored or insulted, they resent a superior and condescending manner toward them. These feelings of resentment are just made to order for the Communists. They move in and tell the natives of Panama that all their troubles come because of the United States which oppresses and exploits them. It is a most fertile field in which to sow the seeds of communism. Most of our trouble down here is caused by the attitude and actions of the thousands of Americans who live here. If they would make some effort to learn the language of the people and to be friends with them instead of lording it over them most of our difficulties would resolve themselves."

We have been in Panama several times since and heard the same observations from other American leaders there who were deeply concerned with the growing feeling of anti-Americanism. It is our opinion that Ambassador Harrington was completely right. Years of indifferent, thoughtless, or condescending treatment is coming home to roost. With Castro close at hand and Cuba a Communist base just 90 miles from Florida the anti-American feelings of the people of Panama are going to have plenty of fuel to feed them.

The Americans who have lived down there have doubtless brought on much of this trouble. What can be done to make Americans living in the zone better ambassadors of good will and democracy we don't know. In the meantime we must stand fast and not budge an inch from maintaining the complete integrity of the canal. We must remember that although the Americans down there may have brought on much of this situation, our vital national interest is involved. We must also realize that the masterminding is being done by Castro and Khrushchev and their fellow conspirators. They are going to have a field day and jump on the Panama bandwagon to embarrass and harass the United States. Let's not get soft and give in to them and their dummies in Panama and the Organization of American States. Let's have guts to let them and the world know that we intend to stay in Panama and run the canal, which is our national jugular vein. Once we have established that fact maybe something can be done to change the thinking and the attitude of the thousands of Americans who live in the zone or in other parts of Panama. They have got to change their attitudes and actions or Panama will remain a running sore in our international relations.

PROTECTION FOR THE OIL INDUSTRY

Mr. KEATING. Mr. President, several weeks ago the Interior Department was given full jurisdiction over the oil policies of this country. It is already becoming evident that the Interior Department is interpreting this responsibility as a mandate to sacrifice the interests of the consumers in the East in order to better protect the interests of oil producers in Texas, Oklahoma, and other oil- or fuel-producing States.

Yesterday the Board of Oil Import Appeals handed down three decisions affecting New York firms. In two out of the three cases, the Board turned down the request of New York firms to import additional residual fuel oil in order to meet the needs of their customers and consumers in various parts of New York State.

One firm, the Commonwealth Oil Corp., of Syracuse, N.Y., was granted an allocation to import 200,000 barrels annually beginning April 1. The main reason given in the press release put out by the Interior Department for granting this allocation was that the firm has consistently lost sums between $43,000 and $65,000 a year ever since the mandatory oil import program was put into effect. The Interior Department virtually admits that the quota system was responsible for these losses.

However, similar allocations were denied to King Service, Inc., of Troy, N.Y., and the Blue Ridge Fuel Co., of New York City. Since these firms have not yet suffered losses of the substantial size suffered by the Commonwealth Oil Corp. of Syracuse, it appears that the Oil Import Appeals Board is not prepared to grant them additional allocations.

Mr. President, in my view, these three decisions reveal the simple fact that oil consumers and oil suppliers are being deliberately injured in order to benefit certain oil producers and other interests in this country. Unless an oil supplier can prove losses in the neighborhood of a quarter of a million dollars as a result of the import quota system, the Interior Department is not disposed to show any sympathy for his problem.

Mr. President, it is ironic indeed that while the President of the United States is bringing all apparent publicity to bear on efforts to secure a tax reduction which, it is argued, would contribute to overall economic expansion, at the same time the Interior Department is consistently restricting the expansion and improved low-cost service that east coast fuel consumers need for additional expansion.

The PRESIDING OFFICER (Mr. Inouye in the chair). The time of the Senator has expired.

Mr. KEATING. I ask unanimous consent for 1 additional minute.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. KEATING. Mr. President, the restrictions on the import of residual fuel oil are every bit as obsolete as some of the military bases that the Defense Department wants to close down. They are every bit as discriminatory as some of the provisions which the Congress has been asked to eliminate in the proposed tax bill.

Mr. President, these restrictions the Interior Department freely admits increase fuel costs on the east coast. Nevertheless, for the protection of the fuel interests in Texas and other States, east coast firms are denied the oil supplies they want for expanded business, and New York consumers pay more money for the fuel they need.

Mr. President, nothing could more clearly reveal the restrictive, discriminatory, and inadequate operation of the present system of residual oil import quotas than a careful reading of these three decisions. I ask unanimous consent that the text of the Interior Department decisions be printed following my remarks in the RECORD.

There being no objection, the decisions were ordered to be printed in the RECORD, as follows:

Decision on Petition of Blue Ridge Fuel Co., I-25 (Residual)

Blue Ridge Fuel Co., New York City, filed a petition requesting that the allocation granted to it by the Board to import 200,000 barrels of residual fuel oil into district 1 annually, be increased on the ground of exceptional hardship. The petitioner is not eligible for an allocation under the oil import regulations because it was not an importer in 1957, and it does not operate a deep water terminal.

A hearing on this petition was held November 5, 1963, before Board Chairman Henry C. Rubin.

This is the fourth petition of this company considered by the Board. Pertinent details relating to the petitioner's method of operation and background are set forth in the Board's decisions (C-34) dated May 25, 1960 (EB-2) dated September 8, 1961, and (G-37 (Resid)) dated February 28, 1963.

For present purposes, it may be stated that the petitioner markets fuel oil and coal at retail in the New York City area (principally Manhattan, Bronx, and Queens). In excess of 70 percent of the petitioner's total fuel business consists of sales of fuel oil of which approximately 90 percent is residual fuel oil In July 1960, the petitioner, in advance of the change in the oil import regulations granting allocations to operators of deep water terminals, sold its newly contructed deep water terminal to a major company.

The Board's decision (EB-2) granted petitioner an allocation of 200,000 barrels residual fuel oil on an annual basis because the record disclosed an aggregate of special circumstances relating to the construction and disposition of its residual fuel oil terminal, and the loss of tanker cargo supplies of residual fuel oil. The amount of the Board's grant was related to petitioner's assertion that it could obtain its full requirements of residual fuel oil at tanker cargo prices if granted an allocation equivalent to about 30 percent of its annual requirements (about 710,000 barrels).

The Board's subsequent decision (G-37 (Resid)) observed that the allocation granted to the petitioner by decision (EB-2) had in fact enabled petitioner to continue receiving its full requirements of residual fuel oil on the same basis as other marketers supplied by the same supplier.

In the present petition, the point is made that petitioner's current supply contract (dated September 3, 1963, for the period April 1, 1963, to March 31, 1964) has two pricing provisions for tanker cargo supply, as distinguished from its previous contract for the April 1962–March 1963 period. That is, for residual fuel oil imported by the supplier, the petitioner is charged the supplier's New York Harbor posted tanker cargo price, while residual fuel oil imported by the buyer (with its import license) is furnished to petitioner pursuant to a variable formula keyed to an offshore price, which resulted in a 10-cent per barrel lesser price for tanker cargo quantity deliveries made in May and September 1963.

Petitioner urges that the dual pricing policy under the present contract places it at a competitive disadvantage with other purchasers from the same supplier who have larger allocations. In connection with this contention the petitioner, for the first time, submitted an exhibit showing "combined sales and expenses of oil" for the years 1960, 1961, and 1962 which indicates progressively decreasing net losses. On the other hand, notwithstanding petitioner's contention, it is clear from the present record that petitioner's volume of residual fuel oil sales for the same period increased substantially each year, to an alltime high in 1962 (about 868,000 barrels) with the aid of the allocation granted by the Board; and volume of sales for 1963 was running ahead of 1962. At the same time, petitioner's coal sales are progressively decreasing.

In this state of the record, we are unable to conclude that petitioner has carried the burden of demonstrating that it is unable to conduct a competitive residual fuel oil business with its present allocation, and that it is experiencing an exceptional hardship because of the present oil import regulations. In desiring to increase volume and profitability, petitioner is not unlike any other retail marketer of residual fuel oil, some of whom have no allocations. In this regard, as stated in the Board's decision (G-37 (Resid)) on the previous petition, and as frequently stated in other decisions, the Board will not undertake to equalize import allocations or competitive advantages.

Accordingly, it is the decision of the Board that the petition (I-25 (Resid)) of Blue Ridge Fuel Co. is denied. The allocation granted in decision (EB-2) is continued, subject to the Board's right of review.

JOHN PRINCE,
Member.
PAUL H. RILEY,
Member.
HENRY C. RUBIN,
Chairman.

Dated January 20, 1964.

Decision on Petition of the King Service, Inc., I-24 (Residual)

The King Service, Inc., Troy, N.Y., filed a petition requesting the grant of an allocation to import 2,000 barrels per day of residual fuel oil into district 1, on the ground of exceptional hardship.

A hearing was held November 6, 1963, before Board Chairman Henry C. Rubin, and Board Member John Prince.

Petitioner has been in the heating oil business in the Troy, N.Y., area since 1941 when its sales were primarily of light fuel oil. However, sales of residual fuel oil increased steadily, and in 1949 petitioner constructed storage facilities at its barge terminal for 150,000 barrels of residual fuel oil.

Petitioner sales of residual fuel oil also increased under the mandatory oil import program, from 520,000 barrels during petitioner's first fiscal year under the mandatory oil import program ending July 31, 1960, to its highest point of almost 800,000 barrels for the fiscal year ending July 1963. On the other hand, although natural gas has been a successful competitor for the light fuel oil business in its area, petitioner's sales of No. 2 fuel oil have been relatively constant since the mandatory oil import program began (about 200,000 barrels per year).

Petitioner alleged that it has become progressively difficult for it to compete without an import allocation of residual fuel oil, and in this regard pointed out that its gross profits on sales of heavy fuel oils (Nos. 4, 5, and 6) have decreased from an overall average of about 14 percent for petitioner's fiscal years 1957 through 1963, to 11.17 percent and 11.34 percent for the fiscal years 1962 and 1963, respectively.

In our view, this record does not sustain petitioner's allegation that it is unable to compete in the fuel oil business under the mandatory oil import program. On the contrary, the evidence discloses a steady and sizable increase in petitioner's heavy fuel oil sales under the mandatory oil import program, and no showing of a parallel increase in demand for such fuel in its marketing area. We cannot, in these circumstances, equate evidence of a somewhat reduced rate of earnings, which are subject to market variations apart from the import program, with a showing of hardship that is exceptional in degree.

Accordingly, it is the decision of the Board that the petition I-24 (Res) of the King Service, Inc., is denied.

JOHN PRINCE,
Member.
PAUL H. RILEY,
Member.
HENRY C. RUBIN,
Chairman.

Dated January 20, 1964.

Decision on Petition of Commonwealth Oil Corp., I-26 (Residual)

Commonwealth Oil Corp., Syracuse, N.Y., filed a petition requesting the grant of an allocation to import 1,000 barrels per day of residual fuel oil into district 1, on the ground of exceptional hardship.

A hearing on this petition was held November 7, 1963, before Board Chairman Henry C. Rubin.

Petitioner has had a barge terminal at Three Rivers, N.Y., since 1940, and presently has storage for 235,000 barrels of residual fuel oil. Sales of residual fuel oil represent 95 percent of petitioner's total fuel oil sales. The petitioner also has storage for 100,000 barrels of asphalt which it leases out under contract.

The petitioner contended that, although it "was the pioneer in the residual fuel oil business in the city of Syracuse and vicinity" it is the only principal marketer in that area without an import allocation. Petitioner asserted that, as a consequence, it is unable to purchase supplies at prices with which to compete against those marketers holding import allocations and to maintain its fuel oil business.

In support of its position, petitioner submitted an analysis of its fuel oil operations showing a progressive decrease in residual fuel oil sales from about 13 million gallons in 1955, to about 9½ million gallons in 1958 (just prior to the mandatory oil import program) to a present level of less than 7 million gallons. It appears that demand for residual fuel oil in the Syracuse area has remained relatively constant during the mandatory oil import program.

Paralleling the decline in sales, the profitability of petitioner's residual fuel oil business has progressively decreased from a profit of about $44,600 in 1955, to a profit of about $16,000 in 1958 (immediately preceding the mandatory oil import program), to a loss for the first time in its business history of about $43,000 in 1959 (the first year under the mandatory oil import program), to a loss of about $65,000 in 1962. Petitioner stated that, although figures were not available for 1963, its volume in 1963 was running smaller and its fuel oil losses would be greater than in 1962.

Therefore, this record demonstrates that for a long period before the mandatory oil import program started and immediately preceding it, petitioner was a principal marketer of residual fuel oil which represented the most substantial part of its fuel oil business, and was operating profitably. However, beginning with the mandatory oil import program, petitioner has been unable to acquire supplies of residual fuel oil at prices with which it could compete in its marketing area with principal marketers who have import allocations, and as a consequence its sales and profitability have progressively declined under the mandatory oil import program. The present mandatory oil import program does not offer petitioner any imminent relief from its present situation.

Accordingly, in this aggregate of circumstances, it is our view that petitioner is experiencing an exceptional hardship because of the mandatory oil import program. It is the judgment of the Board that an allocation of 200,000 barrels of residual fuel oil on an annual basis should materially relieve petitioner's exceptional hardship.

Accordingly, it is the decision of the Board that petitioner is hereby granted an allocation to import 200,000 barrels of residual fuel oil on an annual basis, beginning April 1, 1964, and continuing as an annual allocation thereafter, subject to the Board's right of review.[1]

JOHN PRINCE,
Member.
PAUL H. RILEY,
Member.
HENRY C. RUBIN,
Chairman.

Dated January 20, 1964.

Mr. PASTORE. Mr. President, will the Senator yield? I hope he will do so under the 3 minutes allotted to me under the morning hour.

Mr. KEATING. I yield.

Mr. PASTORE. I share the concern of the Senator from New York with reference to the residual oil situation. He has said this limitation has come about because of the protection of the oil producers of the United States. I think the situation is not exactly that. I know there is opposition. I think most of it comes from the coal producers.

We should bear in mind that we are not limiting the importation of a foreign commodity into the United States because it offsets a like commodity being produced in the United States. If that were the case, the objection would be understandable. Many of us who are interested in the textile industry have taken the position that the tremendous influx of textiles into this country is upsetting and unstabilizing the American productive market.

But in the case of oil, America has advanced so far that the residual supply is negligible. The domestic supply is not sufficient to take care of American needs. The opposition is coming from the coal interests. It is hard for me to understand why. They have the idea that if they put the squeeze on New York and on New England, the people who are now using bunker oil or residual oil for heating and productive purposes will convert to coal. That, if I may use the term, is idiotic.

Mr. President, it is absolutely idiotic to tell the people of New York, the people of Rhode Island, and the people of the rest of New England that they will have to convert to coal, not because we do not have enough domestic residual oil, but because we must not import it from Venezuela and other countries. It is this constant pressure which I do not understand. If we were to convert completely along the Atlantic seaboard from residual oil to coal, it would not involve more than 4,000 jobs. To put the squeeze on the consumers only because they have the idea that if they do not use fuel oil they will convert to coal, is absolutely un-American, if I may use another term.

I associate myself with what the Senator from New York has said on this subject.

Mr. KEATING. Mr. President, I thank the Senator. It is true that much of the pressure for stopping these imports comes from the coal people, but the Interior Department insists these controls are necessary to protect the domestic oil industry.

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. PASTORE. I ask for 2 additional minutes.

The developments in the refining of oil into octane gasoline has taken tremendous strides forward. Residual oil used to be 20 percent of the product of a barrel of oil. Then it came down to 15 percent, and then to 10 percent. It may well be 8 percent now. The American oil producer, in other words, is not interested in the production of residual oil. He is trying to get into the more expensive kinds of gasoline. The point I am making is that there would be reason for the opposition if the importation of this oil were knocking out the American oil market. That is not the case. It is a question of trying to freeze the American residual oil users into converting back to coal. It is like going back 50 years.

Mr. KEATING. I agree. I do not know the motivation behind the decisions by the Secretary of the Interior. Three of these companies to which I have referred asked for these allocations, and only one out of the three got one, and only because it had been losing a great deal of money. That should not be the yardstick by which an allocation or lack of allocation should be measured.

Mr. JAVITS. Mr. President, my colleague from New York and I have been carrying on this struggle for some time. He has just revealed instances of injustices which are inherent in any unnecessary bureaucratic application to economic processes of restrictions on quotas. That is what this amounts to. We have tried to show time and time again that it is absolutely unnecessary to impose quotas upon residual fuel oil. The producers of this oil themselves, I believe, know that they do not need it.

As my colleague from New York has pointed out, in a letter which we sent to the Secretary of the Interior on December 18, 1963, we stated that even if we did everything that the coal mining people wanted us to do, the increase in the use of coal would be infinitesimal.

The coal mining people themselves have contributed to this situation through automation. The plight of the coal miner is due to reasons other than competition from residual fuel oil. They include such factors as the conversion from coal to diesel fuel by the railroads and to household heating fuel by the household consumer.

Finally, Mr. President, those favoring the continuation of strict controls over residual fuel oil imports should consider the impact of such controls on Latin America and our aim to keep Latin America free and economically viable through the Alliance for Progress program. In this case we are doing something which has directly the opposite effect. By maintaining these controls we are acting against our own self-interest. The exportation of products to the United States of such products as residual fuel oil is vital to the economic expansion of Latin America. It makes little sense to pour billions of dollars into Latin America with one hand, while on the other hand we limit the importation of such products from Latin America as cotton, lead, zinc, as well as crude, and residual fuel oil, through which they can earn much needed resources to help themselves.

One of the finest steps that we could take to improve the outlook for the Alliance for Progress program, would be to cut out the quota on residual oil. That would be a plege to Latin America that we really meant business when we said that we would assist their efforts to improve economic conditions in Latin America.

We would be practicing what we are preaching. Yet instead, we maintain this program of controls, which is of insignificant economic value to those who favor its continuation. Venezuela and other countries have protested this quota system time and time again. They are absolutely right. From the standpoint of the domestic consumer we must avoid these bureaucratic injustices.

My colleague is absolutely right in his statement that this quota should be withdrawn.

DR. DONOVAN C. MOFFETT

Mr. KEATING. Mr. President, on April 16, 1963, the State of New York and city of Cortland suffered a great loss in the death of Dr. Donovan C. Moffett. To the residents of Cortland Don Moffett was a friend, counselor, and dearly beloved community leader. And to the State he will long be remembered for his contributions as an educator, first as a professor and later as president of the New York State University College of Education at Cortland.

Dr. Moffett first became ill on February 26 of last year, and from that time until his death was incapable of transacting business or attending to his personal affairs. He was admitted to the Cortland Hospital on March 6, where he underwent two operations and placed under sedation to ease his final suffering.

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[1] This grant is subject to the reporting requirement of the oil import regulation for holders of residual fuel oil import licenses.

After his death his widow discovered a national service life insurance policy. The existence of this policy was previously unknown to her since Dr. Moffett had always taken care of the family financial matters without consulting her. When she filed her claim for the insurance under the policy she was informed that the policy had lapsed because of the nonpayment of the March 1963 premium. This nonpayment occurred during the period in which the insured was incapable of handling his own affairs.

The Veterans' Administration Center in Philadelphia acknowledges that this is a "very sympathetic case" but states there is no authority to waive the payment of the March premium. National service life insurance policies provide for waiver of premiums only in the event the insured becomes totally disabled for 6 or more consecutive months, while the insurance is in force, before the insured's 60th birthday.

Mr. President, it hardly seems possible that it was congressional intent to provide for national service life insurance and then to deny payment to the beneficiary when the insured is so incapacitated that he is unable to arrange for payment of the final premiums. Dr. Moffett made many contributions to our society but as an educator was unable to accumulate much of any estate. His widow is therefore dependent upon the national service life insurance policy. If Dr. Moffett's payments into the insurance fund are to be lost because of his inability to make the final premium payment then we are witnesses to and participants in a tragic inequity. I am sure that no one would advocate such a restrictive interpretation of this insurance contract.

I introduce, for appropriate reference, a bill for the relief of the estate of Donovan C. Moffett which waives the payment of the March 1963 national service life insurance premium by the late Donovan C. Moffett.

TAX REDUCTION

Mr. GORE. Mr. President, I have discussed on the Senate floor on several occasions the inequities involved in the personal income tax rate cuts contained in the tax bill, H.R. 8363. I would like now to point out some facts on the corporate side. It seems to me that neither equity nor economics dictates a reduction in rates paid by big business. I do favor and support the reversal of the normal and surtax rates so that the rate for small business will be cut to 22 percent.

As for big business, it seems we could dismiss equity considerations quickly. Although the corporation is a separate entity, a separate person before the law, and must, therefore, be considered as such for various purposes, its assets, earnings, and profits ultimately belong to and inure to the benefit of its stockholders. This is true whether the corporation pays out generous dividends or whether earnings are retained. In the latter case, the value of the stock in the hands of the individual stockholder increases and he has an appreciated asset which he can sell and on which he pays a maximum 25-percent tax rate.

Corporations, we know, are largely owned by the affluent. The poverty stricken do not own General Motors or A.T. & T. stock, at least not in more than token amounts. As positive proof of the concentration in ownership of our corporations, a study now underway at the Wharton School of Finance of the University of Pennsylvania shows, in a preliminary report, that 1 percent of individual taxpayers own about half of all corporation stock held by individuals in this country.

Since the rich and the very rich, who own the big share of corporate stock, are given such generous tax reductions in this bill, as I have shown on other occasions, there are no equity grounds fo. reducing corporate taxes.

The question, then, is one of economics.

Just as it is necessary to go behind the stated rates and look at total income in order to know just what effective tax rate any individual pays so is it necessary to look behind the stated 52-percent rate for corporations to determine just what the true tax and profit figures are.

The fact is that we have been reducing the effective tax rates for corporations quite steadily and regularly during the past few years. There were rapid amortization procedures during the Korean war, accelerated depreciation enacted in 1954, administrative changes in depreciation approved by the Treasury last year, the investment credit enacted last year, and the further liberalizing of this credit contained in the current tax bill, H.R. 8363. Of course, we have retained the same stated rates, but the effect of these rates has been drastically altered, thus materially reducing the effective rates, that is, rates actually paid.

It seems difficult for some, economists and laymen alike, to understand that these actions have the effect of reducing the burden of income taxation on corporations. But the effect is just as real as is the effect on individuals when a new deduction, or an increase in an exemption, is enacted.

Let me just point out some proof of this. If my colleagues will look at the profits curve on page 7 of the Economic Indicators, I think they will see what I am talking about. Due to the fact that depreciation guidelines were revised so drastically last year, a new curve had to be started. The corporate profit figures are not now comparable to the figures prior to 1962.

I asked the staff of the Joint Committee on Internal Revenue Taxation to prepare a table for me to illustrate this sort of thing. Now, let me make it clear that Mr. Stam is not endorsing any particular way I might use this table. I indicated to the staff what information I wanted the table to show and the staff responded to my request.

Mr. President, I ask unanimous consent to insert the table at this point in my remarks.

There being no objection, the table was ordered to be printed in the RECORD, as follows:

	Gross national product	Dividends paid	Corporate profits after tax	Corporate profits after tax plus capital consumption allowances	Dividends as a percent of gross national product	Dividends as a percent of corporate profits after tax	Corporate profits after tax plus capital consumption allowances as a percent of gross national product	Dividends as a percent of corporate profits after tax plus capital consumption allowances
	Billion dollars	*Billion dollars*	*Billion dollars*	*Billion dollars*				
1946	210.7	5.8	13.4	18.6	2.8	43.3	8.8	31.2
1947	234.3	6.5	18.2	24.5	2.8	35.7	10.5	26.5
1948	259.4	7.2	20.5	28.2	2.8	35.1	10.9	25.5
1949	258.1	7.5	16.0	24.5	2.9	46.9	9.5	30.6
1950	284.6	9.2	22.8	32.2	3.2	40.4	11.3	28.6
1951	329.0	9.0	19.7	30.7	2.7	45.7	9.3	29.3
1952	347.0	9.0	17.2	29.6	2.6	52.3	8.5	30.4
1953	365.4	9.2	18.1	32.2	2.5	50.8	8.8	28.6
1954	363.1	9.8	16.8	32.7	2.7	58.3	9.0	30.0
1955	397.5	11.2	23.0	41.4	2.8	48.7	10.4	27.0
1956	419.2	12.1	23.5	43.5	2.9	51.5	10.4	27.8
1957	442.8	12.6	22.3	44.1	2.8	56.5	10.3	28.6
1958	444.5	12.4	18.8	41.4	2.8	66.0	9.3	30.0
1959	482.7	13.7	24.5	48.7	2.8	55.9	10.1	28.1
1960	502.6	14.5	22.0	47.6	2.9	65.9	9.5	30.5
1961	518.2	15.3	21.8	48.6	3.0	70.2	9.4	31.5
1962	554.9	16.6	24.6	55.4	3.0	67.5	10.0	30.0
1963	575.7	17.4	26.1	48.0	3.0	66.7	10.1	30.0

Staff of the Joint Committee on Internal Revenue Taxation, Nov. 7, 1963.

Mr. GORE. Mr. President, the table shows some very interesting things. It shows, for instance, that corporate profits after taxes just barely doubled between 1946 and 1963, while GNP almost tripled. This has led many to believe, and to state, that corporate profits have not kept pace with GNP. This has been cited as one of the reasons for our alleged slow rate of growth in recent years. It has been said that this is one reason for the lack of sufficient investment in new plant and equipment, and that this has, in turn, been one of the main causes of unemployment.

Nothing could be further from the truth.

But let us advert to the table. Let us look at cash flows.

Corporate profits after taxes, plus capital consumption allowances, have kept pace with GNP, running at a pretty steady 10 percent. Furthermore, dividends have kept pace with GNP, running about 3 percent.

If one claims that only the profit figures are to be considered, then he must of necessity condemn corporate management for paying out too much in dividends. Dividends being paid out today amount to about two-thirds of corporate profit after taxes. As a percentage of corporate profit after taxes, dividends have gone up 50 percent since 1946. If bookkeeping profit is in reality the key figure, then dividend payments are, without question, too high, and more earnings ought to be retained.

The fact is that corporations are highly liquid, and cash flows have in recent years exceeded investment in new plant and equipment.

As for effective taxation, corporations got about $2.4 billion in tax reduction under the 1954 Internal Revenue Code. Last year they got another $2.25 billion as a result of changes in depreciation and enactment of the investment credit. What is the effective corporate tax rate? In 1946, corporate taxes amounted to about 33 percent of profits plus capital consumption allowances. Today the comparable figure is about 29 percent. This is an effective tax reduction of about 10 percent.

Not only have we been cutting tax rates in a disguised form, but these cuts have not really been effective—or they have been inefficient—in promoting investment in plant and equipment. We have concrete proof of this.

The most optimistic statements I have seen about the effects of the $2.25 billion tax reduction given corporations last year have been to the effect that this cut has induced $1.2 billion of increased spending for plant and equipment. This is an efficiency of about 50 percent. Can we expect any better performance from this year's proposed cuts? I think not.

The upshot of all this is that we give corporations a tax cut of $2 to induce them to spend $1 for plant and equipment. Hopefully, this kind of expenditure, costly as it is to the Government, will create jobs. Actually it has not and likely will not, at least not in manufacturing. We have lost almost 1 million jobs in manufacturing during the past 10 years, despite increased production.

In summary, equity does not dictate a reduction in corporate tax rates, because dividends are maintaining pace with the economy as a whole, and the high income individuals, who own the large blocks of stock, are being given a drastic reduction in their own rates under the bill, H.R. 8363.

Economic reasons also fail to convince. A tax cut is a most inefficient way to induce expenditures by corporations. And plant and equipment expenditures in industry are not likely to create any jobs. Indeed, industry is daily accelerating the trend toward automation, thereby not only failing to create jobs, but even failing to maintain current job levels.

The tax cut for corporations, then, is not needed for reasons of equity, and its economic impact will not show up in the unemployment statistics.

Should we not, then, consider eliminating the corporate rate reductions, except for small business, and either save this amount of revenue loss or use it to give a better break to low income consumers?

I shall have more to say about this in connection with my amendment to increase the personal exemption.

ORDER OF BUSINESS

The PRESIDING OFFICER. Is there further morning business? If not, morning business is closed.

GERMANENESS OF DEBATE UNDER CERTAIN CONDITIONS

The PRESIDING OFFICER. Under the unanimous-consent agreement previously entered, the Chair lays before the Senate the unfinished business, which is Senate Resolution 89.

The Senate resumed the consideration of the resolution (S. Res. 89) providing for germaneness of debate under certain conditions.

The PRESIDING OFFICER. The question is on agreeing to the resolution, as amended.

On this question there is a limitation of debate and a control of time.

EXECUTIVE SESSION

Mr. PASTORE. Mr. President, I move that the Senate proceed to the consideration of executive business, for the purpose of considering nominations on the Executive Calendar.

The motion was agreed to; and the Senate proceeded to the consideration of executive business.

EXECUTIVE MESSAGES REFERRED

The PRESIDING OFFICER laid before the Senate messages from the President of the United States submitting sundry nominations, which were referred to the appropriate committees.

(For nominations this day received, see the end of Senate proceedings.)

EXECUTIVE REPORTS OF COMMITTEES

The following favorable reports of nominations were submitted:

By Mr. HILL, from the Committee on Labor and Public Welfare:

Donald F. Hornig, of New Jersey, to be Director of the Office of Science and Technology.

By Mr. INOUYE, from the Committee on Armed Services:

Maj. Gen. Andrew Jackson Goodpaster, Army of the United States (lieutenant colonel, U.S. Army), to be assigned to a position of importance and responsibility designated by the President, in the grade of lieutenant general.

EXECUTIVE REPORTS OF COMMITTEE ON ARMED SERVICES

Mr. BYRD of West Virginia. Mr. President, today I have the pleasure of reporting favorably from the Committee on Armed Services the nominations of two fellow West Virginians who are bringing new distinction to the Mountain State—that of Mr. Cyrus R. Vance to be Deputy Secretary of Defense, and that of Mr. Stephen Ailes to be Secretary of the Army.

These two gentlemen have served with eminence in their present offices—Mr. Vance as Secretary of the Army, and Mr. Ailes as Undersecretary of the Army—and I, for one, am gratified to see the deserved recognition that has come to both of them. In assuming their new positions, they are taking upon themselves greater responsibilities than they now hold, but they have proved that they can be relied upon to help forge a stronger defense posture for our country.

I wish them well in the performance of their new duties.

The PRESIDING OFFICER. The nominations will be received and placed on the Executive Calendar.

The nominations are as follows:

Cyrus Roberts Vance, of New York, to be Deputy Secretary of Defense; and

Stephen Ailes, of the District of Columbia, to be Secretary of the Army.

Mr. JACKSON. Mr. President, from the Committee on Armed Services, I report favorably the nominations of five flag and general officers in the Army, Navy, and Air Force. I ask that these nominations be placed on the Executive Calendar.

The PRESIDING OFFICER. Without objection, it is so ordered.

The nominations placed on the Executive Calendar are as follows:

Maj. Gen. Harold C. Donnelly, Regular Air Force, to be assigned to a position of importance and responsibility designated by the President, in the grade of lieutenant general;

Col. Charles Lutcher Southward, Army National Guard of the United States, for promotion to brigadier general in the Army Reserve;

Rear Adm. John B. Colwell, and Rear Adm. Reynold D. Hogle, U.S. Navy, for commands and other duties determined by the President, in the grades of vice admiral while so serving; and

Vice Adm. Hyman G. Rickover, U.S. Navy, to be placed on the retired list in the grade of vice admiral.

Mr. JACKSON. Mr. President, in addition, I report favorably the nominations of 2,544 officers for promotion to major in the Air Force and 2,141 officers for promotion to first lieutenant in the Air Force. Since these names have already appeared in the CONGRESSIONAL RECORD, in order to save the expense of printing on the Executive Calendar, I ask unanimous consent that they be ordered to lie on the Secretary's desk for the information of any Senator.

The PRESIDING OFFICER. Without objection, it is so ordered.

The nominations ordered to lie on the desk are as follows:

Maclyn Abbott, and sundry other officers, for promotion in the Regular Air Force; and

Max L. Abram, and sundry other officers, for promotion in the Regular Air Force.

DEPARTMENT OF STATE

The PRESIDING OFFICER. If there be no further reports of committees, the clerk will state the first nomination on the Executive Calendar.

The legislative clerk read the nomination of Ellsworth Bunker, of Vermont, to be the representative of the United States of America on the Council of the Organization of American States, with the rank of ambassador.

The **PRESIDING OFFICER.** Without objection, the nomination is confirmed.

The legislative clerk read the nomination of Edwin M. Martin, of Ohio, a Foreign Service officer of the class of career minister, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to Argentina.

The **PRESIDING OFFICER.** Without objection, the nomination is confirmed.

The legislative clerk read the nomination of C. Burke Elbrick, of Kentucky, a Foreign Service officer of the class of career minister, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to Yugoslavia.

The **PRESIDING OFFICER.** Without objection, the nomination is confirmed.

POST OFFICE DEPARTMENT

The legislative clerk read the nomination of Tyler Abell, of the District of Columbia, to be an Assistant Postmaster General.

The **PRESIDING OFFICER.** Without objection, the nomination is confirmed.

Mr. **PASTORE.** Mr. President, I ask that the President be immediately notified of the confirmation of these nominations.

The **PRESIDING OFFICER.** Without objection, the President will be notified forthwith.

LEGISLATIVE SESSION

Mr. **PASTORE.** Mr. President, I move that the Senate resume the consideration of legislative business.

The motion was agreed to; and the Senate resumed the consideration of legislative business.

Mr. **PASTORE.** I suggest the absence of a quorum.

The **PRESIDING OFFICER.** The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. **PASTORE.** Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The **PRESIDING OFFICER.** Without objection, it is so ordered.

TAX LEGISLATION, 1964

Mr. **MANSFIELD.** Mr. President, within the next few days the Senate will be dealing with what may well be the most important economic legislation since the Second World War. The proposed tax bill of 1964 is designed to meet an accumulation of major problems in the Nation's economy.

The most obvious, the most immediate, and the most serious of these problems is that 4 million Americans who are looking for a job this day will not have found one by tonight. Mr. President, the growth of our population is such, that merely to stay even—to insure that the number of unemployed does not increase—this Nation must furnish 9,600 new jobs every day in the next decade. That is 67,000 jobs—new jobs—per week or 3½ million jobs per year.

These figures are overwhelming. One tries to understand where all this employment is going to come from. Yet, we must face the implications of these statistics promptly and candidly, for, as Mr. W. P. Gullander, president of the National Association of Manufacturers, recently estimated, if our economy merely continues to produce jobs at the level that it has done in recent years, by 1970 unemployment might well rise as high as 12.7 percent.

It has been estimated that an $11 billion tax cut now would create between 2 and 3 million new jobs and would have the effect of sustaining these jobs by continuing to propel the economy in an expansionary direction. What new Federal program of public works, construction, or anything else, we might well ask ourselves, would even begin to approach the provision of new employment in this magnitude?

The second problem with which this bill will deal is that of our aging industrial capacity. Old, and in some cases obsolete, plant, building, and equipment is beginning to form an ever larger percentage of our total industrial capacity. This drag—for that is what it is—on productivity is seriously hindering efforts to compete in the markets of the world with the razor-sharp productive capacity of modern Europe and Japan.

Since 1957, the increase in new business plant and equipment expenditures in this Nation has risen by less than 2 percent a year. This compares with 4 percent a year in the 10 years following World War II. The fruits of the tremendous resources which have been expended on research and scientific development cannot be fully utilized in business and industry because of a lack of new capital and a sufficient supply of highly skilled labor.

There is one compelling motive which will prompt a businessman to invest in new plant and equipment—in short, to modernize and to expand. That is the expectation of profit. Together with last year's 7-percent investment credit and the lowered depreciation schedules, the proposed reduction in the corporate tax rate of this bill, from 52 to 48 percent, would, it is believed, increase the after-tax profits on 10-year investment assets by almost one-third. Although after-tax profits have risen in the last 3 years from $19.2 to $27.5 billion, it is estimated that $30 billion is well within our capacity. The tax bill, if enacted, will go far in helping us to realize this potential.

The third great problem to which the tax bill relates is that of insufficient dynamism in the national economy as a whole. Our growth rate of about 3 percent annually since 1955 compares with an average of 4 to 6 percent in Western Europe. Economists have estimated that an $11 billion tax reduction will increase our gross national product in the years just ahead by $40 billion more than would be the case under present tax levels. It would add this growth onto that which we might already expect at present growth rates. The lowering of our highly restrictive tax brackets, in short, will allow our economy to have its head a little and greatly enhance the chance of realizing its full potential.

The next economic problem of most serious concern to our Nation is the deficit in balance of payments. It is most difficult to pinpoint the many and complex factors which combine to produce this decline in our gold holdings. However, there is no question that a major factor in the total outflow of gold in 1962 was the attraction of our available long-term investment capital to other countries, instead of to our own. This accounted for $2.5 billion of the total.

The investment incentives offered by this bill will act to retard the outflow in two ways. Reduction of the corporate tax rate as well as personal rates will make investment in the United States immediately more lucrative. Second, an expanded an thriving economy will make such investment more attractive over the long term, as well. This bill, therefore, together with other steps taken by this administration, should have a prompt and constructive influence on the balance-of-payments problem.

Finally, although it may seem paradoxical, history has shown that the right kind of tax cut will help to eliminate the deficit in the Federal budget. Two factors underlie this phenomenon. The first was noted by Business Week magazine last fall:

> If this country begins to slide down into a recession, the political pressures on the Government to do something about high unemployment will compel Congress and the administration to increase expenditure programs. Inevitably some considerable part of these increases will become permanent fixtures in the budget. It is useless to say this is a hypothetical argument; exactly that has happened time and again, under both Democratic and Republican administrations.

In short, what is suggested is that emergency spending in a recession tends to become a fixed cost in subsequent budgets, and hence to raise the total expenditure. A tax reduction, by contrast, will go far to revitalize all the diverse but interrelated areas of the economy without requiring one more Government bureau or one new Government employee. In that sense, it is the least expensive type of economic stimulant which can be enacted.

At the same time, a tax cut should act to reduce future Federal budgetary deficits by increasing overall revenues. This is apparent from our own most recent experience with a Federal tax cut which, 2 years later, increased revenues more than $3.4 billion, or 5 percent, over what they were in the year prior to the tax cut. It is substantiated as well by the experience of other nations which have successfully used the same technique. The increase of revenue is derived from the fact that a nation's income-tax receipts are dependent almost entirely on the rate of economic activity. Even though lower tax schedules may be applied to economic activity, the increase in overall activity stimulated by the tax cut eventually produces greater overall revenues. A recent article by Sylvia Porter, published in the Washington Evening Star, points out that Austria, for example, was able to increase its economic growth rate and its tax revenues by sizable amounts during a series of successive tax cuts. I ask unanimous consent to have the article printed at this point in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

TAX CUTS RAISE AUSTRIA'S INCOME

(By Sylvia Porter)

In the last 10 years, Austria has reduced income tax rates four times. The reductions have cut the rates on low-medium income families by more than 50 percent.

As a result, the Austrian Government's tax collections have almost tripled since 1952.

Spending by the Austrian people has more than doubled. Simultaneously, savings are at an alltime record. While the pace of Austria's economic expansion has slowed recently, her overall economic growth since the 1950's has been astounding.

Can it be that the U.S. Government will collect more in taxes after it puts through tax reductions totaling $11 billion a year? Repeatedly, skeptics ask this question and understandably. There does seem an upside-down logic in the claim that the Treasury's tax take will be higher after rates are reduced than before.

Yet, Austria's answer to the question is "Yes."

Reinhard Kamitz, president of the Austrian National Bank, summarized the situation thus:

"Austria's record is proof for the correctness of my opinion that public revenues primarily depend on the volume of economic activities—much more so than on the height of tax rates.

"Economic expansion is much more dynamic at low tax rates than at high tax rates."

Of course, our economy can't be compared with Austria's—in size or in diversity, in stage of development or in living standards. Nevertheless, the story of Austria's economy after each tax cut is so striking that it demands study—and particularly by Senators who insist that tax reductions will dangerously reduce tax revenues and thus swell our budget deficits.

Austria's first tax cut became effective January 1, 1954. As an illustration of its size, it reduced the tax on a married couple earning $3,600 a year to $1,128 from $1,453.

In 1955, Austria's tax collections were 12.4 percent higher than in 1954. The increase in gross national product was 14.7 percent.

The second tax cut became effective January 1, 1955. As an illustration of its size, it reduced the tax on that $3,600 a year couple to $987.

In 1956, the Austrian Government's tax collections were 8.7 percent above the previous year's totals. Gross national product reached 10.1 percent.

The third tax cut became effective January 1, 1958. This one reduced the tax on that $3,600 a year couple to $844.

In 1959, the government's tax take was up 6.8 percent from the year before. Gross national product climbed again, by 6.2 percent.

The fourth tax cut went into effect July 1, 1962. It reduced that married couple's tax to around $800. Figures on its impact are not yet available.

While the timing of Senate action on the tax bill remains uncertain, passage of a bill generally along the lines of that approved by the House in September appears likely with the cuts to begin taking effect in 1964.

It would be unrealistic to hope that the tax cuts will so spur the economy that tax collections will improve immediately. They won't.

But the tax cuts will leave more money for spending. They will help to create new jobs and new paychecks. They will increase "the volume of economic activities" and this volume, as Mr. Kamitz says, is what determines tax collections.

Mr. MANSFIELD. In sum, this bill, Mr. President, promises to strike at the various economic problems which I have noted—and all their intimately related social problems—with an incomparable force and breadth of attack. May I say that I do not believe for one moment that it is the complete answer to any of these problems, but it is, in my opinion, an excellent and necessary beginning.

I would note, finally, the particular method of tax reduction which is employed in this bill. What is provided is a ratioed approach. It combines the stimulus of new mass purchasing power with direct investment incentives. The reduction in taxes paid by individuals should amount to $8.9 billion, and it is anticipated that approximately $8 billion of this will be spent immediately for additional consumption. These expenditures are seen as being subject to a so-called multiplier effect, whereby money circulating through the economy ultimately increases consumer spending by several times the amount of the original input.

A balance of $900 million in the estimated tax savings to individuals will go into investment or savings. This figure, together with an approximate $2.2 billion reduction slated for corporations, plus the last year's investment credit and lowered depreciation schedules—which reduced taxes on corporations and unincorporated business by about $2.5 billion—provides a direct incentive for investment of about $5.6 billion per year. In short, the ratio which the bill strikes is one of an $8 billion tax reduction for consumption and about $5.6 billion for direct investment incentives. This ratio is expected to affect supply and demand in a proportional amount, a proportion which is judged by economists to be sufficient to meet and offset any potential inflationary tendency.

Those who criticize the fact that tax cuts are allowed to taxpayers earning in excess of $10,000 should note that of the 11 million businesses in the United States, 10 million are sole proprietorships or partnerships, most of which are operated by individuals in tax brackets of $10,000 and more. Tax cuts for these people are absolutely necessary to encourage investment of tax saving in these businesses, with the resulting increase in jobs and production.

I might add that the bill provides special investment incentives to smaller corporations. For example, the normal tax rate of 30 percent which applies to the first $25,000 of taxable corporate income would drop to 22 percent. Thus, an immediate reduction of tax liability of almost 27 percent will be provided for 467,000 small corporations in the United States which earn less than $25,000 a year. Other provisions of the tax bill provide a 19.8 percent average reduction to an additional 54,000 corporations whose incomes are less than $50,000, and a 12.4 percent average reduction for the 25,000 additional companies whose incomes are less than $100,000.

Mr. President, this bill takes a broad approach to the accumulated and complex economic problems of the Nation. As I have said before, these economic problems, important in themselves, also lie at the heart of many of our explosive social problems. For this reason, I believe that the tax bill is one of the most important measures which will confront us in this or in any other Congress. I urge the Senate to consider it with care and prudence and, in that context, to act on it as promptly as possible.

GERMANENESS OF DEBATE UNDER CERTAIN CONDITIONS

The Senate resumed the consideration of the resolution (S. Res. 89) providing for the germaneness of debate under certain conditions.

Mr. KUCHEL. Mr. President——

The PRESIDING OFFICER. How much time does the Senator from California yield himself?

Mr. KUCHEL. Five minutes.

The PRESIDING OFFICER. The Senator from California is recognized for 5 minutes.

Mr. KUCHEL. Mr. President, what is the basic purpose of a parliamentary body such as ours? Is it not at least in great part to render a collective judgment upon the issues which confront the American people? If that is so, how does an individual Senator arrive at his own judgment?

Does he not arrive at his judgment by using the brains which God has placed in the heads of all human beings to think with?

Is not the theory of the proceedings of the Senate that by debate, discussion, disputation, verbal exchange, argument, and cross-examination we arrive at, we improve and refine our judgments? The sum total of the knowledge of each of us is, presumably, increased by Senate debate. That is my feeling as to the theory by which the people of the United States permit representatives of their own choosing to become Senators and discharge their responsibilities.

In order for debate, discussion, and argument to be helpful, must they not be relevant to the issue? Of course they must.

Assume, Mr. President, that the issue before the Senate concerns a product close and dear to your heart, the pineapple industry of Hawaii. Would it be helpful to solve a problem connected with that general subject if a Senator rose in the Chamber and spoke about the history of hoopskirts? Of course it would not.

Debate, to be helpful, must be relevant. Argument, to assist Senators in arriving at their best judgment, must be germane.

Yet the frightening irrelevance and ungermane comments which have been heard in the Chamber on many occasions, to say the least is somewhat alarming. And certainly it does not add to the sum total of the wisdom of the Senate on whatever issue may be pending here.

I shall vote for Senate Resolution 89. I am a coauthor of the resolution. In my judgment, it represents a step, but a meager step. I wish it were for more.

I ask unanimous consent that the text of the resolution be printed in the RECORD.

There being no objection, the resolution was ordered to be printed in the RECORD, as follows:

Resolved, That rule VIII of the Standing Rules of the Senate be amended by adding at the end thereof the following paragraph:

"At the conclusion of the morning hour or after the unfinished business or pending business has first been laid before the Senate on any calendar day, and until after the duration of three hours, except as determined to the contrary by unanimous consent or on motion without debate, all debate, motions (but not including amendments offered to the bill or resolution under consideration) and appeals shall be germane.

Mr. KUCHEL. Mr. President, the resolution, if adopted, will signify an awareness by the Senate that relevance is not to be condemned or despised, and that for a very brief period each day—3 hours—debate should be on the pending issue. Meager as it is, let us try it out.

I regret that the resolution was amended to provide that irrelevant or ungermane amendments may still be offered. I know full well why that amendment apparently had to be accepted.

I hope the resolution will be adopted.

I close these brief comments by saying that the problem of orderly procedure in the Senate will never, never, never be solved until the Senate has the wisdom, the courage, and the judgment to sheer away from the anachronistic, undemocratic rule of the Senate which permits filibusters. There is the vice. There is the evil. There is the real and important unfinished business, in the rules of the Senate that cries out for attention.

Mr. President, I suggest the absence of a quorum.

Mr. HART. Mr. President, will the Senator from California yield?

Mr. KUCHEL. Mr. President, I withdraw that suggestion, and yield to the Senator from Michigan.

The **PRESIDING OFFICER.** How much time does the Senator from Michigan yield himself?

Mr. HART. Three minutes.

The **PRESIDING OFFICER.** The Senator from Michigan is recognized for 3 minutes.

Mr. HART. Mr. President, I undertake to utilize these 3 minutes in order to establish the soundness of the proposal now pending. It makes no sense for Senators to come into the Chamber, look at the clock, ask the Chair whether the morning hour is in progress, or whether time time is being controlled at the moment, and then upon being recognized, to launch into something wholly irrelevant.

In a large family there must be ground rules. The Senate, in many of its aspects, is a family, and unless we determine that at a certain point in the day it is "forward march" on the measure that is pending, the Senate will continue to be subject to serious criticism—and valid criticism—by many people across the country.

I hope that before this day has ended the Senate will have adopted at least some of the changes in the rule which will advance it toward a happier day when it can operate with some predictability, not with respect to the outcome of votes, but with respect to the questions under discussion.

ADDRESS BY LYNN A. TOWNSEND BEFORE NATIONAL CONFERENCE OF CHRISTIANS AND JEWS

Mr. HART. Mr. President, I ask unanimous consent to have printed in the RECORD an address delivered on January 19, 1964, by the president of Chrysler Corporation, Lynn A. Townsend. He was honored by receiving the annual brotherhood award given by the Detroit Roundtable, National Conference of Christians and Jews.

I believe the response that he made on that occasion is worthy of reproduction in the CONGRESSINAL RECORD. He spoke in direct and simple language; and the combination produced a speech of real eloquence.

There being no objection, the address was ordered to be printed in the RECORD, as follows:

REMARKS OF BY LYNN A. TOWNSEND, PRESIDENT, CHRYSLER CORPORATION, AT THE 35TH ANNIVERSARY DINNER OF THE DETROIT ROUNDTABLE, NATIONAL CONFERENCE OF CHRISTIANS AND JEWS, COBO HALL, DETROIT, MICH., JANUARY 19, 1964.

It is a great pleasure to be with you here tonight, and a very great honor to be asked to speak at your 35th anniversary dinner. All of us in the Detroit area are familiar with the distinguished work the Roundtable has done for our community over the years. This organization has been one of the major forces helping to make this city a place in the eyes of the world where compassion and brotherhood are more than words.

Honored as I am to participate in your anniversary dinner, I am forced to say in all honesty that you have me in a pretty tight spot. I am acutely aware of the fact that seated to my left and right and scattered all through this audience there are many distinguished religious leaders. And in giving a talk on brotherhood I am really moving right into their territory—into a field where they are the professionals. And as if that were not enough of a problem, I have to face the fact that just after I finish speaking you are going to hear from a man who is beyond any question the greatest living after-dinner speaker in this or any other country.

So my problem is simple. All I have to do is to be funnier than Bob Hope and more conversant with the Judeo-Christian tradition brotherly love than the students of religion who are with us tonight. Considering that fact that I am an automobile man, I suppose I should be accustomed to hard competition. I like to compete all right—but not against those odds.

So without trying to be funnier than Hope or more profound than those who have spent their lives in the study of our religious heritage, I would like simply to take a look at the present state of the world from my point of view as an automobile man and as a normal church-going American citizen. A good place to start is to review briefly the most important developments in the past year and then express a few thoughts about where we stand as a nation—just how well situated we are, materially, morally, and spiritually, to provide the opportunity for a good and self-respecting life for our people—all our people. That could be the start of a speech that might last quite a long time—say until around about midnight. I promise you it won't.

As I read and listened to the many year-end statements presented in recent weeks by newspapers columnists and radio and television commentators, I was impressed by the number of times these wise and experienced people said, in effect, good riddance to 1963. No matter what might lie ahead in 1964, they said, it could hardly be worse than the year we have just lived through. And, of course, they had plenty of reasons for being less than satisfied with the past year. In 1963 our country saw altogether too much violence. It was a year that left with us the bitter and permanent memory of the assassination of our President. It was a year in which, I think we will all agree, whatever our own personal politics may be, there was a little more than the usual amount of procrastination on Capitol Hill. And it was a year when the country as a whole made little or no progress, even in a year of record prosperity, in lowering the level of unemployment—although the improvement here in Detroit has been heartening.

But if 1963 was a year of tragedy and disappointment, it was also a year of great achievement. The poise with which the country came through the tragedy of November 22 and accomplished the transfer of power to a new President built respect for the stability and continuity of our free institutions in other parts of the world. This was a definite and substantial gain for our country.

On the international scene we experienced what seemed to be the start of a thaw in the cold war. In the perspective of another 10 years we may look back upon the test ban treaty, for example, as having been the first clear tipoff to the willingness of the Russians to permit some relaxation of international tensions. Certainly we now have considerably stronger reasons for hoping that the world will be able to devote more of its attention and resources to peaceful and humanitarian activities—though in these matters we must, of course, continue to temper our optimism with caution.

Here at home we began to appreciate more fully our system of free, private enterprise and what it can do to improve the lot of our people. From the standpoint of a businessman who has long been convinced that the way to build greater strength for our country is to place more reliance upon the time-tested virtues of the private enterprise system, the growing agreement on the need for encouraging expenditures by consumers and businessmen through reductions in both individual and corporate income taxes was highly encouraging.

Apart from gains I have mentioned, there was another gain of an entirely different kind—and in the long run it may be more important than any I have mentioned. It is a gain of a type that is too intangible, too much a matter of heart and mind and spirit, to be subject to conclusive proof by the citation of concrete evidence. And when I present my thoughts on this matter for your consideration I am simply going to have to ask you to consult your own reactions and intuitions and then decide whether or not you agree with me, and to what extent you agree.

In my opinion the year 1963 may come in future years to be looked back upon as something of a turning point in the spiritual life of the American people. I believe it will be seen as a year in which we made definite progress in appreciating the humane values our country stands for. Even more important than that, I believe 1963 will be remembered as a year in which the inner meaning of the religious tradition upon which our country is based began to have a deeper and more vital worth to our people. Unless my own reactions are completely misleading, I believe 1963 will turn out to be the most meaningful year for the Judeo-Christian tradition in America in the memory of any of us here tonight.

Now I don't want to make the mistake of exaggerating what appears to be a definite deepening of the spiritual life of our country and then magnifying it until it takes on the proportions of a religious revolution. People just don't change that way. But in these important matters we are always happy with any gain, however small it may be. And I would like to be a little more specific about the gain I see.

In the first place, 1963 was a year in which we were reminded, more forcefully and more brutally than we would have chosen to be reminded, of the frailty and brevity of human life. And one sure result of this reminder—whatever our own personal creed may be—is to become just a little more humble and a little more serious about the values we subscribe to. And another result is to make us a little kinder in the way we deal with others. The old familiar saying that we pass this way but once has suddenly taken on a new and fresh meaning. Life is short, and it is surely better to spend our years trying to live and work effectively with others and trying to understand the beliefs and feelings and motivations of others, than to close off our minds, coddle our own prejudices, and enjoy our own inflexible and unchanging personal likes and dislikes on through to the end of our brief stay on earth.

I may be wrong—and it is easy to be wrong about these things—but it seems to me that in recent weeks there has been a definite improvement in the willingness of people to try to understand the cause of others and to try to be just a little more fair. In other words there has been a real gain in tolerance. It is easily possible that in the months ahead—even considering the fact that this is an election year—there will be a somewhat greater tendency to reason together and less of a tendency for people to assume virtue and right thinking for themselves and sin and wrongheadedness for others. Let's hope so.

In the early summer of 1963 the world experienced the tragic loss of a great religious leader. Pope John had won the affection and respect of the world through his own compassionate nature and his dedication to the cause of making the church an increasingly vital and constructive force for humanity. His own unassuming words in connection with the calling of the Ecumenical Council, to the effect that he just wanted to "open the windows and let a fresh breeze blow through," were very much in character.

Pope John's death brought a rededication among men of good will everywhere to the great humanitarian principles he stood for. And nothing shows the continuity of his influence more clearly than the overwhelming reception of Pope Paul on his recent visit to Israel and Jordan. Maybe at long last we are beginning to learn to place the proper value on the things that bind people together and to deemphasize the things that divide.

In this connection—and in a somewhat lighter vein—I heard a story recently about a legislator who said that all the misunderstandings between the Arabs and the Jews would disappear if they would both learn to live like good Christians.

Nothing indicates more clearly the change of mind and heart that has taken place here in America than the change in attitude toward the Negro. Here again I want to avoid looking too hard for the silver lining and arriving at an overly optimistic conclusion on the basis of what amounts as yet only to a modest start in the right direction. But I do feel strongly that a change has taken place—or perhaps it would be better to say a change is taking place.

In my own discussions with others on this subject, I find that people no longer talk about whether or not the lot of the Negro needs improving. They don't talk about whether or not something should be done to give him and his children the opportunities for self-improvement open to people of other races. They don't talk about whether or not the Negro deserves the rights inherent in being a citizen of the United States.

What people are more likely to talk about today is how the lot of the Negro can be improved—what can be done to give him greater encouragement to take advantage of his opportunities—and when or how soon we can free our country of the burden of prejudice that has handicapped the Negro, put a brake on our economy, and for altogether too long placed a crippling load of guilt upon the conscience of the Nation.

This change of emphasis may not be much of an advance. But it is something. And it may be the best evidence we have that in 1963 we experienced a deeper understanding of the ancient commandment to "love thy neighbor as thyself." I am well enough acquainted with the Bible, incidentally, to know that those words were spoken by Moses before they were repeated and emphasized by Jesus. They are the common heritage of Jews and Christians. And in the 3,000 years or so since this commandment was first held out as a standard of decent human behavior it has literally shaped the course of Western civilization.

There are those who say it was made intentionally too severe—that it set a standard away beyond the reach of us frail mortals—that it was a little like telling a boy to hitch his wagon to a star. Severe or not, the commandment is basic to our way of life, and it has served us well. It lies at the basis of our law, of our freedoms, of our respect for human dignity. And more than that, it is essential to the life of the spirit as Jews and Christians know it. So if we have begun—as I believe we have—to approximate in practice what we believe in principle, we have grown in grace.

Nothing less than a good hard try at matching practice with principle would satisfy us Americans. We have a long and sturdy tradition of practicality. We have never been quite satisfied with right thinking unless it is accompanied by good works. And of course we Americans have no monopoly on this attitude. The desire to do as well as believe is an old human trait shared by other civilizations as well as our own. Socrates, who was certainly not an American and just as certainly neither a Christian nor a Jew, once prayed to his own pagan gods that they would grant him the grace to make his outward and his inward life to be as one.

So if 1963 was a year in which we made a small but immensely important step forward in the direction of greater compassion and toward realizing the brotherhood that should be the proudest achievement of American civilization, what can be done in 1964 in a practical way to keep us moving toward an even fuller realization? And to be even more specific, what can be done to help the Negro—as well as every other American, regardless of his race or creed or national origin—experience a full measure of dignity as a participating, first-class citizen? As a businessman, I would like to describe very briefly one thing that can be done and is being done toward that end.

As of the first of January 1964, more than a hundred American companies had voluntarily entered into plans for progress agreements with the President's Committee on Equal Employment Opportunity. As you may know, the plans for progress program was undertaken about 2½ years ago in an effort to provide leadership and encouragement to private business organizations in searching out members of minority groups who might be qualified for job openings.

It is well to remember, when we use the word minority group, that it includes many others besides Negroes. Prejudice is directed at different groups in different parts of the country. It is directed at Puerto Ricans in New York, at Cubans in Florida, at Mexicans in Los Angeles, and it is the same evil with the same destructive consequences wherever it is found.

From its beginning, the plans for progress program was the responsibility of the man who is now President of the United States. And I can report to you from first-hand experience how Lyndon Johnson feels about this program.

He believes that the program is a start in the direction of providing equality of opportunity for all Americans in their search for employment—a start toward the time when no qualified man will be barred from any job because of the color of his skin, the way in which he worships God, or the part of the world where he was born.

He believes that the only way to make sound progress in that direction is to make sure that the member of the minority group seeking employment or seeking promotion to a better job is judged strictly on the basis of his qualifications. And this means that an employer should be just as careful to avoid placing people in jobs for which they are unqualified as he is careful to give genuinely qualified people full and equal consideration.

He believes that the program must rely upon the voluntary efforts of private employers who participate in the program because they are convinced it is in their own best interests as well as the best interests of the country. In his own words, "the problem will not be solved by a police agency waving a nightstick at Americans. The solution demands openhearted discussion and a united resolve to action."

And finally, he believes that all other arguments for the program are secondary to the simple, elementary proposition that, again in his words, "treating people alike—as we would have them treat us—is the right thing to do."

I would like to add a thought of my own to these thoughts of the President. One thing that impresses me about the plans for progress program is the way it generates incentive for self-improvement. Those who see their friends getting good jobs because they have worked hard to qualify themselves for good jobs are more inclined to prepare themselves for similar opportunities. It may well be that this encouragement toward self-improvement is the most important contribution of the plans for progress program to the improvement of opportunity for Negroes and other minority groups.

Most of the lasting good that has been accomplished by our civilization can be traced to spiritual changes that move people to act in a creative and constructive way. It is this kind of change that is now having a strong and constructive effect upon the practice of brotherhood. People in government have laid down guidelines regarding equal employment opportunities. People in business are following those guidelines and are making appointments to jobs and promotions to better jobs on the basis of ability alone. And people who once were too discouraged to try, are now applying for better jobs and preparing themselves for even better jobs in the future.

In the end it is the quality of the spiritual life of the individual that moves the world. It is his self-respect along with his compassion for others, his ability to look with faith beyond the discouragements of today, and his willingness to put to best use the talents he has been given—it is these things that create the gains, however small, that we mortals somehow manage to make year after year. It is these things that are the great gift to humanity of the great religious heritage that we share and honor here tonight. May we be worthy of that heritage in the years to come.

REVISION OF IMMIGRATION QUOTA LAWS

Mr. HART. Mr. President, I ask unanimous consent that I may proceed for an additional 2 minutes.

The PRESIDING OFFICER. The Senator from Michigan is recognized for 2 additional minutes.

Mr. HART. Mr. President, last week, President Johnson invited Members of Congress and representative national organizations interested in fair immigration laws to a brief meeting at the White House. It occurred on the morning of the day that the Senate opened hearings on revision of the immigration quota laws.

To those who wonder why we concern ourselves with this subject, I can think of no more eloquent answer than the brief remarks of the President of the United States at that meeting.

As I listened to his remarks that morning, I wished that every American could have been present to see and hear the President.

This not being possible, I feel that it would be useful to have those remarks placed in the Record, so that at least to the extent the Congressional Record is read, other Americans will understand the depth and the conviction of the President of the United States on this subject. I ask unanimous consent to have the President's remarks printed in the Record.

There being no objection, the remarks were ordered to be printed in the Record, as follows:

REMARKS OF THE PRESIDENT TO REPRESENTATIVES OF ORGANIZATIONS INTERESTED IN IMMIGRATION AND REFUGEE MATTERS, THE CABINET ROOM, JANUARY 13, 1964

President Johnson. Members of the Senate, Members of the House, my fellow Americans, we welcome you to the White Houes this morning when it is very difficult to get here. We are very pleased that so many of you could make the sacrifice to come through the snow and come here and join us today.

We have met for the purpose of pointing up the fact that we have very serious problems in trying to get a fair immigration law. There is now before the Congress a bill that, I hope, can be supported by a majority of the Members of the Congress. This bill applies new tests and new standards which we believe are reasonable and fair and right.

I refer specifically to: What is the training and qualification of the immigrant who seeks admission? What kind of a citizen would he make, if he were admitted? What is his relationship to persons in the United States? And what is the time of his application? These are rules that are full of commonsense, common decency, which operate for the common good.

That is why in my state of the Union message last Wednesday I said that I hoped that in establishing preferences a nation that was really built by immigrants—immigrants from all lands, that we could ask those who seek to immigrate now: What can you do for our country? But we ought to never ask, "In what country were you born?"

President Roosevelt and President Truman and President Eisenhower and President Kennedy have all asked for a revision in the present statute. The present statute has overtones of discrimination. President Truman said that the idea behind this discrimination was, to put it boldly, that English or Irish names were better and made better citizens than Americans with Italian or Greek or Polish names. And such a concept is utterly unworthy of our traditions and our ideals.

Now I would hope that each of us and all of us are descended from immigrants. I hope we would ask ourselves this question: How would we feel, if we were put in the other fellow's place? Maybe by doing that and engaging in a little introspection for a time we would find it a good feeling to apply the golden rule and do unto others as we would have them do unto us.

Great Britain has a quota of 65,000. It uses less than half of that quota. Germany has a quota of 25,000 which it never fills. Italy has a quota of 5,645, but it has a current backlog of almost 300,000. Greece has a quota of only 308, but it has a current backlog of over 100,000. So I think that the immigration statutes require very special examination.

I would hope that we would do nothing hasty and makeshift, but I hope that we would apply the tests that I have outlined and the standards that I have suggested, doing unto others as you would have them do unto you, and asking them what contribution they could make to their country, and asking yourselves how you would feel if some of your very special members of your family were involved and were facing what now appears to be almost insurmountable obstacles.

So instead of using the test of where the immigrant was born, I would hope we could apply a somewhat more nondiscriminatory test of the special training and qualifications of the immigrant and his relationship to the persons in the United States and, actually, the time that he applies for admission. These objective standards, I believe, would serve the national interest and I would hope that the Congress at this session would find that a majority of its Members could follow this path.

I want to thank each of you for coming here this morning. I want to ask you to dedicate such time and effort and your talents as it may be possible to helping us reason together and achieve the standards that history will record as being fair and just and that we, ourselves, can be proud that we played a part in helping to achieve. I particularly thank the Members of Congress who have come here this morning and who hear many conflicting viewpoints, but who, I believe, all were elected on a platform of doing what they believe to be right and who, I am confident, when the chips are down will see that fair and just legislation is written, that if they use it to apply to themselves they would feel they had had at least a fair shake.

Thank you very much.

Mr. HART. Mr. President, the President was gracious enough to call on me for some remarks at the White House that morning. I saluted him for the political courage he demonstrated in holding such a meeting and in urging the Congress to respond favorably. Not only is there no political "mileage" to this question, but it could also be politically damaging. It is to the great credit of the President of the United States that he "steps up and swings"; and I hope the Congress will respond.

I ask unanimous consent that my statement at the opening of the hearing before the Senate Subcommittee on Immigration, which followed the White House meeting, be printed in the Record.

There being no objection, the statement was ordered to be printed in the Record, as follows:

TESTIMONY PRESENTED BY SENATOR PHILIP A. HART, OF MICHIGAN, IN SUPPORT OF LEGISLATION TO ABOLISH THE NATIONAL ORIGINS IMMIGRATION QUOTA SYSTEM, BEFORE THE IMMIGRATION SUBCOMMITTEE OF THE SENATE JUDICIARY COMMITTEE, WASHINGTON, D.C., JANUARY 13, 1964

Mr. Chairman, Senator Fong, and members of the subcommittee, thank you, Mr. Chairman, for your kind remarks.

As the first witness, I find myself in the happy position of addressing myself to two members of this committee who share a deep conviction with me that the legislation we are considering is right.

I hope that those who may have a differing point of view will have an opportunity to read the record, and that all of us together will be persuasive that the point of view we suggest in these bills is sound; that it reflects the best interest of America, consistent with our tradition, helpful to today's compelling problems and, in the long-term judgment of history will be vindicated.

Only rarely in the Congress can one say with foremost actual certainty that he thinks he knows the answer to some of these problems.

It just happens that in this area I think that the three of us do insist with confidence and conviction that this is the way we should go. We may entertain doubts with respect to the race for the moon, and our action in response to certain pressures across the globe. But in the area of adjusting our immigration practice more consistently in line with what we preach, as Senator Kennedy said, I just have no doubt about what the right course is. I think that an overwhelming number of thoughtful Americans share this view.

Mr. Chairman, with you, I want to thank the chairman of the full Committee on the Judiciary, Mr. Eastland, for this opportunity to establish a record on which the Congress can act.

This is the first time since 1952 that we find ourselves in a setting where a Senate committee is considering long-term basic immigration change and reform.

There are several bills before this committee. Two of them have very strong and bipartisan support: S. 747, which I introduced in February of last year, along with 36 other Senators, and S. 1932 introduced in July of last year on behalf of myself and 26 other Senators, S. 1932 reflecting the judgment and recommendation of President Kennedy.

The chairman, and I know Senator Fong and I spent the forepart of this morning at the White House where President Johnson, meeting with members of this committee, with our colleagues in the House, and the leaders of organizations across this country, voluntary organizations, related organizations interested in immigration reform, spoke eloquently in support of S. 1932.

I think none who attended that meeting will forget the very clear evidence of conviction on the part of the President of the United States that Congress ought to respond this session to this need for basic reform of our immigration policy.

EVOLUTION OF U.S. IMMIGRATION POLICY

Immigration is at the very core of our historical process. It is a main constituent of America—the oldest theme in our history. Many of us remember the passage from Oscar Handlin when he was chronicling immigration in America. He said that "once I thought to write a history of the immigrants in America. Then I discovered that the immigrants were American history."

To the peoples of Europe chiefly, but to others as well, the United States has long been a haven of opportunity and refuge. The stream of immigrants who have passed through America's gates are the Nation's true wealth.

And today America's true worth and strength rest upon the contributions—morally, politically, socially, economically—of people of many national backgrounds and races. This is the unquestioned genius of the American experience.

Our first American leaders recognized the importance of immigration. The accepted national policy was to encourage a free flow of immigration. And even though, beginning in 1882, our immigration history reveals a slow evolution from an open to a restricted policy, the gates of this land of liberty and opportunity stood open to most until after the First World War.

The post-World War I urbanization and economic dislocation—waves of fear and suspicion—all worked to generate a widespread demand for immigration curbs.

In 1921, President Harding signed the first national origins quota act, an act that had been vetoed earlier by President Wilson. This act, followed by the Quota Act of 1924, marked a major turning point in American immigration policy. A dual selection and control system went into effect. It continues to this moment. The first is selection of immigrants through the application of such standards of admissability as health, literacy, security, and financial ability. The second control is restriction of quota immigration to a specified maximum number per year based on their nation of birth.

No responsible citizen questions the rightness of any nation regulating immigration. But more than an attempt to set a reasonable rate of immigration was involved in the dual control system. It was framed by an irrational element, the national origins concept, which said in clear and echoing words that the people of some nations are more welcome to America than others. We know the story well. Arbitrary ethnic and racial barriers became the basis of American immigration policy.

Post-World War II brought a hope for basic reforms. But basic reform did not follow. America said welcome to millions of the homeless and destitute through the Displaced Persons Act.

In 1952, over President Truman's veto, Congress enacted the present basic statute, the Immigration and Nationality Act of 1952. All agreed that revision and codification of immigration law was long overdue. But so far as the basic selection of immigrants is concerned, the act of 1952 follows the oldline policy of the twenties without significant deviation.

In some respects the present law intensifies the rigidities, the discrimination and injustices of the previous legislation. Racial and ethnic discrimination, truly a departure from our democratic credo, remain on the books. Additionally, today's basic law fails to give sufficient recognition to the principle of family unity, the great dimensions of the world refugee problem, the urgent need for special skill immigrants. Such strictures and rigidities in the 1952 act are chiefly responsible for the periodic necessity of special legislative enactments.

THE NEED FOR REFORM

Moral and national interest reasons clearly justify a new immigration selection policy. "The use of a national origins system," President Kennedy said in his immigration message to Congress, "is without basis in either logic or reason. It neither satisfies a national need nor accomplishes an international purpose. In an age of interdependence among nations, such a system is an anachronism, for it discriminates among applicants for admission into the United States on the basis of accident of birth."

As you have indicated, Mr. Chairman, that is why we have introduced these two bills. That is why the bills have such widespread and substantial support in the Congress and, I think, throughout the country.

Briefly, the reasons are these:

1. To restore equality and fairplay in our selecting of immigrants

Discriminatory provisions against immigrants from eastern and southern Europe, token quotas for Asian and African countries, and implications of race superiority in the Asia-Pacific triangle concept have no place in the public policy of the United States.

A newcomer should not arrive at our Nation's door, hat in hand, apologizing for his parentage or birthplace. This is the great vice of the national origins quota system.

True, we need a careful selection of immigrants. We should discriminate—but not with irrational concepts founded on the theories of ethnic superiority.

Congress must enact a statute that will be discriminatory in the best meaning of the word—on the grounds of security and economic and scientific benefit; on the principles of family unity and asylum to the homeless and the oppressed.

Such discrimination is tolerable and in our Nation's interest. But an immigration policy with different standards of admissibility for different racial and ethnic groups, in short, a policy with built-in bias, is contrary to our moral and ethical policy.

We must enact a law that removes the purely arbitrary barriers to immigration on the basis of race and national origin; that substitutes a new formula based on equality and fair play; that applies this formula without exception to the people of all nations.

President Johnson in his state of the Union message, put it this way: "We must lift by legislation the bar of discrimination against those who seek entry into our country."

2. To update our statute to conform with actual practice

We should enact a law which updates our basic statute to reflect more nearly actual practice in the last decade. Since 1952, over 2,900,000 persons have been admitted to this country as bona fide immigrants. This includes a substantial number of displaced persons, refugees and escapees. This immigration, however, was achieved in spite of the quota formula in the 1952 act. Nonquota admissions, administrative relief, private immigration bills, and a series of special, temporary enactments circumventing the strictures and inequities of the basic statute—all of these have been used by the Congress and the executive branch. It is not a sound and satisfactory way of doing business.

This committee is familiar with some of the statistics that illustrate the point. Of those more than 2.9 million immigrants since 1952, some 1,863,000, or over 60 percent of the total admissions, entered nonquota. And of the more than 1,820,000 quota immigrants authorized during the same period, a little more than 1 million persons, less than 40 percent of the total admissions, actually entered the United States. It seems reasonable that when more than half of the rule is an exception, it is time to change the rule.

Countries with small quotas, chiefly those the objects of discrimination, are substantial contributors to recent immigration. In past decades immigration has not, in fact, flowed in the national origins channels set forth in the 1952 act.

As the table indicates, we find this vividly reflected in the case of Italy, Hungary, Greece, China, Japan, Portugal, Spain, and Yugoslavia.

	Annual quota	Immigrants admitted, 1953-62
China	100	36,732
Greece	308	45,001
Hungary	865	55,595
Italy	5,666	213,434
Japan	185	48,169
Poland	6,488	74,669
Portugal	438	26,036
Spain	250	13,641
Yugoslavia	942	37,033

As members of the subcommittee know well, the list of needed special legislation passed after the 1952 act is long—from the Refugee Relief Act of 1953 through Public Law 87-885, passed in October 1962 to allow several thousand skilled persons and relatives of Americans to enter this country.

At this point, I submit for inclusion in the record a statistical summary of immigrants admitted to the United States under the immigration law for the years ended June 30, 1953-62. The Department of Justice tells me that, additionally, more than 300,000 immigrants were admitted during the fiscal year which ended last June, and this latter figure includes 12,672 relatives of Americans and special skill immigrants who entered under Public Law 87-885, as of the same date.

The figures cited, both in my last comment and in the table, do not include, of course, aliens admitted to this country as parolees or refugee overstays.

The cumulative effect of our actual practice has radically revised the pattern of immigration envisioned by the act of 1952.

Our actual practice, especially the persistent need for special legislation and private bills, is clear evidence that the act of 1952 is unworkable and out of step with reality. Some would argue that the special laws have brought refinement to our immigration policy. Have they really? I think not. For these efforts stop far short of a stable and permanent policy to which the people of this Nation and the world can point.

A brushfire approach to immigration and refugee policy does not satisfy the requirements of a useful immigration policy. The basic act is widely and unfavorably known. The temporary exceptions which modify it beyond recognition and make it contemporarily workable are not generally known.

Thus America suffers needless stigma abroad. Our law offends allies whose close ties with America are essential to free world security. Most basic, our national origins quota policy generates skepticism relative to America's practice of democracy.

There is no day-to-day yardstick to measure the impact of our immigration policy upon our foreign relations and the Nation's reputation. But our every national action is under the spotlight of a watching world. The sponsors of an immigration policy change believe the Congress in 1964 should make our policy consistent with the best of our tradition and the ideals we cherish.

3. To facilitate the reunion of families

The discrimination and rigidity of the present law is doing injustice to thousands of our citizens and residents separated from loved ones. They find it most difficult—sometimes impossible—to bring close relatives into this country.

But what could be more just, more desirable, and good for society than the preservation of the family unit?

We should enact a law to ease restrictions on the reunion of families. This must have priority in any reform measure—just as President Johnson urged Congress last Wednesday.

4. To enhance America's economic growth rate

We need a new statute to facilitate and encourage the entry of skilled and professional persons, with a view toward contributing to the national goals in such fields as defense, science, technology, public health, and cultural enrichment.

Highly trained and skilled persons who can contribute to our complex technological economy are continually in demand. Dr. Jerome B. Weisner, Director of the Office of Science and Technology, stated last year:

"For the first time, we are confronted with a plurality of goals that may well outstrip our technical manpower resources. * * * The President requested that his Science Advisory Committee take stock of our manpower resources. * * * The Committee's first report * * * concentrates on an especially urgent problem of impending shortages of engineers, mathematicians, and physical scientists who combine high ability and advanced training."

A recent report of the National Science Foundation is entitled "Scientific Manpower From Abroad." A stated purpose of this report was to investigate the contribution made to America's professional scientific manpower pool by foreign-born scientists and engineers. The report is directly related to the subject of immigration, the assimilation of immigrants into our society, and the continued need for specialized personnel. The conclusions of the report are very persuasive:

"Migrations to the United States have generally brought valuable numbers of scientists and persons capable of being trained as scientists. * * * It is particularly interesting that the percentage of immigrant scientists in the United States has tended to increase in proportion to the level of scientific imminence. * * *

"The majority of immigrant scientists in the United States probably settle down quickly in their new environment and make valuable contributions both to the cause of American science and to the general good of the Republic. Social and cultural maladjustment among immigrant scientists appears to be quite slight. Scientists from non-English-speaking countries suffer initially from the change of language, but after a period of about a year the language problem in most cases largely disappears. Despite the fairly large influx of foreign scientists during the 1950's there is no evidence that native American scientists have been placed in any great disadvantage by their presence. Since domestic institutions of higher education do not yet provide the country's needed annual aggregate of scientists, it would seem reasonable to assume that the American scientific community could continue to absorb foreign scientists at approximately their present rate of entry for some time to come."

The comments of Dr. Wiesner and the conclusions to the report on scientific manpower cannot, of course, be generalized to every segment of our manpower goal. They are indicative, nevertheless, of the situation in a critical segment.

Selective immigration can help meet our urgent manpower needs. Congress recognizes this fact. Public Law 87-885, which I mentioned earlier, was passed to permit the nonquota admission of several thousand specialized immigrants. These are persons certified by the Attorney General as having services urgently needed in the United States because of their education, special training, or exceptional training and ability. The bill cleared the way for a number of distinguished scientists whose special talents are vital to the performance of important defense work. Nearly 50 hospitals, universities, and research organizations in all parts of the Nation are also benefiting by this special enactment. Under the act of 1952 these exceptional and needed persons were inadmissible to our country. New law is required to make the special skills provisions of the basic law work well in this decade of research and development. President Johnson set this for priority in any immigration reform measure.

Mr. Chairman, as we will know, the economics of immigration is a complicated matter, and there is always a sincere concern in some quarters over the economic impact of any immigration policy change.

The words of the late President Kennedy at Yale University have a real relevance on this score, although at the time they were reported immigration was not mentioned as among the areas that the words suggested a review to be desirable. He said: "Mythology distracts us everywhere. We must move on from the reassuring repetition of stale phrases to a new difficult essential confrontation with reality." He was right. The presence of economic, racial, social, and political myths—in any segment of public discussion and policy—stifle America's growth and keep us from broad areas of potential achievement.

Hopefully, the facts of the economic importance of sound immigration policy will be provided in this hearing record by expert witnesses. Hopefully the subcommittee can hear from the Secretary of Labor on this point.

Two existing studies by the Office of Manpower, Automation and Training are most relevant. I submit these studies for the record, Mr. Chairman, and suggest they would be useful material for all of us.

An able member of the Judiciary Committee, the distinguished senior Senator from Hawaii, **Hiram Fong**, also has concerned himself with the economics of immigration. His eloquent and well documented remarks in the Senate last August were a distinct service to factually presenting the national economic values of immigration reform.

5. TO PROVIDE A CONTINUING AND FLEXIBLE AUTHORITY FOR THE ADMISSION OF REFUGEES

All over the world people are on the move—fleeing oppression and tyranny. The steady trickle of escapees into Western Europe, the flight of Chinese into Hong Kong, and the Jewish exodus from north Africa, all of these, immediately come to mind. These are examples of the need for a continuing and flexible authority for the annual admission of reasonable numbers of the world's homeless refugee.

A continuing authority to admit refugees would provide a needed instrument of our foreign policy, and be a true reflection of all America's concern for the homeless and oppressed.

Just a note on the Cuban refugees in this country: Their presence here is a new experience for America. It is the first time America is a country of first asylum for such a large group of refugees. The usual concerns associated with a sudden and abnormal influx of new people have not materialized. The successful resettlement program for Cuban refugees demonstrates the Nation's capacity to absorb new arrivals—even under emotionally charged and trying circumstances. This is an experience that clearly speaks for greater flexibility in planning our policy for admission of refugees.

There are very sound moral and national interest reasons to abolish our national origins immigration policy.

The sponsors of immigration policy reform, and citizens throughout the country, seek a law speaking the spirit of welcome that is American history.

We seek a law which treats the people of all nations as worthy individuals in the family of man.

We seek a law which reflects our belief in the importance of family unity—especially for those hundreds of American citizens and residents now separated from parents and children.

We seek a law to facilitate the entry of special skill immigrants in the interest of national development and growth.

We seek a law which provides a continuing and flexible authority for the admission of refugees from tyranny and oppression.

We seek a law which enhances our Nation's standing with the rest of the world.

REFORM CHANNELS

Mr. Chairman, both of the bills you and Senator **Keating** and others in Congress have proposed would accomplish the objectives set forth in this statement. They do offer alternative methods of achieving the abolition of the present national origins system of selecting immigrants and for setting new priorities.

Considerable time has elapsed since the introduction of these bills. During this period I have rather concluded that the long-term best interests of our country would be served by enactment of S. 1932, the bill carrying out the legislative recommendations in the President's immigration message to Congress last year.

I would like to offer for the record a section-by-section analysis of that bill. Briefly, the bill reduces each of the present national quotas by 20 percent a year until they are erased, thus releasing quota numbers to a pool to be distributed on a new priority basis.

First admitted will be immigrants with skills and talents urgently needed in this country. Second priority goes to relatives of American citizens and residents. Parents of American citizens are afforded nonquota status.

Natives of no one country can take more than 10 percent of all quota numbers authorized in any year.

By Presidential action 20 percent of the annual pool numbers can be reserved for the benefit of refugees.

S. 1932 provides for a commission of seven members to advise on the reservation of quota numbers, and envisages close cooperation between Congress and the executive branch.

S. 1932 does not seek to admit significantly larger numbers of immigrants than actually have come to America in recent years. The primary objective is changing the method of selecting new arrivals.

S. 1932 does not eliminate the health, literacy, security, and public charge screening that each prospective immigrant must pass.

Reports of study commissions are usually laid aside, especially after the interval of 10 years. But today, more than ever, the historic 1953 report of President Truman's Commission on Immigration and Naturalization—"Whom We Shall Welcome"—is valuable for this deliberation. The report's guidelines and recommendations for a rational method of selecting immigrants are relevant to our needs today. They have a direct bearing on the proposed bill, S. 1932. Members of Congress and the public at large will find it a useful and stimulating document.

In closing we should remember a statement from President Truman's veto message to the Congress on the act of 1952. "I am sure," he said, "that with a little more time and a little more discussion in this country, the public conscience and the good sense of the American people will assert themselves and we shall be in a position to enact an immigration and naturalization policy that will be fair to all."

President Eisenhower has spoken similarly.

President Kennedy and President Johnson have set us on the road to reform.

I urge this committee to report favorably a bill that meets the objectives 36 Members of the Senate have already endorsed in their sponsorship of the bills before you.

I believe the Congress can this year enact an immigration statute which speaks a welcome to the immigrant in the spirit of brotherhood and justice and, as President Johnson put it so understandably, as a nation of immigrants we have every right to ask one seeking admission to our country, "What can you do for the country?"

But I would like to see the fellow get up here to defend the present question which is addressed to the applicant, "Where were you born?" That just does not add up, and if any American would take a minute to think about it he would agree, and I know that these hearings will be enormously helpful in persuading every American that he really ought to take the time to think about this. Some place down the line some predecessor of his did knock at the door. Some of them turned out bad and some of them have turned out good. But, on balance, we became a great nation. But we are not so great that we should ever think that there are not peoples in remote corners whose names we cannot pronounce, who perhaps do not know their own parents, who could not contribute enormously to this society; and time runs out on us in this area as it does in so many others.

It is not an easy area for a politician to operate in. The hard truth is, I suspect, that it is bad politics in the short haul, because even though those who have relatives overseas are nonetheless gunshy of a discussion that might open the door to somebody to displace him from his own job.

As I suggest, there is an answer to this, too. But those of us in the Congress with the responsibility to act are charged with the responsibility to act in areas that are politically unprofitable as well as those that are politically profitable, and so long as we are permitted to be here, the obligation is heavy on each of us, I think, to step up and adjust this immigration law.

I appreciate very much this opportunity to be heard.

RECESS UNTIL 2 O'CLOCK

Mr. KUCHEL. Mr. President, I move that the Senate stand in recess until 2 o'clock p.m.

The motion was agreed to; and at 1 o'clock and 19 minutes p.m., the Senate took a recess until 2 o'clock p.m. the same day.

At 2 o'clock p.m., on the expiration of the recess, the Senate reconvened, when called to order by the Presiding Officer (Mr. Kuchel in the chair).

Mr. MILLER. Mr. President——

The PRESIDING OFFICER. The Chair recognizes the Senator from Iowa as acting leader of the minority. How much time does he yield to himself?

Mr. MILLER. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. There are 65 minutes remaining under the control of the minority, and 55 minutes under the control of the majority.

Mr. MILLER. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator from Iowa will state it.

Mr. MILLER. Is the Senate operating under a consent agreement requiring germaneness?

The PRESIDING OFFICER. The Chair is unaware of any rule of germaneness which would restrict the Senator's remarks to a relevant subject.

Mr. MILLER. Mr. President, I yield myself 5 minutes from the time under the control of the minority leader, and 5 minutes from the time under the control of the majority leader.

Mr. BYRD of West Virginia. Mr. President, I wish to suggest the absence of a quorum.

The PRESIDING OFFICER. Does the Senator from Iowa yield to the Senator from West Virginia, for the purpose of suggesting the absence of a quorum?

Mr. MILLER. Yes.

Mr. BYRD of West Virginia. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. MILLER. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

FOOD-FOR-PEACE PROGRAM

Mr. MILLER. Mr. President, sometime during this second session of the 88th Congress, we shall be weighing the advisability of extending legislation to authorize Federal funds for Public Law 480—better known as the food-for-peace program—beyond the expiration date of December 31. It will be an issue fraught with controversy, prompted by continued evidence of either mismanagement or misguided policies. I hopefully suggest that Congress will receive a full accounting of the more than $10 billion of food and other farm products either donated or sold to foreign countries since the program's inception.

All of us are familiar with the news reports dwelling on the diversion of nearly $30 million in feed grains to Austria; the unexplained loss of $100 million in grains scheduled for Colombia, Turkey, and Vietnam; the purchase of $70 million in salad oil and shortening—mainly soybean oil—which was shipped in faulty containers and was permitted to turn rancid in various warehouses around the world. Clear-cut explanations should be provided Congress.

But, Mr. President, we should also be furnished answers to another question: How frequently are our food-for-peace policies being dictated by purely political reasons?

The basic reason for this question is a somewhat startling article which appeared in the New York Times of January 19. It relates how the United States has approved the granting of credit—through diversion of proceeds from surplus wheat sales—to a New Orleans developer in Paraguay. The developer, identified as Jim McRoberts, intends to establish a large cattle ranch with the credit of $750,000. The report indicated that the ranch is to be the site of a new colony of 75 American settlers.

The arrival of the colonists reportedly surprised both American Embassy and Aid for International Development officials in Paraguay. But this apparently has not been the only surprise for them.

Let me quote pertinent passages from the Times article:

> Although officials of the U.S. Embassy and the Agency for International Development here are maintaining silence on the assistance to Mr. McRoberts' ranch project, reliable sources say that they flatly opposed the loan. They were overruled by Washington.
>
> One U.S. official in Asunción summed up the granting of credit to Mr. McRoberts' project as "strange and discouraging."
>
> Judging by the comments of U.S. citizens here, it is evident that they feel some political pressure was brought to bear to influence Washington's decision on credit to Mr. McRoberts.
>
> The loans require the borrower to meet a number of requirements before credits are advanced. But U.S. officials who are skeptical or disapprove of the loan say far better use could have been made of the money in helping Paraguay, which has one of South America's lowest per capita income rates.
>
> Yet the critics are not speaking out because the decision has been made by important Washington officials.

Mr. President, just how will this decision affect us, here in the United States? Mr. McRoberts will raise cattle, which he then could sell to the meat exporting companies which ship beef to the United States. And this will become easier in view of proposals by Washington officials to set up in Paraguay United States-approved facilities to enable increased exports to this country.

With the U.S. producers virtually on the ropes, because of the loss in income stemming in part from unlimited beef and veal imports, we are now setting out to undermine them even more.

Just who are the "important" Washington officials who overrode our representatives in Paraguay? Are there similar cases, of which we are not aware?

I believe this latest development in our food-for-peace program requires investigation. The questions must be answered to the complete satisfaction of every Member of Congress.

I ask unanimous consent that the article, entitled "Paraguay Colony Stirs Complaints," be printed in the Record.

There being no objection, the article was ordered to be printed in the Record, as follows:

Paraguay Colony Stirs Complaints—Sect Moved From Texas to U.S.-Aided Ranch Site

Asunción, Paraguay.—A controversial project in northern Paraguay aided by the U.S. Government has turned out to be the site for a new colony of 75 American settlers.

The group, consisting of 15 families, was flown in from Texas a few weeks ago. Their belongings are en route by ship.

U.S. sources here describe the settlers as members of a Protestant sect who frequently have opposed education of their children in public schools.

Jim McRoberts, a developer from New Orleans, brought the rural group to the new property. He intends to develop a large cattle ranch, according to U.S. sources here.

The amount is estimated at about $750,000, but the credit will be in Paraguayan currency.

Although officials of the U.S. Embassy and the Agency for International Development here are maintaining silence on the assistance to Mr. McRoberts' ranch project, reliable sources say that they flatly opposed the loan. They were overruled by Washington.

VAST AREA BOUGHT

Mr. McRoberts, operating as Pan Western Enterprises, has bought hundreds of thousands of acres of potential cattle-grazing land near Puerto Mihanovich, 350 miles up the Paraguay River from Asunción.

He applied for credit under a U.S. program that permits some of the proceeds from surplus wheat sales in Paraguay to be loaned to U.S. enterprises here as a means of helping the economy.

The officials who opposed Mr. McRoberts' plan said they doubted that it would help Paraguay. The arrival of the colonists surprised both Embassy and AID officials.

One U.S. official in Asunción summed up the granting of credit to Mr. McRoberts' project as "strange and discouraging."

Under U.S. Public Law 480, surplus U.S. wheat is sent to Paraguay on a 20-percent grant basis, the remainder being sold by the Paraguayan Government for payment in Paraguayan currency. Some of the proceeds from the sales help pay U.S. Embassy costs, some go toward mutually approved public development projects in Paraguay, and a small percentage is set aside for loans to U.S. companies here.

POLITICAL PRESSURE SEEN

Judging by the comments of U.S. citizens here, it is evident that they feel some political pressure was brought to bear to influence Washington's decision on credit to Mr. McRoberts.

Paraguay's most important export is meat and much of it goes in the form of small cans of beef to the United States.

Under a proposal recently made in the United States, Paraguayan meat exports could be increased considerably. This plan calls for the setting up of U.S.-approved facilities here that would allow Paraguay to send the cooked beef meat in bulk to the United States. At present cooked meat entering the United States has to be recooked there as double protection against hoof-and-mouth disease. The new plan would dispense with the need for recooking, thus permitting tastier meat to reach the consumer and resulting in increased sales.

The principal meat exporters in Paraguay are the International Products Corp., which is U.S. owned, the British Liebig Co., and a Paraguayan company.

Mr. McRoberts, with his own funds and with the U.S. loan, apparently has taken over two vast ranch and grazing properties and intends to raise large herds. Presumably, he could then sell to the meat exporting companies.

The loans require the borrower to meet a number of requirements before credits are advanced. But U.S. officials who are skeptical or disapprove of the loan, say far better use could have been made of the money in helping Paraguay, which has one of South America's lowest per capita income rates.

Yet the critics are not speaking out because the decision has been made by important Washington officials.

Supporters of the project say it could stimulate development of a remote undeveloped area and help Paraguay's beef output.

CHANGED REGULATIONS IN REGARD TO FOREIGN SHIPS TRADING WITH CUBA

Mr. MILLER. Mr. President, some serious charges have been leveled at the State Department and the administration by the maritime trades department of the American Federation of Labor and Congress of Industrial Organizations. The charges are deserving of an answer.

According to the New York Times of January 12, Paul Hall, president of the department, has sent to Secretary of State Dean Rusk a telegram of protest relating to "whitewashing effects of recently changed Government regulations on blacklisting foreign ships that trade with Cuba."

The charges, the Times says, were announced in December. They provide "that a vessel that has been chartered for trade with Cuba since January 1, 1963, can be removed from the blacklist if her owner gives assurances that other vessels owned by him and still active in Cuban trade will stop serving the island upon completion of their charters."

Mr. Hall claims that the amendment only serves to "whitewash" vessels previously blacklisted by the Government for trading with Cuba.

The number of ships which could be affected by this relaxation of policy is considerable—196, according to the Times.

I feel that a full explanation of the effects of these changes in regulations should be furnished. With free-world trade with Cuba, as pointed out in the Davenport, Iowa, Daily Times, on January 9, estimated at $230 million, it has a strong bearing on our policy with other nations still trading with Cuba.

I ask unanimous consent to have printed in the RECORD the articles, "Maritime Labor Hits Cuba Policy" and "United States Fights World Trade With Red Cuba."

There being no objection, the articles were ordered to be printed in the RECORD, as follows:

[From the New York Times, Jan. 12, 1964]

MARITIME LABOR HITS CUBA POLICY—CHANGE IN U.S. BLACKLISTING RULES FOR SHIPS SCORED

The Maritime Trades Department of the Labor Federation said last week it would try to develop a positive policy next month to deal with the whitewashing effects of recently changed Government regulations on blacklisting foreign ships that trade with Cuba.

Paul Hall, president of the department, said he had sent a telegram of protest to Secretary of State Dean Rusk. The department is a group of 30 international or national unions in the American Federation of Labor and Congress of Industrial Organizations. They have an aggregate membership of 450,000.

The changes, announced in December and known as an amendment to National Security Action No. 220, provide that a vessel that has been chartered for trade with Cuba since January 1, 1963, can be removed from the blacklist if her owner gives assurances that other vessels owned by him and still active in Cuba trade will stop serving the island upon completion of their charters.,

Ships that call at Cuban ports are barred from carrying U.S. Government-financed cargoes.

WHITEWASH IS CHARGED

According to the latest Government data, a total of 196 vessels aggregating 1,517,287 gross tons have called at Cuban ports since January 1, 1963. The fleet includes 59 British 53 Greek, and 41 Lebanese vessels.

In his telegram to the Secretary of State, Mr. Hall noted that the amendment tended to whitewash vessels previously blacklisted by the Government for trading with Cuba.

Mr. Hall charged that the amendment had been adopted not to protect U.S. interest, but that it represented State Department responsiveness to pressures by foreign-flag operators.

It was a coincidence, Mr. Hall observed that the blacklisting changes were made at a time when various foreign owners in the dwindling Cuba trade had excess tonnage available to handle U.S. wheat shipments to the Soviet Union.

Under Department of Commerce regulations half of such wheat shipments are reserved to U.S.-flag vessels at prescribed rates, if they are available.

Shipping sources said positive policy threatened by Mr. Hall could take the form of picketing such vessels if they came to U.S. ports. The Seafarers International Union, of which Mr. Hall is president, early in December unsuccessfully picketed a West German vessel that was loading wheat for Hungary.

The picketing was in protest of Government waivers of the 50–50 provisions on commercial grain exports to Iron Curtain nations.

[From the Davenport Times, Jan. 9, 1964]

UNITED STATES FIGHTS FREE WORLD TRADE WITH RED CUBA

(By Francis Stilley)

The United States is unhappy over growing trade between Spain and Cuba.

As a result, Uncle Sam has been waggling a finger at Spain with increasing vigor in recent weeks.

Spain has been cautioned that her rapidly expanding economic relations with Fidel Castro's regime could jeopardize foreign aid from the United States.

A U.S. law forbids aid to countries dealing with Cuba, and new regulations recently were issued to discourage non-Communist shipowners from taking part in trade between Cuba and other countries.

Spain, however, maintains that she has historical and cultural ties with Cuba, and also has a need for trade with Cuba. Spain further contends that good relations with Cuba are necessary in the interests of about 40,000 Spanish citizens now residing in Cuba.

The United States has made no formal protest to Spain but strong pressure has been applied through diplomatic channels.

A $100 MILLION DEAL

The United States has a commitment to finance Spanish development through $100 million in Export-Import Bank loans during the next several years.

It was included in a September agreement extending for 5 years the 1953 treaty under which American air and naval bases in Spanish territory were authorized.

The United States has long sought to get the non-Communist world to cut down on its dealings with Cuba, and has succeeded to a great extent except in the case of a few nations such as Japan.

Total free world trade with Cuba was estimated at $1.3 billion in 1959 but has dropped off to less than $230 million, according to most reliable figures now available.

On the other hand, Cuban trade with the Communist bloc has risen rapidly from virtually nothing to more than $1 billion a year. The figure includes large supplies of military equipment.

JAPANESE TRADE

Figures compiled in mid-1963 by the State Department, Commerce Department, the United Nations and other agencies showed Japan's trade with Cuba in 1962 at $46.4 million. This compared with $36.1 million in 1961.

Most of Japan's trade with Cuba consisted of sugar purchases. Japan has been shipping manufactured goods to Cuba, though none of strategic value.

Although Cuban sugar harvests have been poor of late, Castro recently claimed that by 1970 his country will dominate the world market. He asserted that greatly expanded production and low prices will enable Cuba to ruin producers in capitalist countries.

A few days ago Castro announced that Cuba has made heavy purchases of Russian mechanical equipment for use in harvesting the sugar cane crop.

Surprisingly enough, the latest figures show that the second largest non-Communist trader with Cuba is Morocco. This trade was said to have increased from $9.7 million in 1961 to $28 million in 1962.

BRITAIN THIRD

Britain followed as third, but the figure dropped off from $28 to $27 million.

Other countries in order were, with figures for 1961 and 1962 respectively, as follows, with figures in millions:

Egypt, $20 and $22; Canada, $35 and $12; Netherlands, $15 and $11.5; West Germany, $14 and $11.5; Chile, $15.7 and $10.5; Spain, $13.6 and $10 (this was before the recent increase in trade); Tunisia, $2 and $8.5; Greece, $3.4 and $6.7; Sweden, $2 and $4.6; Finland, $.7 and $4.5; France, $6 and $4; Syria, $5 and $3.6; Switzerland, $3.9 and $3.6, and Norway, $2.5 and $2.8.

Others dealing with Cuba include India, Belgium, Yugoslavia, Ceylon, Uruguay, Italy, Brazil, and Mexico. Their trade was reported at less than $3 million each, and in nearly all cases represented a drop over previous figures.

Mr. MILLER. Mr. President, apropos of the articles which I have just placed in the RECORD, I ask unanimous consent that the lead editorial published in the Detroit Free Press on January 11, 1964, entitled "Europe Knocks Down Our Wall Around Cuba," be printed in the RECORD.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

EUROPE KNOCKS DOWN OUR WALL AROUND CUBA

One of President Johnson's most delicate tasks seems likely to be conducting a retreat from our economic blockade of Cuba without appearing to do so.

Last week's sale by Britain of $12 million worth of buses and spare parts to Cuba puts a strong spotlight on the dilemma confronting him.

It came to a head recently when the transport ministers of 10 European countries met to denounce the blockade as interference. More than that, they urged the owners of vessels under their flags to pay no attention to a U.S. Maritime Commission demand, and invited Japan to make common cause with them.

Britain went even further. It gave British vessel owners formal instructions to disregard the Commission's demand. Also, the issue has been up in Parliament and is expected to be on Prime Minister Douglas-Home's agenda when he confers with President Johnson.

What the Commission wants is a full disclosure on vessel movements to Cuba. It would be used to enforce an edict barring from U.S. ports all the ships of any owner who has let so much as one of them take proscribed cargo to Cuba.

Should Japan join the 10 European nations in refusing to go along with the Maritime Commission, three-fourths of the world's merchant tonnage would be involved.

Conceivably, as time went on, we could find ourselves in grave straits as to foreign commerce. The goings and comings of ocean vessels might be so reduced as to leave us insufferably isolated from world trade.

What we're up against is the hard fact that on the other side of the Atlantic there is not the feeling against doing business with Communists which exists in this country.

Another hard fact is that the farther one is from danger, the less ominous it looks. Hence Europe is much less apprehensive than we over the spread of Castroism in Latin America.

Moreover, it can be pointed out that we're hardly consistent when it comes to checking the spread of Communist influence. Indonesia's President Sukarno is decidedly Red oriented, and the Soviet has endowed him with a splendid arsenal of modern weapons. Yet the United States lent a strong helping hand when he ousted the Dutch from Western New Guinea.

Nor do the Europeans see a difference in the Maritime Commission's banning of ships that have visited Cuba and the Arab nations' refusal to let a vessel dock if it has touched at an Israel port—and around Washington nobody but Arab diplomats speak highly of that policy.

So there we are. We can fall back on the Monroe Doctrine, using the ground that Cuba is really a Soviet outpost in the Western Hemisphere. But the Monroe Doctrine isn't a treaty. It is simply a statement of U.S. intent and no European power is obligated to abide by it.

Thus the only way we can enforce it is to begin shooting or think up some sort of reprisals that could be invoked. The first would mean war. The second would cause our friends to bid us a frigid farewell. Neither can be afforded.

The unhappy truth is that our hand has been called, and we're not even holding a pair of deuces. The $12 million bus deal tells us so in a blunt and conspicuous way.

WHITHER THE UNITED NATIONS?

Mr. MILLER. Mr. President, in the Washington Post for January 15, 1964, the lead editorial entitled "Whither the U.N.?" merits the attention of readers of the CONGRESSIONAL RECORD. This is an excellent editorial which details the problem of representation in the United Nations which is being aggravated by the admission of so many small countries, and also the concern of the Secretary of State, Dean Rusk, with the problem.

I ask unanimous consent to have this editorial printed in the RECORD.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

WHITHER THE U.N.?

What is the future of the United Nations? In tackling that subject in the second Dag Hammarskjold memorial lecture at Columbia University, Secretary of State Rusk (in a speech delivered for him by Assistant Secretary Cleveland) offered two thoughtful suggestions which merit analysis by all friends of the U.N. He does not regard the United Nations as a static organization, but he wants it to grow in ways that will strengthen, and not weaken, its peacekeeping function.

Actually the United Nations is a more indispensable agency now than it was at the time of its birth in San Francisco in 1945. Today there is agreement among all the great powers represented in the Security Council that nuclear war is utterly unacceptable as a means of settling international disputes. Chairman Khrushchev of the Soviet Union acknowledged in his New Year's message that war over territorial questions is intolerable and that nations should not be the target of direct or indirect aggression. If this generally accepted thesis is to be meaningful, said Mr. Rusk, the U.N. will have to be used as a substitute for war in the settlement of disputes.

From this viewpoint the peacekeeping functions of the U.N. are vital to every state and especially to the great powers. It serves, in the Secretary's words, "not as a rival system of order but as contributor to, and sometimes guarantor of, the common interest in survival." Even if some countries are disappointed by the consequences of a U.N. peacekeeping operation, they still profit greatly from it for the simple reason that survival is better than the annihilation that would result from nuclear war.

This cogent reasoning has a special bearing upon a problem that looms large in the General Assembly in 1964. The Soviet Union has refused to pay its share of the expense of keeping the peace in the Congo and in the Near East. If this policy persists, the U.S.S.R. will lose its vote in the Assembly and critically weaken the U.N. as an adjuster of disputes that otherwise might lead to war. Surely if the Soviet Union is realistic in its pursuit of insurance against nuclear war, it should be moving toward elimination of this threat to the usefulness of the U.N.

The other problem to which Secretary Rusk addressed himself arises from the growth of the U.N. from its original 51 members to its present 113. The onrush of small, new nations into the U.N. has made it theoretically possible for 10 percent of the world's population, who contribute only 5 percent of the U.N.'s assessed budget, to cast a two-thirds majority vote in the General Assembly. No such problem has arisen and Mr. Rusk is not fearful that it will, but he does emphasize the fact that the United Nations simply cannot take significant action without the support of the members who supply it with resources and have the capacity to act.

This does not mean that he wants to shift all U.N. power back into the hands of the moribund Security Council. Nor does he look with favor on weighted voting in the General Assembly. But his remarks are suggestive of the direction in which the U.N. should be evolving. Nothing would be more certain to destroy its usefulness in the long run than the making of U.N. policy decisions in disregard of the chief centers of world peace.

THE CHANGED WHEAT DEAL WITH RUSSIA

Mr. MILLER. Mr. President, the distinguished columnist, Richard Wilson, has written an article in the December 14, 1963, issue of the Des Moines Register entitled "The Changed Wheat Deal With Russia."

Because many complaints are still being heard about this question, and there is still, apparently, much misinformation about it, I believe that the article merits the attention of readers of the CONGRESSIONAL RECORD, and I ask unanimous consent to have it printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

THE CHANGED WHEAT DEAL WITH RUSSIA

(By Richard Wilson)

WASHINGTON, D.C.—The wheat deal with Russia has gotten completely off the tracks and in its present form is nothing like the original proposal. This proposal was to sell wheat to Russia for cash or on normal commercial terms. It was a subsidized sale in the sense that all such transactions in U.S. wheat in the world market are subsidized, but no more so.

The terms were made unmistakably clear by President Kennedy. The sale was not a government-to-government transaction. It was a deal between private U.S. traders with the credit, on normal commercial terms, supplied by private banks. The traders and the bankers were to take the risk, not the U.S. Government.

PAYING CASH

This made sense. Nikita Khrushchev needed wheat, and still needs it, because his farm programs are not successful. There are bread shortages in Russia. Officials here have heard of disorders in connection with bread distribution.

Khrushchev boasted that he had the cash to pay for wheat. In fact, he is paying 80 percent cash to Canada because he doesn't like the commercial interest rate of 4⅞ percent on an 18-month installment plan.

The United States has a wheat surplus and there are clear advantages to unloading it for cash. This gets rid of the wheat and helps the balance-of-payments problem and, in any case, the Russians can get wheat elsewhere if we do not sell it to them. So we are not saving communism by selling wheat to Russia for cash.

When Khrushchev saw that the United States was willing, even eager, to approve private sales of wheat he began to haggle. He stopped talking of buying for cash, which is the only safe basis for a deal with Russia. Khrushchev wanted credit.

Bankers prudently said they wouldn't extend credit without U.S. Government underwriting. Khrushchev objected to President Kennedy's terms that the maximum amount of wheat be moved in American ships. Shipping rates, it was claimed, were too high.

Private arrangements for sales to Russia, it appeared, would collapse unless the U.S. Government underwrote the whole transaction and subsidized not only the export wheat itself but probably the rates for shipping it to Russia.

A LOAN GUARANTEE

At this point, the U.S. Government, through Treasury Secretary Dillon and Export-Import Bank officials, proposed a loan guarantee of 75 percent of the purchase price. Congress reacted with a bill offered by Senator MUNDT, Republican, of South Dakota, to prohibit such a guarantee.

The Senate Banking Committee appeared to favor this bill. But after the assassination of President Kennedy it reported the bill unfavorably by a vote of 8 to 7 as a tribute to the late President, although Government financing of the sale was not a part of Mr. Kennedy's original proposal. The bill was then defeated in the Senate.

This leaves the way open for Government underwriting of the transactions and that is in prospect unless President Johnson were to intervene and insist on the original terms of President Kennedy.

NORMAL BASIS

President Johnson might well consider doing this for several good reasons. Russia needs the wheat more than we need to sell it. In any case, trade with Russia is not likely to be a significant long-term factor in our balance of trade. The haggling with the Soviet Government amply illustrates that unless it will pay in gold the opportunities for bilateral trade are limited, and even less promising on a multilateral basis.

What the United States should be seeking is a rational, normal basis for trade with Russia as we trade with other nations. But this basis does not exist for one simple reason, and that is lack of confidence. Confidence is an indispensable element in the extension of credit, and more so in international trade than in domestic trade.

Lack of confidence in the Soviet Union is why bankers will not extend credit unless it is guaranteed, in this case, by the U.S. Government.

MUST MEET MARKET TERMS

What the Soviet Union needs to learn is that if it is to be a responsible participant in world trade it must be prepared to do so on the terms of the marketplace.

Those terms are that the buyer must convince the seller that he is able and ready to pay a fair price based on supply and demand. Khrushchev talked that way last summer. But this winter it is a different story, as is so often the case from the beginning to the end of a negotiation with the Soviet Union.

AN ASSESSMENT OF THE SITUATION IN SOUTH VIETNAM

Mr. MILLER. Mr. President, one of the best assessments of the situation in South Vietnam was contained in a dispatch by Hedrick Smith which was published in the New York Times on January 12. In describing the deteriorating situation there, the Times article underscores that part of the fault lies with the United States. An American official, according to Mr. Smith, had this comment to make:

> Let's face it. A lot of the blame for the situation is ours. We financed most of those programs, and we signed off on them. This situation was going badly for months and someone wasn't checking up on it for our side.

This is a damaging indictment of our policies and procedures; it is one which should not be ignored. It will serve no purpose to write off our blunders by blaming Congress, as Assistant Secretary of State, Roger Hilsman, implied in an interview which was published in the Washington Sunday Star on January 12, the same day on which the New York Times made the assessment.

In speaking of the Asian developments, Mr. Hilsman declared:

> All you do with cutting in aid is to stretch out the time when some of these countries are vulnerable to communism and to stretch out the time when you are running high risks, stretching out the period of danger.

It is convenient to focus the blame on Congress, but it also should be pointed out that Congress has reduced foreign aid because it is convinced the administration of that aid has been ineffective in many instances, and wasteful in others. Once the administrators admit that they share part of the blame, we will begin to receive our dollar's worth in the assistance we grant other countries.

Eugene R. Black, former President of the World Bank, put his finger squarely on the problem, in an address on November 12 before the New York Chamber of Commerce. He said:

> The major trouble with our foreign aid programs in the past has been too much concern over quantity and packaging, and too little concern over the quality of the product itself.

This concern is felt by Congress. It is about time that the State Department and the Agency for International Development remember the remark made by Plutarch some thousand or so years ago:

> Hard questions must have hard answers.

Congress and the American people have been asking those hard questions, but the hard answers have yet to be forthcoming. With the United States providing half of the estimated $8.5 billion spent annually on foreign aid by all nations, as pointed out in an article which was published in the Davenport, Iowa, Daily Times on January 3, we must have those answers. The official attitude must change to one of frankness from the current one, which is accurately summed up by Columnist Richard Wilson, in the Des Moines Register of December 22, who wrote:

> It is only a slight exaggeration to say that officials of the foreign aid program would much prefer it if neither Congress nor the public knew much about its activities, except the puff-stories on its great achievements which are not inconsiderable.

It is time that the administration realize that a majority of Congress, as Mr. Wilson puts it—

> believes that the country wants to go slower on foreign aid, be more selective, be more certain that definite policy aims are being pursued toward a useful conclusion.

I ask unanimous consent that the four articles, entitled "Vietcong Terrorism Sweeping the Delta," "Hilsman Sees Slash in Aid Adding to Danger From Reds," "United States Gives Half of World's Foreign Aid," and "Passman's Annual Battle To Cut Aid" may be printed in the RECORD.

There being no objection, the articles were ordered to be printed in the RECORD, as follows:

[From the New York (N.Y.) Times, Jan. 12, 1964]

VIETCONG TERRORISM SWEEPING THE DELTA

(By Hedrick Smith)

TAN AN, SOUTH VIETNAM, January 9.—Terror, which moves through the populous Mekong River Delta with the bands of Communist guerrillas, stole one sultry night into the hamlet of Thuan Dao, 15 miles southwest of Saigon.

Efficiently the guerrillas executed the hamlet's militia leader, burned the administrative office and began forcing the villagers to tear apart their homes.

The militia, too terrified to resist, radioed for help.

At the district center of Ben Luc, less than half a mile away, there was a company of Civil Guard troops. Two miles down the main road, a battalion of Vietnamese Army troops was guarding a bridge. Nearer the hamlet was the headquarters of an army engineer battalion. But no one responded to the S O S from Thuan Dao.

By dawn, 40 houses had been smashed and the militiamen were so demoralized that they turned in their weapons.

The houses were repaired, and a visiting American general remarked a few days later that this was "a secure hamlet."

But the hamlet remained without adequate defenses, and the guerrillas returned last week and forced the peasants to tear down 50 more houses.

SAIGON'S CONTROL DEFIED

Since June scores of similar incidents, backed by a relentless Communist propaganda campaign, have undermined the government's authority in villages throughout the Mekong Delta, home of a majority of South Vietnam's population.

Guerrillas and political squads have gnawed at the fabric of the government—its ability to protect the peasants, its administrative structure and, apparently most important, its will to win.

Bit by bit the people's allegiance has slipped away because of mismanagement and neglect of the peasants' needs and aspirations. Village governments have disappeared or fallen into disarray, and higher officials have abdicated their responsibilities.

AT LEAST 75 PERCENT OF PEOPLE UNDER REDS

As a result, most of the rural population in the delta lives under Communist influence in the critically important province of Long An. U.S. advisers estimate that at least three-quarters of the 387,000 inhabitants live in areas controlled by Communists. Some estimates are even higher.

Under President Ngo Dinh Diem, who died in the coup d'etat of November 1 and 2, the provincial administration was paralyzed by politics and bureaucracy. District officials reported only a fraction of the attacks on their areas' strategic hamlets, or fortified villages. They feared that if the province chief learned the truth he would think they had lost control of their districts.

One American officer recalls having asked a former provincial governor, Maj. Nguyen Ngo Xinh, about the deteriorating security situation. "I don't know anything about it," he was told. "That's your concern."

THE OFFICIALS WROTE REPORTS

Local officials prepared neat statistical reports about hamlets they had never visited. "They wrote beautiful reports," one American official said, "but it was all a sham."

Now the military junta in Saigon is moving to revive the provincial government. Maj. Le Minh Dao, an aggressive young army officer born in Long An and trained at Fort Benning, Ga., has been named province chief. He has replaced five of the six district chiefs and has encouraged local officials to overcome their disdain for going into the hamlets, rolling up their sleeves and helping the peasants.

Three battalions of paratroopers have been sent here to deal with Communist combat units and to start "clear and hold" operations to regain the territory. The U.S. Ambassador, Henry Cabot Lodge, has expanded his civilian staff in the province from 1 man to 12 and has promised the staff full support.

It has been more than a year since the Government, with U.S. financing, intensified the program of building strategic hamlets. In an effort to introduce the peasants to a non-Communist way of life, nearly half a million dollars of U.S. aid has been spent.

NEARLY 50,000 QUIT HAMLETS

Yet the situation continues to deteriorate. Fifty thousand Vietnamese have abandoned the strategic hamlets, and it is felt that the Government must make a fresh start.

At the prodding of Ambassador Lodge, the military junta has decided to make Long An Province a major testing ground of its ability to win the war against the Vietcong, or Vietnamese Communist, guerrillas.

Long An's borders reach within 10 miles of Saigon; thus it is the capital's soft underbelly. The loss of Long An would give a severe psychological jolt.

Long An is the garden and the granary of South Vietnam. Through its rich green rice fields and sugarcane fields runs Route 4, the Government's only open road from Saigon into the Mekong Delta. If this road fell into Communist hands, the Communists would control the flow of rice and other foods into the capital.

Already the Government's control in Long An is limited to seven main towns and a few hamlets.

"If we can't win here," an American official said, "we may as well forget the whole show."

PROSPECTS ARE DISPUTED

Even those most closely associated with the new effort disagree over whether the drive can succeed.

An American civilian remarked: "The war fatigue here is so serious that it's hard to know if these people still have the will to win or can regenerate their drive and their morale. Maybe if we face up to our mistakes, forget about useless target dates, and put more people in at the field level—maybe then we can begin to chew our way slowly back into what has been lost. But it's going to be a long fight."

A U.S. military adviser added: "I think the moral fiber of these people has deteriorated. There just isn't any individual initiative or leadership, or any commander willing to take chances."

The U.S. Information Service has sent American-led teams of Vietnamese into the hamlets to learn what the peasants think of the Government and what their demands and complaints are. In the minds of many Americans, however, the crucial unmet need is for dedicated, capable civilian and military leaders.

From an American helicopter over Long An's rice paddies, one can see ample evidence of the mistakes that have been made. Entire villages lie in ruins, roofs of houses torn off, walls knocked in, inhabitants gone.

A number of ghost settlements lie within the 3 or 4 miles of principal towns still controlled by the Government. Rare is the hamlet that is not somehow pockmarked by the war.

Roads in the province have been chopped up, and at least 25 important bridges blown up by the guerrillas. Land travel is hazardous by day, impossibly dangerous at night. When Major Dao, the new chief, ventures even a mile or two from the provincial headquarters, a squad of soldiers follows in jeeps armed with mounted .50-caliber machineguns.

Last September, provincial officials maintained that more than 200,000 people lived in 219 completed strategic hamlets. Today, according to the best estimates, 20 of these, and perhaps fewer, are functioning and are in Government hands day and night.

BETWEEN 40 AND 50 HAMLETS RUINED

The province chief reports that 40 or 50 have been destroyed and are completely deserted; the rest have suffered great physical or political damage.

Because the peasants' homes in the delta are scattered over their farmland, the Government had to move thousands from their traditional homes to establish the hamlets. In Long An, 80,000 people were relocated. Their resentment at having been moved was exploited by the Communists, and more than half have left the hamlets.

Ten thousand more—originally permitted to remain in their family homes—are reported to have quit the hamlets because living in them brought the guerrilla war to their doorsteps. A trickle of dissatisfied villagers can be seen trudging away from hamlets, beds and personal belongings strapped to their backs.

The local militiamen are deeply demoralized. There have been so many defections that the province chief has only 2,600 men in the Self-Defense Corps. The corps, with an authorized strength of 4,000, helps guard the hamlets and mans Government outposts.

MANY IN MILITIA DISARMED

Of 3,000 peasants trained as part-time militiamen for their hamlets, American officials estimate that 500 still have weapons. The rest have deserted or have turned in their weapons, which made them special targets of the guerrillas.

Often the militia provided little protection for the villagers and even abused those they were supposed to guard. In one hamlet peasants said corpsmen had shot at them when they tried to protect their crops from being eaten by militiamen's ducks.

Sometimes Vietnamese officials know little about the hamlets they are supposed to supervise. When a Vietnamese reporter asked provincial officials about An Bunh, a hamlet less than a mile from here, they described it as one of the safest in the region.

When he asked to be taken there to spend a night, one official after another made excuses for not going. Each sent him to a lower ranking official.

A SHOCK AT SETTLEMENT

The canton chief, who finally drove the reporter out toward the hamlet, indicated that he had not been there for weeks and was unable to say whether any militiamen were left. He refused to enter the hamlet even by daylight without a military escort. He left the reporter on the road outside the hamlet and drove away.

Villagers later disclosed that the guerrillas assassinated two top hamlet officials in December. A duck farmer spoke openly of his fears.

"I used to be a member of the combatant youth," he explained, "but I have no longer dared to spend the night at the hamlet since our boss was beheaded. I look after my ducks here during the day, but I spend the night in town."

The deterioration of the hamlet program began last June and July, when construction was speeded to meet deadlines set by President Diem and his brother Ngo Dinh Nhu. At the start of 1963 there were 70 hamlets in the Province. In theory this number was doubled by June and trebled by September, though the hamlets were rarely in full operation and the guerrillas were undermining them almost as fast as they were built.

"When the Province got into this statistical race," an American said, "there was a combination of lying and trying to go too far too fast. It just didn't work."

The hamlets were considered complete, an official explained, once the villagers were inside and when fences and moats had been built, even if the militiamen were untrained and defenses weak and even if "there was no sense of community."

Many relocated families were not paid Government relocation allowances. Peasants were sometimes forced to buy construction materials that were supposed to be furnished by the Government and by the U.S. aid programs.

Rich settlers bought their way out of serving in the militia, and officials sometimes drew the hamlet boundaries to protect their holdings. Hamlet council elections were not infrequently rigged in favor of friends and relatives of the hamlet chief.

COUP ILLUMINATED FLAWS

Supervision by Provinical authorities and by the Americans was lax. "Let's face it," one American said. "A lot of the blame for the situation is ours. We financed most of those programs, and we signed off on them. This situation was going badly for months and someone wasn't checking up on it for our side."

The situation that was exposed after the coup of November 1 shocked a number of Americans. They had suspected that things were going wrong but had had no real idea of how serious the situation was.

The Government had virtually abandoned the field to the Communists. In Vinh Hoa, villagers said no local officials had visited them since their hamlet was built in November 1962. But they said the Communists had come often and had recruited 33 young men for the guerrilla forces.

The Communists developed a complete administrative apparatus under five district chiefs. The backbone of their military strength in the Province consists of one and sometimes two tough full-time combat battalions.

Each district also has a company of regional guerrilla troops, and throughout the Province a thousand or more local guerrillas are at work. These are supported by several thousand sympathizers serving as porters, messengers, and helpers. Each village has a Communist cell.

The Government faces these tasks:

To push out its military base from seven major towns to provide an increasing number of hamlets with security.

To meet some of the economic needs of the peasants and to demonstrate concern for their welfare.

To root out the Communist political structure.

Major Dao stated his goals this way: "We will consolidate some strategic hamlets near the district and Province towns, and we will help the people. Slowly, like oil, we will spread out—slowly but surely."

The energetic 30-year-old Province chief, who is said to work well with his American advisers, is convinced that if the Government forces can provide protection the people will rally to the Government.

"These people are watching me," he said. "If I am strong and just, they will come to the Government. If the Vietcong are stronger, they will go to the Vietcong."

Some Americans, eager to avoid the pitfalls of the past, fear that the new campaign will become too military a show of force, giving inadequate attention to the subtle political and psychological task of winning the people's allegiance.

"This Province cannot be saved unless we completely change our thinking about how to get the job done," one experienced American official said.

He added: "Military forces must provide an umbrella while we build a cadre of civilians with enough nerve to go out into the hamlets to work among the people. We must stop paying lipservice to the importance of civic action and really put some teeth into it."

[From the Washington Star, Jan. 12, 1964]

HILSMAN SEES SLASH IN AID ADDING TO DANGER FROM REDS

(By Spencer Davis)

Assistant Secretary of State Roger Hilsman predicts that congressional cuts in foreign aid will lengthen the period of high risk and danger to Asian countries vulnerable to Communist aggression.

Mr. Hilsman, the State Department's top expert on the Far East, characterized the problems confronting this region as "big and bold." They cannot be solved in 1964 or in any single year, he said in an interview.

"All you do with cutting in aid is to stretch out the time when some of these countries are vulnerable to communism and to stretch out the time when you are running high risks, stretching out the period of danger," he said.

CALLS CUT SERIOUS

"The more aid we have, the sooner we will solve some of these problems and the less time there will be risk and danger to the whole of our foreign policies and national security.

"So I think that an aid cut is a serious matter."

Mr. Hilsman was referring to the action of Congress in reducing the foreign aid program from an administration request of $4.5 billion to about $3 billion.

Mr. Hilsman said he has not detected any sign of moderation on the part of Communist China's present leaders. Among the unsolved basic problems of the Far East, he also cited Communist aggression, poverty, the need for modernization and development.

Highlight of Mr. Hilsman's replies to questions follow:

Question. South Vietnam—is the situation worsening?

Answer. I don't think I would agree with the latter judgment. We have always been aware that the most serious area of all in Vietnam was the delta area. The war effort and the attempt to extend security to the countryside has gone very well in the coastal regions and the mountain provinces.

SEES VIET CONG LOSS

There has been a change of government there which means that there is a period, which we are still in, where the new government has to get itself fully organized. The Viet Cong, the Communists, have attempted to take advantage of this by stepping up their military campaign * * * the new government has also stepped up its military campaign to a higher level. As a consequence * * * there are more battles and more casualties. Actually the casualty rate between the Viet Cong and the government has turned more in the favor of the government in these last 3 years. Whether this will remain, we will have to say. I would sum up by saying that there is a serious problem in the delta but I believe it can be resolved.

Question. What do you think of efforts to neutralize South Vietnam?

Answer. This is totally unacceptable. The Vietnamese people in a valiant struggle over several years have demonstrated that they want to eject Communists that have been inspired and infiltrated from the north in what constitutes aggression * * *. The U.S. Government is determined to support the Vietnamese Government in eliminating this Communist terrorism.

Question. Will the United States be able to withdraw its training mission from South Vietnam by 1965?

Answer. There has been some misunderstanding of what this announcement of October 2 meant and said. It was not intended to end our training or support for South Vietnam. It was not meant that this was ending in 1965. What were referred to were personnel whose particular tasks by this time (1965) the Vietnamese could take over. Our purpose is to help them but the major task is theirs. We will continue to have a training mission. We will continue with whatever aid is necessary to win.

INTERPRETS SPEECH

Question. On Communist China do you see any trend in the direction of moderation that might evolve among Chinese Communist leaders. In your recent speech on the open door policy toward Communist China were you talking in the historical sense of a trend that might take place?

Answer. I didn't use the word moderate or moderation and I really don't expect this out of the Chinese Communists. The speech enunciated a policy of firmness, flexibility and dispassion. Firmness in our support of the Republic of China on Taiwan (Formosa) and of our commitments to them and our determination to honor these commitments. Firmness in dealing with any aggression from the Chinese Communists; flexibility, to keep an open door to developments in this part of the world, and in terms of looking at developments coolly and objectively; and dispassion in terms of not being ruled by emotion as you deal with complicated problems.

In the speech I talked about second-echelon leaders, not in terms of expecting them to be more moderate, but in terms of the fact that they must surely realize the failures of this older group that has been in control. I would expect they would be critical of these leaders. The Chinese Communists only a year ago launched an aggression against India. They have been stirring up trouble in Laos and Vietnam. I see no signs of moderation.

[From the Davenport (Iowa) Times, Jan. 3, 1964]

UNITED STATES GIVES HALF OF WORLD'S FOREIGN AID

(By A. I. Goldberg)

UNITED NATIONS.—Put your thumb down anywhere on the land areas of a world map except North America and most of Europe, and you'll jab a tender spot where part of $8.5 billion is being spent annually in foreign aid, to developing countries.

Alphabetically the recipients range through 124 countries and territories from Aden to Zanzibar. Geographically they circle the globe.

About $2.5 billion is in private investment aid.

The remaining $6 billion is in public funds distributed in the form of grants, loans, training of experts and sending of technical experts and equipment. It is distributed bilaterally, from country to country; regionally from or to groups of countries; and multilaterally, from many countries to many countries and funneled through agencies.

Outside of the fact that the United States accounts for one-half of all foreign aid in the world today, nobody has any precise figure just who gives how much to whom.

A U.N. technical assistance survey, stressing that it was not official developed these other general facts:

Nobody knows just how the private investment aid is shared.

About 10 percent of public aid is channeled through the United Nations.

Chief donor countries are the United States, Britain, France, Soviet Union, West Germany, Canada, Japan, and Switzerland.

Other important donors in bilateral aid programs are Netherlands, Denmark, Norway, Sweden, Portugal, and Italy.

Australia and New Zealand channeled their contributions through the British Commonwealth Colombo plan.

Every one of the 87 countries classified by the U.N. members as underdeveloped gets some form of aid either in direct help or in technical assistance and advice.

The U.N. survey showed that U.S. aid programs were represented in 81 less developed countries but were concentrated in about 20 that got about four-fifths of the $2.6 billion budget of AID—the Agency for International Development.

Largest U.S. programs were listed in Korea, Nationalist China, Philippines, Vietnam, India, Pakistan, Israel, Turkey, Greece, and Brazil.

More than half of the total aid budget's nonrepayable development grants go to Latin America and to Africa.

Latin America needs are fed through the six specialized agencies of the Organization of American States and through the Inter-American Development Bank.

The United States also contributed $1 billion to the British Commonwealth Colombo Plan in 1962. Britain is another mainstay of that program which spent $1.8 billion in 1961–62, chiefly for countries of southeast Asia.

Britain's bilateral expenditures were expected to reach $500 million in the 1963 fiscal year. They were concentrated in Kenya, Tanganyika, Uganda, Nyasaland, Nigeria, and northern Rhodesia in Africa; Jamaica, India, and Pakistan.

Britain's Colombo Plan disbursement during 1962 was $96 million. Australia contributed almost $9 million, New Zealand $2 million.

Excluding its contributions to multilateral programs, France distributed $879 million in grants and loans during 1962, the greater share going to Algeria. The next largest share went to the 14 newly independent African and Malagasy states. After that there were contributions to Morocco, Tunisia, Cambodia, Laos, Vietnam, French overseas departments, and some countries in Latin America and Asia.

West Germany disbursed the equivalent of $277 million in 1962 on all forms of economic aid to developing countries, exclusive of contributions to the United Nations and Common Market funds, and reparations payments.

The largest amounts were used in India, Greece, Afghanistan, United Arab Republic, Iran, Ethiopia, Ceylon, Tunisia, Congo, Léopoldville, Togo, Thailand, Indonesia, Bolivia, Guinea, and Jordan.

Soviet figures are shadowy. From best report the Soviet Union has aid agreements for technical assistance in industrialization with

29 developing countries. The United Nations estimates the total committed in 1962 at the equivalent of about $400 million "although the amount disbursed may be less," it says.

The U.N. survey cites Soviet aid to build more than 480 industrial plants of various sorts in India, Indonesia, Afghanistan, United Arab Republic, Iraq, Syria, Ghana, Guinea, Somalia, Mali, and Sudan among them.

The major European donor nations, along with the United States, Canada, and Japan, also distribute aid through the Development Assistance Committee (DAC) of the Organization for Economic Cooperation and Development (OECO). Other members are Belgium, Denmark, France, West Germany, Italy, Netherlands, Norway, Portugal, and Britain.

Belgium spent $68.5 million in 1962 on economic aid, much of it to Congo Léopoldville.

Canada's total expenditure in aid in 1962 was $37.5 million. The biggest portion went to such Latin American countries as Brazil, Chile, and Mexico, and to Colombo Plan countries such as India, Pakistan, and Ceylon.

Japan's bilateral aid expenditure in 1962 was $94 million with Asian members of the Colombo Plan and some Latin American countries as beneficiaries.

Of the remaining DAC members, the Netherlands devoted $42 million in 1962 to economic aid on a bilateral basis, Portugal $40.7 million, and Italy, Denmark, and Norway somewhat lesser amounts.

Other countries listed as having bilateral aid programs are Austria, Sweden, Switzerland, Israel, the United Arab Republic, Czechoslovakia, Hungary, Poland, and India.

[From the Register, Dec. 22, 1963]

PASSMAN'S ANNUAL BATTLE TO CUT AID

(By Richard Wilson)

WASHINGTON, D.C.—OTTO ERNEST PASSMAN, 63, is a Democratic Congressman from Louisiana. Annually, PASSMAN gets into a fight with the White House over foreign aid spending. He is chairman of the Appropriations Subcommittee which handles this troublesome item.

It is usually said that PASSMAN is trying to superimpose his judgment on that of four U.S. Presidents and any number of other outstanding personalities. This devastating remark is supposed to crush PASSMAN and hold him up to public scorn as the wrecker of the foreign aid program.

The truth seems to be, however, that PASSMAN knows more about the foreign aid program than any President has had an opportunity to know for the simple reason that he has studied it longer and in more detail.

CONVENTIONAL LOUISIANIAN

He has handled the foreign aid appropriation for 9 consecutive years. PASSMAN is not a liberal; he is a conventional Louisianian, but with a flair for rather rakish attire and an endless patience in coping with one of the really big practical problems of modern government.

It is only a slight exaggeration to say that officials of the foreign aid program would much prefer it if neither Congress nor the public knew much about its activities, except the puff stories on its great achievements, which are inconsiderable.

The official attitude about foreign aid is that it is an instrument of foreign policy used by the President under his constitutional authority to direct this policy. What flows from that conception is that Congress should not, indeed cannot, under the Constitution, interfere.

MUCH IS HIDDEN

This is an impractical concept, which PASSMAN annually demonstrates to be faulty. However, much of what is done under the foreign aid program is hidden from the public. There was a time when it was a secret how the money was divided up between various countries.

Every now and then a little something leaks out, like Lebanese bulls with nine stalls apiece or extra wives for Kenyan Government officials, or air-conditioned Cadillacs for Middle Eastern potentates.

A suffering public has become more or less conditioned to this kind of thing and would not abandon foreign aid for this alone. Nor is it likely that the public as a whole would end all foreign aid, however much annoyed it may become over waste and incomprehensible spending abroad when there is so much that needs improvement in this country.

But it is clear that a majority in Congress believes that the country wants to go slower on foreign aid, be more selective, be more certain that definite policy aims are being pursued toward a useful conclusion.

Every year for 9 years the clamor has come from the White House and the Department of State that any cutback will wreck our foreign policy. And any time there is a cut our foreign policy never seems to be demonstrably better or worse off.

A few facts are useful in this connection. In the last 8 years Congress has reduced the White House budget requests by more than $6.5 billion. Yet every year more money was appropriated than foreign aid officials could use.

The so-called pipeline—funds from past years which are committed to continuing lion. Foreign aid could go on for several years without another penny of appropriation.

It is not uncommon for officials to make huge allocations of their funds in the last 2 or 3 days of a fiscal year so that they won't have any uncommitted money left, and can claim they are emptyhanded in meeting the world's challenges.

TOTAL OF $744 MILLION UNOBLIGATED

Last year the White House, the State Department, and the Defense Department all said our foreign policy was being wrecked by a billion-dollar cut. Yet these agencies finished the fiscal year with $744 million of unobligated funds on their hands.

Basically, the facts do not support any contention that Congress has either wrecked the foreign aid program or really harmed it. Nor does the contention hold water any longer that the Russians are rushing in where we pull out. The Russians have had their own serious problems with foreign aid.

This appears to be one case where instinctive public reactions are right that we have been spending too much on foreign aid and not getting enough out of it.

The PRESIDING OFFICER (Mr. BYRD of West Virginia in the chair). The time of the Senator from Iowa has expired.

Mr. MILLER. Mr. President, the time was changed to 8 minutes from the minority and 7 minutes from the majority; accordingly, I ask unanimous consent that I may proceed for an additional 3 minutes taken from the minority side, and 2 minutes from the majority side.

Mr. PASTORE. Mr. President, I have no objection.

The PRESIDING OFFICER. Is there objection? There being no objection, the Senator from Iowa is recognized for 5 additional minutes.

SOLICITATION ACTIVITIES OF THE DEMOCRATIC NATIONAL COMMITTEE AMONG GOVERNMENT EMPLOYEES

Mr. MILLER. Mr. President, in the Washington Evening Star, columnist Joseph Young has again performed a public service by throwing the spotlight on solicitation activities of the Democratic National Committee among Government career employees.

In his column of January 16, Mr. Young reports that the drive among Federal employees apparently is even greater this year since some who had not been solicited previously are now being contacted.

The Democratic National Committee has other sources from which to draw upon without placing Government employees in an untenable position of being forced to attend a $100-a-ticket Democratic fundraising event on May 26. As I remarked on the floor last December 13, this action by the committee is highly unethical and unfair.

I believe that such solicitations of our civil service employees should and must be repudiated by President Johnson and any other President, Republican or Democrat.

We cannot afford to place Government employees in a position to cause them to feel they must purchase tickets for one party or the other in order to retain their jobs or secure their promotions.

I ask unanimous consent to have printed in the RECORD, the article entitled "Career Employees Solicited Again for $100 Democratic Dinner."

There being no objection, the article was ordered to be printed in the RECORD, as follows:

CAREER EMPLOYEES SOLICITED AGAIN FOR $100 DEMOCRATIC DINNER

(By Joseph Young)

Government career employees have received their third letter of solicitation from the Democratic National Committee to attend the $100-a-ticket Democratic fund-raising affair this year.

The event is the "Salute to President Lyndon B. Johnson" to be held at the District Armory on May 26.

As this column disclosed several weeks ago, Federal career employees from the middle grades on up had received two letters from the Democratic Committee in recent weeks in connection with the affair. Originally, the event was to have been held this month, but was canceled due to the death of President Kennedy. The second letter from Democratic National Committee Chairman John Bailey advised of the postponement and told employees they would hear from the committee later, advising them of the new date for the event.

Sure enough, on January 10 a third letter went out to Federal career employees, signed by Mr. Bailey, advising them that the event would be held May 26.

"May I urge those of you who have not yet forwarded your contributions to do so now," Mr. Bailey wrote. "We need your continued support."

The requests put many Federal career employees in a dilemma. If they buy tickets, they could find their jobs in jeopardy with any subsequent Republican administration. On the other hand, if they are in line for promotions and career advancement, or even value the jobs they have, some of them feel it would be best to purchase the $100 tickets.

A similar solicitation drive by the Democratic National Committee among Government employes last year raised much criticism among Republican Members of Congress and elsewhere. However, apparently undaunted, the Democrats' drive among Federal employees this year is even greater Some career employees are being contacted who weren't solicited last year.

FAILURE OF LATIN AMERICAN NATIONS TO FACE UP TO INFLATIONARY PRESSURES

Mr. MILLER. Mr. President, the failure of many Latin American nations to face up to the inflationary pressures occurring within their own countries has never been better illustrated than in an article published in the Wall Street Journal of January 16. While the article, written by Henry Gemmill, deals primarily with what is happening in Brazil, it is clear that the same story is being repeated in other Latin American nations. When one nation, such as Brazil, accepts inflation as a way of life, it cannot help undermining the economies of other countries with which it must deal.

When the Alliance for Progress was initiated in the early part of this administration, it was to serve as an agent to lead Latin American governments to institute policies to uplift their economies. But the Alliance's effectiveness is still one of deep uncertainty—and one of real doubt.

Mr. Gemmill points out how the United States is caught on the horns of a many-faceted dilemma—if we dole out more aid to Brazil, the leaders will use it to fuel more inflation; if we refuse more aid, the leaders will use this as the pretext for inflaming anti-Americanism and seizing dictatorial power—or if we just string along, we can merely hope the inflationary storm can be weathered.

If there ever was a need to reexamine our Latin American approach, it is now. Since 1946, the United States has poured close to $8 billion into Latin America—with more than $2 billion going into Brazil alone. In fiscal year 1963, Latin America was the recipient of more than $1 billion, with Brazil's share amounting to more than $172 million. What do we have to show for it? Not very much, it would be safe to say.

If Latin America does not wish to help itself, should we continue to throw away our taxpayers' money? I do not advocate the elimination of aid, but we must recognize our responsibilities to the American taxpayer by obtaining some results. To date, there has been little evidence of that—nor is there much evidence that Brazil, and most other countries in this area, plan to take concrete action to right the situation.

This is pointed up in the last paragraph of the article. A noted Brazilian economist is quoted as saying:

> This inflation is ruinous. But we don't want to stop it, of course. What we must do is cut it down to a healthy 20 percent per year.

I would suggest that economic stability can only start at home, and until Brazilians and other countries accept this, our money aid will do little to correct the situation.

I ask unanimous consent that two articles, one entitled "Inflation Eats Away at Brazil's Economy, Undermines Other Latin American Lands," and one entitled "Another Bad Year Is Likely for United States in Latin America," be printed in the RECORD.

There being no objection, the articles were ordered to be printed in the RECORD, as follows:

[From the Wall Street Journal, Jan. 16, 1964]

INFLATION EATS AWAY AT BRAZIL'S ECONOMY, UNDERMINES OTHER LATIN AMERICAN LANDS

(By Henry Gemmill)

WASHINGTON.—Tom Mann has already discovered in Panama that the challenges he faces as President Johnson's chosen czar for Latin America are topped off not by the noble new uplifting efforts of the Alliance for Progress but by nagging old problems.

On the isthmus, he sees smoldering fires of nationalism bursting into fierce flame. If he has time to look farther south, he can sight the destructive power of another old Latin bugaboo: Inflation.

It's running riot in Argentina and Chile; an outbreak threatens in Colombia. Worst of all, the biggest and most destructive inflation is in the biggest and most important nation, Brazil. If the Assistant Secretary of State can figure how to halt it, he'll deserve a diplomatic blue ribbon—for achieving a reform more vigorous than any the reformers dream of, one more essential to progress than any the progressives push.

Inflation in Latin America is a lot like rum. At first it seems to make a hard life a good deal easier. But in the end, as Brazil is demonstrating, it can become an overwhelming addiction that disrupts productivity, intensifies poverty. More than that, it eats away the fabric of civilized behavior.

One of this reporter's vivid memories of weeks spent in Rio late in the year just ended is of trucks and autos zooming through intersections in disregard of red lights. Often a policeman was watching; it made no difference to drivers. Why not? Natives explained: The fine for running a red light is 20 cruzeiros. This used to be a stiff deterrent, but now, through inflation, it is the equivalent of less than 2 cents.

ERODING ENFORCEMENT

A young lawyer observed that the whole structure of law enforcement is being eroded by the riptide of inflation. Under the basic criminal code, the maximum fine for embezzlement or other major offense is 100,000 cruzeiros—formerly a staggering penalty, but now equal to only about $83. How can a crook lose? Figuring the likely tempo of inflation, he could today steal 10 million cruzeiros, worth more than $8,000, with confidence that if he were caught late this year and forced to make full restitution this same number of cruzeiros would by then be worth only some $4,000 and the fine would be further diminished to the equivalent of around $40. That would leave roughly half his theft as net profit, assuming he has found a fairly inflation-proof investment for his loot.

For some crimes, of course, there's always at least a slim chance of being clapped in jail. But tax dodging is not a jailable offense in Brazil—and inflation so handsomely rewards it that all the nation's vaunted tax reform effort is reduced to a laughingstock. The tax trick can even be performed quite legally; almost anyone with sizable income can find some pretext for protesting payment, kicking it through appeals for 4 years or so. When money rapidly diminishes in value, a tax delayed is largely a tax escaped.

If inflation is an open invitation to cheaters, it also forces honest men into violation of law. A seemingly sensible usury statute limits annual interest rates to 12 percent. Yet during 1963 any lender charging less than 80 percent got back money with less purchasing power than the sum he originally advanced; moreover, he received no return on the use of his capital. Naturally, the necessities of business force credit operations into wholesale circumvention of the law.

Vested interests in the anarchy and ambiguity of inflation appear—and pyramid. A minor example: The fee for serving legal papers has long been officially fixed at a level which would now not even pay bus fare to deliver a document. Yet no one seeks formal revision of these fees. Firms engaged in process serving actually charge much more, but need not tell how much when filing their tax returns. Their agents who physically handle the papers charge still more, pocketing the unreported difference.

Under the dominion of inflation, the "practical" way of living and doing business becomes more chaotic, more corrupt, until it finally becomes impractical. Strike threats come not annually but quarterly. Retailers literally cannot change price tags rapidly enough to keep up with cost increases. Consumers, seeing the cheapening of money, spend not only all cash on hand but plunge into installment debt—and end up unable to buy such larger wares as autos and major home appliances. Factories lay off workers. Paralysis has set in.

How does a country get in such a fix? How did it all begin? Some Brazilians cynically boast that never has any nation achieved so much inflation with so little apparent reason. Indonesia today might challenge the claim, but even that country has the excuse of infantile independence, and most past superinflations (Germany, China) have come as an aftermath of war. In Brazil no catastrophic cause can be discerned; the land has long been independent, never engaged in large-scale warfare; the riches of its natural resources and the size of its industry would seem sufficient to assure stability.

LONG TRADITION

Any attempt to understand why inflation is so violent now must begin by noting Brazil's long tradition of inflating its currency and prices in more moderate degree. One historian, Oliver Onody, has worked out a rough index showing the cost of living approximately quintupled between 1830 and 1896. After a slight decline early in this century, the index again doubled by 1927 and redoubled by 1943.

Unquestionably so prolonged a rise led Brazilians to accept inflation as customary, if not desirable. But it constituted only the foothills of inflation. Present Andean peaks require further explanation. This can be found in a more recent zeal for "growth."

First under the Presidency of Getulio Vargas in the 1940's and early 1950's, and then most emphatically under that of Juscelino Kubitschek from 1956 through 1960, there emerged a vast enthusiasm for building, equaled only by vast disregard for budgeting. The Government built steel mills, highways, powerplants, even the complete city Brasilia as a new capital in the wilderness, without attention to priorities, ordering money printed up to pay for them. The cost of living trebled while Kubitschek pursued his dreams of growth.

Neither he nor Vargas was much interested in economics, but national economists did rise to wrap around these activities elaborate quasi-Keynesian theories of growth through inflation. They soberly expounded the concept that running the money printing presses constituted a desirable method of capital formation, a good practical alternative for an underdeveloped nation which found taxing or borrowing burdensome. They pointed to soaring figures on gross national product. Liberal economists abroad viewed Brazil as proof that inflation and economic growth could go hand in hand.

And, of course, they did for a time, though it would seem impossible to substantiate that inflation even then was spurring the economy. Most genuine growth was probably due to a huge coincidental inflow of private foreign investment—bringing in technology, creating jobs, filling consumer needs.

DISTORTED USE OF CAPITAL

Inflation distorted the employment of much private Brazilian capital, too; this scurried into the safety of real estate or to sanctuaries abroad. Some sectors of the economy, notably the biggest of all, agriculture, were left stagnating because in the whirl of inflation they could not afford the capital costs of modernizing production.

Has Brazil made any attempt at battling inflation? Nearly every finance minister—and there's a new one every few months—proclaims earnestly the aim of curbing the cost of living, but not one has taken action with significant results.

The nearest approach to a real counteroffensive came when the quixotic Janio Quadros won a clean-broom campaign and became President in January 1961. Faced with a foreign debt crisis, he made noises and gestures toward financial austerity, sufficient to convince the International Monetary Fund, and even many Brazilians, that he meant business. And perhaps he did, but by August, he abdicated. Into the top office stepped the Vice President, "Jango" Goulart, and 1961 wound up with a smasning 43-percent jump in consumer prices.

This incumbent President has shown he could step up even that inflationary pace; he achieved a 53-percent cost-of-living boost in 1962 and then an estimated rocketing of 80 percent in the past year. Padding Federal payrolls, forcing wage hikes upon private business, ordering more paper money rushed in from United States and British printing plants, he quite apparently is intent not upon restraining inflation but accelerating it.

Not that the regime acts unconcerned. Goulart loudly complains that government is not the cause of inflation but the victim of it; there's talk of a trillion-cruzeiro budgetary deficit for 1964. His government intervenes to suppress symptoms of inflation, with predictable consequences. It radically overvalues the cruzeiro in foreign trade, in effect subsidizing imports while pricing Brazilian products too high for export markets, doubly deepening the balance-of-payments crisis. Internally, government imposes assorted price ceilings, creating black markets.

For a simple demonstration of how effective "official" prices are in an economy hellbent on inflation, just try to catch a taxi during Rio's rush hour. Not a cab can be found. But if you stand on a street corner, flourishing a fistful of paper money, from somewhere in the sidewalk crowd appears a lean and moustached man who invites you to his ancient auto at the curb. He unlocks its trunk, takes out a watering can, fills his radiator—and off you go to your destination, paying only thrice the official fare.

He makes out. Most Brazilians, in one way or another, have been managing to make out so far.

The classic inflationary liquidation of a middle class has not yet massively occurred. Many a shopkeeper is well on the way to going broke, according to manufacturers who watch them sharply for signs of overextended [illegible], but most small retailers are only cloudily aware of it because they're bemused by more and more cruzeiros passing through their tills. Much of the middle class works for government; Federal workers find pay hikes handed out freely. State employees are squeezed because state governments can't print money; one young civil engineer remarks his state salary now meets only a fraction of his living expenses, but he has started up a small sidewalk-laying business on the side.

That other classic group victim of inflation, the elderly widows and others on fixed income, exists but not in overwhelming numbers. Pensions are hiked with wage rates. Life insurance annuities are little known in Brazil. As for the rich, if they have much fixed income it is likely to be fixed only in terms of stable foreign currency, for they slipped nesteggs abroad long since.

Industrial wages actually tend to keep somewhat ahead of inflation, through strike threats and Government decrees, and though factory workers are losing jobs the initial impact is dulled by big obligatory severance payments.

SHOCKING POVERTY

That leaves the great mass of the Brazilian proletariat living in shocking poverty, yet the relevant fact appears to be that they are accustomed to it. Millions of subsistence farmers are so isolated from a money economy that perhaps they are scarcely aware of inflation. The urban poor are pinched as the economy contracts, but as yet most still make out, picking up small change from odd jobs, lawful or illicit.

Beyond that, the Brazilian social structure has a peculiar rubbery quality not to be found in the United States. "You've got to understand that Brazilians are not individualists; nobody here would jump out a window after losing a fortune or a job," remarks a longtime resident. "Every man has invisible links to dozens of others, by family and lingering feudal obligations—and they have to help him when he's down. See that dark fellow crossing the street? Well, you can count on it that his best buddy is the son of a chauffeur to some big-shot. When he is really hungry, one of the big-shot's relatives will find a little work for him."

A visitor who immerses himself in Brazil's inflation gets a feeling he is in an unreal world. Some aspects of the price spiral jerk along like an oldtime movie run off the reel at double speed. Yet many responses to inflation occur with dreamlike slowness. Even though it's perfectly clear that Brazil's inflation is needless and remedial austerity measures are quite obvious, one still has the feeling it is proceeding like a Greek drama toward inevitable tragedy.

So what could Tom Mann do about it, up here in Washington?

He can, theoretically, dole out more aid money to Brazil—then watch Goulart use it to fuel more inflation. Or he can, theoretically, brusquely refuse to renew old aid loans to Brazil as they come due—then watch Goulart use this as the pretext for inflaming anti-Americanism and seizing dictatorial power.

Or Mr. Mann may string along, like his predecessor, not trying to be quite the Latin American czar after all, just hoping Brazilians can weather out the inflationary storm, hoping they can hold elections in 1965, hoping that in 1966 a new Brazilian President will decide for himself to end inflation.

What are the chances for so happy an outcome? For some reason, this reporter keeps remembering one of his last luncheon conversations in Rio. His companion, a noted Brazilian economist and brilliant political duelist who has become anathema to the ruling leftist regime, had this to say:

"This inflation is ruinous. But we don't want to stop it, of course. What we must do is cut it down to a healthy 20 percent per year."

[From the Washington (D.C.) Post, Jan. 1, 1964]

ANOTHER BAD YEAR IS LIKELY FOR UNITED STATES IN LATIN AMERICA

(By Bert Quint)

RIO DE JANEIRO, December 31.—This has been another bad year for the United States in Latin America. And the outlook is for still more of the same in 1964.

Since long before Fidel Castro took power on January 1, 1959, this has been a troubled region. The difference now is that Castro, in exploiting misery to seek further Latin converts, has brought home to the people of the United States just how troubled the region is.

Last March, when President Kennedy met with the Presidents of the Central American Republics in Costa Rica, the United States made a basic decision—to try to keep Castro from exporting his revolution, not with strong direct action, as the Central Americans urged, but by building a wall of freemen around Cuba.

The wall was to be built by strengthening the economies of the Latin nations through the Alliance for Progress, the idea being that well-fed men will not turn to communism.

The construction was to be helped along by tightening security measures to prevent subversion and by furthering democratic institutions in order to demonstrate that democracy is better than communism.

LATINS UNWILLING TO SACRIFICE

On the whole, these efforts were not highly successful in 1963. Economically, the job is just too big to be done soon enough. The Alliance for Progress started out as a 10-year plan, but its authors realized it would take much more than a decade to materially help Latin America overcome its gigantic problems.

Also, the Latins have not been willing to make the sacrifices necessary to help themselves.

After the Costa Rican conference Latin law enforcement authorities met with their American counterparts to devise means of keeping closer track of Communist movements.

Thanks to the cooperation of Mexico, the principal gateway between Cuba and the rest of the hemisphere, the other Latin governments are being informed as to who is commuting between Cuba and their home countries.

But the commuting continues, and in places like Venezuela and Colombia, it threatens to get worse before it gets better.

Yet where the United States really has taken a beating in its efforts to build a wall of freemen around Cuba is in the supposedly free countries themselves.

In 1963 four Latin governments were overthrown by the military. Carlos Julio Arosemena in Ecuador had gotten into the Presidency through a military coup himself. But the other three deposed Presidents—Miguel Ydigoras Fuentes of Guatemala, Juan Bosch of the Dominican Republic and Ramon Villeda Morales of Honduras—all had American support.

The United States has recognized all of the de facto governments.

No concrete measures are being taken to restore constitutional rule.

In 1964, the United States will be basing its hope for an improvement in Latin America on Thomas Mann, whom President Johnson pulled out of his job as American Ambassador to Mexico to become Under Secretary of State for Latin American affairs.

KNOWS BASIC PROBLEMS

Mann, who replaces Edwin M. Martin, has been in the area for a long time. He speaks Spanish well and he understands that the basic problem is an economic rather than a political one, something that should stand him in good stead in directing the Alliance for Progress.

But the region, despite the comparative thimblefuls of Alliance aid, is still miserably poor and will continue to be so for many more years.

The political and economic pictures are black in Brazil and there are trouble spots in Guatemala, El Salvador, Honduras, Venezuela, Bolivia, the Dominican Republic, and Haiti, just to mention a few.

In short, there is little hope that things will be looking up for the United States or for the cause of democracy in Latin America in 1964.

GERMANENESS OF DEBATE UNDER CERTAIN CONDITIONS

The Senate resumed the consideration of the resolution (S. Res. 89) providing for germaneness of debate under certain conditions.

Mr. PASTORE. Mr. President, I wish to know if any Senator would like to speak in opposition to the resolution.

Is there any Senator in the Chamber who would like to speak in favor of the resolution?

Mr. JAVITS. Mr. President, if the Senator from Rhode Island will yield me 10 minutes, I should like to speak in favor of the resolution.

Mr. PASTORE. Mr. President, I yield 10 minutes to the Senator from New York.

The PRESIDING OFFICER (Mr. McGOVERN in the chair). The Senator from New York is recognized for 10 minutes.

Mr. JAVITS. Mr. President, this resolution would endeavor to do something about the fact that the rules of the Senate are largely conducive to anything but dispatching the business of the Senate. We are somewhat under the lash of public opinion engendered, in my judgment, by the events of last year, when Congress sat all year, and the mountain labored ardently but did not bring forth much more than a mouse.

Mr. President, I shall support the resolution, small as it is. I know that even its author does not claim miracles for it. Before doing so, Mr. President, I believe it is my duty to state my deep convictions concerning it.

First, we are doing very little.

Second, we must do a great deal more to streamline our procedures, or we will suffer seriously in our ability to serve the Nation, and also in the eyes of the Nation, so seriously, as I see it, as to raise grave doubts about our constitutional place in Government.

In our society, what is written in the lawbooks is a small part of what actually happens. The prestige and authority of great bodies such as the Senate, gained through public support, give them a large part of the authority which they exercise. I feel that through our failure to deal with our own procedures, we are in grave danger of eroding the degree of support from the people which is absolutely essential if we are to perform our constitutional function in the way the Nation expects.

The third point, which I believe is more important, perhaps, than any other, is the fact that there is no hope of actually doing what must be done toward bringing the Senate in line with the duties which it should perform seasonably, if we do not amend rule XXII, the filibuster rule. I believe that we are averting our eyes from the real issue, which is the power of a determined minority—often a fairly small minority—especially in matters involving civil rights and human rights, to completely frustrate the Senate.

If any Senator has any doubt about that point, he need only turn the pages of the RECORD back to February 7, 1963—less than 1 year ago—when, after a few weeks of desultory debate from 12 noon to 5 p.m., or, at best, from 9 a.m. to 5 p.m., a constitutional majority of the Senate, 54 Members, adequately voiced its determination to go ahead and vote on a change in rule XXII. A distinct minority, numbering 42, said, "No."

But did the Senate vote on the question? It certainly did not. The majority was not permitted to prevail, notwithstanding the constant statements which are made in the Senate that if a determined majority really desires to vote, it can vote.

It did not vote; and rule XXII remains exactly as it was. Senators will see its full import, impact, and power as soon as debate on the civil rights issue begins.

There will be no meaningful reform of the Senate rules unless rule XXII is reformed. No Senator, including myself, has moved to amend the pending resolution to include a reform of rule XXII, for the obvious reason that we do not wish again to risk a losing test at this stage of the congressional session, but would prefer to wait until we can again test out, in the eyes of the Senate, the great constitutional question as to whether at the beginning of a new Congress a majority can close off debate and enable the Senate to change its rules.

I point out that 1 year ago the present President of the United States, who was then Vice President, took a very different view of the law on that subject from that of the previous Vice President, Vice President Nixon, and held in practical effect, in my judgment, that the rules of the Senate were more binding than the Constitution of the United States; that debate could not be closed by the majority of "yeas" on February 7, but that there had to be a two-thirds vote to close debate under the rules which an earlier Senate had created, and that the rules were continually operative.

The Senate can reverse that situation. The Senate can reverse it if next year the Presiding Officer of the Senate maintains the position taken by former Vice President Nixon. But the Senate will not reverse it unless it hears from the country. I predict that, with all the good faith and good will of the Senator from Rhode Island—I know how he feels about the particular resolution before the Senate—we shall face serious national protests as we get further into the session, especially into the civil rights bill, because we have left rule XXII as an absolute gag on the Senate—a gag far more important than that which southern Senators talk about when they say that we are trying to gag them to keep them from talking. I have yet to see that happen.

A gag has been placed on the capability of the Senate to vote, which to my mind is the ultimate gag of all gags.

So as we look at the record of 26 votes on cloture since the adoption of rule XXII in 1917, 9 of them on civil rights measures, we find that of those 26 only 5 were successful. None of the five were in the field of civil rights. Though many of us are charged with seeking drastic reform of the rule which permits filibusters, if our version of that rule, namely, that a constitutional majority may close off debate after a period of 6 weeks of debate at the very least, had been permitted to prevail, 11 of those 26 votes would have been successful rather than 5, 2 instead of none in terms of civil rights. Thus it should be understood that we are not asking for anything unreasonable, and are not reaching for the moon.

It would be a mistake for me to vote for the pending resolution, as I intend to do, without emphasizing my clear understanding that it does not represent a meaningful change in the Senate rules. Only an amendment to rule XXII would make a meaningful amendment to the Senate rules.

Second, since the resolution will perhaps be hailed as the first tiny move toward reform of Senate procedures, I emphasize another point, which I believe is critically important. That is the demand for a code of ethics binding on legislators and legislative employees. If there were a code of ethics in respect to the current Baker case, the Senate would feel better and look better to the country, with a standard of conduct promulgated for itself and its employees.

I have offered financial information on my own personal life, and other Senators have done the same thing, to show our good faith in respect of the other part of the essential program to maintain our prestige with the country at the high point at which we desire it, and at the high point at which so often in our history it has stood with the American people.

As I close, I make it clear that my support of the resolution is only with the hope that the Senate may move forward toward reform of its rules. The reform of the rules sought by those like myself is by no means radical, but its effect would be reasonable in its ambit. That reform means a reform of rule XXII. That is the essence of what ties the Senate down and prevents it from performing the task which it must perform in the interest of the Nation. If we really wish to discharge our obligation, I point out that it consists of two twin pillars—reform of rule XXII and a code of ethics for Senators and legislative employees.

I thank my colleague for yielding time.

Mr. THURMOND addressed the Chair.

The PRESIDING OFFICER. How much time is yielded to the Senator from South Carolina and by which side?

Mr. PASTORE. Mr. President, the Senator desires to use some of the time available to the opposition. I understand that he would like about 4 minutes.

Mr. THURMOND. Three to four minutes.

The PRESIDING OFFICER. The Senator from South Carolina is recognized for 4 minutes.

Mr. THURMOND. Mr. President, I can find nothing wrong with the avowed purpose of Senate Resolution 89. In my opinion, however, the resolution will not materially expedite the business of the

Senate, and it introduces a principle into the Senate rules which could well lead to regrettable consequences.

This resolution will not prevent extraneous discussions during the 3-hour period at which it is directed unless the entire Senate is sympathetic at all times, it is pertinent to strictly germane discussion. Under the provisions of this resolution, any Senator could offer a nongermane amendment on a subject which would permit discussion on the subject of his interest. Such a device, if it were utilized on controversial bills even infrequently, could and probably would lead to demands that the rule of germaneness, which would already have been accepted in principle in the rules, be applied also to amendments.

If the entirety of the Senate is indeed sympathetic to the idea of expediting its business by keeping the discussion germane to the business officially before the Senate, the Senate can, without any change in the rules, so conduct itself as to expedite its discussion. Infrequent lapses in a practice would be much less likely to inspire demands for further curbs on debate than would be the case if a rule of the Senate were circumvented.

No one can deny that, under present practices, committee chairmen and managers of bills are inconvenienced. Once this matter is brought forcibly to the attention of the Senate, however, as it now has been, the inconvenience can be cured by the Senate adhering to rules of common courtesy, for which it is noted.

The rule of germaneness is foreign to the spirit of the Senate rules. It would be a far safer course for the Senate to rely on the principle of individual self-discipline in order to accomplish greater efficiency than to introduce the principle of germaneness into the Senate rules and risk the consequences of a precedent being set which could materially contribute to a change of character of the Senate as an institution.

For these reasons, I hope that the resolution will be defeated.

Mr. PASTORE. Mr. President, for the time being, I do not know of any other Senator who wishes to speak. Unless a Senator indicates a desire to speak for or against the resolution, I am compelled to suggest the absence of a quorum, with the time to be charged equally to each side.

Mr. President, may I make a parliamentary inquiry?

The PRESIDING OFFICER. The Senator will state it.

Mr. PASTORE. Mr. President, in the event there is a quorum call, if it is to be charged equally to each side, what will be the available time?

The PRESIDING OFFICER. The time for the quorum call would be subtracted equally from each side.

Mr. PASTORE. How much time has the opposition left?

The PRESIDING OFFICER. At the present time the opponents have 53 minutes, the proponents 37 minutes.

Mr. PASTORE. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. PASTORE. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. PASTORE. A parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. PASTORE. What is the time situation?

The PRESIDING OFFICER. The proponents have 32 minutes remaining, and the opponents have 48 minutes remaining.

Mr. PASTORE. Thirty-two for the proponents and 48 for the opponents. If we continue with quorum calls, it may well be that I shall render myself mute for three-quarters of an hour. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. PASTORE. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. PASTORE. I understand that the Senator from Georgia [Mr. RUSSELL] will speak in opposition on opposition time.

Mr. RUSSELL. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. RUSSELL. Who controls the time in opposition?

The PRESIDING OFFICER. The minority leader has control of the time in opposition.

Mr. RUSSELL. Has he delegated that control?

The PRESIDING OFFICER. He has authority to delegate it.

Mr. RUSSELL. I do not like to presume to speak for the minority leader. However, I desire to address myself to this subject for 10 or 12 minutes. If some member of the minority were in a position to give me a few minutes, I would be very appreciative.

Mr. AIKEN. Mr. President, I yield 12 minutes to the Senator from Georgia.

Mr. RUSSELL. Mr. President, it had not been my purpose to speak on the pending question. But as I have seen the turn of events in the Senate on the proposed change in the rules, and have noted the various interpretations of the resolution which have appeared in various segments of the press, I decided to take a few moments to give my own impression of the effect that would be brought about in the event the Senate adopts the resolution.

Let me say at the outset that I have not heard all of the debate that has taken place. But I cannot believe that any Member of the Senate would have stated or assumed that the resolution would have any effect whatever on the terrible ogre that some segments of the press are continually seeking to slay, namely, what is known as the filibuster. "Filibuster" is a very nebulous expression. It is interpreted differently by different people, according to their views on the issue that is pending.

A filibuster has been defined as a speech of 2 hours' duration on the side of a subject to which the interpreter is opposed.

The resolution was brought before the Senate in the utmost good faith by one of the ablest Members of the Senate, in an effort to contribute to more orderly procedure in the Senate.

However, as the resolution now stands, it could not contribute in any degree to improving the order of debate in the Senate. It could lead to delays and confusion, and to a compounding of the dilatory atmosphere in the Senate.

Senators know, as a practical matter, that more than 95 percent of the business of the Senate is transacted by unanimous consent. That applies to the morning hour. Practically all of the insertions of matters that are brought forward during the day also are handled by unanimous consent. Very often when a bill is laid down, a unanimous consent agreement is made, after a brief discussion between the majority and minority leaders and Senators who are primarily interested in the bill, which limits debate and confines the debate on the bill to the basic germaneness of the issue pending before the Senate.

If the Senate adopts a resolution like the one before it today, which is calculated to interfere with the unanimous consent arrangement in the Senate, in my judgment it will not contribute to order in the Senate or to the expedition of business in the Senate.

I well know the spirit of frustration which gave birth to this resolution. Any Senator who is in charge of proposed legislation on the floor of the Senate and believes he has a good bill, and who is secure in the knowledge that 75 Senators will vote for the bill, becomes extremely impatient with discussion on extraneous matters, which so often occurs in this Chamber.

The Senator from Rhode Island—and there are other Senators who have associated themselves with him in this cause—has been in the Senate long enough to have the great mantle of responsibility envelop him from time to time, and to be placed in charge of vital and important proposed legislation on the floor of the Senate. Perhaps he may be a little more impatient than some other Members of the Senate. However, he has not suffered any more than has the Senator from Georgia from irrelevant debate. That is one of the things that we must put up with in the Senate to preserve the Senate as an institution. It is one of the things that it is better for us to endure and to save the unanimous-consent agreement as a means of terminating action on business in the Senate, rather than to take steps that would add to delays.

There have been times when I have felt almost like committing mayhem against some Member of the Senate, because I had the votes to pass a certain bill, and Senators with those votes were in the Capitol. I knew that some of them were preparing to leave the Capitol. Yet a Senator would be addressing himself—eloquently, of course, because Senators do not speak in any other way—to a question which had nothing whatever to do with the bill that was pending before the Senate.

But, Mr. President, this resolution does not begin to approach that problem. As it has been amended, it could only add to the confusion and increase the length of debate in the Senate. The distinguished Senator from Rhode Island has amended the resolution.

Mr. President, may we have the resolution read? I have looked through the RECORD and cannot find any reference to its appearance anywhere in the RECORD.

The PRESIDING OFFICER. The resolution will be stated.

The legislative clerk read as follows:

> *Resolved*, That rule VIII of the Standing Rules of the Senate be amended by adding at the end thereof the following paragraph:
>
> At the conclusion of the morning hour or after the unfinished business or pending business has first been laid before the Senate on any calendar day, and until after the duration of 3 hours, except as determined to the contrary by unanimous consent or on motion without debate, all debate shall be germane and confined to the specific question then pending before the Senate.

Mr. RUSSELL. Mr. President, if I correctly understand the resolution as it is now presented, it does not affect the rule of germaneness as to amendments offered in the Senate.

Mr. PASTORE. Mr. President, will the Senator from Georgia yield?

Mr. RUSSELL. I yield.

Mr. PASTORE. It certainly does not.

Mr. RUSSELL. It does not affect the rule of germaneness as to amendments, but does affect the rule of germaneness as to debate.

Mr. PASTORE. That is correct.

Mr. RUSSELL. I am glad that I construe the amendment in the same way as does the distinguished Senator from Rhode Island. That fortifies me in the belief that I am correct in assuming that that kind of situation could not possibly expedite the business of the Senate, but could only lead to a long series of parliamentary rulings and appeals from those rulings as to what is germane in debate.

It would not stop a single extraneous speech from being made on the floor of the Senate on matters utterly unrelated to the basic measure by any Senator who has been here long enough to find his way across the Capitol to the Hall of the House of Representatives.

Let us consider this proposal in concrete terms. Let us assume that the distinguished Senator from Rhode Island has brought from the Joint Committee on Atomic Energy, which he adorns as chairman, a certain important piece of proposed legislation; that it is pending before the Senate; that the morning hour has been concluded; and that the bill has been laid before the Senate for its consideration.

If a Senator wished to make a speech on an extraneous subject, it would be the easiest thing in the world for him to do so. Suppose a Senator had prepared, after due thought and deliberation, and after consulting with various groups that might be in Washington promoting the proposed legislation, a speech to the effect that the solution of our foreign aid program was to have milk cows scattered throughout the world, in the hands of those in the underprivileged countries, in order that they might milk them, and from the rich food values that flow from the lactation processes of the cow relieve all the hunger and other troubles of the people of those lands. If the Senator had prepared a 2-hour speech on that subject, all he would have to do would be to offer to the atomic energy bill an amendment providing that "Nothing in this bill shall be construed to affect the price of cheese in Borneo," and he would bring his speech clearly within the rule and could proceed to discuss his cow proposal as a means of ending foreign aid. He could discuss the subject to his heart's content; there would be nothing on earth to stop him under the proposed rule.

The PRESIDING OFFICER. The time of the Senator from Georgia has expired.

Mr. DIRKSEN. Mr. President, I yield the Senator from Georgia 10 minutes.

Mr. RUSSELL. I thank the Senator from Illinois.

Mr. PASTORE. Mr. President, will the Senator yield?

Mr. RUSSELL. I yield.

Mr. PASTORE. The Senator from Georgia is absolutely correct.

Mr. RUSSELL. Why should we clutter up the rules of the Senate with a proposal like this?

Mr. PASTORE. No matter what rule or law is passed or invented by the ingenuity of man, it is always subject to violation. Still, rules and laws are passed to guide man in his behavior and his conduct in society and among men.

If a Senator wishes to become abusive and violate a rule which provides that for 3 hours he shall confine himself to the measure which is pending, and he wishes to do so promiscuously and indiscriminately, so as to harass the Senate, of course he can do it.

But we are hopeful that the Senate is composed of reasonable men, men who have propriety, men who have a feeling of consideration for the convenience of their colleagues; and who are aware of their obligations to other Members of the Senate. It is true that precisely what the Senator from Georgia has said might take place. There is no way to avoid it. I could not invent a rule to avoid it, and I do not think anyone wants to invent that kind of rule. Against that we have a restraint. It is a small restraint.

Mr. RUSSELL. The distinguished Senator from Rhode Island has much more time available to him than I have. He is always most appealing, so I hope he will make this retort in his own time.

Mr. PASTORE. I have already made it, so I will take my seat.

Mr. RUSSELL. As the Senator has said—and correctly—all rules and all laws are promulgated for the control of the orderly life of mankind. But I submit that unless human nature changes—and there is nothing in 12,000 years of recorded history to indicate that it has changed greatly—a law without any penalty for its violation is worth exactly nothing. Yet, we are proposing to write a rule that has absolutely no penalty for its violation. It would not in anywise affect the action of any Senator. A Senator would feel just as free to follow that procedure under this rule as when the Senate is operating under a unanimous-consent agreement. Whenever a Senator wishes to obtain 20 minutes of time, he can offer an amendment to strike out the last word and speak for 20 minutes, and then withdraw his amendment. So the only thing the proposed rule change could do would be to clutter up and confuse the rules of the Senate more than they are today. I realize that some persons say that is impossible.

Mr. PASTORE. Mr. President, will the Senator from Georgia yield for a question on my time?

Mr. RUSSELL. I yield.

Mr. PASTORE. On the point which the Senator has raised, that there is no penal provision in the resolution, I refer the distinguished Senator, whom I consider to be one of the deans of the Senate, especially one of the most knowledgeable on the rules of the Senate, to rule XIX, which provides, in paragraph 4:

> If any Senator, in speaking or otherwise, in the opinion of the Presiding Officer transgresses the rules of the Senate, the Presiding Officer shall, either on his own motion or at the request of any other Senator, call him to order.

Mr. RUSSELL. That is correct.

Mr. PASTORE. I know he cannot be sent to jail.

Mr. RUSSELL. But there is nothing worse that can happen to a Senator than to be taken off his feet. A Senator cannot be punished more severely than by being stopped in the middle of a speech. That is what the proposed rule contemplates. But if that happened in this case, the Senator could immediately say to the Chair, "The Chair does not understand the rule." I quote from the lips of that great Senator from Rhode Island, who wrote the rule. The Senator could say, "I am perfectly within my rights in making this speech. I appeal from the decision of the Chair in standing foursquare behind the statement of the distinguished Senator from Rhode Island, the author of the rule. I defend my right to speak in support of limiting or fixing the price of cheese in Borneo."

The Senate would support the Senator, because he would be completely correct under the rule.

This proposal would not accomplish anything except to clutter up and confound the rules. It would lead to a long series of appeals. It would lead to internal debate as to what is or is not germane. It would lead to confusion worse confounded. It would not stop the making of a single speech on extraneous matters by any Member of the Senate who knows his way to his own desk in this Chamber. All he would have to do would be to offer an amendment that was in some way remotely connected with his speech. If he had to catch an airplane at 3 o'clock, and the Senate was in the midst of the sacrosanct period, he could offer his amendment, make his speech, and probably catch his airplane, even though he might make the Senator from Rhode Island perfectly furious in the process.

As I have said, we have all suffered the intense feeling of frustration of having Senators make irrelevant speeches while we were in charge of important measures.

Not all of us have, of course, for not all the Members of the Senate have been in charge of proposed legislation. The Senator from Rhode Island was here for a number of years before he brought forward this proposal. After he rose into the line of chairmanship in what some persons have now labeled "the establishment"—which has been discovered here in only the last 2 years—as a committee chairman, as chairman of an appropriations subcommittee, and as a Senator who is in charge of much important proposed legislation, he has felt the prick of frustration when Senators in "the establishment" wished to speak, in order that soon thereafter they could leave the Chamber; and he has undertaken to do something about that problem.

His purpose is laudable; but his proposed method would only add to the confusion here in the Senate. Therefore, this resolution should not be adopted, for it cannot serve any useful purpose.

When there is need to hurry, the Senate can be the most expeditious legislative body on earth. I have seen that happen time and time again—for instance, in time of war, when we had to pass appropriation bills carrying $70,000 million dollars. Within a matter of hours, the bills were brought up and, under unanimous-consent agreements, were passed in a few minutes. But under other circumstances, Senators will demand the right to "speak their piece." They are going to continue to demand that right as long as the Senators of the United States are worth their salt. They will find a way to do it under this resolution, if they have any intelligence at all. So the proposed new rule would just add to the ill feeling.

A Senator in charge of a bill would feel that he had been taken advantage of if an amendment relating to the distribution of cows over the world or limiting the price of cheese in Borneo had been submitted to a bill which dealt with the distribution of reactors for an electrical energy plant. All the other Senators would leave the Chamber while the sponsor of that amendment proceeded ponderously with his speech on the cow or the cheese situation. When he concluded it, the other Senators would return; and then the majority leader and the minority leader would confer. The majority leader would ask, "How about working out a unanimous-consent agreement?" "All right." "How much time do you want for the debate on the amendment?" "Fifteen minutes." "No, I think you should have 20." "All right, 20." "How much time do you want on the bill?" "One hour." "No, I think you ought to have 2 hours." "OK, 2 hours on the bill." Then, "Mr. President, I suggest the absence of a quorum."; and then the majority leader would submit the proposed unanimous-consent agreement, and it would be agreed to; and then the bill would be passed.

We shall do much better by preserving our unanimous-consent agreement procedure, under which the Senate transacts 85 to 90 percent of its business, than—I say with all due deference to the Senator from Rhode Island—to proceed under such shadowboxing as that which would be involved under his resolution.

Mr. MORSE. Mr. President, will the Senator from Georgia yield?

Mr. RUSSELL. I am glad to yield.

Mr. MORSE. When the Senator from Georgia was speaking, I was wondering whether the proposal of the Senator from Rhode Island would prevent the offering of a nongermane amendment to a pending measure.

Mr. RUSSELL. No, it would not; and the Senator from Rhode Island so stated on the floor.

Mr. PASTORE. That is correct.

Mr. RUSSELL. That is the reason why I suggest that if the Presiding Officer undertook to invoke the proposed new rule, he would have the highest authority on earth—the construction of the rule by its author—to support a ruling that nongermane amendments would be in order.

I referred—as an illustration—to a situation in which the Senate was considering an atomic energy bill, and some Senator wished to speak on the distribution of cows or the price of cheese in Borneo. Under this resolution, he would still be at liberty to do so; and no Senator could prevent him from doing it.

Mr. PASTORE. Mr. President, will the Senator from Oregon yield to me, in my time?

Mr. MORSE. I yield.

Mr. PASTORE. It is true that could be done. In other words, the resolution would not interfere in any way with the right of a Senator under the existing rules to submit an amendment which would add a new title to a pending bill; but it would not be in order to offer a pro forma amendment, merely for the purpose of making a speech on an extraneous subject. He would have to confine his remarks to the pending business.

However, a Senator could submit an amendment not at all germane to the pending business; and then that nongermane amendment would be the pending question, and the Senator would have to confine his remarks to that amendment.

But the rub in that situation would be that the Senator who offered such an amendment would be guilty of harassment of the Senate. Furthermore, once he had offered such an amendment, he would have to confine his remarks to it. In addition, he would not be able to withdraw it, except by unanimous consent; and if unanimous consent were not given, the Senate would then proceed to vote on the amendment; and if it were adopted, Senators would find thus included in the pending bill an amendment which no Senator really wanted included in it.

Mr. RUSSELL. O! Mr. President, if the Senator from Rhode Island will permit me to interrupt briefly, let me point out that now we find that the effect of the resolution would be even worse than I had previously understood.

Mr. PASTORE. Under the existing rules, such an amendment could not then be withdrawn.

Mr. RUSSELL. Oh, yes; it could be.

Mr. PASTORE. That is to say, if the yeas and nays had previously been ordered on the question of agreeing to the amendment, it could then be withdrawn only if unanimous consent were given.

Mr. RUSSELL. That is correct. However, under the existing rule, the Senate would then automatically revert to consideration of the pending business. On the other hand, under the Senator's resolution, as he has described it, if a Senator then offered and proceeded to discuss an amendment dealing with the price of cheese in Borneo, at a time when the Senate had under consideration an atomic energy bill, the debate from then on, for the remainder of the 3-hour period of germane debate, would be continued to the amendment dealing with the price of cheese in Borneo.

Mr. PASTORE. That is correct.

Mr. RUSSELL. Therefore, it is clear that this resolution, if adopted, would result in even more delays, and also would cause more extraneous debate as to what would or would not be germane.

Mr. MORSE. Mr. President, will the Senator from Georgia yield 30 seconds to me?

Mr. RUSSELL. I yield.

Mr. MORSE. In view of the treatment I have received from the Committee on Rules and Administration—namely, I have not even received responses to my inquiries—I have decided that I shall have to start to offer nongermane rider after rider, until I can obtain a hearing on my bill to prevent the serving of liquor in the public rooms in the Capitol or in the Senate Office Buildings. We are going to have to vote on that, even if I have to offer rider after rider; and I want to be assured that, under the rule, I shall have that opportunity.

The PRESIDING OFFICER. The time yielded to the Senator from Georgia has expired.

Mr. RUSSELL. Mr. President, I am through—although I may offer a nongermane amendment. [Laughter.]

Mr. PASTORE. I hope the Senator from Georgia will not do that. I think we shall soon reach the point where we can vote this resolution either up or down.

The result of the vote will not either elect me or defeat me in Rhode Island. I am trying to be helpful. All I am saying is, "Let us adopt a rule that will permit us to expedite our procedure, without having such unwarranted interruptions from time to time." This resolution provides for 3 hours of germane debate.

It is a very restrained resolution; I admit that. It is not a panacea; it is not an answer to all our ills. But it is a step in the right direction.

As for the question raised by the distinguished Senator from Oregon [Mr. MORSE], of course he can propose riders; and I would never suggest that a Senator be denied the right to bring up any kind of amendment he wanted to, regardless of whether it was considered germane or not germane. This resolution will not affect that situation at all. But once the Senator from Oregon brings up his amendment to prohibit the serving of liquor in the Capitol or in the Senate Office Buildings, under this resolution he will have to confine his remarks to that subject for the remainder of the 3-hour period. That is all this resolution will do.

While the Senator from Oregon was doing that, another Senator could not speak about the fragrance of roses. He would have to wait until the Senator from Oregon had concluded his remarks on the serving of liquor; then the other Senator could speak on the subject of the fragrance of roses.

That is all this resolution will do. I do not know how I could explain it more simply. Now it is time for Senators to decide whether they want the resolution adopted or whether they want it defeated.

VISIT TO THE SENATE BY HIS ROYAL HIGHNESS TUPOATOA TUNGI, CROWN PRINCE AND PRIME MINISTER OF THE KINGDOM OF TONGA

Mr. MANSFIELD. Mr. President, will the Senator from Rhode Island yield 1 minute to me?

Mr. PASTORE. I yield 1 minute to the distinguished majority leader.

The PRESIDING OFFICER. The Senator from Montana is recognized for 1 minute.

Mr. MANSFIELD. Mr. President, this afternoon the Senate is singularly fortunate to have in its Chamber, as a visitor, His Royal Highness, Prince Tupoatoa Tungi, Crown Prince and Prime Minister of the Kingdom of Tonga.

I am sure all Senators have heard of this Kingdom in the far Pacific, which has ties with our own State of Hawaii, and has had them for many decades—a Kingdom which is quite self-sufficient, and has one of the world's best ruling families, and has made its contribution to that part of the globe.

At this time, on behalf of the Senate, I wish to introduce our most distinguished guest, His Royal Highness, Crown Prince Tungi.

[Applause, Senators rising.]

Mr. DIRKSEN. Mr. President, I join the majority leader in extending the hand of fellowship and welcome to our distinguished guest from the Orient. We are delighted always when, in the interest of good will and comity between your Kingdom and our country, you come to visit us, and we share the pleasure of your fellowship.

I am delighted to see you, and fully concur in the sentiments expressed by the distinguished majority leader.

GERMANENESS OF DEBATE UNDER CERTAIN CONDITIONS

The Senate resumed the consideration of the resolution—Senate Resolution 89—providing for germaneness of debate under certain conditions.

Mr. DIRKSEN. Mr. President, how stands the time?

The PRESIDING OFFICER. Twenty-five minutes remain to each side.

Mr. DIRKSEN. I thank the Chair.

Mr. President, I share rather fully the sentiments expressed by the distinguished Senator from Georgia with respect to the pending resolution. The Senator from Rhode Island knows that I am unalterably opposed to the resolution. I do not know whether the Senate wishes to vote to shackle itself today, but I must confess that it is singular indeed that a free, deliberative body would be willing to impose additional restrictions upon its deliberations. Frankly, that is what it amounts to.

I have had great pride in the freedom of expression in the Senate. A Senator can stand in his place, any time, regardless of the pending business, and if he feels he has a world-shaking sentiment to utter, as soon as he can gain recognition, he can offer it to his heart's content, so long as he can stand in shoeleather. I doubt whether there is a single parliamentary body left anywhere in the universe that still has that kind of freedom.

It is inevitable, if adoption of the resolution does not bring about what its sponsors hope it will achieve, that they will seek further modification of the rules in order to bring it about.

In the 2d session of the 87th Congress, I sat with the then chairman of the Rules Committee, the Senator from Arizona [Mr. HAYDEN]. He had a fistfull of proposed rule changes. Twenty-five of them came from one Senator. He said to me, "I wish you would look these over."

I was rather captious about it, and rather summary. I said that I could concur with only one of them, and the only reason I concurred with that one was that on its face it was innocuous. As to the rest, they could be dumped in the wastebasket because in my judgment they would put additional restrictions upon the Senate.

I would be the last to vote any form of compulsion upon this body. This proposal is nothing less than a compulsive restriction upon the behavior of Senators.

Suppose on the afternoon when we first received a little information about the difficulties in the Canal Zone, a matter was pending in the Senate such as the first bill on our calendar, "An act for the relief of the Stella Reorganized School R–I, Missouri." The distinguished Senator from Oregon [Mr. MORSE] should respond to that, I am sure.

I do not know how long that bill has been on the calendar, but it has been a vehicle to which has been attached a civil rights package in order to have it enacted under the rules of the Senate. So, if that were the pending business, and some Senator believed that something should be said about the Panama Canal, I would be the last person to stop it under this kind of restriction, because in its own language it says, "The debate shall be germane."

That is like saying to every Senator, "You shall talk on this bill, or you will not talk unless you obtain consent, or on a motion you can persuade the Senate that you should talk on the Panama Canal."

I shall go through no such frivolous action as that. But if this resolution does not achieve it, wait for the next dose. It will come.

As long as I have been in the Senate, efforts have been made to change the rules, and such efforts will be continued to try to change them. But the rules of the Senate have evolved out of long, human experience and they should never be lightly changed. So I shall not shackle this body and go in for further centralization of government.

The second point is that under the rule, if it is adopted, it will be the first time a Senator could be taken off his feet. At present, if I should obtain recognition from the Chair and I could stand in shoeleather for hours, no Senator could take me off my feet so long as I comported myself in accordance with the rules.

But what would happen under the pending proposal?

As the distinguished Senator from Georgia has said, for example, on an atomic energy bill, the moment a Senator failed to speak on the pending bill, any Senator could stand on his feet and address the Chair and say, "Mr. President, I make the point of order that the Senator is not addressing himself to the business of the Senate," and the Senator must yield. The Senator would lose the floor. The Senator might take an appeal, and the Chair would have to say, "The Senator will conduct himself in order under the rule." But the Senator could press the point and continue, and another Senator could say, "The Senator is not talking on the subject matter," and then the Chair would have to state, "The Senator will take his seat." If the Senator objects and insists that he is speaking germanely, it becomes an adversary matter, and the question must be determined by a vote of the Senate. Then the Senator is taken off his feet.

Mr. PASTORE. Mr. President, will the Senator yield for a question on my own time?

Mr. DIRKSEN. I am glad to yield to the Senator from Rhode Island.

Mr. PASTORE. Is not that done every time?

Mr. DIRKSEN. Indeed it is not.

Mr. PASTORE. Is not that done every time a unanimous-consent agreement is entered into providing that the amendments must be germane?

Mr. DIRKSEN. That is quite a different thing.

Mr. PASTORE. Someone must determine the question of germaneness, and if Senators are not germane on an amendment, they are ruled out of order. A Senator cannot violate the rule. If he violates the rule, he can be ruled out of order.

Mr. DIRKSEN. Never does the discussion have to be germane on an amendment under consent.

Mr. PASTORE. That is correct.

Mr. DIRKSEN. That is quite a different thing. I can submit an amendment with respect to the North Pole that has some relationship to the Stella School District in Missouri, and I can go off into orbit for hours if I wish to. That has no bearing on germaneness.

Mr. PASTORE. Not under my rule.

Mr. DIRKSEN. But we are dealing with debate.

Mr. PASTORE. I am trying to prevent the Senator from going into orbit.

Mr. DIRKSEN. I hesitate to do so. What the Senator from Rhode Island is trying to do is shackle the Senate.

Let us make no mistake about it. If I read my history correctly, past and present, whenever the freedom of a parliamentary body is impaired, we go down the road to tyranny.

What was the first thing that Hitler did to Germany? He demeaned the Bundestag. He made them, its members, appear to be like a group of urchins who had no sense.

What was the first thing Mussolini did to Italy? The Chamber of Deputies was made to appear as if it had no sense, no value, no usefulness.

Show me any place in the world where a parliamentary body and its freedoms are impaired and I will show an instance of freedom in retreat.

History rises up to proclaim that fact. I would be the last person to shackle the Senate.

The proposed rule would also be a time consumer. I might wish to make a speech and another Senator could rise and say, "Mr. President, the Senator is not talking to the subject before the Senate." I might then argue and fuss with him, and say to the Chair, "Mr. President, I ask unanimous consent to discuss the matter that is in my mind." Then I am in the hands of any one of 99 other Senators, because if 1 Senator should say, "Mr. President, I object," I would have only one remedy under the resolution, and that is to address the Chair and state, "Mr. President, I move that the last paragraph of rule VIII be waived." That is the rule to which the resolution refers. It is not a debatable motion. The question must be put. There must be a call of the roll.

I am going to see that there is a call of the roll. I am going to test this proposal. If the Senate approves this resolution, Senators can bet all the tea this side of Formosa that it will be tried out.

If we desire expedition, let us start where expedition should start. There is no rule covering 3-minute speeches. I shall have to object. We shall go along with the morning hour, including petitions, memorials, concurrent resolutions, and everything else.

The business will be laid before the Senate. If my distinguished and illustrious friend, the Senator from South Carolina [Mr. THURMOND] rises and says that he desires 3 minutes, I shall say, "I object. The Senate has now fastened upon itself a restriction. It wants expedition. It wants speed."

Mr. President, speed is not always in conformity with the work of a deliberative body. So I shall say, "I must object."

How will a Senator get in his 3 minutes' worth? He must wait until the business is laid before the Senate.

What might be the business? A bill for the relief of the Stella School District in Missouri. The Senator might not wish to talk about the Stella School District. He might desire to say something about the tobacco report. That subject would not be germane to the Stella School District—unless the youngsters smoke. Perhaps it might be brought in in that manner. It might come in the back door. Otherwise, I would have to rise and say, "The Senator is not talking to the subject."

So what would the Senator do? He would say, "Mr. President, I offer an amendment."

The Senator would then have time for the next 4 hours to talk about anything under the sun. A Senator might talk about an astronaut's candidacy in Ohio if he so desired. He could talk about the evils of cigarettes. He could talk about the comparative evils of pipes versus cigars, cigars versus cigarettes, and cigarettes versus snuff. There would be no limit to which a Senator might go. The Senator could use all the time available if he desired. That is another interesting aspect of the proposal. A Senator could use all the time. After 3 hours the whole subject would become moot, but the next day we would do it all over again.

What a piece of futility.

In the resolution are the seeds of shackles for things that can come later. If there were not such an eager effort to amend that rulebook with great handfuls of proposals, as occurred in the 87th Congress, it might not frighten me so much. But the resolution does bother me because the next development would be a germaneness rule such as there is in the House of Representatives. I lived under that rule for 16 years, and I know what happens.

In every case, if there were a germaneness rule, the Parliamentarian must tell the Presiding Officer, "The rule must be construed strictly against the author of the proposal." It taxes one's brain. It taxes one's ingenuity to find language so to fashion a proposal that the discussion would come within the limits of the rule. Never have I felt so inhibited as I did when I lived under that kind of germaneness rule.

I like the rule of the Senate much better. I like the freedom—the deliberative spirit—which marks the Senate as a great body.

But give the proposal a chance, and what I have stated will be the next order of business to discipline this body, because there are some who are frustrated because the Senate and the Congress generally have not quite done what those people have wanted done.

Perhaps that is the origin of the proposed resolution. I think of the comments made about the previous session. I thought most of them were superficial and did not go to the heart of the problem when they related to the delay in Congress. When the whole subject is rationalized, we discover that there were differences of opinion between the President of the United States and the Congress. We are entitled to have our differences, and we are entitled to have our views.

The Constitution provides that from time to time the President shall give to the Congress information of the state of the Union and make his recommendations. The Constitution does not provide that Congress must follow them. We, too, are elected by the people. We can ignore the President if we believe he is wrong. We can throw his messages to one side if we think he is wrong. We are under no obligation.

But when a group is frustrated because some effort was not achieved, we hear that the fault lies in the legislative branch, and that Congress must be disciplined. Our rules ought to be changed so that we might move with greater speed.

Mr. President, when we move with greater speed, look out for what finally happens to legislative freedom and deliberation.

Mr. President, how much time have I remaining?

The PRESIDING OFFICER. The Senator has 10 minutes remaining.

Mr. DIRKSEN. Mr. President, in 1900 a symposium took place under the sponsorship of a New York newspaper. A number of distinguished people at that time were asked what they foresaw in the next 50 years. Men such as President Sherman of Cornell, John Farrar, Samuel Gompers, William Jennings Byran, Jay Gould, and others were asked the question. In my judgment only one was correct and that was Arthur Twining Hadley, the president of Yale.

President Hadley said that he looked down the road and forsaw the time when group interests would develop in the country that were more interested in their own well-being than in the national well-being, and that they would develop some kind of political force. Then we would be headed for trouble.

That is exactly what has happened. If those engaged in agriculture are dissatisfied with what we do, they become frustrated. Sometimes their leaders say there ought to be a rule to "make them do this, that, or the other thing."

Our friends identified with organized labor are quite often frustrated. I know they are quite often dissatisfied with the vote that I vote. There is the old story: There ought to be a rule; there ought to be a law.

I never think of that subject without thinking also of a man in the Illinois Legislature years ago.

His name was Kirby. He came home from the legislature because he was within driving distance from Springfield. He found his wife reclining on a divan, her face distorted with pain.

He said, "My dear, what is wrong?"

She said, "I went downtown today to buy a loaf of bread, a spool of thread, and a few other things. I stepped on a pebble with these high-heeled shoes and turned my ankle."

With righteous indignation, he said, "There ought to be a law against high heels on women's shoes."

So the next time he went to Springfield he introduced a bill to regulate the height of the heels on women's shoes.

Interested people who do not get what they desire become frustrated, and immediately declare that something must be done about it.

So now if there is dissatisfaction, it lies in the fact that the Senate is not speedy enough. It must rush headlong to a conclusion.

Mr. President, I have said a hundred times that perhaps one of the reasons why we have a free country is that it has not moved too fast or too far at one time. I would not trade with any country on the face of the earth. So, because I look down the future and am fearful about putting shackles on this body and changing it from a completely deliberative body, I think of this proposal as a first step, and then wonder what the next step might be.

I wonder whether it would not be a little conducive to absenteeism. I might be in my Capitol office or in a committee when a bill was laid before the Senate. Perhaps it is the end of the morning hour, and I know from a conversation with the majority leader what the order of business will be. I might say to myself, "I am good for 3 hours. I am not particularly interested in that Stella School District bill and whether they get their $35,000, unless it is a question of sheer justice."

So I will find things to do in that 3-hour period. I will check every so often on the time situation. Perhaps I will not be interested in the great flow of rhetoric on the equities and merits of the claim of the Stella School District. So, probably I will not be around the Chamber. My desk will be piled high with mail. I will have callers. I can find refuge in those facts.

Who shall say that perhaps, finally, the resolution would not be conducive to a kind of absenteeism? That would be the least of the troubles which would result, as I see it.

Finally, I think it interfered with the flexibility of the Senate. The majority leader and the minority leader have never had too much difficulty in keeping the show moving. Whenever the case called for speed and dispatch, the Senate was always equal to it. There was only one time when there was some difficulty in that respect. My distinguished friend from Rhode Island would know better than anyone else what the equities were and what had to be done in that situation, because it had to do with the so-called Satellite Corporation proposal. I stood in his corner. I got on my knees to some of the Members on this side of the aisle. I entreated them to grant cloture to the Senator from Rhode Island, because I thought the Senator was on good ground and that after 19 days the question should have been settled. I would do the same under given circumstances.

But I do not want any junior cloture measure to be coming along. That is what this is. This is one of the daily junior clotures. So, we are told, "for 3 hours do not raise your voice unless you address yourself to the business at hand, no matter how interesting or how uninteresting, no matter how world shaking or how routine it may be." To curb the Senate is a pretty big price to pay for what little benefit may come from this measure. I doubt whether any benefit would come from it.

If it is going to become a rule on the books, I am a stickler for observance and enforcement of the rules. I always feel good when I am called to account for violating one of these precepts. But I think the Senate could have a termination of the 3-minute rule every day in the morning hour. If speed is desired, why discuss the business of the Senate in 3-minute packages? Why not get right to the business before the Senate? Let it be stated by the Chair. Have the business laid down. Stick to it. See what happens. I am prepared to make that suggestion, because I do not want to see another proposal come along and have it said, "We did not go far enough."

Mr. President, that is the way the liberty of a parliamentary body is eroded. I will have none of it.

With that brief statement, I am prepared to vote on the pending business.

Mr. PASTORE. Mr. President, if at the present moment I entertained in my heart and mind any disappointment, it would be that this afternoon we have heard opposition or objections to the resolution which I have sponsored, by the distinguished Senator from Georgia [Mr. RUSSELL] and the distinguished minority leader, the Senator from Illinois [Mr. DIRKSEN].

If the senior Senator from Rhode Island were ever disturbed by a legislative problem, or even a personal problem, offhand he would think of perhaps half a dozen Members of the Senate, whom he holds in the highest esteem and regard, even though from time to time he has not agreed with their political philosophy, to whom he would like to open up his heart and mind and ask for their guidance and help in whatever problem might be disturbing him at the time.

I can say with full sincerity this afternoon that in the group of six or seven Senators that I would call upon, surely one would find the distinguished minority leader, the Senator from Illinois [Mr. DIRKSEN], and my esteemed and distinguished friend from Georgia [Mr. RUSSELL].

No Senator knows the rules of the Senate better than does the distinguished Senator from Georgia; and there is no man for whom I have more affection and more admiration, even though he is a Republican and I am a Democrat, than the Senator from Illinois.

So naturally I do not take their position in this matter too lightly.

I have remained in the Chamber and I have listened attentively to everything they have had to say.

Fundamentally, if one analyzes what the distinguished Senator from Georgia has said, he reaches the conclusion that this amendment or modification of the rule is inadvisable because it can be violated. I think I have already spoken on that point. There is no law that man can invent, create, or enact that cannot somehow be violated. But does the mere fact that a law can be violated make the law useless? Does a law become impotent merely because it can be violated? I do not believe in the adage that laws are made to be broken. Laws are made to guide and govern man in his conduct and behavior within the authority of man.

There is no ulterior motive, so far as the Senator from Rhode Island is concerned, in suggesting this resolution. There are 31 sponsors of the resolution, which is almost one-third of the membership of this body. They come from the Democratic side of the aisle; they come from the Republican side of the aisle. The reason there are 31 sponsors is that there is a sizable group of the membership of this body that has become somewhat disturbed over the lackadaisical way the business of the Senate is conducted.

I do not want to join that vanguard of Senators who are always critical of what the Senate does or does not do. I do not think we have to get into a debate of that subject this afternoon. But I am satisfied in my own mind of the necessity for this change. I have been a member of the general assembly of my own State. I was Lieutenant Governor of Rhode Island. Under its constitution, I was the presiding officer of the senate in my State. I have had some experience with legislative bodies. For the past 13 years I have had the honor to be a Member of this very august body.

I have seen many Senators come into this body and leave. I have seen many things done on the floor of the Senate. And I have seen many things go undone on the floor of the Senate.

I assure my colleagues that there is no ulterior motive involved. There is no subtlety involved in the proposed amendment of the rule. I am not trying to use my proposed amendment to reach into rule XXII. I am not using this resolution to affect any other rule of the Senate. I am trying to make a modest modification.

Yesterday I moved to table an amendment that I thought went a little too far. Sixty-nine Members of the Senate joined me in laying the amendment on the table.

It is true that the pending measure is only a modest amendment, but it is a significant one, and, I daresay, a very good one.

What am I trying to do? Am I trying to prevent the opportunity for a unanimous-consent agreement that my distinguished friend from Georgia discusses? Of course not. The leadership would still be able to ask for a unanimous-consent agreement any time it cared to do so. The resolution does not reach into that field at all. Any time the majority leader and the minority leader might seek a unanimous-consent agreement, if it were granted, nothing in the proposed rule change would prevent it or interfere with it.

With reference to the logic expressed this afternoon by my distinguished friend from Illinois, all that he is clamoring for, all that he is advocating, all that he is urging, is that the Senate rules remain in status quo. If that is what the Senate wants, it should turn down the resolution.

The primary question is: What is the Senator from Rhode Island trying to accomplish by this resolution? I will tell the Senate. It is very simple. I do not need to take all my time. I have about 20 minutes remaining, but I can do it in 4 minutes. What does it do?

In very simple terms this is what it would accomplish: If a Senator has a 3-minute speech to make, he can make it in the morning hour. If he has a bill to introduce, he can introduce it, as has been done before. My resolution does not affect that situation one way or the other.

The morning hour would not be affected by the resolution. Senators can do in the morning hour in the future what they have done in the past.

All the resolution would do would be to provide that once the pending business had been laid down, for 3 hours in that 1 day—not forever, not until the bill was passed, but for 3 hours in that 1 single day—whatever a Senator had to say on the floor of the Senate would have to be directed to the pending business.

I ask the Senate what is so terrible or sacrilegious about that. Why is germaneness of discussion on the pending business such a bad thing to suggest? Why do I make that suggestion?

As everyone knows, most of the work of the Senate is done in committee. If this were a State body, where committees do not function as they do in the Senate—and I have been a member of the Rhode Island General Assembly—it would remain in session until it recessed or adjourned. That does not happen in the Senate. We have a suite of four or five offices. We receive thousands of pieces of mail. Visitors come to see us. People are interested in legislation, and they come to see us. In addition, we have our committee responsibilities. We cannot perform those duties on the floor. We cannot be on the floor of the Senate every minute of the day.

My good friend the Senator from Illinois [Mr. DIRKSEN] talks about a mystery. He claims that if there is a mystery as to what is going on in the Chamber, perhaps Senators will come here; whereas, on the other hand, if we tell what is going on, Senators may be absent. I believe that to be a specious argument. I say that with all due respect.

I believe there is a strong likelihood that Members of the Senate will come to listen for 3 hours, because they will know that in the 3 hours they will not be interrupted.

All that my resolution would do would be to provide that for 3 hours the pending business would not be interrupted. After the expiration of 3 hours what would happen? The stampede could then start, if we wish to use the word "stampede." Senators who might wish to make a speech on the fragrance of the rose, or whether or not liquor should be served in the Capitol, or what not, could speak on those subjects or on any other subjects to their heart's content. They could speak around the clock, if their physical being would hold out.

That is all we are trying to accomplish. We are trying to make a very moderate improvement in the existing situation, without impinging upon the great tradition of the Senate, without trying in any way to affect the filibuster situation. That is another problem that we have. The Senator from Rhode Island is in favor of civil rights, and everyone in the Senate knows it. When I suggested the proposed amendment to the rule, I was not trying to reach the question of civil rights. That has absolutely nothing to do with it.

I was not trying to reach the filibuster. That has nothing to do with. Although I am for a modification of rule XXII, this resolution has nothing to do with it.

That is how simple it all is, Mr. President.

Without belaboring the situation any further, the Senator from New Hampshire wishes to speak, and I shall be glad to yield to him.

Mr. MANSFIELD. Mr. President, will the Senator yield to me briefly?

Mr. PASTORE. I yield.

Mr. MANSFIELD. I should like to speak while the Senator has the floor. I am delighted that at long last we are reaching the point where the Senate can vote on the resolution which is now before us. If we ever needed any proof for the need for a rule covering germaneness, the events of yesterday and today have reenforced that view. This is a step in the right direction. I believe it would do a great deal toward bringing about a little more decorum, a little more dignity, a little more regulation in the Senate. Sometimes we can be too individualistic. This is one way in which we can bring about better procedures in the Senate.

Mr. CLARK. Mr. President, will the Senator yield?

Mr. PASTORE. I promised first to yield to the Senator from New Hampshire. Then I shall be glad to yield to the Senator from Pennsylvania. I yield 5 minutes to the Senator from New Hampshire.

Mr. McINTYRE. Mr. President, I rise to support my fellow New Englander on the resolution of the Senator from Rhode Island [Mr. PASTORE], Senate Resolution 89 relating to germaneness of debate in this body. It may well be that the hallowed and ancient rule that permits any Senator who secures the floor to talk about any subject of his choice for as long as he is able, should be preserved at any cost. But, based on 1 long year's experience in this Senate, I am prepared to say that the time has come to set aside—if only slightly—this sacred tradition in favor of a rather modest change in the rules that should have the effect of confining the Senate debate to the pending business as laid down by the majority leader. This change would be a small salute to commonsense.

Along with other Senators elected in 1962, I was admonished by my more experienced colleagues to spend as much time as I possibly could on the floor listening to the debate, the speeches, and colloquies of my fellow Senators. During the past year I have tried to do this. Along with the newly elected Senators of the majority party I have spent a considerable number of hours presiding. Thus, a fuller opportunity to observe the Senate rules in action has been offered to us than is generally imagined.

Confining my comments on the rules to the simple question of germaneness, I must say that it can be both frustrating and discouraging to be present here on this Senate floor doing my best to listen to opposing views, to observe parliamentary tactics of the proponents and opponents, and to become engrossed in the give and take of verbal debate and then suddenly without warning, and to my complete amazement, to hear a Senator begin to talk on a subject completely and utterly unrelated to the main issue then and there being contested.

Many details of important issues before the Senate for decision by the entire body are best known and understood by the responsible committee members handling the legislation on both sides of this aisle. The explanation and discussion of these issues by these members are informative and helpful to me—in fact might even be persuasive as to my vote. We have important issues to vote up or down in the next few months—tax cut, civil rights, hospital care, to name a few. I would like to be on the floor during these debates to listen and, when appropriate, to join the argument. But under our present rule of nongermaneness what starts out as a tax cut debate may suddenly become a tirade on the problem of prickly heat or a 2-hour opus on De Gaulle and the Common Market. This is not an inviting or interesting prospect for a Senator; nor is it especially conducive for even a junior Senator to find or make the time to be here on the Senate floor doing what after all is his primary job.

I therefore urge the Senate to support this resolution in the hope that it will make for more interesting, informative and orderly discussion of the issues before us.

Mr. PASTORE. Mr. President, what is the time situation?

The PRESIDING OFFICER. The Senator from Rhode Island has 7 minutes remaining; the Senator from Illinois has 2 minutes remaining.

Mr. KEATING. Mr. President, will the Senator from Rhode Island yield half a minute?

Mr. PASTORE. I yield 1 minute to the Senator from New York. He has asked for half a minute. I am in a generous mood; I will yield him 1 minute.

Mr. KEATING. In light of the generosity displayed by the distinguished Senator from Rhode Island, I wish to compliment him on his handling of this proposal so wisely and carefully, and to say that I shall support the resolution. It is not revolutionary in character, but I believe it may help to expedite the work of the Senate.

Mr. President, we grope in the realm of open debate to discover procedures which will lend direction to our deliberations.

The year was open season for critics of Congress. We were a stationary target for the onslaught of journalistic fire. Our friends of the press, radio, and television attempted to alert us to the need for more constructive action. Exaggerations crept in as individuals berated us for a poverty of achievement in the first session.

In the space age we need a legislative machine with sufficient thrust to enable us to accomplish the Nation's business. The Nation cannot afford postponement after postponement, misfires, or malfunctions. Unless we attend to this machinery we shall produce gap after gap on the American scene, and the result will be a loss of confidence in the legislative branch of Government.

Senate Resolution 89 does not change the present engine or drastically modify it. At best it merely puts a little oil in our sputtering machine. The proposed amendment to rule VIII gives us assurance that 3 hours of each day will be devoted to deliberations relevant to matters then pending on the floor. It does not prohibit the introduction of nongermane amendments but provides certainty that the discussion and debate will then relate to that amendment. If adhered to, it will benefit those in charge of legislation, and will be an accommodation to the information media, the public, and Senators who come to follow or participate in the pending business.

Senate Resolution 89 is by no means a complete answer to our problems, but it is a step in the right direction. In no way does it shackle free debate. It helps to establish an agenda-like procedure during which deliberation will have to be germane for a maximum of 3 hours daily. For the optimistic it even offers the hope that free germane debate will result in fuller debate, responsive to the problems facing this Nation.

Mr. President, I congratulate the Senator from Rhode Island on his efforts and urge support for the resolution.

Mr. PASTORE. Mr. President, I suggest the absence of a quorum, the time for the quorum call to be taken from the time under my control.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. PASTORE. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. PASTORE. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator from Rhode Island will state it.

Mr. PASTORE. What is the time situation?

The PRESIDING OFFICER. Each side has 2 minutes remaining.

Mr. PASTORE. If no Senator wishes to speak in opposition, and no Senator wishes to speak in support of the resolution, inasmuch as we are within 4 minutes of the hour for the vote, I suggest the absence of a quorum, the time for the quorum call to be charged equally to both sides, so as to allow the remaining time to expire.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. PASTORE. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

The question is on agreeing to the resolution, as amended.

Mr. DIRKSEN. Mr. President, on this question, I ask for the yeas and nays.

The yeas and nays were ordered.

The PRESIDING OFFICER. The question is on agreeing to the resolution, as amended. The yeas and nays have been ordered, and the clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. CARLSON (when his name was called). On this vote, I have a pair with the senior Senator from Kentucky [Mr. COOPER]. If the senior Senator from Kentucky [Mr. COOPER] were present and voting, he would vote "yea." If I were at liberty to vote, I would vote "nay." I withhold my vote.

Mr. WALTERS (when his name was called). On this vote, I have a pair with the senior Senator from Oklahoma [Mr. MONRONEY]. If the senior Senator from Oklahoma [Mr. MONRONEY] were present and voting, he would vote "yea." If I were at liberty to vote, I would vote "nay." I withhold my vote.

The rollcall was resumed and concluded.

Mr. HUMPHREY. I announce that the Senator from Alaska [Mr. BARTLETT], the Senator from Nevada [Mr. BIBLE], the Senator from Mississippi [Mr. EASTLAND], the Senator from Oklahoma [Mr. EDMONDSON], the Senator from Alaska [Mr. GRUENING], the Senator from Minnesota [Mr. MCCARTHY], the Senator from Montana [Mr. METCALF] and the Senator from Oklahoma [Mr. MONRONEY] are absent on official business.

I further announce that the Senator from California [Mr. ENGLE] is necessarily absent.

I further announce that if present and voting, the Senator from Oklahoma [Mr. EDMONDSON], the Senator from California [Mr. ENGLE], the Senator from Alaska [Mr. GRUENING], the Senator from Minnesota [Mr. MCCARTHY], and the Senator from Montana [Mr. METCALF] would each vote "yea."

On this vote, the Senator from Alaska [Mr. BARTLETT] is paired with the Senator from Mississippi [Mr. EASTLAND]. If present and voting, the Senator from Alaska would vote "yea," and the Senator from Mississippi would vote "nay."

Mr. KUCHEL. I announce that the Senator from Delaware [Mr. BOGGS], the Senator from New Hampshire [Mr. COTTON], the Senator from Nebraska [Mr. CURTIS], the Senator from Colorado [Mr. DOMINICK], the Senator from Arizona [Mr. GOLDWATER], and the Senator from North Dakota [Mr. YOUNG] are necessarily absent.

The Senator from Kentucky [Mr. COOPER] is necessarily absent and his pair has been previously announced. If present and voting, the Senator from Delaware [Mr. BOGGS] and the Senator from Colorado [Mr. DOMINICK] would each vote "yea."

On this vote, the Senator from Nebraska [Mr. CURTIS] is paired with the Senator from Arizona [Mr. GOLDWATER]. If present and voting, the Senator from Nebraska would vote "yea," and the Senator from Arizona would vote "nay."

The result was announced—yeas 57, nays 25, as follows:

[No. 6 Leg.]

YEAS—57

Aiken
Allott
Anderson
Bayh
Beall
Brewster
Burdick
Cannon
Case
Church
Clark
Dodd
Douglas
Fong
Fulbright
Hart
Hartke
Hayden
Hickenlooper
Humphrey
Inouye
Jackson
Javits
Jordan, N.C.
Keating
Kennedy
Kuchel
Lausche
Long, Mo.
Magnuson
Mansfield
McGee
McGovern
McIntyre
McNamara
Miller
Morton
Moss
Muskie
Nelson
Neuberger
Pastore
Pearson
Pell
Prouty
Proxmire
Randolph
Ribicoff
Saltonstall
Scott
Smathers
Smith
Symington
Williams, N.J.
Williams, Del.
Yarborough
Young, Ohio

NAYS—25

Bennett
Byrd, Va.
Byrd, W. Va.
Dirksen
Ellender
Ervin
Gore
Hill
Holland
Hruska
Johnston
Jordan, Idaho
Long, La.
McClellan
Mechem
Morse
Mundt
Robertson
Russell
Simpson
Sparkman
Stennis
Talmadge
Thurmond
Tower

NOT VOTING—18

Bartlett
Bible
Boggs
Carlson
Cooper
Cotton
Curtis
Dominick
Eastland
Edmondson
Engle
Goldwater
Gruening
McCarthy
Metcalf
Monroney
Walters
Young, N. Dak.

So the resolution (S. Res. 89) was agreed to, as follows:

Resolved, That rule VIII of the Standing Rules of the Senate be amended by adding at the end thereof the following paragraph:

"At the conclusion of the morning hour or after the unfinished business or pending business has first been laid before the Senate on any calendar day, and until after the duration of three hours, except as determined to the contrary by unanimous consent or on motion without debate, all debate shall be germane and confined to the specific question then pending before the Senate.

Mr. MORSE subsequently said: Mr. President, I desire to make a brief statement in explanation of my vote against the Pastore resolution. I was one of the cosponsors of that proposal when it was first submitted to the Senate, because on the basis of my understanding of the resolution at that time, I thought it would constitute a strengthening of the rules of the Senate. As Senators know, I make a practice of waiting until the day's business is out of the way before I make lengthy speeches on other subjects. Certainly Senate business would be expedited if that practice were more widely followed. For that reason, I cosponsored the resolution. But as I studied the proposed Pastore rule, and as I listened to the debate on the resolution, I decided it would not be a good rule to add to the rules of the Senate. I decided that it was primarily a proposal of form and not of substance; that it was highly superficial in its effect and met pretty much my conception of sham. I thought it would endanger the protection of legitimate minority rights in the Senate and would place the minority too often at the mercy of tyrannical majorities. I felt that the proposed Pastore rule would encourage parliamentary subterfuges and evasions and would lead to much unnecessary hassling and haggling over whether something was germane or was not germane. I believed it would tend to turn the Senate into a high school debating society, for a discussion of whether a Robert's Rule of Order in some matter was or was not applicable.

If Senators really want to change the procedures of the Senate, let them stop running away from the basic procedural reform that has been proposed and for which I have stood ever since I became a Member of the Senate. The problem is rule XXII.

I left many of my liberal colleagues this afternoon because, in my judgment, they were mistaken in regard to the soundness of the proposed Pastore rule. To my liberal colleagues, let me say that our obligation, as I see it, if we really want to improve the Senate, is to change rule XXII. That is the way to protect a legitimate majority in the Senate, and also the way to protect minority rights in the Senate. So I voted against the rule.

I say to my liberal friends that I believe the Senate has succeeded in delaying the time when rule XXII will be changed. What ought to have been done was to stand together on rule XXII and adopt no change in the rules until rule XXII was changed.

I shall not vote for any rule that I consider to be superficial and a sham, when what needs to be done is to adopt a modification of rule XXII, and give to the people of the country true majority rule in the U.S. Senate.

Mr. PASTORE. Mr. President, I move that the vote by which the resolution was agreed to be reconsidered.

Mr. KUCHEL. Mr. President, I move that the motion to reconsider be laid on the table.

The motion to lay on the table was agreed to.

Mr. PASTORE. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. (Mr. WALTERS in the chair). The Senator from Rhode Island will state it.

Mr. PASTORE. Am I correct in assuming that the next day the Senate meets this year the resolution will be in effect?

The PRESIDING OFFICER. If there is any pending business, it will be.

Mr. PASTORE. I thank the Chair.

LEGISLATIVE PROGRAM

Mr. DIRKSEN. Mr. President, while many Senators are present in the Chamber, I should like to ask the majority leader about the schedule for the rest of today and for the remainder of the week.

Mr. HOLLAND. Mr. President, I yield to the majority leader for that purpose.

Mr. MANSFIELD. I thank the Senator.

Mr. President, in response to questions raised by the distinguished minority leader, it is anticipated that after appropriate remarks have been made by the distinguished Senator from Florida, relative to the Holland amendment to the Constitution, the Senate will then turn to certain bills to which there is no objection on the calendar, such as Calendars Nos. 799, 800, 801, 803, and 804.

ORDER FOR ADJOURNMENT UNTIL MONDAY

Mr. MANSFIELD. Mr. President, at this time I ask unanimous consent that when the Senate concludes its business today it adjourn to meet at noon on Monday next.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. MANSFIELD. Beginning next Monday the Senate will take up the other items on the calendar as they become available.

RATIFICATION OF THE 24TH AMENDMENT TO THE CONSTITUTION

Mr. HOLLAND. Mr. President, it is with much pride along with sincere personal humility that I announce to the Senate that the 24th amendment to the Constitution, the antipoll tax amendment, has been ratified by the 38 States now required for an amendment to the Constitution to become valid.

As Senators are aware, the State of Maine, on January 16, became the 37th State to ratify the amendment, when the Maine Senate approved its ratification by unanimous vote. The Maine House had previously ratified the amendment January 15, by a vote of 108 to 34.

I am delighted to advise the Senate today that the State of South Dakota a few minutes ago completed ratification of the amendment by the 38 States required when the South Dakota Senate approved its ratification by a unanimous vote. The South Dakota House had previously approved ratification on January 17, by a vote of 52 to 19.

So that the record may be clear, Mr. President, as I have stated, an amendment to the Constitution becomes valid when the legislatures of three-quarters of the States ratify it. The Supreme Court, in a case arising from the 18th, or the prohibition amendment, Dillon against Gloss, indicated an amendment becomes effective immediately when the last State ratifies it, in this instance, the State of South Dakota.

The Library of Congress, which, at my request, looked further into the matter, advises me that the subsequent certification of ratification by the General Services Administration, as provided by law, is of no significance as far as the actual ratification is concerned, except as a matter of completing the record.

Mr. President, I am especially pleased that ratification has come in time to be effective in the presidential election next November 3.

At this time, Mr. President, I wish to express my sincere and heartfelt appreciation to the two distinguished Senators from Maine [Mrs. SMITH and Mr. MUSKIE] and the two distinguished Senators from South Dakota [Mr. MUNDT and Mr. McGOVERN], each of whom has worked so diligently for ratification of the amendment by the legislatures of their respective States, and for the yeoman service they have given to this cause.

Mr. President, I also wish to pay tribute to many other Senators, and to Representatives in the House of Representatives and others who have contributed so much in the long, hard fight which was made to achieve this progressive change in our election process. Our late President, John F. Kennedy, gave his support unstintingly in this effort, and President Johnson, as a Member of the Senate, when majority leader, and later when Vice President, was a stalwart in achieving the adoption of my resolution proposing submission of the amendment to the States.

In addition, many other Members of this body, particularly the Senator from Montana [Mr. MANSFIELD], our distinguished majority leader and the Senator from Illinois [Mr. DIRKSEN], our equally distinguished minority leader, with all the heavy duties that they carry, gave unsparingly of their time and their leadership and their counsel to this cause.

I express my most sincere appreciation to each of them.

Mr. DIRKSEN. Mr. President, will the Senator from Florida yield?

Mr. HOLLAND. I yield.

Mr. DIRKSEN. Mr. President, it should be said for the distinguished Senator from Florida that after engineering this amendment through Congress he was not content to rest on his oars, but followed it through with the Governors and the legislatures of many other States in order to effectuate the ultimate ratification of his amendment.

He has been a tower of strength. He deserves all the credit and the plaudits of the people of America for his untiring efforts.

Mr. HOLLAND. Mr. President, I surely appreciate the kind statement just made by the distinguished minority leader.

I now yield to the distinguished majority leader.

Mr. MANSFIELD. Mr. President, it is my understanding that today a sort race developed between the Senate of the State of South Dakota and the House and the Senate of the State of Georgia as to which should be the final ratifier of the Holland amendment.

It is my understanding that the Senate of the State of Georgia did give its approval today to the proposal, but that of course the legislatures of both houses of the State of South Dakota gave final approval.

I believe this is a great day in the history of the Nation. I am happy to join with the distinguished minority leader as well as with all Senators on both sides of the aisle in extending sincere congratulations to the distinguished Senator from Florida for the great and untiring and unceasing efforts he made to bring about final ratification of the Holland amendment.

Mr. HOLLAND. Mr. President, I fully appreciate the remarks of the distinguished majority leader, but I wish to make it clear, that I could have accomplished nothing as one Senator, that it has taken the great majority of the Members of this body, the great majority of the Members of the House of Representatives and the great majority of the Governors and of the State legislatures to bring us to this day. This was not at all a one-man task.

I now yield to the distinguished Senator from South Dakota [Mr. MUNDT].

Mr. MUNDT. Mr. President, I should like to join in the congratulations voiced by the majority and minority leaders upon the accomplishment of this project, which has been under the leadership throughout of the distinguished Senator from Florida.

He has, indeed, rendered a constructive service, not only by initiating the proposed legislation, which was supported wholeheartedly and on a bipartisan basis in the Senate, but also by following through in contacting the Governors, Representatives, and Senators of the various States.

Until this afternoon I did not know that South Dakota was engaged in a "race to the moon" with the distinguished people of the State of Georgia. It is not very often that South Dakota gets ahead of Georgia. Georgia got into the Union ahead of us. But I am glad that we have been ahead of Georgia in extending the universal franchise, which is incorporated in that amendment.

Since the subject throughout has been bipartisan, I believe it is highly appropriate to add that an amendment initiated in the mind of a great democratic Senator, the Senator from Florida [Mr. HOLLAND] was finally approved by the Legislature of South Dakota, a Republican body. At the present time the Republicans are in complete control of both the house and senate. The Governor and Lieutenant Governor are also both Republican. That fact helps to identify the effort as a bipartisan or nonpartisan move to extend the franchise to all of America.

A long time ago in South Dakota we were among the first to make certain that our Indian citizens received the franchise. So our confirmation of the amendment is strictly in keeping with the attitude of the people of the great State of South Dakota.

Mr. HOLLAND. Mr. President, I thank my distinguished friend.

I wish now to yield to my distinguished colleague, the Democratic Senator from the great State of South Dakota, because again we have shown, in the complete cooperation between the two Senators from that State, each of whom comes from one of the two great parties, as well as between the two great Senators from the State of Maine [Mrs. SMITH and Mr. MUSKIE] who likewise represent each of the two great parties, that the effort has been bipartisan from the very beginning.

I yield now to my distinguished friend, the Democratic Senator from South Dakota [Mr. MCGOVERN].

Mr. MCGOVERN. Mr. President, I am delighted to add my word of appreciation to the Senator from Florida for the leadership that he has provided from the outset on this important constitutional step. I am pleased that the State of South Dakota became the 38th State to give its endorsement to that important amendment, and in doing so, made it the 24th amendment to the Constitution of the United States.

The people of South Dakota, throughout the history of that State, have always been devoted to the democratic principle that every citizen should have the right to vote, without any unreasonable restriction.

Ratification of the amendment is a historical step forward in the life of our State and in the life of our country. I am deeply grateful that it has been taken. As my senior colleague has said, the adoption of the amendment has been a bipartisan effort, but I am especially pleased that while the Democrats are in a very small minority in the South Dakota Legislature, they gave unanimous endorsement to the resolution of ratification. I thank the Senator for yielding.

Mr. HOLLAND. I thank my distinguished friend. I believe the vote of 34 to 0 in the Senate of the State of South Dakota would indicate that Senators from both parties followed that identical course. I am deeply grateful that they made it a bipartisan or, perhaps, even a nonpartisan issue, in that great State.

I am happy to yield to the distinguished Senator from Maine.

Mrs. SMITH. Mr. President, I want to commend the distinguished Senator from Florida for the great effort he made in bringing about the ratification of this constitutional amendment. I deeply appreciate his generous remarks about me. However, let me set the record straight. The credit goes to the Maine State Legislature and to the Governor of Maine rather than to me or anyone else.

Mr. HOLLAND. Mr. President, the distinguished Senator from Maine, as always, is most modest; but I happen to know of the hard work she has done on this matter. She and her distinguished colleague were extremely active in accomplishing the ratification by the Maine Legislature, which did not ratify the amendment last year when the issue was before it. The change in attitude was brought about largely because of the activities of the two distinguished Senators from Maine.

I now yield to the distinguished junior Senator from Maine [Mr. MUSKIE].

Mr. MUSKIE. I thank my good friend, the Senator from Florida, for his compliments.

I would agree that the principal responsibility of Maine rested with the legislature, and was properly discharged.

I should like to add a word of credit to the Governor of Maine, John H. Reed. He, a member of a different party from my own, put his weight behind ratification of the amendment. I am most grateful for the legislative leaders and members on both sides of the aisle in both houses in Maine who were respective to all approaches made by me, and all the approaches made by my distinguished senior colleague, in our effort to get the resolution of ratification adopted.

I believe we ought not to overlook the prodding that we constantly received from the distinguished Senator from Florida last year and this year, which helped us to stiffen our own motivation. I congratulate the Senator.

Mr. HOLLAND. Mr. President, the Senator is most kind. I appreciate his most complimentary remarks.

I agreed to yield next to the distinguished Senator from Georgia.

Mr. RUSSELL. Mr. President, it is perhaps unfortunate that the Senator from Florida did not yield to all of the other Senators who are standing before yielding to me, because I feel impelled to inject what may be regarded as a sour note in this "hallelujah chorus" of commendation and congratulations that is ringing out over the floor of the Senate at the present time. To me it is the funeral dirge of another landmark of our dual system of sovereign States and another long step in the concentration of Federal power.

I would not detract one jot or tittle from the achievement of the Senator from Florida and all of those who have assisted him. Without regard to its merits, it is a notable accomplishment for any man to be able to amend the great basic document, the Constitution of the United States. I would that the amendment had a more laudable purpose.

The State of Georgia does not impose a poll tax and has not done so for many years, but I cannot refrain from expressing my profound regret and disappointment that either branch of the general assembly of my State should have joined in the pernicious drive to enforce coercion and conformity upon any of her sister States in a matter so peculiarly within State authority. The Constitution of the United States in two places guarantees to the States the right to prescribe the qualifications of electors. I do not like to see even one of my sister States invaded and deprived of this right against the will of her people.

There was a time when the State of Georgia stood proudly in the van of all those States that believe that they have the right to control their own domestic affairs. In those days Georgians would fight for the right of their sister States to enjoy the same privilege.

In the early days of this Republic, the Supreme Court handed down a decision that the people of Georgia thought invaded their rights as a sovereign State. One house of the General Assembly of Georgia immediately passed a bill declaring it a capital offense without benefit of clergy for any U.S. marshal to undertake to serve any process under that decision. It so happened that in that day, the occupant of the White House was a Democrat. He is one of the patron saints of the Democratic Party. That President was "Old Hickory," Andrew Jackson. He was a Democrat then, but I am afraid today he would be described in terms that could not be repeated in polite society. As a believer in States rights, he made that famous statement:

> John Marshall has made his decision. Now let him enforce it.

Mr. President, in the jealous defense of her sovereign rights, the State of Georgia was responsible for the adoption of the 11th amendment to the Constitution. The citizens of another State entered suit against Georgia and obtained judgment. The representatives of the people of Georgia in asserting their sovereignty secured the proposal and the adoption of the 11th amendment to the Constitution, the first amendment that was adopted after the Bill of Rights. That amendment declares that the judicial power of the United States shall not extend to any suit in law or equity commenced or prosecuted against any one of the several States by a citizen of another State or by citizens or subjects of any foreign State.

Time will not permit me to discuss the outstanding sons of Georgia who have demanded the right for Georgia to handle her own domestic affairs and who would as quickly have defended the right of a sister State to enjoy the same privilege. I greatly fear that the names, achievements, and philosophy of such great men as George Troup, George Gilmer, and Wilson Lumpkin are little known today.

Frankness requires that I say that it is a source of humiliation to me, if the news accounts referred to are true, that one branch of the General Assembly of Georgia has so far departed from the precepts of her great sons as to ratify this amendment coercing sister States into conformity with a national pattern.

It has been stated that Georgia was defeated in the race to be the State to take action to secure ratification of the amendment by South Dakota. It is a source of deep regret to me that Georgia was persuaded to join in the mad rush to follow the so-called liberal States of the Nation and attempt to become the tail on this kite of conformity and coercion of five of her sister States.

Let me say to the distinguished Senator from South Dakota [Mr. MUNDT] that I am not displeased that on this occasion the Legislature of Georgia lost in the race for this extremely dubious honor. I can say with all honesty and sincerity that I am happy that any State should defeat the State of Georgia in this matter and the fact that Georgia saw fit to engage in any such contest causes me to hang my head in shame.

Mr. HOLLAND. Mr. President, I respect the consistency of my distinguished friend from Georgia. I respect his conviction. I respect everything I have seen the distinguished senior Senator from Georgia do in the approximately 18 years I have served in this body.

However, I do not believe there was any unseemly haste about this matter, because I offered my proposed amendment 15 years ago and have continued to offer it every Congress since.

Mr. RUSSELL. I did not refer to the Senator from Florida. I referred to the contest alluded to by the majority leader, in which he said that apparently there was a race between South Dakota and Georgia as to which one would see to it that this provision was written into the Constitution. I suppose apologists for the Georgia Legislature will say that since the legislature had just gone into session, it did not have a fair opportunity to consider whether the States should retain the right to impose conditions on the voting privilege.

Mr. HOLLAND. I did not know that the matter was going to come up in the Georgia Legislature today until the Senator from Georgia advised me of that fact.

Mr. President, I do not think the people of Georgia are too different from the people of Florida or Tennessee. The legislatures of those States, when the matter was allowed to come before them, overwhelmingly ratified it. In my State the vote in the lower house was 105 to 3, and in the upper house the vote was 36 to 6. The vote in the Tennessee House was 55 to 20 and in the Senate, 22 to 1.

The question of ratification is one that cannot proceed with the same timing in all parts of the Nation. So far as I am concerned, I am most happy that the 38th State has concluded action. For that reason, I am reporting the action of the 38 States, and expressing my gratification that the 37th and 38th States, Maine and South Dakota, in a completely bipartisan showing, along with the other 36 States, adopted resolutions of ratification which have made the amendment operative today.

I yield now to the Senator from Vermont [Mr. AIKEN].

Mr. AIKEN. Mr. President, Vermont was the 14th State to enter the Union, but, due to legislative circumstances, it could not maintain its record in ratifying the 24th amendment. Vermont was the 21st State to do so.

I think it is a good amendment to the Constitution.

Regardless of how one may think of the situation, I believe it is agreed that the credit for obtaining final approval by the 38 States must go to the senior Senator from Florida [Mr. HOLLAND] for his persistent and yeoman service, which I am certain is appreciated by most of the people of this country.

Mr. HOLLAND. I thank my distinguished friend from the Green Mountain State for his generous remarks.

I yield now to the Senator from New York [Mr. JAVITS].

Mr. JAVITS. Mr. President, I speak with a special feeling on this subject. The Senator from Florida will remember that I moved on two occasions to have a law enacted to make this provision effective. I thought that a constitutional amendment might take a very long time and might never be adopted. Therefore the Senator from Florida is entitled to great credit not only for proposing the amendment but for pursuing it, which he has done so ardently.

The importance of a Senate seat depends on how a Senator uses it. The Senator from Florida has used it to great advantage.

The Senator from Florida and I do not agree on every aspect of civil rights legislation. I think it is due him to say that in this case he proved to be more nearly right than I was with regard to his ability to have the amendment ratified. As a lawyer, I was deeply convinced that it could be done by law.

Since the Senator comes from a Southern State, I hope this action is a harbinger of possibilities in other areas in having essential legislation enacted.

I do not want to spoil the occasion by entering into a civil rights debate. I congratulate the Senator. I am compelled to do so because of his efforts in this field.

Mr. HOLLAND. I thank the Senator for his generous remarks. He is a former attorney general of the greatest State, in population, in the Nation. I know we have not always agreed on the method of approaching this problem. I am glad he has become convinced that this was a practical way to handle the problem.

I yield now to the Senator who has joined me in the presentation of this amendment ever since he came to the Senate, the Senator from Louisiana [Mr. LONG]. I thank him with all the strength at my command for the tenacity and loyalty he has displayed in this matter.

Mr. LONG of Louisiana. Mr. President, I congratulate the Senator from Florida on the culmination of the fight in which he has been so diligent and tireless.

Some of us who opposed repeal of the poll tax by simple statute contended that this was a matter that 38 States had a right to pass upon before the right of States to impose a poll tax was violated.

As the Senator knows, the poll tax in Louisiana was repealed in about 1934. It was somewhat meaningful to me that my father was the moving force in Louisiana for repeal of the poll tax. It had to be done by a vote of the people, and the people of the State decided to undo the poll tax. The legislature was doubled and the general complexion of the legislature was changed. This Senator has known what it was like to have a majority bigger than the entire vote his father received, but that would not have happened if people had not been given the franchise, who, for economic reasons, would not have been able to pay the poll tax.

It also eliminated corruption in government. There were people who would pay the poll tax for 50 or 60 persons, and they would wait to see how they would vote, and if they did not vote a certain way the papers would not be turned over to them. So elimination of the poll tax helped to provide better government. It improved our approach to issues. There is a tremendous movement in Louisiana toward better government and democracy.

As one of those who opposed the statutory approach, I am happy to see that the Senator from Florida finally prevailed in his approach.

I believe a word should be said so far as President Kennedy is concerned. He was the first President to say this was a proper approach, and went along with trying to seek a constitutional amendment rather than an approach that was unconstitutional.

Mr. HOLLAND. I thank the Senator, who has been associated so closely with me on this matter. I am grateful to him. I had already mentioned our distinguished late President. I am glad the Senator from Louisiana has mentioned him, because he did everything in his power, first as a Member of the Senate and later as President of the United States, to work for ratification of this amendment.

I yield now to the distinguished Senator from Illinois [Mr. Douglas].

Mr. DOUGLAS. Mr. President, I, too, wish to congratulate the Senator from Florida for the work he has done. I want to express my pleasure that Maine and South Dakota have become the 37th and 38th States, respectively, to ratify the amendment. We are very grateful to those States.

It is commonly observed that latecomers always receive greater credit than those who were at work in the early stages. I hope I shall not be ungracious if I mention the fact that Illinois was the first State to ratify the amendment.

Mr. HOLLAND. The Senator from Illinois would not be ungracious, but I want him to know that, in a later part of my statement, I make grateful mention of the fact that the State from which Abraham Lincoln came became the first State to ratify this amendment to the Constitution.

Mr. DOUGLAS. Sometimes we are left out; and I wanted that fact known.

While this constitutional amendment has turned out very well, possibly it would not have been adopted, or even suggested, if there were not others urging that the poll tax be abolished by legislation. Therefore, the lonely pioneers who took a courageous point of view perhaps created a degree of sentiment which made it possible for the Senator from Florida to make a compromise proposal.

This may have had a good deal of persuasive influence, because it was said that unless the constitutional amendment route were taken, it would be necessary to take the route of legislation. So, without detracting in the slightest from the credit due the Senator from Florida—and again I wish to praise him for what he has done—I believe credit should also go to those who, in the 1930's, 1940's, and 1950's urged the abolition of the poll tax by legislation.

Mr. HOLLAND. I thank my distinguished friend for his gracious remarks. The Record should show now that six States have abolished the poll tax, with the State of North Carolina leading the way, in 1920, as I recall. The State of Louisiana came next, in 1934. The State which I represent in part, Florida, followed suit in 1937. The other States were Georgia, in 1945, South Carolina, in 1951, and Tennessee, in 1953. I believe that these actions were taken well before the action on the floor of the Senate 2 years ago, when the amendment was passed.

Mr. DOUGLAS. With the exception of North Carolina, possibly Louisiana, and perhaps also Florida, that was not until after there had been a strong movement on the floor of the Senate to effect it by legislation.

Mr. HOLLAND. I thank my friend. I am willing to have everyone who is entitled to it to be given credit. I join in giving credit to all for following the constitutional route, not favored by all to be sure, but which I believe sincerely to be the proper way to achieve the goal we sought. We have done the safe thing. We have done the quickest thing. We have done the sound thing. We have accomplished it.

Mr. HUMPHREY. Mr. President, this is a very happy day for the able Senator from Florida. I join his colleagues in the Senate in giving him much deserved commendation and congratulation for the success of the constitutional amendment to eliminate the poll tax.

There were honest differences of opinion as to how best to proceed. I once sponsored the statutory route. However, I recall joining with my friend from Florida, I believe in the 85th Congress, and again in the 86th and in the 87th Congresses, in sponsoring Senate Joint Resolution 29, which became the resolution which today brings about the constitutional amendment. I did so because it seemed to me that we were not getting anywhere with the statutory route. What was important was getting the job done. It was necessary to eliminate any doubts as to the legality or constitutionality. Today we have a very significant amendment to the Constitution of the United States.

I am pleased that I have had the privilege of serving in the Senate when this amendment was presented to the States for their action. I am pleased that the Senator from Florida permitted me to join him, among other Senators, in cosponsoring the joint resolution. This is a very significant step forward in the processes of our democratic society.

The Senator from Florida has every right to be greatly pleased with the developments. I salute the latecomers and the early ones, too. Minnesota was the 18th State, I believe. We were in the middle, but still reasonably early in the process. Of course, there was never any doubt as to how our people felt. I commend the legislature of my State for taking the action it did; also the Governor of my State, who was not of my political party. He took a very firm and active position.

I am happy that we have succeeded and that we have succeeded in such a clear cut and unqualified way, so that there now is no doubt as to what we have done or about the legality or constitutionality of it, because this amendment is now a part of the Constitution.

Mr. HOLLAND. I thank my distinguished friend. He has been most helpful in this effort. I have prepared a list of the 67 cosponsors who, along with me—making 68 in all—joined in the 87th Congress in proposing the amendment. I ask unanimous consent that the list may be printed in the Record at this point.

There being no objection, the list was ordered to be printed in the Record, as follows:

SIXTY-EIGHT SENATORS COSPONSORING SENATE JOINT RESOLUTION 29, 87TH CONGRESS

Aiken, Allott, Anderson, Bartlett, Beall, Bennett, Bible, Boggs, Burdick, Bush, Butler, Byrd of West Virginia, Cannon, Capehart, Carlson, Case of New Jersey, Chavez, Church, Cooper, Cotton, Curtis, Dirksen, Dodd, Engle, Fong, Goldwater, Gruening, Hartke, Hayden, Hickenlooper, Holland, Hruska, Humphrey, Jackson, Keating, Kefauver, Kerr, Kuchel, Lausche, Long of Hawaii, Long of Louisiana, Long of Missouri, Mansfield, McCarthy, McGee, Metcalf, Monroney, Morse, Morton, Moss, Murphy, Muskie, Neuberger, Pastore, Pearson, Pell, Prouty, Randolph, Saltonstall, Scott, Smathers, Symington, Wiley, Williams of Delaware, Williams of New Jersey, Yarborough, Young of North Dakota, Young of Ohio—Total 68.

Mr. HOLLAND. Not only does the name of the distinguished Senator from Minnesota appear on the list, but I say publicly that he performed yeoman service in this effort.

For some Congresses the offerers of this resolution were southern Senators, and I do not want their names to be forgotten. I refer among others to my distinguished colleague from Florida [Mr. Smathers], who unfortunately is absent on official business, but who has always supported this proposal, even before he became a Member of the Senate. There were such distinguished Senators as the late Senator from Georgia, Mr. George; the late Senator from Texas, Mr. Connally; and the late Senator from North Carolina, Mr. Hoey. There were others also, whose names appear in the hearing record. They all felt that this was the right thing to do—and the right way to do it.

It would have been completely impossible for any one man to do very much. It required a great amount of support in the Senate and in the House and by the legislatures in the States and by the Governors of the States.

I do not believe there is a precedent for this accomplishment in view of the fact that there was no organization behind the submission or ratification of this amendment. So far as I know, not a dollar was spent in propagandizing the amendment. Of course, the press has been generous in its treatment of it. Many Senators and many House Members and others have worked hard for it, but there has never been an organization of any kind behind it, and I believe there has never been an amendment which has been the result of such purely democratic processes and through such a bipartisan effort.

In the House of Representatives, Representative Celler, of New York, chairman of the House Judiciary Committee, and Representative McCulloch, ranking minority member, were in the forefront of Representatives from all sections of our country who advocated passage of the resolution calling for the amendment and ratification thereafter by the respective States.

I wish that the pressing business of the Senate permitted me to express my appreciation at this time to other Members of this body, whose names I have already listed in the RECORD, and who contributed so much to the success we enjoy today.

However, in a nostalgic moment, I wish to have the imperishable RECORD show the truly great contribution the late Senator Estes Kefauver, of Tennessee, gave to this cause. Senator Kefauver, whose presence is so greatly missed in this body, not only was an early cosponsor, but, as chairman of the Constitutional Amendments Subcommittee of the Committee on the Judiciary, kindly allowed me to be heard on this matter on two or three different occasions, in different Congresses. Under his leadership the subcommittee favorably reported my resolution proposing adoption of the amendment, and he supported it vigorously on the Senate floor.

It is of significance to note that his State, Tennessee, was the first Southern State to ratify this amendment to the Constitution which eliminates the poll tax as a requirement for voting in national elections throughout the country. He was most active in that successful effort.

As I have stated, Mr. President, I can recall no occasion during my service in the Senate—and I have served as a Member of this body for 17 years—when there has been a more completely bipartisan effort on a major issue than there has been on the 24th amendment to the Constitution.

Mr. MORSE. Mr. President, will the Senator yield briefly?

Mr. HOLLAND. I am glad to yield to the Senator from Oregon.

Mr. MORSE. I interrupt the Senator at this time only because I have an important engagement downtown. I congratulate the Senator from Florida for the statesmanship in the Senate that he has contributed by his leadership on the poll tax amendment. His modesty has caused him to spread the credit. That is typical of him. The fact remains that there would have been no anti-poll-tax amendment had it not been for the statesmanship of the Senator from Florida.

The State of Illinois was the first State to ratify the amendment. New Jersey was the second. I am proud to say that Oregon was the third State.

In keeping with the long history in my State of a belief in direct democracy practiced by all the people, based upon the right of all people to vote, I am very glad Oregon made that contribution by being the third State to ratify the amendment. But irrespective of the accomplishment of any State, the wonderful thing is that a blow has been struck in this country today, by the adoption of the 24th amendment, for strengthening the guarantees of control of government by the people, making the people the masters and never the servants of Government.

Mr. YARBOROUGH. Mr. President, will the Senator from Florida yield?

Mr. HOLLAND. I yield.

Mr. YARBOROUGH. I commend the distinguished Senator from Florida for his long leadership in this fight. I concur in the remarks that have been made that without his consistent leadership, his consistent effort in Congress after Congress, session after session, we would not see this successful conclusion to the adoption of the 24th amendment to the Constitution.

I appreciate the Senator's generosity in permitting other Senators to cosponsor the joint resolution. I was one of those privileged to be a cosponsor.

My own State of Texas has a poll tax. I have long opposed it. I campaigned for its repeal when the proposal was submitted to the people of Texas in the 1940's. The proposal to repeal the poll tax in Texas was rejected.

I again campaigned for its repeal. The proposal was placed upon the ballot in both the Democratic and the Republican primaries in Texas in 1962. Both parties voted with a heavy majority in favor of repeal. The question was submitted to the people last year, 1963, but the poll tax repeal was rejected. The poll tax is still in effect.

I regret that the State government did not see fit to ratify the 24th amendment. I wrote letters to the leaders of the State and to the members of the legislature of my State, urging the ratification of the 24th amendment. The legislature did not see fit to do so.

I feel confident that under the impetus of the 24th amendment, prohibiting the poll tax from being used as a bar to voting in Federal elections, the next Legislature of the State of Texas will resubmit the question to the people of Texas, so that they will again have an opportunity to vote to repeal our State poll tax by a constitutional amendment and thereby have, after this year, uniform regulations, requirements, and qualifications for voting.

The distinguished record which the Senator from Florida has compiled in fighting to broaden the franchise in America is significant. Since the Bill of Rights was proclaimed by Secretary of State Jefferson to have been adopted in 1792, 172 years have passed, and in those 172 years of the many amendments to the Constitution that have been adopted, and of the many that were proposed but were not adopted, 14 were amendments to expand and broaden the franchise in America.

If we study what has happened to the Constitution in the past 172 years, we see that Congress, the States, and the people have shown more interest in broadening democracy by bringing the franchise home to the people than has been shown with respect to any other subject.

On the last 10 amendments to the Constitution, adopted during the past 93 years, 4 have dealt with the expansion of the franchise: the 15th, prohibiting servitude and slavery; the 19th, prohibiting discrimination by sex—the woman suffrage amendment; the 23d, adopted in 1961, extending the franchise to the District of Columbia; and now the 24th, prohibiting the use of the poll tax as a bar to voting.

Of the last 10 amendments adopted in the last century, excluding the prohibition amendment and the amendment for its repeal, 4 amendments were to expand the franchise.

So the distinguished senior Senator from Florida, through his activities during the last 15 years, has improved the growth of American democracy by the expansion of the right of the people to vote without the payment of a poll tax. That has been one of the developments of constitutional law through the adoption of constitutional amendments.

Again, I commend the Senator from Florida.

Mr. HOLLAND. I thank the distinguished Senator from Texas. I am indeed glad he has analyzed the amendments to the Constitution in the way he has. I thank him particularly for his generous comment about me. I appreciate his cosponsorship and also his strong efforts in Texas in behalf of the adoption of the 24th amendment. I feel certain that it will not be long before we shall see his efforts in Texas bear fruit in the way that he and I would like to see them do so.

Mr. President, I am glad to yield to my friend from the great Golden State of California, without whose friendship the State of Florida would be poorer, indeed.

Mr. KUCHEL. I thank the Senator from Florida. He is a good man, and he has demonstrated a devotion to duty and leadership which has extended over the years, and which now has resulted in the elimination of an undemocratic anachronism from the American political scene.

I congratulate him; I am glad to recall that I coauthored that constitutional amendment with him during the last several sessions. Many good things take a long time. He has patience and perseverance; and I am very glad on this occasion, when the Constitution of the United States has been amended in a forward-looking way, to salute my friend, the senior Senator from Florida.

I am proud of the State from which I come; Mr. President, I am proud upon this occasion to recall that the Legislature of California approved the proposed amendment sponsored by the Senator from [illegible]da and some others of us in this C[illegible]ber. All in all, this is a day of cong[illegible]ulations for the American people, an[illegible] I salute my friend, the senior Senator from Florida, who has led this victorious struggle in the interest of the American people.

Mr. HOLLAND. Mr. President, I am most grateful for the comment of my distinguished friend. I yield to the Senator from Connecticut.

Mr. DODD. Mr. President, I want to join all of those who justly praise the work that the senior Senator from Florida has done.

Mr. HOLLAND. I am so grateful for the kind comment of the distinguished Senator from Connecticut. I am proud to say he was a cosponsor of the ratification resolution and that his great State, the Nutmeg State, showed its traditional interest in good government by adopting this amendment. I thank him.

Mr. President, I ask unanimous consent to have printed in the RECORD, in connection with my remarks, the full text of the 24th amendment to the Constitution of the United States, which today has become a part of that imperishable document for all time to come.

There being no objection, the text was ordered to be printed in the RECORD, as follows:

SENATE JOINT RESOLUTION 29

Joint resolution proposing an amendment to the Constitution of the United States relating to the qualifications of electors

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the following article is hereby proposed as an amendment to the Constitution of the United States, which shall be valid to all intents and purposes as part of the Constitution only if ratified by the legislatures of three-fourths of the several States within seven years from the date of its submission by the Congress:

"ARTICLE —

"SECTION 1. The right of citizens of the United States to vote in any primary or other election for President or Vice President, for electors for President or Vice President, or for Senator or Representative in Congress, shall not be denied or abridged by the United States or any State by reason of failure to pay any poll tax or other tax.

"SEC. 2. The Congress shall have power to enforce this article by appropriate legislation."

JOHN W. MCCORMACK,
Speaker of the House of Representatives.
CARL HAYDEN,
President of the Senate pro tempore.

I certify that this Joint Resolution originated in the Senate.

FELTON M. JOHNSTON,
Secretary.

[Passed Senate March 27, 1962; passed House August 27, 1962; received by the Office of the Federal Register, NARS, General Services Administration, August 29, 1962.]

Mr. HOLLAND. Mr. President, I believe that the Members of this body who cosponsored the joint resolution proposing the 24th amendment, the Governors of the respective States which have ratified the amendment, and the legislatures of those States can look with considerable pride upon the rapidity with which ratification of the 24th amendment has been accomplished, and especially the legislative bodies of the 38 States which have ratified it.

Senate Joint Resolution 29, proposing this 24th amendment to the Constitution, was submitted by the General Services Administrator, to the respective legislatures, as provided by law, on September 14, 1962. Two months to the day later, on November 14, 1962, as has been noted, the great State of Illinois—from whence came Abraham Lincoln—became the first State to ratify the amendment by overwhelming votes in both houses of its legislative body. Illinois was followed quickly by New Jersey on December 3, 1962, and by Oregon, Montana, Maryland, Indiana, West Virginia, Colorado, and Utah in January of 1963, and by the 29 States hereafter listed in chronological order culminating with the State of South Dakota, which good news I bring to the Senate today.

In essence, the 38 States required by the Constitution completed ratification of the anti-poll-tax amendment within less than 15 months after the amendment's submission by the General Services Administrator, without, as I have said, any organized effort whatsoever to accomplish ratification other than the work of Members of this body, the respective Governors, and the members of legislatures in the States.

I request that a table showing the ratification of the 24th amendment by the respective States, giving the vote in each house of the legislatures and the dates of ratification, be printed in the RECORD at the conclusion of my remarks.

The PRESIDING OFFICER. Without objection, it is so ordered.

(See exhibit 1.)

Mr. HOLLAND. Mr. President, aside from the basic fact that for many years I have believed this step was right, I also think it is of the utmost importance that this action was taken by an amendment to the Constitution so that that document may reflect the fact that changes in the election machinery for Federal officials are clearly constitutional matters as set forth in the Constitution itself—article I, section 2—article 2, section 1, and the 17th amendment—all of which deal specifically with our election process.

As a matter of fact, I have always held the belief—and I am joined in this opinion by many constitutional lawyers in this country—that the Constitution prohibits the removal of the poll tax as a requirement for voting in Federal elections in any other way than by a constitutional amendment, despite the fact that the Senate has on several ill-fated occasions attempted to remove this barrier by statute—and wasted a great deal of time in doing so.

In closing, Mr. President, I wish again especially to express my deep appreciation to all Members of the Senate, on both sides of the aisle, who have—since I first introduced my resolution in 1949, in the 81st Congress—stood so stanchly beside me in the long fight to accomplish this goal.

As a member of the Florida State Senate, I joined with others in the repeal of Florida's State poll tax in 1937. I would like to say, Mr. President, that the State which I represent in part has had nothing but good results from that action—greater citizen participation in voting—and better government as a result. I understand that such results have followed similar action by other States which have repealed their poll taxes.

In conclusion, Mr. President, I feel keenly that the action taken by the 38 great States hereafter listed—which action has been so long needed—is rightful, is a step toward better government, and will produce elsewhere throughout the Nation the good results which have been evidenced in the States which have abolished the tax.

EXHIBIT 1

Ratification of anti-poll-tax amendment

State	Senate		House		Ratification
	Date	Vote	Date	Vote	
Illinois	Nov. 13, 1962	29 to 12	Nov. 14, 1962	150 to 12	Nov. 14, 1962
New Jersey	Dec. 3, 1962	18 to 0	Dec. 3, 1962	58 to 0	Dec. 3, 1962
Oregon	Jan. 22, 1963	25 to 3	Jan. 25, 1963	51 to 4	Jan. 25, 1963
Montana	Jan. 28, 1963	51 to 4	Jan. 22, 1963	56 to 37	Jan. 28, 1963
West Virginia	Feb. 1, 1963	32 to 0	Feb. 1, 1963	94 to 0	Feb. 1, 1963
New York	Feb. 4, 1963	52 to 2	Jan. 21, 1963	Unanimous	Feb. 4, 1963
Maryland	Jan. 24, 1963	27 to 0	Feb. 6, 1963	125 to 3	Feb. 6, 1963
California	Feb. 7, 1963	34 to 0	Feb. 7, 1963	70 to 3	Feb. 7, 1963
Alaska	Feb. 1, 1963	19 to 0	Feb. 11, 1963	27 to 8	Feb. 11, 1963
Rhode Island	Feb. 14, 1963	33 to 0	Feb. 7, 1963	72 to 0	Feb. 14, 1963
Indiana	Jan. 22, 1963	47 to 0	Feb. 19, 1963	Viva voce, unanimous.	Feb. 19, 1963
Utah	Jan. 29, 1963	23 to 0	Feb. 20, 1963	51 to 4	Feb. 20, 1963
Michigan	Feb. 20, 1963	30 to 0	Feb. 7, 1963	98 to 0	Do.
Colorado	Jan. 21, 1963	32 to 0	Feb. 21, 1963	64 to 0	Feb. 21, 1963
Ohio	Feb. 27, 1963	31 to 0	Feb. 6, 1963	119 to 3	Feb. 27, 1963
Minnesota	do	Unanimous	Feb. 19, 1963	Unanimous	Do.
New Mexico	Mar. 5, 1963	18 to 10	Mar. 5, 1963	63 to 0	Mar. 5, 1963
Hawaii	Mar. 6, 1963	25 to 0	Mar. 6, 1963	51 to 1	Mar. 6, 1963
North Dakota	Feb. 25, 1963	27 to 20	Mar. 7, 1963	79 to 28	Mar. 7, 1963
Idaho	Mar. 8, 1963	35 to 1	Mar. 6, 1963	55 to 2	Mar. 8, 1963
Washington	Mar. 14, 1963	44 to 0	Feb. 23, 1963	95 to 1	Mar. 14, 1963
Vermont	Feb. 6, 1963	Viva voce, unanimous.	Mar. 15, 1963	157 to 63	Mar. 15, 1963
Nevada	Feb. 14, 1963	14 to 0	Mar. 19, 1963	34 to 0	Mar. 19, 1963
Connecticut	Mar. 20, 1963	33 to 0	Mar. 6, 1963	251 to 4	Mar. 20, 1963
Tennessee	Mar. 21, 1963	22 to 1	Mar. 21, 1963	55 to 20	Mar. 21, 1963
Pennsylvania	Mar. 25, 1963	50 to 0	Mar. 6, 1963	183 to 1	Mar. 25, 1963
Wisconsin	Mar. 26, 1963	30 to 0	Feb. 28, 1963	93 to 0	Mar. 26, 1963
Kansas	Mar. 28, 1963	24 to 8	Mar. 14, 1963	111 to 0	Mar. 28, 1963
Massachusetts	Mar. 27, 1963	36 to 0	Mar. 28, 1963		Do.
Nebraska [1]	Apr. 4, 1963	41 to 0	(1)		Apr. 4, 1963
Florida	Apr. 12, 1963	36 to 6	Apr. 18, 1963	105 to 3	Apr. 18, 1963
Iowa	Mar. 28, 1963	48 to 0	Apr. 24, 1963	92 to 4	Apr. 24, 1963
Delaware	May 1, 1963	10 to 5	Apr. 1, 1963	24 to 8	May 1, 1963
Missouri	Mar. 18, 1963	31 to 8	May 13, 1963	150 to 7	May 13, 1963
New Hampshire	June 12, 1963	Viva voce	May 16, 1963	Viva voce	June 16, 1963
Kentucky	June 27, 1963	29 to 2	June 26, 1963	74 to 0	June 12, 1963
Maine	Jan. 16, 1964	Unanimous	Jan. 15, 1964	108 to 34	Jan. 16, 1964
South Dakota	Jan. 23, 1964	do	Jan. 17, 1964	52 to 19	Jan. 23, 1964

[1] Unicameral.

Mr. CLARK. Mr. President, will the Senator from Florida yield?

Mr. HOLLAND. I am glad to yield.

Mr. CLARK. I wish to add my tribute to those of the other Senators, for the untiring work the senior Senator from Florida has done for many years to get through the Congress this constitutional amendment to eliminate the poll tax, and for using his very great influence in the successful efforts to have it adopted by the various State legislatures. Certainly the Senator from Florida can sleep very well tonight, with a consciousness of a fine job well done in the public interest.

Mr. HOLLAND. I thank the Senator from the great State of William Penn, which always has believed in the freedom of the people. His joining as a cosponsor of this measure and his help in obtaining its passage by the Senate and the ratification of the amendment by the legislature of his own State are characteristic of one who so excellently represents that great State.

Mr. President, I yield the floor.

FILING OF CLAIM BY DEPARTMENT OF JUSTICE AGAINST McCLOSKEY & CO., PHILADELPHIA

Mr. CLARK. Mr. President, yesterday the senior Senator from Delaware [Mr. Williams] had printed in the Record certain documents dealing with a lawsuit which has been brought by the Federal Government against the firm of Matthew H. McCloskey & Co.

This afternoon, I was visited by Mr. Thomas D. McCloskey, president of McCloskey & Co., who handed me a statement giving the position of his corporation and his father in this regard.

I ask unanimous consent that a copy of the statement be printed at this point in the Record.

There being no objection, the statement was ordered to be printed in the Record, as follows:

Statement Issued by Thomas D. McCloskey, President of McCloskey & Co.

I have talked by telephone with Ambassador Matthew H. McCloskey in Dublin, Ireland. As a result of these conversations, we would like to make the following comments with regard to the various reports which have been appearing in the press.

McCloskey & Co. was awarded the contract for the Boston Veterans Hospital as the lowest bidder after the public opening by a contracting officer for the U.S. Government of sealed competitive bids. We were the lowest of 15 bidders. The contract was performed strictly in accordance with its terms and under the constant surveillance and inspection of representatives of the Government, the architects, and the engineers.

The hospital was officially accepted after a thorough final inspection and final payment was made by the Government on June 13, 1952, as having been constructed in full compliance with the requirements of the contract. Almost 12 years later McCloskey & Co. received a demand dated December 24, 1963, from the Department of Justice for the payment of nearly $5 million. According to newspaper reports similar demands have been made upon the architects and the engineers.

We categorically deny that there is any basis whatsoever for these charges.

The press statement has also been made that the construction of the Rayburn House Office Building is more than 2 years behind schedule. This contract was also awarded as a result of the public opening by a contracting officer for the U.S. Government of sealed competitive bids. We were the lowest of seven nationally known construction companies who bid on this building. The original contract completion date is August 9, 1964. We are presently ahead of schedule.

As for the D.C. Stadium, this contract was also awarded as a result of the public opening by a contracting officer for the U.S. Government of sealed competitive bids. McCloskey & Co. was the lowest bidder of 10 nationally known construction companies. After the award of the contract, a performance bond was placed through our regular insurance brokers in Philadelphia and written by the Aetna Casualty & Surety Co.

We have filed a claim in connection with the construction of the D.C. Stadium based upon the fact that we were required to complete the work ahead of schedule in order to make the stadium available for the opening game of the Washington Redskins professional football team in the fall of 1961.

This claim is being processed through normal channels by our attorneys, Sellers, Conner & Cuneo.

Mr. CLARK. I hope Senators will read this statement with care. It is always easy, Mr. President, to assassinate character; sometimes it is difficult to defend one's own integrity.

As I said on the floor yesterday, I hope this lawsuit will not be tried on the floor of the Senate; instead, I hope the determination of the equities and the justice of the matter will await the determination by a court, or perhaps by a jury.

NEGOTIATIONS TO PERMIT SOVIET COMMERCIAL FLIGHTS TO THE UNITED STATES

Mr. DODD. Mr. President, as the Senate knows, our representatives have been meeting with Soviet representatives for some time now, for the purpose of negotiating an agreement that will pave the way for nonstop flights between the United States and the Soviet Union, with reciprocal privileges for Pan American Air Lines and the Soviet air line, Aeroflot.

Two years ago last August, an agreement was initiated by both sides, although the technical annex and other supplements to the agreement remained to be worked out. Thus far, however, the agreement has not been signed, thanks largely to Soviet haggling over details in the technical annex.

Perhaps it is a good thing that we have been given this pause, because it may enable us to sit back and examine all the implications of the proposed agreement before we commit ourselves irrevocably.

For my own part, I can see no advantages to the United States in the proposed agreement, and I can see many grave disadvantages.

I find it difficult to understand the rationale behind the present negotiations, because until recent years it has been our official policy to oppose any such agreement and to strive to discourage the conclusion of any such agreements between the Soviet Union and Latin American countries and other countries in the Western sphere of influence.

On March 13, 1963, the New York Times carried a UPI item which stated:

> Najeeb E. Halaby, head of the FAA, indicated today that the Kennedy administration would continue to oppose giving the Soviet Union permission to operate commercial flights to the United States. Interviewed on a Voice of America program beamed overseas, he said that Aeroflot, the Soviet airline was not really a commercial carrier, but "just an adjunct of military aviation." Negotiations between the United States and the Soviet Union on a bilateral air agreement broke off several months ago.

I believe that Mr. Halaby's statement of last March 13 is precisely as applicable today as it was on the day when he made it.

But there are other vital reasons for opposing such an agreement. One of these reasons was stated so cogently in a letter I received from an American U.N. employee that I wish to quote his words directly:

> Their embassy and U.N. staffs number several hundred people. If they could shuttle between New York and Moscow twice a week in their own planes, think of how much secret material, military secrets, scientific and technical data and other valuable information gathered for them by their friends and operatives in this country they could tuck away without detection. They will be able to carry away tons of so-called diplomatic mail.

By the same token, if the Soviets, in the wake of an agreement with the United States, were to conclude commercial air flight agreements with Latin American countries or with other countries in sensitive areas, that would seriously facilitate the task of subversion and espionage in all of these countries.

It is because we have frankly recognized this danger that in the past we have used our influence to discourage such agreements. Once we sign an agreement of our own, however, we shall completely surrender our power of restraint. The floodgates will be opened; and I venture the prediction that before several years have passed, all of the important countries in Latin America, Africa, and Asia will have followed our example.

Even from a commercial standpoint, the proposed agreement would constitute a serious liability, because it would undercut the American overseas airlines.

The agreement cannot be justified in terms of Soviet tourist traffic to the United States, because in recent years this has amounted to less than 150 people per annum. On the other hand, American tourist traffic to the Soviet Union last year ran approximately 15,000. In order to operate commercial flights to the United States on a profitable basis, Aeroflot would have to bid for a substantial chunk of this American tourist traffic.

Mr. President, again I wish to express the hope that we shall pause long enough to weigh the potential disadvantages of the proposed agreement against any conceivable advantages, before we commit ourselves to a course which, I am certain, we would all live to regret.

PLANNING IN METROPOLITAN AREAS

Mr. HUMPHREY. Mr. President, I move that the Senate proceed to the consideration of Calendar No. 799, Senate bill 855.

The motion was agreed to; and the Senate proceeded to consider the bill (S. 855) to provide for more effective utilization of certain Federal grants by encouraging better coordinated local review of State and local applications for such grants, which had been reported from the Committee on Government Operations, with amendments, on page 1, line 5, after the word "the", to strike out "governmental needs" and insert "problems growing out"; on page 2, line 1, after the word "process", to insert "to encourage areawide comprehensive planning on a continuing basis;"; in line 4, after the word "coordinating", to strike out "metropolitan" and insert "areawide"; in line 6, after the word "Federal", to insert "loans or"; in line 7, after the word "renewal", to strike out "activities" and insert "and open-space land projects"; in line 10, after the word "works", to strike out "urban"; in the same line, after the word "highways", to insert "transportation facilities,"; in line 11, after the word "area", to strike out "defined by the Bureau of the Budget as a standard metropolitan statistical area"; in line 15, after the word "for", to strike out "grants" and insert "a loan or grant"; in line 16, after the word "the", to strike out "types" and insert "type"; in line 17, after the word "recommendations", to strike out "thereon of an official State, metropolitan, or regional" and insert "with respect to the project involved by a"; in line 19, after the word "agency", to strike out "empowered under State or local laws or interstate compact to perform" and insert "designated to perform"; at the beginning of line 22, to strike out "metropolitan"; at the beginning of line 23, to strike out "or other agency or instrumentality designated for such purpose by the Governor (or Governors in the case of interstate planning)"; on page 3, line 4, after the word "renewal", to strike out "activity" and insert "or open-space project"; in line 5, after the word "planning", to strike out "(as defined in subsection (d) of section 701 of the Housing Act of 1954 as amended)"; at the beginning of line 9, to strike out "activity" and insert "project"; in line 17, after the word "the", to insert "loans or"; in line 18, after the word "Federal", to strike out "grants" and insert "loan or grant"; in line 21, after the word "if", to strike out "(i)"; in the same line, after the word "that", to strike out "the application" and insert "(i) a plan or description of the project, meeting the requirements of such rules and regulations as may be prescribed under section 3 hereof, of such application"; on page 4, after line 6, to insert:

(c) The requirements of subsections (a) and (b) shall also apply to any amendment of the application which, in light of the purposes of this Act, involves a major change in the project covered by the application prior to such amendment.

In line 11, after the word "The", to insert "Bureau of the Budget or such other agency as may be designated by the"; in line 13, after the word "as", to strike out "he deems" and insert "are deemed"; and after line 15, to insert a new section, as follows:

Sec. 4. As used in this Act—

(a) "Comprehensive planning" includes the following, to the extent directly related to area needs: (1) preparation, as a guide for long-range development, of general physical plans with respect to the pattern and intensity of land use and the provision of public facilities, including transportation facilities, together with long-range fiscal plans for such development; (2) programing of capital improvements based on a determination of relative priority, together with definitive financing plans for the improvements to be constructed in the earlier years of the program; (3) coordination of all related plans of the departments or subdivisions of the government concerned; (4) intergovernmental coordination of all related planned activities among the State and local governmental agencies concerned; and (5) preparation of regulatory and administrative measures in support of the foregoing.

(b) "Hospitals" means any public health center or general tuberculosis, mental, chronic disease, and other type of hospital, and related facilities, such as laboratories, outpatient departments, nurses' homes and training facilities, and central service facilities normally operated in connection with hospitals, but does not include any hospital furnishing primarily domiciliary care.

(c) A "metropolitan area" or "area" means either (1) a standard metropolitan statistical area as defined by the Bureau of the Budget, except as may be determined by the President or by the Bureau of the Budget as not being appropriate for the purposes of this Act, or (2) any urban area, including those surrounding areas that form an economic and socially related region, taking into consideration such factors as present and future population trends and patterns of urban growth, location of transportation facilities and systems, and distribution of industrial, commercial, residential, governmental, institutional, and other activities, which the President or the Bureau of the Budget determines to be appropriate for the purposes of this Act.

(d) "Planning agency" means an official State, or metropolitan, or regional planning agency empowered under State or local laws or under an interstate compact or agreement to perform planning in an area, or such other agency or instrumentality as may be designated by the Governor (or, in the case of metropolitan areas crossing State lines, any one or more of such agencies or instrumentalities as may be designated by the Governors of the States involved) to perform such planning.

(e) "State" means any State, the District of Columbia, the Commonwealth of Puerto Rico, and any territory or possession of the United States.

So as to make the bill read:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, in order to assist Federal, State, and local governments to increase their economy and efficiency of operations in meeting the problems growing out of the increasing concentration of population in metropolitan areas; to facilitate the coordination of intergovernmental relationships and activities on a continuing basis; to provide more effective exchange of information among the governments concerned at the earliest possible stage of planning and throughout the planning and development process; to encourage areawide comprehensive planning on a continuing basis; and to encourage State and local governments to establish or improve facilities for coordinating areawide development, all applications made after June 30, 1965, for Federal loans or grants to assist in carrying out urban renewal and open-space land projects or for the construction of hospitals, airports, water supply and distribution facilities, sewerage facilities and waste treatment works, highways, transportation facilities, and public housing within any metropolitan area shall be subject to the provisions of this Act.

Sec. 2. (a) Except as provided in subsection (b) of this section, each application for a loan or grant of the type described in section 1 shall be accompanied (i) by the comments and recommendations with respect to the project involved by a planning agency designated to perform metropolitan or regional planning for the area within which the assistance is to be used, and (ii) by a statement by the applicant that such comments and recommendations have been considered prior to formal submission of the application. Such comments shall include information concerning the extent to which the proposed urban renewal or open-space project or the construction is consistent with comprehensive planning developed or in the process of development for the metropolitan area and the extent to which such project or construction contributes to the fulfillment of such areawide planning. The comments and recommendations and the statement referred to in this section shall, except in the case referred to in subsection (b) of this section, be reviewed by the agency of the Federal Government to which such application is submitted for the sole purpose of assisting it in determining whether the application is in accordance with the provisions of Federal law which govern the making of the loans or grants.

(b) An application for a Federal loan or grant need not be accompanied by the comments and recommendations and the statement referred to in subsection (a) of this section if the applicant certifies that (i) a plan or description of the project, meeting the requirements of such rules and regulations as may be prescribed under section 3 hereof, or such application has lain before an appropriate planning agency or instrumentality for a period of sixty days without comments or recommendations thereon being made by such agency or instrumentality or (ii) the application is consistent with and in furtherance of projects or plans previously reviewed by such agency or instrumentality in connection with prior applications.

(c) The requirements of subsections (a) and (b) shall also apply to any amendment of the application which, in light of the purposes of this Act, involves a major change in the project covered by the application prior to such amendment.

Sec. 3. The Bureau of the Budget or such other agency as may be designated by the President is hereby authorized to prescribe such rules and regulations as are deemed appropriate for the effective administration of this Act.

Sec. 4. As used in this Act—

(a) "Comprehensive planning" includes the following, to the extent directly related to area needs: (1) preparation, as a guide for long-range development, of general physical plans with respect to the pattern and intensity of land use and the provision of public facilities, including transportation facilities, together with long-range fiscal plans for such development; (2) programing of capital improvements based on a determination of relative priority, together with definitive financing plans for the improvements to be constructed in the earlier years of the program; (3) coordination of all related plans of the departments or subdivisions of the government concerned; (4) intergovernmental coordination of all related planned activities among the State and local governmental agencies concerned; and (5) preparation of regulatory and administrative measures in support of the foregoing.

(b) "Hospitals" means any public health center or general tuberculosis, mental, chronic disease, and other type of hospital, and related facilities, such as laboratories, outpatient departments, nurses' home and training facilities, and central service facilities normally operated in connection with hospitals, but does not include any hospital furnishing primarily domiciliary care.

(c) A "metropolitan area" or "area" means either (1) a standard metropolitan statistical area as defined by the Bureau of the Budget, except as may be determined by the President or by the Bureau of the Budget as not being appropriate for the purposes of this Act, or (2) any urban area, including those surrounding areas that form an economic and socially related region, taking into consideration such factors as present and future population trends and patterns of urban growth, location of transportation facilities and systems, and distribution of industrial, commercial, residential, governmental, institutional, and other activities, which the President or the Bureau of the Budget determines to be appropriate for the purposes of this Act.

(d) "Planning agency" means an official State, or metropolitan, or regional planning agency empowered under State or local laws or under an interstate compact or agreement to perform planning in an area, or such other agency or instrumentality as may be designated by the Governor (or, in the case of metropolitan areas crossing State lines, any one or more of such agencies or instrumentalities as may be designated by the Governors of the States involved) to perform such planning.

(e) "State" means any State, the District of Columbia, the Commonwealth of Puerto Rico, and any territory or possession of the United States.

Mr. HUMPHREY. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 821), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

OBJECTIVE OF S. 855

The principal objects of S. 855 are to promote the most efficient and coordinated application of Federal and State funds within specified urban areas and to provide a required safeguard to prevent the several Federal and State programs from coming into conflict. By requiring certain Federal loan and grant applications to be accompanied by the comments and recommendations of an official areawide planning agency, improved areawide coordination and cooperation will be encouraged and assurance will be given of a necessary interchange of information among State, local, and Federal officials. Substantial amounts of Federal, State, and local funds allocated to meet the challenges of urban development are inevitably wasted if directed to solving only one specific problem at a time. Such expenditures should be in harmony with broad community goals, and S. 855 will help to achieve this objective.

The bill, as introduced, is based on one of the recommendations of the Advisory Commission on Intergovernmental Relations contained in its July 1961 report entitled "Governmental Structure, Organization, and Planning in Metropolitan Areas." Pertinent excerpts from this report follow:

"4. Review, by a metropolitan planning agency, of applications for certain Federal grants-in-aid.

"The Commission recommends the enactment of legislation to require that—after a specified subsequent date—all applications for Federal grants-in-aid for airport construction, waste treatment works, urban renewal, public housing, hospital construction, and urban highways, received from political subdivisions located within metropolitan areas or which pertain to projects in such areas, bear evidence of having been reviewed and commented upon—not necessarily approved—by a legally constituted metropolitan planning agency having scope and responsibility for comprehensive planning for the metropolitan area and being representative of the population and governmental units of the area as a whole.

"The Commission has noted repeated instances where an official of a political subdivision in a metropolitan area learns through the newspapers of a Federal grant for a hospital, sewage treatment plant, or other large physical facility in a neighboring subdivision. Quite often recriminations follow regarding the need for improved interchange of information and for improved coordination in planning for governmental facilities in the metropolitan area. The Commission believes that considerations of economy alone, in addition to all of the other factors mentioned in this report, demand a firm requirement for full exchange of information within metropolitan areas prior to sizable Federal contributions for physical facilities in the area. To this end the above recommendation is directed.

"The existence of comprehensive planning at the metropolitan level is not an end in itself. As has been pointed out earlier, there is always the danger of such plans attaining an 'ivory tower' aspect and not having a clear-cut role in the governmental process. It would appear advisable to build the metropolitan area planning function into that process, especially as it applies to Federal functional grants-in-aid.

"Precedent already exists for such a procedure. As already mentioned earlier in this report the Housing Act of 1954 requires that urban renewal and public housing grant requests from localities to the Urban Renewal Administration of HHFA must be in the context of an acceptable workable program which includes a comprehensive community plan. This provision stemmed from the report of the President's Advisory Committee on Government Housing Policies and Programs, issued in December 1954, which emphasized that the Federal Government should do everything possible to insure that the aid provided 'will actually do the job intended and that it will cover the maximum ground.' This legal requirement has obviously motivated communities with urban renewal and public housing needs to do the kind of planning jobs that are recommended herein for metropolitan areas.

"Another example, in limited form, of the concept embodied in the above recommendation is found in Senate bill 3877 of the 86th Congress, designed to provide for more effective coordination between highway planning and other types of community and land-use planning and which called for the establishment of a system whereby the State highway department would submit for comment that part of its highway plan which deals with metropolitan areas to the unit approved by the State which has metropolitanwide planning responsibilities. This would build together the planning aspects of the highway program on the one hand and the metropolitan area comprehensive planning program on the other on an advisory basis at the metropolitan area level, with the planning work of two State bodies coordinated at that level. While no veto power is provided, the metropolitan area planning agency would become an integral part of the process of regional highway planning.

"The practical effects of the Commission's recommendations for the channeling of applications for Federal functional grants-in-aid through metropolitan planning agencies would be to require the enactment of State enabling legislation providing for the creation of an areawide planning agency in each metropolitan area of the State. Some may argue that such a proposal invades the prerogatives of the State or that it forces cooperation where the desire to cooperate may not exist. The Commission believes that the time has come to insure cooperation among local units of government in the metropolitan areas and that the main continuing burden of so insuring rests with the State governments. However, the Commission also believes that both as a means of backing up the efforts of the State and as a means of assuring improved coordination of Federal programs, the requirement recommended above would serve many useful purposes, while still providing freedom of action to State and local units of government with regard to the kinds of Federal grants applied for, and flexibility of decision to the Federal agencies concerned. Under the Commission's proposal, the metropolitan planning agency would not have a veto power over a Federal grant application; the Federal agency concerned could still approve the grant in the face of a negative recommendation by the planning agency. However, as a minimum, information exchange among units of governments at the local level and among Federal agencies at the Washington level would be facilitated, and better coordinated planning locally, at the State capital, and in Washington is a hopeful result.

"In the foregoing recommendations the Commission is urging that the National Government take action to stimulate, assist, and itself use the services of State and local government agencies concerned with metropolitan area planning. It may be useful, in conclusion, to anticipate and comment on two queries that might reasonably be raised concerning these proposals: 'Cannot State and local governments themselves afford to finance metropolitan area planning without Federal assistance?' and 'Where are the people to be found to handle competently the proposed additional activity with regard to metropolitan area planning?'

"It can readily be agreed that the amount of money which can be effectively invested in governmental planning for metropolitan areas will, in the early future, be limited by delays inherent in the establishment and staffing of appropriate agencies. At least during the next few years, there is directly involved a total sum which for the Nation as a whole could be measured at most in tens of millions rather than hundreds of millions of dollars. The case for Federal underwriting of a portion of these costs does not rest on any argument that States and local governments could not carry this financial load. It is the Commission's belief, however, that the Nation has a legitimate and direct concern in adequate forward planning for its metropolitan communities, and that the National Government's participation in the relatively limited costs involved can help to strengthen our Federal system.

"On the question of potential shortages of 'planning' personnel, it should again be emphasized that the Commission envisages the planning function as a necessary, practical part of the process of effective local government in metropolitan areas rather than as an isolated activity remote from the controlling political instrumentalities and day-to-day problems of local government in such areas. As this will suggest, the expansion of agencies charged with comprehensive planning for metropolitan areas will call for persons with various background and skills—not only 'planners' in the traditional sense, but engineers, economists, and others having a background in particular fields—no doubt in many cases based on experience in the existing structure of local and State governments. Certainly, as studies of the Municipal Manpower Commission show, local governments already are handicapped—in common with other employers—by a shortage of people qualified to handle difficult professional and technical responsibilities. Vigorous and continuing efforts will need to be made by public and private agencies and by institutions of higher education toward augmenting the resources of skilled manpower required by government at all levels. The Commission hopes and believes that the development of vigorous and effective agencies for metropolitan area planning will increase incentives to enable young people to become qualified for work in this field."

The amendments were agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

The title was amended, so as to read: "A bill to provide for more effective utilization of certain Federal loans or grants by encouraging better coordinated local review of State and local applications for such loans or grants."

SALE OF PART OF CHELI AIR FORCE STATION

Mr. HUMPHREY. Mr. President, I move that the Senate proceed to the consideration of Calendar No. 800, Senate bill 1928.

The motion was agreed to; and the bill (S. 1928) to authorize the Administrator of General Services to sell a part of the former Cheli Air Force Station to Chanslor-Western Oil & Development Co., by negotiation, and for other purposes, was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Administrator of General Services is authorized, without regard to the provisions of section 203(e) of the Federal Property and Administrative Services Act of 1949 (63 Stat. 377), as amended, to negotiate a sale to Chanslor-Western Oil and Development Company of the approximately fifty acres of land in the former Cheli Air Force Station which lie to the east of Eastern Avenue in the city of Bell, county of Los Angeles, State of California, and were included in the report of excess real property of March 24, 1960, as amended, to the Administrator of General Services, to the extent that said land is determined by the Administrator of General Services to be surplus property. Such sale of land is to be made at its current fair market value as determined by the Administrator of General Services.

SEC. 2. If, within ninety days following the receipt of a notice from the Administrator of General Services of the fair market value of said land and of the terms and conditions that would be acceptable for such a sale, Chanslor-Western Oil and Development Company does not submit an acceptable offer to purchase in accordance with the terms and conditions specified by the Administrator of General Services or fails to propose satisfactory arrangements for consummating the purchase, the Administrator of General Services may dispose of said land in accordance with the provisions of the Federal Property and Administrative Services Act of 1949 (63 Stat. 377), as amended.

Mr. HUMPHREY. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 822), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

PURPOSE

The purpose of the bill is to authorize the Administrator of General Services to negotiate a sale to the Chanslor-Western Oil & Development Co. of approximately 50 acres of land in the former Cheli Air Force Station at Bell, Calif., without regard to section 203 (e) of the Federal Property and Administrative Services Act of 1949 (40 U.S.C. 484(e)) which requires a public advertising for bids. The proposed sale would be conditioned upon a determination by the Administrator of General Services that the land is surplus property and would be made at the current fair market value as determined by the Administrator. The bill further provides that if, within 90 days following the receipt of notice from the Administrator of the fair market value and of the terms and conditions of the proposed sale, the company does not submit an acceptable offer to purchase in accordance with such terms or conditions, or fails to propose satisfactory arrangements for consummating the purchase, the Administrator may dispose of the property in accordance with the provisions of the Federal Property and Administrative Services Act of 1949.

BACKGROUND

In effect S. 1928 authorizes a negotiated sale of surplus property to a former owner. In 1943 and 1944, the Santa Fe Railway, the parent of the Chanslor-Western Oil & Development Co., donated two tracts of land to the U.S. Government totaling 388 acres for use as a site for the Cheli Air Force Base. The site was subsequently improved by the construction of 91 buildings, including 27 warehouses, and the installation of utilities and transportation facilities at a cost to the Government of $10,259,000. The 50 acres covered by S. 1928 is an unimproved portion of the land originally donated by the Santa Fe Railway.

During the 87th Congress a special subcommittee consisting of Senator EDMUND S. MUSKIE as chairman and Senator JACOB K. JAVITS held hearings on S. 1497, a bill which would have authorized the conveyance of the entire Cheli base to the Chanslor-Western Oil & Development Co. for an amount equal to the value of the buildings and improvements only. The subcommittee, after an extensive review of the surplus property program, with particular emphasis on the role of former ownership, tentatively concluded that S. 1497 should be amended to authorize the conveyance of the surplus property at the Cheli base to the former owner upon payment of the fair market value of both land and improvements. The pending bill embraces this recommendation. It was felt that this approach would recognize the equities of the former owner, by relieving it of the requirement of competitive bidding, and at the same time protect the Government's interest in the property. S. 1497 was not reported to the full committee in the 87th Congress, and the Government has now decided to retain the major portion of the base for further Federal use, thus leaving only 50 acres available for disposition as surplus property.

The Surplus Property Act of 1944 created a priority for former owners seeking to regain their property when declared surplus by the Government. However, this provision was not continued in the basic law when the Federal Property and Administrative Services Act was approved in 1949. Since that time efforts to reenact general statutory recognition of former owners have been overcome with the argument that the anticipated difficulties attendant to the administration of such a program, not only in terms of locating and identifying such owners, but also in connection with possible litigation that might result from such a program in terms of establishing former ownership and property lines, so far outweighed any merit to such a program as to preclude its reestablishment.

As an alternative, the General Services Administration has adopted the practice of disposing of surplus property at public auction where feasible when former owner interest has been evidenced. This has the twofold advantage of allowing former owners the opportunity of regaining their property, if desired, but also assures the Government an adequate return by virtue of open competition.

In this instance, however, the arguments advanced against general statutory recognition of former owners are not persuasive since the former owner is clearly identified, the property lines readily established, and there is no threat of litigation apparent.

Generally, in cases involving donated property, the General Services Administration takes the position, and the Congress has agreed, that where such property is not used or developed by the Government, then the property should be returned on the same terms as it was received. This appears based on the premise that the Government's implied consideration did not, or could not, under such circumstances, pass to the donor, and merely reflects a tacit recognition by both parties in land gift cases that consideration from the Government is expected even though the property is donated. On the other hand, when the property has been put to its intended use then the Government generally treats the property as any other and seeks disposal under the terms of the Federal Property and Administrative Services Act. Thus here, where part of the land was used and part unused, it appears that S. 1928 strikes a fair balance in allowing the former owner the right to regain the property upon payment of full fair market value.

The donor of this property maintains that it was persuaded by the War Department to delete from its original conveyance any provision which would have given the company a right to reacquire the land when it was no longer needed by the Government. The donor agreed to the deletion but did make clear at the time its interest in regaining the property when and if it became surplus to the needs of the Government, saying, in a letter transmitting the deeds to the Government that: "it would seem only equitable and fair that the Government should deed the property back to the Chanslor-Canfield Midway Oil Co. at the same consideration of $1 as the total value of the land only" (if the Government should at any future time relinquish title to other than a Government-owned corporation).

Minerals, petroleum, gases, and other hydrocarbon substances were reserved to the company in the deed conveying one of the two tracts to the Government, and all subsurface mineral rights in the other tract were conveyed to the company in 1946 pursuant to Private Law 363, 79th Congress. The equitable interest of the donor in this property was reflected in a letter from Secretary of War Henry L. Stimson, to the House Committee on Military Affairs in support of Private Law 363 which stated: "To deny the corporation the underlying mineral rights in the 211 acres involved would penalize the company for its cooperation in donating the premises to the Government in time of emergency and would clearly be inequitable (H. Rept. 865, 79th Cong., p. 4)."

The sponsor of S. 1928, Senator KUCHEL, noted other equities favoring the donor of this property in the following letter to the chairman, dated January 6, 1964:

U.S. SENATE,
COMMITTEE ON APPROPRIATIONS,
January 6, 1964.

Hon. JOHN L. MCCLELLAN,
Chairman, Committee on Government Operations, U.S. Senate, Washington, D.C.

DEAR JOHN: As you will recall, in the closing week of the last session I mentioned to you my interest in securing the approval of S. 1928, which is now pending before your committee.

The purpose of S. 1928 is to authorize the Administrator of the General Services Administration to negotiate a sale, at full fair market value, to the Chanslor-Western Oil & Development Co. of approximately 50 acres of land which is part of the former Cheli Air Force Station at Bell, Calif. This 50 acres is part of two tracts of land which total 388 acres and which were originally donated to the Government by the predecessor corporation of Chanslor-Western, then known as Chanslor-Canfield Midway Oil Co., a subsidiary of the Atchison, Topeka & Santa Fe Railway Co. This subsidiary has had a splendid record of industrial development in the Los Angeles area. During the Second World War, when the Government was in need of land on which to erect an Air Corps supply depot, the Army Air Corps approached Chanslor-Canfield and, early in 1943, an original parcel of 211 acres was conveyed to the U.S. Government for the consideration of $1. A second parcel of 177 acres of adjacent land was deeded to the Government on July 10, 1944, in order to meet the urgent need to expand this depot. Again the consideration was $1.

At the time of the transfer, Chanslor-Canfield asked the division engineer of the War Department who was handling the conveyance for return of the property at the same consideration of $1 when it was no longer necessary for the needs of the Government. The War Department informed Chanslor-Canfield that they had no statutory authority by which the Government could relinquish the land acquired by such a donation. Statutory authority was also lacking for the disposal of any improvements which the Government might make on the property.

Congress, in passing the Surplus Property Act of 1944, recognized the equity of permitting the donor to reacquire property when it was no longer needed by the Government. Unfortunately, this law expired on December 13, 1949. At that time there were no indications that the Government would declare the depot as surplus and unneeded for defense purposes.

The first indication that such land would be declared surplus came in 1960. Thus, on March 30, 1961, I introduced S. 1497 which would authorize reconveyance to the former owner of that portion of the property which was declared surplus to the needs of the United States in accordance with existing policy. A hearing was held on this bill by a special subcommittee of the Senate Committee on Government Operations consisting of Senators MUSKIE and JAVITS. The hearing was held on August 22, 1961.

Recently the General Services Administration has announced that only approximately 50 acres of the 388 acres will be released for disposal since the GSA has decided to utilize the improved portion of this surplus depot as a regional supply center for southern California. It is this 50 acres which has never been utilized by the Government and is unimproved which, under the provisions of S. 1928, the General Services Administrator would be able to sell at current fair market value as determined by him to Chanslor-Western. Under the bill if within 90 days following the receipt of notice from the Administrator as to the fair market value of this property and the terms and conditions of the proposed sale Chanslor-Western does not submit an acceptable offer to purchase or fails to propose satisfactory arrangements for completing the purchase, the Administrator may then dispose of the property in accordance with the provision of the Federal Property and Administrative Services Act of 1949.

The reconveyance of this land to Chanslor-Western is overwhelmingly supported by many communities in the area as well as business, labor, and civic organizations. Specifically the Los Angeles County division of the League of California Cities and the city councils of Bell, Downey, Huntington Park, Lynwood, Maywood, Montebello, Pico Rivera, South Gate, and Vernon have noted their endorsement as well as the Los Angeles County Federation of Labor, AFL-CIO, and the Los Angeles Building and Construction Trades Council to name but a few of the labor groups which have formally expressed their approval. Numerous local chambers of commerce have done likewise. Their support for this legislation is based on the fact that Chanslor-Western has a proven record of industrial development in the area and that with the return of this 50 acres, which they originally donated, to them appropriate industrial development will take place providing needed job opportunities for this growing area of Los Angeles County. The Bureau of the Budget on behalf of the President and the General Services Administration have noted their approval of this bill. I thus hope you and your committee might in the near future report S. 1928 favorably to the Senate.

With kindest regards.

Sincerely yours,

THOMAS H. KUCHEL.

Mr. KUCHEL. Mr. President, I move that the vote by which the bill was passed be reconsidered.

Mr. HUMPHREY. Mr. President, I move that the motion to reconsider be laid on the table.

The motion to lay on the table was agreed to.

Mr. KUCHEL. Mr. President, let the RECORD also show that no objection has been lodged by the executive agencies against this legislation.

CONVEYANCE OF PARCEL OF LAND TO LEXINGTON PARK VOLUNTEER FIRE DEPARTMENT, INC.

Mr. HUMPHREY. I move that the Senate proceed to the consideration of Calendar No. 801, House bill 3368.

The motion was agreed to; and the bill (H.R. 3368) to authorize the Administrator of General Services to convey by quitclaim deed a parcel of land to the Lexington Park Volunteer Fire Department, Inc., was considered, ordered to a third reading, read the third time, and passed.

Mr. HUMPHREY. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 826), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

PURPOSE

The purpose of H.R. 3368 is to authorize the Administrator of General Services to convey, upon such terms and conditions as he may prescribe, approximately 0.37 acre of land located in St. Marys County, Md., to the Lexington Park Volunteer Fire Department, Inc. (hereinafter referred to as the fire department), a body corporate of the State of Maryland, for the purpose of maintaining a fire station to provide continued protection for the facilities of the Naval Air Station, Patuxent River, Md., upon request, and for the adjacent locality.

As originally introduced, H.R. 3368 was identical to S. 445, which is also pending before this committee. The House Committee on Government Operations amended H.R. 3368 to provide for a reverter to the Government in the event the property to be conveyed by the bill was not used for the purpose for which it is to be conveyed. This amendment is in accord with recommendations on S. 445 made by this committee at an executive session held in April 1963.

BACKGROUND

The report of the House Committee on Government Operations (H. Rept. 831, 88th Cong.) contains the following explanation and background in support of the bill:

"This firehouse on a 0.37 acre tract was constructed by the Housing and Home Finance Agency when the housing project at Lexington Park, Md., which is adjacent to the Patuxent Naval Air Station, was developed in 1943. The Department of the Navy assumed management of the property in 1952; the premises were leased by the Government to the fire department for 10 years with an option to renew for another 10 years.[1] In consideration thereof the fire department paid $1 and, without cost to the Government, provided fire protection service to all Government-owned housing situated in the vicinity. Also, under the terms of the lease, all additions, improvements, and betterments to the property by the fire department became the property of the Federal Government.

On June 19, 1961, the Department of the Navy reported to GSA as excess property 42.5 acres of land at the Lexington Park housing project including the 0.37 acre tract on which the firehouse is situated and which is the subject of this bill.

"Under existing law,[2] the property could be conveyed at a monetary consideration to the fire department by negotiated sale on the basis of fair market value without competitive bidding. However, it is apparent that the Government has been receiving consideration in the form of firefighting services from the fire department since 1952, pursuant to the fire department's contractual obligation in the lease of the fire station. Furthermore, as specifically set forth in the bill, the fire department is willing to assume the obligation to provide such services for a further period of 20 years. Pertinent statistics for the past few years indicate that approximately 30 percent of the fire alarms answered by the fire department have been on Government property.

"GSA has appraised the 0.37 acre tract at $63,963, of which $10,763 represents improvements made by the fire department to the facilities; the balance consists of $20,000 in land value and $33,200 in improvements that have been placed there by the Federal Government.[3]

"The General Services Administration estimates that the value of fire protection services of the fire department to the Federal Government is approximately $4,100 a year. In addition to the improvements made by the fire department at a value in excess of $10,000, the fire department has maintained the building at a cost of approximately $500 per year."

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[1] Any prospective purchaser other than the fire department would purchase the facilities subject to the 10-year additional term of the lease resulting from the lessee's exercising its option to renew the lease for another 10-year period which will expire July 1, 1972. This would have a depressing, if not prohibitory, effect on a potential third-party purchaser.

Under the lease, the Government has the right at any time it considers the rent to be inadequate to request the lessee to negotiate for a revision of the rent to an appropriate amount. It is further provided that if the parties fail to agree within 30 days thereafter, the Government may determine a rental which the lessee shall be required to pay from the date on which the Government requested rental revision negotiations.

[2] Sec. 203(e)(3)(G) of the Federal Property and Administrative Services Act of 1949, as amended, 40 U.S.C. 484(e)(3)(G) 1958.

[3] The value of the lease penalty resulting from the fire department's exercising its lease renewal option was not figured into the value of the property. Inclusion of such would reduce the value of the Government's interest in the property.

TRANSPORTATION OF GOVERNMENT EMPLOYEES' PRIVATELY OWNED MOTOR VEHICLES TO ALASKA

Mr. HUMPHREY. Mr. President, I move that the Senate proceed to the consideration of Calendar No. 802, House bill 1959.

The motion was agreed to; and the bill (H.R. 1959) to authorize the transportation of privately owned motor vehicles of Government employees assigned to duty in Alaska, and for other purposes, was considered, ordered to a third reading, read the third time, and passed.

Mr. HUMPHREY. Mr. President, I ask unanimous consent to have printed in the Record an excerpt from the report (No. 827), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the Record, as follows:

PURPOSE

H.R. 1959 amends the Administrative Expenses Act of 1946 to permit the transportation, at Government expense, of privately owned automobiles of existing and newly appointed Federal civilian employees when they are assigned to duty in Alaska. Under present law, an employee who either wishes to or is expected to take his car to Alaska, must ship it there at his own expense or elect to drive as the mode of transportation for himself and his family, and then apply for reimbursement on a mileage basis under the Travel Expense Act. This has resulted in personal hardship for employees who did not choose to drive, or were required to travel when driving conditions were extremely difficult.

GENERAL STATEMENT

H.R. 1959, as amended, will remedy two problems for Federal civilian employees who may be sent to Alaska for nontemporary duty.

Under existing law, no authority exists to enable the departments and agencies to pay the shipping costs of privately owned automobiles to that State. An employee assigned to Alaska may (1) ship his car at his own expense or (2) use it as the mode of transportation for himself and his family to Alaska and be reimbursed on a mileage basis under the Travel Expense Act. The latter is very often done, but the drive could be extremely arduous, depending on the point of departure in the United States. Furthermore, driving conditions may be inconvenient and even hazardous during the winter months. This seems to be an unfair burden placed on employees who are assigned to Alaska for the convenience of the Government, and has limited the number who are willing to accept such assignments. Of course, it may be said that the employee is not required to take his car, but it is usually an advantage to the Government for the employee to have available his own means of local transportation, inasmuch as public transportation to all points in Alaska has not yet been perfected. Federal employees assigned to duty in the State of Hawaii, and at other points overseas, may now obtain the shipping costs for their cars. The State of Alaska has been treated differently because, even though separated, it is, by law, considered a part of the continental United States.

During the hearings, it was estimated that the cost of shipping an average-sized car from Seattle to Anchorage would be approximately $380, and the cost of shipping from Washington, D.C., to Juneau would be approximately $858.50.

The second problem involves the storage of household goods and personal effects of Federal employees assigned to duty in Alaska. Ordinarily, such goods and effects may be transported to Alaska at Government expense, but in many cases employees may be unable to take or unable to use their goods at their new post of duty. Under existing law, there is no authority for the Government to pay the cost of storage of such goods, although it may be done in the case of the State of Hawaii and other oversea posts. It seems only fair to relieve employees sent to Alaska of this financial burden, and bring them in line with other Federal employees overseas. This will be accomplished by the amendment which was proposed by the Department of the Army and joined by the Department of the Interior. It was also supported by the Bureau of the Budget.

The committee was advised that only infrequent use was expected to be made of the provisions of this bill, as the majority of employees assigned to Alaska would still be expected to drive there in their automobiles and to transport all of their household goods and personal effects.

The basic purpose is to make recruitment and transfer of qualified employees of the Federal service a little easier, and to remove what appear to be inequities in the conditions of employment of those assigned to the State of Alaska. Most Federal workers in Alaska are recruited from among the citizens of that State, but a goodly number must still be sent from the other United States.

AMENDMENT OF FEDERAL PROPERTY AND ADMINISTRATIVE SERVICES ACT OF 1949

Mr. HUMPHREY. Mr. President, I move that the Senate proceed to the consideration of Calendar No. 803, House bill 4801.

The motion was agreed to; and the bill (H.R. 4801) to amend subsection 506(d) of the Federal Property and Administrative Services Act of 1949, regarding certification of facts based upon transferred records was considered, ordered to a third reading, read the third time, and passed.

Mr. HUMPHREY. Mr. President, I ask unanimous consent to have printed in the Record an excerpt from the report (No. 828), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the Record, as follows:

PURPOSE

This bill would amend section 506(d) of the Federal Property and Administrative Services Act of 1949, as amended, by granting authority to certain Government officials to authorize the Administrator of General Services to certify to facts and make administrative determinations on the basis of information contained in records transferred from their agencies to the General Services Administration.

Under existing authority of law (44 U.S.C. 396) any official of the Government who is authorized to certify to facts on the basis of records in his custody is permitted to continue to certify on the basis of records which he or his predecessor has transferred to the General Services Administration. H.R. 4801 would amend this section of the law so that the Administrator of General Services would be authorized by the agency concerned to certify as to facts and make administrative determinations from the records in his custody.

The Administrator of General Services would be authorized to delegate and authorize redelegation of such authority under the provisions of subsection 205(d) of the Federal Property and Administrative Services Act of 1949.

BACKGROUND

The following explanation and justification for enactment of this bill has been transmitted to the President of the Senate and referred to the committee by letter dated March 4, 1963, from the Administrator of General Services:

"Since the establishment of Federal records centers, large quantities of Federal records have been transferred to these centers. Federal records centers are established and maintained by General Services Administration under statutory authority (64 Stat. 583; 44 U.S.C. 395). These centers now hold over one-third of all Federal records. The volume of requests for certifications has increased correspondingly with the growth of the Federal records centers. Approximately 3 million inquiries regarding records in the custody of the Administrator of General Services are received at the Federal records centers annually. As a consequence, GSA has found it necessary to staff the centers with competent and professionally trained personnel, who have developed a knowledge and sense of responsibility comparable to that of the personnel of the agencies which created the records. In many instances, GSA personnel at the records centers may be more familiar with the records than currently employed personnel of the record-creating agency, since records center personnel are continuously servicing these records.

"The present method of processing requests for certification provides that records center personnel conduct a search for the records, prepare the legal certification for signature, and transmit the documentation to the designated official in the record-creating agency for signature. This procedure is obviously time consuming and cumbersome. The proposed legislation would permit the record-creating agency to delegate the certifying authority to the Administrator of General Services in those instances where it appears that such action is in the best interest of the United States. Enactment of the legislation would in most cases relieve Federal agencies of a routine and perfunctory function and would eliminate unnecessary duplication of effort.

"As a matter of practice Federal records center personnel are the only individuals who have the necessary certifying knowledge with regard to facts contained in records of defunct agencies which have been transferred to the Federal records centers.

"The enactment of the proposed legislation would not require the expenditures of additional Federal funds. In fact, it would reduce duplication of effort and its enactment should result in economies."

Dr. Wayne C. Grover, Archivist of the United States, recommended enactment of this bill and testified before the House Committee on Government Operations as follows:

"In essence this legislation would permit agencies, if they wished, to delegate certification signing to GSA in addition to certification preparation.

"An example of this is found in 10 U.S.C. 3693 and 8693 in which the Congress has directed the Secretaries of the two Departments of the Armed Forces—Air Force and Army—to issue to veterans under certain conditions certificates of discharge in lieu of lost or destroyed certificates. Only the Secretary under the existing law, or his delegatee in the Department, can sign these at the present time. Our staff in the Military Personnel Records Center at St. Louis prepares between 75,000 and 90,000 of these certificates every year and forwards them to the appropriate service where they are signed by the Secretary's delegatee and dispatched. We believe this is not only a waste of the time of the officer who has to sign them, but it delays the dispatch of the certificate to the veteran.

"In cases like these, a delegation of authority to GSA from the agency that transferred the records would enable us to give service more promptly and economically than is now possible. In every case, of course, the transferring agency will have the final say as to what types of certifications and determinations it wishes to delegate. But we believe these agencies will be as willing as we are to eliminate unnecessary delays and paper shuffling as we are."

Dr. Grover also suggested that delegation of this authority would be at the discretion of the officials having the original custody of the records, and would not alter the legal efficiency of the certifications or administrative determinations as otherwise provided for by statute.

Enactment of an identical bill, S. 1234, introduced in the Senate at the request of the Administrator of General Services, was recommended by the Bureau of the Budget, Department of the Navy for the Department of Defense, and the sponsoring agency.

AUTHORIZATION FOR GOVERNMENT AGENCIES TO PROVIDE CERTAIN SERVICES TO OFFICERS AND EMPLOYEES OF THE UNITED STATES

Mr. HUMPHREY. Mr. President, I move that the Senate proceed to the consideration of Calendar No. 804, Senate bill 1833.

The motion was agreed to; and the bill (S. 1833) to authorize Government agencies to provide quarters, household furniture and equipment, utilities, subsistence, and laundry service to civilian officers and employees of the United States, and for other purposes, was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the head of each department, independent establishment, and Government corporation may, under such regulation as the President may prescribe and where conditions of employment or availability of quarters warrant it, provide, either directly or by contract, civilian officers and employees stationed in the United States, its territories and possessions, and the Commonwealth of Puerto Rico, with quarters (Government owned or leased), household furniture and equipment, utilities, subsistence, and laundry service.

SEC. 2. Rental rates for any Government owned or leased quarters provided under authority of section 1 of this Act, or occupied on a rental basis under authority of any other provision of law, and charges for any furniture and equipment, utilities, subsistence, and laundry service made available in connection with the occupancy of such quarters, shall be based on the reasonable value thereof to the officer, employee, or member of the uniformed services concerned, in the circumstances under which furnished. Such rates and charges shall be determined in accordance with such regulations as the President may prescribe, and the amounts thereof shall be paid by or deducted from the salary of such officer, employee, or member of the uniformed services, or otherwise charged against them: *Provided,* That the amounts of any payroll deductions for such charges shall remain in the applicable appropriation or fund, but whenever payments are made by any other method the amounts shall be credited to miscellaneous receipts of the Treasury or to such appropriation or fund as may be otherwise provided by law.

SEC. 3. Whenever, as an incidental service in support of a Government program, any Government owned or leased quarters, and any related furniture and equipment, utilities, subsistence, and laundry service are provided, under specific Government direction, to any person who is not an officer or employee of the Government or a member of the uniformed services, the rates and charges therefor, which shall be paid or otherwise credited to the Government, shall be determined in accordance with section 2 of this Act: *Provided,* That the amounts of any such charges shall be credited to miscellaneous receipts of the Treasury or to such appropriation or fund as may be otherwise provided by law.

SEC. 4. No civilian officer, employee, or member of the uniformed services shall be required to occupy Government owned or leased rental quarters unless the head of the agency concerned shall determine that necessary service cannot be rendered or property of the United States cannot be adequately protected otherwise.

SEC. 5. Section 2 of this Act shall not be construed as repealing or modifying any provision of law which may authorize the provision, without charge or at specified rates, of any of the items enumerated in section 1 of this Act, to any specific civilian officer or employee, or to any class of such officers or employees, or to such officers or employees under emergency conditions or to members of the uniformed services.

SEC. 6. Section 3 of the Act of March 5, 1928 (45 Stat. 193 (5 U.S.C. 75a)), is repealed.

Mr. HUMPHREY. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 829), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

PURPOSE

S. 1833, introduced by the chairman of the committee at the request of the Director of the Bureau of the Budget, is designed to clarify existing statutory authority for the providing of quarters, household furniture, etc., to civilian employees of the Government who occupy Government quarters.

S. 1833 is primarily perfecting legislation, based on an official recommendation of the Bureau of the Budget, which would:

(a) Restate existing authority to provide rental housing for civilian employees of the Government;

(b) Reinstate a statutory barrier against forced occupancy of Government rental housing such as was carried for some years in appropriation acts;

(c) Authorize the President to issue regulations for more equitable application of the laws relating to rental quarters and related services; and

(d) Clarify the applicability of the laws in certain cases not now clearly covered, such as rent for contractors' employees and members of the uniformed services who occupy rental housing.

The bill does not authorize any new construction or acquisition of Government quarters, nor does it alter the basic statutory policy that employees should pay a reasonable rate for housing provided them, nor affect special statutes which authorize housing rates or without charge.

BACKGROUND INFORMATION

In the 86th Congress, an almost identical bill (S. 3486) was reported by the Senate Government Operations Committee (S. Rept. 1570) and was passed by the Senate on June 14, 1960. No action was taken in the House.

In the 87th Congress, an almost identical bill, H.R. 7021, was favorably reported, without amendment, by the House Committee on Post Office and Civil Service on August 7, 1961 (H. Rept. 856). The bill passed the House of Representatives on August 21, 1961.

The following analysis of the legislation was prepared by the Bureau of the Budget:

"The bill would not authorize any new construction or other acquisition of quarters for any personnel. It would continue the authority, now covered by the act of March 5, 1928 (5 U.S.C. 75a), to provide quarters, household furniture and equipment, utilities, subsistence, and laundry service for civilian employees. It would also provide the basis for fixing rental rates and related charges for rental housing occupied by members of the uniformed services, but it would not change the existing authority to provide quarters and related items to such members. The bill would also apply in those instances (principally involving certain facilities of the Department of Defense and the Atomic Energy Commission) where non-Government personnel—usually contractors' employees—occupy Government quarters.

"Section 3 of the act of March 5, 1928 (5 U.S.C. 75a), is the only existing law of general application to civilian employees with respect to providing quarters and fixing rents. It reads as follows:

" 'The head of an executive department or independent establishment, where, in his judgment, conditions of employment require it, may continue to furnish civilians employed in the field service with quarters, heat, light, household equipment, subsistence, and laundry service; and appropriations of the character used before March 5, 1928, for such purposes are made available therefor: *Provided,* That the reasonable value of such allowances shall be determined and considered as part of the compensation in fixing the salary rate of such civilians.'

"This law established the equitable principle that the Government should charge employees the reasonable value of quarters and related items furnished to them. However, it does not by its terms apply to those Government quarters which are occupied by members of the uniformed services on a rental basis, nor to those Government quarters which may be occupied by persons who are not employees of the Government. Moreover, it is not specific enough for agencies to independently administer it with reasonable uniformity since it sets no detailed criteria for establishing rents and it does not expressly provide for Government-wide regulations thereunder. It gives no basis for determining reasonable value, that is, whether based on the commercial rental rates or comparable facilities, on the Government's investment in the quarters, or on other factors.

"Considerable variation in the interpretation of this 1928 law, and an evident failure by many agencies to charge their employees with the reasonable value of the quarters, came to the attention of both the Bureau of the Budget, and the General Accounting Office about 10 years ago. As a result, the Bureau of the Budget in 1951 issued its Circular No. A-45, which established certain procedures intended to make the various agency practices uniform and more equitable to both the Government and the employees concerned. This circular prescribed, as the basic criterion for determining reasonable value for rental purposes, that rents should be set at levels similar to those prevailing for comparable private housing located in the same area, after taking into account certain considerations which affect the value of the housing to the recipient, such as isolated location, and instances where an employee might, for the convenience of the Government, have to accept quarters of a size or quality beyond that which he would choose of his own accord. The proposed bill would provide statutory authority for regulations of the type now prescribed by the

Bureau of the Budget circular. The procedure contemplated by this bill is similar to that provided in other statutes dealing with employee allowances and benefits, such as the Travel Expense Act of 1949, as amended (5 U.S.C. 835–842), and the Government Employees Training Act (5 U.S.C. 2301 et seq.).

"Since 1928, several other laws have been enacted which authorize rental quarters of Government personnel. The act of July 2, 1945, as amended (37 U.S.C. 111a), authorized the occupancy of certain quarters on a rental basis by members of the uniformed services who are authorized to continue to receive their basic allowances for quarters. Sections 404(f) and 405 of the act of August 11, 1955, as amended (42 U.S.C. 1594a(f) and 1594b), authorized the occupancy by civilian personnel, on a rental basis, of Capehart housing and Wherry housing acquired by the Government, and occupancy of some Wherry housing by military personnel on that basis. These provisions of law did not specify how the rental rates were to be determined, and the draft bill would provide a basis for such determinations.

"Section 407(a) of the act of August 20, 1957 (42 U.S.C. 1594j), authorizes the rental of inadequate public quarters to members of the uniformed services, and provides that such personnel will be paid an adjusted quarters allowance amounting to the net difference between (1) the fair rental value of the inadequate quarters, and (2) their basic allowance for quarters. The section provides that it shall be administered under regulations approved by the President. These regulations have been issued by the heads of the departments concerned, after approval by the Director of the Bureau of the Budget, under a delegation of authority from the President in Executive Order No. 10766, dated May 1, 1958. In addition to setting standards of adequacy, these regulations prescribe methods of setting 'fair rental value' on the same basis as required by Budget Circular No. A-45. This bill would permit these housing rentals to be fixed under the proposed Government-wide regulations which the President would be authorized to prescribe.

"The bill would also permit the President to issue regulations to provide a similar basis for the determination of charges for household furniture and equipment, utilities, subsistence, and laundry service, where such items are authorized to be supplied by the Government.

"The draft bill also contains a prohibition against employees being required to occupy Government rental quarters unless a determination has been made that necessary service cannot be rendered or property of the United States cannot be adequately protected otherwise. Such a prohibition has appeared in annual appropriation act provisions in recent years."

CAPITAL GAINS—ONE OF THE BIGGEST LOOPHOLES OF THEM ALL

Mr. DOUGLAS. Mr. President, section 1(a) of the Internal Revenue Code sets forth the individual income tax rates now in effect in the United States, ranging, of course, from 20 percent to a high of 91 percent. The casual observer, looking at section 1(a), would naturally conclude that ours is a highly progressive tax system, effectively redistributing income by imposing severe taxes on the very wealthy. He would surmise, with a bit of calculation, that a person in the $50,000 to $100,000 income range would pay about 60 percent of his income in taxes; that a person in the $500,000 to $1 million range would pay nearly 89 percent of his income to the Government, and that those with incomes of more than $5 million would pay nearly 91 percent to the Treasury.

DIFFERENCE BETWEEN STATUTORY RATES AND REALITY

Such a casual observer, however, is in for a rude awakening. In actual fact, for the average person in the $50,000 to $100,000 range, his taxes amount not to 60 percent but to just over 31 percent of his income—half what the rates schedules seem to call for. For those in the $500,000 to $1 million group, taxes do not amount to 89 percent, but in practice on the average to just 31 percent—about a third of what the rate schedule apparently provides. And for the lucky 37 taxpayers with incomes of over $5 million, the discrepancy is even greater. In contrast to the 91 percent which the rate schedule calls for, they actually pay less than 25 percent, on the average, of their prodigious incomes to the Government—a little more than a fourth of what the section 1(a) rates apparently provide, and a rate just slightly higher than the lowest bracket rate. What is more, contrary to what one would logically expect from a graduated income tax, these multimillionaires—today, a "millionnaire" means not one who has $1 million in property but one who receives $1 million in income—actually pay less taxes, proportionately, than those with a 10th their income. The following table makes this clear:

Income group	Taxes as percent of income	
	Due rate per schedule	Average actually paid
$50 to $100,000	60.8	31.1
$100,000 to $150,000	73.6	34.6
$200,000 to $500,000	84.1	33.3
$500,000 to $1,000,000	88.6	31.1
$1,000,000 and over	90.1	32.3
$5,000,000 and over	90.7	24.6

Mr. HUMPHREY. Mr. President, will the Senator from Illinois yield?

The PRESIDING OFFICER (Mr. RIBICOFF in the chair). Does the Senator from Illinois yield to the Senator from Minnesota?

Mr. DOUGLAS. I yield.

Mr. HUMPHREY. Mr. President, I rise for only one purpose, to have the RECORD note that the Senator from Illinois has been giving to the Senate—and I trust to the Nation—the most cogent and penetrating analysis of the tax laws that has been given in the Senate in the 15 years that I have been a Senator.

I remember the Senator's performance in 1951 in the tax law debate, and in 1954, in connection with the Revenue Act. Those discussions brought out information that really constituted a "whodunit" story.

If it were not so real, it would be the most fascinating fiction anyone could possibly read. As I gather from the schedule that the Senator has just placed in the RECORD, the tax—as a percent of income for the group with $5 million and over—is 24.6 percent?

Mr. DOUGLAS. As compared with an apparent rate of 90.7 percent.

Mr. HUMPHREY. Yes. In other words, in the periodicals of the day we read about the 90-percent tax on income, or the 75-percent tax on income; but the fact seems to be that when we examine the rates, a worker who receives an income of less than $10,000 a year may well be paying a larger percentage of his income in taxes than the multimillionaire.

Mr. DOUGLAS. That is correct.

Mr. HUMPHREY. As described in this particular table, it demonstrates that the millionaire—who is supposedly complaining about the 90-percent tax schedule—still has a million dollars left. I never could quite understand how, if taxes were as high as people said they were, there could be any money left. The Senator from Illinois has exposed it all, and while I do not feel more comfortable, I do feel better informed.

Mr. DOUGLAS. I thank the Senator from Minnesota for his kind remarks. In the 1951 struggle I was merely a "sergeant" operating under the command of the Senator from Minnesota.

Mr. HUMPHREY. Never.

Mr. DOUGLAS. He led the fight then and has been a source of great strength ever since.

It is striking, Mr. President, that the so-called nominal rates are not in practice the real rates.

Mr. HUMPHREY. Mr. President, will the Senator from Illinois yield further?

Mr. DOUGLAS. I yield.

Mr. HUMPHREY. Will the Senator explain to me how this happens—or is that in his statement?

Mr. DOUGLAS. It is in my statement. In previous sessions, I dealt with two methods by which taxes are evaded, the oil and gas industry, with the 27½ percent depletion allowance, and the virtual writing off of some 75 to 90 percent of the intangible drilling and developmental costs in the first year, together with unlimited charity deductions.

Today, I am going to concentrate my fire on the capital gains tax, which in quantitative terms is the most serious loophole in our system.

I have previously introduced evidence showing that 20 persons with incomes over $500,000 and 5 with incomes over $5 million paid no taxes at all, but the above figures are the averages for the group.

This is the question that was raised by the Senator from Minnesota.

HOW IS IT DONE?

How is this possible? How can the average person—I do not mean to say that the average person has $5 million—but how can the average person, of those who do have $5 million, avoid the top bracket rates with such spectacular success that his taxes come to only 25 percent of his income?

How, moreover, can he pay proportionately lower taxes than the average person with only about one-fiftieth of his income, one-one hundredth of his income, or possible one-five hundredth of his income?

The answer lies chiefly in the extremely favorable treatment our tax system accords so-called long-term capital gains. There are other factors behind these discrepancies, such as, for example, marital income splitting—since the section 1(a) rates I have been referring to apply to single people—but the capital gains rate is the principal factor.

LOW RATE ON TWO-THIRDS OF AVERAGE MILLIONAIRE'S INCOME

To understand the full import of this seemingly extraordinary fact, let us take a closer look at the income of the average multimillionaire—that is, those whose incomes are over a million dollars a year.

Again I use the term "multimillionaires" not to denote one who owns more than a million dollars' worth of property, but one who receives more than a million dollars of income.

His total income is just under $9 million—$8,954,243 to be exact. Of this, more than two-thirds—$6,281,784—consists of long-term capital gains. Thus, more than two-thirds of the average multimillionaire's income is taxed not at the 91 percent rate provided in the rate schedule, but at the special 25 percent capital gains rate, because we know that the capital gains tax is one-half of the ordinary income tax rate, but it is not to exceed in any case 25 percent of the increment of income in question.

To put it another way, for two-thirds of his income, the average multimillionaire is paying a rate lower than that applicable to a married couple with a taxable income of just $8,000 a year. Little wonder, then, that the average multimillionaire pays less than 25 percent of his income in taxes.

Now according to the statistical books and records of the U.S. Government, our average multimillionaire is not credited with a $9 million income, not credited with the income which he really receives.

Far from it. The adjusted gross income appearing on page 1 of his tax return is less than $6 million—$5,813,351, to be exact. Why? Because half of his long-term capital gains go out the window, as far as the tax collector is concerned, and is not listed on page 1 of his tax return. Only the other half is subject to taxation—and this at a rate not higher than 25 percent of the total. In the case of our average multimillionaire, a total of $3,140,892 was tossed out of consideration in figuring his taxable income. All told, roughly $6 billion annually is removed from the tax base by the capital gains tax.

EXAMPLE OF MAN WITH $26 MILLION—NO TAXES PAID

Now this privilege of shielding half of a long-term capital gain from the tax collector can be extremely helpful to the high-income taxpayer, to put it conservatively. As one example, take the case of the fortunate oil operator, to which I alluded recently on the Senate floor, who had more than $26 million of what the Treasury Department calls "total reported economic income" in 1 year, yet paid not a penny of taxes. Most of that $26 million of income was derived from the sale of roughly $26 million worth of oil reserves. Since this was achieved on what is known as an installment sale basis, with a large portion of the payment being deferred until later years, less than $11 million of the $26 million was included in figuring up his income for tax purposes for the year in which the sale occurred. But even the $11 million was, for tax purposes, a long-term capital gain—and hence nearly 5½ million of it was excluded for tax purposes. This was, of course, a material factor in bringing this operator's taxable income down to zero.

Incidentally, this oil operator's situation is a good example of the way that so-called ordinary income, subject to the regular income tax rates most people pay, can, in effect, be transformed into a much more lightly taxed capital gain.

In the case of a huge oil sale such as the one to which I have just referred, there is another advantage; namely, that certain costs are deducted against ordinary income but taxes are paid only at the lower capital gains rate. Enormous intangible drilling deductions are taken at the oil operator's regular income tax rates, which can be as high as 91 percent. This serves to reduce the basis, or value of the property on the oil operator's books. But when he sells the oil, and makes a profit over his book value, that profit is only taxed at the favorable 25 percent capital gains rate.

Let us say that this operator was in the 91 percent bracket. Since he saved 91 cents on every dollar of profit, he ended up ahead of the game on taxes alone by 66 cents.

TWO TAXPAYERS—EQUAL INCOME—DIFFERENT TAXES PAID

Returning to the fortunate 37 taxpayers with incomes of more than $5 million, when I say that the average man in this category is paying less than 25 percent of his income in taxes, I am referring to his total income, including all his capital gains. I believe this is a proper way to look at these matters for our tax system is, in theory at least, based on the concept of ability to pay. Let us take a man with an annual salary of $10,000—all of which, leaving aside exemptions and deductions, is subject to the regular income tax rates. Now suppose his neighbor should happen to sell some stock for a $10,000 profit. These dollars are just as useful to him in buying food and clothing for his family, in sending his children to college, or in paying for a Florida vacation or a fur coat for his wife—just as useful, but not necessarily more useful.

Why, then, should he not pay the same taxes as a $10,000 a year man whose income is from his salary? Why should only half of it be considered as income on his tax return? What is more, his neighbor could, in theory, be one of the multimillionaires I have been talking of—and yet the tax rate on his $10,000 would be less than the $10,000 a year salaried person's top tax rate.

Look at it from another viewpoint: let us say the stocks the fortunate taxpayer sold for a $10,000 profit were left to him by his father; thus he lifted not a finger either to acquire the stocks in the first place or to enhance their value. The $10,000 profit—resulting either from an overall market rise or from the talents and energies of the executives or companies whose stocks he was fortunate enough to own—was wholly unearned. Yet he pays a lower tax than the man who worked for a whole year to earn the same amount of money. What is the equity and justice in that? If there is to be a disparity between the taxation of earned versus unearned income—and I am not arguing that there should be—should not the preference be granted to those who derive their income from the sweat of their brow, or from their personal talent, effort and ingenuity?

II. WHO GETS CAPITAL GAINS?

Having described these many tax pleasures to be derived from the capital gain, let me now turn to the question: Who enjoys these pleasures? Some of the answers are startling indeed.

ONLY 1 IN 16 PEOPLE HAVE ANY CAPITAL GAINS

If we were to walk down Main Street of the typical American town, among a typical cross-section of the American people, only 1 out of every 16 people we would see on Main Street would report a captial gain on his tax return. The other 15 out of every 16 do not even know the meaning of a capital gain. All of their income, leaving aside exemptions and deductions, is subject to the regular income tax rates. To put it another way, if the 100 members of the U.S. Senate were typical of the American people as a whole, only six of us would enjoy the privilege of paying the favorable 25 percent capital gains tax or only one-half of the amount for that tax bracket. The other 94 would pay taxes according to the regular rate schedule.

NINE PERCENT OF TAXPAYERS GET TWO-THIRDS OF CAPITAL GAINS

But that is not the entire story. The capital gains themselves are heavily concentrated among the upper income groups. Those with incomes of $200,000 and over constitute only ninety-six ten-thousandths of 1 percent, or one one-hundredth of 1 percent of all the taxpayers—about 1 out of every 10,000—yet they receive 16 percent of all capital gains. Those with incomes over $100,000 comprise only four one-hundredths of 1 percent of the taxpayers—1 out of every 2,500—yet receive nearly one-fourth of all capital gains. Those with incomes of $10,000 and over comprised, in 1960, less than 9 percent of the taxpayers—but they received more than two-thirds of all capital gains.

At the lower end of the income scale, those with incomes of less than $5,000 comprise nearly 58 percent of the taxpayers—and received only 17 percent of all the capital gains.

If we wish a finer subdivision, let us take those with an income of under $3,000 and those with an income between $3,000 and $5,000. It will be found that those with an income of under $3,000 get virtually no benefit from capital gains.

Let me put this in tabular form for clarity's sake:

Those with incomes of—	Comprise only this percent of all taxpayers	But get this percent of all capital gains
$200,000 and over	96/10,000 of 1 percent	16
$100,000 and over	4/100 of 1 percent	24
$50,000 and over	2/10 of 1 percent	35
$10,000 and over	8.7 percent	69
Less than $5,000	57.8 percent	17

Here are some additional figures which present a striking contrast as between the rich and the poor in the privilege of enjoying a special 25-percent tax rate or one-half the income tax rate of those subject to the 25-percent rate:

Income group	Percent of this income group having any capital gains	Percent of this group's income that comes from capital gains
Under $5,000 [1]	2	2
$10,000 to $25,000 [2]	18	3
$50,000 to $100,000 [2]	58	18
$1,000,000 and over	83	64

[1] They get their income primarily from wages and salaries.

[2] Between ⅕ and ⅙ of their income is from capital gains.

HONORARY CAPITAL GAINS

Now, originally this privilege of paying a special tax rate was confined to instances where there was a genuine sale or exchange of a capital asset. But in later years, the privilege was extended far beyond that—to cases in which the sale or exchange of a capital asset was not even remotely involved. These might be called honorary capital gains. These honorary capital gains came to be extended to various groups of taxpayers who could successfully appeal to Congress or to the Treasury that the regular income tax rates which most Americans must pay were, in their particular case, too severe.

COAL ROYALTIES

Take, for example, the "honorary" capital gains accorded the owners of coal royalties. Years ago many of these people signed royalty contracts which did not make any allowance for rises in the price of coal, but which fixed the royalties at so many cents per ton. Thus, as coal rose in price, their royalties grew progressively more puny, proportionately speaking. They appealed to Congress—and Congress answered their plea by decreeing that coal royalty income should be treated as a capital gain—even though other royalty income is subject to the regular income tax rates, and even though no sale of a capital asset was or is involved. Incidentally, even though the alleged "hardship" was restricted to contracts signed many years previously, the "honorary" capital gains was extended to future as well as past contracts.

Quite naturally, owners of iron ore royalties felt discriminated against and for years they have been bombarding Congress asking for equal treatment. Finally, this year, they succeeded, and the tax bill now before the Congress extends the "honorary" capital gain to iron ore as well as to coal. If these "honorary capital gains" are enlarged in the same manner as the mineral depletions allowance, we should not be surprised to see royalty income from oyster shells, clam shells, sand and gravel—come under the capital gains umbrella.

Basically, we are faced with two rates of income tax. There is the regular rate, and also the capital gains rate—not more than one-half, and never more than 25 percent. It is as though there were a dam at one level, and another dam at a lower level. There is obviously pressure of the water against the dam to get down to the lower level. Therefore, there is great pressure upon Congress to classify income as capital gains income, in order for certain persons to get the benefit of the lower rate of taxation. This is something that the tax writing bodies and Members of the House and of the Senate must deal with, and which we face in the tax bill which was ordered to be reported today.

STOCK OPTIONS

There are numerous other ways in which the warm shelter of the capital gains tax rate has been enlarged. Lawyers, doctors, and most other professional men do not escape the harsh winds of the regular income tax rates, since their incomes are earned by effort. But corporate executives are spared those rates, through the device of stock options. The Supreme Court has held that the profits these executives make on their options are, in essence, a supplement to their salary. They are a payment for effort. They are income. Nevertheless, they have been awarded the privilege of paying the favorable 25 percent capital gains tax. My friend and colleague from Tennessee [Mr. GORE] has been waging war against the privilege granted under the stock option principle, and will have a series of amendments on that subject when the tax bill comes to the floor.

OTHER "HONORARY" CAPITAL GAINS

Lump-sum pension and profit sharing benefits—which are essentially deferred compensation—are likewise accorded the favorable 25 percent rates.

There are, moreover, numerous ways in which "ordinary income" can be changed into a "capital gain," and thus be much more lightly taxed. I have mentioned one such example, in the case of the oil operators. Real estate owners can achieve a similar result, taking "ordinary income" deductions as they depreciate their buildings, but paying only a capital gains tax when they sell the buildings. Other devices with such intriguing names as "collapsible corporations" and corporate "spinoffs" offer other possibilities of transforming "ordinary income" into a capital gain, although these avenues have been narrowed considerably in recent years.

There has developed a profession of tax lawyers of great ability and great intellectual acumen, with a great deal of practical experience, who make very large incomes advising their clients how they can avoid taxation and not go to jail.

I have heard these persons referred to as having the best brains in the country. If so, it is a malfunction and a misuse of talents that they get big rewards for helping their clients raid the U.S. Treasury.

III. GAINS FORGIVEN AT DEATH

A final point about the capital gains tax: I have been referring to it as a 25-percent tax. In fact, however, it can be a zero tax.

How? Because, when a person dies, all the capital gains tax that would apply to the increases in value of the assets he holds is forgiven forever. It works this way: Suppose I buy shares of stock for $20,000 and it rises to $100,000. If I sell it the day before I die, I must pay a tax of 25 percent of my $80,000 profit, or $20,000. But if I should die still owning the stock, and leave it to my daughter, the tax law makes believe that the original cost of that stock is $100,000, not the $20,000 I paid for it. If she wishes to sell it, her "cost" is assumed to be $100,000, she sells it for $100,000, thus there is no profit and no tax to be paid. In this manner, both she and I escape the $20,000 capital gains tax.

Now there might be a temptation to shrug this off, and to say that the avoidance of capital gains at death is confined to a few wealthy people, and therefore is not large in amount.

The startling fact is, though—and this startled me when I first went into the subject—that between $12 and $13 billion wholly escapes tax in this manner every year. The cost to the Treasury of this gains-at-death loophole is nearly $3 billion. In addition, the favorable rate on capital gains to the living costs the Treasury roughly $2.4 billion. Thus, in all, the favorable treatment accorded capital gains costs the American taxpayers over $5 billion a year.

IV. SUMMARY

Let me, then, summarize the points I have made about this privilege of paying a 50-percent normal tax rate, and a 25-percent maximum rate on "capital gains":

First, it is enjoyed almost exclusively by the wealthy and is almost wholly denied the poor.

Second, it totally ignores the concept of ability to pay. Whether a person makes $5,000 or $5 million a year, his tax rate on capital gains never rises higher than 25 percent.

Third, it results in the wealthy paying far less than the regular income tax rate schedules call for—that is, less than their fair share of taxes.

Fourth, it favors unearned income over earned income. The passive inheritor of wealth is favored over the man who carves out his living by the sweat of his brow.

Fifth, it has come to be extended to special groups of taxpayers in instances not involving true capital gains at all.

Sixth, it lends itself to a variety of tax avoidance devices, whose purpose is to transform ordinary income into more lightly taxed capital gains—and thus adds not only to the inequity but the complexity of the tax system.

Seventh, it costs the American taxpayers over $5 billion in revenue—$5 billion that must be made up by those who do not enjoy the privilege of paying this extremely favorable tax rate. If that $5 billion could be applied toward an overall tax cut for all Americans, everyone could enjoy a 10-percent tax reduction.

WE SHOULD SUPPORT PROVISION IN SENATE BILL

I have outlined these inequities and disadvantages of the existing capital gains tax in this detail because if the pending tax bill comes from the conference as it passed the House of Representatives, we will be accentuating all of the drawbacks I have set forth.

As I have indicated, at present only half of all long-term capital gains are included in computing taxable income. Under the bill as passed by the House, only 40 percent of such gains will be includible in taxable income, and the maximum rate on such gains will be 21 percent instead of 25 percent. Fortunately, the Finance Committee struck out this provision. Whether it will come back on the floor of the Senate or in the conference between the two Houses is still a strong possibility.

Originally, a lower capital gains tax rate was proposed by the administration as part of a "package": if Congress did something about closing up the $12 billion gains-at-death loophole, then in exchange, the capital gains tax rate for the living would be lowered. President Kennedy, in his 1963 tax message to the Congress, made it explicitly clear that the two were intertwined. He said:

> Adoption of the (gains-at-death) proposal is an essential element of my program for the taxation of capital gains; certainly in its absence there would be no justification for any reduction in the present capital gain rate schedules.

Well, the House did nothing to close up the $12 billion gains-at-death loophole; yet it proceeded to cut the capital gains rate by 4 percentage points—which represents about a 16-percent reduction in the rate.

Now all politicians are used to horse trading. They are accustomed to the quid pro quo. But this was a case of the quid without the quo. The administration gave but got nothing in return.

Mr. President, what is the justification for such an action? As the late President Kennedy said, without some respectable closing of the gains-at-death loophole, there is none. It is simply a windfall tax cut for the well-to-do—and the public gains nothing in return.

And we all know that the easing of tax rates and the opening up of tax loopholes is a one-way street. Once a rate is lowered, once a loophole is enlarged it is virtually impossible to reverse the action later on. So if we enact this lower capital gains rate in the House-passed version of the bill, it will become a permanent inequity, a permanent blotch on our entire tax system.

The administration has urged the Senate to adopt the House bill without change—with one single exception; to reject the House action lowering the capital gain rate. I have made no secret of my unhappiness over the Treasury's decision to jettison the tax reforms the House failed to enact—but that is, I am afraid, water over the dam. I support the administration wholeheartedly on this one request it has made, and I urge all my colleagues to study the statistics I have presented of who benefits—and who loses—by the unwarranted lowering of the capital gains tax—and these figures have been taken from statistics of income and from tax data of the Treasury—and to join me in supporting the action of the Finance Committee, and for the conference committee to do likewise so as to remove this stain from the House-passed-version tax bill.

ADJOURNMENT TO MONDAY, JANUARY 27

Mr. DOUGLAS. Mr. President, in accordance with the previous order, I now move that the Senate stand in adjournment until Monday next at 12 o'clock noon.

The motion was agreed to; and (at 5 o'clock and 46 minutes p.m.) the Senate adjourned, under the previous order, until Monday, January 27, 1964, at 12 o'clock meridian.

NOMINATIONS

Executive nominations received by the Senate January 23, 1964:

U.S. INFORMATION AGENCY

Carl T. Rowan, of Minnesota, to be Director of the U.S. Information Agency, vice Edward R. Murrow, resigned.

U.S. ATTORNEY

Thomas J. Kenney, of Maryland, to be U.S. attorney for the district of Maryland for the term of 4 years, vice Joseph D. Tydings, resigned.

CONFIRMATIONS

Executive nominations confirmed by the Senate January 23, 1964:

DEPARTMENT OF STATE

Ellsworth Bunker, of Vermont, to be the representative of the United States of America on the Council of the Organization of American States, with the rank of Ambassador.

Edwin M. Martin, of Ohio, a Foreign Service officer of the class of career minister, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to Argentina.

C. Burke Elbrick, of Kentucky, a Foreign Service officer of the class of career minister, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to Yugoslavia.

POST OFFICE DEPARTMENT

Tyler Abell, of the District of Columbia, to be an Assistant Postmaster General.

EXTENSIONS OF REMARKS

Ukrainian Independence Day

EXTENSION OF REMARKS

OF

HON. HENRY C. SCHADEBERG

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Thursday, January 23, 1964

Mr. SCHADEBERG. Mr. Speaker, with chief emphasis these days on peace—and we all want peace—the more important goal of universal freedom sometimes tends to become obscure. "Peace, peace," has been the cry of the ages, and it is being sounded more and more today. But there is no peace, that is, not universal peace. And there will not be universal peace until there is universal freedom.

There is no single or simple solution to the many-faceted problem of developing and carrying out a right and sound foreign policy. And such solution will continue to elude us until every U.S. effort at achieving peace becomes inexorably linked with an equal and avowed determination of the United States to do all it can to help the people of all enslaved nations win their freedom. Every step in what we think is the direction of peace, unless it is first a step in the direction of freedom for those in bondage, is a snare and a delusion.

Yesterday, January 22, was the 46th anniversary of the independence of Ukraine, one of the larger countries in Eastern Europe, whose stouthearted inhabitants constitute the largest ethnic group in the region. But despite the size of their fertile land and their immense numbers, some 40 million Ukrainians have been submerged in the Russian continent since the mid-17th century. During all that time, for more than 250 years, Russians had done their worst to suppress and eradicate Ukrainian national feeling and all its attendant traits: their desire for freedom, their boundless love for their homeland, their undying yearning for political independence, and their readiness to sacrifice their all for the attainment of their national goal. But all the efforts of callous Russian authorities proved of no avail, and the Ukrainians clung firmly and steadfastly to their fine ideals. Toward the end of the First World War, when Russia's decrepit autocracy was overthrown, and Austria could no longer hold western Ukraine, Ukrainian leaders seized upon the occasion and proclaimed their national independence. That was done on January 22, 46 years ago.

Unfortunately the newborn Ukrainian National Republic was under terrible handicaps from the moment of its birth. It was frail and fragile, and there were no friends close by to aid it effectively. The country was in ruins and the fertile Ukraine was a wasteland. To cope with such grave problems was a gigantic task, but even more difficult was the task of warding off the deadly threat of Communist Russia. Early in 1920 the country was attacked and overrun by the Red army, and then made part of the Soviet Union. Since then this once-free and youthful republic has been swallowed by the Soviet empire.

Even so, these hardy peasants and gallant fighters for their freedom have not given up hope for the realization of their ideals. These ideals still live in their hearts and souls, and await for the day when freedom and independence shall once more become part of life in the Ukraine.

On the 46th anniversary celebration of Ukrainian Independence Day let us all pray that the day of their deliverance from Communist totalitarian tyranny is not far off. And let us determine that universal freedom is part of our foreign policy, and one of our Nation's goals.

Millions Flow From Zone Into Panama's Economy

EXTENSION OF REMARKS
OF
HON. WILLIAM C. CRAMER
OF FLORIDA
IN THE HOUSE OF REPRESENTATIVES
Thursday, January 23, 1964

Mr. CRAMER. Mr. Speaker, I think it is of paramount importance that all Americans understand the amount of money flowing from the activities of the Panama Canal Zone into the Panamanian economy. This figure is established at $82,465,000, according to the Comptroller General of the Republic of Panama in reply to a request by the U.S. Embassy to the Minister of Foreign Relations of the Republic for such information in April of 1963. This figure is in addition to foreign aid funds which are estimated at $111.1 million during the program and are estimated at $9 million for this year.

I think a summarization of the breakdown of these figures is interesting and enlightening and I submit them for the Record.

Millions Flow From Zone Into Panama's Economy

In dollars, $82,465,000 was paid out from the Canal Zone to Panamanians in salaries, retirement, and disability payments, and through purchases of goods and services during 1962. These figures were submitted in April 1963 by the Embassy of the United States of America to the Ministry of Foreign Relations of the Republic of Panama in response to a request for statistics by the Comptroller General of the Republic. The $82,465,000 paid from the Canal Zone to Panama does not include the Canal Zone annuity of $1,930,000 which the United States pays to Panama.

Salaries to non-U.S. citizens employed in the Canal Zone accounted for $33,025,000 of the $82,465,000. The net payments of salaries to non-U.S. citizens, the report shows, rose from $25,258,000 in 1960 to $29,750,000 in 1961 and then to $33,025,000 in 1962. This figure includes estimated net payments to all non-U.S. citizens employed in the Canal Zone by U.S. agencies, contractors, and private organizations such as shipping agents, clubs, churches, oil companies, banks, and employee associations.

Retirement and disability payments by the Panama Canal organization to Panama residents rose from $2,925,000 in 1960 to $3,469,000 at the time of the report.

Direct purchases by U.S. Government agencies in the Republic of Panama totaled $11,781,000 in 1962. Purchases of goods in Panama by U.S. Government agencies brought $10,479,000 into the Republic and purchases of services furnished the Republic of Panama an additional $1,302,000.

Purchases of goods in Panama by private organizations in the Canal Zone added another $4,400,000 to the sums that went into the Republic of Panama from the Canal Zone.

Contractors' purchases in Panama of goods and services for Canal Zone projects increased to $10,668,000 in 1962 from $8,400,000 in 1960.

U.S. citizens employed in the Canal Zone spent $19,155,000 in the Republic of Panama in the period covered by the U.S. Embassy report. Expenditures by the U.S.-citizen employees of the Canal Zone showed an increase of $6,165,000 since 1960. The figure for that year totaled $12,990,000. In 1961 the U.S. citizens employed in the Canal Zone spent $15,675,000 in Panama and their purchases increased the following year to $19,155,000.

Dispelling the Fog

EXTENSION OF REMARKS
OF
HON. WALT HORAN
OF WASHINGTON
IN THE HOUSE OF REPRESENTATIVES
Thursday, January 23, 1964

Mr. HORAN. Mr. Speaker, under leave to extend my own remarks in the Congressional Record, I am pleased to include a lead editorial from the Washington Evening Star and a column by David Lawrence, both from the issue of January 22, 1964.

These are meditations growing out of President Johnson's budget message.

The editorial points out that much of the message is based on hope—not to mention faith and charity.

The column calls attention to the meaninglessness of the gross national product in history.

In the same issue Senator Willis Robertson, Democrat, of Virginia, calls for a $2 billion cut in the President's budget.

The gentleman from Missouri, Chairman Clarence Cannon, Democrat, in an analytical discussion of the President's budget on January 21, 1964, said:

> So, Mr. Speaker, it can be seen to be actively misleading—and it has been misleading—to lay undue store by the calculations of expenditures in any given year. When new obligational authority is increasing, a concurrent decrease in estimated disbursements—which is what they mean by the term "expenditures"—is little more than a momentary pause, often occasioned by undue optimism or temporarily fortuitous circumstances. Sales of mortgages and other papers held by several Government agencies—and there is a substantial anticipation of that in this budget—serve to offset expenditures rather than to be counted as income—strange to say. But those are limited and once sold, do not recur. So they tend to disguise the trend.

Even this morning's Washington Post had a cartoon by Herblock showing the President astride two horses named "Frugality" and "Welfare Programs." There is wide doubt that he can long stay in such a saddle.

We still face the prospect of our Uncle Sam as a Roman rider: one foot on a prancing steed with gaudy silks labeled "Tax Reduction" and the other foot on a measly beast with tattered colors labeled "Deficits." That is a precarious position for poor old Uncle Sam.

Indeed this is a day for fact searching, for dispelling the fog, for sound fiscal policies.

The two articles from the Washington (D.C.) Evening Star of January 22, 1964, follow:

Faith, Hope, and Charity

No one, reading the President's budget and economic messages, could be left in the slightest doubt that this is an election year. The two add up to a masterful presentation, a truly impressive demonstration of the art of putting forward the best foot. Even the most cantankerous curmudgeon would hardly dispute this.

The budget message has something in it for everyone. Mr. Johnson says he believes it is a budget of economy and progress. For only the second time in 9 years, it calls for a reduction in administrative budget expenditures. It seeks a substantial reduction in total civilian employment (but with higher pay) in the executive branch. It cuts the deficit in half. And, says the President, it carries us a giant step toward the achievement of a balanced budget in a full-employment, full-prosperity economy. The Secretary of the Treasury expects that a balanced budget, barring some catastrophe, will be reached in fiscal 1967.

Could anyone ask for more? The answer evidently is "Yes." For the President went on to give assurance that his budget safeguards the peace by further strengthening the most formidable Defense Establishment the world has ever known. It recommends continued military assistance to nations menaced by Communist aggression. It provides for economic assistance to nations willing to guard their freedom through economic self-help. There is provision for funds necessary to advance our mastery of space toward the achievement of a manned lunar landing in this decade. In addition, funds are asked for sound management and development of our natural and agricultural resources, and there are appropriation requests for education, housing, manpower training, health, and employment opportunities for youth; in short, a combined request for more funds than ever before for fuller development of our Nation's most important resource, its people. Finally, this Johnson budget makes provision for initiation of a new and major effort to break the vicious circle of chronic poverty. (Details later.)

At this point there must be some who are wondering whether the budget is not really a prescription for our national bankruptcy. But the answer this time is "no." President Johnson assures us that the urgent and necessary program increases which he recommends will be financed out of the savings made possible by strict economy measures and by an exhaustive screening of existing programs. In a word, the taxpayers will not have to put up an additional dime. In fact, even after allowance for a temporary drop in Federal revenues resulting from a tax cut, if it is enacted this year, the President expects administrative budget receipts to rise in 1965 by $4.6 billion. This would result in an administrative budget deficit of $4.9 billion in fiscal 1965—$5.1 billion less than the estimated deficit for the current year.

There are, of course, the dissenters and the doubters. Some are disturbed by the irony of pressing for a tax cut in a boom year. One Senator has been heard to say: "If we can't balance our budget now, we will never balance it." This sounds as though it might have come from Virginia's Senator Byrd. But it didn't. It came from Wisconsin's Senator Proxmire, a Democrat, who is generally thought of as a liberal. Iowa's Senator Miller is a Republican, and a conservative. But he is not given to loose talk, and thus some attention should be paid to him when he accuses the President of using fictitious figures in estimating the country's economic gain. Senator Goldwater, another conservative, has accused the President of being less than honest in his budget estimates. But Senator MILLER cites specific bases for his complaint; Senator GOLDWATER does not.

For our own part we contemplate these messages with mixed emotions. The Johnson recommendations seem to us to add up to a formula which raises at least a serious prospect of inflation, and we are not greatly reassured by his promise to draw public attention to price increases or wage demands that are excessive. For example, the United Automobile Workers are expected to submit new wage demands this summer. If they should prove to be excessive, and if the President in an election year proves content merely to draw public attention to them, a further shrinkage of the dollar will be a virtual certainty.

How, then, should one appraise this budget? Is the Utopia which it envisages really so close at hand? We hope very much that the President's optimistic expectations are realized. But we are skeptical.

Perhaps it might be said that this is a budget message which cries out for acceptance in a spirit of faith, hope, and charity. If so, as has been said, the greatest of these is charity.

AN AVALANCHE OF FIGURES—STATISTICS WITH THE BUDGET ARE CALLED INCOMPLETE AND MEANINGLESS

(By David Lawrence)

For the last 3 days, the American people, and particularly the news correspondents in Washington, have been deluged with an avalanche of figures. This has been designed to prove that the United States from 1961 to 1963 has gone through a period of unexampled prosperity and that even better times are ahead for 1964. But the figures given are not complete and in many respects are meaningless, if not misleading.

Thus, the "gross national product"—the phrase supposed to describe the output of the whole economic system—is given in the President's Economic Report as reaching $623 billion in the year 1964. This is $259.9 billion above what it was in 1954, just a decade earlier.

But more than 40 percent of this rise is due to higher prices. If compared with the prices of goods and services in 1954 and the value of the dollar at that time, the gross national product this year would not be $623 billion. It would be $517.4 billion, which is $154.3 billion above what it was 10 years ago.

The President also points to corporate profits as having made a 44-percent rise in the last 3 years. This, however, is from a low point in 1961 and is not based on any annual figures. He says that a further rise will come with the tax cut. But a study of the fine print in the same volume of statistics handed to the press this week discloses that corporate profits are projected at 4.9 percent of the gross national product for 1964. This is less than what it has been in 11 of the 17 years since World War II. Corporate profits went up as high as 8 percent in those years. They were 6.2 percent in the 1949 recession year and stood at 4.6 percent in the economic setback of 1954, which is as high as they were in 1963 after 2 full years of expansion.

The sad truth is that corporate profits as a total figure are meaningless. The entire private enterprise system, even by the President's figures, will retain in 1964 only $30.5 billion after taxes. Profit margins are rarely examined in Government reports, and the fact remains that the narrowness of many of these margins prevents the investment of capital and discourages the expansion projects through which jobs can be created for the people who need them.

Much of the difficulty in creating jobs is due to psychological barriers. There can, for example, be little confidence in the economic future as long as the dollar itself is unsound. Budgets have remained unbalanced almost continuously for many years now, and the cost of living has risen as the purchasing power of the dollar has gone down.

The assertion is made by the President that a tax cut now is necessary to stimulate the economy. But the economic report in some sections gives the impression that the economy is really riding high and doesn't need a tax cut as a stimulus. These viewpoints are contradictory.

The President, incidentally, threw a scare into business in his latest economic report to Congress when he emphasized his intention to take action against businessmen if they raise prices, but he did not offer any hint of governmental action with respect to wage demands that could substantially increase the cost of operating businesses in America.

The President stated that he would not hesitate to draw public attention "to major actions by either business or labor that flout the public interest in noninflationary price and wage standards." But immediately thereafter, when he spoke of action, he made only the following comment:

"And I shall translate into action the view:

"A. That antitrust policy must remain keenly alert to illegal price fixing and other practices that impair competition.

"B. That we must resist new steps to legalize price fixing where competition should prevail."

Not a word is said about action to curb higher wage demands or concerted steps by unions that virtually fix prices by setting industry-wide wage rates.

Another statement which the President made and which is causing many worries in the business world was the announcement of his decision to ask Congress to pass a law delegating to a group of private citizens the right to impose penalties for overtime. This would be accomplished by authorizing higher overtime penalty rates on an industry-by-industry basis where tripartite industry committees determine that such rates could create more jobs without unduly raising costs. This is like the NRA scheme of New Deal days which was declared unconstitutional in 1935.

Such controls, moreover, could mean an increase in expenses not only in wages paid but for all the indirect benefits that are based upon the wage scales. It constitutes an interference with the free enterprise system which is reminiscent of the wage-and-hour controls which have been imposed in wartime.

But the most disconcerting factor in the whole economic picture is the continuing deficits in the Federal budget and the intention of the U.S. Treasury to keep on borrowing money to make up for the loss in revenue that will arise when taxes are reduced.

The President's Letter to Premier Khrushchev

EXTENSION OF REMARKS

OF

HON. J. L. PILCHER

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, January 23, 1964

Mr. PILCHER. Mr. Speaker, in terms of international relations, the President's letter to Premier Khrushchev was refreshing. It was clear, unequivocal, to the point, and in language which can be clearly understood.

The President did not hesitate to point out that this Nation is not going to sacrifice any of the free world's vital interests. But he did not waste words in belaboring the point. He made it and then went on to constructive points that might put some reality into the quest for peace.

We could, of course, as a nation, quibble endlessly over what should be done. The President did not set our feet on this course nor did he set our feet on a course that would lead to appeasement.

Instead, he reacted with dignity and with restraint and in a constructive tone. I believe that the free world can be reassured both as to its vital interests and as to the President's desire for peace.

Flood Control in Indiana's Fifth District

EXTENSION OF REMARKS

OF

HON. J. EDWARD ROUSH

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Thursday, January 23, 1964

Mr. ROUSH. Mr. Speaker, an idea was born 30 years ago in the 73d Congress, one which finally received physical and financial impetus in 1959, is now reaching that stage of development where its proportions and scope can be appreciated by a great many people of the Fifth District of Indiana.

This year Congress is being asked to appropriate funds for the continuation of the Salamonie, Mississinewa, and Huntington Reservoir projects. The amount proposed is the largest annual request since these projects were initiated.

The total of $14.3 million is almost equal to the total of all the annual requests since planning funds were authorized by the 88th Congress in 1959. It represents almost 45 percent of the funds requested this year by the Corps of Army Engineers for the 20 flood control and navigation projects now underway in the State of Indiana.

I cannot emphasize too strongly the need for approval of these funds for the coming fiscal year which begins on July 1. The projects are now on schedule. Any move which would stretch out construction time would be the rankest kind of false economy. Millions and millions of dollars have been lost in the past decade because of the floods these projects are designed to combat. The total lost in this period is many times the overall cost of all three projects.

Any delay would have a serious effect on the benefits these projects will provide in addition to flood control. Past experience on similar programs elsewhere in the Nation has revealed the area can expect a substantial boost to its economy through the recreational opportunities which will result. Small business springs up to meet the service demands which evolve as our citizens take advantage of these opportunities. Land values in a wide area adjacent to such installations increase. The entire area becomes much more attractive to industries seeking new plant sites.

Approval of the funds requested for the coming fiscal year will advance construction on the Salamonie project to the two-thirds mark. The Mississinewa Reservoir will be half completed with the funds proposed in the coming year and the Huntington project will advance to the one-third of completion level.

The Corps of Army Engineers has informed me the use of the Salamonie Reservoir will begin in 1966. This will be followed a year later by the Mississinewa Reservoir with its lake extending back almost 25 miles. The following year, in 1968, we will see the completion of the Huntington Reservoir.

These projects are capital investments by the Federal Government which will provide economic returns in the decades ahead many times the total amount of funds which will be expended. The farmer, the businessman, the industrialist and the hundreds of thousands of people who live in the area which surround the new lakes, and along the Wabash River as it moves down toward the Ohio River, all will reap benefits in the years ahead.

An idea born more than a quarter century ago, nourished and expanded through those years to its present state, will not be stopped, cannot be delayed, must continue to receive the support it deserves. This must be done or we shall not keep faith with those in the past who fought for it, or we shall not keep faith with those in the present who can demonstrate the need for it. We must keep faith with those in the past, with ourselves in the present. We must accept our responsibility to provide a solid foundation for achievement to be recorded by the generations in the future.

USIA Chief Carl Rowan, Native of Tennessee

EXTENSION OF REMARKS

OF

HON. JOE L. EVINS

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Thursday, January 23, 1964

Mr. EVINS. Mr. Speaker, Carl T. Rowan, who was recently named by President Johnson to become Director of the U.S. Information Agency, is a native of McMinnville, Tenn., which is in the district I have the honor to represent in the Congress.

Ambassador Rowan certainly has made a distinguished career for himself and we in the Fourth District of Tennessee are justly proud of his latest achievement.

He has an outstanding record in the news and public affairs field having won several awards as a reporter. He is also the author of several books and has served previously as Deputy Assistant Secretary of State for Public Affairs, as a member of the U.S. delegation to the United Nations and more recently as Ambassador of Finland.

His vast experience and training should certainly enable him to carry on the duties and program of the U.S. Information Agency in the finest tradition.

As Representative of the Fourth District of Tennessee, I want to congratulate Ambassador Rowan on this new honor and wish him well in this new endeavor as Director of the U.S. Information Agency.

Changes To Come in the Next Decade

EXTENSION OF REMARKS

OF

HON. RALPH YARBOROUGH

OF TEXAS

IN THE SENATE OF THE UNITED STATES

Thursday, January 23, 1964

Mr. YARBOROUGH. Mr. President, on January 19, 1964, it was my privilege to address the annual meeting of the Dallas Letter Carriers Association. Jerome Keating, the distinguished president of the National Association of Letter Carriers, who has done so much to earn the respect and friendship of postal workers, addressed the meeting.

This is an organization of postal workers whose outstanding record of achievement has brought honor to a hard-working branch of the Federal service.

I ask that my remarks be printed in the RECORD.

There being no objection, the address was ordered to be printed in the RECORD, as follows:

DECADE OF CHANGE AHEAD

(The following is an excerpt from an address by Senator RALPH YARBOROUGH to the Dallas Letter Carriers Association on Saturday, January 19, 1964 beginning at 6:30 p.m. at the Holiday Inn in Dallas.)

Here in this city which so recently witnessed so tremendous a change in Government in a matter of minutes, it is fitting today to take a long, thoughtful look at the years ahead.

It is a matter of genuine relief to me, as I know it is to you, that after a shock so great and a crime so awful this saddened country has rallied to give our fellow Texan, President Lyndon Johnson, an unspoken but heartfelt vote of confidence, unmatched in the history of the United States for a new President who has come to power with no time to prepare the people for a swift and unexpected change.

From North to South, from East to West, from the union halls to Wall Street, from the skyscrapers to the cornfields, every indication is that the people of the United States are prepared to move forward under the administration of President Johnson with confidence in his experience, with the confidence that he will maintain a strong nation concerned with the individual and with mankind, as John F. Kennedy had before him.

This trust, necessary in times of national emergency in a democracy, is a quality of greatness in a people. And a leader shall certainly draw greatness from it.

Having seen the near miracle of the very rapid and efficient transition in national leadership, even in the face of such terrible events, we may well give serious thought to where this Nation is going in relation to other world powers, where leaderships have recently changed, or can be expected to change in the foreseeable future. Now that the transition is completed, the new administration firmly seated, the helm firmly grasped, we should lift our gaze outward from our inner grief, to look ahead at the shoals that await our Ship of State with its new firm helmsman.

It seems such a short time ago that giants like President Kennedy, Prime Minister Harold Macmillan of Great Britain, Chancellor Konrad Adenauer of West Germany, and Pope John XXIII were leading players on the world stage. They dealt in foreign affairs in a quest for peace and the advancement of civilization on a person-to-person basis.

Today President Johnson, Prime Minister Home of Great Britain, and West German Chancellor Erhardt, new minds, new personalities, new backgrounds, new training must form new relationships, review policies, maintain confidence of the folks back home, maintain a stable alliance.

The warm, kindly influential personality of Pope John is gone and Pope Paul VI steps forward with a fresh and more youthful vigor. The impact of these changes will affect the lives and hopes and dreams of people all over the world.

Such is the power and such is the awesome responsibility upon the great men of our day.

Ours is the responsibility to be sensitive to change, to apply our energies to broaden the horizon of civilization.

Not too long ago the great Communist combine of the Soviet Union and Red China, in the days of Joseph Stalin, threatened and frightened the free world to the point of uneasy brinkmanship, a state of fear and indecision, but with its resulting danger of rash action. Now that Communist combine has been weakened to the advantage of the free world by the death of Stalin and the changes that followed in Russia where Premier Khrushchev emerged as the new leader.

Stalin was a hardline, combat-ready Communist, perfectly attuned to the equally hardline philosophy of the Red Chinese. Khrushchev, after twice testing the United States in Berlin and in Cuba, and finding it ready to face up to him, presented a less warlike attitude that enabled President Kennedy to bring about the signing of the nuclear test ban treaty. This signing of the test ban treaty widened the rift between the Soviet Union and Red China, weakening a Communist combine that had threatened Asia and Europe an infinitum, and had threatened also to impoverish us with unlimited military expenses and bottomless costs of shoring up small weak neighbors on the periphery of the Communist combine.

Today we must look to our balance of power in the free world. We must maintain unbreakable alliances.

Today we have a Great Britain that looks with historically understandable suspicion on West Germany, and with disturbed feelings about its growing bond with the United States.

We have a West Germany that frets about our defense of West Berlin if the Soviet Union starts trouble again, and insists that we keep all of the expensive army in West Germany that is now located there.

We have a France led by 74-year-old General de Gaulle who has outlasted Churchill, Roosevelt, Stalin, Eisenhower, Truman, Kennedy, and other contemporaries and who has very strong ambitions of his own, ambitions for a grand France, grand and powerful in Europe as in the days of Napoleon.

We have a France that wants a nuclear bomb, a France looking toward a European economic solidarity that could shut us out; we have the France of old that loves personal liberty, along with a love for greatness, a France that is our traditional ally, and whose friendship we want to keep.

We have an ally of old in Chiang Kai-shek, who is 76 years old, in Nationalist China, the small island left to him.

There will be changes in the next decade. We have a neutral on the side of peace in Prime Minister Nehru of India, who is 72. In the next decade there will be changes. We have troubled areas in Panama, Cuba, South Vietnam.

As we move into a new year we move also into a new era of world affairs, the shape of which is yet to be molded. Trying to see into the next decade is like looking out the window before dawn. You feel new light will come momentarily, and you wonder if it's cloudy, and hope for sunshine.

We know only that the world has moved haltingly but hopefully toward a lasting peace, toward a day when the energies and minds of all people can be turned to the problems common to mankind—disease, poverty, ignorance. This is a goal worth working for.

We pray that the changes to come will bring improvement which can only be achieved in a state of peace. I hope the world will long remember President Kennedy's statement on the signing of the nuclear test ban treaty when he said:

"A war today or tomorrow, if it led to nuclear war, would not be like any war in history. A full-scale nuclear exchange, lasting less than 60 minutes, with the weapons now in existence, could wipe out more than 300 million Americans, Europeans and Russians, as well as untold numbers elsewhere. And the survivors, as Chairman Khrushchev warned the Communist Chinese, would envy the dead. For they would inherit a world so devastated by the explosions and poison and fire that today we cannot even conceive of all of its horrors. So let us make the most of this opportunity, and every opportunity, to reduce tension, to slow down the perilous nuclear arms race, and to check the world's slide to final annihilation."

What will the world be like 10 years from now?

It will be largely like we help shape it, if we have the wisdom and vision to help shape it to meet the rising hopes and aspirations of mankind.

Absent nuclear war, this world 10 years from now will be a world of 3,860 million, up 21 percent from today. In America, our population will be 235 million, up 23 percent from today. In Latin America the total population will be up to 303 million, an increase of 32 percent.

The demand for food, medicine, clothes, homes, hospitals, and books and buildings for schools, to name only some of the necessities, will be so enormously enhanced that the energies of mankind can be fully utilized in the supplying of these needs, without the necessity to devote man's energies to building war machines, in order to obtain full employment.

We will see great forward strides in education at home, with 8 million students in college in America in 10 years, going to school in more than twice as many college classrooms as now exist in America.

With great new shipping demands, we will have a new interoceanic canal in Central America in 10 years linking the Atlantic and Pacific possibly in Nicaragua, but more likely through Columbia. It will probably be dug rapidly, with earth moved by atomic blasts. When completed, it will lighten somewhat the great demand on the Panama Canal, and ease tensions with Panama. In another decade, airfreight will exceed air passenger travel in ton volume transported.

In another decade you can travel by giant plane twice the speed of sound from New York to Paris in 2 hours.

In 10 years, man will have ridden the rockets to the stars; he will have walked on the moon and have come back to mother earth to describe her barren terrain.

In another decade, our agricultural knowhow, shared with the world, will result in more nations with a surplus food supply, but hunger and poverty, unrest and revolution, buoyed up by high birth rates, will still be rampant in the world.

In another decade, there will be fewer nations than now, as some of the small, weak manifestly unviable among the newly emerging nations are driven to seek larger union with their neighbors, to avoid bankruptcy, hunger, and chaos.

In another decade the United Nations will be stronger than now either in its present or under some new or drastically revised charter, as new problems make changes inevitable.

In another decade worldwide instantaneous communication through vehicles in space will be commonplace.

In another decade, Europe will be drawn closer together in an expanded Common Market. Russia, caught in a squeeze between Communist China and the European Common Market, might seek increasingly for an accommodation with the Western World.

There will be wars and rumors of wars; trade competition will heighten between nations; tensions will rise and fall; international problems will multiply with booming populations, expanding technocracy and automation, and speedier communications and transportation. Trade wars will certainly ensue. We will need an educated and enlightened citizenry for the world of competition, of growth, of zest, and of peril in which we will most likely be living in 1974.

It will be a year worth watching for. Homes may be built on 40-year mortgages now; 1974, just a decade away, is closer than you think.

We have goals, we have a future worthy of a great Nation, a great State, a great democratic heritage.

Truly we are approaching the day that Walter Lippmann described in these words: "America has always been not only a country but a dream. There has always been a general and unquestioned belief that here on this soil there would be demonstrated to mankind the blessings of freedom; as the shackles and servitude of the past were put away, there would arise a great and glorious society."

A Tribute to Dr. St. Paul Epps

EXTENSION OF REMARKS

OF

HON. AUGUSTUS F. HAWKINS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, January 23, 1964

Mr. HAWKINS. Mr. Speaker, in inserting into the RECORD highlights from the life and accomplishments of the Reverend St. Paul Epps, of Los Angeles, I wish to acknowledge on behalf of a grateful community the inspiration and good that result from one man who truly cares for his fellowman.

Dr. Epps has been invited to become a member of the staff of the executive council of the United Presbyterian Church, U.S.A. He will be secretary of the department of stewardship and interpretation, with offices at 475 Riverside Drive, New York City, beginning February 4, 1964.

Personally, and on behalf of our community, I want to wish him success in his new duties. It is our sincere hope we shall continue in some way to share his friendship and spiritual counsel.

When the Reverend Dr. Epps came to Los Angeles in 1946, to begin the work of the Bel-Vue Church, he said in a newspaper article:

> We want this to be a community church, where people of all evangelical faiths, regardless of race, can happily worship and find the best in Christian education. Our United Presbyterian Church has no significance except as it is, and to continue to be a true and worthy branch of the great church of Christ. We welcome everyone.

All he had to work with were a manse and a two-car garage, which served as a church and meeting place, given him by his home missions board of the former United Presbyterian Church, N.A., and a field allocated by the community committee of Los Angeles Church Federation.

The 28 charter members, that accepted his kind invitation to join the church, labored with the Reverend Dr. Epps to bring the membership of the church to its present number of 700. The Sunday school has over 450 members. With the growth, it became necessary to enlarge the facilities. McCulloch Hall, a $60,000 educational unit, was dedicated in 1958. The combined value of the main building and the educational unit is about $200,000.

The Bel-Vue Nursery School was begun by the Reverend Dr. Epps and members in 1952, and now has an enrollment of 65 children, providing care for them while their parents are working.

Dr. Epps has worked diligently with the church and community. His services to the church include: Student pastor at the Bidwell Street Presbyterian Church in Pittsburgh; his first charge was pastor, United Presbyterian Church, Henderson, N.C., and United Presbyterian charge, Townsville, N.C.—a dual charge. He has rendered the following services also: Moderator of Tennessee Presbytery; vice moderator, California Synod; director of high school summer conference; moderator, Los Angeles Presbytery; moderator, California Synod; member of special committee of consolidation; member of the board of church extensions and chairman of the special ministries committee.

In 1963, Dr. Epps was appointed to the executive council and to the Commission on Religion and Race of the United Presbyterian Church.

His community services are: president, Watts Health Council; member, board of directors of Health, Education and Venereal Diseases Council, Los Angeles; member of the board of directors of Southern Area Boys Club; member of Green Meadows District Committee, Boy Scouts of America; vice president of South Los Angeles Committee for Better Education; active member of the Urban League; member of NAACP; and member of board of directors of Westminster Neighborhood Association.

In addition to the above, Dr. Epps has served on many other committees in the community sponsored by our congressional office. The most prominent are: First, the Coordinating Committee on Economic Developments and Employment; second, the South Central Committee—a committee working on problems of urban renewal in the district;

and third, the special mental health committee set up to develop programs in the area of mental hygiene.

Dr. Epps has an excellent educational background. He was an honor student at Virginia Union University; he was so outstanding at Knoxville College, Knoxville, Tenn., where he attended for 2 years, he was awarded a scholarship to the Pittsburgh-Xenia Theological Seminary. He received his bachelor of theology degree there in 1942, majoring in sociology and history. His graduate work includes study at the University of Pittsburgh for 1 year; 1 year in Graduate School of Religion at University of Southern California; and 12 annual convocations at the School of Religion of University of Southern California. The degree of doctor of divinity was conferred on the Reverend Dr. Epps by Sterling College, Sterling, Kans., in 1957. In the summer of 1960, he toured the Holy Land and Europe, which greatly added to his understanding and appreciation for the kind of work the church is doing and must continue to do. The aim of his service is still the integration of the church and community life.

Statement of Hon. Edwin E. Willis, of Louisiana, Before the Rules Committee on Civil Rights Legislation

EXTENSION OF REMARKS

OF

HON. HOWARD W. SMITH

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, January 23, 1964

Mr. SMITH of Virginia. Mr. Speaker, under permission granted, I shall extend in the Congressional Record the statement of the gentleman from Louisiana, Representative Edwin E. Willis, a ranking member of the Judiciary Committee, showing in detail the unconstitutional, unrealistic, and evil provisions in the pending civil rights bill. As the bill will shortly be on the floor for consideration, I urge the Members of the House to read this masterful, well-considered, and devastating statement that should make all thoughtful Members question the advisability of the passage of this bill. I urge you to read this statement and enlighten yourselves on the effect it will have upon the vast majority of your constitutents, whose liberties are being tampered with, rather than with sole consideration for the freedoms that supposedly are to be conferred upon a small and favored minority:

Statement of Hon. Edwin E. Willis, of Louisiana, Before the Rules Committee on Civil Rights Legislation, January 16, 1964

I will have something to say about many parts of the bill before you but I have been assigned the task of discussing titles I and II in particular. Other members of the Committee on the Judiciary, opposed to this legislation, will in turn undertake to discuss titles III to X in greater detail.

If that is your wish, I will be glad to answer questions as we go along but I think it would be better to give my views first. In that way I think we could save time because I suspect I might anticipate many of your questions in my general statement.

Before proceeding, however, I would like to say this. We live in an age of polls, labels, and slogans. In these polls, however, you and I are always the ratees and we are never given an opportunity to rate our raters. I assure you, however, that I don't mind this at all because I regard it as a small price to pay for the rewards that come with public service.

Every year we must be rated by various and sundry groups and organizations such as ADA, ACA, AFL–CIO, NAM, AMA, PTA, NEA, Farm Bureau, and so on and on. And the strange thing is that on identical bills one group might rate us as conservatives, while another might rate us as liberals, each according to their peculiar and rigid notions of the meaning of these relative terms.

I take the ratings as they come and can only draw some consolation from Robert Burns' lament, "O wad some power the giftie gie us, to see oursels as others see us."

And the same is true with reference to legislation. Bills are almost invariably given quickie labels to either pass or defeat them. For example, foreign aid is called the Mutual Security Act. An act to quiet the long-standing title of a State is called tidelands oil. The public works bill is called a pork barrel—and so ad nauseam.

But that's not all; sometimes one can choose between two labels. He can be for medical care for the aged or against socialized medicine. And if he has not read the bill, he can say that he is for medical care for the aged and against socialized medicine at the same time. But for us there is always a day of reckoning. Ultimately we must vote on merits and not on labels and take the consequences—and that, too, is a small price to pay for responsible representation.

Now, some call this legislation civil rights legislation while others call it civil wrongs legislation. But a rose is a rose by whatever name it is called. Therefore, let us consider the proposal not either as conservatives or liberals, or whatever, but as responsible Members and let us study it on the basis of content and not labels.

It is on that basis that I would like to present my views. But first a word about the broad provisions of the bill and how it got out of the Committee on the Judiciary.

HISTORY OF LEGISLATION AND BILLS INTRODUCED

The history of this legislation shows that the proponents became bolder and bolder as time went on and wound up by employing tactics or procedures unprecedented during my period of service on the Committee on the Judiciary in bringing it out of that committee.

As usual, many Members introduced various versions of civil rights bills during the last session of Congress. But the important bills to look at are the ones introduced by the Democratic chairman of the committee, Mr. Celler, of New York, and the senior Republican member of the committee, Mr. McCulloch, of Ohio.

On January 31, 1963, Mr. McCulloch, the senior Republican member on the committee, introduced H.R. 3139, containing four titles, as follows:

Title I: Making the Civil Rights Commission a Permanent Agency; Strengthening Equal Protection of the Laws in the Field of Education.

Title II: Equal Employment Opportunity by the Establishment of a Commission on Equality of Opportunity in Employment.

Title III: Assistance to States in the Field of Education.

Title IV: Literacy Tests, Establishing Presumption of Literacy in Federal Elections.

On April 4, 1963, Mr. Celler, the Democratic chairman of the committee, introduced H.R. 5455, entitled "A bill to enforce constitutional rights and for other purposes, in the field of education only."

And, on the same date, he introduced H.R. 5456 to extend the life of the Commission on Civil Rights for 4 years.

Finally, on June 20, 1963, Mr. Celler, the Democratic chairman of the committee, introduced H.R. 7152, containing eight titles, as follows:

Title I: Voting Rights.

Title II: Injunctive Relief Against Discrimination in Public Accommodations.

Title III: Desegregation of Public Education.

Title IV: Establishment of Community Relations Service.

Title V: Commission on Civil Rights.

Title VI: Nondiscrimination in Federally Assisted Programs.

Title VII: Commission on Equal Employment Opportunity.

Title VIII: Miscellaneous.

HEARINGS AND PRELIMINARY ACTION OF THE COMMITTEE

To be sure, general hearings were held over quite a period of time, but the subcommittee came out with a complete substitute of its own going far beyond both the scope and coverage of the bills as introduced and the hearings thereon. The substitute then came up before the full committee for consideration in executive session. After some discussion even the most ardent supporters of civil rights legislation said or pretended to say that they could not stomach it. The Attorney General himself appeared before the committee in executive session and testified as follows:

"Title III would extend to claimed violations of constitutional rights in State criminal proceedings or in book or movie censorship; disputes involving church-state relations; economic questions such as allegedly confiscatory ratemaking or the constitutional requirement of just compensation in land acquisition cases; the propriety of incarceration in a mental hospital; searches and seizures; and controversies involving freedom of worship, or speech, or of the press.

"Obviously, the proposal injects Federal executive authority into some areas which are not its legitimate concern and vests the Attorney General with broad discretion in matters of great political and social concern.

"To illustrate: Which types of disputes should the Attorney General make a matter of Federal concern? Should he exempt disputes involving reading of the Bible in classrooms? If so, on what basis? What criteria should he adopt to determine whether to intervene in a particular case of an arrest for investigation, for example, or the banning of a movie as obscene, or a claim that the rate set by a State public utilities commission is unreasonably low?" (See p. 2658 of his testimony in executive session.)

It was agreed that a motion would be made to strike out title III when the time came for amendments of the subcommittee substitute.

And it was readily admitted by a number of the proponents that the section of the subcommittee substitute bill dealing with voting rights and providing that it would apply to both Federal and State elections was unconstitutional. The only question was who would offer the amendment when we reached the point when amendments would be offered to the subcommittee substitute?

I have been with the Committee on the Judiciary for over 15 years. I have great respect for all the members. I consider all of them to be close personal friends, and at the same time I think I know my way around a bit in the committee. And from what I heard and observed, I was completely satisfied that there would be important modifications made in executive session, including a modification of the title dealing with public accommodations and other provisions. It clearly appeared to me that we were making headway and that reason and calm deliberations were prevailing. But I must have been dreaming, because, in the words of the song of Governor Davis, "You Are My Sunshine"—"when I awoke I was mistaken."

FINAL COMMITTEE ACTION

On October 29, 1963, the proponents took over the proceedings in a grand style.

Chairman CELLER offered a brandnew 56-page mimeographed substitute bill which he described as an amendmen. and moved that the committee approve it. The chairman announced that he would recognize a member of the committee to move the previous question and if it were ordered that no amendments could be offered to his proposal; no debate had, and no questions asked or answered.

The bill was, upon order of the chairman, read hastily by the clerk, without pause or opportunity for amendment. Several members of the committee repeatedly requested to be permitted to ask questions, have an explanation of the bill, discuss it, consider its provisions, and offer amendments. The Chair refused to grant such requests or to recognize these members of the committee for any purpose. After the reading of the bill in the fashion hereinabove described, the chairman announced that he would allow himself 1 minute to discuss the bill, after which he would recognize for 1 minute the ranking minority member, the gentleman from Ohio. This was an ostensible attempt to comply, technically, with the rules of the House but did not amount to debate, as debate is generally understood. Neither of these gentlemen discussed the bill for more than 1 minute; both of them refused to yield to any other member of the committee and neither of them debated the bill nor discussed it in any fashion other than to say that they favored it. They made no effort in the 2 minutes consumed by both together to even so much as explain the provisions of the bill. In short, there was no actual debate or even an opportunity for debate or to offer amendments. I doubt seriously that anyone really knew what he was voting on.

As stated in our minority report, in reciting these facts relating to the procedures employed in the full committee we do not do so in any captious spirit, but relate these facts to inform the Congress of the tactics employed to bring this bill before the House.

THE BILL REPORTED OUT

Now that we have had an opportunity to compare the bills as introduced, the subcommittee substitute and the full committee substitute, we can assert this. The subcommittee wrote a bill with little relation and less regard to the general hearings and then the full committee rewrote the final product with no hearings at all and with no opportunity for debate or to offer amendments.

There has been a lot of talk concerning the watering down of the subcommittee substitute by the full committee. About the only thing that can be said in this respect is that the full committee took out from and then put back in many important provisions in the subcommittee substitute. I desire to list just a few glaring examples:

1. As indicated by his own testimony in executive session, previously quoted, title III, in one fell swoop, would have permitted the Attorney General to file suits in the broad field of civil rights. This short sentence stared you in the face and it looked awful. It dug a glaring, deep penetration like a single rifle shot. So this title was removed by the full committee, but in shotgun fashion little titles III were inserted here and there in the reported bill.

And to be sure that the grab for power by the Attorney General is complete, title X provides that nothing in this act shall be construed to deny, impair or otherwise affect any right or authority the Attorney General already has—broad as those may be.

2. It has been generally reported that the full committee changed the subcommittee substitute so as to restrict this bill to Federal elections. But this is not so. Although the full committee substitute refers repeatedly to "any Federal election," in the body of the bill, section 101(c) defines a Federal election to mean "any general, special or primary election held solely or in part for the purpose of electing or selecting any candidate for the office of President, Vice President, presidential elector, Member of the Senate or Member of the House of Representatives." This means that the bill before you does apply to local and State elections in at least 46 States of the Union.

3. There was added in the bill reported out by the full committee in section 101(d) the unprecedented provision that, "In any proceeding instituted in any district court of the United States under this section the Attorney General may file with the clerk of such court a request that a court of three judges be convened to hear and determine the case." This provision giving the Attorney General the power to shop around for a forum and special judges did not appear in any previous version of the bill.

4. Section 602 makes it the mandatory duty of every Federal department or agency to utilize the funds provided for Federal financial assistance in every program or activity to enforce the civil rights requirement. This mandatory requirement did not appear in the administration bill.

5. The full committee substitute added section 202. This section would make unlawful discrimination or segregation of any kind on the ground of race, color, religion, or national origin at any establishment or place, if either purports to be required by any rule, order, etc., of any State or agency or political subdivision thereof. This section is not limited to public places or facilities and did not appear in any previous version of the bill.

6. Section 711(b) contains the following blanket and unlimited authority:

"The President is authorized to take such action as may be appropriate to prevent the committing or continuing of an unlawful employment practice by a person in connection with the performance of a contract with an agency or an instrumentality of the United States." This provision was not contained in the subcommittee proposal.

7. Under section 201(b)(c) an establishment is classified as engaging in interstate commerce if it "provides lodging to transient guests" or "if it serves or offers to serve interstate travelers." This broadens the coverage provided in the subcommittee proposal which made such classification if the accommodations, goods, and services "are provided to a substantial degree to interstate travelers" or if a substantial portion of the goods offered has "moved in interstate commerce." As to the latter requirements the wording of the bill is: "It serves or offers to serve interstate travelers or a substantial portion of the food which it serves, or gasoline or other products which it sells has moved in commerce." It will, therefore, be seen that the bill reported out of the full committee covers any establishment, offering lodging to transient guests, even though it does not have guests traveling in interstate commerce. The bill also covers an establishment which offers to serve interstate travelers even though a substantial portion of the food which it serves, or other products which it sells, has not moved in interstate commerce.

8. The House Committee on Education and Labor has jurisdiction over labor legislation. Accordingly, that committee reported out the so-called FEPC bill, H.R. 405. That bill is now pending before the Rules Committee.

A few witnesses appeared and suggested that it would be nice to tack the provision of that FEPC bill to the present one. But the administration had not asked for it; the Democratic chairman of the committee had not included it in his proposal, and the senior Republican member of the committee has not included such a FEPC proposal in his bill. And I can say as a fact that the committee members did not take the suggestion seriously—not at the time the suggestion was made anyway.

Yet, without having jurisdiction over the subject matter, without hearings, without as much as a by your leave, the FEPC provision of H.R. 405, reported out by another Committee and pending before the Rules Committee, was incorporated as title VII of the bill under discussion.

9. Under title IV the Commissioner of Education is granted broad new powers. Under title VI every agency and department of the Federal Government administering activities or programs involving Federal financial assistance is required to take ill-defined action, in addition to cutting out Federal funds. And, as previously pointed out, under section 711(b) the President is granted unlimited and blanket authority to take whatever action he deems appropriate concerning employment in such programs.

It is not my task to measure the depth and breadth of these provisions and other members will discuss their full impact. But it can be seen that a concerted exercise of a combination of these powers would bring about these results:

Public and private schools and colleges benefiting from any Federal financial program are placed under Federal control in the handling of pupils and the selection of faculty members insofar as they relate to race, color, or national origin and desegregation or discrimination in connection therewith.

I am quite sure that most if not all of the proponents would tell you that they do not intend such results, but there they are nevertheless.

Well, what do we do? We could recommit the bill, or we could defeat the bill, or we could and must at the very least amend it to take care of harsh and drastic situations and results, above outlined, among others.

RECOMMITTAL, DEFEAT, OR AMENDMENT

I do not think it can be denied by any serious-minded and responsible Member or person that the bill now before you is the most drastic and far-reaching proposal and grab for power ever to be reported out of a committee of the Congress in the history of our Republic.

I am quite certain that the foregoing and many other harsh, open-ended, and unlimited provisions would have been removed if the committee had been given an opportunity to debate and amend the bill in calm and deliberate executive session. And in my opinion, the right thing to do would be to recommit the bill to the Committee on the Judiciary for further consideration.

If the bill is not recommitted, and if it is not defeated, however, I have outlined at least some of the kind of meaningful amendments that should be offered on the floor. And in resolving any course of action, I again appeal to the membership to vote on it on the basis of merit and content and not on the basis of sectionalism, prejudice, and label.

TITLE I

I shall now identify some of the major weaknesses of title I of the bill—the title on voting rights, starting with the provisions of subparagraphs (A), (B), and (C) of section 101(a)(2) of the bill. These begin at pages 38, line 16. They impose prohibitions on State election officials in connection with so-called Federal elections.

Our Constitution provides for popular election of Senators and Representatives in Congress. It also provides for the election of electors who select the President and Vice President of the United States.

The right to vote for these Federal officials is a sacred one. It is protected by the 14th amendment to the Constitution, which prohibits the States from denying to any person the equal protection of the laws, and by the 15th amendment, which says that the rights of citizens to vote shall not be denied or abridged by any State on account of race, color, or previous condition of servitude.

While article I, section 4 of the Constitution empowers Congress to "make or alter" regulations as to the "times, places and manner of holding elections for Senators and Representatives," there is no similar provision with respect to elections of presidential electors.

Article II, section 1 merely provides that each State shall appoint its electors in such manner as the legislature thereof may direct.

What is more, and this is most important, the Constitution gives Congress no power to determine the qualifications of voters in elections of Federal officials but leaves this to the States.

Article I, section 2 provides that the electors of Representatives in Congress shall have the same qualifications as the electors of the lower ("most numerous") house of the State legislature. The 17th amendment provides the same qualification rule for electors of U.S. Senators. And article II, section 1 gives State legislatures control of the manner of election of presidential and vice-presidential electors. In practice, this has resulted in the same eligibility rules in each State for all elections of Federal officials.

To sum up a very simple situation—under the Constitution people who are qualified by State law to vote for members of the lower house of the State legislature are also qualified to vote for Representatives and Senators in Congress and for electors of the President and Vice President. States must not deny equal protection of the laws, or abridge the right to vote because of race or color. Congress can affect the "times, places, and manner" of holding congressional elections, but not of the election of presidential electors, and it has no power over qualifications to vote.

With this simple situation in mind, let us look at the bill. Subparagraph capital (A) of section 101(a)(2) says that no person acting under color of law shall "(A) in determining whether any individual is qualified under State law or laws to vote in any Federal election, apply any standard, practice, or procedure different from the standards, practices, or procedures applied under such law or laws to other individuals within the same county, parish, or similar political subdivision who have been found by State officials to be qualified to vote"

If this means that no State official shall deny or abridge the right of citizens to vote on account of race or color, or shall deny any person the equal protection of the laws, I am for it all the way. Because that is what the Constitution says in the 15th and 14th amendments. In other words, if subparagraph (A) means that no State officer shall discriminate with respect to voting rights by applying different voting qualifications to different persons because of their respective race or color, it is already the law. But the import of the subparagraph is to permit an encroachment on the constitutional power of the States to establish qualifications of voters.

The same is true of subparagraph capital (B) which begins at line 3 on page 41 of the bill. This subparagraph provides that no person acting under color of law shall "(B) deny the right of any individual to vote in any Federal election because of an error or omission of such individual on any record or paper relating to any application, registration, payment of poll tax, or other act requisite to voting, if such error or omission is not material in determining whether such individual is qualified under State law to vote in such election".

Here again, no one, least of all I, wants an applicant for voting registration to be turned away on the pretext of an error or omission that is not material to his qualifications. But here, again, the question is one of qualification to vote under State law. And here, again, the bill takes the determination of the qualifications away from the States. The Constitution placed it in the States. How, in the absence of a violation of the 14th and 15th amendments, can it be taken away? Yet that is what the bill does.

There is no precise way of measuring how grave an error or omission must be before it is material to the qualifications of a voter. The Constitution gave the question of qualifications to the States. The bill would give it to the Federal courts, again without any showing that the purported immaterial error or omission was used as a pretext for discrimination because of race or color. Mere nonuniformity among registrars is made the legal equivalent of deliberate discrimination. What is more, there is no reason to believe, and the committee had no basis for assuming, that Federal judges will be wiser or more consistent in their appraisal of what is material than the local registrars.

Thirdly, I turn to subparagraph capital (C) at line 10 of page 39. This provides that no person acting under color of law shall "(C) employ any literacy test as a qualification for voting in any Federal election unless (i) such test is administered to each individual wholly in writing except where an individual requests and State law authorizes a test other than in writing, and (ii) a certified copy of the test whether written or oral and of the answers given by the individual is furnished to him within twenty-five days of the submission of his request made within the period of time during which records and papers are required to be retained and preserved pursuant to title III of the Civil Rights Act of 1960."

Subparagraph capital (C) constitutes another unwarranted interference with the States with respect to their Constitutionally granted power to determine eligibility to vote. There can be no denial that the form and content of a literacy test is an element in the establishment of a voter's "qualifications" as that term is used in article I, section 2 and in the 17th amendment, which relate to electors of Representatives and Senators respectively. It is therefore a prerogative of the States and not of the Congress. Finally, this prohibition of oral literacy tests is made to apply without regard to whether the test is used to discriminate on account of race or color in violation of the 15th and 14th amendments. Here again the Judiciary Committee lacks sufficient factual basis to support the blanket inference that the mere use of oral literacy tests, in and of itself, with nothing more shown, violates the Constitutional injunction against discrimination in voting because of race or color.

These provisions of the bill, in my opinion, are unconstitutional substitutions of the judgment of Federal courts for the judgments of State officials. Their enactment would open a Pandora's box of further confusion in Federal-State relationships.

But the bill goes further than merely interfering with the right of the State legislatures to establish and administer their own qualifications for voting. In section 101(b) it establishes an affirmative test of its own. Section 101(b) (at p. 40, line 7) provides that in any voting suit a person who has completed the sixth grade shall be presumed to have sufficient literacy to vote in any Federal election.

Let me make myself entirely clear. I personally agree that such persons should be allowed to vote. The exercise of the franchise should be universal and any literacy bar to voting should be minimal indeed. But this cannot disguise the fact that the Federal presumption created by section 101(b) establishes a qualification for voting. The Supreme Court has repeatedly ruled that the States and only the States have the right to establish voter qualifications. Usurpation of this right by act of Congress is clearly unconstitutional.

Nor can much comfort be found in the fact that this presumption of literacy is declared to be rebuttable. In a court case the State voting registrar would have the burden of proving by a preponderance of evidence that the voter applicant is illiterate. If the applicant can avoid a literacy test, this burden would be considerable.

Before leaving the unconstitutional requirements of sections 101 (a) and (b), I should like to revert to the ostensible limitation of these subparagraphs to "any Federal election." At first glance one would naturally think that this is a material limitation on their scope. But when it is recalled that "Federal election" is defined as "any general, special, or primary election held solely or in part for the purpose of electing or selecting any candidate for the office of President, Vice President, presidential elector, Member of the Senate, or Member of the House of Representatives," it is clear that most elections are included.

Forty-six of the States elect their own officials in elections at which Members of Congress and president and vice-president electors are also chosen. What is more, they qualify their voters only once, and registration applies for the election of all officials, both Federal and State. This means, as a practical matter, that virtually all regular elections are "Federal elections," within the meaning of the bill. To take advantage of the exemption which the bill ostensibly gives them with respect to State elections, the States would have to go to the considerable expense of a double registration system and the separation of the elections conducted for State offices from those conducted for Federal offices, a very impractical alternative. In effect, as I have stated, the provisions of section 101(a) amount to a congressional finding, unsupported by evidence, that the practices prohibited ipso facto involve discrimination in violation of the 14th and 15th amendments. In light of this, any State seeking to continue oral literacy tests, even in purely State elections, would be virtually courting charges of denial of equal protection of the laws.

Another innovation of title I is found in section 101(d) of the bill which authorizes the Attorney General, at his unreviewed discretion, to demand a three-judge court to hear and determine any voting suit. The chief judge of the circuit would have no choice but to comply with the Attorney General's request. Although one of the judges must be from the district in which the suit is instituted, the other two need not. This provision enables the Attorney General, when he has no confidence in a particular district judge, to convert that judge into a minority of a three-judge panel, if, indeed he is appointed to the panel at all.

It is difficult to understand why this provision, which did not appear in the administration bill nor in the subcommittee substitute, should now make its appearance. It is extremely difficult to perceive why, in this troubled field the Attorney General should have what amounts to a preemptory challenge to the district judge before whom the case would normally be tried. I seriously question whether such a flagrant form of forum shopping should be encouraged, least of all should it be provided as an exclusive privilege of the plaintiff Government.

TITLE II

Just like good engineers construct our highways with separate lanes of traffic, so our Founding Fathers erected constitutional walls separating the functions of our Government into three branches—the legislative branch, the executive branch, and the judicial branch.

When a motorist drives out of his lane of traffic and occupies the lane of another someone is going to get hurt.

And when one branch invades the functions of another branch, not only individual rights, but the property rights of all the people will be impaired or destroyed.

As members of the legislative branch we are prone, in varying degrees, to condemn the other two branches, especially the judicial branch, for invading or intruding on our own functions. We insist that the function of the judicial branch is not to make laws but to interpret our laws in the light of the Constitution.

Yet, the legislative branch of our Government, in title II of this bill, undertakes to compel the courts to accept our interpretation of the Constitution, and especially the 14th amendment and the commerce clause, not only beyond and even contrary to the previous rulings of the courts, but beyond and contrary to the provisions of the Constitution itself. Let me give you two typical examples:

In the teeth of previous rulings of the courts to the contrary, title II undertakes to order that from here on the 14th amendment shall mean that the private owner of a place of business, such as a restaurant and many others, cannot choose his customers.

Despite previous court decisions, and beyond and contrary to the provisions of the commerce clause itself, title II undertakes to regulate intrastate commerce and to make a finding intended to be binding on the courts that the activities of the owner of a private establishment, such as a local hamburger stand, a local gasoline station, or a local grocery store constitutes interstate commerce.

Before discussing how and on what basis all of this is to be accomplished, let us consider certain fundamental provisions of the Constitution dealing with both civil rights and property rights.

We must and do respect all the provisions of the Constitution protecting the rights of the individual—the 5th amendment and other provisions of the Bill of Rights, the 14th amendment, and the 15th amendment, upon all of which civil rights are based.

But certainly without putting them above those dealing with individual rights, we must also respect and abide by the provisions of the Constitution dealing with property rights, upon all of which our system of free and competitive enterprise is based.

In fact, the 14th amendment protects the individual rights and property rights in the same sentence, which says: "No State shall deprive any person of life, liberty, or property without due process of law."

And the first 10 amendments—the Bill of Rights—sought to protect property rights as well as personal rights. The third amendment protects the houses of people. The fourth amendment protects the people as to their houses, papers and effects, as well as their persons. The fifth amendment protects life, liberty, and property, and specifically forbids the taking of private property for public use without just compensation. The seventh amendment protects the right of trial by jury in cases involving property, just as the sixth amendment does in cases involving life or liberty.

And then, in order to give full meaning to the foregoing, and to insure and preserve the stability of all private agreements and commercial transactions, the Constitution adds the clincher that no State shall make a law impairing the obligation of contracts. What contracts? Any and all, and even contracts freely and voluntarily entered into, verbally or in writing, written or spoken.

What is "property"? In its strict legal sense, "property" signifies that dominion or indefinite right of user, "control and disposition which one may lawfully exercise over particular things or objects. As so used, the word signified the sum of all the rights and powers incident to ownership. So defined, property is composed of certain constituent elements, including the unrestricted right of use, enjoyment, and disposal of the particular subject of property. Owners of real estate have the right under the Constitution to use, lease and dispose of it for all lawful purposes. The right of free and untrammeled use for legitimate purposes is fundamental and within the protection of the Federal Constitution.

The sum total of all of the foregoing constitutional provisions and the foregoing illustrations of the meaning of property and property rights is the foundation of our free and competitive enterprise system just as the sum total of the foregoing constitutional provisions dealing with individual rights is the foundation of all civil rights. And under our Constitution we can no more protect individual rights by impairing or destroying property rights than we can protect property rights by impairing or destroying individual rights. Nor can one freedom be advanced or protected by impairing or destroying others.

Title II of the bill draws under Federal control inns, hotels, motels, and other lodging houses, restaurants, cafeterias, lunchrooms, soda fountains, gasoline stations, motion picture houses, concert halls, theaters, sports arenas, stadiums, and other places of exhibition and entertainment.

Having named these categories of private business establishments, the bill adds a "catchall" category. Any retail establishment in which one of the foregoing categories of business places is located, or any retail establishment located in any of these categories, is covered. Therefore, if a lunch counter is in a drug store or a department store, the entire store is covered. If a doctor or lawyer has an office in a hotel building, he is covered.

In executive session, the Attorney General expressed concern about the broad coverage of the subcommittee substitute. He said:

> "What businesses are covered by this provision [in the subcommittee substitute] are unclear. I have no objection to broadening the bill's reliance on the 14th amendment or broadening its scope if the Congress so desires. But invoking the 14th amendment generally is no substitute for specifying the establishments which Congress, enacting national law to solve a national problem, intends to cover."

Yet, the full committee added a new section (sec. 202) covering "any establishment or place if segregation is required by law or by order of a State."

The provisions of section 202 were not included in the administration bill or the subcommittee substitute. Its inclusion in the reported bill marks the blanket character of this legislation.

And the same can be said of the provisions of section 201 (b) and (c) which, as I have shown, broaden the coverage of the measure to include establishments which provide lodging to transient guests (irrespective of their travel in interstate commerce) or if they "offer to serve" interstate travelers (irrespective of whether or not any substantial quantity of the food, gasoline, etc., has moved in interstate commerce).

Title II is said to be based on two concurrent constitutional provisions. The foregoing enumerated establishments are found by Congress to be "places of public accommodation" and are covered (1) if they affect interstate commerce, or (2) if segregation is "supported" by State action. The word "supported" is defined as meaning that segregation (1) "is carried on under color of law, statute, ordinance, regulations, custom or usage, or (2) is required, fostered or encouraged by action of a State."

The constitutional grounds utilized in title II reflect new extremes in the attempted application both of the commerce clause and of the 14th amendment.

In respect of "commerce" the title indulges the presumption that "transients" generate "commerce" and that offers to serve travelers affect "commerce." In the area of the 14th amendment and the concomitant requirement of some sort of "State action," it equates "custom and usage" to affirmative action by a State. In both respects, title II constitutes a novel and dangerous experiment in political theory. Its adoption could work a revolutionary change in the existing balance of Federal-State relationships.

In my opinion, however, the attempted utilization of the 14th amendment and the commerce clause to support title II cannot be defended on constitutional grounds. You are well aware of the decision of the Supreme Court in *The Civil Rights Cases* (109 U.S. 3), which held squarely and unequivocally that the act of Congress of 1875, entitled "An act to protect all citizens in their civil and legal rights" and proposing to do exactly what is proposed to be done by title II, was unconstitutional and could not be supported under the 14th amendment.

Since my guess is as good as anyone's, I venture to say that the reason no effort was made to base the 1875 statute on, or to justify it under, the commerce clause was because of the feeling that there was far less chance to support its constitutionality on the commerce clause than there was to have its constitutionality upheld under the 14th amendment.

One of the recent decisions of the Supreme Court of the United States reaffirming the principles announced in the Civil Rights cases is that of *Burton* v. *Wilmington Parking Authority* (365 U.S. 715, 6 L. Ed. 2d 45 (1961)), in which the Court said:

> The *Civil Rights* cases (109 U.S. 3 (1833)), "embedded in our constitutional law" the principle "that the action inhibited by the first section (equal protection clause), of the 14th amendment is only such action as may fairly be said to be that of the States. That amendment erects no shield against merely private conduct, however discriminatory or wrongful."

As late as May 20, 1963, in *Peterson* v. *City of Greenville* (373 U.S. 244), the Supreme Court stated: "individual invasion of individual rights" is not within the purview of the 14th amendment, and "private conduct abridging individual rights does no violence to the equal protection clause." In his concurring opinion in the Peterson case, Mr. Justice Harlan said:

> "Freedom of the individual to choose his associates or his neighbors, to use and dispose of his property as he sees fit, to be irrational, arbitrary, capricious, even unjust in his personal relations are things all entitled to a large measure of protection from governmental interference."

In 1959 the Fourth Circuit Court of Appeals in the case of *Williams* v. *Howard Johnson* (268 Fed. 2d 845, 847), stated clearly this well-recognized rule when it said:

> "This argument fails to observe the important distinction between activities that are required by the State and those which are carried out by voluntary choice and without compulsion by the people of the State in accordance with their own desires and social practices. Unless these actions are performed in obedience to some positive provision of State law they do not furnish

a basis for the pending complaint. The license laws of Virginia do not fill the void."

It is clearly unconstitutional to bottom any claim of Federal control of State action upon "custom or usage" involving acts which constitute merely private conduct.

The attempt to base Federal regulation of public accommodations upon the interstate commerce clause is equally unconstitutional.

"The broken package doctrine" is succinctly stated by the Supreme Court in *Dahnke-Walker Co.* v. *Bondurant* (257 U.S. 282, 290), as follows:

"Where goods in one State are transported into another for purposes of sale the commerce does not end with the transportation, but embraces as well the sale of the goods after they reach their destination and while they are in the original packages."

The claim that the intrastate sale or renting of goods which have moved in interstate commerce is in itself interstate commerce is in the teeth of the long line of cases illustrated by the statement of Mr. Justice Brandeis in *Pacific States Box & Basket Co.* v. *White* (296 U.S. 176, 80 L. Ed. 138):

"The operation of the order is intrastate, beginning after the interstate movement of the containers has ceased, and after the original package has been broken."

That this basis used in this bill to attempt to transform intrastate commerce into interstate commerce is untenable is demonstrated by the decision of the Court of Appeals of the Fourth Circuit quoted above, *Williams* v. *Howard Johnson* (268 F. 2d 845 (1959)), as follows:

"We think, however, that the cases cited are not applicable because we do not find that a restaurant is engaged in interstate commerce merely because in the course of its business of furnishing accommodations to the general public it serves persons who are traveling from State to State. As an instrument of local commerce, the restaurant is not subject to the constitutional and statutory provisions discussed above and thus, is at liberty to deal with such persons as it may select."

See also *Elizabeth Hospital, Inc.* v. *Richardson* (269 F. 2d 167), decided by the Court of Appeals of the Eighth Circuit in 1959, which cites the decision of the Supreme Court supporting the rule as follows:

"We think that the plaintiff's operation of a hospital, to include rendition of hospital services to some persons who came from outside the State, is no more engaging in interstate commerce than was Dr. Riggall in rendering medical services to persons who likewise came from other States. The fact that some of the plaintiff's patients might travel in interstate commerce does not alter the local character of plaintiff's hospital. If the converse were true, every country store that obtains its goods from or serves customers residing outside of the State would be selling in interstate commerce. Uniformly, the courts have held to the contrary" (A.L.A. *Schechter Poultry Corp.* v. *United States*, 1935, 295 U.S. 495, 55 S Ct. 837, 79 L. Ed. 1570; *Lawson* v. *Woodmere*, 4 Cir., 1954, 217 F. 2d 148, 150; *Jewel Tea Co.* v. *Williams*, 10 Cir., 1941, 118 F. 2d 202, 207; *Lipson* v. *Socony-Vacuum Corp.*, 1 Cir., 1937, 87, F. 2d 265, 267, certiorari granted 300 U.S. 651, 57 S. Ct. 612, 81 L. Ed. 862, certiorari dismissed 301 U.S. 711, 57 S. Ct. 788, 81 L. Ed. 1364).

Congress cannot constitutionally enact a statute converting intrastate commerce into interstate commerce, as is here proposed, without upsetting every one of the original unbroken package cases and their long line of successors.

If Congress has the supposed power over hotels, motels, and lodging houses here sought to be asserted, then Congress has the right to regulate them in every respect even as to the rates they can charge for rooms. If Congress can say what guests they must take, then it can say what rates they must charge for their rooms, or even can tell them what they can put on their bill of fares, and maybe not to serve things that are objectionable to certain people.

If Congress can make a finding that the business of these private and independent operators constitutes "places of public accommodation," then we may as well make a finding that such private and independent businesses are "affected with a public interest" and regulate them like public utilities, guarantee them a return on their investment, or maybe just run them by the Government.

SENATE

MONDAY, JANUARY 27, 1964

The Senate met at 12 o'clock meridian, and was called to order by the President pro tempore.

The Chaplain, Rev. Frederick Brown Harris, D.D., offered the following prayer:

God of all mercy, who art acquainted with our frailties, and forgivest even our craven denials of Thyself: Thou who knowest our hearts knowest that as we pause in contrite devotion at this daily arbor of quiet, we hate our sins of omission and commission that draw us from the glory of our better selves. By our very failures and fallibilities and by tasks too difficult for us, we are driven unto Thee for strength to endure and wisdom to rightly interpret the signs of these trying times.

In the cause of our free land and of our common humanity, may we be colaborers with Thee in helping to build the city of God on the ruined wastes of this divided and disordered world.

May the benediction of Thy grace rest upon Thy servants, called to serve the Nation and the world in such an age. Here in the homeland, amid familiar scenes, or in far parts of the world, beset by danger, may Thy protecting care encompass them, giving them every new day, whatever may be the circumstances, the assurance that underneath are Thy everlasting arms.

Amid all life's changes, Thou who changest not, abide with us and guide us, now and forever. Amen

THE JOURNAL

On request of Mr. MANSFIELD, and by unanimous consent, the reading of the Journal of the proceedings of Thursday, January 23, 1964, was dispensed with.

MESSAGES FROM THE PRESIDENT—APPROVAL OF JOINT RESOLUTION

Messages in writing from the President of the United States were communicated to the Senate by Mr. Miller, one of his secretaries, and he announced that on January 23, 1964, the President had approved and signed the joint resolution (S.J. Res. 136) providing for renaming the National Cultural Center as the John F. Kennedy Center for the Performing Arts, authorizing an appropriation therefor, and for other purposes.

REPORT ON U.S. AERONAUTICS AND SPACE ACTIVITIES—MESSAGE FROM THE PRESIDENT (H. DOC NO. 207)

The PRESIDENT pro tempore laid before the Senate the following message from the President of the United States, which, with the accompanying report, was referred to the Committee on Aeronautical and Space Sciences:

To the Congress of the United States:

In accordance with section 206(b) of the National Aeronautics and Space Act of 1958, as amended, I transmit herewith a report for the calendar year 1963, on this Nation's aeronautics and space activities.

The year 1963 was a period of constructive development of our increasing space competence. It was also a period of searching evaluation of the national space program—an evaluation which resulted in broad acceptance of the policy of our attaining and maintaining space leadership, with due regard for our national security.

Our space program, in both its civilian and military aspects, is peaceful in purpose and practice. Moreover, it combines such objective with a policy of international cooperation based upon a mutuality of participation and benefits as well as the wide dissemination of knowledge.

Space progress is essential if this Nation is to lead in technology and in the furthering of world peace. Such progress requires the use of substantial resources, which must be employed efficiently and effectively in order that we obtain the maximum benefits with a minimum of waste.

In summary form, the accompanying report depicts the contributions of the various departments and agencies of the Government to the national space program during 1963.

LYNDON B. JOHNSON.

THE WHITE HOUSE, *January 27, 1964.*

HOUSING—MESSAGE FROM THE PRESIDENT (H. DOC. NO. 206)

The PRESIDENT pro tempore laid before the Senate the following message from the President of the United States, which, with the accompanying papers, was referred to the Committee on Banking and Currency:

To the Congress of the United States:

Our Nation stands today at the threshold of the greatest period of growth in its history.

By 1970, we shall have to build at least 2 million new homes a year to keep up with the growth of our population. We will need many new classrooms, uncounted miles of new streets and utility lines, and an unprecedented volume of water and sewerage facilities. We will need stores and churches and libraries, distribution systems for goods, transportational systems for people, and communication systems for ideas.

Above all, we will need more land, new housing, and orderly community development. For most of this population growth will be concentrated in the fringe areas around existing metropolitan communities.

I. HOUSING

Fortunately, the old pressures on our housing supply arising from depression and war-caused shortages have largely been overcome. But new pressures will develop as the number of new families rises rapidly in the late sixties. And great numbers of our families have yet to secure the true goal of every parent: Not merely housing but adequate housing.

Now is the time to direct the productive capacity of our homebuilding industry to the great needs of the neglected segments of our population. This is necessary in its own right and vital to the continued strength of the industry.

Satisfaction with the 1,600,000 new housing starts in 1963 cannot obscure the fact that too many minorities, too many families of low income, too many elderly, too many rural families, and too many military families have not shared in the housing improvement which those units represent.

Unless we act and act now, the promises of the national housing policy will remain empty slogans to large numbers in these groups.

A. HOUSING FOR MINORITIES

Over a year ago, President Kennedy issued an Executive order designed to assure opportunities for equal access to federally assisted housing. Already a half million dwelling units are—or soon will be—subject to that order. This administration will continue and strengthen its efforts to translate the pledge of that order into meaningful practice. The program proposed in this message will broaden the range of housing choices open and realistically available to those whom discrimination has too long restricted.

B. HOUSING FOR LOW-INCOME FAMILIES

For over a quarter of a century, the low-rent public housing program has been the primary source of additional decent housing for families of low income. Over 1,500 communities—350 of them since 1961—have recognized the need for supplementing private efforts by creating housing authorities to build and operate public housing with Federal assistance.

The 100,000 units of federally aided public housing authorized by the Housing Act of 1961 are now all committed. But still more communities and more families need such housing.

To continue this program for those who have no other effective opportunity for better housing, I recommend the authorization of 50,000 additional public housing units for each of the next 4 years.

Most of these units should continue to be new construction to provide a net expansion in the volume of housing available to low-income families. However, we have at this time a real opportunity to make low-rent housing available more quickly and at lower cost in many cities by acquiring units from the existing stock of private housing and rehabilitating them, where necessary, for the use of low-income families. I recommend amendments to the Public Housing Act to facilitate acquisition of existing housing units within the proposed 50,000 units per year.

In other cases, leasing of standard units by local public housing authorities for use in the low-rent program is a feasible and economic approach. I recommend, in addition, that the authority for expanding low-rent housing include authorization for local housing authorities to lease 40,000 housing units over the next 4 years.

We have much more to learn before the housing needs of our low-income population can be adequately met. The small demonstration program provided for this purpose in the Housing Act of 1961 has permitted a number of promising experiments to get underway. I recommend an additional $5 million be authorized to continue this program for at least 1 more year. During this period, attention can be given to special housing needs, such as those of our physically handicapped, as well as to means of helping low-income persons obtain adequate housing.

C. HOUSING FOR THE ELDERLY

I believe it especially unfortunate that many of those who do not have or cannot secure decent housing are elderly. Special attention to the needs of this group at all income levels should continue.

The expansion and improvement of public housing programs that I am recommending will be used extensively for lower income elderly. Federal insurance of loans will continue to encourage the construction of specially designed housing for elderly with adequate incomes. However, the existing authority for funds to finance the program of low-interest direct Federal loans which serves the moderate income elderly will soon be exhausted. I recommend that the low-interest direct Federal loan program for the elderly be extended and additional funds appropriated to permit loans of $100 million during the coming fiscal year.

At present, the successful program of moderate-income housing provided through loan insurance at below-market interest rates enacted in 1961 is limited to family tenants. In many cases, admission of single elderly persons to such housing would be highly desirable. I recommend that single elderly persons be made eligible for housing financed by federally insured below-market interest loans.

D. RURAL HOUSING

The living conditions of our rural families—including the nearly one-third of our elderly who live on farms or in small towns—likewise deserve and need special consideration.

More than a million rural families still live in homes of such poor condition that they actually endanger the health and safety of the occupants.

Three million rural families live in homes that need major repairs.

A third of our rural homes do not have complete sanitary facilities.

Nearly two-thirds of rural homes are without adequate heating.

The rural housing programs of the Department of Agriculture, initiated in 1949 and strengthened in 1961 and 1962, have made a good start on meeting the problems represented by these statistics, but the 20,000 rural families helped last year represent only a small fraction of the job to be done. Primary reliance on direct Federal loans for this purpose is, however, neither necessary nor—in the volume required—realistic.

I recommend extension of the expiring authorization in title V of the Housing Act of 1949 to insure loans on rental housing for the rural elderly. Further, in order to accelerate the basic rural housing loan program, I urge that the Congress enact an insured rural housing loan program along the lines of that proposed by the administration in the first session of this Congress.

I further recommend early action on legislation along the lines of S. 981 to assist with the housing problems of domestic farm laborers—problems which are particularly acute for our 350,000 migrant farmworkers.

E. MILITARY FAMILY HOUSING

The military man, in keeping with his profession, expects to endure—and frequently does endure—personal hardships during his career. We do not have the right to expect the same from his family. While the Defense Department properly relies primarily upon the private community to supply the major portion of its needs for decent and economical housing, an annual construction program to house the families of military personnel is required in those communities where the severest chronic shortages exist. Accordingly, I have recommended in the military construction program authorizations and appropriations for 12,500 additional units for fiscal 1965 to meet the most critical needs.

F. IMPROVEMENTS IN OTHER HOUSING PROGRAMS

Apart from the housing needs of the special groups already discussed, the partnership between private industry and Government—exemplified by Federal guarantees and insurance of private housing credit—has made possible good housing and widespread homeownership for millions of our citizens.

I intend to encourage—through legislative proposals, where necessary—even more effective cooperation between Government and industry for the joint benefit of homeowners, tenants, and the industry itself. To this end, I am proposing a number of modifications in the statutes governing our self-supporting mortgage insurance and marketing programs which will improve their efficiency and usefulness. Among these will be the following proposals:

(1) To provide relief in those isolated cases in which, despite the care exercised by builders and the Federal Housing Administration and the Veterans'

Administration, substantial defects develop in new construction they have approved, I recommend that authority be provided for the FHA and VA to finance the correction of susbtantial deficiencies.

(2) To make certain that no legislative barriers exist to discourage or prevent mortgage lenders and the Federal Housing Administration from cooperating to help delinquent mortgagors in deserving cases, I recommend that FHA's claim and forbearance authorities be amended to encourage the temporary withholding of foreclosures against homeowners who default on their mortgages due to circumstances beyond their control.

(3) To expand our concerted effort to substitute private credit for Federal loans, I recommend provision of legislative authority for the pooling of mortgages held by the Federal National Mortgage Association and the Administrator of Veterans Affairs, and the sale of participations in such pools.

II. URBAN RENEWAL

The Federal program of urban renewal is today our principal instrument for restoring the hope and renewing the vitality of older cities and wornout neighborhoods.

The Federal assistance which provides local leaders and governments with incentives and the tools for revitalizing their communities has proven its worth in eliminating housing blight; in contributing to restoration of the economic base of our communities; and in helping reshape our central areas into effective nerve centers for our cities.

The Housing Act of 1961 doubled the previous urban renewal authorization to a total of $4 billion. By the middle of this year all of that increase will have been committed. I recommend that an additional $1.4 billion of urban renewal funds be approved for a 2-year period.

Despite existing programs assisting families and persons displaced by urban renewal projects, the human cost of relocation remains a serious and difficult problem.

The vast majority of those displaced by urban renewal and public housing have relocated in better and standard housing, but some have not. For most, the cost of improved housing has been an unsought burden. For some, the inconvenience of displacement has meant only another slum dwelling and the likelihood of repeating this experience.

To assist further those families and persons least able to bear the burden of displacement, I recommend:

A. That an additional annual subsidy of up to $120 per unit be available for local public housing authorities, where needed to provide access to such housing for displacees with extremely low incomes.

B. That low- and moderate-income families displaced by urban renewal receive 2-year supplemental relocation payments equal to the difference between rentals on standard housing in their communities and 20 percent of their gross incomes.

C. That low-income single persons displaced by urban renewal or other public action be made eligible for public housing.

Similarly, small businessmen—especially those in leased premises—often incur economic loss and hardship as a result of displacement by urban renewal or public housing which is not offset by current compensation practices and moving expense reimbursements. To provide more adequately for these firms, I recommend authority for a separation payment of up to $2,500 for small establishments.

At the time of the 1960 census, 7 million nonfarm dwellings were found to be deteriorating, including 2½ million occupied by their owners. Rehabilitation and preservation of existing housing wherever possible is a key element in the urban renewal process today. Elderly homeowners in urban renewal areas with low, fixed incomes are at a particular disadvantage in trying to meet the increased housing payments required by rehabilitation. To assist them, I recommend a program of Federal insurance and purchase of low-interest loans, with a deferral of amortization of principal, for home rehabilitation by elderly homeowners in urban renewal programs.

III. COMMUNITY DEVELOPMENT

The great expansion of our urban areas over the last 2 decades has too frequently been carried out in a sprawling space-consuming, unplanned and uneconomic way. All levels of government are spending vast sums to accommodate this tremendous urban growth with highways, sewer and water facilities, schools, hospitals, and other community facilities. Rural communities and small towns face similar pressures. If the taxpayer's dollar is to be wisely used and our communities are to be desirable places in which to live, we must assure ourselves that future growth takes place in a more orderly fashion.

I recommend that the urban planning assistance program and the open space program administered by the Housing and Home Finance Agency be extended.

Although the planning requirements of these and various other Federal programs—such as the Federal-aid highway program—also emphasize orderly growth and development, much more can and should be done.

The pioneering efforts of progressive and imaginative private developers in planning totally new and complete communities indicate some of the exciting possibilities for orderly growth. In the tradition of the long-established partnership between private industry and Government in housing and community development, the Federal Government should encourage and facilitate these new and desirable approaches.

Such a partnership can help achieve the orderly accommodation of a significant part of our forthcoming urban growth by means of entirely new communities, complete with all public services, all the industry and commerce needed to provide jobs, and sufficient housing and cultural and recreational facilities for moderate- and low-income families as well as for the well-to-do. To realize such new community development, and to encourage the participation of private initiative on the greatest possible scale, I propose a program of grants and loans to States and local governments for the planning and provision of necessary public facilities and of loan insurance for private developers constructing such facilities.

Many existing communities face problems of expansion as well. Even though they may foresee enormous development ahead, they often lack the resources to build sewer and water systems and other facilities with adequate growth capacity. Building in such capacity in advance could result in tremendous savings and prevent costly duplication or premature replacement of inadequate facilities. I, therefore, recommend a program of public facility loans with deferred amortization to enable communities to plan and build ahead of growth.

Early acquisition of land for right-of-way and other public improvements is frequently sound public business. Many communities which are prepared to exercise foresight in acquiring land—and to save private owners from uncertainty and hardship—lack the financial capacity to do so. Such advance acquisition—which would assure location of such facilities in accordance with planned development—could also result in substantial savings, inasmuch as the increases in land prices that occur as development proceeds would be avoided. I, therefore, recommend that public facility loans, with deferral of amortization as required, be made available for advance land purchase or option by States and local governmental jurisdictions.

To encourage better planned new development on a neighborhood scale, and to preserve and increase the supply of improved land for homebuilding, I recommend Federal insurance of loans to private developers for acquisition and improvement of land for planned subdivisions.

It is essential that all of these programs be based on the existence of effective planning arrangements in the community or region. For planned subdivisions, there should be, in addition, assurance that the neighborhood itself is carefully conceived to maintain its residential integrity and will result in efficient land use.

In our great metropolitan areas, and in our rural communities as well, the difficult problems of growth and development require understanding and cooperation at all governmental levels. The Federal Government can assist and encourage, but, in the last analysis, the success or failure of programs of community development depends on those most directly involved.

IV. URBAN MASS TRANSPORTATION

Efficient transportation systems are essential to our urban communities. Each local system should be tailored to its particular needs—existing and prospective—and the proper mixture of good highways and mass transit facilities should be developed to permit safe, efficient movement of people and goods in our metropolitan centers.

A matching grant mass transit program along the lines proposed by the administration was approved by the

Senate last year (S. 6) and reported favorably to the House by its Committee on Banking and Currency (H.R. 3881). I urge early enactment of the mass transit program as basic to the development and redevelopment of our Nation's cities.

V. TRAINING NEEDS

The sound administration of local governments and the success of our federally supported programs of community development depend heavily on the competence of State and local public service staffs—on their ability, their imagination, and, especially, their training. Throughout the range of local functions—from traffic control to tax administration, from recreation to renewal—their efforts will influence greatly the quality of community living.

The substantial Federal investment in local community efforts justifies a deep Federal interest in the quality of local government employees and the expenditure of funds to help attract able people to local public service and help them develop the skills and perspective they need.

To this end, I recommend a program of up to $25 million a year in matching grants to States for the establishment of urban public service training and research programs.

VI. DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT

If we are to deal successfully with the complex problems of our urban and suburban communities, we need governmental machinery designed for the 1960's, not the 1940's. The Housing and Home Finance Agency, established 17 years ago primarily to administer housing programs, has seen its responsibilities enlarged progressively by the Congress during the intervening years to include the broader aspects of community development as well. The Agency now administers such major community development programs as urban renewal, urban planning, public facilities planning and loans, open space, and mass transit. These basic changes in the Agency's role and mission are not adequately reflected in the Agency's current organization and status which remain much the same as they were in 1947. Action to convert the Housing and Home Finance Agency into an executive department is long overdue.

The size and breadth of the Federal programs now administered by the Housing and Home Finance Agency and the significance of those programs clearly merit departmental status. A new Secretary of Housing and Community Development would be in a position both to present effectively the Nation's housing and community development needs in the highest councils of Government and to direct, organize, and manage more efficiently the important and closely interrelated housing and community development programs now administered or proposed for the Housing and Home Finance Agency.

I recommend that the Congress establish a Department of Housing and Community Development.

CONCLUSION

The dramatic increase in our Nation's population projected for the coming decades—over 300 million by the year 2000—and the increasing concentration of our population around urban centers will create increased housing needs and intensified problems of community development which must be anticipated and acted upon immediately.

How we respond to these challenges will have a lasting impact on the character of our cities and rural communities. Whether we achieve our goal of a decent home in a decent neighborhood for every American family rests, in large measure, on the actions we take now.

The substantive programs I have proposed in this special message will speed our solutions to today's problems and the predictable needs of tomorrow. I earnestly urge the Congress to give the attached draft bills the attention they merit.

LYNDON B. JOHNSON.

THE WHITE HOUSE, *January 27, 1964.*

ORDER DISPENSING WITH CALL OF LEGISLATIVE CALENDAR

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the call of the Legislative Calendar be dispensed with.

The PRESIDENT pro tempore. Without objection, it is so ordered.

EXECUTIVE SESSION

Mr. MANSFIELD. Mr. President, I move that the Senate proceed to the consideration of executive business, to consider the nominations on the Executive Calender.

The motion was agreed to; and the Senate proceeded to the consideration of executive business.

EXECUTIVE MESSAGE REFERRED

The PRESIDENT pro tempore laid before the Senate a message from the President of the United States submitting the nomination of William Rummel, of Illinois, to be Comptroller of Customs with headquarters at Chicago, Ill., which was referred to the Committee on Finance.

EXECUTIVE REPORTS OF A COMMITTEE

The following favorable reports of protocols were submitted:

By Mr. FULBRIGHT, from the Committee on Foreign Relations:

Executive O, Eighty-eighth Congress, first session. Protocol amending the Interim Convention on Conservation of North Pacific Fur Seals, signed at Washington on October 8, 1963, on behalf of the governments of Canada, Japan, the Union of Soviet Socialist Republics, and the United States (Executive Report No. 1); and

Executive R, Eighty-eighth Congress, first session. Protocol for the Prolongation of the International Sugar Agreement of 1958; (Executive Report No. 2).

The PRESIDENT pro tempore. If there be no further reports of committees, the nominations on the calendar will be stated.

DEPARTMENT OF DEFENSE

The Chief Clerk read the nomination of Cyrus Roberts Vance, of New York, to be Deputy Secretary of Defense.

The PRESIDENT pro tempore. Without objection, the nomination is confirmed.

DEPARTMENT OF THE ARMY

The Chief Clerk read the nomination of Stephen Ailes, of the District of Columbia, to be Secretary of the Army.

The PRESIDENT pro tempore. Without objection, the nomination is confirmed.

OFFICE OF SCIENCE AND TECHNOLOGY

The Chief Clerk read the nomination of Donald F. Hornig, of New Jersey, to be Director of the Office of Science and Technology.

The PRESIDENT pro tempore. Without objection, the nomination is confirmed.

U.S. ARMY

The Chief Clerk proceeded to read sundry nominations in the U.S. Army.

Mr. MANSFIELD. Mr. President, I ask that the nominations in the Army be considered en bloc.

The PRESIDENT pro tempore. Without objection, the Army nominations will be considered en bloc; and, without objection, they are confirmed.

U.S. AIR FORCE

The Chief Clerk read the nomination of Maj. Gen. Harold C. Donnelly, 647A, Regular Air Force, to be a lieutenant general, and to be assigned to a position of importance and responsibility designated by the President, in the grade indicated, under the provisions of sec. 8066, title 10, of the United States Code.

The PRESIDENT pro tempore. Without objection, the nomination is confirmed.

U.S. NAVY

The Chief Clerk proceeded to read sundry nominations in the Navy.

Mr. AIKEN. Mr. President, are the Navy nominations subject to debate?

Mr. MANSFIELD. They are.

Mr. AIKEN. Mr. President, I wish to say a word about one of them, that of Vice Admiral Rickover, who is to be placed on the retired list.

The PRESIDENT pro tempore. The Senator from Vermont is recognized.

NOMINATION OF VICE ADM. HYMAN G. RICKOVER TO BE PLACED ON THE RETIRED LIST

Mr. AIKEN. Mr. President, this is the birthday anniversary of a great American, Adm. H. G. Rickover.

Admiral Rickover's contributions to the defense and security of the Nation have been heralded so many times in the past, that there are very few words of appreciation to express our debt of gratitude to this earnest, devoted naval officer.

Today, the United States has 36 nuclear submarines, of which 17 are Polaris type and 19 are attack submarines. Another 50 nuclear submarines have been authorized. But these impressive statistics do not, alone, tell the dramatic story of Admiral Rickover's achievement.

Before we could talk of dozens of nuclear submarines, the first of these ships had to be built. It was here that Admiral Rickover made his fight, and triumphed against almost insuperable odds. In citing Admiral Rickover for this achievement, the Joint Committee on Atomic Energy, in 1959, stated:

> As a result of his unstinting drive, organizational ability, and technical leadership, the United States produced the world's first nuclear powered ships.

In a larger sense, Admiral Rickover, through the sheer force of his personality, has injected a fresh, healthy spirit into American life. The essence of his character was perhaps best captured by the majority leader of the Senate, now President of the United States, Lyndon B. Johnson, who said, in 1959, to Admiral Rickover:

> You are a symbol of the "can do" man. There are plenty of us who can find 15 reasons why something that ought to be done, can't be done, but there are very few of us who can cut through redtape, slash through the "can't do" folks and get on with the job. You have done that. You have brought pride to the Navy. You have been an inspiration and a stimulating example to every young man in this country.

Now, as he reaches the age of 64, Admiral Rickover goes on the Navy's retired list, with the permanent rank of vice admiral. But retirement is a poor word, for Admiral Rickover will continue to head the Nation's naval reactors program. Indeed, in the words of a resolution approved by the Joint Committee on Atomic Energy on December 20, 1963:

> Continuity of management in the joint AEC/Navy nuclear propulsion program must be maintained and supported.

It is my hope and expectation that this fine man will continue to serve the Nation with distinction. There can be no retirement for a man with the heart and spirit of Admiral Rickover.

I express to the Admiral my heartfelt wishes for a very happy birthday.

I ask unanimous consent to have printed in the Record a brief biographical sketch of Admiral Rickover.

There being no objection, the statement was ordered to be printed in the Record, as follows:

Biographical Sketch of H. G. Rickover, Vice Admiral, U.S. Navy

BACKGROUND

Born: January 27, 1900; graduated U.S. Naval Academy, 1922; selected for engineering duty only (EDO), 1937; assigned to nuclear reactor development, 1947; Assistant Chief of Bureau of Ships for Nuclear Propulsion, in charge Navy Department's nuclear ship propulsion program since 1947; Assistant Director for Naval Reactors, Division of Reactor Development, U.S. Atomic Energy Commission since 1949.

EDUCATION

B.S., U.S. Naval Academy, 1922; M.S. (electrical engineering), Columbia University, 1929; completion nuclear power instruction course, Oak Ridge, Tenn., 1947.

AWARDS

Awarded Legion of Merit for performance of duties as head of the Electrical Section, Bureau of Ships, 1946.

Made commander, Order of British Empire, 1946.

Awarded Gold Star in lieu of Second Legion of Merit for performance of duty in development of nuclear ship propulsion program, 1952.

Awarded Congressional Gold Medal for his accomplishments in successfully directing the development and construction of the world's first nuclear-powered ships and the first large-scale nuclear powerplant devoted exclusively to the production of electricity, 1959.

Presented the Distinguished Service Medal for exceptionally meritorious service from January 17, 1955, to January 17, 1961, while in charge of the naval nuclear propulsion program in the Department of the Navy and in the U.S. Atomic Energy Commission, January 1961.

NUCLEAR PROGRAM (UNDER DIRECTION OF ADMIRAL RICKOVER) TO DATE

Design first nuclear submarine begun 1949; first atomic powerplant in the world, land prototype of *Nautilus* "goes critical" March 30, 1953; keel of *Nautilus* laid, 1954; *Nautilus* underway on nuclear power, 1955.

Today completed: 36 nuclear submarines, 17 of them Polaris subs; 1 nuclear aircraft carrier; 1 nuclear cruiser; 1 nuclear destroyer.

Also world's first nuclear powerplant built exclusively for generation of electricity completed 1957 (Shippingport, Pa.).

PUBLICATIONS

In addition to numerous articles, two books, and two reports to the House Appropriations Committee (issued as separate publications): "Education and Freedom" (1959), E. P. Dutton & Co.; "Swiss Schools and Ours: Why Theirs Are Better" (1962), Little, Brown & Co. (under auspices Council for Basic Education); "Report on Russia" (1959), Committee on Appropriations, House of Representatives; "Education for All Children: What We Can Learn From England" (1962), Committee on Appropriations, House of Representatives; "American Education—A National Failure," E. P. Dutton & Co. (1963).

Mr. MANSFIELD. Mr. President, will the Senator from Vermont yield?

Mr. AIKEN. I yield.

Mr. MANSFIELD. I join in everything the distinguished senior Senator from Vermont, the ranking Republican Member of this body, has had to say about our friend Vice Adm. Hyman G. Rickover.

Admiral Rickover has had to overcome almost insurmountable odds. He is obstinate, for which we can thank the Lord; he is determined; he is patriotic; he has made a real contribution to the welfare and defense of this country. He has achieved renown, not only because of the work he has done in the field of nuclear propulsion, but also because of his work in the field of education.

I am glad to join the distinguished Senator from Vermont in complimenting and congratulating this distinguished American on his birthday anniversary. Our congratulations and commendations to him are certainly well deserved.

ORDER OF BUSINESS

Mr. SIMPSON. Mr. President, a parliamentary inquiry.

The PRESIDENT pro tempore. The Senator from Wyoming will state it.

Mr. SIMPSON. Is the Senate now in executive session?

The PRESIDENT pro tempore. Yes.

Mr. DIRKSEN. Mr. President, will the Senator from Wyoming yield for a parliamentary inquiry?

Mr. SIMPSON. I yield.

Mr. DIRKSEN. Mr. President, let me inquire of the Chair whether the addition to rule VIII which was adopted last Thursday by the Senate applies to the consideration of the Executive Calendar.

The PRESIDENT pro tempore. In the opinion of the Chair, that rule does not apply to the consideration of the Executive Calendar at this time.

Mr. DIRKSEN. Further inquiring, Mr. President, I gather, then, that as a name is called on the Executive Calendar, any Senator may be recognized, and he need not speak to the nomination in question; is that correct?

The PRESIDENT pro tempore. Yes.

Mr. SIMPSON. Mr. President, on Thursday——

Mr. MANSFIELD. Mr. President, first, will the Senator from Wyoming yield?

Mr. SIMPSON. I am glad to yield.

Mr. MANSFIELD. Mr. President, what is the present status of the Executive Calendar?

The PRESIDENT pro tempore. The Navy nominations are being considered en bloc.

Mr. MANSFIELD. Have the Navy nominations been approved?

The PRESIDENT pro tempore. No, the Navy nominations are pending. Does the Senator from Montana wish to have the President immediately notified of the nominations thus far confirmed?

Mr. MANSFIELD. Yes; I ask unanimous consent that the President be immediately notified of the nominations thus far confirmed.

The PRESIDENT pro tempore. Without objection, the President will be notified forthwith.

Mr. MANSFIELD. Mr. President, if the distinguished Senator from Wyoming will yield briefly, let me say that I have not yet made a request in connection with the morning hour; but I intend to do so at the conclusion of the call of the Executive Calendar.

Mr. DIRKSEN. I should like to have made clear for the record whether the new rule applies to the Executive Calendar. I gather from the interpretation by the Chair that when nominations are called up and they are subject to debate, any Senator can discuss any question in connection with any nomination.

Mr. MANSFIELD. That is an old tradition and custom in the Senate. The distinguished minority leader has read Senate Resolution 89 and knows that the rule of germaneness of the Senator from Rhode Island [Mr. Pastore], under the resolution agreed to by the Senate last Thursday, does not go into effect until conclusion of the morning hour.

Mr. SYMINGTON. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER (Mr. Metcalf in the chair). The Senator from Missouri will state it.

Mr. SYMINGTON. Is the Senate in the morning hour; and, if not, when is it planned to enter the morning hour?

The PRESIDING OFFICER. The Senate is now in executive session, and there is no consideration of legislative business at this time.

Mr. SIMPSON. Mr. President, I ask unanimous consent that I may yield briefly to the Senator from Missouri [Mr. SYMINGTON], without losing my right to the floor.

The PRESIDING OFFICER. Without objection, it is so ordered.

PRESIDENT JOHNSON'S TELEGRAM TO GENERAL MacARTHUR ON HIS 84TH BIRTHDAY

As in legislative session,

Mr. SYMINGTON. Mr. President, I appreciate the courtesy of the Senator from Wyoming in yielding to me at this time.

This morning an article was published in the Baltimore Sun entitled "Johnson Sends MacArthur Telegram on 84th Birthday."

The article expresses the respect and the high regard of President Johnson for General MacArthur, and also the respect and the high regard that is held by General MacArthur for President Johnson.

I ask unanimous consent to have this article printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

JOHNSON SENDS MACARTHUR TELEGRAM ON 84TH BIRTHDAY

NEW YORK, January 26.—General of the Army Douglas MacArthur, celebrating his 84th birthday today, fingered a congratulatory telegram from President Johnson and remarked whimsically:

"I remember well decorating him with a Silver Star for his coolness and courage in an air mission in New Guinea.

"Had I known at the time he was to become President, I would have looked after his welfare better than I did—but he seemed well able to take care of himself."

PRESIDENT SENDS WIRE

The President's wire read:

"Your country sends you, with affection and warmth, prayers for God's blessing on your 84th birthday. You are one of the authentic American heroes of this century.

"On behalf of the American people, please accept the appreciation of a grateful nation for what you have given and all you have done."

CADETS VISIT MAC ARTHUR

President Johnson went on active duty as a lieutenant commander the day after Pearl Harbor. He was the first Member of the House to do so. He served in the South Pacific and went on bombing missions which won him the Silver Star. He served for 8 months, returning when President Roosevelt ordered all Members of Congress out of service.

MacArthur, in his Waldorf Towers suite, also received five cadets from the U.S. Military Academy at West Point, N.Y. One of the cadets was John Putnam Otgen, 22, of Elm Grove, Wis.

MacArthur told Otgen: "Your great grandfather appointed me. I knew him well."

Representative Otgen, of Wisconsin, appointed MacArthur to the Academy in 1899.

Read to the general was a letter from the West Point cadets which termed him "a man who exemplifies by his accomplishments, past and present, the true meaning of dedication to country."

The letter was read by Richa Allen Chilcoat, 24, first captain and brigade commander of the corps. He is the son of Mrs. Edna B. Chilcoat, of Millersville, Md., and Floyd D. Chilcoat, of Minneapolis, Minn.

OTHER CADETS PRESENT

The other cadets present were Dennis K. Culp, Jr., 23, of Fresno, Calif.; Norman Lee Grunstad, 24, of Ortonville, Minn., and Harold Paul Kindleberger, 22, of El Paso, Tex.

Also present was Maj. Gen. James B. Lampert, Academy Superintendent, and Brig. Gen. Michael Davison.

In acknowledging the cadet letter, MacArthur said: "High honors have come my way, but I shall believe that the greatest honor was being a West Point graduate."

Officers who served with MacArthur in World War II arranged for their annual birthday party for him. The private affair at the Waldorf was organized by retired Maj. Gen. L. J. Sverdurp, of St. Louis.

As in past years, no guest list was issued. About 100 persons attended, mostly his former comrades in arms.

As the general walked into the Basildon Room, a voice called the assembled guests to attention. They then sang "Happy Birthday."

Mr. SIMPSON. Mr. President, I ask unanimous consent that I may yield briefly to the Senator from South Dakota [Mr. MUNDT], without losing my right to the floor.

The PRESIDING OFFICER. Without objection, it is so ordered.

TRANSMITTAL OF HOUSE JOINT RESOLUTION 1 AS ADOPTED BY THE LEGISLATURE OF THE STATE OF SOUTH DAKOTA, RATIFYING A PROPOSED AMENDMENT TO THE CONSTITUTION

As in legislative session,

Mr. MUNDT. Mr. President, as the senior Senator of the State of South Dakota, it gives me great pleasure to present today, for appropriate referral, a certified copy of House Joint Resolution 1, as adopted by the Legislature of the State of South Dakota, ratifying the proposed 24th amendment of the Constitution of the United States of America relating to the qualification of electors.

Attached with the official certificate is a letter of transmittal from the Honorable Essie Wiedenman, Secretary of State for the State of South Dakota.

Mr. President, I ask unanimous consent to have printed at the conclusion of my remarks the official certificate from Secretary of State Wiedenman and the text of the joint resolution.

The PRESIDING OFFICER. Is there objection to the request by the Senator from South Dakota? The Chair hears none, and it is so ordered.

(See exhibit 1.)

Mr. MUNDT. Mr. President, last Thursday, January 23, when news reached the Chamber that my home State of South Dakota had become the 38th State to ratify and make immediately effective the 24th amendment to the Constitution, the distinguished majority leader said: "I believe this is a great day in the history of the Nation."

No better description could be given to this event, Mr. President, than that delivered by the majority leader. I would only wish to add that it is a proud and happy occasion for my State—in the year of its 75th anniversary of statehood—to become the legal instrument by which the proposed amendment became the 24th amendment to our Constitution.

South Dakota takes a back seat to no State in its desire and in its efforts to achieve equal rights and equality of opportunity for our citizens.

The action of the State legislature last week to add this further guarantee to our citizens' rights to vote is in keeping with my State's record in this vital area of human liberties. For example, we were among the first to make certain that our Indian citizens received the right to vote.

Mr. President, South Dakota marks this occasion—as does the Nation—as another illustrious chapter in our continuing success to make liberty a living, working vehicle by which each citizen can fulfill his honest and dedicated aspirations as a fundamental part of a free society.

I appreciate the courtesy of the Senator from Wyoming in yielding briefly to me.

EXHIBIT 1

STATE OF SOUTH DAKOTA,
DEPARTMENT OF STATE,
Pierre, S. Dak., January 24, 1964.

Hon. KARL MUNDT,
Senate Office Building,
Washington, D.C.

DEAR KARL: As directed by the Legislature of the State of South Dakota, I am transmitting herewith a certified copy of House Joint Resolution 1, ratifying a proposed amendment to the Constitution of the United States of America relating to the qualification of electors.

Kindest personal regards.

Sincerely,
MRS. ESSIE WIEDENMMAN,
Secretary of State.

STATE OF SOUTH DAKOTA,
DEPARTMENT OF STATE.

This is to certify that the attached instrument of writing is a true, correct, and examined copy of House Joint Resolution 1, as adopted by the Legislature of the State of South Dakota on January 23, 1964, and filed in this office on January 24, 1964, and the whole thereof, and has been carefully compared with the original now on file in this office and found correct.

In testimony whereof, I have hereunto set my hand and affixed the great seal of the State of South Dakota at the city of Pierre, the capital, on this 24th day of January 1964.

[SEAL] ESSIE WIEDENMAN,
Secretary of State.

HOUSE JOINT RESOLUTION 1

Joint resolution ratifying a proposed amendment to the Constitution of the United States of America relating to the qualification of electors

Whereas both Houses of the 87th Congress of the United States of America by a constitutional majority of two-thirds of each House thereof, made the following proposal to amend the Constitution of the United States of America in the following words and figures, to wit:

"Proposing an amendment to the Constitution of the United States relating to the qualifications of electors

"Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the following article is hereby proposed as an amendment

to the Constitution of the United States, which shall be valid to all intents and purposes as part of the Constitution only if ratified by the legislatures of three-fourths of the several States within seven years from the date of its submission by the Congress:

" 'ARTICLE—

" 'SECTION 1. The right of citizens of the United States to vote in any primary or other election for President or Vice President, for electors for President or Vice President, or for Senator or Representative in Congress, shall not be denied or abridged by the United States or any State by reason of failure to pay any poll tax or other tax.

" 'SEC. 2. The Congress shall have power to enforce this article by appropriate legislation' ": Therefore be it

Resolved by the House of Representatives of the State of South Dakota (the Senate concurring)

SECTION 1. That said proposed amendment to the Constitution of the United States of America be, and the same is hereby, ratified by the Legislature of the State of South Dakota.

SEC. 2. That certified copies of this preamble and joint resolution be forwarded by the secretary of state of this State, to the Secretary of State of the United States, and to the Presiding Officers of both Houses of the Congress of the United States.

The **PRESIDENT** pro tempore laid before the Senate a joint resolution of the Legislature of the State of South Dakota, identical with the foregoing, which was referred to the Committee on the Judiciary.

POLITICAL SMOKE SCREEN ON LIVESTOCK IMPORTS

As in legislative session,

Mr. **SIMPSON**. Mr. President, on Thursday, January 16, 1964, Secretary of Agriculture, Orville Freeman, held a briefing for Members of Congress on beef imports. It was a well attended meeting which demonstrated the concern Members of Congress have for the problem which confronts our livestock industry.

The Secretary of Agriculture talked of the five different approaches that could be taken which might bring relief. He spoke of an international agreement, the use of the "escape clause" under the Trade Expansion Act of 1962, legislation which he still does not favor, price supports which everyone should be against, and voluntary arrangements.

It was the latter, voluntary arrangements which he stressed. This is a difficult route because the countries importing beef to this country have such a good thing going that they will be very slow to give it up. However, it would be possible to negotiate voluntary agreements with the importing countries if our representatives would deal from a position of power and not hesitate to use that position of power if it became necessary. Secretary Freeman said that he was working on these possibilities but never did say that anything had been accomplished.

The Secretary was very careful with his wording. Never did he say what he had done nor did he say what he was going to do. He kept saying that action is important, but never did he say what type of action he meant. If we judge the administration by the image that Secretary Freeman tried to present we would be led to believe that the Democratic administration was sympathetic to the livestock industry. I wish that it were sympathetic but I am afraid that this is just another political smokescreen sent up by the Democratic administration.

Secretary Freeman said, "Action is important." Let us look at the record to see what action has been taken by this administration. In spite of several speeches and comments by the administration spokesmen, the only thing done in regard to the livestock industry by this administration has been the placing of beef, beef products, lamb, mutton, wool and wool products on the preliminary negotiation list so that the tariffs on these commodities might be eliminated or reduced by as much as 50 percent. This is just exactly the opposite of what should have been done and what the administration talks about doing.

The administration continues to send up smokescreens so that the livestock industry will be led to believe that the administration is doing all that it can for the protection of our domestic industries. For example, in the December 15, 1963, issue of Cow Country, a publication put out by the Wyoming Stock Growers Association, a Democratic spokesman said that after meeting three times with the President he had been assured that "at the next round of negotiations on trade and tariffs our representatives will take a strong stand in this area." The administration did take a strong stand. Unfortunately, however, it stood against the beef industry. It placed beef and beef products on the preliminary negotiation list for the upcoming Geneva Trade Conferences—action which could result in elimination or reduction of tariffs by as much as 50 percent. This is just exactly the opposite of what the spokesman and the administration have tried to make us believe they were going to do on behalf of the livestock industry.

I, too, believe "action is important," and I am willing to say what type of action. We must curb the excessive imports. The administration has the authority to do so, but has failed to act. I would prefer that we do it by voluntary agreement, but since that has failed, or at least the administration has failed to make any agreement, I believe we should pass the necessary legislation. Several Senators joined me in introducing appropriate legislation which would establish a reasonable quota on imports. This legislation has received wide support, and I am hopeful that action can be taken on the matter even though it has been opposed by the Democratic administration.

This beef imports problem is not the only instance in which the Democratic administration has used the big smoke screen to mislead our livestock men.

On January 18, 1963, a news dispatch came out of the office of the Senator from Rhode Island [Mr. PASTORE], which stated:

> A group of Senators from wool and wool textile States said they received assurances from President Kennedy today that "something will be done" to restrict imports on wool products. Senator JOHN O. PASTORE, of Rhode Island, told newsmen "that the President promised to propose within a month measures to limit such imports."

The Democratic administration did nothing to alleviate the problem. The only action that was taken by the administration was to place wool and wool products on the preliminary negotiation list as items which are subject to negotiation for a reduction in tariffs. This is exactly the same treatment that beef, beef products, lamb, and mutton received.

Mr. President, it is time for the administration to remove the smokescreens and speak with candor and honesty. The livestock men of America speak straight from the shoulder and they expect others to deal with them in the same manner. I call upon this administration to deal fairly and honestly with our cattlemen and sheepmen.

If the administration and the State Department are determined to establish a free trade policy, as I suspect they are, why do they not state that fact and quit misleading the livestock men by holding out a faint glimmer of hope? As it is now, we never know whether protection will be granted by our Government or not. A statement will come from the White House promising assistance, thus we in Congress do not push for protective legislation. Nothing ever happens until once again public pressure mounts and another smokescreen is sent up to divert the attention and gain political advantage for the Democratic spokesman. What we need is a clear policy and an honest declaration of that policy.

Many of us have appeared before the Tariff Commission on behalf of the cattle and sheep industries. We go there asking that livestock commodities be taken from the preliminary negotiation lists, which were prepared by the administration in violation of the promises issued by the White House.

Mr. President, the livestock industry needs protection, not a further reduction in tariffs as is contemplated by the President and his advisers.

I have submitted two statements to the Tariff Commission on behalf of our Wyoming livestock men. On January 10, I presented to the Tariff Commission my statement on behalf of the wool and wool products industries, and I ask unanimous consent to have that statement printed in the RECORD.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

WOOL AND WOOL PRODUCTS

(Statement by MILWARD L. SIMPSON, U.S. Senator, before the U.S. Tariff Commission, January 10, 1964)

Mr. Chairman and Commissioners, I thank you for once again permitting me to appear before this Commission. One month ago I addressed you and at that time I urged you to strike from the preliminary negotiation lists, beef, beef products, lamb, and mutton. The excessive meat imports have brought great damage to our livestock industry. Remedial action must be taken. I hope that the administration will act under its authority to correct this imbalance.

Today I appear before you in opposition to the proposed reduction in tariff duties on raw wool, woven wool fabrics, woolen wearing apparel, and miscellaneous wool textile products.

The sheep industry depends upon its successful marketing of both meat products and raw wool. When the price of either commodity is depressed the industry experiences financial difficulties. Presently both commodities are under severe attack by excessive imports.

The wool-growing industry in Wyoming is vital to our economy. We have 3,000 families in Wyoming who are in the sheep business. Because of their ingenuity and resourcefulness, Wyoming ranks second in the Nation in the production of wool.

The wool growers of Wyoming, like all wool growers, find themselves in a difficult position because their only market is the domestic textile industry. Consequently, when raw wool is imported for processing in our textile mills our domestic sheep industry is damaged. When woolen fabrics are imported both our sheep industry and our textile industry suffers. And, when woolen apparel is imported, the garment industry, as well as the sheep and textile industries, is damaged.

Today you are considering the possible reduction of tariffs of four classifications: wool fibers, woven wool fabrics, woolen apparel, and miscellaneous textile products. If tariffs are reduced on these commodities, many thousands of jobs will be thrown in jeopardy and millions of dollars will be lost. The woolgrowers of Wyoming and this Nation are in a unique position in that they must carry the burden not only of their own industry but of all the related industries if they are to survive.

If there is a reduction in tariffs on any of these commodities the sheep industry will be irreparably damaged. This is so because our woolgrowers supply the raw materials and any additional wool products imported will worsen the already difficult financial position of our sheepmen. This is the precarious position in which the woolgrowers are placed.

Mr. Chairman, it is unfortunate that the integrated wool industries have been the victims of ruthless political maneuvering. The wool growers and the wool manufacturers have teamed up to fight the excessive wool imports problem. The problem is at a critical stage and has been for some time.

The Democratic administration promised in May 1961 that it was "time for action" to alleviate this problem. In August 1962 the policy of the U.S. Government was stated officially to encompass limitation of wool product imports. Imports are now substantially in excess of the level at which our Government announced to this industry and the world that they would be held.

On January 18, 1963, a news dispatch came out which said "A group of Senators from wool and wool textile States said they received assurances from President Kennedy today that 'something will be done' to restrict imports on wool products." Senator JOHN O. PASTORE, Democrat of Rhode Island, told newsmen "that the President promised to propose within a month measures to limit such imports."

The Democratic administration did nothing to alleviate the problem. The only action that was taken by the administration was to place wool and wool products on the preliminary negotiation list as items which are subject to negotiation for a reduction in tariffs.

This is exactly contrary to the desired action. The case is clear—protection is needed, not a reduction of tariffs. I do not like to charge that "cheap politics" has dominated and controlled a very delicate situation but the facts are compelling.

Mr. Chairman, I am embarrassed to come before this distinguished Commission to ask that you correct the wrongs of a politically oriented administration, but I do ask it. I ask you to strike from the administration's preliminary negotiation list wool and wool products. I am not asking you to fulfill the empty promises of the Democratic administration but only to correct this wrong which will bring irreparable damage to the wool growers of Wyoming and the other related industries unless corrected.

U.S. NAVY

As in executive session,

The Senate resumed consideration of nominations on the Executive Calendar.

The PRESIDING OFFICER. The question is, Will the Senate advise and consent to the nominations in the Navy, which are being considered en bloc?

The nominations were confirmed.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the President be immediately notified of the confirmation of the nominations.

The PRESIDING OFFICER. Without objection, the President will be notified forthwith.

LEGISLATIVE SESSION

Mr. MANSFIELD. Mr. President, I move that the Senate resume the consideration of legislative business.

The motion was agreed to; and the Senate resumed the consideration of legislative business.

OUR RELATIONS WITH PANAMA

Mr. CHURCH. Mr. President, President Johnson and his advisers are working carefully to better our relations toward Panama, while taking into account the need to protect American interests. This fact is appreciated by the better informed citizens of our country, among whom can always be counted William F. Johnston, the distinguished managing editor of the Lewiston, Idaho, Morning Tribune. I ask unanimous consent that the excellent editorial from the January 18 issue of the Tribune be printed at this point in the RECORD.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

EXTREMISM AND THE CANAL ZONE

Despite the belligerent attitude of Panama and the inevitable jeers from the Communist and far-right extremists, the U.S. Government is maintaining a sound and sensible course in the conflict over the Panama Canal Zone.

The Governments of Panama and the United States appeared to have reached an agreement on procedures to reduce tensions in the troubled zone a few days ago. The United States agreed promptly to submit the issues to an agency of the Organization of American States for mediation. This country also agreed to discuss directly with Panama all questions involved in the controversy. Panama appeared to accept these procedures.

Then President Roberto Chiari of Panama announced that he was unwilling to accept a mere promise to discuss differences. He insisted that the United States should agree in advance of any discussion to negotiate an entirely new treaty redefining U.S. rights in the Canal Zone.

The United States rejected this demand, explaining that it would not agree "under pressure" to surrender its rights under the 1903 treaty in advance of discussions on the issues.

Meanwhile, Soviet Premier Nikita Khrushchev, hobnobbing in Russia with Cuban Dictator Fidel Castro, proclaimed that the Soviet Union supports the Panamanians in the struggle to get rid of "oppression by the U.S. imperialists." He warned "imperialists" to act "before you are chucked out."

At the other extreme, Senator BARRY GOLDWATER, Republican, of Arizona, was criticizing the U.S. Government for agreeing to any substantial negotiations or mediation in the Canal Zone crisis. He argued that the United States should sit tight on its "rights" in the Canal Zone under the 1903 treaty and use force as necessary to subdue any Panamanian objections.

Both Khrushchev and GOLDWATER distorted the record of the recent bloody riots in Panama.

The Soviet news agency, Tass, said that "Khrushchev ridiculed U.S. imperialists' concoctions that the events in Panama had been staged by Fidel Castro."

No responsible U.S. leader ever said, of course, that these events had been staged by Castro. The riots boiled out of long-standing Panamanian resentment of U.S. privileges in the Canal Zone. They were touched off by U.S. high school students who violated an agreement between this country and Panama that the flags of the two nations would be displayed equally in the Canal Zone. Certainly the Communist organizers in Panama encouraged and incited in every possible way by Castro agents, helped fan the sparks into a raging flame of revolt, but Castro does not direct public opinion in Panama.

GOLDWATER's implication that the United States is not in any way responsible for the riots and is fully justified in putting down by force any demonstrations is almost equally erroneous. The Panamanians do have legitimate objections to the way the United States has occupied the Canal Zone. Those objections must be discussed bilaterally and through the Organization of American States, if this country is to maintain the respect of Latin America. Reasonable and fair solutions must be sought in good faith. This is not 1903. The United States cannot maintain its position in the Canal Zone, in Latin America, or in the world by exclusive reliance upon military might to answer challenges to its methods in the Canal Zone.

What the next arrangements will be to protect U.S. interests in Panama without ignoring Panamanian rights nobody can predict at this stage. Certainly the notion of a "final solution" should be dismissed in this area of diplomacy as in every other area of a swiftly changing world.

The need for a new sea-level canal north of Panama, perhaps under international supervision, becomes steadily more apparent. Such a canal, less vulnerable than the Panama Canal to atomic bombing, would enhance the security of the United States and all nations depending upon the Panama Canal. It also would put the whole question of United States, Panamanian and international rights in the area in a better perspective.

Meanwhile, the United States must continue its willingness to discuss its position and procedures in the Canal Zone with Panama and with other nations. But it should resist all pressures to concede in advance of discussions that its treaty rights are invalid.

This middle way of negotiation of differences is a much more complex and difficult way than the extremists on either side would choose. Khrushchev naturally is fomenting all the trouble for the Americans he can when he warns them to get out of Panama "before you are chucked out." GOLDWATER wants to stand on the 1903 treaty without compromise or conversation, using American military might to put down any challenges.

The way of negotiation is neither as dramatic nor as simple as the way of ultimatums. But it is the way toward peace.

ORDER OF BUSINESS

Mr. DIRKSEN. Mr. President, a point of order.

The PRESIDING OFFICER. Does the Senator from Idaho yield for a point of order?

Mr. CHURCH. I yield.

The PRESIDING OFFICER. The Senator from Illinois will state his point of order.

Mr. DIRKSEN. I was merely curious as to how the Senator from Idaho obtained the floor without complying with the rule as to morning business and the call of the morning business.

The PRESIDING OFFICER. Morning business is in order. The Senate is in the morning hour. Under rule VII morning business is in order.

Mr. DIRKSEN. But the Chair has not called the calendar of morning business.

The PRESIDING OFFICER. If the Senator desires, under the provisions of rule VII, the Chair will call for the presentation of petitions and memorials.

Mr. MANSFIELD. A parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. MANSFIELD. The Senate may be conducting morning business, but I do not believe it is in the morning hour.

The PRESIDING OFFICER. The Chair advises the Senator from Montana that morning business is conducted during the morning hour. Morning business continues until it is completed within the limits of the morning hour as prescribed. Under the rule the morning hour terminates at 2 o'clock.

Mr. DIRKSEN. Mr. President, morning business is prescribed under rule VII. I have not yet heard the Chair recite the "catechism" on morning business.

The PRESIDING OFFICER. The Chair has called for petitions and memorials. If no Senator wishes to present a petition or memorial, reports of committees are in order.

If there are no reports of committees, the Chair calls for the introduction of bills and joint resolutions.

If there are no bills or joint resolutions to be introduced, the next business will be the introduction of concurrent and other resolutions.

If there are no resolutions coming over from the previous day, further morning business is not in order.

LIMITATION OF DEBATE DURING MORNING HOUR

Mr. MANSFIELD. Mr. President, since the Chair has gone through the regular germane procedure covering morning business in the morning hour, I now ask unanimous consent that statements during the morning hour be limited to 3 minutes.

The PRESIDING OFFICER. Is there objection?

Mr. DIRKSEN. Mr. President, reserving the right to object——

The PRESIDING OFFICER. The Chair recognizes the Senator from Illinois.

Mr. DIRKSEN. Last Thursday, by a vote of 57 to 25, the Senate adopted an amendment to rule VIII. The fundamental and basic purpose of the amendment was to give dispatch—speed—to Senate business. The end result to be desired would be that the Senate could finish its work and probably develop a sine die adjournment at a reasonably early time in the year. The minority leader is most anxious to expedite the business of the Senate.

Heretofore we have indulged in the pleasure of 3-minute statements which are not covered by any rule. In consequence, the majority leader has asked unanimous consent that statements of one kind and another, some of them world-shaking and some perhaps not so world-shaking, might continue for as long as 3 minutes. Under the circumstances, I feel that with important proposed legislation about to be presented to the Senate, the Senate should be expeditious and should carry out the mandate and spirit of the new rule.

I should be deeply distressed in spirit if the majority leader should be offended by my wholehearted desire to cooperate in every possible way in the expedition of the business that should be engaging the attention of the Senate. I trust that the majority leader will not be offended if I register an objection. But my action results from a spirit of complete cooperation.

Mr. MANSFIELD. Mr. President, will the Senator yield?

Mr. DIRKSEN. I yield.

Mr. MANSFIELD. I assure the distinguished Senator that I am not in the least offended, but I am somewhat overwhelmed. It seems to me that I detect something going on in the brain of the minority leader. He has a purpose in mind. I hope he does not hold us too closely to the rule of germaneness at this particular moment. I would hope further that if he does intend to do so, as I am sure he does, that, before he clamps down on us, he would allow the distinguished Senator from Wisconsin [Mr. NELSON], who has been waiting patiently, to deliver a message to the Senate.

Mr. DIRKSEN. Mr. President, further reserving the right to object, I believe it has now been established that the new rule does not apply to nominations on the Executive Calendar.

The PRESIDING OFFICER. During the morning hour.

Mr. DIRKSEN. While the Senate is in executive session.

The PRESIDING OFFICER. During the morning hour.

Mr. DIRKSEN. The rule then does not apply. All nominations are debatable. So if a Senator wishes to occupy the floor of the Senate and deliver himself of a speech on the vagaries in the Panama Canal Zone, he need only pick out on the Executive Calendar, for example, the nomination of Joe Doak, who might be nominated for some office in the Army, Navy, Air Corps, judiciary, or one of the regulatory agencies, and the rule of germaneness would not apply. He can then deliver himself of a speech on the Panama Canal Zone while addressing himself to that nomination.

The PRESIDING OFFICER. The ruling of the Chair is that the rule of germaneness does not apply when the Senate is in executive session during the morning hour. After 2 o'clock, if the Senate has concluded the executive session, the rule of germaneness does apply, because the resolution contains the provision—

At the conclusion of the morning hour——

Mr. DIRKSEN. Mr. President, I am well aware of that language. I only make the point, in the interest of being helpful, that if a Senator has some world-shaking point that must be presented at once when he comes to the Senate, and the Executive Calendar is being called, he can address himself to the question of advising and consenting to some nomination on the Executive Calendar and then proceed to deliver his remarks accordingly.

But now, since the Senate is in legislative session, I have heard no request for a waiver of the rule—assuming that the morning hour is to be concluded before the distinguished Senator from Wisconsin delivers his speech.

May I respectfully inquire how long our distinguished friend intends to speak?

Mr. NELSON. Mr. President, has the distinguished Senator in mind a particular purpose?

Mr. DIRKSEN. I have no purpose. I am as free as the morning lark. I want to pursue only two questions. One is, Is the Senate still in the morning hour?

The PRESIDING OFFICER. The Senate is still in the morning hour. The question before the Senate is the unanimous-consent request of the majority leader. That request was to limit to 3 minutes statements made in the morning hour.

Mr. DIRKSEN. So far I have not registered an objection. If I register an objection, my friend from Wisconsin can circumvent the rule—in the best of spirit—by asking unanimous consent. In so doing, he will implement the argument I made last Thursday with respect to the adoption of the amendments to the rule.

First, I shall object to the 3-minute request by the distinguished majority leader.

The PRESIDING OFFICER. Objection is heard.

Mr. DIRKSEN. Then I shall not object——

Mr. CHURCH. Mr. President, who has the floor?

Mr. DIRKSEN. I have the floor for a reservation of objection.

The PRESIDING OFFICER. The Chair understood that the Senator from Idaho had yielded the floor.

Mr. CHURCH. For a point of order.

Mr. DIRKSEN. Mr. President, I do not yield for a point of order, unless I have to. I want to ascertain the answer to this question, because the distinguished Senator from Wisconsin can ask unanimous consent to waive the rule.

I would have no objection, he can be assured.

Mr. MANSFIELD. Mr. President, may I be heard on that question?

The PRESIDING OFFICER. The Senator from Montana.

Mr. MANSFIELD. I cannot see how the rule can be waived when it does not go into effect until after the conclusion of the morning hour.

The PRESIDING OFFICER. The ruling of the Chair has been that the rule goes into effect at 2 o'clock, unless morning business has been concluded earlier.

Mr. DIRKSEN. But, Mr. President, the morning hour does not allow speeches, except brief observations in connection with the introduction of bills, and resolutions, petitions, and memorials.

Mr. MANSFIELD. Mr. President——

The PRESIDING OFFICER. The Senator from Montana.

Mr. MANSFIELD. What the distinguished minority leader has said is correct, but I call attention to the fact that, under rule VII, after calling for petitions and memorials, and so forth, the following is stated:

> All of which shall be received and disposed of in such order—

And they have been—

> unless unanimous consent shall be otherwise given.

At this time I ask unanimous consent, since it seems impossible to obtain a limitation of 3 minutes for discussion during the morning hour, that the distinguished Senator from Wisconsin be granted 10 minutes to discuss a subject which is of importance to him, after the business of the Senator from Idaho [Mr. CHURCH] has been disposed of—10 minutes or more if he needs it.

Mr. DIRKSEN. Mr. President, I have not the slightest objection.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and it is so ordered.

ON NAME CALLING

Mr. CHURCH. Mr. President, it has become commonplace to refer to our time in history as the "age of conformity." Like many cliches, there is some painful truth to this one. Such current phrases as "lonely crowd," "organization man," and "status seekers" suggests that there is, in modern man, a certain spiritual emptiness. Indeed, much of the popular literature of our time suggests that modern man is in search of himself, yet seems unable to discover the values and standards to give him the identity he craves.

It is for this reason, Mr. President, that I call the Senate's attention to the column which appeared in the Sunday Washington Star, written by Dr. Frederick Brown Harris, Chaplain of the U.S. Senate. It is Dr. Harris' point that the American, in his quest for status—in his fear of what Dr. Harris calls name calling—has let "the master of fashion and social patterns" rob him of his individuality.

What is needed, Dr. Harris suggests, are more Americans who have the moral courage to be different, to stand up for values, and withstand the name-calling slogans that rob little men of the capacity to act. Dr. Harris calls for "a man for all seasons" who is not afraid to be called an egghead or a square—who does what he thinks is right whatever the pressures of the "mass mind" at the moment.

Mr. President, I ask unanimous consent that Dr. Harris' Sunday column in the Washington Star be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

ON NAME CALLING

(By Dr. Frederick Brown Harris, Chaplain, U.S. Senate)

In this day and generation the pressure for conformity is almost overwhelming. Any tendency to drop out of the goosestepping line is ridiculed by the masters of fashion and of the social patterns. Who can deny that in America we have to reckon with a mass mind whose opinions are largely molded by the press, the films, radio, television, and book clubs? Tastes, standards, ambitions, and responses tend to be stereotyped. If you are not to be dubbed "queer" you had better stay pat and follow the leader. If you dare break the decreed format you are sure to be the victim of name calling.

How the oncoming generation is influenced, often cowed, by fear of being the target of discounting labels. It has been said that "sticks and stones may break my bones but words can never harm me." But how far from the painful truth is that old jingle? Name calling does hurt. That, of course, is usually the purpose. However, those whose names shine forever in the annals of humanity's upward climb have been those who were not deterred by name calling. One of our poets surely had his eye on history's appraisals as he wrote—

"Count me o'er earth's chosen heroes,
  They were souls that stood alone,
While the men they agonized for
  Hurled the contumelious stone."

Now "contumelious" is quite a long word and the dictionary tells us that it means, "perverse in resisting authority; insolent; rebellious."

And often such stones are mere words. Always men who have risen above the dead level of the accepted and the commonplace, and who thus have disturbed the self-content of their contemporaries, have been stigmatized as cranks, heretics, fools, knaves, and bigots. It was with this in mind that recently a nationally read columnist, in listing some of the issues which cry out for solution in present-day America, called for "a fair fight which does not mean an absence of criticism, but an open discussion without epithets and name calling."

Name calling is always the sign of bankruptcy in ideas and arguments even as profanity is a symptom of bankruptcy in language. Unfortunately this pernicious practice seems for the moment to be effective. The fear of being the victim of it often makes people do what in their hearts they despise. Rather than to be put in a category of being "chicken" many a youth will risk anything, including his own previous, blameless reputation. A pastor I know was called in to talk to a lad arrested because of his association with some juvenile housebreakers. In the presence of the boy's shocked family their minister asked the lad why he had first considered going along with such a gang. Shamefacedly he finally confessed, "I didn't want to do it—and said so at first—and they began to call me a 'sissy.' I couldn't afford to be called that name so I went along."

It is because of such warped judgments that those who are willing to accept discipline of mind and time and, who for the sake of the future will scorn delights and live laborious days, are contemptuously called "squares." And, the scornful reaction from jeering ignorance for those who take the high road of intellectual achievement is to label all such eggheads.

And so the dread of being called names is a potent factor in the behavior of multitudes of people. A keen observer of the accepted ways of our day, holding up his candid camera to modern, social habits, commented, "how often we find it true that the good fellow who gets a little drunk, and frequently rather than be called a 'blue-nosed Puritan,' makes an ass of himself, has taken the place in popular esteem in many circles, which used to be given the man who was distinguished by his good manners and intelligent ideas." Many dare not question accepted behavior for fear of being called names—such as victorian, puritanical, narrow-minded, old-fashioned, and intolerant. When a splendid example of modern young womanhood at its best confided that she had definite commitments to life based on firmly held standards which were not like chameleons who change their color with environment, I quoted to her approvingly an old Sunday School verse—

"Dare to be a Daniel,
  Dare to stand alone—
Dare to have a purpose true
  And dare to make it known."

What names were hurled at the whitest character who ever walked this earth—Jesus of Nazareth? Those who were shamed by His purity, by His firm refusal to conform to their hypocritical ways, called Him a blasphemer, a glutton, a wine-bibber, an agent of the Devil, a friend of sinners. But all such names are among the most precious bits of slander that ever slipped from envious lips. Name-calling dragged Jesus to two crossed beams of wood because He would not conform. But that emblem of torture across the centuries has become the greatest magnet in all the world.

There is a story about a man who asked the question, "What is the Devil?" And, before anybody could reply he answered his own question. His definition is a good answer with which to confront this name-calling generation. "The Devil," he said, "is not a huge monster with horns and a harpoon tail and a wicked glitter in his eye. The Devil is just taking the line of least resistance to avoid the scornful names you will otherwise be called."

The PRESIDING OFFICER. The Senator from Wisconsin [Mr. NELSON] is recognized for 10 minutes.

A NATIONAL FUND TO FIGHT POVERTY

Mr. NELSON. Mr. President, in his state of the Union address, President Johnson stated:

> This administration today, here and now, declares unconditional war on poverty in America.

I am enlisting to serve in that war for the duration. And I want to offer a program today which will enable the President to win that war.

The President's declaration is one of the most significant pronouncements to come from the American Government since the end of World War II. The President is to be applauded for his willingness to fight this unpleasant war, for his courage in directing the attention of a comparatively comfortable nation to a very discomforting problem.

The poverty which persists in America today is a problem which has concerned me deeply for a long time. It is a problem which has drawn renewed attention in the past year as a result of some enlightened work by writers who were willing to dig below the comfortable surface of American life and expose the tragic stories which lie hidden there.

In April of 1963, after reading some of these shocking reports, I spoke out on the subject myself. At that time I said we were entering the most challenging and the most exciting age in the history of human existence, but that the brilliant technology of our new society was leaving behind a great mass of humanity for whom the new age promises but one thing—a bare existence in a life of poverty.

I ask unanimous consent that my speech of last April, entitled "The Face of America's Poor," be printed in the RECORD at the close of my remarks.

The **PRESIDING OFFICER**. Without objection, it is so ordered.

(See exhibit 1.)

Mr. **NELSON**. Poverty is un-American. It simply does not fit in with our image of America as the land of opportunity, the richest and most generous Nation on earth, the land where the poor and huddled masses of older countries broke the shackles of poverty and created a new life of freedom and abundance here.

So I am confident that once our people know the facts—once they look into the face of America's poor—once they see the threat which widespread poverty poses to the American dream and to our very security as a nation—they too will enlist in President Johnson's all-out war.

But first they must know: Who are the poor? Why are they that way? What must be done to cure this disease? Can it be safely ignored, since we have so many other things to do?

Let me look at those questions.

The poor are 35 million American men, women, and children. They are at least one-fifth of the population of the richest Nation on earth. They are more than 9 million American families with annual incomes of less than $3,000.

They include more than 11 million children—1 out of every 6 of the youth of America.

Why are these people poor?

Some are poor because they are growing old; they are no longer needed by our fast-moving society and their meager savings are dwindling away. There are at least a million elderly Americans who live on less than $600 a year.

Many are poor because they are so poorly educated that there is no place for them in an increasingly complex society which places a premium on skill and competence.

Others are poor because the farms on which they live are too barren or exhausted to support a family at today's prices.

And above all, of course many are poor simply because they are unemployed.

Let us take just a brief look at some of these causes of poverty. Let us take a look at facts which show that, contrary to what some people may believe, people are not poor because they want to be; they are poor because they have no choice.

And, contrary to what some people may say, poverty does not build character—it destroys it.

Poverty and poor education walk hand in hand. Deep poverty prohibits the pursuit of education. The children of the poor quit school to earn a living which their parents cannot provide. And their poor education thereby imprisons many of them into a life of drift and poverty.

Unemployment rates are much higher for young people who have dropped out of high school than for high school graduates.

Dropout rates for children in families with incomes below $4,000 are twice as high as for children in families with incomes above $6,000.

Yet these are not stupid children, as some might hastily conclude. In 1960, a survey of 240,000 high school dropouts showed that 54 percent had IQ's above 90 and 6 percent were above 110. These are American children who were deprived of their most valuable chance—a chance at an education—because they were poor.

Farmers are especially vulnerable to the disease of poverty. There is money to be made in farming today, despite the severe dislocations that industry has undergone, but the truth is that 93 percent of the farm income is earned by 60 percent of our farmers, which means that 40 percent of them must share the remaining 7 percent of farm income. There are 3 million people of working age living today on farms which gross less than $1,200 a year.

Here, more than perhaps anywhere else, we see the ridiculousness of any conclusion that poor people do not want to work. These poor farmers, plagued by poor soil, short growing seasons, and the lack of capital needed to buy modern machinery, probably work harder than any other segment of our population. Yet they work a treadmill which simply leads them back to where they started, in a life of grim poverty.

Poverty is especially serious among Negroes. Negroes comprise less than 10 percent of our population, but they make up 21 percent of America's poor.

Ever since 1954, Negro unemployment in America has been twice as high as white unemployment.

Negroes as a group simply do not share in the benefits of life in America today. Forty-one percent of them have incomes of less than $1,000 a year.

And Negroes as a group pay an especially cruel price for their poverty. Negro poverty is so severe and so widespread that many Americans come to equate the face of America's poor with the face of the American Negro—and many of our Americans do not want to look upon that face. The very poverty which puts our Negro citizens into slums and hovels becomes a chain which keep them there.

Many people are poor because of the region in which they live. Our economy is marching ahead swiftly, but each new advance which benefits some part of our population causes some other part to slip backward.

This problem is shown most dramatically in the exhausted ghost towns of Kentucky and West Virginia. We in the Midwest have some of the same problem in northern Wisconsin, northern Michigan, and northern Minnesota where severe economic dislocations, combined with a decline in farm prices, have produced substantial poverty. The iron ore, the timber and fishing industries, on which these areas were so dependent, have all suffered in recent years. So have the farmers in the South.

I ask unanimous consent that a copy of a New York Times article on the economic problems of the Northern Great Lakes area be included in the RECORD at the close of my remarks.

The **PRESIDING OFFICER**. Without objection, it is so ordered.

(See exhibit 2.)

Mr. **NELSON**. Mr. President, that gives us a brief picture of America's poor. Now the question is, should we try to solve this problem, or should we try to ignore it, admitting that it will grow worse day by day?

I submit that if we do not make a massive effort to solve this problem immediately, we will be endangering the future of our Nation.

America is caught in a world struggle which basically is a test of our system of government, our kind of free economy, against the police state government and the controlled economies of the Soviet Union and Communist China.

How do we summon one-fifth of our people to join in a sacrificial effort to defend our system—when that system has brought them and their children nothing but poverty? How do we convince these, our own people, that ours is the better way? How long can we expect to rely on a commitment from these people to support a system which has brought them heartbreak and despair?

And what about the world outside? Bad as the picture is regarding the poor in America, it is of course far worse in other countries. Most of the world is poor—shockingly poor—by American standards. As we fight for a role of leadership among the people of the world—most of whom are hopelessly poor—how do we convince them that we really have their best interests at heart if we ignore the poor in our own country?

We may be able to summon our own poor to a battle to save America by appealing to their patriotism. But we cannot make that appeal to the people of the world. They will make their choice on the basis of which system they believe is truly concerned about the worth and dignity of the individual people of the world, most of whom are poor, and we must show them that that is truly the basic difference between the American and the totalitarian systems.

One of the great values and strengths of our American system is that we are concerned about the worth and dignity of individuals. This is our tradition. This is our history.

If our failure to solve the problem of poverty does nothing more serious, it will certainly saddle us with a mounting bill for welfare services for all time to come, rob us of the productive abilities of a sixth of our people, and prevent America from growing and prospering as it really should.

Thus it is clear why President Johnson has declared that we must fight an "all out war" against poverty.

I wish to emphasize my willingness to support the President every step of the way in this battle.

Certainly the entire Nation is aware of the tremendous pressure on the new President to hold down his budget. This pressure has come from the Congress, from the business community, and from the American public.

There often is a gap between proposal and achievement, a gap between a President's willingness to support a cause and the willingness of the American people to underwrite its cost. This is partly because we are a busy Nation of 190 million people, preoccupied with our own problems and hopes for the future. But just as I am confident that the President is right in declaring war on poverty, I am confident that the American people are ready—right now—to support a truly major attack on the roots of poverty in America.

The response to my own speech on poverty last year helps convince me of that fact. The response to this speech has been the greatest of any I have given in almost 20 years of public speaking. "The Fact of America's Poor" has been reprinted in full in many of Wisconsin's leading newspapers; in the Christian Science Monitor; in labor union and senior citizens' newspapers and magazines all across the country. It even has been translated into Japanese and distributed in that country.

The response to the President's attack on poverty has, of course, been even more startling. All our communications media have shown a great willingness to throw themselves into the full coverage of this battle.

We can wage all-out war on poverty without in any way upsetting the carefully designed budget which the President has just submitted.

In declaring war on poverty, the President said:

> I urge this Congress and all America to join with me in the effort.

I believe that the best way for us to join that effort is to provide the President with a really adequate war chest to finance all-out war on poverty, a war which we can carry through to victory.

Let us give him the tools he needs to finish the job he has begun.

I suggest that we increase the Federal tax on cigarettes by 5 cents per package and earmark all of this money for all-out war on poverty.

This tax will produce more than $1 billion a year. I propose that we make this a 10-year effort—10 years in which we will spend $10 billion in the most creative, most productive way we can to destroy poverty as it now exists in America.

This is a tax which will do no harm whatsoever. And this is a program which will be of incalculable benefit to America forevermore.

All my research into this problem indicates that this is the ideal way to attack it. Political realism indicates that no major new programs are going to be undertaken this year within the limits of our regular Executive budget, which has already been severely trimmed. At the same time, I think there is much to recommend a clearly identified, earmarked tax such as a 5-cent tax on cigarettes to meet a problem as widespread and as explosive as the poverty of 35 million Americans.

Cigarettes actually are undertaxed today by any standard.

The Federal tax on cigarettes is 8 cents per pack. Twenty-two years ago—in 1942—it was 7 cents. It remained at that level until 1951. During this period the average per capita income rose from $871 to $1,475; thus, while average income almost doubled, the cigarette tax remained the same and as a proportion of income was, in effect, cut in half.

Since the 1-cent increase in 1951, average income has risen from $1,475 to $2,127.

The extent to which cigarettes are undertaxed in this country is strikingly obvious when we look at other comparable countries. I ask consent to insert in the RECORD at this point a chart prepared by the Department of Agriculture.

There being no objection, the table was ordered to be printed in the RECORD, as follows:

Estimated average retail prices and internal taxes levied on cigarettes in selected Western European countries and the United States, annual, 1960–62

[In U.S. cents]

Country	1960		1961		1962	
	Average price per pack of 20	Internal taxes levied on pack of 20	Average price per pack of 20	Internal taxes levied on pack of 20	Average price per pack of 20	Internal taxes levied on pack of 20
United Kingdom	57.0	45.0	54.7	43.2	[1] 55.0	[1] 43.5
Ireland	43.0	30.0	47.0	34.0	[1] 50.0	[1] 36.5
Norway	55.0	38.5	54.7	38.3	54.6	38.2
Sweden	52.6	44.6	52.8	44.0	52.8	43.7
Denmark	56.0	44.8	60.2	46.4	64.4	50.2
Finland	29.2	19.0	29.2	19.0	32.1	21.5
Germany, West	42.8	23.5	41.9	23.4	41.8	23.4
United States [2]	27.0	12.5	27.5	12.7	27.8	12.9

[1] FAS estimate.

[2] Estimated average of all brands and types for the United States as a whole. No official average annual prices available.

Source: FAS and ERS, USDA, Jan. 22, 1964.

Mr. NELSON. Mr. President, the average total tax on cigarettes in the United States is 12.9 cents—a Federal tax of 8 cents plus an average State tax of 4.9 cents. The average Englishman pays a tax of 43.5 cents—almost a half a dollar of tax per package.

The average Irishman pays 36.5 cents; the average Norwegian 38.2 cents; the average Swede 43.7 cents; the average Dane 50.2 cents.

Furthermore, the average hourly pay in these other nations is far below what it is in America. The Englishman who pays 43 cents tax on his cigarettes is earning only about 70 cents an hour, whereas the American who pays about 12.9 cents tax is earning $2.50 an hour.

The fact is we could easily raise the cigarette tax not a nickel but a dime or a quarter and still be paying a far smaller percentage of our income in cigarette taxes than other Western nations.

Only a program of the scope of $10 billion over 10 years can really make a significant attack on poverty. A smaller program might not even keep up with the spread of poverty which is expected to result from increased automation and swift-moving economic dislocations.

I have deliberately underestimated the yield of a 5-cent cigarette tax so as not to risk overselling this proposal. The best estimate is that a 5-cent increase would produce $1.25 billion a year at today's rate of consumption and the President's budget request actually forecasts increased consumption. However, my estimate of a 10-year yield of $10 billion seems cautiously realistic in the event that some Americans may reduce cigarette consumption because of the recent report on the role of cigarette smoke in lung cancer.

Should the tobacco industry have any fears about the economic consequences of this tax, the obvious answer is that cigarette taxes in the past have not discouraged cigarette smoking. If this substantial increase should, however, cut down on cigarette consumption, the reduction almost surely would come among young people, to whom the 5-cent increase would be most significant. I do not believe that the tobacco industry today can complain if this should prove to be the case, for the Surgeon General's report shows now the serious correlation between the age at which a person takes up smoking and the incidence of lung cancer.

Now how can we best spend this war chest of a billion dollars a year for a decade?

The possibilities are tremendous. The yield from this cigarette tax increase could produce in any 1 year 135,000 additional housing units, for a nation with over 8 million substandard dwellings. Or it could build hospitals with 62,000 beds, for a nation which needs 280,000 beds to meet its present backlog and 500,000 beds in the next 5 years. Or it could build nursing homes with 125,000 beds, to help fill a need for over 530,000 such beds. Or it could build almost 30,000 school classrooms, for a nation which between now and 1967 will need over 400,000 new classrooms.

It is my hope that, under this program, we can do all these things and more.

It is my hope that this money—specifically earmarked for war on poverty—will be used in the most effective possible manner for schools, libraries, hospitals, housing, recreational facilities, community centers, and for bold and aggressive work in slums and depressed areas to pinpoint the causes of poverty and root them out.

The money will not be used for handouts. It will be used to create jobs and to cure deep-seated social problems.

I propose that this 10-year, $10 billion program be administered by the special assistant in charge of poverty which the President will soon appoint, and that the money be spent for specific projects which he develops with the approval of the Congress.

To get the program off to an immediate start, and to create jobs immediately in areas of especially desperate need, I propose that half of the first year's proceeds from this tax—roughly $600 million—be earmarked for projects already pending under the accelerated public works program. These projects now total about $700 million.

I ask unanimous consent to include in the RECORD at this point a table showing these pending public projects. If we completed these pending projects in the coming year, this alone would produce almost 1 million man-months of employment.

But for the remaining years of this 10-year program, I feel very strongly that the war on poverty should be coordinated at the highest level of our Government, to make certain that this $10 billion is spent in the most effective way and to make certain that all the other existing programs of our Government work in harmony with the same goals.

For in the long run, the war on poverty must bring in almost every agency of Government. To cure poverty, we must have full employment; we must have a sustained high rate of economic growth; we must end racial discrimination; we must avoid regional recessions; we must improve youth opportunities; we must raise the standards of education and end school dropouts; we must fight disease and mental illness.

This is the job of the President of the United States and the agencies of his executive branch of the Government. They are mindful of their job, and they are doing their jobs well. We have imaginative programs underway in most of these fields. They are making America into a steadily more prosperous nation.

But today we are looking at the face of the American for whom these programs are not enough: The small marginal farmer who is unreached by a farm program which costs us $5 billion a year. The worker who is not helped by the fact that a record 69 million Americans have jobs today—because he is one of the 4 million who do not. The slum dweller who sees little for him in a massive urban renewal program—except an eviction notice. The relief claimant in Chicago who is unimpressed by the fact that America is the best educated Nation in the world—because he is one of the 51 percent of relief claimants who is functionally illiterate. The Negro who knows full well that Americans regardless of color have more refrigerators and television sets than any other people in the world—but who is more concerned about the fact that he is one of 41 percent of our Negroes who earn less than $1,000 a year, which is not even enough to buy food.

We have a great system of government and a great economy which has made America the most powerful Nation in the world and has made its people the most prosperous. But the prouder we become of these facts, the more sick at heart we must be about those 35 million people who are missing out on the American dream.

We must realize our greatness, but we must also be willing to admit wherein our system has developed serious weaknesses.

And make no mistake about it, where there is poverty and hunger and disease and ignorance in America today—and as I have said, it lives in one-fifth of our homes—we have failed.

We must preserve our great system and the elaborate framework of government which we have built around it—but we must make this special, added effort to meet the unmet needs, to reach the unreached person.

We spend $50 billion a year on our military budget. At that rate it will total 500 billions over a decade. We will spend $20 billion over a period of years to shoot a man to the moon. Certainly the investment of $10 billion to destroy the roots of poverty—$10 billion which we can raise without burdening our budget and upsetting our economy—is a prudent investment in the basic values of America.

Our President has declared war on poverty. We have within our grasp the men and material—and the money—to wage this war right through to victory.

I hope we have the vision to seize that opportunity.

Mr. President, I ask unanimous consent to have printed in the RECORD at this point some tables, an editorial, and an article bearing on this subject.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

THE NEEDS TO BE MET

(Taken from p. 17, "Accelerated Public Works in Retrospect and Prospect," a staff report to the Committee on Public Works, U.S. Senate, December 1963, 88th Cong., 1st sess., U.S. Government Printing Office, Washington, D.C.)

Although great strides have been made to date, there remains a very sizable backlog of needed work to be accomplished. This backlog coupled with an equal need for employment necessitates a continuation of this program. As was pointed out in the previous chapter it is not only the short-run employment gains which are important, but also the generation of continuing employment which a major portion of these public works projects create.

As shown in the State-by-State summary of table VI following, there are eligible projects pending before the ARA in excess of $700 million in APW cost, and an additional $93 million in projects for which specific data are not available. This backlog is comprised exclusively of State and local grant-in-aid projects, 86 percent of which are in the 50-percent grant category.

TABLE VI.—*Estimated accelerated public works cost of pending projects as of Oct. 20, 1963, by States*

	Thousands
Alabama	$15,396
Alaska	9,812
Arizona	5,404
Arkansas	9,532
California	19,267
Colorado	3,878
Connecticut	1,176
Delaware	286
Florida	25,314
Georgia	6,083
Hawaii	59
Idaho	379
Illinois	17,082
Indiana	5,032
Iowa	447
Kansas	3,447
Kentucky	27,268
Louisiana	41,920
Maine	384
Maryland	2,704
Massachusetts	19,641
Michigan	77,901
Minnesota	20,788
Mississippi	11,885
Missouri	17,559
Montana	7,079
Nebraska	1,460
Nevada	258
New Hampshire	2,196
New Jersey	26,911
New Mexico	10,089
New York	45,064
North Carolina	9,674
North Dakota	656
Ohio	26,519
Oklahoma	8,861
Oregon	9,609
Pennsylvania	70,822
Rhode Island	4,756
South Carolina	3,113
South Dakota	3,178
Tennessee	17,845
Texas	21,026
Utah	6,789
Vermont	331
Virginia	2,026
Washington	8,444
West Virginia	25,378
Wisconsin	6,669
Wyoming	660
American Samoa	-------
Guam	-------
Puerto Rico	38,186
Virgin Islands	-------
Total	700,243
Pending projects for which specific data are not available	93,193
Total pending	793,436

Estimated revenue from increased cigarette tax

[In millions of dollars]

Period (fiscal year)	Basis of estimation	Total receipts	Estimated revenue increase from 5 cents per pack increase in tax
1963	Actual receipts with 8 cents per pack tax.	[1] 2,011	------------
1963	13 cents per pack tax, assuming no change in cigarette smoking per capita.	3,268	1,257
1964–74	13 cents per pack tax, assuming no increase in annual national consumption.	[1] 32,680	[2] 12,570

[1] The President's 1965 budget estimates fiscal 1964 receipts at $2,075,000,000, and for 1965 at $2,140,000,000. The assumed increase from 1964 to 1965 is 3.13 percent.

[2] Assumed to be $10,000,000,000 to allow for a decrease in smoking as a result of the higher tax and the effect of reports on the ill effects of smoking.

[From the Washington (D.C.) Post, Jan. 27, 1964]

TO THE ROOTS OF POVERTY

President Johnson's declaration of an "unconditional war on poverty in America" will elicit a warm response from all who have been concerned about the persistence of privation and want in a society characterized by growing affluence. But a successful war on poverty cannot be waged without an attack on the root causes of poverty, and to conduct the latter, the administration must break with conventions in formulating its programs.

When poverty is defined as "the inability to satisfy minimum needs" the herculean dimensions of the task which the President has assumed become readily apparent. Families with annual incomes of less than $3,000 at 1962 prices and no savings upon which to draw are deprived of many of the goods and services required to provide what have come to be regarded as minimum standards of shelter, nutrition, and health in the United States. In 1962 there were 9.3 million families with incomes of less than $3,000, or nearly one-fifth of the total.

President Johnson in his economic message observed that "the sources of poverty vary from family to family, city to city, and region to region." And stating bluntly that "a solution will not be found in any single new program, directed from Washington," he urged a concentrated effort which would coordinate the existing programs of the Federal, State, and local governments as well as private efforts.

As a piece of high strategy, this approach is unassailable, but the crucial outlines of a well-rounded and effective program are lacking. And by including requests for new antipoverty expenditures under an "allowance for contingencies" fuel is provided for charges that the program has been hastily conceived for politically partisan purposes.

If an attack on poverty is to succeed, it must seek to change the whole social environment in which poverty breeds. It must simultaneously focus upon the education of the young, manpower retraining, technological change, the cohesiveness of family life, regional economies, and race relations. Action on all of these fronts is urgently required, but poverty cannot be eliminated in the course of a short campaign. This one will be long and costly, and it must be planned with precision.

President Johnson will gain a maximum of support if he makes it unmistakably clear at the outset that he is embarking upon a long-range program for the solution of very difficult problems. And in order to differentiate this program from the ameliorative efforts, both past and present, he should convene a conference of authorities from the various disciplines who would evaluate current programs and make recommendations for a more consistent and closely coordinated effort.

[From the Washington (D.C.) Post, Jan. 27, 1964]

IN SEARCH OF AN ANTIPOVERTY PLAN

(By Harvey H. Segal)

"Only a few years ago," Michael Harrington, author of "The Other America," observed at a Georgetown University seminar, "it seems to me that the majority of this Nation was blind to the very existence of the problem of poverty * * * The great fact of the beginning of 1964 is not that we have a program to abolish poverty, because, as I want to make clear later on, I don't think we have, but that we have opened our eyes. That is the heartening fact of this declaration."

Harrington's statement is a fair one. There is not yet a program for the elimination of poverty, only a growing feeling that there is something incongruous about the juxtaposition of affluence and misery. That sentiment must be translated into effective public policies, a task that involves much more than a few small budgetary requests.

The best brief introduction to the subject is the "Problem of Poverty in America" appearing in the latest annual report of the Council of Economic Advisers. There the statistical dimensions of the problem are clearly drawn. If poverty is defined as the inability to satisfy minimum needs, those needs can be specified along with a lower boundary level of family income that is necessary to acquire them.

There are no flawless income measures of poverty, but the CEA's choice of an annual family income of $3,000 at 1962 prices provides a good working approximation. According to this measure, nearly 20 percent of all American families, 9.3 million, are living in poverty.

When the characteristics of poor families are analyzed, the pervasiveness and complexity of the problem becomes apparent. Is poverty confined to the unemployed? Hardly. Nearly half of the heads of poor families are gainfully employed. Nor is it predominately a problem of the aged since only a little more than a third of poor families are headed by persons over 65. And since poor families are distributed between urban and rural places on a 54 to 46 percent basis, poverty is not a problem which is unique to either the city or the countryside.

The CEA points out that only $11 billion a year, a fifth of the defense budget and less than 2 percent of GNP, would be required to bring all poor families up to the $3,000 level. But they object, and rightly, that this " 'solution' would leave untouched most of the roots of poverty." It is causes, not symptoms, that should be attacked. And when one ponders these causes, he is soon grappling with more than economic problems.

There is a high degree of interaction between the causes of poverty linkages which create vicious circle effects. The children of the poor are usually poorly educated, and those with low levels of educational attainment are confined to the low-income occupations. And similar analyses can be made of the effects of racial discrimination or of the technological changes which are sometimes responsible for economically depressed areas.

Because the causes of the poverty are so intricately linked, because they are continually interacting, the attacks on the problems of poverty must be highly coordinated.

It makes little sense to plan a network of superior highways for Appalachia unless something very dramatic is also done to upgrade the skills of the labor force and, at the same time, attract new industries. While adjustments to technological change and displacement may be eased by the retraining of adult workers, inadequate school facilities for the young will perpetuate the problem in future generations.

What becomes apparent is that the partial approach to problems of poverty, whether it is confined to a geographical region, a sector of the economy, or individual industries, will not work well. To eliminate poverty, a multifaceted attack will have to be sustained over a long period of years at a high cost.

Dollars alone will not create a viable antipoverty program although they are indispensable at the operational stages. What is first required is a master plan which sets forth the strategy of the attack, makes provisions for the coordination of Federal programs, and establishes relationships between them and the efforts undertaken by State and local governments.

Consumption of cigarettes per person age 15 years and over (1957)

United States	3,440
United Kingdom	2,590
Ireland	2,430
Norway	540
Sweden	1,050
Denmark	1,220
Finland	1,850
Germany (West) (1956)	1,210

EXHIBIT 1

AN ADDRESS BY SENATOR GAYLORD NELSON TO SECOND CONGRESSIONAL DISTRICT DINNER, ST. JOSEPH'S CHURCH, WAUKESHA, WIS., AT 6:30 P.M., SATURDAY, APRIL 27, 1963, HONORING REPRESENTATIVE ROBERT W. KASTENMEIER

Mankind has entered the most challenging age in the history of human existence. Within our lifetimes, it now seems certain that America will shoot a man to the moon, and the fabulous mysteries of outer space, which have fascinated but eluded men for centuries, will be conquered by our own children. This age of breathtaking discovery should excite the minds of men everywhere and stand as a tribute to the power of human intelligence to solve the problems of the world. Yet as the brilliant technology of our new society hurtles us into outer space and tames the cosmic wilderness, we may forget that this same advancing society has left behind a great mass of humanity for whom the new age promises but one thing—a bare existence in a life of poverty.

It seems old fashioned today to talk about the poor. Everyone knows that America is more prosperous than ever before. Everyone knows that the New Deal of the thirties, the war prosperity of the forties, and the economic boom of the fifties struck a massive blow against poverty in America. Imaginative Government programs helped business back on its feet in the thirties. Unemployment compensation protected men thrown out of work. Social security gave the aged a resource for the day the paychecks stopped. We are striving today to continue the gains of the New Deal: Area redevelopment loans are helping depressed areas; small business loans are encouraging the entrepreneur; and we are fighting to add hospital care to the benefit guaranteed the elderly.

But it is a sad fact that these great changes of the last 30 years—this inspiring demonstration of the power of the cooperative effort of our people—has not eliminated poverty. It has only concealed it.

The Bible says we will have the poor with us always. And they are with us today. The changes in our society have simply made them harder to see. What we have with us today has been described as "the invisible poor."

Are there really very many of them—enough to worry about? There are 40 to 50 million—one-fourth of the people of the richest nation on earth—not just uncomfortable but unable to get the mere necessities of life—living a shabby life of denial in what the New Yorker magazine has called a long vestibule on the way to death.

Who are they? They are the poor farmers, especially in marginal farming areas who eke out an existence on $500 to $1,000 a year, unreached by a Federal farm program which pours five billions into our economy each year.

They are the migrant laborers; the unskilled and unorganized workers in offices, hotels, laundries, hospitals, and restaurants. They are the victims of automation in a strange industrial economy which marches forward at the same time that millions of workers slip backward. They are the residents of depressed areas in the North, West Virginia, and the rural South. One-fourth of them are the Negroes and the Puerto Ricans—last to be hired and first to be fired—who get about half the average wage of a white man when they do find jobs.

They are our senior citizens, an estimated 8 million of whom live in poverty and 1 million of whom live on less than $580 a year.

And finally, they are our citizens with special problems—the handicapped, the alcoholic, the hillbillies who forsake their ancient society in the mountains for a life of confused poverty in the cities.

Why are they invisible?

Because the great American middle class, twice as big and twice as prosperous as before, has moved to the suburbs and left the poor behind in the central cities; because these 40 to 50 million Americans don't have powerful organizations to plead their cause; because their lives of grimy dullness don't make bright feature stories or technicolor movies; because old folks don't live with their children any more, but in upstairs rooms in gray old houses that are never written up in the beautiful magazines; because the rest of us have become so gay and so prosperous that we don't want to look at them.

Do they have problems? Well, listen to these conclusions from a New Yorker review of several studies of the poor:

"The very poor are four times as disabled by chronic illness as the well-to-do. Their illness is three times as likely to be psychiatric. If they do have a psychiatric problem, it is far more likely to be psychotic than neurotic—when compared with the well-to-do. They need hospital insurance the most, but they have it the least. They pay more taxes in proportion to income than do most of the rich. They have a drab social life. Most of our clubs are for the middle class and the well-to-do. Over one-third of the children of the poor don't go beyond the eighth grade, and probably will perpetuate the poverty of their parents.

"Unlike the poor of the past, many of whom were new immigrants fired with hope for the future, the poor we have with us today are lacking in motivation and discouraged by the handicaps of age, race, environment, physical and mental defects.

"But most of all, they are handicapped because they are a disorganized minority, without a spokesman, without a voice, without the means to bring their case to public attention.

"The great Government programs which we have forged to meet their problems have met someone else's problems—but not theirs.

"Most of them do not qualify for unemployment compensation or workmen's compensation or social security or farm subsidies or ARA or SBA loans. And almost every time we pass a new Government program—we carefully exempt them. When the Fair Labor Standards Act was broadened in 1961 it was deliberately drawn to exclude 483,000 laundry and dry cleaning employees. Even the pending hospital care bill will exclude many because of its $90 deductible feature, which is 10 percent of the annual income of 3 million Americans. The urban renewal bulldozers knock down the homes of the poor and replace them with shiny new apartments for the middle class, and the poor are compressed even more tightly and more invisibly in some distant slum.

"That is the face of America's poor which I wanted you to see. If you can't see them, I don't know who will. If we consign a fourth of our people to a life of poverty in the midst of our own prosperity we corrode democracy. And we confess that in solving the greatest problem of all—the maintenance of the dignity of our fellow men—we have not triumphed at all. We have failed."

EXHIBIT 2

[From the New York Times, Jan. 13, 1964]

POVERTY BLIGHTS IRON ORE REGION—MINES IN NORTH WOODS AREA OF MIDWEST SHUT DOWN—U.S. HELP IS SOUGHT

(By Homer Bigart)

IRONWOOD, MICH., January 10.—The north woods, plundered for its timber and facing depletion of its iron ore, is sinking into poverty.

This brawny, lusty empire of 1.5 million people, embracing 81,000 square miles of northern Minnesota, northern Wisconsin, and upper Michigan, is a problem area whose difficulties are exceeded only by those of Appalachia.

Its unemployment rate is twice the national average. In many counties, one of every four men lacks a job.

The land of Paul Bunyan has been slumping steadily in recent years. Out of its virgin forests came the lumber that built most of the houses of the Middle West. But the forests were ravaged by the lumber barons.

Out of its iron ranges came the high-grade ore that provided the sinews for the American industrial effort. But many mines are closed. Their tipples rise ghostly and silent over the desolate land.

President Kennedy visited the region last September and said:

"Year after year this area has had the short end of every economic indicator."

He called upon the leaders of the three States to come up with a regional program for economic development.

Shortly before he was assassinated, the President pledged Federal support for a coordinated attack on north woods poverty. He scheduled a meeting with the Governors and Senators of the three States, at which he planned to announce creation of a Northern Great Lakes Regional Commission.

This body, modeled after the President's Appalachian Regional Commission, would promote a joint effort between the State governments and Federal agencies to rebuild the north woods economy.

The White House meeting was to have been held just before Christmas. It was postponed indefinitely after the President was slain. Now the Governors and Senators are awaiting an indication of interest by President Johnson.

They confidently expect that President Johnson will summon them late this month to announce the regional commission.

The President is not apt to disregard the political overtones. Distress is deepening in the area. Moreover, the President has promised a crusade to eliminate poverty, and this will be a major theme of his campaign for reelection. The 43 electoral votes cast by Michigan, Wisconsin and Minnesota could be crucial in 1964.

Like Appalachia, the north woods suffers from the fact that it is predominantly a one-industry area. For 70 years iron mining has dominated the economy of this region as extensively as coal dominated West Virginia and eastern Kentucky, two of the States in the Appalachia area.

HIGH-GRADE ORE DEPLETED

Now the high-grade ore is running out. The inferior ore must compete with richer ores being imported from Labrador and Venezuela, and West Africa.

The Gogebic Range of Michigan and Wisconsin had 12 mines working as late as 1958. They employed more than 4,500. Today only three mines, employing 650, are operating.

The great Mesabi Range of Minnesota, which once produced nearly half the iron ore in the United States, gave work to 9,700 miners in the Hibbing, Minn., area in 1954. Today there are jobs for only 4,700.

Hibbing was so rich in 1900 that a committee, seeking to give away a substantial sum raised for charity, could find only three or four widows penurious enough to qualify.

Today there is no dearth of candidates for relief. Three thousand unemployed have registered for work in the area, and 734 have been jobless so long they have exhausted their unemployment compensation and must subsist as welfare cases.

Yet there are cases of prosperity, even of boom. In the Mesabi Range area, new settlements have sprung up as a result of the discovery of a process for converting taconite rock, with its 20 to 30 percent of iron, into 65 percent iron-rich pellets.

The taconite mines and plants have stretched the life of the iron country. But taconite will never attain the ore production nor provide the employment the range knew in the peak years.

Community leaders hope to diversify the economy by luring factories into the area and promoting tourism. The rugged land, with its myriad lakes, has a special flavor that entrances visitors. Isolated on the north by the endless Canadian wilderness, northeast Minnesota remains a frontier.

THE STREAMS FLOW NORTH

Here, where the streams flow north to Hudson Bay, there are a few hundred timber wolves.

One morning last year, Mrs. John Nevin, wife of the assistant director of the Minnesota Area Development Administration, looked out of her cottage on Lake Vermillion and was startled by what appeared to be a small island forming near the far shore. Then she saw sudden movement. The "island" dissolved into a deer struggling in the water against encircling wolves.

No wolves frighten tourists in Wisconsin and Michigan, but the region does boast a snow belt with the heaviest snowfall in the Middle West.

Ski resorts, some aided by loans from the Area Redevelopment Administration, have sprung up around Ironwood and around Hurley, Wis.

Each winter weekend, thousands of skiers rescue the stricken economy of these communities by spending an average of $22 a day each.

Nowhere in the north woods will visitors find the grinding poverty that assails parts of Appalachia. Only in the Chippewa Indian reservations is there a squalor comparable to the blighted villages tucked away in the folds of Kentucky's Cumberland Mountains.

Cushioned by unemployment compensation and the supplemental benefits they receive as members of the United Steelworkers of America, the miners and their families face no immediate threat of hunger. Their houses are just beginning to look rundown and of needing paint.

But the future is no brighter than Appalachia's. The tourist industry is not growing fast enough to offset the loss of jobs and income caused by the decline of mining.

PAINFUL TASK FOR CITIES

Many communities, proud of their fine schools and lavish community services, face the painful task of drastic retrenchment. The city of Ironwood installed a reform administration headed by Roy Ahonen, the son of a Finnish immigrant and owner of a sawmill. In 3 years Mayor Ahonen eliminated 40 city jobs and persuaded city employees to accept a pay cut of 10 percent. When he retired last year, Ironwood still faced grave problems, but at least there was a plan for economic recovery.

"The city had been living high on the tax revenue from mining companies," Mr. Ahonen recalled. "In 1925, mining properties comprised two-thirds of the city's total assessed valuation, but by 1952 it had dropped to one-quarter and in 1963 it was only 0.81 percent of the total taxable base."

He said his hardest decision was to eliminate the town band. A trombonist himself, Mr. Ahonen silenced, in the interest of municipal economy, the Nation's oldest municipal band, a band that had once gone to New York City to appear on the Garry Moore show. Also eliminated was the office of Gogebic County dogcatcher, which had a budget of $7,000.

Ironwood hopes to retrench further by abandoning several decaying mine settlements on the southern outskirts. These locations, dreary clutters of boarded-up stores and shabby dwellings, are separated from the main part of town by the caves, a depression formed by the collapse of underlying mine tunnels.

Several hundred families still live in Ironwood's locations—Jessieville, Newport, Aurora, and Pabst—and the city spends a large part of its budget maintaining streets and public utilities in these sparsely populated neighborhoods. Ironwood proposes to eliminate Jessieville (205 homes), Newport (96), and Aurora (144), and move the families to the central zone.

This would cost $1 million. Ironwood hopes to do the job with the aid of a Federal urban renewal loan.

PENNSYLVANIA PRECEDENT

The Government does not usually approve loans for the abandonment of settlements. But Carbondale, Pa., received a loan when the coal-mining city pleaded that part of the town was sinking into the mines. Ironwood hopes to follow the Carbondale precedent, arguing that the streets of Newport are shifting and subsiding.

Ironwood's neighbor, Hurley, has a reputation for toughness. Edna Ferber used Hurley as the setting for her novel "Come and Get It." Today 50 percent of Hurley's work force is unemployed, and saloons and bawdy houses are shuttered, leaving only about 20 licensed taverns for a thirsty community of 2,500.

"We are embarrassed to explain why the relief load is so small," said Armand F. Cirilli, welfare director for Iron County, of which Hurley is the seat. "We have only 22 relief cases.

"The fact is that everyone is leaving the area. We have always exported young people. Now we are exporting the middle aged. The county population shrank from 10,000 in 1940 to 7,830 in 1960."

A few miles west of Hurley is Montreal, Wis., an unusually attractive mining town, with elm-shaded streets and white frame houses set in deep lawns landscaped with balsam and pine.

There has been no work in Montreal since August 10, 1962, when the Oglebay Norton Co. of Cleveland closed a mine that had run for three-quarters of a century and was producing 1 million tons of ore a year.

"We are in a changeover from a mining town to a place for retirement and recreation," said Montreal's Mayor Donald E. Fritz. "The population is down from 2,000 to 1,200. People who own houses are still hanging on.

"You can live well here on a small income. Rents are cheap, $25 a month for a house, and a family of four can get by on $136 a month for rent, clothing, and food."

Mayor Fritz went on: "The children of unemployed miners seem cheerfully unaware of the fact that their parents aren't working.

"I've been concerned about these children, but they look the same as the rest. Local organizations sent Christmas cheer packages to a dozen families."

NO DIRE NEED

"Nobody is begging for food," said Louis Leoni, chairman of the Iron County Board of Supervisors.

Herbert Kinney, county agricultural agent, said the decline in population had hurt the farmers, who sold all their dairy products locally.

In Madison, Wis., Douglas G. Marshall, professor of rural sociology at the University of Wisconsin, predicted that the population of the northern counties would continue to decline but at a reduced rate. He said the small farmers of northern Wisconsin lived so close to poverty that the slightest recession would force them onto the relief rolls.

Throughout the north woods thousands of miners' families are nearing the end of their unemployment compensation. When these payments stop, they face the alternative of going on relief or drifting to the cities in search of work. But most of them own their homes, and the real estate market is so depressed they cannot sell except at a big loss.

"The only way to get rid of a house is to give it away," complained Wesley Shubert, of Two Harbors, Minn., who has not worked since last May.

Two Harbors, a city of 5,000 on the north shore of Lake Superior, was a major outlet for ore shipments until a year ago, when the Duluth, Missabe & Iron Range Railroad, a subsidiary of the United States Corp., shut down its ore docks.

The railroad was the major employer in Two Rivers, with 250 men in car shops where only a dozen jobs are available today.

PRETTY DISGUSTED

"People feel pretty disgusted, all these years on the railroad and all of a sudden—bingo, no more work," said Leonard Morset, 52 years old, who was laid off last May 1.

He had tried in vain to get a job at the new taconite plant at Silver Bay, Minn., but it was taking only young men.

In the Mesabi Range, idle miners hope they will find jobs in the big taconite plant United States Steel says it will build at Mountain Iron—if Minnesota passes controversial legislation ending what Big Steel calls "onerous iron ore taxation."

The battle over the proposed constitutional amendment has been raging for years. A leading opponent was Vladimir Shipka, director of the State area redevelopment administration program, who was defeated last year in seeking reelection as a State senator.

Mr. Shipka has a reputation in the iron country for stubborn honesty.

"I don't think the Minnesota constitution should be used to protect the economic interests of any corporation or individual," Mr. Shipka said. "I don't feel United States Steel should get a special concession. People resent a corporation saying: 'Vote our way and we will give you a job.' "

But the promise of jobs in this distressed region has been potent enough to swing even the steelworkers union over to the amendment.

"I tell you something—this taconite amendment, by God it's our last hope," said Russel Munson, union representative in Hibbling. "If people vote the amendment down, we are finished here."

The PRESIDENT pro tempore. Is there further morning business?

EXECUTIVE COMMUNICATIONS, ETC.

The PRESIDENT pro tempore laid before the Senate the following letters, which were referred as indicated:

Revised Cost Estimate for Construction of an Explosive Safe Assembly Facility for Unmanned Spacecraft at the Atlantic Missile Range

A letter from the Administrator, National Aeronautics and Space Administration, Washington, D.C., reporting, pursuant to law, on the revised cost estimate relating to the construction of an explosive safe assembly facility for unmanned spacecraft at the Atlantic Missile Range; to the Committee on Aeronautical and Space Sciences.

Authorization of Certain Construction at Military Installations

A letter from the Secretary of Defense, transmitting a draft of proposed legislation to authorize certain construction at military installations, and for other purposes (with an accompanying paper); to the Committee on Armed Services.

Report on Progress of Flight Training Program

A letter from the Secretary of the Air Force, transmitting, pursuant to law, a report on the progress of the flight training program, for the period August 1, 1962, to November 30, 1963 (with an accompanying report); to the Committee on Armed Services.

Report on Procurement From Small and Other Business Firms

A letter from the Assistant Secretary of Defense, Installations and Logistics, transmitting, pursuant to law, a report on Department of Defense procurement from small and other business firms, for the period July–November 1963 (with an accompanying report); to the Committee on Banking and Currency.

Nomination for Member of District of Columbia Redevelopment Land Agency

A letter from the President, Board of Commissioners, District of Columbia, transmitting, pursuant to law, the nomination of John S. Crocker for appointment as a member of the District of Columbia Redevelopment Land Agency (with an accompanying paper); to the Committee on the District of Columbia.

Extension of Renegotiation Act of 1951

A letter from the Chairman, the Renegotiation Board, Washington, D.C., transmitting a draft of proposed legislation to amend and extend the Renegotiation Act of 1951, and for other purposes (with an accompanying paper); to the Committee on Finance.

Reports of Advisory Committees of Department of Health, Education, and Welfare

A letter from the Secretary of Health, Education, and Welfare, transmitting, pursuant to law, reports of advisory committees of that Department, for the calendar year 1963 (with accompanying reports); to the Committee on Finance.

Reports on Disposal of Excess Property in Foreign Countries

A letter from the Secretary of Health, Education, and Welfare, reporting, pursuant to law, on the disposal of excess property in foreign countries; to the Committee on Government Operations.

A letter from the Assistant General Manager, U.S. Atomic Energy Commission, Washington, D.C., reporting, pursuant to law, on the disposition of foreign excess property, during fiscal year 1963; to the Committee on Government Operations.

REPORT ON HELIUM PROGRAM

A letter from the Administrative Assistant Secretary of the Interior, transmitting, pursuant to law, a report on the helium program, during the fiscal year 1963 (with an accompanying report); to the Committee on Interior and Insular Affairs.

REPORT ON ADMINISTRATION OF PUBLIC LAWS 874 AND 815

A letter from the Secretary of Health, Education, and Welfare, transmitting, pursuant to law, a report on the administration of Public Laws 874 and 815, for the fiscal year 1963 (with an accompanying report); to the Committee on Labor and Public Welfare.

JOINT RESOLUTION OF ARIZONA LEGISLATURE

The PRESIDENT pro tempore laid before the Senate a joint resolution of the Legislature of the State of Arizona, which was ordered to lie on the table, as follows:

HOUSE JOINT RESOLUTION 1

A joint resolution on the death of John Fitzgerald Kennedy, 35th President of the United States

Whereas, on the 22d day of November, in the year 1963, John Fitzgerald Kennedy, the 35th President of the United States, was stricken down by an assassin's bullet; and

Whereas the 26th Legislature of the State of Arizona, now convened in its second regular session, desires to record for posterity by this resolution both respect and tribute to the memory of our departed President: Now, therefore, be it

Resolved by the Legislature of the State of Arizona:

John Fitzgerald Kennedy typified the exemplary American by devotion to his country, by devotion to his family, by participation in the affairs of government, and by concern for the welfare of people both in America and throughout the world.

He gave much in the defense of his native land against the foul designs of the enemy, and he joined with his fellow Americans in preparing again for conflict if it came, but he also joined with his fellow Americans in seeking the peace so that men, women, and children, wherever their abode, could accomplish the fulfillment of their lives without want or fear.

Many have and will pay tribute to our fallen President for his devotion to the public welfare and many have and will pay tribute to his devotion to public service because he was not lacking in the sincerity of his resolutions and the courage of his efforts to secure their fulfillment.

His fellow Americans recall in retrospect his devotion to his lovely and accomplished wife who shared with him and with pride observed the honors which a grateful people conferred upon him, and they will recall how Caroline and John not only kindled the warmth of his fatherly love but they also recall the affection for them imprinted in the hearts of people everywhere.

But now, alas, the hopes, aspirations, and ambitions of a valiant President have been thwarted. Just a few weeks ago he commanded the respect and leadership of a free world, full of youth and promise. His was a role of action filled with conflict and anxiety. Never did people anywhere, free or slave, doubt his dedication to the dignity of man and the value of their freedom, and it was the nobility of this dedication that could have inspired him to proclaim to the world upon his inauguration: "Let every nation know * * * that we shall pay any price, bear any burden, meet any hardship, support any friend, oppose any foe, to assure the survival and success of liberty."

John Fitzgerald Kennedy was dedicated to God, to his country, and to his fellow man. He fought valiantly in war and in peace to preserve that dedication. He accepted the truism that all men are created equal and fought until the end to convince people everywhere that discrimination between persons because of race or creed is violative of every historic document inscribed and proclaimed by the patriots who founded this Nation.

The Legislature of the State of Arizona, in further tribute to our fallen President, requests and directs the secretary of state of the State of Arizona to transmit copies of this resolution, under his hand and the great seal of the State of Arizona, to the President of the United States, to the President of the Senate of the United States, to the Speaker of the House of Representatives of the United States, and to Mrs. Jacqueline Kennedy, the widow of the late President.

Passed the house January 13, 1964, by the following vote: 79 ayes, 0 nays, 1 not voting.

Passed the senate January 14, 1964, by unanimous vote.

Approved by the Governor, January 15, 1964.

Filed in the office of the secretary of state, January 15, 1964.

FUNDS FOR STUDY OF MATTERS PERTAINING TO INTERAGENCY COORDINATION, ECONOMY, AND EFFICIENCY—REPORT OF A COMMITTEE

Mr. HUMPHREY, from the Committee on Government Operations, reported an original resolution (S. Res. 288) to provide funds for the study of matters pertaining to interagency coordination, economy, and efficiency, which, under the rule, was referred to the Committee on Rules and Administration, as follows:

Resolved, That the Committee on Government Operations, or any duly authorized subcommittee thereof, is authorized under sections 134(a) and 136 of the Legislative Reorganization Act of 1946, as amended, and in accordance with its jurisdiction specified by rule XXV of the Standing Rules of the Senate, to examine, investigate, and make a complete study of any and all matters pertaining to interagency coordination, economy, and efficiency.

SEC. 2. For the purposes of this resolution the committee, from February 1, 1964, through January 31, 1965, is authorized (1) to make such expenditures as it deems advisable; (2) to employ upon a temporary basis, technical, clerical, and other assistants and consultants: *Provided,* That the minority is authorized at its discretion to select one person for appointment, and the person so selected shall be appointed and his compensation shall be so fixed that his gross rate shall not be less by more than $1,600 than the highest gross rate paid to any other employee; and (3) with the prior consent of the heads of the departments or agencies concerned, and the Committee on Rules and Administration, to utilize the reimbursable services, information, facilities, and personnel of any of the departments or agencies of the Government.

SEC. 3. The committee shall report its findings upon the study and investigation authorized by this resolution, together with its recommendations for legislation as it deems advisable, to the Senate at the earliest practicable date, but not later than January 31, 1965.

SEC. 4. Expenses of the committee, under this resolution, which shall not exceed $135,000, shall be paid from the contingent fund of the Senate upon vouchers approved by the chairman of the committee.

BILLS INTRODUCED

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. HAYDEN (for himself, Mr. GOLDWATER, Mr. ENGLE, and Mr. KUCHEL):

S. 2465. A bill to consent to the Interstate Compact defining the boundary between the States of Arizona and California; to the Committee on the Judiciary.

By Mr. INOUYE:

S. 2466. A bill to amend the act of April 22, 1954, in order to authorize the renewal or extension of any license granted under such act to the Leahi Hospital of Honolulu, Hawaii (with accompanying papers); to the Committee on Armed Services.

By Mr. RUSSELL (for himself and Mr. SALTONSTALL) (by request):

S. 2467. A bill to authorize certain construction at military installations, and for other purposes; to the Committee on Armed Services.

(See the remarks of Mr. RUSSELL when he introduced the above bill, which appear under a separate heading.)

By Mr. SPARKMAN (by request):

S. 2468. A bill to help provide adequate dwelling accommodations for more families who have low or moderate incomes, who are elderly, or who are subjected to the special problems of displacement from their homes by Government action; to promote orderly community development and growth; and to extend and amend laws relating to housing, urban renewal, and community facilities;

S. 2469. A bill to vest the Federal National Mortgage Association with fiduciary powers to facilitate the financing of its own and other mortgages, to provide for sales of and investments in beneficial interests or participation in such mortgages, and for other purposes; and

S. 2470. A bill to authorize the Veterans' Administration to extend aid on account of defects in properties purchased with financing assistance under chapter 37, title 38, United States Code; to the Committee on Banking and Currency.

(See the remarks of Mr. SPARKMAN when he introduced the above bills, which appear under a separate heading.)

By Mr. CASE:

S. 2471. A bill conferring jurisdiction upon the United States Court of Claims to hear, determine and render judgment upon the claim of Harold Braun, of Montclair, N.J.; to the Committee on the Judiciary.

By Mr. MUNDT:

S. 2472. A bill to authorize certain improvements on Big Stone Lake-Whetstone River, Minn. and S. Dak., for flood control, wildlife conservation, and other purposes; to the Committee on Public Works.

RESOLUTIONS

FUNDS FOR STUDY OF MATTERS PERTAINING TO INTERAGENCY COORDINATION, ECONOMY, AND EFFICIENCY

Mr. HUMPHREY, from the Committee on Government Operations, reported an original resolution (S. Res. 288) to provide funds for the study of matters pertaining to interagency coordination, economy, and efficiency, which, under the rule, was referred to the Committee on Rules and Administration.

(See the above resolution printed in full when reported by Mr. Humphrey, which appears under a separate heading.)

PRINTING OF ADDITIONAL COPIES OF COMMITTEE PRINT ENTITLED "ADMINISTRATION OF NATIONAL SECURITY: SELECTED PAPERS"

Mr. JACKSON submitted the following resolution (S. Res. 289); which was referred to the Committee on Rules and Administration:

Resolved, That there be printed for the use of the Committee on Government Operations 2,000 additional copies of the committee print entitled "Administration of National Security: Selected Papers," issued by that committee during the 87th Congress, 2d session.

AUTHORIZATION FOR CERTAIN CONSTRUCTION AT MILITARY INSTALLATIONS

Mr. RUSSELL. Mr. President, by request, for myself and the senior Senator from Massachusetts [Mr. Saltonstall], I introduce, for appropriate reference, a bill to authorize certain construction at military installations, and for other purposes, for fiscal year 1965.

I ask unanimous consent that a letter of transmittal requesting introduction of the legislation and explaining its purpose be printed in the Record immediately following the listing of the bill.

The PRESIDING OFFICER (Mr. Metcalf in the chair). The bill will be received and appropriately referred; and, without objection, the letter will be printed in the Record.

The bill (S. 2467) to authorize certain construction at military installations, and for other purposes, introduced by Mr. Russell (for himself and Mr. Saltonstall), by request, was received, read twice by its title, and referred to the Committee on Armed Services.

The letter presented by Mr. Russell is as follows:

The Secretary of Defense,
Washington, D.C., January 24, 1964.

Hon. Carl Hayden,
President pro tempore of the Senate,
Washington, D.C.

Dear Senator Hayden: There is forwarded herewith a draft of legislation "to authorize certain construction at military installations, and for other purposes."

This proposal is a part of the Department of Defense legislative program for 1964, and the Bureau of the Budget advises that its enactment will be in accordance with the program of the President.

This legislation would authorize military construction urgently needed by the Department of Defense at this time, and would provide additional authority to cover deficiencies in essential prior construction authorizations. The appropriation of money required for military construction is provided for in the Budget of the U.S. Government for the fiscal year 1965.

Titles I, II, and III of this legislation would authorize new construction for the Active Forces totaling $1,032,901,000, of which $383,663,000 is for the Department of the Army, $273,456,000 for the Department of the Navy, and $375,782,000 for the Department of the Air Force. Title IV would authorize new construction totaling $30,957,000 for the Defense Agencies.

Title V would authorize construction of 12,500 new units of family housing at a cost of $222,953,000. In addition, it contains other legislative recommendations considered necessary to implement the Department of Defense family housing program. Title VI contains general provisions which set forth authorizations and limitations generally applicable to all construction authorized by titles I through V. Section 602(5) provides a limitation of $711 million for all costs of family housing for fiscal year 1965.

Title VII totaling $34,450,000 would authorize construction for the Reserve components, of which $5,450,000 is for the Army National Guard, $5,100,000 for the Army Reserve, $6,500,000 for the Naval and Marine Corps Reserves, $12,800,000 for the Air National Guard, and $4,600,000 for the Air Force Reserve. This authorization is in lump sum amounts in accordance with the amendments to chapter 133, title 10, United States Code, which were enacted in Public Law 87-554.

This proposed legislation also provides additional monetary authority for deficiencies totaling $431,000 on projects authorized under previous laws. Of this amount, $367,000 is for the Army, and $64,000 for the Navy. In addition, all authorization for military construction contained in laws enacted prior to November 8, 1963 (with certain specified exceptions) would be repealed as of October 1, 1965 by this legislative proposal.

The total authorization requested in this legislative proposal for all of the agencies mentioned, including military family housing, is $1,809,739,000.

Sincerely,

Robert S. McNamara.

PROPOSED HOUSING LEGISLATION

Mr. SPARKMAN. Mr. President, today the President has sent to Congress his housing message, and four bills were sent with it. If I correctly understand the situation, three of these bills will be referred to the Banking and Currency Committee, and presumably they will be referred by it to its Housing Subcommittee, of which I am chairman. If the fourth bill follows the course which was followed in the last Congress, that bill will be referred to the Committee on Government Operations. So I shall not introduce that bill, but shall wait for a member of that committee to introduce it.

Mr. President, the President's program is a very large and a very ambitious one. I am sure it includes many good provisions. I know it will have the effect of extending and improving some of the programs Congress has previously passed. On the other hand, it includes some provisions of which I do not approve. Nevertheless, Mr. President, by request, I now introduce the omnibus housing bill, for reference to the Banking and Currency Committee.

The PRESIDING OFFICER. The bill will be received and appropriately referred.

The bill (S. 2468) to help provide adequate dwelling accommodations for more families who have low or moderate incomes, who are elderly, or who are subjected to the special problems of displacement from their homes by Government action; to promote orderly community development and growth; and to extend and amend laws relating to housing, urban renewal, and community facilities, introduced by Mr. Sparkman, by request, was received, read twice by its title, and referred to the Committee on Banking and Currency.

Mr. SPARKMAN. Mr. President, as for the other two bills, one of them provides for joint participation or pooling of FNMA and VA mortgages. I believe that will be a good development and I am very glad to introduce this bill, for reference to the Banking and Currency Committee.

The PRESIDING OFFICER. The bill will be received and appropriately referred.

The bill (S. 2469) to vest the Federal National Mortgage Association with fiduciary powers to facilitate the financing of its own and other mortgages, to provide for sales of and investments in beneficial interests or participation in such mortgages, and for other purposes, introduced by Mr. Sparkman, by request, was received, read twice by its title, and referred to the Committee on Banking and Currency.

Mr. SPARKMAN. Mr. President, the third bill authorizes the Veterans' Administration to extend aid on account of defects in properties purchased with financing assistance under chapter VII, title 38, United States Code. This is a subject in which our Housing Subcommittee has been very much interested. So I am glad to introduce this bill, and I request its reference to the Banking and Currency Committee.

The PRESIDING OFFICER. The bill will be received and appropriately referred.

The bill (S. 2470) to authorize the Veterans' Administration to extend aid on account of defects in properties purchased with financing assistance under chapter 37, title 38, United States Code, introduced by Mr. Sparkman, by request, was received, read twice by its title, and referred to the Committee on Banking and Currency.

EXTENSION OF TIME FOR BILL TO LIE ON THE DESK

Mr. SYMINGTON. Mr. President, I ask unanimous consent that the bill (S. 2396) to revive the office of General of the Armies of the United States and to authorize the President to appoint General of the Army Douglas MacArthur to such office, introduced by me on December 18, 1963, be permitted to lie on the desk until February 15, 1964, for additional cosponsors.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMISSION ON THE ADMINISTRATION OF THE UNIVERSAL MILITARY TRAINING AND SERVICE ACT—ADDITIONAL COSPONSORS OF BILL

Under authority of the order of the Senate of January 16, 1964, the names of Mr. Douglas, Mr. Gruening, Mr. McGovern, Mr. Nelson, and Mrs. Neuberger were added as additional cosponsors of the bill (S. 2432) to provide for a comprehensive study and investigation of the adequacy of the present system of compulsory military training under the Universal Military Training and Service

Act, and for other purposes, introduced by Mr. KEATING (for himself and other Senators) on January 16, 1964.

ANNOUNCEMENT OF HEARINGS BY HOUSING SUBCOMMITTEE OF BANKING AND CURRENCY COMMITTEE ON 1964 HOUSING ACT AND OTHER MEASURES

Mr. SPARKMAN. Mr. President I announce that the Subcommittee on Housing of the Banking and Currency Committee will begin hearings on February 3, 1964, on the President's 1964 housing bill, and other measures pending before the subcommittee. The hearings will run from February 3 through February 7, and also on February 10 and 11. They will be held in Room 5302, New Senate Office Building, and will commence at 10 a.m. each day.

The following is a list of bills, in addition to the President's 1964 bill, which are presently pending before the subcommittee which will be included in the hearings: S. 7, S. 9, S. 981, S. 1170, S. 1200, S. 1440, S. 1947, S. 1948, S. 2031, S. 2045, S. 2086, S. 2226, S. 2232, S. 2253, and H.R. 5048. In addition, should other proposals be introduced prior to the time the hearings commence, they will also be considered.

Persons wishing to testify on these measures should contact Mr. Dudley L. O'Neal, Jr., chief counsel of the subcommittee, room 5228, New Senate Office Building.

ADJUSTMENT IN ANNUITIES UNDER FOREIGN SERVICE RETIREMENT AND DISABILITY SYSTEM

Mr. MANSFIELD. Mr. President, I move that the Senate proceed to the consideration of Calendar No. 795, S. 745.

The PRESIDING OFFICER. The bill will be stated by title for the information of the Senate.

The LEGISLATIVE CLERK. A bill (S. 745), to provide for adjustments in annuities under the Foreign Service retirement and disability system.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Montana.

The motion was agreed to; and the Senate proceeded to consider the bill, which had been reported from the Committee on Foreign Relations with amendments on page 3, line 10, after the word "State", to strike out "is authorized and directed to" and insert "may in his discretion"; on page 4, after line 22, to insert a new section, as follows:

SEC. 9. No part of the moneys now or hereafter contained in the Foreign Service retirement and disability fund shall be applied toward the payment of any increase in annuity benefits resulting from the enactment of this Act, except those benefits provided by section 10, until and unless an appropriation is made to such fund in an amount which the Government actuary estimates to be necessary to prevent an immediate increase in the unfunded liability to said fund.

And, on page 5, after line 5, to insert a new section, as follows:

SEC. 10. Title VIII of the Foreign Service Act of 1946, as amended, is amended by adding the following:

PART J—COST-OF-LIVING ADJUSTMENTS OF ANNUITIES

SEC. 882. (a) On the basis of determination made by the Civil Service Commission pursuant to section 18 of the Civil Service Retirement Act, as amended, pertaining to per centum change in the price index, the following adjustments shall be made:

(1) Effective April 1, 1964, if the change in the price index from 1962 to 1963 shall have equaled a rise of at least 3 per centum, each annuity payable from the fund which has a commencing date earlier than January 2, 1963, shall be increased by the per centum rise in the price index adjusted to the nearest one-tenth of 1 per centum.

(2) Effective April 1 of any year other than 1964 after the price index change shall have equaled a rise of at least 3 per centum, each annuity payable from the fund which has a commencing date earlier than January 2 of the preceding year shall be increased by the per centum rise in the price index adjusted to the nearest one-tenth of 1 per centum.

(b) Eligibility for an annuity increase under this section shall be governed by the commencing date of each annuity payable from the fund as of the effective date of an increase, except as follows:

(1) Effective from the date of the first increase under this section, an annuity payable from the fund to an annuitant's survivor (other than a child entitled under section 821(c)), which annuity commenced the day after the annuitant's death, shall be increased as provided in subsection (a)(1) or (a)(2) if the commencing date of annuity to the annuitant was earlier than January 2 of the year preceding the first increase.

(2) Effective from its commencing date, an annuity payable from the fund to an annuitant's survivor (other than a child entitled under section 821(c)), which annuity commences the day after the annuitant's death and after the effective date of the first increase under this section, shall be increased by the total per centum increase the annuitant was receiving under this section at death.

(3) For purposes of computing an annuity which commences after the effective date of the first increase under this section to a child under section 821(c), the items $600, $720, $1,800 and $2,160 appearing in section 821(c) shall be increased by the total per centum increase allowed and in force under this section and, in case of a deceased annuitant, the items 40 per centum and 50 per centum appearing in section 821(c) shall be increased by the total per centum increase allowed and in force under this section to the annuitant at death. Effective from the date of the first increase under this section, the provisions of this paragraph shall apply as if such first increase were in effect with respect to computation of a child's annuity under section 821(c) which commenced between January 2 of the year preceding the first increase and the effective date of the first increase.

(c) No increase in annuity provided by this section shall be computed on any additional annuity purchased at retirement by voluntary contributions.

(d) No increase in annuity provided by this section shall apply to amounts being paid under authority of section 5 of Public Law 84–503, as amended, or any other law authorizing annuity grants to widows.

(e) The monthly installment of annuity after adjustment under this section shall be fixed at the nearest dollar.

So as to make the bill read:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That annuities paid from the Foreign Service retirement and disability fund on the date of enactment of this Act, based on service performed by annuitants which terminated prior to October 16, 1960, shall be adjusted under the provisions of section 821(b) of the Foreign Service Act of 1946, as amended, relating to the formula for reduction in annuity to provide for a surviving widow, as though such provisions had been in effect on the date of the annuitant's separation from the Service, and in accordance with the following:

(a) An annuitant who at time of retirement was married to a wife who is still living, whether or not he so elected at time of retirement or subsequently, may within ninety days of enactment of this Act, elect to provide the maximum survivor annuity, and if the maximum be less than $2,400 the annuitant may elect up to $2,400;

(b) The annuitant's current full annuity, exclusive of annuity increases, shall be used as a base, and the amounts of annuity increases which have been granted, either at time of retirement or subsequent thereto, shall not be affected by such adjustments;

(c) If, during the ninety-day period following enactment of this Act an annuitant dies without having made a new election in accordance with the provisions of this Act, leaving a wife to whom he was married at time of retirement, benefits shall be payable to her as though the maximum benefit had been elected, except that such annuity shall not be less than $2,400, unless the annuitant has certified in writing his intention of not making a new election under the provisions of this Act.

SEC. 2. If a former participant whose service was terminated prior to October 16, 1960, and who elected a deferred annuity, dies before becoming eligible to receive an annuity, the annuity of the surviving widow, if eligible under the terms of the law in effect upon his separation from the Service, shall be computed under the provisions of section 821(b) of the Foreign Service Act of 1946, as amended.

SEC. 3. In any case where an annuitant who retired prior to October 16, 1960, dies prior to enactment of this Act, leaving a widow to whom he was married at time of retirement who is not entitled to receive an annuity under the Foreign Service retirement and disability system, and who is not receiving benefits as a widow under the Federal Employees' Compensation Act, the Secretary of State may in his discretion grant such a widow an annuity of $2,400 per annum; or in cases where such widows are receiving less than $2,400, the annuity shall be increased to $2,400.

SEC. 4. No annuity shall be payable from the Foreign Service retirement and disability fund to the widow of an annuitant whose services terminated prior to October 16, 1960, who did or did not provide for a widow survivor at time of retirement, or subsequently, and who elects not to avail himself of the provisions of this Act: *Provided*, That this section shall not operate to deny to a widow an annuity previously provided by her husband or granted otherwise by law.

SEC. 5. No annuity for a survivor shall be computed on any additional annuity purchased with voluntary contributions pursuant to the provisions of section 881 of the Foreign Service Act of 1946, as amended.

SEC. 6. The provisions of this Act shall not apply to annuitants recalled to duty under section 520 of the Foreign Service Act of 1946, as amended, who are separated subsequent to October 16, 1960.

SEC. 7. The following provisions of law are hereby superseded, except in no event shall existing annuity increases provided therein be reduced by the enactment of this section:

(a) Section 2 of Public Law 82–348 (66 Stat. 81).

(b) Sections 4 and 5 of Public Law 84–503 as amended by section 2 of Public Law 86–612 (70 Stat. 125; 74 Stat. 371).

(c) Sections 1(a) and 1(b) of Public Law 85–882 (72 Stat. 1705).

SEC. 8. Any adjustment in annuity provided by this Act shall commence on the day of the month following the expiration of ninety days after enactment, and the monthly rate payable after such adjustment shall be fixed at the nearest dollar.

SEC. 9. No part of the moneys now or hereafter contained in the Foreign Service retirement and disability fund shall be applied toward the payment of any increase in annuity benefits resulting from the enactment of this Act, except those benefits provided by section 10, until and unless an appropriation is made to such fund in an amount which the Government actuary estimates to be necessary to prevent an immediate increase in the unfunded liability to said fund.

SEC. 10. Title VIII of the Foreign Service Act of 1946, as amended, is amended by adding the the following:

PART J—COST-OF-LIVING ADJUSTMENTS OF ANNUITIES

SEC. 822. (a) On the basis of determination made by the Civil Service Commission pursuant to section 18 of the Civil Service Retirement Act, as amended, pertaining to per centum change in the price index, the following adjustments shall be made:

(1) Effective April 1, 1964, if the change in the price index from 1962 to 1963 shall have equalled a rise of at least 3 per centum each annuity payable from the fund which has a commencing date earlier than January 2, 1963, shall be increased by the per centum rise in the price index adjusted to the nearest one-tenth of 1 per centum.

(2) Effective April 1 of any year other than 1964 after the price index change shall have equaled a rise of at least 3 per centum, each annuity payable from the fund which has a commencing date earlier than January 2 of the preceding year shall be increased by the per centum rise in the price index adjusted to the nearest one-tenth of 1 per centum.

(b) Eligibility for an annuity increase under this section shall be governed by the commencing date of each annuity payable from the fund as of the effective date of an increase, except as follows:

(1) Effective from the date of the first increase under this section, an annuity payable from the fund to an annuitant's survivor (other than a child entitled under section 821(c)), which annuity commenced the day after the annuitant's death, shall be increased as provided in subsection (a)(1) or (a)(2) if the commencing date of annuity to the annuitant was earlier than January 2 of the year preceding the first increase.

(2) Effective from its commencing date, an annuity payable from the fund to an annuitant's survivor (other than a child entitled under section 821(c)), which annuity commences the day after the annuitant's death and after the effective date of the first increase under this section, shall be increased by the total per centum increase the annuitant was receiving under this section at death.

(3) For purposes of computing an annuity which commences after the effective date of the first increase under this section to a child under section 821(c), the items $600, $720, $1,800 and $2,160 appearing in section 821(c) shall be increased by the total per centum increase allowed and in force under this section and, in case of a deceased annuitant, the items 40 per centum and 50 per centum appearing in section 821(c) shall be increased by the total per centum increase allowed and in force under this section to the annuitant at death. Effective from the date of the first increase under this section, the provisions of this paragraph shall apply as if such first increase were in effect with respect to computation of a child's annuity under section 821(c) which commenced between January 2 of the year preceding the first increase and the effective date of the first increase.

(c) No increase in annuity provided by this section shall be computed on any additional annuity purchased at retirement by voluntary contributions.

(d) No increase in annuity provided by this section shall apply to amounts being paid under authority of section 5 of Public Law 84–503, as amended, or any other law authorizing annuity grants to widows.

(e) The monthly installment of annuity after adjustment under this section shall be fixed at the nearest dollar.

GERMANENESS OF DEBATE

The PRESIDING OFFICER. As Senators are aware, the adoption on Thursday last of the rule providing for germaneness of debate for a limited period during the daily sessions of the Senate makes an entirely new and radical change in its parliamentary procedure.

The Chair will take advantage of this occasion to express the hope that, during the time the Senate is operating under the rule, the cooperation of the Members may be given in an effort to bring about its proper observance.

Mr. DIRKSEN. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. DIRKSEN. Will the Chair take it upon himself to determine in any case whether a Senator is speaking to the question before the Senate, and indicate to him that he is out of order, if he be out of order, or is the rule of germaneness a rule which can be enforced only when another Senator brings it to the attention of the Chair on a point of order?

The PRESIDING OFFICER. The present occupant of the Chair is of the opinion that the Chair would have the right, under rule XIX, to call any Member of the Senate to order, but it would be more appropriate for the point of order to be raised from the floor. The present occupant of the Chair would usually require that the point of order be made from the floor by a Member of the Senate.

Mr. DIRKSEN. To amplify the ruling of the Chair, this is not actually a self-enforcing rule, and will be enforced only if a Senator makes a point of order. Is that correct?

The PRESIDING OFFICER. It is the same as any other situation that would arise under rule XIX, but it would be enforced, in accordance with the customary procedure, by reason of a point of order being raised from the floor. It is not self-enforcing.

Mr. DIRKSEN. I gather, then, that it would be in order at any time, when a Senator is not addressing himself germanely to the business at hand, to take him off his feet by a point of order made by any other Member of the Senate.

The PRESIDING OFFICER. He would have to yield for such a point of order. His consent is not required, and he would have to suspend until the point of order as to germaneness was ascertained.

Mr. DIRKSEN. Then he can be taken off his feet by a point of order?

The PRESIDING OFFICER. Under rule XIX, he can.

Mr. MANSFIELD. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

ADJUSTMENT IN ANNUITIES UNDER FOREIGN SERVICE RETIREMENT AND DISABILITY SYSTEM

The Senate resumed the consideration of the bill (S. 745) to provide for adjustments in annuities under the Foreign Service retirement and disability system.

Mr. MANSFIELD. Mr. President, what is the pending business?

The PRESIDING OFFICER. The pending business is Senate bill 745.

Mr. MANSFIELD. Is the Senate now operating under the Pastore rule of germaneness?

The PRESIDING OFFICER. That is correct; the Senate is operating under the Pastore germaneness rule, adopted on last Thursday.

Mr. MANSFIELD. Mr. President, what is the length of time during which the rule will apply?

The PRESIDING OFFICER. Under the language of the resolution, the duration of time is 3 hours, starting at 12 o'clock and 46 minutes p.m.

Mr. MANSFIELD. Mr. President, the purpose of S. 745 is to provide for adjustments in annuities under the Foreign Service retirement and disability system.

This bill would authorize about 164 Foreign Service officers who retired prior to October 16, 1960, and who provided annuities for their widows, to provide the annuities at the same cost as officers who retired after that date. This means the annuities can be increased and the cost to the retired officers reduced.

The bill also authorizes another group of about 116 Foreign Service officers who retired before October 16, 1960, and who made no provision for their widows, to elect the maximum annuity for their surviving widows in accordance with present law.

In addition, S. 745 would authorize an annuity of $2,400 for about 27 widows who now have no annuity whatsoever and any other widows who would have no annuity if, assuming S. 745 is enacted, their husbands died before they could avail themselves of its provisions.

By way of background, prior to the enactment of Public Law 86–723, which became effective October 16, 1960, the Foreign Service retirement system provided that the annuity payable to a surviving widow could not exceed 25 percent of a retired Foreign Service officer's average basic salary for the 5 years next preceding his retirement. Moreover, the annuity which he received was reduced by 50 percent of the amount of the annuity which he elected to provide for his widow.

Since enactment of Public Law 86–723, however, an annuity payable to a surviving widow can be as much as 50 percent of the amount which the retired Foreign Service officer receives as an annuity. In addition, the annuity of the retired Foreign Service officer who elects to provide an annuity for a widow survivor is reduced by 2½ percent of any amount up to $2,400, plus 10 percent of any amount over $2,400, which he specifies as the base for the survivor benefit.

Obviously, Mr. President, this discrepancy in the cost of survivorship annuities is so great that it constitutes an injustice to those who retired prior to October 16, 1960. For this reason, the Committee on Foreign Relations felt justified in reporting S. 745 favorably to the Senate, and it is my hope that it will be approved without delay.

Mr. President, I wish to point out that S. 745 provides that no increase in annuity benefits resulting from the enactment of this bill shall be paid until and unless an appropriation is made for that purpose. This provision would put the benefits of this bill on a pay-as-you-go basis, thus preventing further increases in the unfunded liability which has accrued to the Foreign Service retirement fund.

Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. HUMPHREY. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. HUMPHREY. Mr. President, it is our understanding that the Senator from Ohio [Mr. LAUSCHE] and the Senator from Delaware [Mr. WILLIAMS] have comments they wish to make in reference to certain sections of the Foreign Service retirement bill. Possibly they will be able to draft an amendment that would be helpful in the consideration of the bill.

The Senator from Alabama [Mr. SPARKMAN], who handled the bill for the committee, is necessarily detained on official business at the White House and therefore cannot be present. Therefore, I shall ask Senators to proceed with a discussion of their attitude on the bill and a little later, when the Senator from Alabama returns, I am sure we will be able to proceed to some conclusion on the bill.

Mr. WILLIAMS of Delaware. Mr. President, will the Senator yield?

Mr. HUMPHREY. I yield.

Mr. WILLIAMS of Delaware. I have no objection to proceeding, but we have the situation in the Senate that the Senator from Ohio [Mr. LAUSCHE] and I, who are in agreement on the amendment, are the only ones who will listen to our arguments.

Mr. HUMPHREY. I shall listen very attentively.

Mr. WILLIAMS of Delaware. I am sure the Senator from Minnesota will be persuaded very quickly.

Mr. HUMPHREY. I may be a little more difficult than that, but I shall be cooperative with the Senator from Delaware.

Mr. WILLIAMS of Delaware. I am willing to proceed, but I wonder if it would not be well to declare a recess.

Mr. HUMPHREY. Mr. President, I suggest that the Senator proceed. We shall be in touch with the Senator from Alabama.

Mr. LAUSCHE. Mr. President, in respect to the bill—S. 745—the Senator from Delaware [Mr. WILLIAMS] and I filed dissenting views. The bill contemplates amending the Foreign Service retirement law as it now appears on the statute books.

The Foreign Service Retirement Act was passed in 1924. At that time it was established on an actuarially sound basis. The Government contributed to the retirement fund a percentage of the employees' pay. The employees contributed an equal amount. Thus, when the law was enacted, the Government and the employees felt that the program was established on a statistical basis and would continue to remain actuarially sound, and that in the end it would provide a reasonable annual annuity for retired employees.

That was the situation which prevailed in 1924. But those who drafted the law were not at all conscious of the prospect that, as time went on, demands would be made for the liberalization of the provisions in the law. Thus, since the law was adopted, as the record will show, there have been 11 instances in which liberalized conditions and payments were made. The liberalization began in 1939 and continued through 1960.

Today the Senate is to act on a bill further to liberalize the law. My own belief is that if the people of the country actually knew what has happened with this fund, they would rise in vigorous protest against the present status of it. They will not learn of it because the newspapers will not carry the news that to maintain the fund in a sound condition today requires a contribution of 29.7 percent of the payroll—29.7 percent of the payroll will have to be paid into the fund if it is to be actuarially sound.

When the law was enacted, the amount paid in by the Government was 5 percent, and 5 percent was paid into the fund by the employees. I ask Senators to ponder that fact for a moment. On the basis of senatorial pay, if our retirement fund were to remain actuarially sound and Senators had to pay in approximately 30 percent of their pay, 30 percent of $22,500 would have to be paid into the fund. I have not computed the amount, but pretty close to $7,000 would have to be paid into the fund in order to maintain its actuarial soundness.

That cannot be done. Neither the Government nor individuals are in a position to contribute that much money to the fund.

I have heard it is contemplated having the Government pay 23.2 percent of the aggregate payroll of the Foreign Service employees, while the employees would pay 6½ percent. That is shocking, and the taxpayers cannot endure it.

I notice that the Senator from Oregon [Mr. MORSE] and the Senator from Connecticut [Mr. RIBICOFF] have just entered the Chamber. I wish to state for their benefit that the retirement fund, if it is to be maintained actuarially sound under present liberalized conditions and payments, requires contributions of 29.7 percent of the payroll.

These are not my words. They are a quotation from a letter I received from those in charge of the fund.

If the Government pays into the fund 23.2 percent and the employee pays into the fund 6.5 percent, I submit that a very inequitable situation is allowed to exist.

Mr. WILLIAMS of Delaware. Mr. President, will the Senator yield?

The PRESIDING OFFICER (Mr. MCINTYRE in the chair). Does the Senator yield?

Mr. LAUSCHE. I yield.

Mr. WILLIAMS of Delaware. What the Senator has just pointed out with reference to the foreign service retirement fund applies equally to the entire civil service retirement fund, which affects all Government employees—those on the payroll and all those who have been on the payroll.

As the Senator has pointed out, it would require an annual contribution on the part of the Government today of about 21 percent of the payroll to make the fund solvent. A contribution of 21 percent by the Federal Government means, even without a further liberalization, will cost the taxpayers of the Nation $2¼ billion annually to keep the fund solvent. This is without any further liberalization.

In my opinion this retirement system should be kept on an equal matching basis. To do otherwise would only invite unwarranted increases with no regard as to cost.

When this system was started several years ago the civil service retirement fund was solvent. Today it is not solvent, except as it is anchored to the Federal Treasury and except as the taxpayers will underwrite the cost.

The pending bill endorses a new principle which, if enacted, would cost this year about $1,300,000. This is just a beginning. In reality, if the principle were extended across the whole civil service retirement fund, it would cost several hundred million dollars. If Congress is to provide these benefits for 116 employees in one group, 164 in another, and 27 in another—and those are the figures we have—there could be no valid argument against extending to the 2.5 million Federal employees the same benefits.

It would then cost an additional $400 or $500 million to extend the new formula to the whole retirement system.

This is just the opening wedge. If Congress approves this formula today there will be no sound argument against the extension of it. We shall have provided an opening wedge for a program that will cost $400 or $500 million a year.

Mr. LAUSCHE. I concur fully in what the Senator from Delaware has said. The principle that is sought to be established would inevitably have to be applied to the regular civil service employees retirement fund. If there were applied to the entire civil service retirement fund the principle which the bill contemplates applying to the Foreign Service retirement fund, how much did the Senator from Delaware say the cost would be?

Mr. WILLIAMS of Delaware. I was advised it would cost between $400 and $500 million a year. Under existing law with respect to both the regular civil service retirement and the Foreign Service retirement, when a man retires and designates his wife to be a beneficiary he takes a reduction in retirement benefits which is actuarially enough to offset the additional cost.

Under the present bill 116 employees retired and did not think enough of their wives to declare them beneficiaries if they became widows, but instead they asked for the full retirement benefits themselves. Notwithstanding their neglect, however, this bill will extend full retirement benefits to their widows. Yet the husbands had not declared them to be beneficiaries.

If that is to be our policy how could it be argued that employees in the postal service or other Federal agencies could not likewise elect to take higher retirement benefits during their lifetime and then, when they died, have Congress come along and say, "We will take care of the widows just as though you had declared them beneficiaries."

It would cost $400 or $500 million a year to provide such benefits for widows. Let me refer to page 1 of the committee report.

> In addition, S. 745 would authorize an annuity of $2,400 for about 27 widows who now have no annuity whatsoever and any other widows who would have no annuity if, assuming S. 745 is enacted, their husbands died before they could avail themselves of its provisions.

Why cannot these husbands take care of their wives now? In the first place, why do we refer to them as "widows" before their husbands have died? I have always thought that a wife is not a widow until the husband has died. The husbands have the responsibility of designating their wives as annuitants. I have no objection to applying this principle retroactively, to permit husbands who have retired to make the election, provided they take a reduction. We can amend the bill to provide that a man may make an election retroactively to cover his wife provided that the husbands will pay back into the Federal retirement fund the excess annuity which they have already collected as the result of not having made such election in the beginning. If they have drawn the additional money over the years they should pay it back. They should only get what they would have obtained had they made the election originally.

I am willing to give them the right to make this election retroactively. However, I do not believe they should be paid for not having protected their wives in the first place.

If that is done, we shall open up the whole civil service retirement fund to a new abuse. Why do it for one class, and not for the other?

Mr. LAUSCHE. Mr. President, I thank the Senator from Delaware. I am now directing my attention to the second paragraph of the report under the heading "purpose of the bill";

> The bill also authorizes another group of about 116 Foreign Service officers who retired before October 16, 1960, and who made no provision for their widows, to let the maximum annuity for their surviving widows in accordance with present law.

The Senator from Delaware referred to this item.

The bill contemplates allowing retired officers of the Foreign Service who did not designate their wives as beneficiaries in the event the retiree died before the wife, and thus received increased annuities, to make such a designation now.

There may be persons who have retired from a State service, who probably were asked, "Do you want to make your wife a beneficiary in the event you die before she dies? If you do, you will receive less money as your annuity; but if you do not, you will receive more money."

That is the identical situation which prevails in the Federal Government. It is a matter of not designating their wives and receiving a greater annuity, or designating their wives and receiving a lower annuity.

One hundred and sixteen of them have said, "I want the larger annuity, and I will not designate my wife as a beneficiary."

The bill as it is written gives them the right now to designate the wife as a beneficiary; yet it makes no provision requiring retirees to pay back the increased annuity which they have received.

One hundred and sixteen of them, who did not designate their spouses to be the recipients of annuities in the event the retiree died first, have received $1,300 million by way of increased pay. That would be $9,000 apiece. The bill contemplates allowing them to retain that excess pay and now to designate the wives as beneficiaries.

Mr. MORSE. Mr. President, will the Senator yield?

Mr. LAUSCHE. I wish to finish this point first. Then I shall be glad to yield.

I am a lawyer, and I sat on the bench for 10 years. If this is the concept of justice in Congress, the body which creates law, God help the administration of law and justice in the United States.

THE GERMANENESS RULE

Mr. MORSE. Mr. President, will the Senator yield to me, with the understanding that what I am about to say will follow his speech? I should like to make an insertion in the RECORD and speak for not more than 30 seconds.

Mr. LAUSCHE. I will not challenge the Senator's right to do that. However, is the rule of germaneness in effect?

Mr. MORSE. I forgot all about the rule of germaneness.

Mr. LAUSCHE. I will not object.

Mr. MORSE. Although I was against it, I will respect it. I shall come back later, and, instead of speaking for 30 seconds, I will speak for 30 minutes.

Mr. LAUSCHE. If no objection is made, when an irrelevant matter is sought to be introduced, is it automatically barred under the rule?

The PRESIDING OFFICER. The rule is not self-enforcing. In other words, the Chair will not take the initiative.

Mr. LAUSCHE. If objection is not raised, the matter may be presented. Is that correct?

The PRESIDING OFFICER. That is correct.

Mr. LAUSCHE. I raise no objection.

Mr. HUMPHREY. I must raise objection, much as I regret to do so, because I wish to see the rule applied in its pristine purity for at least a few days.

Mr. MORSE. I cannot agree more with the Senator. I will make it 3 hours.

Mr. LAUSCHE. If we are to allow the designation of a surviving spouse as a beneficiary, it would seem, in fairness to the taxpayer, and with due recognition of the meaning of justice, that those who have received $1,300,000 in excess of what they were entitled to receive should be required to pay that money back into the Treasury.

I suppose that constitutionally we have the right to do what is proposed in the bill. Apart from the Constitution, it is pertinent to ask: What right have we as Senators to give taxpayers' money away under the circumstances which prevail in the situation before us?

The Senator from Delaware has stated that if this situation is allowed to prevail with respect to the Foreign Service fund, retirees covered by the civil service retirement fund will justifiably ask for identical treatment. I do not know how many retirees are under the civil service retirement fund. I am quite certain that among them are persons who have not designated their spouses as surviving beneficiaries.

Suppose all of them were to say, "We want a law passed, similar to the one passed for the benefit of Foreign Service employees, to allow us now to keep all the excess payments which we received, but permitting us now to designate our spouses as beneficiaries." May I ask the Senator from Delaware if it is this category to which he had reference when he said that the cost would be $415 million?

Mr. WILLIAMS of Delaware. No, only partly so. The point is, as the Senator from Ohio has said, that if we pass the bill and allow those in the Foreign Service who failed to designate spouses as beneficiaries to receive these benefits retroactively we should do so for all civil service employees who are in similar position.

Then there is another category; namely, the overwhelming number of employees who did designate their spouses as beneficiaries. It is not fair to the 90 percent who did designate their spouses as surviving beneficiaries, with a reduction of 20 or 25 percent in their retirement check.

We cannot say that the employee who designated his spouse as the beneficiary is to get 25 percent less retirement benefits than the man who ignores his responsibility to protect his wife.

Ultimately we shall have to provide such benefits to all the 2,500,000 employees on the rolls today, plus those who have already retired. It would cost around $400 or $500 million a year to provide this additional benefit to all Government workers.

If it is proposed to give a special $9,000 bonus, as the Senator has pointed out—and that is what it boils down to—for these 116 employees, why not provide it for all 2,500,000 employees? If that were to be done, a huge sum of money would have to be spent.

Mr. MORSE. Mr. President, will the Senator from Ohio yield for a question on the bill?

Mr. LAUSCHE. I yield.

Mr. MORSE. I have been scanning the bill. In the opinion of the Senator from Ohio, does the bill put the Foreign Service annuitants in a preferred position over many other classes of Federal employees?

Mr. LAUSCHE. In one respect, as now contemplated, allowing at this time a retiree to designate his wife as a beneficiary, even though he failed to do so when he retired, and therefore received increased pay, it would put him in a preferential position.

But more than that, as to those who did designate their wives, and thus received a smaller annuity, should they not have the right to say, "Treat us in the same manner as you are treating the 116 who did not designate their wives"?

When the bill came before the committee for hearings, it was rather cursorally sent through the committee. Ample hearings to obtain information were not held. I am now giving the results of 2 months of labor on my part—the writing of letters and the making of calls to the Department of Labor.

In addition, as stated in the report on page 1, the bill—S. 745—would authorize an annuity of $2,400 for about 27 widows who now have no annuity whatsoever. In that category, the retiree never designated his wife as the beneficiary. He elected to take larger payments. Now it is proposed to make those widows the beneficiaries of payments of $2,400 a year. I should like to see that done; but why should these 27 be selected when probably 5 million widows throughout the country similarly need direct relief or help? That is another situation.

So far as concerns paragraph 1 of the "Purpose of the Bill," I think that provision is sound. Paragraph 1 reads:

> S. 745 would authorize about 164 Foreign Service officers who retired prior to October 16, 1960, and who provided annuities for their widows, to provide the annuities at the same cost as officers who retired after that date.

That phase is equitable. If the officer retired before 1960, why should his benefits be less than those of a person who retired after 1960?

Mr. MORSE. In the opinion of the Senator from Ohio, does not legislation on this subject also raise for appropriate consideration the policies that are being followed in connection with the whole social security program? In the whole social security program, as the Senator has pointed out, literally millions of people, including widows, do not receive anywhere near the benefits which the bill seeks to provide. Is that not true?

Mr. LAUSCHE. It is positively true. The principle would become applicable to every retirement fund operated by the Government. If we liberalize in this instance, and even liberalize beyond the extent of fiscal ability to carry the program into effect, we likewise must do so with respect to the social security and civil service retirement funds.

Mr. MORSE. I thank the Senator from Ohio.

Mr. LAUSCHE. I said a while ago that when this fund was established, the structure was of such a nature as to insure its financial stability. The amounts paid in by the Foreign Service employee together with the amounts paid in by the Government were adequate to support the fund. It might therefore be asked, Why is the fund now inadequate? It is with reference to the answer to that question that I now wish to direct my attention. The first liberalization of the fund was introduced in 1939. That liberalization provided that officers who had served 30 years could retire at age 60 on a reduced annuity. The retirement age was reduced. When the retirement age was reduced, the burden on the fund was increased. Thus, the first assault on the stability of the fund took place in 1939. Also in 1939, survivor annuities for wives were first provided. I agree with what was done. I agree that a retiree ought to make provision for his spouse. In the original bill, an employee in the Foreign Service could not designate his spouse as a surviving beneficiary. But when the change was made, no thought was given to increasing the amount of contribution to the fund. The conditions were liberalized, but the contributions remained unchanged. So twice in 1 year a successful assault was made upon the integrity of the fund.

Then, in 1941, the act was changed, so as to permit retirement at age 50, with 30 years of service. That was one of the real attacks on the fund; retirement under those circumstances was permitted, even though the individual was capable of taking another job the day after he resigned. That happened time and again.

When that liberalization was made, no requirement to increase the contributions was imposed upon either the Government or the employees.

But in 1946, voluntary retirement was permitted at age 50, with 20 years of service. The taxpayers had to carry the load of that liberalization; no amendment to require increased contributions by the Government and the employees was adopted.

If such had been proposed, the measure probably would not have been passed in 1946. What a liberal arrangement: the right to retire with substantial retirement pay at age 50, after 20 years of service.

Mr. HUMPHREY. Mr. President, will the Senator from Ohio yield?

Mr. LAUSCHE. I am glad to yield.

Mr. HUMPHREY. What was the rate of retirement pay?

Mr. LAUSCHE. It was reduced, but it was still substantial.

Mr. HUMPHREY. Yes.

Mr. LAUSCHE. But if the Senator from Minnesota contends that what was done was sound, I ask why the fund is insolvent now.

Mr. HUMPHREY. Mr. President, will the Senator from Minnesota yield further?

Mr. LAUSCHE. I yield.

Mr. HUMPHREY. The difficulty is that most of the funds are without adequate capital, because the Government does not keep up its prescribed payments. That is the regrettable fact.

Mr. LAUSCHE. That is not a fact; the Senator is not conversant with the situation. Even if the Government paid the $284 million which it owes, the Government's contribution and the employees' contributions would have to be increased to 29.7 percent of their salaries; and I say that is improvident and impossible of achievement, and the mere suggestion is an offense to one's intelligence. I have previously heard the argument that the Government has not paid its share.

Mr. HUMPHREY. And, of course, that is true.

Mr. LAUSCHE. That is true; but the letter I have received shows that even though the Government pays $284 million to keep the fund solvent, the employees and the Government must pay into the fund 29 percent of the salary.

Mr. HUMPHREY. But that is for the long-range program of the annuity system or of the pension system. I think there is no doubt that increased payments will have to be made into the fund if there are to be increased benefits. The bill does provide, as the Senator properly points out, some increased benefits. I think a case can be made for the Senator's amendment which relates to certain elections to be made—at the time of retirement—as to the benefits to be provided; and the Senator from Ohio has already made that point.

Mr. LAUSCHE. The point I am trying to make is that in the course of 24 years, 11 liberalizations were made, without any requirement that the contributions be increased so as to maintain the fiscal stability of the fund.

I have already mentioned the one made in 1946: voluntary retirement at age 50, with 20 years of service.

In 1946 came the fifth liberalization: disability retirement was liberalized, so that when a participant in the system became disabled, if he had at least 5 years of service, his annuity would be calculated on the basis of a minimum of 20 years of service.

I point out to the Senator from Delaware that, with respect to that liberalization, regardless of where the disability occurred—whether at work in the Foreign Service, or on a highway, or anywhere else, the Foreign Service employee thus became entitled to the benefits of this provision.

Mr. WILLIAMS of Delaware. Mr. President, will the Senator from Ohio yield?

Mr. LAUSCHE. I yield.

Mr. WILLIAMS of Delaware. This represents an increase of approximately 400 percent in the benefits without any corresponding increase in the contributions by either the employees or the Government. As the Senator from Ohio has pointed out, that is one of the reasons why the fund is insolvent today and why it will be bankrupt—down to zero—by 1977, unless Congress takes action. Without any liberalization, by 1977 the fund will be completely bankrupt, under existing law.

Mr. LAUSCHE. The statement made by the Senator from Delaware is absolutely correct. I assume that his statement that the liberalization was in the area of 400 percent is correct, because when the law was enacted, it required contributions of 5 percent, whereas it now requires contributions of 30 percent.

Mr. WILLIAMS of Delaware. I was speaking of item 5. Under the law prior to 1946 if a man with 5 years of experience became disabled his annuity was computed on the basis of his pay during those 5 years.

In 1946 the law was again amended providing that upon disability a man with 5 years of service would get credit for a full 20-year period. This represents a 400-percent increase.

All of these increases have been piled up, one on top of the other. As to each one, it was said at the time of its enactment, "This is only a small cost, and we shall deal with the whole later on in the years to come."

These successive increases add up to a bankrupt retirement fund; yet instead of facing this situation the committee just reports out more bills, each time further liberalizing the benefits.

Mr. LAUSCHE. Mr. President, the sixth liberalization also occurred in 1946; at that time the law was amended so as to provide that the annuity would be based on the officer's 5-year average salary next preceding retirement, rather than on his salary for the 10 years next preceding retirement. So if the salaries of Senators are increased to $37,000 a year, as has been proposed, and if the salaries of judges of the Supreme Court are increased to $60,000, and if the salaries of Cabinet members are increased to $35,000, this provision would have applicability in principle.

In 1946 the law required that the annuity be calculated on the basis of the average salary during the 10 years immediately preceding retirement.

It was changed to provide that the annuity shall be calculated on the basis of a 5-year average salary. Thus, instead of being required to work 10 years to have an annuity as a Senator calculated on the basis of a contemplated increase to $35,000, I would be required to work only 5 years on that item.

Liberalization No. 7. In 1955, it was changed by way of liberalization to the best 5-year average next preceding retirement. If we should fall into a period of economic depression and it became necessary to reduce salaries under the amendment made in 1955, the employee would be entitled to have the average of his 5 highest salary years used as the premise for figuring his retirement annuity.

Liberalization No. 8. In 1956, the limitation on years of service on which an annuity could be based was raised from 30 to 35 years, thus allowing 70 percent of the highest 5-year average salary as an annuity. Under the law, an employee of the Foreign Service can draw 70 percent of his highest 5 years of salary, provided he has worked 35 years.

Mr. President (Mr. NELSON in the chair), I do not know what their average salaries are, but under the law they are entitled to draw 70 percent of the highest 5-year average salary as an annuity.

In the discussions which have been held on the floor of the Senate dealing with the cost to the Government of hiring new employees, I have used the measurement that $6,000 is about the average salary. I know that the Foreign Service is much higher than the $6,000 average.

Liberalization No. 9. In 1960, the retirement system was changed to provide that Foreign Service staff personnel, after they have served 10 years in the Foreign Service, would become participants in the Foreign Service retirement system. This liberalization meant that a new category was allowed to come within the provisions of the law. They were not originally directly connected with the Foreign Service, and therefore were not covered. But in 1960, it was declared that staff personnel, after they served 10 years in the Foreign Service, were permitted to become participants. Prior to that time, they were covered by the civil service retirement provisions. But that payment is less than that of the Foreign Service, so they worked themselves into the Foreign Service coverage.

Liberalization No. 10. In 1960, survivor annuities were provided for children. When the bill was initially passed, it covered only the worker. Subsequently, it was liberalized to cover the wives and husbands of workers. In 1960, it was liberalized, as I have indicated, to also make provision for children.

This is laudable. It is consonant with the highest concepts of charity and service to a family. But, looking at it realistically, it is thoroughly apparent that when these liberalizations were made, unless additional contributions were made to the fund, the fund could not survive, but would eventually become bankrupt.

Liberalization No. 11. Also in 1960, the act was amended to provide for recomputation of annuities of those who applied prior to 1956, to allow those with more than 30 years to be given added credit for the difference up to 35 years.

That is the end of the series of assaults that were made upon the financial integrity of this fund, except for the bill now pending before the Senate, which will be the 12th liberalization without any increased contributions in the fund, rendering it more unsettled and unstable than ever.

The Senator from Delaware [Mr. WILLIAMS] has pointed out that if the bill is passed, its provisions will become the precedent for arguments to be made advancing the application of similar concessions, definitely with respect to the civil service retirement fund. With respect to the social security fund, it is a delight to know that one can draw retirement pay having some semblance in amount to the needs of the recipient.

Although we rejoice, we should also recognize that unless the funds are kept actuarially sound, they will eventually become insolvent. Those who receive their benefits will get out more than they have paid in. Those who come along in the future will be likely to find that the basket is empty.

If and when that occurs—and it will occur with reference to the Foreign Service retirement fund—the proposal will be made to the taxpayers of the United States that the fund needs for its sustenance 29.7 percent of the Foreign Service payroll. If we, the workers, are to pay in 50 percent of the 29.7 percent, it will cost 14.85 percent of our payroll. I, as a worker, cannot afford that, and I would ask to be spared the responsibility of paying in that much money. But I would ask the taxpayers to allow me to pay in 6½ percent while they pay in 23.2 percent. We may be able to establish that principle in Congress. We would not put it over if the question had to be debated in every forum in the country.

If the subject were discussed in the squares of the various municipalities and in service clubs, the Senate would never pass a bill which would require the Government to pay into the fund 23½ percent while the workers pay 6.2 percent.

If we pass the bill, what would we do with regard to social security? What would we do with relation to the civil service employees' retirement program? If we should allow such conduct to continue, what would happen to a medicare program if and when a medicare bill should be passed? Supposedly it would begin on an actuarially sound basis. Perhaps every 2 or 3 years liberalizations would be made. Into what proportions would the burden of the Government grow?

It will be argued by the proponents of the bill that it would involve a very small sum of money. That is a fact. Not much is involved by way of payments. But the principle involved is a serious one.

In conclusion, I point out that the limitation of 5 percent of salary up to $9,000 provided by the 1924 act was changed to $10,000 on February 23, 1931; it was changed to $13,500 on August 13, 1946; and removed altogether on August 5, 1955.

When the law was adopted in 1924, it required contributions of 5 percent of the salary.

As I said a moment ago, to keep the fund sound would now require a contribution of 29.7 percent. At the present time employees are paying 6½ percent a year and the Federal Government is paying 6½ percent of the aggregate salary. But those contributions will not do, because the fund cannot be sustained in that way.

On that basis I urge that the bill be rejected. It ought not to pass. It is not just; it is not fair; it can only contribute to the fiscal disability under which the Government is already suffering.

Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. WILLIAMS of Delaware. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. LAUSCHE. Mr. President, I move to recommit the bill to the Committee on Foreign Relations.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Ohio.

Mr. McNAMARA. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk called the roll.

Mr. HUMPHREY. Mr. President, I ask unanimous consent that the order for the quorum call be suspended.

The PRESIDING OFFICER. Without objection, it is so ordered.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Bartlett, one of its reading clerks, informed the Senate that, pursuant to section 194 of title 14 of the United States Code, the chairman of the Committee on Merchant Marine and Fisheries has appointed Mr. GARMATZ, of Maryland, Mr. LENNON, of North Carolina, and Mr. GLENN, of New Jersey, members of the Committee on Merchant Marine and Fisheries to the Board of Visitors of the U.S. Coast Guard Academy.

The message announced that the House insisted upon its amendments to the bill (S. 298) to amend the Small Business Act of 1958, disagreed to by the Senate; agreed to the conference asked by the Senate on the disagreeing votes of the two Houses thereon, and that Mr. PATMAN, Mr. RAINS, Mr. MULTER, Mr. BARRETT, Mr. KILBURN, Mr. WIDNALL, and Mr. HARVEY of Michigan were appointed managers on the part of the House at the conference.

ENROLLED BILLS SIGNED

The message also announced that the Speaker had affixed his signature to the following enrolled bills, and they were signed by the President pro tempore:

H.R. 1959. An act to authorize the transportation of privately owned motor vehicles of Government employees assigned to duty in Alaska, and for other purposes;

H.R. 3368. An act to authorize the Administrator of General Services to convey by quitclaim deed a parcel of land to the Lexington Park Volunteer Fire Department, Inc.; and

H.R. 4801. An act to amend subsection 506 (d) of the Federal Property and Administrative Services Act of 1949, as amended, regarding certification of facts based upon transferred records.

ADJUSTMENT IN ANNUITIES UNDER FOREIGN SERVICE RETIREMENT AND DISABILITY SYSTEM

The Senate resumed the consideration of the bill (S. 745) to provide for adjustments in annuities under the Foreign Service retirement and disability system.

Mr. HUMPHREY and Mr. GORE addressed the Chair.

Mr. HUMPHREY. Mr. President, does the Senator wish to speak on this particular bill?

Mr. GORE. No.

Mr. HUMPHREY. I must regretfully state that the new rule of germaneness will be in effect until a later hour. Will the Chair state the time?

The PRESIDING OFFICER. Until 3:46.

Mr. HUMPHREY. And since this rule is in its early days of application, as I said a few moments earlier, I think we should retain it in its pristine purity until it is later adulterated by Senate practice.

I am sure the Senator is about to come forth with an amendment.

Mr. GORE. I certainly am.

Mr. HUMPHREY. I thought that was the case, but I shall not yield for that purpose right now.

Mr. GORE. Mr. President, is the senior Senator from Tennessee or the senior Senator from Minnesota recognized?

The PRESIDING OFFICER. The Senator from Minnesota had the floor.

Mr. HUMPHREY. That is correct. I shall be more than happy to yield to the Senator from Tennessee in a moment for the purpose of his offering a nongermane amendment to test the rule of germaneness.

The arguments made against this particular bill relate, of course, to its more generous provisions concerning one group of Foreign Service officers in the number of 116 who retired before October 1960.

At that time the retirement benefits were not as generous as they are now, and the payments into the retirement fund in relation to these benefits were considerably higher.

Also, this group of 116, to which the provisions of the bill refer, made no provision for their widows. In other words, because of the cost of the retirement benefits for the individual Foreign Service officer, the process of election of beneficiary, or of those who were to be the recipients of an annuity, was limited to the actual Foreign Service officer rather than the officer and his surviving widow.

As the report on the bill (S. 745) indicates, the bill would authorize an annuity of $2,400 to about 27 widows who now have no annuity whatsoever. It would also apply to any other widows who would have no annuity. If S. 745 were enacted they could avail themselves of its provisions.

The latter is a sort of saving clause, since it is possible that if the bill were made public law, some officers would not have time to make the election or selection provided for in the proposed legislation.

I have discussed the bill with members of the staff of the Foreign Relations Committee who have been closely associated with the development of the legislation. I can well understand the concern of the Senator from Ohio and of the Senator from Delaware. There is much merit in the argument that has been made.

However, the bill has been before the Foreign Relations Committee, not once, but several times. As I recall—and I stand corrected if I am in error—hearings were held on the bill before the Foreign Relations Committee in previous Congresses. After a number of hearings during the 88th Congress, the Foreign Relations Committee reported the bill to the Senate, with minority views. Three of our colleagues in the Senate have expressed dissent or opposition to the bill in minority views.

The bill has the approval of the Department of State and of the Bureau of the Budget. That means, of course, that it represents the views of the administration. I believe it would be fair to say that, with the approval of the Bureau of the Budget, the cost items have been carefully evaluated; and that with the State Department approval the equities involved and the sense of justice involved have been given careful consideration.

The report is very explicit with reference to the various sections of the bill. There is included in the report a section-by-section analysis. Also, some examples are given in the report, which I believe are rather helpful in understanding this complicated piece of proposed legislation. For example, the report points out that prior to the enactment of Public Law 86-723, the most recent revision of the Foreign Service Retirement Act, the Foreign Service retirement system provided that the annuity payable to a surviving widow could not exceed 25 percent of a retired Foreign Service officer's average basic salary for the 5 years next preceding his retirement.

In other words, if a Foreign Service officer received $12,000 a year, the most the widow could receive would be $3,000. This presumes that there would be a 5-year period immediately prior to the retirement in which the Foreign Service officer's salary would not have been less than $12,000 a year.

If he had elected, under the retirement system, to have his wife included in the annuity, the widow would be entitled to $3,000.

The same revision in the law, known as Public Law 86–723, provided that an annuity payable to a surviving widow could be as much as 50 percent of the amount which the retired Foreign Service officer received as an annuity.

In addition, the annuity of the retired Foreign Service officer who elects to provide an annuity for a widow survivor is reduced by 2½ percent of any amount up to $2,400, plus 10 percent of any amount over $2,400, which he specifies as the base for the survivor benefit.

The committee report gives an example of this situation, which I believe will help clarify it. It indicates why there was a need for the provision contained in the pending bill.

To illustrate, according to the formula in effect for those who retired prior to October 16, 1960, a Foreign Service officer whose so-called high-five average salary was $12,000 a year would, on the basis of 30 years' service, receive an annuity of $7,200. This is calculated on the basis of 2 percent times 30 times $12,000. That amounts to $7,200. That is the formula. The maximum annuity he could provide for his surviving widow was 25 percent of $12,000, or $3,000. The cost to him for such a widow survivor annuity was $1,500, or one-half of the annuity provided for her. Therefore, his reduced annuity would then be only $5,700. That is for his widow and for himself.

Further, on the basis of the same figures set forth in the report, under the new formula in effect since October 16 1960, the maximum annuity a Foreign Service officer may elect to provide for his surviving widow is $3,600, or one-half of his annuity of $7,200. It was $3,000 prior to 1960. After 1960, the cost to the Foreign Service officer who elected to provide for his surviving widow would be about $540. Thus, a Foreign Service officer who retired under the present law would be entitled to receive an annuity of $6,660. In other words, it is $7,200, less $540, the cost of the annuity for his surviving widow; whereas the Foreign Service officer who retired under the old law could receive an annuity of $5,700.

It is quite obvious on its face that there is a discrepancy. A Foreign Service officer who retired on October 15, 1960, would receive $5,700. The officer who retired on October 17, the day after the law went into effect, would receive $6,600. There is an obvious discrepancy in the case of the survivorship annuities. It is the committee's feeling that this constitutes an injustice to those who retired prior to October 16, 1960. For that reason the Committee on Foreign Relations felt justified in approving the pending bill.

Mr. LAUSCHE. Mr. President, will the Senator yield?

Mr. HUMPHREY. I yield.

Mr. LAUSCHE. I concur fully with the argument thus far made about the purpose of equalizing the rates between those who retire after 1960 and those who retired before 1960. My complaint is not with respect to equalization, but with respect to the preferential treatment which, on the basis of increased annuities, they have received because they did not designate their wives.

Mr. HUMPHREY. I understand the Senator's position. He is more concerned about the provisions in the bill that follow.

Mr. LAUSCHE. That is correct.

Mr. HUMPHREY. It is my understanding that that is the view of the Senator from Delaware also.

Mr. LAUSCHE. Yes.

Mr. HUMPHREY. So far as adjusting the disprepancy I have described is concerned, that is concurrence on the part of the Senator from Ohio.

Mr. LAUSCHE. Yes.

Mr. HUMPHREY There is concurrence on the part of the Senators I have mentioned.

Mr. LAUSCHE. Yes; we concur.

Mr. HUMPHREY. The section of the bill that has caused the greatest concern relates to 27 widows of Foreign Service officers, widows who would be authorized to receive an annuity of $2,400, who have had no annuity whatsoever, and as to whom no payment has been made into the fund to provide for them. The committee report describes this particular feature in rather concise and persuasive language. Section 3 of the bill provides:

> SEC. 3. In any case where an annuitant who retired prior to October 16, 1960, dies prior to enactment of this Act, leaving a widow to whom he was married at time of retirement who is not entitled to receive an annuity under the Foreign Service retirement and disability system, and who is not receiving benefits as a widow under the Federal Employees' Compensation Act, the Secretary of State may in his discretion grant such a widow an annuity of $2,400 per annum; or in cases where such widows are receiving less than $2,400, the annuity shall be increased to $2,400.

This provision was designed to give what might be called social-justice or humanitarian consideration to the wives of Foreign Service officers, wives who were not provided for under the retirement system. I believe there is much justification for this provision. I have often said, and should like to repeat now, that when the Government employs a Foreign Service officer, it generally gets two such officers for the price of one. In the vast majority of cases, a Foreign Service officer, particularly one who serves overseas, has an effective assistant or associate or helpmate in the person of his wife. The Government does not compensate that woman, even though she may be doing as much good for our country in the role of wife of the Foreign Service officer as the Foreign Service officer himself.

One of the truly inspiring and exciting stories of our Foreign Service is the outstanding work that is being carried on year after year in country after country by the wives of U.S. Foreign Service officers. I believe it would make some of the best and most informative reading if more articles were written about the work being accomplished and undertaken by the wives of Foreign Service officers. Every Member of Congress who has traveled abroad knows that this is true. By their conduct and their sacrifices, those fine women bring honor not only to themselves and their families, but also to our country.

We have an excellent Foreign Service, in the main. At times, I have been critical of the Foreign Service when it sought to take over what I thought was an operational program, such as foreign aid. I do not believe that is its role. But I am not critical of the Foreign Service when it performs the duties assigned to it by law, in the field of diplomacy, and in the staffing and manning of missions and consular offices. To the contrary, we are blessed with one of the finest Foreign Services of all the countries of the world.

The provisions of section 3 of the bill would provide a modest annuity of $2,400, which should not bankrupt the richest of all nations. It applies to 27 widows who, through no fault of their own, did not come under the provisions of the previous Foreign Service retirement legislation. I see no reason to exclude those 27 widows from the modest benefit of a $2,400 a year annuity.

It should be clear that this section and this amount do not apply in cases in which a widow is receiving benefits under the Federal Employees Compensation Act as the widow of a Foreign Service officer or as the widow of someone else. In other words, there would not be dual benefits.

This section also provides that the annuities of widows shall be increased to $2,400 in cases in which the widows are receiving less than that amount. It should be noted that all widow annuities were increased to at least $2,400 when the law currently in effect was enacted, provided they became payable by June 30, 1962.

So the purpose of this section, which has been the subject of controversy today, is to close the gap between the date June 30, 1962, and the date when the bill becomes law. It applies to a small number of widows of Foreign Service officers—the number is estimated as 27—who now have no annuity whatsoever, and to a few other wives who would have no annuity if their husbands died before they could avail themselves of the provisions of this act. That simply means within the short period of time between the passage of the bill by Congress and the signing of the act by the President and before the Foreign Service officer could make the election of an annuity for his surviving widow, if the Foreign Service officer were to die. So it is quite obvious that we are talking about a few persons—less than 100—under the most extreme and unbelievable circumstances.

Mr. WILLIAMS of Delaware. Mr. President, will the Senator from Minnesota yield?

Mr. HUMPHREY. I yield.

Mr. WILLIAMS of Delaware. I am somewhat confused as to how the Senator can describe 27 women as being widows today on the premise that their husbands may die tomorrow.

Mr. HUMPHREY. No; I said there was another group.

Mr. WILLIAMS of Delaware. The Senator is not now speaking of the 27?

Mr. HUMPHREY. No. The 27 are in the classification of widows; their husbands have departed this life.

Mr. WILLIAMS of Delaware. I read from the third paragraph under the heading "Purpose of the Bill," on page 1 of the report:

> In addition, S. 745 would authorize an annuity of $2,400 for about 27 widows who now have no annuity whatsoever and any other widows who would have no annuity if, assuming S. 745 is enacted, their husbands died before they could avail themselves of its provisions.

In committee it was stated that the husbands were still living, and this provision was included on the prospect, as the Senator has just stated, that the husbands might die in the interval between the passage of the bill by Congress and the signing of the act by the President. A man who might die hereafter is not dead today; his wife is not now a widow. If he is living today why does he not do what every other civil service retiree must do: Go to the retirement division, declare his wife as his beneficiary, take the reduction in his pension check, as other workers must do, and pay back into the Federal Treasury the extra amount which he has drawn in previous years because he did not think enough of his wife to declare her as his beneficiary?

Let this man express for his wife a little of the same sympathy that he is asking the Congress to express. She certainly is not a widow until he is dead.

Mr. HUMPHREY. I assure the Senator I have no desire to advance the cause of widowhood by presuming to suggest that the husbands of those who would be beneficiaries of this act are now dead, whereas they are alive. I merely point out that section 1(a) would modify the present Foreign Service Retirement Act, and section 3 refers to section 1(a), as well. I am saying that it is possible that if the bill is passed by both Houses and is on the President's desk by April 10, and if the President signs it on the afternoon of April 10, a Foreign Service officer who might want to avail himself of the provisions of this act, as an amendment to the Foreign Service Retirement Act, might have a heart attack even while he was affixing his signature to whatever papers were required to assure his widow these benefits. It is the purpose of section 3 to assure the widow that she would be entitled to the $2,400 widow's annuity.

I do no think this is the most earth-shaking decision this Congress will be called upon to make, but at least, it is a matter of legislative detail that was given consideration by the Bureau of the Budget, by the State Department, and by the Committee on Foreign Relations.

I presume that the Committee on Foreign Relations has some competence in this area, since it has handled most or all of the Foreign Service retirement and disability acts and the amendments to them. The Senator from Alabama [Mr. SPARKMAN] is chairman of this subcommittee, and I know he has given very careful consideration to this proposed legislation. I would be less than candid if I did not admit that I am not an expert on all its details, but I believe section 3 is in the bill because it is needed. I do not believe it establishes a bad precedent. I think it demonstrates rather humanitarian consideration and concern for the wives of Foreign Service officers—a group very limited in number—who will have no annuity benefits at all unless this proposed legislation is enacted.

Mr. WILLIAMS of Delaware. Will the Senator from Minnesota yield?

Mr. HUMPHREY. Yes; I am happy to yield.

Mr. WILLIAMS of Delaware. Does not the Senator think it is the responsibility of this lady's husband, as in the case of other employees, to declare her a beneficiary?

Mr. HUMPHREY. Yes.

Mr. WILLIAMS of Delaware. Will the Senator from Minnesota agree to the inclusion of an amendment to require the return to the Federal Treasury of the extra amount of pay received because the designation was not made earlier? If so, I shall have no objection to the bill. If we allow such an employee to receive the extra amount during his lifetime and if we still take care of his widow afterwards, we should do the same for all civil service employees, postal workers and all other Government employees. But if we were to do that the added cost would be approximately $400 or $500 million a year. Why are not the widows of all employees entitled to equal treatment? Why single out just the 116 in 1 category and the 27 in the other whose husbands are living today and therefore could, if they wished to do so, name their wives their beneficiaries.

The only point is that in the absence of enactment of this bill they would receive a lower retirement pay—as other retirees would—and would have to return to the Federal Treasury the extra amount they have drawn from the Federal Treasury during the years in which they refused to name their wives their beneficiaries.

Mr. HUMPHREY. Those are the ones in the group of 116.

Mr. WILLIAMS of Delaware. No; both the 27 and the 116.

Mr. HUMPHREY. But in those cases the husbands have gone to their heavenly rewards.

Mr. WILLIAMS of Delaware. I think the Senator from Minnesota has confused the two groups. The 116 have passed away; the 27 have not yet died. But one category consists of widows. An act of Congress is needed in order to establish their eligibility.

My point is that their retirement benefits should be reduced in an amount corresponding to the extra amount which was drawn while their husbands were living.

I am willing to allow them their retroactive rights if they will pay for them. But I do not see why this group should get approximately $9,000 more out of the retirement fund than any other civil service employee, Foreign Service officer, or other Government employee could receive? Why should they get that $9,000 bonus merely because they failed to recognize their responsibilities to their own wives?

Mr. HUMPHREY. I think there is considerable merit in that argument; and the Senator from Delaware always makes a good argument, and does so with great sincerity. I am merely endeavoring to get both points of view spread on the RECORD.

I would say that it is not clear that under the bill certain benefits which would accrue to the widows of Foreign Service officers would not accrue to the widows of other Government employees.

We should bear in mind the fact that the members of the armed services and the members of the judiciary make no contribution whatever to their respective retirement systems.

In the case of the judiciary, the judges receive their full salaries after their retirement. Of course, I do not say the role of a Foreign Service officer is as important as that of a Federal judge, nor do I want my remarks interpreted as being at all critical of the judiciary retirement system. To the contrary, I think it is a very fine system, and I think it has worked for the benefit of our judicial structure and for the benefit of the Nation.

In fact, in view of the very low salaries paid Federal judges, it is clear that their retirment program is anything but extravagant. The same could be said of many others. When we realize that a Federal district judge receives less annual salary for presiding over a court in which some of the great cases are tried than the amount received by an attorney for handling one accident case, I wonder what has happened to equity and justice in the American judicial system.

If there has ever been a need for revision of our professional pay scales, it is now. The Federal judiciary is underpaid; the Federal law enforcement officers are underpaid. When I was mayor of a great city, I learned that if honest policemen are wanted, they must be paid fair salaries; or if an honest district attorney is wanted, he must be paid an annual salary which bears at least some resemblance to the fee which a defense attorney receives for trying one case.

Not long ago I talked to a resident of another State about the pay received by some law-enforcement officers of the Federal Government. When I consider their pay, I realize that their maintenance of such a high standard of morality, integrity, and ethics is one of the miracles of our time. The American people want justice, integrity, frugality, prudence, and all the other virtues of the saints, but would like to pay very low salaries in return.

I think that is unreasonable.

Mr. WILLIAMS of Delaware. Mr. President, will the Senator from Minnesota yield?

Mr. HUMPHREY. I am glad to yield.

Mr. WILLIAMS of Delaware. I could comment on the Senator's remarks in regard to the desirability of a pay raise; however, we now have a retirement bill before us.

Mr. HUMPHREY. I was speaking about retirement equity. I was using it as an example related to proposed legislation applying to certain officers of the Government—legislation which is relevant to the entire governmental structure. But it must be remembered that neither members of the armed services nor members of the judiciary make any contribution whatsoever to their respective retirement systems. No complaint is being made about it. I am using it as an example. I do not believe we should assume that, by dealing fairly with 27 widows, or 116 widows, who are not being adequately provided for—in one instance, because their husbands did not elect to take a certain system of retirement, and in another instance because they were not provided for by law—we are being overly generous, or that we are establishing a precedent which will cause trouble in the retirement program.

As I recall, a law was enacted in 1960, Public Law 86-612, which provided for annuities to a small group of widows in circumstances similar to those which we are now discussing. The amendment which would prohibit the granting of an annuity of $2,400 to 27 widows, as provided for in the legislation before the Senate was included in Public Law 86-612 of July 12, 1960, and it was then provided as a compassionate grant to a small group of widows who were not provided for in other legislation.

The Congress did not rebel. I do not believe it is likely to cause a large Federal deficit. I do not believe that a widow who receives $2,400 is going to be living it up at public expense, enjoying all the pleasures of modern-day life.

No matter how often we study the retirement system, new problems arise. As mayor of Minneapolis I once served on a teacher's retirement board in Minneapolis, Minn., and also on the Policemen's and Firemen's Retirement Board. There was not a single time after we had amended a law when some inequities did not arise. We tried to make the law as fair and comprehensive in its benefits as possible. After we had amended it, we found generally that an area was left untouched, which in turn pointed to another inequity which needed correction. This is within the nature of retirement system. In most cases, it would be impossible for the individuals concerned in this particular bill, if the Lausche amendment were to be adopted, to meet the requirements with respect to repayment for which the amendment provides.

Most of the retired Foreign Service officers involved received small annuities. Prior to 1960, if they received $12,000 a year, which would involve a small fraction of the total number of Foreign Service officers, the total retirement would have been $7,200. The large bulk of Foreign Service officers do not have a base pay period of 5 years of $12,000 or more, and they surely did not have it prior to 1960. I do not have the figures before me, but I would judge that the mean annuity amounted to approximately $12,000, rather than the maximum used in the example.

Mr. LAUSCHE. Mr. President, will the Senator from Minnesota yield?

Mr. HUMPHREY. I yield.

Mr. LAUSCHE. Is there any figure in the record indicating the number of persons covered and the amount of aggregate salaries? I wish that figure were available.

Mr. HUMPHREY. It would be helpful to have it.

Mr. LAUSCHE. It would be helpful if we could obtain it.

Mr. HUMPHREY. I believe the staff member of the committee now in the Chamber could provide that information. As the Senator from Ohio can see, we now have it before us.

The annuities seem to run anywhere from as much as $2,000 and more to over $14,000. I believe the Senator from Ohio would agree that, overall, the list seems to run approximately in the $4,000 to $8,000 range.

My point is that many retired Foreign Service officers were receiving small annuities and were therefore unable to provide annuities for their widows because of the high cost.

To provide an annuity of $2,400 a year to a widow survivor would have cost, before October 1960, $1,200. Now, however, it costs only $300. So the situation prior to 1960, before the law was relaxed, and before the benefits were improved, was that a Foreign Service officer receiving somewhat modest pay would have been required to pay in as much as $1,200 a year for an annuity of $2,400. That same annuity for a widow costs only $300 at present.

The bill is designed to permit the Foreign Service officer who did not provide for his widow under those high costs. to provide for her under the payment schedule after October 16, 1960. The average retirement year of retirees involved is 1950—all those retired between 1940 and 1960—and the retirees would have to put in several thousand dollars. Very few of such retirees, whose average age is 69, and who are in the lower financial brackets, could produce such a sum of money; and even those who could afford it would probably not find it to their advantage to meet the requirements. In effect, therefore, if such a requirement were made part of S. 745, the bill would permit little relief to those whom it is intended to benefit.

My argument in behalf of the bill is based upon the fact that considerable discussion and consideration of the subject of retirement benefits has been given by the appropriate committee of Congress. The Bureau of the Budget also carefully examined the measure, and its letter of approval has been made a part of the RECORD.

Mr. LAUSCHE. Mr. President, on that subject, will the Senator from Minnesota yield?

Mr. HUMPHREY. I yield.

Mr. LAUSCHE. Perhaps the staff member of the committee can advise us. Is it not a fact that up until this year the Bureau of the Budget opposed the bill?

Mr. HUMPHREY. I could not answer that question definitely, but the staff member informs me that the Bureau of the Budget was not opposed to the precise language of the bill. I believe the most relevant question is whether the Bureau of the Budget is opposed to the bill as reported by the committee and whether we can provide for discretion on the part of the Secretary of State in connection with the annuities. I believe it is fair to say that the Bureau of the Budget approves the bill. The staff specialist informs me that it does.

Mr. LAUSCHE. The bill which was before the Senate in the preceding session of the Congress was not approved by either the State Department or the Bureau of the Budget. The bill which came before the Senate this year was approved by both the State Department and the Bureau of the Budget. It is my recollection that, in principle, both bills were identical. Between the periods 1961-62 and 1963-64 something happened to distinguish the situation, because the Bureau of the Budget changed its judgment and the State Department changed its judgment. They now say that the bill is satisfactory.

Mr. HUMPHREY. I believe the recitation of the Senator from Ohio in relation to the attitude or the policy of the Bureau of the Budget is correct. When the act of October 16, 1960, was put into effect, and the benefits of that act, as well as some of its inadequacies and inequities, were analyzed by the Bureau of the Budget and the State Department, in a period of 2 or 3 years, there was enough case history to bring the Bureau of the Budget and the State Department around to a position in support of the proposed legislation. I believe I am correct in saying that the proposed legislation was introduced at the request of the State Department and the Bureau of the Budget.

The measure is not one which was spawned in the Senate, but rather represents the results of a study on the part of the State Department, a subcommittee of the Senate Committee on Foreign Relations, and the analysis of the Foreign Service retirement system by the State Department and the Bureau of the Budget. I believe that is a fair statement of the situation.

Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll

The legislative clerk proceeded to call the roll.

Mr. GORE. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and it is so ordered.

Mr. GORE. Mr. President, I offer an amendment to the motion to recommit, which I send to the desk and ask to have stated.

The PRESIDING OFFICER. The amendment of the Senator from Tennessee will be stated.

The LEGISLATIVE CLERK. It is proposed to add instructions to the the motion to recommit to amend the bill as follows:

On page 3, line 11, after the words "discretion by", insert the following:

> Upon a finding by the President that such action would conform to practices of fiscal responsibility and would lessen the pressure for widows affected thereby either to enter the active labor force or to become unemployed.

And report the bill, together with such additional amendments as the committee may deem appropriate.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from Tennessee.

Mr. DIRKSEN. Mr. President, will the Senator yield?

Mr. GORE. I yield.

Mr. DIRKSEN. Mr. President, a parliamentary inquiry.

The **PRESIDING OFFICER**. The Senator will state it.

Mr. **DIRKSEN**. Is there any requirement that, under the so-called amendment to rule VII, the amendment be germane to the pending bill?

The **PRESIDING OFFICER**. There is no such requirement.

TAX REDUCTION AND UNEMPLOYMENT

Mr. **GORE**. Mr. President, one of the more appealing arguments in favor of a mammoth tax cut is that this action will result in a drastic decrease in unemployment.

This is, as I say, an appealing argument, because we want to insure insofar as we are able, the right and the opportunity for each of our citizens who wants and needs a job to have one. We want our people to be self-supporting, self-reliant, prosperous and secure.

The security of the intended beneficiaries of the pending bill is the motivating force which brings the bill to the floor of the Senate.

But it is far from certain that the tax cut will reduce our too high unemployment. Indeed, in my view, it is more likely, after about 18 months, to cause increased unemployment.

Those who are so enamored of aggregates and marco-economics need to look at our unemployment and see just what it consists of and what has caused it. In what geographical, age, health, and ethnic areas is it concentrated? Can increased general demand cure it without causing inflation?

To begin with, we are not suffering unemployment because of a recession or depression. On the contrary, the economic indicators are, by and large, at alltime highs. We are not in that desperate condition we faced during the great depression when almost any gamble seemed in order—no matter how inefficient, or how dangerous.

We are not suffering unemployment because of lack of capital or productive capacity. The corporate sector is highly liquid; and about 12 to 15 percent of plant capacity is idle. Certainly our basic productive structure is sound, and we would have no trouble increasing production in almost any area where demand is spurred. But would this put many of the presently unemployed to work? Some confuse poverty and unemployment, and the two are closely linked. But we should always keep in mind that we do not need to have poverty because of lack of production. Our situation economically is almost unique in recorded history. Characteristically and historically, there has been, in every society, a problem of insufficient total production. This is not our problem. We have an almost unlimited capacity to produce. Our basic problem is distribution, and the understanding of this fact is a necessary prerequisite to formulating any workable plan for an attack on unemployment and on poverty. There must be a proper distribution of the fruits of national production, and this is best achieved in our society by a proper distribution of jobs which pay a decent wage.

There are two general ways of attacking unemployment. An attack can be directed toward increasing production and creating additional jobs. A slightly different type of attack focuses on a more equitable distribution of jobs without materially increasing total national production.

We need to launch this two-pronged attack.

How does a tax cut fit into this picture? I am sorry to say that it will likely make matters worse. This is particularly true of the type of tax cut contained in the tax bill, H.R. 8363.

The first type of attack must be concentrated on increased production in the public sector, for this is where our unfulfilled demands now largely lie—for better rapid transit systems, better housing for low income groups, better educational facilities at all levels, better highways, more and better hospitals and nursing homes, more clean drinking and industrial water. It is here that jobs could readily, directly, and with profit to society, be created. But this takes public funds which will be less available after passage of the tax bill.

Furthermore, to the extent this tax cut is effective in spurring increased investment, we are likely to build up a capacity which cannot be sustained by demand in the private sector, just as was the case in 1956–57. This may worsen unemployment in the not distant future, and especially so when accompanied with policies of economic retrenchment and monetary squeeze.

Those who would fight unemployment and poverty only by trying to increase overall demand do not understand the nature of the problem or the composition of the unemployed segment of our labor force, and the poverty stricken in the midst of our affluence.

Present unemployment is largely structural. It is concentrated in certain geographical localities, certain age groups, certain social and ethnic categories. Unemployment is daily being worsened, or at least made more difficult to cure, by technological advances—"automation," if one uses the term loosely.

From 1953 to 1962 investment in scientific research and development tripled. Partially as a result of this effort, we are now losing 2 million jobs each year because of the laborsaving effects of increasing productivity. Manufacturing employs about 1 million fewer production workers than was the case just 6 or 7 years ago, despite vastly increased production.

This may be all to the good, and I know of no latter-day Luddites, but we must recognize the fact that no longer does increased production through increased overall demand create jobs in large numbers for the unskilled. The seeds of inflation would be sown by a shortage of skilled labor long before profitable work could be found for the bulk of presently unemployed. Altogether too large a proportion of our unemployed are not qualified to hold down productive positions in our highly mechanized and automated economy, even if those jobs could, somehow, be created.

Unemployment, and poverty sprouting from such roots, cannot be cured by a tax cut. The type of unemployment problem we have requires more specific treatment. We must concentrate more on the public sector as well as upon encouraging and assisting private enterprise to play its part as the mainstay of our economy.

The other half of our two-pronged attack centers around encouraging certain types of persons to delay or refrain from entering the labor market—some temporarily, some permanently. After all, unemployment is a product of the participation rate—the numbers of people who say they want a job—as well as of the total number of jobs available.

One obvious place to begin—and with profit to society—is to set up programs designed to delay the entry of young people into the labor market until they are better qualified. This would not only make for a more stable labor force, but it would also assist these young people individually to achieve a more well rounded life, as well as specifically to fit them for more productive jobs when they do enter the labor force. We have been altogether too timid about moving into this area. Education is the key here, not a tax cut. This kind of realistic and highly beneficial attack on unemployment will cost money, thus indicating the need for more, not less, Government revenue.

Another approach of this sort is to assist those wives and mothers who wish to devote more time to their homes and children and who really do not want to work, but who feel they must, to stay out of the active labor force. We could help them, in their homelife and society as a whole, if we took steps to insure that the head of the household earned a proper wage so the family could maintain a decent standard of living without the mother having to leave the home every day to seek employment.

This problem of security for the widows of former Government employees is involved in the pending bill.

It is not generally realized, perhaps, just to what extent women have increasingly come into the labor force since World War II. At the same time, relatively more men have been dropping out of the labor force. This may not be socially desirable. At least, it is a matter for consideration. In 1947, the participation rate for women was 31.0 percent. This figure rose in 1962 to 36.7 percent. During the same period of time, the participation rate for men went down from 84.5 percent in 1947 to 79.3 percent in 1962.

Let me make it very, very plain that I favor full employment opportunities for men and women alike—the opportunity for a decent job for any man or woman who is able and willing to work. But I am opposed to a social and economic structure which forces wives and mothers to leave their home and children daily to seek work because the father or husband is not paid a wage or salary which will keep the family in decent comfort. I am opposed, too, to a tax system that penalizes the parent as a taxpayer. Social security and Government retirement systems should include benefits for the widows of original workers or Government employees.

A tax cut for corporations and for those in the high income brackets hardly fits in here. If a tax cut must be had, then tax relief for parents of the largest numbers of children would be fairest and of greatest benefit.

In this connection, also, we need to look more closely into the area of the minimum wage, overtime pay, and the length of the workweek.

Unemployment can be partially cured, of course, by increasing production. But, as I have said, the increased production that is needed is not in the private sector where there are neither shortages nor reasonably full utilization of capacity, but in the public sector. A tax cut does not fit in here at all. Worse still, the capacity of the Government to provide for our pressing public needs will be seriously and permanently impaired by a drastic reduction in revenue.

Mr. President, I shall have much more to say about the unemployment and poverty aspects of the effects of the tax bill. This is one of the key considerations. This bill will not cure unemployment and poverty, despite many statements to the contrary.

Altogether too many have followed the ladder of faith in arriving at support of this bill—a faith unfounded on fact, that faith which is "the substance of things hoped for, the evidence of things not seen." Because we have high unemployment, the problem ought to be cured. A tax cut, it is felt, might possibly help. Because a tax cut might help, the feeling grows that it will help. Through some couéistic magic, then, we repeat this mental process until we finally arrive at the point where we tell ourselves, without reservation, that a tax cut will cure unemployment.

Self-delusion is dangerous. It is doubly dangerous when high hopes are built on a false premise.

I am anxious to join a real war on poverty. A skirmish of words is not enough.

Mr. President, I withdraw the amendment to the motion to recommit.

AMENDMENT OF SMALL BUSINESS ACT

Mr. PROXMIRE. Mr. President, the Senate has received a message from the House that it has passed the bill (S. 1309) to amend the Small Business Act, with amendments. I ask that the Chair lay before the Senate the amendments of the House to that bill.

The **PRESIDING OFFICER** laid before the Senate the amendments of the House of Representatives to the bill (S. 1309) to amend the Small Business Act, and for other purposes, which were, on page 1, strike out lines 3 through 7, inclusive; on page 1, strike out lines 8 and 9, and insert:

> That (a) paragraph (2) of section 7(b) of the Small Business Act is amended to read as follows:

On page 3, line 7, strike out "Sec. 3." and insert "Sec. 2."

Mr. PROXMIRE. Mr. President, the House amended this bill by striking out the section of the bill which would have increased the authorization of the Small Business Administration's revolving fund for the use of its programs under the Small Business Investment Act of 1958 by $34.3 million. The House accepted the other provisions of the bill.

This amendment was reported to the House by the House Banking and Currency Committee after Mr. Eugene P. Foley, Administrator of the Small Business Administration testified that:

> I have checked our books and our operations, and I personally believe that we could do without the authorization that was approved by the Senate. I think we could probably get along without it the balance of this fiscal year. Also this would be in keeping with the President's keen desire for frugality in Government.

I am delighted that the House amended the bill in this fashion. I did not vote for this increase when the bill was considered by the Banking and Currency Committee, and I spoke against it when the bill was before the Senate. I stated in my minority views in our committee report regarding this $34.3 million increase as follows:

> I cannot vote for this increase. With our budget still unbalanced, our defense costs continuing at a high rate, and a large tax cut likely to be passed early next year, Congress should not increase the size of these authorizations. The SBIC program can and should be operated within its present authorization limits.

Now that SBA has come to the same conclusion, I am glad to say that the junior Senator from Alabama [Mr. Sparkman], who handled this bill on the Senate floor, has agreed with me to accept the House amendment and send the bill to the President at once.

I am particularly glad that we can act promptly on this bill, because it contains a provision of importance to the Great Lakes area. The House accepted the amendment sponsored and supported by Senators Hart, Humphrey, McCarthy, McNamara, Nelson—the Presiding Officer—and myself, which makes disaster loans available to companies that have suffered economic injury due to the unfortunate botulism episode in the Great Lakes area. I was happy to join with my colleagues from this area in sponsoring this amendment, and I hope that the assistance which will be made available to small businessmen who qualify under this amendment will prove of great benefit to them in this very unhappy period. I will do all that I can to see that the Small Business Administration begins processing the applications for loans under this provision as quickly as possible.

Mr. President, I move that the Senate concur in the amendment of the House.

Mr. HART. Mr. President, I am delighted that S. 1309 is before the Senate today for concurrence in the amendments of the House.

This is not a major piece of legislation as compared with many that come before the Senate. It does not involve the expenditure of billions of dollars. And yet it will help some of our people very much indeed, and it is an encouraging example of the fact that the Congress can and does respond to the needs of our citizens.

To give just a bit of the legislative history, S. 1309 started out as a bill to enlarge the SBA revolving fund and to broaden the disaster loan section to cover all types of natural disasters. After the hearings had been held by the Senate Banking and Currency Committee, and after the bill had been reported, an unusual kind of disaster struck the commercial fishing industry of the Great Lakes: The discovery of botulism E in smoked fish from the area.

The FDA recommendations with respect to smoked fish were widely misinterpreted and had a devastating effect on the market—not only for smoked fish, which had been the source of the problem, but on fresh and frozen fish which had not been embraced within the FDA warning. Almost overnight some 20,000 people in the Great Lakes area were without a means of livelihood: The fishermen, the processors, the wholesalers, and even many retailers—some as far away as California and New York.

To respond to this emergency, and to tide the industry over until solutions could be found, I introduced on the Senate floor, an amendment to S. 1309 which would broaden the disaster loan section to cover the small business concern unable "to process or market a product for human consumption because of disease or toxicity occurring in such product through natural or undetermined causes." Joining me in cosponsorship of this amendment were Senators McCarthy, Humphrey, McNamara, Proxmire, and Nelson.

The Senator from Alabama [Mr. Sparkman], who had introduced S. 1309 and was managing it on the Senate floor, very kindly agreed to accept the amendment. It was in the bill as it went to the House, and is in the bill as it comes back from the House.

The provision of disaster loans will not be the full answer for this industry. We need to find new ways of marketing the chub in an appetizing and economically competitive fashion. We must counteract the false notion that fresh and frozen fish emanating from the Great Lakes are possibly harmful. And we need to explore whether there is a means of compensating those who have suffered very substantial loss because of the FDA-recommended destruction of already-caught fish. But the amendment which I offered—and the Senator from Alabama kindly accepted—will be of very great help while we work out these other problems.

I hope the Senate will send the bill to the President and that it may soon have his signature.

The **PRESIDING OFFICER.** The question is on agreeing to the motion of the Senator from Wisconsin [Mr. Proxmire] that the Senate concur in the amendments of the House.

The motion was agreed to.

ADJUSTMENT IN ANNUITIES UNDER FOREIGN SERVICE RETIREMENT AND DISABILITY SYSTEM

The Senate resumed the consideration of the bill (S. 745) to provide for adjustments in annuities under the Foreign Service retirement and disability system.

The **PRESIDING OFFICER.** The question is on agreeing to the motion to recommit made by the Senator from Ohio [Mr. Lausche].

Mr. MANSFIELD. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. SPARKMAN. Mr. President, with reference to S. 745, the Senator from Ohio has made a motion to recommit. There has been some discussion on the bill. I was under the impression that Senators were pretty close together before the discussion. An agreement has been reached. The Senator from Ohio and the Senator from Delaware—other Senators may have been present at the discussion—have agreed upon an amendment, which will be offered by the Senator from Ohio. I understand that if the amendment is agreed to, the Senator from Ohio is willing to withdraw his motion to recommit.

Mr. LAUSCHE. Is the pending question the motion to recommit?

The PRESIDING OFFICER. The Senator is correct. The Senator may withdraw his motion to recommit.

Mr. LAUSCHE. I withdraw my motion at this time.

The amendment which I am offering would impose upon a retiree who did not designate his spouse as a potential surviving beneficiary, thus procuring increased annuities, as a prerequisite to the right of now designating his spouse as beneficiary, the obligation of paying into the fund the excess payments received by the retiree. If retiree A did not designate his spouse as the potential surviving beneficiary, he would have the right only to so designate the spouse now provided he paid back into the Treasury the excess amount which he received.

That is the objective of my amendment.

Mr. SPARKMAN. That, of course, would be not to exceed what he would have had to pay.

Mr. LAUSCHE. That is correct.

Mr. WILLIAMS of Delaware. Mr. President, I am in agreement with the purpose of the proposed amendment. The adoption of this amendment would mean that the retiree and his wife, together, will receive only what they would have received originally had the husband when he retired declared her the beneficiary. Is that correct?

Mr. LAUSCHE. That is correct.

Mr. WILLIAMS of Delaware. The excess amount which they have collected during the intervening period, while he had not declared her as a beneficiary, would have to be paid back into the fund before they could start drawing the additional annuity. Is that correct?

Mr. LAUSCHE. That is correct.

Mr. WILLIAMS of Delaware. I join in support of the amendment. It is only fair, in the interest of all other Government employees, to insist that this rule be applied. I appreciate the work that the Foreign Service officers are doing, and I am aware of the fact that they are entitled to retirement benefits.

But they already have liberal benefits. It was stated earlier, in rebuttal of the arguments, that the Senator from Ohio [Mr. LAUSCHE] and I were being unduly harsh toward some poor, destitute widows.

I should like to place in the RECORD, figures to show that this is not quite the case with respect to the retirement benefits under discussion. I shall list some of the benefits that are being drawn by some persons in this category and who are affected by the proposal before the Senate today. I shall not mention any names.

In case No. 32 the average 5-year salary of the employee was $25,000. He retired on a pension of $17,500 a year. He could have named his wife as his beneficiary by taking a reduction in this amount, but he did not do so. Under the pending bill we were asked to take care of the wife of a man who was drawing $25,000 a year while he was working and receiving $17,000 a year in retirement benefits, but who did not think enough of his own wife to declare her his beneficiary. The amendment provides that he must repay to the Treasury the excess amount that he has received. Why should he not pay it back into the Treasury?

In case No. 9—I shall not read all of them—the average 5-year salary of the employee was $25,276.40. He drew a pension of $14,698.86. That is over $1,000 a month. That is not quite pauper status even by New Frontier standards.

In the third case, the average 5-year salary was $14,812.78. The retiree drew a pension of $10,368.95.

In case No. 221, the average 5-year salary was $18,784.74. The pension was at the rate of $12,159.32.

Under the bill without the Lausche amendment which is now being offered an additional $9,000 bonus would be paid by the taxpayers to these same retirees solely because the employees failed to take care of their own responsibilities by designating their wives as beneficaries.

Mr. President, I ask unanimous consent to have printed at this point in the RECORD a table of 20 such cases, showing the average 5-year salary and the amounts of the pensions involved. These men were well able to have taken care of their wives.

There being no objection, the table was ordered to be printed in the RECORD, as follows:

Case No.	5-year salary	Pension
9	$25,076.40	$14,689.86
3	14,812.78	10,368.95
12	13,500.00	8,100.00
63	13,500.00	8,100.00
75	13,669.76	10,068.83
114	13,812.40	9,688.68
124	13,804.65	9,012.88
132	25,000.00	17,500.00
198	14,534.37	10,238.03
221	18,784.74	12,159.32
250	14,163.90	10,414.73
258	12,038.10	9,819.34
266	16,577.45	10,167.51
284	14,510.71	9,278.98
289	14,151.92	8,460.45
370	15,077.28	10,554.10
402	16,787.04	10,006.28
415	16,291.29	9,530.40
432	13,500.00	8,100.00

Mr. WILLIAMS of Delaware. Mr. President, I have submitted this table to show that we are not dealing with persons who are living in poverty. Many people drawing social security benefits live on substantially lower pensions. Many employees with far less retirement credits have designated their wives as the beneficiaries and taken the reduction. The employees in the categories provided in the bill, who were drawing pensions of from $10,000 to $17,000 a year, should have assumed an equal responsibility to provide for their wives. Having failed to do so, they should be required to repay the excess amounts into the Federal Treasury.

Some of the retirees are still living and drawing their pensions. They can well take care of their own wives before they pass away. They have a responsibility to do so.

As was said earlier, there have been numerous liberalizations of the retirement payments without a corresponding increase in the contributions. This has reduced the retirement fund to the point of bankruptcy. If additional appropriations are not made by Congress over and above what is being now added, by 1977 the retirement fund will be bankrupt.

When the American people learn that they will have to pay as high as 21 or 22 percent more into the retirement fund to keep it solvent, which means an additional contribution of $2.5 billion on a $10 billion annual payroll, there will be open revolt.

Rather than having this issue met by Congress, each year there is a parade of bills similar to the one before the Senate today, in which everyone carries a flag, shouting what he wants to do for the poor widow. Under the present trend the widows of America will be pauperized, their retirement fund will become depleted, and they will become dependent upon the charity of the American taxpayers.

I hope the amendment will be adopted. If it is not, I shall join with the Senator from Ohio and insist that the bill be recommitted.

The PRESIDING OFFICER. The question is on agreeing to the committee amendments.

The committee amendments were agreed to.

Mr. LAUSCHE. Mr. President, I offer my amendment and ask that it be read.

The PRESIDING OFFICER. The amendment of the Senator from Ohio will be stated.

The LEGISLATIVE CLERK. On page 2, between lines 20 and 21, it is proposed to insert the following:

(d) Notwithstanding the foregoing provisions of this section, no election under paragraph (a) by an annuitant who did not elect a survivor annuity at the time of retirement shall be effective unless there is paid into the Foreign Service retirement and disability fund by or on behalf of the annuitant an amount equal to the amount by which (a) the total annuity received by the annuitant prior to the effective date of any adjustment in his annuity pursuant to an election under this section exceeds (b) the total annuity which he would have received prior to such date had he elected, at the time of his retirement, a survivor annuity bearing the same ratio to the maximum survivor annuity which he could have elected at such time as the survivor annuity which he elects under this section bears to the maximum survivor annuity which he could elect under this section. The Secretary, under circumstances determined by him in each instance, may permit payments required by this subsection to be made in installments.

Mr. LAUSCHE. Mr. President, to make the record clear, for 1962 the contributions made to the fund by the Government and by the employees were $6,065,000. The amount disbursed was $5,524,000. That is a difference of only $541,000 between the amount paid out and the amount received. It is because of that situation that the actuarial experts in the State Department have said that even though the Government pays into the fund the $282 million which it owes, the future contributions will have to be 29.7 percent of the payroll.

Mr. SPARKMAN. Mr. President, I invite the attention of the Senator from Delaware. I am perfectly willing to agree to the amendment as it has been proposed in order to have the bill disposed of, because I believe the two sections that are taken care of under the bill, with the amendment, are certainly more deserving. However, I should like to say to the Senator from Delaware that I do not believe that either of the cases he has cited is necessarily a case in which the employee did not provide an annuity for his wife. The employees to whom the Senator referred are still living. The table shows what the average income is and what the retirement income would be.

But in order to provide retirement benefits for the widow after the employee dies, these officers are still paying the much larger amount that was required before 1960. The bill would enable them to reduce their payments to the same amount to which we allowed other Government employees to reduce in 1960. In all fairness, I thought that should be said regarding those cases. I have nothing further to say.

Mr. WILLIAMS of Delaware. In 1962 an inequity was created which, it was said, would not cost much. Two years later it is proposed to correct that inequity by expanding the benefits to everyone all over again, and calling it the correction of an inequity. I do not think there is too much of an inequity to any employee of the U.S. Government who has retired on a $17,500 pension. He has much to be thankful for without asking for more.

Mr. SPARKMAN. I have agreed with the Senator on the amendment. I think it goes a long way toward doing equity.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from Ohio.

The amendment was agreed to.

Mr. PELL. Mr. President, the bill before the Senate, S. 745, which would adjust annuities under the Foreign Service retirement and disability system, is essentially a legislative proposal for equitable relief.

I am quite well aware of the objections of the minority in this matter. While I believe that sound actuarial rules should be employed wherever possible, I see this as little justification for inflexibility when equity demands action.

No one is claiming that these retired Foreign Service officers deserve such annuity adjustments as a matter of right. But in carefully examining the facts, the apparent inequities that have resulted with a change in the retirement laws vis-a-vis those persons who retired prior to October 16, 1960, call for corrective action. I see no justice in the fact that those persons who retired after the 1960 date could provide an annuity for their surviving widows at one-third the cost required of those who retired before that date. The disparity in cost, the difference in annuity benefits of $600 more for those under the new statute, and the practical consideration that this bill will affect only approximately 300 persons, leads to the inevitable conclusion that it is just and should be enacted.

The PRESIDING OFFICER. The bill is open to further amendment.

If there be no further amendment to be proposed, the question is on the engrossment and third reading of the bill.

The bill (S. 745) was ordered to be engrossed for a third reading, and was read the third time.

The PRESIDING OFFICER. The question now is, Shall the bill pass?

Mr. LAUSCHE. Mr. President, the compromise has substantially improved the bill. On the other hand, I think weakness still remains in it. Despite the improvement, I shall not be able to vote for the bill.

The PRESIDING OFFICER. The question now is, Shall the bill pass?

The bill (S. 745) was passed, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That annuities paid from the Foreign Service retirement and disability fund on the date of enactment of this Act, based on service performed by annuitants which terminated prior to October 16, 1960, shall be adjusted under the provisions of section 821(b) of the Foreign Service Act of 1946, as amended, relating to the formula for reduction in annuity to provide for a surviving widow, as though such provisions had been in effect on the date of the annuitant's separation from the Service, and in accordance with the following:

(a) An annuitant who at time of retirement was married to a wife who is still living, whether or not he so elected at time of retirement or subsequently, may within ninety days of enactment of this Act, elect to provide the maximum survivor annuity, and if the maximum be less than $2,400 the annuitant may elect up to $2,400;

(b) The annuitant's current full annuity, exclusive of annuity increases, shall be used as a base, and the amounts of annuity increases which have been granted, either at time of retirement or subsequent thereto, shall not be affected by such adjustments;

(c) If, during the ninety-day period following enactment of this Act an annuitant dies without having made a new election in accordance with the provisions of this Act, leaving a wife to whom he was married at time of retirement, benefits shall be payable to her as though the maximum benefit had been elected, except that such annuity shall not be less than $2,400, unless the annuitant has certified in writing his intention of not making a new election under the provisions of this Act.

(d) Notwithstanding the foregoing provisions of this section, no election under paragraph (a) by an annuitant who did not elect a survivor annuity at the time of retirement shall be effective unless there is paid into the Foreign Service retirement and disability fund by or on behalf of the annuitant an amount equal to the amount by which (A) the total annuity received by the annuitant prior to the effective date of any adjustment in his annuity pursuant to an election under this section exceeds (B) the total annuity which he would have received prior to such date had he elected, at the time of his retirement, a survivor annuity bearing the same ratio to the maximum survivor annuity, which he could have elected at such time as the survivor annuity which he elects under this section bears to the maximum survivor annuity which he could elect under this section. The Secretary, under circumstances determined by him in each instance, may permit payments required by this subsection to be made in installments.

Sec. 2. If a former participant whose service was terminated prior to October 16, 1960, and who elected a deferred annuity, dies before becoming eligible to receive an annuity, the annuity of the surviving widow, if eligible under the terms of the law in effect upon his separation from the Service, shall be computed under the provisions of section 821(b) of the Foreign Service Act of 1946, as amended.

Sec. 3. In any case where an annuitant who retired prior to October 16, 1960, dies prior to enactment of this Act, leaving a widow to whom he was married at time of retirement who is not entitled to receive an annuity under the Foreign Service retirement and disability system, and who is not receiving benefits as a widow under the Federal Employees' Compensation Act, the Secretary of State may in his discretion grant such a widow an annuity of $2,400 per annum; or in cases where such widows are receiving less than $2,400, the annuity shall be increased to $2,400.

Sec. 4. No annuity shall be payable from the Foreign Service retirement and disability fund to the widow of an annuitant whose services terminated prior to October 16, 1960, who did or did not provide for a widow survivor at time of retirement, or subsequently, and who elects not to avail himself of the provisions of this Act: *Provided,* That this section shall not operate to deny to a widow an annuity previously provided by her husband or granted otherwise by law.

Sec. 5. No annuity for a survivor shall be computed on any additional annuity purchased with voluntary contributions pursuant to the provisions of section 881 of the Foreign Service Act of 1946, as amended.

Sec. 6. The provisions of this Act shall not apply to annuitants recalled to duty under section 520 of the Foreign Service Act of 1946, as amended, who are separated subsequent to October 16, 1960.

Sec. 7. The following provisions of law are hereby superseded, except in no event shall existing annuity increases provided therein be reduced by the enactment of this section:

(a) Section 2 of Public Law 82–348 (66 Stat. 81).

(b) Sections 4 and 5 of Public Law 84–503 as amended by section 2 of Public Law 86–612 (70 Stat. 125; 74 Stat. 371).

(c) Sections 1(a) and 1(b) of Public Law 85–882 (72 Stat. 1705).

Sec. 8. Any adjustment in annuity provided by this Act shall commence on the first day of the month following the expiration of ninety days after enactment, and the monthly rate payable after such adjustment shall be fixed at the nearest dollar.

Sec. 9. No part of the moneys now or hereafter contained in the Foreign Service retirement and disability fund shall be applied toward the payment of any increase in annuity benefits resulting from the enactment of this Act, except those benefits provided by section 10, until and unless an appropriation is made to such fund in an amount which the Government actuary estimates to be necessary to prevent an immediate increase in the unfunded liability to said fund.

SEC. 10. Title VIII of the Foreign Service Act of 1946, as amended, is amended by adding the following:

"PART J—COST-OF-LIVING ADJUSTMENTS OF ANNUITIES

"SEC. 882. (a) On the basis of determination made by the Civil Service Commission pursuant to section 18 of the Civil Service Retirement Act, as amended, pertaining to per centum change in the price index, the following adjustments shall be made:

"(1) Effective April 1, 1964, if the change in the price index from 1962 to 1963 shall have equaled a rise of at least 3 per centum, each annuity payable from the fund which has a commencing date earlier than January 2, 1963, shall be increased by the per centum rise in the price index adjusted to the nearest one-tenth of 1 per centum.

"(2) Effective April 1 of any year other than 1964 after the price index change shall have equaled a rise of at least 3 per centum, each annuity payable from the fund which has a commencing date earlier than January 2 of the preceding year shall be increased by the per centum rise in the price index adjusted to the nearest one-tenth of 1 per centum.

"(b) Eligibility for an annuity increase under this section shall be governed by the commencing date of each annuity payable from the fund as of the effective date of an increase, except as follows:

"(1) Effective from the date of the first increase under this section, an annuity payable from the fund to an annuitant's survivor (other than a child entitled under section 821(c)), which annuity commenced the day after the annuitant's death, shall be increased as provided in subsection (a)(1) or (a)(2) if the commencing date of annuity to the annuitant was earlier than January 2 of the year preceding the first increase.

"(2) Effective from its commencing date, an annuity payable from the fund to an annuitant's survivor (other than a child entitled under section 821(c)), which annuity commences the day after the annuitant's death and after the effective date of the first increase under this section, shall be increased by the total per centum increase the annuitant was receiving under this section at death.

"(3) For purposes of computing an annuity which commences after the effective date of the first increase under this section to a child under section 821(c), the items $600, $720, $1,800 and $2,160 appearing in section 821(c) shall be increased by the total per centum increase allowed and in force under this section and, in case of a deceased annuitant, the items 40 per centum and 50 per centum appearing in section 821(c) shall be increased by the total per centum increase allowed and in force under this section to the annuitant at death. Effective from the date of the first increase under this section, the provisions of this paragraph shall apply as if such first increase were in effect with respect to computation of a child's annuity under section 821(c) which commenced between January 2 of the year preceding the first increase and the effective date of the first increase.

"(c) No increase in annuity provided by this section shall be computed on any additional annuity purchased at retirement by voluntary contributions.

"(d) No increase in annuity provided by this section shall apply to amounts being paid under authority of section 5 of Public Law 84-503, as amended, or any other law authorizing annuity grants to widows.

"(e) The monthly installment of annuity after adjustment under this section shall be fixed at the nearest dollar."

Mr. SPARKMAN. Mr. President, I move that the vote by which the bill was passed be reconsidered.

Mr. MANSFIELD. Mr. President, I move that the motion to reconsider be laid on the table.

The motion to lay on the table was agreed to.

AMENDMENT OF CIVIL SERVICE RETIREMENT ACT TO CORRECT INEQUITY IN ITS APPLICATION TO ARCHITECT OF THE CAPITOL

Mr. MANSFIELD. Mr. President, I move that the Senate proceed to the consideration of Calendar No. 794, House bill 5377.

The motion was agreed to; and the Senate proceeded to consider the bill (H.R. 5377) to amend the Civil Service Retirement Act in order to correct an inequity in the application of such act to the Architect of the Capitol and the employees of the Architect of the Capitol, and for other purposes.

Mr. McGEE. Mr. President, as chairman of the Retirement Subcommittee of the Committee on Post Office and Civil Service, I wish to explain briefly House bill 5377. It would apply to the Architect of the Capitol and the employees of his office the same annuity compensation formula which now is applied to other congressional employees. The bill would amend the Civil Service Retirement Act so as to bring the employees of the Architect of the Capitol under the same system by which other congressional employees are covered. It is necessary that this be done, because at the present time employees under the Architect of the Capitol, working side by side with regular congressional employees, and serving in many similar capacities, still are not privileged to enjoy the level of retirement compensation which is available under the congressional system; they are under the regular civil service retirement system, rather than the congressional retirement system.

From time to time it has been pointed out that a slight amount of special consideration in connection with retirement benefits is given to congressional employees, for the reason that they do not have permanent status, but are subject to the whims of political fortune. The same situation applies to the employees of the Architect of the Capitol; under the existing system, they do not have permanent status, either. Therefore, the bill is designed to apply only to those employees, who are quite limited in number; there are 1,175 of them. Two-thirds of them—814, to be exact—are now, by statute, under congressional control—both those under the Senate Rules Committee and those under the operational committees of the House. Some of the employees in that category are already under the congressional retirement system—for example, those in the Senate restaurant. This bill is designed to correct an inequity which now obtains.

I believe that this measure—which, incidentally, was approved unanimously in the committee—is a good one, and should receive favorable consideration by the Senate.

The cost of the increased retirement benefits would be approximately $315,000; that is a close calculation.

Mr. President, I submit the following additional explanation of the bill:

H.R. 5377 would accord to the Architect of the Capitol and the employees of his office the same annuity-computation formula that is now applied to other congressional employees. It would amend the Civil Service Retirement Act to bring the employees of the Architect of the Capitol under the same retirement system by which other congressional employees are covered. Provisions of the congressional retirement system are more liberal than those of the civil service system, designed for the employees of the executive branch, under which the Architect and his employees are now covered. The Architect and the employees of his office, however, are unquestionably congressional employees, whose efforts are solely directed toward serving the Congress. Accordingly, this measure corrects an inequity. In common with other congressional employees, neither the Architect nor his employees enjoy civil service or any other job security protection.

It should be pointed out that employees of the Library of Congress, the General Accounting Office, and the Government Printing Office—agencies of the legislative branch—are not included under the congressional retirement system. However, those agencies are semiautonomous, operating under their own rules and regulations with the agency head supervising personnel administration. The regular year-round work force of the Architect of the Capitol consists of 1,175 employees of which 814 are subject by statute to congressional committee or commission control. These employees are thus subject to similar conditions of employment as other congressional employees. A breakdown of these 814 employees is as follows:

There are 369 who are employees of the Senate Office Buildings subject to the control of the Senate Committee on Rules and Administration; 381 are employees of the House Office Buildings and Capitol Power Plant subject to the control of the House Office Building Commission; 64 are employees of the Senate and House Wings of the Capitol subject to the control of the Senate Committee on Rules and Administration and the Speaker of the House, respectively.

I shall provide for the RECORD a table showing a breakdown of positions under the Architect of the Capitol, which I ask to be inserted in the RECORD at the end of my statement.

Oddly enough, some employees of the Architect are already included in the congressional retirement system. Not included in the 1,175 total are employees of the House and Senate restaurants, who are under the Architect of the Capitol and who have been defined by the Comptroller General to be employees of the House and Senate and who are consequently covered by the congressional retirement system. It follows that if some employees of the Architect receive the more liberal benefits, so should all.

Upon enactment of this proposed legislation, the requirements and limitations of present law applicable to the retirement of congressional employees will apply to employees of the Office of the Architect of the Capitol. Accordingly, any such employee who qualifies for congressional retirement rights must have had at least 5 years of service and must have made contributions to the retirement fund to cover his last 5 years of civilian service. These conditions assure that no "windfall" can result from the enactment of this measure. Further restrictions are provided by section 2(f) of the Civil Service Retirement Act, which authorizes the Architect of the Capitol "to exclude from the operation of this Act any employees under the Office of the Architect of the Capitol whose tenure of employment is temporary or of uncertain duration." This provision is in accordance with the authority of the Civil Service Commission to exclude from Retirement Act coverage temporary or intermittent employees of the executive branch.

It should be emphasized that H.R. 5377 extends no civil service retirement rights to anyone not already entitled to retirement rights. It simply liberalizes the rights of a certain class of employee already covered to make them equal to the rights of other employees with similar or identical conditions of employment.

This measure can affect only 1,175 individuals. Its annual cost as estimated by the Civil Service Commission is $315,000.

I urge passage of this bill as a reasonable move to correct an obvious inequity, which is easily visualized when one sees an employee of the Architect of the Capitol, who is not covered by congressional retirement, working alongside an employee of the Sergeant at Arms of the Senate or House who is covered.

Mr. President, I ask unanimous consent to have a table in connection with this matter printed at this point in the RECORD.

There being no objection, the table was ordered to be printed in the RECORD, as follows:

Positions under the Architect of the Capitol

Appropriations	Wage board positions	Unclassified positions	Classification Act positions	Statutory positions	Total positions
Salaries, Architect of the Capitol	1	3	26	3	33
Capitol buildings and grounds	96	44	16	----	156
Capitol Grounds	49	----	6	----	55
Senate Office Buildings	286	54	21	8	369
Legislative garage	7	----	----	----	7
House Office Buildings	284	76	21	----	381
Capitol Power Plant	78	----	4	----	82
Library buildings and grounds	57	----	2	----	59
Subtotal	858	177	96	11	1,142
Care of the building and grounds, Supreme Court	31	----	2	----	33
Total	889	177	98	11	1,175

Hearings of 1964—Breakdown of regular force under the Office of the Architect of the Capitol engaged in structural and mechanical care of the Capitol Building and Grounds, Senate and House Office Buildings, Capitol Power Plant, Library of Congress Buildings, U.S. Supreme Court Building, and legislative garage

Capitol Power Plant: Engineers, mechanics, helpers, and laborers	82
Electrical substations and transformer stations (located in Capitol, Senate Office Buildings, House Office Buildings, Library of Congress Buildings, and U.S. Supreme Court (Building): Operators, mechanics, helpers	12
Air conditioning—operation and maintenance: Engineers and mechanics	62
Structural care of buildings and operation of miscellaneous equipment: Maintenance mechanics and helpers (plumbers, electricians, carpenters, painters, sheet-metal workers, heating room attendants, public address system operators, subway operators)	170
Elevators—maintenance and repair: Mechanics and helpers	29
Elevators—operation: Elevator operators	143
General domestic care of buildings:	
Laborers, full-time	201
Charwomen, part-time	300
Capitol Grounds—care and maintenance: Gardeners and laborers	49
Legislative garage—care and operation: Superintendent and helpers	7
House garage (old building)—care and operation: Superintendent and helpers	10
Professional, administrative, and office force: Architect, engineers, administrative and clerical assistants, and miscellaneous	110
March 1963, total employees	1,175

Mr. LAUSCHE. Mr. President, will the Senator from Wyoming yield for a question?

Mr. McGEE. I yield.

Mr. LAUSCHE. As I understand, if this bill is enacted into law, the employees of the office of the Architect of the Capitol will be covered by what is known as the Congressional Retirement Act.

Mr. McGEE. That is correct. I point out that the employees affected by the bill are permanent employees.

Mr. LAUSCHE. Yes. At the hearings, was there a suggestion that some other group of employees might subsequently wish to be taken out of Civil Service Retirement Act coverage and included under the congressional retirement program?

Mr. McGEE. No such suggestion was made, and no such interest was manifested. However, those who discussed the details of this measure did state that other groups on the periphery of Capitol Hill are not now covered by this program. But they are on rather a semiautonomous basis—such as those in the Library of Congress, and the like. However, no such request was made.

Mr. LAUSCHE. Is it possible that, next year, those groups will also ask to be covered by this program?

Mr. McGEE. I have no way of knowing that. I would think it highly questionable that the committee's decision in regard to rectifying one inequity should be based in part on a consideration of what others might do thereafter. It seems to me that the case for the passage of this measure in the interest of this particular group is so clear that the Senate should pass this bill on its merits. Thereafter, the Senate may consider separately a bill dealing with other groups who might wish to be included.

Mr. WILLIAMS of Delaware. Mr. President, will the Senator from Wyoming yield to me?

Mr. McGEE. I yield.

Mr. WILLIAMS of Delaware. I think the answer to the question asked by the Senator from Ohio is most emphatically "yes"—that other groups will make similar requests in another year.

They will be here next year. This is another of the typical actions by the Senate. No single one costs much in itself, but added together they equal millions. What we are doing in the case of this small group of Federal employees is raising their retirement benefits about 40 percent over and above what they would get under existing law. Those in the next group will ask, "If such benefits are to be extended to one group, why stop?" The group involved today consists of 282 part-time charwomen, 121 patronage elevator operators, and the employees who operate in the Senate post office. Why should employees in the Senate post office for the same payment into the retirement fund be entitled to a 40-percent increase in retirement benefits over the employees working downtown?

Mr. McGEE. There is one good reason why he has greater entitlement, if any of us have, and that is that the employee downtown has the advantage of civil service status and thus has protections in his job that employees in the Capitol who are not under the same provisions do not enjoy. We have the rationale for a more favorable retirement system because of the uncertainty of employment on the Hill.

Mr. WILLIAMS of Delaware. Since when is the employee downtown guaranteed a job? If a reduction in force is put into effect, he loses his job and it is just as painful to him as to anyone who works on the Hill. Merely because we work in the Capitol is no reason why we should be declared indispensable. I am not too sure that the country would not be better off if some of us were to leave, but I believe——

Mr. McGEE. The Senator from Delaware is saying that, not I.

Mr. WILLIAMS of Delaware. Yes, I say it; and I would also say that I could think of a few suggestions in that connection. To say that because we work in the Congress the Government should pay us better retirement benefits than other employees merely because our position is not permanent, is not valid. After all, we are not working at a permanent job. We know that at the end of our terms we will not come back unless we are reelected. Why should it be otherwise?

After all, none of us are indispensable.

Mr. McGEE. The issue is not one of repeal of the congressional retirement system. That bill is not under consideration at the present moment. The bill to which we are addressing ourselves is simply extending consideration in equity to a small group which it seemed to the committee, unanimously, was entitled to the same consideration as other congressional employees. The issue is not whether a mistake was made in setting up the congressional retirement system.

Mr. WILLIAMS of Delaware. As the Senator from Ohio [Mr. LAUSCHE] has stated, we are expanding still further the overall cost. We already have a $28 billion deficit in this fund. By 1977, as the retirement chief pointed out, the fund will be bankrupt and insolvent unless Congress raises the contributory rates of both the employees and the Government. I venture to say there will not be as much enthusiasm when it comes to raising the contributing rates to 30 percent of the payroll, as there is enthusiasm for a bill which expands the benefits.

Mr. McGEE. We have been holding hearings on that side of the problem as well, and there may be something said on that later, but that still is not the subject of this particular legislation. The issue has been resolved as the principal one at issue, and was resolved by unanimous vote, and presumably that unanimous vote is not about to be reversed. Therefore, we assume it stands. However, the only issue is the question of inequity, the group that has to operate under the cloak of congressional jurisdiction with the same hazard to which the Senator has made reference, without enjoying the same privileges that go with the retirement system. Otherwise, the system operates the same. They are operating here in exactly the same way as their counterparts in the State Department downtown.

I disagree with the Senator on that specifically because employees downtown enjoy many protections under the civil service system. It is more difficult to remove them and they are not exposed to the vagaries of policy hazards and favoritism.

Mr. LAUSCHE. This bill is sought to be passed because the annuities they represent, provided under congressional coverage, are greater than the annuities provided under civil service.

Mr. McGEE. That is the nub of my point.

Mr. LAUSCHE. Do I correctly understand that the agencies on the periphery which will not be covered by the congressional program are the employees of the Library of Congress, the General Accounting Office, and the Government Printing Office?

Mr. McGEE. That is correct.

Mr. LAUSCHE. Is the Senator from Wyoming able to state the number of employees working in these three offices that will remain under civil service coverage and not under congressional coverage?

Mr. McGEE. I cannot give the Senator the number of employees in those three offices. They were not considered at any time in this proposed legislation for congressional coverage. All that I can detail is the number of specific classifications of the 1,175 who, under the Architect's Office, will be covered.

Mr. LAUSCHE. Do I correctly understand that the General Accounting Office is an adjunct of Congress?

Mr. McGEE. It is an agency of the legislative branch. That is correct.

Mr. LAUSCHE. Its employees will continue under coverage in the civil service and not under coverage in the Congress?

Mr. McGEE. That is correct.

Mr. LAUSCHE. How will we be able to deny employees of the General Accounting Office, the Government Printing Office, and the Library of Congress the right to come under the congressional coverage if we put the Architect's Office in?

Mr. McGEE. For one reason, and that is that the employees of the General Accounting Office and the Government Printing Office, are appointed through civil service procedures. They acquire competitive status that is not enjoyed by the employees of the Architect's Office. The 1,175 employees are subject only to the same loose control as the rest of the employees of the Capitol.

Mr. LAUSCHE. Do I correctly understand, then, that at this time the Senator from Wyoming feels that employees of the Architect's Office are justly entitled to be placed under this bill, while employees of the Library of Congress, the General Accounting Office, and the Government Printing Office should not be placed under it?

Mr. McGEE. Yes; because they are subject to different conditions of employment. That is the reason for the selection of the Architect's Office group.

Mr. LAUSCHE. Will the Senator from Wyoming keep this statement in mind, if and when bills come before the Congress to place any one of the three aforementioned agencies under congressional coverage?

Mr. McGEE. I shall certainly keep that point in mind. I have heard nothing else about that. Many speculative matters are injected into the debate today. I am making this argument for the group which seems to be getting short changed.

Mr. LAUSCHE. What I am saying may be speculative, but on the basis of past experience I believe, just as certain as that night follows day, that within the next several years each of these agencies will come before us saying, "You have served the Architect's Office. You must also serve us"; and we shall have no answer to give them.

Mr. McGEE. The answer is that employees of the Architect's Office have no status under civil service, and are not subject to the control of the Civil Service Commission. They are subject only to the wishes and intentions of the legislative branch.

Mr. LAUSCHE. I hope what the Senator from Wyoming has said will be demonstrated to be true at some subsequent time, when I believe measures will come before the Senate to bring the entire group under the congressional coverage.

Mr. McGEE. Yes.

Mr. LAUSCHE. One further question. What is the cost per annum of the bill?

Mr. McGEE. Three hundred and fifteen thousand dollars is the cost per year.

Mr. LAUSCHE. Mr. President, I will vote against the measure because I believe it establishes the precedent for a subsequent appearance before Congress of other groups that will be asking for the same liberalized consideration.

The arguments which I made against the bill (S. 745) providing for adjustments in Foreign Service annuities, upon which the Senate voted a half hour ago, are applicable to the bill now before the Senate. On passage of the measure my vote will be in the negative.

The PRESIDING OFFICER. The bill is open to amendment. If there be no amendment to be proposed, the question is on the third reading the the bill.

The bill (H.R. 5377) was ordered to a third reading, was read the third time, and passed.

Mr. McGEE. Mr. President, I move to reconsider the vote by which the bill was passed.

Mr. MANSFIELD. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

TROUBLES PLAGUING THE COTTON INDUSTRY

Mr. MECHEM. Mr. President, I should like to speak to the Senate today about a situation which cries for attention. I refer to the troubles which plague our cotton industry.

New Mexico is a great agricultural State, and I consider myself fortunate in serving her on the Senate's Committee on Agriculture. Farming is one of New Mexico's mainstays—a bulwark of her economy. A couple of figures will show the important role of cotton in this connection—cash receipts for farm products in New Mexico in 1962 surpassed $270 million. Better than $55 million of that came from cotton.

That is more than 20 percent of New Mexico's total income from agriculture. I might note, in passing, that my home county—Dona Ana—is the State's leading cotton producer and ranks among the large cotton-growing areas in the United States.

While New Mexico produces both upland and long staple cotton, my remarks today will be confined primarily to conditions relating to upland cotton.

The current predicament which finds us with unmanageable quantities of surplus cotton, coupled with a domestic price higher than the world price, has been reviewed time and again. There is little need to go into that now, beyond a passing mention. Present conditions make it difficult for our textile manufacturers to compete in the foreign markets.

Many proposals are before the Congress. They deal with an extremely technical subject. By their very number and complexity, not to mention their diversity, they can lead to confusion in the cotton industry.

We already are heavily involved in Government subsidies, both to growers and users. The Government uses public tax money to support domestic raw cotton prices, while at the same time providing exporters with a subsidy to make our cotton competitive in world markets.

I would like to indicate what seems to me a sound and workable approach to the problem. But first, let us review some recent legislative history.

The Senate Committee on Agriculture and Forestry will open hearings on cotton legislation tomorrow. The distinguished Senator from Louisiana, as chairman of the committee, is to be commended for setting aside the time for these urgent hearings. It is most important, not only to the cotton industry and the areas dependent upon it but also to the Nation at large, that we in the Congress try to analyze this situation thoroughly and come to some basic conclusions on the direction we want to go.

During the next few days, as testimony is brought before the Agriculture Committee, I intend to lend my utmost support to our distinguished committee chairman, to the distinguished ranking minority committee member and to other members of the committee in seeking this objective.

In any look at the American cotton dilemma, a few salient points stand out.

First, the enormous cost. I wonder how many taxpayers realize that more than $1 billion of their money was spent on the cotton program alone in fiscal 1963. More than $1 billion from a Federal budget of $93 billion. This is no small problem touching a single industry; rather, every U.S. taxpayer feels the bite from his paycheck as our Government wrestles with the cotton problem.

Second, Congress 5 years ago enacted legislation which set the country well on the road to solving this entire matter—only to have Executive actions in recent years frustrate the apparent intent of the 1950 act.

As a result, instead of progress since 1961, we have seen our problems multiply through what many consider ill-advised actions. We are burrowing deeper and deeper beneath a mountain of cotton. What the cotton industry needs now is fresh air, before it finds itself smothered by its own product.

In 1958 Congress set up new procedures for setting the price support level. It also specified new ways to determine Commodity Credit Corporation resale prices and acreage allotments.

Four annual transitional steps were outlined in the act, so far as price supports were concerned. They called for a change to a discretionary system of determining supports, with a floor of 65 percent of parity. In addition, it was provided that in 1961, and thereafter, the Commodity Credit Corporation—CCC—resale price for unrestricted use must be at least 115 percent of the support level, plus reasonable carrying charges.

Under the old law, a formula system was used to determine price supports within the range of 75 to 90 percent of parity, depending on supply, and the resale price was set at 105 percent.

The law enacted in 1958 gave cotton farmers a choice for 1959 and 1960 between two alternative programs. Under choice A, a farmer could plant within his assignment and enjoy a relatively high price support. Under choice B, he could plant as much as 40 percent more than his allotment and receive a lower price support. For 1959, the support level was 80 percent of parity for choice A, and 65 percent of parity for choice B; for 1960, the levels were 75 and 60 percent, respectively.

The law provided another transitional step which was to have become effective in 1961. This would have put us back once more on a single price support basis, set at not less than 70 percent of parity. It also would have put into effect the minimum CCC resale price of 115 percent of the support level plus carrying charges. Moreover, the 1958 act provided that, from 1961 on, cotton price supports should be related to the average grade and staple length of crop—not based on Middling—seven-eighths inch—as in the past.

The Agricultural Act of 1958 wisely enacted by Congress was designed to make the cotton industry stronger. It aimed at adjusting price supports to a more competitive basis over 4 transitional years. The intended outcome would have been to expand markets, increase acreage allotments, and increase per-family net farm income.

Now, what happened? After the 1958 legislation went into operation, the cotton picture brightened considerably—at first. In the first 2 years of the intended 4-year cross-over stage, the following things took place:

First. The position of U.S. cotton in competition with oversea products became stronger.

Second. Consumption of upland cotton by domestic mills increased from an average of 8.2 million bales in 1957 and 1958 to 8.5 million in 1959 and 1960.

Third. Exports soared in that same period from an average of 4.2 million to 6.9 million bales per year. Total use went up from an average of 12.5 million to 15.4 million bales per year; carryover was lowered to 7.2 million bales average in 1959 and 1960 from the 8.6 million of the preceding 2 years.

Fourth. Due to all these factors, the national cotton acreage allotment was increased to nearly 18.5 million acres in 1961—the highest in 7 years.

But all this progress toward happier days for the American cotton industry and the American people insofar as they are affected by it was suddenly disrupted by actions in the Department of Agriculture.

The Congress in 1958 clearly indicated its desire for gradual withdrawal from high price supports and strict controls. Support prices would gradually be reduced, along with other changes aimed at creating a healthy, vigorous cotton industry capable of standing on its own feet.

And so long as the intent of the Congress, as clearly expressed in the Agricultural Act of 1958, was followed, the highest hopes of the sponsors were on the way to realization. Things changed in 1961.

Early in 1961 the Secretary of Agriculture increased the support level for upland cotton to 82 percent of parity. That action made the support rate 33.04 cents per pound, gross weight, basis Middling 1-inch cotton or 31.88 cents per pound based on average quality. It also increased the average spot market price Middling 1-inch from 30.96 to 33.67 cents. These things pushed the export subsidy upward from 6 cents a pound to 8½ cents. And even that substantial increase in export subsidy failed to maintain our world competitive position.

Far from raising the price support and export subsidy, the Secretary should have done precisely the opposite—lowered both of them.

It is of interest to note, at this point, that the Secretary of Agriculture would have been deprived of this discretionary authority if the Senate's version of the 1958 act survived in conference with the House.

The 1958 legislation set forth as the final transition step on cotton a change in the minimum support level—for the 1962 crop—to 65 percent of parity. The act authorized the Secretary of Agriculture to set supports for 1962 at anywhere between 65 and 90 percent. But the floor was lowered for each year.

Once more, in 1962, the Secretary made no effort to move out of the support business nor to lessen the burden on the taxpayers. He set the support level at approximately 82 percent of the January parity price for upland cotton. That meant a support for producers of at least the higher of (a) 32.47 cents per pound, gross weight, basis Middling 1-inch cotton, or (b) a national average of 31.88 cents per pound, gross weight.

In the fall of 1962, the Agriculture Department set a national marketing allotment of 14,367,000 bales and a national allotment of 16 million acres for the 1963 upland cotton crop. This was the minimum legal amount and constituted a reduction from 18,101,718 acres allocated in 1962. Then, to follow it all up, support prices were continued at the same high levels for the 1963 cotton crop, making 3 straight years in which the unwise deviations from clearly indicated congressional intent were persisted in.

Now, what do we find when we compare the years 1959 and 1960, when the cotton program enacted in 1958 was still receiving a fair trial, with the years 1961 and 1962 when it was not?

Exports fell from an average of 6.9 million bales yearly to 4.1 million. The carryover rose to about 11 million bales at the end of the 1962 marketing year on July 31, 1963. It had fallen to 7.1 million bales only 2 years earlier. Moreover, carryover now is expected to rise still further—to 13 million bales—by August 1, 1964. This will be the highest carryover since 1956, if it materializes.

How does this affect the taxpayer? One indication comes in the Department of Agriculture's report 5 weeks ago showing that investment by the Commodity

Credit Corporation in cotton—counting loans and inventories—is more than $1 billion higher now than it was only 2 years ago.

Basic principles contained in the 1958 act are, it seems to me, sound. There is no doubt, certainly, that in the two years that it was allowed a chance to operate, we made great advances toward improvement of the supply-demand bind in cotton.

Some of the proposals being advanced now as solutions to the cotton problem would lead to chaos both in production and consumption.

It would be unthinkable for us to neglect, in connection with any of our farm programs, taking into account the effect they might have on consumers. The program I am advocating for cotton is pegged to the market system—the only accurate indicator of supply-and-demand conditions.

The market system operates to the advantage of efficient growers and all consumers by rewarding individual ingenuity and enterprise.

A Government payment program, on the other hand, could tend to increase costs to consumers by restricting low-cost production, encouraging high-cost production, and wasting resources.

Imposing limitations on the payments a farmer could receive, after prices had been artificially lowered by a payment program, would keep low-cost producers from expanding.

At the same time, high-cost producers would be encouraged to continue noneconomic production so as to qualify for the greatest possible amount of Government payments.

In a market-directed economy, it is the consumers who decide—through their buying of millions of items all across the land—what should be produced and in what quantities. When the Government does the deciding on what should be received by producers, it is the Government that decides—in effect—what is to be produced. Some misguessing is inevitable, and resulting distortion of production patterns would mean higher costs for these things that consumers really want.

When the Agricultural Act of 1958 was passed with bipartisan support in Congress, I had the honor of being Governor of the great State of New Mexico. I recall well the confidence which passage of that legislation created not only among cotton producers in my state, but throughout the Nation's textile industry.

I propose we build on the permanent provisions of that act. I favor keeping all of the main features of that program. It has received only a half trial. It was put into practice only 2 years of a contemplated 4. And during those 2 years, it produced the results which the country had desired.

Why was it scuttled? Why should we try sweeping and far-reaching new remedies to the cotton situation now, as some propose?

One key feature of the act of 1958 as it passed the Senate was the provision relating the price support for upland cotton to 90 percent of the previous 3-year market price. Many of us were disappointed when that provision was deleted in conference. Certainly we can agree now, more than 5 years later, that this action is not unrelated to some of the difficulties which cotton is experiencing these days.

The main provisions of the cotton legislation I propose are as follows:

First. National allotment of upland cotton at not less than 16 million acres. The allotment should be based on estimated domestic consumption and exports, with certain specified adjustments authorized as in the 1958 act.

Second. Additional provision should be made for as much as another 310,000 acres as a national acreage reserve to be used as provided in the 1958 act.

Third. The cotton allotment should be increased—as provided in the 1958 act—as domestic cotton consumption and exports go up and carryover of cotton declines.

Fourth. Price supports on upland cotton should be set at 90 percent of the previous 3-year average market price.

Fifth. Price supports for upland cotton should not be less than 60 percent of parity in any year.

Sixth. Commodity Credit Corporation sales of stocks of upland cotton for unrestricted use should not be less than 115 percent of the support rate. This would give the market a chance to operate.

Seventh. Provision should be made for additional research, aimed at reducing upland cotton production costs.

Eighth. The cotton export sales program provided for in section 203 of the Agricultural Act of 1956 should be continued unchanged. Its main provision says: "Such quantities of cotton shall be sold as will reestablish and maintain the fair historical share of the world market for U.S. cotton" even though the State Department and the Labor Department think we should abandon all production of cotton.

Ninth. All other permanent provisions of the 1958 act and other acts relating to cotton should be continued unchanged.

I am prepared to join with my colleagues in introducing legislation designed to carry out these principal features.

TRIBUTE TO FRANK H. WASKEY

Mr. BARTLETT. Mr. President, Frank H. Waskey died Saturday morning, January 25, in Oakville, Wash., of a heart attack.

Frank Waskey was Alaska's first Delegate to the Congress. He came to the 59th Congress and served from August 14, 1906, to March 3, 1907. He was not a candidate for reelection. Those with long memories in Alaska political history have said that Mr. Waskey undoubtedly could have had long tenure in the Congress had this been his desire. He was an enormously popular man, an able man. From the time of his retirement until very recent years, Mr. Waskey and his wife lived at Dillingham in western Alaska. His later years were spent in the State of Washington and in nearby Maryland, where his daughter, Mrs. Carl Howe, lives.

Death came to Frank Waskey only a few months before he would have observed his 89th birthday. Born in Lake City, Minn., on April 20, 1875, he moved to Nome in 1898. A kind and gentle man, Frank Waskey was likewise one of strong convictions. He was only 31 years old when he came to the Congress as Alaska's first Delegate. This was 6 years before passage of the Alaska Organic Act which permitted the establishment of an Alaska Legislature and conferred other, although limited, home rule privileges. Even after he had left public life, Mr. Waskey maintained a lively interest in public affairs. He firmly believed in the proposition of statehood for Alaska, and envisioned it as the only correct political goal for the area which had existed so long under territorial status.

I counted Frank Waskey as a personal friend. On that basis I shall miss him, and deeply. I shall also miss his wise and good counsel. Alaska will miss him. He is gone now but there is a sure place in Alaska history for his achievements and his character. Surviving are Mrs. Waskey and their two sons and two daughters: Frank H., Jr., of Falls Church, Va., John, of Glendale, Calif., Mrs. Donald Goe of Walla Walla, Wash., and Mrs. Carl Howe, of Olney, Md. To them, Mrs. Bartlett and I extend our deepest sympathy.

Mr. President, on behalf of my colleague [Mr. GRUENING], I ask unanimous consent to have printed in the RECORD at this point a statement prepared by him in tribute to Frank H. Waskey.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

MY FRIEND FRANK WASKEY—STATEMENT BY SENATOR GRUENING

Alaska has good reason to be proud of the men who served the Territory as delegates to Congress in the years before admission to statehood. The last Alaska Delegate, as we know, was BOB BARTLETT, who has, with me, been a member of this body since Alaska became a State. The first Delegate was Frank H. Waskey, a man I am proud to say was my good friend. Frank Waskey died last Saturday at Oakville, Wash., at the age of 88.

It had not been an easy matter for Alaska to gain action in Congress permitting the Territory to send a Delegate to Washington. Finally we succeeded in the 59th Congress and President Theodore Roosevelt signed the act so providing on May 7, 1906. Our first Delegate, Frank H. Waskey, was elected in time to take the oath of office on December 3, 1906. He had been elected August 14 in what was reported by the Alaska newspapers at the time as a landslide.

The first candidates from Alaska did not file as Democrats or Republicans but were proposed at caucuses of the principal economic or occupational groups. Frank Waskey was the candidate of the miners of interior and western Alaska. While he was elected for the short term entitling him to a seat in the 59th Congress, he was not a candidate for the long term which would begin with the 60th Congress. Thomas Cale of Fairbanks was elected to that term.

The first Delegate had sterling qualities which recommended him strongly for the position. Born in Lake City, Wabasha County, Minn., on April 20, 1875, and educated in the public schools of Minneapolis, Frank joined the gold rush to Alaska and started mining at Nome in February of 1898. February is not a notably hospitable month of the year in that part of Alaska and the comforts of life we now enjoy were lacking in the new mining camp. Only the strongest and ablest survived and stayed with the country. Frank Waskey was one of these. He became president of a mining company, director of a bank and director of a publishing company. He was a natural and popular candidate when Alaskans acquired the right to send their nonvoting representative to far distant Washington. In the words of the Sitka Alaskan, one of the newspapers published in Alaska in those days:

"Our choice for Delegate should be an Alaskan in every sense of the word. One of those oldtimers who came into the country to seek his fortune, or at least to make his living out of the resources of this great country. We have such men right here in our midst. Men of integrity, wisdom and sound business qualities, men of solid education and the highest reputation. Men who have built up homes for themselves and their families out of, to speak figuratively, a mere bundle of shingles. Men who have come to stay and have stayed even through reverses and uphill climbing, always having in view the welfare of the Territory as well as their own."

An enlightening commentary on the changes which have occurred in transportation in the past half century is found in the fact that Frank Waskey started toward Washington from Nome as soon as the results of the August 14 election were known. He arrived at Seattle October 13 and in Washington, D.C., October 30. He was not sworn in as Delegate until December 3 for the reason that the 1st session of the 59th Congress had adjourned prior to his election and the 2d session did not convene until December 3. It is an interesting commentary further on the change in the workload of Congress that that 2d session of the 59th Congress was able to finish its business and adjourn March 3, 1907.

Appointed a member of the House Committee on Territories, Delegate Waskey introduced three bills during that brief session. Only one of his bills became law. This was a measure to relieve the Tanana Mines Railroad in Alaska from taxation during the period of construction and for 5 years thereafter. The Tanana was a narrow gage railway which operated briefly in the vicinity of Fairbanks. Delegate Waskey spoke out strongly for a larger measure of home rule for the Territory of Alaska and one of the bills he introduced was in furtherance of an objective long cherished both before and after that time by all Alaskans. This was the building of wagon roads in the Territory.

After retiring from his brief fling at public life Frank Waskey returned to Fairbanks where he prospected until 1915. He served as U.S. Commissioner at Fortuna Ledge, 1915–18, and during World War I was registration officer, food commissioner and chairman of the Council of National Defense at that Yukon River village. He added the pursuits of fur buying, rock collecting and dealing in curios to his career as a prospector.

After he left Alaska, Frank Waskey lived in Oakville, Wash., and Olney, Md. He remained active in mind and body, and it was my good fortune to have many helpful encounters with him during the period he lived at Olney, and I was breaking into the business of representing Alaska in the Congress, a trail which Frank Waskey had blazed more than 50 years earlier. Although he lived in this area for about 2 years, Frank Waskey explained to me at the time he left to return to the Pacific Northwest that "Maryland is lovely and the city of Washington's only glaring fault is too much vehicular traffic. For some time, Mrs. Waskey and I have felt that we belong in the West and as close to our Alaska as circumstances will permit."

Frank Waskey will always be close to Alaska. He played an important part in the history of the 49th State, and, therefore, in the history of our Nation. To his widow and his four living children, I express on behalf of all Alaskans our warm regard and sad farewell to their husband and father.

THE CITIZENS STILL RULE AMERICA

Mr. MUNDT. Mr. President, out in the Far West, George Todt of Los Angeles continues to give the readers of the Los Angeles Herald Examiner daily doses of sound Americanism which add up to his conviction that the voting citizens still rule America and that given all the facts we have enough people in this country, who cannot or will not be fooled, to compel Washington to listen to the wishes of the people.

George Todt has a wide and well-merited reputation for calling the shots as he sees them and for producing for his daily newspaper columns challenges to all Americans who still have enough faith in themselves and their system of government so that they are unwilling to surrender their personal freedoms by transferring to the Federal Government more and more of their money and their rights of self-determination in the hope that a paternalistic central government will eventually provide them with everything that they desire from the cradle to the grave. His clarion call to proud Americans to "speak up or shut up" when they are confronted with public policies and programs which they resent is one which needs to be read and heard by more and more Americans.

I am sure speakers, editorial writers, and others who are called upon to discuss public trends with their associates will find these "package presentations" by George Todt useful themes to develop and to amplify.

I ask unanimous consent to have printed at this point in the RECORD as a part of my remarks some selected columns from the recent writings of George Todt. They speak for themselves. In them, I am sure many citizens will find much food for thought.

There being no objection, the articles were ordered to be printed in the RECORD, as follows:

[From the Los Angeles Herald-Examiner, Jan. 5, 1964]

THE LIBERAL PRESS

(By George Todt)

The largest television audience since the heinous ambush of former President John F. Kennedy by a vile Communist assassin in late November will likely be on tap today to watch Senator BARRY GOLDWATER on Meet the Press.

The dynamic Arizona solon will bring some much-needed color to the political lists and it now promises to be an interesting campaign, both in the primary and general election. I believe GOLDWATER will win both contests.

Certainly, it will be no easy matter—as many of the trump cards in the loaded liberal power group appear stacked heavily against him.

A great number of persons pay continuous lip service to our vaunted free enterprise system, but actually play it down the line for opposing Fabian socialism in practice.

The surprising truth is that our people know only too little what many-sided Marxism is all about. They are against it in general principle—but seldom know basic, fundamental reasons why this is so. Is the subject taboo?

For some unfathomed reason, large liberal segments of the mass communications media in the United States have often wrapped Socialist-type legislation and ideology in red-white-and-blue bunting.

Then they have sandbagged the public later into thinking it was the finest kind of Americanism.

In GOLDWATER, the public is going to see some clear lines of demarcation between our traditional free enterprise and British-type Fabianism—and he will make the relative positions indelibly clear without fuzzy thinking or doubletalk.

Of course, it will be necessary for the Arizona contender to get his views to the people via mass communications. There are presently too few voices in the media sympathetic either to GOLDWATER or free enterprise. It is unfair.

Before long, the public itself will demand a remedying of the present imbalance where so-called liberal voices outnumber conservative in the opinion-forming areas by estimates up to a ratio of 100 to 1.

If the newspaper syndicates and broadcasting networks do not move voluntarily to give GOLDWATER adequate representation to make a fair nationwide presentation—they will lay the groundwork for future trouble for themselves.

The mass communications industry can stand an infusion of new blood at long last—and there are plenty of bright, intelligent young GOLDWATER-minded people ready, willing, and able to perform if not discriminated against.

In the forthcoming battle between liberal and conservative positions, GOLDWATER is entitled to an equal break in the court of public opinion. And the public will be watching jealously—and zealously—to see that he gets it.

At this point someone is bound to ask the ancient question, "But don't we have a Republican press?" The answer is that indeed we do not.

For example: In 1,750 daily newspapers, across the Nation 80 percent of the owners and publishers are Republican, mainly conservative. But 90 percent of the working press—where it counts—is Democrat, usually liberal.

[From the Los Angeles Herald-Examiner, Jan. 16, 1964]

BARRY, A VOTEGETTER

(By George Todt)

Not long ago I read in a Los Angeles metropolitan newspaper where a political writer—once close to the Eisenhower and Nixon campaign apparatus—stated rather pointedly that Ike is looking for a GOP candidate who can appeal to Democratic voters as well as those who label themselves Republican.

CHALLENGE TO IKE

If this be true, then it is wondrous to contemplate whether the former President has taken a good, second look at a dynamic young Senator who hails from a neighboring State just east of the Colorado River.

His name is BARRY GOLDWATER, general, and in a bailiwick which only has about 18 or 19 percent registered Republicans—he received 57 percent of the total Arizona vote in the 1958 election.

This meant, of course, that he must have had about two Democrats voting for him for every Republican who even lived in the Copper State.

Can any of the suggested candidates beat that, general? Anybody on the GOP side, I mean? And don't forget BARRY had Walter Reuther running against him, too.

In fact, Reuther threw the entire weight of his ADA (Americans for Democratic Action and COPE) political machine into the fray and vowed to purge BARRY GOLDWATER from political life after 1958. But nevertheless—he's still around.

Speaking in this vein, Senator CARL T. CURTIS, Republican, of Nebraska, had this to say when opening a new Goldwater headquarters in Pittsburgh, Pa., recently:

"Let us be practical," CURTIS told his receptive audience. "If we are to win, we must get votes from Democrats. In spite of the soothsaying propagandists—some of whom are in sheep's clothing—we cannot take any votes away from the New Frontier wing of the Democratic Party.

ALL LOCKED UP

"The bosses, along with the ADA and the other leftwing groups, have that segment of their party locked up tight. But if we are true to our basic GOP principles, we can get the votes of constitutional and conservative-minded Democrats.

"I define a conservative as one who wants to conserve the forces of progress. The vast majority of Republicans, and a large segment of the Democrats, are in this category. A campaign that will unite these groups will make victory possible. Senator GOLDWATER will conduct such a campaign."

The astute Nebraska Senator made it plain that the GOP must offer the electorate a clear choice—none of tweedle dee or tweedle dum. He indicated in forceful terms that there must be an alternative to the New Frontier program of creeping socialism, debts, and centralization of authority in Washington over every phase of human activity. Received an ovation.

MR. AMERICA

It was CURTIS' contention that GOLDWATER has caught the imagination and gained the loyalty of millions of young voters in the United States today. He called him "America's most popular individual" on the campus.

"In the election this fall," the Senator told his Pittsburgh audience, "we face an opposition that hasn't had a new idea since the thirties. The enlargement of government, centralization of power, pump priming, big spending, disregard for the letter and spirit of the Constitution, huge debts and deficits failed to solve our problems then—and will fail now."

[From the Los Angeles Herald-Examiner, January 13, 1964]

NEW OLD PROGRAMS

(By George Todt)

In his first trip to the plate, young Barry Goldwater, Jr., 25, scored a forensic home run with the Los Angeles County Young Republicans at the Ambassador Hotel recently. Sound fundamental thinking, same as papa. The youngster carried himself like an old pro and his dad would have been proud of his kid if he had seen him in action. Received a tremendous ovation from the YR's—and deserved it, too.

An analysis of his address reveals some penetrating insights into the body politic of the American Republic today. Here are a few choice samples:

NEW BRIBES

"Every day brings us news of some new program created to bribe the voting public with their own money. The new programs are never new, they are merely new names for antiquated socialistic ideas.

"There are two great forces, or philosophies, at work in the body politic today. There are personalities and policies which seek to increase the area of individual liberty—and there are those seeking to decrease the sphere of personal freedom.

"The venomous poisons of Karl Marx have unleashed upon mankind the largest hate group in history—international communism. This is the hate-filled doctrine which seeks to turn class against class, country against country and man against God.

"A political party is a failure unless it sticks to principle rather than expediency. We are more certain of victory next November if we put forward our best possible candidate rather than our most expedient compromise.

"Offered an opportunity to choose between basic philosophies in November, the American voter will select, not a personality, but rather a set of straightforward commonsense principles.

NO COMPROMISE

"After 25 years of firsthand observation, I can say with absolute certainty that my father will never sacrifice the principles of individual freedom and justice simply to buy votes.

"One of the most vital aspects of the rising tide for conservatism in our country today is its youthful image. It is this youthful initiative, drive, desire, and tenacity which will turn the tide of socialism. * * * After all, as young men and women, we are the ones who will suffer most from socialism. It is we who have the most to lose from reactionary welfare state plans.

ASSAULT ON LIBERTY

"As we look around the world today, we see a concentrated assault upon individual liberty and personal freedom of action taking place almost everywhere. The haunting specter of international communism casts its shadow over the lives of untold millions.

"At the same time, we find a diminishing apprehension of the dangers of centralized government in our own country * * * we hear the constant complaint that socialism is inevitable.

"The simple truth," Goldwater explained to his attentive audience, "is that socialism has always failed throughout all history. Every socialistic experiment has proven this fact: the only thing inevitable about socialism is that inevitably it does not work."

[From the Los Angeles Herald-Examiner, Jan. 6, 1964]

FOREIGN AID GIMMICK

(By George Todt)

It may come as a startling surprise to those who imagined our foreign aid bureaucrats were down to their last pinchful of green stuff—what with Congress handing them only $3 billion this time instead of the $4.5 billion originally requested—but guess what?

The hard-pressed bureaucrats have suddenly "discovered" $670 million in the till they must have forgotten about during negotiations with our boys on Capitol Hill. Praise and glory be, they have just "found" it.

WHY NOT BEFORE?

According to an Associated Press dispatch released shortly after passage of the controversial foreign aid bill recently:

"Officials of the Agency for International Development have found $669,876,000 still available from previously voted funds that were never committed or that have been recovered from unfulfilled projects."

We may wonder why this choice tidbit of information was not made available to the House and Senate during deliberations on the AID bill.

Perhaps it would not hurt to write our elected representatives and ask them why such data has a habit of cropping up after—never before—the voting has taken place. Why not ask some penetrating questions next time around?

As a matter of fact, I was told once upon a time not long ago by a highly respected Congressman that the foreign aid pipeline has enough billions in it to keep the program going a couple of years even without annual appropriations.

CUP RUNS OVER

Before Congress invests another dollar into questionable areas of little or no return to the American people, we ought to have an effective accounting of AID funds—without hocus pocus or doubletalk. Just the facts, Ma'am.

And if the dear old Department of State is too snooty to furnish our elected representatives with the proper arithmetic—then the latter should return the favor by withholding all funds until the data is available.

Foreign aid is setting a less-than-happy pace with the U.S. taxpayer since he received the bad news in the closing days of the last congressional huddle that he must now underwrite credit for Soviet wheat.

The administration may find out this was a costly mistake when Joe Doakes realizes he is now in a position to cough up funds to pay for Ivan's free wheat from America—if the Red supplicant decides later to renege.

WHAT HAPPENED?

This is not the way the wheat deal was outlined originally to the public. It was then supposed to be a cash-on-the-line gold transaction. "Whad hoppened, Dad?"

A top leader in the close fight in the Senate to prevent questionable extension of credit to the U.S.S.R. through use of the Export-Import Bank was sturdy Senator KARL MUNDT of South Dakota. He rates a salute.

Let's realize that financing our enemies will not win the cold war.

[From the Los Angeles Herald-Examiner, Dec. 31, 1963]

LET'S DO IT NOW

(By George Todt)

After today another year will have gone its way and whereby have we gained from it? Are we better off than before? What is different for us now? In what kind of coin in the realm of time shall we be rewarded?

For almost 50 years I have sat before the swinging doors of a small listening post on the outskirts of the sands of time—and the time was always now. Yesterday had invariably gone, tomorrow simply never came.

All I have ever known was now and my basic philosophy is built primarily upon the ever-present 24 hours. Take care of today and the tomorrows will take care of themselves. Don't live in the past or future—but the here and now.

BE PRACTICAL

It would be only too easy for the occasional weakminded reader to assume mistakenly I mean "Eat, drink, and be merry—for tomorrow you die."

Not so, as the overwhelming majority already know. The real idea is to be practical and keep our eyes observing the ground to avoid pitfalls—but constantly raising our sight to the stars for inspiration. Neat trick.

Today, the Republic of the United States is the fountainhead of power for the so-called "Western civilization." Is its flame a dying one, or will it maintain its fire for generations yet to come? Who knows?

But one thing must seem certain: if our way of life is to be protected and preserved, it is up to the present generation of Americans to accomplish the trying task in the days ahead of us. But are we equal to our destiny?

It would be most pleasant simply to say, "By all means, we can accomplish this work or any other—if we but set our minds to do so."

WE DID NOTHING

This is what everybody seems to expect. But I am not so sure we have it now. A few weeks ago the President of the United States was assassinated—in the arms of his beauteous wife—by a Red traitor.

I can understand the reasons why we may have restrained ourselves from going to a full-scale nuclear war with the Communist nations that spawned this evil travesty against human decency. But I fail to absorb our lack of indignation.

There are times when a people has every right to be angry. This was such a time in our history. Instead, we bleated like sheep or moonstruck cattle lowing in the field. And we apologized for our collective "guilt."

It was the most idiotic performance in American history and a sheer disgrace to the memory of a fine young American President who did not deserve to die at the hands of a murderous Communist assassin. We should have exploded.

I opposed John F. Kennedy on many issues of the day when he was alive, but he was my President and yours—and a man whom all of us would have done anything in our power to protect him from physical harm.

CHIPS ARE DOWN

So much so that I am certain many of his loyal opposition themselves, in addition to his closest party workers, would have volunteered gladly to take the Red bullet if it might have spared our Chief Executive.

There is no questioning the loyalty of the American people to their President—regardless of politics—when the chips are down.

Why did we permit neurotics to sell us their "self-incrimination" line?

PROPOSED TAX CREDIT FOR EDUCATION EXPENSES

Mr. MORSE. Mr. President, I have just received the following telegram from Mr. R. E. Lieuallen, the chancellor of the Oregon State System of Higher Education:

> My consideration of the income tax credit proposal which will be before Congress leads me to express my views to you. I believe the proposal to be definitely not in the best interests of public higher education or of families and students in lower income categories. In serving all qualified students, public higher education in America is facing unprecedented challenges, in which extensive help is needed to maintain education which is of comparable quality. Your concern in this matter is greatly appreciated.

This is not the only message along these lines that I received from school officials in the State of Oregon. But it expresses an opinion about the proposed tax credit for education expenses that I hold very strongly myself. Chancellor Lieuallen is quite right in pointing out that the amendment will make much more difficult the task of public education. Beyond that, I very much doubt that it will have a very beneficial effect upon parents, because it will result in an increase in tuitions that could wipe out much of the benefit to the taxpayer.

In short, this tax credit proposal is going to be of no value in helping to educate American youth. It is simply one more proposal for a tax break to one class of taxpayers. I am opposed to riddling the Internal Revenue Code any more than it is already riddled with special privileges. I shall oppose this amendment in every way I can if it is offered on the Senate floor.

THE ROLE OF GOVERNMENT IN PRESERVING FREEDOM

Mr. HRUSKA. Mr. President, Willard M. Wilson, native Nebraskan from Phelps County and onetime member of the Nebraska State Senate, is a longtime, perceptive observer of the Nation's political and economic scene. He has written and spoken on subjects in this field from time to time in many forums.

He was a winner of a Freedoms Foundation Award in 1960 for one of his excellent, well-thought-out speeches.

Recently he addressed the Scottish Rite reunion at its annual banquet in Omaha upon the invitation of its program chairman, Mr. Einar Viren, a longtime friend of Mr. Wilson, on the title, "One—Multiplied by Thousands." In this address, Mr. Wilson, who is now secretary of the American Petroleum Institute, made analyses of governmental, as well as business and economic matters, in a way clearly in keeping with his wide experience in these fields.

I ask unanimous consent that the text of this speech be printed in the Record.

There being no objection, the speech was ordered to be printed in the Record, as follows:

One—Multiplied by Thousands

(Public address by Willard M. Wilson, secretary, American Petroleum Institute, New York, N.Y.)

Government is always in the news. Today's front page stories relate to the coming elections, while a year ago the headlines concerned the Communist Khrushchev, who was visiting in this country.

One story of a year ago which received worldwide coverage was when Khrushchev was challenged on his statement that the Communists would "bury us." When initially asked about it, he deftly qualified his remarks to make the statement palatable for local consumption. You will remember he said that he had been speaking figuratively—they would outproduce us on the economic front.

Some people liked that answer. It was so consoling. They wouldn't have to worry, now that they knew what he intended.

But there was a sequel to that statement, which received practically no publicity. In June of this year Communist Khrushchev was visiting Rumania. At a public meeting there he referred to the fact that he had been questioned on this statement in the United States, and to the Rumanians he said the answer was: "Capitalism will dig its own grave."

What a difference there is in those two answers. The latest statement is undoubtedly the correct one. They intend, by their own words, to let us dig our own grave. How? It's the simplest thing in the world. Every freedom we lose is another spade of earth. When you dig a grave you only have to turn over one spadeful at a time.

Don't you think it's time to ask ourselves how many spadesful of earth we have turned over, or permitted to be turned over, in just the last generation? Shouldn't we also ask ourselves how many times we have silently stood at the graveside of one of our freedoms and consoled our grief by telling ourselves that, after all, there isn't much that one person can do about it.

You know as well as I do that there are endless examples of accomplishments of what one person can do. There isn't much point in listing them—I'm sure some of you would say "Let's be practical—one person can't do it."

We seem to have forgotten the simple lesson learned from parents when as children we complained that we could not do something—it was too hard. And a parent would say, "You can try, can't you?"

As adults we tell ourselves that there really isn't much one person can do about government—and yet, while we tell ourselves it cannot be done, there is an echo of the words of a wise father saying, "You can try, can't you?"

What can one person do? We do have the power of one—one multiplied by thousands who are willing to take a stand. That is what I want to talk about today.

We accept as a common truth that a child must learn to stand before it can walk, and it must walk before it learns to run. Can we not also accept the same common truth that each of us has a place in service toward government at some level—that we each must learn to participate—that we must have enough knowledge of government and of candidates to be able to wisely exercise our rights as citizens.

Take a lesson from history. Less than two centuries ago the issue was liberty with an emphasis on the rights of man, and then the torch of liberty was handed from one man to another and from father to son. It was taught by example.

Today the issue seems to be a race for space with an emphasis on science. And in the teaching of science we find it necessary to delegate to experts that which we are unable to teach. No one disputes the value of science nor the fact that experts must teach it. But what about the science of government—that spark of liberty which was handed from father to son. Can we justify delegating to others the teaching of something which is learned primarily by example?

Let us never forget that the real difference between Communist Russia and the United States is not in the field of pure science—not in the race for space—but rather in a philosophy of government. The only really lasting difference between these two countries is the issue of freedom—and if we lose our liberty it won't make much difference whether we win the race for space. If we win that scientific race, and destroy our philosophy of government, they will have won. We will have dug our own grave.

Usually when a speaker approaches the subject of government, he tells you what needs to be done and why it needs to be done. On rare occasions, he tells you how. I would like to discuss with you today—not theory—but rather the practical aspects of what you can do and how you can do it.

First of all, you have to determine what role you expect government to play. If we are going to ask government to do those things for industry which industry can do for itself; then recognize that someone is going to have to pay for it—and it is not someone else. If we expect government at each level to receive donations or services from the next higher level of government, then face up to it—it is going to cost.

There is no such thing as a free lunch.

Do not blame high taxes and excessive regulation on government unless you are willing to recognize the truth of Theodore Roosevelt's statement when he said, "The government is us, we are the government, you and I." Add to this the words of Woodrow Wilson, who said, "Freedom exists only where the people take care of government."

Now then, whose fault is it if government does things we do not like. That is something we would rather not talk about, is it not? We would rather talk about our rights—and our freedoms.

There is nothing wrong about talking of freedom, but let us remember—freedom does not consist of the "gimmies." Each freedom—each right—has a corollary duty—and to discuss one without the other is sheer folly.

Freedom is not a one-way road. It carries with it responsibility. Freedom is not a license to do what we want, when we want, without regard to our fellow man. Rights cannot be claimed unless duties are, at the same time, recognized.

Now I suppose you think that the next thing I am going to tell you is that you should talk to your legislator about your problems. How right you are. One thing sure—legislators cannot obtain their facts by looking into a crystal ball.

A legislator will do what he thinks the people want him to do. If he does not, they will elect someone who will. To do his job, he needs facts and he needs experts to furnish them. Sounds like theory? All right, then take just one everyday example.

Some of you in this room are producers. You know that 65 percent of all this country's total producing units are stripper or marginal wells, averaging only 3½ barrels of oil a day, yet collectively they account for 21 percent of all domestic production. And you know that the profit on many of these wells is figured in pennies—not dollars. The slightest change in any number of laws or regulations can make a large number of these wells unprofitable and you will have to close them down.

And yet you might say, "Everybody knows that." It may come as a surprise, but very few people know that. In fact, there are too many in the oil industry who do not know it. Then how can you expect a legislator, or any person in Government, to have this information at hand in deciding a related issue, unless you tell him.

Some of you fellows here are service station operators or jobbers. You have problems.

Yet you may believe that since most people see your service stations and trucks almost every day, they must know something about your business. Don't believe it. You are the expert in your business, and it requires a lot more expert knowledge than most people recognize. Of course you have problems, and we could spend all afternoon going over them, but it would only serve to illustrate the endless examples which can be given to prove that regardless of trade or industry, each person is an expert in his particular business or occupation and, as an expert, each person has information which others must have if they are to evaluate any proposal. And, more important, each person has a duty to communicate.

And this is as good a time as any to establish the place of a trade association in its work with government. Your membership in a trade association or a chamber of commerce does not relieve you of your individual responsibility. These organizations can, and do, keep you informed. They can, and do, assemble facts. But they are not your substitute. When they update Priscilla's advice to John Alden and say, "Speak for yourself, John"—you'd better do it. You're being called on as an expert.

But some people say, "I have never dealt with politicians or politics. How do I go about it?" Basically it's just commonsense. And here is how.

First of all, don't apologize. Your only reason for communicating is to give information so there may be a better understanding. You are not asking for a favor but rather, you are helping people in government do a better job.

Never under any circumstances lie to your legislator. What he needs is people he can trust all of the time. He has all the fair-weather friends he can handle.

Give him a pat on the back. You'll accomplish more than you will with a kick in the pants. The line of kickers is much too long already. Write him a letter and thank him for a job well done. There won't be many letters in that file in his office. By doing this you may encourage a good legislator to endure the beating it takes to run for office the next time—and you may help improve the legislator who isn't quite measuring up to the job in the way he should.

When your legislator is wrong, and sometimes he will be—first ask yourself this one question: "Did I help him reach a wrong decision by remaining silent—or by withholding information he needed? If I did, whose fault is that?

Don't threaten him. He has been threatened by experts, and if he is one of those rare birds who will yield to a threat, there are others who will see him later and outthreaten you. Besides, he won't last long if he yields to threats.

Don't tell him you are a citizen or a taxpayer. He knows the woods are full of them. If that's your only qualification for writing, then you have no more information than any other constituent.

Do not under any circumstances let others tell you what to say. If you do not know enough about a bill to give your own opinion in your own words, then find out what it's all about before you go around handing out free advice based on ignorance. The informed constituent is a gem. And there are too few gems writing letters to legislators.

Don't turn your back on a good public servant because he does one thing you don't like. If you will be honest, you will have to admit that, with the benefit of 20/10 vision on hindsight, you haven't done so well sometimes on decisions you have made.

Learn to communicate. One good factual letter is worth its weight in gold. I once saw a Governor's veto overridden by one letter written to a legislator. Written by a young man barely old enough to vote—a young fellow who had none of this so-called political influence. The letter was written in pencil on an ordinary tablet of paper. But it was eloquently simple—it was factual, and it showed how a law would apply to ordinary people. A Governor's veto was overridden. And I know—I was the legislator who received that letter.

There are other examples, and other "do's" and "don'ts"—and these and others apply not only to legislators, but to almost every elective and appointive office. It's principally commonsense.

Now, then, plans on what you can do after election may be fine—but we have the cart before the horse—these people are candidates before they are elected. Isn't that the place to start? It is—and it's the place where we really fall down.

Here again, however, commonsense applies. When a candidate is running for election, listen to his speeches. Read his material and that of his opponent. If you can talk to him, do so. And then make up your own mind on the man you believe will do the best job of making government a servant, rather than a master.

If you like a candidate, go to work for him with no expectation of personal benefit in any form. Work for him because you believe in those things for which he stands. Recognize that he probably has not seen his family for weeks, other than for a few minutes here and there. He's tired of traveling. He has talked until he is hoarse. He is spending money he should be saving for his children's education or his own retirement. The least you can do is to help a sincere man who really wants to serve.

On this platform today you are having the candidates from the two major parties, seeking election as Governor of the State of Illinois. One of these men will be your next Governor. Each of these men has worked and is working hard. Each of these men is convinced that he can do the better job in office, and each of these men wants you to know why. All they ask is that you listen and then vote as your conscience dictates. Is that asking too much?

As election day draws near, you will probably read in the papers that the political forecasters in Illinois have made estimates of what the total vote will be; and the forecasts will undoubtedly be conditioned on—of all things—the weather.

These candidates have traveled day and night for long distances in all kinds of weather. Isn't it ironic that the final result could depend on the weather? Not only in Illinois, but in every State.

Before we neglect to vote, shouldn't we put it in perspective by going back again in history and, in our mind's eye, visiting Washington at Valley Forge. To hear the wind and feel the bitter freezing of snow. To see for ourselves the inadequate food and clothing. How, then, with that stark picture in mind, could anyone say, "I'll vote on election day; that is, if the weather is not too bad."

Shades of Khrushchev. How many spades of earth have we turned over by neglecting to vote?

Elections are one thing—what about political and legislative issues? What do you do when someone asks you to take a position on a controversial issue?

If you're looking for an excuse you can find it. You might say, "I have a business. I just can't afford to be mixed up in it."

Spades of earth.

If you believe you can't afford to get mixed up in politics, then tell me—tell me how many unmarked graves are there in Germany—unmarked graves of those who at one time, when they had the power, could not afford to get mixed up in it?

And how many generations of hard-working people behind the Iron Curtain will continue to be blank numbers in a calculating machine of communism because their forefathers, when they had the power to take a stand, said they didn't want to be mixed up in it.

Will the day come when, through neglect of our freedom to take a position, we will no longer have the power to do so? One thing is sure, the quickest way to lose our freedoms down the rathole of communism, is to do nothing.

When we fail to vote we're destroying more than one election. We are destroying our form of government which gives us the freedom to vote.

By remaining silent when we should speak, we are not only depriving ourselves of one of our basic freedoms; we are taking the first sure step toward the destruction of a form of government which assures us of the freedom of speech.

Failure to preserve our rights—through failure to use—is one of the most damning indictments which could be leveled against us. And we can take little consolation in pointing a finger at the other fellow, because he may be more guilty than we.

Nor can we afford to mince words about those in our own industry, or other industries, who do not have the courage to take a stand on fundamental issues. And I do not mean just those issues of primary interest to an industry—I mean issues essential to the preservation of our freedoms.

. There is a place for diplomacy, but this is not the time or the place. This is a place to talk frankly and bluntly, so there can be no misunderstanding.

And I want to say just as bluntly as I can—that if the description fits any of you in this room today, then I am talking to you when I say:—If you intend to sit idly by, twiddling your thumbs and consoling yourself that no one man can change the picture, then I accuse you of active participation in the destruction of our freedoms because of selfishness, expediency, and complacency.

And I accuse you now.

Some of you feel that a speaker who talks this way is only asking to be unpopular. I'll let you in on a little secret. I am not running for a popularity contest.

If you are so concerned about being popular—if you are really too busy to take an interest in government—if you honestly feel that getting mixed up in politics is beneath your dignity, or may be bad for business—if that represents your opinion, then at least take the time to teach your children one thing. Teach them how to count in rubles—they'll need it with the kind of an inheritance you are leaving them.

Speaking of children, I am sure all of us in this room have known since childhood the story of the American Revolution, and how a comparatively few men, untrained, ill-equipped—believing in a cause—took a determined stand against what was then the most powerful nation in the world. And yet with that knowledge, and with that heritage, did you ever stop to think of how soft we have become when we shrug our shoulders and say, "You can't fight city hall."

Spades of earth! What would a soldier of the American Revolution say if he could talk to us?

If he could be on this platform today, would we hear something as the following—which might be titled:

"AN ECHO FROM VALLEY FORGE

"I gave you a birthright of freedom only in trust—and you are squandering it on a luxury labeled 'expediency.'

"I stood in snow without shoes to give you a right to vote—and you stay home on election day whenever the weather is bad.

"I left my family destitute so that you could have freedom of speech—and you remain silent because it might be bad for business.

"I orphaned my children to give you a government to serve you—and through neglect you permit it to become the master of your children."

If a soldier of the Revolutionary War could speak to us from this platform today, could he honestly say these things? Could other soldiers of later wars say them too?

We know they could.

And what then can we say, here today. How can we reply?

There is only one plea—that of guilty.

But we, here today—we can take this vow: This is the time—and this is the place—and we are the people who will take responsibility.

We know it is up to us. Each of us.

We each have the power of one, multiplied by thousands who are willing to take a stand.

And we take the stand that government is our business.

SURVEYS OF ELECTION TRENDS

Mr. HART. Mr. President, it is unusual to call attention to the surveys which are undertaken with increasing repetity as we move along in a national election year. The Detroit News poll of election trends has been one of those rare polls which most political observers of both political parties in Michigan have found to be useful, prepared without bias, and quite accurate over many years.

While I do not intend to make a practice of calling all the polls this year to the attention of my colleagues, this first Detroit News poll in the year 1964 has a message which I believe is especially important—important not in the sense of what the outcome of the November election may be, but important in showing a remarkable degree of support for the quality of presidential leadership President Johnson is giving our Nation.

From every segment of Michigan's diverse population, President Johnson is receiving a sizable vote of confidence in his program and his already proven ability to move into the world's most trying and challenging job.

It is for this reason I found special interest in the results, and would suggest my colleagues on both sides of the aisle consider these results as reflecting the support America is giving our President and the goals he urges us to achieve.

I ask unanimous consent to have the Detroit News poll printed in the RECORD.

There being no objection, the poll was ordered to be printed in the RECORD, as follows:

[From the Detroit News, Jan. 19, 1964]

JOHNSON LEADS NEWS POLL IN STATE

(By Richard W. Oudersluys)

President Johnson, a southerner, would sweep Michigan against any Republican challenger so far seriously discussed if the presidential election were held today.

The size of 'his lead' over any of the six Republicans tested against him in the first Detroit News Poll of 1964 is reminiscent of Franklin D. Roosevelt's landslide victory in the early days of the New Deal.

Governor Romney and Richard M. Nixon, the Republican nominee in 1960, topped the list of Republican entries and split honors on the basis of their showing against Johnson.

The figures: Johnson, 62.5 percent of the total vote to 20.1 percent for Romney; Johnson 65 percent, Nixon 20.7 percent.

The disparity between the sum of the percentages for contending entries and 100 percent is the present undecided vote.

The News poll also surprisingly disclosed that the two announced Republican presidential contenders in whom the party is showing so much interest run at the tag end of Michigan voter preferences as of now.

New York's Governor Nelson A. Rockefeller trailed the list of six entries in his showing against Mr. Johnson. Arizona's Senator BARRY GOLDWATER ran a poor fourth.

The figures: Johnson 69.5 percent, against 14.8 percent for Goldwater; Johnson 71.7 percent, Rockefeller 11.1 percent.

Henry Cabot Lodge, the Republican Party's 1960 vice presidential candidate in 1960, ran third, and Gov. William Scranton, of Pennsylvania, fifth.

The figures: Johnson 64.7 percent, Lodge 18.8 percent; Johnson 69.9 percent, Scranton 11.3 percent.

Political analysts have long speculated on how Mr. Johnson would run in a State where organized labor speaks strongly in his party. If Michigan can be assumed to be somewhat typical of such States, he presently would have no difficulty.

Organized labor's delegates at the 1960 convention opposed the nomination of Mr. Johnson, both for President and Vice President, until almost the end. Against his strongest opponent for the vote of semiskilled and unskilled workers, Romney, Mr. Johnson would take 69.8 percent of the vote.

Farmers in the rural Michigan districts turned in substantial margins for Mr. Johnson. No doubt, this can be accounted for by the Texan's conservative reputation.

HOLDS NEGRO VOTE

Another revelation of the poll is Mr. Johnson's ability to hold the normal Democratic strength among Negro voters. His majorities against the six Republicans ranged from 75.5 percent, against Scranton and GOLDWATER, to 71.8 percent, against Nixon.

Surprisingly, the long Rockefeller family devotion to aiding Negroes is not reflected in Rockefeller's vote. He received 5.5 percent to Mr. Johnson's 73.6 percent.

Mr. Johnson's popularity shows across all voter classifications. In every category of the vote analyses, he shows wide majorities against each of his possible challengers.

GOLDWATER, who is said to have strong support among the young voters, does not run as well in the 21–29 age group as does Nixon. Nixon pitted against Mr. Johnson, took 16.6 percent of that category to 9.9 for GOLDWATER.

THEORY CHALLENGED

The poll challenges the theory that GOLDWATER would be strongly supported by businessmen. GOLDWATER would take 17.4 percent of that group to 70.4 for Mr. Johnson.

What effect formal announcement of their candidacies would have on the standings of Romney, Nixon, Lodge, and Scranton could only be determined by a poll after the announcements were made.

The political scene can change as the conventions and the November elections near. Mr. Johnson still has to establish a record. He still is riding the crest of the late President Kennedy's popularity. The Republican campaign has yet to develop.

Organization of local and State tickets by political parties also will tend to shift or solidify interest in top candidates for both parties.

Future Detroit News polls will report these and other trends and changes throughout this election year.

MICHIGAN POLL

How poll rates Johnson and 6 in GOP

[From the Detroit News, Jan. 19, 1964]

	Lyndon B. Johnson	Henry Cabot Lodge	Lyndon B. Johnson	Richard Nixon	Lyndon B. Johnson	Nelson Rockefeller	Lyndon B. Johnson	William Scranton	Lyndon B. Johnson	Barry Goldwater	Lyndon B. Johnson	George Romney
Total	64.7	18.8	65.0	20.7	71.7	11.1	69.9	11.3	69.5	14.8	62.5	20.1
Wayne	73.6	13.1	72.1	14.8	77.5	8.4	76.8	9.9	75.8	11.4	67.6	15.8
Outstate	60.2	21.6	61.4	23.8	68.8	12.4	66.4	12.1	66.3	16.5	59.9	22.2
Rural	51.5	28.1	51.9	32.2	63.7	15.2	58.5	14.1	56.3	22.2	51.5	29.2
Urban	68.6	16.0	68.8	17.4	74.1	9.9	73.2	10.5	73.3	12.6	65.7	17.4
Male	64.9	18.7	64.4	22.5	70.9	12.6	68.3	14.5	68.0	17.1	61.1	22.2
Female	64.6	18.8	65.6	19.0	72.6	9.5	71.6	8.1	71.1	12.3	64.0	17.9
Married	64.7	18.2	65.3	20.7	72.0	10.7	69.8	11.4	69.5	14.3	62.8	20.3
Single	65.5	22.8	62.5	21.3	69.8	14.0	70.6	11.0	69.1	18.4	60.3	18.4
American-born white	63.7	20.6	63.9	22.9	71.4	11.7	69.3	12.0	68.8	15.8	61.2	21.7
Negro	72.7	.9	71.8	1.8	73.6	5.5	75.5	1.8	75.5	1.8	74.6	2.7
Foreign born	71.4	19.0	73.8	16.7	76.2	9.6	71.4	19.1	71.4	21.4	64.2	26.2
Own home	64.6	20.1	64.2	22.9	72.0	11.6	69.7	12.2	69.5	15.5	61.7	22.0
Rent home	65.7	10.2	69.9	7.2	69.9	7.8	71.1	6.0	69.3	10.2	67.5	7.8
21 to 29 years	72.2	14.7	72.8	16.6	78.8	8.6	76.8	9.9	75.5	9.9	68.9	13.9
30 to 39 years	63.0	20.4	67.1	20.4	74.3	10.4	72.4	11.0	72.4	12.9	66.5	17.3
40 to 49 years	65.9	16.5	64.5	19.4	73.8	7.6	72.0	6.8	72.0	10.6	62.0	20.0
50 to 59 years	66.1	16.3	64.7	18.6	68.8	11.6	68.8	10.7	67.0	14.4	62.3	21.0
60 years and over	57.7	26.8	56.0	30.3	60.6	20.6	56.6	22.8	57.2	30.9	50.9	29.7
Professional and technical	61.2	29.1	58.2	31.1	73.8	11.6	67.0	17.5	69.9	15.5	59.2	28.2
Farmowners	49.0	27.9	49.0	30.9	58.3	15.7	54.4	14.7	52.4	22.1	48.5	29.4
Managers	63.5	20.9	62.6	22.6	73.9	9.6	70.4	13.9	70.4	17.4	59.1	26.1
Clerical workers	64.5	21.1	62.7	22.9	71.1	10.9	67.5	15.7	69.3	15.1	56.6	24.1
Skilled craftsmen and foremen	75.4	9.0	74.9	10.9	78.7	7.6	81.0	5.7	78.2	9.0	73.5	11.9
Semiskilled and unskilled workers	70.6	10.7	75.4	10.7	74.2	8.3	75.8	5.2	75.8	8.0	69.8	10.3
Farm labor	54.5	30.3	51.5	42.4	75.8	18.2	69.7	15.2	69.7	21.2	60.6	30.3
Retired	64.1	24.4	64.1	28.2	69.2	19.2	64.1	16.7	65.4	26.9	61.5	21.8
Unemployed	75.7	10.8	75.7	10.8	81.1	5.4	81.1	8.1	75.7	10.8	75.7	10.8

NOTE.—Voting percentages of the 6 races do not add to 100 percent because of the undecided vote.

OUTDOOR RECREATION—KEY TO A MORE ENJOYABLE LIFE

Mr. HART. Mr. President, Mr. Thomas L. Kimball, executive director of the National Wildlife Federation, recently spoke before the Michigan Bear Hunters Association at Lake City, Mich.

His presentation is an excellent review of the important conservation and wildlife issues now before both the National Government and the State of Michigan.

Mr. Kimball has some important things to say about outdoor recreation, river basin development, water pollution control, and the preservation of shorelines. I believe his remarks will be of wide interest and I therefore ask unanimous consent that they be printed in the RECORD.

There being no objection, the address was ordered to be printed in the RECORD, as follows:

OUTDOOR RECREATION—KEY TO A MORE ENJOYABLE LIFE

(Presentation by Thomas L. Kimball, executive director, National Wildlife Federation, before the convention of the Michigan Bear Hunters' Association, Inc., January 18, 1964, at Lake City, Mich.)

Outdoor recreation, in the broadest sense of the term, is America's favorite pastime. According to the Outdoor Recreation Resources Review Commission report, about 90 percent of our adult population engages in one or more outdoor recreation pursuits in the course of a year. Most of these activities center around water, with about 45 percent of the adults participating in swimming, 40 percent in fishing, and 30 percent in boating. Skiing and horseback riding rank lowest among the 11 activities studied and were engaged in by less than 10 percent of the adults probably because they require so much more in terms of skill, energy, and money. It seems almost everyone desires to engage in more outdoor recreation activity than they currently enjoy, but are prevented by three major factors: lack of time, money, and facilities.

The analysis of outdoor recreation participation by socioeconomic groups pointed out that. when particular activities are compared, there are distinct regional preferences. Swimming and boating are especially popular in the northeast while hunting is distinctly less popular there than in other regions. Fishing is most popular in the South, skiing in the Northeast. Hunting, camping and hiking have far more adherents in the West than in any other portion of the country. Sociologists conclude that outdoor recreation plays an increasingly important social role in the life of the American people, with the inevitable result of increasing and intensified participation in most phases of outdoor recreation.

The desire to travel appears strong and widespread among persons from all walks of life. Nearly half of all American families take a vacation trip each year.

In addition, over a fifth of all families take weekend trips planned around outdoor recreation activities. Practically all families interviewed during the course of the ORRRC survey expressed a desire to travel and participate in some form of outdoor activity. The majority of vacationers, 64 percent to be exact, engage in specific outdoor recreation activities on their trips and many engage in two or more such experiences.

Informal living, which has been characterized by the great American middle class, has been identified by participation in outdoor recreation activity. Some 70 percent of the U.S. population are now classed as urban dwellers, but the great trend has been toward suburban housing developments and nonconventionality.

There is no evidence that living in the suburbs or having a large yard diminishes people's interest in outdoor recreation away from home. The relatively high frequency of outdoor recreation away from home in the West suggests that better facilities and improved opportunities in themselves lead to greater participation by people from all walks of life.

Nearly one-fifth of all American adults visited a Federal or State park or recreation area while away from home on one or several weekend vacation trips during the 12-month survey period. Water activities as well as camping are engaged in more frequently on weekend park visits than on vacation trips. One in 6 American adults went camping during the survey year and 1 in 11 expressed a desire to do so in the future. The two major motivations for going camping seemed to be the need for a change from the formalities of year-round urban living and a compelling desire to return to nature and enjoy the out-of-doors.

America's economy continues to move ahead and it is becoming increasingly evident that personal incomes will continue to rise, benefiting a much larger segment of the populace. There is also little question that ever-increasing leisure time will accrue to the average American as a result of the industrial-technological revolution.

Probably the most significant conclusion reached by the President's Outdoor Recreation Resources Review Commission was the unqualified recommendation that the acquisition of land and water areas and other outdoor recreational facilities be accomplished now. This is urgent if the present quality of outdoor recreation opportunity is to be maintained and plans to meet future needs adequately developed. A review, then, of national conservation issues and programs is in order in an effort to visualize how effectively we are meeting the challenge.

During the last session of Congress, Public Law 88-29 was placed on the statute books. This has been described as the organic act for the new Federal Bureau of Outdoor Recreation. The purpose of this act was described as a means to meet the Nation's present and future outdoor recreation needs.

H.R. 3846, the Land and Water Conservation Fund Act of 1963, was designed to provide the money—some $200 million per year for at least 8 years—to implement the organic act and to assist State and local governments in the planning, land acquisition, and development of outdoor recreation resources. The fund would be created from three sources of revenue: receipts from the sale of Federal surplus real property, receipts from the existing 4 cents per gallon Federal tax on motorboat fuels, and revenues from a new system of recreation user fees charged on Federal recreation areas.

The bill has been reported favorably by the House Interior and Insular Affairs Committee and is now awaiting its place on the House of Representatives' calendar. The first hurdle is the House Rules Committee. Considerable opposition to the measure is coming from commercial water users, forest industry groups, and certain recreationists who are reluctant to pay any user fee even for the privilege of using facilities developed at Government expense, even though a general entrance fee proposal has long been discarded as unacceptable. The old fallacy of expecting to get something for nothing, particularly if Uncle Sam pays for it, will probably either delay the bill or possibly eventually prevent its enactment.

It is estimated that $200 million annually would be funneled into State and Federal outdoor recreation planning and development programs if the fund bill is enacted in its present form. Michigan's estimated share would be approximately $3 million annually in Federal funds. It would do for outdoor recreation, in its broadest sense, what the Pittman-Robertson and Dingell-Johnson Acts have done for hunting and fishing. Without it, there is little hope for meeting present demands and no possibility of even talking about future needs.

Comprehensive river-basin planning for the development of our water resources is another important resource problem the Nation has been struggling with for many years. The Senate Select Committee on Water Resources recommended a water resources planning act contained in the provisions of S. 1111. This proposed legislation provides that planning for the conservation, development, and utilization of water resources be conducted on a comprehensive and coordinated basis with the cooperation of all affected Federal agencies, State, and local governments representing all resources concerned with water use including fish, wildlife, and recreation.

Although practically all of the more expensive water-control structures are constructed by Federal agencies, the States have been the principal opponents to this type of legislation for fear of abrogating some of the States rights over control of the water. Although most of the proposed bills maintain the status quo in the Federal versus States rights water question, opposition to the measure from the Federal construction agencies still exists. In the meantime, the U.S. Army Corps of Engineers and the Bureau of Reclamation not only continue to do the planning of most river-basin developments, but frequently do not even present alternative suggestions for the Congress to consider and, more often than not, fail to give adequate recognition to all resource values in the planning effort.

Water pollution continues as a national disgrace. As of January 1, 1963, there were 5,831 communities serving 35,800,000 people which had no or inadequate sewage treatment facilities. There has been very little, if any, attempt to control industrial pollution which continues in direct proportion to our need to supply an ever-increasing citizenry with all of the basic needs, luxuries, and gadgetry of a people possessing the highest standard of living in the world.

S. 649 recently passed the Senate and is now being considered by the House Public Works Committee. In essence, the bill upgrades the Division of Water Supply and Pollution Control of the Public Health Service by creating an independent authority within the Department of Health, Education, and Welfare, with improved authority to act in water pollution cases. Members of Congress, as well as most national conservation organizations, have not been at all satisfied with accomplishments of the U.S. Public Health Service in the water pollution abatement field. Medical doctors in the Federal service are primarily interested in research and treatment of the many dread diseases with which mankind is currently afflicted. Public Health Service has done an outstanding job in this field of responsibility and receives unparalleled financial assistance and moral support and praise from Members of Congress and the public.

Contrariwise, the enforcement of water pollution laws has proved extremely difficult and as messy as the filth which is poured continuously and in ever-increasing quantities into our waterways. It costs cities and industries tremendous sums of money to adequately treat their effluents and far too many pull out all stops in their attempts to prevent being forced into an effective cleanup program.

It appears to most conservationists that the Public Health Service's attitude and policy has been to take no positive action to abate pollution where water, no matter how much filth it carries, can be filtered, chlorinated, and when used does not cause any epidemics or infectious diseases in the human population. Forgotten is the enforcement of water quality standards necessary to maintain aquatic organisms essential to fish life. Forgotten are odor and bacterial count standards preeminently required for water-oriented outdoor recreation activities such as boating, swimming, water skiing, picnicking, etc. In fact, medical doctors have proved to the satisfaction of a good many national conservation organizations that they do not have the interest nor the inclination to develop quality standards necessary to protect the entire spectrum of water users, particularly fish, wildlife, and outdoor recreation; nor do they have the intestinal fortitude that it takes in the rough and tough enforcement actions necessary to clean up our water supply.

The great State of Michigan is now in the throes of State government reorganization and consolidation. There is the question of whether the Michigan Water Resources Commission should be placed in the department of health or the department of natural resources. As an outsider, with a definite interest in water pollution abatement problems, let me put in my two bits' worth. For the same reasons mentioned previously at the Federal level, your water resources commission should be a part of the conservation, or newly proposed natural resources department. To place the responsibility for the management of this vital and most precious resource in the health department is subordinating its importance to a myriad of public health problems not related to the critical problem of providing the State of Michigan clean water for a multiplicity of uses. Experience has shown that a water resource agency expecting to properly manage and conserve this fundamental resource must possess and maintain the following characteristics:

1. A good basic law containing complete authority to manage water resources. My definition of a good basic law does not include dividing water pollution abatement authority between the health department for municipal sewage and a water resources commission for the control of industrial pollution. They should be together in an independent agency.

2. An independent commission comprised of individuals who have proved by demonstrated interest and capability that they are dedicated to the concept of water clean enough for all legitimate uses.

3. A commission free from petty personal or partisan politics and not dominated by the pollutors.

4. A definite, positive, aggressive pollution abatement program complete with effective enforcement procedures staffed by dedicated personnel who are not more concerned about retirement than clean waterways.

5. Sufficient public interest and support of a clean water program. No agency of government can move any faster than public opinion will support.

Let's not have a type of commission that is fearful of moving into the large urban areas where municipal and industrial pollution is a problem. Let's not have a Detroit versus Lansing detente. Pollutors are the only beneficiary to such a shortsighted policy. For example, there is really no legitimate reason why the people of Detroit should not be able to swim on the incomparable beaches of Sterling State Park. All that is needed is a demand by a majority of the Detroit residents that they want the city to effectively treat all sewage and for the large industries of Wayne County to eliminate their present contribution to water pollution.

One of the principal objectives of the National Wildlife Federation is to promote and support a comprehensive educational program for wildlife management based upon competent technical research information obtained by appropriately and adequately educated and trained scientists. No one can explain the complexities of the human mind that will accept without question the advice of a medical doctor, or a qualified lawyer, but cannot accept the advice of the professional wildlife biologist, equally as well trained and competent in his field of endeavor.

The proper management of our deer herds is a case in point. As with all living creatures, the development and maintenance of suitable environment plays the paramount role in preserving continuing stable populations. When the loggers clear cut thousands of acres of virgin timber in the Lake States, the new succulent growth of readily available forage of new trees and shrubs produced deer habitat par excellence. Deer populations increased to fantastic proportions. Wildlife experts are uniformly convinced that while season and bag limits, the buck law, effective law enforcement, and predator control all played a part in the deer population explosion, the primary credit for the increase must be given to an improved environment.

As of 1964, a good many States are still enjoying the myriad benefits of a substantial deer population. How long such a desirable condition will remain will be directly proportional to the excellence and competence of deer management. Most States, and I include Michigan in this category, within the next decade must be satisfied with deer populations somewhat below even present levels. The problem again is one of habitat, principally the production of forage in sufficient available quantity to support current deer populations. Increasing herds usually consume more browse than is produced during the growing season. Succeeding years of overbrowsing reduce further the forage production capacity. The obvious problem to the professional wildlifer is to adjust the deer population to the sustained deer food production capacity of the environment. Balancing the number of deer with their food supply is invariably accomplished either by the reasoning and intelligence of man or by the relentless power of mother nature. An increased harvest of deer by sportsmen, usually requiring the taking of either sex, is one way. This choice provides infinitely more enjoyment and pleasure afield for the hunter, adds more protein to American tables, contributes more materially to the general economy, and, most importantly, provides a satisfactory, stable deer population producing a continuing harvestable crop.

The other choice is to take deer management away from the professional and leave it to the cruel and relentless law of mother nature. Lack of adequate winter food supplies inevitably results in malnutrition, disease and starvation, undernourished and impoverished animals, smaller in size with ever-decreasing reproductive potentials.

Let me make a strong plea for public recognition of the value of scientific wildlife management and a recognition by sportsmen everywhere that the wildlife technician is a professional in the field of wildlife management and is due the same respect, recognition, and consideration of his services, conclusions, and recommendations as the doctor, lawyer, or other professional. This statement reminds me of the story of the space scientist who reported to a group of interested persons that from his space studies he had concluded that other planets may not be able to support life. Whereupon one of the struggling young scientists replied that "it's not exactly easy to support life on this one." Likewise it is not always easy to support scientific wildlife management.

Elk in Michigan need management by the commission and department technicians for the same reasons other wildlife must be managed to prosper. I was shocked to learn that the intelligent and knowledgeable people of Michigan have permitted $3,264,005 of your game and fish money to be wasted in the payment of predatory animal bounties during the period from 1935 to 1961. This is not scientific management of a great renewable resource. At best, it is a sop to the financial doldrums of rural America, and, at worst, a complete waste of sportsmen's money at the expense of meeting today's wildlife problems and tomorrow's outdoor recreation challenges.

Michigan is a State blessed with a superabundance of valuable natural resources and an educational system nationally recognized for its capability in training technicians in this field. Your Michigan Department of Conservation enjoys an international reputation as one of the best in the complex business of natural resource management. Of special interest, therefore, was the report of the Special Citizens' Committee appointed by your Governor to review the operations and organization of your commission and department and to arrive at conclusions and recommendations designed to guide the executive and legislative branches of Michigan State government in their deliberations in reframing the constitution. Frankly, I was well pleased with most of the general recommendations, particularly that the name of the conservation commission be changed to the natural resources commission. The most important and significant part of the report contained a recommendation that the department's financial and policymaking authority and responsibility remain under a nonpartisan commission of unsalaried citizens appointed for staggered terms of office and with the power to appoint a director. The top authority in most game, fish or conservation departments in the United States is vested in citizens' commissions, groups of laymen who usually have other part-time or full-time employment and who are appointed to act in a fiduciary capacity. It is generally acknowledged that while the commission in meeting assembled with a quorum present possesses the ultimate policymaking authority, the most powerful individuals in such an organization are the career officials. Their training and experience, coupled with expert knowledge in the resource field and working full-time at their assignments, invariably enables them in most instances to prevail over the less well-informed laymen. In order to have continuity of planning, stability of personnel and program, as well as scientific management of public resources, such a policy development procedure is imperative if public resources are to be managed wisely in the public interest.

The other alternative is to entrust conservation policy determination to a single politically appointed administrator. The committee very judiciously rejected this approach, primarily on the basis that one individual should not be entrusted with the custody of such a treasure house of valuable resources as Michigan possesses. A single administrator, no matter how well qualified, has his limitations. He has a specific type of personality; he is apt to have training and experience in only one or two fields which will dictate his primary interest. Political consideration will undoubtedly take precedence over capability in naming the administrator and, in the final analysis, Governors and their appointees are more apt to base policy decisions on how such a decision would influence election returns rather than on resource management needs in the overall public interest.

The trend during the past 30 years in the professional field has been toward specialization, and the conservative technician has been no exception. The staff of a modern conservation department is apt to have law enforcement officers, predator and bird control specialists, research technicians in a wide variety of fields, information, education and public relation specialists, foresters, fire control officers, outdoor recreation planners, and others too numerous to mention. Such an army of specialists tends to create problems, principally financial. Many departments are now finding it most difficult to obtain sufficient money to support specialists in quantity at all levels of department operation. As a consequence, interdivision rivalries have sprung up. Each division is fighting for a larger share of the budget, the decisionmaking process is slowed and it becomes increasingly difficult to develop long-range coordinated plans.

Our institutions of higher learning are now turning out resource managers better qualified and equipped to handle a multiplicity of conservation problems. The trend now is toward a multiple-purpose employee at the field level, capable of enforcing the law, controlling nuisance animals, fighting forest fires, aiding the researchers in gathering data, speaking authoritatively on conservation matters before service clubs, writing the newsletter and a myriad of other jobs a modern conservation department will be required to handle. Specialists at the regional and central headquarters can provide the necessary planning and assistance in policy recommendations, as well as filling in the gaps of a fieldman's knowledge, by a carefully planned and forcefully executed inservice training program.

In a democracy such as ours, public agencies move only as far and as fast as public opinion will allow. Many conservation battles have been lost by default because of public apathy. The organized citizens' groups such as yours and mine, well informed and united in purpose and action, are responsible for considerable progress in the conservation field. I am proud to say the NWF has in the Michigan United Conservation Clubs one of the most active, best organized, and effective State affiliates in the country. MUCC has given the National Wildlife Federation a most respected and capable national president, an outstanding and distinguished regional director, competent and effective affiliate representatives, officers and members. Unity in purpose and action is the formula for influencing conservation affairs for the common good.

This type of cooperation is exemplified by work on proposals to establish the Sleeping Bear Dunes National Lakeshore. I know how hard the Michigan Bear Hunters' Association and MUCC have worked with the Michigan Conservation Commission and Senator HART and others on the important precedent relating to hunting and fishing. As you know, recreational hunting is not permitted in Federal Parks or Monuments. Many of us have worked hard to have hunting and fishing in the new national seashores and lakeshores. Through your efforts here in Michigan, coordinated with those of national groups, we now have a provision in the Sleeping Bear bill which says that "hunting and fishing shall be permitted in accordance with State law." Exclusion of certain areas from hunting and fishing for reasons of public safety can be made "after consultation with the Michigan Department of Conservation." In short, we think this is an important victory and one in which everyone concerned can be congratulated.

The Michigan Bear Hunters' Association should be affiliated with MUCC, or if this is not possible, at least continue to work together in matters of mutual concern. A visitor once commented to Neils Bohr, the famous atomic scientist and Nobel Prize winner, "I'm surprised to see you have a horseshoe hanging over your door. Do you, a man dedicated to science, believe in that superstition?" "Of course not," smiled Bohr, "but I have been told that it is supposed to be lucky whether you believe it or not."

Whether you bear hunters believe it or not, it will be a lucky day for all of us when we stand united on the many conservation issues which confront your State and the Nation today.

SLEEPING BEAR DUNES NATIONAL LAKESHORE AREA

Mr. HART. Mr. President, on December 19, the Senate passed and sent to the House the Sleeping Bear Dunes National Lakeshore bill, S. 792. It is my hope that the House Interior Committee will give it early consideration.

There has been a good deal of favorable comment in Michigan on the bill as passed by the Senate. I ask unanimous consent that editorials from Michigan Out-of-Doors, the official publication of the Michigan-United Conservation Clubs; the Ann Arbor News, and the Lansing State Journal be printed in the RECORD. I also ask unanimous consent that the text of the bill, as passed by the Senate, be printed in full in the RECORD.

There being no objection, the editorials and bill were ordered to be printed in the RECORD, as follows:

[From Michigan Out-of-Doors, January 1964]

PERSEVERANCE

A bill providing for the establishment of a Sleeping Bear Dunes National Lakeshore area in northwestern Michigan has been passed by the Senate, due largely to the dedicated perseverance of one man.

The struggle to preserve this uniquely beautiful area for all the people for all time is not yet over. The Senate proposal for an area of 47,600 acres faces rough going in the House of Representatives, which holds a proposal recommending a much smaller preserve.

But it is hoped that the holiday season was the brighter for Senator PHILIP HART for this breakthrough after his years of untiring work. Those who tend to quit when the going gets tough can gain inspiration from his performance.

The bill that passed the Senate, S. 792, was the fourth dunes bill Senator HART had submitted. He had rewritten, he had compromised. In Michigan and Washington, he patiently and graciously worked year after year to find reasonable solutions to honest differences.

The bill, obviously, is not perfect—nothing in this world is. No one faction received all it wanted. But the heart of successful government is the art of compromise, of achieving a workable alternative to differing points of view.

And we can no longer see justification for opposing the Sleeping Bear Dunes proposal of Senator HART.

We can see an excellent opportunity for Representative Robert P. Griffin to enhance his own reputation by foresaking partisan politics and helping to guide through the House this compromise bill for a much-needed area.

Prime recreation areas, already scarce, are rapidly disappearing into private ownership, under the mills of industry and beneath the smothering concrete of our spreading highways. Existing parks are overcrowded now. If we do not make farsighted provision now, our children will not be able to enjoy the outdoors we love and revere.

The economic implications are tremendous. Tourism is today Michigan's second largest industry and growing. Our State can be viewed as a recreational triangle, funneling our citizens and people from States south of us northward—north straight to Canada on our superhighways.

What will keep these tourists in Michigan? Outstanding national lakeshore areas at Sleeping Bear Dunes and at Pictured Rocks in the Upper Peninsula, Senator Hart points out, will attract these visitors as nothing else could.

The State owes a great debt of gratitude to Senator Hart for his vision and perseverance. We wish him continued success in the new year.

[From the Ann Arbor (Mich.) News, Dec. 21, 1963]

From Our Point of View: Dunes Bill Compromise Is Reasonable Solution

Senator Alan Bible's optimism may prove to be premature, but it came as a welcome surprise anyway.

"I think we have eliminated most of the controversy from this project," he said when the Senate Public Lands Subcommittee approved a compromise plan for creating Sleeping Bear Dunes National Seashore. Bible, chairman of the subcommittee, correctly predicted that the Senate would pass the compromise before going home for Christmas.

The plan now before the House Interior and Insular Affairs Committee (Representative Wayne N. Aspinall, Democrat, of Colorado, is chairman) is a compromise between the small park plan sponsored by Representative Robert P. Griffin, Republican, of Traverse City, and the large-acreage plan sponsored by Michigan's Senator Philip A. Hart. Representative Neil Staebler, Democrat, of Ann Arbor, has in the House a bill identical to Hart's. Understandably, Hart, Staebler, and varied conservation groups, are more pleased than is Griffin with the subcommittee's compromise.

Hart has had two main goals in sponsoring the dunes bill, while Griffin has had just one.

Griffin's bill is designed to preserve part of the Lake Michigan shoreline without extending any coverage to inland areas. Along with many residents of Benzie and Leelanau Counties, he has rejected the argument that certain inland areas must be protected if a park along the shoreline is to have any lasting value.

Without some Federal protection to maintain existing land uses for some distance inland, the area bordering the park would be in danger of being taken over by billboards, roadside zoos, motels, and other such promotions. Township zoning ordinances alone simply could not protect local residents against this once the national seashore becomes a popular tourist attraction.

Fortunately, this was realized by Bible's subcommittee, to a degree. Its proposal calls for a winding drive along the ridges of the highlands around the inland lakes just west of the Sleeping Bear. This will preserve the best scenic overlooks, and accomplish the second main purpose of Hart's bill. At least there will be no motels or billboards towering over the dunes.

Looking at a map of the compromise plan, it is easy to predict where roadside zoos and comparable "tourist bait" will appear: There is a 3-mile stretch of M–22 in northern Benzie County where only the west side of the road would be in the park. The compromise plan would carry the park at least a few hundred feet east of M–22 over most of its length, and it should be easy to eliminate this one weak point. The National Park Service is likely to insist on such a change before accepting the land.

The compromise bill, unlike Hart's bill, does not cover lands occupied by private cottages around the inland lakes. This change undoubtedly was necessary to get any sort of bill out of committee. A misleading campaign conducted by certain opponents of the project and supported by some news media, has convinced some local residents the Federal Government wants to socialize their land. The truth about Hart's bill is quite different. But having failed for 2 years to get the facts across, supporters of the dunes project had to conclude this could never be done. Hart has accepted this compromise wthout quibbling.

Other Members of Congress should do the same. The Midwest is much in need of additional park facilities.

[From the Lansing (Mich.) State Journal, Dec. 15, 1963]

Sleeping Bear Dunes Bill Passage Seen

Although the original proposal has been whittled down considerably, Senator Philip A. Hart, Democrat, of Michigan, expresses himself as "very happy" with the compromise Sleeping Bear Dunes national seashore bill approved last week by the Senate Interior Committee.

The first measure was cosponsored by Michigan's other Democratic Senator, Patrick McNamara. It proposed that 77,000 acres, including 1,587 cottages and other structures, be included in the national park along the Lake Michigan shore west of Traverse City.

The scaled-down version includes 42,000 acres of mainland property and the 5,000-acre South Manitou Island. Only 288 structures are now involved.

Senator Hart pointed out that the compromise bill provides for a 33-mile shoreline in the proposed park, about a mile more than he sought in his original bill. The mainland acreage is contained in a shoreline strip extending 1 or 2 miles inland.

The 30,000 acres deleted from Senator Hart's original plan include Glen and Platte Lakes, where owners of summer cottages and year-round homes have formed the backbone of the opposition to the Sleeping Bear Dunes park project.

A leader of the Sleeping Bear Dunes Citizen Council regards the compromise bill as an improvement but he points out that it still permits condemnation of private property. He contends the Federal Government should not confiscate property for recreational purposes.

Senator Hart has forecast passage of the compromise measure by the Senate before Christmas. There are indications, however, that the bill will not have an easy time in the House.

Having tasted a measure of victory, it is to be expected that the Sleeping Bear Dunes Citizens Council will continue its fight. The council's objection is to the principle of the Federal Government condemning private property for recreational purposes. In taking this tack, however, it appears the council members ignore the fact that the Government in times past has condemned private property to build the concrete highways to the dunes country. These highways make it possible for them to reach their summer cottages in shorter time and enjoy longer periods of recreation.

Actually, the condemnation of the 288 structures involved in the revised proposal is not as drastic as it is made to appear.

According to Senator Alan Bible, Democrat, of Nevada, chairman of the Senate Interior Subcommittee, the Cape Cod formula, used on the Massachusetts seashore project, would be applied to acquire the property involved in the Sleeping Bear Dunes park proposal.

Under this formula, property may be held in private ownership so long as zoning regulations are adhered to, or the property may be sold to the Federal Government with private occupancy to continue for 25 years or for the owner's lifetime.

When the Cape Cod Seashore Park was proposed, similar opposition was encountered from owners of private property. The Cape Cod project involves about 25,000 acres of land, 50 miles of beaches and about 300 private structures.

The National Park Service is now engaged in acquiring the Cape Cod seashore properties that owners are willing to sell. According to Charles H. Foster, Massachusetts State commissioner of natural resources, there has been no complaint regarding the prices paid by the Government. In fact, some payments proved more than the owners expected.

In Massachusetts, there appears now to be a more general acceptance of the idea that public recreation areas must be expanded to meet the needs of a rapidly growing population.

Similarly, in Michigan, there is a need for additional public recreational areas. The natural tendency on the part of the people living in Detroit and other industrial cities is to hie northward to the open spaces. The proposed Sleeping Bear Dunes Park fits well into this recreational picture and it is to be hoped that the scaled-down project will ultimately win congressional approval.

S. 792—An Act To establish in the State of Michigan the Sleeping Bear Dunes National Lakeshore, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) in order to stabilize and preserve for the benefit, inspiration, education, recreational use, and enjoyment of the public a significant portion of the diminishing shoreline of the United States and its related geographic and scientific features, the Secretary of the Interior (hereinafter referred to as the "Secretary") is authorized to take appropriate action, as herein provided, to establish in the State of Michigan the Sleeping Bear Dunes National Lakeshore.

(b) In preserving the lakeshore and stabilizing its development, substantial reliance shall be placed on cooperation between Federal, State, and local governments to apply sound principles of land use planning and zoning. In developing the lakeshore full recognition shall be given to protecting the private properties for the enjoyment of the owners.

Sec. 2. The area comprising that particular land and water described in section 12 of this Act and generally depicted in a map identified as NPS–101–SB which is on file in the office of the National Park Service of the Department of the Interior, is hereby designated for establishment as the Sleeping Bear Dunes National Lakeshore.

Sec. 3. As soon as practicable after the date of enactment of this Act and following the acquisition by the Secretary of an acreage within the boundaries of the area designated for inclusion in the lakeshore which in his opinion is efficiently administrable for the purposes of this Act, he shall establish the Sleeping Bear Dunes National Lakeshore by publication of notice thereof in the Federal Register.

Sec. 4. (a) There is hereby established a Sleeping Bear Dunes National Lakeshore Advisory Commission.

(b) The Commission shall be composed of ten members, each appointed for a term of two years by the Secretary, as follows:

(1) Four members to be appointed from recommendations made by the counties in which the lakeshore is situated, two members to represent each such county;

(2) Four members to be appointed from recommendations made by the Governor of the State of Michigan; and

(3) Two members to be designated by the Secretary.

(c) The Secretary shall designate one member to be Chairman. Any vacancy in the Commission shall be filled in the same manner in which the original appointment was made.

(d) A member of the Commission shall serve without compensation as such. The Secretary is authorized to pay the expenses reasonably incurred by the Commission in carrying out its responsibilities under this Act on vouchers signed by the Chairman.

(e) The Secretary or his designee shall consult with the Commission with respect to matters relating to the development of the lakeshore and with respect to the provisions of sections 9, 12, and 13 of this Act.

(f) Any member of the Commission appointed under this Act shall be exempted, with respect to such appointment, from the operation of sections 281, 283, 284, and 1914 of title 18 of the United States Code and section 190 of the Revised Statutes (5 U.S.C. 99), except as otherwise specified in subsection (g) of this section.

(g) The exemption granted by subsection (f) of this section shall not extend—

(1) to the receipt or payment of salary in connection with the appointee's Government service from any other source other than the private employer of the appointee at the time of his appointment; or

(2) during the period of such appointment, and the further period of two years after the termination thereof, to the prosecution or participation in the prosecution, by any person so appointed, of any claim against the Government involving any matter concerning which the appointee had any responsibility arising out of his appointment during the period of such appointment.

SEC. 5. In administering the lakeshore the Secretary shall permit hunting and fishing on lands and waters under his jurisdiction in accordance with the laws of Michigan. The Secretary, after consultation with the Michigan Department of Conservation, may designate zones and establish periods where and when no hunting shall be permitted for reasons of public safety, administration, or public use and enjoyment and issue regulations, consistent with this section, as he may determine necessary to carry out the purposes of this section.

SEC. 6. (a) The administration, protection, and development of the lakeshore shall be exercised by the Secretary, subject to the provisions of this Act and of the Act of August 25, 1916 (39 Stat. 535; 16 U.S.C. 1 et seq.), as amended and supplemented, relating to the areas administered and supervised by the Secretary through the National Park Service; except that authority otherwise available to the Secretary for the conservation and management of natural resources may be utilized to the extent he finds such authority will further the purposes of this Act.

(b) In the administration, protection, and development of the area, the Secretary shall prepare and implement a land and water use management plan, which shall include specific provision for—

(1) development of facilities to provide the benefits of public recreation;

(2) protection of scenic, scientific, and historic features contributing to public enjoyment; and

(3) such protection, management, and utilization of renewable natural resources as in the judgment of the Secretary is consistent with, and will further the purpose of, public recreation and protection of scenic, scientific, and historic features contributing to public enjoyment.

(c) In developing the lakeshore the Secretary shall provide public use areas in such places and manner as he determines will not diminish the value or enjoyment for the owner or occupant of any improved property located thereon.

SEC. 7. Nothing in this Act shall be construed as prohibiting any governmental jurisdiction in the State of Michigan from assessing taxes upon any interest in real estate retained under the provisions of section 10 of this Act to the owner of such interest.

SEC. 8 (a) The Secretary is authorized, subject to the limitations, conditions, and restrictions imposed by this Act, to acquire the land, water, and other property, and improvements thereon, and any interests therein (including easements) comprising the area defined in section 12 of this Act by donation, purchase with donated or appropriated funds, transfer from any Federal agency, exchange, or condemnation; except that such authority to acquire by condemnation shall be exercised only in the manner and to the extent specifically authorized in this Act.

(b) In exercising his authority to acquire property under this Act, the Secretary shall give immediate and careful consideration to any offer made by an individual owning property within the lakeshore to sell such property to the Secretary. In any case in which an individual owning property within the lakeshore submits evidence to the Secretary that the continued ownership by such individual of that property would result in hardship to him, the Secretary shall immediately consider such evidence and, if he determines on the basis of that evidence that a hardship would so result, he shall, within the one year following the submission of such evidence, subject to the availability of funds, purchase such property if offered for a price which does not exceed its fair market value.

(c) Any property or interests therein, owned by the State of Michigan, or any political subdivisions thereof, may be acquired only with the concurrence of such owner Notwithstanding any other provision of law, any property owned by the United States on the date of enactment of this Act located within such area may, with the concurrence of the agency having custody thereof, be transferred without consideration to the administrative jurisdiction of the Secretary for use by him in carrying out the provisions of this Act.

(d) With respect to that property which the Secretary is authorized to acquire by condemnation under the terms of this Act, the Secretary shall initiate no condemnation proceedings until after he has made every reasonable effort to acquire such property by negotiation and purchase.

(e) In any case where the owner and the United States agree, the power of condemnation may, notwithstanding any other provisions of this Act, be used as a means of acquiring a clear and marketable title, free of any and all encumbrances.

(f) In exercising his authority to acquire property by exchange, the Secretary may accept title to non-Federal property located within the area designated for inclusion and convey to the grantor of such property any federally owned property under the jurisdiction of the Secretary within such area. Properties so exchanged shall be approximately equal in value: *Provided,* That the Secretary may accept cash from or pay cash to the grantor in such an exchange in order to equalize the values of the properties exchanged. The Secretary shall report to the Congress on every exchange carried out under the authority of this Act within thirty days from its consummation, and each such report shall include a statement of the value of the properties involved and of any case in which equalization payments are made or received.

SEC. 9. (a) The Secretary shall, at the request of any township or county in or adjacent to the lakeshore affected by this Act, assist and consult with the appropriate officers and employees of such township or county in establishing zoning bylaws for the purpose of this Act. Such assistance may include payments to the county or township for technical aid.

(b) No property within the area designated for inclusion in the lakeshore shall be acquired by the Secretary by condemnation during the one-year period following the date of enactment of this Act. Thereafter the Secretary shall be prohibited from acquiring by condemnation any improved property so long as the affected county or township has in force and applicable thereto a duly adopted, valid zoning bylaw approved by the Secretary in accordance with the provisions of subsection (d) of this section and the use of improved property is in compliance therewith. In the event that the affected county or township does not have in effect and applicable to any improved property a duly adopted, valid zoning bylaw so approved, the Secretary shall be prohibited from acquiring such property by condemnation, if the owner thereof notifies the Secretary in writing of such owner's agreement to use his property in a manner consistent with the applicable standard set forth in subsection (d) of this section, and such prohibition against condemnation shall remain in effect for so long as such property is so used.

(c) If the Secretary determines that any such property referred to in subsection (b) of this section covered by any such bylaw is being used in a way which is not in substantial compliance with such bylaw, or that any such property referred to in subsection (b) with respect to which an agreement has been made is being used in a manner which is not substantially consistent with such applicable standards, he shall so notify the owner of any such property in writing. Such notice shall contain a detailed statement as to why the Secretary believes that such use is not in substantial compliance with such zoning bylaw or why such use is not substantially consistent with such applicable standards, as the case may be. Any such owner shall have sixty days following the receipt by him of that written notification within which to discontinue the use referred to in such notification. Discontinuance of such use within such sixty-day period shall have the effect of prohibiting the Secretary from acquiring such property by condemnation by reason of such use. In any case in which such use is not discontinued within such sixty-day period and condemnation proceedings are thereafter initiated by the Secretary, no condemnation shall be ordered in any such proceedings if the Secretary fails to demonstrate to the court by substantial evidence that such a use was not in substantial compliance with such bylaw or was not substantially consistent with such applicable standards.

(d) Any zoning bylaw or amendment thereto submitted to the Secretary for approval for the purposes of this Act shall be approved by him if such bylaw or amendment contains provisions which—

(1) contribute to the effect of prohibiting the commercial and industrial use (other than a use for a commercial purpose as authorized under section 13 of this Act) of all property within the boundaries of such area which is situated within the county or township adopting such bylaw or amendment;

(2) are consistent with the objectives and purposes of this Act so that, to the extent possible under Michigan law, the scenic and scientific values of the lakeshore area will be protected;

(3) are designed to preserve the lakeshore character of the area by appropriate restrictions upon the burning of cover, cutting of timber (except tracts managed for sustained yield), removal of sand or gravel, and dumping, storage, or piling of refuse and other unsightly objects or other uses which would detract from the natural or traditional lakeshore scene;

(4) provide that no construction, reconstruction, moving, alteration, or enlargement of any property, including improved property as defined in this Act, within the lakeshore area shall be permitted, if such construction, reconstruction, moving, alteration, or enlargement would afford less than a 50-foot setback from all streets measured at a right angle with the street line, and a 25-foot distance from the abutters' property lines. Any owner or zoning authority may request the Secretary of the Interior to determine whether a proposed move, alteration, construction, reconstruction, or enlargement of any such property would subject such property to acquisition by condemnation, and the Secretary, within sixty days of the receipt of such request, shall advise the owner or zoning authority in writing whether the intended use will subject the property to acquisition by condemnation; and

(5) have the effect of providing that the Secretary shall receive notice of any variance granted under and of exception made to the application of such bylaw or amendment.

(e) The approval of any bylaw or amendment pursuant to subsection (d) shall not be withdrawn or revoked by the Secretary for so long as such bylaw or amendment remains in effect as approved. Any such bylaw or amendment so approved shall not be retroactive in its application.

Sec. 10. (a) Any owner or owners of improved property situated within the area designated for inclusion in the lakeshore on the date of its acquisition by the Secretary may, as a condition to such acquisition, retain, for a term of not to exceed twenty-five years, or for a term ending at the death of such owner or owners, the right of use and occupancy of such property for any residential purpose which is not incompatible with the purposes of this Act or which does not impair the usefulness and attractiveness of the area designated for inclusion. The Secretary shall pay to the owner the value of the property on the date of such acquisition, less the value on such date of the right retained by the owner. Where any such owner retains a right of use and occupancy as herein provided, such right during its existence may be conveyed or leased for noncommercial residential purposes in accordance with the provisions of this section.

(b) Any deed or other instrument used to transfer title to property, with respect to which a right of use and occupancy is retained under this section, shall provide that such property shall not be used for any purpose which is incompatible with purposes of this Act, or which impairs the usefulness and attractiveness of such area and if it should be so used, the Secretary shall have authority to terminate such right. In the event the Secretary exercises his power of termination under this subsection he shall pay to the owner of the right terminated an amount equal to the value of that portion of such right which remained unexpired on the date of such termination.

Sec. 11. As used in this Act, the term "improved property" means a detached, one-family dwelling, construction of which was begun before December 31, 1962, together with so much of the land on which the dwelling is situated, such land being in the same ownership as the dwelling, as the Secretary shall designate to be reasonably necessary for the enjoyment of the dwelling for the sole purpose of noncommercial residential use, together with any structures accessory to the dwelling which are situated on the lands so designated. The amount of the land so designated shall in every case be at least three acres in area, or all of such lesser acreage as may be held in the same ownership as the dwelling, and in making such designation the Secretary shall take into account the manner of noncommercial residential use in which the dwelling and land have customarily been enjoyed: *Provided, however,* That the Secretary may exclude from the land so designated any breach or waters on Lake Michigan, together with so much of the land so designated any beach or waters as the Secretary may deem necessary for public access thereto. If the Secretary makes such exclusion, an appropriate buffer zone shall be provided between any residence and the public access or beach.

Sec. 12. The Sleeping Bear Dunes National Lakeshore shall consist of the following described areas together with adjacent waters:

SOUTH MANITOU ISLAND

(a) All of an island in Lake Michigan officially designated as South Manitou Island lying in townships 30 and 31 north, range 15 west, and adjacent waters for one-quarter mile offshore.

GOOD HARBOR—SLEEPING BEAR BAY AREA

(b) Beginning on the shore of Lake Michigan at the northern line of section 6, township 29 north, range 12 west, and continuing east along said line to the east line of said section and thence south along the said east boundary to the south boundary of said section, thence west along said boundary to the north-south quarter section line of section 7, township 29 north, range 12 west,

thence south along said quarter section line to the east-west quarter section line of said section, thence west along said quarter section line and east-west quarter section line of section 12, township 29 north, range 13 west to the north right-of-way of a public road following the north shore of Little Traverse Lake.

thence in a general westerly direction along said right-of-way to the north-south quarter-quarter section line of the southwest quarter of section 10, township 29 north, range 13 west, thence south to the northeast corner of the northwest quarter of the northwest quarter of section 22, township 29 north, range 13 west,

thence west along the north boundary of said section to the northwest corner of the section, thence south along the west boundary of said section to the east-west quarter-quarter line of the northeast quarter of section 21, township 29 north, range 13 west,

thence west to the west boundary of said section, thence north to the northeast corner of section 17, township 29 north, range 13 west, thence west to the northwest corner of section 18, township 29 north, range 13 west, thence south to the southeast corner of section 24, township 29 north, range 14 west,

thence west along the south boundary of said section to the east right-of-way of county highway 675, thence continuing northwesterly along said right-of-way to the projected intersection of the west right-of-way of a north-south county road in the northwest quarter, southwest quarter of section 24,

thence southerly along the said right-of-way to the south line of section 24, thence west to the north-south quarter-quarter section line of the southwest quarter of section 23, township 29 north, range 14 west, thence north to the east-west quarter-quarter section line of said quarter section, thence east to the north-south quarter section line of said section,

thence north to the south boundary of section 14, township 29 north, range 14 west, thence east along said south boundary to the north-south quarter-quarter section line of the southeast quarter of said section,

thence north to the east-west quarter-quarter section line of the northeast quarter of said section, thence west 660 feet, thence north to the north boundary of said section, thence west along said boundary to the shore of Lake Michigan,

thence offshore one-quarter mile perpendicular to the shore, thence along said shore in a general easterly direction at a distance of one-quarter mile perpendicular to the shore to a point one-quarter mile offshore perpendicular of the point of beginning, thence in a straight line to the point of beginning.

PLATTE BAY AREA

(c) Beginning on the shore of Lake Michigan at the northern line of section 6, township 29 north, range 12 west, and continuing east along said line to the east line of said section and thence south along the said east boundary to the south boundary of said section,

thence west along said boundary to the north-south quarter section line of section 7, township 29 north, range 12 west, thence south along said quarter section line to the east-west quarter section line of said section,

thence west along said quarter section line and east-west quarter section line of section 12, township 29 north, range 13 west to the north right-of-way of a public road following the north shore of Little Traverse Lake,

thence in a general westerly direction along said right-of-way to the north-south quarter-quarter section line of the southwest quarter of section 10, township 29 north, range 13 west, thence south to the northeast corner of the northwest quarter of the northwest quarter of section 22, township 29 north, range 13 west,

thence west along the north boundary of said section to the northwest corner of the section, thence south along the west boundary of said section to the east-west quarter-quarter line of the northeast quarter of section 21, township 29 north, range 13 west,

thence west to the west boundary of said section, thence north to the northeast corner of section 17, township 29 north, range 13 west, thence west to the northwest corner of section 18, township 29 north, range 13 west, thence south to the southeast corner of section 24, township 29 north, range 14 west, thence west along the south boundary of said section to the east right-of-way of county highway 675,

thence continuing northwesterly along said right-of-way to the projected intersection of the west right-of-way of a north-south county road in the northwest quarter southwest quarter of section 24,

thence southerly along the said right-of-way to the south line of section 24, thence west to the north-south quarter-quarter section line of the southwest quarter of section 23, township 29 north, range 14 west, thence north to the east-west quarter-quarter section line of said quarter section, thence east to the north-south quarter section line of said section,

thence north to the south boundary of section 14, township 29 north, range 14 west, thence east along said south boundary to the north-south quarter-quarter section line of the southeast quarter of said section,

thence north to the east-west quarter-quarter section line of the northeast quarter of said section, thence west 660 feet, thence north to the north boundary of said section, thence west along said boundary to the shore of Lake Michigan, then offshore one-quarter mile perpendicular to the shore,

thence along said shore in a general easterly direction at a distance of one-quarter mile perpendicular to the shore to a point one-quarter mile offshore perpendicular of the point of beginning, thence in a straight line to the point of beginning.

Beginning on the shore of Lake Michigan at a point 1,491 feet due east of the west boundary of section 21, township 29 north, range 14 west and running south to the south boundary of said section, thence running east to north-south quarter-quarter section line of the northwest quarter section of section 27, township 29 north, range 14 west,

thence south to the east-west quarter-quarter section line of said quarter section, thence east to the west right-of-way of monument 22, thence south along said west right-of-way to the north line of section 34, township 29 north, range 14 west,

thence west along the north line of section 34 to a point which is 400 feet west of the northeast corner of Government lot 1, section 34, township 29 north, range 14 west, thence south 200 feet, thence west 430 feet, thence south 805 feet,

thence west 485 feet more or less to the west line of Government lot 1, thence south on the west line of Government lot 1 to the southwest corner of Government lot 1, thence east 144 feet more or less to a point 661.49 feet west of the northeast corner of Government lot 2, section 55, township 29 north, range 14 west,

thence south 8 degrees 45 minutes west 131.9 feet, thence north 81 degrees 02 minutes west 335.0 feet, thence south 8 degrees 45 minutes west 100 feet, thence south 30 degrees 37 minutes west 149 feet, thence south 89 degrees 38 minutes west 225.0 feet,

thence south 18 degrees 13 minutes west 235 feet, thence north 71 degrees 30 minutes west 45 feet, thence south 18 degrees 30 minutes west 450 feet,

thence south 71 degrees 30 minutes east 400 feet, thence south to the south line of Government lot 2, thence east on the south line of Government lot 2 to a point 418.35 feet east of Glen Lake on the south line of Government lot 2,

thence south 15 degrees 43 minutes west 100 feet, thence west 50 feet, thence south 2 degrees 59 minutes west 1,100.12 feet, thence west 43.1 feet, thence south 200 feet, thence west 50 feet, thence south 775 feet, thence west 225 feet, thence south 434 feet to the south line of section 34, township 29 north, range 14 west,

thence west along the south line of section 34 to the east line of section 4, thence south along said east line to the north right-of-way of Forest Glen Road,

thence northwesterly along the north right-of-way of said public road to the north line of section 32, thence west along the north line of section 32 to the shore of Glen Lake,

thence continuing northwesterly along the shore of Glen Lake from the intersection of the shore of Glen Lake with the south line of section 29, township 29 north, range 14 west, to a point of intersection of the shore of Glen Lake with the east line of Government lot 2,

thence north along the east line of Government lot 2 to the south sixteenth latitudinal line, thence west along the south sixteenth latitudinal line to its intersection with the west line of Government lot 2, section 29, township 29 north, range 14 west, thence south on the west line of Government lot 2 to the shore of Glen Lake,

thence westerly and southerly along the shore of Glen Lake to a point 664.77 feet east and 1,308.75 feet north of the southwest corner of Government lot 1, section 29, township 29 north, range 14 west, thence north 89 degrees 39 minutes west 236.33 feet to the east right-of-way of Michigan Highway 109,

thence southerly along the east right-of-way to a stake on the east right-of-way of monument 109 located north 345.5 feet and north 89 degrees 12 minutes east 1,190 feet from the northwest corner of Government lot 1, section 31, township 29 north, range 14 west,

thence from stake on east right-of-way of monument 109 north 89 degrees 12 minutes east 229.5 feet, thence south 18 degrees 03 minutes west 400.0 feet,

thence south 89 degrees 12 minutes west, 1,242.0 feet to the west line of Government lot 1, section 31, township 29 north, range 14 west, thence south along the west lines of Government lots 1, 2, and 3, section 31, to the southwest corner of Government lot 3,

thence east on south line of Government lot 3 to the west right-of-way of monument 109, thence southeasterly along the west right-of-way to its intersection with the north line of section 5, township 28 north, range 14 west, thence east along the north line of section 5 to the northeast corner of the northwest quarter of the northwest quarter of section 5,

thence by a straight line in a southeasterly direction to the intersection of the east line of section 5, township 28 north, range 14 west, and the south right-of-way of a public road lying on the south line of Government lot 5,

thence east along south right-of-way of said public road to its intersection with Michigan Highway 22, thence east across monument 22 to the south right-of-way, thence northeasterly along monument 22 to a point 476.5 feet west and 1,519.0 feet north of the southeast corner of the southeast quarter of the southwest quarter of section 4,

thence south 400 feet, thence east 476.5 feet, thence north on the east line of the southeast quarter southwest quarter, section 4, to a point of intersection with the south sixteenth latitudinal line,

thence east on the south sixteenth latitudinal line to a point on the west boundary of a cemetery which point is north 89 degrees west 222.75 feet from the intersection of the south sixteenth latitudinal line with the east line of section 4,

thence south to the southwest corner of said cemetery, thence south 89 degrees east 222.75 feet to the west line of section 4, thence continuing east on the same bearing 33 feet more or less to east right-of-way of a public highway,

thence north to a point 554.2 feet south and 33 feet east of the meander corner at the north end of the west line of section 3, township 28 north, range 14 west, thence east 233.0 feet, thence north 374.14 feet to centerline of a public highway, thence south 69 degrees 55 minutes east 49.01 feet,

thence north 0 degree 47 minutes west 11.3 feet, thence east to north right-of-way of said public highway, thence southeasterly along north right-of-way of said highway to its intersection with the south right-of-way of a private road listed on the plot of McFarlane Woods numbered 2 as Beech Tree Road,

thence southeasterly along the south right-of-way of Beech Tree Road to the northeast corner of lot numbered 14 of McFarlane Woods numbered 2, thence north 37 degrees 24 minutes east to the shore of Glen Lake, thence southeasterly along the shore of Glen Lake to a point 1,850 feet due east of the west line of section 11,

thence south to the east-west quarter section line of section 14, thence west to the north-south quarter section line of section 18, thence south to the north line of section 19, thence west along north line of section 19 approximately 1,200 feet to a point north of northeast corner of Empire corporate line,

thence south approximately 1,300 feet to the northeast corner of Empire corporate line, thence west along said corporate line approximately 1,800 feet to the east shoreline of South Bar Lake, thence meandering in a general southwesterly direction along shoreline approximately 1,500 feet to a point,

thence south approximately 3,600 feet to a point along the corporate boundary line, thence east approximately 2,300 feet to the southeast corner of said corporate line, thence north to the north line of section 30, township 28 north, range 14 west, thence east to the north-south quarter-quarter section line of the northeast quarter section of said section,

thence south to the east-west quarter-quarter section line of said section, thence east to the east line of said section, thence south to the southeast corner of said section, thence west to the north-south quarter section line of section 31, thence south to the north line of section 18, township 27 north, range 14 west,

thence east to the north-south quarter-quarter section line of the northeast quarter of said section, thence south to the east-west quarter-quarter section line of the northeast quarter of section 19,

thence west to a point 500 feet perpendicular to, in a general easterly direction, monument numbered 22 and continuing along 500 feet from monument numbered 22 in a general westerly direction to a point 1,500 feet west of the east line of section 31, township 27 north, range 15 west, thence north to the southerly right-of-way of monument numbered 22,

thence westerly along said right-of-way to the north-south quarter-quarter section line of the northeast quarter of section 36, township 27 north, range 16 west, thence south to the east-west quarter section line of said section, thence east to the shore of Long Lake, thence southeasterly along the shore to the east line of said section.

thence south to a point 1,000 feet south of the south line of said section, thence west to the west line of section 1, township 26 north, range 16 west, thence north to the shore of Lake Michigan, thence perpendicular to the shore one-quarter mile,

thence following along the shore at a perpendicular distance of one-quarter mile to a point one-quarter mile offshore perpendicular to the point of beginning, thence in a straight line to a point of beginning.

SCENIC PARKWAY

(d) In order to facilitate visitor travel, provide scenic overlooks for public enjoyment and interpretation of the national lakeshore and related features, and in order to enhance recreational opportunities, the Secretary is authorized to construct and administer as a part of the national lakeshore scenic roads of parkway standards generally located in accordance with the parkway zone designated on map numbered NPS–101–SB. Such scenic roads shall include necessary connections, bridges, and other structural utilities. Notwithstanding any prior provision of this Act, the Secretary may procure for this purpose land, or interest therein, by donation, purchase with appropriated or donated funds, or otherwise: *Provided,* That land and interests so procured shall not exceed one hundred and fifty acres per mile of scenic road, except that tracts may be procured in their entirety in order to avoid severances. Property so acquired in excess of the acreage limitation provided in this section may be exchanged by the Secretary for any land of approximately equal value authorized for acquisition by this Act.

SEC. 13. In any case, not otherwise provided for in this Act, the Secretary shall be prohibited from condemning any commercial property used for commercial purposes in existence on December 31, 1962, so long as the use thereof would further the purposes of this Act, and such use does not impair the usefulness and attractiveness of the area designated for inclusion in the lakeshore. The following uses, among others, shall be considered to be uses compatible with the purposes of this Act: Commercial farms, orchards, motels, rental cottages, camps, craft and art studios, marinas, medical, legal, architectural, and other such professional offices, and tree farms.

SEC. 14. The Secretary shall furnish to any interested person requesting the same, a certificate indicating, with respect to any property which the Secretary has been prohibited from acquiring by condemnation in accordance with provisions of this Act, that such authority is prohibited and the reasons therefor.

SEC. 15. There are hereby authorized to be appropriated such sums, not to exceed $4,750,000, as may be necessary for acquisition of properties under the provisions of this Act.

VACATION HOMES IN ADMINISTRATION HOUSING BILL

Mr. HART. Mr. President, I am delighted that the administration has incorporated in the new housing bill my suggestion that FHA insurance be extended to vacation homes.

This is something that I have been urging for almost a year. On February 26, 1963, at the suggestion of builders in northern Michigan, I asked the Acting Federal Housing Administrator to explore this matter, saying:

> In many Michigan redevelopment areas, building is one of the chief business activities and anything that spurs it is in the public interest. Unfortunately, the lack of adequate financing has held back the construction of vacation homes in many of Michigan's northern counties, where the recreational potential is greatest. In coming years, there will be increasing interest and investment in seasonal homes. This will be a real asset to areas where the economy depends heavily on outdoor recreation. Private enterprise would be greatly encouraged by the availability of FHA insured mortgages, with all their proven advantages, for seasonal homes. It would be very stimulating for building activity.

Study by the Federal Housing Administration resulted in a decision that vacation homes would be eligible for FHA insurance but under eligibility standards which were unrealistic for the vacation home market. They required "adequate community facilities, utilities, schools, shopping, and other amenities which will attract year-round residents." The bill which is presented to the Congress today authorizes insurance on vacation homes if they are an acceptable risk, which is a more realistic approach to the market I had in mind.

This idea met with very favorable response in Michigan when I proposed it last year, and I am most gratified that it is included in the administration bill. I am hopeful it will pass this year. Every State with vacation and recreation potential stands to benefit from the economic stimulus this proposal would provide.

THE PROBLEMS OF BANKING

Mr. LONG of Missouri. Mr. President, a recent address by the distinguished chairman of the Senate Banking and Currency Committee, Senator ROBERTSON, before the Wisconsin Bankers Association was the subject of editorial comment in the January 23d edition of the American Banker. The knowledgeable views of the Senator from Virginia on the need for new banking legislation are indeed most deserving of attention. Mr. President, I ask unanimous consent that the editorial, "Calm Voice From the Wings" be printed at this point in the RECORD.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

CALM VOICE FROM THE WINGS

As the latest episode in the continuing serial of the Patman-Martin confrontation takes place on Capitol Hill, with all the high righteousness on both sides reaching new peaks, because of the loftier position now occupied by Mr. PATMAN, it is good to hear a voice of calm on the problems of banking, coming from the wings, uttered by another old trooper of comparable billing.

Senator WILLIS ROBERTSON, Democrat, of Virginia, chairman of the Senate Banking and Currency Committee, views the scene in broader perspective than the narrow focus of the question and answer of a hearing can permit. He raises questions of the urgency of banking legislation in the realistic order of priorities which political action—and even industry need—impose. And in these lights, he finds the chance of anything really getting done in the near future dim indeed.

Senator ROBERTSON made clear these rather calm views, in a speech given this week to the convention of the Wisconsin Bankers Association. His own hesitancy to initiate action on the legislative stage, he declared quite frankly, is strengthened by the fact that there is relatively little evidence of any pressing need to do so.

The financial institutions, and all the people connected with them, appear to be getting along very well, he said. He failed to see any severe shortage of funds looming for investment in Government bonds, business loans, mortgages, or personal financing. "With most financial institutions thriving and with their customers on the whole supplied with adequate credit, the need for substantial changes in the organization of our financial institutions does not appear great.

"The long-established rules of a game should not be changed unless and until the need for change has been proved," Senator ROBERTSON declared.

He acknowledged that the Washington air is full of proposals for change in the rules of the banking game, changes to answer complaints about the supervisory and regulatory procedures, personalities, or policies.

He admitted that the present arrangements "clearly do not provide efficiency or clearcut lines of authority."

And he conceded dryly that "there is room for the expression of many points of view.

"As we all know," Senator ROBERTSON commented, "these different points of view can be expressed quite vigorously, quite forcefully, and sometimes with complete disregard for what used to be considered the bureaucratic amenities." He pointed out that these loud lapses from the good manners of the past are being cited in support of their positions by the advocates of change in the present system.

Senator ROBERTSON then made an important philosophical point, which has tended to be obscured in the vigor of the debates over how best to change the system. "We must not overemphasize the importance of efficiency and unanimity," he said. "These must be achieved within a framework of freedom, individual initiative, and competition."

The problem, he declared, is to "preserve a reasonable balance between the two."

Turning again to the realities of the Congress, Senator ROBERTSON then placed the problems of banking relatively low on the list of things likely to be done, specifically, well below the major proposals of the tax cut and the civil rights bill—and therefore, for all practical purposes, off the action list for this session.

There is an inevitable tendency for enthusiasts to equate vigor of debate and intensity of feeling with prospects for action. Senator ROBERTSON, by making his veteran's perspective known to all, has provided an extremely valuable service to banking, if not as dramatic a performance as some others.

APPRAISAL OF PRESIDENT JOHNSON'S BEGINNING

Mr. ANDERSON. Mr. President, 2 months have passed since Lyndon B. Johnson succeeded to the Presidency. Many judgments have already been made as to his conduct in performance of that highest office and many more assessments will be made before he departs. One of the most accurate judgments of these 2 months, in my opinion, is that of Max Ascoli writing in the current issue of the Reporter magazine. I certainly concur with Mr. Ascoli's appraisal of the President as a "good, strong, able man." I ask unanimous consent that the editorial appear in the RECORD at this point in my remarks.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

A GOOD BEGINNING

(By Max Ascoli)

There is a quality of novelty in the first few weeks of a Presidency, a queer mixture of ritualism and adventure that testifies at the same time to the constantly renewed power of the institution and to its plasticity when it becomes embodied in a new Chief Executive. Each time, it is like a new drama that has been played approximately according to the same rules ever since the Nation was founded. The tenure of office and the ways of accession to office are rigidly defined, but no one can foresee the use that a man is going to make of that enormous amount of power under the law.

Yet in our times there is something entirely new and we are forcibly reminded of this whenever the curtain rises at the opening of a new Presidential drama. Just as the whole Nation was unforgettably involved in the tragic end of John F. Kennedy's Presidency, so the whole Nation participated in the accession of Lyndon B. Johnson to power. In fact, a much larger audience than the American people was present on both occasions.

A great deal of what we can know about a new President comes from the studied impression he seeks to give us, from the mannerisms of his delivery of a manuscript to which, as we are duly informed, many many people have contributed and for which he has made himself solely responsible. The most important thing we know about President Johnson so far cannot yet be substantiated by analytical reasoning: in whatever he has said, in the way he has said it, in all the public postures in which he has exposed himself, he has brought us the sense of a good, strong, able man. He has given us powerful hints of what he wants to achieve. The time for a more articulate judgment will certainly come. So far, we are happy to register a feeling of confident expectation.

In his state of the Union message, he has shown, in our opinion, a sense of the concrete, a respect for pragmatic reality, blissfully unaccompanied by any attempt at reformulating a pragmatic philosophy. He has evidenced a desire to reconcile the conflicting interests of a plurality of economic and social groups without regaling us with any exaltation of pluralism. In general, we largely prefer politicians who are good at politics and theorists who are good at theorizing, and we have a very limited degree of patience for those who fall between the two stools.

As a politician, he identified the needs of still too large a section of the Nation in terms of hospitals and schools and houses. He may have taken some chances with economics, but here too, much as we respect some of his critics, we are inclined to reserve judgment and to find no fault with the President's notion of frugality, for we are convinced that the wealth and the resources of our Nation are great indeed but limited. Moreover, as believers in liberty we have no sympathy for the notion that the aims of liberalism can be pursued only by ever increasing Federal intervention and Federal spending.

Our confidence in President Johnson is sustained by the knowledge of the political skill he exhibited before reaching the highest office. More than once, he proved his capacity to outgrow the sectional interests and outlook with which he had been identified. He became a man of national stature even before reaching the Presidency, and this makes us believe that it is insulting to him to assume that, as President, he is going to give priority to domestic over international affairs. True, in his state of the Union message, the formulation of his diplomatic aims was little more than a footnote, lacking that sense of the concrete that characterized his politician's approach to domestic affairs.

But we fail to be disturbed by his particular emphasis on national affairs in his first major address to Congress, for we are convinced President Johnson knows well that the major forces affecting the destiny of the American people lie far beyond our borders. Some of these forces are not exactly aimed at our well-being. The President has announced his intention to conduct what is called a vigorous peace offensive that will bring him to face to face with the major threats to peace. Some queer mannerisms have been noticeable lately in the diplomatic verbiage of our policymakers, and recently that excellent man Secretary Rusk, in a speech delivered by one of his subordinates, even saw fit to appeal to "our Soviet friends." This must have surprised the Russians, as certainly it surprised many of us. In his speech to Congress the President even used the phrase "a world made safe for diversity," thereby, we hope, making it unnecessary to repeat it on future occasions.

An international political order, largely diverse from the one our Nation strives for, is relentlessly pursued by an opponent who wants nothing less as his condition of peace than our cooperation in a status quo where he will be in charge of the status and we will guarantee the quo.

The more vigorous the peace offensive, the better will the President recognize the opponent and act accordingly. If we were pessimistic we would say we can rely on Khrushchev. But we are optimistic, and we rely on Johnson.

THE BIPARTISAN FOOD FOR PEACE PROGRAM

Mr. McGOVERN. Mr. President, one of the magnificent successes of our Government policy in recent years has been the food for peace program. This program has made successful use of our food abundance to help the needy throughout the world. It combines enlightened self-interest with a most practical humanitarianism.

One of the pillars of strength of food for peace has been its broad bipartisan support. A fine example of this kind of support came in the remarks of the distinguished senior Senator of South Dakota [Mr. Mundt] on September 30 before a meeting of the American Food for Peace Council held in Washington. From the outset, Senator Mundt has been a consistent advocate of the food for peace concept.

Many of my colleagues may not have had the chance to read the Senator's recent remarks concerning food for peace and therefore I am asking unanimous consent to insert them in the Record at this time.

As we all know, much of the food for peace program under Public Law 480 comes up for extension this year and we will all be giving increasing thought to this matter. I think it is important that we have comments such as those of our colleague from South Dakota as we begin to turn our attention to extending Public Law 480.

There being no objection, the remarks were ordered to be printed in the Record, as follows:

The Genesis and Growth of a Bipartisan Child of Congress

(Address by Senator Karl E. Mundt, of South Dakota, delivered before the National Conference, American Food for Peace Council, September 30, 1963, at the U.S. State Department, Washington, D.C.)

I appreciate addressing a group dedicated to the preservation, promotion and expansion of the program which was born in a bipartisan atmosphere and which has consistently received bipartisan support. I am sure we were all thrilled at the manner in which this food for peace program has helped Japan after the devastation of the war, and how it has gone on and expanded to reflect the biblical admonition of "being bread cast upon the water," so that now they are a great purchaser of American agricultural products and one of the great customers of the United States generally. What is true of Japan is true also of other areas of the world where our abundance of food, in the early days of reconstruction from the war, helped to heal the wounds and feed the bodies, reestablish and rehabilitate the economies of areas which have gone on to purchase substantial amounts of the products we were able to supply without charge as a consequence of the passage of Public Law 480 and the development and the evolution of our food for peace program. Certainly this is all to the good.

I am especially glad to have a part on this program because it calls back to mind—almost as though it were yesterday—the inception of this food for peace program which is not quite on its 10th birthday. It is just the 10th anniversary of the year that the bill originally passed the Senate and it was not until the following year that the House followed suit, and it finally became known as Public Law 480. I am sure that none of us who toyed with the idea and wrote the initial legislation dreamed at that time of the vast ramifications which would flow from this act.

We knew some things rather vaguely: We knew we had an abundance of food; we knew it was something which should not be destroyed; we did not like the nostalgic memories of killing little pigs and of burning potatoes, and destroying eggs. We were groping for a way to make some use of something which was piling up astronomically in the United States. Starting from that point, and recognizing that this was a commodity in great need by many people in many areas, evolutionary processes set in, and in the slow way in which we move in this legislative forum of ours, we began to produce some results.

I recall a day in March 1953 when, along with Clint Anderson of New Mexico—a great and good Democrat who still sits in the Senate—and Earl Clements, a Democratic Senator from Kentucky, and myself, introduced the first piece of legislation in this general area. On that time and on that day I said on the floor of the Senate, "We hear much these days of the phrase 'trade not aid.' I shall address myself briefly to a suggestion that the phrase be revised somewhat as it is applied to problems of American agriculture, and that we consider using the phrase 'trade to aid.'" I recall vividly that afternoon Senator Clint Anderson arose and in an inspired speech told of some of his experiences as Secretary of Agriculture, when he worked some barter agreements for American surplus food with the people of Spain, and when he talked about the potentialities of using these vast resources for the good of mankind and for the promotion and the preservation of peace and for healing the distressed and the disaster that was created by the war.

Before I yielded the floor that day, Senator Johnston, of South Carolina, Senator Schoeppel, of Kansas, the late Senator Case, from South Dakota, and the late Senator Kefauver, all arose and said, "We would like to become coauthors of the legislation." Out of that and under the leadership primarily of the late Senator Andrew Schoeppel, this idea was brought before the Senate Committee of Agriculture. This program was born in the U.S. Senate. It was a legislative idea. It received the approval ultimately of the then Secretary of Agriculture and President Eisenhower, but it was born in the Senate and written primarily in the Senate Committee of Agriculture where every member on the committee joined ultimately in cosponsorship.

Senator Humphrey, commenting on the bill on the day of its final passage said this: "In this legislation I see an opportunity afforded to our Government to be as ingenious in the field of trade as we have been in the field of science and technology. I hope the means provided in the bill will be utilized."

The basic good sense in this concept was reflected again by a later measure also passed in 1953 by the Senate, which made provisions beyond the original concept of Public Law 480, that provided in the Mutual Security Act methods and procedures of making the food available in greater abundance. A series of payments in kind, or in block currency, were created by that legislation. It was provided that some of the block currency could be used by foreign countries if they wanted to pay for additional American food, or for loans to increase production of goods and services within their own countries, or for grants-in-aid to increase production for domestic needs in friendly countries, or for scholarships to bring the people of the world closer together under the concept originally written, I believe, by a great Japanese philosopher, that the man you do not like is the man you do not know.

And so our whole program of leadership exchanges evolved whereby we made our surplus foods available for whatever quid pro quo the country had and none at all if none were available. So that these supplies could in turn be utilized for the benefit of all mankind.

I happen to hold the belief that a surplus of food is a benefit of which a country should be proud, instead of some kind of a plague for which a country should be ashamed, and it is up to us to find ways to win friends with this food, it is up to us to use this food for the benefit of those who are associated with us in a great crusade for human liberty and human freedom and human tolerance. I am proud of our capacity to produce food enough, food in abundance, and proud of the farmers, who almost inevitably and always without adequate pay and compensation, have produced the foodstuffs and the fabrics so sorely needed and so highly desired by so much of the world.

The fact that the Russians, with all their vaunted claims for Communist efficiency require a single farmworker to produce food for 6½ people, whereas we in this country find ourselves blessed with an agricultural economy where a single farmworker produces for 28½ people, is a tribute to the way of life which we hope to encourage and support and inspire.

And so this program has not only moved ahead by bipartisan support, it has had the able and the talented administration of three who have headed the program thus far in its short career, Donald Paarlberg, the first; my colleague George McGovern, the second; Dick Reuter, the third; each in his own way making a contribution to the expansion and to the development and to the fruitfulness of a program which means so much to us all and which you have been gathered here today to discuss and to dream dreams about and to make plans insofar as its future potentiality is concerned.

I submit, therefore, that the program has been a success in the first instance in helping to do that which it was partially designed to do, to utilize fruitfully some of the tremendous surpluses which were accumulating. And I shudder to think what the Department of Agriculture or the Congress would be doing if we still had in our bins all of the hundreds of millions of tons of foodstuffs and fabrics that we have made available to others as a consequence of this program.

It has been a success in the second instance because it has improved the diets of millions of Americans and of millions of foreigners living in poverty and in a substandard status in other areas of the world. It has kept us from having here in our country a complete explosion of surpluses which might have destroyed our agricultural programs in their entirety and consequently destroyed the capacity of agriculture to produce in the future as it has in the past. Our abundant food supply is the most potent weapon available for intelligent and constructive use among the developing nations of the cold war.

It was said by a great military man, Napoleon, that an army marches on its stomach. If that be true, and I suspect that it is, I think it is equally true that peace crusaders also march most effectively in areas where the stomachs are filled and where there is an absence of hunger, because communism thrives on unhappiness and hungry people are unhappy people and this provides them with the wherewithal to maintain the health to dream the dreams and accomplish the accomplishments that people all over the world desire for themselves and for their families.

And so we are here in the ninth year of a program still in its swaddling clothes. I dare to say that there are yet untapped a great many potentialities for this type of food-for-peace program. I dare to believe that there are many opportunities which have not yet been met and I salute you who are gathered here at this conference for taking the time to help come up with concepts and ideas along the line of a program which has now established itself at home and abroad.

Truly this is a people's program, a bipartisan program and an American program and I think we do well to honor it.

RESEARCH ACTIVITIES OF THE GEOLOGICAL SURVEY

Mr. JACKSON. Mr. President, in the 87th Congress, Public Law 87-626 was enacted, which authorized the Geological Survey of the Department of the Interior to extend its research activities to areas outside the national domain.

Under the act, such activities were to be reported to Congress. I ask unanimous consent that a letter from the Secretary of the Interior to the President pro tempore of the Senate containing this report be printed at this point in the RECORD.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

U.S. DEPARTMENT OF THE INTERIOR,
OFFICE OF THE SECRETARY,
Washington, D.C., January 22, 1964.

HON. CARL HAYDEN,
President pro tempore of the Senate,
Washington, D.C.

DEAR MR. PRESIDENT: Pursuant to section 2 of the act of September 5, 1962, to extend the authority of the Secretary of the Interior exercised through the Geological Survey of the Department of the Interior to areas outside the national domain (Public Law 87-626), the following activities were undertaken by the Geological Survey during the reporting period July 1 to December 31, 1963, under this authority.

The Survey is investigating changes in vegetation as part of its water resources research in the Southwest and relating the changes to natural causes (such as climatic trends) and to man's activities. Dr. R. M. Turner, the botanist directing the study, is analyzing differences in plant cover that have developed over long periods by comparing present vegetation with that documented in photographs taken as much as 80 years ago. Dr. Turner has examined a series of sites in the Southwest and during part of October examined some localities in Mexico.

A Survey team made two series of reconnaissance measurements on the Amazon River in collaboration with the Brazilian Government, one series in July during high water and the other during late October or early November during low water. About a fortnight was spent each time in measuring water discharge, suspended sediments, streambed materials, dissolved solids in the water, and such other characteristics as temperature gradient and oxygen content. These onetime samplings of the Amazon permit (1) closer appraisals of the salts and sediments moving from the continents into the oceans (the Amazon discharge probably amounts to more than 10 percent of all river discharge) and (2) testing a theory on how river channels behave, which was developed for rivers in North America, by measuring the channel of a river that far exceeds anything in North America.

Sincerely yours,

STEWART L. UDALL,
Secretary of the Interior.

ORDER FOR ADJOURNMENT

Mr. MANSFIELD. Mr. President, I ask unanimous consent that when the Senate adjourns tonight it adjourn to meet at 12 o'clock noon tomorrow.

The PRESIDING OFFICER. Without objection, it is so ordered.

PROPOSED AMENDMENT OF RULE XXV OF STANDING RULES RELATIVE TO COMMITTEE MEETINGS DURING SESSIONS OF THE SENATE

Mr. MANSFIELD. Mr. President, I move that the Senate proceed to the consideration of Calendar No. 485, Senate Resolution 111.

The PRESIDING OFFICER. The resolution will be stated by title.

The LEGISLATIVE CLERK. A resolution (S. Res. 111) amending rule XXV of the Standing Rules relative to meetings of committees while the Senate is in session.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Montana.

The motion was agreed to; and the Senate proceeded to consider the resolution.

Mr. MANSFIELD. Mr. President, for the information of the Senate, it is the intention of the distinguished Senator from Idaho [Mr. CHURCH] to make the opening statement on the pending resolution this evening, and that will be all on it today. This matter has been cleared with the distinguished minority leader. Of course, the resolution will be taken up for further consideration tomorrow.

Mr. CHURCH. Mr. President, on September 19, 1963, the Senate Committee on Rules and Administration recommended the adoption of Senate Resolution 111, a measure designed to expedite the business of the Senate.

The resolution, which I introduced for myself and Senators MONRONEY, ANDERSON, MCGEE, and PASTORE, originally was unanimously recommended by an ad hoc committee of the Senate Democratic conference. The committee was named last January by the senior Senator from Montana, chairman of the conference, to find ways to speed the workings of the Senate. Today, 1 year later, the urgency of such a resolution is underlined by the fact we have just completed the longest peacetime congressional session in history. Another long session would pose a particular difficulty in this presidential election year.

The measure would amend rule XXV of the Standing Rules of the Senate so as to render inapplicable to the Senate that provision of the Legislative Reorganization Act of 1946 which provides that no standing committee of the Senate shall sit, without special leave, while the Senate is in session. In lieu of this provision, it would require special leave of the Senate only in those instances when a standing committee desires to sit after the conclusion of the morning hour, or after the Senate has proceeded to the consideration of unfinished business. The proposed amendment, if approved, would free the time normally devoted to the morning hour for the work of the standing committees, thus expediting the business of the Senate.

My purpose now, Mr. President, is to urge the Senate to adopt this rule change. As the possibility grows that yearlong congressional sessions will become the rule rather than the exception, the need for finding more time for committee work is obvious. The trouble with the present rule, which makes it virtually impossible, without securing unanimous consent, for standing committees to meet while the Senate is in session, is that committee business is cut short, without good cause, and the reporting of bills is often delayed.

Senators are aware that the morning hour serves a useful purpose, but it is hardly a purpose which requires the attendance of Senators who do not have morning business to pursue, so long as no legislative business is taken up. Indeed, as the senior Senator from Oklahoma said in his statement before the Committee on Rules and Administration:

> The morning hour is for the discussion of extraneous subjects not necessarily related to the pending legislative program.

Some considerations, to be sure, may justify a conditional prohibition against allowing committees to sit while legislative business is being transacted on the Senate floor. But we who urge the adoption of this amendment do not believe these considerations are applicable to the morning hour; we urge that they be removed.

Moreover, in recommending the adoption of the proposed amendment, the Committee on Rules and Administration reported that:

> In the opinion of the committee, the routine and often relatively unimportant business of the Senate handled during this period would not suffer due to the absence of Members engaged in committee affairs. On the contrary, it is believed that the interests of the Senate could better be served by granting the committees this additional time for the consideration and processing of legislation. This modification of the rules would expedite the business of committees, and enable them much sooner to report measures to the Senate for floor action.

There is little question that the modification of this rule would produce immediate benefits. More time would be available for committee work. Committees attempting to conclude hearings would often be enabled to finish with out-of-town witnesses, and avoid having to continue another day, thus speeding the flow of work to the Senate calendar. Further, the removal of an extraneous and bothersome restriction would encourage the attendance of Senators in the Senate while its substantive work is underway.

With national elections looming this year, Senators must at this time consider proposals to expedite the business of the Senate, or face the depressing prospect of a lame-duck session after the November election. If the 1st session of the 88th Congress is any indication of things to come—and I think that it most definitely is—this is a very real possibility. Thus, following on our adoption of a germaneness rule last week, I urge the adoption of this very moderate resolution—as a second step in the reform which is called for—to make more efficient the internal workings of the Senate.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. CHURCH. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

ASSISTANCE TO BRITAIN IN CYPRUS

Mr. MORSE. Mr. President, I wish to extend my congratulations and compliments to the Attorney General of the United States for the extraordinary work he did in the field of American diplomatic negotiations in behalf of our Government in Indonesia and in discussions with the British. I believe the entire country feels a debt of gratitude toward him.

I noted in today's press an article which discusses briefly the British position in respect to Cyprus. The headline of the article is "Britain Asks U.S. Troops for Cyprus."

I ask unanimous consent that the brief article may be printed in the RECORD at this point.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

BOBBY WINDS UP VISIT: BRITAIN ASKS U.S. TROOPS FOR CYPRUS

> LONDON, January 27.—Attorney General Robert Kennedy, assured of British support for his Far Eastern peace efforts, wound up his visit to Britain today with a final round of talks with Prime Minister Sir Alec Douglas-Home.
>
> The talks were apparently ranging beyond the issue of Malaysia, the British-backed federation in southeast Asia whose existence is threatened by Indonesia.
>
> In negotiations last week, Mr. Kennedy won Indonesian agreement to a cease-fire and got Malaysia and the Philippines to agree to a summit conference with Indonesia.
>
> Informed sources said Britain has asked the United States through Mr. Kennedy, to send troops to Cyprus to help the 2,000-man British force on the island keep peace.
>
> The sources said Mr. Kennedy could give no firm answer to the request.
>
> Britain, its troop reserves stretched thin by the crisis in East Africa, was said to be appealing to other NATO powers, also for help on Cyprus.
>
> NATO enters the picture because Greece and Turkey, both NATO members, are involved in the Cyprus dispute.

Mr. MORSE. The article reads, in part:

> Britain, its troop reserves stretched thin by the crisis in east Africa, was said to be appealing to other NATO powers, also, for help on Cyprus.

Mr. President, I would be inclined to give consideration to the British request for assistance on Cyprus if Great Britain were in South Vietnam, or if Great Britain were living up to her commitments on the NATO line, or if Great Britain were living up to her obligations in respect to many of the things that the American people have a right to expect from her in regard to the NATO alliance.

However, when I realize that it is American boys, not British, who are dying in South Vietnam, and when I realize that there are more American soldiers on the NATO line than there are soldiers from France, Great Britain, and Canada combined, I pause to reflect a bit when I read a newspaper article such as this and to ask myself the question, as I think many Americans are asking the question, What is the limit that Great Britain has the right to expect, or France has the right to expect, or any other alleged ally has the right to expect concerning the American contributions of manpower and money in the so-called trouble spots of the world?

Therefore, it is well to refresh the recollection of the British that they have not been carrying their share of the burden for some time in connection with the protection of freedom around the world, and have been perfectly willing to have the United States assume an ever-increasing share of that burden. Where are the British in Turkey? How much of a contribution have the British been willing to make in protecting Turkey and Greece?

I do not intend to forget their record when I read articles such as this, containing additional requests on the part of Great Britain for the United States to assume an ever-increasing burden, because in some places in the world Great Britain ought to have primary responsibility, and I believe Cyprus is one of them.

Whenever an alliance can be formed with our so-called NATO allies—and we do not have one at present; we have an alliance in name only, with Uncle Sam footing most of the bill—in which they will assume their fair share of the burden, I will be more disposed to listen to such a suggestion from the British as is contained in the article, that we ought to help them with manpower in Cyprus.

What I have said applies pretty much to the British Commonwealth, for the nations of the British Commonwealth have, for some years, fallen far short of carrying their fair, equitable burden in respect to meeting the crises that have developed in the trouble spots of the world.

I repeat, as I believe is well known in the Senate, that I shall not look with favor upon any proposal by my Government that the United States pour more millions of American dollars into those areas of the world and provide American manpower if our allies are not willing to do their share—and Great Britain's records in respect to doing her fair share is a sorry one.

I yield the floor.

ADJOURNMENT

Mr. CHURCH. Mr. President, in accordance with the order previously entered, I move that the Senate adjourn until 12 o'clock noon tomorrow.

The motion was agreed to; and (at 4 o'clock and 52 minutes p.m.) the Senate adjourned, under the order previously entered, until tomorrow, Tuesday, January 28, 1964, at 12 o'clock meridian.

NOMINATION

Executive nomination received by the Senate January 27, 1964:

BUREAU OF CUSTOMS

William Rummel, of Illinois, to be Comptroller of Customs with headquarters at Chicago, Ill.

CONFIRMATIONS

Executive nominations confirmed by the Senate January 27, 1964:

DEPARTMENT OF DEFENSE

Cyrus Roberts Vance, of New York, to be Deputy Secretary of Defense.

DEPARTMENT OF THE ARMY

Stephen Ailes, of the District of Columbia, to be Secretary of the Army.

OFFICE OF SCIENCE AND TECHNOLOGY

Donald F. Hornig, of New Jersey, to be Director of the Office of Science and Technology.

U.S. ARMY

The following-named officer under the provisions of title 10, United States Code, section 3066, to be assigned to a position of importance and responsibility designated by the President under subsection (a) of section 3066, in grade as follows:

To be lieutenant general

Maj. Gen. Andrew Jackson Goodpaster O21739, Army of the United States (lieutenant colonel, U.S. Army).

The Army National Guard of the United States officer named herein for promotion as a Reserve commissioned officer of the Army, under the provisions of title 10, United States Code, sections 593(a) and 3385:

To be brigadier general

Col. Charles Lutcher Southward, O329922, Infantry.

U.S. AIR FORCE

To be lieutenant general

Maj. Gen. Harold C. Donnelly 647A, Regular Air Force, to be assigned to a position of importance and responsibility designated by the President, in the grade indicated, under the provisions of section 8066, title 10, of the United States Code.

U.S. NAVY

Having been designated, under the provisions of title 10, United States Code, section 5231, for commands and other duties determined by the President to be within the contemplation of said section, the following-named officers for appointment to the grade indicated while so serving:

To be vice admirals

Rear Adm. John B. Colwell, U.S. Navy.

Rear Adm. Reynold D. Hogle, U.S. Navy.

Vice Adm. Hyman G. Rickover, U.S. Navy, to be placed on the retired list in the grade indicated under the provisions of title 10, United States Code, section 5233.

IN THE AIR FORCE

The nominations beginning Maclyn Abbott to be major, and ending Carolyn Reinbold to be major, which nominations were received by the Senate and appeared in the CONGRESSIONAL RECORD on January 16, 1964; and

The nominations beginning Max L. Abram to be first lieutenant, and ending Roberta K. Eyler to be first lieutenant, which nominations were received by the Senate and appeared in the CONGRESSIONAL RECORD on January 16, 1964.

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HOUSE OF REPRESENTATIVES

MONDAY, JANUARY 27, 1964

The House met at 12 o'clock noon.

The Chaplain, Rev. Bernard Braskamp, D.D., offered the following prayer:

II Timothy 2: 3: *Thou therefore endure hardness, as a good soldier of Jesus Christ.*

O Thou God of all grace, may we daily be conscious of Thy pervading presence and sustaining power as we encounter bewildering problems and difficult tasks.

Show us how we may mobilize every moral and spiritual resource in behalf of a nobler civilization and the common good of humanity.

Grant that when responsibilities are far beyond our own finite wisdom and the fallibility of human judgment, may we find our minds illumined with a new insight unto the abundance of Thy grace.

We pray that in the areas of human relationship, we may have a clearer understanding of mankind's needs and a joyous conviction that we are serving our generation worthily and faithfully.

In Christ's name we pray. Amen.

THE JOURNAL

The Journal of the proceedings of Thursday, January 23, 1964, was read and approved.

MESSAGE FROM THE PRESIDENT

A message in writing from the President of the United States was communicated to the House by Mr. Ratchford, one of his secretaries, who also informed the House that on January 22, 1964, the President approved and signed a bill of the House of the following title:

H.R. 7406. An act to provide for increased participation by the United States in the Inter-American Development Bank, and for other purposes.

MESSAGE FROM THE SENATE

A message from the Senate by Mr. Arrington, one of its clerks, announced that the Senate had passed without amendment bills of the House of the following titles:

H.R. 1959. An act to authorize the transportation of privately owned motor vehicles of Government employees assigned to duty in Alaska, and for other purposes;

H.R. 3368. An act to authorize the Administrator of General Services to convey by quitclaim deed a parcel of land to the Lexington Park Volunteer Fire Department, Inc.; and

H.R. 4801. An act to amend subsection 506(d) of the Federal Property and Administrative Services Act of 1949, as amended, regarding certification of facts based upon transferred records.

The message also announced that the Senate had passed bills of the following titles, in which the concurrence of the House is requested:

S. 855. An act to provide for more effective utilization of certain Federal loans or grants by encouraging better coordinated local review of State and local applications for such loans or grants;

S. 1833. An act to authorize Government agencies to provide quarters, household equipment and furniture, utilities, subsistence, and laundry service to civilian officers and employees of the United States, and for other purposes; and

S. 1928. An act to authorize the Administrator of General Services to sell a part of the former Chell Air Force Station to Chanslor-Western Oil & Development Co. by negotiation, and for other purposes.

The message also announced that the Senate disagrees to the amendments of the House to the bill (S. 298) entitled "An act to amend the Small Business Investment Act of 1958," requests a conference with the House on the disagreeing votes of the two Houses thereon, and appoints Mr. PROXMIRE, Mr. ROBERTSON, Mr. SPARKMAN, Mr. DOUGLAS, Mrs. NEUBERGER, Mr. MCINTYRE, Mr. SIMPSON, Mr. TOWER, and Mr. DOMINICK to be the conferees on the part of the Senate.

BOARD OF VISITORS TO U.S. COAST GUARD ACADEMY

The SPEAKER laid before the House the following communication:

JANUARY 24, 1964.

Hon. JOHN W. MCCORMACK,
The Speaker, House of Representatives
Washington, D.C.

DEAR MR. SPEAKER: Pursuant to section 194 of title 14 of the United States Code, I have appointed the following members of the Committee on Merchant Marine and Fisheries to serve as members of the Board of Visitors to the U.S. Coast Guard Academy for the year 1964: Hon. EDWARD A. GARMATZ, of Maryland; Hon. ALTON LENNON, of North Carolina; and Hon. MILTON W. GLENN, of New Jersey. As chairman of the Committee on Merchant Marine and Fisheries, I am authorized to serve as an ex officio member of the Board.

Sincerely,

HERBERT C. BONNER,
Chairman.

THE LATE MRS. JOHN TABER

Mr. KILBURN. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The **SPEAKER.** Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. KILBURN. Mr. Speaker, I am sorry to bring some distressing news to the older Members of the House. Mrs. John Taber, the wife of our former beloved colleague, died this morning at about 6:30 in the hospital at Auburn, N.Y. I talked with John Taber as late as last Thursday and he then thought that she was better and expected her to come home this weekend; but she took a turn for the worse.

I thought the Members who were friends of his would like to know about this; we all extend our deepest sympathy to John. Gertrude Taber, when they were here in Washington, was active in the Women's Congressional Club, having been president some years ago. As we who knew her know, she was a charming and popular personality in the social life of Washington. We will all miss her.

NASA REPORT 1963—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES (H. DOC. NO. 207)

The SPEAKER laid before the House the following message from the President of the United States, which was read and, together with the accompanying papers, referred to the Committee on

Science and Astronautics and ordered to be printed with illustrations:

To the Congress of the United States:

In accordance with section 206(b) of the National Aeronautics and Space Act of 1958, as amended, I transmit herewith a report for the calendar year 1963, on this Nation's aeronautics and space activities.

The year 1963 was a period of constructive development of our increasing space competence. It was also a period of searching evaluation of the national space program—an evaluation which resulted in broad acceptance of the policy of our attaining and maintaining space leadership, with due regard for our national security.

Our space program, in both its civilian and military aspects, is peaceful in purpose and practice. Moreover, it combines such objective with a policy of international cooperation based upon a mutuality of participation and benefits as well as the wide dissemination of knowledge.

Space progress is essential if this Nation is to lead in technology and in the furthering of world peace. Such progress requires the use of substantial resources, which must be employed efficiently and effectively in order that we obtain the maximum benefits with a minimum of waste.

In summary form, the accompanying report depicts the contributions of the various departments and agencies of the Government to the national space program during 1963.

LYNDON B. JOHNSON.

THE WHITE HOUSE, *January 27, 1964*.

HOUSING AND COMMUNITY DEVELOPMENT—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES (H. DOC. NO. 206)

The SPEAKER laid before the House the following message from the President of the United States; which was read and, together with the accompanying papers, referred to the Committee on Banking and Currency and ordered to be printed:

To the Congress of the United States:

Our Nation stands today at the threshold of the greatest period of growth in its history.

By 1970, we shall have to build at least 2 million new homes a year to keep up with the growth of our population. We will need many new classrooms, uncounted miles of new streets and utility lines, and an unprecedented volume of water and sewerage facilities. We will need stores and churches and libraries, distribution systems for goods, transportation systems for people and communication systems for ideas.

Above all, we will need more land, new housing and orderly community development. For most of this population growth will be concentrated in the fringe areas around existing metropolitan communities.

I. HOUSING

Fortunately, the old pressures on our housing supply arising from depression and war-caused shortages have largely been overcome. But new pressures will develop as the number of new families rises rapidly in the late sixties. And great numbers of our families have yet to secure the true goal of every parent: Not merely housing but adequate housing.

Now is the time to direct the productive capacity of our homebuilding industry to the great needs of the neglected segments of our population—this is necessary in its own right and vital to the continued strength of the industry.

Satisfaction with the 1,600,000 new housing starts in 1963 cannot obscure the fact that too many minorities, too many families of low income, too many elderly, too many rural families, and too many military families have not shared in the housing improvement which those units represent.

Unless we act and act now, the promises of the national housing policy will remain empty slogans to large numbers in these groups.

A. HOUSING FOR MINORITIES

Over a year ago, President Kennedy issued an Executive order designed to assure opportunities for equal access to federally assisted housing. Already a half million dwelling units are—or soon will be—subject to that order. This administration will continue and strengthen its efforts to translate the pledge of that order into meaningful practice. The program proposed in this message will broaden the range of housing choices open and realistically available to those whom discrimination has too long restricted.

B. HOUSING FOR LOW-INCOME FAMILIES

For over a quarter of a century, the low-rent public housing program has been the primary source of additional decent housing for families of low income. Over 1,500 communities—350 of them since 1961—have recognized the need for supplementing private efforts by creating housing authorities to build and operate public housing with Federal assistance.

The 100,000 units of federally aided public housing authorized by the Housing Act of 1961 are now all committed. But still more communities and more families need such housing.

To continue this program for those who have no other effective opportunity for better housing, I recommend the authorization of 50,000 additional public housing units for each of the next 4 years.

Most of these units should continue to be new construction to provide a net expansion in the volume of housing available to low-income families. However, we have at this time a real opportunity to make low-rent housing available more quickly and at lower cost in many cities by acquiring units from the existing stock of private housing and rehabilitating them, where necessary, for the use of low-income families. I recommend amendments to the Public Housing Act to facilitate acquisition of existing housing units within the proposed 50,000 units per year.

In other cases, leasing of standard units by local public housing authorities for use in the low-rent program is a feasible and economic approach. I recommend, in addition, that the authority for expanding low-rent housing include authorization for local housing authorities to lease 40,000 housing units over the next 4 years.

We have much more to learn before the housing needs of our low-income population can be adequately met. The small demonstration program provided for this purpose in the Housing Act of 1961 has permitted a number of promising experiments to get underway. I recommend an additional $5 million be authorized to continue this program for at least 1 more year. During this period, attention can be given to special housing needs, such as those of our physically handicapped, as well as to means of helping low-income persons obtain adequate housing.

C. HOUSING FOR THE ELDERLY

I believe it especially unfortunate that many of those who do not have or cannot secure decent housing are elderly. Special attention to the needs of this group at all income levels should continue.

The expansion and improvement of public housing programs that I am recommending will be used extensively for lower income elderly. Federal insurance of loans will continue to encourage the construction of specially designed housing for elderly with adequate incomes. However, the existing authority for funds to finance the program of low-interest direct Federal loans which serves the moderate-income elderly will soon be exhausted. I recommend that the low-interest direct Federal loan program for the elderly be extended and additional funds appropriated to permit loans of $100 million during the coming fiscal year.

At present, the successful program of moderate-income housing provided through loan insurance at below-market interest rates enacted in 1961 is limited to family tenants. In many cases, admission of single elderly persons to such housing would be highly desirable. I recommend that single elderly persons be made eligible for housing financed by federally insured below-market interest loans.

D. RURAL HOUSING

The living conditions of our rural families—including the nearly one-third of our elderly who live on farms or in small towns—likewise deserve and need special consideration.

More than a million rural families still live in homes of such poor condition that they actually endanger the health and safety of the occupants; 3 million rural families live in homes that need major repairs; a third of our rural homes do not have complete sanitary facilities—nearly two-thirds of rural homes are without adequate heating.

The rural housing programs of the Department of Agriculture, initiated in 1949 and strengthened in 1961 and 1962, have made a good start on meeting the problems represented by these statistics, but the 20,000 rural families helped last year represent only a small fraction of the job to be done. Primary reliance on direct Federal loans for this purpose is, however, neither necessary nor—in the volume required—realistic.

I recommend extension of the expiring authorization in title V of the Housing Act of 1949 to insure loans on rental housing for the rural elderly. Further, in order to accelerate the basic rural housing loan program, I urge that the Congress enact an insured rural housing loan program along the lines of that proposed by the administration in the first session of this Congress.

I further recommend early action on legislation along the lines of S. 981 to assist with the housing problems of domestic farm laborers—problems which are particularly acute for our 350,000 migrant farmworkers.

E. MILITARY FAMILY HOUSING

The military man, in keeping with his profession, expects to endure—and frequently does endure—personal hardships during his career. We do not have the right to expect the same from his family. While the Defense Department properly relies primarily upon the private community to supply the major portion of its needs for decent and economical housing, an annual construction program to house the families of military personnel is required in those communities where the severest chronic shortages exist. Accordingly, I have recommended in the military construction program authorizations and appropriations for 12,500 additional units for fiscal 1965 to meet the most critical needs.

F. IMPROVEMENTS IN OTHER HOUSING PROGRAMS

Apart from the housing needs of the special groups already discussed, the partnership between private industry and Government—exemplified by Federal guarantees and insurance of private housing credit—has made possible good housing and widespread homeownership for millions of our citizens.

I intend to encourage—through legislative proposals, where necessary—even more effective cooperation between Government and industry for the joint benefit of homeowners, tenants and the industry itself. To this end, I am proposing a number of modifications in the statutes governing our self-supporting mortgage insurance and marketing programs which will improve their efficiency and usefulness. Among these will be the following proposals:

(1) To provide relief in those isolated cases in which, despite the care exercised by builders and the Federal Housing Administration and the Veterans' Administration, substantial defects develop in new construction they have approved, I recommend that authority be provided for the FHA and the VA to finance the correction of substantial deficiencies.

(2) To make certain that no legislative barriers exist to discourage or prevent mortgage lenders and the Federal Housing Administration from cooperating to help delinquent mortgagers in deserving cases, I recommend that FHA's claim and forbearance authorities be amended to encourage the temporary withholding of foreclosures against homeowners who default on their mortgages due to circumstances beyond their control.

(3) To expand our concerted effort to substitute private credit for Federal loans, I recommend provision of legislative authority for the pooling of mortgages held by the Federal National Mortgage Association and the Administrator of Veterans' Affairs, and the sale of participations in such pools.

II. URBAN RENEWAL

The Federal program of urban renewal is today our principal instrument for restoring the hope and renewing the vitality of older cities and wornout neighborhoods.

The Federal assistance which provides local leaders and governments with incentives and the tools for revitalizing their communities has proven its worth in eliminating housing blight; in contributing to restoration of the economic base of our communities; and in helping reshape our central areas into effective nerve centers for our cities.

The Housing Act of 1961 doubted the previous urban renewal authorization to a total of $4 billion. By the middle of this year, all of that increase will have been committed. I recommend that an additional $1.4 billion of urban renewal funds be approved for a 2-year period.

Despite existing programs assisting families and persons displaced by urban renewal projects, the human cost of relocation remains a serious and difficult problem.

The vast majority of those displaced by urban renewal and public housing have relocated in better and standard housing, but some have not. For most, the cost of improved housing has been an unsought burden. For some, the inconvenience of displacement has meant only another slum dwelling and the likelihood of repeating this experience.

To assist further those families and persons least able to bear the burden of displacement, I recommend:

A. That an additional annual subsidy of up to $120 per unit be available for local public housing authorities where needed to provide access to such housing for displacees with extremely low incomes.

B. That low- and moderate-income families displaced by urban renewal receive 2-year supplemental relocation payments equal to the difference between rentals on standard housing in their communities and 20 percent of their gross incomes.

C. That low-income single persons displaced by urban renewal or other public action be made eligible for public housing.

Similarly, small businessmen—especially those in leased premises—often incur economic loss and hardship as a result of displacement by urban renewal or public housing which is not offset by current compensation practices and moving expense reimbursements. To provide more adequately for these firms, I recommend authority for a separation payment of up to $2,500 for small establishments.

At the time of the 1960 census, 7 million nonfarm dwellings were found to be deteriorating, including 2½ million occupied by their owners. Rehabilitation and preservation of existing housing wherever possible is a key element in the urban renewal process today. Elderly homeowners in urban renewal areas with low, fixed incomes are at a particular disadvantage in trying to meet the increased housing payments required by rehabilitation. To assist them, I recommend a program of Federal insurance and purchase of low-interest loans, with a deferral of amortization of principal, for home rehabilitation by elderly homeowners in urban renewal programs.

III. COMMUNITY DEVELOPMENT

The great expansion of our urban areas over the last two decades has too frequently been carried out in a sprawling, space-consuming, unplanned, and uneconomic way. All levels of government are spending vast sums to accommodate this tremendous urban growth with highways, sewer and water facilities, schools, hospitals, and other community facilities. Rural communities and small towns face similar pressures. If the taxpayer's dollar is to be wisely used and our communities are to be desirable places in which to live, we must assure ourselves that future growth takes place in a more orderly fashion.

I recommend that the urban planning assistance program and the open-space program administered by the Housing and Home Finance Agency be extended.

Although the planning requirements of these and various other Federal programs—such as the Federal-aid highway program—also emphasize orderly growth and development, much more can and should be done.

The pioneering efforts of progressive and imaginative private developers in planning totally new and complete communities indicate some of the exciting possibilities for orderly growth. In the tradition of the long-established partnership between private industry and Government in housing and community development, the Federal Government should encourage and facilitate these new and desirable approaches.

Such a partnership can help achieve the orderly accommodation of a significant part of our forthcoming urban growth by means of entirely new communities, complete with all public services, all the industry and commerce needed to provide jobs, and sufficient housing and cultural and recreational facilities for moderate- and low-income families as well as for the well-to-do. To realize such new community development, and to encourage the participation of private initiative on the greatest possible scale, I propose a program of grants and loans to States and local governments for the planning and provision of necessary public facilities and of loan insurance for private developers constructing such facilities.

Many existing communities face problems of expansion as well. Even though they may foresee enormous development ahead, they often lack the resources to build sewer and water systems and other facilities with adequate growth capacity. Building in such capacity in advance could result in tremendous savings and prevent costly duplication or premature replacement of inadequate facilities. I, therefore, recommend a program of public facility loans with deferred amortization to enable communities to plan and build ahead of growth.

Early acquisition of land for right-of-way and other public improvements is frequently sound public business. Many communities which are prepared to exercise foresight in acquiring land—and to save private owners from uncertainty and hardship—lack the financial capacity to do so. Such advance acquisition—which would assure location of such facilities in accordance with planned development—could also result in substantial savings, inasmuch as the increases in land prices that occur as development proceeds would be avoided. I, therefore, recommend that public facility loans, with deferral of amortization as required, be made available for advance land purchase or option by States and local governmental jurisdictions.

To encourage better planned new development on a neighborhood scale, and to preserve and increase the supply of improved land for homebuilding, I recommend Federal insurance of loans to private developers for acquisition and improvement of land for planned subdivisions.

It is essential that all of these programs be based on the existence of effective planning arrangements in the community or region. For planned subdivisions, there should be, in addition, assurance that the neighborhood itself is carefully conceived to maintain its residential integrity and will result in efficient land use.

In our great metropolitan areas, and in our rural communities as well, the difficult problems of growth and development require understanding and cooperation at all governmental levels. The Federal Government can assist and encourage, but, in the last analysis, the success or failure of programs of community development depends on those most directly involved.

IV. URBAN MASS TRANSPORTATION

Efficient transportation systems are essential to our urban communities. Each local system should be tailored to its particular needs—existing and prospective—and the proper mixture of good highways and mass transit facilities should be developed to permit safe, efficient movement of people and goods in our metropolitan centers.

A matching grant mass transit program along the lines proposed by the administration was approved by the Senate last year (S. 6) and reported favorably to the House by its Committee on Banking and Currency (H.R. 3881). I urge early enactment of the mass transit program as basic to the development and redevelopment of our Nation's cities.

V. TRAINING NEEDS

The sound administration of local governments and the success of our federally supported programs of community development depend heavily on the competence of State and local public service staffs—on their ability, their imagination, and, especially, their training. Throughout the range of local functions—from traffic control to tax administration, from recreation to renewal—their efforts will influence greatly the quality of community living.

The substantial Federal investment in local community efforts justifies a deep Federal interest in the quality of local government employees and the expenditure of funds to help attract able people to local public service and help them develop the skills and perspective they need.

To this end, I recommend a program of up to $25 million a year in matching grants to States for the establishment of urban public service training and research programs.

VI. DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT

If we are to deal successfully with the complex problems of our urban and suburban communities, we need governmental machinery designed for the 1960's, not the 1940's. The Housing and Home Finance Agency, established 17 years ago primarily to administer housing programs, has seen its responsibilities enlarged progressively by the Congress during the intervening years to include the broader aspects of community development as well. The Agency now administers such major community development programs as urban renewal, urban planning, public facilities planning and loans, open space, and mass transit. These basic changes in the Agency's role and mission are not adequately reflected in the Agency's current organization and status which remain much the same as they were in 1947. Action to convert the Housing and Home Finance Agency into an executive department is long overdue.

The size and breadth of the Federal programs now administered by the Housing and Home Finance Agency and the significance of those programs clearly merit departmental status. A new Secretary of Housing and Community Development would be in a position both to present effectively the Nation's housing and community development needs in the highest councils of government and to direct, organize, and manage more efficiently the important and closely interrelated housing and community development programs now administered or proposed for the Housing and Home Finance Agency.

I recommend that the Congress establish a Department of Housing and Community Development.

CONCLUSION

The dramatic increase in our Nation's population projected for the coming decades—over 300 million by the year 2000—and the increasing concentration of our population around urban centers will create increased housing needs and intensified problems of community development which must be anticipated and acted upon immediately.

How we respond to these challenges will have a lasting impact on the character of our cities and rural communities. Whether we achieve our goal of a decent home in a decent neighborhood for every American family rests, in large measure, on the actions we take now.

The substantive programs I have proposed in this special message will speed our solutions to today's problems and the predictable needs of tomorrow. I earnestly urge the Congress to give the attached draft bills the attention they merit.

LYNDON B. JOHNSON,
THE WHITE HOUSE, *January 27, 1964.*

AMENDMENT OF SMALL BUSINESS INVESTMENT ACT OF 1958

Mr. PATMAN. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill S. 298, to amend the Small Business Investment Act of 1958, insist on the amendments of the House thereto, and agree to the conference requested by the Senate.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from Texas? The Chair hears none, and appoints the following conferees: Messrs. PATMAN, RAINS, MULTER, BARRETT, KILBURN, WIDNALL, and HARVEY of Michigan.

ADDITIONAL LEGISLATIVE PROGRAM FOR JANUARY 28

Mr. ALBERT. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

Mr. ALBERT. Mr. Speaker, I have been advised by the gentleman from Rhode Island [Mr. FOGARTY], that tomorrow afternoon after the House has finished its consideration of the Davis-Bacon Act legislation, the gentleman from Rhode Island intends to ask for unanimous consent to take from the Speaker's table House Joint Resolution 875, the 1964 supplemental appropriations legislation for the Department of Health, Education, and Welfare, with the Senate amendment, recede from disagreement to the amendment of the Senate and concur therein with an amendment.

Members will recall that the Senate amendment to this legislation added to it $216 million for payments to school districts in fiscal 1964 under the federally impacted areas program.

The new amendment would appropriate an additional $31.2 million for fiscal 1964 for the student loan program of the National Defense Act, and would also appropriate an additional $595,000 for fiscal 1964 for the Mexican farm labor program.

Mr. LAIRD. Mr. Speaker, will the gentleman yield?

Mr. ALBERT. I yield to the gentleman from Wisconsin.

Mr. LAIRD. I would like to assure the gentleman from Oklahoma that this amendment which will be submitted tomorrow as an amendment to the Senate amendment has the complete and unanimous endorsement of our subcommittee. These are emergency items included in the supplemental request of President Johnson that was sent to the Congress last week. They are of an emergency nature and should be acted upon as soon as possible.

The student loan money is necessary for the second semester in hundreds of the colleges and universities throughout the United States. A complete list is contained in our hearings which are at the Printing Office and will be available to Members the first thing tomorrow morning.

The funds for schools in federally impacted areas is necessary because many of these school districts are at a point where they have exhausted completely their borrowing authority and, if these funds are not appropriated soon, they will not be able to even pay their teachers.

The Mexican farm labor money of $595,000 is mostly in the compliance area, and is necessary if the Department of Labor is to be sure that the health standards, housing, and other requirements of the law and the agreement with Mexico are met? There should be no objection on the part of anyone to this particular appropriation to see that these minimums standard are met in all areas of the United States where this labor is used. These compliance people have been given their notices and will be discharged on February 7 if we do not appropriate these funds.

It is my hope that we can pass this amendment unanimously tomorrow. I thank the gentleman from Oklahoma for yielding to me.

Mr. ALBERT. I thank the gentleman for his statement.

GEORGIA MEDAL FOR DISTINGUISHED PUBLIC SERVICE TO HON. CARL VINSON

Mr. LANDRUM. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Georgia?

There was no objection.

Mr. LANDRUM. Mr. Speaker, Associated Industries of Georgia, an organization of industrial establishments and businessmen in the State of Georgia each year gives an annual award for distinguished public service. The award is designated as the Georgia Medal for Distinguished Public Service.

Last week on January 22 in Atlanta, Ga., one of our colleagues in the House, the Honorable CARL VINSON of the Sixth District of Georgia, was the recipient of this award from the Associated Industries of Georgia. The presentation address was delivered by Dr. Rufus Carrollton Harris, one of the foremost educators of the United States and presently president of Mercer University, Macon, Ga.

Mr. Speaker, I ask unanimous consent that the presentation address of Dr. Harris and the acceptance speech of our distinguished colleague, the gentleman from Georgia [Mr. VINSON], be included in the RECORD.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

The matter referred to is as follows:

READING THE VINSON VANE

(By Rufus Carrollton Harris)

(Presentation address Georgia Medal for Distinguished Public Service, Associated Industries of Georgia, January 22, 1964, Atlanta, Ga.)

A short while ago, in one of the world's oldest cities, I observed the statue of a Greek philosopher cherished in the classical period of Athenian history. The base of the statue bore this quotation: "It is fit that the immortal gods should judge the errors of men; it remains for mortal beings to honor their noble endeavor." Our purpose here tonight is to honor the noble endeavor of a distinguished Georgian. It is difficult to determine if this occasion has more meaning for the notable citizen to whom the Georgia Medal for Distinguished Service is awarded, than for those who assemble here to acknowledge the significant fulfillment of a great man's dream of life.

The man chosen to receive this evening the Georgia Medal for Distinguished Service, the highest award presented by citizens of this State, has spent almost a lifetime in the public service. It would be difficult for anyone to undertake an adequate citation of his range of work and achievement. It is appropriate, however, that we should reminisce for a moment. It was in 1883 that our honoree was born on a farm a few miles from his present home at Milledgeville, Ga. He received his secondary education in Milledgeville, and at the age of 16 he enrolled at Mercer University. Even before graduation from the law school in 1902, he began a legal career. From this I derive a pardonable satisfaction, for it was at Mercer University, I believe, that the initial steps were formed of a career destined to become as purposeful and as illustrious in the processes of government and legislation, as the exciting history of our country affords.

After the law school, he returned to Milledgeville to practice law, and in 1906 was elected solicitor for Baldwin County. But there were wider horizons ahead. In 1909 he became a representative in the Georgia General Assembly, and in the last 2 years he was named speaker pro tempore. He left the legislature to become Baldwin County court judge, and thus for a short while Milledgeville claimed her native son to administer public justice. In 1914 there existed an unexpired term in Congress from the 10th District. This was the turning point in his life. He received the Democratic nomination, and on November 3, 1914, took the oath as Congressman in the 63d Congress. He has been there continuously, including the present one, the 88th. This record of continued service is unequaled in our history. Twenty-four times he has been reelected to this post. The Nation is saddened by his announced retirement. Although an inadequate knowledge of the facts exists, and no unfairness is intended by asking more of him who has given so much, yet there are countless Georgians who carry in their hearts a lingering hope that he may carry on. Three years ago when President Lyndon Johnson presented the annual Law Day address at Mercer, he stated to me what he has said publicly: "Certainly everyone would agree that Representative VINSON is one of the great legislators of our time."

He has been chairman of a standing committee of Congress for more than 30 years, a record unequaled in the history of the House of Representatives. He served for 16 years on the House Naval Affairs Committee, which was merged into the Armed Services Committee after World War II. With the exception of a brief period when he was the ranking minority member, he has served as chairman of the Armed Services Committee. This service brought him nationwide prominence. The Democratic whip, the Honorable HALE BOGGS, states admiringly that his colleagues refer to our guest affectionately and respectfully as "the Admiral." The fact that he is one of the Nation's superior military experts is consoling to most of the Nation in these times when world disaster is so ominous. The effective development, direction and expanded use of American seapower—a power not well enough comprehended in our history—did not simply happen. Back of it was more than one great man, but primarily it was made possible by the unique position and determination of our honoree. Before he was born, of course, the American Navy had shaped the lives of many of his predecessors. But we may assert confidently that the American Navy has woven its way into and through his life as ceaslessly as a mighty river cuts through the heart of a continent.

It is the quality of a life measured by its contributions to the moral structure of its society which inspires occasions such as this. The life of Mr. VINSON has been characterized by such service, and by devotion to his family and friends. His integrity as a man has earned the respect of his associates, but his personal loyalties have earned for him the love of people. The educator chooses to relate the processes of education to the lives of men. He asserts that purpose and character in a society come chiefly from its exceptional citizens who somehow acquire exceptional understanding and motivation. I profess the end of education as commitment—the commitment of people to compassionate moral and social responsibility. This has been made manifest in the life of Mr. VINSON. He is a man of many skills. The exceptional man must have the capacity for many. If skill were all he needed, he would do quite well for himself. But he has more. He has perspective and dwells in a sense of community with those who stir him by parallel forms of exceptional endeavor. This too is necessary, because the dream of an easy mechanical character of social progress has been shattered by the experiences of this generation. Our honoree knows there is no single, simple nor easy way to secure America's advancement. There is need for abundant exceptional service.

How well the exceptional man shall fare in the immediate future in our area depends not so much upon him as upon the area. In the right environment he will be esteemed; in the wrong environment he will be derided. The burden rests not with him, for he has no alternative but to maintain steadfastness. The burden rests rather upon all of us. In a society where regimentation of any kind is imposed, the person who allows himself to be pressured into the narrow confines of any category may appear to prosper. But in a society which is free to take shape and change according to its needs, wills, and vision, he will not do so. There only the sensitive and exceptional man will actually prosper. It would be well for us if that kind of person may walk the earth in dignity, for in order to advance we must have such people. We are beginning, I think, to strive earnestly for them, and in this complex world we must have more than a small coterie of them.

The future progress of our area cannot be turned on and off like a faucet. I believe Mr. VINSON knows that Georgia can pay no greater tribute to him and to his work than to provide opportunity for men like him in the future. That, I believe, is the basic aim of our distinguished Governor's broad educational program. Southern young people with restless curiosity, impelled to learn sometimes because they cannot help it, must be afforded the opportunity to reach unprecedented levels. They are the ones who will develop our social patterns and advance the human and commercial relations of the area. Their desire, like that of Mr. VINSON, will be to acquire the means and ways to public usefulness and personal meaning.

Deep in the heart of Georgians is generous recognition of the magnificent example of public usefulness, integrity, and commitment which our honoree's life and work have manifested. Prideful of his State but no less prideful of his country, he has been chosen to receive the Georgia Medal for Distinguished Public Service. Ladies and gentlemen, I present this medal and the Honorable CARL VINSON.

Mr. LANDRUM. Mr. Speaker, the following is the acceptance speech of the gentleman from Georgia [Mr. VINSON].

Mr. Chairman, Governor Sanders, distinguished members of the Associated Industries of Georgia, distinguished members of the Georgia General Assembly, distinguished public officials, ladies and gentlemen, with complete candor, I can say that no honor, no award, no citation, no distinction, no medal, in fact, no recognition I have ever received can equal, in my heart and in my mind, that which you bestow upon me here tonight.

I accept this very high honor in humbleness, and with a deep sense of humility.

To the end of my days I will prize this beautiful medal and this magnificent scroll. But above all, I will cherish forever the memory of this occasion.

When I think of the many distinguished, outstanding Georgians who are far more qualified than I for this great honor, I am sure you will appreciate even more the humbleness, and the humility I feel on this occasion.

At no time in my public life have I had a privilege comparable to that which I enjoy tonight, standing in this banquet hall, surrounded by hundreds of dedicated, highly motivated, loyal, outstanding Georgians who have done so much to place Georgia in the main stream of events in this vigorous Nation of ours.

If I have made any contributions to the people of this Nation and to the people of the State of Georgia, it is due to the fact that the people of the Sixth Congressional District of Georgia have given me this very rare opportunity to serve them.

I am not unmindful of the fact that the honor you pay me tonight is in reality an honor to all the people of the Sixth Congressional District of Georgia.

An award of this significance can only have true meaning if it is based upon accomplishment, and the true measure of accomplishment is the success that is achieved; and any success I have achieved must be attributed to the men and women who have helped make that success possible.

Many years ago, I had the good fortune of being assigned to the old Naval Affairs Committee of the House of Representatives. Later, I became chairman of that committee.

After the Armed Services Committee was formed, I became chairman of that committee in the 81st Congress.

As a result, I have been intimately associated with national security matters.

As it turned out, national security, since 1939, has been one of the most important single items of concern to the American people.

There was a time, during the 1920's and 1930's when appeasement, conciliation, and hiding our heads in the shifting sands of international affairs was a part of our way of life.

Perhaps it was some instinct that I inherited from my pioneering ancestors that made me skeptical during those deceivingly peaceful days, of the wisdom of remaining isolated from world affairs.

So in the 1930's I became vitally concerned with the Nation's lack of seapower.

No man who serves in the Congress of the United States can accomplish anything independently and by himself. And I shall always be proud of the Congress that authorized the construction of a two-ocean Navy—a Navy that was completed in time to win the great naval engagements of World War II and bring about our final victory.

I also sat in the Congress listening to the anguished cries of Americans everywhere to bring our boys home.

These cries became an avalanche, and the greatest Army and Navy the world has ever seen, melted before our very eyes.

The Communists were quick to take advantage of this situation.

Fortunately, we then initiated the Greek-Turkish loan and the Marshall plan, and through American leadership, Europe was restored, and we entered into the NATO agreement, the SEATO agreement, and many other agreements for mutual defense.

I preached the doctrine then of maintaining a defense capable of deterring aggression, a force that remained stable in its size, its flexibility, and its versatility.

But in spite of my earnest pleadings, I must say that we were not prepared in June of 1950 when South Korea was invaded by the Communists.

We had adopted a military policy of going from a peak to a valley—and we paid the consequences.

Since that time, however, I have had the satisfaction of watching our Armed Forces approach a more stable composition.

And if I were asked to choose the one most important ingredient in our defense posture, I would say that it is the stability of our Armed Forces today that constitutes our greatest defense against aggression.

We have, of course, made fantastic strides in our ability to wage the war for peace, and I would like to think that that is exactly what we are doing—waging a war for peace.

Every shot that is not fired, every missile that is not unleashed, every bayonet that remains in its scabbard, every service hospital bed that does not contain a combat casualty, every round of ammunition that is not fired in anger is a victory in the war for peace.

But without these missiles, without these bayonets, without this ammunition, without all of the tools of warfare, and without the men and women with the ability to use these tools, none of us, I am confident, would be sitting here tonight approaching, as we are, the most prosperous period in all the history of mankind.

We have been blessed over the years with men of great vision and wisdom, and we have been blessed with outstanding leaders.

No one can read the state of the Union message delivered by President Johnson on January 8 and not be impressed with his enthusiasm, his confidence, his vision of a bigger, greater, and more prosperous America, and the clear indication that he proposes to lead our Nation to even greater heights.

And he is going to accomplish what he seeks, because business and industrial leaders, such as yourselves, will recognize in him a man who understands the problems of business, who believes in the free enterprise system, who will get a dollar's worth of value for a dollar expended, who intends to live within our means, who recognizes that a strong expanding economy is a vital part of our national security, and who will ask the Federal Government to do only that which the people cannot do for themselves.

This Nation is moving forward at a rate unparalleled in the history of all civilization.

Technological advances mean better things for all Americans, but these technological advances also present many complex problems.

The Federal Government, the State of Georgia, the local communities, and men and women—such as yourselves—working together must, and will, find the solutions to these many problems.

As life becomes easier, as more people enjoy more benefits, means of obtaining an adequate livelihood for everyone willing to work, must be found.

This is the paradox that we face in the years head.

As we all enjoy more of the benefits of an expanding and improving civilization, we must make it possible for more Americans to obtain the wherewithal to purchase these benefits.

I have every confidence that America will respond to this challenge, just as the Federal Government will respond to this challenge, and just as the State of Georgia will respond to this challenge.

The State of Georgia is one of the great States of the Union. We are a part, and a vital part, of America.

There is no longer room in America for any form of parochialism or sectionalism. The problems of Los Angeles, Denver, Syracuse, and Boston are the problems of Atlanta, Augusta, Macon, and Milledgeville.

For example, those who are unemployed in Macon, are problems for the people of Wyoming and Montana, just as they are problems for the people of Georgia. The illiterates and the physically handicapped in Michigan are problems of all Americans, not just those who live in Michigan.

The problems that we face are problems we must solve and problems that will be solved. And they will be solved because we have dedicated outstanding men and women in every State of the Union.

But if I may be excused, Mr. Chairman, for being parochial on this one occasion, no State in the Nation can equal the accomplishment, the dedication, and the ability of those who constitute the business, the industrial, the professional, and the government leaders of the State of Georgia.

But in saying this, I also recognize the problems that face the State of Georgia.

Governor Sanders, I was most impressed with the magnificent message you delivered to the citizens of Georgia on Tuesday, January 7. You faced the issues squarely, and you presented the proposed solutions.

Education is certainly one of our greatest challenges, and we must exert every effort to overcome this deficiency.

Our form of democracy is beyond doubt the greatest system ever devised to regulate the activities of mankind.

We are the greatest nation on this earth, militarily, economically, and spiritually.

But we did not achieve this status by resisting change; we did not achieve this status by turning our backs on progress; nor did we achieve this status by being afraid to venture into new fields of endeavor.

Our form of democracy is the best known form of government.

But that does not mean that our form of democracy cannot be improved.

During the long period that I have served in the House of Representatives, I have been guided by one paramount principle—and that principle is my firm belief that nothing stands still. We either move forward, or we fall backward. There is no such thing as maintaining the status quo.

The greatness of this Nation, and the greatness of Georgia, can be attributed to the fact that God-fearing men and women with firm convictions and strong religious beliefs, men and women such as yourselves, have constantly sought to improve every form of our business, social, and industrial life.

As a nation, we have achieved advances in technology. We have made tremendous progress in bringing to the American people everywhere the better things in life.

Practically all the progress we have made in these fields of endeavor can be attributed to the fact that our educational system has improved.

In fact, the progress of America and the improvement in our educational system go hand in glove. But that educational system, not only here in Georgia, but in every State of the Union, must be further improved.

And, above all, we must never forget that our form of government is based upon a fine balance between the initiative of our citizens, the wisdom of our free enterprise system, and the willingness of the people to turn to government only for those things that they cannot do for themselves.

Those projects that are closest to the people, but require financial assistance, must always remain at the local government level.

We must constantly oppose any effort to take from the States and the local governments those responsibilities that are governmental in nature, but can be best performed by those who are closest to the problems.

We must constantly guard against the tendency to seek solutions to our problems by centralizing the power of decision in the hands of the Federal Government.

As I approach the threshold of a half-century of service to the public, I am proud of the tremendous changes that have taken place here in the State of Georgia.

Not too many years ago, many of the younger citizens of Georgia were seeking opportunities outside the State of Georgia.

Many of them went to other States of the Union seeking employment.

But we are fast approaching an improved situation which augers well for the entire State of Georgia.

There are new opportunities here today, and there will be even greater opportunities in the years ahead, for native-born Georgians to enjoy all the benefits of our form of government and our way of life without having to leave this great State, upon whom nature has bestowed so many bounties.

This is a tribute to the associated industries of Georgia, to the farsightedness of our public officials, to the cooperation between the State of Georgia and the Federal Government, to the increasing awareness of the need for higher educational attainment, and to the recognition on the part of industry and business all over America that there are opportunities unlimited here in Georgia.

But these opportunities must be expanded at an even greater rate, for our population is growing, and we must not only keep pace with this growth, but create opportunities faster than our growth rate.

We must constantly strive to demonstrate to the rest of the Nation that, here in Georgia, we can, and will, present not only business opportunities, but we will make available skilled craftsmen who will make the free enterprise system flourish to an even greater degree.

Mr. Chairman, I am proud to be a Georgian.

I am especially proud tonight, surrounded as I am, by some of the noblest Georgians of them all.

But I must temper my pride tonight with the knowledge that you have honored me far beyond anything I deserve.

Tonight, my star has reached its zenith. But tonight, I am the humblest Georgian of them all.

COMMITTEE OF MERCHANT MARINE AND FISHERIES

Mr. BONNER. Mr. Speaker, I ask unanimous consent that the Committee on Merchant Marine and Fisheries may sit tomorrow during general debate.

The SPEAKER. Is there objection to the request of the gentleman from North Carolina?

There was no objection.

FEDERAL MARITIME COMMISSION

Mr. BONNER. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include a newspaper article.

The SPEAKER. Is there objection to the request of the gentleman from North Carolina?

There was no objection.

Mr. BONNER. Mr. Speaker, on the front page of the Washington Post for Saturday, January 25, there was a story stating that:

> The House Merchant Marine Committee yesterday approved Senate-passed legislation to bar action by the Justice Department to collect fines totaling hundreds of millions of dollars from port authorities.

The story goes on to say that:

> The Justice Department has 10 cases pending in an effort to recover penalties totaling about $12 million from port authorities who had failed to file agreements between port owners and users with the Federal Maritime Commission.

The story is quite brief, and possibly through its brevity might leave the impression that the Congress is attempting to forgive wrongdoing by various port authorities while the Justice Department is attempting to collect millions of dollars worth of fines which are due the Government. This impression is not in any way justified by the facts.

The Shipping Act of 1916 provides in section 15 that every person subject to that act shall file with the Federal Maritime Commission a copy of every agreement fixing or regulating transportation rates or fares or otherwise having a restrictive or discriminatory effect on transportation. Until very recently leases of terminal facilities were not believed by anyone to be within the scope of section 15, and consequently agreements of this type were not filed with the Commission. However, in a recent case the Commission reversed the position it and its predecessors had taken in prior years and held that certain types of leases of terminal facilities needed to be filed with the agency under section 15, subject to fines or penalties for failure to file at as much as $1,000 per day. This new interpretation was confirmed by the Federal court. As the result many parties to terminal leases who did not file them with the Commission in the belief that they were not subject to section 15, find themselves subject to heavy penalties for failure to obtain Commission approval. The effect of the Commission's new interpretation and the court decision was to cause great confusion and doubt throughout the ports of the country.

As brought out in our full hearings in the matter, the Commission reviewed the situation and concluded that while it would be desirable to have certain types of leases which are still in effect filed with and approved by the Commission, it also would be desirable to remove the doubts which have arisen as the result of the new interpretations of the law by legislation which would forgive innocent technical violations which have occurred in the past. Adm. John Harllee, Chairman of the Maritime Commission, testified:

> It is the Commission's position that, while a sound regulatory purpose is served in requiring that terminal leases which in any fashion limit or control competition be first submitted to the agency for approval, the needs of justice are not served by exacting penalties for past behavior under what amounts to a new or different construction of the law.

The Department of Justice reported favorably on the bill and concurred in the position taken by the Federal Maritime Commission in their testimony during the hearings held before the committee last week. The reports of the Federal Maritime Commission and the Department of Justice were approved by the Bureau of the Budget.

I felt, Mr. Speaker, that this statement was necessary to correct the erroneous impression which the news story may have left.

The newspaper article referred to is as follows:

> House Unit Acts To Bar Suits
>
> The House Merchant Marine Committee yesterday approved Senate-passed legislation to bar action by the Justice Department to collect fines totaling hundreds of millions of dollars from port authorities.
>
> The Justice Department has 10 cases pending in an effort to recover penalties totaling about $12 million from port authorities who had failed to file agreements between port owners and users with the Federal Maritime Commission.
>
> The bill would declare a moratorium on the pending suits and port authorities would be given 90 days in which to file the agreements. Filing of the agreements is required under law which port authorities generally believed was no longer in effect.

SUBCOMMITTEE ON IRRIGATION AND RECLAMATION, COMMITTEE ON INTERIOR AND INSULAR AFFAIRS

Mr. ASPINALL. Mr. Speaker, I ask unanimous consent that the Subcommittee on Irrigation and Reclamation of the Committee on Interior and Insular Affairs be permitted to sit during general debate tomorrow, January 28.

The SPEAKER. Is there objection to the request of the gentleman from Colorado?

There was no objection.

SUBCOMMITTEE ON EUROPE, COMMITTEE ON FOREIGN AFFAIRS

Mrs. KELLY. Mr. Speaker, I ask unanimous consent that my subcommittee, the Subcommittee on Europe, of the Committee on Foreign Affairs be permitted to sit during general debate tomorrow, January 28.

The SPEAKER. Is there objection to the request of the gentlewoman from New York?

There was no objection.

SOMEBODY HAD BETTER TELL THE DEPARTMENT OF STATE THE FACTS OF LIFE

Mr. WHITTEN. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Mississippi?

There was no objection.

Mr. WHITTEN. Mr. Speaker, one of the sad things in history is that people are so very forgetful, that no generation seems to have remembered the lessons of the past. It has been said that each depression usually happens because folks forget the cause of the last one and do not know it; and that most wars come about because people forget what happened before. With those thoughts in mind, Mr. Speaker, I would like to make the following statement:

Mr. Speaker, I note from the press that Secretary of State Dean Rusk and Secretary of Agriculture Orville Freeman are having a real contest over the position the United States should take in 1964's worldwide tariff negotiations, particularly with the European Common Market.

Secretary Freeman insists American negotiations must not agree to any compromise that would curtail oversea markets for agricultural products.

Secretary of State Rusk feels just as strongly that it is vital for this Nation to win a "political victory" in the trade negotiations, even if the cost is a tightened agricultural market.

AGRICULTURE, FOUNDATION OF OUR HIGH STANDARD OF LIVING

Mr. Speaker, I have served on the Appropriations Committee, handling defense, public works, and all the rest. I have served as chairman of the Appropriations Subcommittee for Agriculture for many years. Mr. Speaker, somebody had better tell the Secretary of State some of the facts of life—not only that meat, bread, and potatoes are necessities of life for all Americans, but that American agriculture, the 8 percent of our people on the farm, makes it possible for the other 92 percent to maintain our high standard of living.

Somebody had better tell the Secretary of State it is this 8 percent in agriculture which enables this Nation to spend over 60 percent of its governmental income on national defense and related matters without reducing our standard of living.

Somebody had better tell Secretary Rusk that American agriculture is by far the greatest market American labor and industry have—$28 billion spent annually producing a crop and $15 billion spent annually for things other Americans buy.

Somebody should tell the Secretary 16 million people have jobs storing, transporting, processing, and selling agricultural products.

Somebody had better tell the Secretary that American agriculture historically has had to export about 30 percent of its production to remain economically healthy and to maintain this domestic market for labor and industry.

We know of our gold and balance-of-payments problems. It is agriculture which is our best earner of dollars abroad. We cannot afford to give up these dollars.

In fact, Mr. Speaker, somebody had better remind Secretary of State Rusk that it is his Department of State which promoted the spending of billions of dollars abroad making competitors out of our customers, and is responsible for our shortsighted policy of holding U.S. products off world markets, all to gain what has proved to be empty political victories; that after all it was his Department which promoted the European Common Market which he now would help to squeeze U.S. agriculture out.

Somebody had better tell the Secretary of State that the drop in purchasing power of American agriculture set off the depression of the thirties, and that if the Secretary, the President, and the 92 percent of Americans dependent upon this 8 percent are not careful it could happen again.

BALANCE NEEDED BETWEEN THE SEGMENTS OF OUR ECONOMY

I know President Johnson knows that U.S. farm programs were set up to maintain a balance between agriculture, industry, and labor, by maintaining farm income and purchasing power; that in order for farm laws to work, surpluses must be kept off domestic markets; and that to permit increase in imports of cattle, meat products, cotton, or any other commodities above normal and to the point of having surplus supplies on the domestic market not only fails to carry out the intent of section 22 of the Agricultural Adjustment Act, decreases farm income and purchasing power, but adds greatly to the costs to our Government.

Mr. Speaker, if you were to compare the total cost of all farm programs with the increased costs of labor because of laws and the markup of industry above costs, all passed on to the consumer as part of the retail price, you would find agriculture's share small indeed.

Someone ought to point out that the investment per worker required of the farmer is twice that of industry; his return on his investment is less than half that of industry; and his risks perhaps four times that of industry. His return for his labor is less than half that other Americans receive.

Mr. Speaker, compare the United States, where only 8 percent of our people are on farms, thus freeing 92 percent to provide goods or services, with Russia, where about 50 percent are on the farms to produce food and fiber—leaving only 50 percent of their population to provide goods and services, including defense.

In a nutshell, there is the major explanation for the vast difference between our standard of living and that of our chief opponent, Russia.

Mr. Speaker, I hope President Johnson, with his fine record of support of agriculture while in Congress, his knowledge gained in his boyhood days during the depression, will make a farm speech—not to the farmers, but to the 92 percent who are so dependent upon farmers for their unbelievably high standard of living and well-being. I trust he intends to do so. Certainly, such a special message is badly needed, for only the President can get the attention of the press, television, and radio on this subject.

THE DISGRACE OF FRENCH RECOGNITION OF CHINA

Mr. WYMAN. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The **SPEAKER.** Is there objection to the request of the gentleman from New Hampshire?

There was no objection.

Mr. WYMAN. Mr. Speaker, this is a sorry day for freedom. Our once-proud ally, France, has recognized the godless, criminal government of aggressor Red China as a lawful government.

What price honor? What an insult to the United States. What an insult to free governments everywhere. What a colossal disgrace to the graves of those men and women who have fought and died for freedom and for France, including Frenchmen, by the tens of thousands.

Is it to be anything for money nowadays? Even international honor? Recognition of a Communist government committed to destroy France, committed to destroy those still strong enough to save France if there is another world war, is an incomprehensible act for a freedom hero like Charles de Gaulle. The establishment of a Communist embassy in France will be a headquarters for espionage, subversion, and if need be sabotage. The pattern will be the same in France as it has been in every Communist embassy around the world. Recognition for trade will only make Communists stronger. It will earn money for France, yes—but it will be worthless once communism is strong enough to take over by force.

Mr. Speaker, what have we left? Where is courage in the West? Where is the pride of Western peoples in principle? Where is the moral fibre of western allies once devoted to our common cause of freedom and justice, once willing to die rather than to see a Fascist tyranny trample over Europe?

Communist tyranny is no less great a danger than was Adolf Hitler. It is every bit as much a danger to the Jewish peoples of the world as was Hitler, Auschwitz, Dachau, and all the infamous horrors of genocide.

Is everything to be lost for us by an official Washington these days that is lost in the shambles of the influence peddling shown in the Bobby Baker disclosures, shambles that I might say do not yet seem to have touched the bottom of the well. A good many important people in important places in the Nation's Capital are uneasy in this knowledge. I wonder if the lack of outrage in official Washington at this incomprehensible French weakening of allied unity in some measure is due to abandonment of devotion to good government for having yielded to personal economic pressures?

How many prominent Americans in the Government of the United States, of whatever branch, have a price for honor? Is this infecting America's capacity to retaliate? Does this destroy our will to resist the Communist aggressor? Does this cause Americans who fancy themselves leaders to feel that, well, maybe it would be better to be Red than dead?

Mr. Speaker, this is a shameful mess, from Foggy Bottom to the White House to Capitol Hill.

The American people deserve better.

The armed services, who are asked to be ready to die for us, are beginning to wonder whether it is worth it for what they see in Washington.

So are the American people—and so is the world.

THE LINDSAY BILL TO REGULATE FIREARM SHIPMENTS

Mr. LINDSAY. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. LINDSAY. Mr. Speaker, recently an article in the Christian Science Monitor related how a 13-year-old San Francisco boy, with his parents' consent, ordered by mail for $9.95 what he thought was a model of a Soviet bazooka.

According to the article, the boy wanted the model bazooka to add to his "realistic toy" collection. He was sure, from the way the picture in the advertisement looked, that this model would be just like the real thing.

The "model" finally arrived in a 4-foot crate with a $22.60 freight bill. It was, indeed, the real thing.

Josephine Ripley, who wrote this article as one of a series for the Monitor, commented how this illustrated the ease and legality with which guns may be purchased today by teenagers or anyone else. Ironically, her series was written just a month before our country was shocked and numbed by the assassination of President John F. Kennedy. He was killed by bullets from a mail-order rifle.

Today, I am introducing legislation aimed at protecting our citizens and officials from needless gun death at the hands of irresponsible individuals. My bill is designed to hit at the heart of the problem—it would regulate the interstate shipment of firearms, the gun mail-order business. I will explain the terms of the Lindsay bill later in these remarks.

There is no dearth of incidents just as ludicrous as the one concerning the San Francisco youth and the Soviet bazooka. Another lad with a mail-order bazooka took it out in the countryside and began shooting transformers off utility posts.

A Pittsburgh police inspector told of finding a gunman firing shots on a main thoroughfare in the city. The gunman told the inspector he was only firing at rodents behind a display advertising board. The man had purchased the gun by mail order after he had seen it advertised in a printed periodical. The inspector said the man, prior to this incident, had been under investigation for armed robbery but was released because of lack of evidence.

There is no dearth, either, of incidents where mail-order or illegally-purchased guns have been used to rob and murder.

In California, a 33-year-old man was shot to death by his wife. She told police she had bought the murder weapon, a .25-caliber revolver, from a mail-order house.

In Virginia, a 17-year-old boy walked into a gun shop, police said, told a salesman he was 23, gave a fictitious name and address, paid out $65 in cash and walked out with the weapon of his choice. Later, police charged, the weapon was used in a murder.

In Oregon, a 22-year-old escapee from a mental hospital bought a .38-caliber automatic pistol for $49.50 in a pawnshop. A few days later he used it to shoot and kill a traveling businessman.

Some mail-order houses, in their efforts to bolster their business, have carried amazing magazine advertisements:

> Submachinegun for Father's Day? A limited quantity of brandnew, hard-to-get U.S.-made machine guns now available, complete with magazine.
>
> Looks like a ballpoint pen, writes like a ballpoint pen. But cleverly built into the other end is a .22-caliber pistol.
>
> A 7.92 machine rifle: The Fuhrer himself ordered these machine rifles for the Wehrmacht in the last days of World War II. Only because they appeared so late in the war did they not completely annihilate the invading Allied forces.

Many weapons advertised in this way are incredibly easy to obtain. The only requirement: be able to sign your name, lick a postage stamp, and pay the cash.

James V. Bennett, Director of the U.S. Bureau of Prisons, has said:

> Anyone can buy a gun in this country, almost anywhere. All that one needs is the price.

He cites case after case in which men with prison records, or mental defectives, have had no trouble buying a gun at a "moment's notice."

J. Edgar Hoover, Director of the Federal Bureau of Investigation, said recently:

> Those who claim that the availability of firearms is not a factor in murders in this country are not facing reality.

In 1962, the FBI reported, 54 percent of the victims in 7,261 murders were killed with guns. And, Mr. Hoover said:

> A review of the motives for murder suggests that a readily accessible gun enables the perpetrator to kill on impulse.

Yet with this situation facing the Nation, laws concerning firearms are in this kind of shape:

In 41 States and the District of Columbia, there are no license requirements for the purchase of firearms.

Only 21 States and the District of Columbia require dealers to be licensed before selling handguns at retail.

Only seven States require a permit to purchase a gun.

Only in New York State is a license required to carry a handgun.

Only in Hawaii must guns be registered, and only in South Carolina is it against the law to sell a handgun.

As the New York Times pointed out recently in an editorial:

> It is, unfortunately, easy to have a rifle shipped from Chicago to a Dallas box number, under an assumed name.

With this situation confronting us, I feel stronger Federal legislation aimed at controlling the sale and reckless use of firearms is necessary. The Lindsay bill introduced today is designed to regulate the interstate shipment of firearms.

My measure would prohibit mail-order shipments of firearms, sight unseen, to individuals, either through the mails or by railway express or other common carrier. My bill, however, would permit such shipments between manufacturers and dealers provided they are properly licensed.

The Lindsay bill would also increase the license fees for manufacturers to $50, for dealers to $10, and for pawnbrokers to $50. Licensed manufacturers and dealers would be required to keep permanent records of production supply and shipment and other means of disposal for firearms.

As it now stands, pistols and revolvers are exempted from the controls of the National Firearms Act. The Federal law does establish license requirements for firearms dealers. And it does prohibit shipment of guns to known criminals or persons under indictment.

But, as Mr. Bennett has pointed out, the Government has to prove that a dealer knew or had cause to believe that a person was not lawfully eligible to receive a gun in interstate shipment—and this is a very difficult thing to prove. As of last year, no convictions had ever been made under this provision of the Federal statute.

At present, Federal statutes prohibit post office "mailing" of hand guns—revolvers and pistols. But hand guns may be shipped by Railway Express and other common carriers. Rifles and shotguns may be shipped through the U.S. mails. In short, Federal law does not restrict interstate "shipments" of firearms on the basis of "mail orders."

State laws, in a few cases, have strict regulations on licensing and purchasing. But where one State may have a strong law, the State next to it probably has a weak one, and it is but a few miles travel across the line for an individual who wants to take advantage of the weaker provision.

As I pointed out, mail-order shipments to individuals other than licensed dealers or manufacturers would be stopped. Dealers could ship only to other dealers. This would eliminate the impulsive purchase by mail of a dangerous weapon by any individual who can write his name and put up the money.

My measure would also prevent an unlicensed individual from receiving firearms shipped from overseas. This provision, coupled with the interstate commerce regulation, and with stricter licensing procedures, will hit hard at the very thing that contributed to the assassination of our President. Lee Harvey Oswald bought an Italian-made rifle from a Chicago mail-order house, according to the FBI. That rifle was probably shipped, disassembled, from overseas, originally.

It was estimated by Senator THOMAS J. DODD, chairman of the Subcommittee on Juvenile Delinquency, that as many as 7 million cheap, foreign-made guns may have come into this country during the past 5 years.

I am proposing higher license fees for dealers and manufacturers because I believe this can help rid our Nation of fly-by-night gun dealers. At present, almost anyone can become a dealer by filling out a form and paying $1.

The Lindsay bill also restricts dealer licenses to persons over 21. There is no age limitation under present Federal law.

Opponents of firearms legislation have argued that stricter provisions would trespass the second amendment to the Constitution, which states that "the right of the people to keep and bear arms, shall not be infringed." I say that our right to "keep and bear arms" does not mean that you or I have a right to walk down the street with a bundle of hand grenades tied to our waist, or to enter a streetcar with a loaded shotgun, or to obtain a high-power rifle with a telescopic sight by mail-order.

Certainly in framing gun-control laws we must think carefully about the constitutional aspects of the question. Surely, there is no reason why we should prevent responsible adults or even minors from possessing licensed firearms—for self-protection, hunting, target-shooting, or gun collections. But it should also be apparent that the unrestricted traffic in death weapons must be stopped.

In 1787, when the second amendment was written, the rifle was the principal weapon of national defense, and it made good sense for every adult male to be able to use one.

Today, the national security no longer depends on the citizen's weapon, nor does the citizen himself. And, most significant, the population is now densely packed into urban areas, and it is diverse and mobile. In our changed and complicated society, guns have become more dangerous, and they demand more careful use. The Constitution is interpreted in the light of the times; protection today means the reasonable regulation of firearms—not the absence of any regulation.

And even the most ardent gun collector or avid sportsman must admit that there is neither sense nor safety in the present state of this Nation's laws. Responsible sportsmen and gun owners find their sport or hobby degraded by the greedy practices of irresponsible gun sellers and the murderous practices of irresponsible gun buyers. I cannot see how it helps bona fide hunters, gun lovers and even the dealers and manufacturers to have a national sport become a national scandal.

The Lindsay bill is modeled basically on the Dodd bill in the Senate except that the Dodd bill would allow interstate gun shipments to individuals who can provide affidavits to the manufacturer or dealer with their gun order. I doubt that this provision in the Dodd bill sufficiently plugs the loopholes in the gun laws, and further, I believe it might be difficult to enforce.

I have written an article which appears this week in the Saturday Evening Post in which I call for Federal firearms legislation, and in addition, for uniform State laws on the subject and an education program on the part of magazines and television. In the article, I called attention to the plethora of magazine advertisements promoting the shipment of guns to would-be "gun slingers."

Mr. Speaker, I believe the Lindsay bill is a workable solution to the problem of free wheeling gun sales and irresponsible possession of these lethal weapons in our country. We need to plug the loopholes and bolster up our firearms law, and provide uniform regulations for all the States.

The public recognizes this need. In a recent Gallup poll, a clear majority of the voters favored stricter firearms control.

We are not treading on constitutional rights here. We are simply attempting to keep guns out of the hands of juvenile delinquents, and fanatics, and criminals. We must not sell these weapons that are capable of inflicting death to individuals whom we know are quite capable of using them for crime and murder. Our citizens deserve this protection.

I urge my fellow Members of Congress to consider this legislation carefully, especially in light of our need for stronger legislation. I believe this measure is the answer.

OUR PROBLEMS IN PANAMA

Mr. STAFFORD. Mr. Speaker, I ask unanimous consent that the gentleman from Massachusetts [Mr. Keith] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Vermont?

There was no objection.

Mr. KEITH. Mr. Speaker, all of us have been concerned with the complex nature of the problem in Panama. There are a number of aspects to this problem and today I would like to call two editorials from newspapers in my district to the attention of my colleagues.

The Standard Times of New Bedford, Mass., has written on January 22, 1964, "We 'Reap' in Panama" and maintains that our current problems stem from previous errors in our foreign policy where we have too strongly advocated independence for youthful and undeveloped nations.

"Lesson of Panama" appeared on January 23, 1964, in the Old Colony Memorial of Plymouth, Mass. It recommends that our diplomatic service ought to send foreign service personnel who would recognize the need to live more compatibly with the people of the country to which they are assigned. As the editorial says the number of U.S. dependents in foreign countries should be reduced. Following are those two editorials which provide valuable background for understanding the Panama situation:

We "Reap" in Panama

Referring to the Panama crisis, nationally-known Columnist William S. White wrote, "Some unpleasantly buzzardlike chickens are coming home to roost."

The New York Times veteran political writer Arthur Krock phrased it differently, but said the same thing: "The bloody anti-American riots in the Panama Canal Zone are logical consequences of the paradox of U.S. foreign policies."

If there are Americans who do not understand what Messrs. White and Krock are saying, consider these items of modern history:

In recent years, the United States has encouraged the formation of new nations long before they were capable of self-government.

It has accepted or abetted military aggression undertaken in the name of "anticolonialism," as in Goa and West New Guinea.

In the United Nations, the United States has fallen in line with the most extreme anticolonialists.

In December 1960, our U.N. delegation abstained, but with an expression of "deep regret," from supporting an irresponsible demand for "immediate steps to transfer all powers to the peoples of these (Angolan) territories, without any conditions or reservations."

But the United States did convict Portugal of "repressive measures" in Angola without waiting for a finding from a U.N. mission dispatched there to evaluate the charges.

By June 1962, the United States had assumed a far more extravagant "anticolonial" position and supported a resolution with respect to the terrorist activities against Portugal in Angola that provided virtually the same things as did the 1960 version. This marked a major shift of Washington policy on issues of "colonialism."

One other action is noteworthy.

As Mr. White noted, "To its lasting shame, the U.S. Government under Republican President Eisenhower, but with no effective protest from the Democrats (in 1956) joined with the Soviet Union in branding as 'aggression' the effort of the British, French and Israelis to strike the throttling hands of Nasser Egypt from the Suez Canal."

Thus we established a United States-United Nations definition of "aggression" and set a historic precedent that invites international theft, as long as the property-grabber can claim to be acting under the sacred banner of "anticolonialism."

Washington has followed this paradoxical course in order to attract favorable "world opinion" and to avert a "confrontation" of major East-West power that could trigger nuclear war, to employ its own favorite excuses and pet phrases.

Now, our "anticolonial" position, aimed at wooing the Asians, Africans and Soviets, has backfired.

When, in the interests of national security and the defense of the Western Hemisphere, we had to use force to protect our alien sovereignty of the Panama Canal Zone, we reaped the bitter harvest of our own shortsighted policies.

We were promptly accused by "world opinion" of "aggression" and "colonialism." Our own bold speeches on these subjects were quoted to us in support of the charges against us.

Our errors in judgment have produced a tragic sequel.

Lesson of Panama

From a purely objective standpoint it is absurd that the Panamanians should feel so hatefully toward us. In final analysis we Americans are not really responsible for their low estate. They are the product of their own history and geography. If there were no canal, Panama would sink out of sight and become an entirely irredeemable jungle slum.

However, we cannot expect Panamanians to admit they are a second-rate people doomed to a second-rate situation. Indeed, it is only natural that they should seek to put the blame for their shortcomings on what they regard as the arrogant, self-satisfied intruders in their midst.

They see the neat tile-roofed homes, the well-tended grounds, the smooth streets of the Canal Zone and hunger to have such things themselves. They long for permanence, comfort and all the nice things of life. And of course it never occurs to them that all these pleasant things are paid in good measure out of taxes generated by the energies and skills of 180 million American people, working with a purposefulness unknown in Panama.

To them the American presence in Panama is a chronic provocation, a thorn in their side. This is a fact of life which we Americans too little take into account in our dealings with foreigners all over the world. No matter where we go, more often than not we end up by being disliked. It happens everywhere, from Zanzibar to Panama, from Vietnam to Spain.

The ideal would be to have all forms of foreign service marked by simple living and no favors asked. In sum, American power abroad should be masked. There should be no wives and families tagging along, ordering servants about, getting special deals at commissaries created for their self-indulgent benefit.

But it seems to be generally believed that unless the military and the State Department provides a soft, cumshaw situation it will be impossible to recruit "the kind of men we want." Our contention is, this kind of man, who must be bought, over the long run cannot hope to prevail in competition with other, harder political philosophies. Therefore, it is all a great waste of money.

If all wives and children of Canal Zone employees were shipped home, with a corresponding reduction in semicolonial felicities, much of the trouble would vanish overnight. Panamanians would not be any better off. But we would have one less headache. And so it goes in comparable outpost situations throughout the world.

RESIDUAL OIL IMPORT RESTRICTIONS IMPOSE COSTLY PENALTY ON NEW ENGLAND

Mr. STAFFORD. Mr. Speaker, I ask unanimous consent that the gentleman from New Hampshire [Mr. CLEVELAND] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Vermont?

There was no objection.

Mr. CLEVELAND. Mr. Speaker, New England is suffering from the administration's policy of refusing to relax residual oil import restrictions despite a shortage of residual fuel oil in the United States. Power costs in New England are highest in the Nation; and although the administration has proposed the vast Passamaquoddy electric project as an answer, it has ignored the immediate obvious relief available for the Northeast: allowing more residual oil to enter the United States.

This artificial fuel shortage increases costs to 50 million consumers on the east coast. In my State, the preventing of private enterprise from operating in the fuel industry is costing a New Hampshire Electric Co. more than $300,000 a year.

For the RECORD I am including my December 20, 1963, letter to Secretary of the Interior Stewart Udall, his January 20, reply, and my reply to him of January 24, 1964:

CONGRESS OF THE UNITED STATES,
HOUSE OF REPRESENTATIVES,
Washington, D.C., December 20, 1963.
Hon. STEWART UDALL,
Secretary of the Interior,
Washington, D.C.

DEAR MR. SECRETARY: On Monday, December 9, President Johnson restored to you the responsibilities and role of being the chief agency for petroleum policy matters for the Federal Government. After your talk with the President that date, you stated "we will have a heavier responsibility than in the past on oil matters, referring especially to all import controls." As a Member of Congress who has been fighting aggressively for relief for my State, as well as all of New England, on this subject of restrictions on residual fuel oil imports, I am most happy to see that we now have one central source that we can go to. I commend President Johnson for making this decision since it will eliminate the confusion of the past that resulted in divided authority and responsibility on oil imports between the White House and your Department.

As you are well aware, in view of the statements that you and your senior aids made at the time of the announcement of the Passamaquoddy project, New England power costs are the highest in the Nation. The findings of the Federal Power Commission studies in the past have always confirmed the fact that New England power costs are the highest in the Nation and, further, that the prime factor creating these high power costs was, and is, the high cost of fuel. The restrictions on residual fuel oil imports that have been kept in effect for the past several years, have been a major source that has contributed to the burden that the New England consumer has had to shoulder in the form of high fuel costs which, in turn, have created the highest power costs in the Nation.

In spite of the facts that I and my colleagues from New England have made known to you in the past, that the coal industry's problems are caused by factors other than residual fuel oil competition, these controls have been kept in force for apparent political reasons. I want to stress again the causes of the coal industry's problems—namely, automation, which now requires only 170,000 miners to do the work of 400,000 miners 10 years ago in order to produce the same volume of coal, conversions from coal to diesel fuel oil by the railroads, and by household consumers from coal to No. 2 fuel oil. None of these products has any direct connection with residual fuel oil. Another factor that has contributed to the coal industry's problems is the fact that the coal mine owners have looked to the taxpayer to finance their research and development in both technological as well as marketing research. An example of the latter is the fact that the coal industry last year spent less than $20 million on research and development as against over $400 million by the oil industry.

Please do not misunderstand me, I am not unsympathetic to the problems of coal regions. In fact, I think it is the responsibility of both the coal mine owners as well as the Federal and State Governments to do everything in their combined power to assist in retraining programs, relocation programs, as well as efforts to attract diversified industries into the depressed areas. Another potential outlet for coal, and one virtually untapped because of the failure of the coal mine owners to aggressively develop foreign markets, is the potential for U.S. coal exports. Here again the coal industry had the taxpayer pay approximately $100,000 for a detailed study by Robert Nathan Associates, "The Foreign Market Potential for U.S. Coal."

I endorse this program 100 percent and urge its implementation to the end that U.S. coal, which, because of its automation can compete with any coal produced in the free world, gets its fair share of foreign markets. Because, in this manner, not only will we help the coal regions, but we will make a very considerable contribution to our serious balance-of-payments program.

Speaking for my own State, residual fuel oil imports have placed an undue burden on every resident of the State, as well as on our industrial machine. At the start of the century, New England was the heart of our industrial empire and now it is far down the line, and one of the main causes of this slippage has been the high cost of power and the high cost of fuel. In the case of the Public Service Co. of New Hampshire, I am informed by President Schiller that his utility is paying a premium of at least $300,000 per year due to residual import controls. If we had the traditional free enterprise market economy in residual fuel oil in New Hampshire, President Schiller could effect savings to his customers in his residual fuel oil costs that would, on the basis of present price levels, result in a saving of at least $300,000 per annum.

There is no rhyme nor reason for the continuation of the present restrictions on residual fuel oil. They are not helping the coal industry; they are causing the cost of living for the 50-million-odd consumers on the east coast to be higher due to increased fuel costs; they are denying the consumer his traditional right of freedom of choice of supplier; they are hurting friends and customers abroad such as Venezuela; they are compromising our position in our trade affairs because we will have to set aside $750 million of import trade when Governor Herter and his trade negotiating team meet in GATT conferences next year; and, finally, these imports are of no impact on our domestic oil industries, as witness the fact that at the annual meeting of the Industrial Petroleum Association of America in Dallas last November, this reputable and responsible organization excluded residual fuel oil imports from its resolution on the overall subject of oil imports.

Mr. Secretary, the evidence is such that you can by no stretch of the imagination justify the continuation of these import restrictions which are causing such hardship to the consumer in New England. At least, if you will not lift these controls, then reform the governing regulations so that the factor of end-use control is eliminated and freedom of choice of supplier by the consumer is returned to the marketplace.

Although I have stressed my own State of New Hampshire and the New England region in this letter, as you know, this is a matter of direct concern to all eastern seaboard States. I noticed with interest that Senator JAVITS and Senator KEATING have joined in the battle to remove the infamous residual oil quotas, as reported in the CONGRESSIONAL RECORD, volume 109, part 19, pages 25005-25007.

Yours very truly,
JAMES C. CLEVELAND,
Member of Congress.

U.S. DEPARTMENT OF THE INTERIOR,
OFFICE OF THE SECRETARY,
Washington, D.C., January 20, 1964.
Hon. JAMES C. CLEVELAND,
House of Representatives,
Washington, D.C.

DEAR MR. CLEVELAND: Your interest regarding oil imports, specifically residual fuel oil imports, as expressed in your letter of December 20, 1963, is appreciated.

In early 1959, the President's Special Cabinet Committee To Investigate Crude Oil Imports recommended to the President that imports of crude oil and its derivatives, including residual fuel oil, should be controlled in the interests of the national security. These recommendations were adopted by the President and incorporated in Presidential Proclamation 3279 which sets forth the terms of the mandatory oil import control program. The control program, as you know, is designed to assure the maintenance of a healthy domestic petroleum industry capable of exploring for and developing petroleum reserves essential to the national security.

At the outset, it was recognized that control of oil imports would entail moderate additional costs to the U.S. economy. These costs were weighed against the benefits that flow to the economy from a healthy domestic oil industry and were found fully justified.

Were the program or many of its elements abandoned, we might expect to see some immediate price reductions. The long-term costs to the economy of this abandonment might, however, prove to be very substantial. The moderate immediate additional costs attributable to the program are necessary to the maintenance of an industry that is perhaps the most essential of all to our national security. When the national security contribution of the residual fuel oil program is measured in the broader terms of the overall petroleum import control system, it is apparent that in order to maintain the integrity of the control program it is necessary to retain controls on all of the principal derivatives of crude oil, including residual fuel oil.

Taken alone, almost any product of petroleum could probably be determined to present no particular problem from the standpoint of national security, and the argument could be made that controls on such product could be eliminated without danger to the Nation. From the standpoint of the total petroleum position of the United States, however, the logical extension of this argument could and would lead to piecemeal dismemberment of a program which is almost universally recognized as being essential to the national interest.

The Department in the past 3 years has made important progress in liberalizing the terms of entry into the residual fuel oil import program. You will recall that when the program was initiated, participation was limited to those firms having an importing history. In April 1961, after my initial detailed review of the program, eligibility was broadened to include all individuals and corporations in the business of selling residual fuel oil, who owned or controlled terminal facilities capable of receiving oceangoing vessels. In the revisions to the program, effective April 1, 1963, the proportion of oil available to this new class of eligibles was significantly increased.

These actions have had, and will continue to have, the effect of maintaining healthy competition within the industry. In this connection, I would be the first to admit that it is most difficult to maintain effective control of imports of residual fuel oil and at the same time engender within the industry the degree of competition which would exist in the absence of such controls. The Department has examined sympathetically numerous proposals which, according to their supporters, would have just this effect. We find on examination, however, that these proposals, while perhaps favoring one industry group over another, would not in fact increase competition within the industry, and would raise serious questions as to the equitable distribution of allocations.

We will continue to examine carefully and sympathetically, all proposals placed before the Department for improvement of this program, and we shall continue to work actively on our own to devise and incorporate further improvements. In the meantime, I wish to assure you that in the future, as in the past, the program will be so administered as to guarantee that sufficient supplies of residual fuel oil are made available to meet consumer requirements.

Sincerely yours,

Stewart L. Udall,
Secretary of the Interior.

Congress of the United States,
House of Representatives,
Washington, D.C., January 24, 1964.

Hon. Stewart L. Udall,
Secretary of the Interior,
Washington, D.C.

Dear Mr. Secretary: Thank you for your letter dated January 20. Since I feel that a number of your conclusions are open to discussion, I am offering herewith a critique of your letter. My comments are in the sequence in which your letter was written.

With regard to the second paragraph of your letter, I agree with the basic premise, namely, that the control program is aimed at assuring a "healthy domestic petroleum industry capable of exploring for and developing petroleum reserves essential to the national security." Such a statement can only be made with regard to crude oil control program since the domestic industry is not producing sufficient residual fuel oil to satisfy domestic demand. In fact, each year production of residual fuel oil by domestic refineries has been decreased to the point that I understand there is a serious shortage of this product as the current license year draws to an end due to the fact that domestic production of this product during this license year has been far less than the estimates developed by the Bureau of Mines. I contend therefore that your statement can only apply to crude oil and when used in the context of a letter discussing residual fuel oil imports such a statement is of no significance.

Regarding your third paragraph, you state that "control of oil imports would entail moderate additional costs to the U.S. economy." "Were the program or any of its elements abandoned, we might expect to see some immediate price reductions." "The long-term costs to the economy of this abandonment might, however, prove to be very substantial." It would appear that you are making a case for import restrictions of residual fuel oil on the basis of a price support program which is in complete contradiction to the contention that this program is needed for national security reasons. I also want to draw attention to the fact that your statements are in complete disregard of the interests of the 50 million consumers on the east coast who want the benefits of a free competitive enterprise system and not to be placed in a position wherein our Government forces them to pay higher prices for their energy. In this same paragraph you state "When the national security contribution of the residual fuel oil program is measured in the broader terms of the overall petroleum import control system, it is apparent that in order to maintain the integrity of the control program it is necessary to retain controls on all of the principal derivations of crude oil, including residual fuel oil." Your argument does not stand up in the light of my previous remarks and I further want to draw your attention to the Office of Emergency Planning memorandum on residual fuel oil dated February 13, 1963, which effectively exploded any fictitious arguments that national security was being imperiled by residual fuel oil imports.

Regarding your fourth paragraph, I contend that your argument will not stand up except in the case of crude oil imports, namely, that this program is "almost universally recognized as being essential to the national interest." Incidentally, and just for the record, my State is being penalized and being forced to subsidize the coal mine owners on residual fuel oil and the domestic oil industry on crude oil. It is a recognized fact that every barrel of crude oil imported is worth $1.25 to the importers, most of whom cannot physically use this imported oil and therefore sell their imports for a windfall of $1.25 a barrel, for which they incur no expenses or responsibilities. Here again the consumer in my State is paying an indirect subsidy in the form of higher priced gasoline and kerosene. The New England consumer is getting hit from all sides.

Regarding your fifth paragraph, you state that your Department, in the past 3 years, has liberalized the residual fuel oil import program. I agree with this statement, but it is misleading in the fact that the liberalization has only been a token one and has not given any relief to the consumer who is still tied to one supplier under your inequitous regulatory control system and procedures. In this regard I would like to quote from a letter from Mr. Schiller, president of the Public Service Co. of New Hampshire, addressed to President Johnson under date of December 27 in reply to the President's appeal "to get a dollar's value for every dollar spent." I quote from Mr. Schiller's letter "Prices might be further reduced to these installations, as well as to the public in general if the anti-New England import restrictions on residual oil imports were removed or greatly liberalized. Because of our geographical location, we are in a very high cost fuel area."

Regarding your sixth paragraph, you then go on to take credit for the above liberalization actions, and "the effect of maintaining healthy competition within the industry." I contend there is no competition, when by government decree consumers are tied to one supplier and the independent suppliers are in turn handcuffed to a primary supplier. You then go on to mention that your Department has studied "numerous proposals" to "engender within the industry the degree of competition which would exist in the absence of such controls." It seems to me that there is only one solution, and that is to revise the regulations to the end that consumers have returned to them a traditional right, namely, that of freedom of choice of suppliers.

Regarding your final paragraph, I sincerely hope that you "will continue to examine carefully and sympathetically, all proposals placed before the Department for improvement of this program." I regret that I have to disagree with your contention that you have administered the program in such a manner as to "guarantee that sufficient supplies of residual fuel are made available to meet consumer requirements." The mere fact that the New Hampshire Electric Co. is being forced to pay in excess of $300,000 a year more than it would pay for energy under a free enterprise economy, is positive proof, in my opinion, that an artificial shortage is being created as a result of your administration and continued refusal to give any relief to the 50 million consumers on the east coast.

In closing, this is a nonpartisan issue of vital importance to every consumer in my State. It is an issue that every Member in the House of Representatives, from every State that does not possess indigenous source of low-cost energy, should become interested in so that, finally, positive action is taken by the administration, and controls on residual fuel oil either eliminated or liberalized to serve the best interests of the 50 million Atlantic coast consumers.

Yours very truly,

James C. Cleveland,
Member of Congress.

THE DAVIS–BACON FRINGE BENEFITS BILL

Mr. EVINS. Mr. Speaker, I ask unanimous consent that the gentleman from California [Mr. Roosevelt] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Tennessee?

There was no objection.

Mr. ROOSEVELT. Mr. Speaker, on Tuesday, January 28, we are scheduled to consider the Davis-Bacon fringe benefits bill, H.R. 6041, a most important and greatly needed bill. The bill would update the Davis-Bacon Act by requiring consideration of fringe benefits as part of the prevailing wage determination on Federal construction contracts. Since 1931, when the Davis-Bacon Act was enacted to prevent the depressing of local labor conditions by federally contracted construction, health and welfare benefits have become a major factor in the total wage package. To ignore this is to defeat the principle of the Davis-Bacon Act, a principle which is as valid today as it was in 1931.

This bill which we will consider tomorrow has received substantial support from the construction industry, both from contractor associations and labor organizations. I have received many letters urging that this bill be passed immediately as reported by the Committee on Education and Labor. As sponsor of the legislation and as chairman of the subcommittee which conducted the hearings on the bill, I am very pleased to bring to the attention of my colleagues four particularly incisive and articulate letters requesting prompt passage of H.R. 6041 without amendment.

NATIONAL ELECTRICAL
CONTRACTORS ASSOCIATION, INC.,
Washington, D. C., January 8, 1964.

The Honorable JAMES ROOSEVELT,
Chairman, General Subcommittee on Labor, U.S. House of Representatives,
Washington, D.C.

MY DEAR CONGRESSMAN ROOSEVELT: By way of introduction, the National Electrical Contractors Association is the recognized representative of the electrical contracting industry, which includes more than 15,000 small business concerns primarily engaged in the business of making on-the-site electrical installations. On the average, they individually employ fewer than 10 workmen. These concerns are located in every community of the United States and are engaged in building projects which range from small homes to such complex installations as atomic energy plants and missile complexes.

The association and its members understand that the bill (H.R. 6041) to amend the Davis-Bacon Act so as to include fringe benefits in the determination of prevailing wages is scheduled for House consideration on January 9, 1964.

In March of 1963, we presented testimony in support of legislation designed to include fringe benefits in prevailing wages. The association has also supported similar legislation introduced in previous sessions of Congress. This letter reaffirms our previous position and it is also a specific endorsement of H.R. 6041.

We are convinced that this bill further effectuates the original legislative intent of Congress in passing the Davis-Bacon Act—protection of prevailing living standards of local building tradesmen from the depressing effects of imported cheap labor on Government construction. Additionally, we believe this bill is a substantial benefit to the public as it further assures a quality construction job by strengthening competitive competence between construction contractors performing or seeking to perform construction work for the Federal Government. It is interesting to note that legislation similar to H.R. 6041 has already been enacted in a significant number of States which have prevailing wage laws.

Objection to H.R. 6041 and other similar bills has been made by some organizations. Although many of these organizations support the amendment, they first want to obtain a revision and modification of the current Davis-Bacon procedures. In particular, such organizations have requested some form of review of either prevailing wage determinations or enforcement cases.

After many months of careful study and review of the act's administration, the Secretary of Labor, on January 4, 1964, issued an extensive revision changing and improving Davis-Bacon Act and procedures. We are of the firm opinion that this revision satisfies any prior reasonable and realistic complaints concerning former Davis-Bacon procedures. The new regulations establish a Wage Appeals Board to provide for administrative review of both prevailing wage determinations and enforcement cases. This Board is to be composed of competent and experienced public members. This provision for review is both reasonable and workable.

Other changes resulting from the revision include extending the period of effectiveness of prevailing wage determinations from 90 to 120 days from their issuance. The period during which no changes in the wage determinations may be made was increased from 5 to 10 days prior to the opening of bids. Changes concerning payroll deductions and debarment provisions were also included in the revision.

We understand that your subcommittee has definitely scheduled hearings this year for the purpose of reviewing the general administration of the Davis-Bacon Act. We do not believe the hearings are necessary in view of the issuance of the January 4 regulations. However, we are interested in such hearings as we believe that those organizations which may still demand further reorganization and revision or repeal of the act will have ample opportunity to state their views. We will not agree with their opinions but it is proper that they be given that opportunity.

In view of the issuance of the revised Davis-Bacon procedures and the forthcoming hearings, this association can perceive no valid or reasonable basis for opposing the enactment of H.R. 6041. In truth, this association was impressed with the administration of the act prior to the issuance of the new procedures in view of the fact that the Department issued last year 50,000 wage determinations containing approximately 5 million individual wage minimums.

The National Electrical Contractors Association and its members sincerely believe that all Members of the House of Representatives should and can vote for the prompt enactment of H.R. 6041 on January 9, 1964.

We are sending an identical letter to Representative AYRES, the ranking Republican member of the subcommittee.

Yours very truly,
ROBERT L. HIGGINS,
Assistant Executive Vice President.

PAINTING & DECORATING
CONTRACTORS OF AMERICA,
Chicago, Ill., January 8, 1964.

Representative JAMES ROOSEVELT,
Old House Office Building,
Washington, D.C.

DEAR CONGRESSMAN: In a few days you will be called upon to vote on H.R. 6041 which is known as the Davis-Bacon fringe bill.

The Painting & Decorating Contractors of America as a national association of some 8,000 active painting contractors from every section of the Nation are, by resolution unanimously adopted at convention, in favor of this legislation and solicit your support.

When first enacted in 1931, there was some question as to whether painting and decorating was covered by the provisions of the Davis-Bacon Act. This association sponsored legislation to amend the act to specifically "include painting and decorating" as it now reads. Here is a rare example where a trade association of small businessmen petitioned the Congress to be included in regulatory legislation. It was felt in 1931 that this was good. We have lived with the act for 32 years and found it workable. We now join with other associations of the construction industry and ask your support in having fringe benefits included in all determinations. And, in addition, we oppose any provisions for court review. In our opinion, the law has not been inflationary, but has established a fair and competitive basis for bidding; has been well administered by the Labor Department and has prevented discrimination. H.R. 6041 deserves your complete support.

Sincerely,
ED. S. TORRENCE,
Secretary.

AMERICAN FEDERATION OF LABOR AND
CONGRESS OF INDUSTRIAL ORGANIZATIONS,
Washington, D.C., January 3, 1964.

Hon. JAMES ROOSEVELT,
U.S. House of Representatives,
Washington, D.C.

DEAR CONGRESSMAN: H.R. 6041, a bill to include fringe benefits in prevailing wage determinations under the Davis-Bacon Act, is expected to be on the floor of the House of Representatives early in January. The AFL–CIO strongly supports this legislation, and I urge you to vote for H.R. 6041 without irrelevant or crippling amendments.

In 1931, when the Davis-Bacon law was enacted by Congress, fringe benefits such as health, welfare, insurance and pension plans scarcely existed. There are now in the construction industry more than 5,000 health, welfare and pension funds covering more than 70 percent of the building and construction trades workers and financed primarily by employer contributions. Today these fringe benefits are as much a part of the wage structure as the cash wage payment itself.

An employer who does not pay these fringe benefits clearly has an unfair advantage in bidding on Federal construction contracts over a contractor who does provide such benefits for his workers. Updating the Davis-Bacon Act by including such fringe benefits in the prevailing wage determinations made by the Secretary of Labor is essential to protect local wage rates and local community living standards.

I urge you again to vote for H.R. 6041.

Sincerely yours,
GEORGE MEANY,
President.

BUILDING AND CONSTRUCTION
TRADES DEPARTMENT,
Washington, D.C., January 4, 1964.

Hon. JAMES ROOSEVELT,
U.S. House of Representatives,
Washington, D.C.

MY DEAR CONGRESSMAN: I am again writing on behalf of the Building and Construction Trades Department, AFL–CIO, in support of H.R. 6041, a bill to include fringe benefits in wage predeterminations issued under the Davis-Bacon Act. The Department is composed of 18 national and international unions, representing over 3½ million building and construction tradesmen throughout the country.

H.R. 6041 was favorably reported by the House Education and Labor Committee by a voice vote. The House Rules Committee granted a rule on December 10, 1963. We expect this measure to be scheduled for consideration by the House of Representatives shortly after the Congress reconvenes on January 6, 1964.

This bill (H.R. 6041) would place all construction contractors on equal competitive terms. It would eliminate any unfair advantage hitherto enjoyed on federally financed construction by contractors who do not pay fringe benefits to employees. It does not interfere with the prevailing wage rates paid in a community but requires outside contractors from other States to pay the minimum prevailing wage rate in a community and thereby protects local contractors from unfair competition.

Unfortunately, the Davis-Bacon prevailing wage requirement no longer reflects the existing wage patterns which now include fringe benefits to an increasing extent. The act in its present form allows unfair competition by contractors who are not required to include fringe benefit costs in paying prevailing wages.

The evils which the Davis-Bacon Act was designed to correct occur when contractors bring low-paid construction workers from outside the local community to build Federal projects. The low wages of these workers from outside the local area undercut wage rates and undercut living standards for building and construction workers and their families in the local community.

The Davis-Bacon Act is designed to prevent such undercutting of community wage standards and community living standards by requiring contractors to pay workers on federally aided projects at least as much as the prevailing wage rates in the local community. Thus, the act is aimed at stopping unfair competition by contractors who underbid local contractors who hire workers in their locality and pay wage rates—including fringe benefits—on Federal projects.

You will note in the committee Report No. 308, that not one member of the committee opposed the merits of this bill with respect to including fringe benefits in determining the prevailing wage in the community. In fact, only 8 of the 31 members filed supplementary views. In the supplementary views of five of these members, it states in part:

"The cost of fringe benefits should be included when the prevailing wage rate is computed under provisions of the Davis-Bacon Act. When the act was passed in 1931, fringe benefits were for the most part unknown. At that time, a worker received a flat amount, usually so much per hour, and this constituted his whole wage. Today, that is not the case. The so-called fringe benefits are an important part of a worker's wage often being given today in lieu of increases in actual cash wages. Therefore, we believe the present law should be amended to permit the inclusion of fringe benefits when the prevailing wage is determined."

Other parts of the supplementary report relate to administrative changes which have nothing to do with the merits of this legislation.

The Department feels very strongly that this change is long overdue. We respectfully urge your support for enactment of this much-needed legislation.

With kindest personal regards.

Sincerely yours,

C. J. HAGGERTY,
President.

THE DAVIS-BACON BILL

Mr. EVINS. Mr. Speaker, I ask unanimous consent that the gentleman from California [Mr. ROOSEVELT] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Tennessee?

There was no objection.

Mr. ROOSEVELT. Mr. Speaker, two of our distinguished colleagues have distributed a letter on the subject of the Davis-Bacon bill which will be before the House on Tuesday, January 28. Because of the great importance of this bill to update the provisions of the Davis-Bacon Act, I feel that it is imperative that I elaborate a little on this matter.

First, the letter makes it clear that the rule granted by the Rules Committee does not permit the offering of an amendment to sections of the bill other than section 1, the prevailing wage section. Such a rule is justified fully by the facts. Hearings and executive sessions of the Committee on Education and Labor dealt with only one specific, concrete proposal. No other proposal was submitted to the committee nor was any other amendment considered. The bill which we shall consider shortly, H.R. 6041, amends one, specific, limited, distinct section of the Davis-Bacon Act. To seek to amend other sections of an act on the floor of the House is so obviously unwise as to have given rise to a much respected rule of the House—rule XVI, clause 7.

However, not satisfied that the drafting of legislation on the floor is injudicious, our two colleagues have stated that an effort will be made to vote down the previous question and modify the rule. This is a clear attempt to defeat the pending bill. It must be recognized as such an attempt and opposed vigorously by those who support passage of H.R. 6041.

Consideration of a highly complex judicial review section on the floor of the House will be impossible. It is a matter which deserves attention, but not on the floor. Recognizing this fact the General Subcommittee on Labor has commenced hearings on judicial review and other amendments to the Davis-Bacon Act. However, the subject is a complicated one with much difference of opinion. Several amendments will be considered by the subcommittee in a deliberate, but not dilatory, manner. This is the traditional and respected manner in which to proceed, not by the precipitate drafting of legislation on the floor. I strongly urge my colleague to vote affirmatively on the previous question on the rule, House Resolution 582.

For the interest of my colleagues I am including the letter referred to in my remarks.

CONGRESS OF THE UNITED STATES,
HOUSE OF REPRESENTATIVES,
Washington, D.C., January 8, 1964.

DEAR COLLEAGUE: As you know, H.R. 6041, a bill to amend the Davis-Bacon Act to include so-called fringe benefits in the determination of prevailing wages, is scheduled for floor action on Thursday, January 9, 1964.

Without entering into a discussion of the merits of the pending bill, we wish to point out that after participating in more than 3 months of hearings, we are alarmed at the numerous serious abuses that mark almost every aspect of the administration of the Davis-Bacon Act. This is the only wage-fixing law on the books under which the administrator's word is final, and under which no recourse can be had to the courts of the land. Such a situation cries out for correction.

Unfortunately, the rule granted by the Rules Committee does not permit the offering of an amendment making this act subject to judicial review. In view of this fact a strong effort will be made on the floor to vote down the previous question and modify the rule, so that this vital amendment may be offered. If the administration of the act is not reformed prior to the passage of the pending bill, it is doubtful that the House will have the opportunity to vote on real reform this year.

We would appreciate your support in the effort to bring the Davis-Bacon Act into harmony with the basic administrative system of America.

Sincerely yours,

CHARLES E. GOODELL.
DAVE MARTIN.

A BILL TO REPEAL SECTION 3 OF THE ROBINSON-PATMAN ACT

Mr. EVINS. Mr. Speaker, I ask unanimous consent that the gentleman from Michigan [Mr. DINGELL] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Tennessee?

There was no objection.

Mr. DINGELL. Mr. Speaker, I have today introduced a bill which would repeal section 3 of the Robinson-Patman Act and reenact this section as a part of the Clayton Act, in order to provide for governmental and private civil proceedings for violation of section 3 of the Robinson-Patman Act. Actually the Robinson-Patman Act of 1936 itself amends section 2 of the Clayton Act; however, over the years there has been considerable disagreement over the point whether or not section 3 of the Robinson-Patman Act should be considered a part of the Clayton Act. This disagreement has been accentuated by recent court cases specifically involving section 3.

Section 3 of the Robinson-Patman Act in its present form prohibits three kinds of trade practices: First, participation by any person in any transaction "which discriminates to his knowledge against competitors of the purchaser"; second, geographical price discriminations; and, third, selling "at unreasonably low prices for the purpose of destroying competition or eliminating a competitor." In addition, this section provides for criminal sanctions for violation of its provisions. Violation of any of these provisions is punishable by fines of not more than $5,000 or imprisonment of not more than 1 year, or both. No specific provision for civil proceedings was included.

Since the passage of the Robinson-Patman Act in 1936, the critics of section 3 of the act have contended over the years that it is first, unconstitutional; and, second, not truly a part of the Clayton Act, because they believe that its enforcement does not fall under the jurisdiction of the Sherman and Clayton antitrust laws. Those questioning the constitutionality of section 3 claimed, for example, in a recent case before the Supreme Court—*United States* v. *National Dairy Products Corporation*, 372 U.S. 29—that one of its statutory provisions, sale of goods at "unreasonably low prices, is so vague and indefinite as to violate the due process requirement of the 5th amendment and an indictment based on this provision is violative of the 6th amendment in that it does not adequately apprise them of the charges." After reviewing the lower court decision which ruled that this particular provision was unconstitutional, based on the reasoning given above, the Supreme Court on February 18, 1963, reversed the decision and sent the case back for trial on the facts. In rendering its decision, the Court concluded:

> Section 3 of the Robinson-Patman Act, making it a crime to sell goods at "unreasonably low prices for the purpose of destroying competition or eliminating a competitor," is not unconstitutionally vague or indefinite as applied to sales made below cost without a legitimate commercial objective and with specific intent to destroy competition.

Although the constitutional issue surrounding section 3 has been resolved, its usefulness as a means of combating harmful pricing practices has been virtually nullified as a result of decisions on two companion cases, *Nashville Milk Co.* v. *Carnation Co.* (355 U.S. 373) and *Safeway Stores, Inc.*, v. *Vance* (355 U.S. 389), handed down by the Supreme Court on January 20, 1958. In short, the Court ruled that a private party claiming injury from a competitor could not seek injunctive relief or treble damages under sections 4 and 16 of the Clayton Act as a result of violation of any of the provisions included in section 3 of the Robinson-Patman Act. Therefore, in other words, violation of any provisions of this section can only be prosecuted as a criminal offense. The Supreme Court based its decisions on the fact that according to the definition of "antitrust laws" as contained in section 1 of the Clayton Act, section 3 of the Robinson-Patman Act should not be considered as an antitrust law. The Court stated that "the Robinson-Patman Act shows on its face value that section 3 does not amend the Clayton Act, but stands on its own footing and carries its own sanctions, which are penal in nature."

Immediately following the Supreme Court decision, steps were taken by certain Members of both the House and Senate to enact legislation which would in no uncertain terms make section 3 of the Robinson-Patman Act a part of the Clayton Act so that violations of this section would be subject to either criminal proceedings or civil remedies, such as treble-damage actions and suits for injunctive relief. Attempts to enact such legislation unfortunately have been unsuccessful to date. However, in the light of the recent Supreme Court decision reaffirming the constitutionality of section 3 and with greater efforts on the part of proponents of such legislation, it is my hope that we will be successful in getting my bill, or a similar version, enacted into law during the current session of Congress. It has always been my belief that private enforcement of antitrust laws through civil proceedings is by far the most effective way to prevent firms from resorting to harmful pricing practices in order to reduce competition in the marketplace. Section 3 has remained virtually unused since its enactment because the Justice Department has found it impossible to obtain criminal convictions for violation of the provisions of this particular section. It has been reported that, since 1936, the Justice Department has filed only two criminal cases which charged violation of section 3; however, both cases were dropped because of insufficient evidence.

Thus, until we enact legislation which would clearly provide for such enforcement, it is evident that the competitive process in our free enterprise economy will continue to be adversely affected by firms which seek consciously to injure their competitors by various forms of price discrimination, especially cutthroat pricing.

WE CANNOT AFFORD TO EXPORT JOBS

Mr. BRAY. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include a letter.

The SPEAKER. Is there objection to the request of the gentleman from Indiana?

There was no objection.

Mr. BRAY. Mr. Speaker, last week I referred to the most recent example in which our Government is encouraging the export of jobs to other nations.

Specifically I discussed plans of the Consolidated Edison Co., of New York, to import electrical energy from Canada. At that time I mentioned that the Secretary of the Interior had given encouragement to this plan, despite the fact that American workers could have been used to supply this additional power.

The president of the United Mine Workers of America, Mr. W. A. Boyle, strongly protested Secretary Udall's support of the Consolidated Edison Co. decision. His letter of January 21 follows:

JANUARY 21, 1964.

Hon. STEWART L. UDALL,
Secretary of the Interior,
Washington, D.C.

DEAR MR. SECRETARY: The United Mine Workers of America is unalterably opposed to the importation of electrical energy from Canada. We view the importation of such energy as a direct and immediate threat to the American coal miners and as detrimental to their present and future job security.

For many years the United Mine Workers of America has protested the exportation of American jobs by an unwise and destructive foreign trade policy. This is true in the case of imported residual fuel oil and natural gas and it is equally applicable to the proposed use by the Consolidated Edison Co. of New York of vast quantities of hydroelectric power produced in Canada.

The energy needs of this Nation can best be filled by the fuels resources of the United States. Our coal industry has the reserves, the men, and the technology to supply Consolidated Edison or any other utility with ample low-cost fuel produced in America, which will provide jobs and economic security for American workers and their families. The coal industry has made tremendous strides in productive technology in recent years and great advances have been made in the transportation of coal. In fact, the entire economic basis for the proposed Consolidated Edison purchase is the extra high voltage transmission, an innovation which has been hailed as a great advance in the competitive struggle in which the coal industry is engaged.

If Consolidated Edison is willing to carry electricity 1,100 miles from a foreign country, it can carry American coal "by wire" through mine-mouth generating a similar distance. There are available to the utility some of the richest coal seams in this Nation which would provide more than abundant fuel to meet the demands of their customers.

We are all aware of the need to eliminate poverty in America. The President has declared a major aim of this administration is to do all necessary to eradicate this blot on our national honor. We feel—and we are sure you concur—the best way to do this is to provide useful work for these millions of Americans who desire it.

Mine-mouth generation would do much to alleviate the depressed conditions of the Appalachian area and further would allow many dormant coal areas in the western part of the United States to be utilized. This has long been the position of the United Mine Workers and we urge you to carefully consider it. The technical feasibility of high voltage transmission is a major breakthrough but it should be applied to utilize the resources of our Nation rather than foreign resources.

We therefore urge you to reconsider your support for the Consolidated Edison Co.'s project and others of a similar nature and concentrate instead on using the technical advances in energy for the benefit of our own natural resources and for the achievement of full employment in the coal mining areas of this country.

Sincerely yours,

W. A. BOYLE.

STAB IN THE BACK OF AMERICAN VETERANS BY ED NEILAN, WILMINGTON BANKER AND PRESIDENT OF THE U.S. CHAMBER OF COMMERCE

The SPEAKER. Under previous order of the House, the gentleman from Texas [Mr. PATMAN] is recognized for 60 minutes.

Mr. PATMAN. Mr. Speaker, I ask unanimous consent to revise and extend my remarks and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. PATMAN. Mr. Speaker, I have nothing to do with selecting Pulitzer prize-winning editorial writers. If I did, my vote would go to the Scripps-Howard writer of the Indianapolis Times, who wrote on January 7 an editorial entitled "Watching the Mud Go By." I shall not read the entire piece. But there are sections of it that you will enjoy sharing with me. It begins:

> If Edwin P. Neilan, Delaware banker and president of the Chamber of Commerce of the United States, is ever out of work, he needn't worry. He can hire on as consulting mudslinger. * * * When he was through his speech for the local chamber last night, you couldn't see the targets for the mud. * * * He talked about "political pigs who have pushed their snouts into the public trough and are gorging themselves on human misery." He did not say who they are except that they "mask themselves as humanitarians and civic improvers."

The editorial writer asked:

> Whether this means that all people who work for humanitarian and civic improvement are political pigs? Or just some of them? The Congressmen who passed urban renewal and public housing legislation, the officials who carry it out, local officials who cooperate with it, private people who call for it? Neilan didn't say. * * * He purported to prove that urban renewal and public housing have gone to wealthier rather than poorer areas. He didn't say what he meant

> by an area, but later on he made clear he meant a State. He can't tell the difference between densely packed New Jersey and underpopulated Wyoming.
>
> He called programs in New York City and Newark vote buying. He didn't say how this works. * * * Neilan's technique—

Continues the editorial—

> is like hunting a crook in a crowd with a machine gun, like killing weeds by plowing the garden under, like discarding the baby instead of the diapers.

The editorial wound up by saying:

> Indianapolis has wretched slums and nasty floods and 5,000 families getting evicted by highways and sky-high property taxes.

I want you gentlemen here in Congress to heed the last line of this magnificent editorial. It sums up the cynicism of the Scrooge of Wilmington.

> Neilan doesn't seem to give a damn—

The editorial concluded.

No, the gentleman does not give a hoot about anything except the big bankers' bonus. That is, millions of Federal money on deposit that can be rented out to the public at the "going commercial rates." Mr. Neilan's Bank of Wilmington had $8,100,000 of Government funds on deposit on October 15, 1963, and according to his own admission considerably more than this on an average during the year, and this money comes to the bank free for nothing.

Oh, I know when I called this to the attention of the Congress not long ago, the banker from the duchy of Du Pont almost immediately got out a statement which said that in 1963 "the Federal Reserve Bank of Philadelphia paid the Treasury $48,852,000 which it earned on the required reserve deposits made by member banks." Now Neilan had the temerity to state what every banker who is a banker knows to be a deliberate falsehood. He said that this $48 plus million belongs to the member banks and this includes his Bank of Wilmington. He said that the fact that this $48 plus million is turned over to the Treasury means that his bank and other commercial banks in the Philadelphia Reserve district, are "subsidizing the U.S. Treasury."

Despite the statement of the Wilmington gentleman, the truth is, and every banker in the country knows this—that the $48 million plus was not earned on the required reserves of member banks but on Government securities which the Federal Reserve Bank in Philadelphia acquires by a flick of the pen thereby using its power to create money.

It is impossible to believe that a man who is a bank president and who is also president of the U.S. Chamber of Commerce cannot understand such basic fundamentals of banking and the Federal Reserve System. It must be concluded that Neilan is deliberately attempting to deceive his fellow members of the chamber of commerce, Congress, and the people. He certainly is not going to fool bankers. If there is any question about my own statement, let me quote from the December 1962 Monthly Review of the Richmond Federal Reserve Bank:

> The heart of the matter is that according to the principles under which central banks operate their earning power is not increased by the deposits which commercial banks carry with them, regardless of the way in which those deposits are created. Rather, the great profitability of central banks is due to the fact that they exercise the sovereign power of governments to create money.

Now we are coming to the hard core of our business for today, namely, the shoddy, despicable treatment afforded the American veteran by Ed Neilan, banker head of the U.S. Chamber of Commerce. We all know that the Scrooge of Wilmington is against almost everything. He is against the Congress, against public servants anywhere, against the American Government, against laws designed to see that the Government serves all the people. He is against chamber of commerce businessmen who seek useful projects in their communities if any Federal moneys are called for to help pay the way. He is really against people. He does not like people. The largest segment of the American people yet insulted by Ed Neilan is composed of American veterans. These are the men who came to the support of our Government at times of its greatest trials—World War I, World War II, and the Korean war.

When Neilan attacked these men in a sneering, contemptible piece in the Saturday Evening Post last November, he stabbed in the back the finest manhood of America.

I received a great deal of mail from prominent veterans concerning Neilan's stab-in-the-back article. From Earl A. Graske, Ohio American Legion:

> No citizen of our Nation has the right to spread lies and untruths as Edwin Neilan has done. * * * Neilan's slur against all veterans in his story in the Saturday Evening Post is an insult to any man who has served his country.

From John E. Erickson, national legislative director, Veterans of World War I of the U.S.A., Inc.:

> Neilan's tirade was so completely devoid of facts that it has not been difficult for veteran leaders to point out the distortions and untruths in his article which has aroused a terrific tide of resentment among veterans, their friends and supporters. * * * In nearly every appearance that he has made, his ill-founded statements have returned to haunt him. In Indianapolis, Ind., Minneapolis, Minn.; Cleveland, Ohio; and Bay City, Tex., and even in his own State of Delaware his audiences have been astonished and amazed at the inaccuracies and misstatements that have been sprinkled most liberally throughout his addresses. * * * He puts his foot in the mouth at every conceivable opportunity.

Waldron E. Leonard, Director of the Department of Veterans' Affairs of the government of the District of Columbia, sent me a copy of a letter he wrote Neilan after Neilan's attack against the veterans in the national magazine. Let me read you the letter:

> Mr. Neilan. I have been a member of an affiliated organization of the chamber of commerce for approximately 20 years, which annual dues are about five times that of any veterans' organization. I have been acquainted personally with two past national presidents of the chamber of commerce, who were very fine and distinguished gentlemen.
>
> I was somewhat shocked to read the article attributed to you in the Saturday Evening Post. In my estimation you have done a great disservice to many thousands of veterans, who like myself pay large fees to belong to the chamber of commerce. You insulted these veterans, in my opinion, through your desperation for public attention or publicity. You insulted veterans' organizations that have cooperated and worked with the chamber of commerce throughout the United States in civic and welfare programs.
>
> There was an article that kept going through my mind when reading your insults entitled "Let's Say 'No' to the Veterans." It is as follows, which you might find a little more interesting and I presume the research is factual:
>
> "DID YOU KNOW
>
> "In 1923 a very important meeting was held at the Edgewater Beach Hotel in Chicago. Attending this meeting were eight of the world's most successful financiers. Those present were the president of the largest independent steel company; the president of the largest gas company; the greatest wheat speculator; the president of the New York Stock Exchange; a member of the President's Cabinet; the greatest 'bear' in Wall Street; head of the world's greatest monopoly; president of the Bank of International Settlements.
>
> "Certainly we must admit that here was gathered a group of the world's most successful men. At least, men who had found the secret of 'making money.'
>
> "A check was made 25 years later; let's see where these men are:
>
> "The president of the largest independent steel company, Charles Schwab, died a bankrupt and lived on borrowed money for 5 years before his death.
>
> "The president of the largest gas company, Howard Hopson, is now insane.
>
> "The greatest wheat speculator, Arthur Cutten, died abroad, insolvent.
>
> "The president of the New York Stock Exchange, Richard Whitney, was recently released from Sing Sing Penitentiary.
>
> "The member of the President's Cabinet, Albert Fall, was pardoned from prison so he could die at home.
>
> "The greatest 'bear' in Wall Street, Jesse Livermore, died a suicide.
>
> "The head of the greatest monopoly, Ivar Krueger, died a suicide.
>
> "The president of the Bank of International Settlement, Leon Fraser, died a suicide."
>
> All these men learned well the art of making money, but not one of them learned how to live. So let's live and let live.
>
> Happy new year.
>
> Sincerely yours,
>
> Waldron E. Leonard.

Mr. Speaker, I am sure that Ed Neilan got the message. While he may today be enjoying life in a great master bedroom, I wish to remind him that in the architecture of the American system it is only a few short steps from the master bedroom to the doghouse.

For the benefit of the Scrooge of Wilmington and those like him who are opposed to veterans receiving their just due, I would like to review quickly a little history as it concerns veterans and bankers and veterans benefits and interest rates. Those who have opposed veterans receiving their just due always take the position that those like myself who want justice rendered the American veteran are wild-eyed radicals, demagogs. We want to throw away the Government's money in unearned bonuses, et cetera, et cetera, et cetera. To these critics I would like to borrow a quote from the mayor of Cleveland, which he used concerning some hocum from the mouth of Ed Neilan. Quote, horsefeathers, unquote.

World War I was up to that time the greatest war in all history. Young men gladly served for the small compensation that they received. The private got "$30 a day 1 day a month." But after his allotment, insurance, laundry bills, incidentals were deducted and he had made a payment on a war bond—if he were able to pay on one—the amount he had left was usually raked off in his hat on pay day in the form of small change.

However, the men did not complain; they were told that those who were furnishing the money would only receive a low interest rate in comparison to their low wages.

Most of the financing of the war was done through the sale of bonds since the amount of taxes raised was wholly insufficient.

The men were also told about the great and generous Government of the United States of America never forgetting those who came to its aid in times of trouble. The traditional policy of the Government was often quoted by civilian leaders, military leaders, and others to the effect that when the country is at war and needs the young men to defend and save it, the Government has an obligation later on when these young men become aged and they need the Government that they helped to save—the Government would then come to their aid and comfort and support as a traditional policy.

World War II was the greatest war in every respect up to and since the time it occurred. A military man, citizen, soldier, and sailor received more pay than those who served in World War I. Even so it was recognized that they were inadequately compensated for their services. They were not paid the going rate for work or services of those who stayed home. During World War II, military officers reminded the men that though their pay was low, the people who furnished the money were buying bonds at a very low rate of interest. They were told that World War II would certainly not bring a rash of Daddy Warbucks, new multimillionaires. Everybody was supposed to make a sacrifice—the men by not receiving full and adequate pay; the people, corporations and institutions with money were also making a sacrifice by investing in bonds that provided a low rate of interest.

Immediately after World War II, the United States had a large national debt, aggregating between $250 and $300 billion—principally from the two major wars. Promises that had been made to those entering the military during these wars were not entirely forgotten, but as time went on they became only a dim memory. The result has been over the years that terrific fights were made against veterans' benefits and every effort made to hold down the cost even though much of the cost required was entirely justified. On the other hand, the bondholders put on a tremendous campaign to get their interest rate raised on this debt. The result was that in 1946, a year after World War II ended, there were veterans' benefits on the budget for $4.4 billion and interest payments on the national debt of $4.7 billion. In 1963, veterans' benefits were $5.3 billion, the interest payments on the national debt $10.7 billion. For fiscal 1965 it is estimated veterans' benefits will be $5.1 billion and for interest on the national debt, $11.1 billion.

In compliance with my request, the Legislative Reference Service of the Library of Congress prepared a table for me, giving significant information along this line. It is as follows:

Administrative budget expenditures for veterans' benefits and interest on the national debt for fiscal years 1944-64, also national debt at end of fiscal year

[Amounts in millions of dollars]

Fiscal year	Veterans' benefits	Interest payments	National debt
1944	745	2,609	201,003
1945	2,095	3,617	258,682
1946	4,415	4,722	269,422
1947	7,381	4,958	258,286
1948	6,653	5,211	252,292
1949	6,725	5,339	252,770
1950	6.646	5,750	257,357
1951	5,342	5,613	255,222
1952	4,863	5,859	259,105
1953	4,368	6,504	266,071
1954	4,341	6,382	271,260
1955	4,522	6,370	274,374
1956	4,810	6,787	272,751
1957	4.870	7,244	270,527
1958	5,184	7,607	276,343
1959	5,287	7,593	284,706
1960	5,266	9,180	286,331
1961	5,414	8,957	288,971
1962	5,403	9,120	298,201
1963	5,186	9,980	305,860
1964[1]	5,362	10,701	311,800

[1] 1964 data are estimates from the Budget of the United States for fiscal year 1965.

Source: Bureau of the Budget of the United States and Department of the Treasury of the United States. Submitted Jan 23, 1964.

The average interest on the national debt is now much lower than it will be when the long-term 2 and 2½ percent bonds are refinanced at the now going rate which is much more than 4 percent. Then our annual interest burden will be much more than $12 billion.

It should be stated that most of our national debt was incurred during the Second World War. At that time the Bank of Wilmington, which Ed Neilan now heads, and other commercial banks bought a large part of the bonds that were offered by the Government to pay on the cost of the war. These banks were privileged to buy these bonds on the Government's credit without even a reserve and receive the interest on them as though they had actually paid their own money for the bonds. Even after the war was over and at the present time, Ed Neilan's bank and other commercial banks invest in Government bonds by creating the money on the books of the bank to buy them. Today they own about $70 billion worth of bonds acquired in this manner.

The Federal Reserve banks could have bought these bonds without interest cost to the taxpayers by the issuance of non-interest-bearing bonds for that purpose—or by permitting the interest to be paid and returned to the Treasury like it is done today, through the Federal Reserve banks. In other words, the Government is not dependent upon the commercial banks to purchase U.S. Government bonds. The Government, through Congress, could easily provide for any bonds that the Government needs to sell to be purchased by the Federal Reserve banks. In that way the people and the taxpayers would get the credit by not having to pay interest, or getting the interest returned and not giving it entirely to the commercial banks that created the money. The bonds should be sold to the "Fed" after all the money possible is raised in taxes and after all the bonds can be sold to individuals and corporations having actual money to invest.

The Federal Reserve banks now own $33 billion in Government bonds which they bought with created money on the Government's credit upon which over a billion a year is paid in taxes by the taxpayers, millions of whom are veterans. The Federal Reserve System spends all this money that it wants to spend—usually about $200 million a year—and returns the remainder to the Treasury.

It is difficult to understand how a banker like Ed Neilan would be so hard set against the veterans and insist that the people say "no" to the veterans, but with a straight face, at the same time ask the Congress and the people to pay a fabulous bonus each year to the bankers.

Although the figures used are not exactly comparable, they nevertheless tell the story that after the wars were over the men who fought the wars received low pay and those who bought the bonds received low interest; yet, the campaigns commenced to pay the veterans, their widows, dependents, and other necessary expenses, just as little as possible. It looks like the same campaigners against the veterans were campaigning at the same time for higher and higher interest rates for those who furnished the money, even though much of it was the Government's money that they themselves were receiving interest on.

So now we realize in this year 1964 the annual interest on the Government obligations—most of which was used to fight the two wars—is twice as much as the Government appropriates for all veterans of all wars for all purposes, including compensation, pensions, hospitalization, and for every other purpose.

All of this is information that Ed Neilan left out of his Saturday Evening Post article. His omission is part of his technique of distortion. The information I have presented is what the Ed Neilans of America do not want the public to know about or talk about or think about.

[News release, the American Legion, Washington, D.C., Dec. 5, 1963]

NATIONAL COMMANDER OF THE AMERICAN LEGION, DANIEL F. FOLEY, STRIKES BACK AT ANTIVETERAN ARTICLE IN THE SATURDAY EVENING POST, OF NOVEMBER 30, BY PRESIDENT OF THE UNITED STATES CHAMBER OF COMMERCE, EDWIN P. NEILAN

American Legion National Commander Daniel F. Foley today termed an article, appearing in the November 30 issue of the Saturday Evening Post and authored by the president of the U.S. Chamber of Commerce, a "blatant and outrageous" attack on veterans and veterans' organizations and a "shocking and unwarranted" indictment of the

Congress and of the Veterans' Administration. "This will do nothing to improve the public image of either the Post or the Chamber of Commerce," Commander Foley stated. The leader of the world's largest veterans' organization said the American people have a right to expect of the Nation's major magazines fair and responsible reporting. "This article," he declared, "is a gross contribution to confusion. It is loaded with inaccuracies and inconsistencies."

The article, entitled "Let's Say 'No' To the Veterans," contends that veterans are the "worst offenders" among groups receiving from the Congress what its author calls handouts and Federal giveaways. It refers to the veterans' benefits program as a "scandal" and implies that any veterans' legislation passed by Congress is "loosely written." Congressmen, says the article, "are demonstrably unable to resist" the lobbyists.

To thwart "pressure groups," the chamber's president recommends abolishment of the House Veterans' Committee. "If we were to pursue this kind of logic," Commander Foley noted, "one also would have to recommend the abolishment of the constitutionally guaranteed right of petition, and perhaps the American system of representative government. We doubt if the leading spokesman for the business lobby would seriously propose that the Banking and Currency Committees of the Congress be dissolved."

The chamber's president also charges the Veterans' Administration with "loose" administration of veterans' legislation and with inefficient management of its hospitals. He would discontinue the VA hospital system and he questions the Agency's justification for remaining in control of other benefit programs.

The American Legion took particular exception to the Post article's claim that the VA routinely permits veterans to perjure themselves so as to secure free medical care. The Legion's leader stated that "this reckless accusation establishes without doubt the chamber president's complete ignorance of the extreme lengths to which the VA goes to insure that its hospital beds will be used only by those having entitlement on the basis of either service connection or need." The commander said repeated surveys have demonstrated that abuse of the veterans' hospital treatment privilege is negligible. The findings, he pointed out, consistently have shown that "less than one-half of 1 percent of the cases might be subject to question," and he emphasized that this record is remarkably low in comparison with other public programs of like nature. The Legion spokesman added that his organization has given the VA every cooperation in continuing efforts to eliminate abuse of the non-service-connected medical program.

The Post article, in the Legion's opinion, adds up to an unfair—and unsubstantiated—condemnation of all veterans' programs, even though its writer gives lip-service to the "sensible principle that benefits should be paid only for service-connected disabilities, for unemployability and for need." Commander Foley observed that the Legion has consistently supported this principle and, in fact, participated in establishing it as part of today's law. The chamber's president, however, selected out for particular abuse a general pension bill that is backed by an organization representing less than 10 percent of those in veterans' organizations, but he neglected to make clear the pension policy of the American Legion.

The Legion commander said "anyone even casually acquainted with our organization's long-standing position knows that we stand for a showing of need in non-service-connected benefit programs. The American Legion is," continued Mr. Foley, "the foremost spokesman among veterans' groups for retention of a reasonable test of need in the veterans' disability and death pension programs. Within the framework of existing law, we seek moderate liberalizations in keeping with rising living costs, and such other modifications as will serve to perpetuate the dignified and gracious manner in which the Nation traditionally has care for its war veterans and their survivors."

The Wabasha, Minn., lawyer identified four major fallacies in the Post article which he said served to discredit any claim its author might make to expertise in the field of veterans' affairs. These, together with the Legion's comment, are:

1. The Post article asks, "If low-income veterans of World War I should be helped, why shouldn't low-income, elderly nonveterans?" The Washington office of the U.S. Chamber of Commerce is well-staffed with experts in all forms of Government programs. It is inconceivable that its president would be unaware of the public assistance program under which well over 2 million older citizens, regardless of veteran status, receive a monthly payment consisting largely of Federal funds. The amount paid in such cases is, on the average, approximately the same as the average pension paid by the VA to a war veteran.

2. The Post article says "* * * 85 percent of the VA patients have nonservice disabilities." The quoted figure must have been grabbed out of the air for it bears no ascertainable relationship to official Government statistics. It is possible, of course, that all VA patients have some non-service-connected disability. The fact is, however, that somewhat over 40 percent of all veterans occupying a VA hospital bed have service-connected disabilities of a compensable degree. Of the remaining non-service-connected group, over 57 percent are under treatment for chronic, long-term disabilities such as tuberculosis and neuropsychiatric conditions. These patients would be a charge on the public whether in a VA or a non-VA hospital.

3. The Post article claims "* * * there are generally more empty beds than patients in VA hospitals, if only because most of the patients are ambulatory." The reference to "ambulatory" patients renders this statement senseless. Under this definition, all beds in any hospital would be "empty" on any given day that all of its patients could stand up and walk. The fact is the VA's record on utilization of beds is much better than non-VA hospitals. The bed occupancy rate for VA hospitals is 90 percent, compared to 75 percent for non-Federal hospitals.

4. The Post article states: "Our veteran population is aging, but not decreasing." This would be a good trick, if possible. The fact is the Nation's war veteran population has been on the decline since March 1958.

The chamber's president, a Delaware banker, favors dismemberment of the VA and letting the general social security system provide for the needs of veterans. Commander Foley called attention to the fact that the writer of the Post article failed to provide the details as to how this would be accomplished. "Furthermore," said Legion head, "the business-lobby's representative did not tell us how much money, if any, would be saved. The needy—veteran or not—are cared for in our society for the most part through public programs. It is fundamental to the Legion's philosophy, however, that war veterans in need are a Federal responsibility and the VA is the agency for discharging that responsibility; and our philosophy in this regard is founded on the Nation's historic policy of providing special benefits for its war veterans and their survivors."

Representing the 2,600,000 veterans of World Wars I and II and the Korean war who are members of the American Legion, Commander Foley said: "Thousands of Legionnaires also are members of some local chamber of commerce. They will have more than a passing interest in their national president's views as expressed in the Post article. We have found over the years that whenever a local installation of a Federal agency is threatened with transfer, dissolution or curtailment, the local chamber of commerce takes an active part in efforts to retain the status quo. Legion posts and chamber units often have joined forces to justify continued full operation of a given VA medical facility."

Commander Foley stated in conclusion that the Post article presents nothing new. "It's the same old charges from the same old source. No amount of fallacious reasoning will dissuade the American public from its policy of caring for the Nation's war veterans and their survivors through special programs designed to provide for their just and reasonable needs. Neither will foundless attacks against the VA's fine record; nor will such a base purpose be served by impugning the integrity and judgment of Congressmen.

"As national commander, I pledge to all needy war veterans, and to the widows and orphans of those who served, that the American Legion will continue its efforts in their behalf, that the VA's hospital system shall be maintained intact, and that we will fight with our full strength and resources any and all attempts to dismember the VA or otherwise weaken its ability to carry out its important mission.

"We make no apology for our position on veterans' benefits, just as we need not apologize for the American Legion's great and continuing programs of community service; its child welfare work; its sponsorship of youth projects emphasizing American ideals of fair play, tolerance, civic responsibility, and constitutional government; its unselfish service to veterans and their dependents; its support for a national defense establishment second to none; its insistence upon the maintenance of American principles of justice, freedom, and democracy."

"Finally," said Commander Foley, "in view of the attitude expressed by the writer of the Post article, perhaps it is also his view that veterans' groups, including the American Legion, should cease their keen interest and participation in countless community projects and endeavors all across America—many of which would not be realized without the support of such patriotic organizations."

National Legislative Services,
Veterans of World War I of
the U.S.A., Inc.,
Washington, D.C., January 24, 1964.
Hon. Wright Patman,
Member of Congress,
House Office Building,
Washington, D.C.

Dear Congressman Patman: With each succeeding week it becomes more and more apparent that Edwin P. Neilan, president of the U.S. Chamber of Commerce, is fast becoming the victim of his own utterances.

Starting last summer, Neilan, who is also president of a chain of banks in the State of Delaware, opened a vicious attack upon Members of Congress, terming them "confidence men," "bagmen," "patronage peddlers," "gravy ladlers." He, in plain words, accused Members of Congress of squandering the public money in order to perpetuate themselves in office and virtually stated that all of them were open to various means of bribery in order to hold their elected positions.

This blast, of course, did nothing to ingratiate the chamber head with Members of Congress and since that time he has authored an article in the Saturday Evening Post, "Let's Say No to Veterans." This tirade was so completely devoid of facts that it has not been difficult for veteran leaders to point out the distortions and untruths in his article which has aroused a terrific tide of resentment among veterans, their friends, and supporters.

As the president of the chamber of commerce, Neilan has been invited to address civic organizations in various cities. In nearly every appearance that he has made, his ill-founded statements have returned to haunt him. In Indianapolis, Ind.; Minneapolis, Minn.; Cleveland, Ohio; and Bay City, Tex., and even in his own State of Delaware his audiences have been astonished and amazed at the inaccuracies and misstatements that have been sprinkled most liberally throughout his addresses.

His charges against veterans and veteran benefits have been most ably answered by top veteran spokesmen. It would appear that Neilan's image as a spokesman for the Chamber of Commerce of the United States has been considerably tarnished as he continues to play the contortionist and put his foot in the mouth at every conceivable opportunity.

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While it seems popular to downgrade World War I service, we wonder how many, if any, of these critics have studied the history of the hastily built citizen army who were thrown against the most efficiently trained and experienced troops in the world. History shows that these farmers, mechanics, and just plain kids met and defeated the Feldgrau Legions who had 4 years of combat to their credit in every major encounter of World War I.

The record is filled with astonishments by our European Allies at the free-swinging and singing doughboys as they recklessly stormed the fortified positions of the enemy who had defied attack for so long a time. If Mr. Neilan had acquired a little mud on the seat of his "britches," perhaps he would not be so glib and careless in his evaluation of men who did the impossible. The adjectives he uses in reference to these doughboys should make even the most shameless blush.

While the chamber of commerce head is unalterably opposed to benefits for veterans, he has no such scruples when it comes to benefits for bankers, estimated insofar as Neilan's bank is concerned, as being approximately $400,000 yearly. This subject has been amply covered by the Honorable Wright Patman, of Texas, a recognized authority on finance. It would appear that it is only a matter of a very brief time before Edwin P. Neilan will be thoroughly discredited by the people of this Nation.

The Veterans of World War I wish to commend the Honorable Wright Patman, of Texas, for his courageous stand before the House of Representatives in defense of the veterans of this country from the unwarranted and unjust attack upon those men and women who answered the call of their country in time of its greatest need. We wish to assure all of those Members of Congress who have courageously stood up to be counted in supporting the Veterans of World War I, whose average age is now 70 or better, and particularly in defense of the traditional treatment which has been a part of our Nation since its founding. These traditions have been established upon many a field of battle, from the earliest Colonial days through the French and Indian wars, the Revolution, Mexican War, the Civil War, Spanish-American War, World Wars I and II, and Korea. This tradition is epitomized in the statement made by President Hoover that military service in time of war is extraordinary service over and above the normal requirements of citizenship and, therefore, entitled to special consideration. The American fighting man has garnered strength and encouragement from these traditions together with a spirit of determination to defend and carry forward into perpetuity our American way of life and the true concept of our realization with those who have given so much and who will, in the future, give that which has to be given in its defense.

Again we want to say we are grateful, particularly to the Honorable Wright Patman, of Texas, for his consistent support and in defense of the fighting men of this Nation from the time he became a Member of Congress to the present. We consider all those who are supporting this concept and our World War I program as men of courage and men with a deep, sincere sense of loyalty to those who have fought and to the American tradition.

Sincerely yours,

John E. Ericson,
National Legislative Director.
Michael J. Dwyer,
National Research Consultant.
LeRoy P. Chittenden,
National Public Relations Director.

BOBBY BAKER INVESTIGATION

The SPEAKER pro tempore (Mr. Libonati). Under previous order of the House, the gentleman from Iowa [Mr. Gross] is recognized for 30 minutes.

Mr. GROSS. Mr. Speaker, a problem of perjury has become a major issue in the Bobby Baker investigation by a committee of the other body. This is a grave matter that involves the credibility of key witnesses. It also involves the question of the integrity of the investigation itself.

Walter Jenkins has stated that he "was never present or a participant in any alleged conversations between Reynolds and Baker where the disposition of the commissions earned by Reynolds as agent for the Manhattan Life Insurance Co., was discussed."

According to the statement Jenkins swears is true, he "emphatically denies ever suggesting to Robert G. Baker or to Reynolds the LBJ Co. should get any sort of rebate from the commissions earned by Reynolds."

Jenkins should have been asked a good many more questions about this matter—by committee counsel L. P. McLendon and W. Ellis Meehan—relative to the $1,200 in advertising time that Reynolds says he was pressured into buying on the LBJ Co. radio and television station. However, as inadequate as the questioning and statement by McLendon and Meehan were, the statement stands as a denial by Jenkins that he had been involved in any conversations with Reynolds about this kickback, rebate or whatever one wishes to call it.

Mr. Reynolds states that he disagrees with Jenkins' "statement that he [Jenkins] had no knowledge of any question of advertising time to be purchased from KTBC, which is a station owned by the LBJ Co."

Reynolds continued:

> He [Jenkins] did have knowledge, and discussed it with me, sir. And he discussed it directly with the president of the Mid-Atlantic Stainless Steel Co., Mr. Albert G. Young.

Mr. Reynolds produced the checks for $1,000 and $208 to corroborate his statement on the payments to the LBJ Co. Those checks and other documents show that Mr. Reynolds did not want this advertising on an Austin, Tex., station and tried to sell part of it to Mr. Young.

In his testimony, Reynolds stated that he had "reconfirmed it with Mr. Young, that he dealt directly with Mr. Jenkins."

Young has also told reporters the same story. It is my understanding Mr. Young has considerable documentation on this matter.

The testimony of Mr. Young is the testimony the Senate committee should be seeking if it really wants to find out who is telling the truth in this affair. Also, there is an obligation to call Mr. Jenkins to testify in person, and to be questioned on the details of this whole affair. Mr. Jenkins was an employee of the Senate when these matters transpired, and the fact that he is now the No. 1 assistant to President Johnson should not be a barrier to calling him for questioning under oath. Sherman Adams appeared and testified before a House committee on dealings with Bernard Goldfine and the vicuna coat gift. There is no reason why Walter Jenkins should not testify.

If perjury is to be permitted then the whole investigation will be a mockery, for the whole purpose of the investigation is to find the truth. There is an obligation to pursue every avenue and to call every witness to learn the truth.

It should be kept in mind that knowingly helping a perjurer to conceal his perjury constitutes another crime—subornation of perjury. All of those who take part in hiding perjury by refusing to call witnesses and subpena documents are themselves involved in subornation of perjury.

This investigation was launched for the purpose of demonstrating to the public that the Congress could and would clean house. It was said that "the integrity" of the Congress was involved in the Bobby Baker affair.

The reputation of the Congress is harmed if perjury is hidden or condoned, and if high officials such as Mr. Jenkins are given favored treatment.

Mr. Reynolds states that he had a conversation with Jenkins in which Mr. Jenkins produced a letter from a Mr. Huff Baines, of Texas, who had indicated that he would buy advertising on the LBJ Co. station if he wrote the Lyndon Johnson insurance. Reynolds states he did not buy the advertising on a voluntary basis, but only after being called by Jenkins and told to buy it. Certainly Mr. Walter Jenkins should remember this, if it happened.

Apparently President Johnson intends to try to shut off all questioning on the subject of his dealings with Bobby Baker. I do not believe that the inadequate statements he made last week before running away from reporters should end it. In fact, his conduct and statements to this point raise more questions than they answer.

There was no word of criticism of Bobby Baker in the statement made by President Johnson, so we can probably assume that he still has the same warm admiration for Mr. Baker today that he had when they were gift-giving pals back in 1959. If we are wrong he should tell us.

The President explained the expensive stereo set as a gift from the Baker family, and indicated it was merely one of many gifts that passed back and forth between him and his bosom friend, Bobby Baker. I would like to hear more about these tokens of affection that were passing back and forth between the then majority leader and Bobby Baker. It could be most pertinent. Up to this point there has been no demonstration of the Government relationships that gave Baker his power to land highly lucrative vending machine contracts in the aerospace and defense industries. He must have had powerful friends who were active and influential in defense and aerospace contract matters.

While the President has given some explanation of the stereo set, he has said absolutely nothing about that $1,200 gift of cash money that Don Reynolds says he was pressured into contributing to the LBJ Co. radio and television firm. There is no doubt that Don Reynolds paid the money to the LBJ Co. station for he has the checks to prove it. There is little doubt that someone had to suggest this arrangement, for it is most unlikely that a Maryland insurance man would throw $1,200 down the drain by advertising on a station 1,500 miles away in Texas.

If the LBJ Co. employees were shaking down this insurance man in this questionable way without his knowledge, the President should say so and publicly condemn them. If President Johnson knew about it, then he owes the public an explanation of this transaction.

His comments that he has said all he is going to say about the subject is unacceptable, and I do not think the public will regard this as the honest and forthright explanation we have a right to expect from men in high office.

The President's quips about "the miniature television set" will not suffice for an answer on either the stereo or the $1,200 paid to the LBJ Co.

It must be remembered that according to the sworn testimony of Reynolds he received a telephone call from Bobby Baker who told him, in effect, that he had not done anything for Senator Johnson.

On the basis of this and other manipulations on the part of Bobby Baker an expensive stereo set was delivered by air freight to the residence of Senator Johnson. Incidentally, according to Reynolds, the actual delivery was made by a Government truck from Friendship Airport.

Neither should it be forgotten that the evidence shows that Baker did not pay for the stero set for the Johnson family. It was paid for by Don Reynolds the insurance man, and it carried an invoice showing that it was billed to the same Don Reynolds.

Mr. YOUNGER. Mr. Speaker, will the gentleman yield?

Mr. GROSS. I yield to the gentleman from California.

Mr. YOUNGER. I want to congratulate the gentleman for a very fine statement, and I thank him for yielding.

I have some concern about the statement that was issued by the President. This, I think, is a very smelly situation and I doubt very much if it can be deodorized by stories or sharp remarks of a smart nature.

The President said they had exchanged gifts before. I have some of the reaction that the gentleman expresses because from all indications there was almost a father and son relationship between the then majority leader of the Senate and Bobby Baker. Certainly if a son were giving the father $500 gifts, it would be natural that the father would want to know where that money was coming from. Apparently that was not a concern of Mr. Johnson.

The second thing about it is that he said Bobby Baker did not want anything. Now, that has two implications. One is, if a man came into your office and laid $100,000 on the desk but did not want anything, it would be perfectly all right and ethical for you to accept it. That is one inference from his statement.

The other inference, which also concerns me, is the question about not wanting anything. I think that Bobby Baker wanted something that was dearest to his heart, and that was protection. When you say that Bobby Baker did not want anything you are begging the question because at that time Bobby Baker knew his operations and he wanted protection just like Billy Sol Estes wanted protection. I might say parenthetically that no report has been made on Sol yet, no investigation report. He was good at giving gifts around Washington but we have not had a report, as I understand it, from either the Department of Agriculture or from the Senate or House committees.

I am of the opinion that this thing is far more reaching than we have been led to believe so far. The public is not going to forget this any more than they have forgotten other cases in the past of similar instance in our history. I do not blame Mr. Johnson at all. He is in somewhat the same position as Macbeth's wife was in when she cried out "Out, out, damned spot, I say."

Mr. HALL. Mr. Speaker, will the gentleman yield?

Mr. GROSS. First let me thank the gentleman from California for his observations. Now I yield to the gentleman from Missouri.

Mr. HALL. I am interested in this from a technical point of view in addition to the remarks made by the gentleman, and I would like to associate myself and thank him for yielding and commend the gentleman for keeping this question before the public.

Like Macbeth's wife, it cannot be eliminated, and will not be eliminated between now and 10 months hence when we vote. The technical question is, Would the gentleman add to his recommendations that the subcommittee or the investigating body of the other body demand that it be shown whether or not the corporation, the LBJ enterprise, this monopolistic octopus of television in central Texas, reported taxwise to the revenue service whether or not they did claim credits for insurance? Or whether, according to the corporate law we all know, in fact, whether the recipient thereof did report this as due income, paying the premiums on his life in order to insulate, I believe that is the word that was used, and protect the enterprise from the sudden death of this key individual. Does the gentleman have any information on that?

Mr. GROSS. I thank the gentleman. He has made a very good suggestion, and I think it is most pertinent to the inquiry to ascertain such information. I received a letter this morning from an attorney in the Deep South. I am not going to disclose his name at this time. It reads in part, as follows:

> The public is entitled to know more detail in regard to the payment of premiums for this insurance. As I understood Mr. Johnson, he stated that he owned stock in the TV company controlled by his wife, that when he had a serious heart attack, they became afraid that upon his death it might be necessary to sell his stock, so the company took out insurance on his life in order to purchase his stock in the corporation. In view of the fact that his family owns the balance of the stock, it would amount to a method of increasing their holdings to the extent of the value of his holdings without paying any income tax or estate tax on the payment from the insurance company.
>
> It seems strange that Mr. Johnson would operate through Mr. Baker in obtaining life insurance. There are so many agents anxious to sell insurance, that his operating through Mr. Baker, on its face, indicates that in some manner the transaction was not on the level. The result of the transaction seems to be that Mr. Johnson and his family received a valuable stereo without having to pay any income tax on the money that bought it, and his family was placed in the position of obtaining a much larger equity in the TV corporation upon his death, without having to purchase it with funds upon which income or estate taxes had been paid.
>
> So many poor people are being oppressed by outrageous taxes, that it makes the offense of those in high positions seeking to avoid taxes, much more despicable. The poor man for whom Mr. Johnson, with tears in his eyes, pleads, cannot get stereos as free gifts, without paying the taxes on the purchase money.

Mr. HALL. I thank the gentleman for this additional information. I submit further that it becomes a matter of theory to the public as to whom the insurance policy was assigned, whether to the corporation or the insured, and if so, was it or was it not revocable and what were the plans or options of settlement.

Mr. GROSS. I thank the gentleman.

Mr. YOUNGER. Mr. Speaker, will the gentleman yield?

Mr. GROSS. I am glad to yield to the gentleman from California.

Mr. YOUNGER. It occurred to me that in order to get all the facts it will be necessary for the LBJ Co. to open their books for at least 10 years past for a complete investigation as to all the money that came in, whether it came in from a legitimate advertiser or whether the advertiser did not pay for it but the time was being paid for for somebody else, which is the case of the $1,200. Mr. Reynolds did not use the time, it was assigned to another advertiser. We know that the $1,200 went there. There is a suspicion as to other funds. The only way I know of that such a thing could be clarified is to have a complete audit from an independent agency or an independent body or committee of the House or Senate for at least 10 years to find out how much money went into that company in the manner of the Reynolds money. As long as Reynolds was the one that put the money there, and he is in a position now to do much better than he was able to do in the Senate, we should know exactly how much money is involved. There should not be any possibility of people guessing as to what happened, because we have the facts in one case.

Mr. GROSS. I agree with the gentleman and thank him for his observation. I would say to him that I would hope any committee or any audit of the books would also look into whether any Government contracts have gone to this station, how much if any Government money has been spent through this particular radio and television setup in Texas.

Mr. HOEVEN. Mr. Speaker, will the gentleman yield?

Mr. GROSS. I yield to the gentleman from Iowa.

Mr. HOEVEN. I want to commend my colleague for his perseverance and for his bringing this matter to the attention of the House and the country. The danger in this kind of an exposure is that somewhere along the line the whole affair is likely to be swept under the rug. The American people are entitled to know the facts involving the entire Bobby Baker case and in my opinion, they are going to demand that the facts be brought into the open.

Reference was made a moment ago to the Billy Sol Estes case. The House should know and the country should know that as far as my knowledge extends, no report even as of this moment has been filed by the Committee on Government Operations on the Billy Sol Estes investigation. I for one want to know why such a report has never been furnished the House and the country. Over in the other body, and we are prohibited under the rules from mentioning people of the other body by name, a committee is presently investigating this Bobby Baker case. When things got hot in a certain phase of the investigation the chairman of the committee said, "We are not investigating Senators."

On another occasion when things got hot, he said, "We are not investigating tinware." Now regardless of whether it is Senators, tinware, or any other Government employee or Member of the Congress or anyone else who is involved in this mess, I think the American people want the facts laid out in the open so that they may know exactly what has been going on. I hope the gentleman from Iowa will continue his investigation so that the public may know the facts. If everything is in order—then well and good. But until there is a full disclosure, the American people are going to be suspicious and they are going to draw conclusions, perhaps unwarranted in some instances. Whether the American people get the whole story will depend on what the Johnson administration intends to do about it. They have the power to sweep the whole mess under the rug or they can bring the whole story into the open. All eyes will be on the White House from now on.

Mr. GROSS. Mr. Speaker, I appreciate the observations of my colleague from Iowa. I would say to him as well as to the other Members of the House that I think there will be some information, interesting information, made available today with respect to this alleged tinware—either today or within the next 24 hours.

I would suggest to the Members of the House, if they do not already have a copy that they obtain a copy of part I of the hearings of the Rules Committee in the other body. It makes interesting reading and it will be a valuable document to have at hand later on, as this sorry picture unfolds.

Mr. Speaker, in addition to my remarks and those of my colleagues who have spoken on this subject, I desire to submit for printing in the RECORD certain articles from leading newspapers.

The first is a timely editorial from the Washington, D.C., Sunday Star, of January 26, 1964, which reads as follows:

PERJURY IS THE ISSUE

In a frivolous response to a pertinent question, Chairman JORDAN, of the Senate Rules Committee, told a reporter: "We are not investigating tinware."

Of course not. No one thinks the subcommittee should. But unless Senator JORDAN and his colleagues are ready to forfeit public respect and confidence, they had better investigate the issue of perjury which has cropped up during the pussyfooting probe of the Bobby Baker mess.

Don B. Reynolds, the Silver Spring insurance man who paid for a hi-fi set given to Lyndon Johnson, told the Jordan committee that he had talked with Walter Jenkins about buying advertising time on the LBJ Co.'s Texas television station. Mr. Reynolds was testifying under oath. Mr. Jenkins is administrative assistant to Mr. Johnson. In a sworn statement, he denied any knowledge of the advertising matter. Thus, it seems probable that one of the two men committed perjury.

Mr. Reynolds has said that the TV time, which he agreed to buy in connection with a life insurance sale to Mr. Johnson, was of no value to him. So he made a deal under which it would be uesd by Albert G. Young, head of a Silver Spring firm which sells cooking utensils nationally. Mr. Young has told newsmen that he discussed this advertising transaction by phone with a man who said he was Mr. Jenkins. And the reporters naturally wanted to know whether Senator JORDAN intended to call Mr. Young as a witness. The tinware comment was the result.

Normally an investigating committee would try to get to the bottom of such a conflict of testimony. It would put Mr. Young on the stand and get his sworn story. It would follow through by examining the records of the TV company and interrogating the people there with whom Mr. Young must have dealt.

Apparently the Senate committee does not intend to do this. It is trying to clamp the lid on what could be a very explosive (though legitimate) aspect of its inquiry. If it does, it can expect a vote of "no confidence" from the American people. And this vote should come through loud and clear.

Another excellent editorial in the New York Times has this to say:

THE SENATE AND MR. BAKER

The conduct of the Senate investigation of the affairs of Robert G. Baker continues to perplex us. The committee's counsel, L. P. McLendon, was asked this week whether he intended to pursue further the contradictory testimony of Don B. Reynolds, an insurance, man and Walter Jenkins, a White House aid. He replied:

"I don't attach any importance to this. You run into this sort of conflict of testimony all the time in an investigation of this sort."

Surely this is an astonishing attitude for Mr. McLendon to take when it is recalled that Mr. Reynolds testified he gave the President, then Senate majority leader, a valuable stereo set after writing a large life insurance policy for him, and then bought $1,200 worth of advertising time from a television station owned by the Johnson family after a rival insurance salesman had threatened to do the same. The time was later allegedly sold to an advertiser for $160.

Mr. Jenkins subsequently submitted an affidavit to the committee in which he asserted that the stereo set had been given to Senator Johnson by his protege, Mr. Baker, a point explicity reiterated by President Johnson yesterday. Mr. Jenkins denied that he had ever talked to Mr. Reynolds about the TV advertising.

As Representative GROSS of Iowa told the House, the time has come to question Mr. Jenkins seriously about this manner. The committee should make every effort to establish the facts. Even if Mr. Johnson did believe the stereo set came from Mr. Baker why should he have accepted so valuable a present from a young protege with a large and growing family, whose plight led Senator GEORGE A. SMATHERS to cut him in on a lucrative Florida land deal? As Mr. GROSS observes, the "war on poverty" seems to have started in Washington some time ago.

In the Des Moines Register and other newspapers the noted columnist, Mr. Richard Wilson, writes as follows:

SOME FEEL JOHNSON MUST DISAVOW BAKER

(By Richard Wilson)

WASHINGTON, D.C.—President Johnson has adopted what amounts to a passive attitude toward the Baker inquiry. The theory behind this is that he is not in much real political danger and it is pointless to supply the opposition with new ammunition by undergoing critical questioning at a press conference.

The President rests on the explanation that there was nothing wrong in his relationship with Robert Baker, resigned secretary of the Democratic majority in the U.S. Senate. Baker expected nothing in return for a gift of a stereo set to the President when he was a Senator in 1959.

BROADER QUESTIONS

This is a professional-type political attitude and is probably sustainable. But in view of Mr. Johnson's fine beginning in the presidency some of his friends at the Capitol who wish him well will be disappointed and alarmed if he does not address himself to the basic problems raised by the Baker inquiry.

These problems are numerous, not the least of which is whether a U.S. Senator or Vice President, as in Mr. Johnson's case, should be involved in a radio-TV operation which owes its existence to a Federal license.

But there are broader questions. It has been proved politically unwise to ignore or brush under the rug small incidents which tend to arouse the always latent public suspicion that public officeholders are often on the make. President Truman made this mistake, and so did President Eisenhower. The pathway of good intentions has been blocked by freezers, vicuna coats, oriental rugs, and now—perhaps—by a stereophonic high-fidelity set.

NOTHING VENAL

This is why all through the Kennedy administration there was a poster prominently displayed at the entrance to public buildings in Washington proclaiming, in Kennedy prose, the absolute imperative for integrity in public office.

There was, of course, nothing venal in Mr. Johnson's having accepted a stereo set with a retail value of $800 or $900 which came his way, via Bobby Baker and his insurance agent, by virtue of $200,000 insurance purchased on the then Senate majority leader's life.

This would not seem unusual in a world of private affairs which is keyed to rebates, kickbacks, and other practices prevalent in the "I can get it for you wholesale" set. Whether or not it was legal for an insurance agent to present the stereo set to Mr. Johnson, in the context of an insurance contract, has concerned some Senators.

THE PRESIDENT'S REAL PROBLEM

President Johnson's real problem, however, is that his acceptance of this gift ties him into Bobby Baker's world, and this is beneath the dignity of the Presidency of the United States. Some of his friends believe that he must act positively to separate himself from any such identification so that his administration cannot be marred by cynical implications.

As much as has been so far revealed of the amazing operations of the eager young man, who was Senator Johnson's lieutenant in operating the Senate, has left some of the old pros gasping. Former Vice President Nixon recently told a friend: "I used to see Bobby in the Senate and slap him on the back. I thought he was just a clerk or errand boy for Lyndon. But the guy was a millionaire."

It becomes increasingly apparent to some of his friends that the President must do what he has not wanted to do, disavow Baker. For, Baker was as the White House now states, a trusted friend of President Johnson.

LBJ STATION ADVERTISING

The other problems are less painful but essentially harder. The insurance agent who sold the LBJ Co. the $200,000 policies on Senator Johnson's life was persuaded to pay for advertising to the tune of $1,200 on the LBJ station in Austin, Tex., far from the agent's little office in a Washington suburb. The LBJ Co. was ostensibly controlled by Mrs. Johnson. The LBJ station was acquired by Johnson interests in the 1940's while Lyndon Johnson was a Member of the House of Representatives.

A television license was acquired when Senator Johnson was majority leader of the Senate. This radio-TV combination has prospered along with other Johnson ranch and business interests.

A few years ago a congressional investigator, Representative OREN HARRIS, of Arkansas, found himself so embarrassed by a 25-percent interest in a radio station licensed by the Federal Government that he got rid of it although there was no reason in law for him to do so.

MORAL, ETHICAL LEADERSHIP

The problem here is whether or not a U.S. Congressman should be deeply involved in businesses which his actions in Washington might help or harm. It is an old question. President Johnson recognized that as President neither he nor his wife should be profiting from the radio-TV setup and they put it in trust during his incumbency. He had not thought this necessary as a Senator or as Vice President.

Lately some Senators and Congressmen have been making public their stockholdings. Others feel their business connections are private and will not conflict with the public interest.

A President has a broader responsibility, or at least President Kennedy thought so. This is to set a tone, and exercise moral and ethical leadership. Mr. Kennedy carried it to the point of donating his entire salary as President to charity.

RAYMOND F. FARRELL COMMISSIONER WITH A HEART

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that the gentleman from Rhode Island [Mr. FOGARTY] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

Mr. FOGARTY. Mr. Speaker, the other day, President Lyndon B. Johnson said in a statement from the White House that the 1963 report of the Immigration and Naturalization Service is an example of government with a heart.

In my opinion, this was a special tribute to Mr. Raymond F. Farrell, whose outstanding qualifications caused me to strongly recommend his appointment as Commissioner to former President John F. Kennedy.

I have known Ray Farrell, who is from Rhode Island, for many years and have always been impressed by his strong sense of personal dignity as well as his concern for the rights of others. These qualities, plus a thorough understanding of the laws he administers, have enabled him to do a superior job as Commissioner.

A government with a heart is possible only where there is daily determination to function with compassion as well as efficiency. Ray Farrell, who has given almost his entire working life to the Federal career service, has shown that determination. I am happy today to add my commendations to those of President Johnson and the countless others who admire his work.

Mr. Speaker, under leave to extend my remarks, I include the report to the President from the Attorney General concerning accomplishments of the Immigration and Naturalization Service and the statement of the President upon receiving it.

STATEMENT BY THE PRESIDENT

The report of the Immigration and Naturalization Service is an example of government with a heart.

By applying existing immigration laws with humanity, we are demonstrating that compassion and efficient administration go hand in hand.

America's strength has risen from the diversity of its heritage. Its future has always rested on the hopes of our forebearers as they came to seek freedom and abundance.

We can take renewed faith in the eagerness of people throughout the world to become citizens—to share with us in the building of an even stronger country. We can express that faith by passing and implementing legislation already proposed to abolish the discriminatory national origins system. This bill will eliminate the waste of unused quotas. It will permit families to be reunited. I am hopeful of passage as early as possible.

The Attorney General's report makes it clear that the Immigration Service has done its job with understanding, ability, and energy. In executing the new legislation it will continue to perform in that manner.

REPORT TO THE PRESIDENT FROM THE ATTORNEY GENERAL CONCERNING ACCOMPLISHMENTS OF THE IMMIGRATION AND NATURALIZATION SERVICE, JANUARY 13, 1964

DEAR MR. PRESIDENT: I am happy to report that the U.S. Immigration and Naturalization Service made important progress during 1963 in eliminating time-consuming redtape for citizens and visitors, without diluting national security safeguards.

One of the Service's most satisfying accomplishments in the year was to make streamlined new procedures available to Americans who want to adopt alien orphans. Already, I am told, there has been a sharp reduction in the time required to adopt 1,500 of these orphans.

Raymond F. Farrell, Commissioner of Immigration and Naturalization also has reported to me that major gains in cutting redtape have been achieved in the inspection procedures for visitors from abroad. These improvements have been especially timely since they came during a year when an estimated 986,000 foreign tourists, a record number, visited the United States, compared with 851,506 in 1962 and 766,591 in 1961.

One of these improvements results from the adoption by several large ship lines of the Service's suggestion to use the simplified manifests long employed by the airlines. This change will ease the jam at inspection facilities, permitting inspection of all passengers on a first-come, first-serve basis.

Another travel aid instituted this year allows foreign passengers arriving and departing on cruise vessels to enter and clear U.S. ports as part of their tour without having to obtain nonimmigrant visas from U.S. consuls abroad.

I am also pleased to report to you that courtesy and cooperation along both sides of the thousands of miles of borders with Mexico and Canada during the year were unusually high all during the year.

As an example of this cooperation, the Mexican Federal Judicial Police worked with the Immigration Service to break up a major counterfeiting ring in Mexico City which was producing bogus versions of the forms issued to aliens residing permanently in the United States.

Again this year, the Immigration Service continued its vigorous drive on organized crime and racketeering. Commissioner Farrell reports that 676 aliens were deported under criminal, immoral, or narcotics charges.

Among them was "Countess" Elizabeth Spedding, who had been convicted of violating the White Slave Traffic Act. She was deported to Canada following her release from confinement for illegal reentry.

Others deported during the renewed drive on criminals and racketeers included Giuseppe Crisalli, whose convictions include armed highway robbery, and Umberto Bauco, wanted by authorities in Italy for fraud and embezzling.

Also during the year, deportation proceedings were started against Hugo Rossi, a narcotics trafficker who was recently denaturalized.

Also in 1963, the Supreme Court upheld a denaturalization order against John "Bathbeach" Oddo, a racketeer loan shark who has been identified as a member of Cosa Nostra.

Other highlights of the 1963 activities of the Immigration and Naturalization Service are:

An alltime record number of 174 million aliens and citizens were admitted during the year, an increase of 1 million over the year before. This total, of course, includes many aliens and citizens who made frequent crossings of the land borders.

During the year, the United States population was increased by 314,000 aliens who entered as immigrants or as permanent residents. More than half came from Germany, Italy, the United Kingdom, Canada, and Mexico.

Cubans fleeing Castro continued to arrive in the United States despite the termination of scheduled airline flights between the two countries in October 1962.

From then until last July, 6,076 refugees were brought to the United States by American Red Cross-sponsored vessels and aircraft, while others continued to arrive by small boat along the Florida coast. As of December 31, there were 154,703 political refugees in the United States from Cuba.

The Service continued to accept Chinese refugees from Hong Kong into the United States under President Kennedy's directive of May 23, 1962, to help alleviate overcrowding in that colony caused by the influx of persons fleeing from Communist China. Although no new applications have been accepted since January 1, 1963, 6,446 entered during the year, making a total of 9,200 who have arrived in this country.

All refugees, of course, are carefully screened before being permitted to enter this country.

During 1963, 73,250 aliens conceded deportability and were permitted to depart without formal proceedings. The 22 percent increase over 1962 was made up primarily of illegal entries from Mexico.

Fifty mentally ill aliens were returned to their native lands. Hospitalization of these aliens already had cost the United States $340,000. Had they continued to remain in hospitals in the United States during their lifetime, the projected cost would have been $3,850,000.

Subversive aliens deported during the year include: Gus Polites, long active Communist functionary in the Detroit area; Antonio Rodriguez Echazabal, former Cuban Ambassador to Haiti and Guatemala and alleged Communist agent.

Moy Cheung Seto, former propagandist for the Chinese Communist Party, who had procured documentation by fraud and was seeking entry to the United States, was excluded and deported. Stanislav Byczkowski, former member of the United Polish Worker's Party and suspected espionage agent was also required to depart.

Eng Let Poy, a Chinese Communist who had falsely claimed U.S. citizenship, departed while under deportation proceedings. Deportation proceedings were initiated against Joseph Sherman, long active in Communist organizations in the Boston area.

Roger Tetreault, Pierre Schneider, and Mario Bachand, youthful members of the terrorist Quebec Liberation Front were expelled to Quebec. All three had fled Canada after being charged with involvement in large-scale bombings there which resulted in the death of one person and injury to others.

There were 4,053 investigations of possible fraudulent evasion of the immigration and nationality laws. Prosecutions were sought in all cases of individuals or rings seeking to profit from fraudulent practices. Among them were Richard A. Cody, a Los Angeles attorney, who arranged "sham" marriages between aliens and citizens for substantial fees. He was indicted together with three of the "grooms."

Salvatore Vavolizza, president of the Vavolizza Travel Service, Bronx, N.Y., two of his employees and the owner of another travel agency were indicted on 73 counts for conspiring to make false statements in applications for first preference visas. Elmer R. Castillo, a self-styled immigration consultant was indicted for furnishing fraudulent employment assurances to potential immigrants from Mexico.

There were 591 investigations in alien smuggling cases conducted by Service officers. George H. Stodder, Robert A. Clauss, and Efrain Rio-Gutierrez were indicted for illegally bringing 4 Mexican aliens into the United States and in furtherance of the violation transporting the aliens from the border to Wyoming by plane. They are awaiting trial.

Marvin Kenneth Wilson and Joe Frank Langston were charged with inducing 14 aliens to enter the United States illegally and with conspiring to convey them by plane from the Mexican border to Oregon. Wilson pleaded guilty and is serving a 1-year sentence. Langston is awaiting trial.

A. J. Kupper, Hoke McKim, and Roman Vidrio Virgen were indicted for having induced 8 Mexicans to enter the United States illegally and conspiring to convey them by plane from the border to Kaufman, Tex. They, too, await trial.

Service efforts to combat desertions by sailors resulted in the location of 1,930 deserters. One, a Greek crewman, who deserted ship was located in Chicago. He attempted to avoid arrest by being lowered from a third story window on a bed-sheet rope. His trial—and that of his accomplices for harboring and concealing him—is pending.

During 1963, illegal aliens found in this country by the border patrol increased by 23 percent to 43,174 from 35,096 from 1962.

In addition to aliens located by the border patrol, 12,795 aliens were found in urban areas by Immigration Service investigators who have the responsibility of seeking out aliens who have entered unlawfully or who have violated the conditions of their admissions.

In the lower Rio Grande Valley of Texas, the marked increase in illegal entries during July, August, and September, almost paralleled exactly the sharp seasonal trend noted last year. In addition to the 23,558 aliens who entered illegally, 19,508 aliens who had violated nonimmigrant status were found. Most of these were working or seeking work on farms and ranches.

A moderate increase in the number of alien smugglers detected by the border patrol was noted—382, compared with 355 during 1962. There was a marked increase, however, in the number of smuggled aliens, from 635 last year to 821 during 1963.

There was an increase in the use of aircraft to smuggle aliens into the United States or to transport them after entry. In July, officers picked up 37 deportable aliens who were waiting for a plane to transport them from Deming, N. Mex., to Brooks, Oreg., where they had been promised work.

Reentry of deportable aliens is minimized by transporting them to the interior of Mexico nearer their homes rather than by releasing them at the border. Accordingly, 11,340 aliens were flown by chartered aircraft to Leon, Guanajuato, and 4,129 aliens were transported by train to Chihuahua.

Cooperation with other enforcement agencies continued to pay dividends. These agencies delivered 3,632 deportable aliens to patrol officers during the year and the border patrol was able to turn over to them 1,013 violators of various Federal, State, and local laws.

An officer at Wolf Point, Mont., arrested Sam Mannarino, Pittsburgh rackets figure, wanted for violation of the Federal income tax laws.

In routine operations, Oceanside officers solved a burglary (and recovered $5,500 worth of men's clothing) by arresting three men fleeing the scene of a crime.

A Del Rio officer identified a deportable alien as a suspect, and as a result, 36 burglaries were cleared. El Paso officers arrested an alien wanted for murder in Canada.

Laredo officers arrested a man wanted in Dallas for murder after he attempted to evade inspection at a traffic checking point. In October, Del Rio officers arrested two smugglers and seized 100 pounds of marihuana concealed in their automobile.

In accordance with requirements of the Immigration and Nationality Act, 3,236,684 aliens filed address report cards with the Service in 1963. This is an increase of 107,919 reports over last year. The States with the largest number of aliens reporting were: California, 710,419 or 22 percent; New York, 600,468 or 18.5 percent; Texas, 241,001 or 7.4 percent.

Resident aliens comprise 89 percent of the aliens reporting. The largest numbers of resident aliens were of Mexican nationality (577,895), followed by Canada (339,659), the United Kingdom (247,811), Germany (247,805), Italy (228,766), and Poland (129,884). There were less than 100,000 in other nationalities. Most Mexican nationals live in California and Texas; Canadians in New York and California; British in New York and California; Germans in New York and California; Italians in New York and New Jersey; and Poles in New York and Illinois.

Another important function of the Immigration and Naturalization Service is the naturalization of resident aliens.

Among the 125,500 persons who became citizens through naturalization were approximately 8,000 Hungarians, who came to this country following the revolution of 1956. More than half of those naturalized were former nationals of Germany, Italy, United Kingdom, Canada, Mexico, and Hungary.

Another major area in the nationality field was the issuance of certificates of citizenship to 18,500 foreign-born persons who acquired U.S. citizenship through their naturalized parents. An additional 23,200 persons were issued other nationality documents.

The Service policy of expediting the naturalization of military personnel and their dependents was continued in 1963.

Ceremonies were held at many military stations at which children born abroad to Armed Forces personnel were issued certificates of citizenship, thus saving the servicemen and the Government time and expense.

Respectfully,

ROBERT F. KENNEDY,
Attorney General.

SOCIALIZED MEDICINE

Mr. STAFFORD. Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. DEROUNIAN] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Vermont?

There was no objection.

Mr. DEROUNIAN. Mr. Speaker, on January 8, 1964, I pointed out President Johnson's record on civil rights, which started out as that of a segregationist's. In view of the recent hearings held by my Committee on Ways and Means, on the King-Anderson bill which is compulsory health insurance, it is interesting to note the following letter written by Senator Lyndon B. Johnson on September 28, 1950, to Mrs. Thos. P. Caughlin, whose permission to use the letter has been given:

U.S. SENATE,
COMMITTEE ON ARMED SERVICES,
April 28, 1950.

Mrs. THOS. P. CAUGHLIN,
Dallas, Tex.

MY DEAR FRIEND: Thank you for making available to me a copy of the resolution passed by your organization opposing any form of compulsory health insurance.

Ever since my election to Congress 13 years ago I have been in complete opposition to socialized medicine. I assure you that I shall always work against legislation which, in my judgment, would circumvent the right of our citizens to select physicians of their own choice.

If you will convey this information to your members, I shall be very grateful. Please tell them, too, that I hope I may continue to share their views on legislation pending here.

With best wishes, I am,

Sincerely,

Lyndon B. Johnson.

WHICH L.B.J. DO YOU BELIEVE?

Mr. STAFFORD. Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. Derounian] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Vermont?

There was no objection.

Mr. DEROUNIAN. Mr. Speaker, Lyndon B. Johnson, in the fall of 1960, ran both for the office of Vice President and for the office of Senator from Texas. He ran on two diametrically opposed platforms: The Democratic national platform adopted in Los Angeles and the platform adopted by the Democratic Party of Texas:

DEMOCRATIC NATIONAL PLATFORM	TEXAS DEMOCRATIC PLATFORM
Endorsed further centralization of power in the Federal Government.	Denounced "Federal encroachment" and deplored the "growing and menacing concentration of power in Central Government."
Favored sit-in demonstrations.	Called for "enforcement of laws designed to protect private property * * * from physical occupation."
Promised to close such tax loopholes as "depletion allowances."	Called for retention of the "present oil and gas depletion allowances."
Supported Federal aid for education.	Opposed "the entry of the Federal Government in the general field of public education."
Favored school desegregation.	Pledged "to protect the decisions of the people of local school districts in the operation and control of their schools."
Favored system of medical care for the aged as part of the social security system.	Deplored "socialistic proposals" and called for State rather than National action to deal with health problems of aged citizens. Supported the alternative Kerr-Mills approach to the problem.
Supported legislation to repeal State right-to-work laws.	Endorsed the Texas right-to-work law as "necessary to free enterprise system and the growth and prosperity of Texas."

To top it off, last Thursday evening, President Johnson issued a statement following the ratification of the 24th amendment to the Constitution by the South Dakota Legislature, an action which outlawed the poll tax as a requirement for voting in Federal elections, saying at that time:

> As majority leader of the Senate, I personally urged the banishment of bars to voting. This triumph now of liberty over restriction is a proud moment for me.

What President Johnson failed to tell the American people was that between 1942 and 1960, while a Member of the House of Representatives and then of the Senate, he voted 12 times against legislation to outlaw the poll tax.

Is it no wonder that the question, in all fairness, can be asked: Which Lyndon B. Johnson are the American people supposed to believe? The President is the only one who can supply this answer.

CAN AMERICA SPEND ITSELF TO PROSPERITY OR BANKRUPTCY?

Mr. STAFFORD. Mr. Speaker, I ask unanimous consent that the gentleman from Texas [Mr. Alger] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Vermont?

There was no objection.

Mr. ALGER. Mr. Speaker, President Johnson's housing and community development message is unbelievable. It is socialism, not capitalism. It is government evaluation of problems followed by Federal prescription of aid, planning, regimentation, and control. Nowhere is there recognition or understanding of the spirit and deed of American individual intiative, local and community effort, State pride and States rights.

Specifically, first local city and community planning commission activities, working with private developers, builders, and investors are replaced by Federal open space land acquisition for later Government approved development. The President disapproves the so-called urban sprawl. Is not local development necessarily right since it pleases the local plan commission and private entrepreneurs and investors, all tailored to please the ultimate boss of development, the customer, the home buyer, the tenant? Where does Federal Government suddenly acquire Soloman-like wisdom, or our President, or Housing and Home Finance head Bob Weaver?

Second, public housing is to now be procured by Federal purchase by Mr. Robert Weaver of homes and apartments in each block and locality of the residential areas of our cities. The residential areas of every city will then become Government dominated. Is this the land of the free? The social rearrangement of our lives is actually what Mr. Weaver and President Johnson seem to want. Freedom of association, of choosing your neighbors is out the window. Perhaps public housing officials will promise to have Government employed yard men, painters, and plumbers keep up each public housing house equal to the neighbor's efforts in maintaining their homes. Public housing tenants are wards of the Government and need not, do not keep up their properties and yards. As President Johnson puts it, the Housing and Home Finance Agency can both buy existing properties to lease them to public housing tenants at marked down rates or can act as simply a leasing agent gobetween owner and tenant.

Third, mass transportation must now be the Federal province, regardless of local or private action. This is now a part of the housing bill. If that is not enough, the Federal Government is asked by our President to set up training of those in local communities on how to run local communities. How did our Nation get where it is without such Federal aid? Can people be trusted to run their affairs locally? Apparently not. I contradict this outlook.

Nor do we need a new Federal Department of Housing and Community Development as the President requests. Nor do we need to extend urban renewal. The scandalous abuse of the law to date as seen in congressional investigation and GAO reports is proof enough that we must stop and evaluate, not plunge on into more chaos and corruption by Federal urban renewal laws.

By any test of Americanism that I know, moral or constitutional as viewed through our forefathers' eyes and our own sad Federal Government manipulations this message does not measure up. It certainly far exceeds my congressional oath to uphold and defend the Constitution or my first yardstick, "Is it a function of the Federal Government?" Secondly, when cost is considered, there is a bewildering duplicity of intent. The cost will be astronomic and escalating in nature. The open space purchase, new department and functions, the new loans, grants, research, training—there is almost no limit. How can we reconcile these extravagances with the loudly oft repeated claims of fiscal prudence, reduced debt and reduced spending? We can see as Senator Byrd observed that spending will soar in 1964 as over 1963 and even more in later years.

JOHN-A-DREAMS GLENN

Mr. STAFFORD. Mr. Speaker, I ask unanimous consent that the gentleman from Illinois [Mr. Michel] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Vermont?

There was no objection.

Mr. MICHEL. Mr. Speaker—

> Yet I, a dull and muddy-mettled rascal, peak like John-a-dreams, unpregnant of my cause, and can say nothing.—Shakespeare.

Shakespeare's John-a-dreams is a name apparently coined to suit a dreaming character, so lost in his own thoughts that he is scarcely conscious of his surroundings. I think this aptly fits John Glenn's present state.

Mr. Speaker, there is no doubt in the mind of the public that John Glenn was methodically brainwashed by the Kennedy's with an ego-tickling display of attention. Whether it was on waterskis or in the plush environs of Hyannis Port, John Glenn was persuaded to put his name on a ballot.

On that point, I wish to include an editorial from the January 22, 1964, issue of the Peoria Journal Star. Under unanimous consent, the editorial follows:

JOHN GLENN: JUST A BALLOT NAME?

Ohio politicians, drunk with their good fortune, are already whooping it up for John Glenn to be the next Vice President of the United States.

That eruption of cynical political greed and blind enthusiasm for a "name" on the ballot casts a shadow over the whole business of the space hero dumping the space program to enter politics.

John Glenn will bring to the political arena a famous name, a familiar face, an exceptional ability to speak appealingly to large groups, an unashamed religious faith, and an equally forthright patriotic pride. He is the image of the "All-American boy" come to maturity. A perfect hero.

The fact remains that Glenn's preparations for the actual job of making national policy and national decisions have been considerably less than his lifelong training for space.

There are others with much the same long, tedious, and demanding training and experience, but they are too few. His departure leaves a gap. Nobody can replace him in the space picture. Those years of training and of acquiring special knowledge, and the experiences of the space flights are washed out.

By no stretch of the imagination can this be considered the kind of training and preparation that is ideal for government service at the highest level. Its narrow and technical specialization is something of the opposite of training for high public office.

Yet, many men have gone to the U.S. Senate with fewer virtues and no better training than John Glenn. What he is doing is hardly uncommon. The temptation of senatorial office has snared many without the added pressure and aura of being urged to run by the Attorney General of the United States and brother to the late much-admired President.

But even from Washington there seems to be no subterfuge about the reason for urging Glenn to take up politics.

What has been said is that the party needs a shot in the arm in Ohio.

In other men we might think such crude and cynical political circumstances fairly normal and certainly commonplace.

But in John Glenn, the brave, unselfish, God-fearing, patriotic, squarefaced, and clear-eyed hero from space, it is inescapably disappointing. It is too earthbound. Too common. Too cheap. Too ordinary. And, maybe, too naive—to be used for partisan political advantage.

And to put our space effort, for which he is so brilliantly equipped, in second place.

To put the younger astronauts who must go into space without his help and preparation and experience to guide them in second place.

It is disconcerting. It is disappointing.

We have already lost our shining example of the self-sacrificing "team player," the modest hero, the dedicated officer.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

Mr. WELTNER, for 30 minutes, on tomorrow.

Mr. GROSS, for 30 minutes, today, to revise and extend his remarks and include certain material.

EXTENSION OF REMARKS

By unanimous consent, permission to extend remarks in the CONGRESSIONAL RECORD, or to revise and extend remarks, was granted to:

(The following Members (at the request of Mr. STAFFORD) and to include extraneous matter:)

Mr. BOW.

Mr. REIFEL.

Mr. ALGER.

(The following Member (at the request of Mr. EVINS) and to include extraneous matter:)

Mr. PICKLE.

SENATE BILLS REFERRED

Bills of the Senate of the following titles were taken from the Speaker's table and, under the rule, referred as follows:

S. 855. An act to provide for more effective utilization of certain Federal loans or grants by encouraging better coordinated local review of State and local applications for such loans or grants; to the Committee on Government Operations.

S. 1833. An act to authorize Government agencies to provide quarters, household equipment and furniture, utilities, subsistence, and laundry service to civilian officers and employees of the United States, and for other purposes; to the Committee on Post Office and Civil Service.

S. 1928. An act to authorize the Administrator of General Services to sell a part of the former Cheli Air Force Station to Chanslor-Western Oil & Development Co., by negotiation, and for other purposes; to the Committee on Government Operations.

ENROLLED BILLS SIGNED

Mr. BURLESON, from the Committee on House Administration, reported that that committee had examined and found truly enrolled bills of the House of the following titles, which were thereupon signed by the Speaker:

H.R. 1959. An act to authorize the transportation of privately owned motor vehicles of Government employees assigned to duty in Alaska, and for other purposes;

H.R. 3368. An act to authorize the Administrator of General Services to convey by quitclaim deed a parcel of land to the Lexington Park Volunteer Fire Department, Inc.; and

H.R. 4801. An act to amend subsection 506(d) of the Federal Property and Administrative Services Act of 1949, as amended, regarding certification of facts based upon transferred records.

JOINT RESOLUTION PRESENTED TO THE PRESIDENT

Mr. BURLESON, from the Committee on House Administration, reported that that committee did on January 23, 1964, present to the President, for his approval, a joint resolution of the House of the following title:

H.J. Res. 779. Joint resolution to amend the joint resolution of January 28, 1948, relating to membership and participation by the United States in the South Pacific Commission, so as to authorize certain appropriations thereunder for the fiscal years 1965 and 1966.

ADJOURNMENT

Mr. ALBERT. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 1 o'clock and 21 minutes p.m.), under its previous order, the House adjourned until tomorrow, Tuesday, January 28, 1964, at 10 o'clock a.m.

COMMITTEE EMPLOYEES

JANUARY 14, 1964.

COMMITTEE ON AGRICULTURE

To the CLERK OF THE HOUSE:

The above-mentioned committee or subcommittee, pursuant to section 134(b) of the Legislative Reorganization Act of 1946, Public Law 601, 79th Congress, approved August 2, 1946, as amended, submits the following report showing the name, profession, and total salary of each person employed by it during the 6-month period from July 1 to December 31, 1963, inclusive, together with total funds authorized or appropriated and expended by it:

Name of employee	Profession	Total gross salary during 6-month period
John J. Heimburger	General counsel	$9,442.50
Francis M. LeMay	Staff consultant	9,442.50
Christine S. Gallagher	Clerk	9,442.50
Hyde H. Murray	Assistant clerk	8,615.04
George F. Misslbeck	Printing editor	5,361.60
Lydia Vacin	Staff assistant	5,058.18
Betty M. Prezioso	do	5.058.18
Peggy Jean Lamm	do	4,711.50
Martha S. Hannah	do	4,711.50
Jane C. Wojcik	do	4,415.30
AGRICULTURE INVESTIGATING COMMITTEE		
Carolyn Becker	Staff assistant	1,829.00
Robert C. Bruce	Assistant counsel	4,870.38
Camille B. Packer	Clerk	1,046.04
William Allen Benson	do	409.63
Thomas J. Kraeft	do	169.63
Charles Gentry Hannah.	do	245.78
Marjorie B. Johnson	Staff assistant	1,285.92

Funds authorized or appropriated for committee expenditures	$50,000.00
Amount of expenditures previously reported	11,185.13
Amount expended from July 1 to Dec. 31, 1963	12,152.59
Total amount expended from Jan. 1 to Dec. 31, 1963	23,337.72
Balance unexpended as of Dec. 31, 1963	26,662.28

HAROLD D. COOLEY,
Chairman.

January 15, 1964.

Committee on Appropriations

To the Clerk of the House:

The above-mentioned committee or subcommittee, pursuant to section 134(b) of the Legislative Reorganization Act of 1946, Public Law 601, 79th Congress, approved August 2, 1946, as amended, submits the following report showing the name, profession, and total salary of each person employed by it during the 6-month period from July 1 to December 31, 1963, inclusive, together with total funds authorized or appropriated and expended by it:

Name of employee	Profession	Total gross salary during 6-month period
Kenneth Sprankle	Clerk and staff director.	$9,442.50
Paul M. Wilson	do	9,442.50
Carson W. Culp	Staff assistant	9,367.26
Robert M. Moyer	do	9,179.22
Jay B. Howe	do	9,179.22
Ross P. Pope	do	9,179.22
Frank P. Sanders	do	9,179.22
G. Homer Skarin	do	9,179.22
Eugene B. Wilhelm	do	9,179.22
Robert L. Michaels	do	9,179.22
Aubrey A. Gunnels	do	8,411.33
Robert P. Williams	Editor	7,768.86
George E. Evans	Staff assistant	7,674.84
Francis G. Merrill	do	7,674.84
Earl C. Silsby	do	7,126.33
Samuel R. Preston	do	6,182.95
Keith F. Mainland	do	5,253.24
Lawrence C. Miller	Assistant editor	5,253.24
George A. Urian	Clerical assistant	4,494.78
Stephen B. Miller	do	4,169.70
James E. Moore	do	4,169.70
Austin G. Smith	do	3,953.04
Randolph Thomas	Messenger	2,598.66
Mabel E. Hammett	Clerk-stenographer	4,079.41
Grace W. Beirne	do	4,169.70
Patrick M. Hayes	do	4,169.70
William J. Neary	do	3,302.94
Harry E. Reynolds	do	4,169.70
John A. Ringwald	do	3,627.96
Mary L. Schwarzmann.	do	4,169.70
Mary H. Smallwood	do	4,169.70
Jeanne C. Smith	do	2,501.82
Phyllis N. Troy	do	3,953.04
Mary F. Wilson	do	3,411.24
George S. Green	Clerk to the minority.	8,615.04
Agnes Ainilian	Clerk-stenographer	3,844.68
William J. Baroody, Jr.	do	4,169.70
Alice Beach	do	3,844.68
James H. Bersie	do	3,454.62
Josephine Birdsall	do	4,169.70
Jessemine A. Falls	do	4,169.70
Daniel W. Fessler	do	1,696.28
Catherine L. Kennett	do	4,079.41
Geoffrey L. Nichols	do	3,627.96
Clara B. Posey	do	4,169.70
Susan W. Ray	do	413.24
Janice J. Stalcup	do	2,779.80
Mary A. Spriggs	do	1,389.90
Sophia Moreland	do	1,187.64

Amount of expenditures previously reported	----------
Amount expended from July 1 to Dec. 31, 1963	$260,575.27
Total amount expended from July 1 to Dec. 31, 1963	260,575.27

Clarence Cannon,
Chairman.

January 15, 1964.

Committee on Appropriations
(Investigations Staff)

To the Clerk of the House:

The above-mentioned committee or subcommittee, pursuant to section 134(b) of the Legislative Reorganization Act of 1946, Public Law 601, 79th Congress, approved August 2, 1946, as amended, submits the following report showing the name, profession, and total salary of each person employed by it during the 6-month period from July 1 to December 31, 1963, inclusive, together with total funds authorized or appropriated and expended by it.

Name of employee	Profession	Total gross salary during 6-month period
Leonard M. Walters	Director, surveys and investigations staff.	$8,065.02
Rowland C. Halstead	Assistant director, surveys and investigations staff.	7,459.35
Leo E. Conroy	do	8,065.02
Lillian M. Mackie	Stenographer	3.953.04
Mary A. Smith	do	1,234.60
REIMBURSEMENTS TO GOVERNMENT AGENCIES		
Agriculture, Department of:		
Barker, C	Investigator	$3,497.16
Kelly, J. T	do	1,154.84
Atomic Energy Commission:		
Scammahorn, J	do	2,899.02
Bureau of the Budget:		
Harrison, W. W	do	2,703.46
Commerce, Department of:		
Jenkins, W. B	do	2,225.16
Sharp, J. C	do	2,812.12
Federal Bureau of Investigation:		
Bennett, C. L	do	3,703.76
Billings, C. G	do	2,578.40
Bolz, C	do	4,076.80
Carson, W. D	do	4,470.00
Cashin, F. L	do	1,929.60
Cunningham, J. F	do	1,242.00
Elder, J. L	do	2,793.60
Franklin, R. M	do	2,041.60
Good, H. F	do	2,487.60
Health benefits fund		443.25
Ivy, C. M	Investigator	4,848.80
Lanphear, R. L	do	524.80
Law, S. W	do	4,406.72
Life insurance fund		232.18
Lipscomb, W. P	Investigator	3,869.60
McDowell, L. L	do	4,303.36
McEliece, R. F	do	4,943.44
Murphy, P. F	do	3,763.36
Retirement fund		4,565.24
Singman, M	Investigator	3,115.20
Smith, M. A	Stenographer	2,145.36
Talley, R. E	Investigator	1,818.00
Tompkins, C. D	do	2,361.60
Torrance, R. E	do	2,886.40
Trofast, G. A	do	3,869.60
Van Wagoner, R. L	do	3,040.40
Wood, H. B	do	4,532.96
General Services Administration:		
Boyles, C. E	do	1,539.72
Library of Congress:		
Rose, J. K	do	5,737.34
National Aeronautics and Space Administration:		
Bell, R. L	do	3,744.86
Biggs, J. R	do	2,539.37
Navy, Department of:		
Dunnington, R. H	do	3,104.79
Small Business Administration:		
Harvith, A. J	do	3,325.29
Tennessee Valley Authority:		
Gardner, M. F	do	3.661.44
Lesesne, E. H	do	4,145.17
Veterans' Administration:		
Jacobs, L. B	do	2,597.64
Travel and miscellaneous expense		38,538.63

Funds authorized or appropriated for committee expenditures	$660,000.00
Amount of expenditures previously reported	
Amount expended from July 1 to Dec. 31, 1963	203,996.67
Total amount expended from July 1 to Dec. 31, 1963	203,996.67
Balance unexpended as of December 31, 1963	456,003.33

Clarence Cannon,
Chairman.

January 6, 1964.

Committee on Armed Services

To the Clerk of the House:

The above-mentioned committee or subcommittee, pursuant to section 134(b) of the Legislative Reorganization Act of 1946, Public Law 601, 79th Congress, approved August 2, 1946, as amended, submits the following report showing the name, profession, and total salary of each person employed by it during the 6-month period from July 1 to December 31, 1963, inclusive, together with total funds authorized or appropriated and expended by it:

Name of employee	Profession	Total gross salary during 6-month period
John R. Blandford	Chief counsel	$9,419.00
Robert W. Smart	Chief Counsel (to Dec. 1, 1963).	7,868.75
Philip W. Kelleher	Counsel	9,414.30
Frank M. Slatinshek	do	9,414.30
Earl J. Morgan	Professional staff (from Aug. 1, 1963).	7,085.20
Oneta L. Stockstill	Executive secretary	5,501.22
Berniece Kalinowski	Secretary	5,004.06
L. Louise Ellis	do	5,004.06
Edna E. Johnson	do	5,004.06
Dorothy R. Britton	do	5,004.06
Doris L. Scott	Secretary (from Sept. 30, 1963).	1,727.31
James A. Deakins	Bill clerk	3,795.90
SUBCOMMITTEE FOR SPECIAL INVESTIGATIONS (PURSUANT TO H. RES. 84 AND 146, 88TH CONG.)		
John T. M. Reddan	Counsel	$9,312.44
Walton Woods	Investigator	7,869.93
Phyllis Seymour	Secretary	4,641.06
Adeline Tolerton	Clerk	3,476.28
Barbara M. Tippett	Secretary	3,411.24
Jerome K. Small	Messenger	276.75

Funds authorized or appropriated for committee expenditures	$75,000.00
Amount of expenditures previously reported	25,227.80
Amount expended from July 1 to Dec. 31, 1963	30,689.34
Total amount expended from Jan. 4 to Dec. 31, 1963	55,917.14
Balance unexpended as of Jan. 1, 1964	19,082.86

Carl Vinson,
Chairman.

January 24, 1964.

Committee on Banking and Currency

To the Clerk of the House:

The above-mentioned committee or subcommittee, pursuant to section 134(b) of the Legislative Reorganization Act of 1946, Public Law 601, 79th Congress, approved August 2, 1946, as amended, submits the following report showing the name, profession, and total salary of each person employed by it during the 6-month period from July 1 to December 31, 1963, inclusive, together with total funds authorized or appropriated and expended by it:

STANDING COMMITTEE

Name of employee	Profession	Total gross salary during 6-month period
Barriere, John E	Professional staff member.	$9,442.50
Bean, Marguerite	Assistant clerk	6,452.52
Brown, Roger J	Editor	6,424.32
Deem, Jane M	Administrative assistant (as of Dec. 5).	722.81
Fink, Orman S	Minority professional staff member.	9,442.50
Houghton, Harrison F.	Senior economist (through Sept. 2).	3,252.42
Jessup, Paul F	Economist (as of Oct. 1).	2,125.50
Johnson, William Summers.	Clerk and staff director.	9,442.50
Layton, Mary W	Secretary to minority.	5,568.42
Meiselman, David I	Senior economist (from Sept. 1 to 30).	1,573.75

STANDING COMMITTEE—continued

Name of employee	Profession	Total gross salary during 6-month period
Moorhous, Margaret H.	Assistant clerk (as of Oct. 16).	$1,750.92
Poston, Robert R	General counsel (through Sept. 30).	4,721.25
Ruth, Elizabeth L	Secretary (through Sept. 15).	2,085.02
Scott, Ira O	Senior economist (as of Sept. 3 through Oct. 15).	2,255.70
Swanner, Regina	Assistant clerk (as of Sept. 1).	2,801.48
Total		68,061.61

EMPLOYEES UNDER H. RES. 228, INVESTIGATING STAFF

Name of employee	Profession	Total gross salary during 6-month period
Brunner, Karl	Economist	1,564.50
Culbertson, John M	Professional staff member (from July 1 to 15).	786.87
Fasteau, Marc S	Research assistant (as of Dec. 1).	541.46
Fulton, Wilbur D	Minority professional staff member (from Sept. 1 through Oct. 31).	3,147.50
Goodman, Oscar R	Senior economist (from Aug. 19 through Sept. 23).	1,836.04
Haase-Dubosc, Gerard	Assistant clerk (from June 17 through Sept. 4).	711.27
Hale, Myron Q	Organization specialist (July 1 through Sept. 7).	2,011.09
Hayden, Helen E	Assistant clerk	3,752.58
Hill, George C	do	4,101.99
Holstein, Charles B	Professional staff member.	9,442.50
Hopkins, Raymond F	Organization specialist (July 1 through Sept. 7).	670.58
Jackson, Linda	Secretary (Sept. 1 through 30).	293.96
Jacobs, Donald P	Senior economist (Aug. 6 through Sept. 6).	1,626.21
Jessup, Paul F	Economist (Sept. 1 through Sept. 30).	708.50
Koepenick, Edward L. III.	Assistant clerk (as of Sept. 1).	1,527.99
Lerner, Eugene M	Senior economist	3,779.64
McLemore, Lawrence B.	Messenger (through Sept. 15).	1,168.52
Mansfield, Harvey C	Professional staff member (through Aug. 31).	3,147.50
Mayer, Thomas	Senior economist (through July 25).	1,311.46
Meiselman, David I	Senior econonist (through Aug. 31 and as of Oct. 1).	4,091.57
Meltzer, Allan H	Econcmist	1,672.92
Minesinger, Janet F	Clerk-stenographer (through Sept. 30).	1,998.18
Moorhous, Margaret H.	Assistant clerk (Sept. 18, through Oct. 15).	653.67
Polakoff, Murray E	Senior economist (Oct. 1 through Dec. 31).	2,358.45
Pomiecko, Constance M.	Assistant clerk (Oct. 1 through Nov. 8).	765.90
Roberts, Harriet L	Staff assistant (as of Dec. 5).	570.99
Robinson, Donald L	Professional staff member.	4,251.00
Sawhill, John C	Senior economist (Oct. 1 through Dec. 31).	2,358.45
Schulkin, Peter	Research assistant (as of Oct. 14).	581.22
Scott, Ira O	Senior economist (through Sept. 2 and from Dec. 15.	4,091.75
Swanner, Regina	Assistant clerk (through Aug. 31).	1,400.74
Vaughn, Donald G	Assistant clerk (as of Aug. 27).	2,812.77
Walton, Jonathan R	Research assistant (as of Oct. 17).	1,130.70
Weintraub, Robert E	Senior economist (as of Oct. 1).	1,889.82
Young, Doris M	Assistant clerk	4,169.70
Total		76,927.99

SUBCOMMITTEE ON HOUSING (H. RES. 204 AND H. RES. 528)

Name of employee	Profession	Total gross salary during 6-month period
Burns, Frances Y	Secretary (through Oct. 31).	$2,490.88
Burrows, Kenneth W	Housing economist	8,826.60
Cameron, Jean	Research assistant	4,711.50
Hamilton, Eleanor	do	3,795.90
Ireland, Casey	Minority staff member.	7,500.90
McEwan, John J., Jr	Deputy staff director.	9,442.50
Miles, Linda L	Secretary (as of Dec. 7).	335.65
Perry, Grady, Jr	Clerk	6,584.16
Stark, John R	Professional staff member.	9,295.18
Tucker, Margaret E	Secretary	4,608.54
Total		57,591.81

REIMBURSEMENTS TO GOVERNMENT AGENCIES

Housing and Home Finance Agency:		
Diamond, Arnold H	Senior economist	8,578.11
Federal Trade Commission:		
Brod, Ernest	Investigator (from June 5 through Sept. 30).	1,547.22
Drumm, John G	do	1,345.68
Fogarty, Joseph E	Investigator (from June 5 through Oct. 11).	1,909.05
Manos, James	do	3,173.76
Stroud, Charles E	do	4,534.29
Retirement contributions for above investigators.		813.16
Total		21,901.27

Funds authorized or appropriated for committee expenditures	$555,000.00
Amount of expenditures previously reported	92,811.52
Amount expended from July 1 to Dec. 31	175,643.02
Total amount expended from Jan. 1 to Dec. 31	268,454.54
Balance unexpended as of Dec. 31, 1963	286,545.46

WRIGHT PATMAN,
Chairman.

JANUARY, 1964.

COMMITTEE ON THE DISTRICT OF COLUMBIA

To the CLERK OF THE HOUSE:

The above-mentioned committee or subcommittee, pursuant to section 134(b) of the Legislative Reorganization Act of 1946, Public Law 601, 79th Congress, approved August 2, 1946, as amended, submits the following report showing the name, profession, and total salary of each person employed by it during the 6-month period from July 1 to December 31, 1963, inclusive, together with total funds authorized or appropriated and expended by it:

Name of employee	Profession	Total gross salary during 6-month period
Hayden S. Garber	Counsel	$8,615.04
Clayton D. Gasque	Staff director	7,016.64
Leonard O. Hilder	Investigator	6,358.50
Donald J. Tubridy	Minority clerk	6,452.52
James T. Clark	Clerk	9,442.50
Ellen M. Coxeter	Assistant clerk	4,500.18
Jennie H. Owings	do	3,736.32
Patricia Ann Dempsey.	Assistant clerk (resigned effective Mar. 15, 1963).	$1,605.42
Gertrude W. Johnson	Clerk-typist (worked from June 1 to Dec. 1, 1963).	1,834.95
John G. Sims	Assistant clerk (worked for month of August 1963).	263.11
Jean Quarles	Assistant clerk (began work Mar. 1, 1963).	2,257.40
Total expended		52,082.58

INVESTIGATING COMMITTEE

Amount authorized	$25,000.00
Amount expended	9,053.38
Balance available	15,678.07

JOHN L. MCMILLAN,
Chairman.

DECEMBER 31, 1963.

COMMITTEE ON FOREIGN AFFAIRS

To the CLERK OF THE HOUSE:

The above-mentioned committee or subcommittee, pursuant to section 134(b) of the Legislative Reorganization Act of 1946, Public Law 601, 79th Congress, approved August 2, 1946, as amended, submits the following report showing the name, profession, and total salary of each person employed by it during the 6-month period from July 1 to December 31, 1963, inclusive, together with total funds authorized or appropriated and expended by it:

Name of employee	Profession	Total gross salary during 6-month period
Boyd Crawford	Staff administrator	$9,442.50
Roy J. Bullock	Senior stax consultant.	9,334.38
Albert C. F. Westphal.	Staff consultant	9,334.38
Franklin J. Schupp	do	9,249.72
Robert F. Brandt	Investigator consultant.	9,099.30
Harry C. Cromer	Staff consultant	8,887.74
Philip B. Billings	Special assistant	7,674.87
Marian A. Czarnecki	Staff consultant	8,563.38
Melvin O. Benson	do	8,253.06
June Nigh	Senior staff assistant.	7,491.48
Helen C. Mattas	Staff assistant	6,424.32
Helen L. Hashagen	do	6,287.94
Mary Louise O'Brien	do	6,189.24
Mary Medsger	do	4,337.70
Doris B. McCracken	do	5,253.24
Jean E. Smith	Staff assistant (commencing Oct. 5, 1963).	1,673.82
Robert J. Bowen	Clerical assistant	4,213.08

Funds authorized or appropriated for committee expenditures	$117,500.00
Amount of expenditures previously reported	40,335.22
Amount expended from July 1 to Dec. 31, 1963	46,063.73
Total amount expended from Jan. 1 to Dec. 31, 1963	86,398.95
Balance unexpended as of Dec. 31, 1963	31,101.05

THOMAS E. MORGAN,
Chairman.

January 3, 1964.

Committee on Education and Labor

To the Clerk of the House:

The above-mentioned committee or subcommittee, pursuant to section 134(b) of the Legislative Reorganization Act of 1946, Public Law 601, 79th Congress, approved August 2, 1946, as amended, submits the following report showing the name, profession, and total salary of each person employed by it during the 6-month period from July 1 to December 31, 1963, inclusive, together with total funds authorized or appropriated and expended by it:

Name of employee	Profession	Total gross salary during 6-month period
Louise Maxienne Dargans.	Chief clerk	$9,442.50
Russell C. Derrickson.	Staff director	9,442.50
Deborah P. Wolfe	Education chief	9,442.50
Odell Clark	Chief investigator	7,002.54
Richard T. Burress	Minority clerk (July 1 to July 31, 1963).	1,573.75
Charles W. Radcliffe	Minority counsel for education.	7,002.54
Donald F. Berens	Administrative assistant.	3,032.64
Louise M. Wright	do	4,548.96
Jeanne E. Thomson	do	4,548.96
Corrine A. Huff	Secretary	3,337.22
Philip Ray Rodgers	Minority clerk and counsel (effective Sept. 1, 1963).	6,295.00
Ernesto Galarza	Chief counsel for labor-management (effective Nov. 1, 1963).	3,147.50

Amount of expenditures previously reported	$73,261.37
Amount expended from July 1 to Dec. 31, 1963	68,816.61
Total amount expended from Jan. 3 to Dec. 31, 1963	142,077.98

Adam C. Powell,
Chairman.

January 3, 1964.

Committee on Education and Labor

To the Clerk of the House:

The above-mentioned committee or subcommittee, pursuant to section 134(b) of the Legislative Reorganization Act of 1946, Public Law 601, 79th Congress, approved August 2, 1946, as amended, submits the following report showing the name, profession, and total salary of each person employed by it during the 6-month period from July 1 to December 31, 1963, inclusive, together with total funds authorized or appropriated and expended by it:

Name of employee	Profession	Total gross salary during 6-month period
Full committee staff:		
Aurora E. Harris	Secretary	$2,924.68
Cleomine B. Lewis	Administrative assistant.	3,254.16
H. Roy Partridge, Jr.	Assistant clerk (July 8 to Aug. 9, 1963).	231.83
Michael Schwartz	Assistant clerk (June 15 to Aug. 31, 1963).	801.20
Mary L. Shuler	Secretary	3,088.00
John Everett Warren.	Assistant clerk	1,288.02
Ridgely Jones	Administrative assistant.	1,200.30
Charles Greenleaf, Jr.	Assistant minority clerk (Aug. 15, to 31, 1963).	213.65
Full committee staff—Continued		
Ernesto Galarza	Administrative assistant (Oct. 1 to 31, 1963).	$620.91
Sandra L. Paxton	Secretary (effective Nov. 25, 1963).	650.83
Donald F. Berens	Administrative assistant.	1,516.32
Beverly Pearson	Minority secretary	3,752.58
Total salaries, July 1 to Dec. 31, 1963.		19,542.48
Total other		3,192.38
Total expenses		22,734.84

Funds authorized or appropriated for committee expenditures	$50,000.00
Amount of expenditures previously reported	21,047.97
Amount expended from July 1 to Dec. 31, 1963	22,734.86
Total amount expended from Jan. 3 to Dec. 31, 1963	43,782.83
Balance unexpended as of Dec. 31, 1963	6,217.17

Adam C. Powell.
Chairman.

January 3, 1964.

Committee on Education and Labor

To the Clerk of the House:

The above-mentioned committee or subcommittee, pursuant to section 134(b) of the Legislative Reorganization Act of 1946, Public Law 601, 79th Congress, approved August 2, 1946, as amended, submits the following report showing the name, profession, and total salary of each person employed by it during the 6-month period from July 1 to December 31, 1963, inclusive, together with total funds authorized or appropriated and expended by it:

Name of employee	Profession	Total gross salary during 6-month period
General Subcommittee on Education, No 1. (Representative Carl D. Perkins, chairman):		
Hartwell D. Reed	Counsel	$8,027.40
Freda Tuttle	Secretary	3,210.84
Earl McCoy Cornett.	Assistant clerk	754.24
Total salaries, July 1 to Dec. 12, 1963.		11,992.48
Total other		4.10
Total expenses		11,996.58

Funds authorized or appropriated for committee expenditures	$25,000.00
Amount of expenditures previously reported	11,381.08
Amount expended from July 1 to Dec. 31, 1963	11,996.58
Total amount expended from Jan. 3 to Dec. 31, 1963	23,377.66
Balance unexpended as of Dec. 31, 1963	1,622.34

Adam C. Powell,
Chairman.

January 3, 1964.

Committee on Education and Labor

To the Clerk of the House:

The above-mentioned committee or subcommittee, pursuant to section 134(b) of the Legislative Reorganization Act of 1946, Public Law 601, 79th Congress, approved August 2, 1946, as amended, submits the following report showing the name, profession, and total salary of each person employed by it during the 6-month period from July 1 to December 31, 1963, inclusive, together with total funds authorized or appropriated and expended by it:

Name of employee	Profession	Total gross salary during 6-month period
General Subcommittee on Labor, No. 2 (Representative James Roosevelt, chairman):		
J. H. Foreman	Counsel	$4,998.12
Adrienne Fields	Clerk	3,993.65
Fern A. Burns	Assistant clerk	93.47
Total salaries, July 1 to Dec. 31, 1963		9,085.24
Total other		2,377.58
Total expenses		11,462.77

Funds authorized or appropriated for committee expenditures	$25,000.00
Amount of expenditures previously reported	10,307.41
Amount expended from July 1 to Dec. 31, 1963	11,462.77
Total amount expended from Jan. 3 to Feb. 31, 1963	21,770.18
Balance unexpended as of Dec. 31, 1963	3,229.82

Adam C. Powell,
Chairman.

January 3, 1964.

Committee on Education and Labor

To the Clerk of the House:

The above-mentioned committee or subcommittee, pursuant to section 134(b) of the Legislative Reorganization Act of 1946, Public Law 601, 79th Congress, approved August 2, 1946, as amended, submits the following report showing the name, profession, and total salary of each person employed by it during the 6-month period from July 1 to December 31, 1963, inclusive, together with total funds authorized or appropriated and expended by it:

Name of employee	Profession	Total gross salary during 6-month period
Special Subcommittee on Education, No. 3 (Representative Edith Green, chairman):		
William T. O'Hara	Counsel	$4,237.75
Betty R. Pryor	Clerk	6,156.36
William Gaul	Counsel	839.42
Total salaries, July 1 to Dec. 12, 1963		11,233,53
Total other		34.20
Total expenses		11,267.73

Funds authorized or appropriated for committee expenditures	$25,000.00
Amount of expenditures previously reported	11,404.95
Amount expended from July 1 to Dec. 31, 1963	11,267.73
Total amount expended from Jan. 3 to Dec. 31, 1963	22,672.68
Balance unexpended as of Dec. 31, 1963	2,327.32

Adam C. Powell,
Chairman.

JANUARY 3, 1964.

COMMITTEE ON EDUCATION AND LABOR

To the CLERK OF THE HOUSE:

The above-mentioned committee or subcommittee, pursuant to section 134(b) of the Legislative Reorganization Act of 1946, Public Law 601, 79th Congress, approved August 2, 1946, as amended, submits the following report showing the name, profession, and total salary of each person employed by it during the 6-month period from July 1 to December 31, 1963, inclusive, together with total funds authorized or appropriated and expended by it:

Name of employee	Profession	Total gross salary during 6-month period
Special Subcommittee on Labor, No. 4 Representative FRANK THOMPSON, JR. (chairman):		
Robert E. McCord	Clerk	$7,981.98
Mary E. Corbin	Secretary	3,747.18
Lelia W. Troup	Assistant clerk	303.89
Linda Johnson	do	200.92
Veronica Snowden	do	250.54
Mark Mazo	do	100.77
Total salaries, July 1 to Dec. 31, 1963.		12,585.28
Total other		140.55
Total expenses		12,725.83

Funds authorized or appropriated for committee expenditures	$25,000.00
Amount of expenditures previously reported	11,726.97
Amount expended from July 1 to Dec. 31, 1963	12,725.83
Total amount expended from Jan. 3 to Dec. 31, 1963	24,452.80
Balance unexpended as of Dec. 31, 1963	547.20

ADAM C. POWELL,
Chairman.

JANUARY 3, 1964.

COMMITTEE ON EDUCATION AND LABOR

To the CLERK OF THE HOUSE:

The above-mentioned committee or subcommittee, pursuant to section 134(b) of the Legislative Reorganization Act of 1946, Public Law 601, 79th Congress, approved August 2, 1946, as amended, submits the following report showing the name, profession, and total salary of each person employed by it during the 6-month period from July 1 to December 31, 1963, inclusive, together with total funds authorized or appropriated and expended by it:

Name of employee	Profession	Total gross salary during 6-month period
Select Subcommittee on Education No. 5 (Representative JOHN H. DENT, chairman):		
John C. Muntone	Counsel	$6,001.20
Rosalind M. Black	Secretary	3,004.92
Barbara L. Rugito	do	1,503.24
Kassian A. Kovalcheck, Jr.	Assistant clerk	820.92
A. R. Kelley	do	1,503.24
Total salaries, July 1 to Dec. 31, 1963.		12,833.52
Total other		1,668.50
Total expenses		14,502.07

Funds authorized or appropriated for committee expenditures	$25,000.00
Amount of expenditures previously reported	$6,833.52
Amount expended from July 1 to Dec. 31, 1963	14,502.07
Total amount expended from Jan. 3 to Dec. 31, 1963	21,019.11
Balance unexpended as of Dec. 31, 1963	3,980.89

ADAM C. POWELL,
Chairman.

JANUARY 3, 1964.

COMMITTEE ON EDUCATION AND LABOR

To the CLERK OF THE HOUSE:

The above-mentioned committee or subcommittee, pursuant to section 134(b) of the Legislative Reorganization Act of 1946, Public Law 601, 79th Congress, approved August 2, 1946, as amended, submits the following report showing the name, profession, and total salary of each person employed by it during the 6-month period from July 1 to December 31, 1963, inclusive, together with total funds authorized or appropriated and expended by it:

Name of employee	Profession	Total gross salary during 6-month period
Select Subcommittee on Labor No. 6 (Representative ELMER J. HOLLAND, chairman):		
Curtis C. Aller	Director	$8,003.94
Olive M. Gibbons	Secretary	3,210.84
Anne Marie Southworth.	Assistant clerk	1,145.23
Total salaries, July 1 to Dec. 31, 1963.		12,360.01
Total other		187.70
Total expenses		12,547.71

Funds authorized or appropriated for committee expenditures	$25,000.00
Amount of expenditures previously reported	4,171.98
Amount expended from July 1 to Dec. 31, 1963	12,547.71
Total amount expended from Jan. 3 to Dec. 31, 1963	16,719.69
Balance unexpended as of Dec. 31, 1963	8,280.31

ADAM C. POWELL,
Chairman.

JANUARY 3, 1964.

COMMITTEE ON EDUCATION AND LABOR

To the CLERK OF THE HOUSE:

The above-mentioned committee or subcommittee, pursuant to section 134(b) of the Legislative Reorganization Act of 1946, Public Law 601, 79th Congress, approved August 2, 1946, as amended, submits the following report showing the name, profession, and total salary of each person employed by it during the 6-month period from July 1 to December 31, 1963, inclusive, together with total funds authorized or appropriated and expended by it:

AD HOC SUBCOMMITTEE ON RESEARCH DATA PROCESSING AND INFORMATION RETRIEVAL CENTER NO. 7 (CHAIRMAN, REPRESENTATIVE ROMAN C. PUCINSKI)

Name of employee	Profession	Total gross salary during 6-month period
Patricia A. Kuta	Clerk	$2,169.44
Total salaries, Aug. 26 to Dec. 31, 1963 (no other expenses)		2,169.44

Funds authorized or appropriated for committee expenditures	$7,000.00
Amount of expenditures previously reported	None
Amount expended from Aug. 26 to Dec. 31, 1963	2,169.44
Balance unexpended as of Dec. 31, 1963	4,830.56

ADAM C. POWELL,
Chairman.

JANUARY 3, 1964.

COMMITTEE ON EDUCATION AND LABOR

To the CLERK OF THE HOUSE:

The above-mentioned committee or subcommittee, pursuant to section 134(b) of the Legislative Reorganization Act of 1946, Public Law 601, 79th Congress, approved August 2, 1946, as amended, submits the following report showing the name, profession, and total salary of each person employed by it during the 6-month period from July 1 to December 31, 1963, inclusive, together with total funds authorized or appropriated and expended by it:

AD HOC SUBCOMMITTEE ON ST. ELIZABETHS HOSPITAL NO. 8 (CHAIRMAN, REPRESENTATIVE DOMINICK V. DANIELS)

Name of employee	Profession	Total gross salary during 6-month period
Gail S. Smith	Clerk (Oct. 22 to Dec. 16, 1963).	$721.08
Emory W. Reisinger	Counsel	1,648.10
Total salaries, Oct. 16 to Dec. 31, 1963 (no other expenses).		2,369.18

Funds authorized or appropriated for committee expenditures	$5,000.00
Amount of expenditures previously reported	None
Amount expended from Oct. 16 to Dec. 31, 1963	2,369.18
Balance unexpended as of Dec. 31, 1963	2,630.82

ADAM C. POWELL,
Chairman.

JANUARY 14, 1964.

COMMITTEE ON GOVERNMENT OPERATIONS

To the CLERK OF THE HOUSE:

The above-mentioned committee or subcommittee, pursuant to section 134(b) of the Legislative Reorganization Act of 1946, Public Law 601, 79th Congress, approved August 2, 1946, as amended, submits the following report showing the name, profession, and total salary of each person employed by it during the 6-month period from July 1 to December 31, 1963, inclusive, together with total funds authorized or appropriated and expended by it:

Expenses, July 1 to Dec. 31, 1963:	
Full committee	$1,018.55
Executive and Legislative Reorganization Subcommittee	35,500.68
Military Operations Subcommittee	39,060.56
Government Activities Subcommittee	25,288.43
Intergovernmental Relations Subcommittee	46,131.44
Natural Resources and Power Subcommittee	48,267.05
Foreign Operations and Government Information Subcommittee	49,322.31
Legal and Monetary Affairs Subcommittee	22,849.04
Total	267,438.06
Salaries, full committee, July 1 to Dec. 31, 1963:	
Christine Ray Davis, staff director	9,442.50
James A. Lanigan, general counsel	9,442.50
Miles Q. Romney, associate general counsel	7,935.77
Earle J. Wade, staff member	6,734.58
Dolores Fel'Dotto, staff member	4,754.82
Ann E. McLachlan, staff member	4,700.64
Patricia Maheux, staff member	4,700.64
Charlotte C. Bickett—staff member	4,278.06
Malcolm K. Edwards, minority professional staff member	8,003.94
John Philip Carlson, minority counsel	7,919.28

Expenses, July 1 to Dec. 31, 1963:	
Full committee: Travel, publications, telephone, stationery, supplies, etc., July 1 to Dec. 31, 1963, total	$1,018.55
Executive and Legislative Reorganization Subcommittee, Hon. WILLIAM L. DAWSON, chairman:	
Elmer W. Henderson, counsel	8,883.06
Arthur Perlman, investigator	7,594.92
Francis J. Schwoerer, staff member	5,350.74
Salig Lee Bendit, research assistant	4,754.82
Veronica B. Johnson, clerk	4,278.06
John L. Dodson, clerical staff (Nov. 1 to Dec. 31, 1963)	833.70
Domingo E. Ulibarri, clerical staff (July 1, to Oct. 31, 1963)	1,385.88
Irene D. Manning, clerk-stenographer (July 1 to Aug. 31, 1963)	1,426.02
Expenses	993.48
Total	35,500.68
Military Operations Subcommittee, Hon. CHET HOLIFIELD, chairman:	
Herbert Roback, staff administrator	9,442.50
John Paul Ridgely, investigator	6,170.46
Douglas G. Dahlin, staff consultant	3,009.60
Robert J. McElroy, investigator	4,819.86
Mollie Jo Hughes, clerk-stenographer	4,278.06
Catherine L. Koeberlein, clerk-stenographer	4,278.06
Expenses	7,062.02
Total	39,060.56
Government Activities Subcommittee, Hon. JACK BROOKS, chairman:	
Ernest Cornish Baynard, staff administrator	7,402.14
Daniel L. Power, investigator	4,283.52
William David Allred, research assistant (Nov. 1 to Dec. 31, 1963)	1,400.74
Roland J. Williams, investigator	4,001.76
Irma Reel, clerk	4,066.80
Lynne Higginbotham, clerk-stenographer	3,302.91
Expenses	830.56
Total	25,288.43
Intergovernmental Relations Subcommittee, Hon. L. H. FOUNTAIN, chairman:	
James R. Naughton, counsel	8,286.00
Delphis C. Goldberg, professional staff member	8,286.00
Herbert B. Warburton, minority counsel	7,919.28
George O. Serini, investigator	6,424.32
William Donald Gray, research analyst	5,878.74
Eileen M. Anderson, clerk-stenographer	4,278.06
Bebe B. Terry, clerk-stenographer	4,061.40
Expenses	997.64
Total	46,131.44
Natural Resources and Power Subcommittee, Hon. ROBERT E. JONES, chairman:	
Phineas Indritz, counsel	8,615.04
Sidney McClellan, professional staff member	7,331.64
Daniel A. Kavanaugh, assistant counsel	5,140.41
Maurice B. Tobin, assistant counsel	4,500.18
George L. Milstead, investigator	5,253.24
Catherine L. Hartke, stenographer	4,278.06
Josephine Scheiver, research analyst (Oct. 1 to Dec. 31, 1963)	1,748.97
Francine Shacter, clerk-stenographer (Oct. 8 to Dec. 31, 1963)	1,612.94
Susan Mann, clerk-typist (July 1 to Sept. 30, 1963)	1,250.55
Expenses	8,536.02
Total	48,267.05
Foreign Operations and Government Information Subcommittee, Hon. JOHN E. MOSS, chairman:	
Samuel J. Archibald, staff administrator	8,615.04
Vincent J. Augliere, chief adviser	8,253.06
Jack Matteson, chief investigator	7,486.80
David Glick, assistant counsel	7,486.80
Benny L. Kass, assistant counsel	4,273.55
William E. Barnaby, Jr., research assistant	4,232.01
Helen K. Beasley, stenographer	4,278.06
Glenna G. Donat, secretary (Nov. 1 to Dec. 31, 1963)	1,001.64
Marguerite A. Gleason, clerk-stenographer (July 1 to Oct. 20, 1963)	2,217.09
Expenses	1,478.26
Total	49,322.31
Legal and Monetary Affairs Subcommittee, Hon. DANTE B. FASCELL, chairman:	
M. Joseph Matan, staff administrator	7,886.40
Charles Rothenberg, counsel	7,312.83
Clara Katherine Armstrong, clerical staff	3,860.94
Millicent Y. Myers, stenographer	3,627.99
Expenses	160.88
Total	22,849.04
Funds authorized or appropriated for committee expenditures	600,000.00
Amount of expenditures previously reported	241,457.68
Amount expended from Jan. 4 to June 30, 1963	$241,457.68
Total amount expended from July 1 to Dec. 31, 1963	267,438.06
Balance unexpended as of Dec. 31, 1963	91,104.26

WILLIAM L. DAWSON,
Chairman.

JANUARY 15, 1964.

COMMITTEE ON HOUSE ADMINISTRATION

To the CLERK OF THE HOUSE:

The above-mentioned committee or subcommittee, pursuant to section 134(b) of the Legislative Reorganization Act of 1946, Public Law 601, 79th Congress, approved August 2, 1946, as amended, submits the following report showing the name, profession, and total salary of each person employed by it during the 6-month period from July 1 to December 31, 1963, inclusive, together with total funds authorized or appropriated and expended by it:

Name of employee	Profession	Total gross salary during 6-month period
Julian P. Langston	Chief clerk	$9,442.50
Marjorie Savage	Assistant clerk	8,144.94
Mary F. Stolle	do	4,169.70

Funds authorized or appropriated for committee expenditures	$5,000.00
Amount of expenditures previously reported	326.35
Amount expended from July 1 to Dec. 31, 1963	459.07
Total amount expended from Jan. 1 to Dec. 31, 1963	785.42
Balance	4,214.58

OMAR BURLESON,
Chairman.

JANUARY 10, 1964.

COMMITTEE ON INTERIOR AND INSULAR AFFAIRS

To the CLERK OF THE HOUSE:

The above-mentioned committee or subcommittee, pursuant to section 134(b) of the Legislative Reorganization Act of 1946, Public Law 601, 79th Congress, approved August 2, 1946, as amended, submits the following report showing the name, profession, and total salary of each person employed by it during the 6-month period from July 1 to December 31, 1963, inclusive, together with total funds authorized or appropriated and expended by it:

Name of employee	Profession	Total gross salary during 6-month period
Professional staff:		
Sidney L. McFarland.	Professional staff director and engineering consultant.	$9,245.04
T. Richard Witmer	Counsel and consultant on national parks.	8,915.94
John L. Taylor	Consultant on territorial and Indian affairs.	8,915.94
Milton A. Pearl	Consultant on mining, minerals, and public lands.	8,915.94
Clerical staff:		
Nancy J. Arnold	Chief clerk	7,975.68
Dixie S. Barton	Clerk	4,576.02
Patricia Ann Murray.	do	4,576.02
Virginia E. Bedsole	do	4,364.76
Patricia B. Freeman	do	4,072.20
Susan A. Whitener	do	3,822.96

Funds authorized or appropriated for committee expenditures	$30,000.00
Amount of expenditures previously reported	$8,596.92
Amount expended from July 1, to Dec. 31, 1963	8,546.81
Total amount expended from Jan. 3 to Dec. 31, 1963	17,143.73
Balance unexpended as of Dec. 31, 1963	12,856.27

WAYNE N. ASPINALL,
Chairman.

JANUARY 9, 1964.

COMMITTEE ON INTERSTATE AND FOREIGN COMMERCE

To the CLERK OF THE HOUSE:

The above-mentioned committee or subcommittee, pursuant to section 134(b) of the Legislative Reorganization Act of 1946, Public Law 601, 79th Congress, approved August 2, 1946, as amended, submits the following report showing the name, profession, and total salary of each person employed by it during the 6-month period from July 1 to December 31, 1963, inclusive, together with total funds authorized or appropriated and expended by it:

Name of employee	Profession	Total gross salary during 6-month period
Clerical staff:		
W. E. Williamson	Clerk	$9,442.48
Kenneth J. Painter	First assistant clerk	7,834.66
Marcella Fencl	Assistant clerk	4,895.68
Glenn L. Johnson	Printing editor	6,640.55
Joanne C. Neuland	Clerical assistant	4,115.54
Mildred H. Lang	do	4,115.54
Mary Ryan	do	4,115.54
Roy P. Wilkinson	Assistant clerk	3,898.84
Elsie M. Karpowich	Clerical assistant	4,115.54
Marion M. Burson	Staff assistant (minority).	8,342.40
Professional staff:		
Andrew Stevenson	Expert	9,442.48
Kurt Borchardt	Legal counsel	9,442.48
George W. Perry	Professional staff member.	8,944.15
James M. Menger, Jr.	do	8,944.15
Additional temporary employees under H.Res. 17, H. Res. 226, and H.Res. 521:		
Gladys Johnson	Clerical assistant	4,765.65
Kathleen Theresa Crowe.	Clerical assistant (to Aug. 31).	775.92
William T. Denman III.	Staff assistant (Subcommittee on Transportation).	6,001.19
Rosalee Ann Peterson.	Minority clerical assistant.	2,750.33
Carolyn Sue Browning.	do	3,302.91
Lewis E. Berry, Jr.	Minority counsel	9,442.48
Charles L. Honey, Jr.	Staff assistant (from Aug. 1).	4,502.45
Wallace L. Briscoe	Staff assistant	6,001.19
John A. Canfield	Staff assistant (Subcommittee on Commerce and Finance) (from Nov. 15).	1,500.30
William B. Ellis, Jr.	Messenger (to July 31).	387.96
SPECIAL SUBCOMMITTEE ON INVESTIGATIONS		
Charles P. Howze, Jr.	Chief counsel	9,386.06
Robert E. L. Richardson.	Associate counsel (to Aug. 31).	2,141.44
Herman Clay Beasley.	Subcommittee chief clerk.	7,759.44
Stuart C. Ross	Consultant	8,727.90
Zelig Robinson	Staff attorney	6,001.18
Elizabeth G. Paola	Clerical assistant	3,898.84
Catherine C. McLees.	do	4,115.54
Mary E. Bainbridge.	Stenographer-clerk	3,790.49
Dorothy Dimpel	Stenographer-clerk (from July 16).	3,474.62

Funds authorized or appropriated for committee expenditures	$278,450.00
Amount of expenditures previously reported	86,379.95

Amount expended from July 1 to Dec. 31, 1963	$90,654.40
Total amount expended from Jan. 4 to Dec. 31, 1963	177,034.35
Balance unexpended as of Dec. 31, 1963	101,415.65

OREN HARRIS,
Chairman.

JANUARY 15, 1964.

COMMITTEE ON THE JUDICIARY

To the CLERK OF THE HOUSE:

The above-mentioned committee or subcommittee, pursuant to section 134(b) of the Legislative Reorganization Act of 1946, Public Law 601, 79th Congress, approved August 2, 1946, as amended, submits the following report showing the name, profession, and total salary of each person employed by it during the 6-month period from July 1 to December 31, 1963, inclusive, together with total funds authorized or appropriated and expended by it:

Name of employee	Profession	Total gross salary during 6-month period
Bess E. Dick	Staff director	$9,442.50
William R. Foley	General counsel	9,442.50
Walter M. Besterman	Legislative assistant	9,442.50
Murray Drabkin	Counsel	9,099.30
Stuart H. Johnson, Jr.	do	9,099.30
Garner J. Cline	Assistant counsel	6,828.60
William H. Copenhaver.	do	6,302.54
Carrie Lou Allen	Clerical staff	4,494.78
Anne J. Berger	do	6,264.48
Jane C. Caldwell	do	4,819.86
Frances F. Christy	do	5,568.42
Mary DeMatties	do	4,386.42
Velma Smedley	do	5,775.30

SALARIES PAID JULY 1 THROUGH DEC. 31, 1963, PURSUANT TO H. RES. 36 AND H. RES. 100, 88TH CONG.

Name of employee	Profession	Total gross salary during 6-month period
Appel, Leonard	Assistant counsel (through Aug. 31, 1963).	$2,652.30
Beland, Lorraine W	Clerical staff	4,083.06
Benn, Donald G	Assistant counsel	6,057.60
Burak, Gertrude C	Clerical staff	4,928.16
Cors, Allan D	Deputy associate counsel.	4,668.12
Cuddy, Karen M	Clerical staff	3,319.14
Eisenberg, Roberta E.	do	4,169.70
Haardt, Alma B	do	3,519.60
Hall, Patricia J	do	3,319.14
Hunter, Edwin K	Clerical staff (through Aug. 23, 1963).	520.34
Hyman, Joseph	Counsel (through July 31, 1963).	1,427.23
Jett, R. Frederick	Assistant counsel (through July 31, 1963).	2,495.60
Kelemonick, Michael	Clerical staff	3,844.68
Lee, Charles R	Messenger	2,544.42
Levy, Joseph M	Clerical staff	5,350.74
McCabe, Mary Wass	Clerical staff (through July 31, 1963).	553.19
McGrady, Florence	Clerical staff	3,627.96
Marcus, Philip	Associate counsel (through July 31, 1963).	1,441.33
Meekins, Elizabeth G.	Clerical staff	4,169.70
Moler, George P	Clerical staff (through Aug. 31, 1963).	405.78
Rosenman, Louis	Associate counsel	7,439.76
Zelenko, Benjamin L.	do	5,775.30

Funds authorized or appropriated for committee expenditures	$200,000.00
Amount of expenditures previously reported	109,908.58
Amount expended from July 1 through Dec. 31, 1963	$78,540.74
Total amount expended from Jan. 4 through Dec. 31, 1963	188,449.32
Balance unexpended as of Dec. 31, 1963	11,550.68

SPECIAL SUBCOMMITTEE ON STATE TAXATION OF INTERSTATE COMMERCE, SALARIES PAID JULY 1, 1963, THROUGH DEC. 31, 1963, PURSUANT TO H. RES. 35 AND H. RES. 497, 88TH CONG.

Name of employee	Profession	Total gross salary during 6-month period
Ainsworth, Kenneth G.	Economist (through Sept. 25, 1963).	$2,968.92
Breslow, Jerome W	Assistant counsel	4,671.77
Broussard, Gerald J	Clerical staff (as of Oct. 11, 1963).	1,015.28
Faircloth, John W. F.	Counsel (as of Nov 1, 1963).	2,168.08
Fuller, David Otis, Jr.	Clerical staff (July 15 to Aug. 31, 1963).	614.25
Greess, Constance	Clerical staff (through July 7, 1963).	145.30
James, Raymond K	Clerical staff (as of Oct. 14, 1963).	1,540.39
Lane, Esther C	Clerical staff	3,319.14
McGrath, James P	Clerical staff (as of July 8, 1963).	2,459.95
May, Julia M	Assistant counsel (through July 19, 1963).	367.51
Melville, Robert F	Senior economist (through Nov. 26, 1963).	6,406.67
Partridge, Anthony	Counsel	7,918.53
Pharr, Norman	Clerical staff	3,319.14
Rigler, Douglas V	Clerical staff (as of Oct. 15, 1963).	1,520.38
Schoenek, Hilda C	Clerical staff (July 30 to Aug. 12, 1963).	271.41
Sutherland, David A.	Counsel	7,918.53
Wachs, Joel S	Clerical staff (through Sept. 6, 1963).	831.32
Waggoner, Anne	Clerical staff (through Sept. 7, 1963).	1,235.46
Zeifman, Jerome	Counsel	6,401.71

Funds authorized or appropriated for Committee expenditures	$196,000.00
Amount of expenditures previously reported	64,105.99
Amount expended from July 1 through Dec. 31, 1963	76,495.63
Total amount expended from Jan. 4 through Dec. 31, 1963	140,601.62
Balance unexpended as of Dec. 31, 1963	55,398.38

FUNDS FOR PREPARATION OF UNITED STATES CODE, DISTRICT OF COLUMBIA CODE, AND REVISION OF THE LAWS

A. Preparation of New Edition of United States Code (no year):	
Unexpended balance June 30, 1963	$55,726.98
Expended July 1 to Dec. 31, 1963	41,302.36
Balance Dec. 31, 1963	14,424.62
B. Preparation of New Edition of District of Columbia Code:	
Unexpended balance June 30, 1963	22,877.05
Expended July 1 to Dec. 31, 1963	9,699.78
Balance Dec. 31, 1963	13,177.27
C. Revision of the Laws 1964:	
Legislative Appropriation Act, 1964	20,765.00
Expended July 1 to Dec. 31, 1963	9,442.50
Balance Dec. 31, 1963	11,322.50

EMANUEL CELLER,
Chairman.

DECEMBER 31, 1963.

COMMITTEE ON MERCHANT MARINE AND FISHERIES

To the CLERK OF THE HOUSE:

The above-mentioned committee or subcommittee, pursuant to section 134(b) of the Legislative Reorganization Act of 1946, Public Law 601, 79th Congress, approved August 2, 1946, as amended, submits the following report showing the name, profession, and total salary of each person employed by it during the 6-month period from July 1 to December 31, 1963, inclusive, together with total funds authorized or appropriated and expended by it:

Name of employee	Profession	Total gross salary during 6-month period
John M. Drewry	Chief counsel	$9,442.50
Bernard J. Zincke	Counsel	8,803.14
Ned P. Everett	Assistant counsel	6,903.84
W. B. Winfield	Chief clerk	9,000.54
Frances P. Still	Assistant clerk	5,382.30
Ruth A. Brookshire	do	4,278.06
Edith W. Gordon	Secretary	4,278.06
Vera A. Barker	do	4,278.06
E. M. Tollefson	Minority clerk	5,144.88

Funds authorized or appropriated for committee expenditures	$37,500.00
Amount of expenditures previously reported	8,813.71
Amount expended from July 1 to Dec. 31, 1963	8,564.12
Total amount expended from Jan. 1 to Dec. 31, 1963	17,377.83
Balance unexpended as of Dec. 31, 1963	20,122.17

HERBERT C. BONNER,
Chairman.

DECEMBER 31, 1963.

COMMITTEE ON POST OFFICE AND CIVIL SERVICE

To the CLERK OF THE HOUSE:

The above-mentioned committee or subcommittee, pursuant to section 134(b) of the Legislative Reorganization Act of 1946, Public Law 601, 79th Congress, approved August 2, 1946, as amended, submits the following report showing the name, profession, and total salary of each person employed by it during the 6-month period from July 1 to December 31, 1963, inclusive, together with total funds authorized or appropriated and expended by it:

Name of employee	Profession	Total gross salary during 6-month period
Charles E. Johnson	Staff director	$9,442.50
George M. Moore	Counsel	9,442.50
B. Benton Bray	Professional staff member.	8,709.09
John H. Martiny	Associate counsel	8,709.09
William A. Irvine	Staff member	8,427.02
Lillian H. Hanninen	Assistant clerk	5,775.30
John B. Price	do	4,819.83
Lucy K. Daley	do	4,819.83
Elsie E. Thornton	Secretary	4,711.48
Blanche M. Simons	do	4,332.25

Funds authorized on appropriated for committee expenditures	$62,500.00
Amount of expenditures previously reported	24,201.15
Amount expended from July 1 to Dec. 31, 1963	28,681.37
Total amount expended from Feb. 27 to Dec. 31, 1963	52,882.52
Balance unexpended as of Dec. 31, 1963	9,617.48

TOM MURRAY,
Chairman.

JANUARY 15, 1964.

COMMITTEE ON PUBLIC WORKS

To the CLERK OF THE HOUSE:

The above-mentioned committee or subcommittee, pursuant to section 134(b) of the Legislative Reorganization Act of 1946, Public Law 601, 79th Congress, approved August 2, 1946, as amended, submits the

following report showing the name, profession, and total salary of each person employed by it during the 6-month period from July 1 to December 31, 1963, inclusive, together with total funds authorized or appropriated and expended by it:

Name of employee	Profession	Total gross salary during 6-month period
Standing committee:		
Richard J. Sullivan	Chief counsel	$9,442.50
Joseph R. Brennan	Engineer-consultant	9,442.50
Clifton W. Enfield	Minority counsel	9,099.30
Stephen V. Feeley	Subcommittee clerk	6,734.58
Helen M. Dooley	Staff assistant	7,674.84
Helen A. Thompson	do	6,767.52
Dorothy A. Beam	do	5,779.62
S. Philip Cohen	Staff assistant (through July 31, 1963).	803.31
Florence C. Waters	Staff assistant (as of Aug. 1, 1963).	5,001.00
Ester M. Saunders	Clerical assistant (through Dec. 30, 1963).	3,525.06

STANDING COMMITTEE—SALARIES PAID, JULY 1 THROUGH DEC. 31, 1963, PURSUANT TO H. RES. 236, 88TH CONG.

James L. Oberstar	Subcommittee clerk (through Nov. 15, 1963).	$4,331.49
James R. Phippard	Subcommittee clerk (as of Nov. 16, 1963).	1,392.10
John A. O'Connor, Jr.	Subcommittee clerk	5,253.24
William B. Short, Jr.	do	5,253.24
Audrey G. Warren	do	5,253.24
Milton Weil	Staff assistant	6,353.76
Paul R. S. Yates	Minority staff assistant.	6,001.20
Erla S. Youmans	do	4,548.96
Agnes M. GaNun	Staff assistant (through Nov. 30, 1963).	3,185.80
Marina M. Gentilini	Staff assistant (as of Dec. 1, 1963).	579.38
Sterlyn B. Carroll	Clerical assistant	3,525.06
Flavil Q. Van Dyke, Jr.	Minority clerical assistant.	3,519.60
Murray S. Pashkoff	Investigator	2,679.90
Dorothy Ann Carpenter.	Research assistant (through Aug. 16, 1963).	690.40
Martin Baker	Research assistant (through Aug. 31, 1963).	600.58
John P. Brault	Research assistant (through Sept. 15, 1963).	750.58
Anne Thompson	Research assistant (through Sept. 6, 1963).	680.64

Funds authorized or appropriated for committee expenditures	$110,000.00
Amount of expenditures previously reported	50,647.77
Amount expended from July 1 to Dec. 31, 1963	54,933.66
Total amount expended from Jan. 1 to Dec. 31, 1963	105,581.43
Balance unexpended as of Dec. 31, 1963	4,418.57

SPECIAL SUBCOMMITTEE ON THE FEDERAL-AID HIGHWAY PROGRAM—SALARIES PAID, JULY 1 THROUGH DEC. 31, 1963, PURSUANT TO H. RES. 236, 88TH CONG.

Name of employee	Profession	Total gross salary during 6-month period
Walter R. May	Chief counsel	$9,442.50
John P. Constandy	Assistant chief counsel.	8,826.60
Robert L. May	Minority counsel	8,765.52
Salvatore D'Amico	Associate counsel	6,922.62
Patrick J. Cunningham.	do	4,018.02
Robert G. Lawrence	Associate counsel (as of Oct. 14, 1963).	2,387.74
George H. Martin	Administrative assistant.	$8,069.70
George M. Kopecky	Chief investigator	8,408.22
John N. Dinsmore	Investigator	7,063.68
James P. Kelly	do	6,922.62
Sherman S. Willse	Investigator	6,922.62
George E. Burgess	Investigator (through July 31, 1963).	1,109.89
John P. O'Hara	Investigator	6,659.34
Richard A. Cordasco	Investigator (as of Sept. 16, 1963).	3,794.14
Carl J. Lorenz, Jr	Investigator	6,001.20
Edward J. Gilhooly	do	4,018.02
Kathryn M. Keeney	Chief clerk	4,439.62
Mildred E. Rupert	Staff assistant	3,958.44
Dolores K. Dougherty	do	3,839.22
Agnes M. GaNum	Staff assistant (as of Dec. 1, 1963).	637.16
Sylvia H. Reppert	Minority staff assistant.	3,600.90
Sara L. Vollett	Staff assistant	3,600.90
Shirley R. Knighten	do	2,934.54
Anna S. Rosch	do	2,522.76
Erwin Greenwald	Research assistant	4,283.52

Funds authorized or appropriated for committee expenditures	$340,000.00
Amount of expenditures previously reported	169,617.90
Amount expended from July 1 to Dec. 31, 1963	155,076.98
Total amount expended from Jan. 1 to Dec. 31, 1963	324,694.88
Balance unexpended as of Dec. 31, 1963	15,305.12

SELECT SUBCOMMITTEE ON REAL PROPERTY ACQUISITION—SALARIES PAID, JULY 1 THROUGH DEC. 31, 1963, PURSUANT TO H. RES. 237, 88TH CONG.

Name of employee	Profession	Total gross salary during 6-month period
Ruth M. Heritage	Chief Clerk	$7,016.64
Henry H. Krevor	Chief counsel	9,099.30
Robert J. Bolger	Minority counsel	8,765.52
Joe W. Ingram	Associate counsel	6,955.56
Roy Markon	do	6,532.44
Dorothy S. Martin	Secretary	4,825.26
Ruth Butterworth	Minority staff assistant.	4,554.36
Meriam Buckley	Staff assistant	3,411.24
Florence C. Waters	Research assistant (through July 31, 1963).	713.92

Funds authorized or appropriated for committee expenditures	$125,000.00
Amount of expenditures previously reported	56,585.34
Amount expended from July 1 to Dec. 31, 1963	58,483.55
Total amount expended from Jan. 1 to Dec. 31, 1963	115,068.89
Balance unexpended as of Dec. 31, 1963	[1] 9,931.11

[1] Does not include outstanding obligations.

CHARLES A. BUCKLEY,
Chairman.

JANUARY 21, 1964.

COMMITTEE ON RULES

To the CLERK OF THE HOUSE:

The above-mentioned committee or subcommittee, pursuant to section 134(b) of the Legislative Reorganization Act of 1946, Public Law 601, 79th Congress, approved August 2, 1946, as amended, submits the following report showing the name, profession, and total salary of each person employed by it during the 6-month period from July 1 to December 31, 1963, inclusive, together with total funds authorized or appropriated and expended by it:

Name of employee	Profession	Total gross salary during 6-month period
T. M. Carruthers	Clerk, standing committee.	$7,204.68
Mary Spencer Forrest	Assistant clerk	5,253.24
D. E. Lukens	Minority clerk (July 1 to Sept. 30, 1963).	2,464.08
T. K. Leachman	Messenger (July 1, to Aug. 31, 1963).	992.62
Frank E. McCarthy	Minority clerk (Oct. 1 to Dec. 31, 1963).	2,626.62

HOWARD W. SMITH,
Chairman.

JANUARY 15, 1964.

COMMITTEE ON SCIENCE AND ASTRONAUTICS

To the CLERK OF THE HOUSE:

The above-mentioned committee or subcommittee, pursuant to section 134(b) of the Legislative Reorganization Act of 1946, Public Law 601, 79th Congress, approved August 2, 1946, as amended, submits the following report showing the name, profession, and total salary of each person employed by it during the 6-month period from July 1 to December 31, 1963, inclusive, together with total funds authorized or appropriated and expended by it:

Name of employee	Profession	Total gross salary during 6-month period
Charles F. Ducander	Executive director and chief counsel.	$9,442.50
John A. Carstarphen, Jr.	Chief clerk and counsel.	9,442.50
Philip B. Yeager	Counsel	9,442.50
Frank R. Hammill, Jr	do	8,798.40
W. H. Boone	Technical consultant.	8,923.78
Mary Ann Robert	Secretary	4,189.60
Emily Dodson	do	4,014.52
Carol F. Rodgers	do	3,916.90
June C. Stafford	do	3,669.50
Elizabeth M. Fleming.	Secretary (from Sept. 23).	1,907.37
Patricia B. Harford	Secretary (to Oct. 1)	1,751.67

INVESTIGATIONS SUBCOMMITTEE

Richard P. Hines	Staff consultant	$8,630.72
James E. Wilson	Technical consultant (from Oct. 16).	3,542.60
Peter A. Gerardi	Technical consultant (from Nov. 12).	2,314.50
Joseph M. Felton	Assistant staff consultant.	4,160.70
Katherine V. Flanigan	Assistant clerk	4,928.16
Denis C. Quigley	Publications clerk	2,679.90
Virginia Robison	Secretary (from July 15).	3,230.86
Elizabeth Rothman	Clerical assistant (to Aug. 15).	665.48
Stephen Zorn	Assistant publications clerk (to Sept. 1).	868.02

Funds authorized or appropriated for committee expenditures	$150,000.00
Amount of expenditures previously reported	47,689.15
Amount expended from July 1 to Dec. 31, 1963	50,167.99
Total amount expended from Feb. 27 to Dec. 31, 1963	97,857.14
Balance unexpended as of Dec. 31, 1963	52,142.86

GEORGE P. MILLER,
Chairman.

January 10, 1964.

Committee on Un-American Activities

To the Clerk of the House:

The above-mentioned committee or subcommittee, pursuant to section 134(b) of the Legislative Reorganization Act of 1946, Public Law 601, 79th Congress, approved August 2, 1946, as amended, submits the following report showing the name, profession, and total salary of each person employed by it during the 6-month period from July 1 to December 31, 1963, inclusive, together with total funds authorized or appropriated and expended by it:

STANDING COMMITTEE

Name of employee	Profession	Total gross salary during 6-month period
Donald T. Appell	Chief investigator	$8,036.82
Helen M. Gittings	Research analyst (transferred from Investigating Committee).	2,464.08
Juliette P. Joray	Recording clerk	6,076.44
Francis J. McNamara	Director	8,897.16
Isabel B. Nagel	Secretary to counsel	4,169.70
Rosella A. Purdy	Secretary to general counsel.	5,014.86
Frank S. Tavenner, Jr.	General counsel	9,442.50
Anne D. Turner	Chief of reference and files service.	6,123.42
Lorraine M. Veley	Secretary to investigators.	3,953.04
Vera M. Watts	Clerk-stenographer (resigned Aug. 31, 1963).	1,223.66
William A. Wheeler	Investigator	7,580.82

INVESTIGATING COMMITTEE

Name of employee	Profession	Total gross salary during 6-month period
Arens, Margaret Ann	Clerk-typist (resigned Sept. 4, 1963).	$685.16
Louis S. Bedarfas	Information analyst (appointed Nov. 4, 1963).	951.56
Beatrice P. Baldwin	Clerk-typist	2,869.50
John R. Benedict	Research analyst	4,819.86
Frances Rosalyn Brown.	Information analyst	2,880.30
Theresa J. Buglio	Clerk-typist	2,327.76
Gerard F. Burke	do	2,748.50
Daniel Butler	do	2,652.78
Kathleen Courie	Clerk-stenographer (resigned Aug. 14, 1963).	1,045.75
William R. Collins	Editor (appointed Aug. 12, 1963).	3,090.25
Anniel Cunningham	Information analyst	4,232.95
Jean W. Curll	Clerk-stenographer	3,210.84
Florence B. Doyle	Clerk-typist (appointed Oct. 14, 1963).	899.82
Elizabeth L. Edinger	Editor	4,462.26
Rochelle J. Ellsweig	Clerk-typist	2,035.02
Ettorina Fantozzi	Clerk-typist (resigned Sept. 8, 1963).	839.30
Emily R. Francis	Information analyst	2,652.78
Metie Gaffney	Clerk-typist (appointed Oct. 14, 1963).	899.82
Helen M. Gittings	Research analyst (transferred to Standing Committee Oct. 1, 1963).	2,464.08
Herbert Goldblatt	Clerk-typist (resigned Aug. 31, 1963).	642.34
Katherine R. Holton	Research clerk	2,977.86
Walter B. Huber	Consultant	7,674.84
Maura Patricia Kelly	Research analyst	3,425.71
Olive M. King	Editor (resigned Aug. 31, 1963).	1,588.56
Evelyn M. Kocis	Secretary	3,878.96
William Margetich	Investigator	3,885.30
Carol E. McLaughlin	Clerk-typist	2,142.84
Esther L. Monts	Clerk-stenographer	3,042.84
David E. Muffley, Jr.	Clerk-typist	2,945.34
Jane S. Muller	Information analyst (resigned Oct. 15, 1963).	1,863.50
Alfred M. Nittle	Counsel	7,699.13
Alma T. Pfaff	Research clerk	2,988.66
Katharine Phillips	Switchboard operator.	2,734.08
Josephine S. Randolph.	Research clerk	3,339.02
Doris S. Rainbolt	Clerk-typist	2,355.47
Brenda R. Rogers	Clerk-stenographer (resigned Nov. 30, 1963.)	2.454.45
Louis J. Russell	Investigator	$6,264.48
Doris P. Shaw	Information analyst (resigned July 15, 1963.)	240.93
Lela Mae Stiles	Information analyst	3,237.90
Pamela A. Stoddard	Clerk-typist (resigned Aug. 31, 1963.)	642.34
Donald I. Sweany, Jr.	Research analyst	4,819.86
Patience S. Vaccaro	Clerk-stenographer	1,616.34
Mary Myers Valente	Secretary	4,809.00
Dorothy Vernor	Clerk-stenographer (appointed Dec. 9, 1963.)	367.27
Stanley F. Walton	Clerk-typist (appointed Nov. 12, 1963.)	613.02
Neil E. Wetterman	Investigator	5,296.56
Billie Wheeler	Clerk-stenographer	2,123.16
Judith Wheelus	Clerk-typist (Oct. 7 to Nov. 12, 1963.)	575.49
John A. Yohe	Staff member (resigned July 31, 1963.)	1,029.09
Raymond T. Collins	Investigator (resigned July 21, 1963.)	625.52

Funds authorized or appropriated for committee expenditures	$360,000.00
Amount of expenditures previously reported	152,134.90
Amount expended from July 1, 1963, to Jan. 1, 1964	155,428.84
Total amount expended from Jan. 4, 1963, to Jan. 1, 1964	307,563.74
Balance unexpended as of Dec. 31, 1963	52,436.26

E. E. Willis,
Chairman.

January 15, 1964.

Committee on Veterans' Affairs

To the Clerk of the House:

The above-mentioned committee or subcommittee, pursuant to section 134(b) of the Legislative Reorganization Act of 1946, Public Law 601, 79th Congress, approved August 2, 1946, as amended, submits the following report showing the name, profession, and total salary of each person employed by it during the 6-month period from July 1 to December 31, 1963, inclusive, together with total funds authorized or appropriated and expended by it:

Name of employee	Profession	Total gross salary during 6-month period
Standing committee staff:		
Oliver E. Meadows	Staff director	$9,442.50
Edwin B. Patterson	Counsel	9,442.50
John R. Holden	Professional staff member.	7,952.22
Billy E. Kirby	Professional aid	6,922.62
George W. Fisher	Chief clerk	9,442.50
Helen A. Biondi	Assistant clerk	5,521.92
Carol A. Davis	Clerk-stenographer	3,480.48
George J. Turner	Assistant clerk	4,603.14
Alice V. Matthews	Clerk-stenographer	4,603.14
Joanne Doyle	do	1,427.49
Elizabeth B. Baldwin.	do	750.64
Investigative staff:		
Mildred E. Blackwell.	do	2,977.86
Ben W. Crain	Clerk-messenger	249.22
Adin M. Downer	Staff member	7,190.58
Wilma Jean Johnson.	Clerk-stenographer	3,953.04
Sally M. Orrison	do	754.95
Pamela C. Warren	do	1,091.33
Mead P. Miller	Clerk-messenger	775.92
Kay N. Small	Clerk-stenographer	992.62
Sharon L. Wright	do	363.25
Stafford Hutchinson	Clerk-messenger	387.96
Mark S. Connell	do	193.98

Funds authorized or appropriated for committee expenditures	$145,000.00
Amount of expenditures previously reported	22,640.57
Amount expended from July 1 to Dec. 31, 1963	31,573.71
Total amount expended from Jan. 1 to Dec. 31, 1963	54,214.28
Balance unexpended as of Dec. 31, 1963	90,785.72

Olin E. Teague,
Chairman.

January 10, 1964.

Committee on Ways and Means

To the Clerk of the House:

The above-mentioned committee or subcommittee, pursuant to section 134(b) of the Legislative Reorganization Act of 1946, Public Law 601, 79th Congress, approved August 2, 1946, as amended, submits the following report showing the name, profession, and total salary of each person employed by it during the 6-month period from July 1 to December 31, 1963, inclusive, together with total funds authorized or appropriated and expended by it:

Name of employee	Profession	Total gross salary during 6-month period
Leo H. Irwin	Chief counsel (C)	$9,442.50
William H. Quealy	Minority counsel (P)	9,442.50
John M. Martin, Jr.	Assistant chief counsel (P).	9,273.24
John P. Baker	Professional assistant (P).	7,524.42
Florence Burkett	Staff assistant (C)	3,882.60
Virginia Butler	do	5,031.12
William Byrd	do	2,571.54
Mary K. Daniel	do	3,254.16
William Goodrich	do	5,350.74
Martha Sue Huitt	do	3,600.90
Grace Kagan	do	5,031.12
Oscar E. Goss	Staff assistant (C) (Nov. 1 to 30, 1963).	886.38
June Kendall	Staff assistant (C)	5,408.10
Elizabeth Price	do	3,503.34
Dolores Rogers	do	3,151.20
Gloria Shaver	do	4,148.10
Eileen Sonnett	do	4,256.40
Susan Taylor	do	5,671.86
Irene Wade	do	4,689.78
David West	do	4,251.00
Hughlon Greene	Document clerk (C)	3,590.04
Walter Little	do	3,590.04

Funds authorized or appropriated for committee expenditures	$12,500.00
Amount of expenditures previously reported	824.51
Amount expended from July 1 to Dec. 31, 1963	1,669.69
Total amount expended from Jan. 1 to Dec. 31, 1963	2,494.20
Balance unexpended as of Dec. 31, 1963	10,005.80

W. D. Mills,
Chairman.

January 1, 1964.

Select Committee on Small Business

To the Clerk of the House:

The above-mentioned committee or subcommittee, pursuant to section 134(b) of the Legislative Reorganization Act of 1946, Public Law 601, 79th Congress, approved August 2, 1946, as amended, submits the following report showing the name, profession, and total salary of each person employed by it during the 6-month period from July 1 to December 31, 1963, inclusive, together with total funds authorized or appropriated and expended by it.

Name of employee	Profession	Total gross salary during 6-month period
Charles S. Beller	Counsel	$8, 144. 94
Jane M. Deem	Administrative assistant.	3, 905. 80
Myrtle Ruth Foutch	Clerk	4, 061. 40
Justinus Gould	Counsel	8, 144. 94
Astrid E. Gram	Secretary	3, 319. 14
Angelina M. Griffin	do	2, 411. 44
Helen C. Hitz	do	3, 747. 18
Bryan H. Jacques	Staff director	9, 367. 26
Sylvia U. Keel	Secretary	3, 747. 18
Barbara Wright McConnell.	do	4, 565. 22
Richard L. Mitchell	General counsel	9, 367. 26
Ralph Moody	Research assistant	1, 500. 88
Charles E. O'Connor	Counsel	7, 753. 19
Harry Olsher	Consultant	8, 995. 86
Gregg R. Potvin	Counsel	8, 536. 69
William M. Reddig	Research analyst	3, 961. 16
Audrey R. Smith	do	4, 332. 24
Penelope Walcott	Secretary	3, 747. 18
Ned L. Wernet	Research analyst	6, 003. 90
John J. Williams	Minority counsel	6, 005. 88
Temporary employees whose employment with the committee has expired:		
Linda Jackson	Secretary (terminated Aug. 31, 1963).	1, 055. 82
James J. Saxon, Jr.	Messenger (terminated July 31, 1963).	300. 29

Funds authorized or appropriated for committee expenditures	$275, 000. 00
Amount of expenditures previously reported	105, 398. 77
Amount expended from July 1 to Dec. 31, 1963	120, 693. 86
Total amount expended from Jan. 4 to Dec. 31, 1963	226, 092. 63
Balance unexpended as of Dec. 31, 1963	48, 907. 37

JOE L. EVINS,
Chairman.

JANUARY 15, 1964.

SELECT COMMITTEE ON GOVERNMENT RESEARCH

To the CLERK OF THE HOUSE:

The above-mentioned committee or subcommittee, pursuant to section 134(b) of the Legislative Reorganization Act of 1946, Public Law 601, 79th Congress, approved August 2, 1946, as amended, submits the following report showing the name, profession, and total salary of each person employed by it during the 6-month period from September 11, 1963 (pursuant to H.R. 504), to December 31, 1963, inclusive, together with total funds authorized or appropriated and expended by it:

Name of employee	Profession	Total gross salary during 6-month period
Robert L. Hopper	Staff director (as of Oct. 16, 1963).	$3, 916. 75
Micah H. Naftalin	Deputy staff director and counsel (as of Oct. 1, 1963).	3, 501. 27
Stephen Parks Strickland.	Chief clerk (as of Oct. 16, 1963).	2, 334. 18
Leo S. Tonkin	Associate counsel (as of Oct. 22, 1963).	2, 333. 80
Edward T. Fogo	Staff assistant (as of Oct. 16, 1963).	2, 500. 50
Annelle K. Murray	Staff assistant (as of Nov. 1, 1963).	1, 500. 06
Russell Saville	Staff assistant (as of Oct. 16, 1963).	1, 875. 08
William L. Sturdevant, Jr.	Staff assistant (Nov. 10 to Dec. 31, 1963).	1, 984. 05
Virginia L. Albert	Secretary (Oct. 17 to Nov. 1, 1963).	233. 72
Frances H. Geddes	Secretary (as of Nov. 3, 1963).	1, 128. 85
Mary Bell Osborne	Secretary (as of Oct. 16, 1963).	1, 459. 73
Helen C. Pigott	Secretary (as of Nov. 1, 1963).	1, 167. 78

Funds authorized or appropriated for committee expenditures	$553, 000. 00
Amount of expenditures previously reported	None
Amount expended from Sept. 11 to Dec. 31, 1963	25, 315. 07
Total amount expended from Sept. 11 to Dec. 31, 1963	25, 315. 07
Balance unexpended as of Dec. 31, 1963	527, 684. 93

CARL ELLIOTT,
Chairman.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

1580. A letter from the Secretary of Defense, transmitting a draft of a proposed bill entitled "A bill to authorize certain construction at military installations, and for other purposes"; to the Committee on Armed Services.

1581. A letter from the Secretary, Department of Health, Education, and Welfare, transmitting the 13th Annual Report of the Commissioner of Education on the administration of Public Laws 874 and 815, 81st Congress, as amended, including a detailed statement of receipts and disbursements, for the fiscal year ending June 30, 1963, pursuant to Public Laws 874 and 815; to the Committee on Education and Labor.

1582. A letter from the Chairman, Federal Communications Commission, transmitting the 29th Annual Report of the Federal Communications Commission for the fiscal year ending June 30, 1963; to the Committee on Interstate and Foreign Commerce.

1583. A letter from the Administrative Assistant Secretary, Department of the Interior, transmitting a report relating to the progress that has been made in carrying out the helium program, pursuant to Public Law 86–777; to the Committee on Interior and Insular Affairs.

1584. A letter from the Assistant General Manager, U.S. Atomic Energy Commission, transmitting a report by the Atomic Energy Commission relating to foreign excess property disposed of during fiscal year 1963, pursuant to section 404, 63 Stat. 398; 40 U.S.C. 514; to the Committee on Government Operations.

1585. A letter from the Secretary, Department of Health, Education, and Welfare, transmitting a report relating to the disposal of excess property in foreign countries, pursuant to the Federal Property and Administrative Services Act of 1949; to the Committee on Government Operations.

1586. A letter from the Comptroller General of the United States transmitting a report on unnecessary cost incurred in the procurement of AN/ARN 21C TACAN radio components through failure to accept option offer, Department of the Air Force; to the Committee on Government Operations.

1587. A letter from the Clerk, U.S. Court of Claims, relative to the *Estate of Charles O. Fairbank by Charles Fairbank and Henry Fairbank, Trustees* v. *The United States* (Congressional No. 10–56), pursuant to House Resolution 488, 84th Congress; to the Committee on the Judiciary.

1588. A letter from the Administrator, National Aeronautics and Space Administration, transmitting a report to the Committee on Science and Astronautics of the House of Representatives pursuant to section 3 of the act of July 21, 1961 (75 Stat. 216, 217), and pursuant to section 3 of the National Aeronautics and Space Administration Authorization Act for the fiscal year 1963 (76 Stat. 382, 383); to the Committee on Science and Astronautics.

1589. A letter from the Chairman, The Renegotiation Board, transmitting a draft of a proposed bill entitled "A bill to amend and extend the Renegotiation Act of 1951, and for other purposes"; to the Committee on Ways and Means.

1590. A letter from the Secretary, Department of Health, Education, and Welfare, transmitting the annual report relating to the 10 advisory committees assisting and serving the Welfare Administration during calendar year 1963, pursuant to the Social Security Act (as amended by Public Law 87–543); to the Committee on Ways and Means.

PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. BALDWIN:

H.R. 9745. A bill authorizing the Chief of Engineers, Department of the Army, to expend certain appropriated funds to maintain harbors and waterways at depths required for defense purposes; to the Committee on Public Works.

By Mr. DINGELL:

H.R. 9746. A bill to amend the Clayton Act by making section 3 of the Robinson-Patman Act a part of the Clayton Act, in order to provide for governmental and private civil proceedings for violations of section 3 of the Robinson-Patman Act; to the Committee on the Judiciary.

By Mr. JOHNSON of Wisconsin:

H.R. 9747. A bill to permanently extend the special milk programs for the Armed Forces and veterans hospitals; to the Committee on Agriculture.

By Mr. MILLS:

H.R. 9748. A bill to designate the lake created by the Dardanelle Dam in the State of Arkansas as Lake David D. Terry in honor of the late David D. Terry; to the Committee on Public Works.

By Mr. PATMAN:

H.R. 9749. A bill to amend the Federal Reserve Act to provide for Federal Reserve support of Government bonds when market yields equal or exceed 4¼ percent; to the Committee on Banking and Currency.

By Mr. VINSON:

H.R. 9750. A bill to authorize certain construction at military installations, and for other purposes; to the Committee on Armed Services.

By Mr. RAINS (by request):

H.R. 9751. A bill to help provide adequate dwelling accomodations for more families who have low or moderate incomes, who are elderly, or who are subjected to the special problems of displacement from their homes by Government action; to promote orderly community development and growth; and to extend and amend laws relating to housing, urban renewal, and community facilities; to the Committee on Banking and Currency.

By Mr. RHODES of Arizona:

H.R. 9752. A bill to preserve the jurisdiction of the Congress over construction of hydroelectric projects on the Colorado River below Glen Canyon Dam; to the Committee on Interstate and Foreign Commerce.

By Mr. SAYLOR:

H.R. 9753. A bill to amend section 110 of title 38, United States Code, to provide for the preservation of total disability ratings under laws administered by the Veterans'

Administration where such ratings have been in force for 15 years or more; to the Committee on Veterans' Affairs.

H.R. 9754. A bill to amend section 359 of title 38, United States Code, to provide that such section shall become effective as of the date of its enactment; to the Committee on Veterans' Affairs.

By Mr. STINSON:

H.R. 9755. A bill to amend the Tariff Act of 1930 to provide that bagpipes and related items used in bagpipe bands shall be admitted free of duty; to the Committee on Ways and Means.

By Mr. BARING:

H.R. 9756. A bill to revitalize the American gold mining industry; to the Committee on Interior and Insular Affairs.

By Mr. LINDSAY:

H.R. 9757. A bill to amend the Federal Firearms Act; to the Committee on Ways and Means.

By Mr. O'KONSKI:

H.R. 9758. A bill to amend the Civil Service Retirement Act, as amended, to provide annuities for surviving spouses without deduction from original annuities, and for other purposes; to the Committee on Post Office and Civil Service.

H.R. 9759. A bill to amend title 38 of the United States Code to prevent the disqualification for pension purposes for certain veterans' widows who have remarried; to the Committee on Veterans' Affairs.

By Mr. UTT:

H.R. 9760. A bill to amend the Internal Revenue Code of 1954 to allow a deduction from gross income for medical, legal, and related expenses incurred in connection with the adoption of a child by the taxpayer; to the Committee on Ways and Means.

By Mr. HUTCHINSON:

H.J. Res. 897. Joint resolution proposing an amendment to the Constitution relating to prayer in public schools; to the Committee on the Judiciary.

By Mr. LIPSCOMB:

H.J. Res. 898. Joint resolution providing for the establishment of an annual National Teenage Day; to the Committee on the Judiciary.

By Mr. NATCHER:

H.J. Res. 899. Joint resolution requiring the Secretary of Agriculture to expand current research into the quality and health factors of tobacco; to the Committee on Agriculture.

By Mr. PERKINS:

H.J. Res. 900. Joint resolution requiring the Secretary of Agriculture to expand current research into the quality and health factors of tobacco; to the Committee on Agriculture.

By Mr. STUBBLEFIELD:

H.J. Res. 901. Joint resolution requiring the Secretary of Agriculture to expand current research into the quality and health factors of tobacco; to the Committee on Agriculture.

By Mr. WATTS:

H.J. Res. 902. Joint resolution requiring the Secretary of Agriculture to expand current research into the quality and health factors of tobacco; to the Committee on Agriculture.

By Mr. CHELF:

H.J. Res. 903. Joint resolution requiring the Secretary of Agriculture to expand current research into the quality and health factors of tobacco; to the Committee on Agriculture.

MEMORIALS

Under clause 4 of rule XXII,

The SPEAKER presented a memorial of the Legislature of the State of Arizona, memorializing the President and the Congress of the United States relative to the death of John Fitzgerald Kennedy, 35th President of the United States, which was referred to the Committee on House Administration.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. CEDERBERG:

H.R. 9761. A bill for the relief of Stanley A. Luczak; to the Committee on the Judiciary.

By Mr. DEROUNIAN:

H.R. 9762. A bill to prevent denial of income tax exemption of the Plumbers Local Union 457 welfare fund; to the Committee on the Judiciary.

By Mr. DIGGS:

H.R. 9763. A bill for the relief of Dr. Antonio T. Molo; to the Committee on the Judiciary.

By Mr. HARDY:

H.R. 9764. A bill for the relief of Anne S. Henkel; to the Committee on the Judiciary.

By Mr. MORSE:

H.R. 9765. A bill for the relief of Mrs. Battistina Gallo Iannuccilli; to the Committee on the Judiciary.

By Mr. ROYBAL:

H.R. 9766. A bill for the relief of Esperanza Corral-Marin; to the Committee on the Judiciary.

By Mr. STINSON:

H.R. 9767. A bill for the relief of Oranzo De Bellis; to the Committee on the Judiciary.

By Mr. TALCOTT:

H.R. 9768. A bill for the relief of Mr. and Mrs. Josip Gojanovic; to the Committee on the Judiciary.

PETITIONS, ETC.

Under clause 1 of rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

659. By the SPEAKER: Petition of Forrest M. Newman, president, United Federation of Postal Clerks, Local No. 125, Minneapolis, Minn., petitioning consideration of their resolution with reference to taking positive action to maintain the 40-hour week within the Post Office Department, and Federal Government agencies; to the Committee on Post Office and Civil Service.

660. Also, petition of Henry Stoner, Avon Park, Fla., relative to foreign aid assistance by the United States; to the Committee on Foreign Affairs.

661. Also, petition of Henry Stoner, Avon Park, Fla., to install a modern electric voting machine-recorder for yea-and-nay vote tallies in the U.S. House of Representatives; to the Committee on House Administration.

662. Also, petition of Henry Stoner, Avon Park, Fla., to have published for general distribution, a map showing the bounds of the States as they really are, minus all federally owned property; to the Committee on House Administration.

663. Also, petition of Henry Stoner, Avon Park, Fla., to change the name of White Sands National Monument, near Alamogordo, N. Mex., to that of Atomic Bomb National Monument; to the Committee on Interior and Insular Affairs.

664. Also, petition of Henry Stoner, Avon Park, Fla., relative to the building of an interoceanic canal requiring atomic blasting; to the Joint Committee on Atomic Energy.

665. Also, petition of Henry Stoner, Avon Park, Fla., relative to the appointment of presidential or vice-presidential electors; to the Committee on the Judiciary.

666. Also, petition of Henry Stoner, Avon Park, Fla., to require the House Committee on the Judiciary to do a report involving a facet of Civil War legal and constitutional lore, for public distribution; to the Committee on Rules.

EXTENSIONS OF REMARKS

Diverted Acreage Plan for Cotton

EXTENSION OF REMARKS

OF

HON. J. J. PICKLE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Monday, January 27, 1964

Mr. PICKLE. Mr. Speaker, recently the Department of Agriculture proposed a diverted acreage plan for cotton, and those of us from cotton-producing States are greatly concerned over the devastating effect of such a plan on the cotton industry. While I am sure my colleagues representing cotton-producing areas know of this proposal and have expressed their opposition, I would like to again call attention to the effect of such a proposal by including in my remarks a letter which I have just written the Secretary of Agriculture.

The letter follows:

JANUARY 25, 1964.

Hon. ORVILLE FREEMAN,
Secretary of Agriculture,
U.S. Department of Agriculture,
Washington, D.C.

DEAR MR. SECRETARY: May I protest as strongly as I know how the proposed diverted acreage plan for cotton. From all information which has been submitted to me, this plan would have a devastating effect on the cotton producers of this country, especially those in Texas.

Since February 4 is the final release date in Texas under the release and reapportionment program, it is imperative that you instruct State ASCS offices to comply with the release and reapportionment law. Unless the Department of Agriculture makes clear its position immediately, Texas alone stands to lose at least $100 million income and approximately 700,000 history acres in 1964.

For example, in a sample cotton district in Texas, which includes most of the 10 counties in my congressional district, approximately 46,000 acres were released for redistribution in 1963; and with the deadline only 2 weeks away only 6,400 acres have been released this year. In Williamson County, which is the largest cotton-producing county in my district, 17,000 acres were released from 549 farms last year, and this year only 2,771 acres have been released from 100 farms.

A diverted acreage program which you propose, with time allotted for acceptance, would kill the cotton industry in my district. It would destroy or greatly weaken the family farms. It is unfair to those farmers who have already released and to those farmers who have invested in soil fertilization and preparation during last fall only to be faced with the diverted acreage program in the past 30 days. The worst problem facing farmers is that they are left each year at the end of their turn rows wondering what is the next policy. This diverted acreage program is an example of late, last-minute inference of legislation and leaves our farmers confused. There is little or no chance to pass the diverted acreage program in this Congress, so the release and reapportionment program must be immediately stressed.

Therefore, it is extremely important that it be made clear that participation in the release and reapportionment program will not result in the loss of acreage history or the privilege to participate under the diverted acreage plan should it be enacted into law.

Sincerely yours,

J. J. PICKLE.

Washington Report

EXTENSION OF REMARKS

OF

HON. BRUCE ALGER

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Monday, January 27, 1964

Mr. ALGER. Mr. Speaker, under leave to extend my remarks in the RECORD, I include the following newsletter of January 25, 1964:

WASHINGTON REPORT

(By Congressman BRUCE ALGER, Fifth District, Texas, Jan. 25, 1964)

KEY ISSUES IN 1964

Five key issues face Congress and the American people in 1964. The President and leaders of the Democratic Party have clearly drawn the line making these five key issues the basic differences between the two parties. They also spell out the most vital areas of concern to the people in both domestic and foreign policy.

Foreign policy

Foreign policy must take first place. The struggle in the world today is between capitalism and freedom as against communism and slavery. How we conduct ourselves as a nation, the kind of leadership we give the world, will mean the difference between victory and defeat in a war which is already in progress. Two legislative issues in foreign policy are paramount as the basis for a more effective overall foreign policy.

1. Aid to communism: This will come up again, as it does every year, in the Mutual Security bill. This question will be, should we aid and finance communism? We are doing so now in:

(a) The wheat deal demanded by the administration in the closing days of the last session. In the first sale alone we gave Russia a direct subsidy of $25 million, plus a shipping subsidy of $1 million. Actually, Russia will pay less for our wheat than the American housewife pays when buying bread at the corner grocery and we will help them finance the deal.

(b) We continue to make deals with Russia in spite of the fact they have broken 51 of 53 treaties and agreements and are even now fomenting revolution and violence and anti-Americanism everywhere in the world—Latin America, Africa, Asia, and even among our so-called allies.

2. Aid to those helping the Communists. This is the second part of the two-part blueprint for national suicide. We continue to give aid to Communist countries—Poland and Yugoslavia—to neutrals and allies who help the Communists. On a crucial vote last year which would have denied U.S. aid to those countries shipping goods to Cuba the House split 162 to 162 and 1 vote decided against the self-interest of the United States (CONGRESSIONAL RECORD, Aug. 23, 1963).

Domestic

On the domestic front three issues will be decided within the next few weeks.

1. The tax bill was approved by the Senate Finance Committee and now goes to the Senate. Many of the reforms hammered out by the Ways and Means Committee and approved by the House have already been knocked out of the bill. Further attacks on the middle-income group, the overwhelming majority of taxpayers, will surely be made. My voting record has been entirely consistent—no real tax cut will be effective unless we cut Federal spending, balance the budget, and reduce the debt. A tax cut must be earned through fiscal discipline and responsibility. It cannot be done by merely juggling figures in a phony exercise in economy. To do less will cause Government-sponsored inflation, that is the devaluing of our money so that your dollar buys less. Inflation of the past has already caused a 50-percent decline in the purchasing power of our money.

Congressman CLARENCE CANNON, chairman of the Appropriations Committee, this week exposed the fallacy of the President's statements on the budget. CANNON said, in part: "Contrary to impressions, this budget is higher, not lower than the current year. It calls for higher, not lower, appropriations—the budget calls for new obligational authority. Contrary to impressions, this budget is above, not below the magic mark of $100 billion. * * * This budget does not point to any lasting reversal of the upward trend of Federal spending. This budget sows the seeds of increased spending in the future. * * * The President urges supplemental obligational authority for the current fiscal year 1964 which * * * would in total more than cancel out the entire cut made in the last session."

2. Civil rights: The civil rights bill, with its public accommodations section, seriously threatens private property ownership. It discriminates against white to give special privilege to Negroes. It is being debated under the pressure of riots and the violence of last summer and the threat of increased violence and violation of the law if all the demands of its proponents are not met. My position has been consistent in this field—I believe in and have supported equality before the law for all our citizens. I have opposed the destruction of the right to own and manage private property and the freedom of association. The world struggle, and the New Deal-Fair Deal-New Frontier radicalism, directs its assault on the individual's right of property ownership.

3. Medicare: The Ways and Means Committee is now considering the new version of medicare—"hospital insurance for all persons over 65." Proponents, urged by the President to put the heat on Congress to pass the bill, ignore the facts:

(1) The actuarial imbalance of the program. Chairman MILLS of Ways and Means, has pointed out that in previous bills the increased tax asked was only one-half enough to meet the cost.

(2) It is not insurance, but a gratuity as the Supreme Court has ruled that social security cannot be insurance under the Constitution.

(3) The concept of this bill that many persons receive benefits who have never paid into the fund, violates the original concept of the social security program that a person would draw benefits in relation to the amount paid in.

(4) The injustice to new workers now entering the labor force. The new worker will (a) pay in for 45 years before drawing partial benefits for hospital coverage while millions over 65, including the very wealthy, have paid in nothing; (b) he must pay for 45 years on other insurance to supplement his annuity when he reaches 65; (c) he must pay current insurance premiums for protection for himself and his family during his working years; (d) he must pick up the unfunded indebtedness of the social security program amounting to $331 billion.

WILL SEEK YOUR OPINION

These are my views as your Representative, on the issues we face this year. Within a few days I will use all the available news media in Dallas County, to pose these questions to all the people of the Fifth District so that there may be a clear understanding of how you feel. Everyone is involved. You must make the choice on the kind of Nation and world we will have tomorrow. The choice will be made with or without you.

The Seeds of Our Surrender in Panama

EXTENSION OF REMARKS

OF

HON. FRANK T. BOW

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Monday, January 27, 1964

Mr. BOW. Mr. Speaker, the background of our present difficulties in Panama was discussed in a recent broadcast by Dean Clarence E. Manion, and I am happy to note that he paid appropriate tribute to the gentleman from Pennsylvania [Mr. FLOOD] and the gentleman from Missouri [Mr. CANNON] who have been so alert with regard to this issue.

Under leave to extend my remarks, I include the text of the Manion statement, as follows:

THE SEEDS OF OUR SURRENDER IN PANAMA

(By Dean Clarence E. Manion)

Those who have listened regularly to the radio and television program of the "Manion Forum" were not surprised at the recent violence and bloodshed in Panama. Consistently on these programs we have viewed Castro's conquest of Cuba in the perspective of Communist plans to conquer the world. Consequently, those who have listened to us knew long ago that the long index finger of the heavy Red hand impressed upon Cuba was pointed toward the Panama Canal.

For years, the best-informed man in Washington on the subject of Panama has been Congressman DANIEL J. FLOOD, of Pennsylvania. The Communist interest in the canal was explained and documented by Congressman FLOOD when he first discussed the subject over this microphone in June (12) of 1960. ("Manion Forum" broadcast No. 298.)

Congressman FLOOD recalled that in November of 1959, Panamanian mobs had attempted two invasions of the Canal Zone, which were repelled by Canal Zone police and U.S. troops. The purpose of the mob then—as now—was to plant the flag of Panama in the Canal Zone as a symbol of Panamanian sovereignty over that vital strip of American territory.

The Government of the United States was expected to issue a stern warning then against any such future violation of its established treaty rights and responsibilities. Instead, said Congressman Flood, our Government "sent a diplomatic emissary to Panama to appease those stirring up the trouble.

"This emissary, with the approval of his superiors in the State Department, issued a public statement recognizing Panama as titular sovereign over the Canal Zone and, according to Panamanian sources, agreed that the flags of Panama might be displayed in the Canal Zone to show such sovereignty."

Shortly afterward the President (Eisenhower) publicly expressed the belief that Panama should be allowed to fly her flag in the Canal Zone to show her titular sovereignty. "These declarations," said Congressman Flood, "made without the consent either of the Congress or the treatymaking power, reflect a credulity and naivete on the part of U.S. officials that are simply unbelievable. The hoisting of the Panama flag would be the symbol of complete surrender and would be so hailed by Panama and universally so interpreted."

The fact that the whole House of Representatives shared Congressman Flood's views on this vital matter had been evidenced on February 2, 1960, when that body passed a resolution by a vote of 381 to 12 expressing the sense of Congress that no variation in the traditional interpretation of our 1903, 1936, and 1955 treaties with Panama should be made, except pursuant to the provisions of another treaty.

The flying of the Panamanian flag on the Canal Zone certainly was such a variation and it was the particular variation at which the House resolution was aimed. Nevertheless, on October 29, 1962, President Kennedy directed the formal display of the Panama flag over the Canal Zone as evidence of Panama's "titular sovereignty" over the zone and over the canal.

When Congressman Flood was back on our program last June ("Manion Forum" broadcast No. 453), he had this to say about this formal flag raising: "This last action was taken by our Government despite the fact that on October 12, only 17 days, previously, the ceremonies for the dedication of the Thatcher Ferry Bridge at Balboa, attended by Under Secretary of State George W. Ball, and other notables was marred bv Panamanian demonstrators who used Communist tactics and claimed Panamanian sovereignty over the bridge.

"With all of the foregoing," he continued, "we find evidence that Panamanian aspirations are aided by our own Department of State. The State Department's program has been one of aiding the piecemeal liquidation of our undeniable treaty rights in the Canal Zone."

Congressman Flood believes that the attitude of Congress, emphatically expressed by committee action and on the floor of the House, "demonstrates to the international infiltrators in the Department of State and their collaborators that these influences can never succeed in perpetrating their schemes with respect to the Panama Canal through normal procedure.

"They realize that they must bypass Congress by means of a new canal treaty, which they believe can be pushed through as was the 1955 treaty without adequate debate to continue the process of erosions that started with the 1936-39 treaty."

One of the provisions of any proposed new treaty with Panama will require the United States to accept jurisdiction of the World Court over controversies between Panama and this country. Panamanian agitators have always put this objective high up on their agenda of demands and, of course, the internationalists in our State Department will welcome it as an opening wedge to put us under the compulsory jurisdiction of the World Court in all controversies with all nations.

ARBITRATION WOULD SET DANGEROUS PRECEDENT

The Panamanian controversy is not an international dispute that would be appropriate for settlement by international arbitration. On the contrary, it is a direct assault which challenges the basic right and duty of the United States to defend its property and its people against attack by anybody from inside or outside of this country.

We are in the Panama Canal Zone by virtue of the same kind of solemn treaty right that we exercise in Cuba at Guantanamo, or in the occupation of Florida, for that matter—which we acquired by treaty with Spain in 1819.

It is not merely our sovereignty in the Canal Zone that is under attack by Panamanians now, but our sovereignty and independence as a free nation that is under attack elsewhere, and anywhere, and upon any pretext by the agents of the advancing Communist conquest. Panamanian disturbances are symptoms merely of the violent Red revolution that the directors of our floundering diplomacy are trying so desperately to appease.

On January 11, 1964, Congressman Flood wired me as follows:

"Whatever investigations may reveal as to individuals concerned among Panamanian agitators who invaded American territory, the background of the plot is unmistakably the work of international communistic agents of the Castro type. Its ultimate purpose is wresting control of the Panama Canal from the United States.

"When faced with a most crucial situation, the commander of our Armed Forces on the isthmus acted with intelligence and restraint, using no more force than necessary to defend the Canal Zone against the force and violence of a mob invasion. * * * The Canal Zone territory was honorably acquired under treaty by international law.

"Its sovereign control was indispensable for the construction and operation of the canal which was the ideal of the entire Panamanian population. Our country has increased its annuity beyond that in the original treaty as a gesture of good will. Wages paid to Panamanians working in the zone are greater than those paid for comparable services in Panama. Canal Zone organizations supply the largest source of revenue for Panama.

"The Canal Zone is as definitely U.S. territory as Alaska, which was likewise acquired by treaty under international law. It would be as absurd to discuss surrendering the Canal Zone to Panama as to propose the return of the Louisiana Purchase territory to France, or Alaska to Russia."

The Congressman's diagnosis of the current Panama violence as the explosion of a Communist plot is borne out by the spontaneous reaction of Communist agents throughout the world. The Moscow radio was quick to accuse the U.S. Military Command in Panama of "repression, lying, and deceit." It called the American defense of its canal territory "a bloody act of repression" against Panamanians.

Havana headlines called it "a Yankee massacre in Panama" and Castro took off for Moscow for personal conferences with Khrushchev. (Chicago Tribune, Jan. 11.)

An on-the-spot report from Panama City reads, "The situation here is still made to order for the Communists. They have made the greatest gains that one can imagine. And it is fraught with serious danger for the present as well as the future. The Communists have put on a show for all of Latin America as well as for the world." (Jules Dubois, Chicago Tribune, Jan. 13.)

In Panama, as elsewhere, the Communists get their victories over this country at bargain prices—a shouting handful of agitators attacking our Embassy and other American territory provokes an incident which is reverberated around the world through the Red chain of command until it becomes "a massacre of innocent people by brutal American imperialists."

CONGRESS AND THE PUBLIC CAN PRESERVE OUR RIGHTS

In our desperation to appease the unappeasable Communists, we submit our sovereign rights to international arbitration in which the agitators have everything to gain and we are destined only to lose another portion of our vested sovereign rights, and more and more of the international respect that we have surrendered to the Communists with servile continuity for 20 years.

Retired Army Gen. Robert E. Wood one of the builders of the Panama Canal and one who has maintained a continuously informed interest in the Canal Zone ever since, says that the United States "will be finished in Latin America if it permits arbitration of its treaty rights in the Canal Zone as the result of this rioting" (Chicago Tribune, Jan. 13), and indeed it certainly will.

It becomes more and more evident every day that our State Department is directing our foreign policy toward the complete surrender of our national sovereignty, not merely in the Panama Canal Zone but everywhere and for all purposes.

Millions of Americans—the overwhelming majority of our people who wish to preserve our proper sovereign power, prestige and national independence—must now turn quickly to Congress for protection against Internationalists who have infiltrated the directorate of our diplomacy and who appear deliberately to promote and ultimately to welcome disturbances such as the current one in Panama as an excuse for a further retreat from our rights as a sovereign nation.

There is now pending before the Foreign Affairs Committee of the House of Representatives a resolution introduced by Representative Clarence Cannon, of Missouri. That resolution would reassert our sovereignty in the canal, oppose the flying of the Panama flag in the Canal Zone, and positively reaffirm the Monroe Doctrine.

In his message to me of January 11, Congressman Flood says: "To protect the best interests of the United States of America, I urge the prompt adoption of the Cannon resolution." And so do I. And so should you, and so should every American who wishes his country and its Constitution to be respected, and protected here, and throughout the world. This is House Concurrent Resolution 105. Wire your Congressman to support that resolution now.

Reprinted Here Are Prophetic Excerpts From Congressman Daniel J. Flood's Address Over the Manion Forum Network June 2, 1963

Wake up, America. Your house is on fire. Indeed, the very foundation of your house—the Panama Canal Zone—is smoldering and every so often is spurting forth flames. For it is the Panama Canal which is the key target of the world revolutionary movement in the Caribbean.

Thus far, we have not taken the measures required to put out this fire. Instead, we have floundered from crisis to crisis making concession after concession to Panama, and Panama, in return, has continued with larger and larger demands.

Warnings of what was to come have been given time after time in the Halls of Congress, but these warnings fell on deaf ears. But in each case, the things I warned of came to pass.

President Chiari's Secretary of Finance, Gilberto Arias, only this March was quoted as saying: "In the future, with God's help, we will achieve our objective; that the Panama Canal be the property of Panamanians, under full and absolute jurisdiction of the Republic of Panama, maintained by

Panamanians, operated by Panamanians, sanitated by Panamanians, and protected by Panamanians."

How can responsible officials of our Government knowingly collaborate with Panamanian radicals to surrender more of our authority to a country which, since 1955, when sanitation in the cities of Colon and Panama was returned to it, has not even succeeded in collecting its garbage? It is incomprehensible.

Here I must emphasize that the Republic of Panama grew out of the movement for the Panama Canal, and not the reverse. The only advantage that Panama can claim as regards the canal is its geographical location, which it never ceases to exploit in advancing its demands for increased benefits and sovereignty over the Canal Zone.

While in Panama last December, I visited the Canal Zone and found general alarm on the part of our citizens at the conduct of the Governor of the Canal Zone.

At a press conference held at the Tivoli Hotel, I learned about an address given by the Governor before the American Society of Civil Engineers, which includes Panamanian engineers among its membership.

Not only was his address the most disconcerting ever publicly uttered by a Governor, but he seems to have reveled in its flavor.

He reflected the philosophy of international socialist elements in and on the fringes of public affairs and advocated what amounts to a permanent state of social revolution, as well as belittling the constitutional foundations of our country and urged unconditional exercise by Federal agencies of power without regard to constitutional limitations.

He also condemned the past in our history without discriminating between what is great and that which is ephemeral, and failed to present our Constitution in its true light as the great contractual document under which the Thirteen Original States created three separate and independent agencies of Government with limited powers.

His conclusion was an illiberal assault upon those who differ with his views as having small minds bent on preserving the status quo and thus, in effect, as being domestic enemies as dangerous to the United States as foreign enemies.

This, my friends, was a deliberate administrative attack against the present diplomatic and juridical foundation of the Panama Canal enterprise and, as an attempted public intimidation of those standing up for the sovereign rights, power, and authority of the United States over it. Thus, this shocking address served to invite further aggressions against the sovereignty of the United States over the Canal Zone territory.

Problems in Agriculture

EXTENSION OF REMARKS
OF

HON. BEN REIFEL

OF SOUTH DAKOTA
IN THE HOUSE OF REPRESENTATIVES
Monday, January 27, 1964

Mr. REIFEL. Mr. Speaker, under leave to extend my remarks, I should like to have inserted in the CONGRESSIONAL RECORD a speech which was recently delivered by my good friend and colleague, the gentleman from Minnesota, the Honorable **ANCHER NELSEN**.

His speech is concerned with the problems facing the beef industry and the whole general area of agriculture. It is important that we all become aware of the problems posed by foreign competition in agriculture because it directly or indirectly affects each one of us and it certainly has a telling effect on the national economy and prosperity of the American farmer. Mr. **NELSEN** speaks from personal experience and I am pleased to commend him for his discussion of this vital area of concern.

The address follows:

SPEECH BY CONGRESSMAN ANCHER NELSEN ON JANUARY 21, 1964, BEFORE THE MINNESOTA STATE MEETING OF NATIONAL LIVESTOCK FEEDERS ASSOCIATION AT OLIVIA, MINN.

This was a most welcome invitation. It gave me the opportunity to come back to the farm this weekend and also gives me the opportunity to visit in Renville County—the county in which I was born.

For months we have heard much talk about the tremendous losses that cattle feeders have suffered and likewise we take note of the fact that farm parity of income, according to USDA analyses, is the lowest since 1939. For these reasons I think it very pertinent that farm folks get together and discuss the plight we are in with the hope that some resolution to the problem may be reached. We all realize that agriculture cannot remain in a slump without the entire economy of our country suffering by a recession and finally a depression.

Those of us who really operate farms find that we are constantly faced with tax increases, and cost of equipment rises while income declines. At the same time we have long been treated to the wild promises of smooth politicians who have practiced good politics but poor economics.

LONG-RANGE PLANNING NEEDED

Through the years I have watched with interest political trends and tactics, and looking back, we observe many things and among them the admonition of the philosopher who once said, "Let us look backward so that we may better be able to look forward."

Looking backward we are forced to admit that among many farm leaders in the past, one stands out as exemplary. This man has been sound; he has been courageous. And the man to whom I refer is U.S. Senator **CLINTON ANDERSON**, of New Mexico, a Democrat and former Secretary of Agriculture.

Senator **ANDERSON**, way back in 1947 came to the conclusion that some long-range farm program was necessary. He felt that we needed a program that would establish some sort of a floor under agricultural prices, but such a program should not interfere with the functions of our systems above this floor. This would permit the normal processes of marketing, merchandising, and competition to work in the best interest of our country.

In 1948 both political parties endorsed the Anderson theory; but in 1949 the Brannan plan came into the picture and from that day on, a battle continued in the Congress of the United States: high supports versus low supports, and politicians trying to outpromise one another. As a result, there has been no uniformity of policy over a long enough period to prove anything, and in my judgment, the farmer has been the victim of mistakes that have been made through political motivation, and agriculture has suffered because of it.

In our farming operation at Hutchinson we are not in the cattle feeding business. My son and I have a dairy herd and have about 125 head of Holsteins on our farm, but we are concerned about cattle prices because, as you know, when you maintain a herd of milk cows there is a great turnover in animals that go off to slaughter. The problems of agriculture are all related, whether you be a wheat farmer, a dairy farmer, or a cattle feeder.

Over a period of many years we have all worked with farm organizations to develop marketing facilities. We have struggled to keep our competitive marketing facilities going, and we have organized farm cooperatives in the hope that these competitive facilities in our free enterprise system could improve the position of the farmer.

We have worked with farm organizations in the hope that programs could be developed not with the idea of a subsidy from the taxpayer, but with the hope that farm income could be stabilized in the best interests of our country as well as the farmer. It is easy to understand why we are a bit discouraged at this point with parity at 77 percent, beef prices low, hog prices down, taxes up, family farms decreasing.

CAUSE FOR CONCERN

When circumstances like this develop, we immediately start looking for the cause. We all know that a big factor as far as livestock is concerned has been imports, which have been increasing rapidly in late years—and I intend to touch on that later. But first, I think we need to review the handling of farm programs by the Department of Agriculture where, in my judgment, a great contributing factor to the present circumstances rests.

Reviewing legislation and policy since I have been in Congress, I would like to point out that in 1960 when the first feed grain bill came to the committee for consideration, we found to our surprise that the high-support theory had been dropped, and instead, a support level of 74 percent of parity resulted from Department decision, with a provision in the bill allowing the Secretary to sell Commodity Credit surpluses substantially below support prices. The theory of the superplanners was that if Government prices were higher than market prices, the noncooperating farmer would be punished with low prices and would be driven into the program because of this price differential. Such an arrangement, of course, would tend to make support prices the ceiling price, and the story is well known that Commodity Credit dumped grain on the market in excessive amounts. For example, in the year 1962–63, October 1 to September 30, over 700 million bushels of corn were dumped. In the year 1961–62, 900 million bushels of corn were sold. In addition to that, in the 2-year period, 365 million hundredweights of grain sorghum was sold. All of this adds up to the equivalent of 2 billion bushels of corn. This was approximately equal to the total carryover of corn in 1961.

In turn, this depressed the price of corn, which, of course, encouraged the producer to move into the livestock feeding program, having in mind the old statement that cheap feed means cheap livestock. As a result of this dumping of corn, Commodity Credit corn was available in the market at figures as low as 80 cents a bushel.

Listen, for example, to what one of our best known farm leaders has to say. M. W. Thatcher, general manager of the Farmers Union Grain Terminal Association, told its annual meeting last month:

"Since January 1961, the Federal Government has taken over a large part of the grain business. In that time it has sold the stupendous total of 3.5 billion bushels. That's between one-third and one-half of all the grain moving in commercial channels. This has been accomplished through a vast organization that has offices in almost every county, unlimited finances, giant central computers and arbitrary control over all the rules.

"Millions of dollars of income that should have sustained the private enterprise marketing system which is essential year in and year out to your marketing service, are building this vast Government machine. This must end. Either farmers must get out of the business of grain marketing, or the Government must get out."

The next serious error that I would like to mention was the fact that a large number of States were declared to be feed deficit areas and a preferred freight rate, not available to the cooperative elevators and the private grain trade was established, known as the section 22 freight rate provision.

Great amounts of feed grain moved into the South. This stimulated the poultry industry to vast proportions which, of course, becomes a competitive meat product.

We have recently heard much talk of the chicken war in the world market. I refer to the August 19 edition of the Farmers Union Herald, on page 9, where an article remarks that "chickens come home to roost." This article points out that the sale of Commodity Credit grain at bargain rates stimulated the Common Market countries into a realization of the competition they would have in their domestic market so they adjusted their import levies on feed grain.

Next, the southern broiler producers, who were favored with bargain freight rates and bargain grain, found they could compete in the European market with broilers because of their favored position, until these countries levied high tariffs that started the chicken war.

For many months last year we in this country were engaged in the "chicken war," as the countries of the European Common Market went about the business of deciding that they did not need much of our American-grown poultry. We were losing a great and growing market of substantial importance to some segments of American agriculture, and it was rapidly becoming an important factor in the future of our trade relations and our whole foreign trade. You will remember what happened—we reached a point where it became necessary to threaten retaliation if our American produce was to be cut off. So what did we do? We raised our tariff on French brandy as our big club to win concessions for our chickens.

Well, I don't believe you and I have missed our brandy much, but our poultry producers have missed a tremendously important market, especially as our European friends raised their poultry tariff again recently after we had already been forced into accepting a settlement which nobody could claim was very good for us.

I mention the chicken story for two reasons—one, I'm sure we haven't heard the last of it; and two, I wonder what our Yankee traders will offer to save the livestock industry from collapse—if we trade chickens for brandy, will we trade beef for kangaroo tails?

Is America so rich and so great that it can give endlessly in bad deals, by permitting a billion pounds of beef to be imported without stirring a bureaucratic muscle, by letting ourselves be traded out of position every time we meet with friend or foe?

You and I are deeply concerned about what's happening to our livestock industry, an industry which has managed to feed us well without support prices or controls, an industry which represents $23 out of every $100 in sales of agricultural products, an industry whose declining income not only threatens it with disaster but has been the major factor in driving our farm parity income to its lowest level in 25 years.

FOREIGN TRADE AND TARIFF

Let's start, however, with the realization that we cannot and do not want to eliminate foreign trade, whether it be imports or exports. After all, this country ships some $6 billion in farm products abroad each year, a big 25 percent of our export trade. We sell soybeans and poultry and wheat and cotton and a lot of other basic products of our farms to the peoples of the world, to their great gain and to the advantage of our own economy, and certainly we do not want to cut that vital business from our annual transactions. And we heard a great deal a couple of years ago, when we were debating the new trade agreements act, that new negotiations and new deals would open many doors to many new products and a vast expansion of our foreign trade.

But I well recall how many of us were concerned then, and expressed it over and over again, that our farmers would be left holding the sack when the trading began. And that's the way it is looking, I'm afraid, as we prepare for the spring round of negotiations which have been designated as the "Kennedy round." What is going to happen when these prosperous European countries build their tariff walls higher and decide they don't need our farm products? What will be our fate if the nations down under, which have found the United States to be their best market—having been cut off to some extent from their old channels of trade—persist in flooding us with beef and veal—and who protect their own agriculture 100 percent.

There is no comfort in the comment recently of Senator Aiken, of Vermont, respected voice of agriculture and one of our most international-minded Senators, when he said, "American agriculture is being traded off for the benefit of our industries."

And there is no comfort in the attitude of our own Secretary of Agriculture who persisted in saying all last year that beef imports were having little or no effect on beef prices. This in spite of the fact that in 1963 our beef imports represented 11 percent of our own production, compared to less than 4 percent a scant 6 years ago. Obviously we can use some imports to match our needs, and perhaps 4 or 5 percent of production is fair enough, but one would have to be blind indeed to contend that letting a billion pounds of beef into the country in a year is having no effect on our own prices.

It is true, of course, that our own livestock population is gaining steadily, as we Americans are now eating twice as much beef per capita as we did a few years ago, and as prices have been attractive. But, as Senator Allott, of Colorado, said in the Senate the other day, "When the number of cattle has increased only 4 percent, it is hard to account for a 25 percent decrease in price."

And then bear this in mind, as Senator Stennis, of Mississippi, said recently: "Our trade representatives will go to the forthcoming negotiations armed with authority to reduce the present tariff on these meat products by 50 percent, or even to zero."

Well, we've tried—goodness knows, we've tried. We have had to fight the argument that most Australian beef becomes American hamburger, and therefore does not compete with our high quality cuts—silly argument, isn't it, especially when we remember that 30 percent of any fed beef carcass goes into hamburger, whether that beef has talked with an Australian or an American accent.

USDA APATHY

Months ago I pleaded with Secretary Freeman to do something about it. I quoted chapter and verse of the problem, and got no response. I tried again a month later, and got another burst of silence. So next, shortly before we quit to go home for Christmas, I wrote Chairman Cooley, of the House Agriculture Committee. I told him of the inability to get action or even response from the Secretary; I reminded him of the sharp increase in imports and the sharp decline in prices; I reminded him of the tremendous importance of the livestock industry to the Nation and to the economy.

I can't pretend to guess what will come of it, but I am glad to report that 2 weeks ago one of Mr. Cooley's subcommittees held the first of a series of hearings, finally delving into this whole subject. Several of your friends from the national organizations were present and took an active part in the discussions. It was my privilege to listen to them, and to join them in subsequent discussions.

So possibly we are on the way to some sort of action. Whether the Congress should insist on applying quotas to livestock imports as the surest way to put the brakes on is hard to predict as yet; I'm sure that if we wait for the slow motion of the Tariff Commission the livestock industry will be as dead as the carcasses you ship to market. But maybe some deals can be made—if our traders will do a better job than they have so far in Europe. Maybe we can get agreements to put voluntary limits on imports which would be adjustable to our needs; and maybe we could even make use of the fact that Australia and some other countries are glad to have quotas of our sugar production and could be talked into a settlement which would be good for everyone.

At any rate, it would seem now, at long last, that our combined efforts are beginning to show some results in the attention the Department of Agriculture is finally giving the problem. Just last week a considerable group of Members of Congress—both Representatives and Senators—met with Secretary Freeman and threshed out a lot of angles of the problem. It is evident that it is now being taken seriously, and perhaps we can hope for sensible action.

HOUSE OF REPRESENTATIVES

Tuesday, January 28, 1964

The House met at 10 o'clock a.m.

The Chaplain, Rev. Bernard Braskamp, D.D., offered the following prayer:

Philippians 2: 5: *Let this mind be in you, which was also in Christ Jesus.*

Eternal God, our Father, Thine is the wisdom that guides, the strength that sustains, and the truth that reveals unto us the deep and satisfying meaning of life.

Grant that we may give unto our blessed Lord the obedience and the absolute right to possess and rule our minds and hearts.

May nothing ever divide or distract our devotion to Him but may we earnestly follow in His way and trust our souls to His keeping.

In these days of strain and stress may we give all that we have of faith and fortitude to establish His kingdom of righteousness and peace.

May the new social order and the better world, which we are striving for, be radiant and fragrant with His spirit and bring us unto oneness with Thy divine will.

To Thy name shall be all the glory and praise. Amen.

THE JOURNAL

The Journal of the proceedings of yesterday was read and approved.

MESSAGE FROM THE SENATE

A message from the Senate by Mr. Arrington, one of its clerks, announced that the Senate had passed without amendment a bill of the House of the following title:

H.R. 5377. An act to amend the Civil Service Retirement Act in order to correct an inequity in the application of such act to the Architect of the Capitol and the employees of the Architect of the Capitol, and for other purposes.

The message also announced that the Senate had passed a bill of the following title, in which the concurrence of the House is requested:

S. 745. An act to provide for adjustments in annuities under the Foreign Service retirement and disability system.

The message also announced that the Senate agrees to the amendments of the House to a bill of the Senate of the following title:

S. 1309. An act to amend the Small Business Act, and for other purposes.

A BILL TO DENY AID TO ANY NATION THAT DOES NOT MAINTAIN FULL DIPLOMATIC RELATIONS WITH THE UNITED STATES

Mr. SIKES. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Florida?

There was no objection.

Mr. SIKES. Mr. Speaker, I am preparing for introduction, legislation which would deny to any official of the U.S. Government the right to grant aid or economic assistance to any nation which does not maintain full diplomatic relations with the United States.

There seems to be a question in the minds of some U.S. officials on whether this Nation should continue aid programs to Panama since diplomatic relations with the United States have been suspended by that Latin American Republic. I am certain there is no question in the minds of the American people on this subject. I do not think there is any question in Congress. A continuation of aid to nations who refuse to deal amicably with us in the family of nations would be ridiculous. Panama has been receiving foreign aid from the United States at the rate of $22 million per year. This is only part of the "take" which Panama gets from the United States, but it is a good place to save money.

In the event this legislation should be "lost" in committee, I shall endeavor to add similar language by amendment to bills dealing with the subject of foreign aid when those bills are before the House for action.

CALL OF THE HOUSE

Mr. VAN PELT. Mr. Speaker, I make the point of order that a quorum is not present.

The SPEAKER. The gentleman from Wisconsin makes the point of order that a quorum is not present, and evidently a quorum is not present.

Mr. ALBERT. Mr. Speaker, I move a call of the House.

A call of the House was ordered.

The Clerk called the roll, and the following Members failed to answer to their names:

[Roll No. 16]

Arends
Ashbrook
Avery
Barry
Bass
Blatnik
Bolton,
  Frances P.
Bruce
Buckley
Cameron
Celler
Davis, Tenn.
Derwinski
Ellsworth
Ford
Hagan, Ga.
Hays
Hosmer
Johnson, Calif.
Jones, Ala.
King, N.Y.
Lipscomb
McClory
Martin, Calif.
May
Meader
Miller, Calif.
Mills
Moore
Morgan
Norblad
O'Brien, Ill.
Olsen, Mont.
Patman
Powell
Rhodes, Ariz.
Riehlman
Scott
Sheppard
Shriver
Steed
Utt
Vinson
Wallhauser

The SPEAKER. On this rollcall 382 Members have answered to their names, a quorum.

By unanimous consent, further proceedings under the call were dispensed with.

AMENDMENTS TO THE DAVIS-BACON ACT

Mr. SISK. Mr. Speaker, by direction of the Committee on Rules I call up House Resolution 582 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

Resolved, That upon the adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 6041) to amend the prevailing wage section of the Davis-Bacon Act, as amended; and related sections of the Federal Airport Act, as amended; and the National Housing Act, as amended. After general debate, which shall be confined to the bill and shall continue not to exceed two hours, to be equally divided and controlled by the chairman and ranking minority member of the Committee on Education and Labor, the bill shall be read for amendment under the five-minute rule. At the conclusion of the consideration of the bill for amendment, the Committee shall rise and report the bill to the House with such amendments as may have been adopted, and the previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit.

Mr. SISK. Mr. Speaker, I yield to the gentleman from California [Mr. SMITH], 30 minutes, and pending that I yield myself 8 minutes.

Mr. Speaker, House Resolution 582 provides for consideration of H.R. 6041, a bill to amend the Davis-Bacon Act to include fringe benefits in prevailing wages. The resolution provides an open rule with 2 hours of general debate.

H.R. 6041 proposes amendments to the Davis-Bacon Act which would bring the act up to date by including fringe benefits in prevailing wage determinations. There has been a tremendous change in the concept of earnings since Congress enacted the Davis-Bacon Act. Group hospitalization, disability benefits, and other fringe benefit plans were the rare exception in the 1930's. Today more than 85 million persons in the United States depend upon the benefits they provide. Regardless of the form they take, the employer's share of the cost of these plans or the benefits the employers provide are a form of compensation.

It has become increasingly apparent that if the Davis-Bacon Act is to continue to accomplish its purpose, prevailing wage determinations issued pursuant to the act must be enlarged to include fringe benefits. The act was founded on the sound principle of public policy that the Federal Government should not be a party to the destruction of prevailing wage practices and customs in a locality. Unless the law is amended to provide for the inclusion of fringe benefits in wage determinations, prevailing wage practices and customs will not be reflected in these determinations.

Mr. Speaker, there has been a number of questions raised with reference to this rule, that is, the type of rule which the Committee on Rules has granted on this occasion and which we recommend for adoption here on the floor. This is a completely open rule. There is nothing unusual about it. There was no request to waive points of order, so points of order, if such should lie, are certainly possible to be made. I would like to explain some of the statements that have been made with reference to the way the rule will probably be considered.

Mr. Speaker, I realize all of us have problems this morning, getting in here somewhat earlier and having other business, but I think it would be well for us to bear in mind that apparently the principal issue that will be before us today is actually the adoption of this rule. That is, are we going to adopt the rule here recommended in this House resolution or will the previous question be voted down and the rule amended? So, if you will bear with me just a moment or two I shall try to explain what I understand to be the question at issue with reference to that matter.

Under longstanding rules and precedents of the House where only one section of an existing act is being amended, only amendments to that section or amendments thereto are considered in order. This, as I understand, is completely in harmony with what we do almost daily on the floor of the House. That was the basis for my statement that this is a completely open rule; nothing unusual about it.

To be completely fair and frank, of course, this means, as I understand the rules and the precedents of the House, that other sections of the Davis-Bacon Act will not be open for amendment; that with the adoption of this rule any amendments offered to other sections or titles of Davis-Bacon would probably be ruled out of order. At least that is my interpretation.

So I think it is well that we understand exactly what the issue is. This is not a closed rule as some people have interpreted it. As I say, the Committee on Rules granted the rule that was requested. It was an open rule. It was a rule which did not waive points of order. This rule provides for 2 hours of general debate.

It is my understanding that there has been a feeling among Members of the House that other sections of Davis-Bacon should be examined and studied from the standpoint possibly of amending or changing those sections. It is my understanding that the Committee on Education and Labor has under discussion—in fact are in hearings at the present time—a bill which provides consideration of some of these issues. It would seem to me as a Member of the House that under good practice and procedure it is up to the Committee on Education and Labor, which has jurisdiction over the Davis-Bacon Act, to come out with such a bill rather than to have an attempt made here to open up the entire act and try to rewrite it on the floor of the House, which I do not consider would be good legislative procedure.

So it would be my hope that the House would support the resolution here offered by the Committee on Rules. And therefore, Mr. Speaker, I urge the adoption of House Resolution 582.

Mr. JONES of Missouri. Mr. Speaker, will the gentleman yield?

Mr. SISK. I yield to the gentleman from Missouri.

Mr. JONES of Missouri. I think we all need to understand the intent of the Committee on Rules in offering this rule. I think that will determine to a large extent how some of us vote on the question that will be before us shortly. It is my understanding from the statement of the gentleman that any part of this bill which is added as new material is subject to amendment.

Mr. SISK. That is exactly right.

Mr. JONES of Missouri. I am going to be more specific.

On page 1 of the bill it says:

> As used in this Act the term "wages", "scale of wages", "wage rates", "minimum wages", and "prevailing wages" shall include—
>
> "(1) the basic hourly rate of pay;".

Is it the intention of the Rules Committee to permit an amendment to that wording designating who shall determine the basic hourly rate of pay? Would that amendment be in order under the rule that is before us?

Mr. SISK. If the gentleman from California may reply—of course, any amendment offered here is going to be subject to a ruling of the chair. I am sure that the House Parliamentarian might have some ideas on those matters. Actually, the prevailing wage section, as I understand it, is being amended by this bill, H.R. 6041; therefore that amendment to the prevailing wage section of the bill would be in order.

Mr. JONES of Missouri. That would be the intention of the Rules Committee or, at least, the gentleman from California?

Mr. SISK. Yes; as I understand the rule.

Mr. SMITH of California. Mr. Speaker, I yield myself 7 minutes.

Mr. Speaker, House Resolution 582 will provide an open rule, with 2 hours' debate, for the consideration of H.R. 6041—amendments to the Davis-Bacon Act. An identical measure was reported by the Education and Labor Committee in the 87th Congress, but was not heard in Rules. This measure was reported by the Education and Labor Committee on May 20, 1963, and was given rather extensive hearings in the Rules Committee.

The Davis-Bacon Act was enacted in 1931 to protect the prevailing wage standards for laborers and mechanics on Federal construction in local areas. At that time fringe benefits were virtually unknown. But as the years have passed, fringe benefits have come to be generally recognized as a substantial part of the wage compensation of a worker.

H.R. 6041 will require the Secretary of Labor to consider the enumerated fringe benefits plus any bona fide fringes, in his prevailing wage determination under the Davis-Bacon Act.

The new language as set forth in H.R. 6041 will define "prevailing wages" to include:

> (1) the basic hourly rate of pay; and
>
> (2) the amount of—
>
> (a) the rate of contribution irrevocably made by a contractor or subcontractor to a trustee or third person pursuant to a fund, plan, or program; and
>
> (b) the rate of cost to the contractor or subcontractor which may be reasonably anticipated in providing benefits to laborers and mechanics pursuant to an enforceable commitment to carry out a financially responsible plan or program which was communicated in writing to the laborers and mechanics affected.

Mr. Speaker, the fringe benefits added and recognized in H.R. 6041 include:

> (1) medical or hospital care;
>
> (2) pensions on retirement or death;
>
> (3) compensation for injuries or illnesses resulting from occupational benefits; or
>
> (4) insurance to provide any of the above;
>
> (5) unemployment benefits;
>
> (6) life insurance;
>
> (7) disability and sickness insurance;
>
> (8) accident insurance;
>
> (9) vacation and holiday pay;
>
> (10) apprenticeship or other similar programs;
>
> (11) other bona fide fringe benefits.

But only when the contractor or subcontractor is not required by other Federal, State, or local law to provide any such benefits.

H.R. 6041 further provides that:

> The obligation of a contractor or subcontractor under subsection (b) may be discharged by making payments in cash; making payments to a trustee or third person pursuant to a fund, plan, or program; or by the assumption of an enforceable commitment or any combination of the above where the aggregate amount is not less than what is required by the prevailing wage determination.

Mr. Speaker, every Member knows that this is a controversial bill. Supplemental and minority views have been set forth by several members of the Education and Labor Committee. Some of the arguments set forth in the supplemental views are:

> (a) The operation of Davis-Bacon has shown many abuses over the years in the administration of the act. Thus a substantial modernizing and revision of the basic act is necessary, and without it, the opportunity for real reform will then be lost. "It should be sent in for repairs before loading it down with additional and even heavier burdens."
>
> (b) For more than 30 years, this act has been administered, interpreted and applied at the sole discretion of the Labor Department. A judicial review provision should be enacted to provide traditional checks and balances. (The Department issues almost 50,000 wage determinations for each fiscal year, containing about 5 million individual wage minimums.)
>
> (c) Such specific abuses as the 30 percent ruling, interpretation of the "area of construction," and failures to provide a fair and impartial hearing procedure has adversely affected community wage structures. (See examples in the report, page 16, on, such as Houston, Manassas, Fremont, etc.)

Minority views by Representative MARTIN of Nebraska and Representative SNYDER, of Kentucky, state that:

> H.R. 6041 will result in higher wage rates for construction throughout the country and will increase the cost of these projects. Modernizing amendments should be included rather than this piecemeal approach. All hearings should be completed. In addition, enactment of this bill will result in demand for more fringe benefits.

Representative DOWDY, of Texas, in opposing this measure before the Rules Committee stated that there will be more than $6 billion of public construction next year and that certain necessary changes should be made, such as:

> (1) Judicial review should be added;
>
> (2) The 30-percent differential should be eliminated;
>
> (3) There should be a clearer definition of "similar work";
>
> (4) There should be a clearer definition of the "area to be considered"; and
>
> (5) There should be a clearer definition as to what is construction work as opposed to installation work.

As I mentioned, Mr. Speaker, this is a controversial measure. The main controversy according to my understanding revolves around the lack of judicial review—this so far as the Davis-Bacon Act is concerned and also so far as fringe benefits are concerned in the measure which we are now considering.

There has been considerable discussion over the procedure to be considered today and very frankly, Mr. Speaker, I am not entirely certain just what the understanding is. When this matter was considered in the Rules Committee it was my understanding that an amendment to open the entire Davis-Bacon Act to judicial review would not be germane unless the Rules Committee granted a special rule to make it germane. This was not done. It was my further understanding when this open rule was voted out by the Rules Committee, and I believe it was the understanding of most other Members, that an amendment would be germane to offer judicial review so far as fringe benefits are concerned in this bill. Apparently there is some difficulty in preparing appropriate language which will tie down judicial review simply to fringe benefits. Indications seem to be that the proposed language will probably open up the entire bill to judicial review.

Accordingly, if this is to be done, it will probably have to be done on the basis of voting down the previous question on the rule and if that is accomplished, then amending the rule permitting judicial review to be considered to the entire act. I will yield time to Members to explain their intentions.

So far as I, personally, am concerned, although I do not have a strong feeling one way or another on permitting judicial review so far as fringe benefits are concerned, I do not believe that this vehicle should be used to open up the entire act. Those in favor of doing so have a very practical argument, according to their comments, which is to the effect that unless it is done in this particular bill they will probably never have a chance to do it.

As I understand it, the testimony before the Rules Committee was that such a bill has been introduced by the gentleman from California. It is my understanding hearings will be or are being held on that particular bill. I think that should be done rather than trying to mess it up with this bill here today.

I am in support of the rule. I am opposed to opening up the entire act for amendment. I think H.R. 6041 is good legislation, and I intend to support the bill.

Mr. SISK. Mr. Speaker, I yield 5 minutes to the gentleman from Indiana [Mr. Madden.]

Mr. MADDEN. Mr. Speaker, I ask unanimous consent to revise and extend my remarks and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Indiana?

There was no objection.

Mr. MADDEN. Mr. Speaker, the Committee on Education and Labor is to be commended for holding hearings and favorably reporting H.R. 6041. This legislation has been too long delayed. If enacted into law, it will place all Federal construction contractors on an equal competitive basis, Heretofore, federally financed construction work has been the victim of uncertainty in regard to cost; and in many cases, Federal building construction has been substandard because of fly-by-night contractors and nonunion and inexperienced craftsmen being employed on Federal construction jobs.

The enactment of this bill would eliminate any unfair advantage hitherto enjoyed by contractors who do not pay fringe benefits to employees. The passage of this legislation will not interfere with the prevailing wage rates paid in a community but merely requires imported contractors from other areas and States to pay the minimum prevailing wage rate in the local area and protects local craftsmen and contractors from unfair and in most cases, inferior competition.

The Davis-Bacon Act was originally enacted 33 years ago and has been amended on two different occasions: once in 1935 and again in 1940. The original act established the policy that the Federal Government would not be a party to depressed local labor standards. When the act was passed originally, it was almost unanimously agreed that wage standards in a local community had to be protected from cheap and inefficient labor imported from other areas. Some contractors declined doing business in an area where the cost of living was high, and consequently, increased wage standards were necessary. Further, it was impossible for local contractors to underbid outside contractors who based their estimates for labor upon the low wages they could pay the workmen obtained from a low living cost and low wage locality.

On too many occasions qualified local contractors and local laborers had to stand by while outside contractors and outside labor performed under locally substandard conditions, work which otherwise would have been given to local citizens and taxpayers.

When major construction jobs or other Federal work projects imported prime and subcontractors and also inferior labor, it would not only create dissension between labor and management locally, but would also result in inferior construction and consequently loss to local and Federal taxpayers. In order to eliminate waste and inferior construction and the breeding of labor-management troubles, Congress adopted the prevailing wage principle under the Davis-Bacon Act as public policy for Federal construction. As a consequence, the Davis-Bacon Act was designed to provide equality of opportunity to contractors, to protect prevailing living standards of the building-trades men, and to prevent labor-management disturbance in the local economy and the community. The principle of the Davis-Bacon Act holds as true today as it did in 1931 when the original act was passed by the Congress.

It has become increasingly necessary, if the Davis-Bacon Act is to continue to accomplish its original purpose, to protect the local contractors and workers by including fringe benefits which have been included in labor contracts during recent years. If this pending legislation to amend the Davis-Bacon Act and include the necessary fringe benefits is not enacted into law, the Federal Government will be contributing to labor-management difficulties and promoting dissension and substandard construction on Government projects.

Unless the law is amended to provide for the inclusion of fringe benefits and wage determination, prevailing wage practices and customs will not be reflected in these labor-management contracts on Government projects. Most of these so-called fringe benefits are the health and welfare type. Over 70 percent of the building tradesmen are covered by the welfare and pension benefits.

This legislation will curtail inferior competition by unfair contractors who underbid local contractors who pay prevailing wage rates including fringe benefits on Federal projects.

This legislation came out of the Labor and Education Committee with an almost unanimous agreement that local fringe benefits should be a determining factor in the prevailing wage rate of any community. When the act was passed in 1931, fringe benefits were for the most part unknown. At that time, the worker received a specified wage per day or per hour and that constituted his daily or monthly income. Today, that situation is only part of the protection and income a worker receives on a construction project. Fringe benefits are as important percentagewise to the worker as his wage is to his income for the protection of himself and his family.

I do hope this legislation is enacted into law as is, without crippling amendments which would nullify the real purpose of this bill.

The following are telegrams I have received urging passage of the Davis-Bacon fringe benefits bill:

Gary, Ind.,
January 28, 1964.

Hon. Congressman Ray J. Madden,
House Office Building,
Washington, D.C.:

In order to correct past inequities of the Bacon-Davis prevailing wage law, preserve the principles of free collective bargaining, and put contractors and other business people who compete for work financed by Federal funds on a more equitable competitive basis and as a means of assuring our Government of superior craftsmanship on all Federal work, the Northwestern Indiana Building & Construction Trades Council in behalf of our affiliated local unions comprising a membership of over 12,000 building tradesmen and their families in Lake, Porter, Jasper, and Newton Counties urgently request the passage of H.R. 6041.

H. R. Hegberg,
President.
Northwestern Indiana Building & Construction Trades Council,
C. J. Nowack, *Secretary.*

January 25, 1964.

Hon. Ray J. Madden,
House Office Building,
Washington, D.C.:

The passage of H.R. 6041, the Davis-Bacon fringe benefits bill, scheduled for consideration by the House of Representatives, Tuesday, January 28, at 10 a.m., is extremely important to over 4 million building and construction tradesmen throughout the country.

Opponents of this legislation say they will offer an amendment to the rule which would reopen the entire Davis-Bacon Act for amendments. The principle vote on the rule will be the motion on the previous question, after debate. Should this motion be defeated, the rule will then be open for amendments.

We strongly urge your presence on Tuesday to defeat this attempt to destroy the Davis-Bacon Act. Your support of H.R. 6041, without amendments, is urgently requested in the best interest of all the building and construction tradesmen in your district and throughout the country.

C. J. Haggerty,
President.

Gary, Ind.,
January 5, 1964.

Hon. Ray J. Madden,
House Office Building,
Washington, D.C.:

I learned that the Davis-Bacon fringe benefits bill H.R. 6041 long held up the House Rules Committee, has been granted a rule by that committee and is now tentatively scheduled for consideration in the House of Representatives on Thursday, January 9, 1964. Labor has known you to be the champion of all honest and worthy causes of the common citizens. We know of the large flood of mail and the intensity of the pressure brought against your venerable and august group by those with pecuniary interest who bitterly oppose this sensible and reasonable and sound bill. Honest, sincere and conscientious working people hope that Congress will not be dissuaded by the propaganda and opposition to his measure knowing we can depend on your sober and judicious wisdom. Organized labor is awaiting with eager anticipation your favorable consideration of the above-named bill. The membership of local 697 would be most happy to again hear from you.

Your well wisher,

DANIEL GULBAN.

HAMMOND, IND.,
January 27, 1964.

HON. RAY MADDEN,
House Office Building,
Washington, D.C.:

The membership of local union 697 IBEW strongly urge you to support the Davis-Bacon fringe benefit bill H.R. 6041. Passage of this bill will assure the taxpayers of quality construction work for their tax dollar by eliminating fly-by-night contractors and incompetent and inexperienced workmen.

CHAS. O. WILSON,
Financial Secretary.

Mr. SMITH of California. Mr. Speaker, I yield 8 minutes to the gentleman from New York [Mr. GOODELL].

Mr. GOODELL. Mr. Speaker, I wish to clarify, at the outset, my position. I am not against the addition of fringe benefits to the Davis-Bacon Act. I am not against the Davis-Bacon Act or the theory of it. I am not against the act, but I want it administered on a fair basis.

I am not before you with an intent to kill the legislation. My intent is to improve it.

The original purpose of the act was to provide that when the Federal Government was involved in a project, the Federal Government would not either deflate or inflate the prevailing local wage rates, it would pay what was prevailing in the local area.

The act has been in operation a long period of time, for some 33 years. It is one of the few acts which does not have provision for going into court for normal judicial review.

Over the period of time involved many things have happened. There have been interpretations which have been a long way from what Congress originally intended.

There has been discussion here about an open rule on this bill. I wish to clarify that. This is an open rule, but there is no way that we can, under the present rule, amend the bill to provide judicial review of the entire Davis-Bacon Act.

We have attempted to prepare a judicial review amendment to apply only to the fringe benefits section, yet we have been told that this might well be subject to a point of order. At any rate, judicial review should apply to the entire act.

The only course left open to us, under these circumstances, is to ask the House to vote down the previous question and to amend the rule to specifically make in order an amendment which would provide for judicial review of all Davis-Bacon determinations.

This is a key point.

It has been said that this is not a good way to legislate, that we should consider judicial review in the subcommittee and in the full committee, and a bill along those lines should be reported to the House.

I wish to say that in 1962, for 2½ months the subcommittee, under the chairmanship of the gentleman from California [Mr. ROOSEVELT], held hearings on the administration of the Davis-Bacon Act. I was a member of that subcommittee. I hold a copy of the hearings in my hand. Hearings were held on June 13, 14, 15, 20, 21, 25, 26, and 27, and July 12, 13, 18, 24, 26, 27, and 31, and August 7, 1962.

The subcommittee went into great detail as to the whole question of the administration of the Davis-Bacon Act and judicial review. It was conceded by all on both sides of the aisle, I believe, that there were many discrepancies, many distortions of the intent of the law, many instances of administrators ignoring the facts as to prevailing local conditions. We wrote a very complete record of this.

If Members have any doubt about that, I ask them to read the minority views. We have given detailed examples there. For example, the Quantico case, in which the cost to the Federal taxpayers was more than $1 million because of erroneous findings, and the Houston Manned Spacecraft case, in which the additional cost was more than $2 million. In neither case was there any recourse after the Administrator had made a decision.

A decision could be in error. There is no way to get that into court. We had a bill introduced by the gentleman from California [Mr. ROOSEVELT] in June of 1963 on this.

Mr. LANDRUM. Mr. Speaker, will the gentleman yield?

Mr. GOODELL. I yield to the gentleman from Georgia.

Mr. LANDRUM. There is no way to get a decision of the Administrator into court under the present act. As I interpret the gentleman's remarks, any effort to amend this bill to provide for judicial review will not be in order under this rule. Is that correct?

Mr. GOODELL. That is my understanding.

Mr. LANDRUM. So we are faced with the proposition of continuing in force what prevails today; no review from an administrative ruling or else vote down the previous question. Is that correct?

Mr. GOODELL. That is correct.

Mr. Speaker, let me appeal to all the Members. This is not a question of being for or against the unions; it is not a question of being for or against the Davis-Bacon Act. I, who believe very deeply in the Davis-Bacon Act, am convinced that unless we amend this act to permit judicial review, the act is going to be in great jeopardy in the years ahead. This is something that is basic to our system. The Davis-Bacon Act is the only Federal wage-fixing law on the books where you do not have a provision for aggrieved parties to get into the court and let the judge tell them what Congress meant when it wrote the law. It is the only wage-fixing law where this is not true.

Mr. DENT. Mr. Speaker, will the gentleman yield?

Mr. GOODELL. Yes. I will yield to the gentleman from Pennsylvania.

Mr. DENT. The question I would like to pose is how would you have a predetermination of a prevailing wage in any given contract if a contractor takes a business gamble or a risk and bids below the predetermined wage set by the Wage Board?

Mr. GOODELL. The gentleman knows how this will be done. The bill H.R. 9590 has been introduced. The procedure for judicial review is quite clear. It is workable, and it can be done. It has been analyzed on all sides. We have had discussions of it in many quarters, and we will debate that. All I am saying here is that we ought to have an opportunity when the bill comes up for consideration of the House to offer this amendment, to explain to the Members how judicial review would work. We will listen to your side of it, if you think it will not work, but you are apparently arguing that we should not even have the opportunity to present a judicial review amendment.

Mr. DENT. Is that not another bill?

Mr. GOODELL. I will not yield any further at this point, because the time is short. We can debate the details and the merits of the particular judicial review amendment if the House gives us that opportunity by amending the rule.

Mr. DENT. That will have nothing to do with this legislation.

Mr. GOODELL. It certainly does.

Mr. Speaker, this Davis-Bacon Act is the only wage-fixing law on the books where if parties affected disagree—and I mean employees, union members, contractors, or anybody else affected by a determination in the Labor Department, if they do not like determinations—they have no recourse. They cannot go into court to get an interpretation by a judge as to what this means. If we ever had a dramatic illustration of the importance of judicial review and our court system, you will see it if you look at these hearings. You will see the many distortions and discrepancies that develop because the administrators can do anything they want to. They are all-powerful, and there is no recourse to any other form. They try to be fair. It is not the fault of the administrators themselves. The law is defective in this respect, and we should correct it.

Mr. LANDRUM. Mr. Speaker, will the gentleman yield?

Mr. GOODELL. Yes, I will yield to the gentleman from Georgia.

Mr. LANDRUM. That is not true of the Wage Administrator of the Fair Labor Standards Act, is it?

Mr. GOODELL. It is not.

Mr. LANDRUM. Assuming the administrator of the Fair Labor Standards Act makes such a determination.

Mr. GOODELL. That is correct. Judicial review is provided under the Fair Labor Standards Act. And the Walsh-Healey Act has judicial review in it. As a matter of fact, a very important decision has just been made in the Baldor case in the Circuit Court of Appeals for the District of Columbia with reference to Walsh-Healey.

Mr. SMITH of California. Mr. Speaker, I yield 5 minutes to the gentleman from Michigan [Mr. GRIFFIN].

Mr. GRIFFIN. Mr. Speaker, I rise and speak as one who believes in the Davis-Bacon Act. In my view, the fundamental concept underlying the Davis-Bacon Act is sound. When the Federal Government engages in construction in a local community, I believe the Federal Government should make certain that the prevailing wage rates in that community are paid. The Federal Government should not be an instrumentality for either inflating or deflating the prevailing local wage rate. The sound principle underlying the act and the purpose of the act is to protect local workers and local contractors.

The Davis-Bacon Act is good legislation only if it is properly administered. Unfortunately, over the years because of the way the act has been drafted, the Labor Department has had complete and absolute authority to interpret the act and to determine prevailing rates without the check of judicial review. When the Labor Department makes a mistake, arbitrarily or otherwise, there is nothing that a local school board, or a local hospital board, for example, can do about it. Under the language of the act, there is no way to appeal from erroneous interpretations and applications by the Labor Department.

Let me refer to a specific example of a serious abuse, and I remind you that this is but one of the many examples developed in our committee. The Federal Government was to construct some Capehart housing at Quantico, Va. The Davis-Bacon Act requires that the contractor pay the prevailing rates "in the city, town, village, or other civil subdivision of the State" in which the buildings were to be located.

The text of the Davis-Bacon Act specifically requires that the prevailing rate be determined on basis of wages paid within the State where the construction is to take place. In that case, the Labor Department determined that the rates applicable in Quantico, Va., were those paid in Washington, D.C. In other words, despite the clear language of the act, the Labor Department went outside the State of Virginia to determine what were the prevailing rates in Virginia.

Any lawyer, any judge, any layman who can read plain English would say that this was an arbitrary and erroneous interpretation of the Davis-Bacon Act. This erroneous interpretation, according to the Comptroller General after an investigation, resulted in increased cost to the taxpayers of more than $1 million. But as the law is written, there was nothing that anybody could do about it.

Mr. LANDRUM. Mr. Speaker, will the gentleman yield?

Mr. GRIFFIN. I yield to the gentleman.

Mr. LANDRUM. Mr. Speaker, in connection with what the gentleman from Michigan has said about increased costs of construction, I wonder if the gentleman would permit me to bring to the attention of the Members of the House a case of the construction of two school buildings in Selma, Ala., in 1955, by the same contractor, in the same year, with the same employees. On one of the school buildings the contractor built there was nothing but Alabama money used while on the other building the money came from the Impact Law, Public Law 815 or 874. In determining the prevailing wage on the one that had Federal money we found this: Where only Alabama money was used, for carpenters, the wage rate was $1.75 an hour. On the building where Federal money was used it was $2.25 an hour. The same contractor, the same employees, the same town, and the same sort of work.

For concrete finishers, on the first building, where there was no Federal money, the rate was $1.75 an hour and on the second, where Federal money was used, it was $2.85 an hour, a difference of $1.10 because they were using Federal money.

There is no argument whatever against a man making as much money as possible. But we should not permit under Federal law a condition that simply would put construction costs completely out of line with what is the prevailing wage in the locality and then not even have the opportunity to review the action of the Administrator.

Mr. GRIFFIN. Mr. Speaker, I thank the gentleman for his contribution. I should like to remind the leaders of our great international labor organizations, as well as the Members of the House, that there is no judicial review of the Labor Department determinations when they set wage rates too low.

Some day, I predict, that the leadership of the same international unions which today are opposing any type of fair judicial review, will some day be seeking judicial review of the Davis-Bacon Act because it is right and it should be accomplished.

This would not be such a serious problem, I suggest to the Members of the House, if we were talking only about those situations where the Federal Government pays the full cost of constructing a Federal building or public work. The application of the Davis-Bacon Act was so limited when the law was first enacted in the thirties; but it should be kept in mind that the application of the act has been greatly expanded so that it now applies to many programs to which the Federal Government contributes only part of the construction cost. Last week we had the Library Services Act. Earlier in this Congress, we enacted the College Facilities Act. There is the Hill-Burton Hospital Act. The Davis-Bacon Act applies to all of these programs, and more. If we are going to require that the Davis-Bacon Act apply to these programs—and I think we should—we should also provide a procedure for judicial review of Labor Department interpretations.

Do not content yourself with the consolation that maybe next week or 3 months from now the Committee on Education and Labor is going to come out with a bill providing for judicial review. I predict that if the bill on the floor today passes without an amendment providing for judicial review, you are not going to see a judicial review amendment to the Davis-Bacon Act enacted in this Congress, or very likely during your service in Congress. We have a responsibility and an opportunity to adopt a judicial review amendment here today.

Mr. HOLLAND. Mr. Speaker, will the gentleman yield?

Mr. GRIFFIN. I yield to the gentleman from Pennsylvania.

Mr. HOLLAND. Is the gentleman spelling out to the House the difference between Republican Secretaries of Labor and Democratic Secretaries of Labor?

Mr. GRIFFIN. No, not at all.

Mr. HOLLAND. You have said in so many words to that effect.

Mr. GRIFFIN. May I say to the gentleman that some of the interpretations by the Department of Labor under the last Republican administration were erroneous, I am sure. In fact, I believe that the Quantico case to which I made reference came up during a Republican administration. So I do not make a partisan point at all.

Mr. SISK. Mr. Speaker, I yield 7 minutes to the gentleman from California [Mr. ROOSEVELT].

Mr. ROOSEVELT. Mr. Speaker, may I first point out that the debate up to this point has been largely about a matter which is not in this bill under consideration here today. The debate up to this point has been on the merits of a proposition which perhaps has some merit. I am not saying it does not have some merit. I am simply saying if you will read the supplemental views signed by my colleagues on the minority side of the aisle, and I will read them in debate after the rule is adopted, I believe you will find they are in agreement that the bill before us today is a good bill.

What are they asking? What is all the fuss about, then? They are asking that we now open up this bill so that sitting here in the Committee of the Whole we may do the job of the Committee on Education and Labor instead of letting the committee do it in the orderly processes, which I am sure everybody in this House fully understands.

Mr. Speaker, I want to point out how really unfair this is. It was only last week that the committee itself held hearings with the Solicitor of the Department of Labor on a new administrative review provision, which they did put into practice, because the Department believes that when you have 50,000 adjudications a year covering 5 million individual instances you cannot as a matter of practice go to court in that number of cases without destroying the effectiveness of the act itself.

I think our colleagues on this side of the aisle and my ranking majority member would agree that even that regulation may need strengthening. That is why we are holding hearings. Why do we want to come to this House on a matter that has all this support and simply try to do the job of the committee, when you know we should hold hearings on it, when we intend to hold hearings on it?

My friend has said he stands in the well of the House and predicts there will be no bill. I can only stand in the well of the House and predict to you there will be a bill.

Mr. GRIFFIN. Mr. Speaker, will the gentleman yield?

Mr. ROOSEVELT. I yield to the gentleman from Michigan.

Mr. GRIFFIN. I just want to remind the gentleman that I predicted there would be no bill enacted.

Mr. ROOSEVELT. That is a different prospect. After all, I cannot say whether there will be a bill enacted by the House. I am giving you my word that our committee—the members of my committee are here—will hold these hearings and we will then proceed to give the House something that the House will pass on. That is the job of the committee, I submit to my friends.

Mr. DENT. Mr. Speaker, will the gentleman yield?

Mr. ROOSEVELT. I yield to the gentleman from Pennsylvania.

Mr. DENT. Is it not true that the Goodell bill, which I think is H.R. 9590, was in our committee? There has been no determination to set that bill aside. In fact, we have already discussed the possibility of holding early hearings on it, as I understand it. It deals with this subject alone.

Mr. ROOSEVELT. That is quite correct. My friend knows we did hold a hearing last week on this related subject, because it is debatable whether you want administrative review or you want judicial review. The committee has to make that fundamental determination. Yet the gentlemen over here who have argued against this bill, it seems to me, are wholly incongruous when the supplementary views of the minority—I will not read it all—state:

> Therefore, we believe the present law should be amended to permit the inclusion of fringe benefits when the prevailing wage is determined.

That is not the majority speaking, that is the minority speaking. That is all this bill does.

What you are being asked to do is to say you cannot improve an act unless you improve all the act. You know, and I think it is quite fair to say, we would have very little progress in the Congress of the United States if we said we would never go forward to improve an act unless we covered all the mistakes we know about the act, particularly when there is really an honest difference of opinion as to the best way to do these things.

On this matter there is no difference of opinion, yet my friends want to go on and delay this until they can have an opportunity to debate on the floor this other measure.

The gentleman from Missouri [Mr. Jones] asked whether it would be in order to offer an amendment to the bill relative to section 1, which states that the wages shall be determined by the Secretary of Labor. I want to assure him that that would be in order. It is an amendment to section 1, which this bill is about, then there would be no objection on this side to such an amendment. I do not say to him we are going to support that amendment, but we certainly would have no objection to its consideration.

So, if I may take just 1 minute to go back, I think there can be no question that the fringe benefits this bill calls for are thoroughly justified. We do not say that fringe benefits are imposed on anybody. I want to make this very clear to my friends from the South. If you do not have in your community a prevailing wage which includes fringe benefits, there is no compulsion in this bill to include any fringe benefits.

In other words, this is to be a prevailing practice in your community or this will not in any way affect you in your community. What could be more fair than that?

Mr. SMITH of Iowa. Mr. Speaker, will the gentleman yield?

Mr. ROOSEVELT. I yield to the gentleman.

Mr. SMITH of Iowa. When I was on the gentleman's subcommittee, we discussed the possibility of making these determinations on the basis of the labor market area rather than on a civil subdivision basis. Will this matter also be taken up later?

Mr. ROOSEVELT. Let me assure my friend that subject is a most important subject. It is another part of this question and deserves consideration. Again we need, and I am sure the gentleman will agree—again we need to hold hearings on it and we need to get the facts. We intend to do this and we will do it.

The SPEAKER. The time of the gentleman from California has expired.

Mr. SMITH of California. Mr. Speaker, I yield 3 minutes to the gentleman from Nebraska [Mr. Martin].

Mr. MARTIN of Nebraska. Mr. Speaker, all we are asking today in requesting that you vote down the previous question is to give the House an opportunity to work its will in regard to the Davis-Bacon Act. This is a most important consideration, the consideration of a judicial review amendment. The Federal Government today is the largest single factor in the construction industry in the United States, and directly and indirectly they control millions and billions of dollars of construction where every single workingman in the construction industry in this country is vitally affected.

As the gentleman from New York stated, testimony was taken in the year 1962 by our subcommittee over a 3-month period. There were 21 days of hearings and the judicial review procedure was openly discussed by many of the witnesses.

I have here before me the report of those hearings on the administration of the Davis-Bacon Act published some months later after the hearings were concluded in 1962. This booklet was published in 1963.

Mr. GOODELL. Mr. Speaker, will the gentleman yield?

Mr. MARTIN of Nebraska. I am glad to yield to the gentleman.

Mr. GOODELL. The gentleman is on the subcommittee. I think it should be clarified right here, and the gentleman from California, the chairman of the subcommittee I am sure would confirm it, that we on the subcommittee wanted judicial review considered in the hearings on this bill. We requested a single Davis-Bacon bill that would include reforms of the act as well as fringe benefits and judicial review. We wanted a judicial review amendment in this bill in the subcommittee, but it was ruled out of order. When we asked questions of the witnesses on the Davis-Bacon bill about the judicial review matters, we were ruled out of order in asking questions about judicial review. We have tried throughout these proceedings to bring the question of judicial review before the Congress through the subcommittee procedure, but it was not available to us. The gentleman from California [Mr. Roosevelt], has talked about holding hearings. He has just started them again. We all know as a practical matter that no meaningful reforms or judicial review are going to pass after fringe benefits are cleared through Congress. We held hearings for 2½ months on the administration of the Davis-Bacon Act in the summer of 1962.

This has resulted in no bill and no marking up or anything to reform the administration of the Davis-Bacon Act. This just is not going to happen. It has been made very clear that the only way to get this is through this procedure.

Mr. MARTIN of Nebraska. The gentleman from New York is absolutely correct.

I would like to quote, Mr. Speaker, from this report of these hearings. The hearings were held in 1962. This report, of course, was written by the staff on the majority side.

This is on page 15, under the title, "Review of Determinations Made by the Secretary of Labor."

I read from the report:

> One of the most disturbing points developed by testimony at the hearings was the lack of any formal mandatory procedures for reviewing the determinations made by the Department of Labor under the Davis-Bacon Act and the other statutes subject to Reorganization Plan No. 14 of 1950.

Then, two paragraphs later, is the following:

> The hearings were replete with requests to the subcommittee that some kind of judicial review be established for the Davis-Bacon Act.

That is in the report published, after being written by the chairman of the subcommittee, yet the House is to be denied today an opportunity to work its will, to bring judicial review into this most important act, despite the fact that the subject was thoroughly discussed in all the hearings in 1962. We have had an adequate discussion of this subject We have had adequate consideration of it, and the House should be able to work its will today on this procedure.

Mr. GOODELL. Mr. Speaker, will the gentleman yield?

Mr. **MARTIN** of Nebraska. I yield to the gentleman.

Mr. **GOODELL**. Mr. Speaker, would the gentleman agree with me that as a practical matter—and we all wish to be practical—although we would all prefer not to have to vote down the previous question in order to make the amendment in order, that will be necessary under this procedure. We would all prefer to offer an amendment for judicial review in the subcommittee, and to have it follow the regular processes, but as a practical matter we face a situation in which there are elements in our society—and I will not go beyond that—which want fringe benefits added to Davis-Bacon but do not want judicial review. They do not want any reform of the act.

As a practical matter, what will happen if we pass the bill for fringe benefits is that those elements of our society will then turn around and oppose any change in the framework of the Davis-Bacon Act and any reform of the act.

I believe the gentleman from California [Mr. ROOSEVELT] is quite sincere about wanting to do something about the administration of this act, but, as a practical matter, this procedure today is the only way we can do it.

Mr. **SISK**. Mr. Speaker, I yield 4 minutes to the gentleman from Illinois [Mr. PUCINSKI].

Mr. **ALBERT**. Mr. Speaker, will the gentleman yield to me?

Mr. **PUCINSKI**. I yield to the distinguished majority leader.

Mr. **ALBERT**. I have read the rule. It is the normal type of rule provided for the consideration of legislation of this kind.

I ask the gentleman from Illinois if it is not true that if we depart from this procedure we will be departing from our historic practice as to germaneness? Of course, the House does not have authority to work its will on everything on every bill under every rule. We are considering a certain phase of the Bacon-Davis Act under this rule and we should proceed accordingly and adopt the previous question on the rule and the rule itself.

Mr. **PUCINSKI**. The gentleman is correct.

Mr. **ALBERT**. There are limitations on what can be done under any rule and that is the normal procedure of the House.

Mr. **PUCINSKI**. The gentleman is absolutely correct.

Mr. Speaker, it is obvious from the debate we have heard so far that there are many defects in the Davis-Bacon Act.

The gentleman from New York is correct in what he has cited from the hearings of our committee.

But the gentleman is also aware of the fact that the Department of Labor has recently published a whole series of revisions, which are in the Federal Register, which are now being considered by our committee. These revisions in administration of the Davis-Bacon Act proposed by the Labor Department itself are the direct result of the hearings and activities of our committee's hearings.

I cannot think of anything which would be more catastrophic to the cause of labor-management relations in the building industry than for the House to vote down the previous question at this time and to open this bill to massive revision at this time here on the floor of the House, when both the gentleman from Michigan and the gentleman from New York know that we are now in the process of holding hearings on the administration of this bill in the committee.

I happen to agree with my colleague from Michigan that the Department of Labor has gone way off the reservation in seeking precedents to establish prevailing wage scales.

I happen to agree with the gentleman that the committee ought to redefine these areas more precisely.

But I do not agree with my colleagues from New York and from Michigan that a judicial review procedure would give us the relief we are seeking. Judicial review cannot deal with this subject. The courts cannot go beyond what is in this law. Until we have perfected the law to more precisely define the areas within which the Department of Labor can operate; how far could the Department of Labor go in seeking precedents for prevailing wages; until we spell out the intent of Congress in the very complicated area, the courts cannot go beyond what the Congress has provided or failed to provide in determining prevailing wage standards. For the Congress now to vote down the previous question and permit consideration and possible adoption of judicial review under the present law would create a degree of confusion in our district courts unprecedented in the courts' history. Only by rewriting the basic standards in the act can we bring the relief to those of you who have criticized the bill, and quite properly. However, this is not the place to do it today. Today we are here for one purpose. That is to find out whether 33 years after this bill has been adopted, fringe benefits should today be included in a wage determination. That is the only question before this House. There is nothing before us today to show any bad faith on the part of the committee, either on the part of the majority or the minority. We are going to come before this House in a reasonably short time with a whole series of recommendations. These recommendations are going to be based on a study of the regulations and procedures of the Labor Department, which has, as the gentleman knows, published a whole series of these new regulations in the Federal Register and which are now under consideration by both the Department, which is going to have public hearings on these regulations, and also by our committee. So, my friends, I say to you, with all due respect, to vote down the previous question in order to offer amendments to the bill beyond the scope of the fringe benefits, which is the basic question involved here today, is really to provide a ruse with which to defeat the fringe benefits proposal. I say to those of you who realize the American worker in the building trades who is getting fringe benefits certainly deserves some consideration in preserving his job opportunities when bidding on a Federal contract. I hope the previous question will be voted up and we will proceed in an orderly manner to approve this very important and desirous legislation. I hope we will trust the committee that we are going to come back here with a broadened bill, which will deal specifically with the shortcomings of the present act.

Mr. **SMITH** of California. Mr. Speaker, I yield such time as he may desire to the gentleman from Virginia [Mr. BROYHILL].

Mr. **BROYHILL** of Virginia. Mr. Speaker, I join with those of my colleagues who insist that the so-called Davis-Bacon Act must be reviewed and revised in its entirety before considering amendments that may further compound the inequities that have resulted from its administration over the last 30 years.

The intended purpose of this law was to assure that Federal construction in a given locality should neither raise nor lower the local wage scale. Administrative procedures adopted by the Labor Department have flagrantly violated this concept. Under this act, the Secretary of Labor has become a virtual czar in wage determination matters.

Furthermore, judicial review has been denied under this law, thus evading our basic concept of checks and balances. The numerous administrative mistakes and abuses are immune to examination by our courts, thus placing employee and employer alike at the mercy of the executive branch of the Federal Government.

In studying the findings of the subcommittee that investigated the operation of the Davis-Bacon Act, I was frankly appalled at how numerous and varied these mistakes and abuses have been over the years.

It is obvious that the amendments before us would extend these Federal controls and abuses in the construction industry even beyond their present excessive scope.

It would also seem to me that the inclusion of so-called fringe benefits in wage determinations establishes a precedent of staggering magnitude. These amendments would in effect place the Congress on record as asserting that, by definition, certain benefits accruing to wage earners are in fact income. Would this not be an open invitation to the Internal Revenue Service, for instance, to promulgate regulations that would make these benefits subject to taxes?

The trend of that Service and the recent administration has been in that direction. It would be inconsistent for an administration that asks on the one hand for tax relief and on the other asks to expose the wage earner to an expanded taxable income. I suggest, Mr. Speaker, that the proposals before us may well be the opening of a Pandora's box.

Mr. SMITH of California. Mr. Speaker, I yield the balance of my time to the gentleman from Michigan [Mr. GRIFFIN].

Mr. GRIFFIN. Mr. Speaker, on page 2, the bill before the House it enumerates a number of fringe benefits, and then it says, "or other similar programs, or for other bona fide fringe benefits." Obviously, this is very vague and indefinite language which leaves much room for interpretation. If we are going to include such language in a law, certainly we ought to give parties affected by it recourse to the courts.

Let me make it clear that I favor the purpose of the bill before the House, and that I shall vote for this fringe benefits bill if we are successful in voting down the previous question on the rule in order that an amendment to provide judicial review can be adopted. If we do vote down the previous question, then those of us who are for judicial review and for the inclusion of fringe benefits will have an opportunity to vote for a bill with both provisions in it.

Mr. GOODELL. Mr. Speaker, will the gentleman yield?

Mr. GRIFFIN. Yes, I will yield to the gentleman from New York.

Mr. GOODELL. The gentleman agrees that the fringe benefit section of this bill is adding a very heavy and difficult burden to the administration of the act. It is very complicated and, without any recourse to the courts, this may get even farther away from the original intent of Congress. It is just like adding an extra load to a rickety automobile that is falling apart. We should fix up the automobile before we add this load to it.

Mr. GRIFFIN. I agree with that.

The SPEAKER. The time of the gentleman has expired.

Mr. SISK. Mr. Speaker, I yield 4 minutes to the gentleman from Rhode Island [Mr. FOGARTY].

Mr. FOGARTY. Mr. Speaker, many of the arguments that have been used by the opposition today have been used over the years several times. The Quantico case was aired on this floor at least twice to my knowledge and the House voted on that particular problem. There was nothing unusual in that case at all. It was found at the time that the labor supply was not available in the area surrounding Quantico and they had to come to the city of Washington to get qualified personnel to do the job.

The job that was mentioned in Houston was not a question of wages at all but was a question of whether it was heavy construction in the highway or light construction. That determination was made by the Secretary of Labor.

I cannot understand the Republicans fighting the Davis-Bacon Act. In the first place, this act was originated under the administration of Herbert Hoover back in 1931. Both Mr. Davis and Mr. Bacon were Republicans, and under the Eisenhower administration we had one of the fairest Secretaries of Labor we ever had, Mr. Mitchell.

He defended this bill from top to bottom and while he was in office there was no attempt by the Republicans to emasculate the Davis-Bacon Act, as they are trying to do today. Let us make no mistake about it. If you vote down the previous question on the rule it will be an antilabor vote. You will be voting against the building trades of America, who I think are the outstanding labor unions in this country. They are the most stable. They have friends on both sides of the aisle. In my opinion it would be strictly an antilabor vote.

What will the Goodell amendment do? This is what it will do. It will allow any contractor or subcontractor, bidder or prospective bidder, employee or prospective employee and, so far as the bill is concerned, almost anyone who regards himself adversely affected by the Secretary's wage determinations to go into court and stop that project cold.

And what will the court do? It will consider, from the very beginning, what wage determination is appropriate for this project, an area in which they would have no competence at all. The court will disregard entirely what the Secretary did; reexamine all the evidence upon which the Secretary made his determination; and it may disregard any established practice, policy, or rule on which the Secretary acted. This phrase "judicial review" is an appealing concept, but it is not practical. Its purpose is to try to drive a wedge into the effective operation of the Davis-Bacon Act which has been in existence for the past 30-some years. In all the arguments made by the opposition to this program today, including that made by the very able gentleman from Michigan, about what are considered to be fringe benefits, he knows very well under the parliamentary situation that he can offer any amendment to restrict the fringe benefits. But who are we today to tie down what fringe benefits may be gained through collective bargaining in the next 2 or 3 or 4 or 5 years?

This rule is not restrictive at all as far as fringe benefits are concerned. Anyone can offer an amendment with respect to them.

So, Mr. Speaker, I hope the previous question will be ordered. If we vote the other way it would be strictly an antiunion vote.

Mr. BELL. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. BELL. Mr. Speaker, the Davis-Bacon Act was originally enacted in 1931. It was amended to its present form in 1934 and in 1940.

The act requires contractors and subcontractors working under Government construction contracts to pay wages that are not less than the prevailing wages for laborers and mechanics on projects of a similar character in the locality.

Prior to this act qualified contractors doing business in an area of high wage standards found it impossible to compete with outside contractors who based their cost estimates on lower wage workers obtained from another locality or even another State. Thus the Federal Government was party to depressing local labor standards.

The authors of the bill were Congressman Robert Bacon, Republican, from New York, and Senator James Davis, Republican, from Pennsylvania.

In principle, I favor the Davis-Bacon Act, and fringe benefits being made a part of the act.

The basic act, however, badly needs a thoroughgoing revision and updating.

Although numerous changes have occurred in the economic world that the act seeks to regulate, no basic legislative changes have been made to Davis-Bacon since its original passage.

Most important has been the tremendous change in the concept of earnings since 1931.

Group hospitalization, disability benefits, and other benefit plans were rare exceptions 30 years ago.

Today more than 85 million persons depend upon them.

Reforms are badly needed, and I support judicial review.

In fiscal year 1964 total Government expenditures for construction are expected to exceed $8 billion.

Civilian public works expenditures will be in the neighborhood of $6½ billion.

Every indication is that Government construction will continus to increase in the years ahead.

As further proof, you will note the number of wage determinations has increased tremendously each year.

This is illustrated by the tables compiled in the supplementary views section of the report.

The amendments proposed by H.R. 6041 are aimed to bring the Davis-Bacon Act up to date by including fringe benefits in prevailing wage determinations.

But standing alone, I am convinced H.R. 6041 would not resunlt in the basic reform needed in the act.

Without more, we would be in for a continuation of the same type of administrative inefficiency that has recently concerned our committee.

Though the changes included in H.R. 6041 are necessary, there is a more fundamental and underlying need in the act. The real need is for judicial review.

Almost every act of this type provides some form of court review.

The Walsh-Healy Act, the Taft-Hartley Act, and the Fair Labor Standards Act each has such a provision. There is then a great deal of precedent for judicial review.

Moreover, it is in keeping with the generally accepted view in this country that an individual who has been charged with the violation of a law should have his day in court.

The lack of judicial review in many cases works to the detriment of the very workers which the Davis-Bacon law was established to protect.

For example, the building trades were terribly concerned about the outcome of the Malstrom case.

In that decision certain work was found by the Department of Labor to be "the installation of equipment" and not the type of construction work which was subject to Davis-Bacon.

Had judicial review been available the matter would surely have been reviewed in court to the satisfaction of all parties.

The hearings are replete with examples of the shortcomings of the Davis-Bacon Act.

The vague criteria for wage determination that it outlines, coupled with absolute power of decision vested in the Secretary of Labor, has simply not led to equitable results.

The following cases graphically indicate this:

First. At the Houston Manned Spacecraft Center, the Corps of Engineers was overruled by the Labor Department in establishing the prevailing wage rate.

The Labor Department's rate was higher.

The result was that many of the local firms were financially unable to compete for the project.

An out-of-State firm won the contract and the cost of the job was increased by over $2 million.

Second. In Manassas, Va., it was found that the Labor Department had used the wage rates of the Washington, D.C., area in its determination of prevailing wages for the construction of a sewage plant.

Only upon the intervention of a Congressman was that situation corrected.

Third. The weaknesses of the Davis-Bacon Act are brought home most emphatically by the so-called Quantico case. In a 60-page report the Comptroller General of the United States pointed to the failure of the Department of Labor to use the prevailing wages of the locality.

The report concluded that the rates used were indicative of those negotiated in Washington and not at all characteristic of Quantico.

Equity was not achieved in the foregoing examples and it is equity that judicial review seeks to insure.

For a single administrator to be the judge, jury, and the prosecutor is intolerable.

A single human cannot be expected to mete out justice in all cases.

Our system was never meant to operate this way and it is for us to see that it does not.

Presently, neither employers nor employees have any recourse except to beg the mercy of the Secretary or prevail upon their Congressman to intercede.

This situation is neither fair nor is it logical. The inequities are obvious and so are the inefficiencies. Neither can be tolerated. Law without judicial appeal is functionless.

It is my belief that the amendments under H R. 6041 accomplish only half the job. To give them real strength judicial review is necessary.

Mr. O'KONSKI. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Wisconsin?

There was no objection.

Mr. O'KONSKI. Mr. Speaker, when the Davis-Bacon Act came into being, fringe benefits were the exception, not the rule. It therefore made much more sense at that time to base a prevailing wage concept upon the cash wages that a worker received.

Today, the exception has become the rule. Fringe benefits are now a very important part of a worker's compensation. If you take away the pension rights, the hospitalization and insurance benefits, the vacation and holiday pay, and the other fringe benefits which most American workers receive today, you have taken away a significant and substantial part of his compensation.

The State of Wisconsin has recognized this as a fact of life—that true wages include fringe benefits. Thus, my State has enacted a statute which requires that fringe benefits be included in determining prevailing wages to be paid workers employed on State construction projects. Other States have done the same. It seems to me that it is time that the Federal Government also adopt a realistic attitude toward prevailing wages by amending the Davis-Bacon Act.

Let me give you a few facts about our Wisconsin law—about our "little Davis-Bacon Act," as these State laws are commonly called.

A contractor engaged in Wisconsin in the construction or remodeling of a State building that involves at least $1,000 must pay wages no less than the prevailing wage rates in the county where the buildings are located. This is quite similar to the Davis-Bacon Act. But, the Wisconsin statute has made it clear that the prevailing wage must be based on more than just the hourly rate of pay. Under our statute, prevailing wages must include proper consideration of employer contributions for "health and welfare benefits, pension benefits and any other economic benefit, whether paid directly or indirectly."

The State of Wisconsin added fringe benefits provisions to its act in 1961. We are glad we did so, for the results have been good. Workers on a State building project know that they will receive a truly fair wage. Workers on similar private projects know that State projects will not depress local wage standards. This has led to a stable, satisfied work force and high standards of craftsmanship.

Mr. Speaker, I am proud that Wisconsin is a leader among the States in enacting progressive, realistic labor standards legislation. I ask that this body be no less farsighted in enacting Federal legislation of a similiar nature. That is why I favor and will vote for enactment of H.R. 6041. I urge my colleagues to do likewise.

Mr. SKUBITZ. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Kansas?

There was no objection.

Mr. SKUBITZ. Mr. Speaker, I have always favored the basic objectives of the Davis-Bacon Act. It seems to me that in the spirit of fairplay to labor and in the public interest, Congress should require any contractor working upon a U.S. Government construction contract to pay the prevailing wage of the area, and since labor and management both recognize that fringe benefits are given in lieu of wages, equity and justice demands that such benefits be considered in determining prevailing wages.

However, for 30 years this law has been administered solely at the discretion of the Department of Labor. Rightly or wrongly, abuses have developed. In some instances charges have been made that the decisions of the Department have been in violation of the law. The Quantico case has been mentioned in this debate as an example in which a determination of prevailing rates was not made on the basis of the prevailing wage in the area or State but rather upon the prevailing rates in the District of Columbia. I must add, however, that on two occasions in my State where construction work was to take place several hundred miles away from Kansas City, the Kansas City prevailing wage rate was used. At my request the Department of Labor investigated and made adjustments.

It does seem to me that in the spirit of fairplay judicial review should be allowed as is provided in all other Fereral laws. Only by so doing can we avoid working a hardship not only upon the contractors and the sponsoring agencies but the unions themselves. It seems to me that the law as it is now administered works a hardship on local contractors and on local labor and gives to the large contractors outside the area a favored position. I favor at least giving the local contractor and local labor equal treatment.

I shall support action which would permit judicial review. If it is defeated, I shall support the bill as it has been introduced because I do feel that fringe benefits should be considered in determining prevailing wage.

Should a separate bill be introduced later to bring about judicial review, I shall support it.

Mr. SISK. Mr. Speaker, I would like to conclude by saying that I think this debate has indicated that the Committee on Education and Labor are proceeding in the right direction by holding additional hearings on the problems involved in the administration of the Davis-Bacon Act. I have the feeling that my good friend, the gentleman from Michigan [Mr. GRIFFIN] and the gentleman from New York [Mr. GOODELL] are trying to pass the buck to the House instead of rising to meet the challenge in the committee. It seems to me that here is a situation where we have a very able and distinguished committee with members on both sides of the political question who are interested in this subject and they should proceed to examine Davis-Bacon and come to the floor with what they believe should be changes in the law. At that time the House will vote them up or down.

The issue before us today is one and one only. That is whether or not fringe benefits should be recognized in determining the prevailing wage rate and certainly in this day and age, with 85 million Americans receiving part of their salary or pay in fringe benefits that question should be recognized.

Mr. Speaker, I urge the adoption of this resolution and I move the previous question.

The SPEAKER. The question is on ordering the previous question.

The question was taken; and on a division (demanded by Mr. GOODELL) there were—ayes 126, noes 52.

Mr. GOODELL. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER. Evidently a quorum is not present.

The Doorkeeper will close the doors, the Sergeant at Arms will notify absent Members, and the Clerk will call the roll.

The question was taken; and there were—yeas 297, nays 105, answered "present" 1, not voting 28, as follows:

[Roll No. 17]

YEAS—297

Abele
Adair
Addabbo
Albert
Andrews, Ala.
Ashley
Aspinall
Ayres
Baldwin
Baring
Barrett
Barry
Bates
Battin
Becker
Beckworth
Belcher
Bennett, Fla.
Bennett, Mich.
Betts
Blatnik
Boggs
Boland
Bolling
Bolton, Frances P.
Bolton, Oliver P.
Bow
Brademas
Bray
Bromwell
Brooks
Broomfield
Brown, Calif.
Brown, Ohio
Burke
Burkhalter
Byrne, Pa.
Cahill
Cannon
Carey
Celler
Chelf
Clancy
Clark
Clausen, Don H.
Clawson, Del
Cohelan
Collier
Conte
Corbett
Corman
Cunningham
Curtin
Daddario
Dague
Daniels
Davis, Ga.
Dawson
Delaney
Dent
Denton
Derounian
Devine
Diggs
Dingell
Donohue
Downing
Dulski
Duncan
Dwyer
Edmondson
Edwards
Elliott
Evins
Fallon
Farbstein
Fascell
Feighan
Finnegan
Fino
Flood
Fogarty
Fraser
Friedel
Fulton, Pa.
Fulton, Tenn.
Gallagher
Garmatz
Giaimo
Gibbons
Gilbert
Gill
Glenn
Gonzalez
Grabowski
Grant
Gray
Green
Griffiths
Gross
Grover
Gubser
Hagan, Ga.
Hagen, Calif.
Halpern
Hanna
Hansen
Harding
Hardy
Harris
Harrison
Harsha
Harvey, Ind.
Hawkins
Healey
Hechler
Hemphill
Hoffman
Holifield
Holland
Horan
Horton
Huddleston
Hull
Ichord
Jarman
Jennings
Jensen
Joelson
Johnson, Wis.
Jones, Mo.
Karsten
Karth
Kastenmeier
Kee
Keith
Kelly
Keogh
King, Calif.
Kirwan
Kluczynski
Knox
Kunkel
Kyl
Langen
Lankford
Latta
Leggett
Lesinski
Libonati
Lindsay
Long, La.
McCulloch
McDade
McDowell
McFall
McIntire
McLoskey
Macdonald
MacGregor
Madden
Mailliard
Mathias
Matsunaga
Matthews
Michel
Miller, Calif.
Miller, N.Y.
Milliken
Minish
Monagan
Montoya
Moore
Moorhead
Morgan
Morris
Morrison
Morse
Morton
Mosher
Multer
Murphy, Ill.
Murphy, N.Y.
Natcher
Nedzi
Nelsen
Nix
Norblad
O'Brien, N.Y.
O'Hara, Ill.
O'Hara, Mich.
O'Konski
Olsen, Mont.
Olson, Minn.
O'Neill
Osmers
Ostertag
Patman
Patten
Pelly
Pepper
Perkins
Philbin
Pike
Pillion
Pirnie
Powell
Price
Pucinski
Purcell
Quie
Rains
Randall
Reid, Ill.
Reid, N.Y.
Reuss
Rhodes, Pa.
Rich
Riehlman
Rivers, Alaska
Roberts, Ala.
Rodino
Rogers, Colo.
Rogers, Fla.
Rogers, Tex.
Rooney, N.Y.
Rooney Pa.
Roosevelt
Rosenthal
Rostenkowski
Roudebush
Roush
Roybal
Ryan, Mich.
Ryan, N.Y.
St. George
St Germain
St. Onge
Saylor
Schadeberg
Schenck
Schneebeli
Schweiker
Schwengel
Secrest
Selden
Senner
Sheppard
Shipley
Sibal
Sickles
Sisk
Slack
Smith, Calif.
Smith, Iowa
Snyder
Staebler
Staggers
Stinson
Stratton
Stubblefield
Sullivan
Talcott
Teague. Calif.
Thomas
Thompson, La.
Thompson, N.J.
Thompson. Tex.
Thomson, Wis.
Toll
Tollefson
Trimble
Tupper
Tuten
Udall
Ullman
Van Deerlin
Vanik
Van Pelt
Vinson
Watts
Weaver
Weltner
Westland
Whalley
Wharton
White
Wickersham
Widnall
Wilson, Charles H.
Wilson, Ind.
Wright
Wydler
Wyman
Young
Younger
Zablocki

NAYS—105

Abbitt
Abernethy
Alger
Anderson
Andrews, N. Dak.
Arends
Ashbrook
Ashmore
Auchincloss
Beermann
Bell
Berry
Bonner
Brock
Brotzman
Broyhill, N.C.
Broyhill, Va.
Bruce
Burleson
Burton
Byrnes, Wis.
Casey
Cederberg
Chamberlain
Chenoweth
Cleveland
Colmer
Cooley
Cramer
Curtis
Dole
Dorn
Dowdy
Everett
Findley
Fisher
Flynt
Foreman
Forrester
Fountain
Frelinghuysen
Fuqua
Gary
Gathings
Goodell
Goodling
Griffin
Gurney
Haley
Hall
Halleck
Harvey, Mich.
Hébert
Henderson
Herlong
Hoeven
Hutchinson
Johansen
Johnson, Pa.
Jonas
Kilburn
Kilgore
Kornegay
Laird
Landrum
Lennon
Lloyd
Long, Md.
McMillan
Mahon
Marsh
Martin, Nebr.
Minshall
Murray
Passman
Pickle
Pilcher
Poage
Poff
Pool
Quillen
Reifel
Rivers, S.C.
Roberts, Tex.
Robison
Rumsfeld
Short
Sikes
Siler
Skubitz
Smith, Va.
Springer
Stephens
Taft
Taylor
Teague, Tex.
Tuck
Utt
Waggonner
Watson
Whitener
Whitten
Williams
Wilson, Bob
Winstead

ANSWERED "PRESENT"—1

Martin, Mass.

NOT VOTING—28

Avery
Bass
Buckley
Cameron
Davis, Tenn.
Derwinski
Ellsworth
Ford
Hays
Hosmer
Johnson, Calif.
Jones, Ala.
King, N.Y.
Lipscomb
McClory
Martin, Calif.
May
Meader
Mills
Moss
O'Brien, Ill.
Rhodes, Ariz.
Scott
Shriver
Stafford
Steed
Wallhauser
Willis

So the previous question was ordered.

The Clerk announced the following pairs:

On this vote:

Mr. O'Brien of Illinois for, with Mr. Martin of Massachusetts against.

Mr. Hays for, with Mr. Scott against.

Mr. Stafford for, with Mr. Derwinski against.

Mr. Wallhauser for, with Mr. Ellsworth against.

Mrs. May for, with Mr. King of New York against.

Until further notice:

Mr. Buckley with Mr. Rhodes of Arizona.

Mr. Denton with Mr. Meader.

Mr. Johnson of California with Mr. Lipscomb.

Mr. Mills with Mr. Ford.

Mr. Davis of Tennessee with Mr. Martin of California.

Mr. Jones of Alabama with Mr. Avery.

Mr. Moss with Mr. Hosmer.

Mr. Steed with Mr. Shriver.

Mr. Cameron with Mr. McClory.

Mr. Bass with Mr. Willis.

Mr. KILGORE, Mr. BRUCE, and Mr. SKUBITZ changed their vote from "yea" to "nay."

Mr. BETTS changed his vote from "nay" to "yea."

Mr. MARTIN of Massachusetts. Mr. Speaker, I have a live pair with the gentleman from Illinois [Mr. O'BRIEN]. I voted "nay." If he were present he would have voted "yea." Therefore I withdraw my vote and vote "present."

The result of the vote was announced as above recorded.

The doors were opened.

The SPEAKER. The question is on the resolution.

The resolution was agreed to.

LEAVE TO EXTEND REMARKS

Mr. SISK. Mr. Speaker, I ask unanimous consent that all Members may have permission to extend their remarks made during consideration of the rule just adopted.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. POWELL. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 6041) to amend the prevailing wage section of the Davis-Bacon Act, as amended; and related sections of the Federal Airport Act, as amended; and the National Housing Act, as amended.

The motion was agreed to.

IN COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the State of the Union for the consideration of the bill H.R. 6041, with Mr. KARSTEN in the chair.

The Clerk read the title of the bill.

By unanimous consent, the first reading of the bill was dispensed with.

Mr. POWELL. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, H.R 6041 would update the Davis-Bacon Act by redefining the term "prevailing wages" to include the basic hourly rate of pay and fringe benefits.

The Davis-Bacon Act, as amended, requires contractors and subcontractors working on U.S. Government construction contracts amounting to $2,000 or over to pay laborers and mechanics on such contracts not less than the prevailing wages for laborers and mechanics on projects of a character similar to the contract work in that area.

The act established the policy that the Federal Government was not to be a party to depressing local labor standards. This policy has been reaffirmed more than 15 times by the Congress through the inclusion of the prevailing wage concept in other laws.

In 1931, when this law was originally enacted, health and welfare benefits were virtually unknown in the United States. In the interval, as you all know, there has been a tremendous change in the concept of earnings. Group hospitalization, disability benefits, and other fringe benefit plans are now widely recognized as being a valued part of an individual's earnings.

Today more than 85 million persons in the United States depend upon the benefits they provide. Regardless of the form they take, these benefits are an established form of compensation for services performed. In the construction industry alone, there are existing over 4,000 welfare and pension funds. Building trades draftsmen increasingly elect, both individually and collectively, to take wage increases in the form of welfare programs to guarantee security for their families in an hour of need. It is manifestly unfair to exclude these welfare programs, which have been accepted in lieu of cash wages, from the protection of the prevailing wage act.

The bill before you was developed by the General Subcommittee on Labor, chaired by the gentleman from California, JAMES ROOSEVELT. Mindful of suggestions that overall amendments to the Davis-Bacon Act should be considered, the members of the subcommittee decided to treat fringe benefits separately to insure more detailed and careful consideration of each matter. Furthermore, no specific proposals for other amendments were offered or available at that time.

This bill was favorably reported by the Committee on Education and Labor on May 20, 1963. On December 10, 1963, the House Committee on Rules granted the bill a rule. And today, we hope to have your support in the enactment of this important legislation.

An intensive investigation of this subject was conducted not only during the 88th Congress, but in the 87th Congress as well. Hearings were conducted by the committee during the last session bringing to the attention of the Congress the views and recommendations of numerous important witnesses from all over the Nation. Expert witnesses advised the committee on specific, concrete proposals. Through bipartisan cooperative efforts, the committee arrived at the language of the bill before you. Further hearings regarding specific recommendations now before the committee relative to the entire administration of the act began on January 22 of this year.

The Davis-Bacon Act no longer reflects an accurate picture of prevailing wages. Existing wage patterns must reflect fringe benefits to be meaningful. The act, in its present form, allows unfair competition by contractors who are not required to include fringe benefits costs in paying prevailing wages. The precise evils which the Davis-Bacon Act sought to correct occur when contractors bring low-paid construction workers from outside the locality to build Federal projects. The low wages of these workers from outside the local community undercut wage rates and undercut living standards for construction workers and their families who live, work, and purchase in the area.

The Davis-Bacon Act is designed to prevent such depressing of local wage and living standards by requiring contractors to pay workers and their families who live, work, and purchase in the area.

The Davis-Bacon Act is designed to prevent such depressing of local wage and living standards by requiring contractors to pay workers in federally aided projects at least as much as the prevailing wages in the local community. However, without considering fringe benefits as an integral part of the prevailing wage, this purpose is thwarted. This point was clearly recognized by the overwhelming majority of the members of the Committee on Education and Labor. You will note in the committee report (H. Rept. 308) that only 8 of the committee's 31 members filed supplementary views. Of these eight, five agreed with the views of the majority in stating that:

> The cost of fringe benefits should be included when the prevailing wage rate is computed under the provisions of the Davis-Bacon Act.
>
> When the act was passed in 1931, fringe benefits were for the most part unknown. At that time, a worker received a flat amount, usually so much per hour, and this constituted his whole wage. Today, that is not the case. The so-called fringe benefits are an important part of a wo ker's wage, often being given today in lieu of increases in actual cash wages. Therefore, we believe the present law should be amended to permit the inclusion of fringe benefits when the prevailing wage is determined.

The principle underlying the prevailing wage concept has remained just as valid in the years since the Davis-Bacon Act was passed as it was some 30 years ago. However, with new developments in methods of compensation, the implementation of the act has not adequately supported the policy.

The bill before you will bring the act up to date in this respect. It will help all laborers to begin to know the joy of labor.

For these reasons, therefore, I urge favorable action on H.R. 6041.

Mr. Chairman, I now yield such time as he may desire to the gentleman from California [Mr. ROOSEVELT].

Mr. ROOSEVELT. Mr. Chairman, we of course have already had considerable debate on this subject. As my distinguished chairman, the gentleman from New York [Mr. POWELL], has just said, this is really a bipartisan bill. I want to quote the views of the minority members as they were filed in the supplementary report:

> The cost of fringe benefits should be included when the prevailing wage rate is computed under provisions of the Davis-Bacon Act. When the act was passed in 1931, fringe benefits were for the most part unknown. At that time, a worker received a flat amount, usually so much per hour, and this constituted his whole wage. Today, that is not the case. The so-called fringe benefits are an important part of a worker's wage, often being given today in lieu of increases in actual cash wages. Therefore, we believe the present law should be amended to permit the inclusion of fringe benefits when the prevailing wage is determined.

The gentlemen of the minority have properly stated the case.

The committee held extensive hearings on this matter and as a result of these hearings we fully established that in many areas these fringe benefits were accorded to the workers in the area as a part of their basic wage. Therefore, in consideration of the bill our main problem was to make it administratively feasible to compute these fringe benefits and to provide for the different ways in which these fringe benefits were actually used. So you will find in the bill very careful language which provides that the fringe benefits may be paid in a number of different ways, including cash, if necessary, so that there is flexibility to provide in every respect for the practices as they are today.

One of the gentlemen in the previous debate wanted to know why we had added the words which you will find in the act which indicate that in the future, or even today, it is possible for the Secretary to consider other bona fide free fringe benefits, after we listed the nine specific ways in which fringe benefits are paid. We did that because, very frankly, none of us wanted to say that we know how fringe benefits may vary. Therefore, in order not to hamstring the administration, we did give that leeway. But you will note we provided that they must be bona fide fringe benefits. I think this speaks for itself, and I think that it is not a broad license in any way to bring up only schemes or things which do not have real substance. I think, unless there was proof to the contrary, we can, whether it be a Republican or Democratic administration, fully believe that the Secretary will provide to make sure that only bona fide fringe benefits are allowed to be computed.

Mr. REID of New York. Mr. Chairman, will the gentleman yield?

Mr. ROOSEVELT. I yield.

Mr. REID of New York. Am I correct in assuming that section 1, subsection (b), where specific reference is made to "or for other bona fide fringe benefits," means the prevailing fringe benefits in the area, and particularly in Westchester County, would include such matters as an educational fund, a welfare fund, a pension fund, vacation fund, travel fund, or annuities fund, that I believe are normally considered to be prevailing fringe benefits in Westchester County?

Mr. ROOSEVELT. I will say to the gentleman that he is, of course, correct. The benefits which he has enumerated would only be considered if it is affirmatively found that they did prevail in that particular area.

Mr. REID of New York. It is my understanding they do. I understand the gentleman's assurance is that this means that would include such fringe benefits under this bill?

Mr. ROOSEVELT. That is correct.

Mr. GRIFFIN. Mr. Chairman, will the gentleman yield?

Mr. ROOSEVELT. I yield to the gentleman from Michigan.

Mr. GRIFFIN. Further considering the remarks of the gentleman from New York and also considering the statement which the gentleman from California made earlier in the debate that, of course, if there were no fringe benefits paid in a particular locality—not be concerned—because then it would not be covered. Suppose the Department of

Labor arbitrarily refused to include these fringe benefits which the gentleman from New York has made reference to? What would he or you do about it?

Mr. ROOSEVELT. I am sure I know what he would do about it. I am not sure I know what I would do about it. Of course, naturally, that would not come under my jurisdiction. I would say to the gentleman, I am sure the gentleman from New York would do what every other Member of Congress has done time and time again where such a matter has been presented to him.

Mr. GRIFFIN. He would not be able to take into court; would he?

Mr. ROOSEVELT. Would the gentleman let me answer his question?

Mr. GRIFFIN. Yes.

Mr. ROOSEVELT. Of course, he would present the matter to the administrator. He would present the matter to the Secretary. He would present the evidence for the prevailing rate and, if his evidence was good, no matter who the Secretary of Labor might be or the solicitor might be, I am sure he would get justice in his case. However, I want to add one other thing. It is also now possible under a new regulation of the Department which perhaps I think we may want to improve, I will say to my friend—it is now possible to go another step further and appeal to the administrative board.

Mr. GRIFFIN. Will the gentleman tell me who appoints the members of that administrative board?

Mr. ROOSEVELT. I have read the regulation and, as I understand it, the Secretary of Labor appoints the administrative board. It may well be, as a result of the hearings which the gentleman may know, although I do not think he was present, the hearings which we began the other day, that we may want to strengthen that and make it a more independent board. But at least we have made a beginning, I will say in answer to the gentleman. So, if he is not successful with the Secretary, he will be able to go to that other independent administrative board.

Mr. GRIFFIN. I thank the gentleman.

Mr. REID of New York. Mr. Chairman, will the gentleman yield for one further query?

Mr. ROOSEVELT. I yield to the gentleman.

Mr. REID of New York. If the situation pertains, which the gentleman from Michigan mentioned and if evidence was presented clearly and affirmatively to the Secretary that specific benefits were indeed the prevailing fringe benefits in an area, then as I understand the bill he must affirmatively find those are proper or bona fide benefits within the meaning of the bill?

Mr. ROOSEVELT. The gentleman is quite correct. I might add, of course, even if he required a judicial review which, of course, is not before us at the present time—even if he required that—the court might make mistakes too. I am not saying everybody is infallible. Even the courts are not infallible in some cases. So what we have here, of course, is a determination which we think is the most practical way of administering the act.

Mr. REID of New York. I thank the gentleman.

Mr. McCORMACK. Mr. Chairman, will the gentleman yield?

Mr. ROOSEVELT. I yield to the distinguished Speaker of the House, the gentleman from Massachusetts [Mr. McCormack].

Mr. McCORMACK. With reference to the question asked by the gentleman from Michigan [Mr. Griffin] I would make the observation that although one might disagree with the finding made by the Secretary, I doubt if anyone would charge or be able to charge successfully that any Secretary of Labor would make an arbitrary decision.

Mr. ROOSEVELT. I would say to our distinguished Speaker, I completely agree that no Secretary has made an arbitrary ruling. He may have made a mistake in ruling, but he has not made an arbitrary ruling. I think this applies to both Republican and Democratic Secretaries of Labor.

Mr. GRIFFIN. Mr. Chairman, will the gentleman yield?

Mr. ROOSEVELT. I am having a hard time making my statement, but I am glad to yield to my colleague.

Mr. GRIFFIN. I would certainly accept the Speaker's suggestion that certainly a Secretary of Labor under administrations of both parties, we assume, operate in good faith. But we also may suggest that they sometimes make mistakes and serious mistakes and make rulings that are not consistent with the law or with the intention of the Congress, and when that happens it seems to me we want to have recourse to the judiciary.

Mr. ROOSEVELT. I would be very happy to have the gentleman come before the committee, and we will certainly discuss this very fully.

Mr. GOODELL. Mr. Chairman, will the gentleman yield?

Mr. ROOSEVELT. I yield to the gentleman.

Mr. GOODELL. I do not rise for the purpose of discussing this aspect, but I think it should be pointed out that Members on both sides of the aisle on the subcommittee were unhappy with some features of this Wage Appeals Board, the administrative review board that is proposed. The Secretary of Labor appoints the members. They have no term of office. No party has a right to be heard before this board and essentially it is going to be a part-time job for board members who are full-time Federal employees in other agencies of the Government.

I believe a good deal of that might need some revision in order to introduce some independence into the Board's approach to these problems.

I believe the gentleman implied that in the course of the hearings we should allow some time for the administrative appeals procedure to be worked out in the department. I believe the gentleman mentioned a period of 1 to 2 years as a possibility. Would the gentleman care to elaborate on whether he means we ought to permit this administrative approach a trial of 1 or 2 years before we consider judicial review—or did he not intend that?

Mr. ROOSEVELT. I am very fond of my friend from New York, but the gentleman knows that has nothing to do with this bill. Does the gentleman not think we ought to discuss this bill for a while? Then we can discuss that question in the committee. I believe that is the proper place to discuss it.

Mr. GOODELL. I believe it is important in respect to possible amendments which may be offered.

Mr. ROOSEVELT. I say to the gentleman that I believe we should look more carefully into the immediate proposal in the form of the regulation which the Secretary has promulgated. I have an open mind. I am inclined at the moment to say that I would be in favor of a more compulsory hearing and very possibly a full-time board as compared to what the Secretary has proposed.

I am impressed by the fact that the gentleman is now saying we should include an administrative appeal. I am inclined to agree with the gentleman. Now he has given up the other side of the argument, because he was talking about a judicial appeal and now he is talking about an administrative appeal. I am inclined to feel that we should make that as effective as possible.

Mr. GOODELL. Mr. Chairman, will the gentleman yield further?

Mr. ROOSEVELT. Only very briefly.

Mr. GOODELL. I did not intend to give that impression. The vote which has been taken by the House means that we shall not have judicial review as an alternative to the bill. Obviously, now that administrative review is the only alternative available, I should like to improve whatever administrative procedure may be available.

I should like to ask the gentleman another question on the act itself and how it will be administered.

We did have a hearing at which the Solicitor appeared last week, at which time the Solicitor commented on the manner in which he would go into an area to determine if certain fringe benefits prevailed. He emphasized that he would go in to find out what contributions prevailed in that area, that is prevailing contributions to various fringe benefits programs.

It was the concern of both the gentleman from California and myself that we should go beyond the contributions to find out what prevailing benefits occur in an area.

This is a very difficult question, and perhaps we should write some legislative history on it for the guidance of the Solicitor, as to what our intention is.

Mr. ROOSEVELT. In answer to the gentleman, I wish to say first that I have consulted both the Secretary and the Solicitor on that point. They believe there is no problem at all in this area, inasmuch as they have not been able to find a case in point. If the gentleman has a case in mind, we could take it up specifically, but we have not been able to find cases in which contributions have been made to plans where the benefits were not under the present procedure found to be prevailing, and therefore available to all the people involved.

Mr. GOODELL. If the gentleman will yield further, would he agree with me that it is our intention that we only declare prevailing those contributions where employees for whom the contributions are made are eligible for benefits. Those are the prevailing benefits. If it comes to the attention of the Secretary or if he, by due diligence, can find out that the fringe benefits paid to the workers are different from the contributions made in their behalf, these should not be accorded status.

Mr. ROOSEVELT. I believe the important thing is to emphasize exactly what the statute provides. The statute provides that these specifications "shall contain a provision stating the minimum wages to be paid various classes of laborers and mechanics which shall be based upon the wages that will be determined by the Secretary of Labor to be prevailing for the corresponding classes of laborers and mechanics employed on projects of a character similar to the contract work," and so forth.

In other words, the act clearly provides that the Secretary must decide, and he must make a ruling that these items are part of the wages which are paid to the workers and are prevailing on projects of similar character in that area.

Mr. GOODELL. I am sorry to take so much of the time of the gentleman, and I appreciate his patience. Then, if it comes to the solicitor's attention—and we asked this question of the solicitor—if it comes to his attention that contributions have been made toward a fringe benefit program and a worker says that he is not eligible for the benefits from those contributions, the worker then has the right to sue under the present Davis-Bacon Act and the Administrator should not accord that fringe benefit program qualification status.

Mr. ROOSEVELT. No. I again say to the gentleman I do not want to enter into a legislative discussion which I think impinges on the act, and I think he is tending to do so. I would simply point out to him when the Congress passed the welfare and pension provisions of the act we definitely determined to keep the Government out of the area of determining how money from the fund should be invested or to whom benefits should go. I do not want to indicate any change in that basic situation. If the gentleman is trying to get me to say that, I do not agree with him.

Mr. GOODELL. More than that. It is important that we emphasize that we feel if a worker makes a contribution toward a program or if an employer makes a contribution in behalf of a worker, that worker should be eligible for benefits. When we are talking about prevailing fringe benefits, we mean benefits.

Mr. ROOSEVELT. We mean the prevailing benefits, and I think we have covered the words of the act, and that is my meaning, too.

Mr. DENT. Mr. Chairman, will the gentleman yield?

Mr. ROOSEVELT. I yield to the gentleman.

Mr. DENT. I think perhaps we might be trapped into a situation where we are writing law here which is not intended by this law.

Mr. ROOSEVELT. If the gentleman will yield, I would like to finish my statement, but I do want to say to him, as I have said to the gentleman from New York [Mr. Goodell], we are not changing the basic act. Nothing I have said should be construed as changing the basic act or in any way intending to do so.

Mr. DENT. You have not agreed that before a fringe can be determined to be part of the prevailing wage there has to be a prevailing fringe. That was the question that was led to, that there has to be such a thing as the prevailing fringe. There is no such thing as the prevailing fringe.

Mr. ROOSEVELT. If the gentleman will allow me to disagree, a fringe benefit, in order to be included in the act itself, must be prevailing in the area.

Mr. DENT. Yes, but not a like fringe, because one fringe benefit can give a younger retirement age under a pension system than another. Would you then say it is not prevailing?

Mr. ROOSEVELT. The gentleman is correct. I am simply saying whatever a fringe benefit is and however it is, that is what must be prevailing in that area.

I simply want to say at this time that the Speaker has kindly given me a letter addressed to him dated January 24, 1964, which I want to read in order that it may be a part of the Record at this point. It is addressed to the Speaker of the House and reads as follows:

U.S. Department of Labor,
Office of the Secretary,
Washington, D.C., January 24, 1964.
Hon. John W. McCormack,
Speaker of the House,
Washington, D.C.

Dear Mr. Speaker: I am most gratified to know that H.R. 6041, a bill to amend the Davis-Bacon Act, is scheduled for debate and disposition on Tuesday, January 28.

This bill would require fringe benefits to be included in the computation of prevailing wages to be paid for federally supported construction work. This overdue change would recognize a significant and far-reaching collective bargaining development of the past 20 years in which labor and management have jointly provided health and welfare benefits for employees. Thus the amendment is a long overdue modernization of a program which has traditionally received far-reaching and bipartisan support.

As you know, H.R. 6041 is fully supported by the administration. I strongly urge, therefore, that it be passed and sent on to the Senate in the form reported overwhelmingly by the Committee on Rules.

I trust you will make known the contents of this letter and my enthusiasm for this measure at such time as you deem it appropriate.

Yours sincerely,
W. Willard Wirtz,
Secretary of Labor.

May I briefly comment on one or two other provisions of the bill, because it is a very simple bill. There is nothing complicated about it. It amends section 1 and only amends section 1. It simply states, as has been clearly brought out in the debate, that there are now known certain fringe benefits which have been enumerated and many others which may be developed in the future can be considered, and these shall be decided as the prevailing wage is decided.

I want to stress what I said in the previous debate. There is no attempt here to impose any benefit not prevailing in the area. On the other hand, there is every effort being made by this law, as it was by the sponsors themselves, to protect anybody coming into a given area and depriving the workers of that area from the benefits which they have acquired by proper collective bargaining between the employer and the employee.

We are following the basic concept of the law recognized since 1931. We have the support of our good Members on the minority side. I do not see how there can be very much to debate about this bill except to say that we are taking a step in the right direction and if there are other steps needed I assure you, and I give you my word, that we will go deeply into them and try to present a measure which may not satisfy everybody but which then can be voted up or down by the Members of the House. Mr. Speaker, I urge support of the rule and the previous question.

Mr. FRELINGHUYSEN. Mr. Chairman, I yield myself 5 minutes.

Mr. HORTON. Mr. Chairman, will the gentleman yield?

Mr. FRELINGHUYSEN. I yield to the gentleman from New York.

Mr. HORTON. Mr. Chairman, I rise in support of this bill.

Mr. Chairman, I rise in support of H.R. 6041, a bill to amend the Davis-Bacon Act to include fringe benefits in prevailing wages. Its passage is imperative to assure that the original intent of this legislation meets today's needs.

The Davis-Bacon Act became law in 1931. It requires the payment of prevailing wage rates to workers on Federal construction projects.

By adopting the prevailing wage principle as public policy, Congress provided equality of opportunity for contractors, protected prevailing living standards of the building-trades men, and prevented the disturbance of the local economy.

At the start, the act adequately fulfilled congressional intent. Under an equitable standard, contractors were free to compete against each other in the framework of efficiency, know-how, and skill. Outside contractors who based their bidding estimates upon the lower wages they could pay workmen from other areas—to the depression of a local economy—were replaced by qualified contractors who paid fair wages to their employees.

If a construction worker's wage were still only his hourly rate of pay, the original provisions of the Davis-Bacon Act still would be sufficient. Of course, the intervening years have seen considerable changes in construction industry wage patterns. Fringe benefits have become a substantial part of the wage compensation of a worker.

Financed primarily by employer contributions of so many cents an hour for each hour of work by a covered employee, fringe benefits include medical and hospital care, pensions and death payments, compensation for injury and illness, life and other insurance, vacation and holiday pay, and/or numerous other benefits. As the report (H. Rept. No. 308) of the Committee on Education and Labor which was submitted to accompany the instant bill points out:

> Regardless of the form they take, the employer's share of the cost of these plans or the benefits the employers provide are a form of compensation.

Thus, Mr. Speaker, in order to update the Davis-Bacon Act, I am convinced of the necessity for including fringe benefits in prevailing wage determinations. Let us pass this bill and, by doing so, restore equity among all contractors bidding competitively, recognize current compensation practices, and protect community living standards throughout our Nation.

Mr. FRELINGHUYSEN. Mr. Chairman, the discussion just now held between the chairman of the subcommittee and various members of that subcommittee almost makes me wish that I also were a member of that subcommittee. As you have heard this discussion of the details of what is proposed, and the changes in the basic law which are proposed by this bill, has not always been easy to follow. The legislative history which is being written may or may not be a subject of controversy at a later date.

At any rate we already have made plain that there is no fundamental disagreement about what is being advocated by the bill, H.R. 6041.

As the gentleman from California has said, this is a bipartisan bill. As one of those who signed the supplemental views I would like to repeat what this report states. We believe the present law should be amended to permit the inclusion of fringe benefits when the prevailing wage is determined.

The main disagreement which some of us on the committee have had, and which has already been expressed in the discussion on the rule, is stated clearly on page 30 of the report. I would like to read it.

> Members of the subcommittee—

And that I might say this includes both Democrats and Republicans—

> that investigated the operation of the Davis-Bacon Act were shocked by the many abuses that have developed over the years in the administration of the act. No one can seriously deny the need for a substantial modernizing and revision of the basic act. If fringe benefits are approved by the Congress as separate legislation, the opportunity for real reform will then be lost.

Both sides have described this bill as a needed and long overdue modernization of our Davis-Bacon Act. Both sides have made it plain that we feel strongly in our committee that more needs to be done. My feeling is that we have missed a real opportunity for making further logical, legitimate, and reasonable changes in this act by refusing to change the rule to permit us to submit a provision for judicial review of the act. However, that is behind us by a vote of the House. What we have left is whether or not to go along with this particular modernization.

As a member of the House Committee on Education and Labor I feel this bill should be passed. However, I feel very strongly that we have a direct and immediate responsibility to do more than recommend enactment of this bill. I regret that we apparently are not improving this bill today.

We had extensive hearings on the administration of the Davis-Bacon Act in 1962. Hearings are presently under way to see what, if anything, should be done to correct some of what the gentleman from Illinois [Mr. PUCINSKI], referred to as the many defects in the existing act. I hope we will face up to our responsibility. We should approve something along the lines of the judicial review that we would have offered had the opportunity presented itself today.

The fact that the Department of Labor has quite recently promulgated new regulations in this field is a clear indication there is need for reform of the administration as it has been practiced. Of course, no one will disagree with the Speaker of the House that no Secretary of Labor is going to make an arbitrary decision. But the trouble is that there is room for error in any administrative agency of our Government. The Labor Department itself has recognized this by the creation of a so-called administrative review board. The gentleman from California has indicated he does not consider this device should not be considered the last word in what needs to be done. He frankly recognized the importance of providing some kind of a check against possible, and the very actual, abuses which have developed. It is my hope that our committee will come up in the near future with a constructive bill, one which will move us further in the direction of a much needed modernization of the present act.

The CHAIRMAN. The time of the gentleman from New Jersey has expired.

Mr. FRELINGHUYSEN. Mr. Chairman, I yield 5 minutes to the gentleman from New York [Mr. GOODELL].

Mr. GOODELL. Mr. Chairman, I think that there is very little that needs to be discussed with reference to the merits of adding fringe benefits to the present Davis-Bacon determinations. I want to emphasize I do not think we had a division here in the House today on that question. Many of us feel that the fringe benefits section ought to be added.

Mr. HALEY. Mr. Chairman, I make the point of order a quorum is not present.

The CHAIRMAN. The Chair will count. [After counting.] Forty Members are present, not a quorum. The Clerk will call the roll.

The Clerk called the roll, and the following Members failed to answer to their names:

[Roll No. 18]

Alger
Avery
Bass
Bolling
Brock
Broyhill, N.C.
Buckley
Cameron
Cannon
Davis, Tenn.
Derwinski
Diggs
Dingell
Donohue
Ellsworth
Ford
Gilbert
Gonzalez
Hays
Holifield
Hosmer
Johnson, Calif.
Jones, Ala.
Keith
King, N.Y.
Kirwan
Lipscomb
McClory
Martin, Calif.
May
Mills
Morrison
Moss
O'Brien, Ill.
Powell
Rhodes, Ariz.
Shriver
Sisk
Smith, Calif.
Stafford
Steed
Teague, Calif.
Teague, Tex.
Thompson, La.
Tupper
Vinson
Wallhauser
Willis
Wilson, Bob

Accordingly, the Committee rose; and the Speaker pro tempore (Mr. ALBERT) having assumed the chair, Mr. KARSTEN, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee having had under consideration the bill H.R. 6041, and finding itself without a quorum, he had directed the roll to be called, when 378 Members responded to their names, a quorum, and he submitted herewith the names of the absentees to be spread upon the Journal.

The Committee resumed its sitting.

The CHAIRMAN. When the Committee rose, the gentleman from New York [Mr. GOODELL] had 4½ minutes remaining. The Chair recognizes the gentleman from New York [Mr. GOODELL].

Mr. ASHMORE. Mr. Chairman, will the gentleman yield?

Mr. GOODELL. I yield to the gentleman.

Mr. ASHMORE. Mr. Chairman, I am opposed to the legislation.

Mr. Chairman, in and of itself, the amendment to the Davis-Bacon Act under consideration here does not appear unfair. That is, if total costs of a project and the resulting confusion of administering such an amendment are completely forgotten, the principle of including fringe benefits under the term "wages" would seem fair. However, consideration must be given to the effect that this amendment will have on all existing standards now established under the Davis-Bacon Act. Its effect on contractors, builders, local economic factors, and fair treatment of all who will be involved should it become law must be considered.

What is wrong with the bill? Experience with the Davis-Bacon provisions already in force indicates poor administration on the part of the Department of Labor. Testimony during hearings before the House Committee on Education and Labor reveal this fact. Testimony also revealed the following: Arbitrary decisions of members of the U.S. Department of Labor have cost the Government far more than was necessary. Departmental interpretations of the term "prevailing wage rate" is out of line with sound, logical reasoning. Jurisdictional disputes among labor unions have clouded the issue and have resulted in improper determinations. The 30-percent rule is not mentioned in the Davis-Bacon Act at all. It is merely a tool being used by the Department of Labor to aid in determining what prevailing wage rates are and has resulted in an unfair determination setting wages actually at rates higher than they should be set.

In short, Mr. Chairman, it is unjust to pass this bill, H R. 6041, when by so doing the Davis-Bacon Act will be subject to further misinterpretation and incongruous administration. The resulting confusion would become self-perpetuating. Whenever construction is begun under such terms, the standards will be used again and again as precedent both in the same local area and other areas. It would be impossible to convince me that this is fair. A more just and fair approach would be to return this bill to the Committee on Education and Labor and ask for a bill which would adequately solve the problems created by the Davis-Bacon Act. Judicial review for the decisions of the Secretary of Labor must be included as well as other provisions to prevent the mismanagement of the provisions of the act. I believe if the House were given the opportunity to vote on a bill including these provisions, as I have suggested, there would no longer be any reason to request inclusion of fringe benefits in wage determinations.

If the bill is not recommitted to the committee then it should be defeated.

Mr. FINO. Mr. Chairman, will the gentleman yield?

Mr. GOODELL. I yield to the gentleman.

Mr. FINO. Mr. Chairman, I ask unanimous consent to extend my own remarks in the RECORD following the remarks of the gentleman from New York [Mr. GOODELL].

The CHAIRMAN. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. GOODELL. Mr. Chairman, I shall be very brief. Let me emphasize once again that on the basic issue of whether or not fringe benefits should be added to the consideration of the Davis-Bacon Act there is no partisan difference. Many of us felt that the only device available for getting judicial review into the act was through this procedure.

I would like to emphasize to the Members that there will be several amendments offered during the reading of the bill. One of them will be judicial review limited to the fringe benefits section of the bill. We do not know whether this will be in order for consideration. But we will be offering such a proposal.

I would like to ask the gentleman from California, the chairman of our subcommittee, with reference to hearings we had last week. I think as a matter of legislative history it is rather important that we understand what we are talking about here when we say that a Labor Department employee is going to go into an area to determine what fringe benefits prevail in that area. If I am an employer, I may have a plan where only 60 percent of my employees participate. Contributions are made by me for only 60 percent of my employees. Other employers may have the same kind of situation. When that exists the solicitor last week indicated on the record that he is not going to look at 100 percent of my employees to determine what is prevailing if contributions are made for only 60 percent of those employees. Will the gentleman from California agree that this is our intent as to the manner in which he should administer this program when he goes into an area to determine what are the fringe benefits?

Mr. ROOSEVELT. Mr. Chairman, I am not sure the gentleman has correctly quoted the solicitor, but apart from that, I wonder if he would allow me to yield to the expert on our committee on this subject and let him discuss it for a moment and then perhaps I can discuss it further.

Mr. GOODELL. If the gentleman will indicate as a matter of legislative history his agreement or disagreement with what the gentleman says I should be delighted.

Mr. ROOSEVELT. I have not heard what he is going to say yet and I cannot agree until I have heard him.

Mr. SICKLES. Mr. Chairman, I do not know whether I should accept the definition of being the expert in this field. As a matter of fact, I am having some problems understanding the gentleman's question because I do not quite understand the situation the gentleman presents. Let us take a particular group of employees; let us say they are all carpenters. An employer would pay into such a fund for 60 percent of his employees only. There would have to be some discrimination on his part, as I understand it.

He would be running in violation of the tax law or the Taft-Hartley Act.

Mr. GOODELL. I do not want to debate whether he violates any other law or not. All I am saying is, it is our intention this situation should not exist. It is our intention that when the Labor Department people go in they should determine whether all employees have contributions made for them or not. This can be reported on a form to be submitted to the individual contractors.

Mr. SICKLES. Mr. Chairman, will the gentleman yield?

Mr. GOODELL. I yield to the gentleman from Maryland.

Mr. SICKLES. I would be willing to agree it would be the job of the Labor Department to determine what contributions are being made for these fringe benefits and what they will find. I know from my own personal experience there are certain contributions made and they would be making contributions into the same fund on behalf of the employees. Your question is that 100 percent would be entitled to a particular benefit, and this should be taken into consideration by the Labor Department. I would say, I do not think it should because there are other laws which would cover discrimination, if there is any discrimination, which would bring this about. My answer is, I do not agree with the conclusion that the gentleman reaches.

Mr. GOODELL. The gentleman misunderstands the situation I have described. The Secretary of Labor is charged here with the responsibility of determining what fringe benefits prevail in an area. He cannot do this unless he knows how many employees are affected by the fringe benefits. It is not our intention that he go out and ask three or four or a majority of the contractors in an area what plans they have without relating this to the number of employees for whom contributions are made. If he does not do this he might well go and determine that contractors have plans that cover 40 or 50 percent of their employees, and he will never know that the other 40 or 50 percent are not covered, and there are no contributions made for them.

Mr. ROOSEVELT. Mr. Chairman, will the gentleman yield?

Mr. GOODELL. I yield to the gentleman from California.

Mr. ROOSEVELT. The Secretary of Labor will go into an area and he will find that a certain number of contractors put aside, let us say, 5 cents an hour as a starting point, toward fringe benefits.

Mr. GOODELL. For whom?

Mr. ROOSEVELT. For whatever the collective bargaining agreement has arrived at.

Mr. GOODELL. That is the point. Is it for the collective bargaining agreement or is it for the number of employees whose contributions are made for that plan and are bona fide?

Mr. ROOSEVELT. I think the answer to the gentleman is, it is for the collective bargaining agreement. The law says it has to be a bona fide agreement.

Mr. GOODELL. The only accredited fringe benefits are going to be where there is a union involved and where there is a collective bargaining agreement.

Mr. ROOSEVELT. It must be a qualified agreement. We are not going to provide this unless there is an agreement between the employer and employees.

Mr. GOODELL. All employees?

Mr. ROOSEVELT. I think the gentleman is illustrating how difficult it is to make a definite statement until you get a specific case in hand. But I think the basic principle can be enunciated in this fashion: If there is a bona fide agreement—it does not have to be a union agreement—if the money is being paid into a plan, then it is not the job of the Government to say what are the conditions of that plan, and we will not interfere with it.

Mr. GOODELL. Let us take an arbitrary example which we know exists in the case of Government contractors. It may be contended it will not exist in a majority of cases. But this is what we saw: An employer had a fringe benefit program, he made contributions for 30 percent of his employees in a category. They were the only ones covered. Does this prevail when 70 percent of the employees in that category are not eligible for that plan? Is it not incumbent upon the Government to find out what percentage of the employees are going to benefit in that category? If he does not know how many employees for whom contributions are made, and for whom the benefits will be available, how can he possibly say it is prevailing in this area?

Mr. LANDRUM. Mr. Chairman, will the gentleman yield?

Mr. GOODELL. I yield to the gentleman from Georgia.

Mr. LANDRUM. I think it would be interesting to the gentleman from Georgia to know just why this 70 percent to which the gentleman from New York has referred is not eligible. Could it be that they are not eligible for the plan because they are not members of the union, because they are working under a work permit, and the collective bargaining agreement of the employer requires only that he contribute for those who are eligible under the union plan? Is that part of it?

Mr. GOODELL. This is one possibility that does exist in some areas.

Mr. LANDRUM. That is to say that if there are employees of the particular contract or working under a work permit who are not members of the union, then even though they paid into the fund the equivalent of the fringe benefits to their wage they would never be able to participate?

Mr. GOODELL. The gentleman is making an additional point which is a very important one. But aside from benefits, I am talking about contributions. In the case the gentleman from Georgia indicated, it may not be a question of union membership. It may be a question of membership in that local. A man may be a carpenter but he may not be in that particular local. The local may be the one that negotiated the plan and makes the benefits available. The employer will make contributions that he deducts from the wages, but the man is not eligible for the benefits.

Mr. ROOSEVELT. The gentleman is quite wrong.

Mr. GOODELL. When this happens, it seems to me the fringe benefit plan should not be accredited by the Secretary.

Mr. ROOSEVELT. The gentleman must understand that these are not deducted from a man's wages; they are paid as part of the wages. They are contributions by the employer.

Mr. GOODELL. The gentleman is quibbling over terms.

Mr. ROOSEVELT. No; I am not.

Mr. GOODELL. The employer sits down with his employees and they determine how many cents will go into a fringe benefit plan and how many cents will go into additional cash wages. It may be 18 cents an hour that goes into the fringe benefit plan. The employer pays it quite frequently to the insurance company, the trust, or the fund. The employee has it deducted from his wages.

Mr. ROOSEVELT. It is added to the wage; it is not deducted from his wage.

Mr. GOODELL. We are quibbling over terms.

Say my wages are $3.82 in cash and 18 cents in fringe benefits. The employer takes that 18 cents and puts it in the plan. I never see it. I get the $3.82.

Mr. LANDRUM. The wages are not deducted, as the gentleman from California has said, but they are paid into the fund, and the fellow for whose benefit they are paid never derives any benefit from them. That is the point, is it?

Mr. GOODELL. That is correct. I do not think we want to countenance that kind of situation here, especially where it may be that 70 percent of the employees of this particular contractor are not eligible for this benefit. I do not see how you can say the benefit prevails in that area.

Mr. GRIFFIN. Mr. Chairman, will the gentleman yield?

Mr. GOODELL. I yield to the gentleman from Michigan.

Mr. GRIFFIN. I should like to insert a little comment here. I do not think we are merely quibbling about terms. Once a fringe benefit is included in the prevailing wage under this bill, another contractor may comply by paying a cash equivalent to his employee. We are not quibbling at all, because this means that an employee of another contractor would actually receive a higher wage than the employee from whose wages the deduction was made. This application would be very unfair where deductions are made, but the employee benefits in no way. Does the gentleman agree with my point?

Mr. GOODELL. I certainly do. I agree completely. The bill does provide that to comply a contractor does not have to set up his fringe benefit plan but he may pay the worker this additional amount of money. The whole question is, how are we going to determine what a prevailing fringe benefit is in an area unless we know the percentage of the employees for whom contributions are being made or how many are being benefited, or both. It seems to me the Secretary of Labor should know this.

Mr. DENT. That has absolutely nothing to do with what we are doing here today. It is only the amount of money that an employer says it costs him to do business in the way of wages. Where it goes matters nothing.

Mr. GOODELL. Fine, now you have said what I was afraid you were going to say and what bothers me here. Because you are saying it is the prevailing contractor's cost of fringe benefits and not the prevailing fringe benefits to the workers, and to the employees. The solicitor said in his testimony last week that he does not agree with that. He feels it is the prevailing fringe benefit available to employees that counts. In order for the solicitor to determine what is prevailing, he has got to go beyond the question of the employer's report and what he has negotiated with the union or other representatives of the employees as far as his costs are concerned.

Mr. ROOSEVELT. Mr. Chairman, will the gentleman yield?

Mr. GOODELL. I yield to the gentleman.

Mr. ROOSEVELT. I want to point out to the gentleman whenever benefits exist, it is set out and it is brought about by agreement and that is what becomes prevailing.

Mr. GOODELL. How can it be prevailing if you agree that 70 percent of the workers are not eligible?

Mr. ROOSEVELT. It would be prevailing for that category.

Mr. GOODELL. That is what I am saying—70 percent of the workers in that category are not eligible. We can argue about whether it exists or not but we had testimony in our committee of subcontractors who said it existed with them. We had one of them from Maryland who said that 70 percent of the employees never were eligible for fringe benefits. What is going to happen? Unless we make legislative history on this, the Secretary is going to go in and he is going to look at the 30 percent and he is going to ask the employer, and the employer is going to say, "I have an agreement here with employees that involves 20 cents an hour." And the Secretary, if he finds this to be true, will find that 20 cents an hour is the prevailing fringe benefit. The Secretary must know what percentage of workers are qualified for benefits and what percentage of workers the contractor is making contributions for. That is the key.

Mr. FISHER. Mr. Chairman, will the gentleman yield?

Mr. GOODELL. I yield to the gentleman.

Mr. FISHER. The gentleman has pointed out a very serious defect in this bill, and I think it helps to demonstrate the fact that its enactment would open up a virtual Pandora's box of possible misinterpretations or a wide scope of attempts to interpret the law that is very difficult of interpretation. I think the gentleman is very sound in the approach that he makes, particularly in view of the fact that there is no right of judicial review provided in the law to resolve the very questions that have been raised here.

Mr. GOODELL. I appreciate the gentleman's comments. I am troubled about the fact that we have no review and I am also troubled by the fact that I do not think the membership understands how complex this is going to be. It is going to affect every single one of you back in your districts. They are going to go in and start determining what fringe benefits prevail and unless they are relating it to the number of employees you are going to have a catastrophe in many areas.

Mr. FISHER. Mr. Chairman, I thank the gentleman.

Mr. GOODELL. Let me emphasize here, I raise this point as I raised it in the hearings last week and as I have raised it before, because I am deeply concerned, being in favor of the idea of adding fringe benefits and being in favor of the Davis-Bacon Act, that we anticipate these problems and deal with them here before they become serious and disruptive issues.

Mr. FINO. Mr. Chairman, passage of H.R. 6041 is necessary to modernize the prevailing wage concept to give the same protection to laborers and mechanics that was intended by the enactment of the Davis-Bacon Act in 1931. As we so often find, when the underlying circumstances change, the law no longer accomplishes the original objective.

We long ago discovered in the State of New York that our law providing for the payment of prevailing wages for work on public works contracts was no longer affording the same protection to our workers because of changes in the wage customs and practices in the construction industry. Fringe benefits have become a significant part of its wage structure. In 1956, therefore, the New York law was amended to include within the "prevailing wage concept" fringe benefits such as health, welfare, nonoccupational disability, retirement, vacation benefits, holiday pay, and life insurance. We have not found that the consideration of fringe benefits in the determination of prevailing wages has created any insurmountable administrative problems.

The Federal Government should not lag behind the States in meeting its responsibilities. It is of the utmost importance to guarantee that contracts on Government construction projects are not used to depress the prevailing wages and benefits received by construction workers in any area. The Davis-Bacon Act should be updated to cope with the desirable changes which have occurred in the wage practices in the construction industry. I therefore strongly urge all of my colleagues to vote for H.R. 6041.

Mr. FISHER. Mr. Chairman, I ask unanimous consent to extend my remarks at this point in the Record.

The CHAIRMAN. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. FISHER. Mr. Chairman, I am convinced that the enactment of this bill would not be in the public interest. There is no particular need for it, and it would create an administrative nightmare. We all know that the Davis-Bacon Act has been repeatedly misinterpreted and misapplied by the Labor Department. Scores of instances have been documented of wage determinations which confirm this fact. If you want any additional proof I suggest that you call on the Comptroller General for a report of the many times these wage determination cases have resulted in inflated and unrealistic wage rates being applied to particular contracts. And the Comptroller General has been called upon to make investigations of these repeated misinterpretations in only a limited number of cases. If you would take the time to read some of the findings by the Comptroller General I can assure you that the findings would curl your hair.

Unfortunately, the Comptroller General can only review and make findings. He does not have the power to correct the mistakes made by the Labor Department in this area. When the Labor Department makes a determination of what a prevailing wage rate is in a particular community, there is no appeal. That determination is final. This fact, plus the repeated findings of wage rates above those that have prevailed in a particular community, have resulted in losses to the American taxpayers amounting to untold millions of dollars.

Now, the pending bill would not attempt to correct the flaws in the present law. It would in effect create a new Davis-Bacon Act, dealing with another subject—that of prevailing fringe benefits, with no right of review or appeal being included. It would perpetuate all the evils that have become manifest in the present Davis-Bacon Act.

In fact, it would be even worse because this proposal would allow the Labor Department to go on fishing expeditions in making determinations of what constitutes fringe benefits that prevail in particular communities. Now, what is meant by fringe benefits? Just how much latitude would the Labor Department be given to write into contracts the agency's ideas of what the prevailing local custom may be? This would open a Pandora box and would place a burden upon the Labor Department, and grant to that agency discretion that would be a wide open invitation to continued abuse and misinterpretation.

The committee report points out that fringe benefits include almost anything the mind can imagine. It includes medical or hospital care; pensions; compensation for injuries or illnesses; unemployment benefits; a wide variety of insurance; vacation and holiday pay; apprenticeship or other similar programs; and what the report describes as "other bona fide fringe benefits."

Thus, it becomes self-evident that the discretion of deciding what type of so-called fringe benefits are customary in a particular community is broad. The meaning is nebulous because of the multitude of benefits, their degree and extent, which would vary in different communities. And remember that when the Labor Department makes a finding there will be no right of review or appeal.

Regardless of what may be said about it, you can be certain that the enactment of this bill will cost the American taxpayers many, many millions of dollars. We know that under the present Davis-Bacon Act so-called prevailing wages, as determined by the Labor Department, are often 20, 30, or 50 percent above the actual prevailing wage levels in affected communities. The Comptroller General has confirmed that fact many times. Therefore, by the same token, is it not reasonable to assume that the same Labor Department which would administer this new Davis-Bacon law would indulge in similar abuses, and include benefits that are not necessarily prevalent in a given community? To argue otherwise is to ignore the experience that has marked the administration of the present Davis-Bacon Act.

If this sort of a law is to be enacted, then certainly it should provide for review and appeal. But the bill does not provide that protection to the public and to the American taxpayers. Therefore, it should be defeated.

Mr. ROOSEVELT. Mr. Chairman, I yield myself 1 minute.

Mr. Chairman, I just want to read this statement made by the Solicitor which I think covers the point entirely.

The statement is as follows:

> It is our understanding where a contractor contributes to a health and welfare or pension plan on the basis of the number of employees of a particular craft or class engaged in a particular construction project, all employees so engaged are eligible for benefits under the plan on a uniform basis of equality.

That is the practical situation, therefore, I humbly submit the gentleman is talking about something that does not exist.

The CHAIRMAN. The time of the gentleman from California has expired.

Mr. ROOSEVELT. Mr. Chairman, I yield 7 minutes to the gentleman from Pennsylvania [Mr. Dent].

Mr. DENT. Mr. Chairman, I believe we ought to call attention to the fact that the arguments which have been made by the gentleman from New York are not in good order at this time. The Davis-Bacon Act is not a proper instrument to deal with the problem the gentleman brings up, and I submit that there is evidence in the hearings to prove this.

Under the terms of the bill the Secretary of Labor would be obligated to ascertain whether a contractor had made a contribution to a plan, a fund, or a program. Whether the employee actually is to receive the benefits of the contribution is a matter which Congress has decided to leave to the individual people who set up the plans.

Further, as the Members of the House will remember, Congress passed the Welfare and Pension Plans Disclosure Act of 1939. It was then determined to keep the Government out of the area of regulating as to how the money of the funds should be invested and who should be entitled to receive benefits under the funds.

If it is now the wish of the gentleman from New York to reconsider this situation and to make a determination as to who is to get the benefits, I suggest that the legislation should be duly brought before the proper committee, so that this particular item can be given due consideration.

Every labor-management contract and every negotiation takes into consideration, along with the basic wage, the fringe benefits. In every case Members will find that when a contract is completed the agreement is listed as a package wage agreement. Any division as between the basic wage and the fringe benefits is left to a subtitle or to an explanatory reference.

For instance, a contract agreement might very well present a 25-cent-an-hour package to labor. The package then could be divided up into one, two, three, four or more subbenefits. It might give the workers 10 cents an hour as a direct basic increase. It might give 6 cents an hour for pension and welfare plans. It might give 4 cents an hour for an accumulation for extra vacation paid periods at a later date. It might also provide for additional payments for unemployment compensation.

Those all would be a part of a wage agreement.

When this is determined as the wage agreement, how could any person argue that the fringe benefits determined by the employer and the employee—whether by union negotiation, by individual negotiation, by company-union negotiation or by any other method—are not a proper allowance to be claimed as a wage by the contractor when he is making a determination for the Davis-Bacon contract.

If we were to disallow those amounts, we would create a most serious condition in the contract bidding forms presented to the Federal Government.

The gentleman in his earlier discussion stated he believed judicial review to be necessary. How could there be a judicial review of a situation which must be predetermined before the contract is let?

What would happen? If a contractor made a bid in the knowledge that he would have a judicial review of the matter at his disposal, he would bid under the going rate or under the prevailing rate set by the determining officials under the Davis-Bacon Act. If his bid were 10 cents an hour less on a job entailing 500,000 hours, there is no question that he would receive the contract. If, after the contract was performed, the judicial review decision said he was wrong, and that the prevailing wage in vogue was the one determined by the Davis-Bacon officials, what would happen to the contractors who lost the contract? What would happen to the workers who were denied work because the other contractor lost the contract?

Damages could be assessed, but what good would that be for the worker who lost a job because of "cutthroat bidding," which is exactly what former Congressman, then Senator, Davis and Congressman Bacon of New York tried to stop.

In fact, there was a very famous case in the city of New York, if I am not mistaken, that caused the entire field of Government contracts to be opened up for this kind of determination. I think it was Robert Bacon, coauthor of this act, in 1927, 4 years before the passage of the act on the floor of this House, who said, "I want to cite a specific instance which brought this whole matter to my attention. The Government is engaged in building in my district a Veterans' Bureau hospital." The situation that existed at that time allowed an out-of-State contractor to come into the city of New York and to build this hospital with out-of-State labor. They were hired at a very low wage. Remember that this act was only created to stop unfair bidding because of the exploitation of labor. If you did not have it today, you would have every contract of the Federal Government being let to some person exploiting labor in a low-wage area. A contractor who, because of conditions existing in his area, is forced to work in an area where he has decent, legitimate labor conditions, would be out of every contract given by the Federal Government. Even today under the present act, because fringe benefits are not covered, you have the out-of-State contractor.

If I have 1 more minute, I want to tell you about your 70 percent. The 70 percent you relate to was brought before the subcommittee by the Maryland contractors and the Washington, D.C., contractors who have what they call a floating work force. They will only cover 30 percent of their employees as regular employees and then they will borrow from one another, and they will draft from each of the so-called nonunion contract agreements these workers covered by a contract with another employer. They all get fringe benefits, but they do not all happen to get them from the contractor who happens to have the Government contract at that moment. Each of them is covered by fringe benefits under another contractor.

Mr. GOODELL. Mr. Chairman, will the gentleman yield?

Mr. DENT. I will have to yield if you persist in it.

Mr. GOODELL. We have a very, very serious problem there because workers do go from one employer to another. Usually do not stay with one employer in the construction industry. So the contribution is often made and never available to the employee himself.

Mr. DENT. That has nothing to do with the cost to the employer.

Mr. Chairman, it is essential that we approve H.R. 6041 if we are to give real meaning to the prevailing principle embodied in the Davis-Bacon Act.

It is time we passed this legislation. The original purpose of the Davis-Bacon Act was to make sure that Federal construction would not have a depressing effect upon the wages of local construction workers; that contractors would not be able to submit the low bids on Government construction contracts by cutting the prevailing wages paid to workers.

At the time of original enactment in the early thirties, workers received their hourly or overtime rate of pay and there was usually no further consideration for the work performed. Today, and indeed to an increasing extent since World War II, workers receive other considerations for their services, in the form of medical, retirement, unemployment, insurance, and other benefits. Employers and unions either jointly or individually are continuing to establish plans and programs providing these fringe benefits for employees and their families. Latest figures show that some 6,670 such plans exist in the construction industry alone.

During the past two decades significant changes have occurred in our wage customs and practices. One of the most striking examples of these changes is the tremendous growth of welfare and pension plans. In 1931, when the Davis-Bacon proposals became law, private welfare and pension plans to provide fringe benefits were virtually unknown. At the end of 1961, 78 percent of the Nation's employed wage and salary labor force had life insurance coverage; 70 percent had some form of health insurance; and, of the non-Government wage and salary labor force, 45 percent had the protection of private pension plans. The growth rate in coverage under pension plans is running over 1 million workers a year. The number of workers covered by private pension and deferred profit-sharing plans in 1961 was 22.6 million, and it is currently running nearly 25 million.

A further index to the growth of employee-benefit plans is the amount of employer and employee contributions and the amount of benefit outlays. Combined employer-employee contributions to employee-benefit plans amounted to $13.3 billion in 1961, an increase of 7.5 percent over 1960. Benefits paid under all types of employee-benefit plans rose approximately $911 million, to a total of $8.8 billion, 11.6 percent over 1960.

It is as important today as it was in the early thirties that the standard of living built up for the construction workers and their families not be undermined by competition for Government business. Unemployment is still disturbingly high, particularly in the construction industry. Other forces, such as automation and the growing work force, are further complicating the functions of the labor market.

Our colleagues in the thirties had the wisdom to provide against undercutting of local wage standards through competition for Government business. Certainly, we should display as much wisdom in the fluctuating economic climate of the sixties—to bring Federal construction wage standards in line with present-day conditions. Failure to enact this bill is to invite a return of the problems we faced in the days before the original act. Let us follow the good example of the eight States which already include fringe benefits such as welfare and pension funds in their prevailing wage laws.

I urge my colleagues to join me in support of this legislation.

ARGUMENTS AGAINST POSSIBLE GOODELL PROPOSAL PROVIDING NONDISCRIMINATION OF FRINGE BENEFITS BEFORE THEY CAN BE CONSIDERED BY THE SECRETARY OF LABOR

First. What evidence does my good colleague [Mr. GOODELL] point to to show there has been such arbitrary discrimination on the basis of lack of union membership or color?

I would like the gentleman to cite to me the particular portion of the hearings where such evidence was introduced.

Second. If the gentleman is talking about union discrimination in this area, I would call to his attention that such discrimination to limit the eligibility for benefits under a plan to employees who are union members is illegal under the National Labor Relations Act—in re Jandel Furs 100 NLRB 1390, 1952—or to arbitrarily exclude any employee within the bargaining unit—Miranda Fuel 140 NLRB 181 Enf. Den. 2d Circuit.

The President's Committee on Equal Employment Opportunity, I would like to remind my colleague, has jurisdiction over eliminating discrimination on Government contracts or assisted programs. This problem, therefore, could properly be handled by that Committee.

Third. The Davis-Bacon Act is not the proper instrument to deal with this problem even if such problem does exist, which I submit that there has been no evidence that it does.

Under the bill the Secretary of Labor is obligated to ascertain whether the contractor has made a contribution to a plan, fund, or program. Whether the employees actually will receive the benefit of these contributions is a matter which the Congress had decided to leave to the individual people setting up these plans.

As the Members of this House well know, when Congress passed the Welfare and Pension Plans Disclosure Act of 1959, it was then determined to keep the Government out of the area of regulating how the money in the fund should be invested or who would be entitled to the benefits under the funds.

If it is now the wish of the House to consider this action, I suggest that legislation be duly brought before the proper committee to give these matters careful consideration.

Mr. Chairman, every labor-management contract negotiation takes into consideration the fringe benefits along with basic wage.

In every case you will find that when a contract is completed the agreement is listed as a package wage agreement. Any division of basic wage and fringe benefits is then made under subtitles or by explanatory references.

For instance a contract agreement is presented as a 25-cent-an-hour wage agreement divided into one, two, three, or more categorical benefits. It may give workers 10 cents an hour wage, 6 cents an hour pension and welfare, 4 cents supplemental unemployment compensation and 5 cents an hour accumulative extra vacation time.

In determining cost of a finished product, normal management procedure is to measure labor costs in a lump sum under the heading of wages, to which they add raw materials, taxes, supervisory, advertising, public utilities, and any other fixed costs added by either local or State rules or regulations.

It would certainly create a serious problem if fixed limit income enterprises such as public utilities were to be disallowed fringe benefits as a wage cost.

Those of us who come from States having wage tax levies can understand why some of the opposition is disturbed over the legislation.

To these operators I can only advise that this wage determination being argued today is solely for the purpose of guaranteeing a precontract determination of prevailing wage to assure all contractors an equal opportunity in Federal bidding and to give labor an equal job opportunity on Federal projects and contracts.

The whole purpose of the Davis-Bacon Act is negated and set aside by the failure to make mandatory the prevaling wage determination including fringe benefits.

This bill attempts to bring up to date the original aims of the Davis Bacon Act.

Although both Davis of Pennsylvania and Bacon of New York were Republicans they recognized the dangers involved in cutthroat bidding when such bidding was based in most cases upon exploitation of workers in certain areas of the country.

Basically the whole intent of the act was to create a fair set of ground rules for the determination of wages paid to workers by contractors working for the Government.

Congressman Bacon had this to say in 1927, 4 years before he succeeded in getting the act approved by the Congress in 1931:

> I want to cite the specific instance that brought this whole matter to my attention. The Government is engaged in building in my district a Veterans' Bureau hospital. Bids were asked for; several New York contractors bid, and in their bids, of course, they had to take into consideration the high labor standards prevailing in the State of New York. I think I can say that the labor standards in New York are very high. The wages are fair, and there has been no difficulty in the building trades between the employee and employer in New York for some time. And the situation existed therefore, and the New York contractors made their bids, having the labor conditions in mind. The bid, however, was let to an out-of-State contractor and some thousand out-of-State laborers were brought to New York. They were hired into this job, they were housed, and they were paid a very low wage, and the work proceeded. Of course, that meant that labor conditions in this part of New York State where the hospital was being built were entirely upset. It means that the neighboring community was very much upset.

Mr. Chairman, I am strongly opposed to providing for judicial review of fringe benefit determinations, whether such a proposal is offered for consideration on the floor or in connection with a motion to recommit the bill.

The compelling reasons why a "judicial review" provision applying to the act as a whole should not be adopted have already been discussed with force and clarity. These reasons are equally valid in opposing any effort to provide for judicial review of fringe benefit determinations.

Fringe benefits are now an integral part of an employee's wages and an integral part, therefore, of any wage determination issued by the Department of Labor. To provide for review of the determination of fringe benefits without any review of the cash wage determination would be complete unrealistic.

The same record which is used as the basis for one determination is also used as the basis for the other. It would be completely impractical to "split" this record. The bid specifications must include the total wage determination, if the bidders are to know what their obligations under the Davis-Bacon Act will be.

As to judicial review generally, the Committee received persuasive testimony that judicial review was impractical. On the other hand, officials of the Department of Labor discussed a plan for administrative review. The Secretary of Labor has recently established a Wage Appeals Board within the Department of Labor to review wage determinations under the Davis-Bacon Act and several other matters.

At the very least, we should wait to see just how successfully this Board operates before proceeding to consider judicial review.

Judicial review is not only impractical but unworkable in an area such as Davis-Bacon simply because the prevailing wage must be determined before a contract is let.

If a review takes place after the contract has been let and the case is not completed until after the work has been started or even completed, how does the injured contractor and his workers recover their losses. It may well be that the court will determine that the successful contractor was in violation of the prevailing wage determination and could possibly make up the wage differential by paying the workers the difference between his contract price and the wage determined by the Department.

This creates a much greater injustice than any injunction that could possibly occur under the wage determination proposed by the act.

The testimony before this Committee showed beyond any doubt that organized contractors in this very area employ a few employees with fringe benefits and then trade or borrow from each other on specific contracts. This gives these member contractors who are nonunion in many instances a bidding advantage over the competition.

PERSONAL OBSERVATIONS ON PREVAILING WAGES ON FEDERAL CONSTRUCTION

Mr. Chairman, as administrations have changed in the past, there has been a shift of emphasis from favoring the collective-bargaining rate to favoring the rate paid to the majority in a given area as the prevailing rate under the Davis-Bacon and related acts.

Both of these emphases have been right, it might better be said that neither has been wrong. The legislative history of the Davis-Bacon Act shows that Congress was given two definitions of prevailing wage. The first was the rate paid pursuant to collective bargaining and the second was the rate paid to the majority in a given area. The Congress did not choose between the two. The Davis-Bacon Act merely states that the wages shall be "prevailing."

A review of the recent hearings on the fringe benefits bill shows clearly that there can be little agreement on what is actually the prevailing wage when it is arrived at through payment evidence. The arguments which arise are many and varied. Should man-hours be considered? What kind of projects should be considered? What period of time should be considered? The choice which the wage determiner makes in each of these instances influences the ultimate decision, good or bad depending upon which side you happen to be.

Almost one-fourth of the several States have adopted the collective-bargaining wage as the prevailing wage on construction of public works. At the recent convention of the International Association of Governmental Labor Officials in Richmond, Va. (45 States represented) a model wage law was unanimously adopted by those present which provided for the collective-bargaining wage as the prevailing wage.

As a matter of policy, the Congress of the United States should take a position that the collective-bargaining rate should be the rate considered prevailing on Federal construction of public works. This policy would result in a widening of competition and a resultant saving to the taxpayer, a higher quality in the finished product and a decent living wage to the workers on Federal projects. Such a wage would stabilize our economy and show the populace that the Congress is deeply concerned that each worker, at least in the area of Federal construction, receives a wage rate which is the result of bargaining between qualified representatives of labor and management rather than a wage negotiated between a lone individual worker and a contractor who all too often is concerned more with his profit than the welfare of his workers, especially in a time when workers are in abundant supply.

Mr. Chairman, I would like to read to the House at this time a well defined, logical, and legal review of the judicial review provisions proposed by the oppo-

nents of all necessary reforms dealing with wage determinations:

Hon. JOHN DENT,
U.S. House of Representatives,
Washington, D.C.

DEAR CONGRESSMAN: I am enclosing, for your information, a copy of a legal opinion rendered by the lawyers for the building and construction trades department and its affiliated organizations on the subject of legislative proposals to provide for judicial review of wage predeterminations under the Davis-Bacon Act and for a new system of judicial review of enforcement procedures under that act. This legal opinion is supported by a documented legal analysis which is also attached.

It is the conclusion of our lawyers that the judicial review proposals would not be workable with respect to wage predeterminations and that it is not needed with respect to enforcement procedures which are presently subject to an adequate system of judicial review through the U.S. Court of Claims.

Sincerely yours,

WALTER J. MASON,
Director of Legislation.

JANUARY 23, 1964.

Mr. C. J. HAGGERTY,
President, Building and Construction Trades Department, AFL–CIO, Washington, D.C.

DEAR MR. HAGGERTY: This is in response to your request for a legal analysis of H.R. 9590, a proposal to amend the Davis-Bacon Act by providing for judicial review of wage predeterminations and to provide new judicial review procedures with respect to enforcement of that act.

The undersigned are the legal counsel for the various labor organizations in the building and construction industry. Each of us has specialized in the field of labor law and, in particular, with respect to the legal problems involving labor in the building and construction industry.

We have given careful consideration to the proposal in the Goodell bill (H.R. 9590) to amend the Davis-Bacon Act for the purpose of providing a new system of judicial review. It is our unanimous conclusion that the judicial review proposal would not be workable insofar as the predeterminations of wage rates under this act are concerned. We also believe that the legislation is not needed insofar as enforcement procedures are concerned because there is presently available an entirely adequate system of judicial review of these enforcement procedures by way of suit in the U.S. Court of Claims.

The present system of wage predeterminations has the important value of giving all competing contractors definite and uniform wage rates as the basis for making cost estimates in their formulation of bids. The Goodell judicial review proposal would render uncertain the predeterminations of the Secretary of Labor because no one would know in connection with any contract whether the final judicial judgment would establish a rate different from the predetermined rate on which contractors bid. This would result in placing contractors in a position where they would have to take a business gamble on the final judicial judgment. Contractors who submit bids on the basis of the predetermination would be at a competitive disadvantage as against those who take the risk of estimating on a lower rate which they think will be supported by the final judicial judgment.

The original Davis-Bacon Act of 1931 contained a provision that the wages paid "shall not be less than the prevailing rate of wages" and left the issue of the determination of the prevailing rate to a post hoc determination by the Government. The difficulties created by this system led to the current procedure of predeterminations in the present act. The basic reason for the change was set forth succinctly by the Associated General Contractors in a letter by Mr. Walbridge to President Hoover which states that:

"We ask only that the officials who are now charged with making decisions as to what constitutes the prevailing wage to exercise the same function previous to the taking of bids, thereby placing all bidders on a parity and again establish competitive bidding on a known basis." (Legislative History, Davis-Bacon Act, p. 47.)

It is our view that adoption of the Goodell judicial review proposal would return the administration of the act to the difficulties which were the reason why the law had to be changed to the present system of predeterminations.

It must also be recognized that the judicial review proposal must, in order to avoid serious constitutional problems, provide for judicial review at the instance of individual employees as well as labor organizations. There are 50,000 predeterminations issued by the Secretary of Labor each year which involve 5 million different wage classifications. We believe it is reasonable to anticipate that many suits may be filed at the instance of individual employees and classes of employees, not necessarily organized into labor unions, for the purpose of increasing the wage rate above the level predetermined by the Secretary of Labor. It is our judgment that it would be reasonable to anticipate a substantial wave of litigation in this regard which may duplicate the conditions under the wage-hour law which led to the adoption of the Portal-to-Portal Act.

The Davis-Bacon Act has been in operation for more than 30 years without a procedure for judicial review of the validity of wage predeterminations. The complexities and intricacies of the problems created by the Goodell judicial review proposal are such, in our judgment, that they require careful examination by committees of the Congress after adequate and full hearings.

It is respectfully submitted that the floor of the House is not the proper place to draft an original proposal for judicial review of the Davis-Bacon Act.

Respectfully submitted.

Louis Sherman, general counsel, Building and Construction Trades Department, AFL–CIO, and International Brotherhood of Electrical Workers, AFL–CIO, Washington, D.C.

Lester Asher, general counsel, United Slate, Tile and Composition Roofers, Damp and Waterproof Workers Association, AFL–CIO, Chicago, Ill.

Frank Grayson, general counsel, International Brotherhood of Boilermakers, Iron Ship Builders, Blacksmiths, Forgers and Helpers, AFL–CIO, Kansas City, Kans.

Vincent Morreale, general counsel, International Hod Carriers, Building and Common Laborers Union, AFL–CIO, Washington, D.C.

Clarence M. Mulholland, general counsel, Sheet Metal Workers' International Association, AFL–CIO, Toledo, Ohio.

Martin F. O'Donoghue, general counsel, United Association of Journeymen and Apprentices of the Plumbing and Pipe Fitting Industry of the United States and Canada, AFL–CIO, and Operative Plasterers and Cement Masons International Association, AFL–CIO, and International Union of Elevator Constructors, AFL–CIO, Washington, D.C.

Joseph A. Sickles, general counsel, International Association of Heat and Frost Insulators and Asbestos Workers, AFL–CIO, Washington, D.C.

Harold Stern, general counsel, International Association of Bridge, Structural and Ornamental Iron Workers, AFL–CIO, New York, N.Y.

Herbert S. Thatcher, general counsel, Brotherhood of Painters, Decorators and Paperhangers of America, AFL–CIO, Washington, D.C.

Frank Ward, general counsel, United Brotherhood of Carpenters and Joiners of America, AFL–CIO, Washington, D.C.

Louis H. Wilderman, general counsel, Wood, Wire and Metal Lathers' International Union, AFL–CIO Philadelphia, Pa.

J. Albert Woll, general counsel, International Union of Operating Engineers, AFL–CIO, and Bricklayers, Masons and Plasterers' International Union, AFL–CIO, Washington, D.C.

SUMMARY OF ANALYSIS OF CONGRESSMAN GOODELL'S AMENDMENT TO PROVIDE JUDICIAL REVIEW IN THE DAVIS-BACON ACT

1. The fringe benefits bill (H.R. 6041) has been reported favorably by the House Committee on Education and Labor by an overwhelming favorable vote after full and careful hearings. The Rules Committee, by a vote of 11 to 2, has reported the bill with an open rule under which a judicial review amendment is not germane. The floor of the House is no place to draft and vote on the complexities of a judicial review amendment which has not been the subject of hearings.

2. Under regulations just issued by the Secretary of Labor, an independent appeals board made up of public members not on the payroll of the Department of Labor has been established for the first time to afford review of wage predeterminations. In addition, at the present time, contractors have a right of judicial review of the enforcement procedures of the Davis-Bacon Act before the Court of Claims. There is, therefore, no need for hasty floor consideration of the Goodell judicial review amendment.

3. Under the Goodell judicial review amendment, unscrupulous contractors will be tempted to take a "business gamble" by basing their bids on rates lower than the predetermined rate which they think they can establish through later judicial proceedings. The present system of fair and competitive bidding will be seriously impaired, for contractors who submit bids on the basis of the predetermined wage rates and do not take a "business gamble" will be placed at a competitive disadvantage. A fair and competitive bidding system can continue only if final wage predeterminations are known prior to the opening of bids. Obviously, however, final judicial determinations—such as those contained in the Goodell proposal—cannot be made prior to the opening of bids.

4. The Goodell bill (H.R. 9590) authorizes—as it must to avoid serious constitutional problems—suits by individual employees and unions, as well as by contractors and bidders, to secure judicial review of wage predeterminations of the Secretary of Labor. There are 50,000 annual predeterminations involving 5 million wage classifications. This will incite a wave of litigation comparable to the flood of wage-hour suits which led to the enactment of the Portal-to-Portal Act.

LEGAL ANALYSIS OF THE JUDICIAL REVIEW PROPOSAL CONTAINED IN H.R. 9590

H.R. 9590, a bill introduced by Representative GOODELL on January 8, 1964, proposes to amend the Davis-Bacon Act by providing judicial review of wage predeterminations issued by the Secretary of Labor and of enforcement proceedings under this act. This bill has been referred to the House Committee on Education and Labor which has obviously had no time to give it consideration.

It should be noted that the House Committee on Education and Labor reported the fringe benefits bill on May 9, 1963, and that at no time during 1963 did Congressman GOODELL or any other Congressman introduce a judicial review bill for consideration by the committee. Actually, Congressman GOODELL did introduce a bill on April 4, 1962, to provide for judicial review of Davis-Bacon Act administrative actions but his recent bill of January 8, 1964, contains so many changes in the 1962 bill that it is clear that the original bill is not considered an appropriate vehicle for consideration of the amendment.

The delay in formulating a legislative measure for committee consideration is an index to the difficulty and intricacies of the subject matter.

The analysis of H.R. 9590 which is set forth below demonstrates clearly that the decision by Congress on the matter of judicial review should be made only after hearings on a specific measure at which testimony can be secured from experts in the contracting agencies, the Comptroller General's Office, the Department of Labor and from industry and labor. The complexities of Government contract bidding and enforcement procedures are such that unwise decisions on the floor of the House can be avoided only by appropriate study of specific proposals, through the time-honored method of hearings before the appropriate House subcommittee and a report by the full committee.

H.R. 9590, is a substantial revision of the proposals contained in H.R. 11115, introduced by Representative GOODELL on April 4, 1962. Under the earlier bill, the review procedure would have been initiated by a charge that a contractor paid wages less than those stipulated in his contract and less than those found prevailing under the act. Thereafter, the Secretary of Labor was to investigate the charge, hold a hearing, issue findings and determine wages owing by the contractor. Persons aggrieved by such a decision could have sought reviews from a U.S. court of appeals, which was specifically authorized to stay any action under sections 2 and 3 of the act, pending completion of judicial review. The proposal contained in H.R. 11115 was defective in several respects in terms of the orderly operation of the act and the relative position of fair and unfair contractors. H.R. 9590 appears to be an attempt to avoid the problems arising from the earlier judicial review proposal. For the reasons discussed below, however, the new bill is subject to the same criticism.

PROVISIONS OF THE BILL

H.R. 9590 provides two avenues for judicial review. Section 1 of the bill would add a new section 8 to the act permitting "Any person (defined to include contractors, subcontractors, bidders, prospective bidders, labor organizations, employees, prospective employees and public and private contracting agencies), aggrieved by a wage determination" to initiate an action in a U.S. district court against the Secretary of Labor and the contracting agency to "enjoin the application of such wage determination to the invitation for bids for the advertised contract and to determine the prevailing wage lawfully applicable thereto." Such action must be commenced within 15 days after the publication of the advertised specifications which contain the challenged wage determination. The district court is empowered to issue a temporary restraining order relieving all bidders from stipulating that they will comply with the determination being challenged, provided, that the court may require any bidder to whom the contract is awarded to post an indemnity bond to guarantee the fulfillment of any wage obligation if the challenged determination is sustained. The court is then charged with the duty of deciding whether the challenged determination was in accordance with law, and, if not, to establish the prevailing wage. Thereafter, review is provided to the appropriate U.S. Court of Appeals and the U.S. Supreme Court.

Section 2 of H.R. 9590 would amend section 7 to provide that whenever it is claimed that a contractor or subcontractor has failed to pay the prevailing wage rate, the contracting agency is to investigate the claim and issue a written ruling on the claim. No penalties, including the withholding of funds from the contractor or subcontractor, can be imposed prior to such ruling. Any contractor or subcontractor aggrieved by such a ruling may bring a de novo action in the U.S. district court where the violation is alleged to have occurred. The district court, which may stay any penalty pending the completion of judicial review, is to determine whether the contractor or subcontractor has failed to comply with his obligations under the wage provisions of his contract. Similarly, employees aggrieved or adversely affected by the ruling of the contracting agency may seek review in a U.S. district court. While employees may maintain such actions on behalf of other employees similarly situated, only those employees who give their consent in writing may become a party plaintiff to any action brought under this section. It may be noted here that this limitation is entirely contrary to the recognized concept of a class action. In practice, this provision will operate in discriminatory fashion, since some employees will recover additional sums owing to them under the law, while others, entitled to exactly the same sums, will not receive them because of their failure to consent in writing to become a party. Following the decision of the district court, review is provided to the U.S. Court of Appeals and the Supreme Court. Although it appears that section 7 is intended to be limited to enforcement, there is no explicit statement in the bill that the validity of wage predeterminations cannot be challenged in the judicial proceedings related to the enforcement issue. The language of section 7(d) is of such ambiguous nature that it is possible that the validity of a wage predetermination could be challenged in a section 7 case. The answer to such question would not be known, under the present language of the bill, until a judicial test case had been completed.

EXISTING ENFORCEMENT PROCEDURES AND THE EFFECT OF THE BILL

To understand the detrimental effects upon the operation of existing law which would result from the enactment of H.R. 9590, it is necessary to review briefly the present enforcement machinery contained in sections 1 to 3 of the act. Section 2 presently provides that, upon a finding by the contracting officer involved that any laborer or mechanic is being paid a rate of wages less than that required to be paid by the contract, the Government may terminate the contractor's right to proceed with the work involved, to complete the work, through other means and to recover from the contractor any existing costs occasioned by his violation. Section 3, read in conjunction with section 1, authorizes the Government to withhold from a contractor so much of any accrued payments as may be necessary to pay to his employees the difference between the rate of wages required by the contractor to be paid them and the rates actually received by them, and authorizes the Comptroller General of the United States to pay directly to the employees affected the wages so withheld. In addition, the Comptroller General is authorized to distribute to all Government departments a list of contractors whom he has found to be in violation, and such firms may receive no further contracts for a period of 3 years from the date of their appearance on the list.

The effectiveness of these enforcement procedures arises from the fact that, with the exception of the ineligible list, they come into play while the work is still in progress. Under both of the Goodell bills, however, provision is made for the delay of these enforcement procedures until all administrative and judicial appeals have been exhausted. Under proposed section 7, the contractor can wait until a claim of violation is made, and then proceed to an investigation before the contracting agency. Thereafter, he may start all over again by bringing a de novo action in the U.S. district court and again follow the appeal route up through the Supreme Court of the United States. And, during all of this lengthy period, the withholding order of the Government may be stayed by judicial order.

Under proposed section 7, it is specifically provided that no penalties, "including the withholding of funds from the contractor or subcontractor," can be imposed prior to the ruling of the contracting agency. Further, upon initiation of a de novo action in a U.S. district court, the court has authority to stay any penalty imposed "pending the completion of judicial review." Thus, a contractor receiving an adverse ruling could seek—and in most situations obtain—a stay of the well-established and necessary withholding procedure. Since, as noted above, no presumption of validity can attach to the Secretary's determination based on prior administrative rules, practices, etc.—which would ordinarily serve as support for the administrative action challenged and thus as a defense to a request for a stay—the likelihood that the contractor will be able to stay this essential enforcement procedure is further enhanced. In effect, the admitted danger has been disguised, but not removed.

As noted above, the provision for an indemnity bond is made permissive by use of the word "may." In view of the not uncommon business occurrence of bankruptcy of contractors, such a provision cannot be fully effective to protect employees covered under the act unless it is made mandatory. In any event, even a fully effective indemnity bond for purposes of employees' protection does not mitigate against the damage to our fair bidding system, as described more fully below.

JUDICIAL REVIEW IN ENFORCEMENT PROCEEDINGS IS NOW AVAILABLE

It should also be noted that, at the present time, contractors who feel aggrieved by the enforcement procedures of the Davis-Bacon Act have the right of judicial review from the Court of Claims. Generally, this review arises through an action by the contractor to recover from the Government wages which he was required to pay in excess of those specified in his contract. In such a suit, the subjects open to review include whether the Government acted properly in withholding funds, whether the Government is responsible for increased labor costs to the contractor, whether the affected employees performed work which would place them in the classification requiring the increased payments to which the contractor objects, the amount of time worked by employees in the pertinent classifications, etc. Thus it is not accurate to say that a contractor has no right of judicial review under present operation of the act. And, the present form of judicial review in no way impairs the effectiveness of the statutory enforcement procedures.

DAMAGE TO OUR FAIR BIDDING SYSTEM

The proposals in H.R. 9590 will also tend to destroy or weaken the contract bidding and awarding procedures as such. Contractors are invited by the bill to base their bids or rates less than those predetermined by the Secretary of Labor as prevailing, pay their laborers and mechanics wages at such lower rates and seek review of the determination through the proposed judicial procedures. Even the most scrupulous contractor may be forced to take a "business gamble" on the rate to keep himself in a competitive position. Those even vaguely familiar with the process of appellate litigation realize that 3 or 4 years may pass before such an appeal procedure would be completed. Indeed, in this respect, the new bill is even worse than the old one which provided for initial court review in a court of appeals. Under H.R. 9590, however, the first step of judicial review begins with a district court determination. Whatever the results of the review proceedings, the contractor will have obtained his contract on a cost basis different from his competitors who used the specified prevailing wage rates in figuring and submitting their bids. The judicial review proposal thus operates in a manner contrary to a full and fair system of fair and competitive bidding, and places fair bidders who are operating in a manner consistent with the law at a disadvantage.

Obviously no final judicial determination can be made of the validity of Davis-Bacon Act predeterminations prior to the opening of bids in the particular Government contract.

The danger to a fair bidding process and to the orderly administration of the Davis-Bacon Act can be brought into sharp focus by a brief examination of the legislative development of the act. The 1931 act required only that advertised specifications for covered contracts contain a provision that the wages paid "shall not be less than the prevailing rate of wages * * *." The act contained no provision for a system of wage predeterminations or for effective enforcement machinery. Almost immediately following passage of the act, many contractors, as well as the Comptroller General of the United States, recognized the danger of a system of postdeterminations rather than predeterminations.

An amendment to the act was passed in 1932 which, to establish a system of wage predeterminations, required a provision "stating the prevailing rate of wages as determined by the Secretary of Labor." In addition, the amendment added enforcement provisions. (See Senate report to accompany S. 3847, 1932, p. 1.) The act was vetoed by President Hoover. During the hearings which preceded the 1932 amendment, representatives of the National Association of Builders Exchanges and the Associated General Contractors supported the amendment. The Associated General Contractors, in a letter by Mr. Walbridge to President Hoover, stated that:

"We ask only that the officials who are now charged with making decisions as to what constitutes the prevailing wage to exercise the same function previous to the taking of bids, thereby placing all bidders on a parity and again establish competitive bidding on a known basis." (Legislative History, Davis-Bacon Act, p. 47.)

In a letter to Congressman Connery, Mr. Harding of the Associated General Contractors stated it would be for the good of all that prevailing wages should be stipulated and made a part of the advertisement, specification, and contract. Congressman Mead of New York urged passage of the amendment as protection for workers and builders and to the end that "all contractors would have an equal and fair opportunity."

Congressional hearings in 1933 and 1934 added further evidence of the need of enforcement machinery and a system of wage predeterminations. These hearings led to passage of the Copeland (anti-kickback) and False Statement Acts of 1934, and the Davis-Bacon Amendments of 1935. The 1935 amendment added the requirement that the advertised specifications contain a provision stating the minimum wage to be paid "which shall be based upon the wages that will be determined by the Secretary of Labor."

Thus, for the first time, a system of wage predeterminations by the Secretary of Labor became a part of the law. The purpose of the amendment in this regard is clearly stated by the Senate and House reports accompanying S. 3303 at page 7:

"To provide for a predetermination of the prevailing wage on contracts so that the contractor may know definitely in advance of submitting his bid what his approximate labor costs will be."

Reduced to its fundamentals, the proposals embodied in H.R. 9590 will have the effect of returning the law and conditions thereunder to the status existing prior to the 1935 amendments; a status which representatives of industry and the Congress recognized were not desirable or feasible. In operation, these proposals would strip the act's enforcement machinery of its effectiveness and would do away with the system of wage predeterminations. The ideas underlying these proposals are neither new nor feasible. They have been tried, and abandoned nearly 30 years ago.

Labor unions are in favor of all valid procedures which assure proper compensation for employees. We must point out, however, that the availability of judicial review proceedings to labor organizations and employees and prospective employees (all of which is probably necessary from a constitutional point of view if there is to be judicial review for employers) would add a further uncertainty to the bidding process. Even if all contractors bidding on a particular job use the Secretary's predetermination and do not challenge same in court, the challenge may come from the employee side to secure a higher rate.

The inclusion of the judicial review amendment may have the effect of starting a wave of litigation comparable to the flood of wage-hour suits preceding the Portal-to-Portal Act.

The backlog on our already overburdened courts, and particularly the U.S. district courts, is a fact well-known to lawyers and lawmakers alike. Yet, the proposals embodied in H.R. 9590 would add substantially to the burdens of these district courts—which have little knowledge of or experience with the subject matter involved—and, in the process, serve to increase the delay in a final determination in ever-increasing fashion. The problems of the district courts under both proposed sections is made even more difficult by the fact that the actions before them are either specifically made a de novo action or are in the nature of such an action.

Specifically, under proposed section 8, the district court, if it finds that the wage predetermination of the Secretary of Labor was not made "in accordance with law" must "determine the prevailing wage" itself, and, in the course of its review, the court is not permitted to accord any presumption of validity to the Secretary's determination by reason of any prior administrative finding, action, practice, policy, or rule. Under proposed section 7, the action is specifically designated as a de novo action, and, once again, no presumption of validity can be accorded the administrative agency's finding of violations. The courts are thus invited to second guess the Secretary of Labor and the contracting agencies and to substitute their judgment for that of administrative officers, even though such judgments may be supported by substantial evidence in the record. It is to be noted in this regard that under proposed section 7(b) of Representative GOODELL's original bill, H.R. 11115, the findings of the Secretary as to the facts were to be conclusive if supported by substantial evidence—which is the more customary provision in the relationship of administrative agencies to courts.

If only a small percentage of the some 5 million individual determinations issued yearly were subjected to this proposed procedure, the magnitude of the increased burden on our courts would be staggering. By subjecting the effectiveness of the existing enforcement machinery under the act to a cumbersome system of continual delay, the proposal would have as its end result the emasculation of that enforcement machinery.

CONCLUSION

There is no need for a new procedure for judicial review of enforcement cases because the present Court of Claims judicial procedure is entirely adequate to remedy any injustices caused by the contracting agencies to contractors.

It is not possible to have predeterminations and the judicial review of such predeterminations proposed by H.R. 9590, because no judicial review proceeding could be processed to final judgment of the Supreme Court or even a circuit court of appeals before the bids are submitted on a particular Government construction contract.

Mr. Chairman, the foregoing opinion was submitted through Walter J. Mason, legislative director of the Building and Construction Trades Department of the AFL-CIO at my request.

As further evidence of widespread support for this legislation I will read from just a few of the official letters received from various vitally affected groups:

INTERNATIONAL BROTHERHOOD
OF ELECTRICAL WORKERS,
Washington, D.C., October 16, 1963.

Hon. JOHN H. DENT,
House Office Building,
Washington, D.C.

MY DEAR CONGRESSMAN DENT: We earnestly solicit your support for a most important piece of legislation in the field of labor-management relations which is now under consideration by the Rules Committee of the House of Representatives. We refer to H.R. 6041, a bill to include fringe benefits in the wage predeterminations issued under the Davis-Bacon Act.

This bill would place all construction contractors, whether working on a union or nonunion basis, on equal competitive terms. It would eliminate the present unfair advantage enjoyed by nonunion contractors on federally financed construction who do not pay fringe benefits to employees. This is truly one of the most important bills pending before the Congress at this session.

During the stabilization program in the World War II and Korean periods, increases in cash wages were held down and in their stead approval was given in many cases to various fringe benefits which have since become a substantial part of the wage compensation of a worker. Because such fringe benefits were virtually unknown when the Davis-Bacon Act was enacted in 1931 it made no provision for their consideration in arriving at predetermined wages under the act. H.R. 6041 would bring this legislation up to date and recognize current compensation practices in the construction industry.

We ask your support for the committee bill, without amendment, when it reaches the House floor. If you can expedite the issuance of a rule this also would be deeply appreciated. Although this measure will directly affect only that part of our membership in the construction field, the bill has the whole-hearted support of our entire 800,000 members.

With thanks for your consideration.

Sincerely yours,

GORDON M. FREEMAN,
International President,
JOSEPH D. KEENAN,
International Secretary.

INTERNATIONAL BROTHERHOOD OF
BOILERMAKERS, IRON SHIPBUILDERS, BLACKSMITHS, FORGERS &
HELPERS,
Kansas City, Kans., October 9, 1963.

Hon. JOHN H. DENT,
House Office Building,
Washington, D.C.

MY DEAR CONGRESSMAN: On behalf of the 125,000 members of the International

Brotherhood of Boilermakers, Iron Shipbuilders, Blacksmiths, Forgers & Helpers, AFL–CIO, I advise you that our organization is in full agreement with and supports H.R. 6041, the bill to include fringe benefits in the wage predeterminations issued under the Davis-Bacon Act.

This is certainly fair and equitable legislation that would put all contractors on the same competitive basis when bidding on work coming under the scope of the Davis-Bacon Act.

Accordingly, I urge your favorable consideration and support of H.R. 6041, without amendments, when this bill reaches the House floor for a vote.

Sincerely,

RUSSELL K. BERG,
International President.

LOCAL UNION NO. 333, UNITED BROTHERHOOD OF CARPENTERS AND JOINERS OF AMERICA,
New Kensington, Pa., June 17, 1963.
Hon. JOHN H. DENT,
House Office Building,
Washington, D.C.

DEAR SIR: We of local union 333 would appreciate your support of H.R. 6041. We have long felt this unfair inequity should be adjusted.

Respectfully yours,

B. M. REMALEY,
Vice President.

NORTHERN WESTMORELAND COUNTY, PA., UNITED LABOR COUNCIL, AFL–CIO,
New Kensington, Pa., July 11, 1963.
Congressman JOHN H. DENT,
House of Representatives,
Washington, D.C.

DEAR SIR: Please be advised that the members of the Northern Westmoreland County, Pa., United Labor Council, AFL–CIO, representing labor unions in Westmoreland, Allegheny, and Armstrong Counties, are in favor of bill H.R. 6041 and they are requesting that you go on record in supporting and voting for this very important bill.

Very truly yours,

WILLIAM SNYDER,
Recording Secretary.

INTERNATIONAL UNION OF OPERATING ENGINEERS,
Washington, D.C., October 15, 1963.
To the U.S. House of Representatives:

DEAR CONGRESSMEN: As you know, H.R. 6041, a bill to include fringe benefits in the wage determinations issued under the Davis-Bacon Act, is now before the House Rules Committee with hearings.

We, in the construction industry, sincerely feel that this bill should be passed in fairness to everyone. When the Davis-Bacon Act was originally enacted, fringe benefits were the exception, rather than the rule, in this industry. We believe that it was the intent of Congress to establish fair competitive bidding for this industry. The intervening years have brought considerable changes in the industry and the standard of living for many has been raised through fringe benefits. However, competitive bidding in recent years has begun to threaten this standard of living and those contractors who are providing fringe benefits are finding it increasingly difficult to compete with those contractors who seem little concerned about the welfare of mankind and who do not provide such benefits.

We believe that the passage of H.R. 6041, without amendments, is long overdue and its need is extremely vital if we are to restore fair competitive bidding on government construction. We respectfully urge your strong support for passage of H.R. 6041, without amendments.

Sincerely yours,

HUNTER P. WHARTON,
General President.

Mr. FRELINGHUYSEN. Mr. Chairman, I yield 2 additional minutes to the gentleman from New York [Mr. GOODELL].

Mr. GOODELL. Mr. Chairman, I take this time only because, due to the shortness of the time of the gentleman from Pennsylvania [Mr. DENT] I was not able to make this point.

The gentleman passed over the problem of determining what is prevailing. Under the present Davis-Bacon Act, when the Administrator goes into an area, he has to find out how many employees are affected. The number of employees affected are vital. It is absolutely essential to know this if you are going to make a decision as to what prevails in that area. Now, this bill is putting in fringe benefits. How are you going to determine what fringe benefits prevail if you do not know how many employees in that classification are making contributions? There are two problems here. Are contributions made for the employees and are the employees eligible for benefits.

If I understand what you people on the other side are saying, you do not want the Secretary of Labor even to find out if an employer is only making contributions for 30 percent of his employees in a given category. If he is not going to find this out, how is he going to say which fringe prevails. What the gentleman from Pennsylvania said is entirely irrelevant. A collective bargaining agreement, whether union or not, is involved. The employer goes in and negotiates the package as to how much money will be put aside for fringe benefits. He has to know how many employees are affected by that package and how many employees he is making contributions for.

Mr. SMITH of Iowa. Mr. Chairman, will the gentleman yield?

Mr. GOODELL. Yes, I yield.

Mr. SMITH of Iowa. Will the gentleman agree that under the Taft-Hartley amendments to the National Labor Relations Act, it is illegal to discriminate or limit the eligibility for these benefits down to 30 percent of the employees in a given classification.

Mr. GOODELL. In the collective bargaining agreement, but the point is this: the collective bargaining agreement is not the culprit here. I am not sure all of our colleagues understand the complexities of this.

A collective bargaining agreement is made with employees that so many cents will be taken out of the employees' wages for fringe benefits and paid directly to a fund. From that point on the employer pays no attention to who gets the benefits. They go to an insurance company or a fund or a trust and they set up a benefits plan. If this happens to be a local of the carpenters or plumbers or some other union, they may set up the fund so as to make themselves eligible and make non-local members ineligible. Or they may provide for a 6-month period of waiting before employees can qualify for benefits. There are countless technical devices whereby large numbers of workers are, as a practical matter never eligible for benefits.

Mr. SMITH of Iowa. There are two reasons why an employer cannot discriminate against non-union members. One is the National Labor Relations Act as amended by the Taft-Hartley law, as interpreted by the 1952 case prevents this.

Mr. GOODELL. That is irrelevant to the point.

Mr. SMITH of Iowa. The other reason is that the Internal Revenue Service will not permit the employer to deduct as a business expense contributions to a plan that discriminates between union and non-union employees of a given classification.

Mr. GOODELL. That is all irrelevant. The discrimination is not made between union and nonunion employees in the collective bargaining agreement. The gentleman is making an argument in effect that what exists does not exist because we know as a practical matter from our hearings and our investigations that this is done time after time and that often a large percentage of the employees do not share in the benefits of these plans. The gentleman from Pennsylvania [Mr. DENT] admitted that there are many cases where this happens. So when the gentleman talks about this being illegal, they are certainly doing it by one device or another.

Mr. SMITH of Iowa. Is the gentleman saying that if carpenters are covered in a particular area—some of them may be eligible for benefits and others are not eligible even though they are subject to the same collective bargaining agreement?

Mr. GOODELL. That situation often does exist. The person may be a carpenter who is a member of a different local, working in an area only under a temporary permit. He may be otherwise technically ineligible. There are a hundred different qualifications that may come in, such as the fact that he has not been in the area long enough.

Mr. FRELINGHUYSEN. Mr. Chairman, I yield 5 minutes to the gentleman from New York [Mr. HALPERN].

Mr. HALPERN. Mr. Chairman, I rise to express my strong and enthusiastic support for the legislation before us. I believe that in order to preserve the economic welfare of workers in the construction trades in local communities throughout the United States, we must bring the Davis-Bacon Act up to date by including fringe benefits in the concept of prevailing wage determinations. As a cosponsor of the legislation—my own bill being H.R. 2402—I strongly urge favorable action on this beneficial, long overdue measure by my colleagues today.

We are all familiar with the background to this bill before us. We know that over 30 years ago the original Davis-Bacon Act was enacted into law in order to protect the labor force in a local community from being underbid in Government construction contracts by imported cheap labor from some other community or even another State.

Obviously, the economic life of an entire community was upset when local workers were deprived of a large Government construction project, and would only stand idly by and see hundreds of out-of-town workers come in to perform the labor on the construction job. Thus the original Davis-Bacon Act was born—out of the necessity to preserve the economic stability of our local communities. It was a soundly conceived law, and it has accomplished a great deal for American workers. It very clearly established the principle that the U.S. Government would not be a party to depressing local labor standards, but would give its support to equality of opportunity for contractors, protection of prevailing living standards of building tradesmen, and prevention of disturbance of the local economy.

Mr. Chairman, in order that the Federal Government continue those beneficial policies, we need to amend the Davis-Bacon Act in the manner set forth in the bill before us, by including fringe benefits paid by employers in the prevailing wage rates of our communities.

This is merely a recognition in the law of what has already become a fact in the compensation of the working people of our Nation. The whole concept of "earnings" has changed tremendously since Congress enacted the Davis-Bacon Act over 30 years ago. At that time disability benefits, group hospitalization, unemployment benefits and various types of insurance programs were rare exceptions in labor contracts and in the compensation of U.S. workers. Today, these fringe benefits are commonplace, and the American worker has come to depend on the benefits they provide for his health, employment and retirement security. To the worker, these benefits are "earnings" just as much as his pay check.

To attain these benefits, U.S. employers pay many millions of dollars into various trust funds and insurance accounts. Regardless of the form they take, the employer's payments under these plans are certainly a form of compensation to the employee. Further, during the course of collective bargaining today, building trades craftsmen increasingly elect to take wage increases in the form of much needed welfare programs rather than straight increase in their pay checks, in order to provide benefits for their families in an hour of need. It is unjust and inequitable both to the building tradesman and the enlightened employers who pay these benefits that such benefits, which have been established in lieu of wages, should not be included as wages within the meaning of the Davis-Bacon Act. A number of States have already brought their laws up to date by including fringe benefits in their concept of prevailing wages, and I am proud to say my own State of New York is among them. The Federal Government certainly should not lag behind those enlightened States, but should bring its own laws up to date to meet the needs of contemporary labor practices in this country.

Mr. ROOSEVELT. Mr. Chairman, will the gentleman yield?

Mr. HALPERN. I yield to the gentleman from California.

Mr. ROOSEVELT. In the opinion of the gentleman none of these hobgoblins that have been raised have come to pass in the gentleman's State of New York?

Mr. HALPERN. The gentleman is correct.

Mr. Chairman, the legislation before us seems to me to meet a serious and obvious need. What that need boils down to is simply that 30 years ago contractors and their employers could be deprived of Federal construction projects because of lower bids from competitors utilizing cheap out-of-town labor. This problem was solved when the Davis-Bacon Act required the Federal Government to pay wages on construction contracts equal to the prevailing wage in the community where the Federal construction was carried out. Today, local construction contractors and their employees can still lose out on Government construction contracts to competitors who are able to underbid them by not paying fringe benefits to their employees.

This loophole should be closed. Employers who provide health, retirement, unemployment, and other fringe benefits for their employees should not be penalized for adopting these most desirable programs. Rather all employers should be encouraged to take such an enlightened view of the needs and welfare of their employees and their employee's families.

We can assist today in the attainment of this goal by passing H.R. 6041, the bill which is before us. I truly disagree with the reservations expressed by some of our colleagues during the earlier colloquy on the bill. I sincerely urge my colleagues to take this important step, to approve this legislation, and thus express our confidence and endorsement of health, retirement, and unemployment benefits for American workers.

Mr. ROOSEVELT. Mr. Chairman, I yield such time as he may desire to the gentleman from Rhode Island [Mr. St Germain].

Mr. ST GERMAIN. Mr. Chairman, I welcome this opportunity to urge favorable consideration of H.R. 6041 which amends the Davis-Bacon Act to include fringe benefits in the determination of prevailing wage rates.

Eight of our States have already recognized the need to make more realistic prevailing wage determinations by the inclusion of fringe benefits.

In my own State of Rhode Island such fringe benefits as retirement plans, health and welfare plans are regarded as just as much a part of the required prevailing wage rate as the basic hourly rates for the construction crafts themselves.

The logic and correctness of the Rhode Island approach to prevailing wages is evident from an examination of the manner in which the concepts of wages has changed since the enactment of the Davis-Bacon Act of 1931. At that time group hospitalization, disability benefits, welfare funds, and other fringe benefit plans were the exception rather than the rule. Today more than 85 million people in the United States are dependent upon the supplementary benefits provided by these plans.

It is, therefore, apparent that the original policy of the act, to prevent the use of Federal funds to depress local wage standards, can best be accomplished by basing prevailing wage determinations on both direct compensation in the form of wages and indirect compensation in the form of fringe benefits.

Opponents of this measure have argued that the inclusion of fringe benefits would create many and varied administrative problems. I believe that the small number of complaints arising from wage determinations pursuant to the Rhode Island prevailing wage law is indicative of the fact that these criticisms are without merit.

Moreover, it is my understanding that there has been more stability and higher standards of workmanship within the labor force of the Rhode Island construction industry under our prevailing wage law.

The Federal Government in keeping with its historical role of leadership in advancing the welfare of our country, should not lag behind the States in making realistic determinations of prevailing wages. I, therefore, urge that the Davis-Bacon Act be amended so that it may operate more effectively as a true prevailing wage law.

Mr. ROOSEVELT. Mr. Chairman, I yield 5 minutes to the distinguished gentleman from Maryland [Mr. Sickles].

Mr. SICKLES. Mr. Chairman, I rise in support of the pending legislation today and I would like to take these few minutes to try to in my own way, and to the extent possible the time available, clarify some of the matters which have been brought out in the colloquy here this afternoon.

There has been much made about the fact that in some instances there are contributions into these funds and under some circumstances in spite of this contribution a particular employee of a particular employer may not be eligible for benefits. It has been inferred this could be by virtue of nonmembership in an international union or nonmembership in a local union. Ever since the Jandel Furs case in 1952 it has been recognized by the industry that this is an unfair labor practice. So if this does exist—I am not saying it does not, because it may, but it does not within my knowledge in this Metropolitan Washington area on which I have direct information from my past activities in the field—it is a clear violation of the Taft-Hartley Act. If there were the necessity for further legislation to cover this area it would seem to me we should go to the Taft-Hartley Act and provide either by amendment of section 8(a) and 8(b), or section 302, which has to do with the welfare and other plans under the Taft-Hartley Act.

Mr. GOODELL. Mr. Chairman, will the gentleman yield?

Mr. SICKLES. I yield to the gentleman from New York.

Mr. GOODELL. I just want to reiterate the fact that this is not done in a collective bargaining agreement. The agreement is completely irrelevant. This is not done in the collective bargaining agreement. The employer does not agree with the union that he will exclude all employees who are not members of the union. The employer sets aside a certain amount of money from each employee that he contributes for a plan of fringe benefits. The NLRB and the courts have not gone into the question of who is eligible and who is not eligible for the benefits of this plan. They have not to my knowledge questioned whether or not the terms and standards are proper for excluding employees from the benefits of this plan. So the net effect is that the collective bargaining agreement is perfectly valid. The problem, however, occurs where they set up the fund for the benefits to be paid. I am told that what frequently happens is that 100 percent of the employees contribute but 30 or 40 percent of the employees benefit. How can you decide whether a fringe benefit plan prevails unless you know the percentage of employees that are going to be benefited under the plan?

Mr. SICKLES. As to whether it would or would not be an unfair labor practice, in my judgment and the judgment of the practitioners in the field as I know them, if an employer were to contribute to such a plan, even though he may not have been a party to the rule that was set up by the trustees, it would still be an unfair labor practice and he could be compelled to pay into the plan. But if that is not the law, if we wanted to change the law, we should amend the Taft-Hartley Act, not this act.

Mr. GOODELL. The gentleman has said that what exists cannot exist. It does exist. We have had a few examples given to us. Those examples apparently are not illegal. The burden, I think, is upon you to show that these fringe benefit plans cannot do this, because they apparently by various devices are doing it.

The second point is that this law says the Secretary has an obligation to go into an area and find out what fringe benefits prevail. How can he determine what prevails in an area unless he knows how many and what employees are affected in that area in that category?

Mr. SICKLES. As to the second problem, I think we may disagree completely. There may be some isolated cases as to which I have no testimony. It may be somebody testified in the committee. But in the whole Washington metropolitan area it is not the practice here. If the gentleman can testify to that in his particular section, that is fine.

Mr. GOODELL. I am sorry the gentleman is not a member of our subcommittee.

Mr. ROOSEVELT. Mr. Chairman, will the gentleman yield?

Mr. SICKLES. I yield to the gentleman from California.

Mr. ROOSEVELT. The gentleman has referred to a part of the testimony that I, as chairman of the subcommittee, cannot find.

Mr. SICKLES. The point is made that contributions are made to the fund that are not eligible for benefits. This is brought about because you have hundreds of these funds. The reason these funds came into being was that each employer could not have a separate plan because of the size of the employer and because of employment fluctuations. The employees go from one employer to another, so they set up these trust funds.

Mr. PUCINSKI. Mr. Chairman, will the gentleman yield?

Mr. SICKLES. I yield to the gentleman from Illinois.

Mr. PUCINSKI. I trust the gentleman's judgment because of his great experience in this particular field. Is it not a fact that the gentleman from New York has answered his own question? Apparently he is not thoroughly familiar with the nature of these welfare funds in the construction industry. In this bill the language on page 2, line 3, and then again in line 7, is specifically tailored to prevent the confusion the gentleman from New York predicts will ensue if this bill is passed, in that the language on page 2, line 3, says:

> The rate of contribution irrevocably made by a contractor or subcontractor to a trustee or to a third person pursuant to a fund, plan, or program.

Then the bill lists the specific fringe benefits. That is as far as this bill goes. Now, am I correct in concluding, therefore, that the confusion which the gentleman from New York predicts will be avoided simply because we tailored this bill to the individual contractor's total contribution to a pension fund? Because of the peculiar nature of the building industry, it would be impossible to hamstring the department if we were to carry out the suggestion of the gentleman from New York and deal with each employee individually. Am I correct in that presumption?

Mr. SICKLES. I agree with the gentleman completely.

Mr. GOODELL. Mr. Chairman, will the gentleman yield?

Mr. SICKLES. I am glad to yield to my colleague.

Mr. GOODELL. The point is—how do you determine what is prevailing unless you find out how many employees are covered? What the gentleman from Illinois has just said, in effect, is that it is impossible to determine what prevails in an area. The gentleman from California, if I may just raise this point, said he does not recall this testimony. It occurs. We have the testimony on and off the record, and the gentleman must know that it exists in the industry.

The CHAIRMAN pro tempore (Mr. BROOKS). The time of the gentleman from Maryland [Mr. SICKLES] has expired.

Mr. FRELINGHUYSEN. Mr. Chairman, I yield 8 minutes to the gentleman from Nebraska [Mr. MARTIN].

Mr. MARTIN of Nebraka. Mr. Chairman, the Davis-Bacon Act was originally written in 1931 for the purpose of seeing that prevailing wages in the construction field are paid where Federal funds are involved. The act established the policy that the Federal Government was not to be a party to depressing local labor standards. That was the original purpose of the act. Yet, I submit, Mr. Chairman, the reaction to the Davis-Bacon Act today is just the opposite of this. Because instead of not depressing wages in the local area, it is increasing construction wages throughout the United States and contributing greatly to increased construction costs both to the taxpayers of this country and to individuals in private construction.

Let me go back and prove that point for just a moment. In 1931, when this act first became law, the construction industry was not well organized. Not too many were union members. What is the situation today? The construction industry today is highly organized and in the field where Federal construction exists—it is almost 100 percent organized. These wages are set forth in local contracts between the local craft unions and the contracting industry in those areas.

Mr. SNYDER. Mr. Chairman, I make the point of order that a quorum is not present.

The CHAIRMAN pro tempore. The Chair will count. [After counting.] One hundred and two members are present, a quorum.

Mr. MARTIN of Nebraska. Mr. Chairman, today there is a highly organized situation in the construction industry. Most of the Federal work for which there are contracts amounts to from several hundred thousand dollars to many millions of dollars.

The contractors who bid on these types of jobs throughout the entire country, we find, are those who deal with organized labor. Their wages are controlled and set by local labor contracts arrived at between the contractors and the unions. As a consequence, the Davis-Bacon Act no longer serves the purpose for which it was originally intended, because the union contracts make certain that wages are not depressed in the various localities.

I shall quote from the law very briefly, to show what is covered in the determinations by the Secretary of Labor. He is to make determinations as to the prevailing wage rate in the city, town, village or other civil subdivision of the State—and I ask Members to mark that language—of the State in which the work is to be performed. It does not say that he is to go outside of the State. It says, "of the State in which the work is to be performed."

Despite this, we have seen numerous instances when the Solicitor of the Department of Labor has violated this concept which is specifically and plainly written into the law, by making determinations which have gone across State lines.

Let me give an illustration. I have before me information on predetermined rates in the Fort Warren area—that is, Cheyenne, Wyo.—where a Minuteman missile construction project is presently underway. The construction of this project is being carried on in eight counties; two in Colorado, three in Wyoming, and three in Nebraska.

I shall give the wage rate for one occupation, as determined for common labor.

In the three counties of Wyoming the determination was $2.22 an hour for common labor. In the two counties in Colorado the determination was $2.47 an hour. In the three counties in Nebraska it was $2 an hour.

What did the Solicitor come up with as the project agreement rate on this, as his determination? He took the highest rate, in only two of the counties in Colorado, and went across State lines to determine that the rate should be $2.47 an hour, to the detriment of our people in those rural counties in Nebraska and also in Wyoming. He arbitrarily established a higher wage rate than predominates even according to his own figures. Again I say he went across State lines to make his determination, to provide one wage rate for the entire project in that area.

The Solicitor has also gone beyond his jurisdiction in making determinations as to the classifications of work. There is nothing in the act which provides that he shall make determinations in regard to classifications. The act only provides that he shall determine the prevailing wage for comparable work in the area.

I have before me a copy of the decision of the hearing examiner in a case currently pending in Nebraska in regard to carpenters' helpers. I shall quote from the conclusions on the last page of the report of the hearing examiner. I do not believe this comes within the jurisdiction of the Solicitor, to make a determination in such a case.

I quote:

1. In all "areas" (as that term is used in 29 CFR 1.2(b)) of the State of Nebraska, it is the prevailing practice to use the classifications of carpenters' helpers and form setters on private and public construction projects.

2. Such classifications are found in all "areas" of Nebraska, except Douglas and Sarpy Counties, and are used at least on structural form work on heavy and highway construction.

3. These classifications have been used under various job titles for about 25 years on non-Federal constuction, and, under their present names, on Federal reclamation work about 4 years, and interstate highway construction for about 6 years.

4. There are presenty no existing criteria effectively distinguishing the carpenters' helper and form setter classifications from the carpenter classification.

5. The terms and public policy of the Davis-Bacon Act require that laborers and mechanics performing structural form work in all "areas" of Nebraska, except Douglas and Sarpy Counties, on heavy and highway construction, under the classifications of carpenters' helpers and form setters, should be specified as carpenters under the wage determination provisions of section 1 of the Davis-Bacon Act.

Here is a classification, the carpenters' helper and form setter, that has been in practice, as admitted by the examiner, for 25 years in Nebraska and has been certified to by the Nebraska State Highway Department to the Solicitor, and yet the examiner rules that the carpenters' helper classification must be eliminated and these men must be paid carpenter's wages.

Mr. Chairman, I submit the Solicitor under the terms of the Davis-Bacon Act as currently written does not have any jurisdiction in this field and he is not eligible to change classifications that have been in effect for 25 years.

I hope that this proposal today to bring fringe benefits in as part of the wage determination factors of the Davis-Bacon Act is defeated.

Mr. FRELINGHUYSEN. Mr. Chairman, I yield such time as he may desire to the gentleman from Pennsylvania [Mr. Saylor].

Mr. SAYLOR. Mr. Chairman, I favor this legislation.

Mr. Chairman, in 1931, a Republican Senator from my own State of Pennsylvania, James J. Davis, and a Republican Congressman from the neighboring State of New York, Robert Bacon, sponsored what has become one of the most important pieces of labor legislation, commonly referred to as the Davis-Bacon Act.

Its purpose was to assure the people in any area of the United States that the Federal Government, through its contractors, would not disrupt the local economy by allowing a contractor doing work for the Government to pay his employees less than the prevailing wage in any such area of the country.

For over 30 years that policy has been the law of the land as a result of the enactment of the Davis-Bacon Act.

Today, we are considering an amendment to this act which would require a contractor to consider as a part of the prevailing wage in any area the inclusion of fringe benefits. Since the passage of the original act, fringe benefits have become an integral part of our wage structure. Frequently the only matters considered during negotiations between management and labor are fringe benefits. It is therefore only fitting and proper that such fringe benefits should be included in the determination of prevailing wages in any area.

My conclusions are not based upon theory alone. I have the advantage of living in a State which already has such requirements as a part of its statutes.

In the State of Pennsylvania, our prevailing wage laws provide that employers' and employees' contributions for employee benefits, pursuant to a bona fide collective bargaining agreement, shall be considered an integral part of the wage rate for the purpose of determining the minimum wage rate under the prevailing wage law.

This concept of wage rates is much more realistic in terms of our present day wage structures.

The proposed amendment to the Davis-Bacon Act would take into consideration this changed concept of wages by the inclusion of fringe benefits. The need for such an amendment becomes more apparent when we realize that without an amendment of this type a construction contractor who contributes to welfare and pension plans, apprentice programs and other fringe plans is placed at a competitive bidding disadvantage with the construction contractor who fails to provide for his workers—the same situation that existed in 1931 and led Congress to enact the original Davis-Bacon Act.

Certainly, the Federal Government, as the protector of the welfare of all the people, should be a leader in eliminating practices which depress local wage standards.

On the basis of our experience in Pennsylvania, we have had little or no problems in administration as evidenced by the paucity of appeals or complaints made concerning wage determinations. Our industries have also been strengthened by a sense of honest and fair competition as a result of this realistic approach to wage determination. Moreover, to my knowledge, there has been no appreciable increase in the cost for State government projects.

Therefore, on the basis of the experience of my own State and the seven other States with fringe benefit provisions, I strongly urge you to support these amendments which will constitute a further step in helping to alleviate some of the economic problems of our society.

With the approval of this bill, the Congress will not be venturing into a new legislative field, but its enactment will bring the bidding on Federal contracts more in line with the standards of some of our more progressive States.

Mr. ROOSEVELT. Mr. Chairman, I yield such time as he may require to the gentleman from New Jersey [Mr. Joelson].

Mr. JOELSON. Mr. Chairman, I rise in support of the pending bill.

The Davis-Bacon bill was originally a good law, but in order for it to remain a good law, it must be modernized and brought up to date in the light of present-day labor relations.

We must face the fortunate fact that fringe benefits are an integral part of current workers' rights. In fact, I think we should not call them "fringe." They are indeed central.

Unless we consider such benefits under the Davis-Bacon bill, we will do a disservice to the American worker.

Mr. ROOSEVELT. Mr. Chairman, I yield 5 minutes to the distinguished gentleman from Hawaii [Mr. Gill].

Mr. GILL. Perhaps it is time, Mr. Chairman, to get back to what this bill is all about. All we are doing now is adding to the definition of wages, those fringe benefit payments which have become widely accepted in the construction industry. We are merely conforming the law to the practice. There is no more reason to give an advantage to a contractor who has managed to avoid paying the prevailing level of fringe benefits than there is to give such a competitive advantage to one who pays substandard wages. Both are cost items to the employer and both are compensation to the worker.

Very few will argue on this basic point. I think another key point has been mentioned: This particular bill, insofar as it deals with fringe benefits, relates to the cost to the employer. It is the prevailing cost which is at issue; it is not the benefit that may finally accrue to the employee. If you will look at the bill, you will see that is just what it says. On page 2, lines 3 and 7 it starts off "(A) the rate of contribution." Then under (B) it mentions "the rate of costs." It says nothing at all about the benefits. That, of course, is the only way you can measure the burden on the employer.

I think we should also point out for the benefit of the gentleman from New York that even wages paid may differ. Even though a basic wage rate is set, some people may get more overtime than others.

Fringe benefits may certainly differ. You may have a sick benefit plan, but not everybody gets sick. You may have a vacation plan, but some people may qualify and others may not. You may have a pension plan, the benefits of which will fall in a different fashion on different persons depending on their length of service and the terms of the plan.

I would now like to touch briefly on something which is going to come up later, namely, judicial review of the fringe benefit section. I understand this amendment will be offered. The key to the present act and the key to all proceedings under the Davis-Bacon Act is the predetermination of wages. The certainty of the wage scale gives fairness to the bidding. Every contractor knows in advance what his labor cost will be. He then bids on his ability to perform the contract efficiently. This rewards the efficient and skilled contractor and saves the Government money. Obviously, unless all the contractors know in advance the cost of labor, none can bid with certainty.

The proposal to submit this to judicial review will create uncertainty. The gambler may win. He may attack the wage determinations in advance, or wait until they are due and then fail to pay. He can then take a chance that some judge will agree with a wage level lower than that set by the Secretary of Labor.

I think it is perfectly obvious that under this particular type of law an advance attack on the wage levels will almost assuredly delay construction. In addition to delay and cost uncertainty I think there are also some particular problems raised here. First, if a suit is brought in advance of letting a contract, by the time the wage levels are finally determined by the courts they may be out of date. Second, this procedure will allow "strike suits" by contractors who may not be ready to bid at a given time. Such a contractor can hold up the work until such time as he is ready to bid and then withdraw his suit, to the disadvantage of other contractors who may have had idle men and equipment ready to go to work at any time.

Finally, I think we should point out that there is no real right to judicial review in this type of proceeding. All that is involved is the right of the Government as a builder to say what price it will pay for its labor. The price is the same to all bidders; they stand on equal footing; if they do not desire to pay such wages on this particular job, then they need not bid.

Certainly few will dispute the right of the Government to specify what type and quality of materials will be used in its buildings, the size of the buildings, or the floor plan. Why should we claim a difference when the wages of men are involved?

I think some of these arguments have been made with a desire to kill the basic law, the Bacon-Davis law, which has been with us since 1931. Certainly the amendments that will be offered to the fringe benefit sections will be offered with the hope of making those sections inoperative.

Mr. ROOSEVELT. Mr. Chairman, I yield 3 minutes to the distinguished gentleman from New Jersey [Mr. Daniels].

Mr. DANIELS. Mr. Chairman, I strongly urge enactment of H.R. 6041 which would include fringe benefits in prevailing wage determinations under the Davis-Bacon Act.

The equalization of labor costs in prevailing wage determinations is essential if this act is to be administered fairly and efficiently. This objective, however, cannot be fully accomplished under the act's present provisions. This is because these determinations currently do not reflect the employer contributions now being made to nearly 7,000 welfare and pension plans in the construction industry.

Simple justice demands that prevailing wage determinations encompass all types of prevailing wage payments so long as they represent a part of the direct cost of Government construction. Without this feature, this law cannot be totally effective in protecting local wage standards.

More than three decades ago when the Davis-Bacon Act became law, cash wages, virtually without exception, constituted the only kind of remuneration paid to construction workers. In the intervening years—and especially since World War II—wage payment practices have changed almost as much as the techniques of operation in this industry. Whereas, employee benefit plans were almost completely unknown when this law came into existence in 1931, there are now, as I have indicated, nearly 7,000 of such plans in this industry.

I am sure it is not the intention of Congress to penalize the fairminded employer who provides such benefits for his employees; nor surely do we intend to penalize the employee who seeks to protect the future welfare of himself and his family by accepting part of his wages in the form of fringe benefit payments.

Yet this is exactly what we shall be doing if we reject this bill. Since prevailing wage determinations for Federal and federally assisted construction projects now cover only part of the wage picture—the payment of cash wages—employers who do not provide fringe benefits for their employees frequently can underbid those employers who do. This is manifestly unjust to the more progressive, fairminded employer and to those workers whom he employs.

Mr. Chairman, if the Davis-Bacon Act is to continue to protect local wage standards, it is essential that it be updated to take into account the changed pattern of wage payments in the construction industry. I therefore urge the enactment of H.R. 6041.

Mr. ROOSEVELT. Mr. Chairman, I yield such time as he may desire to the gentleman from Michigan [Mr. O'Hara].

Mr. O'HARA of Michigan. Mr. Chairman, we should briefly review the essentials of this legislation before we begin consideration under the 5-minute rule.

The salient fact is that over the past 15 or 20 years many workers in the construction industry in bargaining on wage rates have chosen to take some of their pay in these so-called fringe benefits such as health insurance, retirement, paid vacations, and so forth. But there is considerable variation among them in their relative preference for fringe benefits over direct wages and vice versa.

I procured a listing of typical contract provisions from the Detroit area and I find, for instance, that boilermakers have taken 35 cents of their hourly wages in fringe benefits; asbestos workers, 74 cents; engineers, 30 cents; glaziers, 23 cents; pipefitters, 62.5 cents. Unless we recognize that fringe benefits are as much a part of a workman's wages as the dollars and cents in the pay envelope, the Davis-Bacon law does not truly reflect anything and the intent of Congress when it enacted this law in 1931 and amended it in 1935 is frustrated.

I would like to briefly refer also to questions raised by the gentleman from New York [Mr. Goodell]. I have finally located in a copy of the hearings the testimony to which he has referred. I find it was given to the committee by a gentleman named Coleman who is a contractor from Silver Spring, Md. As I have tried to understand Mr. Coleman's testimony it amounts to simply this: He has peak seasons, and he has slack seasons. He has a certain number of people he tries to keep on the payroll the year round. They are his regular employees. To them he pays a certain wage and makes contributions to certain funds in the way of fringe benefits. He said he paid $12,000 a year into the pension fund, and $1,200 a year into an accident-health insurance fund.

Then he went on to say that when the peak season is upon him and he needs extra workers, he hires them at $3 an hour with no fringe benefits. The Secretary of Labor will have no difficulty in finding out that he pays some of his employees $3 with no fringe benefits, and his regular employees some other amount plus fringe benefits.

Mr. GOODELL. Mr. Chairman, will the gentleman yield?

Mr. O'HARA of Michigan. I yield to the gentleman from New York.

Mr. GOODELL. The gentleman has referred to one of the people who testified in this general area as to the way the fringe benefits are set up. The gentleman assumes Mr. Coleman paid workers not eligible for fringe benefits more in cash than those workers eligible. That is precisely what should happen. If a worker does not participate in a program's benefits, he should not be required to pay for it. The employer thus would not pay money on that employee's behalf into a fund. That would be paid in cash directly to the worker. This is one of the situations. There are others. The general practice in the industry, according to what the gentleman says, is to make all employees eligible. Then I do not understand why the gentleman should be concerned about the legislative history that I tried to make, that the Secretary has the responsibility simply to get a statement from the employer when he makes the report of what fringe benefits are involved and what contributions are involved, as to how many employees, and what percentage of the employees in that category are affected. If he does not do that, the Secretary really does not have the basis for determining that it is prevailing.

The gentleman from Pennsylvania pointed out the same thing. He kept referring to the fact that all you have to do is ask the contractor what he has to contribute under this collective bargaining agreement toward fringe benefits, that this will settle the matter. It does not settle the matter. We should go beyond this to be sure what percentage of the workers are involved here. There are 150 different legal devices for eliminating workers from benefits. One is that they have not worked for 6 months steadily. You can go right down the line. Further, there may be a specification that they belong to the union or local. But the point is, Why does the gentleman oppose clarifying it?

Mr. O'HARA of Michigan. In response to repeated requests for specific examples the gentleman has cited only one. I have examined the hearings on that one and have just described that situation as it exists. I would say that in this case it is up to the Secretary of Labor, when he determines the prevailing wage—I am sure that this will satisfy the gentleman—to be sure that X number of employees of the contractor, the regular employees, are receiving so much and Y number may be receiving such and such an amount, which may be less. That is what he has to do and that is what he is doing. I do not understand the difficulty of the gentleman from New York.

Mr. GOODELL. The answer I have been trying to get from the other Members on your side of the aisle is that the Secretary should look into the question of how many employees have contributions made for them and how many participate as eligible beneficiaries. That is the only way to determine the fringe benefits prevailing. That is the legislative history I want to establish here. The gentleman has asked for specific examples—which were cited in hearings a year and a half ago, not the hearings on this bill. Anyone familiar with practices in the building trades knows there are countless examples.

Mr. O'HARA of Michigan. I think one of our difficulties is not taking an example. Let us take as an example Mr. Coleman. The Secretary calls on Mr. Coleman and asks him, "How much are you paying your carpenters?" He says, "I am paying my regular carpenters so much, my temporary carpenters so much." He should take down that information and use it in determining the prevailing wage.

Mr. Chairman, I urge the House to adopt this bill without amendment.

Mr. ALGER. Mr. Chairman, the Davis-Bacon law should be amended to become subject to judicial review. As the law now stands the Secretary of Labor sets the wages and when disputes arise involving his decisions the Secretary becomes the prosecutor, judge, and jury of the dispute in which he is a party. This is government by men, not law. This is unfair. This is unconstitutional, surely, by any test.

I join with my colleagues who wrote the supplemental and minority views and commend them for their views as expressed in the report.

The supplemental and minority views give ample evidence to make in order the judicial review amendment, and I join my colleagues in this effort.

However, I would prefer to see us completely overhaul the Davis-Bacon law on these same grounds. The many examples of payroll padding beyond prevailing wage, the numerous abuses in poor administration as listed, the unfortunate effects on the local community's economy as Federal wages are imposed, the jurisdictional labor disputes aggravating today's labor-management problems, these and others proclaim to me that the Federal Government should not be in the field of wage setting.

Federal Government's role is not in the area of wage setting or working conditions. The alleged laudable goals of the Davis-Bacon law are based not on capitalism but on the dubious foundation of Government in business. To me there is no justification for the Government to be in wage setting. The dangers recited as reason for the Davis-Bacon Act I categorically contradict and believe that an objective study of this law will show that our private market capitalistic economy has built in it the checks and balances that deny the reality of the alleged dangers. If not, then unions are failing their historic function of collective bargaining with the employer.

Indeed, Davis-Bacon has aggravated the warfare of union versus union known as jurisdictional warfare. We have the cart before the horse.

If this Congress would return to a study of our Federal laws that relate to our economy in terms of the economic principles of private enterprise and capitalism, then many laws would be repealed, including Davis-Bacon, to our national benefit.

Government—Federal Government—has no place in wage setting, in conducting business operations in competition with citizens in business, or in trying to provide the basic necessities of life including food, clothing, housing, jobs, and medical needs. This is not to say people needing help should not be helped, nor that sweat shop wages will result. Human needs, so often mentioned, cannot be provided by Federal Government. Indeed, Government action becomes self-defeating.

Prevailing wages will be paid by employers or employees will not work. The fears of the 1930's and the many Federal solutions are not in order today.

What we need to do is to free-up the private market, individual initiative and the traditional ingenuity and inventiveness of our people. This is not a loose generality but a solid statement of fact. The locality and State can handle wage problems if any arise—no Federal Government is needed. It is worthy of a try. The Davis-Bacon law should be repealed. Should the law not be repealed, then judicial review is in order. Wage setting, as I have said, is not the function of Federal Government. However, if the law is not repealed, then there should be judicial review, so that there is the right of appeal from the arbitrary decisions of one man, the Secretary of Labor. One man dictatorially setting wages is hardly an American concept of private enterprise and capitalism, as I see it.

It seems to me, no harm would accrue, but much good would result from a careful review of the Davis-Bacon law's violations of private enterprise concepts. Toward this end I solicit my colleagues' attention, and shall continue to keep alive this viewpoint, so that it not be lost in our deliberations of the Federal Government's limited role in our lives.

Mr. LIBONATI. Mr. Chairman, the amendments approved by the Committee on Education and Labor consisting of the fringe benefits including group hospitalization, disability benefits, and others to be included in prevailing wage determinations under the Davis-Bacon Act is an important step in establishing by law—affecting 85 million employed—these benefits as a form of compensation. The protection afforded to the employed by the enactment of these proposed amendments carries out the basic purpose of the Davis-Bacon Act, to determine prevailing wages, labor practices, and customs in an area or locality. The thousands—over four—of welfare funds in the construction industry are supported financially by the employer's contributions of a certain amount—generally starting at 10 cents per hour—for each working hour. In excess of 70 percent of the workers in this industry are so covered, as a result of collective bargaining, the fringe benefits were accepted and considered in reality as an increase in compensation in lieu of wage increases.

The States—eight—have recently added fringe benefits to their prevailing wage laws. In certain areas employers contribute 25 or 35 cents per hour to these health and welfare funds. The industry has accepted this type of contribution as a bargaining factor in wage disputes.

These costs are figured by the employer in bidding for projects. It is a significant figure in dollars and cents to be calculated in the employment costs under the contract. Contributions by the employer to health, welfare, pension, apprenticeship, and training plans have increased steadily because of the modern trend in labor's thinking to seek security for the worker's family unit and his old age. Therefore, these costs should be recognized and established by law as an integral part of a basic figure in determination of the prevailing wage rate.

Mr. PELLY. Mr. Chairman, I strongly support the inclusion of fringe benefits under the Davis-Bacon Act, as spelled out in H.R. 6041, presently before the House for consideration. The passage of this bill will substantially improve this important legislation.

However, there are other inequities in the act which I had hoped to see corrected at this time, and had the parliamentary procedure permitted during consideration of the bill, I intended to offer an amendment that would have included maintenance and janitorial service under the provisions of the Davis-Bacon Act.

I have had the privilege of authoring bills to accomplish this purpose on two separate occasions, once in the 86th Congress and once in the 87th Congress. The maintenance and janitorial contractors in my congressional district in Seattle, Wash., are seriously handicapped in bidding on any local contracts. For many valid reasons, GSA, Department of Defense and other governmental agencies have called upon the janitorial and maintenance contractors to bid on this work. This, of course, is good for the industry in that it creates a new customer. It is also good for the Government because it has reduced the cost and increased efficiency.

Contractors in my area responded to this new source of business and attempted to secure contracts in various agencies throughout the United States. However, it was soon obvious that due to the system that was necessarily employed in awarding contracts to the low bidder, any operator who resorted to hiring help at below the prevailing rate in an area inevitably was the low bidder. As a result, nonlocal or out-of-State contractors without previous union contracts are consistently the successful bidders in all governmental activities in the Puget Sound area.

This creates a discriminatory situation under which local unionized contractors cannot meet the competition when paying prevailing scales required under union contracts. The out-of-State contractor, of course, employs help on a part-time basis, at substandard rates, and using nonunion labor.

This condition is intolerable to both management and labor and certainly should be corrected. It now appears that inasmuch as my amendment cannot be considered at this time that separate legislation is in order, and I am pleased to note that hearings are underway on H.R. 1678, by my colleague, Congressman O'HARA. It is my intention to lend every possible support to this bill, and I thrust that shortly the Members of the House will have an opportunity to act affirmatively on that legislation.

Mr. SICKLES. Mr. Chairman, the Davis-Bacon Act was enacted 33 years ago. Its purpose was to assure that the Federal Government would not, by virtue of its construction policies, contribute to the depression of wage rates and the lowering of labor standards in our local communities.

Since that time, in addition to an increase in the level of Federal spending for construction, we have witnessed a tremendous growth of the so-called, "hidden paycheck" or fringe benefit. An excellent article in the May 14, 1963, edition of the Wall Street Journal pointed out that since 1946 fringe benefits in the United States have increased much faster than wages and salaries. It noted that the increase in payments to private welfare and pension funds has risen almost 700 percent since 1946. These and other fringe benefits have risen from an estimated 3 percent of wage and salary earnings in 1946 to a record 7 percent last year. This means that every dollar received in wages is accompanied by 7 cents in fringe benefits. In the city of Baltimore in my own State average benefits range from 20½ cents paid hourly into insurance and pension funds for plumbers to 7½ cents paid hourly in insurance plans for painters nationally. The fringe benefit paycheck is estimated to be about $20 billion a year. The Department of Labor has estimated that pension plans grew in number from 7,400 in 1945 to 25,000 in 1960. The number of persons covered under these plans in that period grew from 5½ million to approximately 80 million.

Wages and fringe benefits are now considered part of the total employee benefit "package" negotiated by labor and management or received by the employee from his employer. These fringe benefits have measurable dollar value, and are often preferred by security-conscious, farsighted employees over straight cash salary increases.

At the present time, under the Davis Bacon Act, the Labor Department does not include the dollars and cents value of fringe benefits as part of the "prevailing wage" figure to be paid on Government construction covered under the act. As a result, the labor costs to employers not paying these benefits is lessened, and enlightened employers, those who provide adequate security features and modern personnel practices in their contracts with employees, are penalized. Eight States have already wrested leadership from the Federal Government in the prevailing wage field by providing in State construction projects for the inclusion of fringe benefits in the prevailing wage determination.

The Congress has recognized the importance and swift growth of welfare and pension plans by providing for their regulation in 1959. It is time that the Congress also acts to include these and other fringe benefits in the determination of the prevailing wage under the Davis-Bacon Act. To do less would be to ignore the facts regarding fringe benefits and seriously undermine the basic principles of this law established by Congress over 30 years ago. To do less would be a serious injustice to both employers and employees in the construction industry.

Mr. GRABOWSKI. Mr. Chairman, I wish to give my full support to H.R. 6041, a bill which would require the Secretary of Labor to include fringe benefits when defining prevailing minimum wages under the Davis-Bacon Act.

This act requires that wage standards prevailing in local areas, cities, and towns be observed on Federal and federally assisted construction projects. The object of this law is the same as when it was passed in 1931, to protect the standards which prevail in any area against the importation of labor from other areas with lower standards. It was passed in a Republican administration and amended into substantially its present form in a Democratic one. It is not a partisan issue. It is not untried legislation. It has been on the statute books for a generation.

When this law was enacted the situation with respect to construction wages was a fairly simple one. Workers were paid so much per hour and that was their wage. The act does not even contain a definition of wages. No one thought it was necessary at the time. Indeed, it was not necessary in 1931. Fringe benefits were practically unknown.

At present, however, construction workers, like many other workers have gained, through free collective bargaining with their employers, many additional benefits, unknown to their fathers a generation ago. Today, construction workers are paid not only hourly wage rates, but in addition employers pay substantial amounts, usually measured as so many cents per hour, into various types of health and welfare plans on their behalf. There are medical funds, hospital funds, pension funds, retirement benefits, death benefits, unemployment benefits, insurance to pay for injuries, disability insurance, and sickness insurance. There are even funds to provide for paying the cost of apprenticeship or of other kinds of training programs.

The wage determinations of the Secretary are a part of the stipulations for bid and of the construction contract itself. H.R. 6041 would require that when he established prevailing wage scales under this act the Secretary of Labor would also determine what was being paid in contributions toward such fringe benefits, as well as the hourly rates of the construction workers in the area. The stipulation then would contain a requirement that whoever received the contract to perform the work in the area should pay his employees not less than the prevailing hourly rates plus an amount not less than was being paid there for fringe benefits. If the contractor came from the area he would be, necessarily, paying these amounts. If he came from outside the area, he would have to live up to the standards prevailing in the area. This is only simple fairplay and justice—to treat all bidders alike.

When this bill was considered in 1962, some objected that this would require employers coming into an area to work to establish funds for the payment of such fringe benefits. This is no longer true. The bill provides that such an employer may, if he does not wish to set up a fund, pay an equal amount in cents per hour directly to the workmen. Thus, all contractors would be given equal treatment and an equal opportunity to bid on contracts in any part of the country.

H.R. 6041, I repeat, is only an updating of one of the oldest and best established labor laws that we have. It is not a new law. It proposes nothing novel or untried. It does no more than might have been done in 1931 or 1935 had fringe benefits been a subject for collective bargaining at the time. I strongly urge its passage at this time.

Mr. BOLAND. Mr. Chairman, I rise in favor of H.R. 6041, a bill amending the Davis-Bacon Act to bring it up to date by including fringe benefits in prevailing wage determinations. There has been a tremendous change in the concept of earnings since Congress enacted the Davis-Bacon Act in 1931. Group hospitalization, disability benefits, and other fringe benefit plans were the rare exception in the 1930's. Today more than 85 million persons in the United States depend upon the benefits they provide.

Regardless of the form they take, the employer's share of the cost of these plans or the benefits the employers provide are a form of compensation.

If the Davis-Bacon Act is to continue to accomplish its purpose, prevailing wage determinations issued pursuant to the act must be enlarged to include fringe benefits. The act was founded on the sound principle of public policy that the Federal Government should not be a party to the destruction of prevailing wage practices and customs in a locality. Unless we approve these amendments before us today to provide for the inclusion of fringe benefits in wage determination, prevailing wage practices and customs will not be reflected in these determinations. I urge the passage of this bill.

Mr. TOLLEFSON. Mr. Chairman, I want to urge my fellow Congressmen to vote for H.R. 6041, a bill which would amend the Davis-Bacon Act to require that fringe benefits be included in computing prevailing wages.

It seems to me that a prevailing wage really means very little unless it takes fringe benefits into account. Certainly an employee who does not receive fringe benefits is getting a whole lot less than the man who does.

We in the State of Washington have long recognized this to be a fact of life—that wages include more than the hourly cash rate, that fringe benefits are a real part of a worker's compensation. For that reason the State of Washington has for many years required that fringe benefits be included in determining the prevailing wage to be paid workers employed on State public works projects. We recognize that only in this way can one arrive at a truly fair appraisal of what workers in a given locality are receiving as compensation for their labors.

I am aware that 20 or 30 years ago—when the Davis-Bacon Act first came into being—few members of our work force received the fringe benefits which are commonplace today. But times have changed. Today, fringe benefits are an important part of a worker's compensation. And that is why the Davis-Bacon Act no longer provides the wage protection which it provided in the past. That is why the amendment provided by H.R. 6041 is so sorely needed.

Mr. Chairman, there is nothing novel or untried in the proposed amendment. As I said before, we have had this kind of law in the State of Washington for many years. Other States have similar laws. Wherever these State laws exist the results have proven their worth. Administrative problems have been few and far between. Building costs have not increased, but employee satisfaction has, and so have the standards of workmanship.

In short, State experience with this type of legislation has been very satisfactory. I would expect the same satisfactory results to occur on a much broader scale if fringe benefits provisions are incorporated into the Davis-Bacon Act. Without such provisions, I do not believe the act can successfully carry out its intended purpose. That is why I urge enactment of this legislation.

Mr. DON H. CLAUSEN. Mr. Chairman, I rise in support of this legislation.

The proposed amendment to the Davis-Bacon Act, which would provide for the inclusion of fringe benefits in determination of prevailing wages, is both fair and right. It seems clear to me that fringe benefits are part of a workman's compensation for his labors and should be so considered in a determination of prevailing wages for a Government contract. Incidentally, I might say that in talks with my colleagues, I find no serious threat to the passage of these amendments.

Further in line of labor legislation, I might add that it certainly appears at this point, that the railroad crisis will be before the Congress again in the near future. As you may know, I voted against the previous settlement in the Congress on the basis that this legislation is the first step toward compulsory arbitration. I would like to quote my official public statement on this matter at the time:

> I voted against the railroad bill. What the Congress and the President did was to duck the issue. They set the precedent of using compulsory arbitration as a temporary expedient to prevent an economically dangerous railroad strike. Thereby, they marked the beginning of the end of free collective bargaining. I predict that before the 88th Congress completes its labors, similar crises will develop in the trucking and shipping industries.
>
> Clearly, something was needed to prevent an economic crisis in the railroad situation. But a long-range solution, rather than a temporary one, should have been sought. I am against centralized business, centralized labor, and centralized government. In this case, I think the monopoly blocs in labor and business both should be broken into units so that normal collective bargaining could proceed without threatening the entire national economy. One thing I always try to remember, centralization leads to control. And the American people want to be free, not controlled.

I stand by this statement and will continue to oppose compulsory arbitration in the railroad situation. I would recommend that those interested in this effort should immediately begin to develop the progressive proposals necessary to meet this crisis without resorting to compulsory arbitration.

Mr. MATSUNAGA. Mr. Chairman, I rise in support of H.R. 6041, a bill to amend the Davis-Bacon Act.

As enacted in 1931 and amended in 1935 and 1940, the Davis-Bacon Act requires contractors and subcontractors working on U.S. Government construction contracts amounting to $2,000 or more to pay laborers and mechanics not less than the prevailing wages for laborers and mechanics in that area. By this act the Federal Government established a firm policy that it was not to be a party to depressing local labor standards.

Since the last amendment to the act, an employer's payment for health, welfare, pension, and apprenticeship training plans have become substantial elements of the total wages paid their employees. It is no longer arguable that these so-called fringe benefits do not constitute a part of the employee's compensation for his daily work. Yet under the Davis-Bacon Act in its present form, these fringe benefits are not included in the determination of "prevailing wages," and employers hiring laborers and mechanics on Federal construction contracts need not in fact pay the "total wages" prevailing in a given area. The proposed legislation is intended to correct this situation so that the Federal policy as established by the Davis-Bacon Act may be in fact carried out.

If you who are hesitant in voting for this measure wish to be shown a precedent in this area, let me direct you to the good State I represent. Hawaii has not only adopted a little Davis-Bacon Act; it has also enacted an amendment in substantially the form proposed here. The beauty of it all is that no one is complaining. All concerned—contractors, subcontractors, laborers, mechanics, labor unions, and the State itself—appear to be pleased with the operation of our State law.

Speaking from actual experience, therefore, Hawaii would like to contribute to the discussion by saying: "Have no fear. Let us legislate in keeping with social and economic progress."

Mr. Chairman, the enactment of H.R. 6041 will certainly add stability to the construction industry at the national level. I urge a favorable vote.

Mr. GIAIMO. Mr. Chairman, my reason for addressing this House today is that I have seen with my own eyes in my own district the grievous results of the failure to include in the Davis-Bacon Act the provisions which we propose to add today. I am sure that many Members in this hall can bear witness to the unfairness in the letting of Federal contracts when the cost of fringe benefits need not be included in the contractor's bid.

The city of New Haven offers a most instructive case. Not long ago a contract was awarded for painting the interior of the New Haven post office. The low bidder was the General Painting Co. of Weymouth, Mass. That contractor did not pay fringe benefits to his workers.

It is interesting to note that the bid submitted by the General Painting Co. in amount of $24,000 was more than $5,000 below the bid submitted by Joseph Cohn & Son, Inc., a New Haven contractor. I am informed that the difference in these two bids would approximate the value of the fringe benefits which the New Haven contractors pay their workers and the Weymouth, Mass., contractor, does not.

Needless to say, this situation has caused a great deal of frustration among New Haven contractors, who are penalized in bidding on Federal construction jobs primarily because they have attempted to foster and maintain fair labor standards; namely, a living wage plus fringe benefits. Indeed, many contractors have told me that they refrain from bidding on Federal construction projects because there is very little chance of success, especially when the contract is of such a character that it attracts out-of-town bidders who observe different and usually lower labor standards. Paradoxically, however, eliminating fair contractors from competing on this type of project inevitably results in a greater cost to the taxpayer because of the restricted competition. Obviously, increased competition almost always results in lower costs.

There is no doubt in my mind that similar cases arise almost every day in all parts of the country. The very contractors who negotiate with their workers to provide them with a balanced and acceptable standard of living, are the ones denied access to Government contracts; contracts, I might add, of a Government whose avowed purpose is to provide for all its citizens a decent standard of living. The contractors and unions who pursue Federal policy presently find themselves elbowed out of the field by scavenging competitors who prosper by exploiting their workers, and this gross inequity has the benign blessing of the U.S. Government. It is time that this inconsistent practice be stopped.

I am tired of seeing communities with just and peaceful labor conditions invaded by outsiders, whose only claim to the award of a job is that they fail to provide their workers with fringe benefits. Who knows what inefficiencies and profits are protected by this automatic increment. The Government has lost its leverage in assuring that the best contractor gets the award; it only assures that the award goes to the contractor who fails to provide his workers with benefits which we have come to accept as a necessary part of modern society.

Mr. Chairman, I think it is quite clear that I feel very strongly on this bill, a feeling which is based on personal experience. I wish to commend the gentleman from California for his authorship of the bill and his unswerving dedication to its principles. I also commend the distinguished chairman of the Education and Labor Committee for his enlightened leadership and resounding support of this legislation.

Mr. FRASER. Mr. Chairman, I urge my fellow Members of the House to vote today for H.R. 6041 to recognize fringe benefits as part of the prevailing wage for Government construction projects. And I oppose any move to tack on amendments to this bill whether for court review or any other purpose.

Ever since it was adopted in 1931 the purpose of the Davis-Bacon Act has been to protect fair employers from being underbid by substandard contractors who would bring cheap labor into a community. Today the fair employer is often paying wages partly in the form of fringe benefits—health, welfare, and pension fund payments for the benefit of the employees.

We should amend the Davis-Bacon Act to allow these fringe benefits to be considered part of the prevailing wage in the area, when federally assisted construction contracts are being let. That is the only way we can protect the fair construction employer and the American workingman.

In my own district, Minneapolis, Minn., fringe benefits are a sizable portion of the wage costs. For carpenters it is about 40 cents an hour. For electricians the pension, vacation, holiday, life insurance, hospitalization, surgical, and disability benefits amount to 61½ cents per hour. This is 15 percent of the gross labor payroll. Only vacation and holiday are taken into account in figuring the prevailing wage under the Davis-Bacon Act as it reads today.

The Education and Labor Committee report states well the purpose of the prevailing wage concept:

> To provide equality of opportunity for contractors, to protect prevailing living standards of the building tradesmen, and to prevent the disturbance of the local economy. * * * Contractors were free to compete against each other in efficiency, knowhow, and skill rather than in terms of their ability to depress the prevailing wage structure in a locality.

I urge you to vote for H.R. 6041 to bring the Davis-Bacon Act into the real world of 1964 so that the Federal Government will not be a party to depressing local labor standards, including fringe benefits.

Mr. FRELINGHUYSEN. Mr. Chairman, I have no further requests for time.

Mr. ROOSEVELT. Mr. Chairman, I have no further requests for time.

The CHAIRMAN. The Clerk will read the bill for amendment.

The Clerk read as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 1 of the Act of March 3, 1931, as amended (46 Stat. 1494, as amended; 40 U.S.C. 276a), is hereby amended by designating the language of the present section as subsection (a) and by adding at the end thereof the following new subsection (b):

"(b) As used in this Act the term 'wages', 'scale of wages', 'wage rates', 'minimum wages', and 'prevailing wages' shall include—

"(1) the basic hourly rate of pay; and

"(2) the amount of—

"(A) the rate of contribution irrevocably made by a contractor or subcontractor to a trustee or to a third person pursuant to a fund, plan, or program; and

"(B) the rate of costs to the contractor or subcontractor which may be reasonably anticipated in providing benefits to laborers and mechanics pursuant to an enforcible commitment to carry out a financially responsible plan or program which was communicated in writing to the laborers and mechanics affected,

for medical or hospital care, pensions on retirement or death, compensation for injuries or illness resulting from occupational activity, or insurance to provide any of the foregoing, for unemployment benefits, life insurance, disability and sickness insurance, or accident insurance, for vacation and holiday pay, for defraying costs of apprenticeship or other similar programs, or for other bona fide fringe benefits, but only where the contractor or subcontractor is not required by other Federal, State, or local law to provide any of such benefits:

Provided, That the obligation of a contractor or subcontractor to make payment in accordance with the prevailing wage determinations of the Secretary of Labor, insofar as this Act and other Acts incorporating this Act by reference are concerned may be discharged by the making of payments in cash, by the making of contributions of a type referred to in paragraph (2)(A), or by the assumption of an enforcible commitment to bear the costs of a plan or program of a type referred to in paragraph (2)(B), or any combination thereof, where the aggregate of any such payments, contributions, and costs is not less than the rate of pay described in paragraph (1) plus the amount referred to in paragraph (2).

"In determining the overtime pay to which the laborer or mechanic is entitled under any Federal law, his regular or basic hourly rate of pay (or other alternative rate upon which premium rate of overtime compensation is computed) shall be deemed to be the rate computed under paragraph (1), except that where the amount of payments, contributions, or costs incurred with respect to him exceeds the prevailing wage applicable to him under this Act, such regular or basic hourly rate of pay (or such other alternative rate) shall be arrived at by deducting from the amount of payments, contributions, or costs actually incurred with respect to him, the amount of contributions or costs of the types described in paragraph (2) actually incurred with respect to him, or the amount determined under paragraph (2) but not actually paid, whichever amount is the greater."

SEC. 2. Section 15(b) of the Federal Airport Act, as amended (60 Stat. 178, as amended; 49 U.S.C. 1114(b)), is hereby amended by inserting the words "in accordance with the Davis-Bacon Act, as amended (40 U.S.C. 276a—276a-5)" after the words "Secretary of Labor,".

SEC. 3. Section 212(a) of the National Housing Act, as amended (53 Stat. 208, as amended; 12 U.S.C. 1715(c)), is hereby amended by inserting the words "in accordance with the Davis-Bacon Act, as amended (40 U.S.C. 276a—276a-5)," after the words "Secretary of Labor,".

SEC. 4. The amendments made by this Act shall take effect on the ninetieth day after the date of enactment of this Act, but shall not affect any contract in existence on such effective date or made thereafter pursuant to invitations for bids outstanding on such effective date and the rate of payments specified by section 1(b)(2) of the Act of March 3, 1931, as amended by this Act, shall, during a period of two hundred and seventy days after such effective date, become effective only in those cases and reasonable classes of cases as the Secretary of Labor, acting as rapidly as practicable to make such rates of payments fully effective, shall by rule or regulation provide.

Mr. ROOSEVELT (during the reading of the bill). Mr. Chairman, I ask unanimous consent that the bill be considered as read and open to amendment at any point.

The CHAIRMAN. Is there objection to the request of the gentleman from California?

There was no objection.

AMENDMENT OFFERED BY MR. JONES OF MISSOURI

Mr. JONES of Missouri. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

> Amendment offered by Mr. JONES of Missouri: Page 1, line 10, after "shall", insert the following: ", notwithstanding any other provision of this Act," and on page 2, line 1, after "pay", insert the following: "prevailing in the city, town, village, or other civil subdivision, of the State in which the work is to be performed, as determined by the agency or officer of such State primarily responsible for enforcement of the labor laws of such State, as designated by the Governor or by State law".

Mr. JONES of Missouri. Mr. Chairman, I am attempting to clear up what I think has been one of the main misunderstandings under the Davis-Bacon Act and its enforcement.

I am in favor of the principles of this act and believe that by the adoption of the amendment I have offered, we will relieve the Department of Labor of some of the time and expense to which they have been put in attempting to determine what is the prevailing wage in the locality or area of construction or employment on the work to be performed.

I think this amendment is very clear and very simple. The amendment says that the basic hourly rate of pay prevailing in the city, town, village, or other subdivision will be determined by that State agency or officer that is primarily responsible for enforcement of the labor laws within the State. That person, of course, would either have been designated by the Governor of the State or under the laws of the State.

I might say this is consistent with the general practices in the labor field. Unions in the State of Missouri have different rates or scales depending upon the locality in which the union operates. For instance, in the city of St. Louis where the highest scale prevails, that rate is different than it is in a smaller city like Cape Girardeau or towns of 25,000 to 50,000 population. That scale also goes down lower in rural communities and in the smaller cities such as the city in which I live.

The unions have recognized that. In the past we have had difficulty when the Department or the Secretary of Labor would say that the prevailing wage in the locality in which a construction was to take place and where the Davis-Bacon Act was in effect, was the wage rate in the city of St. Louis.

In some instances we have been able to get that corrected. In other instances it has put an imposition upon the people who are trying to get the work done. This amendment would merely clarify that and it would put the determination within the State where the work is to be done.

I have no fault to find with the basic principles of this law, but I do say it would be preferable to have the determination made at the State level. I might add that in the additional work that this bill is going to impose on the Department of Labor, there will be a saving in costs, if we have this determination made at the State level rather than at the Federal level where they would have to send out additional people to make investigations and in the number of people who would have to be employed and the expenses of travel and so forth.

For that reason, Mr. Chairman, I think this amendment should be adopted.

Mr. ROOSEVELT. Mr. Chairman, I rise in opposition to the amendment.

I, of course, have the highest respect and regard for my good friend from Missouri, and I am sure he is trying to do something to be of aid and assistance in the administration of the act, but what the gentleman asks us to do, in essence, is to set up 50 individual methods for a wage determination of the Davis-Bacon Act. In all honesty I must point out to him that some States do not have any machinery of any kind and would not be prepared to make these determinations. I suppose, under the amendment, they could go ahead and do this, but they might not want to do it. We have had no request from any State that this be done in this manner.

My friends on the other side have been talking about uniformity, in part, at least. If we are to have any kind of uniformity and fairness in the administration of the act, this would completely destroy it; so I must reluctantly oppose the amendment and ask for its defeat.

SUBSTITUTE AMENDMENT OFFERED BY MR. GRIFFIN

Mr. GRIFFIN. Mr. Chairman, I offer an amendment as a substitute for the amendment offered by the gentleman from Missouri [Mr. JONES].

The Clerk read as follows:

Amendment offered by Mr. GRIFFIN as a substitute amendment for the amendment offered by Mr. JONES of Missouri: On page 3, line 12, at the end of the sentence strike the period, insert a semicolon and add the following: "*Provided further*, That if the construction cost of a public work is to be paid in whole or in part by a State or a subdivision thereof and if that State has a department or agency empowered to determine prevailing wage rates, then the wage rates and fringe benefits required to be paid shall be determined by such State department or agency."

Mr. GRIFFIN. Mr. Chairman, I can see some merit in the amendment offered by the gentleman from Missouri, but I am also persuaded somewhat by the argument of the gentleman from California [Mr. ROOSEVELT]. For example, the gentleman from California pointed out that some States have not set up agencies to determine prevailing wage rates. In addition, I question whether a State agency should determine prevailing wages in those instances where the Federal Government is actually paying the full cost of a particular project.

In offering my substitute, I should like to focus attention upon the fact that we have passed bill after bill in the Congress requiring application of the Davis-Bacon Act in situations where the State or local government pays one-half or a larger percentage of construction costs. I could refer, for example, to the Higher Education Facilities Act, the Library Services Act passed last week, as well as the Hill-Burton Hospital Act, and many others.

It seems to me that if the State or a subdivision of the State is actually paying a substantial portion of the construction costs, and if the State has administrative machinery to determine prevailing wage rates, then it is reasonable that such determinations be made by the State.

I believe the amendment makes sense from another standpoint. In such States as New York and California, for example, which have established agencies to determine prevailing wage rates, this amendment would result in more consistency. In such States at present it is at least possible that the Labor Department of the Federal Government can determine one wage rate to be prevailing for a given locality while the State agency finds a different wage rate to be prevailing in the same locality for the same job classification.

Accordingly, Mr. Chairman, in those situations where a State is paying part of the construction cost and has an established agency to perform this function, I believe that the principle advanced by the gentleman from Missouri is sound and should be applied.

I urge the adoption of my substitute amendment.

Mr. ROOSEVELT. Mr. Chairman, I rise in opposition to the substitute amendment.

Of course, the same basic objection holds true for the substitute amendment that holds true for the amendment itself. I think the gentleman has watered it down a little bit by trying to make it applicable only in those States which have this kind of machinery already set up, but basically the facts of life are that in these areas where the States are operating today, such as California and New York, the Department of Labor does use this machinery. It is there. There are other considerations which must be taken into account, about which the local department may well not have information. Therefore, the proposal would impose upon the State agency a function which would go beyond what the State agency normally would do.

That would obviously be unsound, and again the weakness of the gentleman's argument is that if there were any validity to this, then certainly over a period of 31 years we would have had State agencies coming in and asking for this power, and to my knowledge this has never happened. Incidentally, I might add to the gentleman that I think his amendment is a little bit defective because he does not amend section (a), which, if it were to be effective, he would have to do. It is applicable only to section (b).

Again let us not rewrite these things on the floor but let us stick with the committee. Therefore, I oppose both the substitute and the amendment.

Mr. GOODELL. Mr. Chairman, I rise in support of the amendment. I take just this one moment to answer what the gentleman from California [Mr. ROOSEVELT] said. The gentleman from Michigan [Mr. GRIFFIN] could not offer an amendment that applies to section (a). It would not be germane. This was the whole problem with our judicial review amendment. It is only section (b) that is before us here today. There is no reason why the State determinations of fringe benefits prevailing could not be applied separately from Federal determinations of the cash wage rate prevailing. It would admittedly be cumbersome to do so but I think the objection made that the Griffin amendment does not apply to the cash wage rate points up once again that under the limited rule we cannot do the kind of complete job that should be done.

Mr. GILL. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I would merely like to point out to the gentleman from New York that H.R. 6041 amends the Davis-Bacon Act by adding a new subsection (b) and making the rest of the first section of that law subsection (a). In subsection (a) it provides that the Secretary of Labor will determine the wages to be paid which shall be those prevailing in a given locality. Subsection (b) merely defines wages in two parts, one the basic hourly rate and the other the amount of fringe benefits. So by adding this amendment to subsection (b) which is included in the bill before us, he then contradicts a basic requirement set forth in subsection (a).

Mr. GRIFFIN. Mr. Chairman, will the gentleman yield?

Mr. GILL. Surely.

Mr. GRIFFIN. Of course, I respect the gentleman's technical argument, but I think it should be quite obvious that this amendment would operate as a qualification of the language in subsection (a). By amending the definitions set forth in subsection (b), we would be qualifying or changing the meaning of the language set forth in subsection (a).

Mr. GILL. In that case, the gentleman would be subject to a point of order because his amendment is not to the bill before this Committee.

Mr. JONES of Missouri. Mr. Chairman, I rise in opposition to the substitute amendment.

I would like to say I could accept the substitute, but the reason why I do not accept the substitute is what the gentlemen over here just pointed out. You do not reach section (a). The amendment I have offered does by an indirect route reach section (a) because in the first part of my amendment it says, "notwithstanding any other provisions of this Act," that we do have the prevailing basic hourly rate of pay to be determined by the State agency rather than by a Federal agency. I think, the way the amendment is worded, that it would have to be accepted that the basic hourly rate of pay would be determined by the State agency. Again I say if you are trying to have this uniform, you would say we would have only one wage for plumbers all over the United States. I do not think that is the intention of this House.

Mr. LANDRUM. Mr. Chairman, will the gentleman yield?

Mr. JONES of Missouri. I yield to the gentleman from Georgia.

Mr. LANDRUM. The amendment of the gentleman from Missouri [Mr. JONES] is definitely and clearly and exactly what the original Davis-Bacon Act was intended to do.

Mr. Bacon, when he proposed this law, complained about the construction of a Veterans' Administration hospital in his district in New York and did so because they were not paying the prevailing wage of the city or the locality where the construction was taking place. It resulted in the passage of the Davis-Bacon Act. Now, that is all right. If we could just determine what the prevailing wage is going to be, that is all right. The amendment of the gentleman from Missouri, in my judgment at least, does exactly what the Davis-Bacon Act was intended to do, to say that the prevailing wage shall be that which prevails in the city or the locality or the subdivision or the area where the construction is taking place.

Mr. Chairman, I thank the gentleman for yielding.

Mr. JONES of Missouri. Mr. Chairman, will the gentleman agree that the amendment I have offered recognizes the policy that is followed by union labor throughout the country?

Mr. LANDRUM. I think so.

Mr. JONES of Missouri. And that in the various States there are different rates that apply. The difficulty we get into is this, that in the more restrictive trades we have a smaller number of people and there may be perhaps only one union in the entire eastern half of the State of Missouri. They set one rate. When we get down into the Carpenters Union or the Bricklayers Union, and unions like that, we will have different locals in different localities, and each local will have a different rate of pay. That is what we are trying to accomplish in this amendment today.

Mr. LANDRUM. Exactly. What should be clearly understood is that we do not seek to destroy the principle involved in Davis-Bacon. What we desire to do is to prevent the application of a wage rate from an area far removed, which would completely throw out of kilter and out of line the wage rates of the locality where the construction is taking place. There is nothing wrong with fringe benefits. We know that fringe benefits are part of the wage cost. But we do not want the fringe benefit question to throw wages out of line as decisions of the Administrator in the past have done.

Mr. JONES of Missouri. Mr. Chairman, I want to thank the gentleman for his contribution. This amendment does not affect the fringe benefits at all. This affects the basic hourly wage which should be determined by the State agency.

Mr. LANDRUM. And it does not lower the basic hourly wage in the area in question.

Mr. JONES of Missouri. No; in other words, it maintains the highest wage prevailing.

Mr. ROOSEVELT. Mr. Chairman, will the gentleman yield?

Mr. JONES of Missouri. I yield.

Mr. ROOSEVELT. I realize what the gentleman says is correct, but the argument against the amendment is on the question of feasibility of administration.

Mr. JONES of Missouri. I beg to differ with the gentleman. I think this would make it easier to administer, we would have less confusion than you have under the present law where the godfather is here in Washington saying what the wage shall be in Podunk, Mo. I do not think he knows what the wage is there, whereas the man in Jefferson City, Mo., who is acquainted with the State of Missouri, knows what the prevailing wage is in the community affected.

Mr. ROOSEVELT. If the gentleman will yield further, of course the Department here does get the information from that area. They do not just guess at it. They get the information from the local contractor and from everybody concerned. They do get the local information. It would be infeasible to do it any other way.

Mr. O'HARA of Michigan. Mr. Chairman, I move to strike out the requisite number of words.

Mr. Chairman, I want to reemphasize a point that seems to have been lost here. This act is an attempt by the Federal Government to place in its invitations to bid a wage schedule which it requires the contractor to observe on the Federal job in question. It is just as if you or I were building a house and told the contractor that we wanted red brick instead of yellow brick, or that we wanted him to pay his carpenters on our job $3.58 an hour, or whatever the rate is. That is all it is.

Mr. Chairman, if the Federal Government is going to exact such a requirement, as it or any of us has a right to do, it should be the one that is to decide what it is going to require its contractor to pay. It should not turn that decision over to someone else over whom it has no control, over whom it has no influence, no audit control, no anything.

Mr. LANDRUM. Mr. Chairman, will the gentleman yield?

Mr. O'HARA of Michigan. I yield to the gentleman from Georgia.

Mr. LANDRUM. The Federal Government, the city government, and the State government participate in the building of a hospital, each paying one-third. Does the gentleman think the city government and the State government should have no say whatever as to what the prevailing wage is; you are going to leave that up to the Secretary of Labor?

Mr. O'HARA of Michigan. We are discussing an amendment offered by the gentleman from Missouri [Mr. JONES]. It does not have anything to do with city and State contributions.

Mr. JONES of Missouri. The gentleman has mistaken the whole import of the amendment.

Mr. O'HARA of Michigan. Let us take the substitute offered by the gentleman from Michigan. It refers to those jobs in which there are some city and other governmental contributions. It may be 1 percent. In all those cases the construction is based upon an application initiated by the State or local agencies who have agreed to and want to come into this program with the understanding the Federal Government will help on these terms and conditions. That is not the same as turning the decisionmaking power over to somebody the Federal Government never heard of, who may occupy an office only recently and specifically created for the purpose of making these determinations. Such decisions should not be made by anyone but a responsible agency of the Federal Government.

Mr. Chairman, I ask for defeat of both the substitute and the original amendment.

The CHAIRMAN. The question is on the substitute amendment offered by the gentleman from Michigan [Mr. GRIFFIN].

The substitute amendment was rejected.

The CHAIRMAN. The question now recurs on the amendment offered by the gentleman from Missouri [Mr. JONES].

The question was taken; and on a division (demanded by Mr. JONES of Missouri) there were—ayes 32, noes 64.

So the amendment was rejected.

AMENDMENT OFFERED BY MR. GOODELL

Mr. GOODELL. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. Goodell: At the end of the bill add the following:

"Sec. 5. (a) Any person aggrieved by a determination of fringe benefits for laborers or mechanics issued pursuant to subsection (b) of this Act may obtain judicial review of such determination in an action against the Secretary of Labor and the contracting agency in a district court of the United States praying the court to enjoin the application of fringe benefits wage determination to the invitation for bids for the advertised contract and to determine the prevailing fringe benefits lawfully applicable thereto.

"(b) Notwithstanding any other provision of law, such an action may be brought only in the United States court for the district in which the work is to be performed and shall be commenced within fifteen days after the publication of the advertised specifications containing the challenged fringe benefits determination.

"(c) The summons and complaint in such an action shall be served as provided by the Federal Rules of Civil Procedure, except that the delivery of the summons and complaint to the officer or agency as required by the rules may be made by certified mail beyond the territorial limits of the district in which the action is brought.

"(d) Pending a final adjudication, the court may issue a temporary restraining order directing the Secretary of Labor and the contracting officer to relieve all bidders from stipulating that they will comply with the specific determination being challenged: *Provided*, That if such order is issued, the court may require any bidder to whom the contract is awarded, to post an indemnity bond sufficient to guarantee the fulfillment of any legal fringe benefit obligation, should the challenged determination be ultimately sustained.

"(e) At the conclusion of any hearing on the merits, the court shall, in any case in which it finds that the prevailing fringe benefits originally promulgated were not determined in accordance with law, establish such prevailing fringe benefits as it deems to be in accordance with law. Such decision by the court shall, within thirty days after its issuance, become effective as the determination of the prevailing wage for the project concerned, unless a petition for review of such decision is filed within such period.

"(f) In carrying out its functions under this section, the court shall have access to all data and material upon which the Secretary of Labor relied in making his original prevailing fringe benefits determination, but the court shall accord no presumption of validity to any such determination by reason of any prior administrative finding, act, practice, policy, or rule.

"(g) Any party aggrieved by the decision of the United States district court may appeal such decision by filing within thirty days a petition for review in the United States court of appeals for the circuit within which such district court is situated. The decision of such court shall be final, subject to review by the Supreme Court of the United States upon certiorari or certification as provided in section 1542 of title 28 of the United States Code.

"(h) For the purposes of this section, an aggrieved person shall include any contractor, subcontractor, bidder, prospective bidder, labor organization, employee, prospective employee and any contracting agency public or private adversely affected by the prevailing fringe benefits determination issued by the Secretary of Labor.

"(i) Nothing herein shall be construed to limit the right of the Secretary of Labor at any time to rescind his original determination and to make such adjustments, revisions, or modifications as he deems appropriate.

"Sec. 6(a) Whenever it is claimed that any contractor or subcontractor has refused or failed to pay the fringe benefits that he is required to pay by reason of a determination issued by the Secretary of Labor pursuant to subsection (b) of this Act, to employees with respect to whom such determination is applicable, the contracting agency shall promptly notify the contractor or subcontractor of such claim, shall investigate the claim and shall issue a ruling in writing which shall either deny or sustain such claim, and which shall set forth the reasons therefor. No penalties, including the withholding of funds from the contractor or subcontractor, shall be imposed under the terms of Acts to which this section applies prior to such ruling. The contractor or subcontractor against whom the claim is made, and any complaining employee, shall be notified of any ruling made by the contracting officer or any other official designated by the contracting agency, at least twenty days before it is to become effective.

"(b) Any contractor or subcontractor aggrieved or adversely affected by any ruling made pursuant to subsection (a) of this section may bring a de novo action against the United States of America or any contracting agency of the United States or its officers, in the United States district court for the district wherein the violation is alleged to have occurred. Such contractor or subcontractor may bring an action against a contracting agency of a State in any State court of competent jurisdiction. The court shall grant such relief as is appropriate, and may stay any penalty imposed under the terms of Acts to which this section applies, pending the completion of judicial review.

"(c) Any employee aggrieved or adversely affected by any ruling made pursuant to subsection (a) of this section may bring an action, in the United States district court wherein such violation is alleged to have occurred, or in any State court of competent jurisdiction, against the contractor or subcontractor, or any surety, to recover the amount of unpaid wages due under this Act. Such action shall be subject to the two year statute of limitations provided by the Portal-to-Portal Act of 1947 (6 Stat. 84; 29 U.S.C. 255). Such employee may maintain such action on behalf of himself and other employees similarly situated, but no employee shall be a party plaintiff to any action unless he gives his consent in writing to become such a party and such consent is filed in the court in which the action is brought. The court in such action shall, in addition to any judgment awarded to the plaintiff or plaintiffs, shall also award reasonable interest on the amount of such judgment. Nothing in this subsection shall confer additional rights on an employee given a right of action on a payment bond pursuant to the requirements of the Miller Act (49 Stat. 793, as amended, 40 U.S.C. 270 et seq.).

"(d) In any action brought pursuant to subsection (b) or (c) of this section, the court shall have authority to determine the obligations of the contractor or subcontractor under the wage provisions of his contract, and whether or not the contractor or subcontractor has failed to comply with them. No presumption of validity shall arise by reason of prior administrative finding, act, practice, policy, or rule.

"(e) Any party aggrieved by the decision of the United States district court may appeal such decision by filing, within thirty days, a petition for review in the circuit court of the circuit within which such district court is located. The decision of such ciruit court shall be final, subject to review by the Supreme Court of the United States upon certiorari or certification as provided in section 1254 of title 28 of the United States Code.

"(f) The provisions of this section shall be incorporated in, and made a part of, any contract to which this section is applicable.

"(g) In no event shall the judicial review provisions herein be construed to extend beyond the prevailing fringe benefits as defined in this Act."

Mr. GOODELL (interrupting the reading of the amendment). Mr. Chairman, I ask unanimous consent that further reading of the amendment be dispensed with. This is H.R. 9590, limited to fringe benefits.

The CHAIRMAN. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. GOODELL. Mr. Chairman, I will not belabor this point. For the record, I want to offer this amendment, which would provide judicial review limited to the fringe benefit determinations. I do this for several reasons.

The fringe benefit determination is going to be infinitely more complicated and more difficult than the cash wage determination has been in the past. The record of the last 33 years of the Davis-Bacon Act I think justifies the act. I am proud that it had Republican sponsorship originally. But I think the history of the act thus far also demonstrates the need for some kind of review procedure. It illustrates, as dramatically and directly as any situation could, the importance of our court system in this country, the very deep significance there is to every citizen having a right when he feels he is aggrieved by the interpretation of a bureaucrat or an administrator to take that into court and get an interpretation by a person who is completely objective, who has no influence brought to bear on him. That is the court system we have. We can be very proud of it.

One argument made against making the fringe benefit section susceptible to judicial review is that it will delay the proceedings. This is not true. The judicial review section which I am offering permits an aggrieved individual who feels that the determination of the Secretary of Labor is erroneous to bring an action in Federal court within 15 days after he receives notice as to what wages he is supposed to pay on this particular job. This is the notice that comes from the Federal agency before a contractor bids a job. All of the various prospective bidders receive this notice, detailing how much they are supposed to pay in each category of skill and craft.

If the contractor differs with the determination of the Secretary of Labor in any way in the categories of pay laid out by the Secretary's decision, within 15 days after the Secretary's determination he must go to court. He must then convince a Federal district judge that he has a prima facie case, that there is something here that should be determined, that the Secretary has varied from the intent of Congress and the law in his determination. If the judge decides against a complainant, then the case is finished. He can do nothing more, and he proceeds to bid for the contract at the stipulated wage rates the Secretary has set.

If the judge thinks there is a case here, he may issue a restraining order against the Secretary. That restraining order permits the bids to go on. It simply applies to the wages that are being challenged. Bidding and construction may go on while the court deliberates on the specific points at issue.

If the contractor has won the first round before the Federal judge, the judge then may make him post a bond to be sure he will pay whatever wages the court ultimately determines are applicable here. He also will have to pay interest on those wages. The worker would be protected, the Government would be protected, the contractor would be protected. Aggrieved parties will simply have the right to go into court for an interpretation of the law in a very proper procedure.

Mr. LANDRUM. Mr. Chairman, will the gentleman yield?

Mr. GOODELL. I yield to the gentleman from Georgia.

Mr. LANDRUM. So the amendment which the gentleman now proposes would apply only to fringe benefits?

Mr. GOODELL. It would apply only to fringe benefits.

Mr. LANDRUM. To the calculation of the fringe benefits as to prevailing wages.

Mr. GOODELL. That is correct.

Mr. LANDRUM. The reason the amendment will not apply to the Davis-Bacon Act as a whole is simply because the rule under which we are considering this amendment prevents the offering of an amendment to have the acts of the administrator reviewed in the court.

Mr. GOODELL. That is correct.

Mr. LANDRUM. That then is the reason why we had the vote on the previous question.

Mr. GOODELL. That is exactly right. I would prefer to make the entire act subject to judicial review. Every other wage-fixing law we have has a judicial review provision in it. The only alternative now is to make judicial review applicable to fringe benefits alone.

The CHAIRMAN. The time of the gentleman from New York has expired.

Mr. ROOSEVELT. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, may I suggest to my colleagues that the colloquy we have just heard is evidence of what is happening here. You are being asked to do by indirection what could not be done directly by the previous vote in the House.

Mr. LANDRUM. Mr. Chairman, will the gentleman yield?

Mr. ROOSEVELT. I yield to the gentleman.

Mr. LANDRUM. We intend no such thing. I do not think the gentleman means to say that.

Mr. ROOSEVELT. I should like to explain the effect of this.

Mr. LANDRUM. Mr. Chairman, will the gentleman yield further?

Mr. ROOSEVELT. I must decline to yield to my colleague. I would like to make my point.

I want to point out to the gentleman, if this is adopted, the minute any part of the wage was challenged because of the fringe benefit part, it would stop all of it. Every bit of that wage determination would come to a halt and not just the fringe benefit part. None of the rest could go into effect and, therefore, it would completely stymie the administration of the act. That must be very clear. I feel very strongly, as I think I previously said in the House, what we are really debating here is a matter which should come before the committee because there are two, and at least one, other alternatives to this, and that is administrative review. We have just had administrative review suggested and put into operation by the department. We do not know how it will work. We think an argument can be made for administrative review rather than judicial review. This is certainly not the time to decide that. That is the committee's job to decide. I would respectfully ask the Members of the Committee to allow the committee to do its job and let us pass this bill on its merits and not get it mixed up with other matters that should be more fully debated.

The CHAIRMAN. The time of the gentleman from California has expired.

Mr. GRIFFIN. Mr. Chairman, I move to strike out the last word.

Mr. GOODELL. Mr. Chairman, will the gentleman yield?

Mr. GRIFFIN. I yield to the gentleman.

Mr. GOODELL. I would just like to point out to the gentleman from California, I read an implication at least in his earlier remarks that this would hold up the letting of contracts and the building process. This is not true. It permits the entire construction procedure to go forward. It merely separates the determinations that are challenged and the contractors bidding are on notice that the court is holding these particular wage determinations for decision by the court. Contractors go right ahead. They bid on the project and the Government can or other agencies can continue with the construction. No Labor Department determinations are held up at all, incidentally, unless the court has decided there is a pretty good case here. But when the court makes its decision, if the contractor has been paying a lower wage than the court decides is prevailing in that area, then the court orders the contractor to pay the higher wage plus interest. The workers are protected because the court has the right to require that a bond or other security be posted to see that enough money is available to pay the extra portion of wages challenged by the contractor in court.

Mr. ROOSEVELT. Mr. Chairman, will the gentleman yield?

Mr. GRIFFIN. I yield to the gentleman.

Mr. ROOSEVELT. I am sure neither of us is a contractor, but I must say that common sense tells me that a contractor who does not know an important part of his wage scale because of fringe benefits would be in a very poor position to start to work on a contract with this hanging up in the air and going forward in a court procedure.

Mr. GOODELL. Mr. Chairman, will the gentleman yield?

Mr. GRIFFIN. I yield to the gentleman.

Mr. GOODELL. Most contractors are very much in favor of judicial review. They feel this is a workable way to proceed. They have been working on the judicial review amendment and have been trying to develop something that would work. We have succeeded in doing so, I think, in this proposal. This has been analyzed by the union lawyers. They have come back with their objections and, frankly, none of them hold water. This judicial review would work. The contractors themselves are ready to accept this kind of approach. Actually, as a practical matter what would happen is that only the extreme cases would get to court. Every time we have judicial review proposed in any legislation, the argument is made that you are going to flood the courts with a wave of litigation.

It does not happen that way. There are all sorts of reasons why individual contractors would not wish to take these cases to a court, unless the situation were an extreme one.

The basis for the proposal is not one of promoting litigation. What we are looking for is some kind of control over the administrator. If there is that control over the administrator, a review procedure, then he will make fairer decisions. He will not go way off the reservation, the way he has, ignoring in effect what the law says. We will see, I believe, that here as in the case of other wage-fixing laws with judicial review procedures, there will not be a lot of litigation.

Mr. GRIFFIN. Mr. Chairman, if judicial review is provided, I don't think we need to worry about the local contractors being able to bid. They are familiar with the prevailing wage rates in their own local communities. Unfortunately, it often is the Labor Department that does not know, or does not want to know, what, the local prevailing rates are. In many cases, when the Labor Department sets an unrealistic wage rate in a community, this operates against the interest of local contractors and local workers, and favors outside contractors and workers. Such a result is contrary to the true intent and purpose of the Davis-Bacon Act.

In my own congressional district, for example, the record of our committee's hearings reflect that a nonprofit foundation desired to build a home for elderly people and applied for Federal aid under a housing act. However, the Labor Department set wage rates which were not realistic for the community. Instead of using the wage rates actually prevailing in the small communities where the home was to be built, the Department used wage rates prevailing in a larger metropolitan city some 50 miles away.

What could anybody do in such a situation? Those in charge of the project could not go to court to do anything about it, because there is no judicial review provided for under the present act.

Under the circumstances, those who planned the home decided to build it without Federal aid.

The amendment offered by the gentleman from New York is a sound amendment. It has been carefully worked out. The gentleman from New York has worked hard on it and he is to be highly commended for his authorship and advocacy of it.

Of course, I believe that judicial review would apply to the whole act, but let us make a beginning and at least apply it to this fringe benefit bill. If this amendment is adopted, I shall vote for the bill.

Mr. GILL. Mr. Chairman, I move to strike out the requisite number of words.

I shall not require 5 minutes.

I merely point out that in the language of H.R. 9590, which is the substance of the amendment which has been offered, the court, once its jurisdiction is asked for, would give no presumption of validity to any determination by reason of any prior administrative act of the Secretary of Labor; in other words, it would all start over from scratch, which would mean it would not be a short hearing. That would mean that all data would be presented. It would mean that perhaps several months of proceedings in the trial court would be required before there could be a ruling on the motion. After that there would be an appeals procedure.

As a result of it all, the contractors would be delayed from 6 months to 2 years, depending upon how far the procedure went. No contractor in his right mind, in a competitive situation, would become involved in a bid if he did not know what his final labor cost would be.

I have one final point to make. It is not true that the industry associations are all in favor of this amendment. The industry associations are split. Even half of the General Contractors' Association is in favor of the bill as written.

The CHAIRMAN. The question is on the amendment offered by the gentleman from New York [Mr. GOODELL].

The question was taken; and on a division (demanded by Mr. GOODELL) there were—ayes 43, noes 90.

Mr. GRIFFIN. Mr. Chairman, I demand tellers.

Tellers were ordered, and the chairman appointed as tellers Mr. ROOSEVELT and Mr. GOODELL.

The Committee again divided, and the tellers reported that there were—ayes 63, noes 106.

So the amendment was rejected.

AMENDMENT OFFERED BY MR. GOODELL

Mr. GOODELL. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

> Amendment offered by Mr. GOODELL: On line 4, page 4 insert the following new paragraph: "For the purposes of determining prevailing wages pursuant to this subsection, the Secretary shall not consider any contributions paid by any employer to any fund, plan, or program unless the fringe benefits provided thereby are payable to all laborers and mechanics who have made or on whose behalf a contribution has been made to such a fund, plan, or program."

Mr. GOODELL. Mr. Chairman, earlier in the debate we had a discussion of this problem of determining whether all the employees are eligible for benefits under a fringe benefits plan, and also the problem of the Secretary determining whether contributions have been made for all the employees who are employed by a given contractor.

This amendment is very simple. It says that if the Secretary of Labor investigates in an area and gets a report from a contractor that certain fringe benefits are provided, and the contractor makes contributions and pays them into a fund or to an insurance company which makes the benefits available, the Secretary must then determine that those for whom the contributions are made are eligible for benefits. As a practical matter, in many, many instances contributions are made for employees where the employees themselves are not eligible for benefits and will never be eligible for benefits. In effect it says that you should not give credit to a fringe benefit plan for which contributions are made unless the employees for whom the contributions are made will receive the benefits.

Fringe benefits do not prevail in an area unless the benefits are available to the employees themselves.

This is a very simple and direct amendment. It says that the Secretary shall not consider any contributions paid by any employer to any fund, plan or program unless the fringe benefits provided thereby are payable to all laborers and mechanics who have made or on whose behalf a contribution has been made to such fund, plan or program. What can be any more simple equity than this? Give them credit for their fringe benefits plan but let us see to it that the workers for whom contributions are made are going to receive the benefits of this plan. This settles completely the argument we had earlier about this question whether a large percentage of the employees do benefit from these fringe benefit plans or not.

Mr. Chairman, I urge the adoption of the amendment.

Mr. SICKLES. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, it is true as far as the language is concerned that this is a very simple amendment. It is a brief amendment. But the amendment ignores the history as to how these funds came into existence and how they are managed and operated. In the normal industry, one which does not have a very large turnover of employees, it was very easy for the labor organizations to negotiate with their employers directly for fringe benefits. But this was impossible in the building industries, so they went to the device of making certain contributions, usually 1, 2, 5, or 10 cents each, to jointly negotiated funds. These were unit payments into the funds. Trustees of these funds then established the rules concerning the benefits to be received from these funds.

Because of this casual employment it is necessary to establish the number of hours it is necessary to work each month in order to be eligible for benefits in subsequent months. It is necessary to determine what the waiting period is to be before benefits are started. Sometimes it is 1, 2, or 3 months. There are also corresponding periods after the employment is terminated, 1, 2, 3 months, and I have known it to go up to a year. So while there is an initial waiting period, there is also a termination period, there is also a period when an employee may be ill and still receive benefits. This entire matter is studied by the board of trustees and this board of trustees determines the rules and regulations.

The effect of this amendment, if adopted, would establish some sort of vesting and would give the impression that the employee would be eligible for benefits by virtue of the contribution having been made on his behalf without any concern for rules and regulations of a particular fund.

There are different kinds of programs. The rules must determine how much time is worked in order to get a vacation, for instance. There are apprenticeship benefits. One or two cents per hour is contributed. There is a basis for every employee in the bargaining unit, but the only persons who receive the direct benefit are the apprentices, those people who have to be trained. So you have different kinds of benefit programs. You cannot have this kind of amendment on this bill because, Mr. Chairman, you are so confusing the whole industry that it will have to go back and rewrite all the rules and regulations which have been established.

There is no attempt by these funds to exclude great numbers of employees. It is not good for the industry to exclude great numbers of employees. They have established reasonable rules and regulations so that those employees who are substantially connected with the industry will receive benefits, not only when they are working and when they are sick, and have reasonable termination periods after their employment has ceased.

Mr. GOODELL. Mr. Chairman, will the gentleman yield?

Mr. SICKLES. I yield to the gentleman from New York.

Mr. GOODELL. The gentleman is saying we should put our stamp of approval on programs where they withdraw from the worker's pay a certain amount, yet he is not eligible to receive benefits.

Mr. SICKLES. There is nothing wrong with saying that if a certain amount of money for each hour worked by each employee in a bargaining unit, that the only employees who actually receive the benefit will be the apprentices.

Mr. GOODELL. The apprentice program is different. We do not call the apprentice program a fringe benefit program. That is set up by the unions that work with the employers and employees. What I am talking about is the fringe benefit programs we are covering in this act, hospitalization, retirement, and other types of benefits. The worker has money paid to a fund instead of to him in cash, so that he will get those benefits.

As a practical matter all my amendment does is this: If they do not want to make a worker eligible for 3 months after he starts working, then they should not withhold money for him to pay for fringe benefits. It should go directly to him in cash until he has fulfilled the requirement to enter the plan, whether it should be 3 or 6 months, or a year. In the meantime he should not be compelled to pay for other's benefits when he is not a participant in the plan.

Mr. SICKLES. In order to answer the gentleman's last question, may I say the whole provision of these rules is to provide for the employee when he becomes eligible. He has a reasonable waiting period. He will then be entitled to benefits. If you were to say that during the waiting period no money will be withdrawn on his behalf, the money will go directly to him, this would become such an administrative burden that it would be impossible to handle.

Mr. GOODELL. Why?

Mr. SICKLES. Because they would have to distinguish which were old employees or new employees.

Mr. GOODELL. That is not difficult. Whatever the eligibility standards are, the worker should not be compelled to pay into the plan or have the contractor pay in for him, until that worker is eligible to share in the benefits. In the case of retirement plans, they could withhold from a worker's pay as soon as he is eligible to start participating in building up benefits.

Mr. SICKLES. That is the reason why this is important. It is a question of benefit for that particular employee so that after his employment is terminated he will be continued for a certain period.

Mr. GOODELL. The gentleman could not advocate taking the money from the worker when he is not eligible for benefits; could he? Surely a fund could be actuarily sound if no one employed less than 3 months, for instance, either contributed, had the employer contribute for him, or benefitted under the fringe benefit plan. After 3 months, contributions could start and benefit eligibility could start. Many variations on this are possible. Normal hospitalization, accident insurance, and so forth, should not be hard to set up on this basis.

Mr. SICKLES. I am trying to tell you after they first become eligible they may not have benefits for 3, 6, or 9 months after termination of employment.

Mr. ROOSEVELT. Mr. Chairman, I ask unanimous consent that all debate on this amendment and all amendments thereto close in 5 minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from California?

There was no objection.

The CHAIRMAN. The Chair recognizes the gentleman from California [Mr. BELL].

(By unanimous consent, Mr. BELL yielded his time to Mr. GOODELL.)

The CHAIRMAN. The Chair recognizes the gentleman from New York [Mr. GOODELL].

Mr. GOODELL. Mr. Chairman, I should like to emphasize that all this amendment does is say that they can set their plans up any way they want to, but when they start withholding money from employees' wages and supposedly contribute this to a fringe benefit plan, the employees should be eligible to receive benefits under that plan. If they want to set up a requirement that the employee must work 3 or 6 months for a contractor before he is eligible for a plan they can do it, but during that 3- or 6-month period they cannot take money out of his wages and apply it to a fringe benefit plan from which he cannot benefit. That is all it does. If somebody argues we cannot do this and keep the funds actuarially sound, then I do not understand them, because in all of our health plans, all of our various fringe benefits to which we contribute, the minute we start contributing to them out of our salaries we are eligible for benefits. That is all we are saying here.

Mr. SICKLES. If the gentleman will yield, I think the gentleman has hit it on the head, and I do not mean to be anything but kindly. When the gentleman suggests that the only time they should contribute is for that particular month in which they are eligible under the rules, then he does not understand the fundamental processes of these plans in order to make them solvent.

Mr. GOODELL. I understand that these plans now exclude many workers from benefits while these workers contribute to plans. I do not suggest that any worker should be automatically eligible to participate in fringe benefit programs. Nor do I suggest that the same problems exist in the construction industry as elsewhere. Workers change jobs, move around and work for different contractors in the construction industry. The point is, Should we consider fringe benefit plans as prevailing in an area without the Secretary even considering how many workers participate in the plans and benefit by them? On page 2, lines 7 and thereafter the bill says "costs of providing benefits to laborers and mechanics."

Does this mean benefits to a majority of laborers and mechanics, 30 percent of them under the 30-percent rule, or what? My amendment simply says that if they do not benefit, the Secretary does not count them.

The CHAIRMAN. The Chair recognizes the gentleman from Iowa [Mr. SMITH].

Mr. SMITH of Iowa. Mr. Chairman, the proposed amendment would make pension plans contain unworkable provisions in order to qualify. An employer sets up a pension plan under which an employee might receive a pension after 10 or 15 years of employment. The employer does not want to have to pay a pension 20 years from now for a person who worked 1 day for him. This amendment would provide that everyone who contributed must participate in the benefits. There is no employer pension plan that does not require a participant to be an employee for a certain number of years in order to receive benefits. An estimate is made as to how many will not qualify and this is considered in the acturial valuations made from year to year. They estimate there must be a certain contribution made in order to provide a definite and determinable pension for those who stay a certain number of years. Requiring an employer to pay a pension to those who only work a few days or are casual employees would increase the amount the employer would have to pay into the fund in order to provide pensions for regular employees. A pension plan that would qualify under this proposed amendment would either provide less benefits for those regular employees or would cost the employers more. I do not think this kind of interference with employers pensions plans is warranted or should be our policy and I urge defeat of the amendment.

The CHAIRMAN. The Chair recognizes the gentleman from Illinois [Mr. PUCINSKI].

Mr. PUCINSKI. Mr. Chairman, with all due respect to my colleague from New York, I do not think he understands the complex nature of these particular pension funds. In the building industry, they are unlike anything else in this country. That is why the committee provided this broad language:

> The rate of contribution irrevocably made by a contractor or subcontractor to a trustee or to a third person.

You will note we said "to a trustee or a third person" and we mean the total amount he pays and not the amount he pays for each employee. In many instances the agreement provides for a lump sum payment for all the employees instead of individual employees. The purpose of this bill is to make a contractor who pays fringe benefits eligible to compete for Federal construction jobs along with those who pay no fringe benefits. This is the key question; that total amount he pays in fringe benefits not what he pays per each individual employee.

Mr. GOODELL. That is irrelevant.

Mr. PUCINSKI. It is not irrelevant. The question is how much that contractor has to pay in that community on a particular contract and not how much he pays to each individual.

The CHAIRMAN. The Chair recognizes the gentleman from California [Mr. ROOSEVELT].

Mr. ROOSEVELT. Mr. Chairman, it seems obvious to me from the debate and the kind of argument that has been initiated on this amendment that it is impractical. Therefore, I ask the defeat of the pending amendment.

The CHAIRMAN. The question is on the amendment offered by the gentleman from New York [Mr. GOODELL].

The question was taken; and on a division (demanded by Mr. GOODELL), there were—ayes 39, noes 138.

So the amendment was rejected.

AMENDMENT OFFERED BY MR. HALL

Mr. HALL. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. HALL: Add "SEC. 5:

"JUDICIAL REVIEW OF 'FRINGE BENEFITS'

"(a) Notwithstanding any other provision of law any person aggrieved by a wage fringe benefits determination for laborers or mechanics issued pursuant to the Act of March 3, 1931, as amended (46 Stat. 1494, as amended; 40 U.S.C. 276a) or pursuant to any other Act under which prevailing wage fringe benefits provisions are determined may obtain judicial review of such determination in the United States court for the district in which the work is to be performed, in all cases involving construction for educational (primary, secondary or advanced) construction: *Provided,* That such action is commenced within fifteen days after the publication of such wage determination.

"(b) The Court may stay such fringe benefits wage determination, pending adjudication under such terms and conditions for the security of the adverse party as are proper.

"(b) The court shall conduct a hearing on the merits and where it finds that a wage determination of fringe benefits was not in accordance with law, shall establish such a prevailing wage and benefits as it deems to be in accordance with: *Provided*, That the findings and order of the Secretary of Labor shall be prima facie evidence of the facts stated.

"(d) An appeal may be taken from the decision of the United States district court within thirty days from the entry of the judgment by a petition for review in the United States court of appeals for the circuit within which such district court is situated. The decision of such court shall be final, subject to review by the Supreme Court of the United States upon certiorari or certification as provided in section 1524 of title 28 of the United States Code."

Mr. HALL. Mr. Chairman, I shall not take the 5 minutes.

Like my colleague, the gentleman from Missouri who propounded the first amendment, the cost is too great based on assessed valuation and levies for consolidated school districts in southwest Missouri that are using Federal funds. It is a paradox that this might be known as our President said, "As the educational Congress" and yet we are raising costs including fringe benefits which will be a direct cost to the taxpayer for constructing elementary, secondary, and advanced educational units.

There is an extra expense. This cannot be a saving or a budget-conscious Congress if we continue to vote for these extra expenses and benefits which lead to extra expenses.

What happens now is that these wage determinations usually turn out to be whatever the prevailing union scale is or the fringe benefits are in the nearest large city.

This has been previously explained, but I have had this experience brought to my mind with reference to two projects in my own district in recent months. They were consolidated school districts. They were under the accelerated public works project bill. I can name the counties. They are under these educational fringe benefits.

In each of these cases, the initial wage determinations were so outrageously high that the mayors of the towns have had to object. They have said that the projects would have to be abandoned unless the determinations could be changed.

During the past year on two occasions we have gone to the Labor Department and finally have been able to have the wage levels changed so that they actually reflect prevailing wages. I would presume that in the future they will accurately reflect the fringe benefits which are prevailing in these areas, instead of those prevailing in the two large metropolitan areas of Kansas City and St. Louis.

I feel that the passage of this bill will result in a reduction of between 6 to 15 percent in the amount of funds for educational facilities, under the program approved during the last session by the committee and recommended to the House by that same committee.

This also would take away the actual funds available under other programs, by raising the labor costs to the local assessed valuation and levies of the individual, albeit consolidated, districts.

As a result, Mr. Chairman, I submit this will tend to offset any budget cuts we have made.

I believe this is especially applicable, inasmuch as we shall not have a judicial review provided.

Mr. PUCINSKI. Mr. Chairman, will the gentleman yield for a question?

Mr. HALL. I am glad to yield to the gentleman from Illinois.

Mr. PUCINSKI. The gentleman said this would raise the cost of construction. I wonder if my colleague from Missouri is aware of the fact that if anybody ever feels he is aggrieved—any contractor, or the community in this case—he could file a case in the Court of Claims to recover whatever amount of wage determination he believed was incorrect or too high? If he could convince the Court of Claims he was correct, a rebate would be available. Is my colleague aware of that procedure?

Mr. HALL. I thank the gentleman from Illinois. I am aware of that procedure.

I am also aware of the fact that if the construction never gets started or off the ground and is killed by the community itself, which had an incentive to provide educational facilities, then there would come no reclamation after the fact in any court.

Mr. PUCINSKI. I do not quite understand the gentleman. If there is a feeling that the wage determination has been set too high, they could always file a claim in the court of claims for recovery under the present act. I believe there is a provision for judicial review to the extent that the gentleman has mentioned in his remarks, in the bill presently before the House. It has been in the law for 33 years.

Mr. HALL. The only purpose of this amendment is to make the fringe benefits additionally subject to review, in educational construction only.

Mr. GRIFFIN. Mr. Chairman, will the gentleman yield?

Mr. HALL. I am glad to yield to the gentleman from Michigan.

Mr. GRIFFIN. From my knowledge of the Davis-Bacon Act I would take sharp issue with the gentleman from Illinois and his statement that such relief is available.

Mr. GOODELL. Mr. Chairman, will the gentleman yield?

Mr. HALL. I am glad to yield to the gentleman from New York.

Mr. GOODELL. Going a little further on this subject, the only time when relief would be available would be, first, when the Federal Government was a party. In many, many cases that is not true. Second and most important, nobody ever gets to the Court of Claims with Davis-Bacon issues. There have been no substantial cases which have gone to the Court of Claims under the Davis-Bacon Act. The chief reason is that there are too many punitive, administrative powers in the law.

Mr. ROOSEVELT. Mr. Chairman, may I inquire if there are any further amendments at the desk?

The CHAIRMAN. There are no further amendments at the desk.

Mr. ROOSEVELT. Then, Mr. Chairman, I ask unanimous consent that all debate on this bill end in 5 minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. PUCINSKI. Mr. Chairman, my colleague from New York [Mr. GOODELL], if I may have his attention, raised a question as to the Federal Government being a party to the suit. Of course, this bill would not apply unless the Federal Government is involved. It involves the Federal Government and, if there is a determination of excessive wage rates, certainly the community, the contractor, and the Government, acting in concert, can seek relief in the court of claims.

Secondly, I do not see where the gentleman can say that you cannot get into the Court of Claims any time that you have a valid claim. I am not aware of any system that precludes you from getting into that court. Naturally, you must have a valid claim before a court will accept jurisdiction.

Mr. GOODELL. Mr. Chairman, will the gentleman yield?

Mr. PUCINSKI. I yield to the gentleman.

Mr. GOODELL. The point I made was that the only time you can get to the Court of Claims is when the Federal Government actually builds the project itself. As you and I know, the Davis-Bacon Act applies in many cases where the Federal Government is not actually the builder or the owner. It applies to the State and local governments involved with Federal aid. It applies where private parties are involved.

Mr. PUCINSKI. The Federal Government is always there in a supervisory capacity.

Mr. GOODELL. But you cannot get into the Court of Claims on that basis. It has to be the Federal Government actually building the project and retaining ownership of the project. That is the first thing.

The second thing is that on any wage determination dispute you cannot get to the Court of Claims at all in questioning the Secretary of Labor's decision as to what wage prevails in an area.

Mr. PUCINSKI. The author of this amendment stated one reason why he was offering it was to preclude excessive costs to communities building schools with Federal funds. I submit if such a situation should ever occur, then both the Federal Government and the local community acting together have a right to seek relief and recover from the Court of Claims. Therefore, it would seem to me that the law is now sufficient and the amendment is not necessary.

Mr. GOODELL. Mr. Chairman, will the gentleman yield further?

Mr. PUCINSKI. If I have any time, I will yield.

Mr. GOODELL. I would just read you a legal memorandum on this point:

> The Court of Claims has no jurisdiction whatever over Federal aid contracts prosecuted by State and municipal governments on which a large volume of Davis-Bacon Act problems are involved.

The proof of the pudding is that you have never had any of these cases get to the Court of Claims and they cannot because they do not have jurisdiction of such cases.

Mr. PUCINSKI. The gentleman will recall that out of some 50,000 wage determinations handed down by the Labor Department every year, less than one-half of 1 percent are ever challenged. This might well account for the reason why no cases are taken to the Court of Claims.

The CHAIRMAN. The Chair recognizes the gentleman from California [Mr. ROOSEVELT] for 2½ minutes to close debate.

Mr. ROOSEVELT. Mr. Chairman, in closing debate may I first thank my colleagues for what I think has been a good debate and simply say that of course I oppose this amendment. It is another judicial review amendment. We have been up and down the street on this matter a number of times today. This time we are asked to give judicial review to a very selected few employers and not to the rest of them. As far as I am concerned, if we are going to give this to anybody, let us give it to everybody and not to a special few. The amendment is obviously an unfair amendment to the industry itself. I hope it will be defeated and the bill will pass.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Missouri [Mr. HALL].

The question was taken; and on a division (demanded by Mr. HALL), there were—ayes 23, noes 118.

So the amendment was rejected.

The CHAIRMAN. Under the rule, the Committee rises.

Accordingly, the Committee rose; and the Speaker having resumed the chair, Mr. KARSTEN, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill (H.R. 6041) to amend the prevailing wage section of the Davis-Bacon Act, as amended; and related sections of the Federal Airport Act, as amended; and the National Housing Act, as amended pursuant to House Resolution 582, he reported the bill back to the House.

The SPEAKER. Under the rule the previous question is ordered.

The question is on engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time and was read the third time.

Mr. MARTIN of Nebraska. Mr. Speaker, I offer a motion to recommit.

The SPEAKER. Is the gentleman opposed to the bill?

Mr. MARTIN of Nebraska. I am, Mr. Speaker.

The SPEAKER. The gentleman qualifies. The Clerk will report the motion to recommit.

The Clerk read as follows:

> Mr. MARTIN of Nebraska moves that the bill, H.R. 6041, be recommitted to the Committee on Education and Labor.

The SPEAKER. The question is on the motion to recommit.

The motion was rejected.

The SPEAKER. The question is on passage of the bill.

Mr. FRELINGHUYSEN. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The question was taken; and there were—yeas 357, nays 50, answered "present" 2, not voting 22, as follows:

[Roll No. 19]

YEAS—357

Abele
Adair
Addabbo
Albert
Anderson
Andrews, Ala.
Andrews, N. Dak.
Arends
Ashley
Aspinall
Auchincloss
Ayres
Baldwin
Baring
Barrett
Barry
Bates
Battin
Becker
Beckworth
Belcher
Bell
Bennett, Fla.
Bennett, Mich.
Berry
Betts
Blatnik
Boggs
Boland
Bolling
Bolton, Frances P.
Bolton, Oliver P.
Bonner
Bow
Brademas
Bray
Brock
Bromwell
Brooks
Broomfield
Brotzman
Brown, Calif.
Brown, Ohio
Bruce
Burke
Burkhalter
Burton
Byrne, Pa.
Byrnes, Wis.
Cahill
Cannon
Carey
Cederberg
Celler
Chamberlain
Chelf
Chenoweth
Clancy
Clark
Clausen, Don H.
Clawson, Del.
Cleveland
Cohelan
Collier
Conte
Cooley
Corbett
Corman
Cunningham
Curtin
Curtis
Daddario
Dague
Daniels
Dawson
Delaney
Dent
Denton
Derounian
Devine
Diggs
Dingell
Dole
Donohue
Downing
Dulski
Duncan
Dwyer
Edmondson
Edwards
Elliott
Evins
Fallon
Farbstein
Fascell
Feighan
Findley
Finnegan
Fino
Flood
Flynt
Fogarty
Fountain
Fraser
Frelinghuysen
Friedel
Fulton, Pa.
Fulton, Tenn.
Gallagher
Garmatz
Giaimo
Gibbons
Gilbert
Gill
Glenn
Gonzalez
Goodell
Goodling
Grabowski
Grant
Gray
Green
Griffiths
Gross
Grover
Gubser
Hagan, Ga.
Hagen, Calif.
Hall
Halleck
Halpern
Hanna
Hansen
Harding
Hardy
Harris
Harrison
Harsha
Harvey, Ind.
Harvey, Mich.
Hawkins
Hays
Healey
Hébert
Hechler
Hemphill
Hoeven
Hoffman
Holifield
Holland
Horan
Horton
Huddleston
Hull
Hutchinson
Ichord
Jarman
Jennings
Jensen
Joelson
Johansen
Johnson, Pa.
Johnson, Wis.
Jones, Mo.
Karsten
Karth
Kastenmeier
Kee
Keith
Kelly
Keogh
Kilburn
Kilgore
King, Calif.
Kirwan
Kluczynski
Knox
Kunkel
Kyl
Laird
Langen
Lankford
Latta
Leggett
Lesinski
Libonati
Lindsay
Lloyd
Long, La.
Long, Md.
McCulloch
McDade
McDowell
McFall
McIntire
McLoskey
Macdonald
MacGregor
Madden
Mahon
Mailliard
Martin, Calif.
Martin, Mass.
Mathias
Matsunaga
Matthews
Meader
Michel
Miller, Calif.
Miller, N.Y.
Milliken
Minish
Minshall
Monagan
Montoya
Moore
Moorhead
Morgan
Morris
Morrison
Morse
Morton
Mosher
Multer
Murphy, Ill.
Murphy, N.Y.
Natcher
Nedzi
Nelsen
Nix
Norblad
O'Brien, N.Y.
O'Hara, Ill.
O'Hara, Mich.
O'Konski
Olsen, Mont.
Olson, Minn.
O'Neill
Osmers
Ostertag
Passman
Patman
Patten
Pelly
Pepper
Perkins
Philbin
Pickle
Pike
Pillion
Pirnie
Poage
Powell
Price
Pucinski
Purcell
Quie
Rains
Randall
Reid, Ill.
Reid, N.Y.
Reifel
Reuss
Rhodes, Pa.
Rich
Riehlman
Rivers, Alaska
Roberts, Ala.
Roberts, Tex.
Robison
Rodino
Rogers, Colo.
Rogers, Fla.
Rogers, Tex.
Rooney, N.Y.
Rooney, Pa.
Roosevelt
Rosenthal
Rostenkowski
Roudebush
Roush
Roybal
Rumsfeld
Ryan, Mich.
Ryan, N.Y.
St. George
St Germain
St. Onge
Saylor
Schadeberg
Schenck
Schneebeli
Schweiker
Schwengel
Secrest
Selden
Senner
Sheppard
Shipley
Short
Sibal
Sickles
Sikes
Siler
Sisk
Skubitz
Slack
Smith, Calif.
Smith, Iowa
Snyder
Springer
Staebler
Stafford
Staggers
Stinson
Stratton
Stubblefield
Sullivan
Taft
Talcott
Teague, Calif.
Thomas
Thompson, La.
Thompson, N.J.
Thompson, Tex.
Thomson, Wis.
Toll
Tollefson
Trimble
Tupper
Tuten
Udall
Ullman
Utt
Van Deerlin
Vanik
Van Pelt
Vinson
Waggonner
Watts
Weaver
Weltner
Westland
Whalley
Wharton
White
Wickersham
Widnall
Willis
Wilson, Bob
Wilson, Charles H.
Wilson, Ind.
Wright
Wydler
Wyman
Younger
Zablocki

NAYS—50

Abbitt
Abernethy
Alger
Ashbrook
Ashmore
Beermann
Broyhill, N.C.
Broyhill, Va.
Burleson
Casey
Colmer
Cramer
Davis, Ga.
Dorn
Dowdy
Everett
Fisher
Foreman
Forrester
Fuqua
Gary
Gathings
Griffin
Gurney
Henderson
Jonas
Kornegay
Landrum
Lennon
McMillan
Marsh
Martin, Nebr.
Murray
Pilcher
Poff
Pool
Quillen
Rivers, S.C.
Scott
Smith, Va.
Stephens
Taylor
Teague, Tex.
Tuck
Watson
Whitener
Whitten
Williams
Winstead
Young

ANSWERED "PRESENT"—2

Haley
Herlong

NOT VOTING—22

Avery
Bass
Buckley
Cameron
Davis, Tenn.
Derwinski
Ellsworth
Ford
Hosmer
Johnson, Calif.
Jones, Ala.
King, N.Y.
Lipscomb
McClory
May
Mills
Moss
O'Brien, Ill.
Rhodes, Ariz.
Shriver
Steed
Wallhauser

So the bill was passed.

The Clerk announced the following pairs:

On this vote:

Mr. Buckley for, with Mr. Herlong against.

Mr. Johnson of California for, with Mr. Haley against.

Until further notice:

Mr. Bass with Mr. Rhodes of Arizona.

Mr. O'Brien of Illinois with Mr. Wallhauser.

Mr. Steed with Mr. Derwinski.

Mr. Moss with Mr. Lipscomb.

Mr. Davis of Tennessee with Mr. King of New York.

Mr. Cameron with Mrs. May.

Mr. Jones of Alabama with Mr. Ellsworth.

Mr. Mills with Mr. Ford.

Mr. HERLONG. Mr. Speaker, I have a live pair with the gentleman from New York [Mr. BUCKLEY]. I voted "nay." If Mr. BUCKLEY were here, he would have voted "yea." I therefore withdraw my vote and vote present.

Mr. HALEY. Mr. Speaker, I have a live pair with the gentleman from California [Mr. Johnson]. If he were present, he would have voted "yea." I voted "nay." I therefore withdraw my vote and vote present.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

GENERAL LEAVE TO EXTEND

Mr. ROOSEVELT. Mr. Speaker, I ask unanimous consent that all Members may be allowed 5 legislative days in which to extend their remarks in the Record on the bill, H.R. 6041, just passed.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

COMMITTEE ON RULES

Mr. SMITH of Virginia. Mr. Speaker, in the unhappy event that the Committee on Rules reports out a rule on the so-called civil rights bill, I ask unanimous consent that we may have until midnight Thursday night to file a report.

The SPEAKER. Is there objection to the request of the gentleman from Virginia?

There was no objection.

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE SUPPLEMENTAL APPROPRIATIONS, 1964

Mr. FOGARTY. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the resolution (H.J. Res. 875) making supplemental appropriations for the fiscal year ending June 30, 1964, for certain activities of the Department of Health, Education, and Welfare related to mental retardation, and for other purposes, with a Senate amendment thereto, and consider the Senate amendment.

The Clerk read the title of the joint resolution.

The SPEAKER. Is there objection to the request of the gentleman from Rhode Island?

There was no objection.

The Clerk read the Senate amendment as follows:

Page 4, after line 15, insert:

"OFFICE OF EDUCATION

"*Payments to school districts*

"For an additional amount for 'Payments to school districts', $216,204,000."

Mr. FOGARTY. Mr. Speaker, I offer a motion.

The Clerk read as follows:

Mr. Fogarty moves that the House recede from its disagreement to the amendment of the Senate and concur therein with an amendment, as follows:

Immediately after said amendment insert the following:

"DEFENSE EDUCATIONAL ACTIVITIES

"For an additional amount for 'Defense educational activities,' $31,168,000 for capital contributions to student loan funds which shall be available, without allotment under section 202(a), or apportionment under section 203(a), of the National Defense Education Act of 1958 (72 Stat. 1583), for payment to institutions, which have filed applications for contributions between December 14, 1962, and February 28, 1963 inclusive.

"DEPARTMENT OF LABOR

"*Bureau of Employment Security*

"Compliance Activities, Mexican Farm Labor Program

"For an additional amount for 'Compliance activities, Mexican farm labor program', $430,000.

"Salaries and Expenses, Mexican Farm Labor Program

"For an additional amount for 'Salaries and expenses, Mexican farm labor program', $165,000, which shall be derived by transfer from the farm labor supply revolving fund."

Mr. FOGARTY. Mr. Speaker, House Joint Resolution 875, which was reported to the House on December 14, 1963, was originally intended to implement the comprehensive program for combating mental retardation. The importance and merit attached to this group of appropriations is well known to us all. Details concerning them are contained in the hearings of the Labor-Health, Education, and Welfare Subcommittee of the Committee on Appropriations, and in the committee's report—House Report No. 1041.

When this joint resolution was considered in the Senate, it was amended to add $216,204,000 for payments to school districts in federally impacted areas. This also is a very popular and a very important program, but we found ourselves in a stalemate when the amended resolution came back to us late in the last session due to the fact that there was no request from the executive branch for this appropriation. One week ago today, that request arrived. We immediately held hearings on this item and three other requests which appeared to deal with emergency situations due to lack of sufficient funds. These additional items are the student loan program under the National Defense Education Act, for which $31,168,000 was requested; compliance activities of the Mexican farm labor program for which $430,000 was requested; and "Salaries and expenses, Mexican farm labor program" for which $165,000 was requested.

Our hearings brought out the fact that many of the schools in districts that qualify under the federally impacted school district program have borrowed considerable sums of money, some at commercial lending institutions, in order to continue meeting their payrolls. We were told that if funds are not made available within the very near future, some of these schools will have exhausted their credit and will actually be unable to pay their teachers.

In connection with the student loan program, we found that there will be many students throughout the Nation who will find it impossible to continue school if additional funds are not made available in the immediate future.

Our hearings revealed that the Mexican farm labor program has only enough funds in connection with their compliance activities to run to the 7th of February. If funds are not made available by that time the Department of Labor will consider it necessary to immediately stop the program. This could have disastrous results for some growers. I have always opposed this program and I still strongly oppose it, but it should be phased out in a gradual manner between now and December 31, when the current legislation expires, so that the growers can make arrangements for domestic labor and there will be no disruption of their means of livelihood and the economy of the area. While I am against the program, the Congress has recently expressed itself as favoring this 1-year extension, so these growers have every right to expect us to appropriate the necessary funds.

To sum up, we have laid before the House only supplemental appropriation items for which there is real urgency, and I trust that the House will approve them unanimously as did our subcommittee which so recently held hearings on them.

Mr. Speaker, I yield such time as he may require to the gentleman from Wisconsin [Mr. Laird].

Mr. LAIRD. Mr. Speaker, I thank the gentleman from Rhode Island for yielding to me at this time.

The motion that is now before the House to add a House amendment to the Senate amendment has the unanimous support of our subcommittee on the Departments of Labor and Health, Education, and Welfare, as the gentleman from Rhode Island has just indicated. All items, totaling $289 million, that will be contained in the resolution if this motion is agreed to, are of an emergency nature and should be approved by the House.

I would like to point out that the request for all of the items in this motion came to the Congress from the President, just 1 week ago today although the departments involved submitted their requests to the Bureau of the Budget and the Director of the Bureau of the Budget had recommended to the President, not later than December 18, that he transmit them to Congress. Unfortunately we were not able to get the exact dates. We asked, during our hearings, that the Department of Health, Education, and Welfare, place this information in the hearing record, but the Bureau of the Budget refused to give them these dates so that they could comply with our request. However, we have definite information from other sources that the President had all of them on his desk sometime during the period December 1 to December 18, and he did not transmit them to Congress until January 21.

We have heard a lot of criticism from time to time about the manner in which Congress conducts its business; that it cannot move in an expeditious manner in order to take care of the public's business. I would like to state here, as shown in our hearings which are in print and were available this morning, that this proves beyond any question of a doubt that when the Congress is called upon to act, it can act in a rapid fashion to take care of urgent public business. And as a matter of fact it proves that Congress can act in a shorter time than it takes the White House to act.

This impact aid money was needed by the schools last December. The money for the college loan program under the

Defense Education Act was needed by these schools last December. Many of these schools, under both programs, have had to go to banks and other lending institutions to borrow money in order to get by until the Federal funds, due them under the law, were available. Finally, a week ago today, almost to the hour, we received the President's request for such funds.

While the long delay in the executive branch has resulted in added costs and a disruption of these programs, we should be proud of the efficient way the Congress is acting on these priority items of an emergency nature.

I hope this motion will be passed unanimously.

Mr. WELTNER. Mr. Speaker, I ask unanimous consent that the gentleman from Rhode Island [Mr. St Germain] may extend his remarks at this point in the Record.

The SPEAKER. Is there objection to the request of the gentleman from Georgia?

There was no objection.

Mr. ST GERMAIN. Mr. Speaker, I am very pleased that the House has agreed to the Senate amendment to House Joint Resolution 875, which provides for the allocation of funds to continue the impacted area school aid program of Public Law 874.

My congressional district has a great stake in this amendment. In view of the large concentration of military personnel, particularly in the Newport County area of my district, a great strain is placed upon the school systems in their efforts to provide high quality education for all our children.

The funds which are made available by reason of the House action today are desperately needed by the communities in my district which are affected by the large numbers of military and naval personnel stationed there.

I congratulate the House on taking this action and commend it for meeting a problem which is of such great importance to my congressional district and so many others in this Nation.

Mr. PELLY. Mr. Speaker, I strongly support House Joint Resolution 875, legislation making supplemental appropriations to include funds for the administration of Public Law 874. I have long supported this legislation and have been anxious for its passage for some time.

In this connection, let me read the text of a telegram I received today from Mr. Robert G. Lindenmuth, coordinator, Federal projects, State office of public instruction, Olympia, Wash.:

Hon. Thomas M. Pelly,
Member of Congress,
House Office Building,
Washington, D.C.:

Information received indicates possible House floor action Tuesday, January 28, on House Joint Resolution 875, which includes the $216,204,000 supplemental appropriation for Public Law 874, and which requires unanimous consent of the House and submission to Senate for approval. We know you are aware of this urgent need and have been in support of this legislation, but on behalf of all Public Law 874 applicants, the State office wishes to alert you to this impending action. Early passage of House Joint Resolution 875 will permit the U.S. Office of Education to pay the full amount of the first installment instead of only 28 percent. We assure your office of our continued appreciation of your support for educational legislation and appropriations.

Mrs. SULLIVAN. Mr. Speaker, the passage of this appropriation bill in final form today culminates a proposal I first made in this House nearly 7 years ago for the establishment of a Federal grant program to train teachers of exceptional children. That proposal was made in the exceptional children educational assistance bill which I introduced on the last day of the 1st session of the 85th Congress, on August 30, 1957.

The $11,685,000 we are appropriating today in House Joint Resolution 875 will continue programs now in effect to train teachers of mentally retarded children and of children with speech and hearing defects; in addition, it will make possible training of teachers for children who are visually handicapped, seriously emotionally disturbed, crippled, or other children who by reason of impairment require special education. All of these objectives were first outlined in a legislative proposal in my bill in 1957.

GIFTED CHILDREN NOT INCLUDED

Unfortunately, the enabling legislation we passed last year to authorize the appropriation of funds for the above purposes did not include gifted children. We still have no Federal grant program for encouraging the training of teachers of gifted children. I am happy to see a reference in the hearings on House Joint Resolution 875 to an intention by Commissioner Francis Keppel of the Office of Education to suggest or recommend Federal action in this field. The gentleman from Rhode Island [Mr. Fogarty] has long been identified with this same idea of encouraging the training of teachers for gifted children, just as he has been a leading proponent over the years of the teacher training program for mentally retarded children and all the categories of handicapped children.

LEGISLATIVE BACKGROUND ON TITLE III OF PUBLIC LAW 88–164

Mr. Speaker, the enabling legislation, which authorized the appropriation of the $11,685,000 included in the bill before us today, was passed by the Congress last year as title III of Public Law 88–164—The Mental Retardation Facilities and Community Mental Health Centers Construction Act of 1963. When that bill was before the House, I presented some of the historic background behind this idea, and today, for the purposes of legislative history, I submit my statement and accompanying material as part of my remarks, as follows:

TITLE III CARRIES OUT A 6-YEAR OBJECTIVE

Mrs. Sullivan. Mr. Chairman, I strongly support the bill now before the House, and I particularly support—and am delighted to call attention to—title III provisions of this bill dealing with the training of special teachers for children having physical or emotional or other handicaps. These children often require specialized teaching, and we do not have even a fraction of the specially trained teachers we need in order to give our 6 million handicapped children the educational opportunities they are capable of utilizing.

For me, the provisions of title III, dealing with grants and scholarships and fellowships and traineeships for teachers going into the field of teaching exceptional children, carries out an objective I have had since 1957, when I introduced the first general bill ever introduced in Congress on this subject.

That bill, H.R. 9591 of the 85th Congress, was entitled "Exceptional Children Educational Assistance Bill." I have reintroduced it in every Congress since then, and it is H.R. 15 in the present Congress. It envisioned almost exactly the kind of approach to teacher-training for exceptional children now contained in S. 1576, and my only regret is that it has taken so long for this idea to be translated into legislation we can actually pass here in the House.

BILL BASED ON LIBRARY OF CONGRESS STUDY

The original bill was drafted on the basis of recommendations made to me by the Legislative Reference Service of the Library of Congress following an outstanding research job for which I have always been grateful.

In the Congressional Record, volume 103, part 12, page 16348, there is a complete account of the origin of this idea, stemming from correspondence originally with parents of handicapped children with others in the St. Louis area interested in the training of exceptional children. The material in the Congressional Record of August 28, 1957, running to 18 pages, includes the full text of the report to me from the Legislative Reference Service, prepared by Herman A. Sieber, research assistant in education and government, under the direction of Charles A. Quattlebaum, specialist in education.

I think that long insertion in the Record gave one of the best illustrations of how an idea is translated into legislation—and the legislation in question is now contained 6 years later in title III of S. 1576.

SULLIVAN BILL ALSO INCLUDED GIFTED CHILDREN

My bill as originally introduced, and as reintroduced in subsequent Congresses, also would encourage the training of teachers for gifted, as well as handicapped, children. I hope that in other legislation we can still accomplish that objective, because it would not be appropriate or germane to try to add it to this legislation today dealing with mental retardation facilities and community mental health centers. Otherwise, I would have offered such an amendment.

ORIGINAL BILL INTRODUCED AUGUST 30, 1957

Mr. Chairman, I am delighted that we are going to provide more encouragement for experienced teachers to go back to school for advanced training in teaching exceptional children. I am proud to have been the sponsor of the first general bill ever introduced on this subject, and I submit, as part of my remarks, that original bill, as follows:

"H.R. 9591—85th Congress, 1st Session

"In the House of Representatives, August 30, 1957, Mrs. Sullivan introduced the following bill; which was referred to the Committee on Education and Labor)

"A bill to provide for the establishment of a special $18,500,000 7-year program of Federal scholarship and fellowship grants to individuals, and a $2,500,000 program of grants to public and nonprofit institutions of higher education, to encourage and expand the training of teachers for the education of exceptional children

"Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

"SHORT TITLE

"This Act may be cited as the 'Exceptional Children Educational Assistance Act'.

"FINDINGS AND PURPOSE OF ACT

"SEC. 2. The Congress believes that the American promise of equality of opportunity extends to every child within our country, no matter what his gifts, his capacity or his handicaps, whether he is handicapped by defects of speech, of sight or of hearing, or crippling disease or condition, whether his adjustment to society is made difficult by emotional or mental disorders, or whether, on the other hand, he is endowed with outstandingly brilliant gifts of mind and of spirit. All such exceptional children require special educational guidance for development of their total educational potential.

"The Congress finds that the educational problems presented by such exceptional children are of national concern, and that there is an acute national shortage of, and urgent national need for, individuals professionally qualified to teach such children, to supervise the teachers of such children, to train such teachers and supervisors, and to conduct research into the problems relating to the education of exceptional children.

"While the Congress recognizes that the primary responsibility for meeting these problems lies with the States and local communities, national interest in the training of self-reliant and useful citizens demands that the Federal Government assist and encourage and stimulate the initiation of adequate programs in the States to meet these problems.

"Therefore, this Act provides on a temporary, seven-years basis, a program to further the training of teachers, supervisors of teachers, and researchers in special education for exceptional children, and to encourage and assist public and nonprofit institutions of higher education to expand their training work in these fields.

"DEFINITION

"SEC. 3. As used in this Act—

"(1) The term 'State' means a State, Alaska, Hawaii, the District of Columbia, and the Commonwealth of Puerto Rico;

"(2) The term 'Commissioner' means the U.S. Commissioner of Education;

"(3) The term 'school-age population' means that part of the population which is between the ages of five and seventeen, both inclusive, determined by the Commissioner on the basis of the population between such ages for the most recent year for which satisfactory data are available from the Department of Commerce;

"(4) The term 'State educational agency' means the State board of education or other agency or officer primarily responsible for the State supervision of public elementary and secondary schools in a State, or, if there is no such agency or officer, an agency or officer designated by the Governor or by State law;

"(5) The term 'nonprofit institution' means an institution owned and operated by one or more corporations or associations no part of the net earnings of which inures, or may lawfully inure, to the benefit of any private shareholder or individual; and

"(6) The term 'exceptional children' means those children determined in accordance with regulations issued by the Commissioner to present special educational problems, such as (a) children who are unusually intelligent or gifted; (b) children who are mentally retarded; (c) children who are deaf or hard of hearing; (d) children who are blind or have serious visual impairments; (e) children who have serious health problems due to heart disease, epilepsy, or other debilitating conditions; (f) children who suffer from speech impediments; (g) children who are crippled (including those who have cerebral palsy); and (h) children who are maladjusted emotionally and socially, including the institutionalized delinquent.

"AUTHORIZATION OF APPROPRIATIONS

"SEC. 4. (a) There are hereby authorized to be appropriated $500,000 for the fiscal year ending June 30, 1958; $1,500,000 for the fiscal year ending June 30, 1959; $2,500,000 for the fiscal year ending June 30, 1960; $3,500,000 for the fiscal year ending June 30, 1961; $3,500,000 for the fiscal year ending June 30, 1962; $3,500,000 for the fiscal year ending June 30, 1963; and $3,500,000 for the fiscal year ending June 30, 1964; for grants to individuals for scholarships and fellowships in accordance with the provisions of section 5(a) of this Act.

"(b) There is also authorized the sum of $2,500,000 to be expended during the existence of this program in the form of grants to public and nonprofit institutions in accordance with the provisions of section 5(b) of this Act.

"GRANTS BY THE COMMISSIONER

"SEC. 5. (a) The Commissioner is authorized to award scholarships and fellowships, with such stipends as he may determine, to individuals for the purpose of taking advanced training, at institutions selected by the recipients, for stated periods of time, in order to engage in employment as teachers of exceptional children, or to train or supervise teachers in this field, or engage in research in the teaching of exceptional children: *Provided*, That, in his discretion, the Commissioner, in order to accomplish the objectives of this Act, may also make these awards for study at the undergraduate level.

"(b) The Commissioner is also authorized to make grants to public and nonprofit institutions of higher education to construct, install, improve, or expand specialized facilities and equipment in connection with courses of instruction for persons preparing to engage in employment as teachers of exceptional children, or to train such teachers, or to supervise such teachers, or to engage in research in special education for exceptional children: *Provided*, That the Commissioner, in his discretion, may also make grants to establish specialized courses in this field in such institutions.

"(c) The amount of scholarship and fellowship grants made in any fiscal year to residents of a State under section 5(a) shall not exceed, in the aggregate, an amount which bears the same ratio to the total funds appropriated under authority of section 4(a) for such fiscal year as the school-age population of such State bears to the total school-age population of all the States.

"(d) Payments of grants pursuant to this Act may be made by the Commissioner from time to time, on such conditions as the Commissioner may determine, including conditions requiring public and other nonprofit institutions to make such reports, in such form, and containing such information as the Commissioner may from time to time reasonably require to carry out his functions under this Act, and conditions requiring compliance with such provisions as the Commissioner may from time to time find necessary to assure the correctness and verification of such reports.

"(e) The Commissioner shall consult with an advisory committee as described in section 6(a) which shall assist him in determining the areas and priorities of need in the award of these grants, and in setting the standards for the granting of such fellowships, scholarships, and grants.

"ADVISORY COMMITTEE AND ADVISORY PANELS

"SEC. 6. (a) The Commissioner shall appoint an advisory committee of not more than eight persons who shall be conversant with the overall educational needs of exceptional children and who shall assist the Commissioner in developing general policies under this Act. The Commissioner shall be ex officio a member of this committee and shall act as chairman thereof.

"(b) The Commissioner is also authorized from time to time to establish advisory panels of specialists in special education for any of the categories of exceptional children enumerated in this Act. Each such panel shall consist of not less than five persons, who shall meet at the call of the Commissioner.

"DELEGATION OF FUNCTIONS

"SEC. 7. The Commissioner may delegate to any officer or employee of the Office of Education any of his functions under this Act except the making of regulations.

"PUBLICIZING AVAILABILITY OF GRANTS

"SEC. 8. The Commissioner shall take such steps as are practicable to publicize to the fullest extent possible the availability of fellowships, scholarships, and grants under this Act among teachers and prospective teachers, and among all colleges and universities offering accredited courses of study leading to advanced degrees in nursery, kindergarten, elementary, or secondary education.

"COOPERATION WITH STATES

"SEC. 9. In the administration of this Act, the Commissioner shall consult and advise with the various State educational agencies to determine the extent of need for teachers of exceptional children in the respective States and to keep the State educational agencies fully informed of all developments under this program in order to encourage them to establish special programs or special classes for exceptional children. In this connection, the Commissioner shall advise the State educational agencies of the names and home addresses of all individuals from their respective States who have received fellowships, scholarships, or grants for training in the field of education of exceptional children, and the particular field of study each is pursuing, so that the respective State educational agencies can then take appropriate steps to seek to attract such persons to positions in their home States in order to utilize the advanced education and skills which they have acquired under this program: *Provided*, That no individual receiving a scholarship, fellowship, or grant for advanced study under this Act shall be required, as a condition of such scholarship or fellowship or grant to promise to take employment subsequently in any State."

Mr. FOGARTY. Mr. Speaker, I move the previous question.

The previous question was ordered.

The motion was agreed to.

A motion to reconsider was laid on the table.

GENERAL LEAVE TO EXTEND REMARKS

Mr. FOGARTY. Mr. Speaker, I ask unanimous consent that all Members may have permission to extend their remarks in the RECORD on the items referred to above.

The SPEAKER. Is there objection to the request of the gentleman from Rhode Island?

There was no objection.

SUBCOMMITTEE ON DOMESTIC FINANCE OF THE COMMITTEE ON BANKING AND CURRENCY

Mr. PATMAN. Mr. Speaker, I ask unanimous consent that the Subcommittee on Domestic Finance of the Committee on Banking and Currency may have permission to sit during the sessions of the House tomorrow and on the following day in general debate.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

TOBACCO RESEARCH

Mr. COOLEY. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from North Carolina?

There was no objection.

Mr. COOLEY. Mr. Speaker, the Tobacco Subcommittee of the House Committee on Agriculture will hold public hearings beginning tomorrow, Wednesday, January 29, and continuing through Friday, January 31, on the importance of research in accomplishing maximum assurances of health in the use of tobacco.

I have communicated directly with Members of the House and Senate who represent States and districts producing cigarette tobacco, inviting all to attend and participate in these hearings. We are reserving special time on Friday for Members who wish to testify personally before the subcommittee.

Tomorrow, Wednesday, we shall receive statements from Dr. Luther T. Terry, the Surgeon General, and Dr. James M. Hundley, Assistant Surgeon General, whose office recently issued the report on "Smoking and Health"; from Dr. Nyle Brady, Director of Research, U.S. Department of Agriculture; from the Governors of principal cigarette tobacco producing States, and others.

On Thursday, the heads of the departments of agriculture of the tobacco-producing States, spokesmen for farm and other organizations, and various persons who have requested time, will be heard.

I hope that many of you will find the time to attend the hearings on Wednesday and Thursday. If you wish to submit a statement and cannot be present on Friday, we are holding the record open so that your statement may be filed and made a part of this record.

I emphasize to the House that this is not a hearing on the Surgeon General's report, "Smoking and Health." The hearing will be directed to the pending resolutions proposing to authorize and direct the Secretary of Agriculture to conduct research into the quality and health factors of cigarette tobacco, particularly to discover and emphasize these factors in the plant breeding, culture, and handling of tobacco that goes into the manufacture of cigarettes.

This hearing does not pertain to various proposals for labeling or other legislation, as these matters are outside the jurisdiction of our Committee on Agriculture. Such legislative proposals have been referred by the Speaker to another committee of the House. Our committee has jurisdiction with respect to research into the production and handling of tobacco, and this is the area to be comprehended by the hearings before the Tobacco Subcommittee.

Mr. Speaker, I think we must accept the fact that millions of people will continue to smoke cigarettes, irrespective of the report just issued. Therefore, the primary responsibility before us is how we may give maximum assurances of health to those who continue smoking. In these hearings, our Committee on Agriculture is responding to its responsibility, and we appreciate the interest shown by each Member of this House.

THE NATION'S TRIBUTE TO THE LATE SENATOR HERBERT H. LEHMAN

Mr. RYAN of New York. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the Record and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. RYAN of New York. Mr. Speaker, today the Nation honored the memory of one of its most distinguished and beloved citizens—Senator Herbert H. Lehman. At a White House ceremony, which I was privileged to attend, President Johnson presented the Freedom Medal to the lovely Mrs. Herbert H. Lehman, who accepted it on behalf of her husband.

I can think of no other public figure more deserving of the Freedom Medal than the late Senator Lehman. As New York's Lieutenant Governor, Governor, and U.S. Senator, Herbert H. Lehman served the people of his State and of the Nation with unwavering dedication to our democratic principles. His compassion, humanity, and integrity earned him a degree of esteem and affection which few in public life are privileged to enjoy. His life was marked by a long record of remarkable achievements. Perhaps he will be most remembered as the voice of liberalism in the Senate during the hysteria of the 1950's. A courageous fighter for civil rights, civil liberties, and a fair and just immigration policy, he was rightly known as the conscience of the Senate.

After his retirement from the Senate, his deep concern for the welfare of New York motivated Herbert H. Lehman, at the age of 80, to lead the cause of political decency and reform within the Democratic Party. He fought fiercely against the boss system, inspiring thousands of volunteers to become active in grassroots politics.

Mr. Speaker, I include at this point in the Record the remarks of President Lyndon B. Johnson delivered at today's ceremony awarding the Presidential Freedom Medal to the late Senator Herbert H. Lehman:

Remarks of the President at Presentation of Medal of Freedom Award to Mrs. Herbert H. Lehman, Cabinet Room

President Johnson. Mr. Secretary, Mrs. Lehman, members of the family, and friends of Herbert Lehman, in December, one of my first and most rewarding acts was to confer the Presidential Medal of Freedom for distinguished achievements on 33 individuals. The brilliance of that occasion was marred by the absence of two men; John Kennedy, who conceived and planned these new civil honors, and Herbert Lehman, whose death in New York occurred just minutes before his departure to Washington to receive this award from a grateful nation.

Today it is altogether fitting that in special ceremony we present Herbert Lehman's Medal of Freedom to the one person who shared his life and his hopes, his triumphs and his disappointments, who was always with him in sunshine and in sorrow. Edith Lehman was the indispensable companion. When the days were dark or the mornings seemed far away, Edith Lehman was always there. No one knows this better than the friends of Herbert Lehman who are gathered here today.

The Nation is diminished when a patriot dies. Senator Lehman was an unusual man. He believed in the worth of the human being. He rejoiced and he agonized in the cause of freedom. He was civilized and calm when all around him were confused. He did not accept the view of the grayminded and the doomhangers that the corrupted currents of this world would overwhelm.

He believed, as Aristotle had said, that excellence is much labored for by the race of man. He believed in the goodness and the rightness of the individual citizen and in that arena he fought his long fight. What a happy legacy he leaves to his family and to his State and to his Nation, an estate that will always endure for it consists of love and loyalty for his country.

Secretary Ball. Mr. President, the citation.

President Johnson. The President of the United States of America awards this Presidential Medal of Freedom to Herbert H. Lehman, citizen and statesman. He has used wisdom and compassion as the tools of government and he has made politics the highest form of public service.

The White House, *Washington, D.C.*

Mrs. Lehman. Mr. President, may I thank you very much for your tribute to my husband. And I would like to thank everybody who is gathered here, because I know they are here in tribute to my husband. I can't tell you how honored I feel to accept this medal. I want to also say that the knowledge that this medal was coming to him added a great deal to his last hours of life. And I want to thank you ever so much for the many things you have done which has meant a great deal to him. I know he listened to you. When we were at Atlantic City we listened to your speech to the joint Congress and he was very thrilled and very encouraged and very happy.

I know he wrote to you at that time and you were kind enough to reply. He never saw the reply, but I want to thank you very, very much.

President Johnson. There is nothing more I can add except this: Senator Lehman was a most unusual man and a most thoughtful person. When I was hovering between life and death, he made it possible for me to be here today. He got up in the Senate one morning, the first time a Senator had arisen since 1789, and offered a Senate resolution that the Senate pray for my recovery. And it was just at the time when I needed every prayer I could get. And his prayer was answered. Thank you.

REQUIRING MILITARY PERSONNEL OF THE UNITED STATES TO COMPLY WITH THE CONSTITUTION OF THE UNITED STATES BEFORE ACCEPTING UNITED NATIONS MEDALS AND SERVICE RIBBONS

Mr. UTT. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the Record and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. UTT. Mr. Speaker, I have this day introduced a House joint resolution requiring military personnel of the United States to comply with the Constitution of the United States before accepting United Nations Medals and Service Ribbons.

On January 7, 1964, President Johnson issued Executive Order No. 11139, authorizing acceptance of the United Nations Medal and Service Ribbon. This is in direct violation of article I, section 9, clause 8 of the Constitution of the United States which reads as follows:

> No title of nobility shall be granted by the United States: And no person holding any office of profit or trust under them, shall, without the consent of the Congress, accept of any present, emolument, office, or title, of any kind whatever, from any king, prince, or foreign state.

If the President can issue Executive orders overriding the Constitution of the United States, there is little reason to have a Constitution. Each clause and section of the Constitution is of equal dignity, and the President of the United States should be the first to recognize this. Any change in the Constitution should be made in accordance with the provisions of the Constitution providing for such amendments.

I sincerely hope that the appropriate committee will hold immediate hearings on this resolution and send it to the floor for proper action.

BUILDING THE PANAMA CANAL

Mr. PEPPER. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Florida?

There was no objection.

Mr. PEPPER. Mr. Speaker, at a time when demands are being made upon our Government that we give up or surrender control over the Panama Canal, it is well that we recall the thrilling story of American sacrifice, heroism, and expenditure which made possible the construction of the Panama Canal. One of the men to whom we are most indebted for that herculian achievement is Gen. Robert E. Wood who is best known to the American public for his many years of successful direction of Sears, Roebuck & Co.

From the time he was lieutenant at the age of 24 when he was assigned to serve on detached duty with the Isthmian Canal Commission through the important command of Chief Quartermaster of the canal and director of the Panama Railroad, General Wood rendered to his country in the construction of the canal, 10 years of dedicated and distinguished service. General Wood was truly one of those indispensable men who made this great project the greatest manmade project on earth at the time of its construction possible.

On April 10, 1963, before the Commercial Club of Chicago, General Wood told the story of the building of the Panama Canal. This is a story the American public should know. Fortunately, the Honorable William Benton, former distinguished U.S. Senator from Connecticut, and former eminent Assistant Secretary of State, as publisher and chairman of Encyclopedia Britannica has made this address of General Wood into a bound volume for circulation to a limited number of friends. I feel that the Members of the Congress now so vitally concerned with the preservation of America's legitimate interest in the Panama Canal should have the benefit of General Wood's first-hand account of the building of the Panama Canal. Hence, I submit this moving address of General Wood from the volume of the Encyclopedia Britannica entitled: "Monument for the World" as follows:

MONUMENT FOR THE WORLD

The club has been kind enough to invite me to be its guest and to speak on the building of the Panama Canal. I have reached an age where I had determined to do no further public speaking, but as I felt I was among friends and the subject was one dear to my heart, I decided to violate my rule. I hope you will not too greatly regret the decision.

To refresh your memories I will sketch some of the pertinent facts that led to our beginning the great work.

After years of investigation and research, a commission headed by Adm. John G. Walker, of the U.S. Navy, recommended the construction of a canal through Nicaragua. The report was rendered in November 1901. In January 1902 the New Panama Canal Company in Paris, reacting to the report, cabled Admiral Walker their readiness to accept a U.S. offer of $40 million for their holdings in Panama. They had originally asked $109 million. The Walker Commission on January 18, 1902, then canceled its first recommendation and recommended Panama as the route for the canal.

I might mention that the $40 million was a good bargain. The French had completed 29,900,000 cubic yards of excavation useful to us. They conveyed to us the Panama Railroad Line and all its assets. These assets included the ownership of valuable property in the cities of Panama and Colon, as well as the Panama Railroad Steamship Line and all the French equipment.

In June 1902, Congress passed the Spooner Act, which was the basic law for the construction of the canal. It authorized President Theodore Roosevelt to acquire all French canal holdings for $40 million and also authorized him to obtain from Colombia perpetual control of a strip of land for the maintenance, operations, and protection of the Panama Canal and Panama Railroad and through the Isthmian Co. to construct the Panama Canal. The Colombian Senate rejected the treaty in 1903. The Province of Panama revolted and declared its independence. Panama then signed a treaty with the United States in November 1903, granting the United States in perpetuity exclusive use, operation, and control of the Canal Zone. The United States recognized the independence of Panama and agreed to pay the Republic of Panama the sum of $10 million and, 9 years after ratification, a yearly payment of $250,000, which was raised in 1936 to $430,000 and in 1955 to $1,930,000.

In March 1904 the first Isthmian Canal Commission was appointed to build the canal and John F. Wallace, then vice president and chief engineer of the Illinois Central Railroad, was appointed as its first chief engineer.

A gigantic task awaited this Commission. The French company had had a small force at work, not over 1,000 men, employed principally in dredging operations, just sufficient to hold the concession from Colombia. The two cities of Panama and Colon at the terminals of the Pacific and Atlantic sides were at that time towns of approximately 30,000 and 10,000 people. Neither had any water supply or sewers. The Canal Zone between was virtually unpeopled.

The Commission had to recruit labor from the United States, the British West Indies, and Europe. It had to provide the means of housing and feeding the force. It had to import from the United States all the equipment needed for the largest construction job in the world. It had to furnish a government with judges, police, etc.

The original Commission faced the biggest construction job in the world at that time, in a location devoid of material, labor, or equipment. Yellow fever was still prevalent in Panama and the zone—one out of every three Frenchmen sent there in the period from 1879 to 1890 died—and this proved a great deterrent to the recruiting of Americans of the right quality. The beginnings of the force recruited in 1904 and the first 6 months of 1905 were largely Americans who had left the United States for this country's good—railroad men who were blacklisted on the American railroads, drunks, and what we called tropical tramps, American drifters in Latin America.

The canal from its inception appealed to the imagination of the American people, and in 1904, after the new Commission took office, there was a demand to see "the dirt fly." Unfortunately, the Commission yielded to that clamor and started in 1904 to do excavation work before there was adequate organization and before equipment and labor were available. The exception was the beginning of the sanitation and medical organization under the direction of Col. William C. Gorgas. This work was properly organized and operated from the very beginning.

As a matter of fact, we might not have done any better than the French except for three factors: our knowledge of the transmission of yellow fever, the invention of the steam shovel, and the U.S. Treasury to finance the job.

In March 1905, I was fortunate enough to be detached from the Army for duty with the Isthmian Canal Commission. I left the States that month and reported to Mr. Wallace at Panama for duty. At that time there was only one other Army line officer on the job. There were, however, some Army doctors, officers of the Medical Corps, and Colonel Gorgas. I was assigned to the Department of Labor and Quarters, dealing with the recruiting of labor and their housing and feeding. This was to become later the Quartermaster Department with many additional duties.

Three to four weeks after I landed, we had our first case of yellow fever, the head of the building department. He was taken to the hospital and died in 3 days. Within a week, many more Americans, "high" and "low," were taken to the hospital. As I remember, from the beginning to the end of the epidemic, about one out of every three Americans on the canal came down with the fever and about 50 percent of the cases died. Then began a rush of resignations as nearly everybody wanted to quit. To cap the climax, Mr. Wallace, then the chief engineer, who had been up in the States recruiting American skilled labor, returned to the isthmus in the midst of the epidemic and tendered his resignation—his assistant did likewise. It was exactly as if in Chicago at the headquarters of one of our great companies, the president, all of the vice presidents, most of the key men, the first and second echelons, resigned within a period of 6 weeks. Naturally there was complete demoralization on the work in May and June of 1905.

The epidemic really ended by September 1905. From then on we never had another case.

Personally, I have always felt grateful to the yellow fever for my first great opportunity in life. I was then 25 years old, had no idea of getting the fever, and did not get it, though I was bitten by the same mosquitoes that bit my comrades. Anyone who stayed was promoted. I was promoted every month for 3 months in the canal organization and more important to me, reached a position near the top of the organization at the beginning of the work. In June 1905, we had a force of 4,000 men—2 years later we had 30,000. The force reached a peak in 1913 when we had 44,000 men actually at work, which meant a total of over 50,000 men on the payroll, allowing for men on leave, sick, and absent for other causes.

In June 1905, John F. Stevens was appointed chief engineer and took charge of the work. He proved a truly great leader. He was originally chief engineer for the Great Northern Railroad. He located the Marias Pass, the lowest point in the U.S. Rockies, and was James J. Hill's greatest lieutenant. He was vice president of the Rock Island Railroad when he was appointed to the canal.

On his arrival he announced he was not going to do any digging until the proper preparations had been made. He immediately started the construction of homes for the married and single American employees, all in the Canal Zone. A big cold-storage plant was erected at the Atlantic terminal; commissaries were built, selling food and all the essentials to the employees; hospitals, schools and churches, and YMCA clubhouses were erected, barracks for the common laborers, and a chain of restaurants for all classes of employees. The pay for the American construction men was then some 25 percent higher than wages paid in the United States, plus free rent, free medical attention, and the necessities of life at cost in the commissaries. After the epidemic ended we began to get fine railroad men, fine construction men, fine employees in every category—of a very different character from the original force.

We had put our agents in the West Indies Islands to recruit common labor. However, the British island authorities of that period refused to let us recruit any labor except on the island of Barbados, which was heavily overpopulated. We took 20,000 men from that little island—10 percent of the total population, over 40 percent of the adult male population. We got 8,000 French-speaking Negroes from Martinique and Guadeloupe and 7,000 Gallegos from Spain.

We offered a contract to the West Indian laborers based on a pay of 10 cents per hour for a 9-hour day with living quarters and food at cost, plus repatriation at the end of 2 years. Wages at that time in the West Indies were 15 cents per day. Practically no Barbadians went home—they all remained on the canal and their descendants are still there.

Most of the Negroes were sugarfield workers, had never seen a construction job in their lives, had never seen or handled any sort of machinery. The problem of how to teach and train this force was in itself very great.

The efficiency of the Barbados labor was very low at the outset. They were great theologians, very wordy, and in the beginning whole gangs dropped their tools to engage in theological disputes. They were great letter writers. As the man who provided their food and lodging, I was a big man in their eyes, and one day I received a letter from one of the Barbados laborers addressed to "My master next to God"—I have never been so important since.

The European labor was paid double for the same class of work, as their efficiency was rated 3 to 1 to the Negroes. The efficiency of the Negroes improved by competition and experience. At the end of the work there was very little difference in productivity or pay between the Negroes and the European common laborers.

The working hours were from 7 to 11 a.m. and from 1 to 5 p.m. The heat was worst at noon. We had a 6-day week—no Saturdays off. Our headquarters from 1908 to 1913 was in a big building at Culebra overlooking the cut. Colonel Goethals worked every evening until 9 p.m. and every Sunday morning. The department heads at headquarters observed the same hours.

With liberal pay, fair treatment, and a great job to be done, this heterogeneous force was welded together by the end of 1908 into an efficient force with high morale. We never had a strike. The handling of the working force during the construction of the canal will stand as a model of intelligent, just, and liberal treatment of labor.

As stated, Mr. Stevens instigated a great housing program, so that men could bring their families with them. Even after the yellow fever had been eradicated, Panama had a bad name. Very few middle-aged or older people would come to the isthmus. The result was that our employees averaged very young; many of the men had been recently married, and many brought their brides with them or went up to the States on their first vacation to get a bride.

Besides our railroad men, who were a fine class of men, we had a large number of young professional men—doctors, engineers, meteorologists, hydrographers, scientists—all with university educations. The majority of their wives also had good educations. We had no theaters, no movies, no automobiles, no roads, no radio, no television, but we were all young and managed to have a good time. Our Barbadians, as soon as they managed to get a little ahead, sent for their women in Barbados and set up households on the canal.

The work of preparation, including the double tracking of the railroad, the building construction, the installation of all the necessary utilities for a force of 50,000 men, the layout of the work in the Culebra (Gaillard) Cut, the purchase of the necessary equipment, steam shovels, dump cars, locomotives, drills, etc., went on through the balance of the year 1905 and most of the year 1906.

A board of 13, including 5 top American engineers and 5 foreign engineers, had been appointed to recommend the type of canal—sea level or high level. They rendered a report in January 1906, the five foreign engineers voting in favor of a sea canal, the five American engineers voting for a lock canal. The chairman, Gen. George W. Davis, voted with the foreign engineers, and the vote was 8 to 5 for a sea-level canal. Mr. Stevens was in favor of the lock canal and sent his report to President Roosevelt. His arguments carried the day, and Congress voted the construction of a lock canal.

Col. H. F. Hodges, the assistant chief engineer, an officer of the Corps of Engineers, was a great technician and was put in charge of all design. He immediately recruited a body of the ablest, smartest young engineers in the United States to design the locks, the Gatun and Miraflores Dams, the spillway, and the lock machinery. A large number of these engineers and draftsmen were at this work for 6 years. All were drawn from civil life. One of them, Ed Schildhauer, a graduate of the University of Wisconsin, designed the lock machinery and the controls, probably the most complicated of all the design work. From the day it was put in operation it performed perfectly and is still in operation after 49 years.

After the decision had been made and after most of the preparatory work had been completed, we began the real digging in the late fall of 1906 and the dirt really began to fly.

On January 30, 1907, Mr. Stevens, after an argument with President Roosevelt, tendered his resignation. It was a great shock to the force, all of whom admired and respected him. He truly laid the foundation for the work.

The President then appointed Col. George W. Goethals of the Army Corps of Engineers as chairman and chief engineer. Colonel Goethals took over in February 1907. The new members of the Commission were Adm. H. H. Rousseau of the Navy and Majs. William L. Sibert and David D. Gaillard of the Army.

In retrospect, perhaps the change was good. Mr. Stevens, while a great railroad construction engineer, had had no experience in locks and dams. Colonel Goethals did have long experience in that type of work. He also proved a great administrator and leader. The work was fortunate in that it had these two great men.

Colonel Goethals set up an organization headed partly by military personnel and partly by civilian personnel. The Atlantic division, the Gatun locks and Gatun Dam, was headed by an Army colonel of engineers with four or five Army engineers as assistants. The Pacific division, the Pedro Miguel and Miraflores locks and the Pedro Miguel Dam, was headed by a civilian engineer, Sidney Williamson, with all civilian assistants. Naturally there was intense competition between the Army and the civilians. The central division with the Culebra Cut was under the control of Colonel Gaillard of the Engineers with civilian assistants headed by an MIT graduate, Louis Rourke.

The Quartermaster Department, which controlled the housing and feeding of the forces, the building construction, and the requisitioning, storage, and distribution of all supplies, was first headed by an Army officer, Col. Carol Devol of the Quartermaster Department of the Army. Colonel Devol fell seriously ill and was recalled to the States in 1912. I was his assistant and succeeded him as chief quartermaster.

Colonel Gorgas headed the medical department. Our medical and sanitary department was superb. For that day our hospitals were ahead of the times. Most of the Army medical officers served as administrators of the hospitals and sanitary works. Our surgeons and doctors were tops. They were all drawn from civil life with the exception of two Army officers. From being a pest hole, Panama after 1907 had a splendid health record.

The Canal Government, the controller, treasurer, and legal departments were all headed by civilians. There were no Army troops stationed in the canal until 1910. The administration of justice was prompt and efficient. There was one Federal judge, appointed by the President, and a Federal constabulary or police. It was under the Roman civil law, and there was no trial by jury.

During the year 1907, President Roosevelt visited the canal for 5 days. It was the first time that an American President had ever left the limits of the United States. Teddy lived up to his reputation for strenuosity. He was on the go from 7 a.m. to 9 p.m. He literally inspected everything.

I might mention something about the personalities of the two men, Colonel Gorgas and Colonel Goethals, who had most to do with bringing the work to a conclusion.

Colonel Gorgas, or rather Dr. Gorgas, who headed the medical and sanitary department, was a southerner, the son of a West Point graduate who became the Chief of Ordnance of the Confederate Army and was a very gifted man. His son, Dr. Gorgas, was a lovable man, idolized by his subordinates, respected by his colleagues. While easygoing, he could not be budged from a principle he believed in. He was the only Army medical officer who ever became head of the AMA.

Colonel Goethals was his exact antithesis. He graduated second in his class at West Point, had a fine mind. Unlike Gorgas, he was stern and unbending—you might say a typical Prussian—but his iron will and terrific energy were responsible for driving the work to a conclusion in record time. He might be termed a benevolent despot. I was his assistant for 7 years, and I might say that everything in my life since has seemed comparatively easy.

From 1907 the work progressed rapidly. There were the mishaps due to a tropical climate; torrential rains, slides in the cut, floods in the Chagres River, breaks in the railroad, innumerable injuries and deaths to our common labor from accidents, but the work went steadily forward.

As the excavation approached the bottom of the Culebra Cut, it was decided to complete that job by dredges rather than by the steam shovels, wet instead of dry excavation. So in 1913 we took the shovels, the drills, the locomotives and dump cars out of the cut. We took up all the rail tracks in the cut. Finally in September 1913, most of the employees assembled at the north end of the cut at Gamboa. At that point there was a great dike that separated the waters of the Chagres River from the cut. An immense charge of dynamite was set off, the dike disappeared, and the water of the Chagres and the dredges entered the cut. From that date on the dredges did the remaining excavating.

For the next 11 months the force worked at fever pitch. Men reported to work early and stayed late, without overtime. All worked to break records and speed the work. I really believe that every American employed would have worked that year without pay, if only to see the first ship pass through the completed canal. That spirit went down to all the laborers.

Finally, on August 15, 1914, 2 weeks after World War I began in Europe, all was ready. The channel in the cut was clear, the dams were completed, the locks completed, the lock machinery in working order—all ready for the first vessel.

There were many dignitaries from Washington and foreign countries who had come down to see the opening, but Colonel Goethals decreed that only Americans who had worked 7 years on the canal could go through on the first boat regardless of their position, whether they were plumbers, drillers, locomotive engineers, or the heads of departments. As I had been there nearly 10 years, I was one of the fortunate ones, as well as my wife and two of my (then) small daughters. We all boarded the SS *Ancon*, started in at the Atlantic entrance, were lifted up in the locks at Gatun Lake, and passed through the lake to the cut. When we reached the Continental Divide in the Cut and the ship passed between Gold Hill and Contractors Hill, most of the men—and a great many of these hard rock men were tough babies—were in tears. We then went down the Pedro Miguel and Miraflores locks and then out to the Pacific Ocean. It was a great day.

The canal was then opened to navigation, but very soon afterward the great Cucaracha slide came, the canal was closed, and it took months to get it opened. Sporadic slides occurred in 1916, and 1917 was the first year of uninterrupted traffic.

After August 15, 1914, it became a job. I asked to be relieved, but Colonel Goethals requested me to stay until the spring of 1915 to put up the permanent buildings of the canal. So I remained until May 1915.

I think that all of you, as American citizens, can take pride in the building of the canal. It was estimated to cost $375 million—the job was completed ahead of time and at a cost of $342 million. From start to finish there was never a single scandal, never a penny of graft. It was a 100-percent-clean job. After the first 3 years, there was no construction force in the world that compared with it in efficiency and morale.

The canal graduated the men who built railroads in Brazil, Ecuador, and Peru. One of our engineers later organized his own contracting firm and built a railroad in the northern part of Panama and most of the railroads in Central America. Another engineer, with our superintendent of steam shovels, organized a contracting firm that built much of the Canadian National Railroad through the Rockies to Prince Rupert on the Pacific. Another canal employee arranged the organization and construction of the one railroad in Iran. Col. Frederick Mears, who succeeded Ralph Budd on the Panama Railroad, built the Alaskan Railroad and later as chief engineer of the Great Northern built the tunnel that pierced the Cascades. The canal furnished two vice presidents to the United Fruit Co., one to the Allied Chemical Co., and many other officers to lesser corporations. It produced three presidents of American railroads, one of them, in my opinion, the ablest railroad man in the United States—Ralph Budd.

Our doctors organized and staffed the medical force of the United Fruit Co. and furnished many of the leading figures in tropical medicine and research. Dr. Gorgas, after eliminating yellow fever in Panama, and virtually eliminating it in other places around the globe, later, at the request of the British Government, made a study of sleeping sickness in Africa.

When we entered World War I, Colonel, then General, Goethals became the Assistant Chief of Staff of the Army, General Gorgas became the Surgeon General of the Army, and I, as a result of my experience and training in the canal, became the Acting Quartermaster General of the Army.

The canal has even been successful from a financial point of view. In 1917, the first year of uninterrupted transit, 1,937 vessels passed through the canal, carrying 7,210,000 tons of cargo and paying $5,628,000 in tolls. In the 1962 fiscal year, 11,340 vessels carrying 68,660,000 long tons of cargo went through the canal and paid $58,347,300 in tolls. It has paid back to the Treasury the interest on the bonds amounting to approximately $9 million yearly and has out of its revenue retired $20 million of the bonds.

Advocates of government ownership might well point to the canal as a successful example of government operations, but there was a special reason for this. We had a strong President, Teddy Roosevelt, the American people as a whole were solidly behind the project, and we were 2,000 miles from Washington. In the whole period there was never a single political appointment in the canal. I doubt whether these conditions can ever again be duplicated in a Government project.

Some of you no doubt have read of the persistent efforts of the Panamanian Government to cancel or modify the existing canal treaty with our Government. Our Government faithfully fulfilled the terms of the original treaty, has raised the yearly rental from $250,000 a year to almost $2 million a year, and has given to Panama some $25 million worth of property in the city of Panama.

The truth is that the Republic of Panama is not a nation. It is not like Peru and Colombia, with a distinct Spanish culture and a distinct nationality. The population of Panama is 12 percent white, 13 percent black, 72 percent mulatto, and 3 percent Indian. There are a few wealthy families in the city of Panama, mostly descendants of Spanish, French, English, Scottish, and German merchants and traders, who control the Government and are now constantly pressuring the United States for more money and control of the canal. The United States has created all the wealth that exists in Panama.

To those of us who worked on the canal it is unthinkable that we should give up our rights there. American money and brains were responsible for the building and operation of the canal, as well as American labor and the foreign labor imported by us. There was practically no Panamanian labor in the building of the canal.

The problem of Cuba and its Government has a direct bearing on the protection and operation of the canal. Until recently the canal was reasonably safe from injury. Russia has no Navy that threatens us with the exception of submarines, but they are a long distance from Panama. Today with missiles in Cuba, as well as submarine bases, the locks might well be destroyed from Cuba.

I have tried to tell you as well as I can the epic of the building of the canal. It is hard for me to transmit to you the feeling we all possessed toward the work. Rarely can man see his own work, but we saw it physically as, year by year, we saw the Cut grow deeper and deeper, the lock walls higher and higher, the dam, the lake. We all felt we were doing a job that was of benefit not only to our own country but to the world. We were proud that the job was being done honestly, efficiently, and expeditiously.

I have good reason personally to be grateful to the canal. As a young man and a director of the Panama Railroad, as assistant chief quartermaster, as chief quartermaster of the canal, and as head of the construction department, I had a wonderful experience in the handling of labor, the supervision of two great ports, the building construction on a large scale, and most of all the handling of the supply system of a large job. That experience proved of value to me as the head of the Quartermaster Department of the Army and later in the great company which I had the honor to head for many years.

The canal will always remain a material monument from a construction and engineering standpoint. It will also stand as a monument in the minds and hearts of the employees who worked on it during the construction period, one no less enduring than the physical monument.

I hope you, as citizens of our country, will feel likewise.

RUSSIAN WHEAT SALE NEEDS PUBLIC EXPOSURE

Mr. STAFFORD. Mr. Speaker, I ask unanimous consent that the gentleman from Illinois [Mr. FINDLEY] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Vermont?

There was no objection.

Mr. FINDLEY. Mr. Speaker, hearings on the Russian wheat sale could not be more timely—or more tuned to public interest. This very day the first shipment of Durum wheat bound for Russia is being loaded at Norfolk, Va.

The Russian wheat sale lacks the sexy overtones of the Bobby Baker hearings on the other side of the Capitol, but it wins hands down from the standpoint of tax dollars wasted and sound principles gone astray.

I sincerely hope the subcommittee will persist in it until all facts are placed in full view of the public. The sale rightfully deserves public exposure. It is not a normal commercial transaction by any stretch of the imagination. It is public business. The U.S. Department of Agriculture and the U.S. Department of Commerce are in it up to their necks.

So are the taxpayers. By reference to just two recent transactions, I can show that a new little known and unwritten policy of the USDA—begun as a way to pressure certain U.S. vessels into hauling wheat to Russia—has increased direct costs to U.S. taxpayers by $381,000. This policy has also indirectly boosted tax costs at least $150,000 because of the adverse effect it has had on the cost of shipping U.S. Government oil products from the Persian Gulf.

Under this policy, the USDA, cooperating with the Commerce Department, is disqualifying certain U.S. vessels from bidding for Public Law 480 shipments until the Russian wheat shipment problem is solved. This, of course, is harsh treatment for the vessels involved. It is discrimination of an unprecedented order. It is also harsh treatment for U.S. taxpayers, because the taxpayers have to cover the loss when low-bidding ships are disqualified.

For example, South, Inc., a shipping firm based in Jacksonville, Fla., on January 23 responded to the public invitation for bids on a Public Law 480 shipment and presented an offer for the firm's U.S.-flag tanker, *Vicksburg*, to perform from U.S. gulf to Karachi, Pakistan, at $22.75 per long ton. I have information from private sources that several other similar bids were made within the same freight rate range.

The South, Inc., bid was rejected in favor of bids on other smaller ships at $26.95 per long ton. The difference in the bids figures about $120,000, and every penny of this loss comes from the pockets of taxpayers. This is so because under the terms of Public Law 480 shipments, taxpayers cover the premium cost of hauling half the shipment in U.S. vessels.

Another similar transaction of which I have knowledge shows a loss to taxpayers of $262,500.

The purpose of this policy, of course, is to encourage—or coerce—U.S. vessels of certain size and equipage to accept Russian-bound wheat cargo. If U.S. flags are barred from Public Law 480 shipments, they have almost no place else to go.

The subcommittee should dig into this strange business and find out if this preferential, discriminatory policy is lawful. In verifying this policy at the Foreign Agricultural Service, I asked for the authority and was told simply that the policy had come down from the Secretary of Agriculture's office.

Last month USDA paid an export subsidy averaging 72½ cents a bushel on 13 million bushels of Durum wheat. The subsidy was paid to Continental Grain Co. of New York. A few days later the Department refused to pay a 59-cent subsidy on 110,000 bushels. Shortly before the Continental bid was accepted, USDA had accepted bids as low as 59 cents. Since it was consummated, USDA has accepted two bids at 52 cents. All except the one to Continental were for export to friendly countries. Continental's grain was for Russia.

Obviously, Continental got preferential treatment. The presumption accepted by all responsible observers of my knowledge is that the USDA paid this fancy bonus—worth $1,700,000—so Continental could meet the premium cost of shipping half of the wheat in U.S. vessels.

These questions should be answered: Was this preferential treatment lawful? What is the authority? Why better prices for exporters with Communist customers than those with free-world customers? If Continental is unable to sign sufficient U.S. vessels to carry half the wheat to Russia, and gets a waiver on this requirement, will taxpayers be able to recapture the part of the export subsidy intended but not needed as a shipping subsidy?

USDA officials could properly be called to justify this abnormally high export subsidy. If a subsidy for ocean freight was included, how was it calculated? If not, who got the bonanza?

USDA and Commerce Department officials who negotiated with Continental on the Russian wheat deal should explain what happened.

Another question which may properly be considered by this subcommittee: Did the Commerce Department comply with laws and its own regulations in issuing the export license to Continental for the Durum wheat?

On the basis of the best information I can obtain, it appears that the export license was issued prior to consummation of the wheat deal between Continental and Russia. If so, it violated the Commerce Department's own regulations.

Export Bulletin 883 of the Commerce Department, issued November 13, 1963, requires that each export license application be accompanied by form FC–842, properly executed. Did this form actually accompany the Continental application for export license? On the face of it, it would seem impossible, as form FC–842 requires the listing of quantity, value of commodities and numerous other details, including certification by the buyer that transshipment will not occur. Did the Soviet Union so certify prior to the issuance of the license? If not, what is the authority and justification for making the exception?

Finally, I hope the subcommittee will see fit to call as witnesses Mr. Michel Fribourg, president of Continental Grain Co. and any other officials of this company who have had to do with the Durum wheat transaction.

The following would be appropriate questions for them:

Was the subsidy paid to Continental abnormally high in order to cover some of the expense of ocean shipping? If not, who gets the bonus? If it does go to hire U.S. vessels and thus, in effect, subsidizes ocean transportation to the Communist destination, who originated the idea of hiding the shipping subsidy as a part of an abnormally high export subsidy? Did the idea originate in Continental Grain Co. or the USDA? In any event, with whom in USDA—if anyone—did Continental discuss the Durum wheat subsidy bid before it was actually offered?

There are other costs to the taxpayers that deserve attention. For example, the pullout of tanker-type ships from the United States to India-Pakistan run, resulting from the Russian wheat deal policy, has forced taxpayers to pay more than double the rate for petroleum shipments from the Persian gulf area. The Military Sea Transportation Service, U.S. Navy, has informed me that MSTS is now paying $8 a ton for shipping that was costing only $3.66 last September, just before the Russian wheat deal was discussed. This involves about 1 million tons annually. This means a loss to taxpayers of $4 million, figured at an annual rate. This figures $333,000 a month—or more than $150,000 for the period the new policy has been in effect.

Tanker-type U.S. vessels carrying wheat to India and Pakistan under Public Law 480, accept return-trip business at a cutrate price because they would otherwise come home empty. Now that these ships have been pulled off the run to India-Pakistan the grain is being hauled in the "dry-hold" type vessels. These vessels cannot efficiently handle petroleum products, and therefore the MSTS is being denied the cutrate price. Hence the jump in rate from $3.66 to $8.

My information is that Continental Grain Co. has 2 months—February and March—in which to ship a half-million tons of wheat in U.S. vessels, if these are available. Thus far, the firm has made three tenders seeking vessels at the unusual terms and conditions of the deal, but has lined up only a tonnage of less than 100,000 tons—only a fraction of that needed.

Plenty of U.S. vessels are anxious for business, but not at the terms and conditions offered. The Johnson administration policy which, for all practical purposes, bars the big efficient vessels from hauling to free world destinations, is obviously intended to put the squeeze on U.S. shippers so they will accept the terms and conditions demanded by Continental and its associates.

United States vessels cannot operate without a substantial subsidy, and can qualify for U.S. subsidy only in shipping generated by the U.S. Government. Foreign vessels would ship from United States gulf ports to Odessa for about $11 a ton, compared with the $18.02 price specified for U.S. vessels last October by the U.S. Maritime Administration.

DAVIS-BACON ACT AMENDMENTS

Mr. STAFFORD. Mr. Speaker, I ask unanimous consent that the gentleman from New Jersey [Mr. GLENN] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Vermont?

There was no objection.

Mr. GLENN. Mr. Speaker, in controversial legislation, we who are not members of the reporting committee must depend for information and knowledge from the committee report, the debate on the floor and, if we have time to do it, refer to and read the committee record.

However, there comes a time when a Member has personal knowledge and experience with the subject matter of the proposed legislation. It is perhaps natural that he thus looks for guidance to his own knowledge gained from his own personal observation. I am in that position on this bill H.R. 6041 and as early as May 29, 1963, I introduced a companion measure, H.R. 6673, because I was convinced that the Davis-Bacon Act does not give the protection at the present time that it was intended to give at the time of its enactment in 1931. It is a good law but progress has occurred and times have changed in the labor area. This bill will correct one of the main shortcomings of the act. It has taken into consideration the so-called fringe benefits—health, welfare, and pensions—in fixing the prevailing wage scale which must be met by a contractor or subcontractor in any area of Federal contracts or federally aided projects.

Time after time in my Second District of New Jersey—Atlantic, Cape May, and Cumberland Counties—I have seen contracts let at Federal installations to the low bidder which is as it should be. Unfortunately, for the local area, however, the low bid was by an out-of-State contractor who paid lower wage rates in his area. The result would be that local contractors and both skilled and unskilled labor had to watch strangers come in from out of State and do work which our area needed badly.

We have had some large projects where low paid construction workers were brought in from outside the local communities for long periods and on weekends they would leave the area for their homes taking their paychecks with them. This situation tended to undercut local wage rates and living standards not only for the construction workers and their families but the local community as well.

In an already depressed area this was like rubbing salt into the wounds. Many workers blamed the Federal Government for bringing these out-of-State workers in to do work in their communities. I found it difficult to explain, when we were talking about their Government, their livelihood and their taxes.

This bill will be of great aid in stopping such undercutting. It is aimed to stop unfair competition by contractors who underbid local contractors who hire workers in their locality and pay wage rates—including fringe benefits—on Federal installations and projects.

If there are other changes, including administrative, which should be made to the Davis-Bacon Act, let us get on with doing it with the whole act—but do not let that stop this specific correction so badly needed now. I urge the enactment of this much-needed legislation.

THE REPUBLICAN HOUSING PROGRAM: OPERATION NEIGHBORHOOD

Mr. STAFFORD. Mr. Speaker, I ask unanimous consent that the gentleman from New Jersey [Mr. WIDNALL] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Vermont?

There was no objection.

Mr. WIDNALL. Mr. Speaker, the minority members of the House Special Housing Subcommittee are introducing today, as announced last Friday, housing bills to provide low-income Americans with better housing and living conditions, both in human and economic terms. Included in the package will be a new low-income housing approach making use of private housing units already available, a new loan program to encourage rehabilitation instead of the bulldozer for neighborhoods, a complete overhaul of compensation payments to tenants and property owners, priority requirements for slum clearance over redevelopment of downtown commercial areas, and needed assistance for individuals and small businesses too long ignored. The Republican housing bills are: H.R. 9771, H.R. 9772, and H.R. 9785.

We have read the President's message on housing with interest, and we have examined his legislative proposals in detail with great disappointment. If this is the weapon he intends to use to fight his war on poverty, the battle we must win has already been lost. One section in particular in this voluminous proposal sets the tone for the entire document. This section raises the limitation on grants which can be used to redevelop nonresidential, downtown commercial areas, from 30 to 35 percent.

The reason, we are told, is:

> The 30 percent of grant authority available for nonresidential projects is now being fully utilized and is no longer adequate to meet the known demand for additional nonresidential projects.

Whatever happened to the "known demand" for residential projects? We challenge any administration official to go into any city in the country and tell its residents that there is no longer any need for slum clearance or rehabilitation of blighted residential areas, and that, in the war on poverty, the Democrats will now concentrate on commercial renewal. The real reason why there is full utilization of present grants and increased demands is that the present Urban Renewal Administration has sold the idea of a profitable commercial redevelopment, and played down its failures in rehabilitation, and housing code enforcement required by the Housing Act of 1949 as amended.

In contrast, the Republican alternative housing plan would set a specific priority for residential projects over those in commercial districts, and would place profitable commercial developments on a loan instead of a grant basis.

The U.S. Civil Rights Commission report of 1959 stated that the relocation phase of urban renewal was the most important key to the success of the program in human terms. The Johnson administration program contains only one improvement for this vital program which has been the most criticized of all, and that proposal is only to extend the requirement that decent, safe, and sanitary housing be available for displaced individuals as well as families. No mention is made of the small businessman. No effort is made to follow the recommendations of the July 1963 report of the Connecticut Advisory Committee on Civil Rights that a physical verification should be made of the existence of these alleged decent, safe, and sanitary housing units. In fact, the administration bill would do away with any check on the promises of localities that substandard housing was eliminated to qualify for low-income housing assistance.

In contrast, the Republican proposal would require physical verification of the availability of decent, safe, and sanitary housing, not at the time of the original plan, but at the point of time several years later when condemnation begins. If necessary, to fully protect the citizen being displaced, the project would be delayed. Small businesses would have to be assured of reasonable opportunities to relocate, including anticipating their zoning needs in the workable program.

The administration provides an additional pittance to the individual being displaced, and again fails to fully consider the needs of the tenant. The Republican proposal humanizes the eminent domain laws in line with enlightened recommendations made in and out of Congress for many years, and provides full payments for those dislocated or damaged by urban renewal projects, including not only liberal moving expenses, but replacement costs as well. We do not expect that these increased costs per project would increase the urban renewal fund pie, but rather that they would increase the consideration given to those being displaced, and encourage the use of rehabilitation and code enforcement instead of the present dependence on the bulldozer.

Although administration officials pay lipservice to the idea of making greater use of rehabilitation, there is again little news contained in the President's program. Only an insured home improvement loan for those over 62 years of age is provided, and then only if the individual can find a commercial lender. No effort is made to help the small businessman.

In contrast, the Republican proposal offers a new rehabilitation loan program, in place of an equivalent amount of capital grants, which would be provided for the owner or tenant, as an individual or businessman, who could not obtain or afford financial assistance from other commercial lending institutions. The 15-year loans at a little over 3 percent interest would amount to $100 million a year for 3 years, a figure we are willing to change in accordance with our findings during the forthcoming hearings on the housing bills.

Not one word in the administration program relates to prevention of slums by code enforcement. The failure to enforce the present workable program requirements has contributed to the conditions which have ended in justifiable rent strikes in New York and Cleveland. We have made an attempt to put teeth into the requirement in order to insure enforcement.

The administration takes a short step in the direction of using existing private housing for low-income families, but our rent certificate program would be a major step of 30,000 units. This would cut down on the waiting lines and lists now prevalent in too many cities, and would tend to eliminate economic and social ghettoes.

At the same time, our program of 30,000 units of decent, safe, and sanitary housing—privately owned, managed, and paying full taxes—will cost only $11 million if all 30,000 units are utilized by the Public Housing Administration. The administration's program of conventional public housing—publicly owned, publicly managed, and paying much less than full taxes—will require $525 million just to build the proposed 35,000 units. On top of this $525 million, must be paid the interest charges of tax exempt bonds made available by back-door financing.

Under our plan, the housing could, and would, become immediately available. Under the administration's plan, its units would have to wait to a large degree on the 180,000 units, not yet available to the low-income tenants who need it so badly, but which the Public Housing Administration has building, has contracted for, has extended planning funds for, or has reserved for future action when it can catch up with its processing.

The administration is also asking for a general neighborhood renewal plan program which would put every homeowner and every businessman in jeopardy regardless of the condition or location of his property. This threat would hang heavy and long over their heads, since the administration would eliminate the requirement that a plan be completed in 10 years; rather, it would only have to be initiated within 10 years.

It is the Republican position that we need expeditious action. Programs are already delayed too long and too much time has been wasted. We believe that overall planning should have no greater consideration than the forgotten people—the slumdweller, the neighborhood storeowner, the tenant, the minority group. The administration seems more interested in insuring the vacation home of the redeveloper than insuring any home for the person who needs it.

I include as part of my remarks the press release of January 24, 1964, and the detailed analysis of the Republican housing program issued on behalf of the minority members of the House Special Housing Subcommittee on that date:

Washington, D.C.—Republican members of the House Special Housing Subcommittee, through the ranking minority member, Congressman William B. Widnall, Republican, of New Jersey, announced today a 10-point housing program to provide low-income Americans with better housing and living conditions, both in human and economic terms. The Republicans called it Operation Neighborhood. Joining Widnall in support of the proposals which will be introduced early next week in the House, were Representative Paul A. Fino, of New York; Representative Florence P. Dwyer, of New Jersey; and Representative Joseph M. McDade, of Pennsylvania.

"No one contests the problems inherent in the sprawling growth of metropolitan areas of population," the Republicans said. "It is our opinion, however, that the economic and social costs to those very people our housing and renewal programs are allegedly designed to aid have been ignored." They cited studies made for the U.S. Commission on Civil Rights and the Small Business Administration which have not been acted upon, and expressed their disappointment in the lack of thorough investigation undertaken by the Housing Subcommittee.

Included in the package will be a new low-income housing approach making use of private housing units already available, a new loan program to encourage rehabilitation instead of the bulldozer for neighborhoods, a complete overhaul of compensation payments to tenants and property owners for losses sustained from urban renewal projects, a nondiscrimination relocation clause, and sorely needed assistance to individuals and small businesses burdened by relocation problems. Slum clearance is given specific priority over redevelopment of commercial downtown areas, and future efforts in tax-enhanced commercial areas would be done through loans instead of grants.

The new loan programs would be in lieu of part of any additional capital grant request by the administration. By stressing loans, encouraging code enforcement, and rehabilitation, making use of existing private dwellings for low-income housing, and perfecting relocation techniques to prevent new slums, the Republican Congressmen stated that they would not only be aiding those in need of assistance, but would be accomplishing more for less money. They called this a "logical extension of the President's announced desire to economize without impairing the effectiveness of needed programs." At the same time they warned that the program itself would be in jeopardy both with Congress and the public if these basic reforms were not included in any new legislation.

Statement by Congressman William B. Widnall, Republican, of New Jersey, Ranking Minority Member of the House Special Housing Subcommittee, on Behalf of the Minority Members of That Subcommittee, With Regard to a Republican Housing Proposal

We are announcing today the imminent introduction of a Republican housing package, featuring a new private enterprise approach to housing for low-income families, needed assistance and protection to individuals and small businesses displaced by urban renewal, and a return to the original concept of urban renewal as a means for eliminating and preventing slums. Bills containing these and other features will be introduced at the beginning of next week.

For our low-income citizens, we are proposing a 10-point program which should provide better housing and living conditions, in both human and economic terms. We call it Operation Neighborhood.

No one contests the problems inherent in the sprawling growth of metropolitan areas of population. It is our opinion, however, that the economic and social costs to those very people that our housing and renewal programs are allegedly designed to aid have been ignored. In addition, the role of self-help and private enterprise has been inhibited and restrained by legislation and administration favoring Government action alone. Grandiose schemes on planners' drawingboards, and large budget figures promoted by liberal spenders may appear impressive, but they do little to help the homeowner who would prefer to upgrade his neighborhood rather than be evicted from his home, or the small businessman who is forced to close his doors, both as a result of urban renewal. No problem has ever been solved merely by throwing money at it.

If there is any one word, then, that could characterize our approach to these programs it would be that we are attempting to humanize what has been a coldhearted program of more benefit to the bureaucrat and big developer than to the little man, particularly if he is a member of a minority group. We have been disappointed in the activity of the Special Housing Subcommittee in its study of urban renewal, especially its attempt to create a favorable political image rather than an honest examination of the imperfections of the program and the development of valid answers to the problems these imperfections create. The bills we plan to introduce next week will provide a means to remedy this situation immediately, and we would hope that this administration will support our efforts.

Our proposals are concentrated in areas such as relocation and rehabilitation which have long been neglected. We do not agree, for example, with the view of the Urban Renewal Administrator that business failure as a result of urban renewal project dislocation is a matter of course because these are marginal businesses. The fact is that they are marginal only in the minds of the planners. They are not marginal in the minds of those who earn a livelihood from them. We do not believe that there is any logic in programs which create unemployment at a time when we are trying to cure unemployment. Ever more illogical is the trend toward creation of slums by the effects of the very programs designed to eliminate them, and the subsequent shrug of the shoulders by officials who much prefer to redevelop commercial districts in any event.

A study for the Small Business Administration, by Brown University, of the effects of urban renewal and highway programs on businesses in Providence, R.I., indicates quite plainly that the present compensation paid to those evicted from urban renewal projects is totally inadequate. The Brown University study, completed in May of 1962, and brought up to date in May of 1963, has not been published and its findings are not general knowledge although it is the only comprehensive study of its kind. This is unfortunate. We trust that the fact that it may be published after urban renewal hearings are completed is merely an unfortunate coincidence, but we have made an effort to rescue it from oblivion.

Finally, we are disturbed that urban renewal is too often associated with Negro removal. We believe that rehabilitation and the maintenance of neighborhoods is the key to the improvement of the Housing Act program, as is suggested by the July 1963 report of the Connecticut Advisory Committee to the U.S. Civil Rights Commission.

Specifically, we suggest the following changes in present law:

1. A low-income housing program of 30,000 units designed to make use of existing privately owned housing.

Such housing would have to be decent, safe, and sanitary; so certified by the local housing authority from quarters made available voluntarily by private property owners. No building could offer more than 10 percent of its available units. Rentals would be determined by negotiation between the local housing authority and the private property owners. Payments of rent by the tenants would go to the housing authority who would pay that amount plus the local subsidy to the landlord.

The elderly and families who cannot pay economic rents still need decent, safe, and sanitary housing. The massive, stereotyped housing project of the past quarter century is not coping with the problems it set out to cure. It has merely, and expensively, concentrated them. Economic ghettos have been created which threaten to become new slums. We need these people back in the mainstream of their community life. They need incentives. They are not helped by having their problems mirrored by the family next door.

The new approach we suggest has been advocated for some time by technicians in the housing field. It combines a maximum reliance on private ownership, management, and initiative with a sympathetic handling of a difficult social problem. The program, on a limited basis, has been successful in Toronto, Canada, with a 20-percent savings over Government-built unit costs. A comparison of the present program and our program is attached herewith.

COMPARISON OF PRESENT LOW-INCOME HOUSING PROGRAM WITH REPUBLICAN PROPOSAL

Community A receives an application from John Smith, who earns $2,950 annually. This makes him eligible for public housing locally as the local housing agency has set $3,500 as the top for low-income tenants. John Smith has a wife and three children, two boys and a girl. The LHA investigates the facts he has related and finds them to be true. Then:

Present program

If there is a vacancy in their projects that fits his needs (a 3-bedroom unit), John Smith is assigned a unit and moves into it. If no vacancy is available, he goes on the waiting list, making such use as he can of his preferential priorities, and waits until a unit is available. Then he moves. His rent he pays to the LHA.

Advantages

1. Complete control by LHA subject to occasional review by the Public Housing Authority. Manages and maintains all units. Must have the administrative facilities to do this.
2. Pays in lieu of taxes usually 1½ times what area was paying before public housing.
3. Does initially have economic impact that large scale construction brings.
4. Concentrates problem families in one area.
5. Has bond financing costs.
6. Makes the further building of total public housing plant dependent on congressional action.
7. Makes waiting for the availability of public housing units dependent on other factors than eligibility.

Republican proposal

The LHA checks its list of available private housing that suits John Smith's needs. It notifies John Smith, and the possible landlords, of the availabilities. John makes his choice subject to the willingness of the landlord. He picks the unit he likes best, and moves into it. He pays his rent to the LHA. The LHA pays his landlord the rent plus the average subsidy being paid in the locality which is determined by prior negotiation.

Advantages

1. LHA has control over determining what are decent, safe, and sanitary units. The private landlord can offer or withhold his units as he sees fit. Private landlord manages and maintains the unit. LHA does not have the administrative responsibilities and costs, nor the responsibilities of building the project in the first place which rules out the lawyer's, the architect's, and planner's fees.
2. Pays full taxes. (Probably 4 to 5 times what Project Pilot brings in.)
3. Would initially have no economic impact, but would start a large rehabilitation operation by rental property owners to bring their property up to decent, safe, and sanitary standards. Would eventually induce standard construction for rent certificate purposes.
4. Spreads and breaks up economic ghettos.
5. Eliminates bond financing costs. In the length of time it takes to pay off a public housing projects' bonds that would save the American taxpayer $192 million.
6. Makes the further building of the total public housing plant dependent on private enterprise.
7. Does away with waiting for public housing units after eligibility is established.

2. A complete revision of compensation payments to both tenants and owners of property who suffer loss or damage to their property interests as a result of urban renewal activity.

This is the first major attempt to bring together a number of basic reforms suggested in the past to compensate tenants and owners more fully for losses and damage sustained as a result of an eminent domain taking, including replacement and moving costs. For too long the cost of urban renewal has been largely borne by the people it is supposed to help. Any continuation of the program must provide these basic reforms. The urban renewal concept cannot succeed without widespread support from those it directly affects.

Included in our bill is a provision requiring each local public agency applying for Federal assistance to submit a compensation plan indicating that either through usual eminent domain compensation awards, or through awards coupled with supplemental payments, every person whose property interest would be lost or damaged will receive proper compensation. Both the private individual and business, the tenant and the landlord are covered. The individual would receive either the actual value of the interest taken or its replacement cost, whichever is greater. Payments for damages would be limited to net decrease in actual value of the property, provided the parcel is adjacent to the urban renewal project.

Under our bill replacement costs, provided the individual does replace his property interest, he would receive the entire cost of acquiring substantially the same interest he lost. He would be entitled to the purchase price of land, buildings, improvements, and equipment, all moving expenses including temporary storage, insurance and temporary quarters, profits or rentals lost as a result of an interruption in the business, the cost for the installation of fixtures and equipment, advertising and special promotions for business reopenings, attorney's fees, commissions, and any duplication of taxes, rents or interest.

One major problem in the past has been the fact that business or individuals leaving a project area before the condemnation of their property could not qualify for moving expenses. We propose to change that limitation and allow anyone moving before condemnation, but after official project approval, all moving costs. This will also avoid the problem of higher prices for rents and land caused by holding property owners and tenants until after condemnation and then releasing them all on the market at one time.

In some cases, businesses may not be able to move out until the area is almost emptied of their customers. We propose that the local public agency, if it has acquired the land on which the business is still operating, be required to lower the rent in correspondence to the decrease in sales.

3. A new rehabilitation loan program to increase the effectiveness of this aspect of urban renewal by providing financial assistance to property owners and tenants willing to improve their holdings, but financially unable to do so.

The key to urban renewal success, and its continued acceptance, is to increase the use of rehabilitation as an alternative to the bulldozer technique. The problems of relocation and compensation, in economic terms, are eliminated. The social value of maintaining the integrity of neighborhoods alone is worth the effort.

Up until now, however, financial assistance has been very limited. The program suggested by the Kennedy-Johnson administration in 1961 for home improvement loans has been unsuccessful in reaching many who need assistance, but do not have the commercial credit rating or the financial resources to pay off high interest charges. We believe we have developed at least a partial answer to this problem. It is, after all, an idle gesture to praise the rehabilitation technique and urge its use if the homeowner and small businessman is unable to take advantage of it.

Our program would provide a revolving fund, with suggested authorizations of $100 million each year for 3 years, which we would anticipate may be adjusted after full and complete hearings. Loans would be made at appropriate interest rates and would be made directly by the local public agency. Only those individuals within an urban renewal area, whose rehabilitation efforts would be in accord with the objectives of the urban renewal plan, and who could not obtain nor afford other financing would be eligible. There would be a limit of $10,000 per living unit, and $50,000 per business. The loan would run for up to 15 years or three-fourths the expected life of the improved structure, whichever would be the least.

In addition, the present home improvement loan program would be amended. At present, structures less than 10 years of age cannot receive assistance with two exceptions. We propose to add a third exception for structures in an urban renewal project area, whose rehabilitation would be in accordance with the objectives of the urban renewal plan.

We do not consider this loan program an addition to any possible new grant program, but as a substitute for part of that program. Through the loan program we hope to turn the attention of communities to rehabilitation, and over the long run, cut down considerably on annual costs through the revolving fund system.

4. A requirement in the law that relocation be carried out without regard to race, color, creed or national origin.

It is an unfortunate fact that no matter how sincere the officials of the Urban Renewal Administration may be about eliminating discrimination in connection with urban renewal relocation, the opportunities for relocation by non-whites and other minority groups are still limited. The "Report on Connecticut: Family Relocation Under Urban Renewal," prepared by the Connecticut Advisory Committee to the U.S. Commission on Civil Rights in July of 1963 recommended precisely the language we suggest in our bill. Although they recommended that it be included in the urban renewal guidelines, we believe that a provision in the law would be much more effective.

5. A requirement of physical verification by the Federal Urban Renewal Administration of the availability of decent, safe, and sanitary housing immediately prior to the start of condemnation proceedings.

There is a repeated complaint that those dislodged from an urban renewal area too often are relegated to housing that is, or will soon become, a new slum. We believe that these complaints too often reflect the fact that no physical verification is ever made of the suitability and availability of housing at the time that relocation takes place. Reliance is placed upon general estimates of future housing at the time that the plan is approved.

This view is shared by the Connecticut civil rights advisory committee which recommended a similar physical verification method in its July 1963 report. We recognize that project delays may occur if funds are withheld until suitable housing is available, even where officials have acted in good faith. In our opinion, the delays will not be as serious as the effect of ignoring this problem of relocation, and the benefits to individuals relocating far outweigh the costs of delay.

6. A requirement that specific findings be made that no further slum clearance or rehabilitation is necessary in any locality applying for urban renewal funds for the redevelopment of nonresidential areas before funds are granted for that purpose, and a change in the assistance for nonresidential development from grants to loans.

A particularly distressing change has taken place in the emphasis of the urban renewal program on downtown commercial redevelopment, often without regard to the needs of those in search of new housing and better living conditions. We believe the priorities should be reversed, and we challenge those in control of urban renewal to explain, if they can, why they believe that high-rise, high rental apartments and office buildings are more necessary and beneficial to city residents than neighborhood rehabilitation and slum clearance projects.

At the same time, it is our opinion that predominantly nonresidential development, particularly in downtown commercial areas, shows no need of being subsidized by the American taxpayer. These projects, if justified, can pay for themselves within 10 years, and can easily afford to pay the money back for reuse. The savings would be considerable, considering the size of projected downtown redevelopment. In order that urban renewal processes not be slowed down, the proposed loans would be noninterest bearing until the land of the project was in reuse. As the land comes into reuse, the loan in proper proportion would become interest bearing.

7. A requirement that adequate relocation assistance be provided from the time a project is approved, rather than from the time that condemnation begins.

The U.S. Civil Rights Commission, in 1959, called relocation the most important test of urban renewal, particularly with respect to nonwhite families. Studies since that time indicate that so little money is spent on relocation aid that most individuals displaced must find new homes or business sites by themselves. In both the case of the individual and the businessman, this is done under pressure, without guidance and with limited knowledge. It is not surprising, therefore, that many are not aware of assistance programs available, including moving expenses and Small Business Administration loans. The result is to contribute to the creation and preservation of slums, making urban renewal projects themselves a very limited success.

According to the Brown University study, only 5 percent of those relocated found a new business location through the relocation agency. A substantial minority of those businesses displaced were unknown to the relocation authorities, indicating that they had moved out before those authorities had begun their work.

The same has been shown in the case of individuals. In Connecticut, the advisory committee on civil rights was unable to get lists of families about to be relocated from the relocation agencies, since the families had disappeared before the agencies went into action at time of condemnation. The New Jersey Advisory Committee on Civil Rights took a survey of individuals relocated from one project in Trenton and could not find anyone who had been aided by the relocation authority in finding a new home. We believe that earlier action by the local authorities is a must, and that no project should be started unless the appropriate relocation assistance is available.

8. A requirement that the workable program proposed by the locality include pledges of specific action within specific periods of time, and that a physical check be made yearly by the Urban Renewal Administration on the fulfillment of these pledges, with a suspension of aid to projects if necessary.

The weakest link in the workable program has always been code enforcement and I have been emphasizing this for years. Urban Renewal Administration reviews of the program on an annual basis are general in nature and usually on paper. If blight is to be eliminated from our urban areas, code enforcement must continue unabated, even where projects are underway. It is the least expensive way of renewal, yet one of the most rewarding in terms of benefits to the city dweller. The recent rent strikes in New York City and Cleveland illustrate the seriousness of the problem.

9. A revision of workable program requirements to include a plan to meet the zoning needs of displaced businesses, and to require a showing of sufficient opportunity to transfer their location because of zoning restrictions. Thirty percent of the nonsurvivors in the Brown University study indicated that this was their major problem. Many of those who did relocate did so in the suburbs because of more zoning freedom, which obviously results in a loss of sales, payroll, and property taxes, and jobs to the city. There is a need to set up areas to which dislocated businesses can move.

At the same time, there is no requirement in present law or regulations to provide for business relocation, although there is a requirement relating to housing. What is even more shocking is the finding by the Brown University study that 48 percent of the businesses relocating did so to areas that were in the same or worse condition than the one they had just left. A continuation of this trend would be particularly tragic since it contributes to blight and to the costs of removing that blight in the future. If it is found that relocation areas are not suitable or available, this will be a direct incentive for rehabilitation, and away from the bulldozer. This is a goal that urban renewal officials say they favor but do little to achieve.

10. In addition, a number of other changes in the Housing Act are contemplated. These include an effort to return control of, and direct responsibility for, local projects to elected city officials more responsive to the citizenry than independent agencies, and the encouragement of self-liquidating projects by giving priority to cities having the ability to pledge increased tax revenues from urban renewal projects as security for project financing. The Small Business Administration is directed to work on the scene with relocation agencies to provide information and assistance to displaced businesses. Following a General Accounting Office recommendation, we have suggested a limitation on the use of Federal taxpayers' money for paying the expenses of officials going to conferences promoting, and lobbying for, urban renewal and public housing.

We believe that these reforms and loan programs are the minimum necessary before any additional funding of the urban renewal program takes place. It is useless to continue to sink funds into a program which creates as many problems as it solves. These reforms are long overdue, despite our many warnings and cautions in the past. The loan program approach is a logical extension of the President's announced desire to economize without impairing the effectiveness of needed programs.

It should be stressed that this is not a reaction to any administration program, since none has been offered in specific form as yet. Rather, it is an attempt to make use of information gathered from hearings, studies and experimental programs, and to build a responsible program for the United States that can be supported by all Americans.

We intend to give serious consideration to any positive suggestions made by the administration, and hope that our proposals will receive equal consideration by the Democratic majority.

MEDICARE FOR $1 A MONTH?

Mr. STAFFORD. Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. BARRY] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Vermont?

There was no objection.

Mr. BARRY. Mr. Speaker, in his state of the Union message, President Johnson said:

> We must provide hospital insurance for our older citizens, financed by every worker and his employer under social security contributing no more than $1 a month during the employee's working career to protect him in his old age in a dignified manner, without cost to the Treasury, against the devastating burden of prolonged or repeated illness.

After some statistical exercise, it is difficult to determine how the President could conclude that his proposed hospital care program would cost "no more than $1 a month."

Presumably, the $1 per month comes from applying the S. 880 tax rate of 0.25 percent on employees to the proposed increased taxable wage base of $5,200. When this is done, one obtains $13 per employee or approximately $1 per month—$1.08. This is not an honest approach for a number of reasons. The cost of S. 880, according to the chief actuary for the Social Security Administration, is 0.68 percent and not 0.25 percent—actuarial cost estimates for hospital insurance bill, actuarial study No. 57, HEW, July 1963. Application of 0.68 percent to $5,200 produces a cost of $35.36 per year or $1.47 per employee plus $1.47 per employer for each employee per month. This is about 50 percent more than "no more than $1 a month."

CHIEF ACTUARY TESTIFIES

However, in questioning the chief actuary during the hearings before the Ways and Means Committee on November 18, 1963, Chairman MILLS elicited a statement that the more proper tax, based on HEW cost assumptions, would be about 1 percent rather one-half of 1 percent. If the 1 percent were used as a basis of cost, then the cost per employee per month would come to $2.10, with a similar cost per month per employer for each of his employees earning $5,200.

Based on the insurance business assumptions as to the cost of S. 880, presented in their testimony on November 22, 1963, the level premium tax would be 1.71 percent of a $5,200 payroll or $88.92 per year. This would result in a cost of $3.71 per employee per month with a similar cost for the employer for each employee earning $5,200.

ACTUAL COST 1 PERCENT

Another method of approach to the monthly cost of the administration's hospital care program is to examine the total OASDI payroll tax increase which would result from its adoption. Social security taxes now amount to 7.25 percent of the first $4,800 of wages or a maximum of $348, half of which, $174, is paid by the employee. Under present statutory authority, these taxes will increase by 1968 to 9.25 percent on the first $4,800 of wages merely to finance existing social security benefits. This amounts to $222 to be paid each by the employer and the employee. As indicated above during the Ways and Means Committee hearings, Chairman Mills elicited from the Government's actuary that the more proper tax for the hospital care program would be about 1 percent rather than one-half of 1 percent which would require by 1968 a total tax closer to 10.25 percent on the first $5,200 of wages, or a maximum of $533, $266.50 of which would be paid by the employee. Thus on the basis of the tax of 10.25 percent of $5,200 the cost, to the employee earning $5,200, for the administration's hospital care proposal would be $44.50 per year or $3.70 per month. The employer would be paying a like amount, resulting in a total of $7.40 per month increase.

It is true that a portion of this goes to increasing OASDI benefits in future years; but, without the administration's proposal for hospital care, the increased wage base which causes the benefit increase would not be necessary.

FREEDOM OF CHOICE

A general comment or two concerning the approximate $7.50 per month—which an employee and his employer would have to pay—if it were used in another fashion. It should be remembered that the contributions of employer and employee purchase nothing for the employee during the 40-odd years of his working lifetime. Assume a young person employed at age 25 at a salary of $5,200 under the proposed program, he would have to pay with his employer approximately $89 per year for 40 years; and, at the time of his retirement at age 65, he and his employer would have contributed $3,560.

Instead of making these compulsory tax payments, had he invested this amount each month at a mutual savings bank at 4 percent compounded quarterly, by age 65 he would have had $9,000 to use for medical expenditures as he saw fit. He would have freedom to choose how he spends his money.

Alternatively, this young man could have purchased a guaranteed, renewable health insurance policy which would have cost him approximately $90 per year and would have paid him benefits should he have needed them at any time during the 40-odd years of his employment.

RESIDUAL OIL: THE EDUCATION OF SECRETARY UDALL

Mr. STAFFORD. Mr. Speaker, I ask unanimous consent that the gentleman from New Hampshire [Mr. Cleveland] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Vermont?

There was no objection.

Mr. CLEVELAND. Mr. Speaker, Secretary Udall's refusal to cut residual oil import restrictions is gaining wider notoriety. The Boston Herald this morning published an editorial questioning the Secretary's understanding of this problem vital to New England.

Despite a shortage of residual oil, a petroleum byproduct essential to the Northeast, the Secretary should come down out of the mountains long enough to give the attention necessary for an understanding of this restrictive policy costly to New England's economy. The domestic petroleum industry would be virtually unaffected by an increase in residual oil quotas. Yet the Secretary of the Interior takes no action. In yesterday's Congressional Record, January 27, pages 1165–1166, I submitted for the Record the correspondence that I have had with Mr. Udall on this subject.

I would like to bring to your attention the Boston Herald editorial, "The Education of Secretary Udall," January 28, 1964. It is regrettable that New England has to foot the bill for educating Mr. Udall. The $30 million per annum his actions add to our heat and power bill in New England is a pretty fancy tuition payment even for the New Frontier:

THE EDUCATION OF SECRETARY UDALL

The responsibilities of a Secretary of the Interior are manifold and complex. To master all the details calls for more than any one man's capabilities.

But Secretary Udall needs to know more about residual oil so that he will not again sign such a letter as he addressed on January 20 to the managing director of the Oil Users Association.

The letter was in reply to a request from the association urging the lifting of import restrictions on residual oil as recommended by the Office of Emergency Planning. This oil is the cheap heavy fuel essential to the economy of New England and New York.

Mr. Udall made these errors in his letters:

1. He put residual oil in the same category as other crude oil derivatives as needing import limitation to protect the domestic oil industry. Actually residual oil is in a class by itself because it is not competitive with domestic production. It is a low-value byproduct fast diminishing in output in this country, and all of it can be readily sold to consumers too far from water transportation to use the imported product.

Indeed, if Mr. Udall will look over his own files, he will find a report by his Department to the Office of Emergency Planning which demolished any argument that residual oil quotas are necessary. This report states that freeing residual oil imports would have so slight an effect on the domestic industry as to be indistinguishable from ordinary variations in the market, and in the long run would actually increase the revenues of domestic producers.

2. Mr. Udall contended in his January 20 letter that the Office of Emergency Planning did not consider the broad question of controls on crude petroleum and its products. Actually the OEP took into consideration the small and declining domestic output of residual, noted the Interior Department's prediction that decontrol would merely speed up the shift into production of more valuable derivatives and dismissed this problem.

3. Mr. Udall argued that decontrolling residual would lead to "dismemberment" of the whole petroleum program. This doesn't make sense in the light of the omission of residual from the original petroleum control program. The real reason for the later inclusion of residual was to appease the soft coal industry, not to protect the oil industry.

Mr. Udall's letter is absurdly silent on the coal industry's successful demands for suppression of a competing fuel. Could he, or whoever composed the letter for him, be unaware of the real reason for the residual curb?

Mr. Udall has been entrusted by the President with complete administrative control over the Nation's oil policies. If this letter reflects his grasp of the residual problem, his administration will not do very well. If this letter is some subordinate's way of ducking a straight answer for the present, let him be warned that New England and New York can fight for justice as hard as the coal lobby can fight for an unjustifiable burden on the economy of New England and New York.

CAN AMERICA SPEND ITSELF TO PROSPERITY OR BANKRUPTCY?

Mr. STAFFORD. Mr. Speaker, I ask unanimous consent that the gentleman from Texas [Mr. Alger] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Vermont?

There was no objection.

Mr. ALGER. Mr. Speaker, in making my remarks yesterday concerning President Johnson's housing and community development message part of my rebuttal was inadvertently omitted from my remarks.

I hope I shall never be guilty of criticizing without offering a constructive and positive alternative.

The part of my remarks deleted from yesterday's Record contained a constructive solution to housing and community development.

Because of the far-reaching effect of President Johnson's proposal as outlined to the Congress yesterday, I would like to include in full my remarks, adding the conclusion which was omitted.

Mr. Speaker, President Johnson's housing and community development message is unbelievable. It is socialism, not capitalism. It is Government evaluation of problems followed by Federal prescription of aid, planning, regimentation, and control. Nowhere is there recognition or understanding of the spirit and deed of American individual initiative, local and community effort, State pride and States rights.

Specifically, first local city and community planning commission activities, working with private developers, builders, and investors are replaced by Federal open space land acquisition for later Government approved development. The President disapproves the so-called urban sprawl. Is not local development necessarily right since it pleases the local plan commission and private entrepreneurs and investors, all tailored to please the ultimate boss of development, the customer, the homebuyer, the tenant? Where does Federal Government suddenly acquire Solomon-like wisdom, or our President, or Housing and Home Finance head Bob Weaver?

Second. Public housing is to now be procured by Federal purchase by Mr. Robert Weaver of homes and apartments in each block and locality of the residential areas of our cities. The residential areas of every city will then become Government dominated. Is this the land of the free? The social rearrangement of our lives is actually what Mr. Weaver and President Johnson seem to want. Freedom of association, of choosing your neighbors is out the window. Perhaps public housing officials will promise to have Government-employed yardmen, painters, and plumbers keep up each public housing house equal to the neighbor's efforts in maintaining their homes. Public housing tenants are wards of the Government and need not, do not keep up their properties and yards. As President Johnson puts it, the Housing and Home Finance Agency can both buy existing properties to lease them to public housing tenants at marked down rates or can act as simply a leasing agent go-between owner and tenant.

Third. Mass transportation must now be the Federal province, regardless of local or private action. This is now a part of the housing bill. If that is not enough, the Federal Government is asked by our President to set up training of those in local communities on how to run local communities. How did our Nation get where it is without such Federal aid? Can people be trusted to run their affairs locally? Apparently not. I contradict this outlook.

Nor do we need a new Federal Department of Housing and Community Development as the President requests. Nor do we need to extend urban renewal. The scandalous abuse of the law to date as seen in congressional investigation and GAO reports is proof enough that we must stop and evaluate, not plunge on into more chaos and corruption by Federal urban renewal laws.

By any test of Americanism that I know, moral or constitutional as viewed through our forefathers' eyes and our own sad Federal Government manipulations this message does not measure up. It certainly far exceeds my congressional oath to uphold and defend the Constitution or my first yardstick, Is it a function of the Federal Government? Second, when cost is considered, there is a bewildering duplicity of intent. The cost will be astronomic and escalating in nature. The open space purchase, new department and functions, the new loans, grants, research, training—there is almost no limit. How can we reconcile these extravagances with the loudly oft repeated claims of fiscal prudence, reduced debt, and reduced spending? We can see, as Senator BYRD observed, that spending will soar in 1964 as over 1963 and even more in later years.

I lament the continued use of the New Deal formula by President Johnson. First, our people have various needs; second, the Nation has the resources to meet the needs; third, therefore, it is Federal Government's duty to spend the resources to meet the need.

This is socialism. This is our brand of the welfare state of Federal bureaucratic dictation, control, and spending.

The old formula of "tax, tax, spend, spend, elect, elect," is being revamped for another go-around the L.B.J. way. I think it is wrong and therefore must so state.

The constructive solution to housing and community development is so obvious it is overlooked or purposely downgraded by self-seeking politicians.

Local problems can, have, and will be solved locally—by local government, by local people, including the business people and their customers, all conforming to local initiative, local ordinances, and local talents. That is the American way.

SPECIAL COMMEMORATION POSTAGE STAMP

Mr. STAFFORD. Mr. Speaker, I ask unanimous consent that the gentleman from Kansas [Mr. SKUBITZ] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Vermont?

There was no objection.

Mr. SKUBITZ. Mr. Speaker, today I introduced a bill to provide for the issuance of a special postage stamp honoring Maj. Gen. Frederick Funston. General Funston was the son of Edward Hogue and Ann Eliza—Mitchell—Funston, who moved about 1867 from New Carlisle, Ohio, where Frederick was born, to Iola, Kans., where he was brought up on a farm. General Funston's father served through the Civil War with Ohio troops, and as "Fog Horn" Funston, had a long political career in the Kansas Legislature and in Congress, where he was Representative of the Second Kansas District from 1884 until he was unseated in 1894.

After the war with Spain ended in August 1898, and the Philippine Islands were occupied by American troops, the Filipinos continued to fight for their independence. The then Colonel Funston distinguished himself in several engagements, won promotion to brigadier general of volunteers and added to his laurels the Congressional Medal of Honor. When it became recognized that the guiding spirit of the insurrection was Emilio Aguinaldo, Funston managed to discover the location of his headquarters and planned and executed the capture of the insurrectionist, which is so aptly described by the Iola Daily Register of March 28, 1901. For this daring coup, Funston was commissioned a brigadier general in the Regular Army and became a national hero.

He was 51 and a major general when he died of a heart attack in February, 1917.

William Allen White, editor and publisher of the famed Emporia Gazette and Funston's friend since their student days at the University of Kansas, wrote that "Only a breath of wind, the flutter of a heart, kept Funston out of Pershing's place in the World War."

PRESIDENTIAL CANDIDACY OF SENATOR MARGARET CHASE SMITH

Mr. STAFFORD. Mr. Speaker, I ask unanimous consent that the gentleman from Maine [Mr. MCINTIRE] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Vermont?

There was no objection.

Mr. McINTIRE. Mr. Speaker, Maine is indeed justly proud of its lady Senator, MARGARET CHASE SMITH, in her announcement to enter the New Hampshire and other primaries as a presidential candidate.

This announcement certainly is of historical significance, and I feel highly privileged and proud to introduce it to the RECORD.

No statement of mine is needed to elaborate on her great ability and her equally great record as a Member of the House of Representatives and the U.S. Senate.

Her announcement has thrilled the State of Maine and she will find support the length and breadth of our great land:

REMARKS OF SENATOR MARGARET CHASE SMITH, WOMEN'S NATIONAL PRESS CLUB, WASHINGTON, D.C., JANUARY 27, 1964

I always enjoy being with the members of the National Women's Press Club—even when you give Members of Congress an unmerciful going over. I think that I enjoy being with you not only because of the many good friends that I have among you but also because I was a newspaperwoman myself before becoming a Member of the House and Senate.

Many years ago I worked for the weekly newspaper in my home town—the Independent Reporter—in a succession of a variety of jobs ranging from general reporter to circulation manager and some of them concurrently performed as can be done only on a weekly paper. My only claim to fame in that effort was that in its class, while I was circulation manager, the Independent Reporter reached the seventh highest ABC rating of all weekly newspapers in the entire Nation.

But it was when I did five columns a week nationally for United Feature Syndicate for more than 5 years that I felt a greater professional kinship with you. I learned what a chore it was to produce 700 words almost daily.

It has been my privilege to address your club more than once. The first time was when I had been a U.S. Senator for only 6 days. Five days before I had surprised, if not shocked, some members of the press when I voted for Robert A. Taft for chairman of the Senate Republican Policy Committee rather than for Henry Cabot Lodge. Some even denounced me as a traitor to the cause of Republican liberalism.

And it was only a year and half later that others in the press were calling me a traitor to the cause of conservatism because of my declaration of conscience made on June 1, 1950. Some even called me pro-Communist on the basis of the declaration of conscience.

I have often thought of those instances in which I have been the target of the extremists on both the left and right. I remember how in the 1948 campaign when I first ran for the Senate an anonymous sheet was put out in the primary charging that I voted the "Marcantonio line." It failed. But the same technique was used successfully 2 years later against Helen Gahagan Douglas.

I remember how in the 1954 campaign I was accused in the primary of being soft on communism and a dangerous liberal, and then in the general election of being called a reactionary and an all-out effort made by the CIO to defeat me just as COPE did in 1960.

Yes, I have often thought of that January 8, 1949, speech that I made to this club in which I described myself as a moderate, pointing out that I had previously given myself that label when asked a question on the "Meet the Press" program on December 10, 1948.

I have thought frequently of these things in recent months when reading the editorials and articles expressing the opinion that our Nation is more rampant with bigotry and hatred than it has ever been. Many conclude that such was the cause of the assassination of President Kennedy, some even erroneously charging the assassination to racial hatred and bigotry.

In my opinion, any hatred or any bigotry, even the slightest hatred or bigotry, is too much for our Nation and is to be deplored. But I cannot agree with those who contend that now there is greater hatred and bigotry than ever existed before in our country. Instead I believe that our country is far freer of bigotry and hatred than it was 10 years ago, or at the time of my declaration of conscience, when I specifically denounced fear, ignorance, bigotry, and smear.

Let us examine a few of the contentions that bigotry and hatred are greater now than ever before. First, let us take the first claims and the first news reports on the assassination of President Kennedy. The first headlines were to the effect that President Kennedy had been shot by a southern extreme racist, by a racial bigot. This was immediately seized upon and exploited by the Russian Communist press for propaganda purposes.

Then after the initial smoke, and when heads begin to clear and emotions cool, the truth came out—and it was not a southern anti-Negro extremist that shot President Kennedy but, instead, it was a Marxist, a mentally deranged Communist. Further, it was by accident of geography that this mentally deranged Communist was in Dallas, Tex.—when it might have happened in Russia, where he lived for some time, or in other sections of the United States where he had lived.

No, the assassination of President Kennedy was clearly not what was first represented—the result of Southern anti-Negro extremism—but, rather, the act of a mentally deranged Communist.

Next, let us take the case of the John Birch Society and the extreme statements that it has issued against American leaders like former President Dwight D. Eisenhower. You might get the impression that never before was there an organization like the John Birch Society making such attacks.

Well, let me explode that myth by pointing out that in the early fifties there was an organization calling itself the Partisan Republicans of California that put out a smear publication charging that I was a leader of a—and I quote—"New Deal-Communist plot" to get Dwight D. Eisenhower the Republican nomination for President and to get him elected President.

To those who contend that hatred and bigotry is now greater than it ever was, I would urge a review of the conditions of the early fifties. I would recall to their memories those days of guilt by association, of character assassination, of trial by accusation. I would recall to their memories those days when freedom of speech was so abused by some that it was not exercised by others—when there were too many mental mutes afraid to speak their minds lest they be politically smeared as "Communist" or "Fascists" by their opponents.

I would recall their memories to a U.S. Senate that was almost paralyzed by fear—when some said that when I made the declaration of conscience that I had signed my political death warrant—and when that elder statesman who called one of your members and said that the declaration of conscience would have made Margaret Chase Smith the next President if she were a man—when such elder statesman was so clearly in the minority in his political evaluation of my speech.

Perhaps I know and feel this more strongly than some of those who evaluate and editorialize that bigotry and hatred are at their greatest heights now—because I felt the whiplash of the hatred and the bigotry from both the extremists of the right and the extremists of the left—when I fought such extremism both on the floor of the Senate and in the Federal court—and thank God for common decency, where I won not only in the Senate and in the court—but with the people at the polls.

No, there is less bigotry and hate now than there was 10 or 15 years ago—and we have very impressive proof of this. The late John F. Kennedy helped prove this. After his victory in the 1960 election, who can confidently claim that there has been more bigotry and hatred in the sixties than there was in the fifties? Who can seriously contend that there was more bigotry in 1960 than in 1928?

And who can deny that the rights of Negroes are greater in 1964 than they were in 1954? Who can deny that there has been progress on civil rights in the past decade? Perhaps not as much as there should have been. But who can truthfully say that we have gone backwards and become more bigoted in 1964 on civil rights than we were in 1954?

No, I am proud of the progress that our Nation and our people have made in the past decade in significantly, encouragingly—and yes, inspiringly—reducing hatred and bigotry in our Nation and among our people. There is much room for improvement. But there is no need to hang our heads in shame—there is no need for us to wallow in a deep and heavy national guilt complex.

For where in the world is there a nation as free of bigotry and hate as the United States? Where in the world is there a nation that has provided "equality in freedom" in the degree that the United States has for its people? Where in the world is there a nation that has done so much to export this concept of "freedom in equality" as has the United States in the billions of dollars that it has poured into efforts to give "equality in freedom" to the other peoples of the world? What other nation has poured out its resources and its heart to practically every other nation in the world in the past 25 years besides the United States—even to Russia with the multi-billion-dollar aid in World War II?

Is such the record of a nation of hatred and bigotry? Is such the record of a nation torn between radicals and reactionaries—between the far right extremists and the far left extremists?

I think the answers are clear. I think it is abundantly clear that the United States and its people are not hopelessly entwined in bigotry and hatred. To the contrary, I think the record shows that the American people are winning the battle against bigotry and hate—not losing it. I think the record shows that we have made significant progress in the last 15 years.

I think it is abundantly clear that we are not a nation of extremists. To the contrary, the extremists of both the left and the right are very, very small minorities in size and only seem larger than they really are because they make a greater noise than the quieter nonextremists.

No, the vast majority of Americans are not extremists. They have no use for extremists of either the far left or the far right. If there be any doubter of the relative freedom of Americans from bigotry and hatred as compared to the other peoples of the world, then let him take a good long look at the Statue of Liberty and particularly those words inscribed at its base of: "Give me your tired, your poor, your huddled masses yearning to breathe free, the wretched refuse from your teeming shore. Send these homeless, tempest tossed to me."

For more than a year now I have been receiving a steady flow of mail urging me to run for President of the United States. At first my reaction was that of being pleasantly flattered with such expression of confidence in me. I was pleased but did not take the suggestion seriously for speculation prior to the past year has been limited to vice-presidential possibilities.

And so I answered the letters by saying that I was pleased and flattered but that I was realistic enough not to take the suggestion seriously. I was sure that the trend would be short lived and would end. But instead of fading away the mail increased and by mid-November of last year reached a new peak.

At that time one of the most persistent writers pressed hard for more than my reply of "I am pleased and flattered but know it could not possibly happen," and in response to his pressing I replied that I would give the suggestion serious consideration and make a decision within a relatively short time. My answer was picked up by the local press and some 2 weeks later the Associated Press queried my office quoting from the letter and asking if the quote was correct. My office confirmed the quote as being correct and then the mail began to pour in.

The mail came from all of the 50 States and to my surprise I found that the writers were taking a possible Margaret Chase Smith presidential candidacy more seriously than I had been. Now I try to be serious without taking myself too seriously—but this mail was not what I had seriously expected. Frankly, it had its effect.

With the tragic assassination of President Kennedy came the political moratorium and the cancellation of the original date of this address. Again I anticipated that during the interim period this mail would fall off. And it did for a few days but then it started up again and now has returned to a level above that prior to the moratorium period.

In fairness to everyone, I concluded that I should make my decision before the end of January—and I have done so. It has not been an easy decision—either "yes" or "no" would be difficult. The arguments made to me that I should become a candidate have been gratifying.

First, it has been contended that I should run because I have more national office experience than any of the other announced candidates—or the unannounced candidates—with that experience going back to 1940 and predating any of the others.

Second, it has been contended that regardless of what happened to me, should I become a candidate, was not really important—but that what was really important was that through me for the first time the women of the United States had an opportunity to break the barrier against women being seriously considered for the Presidency of the United States—to destroy any political bigotry against women on this score just as the late John F. Kennedy had broken the political barrier on religion and destroyed once and for all such political bigotry.

This argument contends that I would be pioneering the way for a woman in the future; to make her more acceptable; to make the way easier for her to be elected President of the United States. Perhaps the point that has impressed me the most on this argument is that women before me pioneered and smoothed the way for me to be the first woman to be elected to both the House and the Senate—and that I should give back in return that which had been given to me.

Third, it has been contended that I should run in order to give the voters a wider range of choice—and specifically a choice other than that of conservative or liberal—to give those who considered themselves to be moderates or middle-of-the-road advocates a chance to cast an unqualified vote instead of having to vote conservative or liberal. In this contention, it has been argued that this would give the voters a greater opportunity to express their will instead of being so restricted in their choice that many of them would not vote.

Fourth, it has been contended that I should run because I do not have unlimited financial resources or a tremendous political machine or backing from the party bosses—but instead have political independence for not having such resources.

There are other reasons that have been advanced but I will not take your time to discuss them. Instead let me turn to the reasons advanced as to why I should not run.

First, there are those who make the contention that no woman should ever dare to aspire to the White House—that this is a man's world and that it should be kept that way—and that a woman on the national ticket of a political party would be more of a handicap than a strength.

Second, it is contended that the odds are too heavily against me for even the most remote chance of victory—and that I should not run in the face of what most observers see as certain and crushing defeat.

Third, it is contended that as a woman I would not have the physical stamina and strength to run—and that I should not take that much out of me even for what might conceivably be a good cause, even if a losing cause.

Fourth, it is contended that I should not run because obviously I do not have the financial resources to wage the campaign that others have.

Fifth, it is contended that I should not run because I do not have the professional political organization that others have.

Sixth, it is contended that I should not run because to do so would result in necessary absence from Washington while the Senate had rollcall votes—and thus that I would bring to an end my consecutive rollcall record which is now at 1,590.

You know of other reasons advanced as to why I should not run—and so I will not take your time to discuss them.

As gratifying as are the reasons advanced urging me to run, I find the reasons advanced against my running to be far more impelling. For were I to run, it would be under severe limitations with respect to lack of money, lack of organization, and lack of time because of the requirements to be on the job in Washington doing my elected duty instead of abandoning those duties to campaign—plus the very heavy odds against me.

So because of these very impelling reasons against my running, I have decided that I shall—enter the New Hampshire presidential preferential primary—and the Illinois primary. For I accept the reasons advanced against my running as challenges—challenges which I met before in 1948 when I first ran for U.S. Senator from Maine, when I did not have the money that my opposition did; when I did not have the professional party organization that my opposition did; when it was said that "the Senate is no place for a woman"; when my physical strength was sapped during the campaign with a broken arm; when my conservative opponent and my liberal opponent in Maine were not restricted in campaigning by official duties in Washington such as I had; and when practically no one gave me a chance to win.

My candidacy in the New Hampshire primary will be a test in several ways.

1. It will be a test of how much support will be given to a candidate without campaign funds and whose expense will be limited to personal and travel expense paid by the candidate.

2. It will be a test of how much support will be given a candidate without a professional party organization of paid campaign workers but instead composed of nonpaid amateur volunteers.

3. It will be a test of how much support will be given a candidate who refuses to absent herself from the official duties to which she has been elected and whose campaign time in New Hampshire will be limited to those times when the Senate is not in session voting on legislation.

4. It will be a test of how much support will be given to a candidate who will not purchase political time on television or radio or political advertisements in publications.

5. It will be a test of how much support will be given a candidate who will campaign on a record rather than on promises.

I welcome the challenges and I look forward to the test.

"THE HOUSE RULES COMMITTEE," BOOK BY JAMES A. ROBINSON

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that the gentleman from Indiana [Mr. BRADEMAS] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

Mr. BRADEMAS. Mr. Speaker, I would like to call to the attention of my colleagues in the House a new book, scheduled for publication today, January 28, entitled, "The House Rules Committee." Written by James A. Robinson, a professor of political science at Northwestern University, this provocative new study explores the many-sided functions and powers of the House Rules Committee and offers several proposals, which in the author's opinion, would reform and modernize the rules system.

James Robinson, who will become a full professor next fall at the age of 32, is, in spite of his youth, a well-qualified commentator on the congressional scene. His long-standing interest in Congress dates back to his student days at George Washington University here in Washington. This interest in the legislative process was mirrored in both his master's and doctoral dissertations: The first, written as a student at the University of Oklahoma, dealth with the activities of the Oklahoma Legislature; the latter—an augury of his present work—was devoted to an analysis of the House Rules Committee.

As a congressional fellow of the American Political Science Association in 1957–58, Mr. Robinson worked in congressional offices in the House and the Senate. His first publication, also dealing with Congress, was "Congress and Foreign Policy Making."

"The House Rules Committee" is based in part upon a thorough study of committee documents reported over a period of 25 years. It is likely to be, in Mr. Robinson's opinion, "controversial." I am sure that the refreshing perspective of an informed scholar's view of this powerful committee of the House of Representatives will be enlightening as well.

"The House Rules Committee" is published by the Bobbs-Merrill Co. of Indianapolis, Ind., as the first in a series of advanced studies in political science.

FRENCH RECOGNITION OF RED CHINA DEPLORED

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that the gentleman from Florida [Mr. FUQUA] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

Mr. FUQUA. Mr. Speaker, the action of the French Government in extending recognition to the Communist Chinese Government is regrettable and unfortunate. To my mind, this step on the part of the French serves to reward the Chinese Communists for the aggression and bloodshed they continue to perpetuate with their militant attitude toward world conquest.

The Red Chinese make no secret of their belief that world communism can only be advanced through bloodshed and war. They have broken down a wall in gaining recognition from the French which will aid in their advancement toward world domination.

The action came in spite of the fact that troops are stationed in Korea to guard against the continued threat of renewed war and, while brave men are dying in South Vietnam to preserve freedom and democracy, and the Red Chinese continue to support this subversion and bloodshed.

The French, by this action, have given renewed prestige to this Communist government and will increase their ability to stir up trouble through subversion throughout the world.

Africa is especially vulnerable because of its highly unstable political atmosphere.

This action of President de Gaulle and the French Government was a shortsighted one and is a slap in the face at the United States, the Nation which was primarily responsible for returning freedom to France from Nazi dictatorship less than two decades ago.

PRIVATE VISIT OF QUEEN FREDERIKA AND PRINCESS IRENE OF GREECE

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that the gentleman from Indiana [Mr. BRADEMAS] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

Mr. BRADEMAS. Mr. Speaker, the American people received two distinguished visitors to our country this week. I refer to Her Majesty, Queen Frederika of Greece, and to her daughter, Princess Irene.

Queen Frederika and Princess Irene are in the United States for a 17-day private visit but a number of officials of our Government and friends of Greece joined in welcoming them at the White House yesterday when President and Mrs. Johnson gave a luncheon in their honor.

I remember with great pleasure the opportunity I had in 1961 to meet King Paul and Queen Frederika in Greece with my mother and father and it was therefore a particular pleasure for me to be able to join in welcoming Queen Frederika and her daughter to the United States.

Mr. Speaker, under unanimous consent, I include at this point in the RECORD the exchange of toasts between President Johnson and Queen Frederika at the White House luncheon on January 27, 1964:

EXCHANGE OF TOASTS BETWEEN PRESIDENT LYNDON B. JOHNSON AND HER MAJESTY THE QUEEN OF THE HELLENES FREDERIKA AT A LUNCHEON, STATE DINING ROOM

President JOHNSON. Your Majesty, Your Royal Highness, Mr. Chief Justice, Senator Russell, Senator Fulbright, ladies and gentlemen, what we are and how we feel today is linked to what happened in a little Greek city 2,400 years ago. What was born then in art and ideas and politics has never been surpassed and has seldom been equaled. Everything in the realm of creative thought bears its stamp and its mark. The Western World is the child of Greece and we are its inheritors.

The Greek people are proud people with more reason to be than any other nation on earth. They understand freedom, because their ancestors invented it. They appreciate liberty, because their soil has been watered with the centuries-old blood of those who died for it.

When Mrs. Johnson and I visited Greece last year, we saw this modern Greece and we liked what we saw. There in that ancient land was the mingling of the old and the hopeful, the new and the great. Here in the United States thousands upon thousands of Greeks, who are now Americans, have made this land of ours stronger and wiser. Part of Greek culture is now part of the American tradition and America is better for it.

And it is quite appropriate that the courageous King and his beautiful Queen are today's living symbols of the questioning Greek conscience; the unquestionable Greek spirit. Yes, the Greeks have a word for it and the word is Frederika, as lovely today as she was that happy afternoon that Mrs. Johnson and I first met her.

So, on this delightful occasion in the presence of so many of her friends and our friends and upon the occasion of Her Majesty's visit with us, and Princess Irene, I should like to ask all of you to rise and toast His Majesty the King of Greece.

Queen FREDERIKA. Mr. President, Mrs. Johnson, thank you very much for having given me your hospitality. I shall never forget this day. My stay here in your country has been wonderful from the beginning. I have been deeply touched by the American people and today is the crowning of it all. You have come to our country with your beautiful wife a few months ago and the Greek people have learned to love you.

I think the two of you have brought a new approach to our human problems by being human beings yourselves. You smile, you are kind, you have a good word for everyone. I firmly believe that the leadership of the United States is just that—to bring humanity to a troubled world.

Mr. President, you told me that today amongst us is a former citizen of Greece who, when you were a litle boy, had told you that one day you would be President. Mr. President, I did not know that the Oracle of Delphi also had left my country and come to yours. But, Mr. President, if America's gain should be the loss of Greece, then Greece will be proud that America has now got the Oracle.

Mr. President and Mrs. Johnson, I would like to tell you that we in Greece are very conscious of what your country has done for us. I know that very often you don't always from us smaller nations have the right word of thank you. I know that often you are misunderstood. I know that very often some of us are presumptuous to ask for more. But, Mr. President, I would like to tell you that in my country we appreciate what the United States has done for us and we will always say thank you.

And, Mr. President, will you allow me to toast the President and Mrs. Johnson.

FRANK VAN DER LINDEN

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that the gentleman from Louisiana [Mr. WAGGONNER] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

Mr. WAGGONNER. Mr. Speaker, there is no columnist or working newsman on Capitol Hill for whom I have greater admiration than Frank van der Linden. He is a newsman who does his homework. I have never known him to take sides on an issue without having grounded himself on a bedrock of facts and this, I regretfully say, is not true of every newsman who works the Hill.

Just the other day, Mr. van der Linden's column, "The National Scene," contained the 12 points of the Communist Party's "civil rights" plank of 34 years ago. These 12 points are almost word for word the contents of the current bill being railroaded through the Congress.

Proponents of this bill are having an increasingly difficult time ignoring the fact that the leadership of the so-called "civil rights movement" is predominantly Communists, Communist sympathizers, and members of Communist-front organizations. It took 30 pages of small type for the CONGRESSIONAL RECORD to print, on July 29 of last year, the various Communist-front citations of the NAACP leaders, for example.

The list included Roy Wilkins, Arthur Spingarn, A. Phillip Randolph, Robert C. Weaver, and Thurgood Marshall, for instance, all of whom are or have been directors, members, and associates of organizations which have a number of citations from the Attorney General's office as subversive.

I am sure the proponents of this bill would also like to ignore the fact that the leader of the theatrical production known as the Freedom March on Washington was a former member of the Communist League and a convicted sex pervert, Bayard Rustin.

I am equally sure that the proponents of this bill would like to deny that the southern leader of the race mixers, a so-called reverend, Fred Lee Shuttlesworth, is the head of another Communist-front organization and is a convicted bootlegger.

All these facts must be unpleasant for the proponents of this measure to swallow, but ignoring the facts, keeping them from the public and pretending they do not exist, will not make them go away or erase them from the record.

Herewith, then, is Mr. van der Linden's reprint of the Communist Party platform on civil rights. Anyone who wants to stand on this platform is welcome. As for me, no thanks.

The column referred to follows:

CIVIL RIGHTS PLANK

(By Frank van der Linden)

WASHINGTON.—Current racial incidents in New York City, Albany, Ga., and elsewhere have prompted the questions: Who started the drive for integration? Who really deserves the credit for this vast social change which is stirring up so much commotion in the North as well as the South?

The origin of integration, or civil rights, as a vote-getting technique in modern politics can be found in the platform of one national political party in an American presidential election. Somewhat condensed, the platform plank on civil rights follows:

"There is a new Negro in process of development. The social composition of the Negro race is changing. Formerly the Negro was the cotton farmer in the South and domestic help in the North. The industrialization of the South, the concentration of a new Negro working-class population in the big cities of the East and North, and the entrance of the Negroes into the basic industries on a mass scale have changed the whole social composition of the Negro race. * * *

"The Negro has fled from the South, but what has he found in the North? He has found in the company towns and industrial cities of the North and East a wage slavery virtually no better than the contract labor in the South. He has found crowded, unsanitary slums. He has exchanged the old segregation for a new segregation. He is doing the most dangerous, worst paid work in the steel, coal, and packing industries. He has found the racial prejudices of a narrow, white labor aristocracy, which refuses to recognize the unskilled Negro worker as its equal."

To sum up its civil rights plank, the party made these 12 demands.

"1. Abolition of the whole system of race discrimination. Full racial, political, and social equality for the Negro race.

"2. Abolition of all laws which result in segregation of Negroes. Abolition of all Jim Crow laws. The law shall forbid all discrimination against Negroes in selling or renting houses.

"3. Abolition of all laws which disfranchise the Negroes.

"4. Abolition of laws forbidding intermarriage of persons of different races.

"5. Abolition of all laws and public administration measures which prohibit, or in practice prevent, Negro children or youth from attending general public schools or universities.

"6. Full and equal admittance of Negroes to all railway station waiting rooms, restaurants, hotels and theaters.

"7. Federal law against lynching and the protection of the Negro masses in their right of self-defense.

"8. Abolition of discriminatory practices in courts against Negroes. No discrimination in jury service.

"9. Abolition of the convict lease system and of the chain gang.

"10. Abolition of all Jim Crow distinctions in the Army, Navy, and civil service.

"11. Immediate removal of all restrictions in all trade unions against the membership of Negro workers.

"12. Equal opportunity for employment, wages, hours, and working conditions for Negro and white workers. Equal pay for equal work for Negro and white workers."

No, this platform plank was not drafted by Hubert Humphrey at the Democratic National Convention of 1948 nor by Chester Bowles and his ADA aids at Los Angeles in 1960.

This is the civil rights platform plank of the Communist Party in the United States in the presidential election of 1928.

Check the 12-point list and see how many of the Communists' demands of 34 years ago have been granted today.

(Source: "National Party Platforms, 1840–1956," by Kirk H. Porter and Donald Bruce Johnson, the University of Illinois Press, Urbana, 1956, pp. 317–319.)

A BETTER CHANCE

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that the gentleman from Connecticut [Mr. MONAGAN] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

Mr. MONAGAN. Mr. Speaker, in these days when relations between the races in our country frequently fall into an unsettled state, the suggestions for constructive improvement are regrettably few. One dramatic exception is the new experimental program for secondary school students who have suffered from lack of social and educational advantage, initiated by Dartmouth College.

This program will upgrade Negro students and those of low income families, for admission to educational advantages which otherwise might not be theirs.

A summary of this exciting and progressive program from an official publication of Dartmouth College follows herewith.

It is fondly to be hoped that this example will be followed widely throughout the United States.

The article referred to is as follows:

An experimental program designed to give socially and educationally disadvantaged secondary school students "a better chance" will be inaugurated at the college next summer. Known as project ABC (for "A Better Chance") it will be a collaborative effort by Dartmouth and the independent secondary schools that participate in the national scholarship service and fund for Negro students independent schools program, and will bring some 50 Negroes and others from low-income families to the Dartmouth campus for 8 weeks of intensive study in July and August.

If they make satisfactory progress during the summer they will enter one of the participating independent schools in the fall. They will have already received contingent admission and scholarships to these schools. The aim is to prepare them for eventual admission to the college of their choice on completion of their secondary-school studies.

Students for the summer 1964 program have been selected from among those in the first 2 years of high school, primarily from New England and New York. All were chosen for their mental capacity and leadership potential, but they also had to be among those who probably would not qualify for college in their existing circumstances. They are academic risks in that they will need special preparation to succeed in an independent secondary school. At Dartmouth they will receive intensive tutorial instruction in English and mathematics from about 10 experienced teachers selected from the Dartmouth faculty and secondary schools. In addition, about 10 Dartmouth undergraduates will assist as resident tutors.

ROCKEFELLER FOUNDATION SUPPORT

The Rockefeller Foundation is supporting the 3-year experimental program with a $150,000 grant.

President Dickey says that the "primary objective educationally is to determine whether an intensive and highly individualized effort on a campus of higher education can help remedy the academic and cultural deprivation which stands between 'a promising potential' and its educational fulfillment."

He stated that Negroes and other disadvantaged groups face a deepening and dangerous frustration of their aroused desires for equal opportunity unless more individuals from these groups can be qualified for participation in the leadership sector of our society. "The main barrier to this development in most northern colleges is the lack of qualified applicants for admission and financial aid. Progress on the problem requires action at all levels and in various ways, but any swift, substantial improvement will depend upon qualifying more candidates for college from boys and girls now in the early stages of their secondary schooling. As with everything else in education this problem cannot stand still; the growing competition for higher education will push the problem back into deeper hopelessness unless at least a start is made on its improvement immediately."

SCHOOLS PARTICIPATING

Participating independent schools are Abbott Academy, Andover, Mass.; the Barlow School, Amenia, N.Y.; the Cheshire Academy, Cheshire, Conn.; the Choate School, Wallingford, Conn.; Commonwealth School, Boston; Concord Academy, Concord, Mass.; Dana Hall School, Wellesley, Mass.; Deerfield Academy, Deerfield Mass.; Emma Willard School, Troy, N.Y.; George School, Bucks County, Pa.; Governor Drummer Academy, South Byfield, Mass.; Groton School, Groton, Mass.; the Gunnery, Washington, Conn.; Hebron Academy, Hebron, Maine; the Hotchkiss School, Lakeville, Conn.; Kent School, Kent, Conn.; Kiskiminetas Springs School, Saltsburg, Pa.; Lenox School, Lenox, Mass.; Mount Hermon School, Mount Hermon, Mass.; Northfield School, East Northfield, Mass.; Phillips Academy, Andover, Mass.; Pomfret School, Pomfret, Conn.; Putney School, Putney, Vt.; St. George's School, Newport, R.I.; St. Mary's in the Mountains, Littleton, N.H.; St. Paul's School, Concord, N.H.; the Taft School, Watertown, Conn.; Tilton School, Tilton, N.H.; Western Reserve Academy, Hudson, Ohio; and Windsor Mountain School, Lenox, Mass. Chairman of the independent schools group is Howard L. Jones, president of Northfield and Mount Hermon Schools.

DEDICATION OF NALCREST

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that the gentleman from Louisiana [Mr. MORRISON] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

Mr. MORRISON. Mr. Speaker, it was my privilege, recently, to participate in the dedication of Nalcrest, the retirement community that has been built in East Lake Wales, Fla., by the National Association of Letter Carriers.

I wish every Member of this body could have been present.

This was an inspiring occasion, as I feel sure the gentleman from Montana [Mr. OLSEN], who accompanied me, will testify.

More than 2,000 people attended the ceremonies, including the Postmaster General of the United States, members of his staff, and dignitaries from government and business throughout the State of Florida.

I am certain that everyone who was there was as deeply impressed as I was. This retirement community is a dream come true. Beautifully situated on the snow-white shores of Lake We-Oh-Ya-Kapka, it is a completely equipped paradise which retired people, from all walks of life, may occupy at a cost well within their modest budgets. In pioneering this imaginative project the National Association of Letter Carriers has earned the gratitude of every retired workingman in the Nation, and every workingman who is contemplating retirement.

The physical plant at Nalcrest, which was built with an FHA loan and with its helpful cooperation, is a magnificent example of beauty and completeness. The apartments are wonders of modern planning, each designed and built with the physical problems of our retiring citizens in mind. The town center, with its magnificent plaza, its up-to-date and full-stocked general store, its beauty and barber shops, its medical dispensary, its 800-seat auditorium and its activity rooms would do credit to any community in America or for that matter any part of the world. The swimming pool, the fishing and boating facilities and all the recreational areas are both beautiful, practical and wonderful.

But, Mr. Speaker, the greatest and most significant thing about Nalcrest is the happiness and the pride of those who live there. I have never in my life met happier or more contented people. They are just as active as they want to be, for the beauty of this place is that one can keep busy or just relax to the heart's desire. One resident told me: "I would have to own an $85,000 home to live as comfortably and as conveniently as I live here for just $64.50 a month." Another said: "My wife and I have never been so happy in our lives. If all the retired people in the United States knew how remarkable and wonderful Nalcrest is, there would be a waiting list of 10,000 people clamoring to get in."

I want you to know, Mr. Speaker, that my day at Nalcrest made me as proud as I have ever been in my life. It made me proud of my Government, because this retirement paradise would have been impossible of achievement if it were not for the Federal Housing Administration's participation. It also made me proud of our postal employees. This great project was the dream of the membership of the National Association of Letter Carriers.

It has been made possible by two of the greatest leaders of labor that this Nation has ever produced: Ambassador

William C. Doherty, the former president of the NALC, and Jerome J. Keating, the present president of that splendid organization along with countless other officials who contributed so much. It took imagination, leadership, courage, vision, and great business sense to produce Nalcrest and these are attributes which the NALC possesses in great abundance.

My experience at Nalcrest also made me extremely proud of the generosity and compassion which activates the leaders and the members of the National Association of Letter Carriers. These fine people knew that the worries and tribulations of living decently on a small annuity are not limited to their own members, they are universal among retired people everywhere in this land of ours. So, instead of hoarding all the beauties of Nalcrest for themselves, they are sharing them with retired people from all walks of life, whether they be letter carriers or not. Although the great majority of residents are retired letter carriers, I also met at Nalcrest retired businessmen, postmasters, postal clerks, firefighters, carpenters, and electricians. They come from all walks of life, and all are equally happy, equally proud, and equally enthusiastic.

Every American should know about Nalcrest, Mr. Speaker. I sincerely recommend to every Member of this body that they drop in on this unique community the next time they are in Florida. Nalcrest is centrally located, in the heart of the State near the beautiful city of Lake Wales and is easily accessible. It has to be seen to be believed. Just visiting there is a great experience; living there is an experience beyond my power of description.

U.S. CHAMBER OF COMMERCE REBUFFED—ARA SEED CORN MONEY BECOMES SEED OF PROSPERITY, EXAMPLE OF GOOD WORK OF ARA

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that the gentleman from Texas [Mr. PATMAN] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

Mr. PATMAN. Mr. Speaker, Ed Neilan's U.S. Chamber of Commerce advance man was quick to take advantage of an approved ARA loan, but Phil Simpson declined to pay out $2,500, as indicated in the following letter which also clearly shows how Area Redevelopment Administration funds stimulated business in Maine, Kansas, Iowa, Ohio, and Texas, as well as Oklahoma where the project is located.

Here again is seed corn money and the crop we will harvest is prosperity. This is reminiscent of the Lone Star Steel Co. RFC loan which was paid back to the Federal Government in full—$75 million—and which earned a 200-percent profit to the Government on its investment in interest and taxes, not to mention the thousands of workers employed by this plant over the years. Seed corn money is the seed of prosperity.

REPUBLIC GYPSUM CO.,
Lubbock Tex., January 23. 1964.

Hon. WRIGHT PATMAN,
U.S. House of Representatives,
Washington, D.C.

DEAR MR. PATMAN: We wish to congratulate you on your remarks about Mr. Edwin Neilan, president, U.S. Chamber of Commerce; we agree with you 100 percent.

We are very proud to be able to write you now on our new letterhead rather than our old business letterhead of Avinger Lumber Co., although we are very proud of that business too. It is because of the Area Redevelopment Administration that we have been able to grow into a big-business industry. You may know that we obtained a $2,636,725 loan from the ARA to build a gypsum wallboard plant costing a total of $5 million at Duke, Okla. Construction began in October and we expect the construction company to complete the project in September 1964. In all the phases of processing of the finances for our plant we never received consideration as courteous and efficient as that we received from the ARA in Washington, the U.S. Bureau of Mines in Morgantown, W. Va., and the Small Business Administration in Dallas.

Our plant construction demonstrates how the ARA program helps all sections of our Nation. A Houston contractor was granted the $4 million primary construction contract. This firm let a $1,700,000 subcontract to an Enterprise, Kans., equipment manufacturer; a $200,000 building contract to another Houston company; a $20,000 subcontract to a Des Moines water tank manufacturer. The Kansas firm let a $70,000 contract for rock crushers to a Maine company and a $450,000 contract to a Painesville, Ohio, manufacturer for a wallboard dryer. Most of all the project helps the local economy. The general contractor strives to employ local firms for subcontract work in all cases possible. He is now working about 75 men by the hour, at rates from $2.05 to $4.50 per hour (about $0.75 per hour above the rates in effect for what work there was before our plant contractor moved in). The contractor is very happy; he says that these are the hardest working men that he has ever had in his employment.

We have also been aware of the opposition of Mr. Nielan to the ARA. It was with some delight that we talked with a representative of the U.S. Chamber of Commerce several months ago. He came to our office to solicit our membership in his organization; on the basis of our reported net worth, he said that he would be honored to have us become members and help defer the costs of the organization to the extent of $2,500 per year. We told the gentleman that what little net worth we did have can be attributed to conditions promoted by the New and Fair Deals, the very programs to which the U.S. Chamber is so adamantly opposed. We told him unequivocally that we would not join an organization that was against everything that we are for and was for everything we are against. Before he left he asked if we would join for an annual fee of $100.

We are now waiting for a visit from a representative of the National Association of Manufacturers and the Gypsum Association.

Legislation such as the Area Redevelopment Act of 1961 is very important in improving the economic opportunity for the small businessman. We sincerely appreciate the program and your efforts in helping to continue the application of the act with supplemental appropriations.

Very truly yours,

PHIL SIMPSON.
RHYNE SIMPSON.

THE ST. LAWRENCE SEAWAY

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that the gentleman from Maryland [Mr. FALLON] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

Mr. FALLON. Mr. Speaker, we have heard glowing reports of new gains in trade through the St. Lawrence Seaway during the recently completed navigation season of 1963. Yet, behind the seemingly impressive total of 31 million tons that moved through the seaway last year are dreams, deficits, and delusions that need to be aired, lest we be completely misled.

Seaway Administrator Joseph H. McCann would have us believe that the waterway is now paying its own way and no longer constitutes a drain on the American taxpayer. However, records of the seaway operation reveal an entirely different story.

While traffic in 1963 increased some 6 million tons to a total of 31 million, it remained 10 million tons short of the corporation's tolls committee estimate in 1958. Revenues in 1963 estimated at $15,200,000 fell $6 million short of the revenue initially estimated for 1963 and $10 million short of the amount required for a break-even operation including amortization. The loss in 1963 brings the accumulated deficit in interest costs up to $14.5 million for the first 5 years of the seaway's operation. Of course, no part of the $121 million Treasury loan for the seaway has been repaid.

During the first 5 years of seaway operation, total revenues from seaway tolls have yielded only half of seaway costs. while the average toll on total traffic moved in the first 5 years averaged only 49 cents a ton. Even though buildup of seaway traffic required time—as was recognized by the tolls committee in its estimates—actual traffic was only 73 percent and revenues averaged 69 percent of the original tolls committee estimates.

To make the seaway truly self-supporting, it must produce $25 million in annual revenues. Since the tonnage reported for 1963 is practically the capacity of the seaway, the only way to make the waterway self-sustaining is to increase the toll rate per ton. Users of the seaway can well afford such an increase as evidenced by the reports of the Seaway Corporation, itself. It shows the very considerable savings realized in shipping costs via the seaway route.

Just a year ago, the Secretary of Commerce, in compliance with an agreement entered into by Canada and the United States in 1959, appointed a new tolls committee to review the sufficiency of authorized tolls in meeting the statutory requirements laid down by Congress. The committee's report is due by July 1. To date, no announcement has been made as to when the committee will hold hearings on its study.

Congress will be interested in the committee's findings when issued. Unlike the original corporation tolls committee of 1958 which had adequate data for ascertaining costs of building the seaway but had nothing other than hope on which to base its estimates of traffic, the present tolls committee has accurate data on the first 5 years of operations as a basis for its findings. Prudent judgment would dictate that there be no alternative except to raise tolls to a more realistic level.

Schemes have been proposed to transfer certain costs of the seaway from the users to the taxpayers, such as reducing the present interest rate of 3½ percent or to extend the 50-year period of amortization. Others advocate more time and money for trade promotion coupled with extensive navigational improvements—all at the taxpayer's expense.

I participated in the lengthy deliberations of the Public Works Committee on the legislation that authorized the construction of the waterway and established the Seaway Corporation. The directive of Congress was clear. Public Law 358, 83d Congress, approved May 13, 1954, states:

> That the rates prescribed shall be calculated to cover, as nearly as practicable, all costs of operating and maintaining the works under the administration of the Corporation, including depreciation, payment of interest on the obligations of the Corporation, and payments in lieu of taxes.
>
> That the rates shall provide, in addition, for the Corporation revenues sufficient to amortize the principal of the debts and obligations of the Corporation over a period not to exceed fifty years.

It was intended that Government get back its investment with interest in 50 years. Construction funds were borrowed from the U.S. Treasury with interest set at a bargain rate of 3½ percent—a rate far below that available to private corporations for long-term loans. Any reduction of this rate of interest would further saddle taxpayers with the cost of carrying the Seaway's outstanding indebtedness. Similarly, extension of the amortization period beyond 50 years would defeat the self-supporting, self-liquidating features which Congress approved in enactment of Public Law 358.

There can be no mistake as to the intent of Congress, nor can any tricks of bookkeeping change the requirements of self-liquidation. The law is equally clear on the interest rate to be used and on the payout period. There is no justification for a nominal or fictitious interest rate, extension of amortization period, or further deferment of interest. Nor should the Authority attempt to meet its obligations under the law by juggling figures. There is but one solution to the dilemma in which the Seaway Corporation finds itself—a realistic increase in the toll structure to help put the waterway on a pay-as-you-go basis.

In authorizing advancement of funds to permit the seaway's construction, Congress made it clear that there should be no undue interference from the waterway's operation with efforts of our Atlantic coast ports to compete for domestic and foreign trade. And by no stretch of the imagination, were tax moneys levied on our ports to be diverted to subsidizing trade promotion by ports along the seaway.

By contrast, my own hometown of Baltimore has for many years pursued an active program of port promotion, both at home and abroad. And this promotion was entirely self-help and without cost to the U.S. taxpayer. We are proud of our port's efforts to attract more trade through self-improvement programs such as the recently announced $7 million modernization of the Locust Point Terminal. Despite these efforts we have seen traffic diverted from Baltimore to the seaway.

The seaway is a success in every respect except one—financially. There is no reason why this waterway cannot become a financial success too. It can be a paying operation in the light of increased transits by ships of many nations—albeit these include less than 4 percent flying the flag of the United States.

It is most disturbing and even alarming to hear statements by the Administrator revealing his resistance to higher tolls. Even though he may personally find his task somewhat difficult, I trust that when the time comes for decisive action, the Corporation will face up to its responsibility in this respect.

Our President has given Congress a big and important job to do this year. I certainly hope that our workload will not be burdened by the necessity of conducting an investigation to determine why this great seaway cannot be a self-sustaining operation.

ARA BRINGS UNEMPLOYMENT DOWN

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that the gentleman from Texas [Mr. Patman] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

Mr. PATMAN. Mr. Speaker, there has been considerable misinformed talk about whether or not the area redevelopment program is really helping the areas it was designed to aid. I am happy to report that the statistics now becoming available prove the success of this program. These statistics were cited by William L. Batt, Jr., ARA Administrator, in a recent letter to the editor of the Washington Post.

In view of the significance of these figures, I am bringing this letter to the attention of the Members of Congress:

ARA and Employment

Julius Duscha's otherwise excellent article in your issue of January 19, "The Circle of Destitution," maintains that the Federal programs for the relief of depressed areas have been frustrated because of the inability of the agencies to concentrate their efforts in the areas that really need help.

Although we would not agree that rural poverty is less deserving of help than urban poverty, the record should be clear that 73 percent of all ARA funds have been invested in areas which have been officially classified by the Department of Labor as areas of substantial and persistent labor surplus. All such areas would have been included in the original ARA bill, before it was broadened to include rural development activities. Not a single ARA project for the traditional depressed areas has been turned down because of the need for funds for projects in rural areas.

We would not agree that the program has been frustrated. The unemployment rate in the depressed industrial areas of West Virginia has dropped from 12.1 percent in August 1961 (the year the ARA Act was passed) to 7.6 percent in August 1963. For the same areas in Pennsylvania during the same period the rate dropped from 10 to 6.8 percent. Comparable figures for Kentucky are from 16.3 to 8.2 percent, and in Tennessee from 13.8 to 12.2 percent.

In one of the most distressed areas in the Nation, eastern Kentucky, total unemployment decreased by 10 percent from 1962 to 1963, while unemployment was increasing nationally by 10 percent.

From 1961 to 1963 the national unemployment rate dropped by 1 percentage point. The unemployment rate for all depressed areas dropped by 2 percentage points during the same period. In fact, in most depressed areas, the unemployment rate is decreasing faster than it is for the Nation as a whole. This is a sharp reversal of the situation preceding 1961.

We conclude from these statistics that the economic woes of the distressed areas have been noticeably lessened, largely due to the efforts of the communities themselves, supplemented, assisted, and encouraged by programs such as the Area Redevelopment Act, the Accelerated Public Works Act, and the Manpower Development and Training Act.

William L. Batt, Jr.,
Administrator, Area Redevelopment Administration.

THE HONORABLE ED FOREMAN, REPRESENTATIVE FROM TEXAS

The SPEAKER. Under previous order of the House, the gentleman from New Hampshire [Mr. Wyman] is recognized for 60 minutes.

Mr. WYMAN. Mr. Speaker, Ed Foreman is 30 years old now, he was 28 when he was elected to the House, and he has been recognized by many people not only in the House but around the United States as one of the most able legislators and one of the most able businessmen and one of the most able speakers in all of the country.

We are proud here in the House that Ed Foreman represents in a sense derivatively the Congress in something that people recognize around the country as being a constructive achievement for a change.

Ed Foreman is not only an outstanding Member of Congress at 30 years of age, but he is a man of courage, principle, and indefatigable devotion to the cause of Americanism. In this day and time when courage, integrity, and strength of character are at a premium in an age of materialistic cynicism, Ed Foreman is an outstanding example of what a young American who wants to can make of his life, and at an early age. His selection as one of America's 10 outstanding young men is highly deserved and provides a great example for other young Americans on the way up. Ed Foreman is a living example of free enterprise in action and its benefits to mankind for he has proven that neither youth nor lack of financial backing or previous business experience need deter any young man who is willing to put himself to work. It is from young men like Ed that America draws her strength and I am proud to be associated with him here in the House.

Ed Foreman, youngest Member of the 88th Congress of the United States, has plunged through 3 different careers during his 29 years, and has managed to come near, or reach, the top of all of them.

His first venture was at New Mexico State University—formerly A. & M.—where he majored in civil engineering. Foreman, born and raised on a farm near Portales, N. Mex., knows the meaning of hard work and the value of a dollar. He and his five brothers helped their father on the farm. They had enough to eat, but not much more. Ed had to work his way through school, but he managed to graduate with honors at the top of his class. He was named the outstanding civil engineering graduate, and among other honors, was awarded honorary membership in the American Society of Civil Engineers.

His next venture was in the petroleum industry of the Permian Basin oil fields of west Texas. At the age of 21, Foreman hit the oil fields with $100 in his pocket. He worked as a roughneck and roustabout until he could learn the ropes and save a little money. Except for a short interruption to serve his military duty in the U.S. Navy, Foreman stayed with his oilfield work. Here, he noticed something which everyone knew but had never thought to translate into profit—that salt water was surplus in some oil refining operations and necessary for drilling in others. He pioneered the use of a saturated brine as a drilling fluid additive to prevent the leaching of salt formations in downhole drilling operations. He started buying the surplus salt water at the refineries and hiring it transported to the drilling rigs where he sold it as a drilling fluid. As his business expanded, Foreman started drilling his own brine wells, strategically locating them near the field drilling operations. He became one of the first oilmen to begin mining industrial salt in west Texas by water injection.

As the brine business expanded, so did his transportation requirements, and next, he started building up a fleet of oilfield tank transport trucks and oil well service equipment. An aggressive, hardworking business manager and planner, Foreman was out early and worked late, personally supervising many of his service operations and improving their techniques. Being closely associated with the drilling industry and familiar with their needs, Foreman branched out into another field—a small tool manufacturing company specializing in the research and development of a downhole device that aids in establishing the total depth of a well and counting the number of joints of drill pipe in the hole.

At the age of 26, Foreman, already making much more than his present salary of $22,500 as a Congressman, was serving as an officer in three successful, and growing, corporations that he had started and helped build—Permian Brine Sales and Service, Inc., Foreman and Hickerson Transports, Inc.; Drill Aid, Inc.

Foreman's third venture was in the field of politics. Always an active political worker and spokesman, he had never sought political office until he announced as a candidate for U.S. Representative from Texas' 16th Congressional District. He traveled from El Paso to Midland, and from the Mexican border near Del Rio to the New Mexico line. He shook hands and visited with over 50,000 people during his year-long campaign. His attractive young family traveled and campaigned with him much of the time.

He won, and became the first Republican ever to represent the 42,000 square-mile 16th District of Texas. As the youngest Member of Congress, he became one of the rare freshman lawmakers to be appointed to a key committee post—the powerful House Armed Services Committee. Congressman Carl Vinson of Georgia, chairman of the Committee, has been outspoken in his praise of Foreman's outstanding ability and work in this key committee assignment.

In the House of Representatives, Foreman has proven to be an outstanding and articulate spokesman for sound, responsible, and conservative Government. The present administration can scarcely ignore Foreman. From almost his first day in Congress, he scorned the traditionally unobtrusive role of a new Member. He has not hesitated to attack New Frontier spending schemes and expose waste anywhere he found it.

In less than 60 days after taking office, Foreman was proving his worth as a watchdog of the taxpayer's dollars by his protest over the purchase price of Army helicopters. As a lone freshman Congressman, in executive committee session, he raised objection over the price budgeted for the equipment, and a resulting investigation brought about a savings of over $5 million on the item. This is only one of a number of instances where Foreman has helped save millions of taxpayer dollars.

He was confronted with the test which faces every advocate of economy—the enticement of a handsome Federal handout for his own district—$5 million to be spent to eradicate the salt cedar bushes along the Pecos River Basin. He spurned it and said:

> We can get together and take care of our own problems without the help of Federal funds. My interest is to streamline Government and try to make it more efficient, because I want to reduce its size, cost, and control. I am more interested in extending freedom than I am in promoting a welfare state.

His actions back up his words. He seems to be one of a rare, but growing, breed on Capitol Hill.

Although he has been an exceedingly busy young man, Ed Foreman has not shirked his community responsibilities. His civic activities read more like that of several men. He has served as chairman of the Ector County Heart Association, an active worker in the United Fund, a State director of the Texas Heart Association, a director and committee chairman of the "Permian Basin Oil Shows of 1958, 1960, 1962," chairman of the Oil Information Committee of the Texas Mid-Continental Oil & Gas Association, a director of the Odessa Chamber of Commerce and member of several other west Texas cities' chambers of commerce, assistant boss of the Odessa Chuck Wagon Gang, a member of the Odessa Jaycees and Rotary, and member of the American Society of Civil Engineers and American Petroleum Institute and others.

A tireless civic worker, Foreman is a familiar sight on the streets of almost every city in the Permian Basin and is widely known in both the oil industry and at civic gatherings. He has, on occasions, left his business, traveled hundreds of miles at his own expense, to speak before large groups and work in behalf of the Red Cross, Heart Fund, and United Fund campaigns. "If it is for a good cause and will help others, get Ed Foreman," one Odessa civic leader declared.

Married and father of two young children, Foreman is also active in church work. In Odessa, he and his family attend the Highland Methodist Church where he serves on the board of stewards. He is a Scottish Rite Mason, a director in the El Maida Shrine and an ROJ.

Because of his continuous and unselfish efforts and work for the betterment of his community, he has received many honors and awards. In 1961, he was named "Boss of the Year" of the Odessa chapter of the American Business Women's Association. As a result of his work and dedication to the cause of freedom and private enterprise, he was named the Outstanding Young Man of Odessa in 1960 and recipient of the Jaycees distinguished service award. In January 1963, he was honored by the Texas Jaycees by being named one of the Five Outstanding Young Men of Texas.

Ed Foreman, a living example of free enterprise in action and its benefits to mankind, is a responsible businessman, a civic leader, an articulate spokesman and champion of individual liberty, and an outstanding young American. He is a success-minded young man who believes that opportunity still exists for those who strive to succeed, and he has proven that neither age, nor financial backing, nor previous business experience need deter any young man who is willing to put himself to work.

Mr. HALLECK. Mr. Speaker, will the gentleman yield?

Mr. WYMAN. I yield to the gentleman from Indiana.

Mr. HALLECK. Mr. Speaker, I am mighty happy—and mighty proud that one of the younger Members in our ranks has received this signal honor from the U.S. Junior Chamber of Commerce.

It was my pleasure to visit El Paso late last year and meet a lot of Ed Foreman's friends and neighbors.

My comment to them was that when they finally got around to electing a Republican they elected a no-doubt-about-it, stand-up-and-be-counted young statesman who is making his mark in the Congress.

Ed Foreman is demonstrating in his assignment to the Armed Services Committee that he recognizes his responsibilities not only to the people who sent him to the Congress but to the entire country.

And he is meeting those responsibilities with a dedication which makes this outstanding tribute paid him by the Jaycees richly merited.

I do not know of a single Member in our ranks who works harder at his homework, or who is more steadfast in fighting for what he believes is right.

And I certainly do not know a fellow American more loyal to his country and what it has always stood for than Ed Foreman.

So I join in extending my warmest congratulations to him on being chosen by the Jaycees as 1 of the 10 outstanding young men in the Nation for 1963.

Mr. WYMAN. I thank the gentleman.

Mr. RUMSFELD. Mr. Speaker, will the gentleman yield?

Mr. WYMAN. I yield to the gentleman from Illinois.

Mr. RUMSFELD. Mr. Speaker, it is indeed a privilege to have this opportunity to congratulate my colleague, Ed Foreman of Texas on his selection by the JC's as 1 of the 10 outstanding young men in the United States.

He is well qualified for this honor. At 30 he is young by congressional standards, is an energetic Texan, he is indeed a man, and a glance at the amazing record he has compiled in a brief 3 decades, is at the minimum, outstanding, and would do credit to a man twice his age.

During his first year in the Congress of the United States, Ed Foreman has distinguished himself as an effective member of the Armed Services Committee. As a nationally known public speaker, he is an inspiration to the youth of this country. As a man dedicated to controlling Federal spending, he has endeared himself to the taxpayers of his district.

Ed Foreman has a long and distinguished career ahead of him and I salute and congratulate him on his selection as 1 of the 10 outstanding young men in the United States.

Mr. Speaker, I ask unanimous consent to insert in the Record a number of comments by outstanding Americans on Congressman Ed Foreman.

The SPEAKER pro tempore (Mr. Libonati). Without objection, it is so ordered.

There was no objection.

The matter referred to is as follows:

Comments About Congressman Ed Foreman

Look magazine, January 28, 1964: "The youngest Member of the 88th Congress is conservative Republican Ed Foreman who won himself a post on the powerful House Armed Services Committee. He wars on waste in Government for the 660,000 people of Texas' 16th Congressional District."

Fortune magazine, December 1963: "Early last spring, freshman Congressman Ed Foreman, the first Republican ever elected from his west Texas district, refused to play the congressional porkbarrel game, by attacking a proposed $5 million Federal program to rid the Pecos River Basin of troublesome saltcedar shrubs. 'Couldn't we do this job ourselves, better and cheaper than the Federal Government can do it for us?' asked Foreman. From his constituents of west Texas came letters—in a 70-to-1 ratio—saying they could indeed."

Drew Pearson, Washington columnist (January 12, 1963), wrote: "Ed Foreman is a rootin' tootin' conservative with blood in his eye to defeat the Socialists in our Government."

Sarah McClendon, Washington news correspondent and columnist, wrote in her column February 16, 1963: "Something new has been added to the contemplation of how much money to give the military for procurement—something new in the way of a brash young man from west Texas with some knowledge of engineering and a downright embarrassing way of asking questions. Never has the House Armed Services Committee heard of such a thing before. In fact, the old members were agog when Representative Ed Foreman, Republican, of Odessa, began to question the $55,000 each to be spent on 320 helicopters for Army use and a resulting investigation brought about a savings of over $5 million."

Seth Kantor, Scripps-Howard Washington correspondent (January 17, 1964), wrote: "Representative Ed Foreman has been an outspoken critic of Federal spending programs in his district, in the Nation, and in foreign areas."

Congressman Bob Wilson, Republican, of California, member of the House Armed Services Committee and chairman of the National Republican Congressional Committee, in a speech at Odessa (January 11, 1964) said: "Ed Foreman has done more to tell the petroleum industry story and help preserve the percentage depletion allowance than any other Congressman I know. He's got things done that the vast majority of freshman Congressmen could never do—these things have saved you money, and have been in the cause of conservatism and free enterprise."

Congressman Carl Vinson, Democrat, of Georgia, chairman of the powerful House Armed Services Committee and a personal friend of Congressman Foreman, said on the House floor (March 11, 1963): "Mr. Chairman, I want to congratulate the gentleman from Texas [Mr. Foreman] a member of the Armed Services Committee, who is making an outstanding record."

Congressman Charles Halleck, Republican, of Indiana, the distinguished minority leader of the House of Representatives, said (November 18, 1963) at an El Paso appearance in behalf of Foreman: "Take it from me, in Ed Foreman you folks have some mighty effective representation on that great committee (Armed Services). I don't know of a single member who works harder at his homework. I don't know of anyone more steadfast in fighting for what he believes is right. And I certainly don't know a fellow American any more loyal to his country and what it has always stood for than Ed Foreman."

The U.S. Junior Chamber of Commerce in honoring Ed Foreman as one of America's 10 outstanding young men (January 25, 1964), cited Foreman's appointment to the "major policysetting House Armed Services Committee becoming that group's youngest member in history," and stated further, "Congressman Ed Foreman has proven to be an outstanding and articulate spokesman for responsible conservative government. He has not hesitated to attack liberal free-spending schemes and expose waste anywhere he found it."

Mr. WYMAN. I thank the gentleman.

Mr. HORTON. Mr. Speaker, will the gentleman yield?

Mr. WYMAN. I yield to the gentleman.

Mr. HORTON. Mr. Speaker, one of our colleagues, the distinguished gentleman from Texas [Mr. Foreman] is the recipient of a truly great award. Ed Foreman is one of America's 10 outstanding young men of 1963.

Just last Saturday evening in Santa Monica, Calif., Ed and 9 other young American men received trophies symbolic of their selection by the U.S. Junior Chamber of Commerce as the 10 outstanding young men of 1963.

I am particularly proud that the judges chose Ed Foreman for this coveted award, since it was my pleasure to place his name before them. This nomination submitted his work and his personal life to scrutiny by a panel of the Nation's most distinguished citizens.

Ed's award of this high honor is immensely significant. First, it is evidence that the qualities of democracy, determination, and decency which characterize free enterprise also are considered to characterize Ed Foreman, for the award sponsor in inviting nominations asked that a nominee be a young man who has demonstrated what a person can do under our free enterprise system.

The award associates Ed in a national standard of excellence with a long line of notable young American men. These are men who, at some point between the age of 21 and 35, were recognized for their exceptional achievement or contribution of importance in their chosen field. Among the internationally prominent men who were awarded the silver Jaycee hands trophy in years past were John Fitzgerald Kennedy, 1946; Richard M. Nixon, 1947; Henry Ford II, 1945; Dr. Tom Dooley, 1956; Bud Wilkinson, 1949; Leonard Bernstein, 1944; and William Saroyan, 1940.

In a very real sense, Ed's recognition reflects favorably not alone on him, his family, and his thousands of west Texas friends, it also is testimony to the American political structure and our House of Representatives. It is a fitting recognition of our youngest colleague and his exercise of independent judgment in helping to decide some of the most crucial questions ever faced by the United States.

Rather than pursuing the more lucrative paths he followed before seeking elective office, Ed Foreman chose congressional service at a young age and now is developing for the public good the talents he employed to succeed in private life. Not the least important of these talents is Ed's ability to detect excessive spending. I am confident the U.S. Junior Chamber of Commerce was as thankful to Ed Foreman as were those of us in the House when we learned he corrected a situation where the price being paid for military helicopters was costing the American taxpayer unnecessary millions of dollars.

Mr. Speaker, we are all proud of Ed for being named to the small and select group of America's 10 outstanding young men. He has richly earned the distinction this honor brings him.

Mr. WYMAN. I thank the gentleman from New York. As the gentleman knows, the special order was taken at the instance of himself, Congressman Wilson of California and myself, all of whom nominated Ed Foreman for this high honor.

Mr. MILLER of New York. Mr. Speaker, I was delighted to learn that our distinguished colleague in the House of Representatives, Ed Foreman, has been named one of 1963's 10 Outstanding Young Men in America by the U.S. Junior Chamber of Commerce. As we are all aware, Ed has done a remarkable, effective job in his first term as a Member of the House of Representatives. He is held in high regard not only by Republicans but also Democrats on the other side of the isle. It is seldom that a new Member of Congress has made the impact upon his colleagues as Ed Foreman. I do not hesitate to predict that he will be a Member of the House for many years to come and be of service not only to constituents in his congressional district but to Americans across the Nation.

Mr. SHRIVER. Mr. Speaker, it is a pleasure for me to associate myself with the tributes which have been extended here today to our distinguished colleague, Ed Foreman, of Texas. I join heartily in conveying my personal congratulations to the capable young gentleman from Texas upon being selected by the U.S. Junior Chamber of Commerce as one of 1963's 10 outstanding young men in America.

The citizens of the 16th Congressional District in Texas are fortunate to be represented by an energetic and conscientious public servant such as Ed Foreman. His dedication to public affairs has earned for him the plaudits of his community, State, and now the Nation.

It is a privilege to serve with him in this great representative body of our Republic.

Mr. FINDLEY. Mr. Speaker, with great pleasure I join in complimenting my young and able colleague from Texas, Ed Foreman, on being named 1 of the 10 outstanding young men in America by the U.S. Junior Chamber of Commerce. This honor came to a 20th Congressional District man several years ago, and I know from the recognition he received what this will mean to Congressman Foreman. This is a high tribute, and one richly deserved.

Ed is the type of American we need in Congress—one who will work hard for the principles he believes in, and give himself to help present these principles throughout the country. I know that he has accepted speaking dates at great personal inconvenience and expense at various parts of the country in the past few months.

It is a great honor to be in the House of Representatives and to be associated with him. I predict a distinguished career for him.

It is also a welcomed opportunity to recognize the outstanding service of the U.S. Junior Chamber of Commerce. The chapters of this organization in the 20th Congressional District of Illinois have made many notable achievements in community advancements. That the Jaycees would single out Ed Foreman for recognition speaks well both for Ed and for the organization.

Mr. FISHER. Mr. Speaker, will the gentleman yield?

Mr. WYMAN. I yield to the gentleman from Texas.

Mr. FISHER. Mr. Speaker, I desire to join in congratulating my colleague and neighbor, the gentleman from Texas [Mr. Foreman], as one of the 10 outstanding young men in America in 1963.

This choice was made by the Junior Chamber of Commerce, which surveyed the entire Nation in making its selections.

The selection of Mr. Foreman was evidently based on his hard work and devotion to duty while representing one of the great livestock-producing and oil-producing regions of the country.

I wish to join with my other colleagues in the House in commending Mr. Foreman for this outstanding recognition.

Mr. WYMAN. I thank the gentleman.

Mr. WEAVER. Mr. Speaker, will the gentleman yield?

Mr. WYMAN. I yield to the gentleman from Pennsylvania.

Mr. WEAVER. Mr. Speaker, I proudly join with my colleagues in congratulating Ed Foreman for winning the distinction as one of 1963's 10 outstanding young men in America, an honor bestowed by the U.S. Junior Chamber of Commerce.

It has been a pleasure to serve in the Congress with Ed. He is a fighter and a conscientious citizen anxious for America to move forward. He has consistently served as spokesman in Congress for sound, fiscal Federal policies. He has vigorously opposed free-spending schemes, exposing evidences of waste wherever he found it. He has been a proponent of strengthening our national security. This young man illustrates one of the best examples of success through determination and hard work. He is a model for young Americans.

He was reared on a farm where he learned the value of the dollar and the meaning of hard work. By the time he reached 26, he was a successful businessman. Later he surprised the political leaders of Texas by winning the congressional seat from Texas' 16th District—the first Republican to ever represent this area.

As a freshman Congressman, Ed ignored the unwritten rule that new Congressmen should "be seen and not heard." He has made himself heard in Congress. Texas' 16th Congressional District has sent a forceful and vigorous leader to Washington. The district can be proud and honored to have a man with Ed's outstanding capabilities representing them.

Mr. WYMAN. I thank the gentleman.

Mr. BOB WILSON. Mr. Speaker, will the gentleman yield?

Mr. WYMAN. I yield to the gentleman from California.

Mr. BOB WILSON. Mr. Speaker, I am delighted to join in these well-deserved tributes to Ed Foreman today—for several reasons. He is not only my colleague here in the House, but we serve together on the Armed Services Committee and I am proud to say he is a member of my political party.

From these three vantage points, I can understand very well what qualities the Jaycees were looking for when they picked Ed as one of their 10 outstanding young men in 1963.

I had the good fortune to be in west Texas—in the Congressman's district—only this month. I met and talked with many of the fine people that Ed represents and I know how proud they are of him and the fine job he is doing here in Washington.

This is not the first time that Ed Foreman's qualities of leadership and character have been recognized. After graduating from college with honors, he received similar awards by his local community and by his State. He distinguished himself in private life before entering politics. We, in the Congress, are fortunate to have him with us.

There has been a lot of talk lately about the quality of the Congress and it seems to be a popular pastime in some quarters to ridicule this great institution. I would say to those of faint heart that when we have new recruits like this young man from west Texas there is not much to worry about.

Congratulations to you, Ed. I believe your past will be your prolog.

Mr. WYMAN. I thank the gentleman from California, whose words are ever so much more significant because of the high national office that he holds in the Republican Party.

Mr. BOB WILSON. Mr. Speaker, I ask unanimous consent that the gentleman from Georgia [Mr. Vinson] may extend his remarks at this point in the Record.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. VINSON. Mr. Speaker, I offer my sincere congratulations to the distinguished Member from Texas. Mr. Foreman, for having been selected as 1 of the 10 outstanding young men in the country by the U.S. Junior Chamber of Commerce.

Mr. Foreman is an industrious young man, who performs his congressional duties seriously and conscientiously. He participates actively in the affairs of the Committee on Armed Services and has demonstrated a keen awareness of the need for a strong national security. He represents a district with many important defense installations, and keeps himself fully informed on decisions that are vital to his district and the Nation.

I am happy to learn of the honor that has been bestowed upon him.

Mr. BOB WILSON. Mr. Speaker, I ask unanimous consent that the gentleman from Vermont [Mr. Stafford] may extend his remarks at this point in the Record.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. STAFFORD. Mr. Speaker, I am pleased to join in this tribute to my able colleague, Hon. Ed Foreman, of Texas, who has just been named as 1 of the 10 outstanding young men in America by the U.S. Junior Chamber of Commerce.

Since his election to the 88th Congress, it has been my pleasure to sit next to the distinguished Member from Texas in the deliberation of the House Armed

Services Committee. I believe his appointment to this major committee during his first term in the Congress at the age of 29 is of itself a testimony to the fine record of service he had before coming to Washington.

In committee and during the proceedings of this House, I have observed his dedicated sense of responsibility, his devotion to the principles in which he believes and his ability to speak out in support of these principles.

His contributions toward getting the best Defense Establishment possible from our tax dollars have been valuable ones.

His forthrightness has also won him praise and respect far beyond the Halls of this Congress and his own district. I recall that when he spoke in my State last year, he won the plaudits not only of those who heard him, but from the editorial writers of some of our leading newspapers.

The gentleman from Texas well deserves the honor which has been bestowed upon him, and I am pleased to join in paying tribute to him at this time.

Mr. BOB WILSON. Mr. Speaker, I ask unanimous consent that the gentleman from South Carolina [Mr. Rivers] may extend his remarks at this point in the Record.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. RIVERS of South Carolina. Mr. Speaker, I am happy to join with my colleagues in commending the distinguished Member, the gentleman from Texas, the Honorable Ed Foreman, who has been named 1 of the 10 outstanding young men in America for 1963 by the U.S. Junior Chamber of Commerce.

Ed Foreman and I are on the opposite sides of the political aisle, but that does not preclude me from extending my warmest congratulations to him for an award which I know he fully deserves.

Ed Foreman has brought to the Congress and particularly the Committee on Armed Services the spirit of youth, the charm of an active curiosity, and a remarkable ability to penetrate the sometimes cloudy economics of national defense. To him a million taxpayer dollars is still a great deal of money.

I commend Ed Foreman on his award, and I sincerely hope that he will continue to ask penetrating and thought-provoking questions that somehow or other always end up with the strong implication that we do not have an inexhaustible Treasury.

Mr. BOB WILSON. Mr. Speaker, I ask unanimous consent that the gentleman from Minnesota [Mr. MacGregor] may extend his remarks at this point in the Record.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. MacGREGOR. Mr. Speaker, I want to join today in commending the work of the gentleman from Texas, Congressman Ed Foreman. At the age of 31 Ed has made a mark for himself that promises to lead him to an extremely distinguished career. His name will be heard from in the future.

With active service in the U.S. Navy as a foundation Ed has made a real contribution in the House of Representatives as a member of the Armed Services Committee. Because of his background in business, in public service, and active work in his church, Ed understands the forces which make our system work, and knows that the Federal Government serves the public interest not by assuming the mantle of management but rather by stimulating the will, the energy, the capacity and the imagination of individuals and of local and State government.

Ed Foreman was elected to Congress on his first effort. I extend to him my congratulations on being named one of 1963's 10 outstanding young men of America by the U.S. Junior Chamber of Commerce.

I join in my gratitude and pleasure in working with him in the House of Representatives for sound, responsible government.

Mr. BOB WILSON. Mr. Speaker, I ask unanimous consent that the gentleman from Virginia [Mr. Broyhill] may extend his remarks at this point in the Record.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. BROYHILL of Virginia. Mr. Speaker, it is always a proud moment for us in the Congress when one of our Members is selected for any high honor. It is particularly rewarding, however, when the selection is—in terms of age—our most junior Member.

In the short time that Ed Foreman has been with us, he has proven beyond any doubt the trust that the people in west Texas have placed in him. He has shown qualities of leadership that mark him as a man to watch in the years to come. The junior chamber made the right choice when they selected him as one of the outstanding young men of 1963.

His background speaks for itself. Coming from a modest home, he worked his way through college and was graduated with honors. He has been successful in business and active in community and State affairs. He has been singled out on several occasions in the past and recognized for his qualities of leadership.

His work as a freshman member of the House Armed Services Committee has been outstanding. His diligence in scrutinizing a defense appropriations request for Army helicopters resulted in savings to the Government of over $5 million.

It is young men like Ed Foreman who keep us from being discouraged when the going gets rough. I am thankful, both as a Member of Congress and a member of the Republican Party, that he is with us.

Mr. BOB WILSON. Mr. Speaker, I ask unanimous consent that the gentleman from Florida [Mr. Cramer] may extend his remarks at this point in the Record.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. CRAMER. Mr. Speaker, I am happy to join my colleagues today in an expression of appreciation to Ed Foreman for the outstanding job he has done and continues to do in Congress.

I would also like to take this opportunity to congratulate Ed for being named one of 1963's 10 outstanding young men in America by the U.S. Junior Chamber of Commerce.

Congressman Foreman, the youngest Member of the 88th Congress, has proven himself to be one of the true champions of individual liberty, fiscal responsibility and the free enterprise system.

Throughout this Congress, in his committee work and on the floor of the House, Ed Foreman has made a real contribution to his country. He is an outstanding American and I look forward to serving with him for many years to come.

Mr. BOB WILSON. Mr. Speaker, I ask unanimous consent that the gentleman from Illniois [Mr. Derwinski] may extend his remarks at this point in the Record.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. DERWINSKI. Mr. Speaker, I am most happy to join my colleagues this afternoon in paying tribute to Ed Foreman, the youngest Member of this body, who has done such an outstanding job in his first term in the House, and who has been selected as one of the 10 outstanding young men of 1963 by the U.S. Junior Chamber of Commerce.

This award, which Ed so richly deserves, does not come as a complete surprise to us, however, since he has received similar awards for outstanding service in the past. In 1960, he was named the outstanding young man of Odessa, Tex., and received the Jaycee Distinguished Service Award. In 1962, he was named one of the five outstanding young men of Texas. It is only natural, therefore, that he should now receive recognition at the national level for his splendid public service and record of achievement.

I congratulate Ed on the excellent record he has made, and I am sure I express the sentiments not only of the Members of the House but also of the people of the 16th District of Texas whom he so ably represents, in wishing him continued success in all his endeavors.

Mr. BOB WILSON. Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. Kilburn] may extend his remarks at this point in the Record.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. KILBURN. Mr. Speaker, I am glad that the gentleman from Texas [Mr. Foreman] has been recognized as one of 1963's 10 outstanding young men in America by the U.S. Junior Chamber of Commerce.

Ed Foreman is one of the newer Members here and has done a remarkably good job in representing his district and his State. It is always pleasing to see a young man come to the Congress and make good.

I congratulate the junior chamber of commerce for their good judgment in selecting Ed Foreman.

Mr. BOB WILSON. Mr. Speaker, I ask unanimous consent that the gentleman from California [Mr. Hosmer] may extend his remarks at this point in the Record.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. HOSMER. Mr. Speaker, our distinguished and youngest colleague, the gentleman from Texas [Ed Foreman], in the short time he has been with us has proved himself to be a credit to those whom he represents in Congress, to the Republican Party and to the rising generation of which he is a part.

Ed Foreman, during his first term in the House, has steadfastly worked for the preservation of our American way of life under our system of free enterprise. He has stanchly opposed the proposals of those who would make an all-powerful Central Government in Washington the master rather than the servant of the people.

Young Americans have a greater stake in the survival of freedom in our beloved country and in the world than any other group in the Nation. They would do well to study and emulate the efforts and record of one from their own ranks, Ed Foreman, in striving to assure their generation of a strong and a free America throughout their lifetimes.

It is with real pleasure that I congratulate Ed Foreman on the honor which has been accorded him and the U.S. Junior Chamber of Commerce on its wisdom in selecting him as one of 1963's 10 outstanding young men of America.

Mr. BOB WILSON. Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. Pirnie] may extend his remarks at this point in the Record.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. PIRNIE. Mr. Speaker, it is with deep pride and satisfaction that we have learned that our colleague, the gentleman from Texas, Ed Foreman, has been selected by the junior chamber of commerce as 1 of the 10 outstanding young men in America for the year 1963. Particularly it is significant to note that the service upon which this honor is based was rendered as a Member of this body. We like to feel that the many responsibilities of a Representative in Congress, if well discharged, constitute a worthy contribution to our Nation but it is reassuring when it is accepted as justification for an award of this distinction. It will focus attention on public service as a field in which young men are welcomed and one in which they can achieve much.

Ed Foreman is an able and conscientious member of the Armed Services Committee, upon which I am privileged to serve. Therefore, I have observed at close range the high qualities of mind and purpose which this award recognizes. I recall that our colleague early demonstrated his concern over the high level of Government spending at one of his first sessions at which expenditures were being authorized. We had acted rather quickly to approve the purchase of some helicopters at a cost of several millions of dollars. Months have now passed and Ed Foreman is not as shocked by such figures now but he still retains his zeal to check excessive spending at all junctures. He is a sincere, hard working public servant. This honor which he has received serves to express appreciation for the early interest of a most capable young man in the welfare of his Nation and his concern for its future. I sincerely hope it will also inspire others to follow his example.

Mr. BOB WILSON. Mr. Speaker, I ask unanimous consent that the gentleman from Illinois [Mr. McLoskey] may extend his remarks at this point in the Record.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. McLOSKEY. Mr. Speaker, to be named 1 of the 10 outstanding men in America is a significant honor and I am pleased to join with many others in complimenting the distinguished young man from Texas, the Honorable Ed Foreman.

Representative Foreman came to Congress the same time as I, being the youngest man elected to the 88th Congress. This in itself was a major achievement and since joining this illustrious body has proved to be a tireless worker for sound economy and fiscal responsibility.

An enthusiastic advocate of constitutional government he is very zealous in fighting for old-fashioned American principles. While his aggressiveness in furthering the cause in which he so strongly believes may at times irritate those whose philosophy radically differs from his, I for one admire his youthful enthusiasm.

In recognizing his ability and talents the U.S. Junior Chamber of Commerce has chosen him as one of 1963's 10 outstanding young men in America. This is indeed a well-earned honor.

I consider him one of my close personal friends and trust the good people of his district in Texas will see fit to return him to the Halls of Congress for many more years.

Congratulations Ed—It is my wish that the future years are good to you.

Mr. BOB WILSON. Mr. Speaker, I ask unanimous consent that the gentleman from Massachusetts [Mr. Morse] may extend his remarks at this point in the Record.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. MORSE. Mr. Speaker, I am happy to join my colleagues today in congratulating Ed Foreman on his recent designation as 1 of the 10 outstanding young men in America by the U.S. Junior Chamber of Commerce.

Congressman Foreman has made an outstanding impression in his first term in the House and his forthrightness and energy command our respect. I know that this fine award augurs well for Ed's future.

Mr. BOB WILSON. Mr. Speaker, I ask unanimous consent that the gentleman from Pennsylvania [Mr. Dague] may extend his remarks at this point in the Record.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. DAGUE. Mr. Speaker, a doubting Nathaniel when being led to the Nazarene by his friend Philip voiced the plaintiff query, "Can anything good come out of Nazareth?" In the light of recent happenings there are some who might entertain similar doubts toward the Lone Star State although we in the Congress will always insist that Texas has furnished her full complement of dedicated legislators.

When the 88th Congress convened in January of 1963 all of us on our side of the aisle were made aware that something new and vital had been added, that our ranks had been augmented by a dynamic and fearless champion of Republican philosophy in the person of Ed Foreman.

This advocate of the basic responsibility of the citizen to his government found a warm welcome with conservatives like myself who have consistently decried the profligate spending of the liberals who do not now have, and who never have had, the least concern for the financial stability of the Nation.

This fearless defender of the free enterprise system draws on his own business experience and has long enjoyed the favor of the junior chamber of commerce of his home State who have given him their Distinguished Service Award and named him an outstanding young man of Texas. To that enviable accolade has now been added the honor conferred upon him by the U.S. Junior Chamber of Commerce, whereby he has been designated 1 of the 10 outstanding young men of America for 1963.

As an admirer of the Jaycees I have always been ready to accept their evaluation of men and issues. In Ed Foreman, however, they are simply reechoing the judgment of everyone who has come to know this great American and I am sure that he will continue to justify the faith of his colleagues of the Congress and his admirers throughout the land.

Mr. BOB WILSON. Mr. Speaker, I ask unanimous consent that the gentleman from Kentucky [Mr. Siler] may extend his remarks at this point in the Record.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. SILER. Mr. Speaker, I would like to join with my colleagues in paying tribute to a courageous and forthright man, one of our more recent Members, the man from Texas, Congressman Ed Foreman.

He has already made a name for himself and a place for his talent, even though his period of service has been brief. We have learned to admire and respect this fine young Member because of his deep patriotism, his reverence for the Constitution, and his unwillingness to trade principle for expediency.

Ed Foreman is an outstanding man and I predict long and successful years of service out there on the road ahead. We appreciate him and salute him as he starts off on his 2d year in this 88th Congress.

Mr. BOB WILSON. Mr. Speaker, I ask unanimous consent that the gentleman from Wisconsin [Mr. Schadeberg] may extend his remarks at this point in the Record.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. SCHADEBERG. Mr. Speaker, I am sure it comes as no surprise to his neighbors in Odessa and the other good people of Texas that Ed Foreman has been selected as 1 of the 10 outstanding young men in America for 1963 by the U.S. Junior Chamber of Commerce.

Ed Foreman already had made a considerable mark before coming to Congress in January of 1963. Back home he was named the outstanding young man of Odessa for 1960. He won the Jaycee Distinguished Service Award. And in 1962 he was chosen one of the five outstanding young men of Texas.

Ed is a graduate engineer and has achieved success in the business world. He still has found time to engage in the activities of many professional and civic organizations.

This new and highly merited honor for Ed Foreman comes as no surprise to his colleagues in the House, either. At 30, Ed is the youngest Member of the U.S. House of Representatives, and in the brief time since taking the oath of office he has distinguished himself as Representative in Congress of the 600,000 residents of the 16th District of Texas. Ed's firm stand for constitutional government in all its original meaning has marked him as a man of principle and a public servant dedicated to what is truly best for his constituents and for all Americans.

We who know and work with Ed Foreman know also how deserving he is of this honor. In extending congratulations to him, I am mindful that his wife, Barbara, and children Preston and Rebecca, rightly share in the tributes being paid to their husband and dad. The U.S. Junior Chamber of Commerce rates a salute, too, for its discerning choice of Ed Foreman as one of America's outstanding young men.

Mr. BOB WILSON. Mr. Speaker, I ask unanimous consent that the gentleman from Nebraska [Mr. Beermann] may extend his remarks at this point in the Record.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. BEERMANN. Mr. Speaker, I, too, would like to say a word in tribute to my colleague and friend, Congressman Edgar (Ed) F. Foreman, on the occasion of his selection as 1 of the 10 outstanding young men in America by the U.S. Junior Chamber of Commerce.

Of course, I want to congratulate my young and esteemed colleague on this latest honor, but I want to point out that it only goes to confirm others given him earlier in his career, the most notable of which was a selection as one of the five outstanding young men of Texas in 1962.

Frankly, Mr. Speaker, I am most impressed by my colleague's progress as a Representative of the 16th Texas District. In conversation I find him extremely well informed and articulate. The way he discharges his responsibility to the House Committee on Armed Services has won my admiration and I am pleased to note the speed with which he is able to get rid of the chaff, to concentrate on the kernel, in most general legislation the House considers.

Most of all, Mr. Speaker, I would like to compliment my colleague for the love he bears the United States and the zeal with which he pursues its best interest. I note from his biography that he has spent some time in the U.S. Navy and the Naval Reserve. Therefore, he knows firsthand the terrific price we have paid in lives and money to preserve our independence. That is probaby why he has frequently spoken out when this independence is threatened and I commend him for it.

I wish him every success in a continued career as a Texas Congressman. May the people of the district he represents return him to Congress for many years to come.

Mr. BOB WILSON. Mr. Speaker, I ask unanimous consent that the gentleman from Kansas [Mr. Dole] may extend his remarks at this point in the Record.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. DOLE. Mr. Speaker, I wish to join my colleagues in paying this well-deserved tribute to our friend and colleague, Ed Foreman. The recognition he has received from the U.S. Junior Chamber of Commerce as one of America's 10 outstanding men for 1963 speaks well of him, and this honor could not have been conferred on one more deserving.

Ed has held firmly to those beliefs and ideals held high by our Founding Fathers and American patriots. They held the idea that all men were endowed by their creator with divinely given rights which must not be taken away by man—and that if government was to have any major responsibility to the governed, it was the protection of these rights and liberties. This was their concern and they proceeded to build within the framework of our Government body a system of checks and balances designed to protect our citizens against the possibility of a government which might in time grow too centralized and too arbitrary in the use of its power.

But who speaks for liberty today? Well, thank God we do have Americans in growing numbers who are picking up the torch of freedom and holding it aloft to inspire others. Among them are many of the leading young men such as Ed Foreman who have the conviction that liberty in order to be preserved requires a certain amount of vigilance and sacrifice.

Again, I say it is an honor to join with my colleagues in paying tribute to Congressman Foreman, and to praise him for his work in the interests of preserving the great American heritage.

Mr. BOB WILSON. Mr. Speaker, I ask unanimous consent that the gentlewoman from Washington [Mrs. May] may extend her remarks at this point in the Record.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California?

There was no objection.

Mrs. MAY. Mr. Speaker, I am happy to join in these tributes to Ed Foreman on the occasion of his selection as 1 of the 10 outstanding young men in the Nation for 1963.

I do not claim to be much of an authority on Texas, but I would like to make one observation—the ranchers of west Texas certainly know how to pick a Foreman.

Ed Foreman is the youngest Member of the 88th Congress and, as we recall the records of longevity that Texas Members have rolled up here in the past, we can expect truly great things from this young Congressman.

Here is a young man who worked his way through New Mexico State University and was graduated with honors as a civil engineer. He is a former businessman, a veteran of the U.S. Navy, a leader in his community and his State. He is the kind of person with whom we are proud to be associated.

The award for which the junior chamber of commerce has chosen him is not his first. He was picked as the outstanding young man of Odessa, Tex., in 1960. He has been given the junior chamber's distinguished service award. He was named one of the five outstanding young men in Texas for the year 1962.

Since coming to Washington, Ed Foreman has distinguished himself as a freshman Member of the 88th Congress. His constituents must be very proud of him. We are.

Mr. WYMAN. I thank the gentleman from Missouri, and I yield to the gentleman from Colorado [Mr. Chenoweth].

Mr. CHENOWETH. Mr. Speaker, I want to join my colleagues in congratulating our good friend, Ed Foreman, on winning this award. It is indeed a high honor to be selected as 1 of the 10 outstanding young men of the United States by the United States Junior Chamber of Commerce. I know this award was richly deserved. In winning this award, Ed not only brought distinction to himself, but he also brought great honor and recognition to the House of Representatives. As has been mentioned there has been some criticism of Congress and its Members. It is refreshing to see one of the younger Members of Congress, both in point of age and years of service, selected for this outstanding award. We are proud to have 1 of the 10 outstanding young men of the entire United States as a Member of this House. It indicates that Congress is attracting some of the finest material in this country, young men who are interested in preserving our great American ideals and constitutional heritage. The fact that Ed Foreman selected a political career to serve his country proves that he loves his country and I am sure Ed's career will be a challenge and an inspiration to many young men over this country, some who are still in school, to also seek public office and emulate his great achievements.

I want to wish Ed Foreman continued success in all he undertakes. It has been a great privilege to serve with him in this House, and I have enjoyed my association with him. He is forthright, genial, energetic, and friendly. I consider him one of the most capable and vigorous Members of the House.

Mr. WYMAN. Mr. Speaker, I thank the gentleman from Colorado.

I yield to the gentleman from Tennessee [Mr. Brock].

Mr. BROCK. Mr. Speaker, I would like to join with my colleagues in paying tribute not only to Ed Foreman but perhaps equally as much to the Jaycees for their ability to see leadership in a young man. I think perhaps one of the greatest experiences of my life occurred when I joined the junior chamber of commerce and learned their creed. I say that because if there is any one statement that captures the faith which is epitomized in America, it is that document.

When you look at Ed Foreman you see typified every expression of faith in the creed; a belief in God, a belief in the brotherhood of man, a belief in economic justice and in free enterprise, a belief in freemen, a belief in human personality, and a belief in service to humanity.

I think the Jaycees perhaps more than any other single group typify a belief in people, a belief in the individual as part and parcel of the greatness of America.

This is why I think it particularly fitting that we pay honor to Ed Foreman today for receiving an award which is specifically an honor to an individual for personal performance, performance based upon a belief not only in this country but in the people who make it up. Such individuals constitute the greatness that is America.

Mr. Speaker, I congratulate Ed Foreman, and I congratulate the Jaycees for their wisdom and judgment.

Mr. WYMAN. Mr. Speaker, I thank the gentleman. I now yield to the gentleman from California [Mr. Clawson].

Mr. DEL CLAWSON. Mr. Speaker, it is a personal privilege for me to be identified with my colleagues who have joined in recognition of Ed Foreman and the award of achievement which has been received by him from the junior chamber of commerce. When I first came to Congress a few months ago, in the middle of the session, it was natural to evaluate some of the men with whom I was going to be associated. I seemed to have an affinity for some of these men. Ed was among that group. It has been a privilege to join with him and enjoy his company on a number of occasions.

Mr. Speaker, I appreciate his sincerity and his dedication to the principles of economy, which have already been mentioned. This man has been identified with the American heritage and I compliment him on the outstanding manner in which he has conducted himself. I have witnessed his reaction under tension and in stress situations which demanded calm and capable response. He faced the responsibility admirably. His keen sense of humor which has been demonstrated on a number of occasions is especially enjoyed as well as his constancy of purpose. His dedication to this House and to the principles for which it stands deserves a long record of service.

Mr. Speaker, it is a privilege to be associated with men of this caliber in the Congress, and I am happy to join my colleagues in paying a tribute to Ed Foreman.

Mr. WYMAN. Mr. Speaker, I thank the gentleman. I yield to the gentleman from North Carolina [Mr. Broyhill].

Mr. BROYHILL of North Carolina. Mr. Speaker, I join my colleagues in extending congratulations to our colleague from Texas, Ed Foreman. Certainly, he has been given an honor that is well earned and well deserved. Not only that, but it carries on a tradition that is as old as the country itself—young men taking part in the leadership of this great country and in its councils at all levels.

Those who are interested may look at the age of those who took part in the signing of the Declaration of Independence and who took part in the forming of our great Constitution, and they will see that many of these men were young men, some even younger than Ed Foreman.

I believe we should be mindful of this great tradition as we encourage young men with vigor and imagination to assert the qualities of leadership with which they are endowed. Ed Foreman possesses those qualities in great abundance and I am pleased that they have been recognized in this award for achievement and service.

Since we met here a year ago, it has been my privilege to work closely with Ed in matters of mutual interest and concern. I have come to know him well, to value his friendship, and to respect the many-sided abilities that he possesses. His dedication to principles and his willingness to work unceasingly for what he believes is right is an outstanding attribute of Ed Foreman. Those who know him best are grateful to the people of his district in the great State of Texas for sending him to the Nation's capital to represent their interests in dealing with the problems that beset our Nation. That confidence of his fellow Texans is now shared by a widening circle of those in Washington who know and work with Ed.

A very wise man once said that each one of us should be interested in the future, because that is where we will spend the rest of our lives. Ed Foreman, I know, holds to this philosophy. What this country is to become and the preservation of liberties derived from our heritage as well as the projection of these liberties into a better tomorrow are his deep concern. He has already achieved a high order of public service. I am confident that what he has achieved is only the beginning of a distinguished career that will be marked by greater service to his State and to his fellow Americans.

Mr. WYMAN. I thank the gentleman. Not too many people realize that Congressmen represent anywhere from 275,000 to more than a half-million people. I venture to say that many of us would like to have had our constituents send us here at the age of 30 years. I would like to be only 30 years here in the House.

Mr. Speaker, I now yield to the gentleman from Maine [Mr. McIntire].

Mr. McINTIRE. Mr. Speaker, I am delighted to have this opportunity to join with my colleagues in the House in bringing to Ed Foreman the warmest congratulations from away up in the northeast corner of the United States to the resident of the great State of Texas. The work of the Jaycees has already been mentioned, but recently in each of our several States this great organization has recognized in my State three outstanding young men, and indeed they were outstanding. As I look over the work of these young men and see what they have done it gives me a fuller appreciation of the tremendous qualifications that are required for this recognition as 1 of the 10 outstanding young men of our country.

The record that we have observed of Ed Foreman as a Representative of his district in the short time he has been among us as a colleague has given us full appreciation that this recognition is well grounded, that in his private life as well as in his public life he has measured up to the high standards of high citizenship and high responsibility.

So I am delighted that we do have this opportunity to make a matter of official record our very high regard for the gentleman from Texas [Mr. Foreman].

Mr. GRIFFIN. Mr. Speaker, will the gentleman yield?

Mr. WYMAN. I yield to the gentleman from Michigan.

Mr. GRIFFIN. Mr. Speaker, I, too, want to take this opportunity to associate myself with my colleagues of the House in congratulating our good friend, Ed Foreman, on this high honor which has been paid to him by a great organization. Having been a member of the Jaycees myself, I realize what a great honor this is. He has demonstrated in the House over and over again, although his service has been relatively short, that he has both great ability and great courage, and all of us respect and admire him, and congratulate him today on this great honor. I am glad to join in this tribute.

Mr. UTT. Mr. Speaker, will the gentleman yield?

Mr. WYMAN. I yield to the gentleman from California.

Mr. UTT. I want to associate myself with these complimentary remarks of my colleagues and to pay my highest respects and regards to ED FOREMAN as one of the outstanding Members of the Congress and one of the outstanding citizens of the United States. I hope he will continue in the future with great success, and that he will be an inspiration to other young men throughout the country to enter politics and dedicate themselves to the great service of America.

Mr. WYMAN. I thank the gentleman.

I now yield to the gentleman from Texas [Mr. ALGER].

Mr. ALGER. Mr. Speaker, I thank the gentleman for recognizing me to join with my colleagues. Since I can speak for Texas, and the Texas Republican delegation, I certainly want to relate my remarks to those made by a colleague on the other side, the gentleman from Texas [Mr. FISHER] when he, too, complimented our colleague, ED FOREMAN.

Senator JOHN TOWER was followed to Congress by ED FOREMAN. So we are now a delegation of three. I have the distinction of being the dean of that delegation, and I can tell you what a wonderful thing it is for me to have a man on this side of the aisle of the caliber of ED FOREMAN.

I should remind my colleagues that in the darkest hours of this country within my memory, when we in Dallas were subjected to some of the most difficult abuse because of the murder of the President by a self-avowed Communist, while we in Dallas were giving the warmest of welcomes to our President, there was one man who came to the defense of our community, to assure me that the world had not come to an end. We in Dallas were powerless to stop it when these most liberal pundits damned us. But one man, ED FOREMAN, spoke up for many, and certainly for himself, at a time when we in Dallas needed it badly. He did not hesitate to air his views when condemnation was heaped upon us by some of the columnists who have since had to withdraw their statements. I want to say about ED FOREMAN that he has always lived up to the courage he manifested then, and to all the fine principles for which he stands.

If, indeed, U.S. sovereignty—the capitalistic form of society, the republican form of government—is to continue to exist, it will be because ED FOREMAN and men like him, who have not forgotten the first principles that made this country what it is today. Some of us are prone to forget where the road leads when we adopt more and more spending, more and more control. But not ED. He feels the individual, the family unit, the State, should do those things that we can best do for ourselves, and the Federal Government should do only those things which the people at the local level are unable to do.

ED, I join with my colleagues to tell you how much we, your colleagues in this body and the people of Texas, think of you. This honor that has been accorded you is only one of many to come.

To you and to Barbara and to your lovely children go my best wishes for prosperity and happiness in the years ahead.

I congratulate you on the stand which you have taken, for a Republic within a democracy, which is the basis of our system. and through which freemen the world over will survive in the years to come, if they will survive, under the leadership of the United States.

So, ED, that is a little heavy. I know you must be embarrassed with this type of accolade, but if we are to give flowers to people while they are living, I hope you will take it in that same feeling felt in the eulogies extended on this floor to you while I am beside you, man to man and eye to eye. I am happy to be here today, ED.

Mr. WYMAN. Mr. Speaker, I think it is a real tribute to any Member that so many outstanding Members of Congress on both sides of the aisle join together in such a tribute, particularly to a new Member. We are all proud of ED FOREMAN, who has worked so diligently, so capably, and so sincerely for a strong and sound and secure America.

GENERAL LEAVE TO EXTEND

Mr. Speaker, I ask unanimous consent that all Members wishing to join in commending our colleague from Texas may have 5 legislative days to extend their remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from New Hampshire?

There was no objection.

Mr. SCHNEEBELI. Mr. Speaker, during the relatively short time that our friend and colleague, ED FOREMAN, has been a Member of the House of Representatives, it has been apparent that he is a young man of unusual ability and character. I am therefore not at all surprised that he has been chosen by the U.S. Junior Chamber of Commerce as one of 1963's 10 outstanding young men in America, and I am delighted that the very effective work he has been doing in the Congress has been so recognized.

Prior to his election to Congress, ED FOREMAN was active in civic affairs and in business, and those same qualities which so favorably impressed his associates in his home community and State, have enabled him to render outstanding service as a Member of this legislative body. He is another example of the businessman whose capabilities demonstrated in the business field have brought him equal success in meeting the challenges of a political career. I congratulate him on his achievements, in which his constituents and fellow Texans may well take pride, and for the well-deserved honor which the Jaycees have bestowed upon him.

Mr. TALCOTT. Mr. Speaker, I am pleased to join with my fellow Representatives in paying tribute to our colleague from Texas who has recently been selected as 1 of the 10 outstanding young men in America by the U.S. Junior Chamber of Commerce.

ED FOREMAN has distinguished himself many times in his service to local, State, and National Government. He has given unselfishly. His reward has always been the success of his endeavor. Being named the Outstanding Young Man of Odessa in 1960, the recipient of the Jaycee Distinguished Service Award, one of the five outstanding young men of Texas for 1962, and now this national acclaim, all attest to ED FOREMAN's abilities.

ED FOREMAN's record is proof positive that diligence, perseverance, and just plain old-fashioned hard work—Texas style—produce results. To future generations seeking modes and patterns to follow, I would commend ED's formula for success.

Also, the caliber and extent of his accomplishments indicate that he has valuable and constant assistance from his wife and teammate. I also commend Barbara.

"Selfless, sustained service to others" seems to have been his key to solid, worthwhile accomplishments.

Mr. LIPSCOMB. Mr. Speaker, it is a pleasure to join in extending congratulations to our colleague, ED FOREMAN, for the fine honor that has been bestowed upon him.

Being named 1 of 1963's 10 outstanding young men in America by the U.S. Junior Chamber of Commerce represents another laurel that has been added to his already distinguished record of achievements.

Even though he is serving only his first term in Congress, ED FOREMAN has demonstrated that he is an effective spokesman and worker for the cause of responsible government.

The junior chamber of commerce award is a fitting tribute to his abilities and dedication.

Mr. BROTZMAN. Mr. Speaker, it is a pleasure to add my name to those congratulating the gentleman from Texas [Mr. FOREMAN] on his selection as one of 1963's 10 outstanding young men in America. The U.S. Junior Chamber of Commerce made a wise selection in according this honor to our colleague.

I have had the opportunity of working with this fine representative as fellow officers of the 88th Club, the Republican freshman Congressmen. He has been a valuable member of this organization, adding the weight of his enthusiasm and energy to our group.

I have also watched him on the floor of the House of Representatives. He is dedicated beyond doubt and sincere beyond question in supporting causes he feels so deeply.

As a former member of the junior chamber of commerce and one who was fortunate to be accorded their Distinguished Service Award, I know how much this recognition means to ED FOREMAN, and I am proud to add my words of congratulations.

Mr. BELCHER. Mr. Speaker, any student of American history knows that our Nation's very claim to freedom and prosperity is established upon the courage and commonsense expressed by our forefathers—priceless qualities which carried a people through a revolution and a civil war; over wild, uninhabited territories; into States; and into a union of States, founded upon a constitution guaranteeing freedom, individual and States rights.

The student knows, too, that in spite of all the strength of thought manifested by our Jeffersons and our Lincolns, we, the people, have gradually allowed an erosion of our "claim." We have allowed the "top soil"—the "good earth"—of our claim to slip away through careless cultivation, ignorance, and, in many cases, selfishness.

Perhaps for this reason alone, I can humbly stand here and thank God for such young, levelheaded thinkers as the gentleman from Texas, Edgar Franklin Foreman. Here is a breath of fresh air to purify the atmosphere; a chemicalization of thought to revitalize the barren ground and raise up a fruitful harvest of economic balance and protected individual and States rights.

Here, indeed, is a route our younger generation can faithfully follow for a return to true Americanism. And the trailblazer is recognized for his value, for he has already been honored by his hometown of Odessa and his great State of Texas; and now the U.S. Junior Chamber of Commerce. Ed Foreman has received his "just due"—he has been named as one of 1963's 10 outstanding young men in America.

All I can say at this time is, is it any wonder? I think not. I think a free and Christian people are awakening, and faintly hearing the "voice in the wilderness," are responding to the call. I believe that with the bringing forth of dedicated young leaders such as Congressman Ed Foreman, our children may see "fields white to harvest."

Congratulations to Ed Foreman for his achievements, and thanks to Ed Foreman for his courage and commonsense.

Mr. DEROUNIAN. Mr. Speaker, Ed Foreman has a remarkable record of accomplishment. He was named the outstanding young man of Odessa, Tex., and received the Jaycee Distinguished Service Award in 1960, was named one of the five outstanding young men of Texas for 1962, and is now recognized as one of 1963's 10 outstanding young men in America by the U.S. Junior Chamber of Commerce.

Ed's abilities and effectiveness, recognized by industry, have made their mark in the House of Representatives, and if a vote were to be taken on the floor of this House, now, I am sure it would be made known that we, too, consider him one of the outstanding young men in Congress. He has certainly shown us that he has the courage of his convictions. My congratulations to Ed Foreman for this recognition of his untiring efforts.

Mr. McDADE. Mr. Speaker, when the 88th Congress convened in January of 1963, there was no question but that the eyes of everyone were on Texas, which had sent to Congress a splendid Republican Congressman who was also the youngest Member of this body.

I would not attempt to give the total number of young men in America who might have been nominated to be chosen as one of the 10 most outstanding in the country, but I would estimate the odds must run close to 300,000 to 1 against being finally selected. Ed Foreman beat those odds.

He is eminently deserving of the honor.

Ed is unquestionably one of the hardest working Congressmen in Washington. In a job that calls for long hours on the floor of Congress and in the congressional office, Ed manages to put in more hours than most of his colleagues.

He is a man who works hard at legislation that will give America the same sound basis in economy and Government that made her great in the past, and that will insure her greatness in the future. He is from a district that long stands as one that worked to bring the greatness of America to Texas.

Fortunate is he to have as his constituents a body of strong American workers who believe in America's future. Fortunate are they who believe in the greatness of America that in their hard work they have such a Foreman.

Mr. RIEHLMAN. Mr. Speaker, it is a pleasure for me to add my voice to the others who are congratulating Ed Foreman on his selection as one of the 10 most outstanding young men in America by the U.S. Junior Chamber of Commerce.

It is no surprise to me that this able and energetic young man should be named.

He came to Congress with a fine background and he made a mark early in Congress. This is unusual, that a freshman Congressman should become well-known and widely respected.

He always has the interest of his constituency and the country in mind. His actions are aimed at providing good, sound, representative government.

We need intelligent and capable men like Ed Foreman in Congress and I sincerely hope he has the desire and the opportunity to serve many years.

Mrs. FRANCES P. BOLTON. Mr. Speaker, it is a pleasure to join in paying tribute to our colleague, Representative Ed Foreman, of Texas, who has been named by the U.S. Junior Chamber of Commerce as one of 1963's 10 outstanding young men in America.

As a first-term Member of Congress, Representative Foreman has done a tremendous job on the Armed Services Committee and on the House floor. He has earned the respect of his colleagues for his dedicated, hard work. All Americans should be grateful for his efforts to obtain a dollar's worth of defense for every dollar spent of the taxpayer's money. I congratulate him on this well-deserved honor, and also congratulate the U.S. Junior Chamber of Commerce on their excellent selection.

Mr. GROSS. Mr. Speaker, I am pleased to have this opportunity to say a word in behalf of our colleague, the Honorable Ed Foreman, of Texas, who has been signally honored as one of the 10 outstanding young men in America in 1963.

As a new Member of the House of Representatives, Ed Foreman quickly demonstrated the capability and stanchness that has set him apart as an outstanding legislator.

The people of his congressional district in Texas can be proud of his record and the part this young man has played in the legislative process in the short time he has been in Washington.

Mr. BECKER. Mr. Speaker, I have had a very distinct pleasure from the very first day Ed Foreman was sworn in as a Member of the House of Representatives, not only to welcome him as a Texan, as a Republican, and a Member of the House, but to extend to him my friendship. This friendship has been reciprocated a thousandfold. It did not take long for Congressman Ed Foreman to make a host of friends among the Members and to very suddenly become aware of his dedication to sound fiscal government, to express the courage of his convictions and his readiness to devote himself to the great tasks before him.

Ed's ability must have been known before he came to the Congress, because he was appointed to one of the most important committees of the House, the Armed Services Committee. Being a member of that committee myself, I know the great contribution he has made to the work and legislation that comes before us. He has conducted himself with dignity and as a gentleman at all times and, during some of the hottest of debate, handled himself with distinction and credit to his district and his State.

The people of the 16th Congressional District of Texas are to be complimented for the fine selection they have made and I am certain they will agree with me they made an excellent choice. They can also have full confidence that Ed, at all times, will make his decisions, great and small, on the basis of what he believes to be right and just, for the good of his country, and not on political expediency. He is the kind of man we need here and I trust that God will be good to him, keep him and his family healthy and strong, and that he may serve here and in higher places in the years to come.

Mr. TAFT. Mr. Speaker, I would like to join my colleagues today in congratulating our friend from Texas, Ed Foreman, on being named one of the 10 outstanding young men in America by the U.S. Junior Chamber of Commerce.

This is a great honor for one so young. However, his life, thus far, has been filled with equally outstanding achievements. Therefore, it is not surprising that Ed has been such a success so early in his congressional career for, though he is only 30 years old, he has attained the pinnacle of success in his every endeavor.

Ed, a farm boy, worked his way through school and graduated at the top of his class. And then entering business he immediately prospered due to his hard work, imaginative solutions, and individual independence. During these active business years he did not neglect his responsibility to his community and, in fact, his hard work and dedicated service caused him to be the recipient of many community awards, including being named one of the five outstanding young men of Texas just 2 years ago.

We in Congress know Ed as an articulate spokesman for sound and conservative, but responsible Government. His membership on the important Armed Services Committee has given this unusual young man an excellent post in which to demonstrate his outstanding abilities, and as we would expect, he has already made a remarkable record. This committee assignment has permitted him to continue to work for individual liberty by attempting to reduce Federal control. It is a rare Congressman who turns down Federal money for his own district, but let us hope that we will see more Ed Foremans in the future who talk and practice this kind of economy in Government.

The junior chamber of commerce has presented this award to Ed Foreman because of his outstanding service to his community and the Nation. However, let us remember that he has just begun what will be, I am sure, a long and ever increasingly effective career as a public servant. In the years ahead we will expect even more of this man and, knowing of his habit for success, I am confident that the Nation will not be disappointed.

Mr. JOHNSON of Pennsylvania. Mr. Speaker, many fine and capable men and women are now serving their districts as Members of the 88th Congress. No finer, abler, and personable person is now a Member of this Congress than Edgar Franklin Foreman, of Odessa, Tex.

It does not seem possible that a person only 30 years of age could in such a short period of time achieve so much and obtain such outstanding recognition as Congressman Foreman has. When one meets this young man and talks with him and has the pleasure of serving with him, it it easy to understand why he has received such outstanding honors and such sensational success. When you meet him he greets you with such a genuine and warm greeting that you cannot help but say to yourself that here is a wonderful man.

Ed is loved, honored, respected, and looked up to by all Members of the Congress and the citizens of the 16th District of Texas are to be congratulated for having the wisdom and good judgment to send this exceptional man here to represent them.

When I first came to Congress on November 27, 1963, nobody could have been finer and more gracious and kind to me than was Ed Foreman.

That is the way he does things and he is to be congratulated upon this outstanding honor.

Mr. MORTON. Mr. Speaker, the gentleman from Texas, Ed Foreman, has his office directly across the hall from mine. I have come to know him well and derive great satisfaction from working with him in the Congress. Ed's dynamic drive, his persistent adherence to duty and devotion to principle, number him among the leaders of our time. I am proud to associate myself with the remarks of my distinguished colleagues and add sincerest congratulations to the U.S. Junior Chamber of Commerce for selecting Ed one of the 10 outstanding young men of the year.

Mr. ARENDS. Mr. Speaker, I wish to take this opportunity to extend to our distinguished colleague, Ed Foreman, my personal congratulations upon his being named by the U.S. Junior Chamber of Commerce as one of the 10 outstanding young men in the country.

Knowing him as we do from the contribution he has been making during his first term of service in the Congress, that this honor should be bestowed upon him is no surprise. His work as a Representative from the State of Texas has been outstanding.

As the senior Republican member in service on the Armed Services Committee, I am able to testify to the superior performance—truly outstanding—of our most junior member of the committee, both in years and in service. From his grasp of the various defense problems, however, he is by no means nor in any respect a junior. He has demonstrated an understanding and a maturity of judgment in Armed Services Committee matters just as he demonstrated in all his undertakings before coming to Congress. We are certainly glad to have him on our committee.

Ed Foreman was named one of America's outstanding young men not because he was one of the youngest men elected to Congress. Nor was he selected for this honor because of his unusual success in business before coming to Congress. This honor has come to him because of the kind of a man he is, because of his ability and his character. His success in business and in public life merely bespeaks the quality of Ed Foreman.

He is one of the best in all respects. He is outstanding in all respects. And I am sure the fine people he represents appreciate the high-quality representation he has given them.

Mr. PHILBIN. Mr. Speaker, I gladly take this opportunity of joining with my colleagues in heartily congratulating my able and distinguished friend and colleague of the House Armed Services Committee, Congressman Ed Foreman, upon his designation by the U.S. Junior Chamber of Commerce as one of the 10 outstanding young men in America for 1963.

To be named one of the 10 outstanding young men of America by a great nationwide business organization is certainly a great tribute and honor of which Ed, his family, and friends may well be proud.

I wish for Ed and his dear ones continued good health, well-being, and happiness in the time to come.

Mr. CLEVELAND. Mr. Speaker, as a fellow freshman Member of the 88th Congress, it is a pleasure to congratulate my colleague Representative Ed Foreman, of Texas, who recently was selected one of the 10 outstanding young men in America by the U.S. Junior Chamber of Commerce. In both business and politics Ed Foreman is an outstanding and successful self-made man. There is always a need for forthright and articulate expression of opinion. As the youngest Member of the 88th Congress, Ed Foreman possesses these qualities and has used them well. Known for being an outspoken defender of individual freedom, Ed has taken an active and effective part on the Armed Services Committee. His hardworking energy stands as a fine example to the youth of our country at a time when there is a need for leadership in politics by energetic young men.

THE WAR AGAINST POVERTY

The SPEAKER. Under previous order of the House, the gentleman from Georgia [Mr. Weltner] is recognized for 30 minutes.

Mr. WELTNER. Mr. Speaker, ours is the wealthiest Nation in the world. Last year, the gross national product reached a new high of $600 billion. Personal income and corporate profits realized dramatic gains. By all forecasts, 1964 should be another good year. Profits, income, savings, production, and standards of living will rise another notch.

What accounts for America's wealth? It is undeniably the mind and the will of her people. It is the drive and determination to find a better way, and to call forth the resources of the land. America's wealth is her people. To the extent their talents are utilized, the Nation prospers. And to the extent human resources go undeveloped, America falls short of her potential.

Mr. Speaker, a realistic examination of human resources shows that America has not met her full potential. In the United States, 9 3 million families have a total annual income of less than $3,000 a year. This is one-fifth of the total number of families—one out of every five American citizens. The income of over 2½ million families in the United States is less than $1,000—not even so much as $20 a week.

It might be argued that an income of $3,000 is more than a pauper's lot. Yet, no one can seriously contend that $20 per week can adequately supply the needs of an entire family. Here are 2½ million families at the bottom of the heap, unable to subsist without the aid of others. Here is the great mass at the bottom of society.

These facts cast a pall over our glowing prosperity. Here in America is the age-old paradox of poverty in the midst of plenty. And here, in these people, are the very resources that make a mighty nation—resources yet uncultivated and undeveloped.

Now, some simply refuse to acknowledge the mass at the bottom as reality. In their lives, everyone is well employed, well housed, and well fed. Some, born to educational and cultural opportunities, easily dismiss the matter by counting the ills of the poor as of their own devising. In truth, it may be as Fielding put it:

> The sufferings of the poor are indeed less observed than their misdeeds.

And some, despairing of magnitude and complexity, are content to say, "The poor ye have with you always."

But the facts are here. They are not meaningless and irrelevant figures and percentages. They reflect human need, human hunger, and human heartbreak. And I believe every Member of Congress has a duty to address himself and his talents to this problem.

We labor under a moral duty to do so. No one can walk through a slum, or smell the stench of poverty, or look into the eyes of the hopeless without sensing that duty. No one can heed the preachments of the selfish and the wealth-centered when he has seen those dull and lifeless faces. No one can take his ease amid the good life when he envisions that weary cycle of dependency—generation after generation born in poverty, reared in poverty, reproducing in poverty, and dying in poverty.

The mass at the bottom is without political structure, without the means of making their voices heard, and without economic persuasion. They stand virtually voiceless amid the competing clamor of sophisticated interests. While their need is greatest, they are the least effective. It is unto the least of these—our brethren—that we should minister.

Then, Mr. Speaker, I believe we have a political duty. This is a Nation based upon the concept that men are created free and equal. Yet, this formless mass is not free or equal. They are not free from the soul-crushing burden of poverty, nor equal to the great opportunities of the Republic.

Certainly, the existence and increase of the welfare class is far removed from the fond vision of our Founding Fathers. Thomas Jefferson wrote that in America "the poorest laborer stood on equal ground with the wealthiest millionaire." Most assuredly, were he with us, today's poverty would dampen his justifiable pride in the making of the Republic.

Further, the plight of the mass at the bottom raises an economic duty. These men and women pay little or no taxes, develop little of our national resources, and contribute little to our gross national product. Indeed, far from contributors, they are recipients.

The welfare class—those dependent upon others—is a burden on all of society, penalizing, in measure, the successful to care for the inadequate. Its increase augurs ill for the future. Indeed, some might draw striking parallels with those ignoble days of Rome, when the masses at the bottom grew to such magnitude that a great empire fell.

I turn now closer to home—to the South, where the unpleasant truth of poverty is even more discouraging.

Almost half the families in the Southern sector are poor—with annual incomes of less than $3,000. This is twice the percentage of poor families in the North Central section; three times that of the Northeast; and, four times that of the West.

In nine Southeastern States there are 818,000 families with incomes of less than $20 per week. These States, with 17 percent of the population, have one-third of the families living on less than $20 per week.

All of us can point accusatory fingers, make excuses, and find scapegoats. We might condemn ruinous tariff policies of past Republican administrations. We could indict the freight rate discrimination that existed for decades. We could look back to the despoilation of the old Confederacy, and the tyranny of Reconstruction. But accuse and justify though we may, the facts yet remain.

As there exists a gap between the South and the rest of the Nation, there is also a gap—within the South—between the material well-being of white and Negro southerners.

Almost three of every four Negro families are in the "poor" category—less than $3 000 per year—382,000 Negro families live on less than $20 per week, accounting for 20 percent of Negroes in Georgia, 25 percent in Alabama, 33 percent in South Carolina, and 37 percent in Mississippi.

The median income of the Negro in Georgia is $927 per year, while that of the white Georgian is $2,470.

Unemployment among Negroes in the Georgia work force stands at 6 percent, compared to 3.7 percent for whites.

Why is there this wide divergence between Negro and white southerners? Why, through the accident of birth, is the Negro child consigned by probabilities to so much lower estate than his white contemporary?

The race-conscious Negro will have ready response—two centuries of slavery and one century of segregation; systematic exclusion; institutionalized discrimination; deliberate suppression of ability and talent.

And the race-conscious white is not without answer. The Negro—he says—was born to a way of life, and will remain there. The Negro, lacking education, skill, or ambition—he says—merits no better lot in life.

I do not stand before the House today and attempt to assign fault, or to examine the historical or psychological claims of others. Nor do I propose some quick cure-all for our ills. I say, very simply, that the facts are undeniable, and it behooves reasonable men to take account of them.

Here, among the poverty-stricken of the South, white and Negro, is an abundance of human resources—undeveloped and unproductive.

A maxim of mathematics holds that minus a minus is a plus. The mass at the bottom is assuredly a minus. But has anyone calculated the plus to be achieved by reversing its fortunes?

Last year, 185,000 Georgians drew welfare or public assistance of some sort. If each of these were earning the median income of white Georgians, $2,470 per year, our State's economy would be increased by almost half a billion dollars. If each of the 65,000 unemployed Georgians earned that median income, Georgia's total income would increase $160 million. If the 360,000 Negroes in Georgia who have jobs earned the median income of white employed, Georgia's economy would increase half a billion dollars.

Obviously, those families living on $20 a week cannot pay for the goods and services enjoyed by the average wage-earner. But what if they could?

Consumer needs in the South sustain over 7½ million nonagricultural jobs, notwithstanding the startling percentage of poor and poverty-stricken. If we could develop these resources, our people's newly derived purchasing power would easily call for more than one-half million new jobs.

Here is the great untapped resource of our Southland. Here are thousands of families—never before able to supply their needs and wants. Here are thousands of families who contribute little, but receive much. If we but reversed that, we would eliminate $500 million in welfare payments in the South from the Federal budget alone, and add millions in new Federal tax revenues.

Why is the South poor? Because of the Negro's poverty? If this is true—and one of every three southerners is Negro—then the South will remain poor for so long as the Negro remains at the bottom of the heap.

We in the South can follow the old ways—seeking ever to exclude the Negro from economic, educational, and social progress. We do so at the cost of an ever increasing welfare class, mounting hostility between the races, and continued wasting of human and material wealth.

Or, we can take a new departure. We can see every southerner—white or Negro—as a worthwhile citizen who can contribute something of value to the growth and well-being of our section.

Where before we sought to exclude him, we must now seek ways of bringing the Negro into a better life. Where before, we have been content with personal charity and individual kindness to the Negro, we must now recognize the dramatic need for bettering the lot of all the poor—white and Negro.

We southerners should strike palms and join in the war against poverty. We have more to gain in success, and more to lose in failure, than any other section.

Here is a challenge worthy of the finest minds and most dedicated spirits. In meeting that challenge, we will, truly, minister unto the least of these, our brethren.

Mr. RUMSFELD. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. RUMSFELD. Mr. Speaker, I would like to compliment the gentleman from Georgia [Mr. WELTNER] on his contribution this evening. Certainly America's wealth is her people. In 1964 in all sections of this country we see evidence of our failure to assure to all Americans an opportunity to participate fully in our society. The words of the gentleman from Georgia obviously come from a depth of feeling, of understanding, and a compassion of his fellow man. His words are well chosen. I would like to suggest that, with men like the gentleman from Georgia speaking for his section of the country in the coming years, the future of the Negro in this Nation will most certainly be one of greater participation, as it should and must.

Mr. WELTNER. Mr. Speaker, I thank the gentleman.

SUMMARY OF NET BUDGET RECEIPTS AND EXPENDITURES (THE TRADITIONAL ADMINISTRATIVE BUDGET)—6 MONTHS OF FISCAL 1964 VERSUS 6 MONTHS OF FISCAL 1963, WITH COMPARISONS

Mr. CANNON. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and include a summary and certain tables for the month just passed.

The SPEAKER. Is there objection to the request of the gentleman from Missouri?

There was no objection.

Mr. CANNON. Mr. Speaker, in conformity with practice, I include for the information of Members a tabulation of budget receipts and expenditures in the first half—to December 31—of fiscal year 1964 with pertinent comparisons.

BUDGET RECEIPTS

In contrast to budget expenditures which tend to recur more evenly throughout the fiscal year, the normal pattern of budget receipts shows September, December, March, and June as peak months; and receipts in the first half—July to December—of the fiscal year are usually lower than in the January–June second half.

Budget revenues for fiscal 1964 are now officially estimated by the President in the new budget at $88,400,000,000, which if realized, would exceed actual fiscal 1963 revenues by $2,024,000,000. In the first 6 months of the fiscal year—a relatively low collection period—actual budget revenues amounted to $40,266,000,000—some $1,140,000,000 higher than the corresponding 6 months of last year.

BUDGET EXPENDITURES

Budget expenditures for fiscal 1964 are now officially estimated by the President in the new budget at $98,405,000,000 which, if held to, would represent an increase of $5,763,000,000 over the fiscal 1963 actual budget expenditure. It should be noted that the $98,405,000,000 includes a tentative estimate of $1,788,000,000 expenditure in 1964 from supplementals to this session—which, principally, are included in House Document No. 203.

On a straight monthly basis, it would mean an average of $8,200,000,000 per month, in contrast to which the expenditures in the first 6 months, July to December, averaged $8,138,000,000 which in turn compares with $7,881,000,000 in the corresponding 6 months last year; the national defense monthly average was $35,000,000 over a year ago and the monthly average for all other items—nondefense—was $223,000,000 higher.

As in all past budgets, the revised budget expenditure—disbursements—estimate of $98,405,000,000 for fiscal 1964 represents a composite of estimated disbursements in fiscal 1964, first, from unexpended balances of prior years appropriations; second, from permanent appropriations recurring automatically under prior law; and, third, from annual appropriations made currently, including amounts associated with supplemental authority requests recently submitted or to be submitted for fiscal 1964.

EXPENDITURES AND ALL OTHER PROGRAMS FOR DEFENSE, SPACE, AND INTEREST

Messages and statements associated with the original 1964 budget repeatedly emphasized that expenditure estimates and programs for fiscal 1964 were so planned that total proposed administrative budget expenditures for all programs other than national defense, space, and interest were slightly below the fiscal 1963 level—as then forecast—for such programs. But in the new budget just received from the President, updated estimates for fiscal 1964 show expenditures for such other purposes as being above, rather than below, corresponding fiscal 1963 actual spending—$28,007,000,000 now estimated for 1964 compared to $27,355,000,000 actual for 1963, up $652,000,000 from 1963.

And in the first 6 months, such other spending was up from the corresponding period of fiscal 1963 by $162,000,000.

SURPLUS OR DEFICIT

Whether the budget deficit for 1964 turns out to be the $10,005,000,000 currently foreseen in the President's message received last week, or some other amount, fiscal 1964 represents the 28th year of budget deficits in the last 34 years—with at least one more, probably two more, to follow. In summary, here are the official administrative budget deficit figures of the last 3 years:

	Administrative budget deficits	
	From July 1, 1961, to date	For 3 full fiscal years, 1962–64
Fiscal 1962 (from July 1, 1961)	$6,378,000,000	$6,378,000,000
Fiscal 1963	6,266,000,000	6,266,000,000
Fiscal 1964 (6 months to Dec. 31, 1963)	8,566,000,000	
Fiscal 1964 (current estimate in President's 1965 budget)		10,005,000,000
Total, as above	21,210,000,000	22,649,000,000

And in total, budget expenditures projected by the President in the new budget for the current fiscal year 1964 compare with certain earlier years as follows:

	Administrative budget spending, 1964 estimate		
	Over fiscal 1963	Over fiscal 1961	Over fiscal 1954
1964 current estimate for national defense over	+$2,542,000,000	+$7,803,000,000	+$8,311,000,000
1964 current estimate for other than national defense over	+3,221,000,000	+9,087,000,000	+22,557,000,000
Total, 1964 current estimate over	+5,763,000,000	+16,890,000,000	+30,868,000,000

THE PUBLIC DEBT

Mr. Speaker, after 6 months of budget operations in the current fiscal year 1964 the total public debt, both direct and guaranteed, stood at $310,088,641,784.17 and compares with certain earlier dates as shown in the following table:

	Federal public debt—Direct and guaranteed				
	Fiscal 1954	Fiscal 1961	Fiscal 1962	Fiscal 1963	Fiscal 1964 (at Dec. 31, 1963)
1. The debt at end of period (in billions)	$271.3	$289.2	$298.6	$306.5	$310.1
2. Amount per capita (in dollars)	1,670	1,575	1,600	1,619	1,626
3. Average for a family of 4 (in dollars)	6,680	6,300	6,400	6,476	6,504

In conclusion, Mr. Speaker, the following table elaborates the receipt and expenditure situation more fully:

Budget receipts and expenditures (the traditional administrative budget) 6 months of fiscal 1964 versus 6 months of fiscal 1963 and comparisons with full year estimates

[In millions of dollars]

	Actual for 6 months (to Dec. 31, 1963)			President's budget estimates (revised) for all of fiscal 1964 compared to actual results for all of fiscal 1963		
	Fiscal 1964 (6 months)	Fiscal 1963 (6 months)	1964 compared to 1963 (6 months)	Revised budget estimate, 1964 (January 1964)	Actual, 1963	1964 revised budget estimate compared to actual 1963
1. Budget receipts (net)	40, 266	39, 126	+1, 140	88, 400	86, 376	+2, 024
2. Budget expenditures (net):						
(a) National defense (per official budget classification)	26, 162	25, 953	+209	55, 297	52, 755	+2, 542
(b) Other than national defense	22, 670	21, 333	+1, 337	43, 108	39, 887	+3, 221
Total expenditures, net	48, 832	47, 286	+1, 546	98, 405	92, 642	+5, 763
3. Net deficit or change	−8, 566	−8, 160	+406	−10, 005	−6, 266	+3, 739
4. Average monthly expenditure—						
(a) National defense	4, 360	4, 326	+35	4, 608	4, 396	+212
(b) Other than national defense	3, 778	3, 555	+223	3, 592	3, 324	+268
Total monthly average	8, 138	7, 881	+258	8, 200	7, 720	+480
5. Dividing net budget expenditures on the basis emphasized in original budget for 1964—						
(a) National defense	26, 162	25, 953	+209	55, 297	52, 755	+2, 542
(b) Space	1, 857	1, 024	+833	4, 400	2, 552	+1, 848
(c) Interest	5, 278	4, 936	+342	10, 701	9, 980	+721
(d) All other expenditures	15, 535	15, 373	+162	28, 007	27, 355	+652
Total expenditures, net	48, 832	47, 286	+1, 546	98, 405	92, 642	+5, 763

Sources: Budget for 1965 and monthly Treasury statement for Dec. 31, 1963.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. WALLHAUSER (at the request of Mr. HALLECK), on account of official business.

Mr. SCHWEIKER (at the request of Mr. ARENDS), for Wednesday, January 29, on account of death in family.

Mr. DAVIS of Tennessee (at the request of Mr. FULTON of Tennessee), for balance of the week, on account of official business.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to Mr. REUSS (at the request of Mr. ALBERT), for 60 minutes, on Thursday, January 30, and to revise and extend his remarks and include extraneous matter.

EXTENSION OF REMARKS

By unanimous consent, permission to extend remarks in the CONGRESSIONAL RECORD, or to revise and extend remarks, was granted to:

Mr. DENT (at the request of Mr. SISK) the remarks he made in the Committee of the Whole today, and to include certain letters and other extraneous matter.

Mr. HOLIFIELD.

(The following Members (at the request of Mr. ALBERT) and to include extraneous matter:)

Mrs. KELLY.

Mr. HEALEY in two instances.

Mr. PATMAN and to include tables.

Mr. THOMPSON of Louisiana.

Mr. O'HARA of Michigan.

SENATE BILL REFERRED

A bill of the Senate of the following title was taken from the Speaker's table and, under the rule, referred as follows:

S. 745. An act to provide for adjustments in annuities under the Foreign Service retirement and disability system; to the Committee on Foreign Affairs.

ENROLLED BILL SIGNED

Mr. BURLESON, from the Committee on House Administration, reported that that committee had examined and found truly enrolled a bill of the House of the following title, which was thereupon signed by the Speaker:

H.R. 5377. An act to amend the Civil Service Retirement Act in order to correct an inequity in the application of such act to the Architect of the Capitol and the employees of the Architect of the Capitol, and for other purposes.

SENATE ENROLLED BILL SIGNED

The SPEAKER announced his signature to an enrolled bill of the Senate of the following title:

S. 1309. An act to amend the Small Business Act, and for other purposes.

ADJOURNMENT

Mr. WELTNER. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 5 o'clock and 6 minutes p.m.) the House adjourned until tomorrow, Wednesday, January 29, 1964, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

1591. Under clause 2 of rule XXIV, a letter from the Acting Administrator, Foreign Agricultural Service, U.S. Department of Agriculture, transmitting a report on title I, Public Law 480 agreements concluded during December 1963, pursuant to Public Law 85–128, was taken from the Speaker's table and referred to the Committee on Agriculture.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mrs. KELLY: Committee on Foreign Affairs. Report on United Nations in crisis pursuant to House Resolution 55 (88th Cong.) (Rept. No. 1103). Referred to the Committee of the Whole House on the State of the Union.

PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. RAINS (by request):

H.R. 9769. A bill to vest the Federal National Mortgage Association with fiduciary powers to facilitate the financing of its own and other mortgages, to provide for sales of and investments in beneficial interests or participations in such mortgages, and for other purposes; to the Committee on Banking and Currency.

By Mr. COLLIER:

H.R. 9770. A bill to amend the Tariff Act of 1930 to provide that certain coprecipitates of major milk proteins shall be admitted free of duty; to the Committee on Ways and Means.

By Mr. WIDNALL:

H.R. 9771. A bill to authorize a new form of low-rent housing utilizing private accommodations, to provide more adequate compensation for persons whose property is taken under certain federally assisted programs, to provide improvements in the urban renewal program with emphasis on rehabilitation, and for other purposes; to the Committee on Banking and Currency.

By Mrs. DWYER:

H.R. 9772. A bill to authorize a new form of low-rent housing utilizing private accommodations, to provide more adequate compensation for persons whose property is taken under certain federally assisted programs, to provide improvements in the urban renewal program with emphasis on rehabilitation, and for other purposes; to the Committee on Banking and Currency.

By Mr. HARVEY of Indiana:

H.R. 9773. A bill to provide for the medical and hospital care of the aged through a system of voluntary health insurance, and for other purposes; to the Committee on Ways and Means.

By Mr. HORTON:

H.R. 9774. A bill to terminate the Columbia Plaza urban renewal project area and plan, to restore certain property in the District of Columbia to the former owners thereof, and for other purposes; to the Committee on the District of Columbia.

By Mr. HUTCHINSON:

H.R. 9775. A bill to provide for the medical and hospital care of the aged through a system of voluntary health insurance, and for other purposes; to the Committee on Ways and Means.

By Mr. LEGGETT:

H.R. 9776. A bill to authorize a 3-year program of grants for construction of veterinary medical education facilities, and for other purposes; to the Committee on Interstate and Foreign Commerce.

H.R. 9777. A bill authorizing the Chief of Engineers, Department of the Army, to expend certain appropriated funds to maintain harbors and waterways at depths required for defense purposes; to the Committee on Public Works.

H.R. 9778. A bill authorizing construction of the Lakeport Dam and Reservoir and channel improvements on Scotts Creek, Cache Creek Basin, Calif., in the interest of flood control and allied purposes; to the Committee on Public Works.

By Mr. FARBSTEIN:

H.R. 9779. A bill to amend further the Peace Corps Act (75 Stat. 612), as amended; to the Committee on Foreign Affairs.

By Mr. PURCELL:

H.R. 9780. A bill to provide a voluntary marketing certificate program for the 1964 and 1965 crops of wheat; to the Committee on Agriculture.

By Mr. SKUBITZ:

H.R. 9781. A bill to provide for the issuance of a special postage stamp honoring Maj. Gen. Frederick Funston; to the Committee on Post Office and Civil Service.

By Mr. CURTIN:

H.R. 9782. A bill to provide for the medical and hospital care of the aged through a system of voluntary health insurance and tax credits, and for other purposes; to the Committee on Ways and Means.

By Mr. HALPERN:

H.R. 9783. A bill to incorporate the Jewish War Veterans of the United States of America; to the Committee on the Judiciary.

By Mr. BENNETT of Michigan:

H.R. 9784. A bill to authorize the Secretary of the Interior to make payments to reestablish the purchasing power of American fishermen suffering temporary economic dislocation; to the Committee on Merchant Marine and Fisheries.

By Mr. McDADE:

H.R. 9785. A bill to authorize a new form of low-rent housing utilizing private accommodations, to provide more adequate compensation for persons whose property is taken under certain federally assisted programs, to provide improvements in the urban renewal program with emphasis on rehabilitation, and for other purposes; to the Committee on Banking and Currency.

By Mr. SAYLOR:

H.R. 9786. A bill to amend title 38, United States Code, to permit, for 1 year, the granting of national service life insurance to certain veterans heretofore eligible for such insurance; to the Committee on Veterans' Affairs.

By Mr. CAHILL:

H.R. 9787. A bill to amend the Tariff Act of 1930 to provide that imported electron microscopes shall be subject to the regular customs duty regardless of the nature of the institution or organization importing them; to the Committee on Ways and Means.

By Mr. ABBITT:

H.J. Res. 904. Joint resolution to authorize and direct the Secretary of Agriculture to conduct research into the quality and health factors of cigarette tobacco; to the Committee on Agriculture.

By Mr. SILER:

H.J. Res. 905. Joint resolution requiring the Secretary of Agriculture to expand current research into the quality and health factors of tobacco; to the Committee on Agriculture.

By Mr. SNYDER:

H.J. Res. 906. Joint resolution requiring the Secretary of Agriculture to expand current research into the quality and health factors of tobacco; to the Committee on Agriculture.

By Mr. UTT:

H.J. Res. 907. Joint resolution requiring military personnel of the United States to comply with the Constitution of the United States before accepting United Nations medals and service ribbons; to the Committee on Armed Services.

MEMORIALS

Under clause 4 of rule XXII, memorials were presented and referred as follows:

By Mr. TUPPER: Joint resolution of the Maine State Senate and House of Representatives ratifying the proposed amendment to the Constitution of the United States relating to the qualification of electors; to the Committee on the Judiciary.

Also, joint resolution of the Maine State Senate and House of Representatives, memorializing Maine congressional delegation to oppose new stringent requirements in public assistance cases; to the Committee on Ways and Means.

Also, joint resolution of the Maine State Senate and House of Representatives, memorializing the Honorable Stewart L. Udall, Secretary of the Interior, to remove or to liberalize the restrictions on residual fuel oil imports; to the Committee on Ways and Means.

By Mr. RYAN of New York: Memorial of the Legislature of the State of New York, memorializing the Secretary of State of the United States to lodge a protest with the Government of Soviet Russia, in relation to such Government's campaign of anti-Semitic and antireligious terror; to the Committee on Foreign Affairs.

By the SPEAKER: Memorial of the Legislature of the State of South Dakota, memorializing the President and the Congress of the United States relative to ratification of a proposed amendment to the Constitution of the United States of America relating to the qualification of electors; to the Committee on the Judiciary.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. CUNNINGHAM:

H.R. 9788. A bill for the relief of M. Sgt. Richard G. Smith, U.S. Air Force, retired; to the Committee on the Judiciary.

By Mr. LANKFORD:

H.R. 9789. A bill for the relief of Muhammad Sarwar; to the Committee on the Judiciary.

By Mr. MORRISON:

H.R. 9790. A bill for the relief of Bainbridge Brothers, Inc.; to the Committee on the Judiciary.

PETITIONS, ETC.

Under clause 1 of rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

667. By the SPEAKER: Petition of Henry Stoner, Avon Park, Fla., relative to the 24th amendment to the Constitution of the United States, relating to the poll tax; to the Committee on the Judiciary.

668. Also, petition of Henry Stoner, Avon Park, Fla., requesting a requirement in the Rules of the House of Representatives pertaining to the election of chairmen of the standing committees of the House of Representatives; to the Committee on Rules.

SENATE

TUESDAY, JANUARY 28, 1964

The Senate met at 12 o'clock meridian, and was called to order by Hon. JACOB K. JAVITS, a Senator from the State of New York.

The Chaplain, Rev. Frederick Brown Harris, D.D., offered the following prayer:

O Thou Seeking Shepherd of our souls, who leadest us beside still waters and in green pastures: Unto the hills of Thy strength and glory, we lift the expectant eyes of our faith, for from Thee cometh our help.

Even as with bending backs we toil in the valley, we are grateful that the light of heaven falls upon our daily tasks and that in the beauty of common things we may partake of the holy sacrament of Thy presence.

Give us a sobering realization that our individual attitudes go to make the national and international climate of these dangerous days in which we live. By the warmth of our own spirit may we contribute to the final dispelling of the atmosphere of skepticism and suspicion in which grow only the rank weeds of hatred, so often rooted in ignorance.

Make us willing partners in the garden of good will, cultivating the flowers of appreciation and understanding which will at last climb over all dividing walls and make the fields of all nations blossom as the rose.

We ask it in the Redeemer's name. Amen.

DESIGNATION OF ACTING PRESIDENT PRO TEMPORE

The legislative clerk read the following letter:

U.S. SENATE,
PRESIDENT PRO TEMPORE,
Washington, D.C., January 28, 1964.

To the Senate:

Being temporarily absent from the Senate, I appoint Hon. JACOB K. JAVITS, a Senator from the State of New York, to perform the duties of the Chair during my absence.

CARL HAYDEN,
President pro tempore.

Mr. JAVITS thereupon took the chair as Acting President pro tempore.

THE JOURNAL

On request of Mr. MANSFIELD, and by unanimous consent, the reading of the Journal of the proceedings of Monday, January 27, 1964, was dispensed with.

COMMITTEE MEETINGS DURING SENATE SESSION

On request of Mr. MANSFIELD, and by unanimous consent, the Committee on

Rules and Administration and the Committee on Agriculture and Forestry were authorized to meet during the session of the Senate today.

EXECUTIVE REPORTS OF A COMMITTEE

As in executive session,

The following favorable reports of nominations were submitted:

By Mr. MANSFIELD, from the Committee on Foreign Relations:

Andrew V. Corry, of Montana, a Foreign Service officer of class 1, to be Ambassador Extraordinary and Plenipotentiary to Sierra Leone; and

Maj. Gen. Fred M. Dean, U.S. Air Force, of Florida, to be an Assistant Director, U.S. Arms Control and Disarmament Agency.

EXECUTIVE SESSION

Mr. MANSFIELD. Mr. President, I move that the Senate proceed to the consideration of executive business, to consider two nominations which have been reported from the Committee on Foreign Relations; and I ask unanimous consent for their immediate consideration.

The motion was agreed to; and the Senate proceeded to the consideration of executive business.

The ACTING PRESIDENT pro tempore. Without objection, the Senate will proceed to consider the nominations, which will be stated.

DEPARTMENT OF STATE

The Chief Clerk read the nomination of Andrew V. Corry, of Montana, a Foreign Service officer of class 1, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to Sierra Leone.

Mr. MANSFIELD. Mr. President, on behalf of my distinguished colleague the junior Senator from Montana [Mr. METCALF] and myself, I express our personal appreciation of the President's nomination of Andrew Vincent Corry, of Montana, to be U.S. Ambassador to Sierra Leone. I am also grateful to the Foreign Relations Committee for unanimously ordering the nomination reported to the Senate today, and am pleased that the nomination is now before the Senate for its consideration.

Mrs. Mansfield and I have known Andrew Corry for more years than can be readily or easily recalled; he has great integrity and great patriotism, and undoubtedly will be an asset to our country when he serves as U.S. Ambassador to Sierra Leone, if the Senate confirms his nomination.

The ACTING PRESIDENT pro tempore. The question is, Will the Senate advise and consent to this nomination?

The nomination was confirmed.

U.S. ARMS CONTROL AND DISARMAMENT AGENCY

The Chief Clerk read the nomination of Maj. Gen. Fred M. Dean, U.S. Air Force, of Florida, to be an Assistant Director, U.S. Arms Control and Disarmament Agency.

The ACTING PRESIDENT pro tempore. Without objection, the nomination is confirmed.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the President be immediately notified of the confirmation of these nominations.

The ACTING PRESIDENT pro tempore. Without objection, the President will be notified forthwith.

LEGISLATIVE SESSION

On motion of Mr. MANSFIELD, the Senate resumed the consideration of legislative business.

TRANSACTION OF ROUTINE BUSINESS—REQUESTED TIME LIMITATION

Mr. MANSFIELD. Mr. President, I ask unanimous consent that during the morning hour, statements be limited to 3 minutes.

The ACTING PRESIDENT pro tempore. Without objection——

Mr. DIRKSEN. Mr. President, I am constrained to object to the request for a 3-minute limitation on speeches in the morning hour.

Mr. MANSFIELD. Then, Mr. President, we are back where we were before the request was made.

APPLICATION OF THE GERMANENESS RULE

Mr. MANSFIELD. Mr. President, under the rule of germaneness of debate, adopted by the Senate last Thursday, we feel that, in order to avoid conflicts and inconsistencies in the interpretation of the rule, the term "pending business" should be interpreted to mean any business which the Senate has proceeded to consider, either by motion or by unanimous consent, exclusive of morning hour business under rule VII.

Mr. DIRKSEN. Mr. President, a parliamentary inquiry.

The ACTING PRESIDENT pro tempore. The Senator from Illinois will state it.

Mr. DIRKSEN. Let me ask, through the Acting President pro tempore or through the Parliamentarian, whether this is an interpretation which was made on the basis of experience under the rules?

The ACTING PRESIDENT pro tempore. The Chair is advised that this is the interpretation of the rule which the Parliamentarian considers to be the proper one, and is the interpretation which is desired; but, of course, the will of the Senate will determine all questions.

Mr. DIRKSEN. Yes; and the decision of the Chair is always subject to appeal, of course.

The ACTING PRESIDENT pro tempore. Certainly.

Mr. DIRKSEN. It will always be subject to appeal if at any time there is any other ruling with respect to an interpretation of the rule.

The ACTING PRESIDENT pro tempore. Upon the advice of the Parliamentarian, the Chair will so rule—subject always, of course, to appeal by any Member of the Senate, if a Senator so desires.

Mr. DIRKSEN. Of course.

Mr. MANSFIELD. Mr. President, I suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The Chief Clerk proceeded to call the roll.

Mr. JAVITS. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. RIBICOFF in the chair). Without objection, it is so ordered.

MEDICAL CARE FOR THE AGING

Mr. JAVITS. I wish to call the attention of the Senate to the lead editorial published this morning in the Washington Post. The editorial is entitled "Security in Old Age," and in it attention is called, in a very proper and helpful way, to the program of medical care for the aging which was introduced by me, with the cosponsorship of a number of other Senators. Testimony was taken on this bill (S. 2431) before the Ways and Means Committee of the other body. To some extent, the program is characterized in the editorial by this comment: "This strikes us as a most constructive idea."

Mr. President, indeed it is; and I hope very much that all Senators will read the editorial and will very carefully consider the bill, so that this program may again become a bipartisan one with the same impact and support that the Senator from New Mexico [Mr. ANDERSON] and I were able to muster for our bill in 1962. I think it is time for action on the bill. It is a safe prediction that if we obtain such a bipartisan coalition for this program, the bill will be passed by the Senate. What will happen in the other body, no one can foretell; but I predict that the bill will be passed by the Senate if we obtain bipartisan backing.

Mr. President, in order to help Senators in their study of the bill, I ask unanimous consent to have both the editorial and a brief summary of the bill, as introduced, printed in the RECORD.

There being no objection, the editorial and the summary were ordered to be printed in the RECORD, as follows:

SECURITY IN OLD AGE

In his message to Congress on the state of the Union, President Johnson renewed the demand for a program of hospital insurance, financed by joint employer-employee social security payments, to protect every American in old age in a dignified manner, without cost to the Treasury, against the devastating hardship of prolonged or repeated illness. The President's words, together with a revival of interest in the subject on Capitol Hill, have created new hope that Congress may, at last—if action can be completed on the tax bill and on civil rights—get to work on health care for the elderly.

The administration's health program is now commonly called medicare. The term is a complete misnomer. The King-Anderson bill supported by the administration provides for hospital care and nursing-home care, together with some medical care for the elderly patient while in those institutions.

But generally speaking, medical care is just what it fails to provide. And this failure, as we have observed before, is its great defect. Physicians' bills and surgeons' bills are all too likely to present crushing burdens in old age.

To cure this defect, a half dozen progressive Republicans came forward in the Senate last week with a proposal to link a private insurance program for defraying medical expenses with the social security program for financing hospital costs. The program is the recommendation of a distinguished National Committee on Health Care of the Aged headed by former HEW Secretary Arthur S. Flemming. Senators JAVITS, CASE, COOPER, KEATING, KUCHEL, and SMITH are sponsoring the new bill. Mr. Flemming, in testimony the other day before the House Ways and Means Committee, described the dual public-private program in these words:

"The plan for the public sector should be limited to covering the cost of hospitalization and skilled nursing-home care under an insurance plan self-financed by a separately designated payroll tax. In the private sector the Federal Government should take action which would permit insurance organizations to join together in concerted efforts to provide low-cost protection on a mass-enrollment basis against the cost, for example, of the services of physicians and drugs."

This strikes us as a most constructive idea. It avoids the drastic increase in payroll taxes which would be necessary to finance both kinds of coverage under social security. And it should allay the anxieties of the American Medical Association by making it unnecessary, as Mr. Flemming remarked, "for the Government to deal with any questions involving professional fees and * * * would place the plan at a desirable distance from the patient-physician relationship and from the dangers of, and resistance to, intrusions into areas of delicate personal affairs."

What a pity it is that this proposal appears to have encountered only obdurate frigidity among the Republicans on the Ways and Means Committee. "This is social security plus," said Representative JOHN W. BYRNES, senior Republican on the committee. "I don't think it will change a vote on our side." Unhappily, there is no real hope for health care for the aged without some Republican support in the House.

The health-care problem is so complex and so costly that it can be met, we believe, only by a multifaceted program. The existing Kerr-Mills law is needed to give the States the means of making provision for the health care of medically indigent persons who are not eligible for public assistance. The administration's King-Anderson program is needed to provide institutional care. The new Republican program is needed to provide indispensably complementary medical care. And, in addition to these, programs are needed to increase the numbers of doctors and nurses available.

Care for those who have earned retirement and have come to live in the twilight of life is a measure of any society's civilization. Insurance paid for by deductions from earnings during the productive years of life is the best and most equitable means to guarantee good health care with dignity and independence in old age.

RE SUMMARY OF S. 2431, HEALTH CARE INSURANCE ACT OF 1964

This is a comprehensive public-private program of health care for the elderly providing insurance for medical and surgical care as well as institutional care which is based on the total health care needs of older citizens. Cosponsors of the bill are Senators CASE, COOPER, KEATING, KUCHEL, and MARGARET CHASE SMITH.

I. The bill provides institutional care in the same way the King-Anderson bill does except that its benefits are 45 days of hospital care and up to 180 days of skilled nursing facility care or 240 days of home care—without option or deductible. It also provides greater flexibility in choice of administration than S. 880, but is financed in the same way by a ¼ percent increase each for employer-employee in the social security tax. Each person 65 years of age or over is eligible, including those not covered by social security.

II. The key aspect of the bill is the complementary private insurance program for physicians health care, surgical care and other noninstitutional care provided in a national standard policy to be developed on a nonprofit, tax-free basis on the 65 plus model now in effect in New York, Connecticut, Massachusetts, and Texas. Under the bill, this policy would be offered for sale by a nationwide federally-chartered association made up of private insurers and group service agencies given exemption from antitrust laws in order to provide for concerted mass enrollment and pooling of risks. All over 65 would be eligible to buy this "standard" policy, and it is estimated that a very substantial benefit package can be made available of about $2 a week. "Alternative policies" of equal value would also be available for regional variations in benefits. This premium cost is within the means of 80 percent of the aged group.

This bill embodies the recommendations of the 12-member National Committee on Health Care for the Aged, and is the most advanced and comprehensive program to be placed before the Congress.

FRENCH RECOGNITION OF COMMUNIST CHINA

Mr. JAVITS. Mr. President, at this time I wish to speak briefly in regard to the recognition of Communist China by President de Gaulle, of France.

For myself, I should like to support the attitude of our State Department. I consider it most unwise and unfortunate that France has recognized the Communist regime in Peiping, thereby encouraging, in my view, its defiance of the rule of law and order in the world and hindering, rather than promoting, efforts to maintain peace and friendship among peoples. I believe our whole country will deprecate this action by France, which is out of step with the convictions and the point of view of most free men.

The Communist China regime has offended the whole world by its aggression in Korea, its continuing disturbance of the peace in all of south Asia and southeast Asia, its aggression against India, and its swallowing of Tibet. These are sufficiently serious; but I believe that the action of Communist China which antagonized the people of the free world more than any other—serious as are the other actions of Communist China to which I have just now referred—are the following:

First, the venomous Chinese-Communist reaction to the assassination of President Kennedy. Communist China was practically the only nation in the world, Communist or non-Communist, that had the temerity, as an organized regime, to derive some devilish satisfaction from that terrible disaster to mankind.

Second, the calculated inculcation of hatred of the United States by both the government and the people of Communist China.

Mr. President, this is unforgivable in the present state of human affairs, when the means by which one people can vent its hatred upon another becomes more and more dangerous to the survival of mankind as the decades pass by.

Under the circumstances, to preach the doctrine of hatred—inculcated with every means of propaganda—to six or seven hundred million Chinese against another people is one of the most dastardly acts which any organized government can perform.

Therefore, it can be understood why we deprecate what has been done. I do not believe it will be to the profit of France. Great Britain tried the same role of peacemaker in 1950 when the Communist Chinese were not ready for it—and they certainly clearly indicate they are not ready for it now—and Great Britain got nothing but a "kick in the pants" for her pains.

It seems to me that all General de Gaulle has done is further to complicate our task in the United Nations, regarding south and southeast Asia. He has given encouragement to the Communist Chinese regime. He has encouraged other nations which might be flirting with the idea of recognition, and he has encouraged those who believe that this time Communist China might get into the United Nations on the concept of the two-China policy. In my opinion, it will not work that way. I believe that all freemen will know what to do, and will vote to keep Communist China out of the United Nations. So our task has been greatly complicated.

I rise to speak today only because I wish to endorse very strongly the official position, or what seems to be the official position, of our Government, taken by Roger Hilsman, Assistant Secretary of State, in a speech in San Francisco on this subject. Whatever may be the juridical implications of recognition of Communist China, whatever may be the universality of the concept in theory of those who seek admission of Communist China to the United Nations, the fact is that, by its defiance of both law and morality among mankind, the Communist Chinese regime has adopted a posture throughout the world of such defiance of its established morality that to admit it under these circumstances would only be to aid and condone this very defiance, to assure its continuance, and to make for even more mischief and trouble in the world than Communist China has already made.

We are a living people, as are the Chinese people, and there may be opportunities in the future for us to confer even without recognition. No door is shut to good faith or honesty of performance on the part of Communist China which will indicate that she has some desire to become a member of the human race, instead of being completely against it.

So I can only hope, as some possible comfort, that future developments may succeed in bringing to the people of China some sense of the irresponsibility and danger inherent in the present course of the Peiping regime.

I do not believe there will be any change in U.S. policy because of the French action, which is so much out of accord with the free world's judgment, nor do I believe it will open the door of the United Nations to Communist China; but I hope it will be an object lesson to the world to maintain eternal vigilance and determination and be prepared for the sacrifice which will be necessary if we are to keep our freedom.

I trust that our Government will make it unequivocally clear that we intend, with every resource at our disposal, to maintain freedom in south and southeast Asia, and that this is not a signal that the free world is caving in with respect to Communist China. I believe we shall have enough allies in that endeavor to nullify the adverse effect upon the free world of this French action.

I look at it more in sorrow than in anger, but it is our duty to point out its grave dangers; and the United States must guard itself against those dangers by enunciating again and unequivocally our strong policy: That the embargo on Communist China commercially continues; that we thoroughly disapprove and are against her defiance of the United Nations in respect to the Korean truce; that we disapprove of the inculcation of hatred for the American people by the Chinese people; that we are determined to serve the cause of freedom with every resource at our command—in India, in Thailand, in South Vietnam, and in other areas to which we are committed in south and southeast Asia; that we are determined to maintain the Southeast Asia Treaty Organization and our alliances there; and that we intend to encourage and give help and strength to Japan, and to other countries, so that the policies of the free world may be maintained.

The door is not shut irretrievably and irrevocably against Communist China. She can earn her way back into proper association with the human race. We hope for the day when she will.

Mr. President, I ask unanimous consent to have printed in the RECORD an editorial published in today's New York Herald Tribune entitled, "De Gaulle in the China Shop."

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

DE GAULLE IN THE CHINA SHOP

President de Gaulle has a number of familiar arguments for recognizing Red China. Economics plays a part; De Gaulle's French critics have charged that it plays too great a part—that he is sacrificing ideals, and the loyalty owed to allies, to a commercial treaty with Peiping. But there can be little doubt that the French President's great preoccupation was France; his concept of France as a power playing a great role in world affairs.

In Europe, the role of France under De Gaulle has been largely negative, concerned with checking the influence of Britain and the United States. De Gaulle has positive ideas for Europe, but he has met with much skepticism in putting them into effect.

In Africa, again, De Gaulle's principal task has been to disengage France from her colonial headaches. He has done much to keep the former French colonies in working order, but the intrinsic weakness and confusion of many of these new states, like others in Africa, has prevented any distinctively French pattern from affecting events on the troubled continent.

That leaves Asia, particularly southeast Asia, where France once had an influential voice. De Gaulle hopes to regain that voice—not by turning the clock back, but by turning it, as he sees it, ahead. That is, De Gaulle hopes for a neutralized southeast Asia in which France will hold the balance between the two great contestants, the United States and Communist China.

It is in this context that French recognition of Peiping must be viewed. Unfortunately, the idea of a third force, operating for peace in southeast Asia, is one that has been tried before, with poor results. The British sought, through a very early recognition of Red China, to achieve something of the kind. The illusion vanished on the bare hills of Korea, in the jungles of Malaya and among the shouting mobs of Jakarta. India also tried to vouch for Red China's admissibility into polite society, and was heartily kicked for its pains.

There is no reason to believe that France, hampered by an unhappy history in Asia, will succeed where others failed. But a French mission in Peiping will accomplish a number of things which no one in the West can view with any degree of comfort.

In the first place, France has already succeeded in putting the "two China" theory into practice. That is, Peiping has accepted the French plan of doing business with both Mao and Chiang as representing lawful governments. To many nations—and to some Americans—this is a way out of a painful dilemma. It accepts the reality of Red China without wholly abandoning the regime on Taiwan. A number of states are likely to follow France in this course (if it works) and it may prove to be the basis for a new move to seat Red China in the U.N.

But France's "two China" solution may have some more immediate, practical and tragic effects. The lure of neutralism in southeast Asia, driven as it is by Chinese-sponsored civil war, may weaken the opposition to communism.

Nor is it only in Asia that the French have given a lift to the wrong side In Africa, in South America, wherever a potential or actual revolutionary situation exists, the most violent draw inspiration and help from Red China. France's countenance to this source of rebellion may yet plague France itself.

President de Gaulle has been described as a realist. In much he has proved to be just that. But his Asian policy is a kind of "Realpolitik" that can have painful consequences for France's true friends and for France.

Mr. MANSFIELD. Mr. President, I listened with interest to the comments of the distinguished Senator from New York [Mr. JAVITS] on the action taken by President Charles de Gaulle of France in extending recognition to Communist China.

Like the Senator from New York, I am extremely disappointed at this action because I believe it bodes no good, at least in the immediate future, so far as our position in the Far East is concerned.

I invite the attention of the Senate to the fact that over 10 years ago Great Britain extended recognition to Peiping, and to this moment Peiping has refused to receive an ambassador from that country.

I also invite attention to the fact—which the Senator from New York has enunciated—that this recognition means, in effect, recognition of two Chinas. To the best of my knowledge, the French intend to maintain an embassy in Taipei and they hope to dispatch an ambassador to Peiping.

What the results will be in Peiping, of course, no one can foretell at this time, because Peiping has made it plain that it would never recognize a two-China situation. It is a situation which I believe has grave difficulties in store for this Nation.

I have not found fault with General de Gaulle, nor do I intend to find fault with him now, because I believe he is doing what he believes is best in the interests of France. I believe, in effect, he is trying to bring about a revival of the glory and the glamour which was once possessed by his country, but that was achieved in a different world than now exists. In my opinion, French recognition of Communist China is bound to weaken the position of the United States in Asia, most especially in southeast Asia. It will make carrying out the local war against the Vietcong in South Vietnam that much more difficult.

I believe it will weaken the positions of the countries in southeast Asia. I am fully in accord with the position taken by our Government, which has expressed its disapproval of the action of President de Gaulle because of the difficult, delicate, and dangerous situation which has been created. I take this opportunity to join the distinguished Senator from New York and to express my personal feelings on the subject—a subject over which, of course, we have no control, a subject which lies fully within the purview of President de Gaulle's responsibility, a responsibility which he has exercised, but a responsibility which I believe bodes no good for the welfare of the West in the Far East.

Mr. JAVITS. Mr. President, will the Senator yield?

Mr. MANSFIELD. I yield.

Mr. JAVITS. First, I am deeply gratified by the Senator's rising at this particular point to speak. He could have chosen any time he pleased. I appreciate very much being associated with him on this subject.

It is most important that we on our side and the Senator from Montana, who is such a distinguished leader on his own side—the majority leader of the Senate—should give some sense of feeling to the world that, first, we support our Government and that we are more determined than ever to uphold the morality and justice of the policy that we are pursuing.

Second, I believe it must be made manifest to the world that we are not unreasonable, blind, or digging our heads into the sand. We understand that there is no such word as "forever" in any lexicon. But, as the Senator has properly said, at the present time we believe that President de Gaulle's policy is most inimical to free men everywhere. The expression of that feeling in so august a body as the Senate, gives heart and strength to those who would carry on with the more difficult policy by far which we have been pursuing and which so many nations in the free world have been following with respect to Communist China.

Mr. MANSFIELD. Mr. President, the Senator has expressed the point extremely well. I believe it is important that we express our feelings, because we do have an interest. It may be indirect, but I believe it is both indirect and direct. It creates a situation which may well come back to cause difficulty for us in the future, if not in the immediate future. Of course, it raises the question of what will happen when the next assembly of the United Nations meets, based upon the attitude not only of France but also the states which were formerly associated with the French Republic. That is a question which we shall have to face at that time.

Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the order for the quorum call may be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

ORDER OF BUSINESS

The PRESIDING OFFICER. Petitions and memorials are in order. If there are no petitions or memorials, reports of standing and select committees are in order.

The introduction of bills and joint resolutions is in order.

The introduction of concurrent and other resolutions is in order.

Morning business is closed.

Mr. BARTLETT and Mr. CLARK addressed the Chair.

The PRESIDING OFFICER. The Chair recognizes the Senator from Alaska.

FISH IN FOOD FOR PEACE

Mr. BARTLETT. Mr. President, in today's Wall Street Journal there is an excellent and comprehensive report by Joe Western on the critical problems facing American fishermen and the fishing industry. The story focuses on the recent amendment to the foreign aid bill which adds fish products to our food for peace program. However, the report is much broader based and points out not only how the recent amendment can be of benefit to the American fishermen and the American fishing industry but also describes the problems presented by the rapidly increasing fishery imports and our grossly inadequate fishing fleet. I know this article will be closely read by all Senators who recognize the importance and critical dangers facing our American fisheries. I ask unanimous consent that the article be printed at this point in my remarks.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

Now, a Fish Surplus—New Aid Bill Gives United States Power To Buy Extra Tuna, Salmon, Sardines—Purchases of Canned Stocks Could Lift Anglers' Prices, Help Feed Hungry Nations—Cheap Imports Swell Supplies

(By Joe Western)

WASHINGTON.—Government price supporters, longtime friends to the Nation's farmers, may be about to extend a hand to commercial fishermen as well.

For it seems that, in a fashion familiar on the farm, a surplus of fish has been piling up, overhanging markets and depressing prices. So, also in the agricultural tradition, Government men are considering lifting off at least some of this load and dispatching it to hungry foreigners.

This operation in seafood, it is true, would not go nearly as far as some Government dealings in farm goods. There would be no automatic, open-end commitment to take over surpluses and stockpile them to multimillion-dollar heights.

But the fishermen would be let in on some of the benefits of a major law that has aided agriculture for a decade: The surplus disposal, or food for peace, statute called Public Law 480. A little-noticed amendment to the recently enacted foreign aid bill permits the change; it is supposed to help dollar-short, meat-short nations abroad, as well as American fishermen. By a bit of irony, the fish surplus that may thus be shipped abroad is the indirect result of foreign fishing, for imported seafood has lately been flooding into the United States at a rising rate.

If, as seems likely, the White House decides to use the new legal power, the Government would buy up the excess sea harvest in canned form. Then it would be resold to needy foreigners under long-term, low-interest dollar credits; the buyers would pay in installments over as long as 20 years. (As a more distant possibility, economically shaky lands could pay instead in their own "soft" currencies, for which the United States has little use; the amended aid law provides for that easy payment, too.)

REQUEST FROM INDIA, ETHIOPIA

Already India and Ethiopia have asked for some seafood on these terms. What is needed next is a formal proclamation by Interior Secretary Udall, whose domain includes the Bureau of Commercial Fisheries, that various species of fish are surplus to current domestic needs, reasonable food reserves and expected commercial exports for cash dollars.

Mr. Udall is telling associates he is ready and eager to issue such a decree; his advisers have reported that $50 million worth of surplus pink salmon, sardines, tuna and mackerel are currently piled up in private inventories, weighing down prices. Assuming necessary funds can be squeezed out of newly tightened budgets, actual purchasing could then begin.

"It would be a real shot in the arm for our commercial fishing industry," declares F. P. Longeway, general manager of the National Fisheries Institute, whose members include fishing vessel owners, fish canners and processors. And that's just the way things were planned. The Institute lobbied hard for the amendment, and it was piloted through Congress by Alaska's champion of the fishermen, Democratic Senator BARTLETT.

Though the purchase money would be pumped mostly into middlemen's hands, it's figured the cash transfusion would certainly have the effect of lifting prices received by fishermen, and perhaps retail prices as well. Fishermen got an average of 7.28 cents a pound for all fish in 1962, latest year tallied, up from 6.98 cents in the previous year but well below the record 8.23 cents of 1950.

VOLUME DOWN, COSTS UP

A purchase as big as $50 million would mean a lot to the industry; the entire 1963 catch was worth about $380 million to the U.S. fishing fleet, down a bit from 1962's record of $386 million and little better than the $370 million of a decade ago. Moreover, average operating costs have climbed 16 percent during the past 10 years.

There's little question that this country's fish surpluses are actually an indirect product of foreign angling. While total U.S. fish catches have lately been smashing no records, imports have been pouring in from more than 50 countries; the Nation's seafood supply apparently has swelled faster than American consumers' appetites for fish.

Last year the influx, especially large from Japan, Canada, and Mexico, made up around 55 percent of this country's total 1963 fish supply of about 10.2 billion pounds, up from 47 percent of the 9.9-billion-pound supply in the previous year and from only 37 percent of 1953's total of 7 billion pounds. The foreigners generally can sell cheap because of government ownership or heavy subsidizing of commercial fishing, along with operating costs generally lower than those of U.S. fishermen.

An added prospect for combining aid to domestic fishermen and needy foreigners remains in limbo for the time being. The recent amendment to the foreign aid law specifies that, if the Food and Drug Administration okays it, a high-protein, low-cost flour made from fish may be included in both long-term dollar sales and deals for soft currencies. So far, however, FDA is refusing to clear the concentrate for human consumption because it contains ground-up fish heads, bones, entrails, and fins as well as flesh.

Yet defenders of fish flour, including Senator BARTLETT and Democratic Senator MAGNUSON of Washington, contend the stuff is good for you. They envision a whole new industry for supplying it in Government financed programs for meat-short people at home and abroad. By use of the flour, it's claimed, protein deficient diets of 1 billion people can be supplemented at a cost of less than a half-cent a day each.

"Every year," says an Interior Department expert, "about 7 billion pounds of otherwise valueless fish, usable in the concentrate, go to waste." That amount is far more than the catch actually marketed. In 1963, U.S. commercial fishermen caught only about 4.7 billion pounds of salable fish; the record was nearly 5.3 billion pounds in 1956.

Despite the hard push to add fish to the food-for-peace effort, scraping up the purchase money in the current economy atmosphere may be a problem.

Resistance in the Agriculture Department, which finances and exercises considerable control over most food-for-peace shipments, looms as a particular obstacle. Its budget for the fiscal year starting in July was slashed to around $5.8 billion from $7 billion in the current year. Especially disturbing to farm planners is the prospect of finding Secretary Udall's hand in their pockets. Financing one department's program with money allotted to another "could lead to chaos," complains one farm budget officer.

Nevertheless, President Johnson may feel compelled to give the green light sooner or later for inclusion of surplus fish in food-for-peace shipments. It is a presidential election year, and Capitol Hill support for the idea is considerable. Commercial fishing bulks large in nearly a score of States, including California, Louisiana, Massachusetts, Alaska, Washington, and the Chief Executive's own Texas.

Too, disposing of surplus fish under Public Law 480 might win new friends for this law, key sections of which expire this year. The administration is expected to ask for a 5-year extension and is braced for trouble in getting it; there's fear of ill will generated by Congress' 1963 storm over foreign aid.

Hard times apparently do afflict the U.S. fishing industry. Employment, including both fishermen and workers in allied occupations such as canneries, boatbuilding and equipmentmaking, slipped to 532,000 at last count in 1962 from 537,000 in 1960 and from 564,000 10 years before that.

Construction of new fishing vessels has been dwindling. Only 105 ships of five tons and over were built in 1961, down from 171 the year before and from 452 built in 1953. The record is 680 in 1946, after World War II controls came off. In all, some 12,000 aging ships are operating in the U.S. fleet; the number nearly doubled to about its present size in the 5 years immediately following World War II when war-devastated lands had to import great tonnages of American food.

And though the United States for decades ranked second only to Japan in total annual catch, this country now has slipped to fifth place, being surpassed by Peru, China, and Russia.

ORDER OF BUSINESS

Mr. CLARK. Mr. President, a parliamentary inquiry.

The **PRESIDING OFFICER.** The Senator will state it.

Mr. CLARK. Is the Senate proceeding this morning in strict accordance with rule VII?

The **PRESIDING OFFICER.** Yes. The Senate has gone through the requirements of rule VII beginning with the presentation of petitions and memorials.

Mr. CLARK. As I understand, a moment or two ago the Chair called for concurrent and other resolutions, and received no response from the floor of the Senate. Is that correct?

The **PRESIDING OFFICER.** The Senator is correct.

Mr. CLARK. Mr. President, a further parliamentary inquiry.

The **PRESIDING OFFICER.** The Senator will state it.

Mr. CLARK. What is the appropriate order of business under rules VII, VIII, and IX between now and the hour of 2 o'clock? To state the problem somewhat differently, will the Chair advise at what time morning business is over? Will the Chair also advise what is the difference between morning business and the morning hour? I ask those questions because I believe there has been a great deal of confusion in the past few days on those subjects. I am confused.

The **PRESIDING OFFICER.** The morning hour is a period of 2 hours after the convening of the Senate following an adjournment.

There is no fixed limit of time for morning business. The time depends upon the volume of routine matters presented by Senators. It, however, cannot extend beyond the expiration of the morning hour.

Mr. CLARK. I know that, quite inadvertently, the Chair was interrupted by receiving sound advice from the Parliamentarian, so I am not sure that I entirely understood him.

I ask the following question as a parliamentary inquiry: It is my understanding that when the Senate convenes after adjournment, regardless of what time it assembles, it proceeds with the prayer, the reading of the Journal, and then, under rule VII, proceeds to morning business in the order stated in rule VII.

Once concurrent and other resolutions have been called for under rule VII, what comes next?

The **PRESIDING OFFICER.** At that time the usual procedure would be for the Chair to announce that morning business is closed.

Mr. CLARK. As I understand, under rule VIII and rule IX further business during the morning hour would be in order. My confusion is as to what is the appropriate procedure after the morning business is closed and before the end of the morning hour, which the rule states is 2 o'clock, has arrived. A moment ago the Chair stated that the morning hour would continue for 2 hours after the Senate convenes, but if the Senate were to convene at 10 o'clock, the rules refer to the hour of 2 o'clock as being the end of the morning hour.

The **PRESIDING OFFICER.** In the case stated, the end of the morning hour would be 12 o'clock. The Chair will read from rule VIII:

> At the conclusion of the morning business for each day, unless upon motion the Senate shall at any time otherwise order, the Senate will proceed to the consideration of the Calendar of Bills and Resolutions, and continue such consideration until 2 o'clock.

Instead of 2 o'clock, however, as stated above, the morning hour would terminate at 12 o'clock, under the following order of the Senate agreed to on August 10, 1888:

> *Resolved*, That after today, unless otherwise ordered, the morning hour shall terminate at the expiration of two hours after the meeting of the Senate. (S. Jour. 1266, 50–1, Aug. 10, 1888.)

Before that date, the morning hour lasted for 1 hour.

Mr. CLARK. So my understanding of what the Chair has said, then, based upon the advice of our learned Parliamentarian, is that after morning business is closed, the morning hour continues until 2 hours after the Senate has met. Is that correct?

The **PRESIDING OFFICER.** That is correct. The morning hour is a fixed period that lasts 2 hours after the Senate meets following an adjournment.

Mr. MANSFIELD. Mr. President, a parliamentary inquiry.

The **PRESIDING OFFICER.** The Senator will state it.

Mr. MANSFIELD. Is it not in order, however, to conclude morning business and the morning hour, which I believe are synonymous in meaning, by laying down the pending business?

Mr. CLARK. It is my understanding that "morning business" and "morning hour" are not synonymous at all. The Parliamentarian has advised the Chair that they are very different.

The **PRESIDING OFFICER.** Morning business has been closed.

A motion is now in order to proceed to the consideration of any matter on the calendar, and such a motion would be determined without debate.

Mr. CLARK. What, then, is the significance of the words "2 o'clock" in rule VIII?

The **PRESIDING OFFICER.** At 2 o'clock the unfinished business is taken up, if it is not laid before the Senate before that time, either by motion or unanimous consent.

Mr. CLARK. Mr. President, a further parliamentary inquiry.

The **PRESIDING OFFICER.** The Senator will state it.

Mr. CLARK. Am I now permitted to speak on any subject I wish until the hour of 2 o'clock, without losing my right to the floor?

The **PRESIDING OFFICER.** Under precedents of the Senate, debate is not in order at this time.

Mr. MANSFIELD. Mr. President, will the Senator yield?

Mr. CLARK. I shall be happy to yield for a question, with the understanding that I do not lose my right to the floor.

Mr. MANSFIELD. I believe the point raised by the Senator from Pennsylvania is correct. I believe he has a right to speak on any subject and for any length of time, at least until 2 o'clock, the Senate having convened at 12 o'clock. He has that right based on the fact that when the majority leader made a unanimous-consent request that there be a limitation of 3 minutes on statements, the request was objected to.

Mr. CLARK. My parliamentary inquiry now is whether the Chair agrees with the statement of the majority leader, with which I find myelf in accord.

The **PRESIDING OFFICER.** According to the Parliamentarian, the statement of the majority leader is not correct.

Mr. MANSFIELD. Mr. President, a parliamentary inquiry.

The **PRESIDING OFFICER.** The Senator will state it.

Mr. MANSFIELD. Why, then, on yesterday, when this question was raised, did the Chair recognize Senators indiscriminately and allow them to speak on any subject, for as long as they wanted to speak? No time limitation was involved. At the time the Senator from Wyoming was recognized, I was trying to have a limitation of 3 minutes agreed to. The limitation was not allowed. Then the Senator could have spoken until 2 o'clock, or beyond, because there was no pending business.

The **PRESIDING OFFICER.** It is one thing if the Senate follows precedent; it is another thing if the Senate agrees to proceed in the absence of or in contradiction of precedent.

Mr. MANSFIELD. But precedent is usually followed. The precedent has been that there is a morning hour under which statements have been limited to 3 minutes. That request has almost invariably been granted, except for yesterday and today. The Senator who gets the floor now can keep it as long as he wishes, or until 2 o'clock, or later, if there is no pending business.

The **PRESIDING OFFICER.** According to the Parliamentarian, the Senate can proceed in breach of its precedents under those conditions. If there is no objection, the Senator from Pennsylvania can proceed at this time for as long as he desires.

Mr. MANSFIELD. Mr. President, on what basis could objection be raised?

Mr. CLARK. And how could an objection be raised unless I agreed that it might be raised?

The **PRESIDING OFFICER.** In accordance with precedent, unless there was a debatable question before the Senate, no debate would be permitted until a bill was before the Senate.

Mr. CLARK. Mr. President, a parliamentary inquiry.

Thee **PRESIDING OFFICER.** The Senator will state it.

Mr. CLARK. I have the floor now, do I not?

The **PRESIDING OFFICER.** The Senator from Pennsylvania has the floor.

Mr. CLARK. Will the Chair explain how I can lose the floor without my yielding the floor, and not speak until midnight tonight, if I wanted to hold the floor that long, or at any time until germane business is before the Senate? How am I to be taken off the floor?

The **PRESIDING OFFICER.** If the Senator violates a rule of the Senate, by majority vote he can be taken from the floor.

Mr. CLARK. A further parliamentary inquiry.

The **PRESIDING OFFICER.** The Senator will state it.

Mr. CLARK. Otherwise can I retain the floor until I yield it?

The **PRESIDING OFFICER.** At 2 o'clock the Senator would have to allow the unfinished business to be laid before the Senate.

Mr. CLARK. Would I lose the floor?

The **PRESIDING OFFICER.** Then the Senator could continue with his remarks after 2 o'clock.

Mr. MANSFIELD. Mr. President, a parliamentary inquiry.

The **PRESIDING OFFICER.** The Senator will state it.

Mr. MANSFIELD. Would the Senator at that time have to speak on a germane basis, or could he cover the universe?

The **PRESIDING OFFICER.** At that time he would have to confine his remarks to the pending business which had been laid before the Senate at 2 o'clock.

Mr. MANSFIELD. A further inquiry.

The **PRESIDING OFFICER.** The Senator will state it.

Mr. MANSFIELD. That would encompass a 3-hour period during which the debate would be confined to the pending business. Is that correct?

The **PRESIDING OFFICER.** The 3-hour period of germane debate would begin at 2 o'clock; that is correct.

Mr. CLARK. During which period, I presume, I would still hold the floor, and as long as my discussion was addressed to the pending business, I could not be taken from the floor. Is that correct?

The **PRESIDING OFFICER.** The Senator is correct—unless he violated a rule of the Senate.

Mr. CLARK. Mr. President, I have no intention of holding the floor for any length of time. I started the colloquy for the purpose of resolving the confusion under which a number of Senators have been laboring by reason of the fact that the rules of the Senate, particularly rules VII, VIII, and IX, bear little, if any, resemblance to the procedure the Senate customarily follows. I proposed several years ago—and the effort was conspicuous for its lack of success—a rewriting of the rules of the Senate so as to bring them in accord with the practices and precedents of the Senate.

I hope Senators will read the colloquy which has occurred between the Presiding Officer, the majority leader, and myself today, and will take note of the high degree of necessity for rewriting the Senate rules, and particularly those rules which deal with the day-to-day conduct of the Senate's business, so that we can bring them more into some reasonable relationship to what the Senate does.

I say that because in my opinion the custom which has been followed since I came to the Senate, of having the Senate convene, having unanimous consent given to dispense with the reading of the Journal, having unanimous consent given to the making of speeches not in excess of 3 minutes, until all Senators have an opportunity to make insertions in the RECORD, is a wise and sensible way of doing business. It makes it easier to reach the period of germane debate and to stick to the subject once the pending business is laid before the Senate. But we live in a dream world of precedents and obtuse rulings and phrases that do not mean what they say. We have a "morning hour" and "morning business." One can hardly find a Senator who knows the difference between them.

There is a rule for the introduction of bills and resolutions, and the submission of petitions and memorials, that is never followed unless a Senator refuses to give unanimous consent. How silly can we be?

Is it not time to put our house in order, at least in this period of 1 or 2 hours? Let us put into the rules the procedure which the present majority leader has followed, and which his predecessor followed. Let us not require the Journal to be read because one Senator objects to dispensing with its reading. Let us make it impossible for one Senator to stop the granting of a request to limit speeches to 3 minutes. Let us eliminate this archaic nonsense. Let us have the rules written so that Senators can understand them, so that we do not have to go back to a precedent established in 1888 that deals with an obscure point of parliamentary procedure.

Above all, let us write the rules so that no Senator may be in the position where he can stultify the requirements of the Senate and the desires of the other 99 Members of the Senate, by talking from now until doomsday without being taken from the floor.

This is one of my daily pleas for some kind of congressional reorganization, which might well start with the rules of the Senate.

I am sure that my colleagues in the Senate will be glad to learn that I now yield the floor.

FORTUNE MAGAZINE FINDS TAX CUT INFLATIONARY

Mr. PROXMIRE. Mr. President, in the February issue of Fortune magazine on the newsstands today the Business Roundup section has one of the finest analyses of the economic consequences of the tax cut that I have seen to date. I ask unanimous consent that this article be inserted in the RECORD at the conclusion of my remarks and hope that every Member of the Senate will have an opportunity to read this article.

The **PRESIDING OFFICER.** Without objection, it is so ordered.

(See exhibit 1.)

Mr. PROXMIRE. Mr. President, Fortune magazine has a top-flight staff of professional economists and I believe that this article represents one of their best economic studies.

The major point made in this Fortune article is that the proposed tax cut "could have explosive possibilities in 1964, and create hazards for 1965."

The article then points out that economists generally have consistently tended to underestimate the growth potential in our economy during the postwar period. The Fortune economists contended with substantial documentation that economists generally are probably underestimating the growth that is possible in calendar 1964 without tax reduction.

The Fortune article makes use, as it should, of the national income budget. The deficit in this budget would, according to Fortune, "widen suddenly this year when the economy needs little stimulus, then close and go into temporary surplus next year. These are extreme gyrations, indeed, and they could greatly compound the problems of the present and of the future."

According to Fortune the tax bill involves a substantially greater revenue loss than has yet been generally discussed:

> Given the expansion of income that has taken place and will take place, the bill as it now stands would yield a cut worth $13 billion of annual revenues in 1965.

They then indicate what the effect of such a tax cut would be. As Fortune puts it:

> If a fevered advance in demand develops, so will pressure on prices. Credit might then be tightened but the effect on demand would be belated; if car, housing, and inventory demands became inflated by 1965, they would fall of their own weight. Such powerful recessionary tendencies, once set in motion, could soon swamp the expanding force of capital investment. Thus the United States might conquer its Everest of full employment this side of election day, only to plunge into trouble on the other side of it.

The conclusion of the Fortune economic editors is that this reasoning "underlines the importance of moderation in tax and fiscal policy if the economy is to maintain its strong and steady growth." Mr. President, this article is important because it indicates many of the weaknesses of this tax bill. The tax bill could provide an undue stimulus. That stimulus could be reflected largely in inflationary pressures, rather than in increased employment. The stimulus could be excessive and could lead to a precipitous turnaround into a recession. These are all dangers which should be fully considered before the tax cut is accepted by the Senate.

Mr. President, a few minutes ago the Secretary of the Treasury, Hon. Douglas Dillon, finished testifying before the Joint Economic Committee. In his testimony he conceded that the proposed tax cut, through no fault of the administration, had been sharply compressed from what had originally been designed by the administration. Originally it was intended to go into effect in July 1963 and to taper off to 1964 and 1965. This kind of long-term tax cut would have had a far more extensive and extended effect on the economy. It would have had the psychological advantage of putting businessmen and consumers in the position of anticipating a further tax cut. However, the present tax cut will be concentrated entirely on March 1, so far as private incomes are concerned, and there will be somewhat of a cut on corporate incomes also. That will be it. The Secretary of the Treasury agreed that the administration had no plans for the future.

There has been a stimulation of the economy in part because there have been two tax cuts since 1960. There was, first, the incentive credit, and then the accelerated tax credit. Now we are to have an overall tax cut, but nothing is planned for the future.

Furthermore, I believe recognition must be given to the fact that we cannot continue to decrease our revenue and expect to balance our budget. There is nothing to the notion that we can have a balanced budget in 1967 and 1968, based on our experience with the 1954 tax cut. Almost exactly 10 years ago, there was almost the same impact on the economy. There was a stimulation in 1955 and 1956, followed, in 1957, by an economic turndown, and a drastic turndown in 1958.

If we have learned anything from that experience, we can anticipate the same impact from this cut. While it may be helpful in this year, the result could well be inflation and the strong possibility of a recession in 1965 and 1966. The oasis of a balanced budget under expanding business conditions would seem to be more remote than ever before.

EXHIBIT 1

MADE IN WASHINGTON: THE JOHNSON BUDGET

The economy has entered the new year with private demands exceptionally strong and new budget proposals in Washington that, if enacted, could have explosive possibilities in 1964, and create hazards for 1965.

Profits at yearend reached a handsome $55 billion pretax rate, 14 percent above a year ago. Retail sales rose sharply in December, and the FRB index hit a record of 127.2 with further gains certain. Accordingly, GNP, which rose by over $20 billion in 6 months to a rate of $600 billion last quarter, is approaching $610 billion this quarter.

Economists, who have all along been underestimating this advance, recently projected a $623 billion GNP by the end of 1964 according to the semiannual survey of their views conducted by J. A. Livingston of the Philadelphia Bulletin, and executives reporting to Fortune visualize a similar increase. While this projected gain exceeds the $15 billion that economists and executives foresaw a year ago for 1963, it is actually less than the $35 billion advance the economy registered last year. Most forecasters have still not caught up with the real strength of the American economy, as Roundup remarked 12 months ago. Even less have they yet caught up with the probable effects of the President's budgets for fiscal 1964 and 1965. (See chart.) [Not printed in RECORD.]

The turn in fiscal policy which has been developing for a year toward tax and expenditure reductions becomes in the new budgets a radical turn and not a gradual one. It heightens the risks of what Roundup has called "too much stimulation and too much restraint"—the stimulus soon and the restraint late. The violence of the turn is not really revealed by the administrative budget, which simply estimates that the Federal deficit will run to $10 billion this fiscal year and narrow to about $5 billion in fiscal 1965. In part, this has been done by moving back into 1964 some payments that normally would have been made in 1965, as well as using private rather than public credit to finance some expenditures. This "dressing up" helps create a picture of fiscal prudence, which should help the new tax bill through Congress.

The chart [not printed in RECORD] projects Federal expenditures and receipts (figured quarterly, on a national income account basis) that would result if the recommendations and estimates made by the President in his new budget message were carried out. Expenditures, which have been sharply rising, would abruptly stabilize in fiscal 1965. Revenues would abruptly decline this spring as the result of changes in the withholding tax, then rise sharply. The Federal deficit would widen suddenly this year when the economy needs little stimulus, then close and go into temporary surplus next year. (Quarterly allocations by Roundup.)

But the President proposes an important change in the tax bill that would have far-reaching effects on the rate and fluctuations of revenues and hence on the rate of the deficit over the next 2 years. The bill now in Congress calls for a two-stage cut in individual tax liabilities, two-thirds occurring in 1964 and one-third in 1965; and further provides that the rate of tax withholding from payrolls would drop from 18 to 15 percent this year and to 14 percent next January 1. The President, without altering the provisions for liabilities, would amend the bill by cutting withholding to a 14 percent rate effective February 1, 1964. This would temporarily reduce current revenues by an extra $2.4 billion annually, but then extra money from withholding would have to be returned to the Treasury in the first half of next year. Some taxpayers would pay too little in withholding in 1964 and would have to catch up more than they usually do by April 15, 1965. Other taxpayers, whose withholding usually exceeds their liabilities and who usually get refunds from the Treasury, would discover none forthcoming in 1965.

All this would mean that the rate of the Federal deficit, at present about $1.5 billion on the national-income accounting of the budget, would abruptly widen this spring to $10 billion or so. It would then narrow and turn into a balance or even surplus in the spring of 1965. (Thereafter a small deficit would again appear.) These are extreme gyrations, indeed, and they could greatly compound the problems of the present and of the future.

Congress, of course, may reject the President's proposals and stick to its own schedule of withholding rates. This would smooth out considerably the curves of revenues and of prospective deficits. Even so, it is worth noting that the total proposed tax cut has been growing as it has been passing through congressional revisions. The publicized estimate of the tax bill as it stood at the start of the year was for a cut of $11.1 billion, based on underestimates of 1963 incomes. Given the expansion of income that has taken place and will take place, the bill as it now stands would yield a cut worth $13 billion of annual revenues in 1965.

THE SPENDING RESTRAINT

Such a cut far exceeds savings now contemplated in expenditures. The new projection is that expenditures will continue rising during the current half year, as before, at an annual pace of $6 billion, just when revenues will be falling, and then will flatten out during fiscal 1965. (This is figured on the national income accounts, which eliminate the "dressing up" previously referred to.) In fact, outlays may somewhat exceed the new estimates. Agricultural costs could run a billion more than estimated if crops match last year's and if Congress votes a wheat bill but no cotton bill. The budget, moreover, now projects a 3 percent decline during fiscal 1965 in the rate of defense outlays—a reversal of recent trends that may be hard to effect. But on balance total 1965 outlays will be up less than the $3 billion per year rise that Roundup projected a month ago.

If defense outlays, which are half the Federal total, are really going to level off or diminish, as defense officials say, Washington should be framing long-range plans now for tax reductions in the years ahead, since outlays would rise only a half or a third as much as the normal advance of some $7 billion per annum in revenues. The difference of, say, $5 billion per annum should be returned to taxpayers, and somewhat in advance, to give them time to readjust spending habits. The trouble with the bill now before Congress is that the reductions come a bit too soon; with the President's proposals they come precipitously.

The economic consequence of all this is stimulus now, at the possible expense of unstabilizing the future. No one can be sure how soon consumers will spend extra income or on what, but the more they get at once, the more they may be tempted into "big-ticket" items like cars, homes, and major durables. New-car sales last yearend were already running at a rate of 8 million (including imports), which is Fortune's estimate (hitherto considered exaggerated) of the market for 1965. With a big tax cut, sales could reach a 9 million rate by this yearend; housing starts could advance comparably; inventory accumulation, recently at a $5-billion rate, the "norm" for a growth economy, might under the proposed tax stimulus rise to $10 billion. But all these could be only temporary gains.

If a fevered advance in demand develops, so will pressure on prices. Credit might then be tightened but the effect on demand would be belated; if car, housing, and inventory demands became inflated by 1965 they would fall of their own weight; and tax paybacks budgeted for next spring would temporarily crimp consumer pocketbooks. Such powerful recessionary tendencies, once set in motion, could soon swamp the expanding force of capital investment. And the budget, already in deficit then, would offer no major solace, on the side of either spending or taxes. Thus the United States might conquer its Everest of full employment this side of election day, only to plunge into trouble on the other side of it.

This prospect, crudely drawn or perhaps overdrawn, is of course by no means a certain consequence of the Johnson budgets, which as noted may be amended. But it is just as probable as the bland Washington assumption that the economy would, despite large fiscal tinkering, continue on a smooth expansion in 1965. It is worth noting that all the recessions of the past decade have in good part been made in Washington—the defense cutbacks of 1953–54 (which were well handled), the indecisions about defense and taxes in 1957–58 (badly handled), and the fiscal curbs of 1959–60, the effects of which were compounded by the long (hard-to-handle) steel strike. Even the 1962 pause traced to a crisis in confidence touched off by the imbroglio over steel prices.

From these experiences, Washington seemingly should be "disposed to moderation" in fiscal and credit management, and Congress may well come down on that side. The smaller the tax cut put into effect now, or the later it is made, the more moderate will be the coming fiscal turn. Congress should be encouraged in this direction by strong employment in nonfarm establishments which rose by 1,600,000 during 1963, the best gain in 4 years—a half million more than shown in the household surveys of the labor force. The rise in jobs tends to confirm Roundup's estimate that the United States is already within $20 billion of its output potential (assuming an unemployment rate of 4 percent) and not $30 billion short as estimated by the Council of Economic Advisers. This underlines the importance of moderation in tax and fiscal policy if the economy is to maintain its strong and steady growth.

GREAT ACCUMULATIONS?

Businessmen stepped up their inventory buying to a rate of more than $5 billion last quarter, the highest in 18 months; and there is every sign the rate of accumulation will be rising this year. Executives are simply responding to the speedup in final sales, which rose 5 percent or less during 1961 and 1962 and about 6 percent during 1963. Roundup last month forecast this growth would approach 7 percent in 1964, assuming passage of the tax bill as it stood then and gradual spending of the tax savings across the board. Inventories should rise comparably, or by at least $7.5 billion. If more tax relief is given this year than originally planned, or if consumers spend more liberally than anticipated, 1964 sales will rise even faster and business might build protective stocks. So sometime this year accumulation conceivably could reach a rate of $10 billion or more, which could not last.

There are already some hints that business this year may want to lift its inventories faster than sales, hints visible now in cars, steel, and even general merchandise. A leader in the latter field attributes success in outpacing the competition in 1963 to having on hand ample or even "heavy" stocks, and now is lengthening forward commitments (in part in fear of price rises). Stocks of all nondurables rose by $2 billion, or 4 percent, last year, a bit more than sales, which were temporarily depressed by unseasonable autumn weather. Toward yearend, executives in these lines were on the whole still cautious about their stocks, according to Fortune's latest inventory survey. Indeed, they reported a small surplus on balance and were planning a 1964 rise of less than 1 percent, despite expectations that sales would rise by 3 to 4 percent. But winter sales of soft goods have been rebounding sharply, and this will tend to change calculations.

THE TRENDS IN PRICES

Industrial prices have firmed a bit in the past half year, but they have been nearly stable over the longer pull. Meanwhile unit labor costs have actually been drifting off a bit, with the persistent improvement of productivity and the relatively moderate rise in wages. Consequently unit profit margins of manufacturers have been getting better. Prices to consumers continue to advance partly because of the constant rise in service prices. If the index of the general price level that applies to the whole GNP had been charted, it would have lain fractionally above the line charted for consumer prices. (Data from BLS and Commerce.)

SEQUENCES IN STEEL

Steel buyers certainly seem to be acting more forehandedly. After the steel buildup of last spring when the union contract was reopened, they trimmed stocks for the balance of the year and then started to rebuild them last month as consumption kept rising. They reported to Fortune's latest survey the same number of days' supply of steel on hand as a year ago, and stocks probably stand about 3 million tons higher. Now signs point to further accumulation, which may come to 5 million tons in 1964, and the rate may be rising at yearend in anticipation of new union contract negotiations in 1965. Total steel use, which topped 110 million tons last year, may reach or exceed 120 million tons this year—both new records. Steel production may be nearly as great, also a record, and will be supplemented by imports about equal to stockpiling.

Detroit is also paying more attention to inventories than in the recent past. It expanded dealer stocks by a rate of more than $500 million during the fourth quarter, to a year-end total of 952,000 units. But with sales up to a new record, the days' supply was barely above a year ago and dealers reported to Fortune they still wanted over 10 percent more—i.e., as many more as they wanted before the start of the new model year and the recent stock buildup. So after assembling nearly 2,300,000 cars last quarter, Detroit is scheduling another record for this quarter of some 2,100,000, up almost 9 percent from a year ago. If sales held steady this would increase stocks to a new high of 1,200,000 at the start of spring. This figure would give dealers a 46-day supply of cars, somewhat above the level in the spring of 1962 and 1963. Over the last two summers dealers ran short of cars, and now with taxes going down and competition intensifying, Detroit is hedging against the chance of labor contract troubles this summer.

The buying mood is spreading to other durables lines, too. Steel mills are again building their raw materials in line with sales. Aerospace companies plan a reversal of their recent stock trimming. Machinery companies say they will slow their buildup from the recent 5 percent a year, but will surely do better as sales surpass projections of another 7-percent rise. In home goods and construction, stockpiles have remained close to levels of a year ago, but with business up 12 percent a stepup is overdue.

Over the past year businessmen in only a few lines have reduced their inventory sales ratios sharply. But hopes for future reduction are widespread, and that is one reason why buying plans continue to be unrealistically cautious. Manufacturers in Fortune's survey, for example, say they expect on balance a 2-percent reduction in their desired ratios of stocks to sales in the next year, ranging from 4 percent in machinery to no change at all in paper. Yet, according to the survey, it took 2 to 4 years to reduce these ratios by 1.5 percent. The desired ratio for the economy as a whole held steady through 1961 and then dipped by 1 percent a year or so in 1962 and 1963, which roughly accords with businessmen's own estimates. But the 1963 statistics are preliminary, and the dip in the desired ratio (which is taken as a percentage of the actual ratio) may be washed out on later revision.

More relevant than the figures are the general forces at work. The application of computers and inventory controls tends to diminish needs for stock, but this factor has been largely offset by the proliferation of types of cars, foods, etc., to be stocked. In some lines, avid demand last year allowed sellers to quicken turnover. But an opposite effect may be expected now from the general rise in the pressure of industrial demand upon supply, which on Fortune's index will soon surpass even the 1955 highs. In the past when pressure has mounted, notably on capacity, business has had to raise its inventory-sales ratios in order to protect its supplies from possible tieups of any kind (labor, freight, weather, etc.). If this occurs again, stockpiling will run a billion or two or more ahead of Roundup's projections, and so change from its recent fairly stable influence into an unstabilizing one.

THE PACE OF PRICES

Much in the air suggests a more rapid rise of prices: the mounting pressure of demand on supply, the usual tendency of productivity improvement to slow down as a business advance lengthens, labor's pressure for more wages and a shorter workweek. But there are offsetting factors, some of them unique to 1964. On the whole, Roundup believes that the general price level applying to the whole GNP could rise 2 percent in 1964 versus 1.5 percent in 1963.

Consumer prices, which cover two-thirds of the GNP, will, as in the past, be pushed up by the rise in prices of services. This has sped up again to a rate of 2 percent. Productivity in these lines generally fails to advance as fast as wages, and this is also true of the costs of retail distribution: for example, such costs tend to add half a percent a year to consumer food prices. Though standing at least a percent above a year ago, foods have remained essentially stable (seasonally adjusted) over the past 9 months. While meat prices are down owing to enlarged supplies, the prices of fruits and vegetables are up sharply: freezing weather damaged crops last year, and sugar has soared. Meat supplies and prices are not apt to change much this year, so unless key crops run into another spell of hard luck, food prices should stay put or, at most, creep up.

Prices of consumer goods apart from food are about a percent higher than a year ago at retail, almost all in nondurables. Apparel is up and local levies on cigarettes as well as on whisky and gasoline keep mounting.

The services furnished by Government constitute about 10 percent of the GNP, and their price is reported as going up 4 percent a year, a figure derived from the rise in wage and salary rates paid to Government workers. This procedure, however, makes no allowance for increases in productivity, which have surely been going on—through the use of computers and other machines. Allowing for this, it seems probable that the cost of Government services should really be boosting the general price level by perhaps 0.2 percent annually rather than 0.4 percent, as now happens. A similar but smaller qualification also applies to construction costs.

The price of capital equipment for business has on the whole remained steady, as have industrial prices in general (wholesale prices apart from farm and food products). The latter dipped in early 1963, but have since advanced about half a percent and are back at the early 1961 levels. There have been increases in the past year in steel, nonferrous metals, textiles, tires, lumber, paper, machinery, and furniture. But there were dips in chemicals, in building materials, and appliances, and a 5-percent decline in petroleum products during 1963. Were it not for the latter, industrial prices would now stand 0.3 percent higher than they do.

AGENDA FOR RISES

Manufacturers say they expect industrial prices to go up a little faster, from 0.3 percent in the past 12 months to 0.8 percent in the next. This roughly accords with Roundup's expectation that they might go up 1 percent by the end of 1964. The calculation is based on Roundup's present forecast of the economy and the past relationship of profit margins to Fortune's index of industrial pressure, plus the assumption that unit labor costs will remain steady. With a speedup in business if there is a bigger tax cut or if more of it is spent than allowed for in Roundup's model, industrial prices could go up a half percent more even with stable labor costs.

That unit labor costs can really remain steady is far from certain. True, industrial productivity has been improving rapidly (4 percent in 1963), and this could continue for a while if output hums: efficiency typically improves while an upswing is going strong. But wages might increase faster and raise costs. A number of factors will add force to union demands in 1964 labor negotiations, and so average hourly earnings might begin to go up more than the 3 percent of 1963.

Major union contracts expiring this year cover 1,900,000 workers versus 1,200,000 in 1963, among them the key auto contracts, those in women's apparel, and the one just signed in trucking. The last provides almost a 5-percent increase this year, two-thirds in wages and the rest in fringes. Since much of the auto workers' gains in recent years have been in fringe benefits, the UAW may similarly lean toward direct wage payouts.

SLICING THE HOURS

The UAW could in effect also spearhead labor's campaign for a shorter workweek, as Walter Reuther has intimated. The union signed a contract in Canada in 1950 breaking this kind of ground. This contract reduced the workweek in auto plants from 44 to 40 hours. A graduated system was employed: It attached penalty pay rates to an additional hour every year until the goal of 40 hours was reached. Partial adjustments were also made in basic wages in order to take account of shorter hours. In the United States, President Johnson, while rejecting an overall 35-hour week, has proposed legislation under which special committees could recommend higher penalty rates than time and a half for weekly hours in excess of 40, where circumstances warrant.

But there are other influences that may work toward a rather moderate increase in wages in 1964. While unemployment will diminish, this may have only a marginal effect on upward wage pressure for some time. Moreover, for many, wage increases will go into effect in 1964 under contracts signed in previous years, and these will average only 7.1 cents per hour, the least since 1958, when the Bureau of National Affairs began compiling data. And because taxes are scheduled to be cut, take-home pay will increase this year even without a pay rise.

So while there are grounds for expecting wages and prices to go up a little faster than they have, the general price level is hardly likely to go up by the 3 percent a year or more of 1956–57. That is a possibility, though not yet a likelihood, for 1965.

MESSAGE FROM THE HOUSE—ENROLLED BILLS SIGNED

A message from the House of Representatives, by Mr. Hackney, one of its reading clerks, announced that the Speaker had affixed his signature to the following enrolled bills, and they were signed by the President pro tempore:

S. 1309. An act to amend the Small Business Act, and for other purposes; and

H.R. 5377. An act to amend the Civil Service Retirement Act in order to correct an inequity in the application of such act to the Architect of the Capitol and the employees of the Architect of the Capitol, and for other purposes.

PROPOSED AMENDMENT OF RULE XXV OF STANDING RULES RELATIVE TO COMMITTEE MEETINGS DURING SESSIONS OF THE SENATE

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the unfinished business be laid before the Senate.

The PRESIDING OFFICER. Without objection, the Chair lays before the Senate the unfinished business, which is Senate Resolution 111.

The Senate resumed the consideration of the resolution (S. Res. 111) amending rule XXV of the Standing Rules of the Senate relative to meetings of committees while the Senate is in session.

Mr. COOPER. Mr. President, I wish to express my strong support for Senate Resolution 111, which is the pending business this afternoon. The resolution, introduced by the distinguished senior Senator from Idaho [Mr. CHURCH], would provide a much needed change in the Senate rules and would help Members of the Senate give more time to their committee work and to the study of legislation before their committees.

Since 1962, when I joined the distinguished Senator from Pennsylvania [Mr. CLARK], in sponsoring a concurrent resolution to establish a joint committee to study methods of conducting congressional business more efficiently, and on a number of occasions since that time, I have discussed in the Senate the need for making arrangements for committees to devote more time to their work and to the testimony presented on proposed legislation.

This resolution before the Senate today is a step in the right direction. I hope also that the leadership on both sides of the aisle will give consideration to devoting certain days of the week wholly to committee work, since such agreement could give members of committees the chance to study legislative questions more closely, especially in the early months of a session.

As one who first served in the Senate some 17 years ago, and as one who has seen the volume of the business of the Senate increase markedly, I think we must seek ways to have the work of the Senate made as effective as possible. Last week, we adopted a rule on germaneness which I was glad to have been able to urge since 1962, and this week I hope we can adopt this proposed change in the rules. The germaneness rule will help our debate on the floor, and the resolution before us today would help our committee work so that we can fulfill our legislative responsibilities more effectively.

Mr. MANSFIELD. Mr. President, how much time remains on the resolution?

The PRESIDING OFFICER. Three hours.

TRANSACTION OF ROUTINE BUSINESS

Subsequently, by unanimous consent, the following routine business was transacted:

EXECUTIVE COMMUNICATIONS, ETC.

The ACTING PRESIDENT pro tempore laid before the Senate the following letters, which were referred as indicated:

REPORT ON TITLE I AGREEMENTS UNDER AGRICULTURAL TRADE DEVELOPMENT AND ASSISTANCE ACT OF 1954

A letter from the Acting Administrator, Foreign Agricultural Service, Department of Agriculture, transmitting, pursuant to law, a report on title I agreements under the Agricultural Trade Development and Assistance Act of 1954, for the month of December 1963 (with an accompanying report); to the Committee on Agriculture and Forestry.

LAWS ENACTED BY LEGISLATURE OF GUAM

A letter from the Assistant Secretary of the Interior, transmitting, pursuant to law, copies of laws enacted by the Legislature of Guam, during the year 1963 (with accompanying papers); to the Committee on Interior and Insular Affairs.

REPORT ON LOWER TETON DIVISION, TETON BASIN PROJECT, IDAHO

A letter from the Assistant Secretary of the Interior, transmitting, pursuant to law, a report on the Lower Teton division, Teton Basin project, Idaho (with accompanying papers); to the Committee on Interior and Insular Affairs.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. MAGNUSON, from the Committee on Commerce, with an amendment:

S. Res. 283. Resolution to authorize the Committee on Commerce to make certain studies; referred to the Committee on Rules and Administration.

By Mr. LONG of Missouri, from the Committee on Banking and Currency, without amendment:

H.R. 9076. An act to provide for the striking of medals in commemoration of the 200th anniversary of the founding of St. Louis (Rept. No. 831).

REDUCTION OF INDIVIDUAL AND CORPORATE INCOME TAXES—REPORT OF A COMMITTEE—MINORITY AND INDIVIDUAL VIEWS (S. REPT. NO. 830)

Mr. LONG of Louisiana. Mr. President, from the Committee on Finance I report favorably, with amendments, the bill (H.R. 8363) to amend the Internal Revenue Code of 1954 to reduce individual and corporate income taxes, to make certain structural changes with respect to the income tax, and for other purposes, and submit a report thereon. I ask unanimous consent that the report be printed together with minority views of the Senator from Tennessee [Mr. GORE], and the individual views of the Senator from Illinois [Mr. DOUGLAS], that the bill as reported be printed with a table of contents at the end of the bill, and that a technical explanation of the bill as reported be permitted to be filed as part II of the report at a later date.

The PRESIDING OFFICER. The report will be received, and the bill will be placed on the calendar; and, without objection, the report will be printed, as requested by the Senator from Louisiana.

REPORT OF JOINT COMMITTEE ON REDUCTION OF NONESSENTIAL FEDERAL EXPENDITURES—FEDERAL STOCKPILE INVENTORIES

Mr. BYRD of Virginia. Mr. President, as chairman of the Joint Committee on Reduction of Nonessential Federal Expenditures, I submit a report on Federal stockpile inventories as of November 1963. I ask unanimous consent to have the report printed in the RECORD, together with a statement by me.

The PRESIDING OFFICER. Without objection, it is so ordered.

The report and statement are as follows:

FEDERAL STOCKPILE INVENTORIES, NOVEMBER 1963

INTRODUCTION

This is the 48th in a series of monthly reports on Federal stockpile inventories. It is for the month of November 1963.

The report is compiled from official data on quantities and cost value of commodities in these stockpiles submitted to the Joint Committee on Reduction of Nonessential Federal Expenditures by the Departments of Agriculture, Defense, Health, Education, and Welfare, and Interior, and the General Services Administration.

The cost value of materials in inventories covered in this report, as of November 1, 1963, totaled $14,417,885,378, and as of November 30, 1963, they totaled $14,273,987,427, a net decrease of $143,897,951 during the month.

Different units of measure make it impossible to summarize the quantities of commodities and materials which are shown in tables 1, 2, 3, 4, and 5, but the cost value figures are summarized by major category, as follows:

Summary of cost value of stockpile inventories by major category

Major category	Beginning of month Nov. 1, 1963	End of month Nov. 30, 1963	Net change during month
Strategic and critical materials:			
National stockpile [1]	$5,779,344,300	$5,763,170,100	−$16,174,200
Defense Production Act	1,489,638,200	1,488,322,400	−1,315,800
Supplemental—barter	1,350,137,038	1,352,246,150	+2,109,112
Total, strategic and critical materials [1]	8,619,119,538	8,603,738,650	−15,380,888
Agricultural commodities:			
Price support inventory	5,361,257,559	5,232,158,605	−129,098,954
Inventory transferred from national stockpile [1]	125,763,492	122,882,203	−2,881,289
Total, agricultural commodities [1]	5,487,021,051	5,355,040,808	−131,980,243
Civil defense supplies and equipment:			
Civil defense stockpile, Department of Defense	11,899,807	11,876,594	−23,213
Civil defense medical stockpile, Department of Health, Education, and Welfare	192,421,458	193,203,090	+781,632
Total, civil defense supplies and equipment	204,321,265	205,079,684	+758,419
Machine tools:			
Defense Production Act	2,208,600	2,208,600	
National Industrial Reserve Act	89,745,000	90,017,100	+272,100
Total, machine tools	91,953,600	92,225,700	+272,100
Helium	15,469,924	17,902,585	+2,432,661
Total, all inventories	14,417,885,378	14,273,987,427	−143,897,951

[1] Cotton inventory valued at $128,409,100 withdrawn from the national stockpile and transferred to Commodity Credit Corporation for disposal, pursuant to Public Law 87-548, during August 1962.

Detailed tables in this report show each commodity, by the major categories summarized above, in terms of quantity and cost value as of the beginning and end of the month. Net change figures reflect acquisitions, disposals, and accounting and other adjustments during the month.

The cost value figures represent generally the original acquisition cost of the commodities delivered to permanent storage locations, together with certain packaging, processing, upgrading, et cetera, costs as carried in agency inventory accounts. Quantities are stated in the designated stockpile unit of measure.

Appendix A to this report includes program descriptions and statutory citations pertinent to each stockpile inventory within the major categories.

The stockpile inventories covered by the report are tabulated in detail as follows:

Table 1: Strategic and critical materials inventories (all grades), November 1963 (showing by commodity net changes during the month in terms of cost value and quantity, and excesses over maximum objectives in terms of quantity as of the end of the month).

Table 2: Agricultural commodities inventories, November 1963 (showing by commodity net changes during the month in terms of cost value and quantity).

Table 3: Civil defense supplies and equipment inventories, November 1963 (showing by item net changes during the month in terms of cost value and quantity).

Table 4: Machine tools inventories, November 1963 (showing by item net changes during the month in terms of cost value and quantity).

Table 5: Helium inventories, November 1963 (showing by item net changes during the month in terms of cost value and quantity).

New stockpile objectives

The Office of Emergency Planning is in the process of establishing new objectives for strategic and critical materials. Table 1 of this report reflects the new objectives for 12 materials.

Appendix B contains excerpts from the Office of Emergency Planning statement setting forth the new policy with respect to objectives for strategic and critical materials.

TABLE 1.—*Strategic and critical materials inventories (all grades), November 1963 (showing by commodity net changes during the month in terms of cost value and quantity, and excesses over maximum objectives in terms of quantity as of the end of the month)*

Commodity	Cost value			Quantity					
	Beginning of month, Nov. 1, 1963	End of month, Nov. 30, 1963	Net change during month	Unit of measure	Beginning of month, Nov. 1, 1963	End of month, Nov. 30, 1963	Net change during month	Maximum objective [1]	Excess over maximum objective
Aluminum, metal:									
National stockpile	$487,680,600	$487,680,600		Short ton	1,128,989	1,128,989			
Defense Production Act	432,395,600	431,610,600	−$785,000	do	857,323	855,733	−1,590		
Total	920,076,200	919,291,200	−785,000	do	1,986,312	1,984,722	−1,590	[2] 450,000	1,534,722
Aluminum oxide, abrasive grain:									
Supplemental—barter	15,145,323	15,292,604	+147,281	Short dry ton	48,974	49,476	+502	(3)	49,476
Aluminum oxide, used, crude:									
National stockpile	21,735,100	21,735,100		do	200,093	200,093			
Supplemental—barter	22,747,400	22,747,400		do	178,266	178,266			
Total	44,482,500	44,482,500		do	378,359	378,359		200,000	178,359
Antimony:									
National stockpile	20,488,000	20,488,000		Short ton	30,301	30,301			
Supplemental—barter	12,739,199	12,804,548	+65,349	do	21,772	21,876	+104		
Total	33,227,199	33,292,548	+65,349	do	52,073	52,177	+104	70,000	(4)
Asbestos, amosite:									
National stockpile	2,637,600	2,637,600		do	11,705	11,705			
Supplemental—barter	6,877,475	7,093,768	+216,293	do	27,630	28,600	+970		
Total	9,515,075	9,731,368	+216,293	do	39,335	40,305	+970	45,000	(4)
Asbestos, chrysotile:									
National stockpile	3,356,200	3,356,200		Short dry ton	6,224	6,224			
Defense Production Act	2,102,600	2,102,600		do	2,348	2,348			
Supplemental—barter	3,934,500	4,129,931	+195,431	do	5,532	6,045	+513		
Total	9,393,300	9,588,731	+195,431	do	14,104	14,617	+513	11,000	3,617

See footnotes at end of table.

TABLE 1.—*Strategic and critical materials inventories (all grades), November 1963 (showing by commodity net changes during the month in terms of cost value and quantity, and excesses over maximum objectives in terms of quantity as of the end of the month)*—Continued

Commodity	Cost value			Quantity					
	Beginning of month, Aug. 1, 1963	End of month, Aug. 31, 1963	Net change during month	Unit of measure	Beginning of month, Aug. 1, 1963	End of month, Aug. 31, 1963	Net change during month	Maximum objective [1]	Excess over maximum objective
Asbestos, crocidolite:									
National stockpile	$702,100	$702,100		Short ton	1,567	1,567			
Supplemental—barter	7,253,690	7,253,695	+$5	do	27,437	27,438	+1		
Total	7,955,790	7,955,795	+5	do	29,004	29,005	+1	(3)	29,005
Bauxite, metal grade, Jamaica type:									
National stockpile	13,925,000	13,925,000		Long dry ton	879,740	879,740			
Defense Production Act	18,168,000	18,168,000		do	1,370,077	1,370,077			
Supplemental—barter	89,403,358	89,403,300	−58	do	5,780,590	5,780,590			
Total	121,496,358	121,496,300	−58	do	8,030,407	8,030,407		2,600,000	5,430,407
Bauxite, metal grade, Surinam type:									
National stockpile	78,552,500	78,552,500		do	4,962,706	4,962,706			
Supplemental—barter	45,280,400	45,280,400		do	2,927,260	2,927,260			
Total	123,832,900	123,832,900		do	7,889,966	7,889,966		6,400,000	1,489,966
Bauxite, refractory grade:									
National stockpile	11,347,800	11,347,800		Long calcined ton.	299,279	299,279		137,000	162,279
Beryl:									
National stockpile	9,768,400	9,768,400		Short ton	23,230	23,230			
Defense Production Act	1,425,800	1,425,800		do	2,543	2,543			
Supplemental—barter	22,739,500	22,739,500		do	11,321	11,321			
Total	33,933,700	33,933,700		do	37,094	37,094		23,100	13,994
Beryllium metal:									
Supplemental—barter	16,167,037	17,167,862	+1,000,825	do	136	145	+9	(3)	145
Bismuth:									
National stockpile	2,674,300	2,674,300		Pound	1,342,402	1,342,402			
Defense Production Act	52,400	52,400		do	22,901	22,901			
Supplemental—barter	5,540,200	5,540,200		do	2,506,493	2,506,493			
Total	8,266,900	8,266,900		do	3,871,796	3,871,796		3,000,000	871,796
Cadmium:									
National stockpile	18,037,400	16,520,300	−1,517,100	do	9,188,064	8,415,266	−772,798		
Supplemental—barter	12,327,600	12,327,600		do	7,448,989	7,448,989			
Total	30,365,000	28,847,900	−1,517,100	do	16,637,053	15,864,255	−772,798	6,500,000	9,364,255
Castor Oil:									
National stockpile	50,181,400	50,100,100	−81,300	do	189,932,037	[5] 196,490,152	[5] +6,558,115	[2] 22,000,000	174,490,152
Celestite:									
National stockpile	1,412,300	1,412,300		Short dry ton	28,816	28,816			
Supplemental—barter	225,646	246,218	+20,572	do	5,416	5,964	+548		
Total	1,637,946	1,658,518	+20,572	do	34,232	34,780	+548	22,000	12,780
Chromite, chemical grade:									
National stockpile	12,288,000	12,288,000		do	559,452	559,452			
Supplemental—barter	21,880,449	21,880,400	−49	do	699,647	699,647			
Total	34,168,449	34,168,400	−49	do	1,259,099	1,259,099		475,000	784,099
Chromite, metallurgical grade:									
National stockpile	264,565,500	264,565,500		do	3,795,292	3,795,292			
Defense Production Act	35,879,900	35,879,900		do	985,646	985,646			
Supplemental—barter	224,198,100	224,198,100		do	1,543,110	1,543,110			
Total	524,643,500	524,643,500		do	6,324,048	6,324,048		[2] 2,970,000	3,354,048
Chromite, refractory grade:									
National stockpile	25,149,300	25,149,300		Short dry ton	1,047,159	1,047,159			
Supplemental—barter	5,039,000	5,039,000		do	179,775	179,775			
Total	30,188,300	30,188,300		do	1,226,934	1,226,934		1,300,000	(4)
Cobalt:									
National stockpile	169,205,200	169,205,200		Pound	76,664,297	76,664,297			
Defense Production Act	52,075,300	52,075,300		do	25,194,122	25,194,122			
Supplemental—barter	2,169,000	2,169,000		do	1,077,018	1,077,018			
Total	223,449,500	223,449,500		do	102,935,437	102,935,437		19,000,000	83,935,437
Coconut oil:									
National stockpile	9,019,400	7,863,600	−1,155,800	do	59,511,851	51,882,918	−7,628,933	(3)	51,882,918
Colemanite:									
Supplemental—barter	2,636,400	2,636,400		Long dry ton	67,636	67,636		(3)	67,636
Columbium:									
National stockpile	23,919,200	23,919,200		Pound	7,507,959	7,507,959			
Defense Production Act	50,238,900	50,238,900		do	8,222,684	8,222,684			
Supplemental—barter	799,100	799,100		do	388,877	388,877			
Total	74,957,200	74,957,200		do	16,119,520	16,119,520		1,900,000	14,219,520
Copper:									
National stockpile	522,969,400	523,016,900	+47,500	Short ton	1,008,266	1,008,266			
Defense Production Act	58,093,900	57,552,000	−541,900	do	103,708	102,834	−874		
Supplemental—barter	8,255,300	8,255,300		do	12,382	12,382			
Total	589,318,600	588,824,200	−494,400	do	1,124,356	1,123,482	−874	[2] 775,000	348,482

See footnotes at end of table.

TABLE 1.—*Strategic and critical materials inventories (all grades), November 1963 (showing by commodity net changes during the month in terms of cost value and quantity, and excesses over maximum objectives in terms of quantity as of the end of the month)*—Continued

Commodity	Cost value			Quantity					
	Beginning of month, Aug. 1, 1963	End of month, Aug. 31, 1963	Net change during month	Unit of measure	Beginning of month, Aug. 1, 1963	End of month, Aug. 31, 1963	Net change during month	Maximum objective [1]	Excess over maximum objective
Cordage fibers, abaca:									
National stockpile	$37,739,800	$37,035,300	$−704,500	Pound	149,732,545	146,935,286	−2,797,259	150,000,000	(4)
Cordage fibers, sisal:									
National stockpile	42,809,700	41,870,900	−938,800	do	136,366,880	309,424,359	−6,942,521	320,000,000	(4)
Corundum:									
National stockpile	393,100	393,100		Short ton	2,008	2,008		2,000	8
Cryloite:									
Defense Production Act	6,890,200	6,890,200		do	24,952	24,952		(3)	24,952
Diamond dies:									
National stockpile	497,400	497,400		Piece	16,696	16,696		25,000	(4)
Diamond, industrial, crushing bort:									
National stockpile	61,609,500	61,609,500		Carat	31,113,411	31,113,411			
Supplemental—barter	15,800,500	15,800,500		do	5,550,579	5,550,579			
Total	77,410,000	77,410,000		do	36,663,990	36,663,990		30,000,000	6,663,990
Diamond, industrial, stones:									
National stockpile	100,501,500	100,501,500		do	9,315,183	9,315,183			
Supplemental—barter	186,324,500	186,324,500		do	15,425,827	15,425,827			
Total	286,826,000	286,826,000		do	24,741,010	24,741,010		18,000,000	6,741,010
Diamond tools:									
National stockpile	1,015,400	1,015,400		Piece	64,178	64,178		(3)	64,178
Feathers and down:									
National stockpile	36,853,100	36,701,500	−151,600	Pound	8,881,351	8,859,352	−21,999	[3] 3,000,000	5,859,352
Fluorspar, acid grade:									
National stockpile	26,167,500	26,167,500		Short dry ton	463,049	463,049			
Defense Production Act	1,394,400	1,394,400		do	19,700	19,700			
Supplemental—barter	33,530,700	33,530,700		do	673,232	673,232			
Total	61,092,600	61,092,600		do	1,155,981	1,155,981		280,000	875,981
Fluorspar, metallurgical grade:									
National stockpile	17,332,400	17,332,400		do	369,443	369,443			
Supplemental—barter	1,508,100	1,508,100		do	42,800	42,800			
Total	18,840,500	18,840,500		do	412,243	412,243		375,000	37,243
Graphite, natural, Ceylon, amorphous lump:									
National stockpile	937,900	937,900		do	4,455	4,455			
Supplemental—barter	341,200	341,200		do	1,428	1,428			
Total	1,279,100	1,279,100		do	5,883	5,883		3,600	2,283
Graphite, natural, Madagascar, crystalline:									
National stockpile	7,052,100	7,039,900	−12,200	do	34,213	34,154	−59		
Supplemental—barter	237,043	236,600	−443	do	1,908	1,907	−1		
Total	7,289,143	7,276,500	−12,643	do	36,121	36,061	−60	17,200	−18,861
Graphite, natural, other, crystalline:									
National stockpile	1,896,300	1,896,300		do	5,487	5,487		2,100	3,387
Hyoscine:									
National stockpile	30,600	30,600		Ounce	2,100	2,100		2,100	(4)
Iodine:									
National stockpile	4,082,000	4,082,000		Pound	2,977,648	2,977,648			
Supplemental—barter	1,066,000	1,066,000		do	994,920	994,920			
Total	5,148,000	5,148,000		do	3,972,568	3,972,568		4,300,000	(4)
Iridium:									
National stockpile	2,525,800	2,525,800		Troy ounce	13,937	13,937		4,000	9,937
Jewel bearings:									
National stockpile	4,129,600	4,129,600		Piece	51,626,565	51,626,565		57,500,000	(4)
Kyanite-mullite:									
National stockpile	786,000	781,700	−4,300	Short ton dry	9,091	9,042	−49	4,800	4,242
Lead:									
National stockpile	319,298,100	319,298,100		Short ton	1,050,370	1,050,370			
Defense Production Act	1,221,600	1,233,900	+12,300	do	3,225	3,225			
Supplemental—barter	78,398,600	78,398,600		do	327,998	327,998			
Total	398,918,300	398,930,600	+12,300	do	1,381,593	1,381,593		[2] 0	1,381,593
Magnesium:									
National stockpile	129,351,800	128,925,700	−426,100	do	178,178	177,591	−587	107,000	70,591
Manganese, battery grade, natural ore:									
National stockpile	21,025,500	21,025,500		do	144,485	144,485			
Supplemental—barter	13,621,900	13,621,900		do	137,700	137,700			
Total	34,647,400	34,647,400		do	282,185	282,185		50,000	232,185
Manganese, battery grade, synthetic dioxide:									
National stockpile	3,095,500	3,095,500		Short dry ton	21,272	21,272			
Defense Production Act	2,524,700	2,524,700		do	3,779	3,779			
Total	5,620,200	5,620,200		do	25,051	25,051		20,000	5,051

See footnotes at end of table.

TABLE 1.—*Strategic and critical materials inventories (all grades), November 1963 (showing by commodity net changes during the month in terms of cost value and quantity, and excesses over maximum objectives in terms of quantity as of the end of the month)*—Continued

Commodity	Cost value			Quantity					
	Beginning of month, Aug. 1, 1963	End of month, Aug. 31, 1963	Net change during month	Unit of measure	Beginning of month, Aug. 1, 1963	End of month, Aug. 31, 1963	Net change during month	Maximum objective [1]	Excess over maximum objective
Manganese, chemical grade, type A:									
National stockpile	$2,133,300	$2,133,300		do	29,307	29,307			
Supplemental—barter	7,922,100	7,922,100		do	117,607	117,607			
Total	10,055,400	10,055,400		do	146,914	146,914		30,000	116,914
Manganese, chemical grade, type B:									
National stockpile	132,600	132,600		do	1,822	1,822			
Supplemental—barter	6,669,800	6,669,800		do	99,016	99,016			
Total	6,802,400	6,802,400		do	100,838	100,838		53,000	47,838
Manganese, metallurgical grade:									
National stockpile	248,240,300	248,240,300		do	5,851,264	5,851,264			
Defense Production Act	176,474,400	176,474,800	+$400	do	3,056,691	3,056,691			
Supplemental barter	241,202,862	241,487,614	+284,752	do	3,654,959	3,669,213	+14,254		
Total	665,917,562	666,202,714	+285,152	do	12,562,914	12,577,168	+14,254	6,800,000	5,777,168
Mercury:									
National stockpile	20,039,500	20,039,500		Flask	129,525	129,525			
Supplemental—barter	3,446,200	3,446,200		do	16,000	16,000			
Total	23,485,700	23,485,700		do	145,525	145,525		[2] 200,000	(4)
Mica, muscovite block:									
National stockpile	27,602,200	27,602,200		Pound	11,617,756	11,617,756			
Defense Production Act	40,746,400	40,746,400		do	6,446,722	6,446,722			
Supplemental—barter	5,395,162	5,444,103	+48,941	do	1,617,772	1,631,821	+14,049		
Total	73,743,762	73,792,703	+48,941	do	19,682,250	19,696,299	+14,049	8,300,000	11,396,299
Mica, muscovite film:									
National stockpile	9,058,100	9,058,100		do	1,724,327	1,724,327			
Defense Production Act	633,300	633,300		do	102,681	102,681			
Supplemental—barter	1,064,500	1,074,408	+9,908	do	108,765	109,789	+1,024		
Total	10,755,900	10,765,808	+9,908	do	1,935,773	1,936,797		1,300,000	636,797
Mica, muscovite splittings:									
National stockpile	40,598,300	40,598,300		do	40,159,938	40,159,938			
Supplemental—barter	6,225,800	6,225,800		do	4,826,257	4,826,257			
Total	46,824,100	46,824,100		do	44,986,195	44,986,195		21,200,000	23,786,195
Mica, phlogopite block:									
National stockpile	303,600	303,600		do	223,239	223,239		17,000	206,239
Mica, phlogopite splittings:									
National stockpile	2,580,500	2,580,500		do	3,079,063	3,079,063			
Supplemental—barter	2,400,115	2,400,100	−15	do	1,986,907	1,986,906	−1		
Total	4,980,615	4,980,600	−15	do	5,065,970	5,065,969	−1	1,700,000	3,365,969
Molybdenum:									
National stockpile	83,679,000	83,679,000		do	79,043,336	79,043,336		59,000,000	20,043,336
Nickel:									
National stockpile	181,960,400	181,960,400		Short ton	167,109	167,109			
Defense Production Act	101,072,100	101,070,500	−1,600	do	52,767	52,767			
Total	283,032,500	283,030,900	−1,600	do	219,876	219,876		[2] 50,000	169,876
Opium:									
National stockpile	13,661,700	13,661,700		Pound	195,757	195,757		[2] 141,280	54,477
Palladium:									
National stockpile	2,079,000	2,079,000		Troy ounce	89,811	89,811			
Defense Production Act	177,300	177,300		do	7,884	7,884			
Supplemental—barter	12,170,200	12,170,200		do	648,124	648,124			
Total	14,426,500	14,426,500		do	745,819	745,819		340,000	405,819
Palm oil:									
National stockpile	3,841,200	3,714,000	−127,200	Pound	21,340,692	20,631,337	−709,355	(3)	20,631,337
Platinum:									
National stockpile	56,879,900	56,879,900		Troy ounce	716,343	716,343			
Supplemental—barter	4,024,500	4,024,500		do	49,999	49,999			
Total	60,904,400	60,904,400		do	766,342	766,342		165,000	601,342
Pyrethrum:									
National stockpile	415,100	415,100		Pound	67,065	67,065		66,000	1,065
Quartz crystals:									
National stockpile	68,560,900	68,560,900		do	5,558,138	5,558,138			
Supplemental—barter	3,519,200	3,519,200		do	232,352	232,352			
Total	72,080,100	72,080,100		do	5,790,490	5,790,490		650,000	5,140,490
Quinidine:									
National stockpile	1,901,400	1,889,900	−11,500	Ounce	1,648,428	1,638,428	−10,000	1,600,000	38,428
Quinine:									
National stockpile	3,622,600	3,622,600		do	5,727,732	5,727,732		(3)	5,727,732
Rare earths:									
National stockpile	7,134,900	7,134,900		Short dry ton	10,042	10,042			
Supplemental—barter	5,803,211	5,813,809	+10,598	do	6,091	6,163	+72		
Total	12,938,111	12,948,709	+10,598	do	16,133	16,205	+72	5,700	10,505

See footnotes at end of table.

TABLE 1.—*Strategic and critical materials inventories (all grades), November 1963 (showing by commodity net changes during the month in terms of cost value and quantity, and excesses over maximum objectives in terms of quantity as of the end of the month)*—Continued

Commodity	Cost value			Quantity					
	Beginning of month, Aug. 1, 1963	End of month, Aug. 31, 1963	Net change during month	Unit of measure	Beginning of month, Aug. 1, 1963	End of month, Aug. 31, 1963	Net change during month	Maximum objective [1]	Excess over maximum objective
Rare earths residue:									
Defense Production Act	$657,800	$657,800		Pound	6,085,311	6,085,311		(3)	6,085,311
Rhodium:									
National stockpile	78,200	78,200		Troy ounce	618	618		(3)	618
Rubber:									
National stockpile	749,148,000	743,870,200	−$5,277,800	Long ton	968,649	962,343	−6,306	750,000	212,343
Ruthenium:									
Supplemental—barter	559,500	559,500		Troy ounce	15,001	15,001		(3)	15,001
Rutile:									
National stockpile	2,070,100	2,070,100		Short dry ton	18,599	18,599			
Defense Production Act	2,725,100	2,725,100		do	17,410	17,410			
Supplemental—barter	1,061,300	1,061,300		do	11,632	11,632			
Total	5,856,500	5,856,500		do	47,641	47,641		65,000	(4)
Rutile chlorinator charge:									
Defense Production Act				do	1,859	1,859		(3)	1,859
Sapphire and ruby:									
National stockpile	190,000	190,000		Carat	16,187,500	16,187,500		18,000,000	(4)
Selenium:									
National stockpile	757,100	757,100		Pound	97,100	97,100			
Supplemental—barter	1,070,500	1,070,500		do	156,518	156,518			
Total	1,827,600	1,827,600		do	253,618	253,618		400,000	(4)
Shellac:									
National stockpile	8,519,300	8,503,600	−15,700	do	16,993,123	16,961,735	−31,388	7,400,000	9,561,735
Silicon carbide, crude:									
National stockpile	11,394,500	11,394,500		Short ton	64,697	64,697			
Supplemental—barter	26,802,700	26,803,600	+900	do	131,805	131,805			
Total	38,197,200	38,198,100	+900	do	196,502	196,502		100,000	96,502
Silk noils and waste:									
National stockpile	1,377,800	1,375,800	−2,000	Pound	1,072,583	1,071,302	−1,281	970,000	101,302
Silk, raw:									
National stockpile	486,600	486,600		do	113,515	113,515		120,000	(4)
Sperm oil:									
National stockpile	4,775,400	4,775,400		do	23,442,158	23,442,158		[2] 23,400,000	42,158
Talc, steatite block and lump:									
National stockpile	496,800	496,800		Short ton	1,274	1,274		300	974
Talc, steatite ground:									
National stockpile	231,200	231,200		do	3,901	3,901		(3)	3,901
Tantalum:									
National stockpile	10,992,700	10,992,700		Pound	3,445,169	3,445,169			
Defense Production Act	9,734,400	9,734,400		do	1,531,366	1,531,067	−299		
Supplemental—barter	21,100	21,100		do	8,036	8,036			
Total	20,748,200	20,748,200		do	4,984,571	4,984,272	−299	2,420,000	2,564,272
Thorium:									
Defense Production Act	42,000	42,000		Pound	848,354	848,354			
Supplemental—barter	17,849,568	17,958,390	+108,822	do	8,561,950	8,620,525	+58,575		
Total	17,891,568	18,000,390	+108,822	do	9,410,304	9,468,879	+58,575	(3)	9,468,879
Tin:									
National stockpile	808,830,500	803,077,000	−5,753,500	Long ton	332,585	330,275	−2,310		
Supplemental—barter	16,404,000	16,404,000		do	7,505	7,505			
Total	825,234,500	819,481,000	−5,753,500	do	340,090	337,780	−2,310	[2] 200,000	137,780
Titanium:									
Defense Production Act	176,098,200	176,098,200		Short ton	22,371	22,371			
Supplemental—barter	32,097,700	32,097,700		do	9,021	9,021			
Total	208,195,900	208,195,900		do	31,392	31,392		(3)	31,392
Tungsten:									
National stockpile	369,127,300	369,127,300		Pound	120,071,339	120,071,339			
Defense Production Act	318,813,900	318,813,900		do	78,186,563	78,186,563			
Supplmental—barter	18,651,400	18,651,400		do	5,774,827	5,774,827			
Total	706,592,600	706,592,600		do	204,032,729	204,032,729		50,000,000	154,032,729
Vanadium:									
National stockpile	31,567,900	31,567,900		do	15,730,893	15,730,893		2,000,000	13,730,893
Vegetable tannin extract, chestnut:									
National stockpile	11,932,800	11,932,800		Long ton	42,770	42,770		30,000	12,770
Vegatable tannin extract, quebracho:									
National stockpile	49,169,700	49,144,900	−24,800	do	198,728	198,628	−100	180,000	18,628
Vegetable tannin extract, wattle:									
National stockpile	9,826,900	9,826,900		do	38,962	38,962		39,000	(4)

See footnotes at end of table.

Table 1.—*Strategic and critical materials inventories (all grades), November 1963 (showing by commodity net changes during the month in terms of cost value and quantity, and excesses over maximum objectives in terms of quantity as of the end of the month*—Continued

Commodity	Cost value			Quantity					
	Beginning of month, Aug. 1, 1963	End of month, Aug. 31, 1963	Net change during month	Unit of measure	Beginning of month, Aug. 1, 1963	End of month, Aug. 31, 1963	Net change during month	Maximum objective [1]	Excess over maximum objective
Zinc:									
National stockpile	$364,345,400	$364,345,400		Short ton	1,256,845	1,256,845			
Supplemental—barter	79,588,400	79,588,400		do	323,896	323,896			
Total	443,933,800	443,933,800		do	1,580,741	1,580,741		[2] 0	1,580,741
Zirconium ore, baddeleyite:									
National stockpile	710,600	710,600		Short dry ton	16,533	16,533		(3)	16,533
Zirconium ore, zircon:									
National stockpile	145,700	128,200	−$17,500	do	2,375	2,172	−203	(3)	2,172
Total:									
National stockpile	5,779,344,300	5,763,170,100	−16,174,200						
Defense Production Act	1,489,638,200	1,488,322,400	−1,315,800						
Supplemental—barter	1,350,137,038	1,352,246,150	+2,109,112						
Total, strategic and critical materials	8,619,119,538	8,603,738,650	−15,380,888						

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[1] Maximum objectives for strategic and critical materials are determined pursuant to the Strategic and Critical Materials Stock Piling Act (50 U.S.C. 98–98h). The Office of Emergency Planning is currently in the process of revising stockpile objectives. (See app. B, p. 21.)

[2] New objective. (See app. B, p. 21.)

[3] No present objective.

[4] Not in excess of maximum objective.

[5] Sebacic acid which is made from castor oil is included in the inventory and objective for castor oil. Previous reports stated the quantity of sebacic acid in pounds after conversion from castor oil. The net increase in this report, reflects an upward adjustment to credit the objective and inventory of castor oil with sebacic acid stated in pounds before conversion, on the basis of two and one half pounds of castor oil for each pound of sebacic acid. It does not represent an acquisition or increase in the inventory.

Source: Compiled from reports submitted by the General Services Administration and the Department of Agriculture.

Table 2.—*Agricultural commodities inventories, November 1963 (showing by commodity net changes during the month in terms of cost value and quantity)*

Commodity	Cost value			Quantity			
	Beginning of month, Nov. 1, 1963	End of month, Nov. 30, 1963	Net change during month	Unit of measure	Beginning of month, Nov. 1, 1963	End of month, Nov. 30, 1963	Net change during month
Price-support inventory:							
Basic commodities:							
Corn	$1,062,905,007	$1,059,482,017	−$3,422,990	Bushel	864,198,219	860,860,009	−3,338,210
Cotton, extra-long staple	9,812,982	9,812,704	−278	Bale	37,072	37,071	−1
Cotton, upland	1,114,926,515	1,077,832,107	−37,094,408	do	6,748,869	6,521,117	−227,752
Peanuts, shelled	9,145,462	9,590,914	+445,452	Pound	52,999,073	56,182,206	+3,183,133
Rice, milled	213	80,975	+80,762	Hundredweight	22	7,600	+7,578
Rice, rough	9,208,545	8,773,102	−435,443	do	1,728,757	1,647,523	−81,234
Wheat	2,046,189,033	2,015,704,960	−30,484,073	Bushel	1,020,522,857	1,005,061,053	−15,461,804
Wheat, rolled	1,792		−1,792	Pound	27,144		−27,144
Bulgur	331,576	810,829	+479,253	do	6,219,330	15,349,909	+9,130,579
Total, basic commodities	4,252,521,125	4,182,087,608	−70,433,517				
Designated nonbasic commodities:							
Barley	40,036,811	37,836,002	−2,200,809	Bushel	45,704,692	42,849,252	−2,855,440
Grain sorghum	669,262,401	660,547,705	−8,714,696	do	606,065,089	597,103,573	−8,961,516
Milk and butterfat:							
Butter	156,600,699	135,419,870	−21,180,829	Pound	269,701,959	233,325,582	−36,376,377
Butter oil	84,951,969	77,415,239	−7,536,730	do	107,966,204	98,661,482	−9,304,722
Cheese	22,244,169	19,884,525	−2,359,644	do	58,877,267	52,495,510	−6,381,757
Ghee	1,082,494	1,075,268	−7,226	do	1,342,100	1,342,100	
Milk, dried	100,556,427	89,892,299	−10,664,128	do	683,146,150	611,151,414	−71,994,736
Oats	11,438,911	11,337,644	−101,267	Bushel	19,057,806	18,861,290	−196,516
Rye	1,223,150	1,031,681	−191,469	do	1,188,843	1,002,290	−186,553
Total, designated nonbasic commodities	1,087,397,031	1,034,440,233	−52,956,798				
Other nonbasic commodities:							
Beans, dry, edible	3,316,130	2,434,686	−881,444	Hundredweight	430,755	318,304	−112,451
Cottonseed oil, refined	623,665	753,092	+129,427	Pound	3,631,769	4,383,743	+751,974
Flaxseed	14,664,603	10,653,881	−4,010,722	Bushel	4,973,828	3,615,106	−1,358,722
Soybeans	1,721,124	839,623	−881,501	do	747,324	375,947	−371,377
Vegetable oil products	1,013,881	949,482	−64,399	Pound	6,351,220	5,946,833	−404,387
Total, other nonbasic commodities	21,339,403	15,630,764	−5,708,639				
Total, price-support inventory	5,361,257,559	5,232,158,605	−129,098,954				
Inventory transferred from national stockpile: [1]							
Cotton, Egyptian	102,084,670	99,253,678	−2,830,992	Bale	120,836	117,485	−3,351
Cotton, American-Egyptian	23,678,822	23,628,525	−50,297	do	47,078	46,978	−100
Total, inventory transferred from national stockpile	125,763,492	122,882,203	−2,881,289	do	167,914	164,463	−3,451
Total, agricultural commodities	5,487,021,051	5,355,040,808	−131,980,243				

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[1] Transferred from General Services Administration pursuant to Public Law 85–96 and Public Law 87–548. (See app. A.)

Source: Compiled from reports submitted by the Department of Agriculture.

TABLE 3.—*Civil defense supplies and equipment inventories, November 1963 (showing by item net changes during the month in terms of cost value and quantity)*

Item	Cost value			Quantity			
	Beginning of month, Nov. 1, 1963	End of month, Nov. 30, 1963	Net change during month	Unit of measure	Beginning of month, Nov. 1, 1963	End of month, Nov. 30, 1963	Net change during month
Civil defense stockpile, Department of Defense:							
Engineering equipment (engine generators, pumps, chlorinators, purifiers, pipe, and fittings).	$10,100,049	$10,075,564	−$24,485	10-mile units	45	45	
Chemical and biological equipment	1,799,758	1,801,030	+1,272	[1]			
Total	11,899,807	11,876,594	−23,213				
Civil defense medical stockpile, Department of Health, Education, and Welfare:							
Medical bulk stocks, and associated items at civil defense mobilization warehouses.	138,544,462	138,681,711	+137,249	[1]			
Medical bulk stock at manufacturer locations	5,327,314	5,820,053	+492,739	[1]			
Civil defense emergency hospitals	37,181,646	37,350,438	+168,792	Each	1,930	1,930	
Replenishment units (functional assemblies other than hospitals).	443,620	426,472	−17,148	[1]			
Supply additions (for civil defense emergency hospitals).	10,924,416	10,924,416		[1]			
Total	192,421,458	193,203,090	+781,632				
Total, civil defense supplies and equipment	204,321,265	205,079,684	+758,419				

[1] Composite group of many different items.

Source: Compiled from reports submitted by the Department of Defense and the Department of Health, Education, and Welfare.

TABLE 4.—*Machine tools inventories, November 1963 (showing by item net changes during the month in terms of cost value and quantity)*

Item	Cost value			Quantity			
	Beginning of month, Nov. 1, 1963	End of month, Nov. 30, 1963	Net change during month	Unit of measure	Beginning of month, Nov. 1, 1963	End of month, Nov. 30, 1963	Net change during month
Defense Production Act:							
In storage	$21,400	$21,400		Tool	7	7	
On lease	2,144,300	2,144,300		do	103	103	
On loan	42,900	42,900		do	7	7	
Total	2,208,600	2,208,600		do	117	117	
National Industrial Reserve Act:							
In storage	78,241,300	78,124,600	−$116,700	do	6,993	6,949	−44
On lease	27,500	27,500		do	1	1	
On loan to other agencies	2,617,000	2,689,500	+72,500	do	279	301	+22
On loan to school programs	8,859,200	9,175,500	+316,300	do	2,099	2,170	+71
Total	89,745,000	90,017,100	+272,100	do	9,372	9,421	+49
Total, machine tools	91,953,600	92,225,700	+272,100	do	9,489	9,538	+49

Source: Compiled from reports submitted by the General Services Administration.

TABLE 5.—*Helium inventories, November 1963 (showing by item net changes during the month in terms of cost value and quantity)*

Item	Cost value			Quantity			
	Beginning of month, Nov. 1, 1963	End of month, Nov. 30, 1963	Net change during month	Unit of measure	Beginning of month, Nov. 1, 1963	End of month, Nov. 30, 1963	Net change during month
Helium:							
Stored aboveground	$247,979	$245,963	−$2,016	Cubic foot	21,300,000	21,100,000	−200,000
Stored underground	15,221,945	17,656,622	+2,434,677	do	1,598,900,000	1,819,100,000	+220,200,000
Total, helium	15,469,924	17,902,585	+2,432,661	do	1,620,200,000	1,840,200,000	+220,000,000

Source: Compiled from reports submitted by the Department of the Interior.

APPENDIX A—PROGRAM DESCRIPTIONS AND STATUTORY CITATIONS

STRATEGIC AND CRITICAL MATERIALS

National stockpile

The Strategic and Critical Materials Stock Piling Act (50 U.S.C. 98–98h) provides for the establishment and maintenance of a national stockpile of strategic and critical materials. The General Services Administration is responsible for making purchases of strategic and critical materials and providing for their storage, security, and maintenance. These functions are performed in accordance with directives issued by the Director of the Office of Emergency Planning. The act also provides for the transfer from other Government agencies of strategic and critical materials which are excess to the needs of such other agencies and are required to meet the stockpile objectives established by OEP. In addition, the General Services Administration is responsible for disposing of those strategic and critical materials which OEP determines to be no longer needed for stockpile purposes.

General policies for strategic and critical materials stockpiling are contained in DMO V–7, issued by the Director of the Office of Emergency Planning and published in the Federal Register of December 19, 1959 (24 F.R. 10309). Portions of this order relate also to Defense Production Act inventories.

Defense Production Act

Under section 303 of the Defense Production Act of 1950 (50 U.S.C. App. 2093) and Executive Order 10480, as amended, the General Services Administration is authorized to make purchases of or commitments to purchase metals, minerals, and other materials, for Government use or resale, in order to expand productive capacity and supply, and also to store the materials acquired as a result of such purchases or commitments. Such functions are carried out in accordance with programs certified by the Director of the Office of Emergency Planning.

Supplemental—barter

As a result of a delegation of authority from OEP (32A C.F.R., ch. I, DMO V–4) the General Services Administration is responsible for the maintenance and storage of materials placed in the supplemental stockpile. Section 206 of the Agricultural Act of 1956 (7 U.S.C. 1856) provides that strategic and other materials acquired by the Commodity Credit Corporation as a result of barter or exchange of agricultural products, unless acquired for the national stockpile or for other purposes, shall be transferred to the supplemental stockpile established by section 104(b) of the Agricultural Trade Development and Assistance Act of 1954 (7 U.S.C. 1704(b)). In addition to the materials which have been or may be so acquired, the materials obtained under the programs established pursuant to the Domestic Tungsten, Asbestos, Fluorspar, and Columbium-Tantalum Production and Purchase Act of 1956 (50 U.S.C. App. 2191–2195), which terminated December 31, 1958, have been transferred to the supplemental stockpile, as authorized by the provisions of said Production and Purchase Act.

AGRICULTURAL COMMODITIES

The price-support program

Price-support operations are carried out under the charter powers (15 U.S.C. 714) of the Commodity Credit Corporation, Department of Agriculture, in conformity with the Agricultural Act of 1949 (7 U.S.C. 1421), the Agricultural Act of 1954 (7 U.S.C. 1741), which includes the National Wool Act of 1954, the Agricultural Act of 1956 (7 U.S.C. 1442), the Agricultural Act of 1958 and, with respect to certain types of tobacco, in conformity with the act of July 28, 1945, as amended (7 U.S.C. 1312). Under the Agricultural Act of 1949, price support is mandatory for the basic commodities—corn, cotton, wheat, rice, peanuts, and tobacco—and specific nonbasic commodities; namely, tung nuts, honey, milk, butterfat, and the products of milk and butterfat. Under the Agricultural Act of 1958, as producers of corn voted in favor of the new price-support program for corn authorized by that act, price support is mandatory for barley, oats, rye, and grain sorghums. Price support for wool and mohair is mandatory under the National Wool Act of 1954, through the marketing year ending March 31, 1966. Price support for other nonbasic agricultural commodities is discretionary except that, whenever the price of either cottonseed or soybeans is supported, the price of the other must be supported at such level as the Secretary determines will cause them to compete on equal terms on the market. This program may also include operations to remove and dispose of or aid in the removal or disposition of surplus agricultural commodities for the purpose of stabilizing prices at levels not in excess of permissible price-support levels.

Price support is made available through loans, purchase agreements, purchases, and other operations, and, in the case of wool and mohair, through incentive payments based on marketings. The producers' commodities serve as collateral for price-support loans. With limited exceptions, price-support loans are nonrecourse and the Corporation looks only to the pledged or mortgage collateral for satisfaction of the loan. Purchase agreements generally are available during the same period that loans are available. By signing a purchase agreement, a producer receives an option to sell to the Corporation any quantity of the commodity which he may elect within the maximum specified in the agreement.

The major effect on budgetary expenditures is represented by the disbursements for price-support loans. The largest part of the commodity acquisitions under the program result from the forfeiting of commodities pledged as loan collateral for which the expenditures occurred at the time of making the loans, rather than at the time of acquiring commodities.

Dispositions of commodities acquired by the Corporation in its price-support operations are made in compliance with sections 202, 407, and 416 of the Agricultural Act of 1949, and other applicable legislation, particularly the Agricultural Trade Development and Assistance Act of 1954 (7 U.S.C. 1961), title I of the Agricultural Act of 1954, title II of the Agricultural Act of 1956, the Agricultural Act of 1958, the act of August 19, 1958, in the case of cornmeal and wheat flour and the act of September 21, 1959, with regard to sales of livestock feed in emergency areas.

Inventory transferred from national stockpile

This inventory, all cotton, was transferred to Commodity Credit Corporation at no cost from the national stockpile pursuant to Public Law 85–96 and Public Law 87–548. The proceeds from sales, less costs incurred by CCC, are covered into the Treasury as miscellaneous receipts; therefore, such proceeds and costs are not recorded in the operating accounts. The cost value as shown for this cotton has been computed on the basis of average per bale cost of each type of cotton when purchased by CCC for the national stockpile.

CIVIL DEFENSE SUPPLIES AND EQUIPMENT

Civil defense stockpile

The Department of Defense conducts this stockpiling program pursuant to section 201 (h) of Public Law 920, 81st Congress, as amended. The program is designed to provide some of the most essential materials to minimize the effects upon the civilian population which would be caused by an attack upon the United States. Supplies and equipment normally unavailable, or lacking in quantity needed to cope with such conditions, are stockpiled at strategic locations in a nationwide warehouse system consisting of general storage facilities.

Civil defense medical stockpile

The Department of Health, Education, and Welfare conducts the stockpiling program for medical supplies and equipment pursuant to section 201(h) of Public Law 920, 81st Congress, as delegated by the President following the intent of Reorganization Plan No. 1, of 1958. The Department of Health, Education, and Welfare plans and directs the procurement, storage, maintenance, inspection survey, distribution, and utilization of essential supplies and equipment for emergency health services. The medical stockpile includes a program designed to pre-position assembled emergency hospitals and other medical supplies and equipment into communities throughout the Nation.

MACHINE TOOLS

Defense Production Act

Under section 303 of the Defense Production Act of 1950 (50 U.S.C. App. 2093) and Executive Order 10480, as amended, the General Services Administration has acquired machine tools in furtherance of expansion of productive capacity, in accordance with programs certified by the Director of the Office of Emergency Planning.

National industrial equipment reserve

Under general policies established and directives issued by the Secretary of Defense, the General Services Administration is responsible for care, maintenance, utilization, transfer, leasing, lending to nonprofit schools, disposal, transportation, repair, restoration, and renovation of national industrial reserve equipment transferred to GSA under the National Industrial Reserve Act of 1948 (50 U.S.C. 451–462).

HELIUM

The helium conservation program is conducted by the Department of the Interior pursuant to the Helium Act, approved September 13, 1960 (Public Law 86–777; 74 Stat. 918; 50 U.S.C. 167) and subsequent appropriations acts which have established fiscal limitations and provided borrowing authority for the program. Among other things, the Helium Act authorizes the Secretary of the Interior to produce helium in Government plants, to acquire helium from private plants, to sell helium to meet current demands, and to store for future use helium, that is so produced or acquired in excess of that required to meet current demands. Sales of helium by the Secretary of the Interior shall be at prices established by him which shall be adequate to liquidate the costs of the program within 25 years, except that this period may be extended by the Secretary for not more than 10 years for funds borrowed for purposes other than the acquisition and construction of helium plants and facilities.

This report covers helium that is produced in Government plants and acquired from private plants. Helium in excess of current demands is stored in the Cliffside gasfield near Amarillo, Tex. The unit of measure is cubic foot at 14.7 pounds per square inch absolute pressure and 70° F.

APPENDIX B—NEW STOCKPILE OBJECTIVES

The Office of Emergency Planning is in the process of establishing new objectives for strategic and critical materials. Table 1 of this report reflects the new objectives for 12 materials: Aluminum, castor oil, chromite (metallurgical grade), copper, feathers and down, lead, mercury, nickel, opium, sperm oil, tin, and zinc.

The following excerpts from OEP statements dated July 11 and 19, 1963, set forth the new policy with respect to objectives for strategic and critical materials:

"The Office of Emergency Planning is now conducting supply-requirements studies for all stockpile materials which will reflect current military, industrial, and other essential needs in the event of a conventional war emergency. On the basis of recently completed supply-requirements studies for the foregoing materials, the new stockpile objectives were established with the advice and assistance of the Interdepartmental Materials Advisory Committee, a group chaired by the Office of Emergency Planning and composed of representatives of the Departments of State, Defense, the Interior, Agriculture, Commerce, and Labor, and the General Services Administration, the Agency for International Development, and the National Aeronautics and Space Administration. Representatives of the Bureau of the Budget, the Atomic Energy Commission, and the Small Business Administration participate as observers.

"These new objectives reflect a new policy to establish a single objective for each stockpile material. They have been determined on the basis of criteria heretofore used in establishing maximum objectives, and reflect the approximate calculated emergency deficits for the materials for conventional war and do not have any arbitrary adjustments for possible increased requirements for other types of emergency.

"Heretofore, there was a 'basic objective and a 'maximum objective' for each material. The basic objectives assumed some continued reliance on foreign sources of supply in an emergency. The former maximum objectives completely discounted foreign sources of supply beyond North America and comparable accessible areas.

"Previously, maximum objectives could not be less than 6 months' normal usage of the material by industry in the United States in periods of active demand. The 6-month rule has been eliminated in establishing the new calculated conventional war objectives.

"The Office of Emergency Planning also announced that the present Defense Mobilization Order V–7, dealing with general policies for strategic and critical materials stockpiling, was now being revised to reflect these new policies. When finally prepared and approved, the new order will be published in the Federal Register.

"New conventional war objectives for the remaining stockpile materials are being developed as rapidly as new supply-requirements data become available. They will be released as they are approved.

"The Office of Emergency Planning is also making studies to determine stockpile needs to meet the requirements of general nuclear war and reconstruction. Stockpile objectives for nuclear war have not previously been developed. Some commodity objectives may be higher and others may be lower than the objectives established for conventional war.

"After the nuclear war supply-requirements studies are completed, stockpile objectives will be based upon calculated deficits for either conventional war or nuclear war, whichever need is larger.

"The Office of Emergency Planning stressed that any long-range disposal programs undertaken prior to the development of objectives based on nuclear war assumptions would provide against disposing of quantities which might be needed to meet essential requirements in the event of nuclear attack. While the disposal of surplus materials can produce many problems which have not heretofore arisen, every effort will be made to see that the interests of producers, processors, and consumers, and the international interests of the United States are carefully considered, both in the development and carrying out of disposal programs. Before decisions are made regarding the adoption of a long-range disposal program for a particular item in the stockpile, there will be appropriate consultations with industry in order to obtain the advice of interested parties."

STATEMENT BY SENATOR BYRD OF VIRGINIA

The cost value of Federal stockpile inventories as of November 30, 1963, totaled $14,273,987,427. This was a net decrease of $143,897,951 as compared with the November 1 total of $14,417,885,378.

Net changes during the month are summarized by major category as follows:

Major category	Cost value, November 1963	
	Net change during month	Total, end of month
Strategic and critical materials	−$15, 380, 888	$8, 603, 738, 650
Agricultural commodities	−131, 980, 243	5, 355, 040, 808
Civil defense supplies and equipment	+758, 419	205, 079, 684
Machine tools	+272, 100	92, 225, 700
Helium	+2, 432, 661	17, 902, 585
Total	−143, 897, 951	14, 273, 987, 427

These figures are from the November 1963 report on Federal stockpile inventories compiled from official agency data by the Joint Committee on Reduction of Nonessential Federal Expenditures, showing detail with respect to quantity and cost value of each commodity in the inventories covered.

STRATEGIC AND CRITICAL MATERIALS

So-called strategic and critical materials are stored by the Government in (1) the national stockpile, (2) the Defense Production Act inventory, and (3) the supplemental-barter stockpile.

Overall, there are now 94 materials stockpiled in the strategic and critical inventories. Maximum objectives—in terms of volume—are presently fixed for 76 of these 94 materials. Of the 76 materials having maximum objectives, 61 were stockpiled in excess of their objectives as of November 30, 1963.

Increases in cost value were reported in 14 of the materials stockpiled in all strategic and critical inventories, decreases were reported in 23 materials, and 57 materials remained unchanged during November.

National stockpile

The cost value of materials in the national stockpile as of November 30, 1963, totaled $5,763,170,100. This was a net decrease of $16,174,200 during the month. The largest decreases were $5,753,500 in tin, $5,277,800 in rubber, $1,517,100 in cadmium, and $1,155,800 in coconut oil.

Defense Production Act inventory

The cost value of materials in the Defense Production Act inventory as of November 30, 1963, totaled $1,488,322,400. This was a net decrease of $1,315,800. The larger decreases were in aluminum and copper.

Supplemental-barter

The cost value of materials in the supplemental-barter stockpile as of November 30, 1963, totaled $1,352,246,150. This was a net increase of $2,109,112. The largest increases were in beryllium metal and asbestos.

OTHER STOCKPILE INVENTORIES

Among the other categories of stockpiled materials covered by the report, the largest is $5.4 billion in agricultural commodities. Major decreases in agricultural commodities during November were reported for cotton, milk and butterfat, and wheat.

Inventories of civil defense supplies and equipment showed increases in medical stocks; the machine tools inventories showed a net increase; and the helium inventories showed a net increase during November.

EXECUTIVE REPORTS OF COMMITTEE ON COMMERCE

The following favorable reports of nominations were submitted:

By Mr. MAGNUSON, from the Committee on Commerce:

Jan R. Dazey, and sundry other persons, for appointment in the U.S. Coast Guard.

Mr. **MAGNUSON**. Mr. President, in addition, I report favorably sundry nominations for promotion in the U.S. Coast Guard. Since these names have already appeared in the CONGRESSIONAL RECORD, in order to save the expense of printing on the Executive Calendar, I ask unanimous consent that they be ordered to lie on the Secretary's desk for the information of any Senator.

The **PRESIDING OFFICER**. Without objection, it is so ordered.

The nominations ordered to lie on the desk are as follows:

Allen E. Rolland, and sundry other persons, for promotion in the U.S. Coast Guard.

BILL INTRODUCED

A bill was introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. EASTLAND:

S. 2473. A bill for the relief of Seweryn Bialer; to the Committee on the Judiciary.

REDUCTION OF INDIVIDUAL AND CORPORATE INCOME TAXES—AMENDMENTS

PROXMIRE AMENDMENT TO REPEAL "DOUBLE" INVESTMENT CREDIT (AMENDMENT NO. 386)

Mr. **PROXMIRE**. Mr. President, I submit amendments to the tax bill, H.R. 8363, which has been reported from the Senate Finance Committee today.

My first amendment would strike out all of the words on page 33 of the bill beginning with the word "repeal" and going through the word "provisions" on line 12.

Mr. President, in the Revenue Act of 1962 provision was made for an investment credit. It was the decision of the Finance Committee and later of the Senate that the amounts involved in this investment credit provision should, in equity, reduce the base for depreciation of machinery and equipment. I believe that was an equitable provision and should be retained in the law. My amendment, by striking out the particular words in the bill, would maintain present law. The provision being deleted by my amendment would permit business firms to depreciate the entire costs of their machinery and equipment and in addition take the full amount of the investment credit.

The **PRESIDING OFFICER**. The amendment will be received, printed, and lie on the table.

PROXMIRE PROCONSUMER AMENDMENT (AMENDMENT NO. 387)

Mr. **PROXMIRE**. Mr. President, my second amendment also pertains to the investment credit. In the tax bill, as reported from the Finance Committee, there is a shocking provision under which no Federal regulatory agency could insure that tax savings from the investment credit are passed through in the form of lower rates to the customers of public utilities.

My amendment would simply strike this provision from the tax bill. The effect of this would be that Federal regulatory agencies could insure that the benefits from the investment credit are provided to customers of public utilities.

The purpose of the investment credit and the tax bill is to stimulate consumption and investment. I think it is impossible for consumption of utility services to be increased unless rate reductions occur. Similarly, it seems highly unlikely that investment in public utilities will increase unless consumer demand is stimulated. Finally, Mr. President, it seems highly inappropriate that Federal regulatory agencies be prevented from doing their job of protecting American consumers. It also seems highly inappropriate that public utilities be permitted to charge rates on the basis of costs they do not incur.

The **PRESIDING OFFICER**. The amendment will be received, printed, and lie on the table.

AMENDMENT OF RULE XXV, RELATING TO MEETINGS OF COMMITTEES WHILE SENATE IS IN SESSION—AMENDMENTS (AMENDMENTS NOS. 388, 389)

Mr. CLARK proposed an amendment (No. 388) to Senate Resolution 111, amending rule XXV of the standing rules relative to meetings of committees while the Senate is in session, which was ordered to be printed.

Mr. CLARK submitted an amendment (No. 389), intended to be proposed by him to Senate Resolution 111, supra, which was ordered to lie on the table and to be printed.

COMMISSION ON AUTOMATION, TECHNOLOGY, AND EMPLOYMENT—ADDITIONAL COSPONSOR OF BILL

Mr. HUMPHREY. Mr. President, I ask unanimous consent that the name of the Senator from Indiana [Mr. BAYH] be added as a cosponsor of S. 2427, a bill to establish a Commission on Automation, Technology, and Employment, and that his name be included on the next printing of the bill.

The PRESIDING OFFICER. Without objection, it is so ordered.

ANNOUNCEMENT OF HEARINGS—THE USE OF PESTICIDES ON TOBACCO

Mr. RIBICOFF. Mr. President, I wish to announce that the Subcommittee on Reorganization and International Organizations of the Senate Committee on Government Operations will resume its hearings on "Interagency Coordination in Environmental Hazards" next Tuesday, February 4 in room 3302, New Senate Office Building.

Mr. President, the report of the Advisory Committee to the Surgeon General entitled "Smoking and Health" confirms the information we have been gathering that pesticides, used on tobacco plants, end up in detectable quantities in cigarettes. But the report leaves many unanswered questions concerning these pesticide residues.

We want to know how much of these pesticides are in cigarettes, how much is in cigarette smoke and how much gets into the bodies of smokers themselves. We want to know what health hazard these pesticides present and what can be done to reduce or eliminate this hazard. The Surgeon General's report indicates that little can be done at present to remove some of the cancer-causing elements in cigarette smoking. However, pesticides are one such element that can be reduced through cautious application and can be eliminated entirely through use of nonchemical alternatives.

In addition, we want to review the extent of cooperation between Government agencies in gathering information in this field and the authority of these agencies to take effective action. We know, for example, that there is authority to set tolerances guarding against undue pesticide residues on food products. Apparently no similar authority exists to guard against excessive residues on tobacco products. We will seek answers in this area to see whether additional authority is needed.

Mr. President, the subcommittee's study of the use of pesticides has resulted in numerous specific achievements which our chairman, the Senator from Minnesota [Mr. HUMPHREY], described recently in a progress report memorandum. I ask unanimous consent to include portions of his report at this point in the RECORD.

There being no objection, the report was ordered to be printed in the RECORD, as follows:

NUMEROUS SPECIFIC ACHIEVEMENTS

1. Strengthened registration law passes Senate: On the first page you see an indication of one of the most important results—the Senate's sound enactment of a bill, S. 1605, which Senator RIBICOFF had introduced on behalf of himself and three other members of the subcommittee—Senators PELL, PEARSON, and JAVITS.

Recommendations by a panel of the President's Science Advisory Committee and testimony by Secretary of Agriculture Freeman had pinpointed the unfortunate practice of "protest registration" under which a pesticide can be marketed despite USDA disapproval of safety claims. Four days later, remedial legislation—S. 1605—was introduced in order to strengthen the law. The bill passed the Senate on October 22.

Hearings on an identical measure have been completed by the House Committee on Agriculture.

In addition to ending protest registration, the bill requires the pesticide label to show Government approval for safety and effectiveness by printing the USDA registration number on the label.

2. USDA information policy improved: Public attention focused on the protest registration problem brought out the fact that USDA policy forbade disclosure to the public of products so registered. Subcommittee efforts resulted in a change in that policy, so that press releases will announce any future product registered under protest and so that those now on the market will have been clearly identified. In addition, all public comments on proposed revisions in pesticide labeling regulations will be available for public inspection—a departure from past USDA practice.

3. Protection of fish and wildlife clarified: The President's Science Advisory Committee Panel had recommended legislation to clarify the Federal pesticide control law as it applies to the protection of fish and wildlife. At the suggestion of Senator RIBICOFF last May, the Secretary of Agriculture and Secretary of Interior Udall took the problem under advisement. On August 1, there was published in the Federal Register a clarification of the law—including fish and wildlife among species to be protected under the Federal Insecticide, Fungicide, and Rodenticide Act.

4. Funds to evaluate pest control programs: The PSAC panel had recommended the appropriation of funds to evaluate the efficiency of Federal control and eradication programs and their effects on nontarget organisms in the environment. Regrettably, no request for such funds was submitted to Congress in the 1964 fiscal year USDA budget. An amendment to the USDA appropriation bill (H.R. 6754) in the amount of $250,000 for this purpose was offered by Senator RIBICOFF on the Senate floor on September 26 and was unanimously adopted.

5. Improved labeling of pesticides: During the early hearings, Senator RIBICOFF asked Secretary Freeman to review existing labeling requirements with a view to strengthening and improving them. On September 6, proposed revisions in the labeling and enforcement regulations of USDA were printed in the Federal Register and are now under consideration.

Mr. RIBICOFF. Mr. President, few men in the history of our Nation have been so devoted as the Senator from Minnesota [Mr. HUMPHREY] to protecting the consumers of our country—the unorganized masses who must rely on little more than faith that their health and economic interests are properly protected by those Federal agencies charged with the task. He has been a watchdog over these agencies to assure their coordinated, efficient, and economical administration of the Nation's consumer protection laws. It is a long, hard, and most often unrewarding struggle. The entire Nation owes him a debt of gratitude for his persistent and effective efforts on behalf of the public.

NOTICE OF HEARINGS ON PROFESSIONAL SPORTS ANTITRUST BILL

Mr. HART. Mr. President, the Antitrust and Monopoly Subcommittee will hold hearings on January 30 and 31 and February 4 on S. 2391, the professional sports antitrust bill. Hearings begin at 10 a.m. in room 2228 of the New Senate Office Building.

The purpose of the bill is to bring the four team sports of baseball, football, basketball, and hockey under the antitrust laws. At present, baseball is exempt while the other three are subject to antitrust regulation. The bill recognizes the unique character of professional sports and limits the applicability of the law in certain areas.

The subcommittee has invited as witnesses management and player representatives of the sports involved. Any others who believe they can contribute to this hearing and who wish to testify are urged to write to Jerry Cohen, chief counsel of the subcommittee, 412 Senate Office Building. The witness list is as follows:

BASEBALL—JANUARY 30

1. Mr. George Selkirk, general manager, Washington Senators.
2. Mr. Ford Frick, commissioner of baseball.
3. Mr. Philip Piton, assistant to the president, Association of Professional Baseball Leagues.
4. Mr. Bob Friend, player representative, National Baseball League.
5. Mr. Bob Allison, player representative, American Baseball League.

BASKETBALL, HOCKEY, AND SOCCER—JANUARY 31

1. Mr. Walter Kennedy, commissioner, National Basketball Association.
2. Mr. C. S. Campbell, president, National Hockey League.
3. Mr. William D. Cox, president, Manhattan Soccer Club, Inc.

FOOTBALL—FEBRUARY 4

1. Mr. Pete Rozelle, commissioner, National Football League.
2. Mr. Joe Foss, commissioner, American Football League.
3. Mr. George T. Gareff, commissioner, United Football League.

ENROLLED BILL PRESENTED

The Secretary of the Senate reported that on today, January 28, 1964, he presented to the President of the United States the enrolled bill (S. 1309) to amend the Small Business Act, and for other purposes.

THE GROWING GOVERNMENT AND YOU

Mr. BEALL. Mr. President, on January 6, 1964, Mr. Robert H. Levi, president of the Hecht Co., addressed the top management session of the National Retail Merchants Association's 53d annual convention in New York.

Selecting as his subject "The Growing Government and You," Mr. Levi has given keen insight into the problems affecting our business community. He stresses the point that our Nation's business leaders must take a greater interest in Government affairs.

As president of a large chain of department stores, Mr. Levi's record places him among our Nation's outstanding business executives.

I am delighted that he has spoken out on this subject. Our country will benefit greatly if the business community gives heed to Mr. Levi's suggestions.

In order that my colleagues may have an opportunity to read this excellent speech, I ask unanimous consent that Mr. Levi's address entitled "The Growing Government and You" be printed in the Record.

There being no objection, the address was ordered to be printed in the Record, as follows:

The Growing Government and You

(Address of Robert H. Levi, president of the Hecht Co., Baltimore and Washington, at the top management session of the National Retail Merchants Association's 53d annual convention, Grand Ballroom, Hotel Statler Hilton, New York City, Monday, January 6, 1964)

When I was approached several months ago by Gordon Dakins to accept this speaking assignment on "The Growing Government and You," I was concerned as to my ability and for that matter to the ability of anyone to compress such a large subject into a reasonable length of time.

Since saying "yes" to speaking this evening, I have been trying to determine just why I should be standing on this podium. I am not a lawyer. In the District of Columbia we vote every 4 years for President—we have no voice in the selection of our local government, and with the many problems facing Congress, make little impression in the "marble halls" on the legislation affecting the District of Columbia. I concluded that because Congress is the city council of our National Capital that it brings home to us who work there how tremendously important it is for business and the individual to be heard in the halls of Congress, if we're to have legislation founded on sound business principles rather than economic theory. Tonight, for many reasons that I trust will be obvious as I proceed, I have limited myself to your role with Federal Government.

The very title of my subject might lead one to believe that I am antagonistic to Government, and this I want to make perfectly clear, is not the case. It is my opinion that Government and business should be partners and that the connotation of good or evil cannot be attached to either. The colossus of Federal Government, although a personal benefit to the business I head, is also a serious threat to our future way of life.

Today, almost every phase of our life feels the confining hands of Government regulation and interference with business. George Washington stated: "Government is not reason, it is not eloquence—it is force. Like fire, it is a dangerous servant and a fearful master."

Today we are faced with a collection of powers and bureaucratic institutions against which the average citizen feels absolutely helpless, and yet when you look at all of the things that Government is doing and planning to do, you wonder how it gets along with so few.

Today, one out of every eight employed persons in the United States is on the Federal, State or local government payroll. In the past 32 months, a quarter of a million people have been added to the Federal payroll.

Government spends $175 billion a year—one out of every $3 for goods and services produced in the United States.

Government owns 768 million acres of land—again 1 out of every 3 in the country.

Government has authority for outstanding debt of at least $1,242 billion—equal to $6,000 for each person in the country.

Since 1910, our population has doubled but our cost of Federal Government is ninetyfold from $1 billion to $100 billion.

The complexity of Federal Government increases regardless of the number of people it serves.

A Committee on Government Operations of the House of Representatives in the year 1961 determined to find out just what the U.S. Government was doing for the consumer. The committee requested by questionnaire, answers from 35 governmental departments. The following findings, I think, are of interest:

1. Only 2 of the 35 agencies reported no consumer activities of any kind.

2. The other 33 agencies reported as many as 50 consumer activities, the highest being the Department of Agriculture—Health, Education, and Welfare, 40; the Defense Department, 30; and 20 for Commerce.

One each for the State Department and NASA. In total there were: 103 activities directly protecting consumers; 15 activities directly advancing consumer interest; 135 activities indirectly protecting the consumer or advancing their interest; and 43 activities protecting the general public. A total of 296 activities in all.

The committee, in attempting to figure out how much all of this cost, excluded the 178 general activities and determined the estimated cost of 118 activities, directly protecting or directly advancing consumers interest at 65,000 employees and an expenditure of roughly $1 billion a year.

Does the consumer realize and if he did realize, would he really want to pay for all of this protection so nicely provided by our elected Representatives but paid for by the consumer in more ways than one? The $1 billion quoted in Government in 1961 is a minor amount compared to the cost that must be added to merchandise by both manufacturer and distributor spent in complying with the Federal regulations and laws. Many of the laws are good ones—many of the laws go to uneconomic legalistic extremes to the benefit of no one but to the expense of all.

The administration has established the Consumer Advisory Council, now in operation a year and a half. The council has publicly announced its objectives of changing common law to statutory law, of shifting from remedy for damage to prevention of damage and of advocating a general increase in the importance of Federal Government in the activity of consumer affairs.

The administration in its 1963 message to Congress, stressed protection for the consumer, and specifically asked for passage of the Douglas credit bill, the right for the Federal Trade Commission to issue temporary cease-and-desist orders while permanent action is pending and other legislation for so-called consumer protection.

The consumer, however, without being effectively organized, as stated by the administration and without all of these new protective measures, was the mainstay and the outstanding strength of our economy, which brought us from the recession of 1961 to the prosperity of 1963. Might we conclude that perhaps someone other than just Government is also protecting the consumer for the simple reason of self-interest? Business knows that one fact essential to success is the confidence of the consumer. No one has found how to lie forever without being exposed.

Theodore Roosevelt said: "We demand that big business give people a square deal; in return, we must insist that when anyone in business honestly endeavors to do right, he shall himself be given a square deal." The atmosphere, the political attractiveness of controlling distribution has changed a great deal from the time of Theodore Roosevelt and if retailing is to get a square deal, it must take the leadership in shaping the destinies of its future. Retailers in dealing with the Federal Government remind me of a fellow I once knew who said that when he came to railroad crossings, he always honked his horn very loudly to warn the oncoming express to get to get out of his way.

We have some 10,000 stores associated with NRMA, that means at least 10,000 executives in top management. All potentially can or should become effective on the national scene. Yet, when the Washington office of our association sends out at the beginning of the congressional session a confidential questionnaire requesting the top executive of each member firm to indicate the names of Congressmen and Federal agency officials with whom he may be acquainted, only 200 were returned in 1963 and 150 in 1962. Is it that we don't want to be bothered or are we just too busy in our nice big ruts to realize that it is valuable to us to give this information and to take some active part in the work of our Federal Government?

I am confident that we all realize that our first responsibility is to buy and sell merchandise honestly and profitably, but I am not quite certain that we are as astute in clearly recognizing the largest single partner in our business. The man with the red, white and blue and the big top hat and the nice little beard is still our senior partner and owns the majority of our business. You may ask how I can reach that conclusion and it is simple—how are the profits of the business divided? Our tax rates over the past number of years have represented 52 percent of our profits in larger businesses and if we add the miscellaneous taxes paid in the form of social security, excise and others, would probably represent close to 60 percent of our total profits earned in each year. Should we spend 52 percent of our time on Government affairs? I believe this also to be unrealistic, just as unrealistic as I think most of us are about the amount of time and energy that should be spent on Government affairs.

Do you know that 9 out of 10 resolutions passed at the general meeting of the NRMA convention in 1963 dealt with the Federal Government and one dealt with the question of Sunday selling? That during the last 5 NRMA conventions, years 1959 to 1963, a total of 55 convention resolutions were passed, that of this number, 3 dealt with our trades, 5 dealt with the Sunday closing law which you can classify either as city or State and 47 of our 55 resolutions dealt with the Federal Government.

Time permits only a quick review of present controlling legislation:

(1) Taxes: We are a junior partner with Uncle Sam on income taxes—more social security, higher unemployment taxes and trial balloons on a Federal sales tax. Control is minimum but the cost is detrimentally high for the future of our American economic system.

(2) Labeling laws: Nice to have, * * * how much do they cost the consumer?

(a) Fur Products Labeling Act.

(b) Textile Products Identification Act.

(c) Wool Products Labeling Act of 1939.

(d) Flammable Fabric Act.

(e) Federal Hazardous Substances Labeling Act.

(f) Federal Food, Drug and Cosmetics Act.

(g) National Stamping Act.

(3) Laws prohibiting unfair methods of competition and unfair deceptive acts or practices.

(a) Federal Trade Commission Act—section 5: Knowing receipt or inducement of nonproportionalized allowances. Anything goes, including fishing expeditions. A tremendous legal field. Wide open for all forms of investigation.

(4) FTC guides.

(a) Deceptive pricing.

(b) Bait advertising.

(c) Deceptive advertising of guarantees.

(d) Guides for shoe content labeling and advertising.

(5) Trade regulations: Almost same force as law.

(a) The first—on sleeping bags applies to advertising, labeling, marking of sizes, etc., and how many more are to come.

(6) Robinson-Patman Act.

(a) Knowingly to induce or receive a discrimination in price.

(b) Criminal section prohibiting any transacton which discriminates against a competitor as respects discounts, rebates, allowances, or advertising service.

(7) Fair Labor Standard Act.

(a) Extension of coverage to retailing in 1961.

(b) Equal pay amendment—1964, equal pay for women.

(8) Welfare and Pension Plan Disclosure Act.

(a) Filing of forms.

(9) Other acts such as Sherman Act, Clayton Act—dealing with antitrust on the basis of lessening competition.

The Government's attempt to protect people is an even-off process, detrimental to the individual who is aggressive, creative, enterprising and who will work harder than his competitor. We do not argue against protection for all, but we take exception with the policy that treating all alike is advantageous to private enterprise or to the future building of a strong distribution system, which in the past, has been one of the great contributors to the high standard of living created in our country for the benefit of all citizens.

What have we to look for in the future of Federal legislation? Many fertile minds are dreaming up new protection for consumers. Time permits only a quick scanning of laws introduced into the last congressional session:

(1) Credit control bill by Senator DOUGLAS of Illinois. In addition, nine similar bills are pending in the House of Representatives.

(2) Office of Consumers—the late Senator Kefauver of Tennessee. Five similar bills have been introduced in the House.

(3) Congressional Committee on Consumer Interests—introduced by Representative MULTER of New York in the House.

(4) Packaging and labeling bill—introduced by Senator HART of Michigan. Seven bills on this subject introduced in the House.

(5) Wood labeling introduced by Senator HARTKE of Indiana and a similar bill in the House.

(6) Mahogany products legislation introduced by Senator DIRKSEN of Illinois. Four similar bills introduced in the House.

(7) Quality stabilization introduced by Senator HUMPHREY of Minnesota with 10 cosponsors—a new fair trade law.

Now, just so you get the full picture, I will only read titles as otherwise we can time this speech with a calendar rather than a watch:

(1) Premarketing of cosmetics.

(2) Draperies and carpeting legislation.

(3) Anti-Government competition legislation.

(4) FTC power to issue temporary cease and desist orders.

(5) Unreasonably low prices.

(6) Mandatory functional discounts.

(7) Robinson-Patman Act violations—made available to private parties.

(8) Discount price notification.

(9) Dual distribution reporting.

(10) Shorter workweek.

(11) Broader coverage under FLSA.

(12) Broadened investment powers for savings and loan associations.

(13) Greater flexibility of Federal credit union operation.

These are the proposals for legislative action directly affecting you.

Isn't it true, however, that both our industry and Government have the same objective to serve and satisfy the consumer? Stores, both large and small, recognize that consumer confidence is vital to financial success. Customer satisfaction has been the trademark of our industry. Where then lies the conflict?

The conflict arises in writing laws or administrative measures designed to protect the consumer from both the retailer who refuses to violate his integrity as well as those who could violate the truth in the interest of a day's business. Lawyers, when faced with this problem, write the law explicit in every detail and in so doing become so involved that the original objective of the consumer and his protection is lost in a mass of technical requirements. The result is equally frustrating to Government and to the retail industry and is far and beyond the protection or education that the average customer needs or wants.

Do we believe that the customer really cares whether we call a fake fur a fake fur? Or, that a Government lawyer is forced to advise a store that they are violating the law by having a handwritten tag on the fur garment, or that they violate the law because the type on the tag in one part is larger than the type on another part of this same tag?

Does the consumer want money spent to employ intelligent young lawyers to advise stores that the name of a fur bearing animal should not be used in any manner to describe a textile product or that a store violates the law because they only listed 97 percent of the fiber content of a carpet and were missing 3 percent, or that a label that read 100 percent fiberglass was incorrect because fiberglass being a trademark word, it must be accompanied by the generic name glass in accordance with rule 17. I don't believe that the customer wants or needs this kind of detailed technical information, but they are entitled and should receive a reasonable amount of information about any product and with limited tolerances for error. The redesigning of our laws and administrative measures on a less legalistic basis and a more practical business consumer approach is required to improve the efficiency of the distribution system.

The consumer should not be forced to pay for unneeded education and protection. Protecting the consumer is now recognized in politics to be popular with the voting public and excellent campaign material. The question before us is how do we stay the charge of the great elected or appointed official riding out in his full suit of armor on his great white stallion, determined to further protect all the people from all the things.

We can be certain that with the increased pace of consumer protection activities, following the patterns of the past, we are doomed to small success in the future.

Three major groups, the national associations, businesses and individuals—all must reorient their programs and reorganize their thinking if progress is to be made in the field of legislation or administrative action.

First, the associations such as the American Retail Federation and the NRMA must further strengthen their programs in the following manner:

(a) We of the NRMA must support the American Retail Federation with well prepared facts and information on legislative matters where they properly can represent our industry.

(b) NRMA in instances where the American Retail Federation cannot take a strong position must, on the basis of prepared facts, take an aggressive part in the legislative and administrative machinery of our Government.

(c) We can no longer, in NRMA, expect a single committee known as the Government Affairs Committee properly to cope with the multitude of Federal regulations, present and proposed. It is recommended that just as we devoted a full committee's work and attention to a study of credit costs in the retail industry, that our board of directors establish special committees for each particular type of legislation affecting our industry, the committees to be charged with the full understanding of the law and assisted by adequate staff to properly represent our industry.

(d) NRMA should start a counteroffensive to offset the program of "Government protection for the consumer" by studies and publication of the cost of protection, demonstrating that these costs must be paid for by the consumer.

(e) NRMA must evaluate and allocate the funds and staff time necessary for protecting the retail industry from unwise Federal Government action.

(f) We have, as an organization, reached the time where the membership—that is you—must decide whether it is preferable to spend money in advance so as to prevent controls and restrictions, or be faced with the expenditure after the fact when the controls and restrictions become effective and must be administered within our business.

Second, a few suggestions as to what a business can do:

(a) A selected number of top management executives should be as thoroughly informed as the president of the company. They should be encouraged in their contacts, both in the trade and in Government, to take an aggressive position on undesirable forms of governmental action.

(b) A larger group consisting of the major portion of executives should be furnished educational information on Government action and from time to time should be encouraged to take a position, not a position dictated by management, but a position which they, personally, would take in accordance with what they believe to be sound for themselves.

(c) On a selected few, and I mean few, important national issues, the education of the entire population of a business may, from time to time, be warranted.

(d) We must voluntarily offer the services of competent people in our organizations to serve on specialized committees of the NRMA, working on factfinding and material preparation for presentation to legislative bodies.

(e) We must evaluate the time allocated in our businesses to preventive work in the field of Federal legislation as compared to compliance work in the field of Government regulation and then do something about it.

The third area deals with the individual and may I first say that if you have any children who are interested in politics, please encourage them, as we certainly need more representation in Washington of people understanding the field of retail distribution.

(a) We, of necessity, must promote and support candidates who will consider the needs of all their constituents, and these men should be supported and supported vigorously. May I suggest to each and every one of you that you search your souls and if you have a candidate in which you believe, then remember that running for office is expensive and there is nothing that proves your confidence in a man more than to place your pocketbook, in accordance with the law, in the same position as your verbal expressions. Support a good candidate with work and funds and follow through with courage on your convictions.

(b) As a respected individual in your community, pay a visit on your Congressman and your Senators, when they return home. Go prepared to discuss specific legislation affecting you and your business. These men are interested in knowing and learning from you the reaction to proposals in Congress.

(c) One of the most effective individual acts is an annual visit to your Congressman and Senators while they are in Washington, while legislation is under consideration. Your views presented in a knowledgeable manner will have far more effect than I think you realize.

(d) Probably the most important is a reevaluation of your own time and how it is spent and whether the present status of Government affairs doesn't warrant a greater percentage of your total time and energy than you have devoted to it in the past. I, for one, would strongly recommend that a greater allocation of time be devoted toward the proper influencing of Government affairs.

In closing, may I say there is no panacea to "getting the Government off your tail," but a lot can be done that hasn't been done and only you, here tonight, can make this accomplishment a reality. It takes two to make a partnership. Let's make sure that retailers accept their responsibility as one of those partners.

May I remind you of the words of President Eisenhower—"Politics ought to be the part-time profession of every citizen who would protect the rights and privileges of free people." Benjamin Franklin, as he was leaving Independence Hall, was asked by an elderly lady, "Mr. Franklin, do we have a monarchy or a republic? What is the decision?" Mr. Franklin replied, "You have a republic, if you can keep it."

TALMADGE COTTON PLAN

Mr. TALMADGE. Mr. President, I am extremely hopeful that the Congress this year will enact a meaningful cotton plan, one which will allow our farmers to farm, put their cotton on the world market at competitive prices and relieve the textile industry from the iniquitous two-priced cotton system.

As I have repeatedly stated, it is becoming increasingly imperative that the Congress abandon the present cotton program and begin anew with a sensible and economical plan for aiding the cotton industry. I believe that these desired goals could be achieved through the enactment of the Talmadge-Humphrey cotton plan, which in addition to being the most practical one proposed, it is also the least expensive, when compared to our present cotton program and the one recently passed in the House of Representatives.

Mr. President, there appeared in the New Orleans Times-Picayune on January 22 a splendid editorial calling attention to the advantages of the Talmadge-Humphrey plan, and I ask unanimous consent that it be printed in the Record.

There being no objection, the editorial was ordered to be printed in the Record, as follows:

[From the New Orleans Times-Picayune, Jan. 22, 1964]

Merit in Talmadge Cotton Plan

The cotton industry's troubles are so serious and involved as to raise the question of whether an entirely new approach to solving them is necessary.

One plan after another has led finally to the frustration represented by the Cooley bill (passed the House and now in the Senate) prescribing a subsidy in the form of a discount to domestic textile manufacturers to protect them against the effects of another subsidy—the export subsidy which enables foreign manufacturers to procure U.S. cotton at the world price and sell the goods in this country. The Cooley bill would add an estimated $220 million or more to the cost of the Government's cotton program.

Congress has dealt with numerous cotton bills, most of which offered nothing toward a fundamental solution.

There is an exception, however. It is Senate bill 1190, introduced last spring by Senator Herman Talmadge, Democrat, of Georgia, and Senator Hubert Humphrey, Democrat, of Minnesota. The essence of the bill is to abandon the high price support and acreage allotment system that has kept the domestic price of cotton about 25 percent higher than the world market price. Instead, unlimited acreage and a support price of 50 to 60 percent of parity would reduce the domestic price to about the world price. This single price would eliminate the need for export subsidies of 8.5 cents per pound that have been necessary to make American cotton competitive in the world market. And it would permit American textile manufacturers to meet foreign competition without subsidies.

To preserve the cottongrowers' income, current high price supports would be replaced by a direct income supplement based on assigned shares of the domestic market and computed in inverse ratio to the farmer's output. Thus large cotton producers, principally in the West, would be permitted to produce to the full extent of their resources for the world market, while small farmers, principally in the South and Southeast, would maintain their income levels with the aid of the direct subsidies.

The straightforward logic of this approach has not earned the Talmadge-Humphrey bill the congressional attention it deserves. The bill was endorsed during committee hearings last May by Agriculture Department spokesmen, but presumably for political reasons administration support went to the Cooley bill.

Opposition to the Talmadge-Humphrey approach rests on the direct dependence placed in the Federal Treasury to maintain farm income. But it is hard to make much over the direct payments if the plan is going to cost the Government less, free the market, and possibly bring the supply of cotton into balance with demand.

MERIT IN TALMADGE COTTON PLAN

Mr. RUSSELL. Mr. President, for a number of years this Nation's cotton export subsidy program has placed an economic hardship on the U.S. textile industry by enabling foreign manufacturers to buy American-grown cotton at a price 8½ cents below that paid by our mills. This inequitable two-price system, coupled with lower wage scales prevailing in other countries, has resulted in a flood of cheap textile imports into the United States to the serious detriment of our textile industry.

Along with many other Members of Congress, I long have protested against this intolerable condition, but up to now we have been unable to make our voices heard above that of the State Department. However, I am delighted to note that the Committee on Agriculture is now conducting hearings on various proposals to provide a solution to the cotton textile problem.

One of the bills before the committee is the plan sponsored by my distinguished colleague [Mr. Talmadge], and cosponsored by the Senator from Minnesota [Mr. Humphrey], which undertakes to establish a single world market price for American cotton, while, at the same time, providing a sound program to assure a fair income for the Nation's cotton producers.

Mr. President, the merits of the Talmadge cotton bill were ably discussed in a recent editorial of the New Orleans Times-Picayune. As the editorial suggests, the bill's approach to the problems of the textile industry and to our cotton farmers is so straightforward and logical that it may not have received the attention it deserves. I, therefore, ask unanimous consent to have this editorial printed in the body of the Record, in the hope that all our colleagues will have an opportunity to read it.

There being no objection, the editorial was ordered to be printed in the Record, as follows:

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ANTI-SEMITISM IN THE SOVIET UNION

Mr. HUMPHREY. Mr. President, it is well known that there has been a revival of anti-Semitism in the Soviet Union. This unfortunate development is all the more significant in the light of previous claims that the blight of anti-Semitism had been banished from Russian life.

Reports of anti-Semitism have been widely circulated in the free world, but they have been suppressed in Russia itself. While few Soviet citizens could have been ignorant of these ugly trends, scarcely any voices of protest were raised in public. Very recently, however, a new and more hopeful development has occurred. Protests have been made both of anti-Semitism and of the official policy of pretending that this evil does not exist. The most dramatic of these protesters is the young poet Yevtushenko. He insisted on speaking his mind in public, even in front of Nikita Khrushchev. Confronted by Khrushchev, Yevtushenko stood his ground, refused to back down, and flatly contradicted the Russian dictator to his face.

Transcripts of this public defiance have been reproduced secretly and bootlegged all over Russia. This debate and a notable speech by another rebellious artist have been smuggled out of Russia and reprinted in Commentary, along with a preface by Moshe Decter. These smuggled speeches illustrate the ferment of creative spirit that is stirring Russians today. This revolution is a source of hope for all believers in man's indomitable will, just as it is a source of despair for those Communists who would imprison man's spirit in a straitjacket.

These two speeches are about anti-Semitism, but they have a larger meaning. They show that 45 years of Communist tyranny have not stifled the wish to be free, that two generations of police terror cannot eradicate common humanity and compassion.

It is equally significant that these voices of protest have not been allowed public expression. They have been heard in Russia only through the black market in ideas that have sprung up in that thought-controlled society. The Soviet Government still does not dare to let the minds of its people run free But, to borrow Yevtushenko's phrase, that spirit cannot be denied, and it cannot be suppressed.

Mr. President, I ask unanimous consent that this revealing article from the December article of Commentary be printed in the Record.

There being no objection, the article was ordered to be printed in the Record, as follows:

Russian Art and Anti-Semitism, Two Documents: Yevtushenko Versus Khrushchev, a Speech by Mikhail Romm

FOREWORD BY MOSHE DECTER

Exactly 1 year ago, on December 1, 1962, Nikita S. Khrushchev paid an unexpected visit to the Manezh gallery in Moscow, to inspect a special exhibit of abstract and semiabstract paintings by a group of young Soviet artists. His angry reaction, couched in expletives and obscenities, immediately became the sensation of Moscow, and the events of the succeeding 6 months revealed more clearly than ever before the nature of the ferment that has been agitating major segments of the Soviet intelligentsia in the last few years. They supplied evidence of three truly sensational developments (of which close students in the West had been increasingly aware but of which the general public was largely ignorant): that the younger generation of intellectuals and creative artists, supported by a considerable number of middle aged and even a handful of elderly established literary figures, were making an effort to expand the area of their freedom to write, paint, and sculpt; that this effort was being combated by many Stalinist artists and officials of the artistic unions and enterprises; and that the Communist Party leadership, divided in its counsels on how to cope with the phenomenon of a rebellious young intelligentsia, was exerting some pressures, clamping down on certain "excesses," exacting some grudging and ambiguous self-criticism from a few—but was settling for now into an indecisive muddle.

A good deal of the foregoing came to light as a result of the publicity surrounding the extraordinary meetings between Khrushchev and his party colleagues and several hundred leading Soviet intellectuals on three occasions during the past year: on December 17, 1962, and on March 8 and June 18, 1963. Though Khrushchev's speeches on the latter two occasions were widely published in the Soviet press, neither his speech of December 17 nor his spontaneous exchanges with the intellectuals on any of the three occasions have appeared in print. For months now, however, typed manuscripts—purporting to give the texts of who said what, to whom, where, and when—have passed from hand to hand, and have been read by many thousands in Moscow, Leningrad, and elsewhere.

One of these typescripts—brought out of the U.S.S.R. in various versions by Western visitors—appears below, together with the text of a speech by Mikhail Romm that has circulated in similar fashion. The challenge to publication of such documents in the West is twofold: to obviate any danger to the authors, since their real names are used; and to authenticate the texts.

Both conditions can now be essentially satisfied. By this point, the positions of both Mikhail Romm and Yevgeny Yevtushenko are clearly known to Khrushchev and the party leadership, to scores of thousands of intelligentsia and university youth and their supporters on the peripheries of the intellectual and academic community—and, not least, to the West. The Soviet authorities are fully aware of their views, of the fact that such manuscripts have circulated widely, and that they have also found their way into the hands of Western visitors and observers. Their publication can therefore come as no shock to the authorities.

As for the problem of authentication, it has been, for obvious reasons, a technically difficult one. As indicated, these texts emerged from the U.S.S.R. in various versions, and each posed a different kind of problem. The versions of the Romm text differed so little from one another that in time and after a meticulous process of inquiry and counterchecking, it became very easy to determine its genuineness. (The speech was delivered at a public meeting of cinema and theater workers during November–December 1962.) The Yevtushenko text is more complicated. The same kind of investigative process, coupled with everything else Yevtushenko has published at home and abroad, has made it clear that the remarks attributed to him here are genuine both in substance and spirit. What may be in question is whether he made all these remarks on the same occasion. It seems entirely possible that the two sections of his "speech" were delivered on two separate occasions—the part on abstract art, in the course of a running debate with Khrushchev at the Manezh; and the part on anti-Semitism, at the December 17 meeting. But their authenticity—as of Khrushchev's interjections—is no longer disputable.

Yevtushenko needs no introduction to Western readers. He burst into national and world renown after September 19, 1961, when his poem, "Babi Yar," appeared in Literaturnaya Gazeta (Literary Gazette), the organ of the Soviet writers union. He remains today a significant if erratic and somewhat ambiguous, spokesman of the younger Soviet intelligentsia.

Romm, in his own way, is no less fascinating a figure. He is perhaps the most distinguished living Soviet film director. He began his career as one of a band of experimenters in the silent screen of the early 1920's, established himself a decade later as a leading director of orthodox films, and then reemerged in the post-Stalin period as both an avant gardist and a public exponent of greater liberality in Soviet art and society.

For Romm, as for the young intellectuals whose champion he is and for whom he symbolizes the Golden Age of the 1920's, there is a connection between the struggle against anti-Semitism and the struggle against repression of freedom in the arts. Romm (who is Jewish) and Yevtushenko (who is not) reflect the feelings of the entire dissenting generation of young intelligentsia, sons who are turning away from their fathers of the 1930's, 1940's, and 1950's, and turning back to their grandfathers of the 1920's—a period when there was experimentation in the arts and when anti-Semitism was officially regarded as a disease and was openly fought. In fighting it openly now, the young intellectuals are simultaneously fighting those forces in Soviet society which stand in the way of greater freedom of expression in general.

YEVTUSHENKO VERSUS KHRUSHCHEV

Yevtushenko. First of all I want to thank the leaders of the party and the Government for kindly making it possible for me to speak here. Permit me to begin my speech with a verse which I wrote not so long ago which I consider very timely. [Recites the two last lines of the poem, "Babi Yar."]

Comrade Khrushchev. Comrade Yevtushenko, this poem has no place here.

Yevtushenko. Respected Nikita Sergeevich, I especially selected this poem and with the following purpose in mind. We all know that no one has done more than you in the liquidation of the negative consequences of the Stalin cult of personality and we are all very grateful to you for this. However, one problem yet remains which is also a negative consequence of those times, but which today has not yet been resolved. This is the problem of anti-Semitism.

Comrade Khrushchev. That is not a problem.

Yevtushenko. It is a problem, Nikita Sergeevich. It cannot be denied and it cannot be suppressed. It is necessary to come to grips with it time and again. It has a place. I myself was a witness to such things. Moreover, it came from people who occupy official posts, and thus it assumed an official character. We cannot go forward to communism with such a heavy load as Judophobia. And here there can be neither silence nor denial. The problem must be resolved and we hope that it will be resolved. The whole progressive world is watching us and the resolution of this problem will even more greatly enhance the authority of our country. By resolution of the problem I mean the cessation of anti-Semitism—[not clear], along with instituting criminal proceedings against the anti-Semites. This positive measure will give many people of Jewish nationality the opportunity to take heart and will lead us to even greater success in all areas of Communist construction.

I would like to say a few words about abstract painting and our artists. I think that our young artists have acted incorrectly in organizing the "underground exhibition" and inviting foreign correspondents to it.[1] This was done without forethought and deserves widespread censure. We also cannot permit our artists to sell their works abroad. This can only be a blow to our prestige and to our art. But I want to say that we must have great patience with this abstract trend in our art and not rush to suppress it, for the result may be the opposite. I know the artists in question, I know their work, and I can emphasize that side by side with the abstract aspect, they are attracted to the realistic manner of expression. I am convinced that several formalistic tendencies in their work will be straightened out in time.

Comrade KHRUSHCHEV. The grave straightens out the humpbacked.

YEVTUSHENKO. Nikita Sergeevich, we have come a long way since the time when only the grave straightened out humpbacks. Really, there are other ways. I think that the best way is to display patience and tact and give examples of how to work at our art. I think that we should permit the existence of various schools in painting and let art, our Soviet art, progress in the arguments among them. Artists, like writers and musicians, are most sensitive to any pressure. Therefore, it best not to resort to it. Everything will remain in its place.

Comrade KHRUSHCHEV. I don't believe that you personally like abstract art.

YEVTUSHENKO. Nikita Sergeevich, there are all kinds of abstractionism. What is important is that it should not be charlatanism. I submit that a situation can occur when it would not be possible to convey the newest trends of our epoch in the old manner of writing. I must openly admit that I do not like our portrait painting although it is realistic. I very much respect those comrades who are depicted in these portraits, but the portraits themselves seem to me to be ordinary color photographs incapable of stirring the viewer. I cannot permit the idea, Nikolai [sic] Sergeevich, that you can like the tastelessly drawn picture, "N. S. Khrushchev among the Workers." The latest period of my life has been closely linked up with Cuba. I like Cuban abstract art very much. It would be good if we would organize an exhibition of Cuban art. Cuban abstract art is very popular among the Cuban people and their leaders. Fidel Castro is attracted to it. Cuban abstract art is helping the Cuban revolution and is walking in step with it. I think that our art, including the abstractionists, is also going in one straight line of fighters for communism. I appeal not for appeasement, but I call for self-restraint, for the deepened study of the theory and practice of modern art, and in the final analysis, a consolidation of the forces of literary and artistic workers for the good of our country.

Thank you for your attention.

A SPEECH BY MIKHAIL ROMM

The subject of the report "Traditions and Innovations" offers an occasion to talk about such serious things. The Voronezh theater director, Comrade Dobrotin, spoke before me very well and with much passion. He vehemently protested against the remnants of Stalinism in the field of consciousness.

He told us the story of those leaders in a province who—after a drunken party—started a fire on the terrace of a sanitarium and imposed disciplinary measures against the person responsible for cultural affairs at the sanitarium because he tried to protest. This is a significant example.

At the same time, however, Comrade Dobrotin advised that Comrade Leonov [2] should be called before the CC (Central Committee) and told to write a comedy. And if Comrade Leonov has other wishes? If at the moment he doesn't feel like working for the theater? In accordance with Dobrotin, if the party's CC asks it, Leonov will start writing, obediently, and turn out a good comedy. Are there no other means? You don't seem to understand, Comrade Dobrotin, that this way of thinking also stems from the old methods, that it resembles a bit starting a fire on a terrace. [Applause.]

During your speech you let yourself go about the modern ballet. You expressed regret that on New Year's Eve your actor Popov did a Western dance. I have never danced in my life; simply because I can't dance, be it the waltz, the mazurka, or the pas de patineur. But it seems to me that in a small hall it is preferable to do a Western dance rather than the mazurka because for that the hall would be too small.

For many years we tried to invent a real Soviet dance. Finally it was invented. It is called the "Promenade" and requires a lot of room. On putting it on television, the explanations concerning certain steps of this dance took four sessions, but no spectator understood all its finesse. On the other hand Popov learned how to do his dance at once. Evidently it was a simple dance. I should like to know if, performing this on New Year's Eve, Popov did much harm and what the harm was exactly.

Comrade Dobrotin also let himself go on singers without voices. For myself, contrary to him, I like singers without voices. I prefer Bernes and, in general, those who talk instead of sing, their mouths wide open, emitting trills. Of course, the aria "Perdona, Celeste Creatura" must be sung by a well-trained voice. On the other hand the song "The Little Girl Goes Toward the Fields" needs other qualities. In the field of art, I like everything that is expressive. [Applause.]

In our country, however, certain methods were imposed against which it is necessary to fight. I'm ready to fight against my own shortcomings still remaining from the past.[3] Precisely because of that, before we take up traditions and innovations I should like to clarify the problem of certain traditions which were imposed in our country. There are good ones and there are very bad ones; for example, the one of playing the Overture of Tchaikovsky's "Symphony 1812" twice a year.

Comrades, as I understand it, this overture expresses a very clear political idea—the idea of the triumph of orthodox religion and autocracy over revolution. It's a bad piece of music written by Tchaikovsky on command. It's a thing Peter Ilyitch was himself ashamed of at the end of his life. I'm not a specialist in the history of music, but I am convinced that this overture was composed for passing reasons, with the very clear aim of pleasing the church and the monarchy.

Why should the Soviet power humiliate the "Marseillaise," the marvelous hymn of the French Revolution, by drowning it out with the noise of church bells? Why should it celebrate the triumph of czarist ideology, the ideology of the "Black Hundreds"?

But to play this overture has become a tradition. After the October revolution, this overture was played the first time during those years when the expression "cosmopolite without a fatherland" was invented to replace that other expression "dirty Jew."

Among other things, and in certain instances, the latter expression was even printed. On the cover of the [satirical] magazine Crocodile a cartoon appeared during those years presenting a "cosmopolite without a fatherland" of clearly Jewish type, holding a book in his hands on which one could read in big characters the word "GID." Not "André Gide" but simply "Gid." [4]

Neither the cartoonist nor any of those responsible for this scoundrel's joke has been condemned by us. We have preferred to keep quiet, to forget all this, as one could forget that dozens of our best theater and movie people were declared "cosmopolites without a fatherland": for instance, comrades Yutkevic,[5] Leonid Trauberg,[6] Sutyrki,[7] Kovarski,[8] Bleiman,[9] and others present here. They have been authorized to work again, some in the party, some in their particular union. But is it really possible to heal the wounds, to forget what one has suffered for many years, when you were trampled on and covered with mud? [10]

And those who directed this shameful campaign with joy and pleasure, who racked their brains to invent other things and to drag other people into the mire, have they been made to pay for what they did? People don't even reproach them, holding that this would show lack of tact!

The magazine October,[11] edited by Kocetov,[12] has recently become interested in motion pictures. From January to November it published articles smearing all the progress achieved by Soviet films, expressing suspicion toward the critics of the great artists of the older generation and even the new one. These articles were inspired by the same persons who led the campaign of denunciation of "cosmopolites without a fatherland." It seems to me, however, that we should not forget all that happened.

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[1] Yevtushenko refers to a semiprivate exhibit of young artists organized on November 26, 1962, at the studio of Eli Beliutin, an art teacher. A number of Western correspondents were invited to view it, as well as some Soviet cultural officials and a couple of hundred of Soviet citizens. This exhibit was closed after a few hours and then summoned to be hung at the Manezh.

[2] Leonid Leonov, with Sholokhov the premier novelist of the U.S.S.R. Born 1899, author of numerous novels, stories, and plays. His best work was perhaps done in the 1920's.

[3] Here Romm seems to be referring to the fact that he was a dutiful and well-rewarded director during the thirties and forties, producing some of the most effective adulatory films for Stalin.

[4] In Russian the words "Gide"—and "Zhid," dirty Jew, are pronounced exactly alike.

[5] Should read Yutkevich. Sergei Yutkevich, born 1904, originally a painter, became one of a group of experimental artistic designers and directors of films in the 1920's. Until the late 1940's, he had achieved enormous success with a long series of films. A 1947 movie, "Light Over Russia" was banned because of "serious errors." By 1949, when the cultural purge presided over by Andrei A. Zhdanov was in full swing, he was under attack and his career threatened because he had contributed favorable articles to volumes in honor of D. W. Griffith and Charlie Chaplin.

[6] Born 1902, another of that galaxy of silent screen experimenters of the 1920's and an established director in subsequent decades. Like Romm, Yutkevich, and all the others to be mentioned below—except for Kalatazov—he is a Jew, and came under vicious attack in the late forties for, among other things, "spreading and elaborating the false and un-Soviet myth that the American film director D. W. Griffith was the father of world film art."

[7] Should read Sutyrin. Vladimir A. Sutyrin, born 1902, a distinguished film critic and theoretician of the cinema.

[8] Nikolai Kovarsky. Also a distinguished film critic.

[9] Mikhail Bleiman. Born 1904. Highly successful screen writer until the late forties.

[10] All the above were attacked at that time as a "group of estheticizing cosmopolitans in the film industry, miserable tramps of humanity, homeless and nameless cosmopolitans of the cinema, base spokesmen of reactionary estheticism, who conducted an organized slander campaign against its [the Soviet film's] lofty ideology, its truthfulness and its patriotic content."

[11] A major literary monthly, the stronghold of the literary Stalinists.

[12] Should read Kochetov. Vsevolod Kochetov, born 1911. The party's favorite Soviet novelist.

Today many writers are starting to do scripts for the theater or motion pictures denouncing the Stalinist epoch and the cult of the personality. This is because it has become possible and necessary, while 3 or 4 years ago it was still thought that Nikita Sergeevich's speech at the 20th Congress was sufficient. A more or less leading official told me this clearly: "Listen, the party has shown infinite courage. Study Comrade Khrushchev's speech, and that's enough. Why stick your nose into this business?"

Today it has become definitely clear that it was not sufficient, that it is necessary for us to think for ourselves, to speak and write for ourselves.

It is very important to unmask Stalin and Stalinism, but the heritage left by Stalinism is not less important. And it is not less important to look around at what surrounds us and to formulate a judgment on events that occur in the social life of art.

Our meetings are conducted in a calm, tranquil, academic tone. In the meantime a very energetic group of rather bad writers hits out viciously in the magazine October against the new literature and nobody answers them in this arena. On the other hand, the very moment Yevtushenko published his poem "Babi Yar," this group printed a reply in the journal Literature and Life [Literatura i Zhisn].[13]

Not long ago I happened to be in Italy and America, and I should like to say that what was considered to be a scandal in the West was not Yevtushenko's poem, but the response to it. The local journalists asked me, "What do you think of the new wave of anti-Semitism in the U.S.S.R.?"

I asked with perplexity what they were talking about. They mentioned Starikov's article[14] and Markov's poem.[15]

That issue of the journal Literature and Life was shameful, as are the latest issues of the magazine October.

Since the articles in October are aimed at me, it is difficult and embarrassing for me to reply. Difficult but necessary.

The attacks against films carried in October began in the January issue with an article on the picture "Peace to Him Who Enters," an article written in an absolutely inadmissible tone of political denunciation. The only error in calculation made by the editorial board was that they failed to name anyone specifically in their denunciation. Ten years ago, after such an article, somebody would be put in chains, forbidden to work, sent to faraway regions. But it is a fact that times have changed and that this denunciation probably wasn't even read. But the denunciation remains.

Then came the attack on the films "The Letter That Wasn't Sent,"[16] "When the Storks Take Their Flight,"[17] "If This Is Love," and "Nine Days in a Year."[18] The themes of the accusations were not new. For "Nine Days" the hero wasn't "positive." The same thing applied to "When the Storks Take Their Flight." In "The Letter That Wasn't Sent," a decadent pessimism is to be found. Reisman's[19] heroes show moral deficiencies and amorality is decadent.

In the past, one was severely punished for such shortcomings. Today denunciations like these haven't had any consequences, simply because the authorities in charge don't read them or don't even exist any more. That is why neither Kilatozov[20] nor Reisman nor myself were hunted out of the movies, and the magazine became very angry. In the first and second issues of that magazine some terrible articles were published, containing general accusations against everything and everyone. Only the word "cosmopolite" wasn't used. For the rest there was a surprising resemblance to articles published 15 years ago.

The author of the article that appeared in No. 2 of the magazine October writes among other things: "Whereas the Italians themselves recognize that neorealism is dead, Romm continues to praise it." (I quote from memory.) In fact neorealism is dead. It died with the help of the Vatican and the capitalist censorship. The artists of Italian neorealism created films like Germi's "The Railwaymen," De Sica's "The Bicycle Thief," "Two Coins in the Fountain," "Rome 11 O'Clock in the Morning," and other really great and unforgettable masterpieces.

Never has the film industry under a bourgeois regime created such work before, in any case not as a group and with such unity. All forces were mobilized against Italian neorealism—the censorship, bribery, threats, sabotage of distribution, violence of all kinds. All this in order to destroy, to break, to crush this group of artists. World reaction as a whole went into action against Italian neorealism. At that time a single article was published in our country, unfortunately signed by Polevoi,[21] a man I respect. In that article, Polevoi also attacked Italian neorealism. I was ashamed of that article, a reaction common to all of us. That happened 6 years ago. We didn't encourage this current, which was very close to the Italian CP. They were strangling neorealism and we attacked it. And it was only recently that Solovieva[22] finally wrote a book on neorealism. She wrote it when it was necessary to treat the subject on a historical plane.

Three years ago I ventured to intervene in favor of Italian neorealism. And even today people who insist on the importance of remaining loyal to tradition recall this sin. How did I dare intervene in favor of neorealism? But in my opinion, neorealism has had an influence on the youth. It must be admitted. If this influence existed, it did exist. You have to decide then whether this influence was positive or negative. I know our youth. I know the impression created by the Italian films. I can underline that this influence was real.

Why should we bow in all fields to what is called "the first" as we had to do in the past? I am not at all certain that this "first" is always a good thing. Let's suppose that a lone American genius invented the phonograph and that we developed the invention. Who then should be proud of it? In my opinion we should, because genius wasn't recognized in America while we developed the phonograph. We, to the contrary, make it appear that we invented everything, the cinema, the phonograph, the electric light, and the telephone while in fact it was the Americans who developed all these good things. There is no reason why we should be proud of this.

We are combing history hunting for someone who invented the locomotive before Stevenson although we know very well that we didn't build one at that time. We should give ourselves airs because of our lack of efficiency, our backwardness. Those who built the first locomotives, who made the first flight, they were right. We should be proud of being the first to fly into outer space, of having the biggest power stations in the world, and not about what occurred 200 years ago, about the man who said "E" for the first time, whether it was Dobchinsky or Bobchinsky.

By defending and sometimes inventing this claim to be "the first" at all costs, it's impossible to say how far you can go. Only 10 years ago, we tried to cut ourselves off completely from Western culture—and this, too, was covered by the word "tradition."

I was very happy today to hear Yutkevic speak about innovations and about spending much time in the West. We have lost the habit of considering that something also exists in the West. And this in Russia, the country in the world where more foreign literature is translated than anywhere else. One of the strong points of the Russian intellectuals was precisely the fact that they read all of world literature, that they stood at the top in knowledge of world culture. This, too, is one of our traditions. An excellent tradition which we needn't be reminded of today.

A TIME FOR AFFIRMATION

Mr. HUMPHREY. Mr. President, I invite the attention of the Senate to a moving and forceful statement relating to the tragic loss of President Kennedy, a statement written by Marion Harper, Jr., president and chairman of the Board of Interpublic, Inc., and a leader in the communications profession.

This statement is concise and to the point. Mr. Harper emphasizes the remarkable courage and vision of our late President and how we must not now falter in our quest for a better America, just as President Kennedy did not falter. This is a statement which every American should read and ponder carefully.

Mr. President, I ask unanimous consent to have the article entitled "A Time for Affirmation" printed in the Record.

There being no objection, the statement was ordered to be printed in the Record, as follows:

A Time for Affirmation

"In your hands, my fellow citizens, more than mine, will rest the final success or failure of our course."—John F. Kennedy, inaugural address.

"I will do my best. That is all I can do. I ask for your help—and God's."—Lyndon B. Johnson, first statement as President.

In the first numbered reaction to days of horror and tragedy, it was perhaps inevitable that a stunned and saddened Nation should for a moment shudder under the cold hand of despair. And, for a moment, fall prey to the calamity-howlers and doomsayers who were keening that all was lost—the American spirit had finally bogged down in a welter of violence, immorality, greed, and hatred.

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[13] Now defunct organ of the Writers Union of the Russian Republic, a consistent Stalinist paper.

[14] Dmitri Starikov, a well-known Soviet literary critic, who, on September 27, 8 days after the publication of "Babi Yar," published a violent attack on Yevtushenko. He accused him of provocation and of a "monstrous" insult to the Soviet people, and of nurturing chauvinism and fanning the "dying flames of nationalist attitudes."

[15] Alexei Markov, author of a poem which attacked Yevtushenko for defiling the Russian people with "pygmy's spittle."

[16] Shown here as "The Letter That Was Never Sent."

[17] Better known here as "The Cranes Are Flying."

[18] The most recent film, 1961, directed by Romm.

[19] Yuli Reisman. Born 1903. Active as a leading screen director since the early 1920's. Won a Stalin Prize for his 1945 documentary, "Berlin." Now again experimenting.

[20] Should read Kalatozov. Mikhail Kalatozov. Born 1903, a Georgian. Major film director and administrator. Surrealistic in early 1920's and up to 1930, then became orthodox. In post-Stalin period, director of "The Cranes Are Flying" and "The Letter That Was Never Sent," the latter of which was considerably revised by censors.

[21] Boris Polevoi, famous novelist, also editor of Yunost (Youth), a literary journal.

[22] Inna Solovieva, film historian, published the volume, "Neo-Realism in Italian Movies" in 1961 (Moscow).

Our martyred young President would be the first to say—that's a lot of nonsense. He was fully aware of the currents of violence, distrust, and bigotry that swirled around his office, his country, and the world—aware of their causes, and determined to seek their cure. But never once did he falter in his buoyant confidence that anything was possible, given a real commitment; that the American dream of peace, decency, and freedom was realizable, and worth living and dying for—as he lived and died for it.

"In the long history of the world," he said, "only a few generations have been granted the role of defending freedom in its hour of maximum danger. I do not shrink from this responsibility—I welcome it. I do not believe that any of us would exchange places with any other people or any other generation. The energy, the faith, the devotion which we bring to this endeavor will light our country and all who serve it—and the glow from that fire can truly light the world."

That fire, which flickered momentarily to the shock of horrendous events, still burns * * * in the marvel of orderly transfer of the powers of government * * * in the modest but meaningful words of the new Chief of State, who permitted no smallest doubt of continuum * * * in the eloquence of an American spokesman, telling the United Nations, "U.S. policy outlasts violence and outlives men" * * * in the immediate vote of confidence by the business community * * * in the outpouring of messages and visits of grief and devotion—by princes, prelates, potentates, and plain people, from every part of the globe.

These messages, these visits, and manifestations of concern transcend the mortality of any one man. They seem, rather, to be tributes to the strength, validity, and importance of the ideas which one man symbolized for a great part of the world.

The loss of our President is grievous and irrecoverable. The American spirit shone bright in him. But that spirit is not extinguished by his passing.

Much of what he set out to do hasn't been done. All too apparent is the irony—and the challenge—of his words, "in your hands, my fellow citizens, more than mine."

The problems and challenges remain: jobs, housing, schooling, health; our relations with and support to free nations, and our hope and help for the unfree; the need for national growth to support all these urgent programs. And with it all, the unceasing demands upon our inventiveness, statesmanship, patriotism, patience, and pocketbooks.

With the energy, the faith, the devotion our late President was so sure he could count on—and which few of his countrymen have ever doubted was there—we can build his—and our own—best monument. And in heeding his wish to ask what we can do for the country, we can give our best support to his successor.

MARION HARPER, Jr.

THE INVESTMENT CREDIT

Mr. GORE. Mr. President, a tax loophole, once opened, soon becomes bigger and a growing amount of income flows through it into a sheltered position. The crevice deepens and the erosion of the tax base soon becomes a great gully. Often this is a process which takes a few years. In the case of the investment credit, however, the ink was hardly dry when the beneficiaries of this tax refund—a refund which must come out of the pockets of taxpayers—began efforts to fatten themselves further.

I will not today repeat what was set out in minority views signed by the senior Senator from Illinois and me when the investment credit was first adopted in 1962, or the arguments advanced during floor debate in 1962. For anyone who might be interested, I would cite the report of the Committee on Finance on the Revenue Act of 1962, beginning on page 396. Perhaps I will be pardoned for recommending it.

But section 203 of the tax bill, H.R. 8363, as ordered reported by the Finance Committee, simply makes the investment credit twice as bad as it was when it was first enacted during the 87th Congress. The credit now becomes an outright, full-value gift, with not even the pretense of partial recovery through slightly decreased depreciation allowances.

There is one additional provision in this section, however, which does not even relate to revenues, and therefore it has no place in this bill. It is wrong and will create much mischief. I refer to section 203(e), which would direct the Federal regulatory agencies not to order any of the benefits of the investment credit "flowed through" to consumers.

Regulatory agencies have two basic choices in handling the treatment of the tax refunds represented by the investment credit.

One method is to flow through the tax cut, that is, put the tax savings into the net profit figure, where it would, of course, operate to raise the utility's rate of return. It does so operate, even if the company and the regulatory agency agree to allow it to be hidden somewhere else in the books—or to pretend it does not exist, that all apparent taxes were actually paid. But logic and equity require that this tax saving be shown as a reduction of costs, or an increase in profits, and the consumer, the customer of the utility, would benefit through reduced rates.

The other choice, and the one which would in effect be ordered by this bill, is to normalize the tax savings, that is, to permit the utility to use this tax refund as it sees fit, while continuing to charge its customers the full rate it would be allowed to charge if these taxes were, in fact, actually paid.

I think it is not putting the matter too strongly to say that the Congress is, with the passage of this bill with this section intact, ordering the regulatory agencies to permit the utilities to cheat the consumers of electricity, gas, and other goods and services which come to them from these favored companies. This is made worse by the fact that utilities, generally speaking, enjoy a monopoly, and against them the consumer has no recourse.

On January 23, 1964, the Federal Power Commission announced its decision in favor of flow through. Other Federal regulatory agencies, less vigorous in protection of the public interest, are standing by perhaps in the hope that Congress will prohibit them from doing what is now their legal, rightful duty. They have been standing by since the investment credit was enacted in 1962.

But even industry spokesmen have, in some instances, spoken out against this unconscionable theft from their customers.

Mr. Donald C. Cook, president of American Electric Power Co., Inc., in a letter to the chairman of the Finance Committee, a copy of which was very kindly sent to me, and I am sure to all members of the committee, by Mr. Cook, has set out his views on this subject.

Here is a paragraph from Mr. Cook's letter:

> It is my view that the investment credit does in fact represent a reduction in current Federal income tax expense, and therefore a reduction in current operating expenses; that the investment credit will stimulate capital expenditures by utilities even if all or part of the tax saving is passed on to customers, or if the tax saving forestalls or reduces an otherwise necessary increase in rates; and, indeed, that the use of this tax saving to reduce or avoid an increase in the price of the taxpayer's product is best calculated to increase demand and in turn to stimulate plant investment, and thus to carry out the basic objectives underlying the adoption of the credit.

Mr. Cook went on to say that he understood that his views were shared by many other utility companies and regulatory agencies.

The question of equity and forced, if not false bookkeeping aside, there are tremendous sums of money involved. By the passage of this section, the Congress will take away from consumers some $300 million per year by forcing higher rates on the customers of natural gas pipelines and electric utilities under the jurisdiction of the Federal Power Commission alone, considering both the interstate and intrastate business of these companies. And this is just one segment of regulated activities.

If the matter would stop with the handling of the investment credit, the situation would be bad enough. But already proposals have been advanced to have the Congress order the Federal regulatory agencies to allow regulated monopolies to normalize with respect to other funds.

During the Korean war, rapid amortization certificates were issued to many companies. In the 1954 Code, accelerated depreciation was approved. As a consequence, the sums of money collected from consumers by the monopolies operating in the utility field—supposedly regulated—are truly astronomical.

Amendment No. 350 to this bill has already been offered and may well be brought up during floor debate. This amendment would order the Federal regulatory agencies to give the same treatment this bill accords the investment credit to amounts set aside under liberalized depreciation provisions.

Accumulated deferred taxes of companies under the jurisdiction of the Federal Power Commission amounted to some $2 billion at the end of 1962.

These amounts, set aside under provisions of sections 167 and 168 of the code, have given rise to sizable tax-free dividends. With the enactment of the principle enunciated in this bill, section

203(e), there will never be any possibility that the customers of these utilities will ever receive rate reductions based on the taxes actually paid by the monopolies serving them. They will continue to pay rates based on phantom, nonexistent taxes and other expenses which show on the books, but which are never, in actuality, paid or incurred.

I shall do my best to see that no colleague votes for this provision without an awareness of its content and meaning. I shall ask the assistance of the members of the Commerce Committee in making an effort to refer the matter to that committee for study.

POVERTY AMONG THE AMERICAN INDIANS

Mr. McGOVERN. Mr. President, as a freshman Member of the House of Representatives, I joined with the then Representative Lee Metcalf, now the junior Senator from Montana, and with the late Senator James E. Murray, in proposing a resolution to endorse a point 4 program for the American Indians.

Because of my service as director of the food-for-peace program, my advocacy of aid to needy, undernourished people and to the underdeveloped nations abroad is established. But my prior commitment to the elimination of poverty in our own land is just as intense today as when I first came to Congress.

We should continue and expand our attack on hunger around the world. But if our assistance to other nations is to be convincing proof to them that democratic institutions can best achieve abundance and a good way of life, then we must accept the challenge: "Doctor, heal thyself."

Mr. President, I ask unanimous consent to put in the Congressional Record an article from the Washington Post of January 16, 1964, by Aubrey Graves, an outstanding journalistic authority on Indian problems.

The PRESIDING OFFICER. Without objection, it is so ordered.

(See exhibit 1.)

Mr. McGOVERN. Mr. Graves was the author of a very fine series of seven articles last year, which I inserted in the Congressional Record of March 11, March 15, and March 17, 1963, describing the nature of problems as he observed them on the Oglala Sioux Tribe Reservation at Pine Ridge, S. Dak.

Looking again at the situation of our Indians after nearly a year, Mr. Graves writes:

> American Indians living on reservations furnish a bleak example of the poverty on which President Johnson has declared all-out war.

Mr. Graves' article reports that the average income of an Indian family on a reservation last year was $1,500, only one-half the $3,000 "poverty level" received by the poorest one-fifth of American families, and only one-fourth of the average family income for the Nation as a whole.

He reports that 9 out of 10 Indian families on reservations still live in homes below acceptable standards; that young Indian adults receive an average of 8 years' education compared to a national average of 12 years; and that the average age at death of our Indian people in 1963 was 42 years compared to the national average of 62.

We have no more urgent problem of poverty to solve than our own, domestic Indian problem.

Congress has given adequate statutory authority to the Secretary of the Interior to conduct needed Indian programs.

Dr. J. K. Galbraith, who was one of the late President Kennedy's advisers and until recently Ambassador to India, has pointed out the relationship between education and poverty, suggesting a massive attack on the educational problem among our poorest citizens.

Programs to alleviate poverty on the Indian reservations must be accompanied by improved education or our problem of special assistance to these Americans will continue from generation to generation indefinitely. If we will supplement funds provided for the Indian peoples sufficiently to give them the educational opportunities they need and should have, we will make far greater real progress than in the past.

The need is for funds—for adequate appropriations—for a decade or two to bring these underprivileged citizens within our own land abreast of our own development in education as well as some of the material necessities.

Exhibit 1

[From the Washington (D.C.) Post, Jan. 17, 1964]

Indian Life Example of U.S. Poverty

(By Aubrey Graves)

American Indians living on reservations furnish a bleak example of the poverty on which President Johnson has declared all-out war.

At the same time, programs enacted by the Federal Government for their benefit already have achieved heartening results. They could serve as a pattern for alleviating the misery of other Americans living, as the President expressed it, "on the outskirts of hope."

To appreciate fully the status of the Indians, consider these facts:

The income of the average reservation family during the winter of 1963 was $1,500. This was far below the "poverty line," of $3,000, received by the lower fifth of all families in the Nation. The average family income for the United States as a whole was $6,000.

On the Indian reservations, about half of all family heads were idle and on public assistance in winter, 1963. By contrast the unemployment rate for the entire labor force was roughly 6½ percent.

On the reservations 9 of every 10 families were living in dwellings far below acceptable standards of comfort, safety, or decency.

Young Indian adults had received only 8 years of schooling, against a national average of 12. The average age of Indians at death during 1963 was 42 years, compared to the national average of 62.

By 1955, it was apparent, Indians on reservations were multiplying faster than the rest of the population, and their land base (one-third of what it was in 1880) could support only 22,375 of the 64,690 Indian families living on it.

TRAINING PROGRAM

A high percentage of Indians in employable age brackets had no occupational skill; they preferred the squalor and misery of their home areas to a new life in unfamiliar surroundings.

Faced with these stubborn facts, the Bureau of Indian Affairs in 1957 instituted a program of off-reservation adult vocational training.

In 1961 it greatly accelerated a program of industrial development on the reservations and began the change from contract labor to a force-account policy in construction work. Under the force account system, the Government acts as contractor and does the hiring.

During fiscal 1962 and 1963, force account employment has increased 1440, or 77 percent. This is exclusive of the accelerated public works program under which the Bureau by the end of this month will have spent or obligated $20 million.

Through last November, this had already resulted in more than 24,000 man-months of temporary employment. On the average, 3,000 workers, nearly all Indian, have had temporary jobs.

Since 1961, 25 small industrial plants have been added to 11 previously set up on reservations. Manufacturing wood products, plastic novelties, costume jewelry, quilted goods, clothing, leathercraft, fishhooks, carpets, electric clocks, cameras, and other precision instruments, these plants when in full operation will employ more than 3,000 Indians.

A beginning has been made in providing modern housing on a few reservations. Fifty units at Pine Ridge, S. Dak., are in occupancy.

This is a program of the Public Health Administration in cooperation with the individual tribes and the Bureau of Indian Affairs.

LABOR CONTRIBUTED

Fifty-six units are under construction at Fort Peck in Montana; 20 units are approaching completion on the Black Feet Reservation and 60 are under construction or in the planning state at San Carlos, Ariz.

These projects employ the concept of self-help. The Indian contributes his labor, under Bureau supervision. The value of the Indian's labor becomes his downpayment. He enters a lease-purchase agreement with the tribal housing authority and eventually will own his house. Fifty-eight tribes have set up housing authorities.

Interior Secretary Stewart L. Udall has demonstrated deep interest in improving the lot of American Indians. Said the Secretary yesterday:

"President Johnson, in his state of the Union message, called for Federal and local pursuit of poverty wherever it exists. Rightly, he included Indian reservations in the list of those places where poverty exists in its severest form.

"With the proven programs of the Bureau of Indian Affairs to point the way to a breakthrough, we must, and will, press forward until poverty on the Indian reservations has been eliminated."

Indian Commissioner Philleo Nash believes that the adult vocational training program is perhaps the Bureau's most important. Under it, 3,550 individuals are currently in training in more than 150 trade schools with which the BIA has contracts. More than 700 skills are taught, from barbering and cosmetics to electronic maintenance and repair. The BIA pays for the trainee's transportation and tuition and for the maintenance of his entire family during the training period.

Nash reports that the 70 percent who have successfully completed these courses have been placed in full-time gainful employment.

Five Athabaskan Indians and five Eskimos, for instance, were the first graduates last summer of a 24-month course in electronics at the RCA Institute in New York.

All have taken jobs with RCA's "White Alice" communications system in Alaska, at beginning salaries of $9,357 to $10,209. They are being followed by about 100 others who will serve in the Nation's defense in their home State of Alaska.

TAX CREDIT FOR COLLEGE EXPENSES

Mr. BREWSTER. Mr. President, the distinguished junior Senator from Connecticut [Mr. RIBICOFF] has made known his intention of offering, as an amendment to the tax bill, his proposal of a tax credit for college expenses. My colleague deserves high praise for his continuing efforts to assist families who are seeking better education for their children and are confronted with the rising costs of college tuition.

I am proud to be a cosponsor of his proposal. I am sure that the Senate will carefully consider this amendment.

This proposal provides an income tax credit on $1,500 of tuition, fees, books, and supplies for a student at an institution of higher education. It provides a sliding scale formula to equalize the benefits of the credit with respect to students at public and private colleges. The credit will be available to each and every person who pays tuition. Finally, the credit is limited so that it provides greater dollar benefits for lower income families.

Since its original proposal by President Kennedy, I have strongly advocated an overall reduction in taxes as a stimulant to industrial development, investment expansion, national economic growth, and employment.

On January 23, 1964, the Baltimore Sun carried an illuminating editorial on the proposed college tax credit. I ask unanimous consent to have this editorial printed in the RECORD.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

COLLEGE TAX CREDIT

It used to be that a family's biggest expense in the lifetime of its chief wage-earner was the cost of buying a home—something that is entered into with many safeguards and paid off slowly over many years. Now the biggest expense may be the cost of sending three or four children to college, something that must be paid off more quickly and hits—as a rule—within a short period of time. Even at a State or other public college, the cost of 4 years of education can run as high as $6,600; an education at a good private college can cost double that sum.

Hence, millions of parents will watch anxiously the fate of Senator RIBICOFF's proposal to allow families special income tax credits (to a maximum of $325 a year) for each student in college. The administration is opposed to this amendment to its tax bill, but Mr. RIBICOFF, a former Secretary of Health, Education, and Welfare, feels that there is enough support for his plan to override an unfavorable vote by the Senate Finance Committee. The committee majority opposes the Ribicoff proposal following the administration's contention that education can be financed more efficiently through grants and loans.

But can it? The administrative costs involved in any Federal (or, for that matter, State) scholarship plan, the general tendency of scholarships to be restricted to levels below the middle-income group and the inevitable selectivity of Federal support for college scholarship systems provide less help for the average student, and at higher cost, than would a straightforward modest tax reduction. Mr. RIBICOFF's proposal, which would help a great number of families in the most direct way, is likely to be approved if it gets to the floor.

INTER-AMERICAN COMMITTEE FOR THE ALLIANCE FOR PROGRESS

Mr. FULBRIGHT. Mr. President, we have said and heard a good deal in recent weeks about the advantages of channeling our assistance to other nations through international organizations. This body knows that I have long been an advocate of this method of getting this aid into projects which are economically sound and which for this reason are bound to contribute to social progress and political stability in the developing nations.

It is through multilateral organizations, too, that we can best spur self-help and reform efforts in the proud new nations which resent lecturing from donor countries and whose sensitivity leads them to confuse well-intentioned advice with dictation.

It is with this in mind that I am pleased to see the creation of a new inter-American organization designed to give the Alliance for Progress a genuinely multilateral character. We are about to see the new Inter-American Committee for the Alliance for Progress—CIAP—go into operation. It has long been the view of experienced and candid men in the executive branch and of some of us here in the legislative branch that the Alliance was not developing as the cooperative program which its planners and founders had in mind. Rather, it seemed to be an essentially bilateral aid program albeit with considerably more resources than were available for Latin America in past years.

The result was that the United States was looked to as the source of all the funds, direction, and responsibility for the conduct of the program. The Latin American nations felt little involvement. They identified the Alliance with the United States.

In administering the program, the United States to the best of its ability was trying to apply the criteria of the Charter of Punta del Este. But this policy was often misunderstood as coercion, dictation of terms, or tying U.S. strings on aid. When our spokesman countered that this is an Alliance, that the bulk of the resources had to come from Latin America itself, and that we all signed and are committed to the goals and principles of the charter, our voice carried little conviction.

Now, hopefully, there will be a change. Based on a review and recommendations of two of Latin America's best known statesmen—former Presidents Kubitschek of Brazil and Lleras Camargo of Colombia—the Inter-American Economic and Social Council has decided to give meaning to the phrase "Alliance for Progress." With strong support from the United States, the Council has established a seven-member committee to be headed by a strong Chairman and designed to function somewhat along the lines of the Organization for European Economic Cooperation—OEEC. That group was the fulcrum of action in the days of the Marshall plan. Hopefully, the new Inter-American Committee will develop the same degree of effectiveness.

From now on, it will no longer be the United States alone which will judge plans and proposals from the Latin American nations. It will be seven men, including one from the United States and six representing regional Latin American groups, who will do the appraising, judging, and recommending. Thus, there will be a much greater sharing of responsibility, credit, and criticism among the members of the Alliance than has been the case so far. The judgments of the committee also are likely to have more effect in the Latin American countries, and to call forth greater effort by these nations, than if they came from the United States alone. The success of the Inter-American Development Bank is, I believe, due largely to the fact that the Latin American countries consider it their instrument, feel involved with its operations, and therefore want it to succeed. Only by developing the same and even more intense feeling of involvement in the Alliance on the part of the Latin American members can that program hope to succeed.

Clearly, the recommendations of the new committee are not binding upon this or any other country or international institution. As in the Marshall plan days, the United States will retain final authority over the distribution of U.S. funds. But I should hope that, if the new group functions with the degree of effectiveness and responsibility that the member nations have a right to expect, the sources of external assistance, including this Government, should heed its proposals.

We have a new instrument to convert the most hopeful program ever launched in this hemisphere into a genuinely multilateral, and far more effective, operation. This country should give the new group its full and loyal support.

FINANCIAL DISCLOSURE BY FEDERAL JUDGES

Mr. HART. Mr. President, the late Senator Kefauver, my predecessor as chairman of the Antitrust Subcommittee of the Senate Judiciary Committee, wrote a review for the New York Times in December 1962, of a book on judicial reform entitled "The Corrupt Judge," by Joseph Borkin. Both the review and the book itself have already sparked some important preliminary results. For one thing, Senator Kefauver, as he promised in his review, introduced a bill, S. 1613, embodying Borkin's proposals for financial disclosure by Federal judges. Even though the Judicial Conference of the United States has opposed this bill, not on its merits but because it felt judges should not be singled out, the conference nevertheless did pass a resolution forbidding any Federal judge from being a director, officer, or employee of a corporation operated for profit.

More recently, in the December 1963, issue of the Stanford Law Review, in a review of Borkin's book, retired Judge William J. Palmer of the Superior Court of California, following what is apparently the lead of Supreme Court Justice Tom C. Clark, made a thoughtful recommendation with regard to the administration of justice. Judges, Palmer believes, should have special training, just as occurs in the specialized branches of other professions, and this could very well begin in the law schools. Without evaluating the merits or demerits of Senator Kefauver's bill for financial disclosure by judges or Judge Palmer's recommendation of a school for judges, I ask unanimous consent to include their reviews of "The Corrupt Judge" in the CONGRESSIONAL RECORD. Like Borkin's book, they represent important contributions to the literature of judicial administration.

There being no objection, the reviews were ordered to be printed in the RECORD, as follows:

[From the Stanford Law Review, Dec. 1963]

The Corrupt Judge: An Inquiry Into Bribery and Other High Crimes and Misdemeanors in the Federal Courts

(By Joseph Borkin)

New York: Clarkson N. Potter, Inc., 1962, 310 pages, $6.

Reading "The Corrupt Judge" is an experience that leaves one with the poignant feeling of need for an antidote—not that the mind has been poisoned but that it has been shockingly reminded of a shameful aspect of our history, government, and culture with a consequent sickening of the spirit. Fortunately, a number of antidotes are at hand. They too are books: "The Life of John Marshall," "Yankee From Olympus," "Benjamin N. Cardozo," "Brandeis," "Harlan Fiske Stone; Pillar of the Law," "Charles Evans Hughes," and "Stephen J. Field."[1]

Although "The Corrupt Judge" presents a comprehensive survey of corruption among and charges against our Federal judges, its objective of stark, stirring revelation is accomplished mainly by the stories of four judges who sold judicial decisions and edicts. One of those judges, Sir Francis Bacon, was Lord Chancellor of England nearly 350 years ago. The treatment of his case is concise and was included only as a prologue indicating that corruption of judges did not originate in the United States. The other judges upon whose careers Mr. Borkin's book is based were members of our Federal courts: Martin T. Manton of the second circuit (1916–39), J. Warren Davis of the third circuit (1920–39), and Albert W. Johnson of the District Court for the Middle District of Pennsylvania (1925–45).

The adjective "unbelievable" is sometimes appropriate even as to a true story, but it would be a natural and fitting response to the grotesque facts of "The Corrupt Judge" except for the thoroughness and accuracy of documentation exhibited in the book itself[2] and the experience, achievements, and prestige of the author.[3] The publisher speaks truthfully on the jacket, saying of the book: "The catalogue of venality is overpowering."

Author Joseph Borkin, whom the publisher describes as "an economic and legal scholar of the first rank," is a lawyer to be admired, respected, and trusted for his ability, versatility, and demonstrated character. It is manifest that he wrote this book, not for fame or profit or any morbid satisfaction that might derive from muckraking as a purpose or as a pattern of thought, but only to perform a constructive service—to improve the administration of justice in our land and time.

The constructive purpose is implicit in the opening chapter titled "The Judge,"[4] a discourse in which the author makes it clear that all the pride, faith, and hope that we feel for our mode of jurisprudence is dependent on the integrity, impartiality, and ability of the deciding judge. The keynote is sounded in the first paragraph of the text: "The attainment of justice is the purpose to which the entire intricate structure of jurisprudence is dedicated. Within this edifice sits a focal figure in whom is crystallized the essence and meaning of law and equity. This is the judge."[5]

This book will induce only a minimum of its possible thought stimulation if the reader fails to recognize this fact: to the litigant who has received injustice resulting from a bias that ethically disqualified the judge who did not disqualify himself, the consequence is not ameliorated by possible gradation in the relative reprehensibility of the cause of the bias. The unjust decision is equally unjust whether delivered gratuitously to a friend, issued in token of appreciation for a noncriminal favor or in satisfaction of some personal obligation, or bungled into form by incompetence or the compulsion of fear. The sine qua non for any person who undertakes to hear and justly determine a judiciable controversy is fearless impartiality, and any factor that destroys or bars such a state of mind pollutes the only source of humanly accomplished justice.[6] An unjust decision resulting from such pollution is a corrupt decision regardless of how innocent of criminality the trier may have been.

Criminally corrupt judges are, of course, a rarity, although if gathered from all the ages and climes of jurisprudence such judges might fill a large museum. But the corrupt decision, as I have defined it, is not nearly so rare. Although relatively isolated, it is far more common than would be possible in a perfectly healthy and enlightened climate of judicial idealism.

To recognize the occurrence, however infrequent, of the corrupt decision is to identify a symptom of organic or functional weakness and evil in our judicial regime. Questions of cause and remedy become crucial. Why do injustice and wrong ever flow from the instruments of justice and what can be done to prevent such perversions are questions for which we ought earnestly to seek answers.

Author Borkin does not attempt to pinpoint any cause of judicial corruption, and the specific cases he reports would support no sound generalization. He is unequivocally critical of our constitutional reliance on impeachment as the sole means of removing an unfit judge. Borkin states: "Impeachment is a costly, complicated, and cumbersome removal process, initiated rarely and then only with the greatest reluctance. * * * In the main, however, an examination of the evidence in the history of impeachment of judges would indicate its failure. It has protected neither the public interest nor the rights of the accused."[7]

In his final chapter, "A Proposal,"[8] the author, expressing his conviction that the judiciary should carry the responsibility for keeping its own house clean, proposes that "the Supreme Court, under its rulemaking power, require statements from all circuit and district court judges regarding their extrajudicial business activities."[9] He supports his proposal with the following paragraph concerning the question of causation:

"One clear-cut conclusion emerges from the study of the judicial misconduct of Judges Manton, Davis, and Johnson. Unsettled economic conditions, particularly those associated with a depression, coupled with a deteriorating state of a judge's financial condition, produce a climate in which judicial corruption can flourish. But the corruption involved did not arrive in full bloom. Instead, it had a discernible evolution. What began as modest private investment and reasonable speculation in securities and real estate grew to such proportions that they not only challenged the canons of judicial ethics but led ultimately to fiscal disaster. The pressure of creditors, plus attempts to recoup, led to ever deeper involvement, to bolder forays into the business arena, until even the semblance of propriety disappeared. Desperation became a colleague. Not only were these judges easy marks for corruptors but they themselves were driven to place their judicial function on the market, to go on the prowl, as it were, for susceptible litigants and lawyers."[10]

The author of "The Corrupt Judge" might have pointed to and emphasized one underlying cause of corruption and pollution in judicial decisions: climate, the prevailing atmosphere and public attitudes in the realm of practical politics in respect to judicial qualification, responsibility, and ethical standards and the capacity or lack of capacity of the bar, the press, and the general public for intelligent indignation. However, Borkin does state: "A judge cannot be corrupt alone. For every corrupt judge studied, there were inevitable corruptors. They consisted most frequently of lawyers and clients, trustees and receivers, clerks and assistants, rapacious 'finders' and predatory intermediaries." [11]

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[1] Beveridge, "The Life of John Marshall" (1916–19); Bowen, "Yankee from Olympus" (1944); Hellman, "Benjamin N. Cardozo" (1940); Mason, "Brandeis" (1946); Mason, "Harlan Fiske Stone: Pillar of the Law" (1956); Pusey, "Charles Evans Hughes" (1951); Swisher, "Stephen J. Field" (1930).

[2] The appendix, pp. 213–76, is more than the caption ordinarily suggests, presenting a significant work of research. In addition to the "Articles of Impeachment of Sir Francis Bacon, Lord Chancellor," pp. 213–18, it contains concise statistical reports concerning charges and congressional inquiries—their consequences, sterility, or disposition—related to the official conduct of all Federal judges who have been involved in any critical or questioning congressional resolution or action. Aptly included also are the Canons of Judicial Ethics promulgated by the American Bar Association and a few "Ancient Precedents" in standards of judicial conduct. Pp. 259–76. Nine pages of notes, 11 pages of bibliography, and 12 pages of detailed indexing conclude the volume of only 310 pages, a volume much smaller than its relative significance.

[3] Joseph Borkin is the author of a number of scholarly treatises and discourses, e.g., Borkin, "Patent Abuses, Compulsion To License and Recent Decisions," 43 Column. L. Rev. 720 (1943); Borkin, "The Patent Infringement Suit—Ordeal by Trial," 17 U. Chi. L. Rev. 634 (1950), and served in the Antitrust Division of the Department of Justice during the presidency of Franklin D. Roosevelt. He participated in the legal battles involved in the bankruptcy of the Missouri Pacific Railroad and the proxy contests for control of the Allegheny Corporation and the New York Central Railroad.

[4] Pp. 7–22.

[5] P. 9.

[6] Moses addressing his people about 3,500 years ago, counseled them thus: "You shall appoint judges and officers in all your towns * * * and they shall judge the people with righteous judgment. You shall not pervert justice; you shall not show partiality; and you shall not take a bribe, for a bribe blinds the eyes of the wise and subverts the cause of the righteous. Justice, and only justice, you shall follow." Deuteronomy 16: 18–20 (Revised standard version).

About 2,700 years ago, the Prophet Micah, warning the people of Israel against moral corruption, declaimed: "[T]he prince and the judge ask for a bribe." Micah 7:3 (Revised standard version). And he exhorted: "[W]hat doth the Lord require of you but to do justice, and to love kindness, and to walk humbly with your God?" Id. 6:8.

About 2,500 years ago Confucius fervently preached the doctrine of government by good example. "Ruling is straightening." Editors of Life, "The World's Great Religions" 106–07 (1957).

[7] Pp. 193–194.

[8] Pp. 205–210.

[9] P. 208.

[10] Pp. 207–208.

The climate in which only dedicated, selfless, and unshakably honest men are elevated to the awesome position of judging others cannot exist where judicial appointments are pieces on a chessboard played in a game of political ambition and negotiation, played to curry favor, buy and reward support, and provide consideration for maneuvers and deals. It cannot exist where a powerful pressure group can demand and receive for its campaign support a voice in the appointment of judges, a voice which asks not for honored preeminence in the legal profession but only that the appointee have views and bias favorable to it. It cannot exist where no thought is given to rewarding, honoring, or recognizing long, outstanding, highly respected achievement in the practice of law or in any area of jurisprudence and where often those who seek and obtain a judicial appointment do so only to satisfy a yen for its prestige or to obtain a job or to compensate for a sense of inferiority, with no concept of selfless dedication of superior knowledge, ability, and character to the service of justice.

That Borkin's book is more than a parcel of scandalous history and probably was intended to sound a timely tocsin is strikingly evidenced by an extended article in the Wall Street Journal captioned "Judges in Business." The opening lines state that "Federal judges in substantial numbers have moved into a no-man's land of judicial ethics by accepting jobs as directors of corporations, banks, and insurance companies." [12] One judge mentioned in the article received $111,425 over a period of 13 years for his services as a director of a life insurance company. In one particular year he was the company's most active board member, receiving $11,900 for services rendered. "To earn that sum he must have attended 119 meetings (at the rate of $100 each), or one meeting every other working day of the year." [13] No accusation is made that the judge was improperly influenced in any decision.

If "The Corrupt Judge" is regarded as simply the report of a thorough, conscientious investigation, of search for truth for the sake of truth, it invites no criticism or constructive suggestion. But the author himself, as above pointed out, goes beyond so limited a purpose and offers a proposal. To provide reason for that proposal, he states his analysis of the course of economic pressures and temptations that resulted in consummate corruption.[14] This treatment, in my appraisal, is only an explanation of the downfall of three particular judges and provides no clue to a preventive program designed to obstruct the occurrence of the corrupt judge and the corrupt decision. The author's proposal that the financial investments of Federal judges be monitored by the Supreme Court is, in my judgment, superficial and would be generally and justly disliked by Federal judges. They or some of them surely would ask: "Who shall monitor the use of time, energy, and money by the Supreme Court Justices, and who among us has the virtue and the right to discriminate authoritatively between one judge's use of his personal resources and another's?"

In looking for a program to elevate and enlighten the judicial function of our Government, we first should ask and answer two questions: (1) What is the judicial function? (2) What kind of person do we want to have control over that function?

It should not be necessary to remind ourselves that in our form of government the judicial function is not to establish social, legislative, economic, or political policy. The judicial function is to find the facts in a litigated controversy and to apply to those facts the law that actually exists or that did exist when the events in question took place. The person whom we want to have control over that function ought to possess these qualifications: (1) A superior knowledge and understanding of the law; (2) ideally, if not necessarily, a sufficiently extensive experience in the actual practice of law to have exposed himself to the meaning of the law to private citizens, corporations, institutions, and other associations, and to know and appreciate the work, problems, and points of view of lawyers engaged in private practice; (3) a thorough knowledge of, and a genuine sympathy with, the most enlightened judicial ethics and the highest standards of judicial conduct; (4) exemplary strength of moral character with proved integrity and courage; (5) adequate practical experience with human nature and its reactions and general behavior in the affairs of a workaday world to have gained more than ordinary skill in distinguishing truth from falsehood; (6) the intention of unconditional dedication of his thought, energy, and ability to the faithful performance of the judicial duties.

We have in our country numerous lawyers with all these qualifications. If all the judicial offices in the land were to become vacant overnight, we could fill them tomorrow with lawyers such as I have described if we had a procedure for finding them, authority to commission them, and the enlightened intent to do both. As of now, the best hope for accomplishing so sensible an objective lies in a method which has come to be known as the Missouri plan.[15] Its essential feature provides for the establishment of a nonpartisan commission to be as free as practicable from any motivation extraneous to the business of selecting qualified persons for judicial office. When a vacancy in judicial office occurs, the commission has the responsibility to go forth and find a certain number of persons, usually three, who are well qualified to hold the office and who will accept it if appointed. Finally, it provides that one of the persons so selected must be appointed to the office by the appointing power.

Many years ago I wrote a thesis defining and advocating what I believe to be an even better method. The plan called for the establishment and administration of a course of study by a body that could be composed of educators from the law schools, of lawyers selected by the State bar or by bar associations, or of both legal educators and lawyers. The course would be designed for lawyers who aspired to judicial office and those who, without such an aspiration, would be willing to accept judicial appointment. The course would be handled in the manner of a typical correspondence course so that a lawyer could fit the studies to his own schedule, could determine his own rate of progress with a view to completion within a prescribed number of years, and could give himself self-testing examinations but would be required to devote a few days to final examinations prepared and supervised by the administrating body.

The curriculum might wisely include courses in judicial ethics, evidence, pleading, and other phases of adjective law, constitutional law, history of the United States, writing, logic, and at least an introduction to accounting. Enrollment would be restricted to lawyers with a specified number of years of experience in active practice, of good professional standing, and of good moral character. Only those who had completed the course and passed the final examinations with satisfactory grades would be eligible for appointment to a judicial office above that of justice of the peace.

This plan is not based on the proposition that a first-rate lawyer who has practiced law for many years needs to take such a course of study to be qualified for judicial office. It is based on the propositions that it would provide an efficient and fair method for eliminating the unfit, that it would provide a channel for and evidence of the unselfish dedication that must constitute the base for the performance of the judicial function, that it would identify and bring into the known number of well-qualified persons the modest and extraordinarily efficient lawyer who seeks no publicity and strives for no prominence in professional or political organizations or activities, that it would remove judicial office as a pawn from the game board of partisan and pressure politics, and that it would make even the first-rate, richly experienced lawyer better qualified to undertake the responsibilities of judicial office and better prepared to clothe himself in the judicial temperament.

WILLIAM J. PALMER.[16]

[From the New York Times, Dec. 9, 1962]

WHEN HIS HONOR TURNS OUT TO BE A MAN WITHOUT HONOR

(By Estes Kefauver)

"The Corrupt Judge," by Joseph Borkin, 310 pages, New York: Clarkson N. Potter, $6.

Under our delicately balanced system of government, the judge plays a singular role, in keeping with the doctrine of judicial supremacy. Figuratively and literally, he has been placed on a pedestal above the rest of us. No matter how wise the laws drafted by the legislature, or how effectively enforced by the executive, it is the judge on whom we must depend in the final analysis for impartial administration of justice.

Are all judges honest? Though it appears that the vast majority are, perfection would be too much to expect of all. What disturbs me is that the general public is only vaguely aware of the few specific instances where judges have soiled their hands. Though the facts are widely known in legal circles, there seems to be a dearth of public knowledge or discussion of judicial corruption. Joseph Borkin's work on the subject, "The Corrupt Judge," is an eye-opening shocker.

What is responsible for this "conspiracy" of silence? I have frequently noted with regret that the legal profession is loath to dwell on past examples of corruption. Apparently, lawyers tempted to refer to judicial corruptibility believe they would be considered indiscreet by their colleagues—and worse, that clients may be frightened away.

Even more unfortunate, and damaging to the democratic process, is the unwillingness of lawyers to help the authorities by testifying about their knowledge of corruption. The reason for this, of course, lies in fear of retaliation. Borkin quotes Emerson's famous remark to Justice Holmes: "If you shoot at a king, you must kill him." If you don't, there are insidious ways in which he can react on you and your clients. Because so little is written on this subject, except in professional journals, I am especially pleased that a man of Borkin's background and scholarship (he is a former Department of Justice attorney and a writer on legal and cultural subjects) has made these facts and views available to the general public.

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[11] P. 15.

[12] Landauer, "Judges in Business," Wall Street Journal, May 2, 1963, p. 1, col. 1.

[13] Ibid.

[14] See text accompanying note 10 supra.

[15] Mo. Const., art. V, secs. 29(a)–(g).

[16] B.A. 1912, J.D. 1914, University of Southern California. Judge, Superior Court of California in and for the county of Los Angeles, 1932–62.

What type of judge is corruptible? Analyzing 32 cases of Federal judges under congressional inquiry for financial manipulation, biased rulings, intoxication, etc., he finds no single pattern. Their backgrounds range from theological seminaries to Tammany politics; from honor graduates and trustees of great universities to associates of gangsters.

Borkin makes the important point that judicial corruption is often connected with economic downturns: "the greatest incidence of corrupt judges, lawyers, businessmen, and fixers makes its appearance as part of the debris of a business depression." It is then that desperate financial interests bring great pressures to bear, and a few judges succumb. Fittingly, figures show that more charges of misconduct are brought in the field of bankruptcy than all others combined.

One of Borkin's conclusions—a grave charge if true, and he supports it with facts—is that "an atmosphere of inequality and caste" exists in the more flagrant cases of corruption. He goes on, "One cannot observe the evidence in these cases without being struck by the selective application of the (judicial) canons, with one code for the Brahmins of the law and another for its lesser servants, with a soft impeachment for knavery on the grand scale and a swift, harsh discipline for the fumblings of the petty shyster."

My own experience would seem to bear this out. One instance comes to mind. Some years ago I sent a transcript containing documentation of unquestioned corruption to the Association of the Bar of New York City and accompanied it with a letter requesting that disciplinary action be taken against an attorney who had bribed a judge. The man in question was a very prominent "Brahmin." I was not even given the courtesy of a reply. Had he been of lesser stature, I am sure the response would have been prompt and affirmative.

The major part of the book is devoted to a dissection of three celebrated cases, all of which took place in the thirties and forties, involving Federal Circuit Court Judges Martin T. Manton and J. Warren Davis and Federal District Court Judge Albert W. Johnson of Pennsylvania. These are outstanding examples of judicial corruption on the grand scale. Manton and Davis both had the very highest of reputations and became the first two senior Federal judges ever criminally indicted for corruption. The three came from widely dissimilar backgrounds. Manton, a poor Brooklyn youth, worked his way through law school and began a negligence-case practice. Davis, a North Carolinian, was a scholar and minister before turning to the law. Johnson was a Pennsylvanian of dubious competence who began as a teacher and soon entered State politics. Their experiences prove that temptation may lead to downfall in the most brilliant as well as the most mediocre of careers.

Manton resigned under pressure in 1939 after then District Attorney Thomas E. Dewey charged him with judicial corruption of the "lowest order—employing fixers, engaging in corrupt bankruptcy proceedings," and so on. Davis resigned in 1941 under suspicion of bribery and the obstruction of justice. Johnson resigned in 1945 under charges of bribery, sale of court offices, biased rulings and judicial conduct that was "generally tainted with fraud."

If Borkin's recital of the facts of judicial corruption exhibit a courage rare even among legal scholars, his remedy does not shrink from recommending what is necessary. Borkin's proposal would require all district and circuit court judges to file with the Supreme Court a full statement of their financial status, with a special master to act for the court in assuring compliance. This recommendation may very well become law after the next Congress. I intend to introduce it as an amendment to the conflict of interest statute.

"The Corrupt Judge" is truly a blockbuster. I hope it will help pull aside the ermine curtain that has been discreetly held over this entire subject.

NEW LOOPHOLE IN TAX BILL

Mr. DOUGLAS. Mr. President, the Members of the Senate should be on notice that there is one provision in the tax bill, which I am told may be reported to the Senate today, which the Senate and the public should know about. This provision prevents the Federal regulatory agencies from passing through to the consumers the tax savings the utilities make as a result of the investment credit.

What in effect it says is that we will allow the utilities to count as a tax cost or a tax expense what is really a tax savings or a tax gain. If the provisions of this section 202(e), are followed by the State regulatory commissions as well as the Federal commissions—as I am sure they will be—the cost to consumers in this country will initially be from $600 to $700 million a year, and will average about $1 billion a year over the next 3 years.

This provision should be eliminated from the tax bill because it is a new loophole favoring a few people in an unjustified way.

I ask unanimous consent that an article by Rice Odell from the Washington Daily News for Monday, January 13, 1964, be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

FINANCE COMMITTEE MAY VOTE TODAY—TAX BILL LOOPHOLE MEANS MILLIONS TO THE UTILITIES

(By Rice Odell)

The Senate Finance Committee is expected to vote today on an amendment to the tax bill which would open an obscure but gaping hole through which large utility companies could haul many millions of dollars.

The amendment, which could affect nearly everyone in the country, has been heaped with abuse.

One of the country's leading authorities on public utilities has called it outrageous and a gross piece of unfairness to the consuming public.

It has also been attacked as ridiculous and an improper exercise of congressional power.

POLITICS

Indeed, partly underlying the amendment is a political power struggle between elements of Congress and the Federal regulatory agencies—or "those people downtown," as one Congressman referred to them.

In any case, the amendment will probably be either retained or thrown out of the bill by a single vote margin in the 17-member Finance Committee.

The story behind the amendment begins in 1962 when Congress passed the investment tax credit, an inducement for firms to invest in new plant and equipment.

Utilities were included at either a 7- or 3-percent rate—meaning they could lower their Federal income tax bill by either $7 or $3 for every $100 so invested.

Since utilities generally have huge and continuing investments of this nature (to keep up with increased consumer demand for gas, electricity, transportation, and the like), such tax savings have been making a great deal more money available to the companies.

THE KEY

Then came the key question: Does such money properly belong to the company and its stockholders, or should it be passed on immediately to the customers in the form of lower rates?

To put it another way, should the companies continue to charge tax expenses to consumers as if they were paying full taxes and use the money as they see fit (including tax-free dividends to investors), or should actual tax savings be "flowed through" directly to net profits, with a possible reduction in consumer rates?

Accountants disagreed, and still do. Controversy has spread throughout the public utility field. In any case, the first major decision on the matter came from the Federal Communications Commission.

RULING

Last July 31, in a 4-to-3 vote, the FCC prescribed "flow through" for the utilities under its jurisdiction, thus ruling in the consumers' favor.

The Federal Power Commission set hearings on the question. Though it hasn't acted, its staff has recommended the same position as the FCC.

That was the time for Congress to step in. Some Members didn't like what the regulatory agencies were doing.

"It's not up to them to decide what Congress meant (when it passed the investment tax credit)," one said.

"They were telling us," he added.

REMEDY

The remedy chosen was an amendment to the tax bill, introduced in the House Ways and Means Committee.

Sponsored by Representative CLARK W. THOMPSON, Democrat, of Texas, it has been called the pipeline amendment because it particularly benefits the natural gas pipeline companies.

Specifically, the amendment would prohibit Federal regulatory agencies from doing what they had started to do—namely, forcing utilities to pass on their tax savings to consumers.

Such a boon is the amendment to big investors in new plant, that one large gas transmission company has reportedly held up a huge expansion program to await favorable congressional action.

FPC Chairman Joseph Swidler later testified before the Senate Finance Committee that if investment credit savings were passed on to electricity and gas consumers, it would mean a benefit of almost $300 million a year to them.

Others have estimated that the yearly amount at stake would start at $60 million and soon reach $1 billion.

APPROVED

In any case, the Thompson amendment passed the Ways and Means Committee. There have been several explanations why. One man close to the committee said he believes that "only about four or five or its members understood the section."

It has also been charged that Ways and Means gave Representative THOMPSON his amendment in exchange for his vote on the administration's pet proposal to repeal the dividend credit, a measure he had opposed and which eventually needed his crucial vote to get through the committee.

CHOICE

"There was no deal of any kind," Representative THOMPSON said.

He said he changed his mind after "considerable deliberation"—and to choose between the dividend credit and a reduction in rates for high income tax brackets, since "it was obvious we couldn't have both."

Members of Ways and Means received critical comments on the investment credit amendment from several regulatory agencies. But it passed both the committee and the House, and went to the Senate Finance Committee, which late last year at least took the trouble to invite witnesses to an open hearing.

Throughout the dispute, one hoary phrase has been repeated by both sides: The "intent of Congress" in providing the investment credit in the first place.

Proindustry men claim it was passed in 1962 solely to stimulate new investment and cost. Attempts to pass the benefits on to consumers—such agencies—are "clearly contrary to the intent of Congress," they say, and would negate the stimulative effect of the credit.

Proconsumer groups cite the House committee report of 1962, which says the smaller 3-percent credit was given to some utilities because much of the benefit would probably be passed on to consumers anyway.

They also point to the late Senator Robert Kerr, Democrat, of Oklahoma's statements to the same effect in a floor debate with Senator WILLIAM PROXMIRE, Democrat, of Wisconsin.

RECANTED

Representative THOMPSON, however, states that, in spite of these comments, the last word on the matter came from the conference committee, and that there Senator Kerr's position was based solely on the investment stimulant.

Any discussion of the treatment of investment tax credit raises an even thornier question in the minds of many people:

Why do most utilities need such a credit at all?

The question was debated vehemently when Congress decided in 1962 to include utilities in the investment credit coverage.

SUBSIDY

Representative AL ULLMAN, Democrat, of Oregon, said it is "nothing more than a subsidy." Both he and Treasury Secretary Douglas Dillon, among others, said the credit does not and has not induced capital spending by utilities. The evidence supports this judgment.

However, there is, no doubt, at least some logic in Representative THOMPSON's view that pipeline companies—because they compete with other utilities and transportation industries—should get the same investment advantages as those other companies.

But the investment credit was applied to all utilities (though to some in a lesser amount), in spite of the fact that most of them gear their investment solely to demand for their services, which they are dutybound to provide anyway.

GROWTH FACTOR

Thus they need no such incentive. As Mr. Swidler told the Senate committee:

"In the utility business, which sells only one commodity, which does not have annual changes of style or packaging, and which does not have new products for which provision must be made each year, the investment in plant, by and large, is controlled by one factor—growth."

Chairman E. William Henry, speaking for the majority of the FCC, wrote the House committee that, in any case, investment credit savings to a company would be passed on to the customers only if it brought the company's earnings above the level set by the regulatory body involved.

"Since, by definition," he said, "a company at that level is already making enough to stimulate investment, that's a main criterion for setting the level in the first place, the passing along of any excess to the customer at that point is not in conflict with Congress intent in enacting the investment tax credit."

(It is interesting to note that at least one utility, American Electric Power Co., has voluntarily used the credit's tax savings as a reason for reducing its rates for consumers.)

DOUBLE BLOW

So, to many critics, the new amendment forbidding regulatory bodies from passing investment credit savings on to consumers is compounding one unfair subsidy with another.

Not only that, but when the tax bill got to the Senate committee, two more amendments were offered which would sweeten the utility pot even more.

Senator WALLACE F. BENNETT, Republican, of Utah, proposed that Federal agencies be prevented from forcing utilities to pass on to consumers the tax savings enjoyed by them from liberalized depreciation and other fast writeoffs.

Senator EVERETT DIRKSEN, Republican, of Illinois, made a pro-utility suggestion involving consolidated tax returns—which would nullify an FPC practice.

It is true that any of the three amendments, if passed, would apply only to the interstate companies which come under Federal regulation. And nearly all of the private electric power generated in the country, for example, is intrastate and thus subject to State regulation only.

FILTER EFFECT

However, the effect of such action by Congress would probably filter down to many of the States. It would be used as a precedent by utilities arguing before State regulators, and some State commissions have specifically said they were waiting for some Federal guideline before deciding how to handle the investment credit savings.

There have been two other major arguments against Representative THOMPSON's "pipeline" proposal:

Since it is a ratemaking utility provision, it has no place in a revenue bill at all.

It usurps the proper function of regulatory agencies, who are in the best position to determine proper handling of the credit. As Mr. Henry put it: "Our chief concern with the bill is the manner in which we believe it restricts our discretion ratemaking situation on its own merits."

Such restriction, of course, is exactly what Mr. THOMPSON and his colleagues have in mind.

FOOD FOR PEACE SCORES REAL ACCOMPLISHMENTS

Mr. McGOVERN. Mr. President, the food-for-peace program since its inception has scored many dramatic successes. This humanitarian effort on the part of our Nation to make constructive use of our agricultural abundance proves its value every day.

From time to time over the last year or so I have had a chance to read the monthly newsletter, Food for Peace, issued by the food-for-peace office in the White House. I have noted in nearly every issue a summary of another success scored by food for peace. I would call my colleagues attention to some of these items because they set forth what this program is doing throughout the world to put food in the mouths of hungry children, to help develop new markets for American farm products, to combat hunger which is the breeder of unrest, and to make constructive use of the products of our farms.

I ask unanimous consent that a series of excerpts from past issues of the Food for Peace bulletin be printed at this point in the RECORD.

There being no objection, the excerpts were ordered to be printed in the RECORD, as follows:

FOOD-FOR-PEACE PROJECTS

Costa Rica, with continuing emphasis on education, has taken new steps under Alianza para los Ninos program to improve quality and quantity of food now being given to approximately 85,000 needy Costa Rican schoolchildren * * *. More than a half-million dollars of food-for-peace butter and cheese were approved last month for the Central American country. * * * Plans are to expand number of recipients during next school year to an estimated 200,000 students.

The largest single food-for-peace program has been a success. This is the good news brought to the United States by India's Minister of Food and Agriculture S. K. Patil. * * * He said the 4-year agreement signed in 1960 had been of inestimable value to development efforts of India. * * * Minister Patil noted that Public Law 480 had been of great benefit in helping India's own agricultural production move forward, in meeting needs for current consumption, in maintaining stability of prices of agricultural commodities, and in assisting in the buildup of buffer stocks. The Minister said that when present agreement comes to an end in June 1964, India would require a much smaller program.

New title II program has been approved to reduce dire shortage of animal protein in diets of people of Dominican Republic. * * * Low income Dominican farmers will receive food-for-peace commodities to help them increase production of hogs and poultry in a move to ease the country's shortage of animal protein foods. * * * Approximately 1,500 farmers in the lowest income bracket will benefit. * * * Most normally maintain only a few free-ranging hogs and chickens. * * * The food-for-peace grain is expected to enable a small poultry farmer to expand his flock to 300 birds and a small hog farmer to maintain up to 20 head of swine. Making feeds available cheaply will induce small farmers to produce hogs and chickens for market and for their own family use. It will increase the amount of animal protein available to the Dominican people, increase the incomes of farmers, and expand the market for feeds, thereby expanding the local market for corn. * * * The Peace Corps plans to assign volunteers to work with the small farmers in the program. A Heifer project poultry adviser and an AID livestock adviser also will assist part time.

A new school lunch program, recently signed with Israel, includes takeover date for the Israel Government. Five-year program is based on formula in which there are sizable increases of U.S. shipments for first 3 years and then gradual decline for the next 2 as the Israelis slowly take over the program. At the conclusion of the 5-year agreement, the United States will bow out and leave a large continuing program.

Seven surplus 1½-ton army trucks rolled out of the Schenectady, N.Y., Army Depot last month, en route to El Salvador and the recently initiated Alliance for Progress child-feeding program there. * * * The trucks, the first of 66 assigned to the Latin American programs, were rehabilitated at the depot under AID's excess property utilization program. Total cost for the first group was $6,300, less than a fifth of the estimated open market purchase price. * * * AID Assistant Administrator Herbert Waters pointed out at the "christening" ceremony that the trucks will be used by El Salvador to transport food-for-peace commodities to a quarter of a million children in 2,650 schools. * * * An additional 59 vehicles from excess property stocks have been reserved for other projects. * * * Requests have been received from Guatemala, Ecuador, Brazil, Peru, and Mexico, the latter two having already been approved. * * * The excess property trucks granted to Mexico alone will enable an additional 1 million children to benefit from the program.

U.S. food for peace—1,400 tons of it—will help Bolivia in three major self-help projects. These include (1) food for wages for the builders of 100 more rural schools, (2) similar payment to those constructing badly needed "fair weather roads," and (3) food subsidization of 1,500 Altiplano families (until their new land is brought into production) who have recently colonized an area opened up by a newly completed road. Settlers will volunteer time to build schools, medical posts, and roads. They will be assisted by 1,000 military conscriptees, who also will be receiving food-for-peace commodities.

The food-for-peace program penetrated the southernmost tip of South America last month, bringing new hope and life to the needy inhabitants of some of the loneliest outposts of civilization. The Yaghan Indians, who live within 500 miles of Antarctica, began receiving their foods only after Chilean Navy tugboats and sailing cutters conquered the treacherous channels and maze of islands that extend south from the Strait of Magellan.

Food for peace played its usual major role in the emergency operations following the recent Caribbean hurricane. The path of Hurricane Flora was hurriedly traced by U.S. help. Food was airlifted into Tobago from U.S. naval bases in Trinidad and Puerto Rico. * * * In Martinique, food and other emergency supplies were flown from the existing stocks of the Catholic Relief Services. * * * And in Haiti, victims of the disaster were being fed from stocks of three voluntary agencies—CARE, Church World Service, and Catholic Relief Services. The U.S. Navy provided helicopter airlift support as well as Operation Handclasp supplies. Handclasp director, Comdr. "Hoppy" Hanson, personally visited the scene and returned with high praise for the job being done by U.S. voluntary agencies operating in Haiti.

The largest "Cooley" loan in history was recently authorized by AID for the construction of a badly needed fertilizer plant in India. The $17.5 million loan—along with a $27 million Export-Import Bank dollar loan—constitutes the largest financing of any private project in India.

The CCC-type Youth Corps reforestation program is now off the ground in the Philippines. * * * AID plans a circular to the field encouraging similar projects in other countries.

Food for peace is being used in training stimulus in Dahomey. Their men are being taught carpentry—at the same time fixing and making furniture for the Government—and being paid in food. * * * In another project in Dahomey, 900 workers are developing an experimental teak and cashew plantation. They receive part wages in food. Other project costs are paid for in Italian lira, which the United States had received from earlier local currency food sales to Italy.

A radio school piped into 46 villages is the focal point for a new food-for-work project in Ecuador. There, villages receive, by radio, guidance and practical instruction on how to build badly needed facilities. They then are given food for their labor in constructing projects like community ovens, washing stations, and latrines.

The first title IV (dollar credit) sale to Paraguay has just been made to improve that country's milk supply. Dairy producers will be provided with a powdered preparation which, when mixed with water, can be fed to calves in lieu of whole milk. Use of this substitute will release whole milk for human consumption.

Outlook for Operation Ninos: In the coming year, more emphasis will be placed on reaching preschool children and on developing school gardens as a source of supplementary foods; also, a sizable increase in mobile demonstration units is planned. * * * Ninos is now operating in more than 150,000 schools. * * * The number of children to be fed in the next 9 to 10 months is expected to jump by 2 or 3 million.

A new "first" in the food-for-peace program is the registration of the American Institute for Free Labor Development as a voluntary agency under AID. The AIFLD, started by the AFL-CIO in June 1962, is the first certified voluntary agency which expects to carry on food projects through free labor organizations in other countries, especially Latin America. FFP projects under titles II and III of Public Law 480 will be carried out under the direction of Joseph J. Palisi, who formerly served with Catholic Relief Services in Mexico. Palisi has been on an extended tour of Latin American countries surveying possibilities for the distribution of food through trade union outlets, using food in works projects, and other food programs designed to relieve unemployment and underemployment and give "muscle" to the Alliance for Progress. The AIFLD recently made headlines by financing a $10 million apartment project in Mexico City on a worker-to-worker loan basis.

The sleepy Ecuadoran town of Esmeraldas (population 40,000) is going to be put on the map in a unique "impact" plan of local development. Conceived by the AID mission in Ecuador, the "town plan" works this way: All local representatives of U.S. Government agencies, including AID, FFP, and the Peace Corps, as well as of voluntary agencies meet with local government officials to size up the town's problems and prepare a plan, with priorities, for overcoming them. Then, all resources—local and external—are combined in a way that will result in an immediate impact. Food for peace is expected to play a key role in the plan, with concurrent child-feeding, relief-feeding and food-for-work projects. The "town plan" will later be tried in other towns in Ecuador.

Public Law 480 cornmeal distributed by Catholic Relief Services to famine victims in southern Upper Volta may indirectly mean a bigger harvest in the region next year. A report by Dr. Brooks Ryder, of the American Embassy, Ouagadougou, notes that the cornmeal was distributed when local food stocks were at their lowest and when workers most needed extra calories to meet the heavy physical demands of the planting season. Dr. Ryder concludes: "It may well be that the U.S. cornmeal, by increasing the efficiency of the workers at a critical time, will have assisted in producing a bigger crop of foodstuffs for the coming year; hence, the ultimate effect of the cornmeal distribution program may be felt throughout the coming year."

Proceeds from food-for-peace sales to Bolivia are helping to finance a new shirt factory in La Paz. Bolivian President Victor Paz Estenssoro took part in ceremonies opening the plant, which will make shirts under license from an American company. The shirts will sell for less than contraband imports and thus may help curb smuggling.

Two blending machines will soon be turning out whole milk for child-feeding programs in Latin America, thanks to Russell E. Baum, of Merion, Pa. Baum donated the machines to AID through the Academy of Food Marketing, a member organization of the American Food for Peace Council. They will be used to blend butter or butter oil with dry skim milk and water to provide whole milk for AID programs in Brazil and Ecuador.

U.S. COAL RESERVES OVER 753 BILLION TONS

Mr. BYRD of West Virginia. Mr. President, the U.S. Geological Survey has estimated that the known coal reserves of the United States are 753,142 million metric tons, according to a recent article in the Welch, W. Va., Daily News. This is a reassuring statement for coal-producing States, such as my State of West Virginia, and for the hundreds of thousands of persons engaged in coal associated industries, for it means that there will be no shortage of coal for many years to come.

Mr. President, I ask unanimous consent that this article from the Welch Daily News be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

RESERVES OF 753 BILLION METRIC TONS

Despite the many millions of tons of coal that have been mined from the large coal beds of the United States, there will be no shortage for years, according to Raymond E. Salvati and Stephen F. Dunn, Island Creek Coal Co. official and president of the National Coal Association, respectively.

The men said in an address prepared for the International Coal Conference in Tokyo, Japan, that the coal reserves of the United States are ample for any demand on them for many years to come. The U.S. Geological Survey estimates the recoverable reserves of coal to be 753,142 million metric tons, and the United States is fortunately endowed with coal seams that are level and relatively thick, and therefore susceptible to mechanization. Our reserves of high-grade metallurgical coal can be produced for many years to come to aid the steel industries and the national economies of many nations.

Despite the domestic and foreign demands on our deposits of true coking coal, the Bureau of Mines recently surveyed coal deposits in West Virginia, Pennsylvania, Kentucky, Virginia, and Tennessee, and found approximately 11,978 million metric tons of measured coking coal.

This includes only coal in seams more than 106 centimeters thick, containing no more than 1.25 percent sulfur and 8 percent ash, either as mined or after conventional washing, and assumes only a 50-percent recovery of the coal in place. More than 11 percent of this total is low-volatile coal, and a slightly larger amount is medium-volatile.

Nor is this the whole story, for the Bureau of Mines says that practically all coals east of the Mississippi River are potential coking coals, with proper beneficiation. That amounts to 219,258 million metric tons.

Constantly improved blending techniques and changing blast furnace technology have reduced the requirement for coking coal per ton of steel produced. Injection of coal into blast furnaces permits to some extent the substitution of ordinary coals for coke.

Thus, we see no shortage of metallurgical coal to supply not only our own steel industry but those of friendly nations which need the help of our high-quality coals.

About 88 percent of the 753,142 million metric tons of U.S. coal reserves lies at a depth of 305 meters or less; 10 percent between 305 and 610 meters; and 2 percent deeper than 610 meters. This may well indicate not a lack of coal at greater depths, but a lack of geologic information.

For example, Island Creek Coal Co. is engaged in a joint venture with Republic Steel Corp., a major producer of steel, in developing a seam of excellent metallurgical coal at a depth of 397 meters. This is the Beatrice mine of the Beatrice Pocahontas Co. It will produce more than 1,089,000 metric tons annually of low-volatile, low-sulfur, low-ash Pocahontas No. 3 seam coal.

This is the deepest mine in the United States, but much greater depths are commonplace in other coal-producing countries, and it may well be that at greater depths our coal reserves will be multiplied.

So far, we have discussed principally the conventional applications of coal as a fuel. But there are challenging prospects for new uses of coal, both as fuel and as a chemical raw material. Our industry has lagged in an adequate research program to develop coal's potentialities, but there is a new interest sweeping the industry. Research programs, though still modest in scope, are underway in many areas.

As we all know, it is possible to produce a heating gas from coal by various processes; in the United States the price of natural gas renders this uneconomic, but it is quite likely that research will lower the cost enough to meet the competition of natural gas in many markets, since the price of gas at the well has been rising constantly.

One of our major coal companies is working with a big petroleum company on a means of producing high-octane gasoline from coal. Government-sponsored research is studying the prospect of producing synthetic crude oil from coal and moving the resultant char to market by pipeline in the liquids thus extracted; in other words, shipping coal in its own juice. A large electrical equipment company is studying the use of coal in solid electrolyte fuel cells for the generation of electricity.

The Bureau of Mines is testing methods for mining coal hydraulically, which leads to the idea of transporting coal out of the mine, cleaning it, and taking it to market by hydraulic means, without drying it anywhere in the process.

Fully automatic combustion equipment has been evolved which makes coal a more attractive fuel bargain for medium-sized boilerrooms. For instance, in the headquarters of the National Coal Association in Washington, D.C., two Coal-Pak automatic boiler stoker units both heat and air-condition the nine-story building. Their fully automatic operation over a wide range of loads is highly economical, and they are the features of a showplace boilerroom where neither a lump of coal nor a speck of dust is visible.

Constant progress in coal preparation has kept pace with advances in mechanization of the mines. Sixty-six percent of annual production is now mechanically cleaned. Modern preparation plants can produce coal in any size, cleaned, crushed, treated against dust and freezing, to the exact specifications of the consumer.

At the same time, there is a growing trend among large electric generating plants to consume run-of-mine coal, in equipment designed especially for that purpose, thereby reducing their fuel costs.

The U.S. coal industry has come through some hard times, and its problems are far from solved—but they are not insoluble. In almost every respect, the role of coal in the expanding energy market of the United States appears to be promising. In every major conventional market, the days of serious losses seem to be behind us, and indications are we will hold our own in some markets and make spectacular advances in others.

New methods of low-cost transportation are making coal an even bigger bargain. New methods of mining and new machines are increasing productive efficiency. Research is actively seeking new uses for coal both as a fuel and as a chemical raw material. Ample reserves assure us of a continuing supply of coal for our customers at home and abroad.

A bright future lies ahead—not a certainty, but a goal to be won—won by hardworking, imaginative, resolute men, men willing to gamble their money and their careers for such a future. We may have experienced an occasional shortage of customers in the past, but we have no shortage of determined men in the U.S. coal industry.

MODERNIZATION OF COAL MINING BRINGS DRAMATIC CHANGES

Mr. BYRD of West Virginia. Mr. President, the history of coal mining in the 20th century is a story of progressive mechanization of what were originally arduous and dangerous manual operations. My State of West Virginia is proud of the role our mines have played in bringing about the dramatic changes in the coal industry which have made us world leaders in this field. The story of this development is told in a recent article in the Welch (W. Va.) Daily News.

Mr. President, I ask unanimous consent that this article be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

GREAT STRIDES MADE IN MODERNIZING COAL MINING

Underground coal mining is a breeze compared to the damp, back-breaking pick-and-shovel work of even a century ago. For with the development of efficient, mechanized mining machines, the miner of today is a highly skilled technician rather than a common laborer.

The pick and the shovel and the hand drill were the only tools which the early miner had. Mules had been added to haul the coal-filled carts out of the mine so that he no longer had to handle this chore.

But mining was about the same. First the miner would kneel or lie on his side on the damp, dirty mine floor, breathing the dust-laden air, and swing his pick against the bottom of the coal until he had chopped out a slot or "kerf" across the bottom of the coal. This was done to control the breakage of the coal when it was shot down with explosives. You can easily realize how inefficient this was, and how hard, if you will lie down on the floor of your room or on top of your desk and try swinging your arms.

Next the miner would drill holes in the face of the coal, insert explosives in the holes and blast down the coal. After the dust and sickening powder smoke had cleared, he would move in with his hand shovel and load the cart; then hook up his mule and move the coal to the main haulageway where another mule took over.

The history of coal mining in the 20th century is a story of progressive mechanization of each of these hand operations—and later their elimination or combination—developed with an ultimate goal of providing a continuous flow of coal from seam to surface.

The carts were first replaced by mule-drawn mine cars operating on underground mine track which was similar to a small railroad track. Electric locomotives, or "mechanical mules," replaced the live animals (although some smaller mines still have them around). Conveyor systems were also developed to haul coal out of the mine.

The pick was first replaced around 1890 by a compressed air-driven punching machine which was, in turn, replaced by various cutting machines. Drills, too, were mechanized, first as a hand-held electric drill, then a heavier version of this unit, supported by a steel jack propped against the roof and floor, and finally a still heavier version mounted on mobile machinery.

But as late as 1920, most of the loading was still done by hand. Several attempts were made to develop mechanical loading machines, some of which were accepted by a few mines and placed into operation. In fact, some of these are still in operation today. Not until Joseph F. Joy developed the first Joy loader with the "gathering arm" loading principle, however, did mechanical loading become practical for every mine, and any sort of continuity in the mining cycle become possible.

In 1922, the Joy loader was further changed into a unit mounted on crawler treads that moved like a tractor. This was the first mechanized coal unit to be freed from the limitations of the underground mine track; the first step in a trackless mining machine team. By 1929, many of these units were in operation and had thoroughly proved themselves in the field. So great a hold did they secure in mining that even today in many mines you will hear the operator of any loading machine referred to as the "Joy Operator."

The Joy loader, however, proved to be too efficient. The rest of the equipment could not keep up. Cutting machines were small and transported around the mine on small machine trucks, requiring a lot of time to load and unload in each room. The limitations of track prevented efficient spotting of mine cars to make use of the new loading potential.

Again Joy engineers went to work.

First they developed, in 1935, a universal coal cutter, mounted on track that could get in and out of the work area quickly, and that not only undercut, but also made cuts to a depth of 9 feet, and made similar cuts at the sides and top of the coal seam. A year later, in 1936, they developed an open-end, self-powered car on four rubber-tired wheels which they called a shuttle car. The car had a conveyor mounted on the floor which quickly distributed coal dumped in at the front, and quickly forced out the contents at a discharge point. The car could be quickly maneuvered in back of the loader, loaded, and "shuttled" to a discharge point while a second car moved in. By 1940, authoritative mining publications stated that the tonnage of coal was usually doubled by using shuttle cars in place of small mine cars to haul coal from the face to a central discharge point on the main haulage line.

Only the cutter remained on track. In 1942, Joy made the final step to complete trackless mining by placing its universal coal cutter on rubber-tired wheels.

Mechanized mining had come a long way. But it was still the mechanization of the same cycle used by the miner with his pick and shovel—undercut, drill, blast, and load. The time had come to put these operations together.

Many men had long since been working on such a dream. In fact the first prototype of the boring type mining machine—the Stanley Header—had been imported from England in 1888 for trial in Colorado and elsewhere, but was unsuccessful. The McKinley entry driver, a successor borer, was being tested in an Illinois mine at this time. They didn't succeed for a number of reasons. The present high alloy steels and excellent bearings had not been developed. Motors capable of driving such equipment were not available. The coal market at that time required a greater percentage of large size coal than it does at present. And there were few effective cleaning plants available—clean coal depended on using a man to remove foreign material that might occur in the seam.

So it was not until 1948 that the first practical continuous mining machine—the

Joy continuous miner—was available to the coal industry. It was based on an experimental machine made in 1946 by Carson Smith and Harold Silver in the Denver, Colo., area. Since that time, many other manufacturers have developed similar and other types of miners: Jeffrey, Goodman, Lee-Norse, and others.

This first Joy continuous miner eliminated the blasting and drilling; combined the cutting and loading. It moves up to the face on crawler treads under its own power, claws its way into the coal at the floor line to a depth of 24 inches, and tears out a path 42 inches wide upward from floor to roof with one sweep of its head. It then throws the coal over its shoulders into a self-contained conveyor which carries the coal to a flexible tailpiece and discharges it into waiting shuttle car or conveyor. Moving nothing but its head, it then pulls back, drops to the floor again, moves over, and scoops out another vertical path overlapping the first.

The operation is repeated until the machine has eaten through the small distance across the face. The whole machine then moves forward and the cycle repeated. One man operates this machine, and he controls it in safety under supported roof from a central station 15 feet back from the face.

Once again, however, production had stepped out ahead of the haulage, and once again Joy engineers had to work out better associated equipment to match a recent development. This time they came up with a special conveyor, called the Joy extensible belt conveyor, that extended and retracted to follow the needs of the continuous miner. The headpiece of the unit drives the belt and stores extra belting. It remains at a fixed discharge point on the main haulage conveyor. The tailpiece of the unit stays with the continuous miner as the latter eats its way into a room, and extends the belt as it goes to a maximum length of 1,000 feet. Specially designed portable conveyor support stands and idlers are added and taken out as needed while the belt is in operation.

Here, at last, is a true continuous mining system. Coal, torn out by the miner, is discharged onto the Joy extensible belt conveyor, carried to the main haulage belt, and taken out of the mine in one continuous stream.

The foregoing is but a brief highlighting of the progress made in recent years by the coal industry; almost to the point of automation. What's ahead is anybody's guess.

Already Joy is in process of developing a huge unit that looks like a parking garage on big tractor treads which will enable one man, sitting in a control station outside the mine, to mine coal up to 1,000 feet underground. Called the pushbutton miner, it holds a remotely controlled boring type continuous miner and a train of portable conveyors on the spiral track which surrounds the structure.

By pushing buttons, the operator can bring the miner and conveyor train down the track and into the coal operation on various recording instruments in front of him. Coal flows back over the conveyor train, onto an intermediate conveyor which is an integral part of the system, and is discharged on a main conveyor for delivery away from the mine site. Designed for use only at highway operation, after stripping has finished, it is already being viewed as a possibility for underground work.

FUTURE ENERGY TRENDS INDICATE INCREASED USE OF SOFT COAL

Mr. BYRD of West Virginia. Mr. President, it is an obvious fact that demands for electric power are increasing by leaps and bounds all over the world. It is important for the Appalachian region and for my State of West Virginia to know how great a role bituminous coal will play in the generation of ever-greater supplies of electric power. According to a recent article in the Welch, W. Va., Daily News, which reports on findings of the International Coal Conference held in Tokyo, Japan, last year, coal will hold and increase its share of the energy market during the next 15 years.

Mr. President, I ask unanimous consent that this article from the Welch Daily News be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

RISING WORLD MARKET FORESEEN FOR COAL AS ENERGY FUEL

Predicting the future of anything is an uncertain job, but all officials connected with the coal industry generally agree that the coal market of the future will be much greater than today.

Raymond E. Salvati, chairman of the board of Island Creek Coal Co., in a report to the International Coal Conference, Tokyo, Japan, in October of 1963 said:

"Forecasting future energy trends and the share of the market for each fuel is a hazardous venture. A number of intangibles increase the risk of error. It is certain the energy demands will increase, because of the continuing population growth, the rising economic level and the accelerated demand for electricity."

But how much will the demands grow, and what will be the future share of the market for each fuel? We have seen many changes in energy patterns in the past, but how about the future? Despite the perils of making such estimates, we have not lacked for volunteers.

Ebasco Services, Inc., a firm of engineers, builders, and management consultants, predicts a total energy consumption of 15,045 billion kilocalories for the United States in 1970, and in 1980 predicts consumption of 20,135 billion kilocalories.

It calculates that bituminous coal and lignite will increase their share of the market slightly from 22.2 percent to about 22.9 percent in 1970 and 26.5 percent in 1980. This figures out to a forecast of 472,755,000 metric tons of bituminous coal in 1970 and 732-272,000 metric tons in 1980—exclusive of exports.

Ebasco estimates that electric generation from nuclear sources will be very small in 1970 and 1980 will account for only 1.5 percent of total energy. Texas Eastern Transmission Corp., a major pipeline firm which transports natural gas and petroleum—and is interested in building and operating coal pipelines—estimated that the consumption of coal in the United States would reach 451,885,000 metric tons in 1970 and 803,049,000 metric tons in 1980.

This includes about 18,148,000 metric tons of anthracite in the 1980 estimate. Texas Eastern pedicts that coal will have 22.9 percent of the market in 1970 and that this will increase to 26.2 percent in 1980. Incidentally, Texas Eastern predicts that nuclear energy will hold only 4.7 percent of the electric generating market in 1980.

However, the foregoing estimates and those of most other authorities in the fields, were made before the Federal Power Commission recently revised its forecast of the demand for electricity in 1980. Using these new figures, the Bureau of Mines estimates that total energy demand in the United States will increase about 80 percent from 1961 to 1980, to a total of about 20,765 billion kilocalories. The Bureau believes that coal will capture a growing share of the market.

The Bureau of Mines estimates that electric utilities will consume 61,532,000 metric tons of coal in 1980. The stable prices of coal and its increasing efficiency in utility plants made it likely that coal will enlarge its present 65-percent share of the utility fuel market, the Bureau said.

The Bureau of Mines predicts 88,925,000 metric tons of coal will be converted to coke in 1980. Although the steel industry is experimenting with injection of gaseous and liquid fuels into blast furnaces to reduce coke requirement, there have also been successful experiments in the injection of pulverized coal. While this reduces consumption of coke, it insures that the fuel which replaces it is coal and not one of its competitors.

Other manufacturing and mining industries are expected to use 79,851,000 metric tons of coal in 1980, the Bureau said. This is only a slight increase from present consumption. The Bureau forecasts an increase in the use of coal in cement manufacturing, and a decline in coal requirements in many industrial and general manufacturing plants. New economies in coal transportation and advances in combustion equipment may improve this prospect, however.

The Bureau estimates retail deliveries of coal for space heating will account for 13,611,000 metric tons in 1980, and another 1,815,000 metric tons is predicted for use in motive power by ships and a few remaining railroad consumers.

U.S. coal exports in 1980, principally our high-grade metallurgical coals, are forecast by the Bureau at 27,222,000 metric tons. This is considered to be a minimum figure. Actually, the industry will be capable of shipping many times this amount if the demand exists, as we believe it will.

In light of our present production, this entire forecast presents an entrancing prospect, but the coal industry does not believe that this millenium will arrive unassisted. It is an objective to be gained only by careful planning, the risk of heavy investments, a constant striving for greater efficiency, imaginative research into new and expanded uses for coal, and aggressive salesmanship. But we firmly believe it is a goal which can be attained. We intend to attain it—and surpass it.

BITUMINOUS COAL PRODUCTION UP

Mr. BYRD of West Virginia. Mr. President, from time to time one hears rumors that coal is on its way out as a fuel. As a Senator from the greatest coal-producing State in the Union, the State of West Virginia, I am happy to be able to report to you that the contrary is true. According to a recent article in the Welch, W. Va., Daily News, in 1963 the bituminous coal industry enjoyed its best year since 1957.

Mr. President, I ask unanimous consent that this article from the Welch Daily News be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

COAL INDUSTRY WINDS UP BEST YEAR SINCE 1957

Who said King Coal had abdicated his reign?

The bituminous coal industry wound up its best year since 1957 last month, according to the National Coal Association. Production totaled 452 million tons when miners ended their shifts on New Year's Eve. And, according to the association, miners can look forward to a happy new year, for 1964 production is expected to reach 462 million tons, up 2.2 percent over 1963.

Dr. Myles E. Robinson, National Coal Association's director of economics and transportation, said in the 1963 year end summary of the bituminous coal industry, that coal consumption rose this year in all but one major category, for a total of 5.9 percent greater than the 426 million tons consumed in 1962.

Electric utilities, Dr. Robinson said, is the coal industry's biggest customer. They took 207 million tons or 46 percent of last year's consumption of bituminous coal. This marked an 8.4 percent increase from the 191 million tons burned to generate electricity in 1962. The utilities are expected to boost their use of coal in 1964 to 220 million tons.

Export markets for U.S. coal boomed last year. Oversea customers, principally steel mills, took 33 million tons, and are expected to need about the same amount in 1964. This is an increase of 22.2 percent from the 27 million tons sent overseas in 1962. Shipments to Canada rose from 11 million tons in 1962 to 12 million tons last year and are forecast at 13 million next year.

Use of coal for production of coke in this country, principally for the steel industry, amounted to 77 million tons in 1963, in contrast to the 74 million tons used last year, thanks in part to the continuing boom in the automobile industry.

The thousands of other industries which consume coal for space heating or in manufacturing processes burned 96 million tons last year.

COAL EXPORTS RISING

Mr. BYRD of West Virginia. Mr. President, the industrialization of many undeveloped countries in the world, which is proceeding rapidly with American help, is reflected in the increased demand abroad for American coal. Our total export for 1963 is expected to exceed 1962 by 20 percent, according to a recent article in the Welch, W. Va., Daily News.

The article tells how American coal producers are winning a greater share of the foreign market, in spite of increasing competition from major coal producing nations, such as Great Britain and Russia. Mr. President, I ask unanimous consent that this article from the Welch Daily News be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

RISING EXPORT MARKET FOR U.S. COAL

The coal industry not only is expanding, but is bouncing back as one of the world's growth fuels, according to the U.S. Bureau of Mines experts.

An article published recently in the Journal of Commerce magazine is reprinted here bringing out some of the facts on the coal market.

Increased demand, here and abroad, is spurring coal output in the two biggest producing nations—the United States and Soviet Union—and the European Common Market countries are canceling further coal production cutbacks.

TWENTY PERCENT EXPORT RISE

The rising world demand is being directly reflected in American coal exports. Commercial shipments abroad this year of U.S. bituminous and anthracite coal are expected to reach 48.5 million tons, a 20-percent jump over last year.

Productivity seems to be the single biggest factor behind the coal industry revival, both in this country and Western Europe. Mining costs have been substantially reduced, making coal more competitive with other fuels. In the United States, the productivity gains have been abetted by lower rail rates and improved distribution methods.

U.S. researchers, helped by Federal grants, are meanwhile exploring new ways to utilize coal, to extend its marketing and to extract more kinds of usable products from its contents.

LONG-RANGE OUTLOOK

The long-range prospects for American coal—bituminous, if not anthracite—appear substantial enough for Government officials such as Chief Trade Negotiator Christian Herter to quote predicted export gains averaging 5 million tons a year over the rest of this decade.

U.S. bituminous coal production this year is expected to climb about 13 million tons to a total 433 million, the best gain in several years bringing output to its highest level since 1957. Anthracite output is slated to rise about 2.6 million tons to 19.5 million—the first production increase since 1956.

While officials are confident of continued gains in bituminous production, they are less confident about anthracite's future. The anthracite comeback has been almost entirely a result of last winter's unusual severity, forcing suppliers to build up their inventories here and abroad.

Abroad, the biggest U.S. coal markets—present and potential—are the European Common Market and Japan. To a very large extent, U.S. export prospects in these areas will depend not only on relative fuel costs but Governmental trade policies.

Of the six Common Market countries, only Italy permits free entry of American coal. Japan governs its purchases through import licenses, which are regulated according to the country's financial condition.

U.S. coal producers, together with the Federal Government, seem to be tackling these export problems with unprecedented vigor. The Interior Department and coal exporters are setting up a joint unit to do everything feasible toward developing U.S. coal markets abroad.

But the going is not likely to be easy. There's the Soviet Union and its coal plans as well as British coal and the possibility that the Common Market coal producers—France, Germany, and Belgium—may step up output again.

SOVIET COMPETITION

The Soviet Union represents the most important competitor. It is planning to almost double its bituminous and anthracite production between now and 1980. Operating through state agencies, the Russians can sell their coal at virtually any price they wish and in their efforts to expand trade with the West they may undercut U.S. prices.

The British, because of recent productivity gains, reportedly are considering reducing their coal prices. British coal exports also are in the hands of a Government unit, the National Coal Board.

Indicative of the drive to modernize coal operations on the Continent, the European Coal and Steel Community has proposed to spend nearly $400 million this year in coal research and improvements. The Community comprises the same six nations that make up the Common Market.

Belgium is meanwhile said to have requested the Community to agree to halting further Belgian mine closures, in the claim that Belgian coal imports have grown disproportionately large. France has said that it does not intend to cut back any more of its coal production while West German output is expected to rise this year after several years of stability.

COAL USAGES NOT LIMITED TO SOLID STATE

Mr. BYRD of West Virginia. Mr. President, coal, the oldest of the fossil fuels, is still not fully explored as a source of energy and a storehouse of chemical wonders. According to a recent article in the Welch, W. Va., Daily News, conversion of coal to fluid fuels is already a technical reality, and the gasification of coal will soon follow, as a result of experimentation now underway.

Mr. President, I ask unanimous consent that this article be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

VERSATILE COAL NOT BOUND TO SOLID STATE

Coal, the oldest of the fossil fuels, is still not fully explored as a source of energy and a storehouse of chemical wonders. Research is constantly broadening the base of coal applications so today the fuel that supported the industrial revolution is vital to the modern giants of our economy—to the electric utility industry, the iron and steel industry, the chemical industry and a host of manufacturing and processing industries, according to the National Coal Association.

Research has proved that coal is richly complex—new compounds from coal are being discovered every year; perhaps the latest are the indenols found by the Bureau of Mines in coal tar, phenols that are of value to the plastics industry, the article said.

Research is also proving coal is versatile—as a fuel, coal is not bound to a solid state. It already flowed through pipelines as a slurry and will eventually satisfy the Nation's rocketing energy demands as an oil and gas.

Conversion of coal to fluid fuels is a technical reality; rising costs and failing supply among the present fluid fuels will make coal conversion an economic necessity, the article continued.

Modern coal research takes two equally important directions—improvement of the product as it is now used, and discovery of new applications. Research in the production, transportation and use of coal has enabled it to maintain its traditional power leadership against a temporary flood of competition. The marketability of coal now is the economic base on which research can build the radically new coal uses of the future, it stated.

Among the significant research projects underway are a 2-year study, under a contract from the Federal Office of Coal Research, of the preparation and handling and use of ultrafine coal—coal sizes smaller even than the talcum—powderlike fuel used in pulverized coal—burning utility and large industrial plants.

Petrography, the microscopic study of samples of selected coal to determine its basic structure and composition, can pinpoint the coal's suitability for metallurgical coke production; miscroscopic examination may soon improve preparation methods to the point of tailoring coal or coal blends to the needs of any specific combustion process.

Reduction of sulfur in steam coals to reduce air contaminants from combustion; a parallel project aims at more efficient and economical removal of contaminants from flue gases before they reach the atmosphere.

Conversion of fly ash from a nuisance product of combustion to a useful constituent of concrete, paving mixes, prepared fertilizers, and a host of other commercial products.

The U.S. Bureau of Mines is conducting projects that cover work in hydraulic mining of bituminous coal and anthracite; degasification of coal mines; effect of radiation on coal; recapture of hydrogen from coal; continuous carbonization of coking coal; distillation of chemical compounds from coal tars; coal gasification; development of a coal-fired gas turbine (initiated by the Locomotive Development Committee of Bituminous Coal Research, Inc.); and hydraulic transportation of coarse coal.

This is the pattern for the future—greater benefits for the coal industry, for coal users, and for the Nation—through coal research.

WELCH, W. VA., EXAMPLE OF PROGRESSIVE MINING TOWN

Mr. BYRD of West Virginia. Mr. President, the coal mining town of Welch, in McDowell County, W. Va., is an example of a coal mining community that has kept pace with the times. Millions of dollars are being spent annually in this progress-minded area to maintain a place for coal in the competitive fuel markets of America and the world at large.

The encouraging story of how the town of Welch is maintaining and improving its economic condition is told in a recent article in the Welch, W. Va., Daily News. Mr. President, I ask unanimous consent that this article be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

WELCH, W. VA., KEEPS PACE WITH PROGRESSING COAL ECONOMY

Welch and surrounding coalfields have kept pace with improving economic conditions, particularly in the coal industry, and set the promise of even better things to come.

The men who produce and sell coal in the United States talk confidently of the product once again becoming the world's leading fossil fuel in the constantly growing business of generating energy.

The prospective good record of the coal industry in 1964 will mark the third consecutive annual increase in the demand for coal, according to Stephen F. Dunn, president of the National Coal Association.

Such growth is bound to be felt in the Welch fields, where premium coal is produced in some of the Nation's most efficient operations.

In back of the rosy business picture, is the constantly improving modernization and mechanization system that contribute to the low cost, mass production methods of today's coal business.

Millions of dollars are being spent in the Welch coal mining area to further improve efficiency and guarantee a uniformly dependable supply of coal.

Joy Manufacturing Co., the world's largest producer of underground mining equipment, is playing a major role in the vast program to improve the production and quality of coal.

The role is not new for Joy. The company led the way in the mechanization of underground coal mining back in the 1920's.

It was then that Joy developed and brought to market the now historic loading machine with its unique gathering arms. The unit made the team mechanization possible in coal mining.

Then in 1938, Joy introduced the shuttle car which was destined to eliminate track at the mine face. It transports coal from the face to main haulage systems but requires no track to run on. Instead, shuttle cars move on rubber-tired wheels.

In 1947, Joy continuous miner again revolutionized the coal industry. It was a machine that dug the coal, loaded it and conveyed it to shuttle cars. Drilling and blasting were eliminated where the continuous miner worked.

Today about 32 percent of all the coal mined underground is produced with continuous miners.

It may be important to take note that the average tonnage per man in deep mining has soared from 5.5 tons per man in 1948 to about 12 tons per man today.

But coal was an still is in an extremely competitive market. The emphasis must continue to be placed on increased, efficient production with a minimum of maintenance.

It is in this field that Joy continues to labor. Its loader, its shuttle cars, and its continuous miners are constantly being updated. Heavier, more powerful equipment is constantly being developed.

A few examples of this trend can be visualized by comparing the 16,000-pound 30-horsepower shuttle cars of 1950 with the current 23,900-pound 75-horsepower models.

Loaders, too, have been beefed up from the 18,200-pound 34-horsepower models of 1950 to today's models of 28,200 pounds with 144 horsepower. And cutters today are built in the 32,000-pound 142-horsepower class, compared to 1950 models of 24,200 pounds with 80 horsepower.

The heavier, more powerful equipment means machinery that will do the job on a mass scale without the constant pampering by maintenance men. Maintenance is lost production time.

More productivity and less maintenance in a way is the design theme of Joy's newer continuous miners such as the 6CM-5, the 2BT-6, and the CU-43. Each is designed for a specific type of mining.

The 6CM-5 is a ripper type miner. The 2BT-6 is a boring machine, and the CU-43 might be called a combination of ripper and borer.

The 6CM-5 miner, with a 4- to 5-ton-a-minute capacity is designed for development and retreat work in 48- to 88-inch seams. In addition it has the ability to drill holes and install roof bolts while mining coal.

The 2BT-6 is a heavy duty, 8- to 12-ton-a-minute machine whose production is limited only by the mining system and haulage capacity. It has the ability to cut harder minerals as well as coal with impurities that standard machines cannot recover economically.

The CU-43 with its ripper-borer combination, was designed for low coal. In use it already has averaged over 400 tons of coal per shift.

But continuous miners do not answer all of the coal production problems. There still are many mines that use the so-called conventional equipment and produce coal that must be competitive.

Joy's newly designed 14-BU-10 loader, the 16-RB low seam cutting machine and the CD-41 face drill, all are designed with the weight and power to stay on the job. Auger machines, for above-ground mining also are built with the extra power and strength for long-range, high-rated production.

The Joy shuttle car that did so much for early mining also has been modernized. Today, it is equipped with a hinged, six-wheel design that lets the car follow bottom contour while absorbing shock and avoiding roofing. It has up to 50 percent more capacity than any four-wheel car of similar height.

And Joy continues to set the pace with newly developed equipment. Today, it is the mining equipment company that has remote control mining equipment in commercial production. The new machine is known as the Joy pushbutton miner. It is currently being used in high wall mining. Without ever sending a man underground it can enter a seam up to 1,000 feet and produce at the rate of 1,000 tons in 8 hours.

Even as this fleet of new model coal mining equipment reaches the market, Joy engineers and research men are busy looking to the future when new ideas will further modernize coal mining and insure the future of coal regions such as Welch.

MESSAGE FROM THE LONG ISLAND FEDERATION OF WOMEN'S CLUBS

Mr. KEATING. Mr. President, the Long Island Federation of Women's Clubs, Inc., is a progressive and active organization which takes a deep interest in issues of national as well as local importance. The federation has directed to my attention a copy of the telegram of condolence sent to Mrs. John F. Kennedy. At the request of the executive board, I ask unanimous consent to include the text of this telegram in the CONGRESSIONAL RECORD.

There being no objection, the telegram was ordered to be printed in the RECORD, as follows:

The executive board of the Long Island Federation of Women's Clubs, Inc., in session December 6, 1963, extend sincere sympathy to you on the loss of your beloved husband and our President.

Miss EDYTHE FROST,
President,
Mrs. DOROTHY L. DOUGLAS,
Corresponding Secretary.

ROBERTA PETERS NAMED WOMAN OF THE YEAR

Mr. KEATING. Mr. President, the Westchester, N.Y., County Federation of Women's Clubs recently named Roberta Peters Woman of the Year for 1963. I cannot think of a more fitting or deserving tribute to this young woman. Miss Peters has enchanted people the world over with her lovely voice and charming manner. Perhaps even more important, she has contributed significantly in acquainting the Soviet Union and the European countries with the musical achievements of the United States.

In accepting this award, Miss Peters gave a very fine address entitled "The American Artist in a Changing World." In her speech, she touches upon the problems and potential, struggles and success of American artists.

Mr. President, I ask unanimous consent that following my remarks, the text of Miss Peters' remarks be printed in the RECORD.

There being no objection, the remarks were ordered to be printed in the RECORD, as follows:

THE AMERICAN ARTIST IN A CHANGING WORLD

(By Roberta Peters)

Mrs. Chairman, ladies of the Federation of Women's Clubs, first of all, let me say that I am very proud and deeply grateful to have been chosen woman of the year. The honor is especially great, since I will be succeeding Dr. Rosemary Park, president of Barnard College and one of the outstanding educators in our country today.

You have honored me for my contributions in the field of music and art and for my efforts abroad to acquaint the people of Europe and the Soviet Union with the musical culture of the United States. I accept this award with even deeper gratitude, because I feel that in bestowing it upon me, you have also honored and recognized the emergence and the importance of all American artists.

And today, I would like to talk to you about our American artists in this constantly changing world, their problems and their potential, their success and their struggles, where they have been and where they are going, what they have done and what they must do.

Not long ago, at the turn of the century, the music life of our Nation was completely dominated by foreign artists. Before World War I, it would have been difficult to find the names of American singers and conductors on many programs of the Metropolitan Opera. It was almost as though we were strangers in our own land. But gradually the picture changed, and great American names emerged—Charles Thomas, Lawrence Tibbett, Grace Moore and many others. In the concert halls, too, there were a number of rising American conductors.

The twenties and thirties produced many fine artists, born and trained in the United States, and slowly our dependency on Europe lessened. But the real revolution in our musical scene came with the ominous threats of the Second World War. The rise of fascism and national socialism brought some of the greatest artists of Europe to the United States. Many were either forced to leave their homeland or chose to leave voluntarily, rather than live under a dictatorship. Arturo Toscanini, pelted with eggs because he refused to conduct the Fascist hymn, eventually settled in our country. From Germany came a tide of the foremost singers, musicians, and conductors—Bruno Walter, Paul Hindemith, Lotte Lehman, Emanuel List, Friedrich Schor. From occupied Denmark came Lauritz Melchior and many, many others. This cultural exodus had a double impact on American music: The great artists of Europe not only contributed immensely to the development and enrichment of music in this country, but they also inspired and helped the young generation of American singers and musicians.

After the war, the picture changed, both here and abroad. The United States began to witness a cultural awakening. Americans, with more leisure time and more income, began to discover the joy of great music. We looked with new eyes on the wealth of our own American talent. Once this was a country that American artists had to leave to become successful and European performers had only to visit to become rich. At one time, the only city in the United States that took a great interest in music was New York—the only possible place for an American artist to embark on a performing career. The rest of the country seemed either indifferent or felt there was just no money available for sponsoring regular musical performances. Such community projects as Lincoln Center, the Tyrone Guthrie Theatre in Minneapolis and the many programs sponsored by cities and colleges throughout the Nation would have been unthinkable before the war.

The changing world and the changing times left an indelible mark on the American musical world. Today community orchestras have taken the place of town bands, a performer can be greeted by an overwhelmingly enthusiastic audience in the most remote parts of the country, and the speed of transportation has added to the potential audience an artist can reach. America was growing culturally. And, of course, I must mention here that the Metropolitan Opera—under the excellent management of Rudolf Bing—has become the greatest opera house in the world. Every artist—American and European—aspires to sing at the Metropolitan Opera. We have moved forward—yet in some ways we have stood still. Even to this day, many Americans are more receptive to European performers than to their own artists.

But probably the greatest change in the musical emergence of the American artist took place after the war in Europe. Countries like Germany, Austria, and Italy—once boasting the giant names in music—now had to look to America for fresh, young, new talent. Soon the world-famous opera houses of Milan, Vienna, Munich, and Hamburg engaged Americans as permanent members of their staffs. Europeans discovered to their amazement that we have hundreds of American singers and musicians, many of whom are today the finest in their fields. American performers made debuts in the great opera houses, and the works of such composers as Menotti, Barber and Leonard Bernstein were played all over the world. An interesting example of the rise of our own artists is that in the Zurich Opera House in Switzerland there are so many American singers that the language predominantly spoken there, even by stagehands, is English.

Yet the most important aspect here was not the success of individual performers, but rather the new image our artists projected abroad. Many Europeans had a distorted idea of the United States. They thought of us as a brash, crude, materialistic nation, where people were only interested in making money and where there was no interest in cultural development.

But the postwar exchange of artists made a significant impression. Our conductors participated in the great festivals of Europe, our musicians became more celebrated abroad than were our movie stars or sports heroes in the past. America was no longer just a nation of dollar worshipers with a high crime rate and a low cultural level. Rather, we were the birthplace of hundreds of great artists—versed in the music of traditional composers, yet with fresh, 20th-century innovations. Another, more subtle point was the language problem—always a sensitive spot with Europeans. Unlike the average American, our opera singers not only speak several languages on stage, but must be able to meet the residents of foreign countries on their own terms and in their own language. I can remember that on my tour of the Soviet Union sponsored by the State Department, many Russian performers were amazed that I had studied languages in the United States and not abroad.

We are the cultural ambassadors for the performing arts, and we welcome the opportunity to represent our great country. But along with the opportunity, there comes a new responsibility and new problems. The American artist, in the limelight today wherever she goes, must always bear in mind the fact that she is an American artist. For, in a sense, the world is always watching and judging not only her, but her country. She cannot indulge in on-stage feuds, fits of temparament, or an unprofessional manner. The old cliche of "the show must go on" is as true today as it ever was. We must be careful to erase the bad connotation of the words "prima donna," and we are expected always to uphold the American tradition of good sportsmanship.

The speed of our jet age has brought us benefits as well as drawbacks. Today it is possible to tour the concert stages of Europe and be gone from the United States only a matter of weeks. And yet a performer must be careful that this new mobility does not affect her personal and professional well-being. Too much globetrotting can exhaust a musician and rob years from such a delicate instrument as a voice.

The emphasis on speed in today's world has another sad effect—that of throwing before the public talent which is not trained fully and not ready. There are so many things a singer must master—basic and complex techniques of music, literary style, diction, dress, languages, deportment. Yet too often, impatient young singers—more eager to make money than to train and nurture a rich, lasting talent—burst upon the musical scene and die out in a few seasons. Here the growth of the music competitions or tournaments can be both a curse and a blessing. The performer, having won out over her rivals, is blinded to the fact that there is far, far more to a career than simply winning at the time.

Yet the competitions—national and international—have excellent advantages. They provide a reachable goal for young people—and, of course, their parents—who might otherwise be discouraged by the long, difficult road a performer must travel. They enable American talent to meet Europeans on an equal footing and to display their musical virtues without the need of a Government subsidy. The mention of the word "subsidy" is an extremely sensitive one, and there are many pros and cons. Perhaps the greatest danger in complete subsidies for the creative arts is that under Government support, they can become merely an official organ, subject to Government censorship and approval. The most wonderful thing about American culture is that it is so individual, fresh and spontaneous. Our tradition of independence and experimentation is a very precious thing, worth far more than the certainty of a steady income. Yet, it must be said that the many excellent Government sponsored cultural projects have done a fine job in enlightening people all over the world about what we are doing here. This is a two-way street, and we must be very careful to toe the mark between artistic individuality and providing a proper environment for the growth of the creative arts.

Perhaps the most important adjustment an artist must make is the combination of careers: As a singer, and as a wife and mother. Both are of the utmost importance and require special attention and effort. When I perform in this country, I never travel for more than 2 weeks at a time, unless my husband and two sons can join me during a holiday. This past summer, when I sang at the festivals of Salzburg and Vienna, my whole family was with me. And when I am at home, I make sure to arrange my day so as to give the greatest possible amount of time to my children.

The situation of the American artist in today's world can probably be best described in the words of Charles Dickens: "It is the best of times—it is the worst of times."

We have a tremendous opportunity and challenge, yet we bear a heavy responsibility. The artist—once traditionally removed from the everyday world of reality—must today be first and foremost a good American. By our public actions, we must support our beliefs and our country. We must uphold tradition in music, and yet we are expected to look for innovations. We must learn to live in a world of speed, yet never forget the importance of time, training, and patience. Today, more than ever, we need the assistance, support, and recognition of every citizen. For although the number of regular listeners of operas and concerts grows each year, the percentage is still little more than 2 percent of our total population. Yet we know that there are thousands of prospective opera enthusiasts in this country who are—right now—on the threshold of true musical enjoyment and experience. And it is heartening to know that an opera singer can now be honored with an award such as you have given me today—an award usually bestowed on those in the fields of medicine, science, and technology. But perhaps the greatest measure of our changing times is the fact that the memorial to our late President, John F. Kennedy, will be—not a stone monument or the traditional statue on horseback—but a theater dedicated to the performing arts.

For the growth and maturity of American arts and American artists must always go hand in hand with the growth and maturity of our Nation.

In a divided world—constantly haunted by the specter of nuclear weapons—we need more than ever the beauty, the promise, the glory of the creative arts. They stand among the greatest achievements of mankind, and they are—and always have been—a universal bond.

In closing, I want to thank you again, not only for conferring this honor upon me, but for helping me to achieve it. I accept this award with deep gratitude, not only for myself, but on behalf of all the great artists of our country. And I want to assure you that we will do everything within our power to justify your encouragement, recognition, and faith in us. Perhaps the best way to say this is in the often-quoted words of the great American poet, Robert Frost:

"For I have promises to keep
 And miles to go—before I sleep."

Thank you.

RECESS

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senate stand in recess until 3 o'clock, and that, to make sure, the 2 hours in recess will not apply to the 3 hours on the resolution under the rule of germaneness.

The PRESIDING OFFICER. Without objection, it is so ordered.

There being no objection, the Senate (at 12 o'clock and 49 minutes p.m.) took a recess until 3 o'clock p.m. today.

At 3 o'clock p.m., on the expiration of the recess, the Senate reassembled, and was called to order by the Acting President pro tempore [Mr. JAVITS].

PROPOSED AMENDMENT OF RULE XXV OF STANDING RULES RELATIVE TO COMMITTEE MEETINGS DURING SESSIONS OF THE SENATE

The Senate resumed the consideration of the resolution (S. Res. 111) amending rule XXV of the Standing Rules of the Senate relative to meetings of committees while the Senate is in session.

Mr. CHURCH. Mr. President, I suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. CHURCH. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. CHURCH. Mr. President, yesterday, when Senate Resolution 111, the pending business, was laid down, I made my introductory remarks, and they appear in yesterday's CONGRESSIONAL RECORD.

The Committee on Rules and Administration has prepared an excellent and concise report. I ask unanimous consent that an excerpt from the report be printed in the RECORD; and in that connection I point out that the committee has favorably reported the resolution, without amendment, and recommends that the resolution be agreed to by the Senate.

There being no objection, the excerpt from the report (No. 506) was ordered to be printed in the RECORD, as follows:

Senate Resolution 111 would amend rule XXV of the Standing Rules of the Senate by adding at the end thereof the following new paragraph:

"5. No standing committee shall sit without special leave while the Senate is in session after (1) the conclusion of the morning hour, or (2) the Senate has proceeded to the consideration of unfinished business, whichever is earlier."

The resolution would further provide that section 134(c) of the Legislative Reorganization Act. (Aug. 2, 1946, 60 Stat. 831, 832; 2 U.S.C. 190b(b)):

"(c) No standing committee of the Senate or the House, except the Committee on Rules of the House, shall sit without special leave, while the Senate or the House, as the case may be, is in session,"

no longer be applicable to standing committees of the Senate. This provision no longer obtains in the House of Representatives, being superseded by paragraph 30[1] of its rule XI, adopted January 3, 1953. The Senate, however, has continued to operate under section 134(c) without incorporating it into its own rules.

Senate Resolution 111 was submitted by Senator FRANK CHURCH (for himself and Senators MONRONEY, ANDERSON, MCGEE, and PASTORE) on March 14, 1963, and the same day was referred to the Committee on Rules and Administration. A hearing was held on the proposal by the Subcommittee on Standing Rules of the Senate on June 27, 1963. Senator A. S. MIKE MONRONEY and Senator JOSEPH S. CLARK appeared and urged approval of this resolution. Senator CLARK, while speaking in favor of the principle of the resolution indicated a preference for his own resolution, Senate Resolution 32, which would remove all limitations on committees sitting while the Senate is in session. Senator GORDON ALLOTT appeared in opposition to the resolution. Senator CHURCH, being unable to appear, submitted a written statement in behalf of his resolution. At the hearings it was expressly pointed out that Senate Resolution 111 had received the unanimous support of the ad hoc committee appointed by the Senate leadership.

Pursuant to the present procedure (sec. 134(c)), all Senate committees must cease sitting when the Senate goes into session unless they obtain permission from the Senate to continue. Such permission is frequently obtained by unanimous consent, but is also frequently denied—by the objection of one Member. Theoretically, permission could also be granted upon adoption by a majority of a motion to permit a committee to sit. In practice, however, since such a motion would be debatable, decision on the issue could easily be delayed beyond the time during which the committee wished to meet.

By the adoption of Senate Resolution 111, the morning "hour" of the Senate would be available for committee meetings. In the opinion of the committee, the routine and often relatively unimportant business of the Senate handled during this period would not suffer due to the absence of Members engaged in committee affairs. On the contrary, it is believed that the interests of the Senate could better be served by granting the committees this additional time for the consideration and processing of legislation. This modification of the rules would expedite the business of committees, and enable them much sooner to report measures to the Senate for floor action.

For the reasons expressed herein, the Committee on Rules and Administration is reporting Senate Resolution 111 favorably to the Senate, and recommending its adoption.

Mr. CHURCH. Mr. President, I am advised that the majority leader anticipates that there will be no votes on the resolution today. However, it is to be hoped that Senators can proceed with debate on its merits and explore whatever amendments there may be.

Mr. DIRKSEN. Mr. President, will the Senator from Idaho yield?

Mr. CHURCH. I yield.

Mr. DIRKSEN. I should like to advise the distinguished Senator from Idaho that while there may be no votes today, I shall, at the appropriate time, when it comes time for the vote on the resolution, insist on a yea-and-nay vote.

Mr. CHURCH. I understand.

Mr. President, I suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. HUMPHREY. Mr. President, I ask unanimous consent that the order for the quorum call may be rescinded.

The PRESIDING OFFICER (Mr. CHURCH in the chair). Without objection, it is so ordered.

Mr. DIRKSEN. Mr. President, will the Senator from Minnesota yield?

Mr. HUMPHREY. I yield.

Mr. DIRKSEN. I ask unanimous consent that my distinguished friend from Minnesota [Mr. HUMPHREY] be permitted to speak out of order on certain matters, notwithstanding the rule of germaneness which was adopted by the Senate last Thursday.

Mr. HUMPHREY. Mr. President, I object.

The PRESIDING OFFICER. The rule of germaneness is in effect. Unanimous consent has been asked; and without objestion, the Senator from Minnesota may be——

Mr. HUMPHREY. Mr. President, in light of the previous order on this matter, I thought the period of germaneness had already expired. I shall, therefore, withhold submission for the RECORD of these items, and will abide by the rule.

I now move that the Senate stand in recess subject to the call of the Chair——

Mr. KEATING. Mr. President, will the Senator from Minnesota withhold his motion for a moment?

Mr. HUMPHREY. I am glad to withhold it.

Mr. KEATING. Mr. President, I ask unanimous consent that despite the excellent rule that was recently adopted, I may be permitted to speak on an ungermane subject, and that the rule be temporarily waived for a few moments.

The PRESIDING OFFICER. Will the Senator from New York advise the Chair the length of time he wishes?

Mr. KEATING. Three minutes.

The PRESIDING OFFICER. The Senator from New York is asking for 3 minutes. Is there objection?

Mr. HUMPHREY. Mr. President, I must object.

The PRESIDING OFFICER. Objection is heard.

Mr. HUMPHREY. I do this with deep regret, but I believe we should insist upon the application of the rule of germaneness, at least for a period of time, until Senators have become accustomed to it.

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[1] "30. No committee of the House, except the Committees on Government Operations, Rules, and Un-American Activities, shall sit, without special leave, while the House is in session."

Mr. **KEATING**. Mr. President, will the Senator from Minnesota yield?

Mr. **HUMPHREY**. I yield to the Senator. I do not do this in personal pique. I hope the Senator will understand.

The **PRESIDING OFFICER**. The Chair advises the Senator from New York that debate is not in order on that subject. When objection is made, the rule of germaneness applies. An objection has been heard.

Mr. **KEATING**. Mr. President, what is the pending business?

The **PRESIDING OFFICER**. The pending business is the resolution (S. Res. 111).

Mr. **KEATING**. Mr. President, I move to strike out the resolving clause.

The **PRESIDING OFFICER**. The motion is not in order. There is no resolving clause.

Mr. **KEATING**. Mr. President, I move to recommit the resolution.

The **PRESIDING OFFICER**. The Chair advises the Senator from New York that a motion to recommit is in order, but the rule of germaneness applies to the motion. Therefore, the Senator's remarks must apply to the motion to recommit.

Mr. **KEATING**. Mr. President, the resolution before the Senate is an excellent resolution. Efforts should be made to improve the Senate rules. I have always been insistent that there should be an improvement in the Senate rules.

The pending resolution provides:

Resolved, That rule XXV of the Standing Rules of the Senate is amended by adding at the end thereof the following new paragraph:

"5. No standing committee shall sit without special leave while the Senate is in session after (1) the conclusion of the morning hour, or (2) the Senate has proceeded to the consideration of unfinished business, whichever is earlier."

Sec. 2. Section 134(c) of the Legislative Reorganization Act of 1946 shall not be applicable to standing committees of the Senate.

The resolution, which was submitted by the distinguished occupant of the chair [Mr. Church], is, in my judgment, very desirable. But I invite attention to the fact that today there was a very short morning hour; and therefore a comparatively short period of time during which the standing committees could sit. After the conclusion of the morning hour, the standing committees would not be permitted to meet.

Standing committees might be considering very important business. For example, they might be considering a resolution which I have offered relating to the Soviet campaign of anti-Semitic and antireligious terror. That is one subject which might be under consideration at that time.

It might be very important to consider the various ramifications of that particular resolution.

In that connection, my attention has been called to a statement and resolution in the State Legislature of New York, which I am hoping may be made a part of the Record, to indicate the importance of some of the subjects which could be considered by a committee.

As a further example of a subject in which many people are interested, I call attention to the fact that one of the standing committees might be considering a statement in tribute to Lithuanian Independence Day.

I ask unanimous consent to have printed at this point in the Record the two matters to which I have referred in order to point out possible subjects which committees might be considering.

There being no objection, the material and resolution were ordered to be printed in the Record, as follows:

Soviet Campaign of Anti-Semitic and Antireligious Terror—Statement by Senator Keating

The people of New York State, in fact the people of this entire Nation, are shocked at the continuing deliberate campaign of antireligious persecution and anti-Semitic activities which have been so conspicuous in the Soviet Union over the last year.

I have spoken up on this matter a number of times in the past and I shall continue to do everything in my power to press for determined and effective action on the part of the U.S. Government to make known our sense of outrage and dismay over these barbaric tactics.

The text of a resolution recently adopted by the Legislature of the State of New York, is as follows:

Concurrent Resolution Memorializing the Secretary of State of the United States To Lodge a Protest With the Government of Soviet Russia, in Relation to Such Government's Campaign of Anti-Semitic and Antireligious Terror

Whereas the people of the State of New York and of the United States are deeply shocked by reports appearing in the press and elsewhere concerning the oppression, persecution and tyranny of the Government of Soviet Russia directed toward Russian Jewry residing in Soviet Russia; and

Whereas many acts of terrorism, confiscation and persecution have already been committed against such Jewry and even more serious acts are threatened; and

Whereas such acts have resulted, unjustly and unwarrantedly in the confiscation of property and in the deprivation of rights, privileges and immunities possessed by the Jewry of that country; and

Whereas the Government of the United States because of its humanitarian interests in the various peoples of this country and their interest in and relationship to the persecuted Jewry in Soviet Russia, should register emphatic protest with the Russian Government with a firm request that it should cease and desist in its program of persecution; and

Whereas the Government of the United States has on other occasions intervened and interceded in behalf of persecuted minorities in other countries: Now, therefore, be it

Resolved (if the assembly concur), That the Secretary of State of the United States of America be and he hereby is respectfully memorialized to lodge an official protest on behalf of the Government of the United States with the Russian Government against the concerted attack presently being made directly and indirectly by the latter Government toward Russian Jewry residing in such country and that the Department of State be and it hereby is respectfully memorialized to employ its best diplomatic efforts in an attempt to persuade the Russian Government to desist from any further persecutions and acts of terrorism and confiscation complained of in this resolution; and be it further

Resolved (if the assembly concur), That copies of this resolution be transmitted to the President of the United States and to the Secretary of State of the United States and to each Member of Congress duly elected from the State of New York and that the latter be urged to do everything possible to accomplish the purposes of this resolution.

By order of the senate.

Albert J. Abrams,
Secretary.

In assembly January 21, 1964, concurred in without amendment.

By order of assembly.

Ansley B. Borkowski,
Clerk.

Lithuanian Independence Day—Statement by Senator Keating

Forty-six years ago today Lithuania declared its independence after more than a century of Russian domination. But a Lithuanian living in Lithuania today has little cause to rejoice. If he is 46 years old today, he has known 21 years of freedom and 25 years of oppression. He has seen his land become a victim of Soviet aggression as a result of the infamous Nazi-Soviet pact of 1939, and a victim of Nazi aggression in 1941. He witnessed not liberation in 1944 but only absorption into the vast Soviet empire constructed following World War II.

Since then he has seen hundreds of thousands of his fellow countrymen deported to Siberia or other remote reaches of the Soviet Union. Tens of thousands of others have been executed or are living in exile. He has seen his land collectivized by force, his living standards reduced following Soviet exploitation, his religion trampled upon by Soviet authorities, his freedom to travel denied, his scenic coast subjected to the sinister requirements of the Soviet armed forces. He saw the courageous Lithuanian freedom army finally forced to cease active resistance in 1952. He has seen his land turned into a vast prison.

Nor have we in the United States and our million citizens of Lithuanian origin any cause to rejoice. Rather, we should soberly reflect upon the shocking record of Soviet colonization in an era of supposed decolonization, and resolve that this record be exposed at every opportunity. Indeed, nonrecognition of the Soviet occupation of Lithuania is not enough. This is a passive policy. We should denounce the violation of the rights of the Lithuanians in the many public forums that are available to us.

Our 46-year-old Lithuanian has known treachery, invasion, persecution, occupation. Does he know hope? Or does he not sometimes wonder in despair whether he has been forgotten? The hope of almost 3 million people behind the iron curtain is important to us. The voice of the American people can be heard. And be it only raised in protest, it can keep a hope alive that is important to the future of the free world.

It is not just today then, but throughout the year that we must remember that the subjection of millions of people to a foreign dictatorship which they despise is a living symbol of the threat we face and the courage required to face it. There are those who argue that keeping hope alive is dangerous; that facts are facts; that the susceptibilities of the Soviet Union should not be inflamed. They are sorely mistaken. No free nation can afford to forget the fate of a people whose traditions and ideals are linked to its own. No free nation can afford to give the impression by word or deed that it leans toward the proposition that might makes right. The United States does not

> accept this proposition. We recognize the right of the Lithuanian people to determine their future in freedom. We look forward to the day when Lithuania will once more be able to join the community of free nations.

Mr. KEATING. Mr. President, I withdraw my motion.

The **PRESIDING OFFICER.** The motion is withdrawn.

Mr. HUMPHREY. Mr. President, there happens to be a Democratic conference in progress at the present time relating to legislative subjects that will soon be before the Senate, including the tax bill. Therefore, I move that the Senate stand in recess subject to the call of the Chair.

The motion was agreed to; and (at 3 o'clock and 25 minutes p.m.) the Senate took a recess subject to the call of the Chair.

At 3:58 p.m., the Senate reconvened, when called to order by the Presiding Officer (Mr. Nelson in the chair).

Mr. HUMPHREY. Mr. President, do I correctly understand that the Senator from Idaho wishes to present Senate Resolution 111 and make a statement with respect to it?

Mr. CHURCH. Mr. President, if the Senator from Minnesota will yield, Senate Resolution 111 has been laid before the Senate. Introductory remarks have been made. It is now the pending business. As I understand, the senior Senator from Pennsylvania, who intends to offer an amendment, would like to make some remarks with respect to the amendment at this time.

Mr. CLARK. Mr. President, being in an unusually vicious mood, I suggest the absence of a quorum.

The **PRESIDING OFFICER.** The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. CLARK. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The **PRESIDING OFFICER.** Without objection, it is so ordered.

ORDER FOR ADJOURNMENT UNTIL NOON, TOMORROW

Mr. HUMPHREY. Mr. President, will the Senator from Pennsylvania yield?

Mr. CLARK. Mr. President, a parliamentary inquiry.

The **PRESIDING OFFICER.** The Senator from Pennsylvania will state it.

Mr. CLARK. Is the rule of germaneness in effect?

The **PRESIDING OFFICER.** It is.

Mr. CLARK. Then I am happy to yield to the Senator from Minnesota, within the burden of the rule of germaneness.

Mr. HUMPHREY. Mr. President, I move that when the Senate completes its business today, it stand in adjournment until 12 o'clock meridian, tomorrow.

The **PRESIDING OFFICER.** The question is on agreeing to the motion of the Senator from Minnesota.

The motion was agreed to.

PROPOSED AMENDMENT OF RULE XXV OF STANDING RULES RELATING TO COMMITTEE MEETINGS DURING SESSIONS OF THE SENATE

The Senate resumed the consideration of the resolution (S. Res. 111) amending rule XXV of the Standing Rules of the Senate relative to meetings of committees while the Senate is in session.

Mr. CLARK. Mr. President——

Mr. HUMPHREY. Mr. President, will the Senator from Pennsylvania yield, to enable me to propound a unanimous-consent request which has been cleared with the minority, and which I am sure will meet with general concurrence among the majority?

Mr. CLARK. I yield for that purpose.

Mr. HUMPHREY. Mr. President, I ask unanimous consent that during the further consideration of the pending resolution, Senate Resolution 111, the time for debate on amendments be limited to 1 hour, to be equally divided between the proponents and the opponents, and that the time available on the question of adoption of the resolution itself be limited to 1 hour, to be equally divided.

Mr. CLARK. Mr. President, will the Senator from Minnesota also include a proviso that the agreement shall go into effect, not today, but tomorrow?

Mr. HUMPHREY. Yes; I include a proviso that the agreement go into effect tomorrow, at the conclusion of the morning hour.

The **PRESIDING OFFICER.** Is there objection? Without objection, it is so ordered.

The unanimous-consent agreement, as subsequently reduced to writing, is as follows:

UNANIMOUS-CONSENT AGREEMENT

Ordered, That, effective on Wednesday, January 29, 1964, at the conclusion of routine morning business, during the further consideration of the resolution, Senate Resolution 111, amending rule XXV of the standing rules relative to meetings of committees while the Senate is in session, debate on any amendment, motion, or appeal, except a motion to lay on the table, shall be limited to 1 hour, to be equally divided and controlled by the mover of any such amendment or motion and the majority leader: *Provided,* That in the event the majority leader is in favor of any such amendment or motion, the time in opposition thereto shall be controlled by the minority leader or some Senator designated by him: *Provided further,* That no amendment that is not germane to the provisions of the said bill shall be received.

Ordered further, That on the question of the final passage of the said resolution debate shall be limited to 1 hour, to be equally divided and controlled, respectively, by the majority and minority leaders: *Provided,* That the said leaders, or either of them, may, from the time under their control on the passage of the said resolution, allot additional time to any Senator during the consideration of any amendment, motion, or appeal.

Mr. HUMPHREY. Mr. President, I thank the distinguished Senator from Pennsylvania for his cooperation; and also the minority leader and the Presiding Officer.

Mr. CLARK. Mr. President, I rise for a parliamentary inquiry, and I invite the attention of the Parliamentarian.

The **PRESIDING OFFICER.** The Senator from Pennsylvania will state it.

Mr. CLARK. Senate Resolution 111 provides that rule XXV of the Standing Rules of the Senate shall be amended by adding at the end thereof a new paragraph, as follows:

> 5. No standing committee shall sit without special leave while the Senate is in session after (1) the conclusion of the morning hour, or (2) the Senate has proceeded to the consideration of unfinished business, whichever is earlier.

In explanation of my inquiry, I point out to the Chair that it is my understanding that in the La Follette-Monroney Reorganization Act of 1946 there is a provision that no standing committee of the Senate may meet, except by special leave, while the Senate is in session.

Section 2 of Senate Resolution 111 provides:

> Section 134(c) of the Legislative Reorganization Act of 1946 shall not be applicable to standing committees of the Senate.

My parliamentary inquiry is as follows: In view of the wording of Senate Resolution 111, will the result be—if the resolution is aproved by the Senate—that standing committees of the Senate may meet at any time while the Senate is in session, without obtaining special leave, except after the conclusion of the morning hour or after the Senate proceeds to the consideration of the unfinished business, whichever is earlier; and that from that date forward no standing committee of the Senate may meet, whether or not with special leave, except by unanimous consent, until after the adjournment of the Senate?

Let me say to the Presiding Officer and the Parliamentarian, in order to clarify my question, that it is as follows: Would Senate Resolution 111 make the situation worse than it is today, with respect to the meeting of Senate committees while the Senate is in session? Under the present rule they can meet, with special leave, which means by majority vote; and I am concerned that Senate Resolution 111 would make it impossible for Senate committees to meet at all, except by unanimous consent, while the Senate is in session, after the conclusion of the morning hour or after consideration of the unfinished business has begun, whichever is the earlier.

The **PRESIDING OFFICER.** The Senator from Pennsylvania has stated the interpretation correctly.

Mr. CLARK. To make it perfectly clear, if Senate Resolution 111 is adopted by the Senate, section 134(c) of the Legislative Reorganization Act of 1946 will no longer apply. Is that correct?

The **PRESIDING OFFICER.** That is correct.

Mr. CLARK. I invite the attention of the Senator from Idaho to the words "special leave" in line 4 of his resolution. I also invite his attention to the statement made in the report of the Committee on Rules and Administration on the present resolution, on page 3, from the testimony of the Senator from Oklahoma [Mr. MONRONEY], who was a coauthor of the La Follette-Monroney Reorganization Act:

> In the Reorganization Act, we did not intend absolutely to prohibit the committees from sitting during Senate sessions except with unanimous consent only. We meant that they should not sit during the Senate sessions without special leave.
>
> This leave could even be a majority vote without debate or it could be permission of the majority and minority leaders.

As the Senator will note at the bottom of page 4, there is a reference to the testimony of the Senator from Oklahoma.

Despite that statement, the Presiding Officer ruled on April 6, 1949, that a motion for leave for a committee to sit while the Senate is in session is debatable. The same ruling was made a little earlier this session.

This seems to me to be entirely contrary both to the wording of the resolution of the Senator, which is taken from the Reorganization Act, and to the clear intention of one of the principal framers of that Act, the Senator from Oklahoma [Mr. MONRONEY].

My question to the Senator from Idaho, which is made for the purpose of establishing legislative history in connection with the resolution, is whether the Senator from Idaho agrees with the Senator from Oklahoma.

Mr. CHURCH. Mr. President, in order to clarify this question, I believe we should go back and start where the distinguished Senator from Pennsylvania started—that is to say, with the law itself.

Section 134(c) of the Legislative Reorganization Act reads as follows:

> No standing committee of the Senate or House, except the Committee on Rules of the House, shall sit without special leave while the Senate or House, as the case may be, is in session.

That is the law. But, since the Constitution of the United States vests in the House and Senate separately the right to determine its own rules, it is possible to change this particular law in the Senate alone, merely by changing the rules of the Senate.

As the committee report points out, the House has already done this. In other words, it has altered this provision of the law by adopting a special rule extending the privilege of sitting, while the House is in session, to certain other committees not mentioned in the text of the law.

The pending resolution would substitute for this provision of the law a new Senate rule, which it is entirely within the competence of the Senate to do, since our authority derives directly from the Constitution in this respect, which rule would substitute for the provision of the law the wording of the resolution.

I invite the attention of the Senator from Pennsylvania to that wording:

> *Resolved*, That rule XXV of the Standing Rules of the Senate is amended by adding at the end thereof the following new paragraph:
>
> "5. No standing committee shall sit without special leave while the Senate is in session after (1) the conclusion of the morning hour, or (2) the Senate has proceeded to the consideration of unfinished business, whichever is earlier."

With respect to the words "without special leave," the meaning of that term has been established by the Parliamentarian, and by the precedents in the Senate. Whatever may have been intended by the original proponents of the Reorganization Act, the precedents and customs of the Senate have exactly defined the meaning of this particular term.

We use the same term in the resolution. We change it in no way whatever. We do not mean to change the precedents of the Senate by redefining the term.

Therefore, my answer to the Senator from Pennsylvania is that the words "without special leave" in the resolution mean that if a committee is to sit, either unanimous consent must be obtained or a motion must be put to the Senate, which is debatable and which must be decided by a majority vote.

Mr. CLARK. I thank the Senator from Idaho for his candid reply. He disagrees completely with the interpretation placed on the act by its author, the Senator from Oklahoma [Mr. MONRONEY]. The Senator from Idaho is well within his rights in doing so.

My point has been that the ruling of the Parliamentarian in 1949 was clearly wrong, that the ruling of the Parliamentarian in 1963 was clearly wrong, and that this is an opportunity, in the interests of justice and equity, to insure that the majority will of the Senate shall prevail, to right an erroneous decision. It is certainly within the purview of the Senator from Idaho to rely on these precedents, which I believe to be erroneous.

I do not criticize the Senator in any way. I honor him for his views. I regret very much that he does not seem to feel that if a committee of the Senate wishes to meet while the Senate is in session, it should have the right to meet. If the Senate does not want a committee to meet, the Senate should have the right to tell it not to meet; but a single Senator has no right under the Constitution and the law, or the properly construed precedents of the Senate, to prevent majority rule within the committee, or majority rule within the Senate, from prevailing. I believe that such action is improper.

Mr. CHURCH. Mr. President, will the Senator yield?

Mr. CLARK. I yield.

Mr. CHURCH. I believe I should say a word of clarification. I did not say in my remarks that I disagreed with the distinguished Senator from Oklahoma [Mr. MONRONEY]. If this were a matter of first impression, the interpretation originally urged by the Senator from Oklahoma [Mr. MONRONEY] of the term "without special leave" might well be preferred.

But the point is that that term has been passed upon; precedents have been established. The Senate has seen fit to interpret the term "without special leave" to mean that a committee may not meet unless unanimous-consent is given or unless a motion is made and supported by the majority; and such a motion is debatable.

All I am saying to the distinguished Senator from Pennsylvania is that those are the facts. That is how the term has come to be defined by the practice of the Senate; and the term is used in that sense in the resolution.

But I invite the attention of Senators to the fact that if the resolution is agreed to by the Senate—and I hope that it will be—the effect of the resolution will be to permit committees to continue their hearings through the morning hour or until the legislative business is laid down. Such action would help to expedite both the work of the committees and the work of the Senate. I believe this objective is one with which the distinguished Senator from Pennsylvania agrees, and I am confident that, at the final rollcall tomorrow, he will be counted among the supporters of the proposed resolution.

Mr. CLARK. I thank my friend for his lucid explanation of his point of view. I regret very much that he does not feel in the mood to make even a second short step forward toward remedying a situation with respect to Senate procedure which I consider deplorable. He certainly has every right to do so.

The pending resolution was reported favorably by the Committee on Rules and Administration by a vote of 7 to 2. Another member of the committee expressed grave doubts as to the validity of the vote, but did not join in the individual views of the Senator from Pennsylvania and myself.

The Senator from Idaho is quite correct that in the end, if I must, I shall probably vote for his resolution. But I wish to make at least two mild efforts, in the interests of what seems to me perhaps an unsound and stubborn adherence to what I believe is common sense, to improve the resolution.

The first amendment which I shall propose after a short while would in effect reverse the ruling of the Chair in 1949, and later in 1963, and provide that special leave may be obtained on motion, which shall be decided without debate. That, I believe, would bring majority rule back to the Senate on a question of some importance.

The second amendment which I shall offer and call up for a vote tomorrow would permit standing committees of the Senate to meet while the Senate is in session, except during the 3-hour period of germaneness. In effect, that resolution would extend the time during which the committees might meet, so that it would be possible for them to meet without unanimous consent and, indeed, without special leave after the germaneness period had expired each day, as well as before. The extension of the time when committees would be permitted to meet would be particularly useful in the closing days of the second session of any particular Congress, when many measures are pending in committees, hearings are completed, and markups are about to start. Yet one Senator could prevent the entire committee from meeting, and thus could prevent the entire Senate from considering proposed legislation which might be very important in the national interest. Under the proposal of the Senator from Idaho [Mr. CHURCH] no committee could meet after the morning hour was over or after the pending business had been laid before the Senate, whichever occurred first.

I hope to have on the desks of Senators tomorrow a brief explanation of those two amendments. I speak this afternoon for the purpose of placing in the RECORD, where perhaps a few Senators at least will read it before they are called upon to pass on the question tomorrow, the burden of my argument.

Mr. LAUSCHE. Mr. President, will the Senator yield for a question?

Mr. CLARK. I am happy to yield.

Mr. LAUSCHE. Does one of the amendments of the Senator from Pennsylvania contemplate extending the right of committees to meet each day until the period of germane debate has expired?

Mr. CLARK. I should like to rephrase the question in the following way: The resolution of the Senator from Idaho would permit committees to meet until the germaneness resolution went into effect. It would not permit them to meet at any time thereafter. One of my amendments would permit committees to meet after the period of germaneness had expired while the Senate was still in session. Without intending to be facetious, I point out, as my friend from Ohio knows, that one or two of the most articulate and distinguished Members of the Senate are wont to obtain the floor of the Senate toward the end of the afternoon and speak for a substantial period of time, unfortunately all too frequently. Their colleagues are not compelled to be in attendance on the floor of the Senate while those eloquent speeches are being made.

My proposal would permit committees to meet and conduct their business during that period if a majority of the committee wished to meet, and not otherwise, of course.

Mr. LAUSCHE. In the period after the time for germane debate had expired and irrelevant subjects might be discussed on the floor of the Senate, the amendment of the Senator from Pennsylvania would allow the committees to meet?

Mr. CLARK. The Senator is correct. As I said before, that procedure would seem to me to be desirable, particularly toward the end of a session when the work of committees becomes jammed.

Mr. President, every Senator has had the experience of having consideration of a measure in which he is vitally interested repeatedly postponed because of the inability of standing committees to meet in executive session, or for the purpose of holding hearings, while the Senate is in session.

The problem has now assumed a chronic and persistent character. Objections against committees meeting are lodged as a matter of course, and often it is only in the exceptional case that a committee is able to obtain unanimous consent to meet.

Last year one of our distinguished colleagues was charged by a number of his companions with the duty of always objecting to any committee meeting while the Senate was in session. It was bruted about, but never proved, that those objections might have had something to do with delaying procedure in the Senate so that a filibuster against the civil rights bill would be more likely to succeed than otherwise. I do not make that charge. All I say is that the statement was repeated in the cloakrooms by Members of this body, and by the press.

One of the tactics and techniques of making a filibuster more effective is blanket denial to committees of permission to meet while the filibuster is in progress. I have no doubt that very shortly the Senate will be faced with a determined filibuster against the civil rights bill when it comes over from the House in the foreseeable future.

It seems to me it would be a great shame if during that period of filibuster—a most immature and quite un-American procedure which we have tolerated in the Senate now for well over 100 years—the entire legislative mill of the Senate should cease to grind and no committees were permitted to act on appropriation bills, the war against poverty, the housing bill, and education bills. The whole legislative machinery would be brought to a grinding halt under present procedures.

Nor would the amendment to the rule of the Senator from Idaho improve this situation perceptibly, for all the proposal would do would be to extend for a very brief period each day, which might be as long as 2 hours, but which more likely would be 20 minutes or a half hour, the period during which committees might meet.

I am fearful that if the Senate adopts the resolution without amendment, Senators will smack their lips, clap their hands, go home, and say, "We have arranged everything. Committees of the Senate can now meet for additional time, and senatorial business will be conducted with much better efficiency."

That is not the case. I do not say the Senator's proposed rule change would make no improvement. Of course, it would be an improvement, but the improvement would be so slight as to be barely perceptible, and pretty much in the same category as the rule of germaneness which the Senate adopted the other day.

We made a pious and fine gesture of seeking to stick to the subject, but, as the Senator from Georgia [Mr. RUSSELL] pointed out to me—I think it was on the floor, but certainly it was informally—that the rule of germaneness has a hole in it so big that a truck can be driven through it; that all a Senator had to do was to propose a nongermane amendment to a pending bill, and continue to talk about anything he chose until the 3-hour period was over. So if a Senator intended to evade the rule of germaneness, he could do so with impunity.

The rule I had proposed which would call for germaneness until the business then before the Senate had concluded, and which, if I thought it had a chance, I would propose, would have prohibited nongermane amendments and would have made an improvement in expediting the business of the Senate.

Mr. HOLLAND. Mr. President, will the Senator yield?

Mr. CLARK. I yield to the Senator from Florida.

Mr. HOLLAND. It seems to me the Senator from Pennsylvania may have gone a little further than the proposed rule would provide in suggesting, as I understand, that this measure would provide a period each day, the period of the morning hour, during which committees could remain in session.

Mr. CLARK. That, of course, assumes that there is a morning hour, which often the Senate does not have.

Mr. HOLLAND. That is the point I am making. "Morning hour," according to my understanding, does not come after a recess.

Mr. CLARK. The Senator is correct.

Mr. HOLLAND. Therefore, if the Senate entered into extended debate, if the majority leader had made a motion not to adjourn, but only recess, this rule would give no relief whatever, but, to the contrary, would provide that there could not be any relief under that situation without leaving the pending business, making a motion, debating it, and giving special leave, unless unanimous consent were given.

Mr. CLARK. I am in complete accord with what the Senator from Florida has said.

Mr. CHURCH. Mr. President, will the Senator yield?

Mr. CLARK. I yield now to the Senator from Idaho, so that he may engage in a colloquy with the Senator from Florida.

Mr. CHURCH. This resolution cannot possibly restrict the meeting of committees. Its effect can only be to extend the period during which committees may sit.

The Senator from Florida is quite correct when he says that if there is protracted debate, if there is no adjournment, if the Senate merely recesses, there is no morning hour the following day as a matter of right, under the rules of the Senate. But the practice which has been followed, and which no doubt will continue to be followed, is for the majority leader, in such a situation, to ask unanimous consent that there may be a morning hour.

Mr. HOLLAND. My understanding is that such a period is not to be construed as the morning hour as set forth in the rules, when there is a course of procedure where that is followed, but, to the contrary, exists only for a generally brief period during which Senators who wish to make 3-minute statements for the RECORD may do so. I do not think that is a "morning hour" as contemplated by the rules. Certainly for that time—not definite—such a morning hour as referred to by the Senator from Idaho is solely for the purpose of allowing Members of the Senate to make statements for not more than 3 minutes and does not in any way constitute a morning hour under the rules of the Senate, which contemplates a great many other actions than the mere making of 3-minute statements.

Mr. **CLARK**. I agree with the Senator from Florida. I point out to my friend from Florida what I stated at greater length earlier, when we got into what I call a real legislative snafu, if I may use the word, because objection was made to the 3-minute limitation and the Senate was required to proceed under rule VII, a rule with which some of us are not too familiar, but which I have had occasion to use because I have invoked it from time to time. But the Senator's statement is correct. "Morning hour" and "morning business" as laid down in rules VII, VIII, and IX, are very different. In ordinary practice, the unanimous consent requests of the majority leader, as the Senator will recall, include unanimous consent requests to dispense with the reading of the Journal, then unanimous consent requests for statements to be limited to 3 minutes, and then completely avoid rules VII, VIII, and IX, which call for a definite agenda of business.

My proposal would bring the rules into some semblance of conformity with what the Senate actually does.

Mr. **CHURCH**. Mr. President, will the Senator yield?

Mr. **CLARK**. I yield.

Mr. **CHURCH**. The Senator from Pennsylvania has pointed out that, even when there is a morning hour under the rule, it is customary procedure for the majority leader to ask unanimous consent to permit 3-minute statements and insertions which are not contemplated under the rule, as well as unanimous consent to dispense with the reading of the Journal.

If the Senator will read the whole text of the pending resolution, he will note that:

> No standing committee shall sit without special leave while the Senate is in session after (1) the conclusion of the morning hour, or (2) the Senate has proceeded to the consideration of unfinished business, whichever is earlier.

When the Senate is engaged in protracted debate, when it recesses the night before, and when the majority leader asks unanimous consent the following day for a limitation of 3 minutes on statements and insertions, which is the common procedure, when such consent is given, the Senate does not proceed to the unfinished business until the period for insertions has ended, and then the unfinished business is laid before the Senate. So, under this resolution, it is not merely a question of the ending of the morning hour, but of proceeding to the unfinished business, which may occur before 2 o'clock, whichever is earlier.

Mr. **HOLLAND**. Mr. President, will the Senator yield?

Mr. **CHURCH**. In either case, there would be an added period of time during which committees could meet.

Mr. **CLARK**. Mr. President, I thoroughly disagree with the Senator, but I now yield to the Senator from Florida.

Mr. **HOLLAND**. It seems to me that the distinguished Senator from Idaho overlooks the point that it would still require unanimous consent to provide for an informal morning hour of uncertain duration.

Mr. **CLARK**. Which is not really a morning hour at all.

Mr. **HOLLAND**. Unanimous consent would no sooner be given on that matter than it would be given for a committee to meet during the session of the Senate, and nothing would be accomplished. In other words, if there were a sufficient reason in the mind of any one Senator to protest against the meeting of a standing committee at the time the Senate was in session, he would have exactly the same privilege of objecting to an informal morning hour.

Mr. **CLARK**. Which is not a morning hour at all, under the rule.

Mr. **HOLLAND**. Which is not a morning hour at all. One Senator could stop it. Therefore, it would preclude the obtaining of consent under this rule for a continuation of the session of a standing committee.

Mr. **CLARK**. Does not the Senator agree with me that it would not even be necessary to lay the unfinished business before the Senate, because after a recess it would already be before the Senate?

Mr. **HOLLAND**. I believe that is correct.

Mr. **CHURCH**. Mr. President, I agree with much of what the distinguished Senators have said, but not with the statement of the Senator from Florida, that nothing would be accomplished. With that statement I cannot agree.

In all the cases when the Senate adjourns, when a morning hour follows under the rule, the resolution would be applicable, and it would not depend upon a unanimous-consent agreement. There would be opportunity for a committee to sit beyond 12 o'clock noon for, say, a half hour, or an hour, or an hour and a half.

How often have Senators served in committees attempting to complete a hearing, only to find that it was 12 o'clock, when we knew that an additional 30 minutes would permit us to complete consideration of a particular matter, and to hear the remaining out-of-town witnesses. Yet, when the hour of 12 o'clock arrives, the committee must stop the hearing, and perhaps ask the witnesses to remain for another day, simply because the committee cannot meet for an additional 30 minutes or 45 minutes to dispose of its business. Again and again, this resolution would have the effect of expediting committee business, and thus the work of the Senate itself.

Mr. **CLARK**. In answer to the Senator's question, "How often?" I would say every now and then, but not very often. As a general rule, if a committee wishes to continue to sit, it will wish to sit for a good deal more than 20 minutes or a half hour, or perhaps even an hour.

Mr. **HOLLAND**. I am willing to concede that there could be some occasions of the kind the Senator from Idaho has described, when a committee could continue to sit for an indefinite period of time, to dispose of certain business. I am suggesting that in all cases in which the question is a serious one, and when consent has not been granted as a matter of courtesy or comity, the proposed rule would do no good, because it is not unusual for both the majority leader and the minority leader to obtain consent for half a dozen committees to continue in session when there is a normal meeting of the Senate and Senators are not debating a highly complicated subject. Under those circumstances, there is no difficulty in obtaining consent of the Senate.

I am calling attention to the fact that in all the other cases, in which a highly controversial matter is under discussion, when there are protracted sessions of the Senate, when the Senate does not meet after an adjournment but after a recess, and when unanimous consent is not procurable, no relief would be afforded by reason of the adoption of the proposed rule.

It is equally important to have the Record show that in the normal case, when there is no such protracted business before the Senate, when no highly controversial issue is under debate, it is normal, under our rule, for unanimous consent to be requested and given so that a committee may continue in session.

Mr. **CLARK**. I disagree to some extent with my friend from Florida, because time after time I have had the experience of having one Senator who did not want a committee on which I was sitting to report a bill refuse to permit the committee to sit after the Senate went into session. I have in mind that under such circumstances, a Senator would send word to the minority leader to object to the committee sitting.

On one occasion, 2 or 3 years ago, when an education bill was being considered in the Committee on Labor and Public Welfare, an honored and beloved member of the party across the aisle, on 13 separate occasions, prevented the committee from considering an education bill. He finally became tired on the 14th day, after 2 months of hearings, and finally we were able to report the bill.

When we were in executive session, he would present an amendment and talk about it. Normally we could not obtain a quorum in committee until 10:30 or so. He would talk for an hour and a half. Then the bell would ring, at 12 o'clock, and he would say, "Mr. Chairman, I must object. The Senate is in session. We will have to come back another time." This procedure would be repeated over and over.

That is what I am objecting to. I agree with my friend from Florida that the proposal of my friend from Idaho has limited effectiveness. It is for that reason that I am proposing a few amendments to strengthen the proposal.

I should like to ask the Senator from Florida why he objects—I do not know that he does object, and perhaps I am doing him an injustice by suggesting that he would object, so I will merely ask the Senator from Florida whether he would have any objection to permitting a majority of a committee, confirmed by a majority of the Senate, on a motion decided without debate, to meet while the Senate is in session.

Mr. **HOLLAND**. I certainly would. If the occasion is one on which the presence of the Senate as a whole is not desirable on the floor, consent can usually be asked and given. I believe that the attendance of Senators on the floor has been all too small in the consideration of important measures. I believe that one of the things that has not been mentioned in this debate is the need for bringing more Senators to the Chamber while debate is underway. I have received many letters from constituents and other persons, who have been present in the galleries and have seen situations similar to the present one, when only three or four Senators have been in the Chamber, with a few Senators debating what seemed to them to be worthy of debate, while other Senators were absent.

One of the reasons for the provision in the Reorganization Act which would be repealed so far as its application to the Senate is concerned if this rule were adopted was to repair that unseemly situation, by insisting that more Senators be in the Chamber. That provision, which would be repealed by the adoption of the resolution, reads as follows——

Mr. CLARK. We had this out before the Senator entered the Chamber.

Mr. HOLLAND. I am sorry. I might have profited from hearing the debate at that time.

Mr. CLARK. I believe it is quite interesting. Let us do it again.

Mr. HOLLAND. That section of the Reorganization Act, which is known as section 134(c), reads as follows:

> No standing committee of the Senate or the House, except the Committee on Rules of the House, shall sit, without special leave, while the Senate or the House, as the case may be, is in session.

That was a very salutory provision. I am sorry it has not accomplished its purpose. Its purpose was to bring more Senators into the Chamber. The House has approached the matter through a rule of its own, as Senators know. I very much dislike further weakening and impairing the very salutary purpose of that section of the Reorganization Act, which I admit has not been too well accomplished. I would rather strengthen that rule by insisting that more Senators be in the Chamber while debate is underway.

Mr. CLARK. I wonder whether the Senator from Florida, who came to the Senate on September 25, 1946, was present at the time the La Follette-Monroney reorganization bill was debated on the floor.

Mr. HOLLAND. Unfortunately for me, I was not. I was not able to take part in that discussion. I came to the Senate after the end of the regular session in 1946; and there was no succeeding special session.

Mr. CLARK. What I wished to point out to the Senator from Florida is my understanding that the purpose of this section of the Reorganization Act, section 134(c), was exactly what he said it was, because the Senate at that time was concerned about the lack of attendance in the Chamber during what I think we dignify with the word "debate" but often is not debate at all; it is merely the making of a speech for home consumption.

Mr. HOLLAND. Too often, a monologue.

Mr. CLARK. Too often a monologue; and that the purpose of the section was to bring more Senators to the Chamber.

I did not come to this body until the same day the Senator from Idaho [Mr. CHURCH] arrived, and we have been boon companions in the back row ever since. I am sure he will agree with me that that provision has not worked. Senators do not come to the Chamber. They are not going to come.

We are discussing a proposal which one would hope would be of some interest to Members of the Senate. It involves our own housekeeping procedures. Yet we three Senators are the only ones participating in the debate, and the unfortunate Senator from South Dakota [Mr. McGOVERN] is required to sit by and listen to us because it is necessary for us to have a Presiding Officer.

There is not even a Senator of the minority present to protect the minority rights. I think we might, if we chose, pass the entire legislative program of the Johnson administration in the next hour or two; there would not be any Senator of the minority to object, such is their lack of attention.

This provision of the Reorganization Act has not worked, and it will not work. The only effect it has had has been to afford the able and distinguished colleagues of the Senator from Florida, who are eager to prevent various kinds of proposed legislation from coming to a vote in this body, another weapon, which they did not have before 1946, to enable them to slow down the progress of legislation to which they quite sincerely object, a weapon which I, with equal sincerity, would like to take away from them. Instead, I would restore majority rule, which I believe to be one of the most important elements in every legislature, particularly in the second half of the 20th century.

I ask the Senator from Florida if he will not ponder this proposal overnight and perhaps give some consideration to supporting an effort to restore majority rule, which is the basis of the American system of government, and thus permit committees to meet when a majority of the committee wants to meet, and when a majority of the Senate, acting on a motion to be determined without debate, is willing to let them meet.

Mr. HOLLAND. Mr. President, will the Senator from Pennsylvania yield?

Mr. CLARK. I am happy to yield.

Mr. HOLLAND. I shall ponder seriously any suggestion made by either the distinguished Senator from Pennsylvania or the distinguished Senator from Idaho, but I would also ponder seriously any effort to weaken the salutary effect, not so great as I should like it to have been, of the Reorganization Act in this regard. It seems to me that the proposed rule is a weakening of the provision that is designed to bring Senators to the Chamber.

Mr. CLARK. The Senator from Florida is quite correct.

Mr. HOLLAND. I think it would so operate. My own feeling is that, as between the two courses, both of which I regard as desirable, I would have to decide which was more desirable. Up to this moment, I think it is more desirable to try to bring Senators to the Chamber. The Senator from Pennsylvania has probably noticed during his many years of service that the Senator from Florida is rather assiduous in his attendance in the Chamber.

Mr. CLARK. He is, indeed.

Mr. HOLLAND. I thank the Senator. The Senator from Florida wishes that the Senate always had a large representation in the Chamber. It would be good for the Senate. I know it would be good for Senators, because many of them, including myself, would more clearly understand the issues on which we are called upon to vote. We would understand them better if we had heard the arguments made upon them.

I understand the proposed rule and the motives of the distinguished Senator from Idaho in proposing it better than I would have if I had only looked at the proposed rule and report and had only consulted my own conscience and memory as to the reasons for the section of the La Follette-Monroney Reorganization Act to which reference has been made.

So it is a question of which is the higher good as between two good objectives. Each Senator will have to decide that question for himself.

I thank the Senator from Pennsylvania for yielding.

Mr. CLARK. I regret that my argument has failed to persuade the Senator from Florida to cast his vote in support of majority rule. I had hoped that the logic of the situation, the essence of democracy which it involves, and the long American tradition in support of majority rule would persuade him.

My view is, frankly, that I do not want the Senator from Florida to be able to say to a committee on which I serve, "Thou shalt not sit, even though thou wantest to meet, and the Senate is willing to let the committee meet, because I know best, and I will not let thee meet." That is the situation.

Mr. CHURCH. Mr. President, will the Senator from Pennsylvania yield?

Mr. CLARK. I yield.

Mr. CHURCH. I merely wish to emphasize that, in my judgment, the resolution contains nothing which is contrary to the objective sought by the provision of the Reorganization Act that has been cited.

It is quite apparent that the purpose of including in the act the provision:

> No standing committee of the Senate or the House, except the Committee on Rules of the House, shall sit, without special leave, while the Senate or the House, as the case may be, is in session,

was to induce Members to participate in the debate, when the two Houses were engaged in their legislative functions.

But the resolution is carefully written so as not to conflict with that objective. Senators know that, during the morning hour, the principal business transacted is the insertion of editorials and other extraneous material into the RECORD. It is only during this period that the resolution contemplates that committees should continue to meet. But as soon as the legislative business is laid before the

Senate, committees would have to obtain special leave of the Senate to continue to sit.

The objective of bringing Senators to the Chamber when the Senate was in fact engaged upon its legislative business would in no way be weakened by the adoption of the resolution.

Mr. **HOLLAND**. Mr. President, will the Senator from Pennsylvania yield, so that I may address a question to the distinguished Senator from Idaho?

Mr. **CLARK**. Mr. President, with the understanding that I do not lose my right to the floor, I yield to the Senator from Florida.

The **PRESIDING OFFICER**. Without objection, it is so ordered.

Mr. **HOLLAND**. I call the attention of the distinguished Senator from Idaho to the fact that the Committee on Appropriations, under a practice which has prevailed ever since I became a Member of this body, and by reason of leave obtained on the first day or during the first few days of each session, may, by unanimous consent, given by the Senate, meet at all times, regardless of what is taking place on the floor of the Senate. This is done for many reasons. It occurs to me, looking at the proposed rule, that such a situation possibly could not exist if the proposed rule were in effect.

Mr. **CHURCH**. I disagree with the Senator from Florida.

Mr. **HOLLAND**. At least, during certain hours. I am wondering if the distinguished Senator from Idaho thinks that such a request would have to be renewed from time to time under the proposed rule, if it be adopted, or whether special leave could be granted at the beginning of a session, as has been customary for so many years, for the Committee on Appropriations to meet at any time in its own discretion, regardless of whether the Senate was in session.

Mr. **CHURCH**. I have no doubt that this practice could continue under the proposed rule, because the Committee on Appropriations meets after having obtained leave of the Senate to meet.

I draw the Senator's attention to the wording of the first sentence of the language of the resolution, line 4, which reads:

> No standing committee shall sit without special leave—

That is precisely the same term heretofore used in the Reorganization Act. It has been well defined by the Parliamentarian and by the established precedents of the Senate. So, nothing will be changed by the adoption of the resolution. The special leave which the Appropriations Committee ordinarily obtains could still be obtained in precisely the same fashion as is now the case.

Mr. **CLARK**. But the Appropriations Committee has not yet obtained unanimous consent to sit during this session of the 88th Congress; and I have notified the leadership that I would object to such a request, because I see no reason why the 27 members of the Appropriations Committee should be treated differently from the other 73 Members of the Senate, including the members of several committees on which I serve, which have very important legislative business pending during this session.

I have told the leadership that if the Appropriations Committee wishes to meet while the Senate is in session, it should make such a request for each day it wishes to have such authority, in the same way that other committees make their requests. I do not think there should be both "first-class citizenship" and "second-class citizenship" in this body, insofar as its committees are concerned.

Although this resolution makes no particular difference in that connection, I point out that I do not intend to join in giving unanimous consent for the Appropriations Committee to meet during the sessions of the Senate, because I do not think that committee is a whit more important than many other legislative committees which have equally important duties in connection with legislation advocated by the Johnson administration which I hope will be passed at this session.

The argument that the difference is that the Appropriations Committee meets in the Capitol Building and the other Senate committees meet in the Senate Office Building is a completely spacious one, so far as I am concerned, for I have never had any difficulty coming quickly from the Senate Office Building to the Senate Chamber.

So the argument that much more blanket permission must be given the Appropriations Committee, as compared to the permission given the other Senate committees, is not valid, so far as I am concerned.

I shall not object to a request, in the ordinary course, for permission for the Appropriations Committee to meet during the session of the Senate on any particular day. But if the Appropriations Committee is to have blanket permission, throughout the 88th Congress, to meet while the Senate is in session, I wish to have similar permission given the Banking and Currency Committee, the Committee on Rules and Administration, and the Committee on Labor and Public Welfare. I see no reason why preferred status should be given the Appropriations Committee, no matter how important it may be. Of course, it is an important committee, and the Senator from Florida serves with distinction on it.

Mr. **HOLLAND**. Mr. President, I thank the Senator from Pennsylvania for his reference to the Appropriations Committee and to me. The Senate itself—as I know because of the fact that for many years I have been a Member of the Senate—has seen fit, over a long period of time, to distinguish between the duties of the Appropriations Committee and those of other Senate committees, and has given such permission, by unanimous consent, to the Appropriations Committee for at least 17 or 18 years—the period covered by my service in the Senate. Therefore, it appears that the verdict of the great majority of the Senate—and I have heard with interest the Senator from Pennsylvania refer to the majority—has evidently been that the Appropriations Committee is entitled to this kind of treatment.

I shall not argue that point now; but having been for many years a member of the Appropriations Committee, I know how many emergency matters have come up before it, particularly with reference to supplemental appropriation bills.

So I hope the Senate will grant the Appropriations Committee the same sort of blanket permission it has in the past. I have not found it to be abused; to the contrary, I think the record shows clearly that the members of the Appropriations Committee have been exceedingly diligent in their attendance on the floor of the Senate, and that their record of participation in votes in the Senate is probably better than that of the average Senator. I believe that will be found to be the case.

In my opinion, there is a difference in the duties of the Appropriations Committee, in the judgment of the vast majority of Senators; and I think the distinguished Senator from Pennsylvania finds himself on not unusual ground when he finds himself in the minority, as apparently he is on this question.

Mr. **CLARK**. Mr. President, I, too, do not wish to argue this matter with the Senator from Florida; but I commend to him the ancient adage that what is sauce for the goose is also sauce for the gander.

Mr. **CHURCH**. Mr. President, I think the debate has clearly shown that the pending resolution would not affect in any way the custom of the Senate in permitting its Appropriations Committee to meet while the Senate is in session, because the resolution contains the words "special leave," which is the operative language under which we now function.

Mr. **HOLLAND**. Mr President, I am glad that the author of the resolution has made that clear, because I think that in the absence of his statement, this point would not have been clear, inasmuch as the resolution seems to be based on the day-by-day handling of the matter, in connection with the day-by-day consideration of measures in the Senate. However, now we do not have to worry any more about that point, because the distinguished author of the resolution has stated quite clearly, in the RECORD, that he has no intention whatsoever of having the Appropriations Committee deprived of the special consideration it has received for many years, by receiving such permission at or near the beginning of a session—with the result that the committee is given special permission to meet during the sessions of the Senate whenever in the judgment of the committee it is necessary for it to meet, regardless of whether a session of the Senate is then underway.

Mr. **CHURCH**. The Senator from Florida is correct.

Mr. **HOLLAND**. I thank the Senator from Idaho for making that point clear.

Mr. **CLARK**. Mr. President, I rise for a parliamentary inquiry.

The **PRESIDING OFFICER**. The Senator from Pennsylvania will state it.

Mr. **CLARK**. Is the Senate still operating under the rule of germaneness?

The PRESIDING OFFICER. That is correct.

Mr. CLARK. At what time will application of the rule of germaneness expire, this afternoon?

The PRESIDING OFFICER. It will expire at approximately 7 p.m. today.

Mr. CLARK. Seven p.m. would seem to be substantially later than 3 hours after the morning hour ended. Is that because the Parliamentarian and the occupant of the Chair have made the quite important ruling—to me—that a period of time during which the Senate is in recess shall not count, in determining when the 3-hour period has expired?

The PRESIDING OFFICER. The Parliamentarian advises the Chair that the Senate was in recess from 12:49 to 3:58 p.m., today.

Mr. CLARK. It is my understanding that both morning business and the morning hour were closed before the taking of the recess. Is that correct?

The PRESIDING OFFICER. Prior to the taking of the recess, 1 minute was devoted to the pending business.

Mr. CLARK. Therefore, the 3 hours began to run 1 minute before the taking of the recess; is that correct?

The PRESIDING OFFICER. Yes; but the time taken by the recess period would not be counted.

Mr. CLARK. I commend the Chair and the Parliamentarian for making so sound and—if I may say so—so unexpected a ruling in support of the rule of germaneness.

I take it that it is now established—by one of the "edicts from Mount Olympus"—that in determining when the 3-hour period has ended, we do not count a period of time during which the Senate is in recess. I think this is a perceptible, if not significant, advance in having the Senate stick to the point.

Mr. President, at this time I desire to complete my argument on this matter.

As I stated before the colloquy between the Senator from Florida, the Senator from Idaho, and myself, the objection to the meeting of Senate committees while the Senate is in session has now assumed a chronic and persistent character. Objections to the meeting of committees during sessions of the Senate are often lodged as a matter of course. Often it is only in an exceptional case that a committee is able to obtain unanimous consent to meet while the Senate is in session.

This situation has very real bearing and impact on the ability of the Senate to complete its legislative business, each year, within a reasonable length of time. It has been one of the significant factors in preventing the Senate, for now these many years, from completing its work and adjourning by the 31st of July of each year, as categorically required by the Reorganization Act of 1946.

It is in an effort to improve that deplorable situation, which resulted in the first session of the 88th Congress—for no good reason at all—continuing until the last day of the year, that I am bringing forward my amendments to the resolution of the Senator from Idaho.

I do not contend that these amendments will remedy a deep-seated and—I fear—malignant disease in the methods, procedures, traditions, and rules of this body, but I believe that they would treat one obvious symptom and help cure that symptom and thus, to some extent at least, enable us to move forward with the Nation's business.

The failure of the Senate to operate adequately under the present requirement of unanimous consent as a condition to permitting committees to sit, was made transparently clear all through 1963. For example, on July 24, July 29, July 30, and July 31, the Commerce Committee, which was then engaged in the consideration of legislation to avert an impending nationwide railroad strike, was forced to meet late at night after the Senate had adjourned because one Senator kept it from meeting during the daylight hours when the Senate was in session.

As the first session of the 88th Congress dragged on to its weary conclusion at the end of 1963, the problem of finding time for committee work grew progressively worse. That situation will become worse and worse as 1964 progresses and we are under the hammer of adjourning by the time the Republican National Convention meets on the 13th of July of this year.

Mr. President, as we proceed in 1964 with the practical, pragmatic, political deadline of the Republican National Convention meeting on July 13, the disadvantageous defects of not permitting committees to sit while the Senate is in session will become more and more apparent.

This will be particularly true in view of the practical certainty that starting some time next month or at the latest in March, there will be a protracted filibuster on the civil rights bill during which, unless some procedure is agreed upon to permit the Senate committees to meet while the Senate is in session, the whole legislative program of the Johnson administration will necessarily come to a halt.

Therefore, I implore Senators to give careful attention to the amendments which I shall propose tomorrow to the resolution of the Senator from Idaho [Mr. CHURCH], in order to make it possible for these committees to sit at all times during the rest of 1964, except during the 3-hour period when the rule of germaneness is in effect after an adjournment.

I believe that such action on the part of the Senate is almost essential if we are to save any substantial part of the legislative program of the President of the United States.

I happen to be serving on committees which have before them the work of processing an important housing bill. This will take a good many days of hearings, several additional days to mark up the bill in subcommittee, and then a perceptible amount of time in the full committee.

If we get into a situation in which committees are not allowed to sit except by unanimous consent when the Senate is in session, we can kiss goodbye to a housing bill for this year. The same is equally true of a number of other measures which the President has proposed that the Congress enact in his war against poverty, and also a great many other measures which are part of his legislative program.

Accordingly, I request Senators to think deeply as to whether it is not highly desirable, in the interest of the Nation's business and in the interests of that part of the President's program—and much of it will not be handled on a partisan basis—that we make it possible this year for Senate committees to meet while the Senate is in session.

This will become particularly important as we near the end of the session and we are in the usual second session race against time to get measures out of committee and on to the floor of the Senate and passed.

Our legislative record in 1963 was bad enough, but I say with all of the conviction of which I am capable, that our record in 1964 will be worse unless we come to some arrangement under which committees can meet most of the time while the Senate is in session.

LEGISLATIVE PROGRAM

Mr. CLARK. Mr. President, despite the rule of germaneness which is in effect, I ask unanimous consent that I may yield to the majority leader for an important announcement.

The PRESIDING OFFICER (Mr. McGOVERN in the chair). The Senator from Montana is recognized.

Mr. MANSFIELD. Mr. President, I thank the Senator from Pennsylvania.

For the information of the Senate, it is anticipated that the tax bill will be taken up on Thursday next. I therefore ask unanimous consent that when the Senate adjourns tomorrow night, it adjourn to meet at 11 o'clock on Thursday, January 30.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that when the Senate adjourns on Thursday—and I believe it will be late—that the Senate adjourn to meet at 10 o'clock on Friday, January 31.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. MANSFIELD. There will be no Senate session this Saturday because I believe Senators should receive ample prior notice; but if the bill is not completed by the following Saturday, the Senate should be prepared to meet on that day, a week from this coming Saturday, February 8.

Mr. CLARK. Mr. President, will the Senator from Montana yield?

Mr. MANSFIELD. I yield.

Mr. CLARK. While the Senator from Montana was out of the Chamber, the majority whip obtained unanimous consent for the Senate to meet tomorrow and to vote tomorrow. Do I understand correctly that that agreement is still in effect?

Mr. MANSFIELD. That is correct. The purpose of making this announcement is to notify Senators on both sides of the aisle as to what the procedure will be when the tax bill reaches the Senate beginning on Thursday, January 30. It is anticipated that the Senate will remain in session late into the evening considering the bill, and it is hoped that Senators will arrange their schedules accordingly so that they will be prepared to remain here at night, beginning on Thursday next. If they have any engagements, I hope that they will take them into consideration.

Mr. **CLARK**. Mr. President, will the Senator from Montana yield further?

Mr. **MANSFIELD**. I yield.

Mr. **CLARK**. I wonder whether the Senator from Montana could advise me whether he anticipates obtaining a unanimous-consent agreement with respect to the tax bill before the end of this week?

Mr. **MANSFIELD**. No. I believe the bill should be permitted to take its course. I would hope, after consulting with the appropriate Senators on the committee, and others, that it might be possible at least to broach such a request next week.

Mr. **CLARK**. I realize the Senator from Montana cannot make a categorical answer to this next inquiry—each Senator must make up his own mind—but I wonder whether the Senator from Montana believes there is much likelihood of any votes on the tax bill on Thursday next?

Mr. **MANSFIELD**. There is a slight possibility, because we would not attempt to prevent Senators from offering amendments Thursday and Friday if they so desired; but the Senator from Pennsylvania knows the Senate as well as if not better than I, so his guess would be as good as mine. We anticipate calling the Senate into session on Saturday, February 8—not this coming Saturday—but I believe that enough notice should be given concerning the following Saturday, that if the bill is not completed the Senate will be in session then.

Mr. **CLARK**. Mr. President, I ask unanimous consent that the statements of the Senator from Montana and the colloquy which he and I have engaged in may be printed in the Congressional Record at the conclusion of my remarks.

The **PRESIDING OFFICER**. Without objection, it is so ordered.

Mr. **CLARK**. I thank the Senator from Montana.

I would permit the committees to meet at any time they might desire to meet unless the Senate, by majority vote taken without debate, were to determine otherwise. But in the interest of compromise and in order to see if we cannot make the truncated rule of germaneness work at least a little bit, I would be prepared to yield those 3 hours when the rule of germaneness was in effect to permit Senate committees to meet.

What I have been saying during the last few minutes is taken largely from the individual views of my colleague from Pennsylvania [Mr. Scott] and myself, which appear on pages 3 and 4 of the report of the Committee on Rules and Administration. In order to shorten my discussion this evening I ask unanimous consent that a copy of those individual views be printed in full in the Record at this point in my remarks.

There being no objection, the individual views were ordered to be printed in the Record, as follows:

INDIVIDUAL VIEWS OF MR. CLARK AND MR. SCOTT

Every Senator has had the experience of having consideration of a measure in which he is vitally interested repeatedly put off because of the inability of standing committees to meet in executive session, or for the purpose of holding hearings, while the Senate is in session.

The problem has now assumed a chronic and persistent character. Objections against committees sitting are lodged as a matter of course, and often it is only in the exceptional case that a committee is able to secure unanimous consent to sit.

As a result, the work of the Senate has been gravely impeded, and on occasion, Members of the Senate have suffered severe personal inconvenience. On July 24, July 29, July 30, and July 31, the Commerce Committee, which was then engaged in the consideration of legislation to avert an impending nationwide railroad strike, was forced to meet late at night, because the objection of a single Senator was sufficient to prevent it from meeting during the daylight hours when the Senate was in session.

As the sessions of the Congress drag on through the year, the problem of finding time for committee work grows progressively worse. Daily sessions of the Senate begin earlier and end later, occupying an increasingly greater share of the working hours of the day. And, as if matters were not bad enough, as the time available for committee work decreases, the need for time to clear committee dockets before the end of the session grows more urgent.

We believe that this obstacle to the proper performance of the Senate's legislative function must be cleared by a meaningful and effective change in the rules of the Senate.

Specifically, we support the liberalization of the rule which, in recent years, has made it impossible when a single Senator objects for standing committees of the Senate to meet while the Senate is in session.

We have joined with the committee in reporting Senate Resolution 111 to the floor of the Senate. But we believe the proposed resolution is inadequate to deal with the problem which arises from the present practice of permitting one Senator to prevent a committee which wants to meet, from meeting while the Senate is in session.

Our objections to Senate Resolution 111 are based upon the following considerations:

First, Senate Resolution 111 does not repair the violence done to the intention of the authors of the La Follette-Monroney Reorganization Act of 1946 by subsequent interpretation.

The committee was privileged to have the testimony of Senator Monroney himself upon this point. Senator Monroney said:

"In the Reorganization Act, we did not intend absolutely to prohibit the committees from sitting during Senate sessions except with unanimous consent only. We meant that they should not sit during the Senate sessions without special leave.

"This leave could even be a majority vote without debate or it could be permission of the majority and minority leaders." [1]

Because of a ruling of the Chair on April 6, 1949, a motion for leave for a committee to sit while the Senate is in session is debatable. This precedent, in effect, gives any single Senator the power to defeat such a motion by delaying action upon it and thus evade the intent of the Reorganization Act of 1946.

This unintended and anomalous consequence would not be corrected by Senate Resolution 111. One Senator, by talking long enough, can frustrate the will of not only the committee but of a majority, perhaps practically all, of the Senate. We believe that the original intent of the Reorganization Act of 1946 would be best implemented by a rule which would permit a standing committee to sit at any time agreed upon by the committee, unless a majority of the Members of the Senate should direct otherwise upon a motion determined without debate.

If such an approach cannot be accepted, we are of the view that it should be made plain that a motion for leave for a standing committee to sit while the Senate is in session shall be a privileged motion, and shall not be debatable.

Second, the rule restricting committee meetings while the Senate is in session should relate to, and operate in conjunction with, the rule requiring germane debate.

The only time when it is really the duty of a Senator to be on the floor, listening to and participating in debate, is when there is pending business which is under active consideration. The committee has reported out a proposal (S. Res. 89) which would provide for a daily germane period, during which it is intended that the critical debate on pending legislative business take place. There seems to us no persuasive reason why standing committees of the Senate should be denied the right to meet at all other times while the Senate is in session.

We would favor a rule which would permit standing committees to meet without special leave at all times when debate upon the floor of the Senate is not controlled by a rule of germaneness. This would accompish the result intended in the Reorganization Act by bringing Senators to the floor for pertinent debate, but freeing them for committee work at all other times.

JOSEPH S. CLARK.
HUGH SCOTT.

Mr. **CLARK**. Mr. President, I take it, by way of a parliamentary inquiry, that the resolution is now open to amendment. Is that correct?

The **PRESIDING OFFICER**. The Senator is correct.

Mr. **CLARK**. Mr. President, I offer an amendment which I send to the desk and ask to have stated.

The **PRESIDING OFFICER**. The amendment of the Senator from Pennsylvania will be stated.

The Legislative Clerk. On page 1, line 7, it is proposed to strike out the quotation marks after the word "earlier," and insert the following:

> A motion for leave for a standing committee to sit while the Senate is in session shall be a privileged motion and shall not be debatable.

The entire resolution would then read as follows:

> *Resolved*, That Rule XXV of the Standing Rules of the Senate is amended by adding at the end thereof the following new paragraph:
>
> "5. No standing committee shall sit without special leave while the Senate is in session after (1) the conclusion of the morning hour, or (2) the Senate has proceeded to the consideration of unfinished business, whichever is earlier. A motion for leave for a standing committee to sit while the

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[1] Hearings on S. Res. 111, Subcommittee on Standing Rules of the Senate of the Committee on Rules and Administration of the U.S. Senate, 88th Cong., 1st sess., June 27 and 28, 1963.

Senate is in session shall be a privileged motion and shall not be debatable."

SEC. 2. Section 134(c) of the Legislative Reorganization Act of 1946 shall not be applicable to standing committees of the Senate.

Mr. CLARK. The purpose of the amendment is to restore the original intention of the Congress when it passed the Legislative Reorganization Act of 1946 as that intention has been brought to our attention by the senior Senator from Oklahoma [Mr. MONRONEY], who was the floor manager of the bill in the House of Representatives. I have already pointed out earlier in this discussion his views given to the Committee on Rules and Administration to the effect that it was never intended to prevent committees from meeting except by unanimous consent. It was intended that special leave should be obtained.

The Senator from Oklahoma [Mr. MONRONEY] testified he did not think that special leave should be conditioned on a determination of a debatable motion. He felt that the leave could be obtained by majority vote without debate or could be permissive by the joint agreement of the majority and minority leaders.

I feel the same way. I feel very strongly that the ruling made by the Parliamentarian back in 1949 was clearly wrong, and the purpose of the amendment is to overrule that parliamentary ruling and reinstate the intention of the Congress when it passed the act.

Mr. President, I expect to ask for a yea-and-nay vote on the amendment. At the conclusion of that vote I shall propose another amendment. While I cannot, under the rules, bring the second amendment before the Senate at the present time, I shall read it so that it may appear in the CONGRESSIONAL RECORD tomorrow. My second amendment would read as follows:

Referring back to Senate Resolution 111, offered by the Senator from Idaho [Mr. CHURCH] for himself and others, beginning at line 4, it is proposed to strike out all through and including line 7 and insert in lieu thereof the following language:

> No standing committee shall sit without special leave while the Senate is in session during any time when debate is controlled by a rule of germaneness.

The resolution would then read as follows:

> *Resolved*, That rule XXV of the Standing Rules of the Senate is amended by adding at the end thereof the following new paragraph:
>
> "No standing committee shall sit without special leave while the Senate is in session during any time when debate is controlled by a rule of germaneness."
>
> SEC. 2. Section 134(c) of the Legislative Reorganization Act of 1946 shall not be applicable to standing committees of the Senate.

I send the proposed amendment to the desk and propound to the Parliamentarian and the Presiding Officer the following question: If that amendment should be adopted, under the precedents would it not be construed to mean that any standing committee may meet without special leave while the Senate is in session except during any time when debate is controlled by a rule of germaneness?

The PRESIDING OFFICER. The Chair would prefer not to rule on that question until the Chair has had more ample time to study the proposal.

Mr. CLARK. I would be happy to indulge the Chair in that regard.

My staff has consulted informally with one of the Parliamentarians. He has been advised that what I have said would be the ruling. If that ruling should not be as we anticipate, then I would desire to rephrase the amendment which has been written in those words largely for traditional and legalistic reasons.

Mr. President, I am prepared to yield the floor.

Mr. HART. Mr. President, will the Senator yield?

Mr. CLARK. I am happy to yield to my friend from Michigan.

Mr. HART. It might be less embarrassing to the Senator from Pennsylvania if I had not asked that he yield but rather made my statement on my own right.

Mr. CLARK. Mr. President, not wishing to be embarrassed by my good friend from Michigan, I yield the floor.

Mr. HART. Mr. President, here we are late on an afternoon. The Senator from Pennsylvania has again impressed into the RECORD of the Senate for all to study what I think is another chapter in the many times thankless but overwhelmingly important effort on his part to bring the Senate of the United States into the moment of history in which the calendar tells us we are living.

There is disagreement, I am sure, and rightly so, with respect to chapter and verse on each of the several rules changes that have been proposed. The reason I come to the floor at this late hour is simply to state for the RECORD, as one Senator, my appreciation of the Senator from Pennsylvania. His is the voice and the mind which are insisting that the Senate do that which so many of us realize must be done, but many of us find reasons that we ourselves cannot take the time to undertake that kind of fight.

I am sure that when historians get around to looking at the Senate in the middle of the present century, some of the things which seem dramatic highlights to us living on a day-to-day basis through this period of history will get very brief footnote treatment from the historians, and the effort which has been led by the Senator from Pennsylvania to vitalize the Senate's performance will find a very conspicuous place in history. None of us will be around to see whose guess is right, but I have a deep conviction that that is probably so.

I am sure there are occasions when the Senator from Pennsylvania wonders whether the objective is worth his effort and whether, indeed, any of us are conscious of what he is doing.

For one, I am. I am appreciative. I assure him of my continued support, and suggest that during those darker days he accept my prediction with respect to history and what he is doing. I am sure it will be a good one.

Mr. CLARK. Mr. President, will the Senator yield?

Mr. HART. I yield.

Mr. CLARK. If I had any doubt as to the importance of continuing a fight begun several years ago—originally a lonely fight—that doubt would have been dispelled by the wonderful tribute which the Senator from Michigan has just paid to me. It is not as lonely as it used to be before he joined the back row.

Mr. CHURCH. Mr. President, I join in paying tribute to the distinguished Senator from Pennsylvania. I have said many times that he, above all others, is to be credited with the effort to reform Senate procedures.

I concur wholeheartedly that this is a highly important effort which must be continued from day to day, from month to month, from year to year. He has given it his unflagging attention, his energy, and his dedication. He has stimulated and provoked all of us to the point where we are beginning to make a little progress.

I think the germaneness rule just adopted is a result of the effort the distinguished Senator commenced years ago. I would hope the pending resolution might be regarded as another step in the direction toward which the Senator from Pennsylvania wants to see the Senate move. So, I concur wholeheartedly in the tribute which has been paid to my seatmate, the Senator from Pennsylvania.

Mr. CLARK. Mr. President, will the Senator yield?

Mr. CHURCH. I yield.

Mr. CLARK. I thank my friend from Idaho for his very kind comments. In order to prevent emotion from overcoming this somewhat empty Chamber, I should like to say that the difference of opinion between the Senator from Idaho and myself is not one of principle, but one of practical political judgment. I believe that we can drag the balking mule a little farther than the Senator from Idaho is willing to admit.

Mr. CHURCH. I thank the Senator very much.

Due to the spirit of the remarks that have just been made, I think it would be inappropriate for me now to state why I feel constrained to oppose the amendments offered by the Senator from Pennsylvania. I shall leave those remarks for tomorrow.

SUBCOMMITTEE MEETING DURING SENATE SESSION

Mr. CHURCH. Mr. President, I ask unanimous consent that the Internal Security Subcommittee of the Committee on the Judiciary be permitted to sit during the session of the Senate today.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. CLARK. Mr. President, will the Senator yield?

Mr. CHURCH. I yield.

Mr. CLARK. Let me point out the odd situation which confronts us when the Senator, who believes that all Senate committees should be permitted to meet while the Senate is in session, is restrained from objecting individually when a subcommittee such as the Subcommittee on Internal Security desires to meet, instead of compelling able and distinguished Senators to attend on the floor of the Senate while the debate on the resolution of the Senator from Idaho is taking place. I regret their absence, but as I look over the roll of that particular subcommittee, I doubt if many votes for the Clark amendments will have been lost by reason of the fact that such Senators are not present, and have missed the debate.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Bartlett, one of its reading clerks, announced that the House had receded from its disagreement to the amendment of the Senate to the joint resolution (H.J. Res. 875) making supplemental appropriations for the fiscal year ending June 30, 1964, for certain activities of the Department of Health, Education, and Welfare related to mental retardation, and for other purposes, and concurred therein, with an amendment, in which it requested the concurrence of the Senate.

ADJOURNMENT

Mr. CHURCH. Mr. President, if there is no further business to come before the Senate, I move, in accordance with the order previously entered, that the Senate stand adjourned until 12 o'clock noon tomorrow.

The motion was agreed to; and (at 5 o'clock and 33 minutes p.m., under the previous order, the Senate adjourned until tomorrow, Wednesday, January 29, 1964, at 12 o'clock meridian.

CONFIRMATIONS

Executive nominations confirmed by the Senate, January 28, 1964:

DEPARTMENT OF STATE

Andrew V. Corry, of Montana, a Foreign Service officer of class 1, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to Sierra Leone.

U.S. ARMS CONTROL AND DISARMAMENT AGENCY

Maj. Gen. Fred M. Dean, U.S. Air Force, of Florida, to be an Assistant Director, U.S. Arms Control and Disarmament Agency.

EXTENSIONS OF REMARKS

Jewish War Veterans

EXTENSION OF REMARKS
OF
HON. JAMES C. HEALEY
OF NEW YORK
IN THE HOUSE OF REPRESENTATIVES
Tuesday, January 28, 1964

Mr. HEALEY. Mr. Speaker, during the first session of this Congress, it was my distinct privilege to introduce H.R. 9379, a bill to incorporate the Jewish War Veterans of the United States. In my judgment, this fine organization, now in its 68th year of activity and service, merits the granting of a Federal charter.

Organized in 1896 by veterans of the Civil War, the Jewish War Veterans is now our Nation's oldest active war veterans organization. From its inception, when it spoke out in behalf of the 8,000 Union veterans of the Jewish faith, it has served as an inspiring example of the American ex-serviceman committed to the highest standard of patriotism and dedicated as well to the precepts of Judaism. Among its membership today are veterans of military actions from the Spanish-American War through the Korean conflict.

From my own knowledge of the JWV Bronx Council, and the department of New York, I am well aware of its substantial veterans service program through which any veteran, regardless of race or religion, may be helped. In addition to its well-earned reputation for promoting patriotic programs in over 300 communities, the JWV is actively engaged in carrying on activities designed to foster good relations between diverse elements and groups such as we have in the Bronx.

Eight years of service in the Congress have afforded me an opportunity to be much impressed by JWV legislative activities. While working to create better understanding of government for its members, it has interpreted to the Congress the uppermost concerns of American veterans of whom over 1 million are of the Jewish faith.

As a longtime vigilant fighter against the extremes of communism and fascism and as an outspoken enemy of all prejudice and bigotry, the Jewish War Veterans deserves the prestige and recognition implicit in a Federal charter. The enactment by this body of my bill, H.R. 9379, will be a tangible recognition of a job well done for 68 years. Since introducing it, I have received a large number of letters from residents of my congressional district, thanking me and expressing their hope that the bill will be approved by Congress.

The 1965 Budget Coupled With Tax Cut Will Provide a Sound and Expanding Economy

EXTENSION OF REMARKS
OF
HON. CHET HOLIFIELD
OF CALIFORNIA
IN THE HOUSE OF REPRESENTATIVES
Tuesday, January 28, 1964

Mr. HOLIFIELD. Mr. Speaker, the 1965 budget is an expansionary budget. It is designed to speed the rate of economic advance—to increase the markets for our farms and factories—to add $30 billion to our gross national product—and to help provide 2 to 3 million additional jobs for our unemployed workers and for the young people coming into our labor market.

Many of my colleagues may ask how this is possible in a budget which reduces Federal spending and which cuts the deficit in half. Mr. Speaker, the answer is plain. This budget relies not upon a vast increase in total Federal spending to accomplish these important aims. Rather, it makes available, through an $11 billion tax reduction, the funds and the incentives to individual consumers and private business firms to fuel a major economic expansion.

Mr. Speaker, a strongly expanding economy is the surest means of ending budget deficits. And when we take the proposed tax reduction into account, this budget provides the largest year-to-year economic stimulus of any budget ever submitted in peacetime.

In 1964, the drop in withholding taxes which this budget proposes will put $8 billion additional dollars directly into the pockets of American families. Reductions in corporate taxes will raise corporate profits. And this extra spending power—as it circulates through the economy—will yield an increase in markets and jobs several times as great as the initial stimulus. With incomes rising more rapidly, Federal revenues will begin to increase sharply. Very quickly, a large part of the initial loss in revenues from tax reductions will be made up, and in a short time Federal revenues under the new tax program will be higher than they would have been under the old one.

Deficit reduction through expenditure control, tax reduction, and economic expansion—that is the fiscal strategy of the 1965 budget.

This budget, Mr. Speaker, is not only a fiscally expansionary budget—it is a socially progressive one. Total expenditures are reduced from 1964 to 1965 by $500 million. But frugality has not been practiced solely for frugality's sake. The savings which more efficient management and rigorous pruning of low priority programs made possible are proposed to be used in constructive ways to help the American people—and particularly to help the millions of Americans living in poverty to help themselves. This budget provides for major increases in appropriations to furnish work and training for the unemployed, and education and job opportunities for youth: $160 million for youth employment opportunities; a $250 million increase for manpower training, and a $100 million increase for vocational education and rehabilitation; more than $700 million for major new education programs; and $50 million for community work and training. Over and above this, it provides $500 million in special new funds for a joint Federal-State and local effort which will strike at the roots of poverty in America, and some $250 million in new funds for an Appalachian development program.

Today, Mr. Speaker, we have been given clear evidence that a tight budget need not be a stagnant budget. Fiscal expansion and social progress do not require Federal extravagance. Out of the savings which tightfisted review of Federal spending has made possible, President Johnson has fashioned a compassionate budget—one which responds to the needs and hopes of individual people.

Happy Birthday Bronx County!

EXTENSION OF REMARKS

OF

HON. JAMES C. HEALEY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 28, 1964

Mr. HEALEY. Mr. Speaker, 50 years ago this month Bronx County was established—the last of New York City's five boroughs to become a county. It is with pride that I join my fellow citizens of the Bronx as we celebrate our county's 50th birthday. I was born in the Bronx 5 years before it became a county and have lived there since—a witness to its many changes, growth, and progress.

In 1914, the Bronx had a population of 600,000; today we are a heterogeneous population of 1,425,000. We have 2,081 manufacturing plants, employing 53,900 people, and turning out $362 million worth of products which include furniture, paper goods, hardware, glassware, plastics, upholstery, paints, varnishes, rotary presses, and electrical equipment. We have a borough of many fine homes and large apartment buildings, hospitals, churches, and synagogues. We have an abundance of schools of higher learning, and we can boast that the Bronx is the home of Yankee Stadium, the famous Bronx Zoo, the unsurpassed New York Botanical Gardens, and the New York University Hall of Fame. Orchard Beach, which attracts up to 100,000 on a summer weekend, our large boating center at City Island, and our spacious and beautiful parks all add to the joy of living in the Bronx.

It is easy to see why the Bronx is often called the Borough of Colleges, for we have Fordham University, Yeshiva University's Albert Einstein College of Medicine, Manhattan College, Hunter College, the Bronx Community College, the College of Mount St. Vincent, and New York University's School of Engineering and Science and College of Arts and Sciences. We have such outstanding secondary schools as the Bronx High School of Science, well known throughout the country for its many young students who win honors in science.

The county's area of 42 square miles has 80 miles of frontage on the Hudson, Harlem, and East Rivers and Long Island Sound, and yet it is the only part of New York City that is on the mainland of the United States.

Bronx County was created by an act of the New York Legislature in 1912, which provided for a referendum to the people of the locality as to whether they wished to separate from New York County. The vote in the general election was overwhelmingly in favor of separation; the bill became law and the new county came into existence. The first county officers were chosen in the first general election of 1913, and they took office and the county government started to function on January 1, 1914. The territory originally was part of Westchester County. It was separated from Westchester and attached to New York County by two separate acts. One passed in 1874 attached that part of what was west of the Bronx River to New York County; and in 1894 that part east of the Bronx River was attached to New York County. Under the Greater New York Charter of 1898 the Borough of the Bronx was constituted, consisting of the territory included in the two annexations, but the Bronx did not become a separate county with its own courts and county officials until 1914.

The territory remained rural for many years and was mainly a farmland until about the turn of the present century. The settlements were in the form of villages, such as Morrisania, West Farms, Fordham, Highbridge, Riverdale, Westchester Village, and Tremont.

After the new county was created, the area had a tremendous growth, mainly in the period from 1914 to the midforties. Shortly after World War I, the greatest building boom of all times took place, and areas which were rural were turned into rows of apartment houses. Many of us remember when our Grand Boulevard and Concourse, recognized as one of the most beautiful thoroughfares in the United States, had only one or two apartment buildings before World War I, and 10 years later the whole Concourse was built up solidly.

Mr. Speaker, with permission, I want to speak briefly about the early history of the Bronx, which produced its share of famous early Americans. Its first white settler, Jonas Bronck, from whom the borough got its name, arrived from Holland in 1641. The south end of what is now the Bronx—a tract of about 500 acres—was granted to him by the Dutch colonial governors. The land was between the Harlem and the Aquahung Rivers. The Aquahung later became the Broncks River; it was shortened to "Bronx," and eventually the whole area became known as the Bronx. Jonas Bronck built a house opposite Harlem, which was on the Manhattan side of the Harlem River, and rented farmland to various tenants. After his death, the property was conveyed to Governor Morris, the first of this large West Indies family to come to the Colonies, and the territory later became known as Morrisania. The Morris family was the most prominent family in the territory. In addition to being one of New York's first Governors, descendants included a signer of the Declaration of Independence and a member of the Constitutional Convention. Lewis Morris, who signed the Declaration of Independence, went before the U.S. Congress, meeting in New York in 1790, and urged that the Bronx be the location of our Nation's Capital.

During the Revolutionary War a small but important battle was fought in the Pelham Parkway area of the Bronx. It is sometimes referred to as the Battle of Pell's Point and it proved to be a significant turning point of the war for the patriots. A large force of the British under Howe, and Hessians under his command, attempted to land behind Washington's army stationed on the northern heights of Manhattan Island after its retreat from Long Island. If Howe's maneuver had succeeded, Washington's army would have been overwhelmed, but this small detachment of soldiers, mainly fishermen from Marblehead, Mass., fought a delaying action which held the British and Hessians for 2 days. This gave Washington time to regroup for the victories that followed.

The Bronx is known as the birthplace of freedom of the press. The trial of John Peter Zenger in 1735 arose out of an incident when one of the Morris family, then a judge, decided in an action brought before him, that Governor Cosby was not entitled to his salary as Colonial Governor from the date he left England, but only from the time he arrived in the Colonies. For making this decision, Morris was removed from office and he then ran for the colonial assembly. Cosby tried by many political maneuvers to have him defeated. Included was the edict preventing the Quakers from voting and many arbitrary rules which Zenger attacked in his journal, the New York Weekly. The election was held in Eastchester Village in what is now the Bronx, and when Morris was elected, Zenger was imprisoned and charged with criminal libel. From this trial, resulted the great American precept of freedom of the press.

And so, Mr. Speaker—although the architects of the new Nation chose this beautiful location on the Potomac River for the National Capital, rather than an equally beautiful location overlooking the Harlem River—nevertheless we are very proud of the part that our Bronx played in the making of our great Nation.

We look back with pride all the way to the beginning of the Bronx's history, but this year we reflect especially on its progress and achievements of the last 50 years, as we say "Happy Birthday Bronx County," and look forward to building an even better borough in the future.

Popularity of the President in Texas

EXTENSION OF REMARKS

OF

HON. WRIGHT PATMAN

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 28, 1964

Mr. PATMAN. Mr. Speaker, recently 12 Texans were made the subject of a popularity contest among: First, likely

Democratic primary voters in the State of Texas; and second, all Texas voters—an entire statewide cross section. This survey, made by a reputable and professional sampling agency significantly illustrates the great ground swell of popularity enjoyed by President Johnson and by Governor Connally among Texans. The following tables are arranged to show the percentage of voters who reported they knew something about each man—labeled "Total Aware"; percentages who gave him the highest possible rating (+3); the lowest rating (−3); total favorable ratings to some degree (+1, +2, or +3); total unfavorable ratings to some degree (−1, −2, or −3); and no rating—because of indecision or a feeling of not knowing enough to make a judgment:

TABLE 1.—*Likely Democratic primary voters*

	Highest rating +3	Lowest rating −3	Total favorable +1+2+3	Total unfavorable −1−2−3	No rating	Total aware
Lyndon B. Johnson	66	2	92	5	3	100
John Connally	53	1	91	5	3	99
Ralph Yarborough	21	13	63	25	7	95
John Tower	8	11	34	31	17	82
Barry Goldwater	9	16	40	37	15	92
Richard Nixon	10	23	46	48	5	99
Jim Wright	9		33	8	22	63
Joe Kilgore	6	2	18	6	22	46
George H. W. Bush		1	4	4	18	26
Jack Cox	4	10	24	31	21	76
Don Yarborough	7	8	38	22	18	78
Allan Shivers	18	12	53	30	12	95

TABLE 2.—*All voters—Entire statewide cross section (including Republicans and others who do not expect to vote in the Democratic primary)*

	Highest rating +3	Lowest rating −3	Total Favorable +1+2+3	Total Unfavorable −1−2−3	No rating	Total aware
Lyndon B. Johnson	54	3	89	8	3	100
John Connally	45	2	89	6	4	99
Ralph Yarborough	16	16	56	31	8	95
John Tower	13	8	42	24	17	83
Barry Goldwater	14	12	49	30	14	93
Richard Nixon	15	19	53	41	5	99
Jim Wright	8	1	30	10	22	62
Joe Kilgore	6	2	19	7	22	48
George H. W. Bush		1	7	4	17	28
Jack Cox	6	8	32	24	20	76
Don Yarborough	5	9	32	23	20	75
Allan Shivers	20	10	55	25	13	93

PRESIDENTIAL PREFERENCES

Voters were also asked to choose between prospective candidates for President—Lyndon Johnson as Democratic nominee against Barry Goldwater as Republican nominee, and then between Johnson and Richard Nixon.

Divisions of preferences by the full cross section of voters, statewide, were as follows:

	Percent
Johnson	70
Goldwater	16
Undecided	14
Total	100
Johnson	71
Nixon	17
Undecided	12
Total	100

About two of every three—63 percent—selected Johnson against both Goldwater and Nixon. About one of every nine—11 percent—preferred the Republican nominee both times. Mixed choices were registered by 18 percent, and no preferences were expressed by 8 percent.

In a similar statewide survey 5 months ago, GOLDWATER was found to be preferred over Kennedy, 45 to 41, with 14 percent undecided. The latest measurement reflects the wholesale shift from GOLDWATER to Texas' favorite son, Lyndon Johnson. Analysis indicates the shift was greatest among self-styled independent voters, who in recent years have tended to prefer the Republican nominee for President over the Democratic nominee. This shift may foreshadow a revitalization of the Democratic Party in Texas, with fewer independents inclined to move toward participation in Republican primaries.

Dr. Harry B. Lee, Distinguished Graduate and Professor of Massachusetts Institute of Technology, Receives an Outstanding Award

EXTENSION OF REMARKS

OF

HON. T. A. THOMPSON

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 28, 1964

Mr. THOMPSON of Louisiana. Mr. Speaker, it is a pleasure to bring to the attention of my colleagues the honor that has been bestowed upon Dr. Harry B. Lee, assistant professor, Department of Electrical Engineering, Massachusetts Institute of Technology, Cambridge, Mass.

Dr. Lee is the recipient of the Browder J. Thompson Memorial Prize for 1964 awarded by the Institute of Electrical and Electronics Engineers, the largest professional society in the world.

This award is given annually by the institute to the individual under 30 who publishes the most outstanding work in its journals. Dr. Lee received this award, consisting of a certificate and $1,000, as author of the paper entitled "A New Canonic Realization Procedure," which appeared in volume 10, No. 1, March 1963, Transactions of the Professional Technical Group on Circuit Theory. Dr. Lee is a nephew of my distinguished colleague, Congressman JIMMY MORRISON of the Sixth District of Louisiana.

Our congratulations are extended to Dr. Lee for his achievement.

Address by Senator Philip A. Hart, of Michigan, to Association of California Consumers

EXTENSION OF REMARKS

OF

HON. JAMES G. O'HARA

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 28, 1964

Mr. O'HARA of Michigan. Mr. Speaker, last month, our distinguished and widely respected colleague, the junior Senator from Michigan, Mr. HART, gave an important address before the convention of the Association of California Consumers in San Francisco.

In the course of his remarks, Senator HART, whose continuing efforts on behalf of the American consumer are known to all of us, proposed that President Johnson appoint a Special Assistant for Consumer Affairs. I rise today to join Senator HART in his support of the historic step taken by President Johnson on January 3 when he announced the appointment of a distinguished public servant, Mrs. Esther Peterson, to the post of Special Assistant for Consumer Affairs.

Our late President Kennedy showed his deep concern for the protection of consumers' rights when he appointed the Consumer Advisory Council. President Kennedy and Johnson have given us a foundation upon which we can now build to be sure that the consumer's voice is heard—and heard clearly—in the framing of national policies.

As Senator HART said in his San Francisco speech, the Consumer Advisory Council is composed of very high caliber people, but we have not given the Council the money nor the staff assistance it needs to do the big job of watching out for the consumer's interest. The Council is hampered in still another way. It has been able to meet only a few times a year.

Mr. Speaker, the appointment of a Special Assistant for Consumer Affairs will represent an important step toward giving the American consumer the strong voice to which he is entitled. I commend to the attention of my colleagues the remarks by Senator Hart. Under unanimous consent, I include the speech by Senator Hart at the convention of the Association of California Consumers in the Record:

Address by Senator Hart

Coming to California makes me realize just how Alice must have felt when she stepped through that looking glass.

Back in Washington, consumer legislation is still a dream.

It's a dream to which I, and many others, have devoted hundreds of hours attempting to make it come true. We worked hard because we are convinced it is good, needed, and therefore can be passed. But at the risk of appearing a faltering champion of our cause, I must admit that often in recent months I have felt like the King of Siam in the musical—"Sometimes not sure of the things I absolutely know."

Opposition has been such that there have been days when I began to doubt if such legislation could be adopted—anywhere.

Now, here in California, I have walked into the "never-never land."

Here you have a State where consumers are treated with due respect, an impressive information program is in operation, State executives and legislators are aware of the consumer interest and—the frosting on the cake for me—here much of truth in packaging is in operation. And apparently you have given the lie to the charges made against these same sections in Washington—that they would kill the free enterprise system, shoot consumer costs sky high and encourage communism.

Much of the credit, of course, must go to your State consumer counsel, Helen Nelson. Courageously supported by Governor Brown, she has accomplished more than anyone had a right to expect. Miss Nelson's admittedly superior abilities are not the only reason your State has been able to make so much progress. Fortunately, all authority was centralized in one official, rather than having it diffused through a committee. This permitted Miss Nelson to waste no time in getting her program underway and in proceeding swiftly and efficiently.

In doing so, California has set new standards in consumer protection for the State and the Nation. It has provided an inspiring example of what can be done and given proof that a vigorous, forward-looking program can gain the support of the State legislature in providing the necessary legal underpinning.

But I did not come here simply to carry bouquets of praise. You are much too mature an audience to want that—and I am too aware of how much you can help on this issue to waste the time with pretty words.

Instead, I would like to discuss with you battles past and battles future, to outline a new strategy and, hopefully, to summon new troops to be sent to the front to aid any who are suffering a bit from battle fatigue.

What of battles past? I risk boring you with facts you may know well in order to emphasize the nature and strength of our opponents.

We have now in the legislative mill, as you know, three bills which are considered out-and-out consumer oriented. Senator Kefauver first introduced a bill calling for a Department of Consumers in 1959. He reintroduced it in the 87th and 88th Congresses. It has never been acted on by a subcommittee.

The second was Senator Douglas' truth-in-lending bill—a simple request that installment buyers be told how much interest they are paying on loans. It has been introduced also in the last three Congresses. Extensive hearings have been held. No committee action has been taken.

The third bill—my truth-in-packaging proposal—began its weary way in June of 1961 when exploratory hearings were held, out of which grew the bill.

In June this year, 1963, it received a favorable vote in the Antitrust Subcommittee. Since then we have been trying to get the bill out of the Judiciary Committee.

To illustrate why progress on consumer legislation in Congress is so difficult and time consuming, I would like to give you a few highlights of the events kicked off by the introduction of truth in packaging.

There is no need, I think, to go into the hearings and the testimony as you are no doubt aware of the niff-naffing that went on with industry spokesmen there.

However, I think when all the smoke cleared there were three basic arguments worthy of consideration: that present law is adequate, that truth in packaging is an infringement on free enterprise and that it would increase production costs which would, in turn, increase consumer costs.

You know the rebuttals for these. However, I find an article in the November 23, 1963, Business Week magazine most interesting along these lines. It reports changes that manufacturers have been making recently in their packaging and labeling, and I quote:

"Ever since Hart started stirring things up a couple of years ago, executives of companies manufacturing products found on supermarket shelves have been running to Washington to protest the bill. But at the same time, they have been busily changing packaging that Hart might object to."

There are some who would point to these changes and say they prove that truth in packaging is not necessary—that the industry can do the right things voluntarily.

However, surely history would back me up when I say that as soon as the so-called threat of the Hart bill disappeared—ideally by the disappearance of Hart, I suppose the manufacturers would feel—so would many of the reforms.

Also, I am intrigued by how these manufacturers have managed to adjust these changes with their ideas of free enterprise—and more especially—why there has not been the dreaded skyrocketing of grocery prices because of them.

Surely, if these alterations in labeling and packaging are a good idea that some of the industry has adopted, it would make good sense to have the same standards for all.

But let's get back to the opposition that is represented in that phrase in the Business Week article, "executives of companies manufacturing products found on supermarket shelves have been running to Washington to protest the bill." "Protest" is an understatement.

Bear in mind that the industries opposing truth in packaging represent a minimum yearly sales of $100 billion, or approximately one-fifth of the gross national product.

In this case money is power. In the front ranks is the pressure such industries exert on Congressmen representing the States which are home base for their plants. I'm sure each member of the Antitrust and Monopoly Subcommittee knows now some men and women he didn't know before we voted on truth in packaging. These are the industry spokesmen.

Each industry representative pointed out the economic ramifications—as they chose to see them—if truth in packaging were passed.

Each Senator was bombarded also by letters from officials and employees of the industries at the direction of company heads and because of scare articles in trade and company magazines.

I'd estimate millions of sheets of paper were consumed in press releases and special reports sent to anyone industry thought could be convinced T in P was frightful legislation.

One group of business home economists were told to get out and work against truth in packaging or they might lose their jobs.

There are editorial services in Washington supported by business, which sent out editorials against truth in packaging which were used by small weekly newspapers across the Nation which must rely on canned editorials.

This is the type of barrage being laid down against just one consumer bill.

So what weapons have we had on our side?

Certainly, hard-working consumer groups, such as yours—and you have done nobly.

And we have support of the major unions, National Consumers League, Cooperative League, National Federation of Business and Professional Women's Clubs, National Federation of Independent Businesses, National Retired Teachers Association, and American Association of Retired Persons, among others.

But this has been a part-time campaign while the opponents have highly skilled, highly paid forces working consistently and full time against us.

And what national forum do we have? Granted three major national publications have carried fair, factual stories on truth in packaging. But they are of the select circulation category—Harper's, Progressive, and Nation.

Two others, among those with the highest circulation in the Nation, have hired and retained writers to do stories on truth in packaging. But the stories, somehow, have never seen print.

Granted also, I have appeared on a few television shows to help tell the truth-in-packaging story. But three times when appearances were arranged they were canceled out—and I was told, off the record, it was because advertisers had protested.

Those are the battles past and more of the same lie in the future. For at each step—consideration by the full Senate Judiciary Committee, consideration by the full Senate, consideration by the House subcommittee, consideration by the full House committee, and the full House—all offer new opportunities for battle and delay by the opponents.

And this—without a concentrated, forceful effort somewhat near that exerted by the opposition—is what all consumer legislation can expect.

This is why we need to sound the alarm for fresh forces. This is why we must make each American realize he is a consumer and has a direct interest in such legislation.

Frankly, I suspect it was such a realization that aided in gaining favorable action on truth in packaging in the subcommittee. Often, someone would opine that things the bill would guard against were in reality isolated incidents. "No, no," would be the reply from a colleague. "Just the other day I got stung with one of these misleading labels."

And what of the new strategy? Part of it, of course, would be organization of consumers so that their voice could be heard over the din drummed up by the hucksters.

Part of it is the continued support and even increased efforts we proponents of consumer legislation must exert in Congress.

Action is needed in another area. As we all know, the only formal weapon available to the consumer at the executive level is the President's Consumer Advisory Council. This Council was a unique idea given life by President Kennedy who understood clearly the need for action in the consumer field. When history writes its verdict, included will be specific mention of the fact that he was the first President in history to send a special Consumer Advisory Message to the Congress.

The members of this Consumer Advisory Council are of high caliber. But it has only a tiny staff, a very small budget, and is able to meet but a few times a year. As a minimum, this Council should be provided with more money and wider authority in order to effectively carry its important burdens.

The Federal executive machinery needs additional overhauling in the interest of the consumers. And I intend to make a specific suggestion to President Johnson.

Right now, the first considerations of the President clearly must be civil rights, the tax reduction, and foreign policy. In the coming weeks, however, I intend to recommend to the President that he appoint a special assistant for consumers' affairs. This special assistant would have the ear of the President, would work on programs benefiting the consumers of America, would be the liaison with Government agencies on consumer matters, and, on a continuing basis, would advise the President on issues of consumer interest. This special assistant could and, I hope, would criticize policies and programs by Government agencies themselves in instances when consumer interest is overlooked. Indeed, legislation pending before the Congress could be analyzed.

In short, this special assistant would provide the President a continuing consumer voice in his intimate official family. Let us not forget that by tradition and instinct, experience and performance, President Johnson is a consumer-conscious public servant. He has never forgotten those years of his youth—shoeshine boy and laborer—those years of his young manhood—schoolteacher—all years which required the most careful family budgeting, years when consumer problems had a 24-hour-a-day immediate significance.

Indeed, even the establishment of a special assistant for consumer affairs should be regarded as an interim step. Certainly most desirable would be the creation of a full-fledged consumer council at the executive level.

Given the office of a special assistant for consumer affairs, I think we could say that consumers for the first time would have their own identifiable "Man in Washington."

Then all Americans would understand how Alice felt in Wonderland.

United Nations in Crisis

EXTENSION OF REMARKS

OF

HON. EDNA F. KELLY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 28, 1964

Mrs. KELLY. Mr. Speaker, earlier today, acting on behalf of the gentleman from California, Representative WILLIAM S. MAILLIARD, and myself, I have filed in the House of Representatives our joint report on the 18th session of the United Nations General Assembly, entitled "United Nations in Crisis."

The gentleman from California, Congressman MAILLIARD, and I, had the honor of serving as members of the U.S. delegation to the 18th session of the General Assembly. We sincerely hope that our findings and recommendations relating both to the record of that session and to the overall posture of the United States in the United Nations, will prove of interest to the Members of the House.

Under permission to revise and extend my remarks, I wish to include in the RECORD at this point the summary of our findings and recommendations which appears on pages 1 through 4 of our report:

FINDINGS AND RECOMMENDATIONS

I. THE 18TH SESSION OF THE UNITED NATIONS GENERAL ASSEMBLY

1. The 18th session was more noteworthy for the atmosphere of restraint in which the debates were conducted than for the import of its achievements. It was essentially a "holding operation" which produced few tangible accomplishments and did not advance the solution of any of the basic problems confronting the United Nations (pp. 7–8).

2. On the positive side, the General Assembly approved two precedent-setting resolutions aimed at the expansion and strengthening of peaceful cooperation in the exploration of outer space; provided for the financing, in 1964, of U.N. peacekeeping operations in the Congo and in the Middle East on terms generally acceptable to the United States; adopted a sweeping declaration on racial discrimination; authorized the establishment of a U.N. Training and Research Institute; and generally followed a policy of "containment and consolidation" in approving the budget for 1964 (pp. 7–8).

3. Although the United States and its major allies no longer command an automatic majority in the General Assembly, the record of the 18th session shows a definite absence of any developments injurious to the vital interests of our country and of the other Western Powers (p. 8).

II. THE UNITED NATIONS IN CRISIS

In at least four major areas, the necessity for making hard decisions which will shape the future of the United Nations continues to confront the Organization. Unless these basic problems are resolved, the United Nations may soon become an international debating society completely devoid of capacity to act (p. 9).

A. The crisis in U.N. financing

1. The rising cost of operations; the high cost of the major peacekeeping operations; and the refusal of some members to pay their assessments, have created major financial problems for the United Nations. The last two developments have brought the Organization to the brink of bankruptcy (p. 9).

2. If the United Nations cannot carry out its primary function of peacekeeping because of financial insolvency and the refusal of member states to pay their legally assessed obligations, the value of the U.N. will be seriously reduced (p. 11).

3. The obligation of the U.N. members to pay assessments legitimately imposed upon them cannot be compromised. Members who fail to pay their assessments must be made subject to the penalty envisioned in Article 19 of the U.N. Charter: the loss of vote in the General Assembly (pp. 10–11).

B. The future of U.N. peacekeeping operations

1. The value of U.N. peacekeeping operations should not be underestimated. They have performed valuable service to the cause of peace in the world (p. 12).

2. The manner in which the United Nations has handled the financing of the peacekeeping operations has never been fully satisfactory. It has become even less so with each passing year (p. 12).

3. At a minimum, the United Nations ought to adopt some basic criteria for the financing of future peacekeeping operations—and do it now before any new operation is authorized (p. 13).

4. An opportunity to arrive at a decision on this subject will be presented when the Working Group of 21 member states meets early this year. We trust that the U.S. delegation to that Working Group will be in a position to propose a well-thought-out financing plan which will avoid for the future the major problems which have arisen in the past (p. 13).

C. Streamlining U.N. machinery and procedures

1. For almost two decades, the United Nations has been in a process of rapid growth. Structural and procedural reforms, necessary to improve the lagging efficiency of the Organization, are overdue (pp. 13–14).

2. Minor progress in the direction of reform was achieved during the 18th session (p. 14).

3. We have questioned the advisability of enlarging the U.N. Security Council as proposed in the resolution approved by the 18th General Assembly (p. 14).

D. The ascendancy of the newer members

1. The ascendancy to power within the United Nations of the newer members has not been accompanied at all times by a parallel increase in their sense of responsibility (pp. 14–15).

2. The developing countries, in particular, will have to strive to strike a better balance between their expectations of the United Nations and the ability of the Organization to respond to them (p. 16).

3. If the U.N. is to continue to grow in success in serving its basic purposes, the newer members will have to show willingness to reestablish within the Organization closer relationships between decisionmaking and the capacity of individual members to contribute to the carrying out of U.N. decisions. Also, they will have to bring their collective weight to bear—as they did on several occasions in recent past—on the entire question of financial responsibility of U.N. membership (p. 16).

III. STRENGTHENING U.S. PARTICIPATION IN THE UNITED NATIONS

A. The U.S. mission to the United Nations

1. We were impressed by the quality, and the dedication, of the personnel of the U.S. mission. They do their job well in spite of certain serious handicaps (p. 17).

2. The permanent U.S. representative in the United Nations should be given more flexibility in allocating work among the five principal officers of the U.S. mission (pp. 17–18).

3. The assignment to the U.S. mission, on a permanent basis, of four or five additional political officers—requested by the executive branch—appears to warrant sympathetic consideration (p. 18).

4. It is a sad reflection on our system of government that personal wealth, rather than merit and ability has of necessity become a consideration in the assignment of personnel to the higher jobs at the U.S. mission. The Congress should rectify this situation by providing to a limited number of officers at the mission, who are assigned to representational duties, an allowance comparable to that which is currently paid to Foreign Service personnel performing similar duties abroad (pp. 18–19).

B. Relations between the U.S. mission and the Department of State

1. The manner in which the State Department exercises its control over the U.S. mission is unbearably cumbersome and picayune. Frequently it deprives the mission of meaningful participation in the formulation and execution of U.S. policy with respect to the United Nations. Quite often, it relegates policymaking to second- and third-echelon personnel in the Department and in the mission (p. 19).

2. There are obvious shortcoming in forward policy planning—particularly decisionmaking—with respect to U.N. issues (p. 20).

3. Lines of communication between the U.S. mission and the Department of State, and levels at which policy is developed, are not clearly established (p. 20).

4. The U.S. mission is allowed virtually no latitude not only with respect to minor policy decisions, but also—and more importantly—with respect to strategy and tactics (pp. 20–21).

5. The permanent U.S. representative in the United Nations must be kept fully informed on all major foreign policy matters since all of them have implications for U.S. posture in that Organization. He should have more latitude with respect to policy formulation and execution within the broad framework of policy made in Washington. He and his staff, and the U.S. delegations to the sessions of the General Assembly, should be accorded considerably more flexibility with respect to strategy and tactics employed to implement U.S. policy in the United Nations (pp. 20–21).

6. The United Nations offers unusual opportunities for the advancement of U.S. interests which may be outside the range of immediate U.N. issues. The U.S. representative in the United Nations should be entrusted with greater responsibility for utilizing all opportunities available at the U.N for advancing our Nation's interests (p. 21).

C. Congressional participation in U.S. delegations to sessions of the General Assembly

1. The practice of including two Members of Congress on the U.S. delegation to each session of the General Assembly should be continued (p. 21).

2. Congressional members of U.S. delegations should be selected and nominated well in advance of the beginning of each session. They should be given opportunity to prepare thoroughly for these assignments (p. 22).

3. Greater effort must be exerted within the U.S. mission, at the beginning of each session, to integrate congressional delegates into the U.S. team—to assist them in becoming effective, and working, members of the U.S. delegations (p. 22).

D. The question of U.N. personnel

1. The quality and competence of the personnel of the U.N. Secretariat plays an important role in the affairs of the United Nations and directly affects the Organization's ability to fulfill its complex responsibilities (p. 22).

2. The U.S. Government was shortsighted in not having had a positive policy and program for the staffing of international organizations (pp. 22–23).

3. The initial steps taken recently to correct this situation should be continued and expanded in the future (p. 23).

E. Improving the relations between the host community and the United Nations

1. The presence of the United Nations Headquarters in the United States gives us an unparalleled opportunity to tell our story to the representatives of other countries—the men and women who either already are, or are likely to become, the leaders of their nations (p. 23).

2. The United States does not appear to be taking full advantage of this opportunity (p. 23).

3. American industry, private individuals and organizations should provide greater support for the voluntary, nongovernmental programs designed to assist foreign delegates, to broaden the opportunities available to them for learning more about our country and our people, and for exposing false Communist propaganda about the United States (p. 24).

SENATE

WEDNESDAY, JANUARY 29, 1964

The Senate met at 12 o'clock meridian, and was called to order by the President pro tempore.

The Chaplain, Rev. Frederick Brown Harris, D.D., offered the following prayer:

Almighty God, from whom no secrets are hid, and from whom all thoughts of truth and peace proceed, we pray that there may be forever cherished in this shrine of freedom the spiritual values which alone can bring order out of chaos and concord out of strife.

Fit us to be the agents of Thy purpose in fostering in the hearts of all men the true love of peace with justice and righteousness which takes into consideration the inherent dignity of every child of Thine.

In the global decisions facing the Republic, make us sensitive to any subtle attempts to compromise principle, and thus betray the rights that are given by Thee to every individual on the face of the earth. No matter what others do, even if some with whom we have marched link arms with iniquity, help us to stand, whatever the cost, for the hard right, even amid the blandishments of an expedient wrong.

Give us to see that to consent to the crucifixion of freedom, anywhere on the earth, is ultimately to nail our own liberties on the same cross, knowing that with whatever measure we mete, it shall be measured to us again.

We ask it in the name of the One whose truth makes men free. Amen.

THE JOURNAL

On request of Mr. HUMPHREY, and by unanimous consent, the reading of the Journal of the proceedings of Tuesday, January 28, 1964, was dispensed with.

MESSAGES FROM THE PRESIDENT

Messages in writing from the President of the United States were communicated to the Senate by Mr. Miller, one of his secretaries.

REPORT OF NATIONAL SCIENCE FOUNDATION—MESSAGE FROM THE PRESIDENT (H. DOC. NO. 209)

The PRESIDENT pro tempore laid before the Senate the following message from the President of the United States, which, with the accompanying report, was referred to the Committee on Labor and Public Welfare:

To the Congress of the United States:

Pursuant to the provisions of Public Law 507, 81st Congress, I transmit herewith the 13th Annual Report of the National Science Foundation for the fiscal year ended June 30, 1963.

LYNDON B. JOHNSON.

THE WHITE HOUSE, *January 29, 1964.*

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Bartlett, one of its reading clerks, announced that the House had passed a bill (H.R. 6041) to amend the prevailing wage section of the Davis-Bacon Act, as amended; and related sections of the Federal Airport Act, as amended; and the National Housing Act, as amended, in which it requested the concurrence of the Senate.

HOUSE BILL REFERRED

The bill (H.R. 6041) to amend the prevailing wage section of the Davis-Bacon Act, as amended, and related sections of the Federal Airport Act, as amended; and the National Housing Act, as amended, was read twice by its title, and referred to the Committee on Labor and Public Welfare.

LIMITATION OF STATEMENTS IN THE MORNING HOUR

Mr. HUMPHREY. Mr. President, I ask unanimous consent that statements in the morning hour be limited to 3 minutes.

The PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. DIRKSEN subsequently said: Mr. President, I believe the order for the 3-minute limitation in the morning hour should be vacated. I thought I made it plain to the Senate that in the interest of expedition, since that is only a custom, not a Senate rule, that request should be withdrawn and the order should be vacated.

Mr. HUMPHREY. Mr. President, I suggest the absence of a quorum.

The PRESIDENT pro tempore. The clerk will call the roll.

The Chief Clerk proceeded to call the roll.

Mr. HUMPHREY. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. INOUYE in the chair). Without objection, it is so ordered.

Mr. HUMPHREY. Mr. President, I have had a very friendly and fruitful discussion with the able and distinguished minority leader.

Mr. DIRKSEN. I concur.

Mr. HUMPHREY. As a result, I ask unanimous consent that the order for the 3-minute limitation in the morning hour be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE MEETINGS DURING SENATE SESSION

On request of Mr. HUMPHREY, and by unanimous consent, the Committee on Rules and Administration and the Committee on Agriculture and Forestry were authorized to meet during the session of the Senate today.

PROPOSED AMENDMENT OF RULE XXV OF STANDING RULES OF THE SENATE RELATING TO COMMITTEE MEETINGS DURING SESSIONS OF THE SENATE—MODIFICATION OF UNANIMOUS-CONSENT AGREEMENT

Mr. HUMPHREY. Mr. President, yesterday a unanimous-consent agreement was arrived at relating to the pending business, Senate Resolution 111, amending rule XXV of the Standing Rules of the Senate relative to meetings of committees while the Senate is in session.

At this time, I wish to modify that unanimous-consent agreement; and I make the following request after consultation with members of both the majority and the minority.

I ask unanimous consent that in lieu of the present unanimous-consent agreement, effective on the meeting of the Senate on Thursday, January 30, at 10 a.m., the further consideration of Senate Resolution 111, relating to committee meetings, be subject to the following order:

Debate on each amendment or motion to be limited to 30 minutes, to be divided equally, and to be controlled by the mover of such amendment or motion and the majority leader; and on the question of adoption of the resolution, debate to be limited to 1 hour, to be equally divided, provided that the vote on the question of agreeing to the resolution shall be taken not later than 12 o'clock noon.

The **PRESIDING OFFICER.** Is there objection?

Mr. CLARK. Mr. President, reserving the right to object, I believe I correctly understood what the acting majority leader proposed—namely, that the Senate convene at 10 a.m. tomorrow.

Mr. HUMPHREY. That is correct.

Mr. CLARK. And that there be a live quorum.

Mr. HUMPHREY. Or, at least, a quorum call.

Mr. CLARK. Very well. And it is proposed that debate on each amendment or motion be limited to 15 minutes to each side.

Mr. HUMPHREY. Yes; and that debate on the question of agreeing to the resolution be limited to 1 hour.

Mr. CLARK. Of course, if the minority leader does not want to have the vote taken before noon, that will be satisfactory to me; but the majority leader wishes to have the vote taken as early as possible.

Mr. HUMPHREY. Very well; I shall delete the provision about having the vote taken not later than noon.

Mr. President, I ask unanimous consent that the unanimous-consent agreement be as follows: 30 minutes on each motion or amendment, with that time to be equally divided between the two sides; 1 hour on the question of agreeing to the resolution, with that time also to be equally divided; with the normal requirements of germaneness, and so forth.

The **PRESIDING OFFICER.** Is there objection?

Mr. CLARK. Mr. President, reserving the right to object, I take it that it is implicitly a part of the proposed agreement—and I ask both the acting majority leader and the minority leader if this is correct—that the vote on the question of adoption of the resolution will be taken tomorrow, although we do not know at what time.

Mr. DIRKSEN. Definitely.

Mr. HUMPHREY. And I add that immediately after the vote on the question of adoption of the resolution, the Senate will proceed to the consideration of the tax bill.

The **PRESIDING OFFICER.** Is there objection to the proposed unanimous-consent agreement? Without objection, it is so ordered.

The unanimous-consent agreement, as subsequently reduced to writing, is as follows:

UNANIMOUS-CONSENT AGREEMENT

Ordered, That, effective on Thursday, January 30, 1964, upon the meeting of the Senate at 10 o'clock a.m., during the further consideration of the resolution (S. Res. 111), amending rule XXV of the standing rules relative to meetings of committees while the Senate is in session, debate on any amendment, motion, or appeal, except a motion to lay on the table, shall be limited to 30 minutes, to be equally divided and controlled by the mover of any such amendment or motion and the majority leader: *Provided*, That in the event the majority leader is in favor of any such amendment or motion, the time in opposition thereto shall be controlled by the minority leader or some Senator designated by him: *Provided further*, That no amendment that is not germane to the provisions of the said resolution shall be received.

Ordered further, That on the question of the final passage of the said resolution debate shall be limited to 1 hour, to be equally divided and controlled, respectively, by the majority and minority leaders: *Provided*, That the said leaders, or either of them, may, from the time under their control on the passage of the said bill, allot additional time to any Senator during the consideration of any amendment, motion, or appeal.

Mr. DIRKSEN. Mr. President, I think the RECORD should now show that when the Senate commences its consideration of the tax bill, the Members should be on the floor; and I shall be impelled to object to any request for consent that a committee be authorized to meet during the session of the Senate, unless the holding of such a meeting is singularly urgent.

This is an important bill. The President is interested in its expedition. So am I. I truly hope that by the end of the following week action on it can be completed. If Senators will be present in the Chamber that can be accomplished. Accordingly, each day I shall have to object to committee meetings even though the Senate meets early and remains late, because that is the only way by which the Senate can complete action on the tax bill without undue delay.

Mr. HUMPHREY. Mr. President, will the Senator yield?

Mr. DIRKSEN. I yield.

Mr. HUMPHREY. I wish to announce to all Senators—and I do appreciate the comments of the minority leader—that the Senate will be meeting early. Tomorrow, it will meet at 10 o'clock. On Friday, it will meet at 10 o'clock. There will be night sessions. Beginning on Monday next, the Senate will meet at 9 a.m., and continue consideration of the tax bill until its passage.

Thus, if Senators have any engagements that will conflict with legislative action on the tax bill, I suggest that they——

Mr. MAGNUSON. Cancel them.

Mr. HUMPHREY. Cancel them and make whatever arrangements are necessary to ease the pain of their cancellation.

Mr. DIRKSEN. Let the record clearly show that we understand from the acting minority leader, the Senator from Minnesota [Mr. HUMPHREY], that the understanding now is that there will be no session on Saturday of this week.

Mr. HUMPHREY. The Senator is correct. However, there may be a session on Saturday of next week, if the Senate has not completed action on the tax bill by that time.

ORDER OF BUSINESS

Mr. HUMPHREY. Mr. President, so that Senators may be on notice, there are two treaties on the Executive Calendar which it was hoped might be taken up today. However, the majority leader has informed me within the past few moments that because certain Senators were told the treaties would not be brought up today, they will be voted on tomorrow.

Therefore, the situation tomorrow will be as follows:

The Senate will complete action on the resolution of the Senator from Idaho [Mr. CHURCH], and amendments thereto which may be offered by the Senator from Pennsylvania [Mr. CLARK], or other Senators.

After having completed action on that resolution, we shall move to the Executive Calendar to vote on the treaties. There will be a yea-and-nay vote on them. That is why I wish the record to show that Senators should be present to transact that business.

Mr. DIRKSEN. A further inquiry. I believe it fair to assume, then, that there will be no yea-and-nay votes today.

Mr. HUMPHREY. The Senator is correct; there will be no yea-and-nay votes today. It is the intention to ask for the consideration of nominations which have all been approved. I understand, also, that there is one bill on the calendar which might be considered; namely, H.R. 9076, a bill to provide for the striking of medals in commemoration of the 200th anniversary of the founding of St. Louis.

COMMISSION ON THE REVISION OF FEDERAL AGRICULTURAL LAWS AND PROGRAMS

Mr. JAVITS. Mr. President——

The **PRESIDING OFFICER.** Morning business is in order.

Mr. JAVITS. Mr. President, I ask unanimous consent that I may introduce a joint resolution out of order.

The **PRESIDING OFFICER.** Is there objection?

Mr. DIRKSEN. Mr. President, may I inquire, is it in order?

Mr. JAVITS. I gather that the point of introduction of bills and joint resolutions has been passed; is that correct?

Mr. DIRKSEN. Is it the Senator's purpose to introduce a joint resolution?

Mr. JAVITS. It is.

Mr. DIRKSEN. Very well.

Mr. JAVITS. Mr. President, I introduce, for appropriate reference, on behalf of myself and my colleague from New York [Mr. KEATING], the Senator from Maryland [Mr. BEALL], and the Senator from Texas [Mr. TOWER], a joint resolution to establish a Commission for the Revision of Federal Agricultural Laws and Programs, which I first introduced in the 87th Congress as Senate Joint Resolution 238.

On October 10, 1963, the Senate voted on S. 1915, a bill to amend the Agricultural Adjustment Act, as reenacted and amended by the Agricultural Marketing Agreement Act of 1937. At that time, I indicated that with respect to the pending legislation, I felt that it provided inadequate means to solve the problems of excessive supply and inadequate income in the dairy industry. I very strongly believe that we should seek the passage of legislation which can effectively accomplish these objectives. I believe it is high time that we seek fresh ideas not only with respect to problems in the dairy field but also on all domestic agricultural problems and devote ourselves to a reevaluation of our Federal agricultural laws and programs.

The Study Commission, which I have proposed, would be established to reexamine agricultural legislation and to consider the desirability of improvement and/or elimination of existing programs and to consider: First, the effectiveness of price support and production limitations, including acreage allotments, and production and marketing quotas, which may be in effect for certain commodities; second, the future requirements of the United States and the world for such commodities; third, suitable uses for land which may not be needed at the present time for the production of such commodities, but which may be needed for such purpose in the future; fourth, methods for effectively coordinating domestic agricultural policies with export opportunities for such commodities; fifth, the effective use of such commodities in support of our foreign policies; sixth, problems of rural economic opportunity in the United States and seventh, the national requirements for stockpiling strategic agricultural commodities.

The entire manpower employment problem has been carefully scrutinized in hearings held last year by the Employment and Manpower Subcommittee of the Senate Labor and Public Welfare Committee under the able leadership of Senator CLARK. The measure which I am introducing would authorize the Commission to examine the particularly serious problem of rural economic opportunity. The Commission would also give particular attention to the formation of programs to ease the economic adjustment of farmers who wish to move into other occupations. Assistance in such cases might take the form of retraining programs, relocation allowances and aid in obtaining alternative employment opportunities.

The President's budget for the 1965 fiscal year reveals the estimated cost of operating agricultural programs during 1965 to be in excess of $5 billion. The tremendous cost of agricultural programs together with the record high total farm output set in 1963, in the light of already large production surpluses, are factors which stress the urgency of a long and objective look at our national agricultural programs. Since the President's new budget states that "Farm legislation designed to improve our present farm programs and promote more effective use of present rural resources will be proposed to the Congress early in this session," it is important for us, before we embark on still another new legislative program to examine, on an overall basis, how effective our present programs have been and to determine the adequacy of our existing goals and objectives.

The recent disclosure of the tremendous wheat needs of the Soviet Union has pointed up the failures of the monolithic, centrally controlled Soviet farm management program. In the light of these Soviet failures, we must not forget the motivating forces of our own agricultural system. We must continue to place emphasis on the free competitive forces of the market, on private enterprise, on the profit motive, and on individual productive efficiency.

I do not believe that the Department of Agriculture, involved as it is in carrying out the agricultural policy of the administration and the day-to-day administration of the existing agricultural laws, would be able to devote the needed objective to this study of overall effectiveness of our agricultural programs. I am hopeful that the Department would, however, profitably lend its expertise to such an effort and would contribute to it.

I believe that the time for reappraising the effectiveness of our agricultural laws is upon us. The Commission which I propose would be composed of 12 members—4 appointed by the President, 4 by the President of the Senate, 4 by the Speaker of the House, with not more than 6 members to be of the same political party. It would provide basic machinery for the conduct of the study. The legislative recommendations to be provided by this Commisison will, it is hoped, furnish a valuable first step toward the solution of basic agricultural problems.

On November 12, 1963, the Senator from Delaware [Mr. BOGGS] introduced S. 2299, a bill to establish a Commission on National Agricultural Policy, which measure has been referred to the Senate Agriculture Committee. Recently on January 16, the Senator from Minnesota [Mr. HUMPHREY] also introduced a proposal to establish a panel to review the Nation's agricultural laws. I am hopeful that the Senate Agriculture Committee will find it appropriate to hold hearings on all our measures.

I ask unanimous consent that this joint resolution may lie on the desk for additional cosponsors until the close of business on Wednesday, February 5.

The PRESIDING OFFICER. The joint resolution will be received and appropriately referred; and, without objection, the joint resolution will lie on the desk, as requested by the Senator from New York.

The joint resolution (S.J. Res. 152) providing for the establishment of a Commission on the Revision of Federal Agricultural Laws and Programs, introduced by Mr. JAVITS (for himself and Mr. KEATING, Mr. BEALL, and Mr. TOWER), was received, read twice by its title, and referred to the Committee on Agriculture and Forestry.

Mr. KEATING. Mr. President, the proposed Commission on the Revision of Federal Agricultural Laws and Programs is a necessary step if the farmer is to share in the fruits of American prosperity. Adoption of the joint resolution will mark the cancellation of our advertisement for a magic solution to the farm problem.

As we all know the magic solution has never been forthcoming. Instead we have employed stopgap measures as part of our legislative ritual and the results are not comforting. All too frequently farm legislation has been in the form of a crisis reaction to some pressing problem in one sector of the agricultural economy. A complete diagnosis and analysis of the entire farm problem is an absolute necessity if our Federal agricultural laws are to provide direction for our policies and solutions to the problems.

The legislative approach to the farm problems has been much like the doctor, who, confronted by a patient with all the symptoms of polio, treats them one at a time without diagnosis. By the time the patient has made numerous visits to the doctor and received separate remedies for his headache, stiff neck, back, and legs he is likely to be the victim of paralysis. The agricultural economy similarly suffers the prospects of paralysis if we continue to treat it symptom by symptom.

We cannot mechanically follow the old patterns of farm legislation, no matter how well they may have served us in the past. The problems must be redefined, reanalyzed, reconsidered, and soon.

This is not to suggest that past legislative efforts were not directed toward the solution of our farm problems. Everyone, proponents and opponents alike, is intent upon the improved economic well-being of the farmer. The difference has always been in the techniques used. Unfortunately, the roads to the bankruptcy courts and the roads to the cities, crowded with individuals driven from the farm, are paved with our good intentions.

While there are many hopeful signs on the horizon, agriculture has continued to limp along for the past 30 years. Unless we can adjust to the changes brought on by technological developments in agriculture we will never achieve the economic growth we desire for the Nation. The problems challenge our imagination and command our best efforts. But they need not dismay us.

Creation of the Commission of Federal Agricultural Laws and Programs offers a hope for achievement of the ultimate solution. The Commission will be able to evaluate the current laws and programs, considering the food and fiber needs of the United States and the world, the interests of producers, consumers, processors, and exporters. This will enable the Congress to reconsider the effectiveness of its laws and programs: to cultivate the good, to fertilize the promising, to plow under the bad, and, hopefully, to reap prosperity for our farmers.

NEW YORK STATE ARTS COUNCIL

Mr. JAVITS. Mr. President, a very impressive report of cultural activity has been issued by the New York State Council on Arts. Established in 1960 by the State legislature, in a pioneering effort to determine ways and means of increasing appreciation of the arts and enlarging the circle of participation by audiences and artists, the council has succeeded in setting a pattern for other States throughout the country. It has encouraged greater participation in architecture, the dance, opera, theater, concerts, and exhibitions. Its four-part program points the way to successful development within each State of its cultural resources. The success of the council emphasizes the urgency for a Federal program such as the Senate adopted last month in S. 2379, the bill for a National Council on the Arts and National Arts Foundation.

I call particular attention to Director John H. MacFadyen's comment on the role of Government. He said:

> The question of "whether or not" there should be Government support seems to be academic; the real questions are "when and how."

That analysis will show how extremely successful and important to the life of our State is the activity.

I ask unanimous consent that excerpts from the report of the New York State Council on the Arts be printed in the RECORD.

There being no objection, the excerpts were ordered to be printed in the RECORD, as follows:

NEW YORK STATE COUNCIL ON THE ARTS

FOREWORD

This report covers the activities of the council on the arts for the past 4 years. It thus provides an opportunity for a review in depth of this program which is unique among the States, and indeed, in the United States.

Seen in this perspective, the report demonstrates first, the enthusiasm with which people will embrace and support the arts when they are available; and second, it demonstrates that the State government can effectively encourage and nurture the arts without controlling their essential nature. These are important points to establish and to use for future guidance. Moreover, it underscores the vision of the New York State Legislature to whom congratulations and appreciation are due for the establishment of this pioneering cooperative program between government and the arts.

Since its inception, the council has carried on a wide-ranging program of activities. In cooperation with the localities, it has brought live opera, theater, music, and ballet to many parts of our State where they had been seldom seen before. It has made it possible for distinguished representatives of the arts to travel widely in our State and bring to the localities the inspiration and stimulus of firsthand contact with greatly gifted people. It has assisted local art and history museums, and has sponsored traveling exhibitions. It has encouraged the cataloging and preservation of good architecture. Looking to the future, it has exciting plans for cooperating in the arts programs of the New York World's Fair, 1964–65.

In brief, it has amply justified the faith of those of us who believe that government has an appropriate interest and concern in the arts. To the council members and the staff who have labored with such devotion and demonstrated success, to the legislature which has supported this program, and to the citizens of our State who have participated so enthusiastically in its various facets, we all owe a debt of gratitude, for the result has been the enhancement of the cultural life and resources of our whole State.

NELSON A. ROCKEFELLER,
Governor.

INTRODUCTION

The New York State Council on the Arts represents the most significant experiment at the State level in encouraging and fostering the arts. Launched after a careful study, ably guided and directed, generously financed by annual appropriations from the legislature, it has shown the way in which other States are now following, and it provides many suggestive lines along which national policy may evolve.

Arts councils may be said to show three stages in their development. The first stage involves a survey and assessment of existing cultural resources. The second emphasizes the means by which these resources can be carried more widely to the people. Up to this point a concern with the well-being of the arts themselves is secondary to a concern for the pleasure of the citizenry. Nevertheless, the arts and the institutions which embody them are helped. Symphony orchestras are given a chance for a longer season as concerts are brought into rural areas or to schoolchildren and other groups in the community which have been denied cultural advantages. A longer season, it turns out, is what the orchestras most need if their musicians are to be given more adequate compensation and more stable careers. Similarly, theater groups are benefited by the wider audience secured for them.

In time, however, this work of diffusion is discovered to be only a part of the problem. The economic health and stability of the institutions of the arts comes to seem important, along with the size of the audience and the enlightment of the public. That these institutions should be able to give the artistic impulses of our society a vital and continuing expression, that they should be able to provide a framework within which talent can be nurtured and fulfilled, is recognized as a legitimate concern of government. Then, inevitably, an arts council extends and deepens its work. It begins to give something more than secondary and indirect support to the cultural life of the community.

The New York State Council on the Arts has achieved excellent results in pursuing the first two phases outlined above. I hope I am not being premature in suggesting that as its work goes on it will find itself experimenting in new fields.

The British Arts Council has moved from concentrating on the diffusion of existing cultural forms to a concern with those institutions from which the arts draw their life and sustenance. At the national level in this country we have moved from an exclusive concern with sending musical and theater groups to countries around the world to what seem the beginnings of a preoccupation with the well-being and the quality of the groups themselves.

In casting the eyes forward, we should not neglect the present. One outstanding fact of the present, so far as public support of the arts is concerned, is the growing activity at the State level. The New York State Council on the Arts deserves congratulations for what it has begun and good wishes for what it may henceforth undertake.

AUGUST HECKSCHER,
Director, the 20th Century Fund.

THE CHAIRMAN'S STATEMENT

Early in 1960, the New York State Legislature through a bill introduced by Senator MacNeil Mitchell and with strong personal backing from Governor Rockefeller established a precedent among State governments by passing an act which was broadly designed "to make recommendations concerning appropriate methods to encourage participation in and appreciation of the arts." A year later, as a result of the recommendations called for in that initiating legislation, "the appropriate methods" of the New York State Council on the Arts began taking tangible form. This year's annual report on the council is a summary of its activities since then.

Eric Larrabee, commenting in our first report 3 years ago, suggested that "Whether a nation gets the culture it deserves, or deserves the culture it gets, are not questions beyond conjecture." In the short period of time since those words were written, the public stir that has included the question of government support of the arts has increased noticeably. The debate has acquired the now familiar labels, "cultural boom" and "cultural explosion." Catchwords can be misleading, and I strongly suspect that "boom" and "explosion" are serious exaggerations. But the debate and the label have value if only to keep alive what has become the predictable and assessable growth of the arts throughout our State and the country in recent years.

Since the 1960 act became part of the sizable chronicle that the State of New York has written in the arts, our insights on how to proceed and what kind of programs would be worthwhile have come from the people of New York. There is impressive evidence that they have a clear idea of the kind of culture they intend to get. Areas of the State which seemed to have little interest and even less activity in the arts now boast arts festivals, cultural centers and programs actively supported by chambers of commerce, new audiences for serious music and modern dance, exhibitions in local banks, and an art gallery in a former pizza parlor.

Many of these evidences seem to be a direct result of the council's programs. Elsewhere in this report, John H. MacFadyen, executive director of the council, asserts that the question is no longer whether Government support of the arts should be undertaken, but rather when and how. Three years of active existence is a relatively brief period of time. It does, however, appear long enough to prove the validity of the legislature's precedent and Mr. MacFadyen's assertion.

Again, more important than the council's involvement is the substantial appetite on the part of the citizens of New York for good theater, good music and good art. In the current season, the council will be directly involved in 224 performances by 57 companies in a total of 88 communities throughout the State. The major portion of the financial burden and all of the organizational talent will come from the local sponsors in those communities. The council's portion of support will amount to $166,800; this has stimulated a total commitment in artists' fees alone of approximately $392,000. In marked contrast to what is happening in the present season are the results of the council's initial program in 1961 when 4 professional companies gave 92 performances in 46 locations. The cost to the council that year was $330,000. The council has proven to be a highly effective catalyst for an expression of public demand that was not being satisfied by existing institutions and organizations.

Other evidences of a developing appetite for the arts can be found outside New York. State legislatures throughout the country have looked to New York in forming their own councils on the arts. Connecticut, California, Florida, Louisiana, and Minnesota are among the States that have arts councils established by the legislature; a number of others, including Kentucky, Michigan, Illinois, Missouri, Washington, and Hawaii have commissions established by the Governor. In 1950 there were only eight known community arts councils in the United States. Today there are over 90.

The assembled record provides a point of departure for considering the long-range aspects of the legislative design. From what is shown to be a workable idea we can now consider establishing the continuing elements of a fully recognized structure.

To try to examine the ultimate effects of the council's record would require a profound and intensive investigation of every individual that had seen a painting or attended a performance in which there had been some participation by the council. The information in this report is inherently limited. In many ways it is impressive, but achievements in terms of data, statistics, and figures can provoke a kind of captivating numbers game that is particularly dangerous to the arts. In today's society the need for and value of the arts are compounded by the dizzying pace and dramatic developments of technology and automation, which at times seem more bewildering than clarifying.

Maintaining standards and quality become critical considerations—especially for any government participation in the arts. We owe much of our thanks to the imposing array of advisers, consultants, and organizations who have guided the artistic merits of our efforts. Above all go our thanks to the communities and people of New York who have recognized, if not known all along, the importance and value that the arts can provide an individual mind and a public spirit. That New York should be the first State government to provide legislative expression for the significance of encouraging and stimulating this experience for its citizens is a precedent entirely in keeping with its cultural heritage.

SEYMOUR H. KNOX,
Chairman.

SUMMARY OF FUTURE PLANS

This will be the third year that I have played the prophet on these pages, and I am acutely aware of the perils. Our report, this year, intended for distribution to a larger national and international audience at our headquarters in the New York State Pavilion at the 1964 New York World's Fair, is an attempt to write the record of the 4 years of council history. It is a good time to review past prophecies and question their accuracy. Such a review may point to a need for further prophecy or it may obviate it.

At the end of 1961, two directions were indicated. The first was to concentrate effort on increasing the council's program of support for touring professional performances and visual arts exhibitions. The second was to extend the technical assistance program, making this service available to local performing as well as visual arts organizations. It was evident that there remained a strong unsatisfied appetite for both, and that each was contributing to an increased community interest.

During the following year, both of these directions were pursued. Elsewhere in this report statistics indicate the extent of the increase in the touring program. In technical assistance, research and pilot projects were initiated to seek ways of making our participation in community performing arts most effective.

The 1961 report included another prophecy, more a dream goal; elusive but essential. It remains as essential today as then: "Ultimately, it is the purpose of the New York State Council on the Arts * * * that the endowed human resources of any resident of our State should not remain unexhausted because of our failure to provide the opportunity to stimulate or express them."

At the end of 1962 our plans in prophecy were more definitive. We proposed revisions to the professional touring performing arts program. The effect of these revisions is again suggested in the statistics but better demonstrated by the surge of interest prompted by an increased opportunity for selection at the community level. While the change of procedure produced numerous problems, some of which remain to be solved, there are indications that this prophecy has become policy.

We proposed that the council concern itself with the specific field of education for the young audience, seeking ways to supplement classroom training with performances and exhibitions of a quality not generally afforded our children in their schools. Again, this prophecy has become a policy.

Finally, we proposed a program of special projects which would provide greater opportunity for our creative and interpretive artists to join in bringing their work to a newly developing audience. Working with existing organizations with similar objectives, we have contributed modestly to this goal. This prophecy too is becoming a policy.

It would seem safe to say, then, that the council is finding its opportunities for service in four distinct directions. First, with support for professional performances and quality exhibitions we may encourage and help to meet an increasing appetite for the arts throughout the State. Second, with support for educational projects we may help build audiences for tomorrow. Third, with special projects we may help to insure the continuity of our creative and interpretive resources and, fourth, with technical assistance we may contribute to the higher standards of quality which increase the pleasure of participation in the arts at the community level.

This four-part program may suggest the appropriate role of State support in the overall patronage picture. Where each State places special emphasis will depend on the priority of need, and this will of course change through the years. In New York we are, in effect, buying specific services from existing institutions and broadening their opportunity and influence. We are less concerned with the establishment of new institutions except where they tend to be associations of the existing, intended to provide coordinated services.

There is a healthy public concern for the dangers of Government control of the arts, and while the council's approach proposes to be as free from these dangers as any could be, there remains the responsibility for selection. Selection embodies the elements of control, and the recognition of this fact is healthier if it is public. All art requires selection in its interpretation, decisions which control must be made daily. To help guide this selection the council turns to advisers, in groups or as individuals, as ways of accepting the final responsibility itself. Our advisers are chosen solely for their knowledge and judgment, they are usually people with heavy demands on their time and their willingness to help us is an encouraging index to the importance they place on our work.

The question of whether or not there should be government support seems to be academic; the real questions are when and how. Many municipal governments have long traditions of support with no indication of artistic control. Many more will join these ranks. Many county governments have been similarly aware of the service of the arts to the larger community and have contributed, often substantially, to their support. Again, many more must follow. There has been an encouraging trend on the part of State governments toward accepting their share of the responsibility, and even the Federal Government has shown signs of awakening to the need for coordinating its numerous existing programs in the arts, raising its standards, and initiating new essential steps.

All of this will not be enough without the continuation of and substantial increase in support from individuals, foundations, businesses, educational institutions and labor. A year ago I admitted that the definition of appropriate areas for State support for the arts was still unclear. During the past year it has become clearer; our patterns are taking form. But the artistic lag in our society remains and it can only be closed by total effort. We are helping to focus public attention on the importance of this effort.

The expressions which we define as "the arts" began to assume an identity at the moment of origin of the species of man. They are the earliest instinctive expressions of each child, today. Peripheral effects of the process of civilization have taken us through a cycle where the pleasure and communication of the arts appeared to be reserved for special segments of society. No signal more clearly marks our emergence from this cycle than the mature acceptance of the arts as a natural part of the experience of life. The New York State Council on the Arts cannot do more than to recognize this signal.

JOHN H. MACFADYEN,
Executive Director.

ORDER OF BUSINESS

The PRESIDING OFFICER. Pursuant to rule VII of the Senate rules, the Chair now calls for the presentation of petitions and memorials.

The Chair calls for reports of standing and select committees.

The Chair calls for the introduction of bills and joint resolutions.

The Chair now calls for concurrent and other resolutions.

If there are no resolutions to be submitted, morning business is closed.

EXECUTIVE SESSION

Mr. HUMPHREY. Mr. President, I move that the Senate proceed to consider executive business, to consider the nominations sent to the Senate by the President of the United States.

The motion was agreed to; and the Senate proceeded to the consideration of executive business.

The PRESIDING OFFICER. If there be no reports of committees, the clerk will state the nominations on the Executive Calendar.

EXECUTIVE MESSAGES REFERRED

The PRESIDING OFFICER laid before the Senate messages from the President of the United States submitting sundry nominations, which were referred to the appropriate committees.

(For nominations this day received, see the end of Senate proceedings.)

U.S. COAST GUARD

The Chief Clerk proceeded to read sundry nominations on the Executive Calendar and on the desk of the Secretary, in the U.S. Coast Guard.

Mr. HUMPHREY. Mr. President, I ask unanimous consent that these nominations be considered en bloc.

The PRESIDING OFFICER. Without objection, the nominations will be considered en bloc; and, without objection, they are confirmed.

Mr. HUMPHREY. Mr. President, I ask unanimous consent that the President be immediately notified of the confirmation of the nominations.

The PRESIDING OFFICER. Without objection, the President will be notified forthwith.

LEGISLATIVE SESSION

On request of Mr. HUMPHREY, and by unanimous consent, the Senate resumed the consideration of legislative business.

STRIKING OF MEDALS IN COMMEMORATION OF 200TH ANNIVERSARY OF FOUNDING OF ST. LOUIS

Mr. HUMPHREY. Mr. President, I move that the Senate proceed to the consideration of Calendar No. 806, H.R. 9076.

The PRESIDING OFFICER. The bill will be stated by title for the information of the Senate.

The LEGISLATIVE CLERK. A bill (H.R. 9076) to provide for the striking of medals in commemoration of the 200th anniversary of the founding of St. Louis.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Minnesota.

The motion was agreed to; and the Senate proceeded to consider the bill.

Mr. LONG of Missouri. Mr. President, yesterday, on behalf of the Senate Banking and Currency Committee I reported the pending bill authorizing the Secretary of the Treasury to strike medals to commemorate the 200th anniversary of the founding of the city of St. Louis. I believe this to be a most worthwhile proposal and urge favorable action by the Senate. In further explanation of the bill, I ask unanimous consent that excerpts from the committee report be printed at this point in the RECORD.

There being no objection, the excerpts were ordered to be printed in the RECORD, as follows:

GENERAL STATEMENT

The bill would direct the Treasury to strike and furnish to the St. Louis Bicentennial Corp., national medals to commemorate the 200th anniversary of the founding of St. Louis.

The bill would provide that not more than 100,000 medals shall be struck. The medals would be of such sizes, materials, and designs, and would be inscribed, as the corporation may determine with the approval of the Secretary. The medals would be made and delivered at such times as may be required by the corporation in quantities of not less than 2,000, but the medals authorized by the bill may not be produced after December 31, 1965. The striking of the medals would result in no cost to the United States, and security satisfactory to the Secretary must be furnished before any work may be commenced on the medals.

The comments of the Treasury Department were requested, and a copy of that Department's letter expressing no objection to the enactment of the bill is printed below as part of this report.

HISTORY OF ST. LOUIS

The city, a thousand miles up the Mississippi River from New Orleans, was established February 14, 1764, as a fur trading post. The settlement was named for the patron saint of the King of France. Five years after its founding St. Louis had a fur trade and prosperity that was interrupted only briefly by the American Revolution. Prior to the Louisiana Purchase of 1803, the city was ruled by both Spain and France. The city became officially a part of the United States in March of 1804. In that same year the Lewis and Clark Expedition opened a new route to the Pacific and the role of St. Louis changed in the growing country.

From its original beginning as primarily a fur trading center the city became the gateway to the West for migration, exploration, and military expeditions. Perhaps a hundred or more cities lying to the west of St. Louis owe their beginnings to the city. Within two decades after Lewis and Clark, the first paddle-wheelers arrived at St. Louis, opening the golden age of commerce. Immigration, heavy industries, and military installations continued to shape the city which was destined to play a leading role in the development of America down to the present day.

Disaster visited the city in the 1840's. The flood of 1844 drove many St. Louisians from their homes. The cholera epidemic of 1849 claimed many lives in St. Louis. During the height of the epidemic a great fire broke out in the city destroying about 15 square blocks of St. Louis doing $5 million worth of damage. The disasters of the 1840's brought about a rebirth of the city—better water supplies, wider streets, sanitary sewers, and an improved levee.

The year 1857 marked another milestone in the history of the city when a 4-day celebration was held saluting the completion of the railroad west to St. Louis. This event again marked a new era for the city as immigrants, escaping from European oppression, settled there. The immigration of the Irish, the Germans, and the Italians brought new skills and crafts lending greater diversification to the city.

The Civil War stifled the economic progress of St. Louis. Many businesses were ruined and the city itself was brought into a virtual state of paralysis. Although Missouri was a slave State and there was much diversity of opinion on the question of slavery in the city, the abolition movement and the underground railroad were significant facts of city life during this period. It was in St. Louis that the famous Dred Scott case was first tried in a local courthouse.

In the post-Civil War period, the role of St. Louis in developing America changed once again. No longer was it just a river town but a railroad center, manufacturing and shipping goods to distant points. By 1880 the city had a population of approximately 600,000 and was serving as a major distribution point in most of the Mississippi Valley.

St. Louis marched on into the 20th century by celebrating the Louisiana Purchase Exposition, the World's Fair of 1904, in which 43 States, 5 territories, and 62 foreign countries had exhibits. In its 7 months of life, the fair attracted some 20 million visitors.

Aviation was not far behind, bringing a flood of flying activity to the city that was ultimately to give birth to *The Spirit of St. Louis*—the monoplane in which Charles A. Lindbergh crossed the Atlantic.

The modern spirit of St. Louis has carried on from where the old left off. Thus, while the first public kindergarten in the United States was established in the city in 1873, the spirit of St. Louis has produced one of the best educational systems in the country. Two major colleges serve the city—St. Louis University, founded in 1829 by the Jesuits, and Washington University, a nonsectarian college established in 1853. A number of other colleges provide the city with the finest advanced educational facilities.

St. Louis has a total of 68 city parks covering about 3,200 acres. Foremost among these is the world-famous Forest Park. Within its 1,400 acres are many of the city's major attractions. It is at Forest Park that the renowned St. Louis Municipal Opera performs from the stage of the world's largest outdoor theater. It is also here that the internationally known Forest Park Zoo is located.

Today, St. Louis continues to make a major contribution to an expanding and growing America—as it will do in the future. From a simple fur-trading post to its role as a major contributor to U.S. space efforts, through manufacture of space capsules, St. Louis has come a long way from February 14, 1764.

Mr. SYMINGTON. Mr. President, it is my hope that the pending legislation, H.R. 9076, to provide for the striking of medals in commemoration of the 200th anniversary of the founding of St. Louis will be given prompt and favorable consideration by the Senate.

As many of my colleagues know, February 14, 1964, will mark the beginning of the St. Louis bicentennial, a 3-year series of events to commemorate the beginning of St. Louis' third century.

During this celebration a series of memorable events will take place in our great city, including a visit by the President of the United States, and also the dedication of the Jefferson National Expansion Memorial.

The pending legislation can play an important part in assuring the success of the bicentennial celebration by providing a national medal as a memento of this historic event.

There will be no expense to the Government as a result of this legislation. I urge its prompt approval.

The PRESIDING OFFICER. The bill is open to amendment. If there be no amendment to be proposed, the question is on the third reading of the bill.

The bill (H.R. 9076) was ordered to a third reading, was read the third time, and passed.

ORDER OF BUSINESS

Mr. HUMPHREY. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. HUMPHREY. What is the pending business?

The PRESIDING OFFICER. There is no pending business at the present time.

TRANSACTION OF ROUTINE BUSINESS

Subsequently, by unanimous consent, the following routine business was transacted:

EXECUTIVE COMMUNICATIONS, ETC.

The PRESIDENT pro tempore laid before the Senate the following letters, which were referred as indicated:

Report of Federal Crop Insurance Corporation

A letter from the Secretary of Agriculture, transmitting, pursuant to law, a report of the Federal Crop Insurance Corporation, for the year 1963 (with an accompanying report); to the Committee on Agriculture and Forestry.

Report of Secretary of Commerce

A letter from the Secretary of Commerce, transmitting, pursuant to law, his report, for the fiscal year 1963 (with an accompanying report); to the Committee on Commerce.

Report of General Services Administration

A letter from the Administrator, General Services Administration, transmitting, pursuant to law, his report, for the fiscal year 1963 (with an accompanying report); to the Committee on Government Operations.

Proposed Concession Contract in Yosemite National Park

A letter from the Assistant Secretary of the Interior, transmitting, pursuant to law, a proposed concession contract for operation of the El Portal Motor Inn in Yosemite National Park (with accompanying papers); to the Committee on Interior and Insular Affairs.

Report on Positions in Grades GS–16 and GS–17

A letter from the Administrative Assistant Attorney General, reporting, pursuant to law, on positions in grades GS–16 and GS–17, as of December 31, 1963 (with accompanying papers); to the Committee on Post Office and Civil Service.

Disposition of Executive Papers

A letter from the Archivist of the United States, transmitting, pursuant to law, a list of papers and documents on the files of several departments and agencies of the Government which are not needed in the conduct of business and have no permanent value or historical interest, and requesting action looking to their disposition (with accompanying papers); to a Joint Select Committee on the Disposition of Papers in the Executive Departments.

The PRESIDENT pro tempore appointed Mr. Johnston and Mr. Carlson members of the committee on the part of the Senate.

REPORT OF A COMMITTEE

The following report of a committee was submitted:

By Mr. FULBRIGHT, from the Committee on Foreign Relations, without amendment:

S.J. Res. 120. Joint resolution providing for the recognition and endorsement of the 17th International Publishers Congress (Rept. No. 832).

BILLS AND JOINT RESOLUTION INTRODUCED

Bills and a joint resolution were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. SMATHERS:

S. 2474. A bill for the relief of Doris A. Reese; to the Committee on the Judiciary.

By Mr. CLARK (for himself and Mr. Humphrey):

S. 2475. A bill to establish a Department of Housing and Community Development, and for other purposes; to the Committee on Government Operations.

(See the remarks of Mr. Clark when he introduced the above bill, which appear under a separate heading.)

By Mr. KEATING:

S. 2476. A bill for the relief of certain Philippine nurses; to the Committee on the Judiciary.

By Mr. MAGNUSON (by request):

S. 2477. A bill to amend section 16 of the Shipping Act, 1916, with respect to advertising of ship sailings; and

S. 2478. A bill to amend section 804 of the Merchant Marine Act, 1936, as amended; to the Committee on Commerce.

(See the remarks of Mr. Magnuson when he introduced the above bills, which appear under a separate heading.)

By Mr. JAVITS (for himself, Mr. Keating, Mr. Beall, and Mr. Tower):

S.J. Res. 152. Joint resolution providing for the establishment of a Commission on the Revision of Federal Agricultural Laws and Programs; to the Committee on Agriculture and Foresty.

(See the remarks of Mr. Javits when he introduced the above joint resolution, which appear under a separate heading.)

AMENDMENT OF SHIPPING ACT OF 1916 AND MERCHANT MARINE ACT OF 1936

Mr. MAGNUSON. Mr. President, I introduce, at the request of the AFL–CIO Maritime Committee, two bills, the purposes of which are explained in accompanying statements prepared and supplied by the AFL–CIO Maritime Committee.

One bill would amend section 16 of the Shipping Act, 1916; the other would amend section 804 of the Merchant Marine Act, 1936. I send them to the desk, for appropriate reference, and request unanimous consent that the explanatory material be included in the Record.

The PRESIDING OFFICER. The bills will be received and appropriately referred; and, without objection, the explanatory statements accompanying the bills will be printed in the Record.

The bill (S. 2477) to amend section 16 of the Shipping Act, 1916, with respect to advertising of ship sailings, introduced by Mr. Magnuson (by request), was received, read twice by its title, and referred to the Committee on Commerce.

The statement accompanying Senate bill 2477 is as follows:

Statement on Bill To Amend Section 16 of the Shipping Act, 1916

American-flag steamship companies operate under various severe disabilities in competition with foreign-flag steamship lines. In the first place, the foreign maritime nations are much more diligent and effective in seeing that the predominant amount of their foreign commerce is shipped on their own national flag lines. This is accomplished in various ways, such as governmental directives, import or export duties, or other restrictions which make it unfeasible to use vessels other than the national flag of the country involved.

Our basic maritime legislation recognizes the essentiality of the American merchant marine both from the point of view of aiding in our national defense and promoting our foreign commerce, but, unfortunately, the U.S. Government has not taken the active steps that were envisaged by the Merchant Marine Act of 1963 to promote the carriage of our foreign waterborne commerce in American-flag vessels. Steps to correct this inaction on the part of our Government have finally been instituted by the present Maritime Administration, which has begun a program designed to encourage American shippers to use American-flag vessels. The American merchant marine constitutes an important instrument in helping to overcome our adverse balance of international payments and in promoting the purposes of the Trade Expansion Act of 1962.

It is alarming that the percentage of our waterborne foreign commerce which is carried in U.S.-flag ships is now below 10 percent. Such a low participation has an adverse effect on our balance of payments and places in jeopardy the purposes of the Merchant Marine Act of 1936, which calls for a "well-balanced American merchant marine" capable of carrying a "substantial portion of our foreign waterborne commerce" and "aiding in our national defense." One of the facts which further exacerbates this deleterious situation is that many shippers are purposely misled by false or deceptive advertising and sales representations as to whether a particular vessel is an American or a foreign-flag ship. For example, many persons shipping goods overseas have acknowledged that they are interested in employing U.S.-flag ships, but that they did not realize that the *SS Arizona* is a foreign-flag ship and that the *SS Argentina* is an American-flag ship. One large foreign-flag cutrate operation advertises itself openly and improperly in the Journal of Commerce and in other shipping journals as an "American independent serving American commerce" despite the fact that it has never operated an American-flag vessel. These are classic examples of mislabeling operating to the detriment of the interests of the American merchant marine and, indeed, to the interests of the United States, and they require immediate correction.

On passenger ships, we have an especially strong obligation to American citizens to identify to them the nationality of the vessel. U.S. vessels adhere to the most stringent safety standards in the world, while foreign-flag vessels are only required to comply with the minimum standards as prescribed in the international safety codes. Vessels that comply with the international standards are cleared when these same vessels could not receive clearance because they were required to meet U.S. standards.

Many people have booked passage on a vessel through a travel agent without knowing what flag it flies. Many of these same people have made the entire voyage and were not aware of the fact that they were on a foreign-flag vessel. This is contributed to in great measure because there are many passenger vessels, as well as cargo ships, that have names that sound more American than our American-flag vessels.

There are presently statutes in existence that require all foreign made goods to be properly identified. This is done for the specific purpose of protecting the American public from mislabeling. Certainly the same principles must be made applicable to ships when the American public is booking cargo or arranging for passenger space.

This proposed legislation does this—it would require that all carriers advertising for business state the flag of the vessel.

The bill (S. 2478) to amend section 804 of the Merchant Marine Act, 1936, as amended, introduced by Mr. Magnuson, by request, was received, read twice by its title, and referred to the Committee on Commerce.

The statement accompanying Senate bill 2478 is as follows.

Statement on Bill To Amend Section 804 of the Merchant Marine Act, 1936

One of the inequities and logical inconsistencies in the Merchant Marine Act, 1936, is that the provisions of section 804 of the act (46 U.S.C. 1222), prohibiting a contractor receiving an operating-differential subsidy under title VI of the act, or for a charterer of vessels under title VII of the act, or any related or affiliated company, from maintaining an interest in foreign-flag vessels, do not apply to persons receiving a construction-differential subsidy under title V of the act or to a person receiving the benefits of the cargo preference laws, embodied in section 901(b) of the act, or to a person obtaining construction loan or ship mortgage insurance under title XI of the act. Certainly there can be question that the Merchant Marine Act was promulgated to promote a well-balanced privately owned American merchant marine. The benefits which the act provides should be, and are intended to be, given to those persons who operate American-flag vessels exclusively, not to those persons who maintain extensive foreign-flag operations which compete with and are in derogation of the American merchant marine.

There is little justification in extending the benefits of construction-differential subsidy, the cargo preference law, or the construction loan and ship mortgage insurance program to a person who has extensive foreign-flag operations. I am informed that in some instances the people receiving the benefits of these laws have their primary interests in foreign-flag vessels. These statutory programs are sustained by appropriations provided by U.S. taxpayers, and they are intended to provide assistance to persons or companies who are devoted to operating American-flag ships and to "promoting and maintaining" the American merchant marine. It is difficult to see how a person or company operating foreign-flag vessels—competing directly with American-flag vessels—can be expected to promote the interests of the American merchant marine.

We have recently witnessed the catastrophe that has developed in the shipping empire of Emmanuel Kulukundis. The interests of Mr. Kulukundis and his family in foreign-flag shipping operations are not only substantial, but legendary. Certainly the approximately 22 vessels which he operated under the American flag did not constitute the substantial portion of his steamship operations. Three of his American-flag supertankers were built under the trade-out-and-build program of the Maritime Administration, with the benefit of construction loan and mortgage insurance. On these three vessels alone, the Government has insured mortgages totaling approximately $32 million and the mortgages have now either been or are about to be foreclosed. All of the American-flag vessels operated by Mr. Kulukundis have engaged extensively in the cargo preference program.

With the bankruptcy of Mr. Kulukundis' American-flag shipping operations, American shippers, including the Department of Agriculture and AID, have been irreparably injured. Debts of several million dollars have been left owing to American seamen and other persons and companies who had contracted in good faith to do business with Mr. Kulukundis. In addition, the Government stands to lose a substantial part of the $32 million which it must pay off to the insured mortgagees of the title XI supertankers. As a matter of hindsight, this mess would have been largely avoided if section 804 had been amended to prevent all major forms of governmental assistance to persons having competing foreign-flag affiliations.

It is proposed, therefore, that section 804 of the act be amended to make it unlawful for any person contracting to have a vessel constructed under the provisions of title V of the act and any person operating a privately owned U.S.-flag commercial vessel and receiving the benefits of section 901(b) of the act, or any person or company obtaining construction-loan or ship mortgage insurance under title XI of the act, or any holding company, subsidiary, affiliate, or associate of such person or company, or any officer, director, agent, or executive thereof, directly or indirectly to own, charter, act as agent or broker for, or operate any foreign-flag vessel which competes with any American-flag service determined by the Commission to be essential as provided in section 211 of the act. In so amending section 804 of the act, the proscription against foreign-flag affiliations, which now applies to companies receiving operating-differential subsidy, would be extended to persons receiving the benefits of the construction-differential subsidy program, the cargo-preference program, and the construction loan and ship mortgage insurance program.

Of course, it is recognized that this amendment cannot apply to persons or companies that have already been granted construction-differential subsidy or title XI insurance, and it is, therefore, specifically provided that the provisions of the amendment shall not apply to any vessel which was built or contracted to be built with construction-differential subsidy and/or title XI insurance under an application duly approved before the date on which the amendment was enacted.

REVENUE ACT OF 1964—AMENDMENT (AMENDMENT NO. 390)

Mr. SPARKMAN. Mr. President, for myself, the Senator from New York [Mr. Keating], and the Senator from South Carolina [Mr. Johnston] I offer an amendment to H.R. 8363. My amendment would provide a tax deduction for the expenses of disabled individuals in getting to and from work and would provide an additional individual exemption for taxpayers who are disabled.

For some time now, I have advocated these tax provisions for disabled citizens. Many of these disabled persons work diligently to support themselves in spite of heavy physical handicaps. I feel that our country should recognize the substantial efforts being made by such citizens to maintain their financial independence. My amendment would certainly be a way to extend that recognition and to say well done to our handicapped workers. I urge favorable action on the amendment.

The PRESIDING OFFICER. The amendment will be received, printed, and will lie on the table.

Mr. KEATING. Mr. President, I commend the able Senator from Alabama [Mr. Sparkman] for his leadership on this amendment, and I am delighted to join forecs with him in this effort.

Too long, in my judgment, have the tax laws neglected to give equitable treatment to disabled persons generally. Everyone knows, or if they do not know they ought to, that a disability is not only a painful personal tragedy; it is also a burden that is expensive to bear. And it is expensive not only in terms of paying doctor's and hospital bills for care and treatment; but expensive also merely to get a taste of ordinary living which more fortunate Americans take for granted.

It is no fun, and it is not cheap, for blind persons or amputees or other disabled human beings simply to get around: to their job, if they are employed; to visit members of their family; to go shopping; in short, to try and do, as best they can, what everyone else does as a matter of course and painlessly.

The amendment we are introducing today, if enacted, would be a respectable addition to the tax laws, helping many disabled persons to preserve and maintain their own self-respect in an exceedingly difficult and trying situation. The extra personal exemption which would be provided would be consistent with and complementary to the existing extra exemption for the blind. And the new deduction for a disabled person's necessary expenses in going to and from work would be both equitable to the individual and of great benefit to us all. For in so many cases it is the extraordinary expense of getting around that spells the difference between enforced idleness at home or an institution and, on the other hand, gainful and dignified employment.

Mr. President, it is my sincere judgment that this amendment deserves the fullest bipartisan support. I hope it will be forthcoming. This year is the right time to patch up the inequities of the tax code, and this amendment is as meritorious a provision as any other with which to make a good start in that direction.

OPPOSITION TO FRENCH RECOGNITION OF RED CHINA—ADDITIONAL COSPONSORS OF RESOLUTION

Under authority of the order of the Senate of January 23, 1964, the names of Mr. Bayh, Mr. Beall, Mr. Bennett, Mr. Byrd of Virginia, Mr. Byrd of West Virginia, Mr. Curtis, Mr. Edmondson, Mr. Ellender, Mr. Hartke, Mr. Javits, Mr. Keating, Mr. Lausche, Mr. McClellan, Mr. Mechem, Mr. Monroney, Mr. Proxmire, Mr. Randolph, Mr. Scott, Mr. Simpson, Mr. Stennis, Mr. Tower, Mr. Walters, Mr. Williams of Delaware, Mr. Yarborough, and Mr. Young of North Dakota were added as additional cosponsors of the resolution (S. Res. 287) supporting the stand of the administration in opposing French recognition of Red China, submitted by Mr. Dodd (for himself and other Senators) on January 23, 1964.

DEATH OF VAIL MONTGOMERY PITTMAN

Mr. BIBLE. Mr. President, this morning I learned of the death of one of Nevada's most distinguished citizens and a close, personal friend Vail Montgomery Pittman. Former Governor, former Lieutenant Governor, former State senator and Democratic national committeeman from Nevada, Vail Pittman passed away in San Francisco at the age of 80. This distinguished son of Mississippi was one of the few last survivors of that western migration that participated in the expansion and growth of Nevada from the boom town era to the present.

The name Pittman is one well known in the Senate of the United States. Vail Pittman's older brother, the distinguished Key Pittman, represented the State of Nevada ably and well in this body for 30 years from 1913 until his death in 1943. Vail Pittman's career followed closely that of his brother, the Senator. He moved to Nevada at the age of 20 when the gold boom of Goldfield and Tonopah attracted the young and adventurous of the Nation. From that time to this, his career was closely associated with the progress of the State.

As was that of his contemporaries, Vail Pittman's early activity was in the field of mining. But his inclination always was in the field of public service. He always felt that he could best serve the land in which he lived through the medium of the newspaper business. As early as 1913, he was editor of the Tonopah Miner and continued with that newspaper until 1919, when he moved to the booming copper town of Ely, Nev., where he bought and edited the Ely Daily Times for 31 years.

On May 20, 1919, he was married to Ida Brewington, who remained his partner, his helper, his devoted wife for the rest of his life.

Vail Pittman had a long record of public service to the State of Nevada, to the Nation, and to his own community. He was elected as a State senator from White Pine County in 1925 and served one term. Thereafter, in 1942 he was elected Lieutenant Governor for the State of Nevada and served in that capacity until he was called upon to fill the position of Governor left vacant by resignation of E. P. Carville. He was elected in 1946 for a full 4-year term as Governor. It was my good fortune in 1942 to be the Democratic nominee for the position of attorney general for the State of Nevada, to be elected, and serve as a State official with Vail Pittman from then until 1950 when we both concluded our State political careers.

During this time, my close association with this distinguished son of Mississippi led me to recognize the ability, the knowledge and the patience that was his trademark in all of his public activities.

Vail Pittman had the rare quality of being a public servant without personal ambition whose sole objective was the welfare of the citizens of his State and Nation who, in recognition of his unusual talents, elected him to high office.

Following his retirement from elective office, the former Governor was always active in the affairs of the Democratic Party with whom he had been affiliated all his life. In 1960, the Democratic Party of the State of Nevada elected him as their national committeeman, a position he held until his passing yesterday.

The recognition of his service to the State was recognized in many, many ways. The last and most important being his award as a distinguished citizen of the State by the University of Nevada in 1960.

Mrs. Bible and I have already expressed to his devoted wife our sorrow and grief occasioned by his passing. Nevada and the country has lost a distinguished citizen but the record of his service to his State and to his fellow man could well furnish an example to those of us who believe that public service is a worthy field of endeavor and who are looking for a model to follow.

HIGH RATE OF FORECLOSURES IN FHA HOUSING

Mr. TOWER. Mr. President, the Housing Subcommittee of the Senate Banking and Currency Committee is currently investigating the high rate of foreclosures in FHA housing. In the course of our investigation, we have uncovered some highly interesting information that should be of concern to all Members of the Congress.

Because of the highly technical nature of the hearings, it is quite probable that the information we have gained has not been spread as widely, and as rapidly, as should be the case. For that reason, I ask unanimous consent to have printed in the RECORD an account of the Tuesday hearing by reporter Howard Norton, of the Baltimore Sun. Mr. Norton has an impressive background in reporting on affairs of this nature, and his account of the hearing is both interesting and accurate.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

WINDFALL GAINS NOTED IN FHA DEALS—GAO AGENTS CHARGE APPRAISERS INFLATE LAND VALUES

(By Howard Norton)

WASHINGTON, January 28.—Government investigators told Congress today that Federal housing authorities have been underwriting housing projects in which the private builders have "no actual cash investment."

They found other cases, moreover, in which the owners of federally insured apartment projects not only invested nothing, but actually pocketed a profit out of the insured mortgage money.

They charged that this "windfall" situation has been created by the artificial inflation of land values by Federal Housing Administration appraisers.

TIGHTEN APPRAISALS ORDERED

And they reported that the FHA itself has finally awakened to the existence of this practice, and has ordered its land appraisers to tighten their appraisals and provide documented support of their decisions.

The FHA order to tighten appraisal methods was issued January 9, just a little over 2 weeks before the Senate Housing Subcommittee opened public hearings on the subject yesterday.

The whole story of the return of "windfall" profits to FHA clients, only 10 years after the same sort of thing was last investigated by Congress, was told to the subcommittee today by General Accounting Office agents.

They told the Senators this situation accounts, in large part, for the high rate of costly foreclosures among federally insured apartment houses.

FHA officials only yesterday gave the subcommittee figures showing that more than 1 out of 12 FHA apartment projects fail and have to be taken over.

They added they expect the FHA to suffer an eventual loss of $225,352,000 by the time all the apartment houses now on its hands are disposed of.

GAO AGENTS SUMMONED

The Senate Housing Subcommittee summoned the GAO agents to testify after the FHA Commissioner, Philip N. Brownstein, indicated yesterday the GAO's foreclosure fears were not called for.

Speaking for the GAO—the watchdog agency of Congress—today were Louis Hunter, assistant director of the civil accounting and auditing division, and Frank Mikus, a supervisory auditor.

These men were called at the request of Senator TOWER, Republican, of Texas, who led them through a series of questions in today's session.

Hunter told the subcommittee the GAO believes "our review clearly shows that in many instances a sponsor can construct a project with little or no actual cash investment."

He added that "under certain conditions" an investor "can obtain mortgage proceeds in excess of his actual costs."

Citing the GAO's report on its FHA investigation, Hunter told the committee that in 38 projects, the mortgage proceeds amounted to 97 percent or more of the actual total cost.

EXCEEDED PROJECT COSTS

The upper limit of FHA insurance on privately built apartment projects is supposed to be 90 percent.

But Hunter noted that in 11 of the foregoing 38 projects, the mortgage money received by the builders "exceeded the actual project costs."

Hunter told the subcommittee that the safeguards written into the Housing Act to prevent this kind of "mortgaging out" are not working.

QUESTIONED BY TOWER

TOWER asked him whether, as a result of his investigation, he feels new safeguards are needed, via congressional action. But the GAO official said he would rather not comment.

Hunter made it clear to the subcommittee that the new crop of "windfalls" centers on the excessive valuations put on land owned by—or about to be purchased by—the would-be apartment project sponsors.

"We noted that generally there was little or no confirmation available in the FHA insuring offices, where land appraisals are made, as to the actual cost of the land to the sponsors," Hunter said.

"The profit on the land transaction is realized by the sponsor through the receipt of greater mortgage proceeds, and a lesser out-of-pocket cash investment in the project," he explained.

"Since the source of mortgage repayments is the rents received from tenants, any increase in rents required by a great mortgage may adversely affect project occupancy and thus increase the possibility of default and ultimate acquisition [foreclosure] of the mortgage or project by the FHA."

Hunter told the subcommittee that by permitting "a relatively small cash equity, the speculator rather than the true investor is attracted to undertake a project."

"Furthermore, should a project encounter financial difficulties, a relatively small cash equity provides less incentive to the project rather than lose the project through default or foreclosure."

Hunter warned the Senators, also, that "the FHA practice of generally valuing land considerably higher than actual cost may lead to the development of projects on sites which are not most advantageous for tenants."

The GAO investigators reported in most cases the land submitted for appraisal by the FHA appeared to have been bought specially for the projects being examined.

TOWER PLANS MEASURE ON FHA REFORMS—FORM OF LEGISLATION IS NOT YET CERTAIN, SENATOR SAYS

WASHINGTON, January 28.—Legislation to reform the operations of the Federal Housing Administration is being prepared by Senator TOWER (Republican of Texas).

What form the legislation will take depends upon the answers to be given by the

FHA to a series of questions sent to the agency today by Tower, the Senator disclosed.

He said he is disturbed by revelations of the last 2 days concerning the windfall profits made by many private builders with FHA insurance.

DISTURBED BY REPORTS

And he added that he is also disturbed by the reports that these unearned profits cause unnecessary rental increases in FHA-insured apartment projects.

To ascertain all the facts, and to get the opinion of FHA officials, Tower today submitted to the agency a list of detailed questions, including basically, the following:

1. Doesn't the inclusion in FHA appraisals of increments in value due to such actions as changes in zoning encourage speculation under the FHA mortgage insurance program?
2. Does the FHA feel it proper that its insurance program should be used by mortgagors to make profits on land used as apartment-house sites?
3. Was the FHA aware (before the subject was investigated) that a project sponsor could get mortgage funds in excess of the amount needed for construction of the FHA-insured project?
4. Is the FHA concerned that its current insurance in many cases covers amounts in excess of the actual cost of the insured projects?
5. Does the FHA believe that a larger cash investment by the project sponsor would provide a greater incentive for better management practices and lessen the chances of foreclosure?
6. Has the FHA suggested to local urban renewal authorities that there might be fewer failures among apartment projects in the urban renewal areas if more low- and middle-class housing were built and fewer high-rise luxury apartments? (This question was asked, the Senator explained, because most of the failures in the urban renewal areas are the luxury-type apartments, suggesting the possibility of poor judgment on the part of the local officials.)
7. What would the FHA think of a proposal to require the building up of a reserve fund of cash in FHA-insured apartment projects before withdrawals are permitted?
8. What would the FHA think of using excess funds of an insured project to accelerate payment of the mortgage?
9. What is the history of FHA court actions to recover corporate assets withdrawn from FHA-insured projects that fail? What is the total of the deficiency judgments claimed by the FHA? How much has been granted by the courts? How much of this total was actually collected?

THE SAGA OF TEXAS—PROTECTION OF CIVIL LIBERTIES

Mr. TOWER. Mr. President, I have the great honor to share with the Senate and the Nation today one of the most succinct and worthwhile writings which has been penned since the tragic assassination of our President.

The calm and careful thoughts were set down by a resident of the Nation's Capital in a letter to another Washingtonian. The thoughts are of Texas and Texans; but they are the studied musings of a dedicated American, and therefore ought to be available to all Americans.

I commend to the attention of the Senate and of the Nation this letter written December 14, 1963, by Mr. Stephen C. Sheppard; and, Mr. President, I ask unanimous consent that the letter be printed at this point in my remarks.

There being no objection, the letter was ordered to be printed in the Record, as follows:

Washington, D.C.,
December 14, 1963.

Gen. and Mrs. T. C. Musgrave, Jr.,
Washington, D.C.

Dear General and Mrs. Musgrave: All of us have been attempting to realistically assess the fast-moving, tragic events of last month which infiltrated even the densest senses. Now, as then, these events seem more like contrived melodrama than real life. But, it is the feeling of being immersed in the times and tides of history which make Washington a most interesting city in which to live.

This premise takes me back, along the paths of coincidence, to that Thursday evening; to the party which you brilliantly hosted, and I served—vibrant Texas people, stimulating Texas talk. My service jacket, green with white piping, now seems symbolic of the shamrock and St. Patrick. The very last thing I did before retiring in the early hours of that awful Friday was to read a chapter titled, "Texas: A Politics of Economics," from Southern Politics in State and Nation.

Then the fateful forces played a symphonic dirge which, much as we would like to, and paraphrasing the Persian poet, "neither all our piety nor wit can cancel half a line; nor all of our tears wash out a word of it." However, intemperate remarks of the unkind, the unjust and the unthinking, in rendering a blanket, reviling indictment of Texas and Texans, are just a shade less heinous than the poltroonery of Lee Oswald and Jack Ruby.

These infallibles, in making their pronouncements, have forgotten the many contributions made by Texas and its people to the Nation and to the world. They do not remember Houston, Austin, Bowie, Crockett, Lamar, Maverick, and Travis; they no longer assay the importance of San Jacinto and the Alamo; nor the pioneer saga of a people wresting a living from harsh land and hostile Indians to produce courageous women like Jane Long—all dwarfed in their deluded concepts.

For every insane, treacherous traitor like Oswald, Texas has produced dozens of Audie Murphys; for every bizarre interloper like Rubenstein, the Texas honor roll can boast of General Eisenhower, President Johnson, Murchisons, Hunts, Richardsons, Klebergs, Armstrongs, and Jesse Jones. Petroleum, cattle, natural gas, and sulfur are the Lone Star State's exports and not cowardly, Cosa Nostra type death or Communist assassination.

I was compelled to express indignation over the malicious maligning of a land and an inspiring people who have given so much to the betterment of humanity during all these years.

Sincerely,

Stephen C. Sheppard.

Mr. TOWER. In addition, Mr. President, I would also ask unanimous consent to have printed in the Record excerpts from an additional letter from Mr. Sheppard to me, in which letter he deals with the pressing problem of protecting the civil liberties of all Americans.

There being no objection, the excerpts were ordered to be printed in the Record, as follows:

Washington, D.C.,
January 16, 1964.

Hon. John G. Tower,
U.S. Senate,
Washington, D.C.

Dear Senator Tower: * * * I felt a deep compassion for you, Senator, after reading of the threats, insults, and filth delivered against you and your family, because of a tenuous connection, through official correspondence, with the depraved Oswald; rather, those twisted minds should have appreciated your forthrightness in shedding light on the background of that revolting renegade. Not even the most prescient users of crystal balls or any other type of extrasensory perception could have negotiated a sixth dimension and thereby foretold that fateful Friday, the 22d of November.

This past autumn brought a deluge of sorrowful death that began on a cold, rainy day when a favored aunt was interred in Leesburg, Va. It was the type of day that might have inspired Thomas Gray's "Elegy Written in a Country Churchyard." Then on the Sunday following the assassination, I lost my brother-in-law; it became my duty to write and deliver his obituary. The Tuesday after the funerals of President Kennedy and heroic Officer Tippit, we buried former S. Sgt. Lawrence Carter in Arlington, just down the hill from the Custis-Lee Mansion and our late President's final resting place. This was all personal grief.

However, the wave of public grief evoked tears just as real as those shed privately, and the heart was just as heavy. President Kennedy, Patrolman Tippit, Medgar Evers—yes, and Lee Oswald, too—left a mutual legacy of bereaved wives and children because of an unreasonable wave of violence.

Every Sunday since the Birmingham church dynamiting which snuffed out the lives of those poor children, I have had a feeling of foreboding and misapprehension until my two daughters, Stephanie and Sabrina, return home from the Baptist Church around the corner. I feel this way, and it could happen here because of an unreasonable wave of violence.

Most of us in Washington are apprehensive about walking the streets, squares, and parks so thoughtfully conceived by Major L'Enfant. We feel this way about our beautiful, Capital City, because of the many assaults, yokings, robberies, rapes, and murders, and these felonies continue to mount because of an unreasonable wave of violence.

With the passing of this bittersweet season of death, it is time to turn the sod and build strong, new foundations. We must stop thinking of the many interesting legal aspects which Oswald's trial could have unfolded; Texas jurisprudence would have risen to new heights. We must stop calling names. We must even stop thinking of the magnificent campaign Senator Goldwater might have waged against President Kennedy; it would have been a "dilly." Now we must shoulder the wheel to help him against a most formidable opponent—a Texan.

Too, there are many vital matters before the country which are to be deliberated against the backdrop of our epic struggle with communism—not just with Soviet Russia and Red China—but with the collective ideal which is capable, if unchecked, of destroying both America and civilization.

To win this life or death struggle, we must unite as never before, lest our country fall apart for lack of moral cement at the bulwarks and parapets of freedom. The chief obstacles to this essential unity are: the problems of poverty, unemployment and underconsumption resulting from improper distribution of automation produced abundance and the resolution of our racial dilemma, complicated though it may be by every shade in the emotional spectrum.

As a Negro desiring to pursue happiness unfettered by artificial obstacles, I am sick of this warm, human issue being exploited by cynical opportunists bent on making base capital. I am tired of the empty promises, paeans of praise and exotic shibboleths spouted by integrationists, segregationists and bleeding heart humanitarians. In the Bard of Avon's words, "* * * be these fiends no more believed that palter with us a double sense; that keep the word of promise to our ear, and break it to our hope."

There should be progress and change in the Nation's attitude towards Negroes, but it must come from the hearts of the people. Understanding, love, self-respect, and compassion are proper vehicles of this change. To seize upon Federal fiat as the solitary road to a solution of these sensitive problems is to invite defeat. The warp and woof of the Constitution must be respected; it is the fabric which binds our society together.

The South has been the victim of a recurring, revanchi spirit ever since the Civil War; social, political, and economic sanctions have been repeatedly applied. Now the advocates of punitive action are again traveling this trail instead of seeking humane rapport. But the southerner is basically a decent human being and no less an American than the citizens of any other region.

As a southerner myself, the words of Thomas Stokes perhaps best reflect my feelings, "* * * the South * * * it will not out of me, and I must go back ever so often to warm my heart in its sunshine, for it has healing power for me. It is blood of my blood and bone of my bone. It is my home, my native land; the land of generations and generations of my family, back beyond the War Between the States, back beyond the Revolution * * * and so, love it as I do, I also hate some of it, but can never pluck it from my soul."

The thoughtful, enlightened southerner realizes that his own best interest lies in raising the level of interracial communication upward from the gutter; in some cases to establish communité of interests where none exists. One way to enlist the voluntary support of responsible citizenry is through the establishment of commissions on human relations to study, analyze and develop solutions for each State's individual racial problems at community level, and each of the 50 States could benefit from such proposed bodies of good will.

Yet the monetary burden of this proposition may be larger than many States could assume; then the Federal Government could provide matching funds in the same way that many other worthwhile projects, such as highways and urban renewal, are funded. The Congress could periodically review and evaluate such a program, reducing and limiting it as the problems diminish.

Once it was considered disgraceful to be on relief or jailed; yet today, these two institutions have become a mode of existence for large segments of the population who have eschewed the American spirit of self-respect, self-reliance and independence. With all of our vast resources, the question remains: "Why not victory?" victory over the baleful influences which chain us to a meaningless, drab existence.

Sincerely,

STEPHEN C. SHEPPARD.

THE CHURCH AND LATIN AMERICA

Mr. HUMPHREY. Mr. President, last week it was my privilege to address the first annual conference of the Catholic inter-American cooperation program, meeting in Chicago on January 20. The purpose of the new program, which was launched by the U.S. Bishops' Committee for Inter-American Cooperation, is to promote cooperation between the church in Latin America. As the official statement of purposes indicates, U.S. citizens and Latin Americans should be brought together in "mutual understanding and friendship based on the principle that regardless of social or economic circumstances of life, Christian peoples, indeed all peoples, should know and accept each other as people." The great success of the first annual conference of CICOP, which was attended by over 2,000 people, including 3 cardinals, and numerous archbishops, bishops, abbots, and lay leaders from both the United States and Latin America, indicates that this program is destined to become an important instrument in promoting inter-American cooperation in the decades ahead.

Mr. President, in my address to this conference, I discussed the role which the church might play in the Alliance for Progress.

I ask unanimous consent that the text of this speech be printed in the RECORD, together with a copy of the conference agenda and summary.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

THE CHURCH AND THE ALLIANCE FOR PROGRESS

(Address by Senator HUBERT H. HUMPHREY, Catholic inter-American cooperation program, first annual conference, January 20, 1964, Edgewater Beach Hotel, Chicago, Ill.)

The launching by the bishops of the United States of a 10-year program of assistance to Latin America, the Catholic inter-American cooperation program, is a recognition that the obligation to achieve social justice transcends national boundaries. It is recognition of an obligation to seek what that great and good man Pope John XXIII called the international common good. I am honored to have the opportunity to participate in the launching of this program.

It is just under 3 years ago that Pope John in his encyclical Mater et Magistra spelled out in bold new language the obligation of nations that are rich and advanced toward those which are poor and underdeveloped. He stated:

"The solidarity which binds all men and makes them members of the same family requires political communities enjoying an abundance of material goods not to remain indifferent to those political communities whose citizens suffer from poverty, misery, and hunger, and who lack even the elementary rights of the human person.

"This is particularly true since, given the growing interdependence among the peoples of the earth, it is not possible to preserve lasting peace if glaring economic and social inequality among them persists."

He concluded:

"We are all equally responsible for the undernourished peoples. Therefore, it is necessary to educate one's conscience to the sense of responsibility which weighs upon each and every one, especially upon those who are more blessed with this world's goods."

It was in that same year, 1961, that President Kennedy sounded the call for a new Alliance for Progress in this hemisphere. After ignoring our neighbors in this hemisphere, President Kennedy recognized that we could no longer ignore the revolutionary challenge of an unjust social order in the Latin American continent, could no longer ignore the shocking social and economic inequality between privileged and impoverished, between glittering capitals and festering slums, between booming industrial regions and primitive rural areas.

It was later that same year at Punte del Este that the 20 American Republics agreed in the Declaration of the Peoples of America "to unite in a common effort to bring our people accelerated economic progress and broader social justice within the framework of personal dignity and political liberty."

In the Alliance for Progress we have underway a program which can apply in a concrete way the obligation of the rich nations to aid the poor which Pope John spoke of in his encyclical. The accomplishment of the goals of the Alliance is a task for governments—and for nongovernmental institutions like churches, labor unions, professional groups, business associations, educational institutions and cooperatives.

On this occasion it is appropriate to consider the role which the Catholic Church, which includes among its faithful the large majority of the peoples from the Rio Grande to Tierra del Fuego, might play in the Alliance for Progress.

During the first 2 years of the Alliance we have heard often the charge that the Alliance is exclusively a government-to-government program. We have heard the charge that the Alliance has not mobilized support of the important private groups and organizations which make up Latin societies. During the first few months of the Alliance this charge of overemphasis on government programs may have had some merit. But during the past year there has been a definite change in attitude toward voluntary associations on the part of Alliance officials, and of a new appreciation of the role which they can and must play if the Alliance is to succeed. As one who has long emphasized the importance of nongovernmental bodies in our foreign aid programs, I was, of course, delighted that President Johnson gave special emphasis to the role which they must play in the Alliance, in the letter which he sent in December to newly appointed Alliance Coordinator Thomas Mann. He stated:

"I want you to work closely with private U.S. groups and institutions carrying out activities in Latin America. These include, but are not limited to, the AFL–CIO, religious and charitable groups, cooperatives and the private business sector, which can make the significant contribution envisaged in the Punta del Este Charter."

With this change in attitude has come a new appreciation of the role which the church might play in the Alliance. From my position in the Senate it appears to me that the church might exert its influence in two principal ways:

1. Forming public opinion and thereby indirectly influencing those who make decisions in the government sector.

2. By direct action through a vast network of schools, hospitals, and specialized institutions in the labor, charity, and social fields.

A decade ago it could be said that the indifference and fatalism of the traditional ruling groups in Latin America was well expressed in the remark of the late 19th century Chilean President Barros Luco, "There are only two kinds of problems facing society: those that get solved by themselves—and those which defy solution." Today this is no longer true of all the ruling groups, of the elite who make the key decisions in the governments of Latin America. To a significant extent, the change has been influenced by the renaissance of the Catholic Church in Latin America, by a new awakening on the part of church leaders to the shocking social and economic problems of the continent, by a new determination to meet those problems now through fundamental reforms.

Today in Chile, Panama, Venezuela, Brazil, Argentina, and Colombia members of the hierarchy are pushing actively the reforms stipulated under the Alliance Charter. Whereas formerly the active espousal of progressive social and economic policies was largely confined to religious orders like the Maryknoll priests or to isolated pastors, today they are supported by occupants of metropolitan sees.

The farsighted social and economic philosophy of Pope John's recent social encyclicals

"Mater et Magistra" and "Pacem in Terris" is being strongly pushed by the Vatican. Men who once would have been promoted to mountain parishes for their advanced views are now being appointed bishops and cardinals.

From metropolitan sees in Rio de Janeiro and Santiago have come a series of pastoral letters scathingly criticizing existing social and economic abuses, deploring the inequality in distribution of incomes, and calling upon the Government to extend and speed up its reforms and social programs. In Chile, under the leadership of Cardinal Silva Enriquez, the church is offering its own example in the field of land reform by distributing its own lands to the peasants. In all of these instances the church has recognized that the state has a large role to play in reforming antiquated economic and social structures, that the state has a positive responsibility to act for the welfare of all its citizens. Through its teaching and its example, the church has become a catalyst spurring governments to action.

Although the church is of course not involved in political movements, its espousal of progressive social and economic policies is felt in the political sphere of Latin American societies. It is therefore not surprising that in countries like Chile, Venezuela, Brazil, and Peru the fastest growing political parties are the Christian Democratic Parties. The Christian Democratic movement is one of the principal reform-minded non-Communist movements in Latin America today—and one of the most hopeful signs to emerge in this decade. At a luncheon which I gave last week in the Senate for Dr. Rafael Caldera, leader of the Social Christian Party in Venezuela, we agreed that one major reason why this party has flourished among the impatient idealistic youth of Latin America is that it offers an ideological alternative to Marxism, an integrated approach to the political, economic, and social problems of society. We pragmatic North Americans find it difficult to understand why Latin Americans consider the philosophy and ideology of a party as important as the specific practical measures recommended by the party. We are only now coming to realize that the ideological basis of communism is its principal attraction for students and educated groups in Latin America, not its economic critique. It is for that reason that communism captures the university before the slum.

Because the Christian Democratic Parties understand the nature of the problems confronting younger people in the revolutionary atmosphere prevailing in Latin America today, they are destined to play a large role in shaping the political future of Latin America in this decade and in the decades ahead.

I would like now to turn briefly to the area in which the church's actions influence more directly the economic and social order. I do not have time to examine all the programs and institutions in which the church is involved. They extend throughout most areas of society—health, education, cooperatives, housing, labor, agriculture, and radio and television. I would like to comment on one program of special interest to me, a program in which the church in the United States and the church in Latin America has been intimately involved. I refer to the food-for-peace program—which will be 10 years old this year. I was the principal author of this program—and nothing has given me greater satisfaction in my public life these past 10 years than to see this program grow and grow so that today tens of millions of people throughout Latin America and throughout the world enjoy food—the blessings of America's agricultural miracle. When Pope Paul VI in his Christmas message in 1963 examined the problems of the underdeveloped world, he concluded that "the first is hunger." "Hunger can become a subversive force with incalculable results." Referring specifically to programs of food distribution the Pope stated:

"We are therefore openly in favor of everything that is being done today to help those who are devoid of the goods required for the elementary means of life. We see with admiration that in the years following the destruction of war great projects of international aid have been launched to give witness to a fresh flowering of human nobility and to offer generously to entire masses of unknown peoples the spontaneous and well organized gifts of indispensable food. We should like to encourage and bless this magnificent endeavor, at once manifold and providential. We are happy to note that Christian principles can rise to pervade and promote these praiseworthy and beneficial undertakings."

Through the food-for-peace program 92 million people are now being fed throughout the world, 21,500,000 in Latin America alone. Much of the credit for the success of these programs in Latin America must go to the Catholic Relief Services which, with the World Church Service, has carried the principal responsibility for distribution of U.S. food in Latin America. As one who has followed this program carefully, I want to salute the outstanding leadership of Bishop Swanstrom and Msgr. Joseph Gremillion of the Catholic Relief Services in guiding and directing this worldwide program of feeding the hungry.

The food-for-peace program has also contributed to strengthen the programs of voluntary agencies themselves—in relation to the overall U.S. foreign aid program. It is in many ways the best thing that ever happened to the U.S. voluntary agencies. This year, the food-for-peace program, under Public Law 480, is up for review before the Congress. Congress must decide whether to continue it, whether to cut it back or to expand it. A few would eliminate it—and many would cut it back. I believe it should not be cut back—but expanded. And those of us in the Congress who established it, who believe in it, and who wish to strengthen it—need your help. We need your help in convincing the Congress and the American people that food is one of our greatest assets in the struggle for world peace. Instead of concentrating exclusively on the problem of the world's growing population—and I agree that it is a major problem, we should also be equally concerned about improving production of food through modernization of agriculture, providing purified water and health facilities for the people who already inhabit the world. Although the problems facing Latin American countries cannot easily be solved, the provision of food—either through production at home or distribution from abroad—will make their solution easier. That is why I intend to fight in the Congress for the continuation and expansion of the food-for-peace program.

To provide adequate food to feed its people, Latin American countries cannot rely on outside assistance permanently and must modernize their own agricultural structure to increase production of food. Indeed, this is only one of the many reasons why more emphasis must be placed on rural development under the Alliance for Progress.

It is of utmost importance that we have a more rapid implementation of the new extensive Alliance programs in the rural areas of the continent. I have long believed that the explosive political and social situation in many countries is due to continued neglect of the rural areas, where even today over half the population lives.

The church has long recognized the importance of rural development. Many of the pioneering programs underway today have been initiated by groups affiliated with the church. I refer to the expanding network of radio schools designed to reduce illiteracy and instruct adults in the fundamentals of agriculture and hygiene. The Institute of Rural Education in Chile is a model of the type of institution needed to train rural leaders. The cooperative movement, spurred by imaginative leaders like Father Dan McClellan, has already done much to make credit available to rural people. These are but a few examples of the forward-looking program of the church in the rural areas.

In my view Alliance officials were far too slow in recognizing this imbalance between urban and rural areas. Today much is being done to develop these areas and integrate the long-neglected masses into the political and social life of the country.

Progress is being made in extending credit for agriculture and half of the countries of the continent have received sizable Alliance loans for agricultural credit. Cooperatives are being formed in some areas. Programs are underway to open up new areas by building penetration roads. Land distribution under agrarian reform programs is proceeding in Venezuela, Colombia, and Chile.

The importance of rural development can hardly be overstated. Over half of the countries of Latin America continue to spend sizable amounts of precious foreign exchange reserves to import food to feed their populations. This occurs in countries that are primarily agricultural. For the common man in half of Latin America, the key to a higher standard of living in the near future is still an increase in agricultural productivity. In this field the United States has a record of proven performance. We abound in technical expertise in the field of agriculture and the key to success appears to be our ability to secure the widespread adoption of known and proven techniques.

Another reason for increasing our emphasis on agrarian reform and rural development has been stated by President Lleras Camargo: The imbalanced growth of population in Latin America places an increasingly heavy burden on cities. "For there is no sort of economic expansion, however swift or successful, that can assimilate both the rural masses who cease to live by agriculture and the new surplus hands, whether in the town or in the country, who come year by year to glut the labor market." To the extent that rural modernization slows down the exodus to the city, it alleviates the problem engendered by rapid population growth.

The economic development of the rural sector is intimately linked to the progress of the industrial sector, for industrialization can flourish only if it has available progressively widening markets. The purchasing power of a modernized rural sector is of great potential stimulus here.

I am not disturbed by the criticisms that the Alliance is now focusing too much attention on rural areas and too little on Latin America's troubled cities. I would sustain this new emphasis on rural development and in many countries increase it. I am not suggesting that we attempt to reverse the long-range secular trend toward urbanization which is characteristic of our modern technological world. Nor am I suggesting that we attempt to discourage industrialization and encourage concentration on production of raw materials through a predominantly agricultural economy.

Indeed, today we are witnessing one of the ironies of Marxist determinism. Today we see the Soviet Union, which has for decades assailed the United States for preventing industrialization and keeping Latin American economies confined to producing raw materials, imposing upon Cuba a modern day mercantile system in which Cuba is the raw-material-producing colony for Russia, and the captive market for the Soviet Union's manufactured goods.

I insist that the Alliance programs must give special consideration to rural and agricultural development because it is necessary that some one redress the balance which events have tilted heavily in favor of urban development. Modern societies are governed by urban men, and financed by urban-oriented financial institutions. The whole complex of international lending institutions—the World Bank, the Export-Import Bank, the International Monetary Fund, private banking houses—is heavily geared toward urban and industrial development. Most of these institutions do not find it possible to channel substantial capital into agricultural programs. And yet the basis of the modern agricultural revolution—which we have experienced in the United States—is heavy capital investment.

If agricultural and rural development is to flourish in Latin America, large amounts of capital will be required. In the absence of other sources, the Alliance agencies such as AID and the Inter-American Development Bank must be principal sources for this capital.

But once again it is not only the economic consequences of rural underdevelopment that is of importance. The glaring gap between booming industrial urban regions and primitive rural areas is social and political dynamite. We are rapidly learning that the situation most susceptible to violent revolution is the existence of vast differences within a country. To the oppressed peasant of northeast Brazil, the dazzling splendor of São Paulo is more of an incitement to revolution than the faraway places of the rich United States. Political and social stability demands that the gap between rich regions and poor be narrowed.

The growth of stable political and social institutions requires that the bulk of the citizens be integrated into the political and social life of the society. Today in most Latin American countries the mass of the rural people remain utterly cut off from the political life of the nation. Political democracy is the province of the few. It is not valued by the many who are hungry, impoverished and illiterate. Indeed, it is often viewed as a luxury for the few at the expense of the many.

If political democracy is to survive and flourish in Latin America it must be proven that the neglected masses can enjoy the benefits which we associate with it. This presupposes a decent standard of living, of education and of health as an essential prerequisite to active participation in the political processes of society. Rural development and modernization is therefore a requirement in the path to the goal of first-class citizenship for all.

In the area of nongovernmental activity, I would like to mention one area where the Catholic Church in the United States can be of immense help to Latin America—the area of institution building. We have discovered that the modernization of society requires the establishment of indigenous specialized institutions to deal with the complex problems which arise. The church in this country has been the first to recognize this—and it has developed a truly amazing network of universities, schools, labor institutes, radio and television schools, hospitals and nursing schools, agrarian associations and social welfare institutions. Today in Latin America similar institutions must be established or strengthened—and Latin Americans need your help—both in terms of technical assistance and money. They need your help in building institutions devoted to training labor leaders; to preparing project applications and feasibility studies, for submission to international lending agencies; to training cooperative leaders; to preparing special programs for the hundreds of thousands of slum dwellers that ring Santiago and Lima, Rio de Janeiro and Caracas; still others to educating businessmen, managers, and financiers on the role they must play in achieving social and economic justice in their societies.

Your help is needed now to establish such institutions which will in time be able to stand on their own, well prepared to deal with the complex and highly specialized social and economic problems confronting a modern society.

From what has been said here it is clear that the church can play a major role in the Alliance for Progress:

1. by being a catalyst for heightened social responsibility;

2. by direct involvement in such programs as food for peace;

3. by encouraging the establishment of specialized institutions.

In conclusion I would just note two final contributions which the church might be called upon to make in the revolutionary atmosphere of Latin America of the next decade.

The building of a just economic and social order requires the rapid modification—sometimes the destruction of old institutions. In a revolutionary era, the temptation is great for the state to absorb total responsibility in the social and economic order, to eliminate all institutions which it cannot directly control itself, to create an atomized society. History teaches us—and the recent example of Cuba reminds us once again—that it is the atomized society that is easy prey for totalitarian government. In one of the best capsule definitions of totalitarian government Hannah Arendt once defined it as the elimination of all subgroups between the individual and the state. During the next decade, when revolutionary change will be the order of the day in many countries, there may be times when a brake is needed in the action of the state, if social pluralism and individual political liberty are to be preserved. In some Latin American countries, it may be the church that will be called upon to play that role.

Finally, the Catholic Church—together with Roman law and the Spanish language—is one of the principal unifying forces in this vast continent. In an age of rampant nationalism, the common bond which the church provides may have a powerful impact in overcoming the separatist tendencies of the age and in achieving hemispheric unity.

I have spoken tonight of "The Church and the Alliance for Progress." I will conclude with a brief comment on the Alliance for Progress and the new administration in Washington. As you know, the organization of the Alliance has undergone some major changes in recent weeks. This has occasioned much speculation in the news media—some of it ill-informed. It has produced once again predictions of pessimism and despair about the Alliance. Much of the premature pessimism about the Alliance results from an underestimation of the magnitude of the task and from false expectations about what could be achieved in a brief period of time. The reform and modification of social and economic traditions that have persisted for two centuries are not going to be accomplished in 2 years—and probably not in a decade. It should be understood by now that the Alliance for Progress has just begun. It is premature to pronounce any definitive judgments on its success or failure.

The U.S. Government's position today on the Alliance for Progress is the same as it was under President Kennedy. President Johnson knows that the choice today in Latin America is between peaceful evolution leading to social progress and violent revolution leading to tyranny. Because he attaches great importance to U.S. relations with Latin America, President Johnson has taken what I believe is a long overdue action in giving the entire range of our relations with Latin America a place of increased priority in the structure of our Government. The new Assistant Secretary, Thomas Mann, has been placed in charge of both our political and economic relationship with our Latin American neighbors, and in that capacity administers the U.S. contribution to the Alliance. He also enjoys special status as Special Asistant to the President, again reflecting the increased concern this Government has with Latin America, and the supreme importance attached to our responsibilities in our own hemisphere.

The new U.S. Coordinator, Thomas Mann, is committed to the Alliance program. Mr. Mann's distinguished record in inter-American affairs includes his initiative to stabilize coffee prices through an international coffee agreement, and his constructive role in the drafting of the Act of Bogotá—a milestone on the road to the Alliance for Progress.

Within this upgraded administrative establishment, the highly competent and dedicated Teodoro Moscoso, who was Alliance Coordinator in the difficult first 2 years of the program, will play a key role, as Special Adviser to Mr. Mann, and as our representative in the newly created Inter-American Committee for the Alliance for Progress.

Despite ill-informed accounts in some of our news media, there is no conclusive evidence that we are about to engage in a return to the less enlightened policies of a bygone past. The Johnson administration is as determined as was the Kennedy administration to advance the principles underlying the Alliance for Progress. President Johnson, in one of the first acts after taking over as Chief Executive, rededicated himself to this creative and imaginative program launched 2½ years ago. Everything he has done since he made this pledge has borne out his determination to make good on it. His actions indicate his understanding of a remark by President Betancourt that President Kennedy was fond of quoting "If we cannot help the many who are poor, we cannot save the few who are rich."

Tactics may change and methods may vary, but our purpose remains steadfast: to press on with the task of modernizing the political, economic, and social structures of our sister Republics; to do so in a cooperative effort of the 20 Alliance member nations; and to accomplish it by programs best suited to meet the differing needs and problems of each country.

There has been no retreat from the goals and the principles of the Charter of Punta del Este. Two years of experience have demonstrated the validity of these goals and principles. The question is how to move ahead most effectively and efficiently.

This is not an issue of liberalism versus conservatism, of state enterprise versus private enterprise, or of reform versus dollars. Rather, it is a question of each country's gathering together its best brains, marshaling all its resources, and applying them in such a way as to benefit ever-growing numbers of people in Latin America as soon as humanly and prudently feasible.

This is the purpose of the President, of his key advisers in the administration responsible for Latin American affairs, of those of us in the Congress who believe in the Alliance for Progress. Together we are determined that it will succeed.

CATHOLIC INTER-AMERICAN COOPERATION PROGRAM—WHAT IT IS, WHAT IT DOES, WHAT IT SEEKS

WHAT CICOP IS

The Catholic inter-American cooperation program (CICOP) was launched in 1963 by the U.S. Bishops' Committee for Inter-American Cooperation. Its aim is to bring United States and Latin American Catholics together in mutual understanding and friendship based on the principle that, regardless of social or economic circumstances of life, Christian peoples, indeed all peoples, should know and accept each other as people. The program is vital to the church in the United States in its master plan to recognize its proper relations to the church in Latin America.

The fact is that most U.S. Catholics, like their fellow citizens, posesss an inadequate understanding of the 200 million Latin Americans with whom they share this hemisphere. In place of facts—historical, social and religious facts—we have too often cherished myths and stereotypes. "The Latins are backward," we hear it said. "They won't practice their religion." "They're lazy." Such false though all too familiar impressions prevent our coming to grips with the real Latin America. Too often we lack an understanding of how each continent substantially influences the life of the other. This inhibits even our well-intentioned attempts to labor together with the Latin American peoples in resolving the common problems of our hemisphere.

We must find our way out of this fog of misinformation and misunderstanding. We owe it in charity to our Latin neighbors and to ourselves. Their destinies and ours are at stake; the future of our faith and the survival of our way of life are being decided now in Latin America.

Money enters into the matter, but it isn't the answer. It might only become an excuse for withholding the most necessary gift of all, ourselves. Our minds must be penetrated as well as our purses; our hearts stirred as well as our hands.

To make people aware, to make them want to act, to point ways toward effective action—such is CICOP's purpose. Its structure is composed of members of the hierarchy, the clergy and the laity who know Latin America thoroughly and love it very much and who have dedicated themselves in Christ's name to its cause.

WHAT CICOP DOES

CICOP really began at an unprecedented meeting late in 1959 between a group of United States and Canadian bishops and a delegation of bishops from Latin America. Latin needs for material assistance and manpower were frankly discussed, but the visiting bishops asked especially for one thing: that the gulf of misunderstanding separating North America from Latin America be closed and that at long last their peoples be rightly known by their neighbors, especially their Catholic neighbors to the north.

The Subcommittee for Inter-American Cooperation of the U.S. Bishops' Committee for Latin America (a committee of the Catholic bishops of the United States based at the Latin American Bureau, NCWC, Washington, D.C.) set about creating a program specifically designed to promote understanding and friendship and accelerate mutual concern between U.S. and Latin American Catholics. Their program includes:

1. An annual international conference presenting the facts of Latin American life, bringing together U.S. and Latin Catholic leaders from various walks of life, and giving them the opportunity to dwell upon the basics—economic, social, cultural, spiritual—which constitute Latin American society.
2. Intensive encouragement of regional and local conferences, workshops and "Latin American days" furthering the work of the national conference and multiplying its effectiveness.
3. Promotion of Latin American studies in colleges and universities and of educational cooperation of every kind.
4. Diffusion of knowledge about Latin America through every channel of communication and especially through the mass media.

WHAT CICOP SEEKS

It aims at nothing less than a personal commitment, great or small, by every U.S. Catholic to some form of cooperation with the Church in Latin America. It is not a fundraising movement for Latin America, nor does it seek to provide personnel for work there. It does not, in short, duplicate the good work done by many other organizations, encouraged by the same bishops who advocate CICOP, such as the Papal Volunteers for Latin America.

CICOP has a unique goal essential to the success of all organizations seeking to aid Latin America—stimulating attention, interest and desire for personal commitment to Latin America among all U.S. Catholics. Once true understanding is achieved, friendship will grow, and from that friendship, active moral and material cooperation will flow.

PROGRAMS FOR UNDERPRIVILEGED YOUTH IN SAN FRANCISCO

Mr. KUCHEL. Mr. President, on October 3, 1963, I described to the Senate the excellent program which has been undertaken in the city of Los Angeles for the purpose of combating juvenile delinquency. Another great California city, San Francisco, has an equally well planned program for helping local officials cope with youth problems.

Since juvenile delinquency is a problem of national importance, I think the San Francisco program will be of considerable interest both to the Senate and to local law enforcement and welfare officials throughout the country. I ask consent that a letter from San Francisco Police Chief Thomas J. Cahill outlining that city's delinquency program be printed at this point in the Record.

There being no objection, the letter was ordered to be printed in the Record, as follows:

Police Department,
City and County of San Francisco,
San Francisco, Calif., November 18, 1963.
The Honorable Thomas H. Kuchel,
U.S. Senator,
U.S. Senate,
Washington, D.C.

Dear Senator Kuchel: I was very pleased to learn that you and your colleagues were successful in causing the approval of S. 1967 which extended the Juvenile Delinquency and Youth Offenses Control Act for another 3 years.

I certainly share your belief and convictions that much will be accomplished under this legislation. In order that I may further express my concern, I thought you might be interested in the youth program which has been undertaken in San Francisco.

With the steady increase in juvenile delinquency in San Francisco and mounting public concern over this problem, the Board of Supervisors of the City and County of San Francisco adopted on March 11, 1960, an ordinance (approved by the mayor, March 23, 1960), authorizing and directing the public welfare department, "for and on behalf of the city and county of San Francisco, to enter into an agreement with the United Community Fund of San Francisco to provide for: strengthening and further developing services to families and youth in San Francisco; finding and assisting in solution of problems contributing to juvenile delinquency, maladjustment, and the breakdown of healthy family life; and developing better citywide and neighborhood coordination and cooperation between public departments, private agencies, and community leaders and organizations." The ordinance also provided for the appointment of a citywide committee on youth consisting of the directors of the following public bodies: San Francisco Unified School District, juvenile probation department, police department, public welfare department, recreation and park department, department of public health, San Francisco Housing Authority, and the district attorney; "and eight other persons who shall be community leaders and representatives of community organizations and private agencies interested in and informed on the problems of youth." The committee on youth was made a part of the social planning committee structure of the United Community Fund of San Francisco.

To facilitate its work, the committee on youth established six subcommittees: research and statistics, early detection, multiproblem families, jobs for youth, teenage culture, and neighborhood organization. All of these subcommittees have been actively engaged at their respective tasks. Their accomplishments include a baseline study of juvenile delinquency in San Francisco, preparation of a comprehensive document for general distribution entitled "Juvenile Delinquency: An Analysis of Theory and Research Toward a Program of Action," an experimental program of early detection of juvenile delinquency, and research and action in the area of youth employment.

The committee on youth has also been instrumental in the organization and guidance of district councils in Hunters Point, Western Addition, Oceanview, and Chinatown-North Beach.

These councils have been aggressively seeking solutions to a variety of social problems of direct importance to youth.

Evidence of 2 years of planning, research and experimental action programs indicated to the committee on youth that San Francisco's juvenile delinquency problem called for a mobilization of effort on a scale beyond the capability of existing resources. Negotiations, therefore, were begun with the Ford Foundation, the President's Committee on Juvenile Delinquency and later, with the Office of Manpower, Automation, and Training (U.S. Department of Labor). Discussions with these agencies led to a proposal for a youth employment demonstration project in Bayview-Hunters Point.

September 1963 marked the beginning of the youth opportunities center. The project was evolved by the committee on youth, as a first step toward a plan for delinquency prevention and control. An advisory committee which includes members of citizens' organizations in the Hunters Point-Bayview district has been set up to help in the development of the project and the encouragement of young people to take advantage of the opportunities open to them.

The goal of the center, first of its kind in the Nation, is to coordinate the efforts of public and private agencies in an allout drive to provide youngsters with marketable job skills and to stimulate the opening of jobs in business, industry, and Government agencies for them. It will be a 3-year test of methods which may be applied in other districts of San Francisco and in other cities to help in solving the serious youth unemployment problem.

The cooperation of the San Francisco business and industrial community will be needed in revising job classifications, hiring two half-time workers for a single full-time job opening, creating intern positions, or other devices for expanding job opportunities for youth of various degrees of skills and aptitudes.

The sources of funds for the first year are:

Ford Foundation	$198,000
Department of Health, Education, and Welfare, in cooperation with the President's Committee on Delinquency and Youth Crime	56,000
Office of Manpower, Automation and Training (OMAT) through U.S. Department of Labor	143,000
Total	397,000

The Ford Foundation grant will pay for some additional staff and overhead costs to strengthen the services of the participating agencies. These are San Francisco Unified School District, California State Employment Service, Bayview Neighborhood Community Center, Hunters Point Boys' Club, Police Department, and Youth for Service. Plans are under way but details are not completed for participation by the probation department of juvenile court and recreation and park department in the project.

The Ford grant also will cover some of the cost of the center's administrative staff and overhead.

The funds from the Department of Health, Education, and Welfare will be devoted to staff and related costs of research.

The OMAT allocation will provide for additional staff and overhead costs of California State Employment Service and some of the administrative costs of the center.

The Ford Foundation grant for the full 3 years of the project totals $650,000. It is hoped that the Federal grants will be renewed and increased for the second and third years of this pioneering action-research venture. In addition, most of the public and private agencies participating in the project plan to make substantial contributions from their own budgets to carry out their part of the total task.

All residents of the Hunters Point-Bayview area in the 15- to 21-year age bracket will be eligible for service. If sufficient funds can be secured, services may be extended later to youth in other parts of the city.

Key agencies in the development of the center will be the Youth and Student Office of California State Employment Service and the Adult and Vocational Education Division of the San Francisco Unified School District. These agencies will evaluate the skills of the youngsters and design special training programs suited to their individual needs and the needs of the employment market. It is anticipated that the majority of the youth will be channeled into combinations of part-time employment plus training. These will include on-the-job training, school-work experience programs, work subsidy programs, and apprenticeships.

The San Francisco Housing Authority has provided headquarters space for the center, made its files accessible for research purposes, and possibly will expand the work subsidy program it operates jointly with the schools.

The Bayview Neighborhood Community Center, because of its close ties with the residents of the area, will spearhead the drive to create interest and understanding of the project among the parents and encourage teenagers to make use of the center's services.

The committee on youth will serve as the coordinating body for most phases of the project's administration.

We concluded after a depth study of the delinquency problem in San Francisco that the lack of employment opportunities for teenagers is one of the basic causes of antisocial behavior. Therefore the committee on youth decided to concentrate on this one aspect of delinquency prevention and on the district with the highest youth unemployment rate, which at the present time happens to be the Hunters Point-Bayview area.

I sincerely hope that the foregoing information will impress upon you the extensive efforts being made on behalf of our underprivileged youth in the San Francisco area.

Sincerely yours,

THOMAS J. CAHILL,
Chief of Police.

NEW SPACE DEVICES COME FROM YOUNG SCIENTISTS

Mr. KUCHEL. Mr. President, our Nation's industrial and scientific history is replete with inspiring incidents which attest to the benefits to mankind and society flowing from exercise of personal initiative and from the operations of our private enterprise system.

Humanity has pushed back frontiers and surmounted obstacles repeatedly because of the imagination and perseverance of dedicated individuals and of courageous innovators. This is notably true in the realm of technological advancement which has carried our Nation forward to ever-rising standards of economic vigor and better living conditions.

A typical instance of American aggressiveness and ambition is afforded by a young company in La Mesa, Calif., working in an exotic field of research centered about space propulsion and exploration. Under the name of Physics Technology Laboratories, Inc., this new venture is conducted by a small group of scientists and engineers who have pooled their talents and resources in efforts to develop revolutionary ideas which have attracted deep interest among Federal agencies concerned about conquest of space.

A gripping account of this activity appeared recently in the San Diego Union, written by a former member of the National Capital press corps and highly regarded writer on defense and aerospace topics, Frank Macomber. Because it tells graphically how devoted Americans are expending their energies on behalf of their fellow men, benefiting their Nation, and helping break scientific secrets, I ask unanimous consent to have this article printed in the RECORD as a portion of my remarks.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

AF, NASA INTERESTED: LA MESA FIRM DEVELOPING NEW SPACE DEVICES

(By Frank Macomber)

A small company in La Mesa is developing a variety of space-age devices which may revolutionize space travel and provide a defense against hostile armed or "snooper" satellites.

The firm, Physics Technology Laboratories, Inc., is run by three young scientists who despite their youth have a wealth of experience in physics, electronics, and metallurgy.

President and director of research is Benjamin Meckel. Patrick Harkins is research manager and Donald S. Evans is chairman of the board.

Both the Air Force and the National Aeronautics and Space Administration are vitally interested in PTL's development of a unique electric space engine which can be built to power a large space vehicle or be built small enough to hold in the hand.

The cylindrical-shaped engine is different from other space engines under development in that it draws its fuel from a solid state—that is, from a fuel rod instead of liquid fuel. This eliminates the need for costly and heavy fuel tanks, piping, and valves.

NEUTRAL ATOMS

Moreover, the atomic particles ejected by the engine to give it thrust are neutral atoms instead of ions and electrons typical of the electric ion engine. Consequently they do not require the neutralization process necessary for operation of the ion engine.

Meckel said that tests of the new engine indicate there is no erosion like that which develops in most space engines now being developed.

The PTL engine's high specific impulse makes it an ideal power plant for deep space missions such as interplanetary trips.

It also would be valuable in teams of six small engines for attitude control of spacecraft or weather and military satellites, Meckel said.

He said the engine can develop 60 percent efficiency in the conversion of electrical power input to thrust output, whereas 35 percent efficiency is considered good.

RESEARCH CITED

The PTL engine was develoepd from basic research in physics, Meckel explained. It can be built one-tenth the size of the ion space engine and still produce comparable thrust.

Significance of the fuel rod is that it could last months or even years without replacement. And it allows the engine to be built light, small, and simply.

The PTL engine, said Harkins, could propel an interplanetary vehicle at the dizzying speed of 134,000 miles an hour once the craft had escaped the earth's atmosphere.

Small PTL engines would be ideal for attitude control of U.S. "sky spy" or communications satellites, according to Meckel. PTL officials are conferring now with directors of the Communication Satellite Corp. which directs programs like Telstar and Relay.

ANTISATELLITE BEAM

PTL scientists are also conducting research and development on an antisatellite system which they believe could neutralize an enemy snooper satellite or a bomb in orbit through the use of electronic rays. The rays could be directed hundreds of miles either from the ground or from a platform in space.

The Air Force is interested in this still highly classified antisatellite beam. It could be used as well for welding high-temperature materials, according to Meckel.

PTL, among other projects, has developed an ionospheric wind tunnel which subjects objects to charged particle characteristics similar to those a spaceborne satellite experiences. Special models have been developed for NASA's Ames Research Center at Moffett Field and the Air Force's Cambridge Research Laboratories.

GOOD WILL IN RACE RELATIONS IN THE SOUTH

Mr. JOHNSTON. Mr. President, I wish to bring to the attention of Members of the Senate an editorial entitled "Should Be Exploited" which appeared in the Thursday, January 16, issue of the Press and Standard, Walterboro, S.C.

This editorial brings to light the warm story of a Negro and her sons who risked their lives to save the life of a white State highway patrolman. As the editorial points out, the "holier than thou" northern publications give great publicity to instances of friction between the races in the South but rarely publicize the acts of good will which are the general rule and not the exception in my State of South Carolina.

Mr. President, for this reason, I ask unanimous consent to have this editorial printed in the RECORD.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

|From the Walterboro (S.C.) Press and Standard, Jan. 16, 1964|

SHOULD BE EXPLOITED

A recent incident in the upper part of the State should be exploited, not for the purpose of getting publicity, but as an example of the cooperation between races which exists in the South. Throughout the country the South has been constantly damned for its customs of long generation. Often this criticism is just and deserved, but praise is seldom heard for the other side of the story.

Lynchings, mob actions, and actions by fiery demogogic southern politicians are condemned nationwide. But nothing is said about the fact that more and more southerners are just as vehement in their denouncing and opposition to such acts as are the "holier than thou" northerners. But no nationwide publicity is given incidents such as happened near Union.

A Negro woman and her sons and nephew, saved the life of a State highway patrolman, while risking theirs. Hearing the crash, Elizabeth McKissick rushed to investigate and found Recruit Patrolman Robert E. Neely, Jr., in a wrecked and burning patrol car. Thinking he was dead, attempts were made to stop passing cars, but none stopped. Then hearing the patrolman cough, the four Negroes braved the danger of an explosion and dragged the unconscious officer to safety. She then sent one for help and the others for blankets. For her actions she was rewarded by the highway patrol, but an even greater reward is knowing that she had saved the life of a fellow man.

This is one of many such instances on the record. Locally, as well as throughout the South, there are many such instances where members of both races braved danger to assist others. One of the latest such examples was the recent fire at the First Baptist Church, where both races worked side by side in an effort to save the building.

Such acts should be given publicity to show to the Nation that fear and mistrust is not the rule but the exception in many parts of the South.

TAX CREDIT FOR TUITION

Mr. KEATING. Mr. President, the future of this country lies with its children, and the best way we can insure that they are equipped to face the challenges of tomorrow is to provide them with the best possible education today. We have taken steps in this 88th Congress to allocate Federal funds for construction of buildings in colleges, for loans to medical students and medical schools, and for improving vocational education. We have continued and expanded both the National Defense Education Act and the impacted areas program.

There is another way we can help, though, and that is by affording direct relief to the parents and students struggling to meet the high cost of a college education. I have long advocated tax relief for this group and have been offering bills on this subject for at least 3 years. Their expenditures are actually investments in our Nation's future, and they should be helped and encouraged by the U.S. Government.

The junior Senator from Connecticut [Mr. RIBICOFF] has played an important part in pushing legislation which would grant a tax credit on a sliding scale, for higher education tuition expenditures. The amendment he supported was voted down by the Senate Finance Committee, but we intend to carry this fight to the floor when the tax bill comes up. I am pleased that the New York Daily News supports our position, and ask unanimous consent that their editorial on this subject be printed at this point in the RECORD.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

HOPE RIBICOFF KEEPS FIGHTING

As a rule, we think pretty well of the Senate Finance Committee. We think anything but well of its vote Tuesday to leave out of the tax-cut bill a provision for special income tax credits on college students' expenses.

This carefully thought-out plan was offered by Senator ABRAHAM RIBICOFF, Democrat, of Connecticut. It blueprints only a modest amount of tax-deduction aid to college students and their parents.

We know of no fairer deductions—and we hope Senator RIBICOFF will take this fight to the Senate floor.

THE 276TH BIRTHDAY ANNIVERSARY OF EMANUEL SWEDENBORG

Mr. LAUSCHE. Mr. President, as one reads the pages of history, certain figures—"tall, sun-crowned men" as Elbert Hubbard called them—stand out, for excellence in one field or another of intellectual endeavor. And once in a lifetime a man appears who makes outstanding contributions not only in one, but in several different areas of intellectual, artistic, or scientific endeavor. For example:

Leonardo and Michelangelo in Italy—both of them painters, sculptors, architects, military engineers—who put the stamp of genius on everything they touched. Later on, in England, another outstanding figure—William Morris—a master of six trades: a weaver, a blacksmith, a wood carver, a painter, designer, music composer, poet, printer, who Elbert Hubbard says could do more things and do them well than any man of his time. Further north, Sweden boasts one of these intellectual giants, Emanuel Swedenborg, whose 276th birthday is being observed today January 29. His life was largely devoted to scientific studies covering practically the whole field of science: a mathematician, geologist, botanist, mining engineer, astronomer, physiologist, theologian, a prolific writer, an economist, and editor. Swedenborg sketched out plans for a machinegun, submarine, pianola, airplane—greatly in advance of his time. A model of his airplane hangs in the Smithsonian Institution.

Swedenborg was an inveterate traveller; when home, he was an adviser to the Swedish kings—sat in the upper chamber of the Swedish Parliament. A deeply religious man—his theological writings fill one volume after another. In London, in 1787, followers of his teachings founded the New Jerusalem Church.

And now—as our television and radio announcers would say, we switch you to America—for repercussions of Emanuel Swedenborg's teachings upon pioneer days in the Middle West—particularly my home State—Ohio. As perhaps you know, what is now Ohio was the first public land thrown open for settlement after the Revolutionary War. In selling land to pioneers, the Ohio Land Co.—who had purchased thousands of acres—required that each settler plant 50 little apple trees the first year; the presence of these little apple trees—later to become an orchard—gave the settlers a feeling of home and stability. Where were settlers to get these little apple trees? That's where "Johnny Appleseed" (John Chapman) came in. In county after county he had gone in ahead of the pioneers—planted dozens or hundreds of apple nurseries. In his "Ballad of John Chapman" Benjamin Wallace Douglass tells about it:

Day by day, in the untamed wood,
  In a space by the river reeds,
He cleared the land for a nursery,
  And planted his apple seeds.
Oh! green above was the forest roof,
  And green below the sod
When Chapman walked the wilderness,
  In company with God.

The Magazine of Horticulture for April 1846 adds its note:

> When the settlers began to flock in, and open their clearings old "Appleseed" was ready for them with his young apple trees—and it was not his fault if every one of them had not an orchard planted out and growing without delay.

In 1817, when John Chapman was 43 years old, the first known printed account of him appeared as part of a report issued by the Manchester, England, Society for Printing, Publishing and Circulating the Writings of Emanuel Swedenborg—written by someone in America who had not met or seen Chapman, but who had heard tales of his unusual missionary work west of the Appalachians. He was described as an "extraordinary" missionary of the Church of the New Jerusalem—believed to be devoting the proceeds from his apple nurseries, to the extension of the faith—"Good News Fresh From Heaven" as he called it.

That same spring of 1817 William Schlatter, of Philadelphia, a wealthy importer and sponsor of the Swedenborgian Society of that city, writes to the New Church Society in Wheeling:

> I have sent books to Mr. John Chapman; do you know him? And has he received the books? He travels about in Ohio, and has much to do with apple trees. I am told he is a singular man but greatly in love with the New Church doctrines, and takes great pains in disseminating them.

In another letter he speaks of having corresponded with Chapman for 7 years.

Mr. President, as national honorary chairman of the Committee for Observance of Johnny Appleseed's birthday, September 26, I welcome this opportunity to salute the Kingdom of Sweden, and thank her for the contribution her Emanuel Swedenborg made—through Swedenborgian Church missionary, Johnny Appleseed—to pioneer life in my home State of Ohio. Vachel Lindsay's dramatic poem "In Praise of Johnny Appleseed," besides a wealth of other interesting data about this famous American pioneer, will be found in a handsome, illustrated 20-page brochure.

FREEDOM IN PERIL

1. THE CONSTITUTION WAS CREATED TO SECURE TO AMERICANS THE SUPREME VALUE OF CIVILIZATION: FREEDOM OF THE INDIVIDUAL

Mr. ERVIN. Mr. President, the supreme value of civilization is the freedom of the individual, which is simply the right of the individual to be free from governmental tyranny.

I shall discuss this right, and the peril in which it stands at this hour.

As the late Justice George Sutherland so well said:

> Freedom is not a mere intellectual abstraction; and it is not merely a word to adorn an oration upon occasions of patriotic rejoicing. It is an intensely practical reality, capable of concrete enjoyment in a multitude of ways day by day.

The Founding Fathers, who drew the Constitution of the United States, certainly entertained the abiding conviction that the freedom of the individual is the supreme value of civilization. As express testimony of this conviction, they stated in its preamble that they drafted the Constitution to secure the blessings of liberty to themselves and their posterity.

With due deference to all other men of all generations, I confess my belief that the world has never known any other group as well qualified as the Founding Fathers to write organic law for a people dedicated to the freedom of the individual.

They were versed in the heartbreaking history of man's fight for freedom, and knew that a nation which ignores the lessons taught by such history is doomed to repeat the mistakes of the past. They had studied the legal philosophy of Blackstone, and the political philosophy of Hobbes, Locke, and Montesquieu. They had observed much tyranny both in the colonies and the lands beyond the sea.

They had meditated often upon these things. As a consequence, they had discovered this shocking, but everlasting, truth: nothing short of tyranny can quench the insatiable thirst of government for power; and in its ardor to expand and multiply its authority, government will extinguish the freedom of the individual, unless it is restrained from so doing by fundamental law which it alone can neither repeal nor amend.

For this reason, as Justice David Davis declared in his courageous and illuminating opinion in Ex parte Milligan, the Founding Fathers foresaw that troublous times would arise when government would seek by sharp and decisive measures to accomplish ends deemed just and proper, and in so doing would put the freedom of the individual in peril, unless such freedom were "established by irrepealable law." To forestall this calamity in such times, they devised the Constitution to define and limit the powers of the Federal Government, and to protect the freedom of the individual from destruction at its hands.

The purpose of the Constitution to protect the freedom of the individual against the Federal Government is disclosed by the mode in which it was fashioned as well as by its contents. The best description of how the Constitution actually came into being as a written document appears in the argument of one of the ablest advocates of all time, Jeremiah S. Black, chief counsel for the petitioner in Ex parte Milligan. He declared:

> But our fathers were not absurd enough to put unlimited power in the hands of the ruler and take away the protection of law from the rights of individuals. It was not thus that they meant to secure the blessings of liberty to themselves and their posterity. They determined that not one drop of the blood which had been shed on the other side of the Atlantic, during seven centuries of contest with arbitrary power, should sink into the ground; but the fruits of every popular victory should be garnered up in this new government. Of all the great rights already won they threw not an atom away. They went over Magna Carta, the Petition of Right, the Bill of Rights, and the rules of the Common Law, and whatever was found there to favor individual liberty they carefully inserted in their own system.

Time does not permit me to detail all of the constitutional principles which the Founding Fathers embodies in the Constitution by definitions and limitations of the powers of the Federal Government, by reservation of the powers of the States, and by specification of the rights of individuals to secure the blessings of liberty to themselves and their posterity.

It is well to remember, however, that all of these constitutional principles were inserted in the Constitution to make effective in American Government the eternal verities expressed by these political philosophers in these phrases:

> Thomas Jefferson: "In questions of power then let no more be heard of confidence in man, but bind him down from mischief by the chains of the Constitution."
>
> Thomas Hobbes: "Freedom is political power divided into small fragments."
>
> James Madison: "The accumulation of all powers legislative, executive, and judiciary in the same hands, whether of one, a few or many, and whether hereditary, self-appointed, or elective, may justly be pronounced the very definition of tyranny."
>
> Woodrow Wilson: "Liberty has never come from the government. Liberty has always come from the subjects of it. The history of liberty is a history of the limitation of governmental power, not the increase of it. When we resist therefore the concentration of power, we are resisting the processes of death, because concentration of power is what always precedes the destruction of human liberties."
>
> William Pitt, the elder: "Where law ends, there tyranny begins."
>
> William Murray, Earl of Mansfield: "To be free is to live under a government by law."
>
> Daniel Webster: "Whatever government is not a government of laws is a despotism, let it be called what it may."
>
> John Locke: "Freedom of men under government is to have a standing rule to live by, common to every one of that society, and made by the legislative power vested in it; a liberty to follow my own will in all things, when the rule prescribes not, and not to be subject to the inconstant, uncertain, unknown, arbitrary will of another man."
>
> John Adams: "Property must be secured, or liberty cannot exist."

2. THE CONSTITUTION ENDEAVORS TO SECURE TO AMERICANS FREEDOM OF THE INDIVIDUAL BY DIVIDING ALL THE POWERS OF GOVERNMENT BETWEEN THE UNITED STATES AND THE STATES, BY DISTRIBUTING THE POWERS OF GOVERNMENT IT ALLOTS TO THE UNITED STATES AMONG CONGRESS, THE PRESIDENT, AND THE FEDERAL JUDICIARY, AND BY VESTING IN INDIVIDUALS CERTAIN FUNDAMENTAL ECONOMIC, LEGAL, PERSONAL, AND PROPERTY RIGHTS

I shall confine my comments upon the constitutional principles embodied in the Constitution by the Founding Fathers to those directly relevant to the subject of my remarks. Some of these particular principles deal with the powers of the Federal Government, and some of them are concerned with the rights essential to insure that individuals will be free from tyranny at the hands of the Federal Government. I will endeavor to state these principles in everyday English rather than in technical terms.

The constitutional principles which deal with the powers of the Federal Government distribute or separate governmental powers in two ways. In the first place, they vest in the Federal Government the governmental powers necessary to enable it to fulfill its function as a central government and leave all other governmental powers to the States. In the second place, they assign to Congress the Federal power to make laws, to the President the Federal power to execute laws, and to the Federal judiciary the Federal power to interpret laws. The power to make laws is the power to establish rules of conduct and prescribe punishments for their violation. Since article I vests "all" of the lawmaking power of the Federal Government in the Congress, neither the President nor the Federal judiciary has any power whatever to make any law.

Under the constitutional principles dividing governmental powers between the Federal Government and the States, the Federal Government has the power to regulate interstate commerce, which is the movement of people, goods, and communications from one State to another, and the States have the power to regulate the use of privately owned property and the operation of places of public accommodations within their borders. In the absence of State regulation to the contrary, every operator of a privately owned place of public accommodation has the right to choose the customers he serves.

All constitutional principles retain their original meaning until such meaning is changed by amendment made by the Congress and the States in the manner set forth in article V. To prevent any change being made by usurpation or nullification, each Federal official is bound by oath or affirmation to support the Constitution.

The provisions inserted in the Constitution by the Founding Fathers to protect the freedom of the individual against tyranny at the hands of the Federal Government create many specific rights. Some of these rights are set forth in express terms in the Bill of Rights. Others are stated by implication in other provisions of the Constitution. Such of these rights as are directly relevant to the subject of my remarks may be summarized in these words:

First. No American shall be compelled to pay taxes to support the activities of any religious denomination.

Second. No American shall be deprived of life, liberty, or property without due process of law, which Daniel Webster rightly defined as "a law which hears before it condemns, which proceeds upon inquiry, and renders judgment only after trial."

Third. Every American has the right to think and speak his honest thoughts concerning all things under the sun, even if such thoughts impel him to believe that a political or a moral urge to accomplish ends they deem just and proper neither justifies nor palliates the usurpation of power or the nullification of constitutional principles by Federal officials.

Fourth. Every American has the right to acquire, own, and use property in all ways permitted by State laws without interference from the Federal Government.

Fifth. Every American has the right to rent or sell his property, in person or through agents, to any persons selected by him, if State laws so permit, without interference from the Federal Government.

Sixth. Every American has the right to invest his personal talents and resources in places of public accommodation operating within the borders of a State, and to select his customers as he pleases, if State laws so permit, without interference from the Federal Government.

Seventh. Every American has the right to have his rights and responsibilities under Federal law defined by certain and uniform laws applying to all men in like circumstances enacted by the Congress rather than by edicts promulgated by Federal officials or agencies exercising discretion.

Eighth. Every American has the right to have controversies respecting his rights and responsibilities under Federal law determined according to such certain and uniform laws and according to due process by impartial and independent tribunals rather than by Federal officials or agencies exercising discretion.

Ninth. Every American has the right to have his personal dealings with other individuals regulated by his own desires or by the laws of the State in which such dealings occur rather than by the laws or regulations of a centralized Federal Government far removed from the localities in which such dealings occur.

3. FREEDOM OF THE INDIVIDUAL IS IMPERILED AT THIS HOUR BY ZEALOUS PEOPLE WHO SEEK TO ACCOMPLISH ENDS THEY DEEM JUST BY MEANS OF USURPATION OF GOVERNMENTAL POWER BY FEDERAL OFFICIALS AND FEDERAL NULLIFICATION OF THE CONSTITUTIONAL RIGHTS OF INDIVIDUALS—THE IMMEDIATE OBJECTIVES OF THESE ZEALOUS PEOPLE ARE TO GRANT RELIGIOUS DENOMINATIONS ACCESS TO THE FEDERAL TREASURY, AND TO SUBSTITUTE A LEGALLY COERCED EQUALITY FOR THE MINORITY RACE FOR THE LIBERTY OF ALL AMERICANS

The constitutional principles and rights enumerated by me stand in peril at this hour. They are now under attack by men of great power and zeal. These men seek to destroy or impair these principles and rights by usurpation and nullification rather than by an amendment to the Constitution under article V. It seems fair to infer that their omission to invoke article V is due either to their impatience or to their realization that it is easier to nibble away these principles and rights than it is to induce the people to sanction their repeal by a forthright amendment.

It would be easy to defeat their efforts if they were evil minded men professing bad ends. Unfortunately for the cause of sound constitutional government, however, they are men of good intentions, who are willing to do constitutional evil because they believed good will result from it. In so doing, they emulated the example of Mother Eve, who succumbed to the temptation to eat the forbidden fruit because she saw "it was pleasant to the eyes," and believed it to be "good for food," and was satisfied that it "would make one wise."

The men who seek to destroy or impair these constitutional principles and constitutional rights are divisible into two groups. One of the groups is composed of those who believe that it is necessary for the Federal Government to give religious denominations access to Federal tax moneys to promote education, and the other is composed of those who believe that it is necessary for the Federal Government to deprive all Americans of basic economic, legal, personal, and property rights to give equality to 20 million Negro Americans. The pleas of these groups that necessity justifies their efforts calls to mind the truth uttered by William Pitt, the younger, when he said that "necessity is the plea for every infringement of human freedom."

Those who think it necessary to give religious denominations access to the Federal Treasury have already pushed the nose of their camel far into the Federal Government's tent. They did this when they persuaded the present Congress to enact the so-called Higher Education Facilities Act of 1963, and to reject the amendment offered by Senator JOHN S. COOPER and me to make it certain that the Federal Courts have jurisdiction to pass upon the constitutionality of such act under the first amendment.

Under this act, Catholics and Jews can be taxed to acquire land and construct buildings for Protestant colleges and universities, Catholics and Protestants can be taxed to acquire land and construct buildings for Jewish colleges and universities, Jews and Protestants can be taxed to acquire land and construct buildings for Catholic colleges and universities, and Mohammedans, Buddhists, and adherents of other faiths, and nonbelievers, can be taxed to acquire land and construct buildings for Catholic, Jewish, and Protestant colleges and universities.

Thomas Jefferson thought it was both sinful and tyrannical for government to rob Caesar of his taxes and give them to the Lord. I agree. Moreover, I believe that the Higher Education Facilities Act of 1963 robs Americans of their constitutional right to be exempt from taxation for the support of the activities of religious denominations.

While I deplore the action of Congress in rejecting the court-review amendment, I have faith that the Supreme Court, which adjudged it unconstitutional to use a public school built with State taxes for the temporary purpose of saying a 22-word prayer, will find some way to adjudge whether it is constitutional to use hundreds of millions of dollars of Federal tax moneys to acquire lands and construct buildings to be held in fee simple by religious denominations until the last lingering echo of Gabriel's horn trembles into ultimate silence.

Civil rights advocates assert that Federal legislation is necessary to confer equality upon Negroes. It would simplify the issue if they would explain exactly what they mean by equality. They are certainly not referring to equality before the law. All Americans of all races now possess identical rights under the Constitution and laws of the United States. There certainly is no need for any additional Federal legislation to vindicate these rights. Existing Federal laws embodied in sections 241 and 242 of title 18, and sections 1983 and 1985, of title 42, of the United States Code, are sufficient to secure to any American of any race any right he possesses under the Constitution and laws of the United States, and to mulct in damages or punish by fine or imprisonment anyone who deprives him of any such right.

It is difficult to believe that they mean economic or social equality. No men of any race can law or legislate their way to either economic or social equality in a free society. Anyone who maintains the contrary is either fooling himself or trying to fool somebody else.

The civil rights bills do not really undertake to confer equality upon their supposed beneficiaries. The converse is true. They attempt to confer upon their supposed beneficiaries privileges superior to those ever granted to any other Americans in history.

The reason why civil rights advocates are willing to impose unequal laws upon all Americans to confer what they call equality upon the beneficiaries of such laws is revealed by this comment which appeared in an editorial in the Wall Street Journal a few weeks ago:

> In recent times, among other things, America's traditional tolerance toward minorities has shown a tendency to get twisted; if a person is a member of a minority his rights are sometimes alleged to be superior to the majority's by virtue of his minority status.

In the last analysis, the demand for the enactment by Congress of civil rights bills destroying or curtailing the right of the individual to be free from tyranny at the hands of the Federal Government is based on these arguments:

Americans now possess the liberty to consider the matter of race, and even to prefer persons of their own race over members of another race, in their business dealings with others; this liberty is essentially iniquitous and must be blotted out by the Federal Government to confer equality upon members of the minority race; the Federal Government should blot out this liberty even if such action requires the Federal Government to divert all its functions and activities from their primary purposes and to destroy all of the principles and rights established by the Constitution to protect individuals from tyranny at its hands; the Federal Government is justified to take such drastic action because legally coerced equality for persons of the minority race is more precious than the liberty of all Americans to manage their own affairs free from Federal interference and control.

I repudiate these arguments as unwise. Americans must choose between equality coerced by law and the freedom of the individual. She cannot have both. As for me, I choose freedom of the individual as the more precious of these incompatible things.

While it is not my present purpose to emphasize the proposals in these bills to expand Federal power and decrease State power, I shall nevertheless note three provisions of this tenor.

The first of them brazenly attempts to nullify by a Federal presumption the provisions of section 2 of article I, section 1 of article II, and the 17th amendment, vesting in the States the constitutional power to prescribe qualifications for voting for presidential and vice presidential electors, and Senators and Representatives.

The second empowers the Department of Justice to obtain orders from Federal courts supplanting local election officials in counties in the South with Federal voting referees by mere allegations in a pleading without prior notice, inquiry, or trial. As one who has spent most of his adult life in the administration of justice as a lawyer and judge, I was astounded to hear the Attorney General ask Congress to confer this power upon the Department of Justice 748 years after the barons compelled King John to insert a guarantee of due process in Magna Carta.

The third provision designed to expand Federal power and decrease State power places a false construction upon the 14th amendment as it was interpreted by the Supreme Court in *Brown* v. *Board of Education* (347 U.S. 483). Under this decision, the States are merely forbidden to exclude children from their public schools on the basis of race. They do not have an affirmative constitutional duty to provide an integrated education. Despite this, this provision vests in the Attorney General the power to seek Federal court decrees for compulsory integration against every public school board anywhere in the United States which has "failed to achieve desegregation," even in areas where all the children are members of only one race. The execution of this provision would bar the doors of neighborhood schools to helpless children, and require their transportation long distances merely to mix the races in the public schools.

H.R. 7152 and S. 1731, which have received the political blessing of the executive department of the Federal Government, constitute monstrous blueprints for governmental tyranny. They are designed to deprive Americans, either by legal sanctions established by Congress, or by economic duress fashioned by Federal executive agencies, of all of the basic economic, legal, personal, and property rights enumerated by me in these remarks.

It is impossible for me to discuss in the time now available to us all of the provisions inserted in these bills to rob individuals of their right to be free from tyranny at the hands of the Federal Government. For this reason, I shall comment only upon the provisions relating to federally assisted programs and activities, employment practices, suits by the Attorney General, and public accommodations.

The most ardent advocates of civil rights legislation are incapable of defining in words the unprecedented sweep and severity of the powers which the provisions of the bills relating to federally assisted programs and activities confer upon the Federal Government. They did not even attempt to do so when they drafted these provisions. They merely inserted a few sentences under which Congress would delegate "to each Federal department and agency which is empowered to extend Federal financial assistance to any program or activities by way of grant, contract, or loan" the power to write any regulation it pleases to effect their purpose, and to use such economic duress as it could devise to enforce such regulations. Under these provisions, scores and scores of Federal departments and agencies, which have no lawmaking power under the Constitution, and which control the expenditure of untold billions of dollars in Federal appropriations, are empowered to write whatever regulations they see fit to compel all Americans having any possible connection with any one of approximately 100 federally assisted programs or activities to do anything they deem effective to secure a coerced equality for persons of the minority race. Moreover, these provisions reveal a callous indifference to the fundamentals of due process in that they do not require the Federal departments and agencies to afford persons charged with violations of their regulations any opportunity to be heard upon the merits of the charges.

It is not surprising that the drafters of these provisions were baffled by the magnitude of the task of spelling out all of the tyrannical powers they wished to vest in Federal departments and agencies to control the activities and thoughts in the field of racial relationships of all Americans having any connection with any federally assisted program or activity. It is obvious, however, that under the delegation of lawmaking authority made by these provisions, the executive branch of the Federal Government can deprive every American having any connection with a federally assisted program or activity, either by regulation or coerced contract, of virtually every right or privilege he has under either Federal or State law.

I predict that the executive department of the Federal Government will use these provisions to continue its present illegal practice of requiring persons participating in various Federal housing programs to surrender to the Federal housing authorities their right to select the persons to whom they sell or rent their property.

I deem it not amiss to observe at this point that this practice of the executive department of the Federal Government constitutes an illustration of the peril in which constitutional principles now stand. After Congress had repeatedly refused to insert so-called antidiscrimination provisions in the housing acts, an occupant of the Presidential Office, who had no lawmaking power whatever under the Constitution, inserted such provisions in a Presidential order, which directed the Federal Housing authorities to exercise powers denied to them by Congress.

Most of the objections to the provisions of the bills concerning federally assisted programs or activities apply to their provisions which create a Federal Commission on Equal Employment Opportunity to prevent employers engaged in industries affecting interstate commerce and employers participating in federally assisted programs or activities from denying to persons of the minority race what civil rights advocates conceive to be equality in employment. To enable the Commission to accomplish this task, the bills vest in the Commission the power to supervise and control such employers with respect to the selection, the promotion, the discharge, and the compensation of their employees, and the terms, conditions, and privileges of their employment. Under section 701 of S. 1731, even a contract of employment between a housewife and a single domestic servant is subject to the jurisdiction of the Commission because she participates in a federally assisted program when she pays a social security tax upon the wages of such servant. The same section represents the baldest attempt in the legislative annals of our country to transfer from the Congress to the President the lawmaking power of the Federal Government. It specifies that the Commission shall have such powers "as shall be conferred upon it by the President."

In addition to the provisions already mentioned which empower the Attorney General to bring suits to desegregate public schools, the bills authorize him to bring suits in Federal district courts to desegregate places of public accommodation. These provisions are wholly incompatible with the fundamental American concepts that government should be a government of law and not a government of men, and that the courts should administer equal and exact justice according to certain and uniform laws applying in like manner to all men in like situations. This is true because the power to sue in these instances is, in essence, the personal property of the Attorney General, who can sue or refrain from suing according to his caprices or whims of the moment uncontrolled by any law. As a consequence, any politically minded Attorney General can use his power to sue or not to sue as a political carrot or stick to curry favor with some groups or to browbeat others.

These bills specify that the operators of places of public accommodation must open such places to persons of all races and render personal services to such persons, even if such action alienates their present customers and bankrupts them. When the attention of the proponents of these bills is called to the indisputable fact that the Supreme Court has consistently held throughout the past 80 years that Congress has no power under the Constitution to enact a public accommodations law of this character, they airily reply that the Supreme Court will overrule all its previous decisions on this point and sustain the validity of the public accommodations provisions of the bills under either the 14th amendment or the interstate commerce clause. It grieves me to hear civil rights advocates confess their lack of confidence in the judicial stability of the Supreme Court.

The 14th amendment merely prohibits State action of a particular character. A State can act only through its legislative, executive, and judicial officers. No court can hold that the mere operator of a place of public accommodation is a State officer within the purview of the 14th amendment without murdering the king's, the queen's, and everybody's English.

Moreover, the Supreme Court cannot adjudge the public accommodations provisions of these bills valid under the interstate commerce clause without adjudging that the power to regulate the movement of persons, goods, or communications from one State to another embraces the power to regulate the use of privately owned property and the rendition of personal services within the borders of a State. While I have sometimes marveled at the work of judicial iconoclasts, I am unwilling to predict that the Supreme Court will reach such an intellectually dishonest conclusion.

4. FREEDOM OF THE INDIVIDUAL CANNOT BE PROTECTED AGAINST FEDERAL USURPATION AND NULLIFICATION BY THE MERE WORDS OF THE CONSTITUTION—AMERICANS WILL LOSE IT UNLESS THEY LOVE IT AND FIGHT TO PRESERVE IT

The men who made America sought liberty because they wanted to be themselves rather than the puppets of tyranny. When the Founding Fathers wrote and ratified the Constitution, they did everything they could do by mere words to secure the blessings of liberty for themselves and their posterity. Unfortunately, however, the words of the Constitution cannot preserve liberty against usurpation of governmental power or the nullification of constitutional principles unless love for liberty abides in the hearts of the people.

One of America's wisest sons of all time, Judge Learned Hand, expressed this truth in these words:

> I often wonder whether we do not rest our hopes too much upon constitutions, upon law and upon courts. These are false hopes; believe me, these are false hopes. Liberty lies in the hearts of men and women; when it dies there, no constitution, no law, no court can save it; no constitution, no law, no court can even do much to help it. While it lies there, it needs no constitution, no law, no court to save it.

For the reasons I have given, the freedom of the individual is in peril in America at this hour. As a consequence, this crucial question demands an immediate answer: Do the people of America still retain in their hearts love for this freedom? If so, they had better rouse themselves from their lethargy and fight for its preservation. Otherwise, they will learn to their unending sorrow and that of their children and their children's children that Justice Sutherland spoke tragic truth when he said:

> The saddest epitaph which can be carved in memory of a vanished liberty is that it was lost because its possessors failed to stretch forth a saving hand while yet there was time.

PROPOSED AMENDMENT OF RULE XXV OF STANDING RULES RELATING TO COMMITTEE MEETINGS DURING SESSIONS OF THE SENATE

Mr. HUMPHREY. Mr. President, I move that the Senate resume consideration of Calendar No. 485, Senate Resolution 111.

The PRESIDING OFFICER. The resolution will be stated by title for the information of the Senate.

The **LEGISLATIVE CLERK**. A resolution (S. Res. 111) amending rule XXV of the Standing Rules relative to meetings of committees while the Senate is in session.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Minnesota.

The motion was agreed to; and the Senate resumed consideration of the resolution.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from Pennsylvania [Mr. CLARK].

Mr. HUMPHREY. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. HUMPHREY. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. HUMPHREY. I ask unanimous consent that the pending business be set aside.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. HUMPHREY. The Senator from Rhode Island [Mr. PASTORE] has a matter that requires immediate attention.

The PRESIDING OFFICER. The Senator from Rhode Island is recognized.

SUPPLEMENTAL APPROPRIATIONS FOR CERTAIN ACTIVITIES OF THE DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

Mr. PASTORE. Mr. President, I ask unanimous consent that the Chair lay before the Senate the message from the House concurring in the amendment of the Senate to House Joint Resolution 875, with an amendment.

There being no objection, the Chair laid before the Senate a message from the House of Representatives that the House had receded from its disagreement to the amendment of the Senate to the resolution (H.J. Res. 875) entitled "Joint resolution making supplemental appropriations for the fiscal year ending June 30, 1964, for certain activities of the Department of Health, Education, and Welfare related to mental retardation, and for other purposes", and had concurred therein with an amendment, as follows:

> Immediately after said amendment, insert the following:
>
> "DEFENSE EDUCATIONAL ACTIVITIES
>
> "For an additional amount for 'Defense educational activities' $31,168,000 for capital contributions to student loan funds which shall be available, without allotment under section 202(a), or apportionment under section 203(a), of the National Defense Education Act of 1958 (72 Stat. 1583), for payment to institutions, which have filed applications for contributions between December 14, 1962, and February 28, 1963 inclusive.
>
> "DEPARTMENT OF LABOR
>
> *"Bureau of Employment Security*
>
> "Compliance Activities, Mexican Farm Labor Program
>
> "For an additional amount for 'Compliance activities, Mexican farm labor program', $430,000.
>
> "Salaries and expenses, Mexican farm labor program
>
> "For an additional amount for 'Salaries and expenses, Mexican farm labor program,' $165,000, which shall be derived by transfer from the farm labor supply revolving fund."

Mr. SALTONSTALL. Mr. President, will the Senator yield?

Mr. PASTORE. I yield.

Mr. SALTONSTALL. Because I have an engagement to keep that will take me away from the Chamber, if the Senator will permit me to make a brief statement, I have gone over the figures with the chairman of the Subcommittee of the Committee on Appropriations. I believe these are figures that the Senate agreed upon last autumn, but they were not put in the joint resolution because the House would object. Now the House has adopted the figures on which the Senate had agreed. Therefore, there is no objection.

Mr. PASTORE. The Senator is correct. I shall make a statement which will explain it simply and fully.

The joint resolution, as originally passed by the House, contained six items for supplemental appropriations, all of which related to the comprehensive program to combat mental retardation authorized by two recently enacted laws, the Maternal and Child Health and Mental Retardation Planning Amendments of 1963, Public Law 88-156, and the Mental Retardation Facilities and Community Mental Health Centers Construction Act of 1963, Public Law 88-164. The estimates were allowed in full by the House.

Account	Positions	Amount
Educational improvement for the handicapped	20	$11,685,000
Chronic diseases and health of the aged	6	2,277,000
Hospital construction activities	11	5,049,000
Grants for construction of health research facilities	------	6,000,000
Grants for maternal and child welfare	------	16,500,000
Salaries and expenses, Children's Bureau	60	375,000
Total	97	41,886,000

The Committee on Appropriations took testimony on December 18 on these and other items—"payments to school districts" under Public Law 874; on student loan funds under the National Defense Educational Act; and on the Health Professions Educational Assistance Act of 1963.

The items contained in the joint resolution as it passed the House were approved unchanged by the Committee.

Members insisted on including the funds newly authorized for "payments to school districts," $216,204,000. The Senate passed the bill as reported.

The House disagreed to the Senate amendment—because no budget estimate had been submitted—and returned the resolution to the Senate. The Senate insisted on its amendment, requested a conference with the other body, and named conferees on the part of the Senate.

The House took no further action on the joint resolution in the first session.

The Congress received supplemental budget estimates from the President on January 21, 1964, including the item for "Payments to school districts" for $216,204,000, which was the amount originally in the resolution.

The House yesterday considered House Joint Resolution 875, and agreed to the Senate amendment, with an amendment adding $31,168,000 for the student loan fund under the National Defense Educational Act, and $430,000 for "Compliance activities, Mexican farm labor program," and $165,000 for "Salaries and expenses, Mexican farm labor program."

Our committee took testimony on the student loan fund program on December 18, 1963. We are therefore in the position of agreeing with the House. There was unanimity of opinion that these additional funds, newly authorized by the Vocational Education Act of 1963, should be appropriated at the earliest possible date for use in the second semester of the current school year.

The committee and the Senate, in acting on the regular Department of Labor appropriation bill for fiscal year 1964, added funds for both items under the Mexican farm labor program, contingent upon enactment of pending legislation. The legislation had not cleared the Congress at the time of the conference so the conferees dropped the funds. The supplemental estimate for each of the items is substantially lower than the increase voted by the Senate in the regular bill.

Mr. COTTON. Mr. President, will the Senator yield?

Mr. PASTORE. I yield.

Mr. COTTON. First, I commend the distinguished Senator from Rhode Island for his characteristically clear and lucid explanation of the pending measure. As the ranking minority member of the subcommittee, I have checked the new figures with the staff. I am particularly gratified, personally, that the fund for the impacted areas, in which the Senator from Florida [Mr. HOLLAND] and I were especially interested in the previous session when the measure was before the Senate was included. We feel that this is an excellent result, and I hope the Senate will act on it favorably and at once.

Mr. PASTORE. I thank the Senator.

Mr. JAVITS. Mr. President, will the Senator yield?

Mr. PASTORE. I yield.

Mr. JAVITS. I am especially interested in the student grant fund. Will the Senator be good enough to give us some concept as to what was in the joint resolution, and the areas of difference which have been reconciled?

Mr. PASTORE. Mr. President, there was nothing in the joint resolution. The House added it on its own initiative. However, at the time the original joint resolution was under consideration, it was done on the initiative of the Senator from Rhode Island. Because there was a pressing need for the loan fund, and because we were going into the second semester, and students were without funds, I felt that this need should be taken care of. Universities were coping with the problem as best they could, relying upon being more or less aided later by enactment of an appropriation bill by Congress.

I assure the Senator from New York that the figure of $31,168,000 will take care of the situation. If it does not, the difference will be included in the supplemental bill when it comes before the committee.

Mr. JAVITS. I know the Senator is as interested in this item as I am. I am grateful to him. The point I should have made was as to the authorization. What is the difference there?

Mr. PASTORE. I am told by the staff—and now I have a recollection of it—that the original authorization was for $90 million, which was considered to be inadequate. We increased the authorization by $35 million. It would be $35 million as against $31,168,000. The difference is about $3½ million. This is all predicated upon the testimony.

Mr. JAVITS. I thank the Senator. I wished to get the proportion. The Senator is correct. When we reach a 10-percent area of magnitude, it is pretty close.

Mr. PASTORE. The original authorization was thought to be inadequate, and it was increased.

Mr. JAVITS. I thank the Senator.

Mr. PASTORE. Mr. President, I move that the Senate concur in the House amendment to the amendment of the Senate.

The motion was agreed to.

Mr. PASTORE. Mr. President, I move that the Senate reconsider the vote by which the motion was agreed to.

Mr. HUMPHREY. Mr. President, I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. PASTORE. Mr. President, I ask unanimous consent to have printed in the RECORD a table showing the usual tabulations.

There being no objection, the table was ordered to be printed in the RECORD, as follows:

H.J. Res. 875—Supplemental appropriations for 1964 for Department of Health, Education, and Welfare

H. Doc.		Budget estimate	House			Senate		
			Reported	Passed Dec. 19, 1963	Passed Jan. 28, 1964	Reported	Passed Dec. 20, 1963	Passed Jan. 29, 1964
	DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE							
174	Office of Education: Educational improvement for the handicapped	$11,685,000	$11,685,000	($11,685,000)	$11,685,000	$11,685,000	($11,685,000)	$11,685,000
	Public Health Service:							
174	Chronic diseases and health of the aged	2,277,000	2,277,000	(2,277,000)	2,277,000	2,277,000	(2,277,000)	2,277,000
174	Hospital construction activities	5,049,000	5,049,000	(5,049,000)	5,049,000	5,049,000	(5,049,000)	5,049,000
174	Grants for construction of health research facilities	6,000,000	6,000,000	(6,000,000	6,000,000	6,000,000	(6,000,000)	6,000,000
	Social Security Administration:							
174	Grants for maternal and child welfare	16,500,000	16,500,000	(16,500,000)	16,500,000	16,500,000	(16,500,000)	16,500,000
174	Salaries and expenses, Children's Bureau	375,000	375,000	(375,000)	375,000	375,000	(375,000)	375,000
	Office of Education:							
203	Payments to school districts	[1] 216,204,000			[2] 216,204,000	216,204,000	(216,204,000)	216,204,000
203	Defense educational activities, student loan fund	[1] 31,168,000			[2] 31,168,000			31,168,000
	Total, Department of Health, Education, and Welfare	289,258,000	41,886,000	(41,886,000)	289,258,000	258,090,000	(258,090,000)	289,258,000
	DEPARTMENT OF LABOR							
	Bureau of Employment Security:							
203	Compliance activities, Mexican farm labor program	[1] 430,000			[2] 430,000			430,000
203	Salaries and expenses, Mexican farm labor program (by transfer)	[1] (165,000)			[2] (165,000)			(165,000)
	Total	289,688,000	41,886,000	(41,886,000)	289,688,000	258,090,000	(258,090,000)	289,688,000

[1] Supplemental budget estimate received Jan. 21, 1964.

[2] Floor amendment agreed to, with amendments.

PROPOSED AMENDMENT OF RULE XXV OF STANDING RULES RELATING TO COMMITTEE MEETINGS DURING SESSIONS OF THE SENATE

The PRESIDING OFFICER. The Chair lays before the Senate the unfinished business, which is Senate Resolution 111.

The Senate resumed the consideration of the resolution (S. Res. 111) amending rule XXV of the Standing Rules of the Senate relative to meetings of committees while the Senate is in session.

The PRESIDING OFFICER. The question is on agreeing to the amendment proposed by the Senator from Pennsylvania [Mr. CLARK].

Mr. HUMPHREY. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. CLARK. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

PROPOSED DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT

Mr. CLARK. Mr. President, I introduce, for appropriate reference, a bill to establish a Department of Housing and Community Development, and for other purposes.

Mr. HUMPHREY. Mr. President, before the Senator introduces his bill, I ask unanimous consent that the pending business be set aside.

Without objection it is so ordered.

The PRESIDING OFFICER. Is there objection to the Senator from Pennsylvania introducing a bill at this time? The Chair hears none, and the Senator may proceed.

Mr. CLARK. The bill has as its principal cosponsor the able, distinguished, eloquent, and articulate majority whip, the senior Senator from Minnesota [Mr. HUMPHREY].

I ask unanimous consent that the bill may lie at the desk until Wednesday of next week—February 5—in order to give other Senators an opportunity to cosponsor it.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. CLARK. Mr. President, under the bill, the President——

The PRESIDING OFFICER. Is there objection to the Senator from Pennsylvania debating the bill? The Chair hears none, and the Senator may proceed.

Mr. CLARK. Parenthetically, Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator from Pennsylvania will state it.

Mr. CLARK. Is the Senate now operating under the rule of germaneness?

The PRESIDING OFFICER. The Senator is correct.

Mr. CLARK. This morning business, I take it, is closed.

The PRESIDING OFFICER. The Senator is correct—morning business has been closed.

Mr. CLARK. Continuing my description of the bill, it would create a Secretary of Housing and Community Development, who would be appointed by the President, whose nomination would be confirmed by the Senate, and who would have Cabinet rank.

The bill would transfer to the Secretary all the functions of the Housing and Home Finance Agency, the Federal Housing Administration, and the Public Housing Administration. It would also transfer to the new Department the Federal National Mortgage Association.

Mr. President, I ask unanimous consent that a section-by-section summary of the bill and the text of the bill be printed at this point in the RECORD.

The PRESIDING OFFICER. The bill will be received and appropriately referred; and, without objection, the bill and section-by-section analysis will be printed in the RECORD.

The bill (S. 2475) to establish a Department of Housing and Community Development, and for other purposes, introduced by Mr. CLARK (for himself and Mr. HUMPHREY), was received, read twice by its title, referred to the Committee on Government Operations, and ordered to be printed in the RECORD, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the Department of Housing and Community Development Act.

DECLARATION OF PURPOSE

SEC. 2. The Congress hereby declares that the general welfare and security of the Nation and the health and living standards of our people require, as a matter of national purpose, sound development of the Nation's communities in which the vast majority of its people live and work.

To carry out such purpose, and in recognition of the increasing importance of urban communities in our national life, the Congress finds that establishment of an executive department is desirable to achieve the best administration of the principal programs of the Federal Government which provide assistance for housing and for the development of the Nation's communities; to assist the President in achieving maximum coordination of the various Federal activities which have a major effect upon urban, suburban, or metropolitan community development; to encourage the solution of problems of housing and of community development through State, county, town, village, or other local and private action, including promotion of interstate, regional, and metropolitan cooperation; and to provide for full and appropriate consideration, at the national level, of the needs and interests of the Nation's communities and of the people who live and work in them.

ESTABLISHMENT OF DEPARTMENT

SEC. 3. (a) There is hereby established at the seat of government an executive department to be known as the Department of Housing and Community Development (hereinafter referred to as the "Department"). There shall be at the head of the Department a Secretary of Housing and Community Development (hereinafter referred to as the "Secretary"), who shall be appointed by the President by and with the advice and consent of the Senate. The Department shall be administered under the supervision and direction of the Secretary. The Secretary shall receive compensation at the rate now or hereafter prescribed by law for the heads of executive departments.

(b) The Secretary shall, among his responsibilities, advise the President with respect to Federal programs and activities relating to housing and community development; develop and recommend to the President policies for fostering the orderly growth and development of the Nation's communities; exercise leadership at the direction of the President in coordinating Federal activities affecting community development; provide technical assistance and information including a clearinghouse service to State, county, town, village, or other local governments in developing solutions to community development problems; encourage comprehensive planning by the State and local governments with a view to coordinating Federal, State, and community development activities at the local level; and conduct continuing comprehensive studies, and make available findings, with respect to the problems of housing and community development.

(c) Nothing in this Act shall be construed to deny or limit the benefits of any program, function, or activity assigned to the Department by this or any other Act to any community on the basis of its population or corporate status, except as may be expressly provided by law.

UNDER SECRETARY AND OTHER OFFICERS

SEC. 4. (a) There shall be in the Department an Under Secretary, three Assistant Secretaries, and a General Counsel, who shall be appointed by the President by and with the advice and consent of the Senate, who shall receive compensation at the rate now or hereafter provided by law for under secretaries, assistant secretaries, and general counsels, respectively, of executive departments, and who shall perform such functions, powers, and duties as the Secretary shall prescribe from time to time.

(b) There shall be in the Department an Administrative Assistant Secretary, who shall be appointed, with the approval of the President, by the Secretary under the classified civil service, who shall perform such functions, powers, and duties as the Secretary shall prescribe from time to time, and whose annual rate of compensation shall be the same as that now or hereafter provided by or pursuant to law for administrative assistant secretaries of executive departments.

TRANSFERS TO DEPARTMENT

SEC. 5. (a) Except as otherwise provided in subsection (b) of this section, there are hereby transferred to and vested in the Secretary all of the functions, powers, and duties of the Housing and Home Finance Agency, of the Federal Housing Administration and the Public Housing Administration in that Agency, and of the heads and other officers and offices of said agencies.

(b) The Federal National Mortgage Association, together with its functions, powers, and duties, is hereby transferred to the Department. The next to the last sentence of section 308 of the Federal National Mortgage Association Charter Act and the item numbered (39) of section 106(a) of the Federal Executive Pay Act of 1956 are hereby repealed, and the position of the President of said Association is hereby allocated among the positions referred to in the proviso of section 7(c) hereof.

CONFORMING AMENDMENTS

SEC. 6. (a) Section 19(d)(1) of title 3 of the United States Code is hereby amended by striking out the period at the end thereof and inserting a comma and the following: "Secretary of Health, Education, and Welfare, Secretary of Housing and Community Development."

(b) Section 158 of the Revised Statutes (5 U.S.C. 1) is amended by adding at the end thereof: "Eleventh. The Department of Housing and Community Development."

(c) The amendment made by subsection (b) of this section shall not be construed to make applicable to the Department any provision of law inconsistent with this Act.

ADMINISTRATIVE PROVISIONS

SEC. 7. (a) The personnel employed in connection with, and the assets, liabilities, contracts, property, records, and unexpended balances of appropriations, authorizations, allocations, or other funds held, used, arising from, or available or to be made available in connection with, the functions, powers, and duties hereby transferred by section 5 of this Act are hereby transferred with such functions, powers, and duties, respectively.

(b) No transfer of functions, powers, and duties shall at any time be made within the Department in connection with the secondary market operations of the Federal National Mortgage Association unless the Secretary finds that the rights and interests of owners of outstanding common stock issued under the Federal National Mortgage Association Charter Act will not be adversely affected thereby.

(c) The Secretary is authorized, subject to the civil service and classification laws, to select, appoint, employ, and fix the compensation of such officers and employees, including attorneys, as shall be necessary to carry out the provisions of this Act and to prescribe their authority and duties: *Provided*, That, any other provision of law to the contrary notwithstanding, the Secretary may fix the compensation for not more than six positions in the Department at the annual rate applicable immediately prior to the effective date of this Act to the Commissioners of the constituent agencies and units of the Housing and Home Finance Agency: *Provided further*, That the foregoing proviso shall cease to be controlling upon the establishment of a new rate of compensation for such positions by or pursuant to the provisions of any law hereafter enacted.

(d) The Secretary may delegate any of his functions, powers, and duties to such officers and employees of the Department as he may designate, may authorize such successive redelegations of such functions, powers, and duties as he may deem desirable, and may make such rules and regulations as may be necessary to carry out his functions, powers, and duties. The second proviso of section 101(c) of the Housing Act of 1949 is hereby repealed.

(e) The Secretary may obtain services as authorized by section 15 of the Act of August 2, 1946, at rates not to exceed $100 per diem for individuals.

(f) The Secretary is authorized to establish a working capital fund, to be available without fiscal year limitation, for expenses necessary for the maintenance and operation of such common administrative services as he shall find to be desirable in the interest of economy and efficiency in the Department, including such services as a central supply service for stationery and other supplies and equipment for which adequate stocks may be maintained to meet in whole or in part the requirements of the Department and its agencies; central messenger, mail, telephone, and other communications services; procurement and management of office space; central services for document reproduction and for graphics and visual aids; and a central library service. In addition to amounts appropriated to provide capital for said fund, which appropriations are hereby authorized, the fund shall be capitalized by transfer to it of such stocks of supplies and equipment on hand or on order as the Secretary shall direct. Such fund shall be reimbursed from available funds of agencies and offices in the Department for which services are performed at rates which will return in full all expenses of operation, including reserves for accrued annual leave and for depreciation of equipment.

(g) The Secretary shall cause a seal of office to be made for the Department of such device as he shall approve, and judicial notice shall be taken of such seal.

ANNUAL REPORT

SEC. 8. The Secretary shall, as soon as practicable after the end of each calendar year, make a report to the President for submission to the Congress on the activities of the Department during the preceding calendar year.

SAVINGS PROVISIONS

SEC. 9. (a) No suit, action, or other proceeding lawfully commenced by or against the head of any agency or any other officer whose functions are transferred by the provisions of this Act, in his official capacity or in relation to the discharge of his official duties, or by or against any agency whose functions are transferred by this Act, shall abate by reason of the taking effect of the provisions of this Act, but the court may, on motion or supplemental petition filed at any time within twelve months after such taking effect, showing a necessity for the survival of such suit, action, or other proceeding to obtain a settlement of the questions involved, allow the same to be maintained by or against the Secretary or such other officer or office of the Department as may be appropriate.

(b) Except as may be otherwise expressly provided in this Act, all powers and authorities conferred by this Act shall be cumulative and additional to and not in derogation of any powers and authorities otherwise existing. All rules, regulations, orders, authorizations, delegations, or other actions duly issued, made, or taken by or pursuant to applicable law, prior to the effective date of this Act, by any agency, officer, or office pertaining to any functions, powers, and duties transferred by this Act shall continue in full force and effect after the effective date of this Act until modified or rescinded by the Secretary or such other officer or office of the Department as, in accordance with applicable law, may be appropriate. With respect to any function, power, or duty transferred by or under this Act and exercised hereafter, reference in another Federal law to the Housing and Home Finance Agency or to any officer, office, or agency therein, except the Federal National Mortgage Association and its officers, shall be deemed to mean the Secretary. The positions and agencies heretofore established by law in connection with the functions, powers and duties transferred under section 5(a) of this Act shall lapse.

SEPARABILITY

SEC. 10. Notwithstanding any other evidence of the intent of Congress, it is hereby declared to be the intent of Congress that if any provision of this Act, or the application thereof to any persons or circumstances, shall be adjudged by any court of competent jurisdiction to be invalid, such judgment shall not affect, impair, or invalidate the remainder of this Act or its application to other persons and circumstances, but shall be confined in its operation to the provision of this Act, or the application thereof to the persons and circumstances, directly involved in the controversy in which such judgment shall have been rendered.

EFFECTIVE DATE AND INTERIM APPOINTMENTS

SEC. 11. (a) The provisions of this Act shall take effect upon the expiration of the first period of sixty calendar days following the date on which this Act is approved by the President, or on such earlier date as the President shall specify by executive order published in the Federal Register, except that the President may nominate, and by and with the advice and consent of the Senate may appoint, any of the officers provided for in sections 3(a), 4(a), and 4(b) of this Act at any time after the date this Act is approved by the President.

(b) In the event that one or more officers required by this Act to be appointed by and with the advice and consent of the Senate shall not have entered upon office on the effective date of this Act, the President may designate any person who was an officer of the Housing and Home Finance Agency immediately prior to said effective date to act in such office until the office is filled as provided in this Act or until the expiration of the first period of sixty days following said effective date, whichever shall first occur. While so acting such persons shall receive compensation at the rates provided by this Act for the respective offices in which they act.

The section-by-section analysis presented by Mr. CLARK is as follows:

SECTION-BY-SECTION SUMMARY—DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT

SHORT TITLE

Section 1 provides that the act would be cited as the Department of Housing and Community Development Act.

DECLARATION OF PURPOSE

Section 2 sets forth the purpose of the bill, and that the Congress finds that establishment of an executive department is desirable to carry out the purpose.

Congress would declare that the general welfare and security of the Nation and the health and living standards of its people require, as a matter of national purpose, sound development of the Nation's communities in which the vast majority of its people live and work.

To carry out the purpose, Congress would find that establishment of an executive department is desirable to (1) achieve the best administration of the principal programs of the Federal Government which provide assistance for housing and for the development of the Nation's communities; (2) assist the President in achieving maximum coordination of Federal activities which have a major effect upon urban, suburban, or metropolitan community development; (3) encourage the solution of problems of housing and of community development through State, county, town, village, or other local and private action (including promotion of interstate, regional, and metropolitan cooperation); and (4) provide for full consideration, at the national level, of the needs and interests of the Nation's communities and their people.

ESTABLISHMENT OF DEPARTMENT—RESPONSIBILITIES OF THE SECRETARY

Section 3(a) establishes the Department of Housing and Community Development and provides that it would be headed by a Secretary of Housing and Community Development, who would be appointed by the President, with Senate confirmation.

The Department would be administered under the supervision and direction of the Secretary. The Secretary would receive compensation at the rate now or hereafter prescribed by law for the heads of executive departments. (At present, sec. 102 of the Federal Executive Pay Act of 1956, 5 U.S.C. 2201, provides that the heads of executive departments shall receive $25,000 per annum.)

Section 3(b) directs the Secretary, among his other responsibilities, to advise the President with respect to Federal programs and activities relating to housing and community development; to develop and recommend to the President policies for fostering the orderly growth and development of the Nation's communities; exercise leadership at the direction of the President in coordinating Federal activities affecting community development; provide technical assistance and information (including a clearinghouse service) to State, county, town, village, or other local governments in developing solutions to community development problems; encourage comprehensive planning by State and local governments with a view to coordinating Federal, State, and community development activities at the local level; and to conduct continuing studies of housing and community development problems.

Section 3(c) provides that nothing in the bill shall be construed to deny or limit the benefits of any program, function, or activity to any community on the basis of its population or corporate status, except as may be expressly provided by law.

UNDER SECRETARY AND OTHER OFFICERS

Section 4(a) provides that there shall be in the Department an Under Secretary, three Assistant Secretaries, and a General Counsel, all of whom would be appointed by the President and confirmed by the Senate. These officers would perform the functions, powers, and duties prescribed by the Secretary. They would receive the same compensation as the Under Secretaries, Assistant Secretaries, and General Counsels of other departments. (At present, sec. 104 of the Federal Executive Pay Act of 1956, 5 U.S.C. 2203, provides that Under Secretaries receive $21,000 per annum, and sec. 106 of that act, 5 U.S.C. 2205, provides that Assistant Secretaries and General Counsels receive $20,000 per annum.)

Section 4(b) provides that there shall be in the Department an Administrative Assistant Secretary who would be appointed by the Secretary with the approval of the President. The Administrative Assistant Secretary would receive the same compensation as is provided by or pursuant to law for Administrative Assistant Secretaries of executive departments ($19,000 per annum). He would perform the functions, powers, and duties prescribed by the Secretary.

TRANSFERS TO DEPARTMENT

Section 5(a) transfers to the Secretary all the functions, powers, and duties of the Housing and Home Finance Agency, the Federal Housing Administration, and the Public Housing Administration, and the functions, powers, and duties of the heads and other officers and offices of those agencies.

Section 5(b) transfers the Federal National Mortgage Association, together with its functions, powers, and duties, to the Department. The Secretary of the Department would be vested with the functions, powers, and duties of the Housing and Home Finance Administrator with regard to FNMA. The Secretary would therefore become the Chairman of the Board of Directors of FNMA. FNMA would be an entity within the Department, and the rights and interests of the owners of outstanding common stock issued under the FNMA Charter Act would not be affected by the transfer.

Language in section 308 of the FNMA Charter Act (12 U.S.C. 1723) and 106(a) of the Federal Executive Pay Act of 1956 (5 U.S.C. 2205) would be repealed which provides that the President of FNMA is to receive compensation at the rate established for the heads of the constituents of the Housing and Home Finance Agency. Under the provisions of section 7(c) of the bill, the President of FNMA could receive the same salary as he presently receives of $20,000 per annum.

CONFORMING AMENDMENTS

Section 6(a) would amend section 19(d)(1) of title 3 of the United States Code to place both the Secretary of Health, Education, and Welfare, and the Secretary of Housing and Community Development in the line of succession to the Office of President of the United States. They would be eligible to act as President only if the Vice President, Speaker of the House, President pro tempore of the Senate, and the heads of other executive departments having precedence over them by law are unable to serve as President.

Section 6(b) and 6(c) are technical provisions which would extend to the new Department the provisions of title IV of the Revised Statutes, except to the extent inconsistent with the bill. Those provisions deal with such matters as departmental vacancies, regulations, duties of clerks, details and employment of personnel, oaths, subpenas, and witness fees.

ADMINISTRATIVE PROVISIONS

Section 7(a) provides that all the personnel, liabilities, and resources, including funds, property, and records available in connection with the functions transferred by section 5 to the Department are transferred with the respective functions.

Section 7(b) provides that no transfers of functions may be made within the Department with respect to the secondary market operations of the Federal National Mortgage Association unless the Secretary finds such transfers would not adversely affect the rights and interests of the owners of FNMA common stock.

Sections 7 (c) and (d) would authorize the Seretary to appoint and fix the compensation of Department personnel and prescribe their duties. The law applicable to the Federal civil service would apply to employees of the Department. The Secretary further would be authorized to fix the compensation for not more than six positions at the annual rate now being paid to the Commissioners of the constituent agencies and units of the Housing and Home Finance Agency. The compensation for the six positions could be changed upon the establishment of a new rate of compensation for the positions by or pursuant to the provisions of any law enacted after enactment of the bill.

Section 7(d) permits the Secretary to delegate any of his functions to such officers and employees of the Department as he may designate and to authorize successive redelegations of functions he has delegated. The Secretary is also authorized to prescribe necessary rules and regulations. This subsection also repeals a portion of section 101(c) of the Housing Act of 1949, as amended (42 U.S.C. 1451(c)), so that the Secretary could delegate or redelegate authority to (1) approve the workable program of a locality for dealing with its overall problems of slum and blight, (2) certify that Federal assistance to urban renewal work enumerated under section 101(c) may be made available to a community, and (3) determine that the relocation requirements of section 105(c) of the Housing Act of 1949 have been met.

Section 7(e) authorizes the Secretary to obtain the services of experts and consultants at rates not to exceed $100 per diem for individuals.

Section 7(f) authorizes the Secretary to establish a working capital fund, similar to those in other departments, for operating various common administrative services in the Department such as supply, messenger, mail, telephone, space, library, and reproduction services. The revolving fund would be financed through appropriations and charges against the agencies and offices in the Department for which services are performed.

Section 7(g) directs the Secretary to have a Department seal made and provides for judicial notice of the seal.

ANNUAL REPORT

Section 8 requires the Secretary to make an annual report to the President for submission to the Congress on the activities of the Department during the preceding calendar year.

SAVINGS PROVISIONS

Section 9(a) provides that any pending litigation or other proceeding by or against any agency or officer whose functions are transferred by the bill would not abate by reason of the new act, and also provides for appropriate substitution of successor parties.

Section 9(b) provides that, except as expressly provided in the bill, all powers and authorities otherwise existing would not be affected by the bill. All rules, regulations, and orders issued under applicable law prior to the effective date of the bill would continue in effect unless modified or rescinded by the Secretary or other legally authorized officer or office of the Department. References in other Federal laws to the Housing and Home Finance Agency, or to any officers, office, or agency therein, except the FNMA and its officers, would be deemed to mean the Secretary. This subsection also provides that the positions and agencies (HHFA, FHA, and PHA, and their heads and officers) transferred under section 5(a) of the bill would lapse.

SEPARABILITY

Section 10 provides a standard separability clause.

EFFECTIVE DATE AND INTERIM APPOINTMENTS

Section 11(a) provides that the act would take effect 60 days from the date of its approval, or on such earlier date as the President may specify. However, in the interim, and any time after approval of the act, the President could nominate and the Senate could confirm the Department's officers. Such officers would not enter on duty until the act takes effect generally.

Section 11(b) makes provision for designation by the President of interim officers, as may be necessary, for a 60-day period immediately after the effective date of the act.

Mr. CLARK. The President in his message on housing and community development has forcefully reminded us once again that the scope of Federal responsibilities presently administered by the Housing and Home Finance Agency clearly merit departmental status. As the President put it:

> If we are to deal successfully with the complex of problems of our urban and suburban communities, we need governmental machinery for the 1960's not the 1940's.

This is not a bill for the big cities alone. It is concerned with the problems of community development and housing in every community across the Nation. It would permit a Cabinet Secretary to work with officials at every level of government in coordinating plans for orderly community development. It would elevate to the level of Cabinet consideration the many problems which affect the well-being of the nearly three-fourths of the American people who live in urban communities.

When a similar bill was considered by the 87th Congress, much of the debate was marked by false fears. They were without substance then; they are equally without substance today.

The bill introduced today covers every American community, large and small.

It adds no new programs to those already enacted.

Its cost will be negligible.

Its purpose is orderly administration.

Its aim is to bring into the highest councils of Government the attention and consideration so urgently needed for the many grave problems faced by the Nation's towns and cities.

Mr. President, the bill will be referred, I take it, to the Committee on Government Operations and to the subcommittee over which the senior Senator from Minnesota [Mr. HUMPHREY] presides. This is a good omen. It is my hope that this will mean that the Senate will have the opportunity to consider the proposed legislation on the floor of the Senate before very many weeks go by.

Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator from Pennsylvania will state it.

Mr. CLARK. Is there any pending business before the Senate?

The PRESIDING OFFICER. The Senate has temporarily laid aside Senate Resolution 111.

Mr. HUMPHREY. Mr. President, before the Senator from Pennsylvania proceeds to another subject, will he yield?

Mr. CLARK. I am happy to yield.

Mr. HUMPHREY. I am happy to be associated with the distinguished Senator from Pennsylvania in the introduction of this important bill. It carries out President Johnson's recommendation relating to the housing and urban renewal program. In the past, the Senator from Pennsylvania has been the main author of resolutions and bills of this nature. I recall that in the 87th Congress the Senate had before it a proposal of a similar nature, which the Senator from Pennsylvania sponsored and of which it was my privilege to be among the cosponsors.

Mr. CLARK. Also, in the 85th and 86th Congresses the Senator from Minnesota and I and other Senators joined in introducing the same bill.

Mr. HUMPHREY. The Senator from Pennsylvania is correct. If the bill he is now introducing is referred to the Committee on Government Operations, I assure the Senator that, as chairman of the Subcommittee on Reorganization, his bill will be accorded prompt consideration, and the necessary hearings will be held. I will do for the Senator from Pennsylvania what he did for me in the handling of the youth employment opportunities legislation, which he moved along so rapidly and so well and handled with great ability in the Senate. I only hope that I can do half as well for the Senator from Pennsylvania and, I may add, for the President and his program, the country, and the housing program, as well.

Mr. CLARK. I thank the Senator from Minnesota for his kind words.

I suggest that the Senate now resume its consideration of the pending business; I wish to say a few words about it.

Mr. JAVITS. Mr. President, will the Senator from Pennsylvania yield?

Mr. CLARK. I am happy to yield.

Mr. JAVITS. Will the Senator tell us the difference between the program he is implementing by means of this bill and that under the proposed Department of Urban Affairs, which we debated some time ago, and which I supported.

Mr. CLARK. They are essentially the same.

Mr. JAVITS. If no effort is made to distinguish between the two, why is such a change proposed?

Mr. CLARK. The administration preferred the change; and the Senator from Minnesota [Mr. HUMPHREY] and I were happy to accede to it.

Mr. JAVITS. But essentially the functions and the ambit of authority would be the same, would they not?

Mr. CLARK. Yes.

Mr. HUMPHREY. Mr. President, will the Senator from Pennsylvania yield?

Mr. CLARK. I am happy to yield.

Mr. HUMPHREY. I know we shall have the cooperation of the Senator from New York in this effort, because he and the Senator from Pennsylvania have most detailed knowledge of the problems of our great metropolitan centers.

One of the most interesting developments in connection with the debate on the proposed legislation will be the population projections, which will indicate what will happen in the United States in the next 10, 15, 20, and 30 years, in terms of the movement of people and the development of tremendous urban centers.

So the proposed study of our urban problems, by means of the establishment of such a departmental status in the Government, is essential if there is to be adequate planning. I hope this point will be developed in detail in both the committee hearings and the Senate debate.

The Senator from New York is a member of the subcommittee, thank goodness. I know of no one more helpful or better informed on these matters. I hope he will join us in sponsoring the bill.

Mr. JAVITS. I shall study it, with a view to becoming a cosponsor.

I welcome further consideration of this proposal. When we commence the hearings, I believe we may help the whole situation by taking some account of the regional organizations which have now sprung up. For example, in the New York area there are a number of organizations of this kind—generally on a tristate basis; and other efforts along those lines have been made. I hope very much the administration will not—as sometimes happens—feel that it is lashed down or confined to this proposal, and that only this one can be used. Instead, as the Senator from Minnesota has suggested, in view of the fact that urban populations are increasing rapidly, I believe we should now elevate to Cabinet status the person in charge of dealing with the problem of our city dwellers, who, as the Senator said, probably by the seventies, if not sooner, will aggregate about 80 percent of the population. We shall try to work out the best possible plan; and in that connection we shall avail ourselves of the conisderable number of such organizations which already have been set up—certainly in my area, and perhaps in other parts of the country, as well.

PROPOSED AMENDMENT OF RULE XXV OF STANDING RULES RELATING TO COMMITTEE MEETINGS DURING SESSIONS OF THE SENATE

Mr. CLARK. Mr. President, will the Senator now have the pending business, Senate Resolution 111, laid before the Senate?

Mr. HUMPHREY. Mr. President, I move that the Senate resume the consideration of Senate Resolution 111.

The motion was agreed to; and the Senate resumed the consideration of the resolution (S. Res. 111) amending rule XXV of the Standing Rules of the Senate relative to meetings of committees while the Senate is in session.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered yesterday by the Senator from Pennsylvania [Mr. CLARK].

Mr. CLARK. Mr. President, under the bipartisan agreement arrived at between the majority leader and the minority leader, it was agreed that no votes would be taken today on the pending business, but that when the Senate convenes tomorrow morning, there will be a brief period of time during which the amendment I have proposed will be debated for 15 minutes on each side, and then the vote on it will be taken. Thereafter, I shall offer one more amendment, to which the same procedure will apply.

I think it is the hope of the leadership on both sides that the vote on the question of adoption of the resolution will be taken quite early tomorrow. I make this statement now, so that Senators who will read this RECORD will be aware of the fact that the Senate will be conducting its business at quite an early hour tomorrow morning.

Mr. President, I speak now chiefly because a moment or two ago the Senator from Minnesota said he will be prompt in holding hearings on the bill I introduced, out of order, a few minutes ago; it is the bill to create a Department of Housing and Community Affairs. However, it will not be possible to hold those hearings in the near future unless my amendment to the pending resolution is adopted tomorrow, for the minority leader has already stated on the floor that during the debate on the tax bill, he will object to any request for authority for any committee to meet while the Senate is in session. This means that until the tax bill is disposed of, the Senator from Minnesota will not be able to hold any hearings on the bill I introduced just now.

The junior Senator from Alabama [Mr. SPARKMAN] has scheduled for next week, before the Subcommittee on Housing, hearings on the administration's housing bill. If the minority leader persists in refusing permission for committees to meet while the Senate is in session, the housing subcommittee will not be able to hold any hearings on that bill at that time, and those hearings will again have to be postponed for the duration of the Senate debate on the tax bill.

I have scheduled for 2 days next week hearings before the Subcommittee on Employment and Manpower, in closing up our record on what will be a rather comprehensive report by the subcommittee on the problems created by the continuing unacceptably high rate of unemployment among many American citizens who are looking for work, but cannot find it—citizens who, by and large, are not sufficiently highly skilled to be able to get jobs which otherwise might be available to them—and, on the other hand, the rather serious manpower shortages for many skilled job openings—shortages which exist side by side with the heavy current rate of unemployment.

It is thought that after the Senate concludes its consideration of a tax bill, it will then proceed to the consideration of the civil rights bill; and, again, the Senate will convene at an early hour and will remain in session late, every day.

I have no doubt that either the minority leader or perhaps some Member on this side of the aisle who is opposed to the civil rights bill will oppose the giving of unanimous consent to requests that committees be authorized to meet while the Senate is in session and is considering the civil rights bill. We anticipate a long-drawn-out filibuster on that bill; and that will mean that the entire committee work of the Senate will be immobilized for an indefinite time in the future, unless the Clark amendment to Senate Resolution 111 is adopted tomorrow.

I point out that I have indicated my intention to propose two amendments. One of them would authorize Senate committees to meet at all times when the Senate is in session, except during a 3-hour period when the rule of germaneness is in effect. If this amendment is adopted, there will be substantial periods of time during the day when committees will be allowed to meet, and cannot be prevented from meeting by reason of failure to obtain such unanimous consent.

The second amendment which I shall propose provides that special leave could be obtained for a committee to meet while the Senate was in session, by a majority vote taken on a motion to be decided without debate.

These two amendments together would break the logjam which the minority leader anticipates instituting with respect to the tax bill, and which perhaps some of the southern Senators anticipate instituting with respect to the civil rights bill—obstructions which, in the absence of the adoption of my amendments, would prevent enactment of the legislative program of the President during the present session of the Congress.

So I point out to the Senator from Minnesota—who temporarily had to leave the Chamber—that if the minority leader persists in his present intention, or if one or more southern Senators object to unanimous-consent requests to allow the committees to meet while the Senate is in session, it will not be possible to hold any hearings on the bill which he and I joined in introducing a few minutes ago, until after both the tax bill and the civil rights bill are disposed of by the Senate.

As the majority whip, I know he is deeply interested in advancing the legislative program of the President. But I say to him in all seriousness that if my amendments are not adopted tomorrow, we might as well give up our attempt to make any progress with any legislative proposal until after the civil rights bill has been disposed of. And, in my opinion, that time will be so close to the time when we shall have to adjourn, that the entire program of the President will go down the drain, unless these two amendments—which seem so small and seem so innocuous—are adopted tomorrow.

So I solicit strong support of the Senator from Minnesota in having those amendments adopted. Otherwise, as I stated the other day, the President's legislative program will not be enacted into law.

Mr. HUMPHREY. Mr. President, will the Senator from Pennsylvania yield?

Mr. CLARK. I yield.

Mr. HUMPHREY. I say to the Senator from Pennsylvania that his amendments on the so-called rule of germaneness resolution, had they been adopted, would have facilitated the activities of the Senate.

Mr. CLARK. They look better every day.

Mr. HUMPHREY. They look better every minute. I would not make the duration as long as a day. It has become obvious that we have had to use every means conceivable to carry on the business of the Senate under the rather strict rule of germaneness adopted last Thursday.

The proposal of the Senator from Pennsylvania would have permitted the majority leader, or the Senator in charge of the bill, to apply or not to apply the rule of germaneness as might seem wise and prudent at the time. Had that been adopted, there would have been little or no difficulty.

Mr. CLARK. We would not be in our present position. If the Senator from Minnesota will permit me to interject at that point, the problems which the minority leader, with tongue in cheek, has been imposing upon us with respect to Senate procedure in the last 2 or 3 days have as much to do with the inadequacy of rules VII, VIII, and IX as they do with the rule of germaneness.

Had the minority leader permitted the Senate to conduct a morning hour in the customary but illegal way in which it has been conducted ever since I came to the Senate, many speeches could have been made during the morning hour, and we would not have had trouble with the rule of germaneness. I agree with the Senator from Minnesota that the rule of germaneness proposed by the Senator from Rhode Island [Mr. PASTORE] is obviously not so good as a more flexible rule would be. We should look carefully at rules VII, VIII, and IX, and bring them into accord with the procedures which a majority of the Senate has always wished to follow. I recommend to the Senator from Minnesota earnest consideration of that point.

Mr. HUMPHREY. Mr. President, will the Senator yield further?

Mr. CLARK. I am glad to yield.

Mr. HUMPHREY. I hope all Senators will read this RECORD, in order to understand that the purpose of the rule of germaneness was to bring about concentration of attention and debate and effort upon a measure at the time it is under lively consideration, and that Senators should be in the Chamber to listen to debate so as to become better informed on legislative questions.

Any rule can be applied so strictly as to place the Senate in a straitjacket. For example, there is a rule of the Senate which requires a Senator to stand at his desk, and not move about in the Chamber when participating in debate or discussion. That rule has not been applied rigidly. Rules are made to be applied with a sense of reasonableness and accommodation.

The rules are there, however, for extreme moments when their strict application is needed. They are also there as guidelines for the conduct of proceedings of a legislative or parliamentary body.

The amendment which the Senator from Pennsylvania seeks to place in the resolution of the Senator from Idaho [Mr. CHURCH] is one that would provide that when the rule of germaneness is in effect and the Senate is considering business, committees may be able to meet to transact business.

The purpose of a body of rules is to expedite the business of the Congress. Rules have not been designed to block action. Rules are designed to promote effective, constructive action. Rules exist to prevent disorder. Rules are with us so as to prevent delay, not to promote disorder or to bring about delay. Important items of legislation will need consideration; and I would vote for a rule of the Senate that would permit committees to undertake the business of the Congress.

I am sure that our constituents, those who read what we say, ask what we do, or listen to what we say in the Chamber, would like Members of Congress to know that what they want from Congress is that it should proceed to transact the business of the Congress.

As President Johnson said in his state of the Union message, we should vote these measures up or down. It is not required that we must always vote for them. I do not believe that there is any sort of divine wisdom in the executive branch of Government, any more than in the legislative branch; nor do I feel it is our duty always to approve everything that comes from the executive branch. We have our own independent function.

Above all, we have a duty under the Constitution and a duty to the American people to act. We have a duty to let them know that we either favor something or do not favor it. We have a duty to stand up in the broad sunlight and vote yes or no, and not to allow legislative proposals to become lost in the fog of confusion, delay, procrastination, and the maze of rules which literally can be used to destroy legislative endeavor.

I commend the Senator from Pennsylvania for his efforts. He has been trying to do something constructive for the Senate. He is persistent. I am pleased that he has a degree of persistence, because it is supported by great public service, dedication, and intelligence.

Mr. CLARK. I thank the Senator from Minnesota for his kind remarks. I should like to supplement what the Senator from Minnesota has said by putting my finger once more on the really vital part of the two so-called Clark amendments to the pending business. Under those amendments, no one Senator would ever again be able to prevent a committee from meeting while the Senate was in session merely by saying, "I object." The motion for leave to meet would not be debatable. It would be voted upon immediately. If a majority of the Senate agreed with a majority of a committee that it should be permitted to meet, permission would be given, and permission would be automatic except during the 3-hour period of germaneness which was adopted only the other day.

Mr. President, I yield the floor.

Mr. MAGNUSON. Mr. President——

The PRESIDING OFFICER. The Senator from Washington is recognized.

Mr. TOWER. Mr. President, if the Senator from Washington will yield, I should like just 1 minute to speak on the subject.

Mr. MAGNUSON. I yield.

Mr. TOWER. Mr. President, I understand the Senator from Pennsylvania made reference to objection to the Housing Subcommittee meeting during the session of the Senate and delaying the tax bill.

The tax bill is probably the most sensitive and significant piece of legislation to be considered in this session of Congress. It affects all the people of the United States. It is highly technical in character. Most Senators have not yet received a technical explanation of the bill by the committee. I understand it will not be forthcoming until Monday. This is of vital concern to all Senators, since we all wish to be well informed on the subject. We also wish to be in the Chamber for debate on the bill and consideration of the many amendments that will no doubt be offered.

The housing bill is an important piece of legislation, but I do not believe we should be compelled to deliberate on those two measures at the same time. I do not believe it is at all unreasonable for a Senator to raise objection to the Housing Subcommittee meeting while we consider this vital tax legislation.

I thank the Senator from Washington for yielding to me.

Mr. MAGNUSON. Mr. President, I also wish to address myself to this subject. The Senator from Minnesota talks about changing the rules. We are all agreed on that, but it seems to me that individual Senators have some responsibility, even within the rules, changed or unchanged, to use discretion when legislation is before the Senate. I do not know what an analysis of the result would show.

There was once a great Senator from West Virginia who every year would measure by inches the speeches of Senators and then deliver an annual speech on what Senators take up most of the time of the Senate with irrelevant subjects. The ones he named are still in the Senate and the situation has not changed much.

Though we perfect rules, individual Senators should do a little more searching of their own consciences in respect to the way they delay the Senate with unnecessary things. If we could eliminate repetition in speeches we could reduce the time of Senate sessions by about half.

So I hope that the endeavor to change the rules will go a little beyond the actual changes themselves, and remind some Senators who I believe are well meaning. They have a perfect right to do what they do, but they might cease and desist from making certain speeches which are not germane merely because they think they must make them.

Mr. President, I should like to ask the acting majority leader a question about the rules.

Mr. HUMPHREY. Yes.

Mr. MAGNUSON. For the first time I observe cartoons in a document issuing from a committee. Has a new rule been adopted permitting that practice?

Mr. HUMPHREY. I must say to the Senator that I am not sufficiently familiar with such a rule.

Mr. MAGNUSON. I ask the Senator to look at the document which I hold in my hand.

Mr. HUMPHREY. They surely enliven the reading.

Mr. MAGNUSON. One article is entitled, "To Move Congress Out of Its Ruts," by Senator HUBERT H. HUMPHREY. There are cartoons and pictures throughout.

Mr. HUMPHREY. The Senator from Minnesota did not place those cartoons in the RECORD.

Mr. MAGNUSON. I believe it is a reprint of an article that the Senator wrote.

Mr. HUMPHREY. It is a reprint of an article.

Mr. MAGNUSON. There are pictures of the Capitol.

Mr. HUMPHREY. I believe it was a New York Times article. The New York Times generally does a good job of inserting pictures.

Mr. MAGNUSON. I refer to a cartoon from Business Week presented by the Senator from New Jersey [Mr. CASE]. There are 17 cartoons in the document. I believe we had better look at the rule on that subject too. If we start putting cartoons in the RECORD——

Mr. HUMPHREY. I should like to point out to the Senator that those are the hearings.

Mr. MAGNUSON. Whatever they are.

Mr. HUMPHREY. The witness is ordinarily permitted to place in the hearings material that the chairman feels is relevant. I do not happen to think that those cartoons are particularly necessary, but I am not a member of the Committee on Rules and Administration. The Senator from Washington is the chairman of a great committee. He knows what he would permit to be included in hearings conducted by him.

Mr. MAGNUSON. We permit charts to illustrate points, but I ask the Senator to look at some of the pages which I indicate.

Mr. HUMPHREY. Charts are not half as interesting as those pictures.

Mr. MAGNUSON. Where will the procedure end if we start inserting cartoons? Some Senators who consider themselves amateur artists will start to illustrate their testimony by drawings, including caricatures.

Mr. HUMPHREY. Any time the chairman of a committee does not wish to permit pictures to be introduced, I believe he can stop it. But the Senator will have to admit that they are rather attractive.

Mr. MAGNUSON. I observe one picture which shows that the Senator from Minnesota is being thrown off the Dome of the Capitol. I do not know how attractive that is.

I believe we had better examine the procedure. I do not know how far the practice would go. The Chinese have a saying that one picture is worth a thousand words. Perhaps we might reach a point at which only pictures would be submitted at hearings. Some political cartoons, I believe, are much more valuable than political speeches. But what I see in this document is a new departure. I have never seen such a thing in all the years I have been in the Senate.

Our main objective should be to proceed with what we have to do, and I am sure we shall be able to get it done.

No one can draft rules that would define or limit human conduct. My hope is that when we draw up rules which we believe are good, they might induce certain Senators to take a look at their individual methods of making speeches that are not germane or speeches that might hinder a decision on proposed legislation.

Mr. President, I am not in that category now, because there is no more business.

SPEECH OF SENATOR HUMPHREY AT THE DEMOCRATIC NATIONAL COMMITTEE MEETING

Mr. MAGNUSON. Mr. President, I ask unanimous consent to have printed at this point in the RECORD a speech by my distinguished colleague, the Senator from Minnesota, at the Democratic National Committee meeting held in Washington, D.C., on January 11, 1964.

There being no objection, the address was ordered to be printed in the RECORD, as follows:

REMARKS OF SENATOR HUBERT H. HUMPHREY AT THE DEMOCRATIC NATIONAL COMMITTEE MEETING, SHERATON PARK HOTEL, WASHINGTON, D.C., JANUARY 11, 1964

I know that every Congress takes its kicks. But I want to go on record here without any fear of being proven wrong that when the 4 years of the Kennedy-Johnson administration have been completed and the record is tabulated, that the record of the 87th and the record of the 88th Congress, both Democratically controlled Congresses, will be one of the most outstanding records in the history of the Government of the United States. [Applause.]

I know we have our limitations and we surely have been told about them. But I want to remind my fellow Democrats that you don't improve your situation by joining in on the clack. You better start finding out what has been done. And plenty has been done. After all, this is a national election year. The last national election was in 1960, a hard fought campaign. And I might add that when I saw the other night the film "The Making of a President" and saw the Republican candidate in action, I can't understand yet how he got as many votes as he did.

I have been proud to be a part of the team that has carried on the New Frontier, and the New Frontier is still our goal, our objective and our commitment. The Republicans belong to the lost horizon, and believe me they deserve it.

So let's just take a good look at what we have been doing. I just jotted down a note here. I had no intention of reviewing this, except as I looked out over this audience and saw some people who had talked to me and had written to me about this Congress of ours and these Congresses. I ask you to put it in proper perspective. You are the custodians, the stewards, so to speak, of a political party that has been given responsibility for governing this Nation for a 4-year period. At the end of this 4-year period we have to come back and make an inventory and a report to the stockholders, the people of the United States, the citizens. Well, first of all, we inherited a political structure that was creeping along in serious trouble abroad, its money system literally on the rocks in terms of international payments; its prestige abroad at low ebb; unemployment mounting and the economy slowing down to at best a creeping pace.

It was President Kennedy that asked that we get this country moving once again. This is a big country and it took a big man, with big ideas and great determination to get this country moving. And we got it moving under his leadership. We got it moving to a point where today instead of talking about a $600 billion economy we have it; where the morning newspapers tell you that unemployment is still going down, not up; where price levels have been stabilized, where our balance-of-payments situation internationally is better than it has been in 5 years. These are just a few of the things.

Where a President of the United States today can talk about peace, can negotiate for peace, and not negotiate from fear, and not negotiate from weakness, but negotiate from strength; where we command respect from the Soviet Union to a point where they are willing, at long last, to talk more reasonably and sensibly about the problems that exist in the world.

This didn't happen easily. Your Government, and the party that made possible this Government, has strengthened America to a point where it is the uncontested political and military and economic power in the world today. No combination of powers can stand up against us. This is a record to be proud of. [Applause.]

So our President, Lyndon Johnson, our President today, can offer some overtures of reduction of arms which helps the economy, which promotes an attitude and an atmosphere of peace and understanding, and he can do it safely, securely. Why? Because in the years from 1961 to this date, that great President and fallen leader that we loved so much gave this country the tools, the sinew, the strength, by asking the Congress of the United States and the American people to provide that strength for our military establishments, for our diplomacy, for our foreign aid, and for all that makes up our security. Be proud of this. Know this record. This just didn't happen. It was worked on. It was planned. It had to be legislated, and it had to be executed and administered, and we did it.

Let me just say a few other things. This is an administration—and I talk about the administration in the same terms as it always has been. Remember that great line in President Johnson's address following the death of our great President Kennedy, when he spoke to Congress? He said, "Let us continue." And don't you forget that line. That is what you are here for. Let us continue.

The program that President Kennedy had was a program that President Johnson gave his thought to, his inspiration to. He was a part of it. This was a team. I know. I sat there with these men. I worked with them. We are continuing a program. Yes, we will add to it, but the program today is the Kennedy-Johnson program. That is our program and you have an obligation to take it to the American people. [Applause.]

Area redevelopment that has helped your areas; accelerated public works which have helped your communities; nursing homes, more nursing homes built for our old people in the last 3½ years than in the preceding 200 years, under this administration. Urban redevelopment, housing, college housing, more housing built for the elderly in the last 3½ years than the previous 100 years, under your administration. Know it. And we haven't even started. We ought to be doing more. If we can get rid of some of these reactionaries that stand in our way, we would do more.

Minimum wage extension, social security improvements, the food stamp program for our needy, the expansion of food for peace, the school lunch program, the milk program—little things, yes, but affecting the lives of people.

Farm credit, the Small Business Administration—they doubled their activities, doubled them, for every little independent businessman in America.

Modernization of the defense establishments, streamlining of the Pentagon and the Defense Department.

And when you get into the field, my friends, of education, never in the history of America has more been done in the field of education than in the past 3½ years. The broadest, most comprehensive program of aid to higher education that any free nation in the world has ever known passed, presented to the Congress by President Kennedy, passed by the Congress while President Kennedy was yet in the White House, and our leader, and signed by President Johnson, the National Defense Education Act extension, a huge expansion of vocational education and technical education. We moved out of the frontier of education for the young.

Mental health—the greatest advance in the field of mental health and the first major attack on the area of mental retardation by any country in the history of the world. It is a massive program and it has been accomplished under this administration.

Aid to medical schools, schools of pharmacy, schools of nursing, and other professional schools.

Remember that record. Then I add that we had some things in the foreign policy that we can be proud of.

The Peace Corps—the finest demonstration of the spirit of America that this country has ever known, and under very able direction, I might add.

The Disarmament Agency, which made possible the negotiation of the nuclear test ban treaty.

The Alliance for Progress.

And a host of other activities—national defense, space activity, the program to combat poverty. I will leave you on this note: Weren't you impressed with that message to Congress the other day? Isn't that a movement for action? [Applause.]

The Republican leader in the Senate said, "Why, that is a blueprint for paradise." I didn't want to go quite that far, but if he thinks that is the case, I will buy it.

There is one thing for sure, you will never get a blueprint for paradise from a Republican. You can rest assured of that. [Applause.]

But it is a blueprint of progress, and it builds on what we have already created, and it extends that which we have created. It goes back to the days of Franklin Roosevelt, right on up to this present moment. This is a party that recognizes that our duty is to people. The Republican Party forgets that. If there is any one thing that I feel sad about, it is that during the 8 years of Republican administration, it wasn't only that the Government forgot the poor and the needy, but it was a kind of planned indifference. If four out of five were getting along well, why worry about the fifth?

This administration isn't content to be proud and happy about the four out of five doing well. We want to know what we can do to help No. 5, the fifth, the one that may be lost.

So the President of the United States recognizes that there is poverty in our midst of plenty, and he says, "We will wage unrelenting, unconditional war against it." I felt better when I heard that, because the Democratic Party is only worthy of respect when it is a party of ideals and idealism, enthusiasm and conviction. That is what wins us elections. The reason it wins elections is because people respect that from a great government of the people.

So we are going to do something in this Congress. We are going to forward this program of war on poverty. We are going to pass this tax bill, and inject into this economy billions of dollars of new capital for new jobs, new investments, and new expansion. Make no mistake about it. We are going to pass the most comprehensive and effective and, may I say, socially just civil rights legislation that has ever been passed in the history of the United States. [Applause.]

I make one plea to my fellow Democrats: Why can't we do this without tearing each other apart? Why don't we do this like ladies and gentlemen? Why can't we do this without prolonged, unlimited debate? We know these things have to be done. We know there is no room in America for second-class citizenship. We know the day of the past is gone.

My plea is not to put the blame on anyone. If anyone is to blame, we are all to blame for what has happened. Therefore, we all ought to work to try to remove this spot, this ugly spot, from our countenance. We have today in the White House, as if it was almost an act of—well, indeed it was an act of—fate, a southerner, a man from the South, who today will lead this Nation into a united program of equal rights for all. What a great opportunity this is for America. [Applause.]

All that I ask as a legislator is that the party that I am a part of admonish each of us to conduct ourselves with good manners, good taste, firmness in the right as God gives us to see the right. But with malice towards none and with charity for all. Those are the words of a great President.

As I have said a number of times, there is plenty of room in this issue of civil rights for the party of Lincoln to join with the party of Jefferson and Jackson, and other great Democratic leaders, to accomplish what is a national program for the Nation, for all of us. This ought not to even be a partisan enterprise.

I think the standard of conduct that we must have in 1964 will have to be judged every moment by whether or not what we are doing is worthy of the memory of the man who graced this Nation, who commanded the respect and the admiration and the affection of millions of people everywhere in the world. The Democratic Party has unusually heavy responsibilities in the months ahead. We have the responsibility to carry out the commitments and promises of the New Frontier, for the Captain of that New Frontier, who is no longer with us.

We have the responsibility to do this in a manner that is dignified and responsible and honorable. As President Johnson said, we are not going to discuss personalities. We are going to discuss issues.

We are not going to get into the petty little peeves of politics; we are going to be working on principles. I say to my fellow Democrats, every one of you that mourned and now mourn the loss of John Kennedy, the best thing that you can do is to be worthy of his faith, to be worthy of his memory. The only way that I know that you can be worthy of that is to see to it that the man that he selected as his partner at the Democratic convention in Los Angeles in

1960, that Lyndon B. Johnson, President of the United States, has our unqualified support, and that we serve notice upon this Nation that we intend to see that he is reelected with a great and smashing majority.

Thank you very much. [Applause.]

Mr. MAGNUSON. The Senator from Minnesota delivered that speech as vice chairman of the senatorial campaign committee. The chairman was on the west coast at the time, and subsequently in North Dakota to pay his respects on the occasion of the unfortunate death of an old friend. The speech is well worth reading by Senators. It points out some of the things that lie ahead of us and some of the record of the previous session of Congress, which is considerable, despite some of the comments that have been made in the past 2 or 3 days.

AVIATION PROBLEMS IN GUAM—TRIBUTE TO SENATOR MONRONEY

Mr. MAGNUSON. Mr. President, my distinguished colleague, the Senator from Oklahoma [Mr. MONRONEY], chairman of the Subcommittee on Aviation of the Senate Committee on Commerce, has been singularly honored this month by the Legislature of Guam.

Speaker A. B. Won Pat and F. T. Ramirez, legislative secretary, have forwarded to me a certified copy of a resolution adopted January 15 by the Guam Legislature expressing the warm appreciation of the people of Guam for his sympathetic consideration of the aviation problems of this distant territory.

I ask unanimous consent that this resolution of gratitude to the able senior Senator from Oklahoma be printed in the RECORD.

There being no objection, the resolution was ordered to be printed in the RECORD, as follows:

RESOLUTION 238 OF THE SEVENTH GUAM LEGISLATURE, 1963 (FIRST) REGULAR SESSION

A resolution relative to expressing to Senator MIKE MONRONEY, of Oklahoma, the warm appreciation of the people of Guam for his sympathetic consideration of the problems of the territory, particularly as they relate to aviation

Be it resolved by the Legislature of the Territory of Guam:

Whereas the territory of Guam is heavily dependent on air traffic for the maintenance of its economy, but at present must use the facilities of the U.S. Navy, the territory not having a civilian airport of its own, and since the Navy has recently removed the security restrictions on entrance to the territory, thereby tourism becomes possible which new industry is of vital importance to the territory in light of the rehabilitation efforts required by the two major typhoons which struck Guam within the last year, all of which means that civilian airport facilities are of utmost importance to the territory; and

Whereas presently pending in the U.S. Senate is S. 1153, "An act to amend the Federal Airport Act to extend the time for making grants thereunder, and for other purposes," which bill was heard before the Senate Aviation Subcommittee of the Committee on Commerce, chaired by the Honorable A. S. MIKE MONRONEY, Senator from Oklahoma, at which hearing the speaker of the Seventh Guam Legislature submitted testimony in support of a proposed amendment to the bill to extend the coverage thereof to the territory of Guam, which amendment would permit Guam to obtain Federal financial assistance in constructing its civilian airport; and

Whereas at such hearing, Senator MONRONEY was most sympathetic and interested in the problems of the territory, and not only as the chairman of the committee considering this bill but throughout his senatorial career, Senator MONRONEY has always been a warm friend of the territory of Guam and its people: Now, therefore, be it

Resolved, That the Seventh Guam Legislature does hereby on behalf of the people of Guam express its deep gratitude to Senator MIKE MONRONEY, of Oklahoma, for his warm interest in the problems of the territory, and does further express the hope that his committee will give favorable consideration to the proposed amendment to Senate bill 1153, which would permit Guam to build its own airport; and be it further

Resolved, That the speaker certify to and the legislative secretary attest the adoption hereof and that copies of the same be thereafter transmitted to A. S. MIKE MONRONEY, Senator from Oklahoma, to the chairman of the Senate Committee on Commerce, and to the Governor of Guam.

Duly adopted on the 15th day of January 1964.

A. B. WON PAT,
Speaker.
F. T. RAMIREZ,
Legislative Secretary.

A CHALLENGE FOR RESPONSIBILITY IN BROADCASTING

Mr. MAGNUSON. Mr. President, one of the most significant policies of the Federal Communications Commission relating to broadcasters involves the so-called fairness doctrine. The keystone of the fairness doctrine, as declared by the FCC, is the right of the public to be informed—to have presented to it the conflicting views on issues of public importance.

Much has been written and much has been spoken on this subject. On Monday, January 27, 1964, the Senator from Wyoming [Mr. MCGEE], a member of the Subcommittee on Communications of the Senate Commerce Committee, appeared before the Washington Chapter of the Academy of Television Arts and Sciences and spoke on the subject of fairness. The title of his talk was "The Fairness Doctrine—A Challenge for Responsibility in Broadcasting."

He analyzed the subject and made one of the best speeches I have heard on this very sensitive subject. I commend it to my colleagues. I ask unanimous consent that it be placed in the RECORD.

There being no objection, the address was ordered to be printed in the RECORD, as follows:

THE FAIRNESS DOCTRINE: A CHALLENGE FOR RESPONSIBILITY IN BROADCASTING

(Remarks by the Honorable GALE MCGEE, U.S. Senator from Wyoming)

Good evening ladies and gentlemen, since we met together here about 1 year ago, many things have happened to bring into new focus both values and priorities of particular concern to the broadcasting arts. One of these was the mounting national concern over the impact of extremist material finding its way to the airwaves and what it was doing to our national image. In a study prepared by the extreme right itself, it is reported that the proliferation of rightwing organizations was nothing short of phenomenal. In 1962 they themselves estimated their members to include approximately 1,150 separate organizations. By last year this number had nearly trebled according to their own count to approximately 3,500. As their numbers exploded, so did the quantities of their taped or live programs which reached the radio and TV media. Even as there was an increasing amount of extremist propaganda conveyed through the press and from the public platform so it multiplied and intensified on the air. There are those, in fact, who contend that the airwaves penetrate the public mind more tellingly and leave a more indelible impact than through any other media.

Not unrelated to all of this or at least coincidental with it was the great tragedy of last November 22. I am one of those who firmly believes that the kind of extremism which was being peddled in our country tended to numb the consciousness of many of our responsible citizens, even as it tended to bring to the surface the derelicts and crackpots who otherwise might have considered their irrational causes more hopeless. In the wake of the assassination there has been a great deal of soul searching going on by everyone. I would submit that a significant part of this can well come from all of us here through a new focusing on a simple doctrine long since promulgated by the Federal Communications Commission. This is the fairness doctrine.

After its first pronouncement in 1949, it was permitted to lie dormant during most of the time until recent years. Some of us began to refer to it pointedly, however, during the last 2 years in particular as a partial counterforce to "operation saturation"—the overbalancing of some programing areas by extremist materials.

While I am neither a lawyer nor a member of the Federal Communications Commission, I would nonetheless like to share with you my idea of the fairness doctrine and why I think it is a desperately important one at this particular moment.

As I read it, it simply says that a broadcaster in his programing of any public questions or controversies must make a conscious effort to be fair to all sides. It is not enough, for example, that he sell time to anybody without an awareness of which sides are thus being represented. It can be no excuse that he offered to sell time but that the "other side" did not purchase any time. It just may be that the other side has no money. It would be a sorry day indeed if through the sheer factor of cost alone or ability to pay that in our society of free men and free ideas we would forfeit the idea market to those with the most money. History is replete with instances which suggest that there is no infallible connection between great wealth and great ideas, or between the amount of dollars and the amount of wisdom possessed by one man.

What this says is that even though there seems to be much money lying around available for buying time to peddle special ideas of selected interest groups, it becomes the conscious duty of a licensee on his own initiative to balance his programing with the other side. This means that it takes more than the mere offering of equal time. What is required is a direct effort to find a taker for the use of that time.

I would be the first to confess that the "good guys"—those who believe in the United Nations, who believe that the national interest is at stake in a wise foreign aid program, who believe in the role of the Supreme Court, who believe in the necessity for the national income tax—have failed to provide a reservoir of materials readily available to broadcasters for use. Nor have they done any better by maintaining stables of speakers and other information artists capable of counteracting some of the more extreme attacks that are now so common in our land. But even as these shortcomings make more difficult the task of the broadcaster in achieving program balance, they do not excuse him from the responsibility of trying.

May I say in all fairness, moreover, that the many programs, some of them put together on short notice, which followed in the wake of the death of President Kennedy carried the hallmarks of greatness in the history of the industry. Let me also say that a number of broadcasters have spoken to me personally in terms that suggest the assassination has caused them to reassess some of their own programing efforts in more responsible terms. I know of instances in my own State where radio broadcasters have even refused money for tapes concocted in northern Virginia, Dallas, Tex., or New Jersey, even though tapes from those same sources had been part of the regular programing for many months before November 22. Likewise, at least one television station manager in Wyoming turned down John Birch Society money even before the assassination in an attempt to maintain programing balance.

Not all of the cases, however, are on the positive side. Already I have had correspondence from one of my State broadcasters who reports that he is dropping one of the few liberal newscasters being carried in the State because he is not being paid for the program. The fact that this may surrender his newscasting programing to more conservative voices without balance may have been a sacrifice to the need for dollars to balance his broadcasting budget.

Let me make it clear that we dare not lose sight of the importance of the broadcaster making money. He is an important segment in our private enterprise economy. Under the fairness doctrine he would still have the option of selling time to the "other side" if he can find a sponsor. Only in the event that this fails to materialize would he still be under obligation to initiate a nonpaying program.

I am confident, nonetheless, that the two illustrations I gave you of constructive reflection within the industry involving broadcasters in my State are far more numerous in recent weeks than the negative case which I have just mentioned. But so far these are probably exceptional cases—however notable—and I submit them as guidelines for the industry to follow.

I carry no brief for the extreme left or the extreme right. Each seeks the same goal—a monopoly of power through the same un-American means of outlawing all competing ideas. Each would destroy the right to disagree. Extremism in any form is anti-American and cannot be permitted through apathy, indifference, or monetary considerations to upset the balance of our political judgments. Under no circumstances, however, would I ban the extremists. Our basic American rights include the right to be heard, the right to be wrong, the right to be a crackpot, but never the right to destroy another's right to his own opinion. That would be subversion of the worst sort. My plea is for neither the left nor the right but for balanced programing.

These are the specifics of the challenge to the communications industry in particular. For it is here that vast new powers and idea capabilities are reposited in the hands of a relative few. If this potential power is exercised with responsibility, the fairness doctrine will suffice. If it is abused through irresponsibility, sterner measures will be called for in the public interest. This is a conspicuous case in which the industry once again can prove its capability of rising to the occasion rather than being forced to surrender to sterner Federal regulations.

COLUMBIA RIVER POWER AGREEMENT

Mr. MAGNUSON. Mr. President, I have one more item. The Seattle Times of January 15 contained an editorial on the Columbia River power agreement. The editorial was written prior to the formal signing of the agreement which took place last week, when the distinguished Prime Minister of Canada met here with the President, together with the respective Secretaries of State of the two countries, and signed the agreement. The northwest Senators are very much interested in this subject, because it involves a very important issue for those of us in that area.

At the same time there was under consideration a treaty to make Campobello, which is located in Canada, and was the summer home of the late President Roosevelt, a shrine of the two nations jointly. It would be controlled by the two countries. I think it is significant that we are able to do it.

However, the main reason why the Canadians were here was to sign the Columbia River power agreement. The Seattle Times not only points out that such a treaty is of importance to the Northwest and the United States as a whole, but emphasizes the need for a quick implementation of the treaty.

Although the editorial was written on July 15, and the newspaper editorial writer did not know exactly the terms of the treaty except in a general way, what was suggested as being needed in the treaty was more than fulfilled when the agreement was unveiled. It will be a good project for the two countries.

I ask unanimous consent to have printed in the RECORD at this point the editorial to which I have referred, which shows the importance of this matter to the people of the Pacific Northwest as well as the people of British Columbia and Canada. The agreement was arrived at after many discussions and conferences, in which the Senator from Washington participated.

It is a fine accomplishment between two great countries in this hemisphere.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

[From the Seattle (Wash.) Times, Jan. 15, 1964]

COLUMBIA RIVER POWER AGREEMENT

Agreement by United States and Canadian negotiators on a revised Columbia River hydroelectric and flood-control treaty is cause for considerable satisfaction in the Northwest.

The agreement reached this week in Ottawa represents a break in the cloud of uncertainty that blocks a clear and optimistic view of future development of the region's electric power resources.

The original Columbia River Treaty—under discussion since the mid-1940's—was signed 3 years ago. The document was ratified quickly by the U.S. Senate. But a prolonged dispute between the Canadian Federal Government and the British Columbia provincial government blocked Canadian ratification.

The delay north of the border continued to the point where some authoritative voices in this country began to advocate "giving up on the Canadians" and starting an alternative power development program in western Montana.

But patience on the part of most of the concerned American and Canadian officials and a general realization that agreement would be in the best interests of both countries finally yielded the Ottawa accord.

Details remain secret pending the scheduled meeting of President Johnson and Canadian Prime Minister Pearson in Washington, D.C., a week from today. It is assumed, however, that means have been found to sell a large block of British Columbia power in the United States to finance the estimated $380 million cost of constructing three British Columbia dams.

With the Victoria and Ottawa governments now in accord, there is good reason to expect prompt ratification of the new agreement.

The Columbia River Treaty represents one of three major electric power developments, due before the end of the 1960's, that lend urgency to solving the deadlock in Congress over the Northwest power preference bill.

Power from the Columbia Treaty dams could be available by 1969.

The new John Day Dam on the American Columbia will begin producing power in 1968.

And power from the electric power generating facilities under construction at the Hanford atomic energy plant will become available late in 1965.

All of these new facilities, and more, will be needed to meet the long-term power needs of the Pacific Northwest.

But meanwhile, they will contribute to the Northwest's large amount of surplus secondary and peaking power. This extra power could be marketed in California—helping to keep Northwest power rates low—if a long-proposed transmission line between the two regions were built.

If such a line had been in existence during the past 6 years, the Bonneville Power Administration could have sold at standard rates $157 million worth of power that has gone to waste.

But before an intertie to California is built, it is essential that the Northwest power preference bill become law. The bill to give the Northwest first call on the region's power has passed both Houses of Congress, but in different forms. The Senate and the House have been unable in repeated conferences to resolve their differences.

Agreement on the Columbia River Treaty emphasizes the need for quick congressional settlement of the power preference issue so that all the pieces necessary to the further orderly development of this region's great electric power resources might at long last fall into place.

Mr. HUMPHREY. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. HUMPHREY. Mr. President, I ask unanimous consent that further proceedings under the quorum call be suspended.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. HUMPHREY. Mr. President, I ask that the pending business be set aside.

The PRESIDING OFFICER. Without objection, it is so ordered.

ORDER FOR ADJOURNMENT TO 10 A.M. TOMORROW

Mr. HUMPHREY. Mr. President, I ask unanimous consent that when the Senate completes its business today, it stand in adjournment until 10 a.m. tomorrow.

The PRESIDING OFFICER. Without objection, it is so ordered.

REVENUE ACT OF 1964

Mr. DOUGLAS. Mr. President, yesterday there was submitted to the Senate a tax bill, as modified by the Senate Finance Committee, a document of 379 pages, which I hold in my hand.

This morning the committee had printed and submitted its report, with dissenting and supplementary views, consisting of 195 pages.

It is obviously the intention of the leadership to bring that bill up for discussion and action tomorrow, and to press, through long sessions, for a final vote before the evening of Saturday, February 8.

I am not opposed to that. I understand that one of my colleagues stated over the television that in all probability the Senator from Illinois [Mr. DOUGLAS] and the Senator from Tennessee [Mr. GORE] intended to filibuster the bill. Let me say for his benefit, and for the benefit of any persons who may have heard that statement, that this is certainly not the case so far as I am concerned; and I am confident is not the case so far as the distinguished Senator from Tennessee is concerned.

This is, however, a bill of great importance. It involves a proposed system of tax reductions which will amount to $11.6 billion a year. The major portion of the bill is taken up, not with tax reductions, but with changes in details of the tax law.

I will not go so far as to say that the changes in details are all "gimmicks." I do say, however, that there are some "gimmicks" among them.

It is highly important that there should be a thoroughgoing discussion and analysis of the bill before the Senate starts voting on amendments. When I propose my amendments, I intend to propose them quickly, not to discuss them at great length, and move for speedy action.

GOOD FEATURES IN BILL

There are, of course, many good features in the pending bill. One of them, I think, is the fact of tax reduction itself, which should stimulate demand, production, and employment.

It is apparently not to be offset by any appreciable reduction in Government expenditures. It may be partially offset by restrictive credit policies of the Federal Reserve Board. But the measure should provide a stimulus to the economy, and I believe it probably is justified, even though the economy is not now in a repression, but is in a condition in which there is 5½ percent unemployment, according to the official figures. If one includes involuntary unemployment within the employment figures—that is part-time workers—and uses as the denominator not the total work force, but the number who seek employment as wage and salary workers, there is an unemployment percentage of well over 7. This is an intolerable figure and I believe an effort should be made to reduce it.

Whether one thinks there should have been a greater increase in public expenditures or not, the fact is that in practice the tax cut is the only alternative we have to give a stimulus to total aggregate demand.

Unless the bill is made notably worse, therefore, it is my present intention to vote for its passage.

Mr. RIBICOFF. Mr. President, will the Senator yield?

Mr. DOUGLAS. I yield.

Mr. RIBICOFF. As the Senator from Illinois knows, I have the highest respect for him. On many measures and many points in the bill, I am in complete agreement with him. I, too, while dissatisfied with certain features of this measure, will vote for its final passage.

But does the Senator agree with me that there is a duty upon the part of those of us on the Finance Committee who feel that there are improvements which can be made, while voting for the bill, to offer amendments on the floor and give the Senate an opportunity to consider and vote upon amendments to the tax bill?

Mr. DOUGLAS. I heartily agree with the Senator. It would be most unfortunate if we were faced with a situation in which no amendments were permitted; if we were told we must either vote for the bill or reject it completely. It would be a derogation of the legislative process.

I have the feeling that the train is all "fueled up" and ready to come down the track, and that those who stand in the way of the train may get hurt; nevertheless, I think it is necessary that there be a lucid, clear, and not too long discussion. If amendments are to be proposed, arguments should be made for them, and the Senate should then vote on them—in short, it should proceed as a responsible legislative body, and not as the German Reichstag did in the days of Hitler, when they all voted "Ja" to everything he proposed.

Mr. RIBICOFF. Mr. President, will the Senator yield further?

Mr. DOUGLAS. I yield.

Mr. RIBICOFF. With reference to what the Senator said about the train being "fueled," I remember, from the old motion-picture days, the serial entitled, "Perils of Pauline." Pauline would be strapped to a railroad track, but, somehow, she was always saved in the nick of time and not run over by the train.

Mr. DOUGLAS. We live in hopes.

Mr. RIBICOFF. Yes. I agree with what the Senator has said, and I wish he would go along with me on all my amendments. While we should have a tax bill and we should be for it, it would be tragic not to examine amendments to the bill that would change some of the provisions or would delete some of the provisions. There is an obligation on all Senators to see to it that the Senate has an opportunity to vote on the amendments.

Mr. DOUGLAS. I anticipated that the Senator would make such a statement. He was a constructive force in the committee. I did not agree to everything he advocated, but I am certain that they are vital matters. I hope Senators will have an opportunity to vote on all amendments, and that they will not be the subject of a motion to table.

Mr. RIBICOFF. Yes; it would be most unfortuate if, during the consideration of the bill, the leadership were to attempt to frustrate an opportunity for the Senate to vote up or down amendments that will be offered by the Senator from Illinois, myself, or other Senators. It is most important that we have that opportunity. What is not understood about the tax bill is that it is not merely a proposal to cut $11 billion worth of taxes. The bill is more than 300 pages long. There are many features in the bill which the average citizen does not know about and does not understand. It is our duty to bring the amendments to the attention of the Senate and to the attention of the public as the bill is debated on the floor of the Senate.

Therefore, I believe that Senators who feel strongly about the proposals in the bill should have the right to argue their points and to vote on them. That opportunity should be given to the entire Senate.

Mr. DOUGLAS. Many Senators will defend to the death the right of the Senator to propose his amendments.

Mr. RIBICOFF. I thank the Senator. I believe it is only fair to say that very few Members of Congress and very few persons in the country have as good an understanding or as deep a knowledge, not only of the tax bill and the economic forces involved in the bill, but also the consequences of the various features of it, as has the Senator from Illinois. Senators will learn much by paying close attention to the remarks of the distinguished Senator from Illinois when the tax bill is under consideration.

Mr. DOUGLAS. I thank the Senator from Connecticut. He is rather too generous and far too kind. I ask only that my remarks be given such attention as they deserve.

TAX LOOPHOLES

Over the past month, when the business of the day had been concluded, I have taken the floor in an attempt to point out certain weaknesses in our tax system, so that Senators might go into the debate on the bill knowing some of the targets at which they could shoot.

I have pointed out, for example, that in 1 year there were 20 American citizens with incomes of over $500,000 who did not pay 1 cent in taxes, because of various loopholes in the system. The figures seem to indicate that in another year there were 37 persons with incomes of over $500,000 who paid no Federal tax.

The Senator from Tennessee [Mr. GORE] has introduced into the RECORD statistics showing that, on the average, those with incomes of more than $1 million have not paid 90 and 91 percent of their income in taxes which is the amount that some people think these persons have paid, but have paid slightly less than 25 percent. That is on the average. Some, of course, paid nothing. For those who are willing to read the RECORD, the fact has been made clear that some grave and terrible loopholes and "truck holes" in our tax system need to be closed if a sense of smarting injustice is to be removed from the minds of citizens of the United States.

Mr. RIBICOFF. I believe that Senators who will offer amendments will be faced by the managers of the bill with the argument that many of our amendments would be very expensive. It is only fair to point out that there are provisions in the tax bill as reported which would also be expensive. If we could delete some of these, this would produce more than enough revenue to counterbalance some of the effects of the amendments that will be offered.

The distinguished Senator from Illinois has shown that there are loopholes and "truck holes" which cost more than a billion dollars. If we could close some of these loopholes and "truck holes," we would soon find that we would be able to provide for a tax program which would bring to the American people fairer treatment and greater benefits.

Mr. DOUGLAS. The Senator from Connecticut is entirely correct. When we propose to reduce taxes of the lower and middle-income groups, we are told that the Treasury cannot afford it. When we propose to make up such losses by closing loopholes, we are told we cannot do it because we would disturb sleeping dogs. Various arguments are made for different contentions. To my mind the closing of loopholes must accompany tax reduction and tax legislation.

Mr. RIBICOFF. It is also important to point out—and I believe the Senator from Illinois realizes this—that this is not the same tax bill that was originally sent to Congress by our late, great President, John F. Kennedy. Basically, the bill he sent to Congress was intended to do a balancing job of closing loopholes and making tax reductions. Then the bill went to the House. The other body changed the bill considerably.

All of a sudden the bill becomes sacrosanct. We are told, as it comes to the Senate, that the bill must be passed as it is. I believe that the Senate has the duty to examine very closely a measure such as this, since it not only will fix the tax rate and set the tax structure for the present time, but undoubtedly will be the basic tax law in the United States for the next several years. If it is to be the basic tax law under which we in the United States shall be paying taxes, we should try to perfect it. The Senate has the duty to look at the bill with all those factors in mind, and with a sense of fairness, and not be stampeded by the statement that this is the bill that must be passed, as it comes to us.

Mr. DOUGLAS. I thank the Senator. It is for that purpose that I rise today. Although I started my address at approximately half past 1, and it is now 10 minutes to 2, I did so only after the business of the day had been concluded. Therefore I am not trespassing upon the discussion of any matter which may be before the Senate.

GOOD FEATURES

I advocate the general idea of a tax cut at this time. Let me point out the good features of the bill first.

Another feature of it is that it increases the minimum standard deduction for the taxpayers.

MINIMUM STANDARD DEDUCTION

At present there is a 10-percent standard deduction, in addition to the personal exemption. The personal exemption is $600 per person. With an income of $3,000, a family of four would have an exemption of $2,400. Then there is the 10-percent standard deduction. In practice it means that no tax is paid on the first $2,700.

Under the present bill the exemption remains at $600, but there is added to that a minimum standard deduction of $300 for every taxpayer, plus $100 for each family dependent. This means that there will be exempted from taxation the first $3,000 of income, or $300 more than is now exempt under the 10-percent standard deduction, $300 more than is exempt for a $3,000 family.

It is highly desirable to reduce the tax payment of this $3,000 family by approximately $60 a year in addition to the reduction in rates found in the bill. It is impossible for a family of four to live in this country even on a basis of mere physical subsistence for less than $3,000.

THE INVISIBLE AMERICANS

Mr. Michael Harrington, in a notable book entitled "The Other America," which has been published recently, points out striking cases of poverty in this country. It is probable that well over 30 million people in this country belong to family units having less than a proportionate income of $3,000 a year. Personally, I feel that the $3,000 limit is too low and that a real minimum of subsistence for a family of four, or perhaps physical subsistence-plus, would be nearer $4,000. If this figure is used as the test, between 20 and 25 percent of the American population are living in poverty, and this means more than 40 million Americans. As Mr. Harrington points out, such persons tend to be invisible. They are off the main highways. They are in the slums. They are in the depressed areas. They are old people. They are youngsters who have not found work. They are Negroes, Mexican-Americans, and Puerto Ricans, and sometimes combinations of all of these. This is a great blot upon our country.

I believe it would be agreed that people in poverty should not be expected to pay any taxes to the Federal Government. They already pay sales taxes to State governments and, in some cases, to local governments; and sales taxes are regressive. The poor pay a larger fraction of their income for consumer goods than the well-to-do. Therefore, sales taxes on consumer goods, which is a general practice, fall with unequal weight and bear more heavily upon the poor and the lower- and middle-income groups than on the upper-income groups—because services and investments are generally exempted. So it is a very good feature of the bill to include a minimum standard deduction.

CORPORATE COLLECTIONS SHIFTED FORWARD

A third good feature of the bill is that it shifts the corporation tax collection period from the present delayed system of approximately 1 year after the earnings have been made to roughly the same basis as is followed in the case of taxes collected from individuals. This is to be done gradually.

REPEAL OF DIVIDEND CREDIT

Fourth, repeal of the dividend credit of 4 percent against taxes actually owed was provided for in the House bill; and the proposed repeal was approved in the Committee on Finance. I hope we can continue to hold it, because the dividend credit means that those having incomes from common stock are given preferred treatment over those having incomes in the form of wages and salaries derived from personal effort.

Finally, in the Committee on Finance we undid, at least for a time, the provision which the House included, reducing the capital gains included as taxable from 50 percent to 40 percent of the gain, subject to a maximum of 21 percent rather than 25 percent tax rate. Following a heated discussion, the committee eliminated this reduction in the capital gains tax. So as the bill comes to the floor of the Senate, it contains the same provisions of law as now exist.

CAPITAL GAINS—BIGGEST LOOPHOLE OF THEM ALL

The other day on the floor of the Senate I discussed the capital gains loophole. It is already the largest loophole in our tax system. Between $5 billion and $6 billion a year are lost because of this provision. As I have said, the bill as it came from the House would have widened and deepened this loophole; but there is grave danger that this reduction will be restored in the conference committee. This danger will be reduced if the Senate itself, by a decisive vote, approves the action of the Committee on Finance in eliminating this section from the House bill. In my judgment, this should occur early in the Senate proceedings.

BILL SHORT ON NEEDED REFORMS

I have mentioned the good features in the bill, but there are some grave defects in the bill as it is presented, defects which I believe the Senate should correct. The bill also fails to effect much needed reforms in our tax system that are long overdue. As the Senator from Connecticut [Mr. RIBICOFF] has said, there may not be another opportunity to effect them for years. The last general tax bill was passed in 1954, 10 years ago. In other words, there are some sins of commission in the bill; there are many sins of omission.

Generally speaking, the present tax structure is riddled with injustices and inequities. There are so many loopholes that, as I have said, 20 people having incomes of more than $500,000 in 1959 paid absolutely no Federal taxes, while the average amount of taxes actually paid by all those having incomes of $5 million or more came to slightly less than 25 percent instead of the 90 percent which they might theoretically be expected to pay. This is less than the amount which the typical American family having a taxable income of $12,000 derived from wages and salaries would be expected to pay and which, because of collection at the source, it would actually pay.

PLUG LOOPHOLES—CUT RATES IN HALF

If we could close the various loopholes and "truck holes" in the Revenue Act, we could reduce the individual income tax rate from the present scale of 20 to 91 percent to a range of from 10 percent as a minimum to a maximum of 50 percent. In other words, we could cut the rates in half if we could plug the loopholes. In doing so, we would raise as much revenue as we do with our apparently high rates which, as a matter of fact, are not paid by the vast majority of those in the upper income tax brackets. In this connection, it is appropriate to quote a salient passage from Philip M. Stern's forthcoming book entitled "The Great Treasury Raid," which should be published in a few days but, unfortunately, will not be officially available until February 10, 2 days after the tax bill is scheduled to be passed. That keen student of our tax system comments as follows:

> For a raid of its magnitude, the time (high noon) and setting (the U.S. Treasury, a stone's throw from the White House) showed a breathtaking boldness of design and planning. From out of nowhere, it seemed, they appeared—old people and young, rich and poor, an oil millionaire here, a factory worker there, a real estate tycoon, a working mother, several well-known movie stars, some corporation presidents, even the chairman of a powerful congressional committee. It was a mixed lot, all right, that converged on the Treasury Building that high noon. Into the building they strolled, gloriously nonchalant. No one stopped them; not a guard looked up to question them. Quickly and quietly they found their way to the vaults; opened them noiselessly with the special passkeys each had brought with him. Like clockwork, with split-second timing, each went to his appointed spot, picked up a bag and walked out as calmly as he had entered. At the exits the guards sat motionless. At precisely 12:04 it was all over. Each of the "visitors" had vanished into thin air.
>
> So had $40 billion from the U.S. Treasury.

TAX REFORM LACKING

The administration initially made a partial but somewhat ineffectual effort at tax reform. But when most of its proposals were rejected by the House Committee on Ways and Means, the administration ceased to fight with any vigor except on two matters; namely, first, the abolition of the unjust 4-percent dividend credit inserted under the Eisenhower administration in 1954, and second, the removal of the reduction in the capital gains tax. Neither of these features is in the present bill, and I hope these gains can be held. I praise the Treasury for its attitude in these matters.

Because the loopholes continue the great mass of citizens, primarily in the lower income brackets, have to pay high taxes because the laws have been so shaped that a minority are able, by avoidance and evasion and by being counseled by highly paid and able tax attorneys, to take advantage of every twisting and turning of the laws. I repeat: If we could plug the loopholes and the "truckholes," we could collect the same total amount of revenue with half of the present tax rates.

Failure to do so will mean that the present unfair and unjust system will continue, and, as a consequence, the present bill, except for the unjustifiable provision with respect to utilities, will remain neutral with respect to remedying the great injustices now in the tax system.

SINS OF OMISSION

The bill has some sins of commission; but its main sins are those of omission. Because of the stimulus which the tax cut itself should bring to the economy, there are many who can support the tax bill as a whole, as I can, because its economic stimulating features are good or at least not bad, but in the meantime express dissatisfaction over the failure of the House and the Senate to take action to eliminate more of the well-known loopholes in the tax system. To us, tax reform is as important as tax reduction.

REFORM ABANDONED

President Kennedy's initial message, approximately 1 year ago, made tax reform one of his two major tax proposals. He called for both tax reform and tax reduction. But the administration became progressively so greatly interested in tax reduction that it abandoned most of the efforts to obtain tax reform.

CAPITAL GAINS LOOPHOLE

Let me first refer to the major loopholes in the tax system. At present, the capital gains provision provides the biggest loophole of all. Huge amounts of ordinary income are even now taxed at a special lower rate—never more than half the income-tax rate, and never more than a total of 25 percent. Other capital gains are not taxed at all, as in the case of the failure to tax capital gains at the time of death.

OIL DEPLETION LOOPHOLE

The oil depletion allowance, the write-off of intangible drilling and development costs in the first year, and the ability of the oil industry to count royalties received abroad as tax payments, instead of a deduction of expenses, are other areas of grave abuse.

I shall develop this point in greater detail when we debate the bill; but I now point out that the total depletion allowances amount to approximately $3.5 billion, of which $2.5 billion is for gas and oil. The oil and gas industry is allowed to deduct from income its operating expenses—and of course it is proper to deduct real operating expenses—the cost of drilling the dry holes or the cost of unsuccessful drillings; those costs can now be charged against the income from the successful drillings; and 75 to 90 percent of the intangible drilling and developmental costs can be written off in the first year—the highest depreciation rate granted to any industry in the country. On top of all that, the oil and gas industry is allowed, tax free, 27½ percent of gross income, up to 50 percent of net income; this is completely tax free.

All this is a striking abuse. It has resulted—as we pointed out in the material we submitted earlier—in the payment of no taxes or very little taxes by the individuals concerned, and in the payment of no taxes or very little taxes by the corporations concerned. One corporation made $65 million over a period of 5 years, and did not pay a cent in taxes; instead, it got $425,000 as a refund. One individual with an income of $26 million paid no taxes.

OTHER LOOPHOLES

There are additional areas of unwarranted tax loopholes—such as the unlimited deduction for charitable contributions, about which I spoke the other day. It enables people with millions of dollars of income to escape any Federal taxation at all. Other areas of this sort are such other well-known loopholes as stock options, "collapsible" corporations, and corporate spinoffs, which mean that the favored few pay taxes on a smaller proportion of their large income than do the many with modest incomes.

REGRESSIVE STATE AND LOCAL TAXES

Furthermore, we should also realize that there is State and local taxation. Local taxation consists primarily of the property tax upon land and buildings, with a slight admixture of the tax on personal property. In the hearings we held, some years ago, before the Joint Economic Committee, we developed from competent assessors evidence that, in general, the homes of workingmen were assessed at a higher percentage of their sales value, as compared to the assessments on the corporations' factories. This arrangement, if continued, would mean that those with lower incomes would pay a higher percentage of their incomes in the form of general property taxes.

The States—and, to some extent, the cities—are increasingly getting more revenue from sales taxes. These taxes are levied upon consumer goods; they are not levied upon capital investments or upon services.

It is an accepted fact of life that people in the lower income brackets spend a major portion of their incomes—in fact, almost their entire incomes—for consumer goods. They save very little; they invest very little. In fact, those in the lowest bracket have negative savings; they borrow money, in order to keep going. Those in the upper brackets spend less on goods and more on services, and they invest a major portion of their incomes. Those with incomes of more than $10,000 invest approximately 30 percent of their incomes—or save 30 percent of their incomes, perhaps I should say. This means that the sales tax is regressive—that it weighs with a heavier proportionate weight upon the lower income group than it does upon the upper income group. That is the general effect of the general property tax, as well.

The result is that State and local taxation, which already amounts to many, many billions of dollars a year, and is increasing very rapidly, is regressive. We must have a progressive Federal tax system if we are ever going to make the total system even proportionate. Therefore, if the Federal tax system has very little progression in it, and as we are increasingly making our system less and less progressive, the result is that the total burden of taxation, which previously has been proportional, is rapidly becoming tilted in favor of regression.

The present tax bill fails to correct this situation. Repeal of some of the most onerous and least justifiable of the excise taxes could help make our tax system fairer.

IMPROVEMENTS PROPOSED IN BILL

Therefore, Mr. President, I hope we take the following action to improve this bill—and there are some of us who will work in this direction:

First. We should try to get the Senate by an overwhelming vote to uphold the action of the Finance Committee in knocking out the new capital gains loophole. This would strengthen the Senate's position in the conference committee. Otherwise, the capital-gains provision in the new tax law may be worse than the one under present law.

This should be a minimum position; and it would certainly help if the Senate would also try to do something in the area of capital gains at death.

Let me mention the anomalous situation in capital gains today. Let us say John Jones buys stock for $20,000 and when he dies it is worth $100,000. If he had sold that stock during his lifetime, he would have been subjected to a capital gains tax of $80,000, the difference between $100,000 and $20,000. The tax would be about 25 percent, but never above 25 percent. Nevertheless, he would have been subjected to this tax. If, however, he passed the stock on to his children, it would not be taxed at all. They would take over on the basis of the value of the property, not what it cost, but its value when it was inherited.

A minimum change in the law would seem to me to be that when the children sold the stock, they should be subject to a capital gains tax, the same as their father would have been had he sold the stock during his lifetime. This one change alone would bring into the tax system approximately $3 billion, because nearly $12 billion of capital gains taxation is evaded each year by reason of the property being passed on from one generation to another.

THE UTILITY PROVISION

Second. The Senate should eliminate a feature of the tax bill which has no rightful place in a tax bill at all; namely, section 202(e) which provides that Federal regulatory commissions must not pass through the tax savings from the investment credit to the consumer. They are prohibited from passing it through.

Apart from its lack of merit—and I shall return to that—this is basically a regulatory rather than a tax matter; and it really has no place in this bill.

Incidentally, it would be a present to the utilities, in all probability, of from $600 million to $1 billion a year.

RETAIN LONG AMENDMENT IN 1962 LAW

Third, we should retain in the law the Long amendment of 1962 with respect to investment credit. We provided for what seemed to be a 7-percent investment credit. We provided that 7 percent of an investment could be credited as an offset against taxes which otherwise would be paid dollar for dollar. Since the corporation tax is 52 percent, this really meant a decrease of 14 percent in the corporate tax. However, we provided for a modification of this provision.

The Long amendment of 1962 provided that a corporation could not depreciate more than $93 of a $100 investment, but the bill before the Senate would allow the full depreciation of the asset, even though its actual cost was less because of the investment credit.

Elimination of the Long amendment—which was carried by a narrow margin in the Finance Committee—will ultimately cost about $600 million a year, and hence, it will raise the real investment credit from its nominal figure of about 7 percent to approximately 11 percent.

STOCK OPTIONS

The fourth change which should be made is that the present provision in the law with respect to stock options should be greatly modified and the provision in the bill with respect to the amount of term insurance which a corporation can purchase for its employees and for which it can obtain a tax deduction, should be reduced at least to the House figure of $30,000.

The Senator from Tennessee [Mr. GORE] has stressed this point in the Finance Committee, and will undoubtedly present amendments on the floor about this feature, which I intend most heartily to support.

EXCISE TAX REPEAL

Mr. President, in my judgment, we should try to repeal some of the retail excise taxes, such as those on leather goods, women's handbags, inexpensive jewelry, cosmetics, and furs. But we should place a limit of $100 on the amount which is free of tax, so as not to reduce the tax on luxury expenditures.

I know that the administration marshaled its forces against the repeal of these specific excise taxes, and I take it that the leadership will oppose them on the floor of the Senate.

I regret that this is so. I call attention to the fact that furs and jewelry which cost more than $100 would still be subject to taxes, but those which cost less than $100 would be exempt from the present 10-percent tax.

Women's handbags would be exempt. Such articles have become as much a necessity for women as pockets in coats or suits are for men.

Men's pocketbooks would be exempt. Luggage would be exempt.

Watches, which are under jewelry, would be exempt.

Fraternity pins, graduation pins, and cheap jewelry of all kinds would be exempt.

Fur collars and cheap furs would be exempt.

These are the last remains of Federal retail excise taxes, and I think they should be taken off. They are regressive. Their removal would introduce a greater degree of "progressivity," if I may use such a term, into the tax system. Some of the losses of revenue could be made up by plugging some of the loopholes, as the Senator from Connecticut has said.

OIL DEPLETION

Sixth. We come now to something that we certainly should try to do much more about than is done in the bill with respect to the oil depletion allowance. The Secretary of the Treasury introduced some extraordinary records in his official statement to the House Ways and Means Committee last February. He pointed out that the total amount of the depletion allowance came to $3,500 million, of which $2½ billion was on oil and gas.

This is a scandalous situation. So far as oversea oil owned by American companies is concerned, the situation is particularly scandalous.

American oil companies with oversea oil holdings in Venezuela and along the Persian Gulf get two types of tax favors. They get the same oil depletion allowance which is allowed for oil produced domestically, and the amount which they pay to foreign governments for the right to take oil is treated as a tax, and, therefore, offset dollar for dollar against American taxes otherwise owed, and not as a royalty, and hence not as a deduction as an operating expense.

In the Persian Gulf the oil is owned by the government. The royalty is 60 percent. In some cases it is 65 percent. In some cases it is 70 percent. But it is a royalty. It should be deducted from taxable income, but should not be deducted dollar for dollar as taxes paid or as a credit against taxes.

In the case of Venezuela, I am not certain whether the surface land is owned by the Government or not; but Roman law prevails in Venezuela, and under Roman law the subsurface deposits belong to the government. Therefore, in Venezuela as well as in the Mohammedan countries along the Persian Gulf, this is really a royalty payment, and not a tax payment; yet it is credited as a tax.

What makes the situation worse is that excess tax credits thus accumulated can be applied by the oil companies which earn them abroad to taxes which would otherwise be due at home. It is an open secret that the great oil companies—Aramco and others, which have hundreds of millions of dollars in assets—pay virtually no taxes and in general receive a tax credit which they can apply against taxes on other income.

The Senator from Delaware [Mr. WILLIAMS] introduced a proposal to prohibit this excess allowance from being used to offset income from sources other than direct oil production. In other words, it could be used to reduce taxes which would otherwise be paid on oil refineries, pipelines, retail distribution, and other incidental businesses in which the oil companies are engaged.

The proposal is very modest. It would have netted $40 million a year. It was approved twice, but was finally eliminated, so powerful is the lobby of these companies, and only about $10 million is retained.

SLIDING SCALE DEPLETION AMENDMENT

At a minimum, the Williams amendment should go back into the bill; but I think we should also deal with the problem of the depletion allowance at home. For years I have been offering an amendment which, while retaining the depletion allowance for the small producer—who takes a considerable risk because he does not have a large number of drillings, and therefore cannot distribute the risk adequately within his enterprise—would decrease the depletion allowance for the large companies, which have multiple drillings.

My amendment would retain the 27½-percent depletion allowance for concerns whose income from gas and oil is less than $1 million a year gross; but if the gross income were between $1 million and $5 million a year, the depletion allowance would be reduced to 21 percent. For those companies with a gross income from gas and oil in excess of $5 million a year, the depletion allowance would be reduced to 15 percent.

This seems to me to be a modest provision. It would save the taxpayers $400 million a year, and would permit some other reductions which I have mentioned to go into effect, without net loss of revenue.

When I first proposed this amendment in 1951, it received nine votes. Since then there has been varying interest. Once we received 38 votes. At one time most Senators who would have voted for the amendment were in Canada. I will not say they were on a junket, but they were on a tour of inspection. The vote was held when the friends of the amendment were absent, whether by accident or design.

We now have an opportunity to save $400 million a year and reduce one of the great abuses in our tax system.

Seventh. We made a little progress on travel and entertainment last year—not too much progress; a little progress. We reduced the number of yachts in Fort Lauderdale, Fla., which could be used tax free for the entertainment of customers. We somewhat restricted the travel allowances. But, lo and behold, the limits have now been taken off travel. A person can make tax deductible the fare which he pays to Miami and back, even if he talks business for only 5 minutes. If he spent a whole winter there and had a 5-minute conversation on business, the provision would enable him to write off the full cost for traveling to Miami and back. This is unconscionable.

A move was made to eliminate all documentary accounting for entertainment and to restore what has become known as the Cohan rule—namely, a person states anything he wants, and it is to be credited. That proposal was beaten in the Finance Committee. I was surprised that it was. However, I suspect that an effort will be made to bring it back, on the floor, and possibly even in conference. So I urge Senators to be alert for it.

THE RATE STRUCTURE

Eighth, and finally, we should consider the equity of the rate structure itself. The bill as now written provides a reduction of $2½ billion for corporations and more than $9 billion for individuals, the latter by reducing the rates from the present 20 to 91 percent, to a figure of 14 to 70 percent.

The bill splits the rates for the first bracket and gives a new minimum standard deduction. These last two features redeem the inequities in the nature of the personal tax reduction so that there is some degree of equity.

However, there is neither a strong case nor any equity considerations involved in reducing corporate taxes by $2½ billion. Since 1954, corporations have had tax reductions of almost $5 billion through the 1954 fast tax writeoff and depreciation provisions.

In 1962 we passed the 7-percent investment credit, which will net $1.2 billion a year to the corporations. If the Long amendment is repealed, this will add another $600 million to $700 million a year. In addition, the Treasury revised its bulletin F on the standard depreciation rate, and thus made a present of another $1.3 billion.

Therefore, we have already given $5 billion a year in tax reductions to corporations. The bill grants another $2.5 billion to corporations, while individuals receive some reductions for the first time.

Because of this, it would be well to use some of the corporate reduction to increase the minimum standard deduction, possibly to $400 for the taxpayer and $200 for each of his dependents, thus making a total of $1,000, instead of the present total of $600; or to increase the $600 exemption itself.

Personally, I would propose taking at least $1 billion from the corporate reduction and using the funds to increase the personal income tax deduction.

This would be somewhat more just and equitable, and would give a much stronger stimulus to the economy than the present method does, because corporations have large liquid funds which they are not investing in business. They are invested in real estate, in Government securities, and in bank deposits, for example, which do not add to the productive strength of the country.

SIMPLIFY STRUCTURE

Moreover, the Senate and Congress should give serious consideration to simplifying the tax structure and making it more equitable and just by repealing most of the existing loopholes and truckholes, and using the gain in revenue to bring about a drastic reduction in individual income tax rates.

I proposed this in committee. We obtained two votes for the proposal. My friend the Senator from Tennessee [Mr. GORE] and I were the only two who voted in favor of it. At some time or other this will have to be done.

I know, as I have said, that the boiler is under full steam. There is coal in the firebox, and the train is ready to thunder down the track and overpower anyone who stands in its way.

However, by closing most of the present loopholes, tax rates could be reduced from the present level of 20 to 91 percent to a new level of about half that amount, or 10 to 50 percent. This would simplify the tax structure and make it more just and equitable, and at the same time improve its enforcement and benefit the great mass of Americans who neither avoid nor evade the duty of paying their taxes.

LOOPHOLE LEADS TO LOOPHOLE

The longer we put off tax reform, the more unjust our system becomes. The more people resent paying taxes under an unjust system, the more they seek exemptions for themselves. They will say, "If the oil interests benefit from the depletion allowance, why should not I?"

The American people will seek special privilege if anyone else does. If some receive special privilege, they want to be included, as well.

We are granting exemption after exemption which, if carried out, will finally result in an income tax being levied only on that portion of income that is spent on consumption. It will then become regressive, just as our systems of State and local taxation are regressive. The longer we put off tax reform, the more unjust our system becomes. The time to act is now.

Many of my friends have come to me and said, "Why do you advance these proposals?" They have gone to my friend the Senator from Tennessee [Mr. GORE] and have asked him, "Why do you advance these proposals? Do you not know that the establishment is against them, and that the establishment is determined to maintain the existing system with only slight modifications?"

They have said to us, "Why do you waste your breath?"

Mr. President, I still believe in democratic government. I still believe in great American principles. I still believe that once these matters are made clear, in the long run, one will conquer. However, it will take a long time. I believe that if people keep still, it will take still longer.

It is important to call these facts to the attention of the country, not merely to Senators, but across the country through the medium of the CONGRESSIONAL RECORD, so that these issues may receive a more balanced judgment and consideration.

That completes the remarks which I had intended to make on the tax bill as a whole. I did wish to subject the proposal in section 202(e) to more definite scrutiny.

THE UTILITY LOOPHOLE

This obscure and little-known rider in the tax bill, if enacted into law, would cost the customers and consumers of the utility companies more than $600 million next year and more than a billion dollars a year by 1972. This is a windfall for utilities. This section prohibits Federal regulatory agencies from passing through to the consumer any of the tax savings received by the interstate utilities under the 7- or 3-percent investment credit. And the 7-percent credit will become an 11-percent investment credit, if the Long amendment is eliminated.

REGULATORY—NOT A TAX—MATTER

Mr. President, this provision has no business whatever in a tax bill. It is a regulatory matter. It prescribes by law the treatment the regulatory agencies should give the investment credit. For interstate utilities, especially natural gas pipelines, it directs the regulatory commissions to treat a tax savings as a tax cost.

In determining the just and reasonable return on investment which Federal regulatory agencies grant to utilities, the investment credit tax savings would not count. Under the section these savings or income or profit would be over and above a just and reasonable rate of return and would be prohibited by law from being passed through to the consumers as lower rates.

OVER AND ABOVE FAIR RETURN

We all know that in the regulation of these so-called public utilities, the regulatory bodies are compelled to fix a rate which will give a fair and reasonable return on a fair and reasonable investment, however those terms are defined. This applies to the Federal regulatory agencies as well as to the State regulatory agencies. It is not necessary, therefore, to give a special inducement to them to invest in the utilities. They have a guaranteed rate of return under various regulatory acts. The investment credit is in addition to this. The tax bill prohibits the benefits from being passed on to the consumers of these utilities—interstate pipelines, long-line telephone lines, railways, airlines, and power systems which ship power across State lines. There is a direct prohibition against the benefits being passed on to the consumers.

There may be a legal point to the effect that this harks back to the intent of Congress.

We were assured by the late Senator from Oklahoma, Senator Kerr, that these gains would be passed on to the consumer. So far as the legislative history in the Senate is concerned, there is clear evidence that the Senate acted under the assumption made by the manager of the bill at that time, the late Senator Kerr, that any reduction would be passed on to the consumer.

Let me read from Senator Kerr's statement on August 28, when he assured the Senator from Wisconsin [Mr. PROXMIRE] that the consumers would benefit:

> The 7 percent the Senator is talking about has nothing to do with oil companies. His reference to gas pipelines instead is concerned with interstate gas transporters, who are public utilities, and who are under the regulation of the Federal Power Commission, which has without exception compelled the interstate gas pipeline carriers to pass onto the consumers any savings that they get by such a situation as a tax credit.

The Senator from Wisconsin [Mr. PROXMIRE] was a little doubtful about this, so he immediately asked:

> Will not the gas pipelines get a windfall?

Listen to the response of the Senator in charge of the bill:

> Gas pipelines will not, because any reduction they get they pass on to the consumers under regulations of the Federal Power Commission. The consumers in Wisconsin will get the windfall.

I notice the distinguished junior Senator from Wisconsin [Mr. NELSON], a former Governor of that great State—and a great Governor he was—sitting in the chair of the Presiding Officer. A promise was made that these investment credits would be passed on to the consumer. But now there is a direct prohibition against Federal regulatory bodies passing them on to the consumers. This action, started for the Federal regulatory agencies, will spread to State regulatory agencies, without question, and will cost from $600 million to $1 billion a year. This is the worst single feature in the bill. I hope it will be taken out.

Mr. LONG of Louisiana. Mr. President, will the Senator from Illinois yield?

Mr. DOUGLAS. I yield to the Senator from Louisiana.

Mr. LONG of Louisiana. The Senator from Illinois has correctly quoted the late beloved Senator from Oklahoma, Robert Kerr, who was in charge of the bill. Senator Kerr explained the amendment in that fashion both in committee—executive session, where there is no record of what transpired—and on the floor of the Senate.

With respect to the same bill, the Senator from Illinois perhaps recalls that the House managers took back to the House the conference report, in which they agreed to the Long of Louisiana amendment. When they took it back to the House, their statement in the report as managers on the part of the House was that it was intended that the utilities should be permitted to retain this tax benefit, the tax credit on investment. I presume that the Senator from Illinois will find that that was the case. My attention has been directed to it on occasion. Therefore, I believe the Senator will find that the legislative history made in the House was in direct conflict with the legislative history made on that subject in the Senate. May I ask the Senator from Illinois if he has examined the statement in the conference report by the managers on the part of the House?

Mr. DOUGLAS. I have not read the report of the House conferees, but I am willing to take the word of the Senator from Louisiana, who is always accurate and never misstates anything.

Mr. LONG of Louisiana. I try to be accurate.

Mr. DOUGLAS. That is correct; but that provision was never passed by the House. The Senator in charge of the bill assured us that that was not the case. This present provision, as I understand, was not passed by the House. The House got it only in conference, and we all know that strange and wonderful things are done in conference. Conferences take place in darkness; nobody knows what goes on. George Norris used to say that there were three Houses of Congress: The House, the Senate, and the conference committee. Although the powers of the conference committee have been somewhat clipped, here is a case in which a small group of men, meeting in secret, and House Members alone, gave an interpretation contrary to that which we were given when the bill was approved in the Senate.

Mr. LONG of Louisiana. Is the Senator from Illinois of the impression that the House did not include any utilities under the investment credit when the House passed the bill? It was my impression that the House included the regulated utilities in the House bill when the House passed its version of the tax credit.

Mr. DOUGLAS. That may be correct.

Mr. LONG of Louisiana. So while I have no knowledge of any language that the House may have added or of any legislative history that the House may have made when the bill passed the House originally, I am familiar with the fact that the statement of the House managers, when they brought the conference report before the House, indicated that they felt this provision was intended as an incentive to the regulated utilities; that it was a credit the utilities would be permitted to keep.

In fairness to Senator Kerr of Oklahoma, who unfortunately is not here to explain his position one way or the other, I believe the Senator from Illinois would find that when this measure was before the Senate committee, a witness who appeared on behalf of an electric utility testified that it would be the purpose of his company to pass this credit through to its consumers.

Mr. DOUGLAS. As I recall, that was Mr. Donald Cook, of the American Electric Power Co., who has since reaffirmed his purpose and is opposed to this amendment.

Mr. LONG of Louisiana. Yes. As one who heard the debate on this subject, I believe the very statement that Senator Kerr made on this matter suggested that he was relying upon the testimony of that witness, who testified not only for his company, but for companies in a similar situation, and said that they proposed to pass this credit through to their users.

Mr. DOUGLAS. No matter what the legislative history may be—and the legislative history so far as the Senate is concerned is entirely against prohibiting a pass-through—this is bad policy in itself; it is not needed. It amounts to presenting $600 million to $1 billion to gas pipelines, to the American Telephone & Telegraph Corp., and to interstate electric companies; and it will spread to State regulatory bodies, as well.

Mr. LONG of Louisiana. If the Senator from Illinois would be so kind, I would hope that in the course of give-and-take debate he would be willing to discuss the legislative history of this question.

The point I have in mind is that Senator Kerr was exactly correct when he was speaking of the intentions of the electric companies—and for that matter, the telephone companies. That was the view those companies tended to take, and they tend to take it even to this day.

Mr. DOUGLAS. Senator Kerr did not talk about electric companies. He was speaking of the 7-percent investment credit with respect to gas pipelines. The quotation I give from his statement is this:

> The gas pipelines will not, because any reduction they get they pass on to the consumers under the regulations of the Federal Power Commission. The consumers in Wisconsin will get the windfall.

He was not talking about electric power companies; he was talking about gas pipelines, with respect to which he was an expert.

Mr. LONG of Louisiana. The point I have in mind is that Senator Kerr did not arrive at the conclusion that he was advocating something which he thought would be agreeable to the gas pipelines, by a statement of the gas pipeline interests or even the railroad interests. He arrived at that view by reason of a statement by the electric power interests.

Mr. DOUGLAS. Whatever it might have been, Senator PROXMIRE was pushing him closely because, as we all know, the city of Milwaukee has been pressing for the regulation of the price at which gas enters the pipeline which ultimately goes to Milwaukee. We all know that. So Senator PROXMIRE properly asked:

> Will not the gas pipelines get a windfall?

I remember the tone of voice he used in saying that. The whole Chamber was filled with the resonance of his voice. He said:

> The gas pipelines will not keep any reductions they get; they pass them on to the consumers, under the regulations of the Federal Power Commission. The consumers in Wisconsin will get the windfall.

But under this provision, they will not, for the Federal Power Commission will be prohibited from passing it on. The Commission will not even be allowed to exercise its discretion; and under this provision these companies will be "sitting pretty"; they will be sitting under the tree, and the fruit will be dropping into their mouths.

Mr. LONG of Louisiana. If the Senator will indulge me the liberty of expressing the point I was trying to get across, let me say that as I recall that situation, the electric power companies took the position that they wanted the benefit of a tax credit; and they said they proposed to pass it on to their customers.

Senator Kerr assumed—perhaps in error—that those who were speaking for that particular industry were speaking for all industries similarly situated; and he made that statement and that legislative history on the floor of the Senate.

Mr. DOUGLAS. Yes, but Mr. Donald Cook does not write the laws of the country. Congress writes the laws, and we were assured that those benefits would be passed on.

Mr. LONG of Louisiana. But the House conferees, who had written the provision initially, made legislative history, exactly to the contrary; namely, that all these utilities should receive the benefit of the tax credit as an incentive.

However, now the House takes the position that the electric utilities never did propose to keep it; the House now says they wanted to pass it through to their customers and that the telephone companies proposed to do likewise.

It is true that they would benefit to the extent of the interest they would earn on the money while they would be in the process of passing it through, but their point is that ultimately they would pass it through.

Mr. DOUGLAS. Is that true of the long lines? Perhaps it is true of the local companies, but it would not be true of the long lines, which have an investment of approximately $200 million a year.

Mr. LONG of Louisiana. My understanding is that it is true of all of the 3-percent utilities, which include the local utilities, the electric light companies, and the telephone companies.

Mr. DOUGLAS. But it is not true of the 7-percent companies, which include all forms of transportation—including the railroads and the airlines—and especially the gas and oil pipelines, and possibly also the long telephone lines, or any company, whether it gets the 3- or 7-percent credit which is under Federal regulation.

Mr. LONG of Louisiana. My understanding is that the 3-percent utilities did expect to pass it through, and always did take that position.

Mr. DOUGLAS. But under the present law, if they are federally regulated, they are prohibited from passing it on.

Mr. LONG of Louisiana. I believe the Senator will discover even in the House language that there is a difference between the two.

Wtih regard to the 7-percent facilities, which includes the transportation industries——

Mr. DOUGLAS. And the gas and oil pipelines.

Mr. LONG of Louisiana. Those are transportation industries, and are included.

Mr. DOUGLAS. Yes.

Mr. LONG of Louisiana. With respect to the transportation industries, including the bargelines, airlines, and trucklines, the position taken by the House as of today is that the 3-percent utilities never expected to keep it, but expected to pass it through, and proposed to do so. But the 7-percent utilities have a different proposal.

Those industries are competitive with one another, and the companies within each of those industries are also competitive with each other. The trucklines are competitive with other trucklines; the bargelines are competitive with other bargelines; the railroads are competitive with other railroads; the shipping lines are competitive with other shipping lines; and all of them are competitive with each other. So the House takes the position that inasmuch as those are competitive industries, competing both with one another and with carriers of other industries, they should be permitted the same incentive that is available to other competitive industries.

The Senator from Illinois does not have to agree with that; but I hope he understands that is the rationale of the House version of the bill.

Mr. DOUGLAS. First, let me say that so far as the long lines of the A.T. & T. are concerned, certainly they are not competitive. When we want to telephone from Washington to Chicago, or from Washington to New Orleans, or from Washington to Minneapolis, we must use the A.T. & T. long lines. Yet there is no passing through of the investment credit made there, and those lines have been operating at the rate of $200 million a year. On a 7-percent basis, that is $14 million a year. If the Long amendment is deleted, the amount will be about $21 million a year.

The biggest investment is in the oil and gas pipelines. The Senator from Louisiana may call them competitive, but they are not. Once the gas and oil pipelines are hitched up to the wells in the field, on the one hand, and to the local distributing systems, on the other, they are not competitive. They are monopolistic; they are tied together.

Mr. LONG of Louisiana. I realize that is the Senator's contention. But——

Mr. DOUGLAS. And there is really no competitive means of transporting gas or oil by barrel. The possibility of transporting propane by truck or by hand is not an adequate substitute for the gas pipelines.

We fought out all of that 14 years ago, Senator Kerr's bill exempting from regulation the price at which gas entered the pipelines was passed. But I do not think anyone would say that was competitive.

Mr. LONG of Louisiana. But the Senate said so by a 2-to-1 vote on at least two different occasions, and so did the House.

Mr. DOUGLAS. But that does not prove anything for the Court ruled otherwise, and two Presidents vetoed the bill. President Truman vetoed it, and so did President Eisenhower, when the oil companies scattered $2,500 contributions around to Senators, in an attempt to get their votes. But the late Senator Case, of South Dakota, had the courage to expose what was going on.

Mr. LONG of Louisiana. But two Presidents did not veto it on the basis that the industries were not competitive. The Senator from Illinois may take that position, and if he does, of course he is privileged to do so. But it is the view of many of us—the majority of us, I believe—that the pipeline in carrying gas competes both with other pipelines for sales, and with those who haul oil, propane, and butane by tank cars, not by barrel, with those who haul coal in railroad cars, with those who haul coal on barges; and with those who haul residual oil in tankers. All of them are competing forms of transportation—including those who truck it in and those who bring it in by barge. Some of the barges are just as efficient as some of the pipelines.

Mr. DOUGLAS. But why not let the Federal Power Commission make the decisions in these matters? However, this bill prohibits them from doing so; it says that even though the companies are making an adequate rate of return on the capital invested, they cannot pass this amount on to the consumer; it must be retained; it cannot be counted in the rate base; it is to be a sheer donation.

Mr. LONG of Louisiana. Let us consider the present situation. The Interstate Commerce Commission regulates railroads, bargelines, and trucklines; and takes the view that this was intended as an incentive, and as such can be retained by the companies. It is my understanding that the Interstate Commerce Commission has not called upon any of the regulated carriers that it regulates to reduce their rates and to give back the tax credit which Congress voted for these carriers. Not only has the ICC not done so, but it does not propose to do so; and the carriers have been permitted to retain the tax credit. Further, that Commission takes the attitude that that is what the policy should be. The same is true with respect to the Civil Aeronautics Board which regulates the airlines.

A large number of carriers are involved, and the bulk of them get the benefit of the tax credit. The pipelines regulated by the FPC are about the only ones who do not; and the issue is in court. Does not the Senator from Illinois think it fair that the policy fixed for these competing carriers should be a uniform one?

Mr. DOUGLAS. All I say is that we should permit the regulatory bodies—subject to review by the courts—make these decisions. Why should we enter the field of regulation and say that the consumer is never to get any benefit from the investment credit on utilities federally regulated?

Mr. LONG of Louisiana. Mr. President, will the Senator further yield?

The PRESIDING OFFICER (Mr. NELSON in the chair). Does the Senator from Illinois yield to the Senator from Louisiana?

Mr. DOUGLAS. I yield.

Mr. LONG of Louisiana. We enacted a law the legislative history of which in one House, suggested that the carrier should not have the benefit of the tax credit.

Mr. DOUGLAS. And also in the Senate.

Mr. LONG of Louisiana. It was felt that the consumer should receive the benefit—the tax benefit should be passed through. In the other House it was suggested that it should not be passed through. That is the legislative history. Just as there is a conflict between the two Houses as to what the language means, there is also a conflict between regulatory agencies. One group can take it to mean one thing, and others can take it to mean the opposite. I wish the Senator could clear up this situation one way or the other.

Mr. DOUGLAS. I am trying to make it clear, by giving regulatory bodies power to make decisions.

Mr. LONG of Louisiana. Why should a railroad be treated differently than is a pipeline, if they are in competition?

Mr. DOUGLAS. There is more competition for the railway than exists in the case of the pipeline.

Mr. LONG of Louisiana. Does the Senator from Illinois suggest that the railroad might be giving the pipeline more competition than the pipeline gives the railroad?

Mr. DOUGLAS. Buses or airlines might give the railroad more competition than tank cars might give the pipeline.

Mr. LONG of Louisiana. They are both entitled to make a fair return after their investment.

Mr. DOUGLAS. The regulatory commissions will grant that.

Mr. LONG of Louisiana. As the Senator knows, all carriers are entitled to make a fair return on their investment.

Mr. DOUGLAS. On the fair value.

Mr. LONG of Louisiana. They are entitled to make a fair return after taxes. Regulatory commissions do not guarantee them that. Many railroads have been in bankruptcy. The same thing could happen to pipelines. Both are entitled to make a fair return after taxes. Why should there be any difference between two competitors? Why should one be permitted to have his concept of a fair return include the investment credit, and the other one denied it?

Mr. DOUGLAS. I would put that question up to the regulatory body.

Mr. LONG of Louisiana. Why should the treatment between companies be any different when we vote a tax benefit for all of them? Why should they not be treated alike?

Mr. DOUGLAS. I am willing to join the Senator from Louisiana in saying that the benefit must be passed through if we are to have uniformity. Let us say that it must be passed through, rather than saying that it may be passed through.

Mr. LONG of Louisiana. If the Senator supports that position, why does he not offer an amendment along that line?

Mr. DOUGLAS. I may do so.

Mr. LONG of Louisiana. Why does not the Senator offer an amendment to make the railroads——

Mr. DOUGLAS. This is only an exploratory discussion.

Mr. LONG of Louisiana. Why does not the Senator propose uniformity of treatment, so as to make barge lines and railroads pass the benefit through, as well as pipelines? Why should he wish to single out pipelines?

Mr. DOUGLAS. My good friend the Senator from Louisiana always wishes us to do something other than what we are doing, which he then answers as an argument why we should not do it at all.

Mr. LONG of Louisiana. Not quite. I wish to do exactly what we are doing. I am satisfied.

Mr. DOUGLAS. The Senator from Louisiana is a very agreeable man. Does he wish to give a windfall of $600 million to the gas pipelines and to A.T. & T. and the long lines of interstate and local systems? Does he wish to have the utility systems of his own State ruined by this cancer, which he seems to be intent on putting into the Federal system, and which will creep into the State system?

Mr. LONG of Louisiana. The Senator from Illinois asks me a question, which I am happy to answer, but I must ask a question in order to answer it. How does the Senator from Illinois arrive at his figure of $600 million? The entire investment credit for the coming year will be $100 million for all industry, including manufacturers of automobiles, buttonhooks and everything else. The investment credit on construction of pipelines is the only one to be immediately affected, because the railroads are not involved.

The investment credit figure for pipelines alone is one I do not have available at the moment, but it is not going to run to $600 million. I believe the Federal Power Commission has been trying to support the position of the Senator from Illinois by obtaining these figures, but it will not run to $600 million because the Senator is talking about 7 percent of the whole investment. Those companies would have to be spending about $9 billion a year on new pipelines if they were going to have an investment credit of $600 million.

Mr. DOUGLAS. This, of course, includes all branches of the regulated industries.

Mr. LONG of Louisiana. But the Senator from Illinois does not wish to offer amendments to get at those. He only wants to get at the pipelines.

Mr. DOUGLAS. No. The failure to pass through the savings by Federal regulatory agencies will spread into State regulatory agencies, if the amendment is not eliminated.

Mr. LONG of Louisiana. Those people would have to build about $8,600 million worth of pipelines every year, in order to have an investment credit of $600 million.

Mr. DOUGLAS. Not pipelines; all utilities.

Mr. President, in support of my estimates, I have a memorandum from Prof. Robert Eisner, of Northwestern University. I ask unanimous consent to have printed in the RECORD at the conclusion of my remarks the letter and table furnished by Professor Eisner; the testimony of Mr. Joseph C. Swidler, Chairman of the Federal Power Commission, and a memorandum covering section 202(e).

The PRESIDING OFFICER. Without objection, it is so ordered.

(See exhibit 1.)

Mr. DOUGLAS. Mr. President, Mr. Swidler makes some estimates. He says:

> Assuming a 7-percent investment tax credit in that period—

That is 1957–61—

> that 85 percent additions would be eligible for the credit—

That is excluding buildings—

> tax savings to the companies in bulk would average approximately $60 million a year.

Mr. LONG of Louisiana. How much?

Mr. DOUGLAS. Sixty million dollars. That is only for natural gas and pipelines.

> Were all the credit passed on to the gas consumers, considering the double effect of the income tax which now requires approximately $2.08 in rates to net a $1 rate of return to the company, consumers would save about $120 million a year.

Mr. LONG of Louisiana. That would come out of the Federal Treasury now?

Mr. DOUGLAS. In the period from 1957 to 1961.

Mr. Swidler goes on to say:

> On the electric side, in the period 1957 through 1961, privately owned electric power companies increased their gross utility plant by approximately $17 billion. Assuming the existence of an investment tax credit of 3 percent in this period and estimating 85 percent of the additions as eligible for credit, the tax savings to the electric companies in bulk would average about $86 million per year. If there were flow through to consumers, and with the doubling effect of the income tax, they would benefit by an annual average reduction or savings in rates of $172 million if applied to intrastate as well as interstate sales.

If applied to intrastate as well as interstate sales, adding this to the gas pipelines, we would get approximately $292 million. Mr. Swidler continued:

> In view of the increasing demands for power and gas which will require larger investments in the years ahead, we estimate that these sums will increase at compounded rates of about 5 percent annually for natural gas companies and by about 6 percent a year for electric companies, assuming stable price levels.

This is merely for electricity and gas alone, but in addition there are the long lines and the telephones, possibly intrastate telephones, and investments in long lines, as I have said, about $200 million. The investment in intrastate facilities is approximately $2 billion—10 times that amount.

Mr. LONG of Louisiana. I am beginning to get the idea of how the Senator from Illinois arrives at what I regard as an absolutely ridiculous figure. We begin with a figure which includes the electric utilities. What the Senator from Illinois is addressing himself to does not pertain to them. But he includes them. Then he includes the railroads. He says he wants to put them in. Otherwise they would not be included. So, by including a number of industries not involved, and by doubling and redoubling the figure—because every time a company gives a dollar of earnings to a consumer it must receive tax benefits, since it is entitled to make a fair return after taxes, the Senator finally arrives at an astronomical sum that does not have anything to do with the question we are debating.

If the Senator wishes to include the railroads, the airlines, the buslines, and the electric utilities, which are not included, I suggest that he move to include those carriers, and have a consistent policy in regard to all of them. Then he would be approaching at least half the figure that he is talking about.

Mr. DOUGLAS. Vast amounts are involved. We should realize that the figures are cumulative. Once the Federal precedent is laid down, one can be quite certain that many, if not most, of the State regulatory bodies will follow it. I understand that the Federal Power Commission prescribes the system of accounting for local power companies, and if the companies are prohibited from counting the investment tax credit as a receipt, and if it is excluded, the item will not be in their accounting system, and the States therefore will be compelled to disregard it.

Mr. LONG of Louisiana. The Senator knows that the Congress is not proposing to tell any State regulatory agency how it shall fix its rates.

Mr. DOUGLAS. But the precedent established by the Federal law would spread into State law, and in the case of the Federal Power Commission, the accounting provisions of the Federal Power Act would spread into the States, because that agency prescribes the accounting provisions.

Mr. LONG of Louisiana. It would spread if the States permitted it to spread. The proposal does not tell them what to do. I am sure the Senator knows that in the absence of a law compelling them to do otherwise, they will do business as the State law requires, and in the way the commissions in the various States think they should do business.

Mr. DOUGLAS. The Senator is not a child in political affairs. He knows that, in a very large percentage of the cases, the various State commissions are more or less under the control of the private utility companies. What we know as men we cannot deny or pretend to be ignorant of as Senators.

The family of the Senator made a great fight in Louisiana. I commend them for that effort. They tried to keep the regulatory bodies outside the control of the utilities of that State. I do not know whether the utilities have gotten in "under the tent" since the Long family ceased to rule from the Governor's mansion in Baton Rouge, but the utilities are "under the tent" in a great many States.

Mr. LONG of Louisiana. The Senator from Louisiana is not trying to say they are not. This Senator has not too much confidence in the average State regulatory commission.

Mr. DOUGLAS. Good. I do not have much confidence in them, either.

Mr. LONG of Louisiana. But that is not the point to which we are addressing ourselves. State regulatory commissions can do whatever they wish to do.

Mr. DOUGLAS. But the proposal prohibits the Federal Power Commission from setting a precedent of a pass-through.

Mr. LONG of Louisiana. If the Senate fails to adopt the proposal, all Federal commissions except one will take the attitude that it was intended that the carrier should have the benefit of the tax credit as an incentive to expand, improve, modernize, and that sort of thing.

Mr. DOUGLAS. Then they would not have to follow the proposal.

Mr. LONG of Louisiana. All Federal regulatory agencies except the Federal Power Commission in its regulation of pipelines will proceed to take the attitude that the Congress intended the proposal as an incentive to modernize railroads and bargelines, to improve trucking line equipment and the handling of freight, and so forth.

So all the carriers which compete with pipelines will be permitted to take the view that it was intended for them to keep the tax advantage. Then we would have the Federal Power Commission taking a contrary view. Of course, that question will be tested in the courts, and eventually the courts will decide it one way or the other. It seems to me that if we are to take the attitude that the utilities were not intended to have the benefit of the tax credit, none of them should have it.

Mr. DOUGLAS. In the Senate we were assured they would not.

Mr. LONG of Louisiana. They should all be treated alike. It is not fair to permit one of two carriers which compete at a given point to make a fair return which would take into consideration the tax credit of that carrier, and the other to make a fair return which would not take into consideration the tax credit.

I hope that if the Senator wishes to oppose the House provision he will not move in that respect, but will move to substitute his own proposal to reach the $600 million figure, assuming the inclusion of the electric industry and certain telephone companies, which in my opinion are not involved in the current proposal. Then it would be doubled by taking into consideration the cost to the Federal Treasury of the taxes on the money, and they would all be put under the same tent on exactly the same basis. If we are to take the Senator's point of view, that would be the fair way to do it.

Mr. DOUGLAS. My good friend is a master of diversion, but I should like to go back to legislative history again.

Mr. LONG of Louisiana. Why would the Senator lead a charge against the pipelines? Why does he not be a real David against Goliath and take all of them on?

Mr. DOUGLAS. One at a time. I read Senator Kerr's statement on August 28th. On September 4, 1962, a week later, he made another statement, which I would like to read, and which the Senator will find in the CONGRESSIONAL RECORD. He referred to Wisconsin:

> Actually, I would think that the consumers of Wisconsin were more interested in the 7 percent given to interstate pipelines than in the 7 percent given to any other system of transportation, because interstate carriers of gas are utilities regulated by the Federal Power Commission. There may be State regulatory bodies that failed to require a regulated private utility to pass on the 3-percent credit to the customers or consumers. I do not know of any. I am not saying there are, but I am saying there may be. But there is not a Member of the Senate who does not know that the Federal Power Commission will require the regulated interstate pipeline companies or transporters to pass on to the consumers the benefit of the 7-percent tax credit available to interstate gas pipelines.

He made the statement twice—not about electrical utilities, but about gas utilities.

I appreciate the colloquy with my good friend from Louisiana, who is a fine Senator, even though he is in error from time to time.

I yield the floor.

EXHIBIT 1

NORTHWESTERN UNIVERSITY,
COLLEGE OF LIBERAL ARTS,
Evanston, Ill., November 22, 1963.

Hon. PAUL H. DOUGLAS,
U.S. Senate,
Washington, D.C.

DEAR PAUL: I am enclosing a set of estimates of potential costs to consumers of the regulatory provision regarding the investment credit [sec. 202(e)] in H.R. 8363. I may add that I have not as yet been able to locate any other estimates of these costs. The provision was apparently inserted by the Ways and Means Committee with little knowledge of the dollar magnitude of its effects.

It should, of course, be understood that it is impossible to attach precision to any estimates of this kind. The direct cost to consumers, which is all I attempt to estimate, will depend upon action of State as well as Federal regulatory agencies, voluntary actions of regulated companies themselves, and above all the amount of the investment credit. This last will depend upon annual equipment expenditures. I am therefore submitting two sets of estimates based upon different assumptions as to the rate of equipment expenditures and consequent amounts of the investment credit.

In both cases we start with an actual credit of $279 million in 1962 as estimated in the Survey of Current Business. In the one case we make the very conservative assumption that the dollar volume of equipment additions will grow at a 4-percent-per-annum rate. In the other case we make what I consider to be the more reasonable assumption that the dollar value of equipment additions grows at an 8-percent rate in the affected industries. I consider the 8-percent rate more reasonable because projections in the electric power industry which account for a major amount of the investment credit involve a 6.7-percent per annum rate of growth in the real value of annual additions. (See enclosed copy of charts from Electrical World.) Price increases of little more than 1 percent per year would then bring this 6.7 to 8 percent in dollar terms. I should expect similar rates of growth in communications and airlines, which would account for much of the rest of the credit enjoyed by regulated companies.

The potential effect of the regulatory provision (assuming that all regulated companies would be affected by the provision) would then be $630 million in 1964. This figure would rise rapidly, assuming an 8-percent-per-annum growth in the rate of equipment additions, passing the billion-dollar mark by 1972.

It is most important to recognize that these costs are per year. The cumulative effect is astronomical, passing $5 billion in the 8-percent growth case by 1970, passing $10 billion by 1975, passing $20 billion by 1981, and going above $80 billion by 1997, for any of us who care to worry that far ahead. Even on the assumption of only a 4-percent growth rate, the potential cost to consumers over the next 33 years is some $33 billion, an average of a billion dollars per year. And we must realize, of course, that these are only direct costs, including neither the added cost of lower capacity operations or the pass-on of cost increases to secondary users of services of regulated industries.

Sincerely,

Robert Eisner,
Professor of Economics.

Potential costs to consumers of regulatory provision regarding investment credit (sec. 202 (e)) in H.R. 8363 [1]

[In millions of dollars]

Year	If rate of growth of investment per annum is—			
	4 percent		8 percent	
	Annual	Cumulative	Annual	Cumulative
(1)	(2)	(3)	(4)	(5)
1964	618	618	630	630
1965	615	1,233	653	1,283
1966	627	1,860	693	1,976
1967	641	2,501	735	2,711
1968	654	3,155	783	3,494
1969	669	3,824	834	4,328
1970	685	4,509	889	5,217
1971	702	5,211	950	6,167
1972	719	5,930	1,016	7,183
1973	738	6,668	1,088	8,271
1974	759	7,427	1,164	9,435
1975	779	8,206	1,248	10,683
1976	802	9,008	1,340	12,023
1977	826	9,834	1,438	13,461
1978	850	10,684	1,545	15,006
1979	876	11,560	1,661	16,667
1980	902	12,462	1,785	18,452
1981	932	13,394	1,921	20,373
1982	961	14,355	2,067	22,440
1983	991	15,346	2,224	24,664
1984	1,024	16,370	2,394	27,058
1985	1,057	17,426	2,578	29,636
1986	1,091	18,518	2,776	32,412
1987	1,128	19,646	2,991	35,403
1988	1,164	20,810	3,223	38,626
1989	1,204	22,014	3,473	42,099
1990	1,244	23,258	3,743	45,842
1991	1,286	24,544	4,035	49,877
1992	1,331	25,875	4,350	54,227
1993	1,376	27,251	4,691	58,918
1994	1,423	28,675	5,058	63,976
1995	1,472	30,147	5,455	69,431
1996	1,524	31,671	5,884	75,315
1997	1,578	33,249	6,348	81,613

[1] Note following major assumptions underlying calculations:

1. Effective total corporate profits tax rate will be reduced to 50 percent in 1964 and 48 percent thereafter.
2. Costs to consumers in all regulated industries will be adjusted to give fair rate of return after taxes.
3. Investment tax credit in 1962 in regulated industries equaled $279,000,000, which was the sum estimated in the Survey of Current Business, July 1963, p. 4, for corporations, in transportation, public utilities, and communication.
4. Half of investment credits are assumed to relate initially to "public utility property" on which a partial current flowthrough is permissible (subpar. (1)). This flowthrough is estimated at 3 percent per year.
5. The requirement in existing law for reduction in depreciation basis (the Long amendment) is not removed. If this requirement is eliminated the actual costs to consumers would rise by about $30,000,000 per year by 1974 in the case of 4-percent growth and rise gradually thereafter. In the case of 8-percent growth, repeal of the Long amendment would increase the cost to consumers of the regulatory provision by some $40,000,000 per year by 1974 and reach an amount of increase equal to $200,000,000 per year by 1997.

[From Electrical World, Sept. 23, 1963]

Construction expenditures

[In millions of dollars] [1]

	Generation	Transmission	Distribution	Miscellaneous	Total
1955	1,548	571	1,343	161	3,623
1956	1,479	598	1,513	186	3,781
1957	2,234	747	1,566	199	4,746
1958	2,582	764	1,373	187	4,906
1959	2,369	708	1,413	180	4,669
1960	2,226	715	1,565	183	4,690
1961	2,114	764	1,550	180	4,608
1962	1,693	792	1,593	193	4,271
1963	1,782	890	1,750	220	4,642
1964	1,715	980	1,800	200	4,695
1965	1,771	980	1,925	200	4,876
1966	1,900	1,013	2,075	210	5,198
1967	2,250	1,102	2,245	230	5,827
1970	3,338	1,360	2,750	305	7,753
1975	4,388	1,732	3,560	395	10,025
1980	6,300	2,350	4,543	541	13,734

[1] 1963–80 in constant 1962 dollars.

MEMORANDUM—SECTION 202(e) OF THE TAX BILL WHICH WOULD SUBSIDIZE UTILITY SHAREHOLDERS

THIS SUBSIDY DOES NOT BELONG IN THE TAX BILL

One of the worst features of the present tax bill, H.R. 8363, is an obscure and little-known rider contained in section 202(e) which writes a permanent and unnecessary subsidy for regulated utilities into the income tax laws.

I rise today to expose and publicize this provision of the House-approved bill because it would increase the rates paid to these legally protected monopolies for essential utility services by more than $600 million this year. In succeeding years, this subsidy will constantly increase in amount and by 1972 it will cost over $1 billion annually.

Section 202(e) amends the existing public utility statutes by compelling the Federal regulatory commissions to treat as tax expenses the tax savings realized by the utilities under the investment credit granted by the 1962 Revenue Act. But, it indirectly amends those statutues by a provision embedded in the income tax laws. Why have the sponsors of this proposal departed from the normal legislative channels? Why was it only tacked on to the tax bill after public hearings before the Ways and Means Committee had been concluded? Why was it submitted to the House under a no-amendment rule?

I assert that the sponsors of this special interest legislation are understandably anxious to avoid any consideration of its merits. They have seized the opportunity offered by our expedited consideration of the tax bill to quietly bury this extraneous and unjust proposal in a major and massively complex economic measure.

At an appropriate time, I shall move to strike this section from the tax bill and refer it to the Commerce Committee.

CONGRESS HAS NEVER BEFORE LEGISLATED THE RATE TREATMENT OF TAX BENEFITS

This rider breaks with our past practice of entrusting the regulatory agencies with the responsibility for deciding how a particular tax benefit should be reflected in the "just and reasonable" rate. For the first time, we would be using the tax laws as a vehicle for deciding specific issues before the regulatory agencies. It will surely not be the last time.

The enactment of section 202(e) would result in repeated and frequent demands upon the Congress to decide other pending rate and accounting issues, on behalf of one side or another.

WINDFALL PROFITS FOR UTILITIES

Under the Revenue Act of 1962, the annual taxes otherwise payable are reduced by a 7- or a 3-percent credit measured by investment in new plant and equipment. Under the almost universally used "cost of service" method of rate regulation, utilities are allowed to charge rates which cover their expenses of doing business and provide a reasonable rate of return on their investment in the regulated business. Federal income taxes are classified as an operating expense and, therefore, are borne entirely by the ratepayers. If taxes are increased, the utility's customers must pay more. Conversely, if taxes are lowered, its customers should pay less.

But, section 202(e) directs the commissions to ignore the reduced taxes stemming from a utility's mandatory use of the investment credit in fixing its income tax allowance. This is as absurd and unfair as a legislative fiat that such bodies must force the ratepayers to pay more than the actual cost of wages, rent, or any other operating expense.

The only purpose of this rider is to increase the fair return on invested capital which the utilities already earn by giving them an additional return, in the form of an allowance for phantom taxes—which will never be paid.

The privately owned utilities have grown and prospered under the just and reasonable standard of ratemaking. Many of them are now classified as growth stocks by the financial community. Nevertheless, we are asked to erode and destroy this standard by legislating an inequitable redistribution of income between the customers and the shareholders of regulated utilities.

THE SUBSIDY IS INCONSISTENT WITH THE OBJECTIVES OF H.R. 8363

President Johnson has declared war on poverty in America. We are relying on tax reductions to stimulate demand, production and full employment. The present tax bill would reduce Federal tax revenues in order to increase the funds available to the consumer demand section of the economy. But, section 202(e) diverts hundreds of millions of dollars which would otherwise be available for such purposes to the treasuries of the utility companies and of the Federal Government.

If the tax savings utilities realize under the investment credit are used to lower their rates, consumers will have additional income to spend just as if we gave them a further tax cut. But, by prohibiting such rate reductions, the rider prevents such stimulation of the economy.

Moreover, at a 50-percent tax rate, half of the additional revenues collected from consumers will find their way into the Federal Treasury. The other half will remain as idle capital funds in the hands of the utilities who already have an adequate cash flow from depreciation accruals and are allowed to include ample working capital in their rate base. Obviously, these uses of the additional revenues collected from consumers will not benefit the economy to the same extent as rate reductions.

UTILITIES WANT MORE FAVORABLE TREATMENT THAN NONREGULATED TAXPAYERS

The utilities claim that unless they are permitted to keep the dollar tax savings produced by the investment credit, they will be in a worse position than nonregulated taxpayers. This plea for equal treatment is only a masquerade for their efforts to obtain legislation which would make them the only class of taxpayers who are guaranteed the right to retain such savings.

All other taxpayers are subject to competition which may force them to pass on the tax savings to their customers in the form of lower prices. The regulated utilities are either entirely immune from competition or face only limited and imperfect competition.

Indeed, it is precisely because of this economic characteristic that their rates are controlled to protect consumers against exorbitant charges. If section 202(e) is enacted, they will be legally exempted from regulation and they are already legally protected from competition. Thus they will enjoy the best of both worlds.

THIS SUBSIDY IS NOT NEEDED FOR PLANT EXPANSION

The utilities claim that they must retain these tax savings as an aid in the financing of a new plant expansion. But, the fair return which they are allowed upon their invested capital is set sufficiently high to enable them to attract necessary new capital. Indeed, this was one of the principal reasons for the opposition of the administration to inclusion of the utilities in the class of taxpayers eligible for the investment credit.

Moreover, although certain depressed industries may have a genuine need for such financial assistance, the utility industry is generally able to finance plant expansion from other sources. During the postwar period, the regulated industries have financed tremendously large capital addition programs without difficulty. Of course, they did not have any investment tax credits during the period of such construction. The principal spokesman for the utilities before the Finance Committee, Mr. Donald Cook, president of the American Electric Power Co., advised us that it was not necessary for utilities to retain these tax savings in their business. Thus, he stated that:

"We do not need the cash that would become available, although some industries may, we do not need the cash that would become available from this tax reduction in order to finance the additions to our plant. If we can reduce our fixed charges, we would be in a position to finance out of our own resources or by going to the capital markets all of this plant and any other plant that we need to construct." (Hearings, Senate Committee on Finance, 87th Cong., 2d sess., 1962, p. 951.)

Finally, we did not intend the investment tax credit to constitute a subsidy in aid of construction for the benefit of either the utilities or any other class of taxpayers. In 1962, the late Senator Kerr stated on the floor that:

"Some opponents of the credit claim that it is merely a subsidy for business, that it will provide a windfall gain for investment which would have been made anyway, but this is a misunderstanding of the credit. It is not a subsidy. It is a tax reduction. The provisions of this legislation, Mr. President, constitute a tax reduction and by no stretch of the imagination can a tax reduction be made synonymous with a subsidy."

THE SENATE INTENDED THESE TAX SAVINGS TO BE PASSED ON TO CONSUMERS

The Finance Committee and this body made utilities eligible for the benefits of the investment credit in reliance upon representations that the credit would be a substantial benefit to them, as well as an effective stimulus to greater capital investment, even if passed on to the consumers. Now that they have been made eligible certain segments of the regulated industries seek to repudiate their prior firm assurances that the consumers, not the companies, would benefit. It will be recalled that there was considerable opposition to the extension of the credit to regulated utilities on the ground that it would result in a windfall profit unless used to reduce rates and, if so applied, would fail to stimulate greater investment. On September 4, 1962, Senator KERR rejected these arguments on the floor in the following language:

"The Senator from Wisconsin then said that there would be no benefit to the utility, that there would be no stimulant to the utility, if the utility gave its customers the benefit of the savings enjoyed by the utility in the construction or modernization of its equipment and facilities by reason of the proposed investment credit. * * * I remind him that the president of the largest regulated utility in this Nation was before our committee for many hours, and he made the positive statement, first, that the 3-percent investment credit would be a stimulant to his company, that it would result in a greater modernization and improvement of its generating equipment; that it would result in an expansion at a faster rate than would be effective or possible without the proposed investment credit.

"The president of that regulated electric utility said, in addition, that it would be their purpose to pass on to their customers every dollar of saving realized by reason of the proposed investment purpose.

"Therefore, Senators can understand why the Committee on Finance acted as it did. It accepted the judgment of the president of a great utility company as to the value of the proposed investment credit to his company and his company's customers. The committee accepted as valid his assurance that the saving would be passed on to the customers."

NO JUSTIFICATION FOR THE PREFERENTIAL TREATMENT OF THE GAS PIPELINES AND OTHER UTILITIES ELIGIBLE FOR THE 7-PERCENT CREDIT

Under the Revenue Act of 1962, utilities engaged in interstate transportation such as gas and oil pipelines, airlines, railroads, shipping lines, and truck and bus operators are eligible for the full 7-percent credit. On the other hand, all other utilities are eligible only for the lesser 3-percent credit.

In prohibiting the use of investment tax credit savings realized by utilities, section 202(e) affords unjustified preferential treatment to the gas pipelines and other 7-percenters. It prohibits any use of their tax savings to reduce the rates they charge consumers. But, it permits the use of a very minor portion of the annual tax credit savings to reduce the rates of the 3 percenters.

The larger credit was granted to the interstate transportation utilities because they argued that, unlike other utilities, they had to compete with unregulated enterprises or suppliers of substitute commodities who would pass on all of the tax-credit savings to their customers through lower prices. On this basis, the Finance Committee and this body was persuaded to grant them the full credit in order to avoid subjecting them to an unfair competitive disadvantage. Now, however, they have changed their tune and are insisting that we pass a private relief bill which would allow them to keep the credit instead of flowing it through.

The late Senator Kerr made many statements during the floor debates on the investment tax-credit provision which unequivocally established that the Finance Committee and the Senators who voted to grant the 7-percent credit believed it would be passed on to consumers. On August 28, 1962, Senator Kerr defended the eligibility of the pipelines for the 7-percent credit by assuring Senator PROXMIRE that the consumers would benefit. Thus, he stated that:

"The 7 percent the Senator is talking about has nothing to do with oil companies. His reference to gas pipelines instead is concerned with interstate gas transporters, who are public utilities, and who are under the regulation of the FPC, which has without exception compelled the interstate gas pipeline carriers to pass on to the consumers any savings that they get by such a situation as a tax credit.

"Mr. PROXMIRE. Will not the gas pipelines get a windfall?

"Mr. KERR. The gas pipelines will not, because any reduction they get they pass on to the consumers under regulations of the Federal Power Commission. The consumers in Wisconsin will get the windfall."

Again, on September 4, 1962, Senatar Kerr made a statement on the floor which reiterated his understanding that the benefits of the credit would be passed on to consumers by both Federal and State regulatory agencies. Thus, he stated:

"Actually, I would think that the consumers of Wisconsin were more interested in the 7 percent given to interstate pipelines than in the 7 percent given to any other system of transportation, because interstate carriers of gas are utilities regulated by the Federal Power Commission. There may be State regulatory bodies that failed to require a regulated private utility to pass on the 3-percent credit to the customers or consumers. I do not know of any. I am not saying there are, but I am saying there may be. But there is not a Member of the Senate who does not know that the Federal Power Commission will require the regulated interstate pipeline companies or transporters to pass on to the consumers the benefit of the 7-percent tax credit available to interstate gas pipelines."

I note that the Ways and Means Committee has made no attempt to explain this favoritism toward the gas pipelines and the other 7 percenters.

CONSUMERS MUST PAY A RETURN ON THEIR OWN CAPITAL

Section 202(e) will directly compel the ratepayers to contribute a subsidy to the regulated utilities in the form of an excessive income tax allowance. Thus, the utilities will enjoy the use of capital contributed by customers on which they will not be required to pay any interest. Furthermore, the bill appears to prohibit the deduction of such consumer-contributed capital from the rate base of the utilities. Thus, they will be earning a full return ranging upward from 6 percent upon capital supplied by the consumers. This is manifestly inequitable and improper.

Furthermore, this statutory provision violates the basic scheme of public utility regulation which requires that the shareholders of the utility must furnish capital and that its ratepayers are responsible only for the payment of a fair return upon such invested capital. This is public ownership for private gain.

In the case of the 7 percenters, no part of the tax savings realized in a given year will ever be applied to reduce rates. In the case of the 3 percenters, a small fractional part of the tax savings realized in a given year can be so applied. Thus, the tax savings on each property unit may be prorated over its estimated useful life. If an electric utility buys a generating plant for $100,000 it earns a $3,000 tax credit. But, its rates can be reduced by only one-thirtieth of this tax saving—$100—each year. The consumers must wait 30 years for the full saving to be passed on in lower rates. Meantime, the utilities have the use of the consumers' funds.

THE SUBSIDY WILL SPREAD TO STATE-REGULATED UTILITIES

Section 202(e) is written in terms of a directive to the Federal regulatory commissions. Nevertheless, it is certain to have a definite and powerful impact upon both State commissions and courts.

In the first place, this section allegedly clarifies the congressional intent underlying the enactment of the investment tax credit. Certainly, our declaration that the purposes of such Federal tax relief will only be served if the utilities enjoy the benefits of the credit to the complete exclusion of their customers will carry great weight. In the second place, the decisions of the Federal regulatory agencies normally have a considerable influence on the trend of State utility regulation. Finally, since the State and Federal commissions have dual jurisdiction over many utilities operating in both intrastate and interstate commerce there will be conflicting requirements if a State wishes to allow only actual taxes.

Statement of Hon. Joseph C. Swidler, Chairman, Federal Power Commission; Accompanied by Russell C. Rainwater, Chief Accountant

Mr. Swidler. Mr. Chairman and members of the committee, I am happy to be here by invitation of the chairman to testify on the proposed section 202(e) set out in H.R. 8363.

I might say that this section is not a revenue section. It is rather, a section which proposes to prescribe the treatment to be given the investment tax credit for ratemaking purposes by Federal regulatory agencies.

I have a formal statement which I should like to have made a part of the record. But, with your permission, I shall attempt rather than read the statement, to summarize my position and let the statement stand as a more full and exact expression of my views.

This is a rather awkward time for me to testify on an investment tax credit problem because the Federal Power Commission now has pending before it both a rulemaking proceeding with respect to accounting for the investment tax credit, and rate cases involving the treatment of these credits for ratemaking purposes.

Nevertheless, I shall try to be responsive to the committee's invitation and speak with as much fullness and as much clarity as I can.

Section 202(e) would direct all Federal regulatory agencies with respect to public utilities generally, which are defined to include the electric companies, natural gas distribution companies, and various other utility companies, that the credit should not be flowed through to the consumer except on the basis of the averaging of the allowances over the life of the property involved.

An altogether different scheme is proposed for the tax credit of the natural gas pipeline companies. In the case of these companies which receive a 7-percent credit as compared to the 3-percent credit for the public utilities, the statute would provide that none of the credit might be flowed through to the consumer, but that all of it should be retained by the shareholders and that none could be reflected in any way, directly or indirectly, in a rate case.

In both cases, these provisions are stated in terms of retroactive interpretations of the investment tax credit provision; retroactively both of these different methods of treatment are to be considered as part of the original congressional intent, as I understand section 202(e).

My Commission is not all of one mind with respect to these provisions. I speak for two other members, Commissioners Charles Ross and David Black, as well as myself, of course, in urging that the question of regulatory treatment of the investment credit should be left with the Commission. On any substantive questions, I speak only for myself.

Commissioners O'Connor and Woodward have asked me to state their general concurrence in the principle that the Commission should have discretion in fixing rates and that, in general, the legislative body should not prescribe the rate treatment of specific items of cost. But they think that an exception should be made here because of the controversy which has arisen with respect to the intention of Congress in enacting the investment tax credit provision, and they would therefore see no objection to a departure from that principle under these particular circumstances.

I do not comment here today on the revenue feature. The Commission is not opposing the investment tax credit for the companies it regulates. I comment here today only upon the congressional prescription and direction to the regulatory agencies as to the precise effect to be given to the investment tax credit in a rate case, and I am here on behalf of the majority of the Federal Power Commission to urge that the Congress not set the precedent of legislating the details of the treatment of the items of cost for ratemaking purposes.

As I am sure the members of the committee know, public utility commissions were created in the first place because legislative ratemaking had proved to be infeasible. The State legislatures and the Congress created specialized administrative agencies charged with the responsibility for determining just and reasonable rates, subject always to judicial review and, as you know, there is a great body of law which channels and controls the administrative agencies in carrying out their responsibilities for determining just and reasonable rates.

This system has flexibility. It permits adjusting the delicate balance between the interests of ratepayers and investors in the light of changing circumstances.

It permits changes from time to time in the general rules as the situation may require, and it permits individual differentiation in accordance with differences in the particular circumstances of individual industries or companies.

With respect to the income tax feature in particular, the rule governing administrative agencies was laid down by the U.S. Supreme Court in 1922 in the *Galveston* case (*Galveston Electric Co.* v. *Galveston*, 258 U.S. 388, 399 (1922)). That case held that the income tax related to a just and reasonable level of earnings was an allowable cost, and that earnings must be permitted which would enable a company to pay the income tax which would be due on the basis of just and reasonable rates as a part of its——

Senator Gore. And allow thereafter a fair and reasonable return on investment.

Mr. Swidler. That is right, sir.

Senator Gore. But if I understand the pending bill and your description of it, the bill would interject by law an estoppel against the Commission's considering the particular tax features referred to here in a ratemaking case.

Mr. Swidler. That is right, Senator Gore. It no longer relates the income tax allowance to the level required to be paid on the basis of a fair and reasonable rate level and earnings level, but prescribes an arbitrary, or at least a flat, additional level of earnings over and above just and reasonable rates.

Senator Bennett. Mr. Swidler, if I may interject——

Mr. Swidler. Yes, Senator Bennett.

Senator Bennett (continuing). Isn't the requirement also that in order to get the benefit of this particular tax advantage they have to make an increased investment, and isn't the purpose of the program to stimulate investment for the purpose of increasing job opportunities?

Now, if we are going to take all of that incentive away, and give it to the consumer by reducing the rate then you have, in effect, negated the purpose of Congress in passing this particular law.

Mr. Swidler. The electric industry and, to some extent, the natural gas industry in advocating the extension of the investment tax credit provision to cover their operations made clear the very great inducement to investment that would result from coverage irrespective of whether the benefits were flowed through to the consumer, because there is a reduction in fixed charges, there is, in effect, a reduction in initial cost, and this would make possible investments which would otherwise be marginal.

So far as the purpose of the investment tax credit provision is concerned, no member of our Commission has any quarrel with you, but we do think that there is a serious question whether the purpose of inducing investment would be best realized by providing that the whole benefit must go to the shareholder and might then be fully reflected as dividends or whether it should be reflected as reduced costs.

Senator Bennett. Well, who supplies the additional investment, the consumer or the shareholder?

Mr. Swidler. The shareholder supplies the—well, obviously the growth of the industry is made possible by its growth in earnings, by the money that the consumers pay.

In the utility business, Senator Bennett, which sells only one commodity, which does not have annual changes of style or packaging, which does not have new products for which provision must be made each year, the investment in plant, by and large, is controlled by one factor—growth. If the industry builds ahead of its projected loads by more than a little, it will very soon slow down and let loads catch up. So that the controlling consideration in determining the investment in the businesses for which the Commission has regulatory responsibility is growth which, in turn, is related to the rate level. When the investment tax credit provisions were before you, and the question was whether to extend its coverage to the regulated companies, some of the industry witnesses made precisely this point: That with the benefit of this tax reduction they could reduce rates, increase use, and thereby require and justify investment in additional plant.

Senator Bennett. Under the bill those industries that feel they can prosper more by reducing rates would have the right to reduce rates.

Mr. Swidler. Yes, sir; and those which feel they would rather pass the money along to their stockholders would have the privilege of doing that.

Senator Bennett. That is right.

Excuse me, go ahead.

Mr. Swidler. It is a point that I wanted to make, and I was glad to be able to make it in response to your question.

One general result, to come back to the question of principle involved, Senator Bennett, of directing the Commission as to a particular allowance to be made in a rate case, if the bill should pass, would be that the Commission could no longer be responsible for determining just and reasonable rates or for defending the equity of the results of the administrative process. It is obvious that the responsibility of the Commission would be diluted.

Senator Talmadge. Mr. Chairman, may I ask a question at that point, if the witness would yield?

Mr. Swidler. Yes, Senator Talmadge.

Senator Talmadge. How has the Federal Power Commission treated the acceleration depreciation ruling that the Treasury put in effect last year?

Mr. Swidler. Are you talking about guideline depreciation, sir?

Senator Talmadge. Yes, sir. You will recall that last year the Treasury Department, by their regulations, increased the depreciation factor which gave more benefits to all taxpayers or shortened the period thereof. In what way did the Federal Power Commission treat that for ratemaking purposes?

Mr. Swidler. Our Commission has not attempted to direct—as yet we have taken no action to direct—the companies under our jurisdiction as to whether they should or should not take advantage of the guideline depreciation rates. Thus far they have been left to make this decision on their own judgment.

Senator Talmadge. The Commission, of course, has to use some yardstick for depreciation in determining what is a fair return.

Mr. SWIDLER. Yes, sir.

Senator TALMADGE. Have you used the Treasury regulations?

Mr. SWIDLER. We have——

Senator TALMADGE. Or whatever the utility desired to use themselves; which has it been?

Mr. SWIDLER. Thus far we have not interfered with the exercise of judgment by the companies under our jurisdiction in using guideline depreciation rates for tax purposes if they wished. We have not compelled them to.

Senator TALMADGE. Now, the second question: How have you used this investment credit heretofore for ratemaking purposes?

Mr. SWIDLER. That question as well as the liberalized depreciation question is now involved in proceedings before the Commission in which the Commission will, I expect soon announce decisions.

Senator TALMADGE. I take it by your response then that the Commission has not made a determination on that point; is that correct?

Mr. SWIDLER. The Commission prior to the time that any of the present members were appointed, and with respect to liberalized depreciation, developed a rule that it would permit normalization and allow a 1½-percent return upon the amounts held in the fund for normalization.

The Commission more recently, after the current members had been appointed, announced that they proposed to review the treatment of liberalized depreciation, and the Alabama-Tennessee Natural Gas Co. case was used as the vehicle for reviewing that question. Consideration was delayed by litigation in the courts, but it has now been argued, and it is before the Commission for final disposition which, I believe, will not be long delayed.

Senator TALMADGE. Thank you.

Senator GORE. Mr. Chairman, may I ask a question? Had you finished, Mr. Swidler?

Mr. SWIDLER. I had not quite finished summarizing, but it is of no moment.

Senator GORE. I will wait.

The CHAIRMAN. Go ahead.

Mr. SWIDLER. I want to call to the attention of the committee the fact that this would be the first time that Congress had prescribed the details, the specifics, of rate treatment of costs by any utility commission so far as I am aware, and if the Congress should prescribe this one, I presume it will be asked to prescribe more and different ones, and it will be besieged on both sides to allow more or less for this item or that until, I think one can visualize, the decline of the regulatory process progresses to the point where it could no longer produce just and reasonable rates in the current legal sense of that term.

The amounts involved in this particular case are very large, about $60 million for the natural gas companies; about $86 million for the electric companies; and when the tax effect of these amounts is taken into account this could involve as much as $300 million in rate reductions annually.

I need hardly say that if the Congress should pass these provisions, the Commission will faithfully carry them out to the best of its ability, but on behalf of the Commission majority we urge, both with respect to the merits of the provision and with respect to its precedent as destructive of the administrative process, that it not be enacted.

Thank you.

(The prepared statement of Mr. Swidler follows:)

"STATEMENT OF JOSEPH C. SWIDLER, CHAIRMAN, FEDERAL POWER COMMISSION

"Chairman BYRD and members of the Committee on Finance, I am here in response to your invitation to discuss the treatment of the investment credit by the Federal regulatory agencies proposed by section 202(e) of H.R. 8363, the pending revenue bill.

"I should like to say at the outset that this is a difficult time for me to testify because the treatment of the investment credit for regulatory purposes is an issue in cases now pending before the Commission. I am not in a position to advise you as to how the Commission will decide this substantive question and my own views on the substantive question do not necessarily coincide with the views of all or any of the members of the Federal Power Commission. However, I am not precluded from expressing my views as to the advisability of a congressional prescription of a specific ratemaking formula for treating the investment credit. The members of the Commission have read this prepared statement and I am authorized to state that a majority of the Commission concurs in recommending that the Commission should be permitted to continue to exercise discretion in determining the rate effect of the investment tax credits allowed natural gas pipelines and electric public utilities under FPC jurisdiction. Commissioners O'Connor and Woodward have requested me to note their view that ordinarily the elements of just and reasonable rates should be left to the discretion of the Commission, but that the controversy with respect to congressional intention as applied to the investment tax credit makes it desirable for Congress to eliminate the question of congressional intention by prescribing the rate treatment.

"I should like briefly to summarize the status of the investment credit under existing law with respect to the electric power and natural gas industries which the FPC regulates and the changes in the situation if section 202(e) of H.R. 8363 is enacted.

"Under the existing investment credit provisions of the Revenue Act of 1962 (Public Law 87–834), there is allowed a credit against the income tax of natural gas pipeline companies, and taxpayers generally, of 7 percent for investment in essentially tangible property, such as machinery and equipment. In the case of electric power companies and others classified as public utilities the credit is fixed at 3 percent.

"The credit is applied as a direct reduction of the taxpayer's income tax liability otherwise computed. The credit may entirely offset the first $25,000 of tax liability and may offset one-fourth of the tax liability above $25,000. Any credit which cannot be used in the current year because of these limitations may be carried back for 3 years and then forward for 5 years; and if not then fully exhausted the remaining unused credit may be applied in the sixth year as an ordinary tax deduction.

"The House has proposed several changes in the existing law but I should like to confine my attention to the change identified as section 202(e), labeled 'Treatment of Investment Credit by Federal Regulatory Agencies.'

"For convenience I have set forth as an appendix the text of section 202(e) of H.R. 8363 as passed by the House (p. 37).

"Section 202(e) of H.R. 8363 directs the Commission in fixing rates for natural gas companies to make an allowance for Federal income taxes in the same amount as would be allowed if the investment credit did not exist, unless the company consents to a different treatment. In effect, it directs the Commission to permit the natural gas companies to claim the investment credit to reduce their income tax bills but forbids the Commission, without the companies' consent, to consider the reduction in taxes in fixing the just and reasonable rates. Section 202(e) has a different provision for the electric power companies. If this provision becomes law we are forbidden, unless the companies concerned, give their consent, to reduce the income tax allowance in fixing rates by more than a share of the investment credit prorated over the average useful life of the property.

"A discussion of the need for section 202(e) must be in the context of the underlying basis for FPC regulation of the natural gas pipelines and electric power companies. Congress has provided for Federal regulation of these two industries because they are natural monopolies with respect to the customers they serve and regulation is considered a necessary substitute for competition.

"Neither the Federal Power Act nor the Natural Gas Act contains a detailed formula to direct the Commission in its task of regulating the wholesale prices of natural gas and electricity. As is also the case in most other regulatory legislation, State and Federal, the standard in both statutes administered by the FPC is a general one—'just and reasonable rates.' Congress delegated to the Commission the task of perfecting the detailed standards to implement this broad and general statutory guide. The reason for such a policy is obvious. The Federal Power Commission can be expected to acquire expert knowledge of the problems and needs of the industries it regulates and to apply its informed judgment in developing realistic rules that will keep the industries healthy while affording consumers protection against excessive prices.

"In determining just and reasonable rates for the gas pipelines and electric power companies the FPC over the years has developed a workable set of standards. In essence, we allow utilities to charge rates which compensate them for their expenses of doing business plus a reasonable rate of return on their investment in utility operations. Federal income taxes have long been regarded as an operating expense to be covered by the utilities' rates. As early as 1922, the Supreme Court in the case of *Galveston Electric Co.* v. *Galveston*, 258 U.S. 388 (1922) stated that 'In calculating whether the 5-cent fare will yield a proper return, it is necessary to deduct from gross revenue the expenses and charges; and all taxes which would be payable if a fair return were earned are appropriate deductions' (p. 399).

"Section 202(e) represents a break with past practice. For the first time, Congress would single out a particular facet of the ratemaking process and instruct the FPC how to decide this issue in determining just and reasonable rates. Congress, of course, has the right to take this action and whatever directions Congress may give, the Commission will carry out to the best of its ability. However, your invitation to me requires that I comment on the advisability of these provisions. In my opinion, there is no reason with respect to the investment credit to depart from the longstanding congressional policy of leaving to the discretion of the administrative agency the manner in which it will treat the items that go into determining utility rates.

"There have been numerous amendments to the Federal income tax law over the years, but to my knowledge, the present proposal if enacted would be the first time that Congress has prescribed the regulatory treatment to be given to tax relief. Several amendments to the income tax law somewhat similar in purpose to the investment credit come to mind. I refer to liberalized depreciation authorized by section 167 of the Internal Revenue Code of 1954 (526 U.S.C. 167), accelerated amortization authorized by section 168 (26 U.S.C. 168), percentage depletion (26 U.S.C. 611-613), and intangible well-drilling costs (26 U.S.C. 263(c)).

"In performing its regulatory responsibilities the Commission must carry out the congressional policy of the tax laws, as well as of other relevant laws. Specifically, the regulatory treatment of the investment credit must be one that will stimulate investment. In my judgment, the basic difficulty with the proposed legislation is that it binds the Commission to carry out the congressional purpose in a specified manner and, I might add, in a different manner for the electric utilities than for the natural gas companies. The proposed legislation would prevent the Commission from choosing the method which best serves the overall public interest at a given time for a particular regulated industry, or from choosing a variant of the standard formula in individual cases presenting special problems.

"We are speaking of the proper regulatory treatment of very large sums of money with respect to the industries subject to the jurisdiction of the FPC. Natural gas pipelines increased their gross utility plant by approximately $5 billion for the 5 years from 1957 through 1961. Assuming a 7-percent investment tax credit in that period and that 85 percent of the additions would be eligible for the credit, the tax savings to the companies in bulk would average approximately $60 million per year. Were all of the credit passed on to the gas consumers, considering the doubling effect of the income tax which now requires approximately $2.08 in rates to net a $1 rate of return to the company, consumers would save about $120 million a year.

"On the electric side, in the period 1957 through 1961, privately owned electric power companies increased their gross utility plant by approximately $17 billion. Assuming the existence of an investment tax credit of 3 percent in this period and estimating 85 percent of the additions as eligible for credit, the tax savings to the electric companies in bulk would average about $86 million per year. If there were flow through to consumers, and with the doubling effect of the income tax, they would benefit by an annual average reduction or savings in rates of $172 million if applied to intrastate as well as interstate sales.

"In view of the increasing demands for power and gas which will require larger investments in the years ahead, we estimate that these sums will increase at compounded rates of about 5 percent annually for natural gas companies and by about 6 percent a year for electric companies, assuming stable price levels.

"One of the reasons for which the FPC was created was to provide expert judgment on specialized questions with respect to the industries placed under FPC jurisdiction. I realize that there is an element of competition which affects the gas and electric utilities, which compete for some of their markets with each other and with other energy suppliers. However, this is not the same as the competition between companies in the same industry which determines the prices at which most products are sold. Indeed, it was because of the inadequacy of competition that Congress has deemed that regulation of the electric power and natural gas industries is necessary to insure fair prices to consumers. The problem raised by section 202(e) is whether the Commission should be bound to a single formula in carrying out its function as the substitute for the kind of competition that exists in the unregulated industries.

"Congress has prescribed no such formula for the industries where the forces of competition are relied upon to produce economic decisions in the public interest and which are therefore not regulated. They are free to reflect the congressional purpose of the investment credit provisions in a variety of ways. In some industries the reduction in income taxes will permit price reductions which create greater consumer demand and stimulate additional investment by requiring a greater plant. In other industries where plant obsolescence is the problem the credit may serve as an incentive to replace existing plant in order to place the company on a more favorable basis to meet future competition. In either case competition serves to determine the price effect which a particular company gives to the investment credit to stimulate new investment.

"Section 202(e) would allow the regulated industries to escape regulation over how they would reflect the investment credit in their rates even though they are subject to regulation because Congress believed that consumers needed protection against unjustified charges by these industries. In my opinion the Congress should permit the Commission, rather than the regulated utilities, to decide this component of the just and reasonable rate, in the same manner as we decide all of the other items which are the basis for the wholesale price at which gas and electricity are sold.

"Although the principal question raised by section 202(e) is whether the Congress should instruct the Commission as to the particulars of allowances for ratemaking purposes, I must add in candor, speaking for myself alone, that there is serious question whether the rule prescribed by the statute is substantively fair and will carry out the congressional purpose of stimulating investment in new facilities. As to this I shall only say that there is much to be said for the position that in the case of public utilities and natural gas pipelines it is the rate of growth in the use of their product or service which controls their investment in new facilities, and that the rate of growth is in turn largely affected by the level of rates which their customers must pay. In this view, utilizing the credit as a basis for reducing rates and increasing consumption might well achieve the objectives of the statute far better than either of the specific formulas it prescribes.

"I therefore urge, Mr. Chairman, that this committee and the Congress eliminate section 202(e) from the revenue bill.

"APPENDIX

"H.R. 8363, section 202:

"'(e) Treatment of Investment Credit by Federal Regulatory Agencies.—It was the intent of the Congress in providing an investment credit under section 38 of the Internal Revenue Code of 1954, and it is the intent of the Congress in repealing the reduction in basis required by section 48(g) of such Code, to provide an incentive for modernization and growth of private industry (including that portion thereof which is regulated). Accordingly, Congress does not intend that any agency or instrumentality of the United States having jurisdiction with respect to a taxpayer shall, without the consent of the taxpayer, use—

"'(1) in the case of public utility property (as defined in section 46(c)(3)(B) of the Internal Revenue Code of 1954), more than a proportionate part (determined with reference to the average useful life of the property with respect to which the credit was allowed) of the credit against tax allowed for any taxable year by section 38 of such Code, or

"'(2) in the case of any other property, any credit against tax allowed by section 38 of such Code,

to reduce such taxpayer's Federal income taxes for the purpose of establishing the cost of service of the taxpayer or to accomplish a similar result by any other method.'"

Senator Bennett. May I ask one more question, just to clear up the record? What policy did the Commission adopt with respect to the changes that were made in the liberalization of depreciation by the 1954 act when companies, corporations, were given the right to use the double declining balance method which was a counterpart of the liberalizations that were created last year? Do you know?

Mr. Swidler. I attempted, in response to Senator Talmadge's questions, to say what the past practice has been with respect to liberalized depreciation.

Now, the accelerated amortization, which was the predecessor of liberalized depreciation was a different matter, but with respect to liberalized depreciation which, I think, first came about in 1954, the Commission did permit normalization, and on the amount held in tax reserves a return of 1½ percent was permitted. As I said, this ruling is now being reviewed.

Senator Bennett. What confuses me is the word "normalization" which I recognize may be a word of art, but it is not a word that we ordinarily use in this committee.

Mr. Swidler. I am sorry, Senator. One gets used to the patter of his own field, so that one hardly recognizes it when he is using it. But "normalization" means while a company might charge for tax purpose twice as much depreciation and thereby reduce taxes substantially, for rate purposes he would charge only the normal amount, and the difference in taxes would be held in a reserve. Normalization is the application for rate purposes of the taxes based on normal depreciation, while charging the liberalized depreciation for tax purposes.

Senator Bennett. And on that particular asset held in reserve you only allow 1½ percent——

Mr. Swidler. Yes, sir.

Senator Bennett (continuing). Profit, which is roughly what, a quarter of the normal profit that you would allow?

Mr. Swidler. Yes, sir.

Senator Bennett. Thank you.

The Chairman. Senator Gore?

Senator Gore. Mr. Chairman, lest some of the questions I ask of the witness appears to indicate that I have some knowledge of what he has said or done heretofore, I wish the record to show that I have not talked to Mr. Swidler about this issue in any respect. The only expressions I have heard from him or read from him on the issue are those he has testified to here today.

Was the subject matter under discussion introduced in the Congress in the form of a bill designated H.R. 7111?

Mr. Swidler. I do not know the answer to that, Senator. I know that it was a provision, I recall, introduced at the instance of Chairman Mills in the House. But whether it was first introduced as a separate bill, I do not know.

Senator Gore. Well, it is true that a bill introduced by Congressman Wilbur Mills, H.R. 7111, contains the substance of section 202(e) of the pending bill, although there may be a few minor differences.

To your knowledge, was there any public hearing on that bill?

Mr. Swidler. No, sir. To my knowledge there was not.

Senator Gore. I am not asking you to say emphatically whether there was or was not, but insofar as you know, no public hearings were held on that bill?

Mr. Swidler. So far as I know, and I think I would know, there were no public hearings; yes.

Senator Gore. Did you ask to testify?

Mr. Swidler. No, sir; I did not.

Senator Gore. Do you know if anyone asked to testify on this provision?

Mr. Swidler. No, sir.

Senator Gore. Did you communicate to the Ways and Means Committee your views on that bill?

Mr. Swidler. Yes, sir.

Senator Gore. Was that letter made public?

Mr. Swidler. No, sir.

Senator Gore. Would you supply this committee with a copy of that letter?

Mr. Swidler. I would be glad to.

Senator Gore. Mr. Chairman, since this letter has not been published, I ask that it be made a part of the record at this point.

The Chairman. Without objection.

Mr. Swidler. May I present it for the record now? I have a copy.

The Chairman. The insertion will be made.

(The document referred to follows:)

"FEDERAL POWER COMMISSION,
"*Washington, D.C., August 5, 1963.*
"Hon. WILBUR D. MILLS
"*Chairman, Committee on Ways and Means,*
"*House of Representatives, Washington, D.C.*

"DEAR MR. CHAIRMAN: This is in response to the oral request received this morning from a member of the committee staff requesting that the Commission submit any comments it wishes to make to your committee on H.R. 7111 by August 6, 1963.

"H.R. 7111 would amend the Internal Revenue Code to direct the manner in which Federal regulatory agencies would treat the investment tax credit established by the Revenue Act of 1962 for ratemaking purposes. Specifically, it would preclude such agencies, including the Federal Power Commission, from reducing any taxpayer's Federal income taxes by the amount of the investment credit, for the purpose of establishing a cost of service and reducing the rates and tariffs to be charged. The bill would also preclude an agency from allowing a lower rate of return on plant investments because the funds were derived from the investment tax credit.

"The question how the investment tax credit should be treated by this agency, both as a matter of accounting and for ratemaking purposes, is presently pending before the Federal Power Commission in contested proceedings, and oral argument has been scheduled before the Commission en banc. Under these circumstances, we do not believe it would be appropriate at this time for the Commission to comment upon the merits of the proposed method of treating the investment tax credit for regulatory purposes.

"We recognize, of course, that Congress may wish to prescribe the manner in which its regulatory instrumentalities should reflect tax provisions which Congress has made applicable to businesses whose rates and service are subject to Federal regulation. It is our view, however, that generally it is preferable to leave to the regulatory agency most familiar with the special problems of a particular industry the determination how particular tax and other expense items should be treated for ratemaking purposes within the overall regulatory framework Congress has provided for that industry.

"In view of the brief time which has been available to us, since the receipt of the request for comments, it has been impossible to contact Commissioner Woodward, who is out of town, nor have we been able to clear this response with the Bureau of the Budget. Commissioner O'Connor has requested me to note his view that regulatory treatment of the investment tax credit depends upon congressional intent, and that the Commission would be aided by a clear expression of intent by the Congress on the issue. Commissioner Morgan's separate views are attached.

"Sincerely,
"JOSEPH C. SWIDLER,
"*Chairman.*

Mr. DOUGLAS. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. HUMPHREY. Mr. President, I ask unanimous consent that further proceedings under the quorum call be suspended.

The PRESIDING OFFICER. Without objection, it is so ordered.

VISIT OF FEDERAL DEPUTIES FROM BRAZIL

Mr. ROBERTSON. Mr. President, I invite the attention of Senators to the fact that the Senate is honored by a visit of a group of Federal Deputies from the parliament of the great and friendly nation of Brazil.

Mr. HICKENLOOPER. Mr. President, will the Senator from Virginia yield?

Mr. ROBERTSON. I am delighted to yield to the Senator from Iowa.

Mr. HICKENLOOPER. Mr. President, today we are honored to have a visit by a group of Federal Deputies from Brazil who are in Washington to attend the meetings of the Governmental Affairs Institute.

They are here to gain more knowledge about the United States. We hope that from their visit we shall gain more knowledge about them which will redound to our mutual advantage. They are distinguished representatives of the people of Brazil. They come from various parts of that great country, and they represent various phases of the economy and the social life of Brazil.

Mr. President, I present the leader of the delegation, Deputy Ulyses da Silveira Gu'merães of São Paulo; also Deputy Aderbal Jurema of Pernambuco; Deputy Pedro Manso Cabral of Bahia; Deputy João Carlo Tourinho Dantas of Bahia; Deputy Padre José de Souza Nobre of Minas Gerais; Deputy Hary Normanton of São Paulo; and Deputy Ewaldo de Almeida Pinto of São Paulo.

We welcome you gentlemen as fellow legislators. You are welcome not only to the United States, to the Senate. We know that as legislators your problems and ours have many things in common. We hope that you will return often, and we hope that we may some day reciprocate by a visit to your own country.

[Applause, Senators rising.]

Mr. HUMPHREY. Mr. President, will the Senator from Iowa yield?

Mr. HICKENLOOPER. I yield.

Mr. HUMPHREY. Mr. President, I wish to join the distinguished Senator from Iowa in welcoming to the U.S. Senate this very distinguished delegation of Federal Deputies from the Congress of the Republic of Brazil.

We are happy to have with us the representatives of the people of the largest republic in Latin America or in South America. The relationships between the United States and Brazil are cordial, friendly, and constructive.

We cherish that friendship and that relationship. We remember that Brazil was a valiant ally of the United States in World War II. We are fully aware of the importance of Brazil as a powerful neighbor in the Western Hemisphere. We ask these fine gentlemen who represent the people of Brazil to bring our warm and cordial greetings to the people of that Republic. It is a distinct honor to have them with us, and we trust that their visit to the United States will be a fruitful, happy, and rewarding one.

Mr. YARBOROUGH. Mr. President, will the Senator yield?

Mr. HICKENLOOPER. I yield to the Senator from Texas.

Mr. YARBOROUGH. I desire to join in the remarks of the distinguished Senator from Iowa [Mr. HICKENLOOPER] and the distinguished Senator from Minnesota [Mr. HUMPHREY], and to associate myself with them in their warm welcome to these representatives of the people of Brazil.

It was my privilege to be a member of the delegation from the U.S. Congress at the Interparliamentary meeting in Brasilia in October and November 1962. We enjoyed the warm hospitality of the people of Brazil and the representatives of the Brazilian Government, particularly the legislative department. The Chamber of Deputies gave us the use of their hall, which we occupied at the 64-nation meeting of the 51st Interparliamentary Union. It was a warm and hospitable meeting and, as a Texan who enjoys barbecues, I shall never forget the brilliant Brazilian churrasco. We thank the Brazilians for their hospitality.

Mr. JOHNSTON. Mr. President, will the Senator yield?

Mr. HICKENLOOPER. I yield.

Mr. JOHNSTON. I join the senior Senator from Iowa, the senior Senator from Minnesota, and the senior Senator from Texas in what they have said concerning Brazil. Brazil is not only our friend, but she is a nation that is close to us in South America. We feel close to her in many ways. We appreciate the attitude that her people have taken. The United States and Brazil are two great countries which have worked together almost as a unit in most endeavors. We appreciate the visit of the delegates to the Senate today. We have enjoyed the privilege of meeting the leaders. We hope that when they return home they will tell the people of Brazil that we extend to them our heartfelt good wishes for the future of both of our countries and hope that we may continue to cooperate and work together for the good of both countries.

Mr. SPARKMAN. Mr. President, will the Senator yield?

Mr. HICKENLOOPER. I yield to the Senator from Alabama.

Mr. SPARKMAN. Mr. President, I join other Senators in extending greetings and appreciation to the parliamentarians from our sister Republic of Brazil. I had the pleasure of their company at lunch. I have had the pleasure of visiting in their country. I have visited in their new capital, Brasilia, being there at the time their Congress was in session. I know something of the diligence and the dedication with which these parliamentarians and many of their colleagues work in trying to bring to their great country economic stability, which is so greatly needed.

Brazil is a country with great natural resources. I have every confidence in its future. We should value the friendship of that country, and I know that we do. I express the hope that these parliamentarians may have a most successful visit in the United States.

Mr. DOUGLAS. Mr. President, will the Senator yield?

Mr. HICKENLOOPER. I yield.

Mr. DOUGLAS. I join in the welcome to the parliamentarians from Brazil. We are bound to Brazil by many ties. Every time we drink a cup of coffee, we remember that our coffee comes largely from Brazil. The economic and cultural connections between our countries are very close.

I assure our friends that in spite of the charges which are made against the United States, we are not imperialists. Many people fear that as a result of the Spanish American War we would become imperialists, but it should be noted that we have given complete freedom to the Philippines without any strings or restrictions. Years ago we repealed the Platt amendment, which gave us the right to intervene in Cuba. For a time our Marines played around in Nicaragua, Haiti, and Santo Domingo, but they have been removed from those areas for more than 30 years. Those countries are completely independent.

We are probably the only large country in the world which does not have imperial possessions of any consequence.

I hope very much that our friends will become convinced of our good intentions to the degree to which we have carried out our withdrawals, and will carry the message back to Brazil, and that we on our side will cherish our friendship and appreciate their visit.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Bartlett, one of its reading clerks, informed the Senate that, pursuant to Public Law 301, 78th Congress, the Speaker had appointed Mr. DOWNING, of Virginia; Mr. GILBERT, of New York; and Mr. VAN PELT, of Wisconsin, as members of the Board of Visitors to the U.S. Merchant Marine Academy.

The message announced that the House had agreed to the concurrent resolution (S. Con. Res. 69) authorizing the printing as a Senate document of the tributes by Members of Congress to the life, character, and public service of the late President, John F. Kennedy.

COMMITTEE MEETINGS DURING SENATE SESSION TOMORROW

Mr. HUMPHREY. Mr. President, I ask unanimous consent that the following committees may be permitted to meet tomorrow during the session of the Senate: the Committee on Commerce; the Committee on Rules and Administration; the Committee on Agriculture and Forestry; and the Antitrust and Monopoly Subcommittee of the Committee on the Judiciary.

The PRESIDING OFFICER. Is there objection?

Mr. HART. Mr. President, reserving the right to object, I think it is intended that the Antitrust and Monopoly Subcommittee be permitted to meet Thursday and Friday during the Senate session.

Mr. HUMPHREY. Yes; Thursday and Friday for the Antitrust and Monopoly Subcommittee.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and it is so ordered.

THE PRESIDENT'S FIVE POINT PROGRAM FOR GENEVA, AND THE SOVIET RESPONSE

Mr. HUMPHREY. Mr. President, 1 week ago the 18-Nation Disarmament Conference in Geneva reconvened. President Johnson's message to the Conference on that day resounded throughout the world with a ring of hope for all people. He told the Conference that it had one task—and one task only—before it. That task was the achievement of a just and lasting peace on this earth for all mankind.

The President made it clear that his hopes for accomplishment at the Conference was not just a tiny glimmer of light in total darkness. He pointed with pride and satisfaction to the specific achievements that had already been made as a result of the groundwork in Geneva. The President mentioned: the nuclear test ban treaty; the direct communications link between Washington and Moscow; and the United Nations resolution against stationing nuclear weapons in outer space. The President then went on to light a beacon for the Conference, and charted a course toward the ultimate goal, a safeguarded peace.

The President outlined five specific major types of potential agreements that could be explored immediately in Geneva. First, he proposed discussions on means for the abolition of force—in any form—whether by aggression, subversion, or the clandestine supply of arms—in the settling of disputes between nations. Second, he suggested the exploration of a verified freeze on the number and characteristics of strategic nuclear offensive and defensive vehicles. Third, the President recommended for discussion the possibility of an agreement which, on the basis of mutual inspection, would end all production of fissionable materials for use in weapons. Fourth, the President indicated that the United States, in consultation with its allies, was prepared to discuss proposals for a system of observation posts to further reduce the danger of war by accident, miscalculation, or surprise attack. Finally, the President proposed for exploration a comprehensive nuclear containment package to prevent the further spread of nuclear weapons to nations that do not now control them.

When I read these proposals, I was struck with how well President Johnson had built on the foundation laid by President Kennedy in his great speech on June 10 of last year, in which he pointed out that there is no single, simple key to peace, no grand or magic formula; that peace must be the product of many nations, the sum of many acts; and that peace is a process, a way of solving problems. And I shared President Johnson's hope that the Geneva Disarmament Conference could set its course toward these concrete proposals. I had hoped that the Soviets might also respond to the President's call to peace and get down to the complex but rewarding task of working out specific details of safeguarded disarmament agreements.

When the Conference at Geneva was opened, there was reasonable belief, at least at that time, that the diplomatic atmosphere was slightly less tense and considerably more cordial than it had been in previous Geneva conferences.

The President of the United States, Mr. Johnson, following in the footsteps of his great and distinguished predecessor, President Kennedy, called upon the nations of the world to dedicate themselves to finding solutions to the difficult problems between the nations that represent the Soviet bloc and the so-called noncommitted and free nations of the rest of the world.

Today there has been a development which may make reasonable consultation and negotiation between the United States and the Soviet Union all the more difficult. The Soviet Union has acknowledged responsibility for shooting down an American jet plane which, according to the Soviets, had penetrated into the air space of East Germany, the regime of that area being the Soviet-controlled regime of the so-called Democratic People's Republic of Germany.

This was an unarmed plane. It was a training plane. It is indeed unfortunate that this plane could not be intercepted, cautioned, forced to withdraw, or land. It is indeed unfortunate that the Soviets felt compelled to resort to the most dangerous method—that of shooting down the plane. That is what happened today.

Despite this incident our proposals at Geneva still stand. The United States will expect a complete explanation from the Soviet Union for this shooting down of one of our planes.

However, even as we insist upon that explanation, we shall pursue our course of peace. We do it in strength and not in weakness.

Yesterday morning, the Soviet delegate submitted a memorandum to the 18 Nation Disarmament Conference. Despite the fact that the memorandum may sound as if the Soviets too are proposing new initiatives, my hope that they might follow President Johnson's lead has not yet been realized. We can only hope—and we are perhaps justified in assuming—that this is not their final word on the President's proposals.

Initial reports indicate that in all the words spoken by the Soviet delegate to the Conference yesterday morning, there appears to be only one new idea.

Unfortunately, Mr. President, the Soviet memorandum is not clear as to whether it is suggesting a realistic new idea or not. Let me read to my colleagues the words of the Soviet delegate, Mr. Tsarapkin, so that they may judge for themselves:

> Bomber aircraft, although obsolete, are still one of the powerful means of offensive warfare which are used for delivery of nuclear weapons many thousands of kilometers away from their bases and for massive strike against the territory of other states. Destruction of this type of armaments would contribute to the lessening of the threat of war and would promote security of all nations. The Soviet Government is prepared to consider this problem.

In response to the Tsarapkin statement, the U.S. delegate to the Conference, William C. Foster, who is also the Director of our Arms Control and Disarmament Agency, noted that, to the extent the Soviets appeared to be accepting the principle of an earlier offer to explore the possibility of agreement on the mutual destruction of certain types of bombers, he welcomed the opportunity to discuss the Soviet proposal in greater detail. This was a wise response. We should be willing to explore all proposals, at any time, in any detail, which have in them the possibility for carrying us further down the road to a safeguarded peace.

What does the Soviet proposal mean? I see in it two possibilities. One of these possibilities is a Soviet proposal for the immediate mutual destruction of all bomber forces. Some reports in the press have given this interpretation to the Soviet proposal.

If this is the case, Mr. President, I should like to go on record as being opposed to the proposal. If this is the case, it is just another instance of Soviet "all or nothing" disarmament diplomacy, another attempt to state a grand and magic formula. The United States is for a safeguarded peace, and for balanced arms control measures. An agreement on the immediate destruction of all bomber forces would not be a balanced approach to arms control. It would not be balanced; it would not be practical; it would not be realistic. I am sure the Soviets know it.

The second possibility is that the Soviet delegate was deliberately imprecise in his proposal as a way of opening negotiations. That is what we must explore with them. If Mr. Tsarapkin was saying that a mutual destruction of some bombers was a first step—a way of beginning—then the U.S. agreement to explore the possibility of a verified agreement of this kind may produce interesting results.

Is there hope that the Soviets may be sincere in this proposal? There may be. I find some encouragement in Mr. Tsarapkin's final observation that the Soviet Government "is prepared to consider this problem." Had the Soviets been following their usual bent of "all or nothing" disarmament diplomacy, it seems likely, although not certain, that they would neither have acknowledged the existence of a problem nor the necessity of further consideration. And so, as I say, there may be hope here.

However, that hope was not encouraged by the development to which I referred a short time ago, the Soviet Union's shooting down of an American unarmed plane.

When he spoke before the United Nations last December, President Johnson committed himself, his administration and this country to the keeping and the strengthening of peace. At the Geneva Conference last week he presented a five-point program for peace as a practical and realistic way of living up to this commitment. Therefore, while I favor exploring the Senate proposal fully, I feel that we should not lose sight of the President's five-point program as our best current hope for progress for peace.

The President has lighted a beacon of hope and guidance. He presented the Conference with a five-point program for progress that was clear, concise, concrete and sufficiently comprehensive to afford alternative routes for real achievement. I believe that the President's program encompasses new hope for the world, and I sincerely hope that the Geneva Conference will turn to that program in a most aggressive, constructive and devoted fashion.

I conclude on this note: It has been my suspicion for some time that the Communist powers have been growing increasingly frustrated with the failure of their propaganda abroad. I am convinced that the leaders of the Communist international movement, particularly the leaders in the Kremlin, were truly shocked by the unbelievable response of the people in their own countries as well as the people in other areas of the world over the death of President Kennedy.

On that occasion men and women behind the Iron Curtain had an opportunity to express their love for America by pouring their hearts out in sorrow and grief over the death of our belove great President, President Kennedy.

At that moment, the leaders of communism could see that their propaganda had failed, and that their hate campaigns against the United States and the free world had failed. They found out that the people of the Communist-dominated countries still loved America, and respected and loved the President of this Nation that represents the forces of freedom and hope in the world.

I am convinced that this demonstration of love and affection and respect for the United States and for the President of the United States at the time of President Kennedy's tragic death was a warning to the Kremlin leaders and the other Communist leaders that they had failed miserably, in trying to drive a wedge of misunderstanding and of bitterness between the people of the United States and the people of the countries where communism today dominates and controls the governments.

Because of this realization, it is my view that some of the Communist leaders have been attempting to gain the offensive once again through subversion, through troublemaking, through disasters, through violence. They never seem to learn. They are very much like the French Bourbons, who never learned anything and forgot everything.

Let it be known that their power is not what they claim it to be, militarily, economically, or in terms of political allegiance or support of the people they rule.

President Kennedy gave the world many things. To America he gave new faith in ideals, and to the world he gave a new hope for peace and freedom. To the people behind the Iron Curtain he gave a living demonstration of our continued interest in them and of our willingness to stand by them and to be faithful friends to them.

The Communist leaders of those countries must confess before all of humanity that their propaganda has failed, that their lies have not been accepted, that people do not believe what they say, and that their efforts to dissociate the United States from the peoples of the countries under Communist domination have been a miserable failure.

If we continue in the course we have followed, the course of national strength, the course of cooperation among ourselves and our allies, the course of building the economy of this country and helping other countries to build their economies; if we continue to follow the pattern of being true to our faith, true to our ideals, and true to our convictions, the Communists will continue to fail, not only in terms of their industry and economy, but also in terms of their capacity to gain the loyalty and support of the people under their domination and, indeed, of people in other areas of the world.

It is my counsel to the American people that we should not be overly disturbed or become overly emotional about explosive developments which capture the headlines. We are on the right course. Our country has unbelievable strength. We have the most powerful Military Establishment the world has ever known and the strongest and richest economy the world has ever known. Today our people have a sense of their own destiny—a destiny of world leadership without domination, a destiny of giving the hand of cooperation to humanity in other parts of the world, just as we do for one another at home.

I commend to the attention of the American people President Kennedy's program for a just and enduring peace. I remind Senators that this is but a continuation of the program that was so brilliantly, convincingly, and beautifully articulated and outlined by the late President John Kennedy.

ADJOURNMENT UNTIL 10 A.M. TOMORROW

Mr. HUMPHREY. Mr. President, if there is no further business to come before the Senate, I move, in accordance with the previous order, that the Senate adjourn until 10 o'clock tomorrow morning.

The motion was agreed to; and (at 3 o'clock and 52 minutes p.m.) the Senate adjourned, under the order previously entered, until tomorrow, Thursday, January 30, 1964, at 10 o'clock a.m.

NOMINATIONS

Executive nominations received by the Senate January 29, 1964:

U.S. PUBLIC HEALTH SERVICE

The following candidates for personnel action in the Regular Corps of the Public Health Service subject to qualifications therefor as provided by law and regulations:

1. FOR APPOINTMENT

To be senior surgeons

Martin Flavin, Jr.
John W. Harkness
Albert Roberts
Donald P. Conwell
Nicholas V. Scorzelli
Madeline A. Lynch

To be surgeons

Jan Wolff
Ned H. Wiebenga
Eleanor F. Smith

To be sanitarian

Arthur V. Regnier, Jr.

To be senior veterinary officer

Frederick W. Clayton

To be nurse officers

Jane E. Wynn
Ann C. Rooney
Invelda M. Artz
Ruth J. Metka
Hermione S. Swindoll
Helen V. Foerst

To be therapist

Joseph K. Reed, Jr.

To be health services officers

Francis F. Reierson
Lucia N. Mason

In the Navy

The following-named officers of the Naval Reserve for temporary promotion to the grade of rear admiral subject to qualification therefor as provided by law:

LINE

George A. Weaver

MEDICAL CORPS

Howell E. Wiggins

CHAPLAIN CORPS

Roland D. Driscoll

In the Navy

The following-named officers of the U.S. Navy for temporary promotion to the grade of lieutenant commander in the staff corps, as indicated, subject to qualification therefor as provided by law:

MEDICAL CORPS

Aaron, Benjamin L.
Akers, Richard E.
Alexander, Ronald W.
Austin, Frederick L., Jr.
Avitabile, Stanton H.
Axe, Paul W., Jr.
Bailey, David W.
Baker, James P.
Baker, William P.
Barrett, Warren M.
Bartlett, Eugene F.
Baxter, John C.
Becker, Matthew K.
Beckman, William R.
Bemiller, Carl R.
Berry, Juanedd
Billingsley, Frank S.
Bird, Harry H., Jr.
Black, Maurice W.
Black, Robert C.
Blair, Sidney M.
Blais, Bernard R.
Block, Robert C.
Bloom, Joseph D.
Brackett, John W., Jr.
Brock, Richard R. H.
Bromley, Jess W.
Brooks, Robert T., Jr.
Brown, James R.
Bucko, Matthew I., Jr.
Busch, Frederick M.
Carr, John E.
Carson, William E., Jr.
Castro, Joseph R.
Cavallaro, Richard J.
Cavanagh, James J.
Cavin, William J., Jr.
Cerny, Matthew J., Jr.
Chenault, Oran W., Jr.
Colangelo, Eugene J.
Collier, James C. P., Jr.
Conkey, George A.
Connolly, Edward B.
Cooper, Conrad L.
Cowen, Malcolm L.
Cox, Jay S.
Cunningham, John E., Jr.
Davis, David B., II
Deaner, Richard M.
DeBolt, William L.
Dihl, Jerald J.
Diorio, Neil G.
Dooley, Robert T.
Dunne, Michael J.
Evans, Eldon L.
Farber, Sheldon
Faust, Kenneth J.
Faust, Robert B.
Fenner, Henry E.
Fitzgibbon, Carney, Jr.
Floyd, John S., III
Flynn, Peter A.
Folusiak, John C.
Freeman, Edward E.
Furuya, Clinton M.
Garrison, Robert C., Jr.
Giles, John H.
Gill, Kenneth A., Jr.
Goddard, James E., Jr.
Goller, Vernon L.
Goodman, Maxwell W.
Goodwin, Joel S.
Gragg, Donald M.
Griffin, John P.
Harris, Boyd L.
Hayen, Donald O.
Heldt, Robert P.
Herring, John H.
Hodge, Warren W.
Hoke, Bob
Holmboe, Arthur H.
Honig, Alan J.
Hopwood, Herbert G., Jr.
Ickler, John L.
Jones, Clyde W.
Jones, Franklin D.
Kelley, Donald L.
Kelley, William S., Jr.
Kennedy, Billy D.
Kern, John D.
Kirkconnell, Waite S.
Kostinas, John E.
Lang, Jesse E.
Larcom, Gordon D., Jr.
Larive, Paul K.
Larson, James A.
Lawlor, Peter P., Jr.
Lawton, George M.
Learey, Kenneth L.
Lesovsky, Eugene A.
Levy, Jerome
Lloyd, Bruce H.
Lufkin, Charles D.
Lyster, Norman C., Jr.
MacClary, Ronald G.
MacDonald, Rodney I.
Magi, Martin
Mammen, Robert E.
Martin, George F., Jr.
Mathews, George W., Jr.
McGowan, Edward M., Jr.
McGrory, Thomas P.
McIntyre, James A. A.
McMicken, William H.
Meaders, Robert H.
Merchant, Raymond, J., Jr.
Miewald, John R.
Miranda, Mario C.
Moll, Francis K., Jr.
Moore, Morgan J.
Moores, Russell R.
Morgan, Robert I.
Morris, Arthur S., Jr.
Morris, Thomas E.
Moyers, James R.
Mullins, Wallace R.
Mullins, William J., Jr.
Neel, Samuel N.
Norton, Richard H.
O'Brien, Robert M.
Ochs, Charles W.
O'Halloran, Patrick S.
O'Lane, John M.
O'Leary, Jay F.
Palumbo, Ralph R.
Parker, Nelson H., III
Payne, Charles F., Jr.
Payne, Milton L.
Perkins, Robert H.
Pettengill, Howard W., Jr.
Pohle, George A.
Pollard, Harry S., Jr.
Puk, John A.
Pulicicchio, Louis U.
Pye, Stephen A., Jr.
Rack, Robert V.
Ragsdale, Julian L.
Randall, Glenn H.
Redick, Lloyd F.
Reitman, Sanford
Richardson, Charles R.
Riordan, Robert H.
Rish, Berkley L.
Rivera, Julio C.
Robl, Robert J.
Rogers, Jerry R.
Rohren, Donald W.
Rudolph, Samuel F., Jr.
Russotto, Joseph A.
Sablan, Ralph G.
Sargent, Charles R.
Schultz, Robert J.
Scott, Augustus B.
Scott, Charles M.
Sharpe, Richard G.
Shepard, Barclay M.
Skinner, Morris F., Jr.
Slemmons, Daniel H.
Smith, James W.
Smith, Royal A.
Snyder, Harry D.
Sobotka, Fred E.
Solomon, Alexandre
Stallworth, William P.
Swartz, Philip K., Jr.
Takaki, Norman K.
Taylor, Thomas E.
Thomas, Lawrence E.
Thompson, Robert L.
Thompson, Robert E.
Thorne, Lawrence G.
Tilock, Fred H.
Tobey, Raymond E.
Tolmie, John D.
Vaught, Richard L.
Viener, Seymour J.
Viola, Francis V., III
Walklett, William D.
Walter, Eugene P.
Wander, Harry J.
Weir, Gordon J., Jr.
Willcutts, Harrison D.
Wilson, James T.
Wilson, Wayne R., Jr.
Young, George M.
Youngs, Luther A., III

SUPPLY CORPS

Allen, Samuel B., Jr.
Anderson, Richard A.
Anglim, Matthew E., Jr.
Ardizzone, Joseph C.
Arnold, Harry H.
Awalt, Richard E.
Babcock, Barry B.
Beals, Donald A.
Bechtelheimer, Robert R.
Bennett, Richard B.
Blackshaw, Joseph R.
Bodart, Cletus W.
Brewin, Robert L.
Brooks, John E.
Byers, Austin L.
Casselberry, Lynn W., Jr.
Caverly, Michael K.
Chapman, Charles B., III
Christenson, Richard D.
Clark, Bryan L., Jr.
Clark, Shelby V. T.
Cook, Gerald W
Cornelius, Jack M.
Cornwell, Stanley R.
Cronk, Philip W.
Dollard, Paul A.
Dowling, Richard M.
Dusenberry, Frank J.
Erickson, Barry M.
Erwin, Charles H.
Farrell, James G.
Fekula, Theodore V.
Ferraro, Niel P.
Flood, Peter A.
Fuka, Otto J., Jr.
Furnweger, Alfred J.
Graessle, Ernest J.
Graessle, Philip G.
Grise, Norman W., Jr.
Hamilton, John F.
Hamilton, Michael H.
Harkin, James W.
Harless, Charles A.
Harrigan, Thomas F., Jr.
Hawkins, Charles A.
Hochmuth, Alvin E., Jr.
Hollowell, Samuel T., Jr.
Horrigan, John W., Jr.
Jesser, Arthur D.
Johnson, Millard J.
Jones, Bobby J.
Kela, Frederick H.
Klaren, John C.
Lang, Charles, Jr.
Lanphere, Robert J.
Lawrence, Robert W.
Leal, Milford A.
LeBlanc, George J., Jr.
LeBlanc, Merrill M.
Mantlo, Glendon R.
McCarthy, Leonard D
Nelson, Alfred B.
Nolan, Frank R.
O'Connor, Robert W.
Ostrom, Lester E.
Parent, Elias A., Jr.
Partridge, John D.
Pavlisin, Frank
Peek, Luther W.
Peterson, Kenneth A.
Pottinger, Ian G.
Prudenti, Joseph J.
Prutzman, William L.
Read, Farra L., Jr.
Ribble, Marland S.
Rice, Harold A.
Rice, Richard M.
Richards, Walter T.
Riordan, William H.
Rolfe, James A.
Rose, Rufus E., Jr.
Ross, Howard T., Jr.
Roth, Richard J.
Sanders, John R.
Savage, William H., Jr
Sellers, Robert D.
Sevier, Moses T.
Shipley, Maynard K.
Shultz, William E.
Smith, Jay R., Jr.
Speer, John W.
Springer, Donald F.
Sterner, Norman G.
Stevenson, Ray H.
Strange, Geoffrey G.
Tillery, Preston J.
Topping, James F.
VanValkenburg, Max W.
Velotas, Bill M.
Wagner, John E.
Walker, Edward K., Jr
Warneke, Grover C.
Washburne, William K.
White, Jack A.
Williams, Walter L.
Young, Robert H.
Zeberlein, George V., Jr.

CHAPLAIN CORPS

Aldrich, Ralph W.
Baxter, Roy A.
Bliss, Donald
Brudzynski, Peter F.
Cox, Gerald W.
Dobbs, Veldon "B"
Elder, Robert M.
Eller, Max A.
Evans, Maurice L.
Fitzsimmons, Donald B.
Gallagher, Bartholomew T.
Goffrier, Robert R.
Grunder, Bey G.
Hilferty, Thomas J.
Hinderer, George M.
Jones, Stephen N.
Kemp, Charles D.
Laurenzano, Roch M.
Lemasters, Clarence E.
Lemieux, Ernest S.
Maritato, Victor J.
McGonigal, Richard A.
McGovern, Francis W.
McKee, Billy J.
Meschke, David L.
Milosek, William J.
Neal, Aubrey M.
Norton, Lawrence E.
Pitts, Charles H.
Regan, James P.
Riggs, Adna W.
Seegers, Leonard O.
Stanhope, Norman J.
Timmermeyer, Virgil W.
Tipton, Richard M.
Vernon, Clarence A.
Walsh, Ronald J.
Wetzel, Oliver H.

CIVIL ENGINEER CORPS

Andersen, Charles P.
Auerbach, Ralph W., Jr.
Barry, Richard P.
Berdan, Maurice R.
Brooks, Kenneth D.
Brown, George H.
Bruch, Charles G.
Burdick, William E.
Conner, Donald L.
Donaldson, Jacques E.
Eager, Walter J., Jr.
Edson, Theodore M.
Gans, George M., Jr.
Gaulden, Roy D., Jr.
George, Roscoe D., Jr.
Hanlon, Mark Z., Jr.
Hathaway, David B.
Jones, John P., Jr.
Lowe, Stephen D.
Miekush, Matt C.
Moger, Jack B.
Moore, Fred, Jr.
Morton, Donald A.
Nystedt, Russell P.
Oliver, Philip, Jr.
Oscarson, Edward R.
Peace, Robert C.
Petzrick, Paul A.
Pitman, James B., Jr.
Randall, Robert R.
Shafer, Willard G.
Skrinak, Vincent M.
Socha, Albert R., Jr.
Stallman, Thomas F.
Stedman, Ralph S., Jr.
Sweeney, John C.
Sylva, John P.
Taglienti, Gene S.
Tate, Thomas N.
Tombarge, John W.
Urish, Daniel W.
VanBelkum, Kenneth D.
Weis, John M.
Westberg, Robert J.
Wile, Dorwin B.
Williams, Jesse R.

DENTAL CORPS

Allman, Daryl M.
Altman, Richard S.
Amato, Angelo E.
Anderson, Dale M.
Beesley, Charles V.
Biron, George A.
Brenyo, Michael, Jr.
Brown, Thomas G.
Burch, Meredith S.
Burke, Joseph H.
Casper, James A.
Castronovo, Sam
Clynes, James T.
Corio, Russell L.
Corsello, Robert W.
Crawford, Benton E., Jr.
Desenfants, John A.
Fenner, David T., Jr.
Gibson, Charles R.
Greer, David F.
Hatrel, Paul P.
Hill, Ronald K.
Howe, Robert E.
Johnson, Ronald H.
Koss, Ronald J.
Landry, Antime J., II
Leonard, Walter P.
Lessig, John F.
Lucker, Ronald W.
Luton, Jonathan P., Jr.
Moore, Dorsey J.
Nielsen, Theodore C.
Pirie, George D.
Richter, Henry E., Jr.
Roper, David A.
Rupp, George M.
Smith, John M.
Stallworth, Henry A.
Sullivan, William C.
Swaim, Bobby L.
Tanner, Robert L.
Thomas, Robert E.
Verunac, James J.
Viles, Darel D.
Walters, Ray A.

MEDICAL SERVICE CORPS

Andersen, Walter A.
Barker, Samuel D.
Barrett, Neil K.
Beyer, Charles E.
Brandon, Daniel A.
Brannon, Joe F.

Carpenter, Arden R.
Curto, James C.
Davies, John A.
Dennis, "J" "M"
Devine, Leonard F.
Dickerson, Kenneth H.
Dietch, Michael M., Jr.
Gallaher, Robert E.
Goon, Melvin H.
Hartley, Robert L., Jr.
Heath, Jean L.
Hockstein, Edwin S.
Holston, Charles A.
Janson, Harold J.
Johnston, James F.
Lane, Jack R.
Long, William L.
McComb, Gordon S.
Miller, Harry P.
Morris, Carlton R.
Myers, John D.
Oleson, Russell H.
Oswald, Charles A.
Passaglia, Martin, Jr.
Peart, Lillian C.
Reed, John R.
Richardson, James W.
Riser, Ellis W.
Sanborn, Warren R.
Schaffner, Leslie J.
Shaneyfelt, Carl L.
Skidmore, Wesley D.
Sloan, Marshall
Smout, Jay C.
Snowden, Donald J.
Spahn, James A., Jr.
Talley, Russel L.
Tatum, Raymond B.
Woodham, James T.

NURSE CORPS

Bednowicz, Eleonore A.
Brown, Shirley A.
Connors, Ann P.
Cormier, Rosealine M.
Davis, Kathryn A.
Donoghue, Margaret C.
Emter, Dorothy M.
Foley, Alicia M.
Fudala, Adeline R.
Greene, Jane S.
Grice, Carol A.
Hardcastle, Jeraldine N.
Harris, Myrtle T.
Hedberg, Alison U.
Hunt, Florence E.
Jacques, Nancy J.
Johnson, "S" Fay
Jones, Bernice E.
Kelly, Mary F.
Kelly, Therese M.
Lantz, Ellen L.
Liakos, Angeline G.
Ludwig, Margaret M.
Moriarty, Mary M.
Mullian, Sheila E.
Murphy, Loretta M.
Nagy, Bettye G.
Nester, Mary L.
Orr, Wanda S.
Pearce, Martha V.
Pickering, Julia E.
Pierson, Valerie A.
Portz, Patricia J.
Proto, Theresa M.
Sauer, Mary A.
Schoellkopf, Shirley R.
Spence, Laura D.
Stender, Doris C.
Stokely, Betty M.
Sullivan, Patricia A.
Warren, Marjorie E.
Whitehead, Edith P.

The following-named officers of the U.S. Navy for temporary promotion to the grade of lieutenant in the staff corps, as indicated, subject to qualification therefor as provided by law:

SUPPLY CORPS

Alexander, Carl E., Jr.
Anderson, Floyd R.
Anderson, Roger A.
Annan, Robert H.
Antolini, Richard C.
Arendell, Russell W.
Armstrong, William G.
Baca, Darry V.
Bachelder, Champe O.
Bailey, Edwin H.
Barber, John E.
Barcus, Charles C.
Barton, Kenneth D.
Basler, Richard A.
Bathrick, Leeland M.
Baum, Kenneth A.
Beal, John S., Jr.
Beeman, Ray N., Jr.
Bennett, Donovan E.
Bennett, Jack H.
Bentley, Richard G.
Bergman, Richard H
Berkopec, Robert N.
Bessenger, Frank L., Jr.
Bingemer, Charles E.
Bishop, William C.
Blair, Bryan E.
Bloxom, Donald A.
Bolton, Emory E.
Bond, William E.
Booth, William L.
Bosco, Joseph J.
Bosworth, Paul R.
Boutwell, Carleton W., Jr.
Boyette, James B.
Brennan, Anthony C.
Bryant, James N.
Bryant, Verle E.
Budill, Edward J., Jr.
Burns, Harvey G.
Burns, Norman H.
Burris, Ronal S.
Burton, Andrew J., Jr.
Cairo, Robert F.
Callaghan, Robert W., Jr.
Carlson, John O.
Cawley, Russell R.
Chaney, Keith R.
Chavez, Jose
Chenoweth, Denver, Jr.
Christopherson, Duane A.
Ciccone, Thomas A., Jr.
Clark, Paul D.
Clark, Richard M.
Conrad, Ralph
Cooper, Robert A.
Cornett, Kenneth H.
Covington, Lawrence V.
Cox, Bobby W.
Cox, Joseph M.
Cox Ross L.
Craig, Glenn C.
Cromer, David W.
Cross, John W.
Cunningham, Philip T.
Dachman, George W.
Deinzer, William A.
Demaio, Robert M.
Dent, George F.
Desjardins, John E.
Dickinson, Robert A.
Dieterle, Edward R.
Defilippo, Angelo E.
Doersch, Kirt D.
Dolina, John R.
Dominy, Wilbur D.
Dowling, John P., Jr.
Drachenberg, Palmer L.
Drinkwater, Myron D.
Dropp, Robert A.
Durnell, Forrest E.
Eason, David G.
Eckelberger, James E.
Evans, Don R.
Faistl, Frank R.
Fay, Larry R.
Ferrell, William A.
Fickling, Thomas N., Jr.
Filipiak, Francis L.
Fillmore, Norman B., Jr.
Finden, Paul S.
Fitzsimmons, Ted R.
Forquer, Donald E.
Francois, Shirley J.
Fraser, Robert B.
Frasher, Burton K., III
Freeman, Charles W.
Freeman, Donald S., Jr.
Frost, Don J.
Fry, Howard L.
Fry, Vance H.
Fulkerson, Melvin A.
Fulton, John H.
Gahm, Jacob H., Jr.
Gallagher, Eugene M.
Ganz, James G.
Gear, James R.
Geary, Richard S.
George, Leon
Germann, William J.
Gerritz, Ellsworth K.
Gillies, Tearle A.
Glisson, William E
Gohrband, Howard F., Jr.
Goldtrap, Arthur C., Jr.
Goodmon, David R.
Gould, George A., III
Grayson, Frank N.
Greenhalgh, John E.
Gregory, Robert T., Jr.
Griffin, William L.
Groom, John D.
Guenther, Richard G.
Gunn, Robert H., Jr.
Hagans, James E.
Harms, Ralph J., Jr.
Hayes, Alan G., Jr.
Heider, James M., Jr.
Henninger, Harold J.
Henry, William E.
Henshall, Joseph
Hern, William R.
Herndon, David L.
Hodgdon, Paul L.
Holmes, Clifford J.
Hooten, Allen R.
Howard, Ralph N., Jr.
Hudson, Edward L.
Huneycutt, Herbert K.
Hutto, John A.
Iafolla, Guilio V.
Iaquinta, Francis S
Ionadi, Eugene F.
Jaap, Joseph D.
Jardine, George J.
Johnson, George E.
Johnson, John A.
Johnson, Paul N.
Kasputys, Joseph E.
Kee, William D., Jr.
Kiger, Charles R.
Kipping, Dan G.
Kittock, Kenneth E.
Koerner, Wendell E., Jr.
Kramer, George W.
Kuopus, Karl J.
Landon, Stewart N.
Lanza, Vincent
Larsen, Arthur B.
Larson, Peter N.
Lasher, Raymond P.
Lavely, Lawrence W.
Liakos, Sotir
Lines, Lee R.
Lingle, Terry K.
Loustaunou, John C.
Lovett, Heyward M., Jr.
Mabie, Marshall L.
Maginniss, Christopher M., Jr.
Maguder, Henry J., Jr.
Mahelona, George L. P.
Majors, George W., Jr.
Maness, Victor P.
Marshall, Clyde M.
Marshall, Robert K.
Matais, Joseph A.
Mathiesen, Charles A.
Matthews, Leland W.
McCartney, John W.
McCormack, Terrence S.
McGrath, Thomas M.
McKenna, Theodore R.
McWhorter, Roy G.
Meys, Charles P.
Michl, Douglas L.
Miles, William M.
Mitchell, Willis A.
Mitchell, William J.
Moore, James C., Jr.
Moore, Robert L.
Morgart, James A.
Moroney, Charles B.
Moscoe, Donald E.
Muenster, William S.
Mullen, Jack K.
Myers, Cecil E., Jr.
Nissalke, Alan J.
Nopper, Donald N.
Oakley, David W.
Olin, William W.
Olson, Earl A.
Orr, Leroy J.
O'Shea, John E.
Osmon, Robert E.
Parish, Anthony E.
Paskowitz, Selwyn S.
Paulson, Alvin L.
Peever, John E.
Perry, William J.
Phillips, Marvin R.
Pierce, William L.
Poling, Harold A.
Pool, Harold A.
Powell, Jack W.
Price, Robert E.
Ray, Donald G.
Reeves, Malcolm C., II
Richardson, Russell G.
Riddell, William B.
Robinson, James E.
Robinson, Richard H.
Robson, William R.
Roland, Billy J.
Roy, Roger C.
Rush, Spencer
Rybarczyk, John J.
Saidak, Paul A.
Santucci, John J.
Scaramozzino, Emanuel
Schaen, Frederic W.
Schroeder, James A.
Schuerman, John E.
Schuster, Gerald D.
Scott, Richard E.
Severance, George G.
Shima, Larry J.
Shotton, Francis T., Jr.
Shughart, James N.
Shukis, William J.
Simcox, John D.
Simeon, Harlan L.
Simmons, Charles J.
Sledge, Allen H.
Smith, Arthur H.
Smith, Charles T.
Smith, Thomas W.
Smith, William D., Jr.
Snyder, Herbert P.
Sprague, James A.
Spratt, Thomas J.
Starkey, Benjamin T., Jr.
Stevens, Steven K.
Stevenson, Bill B.
Stewart, Robert W.
Stilgebouer, Larry R.
Stinson, William T.
Stone, Donald E.
Strain, Oscar R., Jr.
Sumner, John W., Jr.
Svagdys, Paul F.
Swan, Rodger A.
Swanson, John L.
Tarr, Nicholas W.
Turner, Robert L.
VanHouten, George W.
Van Patten, David G.
Varner, Richard H.
Vieweg, Herbert H.
Wachutka, James R.
Wagner, Robert B.
Walker, Robert C.
Walsh, Martin J.
Weatherson, Harvey D.
Weber, Jerome J.
Wetherington, Paul M.
Whittington, Richard G.
Widowski, Raymond C.
Wild, Thomas R.
Wilkins, Walter W., Jr.
Williams, Richard T.
Williams, Royce S.
Withrow, Edward W., Jr.
Yelle, Robert S.
Yim, Calvin K.
Zirnhelt, Alfred C.

CIVIL ENGINEER CORPS

Absalom, George M., III
Arcuni, Albert A.
Baltzer, John J.
Call, David A.
Carricato, Michael J.
Chapman, Charley L.
Cooper, Merrill M.
Doebler, James C.
Eber, Richard D.
Falk, Norman D.
Flath, Eugene J.
Forney, David L.
Frankel, John A.
Frazier, William F.
Gardiner, George H., Jr.
Gerdel, David H.
Gleman, Paul L.
Gray, Robert W., Jr.
Greenwald, James M.
Hale, Hugh D., II
Held, George B.
Hines, Leslie L.
Hubel, Edward H.
Jackson, Gerald W.
Jones, Robert S.
Kennedy, Robert J.
Ketels, Yung H.
Kieffer, Alonzo R., III
Klein, Eugene R.
Lewis, Herbert H., Jr.
Lowrey, Billy B.
Lubich, Marion W.
Maskell, Charles M.
McManus, Robert G.
McShea, Michael J.
Metzler, Jay C.
Miller, David B.
Moran, John P.
Mumford, Gerald W.
Myers, Larry D.
Newman, Arthur L.
Oxley, Francis M.
Parker, Robert D.
Peechatka, Farley
Pflugh, Willis C., Jr.
Porter, Michael D.
Purinton, Lucian B., II
Quigley, Stephen J.
Quinn, Thomas P.
Rathbone, John
Reynolds, Ralph R.
Ripa, Carl V.
Sahlman, Claire G.
Shank, George E.
Smith, Myron E., Jr.
Ster, John W.
Stone, Edward P.
Terrell, David S.
Tucker, Tracy C.
Van Royen, William S.
Vaughn, Kenneth A.
Vogel, Lawrence W.
Wells, James L.

MEDICAL SERVICE CORPS

Acord, Loren D.
Bacon, Norman F., Sr.
Baumhofer, Anne H.
Bogdan, Raymond R.
Bonds, Billy R.
Brouillette, Donald E.
Brumfield, Harker D., Jr.
Cicero, Joseph D.
Craig, Donald R.
Dains, Clarence A.
Despiegler, Gary D.
Dietlein, Donald R.
Erie, James R.
Fishel, David W.
Foster, Harlan D.
Groce, William E.
Hagstrom, Verne W.
Hendren, John E.
Horrigan, David J., Jr.
Krueger, Vernon A.
Lovin, Aubin H.
Machir, Daniel F.
McConnell, Alton E., Jr.
Metcalf, Lawrence P.
Myrah, James L.
Null, Clyde W., Jr.
Piersol, Eugene C.
Price, Charles A.
Ray, Paul T.
Reid, Donald H.
Rhoads, Teddy R.
Robertson, James M.
Ruppe, James R.
Smith, George E., Jr.
Stalnaker, Mervin L.
Thompson, Curtis R.
Thomsen, Paul D.
Weems, Bailey E.

NURSE CORPS

Hvizdo, Barbara A.

Leonard I. Cole for temporary promotion to the grade of lieutenant commander in the line of the U.S. Navy subject to qualification therefor as provided by law.

Richard H. Tabor for temporary promotion to the grade of commander in the Medical Corps of the U.S. Navy subject to qualification therefor as provided by law.

The following-named officers of the U.S. Navy for temporary promotion to the grade of lieutenant in the line and staff corps, as indicated, subject to qualification therefor as provided by law:

LINE

Holmes, Gary L.

SUPPLY CORPS

Farley, Robert H., III
McClanahan, John P., Jr.

Richard K. Gambill for permanent promotion to the grade of lieutenant (junior grade) in the line of the U.S. Navy subject to qualification therefor as provided by law.

Cynthia C. Dunne for permanent promotion to the grade of lieutenant commander in the Supply Corps of the U.S. Navy subject to qualification therefor as provided by law.

The following-named women officers of the U.S. Navy for permanent promotion to the grade of lieutenant in the line and staff corps, as indicated, subject to qualification therefor as provided by law:

LINE

Acosta, Delores Y.
Bowden, Marilyn F.
Coye, Beth F.
Fischer, Judith
Haden, Eileen C.
Hallett, Sue C.
Hankey, Joan R.
Hayes, Roxie L.
Hersley, Janet L.
Holway, Nancy H.
Huber, Katherine B.
Kent, Ruth W.
Lee, Linda M.
Mohorich, Helen M.
Naidl, Rowena
Parsons, Clara D.
Perry, Audrey E.
Pond, Linda A.
Pool, Naomie E.
Potter, Ann M.
Schlapak, Elaine M.
Sherman, Jean C.
Smith, Elizabeth
Snodderly, Sandra L.
Sowersby, Twila J.
Wallis, Constance M.
Weber, Joyce A.
Zipse, Marianne W.

SUPPLY CORPS

Hunter, Nancy A.

The following-named officers of the U.S. Navy for permanent promotion to the grade of lieutenant (junior grade) in the line and staff corps, as indicated, subject to qualification therefor as provided by law:

LINE

Abbitt, James B.
Abrams, Lawrence I.
Abrell, Gary A.
Adamitis, Lawrence R.
Adams, James L.
Adams, Joseph H.
Adkins, James C., II
Adler, Jay B.
Aiman, William R.
Aisthorpe, John E.
Albert, Bruce W.
Aldinger, Robert W.
Alemian, Haig S.
Alexanderson, John L.
Alexander, Frank L.
Alger, Don M.
Allen, Arnold C.
Allen, Benjamin E., Jr.
Allen, Edmond L.
Allen, John B., Jr.
Allen, Michael D.
Allen, William C., Jr.
Allyn, Elwyn G.
Almasi, George R.
Alsip, Charles E.
Amann, Robert A.
Anderson, David H.
Anderson, Lonny D.
Anderson, Norman A.
Anderson, Thomas H.
Anderson, William W.
Anderson, Larry F.
Anderson, Bruce W.
Andres, Eugen C., III
Andress, William D., Jr.
Andrew, Wesley A.
Andrews, John W.
Ansley, James H.
Appelgate, Terry B.
Ardavany, Richard A.
Ardell, John E., III
Ardleigh, Paul D.
Armstrong, Melvin R.
Armstrong, William E.
Arneth, Paul R.
Arnold, John C.
Ash, Robert I.
Ashley, Andre B.
Ashurst, Charles F.
Astleford, Nathan L.
Atwater, Robert B.
Austraw, James D.
Babb, David J.
Bachofen, Andrew W.
Badgett, Robert S.
Bagley, Norris R.
Bahr, Conrad C., III
Bailey, Albert E., Jr.
Bailey, David L.
Bailey, Henry A., Jr.
Bailey, James P., Jr.
Bailey, Thomas F.
Baker, David C.
Baker, John G., Jr.
Baker, John L.
Baker, John T.
Baker, Marvin C.
Baker, Robert E.
Baldwin, Joseph A.
Balish, Thomas
Ball, Jeffrey N.
Ballard, Stephen K.
Bandy, John I., Jr.
Bannach, Leroy R.
Bardeschewski, Walter P.
Barfield, Henry J., Jr.
Barnes, Keith A.
Barnett, Roger W.
Barnett, Ronald
Barr, Gary L.
Barr, Jon M.
Barr, Thomas H.
Barrett, Harold C.
Barrett, Robert W.
Barron, Robert W., Jr.
Barry, Franklyn S., Jr.
Bartholomew, Charles A.
Bates, Avery W.
Batson, Jack E. D., Jr.
Bauer, Douglas C.
Bauhs, David J.
Bealer, William F., Jr.
Bean, Reginald E.
Beatty, Troy, III
Beaulieu, Eugene L.
Beem, James N.
Beem, Perry A.
Beeson, Thomas T.
Beha, William H., Jr.
Bell, James F., Jr.
Bellino, Joseph M.
Bence, John R.
Benedict, Joseph C.
Benevides, John M.
Bennett, Andrew J.
Bennett, Charles W.
Bennington, Richard D.
Benson, David A.
Benter, Harry W., Jr.
Berkebile, Paul C., Jr.
Berkley, Joseph B., Jr.
Berndt, Philip G.
Berry, Charles L., Jr.
Berry, Niles W.
Berry, William A.
Best, Robert K.
Bickel, Michael D.
Bicknell, James E.
Bigelow, Grant L.
Bigsby, Charles F.
Bina, Richard A.
Bird, Lloyd L.
Bjorn, Karl T.
Black, James D.
Black, Jerry H.
Black, John W.
Blackinton, Charles H.
Blackmon, William J.
Blaha, Douglas D.
Blake, Robert D.
Blakely, Timothy L.
Blaker, David G., Jr.
Blanchard, Alan F.
Blann, John E., Jr.
Blatt, John W.
Bleakly, Edward W.
Bleyler, Peter A., Jr.
Blodgett, Verne E.
Blunt, William G.
Bodiford, Larry J.
Boes, Francis X., Jr.
Bogard, Burt J., III
Bonham, Charlton H., III
Borst, George T.
Boucher, Charles E.
Boudov, Milton H.
Boufford, Francis W.
Bounds, Thomas D., Jr.
Bourn, James S.
Bowen, Richard G.
Bower, Johns H., Jr.
Bowers, John V.
Bowman, Alfred E., Jr.
Bowman, Paul D.
Boyd, James S.
Boyer, John E.
Boykin, Jack W.
Bradberry, Brent A.
Bradford, John S.
Bradish, Steven D.
Bradley, Michael D.
Bradley, Michael L.
Brady, Carl O.
Brady, Edward P.
Brady, William J.
Braendle, John E.
Bragg, Thomas P.
Brainard, Robert B.
Bramble, Dale H.
Brannan, John J.
Bratten, Willard P., Jr.
Breece, James P.
Briscoe, Robert B.
Brock, Thomas J.
Brodeur, Kenneth D.
Brodie, William A.
Bronk, Deforest M.
Bronson, Lawson E.
Brooks, Larry C.
Brooks, William T.
Brown, Frank M., Jr.
Brown, Harry E.
Brown, James P., Jr.
Brown, Jerry K.
Brown, Lawrence N.
Brown, Lorin "W"
Brown, Michael T.
Browske, George P.
Brueggeman, John L.
Brummersted, David A.
Brunnworth, Rolland H.
Bruno, Marco J.
Bryan, Jon J.
Bubeck, Charles R.
Buck, Duane E.
Buck, James L.
Bullock, Craig A.
Bunch, Harold A., Jr.
Bunnell, Robert T.
Burcroff, Richard T., Jr.
Burgard, Robert L.
Burgess, Marshall L.
Burget, John E.
Burgett, James A.
Burke, David V., Jr.
Burn, Reed R.
Burroughs, William J., Jr.
Butler, Hugh W.
Butler, Phillip N.
Butrovich, Richard M.
Bygler, Kenneth
Byrd, Willie Z.
Byrne, William J., Jr.
Byrns, Robert W., Jr.
Cable, Thomas J.
Cahill, Joseph P.
Cain, Alan F.
Calame, Byron E.
Callahan, James F.
Callahan, Joseph E.
Campbell, Theodore R.
Campbell, Arlington F.
Campbell, Donald B.
Cann, Howard G., Jr.
Cannistraro, Nicholas, Jr.
Carl, Hardy A.
Carlson, Gary L.
Carmalt, Churchill, Jr.
Carnes, James E.
Carns, Neil S.
Case, Stephen M.
Case, Thomas R.
Cass, Dudley E.
Cassel, Carl J.
Cassels, Bertrand B., Jr.
Catlett, William J., III
Cavanaugh, William, III
Cavanaugh, James V.
Caviness, Robert J.
Champlain, John G.
Chapel, Gary M.
Chappell, Bruce A.
Chase, Malcolm W.
Chasko, Gerald J.
Chastain, Kent R.
Cheaure, Alfred L.
Chessick, Anthony W.
Child, James C
Chinn, Donald M.
Chipchak, Robert F.
Chiras, Donald P.
Chris, Harry J.
Christensen, Boake W.
Christofferson, Eric
Churchill, Bruce W.
Ciesla, William P.
Clark, Frank E.
Clark, Vernon
Clark, William B.
Clarke, John C
Clemens, Richard W.
Clements, David G.
Clements, Steven D.
Cleveland, Donald G.
Cluever, Richard L.
Coates, Roger D.
Cochill, Thomas R., II
Coe, Dana A.
Coen, Ira H., Jr.
Cohen, Andrew M.
Cole, Edward F., Jr.
Cole, Isaiah C.
Collins, James J.
Collins, John J.
Colvert, Donald M.
Conant, John C.
Conboy, Alan J.
Connell, James G., Jr.
Connell, James J.
Copes, Raymond F., III
Corbett, Rhodes T.
Corboy, Thomas S.
Cordes, Ronald P.
Cosby, James G.
Costello, Robert G.
Coullahan, James D., Jr.
Covell, Michael A.
Covill, Donald P.
Coward, Jimmie "K"
Cox, Charles C.
Cozadd, Bennett A.
Crabbe, Douglas V., Jr.
Craig, Charles E.
Craig, Edward C.
Craig, Kenneth G.
Craighead, Philip E.
Craiglow, Leo H., Jr.
Cramer, Thomas H.
Crawford, Charles W.
Creek, Milton H.
Croke, Lee P.
Crumlish, Paul W.
Curran, Edward F.
Cyr, Charles R.
Dainoff, Marvin J.
Daly, Edward P.
Dalzell, Fredric S.
Danielson, Harvey
Dannaker, Robert P.
Darran, Walter W., Jr.
Darwin, John C.
Dascensio, Frank P.
Dattilo, Frank, III
Davidson, Roy M., Jr.
Davis, Carl "S"
Davis, Curtis C., Jr.
Davis, John R.
Davis, Milton E., Jr.
Davis, Robert T., II
Dawson, David L.
Day, Ronald L.
Dean, Arthur L., Jr.
Dean, David T.
Debuhr, Thomas R.
Decker, Alexander H.
Decker, Joel P. W.
Degnon, Robb F.
Demas, John G.
Dematthels, Louis R.
Denis, Robert R.
Denney, Charles R., Jr.
Derby, Robert T.
Derose, Richard S.
Derry, Thomas L.
Desens, Robert B.
Desha, Ernest L.
Desrosiers, Arthur J., Jr.
Dessayer, Alfred G.
Dewhirst, George H.
Dibono, Paul, Jr.
Dick, William J.
Dickey, Edwin H., Jr.
Diekmann, Thomas W.
Diener, Edward M.
Dighton, Anthony E., Jr.
Dixner, John K.
Doherty, Donald P.
Donn, Alan H.
Douglas, Carlysle A.
Downs, Alfred B., III
Drake, Robert L.
Dreeszen, Lynn A.
Drez, Hal J.
Driscoll, Allen A.
Driver, Wade A.
Droste, Carl S.
Drummond, Richard C.
Drustrup, John M.
Dubois, Dorse H., II
Duckworth, Edward J.
Dudley, David G.
Duff, Franklin D.
Dugan, John A.
Dugan, Timothy P., Jr.
Duich, Stephen J.
Dukes, Charles D.
Dulin, Robert O., Jr.
Dunaway, Lawrence W.
Duncan, Hugh C.
Duncan, Jimmie D.
Duncan, John D.
Dunkle, Robert A.
Dunn, Gerald L.
Dunn, James A.
Dunn, Richard J.
Dunn, Willmatthis, Jr.
Dunsmoor, Earl W., Jr.
Dusseau, William T.
Dvornick, Eugene S.
Dwyer, William D.
Easley, Charles E.
Eckert, Thomas R.
Eddins, Charles W.
Edelberg, Murray
Edson, John H.
Ehman, Lee H.
Ehrens, Gerald L.
Ehrmantraut, John W.
Eitelman, Stephen D.
Eldredge, William R.
Elliott, Jon K.
Ellis, Thomas S., III
Ellis, Wright H.
Emmerich, William S.
English, Charles R.
Erchul, Ronald A.
Erickson, Donald C.
Erickson, Lawrence E.
Eriksen, Neil O.
Eriksson, James L.
Erlin, Peter F.
Esau, Anthony C.
Ettinger, Edward J., III
Etzler, Larry L.
Evans, John C.
Evans, Richard L.
Everman, Jerry D.
Ewing, James L.
Fabie, John G.
Fagerland, David D.
Falco, James F.
Falk, Everett H.
Farber, Frederick A.
Farley, David C.
Farley, Donald G., Jr.
Farnan, George F.

Farnan, Robert L.
Farrell, Charles A., Jr.
Farrell, Wilson W.
Feiger, Daniel G.
Fenno, Ted P.
Ferguson, James M.
Ferrier, Donald R.
Ferrier, Thomas L.
Ferriso, Peter W.
Field, Edward J.
Fields, Marvin R.
Finch, Paul F.
Finucane, James S.
Fitch, Robert S.
Fitzgerald, Arthur G.
Fitzgerald, Dennis A.
Fitzpatrick, Patrick C.
Flagg, Wilson F.
Flanagan, Timothy C.
Fleischauer, John F.
Fleming, Bernard M.
Fleming, John M., Jr.
Flesher, Elbert E., Jr.
Fletcher, Robert
Floreani, Richard J.
Floyd, Robert H.
Fluegel, Frederick K.
Flynn, James A.
Flynn, John J.
Foord, Robert L.
Forstner, Gerald
Foster, John H.
Foster, John C., Jr.
Foster, Thomas A.
Frame, Lee H., Jr.
Frankenberg, Ernest
Franklin, Arthur H.
Fred, Robert H.
Freeland, Stuart T.
Frelich, Alan W.
French, Dana P., Jr.
French, John L., Jr.
Fromm, Robert D.
Frothingham, John C.
Fry, Michael S.
Frye, George A.
Furey, Vincent E., Jr.
Furman, Dale F., Jr.
Furtaw, Francis A.
Galbraith, Elmer J., Jr.
Galbreath, Christopher W.
Gallagher, Charles J., Jr.
Gallamore, John C.
Gallen, John J., Jr.
Galles, Harry L.
Gambacorta, Francis M., Jr.
Gardner, Joseph, III
Gardner, John M.
Garritson, Grant R.
Gastrock, Barry A.
Gehrdes, Ernest E.
George, James L.
Germany, Holmes B.
Geroux, John L.
Gerson, Benno M.
Gerstenschlager, Val
Gertz, William J.
Gesswein, Paul S., Jr.
Geurts, James R.
Giambattista, Frank D., Jr.
Giaugue, Larry L.
Gibbons, James T.
Gibbs, "D" Clark
Gibby, George C.
Gieselman, Edward W., III
Gilbert, William C.
Gill, Richard B.
Gill, Thomas E., II
Gimber, Douglas A.
Giuffreda, Robert N.
Glasgow, David E.
Glavis, George O.
Glenn, Robert L.
Gloudemans, James R.
Glover, Douglas W.
Glover, Robert P.
Gobel, Robert W.
Goebel, Clark E.
Goetsch, George R.
Goff, Ernest L.
Goins, Philip A.
Gollahon, Gene R.
Gonding, Howard R., Jr.
Goodall, Roger A.
Gothie, Michael T.
Gowers, Fred L.
Graham, Michael F.
Graham, Robert L.
Graham, Robert W., III
Graustein, Robert S.
Gray, George E.
Gray, Richard M.
Green, Bobby F.
Green, Eugene L.
Greene, Paul E.
Greene, William W. B., Jr.
Greenwood, Lee S., II
Greer, Alan G.
Gregg, Benjamin M.
Gregg, Dwain G.
Gregg, Michael C.
Gregor, Richard A.
Grexton, Frederick T.
Griffin, Harold E.
Griffith, John R.
Grinnell, Donald P.
Grosfils, Eric F.
Grubb, Robert G.
Grunert, John L.
Guenter, Gordon E.
Guerin, Gerard W.
Gurnee, William T.
Gustafson, Donald L.
Gustafson, Kurt A.
Guthrie, John T.
Guthrie, Wallace N., Jr.
Hackett, Douglas M.
Hagen, Harley, Jr.
Hahn, Henry F., Jr.
Haley, Barry L.
Hall, Richard H.
Hallmark, John B.
Halloran, Thomas F., Jr.
Hamilton, Ted A.
Hamilton, Leonard A.
Hammond, Edwin S.
Hancock, John B.
Hansen, Peter T.
Hansen, Richard C.
Hansen, Robert R.
Hanson, David A.
Hanson, Donald E.
Hanson, Robert C.
Harden, Harold E.
Hardesty, William H., III
Hardison, Robert P., Jr.
Hardy, Richard M.
Harold, Douglas W., Jr.
Harper, Don S., Jr.
Harrell, John A., Jr.
Harrington, James W.
Harris, John W.
Harris, Robert W.
Hartman, Gary W.
Hartman, William A.
Harvey, William L.
Harwi, William C.
Haskell, Thomas L.
Hassinger, William H.
Hastings, Richard W.
Hawks, Glenn C.
Hay, John A.
Hayne, William J.
Haynes, Gordon L., Jr.
Heath, John C.
Hehn, Benjamin F., III
Heimendinger, Kip W.
Held, Philip J.
Helton, William C.
Hemmer, John K.
Henault, Edmund L.
Henderson, Hugh C.
Henderson, Jimmy D.
Henley, Douglas R.
Henriksen, Ronald D.
Herlihy, Joseph P.
Herzberg, Gary G.
Herzog, Raymond F.
Hickey, Donald J.
Hicks, Gerald D.
Hicks, William D., Jr.
Hight, Stuart L.
Hightower, Roger W.
Highwart, Ronald R
Hill, Arthur J.
Hill, Robert S., Jr.
Hill, Virgil L., Jr.
Hines, Thomas W., Jr.
Hinton, Thomas E.
Hixson, Richard M.
Hoag, Robert W., II
Hodde, James D.
Hodge, Stephen A.
Hodges, Edward "A"
Hoernemann, Michael J.
Hoffman, David J.
Hoffman, Robert G.
Hofford, Robert F.
Hohnbaum, Frederick H.
Holas, John J.
Holben, Neil E.
Holbrook, Douglas P.
Holcomb, Ben H.
Holcomb, Charles C.
Holifield, Allison J., Jr.
Holly, Richard W.
Holmes, Harry M.
Holmes, Robert S. B., Jr.
Holmes, Stacy V.
Holt, Richard W., Jr.
Hooker, Anthony S.
Horne, Roderick M.
Hortin, Robert D.
Hotelling, Edward R.
Houton, Daniel J.
Howard, Robert S.
Howe, Larry L.
Howlett, Frederick J.
Howse, Elwood D., Jr.
Hubbard, Richard G.
Huffman, George L., Jr.
Hughes, Melville P., II
Hull, Charles L.
Hulme, Nelson D.
Hulse, Robert C.
Humphrey, William B.
Humphrey, Bernard W., Jr.
Huntington, Dennis E.
Hurt, Clarence M.
Hutchens, Walter A.
Hux, Edgar D.
Iams, William O.
Ibach, James S.
Ingalls, Melvin N., Jr.
Ingram, Richard F.
Isely, George R.
Jackson, Warren B., Jr.
Jacobs, Richard B.
Jahelka, George L.
Jantzen, Milton D.
Jenkins, Frederick P.
Jenkins, Faber D., Jr.
Johannes, Richard N.
Johnson, Dale G.
Johnson, Gary C.
Johnson, Kenneth M.
Johnson, Mack, Jr.
Johnson, Rey W.
Johnson, Ralph B., Jr.
Johnson, Stephen J.
Johnson, Thomas B.
Johnston, Lowell T.
Johnston, George R.
Jones, David L.
Jones, Frank A., Jr.
Jones, Gordon R.
Jones, Herbert W.
Jones, Milton H.
Jones, Stanley H.
Jones, Thomas P., Jr.
Jordan, Gerald R., Jr.
Joyce, Dennis P.
Joyner, James D.
Juhasz, Joseph B.
Julian, Franklin D.
Kagel, Colin T.
Kalkus, Peter
Kane, John V., III
Kaplan, Robert D.
Karalius, Benedikt K.
Karcher, Victor A.
Karp, Stephen S.
Kasales, Joseph A.
Kauffmann, Richard X., Jr.
Kavanagh, Joseph T.
Keating, Kevin R.
Keech, Everett T.
Keefer, Thomas J.
Keeslar, Paul T.
Kehl, David C.
Keith, Dennis G.
Keller, Edward L.
Kelley, Gregroy P.
Kelly, Robert F., Jr.
Kelly, Timothy M.
Kemmeter, James A.
Kennedy, Jared P.
Kennedy, Jackson W. T.
Keolanui, Gus L.
Kerley, John E.
Kerns, Kenneth H.
Kettenring, Alfred W., Jr.
Kibbe, Richard L., Jr.
Kiel, Joseph A.
Kiggins, William R., Jr.
Kinberg, Thomas R.
Kinner, Edward B.
Kirk, Francis M., Jr.
Kirtland, John C.
Klinck, Knowlton G., II
Kline, Robert L.
Klinger, David C.
Klocek, Matthew W.
Klumpp, William F., II
Knapp, Edwin J.
Knaup, Charles W.
Knepell, George W. T.
Knight, Daniel
Knight, Euodias F., Jr.
Knight, William E.
Knott, Harold A.
Knox, Marshall W.
Knudsen, Christian W.
Knudsen, Donald A.
Koch, Larry N.
Koehler, David J.
Kolodziej, John S.
Komarek, Jon P.
Komoroske, Alexander B., Jr.
Korsmo, Thomas B.
Krall, John J.
Kramer, Joseph P., III
Kramer, John F., Jr.
Kratz, Ralph H.
Kraus, William A.
Krebs, Rodney A.
Kreitner, Philip C.
Kreutziger, Kenneth M.
Kroner, Frank R., Jr.
Kronz, James C.
Kudla, Eugene
Kuester, Arland W.
Kuhhirte, William F.
Kulesz, James J.
Kurz, Robert
Kyne, John M.
Laack, Dennis R.
Lamb, Stanton B.
Lambach, Carl E.
Lambeth, Walter O., Jr.
Lammey, Alan S.
Lamporte, Richard A.
Landin, Luther L., Jr.
Lane, Glynn Q., Jr.
Lane, Howard F., Jr.
Lang, Paul B.
Langley, Robert M.
Langlois, David R.
Langworthy, Theodore F.
Latimer, Stephen M.
Lattomus, Thomas S.
Lawler, Albert M.
Lawrence, Richard W.
Lawson, Robert A., Jr.
Lawton, Roy E.
Layton, David R.
Lazzaretti, Anthony F.
Leardi, Paul L.
Leary, Thomas J.
Lee, Carl B.
Lee, William J.
Lehn, Joseph B.
Leming, Billy J.
Lemoyne, Irve C.
Lenbergs, Harold E.
Leroy, John E.
Lewis, John H.
Lewis, William L.
Lillis, Jack W.
Lipscomb, Lee M., Jr.
Livingston, Ira E.
Loblaw, James C.
Locklin, Ralph H.
Loftus, John B., Jr.
Logan, "H" Edmond
Logan, James L., Jr.
Loggins, Philip R.
Long, Glenn U.
Long, James P.
Long, William C.
Longo, Andrew T.
Lowack, Frederick J.
Lubbs, Larry L.
Lucchesi, Lionel L.
Luckey, Robert D.
Ludtke, David A.
Lum, David M.
Lum, Ronald H. W.
Lunneberg, Thomas A.
Lunsford, Wilbur "D" Jr.
Luper, James A.
Lutz, Edward J., Jr.
Lutz, Larry G.
Lyman, Charles W., III
Lynch, Jerome P.
Lynch, Terrence P.
Lynch, Thomas W.
Lyons, Donald J.
MacDougall, Donald G.
Mack, Jacob A., III
Macknis, Bernard A.
Madden, Michael J.
Madden, Robert L.
Magee, Gerald T.
Magee, John E.
Mahan, Robert G.
Malopy, Lawrence R.
Mandelkorn, Philip D.
Manlove, William W., Jr.
Mann, David S.
Mann, John E.
Manning, Thomas P., Jr.
Mansfield, Gordon R.
March, Daniel P.
Markley, Thomas M.
Markworth, John A.
Marrone, James I.
Martens, Ted W.
Martin, Harold P.
Martin, William G.
Martinson, Donald L.
Marxen, Harry A.
Massey, Henry P., Jr.
Matechak, John
Matthes, Dickie R.
Matzelle, Raymond K.
Maucher, Lawrence P.
May, Adrian C., Jr.
Maybach Alfred A., Jr.
Mayer, Roderick L.
Mays, George G.
McAlpin, Roger W.
McCann, Wilford D.
McCarthy, William P.
McCluskey, Stephen C.
McCormick, Francis E.
McCormick, Charles E., Jr.
McCornock, James M.
McCutcheon, Rob A.
McDaniel, Douglas T.
McDaniel, Jackson L.
McEwen, Laurence B., Jr.
McGee, Wyatt H.
McGinity, Frank J., Jr.
McGinley, Edward S., II
McGuigan, William M.
McIntosh, Edward J.
McKeown, Ronald E.
McLaren, David J.
McLaren, James M.
McLeod, Samuel D., Jr.
McMahon, Bernard F., Jr.
McMahon, John P.
McMahon, Michael J.
McNicholas, Thomas M., Jr.
McPherson, Tommy E.
McQueen, Edgar G.
McQuoid, Frank, III
McStay, John E., Jr.
McWhinnie, Scott T.
Meadows, James W.
Meaker, John P.
Meek, John, B., Jr.
Melendy, Harold R.
Melenyzer, George G.
Mellion, Morris B.
Melton, Jack L.
Mensch, George H.
Mercado, Carlos E.
Metcalf, Robert E.
Metzler, Charles P., Jr.
Meyer, Karl A., Jr.
Michael, Gene C.
Michaux, Richard W.
Mickel, John M.
Middleton, David D.
Miles, David L.
Miller, Alan K.
Miller, Clarence A.
Miller, Horace H., Jr
Miller, John B., III
Miller, Stephen K.
Mitchell, Thomas E.
Mitchell, Eugene E.
Mitchell, Leo R.
Mitchell, Richard F.
Mitchell, Thomas W.
Moakley, Thomas J.
Mock, Sanford N.
Mode, Paul J., Jr.
Moffett, Peter V.
Momm, John A.
Moore, Dennis J.
Moore, Dudley B., III
Moore, John H.
Moore, Mark W.
Moore, Michael J.
Moore, Stephen A.
Morency, David C.
Moreno, Ernest C.

Morgan, Henry V.
Morgan, Kenneth S.
Morgan, Paul C.
Morgan, Richard A.
Morley, Franklin M.
Moroney, Brendan T.
Morris, Charles H. O.
Morris, John E.
Morris, John W.
Morris, John K.
Morrison, Harlan L.
Morrow, Frank A.
Morrow, George E.
Morrow, Granval L.
Morss, Lester R.
Moses, Paul D.
Mosher, Robert T.
Moss, Theodore J., Jr.
Mosteller, William L.
Mothershed, Roy W., Jr.
Mouns, Albert L.
Moyer, Henry W., Jr.
Moynahan, Michael J.
Mueller, Joseph B.
Mulford, Michael L.
Mullarky, Jon I.
Murphy, Edward R., Jr.
Murphy, Frank H.
Murphy, Francis W.
Murphy, John K., III
Murphy, Terence M.
Murray, James W., Jr.
Murray, Tom R., II
Nagel, James R.
Naylor, Frank W., Jr.
Nebel, George C.
Needham, William R.
Neibauer, James E.
Nelson, Edwin C.
Nelson, William J., Jr.
Nemes, Robert J.
Nersesian, Roy L.
Neubauer, Ralph B.
Neumann, Edward M.
Newby, Richard E.
Newgen, Joel F.
Newman, William E.
Newton, Eugene D.
Nichol, Robert D.
Nicholas, James K.
Nichols, Christopher O.
Nichols, Dennis B.
Nichols, Ronald E.
Niebauer, John A.
Nielsen, Donald R.
Nokleberg, Warren J.
Nolan, James J., Jr.
Nolte, Walter E., Jr.
Noonan, James F., Jr.
Norfleet, Ashley C., II
Norman, Richard A.
Norris, Donald N.
North, Walter A.
Northington, William A., Jr.
Norton, Lafayette F.
Nosal, Clarence J.
Nowotny, Lionel J.
Nuechterlein, Karl W.
Nutt, James H.
Oakes, Dudley G.
Oberin, Frederick W.
O'Brien, Edward J., III
O'Brien, William J., Jr.
O'Brion, John H., Jr.
O'Bryan, Richard L.
O'Byrne, Michael E., Jr.
Ochel, Henry R.
O'Connell, Michael J.
O'Connor, William F.
Odea, Kenneth J.
O'Hara, Thomas H.
Ohland, Robert C.
Okon, Robert B.
Old, Harold E., Jr.
Oldham, Richard R.
Oliver, Herndon A., III
Olsen, David A.
Olsen, Robert A.
Olsen, Roger W.
Olzinski, Stephen J.
O'Neil, Stephen R.
Onorati, Roger P.
Oppenheimer, Philip J.
Orman, Charles L.
Osteen, Robert G., Jr.
Ostertag, Larry G.
O'Toole, Walter J., Jr.
Oubre, Richard P.
Overfield, Norbert W.
Owens, Edward L.
Owens, Thomas
Pack, Randall W.
Painter, Clarence M., Jr.
Paleologos, Nicholas C.
Palmer, John G.
Palmore, Julian I., III
Panayotoff, Theodore J.
Pante, Philip J.
Papandrea, Anthony R.
Pape, Brian V.
Pappas, Constantine J.
Parady, Ralph C.
Parham, Charles L.
Parker, David M.
Partlow, Robert G.
Passarella, Anthony H.
Patterson, Ellis E., Jr.
Patterson, Ronald G.
Patton, Robert T.
Patz, David J.
Paulson, Gaylord O.
Payne, Gerald L.
Payson, Harold, III
Peak, George W.
Pearson, John D.
Pearson, Richard J.
Pedisich, Paul E.
Pellett, David A.
Pence, Thomas H.
Perkins, William J.
Perkocha, Ronald J.
Perry, Eugene E.
Perry, Gilbert B., Jr.
Perry, "J" Stephen
Perry, Lonnie J.
Persell, Robert A., Jr.
Pestorius, Frederick M.
Peters, Thomas E.
Peterson, Carl J.
Peterson, Ward G.
Peterson, Alan M.
Petrucci, Richard J.
Phillips, Henry C.
Pigeon, Norman B.
Pilmer, David F.
Pindell, Stuart. M., Jr.
Pinnow, Douglas A.
Pirrmann, Robert A.
Plaugher, Charles E.
Playdon, George W., Jr.
Pollak, Thomas G.
Polleys, Eugene H., Jr.
Pons, Richard G.
Pope, William H.
Popp, Robert L.
Porter, George C.
Post, Jerry L.
Postlewaite, John C.
Poulsen, Carl E.
Powell, Don G.
Preston, Gerry L.
Preston, Michael J.
Price, Lawrence H.
Price, Richard A.
Pritchett, Gary L.
Prudhomme, John D.
Quarles, James M.
Quarterman, John M., Jr.
Quest, Donald O.
Quint, Simon R.
Raines, Edwin L.
Rambo, Vinton A.
Randall, Edward J.
Randazzo, Salvatore J.
Rasmussen, Philip A.
Rathbun, Warren A.
Rather, Gordon S., Jr.
Rattan, James D.
Raup, William J.
Rauth, James A.
Rector, John M.
Reed, Andrew K.
Reed, Larry A.
Reed, Robert F.
Reich, Neal K.
Reichard, William E.
Reilly, Thomas J.
Reimann, Ronald H.
Replogle, Hugh B.
Reynolds, Chester L.
Reynolds, Alan C.
Rhodes, Edwin O.
Rhodes, William D.
Richardson, James C., Jr.
Richardson, Frederick M.
Richno, Carl E.
Ricketts, David L.
Ridenour, Norman H.
Riedel, Richard
Riesgo, Ray E.
Rimback, Arthur T.
Rippin, Charles
Ritchie, James D.
Rittelmann, Paul R.
Rittenhouse, Lawren B., Jr.
Ritter, George P.
Robbins, Christopher B.
Roberts, Charles P.
Roberts, John C.
Roberts, Lawrence W.
Robinson, John J.
Robison, Gary L.
Roby, Joe L.
Rodenbeck, Peter B.
Rodgers, James C., Jr.
Rodgers, John M.
Rogers, George R. W.
Rogers, James C., Jr.
Rohdenburg, Kurt A.
Rohles, Gerald B.
Rohles, Robert C.
Roman, Stanley R.
Romine, Melvin M.
Romley, Victor H.
Rooney, Thomas F.
Rosdahl, Robert E.
Rose, Waldo B.
Rosenberger, Jerome C.
Rosengren, Neil B.
Rosenstein, James A.
Rosing, Steven F.
Ross, Ernest E.
Ross, Robert J.
Rossman, Raymond A.
Roth, Michael C.
Rothert, William C.
Rottler, Jay A.
Rowan, Peyton, Jr.
Rowe, Arthur E., Jr.
Rowe, Thomas Q.
Royston William D. C.
Rush, Daniel L.
Rushing, Duncan B.
Russell, Leon B., Jr.
Ryan, Thomas D.
Rybarczyk, Anthony M.
Ryder, Clarke E.
Salko, Andrew, III
Salopek, Raymond
Salvesen, Arne R.
Sampson, Ronald L.
Sandefer, Howard L.
Sander, Louis F., Jr.
Sanders, Raymond L., Jr.
Sandlin, John P.
Sanson, Michael B.
Saupe, George F.
Scharfenberg, Stephen A.
Scheinholtz, Frederick M.
Schilling, Peter E.
Schlanger, Lester M.
Schlegelmilch, Charles R.
Schlieman, Walter C., Jr.
Schmidt, Henry, Jr.
Schmidt, Robert E.
Schmidt, William C., III
Schmitt, Louis A., Jr.
Schmitt, Ralph T., Jr.
Schooley, Larry C.
Schoonover, James L.
Schottle, Howard T.
Schin, Robert P.
Schroeder, Kurt C.
Schubert, Gerald
Schueppert, George L.
Schulman, Richard D.
Schultz, Richard A.
Schwartz, Joseph R.
Schwirtz, Henry J.
Sclichter, Edward F.
Scott, Gordon E.
Seacat, Robert R.
Seelbach, Christopher R.
Segerblom, Ronald L.
Self, Wendell D.
Sekula, Basil, Jr.
Sekula, Theodore
Seneff, Gerold N.
Seraly, Guarino J.
Seyfarth, Robert E.
Shaffer, Roger A.
Shaner, Gary A.
Shannon, Richard H.
Shaw, Robert H., Jr.
Shelton, Jon A.
Shepherd, Raymond T.
Shera, Herbert K.
Sherer, Robert W.
Sheridan, Robert E.
Sherman, Bradford C.
Shew, James E., Jr.
Shields, Thomas A.
Shigeta, Ronald T.
Shoemaker, William B., Jr.
Shoop, Robin D., Jr.
Shower, Albert J., Jr.
Shreve, Richard S., IV
Shrum, John L.
Shupe, Robert D.
Siegel, John T.
Silliman, Clark D.
Silvey, Frank J.
Simmons, George R.
Simmons, Vernon P.
Sims, Marvin W.
Skidmore, Frederick A., III
Skirpan, Richard N.
Slack, Don S.
Slaughter, Gary L.
Smillie, Roy E.
Smith, Alan E.
Smith, Fred B., Jr.
Smith, Gary F.
Smith, George P.
Smith, Glen W.
Smith, Jerome F., Jr.
Smith, Jerrold M.
Smith, John A.
Smith, John B.
Smith, Larry E.
Smith, Lynn H.
Smith, Michael S.
Smith, Peter N.
Smith, Reid H.
Smith, Robert C.
Smith, Robert W.
Smith, Ronald A.
Smith, Ronald E.
Smith, Thomas E.
Smith, Wayne J.
Smith, William A.
Snay, Francis E.
Snedeker, James T.
Sniezek, James H.
Snotherly, Everrette V., Jr.
Snyder, Larry G.
Snyder, Wallace H.
Soltys, Robert S.
Sottile, Benjamin J.
Spangenberg, Donald T., Jr.
Spaugy, Donald A.
Speers, Ronald T., Jr.
Spooner, Harold E.
Sprouse, Donald H.
Stackhouse, Charles D.
Stafford, David M.
Staggs, Havard L.
Stallos, George F.
Standish, Allen J.
Stanley, Maurice D., Jr.
Stark, Marshall M.
Starr, John B.
Stave, John A.
Stebbins, Charles V.
Steele, Boyden T.
Steerman, Charles E.
Stem, David J.
Stengel, Richard D.
Stephan, Charles F.
Stepp, William E.
Stevens, Arthur E.
Stevens, David G., Jr.
Stevens, Jackie L.
Stewart, Allen W.
Stewart, Charles L.
Stewart, Jesse J., Jr.
Stiles, John R., Jr.
Stimeling, Kenneth H., Jr.
Stinson, William A.
St. Laurent, Charles M.
Stone, Philip L.
Stoos, Gary E.
Storm, Richard A.
Story, Douglas E.
Straight, William D.
Strimaitis, Jonas V.
Strobach, Walter F.
Stryker, David H.
Stuart, Peter F.
Suffich, William J., Jr.
Sullivan, Dennis A.
Sullivan, Daniel J.
Sumner, Warren K.
Sunderland, Richard K.
Surber, Eugene L.
Sutelan, David K.
Svendsgaard, David J.
Swan, Donald H.
Swanson, Norman L.
Swanson, Warren A.
Sweet, James N.
Swisher, Arra J., Jr.
Sydow, Kenneth R.
Sylvester, Richard D., Jr.
Syring, George R.
Syring, Robert G.
Taft, Richard P., Jr.
Talbott, Ralph J.
Tallon, Roger W.
Tate, Robert H.
Tatum, Luther I., Jr.
Taylor, Frank H.
Temple, Van C., Jr.
Ternus, Robert A.
Tharp, John A.
Theroux, George D.
Therrien, Edward L.
Thiel, Alphonse A., Jr.
Thomas, Charles E.
Thomas, David L.
Thomas, Edward P., Jr.
Thompson, David A.
Thompson, Gayle R.
Thorell, Charles S.
Thorstad, Harvey L.
Thweatt, Frank M., Jr.
Timm, David R.
Tindal, Ralph L., II
Tisler, Joseph W.
Tobin, Richard V.
Todaro, Fred M.
Tomlinson, Robert W.
Tonkin, Charles T., III
Torkelson, Thomas G.
Torres, James D.
Tower, Marvin D., Jr.
Townsend, Brooks G.
Tozier, David K.
Traa, James R.
Tracy, Fred E.
Tredick, William H.
Triggs, Frederick, III
Trimble, William C.
Tucker, Thomas O.
Tulloch, Hugh B.
Tulodieski, John F., Jr.
Tweden, Wallace D.
Twohy, James F., III
Uehling, Gordon A., Jr.
Uffmann, George W.
Ulmer, Charles R.
Umberger, Paul J.
Unger, Raymond H., Jr.
Upthegrove, John L.
Valentino, Carl R.
Valerio, John J.
Vanderbilt, Gerald R.
VanFleet, James L.
Vangell, Francis J.
VanMetre, Robert B.
VanSickle, Kenneth L.
Varner, John W., Jr.
Venti, Paul C.
Vester, James A., Jr.
Vick, Harold D.
Vickery, Walter R.
Visted, Frank A.
Vogel, Robert K.
Volwieder, Neil J.
VonRadesky, Charles W. R., II
Wacker, Gordon W.
Waer, Richard D.
Waggoner, Mark H.
Waldorf, Kenneth W.
Walker, John A.
Waller, James M.
Wallgren, William H.
Wallis, Walter J.
Walsh, David H.
Walsh, David M.
Walsh, Raymond M.
Ward, Thomas B.
Ward, William A.
Wasserman, Robert
Waters, Robert C.
Watterson, Rodney K.
Weaver, Edward H.
Weaver, Gene L.
Webb, Robert T.
Webster, James P., Jr.
Wechsler, David
Wehner, James R.
Weinert, James J.
Weingardt, Rolf E.
Weiser, Stephen J.
Welch, John M.
Wells, Richard P.
Werlock, Stephen T.
West, Bernard H.
West, David P.
West, Frederick J.
Westfall, Robert E.
Wharton, John W.
Whitaker, William D.

White, John W.
White, Richard P.
Whitehurst, Garland B.
Whiting, Robert M., Jr.
Whitney, John W.
Whitney, Richard M., Jr.
Whitsett, John B.
Wier, Ward W.
Wilkes, Gilbert V., III
Wilkinson, Robert B., Jr.
Wilkinson, Chester H.
Willetts, Leo J., Jr.
Williams, Robert F.
Williams, Dudley D., III
Williams, Thomas B.
Williams, Jack R.
Williams, Norman M., Jr.
Willimon, Henry P., Jr.
Willman, Carl E.
Wilmot, Frederick E.
Wilson, Charles R.
Wilson, Raymond J.
Wilson, Robert B.
Wilson, Robert L.
Wilson, William B.
Wimberley, Barry S.
Winant, Thomas C.
Winfree, Howard T.
Wittmann, Bertrand R.
Woehl, Robert D.
Wolfe, Ned C.
Womack, Thomas F.
Wood, James E., III
Wood, Richard E.
Woods, Robert J.
Woody, Joseph M.
Worthington, George R.
Wright, Alan F.
Wright, David J.
Wulfinghoff, Donald R. W.
Wyatt, David R.
Wylie, Walter J.
Yaeger, Charles J., Jr.
Youmans, George E.
Young, Stephen G.
Youngblood, William W.
Zalkan, Robert L.
Zally, George D.
Zaveruka, Michael P.
Zayauskas, Leo V.
Zinn, Clyde D.
Benner, Sara L.
Brown, Nancy A.
Carroll, Miriam E.
Coyer, Ann E.
Feldes, Marcia A.
Fischer, Judith
Ivemeyer, Dorothy L.
James, Mary C.
Kulmus, Diane J.
Lemmons, Maureen F.
Leroy, Javotte A.
Loser, Margit M.
Lower, Jo A. H.
Maddox, Vivienne D.
Moore, Donna L.
Pane, Marietta A.
Pearson, Beverly A.
Rathbun, Jane S.
Read, Bonnie J.
Rundle, Lynne E.
Snodderly, Sandra L.
Stege, Mary C.
Thacker, Shirley A.
Turman, Mary F.
Tyndall, Sara M.
Wagner, Patricia L.
Weber, Elsie L.
Wylie, Elizabeth G.

SUPPLY CORPS

Akers, John R.
Allbaugh, Charles U.
Anderson, Thomas
Anttila, Robert M.
Atkinson, Joseph M.
Barnes, Francis, S.
Bauer, James F.
Benson, Fred B., IV
Bird, Jon A.
Bishop, William C.
Bodour, Haig
Booth, Henry A., Jr.
Bratschi, Gilbert W.
Bryan, Edward L.
Callahan, Robert M.
Campbell, John A., Jr.
Carolan, Thomas R.
Cavanaugh, Michael R.
Ceder, Loren R.
Chappell, Ralph L.
Cooner, James J.
Cozart, David J.
Daeschner, William E.
Danna, Peter J., Jr.
Davis, John J.
Dell., Jack V.
DeMeester, Robert C.
DeNeuf, Ronald B.
Diener, Thomas E.
Divis, James A.
Draper, Walter S., IV
Drees, John M.
Dunlap, Clarence C.
Ecklein, Ronald H.
Edwards, David N.
Endt, Henry J., Jr.
Falconer, Douglas W.
Fava, Ernest E.
Fenick, Robert W.
Fitch, James B.
Foley, John W., Jr.
Folsom, William B.
Foltz, Ronald L.
Gaines, James E.
Gibson, Bobby L.
Gile, Charles E.
Goldenson, Joseph T.
Graff, William J.
Griesmer, John V.
Grosskurth, Alfred C.
Growney, Kevin J.
Guerriero, Domenic P.
Guyton, Robert T.
Haase, Larry L.
Hamby, John H., Jr.
Haus, Kenneth P.
Hecker, Robert W.
Heinemann, Ronald L.
Hellauer, James C.
Hensley, Norman W.
Herbert, Billy W.
Horhutz, Randolph J.
Hull, David N.
Jodan, Robert J.
Kaddis, Joseph A.
Kanzler, Donald L.
Kaylor, Keith D.
Kendall, Leo P.
King, Wayne F.
Kreimer, Robert M.
Kuhns, Howard E.
Lamade, John S.
Lampman, Charles M., III
Lara, Harry L.
Larsen, James A.
Levin, Michael R.
Liebler, Sarason D.
Lingenbrink, Robert A.
Littlefield, Belton J.
Looney, Richard G.
Love, Robert R.
Luey, John D.
Lunde, David A.
Lunn, James W.
Lynch, Thomas J.
Manley, Richard T.
Marks, David L.
Matalavage, Joseph A.
Matheny, Arthur L.
Maxon, Bruce E.
Mayfield, Lee M.
Mays, Daniel R.
McCaughey, Robert A.
McCutchan, Robert D., Jr.
McLaughlin, Robert J.
McQuade, John P., III
Mendez, Ramon E.
Meyer, Joseph, Jr.
Mielke, Kenneth W. R.
Miller, James E.
Miller, Robert E.
Moore, William M., Jr.
Morse, Gary A.
Mullin, Alexander G.
Nagle, Robert J.
Nelson, Dennis C.
Noel, Wilbert E.
Nolan, John W.
O'Donnell, Jeremiah T.
O'Hare, Shamus J.
Ostrom, Byron R.
Overman, Douglas R.
Pahud, Guy E.
Pankey, Beverly S.
Perdue, Robert C., Jr.
Peterson, Ross W.
Pitner, Wayne A.
Prescott, Gordon W.
Pryce, Richard J.
Putney, Frederick B.
Ray, Neil A.
Reed, William H.
Rhodes, William D., Jr.
Rogers, Allan B.
Rubenstein, Andre M.
Runey, Leroy J., Jr.
Savage, Horace J.
Schermerhorn, Michael I.
Schroyer, Charles D.
Schulz, Leonard W.
Simpson, Raese V.
Smith, Francis G.
Smith, Sidney H., III
Smith, Wallace D.
Snyder, Charles R.
Stalker, Donald J.
Stipe, Robert B.
Straw, Edward M.
Sullivan, Edward F.
Sullivan, Jeremiah M.
Sullivan, Joseph M.
Tait, Clifford W., Jr.
Tapia, Phillip N.
Taylor, Lynn C.
Totten, Randolph B., II
Trampe, Theodore P.
Trubl, Charles V., III
Turner, David B.
Varner, Robert N.
Waller, Terry G.
Wenz, Robert L.
Wight, William H., Jr.
Williams, Ronald B., Jr.
Wilson, Jack
Wingard, Bobby N.
Wolf, Carl G.
Wons, Michael J.
Yurkovic, Leonard S.

CIVIL ENGINEER CORPS

Bell, Bruce E.
Bell, Robert B., Jr.
Belleson, James G.
Bilden, Richard P.
Block, Neil
Bond, Myron H.
Brennan, John P.
Calkin, David A.
Callender, Gordon W., Jr.
Carden, Orlean R.
Carter, Robert L.
Chiogioji, Melvin H.
Clarren, George
Coston, Vernie R.
Crumbley, Don C.
Currie, Wayne L.
Davis, John M.
Dickson, John A., III
Dixon, Philip G.
Doctor, Richard P.
Farlow, David E.
Fitzgerald, Dennis J., Jr.
French, Richard G.
Gilmore, Daniel R., Jr.
Hindes, Robert S.
Hoppe, Warren D. J.
Kasner, Jon B.
Kilday, Gary R.
Laufersweiler, William J., III
Ligon, Samuel B.
Lockhart, Allen C.
Lukey, John G.
McKibben, Don R.
McManus, Brian E.
Mergner, James T.
Moore, Richard S.
Moser, Barry A.
Murtaugh, Thomas D.
Opager, Ludwig H., Jr.
Parrish, James L., III
Pensyl, "J" Dick
Redderson, Roy H.
Riffey, Alan K.
Robinson, George S., Jr.
Roy, Richard E.
Sandrini, Louis M.
Seyb, Jerry C.
Smith, Alan B.
Spear, John A.
Spratt, Robert R.
Thiel, Richard R.
Wallace, Richard J.
Watkins, Jack W.
Weaver, Thomas R.
Webb, Douglas M.

MEDICAL SERVICE CORPS

Behling, Daniel W.
Benedict, William H.
Bergner, John F., Jr.
Cassel, Dallas E.
Chan, Robert S.
Coxe, Robert F.
Drozd, Joseph J., Jr.
Duckett, Jack
Funderburk, Lester R., Jr.
Grothaus, Roger H.
Holiman, Frederick L.
Horrobin, Robert W.
Hoss, William F., Jr.
Lind, Marvin D.
Pickering, James C. L.
Prelosky, Richard N.
Rector, Douglas E.
Robinson, George W.
Saine, Floyd D.
Stout, Forrest D.
Turbiville, Leslie H.
Turner, Eugene R.
Turner, John R.
Zentmyer, Robert K.

CONFIRMATIONS

Executive nominations confirmed by the Senate January 29, 1964.

U.S. COAST GUARD

The following-named persons to the rank indicated in the U.S. Coast Guard:

To be lieutenant

Jan. R. Dazey

To be lieutenants (junior grade)

Thomas E. Langmann
Stephen D. Csintyan
David J. Bain
Roger D. Williams
John A. MacDonald
Cameron A. Hatfield

IN THE COAST GUARD

The nominations beginning Allen E. Rolland to be lieutenant (junior grade), and ending Bly R. Elder to be lieutenant (junior grade), which nominations were received by the Senate and appeared in the CONGRESSIONAL RECORD on January 16, 1964.

HOUSE OF REPRESENTATIVES

WEDNESDAY, JANUARY 29, 1964

The House met at 12 o'clock noon.

The Chaplain, Rev. Bernard Braskamp, D.D., offered the following prayer:

Ephesians 3: 16: *That ye may be strengthened with might by His spirit in the inner man.*

Almighty God, as we turn to Thee in prayer, wilt Thou draw us closer to Thyself and to each other, that spirit with spirit may meet and share the wonder of Thy love and truth.

Fill us with an awareness of Thy presence and may we trust ourselves humbly and heroically to the power and guidance of Thy spirit as we struggle to find a way out of these confused and agitated times.

Wilt Thou so inspire those who hold positions of spiritual and political leadership that they may know how to organize and fashion the intelligence of mankind and fill it with a more vivid sense of solidarity and a finer social feeling.

Show us how we may apply the principles of religion and morality to the facts of modern life and may the heart of humanity have a passion to cultivate the mind of Christ with His feeling of compassion and justice and good will toward all the members of the human family.

Hear us in Christ's name. Amen.

THE JOURNAL

The Journal of the proceedings of yesterday was read and approved.

MESSAGE FROM THE PRESIDENT

A message in writing from the President of the United States was communicated to the House by Mr. Ratchford, one of his secretaries.

MEMBERS OF BOARD OF VISITORS TO U.S. MERCHANT MARINE ACADEMY

The SPEAKER laid before the House the following communication:

JANUARY 28, 1964.

Hon. JOHN W. MCCORMACK,
The Speaker, House of Representatives, Washington, D.C.

DEAR MR. SPEAKER: Pursuant to Public Law 301 of the 78th Congress, I have appointed the following members of the

Committee on Merchant Marine and Fisheries to serve as members of the Board of Visitors to the U.S. Merchant Marine Academy for the year 1964: Hon. THOMAS N. DOWNING, of Virginia; Hon. JACOB H. GILBERT, of New York; and Hon. WILLIAM K. VAN PELT, of Wisconsin.

As chairman of the Committee on Merchant Marine and Fisheries, I am authorized to serve as an ex officio member of the Board.

Sincerely,

HERBERT C. BONNER,
Chairman.

BIRTHDAY ANNIVERSARY OF HON. WILLIAM McKINLEY, 25TH PRESIDENT OF THE UNITED STATES

The SPEAKER. The Chair recognizes the gentleman from Ohio [Mr. RICH].

Mr. RICH. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days in which to extend their remarks in the RECORD on the life and attainments of William McKinley.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. RICH. Mr. Speaker, distinguished colleagues, I deeply appreciate the honor accorded to me by my Ohio colleagues in permitting me to speak for them in tribute to President McKinley. I particularly appreciate this opportunity because this is my first address to this, the greatest deliberative body in the world.

It is most appropriate that we recall the life and achievements of another assassinated President on the anniversary of his birth. William McKinley, the 25th President of the United States, was born in Niles, Ohio, on January 29, 1843. The details of his family life, his early education, his long service in the Civil War, his activities as a young lawyer and politician, as Governor of Ohio, as a Member of Congress, and his able and successful occupancy of the highest elective office in the Government of the United States are all of interest even after the passing of so many years. The interest we feel in his life, his career, and his death has been heightened by the recent tragedy which reenacted his own tragedy.

William McKinley was a gentle man and a gentleman in every sense of the word, possessed of a pleasing personality, a natural kindness and a very cordial handshake. His favorite flower, the red carnation, which was subsequently chosen as the official flower of Ohio, is worn today by all Members of the House in a fitting tribute to his great character and achievements. Though gentle in manner, President McKinley was a strong leader. His party dominated both the House and the Senate and he was on the most friendly terms with party leaders on both sides of the aisle. His dignity, tact, and persuasiveness together with his long experience in the House had given him a complete understanding of the party organization and at the same time he had a strong independent character. Senator Hoar declared that, with the possible exception of Jackson, no President had established such influence over the Members of the Senate as McKinley. Elihu Root stated:

> He was a man of great power because he was absolutely indifferent to credit. His great desire was to get it done.

He cared nothing about the credit and he understood the art of administering with a minimum of interference. He had great support in the Congress which he directed by the power of affectionate esteem, not by fear. In 1876 he was elected a Member of the 45th Congress. In 1891 he was elected Governor of Ohio and reelected in 1393. He was nominated by Senator Foraker for the Presidency.

In his nominating speech, Senator Foraker said:

> No other name so absolutely commands all hearts, that is because all American people who know him, believe in him and love him. They know he is an American of Americans and they know he is just and able and brave.

He was elected in 1896 at a time when there was a great depression in our land; factories were closed and thousands were idle. He encouraged Congress to pass effective laws to deal with the situation. This Congress did and soon the wheels of industry were set in motion, commerce was revived and the Nation entered upon a career of prosperity unsurpassed in its previous history.

McKinley served admirably in the Union Army. In action he showed himself indifferent to danger and calm in the face of death. His courage was observed by Lt. Col. Rutherford B. Hayes, later to become President, who promoted McKinley to commissary sergeant in charge of the brigade's supplies when the Army of the Potomac advanced to the Maryland campaign. At Antietam, McKinley drove a mule team into the very midst of battle, carrying hot food and coffee to the troops. Hayes was now in command of the regiment and recommended that McKinley be commissioned. As an officer, McKinley was closely associated with Hayes and served on his staff as a first lieutenant. Hayes described McKinley as one of the bravest and finest officers in the Army. After distinguished service on the staffs of several generals, he was mustered out in 1865 with a brevet commission as major, signed by President Lincoln, for gallant and meritorious service in the Shenandoah Valley.

His courage, demonstrated in battle, was demonstrated later in his political life and even at the end of his life. When he was shot in Buffalo by the assassin, Czolgosz, his first thought was for that very assassin and next for his wife. When the assassin was struck a blow in the face after the shooting, McKinley said, "Don't let them hurt him." If he had not uttered these words, the assassin might have met violent death then and there. McKinley then whispered, "My wife, be careful how you tell her—oh, be careful." He suffered for many days and as the end drew near he said to his doctors, "It is useless, gentlemen. I think we ought to have prayer." He asked for his wife and she came in. A small group of family members and friends stood in the rear of the room. The President said in a very weak voice, "Goodby—goodby, all." "It is God's way. His will, not ours, be done." He began to whisper the words of a favorite hymn, "Nearer, my God to Thee, nearer to Thee." Those were his last words and in the early morning hours of September 14, 1901, he passed away leaving behind the memory of a great man who carried well the responsibility of the most powerful office in the world.

Mr. BOW. Mr. Speaker, will the gentleman yield?

Mr. RICH. I yield to the gentleman from Ohio.

Mr. BOW. The gentleman has done a magnificent job today on the life and accomplishments of William McKinley. It is my great honor to represent the same congressional district in the House that William McKinley represented when he was here. I think history will prove that some of the great accomplishments of McKinley took place in this House of Representatives. His record here was outstanding. I think it was his record here that took him on to the Presidency.

I do not know whether it is generally known that William McKinley, after serving here for three terms, was defeated as a Member of the House. He then came back and served three more terms, and was chairman of the Committee on Ways and Means when he was again defeated. Had he not suffered those defeats, perhaps he never would have been President of the United States. He might have stayed here as chairman of the Committee on Ways and Means, as most anyone would. But because of the courage of his convictions he actually was defeated, and then his convictions were proven to be right. That was the thing that brought him the Presidency of the United States. The recent very sad events of November of last year, when another great President was assassinated and shot down, brought back to the memories of many of my constituents who are older, the sad days of the assassination of this great President, William McKinley. He, too, was beloved throughout the land, as was the late President, and the Nation mourned. As I say, these tragic events brought back these memories to the people of my area and I am sure throughout the Nation.

I appreciate very much the gentleman's remarks, and I may say on behalf of the people of the 16th Congressional District of Ohio that we appreciate the courtesy of the Speaker of the House and the officers on the majority side for permitting and participating in the proceedings to honor the memory of a great former Member of the House of Representatives, a great Governor of Ohio, and an outstanding President.

I thank the gentleman.

Mr. BROWN of Ohio. Mr. Speaker, will the gentleman yield?

Mr. RICH. I yield.

Mr. BROWN of Ohio. I should like very much as chairman of the Ohio delegation to join the gentleman from Ohio [Mr. BOW] in presenting congratulations to our colleague, Mr. Rich, for a splendid address on our martyred President, Mr.

McKinley. All of us from Ohio, of course, are very, very proud of the contributions our State has made throughout the years to the Nation.

William McKinley was one of the great Presidents. He came from Ohio, and we Ohioans appreciate very deeply the thoughtfulness and the courtesy of the Speaker of the House, and of the House itself, in permitting us through one of our selected Members to have these few minutes each year on the 29th of January—the birthday of William McKinley—to pay honor to his memory for all the things he did to help make this the great Nation that it is today. I thank you again, Mr. Rich, very, very much.

Mr. ALBERT. Mr. Speaker, will the gentleman yield?

Mr. RICH. I yield to the distinguished majority leader, the gentleman from Oklahoma.

Mr. ALBERT. Mr. Speaker, I want to join the distinguished delegation from Ohio in this word of tribute to a great Ohioan, a great former President—a martyred President—and a great and distinguished former Member of this House.

Many Chief Executives have served in the House of Representatives, but I doubt that any of them had a carreer of public service in this body more distinguished than the career of the outstanding former President whose memory we honor today. He was one of the tall timbers in the history of our country. All Americans were saddened, as they were saddened only a couple of months ago, by the assassination of another great President, when he was shot down. All Americans respect the memory of William McKinley and are grateful for his contributions to our Nation's welfare.

Mr. RICH. I thank the distinguished majority leader for his kind remarks.

Mr. Speaker, I thank you very much for the courtesy you have extended me.

LEGISLATIVE PROGRAM

Mr. BROWN of Ohio. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. BROWN of Ohio. Mr. Speaker, I have asked for this time to inquire of the majority leader as to the schedule for the balance of this week and next week.

Mr. ALBERT. Mr. Speaker, will the gentleman yield?

Mr. BROWN of Ohio. I yield to the gentleman.

Mr. ALBERT. In response to the inquiry of the gentleman from Ohio, upon completion of consideration of the resolutions which will be presented by the Committee on House Administration today, we will have finished all our business until Friday. It will be my purpose to ask that the House adjourn over until Friday in view of the fact that we will be in session Saturday both this week and, undoubtedly, next week.

Of course, it is well known that starting Friday, we will take up the rule and thereafter the Civil Rights Act and continue with the consideration of that legislation until it is disposed of.

Mr. BROWN of Ohio. May I add, Mr. Speaker, my understanding is that the House Committee on Rules will report a rule on the civil rights bill tomorrow and that the chairman of our distinguished committee, the gentleman from Virginia [Mr. SMITH], has already obtained unanimous consent to have until midnight tomorrow night to file the rule so that the bill will be taken up on Friday.

Mr. ALBERT. I thank the gentleman from Ohio for his observation, which is correct. The gentleman of course is the distinguished ranking member of the Committee on Rules and what he has said is worthy of the attention of the House.

Mr. BROWN of Ohio. I thank the gentleman very much.

SUCCESSFUL LAUNCHING OF SATURN VEHICLE

Mr. MILLER of California. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. MILLER of California. Mr. Speaker, I am very happy to stand here in the well of the House of Representatives this morning and tell you that today we launched the first Saturn vehicle. It has a load comparable to the payload that it will eventually carry. As of now it is in orbit with everything functioning as it is supposed to function. This successful launching gives us a booster with over 1½ million pounds' thrust.

This has been the result of long and arduous work. A booster such as the Saturn is a complicated piece of machinery. There is nothing with which to compare it.

The fact is that the several stages have separated correctly insures the efficiency of the vehicle. This huge rocket can orbit 19 tons. It is the rocket which will be used to do the preliminary work in the moonshot. Because it has gone off so well speaks well for NASA. I congratulate the National Aeronautics and Space Administration, the staff at Huntsville under Dr. von Braun, the staff and Dr. Debus at Cape Kennedy, and the contractors involved on a great and successful launch.

Mr. WAGGONNER. Mr. Speaker, will the gentleman yield?

Mr. MILLER of California. I yield to the gentleman.

Mr. WAGGONNER. I believe it is worthwhile to take particular note of what the chairman of the House Committee on Science and Astronautics has had to say about the successful launching of this particular vehicle, because this Saturn vehicle gives us a rocket with more thrust than anything anybody else has, including the Soviet Union. We have now surpassed in power everything we know the Soviets have.

Mr. MILLER of California. To try to describe it to Members who may not quite realize how big this rocket is, it is 22 feet in diameter. Twenty-two feet is a distance which would be approximately from the floor on which I stand to above the top tier of seats in the gallery, if Members can imagine a circle that big. It has nine thrust chambers in it, so Members know approximately the size of the vehicle that has been launched.

Mr. GROSS. Mr. Speaker, will the gentleman yield?

Mr. MILLER of California. I yield to the gentleman.

Mr. GROSS. It would not be amiss, would it, to give credit to the taxpayers of the country for having financed this accomplishment?

Mr. MILLER of California. My good friend knows that everything we do here—good or bad—we credit the taxpayers with doing, so I think his observation is hardly valid.

SOVIET OFFER ON BOMBERS MUST BE REJECTED

Mr. EDMONDSON. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

Mr. EDMONDSON. Mr. Speaker, the newspapers are carrying reports of a proposal just made at Geneva by the representative of the Soviet Union, calling for the destruction of all bombers with an alleged purpose to "reduce the danger of war and increase the security of all peoples."

The true and obvious purpose of this proposal is to increase the security of the Communist world at the expense of the security of the United States and its allies, for we now enjoy a substantial margin of superiority in the field of bombers.

Should the Soviet Union succeed in selling this deal, they would at one stroke nullify both the Strategic Air Command and the American carrier strike force—two of the major deterrents to Communist aggression in the world today.

In essence, the Russians offer to trade a mouse for two horses, and this must be obvious to all objective observers. The Soviet offer should be rejected immediately as a phony proposal unworthy of serious consideration. It is an invitation to unilateral disarmament which is a certain road to the destruction of freedom.

Mr. WAGGONNER. Mr. Speaker, will the gentleman yield?

Mr. EDMONDSON. I am glad to yield.

Mr. WAGGONNER. I believe the gentleman has made a significant commentary on this proposal by the Soviet Union, and one which certainly is worthy of our attention. I wish to associate myself with the position the gentleman has taken here. I can only add that merely because the sun is shining in Moscow the cold war is not thawing here in the United States, and we still must maintain our guard.

BREAKING THE TREATY WITH THE SENECA INDIANS

Mrs. FRANCES P. BOLTON. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentlewoman from Ohio?

There was no objection.

Mrs. FRANCES P. BOLTON. Mr. Speaker, among other Members of the House, I have been distressed beyond measure that the leadership of the House not too long ago saw fit to break the treaty made in 1794 with the Seneca Indians. This treaty gave them certain lands in perpetuity. They are being turned out of those lands 8 months from now without even having a place to go. I refer those interested to my insertion in the CONGRESSIONAL RECORD of August 14, 1963.

This morning I listened to a broadcast on "Today" and saw the Indians gathering for the last time in the Long House for certain dances. I was glad we were not permitted entrance. It must have been a very sad time for them.

I listened also to a judge of their tribe who spoke with great restraint. I quote:

> We who have lived in this area always, feel justified in remaining where we are until we do have homes to move into. The Pennsylvania Railroad, without any hearings or any arguments was given $20 million to move its steel rails. We are not made of steel. We have souls and feelings imbedded deep in this ground, but we have not been considered and no provision has been made for us.
>
> A very old woman sitting against the wall of a house said with tragic feeling, "A treaty—what is the use of treaties? This land was given us to be ours 'as long as the river runs and the sun shines'."

A very fine looking man described watching an anthill that had been stepped on. The ants were confused, some of them attempting to fight. "That is about the way we feel," he said.

A chief warned, "Be careful with your immigration laws. We were careless with ours."

To me, Mr. Speaker, the tragedy of the Kinzua Dam is very great for the Seneca Indians, for whom so far we have done nothing but deprive them of the land we promised them in 1794. The greater tragedy is that the United States of America saw fit to permit the desire for power of a few men to instigate the breaking of our word and the loss of our honor. This, Mr. Speaker, is something we cannot live down. The least we can do is to get very busy, very fast, and see to it that these 140 families who built their homes and educated their children and owe no man a penny, shall have new homes in adequate time.

ANNUAL REPORT OF THE NATIONAL SCIENCE FOUNDATION—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES (H. DOC. NO. 209)

The SPEAKER laid before the House the following message from the President of the United States; which was read and, together with the accompanying papers, referred to the Committee on Science and Astronautics and ordered to be printed with illustrations:

To the Congress of the United States:

Pursuant to the provisions of Public Law 507, 81st Congress, I transmit herewith the 13th Annual Report of the National Science Foundation for the fiscal year ended June 30, 1963.

LYNDON B. JOHNSON.

THE WHITE HOUSE, *January 29, 1964.*

INFORMATION PROGRAM ON PERILS OF TOBACCO USE

Mr. RIEHLMAN. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. RIEHLMAN. Mr. Speaker, I am introducing a bill which will help point out to everyone, particularly younger folks, the hazards of smoking.

First of all, I would like to say that the bill will not outlaw the use of tobacco. Its use would still be an individual decision for each person.

This bill will give the Federal Trade Commission absolute authority to require cautionary labeling on cigarette containers.

This labeling would note that well-informed scientific opinion believes that smoking is hazardous to health.

The same cautionary statement would be required to be announced on radio and television commercials.

In addition, the FTC would be given authority to require that cancer-causing agents be listed on cigarette packages or agents thought to be cancer causing by sound scientific opinion.

The second part of the bill provides that the Surgeon General shall continuously compile lists of all Government publications relating to the effect of cigarette smoking on health.

This list would be sent periodically to all schools and colleges in the United States and its possessions.

From the list, each time it arrived, schools could select five of each of the publications, free of charge, for classroom use.

The Government does have a moral obligation to warn people and to initiate an information program because it subsidizes the tobacco industry and has helped it increase production.

I believe it is most important to point out to young people that cigarette smoking should not be taken up without considerable thought.

The recent Surgeon General's report on the subject emphasized that men who began smoking before the age of 20 have substantially higher death rates than those who begin after 25.

This does not mean that it is safe to start after 25.

However, it shows the urgency of advising young folks about the perils and the necessity of establishing a sound and continuing information program.

If some of our young people profit by the great discussions going on about this subject, any efforts by those of us interested in their welfare will be worth while.

ADJOURNMENT OVER TO FRIDAY, JANUARY 31

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that when the House adjourns today it adjourn to meet on Friday next.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

ADDITIONAL FUNDS FOR THE COMMITTEE ON THE JUDICIARY

Mr. FRIEDEL. Mr. Speaker, by direction of the Committee on House Administration, I call up House Resolution 587 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

> *Resolved,* That the additional expenses of conducting the studies and investigations authorized by H. Res. 36 of the Eighty-eighth Congress, incurred by the Committee on the Judiciary, acting as a whole or by subcommittee, not to exceed $250,000 including expenditures for the employment of experts, special counsel, clerical, stenographic, and other assistants, and all expenses necessary for travel and subsistence incurred by members and employees while engaged in the activities of the committee or any subcommittee thereof, shall be paid out of the contingent fund of the House on vouchers authorized by such committee signed by the chairman of such committee and approved by the Committee on House Administration.

The SPEAKER. The Clerk will report the committee amendment.

The Clerk read as follows:

> Committee amendment: Page 1, following line 13, insert:
>
> "SEC. 2. The Chairman of the Committee on the Judiciary shall furnish the Committee on House Administration information with respect to any study or investigation intended to be financed from such funds. No part of the funds authorized by this resolution shall be available for expenditure in connection with the study or investigation of any subject which is being investigated for the same purpose by any other committee of the House."

Mr. GROSS. Mr. Speaker, will the gentleman yield?

Mr. FRIEDEL. I yield to the gentleman from Iowa.

Mr. GROSS. Mr. Speaker, I understand that to some extent the increase in appropriation to the Judiciary Committee will be used for additional minority employees?

Mr. FRIEDEL. That is correct.

Mr. GROSS. I thank the gentleman.

The SPEAKER. The question is on the committee amendment.

The committee amendment was agreed to.

The resolution was agreed to.

A motion to reconsider was laid on the table.

ADDITIONAL FUNDS FOR INVESTIGATIONS AND STUDIES, COMMITTEE ON FOREIGN AFFAIRS

Mr. FRIEDEL. Mr. Speaker, by direction of the Committee on House Administration, I call up House Resolution 590 and ask for its immediate consideration.

The Clerk read as follows:

> *Resolved*, That the further expenses of conducting the investigations and studies authorized by H. Res. 55, Eighty-eighth Congress, incurred by the Committee on Foreign Affairs, acting as a whole or by subcommittee appointed by the chairman of the committee, not to exceed $100,000, in addition to the unexpended balance of any sum heretofore made available for conducting such investigations and studies, including expenditures for employment, travel, and subsistence of accountants, experts, investigators, attorneys, and clerical, stenographic, and other assistants, shall be paid out of the contingent fund of the House on vouchers authorized by such committee, signed by the chairman of such committee, and approved by the Committee on House Administration.
>
> Sec. 2. No part of the funds authorized by this resolution shall be available for expenditure in connection with the study or investigation of any subject which is being investigated for the same purpose by any other committee of the House, and the chairman of the Committee on Foreign Affairs shall furnish the Committee on House Administration information with respect to any study or investigation intended to be financed from such funds.

The SPEAKER. The Clerk will report the committee amendment.

The Clerk read as follows:

> Committee amendment: Page 2, line 3, strike out all of lines 3 through 10, and insert the following:
>
> "Sec. 2. The chairman of the Committee on Foreign Affairs shall furnish the Committee on House Administration information with respect to any study or investigation intended to be financed from such funds. No part of the funds authorized by this resolution shall be available for expenditure in connection with the study or investigation of any subject which is being investigated for the same purpose by any other committee of the House."

Mr. SCHENCK. Mr. Speaker, will the gentleman yield?

Mr. FRIEDEL. I yield to the gentleman from Iowa.

Mr. SCHENCK. Mr. Speaker, I wonder if the gentleman from Maryland [Mr. Friedel] will explain to the Members of the House that these amendments having been added to these two bills will be added to all other committee appropriation bills in the future and that appropriate steps are being taken to implement the same idea with reference to those committee appropriations previously made.

Mr. FRIEDEL. It is the intent that with respect to all other bills, in the future they will have the same amendment.

Mr. SCHENCK. I thank the gentleman.

The SPEAKER. The question is on the committee amendment.

The committee amendment was agreed to.

The resolution was agreed to.

A motion to reconsider was laid on the table.

FURTHER EXPENSES OF INVESTIGATION AND STUDY, COMMITTEE ON ARMED SERVICES

Mr. FRIEDEL. Mr. Speaker, by direction of the Committee on House Administration I call up House Resolution 607 and ask for its immediate consideration.

The Clerk read as follows:

> *Resolved*, That the further expenses of the investigation and study to be conducted pursuant to H. Res. 84, by the Committee on Armed Services, acting as a whole or by subcommittee, not to exceed $75,000, including expenditures for the employment of special counsel, consultants, investigators, attorneys, experts, and clerical, stenographic, and other assistants appointed by the chairman of the Committee on Armed Services, shall be paid out of the contingent fund of the House on vouchers authorized by such committee or subcommittee, signed by the chairman of the Committee on Armed Services, and approved by the Committee on House Administration.
>
> Sec. 2. No part of the funds authorized by this resolution shall be available for expenditures in connection with the study or investigation of any subject which is being investigated for the same purpose by any other committee of the House, and the chairman of the Committee on Armed Services shall furnish the Committee on House Administration information with respect to any study or investigation intended to be financed from such funds.

The SPEAKER. The Clerk will report the committee amendment.

The Clerk read as follows:

> Committee amendment: Page 2, strike out lines 1 through 8, and insert the following:
>
> "Sec. 2. The Chairman of the Committee on Armed Services shall furnish the Committee on House Administration information with respect to any study or investigation intended to be financed from such funds. No part of the funds authorized by this resolution shall be available for expenditure in connection with the study or investigation of any subject which is being investigated for the same purpose by any other committee of the House."

The committee amendment was agreed to.

The resolution was agreed to.

A motion to reconsider was laid on the table.

PRINTING OF COPIES OF THE LATE PRESIDENT JOHN FITZGERALD KENNEDY'S THANKSGIVING PROCLAMATION FOR 1963

Mr. HAYS. Mr. Speaker, by direction of the Committee on House Administration I call up House Resolution 597 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

> *Resolved*, That there be printed five thousand copies of the late President John Fitzgerald Kennedy's Thanksgiving Proclamation for 1963 as a House document.

The resolution was agreed to.

A motion to reconsider was laid on the table.

Mr. STAFFORD. Mr. Speaker, I ask unanimous consent that the gentleman from Massachusetts [Mr. Keith] may extend his remarks at this point in the Record.

The SPEAKER. Is there objection to the request of the gentleman from Vermont?

There was no objection.

Mr. KEITH. Mr. Speaker, the last official proclamation of President John Fitzgerald Kennedy was his 1963 Thanksgiving proclamation. It was written by the President prior to his tragic assassination on November 22 which prevented him from reading this proclamation and sharing in one of our most important national holidays.

This proclamation is of very great historical value and I feel certain that many American citizens would like copies of it. I can testify to the fact that there is a large demand for this document in Massachusetts. Certainly the proclamation is of national importance and national value—there will undoubtedly be a national demand for copies of the proclamation.

The printing costs will be minimal. The "usual" cost of printing the first 1,500 copies is $46.53 and the cost for each additional 1,000 copies will be only $4.76. Consequently, the total cost to the House of Representatives will be just $70.33.

In view of the importance of President Kennedy's Thanksgiving proclamation of 1963, I am glad the House approved my resolution, House Resolution 597.

PRINTING OF INAUGURAL ADDRESS OF PRESIDENT JOHN FITZGERALD KENNEDY DELIVERED AT THE CAPITOL ON JANUARY 20, 1961

Mr. HAYS. Mr. Speaker, by direction of the Committee on House Administration I call up House Concurrent Resolution 243 and ask for its immediate consideration.

The Clerk read the House concurrent resolution, as follows:

> *Resolved by the House of Representatives (the Senate concurring)*, That there shall be printed as a House document the inaugural address of President John Fitzgerald Kennedy delivered at the Capitol, Washington, District of Columbia, on January 20, 1961. Such inaugural address shall be printed in a form appropriate for framing and office wall display, and in such colors and with such artwork as the Joint Committee on Printing shall direct. In addition to the usual number, there shall be printed 322,500 additional copies, of which 103,000 copies shall be for the use of the Senate, and 219,500 copies shall be for the use of the House of Representatives.

The House concurrent resolution was agreed to.

A motion to reconsider was laid on the table.

PRINTING OF REMARKS BY MEMBERS OF THE SENATE AND HOUSE OF REPRESENTATIVES IN THE HALLS OF CONGRESS

Mr. HAYS. Mr. Speaker, by direction of the Committee on House Administration I call up Senate Concurrent Resolution 69 and ask for its immediate consideration.

The Clerk read the Senate concurrent resolution, as follows:

> *Resolved by the Senate (the House of Representatives concurring)*, That there be printed with illustrations as a Senate document all remarks by Members of the Senate and the House of Representatives in the Halls of Congress which constitute tributes to the life, character, and public service of the late President, John F. Kennedy.
>
> Sec. 2. There shall be printed and bound as directed by the Joint Committee on Printing, thirty-two thousand two hundred and fifty additional copies of such document, of which ten thousand three hundred copies shall be for the use of the Senate and twenty-one thousand nine hundred and fifty copies shall be for the use of the House of Representatives.

The Senate concurrent resolution was agreed to.

A motion to reconsider was laid on the table.

EUROPEANS AND JAPANESE SHOULD JOIN THE INTER-AMERICAN DEVELOPMENT BANK

Mr. STAFFORD. Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. Barry] may extend his remarks at this point in the Record and include extraneous matter.

The **SPEAKER.** Is there objection to the request of the gentleman from Vermont?

There was no objection.

Mr. BARRY. Mr. Speaker, on Friday I will introduce a House concurrent resolution inviting rich European nations and Japan to participate in the Inter-American Bank. The objective of this resolution is twofold: First, to get our allies and friends to share the cost of maintaining freedom in Latin America. Secondly, to provide Latin America with a greater range of advice and assistance available from countries that have had considerable experience with developing areas of the world.

FOREIGN ASSISTANCE ACT CITED

This resolution is intended to carry out the stated intent of Congress as embodied in the Foreign Assistance Act of 1963. I am sure that my distinguished colleagues will recall changes made to the chapter I of the Foreign Assistance Act of 1961 by last year's foreign aid bill. Section 102 in the last paragraph was amended to read, and I quote:

> Finally, the Congress urges that all other countries able to contribute join in a common undertaking to meet the goals stated in this part. In particular, the Congress urges that other industrialized free world countries increase their contributions and improve the forms and terms of their assistance so that the burden of the common undertaking, which is for the benefit of all, shall be equitably borne by all.

The resolution I will introduce on Friday reads as follows; I quote:

> *Resolved by the House of Representatives (the Senate concurring)*, That it is the sense of the Congress that the purpose of the Inter-American Development Bank, to contribute to the acceleration of the process of economic development of the member countries, could be further implemented by permitting and encouraging participation in the activities of the Bank by additional industrialized free world countries, particularly the industrialized free world countries of Europe and Asia. It is further the sense of the Congress that the President of the United States should take such steps as may be necessary to formulate, propose, and seek the adoption of such amendments to the articles of agreement establishing the Bank as may be necessary to permit and encourage such participation.

Accordingly, the purpose of this resolution is to translate a general statement of policy into a concrete offer to share the burden equitably.

BALANCE-OF-PAYMENTS RELIEF

There are impelling reasons for the Congress to give rapid consideration to this resolution. Our balance-of-payments problem continues and a deficit of some proportions appears to be built in rather than temporary. Some relief must be found for America's terrific burden in defending and strengthening the free world. Were the Europeans and Japanese to participate in developing Latin America, the strain on our resources would be relieved. Moreover, it would draw to the attention of foreign businessmen, the very real possibilities for expansion within the Latin American market.

AMERICA'S STRATEGIC COMMITMENTS

From a strategic standpoint, America finds itself committed at virtually every point of the compass. In some areas—notably the Republic of China, South Vietnam, the Carribean, and Latin America—we are directly committed with little or no assistance from our affluent allies. That their present affluence is in part the result of the American taxpayers' efforts need not be dwelt upon at length, but should certainly be remembered by those who continue to exist under the umbrella of our strategic forces.

In other areas of the world, we are daily being asked to increase our share of the common effort to defend the free world. Today's Washington Post, for example, has a large headline indicating that the British have asked for American help in Cyprus. Britain has depleted its armed forces to the point where her commitments are outstripped by her resources. Once again, we are being asked to step into the breach. If we are to assume responsibilities in areas of the world where others should be playing the leading role, then the burden that should be equitably borne by all is going to be even less equitable. In short, it is time for our allies to match their words with actions. What are America's allies doing?

WEST GERMAN TRADE WITH RUSSIA

West Germany has become the largest nonbloc trader with the Soviet Union. Germany is so opulent that there is a labor shortage. Shades of Appalachia. The West Germans cry "Foul" whenever it is suggested that America reduce the size of its armed forces defending West Germany. Each army division we keep in Germany costs us $93 million a year in balance of payments. And yet, Germany is Russia's most important free world supplier of goods and services. Rich West Germany has time and again made statements about aid to developing countries. Very little has actually been done by them. My resolution would offer the Germans a concrete plan for sharing the burden.

FRANCE DABBLES IN CHINESE PUZZLE

France, under the grandiose leadership of President de Gaulle, has announced plans and policies for just about everything except Westchester County. In addition to dabbling in the Chinese puzzle, De Gaulle has stated that France will play a greater role in Latin America. France certainly has the dollars and gold to gain membership into the Inter-American Development Bank.

Japan, recovering from the devastating effects of a war which it started, now adopts a benign attitude toward problems in Asia. It is true that we forced a pacifist constitution down their throats; however, Japan is certainly in a position to render financial assistance to Latin America. Those nations who are able to pay must now show reciprocity for the protection we give them.

OUR RELUCTANT BRIDES

Mr. Speaker, my resolution is an attempt to coax some reluctant brides to the altar. It is an attempt to provide a concrete opportunity for our allies to match deeds with words. Most important of all, it is an attempt to provide greater help for our good Latin neighbors.

U.S. PROFESSED ANTI-COMMUNIST POLICY IS FALLING APART AT THE SEAMS—CUBA TO ZANZIBAR

The **SPEAKER.** Under previous order of the House, the gentleman from Florida [Mr. Cramer] is recognized for 10 minutes.

Mr. CRAMER. Mr. Speaker, I ask unanimous consent to revise and extend my remarks and include extraneous matter.

The **SPEAKER.** Is there objection to the request of the gentleman from Florida?

There was no objection.

Mr. CRAMER. Mr. Speaker, the Johnson administration's Cuban-Latin American supposedly anti-Communist policy in this hemisphere, in my opinion, is falling apart at the seams and the efforts to economically isolate Cuba are alarmingly ineffective.

In recent incidents in just the past few days alone we have seen a deterioration of our so-called "containment of

Cuba policy" which vividly illustrates the unwillingness and inability of this administration to exert the necessary leadership to thwart the Castro-Communist menace in our own hemisphere.

Yesterday it was reported that Havana and Sweden signed a long-term trade agreement to provide machinery repair parts and raw material for Castro's concrete industry. I place in the RECORD an Associated Press report from Miami under date of January 28, which states, as follows:

> Havana radio today announced a long-term trade agreement with industrialists in another non-Communist country, Sweden.
>
> The statement said the Cuban Ministry of Construction signed an 8-year contract to provide machinery repair parts and raw material for Fidel Castro's concrete industry.

Yesterday, as well, Brazil's chief United Nations delegate, Ambassador Carlos Bernardes, called for a "new look at the Western Hemisphere's policy toward the Cuban Government of Fidel Castro."

What did he propose? Bernardes said that Cuba should never have been suspended from the OAS, that Cuba should be treated the same as Communist countries outside the hemisphere. Of course this brings to mind the wheat deal with Russia. Further, I might point out that Bernardes will be serving as President of the Security Council next month.

Let me read this article into the RECORD. It is an Associated Press dispatch dated January 28 from the United Nations, New York:

> Brazil's chief U.N. delegate today called for a new look at the Western Hemisphere's policy toward the Cuban government of Fidel Castro.
>
> Ambassador Carlos Bernardes told newsmen at a luncheon that Cuba should never have been suspended from the Organization of American States, but instead should be treated the same as Communist countries outside the hemisphere.
>
> One way to help ease tension is to halt all anti-Castro actions for a period of time to permit emotions to cool, he asserted.
>
> Bernardes, who will take a turn as President of the Security Council next month, also expressed hope that the United States would agree to negotiate a new treaty with Panama governing the control of the Panama Canal.

This is Brazil, the country to whom we extended just last year some $800 million worth of additional credit, additional aid, through negotiations with the United States and Brazil, to which many of us objected. We find that country now turning its back upon the United States and its policy and following the Commie line demanding renegotiation of the Panama Canal treaty, contrary to the stated objectives of this administration and this country, and secondly, calling for easing of tensions by returning Cuba to the Organization of American States and in effect trading with it as we are doing with some other Communist countries, completely contrary to the announced policies of this country.

Just this morning it was reported that two Spanish shipbuilders arrived in Havana to discuss Cuban needs for fishing boats and other vessels. I quote this article, a news dispatch recorded in this morning's Washington Post:

> CUBA.—Two Spanish shipbuilders arrived in Havana to discuss Cuban needs for fishing boats and other vessels. The United States has been trying to persuade Spain not to build ships for the Castro regime.

Unsuccessfully—I add—did we try to persuade Spain despite the tremendous economic assistance that has gone from this country to Spain and the substantial military assistance as well in the past.

Thus, our policies with regard to economic embargo of Cuba are, as I said before, falling apart at the seams and our policy is alarmingly ineffective in our efforts to economically isolate Cuba.

Of course, this is to be added to the British bus deal which many, myself included, objected to, between the British and Cuba in recent days but the U.S. Government, showing a lack of real determination, did not offer any official protest to it.

One of the most abortive aspects of our so-called policy of containing Cuba is the State Department's removal—and now listen to this—the removal from the blacklist of the English ship, the *Tulsa Hill*, presently docked in Baltimore. This ship has been carrying on trade with Cuba and should not, in line with what has been stated as our trade ban policy, be allowed to dock in this country. Yet, it is here and it is here with the blessings of our State Department. And the National Labor Relations Board in addition to the State Department is putting every conceivable pressure on the maritime unions who are good Americans, who oppose Castro, and who refuse to load such ships.

Similar pressures are being exerted on the maritime union in New York where some 26 foreign-flag ships have been taken off the blacklist despite the fact they trade with Cuba, contrary to our announced trade ban. I add two UPI reports of January 21 and 22 at this point.

> NEW YORK.—A State Department official met with Maritime Union leaders today in an effort to get ships removed from a union blacklist which has prevented them from loading grain.
>
> G. Philip Delaney, special assistant to Secretary of State Dean Rusk, met with Joseph Curran, president of the National Maritime Union, and Thomas W. Gleason, president of the International Longshoremen's Association.
>
> The ships had been involved in trade with Cuba. One of them is the *Tulsa Hill*, a British-flag vessel due in Baltimore today to take aboard a cargo of grain. The ILA ordered its Baltimore local not to unload the ship.

> NEW YORK.—Maritime Union leaders today kept 26 foreign-flag ships on a blacklist, preventing them from loading grain in the United States.
>
> The ships were put on the blacklist because they traded with Cuba.
>
> Union Leaders Paul Hall, Joseph Curran, and Thomas W. Gleason rejected a State Department request that a ban against longshoremen loading them be lifted.
>
> Gleason said yesterday after a conference with G. Philip Delaney, special assistant to Secretary of State Dean Rusk, "that more ships probably would be added to the blacklist."
>
> The ships hoped to load some of the grain sold to Iron Curtain countries.

Mr. GROSS. Mr. Speaker, will the gentleman yield?

Mr. CRAMER. I am delighted to yield to the gentleman from Iowa.

Mr. GROSS. I heard only this morning something that is hard for me to believe: that the Navy at the Guantanamo base provided a ship pilot to take a Russian freighter through a nearby strait so that the Russian ship could dock and unload cargo at a port on the coast of Cuba. This is something that is hard to believe. Does the gentleman know anything about it?

Mr. CRAMER. No; I know only what the gentleman has stated. But I think it is a matter that certainly the Members of Congress should inquire about of the military in charge of Guantanamo as to what our policy is with relation to the military aspects in the Caribbean area as it relates to assistance to Russian ships and other ships going to Cuban ports or trading with Cuba. Because, and I am sure the gentleman agrees, obviously if this is being done as a matter of military policy, it is in direct violation of any meaningful economic embargo or isolation of Cuba. Does not the gentleman agree with that?

Mr. GROSS. I certainly do.

Mr. CRAMER. I would suggest that is a matter I, for one, will take up with the Department of Defense to find out what the facts are because if we are, in fact, encouraging and assisting in this manner Russian ships or other ships trading with Cuba, then it is in complete contravention of what our announced trade policy is.

Mr. HOEVEN. Mr. Speaker, will the gentleman yield?

Mr. CRAMER. I am delighted to yield to the gentleman.

Mr. HOEVEN. Can the gentleman tell us what has happened to the Monroe Doctrine? Apparently it has been thrown into the diplomatic ashcan.

Mr. CRAMER. Well, the Monroe Doctrine is apparently a dead letter so far as the administration is concerned. The previous Khrushchev-Kennedy doctrine and now apparently the Khrushchev-Johnson doctrine of coexistence with Communist Cuba so far as I can see has been substituted for it, which means at least at the present time that the existence of communism in this hemisphere which was supposed to be a violation, being an alien philosophy, of the basic Monroe Doctrine principle, is going to be permitted to continue—or that at least sufficient affirmative action through our leadership of the OAS or otherwise to get rid of that Communist menace is not the policy of this administration. The weak, concession-making policy of the administration has been shown not to be effective in accomplishing the objective loudly announced, but quietly undermined, of even imposing economic sanctions against Communist Cuba.

Mr. HOEVEN. Mr. Speaker, will the gentleman yield further?

Mr. CRAMER. I yield.

Mr. HOEVEN. The gentleman mentioned the fact that some concern had been expressed by the U.S. Government regarding the sale of buses by England to Castro. The U.S. Government seems to be dismayed at this news. I cannot see why they should be so concerned when they have been so ready and willing to approve of and condone the sale of wheat to Russia and to other Communist countries, and in so doing, simply building up the economy of Communist nations that have promised to bury us. Furthermore, we furnish planes to Yugoslavia and we give aid to Poland, and we have been quite generous with other Communist countries.

I cannot quite see why the administration should object so much to the sale of buses to Castro, although personally I do not approve of it. Giving aid to the Communists is bad business in anybody's language.

The SPEAKER. The time of the gentleman has expired.

Mr. CRAMER. Mr. Speaker, I ask unanimous consent to proceed for an additional 10 minutes.

The SPEAKER. Is there objection to the request of the gentleman from Florida?

There was no objection.

Mr. CRAMER. The gentleman has placed his finger on the insecure contradictory moral position in which we have placed the United States in the eyes of nations throughout the world. Great Britain throws our wheat deal with the Communists right back in our face on their bus deal with Castro. Again I say that we offered no "official protest" to this bus deal. If we are willing, by congressional action giving permission, to trade wheat to Russia and Communist satellite nations even on credit, how can we be in a strong position morally in the eyes of other nations when the United States says that it is wrong for other nations to trade with a Communist country, meaning Cuba?

In other words, we want a dual double standard hemisphere policy. We want to be able to say that it is wrong for our allies to trade with Cuba, because that militarily equipped country is 90 miles from our shores, but it is not wrong for us to trade with Russia, even though that country may be 500 or 300 miles or even closer from the territory or shores of some of our allies in Europe and the Near East, for example.

That simply does not make good sense to them, and it certainly did not make good sense to me when the Congress voted on the amendment late last year giving the President the power to go ahead with the wheat deal even on credit.

Mr. HOEVEN. Mr. Speaker, will the gentleman yield further?

Mr. CRAMER. I yield further to the gentleman.

Mr. HOEVEN. In all the negotiations and transactions with Communist nations which now seem to involve us all over the world—and, may I say largely to our detriment—does the gentleman agree with me when I say that whenever the United States of America stands firm it wins and whenever the United States equivocates or accommodates or appeases, it loses? Does not history bear this out?

Mr. CRAMER. The gentleman is absolutely correct. I have stated that time and time again. I believe it sincerely. The missile crisis proved this conclusively.

I have talked to the ambassadors and representatives of many Latin American countries. The general consensus seems to be that the Organization of American States—despite the fact that it is historically one of the most useful and skillful multination instruments in existence—is only as effective as is the U.S. leadership of it. Unless the United States gives firm leadership and unless we outline a program in specifics to get rid of Castro's communism and communism in general in this hemisphere that goal will not be achieved.

We did not take advantage of the opportunity offered by Venezuela, which demanded in recent days that a firm program be evolved regarding Castro's Communist subversive activity in that country and in the hemisphere.

So, even when another country in this hemisphere asks for leadership and partnership with the United States, if you please, in respect to getting rid of Castro's communism in Cuba and subversion throughout Latin America—and, yes, now spread to Zanzibar—we do not even help in partnership with other countries to strengthen the leadership of the OAS in accomplishing that. This was a golden opportunity—lost because of our indecision and vacillation.

I agree wholeheartedly with the gentleman.

Mr. HOEVEN. Mr. Speaker, will the gentleman yield for a unanimous-consent request?

Mr. CRAMER. I yield.

Mr. GARMATZ. Mr. Speaker, will the gentleman yield?

Mr. CRAMER. I am delighted to yield.

Mr. GARMATZ. The gentleman spoke previously about the *Tulsa Hill*, the ship being used to haul the grain to Russia. That particular ship is tied up in the Baltimore harbor, which is in my congressional district.

Mr. CRAMER. Yes, the gentleman can speak with authority, I am sure.

Mr. GARMATZ. I might say that the owner of the ship has asked for a court order from the judge, seeking to compel the members of the Longshoremen's Union, the ILU in Baltimore, to load the ship. They have refused to do so. Their business representative, Mr. Hale, who represents the longshoremen in Baltimore, has said that if the court order should come from the court the men would refuse to load the ship regardless. They have made an agreement in Baltimore that they will not load grain or any other commodity on any ship on the black list, which has been hauling grain into Cuba.

Mr. CRAMER. I appreciate the gentleman's interest.

Mr. GARMATZ. That is the position of the longshoremen in Baltimore. I hope they maintain it. I am sure they will, even though the State Department is trying to get out from under. I admire the longshoremen for their attitude and the stand they have taken in this grain situation.

Mr. CRAMER. I thank the gentleman and congratulate him on his support of the ILU's action. It is really a travesty that in order to carry out what is the announced policy of the State Department not to permit any ships that trade with Cuba to use U.S. ports—though even that policy is filled with many loopholes and does not go far enough so far as a real trade embargo is concerned—it takes action by red-blooded Americans to implement this policy and to prevent it from being scuttled. I take my hat off to those labor union members who themselves insist upon the United States carrying out its own announced policy of blacklisting Cuban-trading ships, especially when the U.S. Government, through the State Department and the National Labor Relations Board, tries to subvert the very policy our Government says it is trying to carry out. I congratulate every member of that union, and I congratulate the gentleman from Maryland for sustaining them in their forthright anti-Communist and pro-American position.

Mr. HALL. Mr. Speaker, will the gentleman yield?

Mr. CRAMER. I yield to the gentleman from Missouri.

Mr. HALL. I thank the gentleman for yielding, and I want to compliment him for bringing this continued lack of policy before us here on McKinley's birthday, because it was during McKinley's administration that we first liberated Cuba. I think it is appropriate that we describe this as a lack of policy rather than a policy of containment or as an announced foreign policy of the United States or of the State Department's machinations concerning policy, whether it be foreign or in the Western Hemisphere or elsewhere. I mention that because as has been pointed out by the gentleman in the well of the House, the gentleman from Florida, who knows this situation so well, and by the ranking minority member of the Committee on Agriculture, the gentleman from Iowa [Mr. HOEVEN], we can have no policy and insist on no rights in the world community when we do that very thing for which we criticize others. This applies to the question of the wheat sales for Russia versus the bus sales by one of our allies, and our lack of action in the Bay of Pigs, and the lack of containment, and the lack of insisting that our allies live up to the requirements for the blockade, and the lack of insistence on halting the export of subversion out of Cuba, whether it be to Venezuela or Panama or elsewhere. I think the gentleman is particularly to be commended for his statement about the Organization of American States begging for direction by their big brother in the Western Hemisphere and in keeping with the Monroe Doctrine. In view of what is happening around the world today in respect to our foreign policy, it is certainly time again that we insisted on a definite, direct, moral foreign policy and that we insisted on the Monroe Doctrine and the various agreements that apply to the Western Hemisphere and, in fact, that we insist on speaking softly but carrying a big stick.

Mr. CRAMER. I thank the gentleman from Missouri. I am sure you noted that I referred to the "so-called" policy. He has been a real leader in this effort to get a firm anti-Communist policy in this hemisphere and throughout the world and, as I am sure the gentleman knows, the gentleman from Florida introduced a resolution last year intended fully to implement and restate the Monroe Doctrine, but the Congress has not seen fit to give any consideration to the resolution. The Congress, as a matter of fact, last Congress did turn down the Broomfield amendment offered by the Members on this side of the aisle and which I helped draft that would have written the Monroe Doctrine into the Cuban resolution.

Incidentally, even this watered down statement of policy by Congress has been largely ignored by the administration, as evidenced by its inaction even though:

First. Cuba's communism is being exported to other countries.

Second. Arms drops are taking place from Cuba to other nations.

Third. Subversive agents are still being trained in Cuba and returned to their homelands—even outside this hemisphere—vis-a-vis Zanzibar.

Fourth. Arms buildup in Cuba is still advancing at an alarming rate.

Fifth. Czech, Red Chinese, and Russian personnel remain in Cuba—as technicians or otherwise—in the thousands.

Sixth. The Communist menace, nurtured in and from Cuba, continues to challenge freedoms throughout the hemisphere.

Mr. STAFFORD. Mr. Speaker, will the gentleman yield?

Mr. CRAMER. Yes, I will be glad to yield.

Mr. STAFFORD. I wonder if the gentleman can tell us if we have any assurance in the event wheat sales take place to the Soviet Union under credit that that wheat will not find its way eventually to Cuba.

Mr. CRAMER. There is no assurance whatsoever, and I would not be a bit surprised but what the negotiations that took place between Castro and Khrushchev just the other day included some foodstuffs, whether in the same form that they are leaving the United States or in other forms, of flour or what have you, and that they will end up in Cuba. There is in my mind no question about it. If there were a question, what difference does it make whether it is U.S. wheat or byproducts thereof that is shipped to Cuba or wheat from Russia that will be used for this purpose because it can be supplemented as offset by our wheat? The result is the same. By making our wheat available to Russia they are able to sustain the food lack of Cuba, directly or indirectly.

Mr. STAFFORD. I thank the gentleman.

Mr. PELLY. Mr. Speaker, will the gentleman yield?

Mr. CRAMER. I am delighted to yield to the gentleman from Washington.

Mr. PELLY. I think the gentleman will be interested in the fact that the Maritime Subcommittee of the House Committee on Merchant Marine and Fisheries has been holding hearings yesterday and today, and will hold more on this matter of grain shipments and the utilization of American-flag vessels or, rather, their lack of utilization. This matter came up this morning, and Mr. Giles, who is the Acting Administrator of the Maritime Administration, testified that the Administration policy is not to oppose the use of ships that have been violating President Kennedy's voluntary boycott against the carrying of goods to Cuba by utilizing these vessels and has no ban against private shippers utilizing these ships. On Government shipments under Public Law 480 grain cannot go in ships which have traded with Cuba. However, private transactions, such as it is claimed these recent sales are, are perfectly free to go on ships that have visited Cuba. The point is that the Maritime Administrator has said he has no authority to refuse to issue a permit for the utilization of these ships that have violated that ban. Under questioning, however, he had to admit it was just a matter of carrying out the President's policy. The President has the power and could stop this, but apparently the State Department feels that it makes for better relations with the Soviets. As I have often said, I disagree.

The SPEAKER pro tempore. The time of the gentleman from Florida [Mr. CRAMER] has expired.

Mr. CRAMER. Mr. Speaker, I ask unanimous consent to proceed for 10 minutes additional.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Florida?

There was no objection.

Mr. CRAMER. Mr. Speaker, I want to thank the gentleman. He is a member of the committee investigating the matter and speaks authoritatively on it. I thank him for the important information that he has put in the RECORD through his comments.

Mr. Speaker, I think it clearly shows that the administration is using every available loophole to avoid putting into effect an announced limited shipping ban, even when the use of U.S. ports only by ships that have traded with Cuba is involved, to freeze out Castro economically. That is our announced, but subverted, trade ban policy. That is, we announce it publicly as our policy but we thwart it from behind the scenes.

Mr. PELLY. Mr. Speaker, will the gentleman yield further?

Mr. CRAMER. I am delighted to yield.

Mr. PELLY. It might interest the gentleman to know that the Maritime Administration has ruled American ships in and out of use. The Government decides when and where to use various types of American vessels. In other words, it is required that larger vessels carry the wheat to the Soviet ports, whereas Public Law 480 shipments must go in smaller vessels that carry a higher rate.

Mr. CRAMER. Yes. So the Administration has in effect, in order to accomplish the Russian wheat deal, found ways, loopholes, to accommodate this shipment, which completely violates in many instances Public Law 480, as one example, and there are other examples that the gentleman gave. They do that in order to accommodate shipping wheat to Cuba, completely violating and subverting the mandates of Congress and the rules and regulations emanating therefrom.

Mr. PELLY. As the gentleman knows, originally the public impression was that all this grain was going to go in American-flag vessels. We have 2,000 vessels available and could employ 20,000 seamen who need jobs.

Mr. CRAMER. That is right.

Mr. PELLY. Then there was an indication that about 50 percent of the grain would go in American bottoms. Now it looks as though it may well be that very little of it will be transported in American-flag vessels. Also it could well be that the rates and the subsidies that have been allowed on Durum wheat amounting to some 72 or 74 cents a bushel could be a windfall to a grain exporter, if he finds that he cannot use American-flag vessels, the larger ones which are assigned by the Maritime Administration to this task so the exporter will turn to foreign-flag vessels, perhaps some that actually have visited Cuba, and he will get the difference between the rates which could be a real windfall to him in the way of profits.

The truth is, of course, that under the Export Control Act full authority is granted to the President to issue permits and these can be limited to include only American-flag vessels or foreign-flag vessels that have not violated President Kennedy's voluntary boycott by engaging in trade with Cuba.

This inconsistency of supporting both sides in our cold war with the Communists demonstrates the U.S. policy of appeasement. Bit by bit, the policy of the United States is to appease the enemy. We have a policy of playing both sides in the cold war and in so doing, we are discriminating against our own merchant marine. This does not make sense.

Mr. CRAMER. The gentleman provides very valuable information. This further illustrates the extent the United States is willing to go to accommodate the Soviets in this wheat deal. I had understood, because I had checked with the State Department on this ship in Baltimore, for instance, and other ships, that they have lifted their ban on ships that trade with Cuba coming to U.S. ports for the purpose of carrying this wheat to Communist Russia and also when Cuban-trading ships do not carry Government-subsidized products to other countries. The latter is a further loophole dreamed up by the State Department to further limit the already limited trade ban. That does not make any sense and I congratulate the gentleman on submitting this information for the RECORD.

Mr. O'KONSKI. Mr. Speaker, will the gentleman yield?

Mr. CRAMER. I yield to the gentleman from Wisconsin.

Mr. O'KONSKI. Mr. Speaker, there is considerable doubt throughout the country that Russia will ever pay for the wheat. They may pay for the first shipment or two, but that is just a foot in the door to build up a reputation whereby she will get additional credit. To those Americans who think that Russia is not going to pay us back, I will say that they ought to go to the news ticker over here and read the special item on the news ticker which indicates that the Russian jets have forced down another American plane and that three American fliers have been lost, just within the last 24 hours. To those Americans who think that Russia is not going to pay us back, let them take a look at that to see how they are going to pay us back.

I call upon the leaders of our Government to immediately cancel all shipments of wheat to the Soviet Union.

The unwarranted murder of three more American fliers by the Soviet Union should open the eyes of every red-blooded American. Over the years this is the 40th plane shot down by the Communists, costing our Nation almost two hundred American lives since 1947. The Communists know that they can callously shoot down any American plane they want and we are going to do nothing about it.

The tragedy of it is that the widows and children and parents of these American fliers, butchered in cold blood by the Communists, are going to have to pay 80 cents a bushel more for their wheat when they buy bread than the Russians are paying for the wheat they are getting from the United States.

I plead with the American people to rise in protest against this suicidal policy of the United States where we are feeding our enemy at the expense of the taxpayers of America so that they can butcher more American fliers as the days go by. Even more tragic is the fact that these American fliers that we send in flights in that area are not even given the protection of a firecracker that they can take along to defend themselves where the Soviet planes are loaded for bear, eating bushels of wheat given them by the United States.

Mr. CRAMER. The gentleman makes a very pertinent and very important point. What we are doing in this wheat trade with Russia is, we are increasing our concessions to Russia, on the basis that this will result in a cooling-off or "peaceful coexistence" situation with Russia. So we coexist and we make concessions and Russia kicks us in the teeth time and time again.

The Communists are on the march while we are deluded with their assertions of "peaceful coexistence."

Russia itself is responsible for the downing of one U.S. plane and, as the gentleman from Wisconsin has stated, according to the news ticker, Russian jets have forced down the unarmed American plane with three American flyers being lost. Russia itself, and with the help of Castro, has taken over Zanzibar, and caused uprisings in Tanganyika and encouraged uprisings in the Congo which have resulted in an American missionary's death. Promises of support to Sukarno in Indonesia by the Communists is evident. Cuban Communists' efforts were apparent in the recent uprisings in Panama.

In Cypress there is threatened Greek-Turkish uprisings, undoubtedly being inflamed and encouraged by the Communists.

In Latin America, in addition to Panama and Cuba, further subversion and acts of violence in Venezuela occur, Chile is on the verge of possibly voting itself into communism, the Government of Brazil is tottering under pressures built up by communism, military coups in Honduras, Guatemala, and the Dominican Republic were reputedly caused by efforts by the military to stave off Communist growth, which are just some examples of Communist activities in this hemisphere.

We are being hit from all sides and many of them simultaneously, knowingly, and purposely by the international Communist conspiracy while, at the same time, we continue to make concessions under the name of "peaceful coexistence."

I do not think there is any question but what Khrushchev is probing the Johnson administration to see how far he can go, believing that the administration will continue to be foolish enough to make concessions, even though they kick us in the teeth at the same time. The gentleman has pointed out the most recent example.

The degeneration of our entire policy, our refusal and our inability to contain Cuba, let alone take steps to get rid of that Communist fortress, is best evidenced recently by the export of Cuban subversion to Venezuela and Panama. It was reported in the press today that the Venezuelan Government has broken up another leftist Castro plot against President Betancourt's regime yesterday.

I quote the following UPI report:

> The Venezuelan Government says it has broken up a leftist plot against President Romulo Betancourt's regime.
>
> One of the seven persons arrested Monday night at a suburban Caracas mansion was Jesus Teodoro Molina Villegas, whom United Press International described as the suspected commander of the Castroite underground in Venezuela.
>
> Molina Villegas led an abortive Marine revolt at Carupano in 1962 and later escaped from prison.
>
> Two of the others arrested were leaders of the opposition Democratic Republican Union. Police said they captured arms and "abundant subversive material" in the raid.

In Panama, the following is reported in today's press:

> PANAMA.—The far-left Panama Socialist Party called reports that Castro agents were behind the anti-American rioting this month "only part of the traditional policy of intrigue that American authorities put into play to disconcert and divide governments and people."

That is the poison being spread by the anti-U.S. politicians in Panama at this time throughout the world, and we have never offset it. This charge alone would be sufficient for the United States to offset the false charges of "aggression" by Panama by demanding a thorough investigation by the same peace committee of what unpeaceful subversive activities the Communists are involved in in Panama and the part the Communists played in stirring up the riots as anti-United States in design.

Today's UPI report on Panama's charge before the OAS that the United States is an aggressor—wholly false and maliciously designed to discredit the United States—best evidences the utter failure of the Johnson administration to offset this charge with affirmative counteraction—such as demanding an investigation into the Communist inflaming of the situations in Panama.

The UPI release follows:

> WASHINGTON.—Panama informed an inter-American peace committee today that it intends to go before the Organization of American States and charge the United States with aggression.
>
> Panama's declaration indicated the apparent collapse of efforts to mediate the dispute.
>
> Miguel J. Moreno, Panama's Ambassador to the OAS and its chief negotiator, told the OAS peace commission that his country intends to carry before the OAS its aggression charge.
>
> Sources said Moreno told the commission that further talks with the United States would be useless and that Panama sees no other recourse.
>
> The peace group had interrupted the direct talks and called a cooling-off period today in hopes one side or the other would give in sufficiently to get the discussions off dead center. The commission, however, met this morning—apparently at Moreno's request.
>
> The members of the peace commission urged Moreno at the closed-door meeting to try negotiations once again before going to the OAS Council, sources said, but there was no indication the plea had any effect.
>
> Taking the charges before the OAS would put the touchy canal zone situation back in a state of crisis.
>
> Panamanian President Roberto F. Chiari has said previously his country was ready to take the dispute before the United Nations if necessary.
>
> Negotiations reached an impasse yesterday when Panama continued to insist that the United States give explicit assurances that it intends to negotiate a new Panama Canal treaty. The United States has insisted that it cannot and will not make such a commit ment.
>
> The situation heated up when long seething differences between the United States and Panama over the treaty under which this country operates the canal broke out in bloody rioting.

Mr. GROSS. Mr. Speaker, will the gentleman yield?

Mr. CRAMER. I yield to the gentleman from Iowa.

Mr. GROSS. Does not the gentleman agree that since Cuba stands as it does today as a center of guerrilla training for communism, a center for the export of sabotage and insurrection——

Mr. CRAMER. And weapons.

Mr. GROSS. In Central and South America the inflammation, the disease, will grow, and we will have more of these situations on our hands to deal with. This cannot be stopped without removing the source of deadly infection, which is Cuba.

Mr. CRAMER. The gentleman is exactly correct. From Cuba we find emanating the cancerous growth of communism. If we do not take the lead in finding a way to cut out the source of this cancer, then the Latin American nations of this hemisphere will fall one by one. There is no question that Chile may be the first country in the future to go Communist by the ballot box route, unless something is done to prevent it. You see what has happened in Venezuela. We know that in British Guiana under Jagan it could go Communist if England withdraws. We know what has happened in other countries. It is time we got along with plans to cut out the cancer. The gentleman is eminently correct.

There is one other report I want to comment on, and that is a UPI report relating to the Coast Guard patrol of Cuban fishing vessels. It is as follows:

> A State Department official said today that Cuba will shortly complete construction of a fishing base making it easier for Russian vessels to operate along the American coasts.
>
> William C. Herrington, Special Assistant for Fisheries and Wildlife in the State Department, said that even without this port "foreign fishing vessels have been operating with increasing frequency off every State in the Union with a seacoast."
>
> Herrington testified before the Senate Merchant Marine Subcommittee in support of a Coast Guard request for additional ships and planes to keep a constant check on Communist bloc fishermen.
>
> He said that there is no evidence that the foreign trawlers operating off the U.S. coasts where anything "other than genuine fishermen legitimately proceeding in innocent passage * * *.
>
> "However," he added, "any foreign vessel has the potentiality to collect intelligence, or to engage in operations which endanger the security of the United States."
>
> Herrington said American fishermen have charged that at times they are harassed by larger Soviet vessels or by certain types of fishing operations.
>
> He said in Alaska this involved Soviet trawling through American king fishing grounds where stationary gear is used; and off New England the propellers of U.S. vessels have been fouled by lost or discarded pieces of fishing net believed to be Russian.
>
> Commandant Edwin J. Roland of the Coast Guard, in requesting a $71.8 million authorization request, pointed out that many of the ships in service were obsolete, and many others were close to it and some were already useless.
>
> Roland said the Coast Guard has 30 of the workhorse search and rescue vessels which are or will be overage by 1970. Of these, 18 are over 30 years old now and totally inadequate.
>
> To fill in, the Coast Guard is using four small patrol boats which are unsuitable for extended searches and are needed elsewhere.

The Coast Guard is properly calling for our authorizing the spending of $71.8 million for these ships and services to patrol Cuba's fishing vessels on the one hand while on the other hand one of our so-called allies, meaning Spain, is in Cuba for the express purpose of negotiating for the building of additional fishing boats and other vessels, and Spain is a country, supposedly our ally, that we have lavishly supported with aid, both economic and military.

This is a further example of the ineffectiveness of our approach to world affairs—our lack of policy with which to combat the Communist menace can only lead to further Communist gains—further losses for the forces of freedom. The time is now to halt this rising, onrushing Red tide—before, as Khrushchev said, it "buries us."

DAVIS-BACON ACT

Mr. RYAN of Michigan. Mr. Speaker, I ask unanimous consent that the gentleman from Rhode Island [Mr. FOGARTY] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. FOGARTY. Mr. Speaker, during debate on the Davis-Bacon Act yesterday I urged the adoption of the previous question on the rule and defeat of the proposal to modify the rule. The pretense for defeating the rule was to permit adoption of an amendment to H.R. 6041 to provide a new system of judicial review.

As I pointed out at that time the proposed new system of judicial review is not practical and not workable. It would destroy the certainty in wage rates provided by the Davis-Bacon Act. It would create chaos in the Federal construction program by delaying vital construction projects. It would make a "gamble" of bidding that would inevitably result in increased Government costs. And it would be unwise to act rashly on the question of judicial review while the Labor Standards Subcommittee is now considering and holding hearings on this question and on related matters.

Judicial review is a very appealing concept. As a concept, it is a fine thing, and we are all for it. However, in this case, it is entirely misplaced.

We are considering here a program of wage determinations for Federal and federally assisted construction. This may be a hospital in your home district or it may be a missile site or a space project that is essential to our national defense. The construction work in these cases must be undertaken promptly. The wage determination is essential to this undertaking and must likewise be determined promptly.

What would the proposed judicial review do to this entire Federal construction program? Let me tell you.

Under H.R. 9590, the proposal of the gentleman from New York, Congressman GOODELL, any contractor or subcontractor, bidder, or prospective bidder, labor organization, employee or prospective employee and, so far as the bill is concerned, almost anyone who regards himself adversely affected by the Secretary's wage determinations can go into court and stop that project cold.

And what will the court do? It will consider, from the very beginning, what wage determination is appropriate for this project. The court will disregard entirely what the Secretary did; reexamine all the evidence upon which the Secretary made his determination; and it may disregard any established practice, policy, or rule on which the Secretary acted.

The court then will determine the wage rate, and not the Secretary.

Not only that, but everybody knows that it may take months, and maybe years, to go through such court proceedings, especially in an area where the courts have no expertise and where they are called upon to make a wage determination that may involve hundreds of separate wage classifications.

Congress has never done this before, not even under the Walsh-Healey Act. It wisely recognized the complexity of such matters and has delegated the making of wage determinations to the administrative agency—the Department of Labor.

Of course, it would not end there. The decision of the district court may be appealed to the circuit court and then to the Supreme Court.

During all this time, what happens to the hospital in your home district, and to the missile site, or to the outer space project? Well, under the bill for judicial review, a contractor can take his chances. He can pay any wage he likes and post an indemnity bond sufficient to pay any difference that may—years later—finally be determined by the courts.

It stands to reason that a responsible contractor would find it extremely difficult, if not impossible, to determine his costs and to bid intelligently on the proposed construction. It may be that some fly-by-night contractor would be willing to risk such a gamble, but costs to the Government would surely be increased, and consider what chaos the national construction program would face under such circumstances.

This would bring the law right back to the period before 1935, when there was no predetermination of wages on such construction. It would turn back the clock to a period of horrors for responsible contractors when they undertook contracts without certainty as to the wages they would be required to pay.

In 1935, these responsible contractors urged the Congress to amend the Davis-Bacon Act, and Congress did, to provide for predetermination of wage rates. This proposed judicial review bill would again restore the uncertainty, and put labor costs, once again, in the jungle which is the industry.

I would not oppose judicial review if a proper and workable means could be devised. But, this proposal, I am persuaded, would greatly impair and impede vital Federal construction. It is not workable.

We all know that the Labor Standards Subcommittee of the Committee on Education and Labor is currently holding hearings and giving consideration to this matter. Other proposals for judicial and administrative review have been presented for consideration by this subcommittee. All of them should be considered, with great care, in view of the tremendous harm that might ensue to the Federal construction program which is so vital, not only to national defense, but also to our entire national economy.

There is another reason why we should not act hastily on this matter of judicial review. The Secretary of Labor has just issued new regulations which provide for the establishment of a Wage Appeals Board. It will be composed of three public members selected on the basis of their qualifications and competence.

The Secretary has given to this Board jurisdiction to decide appeals on wage determinations, debarments, and other matters under the applicable statutes. The Board will have jurisdiction over all significant questions arising under these labor standards statutes which are within the jurisdiction of the Department of Labor. The Board is as independent as it can be made by the Secretary. Its decisions are final and are in no way subject to review by anybody in the Department of Labor.

The Secretary established this Appeals Board after consideration had been given to this matter by the Special Labor Subcommittee which held extensive hearings on the administration of the Davis-Bacon and related acts. He also considered the suggestions of 32 Federal and State procurement agencies, and others, including contractors' associations and unions.

I do not say that this Appeals Board will answer all the questions or take care of all the concerns or will be the best solution. However, we have a responsibility to give the agency which has been administering this program for over 30 years the opportunity to test the procedures which it recommends to solve this matter.

This does not mean that we will not be watchful or that we will not take action on this issue. As I pointed out, the Labor Standards Subcommittee is presently holding hearings on this very issue. We should have the benefit of its deliberation, in an orderly manner, before we act.

We would have been acting with flagrant disregard for the entire Federal construction program, the Federal wage standards program, and in disregard of the welfare of the entire country, if we acted impulsively here yesterday.

SAVE OUR SEAWAY—LEGISLATION TO GIVE THE GREAT LAKES WATERWAY RELIEF FROM ITS PRESENT BACKBREAKING FINANCIAL BURDEN

Mr. RYAN of Michigan. Mr. Speaker, I ask unanimous consent that the gentleman from Wisconsin [Mr. REUSS] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. REUSS. Mr. Speaker, we are in danger of losing our investment in the St. Lawrence Seaway by attempting to extract financial returns from it too quickly. The Seaway Act of 1954 now contains an utterly unreasonable financial formula of payments to the U.S. Treasury which places upward pressures on seaway tolls at a time when the seaway is struggling to build up traffic. Only if tolls are kept low during the developmental period can seaway traffic grow.

This rational course is made difficult by the stringent capital payoff and high interest rate provisions written into the 1954 Seaway Act. If tolls are raised by the seaway to meet financial charges, its traffic will fall. We will lose our investment as well as the increased trade for which the investment was made in the first place. We shall then have killed the goose that could have laid the golden egg. The seaway would have been killed under the delusion that we can get rich quick from what should be recognized as a long-term investment, the returns from which will grow with the years. What we surely ought to do above all is to save our seaway and assure ourselves its manifold benefits for the Nation. To do so we should first look honestly at financial demands we have, in large part unwittingly, placed upon it.

PRESENT LAW REQUIRES A PARADOX: LOW TOLLS AND HIGH REPAYMENT CHARGES

In approving the St. Lawrence Seaway Act in 1954, Congress clearly did not intend it to be established, only to be strangled by high toll rates preventing the growth of traffic. In fact, the first of five criteria for setting tolls, set forth in section 12(b) of the act, emphasizes the need to encourage increased use of the seaway and the need to set especially low rates for bulk commodities. Section 12(b)(1) says:

> The rates shall be fair and equitable and shall give due consideration to encouragement of increased utilization of the navigation facilities, and to the special character of bulk agricultural, mineral, and other raw materials.

Yet the act also requires in paragraphs (4) and (5) of the same section that tolls be set high enough to cover not only operating and maintenance costs and other current costs, but interest on the seaway's capital investment, plus interest on any interest deferred after June 30, 1960, plus funds for the amortization of the entire capital cost within 50 years of the opening of the seaway.

In order to comply with these two provisions, the seaway would have to pay into the Treasury over a 50-year period the entire capitalized construction cost, now estimated to be about $131 million, but which may go up to the full $140 million permitted under the act. In addition, interest charged at an annual rate close to 3½ percent means additional payment of about another $160 million over the 50-year period. Thus the seaway must pay an annual average of at least $6 million to cover interest and amortization, after paying all operating and maintenance costs.

Why were these high financial charges thought to be compatible with a reasonable schedule of tolls?

At the time the Seaway Act was under discussion, it was taken for granted that nothing would obstruct a rapid buildup of seaway traffic, starting at a high level of 25 million tons in 1959, rising to 37 million tons in 1963, and reaching a maximum of about 50 million tons in 1968. Under these traffic assumptions, only 4 years of operations were allowed as years during which traffic volume would be insufficient to meet current interest payments or to start paying off on capital. In these 4 years, it was thought that deferred interest might come to about $4 million. In the fifth year, 1963, it was anticipated that the seaway could cover current interest charges and have a bit left over to start amortizing capital and deferred charges. By 1968, as the seaway achieved its 50 million-ton capacity, it was to have started a 41-year period of regular payments of $6,078,000 per year.

ASSUMPTIONS OF PRESENT LAW NOT BORNE OUT BY ACTUAL SEAWAY OPERATIONS

In fact, seaway traffic did not attain the expected earlier volumes. Traffic in the opening year of 1959 came to 20 million tons, and it rose to 31 million tons in the fifth shipping season completed in December 1963. This achievement is astonishing in view of the fact that essential navigation complements to the seaway, the Great Lakes connecting channels and ports, were not ready in 1959, are not now ready, and will, in some cases not be ready for 5 to 10 years, to receive oceangoing vessels loaded to full seaway draft.

In 1959, only the seaway proper from Montreal to Lake Ontario was at the seaway depth of 27 feet. Connecting channels on the Great Lakes were not at this depth, and they constituted bottlenecks until dredging was completed late in 1963. Even at the present time, not a single Great Lakes port has both harbor depth and harbor channel approaches of seaway depth. For example, Milwaukee, a major port on the Great Lakes, now has harbor depths of only 21 to 25 feet. Channel approaches to the harbor are also not at seaway depth. Milwaukee Port Director Harry C. Brockel states that it will take 4 to 5 years to plan the engineering and to finish the actual job of deepening both channel approaches and harbor at Milwaukee to full seaway depth.

Apart from not being deep enough, the Great Lakes ports did not have and, in many instances, still do not have adequate harbor facilities: berthing space, cargo handling facilities, good dockside connections to rail and trucking lines, as well as needed ready access to banking and insurance facilities, freight forwarding services, and numerous related features which go together to make ports efficient in serving ocean traffic. Chicago has now invested more than $100 million in new port facilities and plans to invest more. Milwaukee has invested $14 million in a port expansion and improvement program. Toledo has spent a similar sum in harbor facilities. Other Great Lakes ports such as Duluth, Cleveland, Buffalo, Detroit, Hamilton, Toronto, and Rochester are investing additional millions to make up for harbor deficiencies. It goes without saying that they cannot be made up quickly. But only when ships can load to the limit of seaway draft, dock at the main Great Lakes harbors, and receive prompt and adequate harbor services as well as get through the seaway's locks, can the seaway be considered a finished system.

An important economic factor has also affected seaway traffic during the past 5 years. Iron ore shipments from Labrador, which were expected to constitute a large part of the seaway's bulk cargo, suffered from a strike-recession-slow recovery cycle which hit the U.S. steel industry. In 1959, steel plants were shut down for a months-long strike and ore consumption was reduced; in 1960, the recession cut steel output and ore consumption; in 1961 and 1962, sluggish steel output again held down ore needs; not until 1963 was the rise in steel production substantial. Provided that the economy in general continues to move up vigorously, there is reason to believe that Labrador ore will, in the future, add substantially to seaway tonnage. Particularly is this so since the most modern steelmaking processes use more ore and less scrap per ton of finished steel, and two of the most modern new integrated steel plants are now going up in the Great Lakes area.

As a result of lower than hoped for traffic volume in the first 5 years of operation, the seaway's revenues for the 5 years totaled less than $18 million instead of the anticipated $25 million. Instead of deferring only $4 million in interest charges in the 4 years, 1959–62, the seaway had to defer $7,600,000. In 1963, instead of being able to meet current interest cost and pay back a little on capital and deferred charges, the seaway had to defer payment on an additional $2,100,000 in interest due.

COMPETING TRANSPORTATION INTERESTS ARE DEMANDING THAT THE SEAWAY INCREASE ITS TOLLS

In the light of the physical difficulties which have been mainly responsible for holding down seaway traffic volume and revenues below desirable levels, the practical, businesslike approach would require the removal, as rapidly as possible, of physical obstacles, a lessening, if possible, of the financial burden, and an all-out effort to attract more traffic. The only course clearly ruled out in the face of low traffic volume is an increase in the toll rates. Yet this is the demand of certain transportation groups. Their economic sense as well as their objectivity appears open to question.

Under the terms of a 1959 agreement with Canada, tolls which have been in effect from the opening of the seaway through the fifth shipping season in 1963 are now being reviewed by toll committees appointed by both Canada and the United States. A decision on tolls for the future must be made by July 1, 1964.

The present toll schedule sets a rate of 40 cents per ton for bulk cargo and 90 cents per ton for general cargo, plus 4 cents per gross registered ton of the vessel. Additional tolls were originally charged for transit of the Canadian-owned Welland Canal connecting Lake Ontario and Lake Erie. These were 2 cents per ton on bulk cargo, 5 cents per ton on general cargo, and 2 cents per ton on the vessel. These tolls were suspended by Canada in July 1962, to increase traffic flow. For the same reason, at the beginning of the 1963 shipping season, in-transit cargo, both inbound and outbound, was exempted from all tolls.

Some of the most vigorous supporters for increases in these tolls are the North Atlantic Ports Association; the New York-New Jersey Committee for a Self-Supporting Seaway; the National Committee for a Nonsubsidized Seaway; and the American Association of Railroads. Their main arguments in favor of raising tolls are, first, that traffic on the seaway is not going to grow, so tolls must be raised to increase revenues so as to meet the financial requirements of the Seaway Act; second, that seaway traffic is "captive" traffic with nowhere else to go so that higher rates will not cut traffic volume; and, third, that failure to charge rates high enough to meet financial costs at present traffic levels constitutes an unwarranted Federal subsidy.

SEAWAY TRAFFIC: RECORD AND POTENTIAL

Nothing in the seaway record of the first 5 years indicates that it has stopped growing or that it will fail to reach its planned potential of 50 million tons in annual traffic. It is true that the seaway failed to achieve its target for 25 million tons the first year, and to achieve a total of 37 million tons in 1963. However, starting from the lower base figure of 20 million tons in 1959, seaway traffic grew to 31 million tons in 1963 at an average rate of 8.5 percent per year, exactly the rate of increase of the earlier forecasts. The growth has not been steady, but it augurs well for the future that 1963 showed a spectacular 20 percent rise in traffic over 1962.

Earlier estimates assumed that the seaway would grow at a little over 6 percent per year from a 1963 traffic of 37 million tons until it reached a maximum 50 million tons in 1968. In view of the seaway's 8½-percent growth rate of the first 5 years, there is no reason to think that it cannot continue growth at a 6-percent annual rate, until a 50 million-ton target is reached. However, since the achieved traffic figure for 1963 is 31 million tons and not 37 million tons, the target of 50 million tons should be reached in the early 1970's instead of in 1968.

On December 10, 1963, in testimony before the Senate Special Subcommittee on Great Lakes Transportation, U.S. Seaway Administrator Joseph H. McCann stated his opinion that the seaway could look forward not only to the 50-million-ton goal, but eventually to 60 million tons principally because of the continuing trend toward larger ships among users of the seaway, and because the present shipping season can be lengthened. Both these factors permit a higher volume of traffic to be realized without an increase of present seaway installations.

IF TOLLS ARE RAISED, ESTABLISHED TRAFFIC WILL FALL, AND NEW TRAFFIC WILL BE HARD TO GET

The claim that seaway traffic is "captive" traffic and that, therefore, tolls can be raised with impunity, is unfounded.

There is hardly an example of seaway cargo movement which could not be and is not moved by alternative methods of transport. Where traffic moves on the seaway now, it does so because at present toll rates, the seaway is more economical and shippers have found out about it—not because there is no other way to get cargo out to domestic or international markets. There is a huge complex of rail, barge, and pipeline systems serving most important midwest centers. If cost were not a consideration, the seaway in fact would not be needed.

Grain and other agricultural commodities west of the Mississippi can be shipped by a combination of rail and barge lines to gulf ports. Industrial goods can go by rail from the Great Lakes industrial area to seaboard consumers or to Atlantic and gulf ports for transshipment overseas. Labrador ores can proceed from the gulf of St. Lawrence by ship to eastern steel producing centers rather than to midwestern plants owned by the same companies. Petroleum products can be brought to major Great Lakes consuming areas by rail, by inland barge systems or by pipeline.

Under these circumstances, an increase in seaway tolls would be certain to reduce traffic. This would be particularly true in the case of agricultural commodities, which accounted in 1962—the latest year for which detailed figures are available—for nearly half of the seaway's tonnage. U.S.-origin agricultural traffic through the seaway, about 95 percent of which is grain, doubled in volume between 1959 and 1962, from 3,168,000 to 6,116,000 tons. The location of Great Lakes ports close to the main grain-producing areas makes it very advantageous to ship grain from these ports directly to oversea markets via the seaway.

Before the seaway was opened, export grain from the Missouri River area moved by rail or barge down to gulf ports. From the Northern States, it typically moved by rail to Duluth, then by lake vessels to Buffalo or Oswego for transshipment by rail to Atlantic ports. From the Central States, export grains often moved directly to Atlantic ports. These alternatives still exist and would be used if seaway passage became too expensive.

The strongest evidence that increased tolls would cut essential agricultural traffic for the seaway is to be found in the numerous rate reductions which have been made or attempted by railroad and bargelines since the opening of the seaway.

In the late summer of 1960, three midwestern rail lines reduced rates on grain moving from the Midwest to the gulf. Early in 1961, several western rail lines reduced rates on wheat moving from the Great Plains to the gulf. Mississippi bargelines have made a number of rate adjustments on north-south traffic and have attempted to establish joint rates with the railroads. In 1963, midwestern railroads connecting with bargelines going down to the gulf proposed a 10½-cent-per-hundredweight cut in rates applying to wheat, wheat flour, and certain other products. This rail rate reduction which would have eliminated any flour shipments from lake ports, was fortunately suspended by the ICC on charges that the reduced rates would not cover out-of-pocket costs.

An August 1963 study of the St. Lawrence Seaway by the Department of Agriculture concludes that agricultural traffic on the seaway could increase from the present 12 million tons, about half of which is U.S. traffic, to a total of 22 million tons by 1968. However, the Department warns that higher toll charges would lessen the seaway's cost advantages so that competing rail- and bargelines would make inroads on traffic which would otherwise move by the seaway.

In addition to increasing agricultural traffic as a mainstay, the seaway must try to increase industrial cargo, on which a more lucrative rate is earned. If toll rates are now raised, the first experimental uses of the seaway by a variety of shippers, demonstrating that important cost savings can be made, will have been for naught. Since experience and established ways of handling count for a good deal in shipping expensive merchandise, it is not surprising that only recently have shippers come to appreciate the seaway's advantages and savings.

Not until 1962 did the Department of Defense undertake a serious study of comparative shipping costs between the seaway and alternative routes where both are feasible. It concluded that the Government could have saved $840,000 per year by using the seaway on defense shipments instead of alternative methods in fact used.

An automobile company recently managed to get a foothold in the Australian market through seaway savings in transportation cost reflected in the delivered cost of its cars.

The Milwaukee Harbor Board of Commissioners reports that shippers of quarter-inch hardwood, papermaking machinery, bottling machinery, packaged lard, and powdered milk found in 1962 that by using the port of Milwaukee and the seaway to export destinations, they saved from $11.76 to $26.38 per ton. Allis-Chalmers of Milwaukee saved $25,000 by shipping a complete cement hill for delivery to Spain through the seaway.

Chrysler Corp. found that it saved $195,000 on 13,000 automobiles shipped in 1962 to 40 foreign countries. In the same year, General Motors found that it had saved $5,000 each on exports of 39 diesel locomotives.

If, even before word can get around that the seaway provides a possible method of shipment for general cargo, toll rates are raised, interest by industrial shippers will inevitably decline.

Far from raising rates, the only practical course of action may be to reduce rates. This may be not only desirable but necessary. It is possible that the Welland Canal tolls, suspended in July 1962, may be reimposed by Canada. Should this happen, tolls on the seaway proper would have to be reduced correspondingly even to maintain the present rate structure.

SEAWAY FINANCIAL BURDEN GROSSLY INEQUITABLE

The Great Lakes-St. Lawrence Seaway is virtually the only transportation system which is by law required not only to cover its own operating and maintenance costs but also to pay interest at the going rate and to amortize the capital investment over a relatively short period. How onerous and inequitable this burden is can be judged by looking at the transportation subsidies which have been or are right now being given to other parts of our transportation system.

First. Ocean ship channels: The seaway is very like the ocean ship channels in that it serves a particular geographic area. Yet the ocean ship channels have not even had to pay operating and maintenance costs, to say nothing of interest and capital investment costs. For example, through the fiscal year 1964, the Federal Government has paid on behalf of the Delaware River Channel from Philadelphia to the sea, $49,492,420 in construction cost and $108,754,924 in operating and maintenance costs; the Houston Ship Channel, $59,562,000 in construction cost and $30,149,501 in operating and maintenance costs; the Sacramento Deep Water Channel, $40,158,192 in construction cost and $9,520,966 in operating and maintenance costs—to June 1962; and the Mobile, Ala., Channel, $13,038,017 for construction and $15,605,976 for operating and maintenance costs.

Second. The Panama Canal: This famous waterway, about which dispute has flared recently between Panama and this country, is wholly owned and operated by the Federal Government. Toll rates are still about what they were 50 years ago. American intercoastal shipping, U.S. exporters to Japan of coal, grain, and steel scrap, and U.S. importers of mineral ores from Peru and Chile have been major beneficiaries of these low rates. However, unlike the seaway, the Panama Canal's benefits are increasingly going to other countries, including Cuba, whose sugar moves through the canal to Red China and the Soviet Union.

Although the Panama Canal was supposed to be a self-liquidating enterprise, we have received back only $1 billion of the $1.7 billion of the capital invested since 1903. Moreover, $1,500,000 of the $1,930,000 paid annually to Panama as Panama's share of the revenues is annually appropriated by the Congress and does not come out of canal revenues.

Third. The railroads: In the period from 1850 to 1871 the Nation's railroad companies received Government land grants of about 183 million acres. According to a Joint Economic Committee study, the value of this aid given to railroads came to nearly $1.3 billion. The arrangement was that this subsidy would be paid off over time by giving the Government special low shipping rates. This form of "payment," still being made to the Federal Government, can in no way be considered analogous to the seaway's interest burden and requirement to retire capital invested. There is no way to measure its adequacy in terms of a return on Federal investment or in liquidation of the investment itself.

It is also appropriate to note that while the railroads demand that seaway tolls cover all costs, including financial costs, they are themselves permitted by the ICC to reduce rates on commercial traffic to meet competition down to a theoretical out-of-pocket cost minimum.

Fourth. The airlines: The Nation's commercial airlines are beneficiaries to the extent of at least $250 million of the $750 to $800 million appropriated each year to build airports, maintain and operate airways, provide navigation and landing aids, communications facilities, and weather advisory services. For all of this, commercial prop transport planes pay only a 2-cent-per-gallon tax on gasoline, and jets, which do not use gasoline, pay nothing. Air passengers pay a 5-percent excise tax on their tickets, but no toll or charge is assessed on air freight.

When these indirect subsidies to the airlines do not suffice, the Civil Aeronautics Board stands ready to pay operating subsidies. These have been running at around $80 to $85 million per year.

Fifth. The merchant marine: U.S. shipping lines receive about $330 million per year from appropriated Federal funds as subsidies, about one-third for construction and two-thirds to make up deficiencies in operating revenues. They enjoy a federally guaranteed monopoly on U.S. coastwise shipping, on all defense cargo, all exports purchased under Government loans, and half of all other Government cargo.

Sixth. Inland waterways: A statutory prohibition against ever charging tolls on our inland waterways which has its origin in the Northwest Ordinance of 1787 was specifically reaffirmed in the Rivers and Harbors Act of 1909. This act is still in force. Without arguing the merits of the matter, it must be recognized that the bargelines operating on the Mississippi and the Ohio Rivers have an immense cost advantage over competing modes of transport. Their cargo is toll free despite the fact that over $2 billion of Federal funds have been invested in waterway capital improvements in addition to some $70 million annually appropriated for the operation and maintenance of the inland waterways. Thus, railroad lines in cooperation with bargelines have time and again been able to quote lower rates and thus to divert traffic which might otherwise have been shipped via the Seaway.

Seventh. Trucking lines: While trucking lines, like other users of federally financed toll highways and bridges, presumably pay for their share of these new facilities, they are free to use all other highways, streets, and bridges in their business operations. It seems highly debatable whether their present payments in license fees, gasoline taxes, and other taxes would adequately cover their share of the interest and capital cost of past public investment as well as current operating and maintenance costs.

Outside the field of transportation, the Federal Government has been equally generous in projects where a long developmental period is required. For example, the TVA power facilities were permitted to go along for 27 years, from 1933 to 1961, without a definite program for interest payments and for repayment of capital. In this period, TVA power operations got well enough established not only to plow back substantial net operating revenues but to be able to issue their own bonds in the private capital market for expansion purposes. In another area, the Government makes loans to irrigation districts on which it charges no interest and sets 100-year terms.

The seaway, far from being subsidized, is practically the only major national development project in which the Government has thus far failed to see the need for long-term, if not permanent, investment. The attempt to make an exception of the seaway is not only shortsighted economics. It is also in serious conflict with principles which should govern Federal policy on major new transportation resources.

PRINCIPLES WHICH SHOULD GOVERN FEDERAL POLICY ON SEAWAY

The St. Lawrence Seaway ought to be governed by three financial principles, as opposed to those which now govern:

First. Investment cost: Since the seaway together with the Great Lakes can eventually be quite literally a fourth seacoast of the United States, the Federal Government should retain ownership of the U.S. share of the seaway in perpetuity. The Government should not try to amortize the cost of its investment over any fixed period—it should, instead, seek to be paid returns which will in time pay for the investment many times over. The form which the Government's investment should take is capital stock, not revenue bonds with a fixed term as at present. An example of a wholly owned Federal agency in which the Government's investment is held in the form of capital stock is the Export-Import Bank. The Bank's capital stock has a value of $100 million.

Second. Return on investment: It seems reasonable that private users who benefit from the canal should pay, as part of their tolls, a return on the investment of the Federal Government. This should be, as at present, equal to the weighted average cost of actual borrowing by the Federal Government in the open market at the times that capital funds were actually invested in the seaway. But these returns to the Government should cumulate much as dividends on preferred stock rather than as interest on bonds. Such dividends should be allowed to cumulate and be paid by the seaway when earnings permit. No interest charges should be charged on deferred dividends.

Dividends payable for the indefinite future, rather than interest cost which ceases when capital is amortized, seems a fairer basis for setting seaway tolls so far as competitive modes of transport are concerned. The latter could result in an abrupt decline in tolls as financial costs were eliminated, a decline which could not be met by seaway competition.

Third. Cost basis for setting tolls: In general, a cost basis for setting seaway tolls appears the most acceptable. However, in view of the fact that other forms of transportation regulated by the Government are permitted to meet competitive rates where such rates are not below out-of-pocket operating costs, far greater latitude to reduce rates than is at present possible should be permitted, particularly in the present developmental period. Moreover, tolls should be fixed at a level where they will cover return on the Government's investment as well as current operating and maintenance costs at full capacity operations. It makes no more sense to set seaway tolls at traffic levels achieved in the initial development period than it would be to set Federal bridge or road tolls on the basis of the first few vehicles which happen to pass through toll points.

The principle of setting user charges at full capacity operations rather than in the early years of a project when traffic is so slight that enormous tolls could be necessary to yield sufficient revenues, received strong support by an Eisenhower administration study conducted by the Commerce Department in 1959. The study states:

> Recovery of Federal expenditures through user charges might be below full cost in the interests of the economic objectives of the program. Examples might be charges during the early years of a project before traffic develops, or charges based on full capacity use rather than on existing traffic in projects with very large capacities and traffic potentials. Such policies are not incompatible with a cost recovery doctrine. Where a low charge promotes a large use, total income over the longrun period may more successfully achieve the cost recovery goal than a high initial charge with low traffic. (U.S. Department of Commerce, User Charges on Inland Waterways, January 1959, p. 41.)

Like setting income-tax rates to balance the Nation's budget at full employment levels, seaway tolls should balance seaway costs at full-capacity operations. Just as an excessively high tax rate level prevents the economy from going on to full employment, attempts to recover more by high seaway tolls at a low-level traffic will only result in failure to reach capacity operations.

PROPOSED AMENDMENTS TO SEAWAY ACT

Accordingly, in order that seaway financing and seaway tolls can be in full accord with the principles I have cited, I propose certain changes in the Seaway Act. H.R. 9796, which I have introduced today, embodies these changes. They will better reflect the Government's true interest in having a conservative form of capitalization, a surer method of insuring a return on its investment, and lower toll charges if needed to stimulate traffic naturally suited to use the seaway. The changes follow:

First. Consider all revenue bonds outstanding and accrued interest charges as original investment, to be converted to an equivalent dollar amount of capital stock.

Second. Require an annual dividend of 3.42 percent—the present weighted average cost to the Government of capital invested in the seaway—on the capital stock, payable from the date of issuance of the stock, cumulative if not paid in any year.

Third. Require that tolls be set which will, at full capacity operations, recover all current operating and maintenance costs—save depreciation—and the 3.42 percent annual dividend on capital stock. The present tolls are to constitute the maximum permissible rates. Maintenance is to be considered sufficient to preserve the asset value of the seaway without any additional depreciation charges.

The text of the proposed amendments to the St. Lawrence Seaway Act of 1954, follows:

H.R. 9796

An Act to provide for a more conservative capitalization of the Saint Lawrence Seaway Development Corporation, and for other purposes

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) section 5 of the Act of May 13, 1954 (Public Law 358, Eighty-third Congress; 33 U.S.C. 985), is amended by inserting "(a)" immediately after "Sec. 5.".

(b) Such section is further amended by adding at the end thereof the following new subsection:

"(b) In order to protect the investment of the United States in the Corporation's assets, the Secretary of the Treasury and the Corporation are authorized and directed to convert the revenue bond obligations referred to in subsection (a) hereof to capital stock in an amount equivalent to the outstanding principal amount of said revenue bonds and accrued interest. The Corporation shall pay a cumulative dividend on such capital stock of 3.42 percent per annum."

Sec. 2. (a) Paragraph (4) of section 12(b) of such Act (33 U.S.C. 988(b)(4)) is amended to read as follows:

"(4) That the rates prescribed shall not exceed those in effect on January 1, 1964, and shall be calculated to cover, as nearly as practicable, at full capacity operations, all costs of operating and maintaining the works under the administration of the Corporation, payment of interest on the obligations of the Corporation, payment of 3.42 percent per annum cumulative dividend on the capital stock of the Corporation, and payments in lieu of taxes."

(b) Paragraph (5) of such section (33 U.S.C. 988(b)(5)) is repealed.

WHAT PROPOSED AMENDMENTS WILL MEAN FOR SEAWAY

These amendments will permit the seaway administrators to pursue economically sound toll rate policies and maximize financial return to the Federal Government.

On toll rates, the seaway could follow policies recently recommended by the Great Lakes Commission, an interstate compact of eight States—Wisconsin, Minnesota, Illinois, Indiana, Michigan, Ohio, Pennsylvania, and New York. The Commission recommends that present seaway tolls be considered a maximum and that a further period, until port capacity catches up to seaway channel capacity, be allowed the seaway for the development of traffic potential. Provided that toll rates are sufficiently high to pay required costs at full capacity operations, my amendment would permit tolls lower than those now in effect if needed to develop the true economic potential of the seaway.

There would be no element of giveaway or subsidy under my amendments, but the financial burden on the seaway would be considerably eased.

At the present time, the seaway owes construction cost and capitalized construction-period interest totaling about $131 million. In addition, there are a total of about $10 million in interest charges deferred since the beginning of seaway operations. Conversion of these amounts in accordance with my amendments would mean a capital stock value of $141 million on which a 3.42 percent annual cumulative dividend would be payable by the seaway.

The annual dividend would amount to $4,822,000 instead of the $6 million charge for interest and amortization under the present statute. At today's level of traffic and toll rates, about $2,500,000 of the dividend could be paid and $2,300,000 deferred for later payment. At capacity operations of 50 million tons and present tolls, roughly $6 million would be available for current and deferred dividends. Even at reduced tolls, deferred dividends could be paid off over a relatively short period when traffic reaches the 50- to 60-million-ton capacity levels.

At an annual dividend rate of 3.42 percent, the seaway in about 35 years will have paid over to the Government the same amount as is under present law required to be paid in interest over 50 years. In an additional 30 years, the seaway will have paid over to the Government the equivalent of 100 percent of the capital investment cost.

Mr. Speaker, the seaway's growth will be choked off if the toll provisions of the present act are literally applied. This, the Congress never intended. A sensible readjustment of the seaway's obligations, as here proposed, will permit the seaway to prosper. Not only the Midwest but the whole Nation will benefit.

SPECIAL ORDER GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to Mr. CRAMER, for 10 minutes, today.

EXTENSION OF REMARKS

By unanimous consent, permission to extend remarks in the CONGRESSIONAL RECORD, or to revise and extend remarks, was granted to:

Mr. CELLER (at the request of Mr. ALBERT) and to include extraneous matter.

ADJOURNMENT

Mr. RYAN of Michigan. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 1 o'clock and 13 minutes p.m.), under its previous order, the House adjourned until Friday, January 31, 1963, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of the rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

1592. A letter from the Assistant Secretary of the Interior, transmitting a report on the Lower Teton Division, Teton Basin project, Idaho, pursuant to section 9(a) of the Reclamation Project Act of 1939 (53 Stat. 1187) (H. Doc. No. 208); to the Committee on Interior and Insular Affairs and ordered to be printed with illustrations.

1593. A letter from the Archivist of the United States, transmitting lists or schedules covering records proposed for disposal by the departments and independent agencies, in accordance with the provisions of the act approved July 7, 1943 (57 Stat. 380) as amended by the act approved July 6, 1945 (59 Stat. 434) and the act approved June 30, 1949 (63 Stat. 377); to the Committee on House Administration.

1594. A letter from the Assistant Secretary of the Interior, transmitting one copy each of all laws enacted by the Seventh Legislature of Guam, 1963, pursuant to section 19 of the Organic Act of Guam; to the Committee on Interior and Insular Affairs.

1595. A letter from the Assistant Secretary, Department of the Interior, transmitting a proposed concession contract with John J. and Imelda Ferris for operation of El Portal Motor Inn and related services in the El Portal Administrative Site of Yosemite National Park for the period April 1, 1964, through March 31, 1967, pursuant to the act of July 31, 1953 (67 Stat. 271), as amended by the act of July 14, 1956 (70 Stat. 543); to the Committee on Interior and Insular Affairs.

1596. A letter from the Secretary of Commerce, transmitting two copies of the 51st Annual Report of the Secretary of Commerce for the Fiscal Year Ended June 30, 1963, in accordance with the provisions of the act of February 14, 1903 (5 U.S.C. 604); to the Committee on Interstate and Foreign Commerce.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar as follows:

Mr. TEAGUE of Texas: Committee on Veterans' Affairs. H.R. 6652. A bill to authorize the Administrator of Veterans' Affairs to sell at prices which he determines to be reasonable direct loans made to veterans under chapter 37, title 38, United States Code; with amendment (Rept. No. 1104). Referred to the Committee of the Whole House on the State of the Union.

Mr. FRIEDEL: Committee on House Administration. House Resolution 587. Resolution to provide additional funds for the Committee on the Judiciary; with amendment (Rept. No. 1105). Ordered to be printed.

Mr. FRIEDEL: Committee on House Administration. House Resolution 590. Resolution to provide additional funds for the investigations and studies authorized by House Resolution 55; with amendment (Rept. No. 1106). Ordered to be printed.

Mr. FRIEDEL. Committee on House Administration. House Resolution 607. Resolution to provide for the further expenses of the investigation and study authorized by House Resolution 84; with amendment (Rept. No. 1107). Ordered to be printed.

Mr. HAYS. Committee on House Administration. House Resolution 597. Resolution providing for printing as a House document, President Kennedy's Thanksgiving Proclamation; without amendment (Rept. No. 1108). Ordered to be printed.

Mr. HAYS. Committee on House Administration. House Concurrent Resolution 243. Concurrent resolution authorizing the printing as a House document in a form suitable for framing of the inaugural address of President John Fitzgerald Kennedy; without amendment (Rept. No. 1109). Ordered to be printed.

Mr. HAYS: Committee on House Administration. Senate Concurrent Resolution 69. Concurrent resolution authorizing the printing as a Senate document of the tributes by Members of Congress to the life, character, and public service of the late President, John F. Kennedy; without amendment (Rept. No. 1110). Ordered to be printed.

Mr. TEAGUE of Texas: Committee on Veterans' Affairs. H.R. 6920. A bill to amend section 715 of title 38, United States Code, to authorize issuance of total disability income provisions to national service life insurance policies through age 65, under certain conditions; with amendment (Rept. No. 1111). Referred to the Committee of the Whole House on the State of the Union.

Mr. TEAGUE of Texas: Committee on Veterans' Affairs. H.R. 7932. A bill to relieve the Veterans' Administration from paying interest on the amount of capital funds transferred in fiscal year 1962 from the direct loan revolving fund to the loan guarantee revolving fund; without amendment (Rept. No. 1112). Referred to the Committee of the Whole House on the State of the Union.

REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. LIBONATI: Committee on the Judiciary. H.R. 7757. A bill for the relief of Jesse I. Ellington; with amendment (Rept. No. 1113). Referred to the Committe of the Whole House.

Mr. DOWDY: Committee on the Judiciary. H.R. 9615. A bill for the relief of John A. Peralta; without amendment (Rept. No. 1114). Referred to the Committee of the Whole House.

Mr. GILBERT: Committee on the Judiciary. S. 573. An act for the relief of Elmer Royal Fay, Sr.; without amendment (Rept. No. 1115). Referred to the Committee of the Whole House.

Mr. LIBONATI: Committee on the Judiciary. S. 1206. An act for the relief of Georgie Lou Rader; without amendment (Rept. No. 1116). Referred to the Committee of the Whole House.

Mr. LIBONATI: Committee on the Judiciary. S. 1445. An act for the relief of Archie L. Dickson, Jr.; with amendment (Rept. No. 1117). Referred to the Committee of the Whole House.

Mr. SHRIVER: Committee on the Judiciary. S. 1518. An act for the relief of Mary G. Eastlake; without amendment (Rept. No. 1118). Referred to the Committee of the Whole House.

PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. BOGGS:

H.R. 9791. A bill to provide that amounts paid for music program service shall be exempt from the Federal excise tax on communications; to the Committee on Ways and Means.

By Mr. BURKE:

H.R. 9792. A bill to amend the Internal Revenue Code of 1954 relating to the manufacturers excise tax on television sets to alleviate the economic burden on consumers caused by the enactment of the all-channel law; to the Committee on Ways and Means.

By Mr. GALLAGHER:

H.R. 9793. A bill to assist the several States in establishing hospital facilities and programs of post-hospital aftercare for the care, treatment, and rehabilitation of narcotic addicts, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. HALPERN:

H.R. 9794. A bill to incorporate the Catholic War Veterans of the United States of America; to the Committee on the Judiciary.

By Mr. MULTER:

H.R. 9795. A bill to amend the District of Columbia Income and Franchise Tax Act of 1947 to provide for an exemption for students, and for other purposes; to the Committee on the District of Columbia.

By Mr. REUSS:

H.R. 9796. A bill to provide for a more conservative capitalization of the St. Lawrence Seaway Development Corporation, and for other purposes; to the Committee on Public Works.

By Mr. BOGGS:

H. Res. 614. Resolution providing for printing additional copies of Senate Report No. 830; to the Committee on House Administration.

By Mr. DAWSON:

H. Res. 615. Resolution providing for the expenses of conducting studies and investigations authorized by rule XI-8 incurred by the Committee on Government Operations; to the Committee on House Administration.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. FINO:

H.R. 9797. A bill for the relief of Emilia Botta; to the Committee on the Judiciary.

By Mr. O'NEILL:

H.R. 9798. A bill for the relief of Edmundo Jacomo Monteiro De Medeiros; to the Committee on the Judiciary.

By Mr. POWELL:

H.R. 9799. A bill for the relief of Calogero Coco; to the Committee on the Judiciary.

H.R. 9800. A bill for the relief of Vivencia O. Consing; to the Committee on the Judiciary.

By Mr. ROOSEVELT:

H.R. 9801. A bill to confer jurisdiction on the U.S. Court of Claims to hear, determine, and render judgment on the claim of Murray-Sanders Constructors and George A. Fuller Co. against the United States; to the Committee on the Judiciary.

PETITIONS, ETC.

Under clause 1 of rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

669. By the SPEAKER: Petition of the adjutant, Disabled American Veterans, Boston Chapter No. 10, Boston, Mass., petitioning consideration of their resolution with reference to opposition to the transfer of the Boston Regional Accounting Office from Boston to New York City; to the Committee on Post Office and Civil Service.

670. By the SPEAKER: Petition of Henry Stoner, Avon Park, Fla., proposing an Easter stamp showing John F. Kennedy, Jr., saluting his father's flag-draped casket as suggested by Representative JOHN E. MOSS; to the Committee on Post Office and Civil Service.

671. Also, petition of Henry Stoner, Avon Park, Fla., with reference to unjust criticism of France; to the Committee on Rules.

672. Also, petition of Henry Stoner, Avon Park, Fla., requesting the House to have the Foreign Affairs Committee investigate the possibility of a secret deal between the United States and Russia regarding invading Red China before they get thermonuclear warheads; to the Committee on Rules.

EXTENSIONS OF REMARKS

National Origin System in Immigration Law Must Be Abolished

EXTENSION OF REMARKS

OF

HON. EMANUEL CELLER

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 29, 1964

Mr. CELLER. Mr. Speaker, under leave to extend my remarks in the RECORD, I am pleased to include my testimony before the Senate Judiciary Subcommittee on Immigration, Monday, January 13, 1964. My statement follows:

I welcome, indeed, the privilege of appearing before you and having this opportunity to talk on our immigration policy. I appreciate fully the difficult task undertaken by you, a like task which the House committee will undertake soon.

I propose to address myself to Senator HART's bill, S. 1932, which is identical to the bill I introduced in the House, H.R. 7700, a proposal submitted to the Congress in a special message by the late President Kennedy and supported by President Johnson in his state of the Union message.

Since the enactment, in 1924, of the law which enunciated the restrictive ideology of the national origins theory imbedded in that act and carried forward in the act of 1952, the criticism has been both acute and unceasing. Historians, social philosophers, demographers have pointed again and again to the fallacious reasoning which led to the adoption of the national origins formula.

Forty years of testing have proven that the pattern of discrimination has not only produced imbalances, but that Congress itself, through various acts, has been forced by the realities of a changing world to modify this formula so that today it remains on the books primarily as an expression of gratuitous condescension. In fact, it applies now to only 33 percent of our total annual immigration and even with regard to that 33 percent it is splintered time and time again by legislative patchwork attempting to prop up a crumbling structure. This committee, as is the House committee, is familiar with the vast number of private immigration bills enacted by every Congress, again emphasizing the unworkability of an anachronistic formula.

I am firmly convinced that this formula would have been changed years ago had a workable substitute been found. In S. 1932 we now have a fair, a realistic and flexible formula which in our own national self-interest literally begs for adoption.

It is no secret to you, nor for that matter to anyone in Congress, that I have been highly vocal in decrying the national origins system of immigration selection. I have sponsored some and followed closely each Act of Congress which fractured the untenable ratio of selectivity that allots annually some 65,000 quota numbers to Great Britain and some 300 to Greece and 250 to Spain.

Congress recognized well what it was doing when it adopted these one-shot acts. Our respective committees were well aware of the legitimate attacks upon that system, but whatever the reason, we chose not to call a spade a spade. In a sense, then, each of the acts of Congress I am about to enumerate has been an act of redemption, the slow retreat from the fears and failures of 1924.

As soon as Nazi Germany's surrender silenced the guns of World War II, the free world awoke to face the overwhelming task of resettling over 1.5 million victims of Nazi and Communist terror, the liberated inmates of concentration camps and Hitler's slave laborers; in short, the mass of humanity stamped "displaced persons." The United States decided to offer hospitality to what was deemed to be her fair share of the unfortunates. However, the national origins formula of the 1924 law remained an unsurmountable obstacle to what the people of the United States wanted to do; namely, to accept the responsibility which the U.S. position of leadership in the world had imposed.

In 1948, the 80th Congress passed the first Displaced Persons Act. Woefully inadequate as that law was, it permitted the entry of 200,000 displaced persons outside of the national origins quota limitation, but in spite of the objections of many, myself included, that law imposed an unfair mortgage of the immigration quotas.

The 81st Congress passed the second Displaced Persons Act, sponsored by myself. Once again, the Congress recognized that the national origins quota system must be disregarded if this country were to respond to the public demand and discharge its moral and humanitarian obligations. As a compromise, the unfortunate mortgage feature of the 1948 law was retained.

In 1957, however, under a bill sponsored in the Senate by the late President Kennedy and in the House by my late friend and colleague, Mr. Walter, the mortgage provision was stricken from the statute books in obvious recognition of the fact that the situation created by the simultaneous operation of the national origins system plus the mortgage, had become untenable. Congress knew that the doors to the United States could no longer stay tightly shut for immigrants born in some 11 countries of Eastern Europe which suffered most under Hitler's and Stalin's rule.

The ink was hardly dry on the basic act of 1952 when, early in 1953, the Congress recognized that while the displaced persons and refugees resettlement problems have not yet been solved, the new law, by carrying forward the national origins formula, left this country without any instrumentality to cope with its responsibilities and the emergent needs of the homeless. A new refugee admission law was proposed and quickly passed. It is known as the Refugee Relief Act of 1953. It brought to these shores over 220,000 refugees outside of the quota system, outside of the national origins formula and even without the pitiful expediency of the mortgage used in the 1948 and the 1950 enactments.

Just as the two Displaced Persons Acts constituted the first loud and public admission of the obsolescence and the unworkability of the national origins formula of the

1924 law, the Refugee Relief Act of 1953, enacted only 8 months after the 1952 act became effective, remains an equally convincing piece of evidence of the bankruptcy of the system so very unfortunately incorporated in the statute now in effect.

Since 1957 every Congress, without exception, has been called upon to pass and did, indeed, pass a law further bending, chipping off, and whittling away the national origins formula.

Under pressure of inescapable facts, the 85th Congress passed the Act of September 11, 1957, converting into nonquota status many thousands of immigrants in the first, second, and third preferences, the highly skilled aliens whose services were urgently needed in this country and the relatives of U.S. citizens and immigrants. Under the same law all unused numbers remaining from the Refugee Relief Act allocations were authorized to be used—again without regard to national origin of the applicants.

The Hungarian emergency caught the United States again unprepared to cope with the crying and most urgent need for offering asylum to the victims of Soviet terror. A broad interpretation of the law was used and the doors were open but the Congress had to act fast to redress the situation and the same 85th Congress enacted on August 8, 1958, the law granting permanent residence to upwards of 40,000 Hungarian refugees. The principle of national origins received another body blow.

From 1957 on, this trend of congressional action in the field of immigration became obvious—and permanent. Every year, without exception, brought new laws admitting outside of the national origins system highly skilled specialists, relatives of U.S. citizens and permanently residing aliens as well as refugees; always, however, on a piecemeal basis, never reaching the core of the problem.

In 1958, the Congress passed four such laws, the acts of July 25, August 8, August 21, and September 2. The last one, Public Law 85-892, had an additional significance as it selected just nationals of two countries for relief, the Portuguese victims of the earthquake which took place on the Azores and the Dutch expelled from Indonesia—a truly convincing admission of the inadequacy of the national origins quota system, as the quota for the Netherlands is relatively large, while the Portuguese quota is very small—both equally inadequate to achieve congressional intent to help.

The 86th Congress acted twice along the same lines. The act of September 22, 1959, granted nonquota status to relatives of U.S. citizens and permanent residents who had already experienced a waiting period on the consular registers exceeding 10 to 15 years. The act of July 14, 1960, admitted more Portuguese and more Dutchmen as well as authorized the paroling of refugees with the built-in provision permitting the Attorney General to adjust their status to that of permanent residence after they had spent 2 years in the United States. National origin was again totally disregarded.

The 87th Congress did not deviate from this, now almost traditional, course of action. Again, under the Act of September 26, 1961, the reuniting of immigrant families was expedited by exempting large numbers of registrants from the national origin restrictions. Following that, under the act of October 24, 1962, the Congress has enlarged on the categories of relatives permitted to enter on a nonquota basis and for the fourth time since 1957 has extricated first preference applicants, the skilled specialists, from the national origins straitjacket.

Thus, year after year the Congress continued to tear away bits and pieces of the national origins system until a situation was created where that system, as of fiscal year 1963, governs the admission of only 33 percent of our total immigration intake while the onus of it remains nailed down to our entire immigration code.

In view of this history can we honestly say that we are now faced with a radical proposal? Are we really suddenly and dramatically departing from that which we presumably had held sacred for 40 years? Obviously not. Instead of clean surgery we have indulged ourselves in operations of occasional blood infusion into a moribund system.

In S. 1932 and H.R. 7700 careful provision is made for proper transition. For 5 years each quota allotment will be reduced 20 percent until at the end of that period there will be no national allotments. The unallotted numbers will be placed into a general pool and issued in chronological order within statutorily defined preferences favoring highly skilled specialists and uniting of families. Special provisions are made for emergency situations, thus eliminating the need for emergency legislation which we have been called upon to pass over the years.

At this point I want to make it clear, since every discussion surrounding immigration changes is obscured by arguments about our unemployment, our lack of classrooms, our housing, etc., that these arguments are totally irrelevant since the bill before you in no way significantly increases the basic numbers of immigrants to be permitted entry. We are not talking about increased immigration; we are talking about equality of opportunity for all peoples to reach this promised land. We freely acknowledge the fact that we are a land of immigrants, that this amalgam of blood has given us the richness, the diversity, the creativity that no other country in history has been able to achieve. From the builder of tunnels to the atomic scientist, we have drawn from the pool of world talent and have created a pluralistic society which—and I do not exaggerate—remains the wonder of all living historians.

In this complex age, therefore, shall not we as a nation have the means whereby we can choose freely from all corners of the earth the talents and the skills we need and not limit our own choice because one man of genius was born 5 miles east or south of the wrong boundary. This is the beauty of this proposal, this flexibility, this acknowledgment that talent does not repose in only a few chosen spots of land areas.

It is now 40 years, almost to the day, since the 1924 national origins law was enacted. Throughout all these years, as a Member of Congress, I fought for change. I do not want to wait another 40 years.

I respectfully submit that the fears and phobias of four decades ago have no place in our society in 1964. I respectfully submit that the days of patching are behind us. Is it not time our surgery were direct, clean, and straightforward?